

C0152

ORDINANCE NO. 1337

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF FEE SIMPLE TITLE IN AND TO A TRACT OF LAND ON THE NORTH SIDE OF BRUTON ROAD NEAR SOUTH MESQUITE CREEK IN THE CITY OF MESQUITE, TEXAS, FOR PARK PURPOSES; 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 fee simple title to the tract of land described in Exhibit "A", attached hereto, for park purposes. The owner or persons claiming an interest in and to such land being T. J. Helbig and such others as may appear.

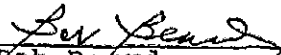
SECTION 2. That the City Attorney is hereby authorized to institute Eminent Domain proceedings to condemn said property for said use according to law and obtain fee simple title to and upon said property.

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".

SECTION 4. Whereas, it is necessary that the property described in Exhibit "A" be acquired for Park purposes to serve the City of Mesquite, Texas.

SECTION 5. 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.

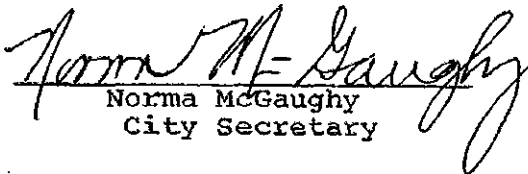
DULY PASSED by the City Council of the City of Mesquite on the 4th day of October, A.D., 1976.



Bob Beard
Mayor

ATTEST:

APPROVED AS TO FORM:



Norma McGaughy
City Secretary

Elland Archer
City Attorney