

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 TRACTS OF REAL PROPERTY AS FOLLOWS: TRACT NUMBER ONE FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL DISTRICT; TRACT NUMBER TWO FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT; TRACT NUMBER THREE FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "C" COMMERCIAL DISTRICT; ALL SAID TRACTS OF PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS: TRACT I ("R-3" TO "LR"); BEGINNING AT A POINT IN THE NORTH OR NORTHEAST LINE OF GUS THOMASSON DRIVE AT THE INTERSECTION OF THE EAST OR SOUTHEAST LINE OF THE W. H. ROWE SURVEY, ABSTRACT 1256, SAID POINT ALSO BEING 708.4 FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF HILLVIEW DRIVE, THENCE NORTH 45° EAST A DISTANCE OF 200 FEET, THENCE NORTH 45° 30' WEST, TO GUS THOMASSON DRIVE, A DISTANCE OF 541.5 FEET TO A POINT IN THE SOUTHEAST LINE OF THE THOMAS GORMAN, 10 ACRE TRACT, THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID 10 ACRE TRACT, SOUTH 44° 18' WEST A DISTANCE OF 200 FEET TO A POINT IN THE NORTH LINE OF GUS THOMASSON DRIVE, THENCE SOUTH 45° 30' EAST, ALONG SAID ROAD, A DISTANCE OF 541.5 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.486 ACRES. SAVE AND EXCEPT: A 50 x 200 FOOT STRIP FOR A PROPOSED STREET, LEAVING 2.257 ACRES NET. TRACT II ("R-3" TO "A"); BEING PART OF THE W. H. ROWE SURVEY, ABSTRACT 1256: BEGINNING AT A POINT IN THE SOUTHEASTERLY LINE OF THE THOMAS GORMAN, 10 ACRE TRACT, WHICH POINT BEING SOUTH 45° 30' EAST 708.41 FEET AND NORTH 44° 18' EAST 200 FEET FROM THE INTERSECTION OF THE SOUTHEAST LINE OF HILLVIEW DRIVE AND THE NORTHEASTERLY LINE OF GUS THOMASSON DRIVE; THENCE NORTH 45° 30' EAST A DISTANCE OF 541.5 FEET; THENCE NORTH 45° 00' EAST A DISTANCE OF 1475 FEET; THENCE NORTH 45° 30' WEST A DISTANCE OF 550 FEET; THENCE NORTH 74° 52' WEST A DISTANCE OF 610 FEET; THENCE SOUTH 59° 20' WEST A DISTANCE OF 330 FEET; THENCE SOUTH 45° 30' EAST A DISTANCE OF 520 FEET; THENCE SOUTH 44° 18' WEST A DISTANCE OF 780 FEET TO POINT OF BEGINNING AND CONTAINING 23.664 ACRES OF LAND. TRACT III ("R-3" TO "C"); BEGINNING AT A POINT IN THE SOUTH LINE OF HIGHWAY 80, A DISTANCE OF 224.3 FEET SOUTH 74° 52' EAST FROM THE EAST LINE OF HILLVIEW DRIVE, THENCE ALONG THE SOUTH LINE OF HIGHWAY 80, SOUTH 74° 52' EAST, 163.4 FEET; THENCE SOUTH 45° EAST A

DISTANCE OF 365 FEET, more or less, THENCE NORTH 74° 52' WEST A DISTANCE OF 600 FEET, MORE OR LESS; THENCE NORTH 44° 18' EAST A DISTANCE OF 235 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND CONTAINING 76,230 SQUARE FEET, MORE OR LESS, OR 1.75 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 hereinafter described tracts of real property as follows: Tract I from "R-3" Single-family Dwelling District to "LR" Local Retail District; Tract II from "R-3" Single-family Dwelling District to "A" Multiple-family Dwelling District; Tract III from "R-3" Single-family Dwelling District to "C" Commercial District; all said tracts of property being in the City of Mesquite, Dallas County, Texas, and described as follows:

TRACT I
("R-3" to "LR")

BEGINNING at a point in the North or Northeast line of Gus Thomasson Drive at the intersection of the East or Southeast line of the W. H. Rowe Survey, Abstract 1256, said point also being 708.4 feet

Southeasterly from the Southeasterly line of Hillview Drive;

THENCE North 45° East a distance of 200 feet;

THENCE North 45° 30' West, to Gus Thomasson Drive, a distance of 541.5 feet to a point in the Southeast line of the Thomas Gorman, 10 acre tract;

THENCE in a Southwesterly direction along said 10 acre tract, South 44° 18' West a distance of 200 feet to a point in the North line of Gus Thomasson Drive;

THENCE South 45° 30' East, along said road, a distance of 541.5 feet to the point of beginning and containing 2.486 acres.

SAVE AND EXCEPT: a 50 x 200 foot strip for a proposed street, leaving 2.257 acres net.

TRACT II
("R-3" to "A")

BEING part of the W. H. Rowe Survey, Abstract 1256:

BEGINNING at a point in the Southeasterly line of the Thomas Gorman, 10 acre tract, which point being South 45° 30' East 708.41 feet and North 44° 18' East 200 feet from the intersection of the Southeast line of Hillview Drive and the Northeasterly line of Gus Thomasson Drive;

THENCE North 45° 30' East a distance of 541.5 feet;

THENCE North 45° 00' East a distance of 1475 feet;

THENCE North 45° 30' West a distance of 550 feet;

THENCE North 74° 52' West a distance of 610 feet;

THENCE South 59° 20' West a distance of 330 feet;

THENCE South 45° 30' East a distance of 520 feet;

THENCE South 44° 18' West a distance of 780 feet to point of beginning and containing 23.664 acres of land.

TRACT III
("R-3" to "C")

BEGINNING at a point in the South line of Highway 80, a distance of 224.3 feet, South 74° 52' East from the East line of Hillview Drive;

THENCE along the South line of Highway 80, South 74° 52' East, 163.4 feet;

THENCE South 45° East a distance of 365 feet, more or less;

THENCE North 74° 52' West a distance of 600 feet, more or less;

THENCE North 44° 18' East a distance of 235 feet, more or less, to the point of beginning and containing 76,230 square feet, more or less, or 1.75 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.

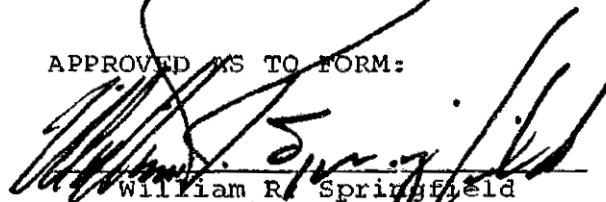
DULY PASSED by the City Council of the City of Mesquite, Texas on the 16th day of June, 1969.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary


William R. Springfield
City Attorney

