

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964, DULY PASSED BY THE CITY COUNCIL ON AUGUST 17TH, 1964, SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTIES THE HEREINAFTER STATED ZONING; THE FIRST OF SAID PROPERTIES TO BE GRANTED A CHANGE OF ZONING FROM "R-2" RESIDENTIAL TO "C" COMMERCIAL, SAID PROPERTY BEING A TRACT OF LAND IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE INTERSECTION OF TOWN EAST BOULEVARD (80' R. O. W.) AND I. H. 635; THENCE NORTHEASTERLY ALONG THE NORTH R. O. W. LINE OF TOWN EAST BOULEVARD A DISTANCE OF 1,485 FEET MORE OR LESS TO A POINT FOR A CORNER; THENCE NORTH 20 DEG. 40 MIN. WEST A DISTANCE OF 363.5 FEET A POINT FOR A CORNER; THENCE NORTH 15 DEG. 30 MIN. WEST A DISTANCE OF 40.4 FEET A POINT FOR A CORNER; THENCE WEST A DISTANCE OF 530 FEET MORE OR LESS A POINT FOR A CORNER; THENCE NORTH 0 DEG. 20 MIN. 30 SEC. WEST A DISTANCE OF 365 FEET MORE OR LESS A POINT FOR A CORNER; THENCE WEST A DISTANCE OF 280 FEET A POINT FOR A CORNER; THENCE NORTH 0 DEG. 20 MIN. 30 SEC. WEST A DISTANCE OF 190 FEET A POINT FOR A CORNER; THENCE WEST A DISTANCE OF 580 FEET MORE OR LESS A POINT FOR A CORNER; THENCE SOUTH 0 DEG. 20 MIN. 30 SEC. EAST A DISTANCE OF 782 FEET MORE OR LESS A POINT FOR A CORNER; THENCE WEST A DISTANCE OF 16.88 FEET TO A POINT IN THE EAST R. O. W. LINE OF I. H. 635 A POINT FOR A CORNER; THENCE SOUTH 07 DEG. 26 MIN. 12 SEC. EAST A DISTANCE OF 165.0 FEET A POINT FOR A CORNER; THENCE SOUTH 20 DEG. 26 MIN. 12 SEC. A DISTANCE OF 75.0 FEET A POINT FOR A CORNER; THENCE SOUTH 07 DEG. 26 MIN. 12 SEC. EAST A DISTANCE OF 135.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.4 ACRES OF LAND MORE OR LESS; THE SECOND OF SAID PROPERTIES TO BE GRANTED A CHANGE IN ZONING FROM "R-2" RESIDENTIAL TO SPECIAL PERMIT FOR A DAY NURSERY; SAID PROPERTY BEING A TRACT OF LAND IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE INTERSECTION OF TOWN EAST BOULEVARD (80' R. O. W.) AND I. H. 635; THENCE NORTHEASTERLY ALONG THE NORTH R. O. W. LINE OF TOWN EAST BOULEVARD A DISTANCE OF 540 FEET MORE OR LESS TO A POINT; THENCE NORTH 0 DEG. 20 MIN. 30 SEC. WEST A DISTANCE OF 857 FEET MORE OR LESS TO THE POINT OF BEGINNING; THENCE EAST A DISTANCE OF 280 FEET A POINT FOR A CORNER; THENCE NORTH 0 DEG. 20 MIN. 30 SEC. WEST A DISTANCE OF 190 FEET A POINT FOR A CORNER; THENCE WEST A DISTANCE OF 280 FEET A POINT FOR A CORNER; THENCE SOUTH 0 DEG. 20 MIN. 30 SEC. EAST A DISTANCE OF 190 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.2 ACRES OF LAND MORE OR LESS; THE THIRD OF SAID PROPERTIES TO BE GRANTED A CHANGE IN ZONING FROM "R-2" RESIDENTIAL TO "A" MULTIPLE FAMILY, SAID PROPERTY BEING A TRACT OF LAND IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE

NORTHEAST CORNER OF THE INTERSECTION OF TOWN EAST BOULEVARD (80' R. O. W.) AND I. H. 635; THENCE NORTHEASTERLY ALONG THE NORTH R. O. W. LINE OF TOWN EAST BOULEVARD A DISTANCE OF 1,485 FEET MORE OR LESS TO A POINT; THENCE NORTH 20 DEG. 40 MIN. WEST A DISTANCE OF 363.5 FEET TO A POINT; THENCE NORTH 15 DEG. 30 MIN. WEST A DISTANCE OF 40.4 FEET TO THE POINT OF BEGINNING; THENCE NORTH 15 DEG. 30 MIN. WEST A DISTANCE OF 134.8 FEET A POINT FOR A CORNER; THENCE NORTH 41 DEG. 00 MIN. EAST A DISTANCE OF 423.5 FEET A POINT FOR A CORNER; THENCE NORTH 30 DEG. 40 MIN. EAST A DISTANCE OF 187.9 FEET A POINT FOR A CORNER; THENCE NORTH 04 DEG. 50 MIN. EAST A DISTANCE OF 396.8 FEET A POINT FOR A CORNER; THENCE NORTH 09 DEG. 40 MIN. WEST A DISTANCE OF 219.2 FEET A POINT FOR A CORNER; THENCE NORTH 24 DEG. 48 MIN. EAST A DISTANCE OF 210.1 FEET A POINT FOR A CORNER; THENCE NORTH 29 DEG. 18 MIN. 40 SEC. EAST A DISTANCE OF 327.04 FEET A POINT FOR A CORNER; THENCE SOUTH 89 DEG. 00 MIN. WEST A DISTANCE OF 1,984.3 FEET A POINT FOR A CORNER; THENCE SOUTH 00 DEG. 20 MIN. 30 SEC. EAST A DISTANCE OF 1,116 FEET MORE OR LESS A POINT FOR A CORNER; THENCE EAST A DISTANCE OF 860 FEET A POINT FOR A CORNER; THENCE SOUTH 00 DEG. 20 MIN. 30 SEC. EAST A DISTANCE OF 555 FEET MORE OR LESS A POINT FOR A CORNER; THENCE EAST A DISTANCE OF 530 FEET MORE OR LESS TO A POINT OF BEGINNING AND CONTAINING 53.8 ACRES OF LAND MORE OR LESS. BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL PROVISIONS OF THE 1964 ZONING ORDINANCE NOT IN CONFLICT HEREWITH; BY MAKING APPLICABLE ALL REGULATIONS OF THE 1964 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING A SEVERABILITY CLAUSE; BY 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 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 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 properties the herein-after stated zoning; the first of said properties to be granted a change of zoning from "R-2" Residential to "C" Commercial, said property being a tract of land in the City of Mesquite, Dallas County, Texas, and described as follows:

BEGINNING at the Northeast corner of the intersection of Town East Boulevard (80' R. O. W.) and I. H. 635;

THENCE Northeasterly along the North R. O. W. line of Town East Boulevard a distance of 1,485 feet more or less to a point for a corner;

THENCE North 20 deg. 40 min. West a distance of 363.5 feet a point for a corner;

THENCE North 15 deg. 30 min. West a distance of 40.4 feet a point for a corner;

THENCE West a distance of 530 feet more or less a point for a corner;

THENCE North 0 deg. 20 min. 30 sec. West a distance of 365 feet more or less a point for a corner;

THENCE West a distance of 280 feet a point for a corner;

THENCE North 0 deg. 20 min. 30 sec. West a distance of 190 feet a point for a corner;

THENCE West a distance of 580 feet more or less a point for a corner;

THENCE South 0 deg. 20 min. 30 sec. East a distance of 782 feet more or less a point for a corner;

THENCE West a distance of 16.88 feet to a point in the East R. O. W. line of I. H. 635 a point for a corner;

THENCE South 07 deg. 26 min. 12 sec. East a distance of 165.0 feet a point for a corner;

THENCE South 20 deg. 26 min. 12 sec. East a distance of 75.0 feet a point for a corner;

THENCE South 07 deg. 26 min. 12 sec. East a distance of 135.07 feet to the point of **BEGINNING** and containing 25.4 acres of land more or less;

the second of said properties to be granted a change in zoning from "R-2" Residential to Special Permit for a Day Nursery; said property being a tract of land in the City of Mesquite, Dallas County, Texas, and described as follows:

COMMENCING at the Northeast corner of the intersection of Town East Boulevard (80' R. O. W.) and I. H. 635;

THENCE Northeasterly along the North R. O. W. line of Town East Boulevard a distance of 540 feet more or less to a point;

THENCE North 0 deg. 20 min. 30 sec. West a distance of 857 feet more or less to the point of BEGINNING;

THENCE East a distance of 280 feet a point for a corner;

THENCE NORTH 0 deg. 20 min. 30 sec. West a distance of 190 feet a point for a corner;

THENCE West a distance of 280 feet a point for a corner;

THENCE South 0 deg. 20 min. 30 sec. East a distance of 190 feet to the point of BEGINNING and containing 1.2 acres of land more or less;

the third of said properties to be granted a change in zoning from "R-2" Residential to "A" Multiple Family, said property being a tract of land in the City of Mesquite, Dallas County, Texas, and described as follows:

COMMENCING at the Northeast corner of the intersection of Town East Boulevard (80' R. O. W.) and I. H. 635;

THENCE Northeasterly along the North R. O. W. line of Town East Boulevard a distance of 1,485 feet more or less to a point;

THENCE North 20 deg. 40 min. West a distance of 363.5 feet to a point;

THENCE North 15 deg. 30 min. West a distance of 40.4 feet to the point of BEGINNING;

THENCE North 15 deg. 30 min. West a distance of 134.8 feet a point for a corner;

THENCE North 41 deg. 00 min. East a distance of 423.5 feet a point for a corner;

THENCE North 30 deg. 40 min. East a distance of 187.9 feet a point for a corner;

THENCE North 04 deg. 50 min. East a distance of 396.8 feet a point for a corner;

THENCE North 09 deg. 40 min. West a distance of 219.2 feet a point for a corner;

THENCE North 24 deg. 48 min. East a distance of 210.1 feet a point for a corner;

THENCE North 29 deg. 18 min. 40 sec. East a distance of 327.04 feet a point for a corner;

THENCE South 89 deg. 00 min. West a distance of 1,984.3 feet a point for a corner;

THENCE South 00 deg. 20 min. 30 sec. East a distance of 1,116 feet more or less a point for a corner;

THENCE East a distance of 860 feet a point for a corner;

THENCE South 00 deg. 20 min. 30 sec. East a distance of 555 feet more or less a point for a corner;

THENCE East a distance of 530 feet more or less to the point of BEGINNING and containing 53.8 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 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 23 day
of October, 1967.

APPROVED:

W. K. ...
MAYOR PRO TEM

ATTEST:

Norm G. M. ...
CITY SECRETARY

APPROVED AS TO FORM:

William S. ...
ATTORNEY