

ORDINANCE NO. 671

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 DISTRICT CLASSIFICATION TO "A" MULTIPLE FAMILY DWELLING DISTRICT CLASSIFICATION: BEING A TRACT OF LAND SITUATED IN BLOCK 22 OF THE EL ROSA ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 39, PAGE 83 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS, TO-WIT: BEGINNING AT A POINT IN THE NORTH RIGHT-OF-WAY LINE OF VILLAGE DRIVE, SAID POINT BEING 313.91 FEET WEST OF THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF GUS THOMASSON ROAD AND THE NORTH RIGHT-OF-WAY LINE OF VILLAGE DRIVE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THIS 2.890 ACRE TRACT: THENCE, S 75°25' W 237.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT: THENCE, IN A WESTERLY DIRECTION ALONG SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 13°20', A RADIUS OF 375.00 FEET, AND A TANGENT OF 43.83 FEET, A DISTANCE OF 87.27 FEET: THENCE S 88°45' W 6.84 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS 2.890 ACRE TRACT; THENCE N 01°13' W 396.05 FEET TO A POINT FOR THE NORTHWEST CORNER OF THIS 2.890 ACRE TRACT; THENCE, N 88°39' E 332.48 FEET TO A POINT FOR THE NORTHEAST CORNER OF THIS 2.890 ACRE TRACT; THENCE, S 00°01' W 331.74 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.890 ACRES OF LAND, 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 the State Laws with reference to granting of zoning changes under the ordinance zoning 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 therein;

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 to "A" Multiple Family Dwelling District Classification from "LR" Local Retail District Classification:

Being a tract of land situated in Block 22 of the El Rosa Addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 39, page 83 of the Map Records of Dallas County, Texas, as more particularly described by metes and bounds, as follows, to-wit:

BEGINNING at a point in the North right-of-way line of Village Drive, said point being 313.91 feet West of the intersection of the West right-of-way line of Gus Thomasson Road and the North right-of-way line of Village Drive, said point also being the southeast corner of this 2.890 acre tract;

THENCE, S 75°25' W 237.93 feet to the beginning of a curve to the right;

THENCE, in a Westerly direction along said curve to the right, having a Central Angle of 13°20', a radius of 375.00 feet, and a tangent of 43.83 feet, a distance of 87.27 feet;

THENCE, S 88°45' W 6.84 feet to a point for the southwest corner of this 2.890 acre tract;

THENCE, N 01°13' W 396.05 feet to a point for the northwest corner of this 2.890 acre tract;

THENCE, N 88°39' E 332.48 feet to a point for the Northeast corner of this 2.890 acre tract;

THENCE, S 00°01' W 331.74 feet to the place of beginning and containing 2.890 acres of land, 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 effect the validity of this ordinance as a whole, or any part or provisions 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 20 day of March, 1967.

APPROVED:

George Boyce
MAYOR

ATTEST:

Tom G. McLaughlin
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY

