

## ORDINANCE NO. 1049

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING MAYOR GEORGE BOYCE TO EXECUTE A DEED TO PAYLESS CASHWAYS, INC., CONVEYING 2.999 ACRES OUT OF A 37.76 ACRE TRACT KNOWN AS WEST LAKE PARK IN EXCHANGE FOR APPROXIMATELY TWO (2) ACRES OF LAND AND TEN THOUSAND DOLLARS (\$10,000.00) IN CASH AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Mesquite, Texas, has heretofore on June 19, 1972, authorized the City Manager to negotiate an exchange of certain property with Payless Cashways, Inc.; and

WHEREAS, an agreement has been reached whereby the City of Mesquite is to acquire approximately two acres of land from Payless Cashways, Inc., and Ten Thousand Dollars (\$10,000.00), cash in exchange for 2.999 acres of land;

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

SECTION 1. That the Honorable George Boyce Mayor, is hereby authorized to execute a deed to Payless Cashways, Inc., on behalf of the City of Mesquite, conveying a tract of land described in Exhibit "A", attached hereto and made a part of this ordinance.


SECTION 2. The fact that the park land presently owned by the City of Mesquite has inadequate access and public road frontage creates an urgency and an emergency and it is in the public interest, that from and after its passage and publication of the caption of said ordinance, that it shall take effect immediately.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on this 10 day of July, A.D., 1972.

  
George Boyce  
Mayor

APPROVED AS TO FORM:

ATTEST:

  
Norma G. McGaughey  
City Secretary

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Elland Archer  
City Attorney

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EXHIBIT "A"

BEING a tract or parcel of land situated in the City of Mesquite, Dallas County, Texas. Being out of the Swing and Laws Survey, Abstract No. 1396, also being a part of a 37.76 acre tract of land conveyed to the City of Mesquite by deed dated May 29, 1958, and recorded in Volume 4902, Page 128, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the Southeast corner of said 37.76 acre tract, an iron rod in place, said point being in the Northeast line of Texas and Pacific Railroad right-of-way (100 feet at right angle distance from the center line of said Texas and Pacific Railroad Tract) and 1028 feet Southeast along said right-of-way line from the point of intersection of said right-of-way line with the Northwest line of said Swing & Laws Survey;

THENCE North  $49^{\circ} 32'$  East 517.33 feet to a point for corner, said point being South  $49^{\circ} 32'$  West 183.27 feet from the Southeast right-of-way line of Gross Road;

THENCE South  $85^{\circ} 09'$  West 544.57 feet to a point;

THENCE South  $50^{\circ} 39' 57''$  West 305.14 feet to a point in said Northeast right-of-way line of Texas and Pacific Railroad;

THENCE South  $75^{\circ} 58'$  East with said Northeast right-of-way line of Texas and Pacific Railroad 396.84 feet to place of beginning, containing 2.999 acres.