

ORDINANCE NO. 805

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 "A" MULTIPLE-FAMILY DWELLING DISTRICT; TRACT NUMBER TWO FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL DISTRICT; BOTH SAID TRACTS OF PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS: TRACT I ("R-3" to "A"); BEING A TRACT OF LAND IN THE HENRY J. WEBB SURVEY, ABSTRACT 1636 OF DALLAS COUNTY, TEXAS, AND BEING ALSO SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHWEST LINE OF THE DANIEL TANNER SURVEY, ABSTRACT 1462 AND THE SOUTH RIGHT OF WAY LINE OF EAST PIKE; THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST PIKE A DISTANCE OF 601.20 FEET TO A POINT FOR A CORNER; THENCE SOUTH A DISTANCE OF 208.75 FEET TO THE PLACE OF BEGINNING OF THIS SURVEY; THENCE SOUTH A DISTANCE OF 395.12 FEET TO A POINT FOR A CORNER; THENCE SOUTH 44° 52' 13" WEST A DISTANCE OF 1825.24 FEET TO A POINT FOR A CORNER; THENCE NORTH 0° 03' 30" WEST A DISTANCE OF 1965.41 FEET TO A POINT FOR A CORNER; THENCE NORTH 89° 57' 30" WEST A DISTANCE OF 1558.56 FEET TO THE PLACE OF BEGINNING AND CONTAINING 42.138 ACRES OF LAND. TRACT II ("R-3" to "LR"); BEING A TRACT OF LAND IN THE HENRY J. WEBB SURVEY, ABSTRACT 1636 OF DALLAS COUNTY, TEXAS, AND BEING ALSO IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHWEST LINE OF THE DANIEL TANNER SURVEY, ABSTRACT 1462 AND THE SOUTH RIGHT OF WAY LINE OF EAST PIKE; THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST PIKE A DISTANCE OF 601.20 FEET TO THE PLACE OF BEGINNING OF THIS TRACT; THENCE SOUTH A DISTANCE OF 208.75 FEET TO A POINT FOR A CORNER; THENCE NORTH 89° 57' 30" WEST A DISTANCE OF 1558.56 FEET TO A POINT FOR A CORNER; THENCE NORTH 0° 03' 30" WEST A DISTANCE OF 208.75 FEET TO A POINT IN THE SOUTH RIGHT OF WAY LINE OF EAST PIKE; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF EAST PIKE SOUTH 89° 57' 30" EAST A DISTANCE OF 1558.76 FEET TO THE PLACE OF BEGINNING AND CONTAINING 7.469 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 the 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 Number One from "R-3" Single-Family Dwelling District to "A" Multiple-Family Dwelling District; Tract Number Two from "R-3" Single-Family Dwelling District to "LR" Local Retail District; both said tracts of property being in the City of Mesquite, Dallas County, Texas, and described as follows:

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

BEING a tract of land in the Henry J. Webb Survey, Abstract 1636 of Dallas County, Texas, and being also situated in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a point formed by the intersection of the Northwest line of the Daniel Tanner Survey, Abstract 1462 and the South right of way line of East Pike; thence West along said South right of way line of East Pike a distance of 601.20 feet to a point for a corner; thence South a distance of 208.75 feet to the place of beginning of this survey;

THENCE South a distance of 395.12 feet to a point for a corner;

THENCE South 44° 52' 13" West a distance of 1825.24 feet to a point for a corner;

THENCE North 0° 03' 30" West a distance of 1965.41 feet to a point for a corner;

THENCE North 89° 57' 30" West a distance of 1558.56 feet to the place of beginning and containing 42.138 acres of land.

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

BEING a tract of land in the Henry J. Webb Survey, Abstract 1636 of Dallas County, Texas, and being also in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a point formed by the intersection of the Northwest line of the Daniel Tanner Survey, Abstract 1462 and the South right of way line of East Pike; thence West along said South right of way line of East Pike a distance of 601.20 feet to the place of beginning of this tract;

THENCE South a distance of 208.75 feet to a point for a corner;

THENCE North 89° 57' 30" West a distance of 1558.56 feet to a point for a corner;

THENCE North 0° 03' 30" West a distance of 208.75 feet to a point in the South right of way line of East Pike;

THENCE along the South right of way line of East Pike South 89° 57' 30" East a distance of 1558.76 feet to the place of beginning and containing 7.469 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.

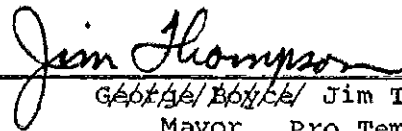
SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964.

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.

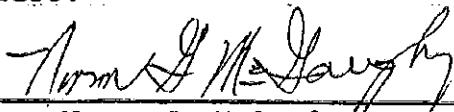
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two hundred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

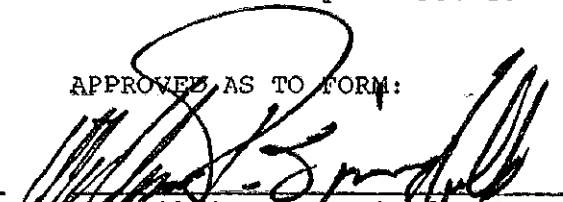
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 7 day of July, 1969.


 George Boyce / Jim Thompson
 Mayor Pro Tem

ATTEST:


 Norma G. McGaughy
 City Secretary

APPROVED AS TO FORM:


 William R. Springfield
 City Attorney