

## RESOLUTION NO. J 15-63

WHEREAS, The City Council of the City of Mesquite is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following streets:

North Ebrite Street from Kearney Street to Grubb Drive and  
Municipal Way from its existing dead end West to North Ebrite Street

and against railway companies whose tracks occupy said streets, if any, for a part of the cost of improving said streets, fixing a time for the hearing of the owners of said property, and the said railway companies, concerning the same, and directing the City Secretary to give notice of said hearing, as required by law; and,

WHEREAS, The City Council has heretofore, by resolution, ordered the improvement of the streets enumerated above, by paving said streets with

North Ebrite Street shall be paved with 6-inch thick 3,000 P.S.I. Reinforced Concrete Pavement meeting the City's Standard Specifications; with 4-inch thick concrete sidewalks, where specified; so that the roadway width shall be 37 feet from back of curb to back of curbline; and said Municipal Way shall be paved with 6-inch thick 3,000 P.S.I. Reinforced Concrete Pavement meeting the City's Standard Specifications so that the roadway width shall be 27 feet from back of curb to back of curbline. Any existing paving in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments,

and,

WHEREAS, the Director of Public Works of the City of Mesquite has, in accordance with the law, filed his report with the City Council, setting forth the participation by the railway companies, if any, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts to be assessed against each lot or parcel and its owner and all other matters required by the applicable law;

Now, Therefore,

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

SECTION 1. That the report or statement filed by the Director of Public Works having been duly examined is hereby approved.

SECTION 2. That it is hereby found and determined that the cost of improvements on the hereinafter described streets, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, and against railway companies whose tracks occupy said streets, if any, are as follows, to-wit:

- (a) The estimated cost of the improvements on Ebrite Street is \$55,999.20 and on Municipal Way is \$3,459.06.
- (b) The estimated lien per front foot to be assessed against abutting property and the owners thereof for improvements on Ebfite Street exclusive of storm sewers, sidewalks, curbs and gutters is \$8.525.
- (c) The estimated lien per front foot to be assessed against abutting property and the owners thereof for improvements on Municipal Way exclusive of storm sewers, sidewalks, curbs and gutters is \$6.822.
- (d) The estimated lien per front foot to be assessed against abutting property and the owners thereof for one integral curb on Ebrite Street is \$0.55.
- (e) The estimated lien per front foot to be assessed against abutting property and the owners thereof for one integral curb on Municipal Way is \$0.385.
- (f) The estimated lien per front foot to be assessed against abutting property and the owners thereof for storm sewers on Ebrite Street is \$1.098.

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

SECTION 3. That a hearing shall be given to said owners of abutting property, and of railways, if any or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways, and as to the benefits to said property by reason of said improvement, or any other matter or thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Mesquite, County of Dallas, on the 1 day of July, A.D. 1963, at 2:30 o'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

The City Secretary of the City of Mesquite is hereby directed to give notice of the time and place of such hearing and of other matters and facts in accordance with the terms and provisions of the Act passed at the first called session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, now shown as Article 1105b of Vernon's Texas Civil Statutes, which said law, as an alternative method for the construction of Street improvements in the City of Mesquite, Texas, has been adopted and made a part of the Charter of said City, being Section 12, Article III of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Mesquite, Texas, the first publication to be made at least ten (10) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act.

The City Secretary is hereby further directed to give notice of said hearing by mailing to said owners, their agents or attorneys, and to said railway companies, their agents or attorneys, if any, a copy of said notice by mail, deposited in the Post Office at Mesquite, Texas, ten (10) days prior to the date of said hearing, provided, however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

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,  
Texas, on the 3 day of June, 1963.

B. W. Cune  
Mayor

ATTEST:

Tom H. Haugh  
City Secretary

**ASSESSMENT LIST**  
**IMPROVEMENT OF EBRITE STREET FROM KEARNEY STREET TO GUNN**  
**DRIVE AND MUNICIPAL WAY FROM ITS EXISTING DEAD END TO**  
**EBRITE STREET IN THE CITY OF MESQUITE, TEXAS**

<b>OWNER</b>	<b>Location of Improvements</b>	<b>Property Description</b>	<b>Front Footage</b>	<b>Total Assessment</b>
Richard F. Webb and Mary Anita Webb 609 Gus Thomason Rd. Mesquite, Texas	Ebrite Street	Item #1 Attached	287.9'	\$3,948.90
Jean F. McCullough Box 116 Mesquite, Texas	Ebrite Street Municipal Way	Item #2 Attached	1116.33'	\$10,130.69
		Item #2 Attached	217.5'	\$1,862.82
Tynas & Burch 2631 S. Garland Ave. Garland, Texas	Ebrite Street	Item #3 Attached	343.57'	\$ 3,100.82
<b>TOTALS</b>			<b>2,064.20'</b>	<b>\$18,753.63</b>

OWNER	LOCATION OF IMPROVEMENTS	FRONTAGE	AMOUNT OF ASSESSMENT
1	Richard P. Webb and wife, No. Ebrite St. Mary Anita Webb		

PROPERTY DESCRIPTION

Being a part of the Jacob Lakey Survey, Pat. No. 287, Volume 27, Abstract No. 810, and being a part of a tract of 80 acres, more or less, described in Deed from I. N. Range et ux to E. A. Grubb, dated August 7, 1926, recorded in Volume 1344, page 489, Deed Records of Dallas County, Texas, and being the same property conveyed by Deed from E. A. Grubb and wife, Essie Grubb, to M. E. Moyer, dated December 10, 1948, of record in Volume 3615, page 193, Deed Records of Dallas County, Texas, and being that certain tract conveyed to Richard P. Webb and wife, Mary Anita Webb by Madeline Moyer by Deed dated May 12, 1953, recorded in Volume 3851, page 544, Deed Records of Dallas County, Texas, and being more particularly described as follows:

**BEGINNING** at a point in the West line of Gus Thomasson Road, and on the North line of the tract of 3 acres deeded by E. A. Grubb to the County of Dallas on August 15, 1926;

**THENCE** South on the West line of Gus Thomasson Road, 124 feet, more or less, to a point on the North line of a 6 acre tract deeded by E. A. Grubb and wife, to S. C. Hass on December 8, 1926;

**THENCE** West on the North line of said S. C. Hass 6 acre tract a distance of 547 feet to a point thereof;

**THENCE** in a Northeasterly direction 186 feet, more or less, to a point on a continuation of the South line of said County of Dallas 3 acre tract which is 547 feet from the place of beginning;

**THENCE** East passing through the Southwest corner of said County of Dallas 3 acre tract and continuing East on the South line thereof, a distance of 547 ft. to the place of BEGINNING and containing approximately 5 acres, more or less.

No. 1	LOCATION OF IMPROVEMENTS	FRONTAGE	AMOUNT OF ASSESSMENT
Sean F. McCullough	Ebrite Street	1,116.33 ft.	\$ 10,130.69
	Municipal Way	217.5 ft.	\$ 1,567.52 \$ 11,698.22

**PROPERTY DESCRIPTION**

Being two tracts of land situated in the City of Mesquite, Dallas County, Texas, and being part of the Jacob Lakey Survey, Abstract No. 810 and farther being out of that certain 10 acre tract deeded to Jean F. McCullough by E. M. Kearney and Lillie Kearney by deed dated March 23, 1955, recorded Volume 4251 Page 604 Dallas County Deed Records and being more particularly described as follows:

**TRACT I - BEGINNING** at the intersection of the West right of way line of Gus Thomason Road and the South right of way line of Municipal Way;

**THENCE** Southerly along said West right of way line of Gus Thomason Road 35 feet to point for corner;

**THENCE** Westerly to the East right of way line of Ebrite Street a distance of 35 feet to point for corner, said point being the beginning of a curve to the left having an angle of 35 deg. 49 min. and a radius of 125 feet;

**THENCE** Northerly along said East right of way line of Ebrite Street and said curve 200.98 feet to the end of said curve to a point for corner;

**THENCE** Northerly along said East right of way line of Ebrite Street to the intersection of the South right of way line of above-mentioned Municipal Way and said East right of way line of Ebrite Street 345.06 feet to point for corner;

**THENCE** Easterly along said South right of way line of Municipal Way to the point of beginning, a distance of 617.5 feet.

**TRACT II - BEGINNING** at the Southwest corner of a 10 acre tract as deeded to Jean F. McCullough by deed dated March 23, 1955, recorded in Volume 4251 Page 604 Dallas County Deed Records;

**THENCE** Northerly along the West line of said 10 acre tract to the Northwest corner of said 10 acre tract, 560.5 feet to point for corner;

**THENCE** Easterly along the North line of said 10 acre tract to the intersection of the West right of way line of Ebrite Street and said North line of said 10 acre tract a distance of 125.0 feet to point for corner;

**THENCE** Southerly along said West right of way line of Ebrite Street to the beginning of a curve to the right having an angle of 35 deg. 49 min. and a radius of 275 feet, a distance of 345.05 feet, a point for corner;

**THENCE** Southerly along said West right of way line of Ebrite Street and said curve, 170.96 feet to the end of said curve, a point for corner;

**THENCE** Southerly along said West right of way line of Ebrite Street to the intersection of the South line of above-mentioned 10 acre tract and said West right of way of Ebrite Street a distance of 34.28 feet, a point for corner;



Shut P. McCallough

THENCE Westerly along said south line of said 10 acre tract to the place of beginning, a distance of 52.00 feet.

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No.	LOCATION OF IMPROVEMENTS	FRONTAGE	AMOUNT OF ASSESSMENT
3 Jack Tynes, 1/4 interest Riley Burch, 1/4 interest O. L. Helms, 1/2 interest	Ebrite St.	342.57 ft.	\$ 3,108.82

**PROPERTY DESCRIPTION**

Being two tracts of land in the City of Mesquite, Dallas County Texas and being out of the Jacob Lakey Survey, Abstract No. 810 and being out of that certain tract deeded to Jack Tynes, Riley Burch and O. L. Helms, Trustee, by Edward D. Brown, Herschel G. Brown, Corinne Brown Walton and husband David Walton by deed dated June 23, 1955, recorded Volume 4292 Page 473 Dallas County Deed Records and being more particularly described as follows:

**TRACT I - BEGINNING** at the intersection of the North right of way line of Kearney Street and the West property line of a tract deeded to Humble Oil & Refining Company by deed dated September 1, 1959, recorded Volume 5198 Page 164 Dallas County Deed Records;

**THENCE** Westerly along said North right of way line of Kearney Street to the intersection of the East right of way line of Ebrite Street and the North right of way line of Kearney Street, same being the beginning of a curve to the right having an angle of 38 deg. 37 min. and a tangent of 6.22, a distance of 759.44 feet to point for corner;

**THENCE** Northerly along said East right of way line of Ebrite Street and said curve 10.77 feet to the end of said curve, a point for corner;

**THENCE** Northerly along said East right of way line of Ebrite Street 164.5 feet to point for corner;

**THENCE** Easterly to a point in the above-mentioned West property line of said Humble Oil & Refining Company tract a distance of 678.66 feet, a point for corner;

**THENCE** Southerly along the said West property line of said Humble Oil & Refining Company tract a distance of 146.72 feet.

**TRACT II - BEGINNING** at the intersection of the North right of way line of Kearney Street and the West right of way line of Ebrite Street;

**THENCE** Westerly along said North right of way line of Kearney Street 46.90 feet to point for corner;

**THENCE** in a Northwesterly direction 35.5 feet to point for corner;

**THENCE** in a Northeasterly direction 169.17 feet to point for corner;

**THENCE** Easterly to a point in above-mentioned West right of way line of Ebrite Street a distance of 52.88 feet, a point for corner;

**THENCE** in a Southwesterly direction along said West right of way line of Ebrite Street to the beginning of a curve to the left having an angle of 38 deg. 37 min. and a tangent of 22.26, a distance of 128.7 feet for corner;

**THENCE** Southerly along said West right of way line of Ebrite Street and said curve, to the place of beginning, a distance of 28.6 feet.