

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964, DULY PASSED BY THE CITY COUNCIL ON AUGUST 17, 1964, SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM "R-3" RESIDENTIAL CLASSIFICATION TO "C" COMMERCIAL ZONING CLASSIFICATION, SAID PROPERTY BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND OUT OF THE J. LAKEY SURVEY, ABSTRACT 810, IN THE CITY OF MESQUITE DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GALLOWAY AVENUE AND THE SOUTH LINE OF A 3 ACRE TRACT OF LAND DEEDED TO THE COUNTY OF DALLAS ON AUGUST 15, 1935 BY E. A. GRUBB; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH GALLOWAY AVENUE A DISTANCE OF 384 FEET TO A POINT FOR CORNER, SAID POINT BEING IN THE NORTH LINE OF A 5.82 ACRE TRACT OF LAND OWNED BY THE CITY OF MESQUITE, TEXAS THENCE SOUTH $89^{\circ} 29' 30''$ WEST ALONG THE NORTH LINE OF THE SAID CITY OF MESQUITE 5.82 ACRE TRACT A DISTANCE OF 564.95 FEET TO A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF EBRITE STREET (A 50 FOOT RIGHT OF WAY); THENCE NORTH $4^{\circ} 38'$ EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF EBRITE STREET A DISTANCE OF 386 FEET TO A POINT FOR CORNER; THENCE NORTH $89^{\circ} 37'$ EAST 547 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.69 ACRES, MORE OR LESS; 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 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 said change of zoning should be granted 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 City Council of the City of Mesquite, Texas on the 17th 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 out of the J. Lakey Survey, Abstract 810, in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the west right-of-way line of North Galloway Avenue and the South line of a 3 acre tract of land deeded to the County of Dallas on August 15, 1935 by E. A. Grubb;

THENCE south along the west right-of-way line of North Galloway Avenue a distance of 384 feet to a point for corner, said point being in the north line of a 5.82 acre tract of land owned by the City of Mesquite, Texas;

THENCE South $89^{\circ} 29' 30''$ W along the north line of the said City of Mesquite 5.82 acre tract a distance of 564.95 feet to a point for corner in the east right-of-way line of Ebrite Street (a 50' right of way);

THENCE North $4^{\circ} 38'$ East along the easterly right of way line of Ebrite Street a distance of 386 feet to a point for corner;

THENCE North $89^{\circ} 37'$ East 547 feet to the place of beginning and containing 4.69 acres, more or less.

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 purpose provided for by the Comprehensive Zoning Ordinance of 1964.

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.

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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 of the City of Mesquite, 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 20th day of December, 1965.

APPROVED:

George Boyce
MAYOR

ATTEST:

Norm G. McLaughly
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY