

RESOLUTION NO. 24-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CONSENTING TO PUBLICATION AND DELIVERY OF NOTICE OF INTENT TO INTRODUCE A BILL RELATING TO THE CREATION AND POWERS AND DUTIES OF “SPRADLEY FARMS IMPROVEMENT DISTRICT OF KAUFMAN COUNTY, TEXAS”; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Spradley Farms Improvement District of Kaufman County, Texas (the “District”), is proposed to be created by the Texas Legislature over the land shown in Exhibit “A” within the corporate boundaries of the City of Mesquite, Texas (the “City”), for the benefit of the public, including the construction and maintenance of public water, wastewater, and drainage facilities, roads, park and recreational facilities; and

WHEREAS, the City and the developer of land within the District (“Developer”) are currently negotiating issues regarding development of land within the District, including public infrastructure and services to be provided, methods of financing public infrastructure and services, and creation and powers and duties of the District; and

WHEREAS, the Texas Constitution provides that no law creating the District shall be passed unless notice of the intention to introduce such a bill shall have been published at least thirty (30) days prior to the introduction thereof in a newspaper having general circulation in Kaufman County, and by delivering a copy of such notice and bill to the Governor, Texas Commission on Environmental Quality, Kaufman County Commissioners Court, and City Council of the City; and

WHEREAS, the City is in support of publishing notice of the intention to introduce a bill relating to the creation and powers and duties of the District and delivering such notice and proposed form of bill as required by the Texas Constitution while continuing to work with the Developer on issues, regulations and agreements pertaining to development of land within the District and form of bill acceptable to the City, but reserving the right to withhold its support from passage of any legislation regarding the District.

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

SECTION 1. That the facts and opinions in the preamble of this resolution are true and correct.

SECTION 2. That the City Council hereby consents to Developer’s publication of a “Notice of Intent to Introduce a Bill” in the form attached hereto as Exhibit “B,” and delivery of such notice and a proposed form of bill in the manner provided in the Texas Constitution.

SECTION 3. That the passage of this resolution does not constitute the City's approval or support of any legislation regarding creation of the District, and does not constitute the City's consent to the creation of the District. In the event the City may determine at a future date to approve and support legislation regarding creation of the District, and consent to the creation of the District, such approval and support and consent shall be authorized by separate resolutions of City Council.

SECTION 4. That this resolution shall be in full force and effect from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 18th day of March 2019.



Dan Aleman
Mayor Pro Tem

ATTEST:



Sonja Land
City Secretary

APPROVED:



David L. Paschall
City Attorney

EXHIBIT "A"

TRACT 1

Being a 613.573 acre tract of land situated in the Martha Musick Survey, Abstract No.312, Kaufman County, Texas, and being all of the described tracts of land conveyed by deed to Spradley/Forney Development, LTD., as recorded in Volume 1915, Page 215, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a found 3/8 inch iron rod, said point being the southwest corner of said Spradley/Forney tract, and the northwest corner of a tract of land conveyed to Heartland First Baptist Church, as recorded in Volume 3120, Page 471, Deed Records, Kaufman County, Texas, and being in the existing east right-of-way line of F.M. Road No. 2757 (a 100 foot Right-of-way);

THENCE North 45°12'17" West, along said existing east right-of-way line, a distance of 3200.34 feet to a point for corner;

THENCE North 45°48'19" West, continuing along said existing east right-of-way line, a distance of 2152.36 feet to a found concrete monument for corner;

THENCE North 37°07'32" West, a distance of 101.59 feet to a found 3/8 inch iron rod for corner;

THENCE North 45°48'19" West, a distance of 94.96 feet to a point for corner, said point being the southeast corner of a tract of land conveyed by deed to Donald G, Jr and Leasa K. Davis, as recorded in Volume 3471, Page 60, Deed Records, Kaufman County, Texas;

THENCE North 12°57'53" East, along the east line of said Davis tract, a distance of 1211.80 feet to a point for corner;

THENCE North 44°17'49" East, leaving said east line, a distance of 1211.38 feet to a point for corner, said point being in the existing south right-of-way line of State Highway I-20 (a variable width right-of-way line)

THENCE South 83°33'01" East, along said existing south right-of-way line, a distance of 2163.89 feet to a point for corner, said point being the northwest corner of a tract of land conveyed by deed to I-20 Mesquite Limited Partnership, as recorded in Volume 3072, Page 537, Deed Records, Kaufman County, Texas;

THENCE South 45°47'24" East, leaving said existing south right-of-way line, a distance of 1653.63 feet to a point for corner;

THENCE North 44°01'19" East, a distance of 1275.56 feet to a point for corner, said point being in the existing south right-of-way line of said State Highway I-20;

THENCE South 49°15'08" East, along said existing south right-of-way line, a distance of 30.13 feet to a point for corner;

THENCE North 63°09'15" East, continuing along said existing south right-of-way line, a distance of 125.17 feet to a point for corner;

THENCE South 89°55'49" East, a distance of 174.62 feet to a point for corner;

THENCE North 85°19'44" East, a distance of 1321.76 feet to a point for corner;

THENCE North 83°01'46" East, a distance of 386.92 feet to a point for corner, said point being the northwest corner of a tract of land conveyed by deed to Hubert C. Jr White and Pamela Sue Ray, as recorded in Volume 342, Page 585, Deed Records, Kaufman County, Texas;

THENCE South 07°49'06" East, leaving said existing south right-of-way line, and along the west line of said White tract, a distance of 1539.16 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to Maryfield, LTD, as recorded in Volume 5835, Page 580, Deed Records, Kaufman County, Texas;

THENCE South 43°07'16" West, leaving said west line, and along the north line of said Maryfield tract, a distance of 406.47 feet to a point for corner;

THENCE South 39°47'32" East, continuing along said north line, a distance of 29.09 feet to a point for corner;

THENCE South 42°47'25" West, a distance of 349.18 feet to a point for corner, said point being the northwest corner of said Maryfield tract, and the northwest corner of a tract of land conveyed by deed to Hannover Estates, LTD, as recorded in Volume 5835, Page 570, Deed Records, Kaufman County, Texas;

THENCE South 11°17'46" East, leaving said north line, and along the west line of said Hannover tract, a distance of 362.66 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to David R. and Winona Littlefield, as recorded in Volume 1190, Page 528, Deed Records, Kaufman County, Texas;

THENCE South 67°38'08" West, leaving said west line and along the north line of said Littlefield tract, a distance of 401.86 feet to a point for corner;

THENCE South 22°18'56" East, leaving said north line, and along the west line of said Littlefield tract, a distance of 387.16 feet to a point for corner;

THENCE South 13°40'49" West, continuing along said west line, a distance of 85.16 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to Future Telecom, Inc., as recorded in Volume 3611, Page 280, Deed Records, Kaufman County, Texas;

THENCE South 52°38'20" West, leaving said west line, and along the north line of said Future Telecom tract, a distance of 86.93 feet to a point for corner;

THENCE South 67°42'13" West, continuing along said north line, a distance of 190.04 feet to a point for corner;

THENCE South 76°53'07" West, a distance of 152.17 feet to a point for corner;

THENCE South 88°39'24" West, a distance of 155.78 feet to a point for corner;

THENCE South 43°55'47" West, a distance of 2284.40 feet to a point for corner, said point being in the north line of a tract of land conveyed by deed to Keith and Gina Barron, as recorded in Volume 1167, Page 930, Deed Records, Kaufman County, Texas;

THENCE South 45°15'29" West, a distance of 1143.49 feet to the POINT OF BEGINNING and CONTAINING 26,727,249 square feet, 613.573 acres of land, more or less.

TRACT 2

Being a 8.425 acre tract of land situated in the Martha Musick Survey, Abstract No.312, Kaufman County, Texas, and being all of the described tracts of land conveyed by deed to Spradley/Forney Development, LTD., as recorded in Volume 1915, Page 215, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

COMMENCING at a found 1/2 inch iron rod, said point being the southwest corner of Lot 14, and the southeast corner of Lot 13, Lone Star Estates Addition, an addition the the City of Forney, as recorded in Volume 2, Page 516, Plat Records, Kaufman County, Texas, and being in the existing north right-of-way line of State Highway I-20 (a variable width right-of-way)

THENCE North 83°17'41" West, along the south line of said Lot 13, and the existing north right-of-way line, a distance of 102.37 feet to a point for the POINT OF BEGINNING;

THENCE North 83°31'34" West, leaving said south line, and continuing along said existing north right-of-way line, a distance of 1232.22 feet to a point for

corner, said point being the most southerly southeast corner of a tract of land conveyed by deed to Beam and Sons, Inc, as recorded in Volume 839, Page 241, Deed Records, Kaufman County, Texas;

THENCE North 44°17'49" East, leaving said existing north right-of-way line, and along the east line of said Beam and Sons tract, a distance of 754.15 feet to a point for corner, said point being in the west line of said Lone Star Estates Addition;

THENCE South 45°47'24" East, leaving said east line, and along said west line, a distance of 973.34 feet to the POINT OF BEGINNING and CONTAINING 367,022 square feet, 8.425 acres of land, more or less.

EXHIBIT "B"

FORM OF

NOTICE OF INTENT TO INTRODUCE A BILL

Regarding

Spradley Farms Improvement District of Kaufman County, Texas

Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 86th Legislature of the State of Texas at its regular session in Austin, Texas, for the introduction of a bill, the substance of the contemplated law being as follows:

An Act relating to the creation and powers and duties of Spradley Farms Improvement District of Kaufman County; providing authority to issue bonds; providing authority to impose fees, assessments, and taxes.

The Act proposes to create the District, and authorize the District to provide for the financing, acquisition, construction, maintenance and operation of water, sanitary sewer, and drainage facilities, roads, and other public improvements, subject to approval at elections by the qualified voters in the District.

All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and laws of the State of Texas.