

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-3" SINGLE-FAMILY DWELLING DISTRICT TO "I" INDUSTRIAL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: TRACT I, BEING A SURVEY OF TRACT OF 2.00 ACRES OF LAND NET IN THOMAS SCOTT SURVEY ABSTRACT NO. 1353, DALLAS COUNTY, TEXAS; AND BEING PART OF LOT 1 OF THE THOMAS SCOTT PARTITION; AND BEING PART OF TRACTS 1 AND 2 AS DESCRIBED IN DEED TO SETH DAVIS, VOLUME 2376, PAGE 604, DEED RECORDS, DALLAS COUNTY, TEXAS; AND SAID 2.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT IRON ROD AT FENCE CORNER POST AT NORTHWEST CORNER OF SAID TRACT 2, SAID POINT BEING 1210.8 FEET SOUTH OF AN IRON ROD FOUND AT NORTHEAST CORNER OF LOT 4, OF SAID PARTITION; THENCE SOUTH 81° 40' 14" EAST, ALONG A FENCE ON THE NORTH LINE OF SAID TRACT 2, A DISTANCE OF 191.95 FEET; THENCE SOUTH 455.19 FEET TO A POINT IN NORTH LINE OF THE TEXAS & PACIFIC RAILROAD RIGHT-OF-WAY; THENCE NORTH 83° 45' WEST, ALONG THE NORTH LINE OF SAID RAILROAD RIGHT-OF-WAY, 191.06 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE NORTH ALONG FENCE ON WEST LINES OF TRACT 1 & 2, A DISTANCE OF 462.2 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.00 ACRES OF LAND NET. TRACT II, BEING THAT CERTAIN PROPERTY DESCRIBED AS BEING PART OF THE THOMAS SCOTT SURVEY, ABSTRACT NO. 1353, AND PART OF A 137.34 ACRE TRACT CONVEYED BY ANNIE HANDY TO MRS. MAUDE RANGE JOBSON BY DEED DATED AUGUST 13, 1926, AND RECORDED IN VOLUME 1380 AT PAGE 128 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF TEXAS & PACIFIC RAILROAD RIGHT-OF-WAY, WITH THE SOUTHEAST LINE OF STATE HIGHWAY NO. 352; THENCE SOUTH 83° 34' EAST, 546.20 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE OF RAILROAD TO A POINT IN THE EAST LINE OF SAID JOBSON 137.34 ACRE TRACT; THENCE NORTH 698.40 FEET ALONG SAID EAST LINE OF 137.34 ACRE TRACT TO A POINT IN SAID SOUTHEAST LINE OF STATE HIGHWAY NO. 352; THENCE SOUTH 40° 11' WEST 834.0 FEET ALONG SAID SOUTHEAST LINE OF HIGHWAY TO THE PLACE OF BEGINNING AND CONTAINING 4.34 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 following described tracts of property from "R-3" Single-Family Dwelling District to "I" Industrial District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

TRACT I

BEING a survey of tract of 2.00 acres of land net in Thomas Scott Survey, Abstract No. 1353, Dallas County, Texas; and being part of Lot 1 of the Thomas Scott Partition; and being part of Tracts 1 and 2 as described in Deed to Seth Davis, Volume 2376, Page 604, Deed Records, Dallas County, Texas; and said 2.00 acre tract being more particularly described as follows:

BEGINNING at iron rod at fence corner post at Northwest corner of said Tract 2, said point being 1210.8 feet South of an iron rod found at Northeast corner of Lot 4, of said partition;

THENCE South $81^{\circ} 40' 14''$ East, along a fence on the North line of said Tract 2, a distance of 191.95 feet;

THENCE South 455.19 feet to a point in North line of the Texas & Pacific Railroad Right-of-Way;

THENCE North $83^{\circ} 45'$ West, along the North line of said Texas & Pacific Railroad Right-of-Way, 191.06 feet to the Southwest corner of said Tract 1;

THENCE North along fence on West lines of Tracts 1 & 2, a distance of 462.2 feet to the point of beginning and containing 2.00 acres of land net.

TRACT II

BEING that certain property described as being part of the Thomas Scott Survey, Abstract No. 1353, and part of a 137.34 acre tract conveyed by Annie Handy to Mrs. Maude Range Jobson by deed dated August 13, 1926, and recorded in Volume 1380 at page 128 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the North line of Texas & Pacific Right-of-Way, with the Southeast line of State Highway No. 352;

THENCE South 83° 34' East, 546.20 feet along said North Right-of-Way line of Railroad to a point in the East line of said Jobson 137.34 acre tract;

THENCE North 698.40 feet along said East line of 137.34 acre tract to a point in said Southeast line of State Highway No. 352;

THENCE South 40° 11' West 834.0 feet along said Southeast line of Highway to the place of beginning and containing 4.34 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, Texas, on the 4 day of May, A.D., 1970.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

William R. Springfield
City Attorney