

RESOLUTION NO. 50-61

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Mesquite, Texas, for the improvement of the following alleys located between:

- (1) Motley Dr. and Harvey Dr. from Modlin Street to Oates Drive
- (2) Demaret Dr. and Hogan Dr. from Kiamesha Way to Sarazen Drive
- (3) Nabholtz Lane & Strayhorn Dr. from Kiamesha Way to Strayhorn Dr.
- (4) Demaret Drive & La Prada Dr. from Gus Thomasson Rd. to Sarazen Dr.
- (5) Marigold Trail & Sarazen Dr. from Oates Dr. to Whitson Way
- (6) Tam O'Shanter Dr. & Nabholtz Lane from Kiamesha Way to Tam O'Shanter
- (7) Hyde Park Dr. & Ridgedale Dr. from Oates Dr. to Modlin Street
- (8) San Marcus Ave. & Modlin St. from Dumont Dr. to Ridgedale Br. and Modlin Street

WHEREAS, the City Council duly adopted the said contract, and determined upon the levying of an assessment against the abutting property owners for their pro rata parts of the cost of said improvement, as provided by the applicable law; and

WHEREAS, said property owners were duly notified in accordance with the terms of the applicable law by notice being duly published in the Texas Mesquiter, a newspaper of general circulation in the City of Mesquite, to appear before the City Council, at a hearing set by said Council on the 19th day of June, 1961, in the Council Chamber, in the City Hall of the City of Mesquite, Texas, to then and there make protest and objection, if any, to said improvement, and the cost of the same, and any other objection that may appear to such property owners; and,

WHEREAS, the agent or such property owners and attorneys and representatives of such property owners were also duly notified to appear at said time and place for the making of said objections, remonstrances, or protests of any kind; and,

WHEREAS, the said hearing was duly had at said time and place, was thereafter from time to time continued in order to give a greater opportunity to the property owners or their representatives or agents to make protests or remonstrances or objections, as provided by the terms of the applicable law; and,

WHEREAS, the following objections, protests, and remonstrances were made, to-wit:

That the "T" alley should be paved all the way instead of just half of it or none at all

WHEREAS, said respective protests, remonstrances, and objections, after having been duly considered by the Council, are disposed of in the following manner:

The objections, protests and remonstrances of the following property owners,

Mr. and Mrs. Charles W. Mitchell, 4821 Sandra Lynn

are determined against them and overruled; and,

WHEREAS, the Council, after fully considering the said assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, are of the opinion that the said assessments heretofore determined to be levied are fair and equitable, and represent

the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and,

WHEREAS, the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed; Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the said hearing heretofore ordered had on the 19 day of June, 1961, and thereafter continued until the present date, be and the same is hereby ordered closed.

SECTION 2. That the objection, protests, and remonstrances of the hereinabove respectively named owners, namely,

Mr. and Mrs. Charles W. Mitchell, 4821 Sandra Lynn

be overruled.

SECTION 3. That the City Attorney be, and he is hereby directed to prepare an ordinance assessing against the several owners of property and against their property abutting upon the alleys hereinabove mentioned, the proportionate part of said cost that has been heretofore adjudged against the said respective owners and their property. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

SECTION 4. That this resolution shall take effect from and after its passage, as in the Charter in such cases is made and provided.

PASSED by the City Council of the City of Mesquite on the 19 day of June, 1961.

ATTEST:

Tom L. McLaughlin
City Secretary

B. W. Cline
Mayor