

ORDINANCE NO. 1875

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF RIGHT-OF-WAY FOR THE CONSTRUCTION AND IMPROVEMENT OF TOWNE CROSSING BOULEVARD TO CONNECT TO TOWN EAST BOULEVARD, IN 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 the right-of-way for the construction and improvement of Towne Crossing Boulevard to connect to Town East Boulevard together with location and relocation of utilities and all lawful purposes incident thereto of said location, in the City of Mesquite, and more particularly described in Exhibit "A" attached hereto, the owners or those claiming an interest to said land being:

PARCELOWNER

Parcel 1

Paul Broadhead & Associates

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 to obtain fee simple title right-of-way and/or drainage easements to and upon said property for the purposes expressed 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".

SECTION 4. Whereas, it is necessary that the property described in Exhibit "A" be acquired for the construction and improvement of Oates Drive in order to permit its proper development and to protect the public interest and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation of the public interest and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on this the 18th day of April, A.D., 1983.

Mrs. Brunhilde Nyström
MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:

APPROVED AS TO FORM

Norma G. McGaughy
Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

EXHIBIT "A"

DESCRIPTION

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BEING a tract of land lying situated in the ISHAM THOMAS SURVEY, ABSTRACT NO. 1501 in the City of Mesquite, Dallas County, Texas, and being a part of Treasury Addition, an addition to the City of Mesquite according to the plat thereof recorded in Volume 73070, Page 0019 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Treasury Addition, an iron stake for corner; thence S $02^{\circ}12'15''$ E, along the East line of said Treasury Addition, 607.15 feet to the beginning of a curve to the right, a point for corner; thence Southerly, along the East line of said Treasury Addition and along the curve to the right which has a central angle of $15^{\circ}39'29''$ and a radius of 470.00 feet, for an arc distance of 128.44 feet to the POINT OF BEGINNING;

THENCE Southerly, continuing along the East line of said Treasury Addition, and continuing along said curve to the right which has a central angle of $08^{\circ}12'29''$ and a radius of 470.00 feet, for an arc distance of 66.08 feet to the Northeast corner of Block A, Lot 1A, Treasury Addition, an addition to the City of Mesquite according to the plat thereof recorded in Volume 80222, Page 1271 of said Deed Records, a point for corner;

THENCE S $80^{\circ}40'05''$ W, along the North line of said Lot 1A and the North line of Block A, Lot 2, Treasury Addition, an addition to the City of Mesquite according to the plat thereof recorded in Volume 77052, Page 0020 of said Deed Records, 333.86 feet to the Northwest corner of said Lot 2, a point for corner;

THENCE S $13^{\circ}18'25''$ W, along the West line of said Lot 2, 113.80 feet to a point on the Northerly line of Town East Boulevard (100' R.O.W.), a point for corner;

THENCE Northwesterly, along the Northerly line of Town East Boulevard and along a curve to the left which has a tangent that bears N $70^{\circ}45'08''$ W, a central angle of $02^{\circ}34'17''$ and a radius of 1472.40 feet, for an arc distance of 66.08 feet to a point for corner;

THENCE N $15^{\circ}42'44''$ E, 148.71 feet to a point for corner;

THENCE N $80^{\circ}40'05''$ E, 60 feet North of and parallel with the North line of said Lot 1A and Lot 2, 403.85 feet to the POINT OF BEGINNING and containing 30,470 square feet of land.

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