

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 "C" COMMERCIAL DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE T. THOMAS SURVEY, ABSTRACT NO. 1461, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING OUT OF THE C. C. OATES 393.66 ACRE ORIGINAL TRACT AS RECORDED IN VOLUME 666, PAGE 336, DALLAS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT ON THE NORTHERLY LINE OF U. S. HIGHWAY 67 SERVICE ROAD, SAID POINT BEING THE MOST EASTERLY CORNER OF A 45.33 ACRE TRACT OWNED BY THE CHRISTIAN COLLEGE OF THE SOUTHWEST, SAID POINT ALSO BEING THE MOST SOUTHERLY CORNER OF A 154.52 ACRE TRACT OWNED BY THE CITY OF MESQUITE, AN IRON STAKE SET FOR CORNER; SAID POINT BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 11,773.93 FEET AND A CENTRAL ANGLE OF 3° 09'; THENCE IN A WESTERLY DIRECTION WITH THE NORTHERLY LINE OF SAID U. S. HIGHWAY 67 SERVICE ROAD AND AROUND SAID CURVE, 647.32 FEET TO THE END OF SAID CURVE, AN IRON STAKE SET FOR CORNER; THENCE NORTH 30° 35' WEST, 202.55 FEET TO AN IRON STAKE SET FOR CORNER; THENCE SOUTH 59° 25' WEST, 200.0 FEET TO A POINT ON THE EASTERLY LINE OF NORTHWEST DRIVE (A 100 FOOT RIGHT-OF-WAY), AN IRON STAKE SET FOR CORNER; THENCE NORTH 30° 35' WEST WITH THE EASTERLY LINE OF SAID NORTHWEST DRIVE, 50.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 980.21 FEET AND A CENTRAL ANGLE OF 7° 16' 26", AN IRON STAKE SET FOR CORNER; THENCE IN A NORTHWEST DIRECTION WITH THE EASTERLY LINE OF SAID NORTHWEST DRIVE AND AROUND SAID CURVE, 124.44 FEET TO THE END OF SAID CURVE, AN IRON STAKE SET FOR CORNER; THENCE NORTH 64° 15' EAST, 885.76 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED CITY OF MESQUITE 154.52 ACRE TRACT, AN IRON STAKE SET FOR CORNER; THENCE SOUTH 25° 45' EAST WITH THE WESTERLY LINE OF SAID CITY OF MESQUITE TRACT, 335.30 FEET TO THE PLACE OF BEGINNING AND CONTAINING 6.00 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 "C" Commercial District to "A" Multiple Family Dwelling District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of land situated in the T. Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas, and being out of the C. C. Oates 393.66 acres original tract as recorded in Volume 666, page 336, Dallas County Deed Records and being more particularly described as follows:

BEGINNING at a point on the northerly line of U. S. Highway 67 Service Road, said point being the most Easterly corner of a 45.33 acre tract owned by the Christian College of the Southwest, said point also being the most Southerly corner of a 154.52 acre tract owned by the City of Mesquite, an iron stake set for corner; said point being on a curve to the left having a radius of 11,773.93 feet and a central angle of 3° 05';

THENCE in a Westerly direction with the Northerly line of said U. S. Highway 67 Service Road and around said curve, 647.32 feet to the end of said curve, an iron stake set for corner;

THENCE North 30° 35' West, 202.55 feet to an iron stake set for corner;

THENCE South 59° 25' West, 200.0 Feet to a point on the Easterly line of Northwest Drive (a 100 foot right-of-way), an iron stake set for corner;

THENCE North 30° 35' West with the Easterly line of said Northwest Drive, 50.57 feet to the beginning of a curve to the left having a radius of 980.21 feet and a central angle of 7° 16' 26", an iron stake set for corner;

THENCE in a Northwest direction with the Easterly line of said Northwest Drive and around said curve, 124.44 feet to the end of said curve, an iron stake set for corner;

THENCE North 64° 15' East, 885.76 feet to a point on the Westerly line of the aforementioned City of Mesquite 154.52 acre tract, an iron stake set for corner;

THENCE South 25° 45' East with the Westerly line of said City of Mesquite tract, 335.30 feet to the place of beginning and containing 6.00 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.

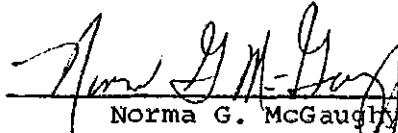
SECTION 6. Whereas, the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation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

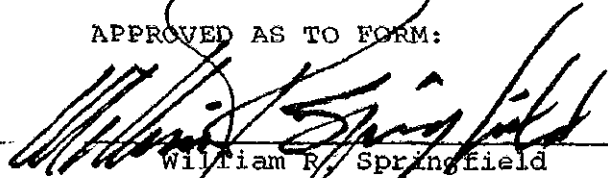
DULY PASSED by the City Council of the City of Mesquite, Texas on the 19 day of May, 1969.

  
George Boyce  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughey  
City Secretary

  
William R. Springfield  
City Attorney