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RESOLUTION NO. 29-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE RELOCATION OF FORNEY ROAD IN THE VICINITY OF MESQUITE-DALLAS CITY LIMITS AND AUTHORIZING THE MAYOR TO EXECUTE INSTRUMENTS IMPLEMENTING SUCH EXCHANGE UPON CERTAIN CONDITIONS AND COMMITTING THE CITY TO TAKE SUCH ACTION AS REQUIRED TO ENABLE IT TO CONVEY GOOD TITLE TO THE RIGHT-OF-WAY TO BE EXCHANGED AND PROVIDING FOR THE ASCERTAINMENT OF LEGAL DESCRIPTION BY ACTUAL SURVEY; SAID RELOCATION OF FORNEY ROAD TO BE ACCOMPLISHED AT NO COST TO CITY; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Missouri Pacific Railroad Company is desirous of developing certain land in the vicinity of Forney Road and the Mesquite-Dallas City limits; and,

WHEREAS, such development will increase the tax base of the City of Mesquite and is in the public interest; and,

WHEREAS, said development will necessitate the relocation of a portion of Forney Road; and,

WHEREAS, said Railway Company proposes to acquire right-of-way for said new location of Forney Road and to construct said relocated Forney Road in accordance with City of Mesquite's requirements as to paving, drainage and other matters relating to Road construction, at no cost to City, and to dedicate the relocated right-of-way and paving to the City of Mesquite in exchange for that portion of the existing Forney Road right-of-way supplanted by the relocated portion; and,

WHEREAS, the City Council has determined that such exchange is in the public interest; and,

WHEREAS, certain conditions precedent must occur prior to said exchange of land;

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

SECTION 1. That the City Council of the City of Mesquite does hereby approve an exchange of land and the relocation of Forney Road in the vicinity of the Mesquite-Dallas City Limits generally as shown by the attached drawing labeled Exhibit "A" and authorize the Honorable B. J. Smith, Mayor, to execute instruments implementing said exchange of right-of-way subject to agreement between Missouri Pacific Railroad Company and City as to construction and conveyance to City of Mesquite right-of-way and re-routed thoroughfare to be known as Forney Road, said re-routed portion of Forney Road to be constructed, at no cost to City, in accordance with City requirements and specifications as to paving, drainage