

ORDINANCE NO. \_\_\_\_\_  
File No. Z0718-0057

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING BY REMOVING TWO TRACTS OF LAND LOCATED AT 4600 AND 4636 SAMUELL BOULEVARD FROM THE SKYLINE LOGISTICS HUB OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning by removing two tracts of land from the Skyline Logistics Hub Overlay District.

That the subject tracts are collectively and approximately 4.5 acres of land that will retain the underlying zoning district of commercial on properties located at 4600 and 4636 Samuell Boulevard in the Henry J. Webb Abstract No. 1636, City of Mesquite, Dallas County, Texas, and are more fully described in Exhibit "A" attached hereto.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

September 17, 2018

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SECTION 4. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 5. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 6. That this ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 17th day of September, 2018.

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Stan Pickett  
Mayor

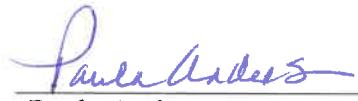
ATTEST:

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Sonja Land  
City Secretary

APPROVED:

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Paula Anderson  
Interim City Attorney

## LEGAL DESCRIPTION

## TRACT ONE

STATE OF TEXAS  
COUNTY OF DALLAS

Being a tract of land situated in the Henry J. Webb Survey, Abstract No. 1636, City of Mesquite, Dallas County, Texas, and being the same 2.7872 acre tract of land as conveyed to Buckner Baptist Benevolences by deed recorded in Volume 98047, Page 3972, Deed Records, Dallas County, Texas and being more particularly described as follows:

Beginning at a 1/2" capped iron pin set on the south right-of-way line of Samuell Boulevard (120' R.O.W.) for the northwest corner of said 2.7872 acre tract and the northeast corner of a 2.7872 acre tract of land conveyed to Ternalino Properties, LP by deed recorded in instrument no. 200600227192, Deed Records, Dallas County, Texas;

Thence, South 89°29'18" East, along the north line of said 2.7872 acre tract and the south right-of-way line of Samuell Boulevard (120' R.O.W.), a distance of 280.00 feet to a 1/2" capped iron pin set for the northeast corner of said 2.7872 acre tract and the northwest corner of a tract of land conveyed to Olona Langley by deed recorded in Volume 2003137, Page 10016, Deed Records, Dallas County, Texas;

Thence, South 00°56'48" East, along the east line of said 2.7872 acre tract, the west line of said Langley tract and the west line of a 1.8003 acre tract of land conveyed to Buckner Baptist Benevolences by deed recorded in Volume 91171, Page 4376, Deed Records, Dallas County, Texas, a distance of 433.75 feet to a 1/2" capped iron pin set on the north line of Block A of Commerce East Business Park, an addition to the City of Mesquite, according to the plat thereof recorded in Volume 85182, Page 3279, Map Records, Dallas County, Texas, for the southeast corner of said 2.7872 acre tract and the southwest corner of said 1.8003 acre tract;

Thence, North 89°29'18" West, along the south line of said 2.7872 acre tract and the north line of said Block A, a distance of 280.00 feet to a 1/2" capped iron pin set for the southwest corner of said 2.7872 acre tract and the southeast corner of said 2.7872 acre Ternalino tract;

Thence, North 00°56'48" West, along the west line of said 2.7872 acre tract and the east line of said 2.7872 acre Ternalino tract, a distance of 433.75 feet to the Point of Beginning and containing 2.7872 acres of land (121,411 square feet).

## TRACT TWO

STATE OF TEXAS  
COUNTY OF DALLAS

Being a tract of land situated in the Henry J. Webb Survey, Abstract No. 1636, City of Mesquite, Dallas County, Texas, and being the same called 1.8003 acre tract of land as conveyed to Buckner Baptist Benevolences by deed recorded in Volume 91171, Page 4376, Deed Records, Dallas County, Texas and being more particularly described as follows:

Beginning at a 1/2" capped iron pin set at the intersection of the south right-of-way line of Samuell Boulevard (120' R.O.W.) and the west right-of-way line of Big Town Boulevard (100' R.O.W.) for the northeast corner of said 1.8003 acre tract;

Thence, South 01°05'13" West, along the east line of said 1.8003 acre tract and the west right-of-way line of Big Town Boulevard (100' R.O.W.), a distance of 433.63 feet to a 1/2" iron pin found for the southwest corner of said 1.8003 acre tract and the northeast corner of Block A of Commerce East Business Park, an addition to the City of Mesquite, according to the plat thereof recorded in Volume 85182, Page 3279, Map Records, Dallas County, Texas;

Thence, North 89°29'18" West, along the south line of said 1.8003 acre tract and the north line of said Block A, a distance of 225.47 feet to a 1/2" capped iron pin set for the southwest corner of said 1.8003 acre tract and the southeast corner of a 2.7872 acre tract of land conveyed to Olona Langley by deed recorded in Volume 98047, Page 3972, Deed Records, Dallas County, Texas;

Thence, North 00°56'48" West, along the west line of said 1.8003 acre tract and the east line of said 2.7872 acre tract, a distance of 275.00 feet to a 1/2" capped iron pin set for the most westerly northwest corner of said 1.8003 acre tract and the southeast corner of a tract of land conveyed to Olona Langley by deed recorded in Volume 2003137, Page 10016, Deed Records, Dallas County, Texas;

Thence, South 89°29'18" East, along a north line of said 1.8003 acre tract and the south line of said Langley tract, a distance of 140.00 feet to a 1/2" iron pin found for the southeast corner of said Langley tract;

Thence, North 00°56'48" West, along a west line of said 1.8003 acre tract and the east line of said Langley tract, a distance of 158.75 feet to a 1/2" capped iron pin set on the south right-of-way line of Samuell Boulevard (120' R.O.W.) for the northwest corner of said 1.8003 acre tract and the northeast corner of said Langley tract;

Thence, South 89°29'18" East, along the north line of said 1.8003 acre tract and the south right-of-way line of Samuell Boulevard (120' R.O.W.), a distance of 100.99 feet to the Point of Beginning and containing 1.8116 acres of land (78,913 square feet).

## SURVEYOR'S CERTIFICATE

I, James Barton Carroll, do hereby certify to all parties, that this survey was made on the ground and shows the boundary lines with dimensions of the land indicated herein, shows the location of all structures and other noticeable improvements and visible items on the subject property, shows the location of all alleys and streets, and except as shown, there are no visible conflicts on subject property.

James Barton Carroll  
Texas Registered Professional Land Surveyor No. 6129



## BOUNDARY SURVEY

TRACT ONE - 2.7872 ACRES

TRACT TWO - 1.8116 ACRES

HENRY J. WEBB SURVEY, A-1636

CITY OF MESQUITE

DALLAS COUNTY, TEXAS

CARROLL CONSULTING GROUP, INC.

1008 STONEWALL STREET  
GARLAND, TEXAS 75043  
SUITE No. 'F'  
PHONE: (972) 840-1506

JOB No. : SCALE: DATE DRAWN BY:

2060-08 1"=40' AUGUST 12, 2008 CP

UPDATED: MAY 19, 2011

ALE