

ORDINANCE NO. 1336

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF AN EASEMENT FOR THE CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENT OF A SANITARY SEWER OUTFALL LINE TO SERVE THE CITY OF MESQUITE, TEXAS, AS DESCRIBED HEREIN; AUTHORIZING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

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

SECTION 1. That the City Council of the City of Mesquite, Texas, has and does deem it necessary and expedient and has determined that a public necessity exists for the acquisition of an easement for the construction, reconstruction and improvement of a sanitary sewer outfall line, together with location and relocation of utilities and all lawful purposes incident thereto between the North boundary of Paschall Park and the North Texas Municipal Water District Sewer Treatment Plant of the City of Mesquite, and more particularly described in Exhibit "A" attached hereto, the owners or those claiming an interest to said land being:

Lucas Brothers, George F. Lucas, et al,
Lucas Properties, Lucas Properties, Inc.
J. C. Austin, Earle E. Pierson, Charles Moran,
Roy Giles, W. G. Austin, J. L. Janes,
T. J. Helbig, Joe C. Pritchett, et al

SECTION 2. That the City Attorney is hereby authorized to institute Eminent Domain proceedings to condemn said property for said use for the construction, reconstruction and improvement of a sanitary sewer outfall line to serve the City of Mesquite, Texas, as described herein.

SECTION 3. Should any portion of the property described in Exhibit "A", attached hereto, not be subject to legal condemnation by the City of Mesquite, such fact shall not prevent the City from condemning such land which is described in Exhibit "A" and is subject to legal condemnation by the City, and it is the intention of the City of Mesquite to condemn only such territory as may be legally condemned by it within the limits of the land described in Exhibit "A".

00151

ORDINANCE/PAGE 2

SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to properly protect the public health, safety, and welfare creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage as the law in such cases provides.

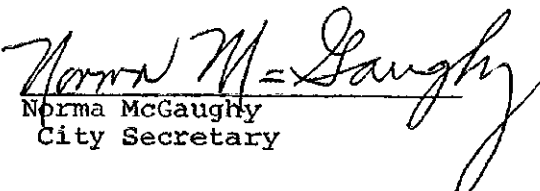
DULY PASSED by the City Council of the City of Mesquite on the 4th day of October, A.D., 1976.



Bob Beard
Mayor

ATTEST:

APPROVED AS TO FORM:



Norma McGaughy
City Secretary

Elland Archer
City Attorney