

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 TRACT OF LAND; FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE-FAMILY DISTRICT; SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING OUT OF THE WILLIAM A. COLE SURVEY, ABSTRACT NO. 261, AND BEING PART OF THE 103 ACRES CONVEYED BY JOHN A. PAYNTER ET AL TO R. M. BELL BY DEED DATED JULY 6, 1945, AND RECORDED IN DEED RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH LINE OF SAID SURVEY, BEING CENTERLINE OF THE JOHN WEST ROAD, SAID POINT OF BEGINNING BEING 986.9 FEET WEST FROM THE NORTH-EAST CORNER OF SAID SURVEY; THENCE WEST ALONG THE NORTH LINE OF SAID SURVEY AND ALONG CENTER LINE OF JOHN WEST ROAD, 200 FEET TO POINT FOR CORNER; THENCE SOUTH AND AT RIGHT ANGLES WITH THE NORTH LINE OF SAID SURVEY 246.5 FEET TO IRON PIPE FOR CORNER; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SURVEY, 200 FEET TO IRON PIPE FOR CORNER; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SURVEY, 246.5 FEET TO THE PLACE OF BEGINNING; CONTAINING 1.13 ACRES OF LAND OF WHICH .09 OF AN ACRE IS IN THE JOHN WEST ROAD, AND BEING THE SAME PROPERTY CONVEYED TO FRANK D. TOLAND BY DEED DATED MARCH 26, 1964, RECORDED IN THE DEED RECORDS, DALLAS COUNTY, TEXAS. 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 tract of land from "R-3" Single-family Dwelling District to "A" Multiple-family District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

SITUATED in the City of Mesquite, Dallas County, Texas, and being out of the William A. Cole Survey, Abstract No. 261, and being part of the 103 acres conveyed by John A. Paynter et al to R. M. Bell by deed dated July 6, 1945, and recorded in Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the North line of said Survey, being center-line of the John West Road, said point of beginning being 986.9 feet West from the Northeast corner of said Survey;

THENCE West along the North line of said Survey and along center line of said John West Road, 200 feet to point for corner;

THENCE South and at right angles with the North line of said Survey 246.5 feet to iron pipe for corner;

THENCE East parallel with the North line of said Survey, 200 feet to iron pipe for corner;

THENCE North parallel with the East line of said Survey, 246.5 feet to the place of BEGINNING; containing 1.13 acres of land of which .09 of an acre is in the John West Road, and being the same property conveyed to Frank D. Toland by Deed dated March 26, 1964, recorded in the Deed Records, Dallas County, Texas.

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.

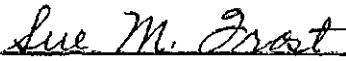
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

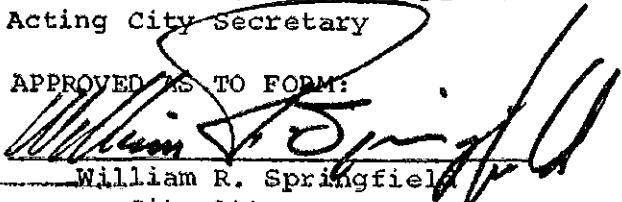
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 20 day of January, 1969.


George Boyce
Mayor

ATTEST:


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

APPROVED AS TO FORM:


William R. Springfield
City Attorney