

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 "LR" LOCAL RETAIL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS; AND DESCRIBED AS FOLLOWS: BEING A 3.53 ACRE TRACT OF LAND SITUATED IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST WESTERLY CORNER OF EASTRIDGE PARK NO. 1, AN ADDITION TO THE CITY OF MESQUITE, SAID POINT BEING IN THE NORTHEASTERLY LINE OF BAKER DRIVE (A 60 FOOT RIGHT-OF-WAY), SAID POINT BEING IN THE NORTHWESTERLY LINE OF A 15 FOOT ALLEY; AN "X" CUT IN CONCRETE FOR CORNER; THENCE NORTH 45° 00' WEST, WITH THE NORTHEASTERLY LINE OF SAID BAKER DRIVE, 484.86 FEET TO AN IRON STAKE SET FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF A 4.86 ACRE TRACT OF LAND OWNED BY TRAVILLA S. WILLIAMS; THENCE NORTH 45° 00' EAST, WITH THE JOINT PROPERTY LINE OF SAID 3.53 ACRE TRACT AND 4.86 ACRE TRACT, 300.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 49° 07' 44" EAST, WITH THE NORTHEASTERLY LINE OF SAID 3.53 ACRE TRACT, 486.12 FEET TO A POINT IN THE NORTHWESTERLY LINE OF THE AFOREMENTIONED 15 FOOT ALLEY; AN IRON STAKE SET FOR CORNER; THENCE SOUTH 45° 00' WEST, WITH THE NORTHWESTERLY LINE OF SAID ALLEY, 335.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 3.53 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 THAT THE FOREGOING ZONING IS GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; 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 "LR" Local Retail District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a 3.53 acre tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the most Westerly corner of Eastridge Park No. 1, an Addition to the City of Mesquite, said point being in the Northeasterly line of Baker Drive (a 60 foot right-of-way), said point being in the Northwesterly line of a 15 foot alley; an "X" cut in concrete for corner;

THENCE North  $45^{\circ} 00'$  West, with the Northeasterly line of said Baker Drive, 484.86 feet to an iron stake set for corner, said point being the South corner of a 4.86 acre tract of land owned by Travilla S. Williams;

THENCE North  $45^{\circ} 00'$  East, with the joint property line of said 3.53 acre tract and 4.86 acre tract, 300.00 feet to a point for corner;

THENCE South  $49^{\circ} 07' 44''$  East, with the Northeasterly line of said 3.53 acre tract, 486.12 feet to a point in the Northwesterly line of the aforementioned 15 foot alley; an iron stake set for corner;

THENCE South  $45^{\circ} 00'$  West, with the Northwesterly line of said alley, 335.00 feet to the PLACE OF BEGINNING and containing 3.53 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.

IN WITNESS WHEREOF, the City Council of the City of Mesquite, Texas, has caused this Ordinance to be signed and the seal of the City of Mesquite to be hereunto affixed, and the same to be published in the City of Mesquite, Texas, on this 11th day of August, 1964.

City Clerk

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.

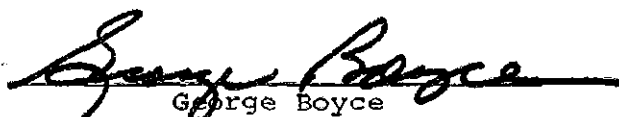
SECTION 4. That the foregoing zoning change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 858 of the Mesquite City Code.

SECTION 5. 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 6. 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.

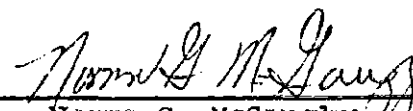
SECTION 7. Whereas, the above-described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation 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 3 day of August, A.D., 1970.

  
George Boyce  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughey  
City Secretary

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Elland Archer  
City Attorney

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