

ORDINANCE NO. 589

AN ORDINANCE OF THE CITY OF MESQUITE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964 SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY AN "LR" LOCAL RETAIL DISTRICT CLASSIFICATION, SAID PROPERTY BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND LOCATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, COMMENCING AT THE NORTHWEST CORNER OF THE INTERSECTION OF GUS THOMASSON AND MOTLEY DRIVE; THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF GUS THOMASSON ROAD A DISTANCE OF 360 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING OF THIS DESCRIPTION, SAID BEGINNING POINT BEING IN THE EAST LINE OF THE WILLIAM JOHNSTON SURVEY, ABSTRACT 705; THENCE NORTHWESTERLY AND WESTERLY ALONG THE WESTERLY AND SOUTHERLY RIGHT OF WAY LINE OF GUS THOMASSON ROAD TO POINT FOR CORNER, SAID POINT BEING THE SOUTHEAST CORNER OF THE INTERSECTION OF GUS THOMASSON ROAD AND AN ALLEY IN BLOCK G/7312, CITY OF DALLAS, TEXAS, SAID POINT BEING IN THE COMMON CITY LIMITS LINE OF DALLAS AND MESQUITE; THENCE SOUTH ALONG THE SAID COMMON CITY LIMITS LINE A DISTANCE OF 250 FEET, MORE OR LESS, TO A POINT FOR CORNER IN THE NORTH PROPERTY LINE OF A 3.967 ACRE TRACT OWNED BY ANNIE C. RIGGS; THENCE EASTERLY AND SOUTHERLY AROUND THE SAID ANNIE C. RIGGS TRACT TO A POINT FOR CORNER, SAID POINT BEING IN THE RIGHT OF WAY LINE OF AN ALLEY IN BLOCK R/7312, CITY OF DALLAS, SAID POINT BEING ALSO IN THE COMMON CITY LIMITS LINE OF DALLAS AND MESQUITE; THENCE EASTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SAID ALLEY TO A POINT FOR CORNER IN THE WEST RIGHT OF WAY LINE OF MOTLEY DRIVE; THENCE NORTH 1 DEGREE 26 MINUTES WEST A DISTANCE OF 1,030 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING; 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 change of zoning 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 change of zoning 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 an "IR" Local Retail District Classification, described as follows:

BEING a tract of land located in the City of Mesquite, Dallas County, Texas, commencing at the Northwest corner of the intersection of Gus Thomasson and Motley Drive; Thence Northwesterly along the Westerly right of way line of Gus Thomasson Road a distance of 360 feet, more or less, to the place of beginning of this description, said beginning point being in the East line of the William Johnston Survey, Abstract 705;

THENCE Northwesterly and Westerly along the Westerly and Southerly right of way line of Gus Thomasson Road to point for corner, said point being the Southeast corner of the intersection of Gus Thomasson Road and an alley in Block G/7312, City of Dallas, Texas, said point being in the common City Limits line of Dallas and Mesquite;

THENCE South along the said common City Limits line a distance of 250 feet, more or less, to a point for corner in the North property line of a 3.967 acre tract owned by Annie C. Riggs;

THENCE Easterly and Southerly around the said Annie C. Riggs tract to a point for corner, said point being in the right of way line of an alley in Block R/7312, City of Dallas, said point being also in the common City Limits line of Dallas and Mesquite;

THENCE Easterly along the North right of way line of said alley to a point for corner in the West right of way line of Motley Drive;

THENCE North  $1^{\circ} 26'$  West a distance of 1,030 feet, more or less, to the place of beginning.

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 change of zoning.

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 thereof 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 19 day of April, 1965.

APPROVED:

B. W. Cunej  
MAYOR

ATTEST:

Norm H. M. Gandy  
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker  
ATTORNEY