

RESOLUTION NO. 25-1992

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CALLING A PUBLIC HEARING TO CONSIDER AN ORDINANCE LEVYING PROPOSED ASSESSMENTS AGAINST THE ABUTTING PROPERTY OWNERS FOR THE IMPROVEMENT OF CERTAIN NAMED STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS.

WHEREAS, by Resolution No. 34-1990, adopted on September 13, 1990, the City Council authorized the preparation of plans and specifications for the improvement of the streets listed in the attached Exhibit A; and,

WHEREAS, the City of Abilene has heretofore duly advertised for competitive, sealed bids for the construction of certain improvements on the below named streets in the City of Abilene, Texas; and,

WHEREAS, a contract for said improvements will be awarded contingent, however, upon a sufficient assessment being levied against abutting property owners, which, in the opinion of the City Council, will enable the City of Abilene to finance said improvements; and,

WHEREAS, the City Engineer of the City of Abilene, Texas, at the direction of the City Council, has received an estimate of costs for the improvements to the above named streets, and has proposed an assessment roll against abutting property owners of said streets, or portions thereof, which does not exceed nine-tenths (9/10ths) of the estimated cost of such improvements, exclusive of curbs, gutters, and sidewalks, and it is the opinion of the City Council that said estimate of costs should be approved, and that the proposed assessments are just, equitable and reasonable, and, in all respects, meet the requirements of law, and that a public hearing should be called to consider the proposed assessments and to consider an ordinance levying said proposed assessments against the abutting property owners; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Council finds there is a necessity to assess a portion of the cost of said proposed improvements against abutting property owners under the "Front Foot" Plan, as provided in Tex. Rev. Civ. Stat. Ann. Art. 1105b, and hereby proposes to assess said costs, as set out in detail in Exhibit "A", attached hereto, which describes the streets, or portions thereof, to be improved; the names of owners of property abutting said streets, or portions thereof, to be improved; the legal description of the property abutting said streets or portions thereof, to be improved; the number of feet of said properties abutting said street, or portions thereof, to be improved; the amount, or amounts, per front foot proposed to be assessed against said owners, and the total, proposed assessment against said properties abutting the streets, or portions thereof, to be improved.

PART 2: That the City Secretary of the City of Abilene be, and is hereby directed to publish a Notice of Public Hearing, to be held in the Council Chamber of the City Hall, Abilene, Texas, on the 25th day of June, A.D., 1992, at 9:00 O'clock A.M., at which time, all of the owners, their agents or attorneys, or any persons owning any interest therein, whose properties are subject to an assessment, as set out in Exhibit "B", attached hereto, may appear before the

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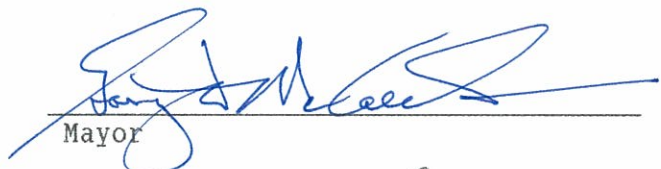
City Council, and may be heard on any matter as, to which hearing, is a constitutional prerequisite to the validity of any assessment authorized by Tex. Rev. Civ. Stat. Ann. Art. 1105b, and to contest the amounts of the proposed assessments; the liens and liability thereof; the special benefits to the abutting property, and owners thereof, by means of the improvement for which assessments are to be levied, and the accuracy, sufficiency, regularity and validity of the proceedings and contract in connection with such improvements and proposed assessments. Said notice shall be published in the official newspaper of the City of Abilene at least three (3) times, the first publication to be made at least twenty-one (21) days before the date of the hearing, and additional written notice of such hearing shall be given by depositing in the United States Mail, at least fourteen (14) days before the date of the hearing, written notice of such hearing, postage prepaid, in an envelope addressed to the owners of the respective properties abutting such streets, or portions thereof, to be improved, as the names of such owners are shown on the then current rendered tax rolls of the City and at the addresses so shown, or, if the names of such respective owners do not appear on such rendered tax rolls, then addressed to such owners as their names are shown on the current unrendered rolls of the City at the addresses shown thereon. Such notice shall describe, in general terms, the nature of the improvements for which assessments are proposed to be levied and to which such notice relates; shall state the street, streets, portion, or portions thereof, to be improved; shall state the estimated amount, or amounts, per front foot proposed to be assessed against the owner, or owners, of abutting property and such property on each street, or portion thereof, with reference to which hearing is to be held; shall state the estimated total cost of the improvements on each such street, portion, or portions thereof, and, if the improvements are to be constructed in any part of the area between and under railway tracks, double tracks, turn-outs, switches, and two (2) feet on each side thereof of any railway, street railway or inter-urban, shall also state the amount proposed to be assessed therefor, and shall state the time and place at which such hearing shall be held. Said notice shall be sufficient, valid and binding upon all persons owning or claiming such abutting property, or any interest therein, and upon all owners, or those claiming such railway, street railway or inter-urban properties, or any interest therein. The notice to be mailed may consist of a copy of the published notice. In those cases in which an owner or property abutting a street, or portion thereof, which is to be improved is listed as "unknown" on the then current City Tax Roll, or the name of an owner is shown on the City Tax Roll, but no address for such owner is shown, no notice need be mailed. In those cases where the owner is shown to be an estate, the mailed notice may be addressed to such estate.

PART 3: That this resolution shall take effect immediately from and after its passage.

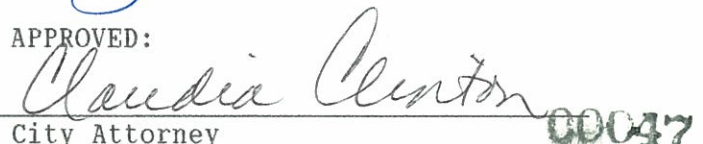
ADOPTED this 28th day of May, A.D., 1992.

ATTEST:


City Secretary


Mayor

APPROVED:


City Attorney

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EXHIBIT A

UNIT I - 30' WIDE STREET F/C TO F/C

1. Almond Street - From N. 13th Street to Cedar Hill Cemetery South
2. Victoria Street - From Sandefer Street to Vogel Avenue
3. Orange Street - From Anson Avenue to W. Stamford Street
4. Walnut Street - From University Boulevard to 300 feet north
5. S. 18th Street - From Portland Avenue to Grand Avenue
6. Grand Avenue - From S. 19th Street to Hunt Street
7. Fulton Street - From Grand Avenue to Santos Street

EXHIBIT B

The Spring Assessment Paving Program Assessment Roll is on file in the City Secretary's Office.

ATT. to
Ord 911 6-25-92

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