

ORDINANCE NO. 733

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 HEREINAFTER DESCRIBED TRACTS OF PROPERTY TO WIT: TRACT I FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "C" COMMERCIAL DISTRICT; TRACT II FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT; TRACT III FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "C" COMMERCIAL DISTRICT; SAID TRACTS OF PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: TRACT I BEING A TRACT OF LAND SITUATED IN THE T. D. SACKETT SURVEY, ABSTRACT NO. 1362, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHEAST LINE OF GROSS ROAD, (AN 80' R. O. W.), SAID POINT BEING THE BEGINNING OF AN OVERPASS WIDENING FOR SAID GROSS ROAD AT U. S. HIGHWAY NO. 67 (INTERSTATE HIGHWAY 30); THENCE, ALONG SAID OVERPASS WIDENING AND ALONG THE SOUTHEAST LINE OF SAID U. S. HIGHWAY NO. 67, THE FOLLOWING: NORTH 8 DEGREES 33 MINUTES EAST A DISTANCE OF 140.23 FEET; NORTH 52 DEGREES 20 MINUTES WEST A DISTANCE OF 319.81 FEET; NORTH 31 DEGREES 45 MINUTES EAST A DISTANCE OF 162.21 FEET; NORTH 61 DEGREES 03 MINUTES EAST A DISTANCE OF 1,600.86 FEET; NORTH 62 DEGREES 12 MINUTES EAST A DISTANCE OF 500.34 FEET; NORTH 61 DEGREES 03 MINUTES EAST A DISTANCE OF 205.00 FEET; THENCE SOUTH 28 DEGREES 57 MINUTES EAST, LEAVING SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE, A DISTANCE OF 213.0 FEET; THENCE ALONG THE REAR OF LOTS 1 THROUGH 39, BLOCK A OF A PROPOSED PLAT BY JOHN C. GIBSON COMPANY, INC., ENGINEERS, THE FOLLOWING: SOUTH 44 DEGREES 45 MINUTES WEST A DISTANCE OF 723.0 FEET; NORTH 45 DEGREES 15 MINUTES WEST A DISTANCE OF 132.0 FEET; SOUTH 61 DEGREES 03 MINUTES WEST A DISTANCE OF 554.0 FEET; SOUTH 44 DEGREES 45 MINUTES WEST A DISTANCE OF 1,055.0 FEET; SOUTH 14 DEGREES 45 MINUTES WEST A DISTANCE OF 88.0 FEET TO A POINT ON THE NORTH-

EAST LINE OF SAID GROSS ROAD; THENCE NORTH 44 DEGREES 29 MINUTES WEST ALONG THE SAID GROSS ROAD NORTHEAST LINE, A DISTANCE OF 185.20 FEET TO THE PLACE OF BEGINNING AND CONTAINING APPROXIMATELY 20.8 ACRES OF LAND; TRACT II BEING A TRACT OF LAND SITUATED IN THE T. D. SACKETT SURVEY, ABSTRACT NO. 1362, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT ON THE SOUTHEAST LINE OF U. S. HIGHWAY NO. 67 (INTERSTATE HIGHWAY 30), SAID POINT BEING SOUTH 61 DEGREES 03 MINUTES WEST A DISTANCE OF 219.86 FEET FROM THE INTERSECTION OF THE SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE WITH THE MOST WESTERLY CORNER OF CASA RIDGE HEIGHTS NO. 1; THENCE SOUTH 52 DEGREES 15 MINUTES EAST, LEAVING THE SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE A DISTANCE OF 400.0 FEET; THENCE SOUTH 44 DEGREES 45 MINUTES WEST A DISTANCE OF 472.0 FEET; THENCE NORTH 45 DEGREES 15 MINUTES WEST A DISTANCE OF 95.0 FEET; THENCE NORTH 28 DEGREES 57 MINUTES WEST A DISTANCE OF 410.0 FEET TO A POINT ON THE SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE; THENCE NORTH 61 DEGREES 03 MINUTES EAST ALONG THE SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE, A DISTANCE OF 325.0 FEET TO THE PLACE OF BEGINNING AND CONTAINING APPROXIMATELY 4.2 ACRES OF LAND; TRACT III BEING A TRACT OF LAND SITUATED IN THE T. D. SACKETT SURVEY, ABSTRACT NO. 1362, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHEAST LINE OF U. S. HIGHWAY NO. 67 (INTERSTATE HIGHWAY 30), SAID POINT BEING THE MOST WESTERLY CORNER OF CASA RIDGE HEIGHTS NO. 1, AN ADDITION TO THE CITY OF MESQUITE AS RECORDED IN VOLUME 39 AT PAGE 115 OF THE DALLAS COUNTY MAP RECORDS; THENCE SOUTH 44 DEGREES 50 MINUTES EAST, LEAVING SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE AND PROCEEDING ALONG THE SAID CASA RIDGE HEIGHTS NO. 1 SOUTHWEST LINE, A DISTANCE OF 336.97 FEET; THENCE SOUTH 44 DEGREES 45 MINUTES WEST, LEAVING THE SAID CASA RIDGE HEIGHTS NO. 1 SOUTHWEST LINE A DISTANCE OF 160.32 FEET; THENCE NORTH 52 DEGREES 15 MINUTES WEST A DISTANCE OF 400.0 FEET TO A POINT ON THE SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE; THENCE NORTH 61 DEGREES 03 MINUTES EAST ALONG THE SAID U. S. HIGHWAY NO. 67 SOUTHEAST LINE, A

DISTANCE OF 219.86 FEET TO THE PLACE OF BEGINNING AND CONTAINING APPROXIMATELY 1.6 ACRES OF LAND; 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 Planning 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 hereinafter described tracts of property; to wit: Tract I from "R-3" Single-Family Dwelling District to "C" Commercial District; Tract II from "R-3" Single-Family Dwelling District to "A" Multiple-Family Dwelling District; Tract III from "R-3" Single-Family Dwelling District to "C" Commercial District; said tracts of property being in the City of Mesquite, Dallas County, Texas; and described as follows:

Tract I

BEING a tract of land situated in the T. D. Sackett Survey, Abstract No. 1362, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Northeast line of Gross Road, (an 80' R. O. W.), said point being the beginning of an overpass widening for said Gross Road at U. S. Highway No. 67 (Interstate Highway 30);

THENCE along said overpass widening and along the southeast line of said U. S. Highway No. 67, the following:

North 8 degrees 33 minutes East a distance of 140.23 feet;
North 52 degrees 20 minutes West a distance of 319.81 feet;
North 31 degrees 45 minutes East a distance of 162.21 feet;
North 61 degrees 03 minutes East a distance of 1,600.86 feet;
North 62 degrees 12 minutes East a distance of 500.34 feet;
North 61 degrees 03 minutes East a distance of 205.00 feet;

THENCE South 28 degrees 57 minutes East, leaving said
U. S. Highway No. 67 southeast line, a distance of 213.0 feet;

THENCE along the rear of Lots 1 through 39, Block A of a
proposed plat by John C. Gibson Company, Inc., engineers,
the following:

South 44 degrees 45 minutes West a distance of 723.0 feet;
North 45 degrees 15 minutes West a distance of 132.0 feet;
South 61 degrees 03 minutes West a distance of 554.0 feet;
South 44 degrees 45 minutes West a distance of 1,055.0 feet;
South 14 degrees 45 minutes West a distance of 88.0 feet to
a point on the northeast line of said Gross Road;

THENCE North 44 degrees 29 minutes West along the said
Gross Road northeast line, a distance of 185.20 feet to the
PLACE OF BEGINNING and containing approximately 20.8
acres of land.

Tract II

BEING a tract of land situated in the T. D. Sackett Survey,
Abstract no. 1362, City of Mesquite, Dallas County, Texas,
and being more particularly described as follows:

BEGINNING at a point on the southeast line of U. S. Highway
No. 67 (Interstate Highway 30), said point being South 61
degrees 03 minutes West a distance of 219.86 feet from the
intersection of the said U. S. Highway No. 67 southeast line
with the most westerly corner of Casa Ridge Heights No. 1;

THENCE South 52 degrees 15 minutes East, leaving the said
U. S. Highway No. 67 southeast line, a distance of 400.0 feet;

THENCE South 44 degrees 45 minutes West a distance of
472.0 feet;

THENCE North 45 degrees 15 minutes West a distance of
95.0 feet;

THENCE North 28 degrees 57 minutes West a distance of 410.0 feet to a point on the said U. S. Highway No. 67 southeast line;

THENCE North 61 degrees 03 minutes East along the said U. S. Highway No. 67 southeast line, a distance of 325.0 feet to the PLACE OF BEGINNING and containing approximately 4.2 acres of land.

Tract III

BEING a tract of land situated in the T. D. Sackett Survey, Abstract No. 1362, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southeast line of U. S. Highway No. 67 (Interstate Highway 30), said point being the most westerly corner of Casa Ridge Heights No. 1, an addition to the City of Mesquite as recorded in Volume 39 at page 115 of the Dallas County Map Records;

THENCE South 44 degrees 50 minutes East, leaving said U. S. Highway No. 67 southeast line and proceeding along the said Casa Ridge Heights No. 1 southwest line, a distance of 336.97 feet;

THENCE South 44 degrees 45 minutes West, leaving the said Casa Ridge Heights No. 1 southwest line, a distance of 160.32 feet;

THENCE North 52 degrees 15 minutes West a distance of 400.0 feet to a point on the said U. S. Highway No. 67 southeast line;

THENCE North 61 degrees 03 minutes East along the said U. S. Highway No. 67 southeast line, a distance of 219.86 feet to the PLACE OF BEGINNING and containing approximately 1.6 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.

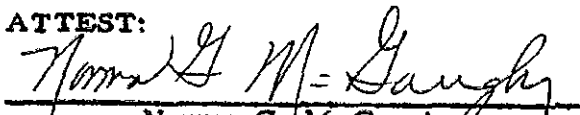
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred 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.

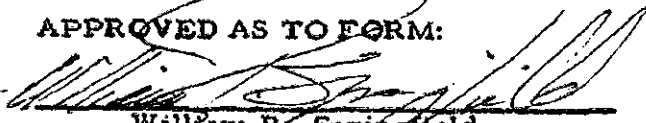
DULY PASSED by the City Council on the 15 day of April, 1968.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney