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RESOLUTION NO. 29-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CLOSING THE PUBLIC HEARING REGARDING WATER AND SEWER IMPROVEMENTS IN AND ALONG A PORTION OF FORNEY AVENUE IN THE CITY OF MESQUITE, AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, Heretofore, a resolution was duly adopted by the City Council of the City of Mesquite for the improvement of the water distribution system in and along Forney Avenue between Town East Boulevard Southwesterly to a point 1400 feet South of Chase Road, and for the improvement of the sanitary sewer system in and along Forney Avenue between Treasury Row Southwesterly to a point 1250 feet south of Chase Road, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared as more particularly shown by proceedings heretofore had; and,

WHEREAS, By resolution such estimate and specifications were duly adopted therefor, and the City Secretary was authorized to advertise for bids for such construction; and,

WHEREAS, By resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property benefited by such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and,

WHEREAS, the said hearing was duly held at said time and place; and,

WHEREAS, all of the said owners were duly notified of said hearing, and all persons desiring to be heard as to any matter in relation thereto were heard, and all matters of error, mistake or inequality which were called to the attention of the council were corrected; and,

WHEREAS, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and represent the benefits that the said property received in enhanced values from the making of the said improvements, and that the said assessments should be made, and,

00016

RESOLUTION/PAGE 2  
November 21, 1977

WHEREAS, the council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed;

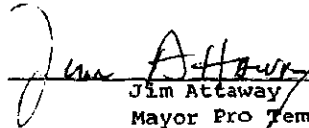
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the said hearing held on the 21st day of November, 1977, be and the same is hereby ordered closed.


SECTION 2. That the City Attorney be, and he is hereby directed to prepare an ordinance assessing against the several owners of the benefited property, and against their benefited property, the proportionate part of said cost herein 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 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Mesquite and it is accordingly so resolved.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 21st day of November, 1977.

  
Jim Attaway  
Mayor Pro Tem

ATTEST:

  
Norma G. McGaughey  
City Secretary