

RESOLUTION NO. 3 24-66

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:

Gross Road from Town East Boulevard to U. S. Highway 67

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 street enumerated above, by paving said street with 7-inch thick 3,000 P.S.I. reinforced concrete pavement; with 6-inch height roll-type integral curbs; with 6-inch thick reinforced concrete driveway approaches and alley returns where specified; 4-inch thick concrete sidewalks where specified; and necessary drainage facilities, so that there will be two 31 foot wide traffic ways separated by a 3 foot median.

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;

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 3 day of January, A.D. 1967, 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 5 day of December, 1966.

George Bayne
Mayor

ATTEST:

Norm G. McLaughly
City Secretary

ASSESSMENT LIST

GROSS ROAD FROM TOWN EAST BLVD. TO U. S. HIGHWAY 67

<u>Property Owner</u>	<u>Property Description</u>	<u>Footage</u>	<u>Assessment</u>
	<u>Town East Estates No. 1</u>		
1. Fonville & Dixon 2801 Gross Road Mesquite, Texas (Rt.#1, Box 132) (Garland, Texas)	150' x 150' tract out of Tract 6, Block V-At Gross Road and Town East	150.00 f.f.	\$ 3,279.53
2. Fonville & Dixon No. 8 Town East Shopping Center Mesquite, Texas (Rt.#1, Box 132) (Garland, Texas)	145' x 85' tract out of Tract 6, Block V	145.00 f.f.	\$ 3,159.43
3. Fonville & Dixon Town East Shop- ping Center Mesquite, Texas (Rt.#1, Box 132) (Garland, Texas)	Tract 6, Block V	289.17 f.f.	\$ 6,170.72
4. I.S. Fonville 2933 Gross Rd. (Rt.#1, Box 132) (Garland, Texas)	150' x 150' tract out of Tract 6, Block V-At Palm Dr. & Gross Road	150.00 f.f.	\$ 3,365.24
5. Fonville & Dixon 2937 Gross Road (Rt.#1, Box 132) (Garland, Texas)	Tract 7, Block U	240.00 f.f.	\$ 5,019.92
6. St. Mark's Methodist Church 3117 Gross Road Mesquite, Texas	Tract 8, Block U	684.64 f.f.	\$ 4,316.39
	<u>Town East Estates No. 2</u>		
7. Paul E. Corcoran 3500 Emerald Mesquite, Texas	Lot 7, Block E	120.04 s.f.	\$ 541.38
8. G. R. Dinwiddie 3501 Emerald Mesquite, Texas	Lot 17, Block D	120.04 s.f.	\$ 541.38

Gross Road from Town East Blvd. to U. S. Highway 67

<u>Property Owner</u>	<u>Property Description</u>	<u>Footage</u>	<u>Assessment</u>
	<u>Town East Estates No. 2</u>		
9.H. R. Craft 3502 Bonito Vista Mesquite, Texas	Lot 16, Block D	132.04 s.f.	\$ 595.50
10.J. H. Herndon 3503 Bonito Vista Mesquite, Texas	Lot 1, Block D	132.10 s.f.	\$ 595.78
	<u>Byrd Estates No. 1</u>		
11.J.L. Perkins 3500 Byrd Mesquite, Texas	Lot 1, Block 1	120.04 s.f.	\$ 541.38
12.M. R. Maples 3300 Mayda Mesquite, Texas	Lot 1, Block 2	70.02 r.ft.	\$ 151.95
13.B. J. Norris 3304 Mayda Mesquite, Texas	Lot 2, Block 2	60.02 r.ft.	\$ * 130.25
14.J. L. Durrett 3308 Mayda Mesquite, Texas	Lot 3, Block 2	60.02 r.ft.	\$ 130.25
15.Secretary of Housing & Urban Development 3312 Mayda Mesquite, Texas (Mail Address) (1621 Main St.) (Dallas, Texas)	Lot 4, Block 2	60.02 r.ft.	\$ 130.25
16.R. G. Stephens 3316 Mayda Mesquite, Texas	Lot 5, Block 2	55.49 r.ft.	\$ 120.41
17.H. G. Larimer 3320 Mayda Mesquite, Texas	Lot 6, Block 2	60.03 r.ft.	\$ 130.26
18.B. R. McMullen 3324 Mayda Mesquite, Texas	Lot 7, Block 2	60.03 r.ft.	\$ 130.26

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Gross Road from Town East Blvd. to U. S. Highway 67

<u>Property Owner</u>	<u>Property Description</u>	<u>Footage</u>	<u>Assessment</u>
19. Ralph W. Guffey 3328 Mayda Mesquite, Texas	<u>Byrd Estates No. 1</u> Lot 8, Block 2	60.03 r.ft.	\$ 130.26
20. C. J. Eastham 3332 Mayda Mesquite, Texas	Lot 9, Block 2	70.04 r.ft.	\$ 151.99
21. Glen L. Cecil 3603 Lou Ann Mesquite, Texas	Lot 8, Block 3	120.06 a.f.	\$ 500.06
22. John A. Rawlins 6006 Swiss Dallas, Texas	T. D. Sackett Survey Ab. 1362 (See Item I Attached)	2,577.00 f.f.	\$ 41,466.53
23. J. H. Briley 614 S. Galloway Mesquite, Texas	T. D. Sackett Survey Abstract 1362 (See Item II Attached)	719.00 f.f.	\$ 8,250.18
	Total	<u>6,254.83 Ft.</u>	<u>\$ 79,549.30</u>

ITEM I

John A. Rawlins

Being an 80 ac. tract out of the T. D. Sackett Survey Ab. 1392, City of Mesquite, Texas, deeded to John A. Rawlins, May 25, 1950, and a 97.074 acre tract out of the T. D. Sackett Survey Ab. 1392, City of Mesquite, Texas, deeded to John A. Rawlins, July 30, 1945, said 80 ac. and 97.074 acre tracts being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the Northwest right of way line of Town East Blvd. and the Northeast right of way line of Gross Road; THENCE Northwest with the Northeast line of Gross Road a distance of 2,597 feet, more or less, to a point for corner; THENCE N 45° E a distance of 2,975 feet, more or less, to a point for corner, said point being the Northeast line of the T. D. Sackett Survey, Abstract 1362; THENCE S 45° E with the Northeast line of the said T. D. Sackett Survey, Abstract 1362 a distance of 2,597 feet, more or less, to a point for corner; said point being in the Northwest right of way line of Town East Blvd; THENCE Southwest with the Northwest right of way line of Town East Blvd. a distance of 2,975 feet, more or less, to the place of beginning. SAVE AND EXCEPT those portions dedicated for street right of way; SAVE AND EXCEPT that 3.84 acre tract deeded to Town East Baptist Church 7/15/63 recorded Vol. 106, Page 1731 Dallas County Deed Records; SAVE AND EXCEPT that 9.16 acre tract deeded to Dallas Association of Christian Churches 5/18/64 recorded Vol. 317, Page 107B Dallas County Deed Records; and SAVE AND EXCEPT that 11.476 acre tract deeded to the Mesquite Independent School District 9/9/63 recorded Vol. 153, Page 2190 Dallas County Deed Records.

ITEM II

J. H. Briley

Being a 49.154 acre tract of land located in the T. D. Sackett Survey, Abstract No. 1362, City of Mesquite, Dallas County, Texas, and being out of that certain 139 acre tract deeded to J. H. Briley by Effie C. Dent, a widow, by deed dated October 9, 1946, recorded in Volume 2738, Page 228 Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at the East corner of the said J. H. Briley 49.154 acre tract and the north corner of the John A. Rawlins 75.5 acre tract, said point being the Easterly line of the T. D. Sackett Survey, Abstract 1362 and the westerly line of the J. Hardin Survey, Abstract No. 545;
THENCE S 45° W along the common property line of the said Briley 49.154 acre tract and the Rawlins 75.5 acre tract to a point in the Northeast R.O.W. line of Gross Road;
THENCE N 44° 32' W along the NE R.O.W. line of Gross Rd. a distance of 719 feet, more or less, to a point for corner in the southeasterly R.O.W. line of I.H. 30 (U.S. Highway 67);
THENCE N 10° 46' E a distance of 156.1 feet to a point for corner;
THENCE N 53° 54' W a distance of 319.1 feet to a point for corner;
THENCE N 31° 04' E a distance of 16.24 feet to a point for corner;
THENCE N 61° 04' E a distance of 1599.5 feet;
THENCE Northeasterly along the south R.O.W. line of I.H. 30, 500.1 feet;
THENCE N 61° 04' E a distance of 744.6 feet to a point for corner; said point being the north corner of the said J. H. Briley 49.154 tract and also being the common line of the T. D. Sackett Survey, Abstract 1362 and the J. H. Hardin Survey, Abstract #545;
THENCE S 44° 54' E along the said common line of the T. D. Sackett Survey Abstract 1362 and the J. H. Hardin Survey, Abstract #545 to the place of beginning.