

RESOLUTION NO. 18-69

139

A RESOLUTION OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, REQUESTING THAT THE TEXAS HIGHWAY DEPARTMENT REVISE THAT CONTRACT OF JULY 21ST, 1969, HERETOFORE ENTERED INTO BETWEEN THE CITY OF MESQUITE AND STATE OF TEXAS SO AS TO PROVIDE FOR A PLAN OF INTERCHANGE ILLUMINATION ON INTERSTATE HIGHWAY NO. 635 IN LIEU OF A PLAN OF CONTINUOUS LIGHTING, BY DIRECTING THE CITY MANAGER TO FORWARD A COPY OF THIS RESOLUTION TO THE TEXAS HIGHWAY DEPARTMENT, AND BY DECLARING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY FROM AND AFTER ITS DATE OF PASSAGE.

WHEREAS, on the 21st day of July, 1969, the City of Mesquite by Resolution, had entered into an agreement with the State of Texas providing for the construction, maintenance and utility costs, for the continuous illumination of Interstate Highway No. 635 within the municipal boundaries of the City of Mesquite, and:

WHEREAS, subsequent to the entering into of the Agreement above said, the City of Mesquite, on August 26, 1969, acting by and through its administrative and elected officials, requested that the Texas Highway Department rescind the original plan of continuous illumination in favor of a plan calling for the illumination of interchanges only as the same may be located on Interstate Highway No. 635, and:

WHEREAS, by letter of October 3, 1969, a copy of which is hereto attached, the City of Mesquite was advised by the Texas Highway Department that an alternate plan providing for interchange illumination in lieu of continuous illumination of that portion of Interstate Highway No. 635 would be acceptable to the State of Texas contingent upon the possibility that a plan of continuous illumination could be adopted at some future date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS.

SECTION 1. That the State of Texas, acting by and through its Highway Department, is hereby requested to revise that Agreement of July 21st, 1969, as above mentioned, to provide for a plan of interchange illumination in lieu of continuous illumination on Interstate Highway No. 635, within the municipal boundaries of the City of Mesquite.

THENCE South 77° 48' East a distance of 99 feet, more or less, along the South line of Scyene Road to a corner on the West line of the Parkway Baptist Church tract;

THENCE South 0° 29' West a distance of 191 feet, more or less, along the West line of said Church tract to an ell corner on the North line of said Church tract;


THENCE North 86° 22' West a distance of 100 feet, more or less, along the North line of said Church tract to the East line of the Anderson-Clayton Funeral Home tract;

THENCE North 0° 29' East a distance of 205 feet, more or less, with common line of Nooner and Anderson-Clayton to the South line of Scyene Road, the place of beginning and containing 19,720 square feet or 0.4527 acre of land, more or less.

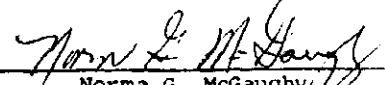
SECTION 2. That the City Manager is hereby directed to pay unto E. V. Nooner the sum of Sixteen Thousand Dollars (\$16,000.00) upon consumation of that contract mentioned in Section 1 above.

SECTION 3. That the importance of the acquisition of the right-of-way above stated make necessary that this Resolution take effect immediately from and after its date of passage.

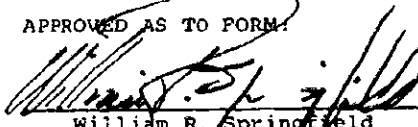
RESOLVED by the City Council of the City of Mesquite, Texas, on this the 6th day of October, 1969.

  
\_\_\_\_\_  
George Boyle Bob Beard  
Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
William R. Springfield  
City Attorney

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WHEREAS, by letter of October 3, 1969, a copy of which is hereto attached, the City of Mesquite was advised by the Texas Highway Department that an alternate plan providing for interchange illumination in lieu of continuous illumination of that portion of Interstate Highway No. 635 would be acceptable to the State of Texas contingent upon the possibility that a plan of continuous illumination could be adopted at some future date.

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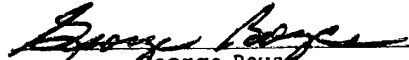
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Resolution Continued  
Page 2

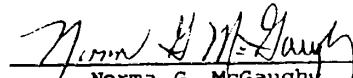
SECTION 2. That the City Manager is hereby directed to forward a signed copy of this Resolution to the Dallas District Office of the Texas Highway Department.

SECTION 3. That this Resolution shall take effect immediately from and after its date of passage.

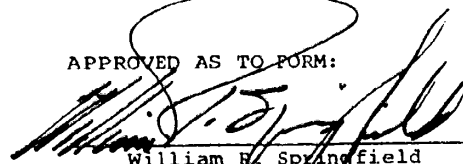
PASSED on this the 17 day of November A.D.,  
1969.

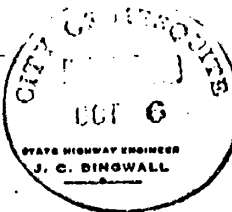
  
George Boyce  
Mayor

ATTEST:

  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:

  
William E. Springfield  
City Attorney



COMMISSION  
DEWITT G. GREER, CHAIRMAN  
HERBERT C. PETRY, JR.  
GARRETT MORRIS

TEXAS HIGHWAY DEPARTMENT

AUSTIN, TEXAS 78701

October 3, 1969

IN REPLY REFER TO  
FILE NO.

JCD

Mr. Carl W. Riehn  
City Manager  
City of Mesquite  
Box 137  
Mesquite, Texas 75149

Dear Mr. Riehn:

Reference is made to the very able presentation of your delegation before the Highway Commission on August 26, 1969, relative to the illumination of Interstate Highway 635 in the City of Mesquite.

The Commission requested a thorough review of our illumination policy as it affects conditions as exist on Interstate 635 in Mesquite and we have delayed replying to your request until this review was completed.

After a careful review of your presentation and a review of the two alternate plans of illumination (1. Continuous illumination. 2. Interchange illumination.), it is suggested this illumination project on Interstate 635 in Mesquite be developed and constructed on the basis of interchange illumination, with the understanding that it could be converted to continuous illumination at a later date upon agreement by the City and the State.

As you are aware, under existing policy, interchange or safety illumination would be constructed, operated and maintained at the entire expense of the Highway Department and if later converted to continuous illumination the operation and maintenance would be the responsibility of the City. If the City of Mesquite desires to change this illumination project from continuous illumination as now approved to interchange illumination as proposed above, please furnish the District Office in Dallas a Resolution passed by the City Council requesting a revision in the presently approved Minute Order and agreement.

The Highway Commission sincerely appreciated your able presentation of this problem.

Sincerely yours

*J. C. Bingwall*  
J. C. Bingwall  
State Highway Engineer

JCD:cb

cc - See attached sheet