

ORDINANCE NO. 720

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 THREE TRACTS OF LAND, TRACT NO. 1 FROM "R-3" SINGLE FAMILY RESIDENTIAL DISTRICT AND "C" COMMERCIAL DISTRICT TO "L-R" LOCAL RETAIL DISTRICT, TRACT NO. 2 FROM "R-3" SINGLE FAMILY RESIDENTIAL DISTRICT AND "C" COMMERCIAL DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT, TRACT NO. 3 FROM "R-3" SINGLE FAMILY RESIDENTIAL DISTRICT TO "C" COMMERCIAL DISTRICT, ALL THREE SAID TRACTS BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: TRACT NO. 1 - BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461, THE I. THOMAS SURVEY, ABSTRACT NO. 1501, THE J. T. NELMS SURVEY, ABSTRACT NO. 1095 AND THE J. HARDIN SURVEY, ABSTRACT NO. 545 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF INTERSTATE HIGHWAY NO. 635 AND THE NORTH LINE OF TOWN EAST BOULEVARD; THENCE NORTH 59 DEGREES 13 MINUTES WEST, ALONG THE NORTH LINE OF TOWN EAST BOULEVARD, 253.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, AN IRON STAKE FOR CORNER; THENCE NORTHWESTERLY ALONG THE CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1506.32 FEET, AN ARC DISTANCE OF 436.15 FEET, TO AN IRON STAKE FOR CORNER; THENCE NORTH 76 DEGREES 50 MINUTES WEST, AND CONTINUING ALONG THE NORTH LINE OF TOWN EAST BOULEVARD, 714.62 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, AN IRON STAKE FOR CORNER; THENCE NORTHWESTERLY ALONG THE CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 524.48 FEET, AN ARC DISTANCE OF 483.17 FEET TO A POINT IN THE EASTERLY LINE OF GUS THOMASSON ROAD, AN IRON STAKE FOR CORNER; THENCE NORTHERLY ALONG THE EASTERLY LINE OF GUS THOMASSON ROAD AND ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 582.69 FEET, AN ARC DISTANCE OF 81.87 FEET, TO AN IRON STAKE FOR CORNER; THENCE NORTH

9 DEGREES 02 MINUTES WEST, ALONG THE EASTERLY LINE OF GUS THOMASSON ROAD, 348.13 FEET TO A POINT FOR CORNER; THENCE NORTH 80 DEGREES 58 MINUTES EAST, 170 FEET, MORE OR LESS, TO THE BEGINNING OF A CURVE TO THE RIGHT, A POINT FOR CORNER; THENCE EASTERLY ALONG THE CURVE TO THE RIGHT, 440 FEET, MORE OR LESS, TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE SOUTH 76 DEGREES 50 MINUTES EAST, PARALLEL TO THE NORTH LINE OF TOWN EAST BOULEVARD AND 340 FEET PERPENDICULARLY DISTANT THEREFROM, 740 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE NORTHERLY ALONG A CURVE TO THE LEFT, 1,450 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE NORTH 83 DEGREES 04 MINUTES 30 SECONDS EAST, 750 FEET, MORE OR LESS, TO A POINT IN THE WEST LINE OF INTERSTATE HIGHWAY NO. 635 FOR CORNER; THENCE SOUTH 6 DEGREES 55 MINUTES 30 SECONDS EAST, ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 635, 869.85 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE SOUTH 2 DEGREES 14 MINUTES EAST, ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 635, 1,034.15 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE SOUTH 6 DEGREES 53 MINUTES EAST, ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 635, 221.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 36.4 ACRES, MORE OR LESS; TRACT NO. 2 - BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461, THE I. THOMAS SURVEY, ABSTRACT NO. 1501 AND THE J. HARDIN SURVEY, ABSTRACT NO. 545 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF TOWN EAST BOULEVARD AND THE EAST LINE OF GUS THOMASSON ROAD; THENCE NORTHERLY ALONG THE EASTERLY OF GUS THOMASSON ROAD AND ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 582.69 FEET, AN ARC DISTANCE OF 81.87 FEET TO A POINT FOR CORNER; THENCE NORTH 9 DEGREES 02 MINUTES WEST, ALONG THE EASTERLY LINE OF GUS THOMASSON ROAD, 348.13 FEET TO THE POINT OF BEGINNING; THENCE NORTH 9 DEGREES 02 MINUTES WEST, ALONG THE EASTERLY LINE OF GUS THOMASSON ROAD,

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291.55 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, AN IRON STAKE FOR CORNER; THENCE NORTHERLY ALONG THE EASTERLY LINE OF GUS THOMASSON ROAD, AND ALONG THE CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 790.77 FEET, AN ARC DISTANCE OF 498.00 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 45 DEGREES 07 MINUTES WEST, ALONG GUS THOMASSON ROAD, 840.89 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 22 DEGREES 34 MINUTES EAST, 87.62 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 44 DEGREES 49 MINUTES WEST, 343.00 FEET TO A NAIL IN A R. O. W. MARKER FOR CORNER; THENCE NORTH 21 DEGREES 55 MINUTES EAST, 123.30 FEET TO A POINT IN THE SOUTHERLY LINE OF INTERSTATE HIGHWAY NO. 30 (U. S. HIGHWAY NO. 67), AN IRON STAKE FOR CORNER; THENCE NORTH 55 DEGREES 04 MINUTES EAST, ALONG INTERSTATE HIGHWAY NO. 30, 844.00 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 53 DEGREES 09 MINUTES 30 SECONDS EAST, ALONG INTERSTATE HIGHWAY NO. 30, 300.20 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 55 DEGREES 04 MINUTES EAST, ALONG INTERSTATE HIGHWAY NO. 30, 185.30 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE NORTH 58 DEGREES 05 MINUTES 30 SECONDS EAST, ALONG INTERSTATE HIGHWAY NO. 30, 60.50 FEET TO A POINT FOR CORNER; THENCE SOUTH 35 DEGREES 30 MINUTES EAST, 670 FEET, MORE OR LESS, TO THE BEGINNING OF A CURVE TO THE RIGHT, A POINT FOR CORNER; THENCE SOUTHERLY ALONG THE CURVE TO THE RIGHT 2, 345 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE NORTH 76 DEGREES 50 MINUTES WEST, PARALLEL TO THE NORTH LINE OF TOWN EAST BOULEVARD AND 340 FEET PERPENDICULARLY DISTANT THEREFROM, 740 FEET, MORE OR LESS, TO THE BEGINNING OF A CURVE TO THE LEFT, A POINT FOR CORNER; THENCE WESTERLY ALONG THE CURVE TO THE LEFT, 440 FEET, MORE OR LESS, TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE SOUTH 80 DEGREES 58 MINUTES WEST, 170 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND CONTAINING 78.0 ACRES OF LAND, MORE OR LESS; TRACT NO. 3 - BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND THE I. THOMAS SURVEY, ABSTRACT NO. 1501 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF TOWN EAST BOULEVARD

AND THE WEST LINE OF INTERSTATE HIGHWAY NO. 635; THENCE NORTH 6 DEGREES 53 MINUTES WEST, ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 635, 221.00 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE NORTH 2 DEGREES 14 MINUTES WEST, ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 635, 1,034.15 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE NORTH 6 DEGREES 55 MINUTES 30 SECONDS WEST, ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 635, 869.85 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83 DEGREES 04 MINUTES 30 SECONDS WEST, 750 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE NORTHERLY ALONG A CURVE TO THE LEFT, 895 FEET, MORE OR LESS, TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE NORTH 35 DEGREES 30 MINUTES WEST, 670 FEET, MORE OR LESS, TO A POINT IN THE SOUTHERLY LINE OF INTERSTATE HIGHWAY NO. 30 FOR CORNER; THENCE NORTH 58 DEGREES 05 MINUTES 30 SECONDS EAST, 224.62 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE NORTH 65 DEGREES 48 MINUTES 30 SECONDS EAST, 434.98 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE NORTH 71 DEGREES 16 MINUTES 30 SECONDS EAST, 243.60 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 79 DEGREES 44 MINUTES 30 SECONDS EAST, 85.80 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE NORTH 70 DEGREES 45 MINUTES EAST, 206.90 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 50 DEGREES 18 MINUTES EAST, 142.51 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE SOUTH 27 DEGREES 22 MINUTES EAST, 470.25 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE SOUTH 12 DEGREES 13 MINUTES EAST, 275.63 FEET TO A CONCRETE MONUMENT FOR CORNER; THENCE SOUTH 6 DEGREES 55 MINUTES 30 SECONDS EAST, 879.95 FEET TO THE POINT OF BEGINNING AND CONTAINING 39.5 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 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

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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 tracts of land, Tract No. 1 from "R-3" Single Family Residential District and "C" Commercial District to "L-R" Local Retail District; Tract No. 2 from "R-3" Single Family Residential District and "C" Commercial District to "A" Multiple-Family Dwelling District; Tract No. 3 from "R-3" Single Family Residential District to "C" Commercial District; all three said tracts of land being in the City of Mesquite, Dallas County, Texas, and described as follows:

TRACT NO. 1

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461, the I. Thomas Survey, Abstract No. 1501, the J. T. Nelms Survey, Abstract No. 1095 and the J. Hardin Survey, Abstract No. 545 and being more particularly described as follows:

BEGINNING at the intersection of the West line of Interstate Highway No. 635 and the North line of Town East Boulevard;

THENCE North 59 degrees 13 minutes West, along the North line of Town East Boulevard, 253.89 feet to the beginning of a curve to the left, an iron stake for corner;

THENCE Northwesterly along the curve to the left, said curve having a radius of 1,506.32 feet, an arc distance of 436.15 feet, to an iron stake for corner;

THENCE North 76 degrees 50 minutes West, and continuing along the North line of Town East Boulevard, 714.62 feet to the beginning of a curve to the left, an iron stake for corner;

THENCE Northwesterly along the curve to the left; said curve having a radius of 524.48 feet, an arc distance of 483.17 feet to a point in the Easterly line of Gus Thomasson Road, an iron stake for corner;

THENCE Northerly along the Easterly line of Gus Thomasson Road and along a curve to the right, said curve having a radius of 582.69 feet, an arc distance of 81.87 feet, to an iron stake for corner;

THENCE North 9 degrees 02 minutes West, along the Easterly line of Gus Thomasson Road, 348.13 feet to a point for corner;

THENCE North 80 degrees 58 minutes East, 170 feet, more or less, to the beginning of a curve to the right, a point for corner;

THENCE Easterly along the curve to the right, 440 feet, more or less, to the end of said curve, a point for corner;

THENCE South 76 degrees 50 minutes East, parallel to the North line of Town East Boulevard and 340 feet perpendicularly distant therefrom, 740 feet, more or less, to a point for corner;

THENCE Northerly along a curve to the left, 1,450 feet, more or less to a point for corner;

THENCE North 83 degrees 04 minutes 30 seconds East, 750 feet, more or less, to a point in the West line of Interstate Highway No. 635 for corner;

THENCE South 6 degrees 55 minutes 30 seconds East, along the West line of Interstate Highway No. 635, 869.85 feet to a concrete monument for corner;

THENCE South 2 degrees 14 minutes East, along the West line of Interstate Highway No. 635, 1,034.15 feet to a concrete monument for corner;

THENCE South 6 degrees 53 minutes East, along the West line of Interstate Highway No. 635, 221.00 feet to the Point of Beginning and containing 36.4 acres, more or less.

TRACT NO. 2

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461, the I Thomas Survey, Abstract No. 1501 and the J. Hardin Survey, Abstract No. 545 and being more particularly described as follows:

COMMENCING at the intersection of the North line of Town East Boulevard and the East line of Gus Thomasson Road; thence

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Northerly along the Easterly of Gus Thomasson Road and along a curve to the right, said curve having a radius of 582.69 feet, an arc distance of 81.87 feet to a point for corner; thence North 9 degrees 02 minutes West, along the Easterly line of Gus Thomasson Road, 348.13 feet to the point of BEGINNING;

THENCE North 9 degrees 02 minutes West, along the Easterly line of Gus Thomasson Road, 291.55 feet to the beginning of a curve to the left, an iron stake for corner;

THENCE Northerly along the Easterly line of Gus Thomasson Road, and along the curve to the left, said curve having a radius of 790.77 feet, an arc distance of 498.00 feet to an iron stake for corner;

THENCE North 45 degrees 07 minutes West, along Gus Thomasson Road, 840.89 feet to an iron stake for corner;

THENCE North 22 degrees 34 minutes East, 87.62 feet to an iron stake for corner;

THENCE North 44 degrees 49 minutes West, 343.00 feet to a nail in a R. O. W. Marker for corner;

THENCE North 21 degrees 55 minutes East, 123.30 feet to a point in the Southerly line of Interstate Highway No. 30 (U. S. Highway No. 67), an iron stake for corner;

THENCE North 55 degrees 04 minutes East, along Interstate Highway No. 30, 844.00 feet to an iron stake for corner;

THENCE North 53 degrees 09 minutes 30 seconds East, along Interstate Highway No. 30, 300.20 feet to an iron stake for corner;

THENCE North 55 degrees 04 minutes East, along Interstate Highway No. 30, 185.30 feet to a concrete monument for corner;

THENCE North 58 degrees 05 minutes 30 seconds East, along Interstate Highway No. 30, 60.50 feet to a point for corner;

THENCE South 35 degrees 30 minutes East, 670 feet, more or less, to the beginning of a curve to the right, a point for corner;

THENCE Southerly along the curve to the right 2, 345 feet, more or less, to a point for corner;

THENCE North 76 degrees 50 minutes West, parallel to the North line of Town East Boulevard and 340 feet perpendicularly distant therefrom, 740 feet, more or less, to the beginning of a curve to the left, a point for corner;

THENCE Westerly along the curve to the left, 440 feet, more or less to the end of said curve, a point for corner;

THENCE South 80 degrees 58 minutes West, 170 feet, more or less, to the POINT OF BEGINNING and containing 78.0 acres of land, more or less.

TRACT NO. 3

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and the I. Thomas Survey, Abstract No. 1501 and being more particularly described as follows:

COMMENCING at the intersection of the North line of Town East Boulevard and the West line of Interstate Highway No. 635; thence North 6 degrees 53 minutes West, along the West line of Interstate Highway No. 635, 221.00 feet to a concrete monument for corner; thence North 2 degrees 14 minutes West, along the West line of Interstate Highway No. 635, 1,034.15 feet to a concrete monument for corner; thence North 6 degrees 55 minutes 30 seconds West, along the West line of Interstate Highway No. 635, 869.85 feet to the Point of BEGINNING;

THENCE South 83 degrees 04 minutes 30 seconds West, 750 feet, more or less to a point for corner;

THENCE Northerly along a curve to the left, 895 feet, more or less to the end of said curve, a point for corner;

THENCE North 35 degrees 30 minutes West, 670 feet, more or less, to a point in the Southerly line of Interstate Highway No. 30 for corner;

THENCE North 58 degrees 05 minutes 30 seconds East, 224.62 feet to a concrete monument for corner;



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THENCE North 65 degrees 48 minutes 30 seconds East, 434.98 feet to a concrete monument for corner;

THENCE North 71 degrees 16 minutes 30 seconds East, 243.60 feet to an iron stake for corner;

THENCE South 79 degrees 44 minutes 30 seconds East, 85.80 feet to a concrete monument for corner;

THENCE North 70 degrees 45 minutes East, 206.90 feet to an iron stake for corner;

THENCE South 50 degrees 18 minutes East, 142.51 feet to a concrete monument for corner;

THENCE South 27 degrees 22 minutes East, 470.25 feet to a concrete monument for corner;

THENCE South 12 degrees 13 minutes East, 275.63 feet to a concrete monument for corner;

THENCE South 6 degrees 55 minutes 30 seconds East, 879.95 feet to the POINT OF BEGINNING and containing 39.5 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.

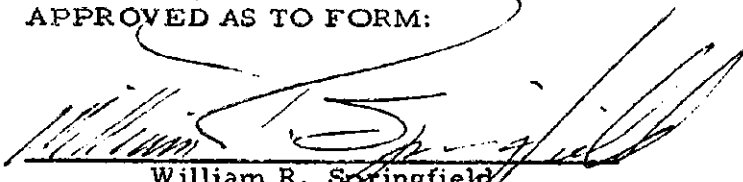
DULY PASSED by the City Council on the 5 day of February, 1968.

  
George Mayer  
Mayor

ATTEST:

  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:

  
William R. Springfield  
City Attorney