

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 TRACT OF LAND SITUATED IN THE DANIEL TANNER LEAGUE, ABSTRACT NO. 1462, DALLAS COUNTY, TEXAS, SAID TRACT OF LAND BEING PARTLY OUT OF THE LIVELY CIRCLE ADDITION, AN ADDITION TO THE CITY OF MESQUITE, TEXAS, SAID TRACT OF LAND BEING THAT SAME TRACT CONVEYED TO TEXAS AIRMOTIVE COMPANY BY MARVIN JONES, ET AL, AS RECORDED IN VOLUME 68133, PAGE 0670, DALLAS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE WEST LINE OF SANTA MARIA DRIVE (A 60 FOOT RIGHT-OF-WAY), SAID POINT BEING IN THE SOUTHERLY LINE OF INTERSTATE HIGHWAY 635 INTERCHANGE (WITH U.S. HIGHWAY 80); THENCE SOUTH 69° 55' WEST, WITH THE SOUTHERLY LINE OF SAID INTERSTATE HIGHWAY 635 INTERCHANGE, 202.85 FEET TO THE PLACE OF BEGINNING OF THE TRACT HEREIN DESCRIBED, SAID POINT BEING IN THE EASTERLY LINE OF THE AFOREMENTIONED LIVELY CIRCLE ADDITION; AN IRON PIPE SET FOR CORNER; THENCE SOUTH 11° 30' EAST, WITH THE EASTERLY LINE OF SAID LIVELY CIRCLE ADDITION, 282.83 FEET TO THE SOUTHEASTERLY CORNER OF SAID ADDITION; AN IRON PIPE FOUND IN PLACE FOR CORNER; THENCE SOUTH 44° 53' WEST, WITH THE SOUTHEASTERLY LINE OF SAID ADDITION, AND CONTINUING AT SOUTH 44° 53' WEST BEYOND SAID ADDITION, A TOTAL DISTANCE OF 377.56 FEET TO AN IRON PIPE FOUND IN PLACE FOR CORNER; THENCE NORTH 26° 29' WEST, 417.78 FEET TO A POINT IN THE SOUTH-EASTERLY LINE OF THE AFOREMENTIONED INTERSTATE HIGHWAY 635 INTERCHANGE; AN IRON PIPE SET FOR CORNER; THENCE NORTH 37° 36' EAST, WITH THE SOUTHEASTERLY LINE OF SAID INTERSTATE HIGHWAY 635 INTERCHANGE, 52.08 FEET TO AN IRON PIPE SET FOR CORNER; THENCE NORTH 72° 05' EAST, WITH THE SOUTHERLY LINE OF INTERSTATE HIGHWAY 635 INTERCHANGE, 94.35 FEET TO A CONCRETE RIGHT-OF-WAY MARKER FOUND IN PLACE FOR CORNER; THENCE NORTH 69° 55' EAST, AND CONTINUING ALONG THE SOUTHERLY LINE OF SAID INTERSTATE HIGHWAY 635 INTERCHANGE, 292.55 FEET TO THE PLACE OF BEGINNING AND CONTAINING 3.20 ACRES OF LAND. 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 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 tract of land situated in the Daniel Tanner League, Abstract No. 1462, Dallas County, Texas, said tract of land being partly out of the Lively Circle Addition, an addition to the City of Mesquite, Texas, said tract of land being that same tract conveyed to Texas Airmotive Company by Marvin Jones, et al, as recorded in Volume 68133, page 0670, Dallas County Deed Records, and being more particularly described as follows:

COMMENCING at a point in the West line of Santa Maria Drive (a 60 foot right-of-way), said point being in the Southerly line of Interstate Highway 635 Inter-

change (with U. S. Highway 80);

THENCE South $69^{\circ} 55'$ West, with the Southerly line of said Interstate Highway 635 Interchange, 202.85 feet to the place of beginning of the tract herein described, said point being in the Easterly line of the aforementioned Lively Circle Addition; an iron pipe set for corner;

THENCE South $11^{\circ} 30'$ East, with the Easterly line of said Lively Circle Addition, 282.83 feet to the Southeasterly corner of said Addition; an iron pipe found in place for corner;

THENCE South $44^{\circ} 53'$ West, with the Southeasterly line of said Addition, and continuing at South $44^{\circ} 53'$ West beyond said Addition, a total distance of 377.56 feet to an iron pipe found in place for corner;

THENCE North $26^{\circ} 29'$ West, 417.78 feet to a point in the Southeasterly line of the aforementioned Interstate Highway 635 Interchange; an iron pipe set for corner;

THENCE North $37^{\circ} 36'$ East, with the Southeasterly line of said Interstate Highway 635 Interchange, 52.08 feet to an iron pipe set for corner;

THENCE North $72^{\circ} 05'$ East, with the Southerly line of Interstate Highway 635 Interchange, 94.35 feet to a concrete right-of-way marker found in place for corner;

THENCE North $69^{\circ} 55'$ East, and continuing along the Southerly line of said Interstate Highway 635 Interchange, 292.55 feet to the place of beginning and containing 3.20 acres of land.

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.

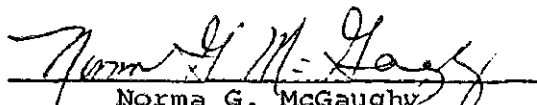
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

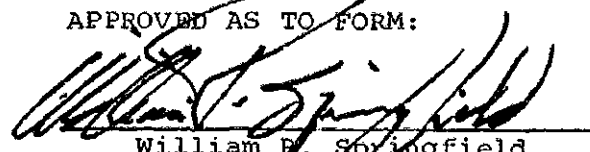
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 22 day of April, 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William B. Springfield
City Attorney