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RESOLUTION NO. 18-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, STATING THEIR POSITION REGARDING PROPOSED DRAINAGE IMPROVEMENTS IN SOUTHWEST MESQUITE, AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, Southwest Mesquite encompassing an area South of Scyene Road and West of Peachtree Road including the Sherwood Forest and Oakridge Additions have for many years had drainage problems; and

WHEREAS, such area developed with few subdivision controls and inadequate streets, drainage improvements, and other services; and

WHEREAS, residents of this area petitioned the City of Mesquite for annexation in 1951 and pursuant to such petition was annexed by the City; and

WHEREAS, the City of Mesquite acquired from Dallas County Water District Number 6, the existing District water system and intergrated it with the City system; and

WHEREAS, the City of Mesquite has made repeated attempts over the years to gain the necessary easements and right of way from property owners in the area for the purpose of constructing needed drainage improvements; and

WHEREAS, preliminary engineering plans were prepared by Homer Hunter Associates for the City in 1959 and placed in the files; and

WHEREAS, the City Manager and Director of Public Works met with residents of the area on February 22, 1972, at Rollingwood Hills Baptist Church at the request of Mr. M. J. Ritchie and reviewed the history of the area, the drainage problems, need for easements and drainage problems through Balch Springs; and

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WHEREAS, on June 4, 1973, the City Council held a discussion after notice published in the newspaper and listened to comments from property owners in the area; and

WHEREAS, pursuant to such meeting and the interest indicated by those attending and the comments made at the June 7, 1974, Council session, the City Council determined that the City would finance a concrete lined open drainage channel through the area if property owners would grant easements. It was stipulated in the proposed easement that channel improvements would be at no direct cost to the grantor of the easement and that the easement would lapse if the drainage improvements were not constructed within seven (7) years. The Council further authorized Homer Hunter Associates to prepare final engineering plans; and

WHEREAS, form letters were mailed to property owners in November, 1973, explaining in some detail the Council's position, the effect of the easement and other matters pertaining to the drainage project; and

WHEREAS, a less detailed follow-up letter was mailed to property owners in January of this year again requesting execution of an easement and advising that the project would not be initiated unless the easements were obtained; and

WHEREAS, Homer Hunter Associates have finished final engineering plans for the area at a cost of \$50,000.00, and such plans are now on file; and

WHEREAS, to date only 19 of the 52 needed easements have been obtained.

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

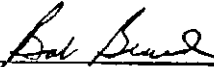
SECTION 1. That since many of the owners to be particularly benefited have indicated their lack of support of the drainage project by failure to execute necessary easements, plans for such project shall be put aside until such time as property owners in the area indicate their desire for such project by petitioning the City for such improvements and by executing the needed easements.

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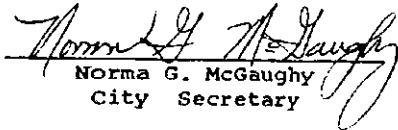
SECTION 2. That this Resolution shall take effect immediately upon passage as the Charter in such cases provides.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 17th day of June , A.D., 1974.



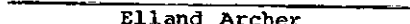
Bob Beard
Mayor

ATTEST:



Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:



Elland Archer
City Attorney