

RESOLUTION NO. 23-64

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 street:

Baker Drive from the North Service Road of U. S. Highway 80 to Town East Blvd.

and against railway companies whose tracks occupy said street, if any, for a part of the cost of improving said street, 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 said street enumerated above, by paving said street with

6-inch thick 3,000 P.S.I. Reinforced Concrete Pavement 37 Feet Wide Back to Back of Curbs, Meeting the City's Standard Specifications.

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;

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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 street, 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 street, if any, are as follows, to-wit:

- (1) The estimated cost of the improvements is \$125,424.26.
- (2) The estimated lien per front foot to be assessed against abutting property and the owners thereof for improvements exclusive of curbs and gutters is \$12.82 for business zoned property; \$8.35 for undeveloped residential acreage; and \$4.175 for school property.
- (3) The estimated lien per side foot to be assessed against abutting property and the owners thereof for residential zoned lots is \$2.75.
- (4) The estimated lien per front foot to be assessed against abutting property and the owners thereof for one integral curb is \$0.49 for business zoned property and undeveloped residential acreage; and \$0.245 for school property.

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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 such 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 June, A.D. 1964, 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

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provided.

PASSED by the City Council of the City of Mesquite, Texas,
on the 4 day of May, 1964.

B. W. C. J.
Mayor

ATTEST:

H. M. Young
City Secretary

ASSESSMENT LIST

BAKER DRIVE FROM TOWN EAST BLVD. TO HIGHWAY 80 SERVICE ROAD

<u>OWNER'S NAME</u>	<u>PROPERTY DESCRIPTION</u>	<u>FRONTAGE</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
	<u>Eastridge Park</u> <u>Addition No. 1</u>			
	<u>Block A</u>			
H. M. Stempek 2845 Belhaven	Lot 1	120 ft.	\$2.75	\$330.00
Gaylon Pryor 2848 Belhaven	<u>Block B</u> Lot 1	120 ft.	\$2.75	\$330.00
Ester M. Faris 2851 Cumberland	Lot 26	120 ft.	\$2.75	\$330.00
	<u>Block C</u>			
L. W. Brewer 2854 Cumberland	Lot 1	120 ft.	\$2.75	\$330.00
Woodrow W. Warren 2829 Eastbrook	Lot 29	120 ft.	\$2.75	\$330.00
	<u>Block D</u>			
Andrew M. Choate 2828 Eastbrook	Lot 1	120 ft.	\$2.75	\$330.00
Charles McClelland 2729 Greenhill	Lot 32	120 ft.	\$2.75	\$330.00
Clark N. Barton 2728 Greenhill	<u>Block E</u> Lot 1	120 ft.	\$2.75	\$330.00
Russell Smith 2629 Larchmont (P.O.Box 8446, Dallas)	Lot 34	120 ft.	\$2.75	\$330.00
	<u>Block F</u>			
Russell Smith 2628 Larchmont	Lot 1	120 ft.	\$2.75	\$330.00
Russell Smith 2639 Northview	Lot 38	120 ft.	\$2.75	\$330.00
	<u>Block G</u>			
Russell Smith 2638 Northview	Lot 1	123.11 ft.	\$2.75	\$338.55

BAKER DRIVE

<u>OWNER'S NAME</u>	<u>PROPERTY DESCRIPTION</u>	<u>FRONTAGE</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
	<u>Byrd Estates #2</u>			
	<u>Block A</u>			
W.D.Starkweather 2803 Greenhill	Lot 8	120 ft.	\$2.75	\$330.00
	<u>Block B</u>			
R.D.Rosamond 2802 Greenhill	Lot 1	120 ft.	\$2.75	\$330.00
Paul E.Spradling 2703 Larchmont	Lot 27	120 ft.	\$2.75	\$330.00
	<u>Block C</u>			
R. G.Stafford 2702 Larchmont	Lot 1	120 ft.	\$2.75	\$330.00
Chas.O.Woolverton 2701Northview Pl.	Lot 22	120 ft.	\$2.75	\$330.00
Troy G.McQueen 2725 Northview Pl.	Lot 16	135.11 ft.	\$2.75	\$371.55
Leslie C.Buchanan 2601 Mark	Lot 15	125 ft.	\$2.75	\$343.75
	<u>Block D</u>			
Glenn S. Stanford 2600 Mark Dr.	Lot 27	125 ft.	\$2.75	\$343.75
	<u>Byrd Estates #3</u>			
	<u>Block A</u>			
James W. Rumbo 2535 Mark	Lot 1	137 ft.	\$2.75	\$376.75
	<u>Block B</u>			
Robert L.Seyferth 2532 Mark	Lot 1	137 ft.	\$2.75	\$376.75
Wilma L. Harness 2523 Moreland	Lot 38	137 ft.	\$2.75	\$376.75
	<u>Block D</u>			
Jack E. Buford 2522 Moreland	Lot 1	137 ft.	\$2.75	\$376.75
	<u>Town East Estates #3</u>			
Mesquite Indep. School District 405 E. Davis, Mesquite,	Block 3	880 ft.	\$4.42	\$3,889.60

BAKER DRIVE

<u>OWNER'S NAME</u>	<u>PROPERTY DESCRIPTION</u>	<u>FRONTAGE</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
Travilla Williams 2724 Baker Dr. Mesquite, Tex.	D.Tanner Sur. Abstract 1462 Sheet 14-A (Item I attached)	726 ft.	\$8.84	\$6,417.84
Eastridge Dev.Co. Box 8446, Dallas 5	D.Tanner Sur. Ab. #1462 Sheet 14-A (Item II attached)	484.86	\$8.84	\$4,286.16
Jack Byrd 1603 Fuller Dr. Dallas, Tex.	D.Tanner Sur. Ab.#1462 Sheet 13-C (Item III attached)	297.47	\$13.31	\$3,959.33
Sam W.French, Tr. 9143 Vinewood Dallas, Tex.	D.Tanner Sur. Ab.#1462 Sheet 13-E (Item IV attached)	280.38	\$8.84	\$2,478.56
T.C.Stricklin 1603 Fuller Dallas, Tex.	D.Tanner Sur. Ab. #1462 Sheet 13-E (Item V attached)	324.49	\$8.84	\$2,868.49
		<u>5,969.42 ft.</u>		<u>\$32,084.58</u>

ITEM I

Travilla Williams

Being a five acre tract of land out of the D. Tanner Survey, Abstract No. 1462, Sheet 14-A, City of Mesquite, Dallas County, Texas, deeded to Travilla Williams by deed dated 9-18-48, recorded Dallas County Deed Records and being more fully described as follows:

BEGINNING at the Southeast corner of the intersection of Town East Blvd. and Baker Drive;
THENCE Easterly along the South right of way line of Town East Blvd. a distance of 300 feet to point for corner;
THENCE South 45 deg. East 725.5 feet to point for corner;
THENCE South 45 deg. West 300 feet to a point for corner in the East right of way line of Baker Drive;
THENCE Northwesterly along the East right of way line of Baker Drive to the place of beginning

ITEM II

Eastridge Development Company

Being a 3.534 acre tract of land out of the D. Tanner Survey, Abstract No. 1462, Sheet 14-A, City of Mesquite, Dallas County, Texas, deeded to Eastridge Development Company by deed dated 10-31-60, recorded Dallas County Deed Records and being more fully described as follows:

BEGINNING at the Northeast corner of the intersection of a 15 foot alley in Block A of Eastridge Park Addition No. 1 to the City of Mesquite, Texas, and Baker Drive;
THENCE Northwesterly along the East right of way line of Baker Drive a distance of 484.86 feet to point for corner;
THENCE North 45 deg. East 300 feet to point for corner;
THENCE South 49 deg. 07 min. 44 sec. East a distance of 486.12 feet to point for corner, said point being in the North right of way line of said 15 foot alley;
THENCE Westerly along the North right of way line of said alley to the place of beginning.

JUNE LII

Jack Byrd

Being a 2.22 acre tract of land out of the D. Tanner Survey, Abstract No. 1462, Sheet 13-C, City of Mesquite, Dallas County, Texas, deeded to Jack Byrd by deed recorded Dallas County Deed Records and being more fully described as follows:

BEGINNING at the Southeast corner of the intersection of a 15 foot alley in Block D, Byrd Estates Addition No. 3 to the City of Mesquite;

THENCE North 49 deg. East 225 feet to point for corner;

THENCE East 21.21 feet;

THENCE South 45 deg. East 47 feet to the beginning of a curve to the right;

THENCE in a southeasterly direction along said curve to the right having a radius of 275 feet, a central angle of 45 deg. 32 min. 00 sec. and a tangent of 115.43 feet, a distance of 218.57 feet;

THENCE South 09 deg. 27 min. 40 sec. East 115.36 feet to point for corner; said point being in the North right of way line of Dallas Power and Light Company 125 feet right of way;

THENCE South 45 deg. 24 min. West to point for corner in the East right of way line of Baker Drive;

THENCE North 09 deg. 48 min. West 25.57 feet;

THENCE Northwesterly along the East right of way line of Baker Drive a distance of 311.65 feet to the place of beginning.

JUNE LV

Sam W. French, Jr.

Being a .91 acre tract of land out of the D. Tanner Survey, Abstract No. 1462, Sheet 13-B, City of Mesquite, Dallas County, Texas, deeded to Sam W. French, Jr. by deed dated 5-27-43, recorded Dallas County Deed Records and being more fully described as follows:

BEGINNING at the Southwest corner of the intersection of a 15 foot alley in Byrd Estates Addition No. 2 to the City of Mesquite and Baker Drive;

THENCE Southeasterly along the West right of way line of Baker Drive a distance of 209.36 feet to point for corner;

THENCE North 09 deg. 32 min. East 399.79 feet;

THENCE North 45 deg. East 204.99 feet to the place of beginning.

ITEM V

T. C. Stricklin and Fly G. Smith

Being a 11.09 acre tract of land out of the D. Tanner Survey, Abstract No. 1462, Sheet 13-E, City of Mesquite, Dallas County, Texas, deeded to T. C. Stricklin and Fly G. Smith by deed recorded Dallas County Deed Records and being more fully described as follows:

BEGINNING at the Northwest corner of the intersection of Baker Drive and Highway 80 Service Road;
THENCE Northwesterly along the North right of way line of Highway 80 Service Road a distance of 1453.43 feet to point for corner;
THENCE Northwesterly 127.36 feet to point for corner;
THENCE South 09 deg. 32 min. West a distance of 1536.12 feet to a point for corner in the West right of way line of Baker Drive;
THENCE Southeasterly and Southwesterly along the West right of way line of Baker Drive a distance of 363.37 feet to the place of beginning.