

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS LEVYING ASSESSMENTS AGAINST THE VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET AND HIGHWAY IN THE CITY OF MESQUITE, TEXAS, TO-WIT: NORTH GALLOWAY AVENUE FROM GUS THOMASSON ROAD AND BELT LINE ROAD WYE TO THE TEXAS & PACIFIC RAILROAD TRACK; PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A LIEN AND CHARGE AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET AND HIGHWAY, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore a resolution was duly adopted by the City Council ordering the improvements of North Galloway Avenue from Gus Thomasson Road and Belt Line Road Wye to the Texas & Pacific Railroad Track by paving said street with 7-inch thick reinforced 3,000 P.S.I. concrete pavement; with 6-inch height roll-type integral curbs; with 6-inch thick reinforced concrete driveway approaches and alley returns; and 4-inch thick concrete sidewalks, where specified, so that the roadway width from about 482 feet North of the centerline of Municipal Way South to Kearney Street shall be 62 feet from back of curb to back of curblines, except where left turns are specified, and then said roadway width shall be 72 feet wide. From Kearney Street to about 170 feet South of the centerline of McKinney Street the roadway width shall taper from 72 feet from back of curb to back of curblines to 41 feet from back of curb to back of curblines. From about 170 feet South of the centerline of McKinney Street South to the Texas and Pacific Railroad Track the roadway width shall be 41 feet from back of curb to back of curblines. Any existing curbs and gutters in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and

WHEREAS, pursuant to said resolution, specifications were prepared for said work by the Director of Public Works, filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and

WHEREAS, thereafter in compliance with the law, the Director of Public Works prepared his statements or lists showing the names of property owners upon said street and highway, the description of their property, the total cost of the said improvements, the cost thereof per front foot and the cost of each property owner; said statements possessing all the other requisites required by law; and

WHEREAS, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, their agents, or attorneys, all in accordance with the terms of applicable law, at which hearing said owners were to be heard as to the benefits of said improvements to their property, as to any error or invalidity in said proceedings or to any matter or thing connected with the said improvements; and

WHEREAS, the said resolution in connection with the improvements of said street and highway was duly adopted in compliance with the law on the 19th day of November, 1962; and

WHEREAS, thereafter, in accordance with the terms of the law, the City Secretary of the City of Mesquite gave notice to the property owners on said street and highway, their agents and attorneys, of said hearing, by publishing a copy of said resolution one time in the TEXAS MESQUITER, a weekly paper of general circulation in the City of Mesquite ten days prior to the days set for the hearing, to-wit, the 17th day of December, 1962; and the City Secretary also gave notice of said hearing by posting letters containing the same to the property owners, their agents and attorneys, ten days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and

WHEREAS, said hearing was had at the time and place mentioned in the said resolution and notice, to-wit, on the 17th day of December, 1962, at 2:30 P.M. at the Council Chamber in the City Hall of the City of Mesquite, Texas, which hearing was continued from day to day, and time to time, until the 17 day of Dec., 1962, and was then closed; and

WHEREAS, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner to be heard concerning the benefits thereof, or in any other matter, were heard, and error and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected;

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

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 17th day of December, 1962, in these proceedings is hereby ratified and confirmed by this ordinance; that the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street and highway hereinbelow mentioned and against the owners thereof, and that such assessments and changes are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice and equality and uniformity among the respective owners of the respective properties and among all parties concerned, considering the benefits received and burdens imposed, and further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance, and further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and the proceedings of the City heretofore had with reference to said improvements and is in all respects valid and regular.

SECTION 2. There shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same, and the owners thereof, as far as such owners are known, being as follows:

NO. 1

OWNER

TEXAS & PACIFIC  
RAILWAY COMPANY

LOCATION OF  
IMPROVEMENTS

No. Galloway Avenue

FRONT  
FOOTAGE

90 ft.

AMOUNT OF  
ASSESSMENT

\$ 1,646.07

NO. 2

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
FOREST THOMPSON and wife, ZONA THOMPSON  5171/231	No. Galloway Ave.	50 ft.	\$ 833.00

PROPERTY DESCRIPTION

Being the South part of Lots 1, 2, 3, 4 and 5 in Block B-2/34 of Frost's Addition to the City of Mesquite, Dallas County, Texas, and being part of that certain tract conveyed by Newt H. Raglin and wife, Lela Raglin, to Forest Thompson and wife, Zona Thompson, by deed dated June 24, 1959, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the intersection of the West right of way line of Galloway Avenue and the North right of way line of West Texas Street;  
THENCE in a Northerly direction along the West right of way line of Galloway Avenue a distance of 50 feet to a point for corner;  
THENCE in a Northwesterly direction, parallel to the North right of way line of West Texas Street a distance of 110 feet to a point for corner;  
THENCE in a Southerly direction, parallel to the common lot line of Lots 4 and 5 a distance of 50 feet to a point in the North right of way line of West Texas Street;  
THENCE in a Southeasterly direction along the North right of way line of West Texas Street a distance of 110 feet to the place of beginning.

NO. 3

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
MESQUITE FENCE COMPANY 5714/71	No. Galloway Avenue	50 ft.	\$ 833.00

PROPERTY DESCRIPTION

Being the North part of Lots 2, 3 and 4 in Block B-2/34 of Frost's Addition to the City of Mesquite, Dallas County, Texas, and part of Lots 1 and 5 of said Block B-2/34, and being that certain tract deeded to Mesquite Fence Company by Charles S. Singleton and wife, Ysonde Singleton, by deed filed February 14, 1962, recorded Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at a point 20 feet Northwest of the intersection of the South right of way line of the alley North of West Texas Street and the West right of way line of Galloway Avenue;  
THENCE in a Northwesterly direction along the South right of way line of said alley a distance of 90 feet to a point for corner;  
THENCE in a Southerly direction, parallel to the common lot line of Lots 4 and 5 a distance of 50 feet to a point for corner;  
THENCE in a Southwesterly direction, parallel with the Southwest right of way line of the beforementioned alley a distance of 90 feet to a point for corner;  
THENCE in a Northerly direction, parallel to the common lot line between Lots 1 and 2 a distance of 50 feet to the place of beginning.

NO. 4.

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
MESQUITE FENCE COMPANY  5171/229	No. Galloway Avenue	75 ft.	\$ 1,249.50

PROPERTY DESCRIPTION

Being that certain lot, tract or parcel of land situated in Dallas County, Texas and being a part of the McKinney & Williams Survey and part of Block 45 in the Town of Mesquite, Dallas County, Texas, and being that certain tract conveyed by Howard E. Lang and wife, Ruth M. Lang, to Mesquite Fence Company by deed dated August 19, 1959, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the Southeast corner of said Block 45, same being the Northwest corner of the intersection of Galloway Avenue and a 20 ft. alley;

THENCE West along the South line of Block 45 and the North line of a 20 ft. alley, 190 feet to a point for corner;

THENCE in a Northerly direction 62.5 feet to a point for corner, same being the Southwest corner of said certain tract conveyed to R. S. Kimbrough by deed recorded in Volume 898, page 636, Deed Records of Dallas County, Texas;

THENCE in an Easterly direction, along the South line of the old Kimbrough tract, 187 feet to a point for corner;

THENCE South along the East line of Block 45 75 feet to the place of beginning, being the same property conveyed to Howard E. Lang et ux by James J. Bogart et ux by deed recorded in Vol. 3125, page 495 of the Deed Records of Dallas County, Texas.

NO. 5

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
HUGH F. DAHN and BERTHA F. DAHN  3402/423	No. Galloway Avenue	75 ft.	\$ 206.25

PROPERTY DESCRIPTION

Being a part of the McKinney and Williams Survey, Abstract No. 1024 and being a part of Block 45 of the town of Mesquite, Dallas County, Texas, and being that certain tract conveyed by C. A. Ragsdale and wife, Eula Fay Ragsdale, to Hugh F. Dahn and Bertha F. Dahn by deed dated October 24, 1950, recorded Dallas County Deed Records, and being more particularly described as follows:

Beginning at the Northeast corner of that certain tract of land described in the deed from James J. Bogart and wife to Howard E. Lang and wife, dated April 27, 1949, recorded in Vol. 3125, page 495, Deed Records of Dallas County, Texas, which point is in the East line of the said Block 45 and the West line of Garland Street (Galloway Avenue), 95 ft. North of the Northeast corner of Lot 1, Block 2, of Frost's Addition to the town of Mesquite, and being 75 ft. North of the intersection of the North line of a 20 ft. alley with the West line of Garland Street (Galloway Avenue), in said town of Mesquite; THENCE in a Westerly direction with the North line of the said tract conveyed by Bogart to Lang, 207 ft., more or less, to the Northwest corner of the said tract; THENCE in a Northerly direction 62.5 ft., more or less, to a point, the Northwest corner of that certain tract conveyed to R. S. Kimbrough by deed of record in Vol. 898, page 636, Deed Records of Dallas County, Texas; THENCE in an Easterly direction with the North line of the said Kimbrough tract, 207 ft., more or less to a point in the West line of Garland Street (Galloway Avenue); THENCE in a Southerly direction, with the West line of the said Garland Street (Galloway Avenue), 75 feet, more or less, to the place of beginning.



NO. 6

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
CECIL MALONE	No. Galloway Avenue	68 ft.	\$ 187.00

2504/238

PROPERTY DESCRIPTION

Being that tract of land located in the Town of Mesquite, County of Dallas, State of Texas, known as Lot No. One (1), in Block No. Forty-five (45), Frost's Addition to the Town of Mesquite, and being that certain tract conveyed by S. C. Hass and wife, Jennie Hass, to Cecil Malone by deed dated August 25, 1944, recorded Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at the Southeast corner of the tract conveyed to J. H. Mercer by J. D. Brunner, et al, on August 18, 1894, recorded in Vol. 167, page 342 of the Deed Records of Dallas County, Texas;  
THENCE West 71-1/2 yards to Southwest corner of said Mercer tract;  
THENCE North 25 yards, a stake for corner;  
THENCE East 71-1/2 yards, a stake for corner;  
THENCE South 25 yards to the place of beginning.

NO. 7

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
W. H. BRADFIELD, JR.	No. Galloway Avenue	57 ft.	\$ 949.62

PROPERTY DESCRIPTION

Being a tract of land located in the McKinney and Williams Survey in the Town of Mesquite, Texas, and being that certain tract conveyed to W. H. Bradfield, Jr. by R. D. Wagoner and wife, Tahmeroo Bertha Wagoner by deed dated October 3, 1962, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the Northwest corner of the intersection of Galloway Avenue and Kimbrough Street;

THENCE Westerly along the North right of way line of Kimbrough Street a distance of 183.5 feet to point for corner;

THENCE Northerly along a line 183.5 feet from and parallel to the West right of way line of Galloway Avenue a distance of 57 feet to point for corner;

THENCE Easterly a distance of 183.5 feet to a point for corner in the West right of way line of Galloway Avenue;

THENCE Southerly along the West right of way line of Galloway Avenue a distance of 57 feet to the place of beginning.

NO. 8

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
BRAXTON BRAGG JOBSON 1783/388	No. Galloway Avenue	115	\$ 316.25

PROPERTY DESCRIPTION

Being a tract of land located in the Town of Mesquite, in Dallas County, Texas, and being that certain tract conveyed by Mary Jane Jobson to Braxton Bragg Jobson by deed dated December 30, 1932, recorded Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at a stake 195 feet South of the Southeast corner of the J. Lakey 160 acre Survey;  
THENCE South 115 feet to stake E. B. Cullum Northeast corner;  
THENCE West  $214\frac{1}{2}$  feet with E. B. Cullom's North line to stake;  
THENCE North 115 feet to stake 10 feet South of B. E. Hudgins tract;  
THENCE East  $214\frac{1}{2}$  feet to the place of beginning and being the same tract of land conveyed by Harry H. Jobson and wife Dollie Jobson to W. S. Jobson dated November 17, 1912, recorded in Vol. 603, page 71, Deed Records of Dallas County, Texas.

NO. 9

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
ETHEL PEARL POTTER 5095/576	No. Galloway Avenue	80 ft.	\$ 220.00

PROPERTY DESCRIPTION

Being a tract of land situated in the City of Mesquite, Dallas County, Texas, and being a part of the McKinney and Williams Survey, Abstract No. 1024, and being that certain tract conveyed by Lowell Johnson and wife, Evelyn Johnson, John Kahlden and wife, Thelma Kahlden, Cecil Potter and wife, Josephine Potter, Charles F. Potter and wife, Mary K. Potter, and Hattie M. Creighton, to Ethel Pearl Potter by deed recorded April 29, 1959, Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at a stake 185 feet South of the Southeast corner of the J. Lackey 160 acre Survey;  
THENCE North 80 feet to a stake;  
THENCE West 214.5 feet to a stake;  
THENCE South 80 ft. to a stake;  
THENCE East 214.5 feet to the place of beginning.

NO. 10

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
JEAN F. MC CULLOUGH 4400/11	No. Galloway Avenue	85 ft.	\$ 233.75

PROPERTY DESCRIPTION

Being a tract of land situated in the Town of Mesquite, Dallas County, Texas, and being out of an original 102 acre tract patented to Samuel Coates as assignee of McKinney & Williams, and being 50 yards North and South by 71½ yards East and West off of the North end of a 2-35/132 acre tract deeded to J. H. Mercer by Robt. L. Bounds et al, August 18, 1894, recorded in Vol. 167, page 342, Deed Records, Dallas County, Texas; being the same property conveyed to R. F. Bryant by Effie Davis et al by deed recorded in Vol. 2005 page 225, Deed Records, Dallas County, Texas, and being that certain tract conveyed by Vernon D. Smith and wife, Mayme Estelle Smith, to Jean F. McCullough by deed dated November 14, 1955, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the intersection of McKinney Avenue and Garland (Galloway) Street;  
THENCE West along the South line of McKinney Avenue a distance of 198 feet to a point for corner;  
THENCE in a Southerly direction and parallel to Garland (Galloway) 85 feet to a point for corner;  
THENCE East and parallel to McKinney Avenue a distance of 214.5 feet to a point in the West line of Garland (Galloway) Street;  
THENCE North along the West line of Garland Street 85 feet to the place of beginning; and being the same property conveyed to Vernon D. Smith by E. S. Bryant, Bessie Bruton and C. L. Bruton on or about October 14, 1943.

No. 11

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
E. F. VANSTON 357/257	No. Galloway Avenue	100 ft.	\$ 275.00

PROPERTY DESCRIPTION

Being Lot 1, Block A43 of the Mary J. Duff Addition to the Town of Mesquite, Dallas County, Texas, according to the map of said Addition as appears of record in Vol. 287, page 5 Deed Records for Dallas County, Texas, and being that certain tract conveyed by Mary J. Duff to E. F. Vanston by deed recorded April 7, 1904, Dallas County Deed Records.

NO. 12

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
RUTH L. HANBY	No. Galloway Avenue	100 ft.	\$ 275.00

4010/577

PROPERTY DESCRIPTION

Being Lot 2 in Block A of the Mary J. Duff Addition to the Town of Mesquite, Dallas County, Texas, according to the map thereof recorded in Volume 287, page 5, of the Deed Records of Dallas County, Texas, and being that certain tract conveyed by Sue Cartwright to Ruth L. Hanby by deed dated March 29, 1954, recorded Dallas County Deed Records.

NO. 13

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
MORRIS WIESENFELD 5615/556	No. Galloway Avenue	95 ft.	\$ 1,614.05

PROPERTY DESCRIPTION

Being Lot 3-A of the Resubdivision of Lot 3 of Mary Duff Addition to the City of Mesquite, Texas, per map of said resubdivision recorded in Vol. 45, page 215, Map Records of Dallas County, Texas.



<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
HUMBLE OIL & REFINING CO.	No. Galloway Avenue	141.8 ft.	\$ 2,415.42

PROPERTY DESCRIPTION

Being a tract of land located in the J. Lakey Survey, Abstract No. 810, in the City of Mesquite, Dallas County, Texas, and being that certain tract conveyed to Humble Oil & Refining Company by deed dated September 29, 1959 recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the Northwest corner of the intersection of Galloway Avenue and Kearney Street;  
 THENCE Westerly along the North right of way line of Kearney Street a distance of 125 feet to point for corner;  
 THENCE Northerly along a line 125 feet from and parallel to the West right of way line of Galloway Avenue a distance of 142.28 feet to point for corner;  
 THENCE Easterly a distance of 125 feet to a point for corner in the West right of way line of Galloway Avenue;  
 THENCE Southerly along the West right of way line of Galloway Avenue a distance of 141.8 feet to the place of beginning.

NO. 15

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
JEAN F. MC CULLOUGH 4251/604	No. Galloway Avenue	540.5 ft.	\$ 9,787.40

PROPERTY DESCRIPTION

Being that certain tract of land situated in the City of Mesquite, Dallas County, Texas, and being part of the Jacob Lakey Survey, of 160 acres, and further being that certain tract conveyed by R. N. Kearney and wife, Lillie Kearney, to Jean F. McCullough by deed dated April 29, 1955, recorded Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at the Northeast corner of said tract, being the Southwest corner of the intersection of Galloway Avenue and Municipal Way;  
THENCE Southerly along the West right of way line of Galloway Avenue a distance of 540.5 feet to point for corner;  
THENCE Westerly a distance of 842 feet to point for corner;  
THENCE Northerly along a line 842 feet from and parallel to the West right of way line of Gus Thomasson Road a distance of 540.5 feet to point for corner;  
THENCE Easterly a distance of 842 feet to the place of beginning.

NO. 16

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
RICHARD P. WEBB and wife, MARY ANITA WEBB  3851/564	No. Galloway Ave.	175 ft.	\$ 752.69

PROPERTY DESCRIPTION

Being that certain lot, tract or parcel of land situated in Dallas County, Texas, to-wit: Being a part of the Jacob Lakey Survey, Pat. No. 287. Volume 27, Abstract No. 810, and being a part of a tract of 80 acres, more or less, described in Deed from I. N. Range et ux to E. A. Grubb, dated August 7, 1926, recorded in Volume 1344, page 489, Deed Records of Dallas County, Texas, and being the same property conveyed by Deed from E. A. Grubb and wife, Rosie Grubb, to M. E. Moyer, dated December 10, 1945, of record in Volume 2615, page 193, Deed Records of Dallas County, Texas, and being that certain tract conveyed by Modine Moyer, a widow, to Richard P. Webb and wife, Mary Anita Webb, by deed dated May 14, 1953, recorded Dallas County Deed Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the West line of Gus Thomasson Road, and on the South line of the tract of 3 acres deeded by E. A. Grubb to the County of Dallas on August 15, 1935;

THENCE South on the West line of Gus Thomasson Road, 384 feet, more or less, to a point on the North line of a 6 acre tract deeded by E. A. Grubb and wife, to S. C. Hass on December 8, 1926;

THENCE West on the North line of said S. C. Hass 6 acre tract a distance of 587 feet to a point thereof;

THENCE in a Northeasterly direction 386 feet, more or less, to a point on a continuation of the South line of said County of Dallas 3 acre tract which is 547 feet from the place of beginning;

THENCE East passing through the Southwest corner of said County of Dallas 3 acre tract and continuing East on the South line thereof, a distance of 547 ft. to the place of beginning and containing approximately 5 acres, more or less.

NO. 17

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
J. E. SHORT and wife, MARY SHORT  2537/288	No. Galloway Ave.	163.9 ft.	\$ 450.73

PROPERTY DESCRIPTION

Being a part of Lots 2, 3 and 4, Block 1, Frost's Addition to the Town of Mesquite, Dallas County, Texas, as appears of record in Vol. 183 page 613, Deed Records of Dallas County, Texas, and being that certain tract conveyed by J. T. Coe and wife, Dorothy Coe, to J. E. Short and wife, Mary Short, by deed dated February 12, 1945, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 4;  
THENCE North along its West line 163 feet to stake for corner;  
THENCE East 190 feet to stake in East line of Lot 3, 100 feet from its Northeast corner;  
THENCE South 41½ feet to stake in the Northwest corner of that part of Lot 2 conveyed to R. S. Kimbrough by H. A. White and wife by deed dated April 9, 1901, recorded in Vol. 257 page 80 Deed Records of Dallas County, Texas;  
THENCE East 50 feet to stake for corner;  
THENCE South to South line of Lot 2;  
THENCE West along the South line of said Lots 2, 3 and 4 to place of beginning and being the same property conveyed to Mrs. Belle Daniel by Mrs. Ellie Cumby et vir by deed recorded in Vol. 2133; page 540 Deed Records of Dallas County, Texas;  
SAVE AND EXCEPT that portion of said land being 30 x 141.5 x 30 x 143.5 feet conveyed to H. L. Raney by Belle Daniel et vir by deed recorded in Vol. 2281, page 159, Deed Records of Dallas County, Texas.

NO. 18



<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
BERTHA D. GALLOWAY	No. Galloway A <sup>v</sup> e.	100 ft.	\$ 275.00

3514/467

PROPERTY DESCRIPTION

Being that certain lot, tract or parcel of land lying and being situated in the City of Mesquite, Dallas County, Texas, being a part of Lots Nos. Three (3) and Four (4) in Block One (1) of J. S. Frost's Addition to the Town of Mesquite, Dallas County, Texas, and being that certain tract conveyed by Clara G. Bowser to Bertha D. Galloway by deed dated June 6, 1951, recorded Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot No. Four (4);

THENCE East 108 feet to a point in the North line of Lot Three (3) for corner;

THENCE South 100 feet to point for corner;

THENCE West 108 feet to the West line of Lot No. Four (4) to point for corner;

THENCE North 100 feet along the West line of Lot No. Four (4) to the place of beginning.



NO. 19

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
FIRST METHODIST CHURCH OF MESQUITE	No. Galloway Ave.	260 ft.	\$ 715.00

67/386  
2607/622  
3529/428

PROPERTY DESCRIPTION

Being that certain tract of land situated in the J. McDaniel Survey, Abstract No. 967 in the City of Mesquite, Dallas County, Texas, and being those tracts conveyed to the First Methodist Church of Mesquite by deeds dated September 6, 1884, December 17, 1945 and July 11, 1951, and being more particularly described as follows:

BEGINNING at the Northeast corner of the intersection of Galloway Avenue and Kimbrough Street;

THENCE Northerly along the East right of way line of Galloway Avenue a distance of 260 feet to a point for corner;

THENCE Easterly 228 feet;

THENCE Southerly 260 feet to a point for corner in the North right of way line of Kimbrough Street;

THENCE Westerly along the North right of way line of Kimbrough Street to the place of beginning.

NO. 20

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
BEDFORD GALLOWAY	No. Galloway Ave.	110 ft.	\$ 302.50

3823/76

PROPERTY DESCRIPTION

Being a 110 ft. x 230 ft. tract of land out of the John McDaniel Survey, Abstract No. 967, in the City of Mesquite, Dallas County, Texas, and known as the Bedford Galloway Homestead tract, and being more particularly described as follows:

BEGINNING at a point 260 feet North from the Southwest corner of said John McDaniel Survey, Abstract No. 967, said point being the Northwest corner of a tract of land conveyed by J. B. Galloway, et al, to N. E. Shands, et al, trustees of the First Methodist Church of Mesquite, Texas, by deed dated June 28, 1951, filed for record on July 11, 1951, Deed Records of Dallas County, Texas;

THENCE East along the North line of said Church tract, 230 feet to point for corner;

THENCE North 110 feet to point for corner;

THENCE West and parallel with the said North line of said Church tract, 230 feet to point for corner in the West line of said Survey;

THENCE South along the West line of said Survey, 110 feet.

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
J. B. GALLOWAY	No.Galloway Ave. -Tract 1-	38.3 ft.	\$ 117.81
	No.Galloway Ave. -Tract 2-	371.15 ft.	\$ <u>6,832.62</u>
			\$ 6,950.43

PROPERTY DESCRIPTION

Tract 1 - Being a tract of land out of the John McDaniel Survey, Abstract No. 967 in the City of Mesquite, Dallas County, Texas, and being that tract conveyed to J. B. Galloway by deed dated March 25, 1953, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at a point in the East right of way line of Galloway Avenue, said point being 371.15 feet South of the Southeast corner of the intersection of Galloway Avenue and Kearney Street;

THENCE Easterly and perpendicular to the East right of way line of Galloway Avenue a distance of 198.2 feet to point for corner;

THENCE Southerly a distance of 38.3 feet to point for corner;

THENCE Westerly a distance of 198.2 feet to point for corner in the East right of way line of Galloway Avenue;

THENCE Northerly along the East right of way line of Galloway Avenue a distance of 38.3 feet to the place of beginning.

Tract 2 - Being a part of that certain 3.783 acre tract of land out of the John McDaniel Survey, Abstract No. 967, City of Mesquite, Dallas County, Texas, conveyed by Danna Construction Company to J. B. Galloway by deed dated January 4, 1956, recorded Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the Southeast corner of the intersection of Galloway Avenue and Kearney Street;

THENCE South along the East right of way line of Galloway Avenue a distance of 371.15 feet to point for corner;

THENCE Easterly along a line perpendicular to the East right of way line of Galloway Avenue a distance of 438 feet to point for corner;

THENCE Northerly a distance of 252.22 feet to point for corner in the South right of way line of Kearney Street;

THENCE Westerly along the South right of way line of Kearney Street to the place of beginning.



<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
DANNA CONSTRUCTION CO.	Galloway Aven	1,190.35 ft.	\$ 22,473.81

PROPERTY DESCRIPTION

Being a tract of land out of the John McDaniel Survey, Abstract No. 967, in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

**BEGINNING** at the Northeast corner of the intersection of Galloway Avenue and Kearney Street;

**THENCE** in an Easterly and Southeasterly direction 578.77 feet along the Northerly right of way line of Kearney Street to a point for corner in its intersection with the West right of way line of North Bryan Street, said street being the West addition line of Broadmoor Addition, an addition to the City of Mesquite;

**THENCE** Northerly along the West right of way line of North Bryan Street a distance of 1770.22 feet to its intersection with Grubb Drive (a 50 ft. right of way), a point for corner;

**THENCE** Westerly along the South right of way line of Grubb Drive to a point in the East right of way line of Galloway Avenue;

**THENCE** Southerly along the East right of way line of Galloway Avenue a distance of 1738.25 ft., more or less, to the place of beginning.

SECTION 3. Where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable only for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. The several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of six per centum (6%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied and shall be a first and paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

The sums so assessed against the abutting property and the owners thereof shall be and become due and payable as follows, to-wit: In sixty (60) equal installments, the first payment on or before thirty (30) days from the completion and acceptance of the improvements in the unit or district upon which the property abuts, and one (1) payment each month thereafter until the total amount is paid; deferred payments shall bear interest from the date of such completion and acceptance at the rate of six per centum (6%) per annum, payable monthly with each installment, so that upon the completion and acceptance of the improvements in a particular unit or district, assessments against such completed and accepted unit or district shall be and become due and payable in such installments, and with interest from the date of such completion and acceptance. Provided, however, that any owner shall have the right to pay the entire assessment, or any installment thereof, before maturity by payment of principal and accrued interest, and further provided that, if default shall be made in the payment of any installment of principal or interest promptly as the same matures, then the entire amount of the assessment upon which such default is made shall, at the option of the said City of Mesquite, or its assigns, be and become immediately due and payable, and shall be collectible, together with reasonable attorney's fees and costs of collection, if incurred.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by the sale of the said property by the Assessor and Collector of Taxes of the

City of Mesquite as near as possible in the manner provided for the sale of property for non-payment of ad valorem taxes; or at the option of the said City of Mesquite the payment of the said sums shall be enforced by suit in any court having jurisdiction.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates shall be issued by the City of Mesquite upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Mesquite or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block Number or front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Mesquite being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises, and shall provide that if default shall be made in the payment thereof, the same may be enforced either by sale of the property by the Tax Assessor and Collector of the City of Mesquite, as above recited, or by suit in any court having jurisdiction.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly had in compliance with the terms of the applicable law, and that all pre-requisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide the amounts payable thereunder shall be paid to the Assessor and Collector of

Taxes of the City of Mesquite, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Mesquite, to be kept and held by him in a special fund, and which payments shall be by the Treasurer paid to the said City of Mesquite or other holder of the said certificates, on presentation thereof to him, duly credited by Assessor and Collector of Taxes, the said credit by said Assessor and Collector of Taxes, being the Treasurer's Warranty for making such payment and the said City of Mesquite or other holder of said certificate, shall deliver receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And the said certificates shall further provide that the City of Mesquite shall exercise all legal power, when requested to do so by the holder of said certificate, to aid in the collection thereof; but the City of Mesquite shall in no wise be liable to the holder of said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidities or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. All assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

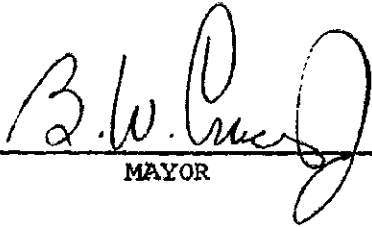
SECTION 8. The assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Article 1105b of Vernon's Texas Civil Statutes, which said law has been adopted as an alternative method for the construction of street and alley improvements in the City of Mesquite, Texas, and Section 12 of Article III of the Charter of the City of Mesquite:

Section 12. The act by the Legislature of the State of Texas in 1927 and shown as Chapter 106, Acts of the First Called Session of the Fortieth Legislature, together with all amendments thereof, said Act with amendments being shown as Article 1105b, Vernon's Annotated Revised Civil Statutes of the State of Texas, is hereby embraced in and made a part of this Charter.

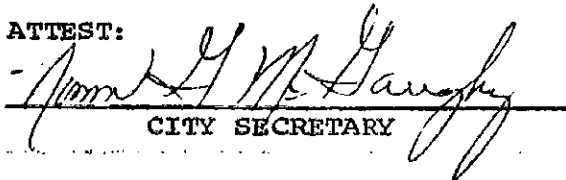
SECTION 9. The assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

SECTION 10. The fact that in order to finance these improvements in an expeditious manner creates an urgency and an emergency in the immediate preservation of public peace, health, and safety and required that the rules providing for ordinances to be read more than one time, or at more than one meeting, be suspended, and that this ordinance be passed as and take effect as an emergency measure, and such rules are accordingly suspended and this ordinance is passed as and shall take effect and be in force as an emergency measure, and shall be in force and effect immediately from and after its passage.

PASSED by the City Council of the City of Mesquite, Texas,  
on the 17 day of Dec., 19 62.

  
MAYOR

ATTEST:

  
CITY SECRETARY