

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:

Masters Drive from Forney Road to U. S. Highway 80

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 7-inch thick 3,000 P.S.I. reinforced concrete pavement; with 7½ inch height roll-type integral curbs; so that the roadway width shall be 45 feet from back of curbline to back of curbline; and by constructing all necessary drains, sewers and culverts where specified.

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 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 \$67,191.10.
2. The estimated lien per front foot to be assessed against the abutting property and the owners thereof for street paving and all necessary drains, sewers and culverts is \$7.31.
3. The estimated lien per front foot to be assessed against the abutting property and the owners thereof for one integral curb is \$0.48.

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 5 day of April, A.D. 1965, 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

2017-10-17

PASSED BY THE CITY COUNCIL OF THE CITY OF BIRMINGHAM  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017

ATTEST:

\_\_\_\_\_  
CITY CLERK

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
J. H. Briley	Masters Drive	2,766.8 ft.	\$21,553.37

PROPERTY DESCRIPTION

Being a 66.409 acre tract of land situated in the Daniel Tanner Survey, Abstract #1462, shown on Sheet 14-C of Dallas County Map and Plat Records, City of Mesquite, Dallas, County, Texas, deeded to J. H. Briley by deed dated 3/22/19, recorded Volume 679, Page 73 of Dallas County Deed Records; said tract being also located southwest of the intersection of Forney Road and U. S. Highway 80; less 3.175 acres Masters Drive Right-of-way.

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
W. N. Shaw	Masters Drive	366.74	\$2,856.90

**PROPERTY DESCRIPTION**

Being a 2 acre tract and a 4 acre tract of land situated in the Daniel Tanner Survey, Abstract #1462, shown on Sheet 14-C of Dallas County Map and Plat Records; said 2 acre tract deeded to W. N. Shaw by deed dated 3/25/52 recorded Volume 3645, Page 394, Dallas County Deed Records; and said 4 acre tract deeded to W. N. Shaw by deed dated 6/7/51 recorded Volume 3514, Page 269, Dallas County Deed Records; said tracts being also located south of the intersection of Samuell Blvd., and U. S. Highway 80; less 0.42 acres of Masters Drive right-of-way.

<u>OWNER</u>	<u>LOCATION OF IMPROVEMENTS</u>	<u>FRONT FOOTAGE</u>	<u>AMOUNT OF ASSESSMENT</u>
V. A. Turner, Sr.	Masters Drive	493.34	\$ 3,843.12

PROPERTY DESCRIPTION

Being a 2 acre tract and a 4 acre tract of land situated in the Daniel Tanner Survey, Abstract #1462 shown on Sheet 14-C of Dallas County Map & Plat Records, City of Mesquite, Dallas County, Texas; said 2 acre tract deeded to V. A. Turner by deed dated 5/21/52, recorded Volume 3672, Page 271, Dallas County Deed Records; and said 4 acre tract deeded to V. A. Turner by deed dated 3/21/52 recorded Volume 3644, Page 245 Dallas County Deed Records; said tracts being also located South of the intersection of Samuel Blvd., and U.S. Highway 80; less 0.57 acres Masters Drive right-of-way.