

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 "C" COMMERCIAL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS AND DESCRIBED AS FOLLOWS: BEING A SURVEY OF A TRACT OF 5.60 ACRES OF LAND NET AND BEING PARTLY IN THE HENRY HARTER SURVEY ABST. NO. 594, THE WM. FOREMAN SURVEY ABST. NO. 486 AND THE W. H. ROWE SURVEY ABST. NO. 1256 DALLAS COUNTY, TEXAS; AND BEING PART OF THE SECOND & THIRD TRACTS AS DESCRIBED IN DEED TO JOHN A RAWLINS DATED 1-29-47 FILED 2-13-47 DEED RECORDS OF DALLAS COUNTY, TEXAS; AND SAID 5.60 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID THIRD TRACT, A FENCE CORNER POST IN THE SOUTHWEST LINE OF SAID HARTER SURVEY (SAME BEING THE NORTHEAST LINE OF SAID FOREMAN SURVEY); THENCE NORTH $44^{\circ}56'$ WEST, ALONG SAID SURVEY LINE (A FENCE LINE), 136.0 FEET TO A FENCE CORNER POST; THENCE NORTH $12^{\circ}46'$ EAST, ALONG A FENCE LINE, 475.2 FEET TO AN IRON ROD AT THE NORTH CORNER OF SAID SECOND TRACT; THENCE SOUTH $32^{\circ}08'$ EAST, ALONG THE NORTHEAST LINE OF SAID SECOND TRACT, 773.1 FEET TO THE NORTH CORNER OF THE JOHN A. RAWLINS 0.34 ACRE TRACT AS DESCRIBED IN DEED DATED 4-4-55 FILED 5-6-55; THENCE SOUTH $6^{\circ}49'$ WEST 189.1 FEET TO THE SOUTHWEST CORNER OF SAID 0.34 ACRE TRACT, A POINT IN THE NORTHEAST LINE OF U. S. HIGHWAY NO. 80; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID NORTHEAST LINE OF HIGHWAY 80, AS FOLLOWS: 1st. NORTH $76^{\circ}35'$ WEST 38.9 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THAT HAS A CENTRAL ANGLE OF $7^{\circ}58' 30''$, A RADIUS OF 3969.72 FEET AND A TANGENT OF 276.9 FEET 2nd. NORTHWESTERLY, AROUND SAID CURVE TO THE RIGHT, 552.6 FEET TO ITS INTERSECTION WITH THE NORTHWEST LINE OF SAID THIRD TRACT; THENCE NORTH $45^{\circ}18'$ EAST ALONG SAID NORTHWEST LINE OF SAID THIRD TRACT (A FENCE LINE), 260.4 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.60 ACRES OF LAND NET. 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 property from "R-3" Single family, Residential District to "C" Commercial District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

Being a survey of a tract of 5.60 Acres of land Net and being partly in the Henry Harter Survey Abst. No. 594, the Wm. Foreman Survey Abst. No. 486 and the W. H. Rowe Survey Abst. No. 1256 Dallas County, Texas; and being part of the Second and Third Tracts as described in deed to John A. Rawlins dated 1-29-47 filed 2-13-47 Deed Records of Dallas County, Texas; and said 5.60 Acre tract being more particularly described as follows;

Beginning at the Northwest corner of said Third tract, a fence corner post in the Southwest line of said Harter Survey (same being the Northeast line of said Foreman Survey);

Thence North $44^{\circ}56'$ West, Along said Survey line (a fence line), 136.0 Feet to a fence corner post;

Thence North $12^{\circ}46'$ East, along a fence line, 475.2 feet to an iron rod at the North corner of said Second Tract;

Thence South $32^{\circ}08'$ East, along the Northeast line of said Second Tract, 773.1 feet to the North corner of the John A. Rawlins 0.34 Acre tract as described in deed dated 4-4-55 filed 5-6-55;

Thence South $6^{\circ}49'$ West 189.1 feet to the Southwest corner of said 0.34 Acre tract, a point in the Northeast line of U. S. Highway No. 80;

Thence in a Northwesterly direction, along said Northeast line of Highway 80, as follows:

- 1st. North $76^{\circ}35'$ West 38.9 feet to the beginning of a curve to the left that has a Central Angle of $7^{\circ}58'30''$, a radius of 3969.72 feet and a Tangent of 276.9 feet
- 2nd Northwesterly, around said curve to the right, 552.6 feet to its intersection with the Northwest line of said Third Tract.

Thence North $45^{\circ}18'$ East, along said Northwest line of said Third Tract (a fence line), 260.4 feet to the point of beginning and containing 5.60 Acres of Land Net.

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.

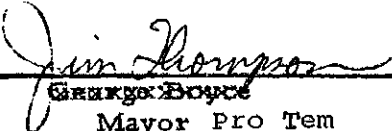
SECTION 5. That any person, firm or corporation violating any of the provisions of terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

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DULY PASSED by the City Council on the 16 day of
September, 1968.



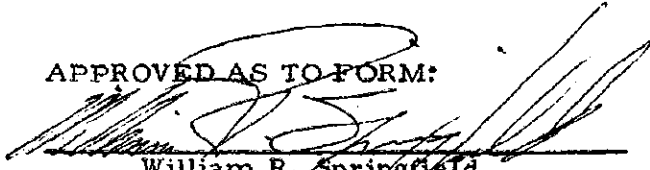
George Boyce
Mayor Pro Tem

ATTEST:



Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:



William R. Springfield
Attorney