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ORDINANCE NO. 877

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 "C" COMMERCIAL DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING LOTS 8, 9, 18 & 19, BLOCK 4 OF HILHOME GARDENS INSTALLMENT NO. 2 ADDITION TO THE CITY OF MESQUITE, TEXAS, AS RECORDED IN VOLUME 7, PAGE 291 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWEST LINE OF MARIPOSA DRIVE AND THE NORTHEAST LINE OF WESTWOOD AVENUE; THENCE NORTH 45° 35' WEST ALONG THE NORTHEAST LINE OF WESTWOOD AVENUE A DISTANCE OF 751.0 FEET TO AN IRON ROD AND THE POINT OF BEGINNING OF THIS SURVEY; THENCE CONTINUING NORTH 45° 35' WEST ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF WESTWOOD AVENUE A DISTANCE OF 200.0 FEET TO AN IRON PIN AND THE MOST WESTERLY CORNER OF LOT 18 FOR A CORNER; THENCE NORTH 44° 35' EAST A DISTANCE OF 400.0 FEET TO AN IRON PIN IN THE SOUTHWEST RIGHT-OF-WAY LINE OF EDINBURG STREET AND THE MOST NORTHERLY CORNER OF LOT 9 FOR A CORNER; THENCE SOUTH 45° 35' EAST ALONG THE SOUTHWEST LINE OF EDINBURG STREET A DISTANCE OF 200.0 FEET TO AN IRON PIN AND THE MOST EASTERLY CORNER OF LOT 8 FOR A CORNER; THENCE SOUTH 44° 25' WEST A DISTANCE OF 400.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.837 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 (\$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:

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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 "C" Commercial District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING Lots 8, 9, 18 and 19, Block 4 of Hilhome Gardens Installment No. 2 Addition to the City of Mesquite, Texas, as recorded in Volume 7, Page 291 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the Northwest line of Mariposa Drive and the Northeast line of Westwood Avenue; THENCE North 45° 35' West along the Northeast line of Westwood Avenue a distance of 751.0 feet to an iron rod and the Point of Beginning of this survey;

THENCE continuing North 45° 35' West along the Northeast Right-of-Way line of Westwood Avenue a distance of 200.0 feet to an iron pin and the most Westerly corner of Lot 18 for a corner;

THENCE North 44° 35' East a distance of 400.0 feet to an iron pin in the Southwest Right-of-Way line of Edinburg Street and the most Northerly corner of Lot 9 for a corner;

THENCE South 45° 35' East along the Southwest line of Edinburg Street a distance of 200.0 feet to an iron pin and the most Easterly corner of Lot 8 for a corner;

THENCE South 44° 25' West a distance of 400.0 feet to the Point of Beginning and containing 1.837 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 8 day of September, A.D., 1970.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary

Elland Archer
City Attorney

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