

00237

RESOLUTION NO. 32-90

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MESQUITE, TEXAS  
DETERMINING A NECESSITY FOR THE  
CONSTRUCTION OF A CERTAIN STREET  
AND THOROUGHFARE IN THE CITY AND  
THE NECESSITY FOR ASSESSMENTS  
AGAINST ABUTTING PROPERTY OWNERS  
AND ANY RAILWAY COMPANY WHOSE  
TRACKS OCCUPY SAID STREET;  
APPROVING THE REPORT OF THE CITY  
ENGINEER AND CALLING A PUBLIC  
HEARING FOR AUGUST 6, 1990.

WHEREAS, the City Council of the City of Mesquite is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following street:

**SAMUELL BLVD. - TOWN EAST TO CITY LIMITS**

and against railway companies whose tracks occupy said street, if any, for a part of the cost of improving said street, fixing a time for the hearing of the owners of said property, and the said railway companies, concerning the same, and directing the City Secretary to give notice of said hearing, as required by law; and

WHEREAS, the City of Mesquite deems it necessary to permanently improve the hereafter named street, by paving said street with 3,000 P.S.I. reinforced concrete pavement meeting the City's Standard Specifications; by constructing all necessary drainage facilities where specified. Any existing paving in place, meeting these specifications, or which can be utilized, shall be left in place, if any,

WHEREAS, the City Engineer of the City of Mesquite has, in accordance with the law, filed her report with the City Council, setting forth the participation by the railway companies, if any, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts to be assessed against each lot or parcel and its owners and all other matters required by the applicable law; Now, Therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE**

SECTION 1. That the report or statement filed by the City Engineer, having been duly examined, is hereby approved.

SECTION 2. That it is hereby found and determined that the

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estimated cost of improvements on the hereinafter described street after giving effect to the contribution of the County of Dallas, with the amount or amounts per front foot proposed to be assessed for such improvements against benefited property and the owners thereof, are as set out on Exhibit "A" attached.

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

SECTION 3. That a hearing shall be given to said owners of abutting property, and of railways, if any, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways, and as to the benefits to said property by reason of said improvements, or any other matter or thing in connection therewith, which hearing shall be held in the Council Chamber of the Municipal Building of the City of Mesquite, County of Dallas, on the 6th day of August 1990, at 3:00 p.m. at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

The City Secretary of the City of Mesquite is hereby directed to give notice of the time and place of such hearing and of other matters and facts in accordance with the terms and provisions of the Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, which said law, as an alternative method for the construction of street and alley improvements in the City of Mesquite, Texas, has been adopted and made a part of the Charter of said City, being Section 12, Article III of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Mesquite, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act.

The City Secretary is hereby further directed to give notice of said hearing by mailing to said owners, their agents or attorneys, and to said railway companies, their agents or attorneys, if any, a copy of said notice by mail, deposited in the Post Office at Mesquite, Texas, fourteen (14) days prior to the date of said hearing, provided, however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

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SECTION 4. That this resolution shall take effect from and after its passage as in the Charter in such cases is made and provided.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of July, A.D., 1990.



George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Lynn Prugel  
City Secretary  
B.J. Smith  
City Attorney

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DATE: June 18, 1990

EXHIBIT "A"

PAVING ASSESSMENT FORM

SAMUELL BLVD. - BUCKNER BLVD. TO TOWN EAST BLVD.

CITY CONTRACT NO. 90-47

PAGE 1 OF 5

TRACT NO	LEGAL DESCRIPTION	OWNER/ADDRESS	DCAD ACCOUNT NO.	FOOTAGE	UNIT COST/L.F. (70% Total Cost)	TOTAL ASSESSMENT COST
1	3828 U.S. Hwy. 80 Associated Business Park Lot 1 Block B	Exxon Corporation Retail Business Center P. O. Box 53 Houston, Texas 77001	380029000B0010000	361.04'	\$61.17	\$22,084.82
2	3918 U.S. Hwy. 80 Associated Business District Lot 1 Block 1	Helene R. Ray c/o John J. Klein 6006 InterFirst Plaza Dallas, Texas 75202	38002800000010000	932.39'	\$61.17	\$33,709.70
3	3929 Samuell Blvd. Abstract 34 Sheet 2 Tract 1	C.M. Poynter Route 1 Box 177-E Edgewood, Texas 75117	65003424010010000	180.00'	130' Residential 10' @ \$61.17	5 611.70
4	4045 Samuell Blvd. Associated Business District Block A Lot 2	Elmwood Apartments 7929 Brookriver Dr. Dallas, Texas 75247	380001500A0010000	442.41'	\$61.17	\$27,062.22
5	4260 E. U.S. Hwy. 80 Camelot Addition Lot 1 Block 1 Camelot Apartments	H.B.H. Joint Venture C. Hughes & Hill 100 Merchantile DLS Bldg. Dallas, Texas 75201	38016750010010000	495.80'	\$61.17	\$30,279.15
6	4260 E. U.S. Hwy. 80 Camelot Addition Phase Two Lot 2 Block 1	H.B.H. Joint Venture 6735 LBJ Freeway Suite 2215 Dallas, Texas 75240	38018800010020000	560.28'	\$61.17	\$34,272.33
7	4200 U.S. Hwy. 80 Paces Court Addition Lot 1 Block A	Paces Court Ltd. 8333 Douglas Ave. Suite 950, LB 022 Dallas, Texas 75225	381482500A0010000	509.94'	\$61.17	\$31,193.03

EXHIBIT "A"  
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EXHIBIT "A"  
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DATE: June 18, 1990

EXHIBIT "A"  
PAYING ASSESSMENT FORM  
SAMUELL BLVD. - BUCKNER BLVD. TO TOWN EAST BLVD.

TRACT NO.	CITY CONTRACT NO. 98-37	LEGAL DESCRIPTION	OWNER/ADDRESS	DCAD ACCOUNT NO.	FOOTAGE	UNIT COST/L.F. (70% Total Cost)	TOTAL ASSESSMENT COST
8		Abstract 34 Sheet 2 Tract 2, 2	Henry N. Kyle Estate 7928 Brookriver Suite 295 Dallas, Texas 75287	65003424070020260	450.88'	\$61.17	\$27,530.17
9		4625 Samuell Blvd. Abstract 261 Sheet 3 Part of Tract 13	Hazel Matley P. O. Box 18896 Dallas, Texas 75218	65026103010136000	405.00'	150' Residential 255' @ \$61.17	\$15,598.35
10		1700 Samuell Blvd. Trinity Place Addition	Bright Banc Savings Assn. Attn: Terry Slavensin P. O. Box 12709 Dallas, Texas 75225	38218100000010000	336.78'	\$61.17	\$20,600.83
11		800 Big Town Blvd. Big Town Addition	New Big Town Association P. O. Box C 1088 Northern Blvd. Roslyn, New York 11576	38003500000010000 (800 Blk. 51.15 Acres) 1800 Vac. 21.809(Acres)	1515.33'	\$61.17	\$92,693.74
12		Abstract 82 Tract 2, Tract 1, Pt of Tract 1, 2 Acres	Buckner Bap. Benevolences P. O. Box 271189 Dallas, Texas 75227	65008262010020000 (55.649 Acres) 65008262010010000 (58.31 Acres)	1822.9' 318.4' 310.0' 105 x 3 1248.0' Scaled	\$61.17	\$120,137.88
12a		Abstract 276 Tract 1 (281') Pt. Tr. 1 (209')	Buckner Bap. Benevolences 5700 S. Buckner P. O. Box 271189 Dallas, Texas 75227	"	781.0 209.0 499.0'	\$61.17	\$29,973.30
13		Abstract 65 Sheet 90 Pt. of Tract 1	Buckner Bap. Benevolences 5700 S. Buckner Blvd. P. O. Box 271189 Dallas, Texas 75227	"	Scaled 499.00'	\$61.17	\$29,973.30

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DATE: June 18, 1990

EXHIBIT "A"  
PAVING ASSESSMENT FORM  
SAMUELL BLVD. - BUCKNER BLVD. TO TOMK EAST BLVD.

CITY CONTRACT NO. 90-87

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TRACT NO	LEGAL DESCRIPTION	OWNER/ADDRESS	DCAD ACCOUNT NO.	FOOTAGE	UNIT COST (L-F (70% Total Cost)	TOTAL ASSESSMENT COST
14	Abstract 1154 Sheet 1 Page 540 Tract 1	Buckner Bpt. Benevolences 5100 S. Buckner P. O. Box 271189 Dallas, Texas 75227		Scaled 1250.00'	\$61.17	\$76,462.50
15	Abstract 1636 Tract 3	Buckner Bpt. Benevolences 5100 S. Buckner P. O. Box 271189 Dallas, Texas 75227		Scaled 850.00'	\$61.17	\$51,994.50
16	5100 Samuell Blvd. Eastpoint Business Center Phase 1-A Lot 1, Block L/J6213	Eastpoint Associates Ltd. Northgate Business Park 9696 Skillman, Suite 250 Dallas, Texas 75203	380634009L0010000	137.85'	\$61.17	\$ 8,655.68
17	Samuell Blvd. Eastpoint Business Center Phase 1-A Lot 2, Block J/J6213	Eastpoint Associates Ltd. Northgate Business Park 9696 Skillman, Suite 250 Dallas, Texas 75203	380634009J0020000	397.25'	\$61.17	\$24,299.78
18	8 Eastover Drive Commerce East Bus. Park, Lot 8, Block B	Buckner Park Inc. 2001 Bryan Suite 1500 Dallas, Texas 75201-3003	380650000B0000000	180.05'	\$61.17	\$11,014.27
19	4928 Samuell Blvd. Commerce East Business Park Lot 9, Block A	S.B. Investments c/o Basil Smith 1631 McDade Estates Conroe, Texas 77304	380450000A0000000	174.35'	\$61.17	\$10,664.99
20	4915 Samuell Blvd. Abstract 1636 Sheet 2 Tract 1	Chak K. Ho 1721 E. Frankford #822 Carrollton, Texas 75007	65163620010010000	130.00'	Residential	\$0.00

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EXHIBIT "A"  
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DATE: June 18, 1990

EXHIBIT "A"  
PAVING ASSESSMENT FORM  
SAMUELL BLVD. - BUCKNER BLVD. TO TOWN EAST BLVD.

CITY CONTRACT NO. 90-47

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TRACT NO	LEGAL DESCRIPTION	OWNER/ADDRESS	DCAD ACCOUNT NO.	FOOTAGE	UNIT COST/L.F. (70% Total Cost)	TOTAL ASSESSMENT COST
21	4904 Samuell Blvd. Abstract 1636 Sheet 2, Tract 2	Harry Hronas 4904 Samuell Blvd. Mesquite, Texas 75148	65163620010020100	80.00'	\$61.17	\$ 4,891.60
22	4850 Samuell Blvd. Abstract 1636 Sheet 2, Tract 2A	J. R. Investments P. O. Box 64511 Dallas, Texas 75206	65163620010020200	60.00'	\$61.17	\$ 3,670.20
23	4859 Samuell Blvd. Abstract 1636 Sheet 2, Tract 3	Real Estate Tax Services P. O. Box 832310 Richardson, Texas 75083	65163620010030000	140.00'	\$61.17	\$ 8,563.80
24	4800 Samuell Blvd. Abstract 1636 Sheet 2, Tract 4, 5, 6, 7	John J. Tomalino 2821 State Street Dallas, Texas 75204	65163620010040000	140.0 140.0 280.0'	15% Residential 130' @ \$67.17	\$ 7,952.10
25	4780 Samuell Blvd. (1636 Samuell - Tax) Abstract 1636 Sheet 2, Tract 5	Samuell Big Town Partners 16951 Addison Rd., Suite 200 Dallas, Texas 75248	65163620010160000	280.00'	\$61.17	\$17,127.60
26	4616 Samuell Blvd. (1636 Samuell - Tax) Abstract 1636 Sheet 2, Tract 8	Buckner BAPT. Benevolences 5206 S. Buckner P. O. Box 271189 Dallas, Texas 75227	65163620010000000	140.00'	\$61.17	\$ 8,563.80
27	4600 Samuell Blvd. Abstract 1636 Sheet 2 Tract 9, 10, 13, & 14	Samuell Big Town Partners 16951 Addison Rd., Ste. 200 Dallas, Texas 75248 Attn: Barry	65163620010090000	100.00 440.84 180.0 238.0 959.84'	\$61.17	\$58,712.80



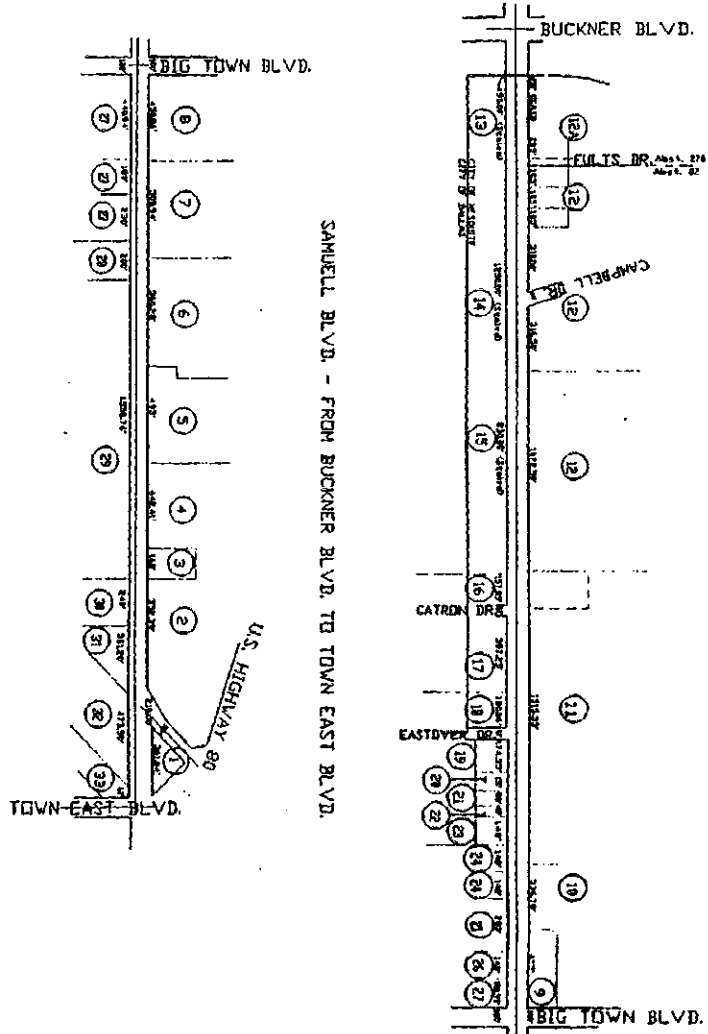
DATE: June 18, 1990  
 EXHIBIT "A"  
 PAVING ASSESSMENT FORM  
 SAMUEL BLVD. - BUCKNER BLVD. TO TOWN EAST BLVD.

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CITY CONTRACT NO. 90-47

TRACT NO	LEGAL DESCRIPTION	OWNER/ADDRESS	DCAD ACCOUNT NO.	FOOTAGE	UNIT COST (L.F. Div Total Cost)	TOTAL ASSESSMENT COST
28	4400 Samuel Blvd. Abstract 1636 Sheet 2, Tract 15	City of Mesquite Fire Station No. 3 P. O. Box 850137 Mesquite, Texas 75185	Not Taxed	200.00'	City Owned	\$0.00
29	4200 Samuel Blvd. Austin Addition Lot 1 Block C (LUPS)	Deit Ho Corporation Greenwich Office Park #5 Greenwich, Connecticut 08300	380030200C0018000	1558.76'	\$61.17	\$95,349.35
30	3940 Samuel Blvd. Associated Business Park Phase II Lot 1 Block 1	MCNB Texas Nat'l Bank 1201 Main Street Dallas, Texas 75203	38002910010010000	240.00'	\$61.17	\$14,680.80
31	Abstract 1622 Sheet 1, Tract 6	City of Mesquite 711 N. Gallows Ave. Mesquite, Texas 75149	Not Taxed 6516213510060000	361.20'	City Owned	\$0.00
32	3808 Samuel Blvd. Abstract 1462, Sht. 14C Tract 20 (Combined 10, 21 & 22) (3700 Samuel)	BancTexas Dallas Oreo Asset 113 P. O. Box 865 Dallas, Texas 75221	6514626351020000	473.90'	\$61.17	\$28,988.46
33	3700 Samuel Blvd. Abstract 1462, Pg. 635 Sheet 14-C, Tract 23	BancTexas Dallas Oreo Asset 113 P. O. Box 869 Dallas, Texas 75221	65146263510230000	60.00'	\$61.17	\$ 3,670.29

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SAMUELL BLVD. ASSESSMENT CALCULATION  
From Town East to City Limits  
City Contract No. 90-47

Estimated Project Cost by Dallas County

Total Construction Cost	\$3,395,351.80
Engineering (County's Consultant) Cost	\$ 125,534.70
Administrative (County) Cost	\$ 145,187.00
Right-of-Way Cost	\$ 11,019.00
Others (DWU, Contingencies and Lab)	\$ 231,613.77
Total Estimated Project Cost	\$3,908,706.27

Cost to City

Total Estimated Cost by County	\$1,495,045.14
Plus Enhancement Study Cost	\$ 9,000.00
Plus Water Tower Removal	\$ 7,800.00
Total City's Cost	\$1,511,845.14

Total Front Footage: 17,299.43 L.F.

ASSESSMENT RATE

This calculation is based on current policy as stated in Resolution 17-87.

Total Front Footage = 17,299.43 L.F.  
Total Cost to City = \$1,511,845.14

$$\text{Assessment Rate} = \frac{70\% \times \text{Total Project Cost to City}}{\text{Total Front Footage}} =$$

$$\frac{\$1,058,291.60}{17,299.43 \text{ L.F.}} = \$61.17/\text{L.F.}$$

Private vs City Participation

Private Participation	\$952,063.95 = 24.25%
City of Mesquite Participation	\$559,781.19 = 14.26%
County's Participation	\$2,413,661.13 = 61.49%
Total	\$3,925,506.27 = 100.00%

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Small Boulevard  
Project 490-420  
Estimated Costs  
May 4, 1990

	Total	County	City of Mesquite	Dallas Water Utilities
Basic Construction Costs	\$3,395,351.80	\$2,014,540.43	\$1,380,811.37	
Const. Contingencies (3%)	101,860.55	60,436.21	41,424.34	
Lab Costs @ 1.0% (Est.)	33,953.52	20,145.40	13,808.12	
D W U Costs:	95,799.70			\$95,799.70
<b>TOTAL CONSTRUCTION COSTS</b>	<b>\$3,626,965.57</b>	<b>\$2,095,122.04</b>	<b>\$1,436,043.83</b>	<b>\$95,799.70</b>
Basic Fee	84,652.40	44,865.77	39,786.63	
Special Services	40,882.30	21,667.62	19,214.68	
<b>TOTAL DESIGN FEE</b>	<b>\$125,534.70</b>	<b>\$66,533.39</b>	<b>\$59,001.31</b>	<b>\$0.00</b>
ROW (Easements) Costs	11,019.00	11,019.00		
Appraised Value:			\$0.00	\$0.00
<b>TOTAL ROW COSTS</b>	<b>\$11,019.00</b>	<b>\$11,019.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
ADMINISTRATIVE COSTS	195,000.00 \$145,187.00	170,000.00 \$145,187.00	\$0.00	\$0.00
<b>TOTAL ESTIMATED COSTS</b>	<b>\$3,908,706.27</b>	<b>\$2,317,861.43</b>	<b>\$1,495,045.14</b>	<b>\$95,799.70</b>
BOND FUNDS AVAILABLE:		2,600,000.00		
ESTIMATED COUNTY SURPLUS:		\$282,138.57		