

ORDINANCE NO. 577

AN ORDINANCE OF THE CITY OF MESQUITE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964 SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY A "C" COMMERCIAL CLASSIFICATION UNDER A SPECIAL PERMIT FOR TEMPORARY COMMERCIAL AMUSEMENTS, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A 15.15 ACRE TRACT OF LAND OWNED BY JAMES M. MURDOCK AND SITUATED IN ABSTRACT NO. 974 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, SAID 15.15 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID 15.15 ACRE TRACT, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID ABSTRACT NO. 974; THENCE IN A SOUTHERLY DIRECTION ALONG THE MOST EASTERLY LINE OF SAID 15.15 ACRE TRACT A DISTANCE OF 564 FEET, MORE OR LESS, TO A POINT LOCATED ON THE MOST NORTHERLY RIGHT OF WAY LINE OF MILITARY PARKWAY (A 200 FOOT WIDE RIGHT OF WAY); THENCE NORTH 86 DEGREES 25 MINUTES WEST, 1475 FEET, MORE OR LESS, ALONG THE NORTH RIGHT OF WAY LINE OF MILITARY PARKWAY TO A POINT FOR CORNER; THENCE IN A NORTHEASTERLY DIRECTION ALONG THE MOST WESTERLY LINE OF SAID 15.15 ACRE TRACT, 690 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE EASTERLY ALONG THE MOST NORTHERLY LINE OF SAID 15.15 ACRE TRACT, 977.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.15 ACRES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan 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 the granting of special permits 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 said special permit should be granted herein, subject to the conditions set out herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance of 1964, duly passed by the Governing Body of the City of Mesquite on the 12th day of August, 1964, be, and the same is hereby amended by amending the Zoning Map of the City of Mesquite so

as to give the following described property a "C" Commercial classification under a special permit for temporary commercial amusements, described as follows:

Being a 15.15 acre tract of land owned by James M. Murdock and situated in Abstract No. 974 of the Map Records of Dallas County, Texas, said 15.15 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of said 15.15 acre tract, said corner also being the Northeast corner of said Abstract No. 974;

THENCE in a Southerly direction along the most easterly line of said 15.15 acre tract a distance of 564 feet, more or less, to a point located on the most Northerly right of way line of Military Parkway (a 200 foot wide right of way);

THENCE North $86^{\circ} 25'$ West, 1475 feet, more or less, along the North right of way line of Military Parkway to a point for corner;

THENCE in a Northeasterly direction along the most Westerly line of said 15.15 acre tract, 690 feet, more or less, to a point for corner;

THENCE Easterly along the most Northerly line of said 15.15 acre tract, 977.77 feet to the point of BEGINNING and containing 15.15 acres.

SECTION 2. That all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964, as heretofore amended and as amended herein by the granting of this special permit.

SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be

adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964, as heretofore amended, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 6. Whereas, the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED by the City Council on the 18 day of January, 1965.

APPROVED:

B. W. C. [Signature]
MAYOR

ATTEST:

Tommy H. McLaughry [Signature]
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker [Signature]
ATTORNEY