

ORDINANCE NO. 889

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 ON ZONING ON THE FOLLOWING DESCRIBED TRACTS OF REAL PROPERTY, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AS FOLLOWS: TRACT I ("R-1" SINGLE FAMILY DWELLING AND "R-2A" SINGLE FAMILY DWELLING TO "LR" LOCAL RETAIL) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF I. H. 635 AND THE SOUTHEAST LINE OF LA PRADA DRIVE (100 FOOT RIGHT-OF-WAY), A POINT FOR CORNER; THENCE NORTH 45° 29' EAST, ALONG THE SOUTHWEST LINE OF LA PRADA DRIVE, 638.75 FEET TO A POINT FOR CORNER; THENCE SOUTH 44° 31' EAST, 350.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 45° 29' WEST, 762.76 FEET TO A POINT IN THE EAST LINE OF I. H. 635, A POINT FOR CORNER; THENCE NORTH 25° 00' 25" WEST, ALONG THE EAST LINE OF I. H. 635, 371.32 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.630 ACRES OF LAND. TRACT II ("SP" SPECIAL PERMIT FOR APARTMENTS TO "LR" LOCAL RETAIL) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTHWEST LINE OF OATES ROAD (60 FOOT RIGHT-OF-WAY) AND SAID POINT BEING IN THE EAST LINE OF I. H. 635, A POINT FOR CORNER; THENCE NORTH 44° 15' 14" WEST, ALONG THE EAST LINE OF SAID I. H. 635, 20.00 FEET TO A POINT FOR CORNER; THENCE NORTH 10° 05' 34" WEST, ALONG THE EAST LINE OF SAID I. H. 635, 197.92 FEET TO A POINT FOR CORNER; THENCE NORTH 32° 59' 19" WEST, ALONG THE EAST LINE OF SAID I. H. 635, 87.92 FEET TO A POINT FOR CORNER; THENCE NORTH 45° 44' 46" EAST, 621.69 FEET TO A POINT FOR CORNER; THENCE SOUTH 44° 15' 14" EAST, 270.00 FEET TO A POINT IN THE NORTHWEST LINE OF OATES ROAD, A POINT FOR CORNER; THENCE SOUTH 45° 44' 46" WEST, ALONG THE NORTHWEST LINE OF OATES ROAD, 750.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.203 ACRES OF LAND. TRACT III ("R-2A" SINGLE FAMILY DWELLING TO "LR" LOCAL RETAIL) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHWEST LINE OF OATES ROAD (60 FOOT RIGHT-OF-WAY) AND THE SOUTHWEST LINE OF THE PROPOSED GROVES ROAD (100 FOOT RIGHT-OF-WAY), A

POINT FOR CORNER; THENCE SOUTH 45° 36' 25" WEST, ALONG THE NORTHWEST LINE OF OATES ROAD, 370.00 FEET TO A POINT FOR CORNER; THENCE NORTH 44° 23' 35" WEST, 390.00 FEET TO A POINT FOR CORNER; THENCE NORTH 45° 36' 25" EAST, 370.00 FEET TO THE SOUTHWEST LINE OF THE PROPOSED GROVES ROAD, A POINT FOR CORNER; THENCE SOUTH 44° 23' 35" EAST, ALONG THE SOUTHWEST LINE OF GROVES ROAD, 390.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 3.313 ACRES OF LAND. TRACT V ("R-2A" SINGLE FAMILY DWELLING TO "A" MULTIPLE FAMILY DWELLING) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHWEST LINE OF THE PROPOSED GROVES ROAD (100 FOOT RIGHT-OF-WAY), SAID POINT BEING NORTH 44° 23' 35" WEST, 390.00 FEET FROM THE NORTHWEST LINE OF OATES ROAD (60 FOOT RIGHT-OF-WAY), A POINT FOR CORNER; THENCE SOUTH 45° 36' 25" WEST, 542.22 FEET TO A POINT FOR CORNER; THENCE NORTH 54° 47' WEST, 255.61 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, A POINT FOR CORNER; THENCE NORTHWESTERLY ALONG THE CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 420.00 FEET, AN ARC DISTANCE OF 281.75 FEET TO A POINT FOR CORNER; THENCE NORTH 59° 31' WEST, 215.72 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, A POINT FOR CORNER; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET, AN ARC DISTANCE OF 196.35 FEET TO A POINT FOR A REVERSE CURVE TO THE LEFT, A POINT FOR CORNER; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 250.00 FEET, AN ARC DISTANCE OF 130.90 FEET TO THE TANGENCY OF THE SAID CURVE, A POINT FOR CORNER; THENCE NORTH 44° 31' WEST, 110.00 FEET TO A POINT FOR CORNER; THENCE NORTH 45° 20' EAST, 735.63 FEET TO A POINT IN THE SOUTHWEST LINE OF THE PROPOSED GROVES ROAD, A POINT FOR CORNER; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1256.23 FEET, AN ARC DISTANCE OF 173.47 FEET TO TANGENCY OF THE SAID CURVE, A POINT FOR CORNER; THENCE SOUTH 44° 23' 35" EAST, ALONG THE SOUTHWEST LINE OF THE PROPOSED GROVES ROAD, 955.49 FEET TO THE PLACE OF BEGINNING AND CONTAINING 19.54 ACRES OF LAND. TRACT VI ("R-2A" SINGLE FAMILY DWELLING TO "SP" SPECIAL PERMIT FOR A DAY NURSERY) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT SOUTH

CORNER OF THE INTERSECTION OF THE PROPOSED GROVES ROAD (100 FOOT RIGHT-OF-WAY) AND LA PRADA DRIVE (100 FOOT RIGHT-OF-WAY); THENCE SOUTH  $45^{\circ} 29'$  WEST, 960.44 FEET TO A POINT FOR CORNER; THENCE SOUTH  $44^{\circ} 31'$  EAST, 1131.28 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH  $44^{\circ} 31'$  EAST, 110.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, A POINT FOR CORNER; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET, AN ARC DISTANCE OF 130.90 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, A POINT FOR CORNER; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 250.00 FEET, AN ARC DISTANCE OF 196.35 FEET TO THE TANGENCY OF THE SAID CURVE, A POINT FOR CORNER; THENCE SOUTH  $59^{\circ} 31'$  WEST, 215.72 FEET TO A POINT ON A CURVE TO THE LEFT, A POINT FOR CORNER; THENCE WESTERLY, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 420.00 FEET, AN ARC DISTANCE OF 126.30 FEET TO THE TANGENCY OF THE SAID CURVE, A POINT FOR CORNER; THENCE SOUTH  $69^{\circ} 33'$  WEST, 325.50 FEET TO A POINT FOR CORNER; THENCE NORTH  $57^{\circ} 32'$  WEST, 442.44 FEET TO A POINT FOR CORNER; THENCE NORTH  $45^{\circ} 20'$  EAST, 505.40 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.943 ACRES OF LAND.

TRACT VII ("R-2A" SINGLE FAMILY DWELLING TO "SP" SPECIAL PERMIT FOR TOWN HOUSES) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTHEAST LINE OF PROPOSED GROVES ROAD (100 FOOT RIGHT-OF-WAY), SAID POINT BEING NORTH  $44^{\circ} 23' 35''$  WEST, 1337.87 FEET FROM THE NORTHWEST LINE OF OATES ROAD (60 FOOT RIGHT-OF-WAY); THENCE NORTH  $44^{\circ} 23' 35''$  WEST, 7.62 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, A POINT FOR CORNER; THENCE NORTHWESTERLY, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1156.23 FEET, AN ARC DISTANCE OF 174.06 FEET TO A POINT FOR CORNER; THENCE SOUTH  $45^{\circ} 20'$  WEST, 227.28 FEET TO A POINT FOR CORNER; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1381.23 FEET, AN ARC DISTANCE OF 235.07 FEET TO THE TANGENCY OF THE SAID CURVE, A POINT FOR CORNER; THENCE NORTH  $27^{\circ} 28' 31''$  WEST, 226.87 FEET TO A POINT FOR CORNER; THENCE NORTH  $62^{\circ} 31' 29''$

EAST, 125.00 FEET TO THE SOUTHWEST LINE OF PROPOSED GROVES ROAD, A POINT FOR CORNER; THENCE SOUTH 27° 28' 31" EAST, ALONG THE SOUTHWEST LINE OF PROPOSED GROVES ROAD, 226.87 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, A POINT FOR CORNER; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1256.23 FEET, AN ARC DISTANCE OF 60.70 FEET TO A POINT FOR CORNER; THENCE NORTH 45° 20' EAST, 1151.32 FEET TO A POINT FOR CORNER; THENCE SOUTH 44° 36' EAST, 315.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 45° 20' WEST, 1090.57 FEET TO THE PLACE OF BEGINNING AND CONTAINING 9.91 ACRES OF LAND. TRACT VIII ("R-2A" SINGLE FAMILY DWELLING TO "R-2" SINGLE FAMILY DWELLING) BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING A PART OF THE T. THOMAS SURVEY, ABSTRACT NO. 1461 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHEAST LINE OF LA PRADA DRIVE (100 FOOT RIGHT-OF-WAY) AND THE SOUTHWEST LINE OF GROVES ROAD (100 FOOT RIGHT-OF-WAY), A POINT FOR CORNER; THENCE SOUTH 44° 31' EAST, ALONG THE SOUTHWEST LINE OF GROVES ROAD, 135.98 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, A POINT FOR CORNER; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1382.40 FEET, AN ARC DISTANCE OF 411.16 FEET TO THE TANGENCY OF THE SAID CURVE, A POINT FOR CORNER; THENCE SOUTH 27° 28' 31" EAST, ALONG THE SOUTHEAST LINE OF GROVES ROAD, 187.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 62° 31' 29" WEST, 125.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 27° 38' 31" EAST, 226.87 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, A POINT FOR CORNER; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1381.23 FEET, AN ARC DISTANCE OF 235.07 FEET TO A POINT FOR CORNER; THENCE SOUTH 45° 20' WEST, 609.47 FEET TO A POINT FOR CORNER; THENCE NORTH 44° 31' WEST, 1131.28 FEET TO A POINT IN THE SOUTHEAST LINE OF LA PRADA DRIVE, A POINT FOR CORNER; THENCE NORTH 45° 29' EAST, ALONG THE SOUTHEAST LINE OF LA PRADA DRIVE (100 FOOT RIGHT-OF-WAY), 960.44 FEET TO THE PLACE OF BEGINNING AND CONTAINING 25.43 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 CHANGE BE GRANTED SUBJECT TO ANY DEVELOPMENT OF THE

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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 tracts of real property in the City of Mesquite, Dallas County, Texas:

TRACT I

(R-2A" Single Family Dwelling to "LR" Local Retail"

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

BEGINNING at the intersection of the East Line of I. H. 635 and the Southeast line of LaPrada Drive (100 foot right-of-way), a point for corner;

THENCE North 45° 29' East, along the Southwest line of La Prada Drive 638.75 feet to a point for corner;

THENCE South 44° 31' East, 350.00 feet to a point for corner;

THENCE South 45° 29' West, 762.76 feet to a point in the East line of I. H. 635, a point for corner;

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THENCE North 25° 00' 25" West, along the East line of I. H. 635, 371.32 feet to the Place of Beginning and containing 5.630 acres of land.

TRACT II

("SP" Special Permit for Apartments to "LR" Local Retail)

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

BEGINNING at a point in the Northwest line of Oates Road (60 foot right-of-way) and said point being in the East line of I. H. 635, a point for corner;

THENCE North 44° 15' 14" West, along the East line of said I. H. 635, 20.00 feet to a point for corner;

THENCE North 10° 05' 34" West, along the East line of said I. H. 635, 197.92 feet to a point for corner;

THENCE North 32° 59' 19" West, along the East line of said I. H. 635, 87.92 feet to a point for corner;

THENCE North 45° 44' 46" East, 621.69 feet to a point for corner;

THENCE South 44° 15' 14" East, 270.00 feet to a point in the Northwest line of Oates Road, a point for corner;

THENCE South 45° 44' 46" West, along the Northwest line of Oates Road, 750.00 feet to the Place of Beginning and containing 4.203 acres of land.

TRACT III

("R-2A" Single Family Dwelling to "LR" Local Retail)

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

BEGINNING at the intersection of the Northwest line of Oates Road (60 foot right-of-way) and the Southwest line of the proposed Groves Road (100 foot right-of-way), a point for corner;

THENCE South 45° 36' 25" West, along the Northwest line of Oates Road, 370.00 feet to a point for corner;

THENCE North 44° 23' 35" West, 390.00 feet to a point for corner;

THENCE North 45° 36' 25" East, 370.00 feet to the Southwest line of the proposed Groves Road, a point for corner;

THENCE South 44° 23' 35" East, along the Southwest line of Groves Road, 390.00 feet to the Place of Beginning and containing 3.313 acres of land.

TRACT V

("R-2A" Single Family Dwelling to "A" Multiple Family Dwelling)

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

BEGINNING at a point in the Southwest line of the proposed Groves Road (100 foot right-of-way), said point being North 44° 23' 35" West, 390.00 feet from the Northwest line of Oates Road (60 foot right-of-way), a point for corner;

THENCE South 45° 36' 25" West, 542.22 feet to a point for corner;

THENCE North 54° 47' West, 255.61 feet to the beginning of a curve to the Left, a point for corner;

THENCE Northwesterly along the curve to the Left, said curve having a radius of 420.00 feet, an arc distance of 281.75 feet to a point for corner;

THENCE North 59° 31' West, 215.72 feet to the beginning of a curve to the right, a point for corner;

THENCE Northwesterly along a curve to the right, said curve having a radius of 250.00 feet, an arc distance of 196.35 feet to a point for a reverse curve to the left, a point for corner;

THENCE Northwesterly along a curve to the Left, said curve having a radius of 250 feet, an arc distance of 130.90 feet to the tangency of the said curve, a point for corner;

THENCE North 44° 31' West, 110.00 feet to a point for corner;

THENCE North 45° 20' East, 735.63 feet to a point in the Southwest line of the proposed Groves Road, a point for corner;

THENCE Southeasterly, along a curve to the left, said curve having a radius of 1256.23 feet, an arc distance of 173.47 feet to tangency of the said curve, a point for corner;

THENCE South 44° 23' 35" East, along the Southwest line of the proposed Groves Road, 955.49 feet to the Place of Beginning and containing 19.54 acres of land.

#### TRACT VI

("R-2A" Single Family Dwelling to "SP" Special Permit for Day Nursery)

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

COMMENCING at South corner of the intersection of the proposed Groves Road (100 foot right-of-way) and La Prada Drive (100 foot right-of-way);

THENCE South 45° 29' West, 960.44 feet to a point for corner; THENCE South 44° 31' East, 1131.28 feet to the Place of Beginning;

THENCE South 44° 31' East, 110.00 feet to the beginning of a curve to the Right, a point for corner;

THENCE Southeasterly, along a curve to the Right, said curve having a radius of 250.00 feet, an arc distance of 130.90 feet to the beginning of a reverse curve to the Left, a point for corner;



THENCE Southeasterly, along a curve to the left, said curve having a radius of 250.00 feet, an arc distance of 196.35 feet to the tangency of the said curve, a point for corner;

THENCE South 59° 31' West, 215.72 feet to a point on a curve to the left, a point for corner;

THENCE Westerly, along a curve to the left, said curve having a radius of 420.00 feet, an arc distance of 126.30 feet to the tangency of the said curve, a point for corner;

THENCE South 69° 33' West, 325.50 feet to a point for corner;

THENCE North 57° 32' West, 442.44 feet to a point for corner;

THENCE North 45° 20' East, 505.40 feet to the Place of Beginning and containing 4.943 acres of land.

TRACT VII

("R-2A" Single Family Dwelling to "SP" Special Permit for Town Houses)

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

BEGINNING at a point in the Northeast line of the proposed Groves Road (100 foot right-of-way), said point being North 44° 23' 35" West, 1337.87 feet from the Northwest line of Oates Road (60 foot right-of-way);

THENCE North 44° 23' 35" West, 7.62 feet to the beginning of a curve to the Right, a point for corner;

THENCE Northwesterly, along a curve to the right, said curve having a radius of 1156.23 feet, an arc distance of 174.06 feet to a point for corner;

THENCE South 45° 20' West, 227.28 feet to a point for corner;

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THENCE Northwesterly along a curve to the right, said curve having a radius of 1381.23 feet, an arc distance of 235.07 feet to the tangency of the said curve, a point for corner;

THENCE North 27° 28' 31" West, 226.87 feet to a point for corner;

THENCE North 62° 31' 39" East, 125.00 feet to the Southwest line of proposed Groves Road, a point for corner;

THENCE South 27° 28' 31" East, along the Southwest line of proposed Groves Road, 226.87 feet to the beginning of a curve to the left, a point for corner;

THENCE Southeasterly along a curve to the left, said curve having a radius of 1256.23 feet, an arc distance of 60.70 feet to a point for corner;

THENCE North 45° 20' East, 1151.32 feet to a point for corner;

THENCE South 44° 36' East, 315.00 feet to a point for corner;

THENCE South 45° 20' West, 1090.57 feet to the Place of Beginning and containing 9.91 acres of land.

## TRACT VIII

("R-2A" Single Family Dwelling to "R-2" Single Family Dwelling)

BEING a tract of land situated in Dallas County, Texas, and being a part of the T. Thomas Survey, Abstract No. 1461 and being more particularly described as follows:

BEGINNING at the intersection of the Southeast line of La Prada Drive (100 foot right-of-way) and the Southwest line of Groves Road (100 foot right-of-way), a point for corner;

THENCE South 44° 31' East, along the Southwest line of Groves Road, 135.98 feet to the beginning of a curve to the Right, a point for corner;

THENCE Southeasterly along a curve to the Right, said curve having a radius of 1382.40 feet, an arc distance of 411.16 feet to the tangency of the said curve, a point for corner;

THENCE South 27° 28' 31" East, along the Southeast line of Groves Road, 187.00 feet to a point for corner;

THENCE South 62° 31' 29" West, 125.00 feet to a point for corner;

THENCE South 27° 38' 31" East, 226.87 feet to the beginning of a curve to the left, a point for corner;

THENCE Southeasterly, along a curve to the left, said curve having a radius of 1381.23 feet, an arc distance of 235.07 feet to a point for corner;

THENCE South 45° 20' West, 609.47 feet to a point for corner;

THENCE North 44° 31' West, 1131.28 feet to a point in the Southeast line of La Prada Drive, a point for corner;

THENCE North 45° 29' East, along the Southeast line of La Prada Drive (100 foot right-of-way), 960.44 feet to the Place of Beginning and containing 25.43 acres of land.

The above requested zoning shall be granted subject to the density of apartments being not more than 15 apartment units per acre and townhouse units having a density of not more than 10 townhouse units per acre.

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.

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SECTION 4. That the foregoing zoning 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.

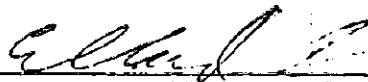
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 5th day of October, A.D., 1970.

  
George Boyce  
Mayor

ATTEST:

  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:

  
Elland Archer  
City Attorney