

ORDINANCE NO. 801

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING CORDINANCE 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 SPECIAL PERMIT FOR A BRICK FACTORY TO "I" INDUSTRIAL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF 47.2 ACRES (MORE OR LESS) IN THE DANIEL TANNER SURVEY ABSTRACT NO. 1462 DALLAS COUNTY, TEXAS; AND BEING IN THE CITY OF MESQUITE, TEXAS; AND BEING THE REMAINDER OF TWO TRACTS OF LAND AS DESCRIBED IN DEEDS TO FERRIS BRICK COMPANY (26.9 ACRES FILED 8-21-29), (24.6 ACRES FILED 2-24-26) DEED RECORDS OF DALLAS COUNTY, TEXAS; AND SAID 47.2 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWEST LINE OF THE TEXAS & PACIFIC RAILROAD WITH THE WEST LINE OF I.H. NO. 635; THENCE NORTHWESTERLY, ALONG THE SAID RAILROAD, 1575.48 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID FERRIS BRICK COMPANY TRACT; THENCE SOUTH 18° 47' WEST, ALONG THE NORTHWEST LINES OF SAID FERRIS BRICK COMPANY TRACTS, 1789.73 FEET MORE OR LESS TO A POINT IN THE NORTHERLY LINE OF MILITARY PARKWAY; THENCE EASTERLY, ALONG THE NORTHERLY LINES OF MILITARY PARKWAY AND SCYENE ROAD, 1230.6 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID FERRIS BRICK COMPANY TRACT, SAME BEING THE SOUTHWEST CORNER OF THE MESQUITE INDEPENDENT SCHOOL DISTRICT 0.881 ACRE TRACT; THENCE NORTH 10° 53' EAST, ALONG THE EAST LINE OF SAID FERRIS BRICK COMPANY TRACT, 576 FEET MORE OR LESS TO ITS INTERSECTION WITH SAID WEST LINE OF I. H. NO. 635; THENCE NORTH 13° 56'20" WEST, ALONG SAID WEST LINE OF I. H. NO. 635, A DISTANCE OF 632.89 FEET MORE OR LESS TO THE POINT OF BEGINNING AND CONTAINING 47.2 ACRES OF LAND MORE OR LESS. 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

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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 Special Permit to Industrial, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of 47.2 Acres (more or less) in the Daniel Tanner Survey Abstract No. 1462 Dallas County, Texas; and being in the City of Mesquite, Texas; and being the remainder of two tracts of land as described in deeds to Ferris Brick Company (26.9 Acres filed 8-21-29), (24.6 Acres filed 2-24-26) Deed Records of Dallas County, Texas; and said 47.2 Acre tract being more particularly described as follows:

BEGINNING at the point of intersection of the Southwest line of the Texas & Pacific Railroad with the West line of I. H. No. 635;

THENCE Northwesterly, along the said Railroad, 1575.48 feet more or less to the Northwest corner of said Ferris Brick Company tract;

THENCE South 18° 47' West, along the Northwest lines of said Ferris Brick Company tracts, 1789.73 feet more or less to a point in the Northerly line of Military Parkway;

THENCE Easterly, along the Northerly lines of Military Parkway and Scyene Road, 1230.6 feet more or less to the Southeast corner of said Ferris Brick Company tract, same being the Southwest corner of the Mesquite Independent School District 0.881 Acre tract;

THENCE North 10° 53' East, along the East line of said Ferris Brick Company tract, 576 feet more less to its intersection with said West line of I. H. No. 635;

THENCE North 13° 56'20" West, along said West line of I. H. No. 635, a distance of 632.89 feet more or less to the point of beginning and containing 47.2 Acres of land more or less.

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.

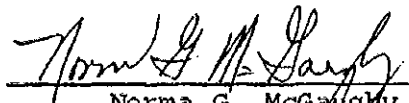
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

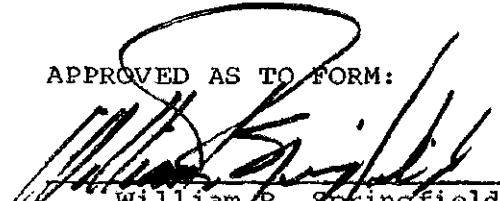
DULY PASSED by the City Council of the City of Mesquite, Texas,
on the 16th day of June, 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney