

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 HERINAFTER DESCRIBED TRACTS OF REAL PROPERTY AS FOLLOWS; 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; TRACT IV 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 BEGINNING AT THE NORTHEAST CORNER OF THE SAID ABBOTT SURVEY AND A CORNER OF TOWN EAST ESTATES NO. 8, SECOND INSTALLMENT, REVISED, TO THE CITY OF MESQUITE; THENCE SOUTH $0^{\circ} 07' 40''$ EAST WITH THE ABBOTT EAST LINE AND THE WEST LINE OF SAID ADDITION A DISTANCE OF 180.29 FT. TO A POINT FOR A CORNER; THENCE SOUTH $60^{\circ} 48' 20''$ WEST A DISTANCE OF 1,311.09 FT. TO A POINT FOR A CORNER; THENCE NORTH $0^{\circ} 07' 40''$ WEST A DISTANCE OF 343.23 FT. TO A POINT FOR A CORNER ON THE SAID SOUTHEAST LINE OF I.H. 30; THENCE NORTH $60^{\circ} 48' 20''$ EAST WITH THE SAID SOUTHEAST LINE A DISTANCE OF 974.44 FT. TO A POINT FOR A CORNER AT THE INTERSECTION OF SAID LINE WITH THE NORTH LINE OF THE SAID ABBOTT SURVEY, SAME BEING THE MOST WESTERLY CORNER OF SAID ADDITION; THENCE NORTH $89^{\circ} 45' 10''$ EAST WITH THE SAID NORTH LINE A DISTANCE OF 294.25 FT. TO THE POINT OF BEGINNING AND CONTAINING 7.928 ACRES OF LAND, EXCEPTING AREA WITHIN FUTURE STREETS. TRACT II BEGINNING AT A POINT IN THE EAST LINE OF THE SAID ABBOTT SURVEY AND THE WEST LINE OF TOWN EAST ESTATES NO. 8, SECOND INSTALLMENT, REVISED, AN ADDITION TO THE CITY OF MESQUITE, SAID POINT BEARING SOUTH $0^{\circ} 07' 40''$ EAST A DISTANCE OF 180.29 FT. FROM THE NORTHEAST CORNER OF THE ABBOTT SURVEY; THENCE SOUTH $60^{\circ} 48' 20''$ WEST WITH THE SOUTHEAST LINE OF TRACT I A DISTANCE OF 1,311.09 FT. TO A POINT FOR A CORNER BEARING SOUTH $0^{\circ} 07' 40''$ EAST A DISTANCE OF 343.23 FT. FROM THE SOUTHEAST LINE OF I.H. 30 (U.S. HWY. 67); THENCE SOUTH $0^{\circ} 07' 40''$ EAST A DISTANCE OF 1839.07 FT. TO A POINT FOR A CORNER; THENCE SOUTH $89^{\circ} 31' 10''$ WEST

150 A DISTANCE OF 696.66 FT. TO A POINT FOR A CORNER; THENCE SOUTH WITH THE EAST LINE OF TRACT IV AND AN EXISTING COMMERCIAL AREA A DISTANCE OF 622.26 FT. TO A POINT FOR A CORNER; THENCE SOUTH $69^{\circ} 46' 10''$ EAST A DISTANCE OF 570.29 FT. TO A POINT FOR A CORNER IN A CIRCULAR CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF $4^{\circ} 29' 52''$ AND A RADIUS OF 765.12 FT.; THENCE SOUTHWESTERLY WITH THE SAID CURVE TO THE LEFT A DISTANCE OF 60.06 FT. TO THE POINT OF TANGENCY; THENCE SOUTH $69^{\circ} 46' 10''$ EAST A DISTANCE OF 1095.87 FT. TO A POINT FOR A CORNER; THENCE NORTH $0^{\circ} 07' 40''$ WEST A DISTANCE OF 1736.31 FT. TO A POINT FOR A CORNER AT THE POINT OF TANGENCY OF A CIRCULAR CURVE; THENCE NORTH $84^{\circ} 53' 20''$ EAST A DISTANCE OF 306.16 FT. TO A POINT FOR A CORNER AT THE INTERSECTION OF THE SOUTH LINE OF EMERALD DRIVE (60' R.O.W.) WITH THE SAID ABBOTT EAST LINE AND THE SAID WEST LINE OF TOWN EAST ESTATES NO. 8, SECOND SECTION REVISED; THENCE NORTH $0^{\circ} 07' 40''$ WEST WITH THE SAID LINE A DISTANCE OF 1974.76 FT. TO THE POINT OF BEGINNING AND CONTAINING 79.559 ACRES OF LAND. SAID ACREAGE EXCEPTING THE AREA WITHIN THE FUTURE STREETS. TRACT III BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF I.H. 20 (U.S. HWY. 80) WITH THE EAST LINE OF BIG TOWN BOULEVARD; THENCE NORTH WITH THE SAID EAST LINE A DISTANCE OF 553.10 FT. TO A POINT FOR A CORNER; THENCE NORTH $45^{\circ} 00'$ WEST A DISTANCE OF 169.70 FT. TO A POINT FOR A CORNER; THENCE NORTH ALONG THE PROPOSED EAST LINE OF BIG TOWN BOULEVARD A DISTANCE OF 51.15 FT. TO A POINT FOR A CORNER; THENCE NORTH $89^{\circ} 31' 10''$ EAST A DISTANCE OF 754.40 FT. TO A POINT FOR A CORNER; THENCE SOUTH A DISTANCE OF 500.48 FT. TO A POINT FOR A CORNER AT THE NORTHEAST CORNER OF AN EXISTING COMMERCIAL AREA; THENCE WEST WITH THE NORTH LINE OF SAID AREA A DISTANCE OF 469.71 FT. TO A POINT FOR A CORNER; THENCE SOUTH WITH THE WEST LINE OF THE SAID AREA A DISTANCE OF 290.78 FT. TO A POINT FOR A CORNER ON THE SAID NORTH LINE OF I.H. 20; THENCE NORTH $69^{\circ} 46' 10''$ WEST WITH THE SAID NORTH LINE A DISTANCE OF 175.50 FT. TO THE POINT OF BEGINNING AND CONTAINING 8.542 ACRES OF LAND. TRACT IV BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE SAID ABBOTT SURVEY WITH THE NORTH LINE OF I.H. 20 (U.S. HWY. 80); THENCE NORTH $69^{\circ} 46' 10''$ WEST WITH THE SAID NORTH LINE A DISTANCE OF 1967.67 FT. TO A POINT FOR A CORNER AT THE SOUTHEAST CORNER OF AN EXISTING COMMERCIAL AREA; THENCE NORTH WITH

THE EAST LINE OF SAID AREA A DISTANCE OF 341.04 FT. TO A POINT FOR A CORNER; THENCE SOUTH $69^{\circ} 46' 10''$ EAST A DISTANCE OF 570.29 FT. TO A POINT FOR A CORNER IN A CIRCULAR CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF $4^{\circ} 29' 52''$ AND A RADIUS OF 765.12 FT.; THENCE SOUTHWESTERLY WITH THE SAID CURVE TO THE LEFT A DISTANCE OF 60.06 FT. TO THE POINT OF TANGENCY; THENCE SOUTH $69^{\circ} 46' 10''$ EAST A DISTANCE OF 1095.87 FT. TO A POINT FOR A CORNER; THENCE SOUTH $83^{\circ} 35' 37''$ EAST A DISTANCE OF 307.00 FT. TO A POINT FOR A CORNER ON THE SAID ABBOTT EAST LINE; THENCE SOUTH $0^{\circ} 07' 40''$ EAST WITH THE SAID EAST LINE A DISTANCE OF 355.56 FT. TO THE POINT OF BEGINNING AND CONTAINING 12.307 ACRES OF LAND, EXCEPTING AREA WITHIN FUTURE STREETS. 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 publications 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 I. 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 tracts of real property as follows; 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; Tract IV 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:

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Tract I

Beginning at the Northeast corner of the said Abbott Survey and a corner of Town East Estates No. 8, Second Installment, Revised, to the City of Mesquite;

Thence South $0^{\circ} 07' 40''$ East with the Abbott East line and the West line of said addition a distance of 180.29 ft. to a point for a corner;

Thence South $60^{\circ} 48' 20''$ West a distance of 1,311.09 ft. to a point for a corner;

Thence North $0^{\circ} 07' 40''$ West a distance of 343.23 ft. to a point for a corner on the said Southeast line of I. H. 30;

Thence North $60^{\circ} 48' 20''$ East with the said Southeast line a distance of 974.44 ft. to a point for a corner at the intersection of said line with the North line of the said Abbott Survey, same being the most Westerly corner of said Addition;

Thence North $89^{\circ} 45' 10''$ East with the said North line a distance of 294.25 ft. to the Point of Beginning and containing 7.928 acres of land, excepting area within future streets.

Tract II

Beginning at a point in the East line of the said Abbott Survey and the West line of Town East Estates No. 8, Second Installment, revised, an addition to the City of Mesquite, said point bearing South $0^{\circ} 07' 40''$ East a distance of 180.29 ft. from the Northeast corner of the Abbott Survey;

Thence South $60^{\circ} 48' 20''$ West with the Southeast line of Tract I a distance of 1,311.09 ft. to a point for a corner bearing South $0^{\circ} 07' 40''$ East a distance of 343.23 ft. from the Southeast line of I. H. 30 (U. S. Hwy. 67);

Thence South $0^{\circ} 07' 40''$ East a distance of 1839.07 ft. to a point for a corner;

Thence South $89^{\circ} 31' 10''$ West a distance of 696.66 ft. to a point for a corner;

Thence South with the East line of Tract IV and an existing commercial area a distance of 622.26 ft. to a point for a corner;

Thence South $69^{\circ} 46' 10''$ east a distance of 570.29 ft. to a point for a corner in a circular curve to the left having a central angle of $4^{\circ} 29' 52''$ and a radius of 765.12 ft.;

Thence Southwesterly with the said curve to the left a distance of 60.06 ft. to the point of tangency;

Thence South $69^{\circ} 46' 10''$ East a distance of 1095.87 ft. to a point for a corner;

Thence North $0^{\circ} 07' 40''$ West a distance of 1736.31 ft. to a point for a corner at the point of tangency of a circular curve;

Thence North $84^{\circ} 53' 20''$ East a distance of 306.16 ft. to a point for a corner at the intersection of the South line of Emerald Drive (60' R.O.W.) with the said Abbott East line and the said West line of Town East Estates No. 8, Second Section, Revised;

Thence North $0^{\circ} 07' 40''$ West with the said line a distance of 1974.76 ft. to the Point of Beginning and containing 79.559 acres of land. Said acreage excepting the area within the future streets.

Tract III

Beginning at the intersection of the North line of I.H. 20 (U.S. Hwy. 80) with the East line of Big Town Boulevard;

Thence North with the said East line a distance of 553.10 ft. to a point for a corner;

Thence North $45^{\circ} 00'$ West a distance of 169.70 ft. to a point for a corner;

Thence North along the proposed East line of Big Town Boulevard a distance of 51.15 ft. to a point for a corner;

Thence North $89^{\circ} 31' 10''$ East a distance of 754.40 ft. to a point for a corner;

Thence South a distance of 500.48 ft. to a point for a corner at the Northeast corner of an existing commercial area;

Thence West with the North line of said area a distance of 469.71 ft. to a point for a corner;

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Thence South with the West line of the said area a distance of 290.78 ft. to a point for a corner on the said North line of I. H. 20;

Thence North $69^{\circ} 46' 10''$ West with the said North line a distance of 175.50 ft. to the Point of Beginning and containing 8.542 acres of land.

Tract IV

Beginning at the intersection of the East line of the said Abbott Survey with the North line of I. H. 20 (U. S. Hwy. 80);

Thence North $69^{\circ} 46' 10''$ West with the said North line a distance of 1967.67 ft. to a point for a corner at the Southeast corner of an existing commercial area;

Thence North with the east line of said area a distance of 341.04 ft. to a point for a corner;

Thence South $69^{\circ} 46' 10''$ East a distance of 570.29 ft. to a point for a corner in a circular curve to the left having a central angle of $4^{\circ} 29' 52''$ and a radius of 765.12 ft.;

Thence Southwesterly with the said curve to the left a distance of 60.06 ft. to the Point of tangency;

Thence South $69^{\circ} 46' 10''$ East a distance of 1095.87 ft. to a point for a corner;

Thence South $83^{\circ} 35' 37''$ East a distance of 307.00 ft. to a point for a corner; on the said Abbott East line;

Thence South $0^{\circ} 07' 40''$ East with the said East line a distance of 355.56 ft. to the Point of Beginning and containing 12.307 acres of land excepting area within future streets.

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, sub-division, 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.

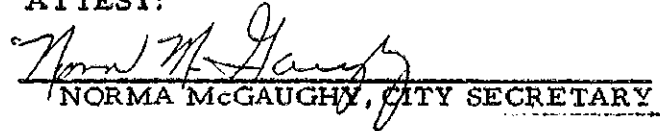
SECTION 6. Whereas, the above-described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation 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 2 day of _____
 Dec. _____, 1968.

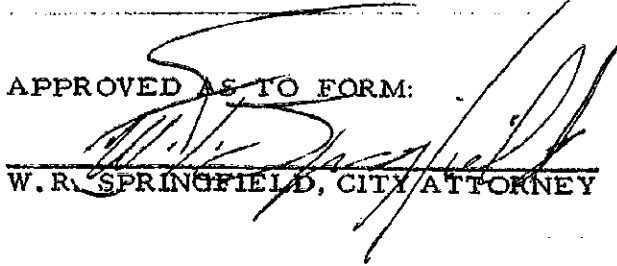
APPROVED:


 GEORGE BOYCE, MAYOR

ATTEST:


 NORMA MCGAUGHY, CITY SECRETARY

APPROVED AS TO FORM:


 W. R. SPRINGFIELD, CITY ATTORNEY

