

RESOLUTION NO. 20-88

A RESOLUTION OF THE CITY OF MESQUITE, TEXAS, DETERMINING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF RIGHT-OF-WAY FOR THE CONSTRUCTION, WIDENING AND IMPROVEMENT OF TOWN EAST BLVD. BETWEEN N. GALLOWAY AND EAST CITY LIMITS, IN THE CITY OF MESQUITE, TEXAS AS DESCRIBED HEREIN; AUTHORIZING THE ATTORNEY FOR THE CITY TO INSTITUTE CONDEMNATION PROCEEDINGS; AND DECLARING THE EFFECTIVE DATE THEREOF.

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, Texas, has and does deem it necessary and expedient and has determined that a public necessity exists for the acquisition of the right-of-way for the construction, widening and improvement of Town East Blvd. together with location and relocation of utilities and all lawful purposes incident thereto between N. Galloway and east City limits in the City of Mesquite and more particularly described in Exhibit "A" attached hereto, the owners of those claiming an interest to said land being:

<u>PARCEL</u>	<u>OWNER</u>
Parcel #4	Tom Adamek
Parcel #5	Charles R. Smith
Parcel #6	Thomas C. Black
Parcel #7	Thomas C. Black

SECTION 2. That the City Manager is hereby authorized to make a final offer for the acquisition of said property as follows:

\$10,000 to Tom Adamek for Parcel #4

\$13,000 to Charles Smith for Parcel #5

\$10,000 to Thomas C. Black for Parcel #6

\$17,000 to Thomas C. Black for Parcel #7

Such offers shall be made by certified mail.

SECTION 3. If no response is made to the City Manager's final offer within ten (10) days, the Attorney for the City is hereby authorized to institute Eminent Domain proceedings to condemn said property for said use according to law and to obtain fee simple title right-of-way and/or drainage easements to and upon said property for the purposes expressed herein.

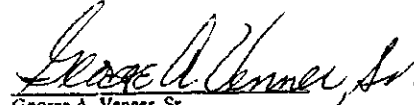
SECTION 4. Should any portion of the property described in Exhibit "A", attached hereto, not be subject to legal condemnation by the City of Mesquite, such fact shall not prevent the City from condemning such land which is described in Exhibit "A" and is subject to

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legal condemnation by the City, and it is the intention of the City of Mesquite to condemn only such territory as may be legally condemned by it within the limits of the land described in Exhibit "A".

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 16th day of May, 1988.


George A. Vencer, Sr.
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary


Jonathan Graham
City Attorney

EXHIBIT "A"

O'HARE

000177

Apr. 1400

Young/Clark JV

Ahdallah & Hans Adhuni

Carol L. Tompkins & Marjorie L. Nutman

Berea Baptist Church

Travis & Anita Presley

JT & Anita Wesley

MORRY C. HANSON & A.R. & DOROTHY HANSON

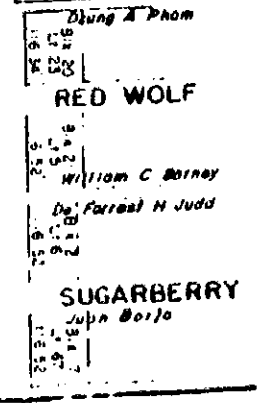
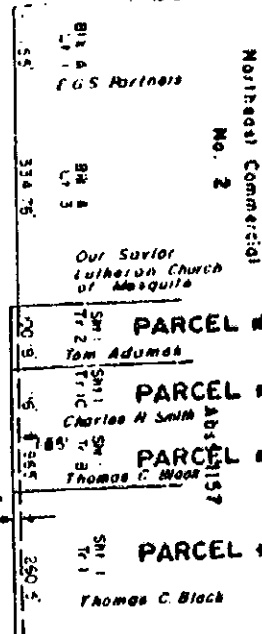
Berea Baptist Church

R L Crane, Inc

Lutvin H. Rice, et al

TOWN EAST BLVD.
From Galloway to Belt

532.64'
188.33'
137.29'
284.66'
100.26'
100.26'
50.34'
48.99'
103.21'
77.00'



Northwest Commercial
No. 2

PARCEL # 4
PARCEL # 5
PARCEL # 6
PARCEL # 7

Meadowdale No. 3

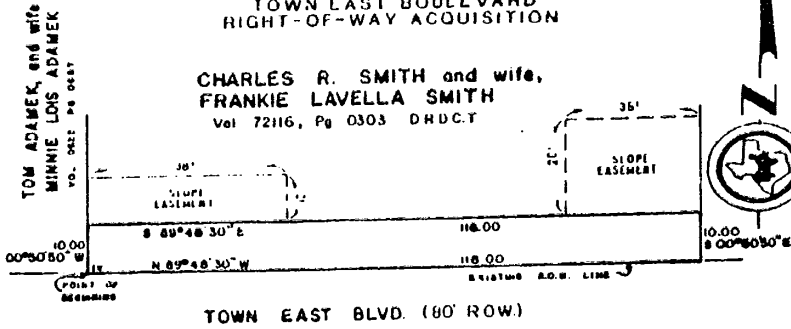
BELT LINE

RD.

000178

CITY OF MESQUITE, TEXAS
TOWN EAST BOULEVARD
RIGHT-OF-WAY ACQUISITION

CHARLES R. SMITH and wife,
FRANKIE LAVELLA SMITH
Vol 72116, Pg 0303 D.R.D.C.T.



BEING a 0.0266 acre tract in the Jayrah Phelps Survey, Abstract No. 1157, City of Mesquite, Dallas County, Texas, and being a strip of land 10' wide north of and adjacent to the north line of existing Town East Blvd. (80' R.O.W.) out of that tract conveyed from Evelyn Jane Black, a single woman to Charles R. Smith and wife, Frankie Lavella Smith by Warranty Deed dated June 2, 1972, as recorded in Volume 72116, Page 0303, D.R.D.C.T., said 10' strip being described as:

BEGINNING at an iron rod found on the north line of said Town East Blvd. at the southwest corner of said Smith Tract, same being the southeast corner of the Adamek Tract as recorded in Volume 522, Page 0687, D.R.D.C.T.;

THENCE on the common line between said Adamek Tract and Smith Tract, North 00°50'50" West, 10.00 feet;

THENCE South 09°48'30" East, 116.00 feet to the east line of said Smith Tract;

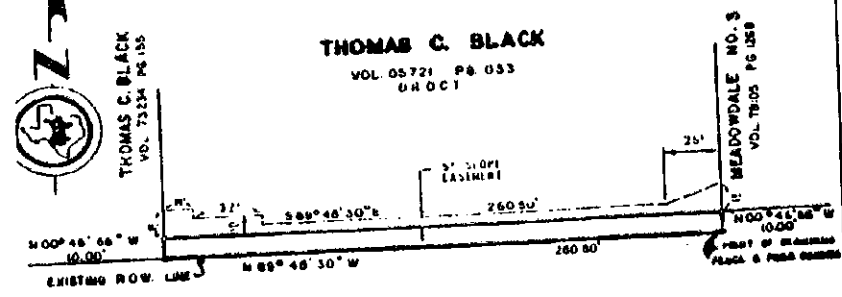
THENCE on said east line, South 00°50'50" East, 10.00 feet to the north line of said Town East Blvd.;

THENCE North 09°48'30" West, 116.00 feet to the point of beginning containing a computed area of 1160 sq. ft. or 0.0266 acre.

4-10-86 ADDED SLOPE EASEMENT CAM
1223-88-000-100
GC Geogram Corporation
Land Surveyors - Engineers
1/21/1987

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CITY OF MESQUITE, TEXAS
TOWN EAST BOULEVARD
RIGHT-OF-WAY ACQUISITION



TOWN EAST BLVD. (80' R.O.W.)

BEING a 0.0598 acre tract in the Josiah Phelps Survey, Abstract No. 1157, City of Mesquite, Dallas County, Texas, and being a strip of land 10' wide north of and adjacent to the north line of existing Town East Blvd. (80' R.O.W.) out of that tract conveyed from Rosa M. Allen et al to Thomas C. Black by Warranty Deed dated February 22, 1962, as recorded in Volume 5721, Page 33, D.R.D.C.T., said 10' strip described as:

BEGINNING at the intersection of the east line of said Black Tract with the north line of said Town East Blvd., same being the most southerly west corner of Meadowdale No. 3, in addition to the City of Mesquite as recorded in Volume 78165, Page 1708, D.R.D.C.T.;

THENCE on the north line of said Town East Blvd., North $00^{\circ} 46' 30''$ West, 260.50 feet to the west line of said Black Tract;

THENCE on said west line, North $00^{\circ} 46' 30''$ West, 10.00 feet;

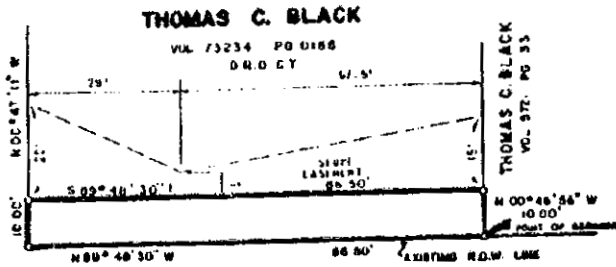
THENCE, South $89^{\circ} 46' 30''$ East, 260.50 feet to the east line of said Smith Tract;

THENCE on said east line, South $00^{\circ} 46' 30''$ East, 10.00 feet to the point of beginning containing a computed area of 2605 sq. ft. or 0.0598 acre.

6-10-66 ADDED SLOPE EASEMENT CAM
 1222-00-000-100
GC Geogram Corporation
 Land Surveyors - Engineers
 1910 21st St. Dallas, Texas 75201

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CITY OF MESQUITE, TEXAS
TOWN EAST BOULEVARD
RIGHT-OF-WAY ACQUISITION



TOWN EAST BLVD. (80' R.O.W.)

BEING a 0.0199 acre tract in the Josiah Phelps Survey, Abstract No. 1157, City of Mesquite, Dallas County, Texas, and being a strip of land 10' wide north of and adjacent to the north line of existing Town East Blvd. (80' R.O.W.), out of that tract conveyed from Carla Mae Black et vir, Mark Wayne Blanton to Thomas C. Black by Warranty Deed dated Nov. 6, 1973, as recorded in Volume 73234, Page 0168, D.R.D.C.T., said 10' strip described as:

BEGINNING at a point in the north line of said Town East Blvd., at the southeast corner of said Black Tract, 260.50 feet North 09°48'30" West of a southwest corner of Mulvendale No. 3, an addition to the City of Mesquite, Dallas County, Texas;

THENCE on said north line, North 09°48'30" West, 06.50 feet to the southwest corner of said Black Tract;

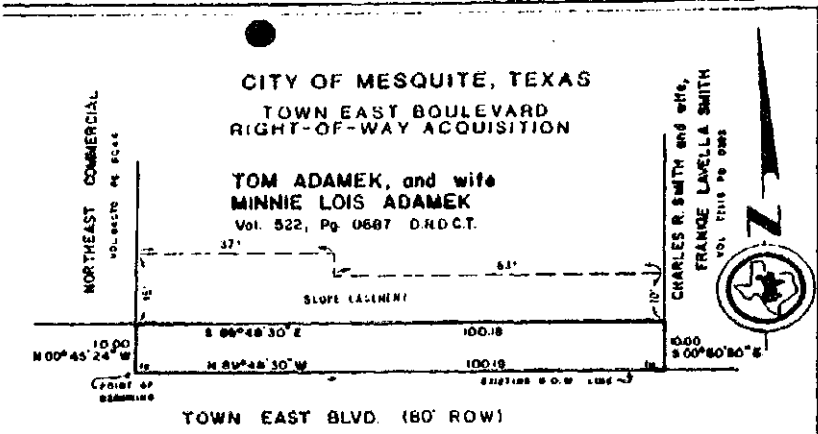
THENCE on the west line of said Black Tract, North 00°47'11" West, 10.00 feet;

THENCE, South 09°48'30" East, 06.50 feet to the east line of said Smith Tract;

THENCE on said east line, same being the west line of the Smith Tract recorded in Volume 5721, Page 43, D.R.D.C.T., South 00°46'56" West, 10.00 feet to the point of beginning containing a computed area of 285 sq. ft. or 0.0199 acre.

4-10-86 ADDED SLOPE EASEMENT CAM
1233-88-888-100
GC Geogram Corporation
Land Surveyors - Engineers
Dallas, Texas

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BEING a 0.0230 acre tract in the Josiah Phelps Survey, Abstract No. 1157, City of Mesquite, Dallas County, Texas, and being a strip of land 10' wide north of and adjacent to the north line of existing Town East Blvd. (80' R.O.W.) out of the tract conveyed from M.A. O'Hare, and wife, Iva Ramsey Herring O'Hare to Tom Adamek, and wife Minnie Lois Adamek, by Warranty Deed dated March 9, 1965, as recorded in Volume 522, Page 0687, D.R.D.C.T., said 10' strip described as:

- BEGINNING at an iron rod found in the north line of said Town East Blvd. at the southwest corner of said Adamek Tract;
- THENCE on the west line of said Adamek Tract, North 00°45'24" West, 10.00 feet;
- THENCE South 89°48'30" East, 100.18 feet to the east line of said Adamek Tract;
- THENCE on said east line, South 89°50'50" East, 10.00 feet to an iron rod found on the north line of said Town East Blvd.;
- THENCE North 89°48'30" West, 100.19 feet to the point of beginning containing a calculated area of 1002 sq. ft. or 0.0230 acre.

4-10-66 ADDED SLOPE EASEMENT CAN
 1733-44-009-100

GC Geogram Corporation
 Land Surveyors - Engineers

DATE: 1/10/66