

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 TRACTS OF REAL PROPERTY AS FOLLOWS: TRACT NUMBER ONE FROM "A" MULTIPLE-FAMILY DWELLING DISTRICT TO "C" COMMERCIAL DISTRICT; TRACT NUMBER TWO FROM "A" MULTIPLE-FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL DISTRICT; BOTH TRACTS OF PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS: TRACT I ("A" TO "C"); BEING A PART OF THE W. A. COLE SURVEY, ABSTRACT NO. 261, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF U. S. HIGHWAY 67 (INTERSTATE HIGHWAY 30) SAID POINT ALSO BEING A CUTBACK CORNER OF BIG TOWN BOULEVARD (SHILOH ROAD) A POINT FOR CORNER; THENCE NORTH $31^{\circ} 04'$ EAST, 200.0 FEET TO A POINT IN THE WEST LINE OF SAID BIG TOWN BOULEVARD FOR CORNER; THENCE NORTH $9^{\circ} 56'$ WEST, 418.89 FEET TO A POINT FOR CORNER; THENCE SOUTH $80^{\circ} 04'$ WEST, 200.0 FEET TO A POINT FOR CORNER; THENCE SOUTH $9^{\circ} 56'$ EAST, 265 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE SOUTH $61^{\circ} 04'$ WEST, PARALLEL TO AND 310.0 FEET FROM THE SAID NORTH LINE OF U. S. HIGHWAY NO. 67, 1478 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE SOUTH $1^{\circ} 32'$ WEST, 360 FEET, MORE OR LESS, TO A POINT IN THE SAID NORTH LINE OF U. S. HIGHWAY NO. 67 FOR CORNER; THENCE NORTH $61^{\circ} 04'$ EAST, AND ALONG SAID NORTH LINE OF U. S. HIGHWAY NO. 67, 1624.80 FEET TO THE PLACE OF BEGINNING AND CONTAINING 13.2 ACRES MORE OR LESS. TRACT II ("A" TO "LR"); BEING A PART OF THE W. A. COLE SURVEY, ABSTRACT NO. 261, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF JOHN WEST ROAD (50 FEET FROM CENTERLINE) AND THE WEST LINE OF BIG TOWN BOULEVARD (50 FEET FROM CENTERLINE) A POINT FOR CORNER; THENCE NORTH $89^{\circ} 56' 30''$ WEST, AND ALONG THE SAID SOUTH LINE OF JOHN WEST ROAD, 200.0 FEET TO A POINT FOR CORNER; THENCE SOUTH $0^{\circ} 03' 30''$ WEST, 540 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID BIG TOWN BOULEVARD A POINT FOR CORNER; THENCE NORTH $67^{\circ} 47'$ EAST, 154 FEET, MORE OR LESS, TO A POINT FOR CORNER; THENCE NORTH $19^{\circ} 23'$ EAST 137.60 FEET TO A POINT FOR CORNER; THENCE SOUTH $89^{\circ} 30' 30''$ EAST, 12.20 FEET TO A POINT FOR CORNER; THENCE NORTH $0^{\circ} 03' 30''$ EAST, ALONG SAID WEST LINE OF BIG TOWN BOULEVARD, 349.23 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.2 ACRES, MORE OR LESS. 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 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 hereinafter described tracts of real property as follows: Tract Number One from "A" Multiple-Family Dwelling District to "C" Commercial District; Tract Number Two from "A" Multiple-Family Dwelling District to "LR" Local Retail District; both tracts of property being in the City of Mesquite, Dallas County, Texas, and being described as follows:

TRACT I
("A" to "C")

BEING a part of the W. A. Cole Survey, Abstract No. 261, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the North line of U. S. Highway 67 (I.H. 30) said point also being a cutback corner of Big Town Boulevard (Shiloh Road) a point for corner;

THENCE North 31° 04' East, 200.0 feet to a point in the West line of said Big Town Boulevard for corner;

THENCE North 9° 56' West, 418.89 feet to a point for corner;

THENCE South 80° 04' West, 200.0 feet to a point for corner;

THENCE South 9° 56' East, 265 feet, more or less, to a point for corner;

THENCE South 61° 04' West, parallel to and 310.0 feet from the said North line of U. S. Highway No. 67, 1478 feet, more or less, to a point for corner;

THENCE South 1° 32' West, 360 feet, more or less, to a point in the said North line of U. S. Highway 67 for corner;

THENCE North 61° 04' East, and along said North line of U. S. Highway 67, 1624.80 feet to the Place of Beginning and containing 13.2 acres more or less.

TRACT II
("A" to "LR")

BEING a part of the W. A. Cole Survey, Abstract No. 261, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the South line of John West Road (50 feet from centerline) and the West line of Big Town Boulevard (50 feet from centerline) a point for corner;

THENCE North 89° 56' 30" West, and along the said South line of John West Road, 200.0 feet to a point for corner;

THENCE South 0° 03' 30" West, 540 feet, more or less, to a point on the Westerly Right-of-Way line of said Big Town Boulevard a point for corner;

THENCE North 67° 47' East, 154 feet, more or less, to a point for corner;

THENCE North 19° 23' East 137.60 feet to a point for corner;

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THENCE South 89° 30' 30" East, 12.20 feet to a point for corner;

THENCE North 0° 03' 30" East, along said West line of Big Town Boulevard, 349.23 feet to the Place of Beginning and containing 2.2 acres more or less.

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.

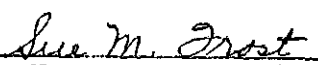
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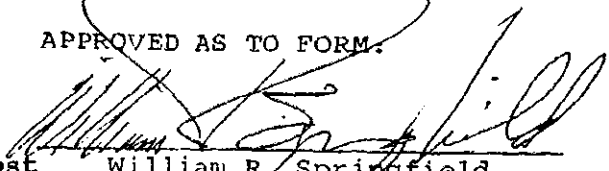
DULY PASSED by the City Council of the City of Mesquite, Texas,
on the 18th day of August, A. D., 1969.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Sue M. Frost
Acting City Secretary


William R. Springfield
City Attorney

