

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-2" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE-FAMILY DISTRICT SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING PART OF THE LAND CONVEYED TO THE TEXAS PYTHION HOME OF THE GRAND LODGE KNIGHTS OF PYTHION OF TEXAS BY MARTHA E. LAWRENCE AS RECORDED IN VOLUME 5926, PAGE 209, DALLAS COUNTY DEED RECORDS, AND THE DR. E. K. FRANKLIN TRACT, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH CORNER OF SAID PYTHION PROPERTY, SAID POINT BEING THE SOUTH CORNER OF THE INTERSECTION OF TOWN EAST BOULEVARD (AN 80 FOOT RIGHT-OF-WAY) AND GUS THOMASSON ROAD (A 60 FOOT RIGHT-OF-WAY): THENCE, SOUTH 44° 25' EAST WITH THE SOUTHWESTERLY LINE OF SAID GUS THOMASSON ROAD 1541.59 FEET TO THE PLACE OF BEGINNING: THENCE, SOUTH 5° 35' EAST A DISTANCE OF 1913.41 FEET TO AN ANGLE POINT FOR CORNER, SAME BEING IN THE COMMON LINE OF SAID PYTHION TRACT AND SAID DR. E. K. FRANKLIN TRACT; THENCE, SOUTH 9° 53' 57" EAST A DISTANCE OF 350.66 FEET TO A POINT FOR CORNER; THENCE, NORTH 80° 06' 03" EAST A DISTANCE OF 494.57 FEET TO A POINT FOR CORNER, SAME BEING IN SAID COMMON BOUNDARY; THENCE, SOUTH 44° 45' 48" WEST ALONG SAID COMMON BOUNDARY A DISTANCE OF 671.65 FEET MORE OR LESS TO A POINT FOR CORNER IN THE SOUTHEAST LINE OF THE PROPOSED RELATED GUS THOMASSON ROAD (A 100 FOOT RIGHT-OF-WAY); THENCE, NORTH 5° 00' EAST ALONG SAID LINE OF THE RELOCATED GUS THOMASSON ROAD, A DISTANCE OF 1225.89 FEET TO A POINT FOR CORNER; THENCE, ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 14° 02', a RADIUS OF 2379.95 FEET, A DISTANCE OF 581.69 FEET TO A POINT FOR CORNER; THENCE, NORTH 9° 02' WEST A DISTANCE OF 936.84 FEET TO A POINT FOR CORNER, SAME BEING A CORNER IN THE PRESENTLY ZONED BUSINESS DISTRICT; THENCE, NORTH 80° 58' EAST A DISTANCE OF 802.55 FEET TO A POINT FOR CORNER IN THE SOUTHWEST LINE OF OLD GUS THOMASSON ROAD (A 60 FOOT RIGHT-OF-WAY); THENCE, SOUTH 44° 25' EAST ALONG SAID LINE OF OLD GUS THOMASSON ROAD TO THE PLACE 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 (\$200.00) 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-2" Single-Family Dwelling District to "A" Multiple-Family District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being part of the land conveyed to the Texas Pythion Home of the Grand Lodge Knights of Pythion of Texas by Martha E. Lawrence as recorded in Volume 5926, Page 209, Dallas County Deed Records, and the Dr. E. K. Franklin Tract, and being more fully described as follows:

COMMENCING at the North corner of said Pythion property, said point being the South corner of the intersection of Town East Boulevard (an 80 foot right-of-way) and Gus Thomasson Road (a 60 foot right-of-way);

THENCE South $44^{\circ} 25'$ East with the Southwesterly line of said Gus Thomasson Road 1541.59 feet to the place of beginning;

THENCE, South $5^{\circ} 35'$ East a distance of 1913.41 feet to an angle point for corner, same being in the common line of said Pythion tract and said Dr. E. K. Franklin tract;

THENCE, South $9^{\circ} 53' 57''$ East a distance of 350.66 feet to a point for corner;

THENCE, North $80^{\circ} 06' 03''$ East a distance of 494.57 feet to a point for corner, same being in said common boundary;

THENCE, South $44^{\circ} 45' 48''$ West along said common boundary a distance of 671.65 feet more or less to a point for corner in the Southeast line of the proposed related Gus Thomasson Road (a 100 foot right-of-way);

THENCE, North $5^{\circ} 00'$ East along said line of the relocated Gus Thomasson Road, a distance of 1225.89 feet to a point for corner;

THENCE, along a curve to the left, having a central angle of $14^{\circ} 02'$, a radius of 2379.95 feet, a distance of 581.69 feet to a point for corner;

THENCE, North $9^{\circ} 02'$ West a distance of 936.84 feet to a point for corner, same being a corner in the presently zoned business district;

THENCE, North $80^{\circ} 58'$ East a distance of 802.55 feet to a point for corner in the Southwest line of Old Gus Thomasson Road (a 60 foot right-of-way);

THENCE, South $44^{\circ} 25'$ East along said line of Old Gus Thomasson Road to the place 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


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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.

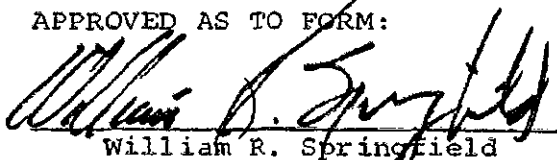
DULY PASSED by the City Council of the City of Mesquite, Texas,
on the 3 day of March, 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


William R. Springfield
Attorney