

ORDINANCE NO. 121.

AN ORDINANCE ABANDONING ALL STREETS AND ALLEYS AS SHOWN ON THE MAP OF MRS. MARY J. DUFF'S FIRST ADDITION to the City of Mesquite, according to the map of said Addition as recorded in Volume 287, Page 5, Deed Records of Dallas County, Texas, in so far as located within the area described, save and except that portion of said streets or alleys now open and included or lying in North Ebrite Street, being that portion from the South boundary line of the hereinafter described tract to the South line of Kearney Street, formerly Gross Road, and that portion now open known as North Lawrence Street from the South boundary line of the hereinafter described property to the South line of Kearney Street and any portion thereof now lying or situated in Kearney Street, formerly Gross Road, as now open. The streets and alley ways hereby abandoned are located within the area described by metes and bounds as follows:

BEGINNING at a point on the North line of Lot 2 in Block A/43 of said above mentioned Addition at a point that is the NE corner of said Lot 2; THENCE No. 89 deg. 36 min. West along said North line, 218.00 ft. to a point for corner; THENCE S. 0 deg. 30 min. East 100.0 feet to a point for corner; THENCE N. 89 deg. 37 min. West 98.19 ft. to a point for corner; THENCE S. 89 deg. 58 min. West 329.04 ft. to a point for corner; THENCE S. 0 deg. 62 min. East 28.18 ft. to a point for corner; THENCE S. 89 deg. 59 min. West 447.74 ft. to a point for corner; THENCE S. 75.20 ft. to a point for corner; THENCE N. 89 deg. 58 min. West 32.85 ft. to a point for corner; THENCE S. 0 deg. 06 min. West 20.15 ft. to a point for corner; THENCE N. 89 deg. 58 min. West 17.15 ft. to a point for corner in the West line of an unnamed street bounding said Mrs. Mary J. Duff's First Addition above mentioned on the West; THENCE North along the West line of said unnamed street bounding said Addition on the West 555 ft. more or less to a point for corner in the North line of Duff Avenue as shown on said Map of said Mary J. Duff's First Addition above mentioned; THENCE East along the North line of said Duff Avenue above mentioned 350 ft. to a point for corner; THENCE S. 0 deg. 30 min. East 101.78 ft. to a point for corner; THENCE N. 89 deg. 51 min. East parallel with and at all times 101.78 ft. South of, the N. line of said Duff Avenue above mentioned, 792.89 ft. to a point for corner; THENCE S. 0 deg. 25 min. East 328.22 ft. to the place of beginning.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Mesquite, Dallas County, Texas as follows:

SECTION 1: That none of the alleyways as described on the plat of MRS. MARY J. DUFF'S FIRST ADDITION to the City of Mesquite, according to the said plat recorded in Vol. 287, Page 5, Deed Records of Dallas County, Texas, were ever used or open, and none of the streets lying between Blocks A and B and between Blocks B and C were ever used or open, save and except portions thereof extending from the South boundary of said Subdivision to the North Boundary lines of Lot 4 in Block C, Lot 13 in Block B, which are now used and known as North Ebrite Street, and that portion extending from the South line of said subdivision to the northeast corner of Lot 4 in Block B and the northwest corner of Lot 10 in Block A of said addition which is now open and known as North Lawrence Street. No other portion of said dedicated streets were ever open or used and no part of any of the alleyways extending through Blocks A, B and C were ever opened or used; and

WHEREAS said lands set forth above by metes and bounds is being replatted together with other lands, into what will be known as PASADENA GARDENS ADDITION to Mesquite, Texas and it is necessary that said alleyways and the unused portions of said streets as herein specified be abandoned and quitclaimed to Howard D. Brown, Herschel G. Brown and Corinne Brown Walton, the owners of said properties abutting said streets and alleyways.

Page 2
Ordinance No. 121

SECTION II: It is necessary to abandon and quitclaim said streets and alleys in order to permit the replatting of said lands in so far as they pertain to the streets and alleyways within the area described herein.

SECTION III: The City of Mesquite does hereby abandon, release and quitclaim unto Howard D. Brown, Herschel G. Brown and Corinne Brown Walton, their heirs, successors and assigns, the present owners of the property hereinafter described, all streets and alleys as shown on the map of Mrs. Mary J. Duff's First Addition to the City of Mesquite, according to the map of said addition as recorded in Vol. 287, Page 5, Deed Records of Dallas County, Texas, in so far as located within the area described, save and except that portion of said streets or alleys now open and included or lying in North Ebrite Street, being that portion from the South boundary line of the hereinafter described tract to the South line of Kearney Street, formerly Gross Road, and that portion now open known as North Lawrence Street from the South boundary line of the hereinafter described property to the South line of Kearney Street and any portion thereof now lying or situated in Kearney Street, formerly Gross Road, as now open. The streets and alleyways hereby abandoned are located within the area described by metes and bounds as follows:

BEGINNING at a point on the N. line of Lot 2 in Block A/43 of said above mentioned Addition at a point that is the NE corner of said Lot 2; THENCE N. 89 deg. 36 min. West along said N. line, 218.00 ft. to a point for corner; THENCE S. 0 deg. 30 min. East 100.00 ft. to a point for corner; THENCE N. 89 deg. 37 min. West 93.19 ft. to a point for corner; THENCE S. 89 deg. 58 min. West 329.04 ft. to point for corner; THENCE S. 0 deg. 62 min. East 28.18 ft. to a point for corner; THENCE S. 89 deg. 59 min. West 447.74 ft. to a point for corner; THENCE S. 75.20 ft. to a point for corner; THENCE N. 89 deg. 58 min. West 32.85 ft. to a point for corner; THENCE N. 89 deg. 58 min. West 32.85 ft. to a point for corner; THENCE S. 0 deg. 06 min. West 20.15 ft. to a point for corner; THENCE N. 89 deg. 58 min. West 17.15 ft. to a point for corner in the West line of an unnamed street bounding said Mrs. Mary J. Duff's First Addition above mentioned on the West; THENCE North along the W. line of said unnamed street bounding said Addition on the West, 555 ft. more or less to a point for corner in the N. line of Duff Avenue as shown on said Map of said Mary J. Duff's First Addition above mentioned; THENCE E. along the N. line of said Duff Avenue above mentioned 350 ft. to a point for corner; THENCE S. 0 deg. 30 min. East 101.78 ft. to a point for corner; THENCE N. 89 deg. 51 min. East parallel with and at all times 101.78 ft. south of the N. line of said Duff Avenue above mentioned, 792.89 ft. to a point for corner; THENCE S. 0 deg. 25 min. East 328.22 ft. to the place of beginning.

And the City of Mesquite, acting through its Mayor and attested by the City Secretary, is authorized to execute in the name of and behalf of said City a Quit Claim Deed to the said Howard D. Brown, Herschel G. Brown and Corinne Brown Walton releasing and quitclaiming unto them any portions of said streets and alleyways that lie within the bounds of the property above described, save and except those portions now open and used by North Lawrence Street, North Ebrite Street and Kearney Street as described herein.

SECTION IV: That an emergency exists for the reason that such unused streets and alleyways must be abandoned and quitclaimed to permit the replatting of said lands into what shall be known as Pasadena Gardens Addition as such streets and alleyways conflict with such replatting, and it is not desirable to re-subdivide and develop said lands until such unopen streets and alleyways are abandoned and quitclaimed; and that such streets and alleyways are not now open and used as streets and alleyways in the City of Mesquite and not now needed for such purposes or any portions thereof; that the same should be relinquished to the owners of said tract in order that it may be re-subdivided and developed. Said improvements will

Page 3
Ordinance No. 121

enhance the value and beautify said lands, and the rule requiring ordinances to be read at two regular meetings shall be suspended, and the same is hereby suspended, and this Ordinance is put upon its final reading herewith, and passed by a vote of 3 ayes and 1 nayes, and said portions of said streets and all alleyways within the area described is hereby relinquished to the said Howard D. Brown, Herschel G. Brown and Corinne Brown Walton, the present adjacent tract owners.

PASSED AND APPROVED, this 7th day of June, A. D., 1955.

J. B. Andrews
J. B. Andrews
Mayor

ATTEST:

Norma Gene Mc Gaughy
(Mrs.) Norma Gene Mc Gaughy
City Secretary

ORDINANCE NO. 122

AN ORDINANCE ESTABLISHING THE FEE TO BE CHARGED FOR EACH APPLICATION FOR A ZONING DISTRICT CHANGE OR SPECIAL PERMIT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE:

SECTION 1. Each application for a change in a zoning district or a special permit under Ordinance No. 120 shall be accompanied by a fee of \$15.00.

SECTION 2. Should the City Planning and Zoning Commission recommend disapproval of a requested zoning district change or special permit, the case may be dropped by the applicant at that time and \$5.00 may be refunded. If the case is heard by the City Council the full \$15.00 is expended. Action by the City Council is final and the same request may not be brought before the City Planning and Zoning Commission for one year without extenuating circumstances.

PASSED AND APPROVED this 7th day of June, 1955.

J. B. Andrews
J. B. Andrews
Mayor

ATTEST:

Norma Gene Mc Gaughy
Norma Gene Mc Gaughy
City Secretary

*Zoning change application
fee \$15.00 plus 1.00 for notice
of con. 1-9-16-55 - 20ms:
\$15.00 to 25.00 plus 1.00 for
each notice mailed. J.M.G.*