

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 SPECIAL PERMIT TO ALLOW A DAY NURSERY, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED IN THE DANIEL TANNER LEAGUE, ABSTRACT 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF GROSS ROAD (80 FT. R. O. W.) AND ON THE NORTHWESTERLY LINE OF A 2.94 ACRE TRACT CONVEYED TO BEREAN BIBLE CHURCH, SAID POINT OF BEGINNING BEING NORTH 45 DEGREES WEST 339.0 FEET FROM THE NORTHWESTERLY LINE OF THE DALLAS POWER AND LIGHT COMPANY R. O. W. (125 FT.); THENCE NORTH 45 DEGREES EAST 107.44 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 43 DEGREES 20 MINUTES AND THE RADIUS IS 251.72 FEET; THENCE IN AN EASTERLY DIRECTION ALONG SAID CURVE A DISTANCE OF 190.38 FEET TO THE END OF SAID CURVE; THENCE NORTH 38 DEGREES 20 MINUTES EAST, 212.68 FEET TO A POINT FOR CORNER; THENCE NORTH 1 DEGREE 40 MINUTES EAST, 165.0 FEET TO A POINT FOR CORNER; THENCE SOUTH 88 DEGREES 20 MINUTES WEST, 212.68 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 43 DEGREES 20 MINUTES AND WHOSE RADIUS IS 416.72 FEET; THENCE IN A WESTERLY DIRECTION ALONG SAID CURVE A DISTANCE OF 315.13 FEET TO END OF SAID CURVE; THENCE SOUTH 45 DEGREES WEST, 107.44 FEET TO A POINT FOR CORNER ON THE NORTHEASTERLY LINE OF SAID GROSS ROAD (80 FT. R. O. W.); THENCE SOUTH 45 DEGREES EAST, 165.0 FEET TO THE PLACE OF BEGINNING; 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 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 to Special Permit to allow a day nursery, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING all that certain tract or parcel of land located in the Daniel Tanner League, Abstract 1462, City of Mesquite, Dallas County, Texas, and being more fully described as follows:

BEGINNING at a point on the northeasterly line of Gross Road (80 ft. R. O. W.) and on the northwesterly line of a 2.94 acre tract conveyed to Berean Bible Church, said point of beginning being North 45 degrees West, 339.0 feet from the northwesterly line of the Dallas Power and Light Company R. O. W. (125 ft.);

THENCE North 45 degrees East, 107.44 feet to the beginning of a curve to the right whose central angle is 43 degrees 20 minutes and the radius is 251.72 feet;

THENCE in an easterly direction along said curve a distance of 190.38 feet to the end of said curve;

THENCE North 88 degrees 20 minutes East, 212.68 feet to a point for corner;

THENCE North 1 degree 40 minutes East, 165.0 feet to a point for corner;

THENCE South 88 degrees 20 minutes West, 212.68 feet to the beginning of a curve to the left whose central angle is 43 degrees 20 minutes and whose radius is 416.72 feet;

THENCE in a westerly direction along said curve a distance of 315.13 feet to end of said curve;

THENCE South 45 degrees West, 107.44 feet to a point for corner on the northeasterly line of said Gross Road (80 ft. R. O. W.)

THENCE South 45 degrees East, 165.0 feet to the PLACE OF BEGINNING.

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 20 day of Nov., 1967.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


ATTORNEY

