

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 "A" MULTIPLE-FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL DISTRICT WITH SPECIAL PERMIT FOR DAY NURSERY; BOTH 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 SITUATED IN THE DANIEL TANNER LEAGUE, ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE INTERSECTION OF MILITARY PARKWAY (A 200 FOOT RIGHT-OF-WAY) AND TOWN EAST BOULEVARD (A 100 FOOT RIGHT-OF-WAY); THENCE NORTH 89° 50' EAST, WITH THE NORTH LINE OF SAID MILITARY PARKWAY, 1100.00 FEET TO THE PLACE OF BEGINNING OF TRACT NUMBER I; A POINT FOR CORNER; THENCE NORTH 0° 10' WEST, 550.00 FEET TO A POINT FOR CORNER; THENCE NORTH 89° 50' EAST, 290.06 FEET TO A POINT FOR CORNER; THENCE SOUTH 59° 55' EAST, 25.92 FEET TO A POINT FOR CORNER; THENCE SOUTH 29° 40' EAST, 394.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 219.83 FEET AND A CENTRAL ANGLE OF 29° 30'; A POINT FOR CORNER; THENCE IN A SOUTHEASTERLY DIRECTION AND ALONG SAID CURVE, 113.18 FEET TO THE END OF SAID CURVE; A POINT FOR CORNER; THENCE SOUTH 0° 10' EAST, 85.00 FEET TO A POINT IN THE NORTH LINE OF THE AFOREMENTIONED MILITARY PARKWAY; A POINT FOR CORNER; THENCE SOUTH 89° 50' WEST, WITH THE NORTH LINE OF SAID MILITARY PARKWAY, 535.40 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.67 ACRES OF LAND. TRACT II ("A" TO "LR" W/SPECIAL PERMIT FOR DAY NURSERY); BEING A TRACT OF LAND SITUATED IN THE DANIEL TANNER LEAGUE, ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE INTERSECTION OF MILITARY PARKWAY (A 200 FOOT RIGHT-OF-WAY) AND TOWN EAST BOULEVARD (A 100 FOOT RIGHT-OF-WAY); THENCE NORTH 0° 10' WEST, WITH THE EAST LINE OF SAID TOWN EAST BOULEVARD, 150.00 FEET TO THE PLACE OF BEGINNING OF TRACT NO. 2; A POINT FOR CORNER; THENCE NORTH 0° 10' WEST, AND CONTINUING ALONG THE EAST LINE OF TOWN EAST BOULEVARD, 400.00 FEET TO A POINT IN THE SOUTH LINE OF SECTION TWO OF SKYLINE INDUSTRIAL VILLAGE; A POINT FOR CORNER; THENCE NORTH 89° 50' EAST, WITH THE SOUTH LINE OF SKYLINE INDUSTRIAL VILLAGE, SECTION TWO;

150.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 0° 10' EAST, 400.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 89° 50' WEST, 150.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.38 ACRE 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 tracts of real property as follows: Tract I from "R-3" Single-Family Dwelling District to "A" Multiple-Family Dwelling District; Tract II from "A" Multiple-Family Dwelling District to "LR" Local Retail District with a Special Permit for a Day Nursery; 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 situated in the Daniel Tanner League, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the Northeast corner of the intersection of Military Parkway (a 200 foot Right-of-Way) and Town East Boulevard (a 100 foot Right-of-Way); THENCE North $89^{\circ} 50'$ East, with the North line of said Military Parkway, 1100.00 feet to the place of beginning of Tract No. 1; a point for corner;

THENCE North $0^{\circ} 10'$ West, 550.00 feet to a point for corner;

THENCE North $89^{\circ} 50'$ East, 290.06 feet to a point for corner;

THENCE South $59^{\circ} 55'$ East, 25.92 feet to a point for corner;

THENCE South $29^{\circ} 40'$ East, 394.88 feet to the beginning of a curve to the right, having a radius of 219.83 feet and a central angle of $29^{\circ} 30'$; a point for corner;

THENCE in a Southeasterly direction and along said curve, 113.18 feet to the end of said curve; a point for corner;

THENCE South $0^{\circ} 10'$ East, 85.00 feet to a point in the North line of the aforementioned Military Parkway; a point for corner;

THENCE South $89^{\circ} 50'$ West, with the North line of said Military Parkway, 535.40 feet to the place of beginning and containing 5.67 acres of land.

TRACT II

("A" TO "LR" W/SPECIAL PERMIT FOR DAY NURSERY)

BEING a tract of land situated in the Daniel Tanner League, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the Northeast corner of the intersection of Military Parkway (a 200 foot Right-of-Way) and Town East Boulevard (a 100 foot Right-of-Way); THENCE North $0^{\circ} 10'$ West, with the East line of said Town East Boulevard, 150.00 feet to the place of beginning of Tract No. 2; a point for corner;

THENCE North 0° 10' West, and continuing along the East line of Town East Boulevard, 400.00 feet to a point in the South line of Section Two of Skyline Industrial Village; a point for corner;

THENCE North 89° 50' East, with the South line of Skyline Industrial Village, Section Two, 150.00 feet to a point for corner;

THENCE South 0° 10' East, 400.00 feet to a point for corner;

THENCE South 89° 50' West, 150.00 feet to the place of beginning and containing 1.38 acre 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 use 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.

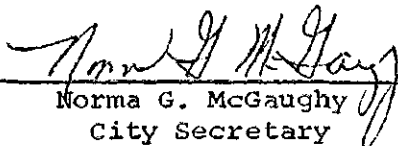
SECTION 6. Whereas, the above-described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an

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.

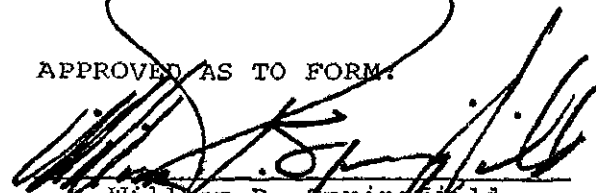
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 4 day of August, 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney

