

ORDINANCE NO. 693

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 GRANT A ZONING CHANGE ON THE FOLLOWING DESCRIBED PROPERTY FROM SPECIAL PERMIT FOR APARTMENTS, DAY NURSERY, AND CLINICS TO AN "LR" LOCAL RETAIL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN CASA VIEW HEIGHTS NO. 15, AN ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND SAID TRACT BEING A PART OF LOT 42, BLOCK 16 OF SAID ADDITION; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF NEWBERRY DRIVE (100 FT. R.O.W.) AND GUS THOMASSON ROAD (120 FT. R.O.W.); THENCE N. 44° 51' W. ALONG THE SOUTHWESTERLY LINE OF GUS THOMASSON ROAD AND AT A DISTANCE OF 175 FEET PASS THE EASTERLY CORNER OF SAID LOT 42, CONTINUE A TOTAL DISTANCE OF 1,145.86 FEET TO THE BEGINNING PLACE FOR THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE S. 44° 51' E. 600 FEET, MORE OR LESS, ALONG GUS THOMASSON ROAD, TO A POINT FOR CORNER, THE NORTHWESTERLY LINE OF A TRACT OF LAND NOW ZONED "LR" LOCAL RETAIL; THENCE S. 45° 09' W. 360 FEET, MORE OR LESS, TO A POINT FOR CORNER ON THE NORTHEASTERLY LINE OF A 10 FOOT ALLEY; THENCE N. 42° 03' W. 600 FEET, MORE OR LESS, ALONG SAID ALLEY TO A POINT FOR CORNER; THENCE N. 45° 09' E. 326.34 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.7 ACRES, 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 State Laws with reference to the 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 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 grant a zoning change on the following described property from Special Permit for apartments, day nursery and clinics to an "LR" Local Retail District, said property being described as follows:

Ordinance no. 693
Page 2

Being a tract of land situated in Casa View Heights No. 15, an addition to the City of Mesquite, Dallas County, Texas, and said tract being a part of Lot 42, Block 16 of said addition; said tract being more particularly described as follows:

BEGINNING at the Northwesterly corner of Newberry Drive (100 ft. R.O.W.) and Gus Thomasson Road (120 ft. R.O.W.);

THENCE N 44°51' W. along the Southwesterly line of Gus Thomasson Road and at a distance of 175 feet pass the Easterly corner of said Lot 42, continue a total distance of 1,145.86 feet to the beginning place for the hereinafter described tract of land;

THENCE S 44°51' E 600 feet, more or less, along Gus Thomasson Road to a point for corner, the Northwesterly line of a tract of land now zoned "LR" Local Retail;

THENCE S 45°09' W 360 feet, more or less, to a point for corner on the Northeasterly line of a 10 foot alley;

THENCE N 42°03' W 600 feet, more or less, along said alley to a point for corner;

THENCE N 45°09' E 326.34 feet to the place of beginning and containing 4.7 acres 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 purposes 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 hereof 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.

Ordinance No. 693

Page 3

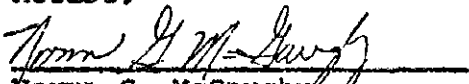
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred 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 on the 21st day of August, 1967.


W. R. Ewing
Mayor Pro Tem

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

William Springfield
City Attorney

11

