

RESOLUTION NO. 40-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CALLING A PUBLIC HEARING ON THE CREATION OF REINVESTMENT ZONE NO. ELEVEN FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT FOR DUKE ENERGY NORTH AMERICA, AND AUTHORIZING NOTICE OF SUCH HEARING.

WHEREAS, the City Council of the City of Mesquite, Texas (the City), desires to promote the development or redevelopment of certain contiguous areas within its jurisdiction by the creation of reinvestment zone; and

WHEREAS, the City has preliminarily determined that the area described by the metes and bounds description (attached hereto as Exhibit "A" and made a part hereof) meets the criteria for a reinvestment zone under the Property Redevelopment and Tax Abatement Act, Chapter 312, V.T.C.A., Tax Code, as amended (the Code); and

WHEREAS, the Code further requires that prior to the adoption of the ordinance providing for establishment of a reinvestment zone to promote development or redevelopment within such zone through the use of tax abatement as authorized by the Code, the City must hold a public hearing on the adoption of the proposed reinvestment zone and find that the improvements sought are feasible and practical and would be of benefit to the land to be included in the zone and to the municipality, providing interested persons the opportunity to speak and present evidence for or against the designation; and


WHEREAS, the City desires by calling and holding such public hearings to provide a reasonable opportunity for an owner of property located within the proposed zone and all other taxing entities and other interested persons to address the creation of the proposed reinvestment zone or the inclusion of any property therein.

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

SECTION 1. That public hearing shall be held at 3:00 p.m. on September 20, 1999, in the City Council Chamber, City Hall, Mesquite, Dallas County, Texas, at which time any interested person may appear and speak for or against the benefits to the City, its residents and property owners in the proposed Reinvestment Zone No. Eleven, for Duke Energy North America, whether all or part of the territory described in the metes and bounds description attached hereto as Exhibit "A" should be included in such proposed reinvestment zone, and the concept of tax abatement.


SECTION 2. That notice of such public hearings shall be published in the official newspaper of the City of Mesquite not later than seven (7) days prior to the date of such hearings, and that written notice of such hearings along with a copy of the resolution shall be sent by mail to all taxing units overlapping the territory inside the proposed reinvestment zones.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 7th day of September, 1999.




Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B.J. Smith
City Attorney

PROPERTY DESCRIPTION

BEING a 343.5688 acre tract of land situated in the William Latham Survey, Abstract No. 837, the Swing & Laws Survey, Abstract No. 1404, the Isaac Edwards Survey, Abstract No. 1658, the J.S. Ramsey Survey, Abstract No. 1189, and the Hannah Wicker Survey, Abstract No. 1757, all in Dallas County, Texas, and part of the J.S. Ramsey Survey, Abstract No. 414, the J.C. Robertson Survey, Abstract No. 441, and the Hannah Wicker Survey, Abstract No. 234, all in Kaufman County, Texas, said tract being a part of that tract conveyed to GKD Partnership I, Ltd., by Warranty Deed recorded in Volume 95202, Page 5367, Deed Records Dallas County, Texas and in Volume 1187, Page 259, Real Property Records of Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod set for corner in the north line of Interstate Highway 20 (450' R.O.W.), said corner being the southeast corner of Tract 2 of the said GKD tract and a corner of the Levi J. King tract as recorded in Volume 427, Page 540, Deed Records, Kaufman County, Texas;

THENCE S 87°05'37" W, along said north line, a distance of 3913.51 feet to a point for corner at the beginning of a curve to the right having a central angle of 02°00'59", a radius of 5504.58 feet and a chord bearing and distance of S 88°06'06" W, 193.71 feet;

THENCE continuing along said north line and with said curve to the right, an arc distance of 193.72 feet to a point for corner in the present centerline of the east fork of the Trinity River;

THENCE departing said north line and along said present centerline the following bearings and distances:

N 34°15'41" E, 207.27 feet to a point for corner;
 N 06°49'00" E, 222.50 feet to a point for corner;
 N 22°34'00" E, 207.00 feet to a point for corner;
 N 11°34'00" E, 170.80 feet to a point for corner;
 N 32°04'00" E, 144.90 feet to a point for corner;
 N 39°39'00" E, 186.30 feet to a point for corner;
 N 23°24'00" E, 196.60 feet to a point for corner;
 N 03°06'00" W, 227.70 feet to a point for corner;
 N 11°24'00" E, 103.50 feet to a point for corner;
 N 24°24'00" E, 227.70 feet to a point for corner;
 N 06°09'00" E, 186.30 feet to a point for corner;
 N 02°39'00" E, 170.80 feet to a point for corner;
 N 31°54'00" E, 56.90 feet to a point for corner;
 N 67°39'00" E, 82.80 feet to a point for corner;
 N 87°24'00" E, 103.50 feet to a point for corner;
 N 66°39'00" E, 129.40 feet to a point for corner;
 N 17°24'00" E, 72.40 feet to a point for corner;
 N 30°51'00" W, 82.80 feet to a point for corner;
 N 72°21'00" W, 191.50 feet to a point for corner;
 N 55°51'00" W, 181.10 feet to a point for corner;
 N 25°06'00" W, 134.60 feet to a point for corner;
 N 08°39'00" E, 191.50 feet to a point for corner;
 N 32°09'00" E, 134.60 feet to a point for corner;
 N 52°24'00" E, 258.80 feet to a point for corner;

THENCE departing the said centerline N 83°06'35" E a distance of 5235.51' feet to a 5/8" iron rod set for corner and also being in the northwest line of a tract conveyed to Jimmy Smith in Volume, 1139, Page 229, Deed Records, Kaufman County, Texas;

THENCE S 44°53'02" W, along the northwest line of said Smith tract and then the northwest line of a tract conveyed to Kieth Brooks in Volume 1337, Page 495, Deed Records, Kaufman County, Texas, a distance of 1230.22' feet to a 5/8" iron rod set for corner at the most westerly corner of said Brooks tract;

THENCE S 44°08'41" E, along the southwest line of said Brooks tract and then the southwest line of the Cason tract a distance of 1071.12 feet to a 5/8" iron rod set for corner at the north corner of the aforementioned Levi J. King tract;

THENCE along said Levi J. King tract the following:

HENCE S 44°08'11" W, a distance of 2085.80 feet to a 5/8" iron rod set for corner;

HENCE N 00°52'07" E, a distance of 828.16 feet to a 5/8" iron rod set for corner;

THENCE S 45°17'32" W, a distance of 1278.63 feet to a 5/8" iron rod set for corner;

THENCE N 88°41'54" E, a distance of 499.94 feet to a 5/8" iron rod set for corner;

