

ORDINANCE NO. 702

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 CHANGE OF ZONING ON THE FOLLOWING DESCRIBED PROPERTY FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE FAMILY DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE SWING AND LAWS SURVEY, ABSTRACT NO. 1396 AND THE DANIEL TANNER LEAGUE, ABSTRACT NO. 1462, LOCATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF CASCADE STREET, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF EL ROSA ADDITION, 6TH SECTION, SAID POINT ALSO BEING THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 6, NORTHRIDGE ESTATES NO. 1; THENCE SOUTH 44 DEG. 05 MIN. WEST 26.19 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 12 DEG. 46 MIN. LEFT, RADIUS IS 492.61 AND DEGREE IS 11.6311; THENCE ALONG SAID CURVE A DISTANCE OF 109.76 FEET TO A POINT ON SAID CURVE, THE BEGINNING PLACE FOR THE HERINAFTER DESCRIBED TRACT: THENCE ALONG SAID CURVE TO THE LEFT A DISTANCE OF 279.86 FEET TO THE END OF SAID CURVE ON THE CENTERLINE OF A 100-FOOT TEXAS POWER & LIGHT EASEMENT; THENCE SOUTH 1 DEG. 14 MIN. EAST 164.69 FEET TO A POINT FOR CORNER ON THE WEST LINE OF CASCADE STREET; THENCE NORTH 89 DEG. 58 MIN. WEST 120 FEET TO A POINT FOR CORNER; THENCE SOUTH 1 DEG. 14 MIN. EAST 120.0 FEET TO A POINT FOR CORNER ON THE NORTH LINE OF EL ROSA ADDITION, 7TH SECTION; THENCE NORTH 89 DEG. 58 MIN. WEST 185.03 FEET TO A POINT FOR CORNER ON THE WEST LINE OF EMBASSY DRIVE; THENCE SOUTH 1 DEG. 14 MIN. EAST 30.0 FEET, MORE OR LESS, TO A POINT FOR CORNER ON THE NORTHWESTERLY LINE OF A 10-FOOT WATER LINE EASEMENT; THENCE SOUTH 43 DEG. 47 MIN. WEST 25 FEET, MORE OR LESS, TO A POINT FOR CORNER ON SAID EASEMENT; THENCE NORTH 46 DEG. 07 MIN. WEST 227.6 FEET TO A POINT FOR CORNER; THENCE NORTH 44 DEG. 02 MIN. EAST 730 FEET TO A POINT FOR CORNER; THENCE SOUTH 45 DEG. 53 MIN. EAST 760 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING AND CONTAINING 16.8 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 ORDINANCES NOT IN CONFLICT HERewith; BY SUBJECTING THE ZONING ORDINANCE OF 1964; 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 grant a change of zoning on the following described property from "R-3" Single Family Dwelling District to "A" Multiple Family District; said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

Being a tract of land situated in the Swing and Laws Survey, Abstract No. 1396 and the Daniel Tanner League, Abstract No. 1462, located in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Northwesterly line of Cascade Street, said point also being the most Northerly corner of El Rosa Addition, 6th Section, said point also being the most Southerly corner of Lot 1, Block 6, Northridge Estates No. 1;

THENCE South 44 deg. 05 min. West 26.19 feet to the beginning of a curve to the left whose central angle is 12 deg. 46 min. left, radius is 492.61 and degree is 11.6311;

THENCE along said curve a distance of 109.76 feet to a point on said curve, the beginning place for the herein-after described tract:

THENCE along said curve to the left a distance of 279.86 feet to the end of said curve on the centerline of a 100-foot Texas Power & Light easement;

THENCE South 1 deg. 14 min. East 164.69 feet to a point for corner on the West line of Cascade Street;

THENCE North 89 deg. 58 min. West 120.0 feet to a point for corner;

THENCE South 1 deg. 14 min. East 120.0 feet to a point for corner on the North line of El Rosa Addition, 7th Section;

THENCE North 89 deg. 58 min. West 185.03 feet to a point for corner on the West line of Embassy Drive;

THENCE South 1 deg. 14 min. East 30.0 feet, more or less, to a point for corner on the Northwesterly line of a 10-foot water line easement;

THENCE South 43 deg. 47 min. West 25 feet, more or less, to a point for corner on said easement;

THENCE North 46 deg. 07 min. West 927.6 feet to a point for corner;

THENCE North 44 deg. 02 min. East 730.0 feet to a point for corner;

THENCE South 45 deg. 53 min. East 760.0 feet, more or less, to the place of BEGINNING and containing 16.8 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. Ewing
MAYOR PRO TEM

ATTEST:

Norm G. McLaughlin
CITY SECRETARY

APPROVED AS TO FORM:

William E. Springhill
CITY ATTORNEY