

ORDINANCE NO. 625

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 "LR" LOCAL RETAIL CLASSIFICATION TO "A" MULTIPLE FAMILY DISTRICT CLASSIFICATION, SAID PROPERTY BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE SWING AND LAWS SURVEY, ABSTRACT 810, AND THE M. L. SWING SURVEY, ABSTRACT 1397, DALLAS COUNTY, TEXAS, AND BEING IN BLOCK 22 OF THE EL ROSA ADDITION TO THE CITY OF MESQUITE, TEXAS, AS RECORDED IN VOLUME 39, PAGE 38 OF THE DALLAS COUNTY, TEXAS DEED RECORDS AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, OF SAID EL ROSA ADDITION; THENCE NORTH 88 DEGREES 45 MINUTES EAST 560.0 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF VILLAGE DRIVE (A 50.0 FOOT STREET DEDICATED TO THE CITY OF MESQUITE BY DEED RECORDED IN VOLUME 240, PAGE 1034, OF THE DALLAS COUNTY, TEXAS DEED RECORDS) TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 88 DEGREES 45 MINUTES EAST 6.84 TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE, IN A NORTHEASTERLY DIRECTION ALONG SAID CURVE, BEING TO THE LEFT AND HAVING A RADIUS OF 425.0 FEET, A CENTRAL ANGLE OF 13 DEGREES 20 MINUTES, AND A TANGENT OF 49.68 FEET, AND A DISTANCE OF 98.90 FEET; THENCE, NORTH 75 DEGREES 25 MINUTES EAST 176.06 FEET TO A POINT FOR CORNER, SAID POINT BEING IN THE SOUTH LINE OF VILLAGE DRIVE; THENCE EAST 01 DEGREE 03 MINUTES 45 SECONDS EAST 507.20 FEET TO A POINT FOR CORNER, SAID POINT BEING IN THE NORTH LINE OF A 17.0 FOOT ALLEY IN THE EL ROSA ADDITION; THENCE, NORTH 89 DEGREES 34 MINUTES 30 SECONDS WEST 276.0 FEET TO A POINT FOR CORNER, SAID POINT BEING IN THE NORTH LINE OF THE SAID 17 FOOT ALLEY AND THE MOST SOUTHEASTERLY CORNER OF THE FOURTH PHASE OF THE VILLAGE DRIVE APARTMENTS; THENCE, NORTH 01 DEGREE 03 MINUTES 45 SECONDS WEST 447.02 FEET TO THE PLACE OF BEGINNING AND CONTAINING 3.206 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 an "A" Multiple Family District classification:

Being a tract of land situated in the Swing and Laws Survey, Abstract 810, and the M. L. Swing Survey, Abstract 1397, Dallas County, Texas, and being in Block 22 of the El Rosa Addition to the City of Mesquite, Texas, as recorded in Volume 39, Page 38 of the Dallas County, Texas Deed Records and being more fully described as follows:

BEGINNING at the northeast corner of Lot 1, Block 1, of said El Rosa Addition; Thence N 88° 45' E 560.0 feet along the south right-of-way line of Village Drive (a 50.0 foot street dedicated to the City of Mesquite by deed recorded in Volume 240, Page 1034, of the Dallas County, Texas Deed Records) to the Point of Beginning for this description;

THENCE, N 88° 45' E 6.84 to the beginning of a curve to the left;

THENCE, in a northeasterly direction along said curve, being to the left and having a radius of 425.0 feet, a Central Angle of 13° 20', and a Tangent of 49.68 feet, and a distance of 98.90 feet;

THENCE, N 75° 25' E 176.06 feet to a point for corner, said point being in the south line of Village Drive;

THENCE, E 01° 03' 45" E 507.20 feet to a point for corner, said point being in the north line of a 17.0 foot alley in the El Rosa Addition;

THENCE, N 89° 34' 30" W 276.0 feet to a point for corner, said point being in the north line of the said 17 foot alley and the most southeasterly corner of the fourth phase of the Village Drive Apartments;

THENCE, N 01° 03' 45" W 447.02 feet to the place of Beginning and containing 3.206 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.

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 3 day of January, 1966.

APPROVED:

George Boyce
MAYOR

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY

ATTEST:

Tom G. M. Gough
CITY SECRETARY