

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 "C" COMMERCIAL DISTRICT TO "I" INDUSTRIAL DISTRICT; SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, OUT OF THE S. H. MILLER SURVEY, ABSTRACT NO. 974 AND THE SWING AND LAWS SURVEY, ABSTRACT NO. 1396, AND BEING A PART OF THAT CERTAIN TRACT OF LAND CONVEYED TO FANNIE T. PARADISE BY DEED RECORDED IN VOLUME 518 AT PAGE 24 AND VOLUME 519 AT PAGE 170 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION WITH THE NORTH LINE OF MILITARY PARKWAY AS ESTABLISHED BY RIGHT-OF-WAY DEED TO THE COUNTY OF DALLAS, FILED DECEMBER 27, 1950 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, WITH THE EAST LINE OF SAID FANNIE T. PARADISE TRACT OF LAND AND THE WEST LINE OF A CERTAIN TRACT OF LAND CONVEYED TO T. V. HART AS DESCRIBED IN DEED FILED MAY 1, 1964, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS; THENCE NORTH  $86^{\circ} 55' 33''$  WEST WITH SAID NORTH RIGHT-OF-WAY LINE OF MILITARY PARKWAY A DISTANCE OF 1497.21 FEET TO ITS INTERSECTION WITH THE SOUTHEAST LINE OF A CERTAIN TRACT OF LAND CONVEYED TO JAMES D. ADCOCK AS DESCRIBED IN DEED FILED FEBRUARY 18, 1956 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS; THENCE NORTH  $45^{\circ} 26' 40''$  EAST WITH THE SOUTHEAST LINE OF SAID JAMES D. ADCOCK TRACT OF LAND A DISTANCE OF 849.24 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SCYENE ROAD (STATE HIGHWAY NO. 352) AS ESTABLISHED BY CAUSE NO. CC-68-1142-b, CERT. COPY JUDJ. FILED MARCH 5, 1968, DALLAS COUNTY AT LAW NO. 2; THENCE IN AN EASTERLY DIRECTION WITH SAID SOUTHERLY RIGHT OF WAY LINE OF SCYENE ROAD (STATE HIGHWAY NO. 352) THE FOLLOWING; THENCE EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2550.91 FEET, A CENTRAL ANGLE OF  $7^{\circ} 16' 43''$ , AN ARO DISTANCE OF 324.06 FEET TO THE END OF SAID CURVE; THENCE SOUTH  $88^{\circ} 36' 02''$  EAST A DISTANCE OF 196.40 FEET; THENCE EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2570.91 FEET, A CENTRAL ANGLE OF  $3^{\circ} 02' 35''$ , AN ARO DISTANCE OF 136.54 FEET; THENCE SOUTH  $63^{\circ} 33' 55''$  EAST A DISTANCE OF 156.71 FEET; THENCE SOUTH  $76^{\circ} 13' 06''$  EAST A DISTANCE OF 95.87 FEET TO ITS INTERSECTION WITH THE EAST LINE OF SAID FANNIE T. PARADISE TRACT AND THE WEST LINE OF SAID T. V. HART TRACT; THENCE SOUTH  $0^{\circ}$

15' 20" EAST WITH SAID EAST LINE OF PARADISE TRACT AND SAID WEST LINE OF HART TRACT A DISTANCE OF 544.82 FEET TO THE PLACE OF BEGINNING AND CONTAINING 17.04678 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 tract of real property from "C" Commercial District to "I" Industrial District; said tract of property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING all that certain lot, tract, or parcel of land situated in the City of Mesquite, Dallas County, Texas, out of the S. H. Miller Survey, Abstract No. 974 and the Swing and Laws Survey, Abstract No. 1396, and being a part of that certain tract of land conveyed to Fannie T. Paradise by deed recorded in Volume 518 at page 24 and Volume 519 at page 170 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection with the North line of Military Parkway as established by Right-of-Way Deed to the County of Dallas, filed December 27, 1950 of the Deed Records of Dallas County, Texas, with the East line of said Fannie T. Paradise tract of land and the West line of a certain tract of land conveyed to T. V. Hart as described in Deed filed May 1, 1964, of the Deed Records of Dallas County, Texas;

THENCE North  $86^{\circ} 55' 33''$  West with said North Right-of-Way line of Military Parkway a distance of 1497.21 feet to its intersection with the Southeast line of a certain tract of land conveyed to James D. Adcock as described in Deed filed February 18, 1956, of the Deed Records of Dallas County, Texas;

THENCE North  $45^{\circ} 26' 40''$  East with the Southeast line of said James D. Adcock tract of land a distance of 849.24 feet to its intersection with the Southerly line of Scyene Road (State Highway No. 352) as established by Cause No. CC-68-1142-b, Cert. Copy Judj. filed March 5, 1968, Dallas County at Law No. 2;

THENCE in an Easterly direction with said Southerly Right-of-Way line of Scyene Road (State Highway No. 352), the following: THENCE Easterly along a curve to the Right having a radius of 2550.91 feet, a central angle of  $7^{\circ} 16' 43''$ , a aro distance of 324.06 feet to the end of said curve; THENCE South  $88^{\circ} 36' 02''$  East a distance of 196.40 feet; THENCE Easterly along a curve to the Right having a radius of 2570.91 feet, a central angle of  $3^{\circ} 02' 35''$ , an aro distance of 136.54 feet; THENCE South  $63^{\circ} 33' 55''$  East a distance of 156.71 feet; THENCE South  $76^{\circ} 13' 06''$  East a distance of 95.87 feet to its intersection with the East line of said Fannie T. Paradise tract and the West line of said T. V. Hart tract;

THENCE South  $0^{\circ} 15' 20''$  East with said East line of Paradise tract and said West line of Hart tract a distance of 544.82 feet to the place of BEGINNING and containing 17.04678 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.

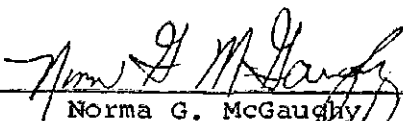
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964, of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

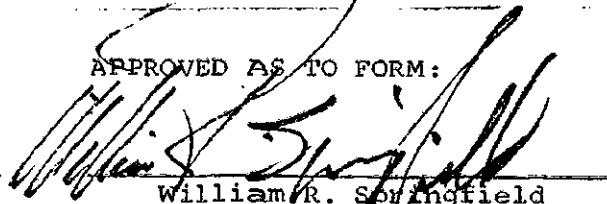
DULY PASSED by the City Council of the City of Mesquite, on the 17th day of November A.D., 1969.

  
George Boyce  
Mayor

ATTEST:

  
Norma G. McGaughey  
City Secretary

APPROVED AS TO FORM:

  
William R. Springfield  
City Attorney