

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 FROM "R-1" SINGLE-FAMILY DWELLING DISTRICT TO SPECIAL PERMIT FOR THE USES AS HEREINAFTER INDICATED. SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS:

TRACT I - SPECIAL PERMIT FOR "LR" LOCAL RETAIL DISTRICT USES BEING A TRACT OR PARCEL OF LAND OUT OF THE THEOPALUS THOMAS SURVEY, ABSTRACT NO. 1461, SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF INTERSTATE HIGHWAY NUMBER 635 WITH THE SOUTHEAST LINE OF OATES DRIVE, THENCE NORTH $44^{\circ} 55'$ EAST, ALONG SAID SOUTHEAST LINE OF OATES DRIVE, 750.0 FEET; THENCE SOUTH $45^{\circ} 05'$ EAST, 410.0 FEET; THENCE SOUTH $44^{\circ} 55'$ WEST, 35.0 FEET; THENCE SOUTH $45^{\circ} 05'$ EAST, 100.0 FEET; THENCE SOUTH $44^{\circ} 55'$ WEST, 356.04 FEET; THENCE SOUTH $10^{\circ} 12' 13''$ WEST, 532.39 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $37^{\circ} 20'$, A RADIUS OF 515.0 FEET, AND A TANGENT OF 173.98 FEET, A DISTANCE OF 335.57 FEET; THENCE SOUTH $47^{\circ} 32' 13''$ WEST, 170.0 FEET; THENCE SOUTH $53^{\circ} 24' 13''$ WEST, 70.0 FEET; THENCE SOUTH $79^{\circ} 14' 13''$ WEST, 100.0 FEET; TO A POINT OF THE NORTHEASTERLY LINE OF INTERSTATE HIGHWAY NO. 635; THENCE NORTH $10^{\circ} 45' 47''$ WEST, 915.21 FEET ALONG THE NORTHEASTERLY LINE OF INTERSTATE HIGHWAY NO. 635; THENCE NORTH $45^{\circ} 13'$ EAST, ALONG THE EASTERLY LINE OF INTERSTATE HIGHWAY NO. 635, 110.0 FEET; THENCE NORTH $13^{\circ} 59' 33''$ EAST, ALONG THE EASTERLY LINE OF INTERSTATE HIGHWAY NO. 635, 106.09 FEET; THENCE NORTH $44^{\circ} 47'$ WEST, ALONG SAID EASTERLY LINE OF INTERSTATE HIGHWAY NO. 635, 20.0 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 18.442 ACRES OF LAND.

TRACT II - SPECIAL PERMIT FOR "A" MULTIPLE-FAMILY DWELLING DISTRICT USES BEING A TRACT OR PARCEL OF LAND OUT OF THE THEOPALUS THOMAS SURVEY, ABSTRACT NO. 1461, SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHEAST LINE OF OATES DRIVE, SAID POINT BEING NORTH $44^{\circ} 55'$ EAST, 750.0 FEET FROM THE INTERSECTION OF SAID SOUTHEAST LINE OF OATES DRIVE WITH THE NORTHEAST LINE OF

INTERSTATE HIGHWAY NO. 635; THENCE NORTH 44° 55' EAST, ALONG THE SOUTHEAST LINE OF OATES DRIVE, 644.75 FEET TO THE INTERSECTION OF SAID SOUTHEAST LINE OF OATES DRIVE WITH THE SOUTHWEST LINE OF DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY, (125 FEET IN WIDTH); THENCE SOUTH 62° 36' 28" EAST, ALONG SAID DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY, 1106.60 FEET; THENCE SOUTH 48° 04' 08" EAST, 2508.61 FEET TO A POINT ON THE NORTHEAST LINE OF INTERSTATE HIGHWAY NO. 635; THENCE NORTH 10° 45' 47" WEST, ALONG THE NORTHEAST LINE OF INTERSTATE HIGHWAY NO. 635, 106.0 FEET; THENCE NORTH 79° 14' 13" EAST, 100.0 FEET; THENCE NORTH 53° 24' 13" EAST, 70.0 FEET; THENCE NORTH 47° 32' 13" EAST, 170.0 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY, ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 37° 20', A RADIUS OF 515.0 FEET, AND A TANGENT OF 173.98 FEET, A DISTANCE OF 335.57 FEET; THENCE NORTH 10° 12' 13" EAST, 532.39 FEET; THENCE NORTH 44° 55' EAST, 356.04 FEET; THENCE NORTH 45° 05' WEST, 100.0 FEET; THENCE NORTH 44° 55' EAST, 35.0 FEET; THENCE NORTH 45° 05' WEST, 410.0 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 27.398 ACRES OF LAND.

TRACT III - SPECIAL PERMIT FOR "A" MULTIPLE-FAMILY DWELLING DISTRICT USES BEING A TRACT OR PARCEL OF LAND OUT OF THE THEOPALUS THOMAS SURVEY, ABSTRACT NO. 1461, SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHEAST LINE OF THE DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY (125 FEET IN WIDTH) WITH THE SOUTHEAST LINE OF OATES DRIVE, SAID POINT BEING NORTH 44° 55' EAST, 1525.83 FEET FROM THE INTERSECTION OF SAID SOUTHEAST LINE OF OATES DRIVE WITH THE NORTHEAST LINE OF INTERSTATE HIGHWAY NO. 635; THENCE NORTH 44° 55' EAST, ALONG SAID SOUTHEAST LINE OF OATES DRIVE, 291.37 FEET TO A POINT ON THE SOUTHWEST LINE OF THE P. D. OATES' 98.81 ACRE TRACT; THENCE SOUTH 44° 59' EAST, ALONG SAID SOUTHWEST LINE OF THE OATES' TRACT, 917.67 FEET TO A POINT ON THE NORTHEAST LINE OF THE AFORE MENTIONED DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY; THENCE NORTH 62° 36' 28" WEST, ALONG SAID NORTHEAST LINE OF THE DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY, 962.33 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 3.069 ACRES OF LAND.

TRACT IV - SPECIAL PERMIT FOR TOWNHOUSES BEING A TRACT OR PARCEL OF LAND OUT OF THE THEOPALUS THOMAS SURVEY, ABSTRACT NO. 1461, SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWEST LINE OF THE DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY (125 FEET IN WIDTH), SAID POINT BEING NORTH 44° 55' EAST, 1394.75 FEET AND SOUTH 62° 36' 28" EAST, NORTH 44° 55' EAST, 1394.75 FEET AND SOUTH 62° 36' 28" EAST, 1106.60 FEET FROM THE INTERSECTION OF THE SOUTHEAST LINE OF OATES DRIVE WITH THE NORTHEAST LINE OF INTERSTATE HIGHWAY NO. 635; THENCE SOUTH 62° 36' 28" EAST, ALONG THE SOUTHWEST LINE OF THE DALLAS POWER AND LIGHT COMPANY RIGHT-OF-WAY, 288.67 FEET TO A POINT ON THE SOUTHWEST LINE OF THE P. D. OATES 98.81 ACRE TRACT; THENCE SOUTH 44° 59' EAST, ALONG SAID SOUTHWEST LINE OF THE OATES TRACT, 154.96 FEET TO THE SOUTH CORNER OF THE OATES TRACT; THENCE SOUTH 45° 02' WEST, 2901.80 FEET TO A POINT ON THE NORTHEAST LINE OF BARNES BRIDGE ROAD; THENCE NORTH 45° 00' WEST, ALONG THE NORTHEAST LINE OF BARNES BRIDGE ROAD, 107.95 FEET TO A POINT ON THE EASTERLY LINE OF INTERSTATE HIGHWAY NO. 635; THENCE NORTH 10° 45' 47" WEST, ALONG THE NORTHEAST LINE OF INTERSTATE HIGHWAY NO. 635, 550.0 FEET; THENCE NORTH 48° 04' 08" EAST, 2508.61 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 31.520 ACRES OF LAND.

BY PROVIDING DEFINITIONS, BY PROVIDING USE REGULATIONS, BY PROVIDING SITE PLAN REQUIREMENTS, BY PROVIDING SPECIFIC REQUIREMENTS FOR LOCAL RETAIL USES; BY PROVIDING SPECIFIC REQUIREMENTS FOR APARTMENT USES; BY PROVIDING SPECIFIC REQUIREMENTS FOR TOWNHOUSE USES; 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 land from "R-1" Single-Family Dwelling District to Special Permit for the use as hereinafter indicated, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

TRACT I
LOCAL RETAIL DISTRICT

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

BEGINNING at the intersection of the Northeasterly line of Interstate Highway Number 635 with the Southeast line of Oates Drive;

THENCE North 44° 55' East, along said Southeast line of Oates Drive 750.0 feet;

THENCE South 45° 05' East, 410.0 feet;

THENCE South 44° 55' West, 35.0 feet;

THENCE South 45° 05' East, 100.0 feet;

THENCE South 44° 55' West, 356.04 feet;

THENCE South 10° 12' 13" West, 532.39 feet to the Beginning of a curve to the right;

THENCE Southwesterly, along said curve to the right having a central angle of 37° 20', a radius of 515.0 feet, and a tangent of 173.98 feet, a distance of 335.57 feet;

THENCE South 47° 32' 13" West, 170.0 feet;

THENCE South 53° 24' 13" West, 70.0 feet;

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THENCE South 79° 14' 13" West, 100.0 feet; to a point of the Northeasterly line of Interstate Highway No. 635;

THENCE North 10° 45' 47" West, 915.21 feet along the Northeasterly line of Interstate Highway No. 635;

THENCE North 45° 13' East, along the Easterly line of Interstate Highway No. 635, 110.0 feet;

THENCE North 13° 59' 33" East, along the Easterly line of Interstate Highway No. 635, 106.09 feet;

THENCE North 44° 47' West, along said Easterly line of Interstate Highway No. 635, 20.0 feet to the PLACE OF BEGINNING, and containing 18.442 acres of land.

TRACT II
MULTIPLE-FAMILY DWELLING DISTRICT

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

BEGINNING at a point on the Southeast line of Oates Drive, said point being North 44° 55' East, 750.0 feet from the intersection of said Southeast line of Oates Drive with the Northeast line of Interstate Highway No. 635;

THENCE North 44° 55' East, along the Southeast line of Oates Drive, 644.75 feet to the intersection of said Southeast line of Oates Drive with the Southwest line of Dallas Power and Light Company right-of-way (125 feet in width);

THENCE South 62° 36' 28" East, along said Dallas Power and Light Company right-of-way, 1106.60 feet;

THENCE South 48° 04' 08" East, 2508.61 feet to a point on the Northeast line of Interstate Highway No. 635;

THENCE North 10° 45' 47" West, along the Northeast line of Interstate Highway No. 635, 106.0 feet;

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THENCE North 79° 14' 13" East, 100.0 feet;

THENCE North 53° 24' 13" East, 70.0 feet;

THENCE North 47° 32' 13" East, 170.0 feet to the beginning of a curve to the right;

THENCE Northwesterly, along said curve to the right having a central angle of 37° 20', a radius of 515.0 feet, and a tangent of 173.98 feet, a distance of 335.57 feet;

THENCE North 10° 12' 13" East, 532.39 feet;

THENCE North 44° 55' East, 356.04 feet;

THENCE North 45° 05' West, 100.0 feet;

THENCE North 44° 55' East, 35.0 feet;

THENCE North 45° 05' West, 410.0 feet to the PLACE OF BEGINNING, and containing 27.398 acres of land.

TRACT III
MULTIPLE-FAMILY DWELLING DISTRICT

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

BEGINNING at the intersection of the Northeast line of the Dallas Power and Light Company right-of-way (125 feet in width) with the Southeast line of Oates Drive, said point being North 44° 55' East, 1525.83 feet from the intersection of said Southeast line of Oates Drive with the Northeast line of Interstate Highway No. 635;

THENCE North 44° 55' East, along said Southeast line of Oates Drive, 291.37 feet to a point on the Southwest line of the P. D. Oates' 98.81 acre tract;

THENCE South 44° 59' East, along said Southwest line of Oates' Tract, 917.67 feet to a point on the Northeast line of the afore mentioned Dallas Power and Light Company right-of-way;

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THENCE North 62° 36' 28" West, along said Northeast line of the Dallas Power and Light Company right-of-way, 962.33 feet to the PLACE OF BEGINNING, and containing 3.069 acres of land.

TRACT IV
TOWNHOUSES

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

BEGINNING at a point on the Southwest line of the Dallas Power and Light Company right-of-way (125 feet in width), said point being North 44° 55' East, 1394.75 feet and South 62° 36' 28" East, 1106.60 feet from the intersection of the Southeast line of Oates Drive with the Northeast line of Interstate Highway No. 635;

THENCE South 62° 36' 28" East, along the Southwest line of the Dallas Power and Light Company right-of-way, 288.67 feet to a point on the Southwest line of the P. D. Oates 98.81 acre tract;

THENCE South 44° 59' East, along said Southwest line of the Oates' Tract, 154.96 feet to the South corner of the Oates Tract;

THENCE South 45° 02' West, 2901.80 feet to a point on the Northeast line of Barnes Bridge Road;

THENCE North 45° 00' West, along the Northeast line of Barnes Bridge Road, 107.95 feet to a point on the Easterly line of Interstate Highway No. 635;

THENCE North 10° 45' 47" West, along the Northeast line of Interstate Highway No. 635, 550.0 feet;

THENCE North 48° 04' 08" East, 2508.61 feet to the PLACE OF BEGINNING, and containing 31.520 acres of land.

SECTION 2. Definitions

- A. Local Retail - As used in this Special Permit Ordinance shall mean the same uses as are provided for under "LR" Local Retail District, the same being Article X of Appendix III of the City Code of the City of Mesquite, Texas.

- B. Apartment - As used in this Special Permit Ordinance shall mean the same uses as are provided for under "A" Multiple-Family Dwelling District Regulations, the same being Article IX-A of Appendix III of the City Code of the City of Mesquite, Texas.
- C. Townhouse - As used in this Special Permit Ordinance shall be defined as a one-family attached dwelling unit on a separately platted lot or officially approved building site which is occupied by not more than one family and is joined to another dwelling unit on one or more sides.

SECTION 3. Use Regulations

Tract I - That no land within the boundaries set forth shall be used for any purpose, or any building erected or converted for any purpose other than for "Local Retail".

Tract II and III - That no land within the boundaries set forth shall be used for any purpose, or any building erected or converted for any purpose than as "Apartments".

Tract IV - That no land within the boundaries set forth shall be used for any purpose, nor any building erected or converted for any other purpose than as "Townhouse".

SECTION 4. Site Plan Requirements

Before building permits are issued on each separate tract herein, a site plan must be submitted showing in detail the size and location of all buildings, streets, drives, sidewalks, utilities, and the site plan must conform to the requirements of Appendix II, Articles I through XIII, the same being the Subdivision Ordinance of the City of Mesquite, with the exception of the special provisions included in this Special Permit Ordinance. The approval of the site plan shall be as follows:

"A preliminary site plan shall be filed in accordance with the rules and regulations of the subdivision ordinance for a preliminary plat. The preliminary site plan may be approved by the City Plan Commission if after a report from the Director of Planning all of the requirements of the standard ordinances for the City of Mesquite and the provisions of this Special Permit Ordinance have been complied therewith. If for any reason a request is made for a

variance to these provisions the preliminary and final plat must receive approval from the City Council after receiving a recommendation from the City Plan Commission."

SECTION 5. Local Retail Requirements

Local Retail requirements shall be the same as those in Local Retail Use Zoning except that a site plan will be required for the total area involved in accordance with Section 4 of this Special Permit Ordinance.

SECTION 6. Apartment Requirements

Apartment requirements shall be the same as those in Apartment Use Zoning except a site plan must be submitted in accordance with Section 4 of this Special Permit Ordinance, and the average density of the total apartment area of the land herewith zoned, as it relates to the erection of apartments, shall not exceed 16 dwelling units per acre; the density is to be computed by taking the gross land area of the tract and dividing the total number of dwellings within the tract.

SECTION 7. Townhouse Requirements

That all regular and standard ordinances pertaining to subdivision, zoning, and building codes shall be applicable to Townhouse development except where by special provisions in this Special Permit Ordinance, the requirements are modified.

A. Maximum Building Heights - No building shall be constructed so as to exceed two and one-half stories in height.

B. Minimum Yard Requirements -

1. Front Yard - All townhouse units shall have a front yard with a minimum depth of 20 feet, except where a garage has an entry facing the side yard, then the garage may extend within 15 feet of the front property line.
2. Side Yard - Townhouses shall have a side yard between any two building groups of a minimum of 36 feet and 15 feet where the end of the building is adjacent to a street or drive.

3. Rear Yard - A rear yard having a minimum depth of not less than 20 feet shall be provided.
 4. Common Area - Where building groups face each other, on a common area, there shall be a minimum separation of 40 feet between opposite walls. All common area and open space shall be permanent use open space and shall never be used for any other purpose or use.
- C. Lot or Building Site Requirements - Each building shall be located on a lot or site having a minimum width of 22 feet and minimum depth of 100 feet. Each lot shall contain a minimum area of 2400 square feet and shall have access to a dedicated street or 27 foot access drive. Attached dwelling units shall be in groups of not less than 3 nor more than 7 in any building group, but in no event shall more than one-third of the building groups contain seven units.
- D. General Requirements -
1. Each platted lot or building site shall have access to either a dedicated street or private drive having a minimum width of 27 feet.
 2. All parking areas, access drives, sidewalks, private or public streets and drainage structures constructed on private or public property shall be previously approved by the City and constructed in accordance with City specifications and requirements.
 3. Each lot or building site shall have a carport or garage having a capacity of two (2) standard motor vehicles.
 4. The exterior construction of all townhouse dwellings shall conform to the requirements of Section 3 (10) Article VI, Appendix III of the City Code of the City of Mesquite, the same being an "R-1" Single-Family

Dwelling District. A further requirement is that all attached dwelling units shall have a four-hour rating wall between each such unit. All such fire walls shall be continuous and unbroken from the foundation slab to the under side of roof deck and conform to all other requirements for fire walls as outlined in the Building Code of the City of Mesquite.

5. The minimum area for each dwelling unit shall be 1200 square feet of living area, exclusive of garages, breezeways and porches.
6. No less than thirty-five percent (35%) of the total gross land area shall be open space which shall not be used as an area of principal construction, nor for automobile driveways or parking facilities. Such open space as herein contemplated shall be used exclusively for purposes of the installation of recreational facilities and a green or landscaped area.

D. Density Requirements - The average density of the townhouse units shall not exceed 8.5 dwelling units per acre. The density is to be computed by taking the gross land area of each designated townhouse tract and dividing by the total number of dwelling units within the tract.

F. Utilities - All utilities in the development herein zoned shall be placed beneath the ground, except installations above ground shall be permitted when approved by the Director of Public Works of the City under the following circumstances:

1. Above ground installation of transformers.
2. Where utility lines cross a major drainage channel or depression of such depth as to make below ground installation impractical.
3. At the point where the utility enters into the development.

There shall be no other exceptions than those enumerated above save by approval by the City Council, but in no event shall individual house services be above ground.

- G. Home Owners or Maintenance Association - Any home owners or maintenance association in the townhouse dwelling use tract shall comply with the provisions under Section 8 of this Special Permit Ordinance.
- H. Alley Requirements - No alleys shall be required in the townhouse use tracts except when in the opinion of the City of Mesquite at the time of submission of the preliminary site plan it appears that the development of adjacent properties would be hindered without the construction of an alley on lots which abut property not in this development that are adjacent to land requiring alleys under the then current zoning.

SECTION 8.

- A. Before the construction of any recreation areas it will be necessary to assure the City of Mesquite that provision has been made for adequate upkeep and maintenance of such facilities. Any such home owners or maintenance association so established to maintain and manage all such common open areas shall be approved by the City Manager prior to the issuance of any building permits.
- B. Furthermore, if such a greenbelt or common area is provided, a plat depicting a location of recreational facilities and areas, types and locations of trees and shrubs, the installation and plans of the sprinkler system, the installation of utilities, and all other appertainancies connected with this area shall be filed for approval and an agreement concerning construction and maintenance shall be approved by the City of Mesquite. The submission of such plans and plats shall be a condition precedent to the issuance of any building permits.

SECTION 9. 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.

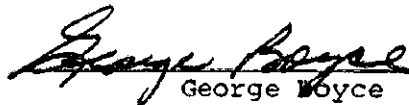
SECTION 10. That the above-described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964.

SECTION 11. 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 12. 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 13. 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 date of 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 16th day of February, A.D., 1970.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney

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