

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

Gross Road from U. S. Highway 80 to Scyene Road

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 Ruby Construction Co. for said improvements of said street by paving with 7-inch thick 3,000 P.S.I. reinforced concrete pavement; with 6-inch high integral curbs; with 6-inch thick reinforced concrete driveway approaches and alley returns where specified; and with 4-inch thick concrete sidewalks where specified; so that there will be 2-34 foot wide roadways with a 20 foot wide median, except where left turn lanes are provided and then the median will be 10 feet wide; 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 4 day of August, 1969, 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,

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

59

SECTION 1. That the said hearing heretofore ordered had on
the 4 day of August, 1969, and thereafter continued
until the present date, be and the same is hereby ordered closed.

SECTION 2. That the objections, 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
street 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
4 day of August, 1969.


Mayor

ATTEST:


City Secretary

Attachment to Resolution No. 14-69

1. Jerry Barton, 2401 Sybil - unable to pay the amount of assessment and felt it was unfair since road is thoroughfare.
2. Marion E. Brown, 2400 Sybil - rather not have road paved.
3. C. A. Whitaker - 2303 Norma - could not afford payments.
4. Mrs. R. G. Agpalza, 2302 Norma - could not afford payments for the amount of assessments; also did not feel it was fair.
5. M. R. Adkinson, 2409 Vickie - felt assessment was an injustice - that City should pay for paving.