

ORDINANCE NO. 792

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 LYING AND BEING SITUATED IN THE W. FOREMAN SURVEY, ABSTRACT NO. 486 AND THE HENRY HARTER SURVEY, ABSTRACT NO. 594 IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF U. S. HIGHWAY NO. 80 AND THE EAST LINE OF THE FUTURE EXTENSION OF GUS THOMASSON ROAD; THENCE NORTH 0° 34' EAST, ALONG THE EAST LINE OF THE FUTURE EXTENSION OF GUS THOMASSON ROAD, 117.62 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, AN IRON STAKE FOR CORNER; THENCE NORTHERLY, ALONG THE EAST LINE OF THE FUTURE EXTENSION OF GUS THOMASSON ROAD AND ALONG THE CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1011.79 FEET, ARC DISTANCE OF 161.16 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 45° 00' EAST, 290.40 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 10° 23' EAST 150.00 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 45° 00' WEST, 290.40 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 10° 20' EAST, ALONG THE EAST LINE OF THE FUTURE EXTENSION OF GUS THOMASSON ROAD, 200.63 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 8° 03' 30" EAST, ALONG THE EAST LINE OF THE FUTURE EXTENSION OF GUS THOMASSON ROAD, 356.52 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, AN IRON STAKE FOR CORNER; THENCE NORTHERLY ALONG THE EAST LINE OF THE FUTURE EXTENSION OF GUS THOMASSON ROAD AND ALONG THE CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 928.72 FEET AND A CHORD WHICH BEARS NORTH 0° 50' 30" WEST, 283.37 FEET, AN ARC DISTANCE OF 284.48 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 64° 32' EAST, 448.76 FEET TO AN IRON STAKE IN A FENCE LINE FOR CORNER; THENCE SOUTH 43° 58' EAST, ALONG A FENCE, 891.66 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 89° 11' 30" EAST, ALONG A FENCE 608.32 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 31° 06' 30" EAST, ALONG A FENCE 140.56 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 13° 37' WEST, ALONG A FENCE 474.50 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 43° 58' WEST 138.1 FEET TO AN IRON STAKE FOR CORNER; THENCE SOUTH 46° 10' WEST ALONG A FENCE, 259.80 FEET TO AN IRON STAKE IN THE NORTH LINE

OF U. S. HIGHWAY NO. 80 FOR CORNER; THENCE WESTERLY, ALONG THE NORTH LINE OF U. S. HIGHWAY NO. 80 AND ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 3969.72 FEET AND A CHORD WHICH BEARS NORTH 86° 28' 30" WEST, 407.67 FEET), AN ARC DISTANCE OF 407.86 FEET TO AN IRON STAKE FOR CORNER; THENCE NORTH 89° 27' 30" WEST, ALONG THE NORTH LINE OF U. S. HIGHWAY NO. 80, 583.32 FEET TO A NAIL IN THE TOP OF THE NORTH LINE OF U. S. HIGHWAY NO. 80, THENCE 634.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.129 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 lying and being situated in the W. FOREMAN SURVEY, Abstract No. 486 and the HENRY HARTER SURVEY, Abstract No. 594 in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the North line of U. S. Highway No. 80 and the East line of the future extension of Gus Thomasson Road;

THENCE North $0^{\circ} 34'$ East, along the East line of the future extension of Gus Thomasson Road, 117.62 feet to the beginning of a curve to the right, an iron stake for corner;

THENCE Northerly, along the East line of the future extension of Gus Thomasson Road and along the curve to the right, said curve having a radius of 1011.79 feet, arc distance of 161.16 feet to an iron stake for corner;

THENCE North $45^{\circ} 00'$ East, 290.40 feet to an iron stake for corner;

THENCE North $10^{\circ} 23'$ East, 150.00 feet to an iron stake for corner;

THENCE South $45^{\circ} 00'$ West, 290.40 feet to an iron stake for corner;

THENCE North $10^{\circ} 20'$ East, along the East line of the future extension of Gus Thomasson Road, 200.63 feet to an iron stake for corner;

THENCE North $8^{\circ} 03' 30''$ East, along the East line of the future extension of Gus Thomasson Road, 356.52 feet to the beginning of a curve to the left, an iron stake for corner;

THENCE Northerly along the East line of the future extension of Gus Thomasson Road and along the curve to the left (said curve having a radius of 928.72 feet and a chord which bears North $0^{\circ} 50' 30''$ West, 283.37 feet, an arc distance of 284.48 feet to an iron stake for corner;

THENCE North $64^{\circ} 32'$ East, 448.76 feet to an iron stake in a fence line for corner:

THENCE South $43^{\circ} 58'$ East, along a fence, 891.66 feet to an iron stake for corner;

THENCE South $89^{\circ} 11' 30''$ East, along a fence 608.32 feet to an iron stake for corner;

THENCE South $31^{\circ} 06' 30''$ East, along a fence 140.56 feet to an iron stake for corner;

THENCE South $13^{\circ} 37'$ West, along a fence 474.50 feet to an iron stake for corner;

THENCE South $43^{\circ} 58'$ West 138.1 feet to an iron stake for corner;

THENCE South $46^{\circ} 10'$ West, along a fence, 259.80 feet to an iron stake in the North line of U. S. Highway No. 80 for corner;

THENCE Westerly, along the North line of U. S. Highway No. 80 and along a curve to the left (said curve having a radius of 3969.72 feet and a chord which bears North $86^{\circ} 28' 30''$ West, 407.67 feet), an arc distance of 407.86 feet to an iron stake for corner;

THENCE North $89^{\circ} 27' 30''$ West, along the North line of U. S. Highway No. 80, 583.32 feet to a nail in the top of the North line of U. S. Highway No. 80;

THENCE 634.61 feet to the point of beginning and containing 42.129 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.

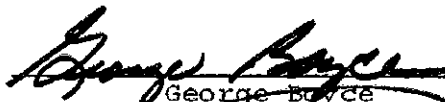
SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided 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

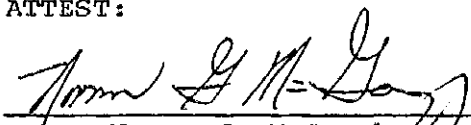
same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

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.

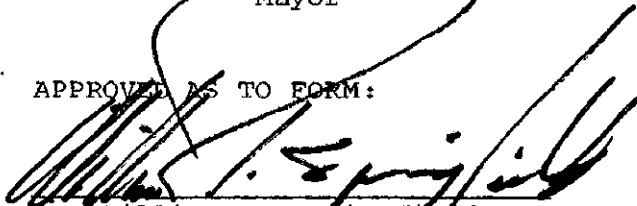
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 19 day of May, 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney

