

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 LAND. THE FIRST OF SAID TRACTS FROM "L-R" LOCAL RETAIL DISTRICT TO "D" DUPLEX DWELLING DISTRICT, AND THE SECOND OF SAID TRACTS FROM "L-R" LOCAL RETAIL DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT. SAID TRACTS OF LAND BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: TRACT ONE: "COMMENCING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF MURPHY SCHOOL - NEW HOPE ROAD - TOWN EAST BOULEVARD AND THE SOUTHWESTERLY LINE OF NEW GROSS ROAD; THENCE, ALONG THE SOUTHWESTERLY LINE OF NEW GROSS AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 1169.21' AND A CENTRAL ANGLE OF 15°08' THE DISTANCE OF 1046.78 FEET TO A POINT OF BEGINNING OF TRACT TO BE ZONED DUPLEX; THENCE S60°08'E, 115 FEET, TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A TANGENT BEARING S29°52'W, HAVING A RADIUS OF 1630.0' AND A CENTRAL ANGLE 15°08' TO THE INTERSECTION OF THE ALLEY FOR CORNER; THENCE IN A SOUTHWESTERLY DIRECTION AND AROUND SAID CURVE 430.53 FEET TO AN IRON STAKE FOR CORNER; THENCE N49°07'44"W, 120 FEET TO A POINT FOR CORNER; THENCE IN A NORTHEASTERLY DIRECTION APPROXIMATELY 407 FEET TO THE PLACE OF BEGINNING." TRACT TWO: "COMMENCING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF MURPHY SCHOOL-NEW HOPE ROAD - TOWN EAST BOULEVARD AND THE NORTHEASTERLY LINE OF OLD GROSS ROAD - BAKER; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID MURPHY SCHOOL ROAD THE FOLLOWING: N45°00'E, 231.02', TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 4722.55', AND A CENTRAL ANGLE OF 0°50'13", FOR CORNER; IN A NORTHEASTERLY DIRECTION AND AROUND SAID CURVE 68.98' TO THE PLACE OF BEGINNING FOR TRACT NO. 2, AN IRON STAKE FOR CORNER; THENCE N45°00'E 139.35' TO A POINT IN THE MURPHY SCHOOL ROAD LINE; THENCE S45°00'E 150' ALONG THE SOUTHEASTERLY LINE OF THE SHELL OIL COMPANY TRACT; THENCE AT A 90° ANGLE IN A NORTHEASTERLY DIRECTION APPROXIMATELY 150 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF NEW GROSS ROAD; THENCE S45°00'E APPROXIMATELY 201.19', TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1169.21' AND A CENTRAL ANGLE OF 15°08', AN IRON STAKE FOR CORNER; THENCE IN A SOUTHEASTERLY DIRECTION AND AROUND SAID CURVE 308.82', AN IRON STAKE FOR CORNER; THENCE S60°08'E,

386.77' TO THE BEGINNING POINT OF TRACT NO. 1; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE WESTERN LINE OF AND PARALLEL TO TRACT NO. 1 APPROXIMATELY 407 FEET TO A POINT; THENCE N49°07'44"W, 366.12', TO THE EAST CORNER OF A 5.0 ACRE TRACT RETAINED BY TRAVILLA STARLEY WILLIAMS, AN IRON STAKE FOR CORNER; THENCE N45°00'W, 725.50', ALONG THE NORTHEASTERLY LINE OF SAID 5.0 ACRE TRACT TO THE PLACE OF BEGINNING, AND BOTH TRACT 1 AND TRACT 2 CONTAINING 9.11 ACRES. 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 hereinafter described tracts of land as follows: Tract number one from "L-R" Local Retail District to "D" Duplex Dwelling District; Tract number two from "L-R" Local Retail District to "A" Multiple-Family Dwelling District; Said tracts of land being in the City of Mesquite, Dallas County, Texas, and described as follows:

TRACT 1

COMMENCING at the intersection of the southeasterly line of Murphy School - New Hope Road - Town East Boulevard and the southwesterly line of New Gross Road;
THENCE, along the southwesterly line of New Gross around a curve to

the left having a radius of 1169.21' and a central angle of 15°08' the distance of 1046.78 feet to a point of BEGINNING of tract to be zoned duplex;

THENCE S60°08'E, 115 feet, to the beginning of a curve to the right with a tangent bearing S29°52'W, having a radius of 1630.0' and a central angle 15°08' to the intersection of the alley for corner;

THENCE in a southwesterly direction and around said curve 430.53 feet to an iron stake for corner;

THENCE N49°07'44"W, 120 feet to a point for corner;

THENCE in a northeasterly direction approximately 407 feet to the place of beginning.

TRACT 2

COMMENCING at the intersection of the southeasterly line of Murphy School - New Hope Road - Town East Boulevard and the northeasterly line of Old Cross Road - Baker;

THENCE along the southeasterly line of said Murphy School Road the following:

N45°00'E, 231.02', to the beginning of a curve to the right having a radius of 4722.55', and a central angle of 0°50'13", for corner; in a northeasterly direction and around said curve 68.98' to the place of beginning for Tract No. 2, an iron stake for corner;

THENCE N45°00'E 139.35' to a point in the Murphy School Road line;

THENCE S45°00'E 150' along the southeasterly line of the Shell Oil Company tract;

THENCE at a 90° angle in a northeasterly direction approximately 150 feet to a point in the southwesterly line of New Cross Road;

THENCE S45°00'E approximately 201.19', to the beginning of a curve to the left having a radius of 1169.21' and a central angle of 15.08', an iron stake for corner;

THENCE in a southeasterly direction and around said curve 308.82', an iron stake for corner;

THENCE S60°08'E, 386.77' to the beginning point of Tract No. 1;

THENCE in a southwesterly direction along the western line of and parallel to Tract No. 1 approximately 407 feet to a point;

THENCE N49°07'44"W, 366.12', to the east corner of a 5.0 acre tract retained by Travilla Starley Williams, an iron stake for corner;

THENCE N45°00'W, 725.50', along the northeasterly line of said 5.0 acre tract to the place of beginning, and both Tract 1 and Tract 2 containing 9.11 acres.

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.

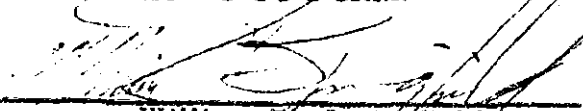
DULY PASSED by the City Council on the 3 day of September, 1968.


George Boyce
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


William R. Springfield
Attorney