

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 FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "I" INDUSTRIAL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN DALLAS COUNTY, TEXAS, OUT OF THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, AND BEING PART OF LOT NO. 7 OF THE SUBDIVISION OF SAID SURVEY AS RECORDED IN VOLUME 51 AT PAGE 283 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, BEING ALSO PART OF THAT CERTAIN 75 ACRE TRACT CONVEYED TO W. M. MOTLEY BY DEED RECORDED IN VOLUME 733 AT PAGE 201 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTHEAST LINE OF SAID LOT NO. 7, SAID POINT BEING 600.13 FEET SOUTHEAST FROM ITS NORTH CORNER; THENCE SOUTH 45° 03' 30" EAST WITH THE NORTHEAST LINE OF SAID LOT NO. 7 AND THE NORTHEAST LINE OF SAID 75 ACRE TRACT A DISTANCE OF 1417 FEET TO AN IRON ROD FOR CORNER IN THE NORTHWEST LINE OF FORNEY ROAD, A 60 FOOT RIGHT-OF-WAY; THENCE SOUTH 45° 08' WEST WITH THE NORTHWEST LINE OF FORNEY ROAD A DISTANCE OF 905.06 FEET TO AN IRON ROD FOR CORNER IN THE SOUTHWEST LINE OF SAID 75 ACRE TRACT, SAID POINT BEING THE EAST CORNER OF KATHRYN DELOCK 8.8 ACRE TRACT AS DESCRIBED IN DEED DATED APRIL 30, 1965, AND RECORDED IN VOLUME 563 AT PAGE 1968 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS; THENCE NORTH 45° 18' WEST WITH THE NORTHEAST LINE OF SAID KATHRYN DELOCK TRACT A DISTANCE OF 435 FEET TO ITS NORTH CORNER, AN IRON ROD; THENCE SOUTH 45° 12' 43" WEST WITH A SOUTHEAST LINE OF SAID 75 ACRE TRACT AND THE NORTHWEST LINE OF SAID DELOCK TRACT A DISTANCE OF 903.3 FEET TO THE SOUTH CORNER OF SAID 75 ACRE TRACT AND THE WEST CORNER OF SAID DELOCK TRACT, AN IRON ROD; THENCE NORTH 44° 45' WEST WITH THE SOUTHWEST LINE OF SAID LOT NO. 7 AND THE SOUTHWEST LINE OF SAID 75 ACRE TRACT A DISTANCE OF 976.56 FEET TO AN IRON

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ROD FOR CORNER, SAID POINT BEING 600.14 FEET SOUTHEAST FROM THE WEST CORNER OF SAID LOT NO. 7; THENCE NORTH 45° 00' EAST A DISTANCE OF 1804.94 FEET TO THE PLACE OF BEGINNING AND CONTAINING 49.697 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 "I" Industrial District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING all that certain lot, tract or parcel of land situated in Dallas County, Texas, out of the Daniel Tanner Survey, Abstract No. 1462, and being part of Lot No. 7 of the Subdivision of said Survey as recorded in Volume 51 at Page 283 of the Deed Records of Dallas County, Texas, being also part of that certain 75 acre tract conveyed to W. M. Motley by

deed recorded in Volume 733 at Page 201 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the Northeast line of said Lot No. 7, said point being 600.13 feet Southeast from its North corner;

THENCE South 45° 03' 30" East with the Northeast line of said Lot No. 7 and the Northeast line of said 75 acre tract a distance of 1417 feet to an iron rod for corner in the Northwest line of Forney Road, a 60 foot right-of-way;

THENCE South 45° 08' West with the Northwest line of Forney Road a distance of 905.06 feet to an iron rod for corner in the Southwest line of said 75 acre tract, said point being the East corner of Kathryn DeLock 8.8 acre tract as described in deed dated April 30, 1965, and recorded in Volume 563 at Page 1968 of the Deed Records of Dallas County, Texas;

THENCE North 45° 18' West with the Northeast line of said Kathryn DeLock tract a distance of 435 feet to its North corner, an iron rod;

THENCE South 45° 12' 43" West with a Southeast line of said 75 acre tract and the Northwest line of said DeLock tract a distance of 903.3 feet to the South corner of said 75 acre tract and the West corner of said DeLock tract, an iron rod;

THENCE North 44° 45' West with the Southwest line of said Lot No. 7 and the Southwest line of said 75 acre tract a distance of 976.56 feet to an iron rod for corner, said point being 600.14 feet Southeast from the West corner of said Lot No. 7;

THENCE North 45° 00' East a distance of 1804.94 feet to the place of BEGINNING and containing 49.697 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.

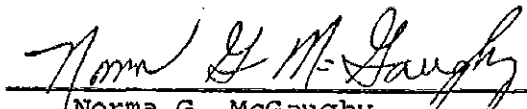
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

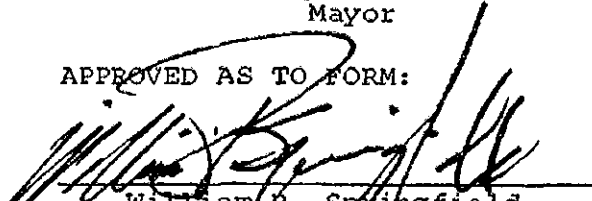
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 16th day of June, 1969.


George Boyle
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney