

ORDINANCE NO. 185

AN ORDINANCE AMENDING ORDINANCE NO. 120 ENACTED BY THE CITY COUNCIL ON MAY 3, 1955 BY PERMITTING THE FOLLOWING DESCRIBED PROPERTY WHICH IS PRESENTLY ZONED RESIDENTIAL, TO-WIT: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND IN DALLAS COUNTY, TEXAS, TO-WIT: BEING A PART OF THE WOODFIELD CASTEEL SURVEY, ABSTRACT 343 AND A PART OF THAT CERTAIN 4.28 ACRES OUT OF SAID SURVEY CONVEYED BY ARMA MOON, ET VIR TO SAM RUTHERFORD BY DEED DATED FEBRUARY 25, 1935, AND RECORDED IN VOL. 1879, PAGE 249, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF A PUBLIC ROAD 235 FEET NORTH OF THE NORTHWEST CORNER OF THE J. R. PASCHALL 16.95 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF THE WALTER WEST TRACT; THENCE NORTH ALONG THE EAST LINE OF SAID ROAD TO A POINT FOR THE BEGINNING OF A CURVE; THENCE NORTH 25 DEGREES EAST 59 FEET; THENCE NORTH 61 DEGREES EAST 50 FEET; THENCE NORTH 71 DEGREES EAST 46 FEET; THENCE EAST 300 FEET, MORE OR LESS, TO A POINT FOR CORNER IN THE WEST LINE OF A STREET; THENCE SOUTH WITH THE WEST LINE OF SAID STREET 97 FEET MORE OR LESS TO THE NORTHEAST CORNER OF THE WALTER WEST TRACT; THENCE WEST ALONG THE NORTH LINE OF THE WALTER WEST TRACT 380 FEET MORE OR LESS TO THE PLACE OF BEGINNING, TO BE USED UNDER A SPECIAL PERMIT FOR THE ESTABLISHMENT OF A NURSERY; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE PLANS AND SPECIFICATIONS SUBMITTED THEREFOR AND APPROVED BY THE CITY PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning and Zoning 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 the State Law with reference to the granting of Special Permits under the Zoning Ordinance regulations and zoning map have given the requisite notices by publications and otherwise and after holding the hearing and affording a full and fair hearing to all property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof, the Governing Body of the City of Mesquite is of the opinion that said Special Permit should be granted, subject to the conditions set out herein.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Ordinance No. 120 enacted by the City Council on May 3, 1955 be and is hereby amended insofar as the property hereinafter described is concerned, which is presently zoned Residential, shall be used under a Special Permit for the establishing of a nursery.

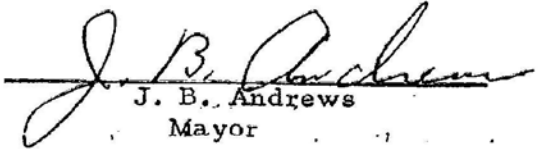
Being a part of the Woodfield Casteel Survey, Abstract 343 and a part of that certain 4.28 acres out of said survey conveyed by Arma Moon, et vir to Sam Rutherford by deed dated February 25, 1935, and recorded in Vol. 1879, page 249, deed records of Dallas County, Texas, and more particularly described by metes and bounds as follows: Beginning at a point in the East line of a public road 235 feet North of the Northwest corner of the J. R. Paschall 16.95 acre tract, same being the Northwest corner of the Walter West tract; thence North along the East line of said road to a point for the beginning of a curve; thence North 25 degrees East 59 feet; thence North 61 degrees East 50 feet; thence North 71 degrees East 46 feet; thence East 300 feet, more or less, to a point for corner in the West line of a street; thence South with the West line of said street 97 feet more or less to the Northeast corner of the Walter West tract; thence West along the North line of the Walter West tract 380 feet more or less to the place of beginning.

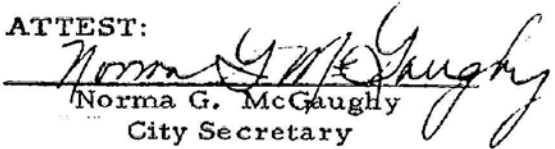
SECTION 2. That this Special Permit for the operation of a nursery in the hereinabove described property is approved and granted upon the following express conditions and in accordance with Section 4 of the Zoning Ordinance.

- (1) That the site plan for the proposed nursery shall be approved by the City Planning and Zoning Commission and shall be generally in conformance therewith. Such approved site plan may be revised or amended if such revision of amendment thereof is first approved by the City Planning and Zoning Commission.
- (2) That no signs or billboards other than those pertaining to the occupancy of the premises or commodities sold thereon shall be permitted.
- (3) That any person, firm or corporation violating any of the terms and provisions of this Ordinance shall be subject to the same penalties provided for in Ordinance No. 120.

SECTION 3. WHEREAS, it appears that the subject property of this Ordinance is to be used under a Special Permit for the operation of a nursery, subject to certain conditions and will serve the public interest, comfort and general welfare and requires that this Ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED this 15th day of October, 1957.


J. B. Andrews
Mayor

ATTEST:

Norma G. McCaughy
City Secretary