

ORDINANCE NO. 650

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" SINGLE FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL DISTRICT CLASSIFICATION: BEING A TRACT OF LAND SITUATED IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND FURTHER BEING PART OF A 100 ACRE TRACT OF LAND AS CONVEYED TO MRS. MARGARET SCHUSTER MARSHALL, SCHUYLER B. MARSHALL III, AND CHARLES BOST MARSHALL BY DEED RECORDED IN VOLUME 1771, AT PAGE 629 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SCYENE ROAD, (a 100 FT. R.O.W.), WITH THE WEST LINE OF PEACHTREE ROAD, (A 60 FT. R.O.W.), A CONCRETE MONUMENT SET FOR CORNER; THENCE, SOUTH 1 DEGREE 01 MINUTE EAST, LEAVING SAID SOUTHERLY LINE OF SCYENE ROAD AND PROCEEDING ALONG SAID WEST LINE OF PEACHTREE ROAD, SAME BEING THE EAST LINE OF SAID MARSHALL TRACT, A DISTANCE OF 1,060.00 FEET TO AN IRON STAKE FOR CORNER; THENCE, SOUTH 88 DEGREES 59 MINUTES WEST, LEAVING SAID PEACHTREE ROAD WEST LINE, A DISTANCE OF 746.83 FEET TO AN IRON STAKE FOR CORNER; THENCE, NORTH 20 DEGREES 41 MINUTES WEST, A DISTANCE OF 746.83 FEET TO A POINT ON THE SAID SCYENE ROAD SOUTHERLY LINE, AN IRON STAKE FOR CORNER; THENCE, NORTH 69 DEGREES 19 MINUTES EAST, ALONG THE SAID SCYENE ROAD SOUTHERLY LINE, A DISTANCE OF 1,060.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 18.173 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 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 change the following described property from "R-3" Single Family Dwelling District to "LR" Local Retail District classification:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and further being part of a 100 acre tract of land as conveyed to Mrs. Margaret Schuster Marshall, Schuyler B. Marshall III, and Charles Bost Marshall by deed recorded in Volume 1771, at page 629 of the Deed Records of Dallas County, Texas, and being particularly described as follows:

BEGINNING at the intersection of the Southerly line of Scyene Road, (a 100 ft. R.O.W.), with the West line of Peachtree Road, (a 60 ft. R.O.W.), a concrete monument set for corner;

THENCE, S. 1° 01' E., leaving said Southerly line of Scyene Road and proceeding along said West line of Peachtree Road, same being the East line of said Marshall tract, a distance of 1,060.00 feet to an iron stake for corner;

THENCE, S. 88° 59' W., leaving said Peachtree Road West line, a distance of 746.83 feet to an iron stake for corner;

THENCE, N. 20° 41' W., a distance of 746.83 feet to a point on the said Scyene Road Southerly line, an iron stake for corner;

THENCE, N. 69° 19' E., along the said Scyene Road Southerly line, a distance of 1,060.00 feet to the PLACE OF BEGINNING and containing 18.173 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 tracts 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 of the City of Mesquite, Texas, on the 6 day of September, 1966.

APPROVED:

George Boyce
MAYOR

ATTEST:

Norm H. M. Gaughy
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY