

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Mesquite, Texas, for the improvement of the following streets:

- (1) Carver Street from Gross Street to Paza Drive
- (2) Tosch Lane from Lakeview Street to South of Whitehurst Street

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, the City Council let the contract to BiCo Pavers for said improvement of said streets by paving with 3,000 P.S.I. reinforced concrete pavement meeting the City's Standard Specifications; by constructing concrete driveway approaches and sidewalks where specified; and by constructing all necessary drains, sewers and culverts where specified;

WHEREAS, the City Council duly adopted the said contract, and determined upon the levying of an assessment against the abutting property owners for their pro rata parts of the cost of said improvement, as provided by the applicable law; 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 3 day of June, 1968, in the Council Chamber, in the City Hall of the City of Mesquite, Texas, to then and there make protest and objection, if any, to said improvement, and the cost of the same, and any other objection that may appear to such property owners; and,

WHEREAS, the agent or such property owners and 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, 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: ³

See attached

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 of the following property owners,

See attached

are determined against them and overruled; and,

WHEREAS, the Council, after fully considering the said assessments, and fully considering the benefits that each property owner and his property receive 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 of the said improvements, and that the said assessments should be made; and,

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WHEREAS, the Council having no further protest, 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 3 day of June, 1968, and thereafter continued until the present date, be and the same is hereby ordered closed.

SECTION 2. That the objection, protests, and remonstrances of the hereinabove respectively named owners, namely,

See attached

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 streets hereinabove mentioned, the proportionate part of said cost that has been heretofore adjudged against the said 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 in the Charter in such cases is made and provided.

PASSED by the City Council of the City of Mesquite on the 3 day of June, 1968.

ATTEST: James M. Gandy
City Secretary

Jim Robinson
Mayor

TOSCH LANE

- (1) W. J. Walker, 1207 Tosch - should not be forced to have sidewalks.
- (2) W. B. Russell, 1244 " - did not want sidewalks.
- (3) Wm. May, 1215 " - against sidewalks.

SOUTH CARVER

1. F. L. Brinkley - 838 S. Carver - Against amount of assessment.
2. L. L. Good, 611 S. Carver - Felt it was being done to accommodate school and was afraid would cause property to be revalued.
3. Mrs. Johnny Wallace, 4536 Astor - Felt school should pay for it.
4. Jesse Goforth, 445 S. Carver - did not feel should have to pay for it.
5. Clyde Perkins, 501 S. Carver - unable to pay assessment.
6. E. E. Albers, 807 and 429 S. Carver - felt would cause people to drive fast on it.
7. L. B. Fenley, 305 Paza - felt it was for the benefit of school.
8. Royse Banks, 11804 Lake June - did not think value of property on S. Carver would warrant the amount of assessment.
9. Jack Wagoner for Jerry Lumley, 948 S. Carver - against amount of assessment and felt City and school should pay for it.
10. John McDaniel and Mrs. Lon McDaniel, 426 S. Carver & 414 S. Carver - against sidewalks.
11. James Massey, 727 S. Carver - unable to pay amount of assessment.
12. Arbie Colwell, 442 S. Carver - against amount of assessments as would work hardship on everyone.
13. George Roberts - opposed to entire project.
14. Mrs. W. H. Lankford, 723 S. Carver - no way could pay for assessment.
15. W. A. Grisham, 819 S. Carver - objected to amount of assessment.
16. Walter Robinson, owner of property at 942 S. Carver - felt was for benefit of school and also that the values of the houses on Carver were not equal to amounts of assessments on them.
17. H. L. McKerney, 831 S. Carver - opposed to entire project.