

RESOLUTION NO. 27-62

WHEREAS, heretofore a resolution was duly adopted by the City Council of the City of Mesquite, for the improvement of the following street and highway, to-wit: Gus Thomasson Road from U. S. Highway 80 to Belt Line Road wye at Grubb Drive, as defined and set out in said resolution and out of materials named and specified in said resolution; and

WHEREAS, specifications were duly adopted therefor and bids accepted, after advertisement having been duly made; 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 2nd day of July, 1962, in the Council Chamber of the City Hall of the City of Mesquite, Texas, to then and there make protest and objection, if any, to said improvements, and the cost of the same, and any other objections that may appear to such property owners; and

WHEREAS, the agents of such property owners and the 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, and 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:

Mr. William H. Davis, owner of Dairy Queen, stated that he was paying taxes to discharge bond obligations and would have to pay assessments for this project as well.  
Mrs. Rex Range, 1148 Lakeshore, Mr. Emmitt Evans, Mrs. Inez Hopkins, 2031 Gus Thomasson, said that earlier City officials had stated that property owners would not have to pay for future improvements if they gave land needed for right-of-way for an expanded Gus Thomasson, and they had given the needed land.  
Mrs. J. L. Brooks, 935 Gus Thomasson stated that she had not understood that "standard conditions" for a special zoning permit would subject her to these assessments.

Mrs. E. C. Cogburn, 2018 Gus Thomasson inquired as to what the plans for construction would include.  
Mr. Ed. Drake, attorney representing Mr. James Riggs also appeared in opposition.

and

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 from the following property owners, to-wit:

Mr. William H. Davis, owner of Dairy Queen  
Mrs. Rex Range, 1148 Lakeshore  
Mr. Emmitt Evans, 2031 Gus Thomasson  
Mrs. Inez Hopkins, 2031 Gus Thomasson  
Mrs. E. C. Cogburn, 2018 Gus Thomasson  
Mrs. J. L. Brooks, 935 Gus Thomasson  
Mr. Ed Drake, attorney representing James Riggs

are determined against them and overruled; and

WHEREAS, the Council, after fully considering the said assessments and fully considering the benefits to each property owner and his property received 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 and construction of the said improvements; and

WHEREAS, the Council having no further protests, 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 2nd day of July, 1962, and thereafter continued until the present date, be and the same is hereby ordered closed.

Section 2. That the objections, protests and remonstrances of the hereinabove respectively named owners, namely, to-wit:

Mr. William H. Davis, owner of Dairy Queen  
Mrs. Rex Range, 1148 Lakeshore  
Mr. Emmitt Evans, 2031 Gus Thomasson  
Mrs. Inez Hopkins, 2031 Gus Thomasson  
Mrs. E. C. Cogburn, 2018 Gus Thomasson  
Mrs. J. L. Brooks, 935 Gus Thomasson  
Mr. Ed Drake, attorney representing Mr. James Riggs


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be overruled.

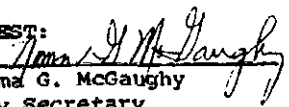
Section 3. That the City Attorney be, and he is hereby directed to prepare an ordinance assessing against the several owners of property and against their property abutting upon the street or alley hereinabove mentioned the proportionate part of said cost that has been heretofore adjudged against the 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 the Charter in such cases provides.

DULY PASSED by the City Council of the City of Mesquite on the 16th day of July, 1962.

  
B. W. Cruce, Jr.  
Mayor

ATTEST:

  
Norma G. McGaughey  
City Secretary