

ORDINANCE NO. 657

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-2" RESIDENTIAL DISTRICT CLASSIFICATION TO "C" COMMERCIAL DISTRICT CLASSIFICATION: BEING A TRACT OF LAND LOCATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING A PART OF THE JOHN T. NELMS SURVEY, ABSTRACT NO. 1095, AND THE ZACH MOTLEY SURVEY, ABSTRACT NO. 1007, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF INTERSTATE HIGHWAY 635 AND THE NEW SOUTH LINE OF TOWN EAST BOULEVARD (60 FEET FROM ITS CENTERLINE); THENCE NORTH 80 DEGREES 03 MINUTES 48 SECONDS EAST, 161.32 FEET ALONG SAID NEW SOUTH LINE OF TOWN EAST BOULEVARD; THENCE NORTH 9 DEGREES 56 MINUTES 12 SECONDS WEST, 20.00 FEET TO A POINT IN THE OLD SOUTH LINE OF TOWN EAST BOULEVARD (40 FEET FROM ITS CENTERLINE); THENCE ALONG SAID OLD SOUTH LINE OF TOWN EAST BOULEVARD (40 FEET FROM ITS CENTERLINE) AS FOLLOWS: NORTH 80 DEGREES 15 MINUTES 08 SECONDS EAST, 915.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2850.50 FEET, A CENTRAL ANGLE OF 7 DEGREES 25 MINUTES AND A TANGENT OF 184.75 FEET; THENCE AROUND SAID CURVE 368.98 FEET TO THE END OF SAID CURVE; THENCE NORTH 87 DEGREES 40 MINUTES 08 SECONDS EAST, 343.91 FEET TO A POINT IN A FENCE RUNNING IN A SOUTHERLY DIRECTION; THENCE LEAVING SAID SOUTH LINE OF TOWN EAST BOULEVARD, SOUTH 0 DEGREE 34 MINUTES 52 SECONDS EAST, 1979.15 FEET ALONG SAID FENCE LINE; THENCE SOUTH 89 DEGREES 54 MINUTES 08 SECONDS WEST, 1627.61 FEET TO A POINT IN SAID EAST LINE OF INTERSTATE HIGHWAY 635; THENCE ALONG SAID EAST LINE OF INTERSTATE HIGHWAY 635 AS FOLLOWS: NORTH 7 DEGREES 26 MINUTES 12 SECONDS WEST, 437.40 FEET; THENCE NORTH 3 DEGREES 26 MINUTES 12 SECONDS WEST, 573.42 FEET; THENCE NORTH 7 DEGREES 26 MINUTES 12 SECONDS WEST, 327.98 FEET; THENCE NORTH 3 DEGREES 56 MINUTES 12 SECONDS WEST, 396.08 FEET TO THE POINT OF BEGINNING, AND CONTAINING 74.04 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 Governing Body of 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-2" Residential District Classification to "C" Commercial District Classification:

BEING a tract of land located in the City of Mesquite, Dallas County, Texas, and being a part of the John T. Nelms Survey, Abstract No. 1095, and the Zach Motley Survey, Abstract No. 1007, Dallas County, Texas, and being more particularly described as follows:

Beginning at the intersection of the east line of Interstate Highway 635 and the new south line of Town East Boulevard (60 feet from its centerline);

Thence North  $80^{\circ} 03' 48''$  East, 161.32 feet along said new south line of Town East Boulevard;

Thence North  $9^{\circ} 56' 12''$  West, 20.00 feet to a point in the old south line of Town East Boulevard (40 feet from its centerline);

Thence along said old south line of Town East Boulevard (40 feet from its centerline) as follows: North  $80^{\circ} 15' 08''$  East, 915.63 feet to the beginning of a curve to the right having a radius of 2850.50 feet, a central angle of  $7^{\circ} 25'$  and a tangent of 184.75 feet;

Thence around said curve 368.98 feet to the end of said curve;

Thence North  $87^{\circ} 40' 08''$  East, 343.91 feet to a point in a fence running in a southerly direction;

Thence leaving said south line of Town East Boulevard, South  $0^{\circ} 34' 52''$  East, 1979.15 feet along said fence line;

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Thence South  $89^{\circ} 54' 08''$  West, 1627.61 feet to a point in said east line of Interstate Highway 635;

Thence along said east line of Interstate Highway 635 as follows: North  $7^{\circ} 26' 12''$  West, 437.40 feet;

Thence North  $3^{\circ} 26' 12''$  West, 573.42 feet;

Thence North  $7^{\circ} 26' 12''$  West, 327.98 feet;

Thence North  $3^{\circ} 56' 12''$  West, 396.08 feet to the point of beginning, and containing 74.04 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 26 day of September, 1966.

APPROVED:

George Boyce  
MAYOR

ATTEST:

Norman D. McLaughly  
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker  
ATTORNEY