

ORDINANCE NO. 825

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 "A" MULTIPLE-FAMILY DWELLING 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 WILLIAM JOHNSTON SURVEY, ABSTRACT NO. 706, AND THE WILLIAM CRITTENTON SURVEY, ABSTRACT NO. 333, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ROD FOR A CORNER AT THE INTERSECTION OF THE SOUTH LINE OF OATES DRIVE AND THE EAST LINE OF HARVEY DRIVE, SAID CORNER BEING 50 FEET FROM THE CENTER LINE OF HARVEY DRIVE AND 50 FEET FROM THE CENTER LINE OF OATES DRIVE; THENCE NORTH 89° 42' EAST 50 FEET FROM AND PARALLEL WITH THE CENTER LINE OF OATES DRIVE 201.84 FEET TO AN IRON ROD FOR A CORNER; THENCE NORTH 0° 03' 09" WEST 10.0 FEET TO AN IRON ROD FOR A CORNER, SAID CORNER BEING 40 FEET FROM THE CENTER LINE OF OATES DRIVE; THENCE, NORTH 89° 42' EAST 40 FEET FROM AND PARALLEL WITH THE CENTER LINE OF OATES DRIVE 266.91 FEET TO AN IRON ROD FOR A CORNER; THENCE SOUTH 1° 31' 00" EAST 430.0 FEET TO AN IRON ROD FOR A CORNER, SAID CORNER BEING ON THE NORTH LINE OF A 10 FOOT ALLEY; THENCE SOUTH 89° 42' WEST WITH THE NORTH LINE OF SAID 10 FOOT ALLEY 267.90 FEET TO AN IRON ROD FOR A CORNER; SAID CORNER BEING ON THE EAST LINE OF HARVEY DRIVE; THENCE NORTH 0° 03' 09" WEST 8.70 FEET TO AN IRON ROD FOR A CORNER; THENCE SOUTH 89° 56' 06" WEST 17.86 FEET TO AN IRON ROD FOR A CORNER, SAID CORNER BEING 50 FEET FROM THE CENTER LINE OF HARVEY DRIVE, SAID CORNER HAVING A CENTRAL ANGLE OF 19° 37' 38" AND A RADIUS OF 382.15 FEET; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CURVE 130.90 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE HAVING A CENTRAL ANGLE OF 47° 08' 45" AND A RADIUS OF 294.44 FEET; THENCE IN A NORTHWESTERLY DIRECTION ALONG CURVE 242.11 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 1° 34' 39" WEST 50 FEET FROM AND PARALLEL WITH THE CENTER LINE OF OATES DRIVE 95.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.0779 ACRES OF LAND. TRACT II ("R-3" TO "A"); BEING A TRACT OF LAND IN THE

WILLIAM JOHNSTON SURVEY, ABSTRACT NO. 706, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ROD FOR A CORNER ON THE SOUTH LINE OF OATES DRIVE, NORTH 89° 42' EAST 201.84 FEET, NORTH 0° 03' 09" WEST 10.0 FEET AND NORTH 89° 42' EAST 266.91 FEET FROM THE SOUTHEAST CORNER OF OATES DRIVE AND HARVEY DRIVE, SAID CORNER BEING 40 FEET FROM THE CENTER LINE OF OATES DRIVE; THENCE NORTH 89° 42' EAST 40 FEET FROM AND PARALLEL WITH THE CENTER LINE OF OATES DRIVE 266.85 FEET TO AN IRON ROD FOR A CORNER SAID CORNER BEING ON THE WEST LINE OF A 10.0 FOOT ALLEY; THENCE SOUTH 0° 20' EAST WITH THE WEST LINE OF SAID 10.0 FOOT ALLEY 430.0 FEET TO AN IRON ROD FOR A CORNER, SAID CORNER BEING ON THE NORTH LINE OF A 10.0 FOOT ALLEY; THENCE SOUTH 89° 42' WEST WITH THE NORTH LINE OF SAID 10.0 FOOT ALLEY 267.91 FEET TO AN IRON ROD FOR A CORNER; THENCE NORTH 1° 31' 00" WEST 430.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.59 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 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 I from "R-3" Single-Family Dwelling District to "A" Multiple-Family Dwelling District; TRACT II from "R-3" Single-Family Dwelling District to "A" Multiple-Family Dwelling 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 William Johnston Survey, Abstract No. 706, and the William Crittenton Survey, Abstract No. 333, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner at the intersection of the South line of Oates Drive and the East line of Harvey Drive, said corner being 50 feet from the center line of Harvey Drive and 50 feet from the center line of Oates Drive;

THENCE North 89° 42' East 50 feet from and parallel with the center line of Oates Drive 201.84 feet to an iron rod for a corner;

THENCE North 0° 03' 09" West 10.0 feet to an iron rod for a corner, said corner being 40 feet from the center line of Oates Drive;

THENCE North 89° 42' East 40 feet from and parallel with the center line of Oates Drive 266.91 feet to an iron rod for a corner;

THENCE South 1° 31' 00" East 430.0 feet to an iron rod for a corner, said corner being on the North line of a 10 foot alley;

THENCE South 89° 42' West with the North line of said 10 foot alley 267.90 feet to an iron rod for a corner; said corner being on the East line of Harvey Drive;

THENCE North 0° 03' 09" West 8.70 feet to an iron rod for a corner;

THENCE South 89° 56' 06" West 17.86 feet to an iron rod for a corner, said corner being 50 feet from the center line of Harvey Drive, said corner having a central angle of 19° 37' 38" and a radius of 382.15 feet;

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THENCE in a Northwesterly direction along said curve 130.90 feet to the point of curvature of a circular curve having a central angle of 47° 08' 45" and a radius of 294.44 feet;

THENCE in a Northwesterly direction along curve 242.11 feet to the Point of Tangency of said curve;

THENCE North 1° 34' 39" West 50 feet from and parallel with the center line of Oates Drive 95.83 feet to the point of Beginning and containing 4.0779 acres of land.

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

BEING a tract of land in the William Johnston Survey, Abstract No. 706, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the South line of Oates Drive North 89° 42' East 201.84 feet, North 0° 03' 09" West 10.0 feet and North 89° 42' East 266.91 feet from the Southeast corner of Oates Drive and Harvey Drive, said corner being 40 feet from the center line of Oates Drive;

THENCE North 89° 42' East 40 feet from and parallel with the center line of Oates Drive 266.85 feet to an iron rod for a corner said corner being on the West line of a 10.00 foot alley;

THENCE South 0° 20' East with the West line of said 10.0 foot alley 430.0 feet to an iron rod for a corner, said corner being on the North line of a 10.0 foot alley;

THENCE South 89° 42' West with the North line of said 10.0 foot alley 267.91 feet to an iron rod for a corner;

THENCE North 1° 31' 00" West 430.0 feet to the Point of Beginning and containing 2.59 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.

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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.

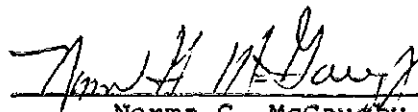
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

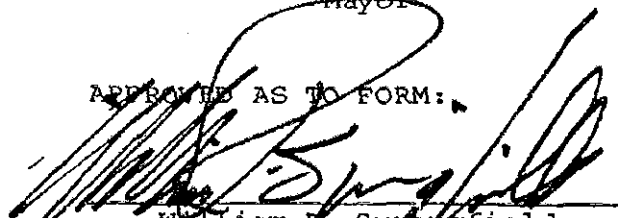
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 17th day of November A.D., 1969.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William V. Springfield
City Attorney

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