

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,
TO EXECUTE A LICENSE AGREEMENT FOR AN ENCROACH-
MENT UPON CERTAIN CONDITIONS AND DECLARING AN
EMERGENCY.

WHEREAS, the City of Mesquite is the owner of a storm drainage easement; and

WHEREAS, the owner of the adjacent land has constructed a dwelling thereon that encroaches 2.2 feet onto the City's easement; and

WHEREAS, said owner is desirous of obtaining a right of such encroachment;

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

SECTION 1. That the Mayor of the City of Mesquite is hereby authorized to execute a license agreement authorizing the encroachment shown on Exhibit "A" attached hereto upon the condition that City shall incur no liability by reason of said encroachment and conditioned that should the owner of said encroachment, his heirs or assigns make any claim against City by reason of the location of a structure upon said easement said license agreement shall cease and become null and void.

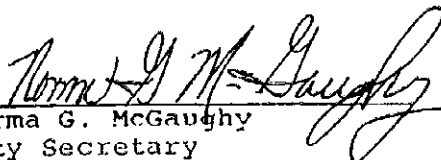
SECTION 2. The fact that a structure unlawfully encroaches upon a City easement and creates an unsettled status of title creates an urgency and emergency and requires that this ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 1st day of August, A.D., 1983.


MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

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