

ORDINANCE NO. 679

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 TO "A" MULTIPLE FAMILY DISTRICT CLASSIFICATION: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING A TRACT OF LAND OUT OF THE W. J. SWING SURVEY, ABST. NO. 1392, AND THE MCKINNEY AND WILLIAMS SURVEY, ABST. NO. 1035, DALLAS COUNTY, TEXAS, AND BEING PART OF THE 73.4 ACRE TRACT DEEDED TO C. R. MARRIOTT AND WIFE, BY SAM DAVIS BY DEED RECORDED IN VOL. 3533, PAGE 129, DEED RECORDS, DALLAS COUNTY, TEXAS, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT WHICH IS 55 FEET SOUTH AND 190 FEET EAST OF THE NORTHWEST CORNER OF THE M. L. SWING SURVEY, ABST. NO. 1392; THENCE S. 89 DEG. 24 MIN. E. 690 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF BRUTON ROAD TO THE WEST LINE OF A 15' ALLEY IN BLOCK E, EDMONT PARK ADDN. NO. 7 TO A POINT FOR CORNER; THENCE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF THE SAID 15' ALLEY TO A POINT FOR CORNER IN THE NORTH RIGHT OF WAY LINE OF McWHORTER DRIVE; THENCE WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF McWHORTER DRIVE TO A POINT FOR CORNER IN THE EAST RIGHT OF WAY LINE OF HICKORY TREE ROAD; THENCE NORTH 0 DEG. 09 MIN. EAST 448 FEET; THENCE SOUTH 89 DEG. 24 MIN. EAST 150 FEET; THENCE NORTH 0 DEG. 09 MIN. EAST, 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 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 "LR" Local Retail District to "A" Multiple Family District Classification:

All that certain lot, tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, and being a tract of land out of the W. J. Swing Survey, Abst. No. 1392, and the McKinney and Williams Survey, Abst. No. 1035, Dallas County, Texas, and being part of the 73.4 acre tract deeded to C. R. Marriott and wife, by Sam Davis by Deed recorded in Vol. 3533, Page 129, Deed Records, Dallas County, Texas, described by metes and bounds as follows:

BEGINNING at a point which is 55 feet South and 190 feet East of the Northwest corner of the M. L. Swing Survey, Abst. No. 1392;

THENCE S. 89 deg. 24 min. E. 690 feet along the South right of way line of Bruton Road to the West line of a 15' alley in Block E, Edgemont Park Addn. No. 7 to a point for corner;

THENCE in a southerly direction along the West line of the said 15' alley to a point for corner in the North right of way line of McWhorter Drive;

THENCE westerly along the North right of way line of McWhorter Drive to a point for corner in the East right of way line of Hickory Tree Road;

THENCE North 0 deg. 09 min. East 448 feet;

THENCE South 89 deg. 24 min. East 150 feet;

THENCE North 0 deg. 09 min. East, 150 feet 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.

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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 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 15 day of May, 1967.

APPROVED:

George Boyce  
MAYOR

ATTEST:

Norm A. Gay  
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker  
ATTORNEY

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