

## ORDINANCE NO. 709

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 THE FOLLOWING DESCRIBED PROPERTY A ZONING CHANGE FROM "R-3" RESIDENTIAL DISTRICT TO "C" COMMERCIAL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, OUT OF THE DANIEL TANNER LEAGUE, ABSTRACT NO. 1462 AND BEING PART OF A 4 ACRE TRACT CONVEYED TO V. A. TURNER AND WIFE AS RECORDED IN VOLUME 3644 AT PAGE 245 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND ALSO BEING PART OF A 2 ACRE TRACT CONVEYED TO V. A. TURNER AND WIFE AS RECORDED IN VOLUME 3672 AT PAGE 261 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF (INTERSTATE HIGHWAY 20) U. S. HIGHWAY NO. 80, 120 FOOT RIGHT-OF-WAY, SAID POINT BEING THE MOST EASTERLY CORNER OF SAID V. A. TURNER 2 ACRE TRACT; THENCE SOUTH 44 DEGREES 43 MINUTES WEST WITH THE SOUTHEAST LINE OF SAID 2 ACRE TRACT A DISTANCE OF 538.07 FEET TO A POINT IN THE EAST LINE OF TOWN EAST BOULEVARD (a 100 FOOT RIGHT-OF-WAY); THENCE NORTH 0 DEGREES 22 MINUTES WEST WITH SAID EAST LINE OF TOWN EAST BOULEVARD A DISTANCE OF 246.32 FEET TO A POINT IN THE NORTHWEST LINE OF V. A. TURNER 4 ACRE TRACT; THENCE NORTH 44 DEGREES 43 MINUTES EAST WITH THE NORTHWEST LINE OF SAID 4 ACRE TRACT A DISTANCE OF 188.70 FEET TO ITS MOST NORTHERLY CORNER IN THE SOUTH LINE OF U. S. HIGHWAY NO. 80; THENCE NORTH 89 DEGREES 33 MINUTES EAST WITH THE SOUTH LINE OF U. S. HIGHWAY NO. 80 A DISTANCE OF 247.40 TO THE PLACE OF BEGINNING AND CONTAINING 63,385 SQUARE FEET or 1.455 ACRES, MORE OR LESS; 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" Residential District to "C" Commercial District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING situated in the City of Mesquite, Dallas County, Texas, out of the Daniel Tanner League, Abstract No. 1462 and being part of a 4 acre tract conveyed to V. A. Turner and wife as recorded in Volume 3644 at Page 245 of the Deed Records of Dallas County, Texas, and also being part of a 2 acre tract conveyed to V. A. Turner and wife as recorded in Volume 3672 at Page 261 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the South right-of-way line of (Interstate Highway 20) U. S. Highway No. 80, 120 foot right-of-way, said point being the most Easterly corner of said V. A. Turner 2 acre tract;

THENCE South 44 degrees 43 minutes West with the Southeast line of said 2 acre tract a distance of 538.07 feet to a point in the East line of Town East Boulevard (a 100 foot right-of-way);

THENCE North 0 degrees 22 minutes West with said East line of Town East Boulevard a distance of 246.32 feet to a point in the Northwest line of V. A. Turner 4 acre tract;

THENCE North 44 degrees 43 minutes East with the Northwest line of said 4 acre tract a distance of 188.70 feet to its most Northerly corner in the South line of U. S. Highway No. 80;

THENCE North 89 degrees 33 minutes East with the South line of U. S. Highway No. 80 a distance of 247.40 to the PLACE OF BEGINNING and containing 63,385 square feet or 1.455 acres, 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.

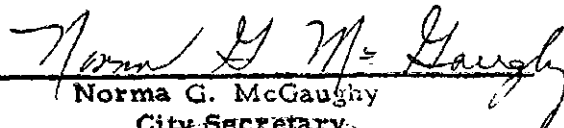
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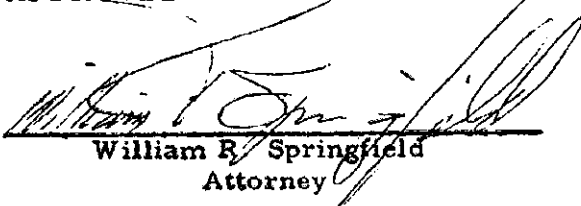
DULY PASSED by the City Council on the 4 day of  
December, 1967.

  
George Boyce  
Mayor

ATTEST:

  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:

  
William R. Springfield  
Attorney