

ORDINANCE NO. 602

AN ORDINANCE OF THE CITY OF MESQUITE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964 SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY "C" COMMERCIAL ZONING, SAID PROPERTY BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE WILLIAM CRITTENTON SURVEY, ABSTRACT NO. 333, THE JOSEPHUS FOREMAN SURVEY, ABSTRACT NO. 483, AND THE J. E. FIELD SURVEY, ABSTRACT NO. 1622, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND FURTHER BEING LOT 15, BLOCK NO. 1, LOTS 21 AND 22, BLOCK NO. 2, AND A PORTION OF BAMBOO STREET AS SHOWN ON A PLAT PREPARED BY JOHN C. GIBSON & CO., ENGINEERS, DATED MAY, 1965, AND TITLED TOWN EAST ESTATES NO. 8, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST WESTERLY CORNER OF THE ABOVE MENTIONED TOWN EAST ESTATES NO. 8 ADDITION, SAID POINT BEING ON THE SOUTHEAST LINE OF U. S. HIGHWAY NO. 67, (A 300 FT. R.O.W.), AN IRON STAKE FOR CORNER; THENCE, NORTH 60 DEGREES 14 MINUTES EAST, ALONG THE SAID SOUTHEAST LINE OF U. S. HIGHWAY NO. 67, 1,883.02 FEET TO A CONCRETE R.O.W. MARKER FOR CORNER; THENCE, ALONG A CUT-OFF LINE BETWEEN THE SAID SOUTHEAST LINE OF U. S. HIGHWAY NO. 67 AND THE SOUTHWEST LINE OF GROSS ROAD, THE FOLLOWING: SOUTH 89 DEGREES 16 MINUTES EAST, 118.68 FEET TO A CONCRETE R.O.W. MARKER; SOUTH 46 DEGREES 38 MINUTES EAST, 97.30 FEET TO A CONCRETE R.O.W. MARKER; SOUTH 67 DEGREES 06 MINUTES EAST, 129.65 FEET TO AN IRON STAKE; THENCE, SOUTH 1 DEGREE 25 MINUTES EAST, LEAVING THE SAID CUT-OFF LINE BETWEEN U. S. HIGHWAY NO. 67 AND GROSS ROAD, 388.59 FEET TO AN IRON STAKE FOR CORNER; THENCE, SOUTH 60 DEGREES 14 MINUTES WEST, 206.13 FEET TO AN IRON STAKE FOR CORNER; THENCE, SOUTH 27 DEGREES 39 MINUTES WEST, 199.86 FEET TO AN IRON STAKE FOR CORNER; THENCE, SOUTH 72 DEGREES 39 MINUTES WEST, 21.21 FEET TO AN IRON STAKE FOR CORNER; THENCE, NORTH 62 DEGREES 21 MINUTES WEST, 244.68 FEET TO AN IRON STAKE FOR CORNER; THENCE, NORTH 46 DEGREES 03 MINUTES 30 SECONDS WEST, 28.80 FEET TO AN IRON STAKE FOR CORNER; THENCE, NORTH 29 DEGREES 46 MINUTES WEST, 167.67 FEET TO AN IRON STAKE FOR CORNER; THENCE, SOUTH 60 DEGREES 14 MINUTES WEST, 1,197.79 FEET TO AN IRON STAKE FOR CORNER; THENCE, NORTH 0 DEGREES 43 MINUTES WEST, 178.40 FEET TO AN IRON STAKE FOR CORNER; THENCE, SOUTH 89 DEGREES 06 MINUTES WEST, 298.42 FEET TO THE PLACE OF BEGINNING AND CONTAINING 17.128 ACRES OF LAND; 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 zoning under the zoning ordinance regulations and Zoning Map, have given the requisite notices

02320

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 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 a "C" Commercial Classification, described as follows:

BEING a tract of land situated in the William Crittenton Survey, Abstract No. 333, the Josephus Foreman Survey, Abstract No. 483, and the J. E. Field Survey, Abstract No. 1622, City of Mesquite, Dallas County, Texas, and further being Lot 15, Block No. 1, Lots 21 and 22, Block No. 2, and a portion of Bamboo Street as shown on a plat prepared by John C. Gibson & Co., Engineers, dated May, 1965, and titled TOWN EAST ESTATES NO. 8, and being more particularly described as follows:

BEGINNING at the Most Westerly corner of the above mentioned Town East Estates No. 8 Addition, said point being on the Southeast line of U. S. Highway No. 67, (a 300 ft. R.O.W.), an iron stake for corner;

THENCE, N. 60° 14' E., along the said Southeast line of U. S. Highway No. 67, 1,883.02 feet to a concrete R.O.W. marker for corner;

THENCE, along a cut-off line between the said Southeast line of U. S. Highway No. 67 and the Southwest line of Gross Road, the following:

S. 89° 16' E., 118.68 feet to a concrete R.O.W. Marker;
S. 46° 38' E., 97.30 feet to a concrete R.O.W. Marker;
S. 67° 06' E., 129.65 feet to an iron stake;

THENCE, S. 1° 25' E., leaving the said cut-off line between U. S. Highway No. 67 and Gross Road, 388.59 feet to an iron stake for corner;

Page 3

Ordinance No. 602

THENCE, S. 60° 14' W., 206.13 feet to an iron stake for corner;

THENCE, S. 27° 39' W., 199.86 feet to an iron stake for corner;

THENCE, S. 72° 39' W., 21.21 feet to an iron stake for corner;

THENCE, N. 62° 21' W., 244.68 feet to an iron stake for corner;

THENCE, N. 46° 03' 30" W., 28.80 feet to an iron stake for corner;

THENCE, N. 29° 46' W., 167.67 feet to an iron stake for corner;

THENCE, S. 60° 14' W., 1,197.79 feet to an iron stake for corner;

THENCE, N. 0° 43' W., 178.40 feet to an iron stake for corner;

THENCE, S. 89° 06' W., 298.42 feet to the PLACE OF BEGINNING and containing 17.128 acres of land.

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 zoning classification.

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 2nd day of August, 1965.

APPROVED:

George Boyce
MAYOR

ATTEST:

Norm G. McGaughey
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY