

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 TRACT OF REAL PROPERTY FROM "A" MULTIPLE FAMILY DWELLING DISTRICT TO A SPECIAL PERMIT FOR APARTMENT USES, SAID PROPERTY BEING IN THE CITY LIMITS OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE T. THOMAS SURVEY, ABSTRACT NO. 1461, AND BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHWEST LINE OF OATES DRIVE, A 60-FOOT WIDTH STREET, WITH THE EAST LINE OF INTERSTATE HIGHWAY NO. 635; THENCE ALONG THE EAST LINE OF SAID INTERSTATE HIGHWAY NO. 635, THE FOLLOWING COURSE AND DISTANCES: NORTH 44 DEGREES, 34 MINUTES WEST, 20.0 FEET TO A CONCRETE MARKER FOR CORNER; NORTH 10 DEGREES 29 MINUTES WEST, 198.10 FEET TO A CONCRETE MARKER FOR CORNER; NORTH 33 DEGREES 15 MINUTES 30 SECONDS WEST, 212.69 FEET TO A CONCRETE MARKER FOR CORNER; NORTH 85 DEGREES 27 MINUTES WEST, 60.56 FEET TO A CONCRETE MARKER FOR CORNER; NORTH 16 DEGREES 27 MINUTES WEST, 172.90 FEET TO A CONCRETE MARKER FOR CORNER; NORTH 9 DEGREES 19 MINUTES WEST, 916.12 FEET TO A CONCRETE MARKER FOR CORNER; THENCE NORTH 45 DEGREES 13 MINUTES 58 SECONDS EAST, LEAVING THE EAST LINE OF SAID INTERSTATE HIGHWAY NO. 635, ALONG THE SOUTHEAST LINE OF THE J.F. WHEAT TRACT, 643 FEET; THENCE SOUTH 55 DEGREES 22 MINUTES 08 SECONDS EAST, 142 FEET; THENCE NORTH 65 DEGREES 00 MINUTES EAST, 115 FEET; THENCE SOUTH 75 DEGREES 00 MINUTES EAST, 260 FEET; THENCE SOUTH, 165 FEET; THENCE NORTH 70 DEGREES 00 MINUTES EAST, 85 FEET; THENCE NORTH, 100 FEET; THENCE NORTH 70 DEGREES 00 MINUTES EAST, 100 FEET; THENCE NORTH 22 DEGREES 00 MINUTES EAST, 90 FEET; THENCE SOUTH 68 DEGREES 00 MINUTES EAST, 485 FEET; THENCE SOUTH 48 DEGREES 00 MINUTES EAST, 400 FEET TO A POINT IN THE NORTHWEST LINE OF OATES DRIVE; THENCE SOUTH 45 DEGREES 00 MINUTES WEST, ALONG THE NORTHWEST LINE OF OATES DRIVE, 2055 FEET TO THE PLACE OF BEGINNING AND CONTAINING 46.1 ACRES OF LAND.

BY PROVIDING THAT THE MAXIMUM NUMBER OF INDIVIDUAL DWELLING UNITS SHALL NOT EXCEED FIFTEEN (15) SUCH UNITS PER ACRE; 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 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 tract of real property from "A" Multiple Family Dwelling District to Special Permit for Apartment Uses, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of land situated in the T. Thomas Survey, Abstract No. 1461, and being in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the northwest line of Oates Drive, a 60-foot width street, with the east line of Interstate Highway No. 635;

THENCE along the east line of said Interstate Highway No. 635, the following course and distances:

NORTH 44° 34' West, 20.0 feet to a concrete marker for corner;
NORTH 10° 29' West, 198.10 feet to a concrete marker for corner;
NORTH 33° 15' 30" West, 212.69 feet to a concrete marker for corner;
NORTH 85° 27' West, 60.56 feet to a concrete marker for corner;
NORTH 16° 27' West, 172.90 feet to a concrete marker for corner;
NORTH 9° 19' West, 916.12 feet to a concrete marker for corner;

THENCE North 45° 13' 58" East, leaving the east line of said Interstate Highway No. 635, along the southeast line of the J. F. Wheat Tract, 643 feet;
THENCE South 55° 22' 08" East, 142 feet;
THENCE North 65° 00' East, 115 feet;
THENCE South 75° 00' East, 260 feet;
THENCE South, 165 feet;
THENCE North 70° 00' East, 85 feet;
THENCE North, 100 feet;
THENCE North 70° 00' East, 100 feet;
THENCE North 22° 00' East, 90 feet;
THENCE South 68° 00' East, 485 feet;
THENCE South 48° 00' East, 400 feet to a point in the northwest line of Oates Drive;
THENCE South 45° 00' West, along the northwest line of Oates Drive, 2055 feet to the place of beginning and containing 46.1 acres of land.

SECTION 2. That the maximum number of individual dwelling units that shall be constructed on the land hereinabove zoned shall be limited to fifteen such units per acre. For the purposes of this section individual dwelling unit shall mean one individual apartment designed to be occupied by one tenant and his family, regardless of whether attached or unattached to another such unit. That density is to be computed by taking the gross land area of the tract and dividing by the total number of dwellings within the tract.

SECTION 3. 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 4. 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 5. 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 6. 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 7. 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.

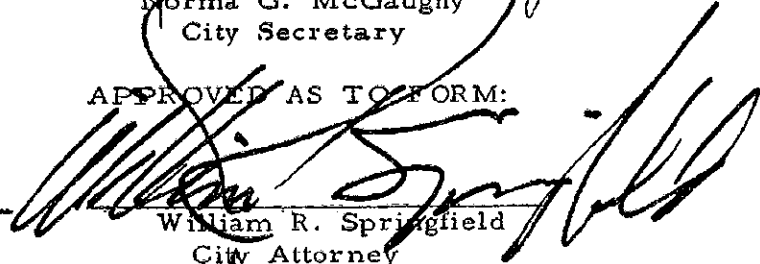
DULY PASSED by the City Council of the City of Mesquite, Texas,
on the 2 day of September A. D., 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney