

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ORDINANCE NO. 648, AN AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE, AS FOLLOWS:

TRACT I, BEING A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING A PART OF THE DANIEL TANNER SURVEY, ABSTRACT 1462, AND ALSO BEING A PART OF A 45.66 ACRE TRACT CONVEYED TO M. L. CANFIELD ON AUGUST 22, 1952, AND RECORDED IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FOR CORNER IN THE NORTHWESTERLY LINE OF HILLCREST STREET (50 FEET WIDE), SAID POINT BEING IN A NORTHEASTERLY DIRECTION ALONG THE NORTHWESTERLY LINE OF HILLCREST STREET A DISTANCE OF 200.00 FEET FROM THE INTERSECTION OF THE NORTHWESTERLY LINE OF HILLCREST STREET AND THE NORTHEASTERLY LINE OF GROSS ROAD (120 FEET WIDE); THENCE NORTH $45^{\circ} 39'$ WEST A DISTANCE OF 440.00 FEET TO A POINT FOR CORNER IN THE NORTHWESTERLY LINE OF SAID CANFIELD TRACT; THENCE NORTH $44^{\circ} 26'$ EAST ALONG THE NORTHWESTERLY LINE OF SAID CANFIELD TRACT A DISTANCE OF 1473.95 FEET TO A POINT FOR CORNER; THENCE SOUTH $45^{\circ} 28'$ EAST A DISTANCE OF 387.15 FEET TO A POINT FOR CORNER IN THE NORTHWESTERLY LINE OF HILLCREST STREET; THENCE SOUTH $11^{\circ} 38'$ WEST ALONG THE NORTHWESTERLY LINE OF HILLCREST STREET A DISTANCE OF 44.79 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE IN A SOUTH-WESTERLY DIRECTION AND CONTINUING ALONG THE NORTHWESTERLY LINE OF HILLCREST STREET AND ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 178.86 FEET AND A CENTRAL ANGLE OF $32^{\circ} 48'$, AN ARC DISTANCE OF 102.39 FEET TO THE END OF SAID CURVE TO THE RIGHT; THENCE SOUTH $44^{\circ} 26'$ WEST AND CONTINUING ALONG THE NORTHWESTERLY LINE OF HILLCREST STREET A DISTANCE OF 1338.08 FEET TO THE PLACE OF BEGINNING AND CONTAINING 14.83 ACRES: A PORTION OF WHICH IS PRESENTLY ZONED "A" MULTIPLE-FAMILY DWELLING DISTRICT, WITH A LIMIT OF 22 UNITS PER ACRE, AND A PORTION THEREOF BEING ZONED "R-3" SINGLE-FAMILY DWELLING DISTRICT, AND A PORTION THEREOF BEING PRESENTLY ZONED "LR" LOCAL RETAIL DISTRICT, IS HEREBY CHANGED TO "A" MULTIPLE-FAMILY DWELLING DISTRICT WITH AN OVERALL DENSITY OF 20 UNITS PER ACRE ON THE ENTIRE 14.83 ACRES: TRACT III, BEING A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING A PART OF THE DANIEL TANNER SURVEY, ABSTRACT 1462, AND ALSO BEING A PART OF A 45.66 ACRE TRACT CONVEYED TO M. L. CANFIELD ON AUGUST 22, 1952, AND RECORDED IN THE DEED RECORDS OF DALLAS COUNTY,

TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FOR CORNER IN THE SOUTHWESTERLY LINE OF NORTHRIDGE ESTATES, AN ADDITION TO THE CITY OF MESQUITE, SAID POINT BEING THE MOST NORTHERLY CORNER OF SAID CANFIELD TRACT; THENCE SOUTH 45° 28' EAST ALONG THE SOUTHWESTERLY LINE OF SAID NORTHRIDGE ESTATES ADDITION A DISTANCE OF 346.83 FEET TO A POINT FOR CORNER IN THE NORTHWESTERLY LINE OF HILLCREST STREET (50 FEET WIDE); THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHWESTERLY LINE OF HILLCREST STREET AND ALONG A CURVE TO THE LEFT WHOSE TANGENT BEARS SOUTH 44° 31' WEST AND HAVING A RADIUS OF 194.43 FEET AND A CENTRAL ANGLE OF 32° 53', AN ARC DISTANCE OF 111.59 FEET TO THE END OF SAID CURVE TO THE LEFT; THENCE SOUTH 11° 38' WEST AND CONTINUING ALONG THE NORTHWESTERLY LINE OF HILLCREST STREET A DISTANCE OF 17.21 FEET TO A POINT FOR CORNER; THENCE NORTH 45° 28' WEST A DISTANCE OF 387.15 FEET TO A POINT FOR CORNER IN THE NORTHWESTERLY LINE OF SAID CANFIELD TRACT; THENCE NORTH 44° 26' EAST ALONG THE NORTHWESTERLY LINE OF SAID CANFIELD TRACT A DISTANCE OF 120.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.99 ACRES: IS HEREBY CHANGED FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO DUPLEX; 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 Ordinance No. 648, an amendent to the Comprehensive Zoning Ordinance, 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:

TRACT I

A portion of which is presently zoned "A" Multiple-Family Dwelling Distric, with a limit of 22 units per acre, and a portion thereof being zoned "R-3" Single-Family Dwelling District, and a portion thereof being presently zoned "LR" Local Retail District, is hereby changed to "A" Multiple-Family Dwelling District with an overall density of 20 units per acre on the entire 14.83 acres:

BEING a tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, and being a part of the Daniel Tanner Survey, Abstract 1462, and also being a part of a 45.66 acre tract conveyed to M. L. Canfield on August 22, 1952, and recorded in the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point for corner in the Northwesterly line of Hillcrest Street (50 feet wide), said point being in a Northeasterly direction along the Northwesterly line of Hillcrest Street a distance of 200.00 feet from the intersection of the Northwesterly line of Hillcrest Street and the Northeasterly line of Gross Road (120 feet wide);

THENCE North 45° 39' West a distance of 440.00 feet to a point for corner in the Northwesterly line of said Canfield tract;

THENCE North 44° 26' East along the Northwesterly line of said Canfield tract a distance of 1473.95 feet to a point for corner;

THENCE South 45° 28' East a distance of 387.15 feet to a point for corner in the Northwesterly line of Hillcrest Street;

THENCE South 11° 38' West along the Northwesterly line of Hillcrest Street a distance of 44.79 feet to the beginning of a curve to the right;

THENCE in a Southwesterly direction and continuing along the Northwesterly line of Hillcrest Street and along said curve to the right having a radius of 178.86 feet and a central angle of $32^{\circ} 48'$, an arc distance of 102.39 feet to the end of said curve to the right;

THENCE South $44^{\circ} 26'$ West and continuing along the Northwesterly line of Hillcrest a distance of 1338.08 feet to the place of beginning and containing 14.83 acres.

TRACT III

Hereby changed from "R-3" Single-Family Dwelling District to Duplex:

BEING a tract or parcel of land situated in the City of Mesquite, Dallas County, Texas; and being a part of the Daniel Tanner Survey, Abstract 1462, and also being a part of a 45.66 acre tract conveyed to M. L. Canfield on August 22, 1952, and recorded in the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point for corner in the Southwesterly line of Northridge Estates an addition to the City of Mesquite, said point being the most Northerly corner of said Canfield tract;

THENCE South $45^{\circ} 28'$ East along the Southwesterly line of said Northridge Estates Addition a distance of 346.83 feet to a point for corner in the Northwesterly line of Hillcrest Street (50 feet wide);

THENCE in a Southwesterly direction along the Northwesterly line of Hillcrest Street and along a curve to the left whose tangent bears South $44^{\circ} 31'$ West and having a radius of 194.43 feet and a central angle of $32^{\circ} 53'$, an arc distance of 111.59 feet to the end of said curve to the left;

THENCE South $11^{\circ} 38'$ West and continuing along the Northwesterly line of Hillcrest Street a distance of 17.21 feet to a point for corner;

THENCE North $45^{\circ} 28'$ West a distance of 387.15 feet to a point for corner in the Northwesterly line of said Canfield tract;

THENCE North 44° 26' East along the Northwesterly line of said Canfield tract a distance of 120.00 feet to the place of beginning and containing 0.99 acres.

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, and the limits provided herein.

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 the Comprehensive Zoning Ordinance as a whole.

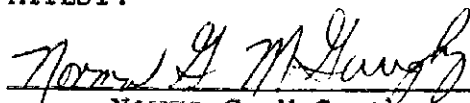
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

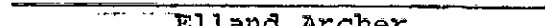
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 8 day of September, A.D., 1970.


George Boyce
Mayor

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


Elland Archer
City Attorney

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