

RESOLUTION NO. 31-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR THE CREATION OF A TAX INCREMENT REINVESTMENT ZONE (“TIRZ”) CONTAINING APPROXIMATELY 248.1466 ACRES OF LAND CONSISTING OF THE FOLLOWING SIX (6) TRACTS OF LAND: (1) 4300 LAWSON ROAD; (2) 3400 MCKENZIE ROAD; (3) 4800 LASATER ROAD; (4) 4900 LASATER ROAD; (5) 2700 MCKENZIE ROAD; AND (6) 925 MCKENZIE ROAD, ALL SIX (6) TRACTS OF LAND BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF MESQUITE, TEXAS, REGARDING THE PUBLIC HEARING; AND DIRECTING THE CITY TO PREPARE A PRELIMINARY REINVESTMENT ZONE FINANCING PLAN.

WHEREAS, the City of Mesquite, Texas (the “City”), is authorized under Chapter 311 of the Texas Tax Code, as amended (the “Act”), to create a tax increment reinvestment zone within its corporate limits; and

WHEREAS, the City Council of the City (the “City Council”) wishes to hold a public hearing in accordance with Section 311.003 of the Act regarding the establishment of a tax increment reinvestment zone (“TIRZ”) containing approximately 248.1466 acres of land consisting of the following six (6) tracts of land: (1) 4300 Lawson Road; (2) 3400 McKenzie Road; (3) 4800 Lasater Road; (4) 4900 Lasater Road; (5) 2700 McKenzie Road; and (6) 925 McKenzie Road, all six (6) tracts of land being located within the corporate limits of the City, said tracts being more particularly described by metes and bounds in Exhibit “A” attached hereto and made a part hereof for all purposes (the “Zone”), with the boundaries of the Zone being generally depicted in Exhibit “B” attached hereto and made a part hereof for all purposes; and

WHEREAS, in order to hold a public hearing for the creation of the Zone, notice must be given in a newspaper of general circulation in the City no later than the 7th day before the date of the hearing in accordance with Section 311.003 of the Act; and

WHEREAS, the City Council has determined to hold a public hearing on June 18, 2018, on the creation of the Zone.

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

SECTION 1. That a public hearing is hereby called for June 18, 2018, at 7:00 p.m., in the City Council Chamber, at Mesquite City Hall, 757 North Galloway Avenue, Mesquite, Texas 75149, for the purpose of hearing any interested person speak for or against: (i) the inclusion of property within the Zone; (ii) the creation of the Zone; (iii) the boundaries of the Zone; and/or (iv) the concept of tax increment financing.

SECTION 2. That at such time and place the City Council will hear testimony regarding (i) the inclusion of property within the Zone; (ii) the creation of the Zone; (iii) the boundaries of the Zone; and (iv) the concept of tax increment financing and will provide a reasonable opportunity for the owner of any property within the proposed Zone to protest the inclusion of their property within the Zone. Upon closing the public hearing, the City Council will consider the adoption of an ordinance creating the Zone and other related matters.

SECTION 3. That attached hereto as Exhibit "C" is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved.

SECTION 4. That the City Secretary is hereby authorized and directed to cause said notice to be published in substantially the form attached hereto in a newspaper of general circulation in the City no later than the 7th day before the date of the hearing on June 18, 2018.

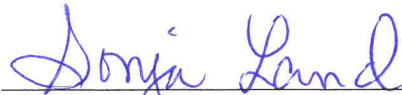
SECTION 5. That before the June 18, 2018, hearing concerning the Zone, the City shall prepare a preliminary reinvestment zone financing plan.

SECTION 6. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.


DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 4th day of June, 2018.

  
\_\_\_\_\_  
Stan Pickett  
Mayor

ATTEST:

  
\_\_\_\_\_  
Sonja Land  
City Secretary

APPROVED:

  
\_\_\_\_\_  
Paula Anderson  
Interim City Attorney

Being located in the J. P. Anderson Survey, Abstract No. 1 and the S.A. Haught Survey, Abstract No. 567 and a portion of the 93.718 acre tract deeded from Dale W. Foster to Macomo Properties; recorded in Volume 85231, Page 3139, Deed Records Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Bearing orientation is based on Interstate Highway I-20 orientation.

BEGINNING at a point at the south Right-of-Way line (100 feet Right-of-Way) of Lawson Road the Northeasterly Right-of-Way line of Interstate Highway I-20 (variable Right-of-Way).

THENCE North  $44^{\circ}43'44''$  East, 630.96 feet, along said South Right-of-Way line, to a point that is the Point of Curvature of a circular curve, concave to the South, having a central angle of  $31^{\circ}17'17''$  and a radius of 1290.00 feet;

THENCE in a northeasterly direction along said curve and south Right-of-Way line, 704.44 feet to the Point of Tangency;

THENCE North  $76^{\circ}01'01''$  East, 316.72 feet to a point for corner that is also in the Southwesterly line of a  $34/42$  acre tract of land now or formerly owned by Robert R. Ambridge, et. al., recorded in Volume 86023, Page 3597 (DRDCT);

THENCE South  $45^{\circ}10'15''$  East, along said line, 876.87 feet to a point for corner; also in the Southeast line of the said J. P. Anderson Survey (the Northwest line of the S. A. Haught Survey);

THENCE South  $45^{\circ}00'02''$  West, along the common line between said Anderson and Haught Surveys, 34.55 feet to a point for corner;

THENCE South  $22^{\circ}01'43''$  East, 384.89 feet to a fence corner post in the Northwest Right-of-Way line of Old Lawson Road;

THENCE South  $62^{\circ}13'02''$  West, along said Northwest Right-

Exhibit "A"  
Tract 1  
4300 Lawson Road  
(continued)

of-Way line, 305.21 feet to a point for corner at its intersection with the northerly Right-of-Way line of Interstate Highway I-20 (variable Right-of-Way);

THENCE along said northerly Interstate Highway I-20 Right of Way as follows:

North 86°17'03" West, 1076.22 feet to a point  
for corner;  
North 83°13'18" West, 797.37 feet to a point  
for corner;  
North 18°41'37" West, 43.53 feet to a point  
for corner;  
North 44°26'17" East, 74.72 feet to a point  
for corner;  
North 45°16'16" West, 10.00 feet to a point  
for corner;

at the POINT OF BEGINNING and containing 34.9386 acres of land,  
more or less.

Being located in the J. P. Anderson Survey, Abstract No. 1 and a portion of the 93.718 acre tract deeded from Dale W. Foster to Macomo Properties; recorded in Volume 85231, Page 3139, Deed Records, Dallas County, Texas (D.R.D.C.T.) and being more particularly described by metes and bounds as follows:

Bearing orientation is based on Interstate Highway I-20 orientation.

COMMENCING at the Northeast corner of the Woodland Park Addition, as per map recorded in Volume 72024, Page 2639, Map Records, Dallas County, Texas; said commencing point also being the intersection of the centerline of Como Road with the original centerline of McKenzie Road (being 30 feet northeast of the present southwest line); Thence South  $45^{\circ}00'08''$  East, along the original centerline of said McKenzie Road, 162.40 feet; THENCE North  $45^{\circ}47'36''$  East, 20.00 feet to an iron rod at the POINT OF BEGINNING of the tract described herein (said Beginning Point being at a fence corner post in the Northeast line of said McKenzie Road);

THENCE North  $45^{\circ}28'52''$  East, along a crooked fence, 1751.47 feet to an old fence corner post;

THENCE South  $45^{\circ}10'15''$  East, 1646.04 feet to a point in the north Right-of-Way line of Lawson Road, said point also being in the Southwesterly line of a 34.42 acre tract of land now or formerly owned by Robert R. Ambridge, et. al., recorded in Volume 86023, Page 3597, Deed Records, Dallas County, Texas;

THENCE South  $76^{\circ}01'01''$  West, 256.19 feet, along said north Right-of-Way line, to a point that is the Point of Curvature of a circular curve concave to the South, having a central angle of  $31^{\circ}17'17''$  and a radius of 1390.00 feet;

THENCE in a southwesterly direction along said curve and north Right-of-Way line 759.05 feet to the point of Tangency;

THENCE continuing along said north Right-of-Way line South  $44^{\circ}43'44''$  West, 630.96 feet to a point for corner said point also being in the Right-of-Way of Interstate

Highway I-20;

THENCE North  $45^{\circ}16'16''$  West, along said Right-of-Way  
10.00 feet to a point for corner;

THENCE North  $80^{\circ}16'38''$  West, along said Right-of-Way,  
305.33 feet to a point for corner said point also being  
in the Northeasterly Right-of-Way of said McKenzie Road;

THENCE North  $45^{\circ}21'14''$  West along the said McKenzie Road  
Right-of-Way, 1074.71 feet to the Point of Beginning and  
containing 55.0290 acres of land, more or less.

Exhibit "A"  
Tract 3  
4800 Lasater Road

Being a 52.42 acre tract of land situated in the John P. Anderson Survey, Abstract No. 1, Dallas County, Texas, same being a portion of that tract of land conveyed to Wade T. Ingram, Trustee and Truett Cox, Trustee, by deed recorded in Volume 85090, Page 3961, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 2 inch iron pipe found for corner, said corner being the South corner of that tract of land conveyed to Paul D. Reese and spouse, Stephanie D. Reese, by deed recorded in Volume 99133, Page 8817, Deed Records, Dallas County, Texas;

THENCE North 45 degrees 37 minutes 42 seconds East, along the Southeast line of said Reese tract, a distance of 289.46 feet to a point for corner, said corner being on the Southwest line of McKenzie Road (variable width right-of-way), from which a 1/2 inch iron rod found bears North 45 degrees 37 minutes 42 seconds East, a distance of 11.05 feet for witness;

THENCE South 44 degrees 17 minutes 42 seconds East, along the Southwest line of said McKenzie Road, a distance of 1078.55 feet to a point for corner, said corner being on the Northwest line of Como Drive (variable width right-of-way), from which a 2 inch iron pipe found bears North 53 degrees 35 minutes 53 seconds East, a distance of 12.40 feet for witness;

THENCE South 45 degrees 40 minutes 14 seconds West, along the Northwest line of said Como Drive, a distance of 1395.26 feet to a concrete monument found for corner, said corner being on the North line of Interstate Highway 20 (frontage road) (variable width right-of-way);

THENCE along the North line of said Interstate Highway 20 the following 3 courses and distances:

North 87 degrees 01 minutes 00 seconds West, a distance of 50.10 feet to a concrete monument found for corner;

North 82 degrees 27 minutes 15 seconds West, a distance of 159.65 feet to a concrete monument (broken) found for corner;

North 85 degrees 58 minutes 52 seconds West, a distance of 205.30 feet to a concrete monument found for corner, said corner being on the Northeast line of Lasater Road (variable width right-of-way), and at a non-tangent point in a curve to the left having a radius of 5779.58 feet, a delta angle of 02 degrees 12 minutes 12 seconds, and a chord bearing and distance of North 43 degrees 16 minutes 34 seconds West, 222.23 feet;

THENCE continuing along the Northeast line of said Lasater Road and said curve to the left, an arc length of 222.24 feet to a point for corner;

THENCE North 44 degrees 13 minutes 00 seconds West, along the Northeast line of said Lasater Road, a distance of 49.17 feet to a point for corner, said corner being the South corner of that tract of land conveyed to Whataburger of Mesquite, Inc., a Texas corporation, by deed recorded in Volume 85090, Page 3754, Deed Records, Dallas County, Texas;

THENCE North 45 degrees 49 minutes 28 seconds East, along the Southeast line of said Whataburger of Mesquite, Inc. tract, a distance of 290.48 feet to a 1/2 inch iron rod found for corner, said corner being the East corner of said Whataburger of Mesquite, Inc. tract;

THENCE North 44 degrees 10 minutes 32 seconds West, along the Northeast line of said Whataburger of Mesquite, Inc. tract, a distance of 120.00 feet to a 1/2 inch iron rod found for corner, said corner being the North corner of said Whataburger of Mesquite, Inc. tract;

THENCE South 45 degrees 49 minutes 28 seconds West, along the Northwest line of said Whataburger of Mesquite, Inc. tract, a distance of 290.56 feet to a 1/2 inch iron rod found for corner, said corner being on the Northeast line of said Lasater Road and the West corner of said Whataburger of Mesquite, Inc. tract;

Exhibit "A"  
Tract 3  
4800 Lasater Road  
(continued)

THENCE North 44 degrees 13 minutes 00 seconds West, along the Northeast line of said Lasater Road, a distance of 786.74 feet to a point for corner, said corner being the South corner of that tract of land conveyed to Rock Creek MHC, Ltd., by deed recorded in Clerk's File No. 20070214939, Official Public Records, Dallas County, Texas;

THENCE North 45 degrees 43 minutes 18 seconds East, along the Southeast line of said Rock Creek MHC, Ltd. tract, a distance of 1373.60 feet to a point for corner, said corner being on the Southwest line of said Reese tract;

THENCE South 43 degrees 45 minutes 24 seconds East, along the Southwest line of said Reese tract, a distance of 414.38 feet to the POINT OF BEGINNING and containing 2,283,261 square feet or 52.42 acres of land.



Exhibit "A"  
Tract 4  
4900 Lasater Road

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, Dallas County, Texas, same being that same tract of land conveyed to Whatburger of Texas, Inc., a Texas Corporation, by deed recorded in Volume 85090, Page 3754, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being in the Northeast line of Lasater Road (variable width right-of-way) and being the most Southwesterly South corner of that tract of land conveyed to Wade T. Ingram, Trustee and Truett Cox, Trustee, by deed recorded in Volume 85090, Page 3961, Deed Records, Dallas County, Texas;

THENCE North 45 degrees 49 minutes 28 seconds East, departing the Northeast line of said Lasater Road, a distance of 290.56 feet to a 1/2 inch iron rod found for corner;

THENCE South 44 degrees 10 minutes 32 seconds East, a distance of 120.00 feet to a 1/2 inch iron rod found for corner;

THENCE South 45 degrees 49 minutes 28 seconds West, a distance of 290.48 feet to a point for corner, said corner being in the Northeast line of said Lasater Road;

THENCE North 44 degrees 13 minutes 00 seconds West, along the Northeast line of said Lasater Road, a distance of 414.38 feet to the POINT OF BEGINNING and containing 34,862 square feet or 0.80 acre tract of land.

**Legal description of land:**

Beginning at a 1/2 inch iron rod found for the south corner of the herein described tract of land, said iron rod being the West corner of the tract of land conveyed to George F. Lucas Irrevocable Trust according to the deed recorded in Volume 2002134, Page 2221, DRDCT, said iron rod also being in the northeast line of McKenzie Road;

Thence N 45° W, with the northeast line of said McKenzie Road and the southwest line of the herein described tract of land, a distance of 1400.00 feet to an iron rod set for the west corner of the herein described tract of land, said iron rod being in the northeast line of the said McKenzie Road, said iron rod also being the south corner of a tract of land conveyed to Mesquite ISD, according to the deed recorded in Volume 92143, Page 475, DRDCT;

Thence N 45° E, with the southeast line of the said Mesquite tract and the northwest line of the herein described tract of land, a distance of 1759.26 feet to an iron pipe found for the north corner of the herein described tract of land, said iron pipe being the east corner of the said Mesquite tract, said iron pipe also being in the southwest line of the tract of land conveyed to R.E. & M.L. Carathers according to the deed recorded in Volume 82199, Page 2356, DRDCT;

Thence S 45° E, with the southwest line of the said Carathers tract and the northeast line of the herein described tract of land, a distance of 1400.00 feet to a 1/2 inch iron rod set for the east corner of the herein described tract of land, said iron rod being in the southwest line of the said Carathers tract, said iron rod also being the north corner of the tract of land conveyed to the City of Mesquite, according to the deed recorded in Volume 93248, Page 2192, DRDCT;

Thence S 45° W, with the northwest line of the said City of Mesquite tract and continuing with the northwest line of said Lucas tract and the southeast line of the herein described tract of land, a total distance of 1759.26 feet to the POINT OF BEGINNING and containing 56.542 acres (2,462,964 square feet) of land, more or less.

Exhibit "A"  
Tract 6  
925 McKenzie Road

All that certain lot, tract or parcel of land lying and being situated in Dallas County, Texas, and being described as follows:

Being a part of the John P. Anderson Survey, Abstract No. 1, and being all of that certain tract described in Deed of Paul G. Rydell and Lester Wingard filed March 14, 1962 and recorded in the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the present Southeast line of McKenzie Road (Alexander Road), a measured 40 foot Right-of-Way, said point being 27.12 feet South 45 degrees 19 minutes East from the North corner of the original 50 acre tract described in Deed from S. A. Haught to John McKenzie, recorded in Volume 79, Page 175, Deed Records of said County, point also being the Southwest line of the Lucas Brother 50 acre tract described in deed filed March 2, 1960 in said Deed Records, an iron rod found for corner at a fence corner post;

THENCE South 45 degrees 19 minutes East 1211.78 feet along an existing fence line and along the common line between said McKenzie and Lucas Brothers tract to an iron rod found for corner at a fence corner post;

THENCE South 43 degrees 55 minutes 10 seconds West 1756.82 feet along an existing fence line and the common line between said McKenzie tract and the Charles L. Warner tract described in Deed filed March 6, 1953 in said Deed Records to an iron rod found for corner in the said present Northeast line of McKenzie Road and at a fence corner post;

THENCE along the said present Northeast line of McKenzie Road the following:

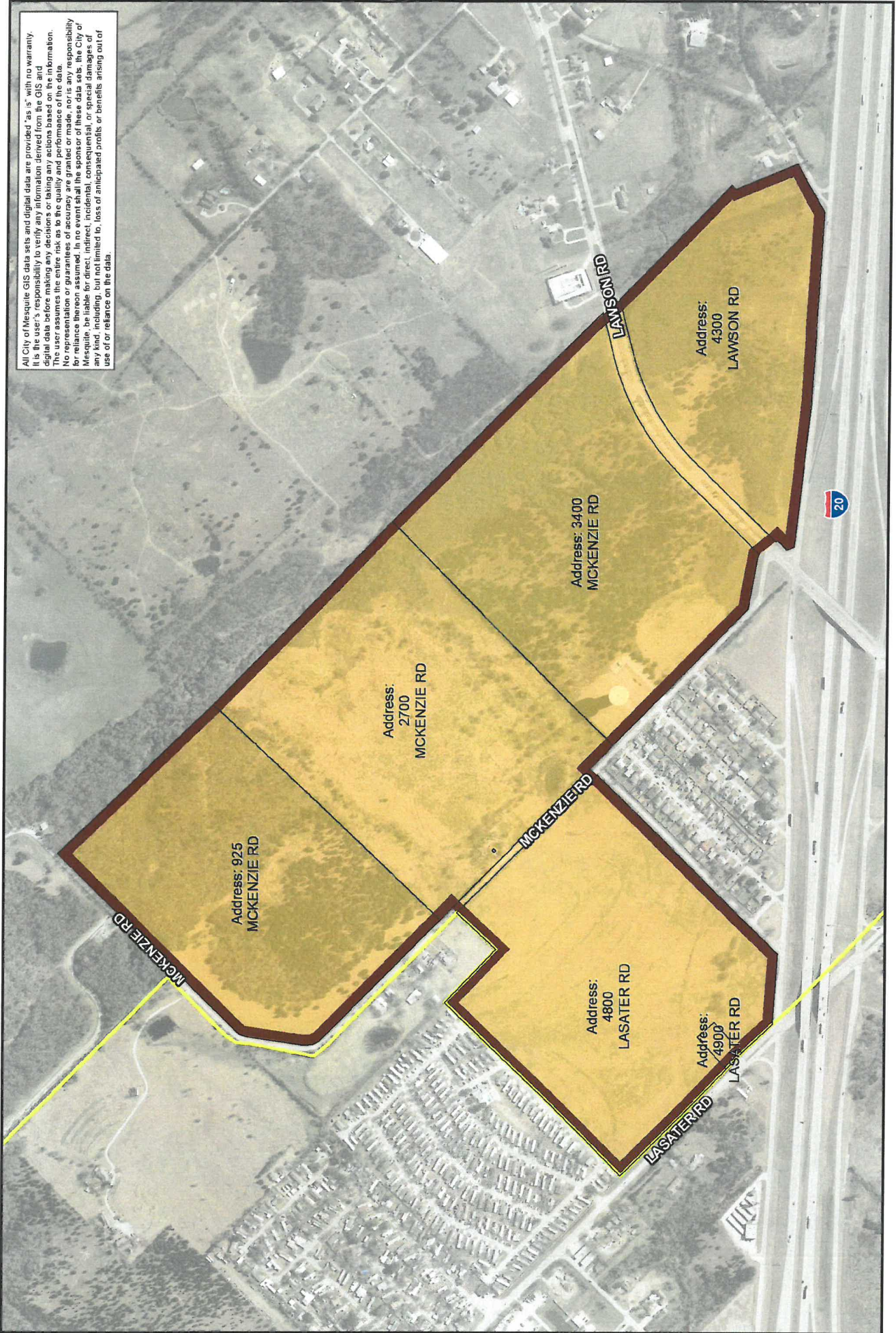
North 45 degrees 15 minutes 49 seconds West 919.36 feet to a point, the beginning of a curve to the right; along a circular curve to the right having a central angle of 53 degrees 17 minutes and a radius of 139.47 feet, an arc distance of 129.70 feet to the end of said curve;

North 8 degrees 09 minutes 06 seconds East 286.80 feet to a point, the beginning of a curve to the right; along a circular curve to the right having a central angle of 36 degrees 48 minutes and a radius of 187.43 feet, an arc distance of 120.58 feet to the end of said curve; North 44 degrees 49 minutes 24 seconds East 1356.47 feet to the POINT OF BEGINNING.

# SLJ IH20 Potential TIRZ - Parcel Addresses

## Exhibit "B"

All City of Mesquite GIS data sets and digital data are provided "as is" with no warranty. It is the user's responsibility to verify any information derived from the GIS and digital data before making any decisions or taking any actions based on the information. The user assumes the entire risk as to the quality and performance of the data. No representation or guarantee of accuracy are granted or made, nor is any responsibility for reliance thereon assumed. In no event shall the sponsor of these data sets, the City of Mesquite, be liable for direct, indirect, incidental, consequential, or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use or reliance on the data.



Drawn By: Olesya Powers, GISP  
 Engineering Map Date: 5/30/2018  
 Aerial Photo Date: January 2017  
 Path: Q:\GIS\Projects\Economic\_Development\SLJ IH20\SLJ\_IH20\_TIFZ\_ParcelAddress.mxd

**EXHIBIT "C"**

**CITY OF MESQUITE CITY COUNCIL  
NOTICE OF PUBLIC HEARING  
ON CREATION OF REINVESTMENT ZONE**

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THE MESQUITE CITY COUNCIL WILL HOLD A PUBLIC HEARING ON *MONDAY, JUNE 18, 2018 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBER LOCATED AT MESQUITE CITY HALL, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS 75149*, ON THE CREATION OF A REINVESTMENT ZONE AND ITS BENEFITS TO THE CITY OF MESQUITE AND TO PROVIDE A REASONABLE OPPORTUNITY FOR ANY OWNER OF PROPERTY WITHIN THE PROPOSED ZONE TO PROTEST THE INCLUSION OF THEIR PROPERTY WITHIN THE PROPOSED ZONE, WHICH PROPOSED REINVESTMENT ZONE CONTAINS APPROXIMATELY 248.1466 ACRES OF LAND CONSISTING OF THE FOLLOWING SIX (6) TRACTS OF LAND: (1) 4300 LAWSON ROAD; (2) 3400 MCKENZIE ROAD; (3) 4800 LASATER ROAD; (4) 4900 LASATER ROAD; (5) 2700 MCKENZIE ROAD; AND (6) 925 MCKENZIE ROAD, ALL SIX (6) TRACTS OF LAND BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS. A MAP DEPICTING THE BOUNDARIES OF THE PROPOSED REINVESTMENT ZONE AND THE METES AND BOUNDS DESCRIPTIONS OF ALL SIX (6) TRACTS OF LAND TO BE INCLUDED WITHIN THE PROPOSED REINVESTMENT ZONE ARE AVAILABLE IN THE OFFICE OF THE CITY SECRETARY AT 1515 N. GALLOWAY, MESQUITE, TEXAS 75149 AND ARE AVAILABLE FOR PUBLIC INSPECTION. AT THE PUBLIC HEARING, ANY INTERESTED PERSON MAY SPEAK FOR OR AGAINST THE INCLUSION OF PROPERTY WITHIN THE PROPOSED REINVESTMENT ZONE, THE CREATION OF THE PROPOSED REINVESTMENT ZONE, ITS BOUNDARIES AND/OR THE CONCEPT OF TAX INCREMENT FINANCING. FOLLOWING THE PUBLIC HEARING, THE MESQUITE CITY COUNCIL WILL CONSIDER ADOPTION OF AN ORDINANCE CREATING THE REINVESTMENT ZONE AND OTHER RELATED MATTERS.