

ORDINANCE NO. 641

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 "A" MULTIPLE FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL DISTRICT CLASSIFICATION: BEING A 150 FT. BY 150 FT. TRACT OF LAND OUT OF TRACT 5, BLOCK I, TOWN EAST ESTATES ADDITION NO. 1, AN ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE INTERSECTION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF TOWN EAST BOULEVARD (A 100 FT. R.O.W.) AND THE NORTHEASTERLY RIGHT OF WAY LINE OF TRADEWIND DRIVE (A 50 FT. R.O.W.); THENCE NORTH 45 DEGREES 35 MINUTES WEST ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF TRADEWIND DRIVE A DISTANCE OF 150 FT. TO A POINT FOR CORNER; THENCE NORTH 44 DEGREES 25 MINUTES EAST, 150 FT. TO A POINT FOR CORNER; THENCE SOUTH 45 DEGREES 35 MINUTES EAST, 150 FEET TO A POINT FOR CORNER IN THE NORTHWESTERLY RIGHT OF WAY LINE OF TOWN EAST BOULEVARD; THENCE SOUTH 44 DEGREES 25 MINUTES WEST ALONG THE SAID NORTHWESTERLY RIGHT OF WAY LINE OF TOWN EAST BOULEVARD A DISTANCE OF 150 FEET 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 the 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 change of zoning from "A" Multiple Family Dwelling District to "LR" Local Retail District classification:

Being a 150 ft. by 150 ft. tract of land out of Tract 5, Block I, Town East Estates Addition No. 1, an addition to the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the intersection of the northwesterly right of way line of Town East Boulevard (a 100 ft. R.O.W.) and the northeasterly right of way line of Tradewind Drive (a 50 ft. R.O.W.);

THENCE N. 45° 35' W. along the northeasterly right of way line of Tradewind Drive a distance of 150 ft. to a point for corner;

THENCE N. 44° 25' E., 150 ft. to a point for corner;

THENCE S. 45° 35' E., 150 ft. to a point for corner in the northwesterly right of way line of Town East Boulevard;

THENCE S. 44° 25' W., along the said northwesterly right of way line of Town East Boulevard a distance of 150 ft. 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 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 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 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 2 day of May, 1966.

APPROVED:

George Boyce  
MAYOR

ATTEST:

Norm G. H. Hargis  
CITY SECRETARY

APPROVES AS TO FORM:

B. Robert Baker  
ATTORNEY