

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 IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING PARTS OF TRACTS 1 AND 2, DANIEL TANNER SURVEY, ABSTRACT #1462, 17.17 ACRES, MORE OR LESS, FRONTING 305 FEET ON THE EAST LINE OF SAM HOUSTON ROAD AND 993 FEET ON THE SOUTH LINE OF MILITARY PARKWAY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF MILITARY PARKWAY AND THE EXTENSION OF THE WEST LINE OF THE ALLEY IN BLOCK M, ROLLINGWOOD HILLS SUBDIVISION TO ITS INTERSECTION WITH THE SOUTH LINE OF MILITARY PARKWAY; SAID POINT OF BEGINNING BEING NORTH 39 DEGREES 50 MINUTES EAST 2,194.90 FEET FROM THE INTERSECTION OF THE SOUTH LINE OF MILITARY PARKWAY AND THE EAST LINE OF TOWN EAST BOULEVARD; THENCE SOUTH 44 DEGREES 59 MINUTES WEST 2,270.83 FEET TO A POINT IN THE EAST LINE OF SAM HOUSTON ROAD; THENCE NORTH 44 DEGREES 55 MINUTES WEST 305.00 FEET ALONG THE EAST LINE OF SAM HOUSTON ROAD; THENCE NORTH 44 DEGREES 59 MINUTES EAST 435.00 FEET; THENCE NORTH 49 DEGREES 30 MINUTES EAST 190.48 FEET; THENCE NORTH 44 DEGREES 59 MINUTES EAST 750.54 FEET; THENCE NORTH 20 DEGREES 07 MINUTES WEST 452.73 FEET TO A POINT IN THE SOUTH LINE OF MILITARY PARKWAY; THENCE NORTH 89 DEGREES 50 MINUTES EAST 993.46 FEET ALONG THE SOUTH LINE OF MILITARY PARKWAY TO THE POINT OF BEGINNING; 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) 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 property from "R-3" Single Family Dwelling District to "A" Multiple Family Dwelling District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

Being parts of Tracts 1 and 2, Daniel Tanner Survey, Abstract #1462, 17.17 acres, more or less, fronting 305 feet on the east line of Sam Houston Road and 993 feet on the south line of Military Parkway described by metes and bounds as follows:

Beginning at a point in the south line of Military Parkway and the extension of the west line of the alley in Block M, Rollingwood Hills Subdivision to its intersection with the south line of Military Parkway; said point of beginning being North 39 degrees 50 minutes East 2,194.90 feet from the intersection of the south line of Military Parkway and the east line of Town East Boulevard;

THENCE South 44 degrees 59 minutes West 2,270.88 feet to a point in the east line of Sam Houston Road;  
THENCE North 44 degrees 55 minutes West 305.00 feet along the east line of Sam. Houston Road;  
THENCE North 44 degrees 59 minutes East 435.00 feet;  
THENCE North 49 degrees 30 minutes East 190.48 feet;  
THENCE North 44 degrees 59 minutes East 750.54 feet;  
THENCE North 20 degrees 07 minutes West 452.73 feet to a point in the south line of Military Parkway;  
THENCE North 89 degrees 50 minutes East 993.46 feet along the south line of Military Parkway to the point of beginning.

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.

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**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) 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 August, 1968.

  
George Boyce - Mayor

ATTEST:

  
~~Norma G. McCaughy - City Secretary~~  
Sue M. Frost - Acting City Secretary

APPROVED AS TO FORM:

  
William R. Springfield - City Attorney

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