ORDINANCE NO. 680

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" RESIDENTIAL DISTRICT CLASSIFICATION TO "C" COMMERCIAL DISTRICT CLASSIFICATION: BEING IN THE CITY OF MESQUITE, TEXAS, AND BEING PART OF A TRACT AS DESCRIBED IN DEED TO LOTHAR WORTMAN ET UX DATED 7-30-53 FILED 8-3-53 IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS; AND SAID o.596 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWEST LINE OF SAID WORTMAN TRACT WITH THE EAST LINE OF AN UN-NAMED STREET, SAID BEGINNING POINT BEING THE NORTHEAST CORNER OF A TRACT DESCRIBED IN DEED TO CITY OF MESQUITE DATED 6-24-63 (0.012 ACRE TRACT), SAID BEGINNING POINT BEING AN IRON ROD; THENCE NORTH 70° 40' EAST, ALONG SAID NORTHWEST LINE OF SAID WORTMAN TRACT, 286.9 FT TO AN IRON ROD AT A FENCE CORNER, SAME BEING THE NORTHEAST CORNER OF SAID WORTMAN TRACT; THENCE SOUTH 44° 53' EAST, ALONG THE NORTHEAST LINE OF SAID WORTMAN TRACT, 172.4 FT TO ITS INTERSECTION WITH THE NORTH LINE OF U. S. HIGHWAY NO. 80 (L. H. NO. 20), AN IRON ROD; THENCE IN A WESTERLY DIRECTION, ALONG THE NORTH LINE OF HIGHWAY NO. 80, AS FOLLOWS: 1ST. NORTH 88° 45' EAST 383.4 FT, AN IRON ROD; 2ND. NORTH 89° 41' WEST 8.8 FT TO ITS INTERSECTION WITH THE SAID EAST LINE OF THE UN-NAMED STREET, AN IRON ROD; THENCE NORTH 0° 47' WEST, ALONG THE EAST LINE OF THE UN-NAMED STREET, 18.72 FT TO THE POINT OF BEGINNING AND CONTAINING 0.596 ACRES OF LAND NET; 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-3" Residential

District Classification to "C" Commercial District Classification:

Being in the City of Mesquite, Texas, and being part of a tract as described in deed to Lothar Wortman et ux dated 7-30-53 filed 8-3-53 in the Deed Records of Dallas County, Texas; and said 0.596 Acre tract being more particularly described as follows:

Beginning at the point of intersection of the Northwest line of said Wortman tract with the East line of an un-named Street, said beginning point being the Northeast corner of a tract described in deed to City of Mesquite dated 6-24-63 (0.012 Acre tract), said beginning point being an iron rod

Thence North 70° 40' East, along said Northwest line of said Wortman tract, 286.9 ft to an iron rod at a fence corner, same being the Northeast corner of said Wortman Tract

Thence South 44° 53' East, along the Northeast line of said Wortman tract, 172.4 ft to its intersection with the North line of U. S. Highway No. 80 (I. H. No. 20), an iron rod

Thence in a Westerly direction, along the North line of Highway No. 80, as follows:
1st. North 88° 45' East 383.4 ft, an iron rod
2nd. North 89° 41' West 8.8 ft to its intersection with the said East line of the un-named Street, an iron rod

Thence North 0° 47' West, along the East line of the un-named Street, 18.72 ft to the point of beginning and containing 0.596 Acres of land Net.

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 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 classicication 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 5 day of June, 1967.

APPROVED:

George Boyce
MAYOR

ATTEST:

Norma G. McGaugh
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY