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RESOLUTION NO. 26-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS SUPPORTING PASSAGE OF LEGISLATION IN THE TEXAS LEGISLATURE TO AMEND ARTICLE 28a(2) OF VERNON'S TEXAS CIVIL STATUTES TO DELETE FROM THE DEFINITION OF A LEGAL PUBLICATION THE REQUIREMENT THAT A NEWSPAPER BE ENTERED AS SECOND-CLASS POSTAL MATTER IN THE COUNTY WHERE PUBLISHED, AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article 29a of Vernon's Texas Civil Statutes provides that in every case where any law requires the giving of any notice by any political subdivision within the state by publication in a newspaper, the giving of such notice shall be by publication in a newspaper as defined in Section 1 of the Act (Art. 28a); and

WHEREAS, Section 1 of the Act [Art. 28a(2)] defines the term "newspaper" as any newspaper devoting not less than twenty-five per cent (25%) of its total column linage to the carrying of items of general interest, published not less frequently than once each week, entered as second-class postal matter in the county where published, and having been published regularly and continuously for not less than twelve (12) months prior to the making of any publication mentioned in the Act; and

WHEREAS, according to U.S. Postal Regulations, at least 50 percent of a publication's subscribers must be paid subscribers to qualify for a second-class permit; and

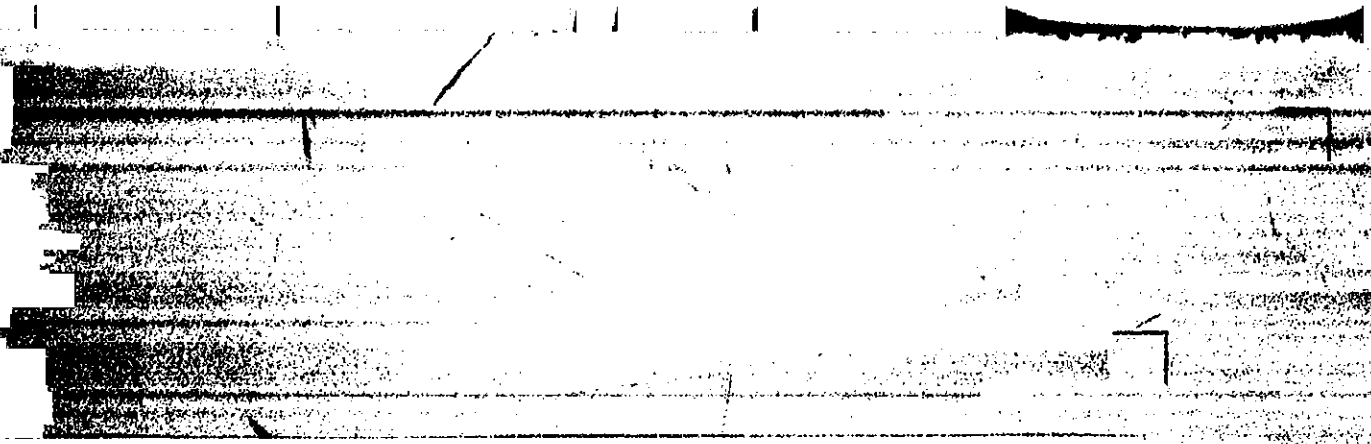
WHEREAS, a newspaper that is provided free to every household in a city should qualify for designation as the official newspaper of the City for publication of legal advertisements and notices;

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 supports passage of legislation in the Texas Legislature which would amend Article 28a, Legal Publications, Definitions (2), of Vernon's Texas Civil Statutes, to delete the requirement that a newspaper be entered as second-class postal matter in the county where published.

SECTION 2. That as an expression of the City of Mesquite's strong sentiment concerning this issue, copies of this resolution shall be provided to Senator John Leedom, Senator David Sibley, Representative Bill Blackwood, and Representative Al Granoff.

SECTION 3. That this resolution shall take effect immediately upon passage as the Charter in such cases provides.



DULY RESOLVED by the City Council of the City of Mesquite, Texas, on this the 21st  
 day of September, 1992.

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*Cathy Ray*  
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 Cathy Ray  
 Mayor

APPROVED:

*B.J. Smith*  
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 B.J. Smith  
 City Attorney

*Lynn Rugeley*  
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 Lynn Rugeley  
 City Secretary

ATTEST:

