

NO. 708

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 "C" COMMERCIAL 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 DANIEL TANNER SURVEY, ABSTRACT NO. 1462, DALLAS COUNTY, TEXAS, AND BEING OUT OF THE THOMAS DAVIS TRACT AS RECORDED IN VOL. 662, PAGE 202, DALLAS COUNTY DEED RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID DAVIS TRACT AND THE SOUTHEAST CORNER OF THE ARNOLD J. VROCHER 6.23 ACRE TRACT, SAID POINT BEING ON THE NORTH LINE OF U. S. HIGHWAY NO. 80, FOR CORNER; THENCE NORTH 24 DEGREES 04 MINUTES WEST, 327.39 FEET ALONG THE WESTERLY FENCE LINE OF SAID DAVIS TRACT AND THE EASTERLY LINE OF SAID VROCHER TRACT, FOR CORNER; THENCE NORTH 89 DEGREES 32 MINUTES EAST, 1158.33 FEET TO AND ALONG THE SOUTH LINE OF BYRD ESTATES NO. 2, AN ADDITION TO THE CITY OF MESQUITE, TEXAS, FOR CORNER; THENCE NORTH 45 DEGREES 00 MINUTES EAST, 284.99 FEET ALONG THE SOUTHERLY LINE OF SAID BYRD ESTATES NO. 2, TO A POINT ON THE SOUTHWESTERLY LINE OF BAKER ROAD, FOR CORNER; THENCE SOUTH 45 DEGREES 00 MINUTES EAST, 431.0 FEET ALONG SAID SOUTHWESTERLY LINE OF BAKER ROAD TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 220.0 FEET AND A CENTRAL ANGLE OF 44 DEGREES 32 MINUTES, FOR CORNER; THENCE IN A SOUTHERLY DIRECTION AND AROUND SAID CURVE ALONG THE WESTERLY LINE OF BAKER ROAD, 171.0 FEET, FOR CORNER; THENCE SOUTH 0 DEGREES 28 MINUTES EAST, 11.26 FEET ALONG SAID WESTERLY LINE OF BAKER ROAD TO A POINT ON THE NORTH LINE OF U. S. HIGHWAY NO. 80, FOR CORNER; THENCE SOUTH 85 DEGREES 18 MINUTES WEST, 366.93 FEET ALONG SAID NORTH LINE OF U. S. HIGHWAY NO. 80, FOR CORNER; THENCE SOUTH 89 DEGREES 32 MINUTES WEST, 1229.94 FEET ALONG SAID NORTH LINE OF U. S. HIGHWAY NO. 80 TO THE PLACE OF BEGINNING AND CONTAINING 11.89 ACRES OF LAND; 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 "C" Commercial 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 Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas, and being out of the Thomas Davis tract as recorded in Vol. 662, Page 202, Dallas County Deed Records, and more particularly described as follows:

BEGINNING at a point on the westerly line of said Davis tract and the southeast corner of the Arnold J. Vrocher 6.23 acre tract, said point being on the north line of U. S. Highway No. 80, for corner;

THENCE North 24 degrees 04 minutes West, 327.38 feet along the westerly fence line of said Davis tract and the easterly line of said Vrocher tract, for corner;

THENCE North 89 degrees 32 minutes East, 1153.33 feet to and along the south line of Byrd Estates No. 2, an addition to the City of Mesquite, Texas, for corner;

THENCE North 45 degrees 00 minutes East, 284.99 feet along the southerly line of said Byrd Estates No. 2, to a point on the southwesterly line of Baker Road, for corner;

THENCE South 45 degrees 00 minutes East, 431.0 feet along said southwesterly line of Baker Road to the beginning of a curve to the right having a radius of 220.0 feet and a central angle of 44 degrees 32 minutes, for corner;

THENCE in a southerly direction and around said curve along the westerly line of Baker Road, 171.0 feet for corner;

THENCE South 0 degrees 28 minutes East, 11.26 feet along said westerly line of Baker Road to a point on the north line of U. S. Highway No. 80, for corner;

THENCE South 85 degrees 18 minutes West, 366.93 feet along said north line of U. S. Highway No. 80, for corner;

THENCE South 89 degrees 32 minutes West, 1229.94 feet along said north line of U. S. Highway No. 80 to the PLACE OF BEGINNING and containing 11.89 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 20 day of
Nov., 1967.

Burg Boyce
Mayor

ATTEST:

Norm G. McLaughly
City Secretary

APPROVED AS TO FORM:

William T. Springfield
Attorney