

ORDINANCE NO. 699

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 GIVE THE FOLLOWING DESCRIBED PROPERTY A SPECIAL PERMIT FOR A NURSING HOME, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE DANIEL TANNER SURVEY ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING PART OF A 39.207 ACRE TRACT CONVEYED TO J. DALE EDWARDS, TRUSTEE, BY BAYARD M. SMITH RECORDED IN VOL. 4958, PAGE 465, OF DALLAS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF U. S. HIGHWAY NO. 30 (A 300 FT. RIGHT-OF-WAY), SAID HIGHWAY ALSO BEING INTERSTATE HIGHWAY NO. 20, AND THE MOST EASTERLY CORNER OF GROSS ROAD OVERPASS RIGHT-OF-WAY; THENCE EAST ALONG THE NORTH LINE OF SAID U. S. HIGHWAY NO. 80 530.0 FT. TO THE POINT OF BEGINNING; THENCE NORTH 1 DEGREE 31 MINUTES WEST 758.51 FT. TO A POINT ON THE NORTHERLY LINE OF SAID 39.207 ACRE TRACT; THENCE SOUTH 61 DEGREES 12 MINUTES EAST ALONG A NORTHERLY LINE OF SAID 39.207 ACRE TRACT 443.67 FT. TO A POINT FOR CORNER; THENCE SOUTH 28 DEGREES 30 MINUTES WEST WITH AN EASTERLY LINE OF SAID 39.207 ACRE TRACT, 137.77 FT. TO A POINT FOR CORNER; THENCE SOUTH 61 DEGREES 33 MINUTES EAST WITH A NORTHERLY LINE OF SAID 39.207 ACRE TRACT 52.88 FT. TO A POINT FOR CORNER; THENCE SOUTH 1 DEGREE 31 MINUTES EAST 398.38 FT. TO A POINT ON THE NORTH LINE OF THE AFOREMENTIONED U. S. HIGHWAY NO. 80; THENCE WEST WITH THE NORTH LINE OF SAID U. S. HIGHWAY NO. 80 360.0 FT. TO THE PLACE OF BEGINNING AND CONTAINING 5.40 ACRES OF LAND; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RETENTION OF NONCONFLICTING ORDINANCES; PROVIDING FOR THE USE OF THE PROPERTY THUS ZONED ONLY IN COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE OF 1964; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; 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 granting of zoning changes under the zoning ordinance regulations and Zoning Map, have given requisite notices by publication and otherwise and, after holding due hearing to all property owners generally and to the 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 give the following described property a Special Permit for a nursing home; said property being described as follows:

BEING a tract of land situated in the Daniel Tanner Survey Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being part of a 39.207 acre tract conveyed to J. Dale Edwards, Trustee, by Bayard M. Smith recorded in Vol. 4958, Page 465 of Dallas County Deed Records and being more particularly described as follows:

BEGINNING at a point on the North line of U. S. Highway No. 80 (a 300 ft. right-of-way), said highway also being Interstate Highway No. 20, and the most easterly corner of Cross Road Overpass right-of-way;

THENCE East along the north line of said U. S. Highway No. 80 530.0 ft. to the point of beginning;

THENCE North 1 deg. 31 min. west 758.51 ft. to a point on the northerly line of said 39.207 acre tract;

THENCE South 61 deg. 12 min. east along a northerly line of said 39.207 acre tract 443.67 ft. to a point for corner;

THENCE South 28 deg. 30 min. west with an easterly line of said 39.207 acre tract 137.77 ft. to a point for corner;

THENCE South 61 deg. 33 min. east with a northerly line of said 39.207 acre tract 52.88 ft. to a point for corner;

THENCE South 1 deg. 31 min. east 398.38 ft. to a point on the North line of the aforementioned U. S. Highway No. 80;

THENCE West with the North line of said U. S. Highway No. 80 360.0 ft. to the place of beginning and containing 5.40 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 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.

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 2 day of October, 1967.

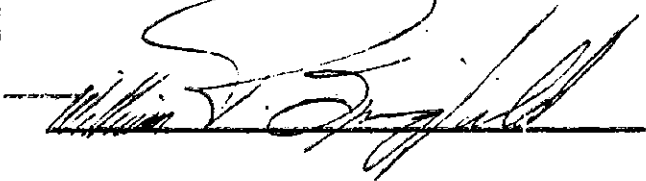
SIGNED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:



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