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RESOLUTION NO. 5-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS RATIFYING ASSESSMENTS LEVIED BY THE CITY OF DALLAS, CITY OF DALLAS ORDINANCE NO. 20177, AGAINST CERTAIN PROPERTY LOCATED WITHIN THE CITY OF MESQUITE ABUTTING JOHN WEST ROAD BETWEEN BUCKNER BOULEVARD AND LAPRADA DRIVE/BIG TOWN BOULEVARD.

WHEREAS, the City of Dallas by and through its City Council has ordered the improvement of John West Road between Buckner Boulevard and LaPrada Drive/Big Town Boulevard; and

WHEREAS, after notice and hearing as required by law, the City Council of the City of Dallas has passed Ordinance No. 20177 assessing property abutting said portion of such street, having found each parcel assessed will be benefited in enhanced value in an amount in excess of the said assessment; and

WHEREAS, the City of Mesquite recognizes the improvements to John West Road will provide a substantial benefit to the motoring public as well as a special benefit to abutting property owners;


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

SECTION. That the City Council of the City of Mesquite, Texas does hereby ratify the assessments levied against properties in the City of Mesquite, Texas by the City Council of the City of Dallas in City of Dallas Ordinance 20177, passed January 11, 1989, and attached hereto as Exhibit "A".


DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 6th day of February, 1989.


George A. Venner, Sr.
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED:


B.J. Smith
City Attorney

00014



CITY OF DALLAS

STATE OF TEXAS
COUNTY OF DALLAS
CITY OF DALLAS

I, ROBERT S. SLOAN, city secretary of the City of Dallas, Texas, do hereby certify that this is a true and correct copy of City of Dallas ORDINANCE NO. 2017 which was adopted by the city council of the City of Dallas on January 11, 1989.

WITNESS MY HAND AND THE SEAL OF THE CITY OF DALLAS, TEXAS.

This the 20th day of January A.D. 19 89.

Handwritten signature of Robert S. Sloan.

ROBERT S. SLOAN
City Secretary
City of Dallas, Texas



Darlene Garmon
PREPARED BY

890238

00015 EXHIBIT "A"
PAGE 2

ORDINANCE NO. 20177

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING _____ street _____ IN THE CITY OF DALLAS, TEXAS, TO WIT:

John West Road from Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID _____ street _____, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, Heretofore a resolution was duly adopted by the City Council ordering the improvements of

John West Road from Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard

by filling, raising, grading, and paving same; and,

WHEREAS, Pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Public Works (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and,

00016

20177

890238

EXHIBIT "A"
PAGE 2

WHEREAS, In compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street, the description of their property, the total cost of the said improvements, the cost thereof per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and,

WHEREAS, Thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing said owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and,

WHEREAS, The said resolution in connection with the improvement of said street was duly adopted in compliance with the law on the 14th day of December, 1988; and,

WHEREAS, In accordance with the terms of the law, the City Secretary of the City of Dallas gave notice to the property owners on said street of said hearing, by publishing a copy of said notice in the The Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 11th day of January, 1989; and the City Secretary also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and,

WHEREAS, Said hearing was had at the time and place mentioned in the said resolution and notice, to wit, on the 11th day of January, 1989 at 1:00 o'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and,

WHEREAS, At said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected;

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 11th day of January, 1989, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street hereinbelow mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially

20177

890238

00017

EXHIBIT "A"
PAGE 4

SECTION 1. (Cont'd)

in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties and between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

SECTION 2. There shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

00018

20177

890238

EXHIBIT "A"
PAGE 5

John West Road From Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard to be improved with 8-inch thickness reinforced 3000-pounds per square inch concrete pavement; with 6-inch lime stabilized base; with 6-inch height roll-type integral curbs; with 6-inch thickness reinforced concrete drive approaches; with 4-inch thickness non-reinforced concrete sidewalks 4-feet wide where specified; so that there shall be two roadways, each 33 feet in width separated by a variable width median with turning lanes where specified:

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	ASSESSMENT
NORTH SIDE OF STREET						
UNSUBDIVIDED						
F.S.L.I.C. 717 N. Harwood #1150 Dallas, Texas 75201	Pt. Blk. 890' on N side of John West at NW corner of La Prada	7360, 7361 & 7362	190' pvmt 700' pvmt 890' walk	\$62.19 34.79 1.91	\$11,816.18 24,353.00 1,699.90 37,869.08	
Total						37,869.08
Credit per R-O-W Agreement						37,869.08
Net Due by Owner						-0-
Hillview Terrace Assembly of God Church 2545 John West Road Dallas, Texas 75228	Pt. Blk. 292' on N side of John West 890' W of La Prada	7363	292' pvmt 252' walk 20' dr (20sy) 20' dr (20sy)	25.66 1.91 17.00 17.00	7,492.72 491.32 340.00 340.00	
						8,654.04
F.S.L.I.C. 717 N. Harwood #1150 Dallas, Texas 75201	Pt. Blk. 329' on N side of John West 1,182' W of La Prada	7363	329' adj to 269' pvmt 269' walk	34.79 1.91	9,358.51 513.79 9,872.30	
Total						9,872.30
Credit per R-O-W Agreement						9,872.30
Net Due by Owner						-0-
HILLVIEW TERRACE 2ND. SECTION						
Vernell Pendergrass 2343 Homeway Circle Dallas, Texas 75228	29	11/7376	130' walk	0.48	62.40	62.40
HOMEWAY CIRCLE INTERSECTS						
Arthur B. Weatherread 2346 Freeland Way Dallas, Texas 75228	16	8/7376	88' walk	0.48	42.24	42.24
James M. Johnson Jr. 2348 Freeland Way Dallas, Texas 75228	15	8/7376	73' walk	0.48	35.04	35.04
Owight L. Miller 2334 Freeland Way Dallas, Texas 75228	14	8/7376	73' walk	0.48	35.04	35.04
Victor L. Schumann 2328 Freeland Way Dallas, Texas 75228	13	8/7376	73' walk	0.48	35.04	35.04

20177

00019 890238
EXHIBIT "A"
PAGE 6John West Road From Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to
Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard:

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	ASSESSMENT
H.C. Carpenter 2322 Freeland Way Dallas, Texas 75228	12	8/7376	73' walk	\$0.48	\$35.04	\$35.04
Raymond W. Jett III 2316 Freeland Way Dallas, Texas 75228	11	8/7376	73' walk	0.48	35.04	35.04
Robert S. Fisher 2310 Freeland Way Dallas, Texas 75228	10	8/7376	73' walk	0.48	35.04	35.04
Jodie L. Nallie 2304 Freeland Way Dallas, Texas 75228	9	8/7376	72' walk	0.48	34.56	34.56
John M. Miskulin 2246 Freeland Way Dallas, Texas 75228	8	8/7376	72' walk	0.48	34.56	34.56
Harry E. Bates 2240 Freeland Way Dallas, Texas 75228	7	8/7376	72' walk	0.48	34.56	34.56
James H. Rhodes Jr. 2234 Freeland Way Dallas, Texas 75228	6	8/7376	72' walk	0.48	34.56	34.56
Larry E. & Donna Henry 2228 Freeland Way Dallas, Texas 75228	5	8/7376	72' walk	0.48	34.56	34.56
Derward B. Roach 2222 Freeland Way Dallas, Texas 75228	4	8/7376	72' walk	0.48	34.56	34.56
Billy Grant Russell 2216 Freeland Way Dallas, Texas 75228	3	8/7376	72' walk	0.48	34.56	34.56
Charles Newell P.O. Box 28559 Dallas, Texas 75228	2	8/7376	72' walk	0.48	34.56	34.56
HILLVIEW TERRACE 1ST SEC. ADDITION						
Wilmar A. Gamel 2204 Freeland Way Dallas, Texas 75228	1-A	8/7376	87' walk	0.48	41.76	41.76

00020

20177

890238

EXHIBIT "A"
PAGE 7

John West Road From Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard:

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	ASSESSMENT
FREEPORT DRIVE INTERSECTS						
Dortha N. Curry 2148 Freeland Way Dallas, Texas 75228	8-A	7/7376	89' pvmt	\$5.48	\$487.72	\$487.72
Charles E. Jones 9182 Garland Rd. Dallas, Texas 75218	7-A	7/7376	67' pvmt	5.40	367.16	367.16
Billy Peters 2136 Freeland Way Dallas, Texas 75228	6-A	7/7376	67' pvmt	5.48	367.16	367.16
Leigh Husni 2130 Freeland Way Dallas, Texas 75228	5-A	7/7376	67' pvmt	5.48	367.16	367.16
David R. & Debra Quill 2124 Freeland Way Dallas, Texas 75228	4-A	7/7376	67' pvmt	5.48	367.16	367.16
Ronald H. & Mary S. Hall 2118 Freeland Way Dallas, Texas 75228	3-A	7/7376	67' pvmt	5.48	367.16	367.16
Thomas H. Oswald Jr. 2112 Freeland Way Dallas, Texas 75228	2-A	7/7376	67' pvmt	5.48	367.16	367.16
Everette L. McGrew 2106 Freeland Way Dallas, Texas 75228	1-A	7/7376	89' pvmt	5.48	487.72	487.72
CADENZA LANE INTERSECTS						
Charles E. Blythe 8309 Cadenza Lane Dallas, Texas 75228	1	2/7376	125' pvmt 125' walk	5.57 .48	696.25 60.00	756.25

20177

890238
00021 EXHIBIT "A"
PAGE 8

John West Road From Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard:

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	ASSESSMENT
CARTER ADDITION NO. 1						
Carter Companies 2031 John West Rd. Dallas, Texas 75228	1	1/7376	74' pvmt 54' walk 20' drive	\$62.19 1.91 (no cost)	\$4,602.06 103.14	54,705.28
SAFEWAY ADDITION NO. 5						
Susan Sandelman Trustee of Alisan Trust 6 Oneida Rd. Scarsdale, N. Y. 10583	all of block	12/7376	290' pvmt 216' walk 40' drive 34' drive	62.19 1.91 (no cost) (no cost)	18,035.10 412.56	18,447.66
UNSUBDIVIDED						
Delaware Western Properties Property Tax 1203 NT P.O. Box 1267 Tonca City, Oklahoma 74602	Pt. Blk. 150' on N side of John West at NE corner of Buckner	7376	150' pvmt 84' walk 34' drive 32' drive	56.63 1.91 (no cost) (no cost)	8,494.50 160.44	8,654.94
SOUTH SIDE OF STREET						
UNSUBDIVIDED						
Shell Oil Company P.O. Box 2099 Houston, Texas 77001	Pt. Blk. 168' on S side of John West at SE corner of Buckner	7365	168' pvmt 168' walk	62.19 1.91	10,447.92 320.88	10,768.80
FOODMAKERS 1ST ADDITION						
Foodmaker, Inc. #744 & George W. White P.O. Box 703 San Diego, California 92112	1	1/7365	25' pvmt 25' drive	62.19 (no cost)	1,554.75	1,554.75
TOWN MARKET SHOPPING CENTER						
Cullum Dev. Co. & Town Market J/V 13601 Preston Rd. #601E Dallas, Texas 75240	2-A	1/7365	564' pvmt 502' walk 31' drive 31' drive	62.19 1.91 (no cost) (no cost)	35,075.16 958.82	36,033.98
Great Southwest Comm. Inc. & Carrollton Tower East 13601 Preston Rd. #601E Dallas, Texas 75240	5	1/7365	75' pvmt 75' walk	62.19 1.91	4,664.25 143.25	4,807.50

00022

20177

890238

EXHIBIT "A"
PAGE 9

John West Road From Buckner Boulevard to Cadenza Lane to Plumstead Drive to Freeport Drive to
Homeway Circle to Eastfield Boulevard to La Prada Drive/Big Town Boulevard:

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	ASSESSMENT
STELLAR ESTATES ADDITION						
John West/Watuga J/V 10290 Monroe Dr. #208 Dallas, Texas 75229	55-59 1-5	A/7365	639' pvmt Assessment Paid Receipt no. 47830 Net Due by Owner		\$52,230.53	-0-
PLUMSTEAD DRIVE INTERSECTS UNSUBDIVIDED						
Jane Motley Ashmore & Margaret J. Ashmore 7021 Walling Lane Dallas, Texas 75231	Pt. Blk. 7364 413' on S side John West 1910' W of Eastfield		413' pvmt 413' walk	25.66 1.91	10,597.58 788.83	11,386.41
Jane Motley Ashmore & Margaret J. Ashmore 7021 Walling Lane Dallas, Texas 75231	Pt. Blk. 7364 413' on S side John West 1497' W of Eastfield		413' pvmt 413' walk	25.66 1.91	10,597.58 788.83	11,386.41
Argus Properties, Inc. 1607 Main St. #1401 Dallas, Texas 75201	Pt. Blk. 7364 408' on S side John West 1089' W of Eastfield		408' pvmt 408' walk Total Credit per R-O-W Agreement Net Due by Owner	25.66 1.91 Total 1.91	10,469.22 779.28 11,248.56 11,248.56	-0-
CITY OF MESQUITE UNSUBDIVIDED						
C.F. Motley Jr. Est. & Oattie F. Lynch 208 F.M. 2727 Terrell, Texas 75160	2	7364	522' adj to 462' pvmt 462' walk	25.66 1.91	11,854.92 982.42	12,737.34
Robert A. Moses Jr. 8351 San Fernando Way Dallas, Texas 75218	3	7364	200' pvmt 200' walk	62.19 1.91	12,438.00 382.00	12,820.00
EASTFIELD PLAZA ADDITION						
Eastfield Partners & Aztex Properties-MIN 5 East 57th St. New York, N. Y. 10022	1	C	367' pvmt 321' walk 24' drive (no cost) 22' dr(22sy)	34.79 1.91 17.00	12,767.93 613.11 374.00	13,754.04

20177

00023

890238

EXHIBIT "A"
PAGE 10

John West Road From Buckner Boulevard to Cadenza Lane to Freeport Drive to Homeway Circle
to Eastfield Boulevard to La Prada Drive/Big Town Boulevard:

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	ASSESSMENT
EASTFIELD BLVD INTERSECTS						
Federal Saving & Loan Rec. for Bell Saving Banc 717 N. Harwood, Suite 1150 Dallas, Texas 75201	2	A	265' pvmt 265' walk	25.66 1.91	6,799.98 586.15	7,386.05
F.S.L.I.C 717 N. Harwood Suite 1150 Dallas, Texas 75201	1	A	170' pvmt 82' walk 44' drive 44' drive	62.19 (no cost) (no cost) (no cost)	10,572.38	10,572.38

00024

20177

890238

EXHIBIT "A"
PAGE 11

John West Road From Buckner Boulevard to Cadanza Lane to Plumstead Drive to
Freeport Drive to Homeway Circle to Eastfield Boulevard to La Prada Drive/Big
Town Boulevard:

TOTAL PROPERTY OWNER'S COST-ASSESSMENT	\$289,377.58	
AMOUNT PAID BY PROPERTY OWNER RECEIPT NO. 47830	AMOUNT PAID	52,230.53
CREDIT PER R-O-W AGREEMENTS		58,989.06
TOTAL NET DUE BY OWNERS		\$178,157.19
TOTAL CITY OF DALLAS' COST-PAVING	814,081.81	
TOTAL CITY OF DALLAS' COST-DRAINAGE	136,400.00	
TOTAL CITY OF DALLAS COST-TRAFFIC	31,290.00	
TOTAL CITY OF DALLAS' COST		975,771.81
TOTAL COST OF IMPROVEMENTS		1,153,929.00
CHANGE ORDER NO. 1		123,920.00
GRAND TOTAL COST OF IMPROVEMENTS		\$1,277,849.00

20177

00025 890238

EXHIBIT "A"
PAGE 12

SECTION 3. Where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. The several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

The sums so assessed against the abutting property and the owners thereof, shall be and become due and payable as follows, to wit, in twelve (12) equal installments, the first payable on or before thirty (30) days after the acceptance of the completed improvements by the City, and one (1) each month thereafter until the total amount is paid; deferred payments shall bear interest from the date of such completion and acceptance at the rate of eight per centum (8%) per annum, payable monthly with each installment, so that upon the completion and acceptance of the improvements in a particular unit or district, assessments against such completed and accepted unit or district shall be and become due and payable in such installments and with interest from the date of such completion and acceptance. Provided, however, that any owner shall have the right to pay the entire assessment, or any installment thereof, before maturity, by payment of principal and accrued interest, and further provided that if default shall be made in the payment of any installment of principal or interest promptly as the same matures, then the entire amount of the assessment upon which such default is made shall, at the option of the said City of Dallas, or its assigns, be and become immediately due and payable, and shall be collectible, together with reasonable attorney's fees and costs of collection, if incurred.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by her facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall

00026

20177

890238

EXHIBIT "A"
PAGE 13

SECTION 6 (Cont'd)

contain the name of the owner and the description of his property by Lot or Block Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises, and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly had in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the Director of Finance of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as

Street Improvement Fund

and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the Director of Finance the said credit by said Director of Finance being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in no wise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidities or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. All assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

20177

00027

890238

EXHIBIT "A"
PAGE 14

SECTION 8. The assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Article 1105B of Vernon's Texas Civil Statutes, which said law has been adopted as an alternative method for the construction of street improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

SECTION 9. The assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in no wise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in no wise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

SECTION 10. That the City Manager, or his designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

SECTION 11. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly ordained.

APPROVED AS TO FORM:
Analesie Muncy
City Attorney

By *Analesie Muncy*
Asst. City Attorney

Prepared by *M. D. Owens*
Paving Assessments Coordinator

Approved by *Paul J. [unclear]*
Director of Public Works

Passed and correctly enrolled JAN 11 1989