

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 PROPERTY FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO SPECIAL PERMIT FOR A KINDERGARTEN SCHOOL; SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE T. D. SACKETT SURVEY, ABSTRACT 1362, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING OUT OF A 9.16 ACRE TRACT CONVEYED TO DALLAS AREA ASSOCIATION OF CHRISTIAN CHURCHES BY JOHN A. RAWLINS, AS RECORDED IN VOLUME 317, PAGE 1078, DALLAS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST EASTERLY SOUTHEAST CORNER OF SAID 9.16 ACRE TRACT, SAID CORNER BEING ON THE NORTHWESTERLY LINE OF TOWN EAST BOULEVARD, AN IRON STAKE SET FOR CORNER; THENCE SOUTH 45° 02' WEST WITH THE NORTHWESTERLY LINE OF SAID TOWN EAST BOULEVARD, 568.0 FEET TO AN IRON STAKE SET FOR CORNER; THENCE NORTH 44° 58' WEST 110.0 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 479.80 FEET AND A CENTRAL ANGLE OF 32° 32', AN IRON STAKE SET FOR CORNER; THENCE IN A NORTHWESTERLY DIRECTION AND AROUND SAID CURVE 263.44 FEET TO A POINT APPROXIMATELY 9 FEET SOUTH OF AN IRON STAKE PLACED IN A CONTINUATION OF SAID CURVE; THENCE NORTH 45° 02' EAST, 502 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF CASA RIDGE HEIGHTS, AN AN ADDITION TO THE CITY OF MESQUITE, TEXAS: THENCE SOUTH 44° 50' EAST, WITH THE SOUTHWESTERLY LINE OF SAID CASA RIDGE HEIGHTS ADDITION 350 FEET TO THE PLACE OF BEGINNING. 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 property from "R-3" Single-Family Dwelling District to Special Permit for a Kindergarten School; said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of land situated in the T. D. Sackett Survey, Abstract 1362, City of Mesquite, Dallas County, Texas, and being out of a 9.16 acre tract conveyed to Dallas Area Association of Christian Churches by John A. Rawlins, as recorded in Volume 317, Page 1078, Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the most easterly Southeast corner of said 9.16 acre tract, said corner being on the Northwesterly line of Town East Boulevard, an iron stake set for corner;

THENCE South 45° 02' West with the Northwesterly line of said Town East Boulevard, 568.0 feet to an iron stake set for corner;

THENCE North 44° 58' West 110.0 feet to the beginning of a curve to the right having a radius of 479.80 feet and a central angle of 32° 32', an iron stake set for corner;

THENCE in a Northwesterly direction and around said curve 263.44 feet to a point approximately 9 feet South of an iron stake placed in a continuation of said curve;

THENCE North 45° 02' East, 502 feet to a point on the Southwesterly line of Casa Ridge Heights, an addition to the City of Mesquite, Texas;

THENCE South 44° 50' East, with the Southwesterly line of said Casa Ridge Heights Addition 350 feet to the place of beginning.

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.

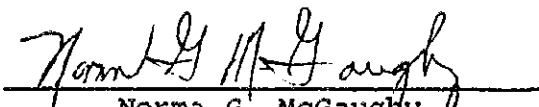
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

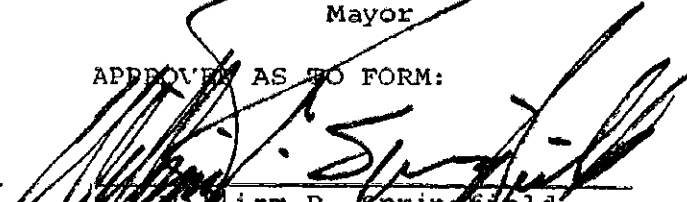
DULY PASSED BY THE City Council of the City of Mesquite, on the 15 day of September A.D., 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney

213

