

ORDINANCE NO. 740

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 PROPERTY FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT, SAID PROPERTY BEING LOCATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND LOCATED IN THE WILLIAM A. COLE SURVEY, ABSTRACT 261, DALLAS COUNTY, TEXAS, AND BEING A PART OF A 103 ACRE TRACT OF LAND CONVEYED BY JOHN A. POYNTER, ET AL TO R.M. BELL BY DEED DATED JULY 6, 1945, AND BEING THAT SOME TRACT OF LAND CONVEYED TO LEON HOGERS AND M. H. WILLIAMS BY DEED AS RECORDED IN VOLUME 3606 AT PAGE 612 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF JOHN WEST ROAD AND THE CENTERLINE OF SHILOH ROAD; THENCE WITH THE CENTERLINE OF SHILOH ROAD SOUTH 0 DEGREES 3 MINUTES 30 SECONDS WEST A DISTANCE OF 399.60 FEET TO A POINT FOR A CORNER; THENCE NORTH 89 DEGREES 30 MINUTES 30 SECONDS WEST A DISTANCE OF 62.20 FEET TO A POINT FOR A CORNER; THENCE SOUTH 19 DEGREES 23 MINUTES WEST A DISTANCE OF 137.60 FEET TO A POINT FOR A CORNER; THENCE SOUTH 67 DEGREES 47 MINUTES WEST A DISTANCE OF 156.90 FEET TO A POINT FOR A CORNER; THENCE SOUTH 9 DEGREES 50 MINUTES EAST A DISTANCE OF 418.75 FEET TO A POINT FOR A CORNER; THENCE SOUTH 31 DEGREES 04 MINUTES WEST A DISTANCE OF 200.0 FEET TO A POINT FOR A CORNER IN THE NORTH LINE OF U. S. HIGHWAY 67; THENCE SOUTH 61 DEGREES 04 MINUTES WEST A DISTANCE OF 1,624.80 FEET TO A POINT FOR A CORNER; THENCE NORTH 1 DEGREE 32 MINUTES EAST A DISTANCE OF 1,499.92 FEET TO A POINT FOR A CORNER; THENCE SOUTH 89 DEGREES 56 MINUTES 30 SECONDS EAST A DISTANCE OF 734.56 FEET TO A POINT FOR A CORNER; THENCE NORTH 0 DEGREES 03 MINUTES 30 SECONDS EAST A DISTANCE OF 460.50 FEET TO A POINT FOR A CORNER

IN THE CENTER OF JOHN WEST ROAD; THENCE SOUTH 89 DEGREES 56 MINUTES 30 SECONDS EAST A DISTANCE OF 931.29 FEET TO THE POINT OF BEGINNING AND CONTAINING 46.43 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 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 "A" Multiple-Family Dwelling District, said property being located in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of land located in the William A. Cole Survey, Abstract 261, Dallas County, Texas, and being a part of a 103 acre tract of land conveyed by John A. Poynter et al to R. M. Bell by deed dated July 6, 1945, and being that same tract of land conveyed to Leon Hogers and M. H. Williams by deed as recorded in Volume 3606 at Page 612 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of John West Road and the centerline of Shiloh Road;

THENCE with the centerline of Shiloh Road South 0 degrees 03 minutes 30 seconds West a distance of 399.60 feet to a point for a corner;

THENCE North 89 degrees 30 minutes 30 seconds West a distance of 62.20 feet to a point for a corner;

THENCE South 19 degrees 23 minutes West a distance of 137.60 feet to a point for a corner;

THENCE South 67 degrees 47 minutes West a distance of 156.90 feet to a point for a corner;

THENCE South 9 degrees 50 minutes East a distance of 418.75 feet to a point for a corner;

THENCE South 31 degrees 04 minutes West a distance of 200.0 feet to a point for a corner in the North line of U. S. Highway 67;

THENCE South 61 degrees 04 minutes West a distance of 1,624.80 feet to a point for a corner;

THENCE North 1 degree 32 minutes East a distance of 1,499.92 feet to a point for a corner;

THENCE South 89 degrees 56 minutes 30 seconds East a distance of 734.56 feet to a point for a corner;

THENCE North 0 degrees 03 minutes 30 seconds East a distance of 460.50 feet to a point for a corner in the center of John West Road;

THENCE South 89 degrees 56 minutes 30 seconds East a distance of 931.29 feet to the point of BEGINNING and containing 46.43 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.

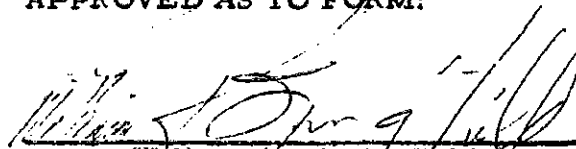
DULY PASSED by the City Council on the 20 day of May, 1968.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary


William R. Springfield
City Attorney