

ORDINANCE NO. 180

AN ORDINANCE GRANTING TO THE CITY OF DALLAS PERMISSION TO BUILD, MAINTAIN, OPERATE, REPAIR AND RECONSTRUCT WATER LINES AND WATER MAINS IN AND ACROSS ANY PUBLIC STREETS, ROADS OR PUBLIC WAYS IN THE CITY OF MESQUITE; PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH SUCH INSTALLATIONS MAY BE MADE; PROVIDING FOR THE ACCEPTANCE OF THE TERMS OF THIS GRANT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dallas has acquired a site in the Town of Sunnyvale for the purpose of building and operating on such site a water filtration plant in connection with the development and utilization of the Iron Bridge Reservoir and other water facilities and sources of water in order to supply the inhabitants of the City of Dallas and said supply and distribution lines, in order to best serve the needs of the City of Dallas, will have to be constructed partly through the corporate limits of the City of Mesquite as it now exists or as it may hereafter be enlarged; and

WHEREAS, the City of Mesquite may in the future desire to purchase water from the City of Dallas with connections for such supply from these water lines at points to be hereafter agreed upon, and the City of Dallas has expressed its willingness to negotiate with the City of Mesquite for the sale of water to the City of Mesquite if it has a surplus of water available over and above the needs of the City of Dallas, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE:

SECTION 1. That the City of Mesquite does hereby grant the right, privilege, franchise and authority to the City of Dallas, to lay, build, construct, operate, repair, reconstruct and maintain water lines, water mains, supply lines and such distribution lines as may be necessary along, across and in the streets, alleys, roads or public ways in the City of Mesquite to connect such water supply lines to the City of Dallas water system. The installation contemplated herein will be of a permanent nature and the easement granted herein shall continue for so long as the City of Dallas maintains said water mains or water lines in any of the locations hereafter selected for such installations. It is understood under this grant that the definite locations of such installations, or any part of them, have at this time not been determined by the City of Dallas as the plan of the improvement or installations has not been finally completed and determined.

SECTION 2. That the City of Dallas agrees to repair and replace all street surfaces, paved or unpaved, which may be cut or excavated by reason of the construction and installation of the water mains or water lines to the same conditions in which they existed at the time when any such installations will be made.

SECTION 3. Since it is contemplated that the City of Dallas may sell water to the City of Mesquite that any cuts or excavations in the streets, alleys or public ways made necessary by reason of any water connection made for the convenience and benefit of the City of Mesquite shall be at the expense of the City of Mesquite.

SECTION 4. That the City of Dallas will construct the water lines or water mains in such a manner so as not to interfere with any of the present existing underground or surface utilities which the City of Mesquite may have located in any such locations and if there are any changes necessary to be made, such changes will be made at the expense of the City of Dallas.

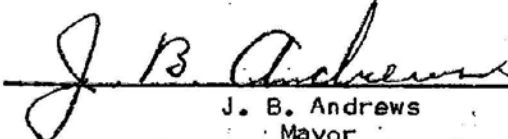
SECTION 5. That the City of Dallas shall have the right and privilege to

enter upon the streets or alleys or roads of the City of Mesquite in order to make such installations and thereafter shall have the right to enter upon the same for the purpose of maintaining, repairing and replacing such installations and in doing any maintenance, repair or reconstruction work the City of Dallas will be obligated to repair any cuts in the surface of the streets or public ways to as good a condition as the same were at the time of such entry so that the same may be safe for public use and travel.

SECTION 6. That the City of Dallas shall within fifteen (15) days after the passage of this ordinance accept the terms hereof by a resolution and forward same to the City Secretary of the City of Mesquite as evidence of the acceptance of the terms and conditions of this grant.

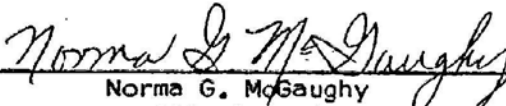
SECTION 7. The fact that the City of Dallas desires to expeditiously proceed with its plans and development of the additional supply of water to its inhabitants, and locate such facilities where the same will serve the City of Dallas and at the same time may be available as an additional supply of water to the City of Mesquite in the event the City of Dallas has surplus water over and above the needs of its inhabitants, creates an urgency and an emergency in the preservation of the public peace, safety and general welfare and requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED this 6th day of August, 1957.



J. B. Andrews
Mayor
City of Mesquite, Texas

ATTEST:



Norma G. McGaughey
City Secretary