

ORDINANCE NO. 111

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING A PORTION OF STANLEY STREET AND SUNDRY OTHER STREETS AND AVENUES IN THE CITY OF WHEELER, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY LEWIS CONSTRUCTION CO., INC.; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PASSAGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEELER, TEXAS:

SECTION 1. That the work of improving the following streets and portions thereof in the city of Wheeler, Texas, to-wit:

UNIT STREET OR

NO.	AVENUE	FROM	TO	WIDTH
16	Moete	NPL 11th South	NPL Highway 2473	37'

UNIT NO.	STREET OR AVENUE	FROM	TO	WIDTH
17	11th Street	EPL Mobeetie	WPL Canadian	37'
18	11th Street	WPL main	EPL Canadian	37'
19	Mobeetie	NPL 11th	NPL 10th	37'
20	10th Street	WPL Canadian	EPL Mobeetie	37'
21	Mobeetie	NPL 10th	NPL 9th	37'
22	Mobeetie	NPL 9th	Npl 8th	37'
23	8th Street	WPL Canadian	EPL Mobeetie	37'
24	Nobeetie	NPL 8th	NPL 7th	37'
25	7th Street	WPL Canadian	EPL Mobeetie	37'
26	Mobeetie	NPL 7th	SPL 6th	37'
27	Mobeetie	SPL 6th	North to existing	37'
28	6th Street	WPL	WPL Mobeetie	37'
45	6th Street	WPL Mobeetie	EPL Kiowa	36'

by raising, grading, filling, widening, repairing, paving and repaving same and by construction, reconstruction and realignment of concrete curbs and gutters and where City Engineer determined that adequate curbs and gutters did not exist upon a proper grade and line, by the construction or reconstruction of drains and other existing incidentals and appurtenances, said paving consisting of six-inch (6") cement stabilized base with one and one-half inch (1½") hot mix surface course, and doing other work incidental thereto, all as provided for in and in accordance with the Plans and Specifications for such improvements, having been performed and completed in accordance with the terms and provisions of the Contract and the Plans and Specifications therein contained, dated October 13, 1978, between the City of Wheeler and BILL R. MCMORRIES AND ASSOCIATES, INC. the City Engineers of the City, having measured, examined and caused to be tested the finished improvements by the means and in the manner provided for by the terms of such contract and the Plans and specifications therein contained, and the said City Engineers, having found that such improvements have been constructed and completed in full compliance with the terms of such Contract and the Plans and Specifications therein contained, and having approved and accepted said improvements and work and having heretofore issued their Certificate of Final Acceptance and having so certified to the City Council of the City of Wheeler, Texas, and having recommended that such City Council accept and receive said work and improvements as constructed by the said LEWIS CONSTRUCTION CO., INC., and said work and improvements having been found by the Mayor and the City Council of the City of Wheeler, Texas, to have been performed and completed in full compliance with the terms of said Contract and Plans and Specifications, the same are hereby now accepted and approved by said City Council of the City of Wheeler, Texas.

SECTION 2, That the Mayor and the City Secretary of said City are hereby authorized and directed to issue to LEWIS CONSTRUCTION CO., INC., special assessment certificates evidencing the assessments against property improved abutting upon said streets within the limits above defined and against the real and true owners thereof; said assessment certificates to be executed in the name of the City of Wheeler, Texas, by the Mayor and City Secretary thereof and impressed with the seal of said City and dated as of the date hereof, and such officers as hereby authorized and directed to execute said certificates in their official capacities on behalf of said City and to deliver same to the LEWIS CONSTRUCTION CO., INC.

SECTION 3. That the fact that it is necessary to immediately complete the improvements upon the hereinabove described streets in said City and complete the assessments levied for a portion of the cost of said improvements upon and against the properties abutting upon said streets and the owners thereof, creates a public emergency for the preservation of the public peace, health, safety and general welfare, and all ordinances and rules requiring more than one reading or prohibiting the passage of an ordinance on the date of its introduction and passage be, and all of the same are hereby suspended, and this ordinance shall be passed on this date of its introduction and shall take effect as an emergency measure and be in full force from and after its passage, and it is so ordained.

The following members of the City Council were present:

Councilmen: Berniece Hall  
Bob Roark  
David Cross

Mayor Pro-Tem Louis Stas  
being a quorum, and the following were absent:  
Kirven Roper, Councilman  
O. B. Burton, Mayor

The above mentioned ordinance was enacted this 17th day of September, 1979, by the City Council of the City of Wheeler, Texas, convened in a regular meeting at the regular meeting place.

Unanimously passed and adopted on the 17th day of September, 1979.

CITY OF WHEELER, TEXAS

ATTEST:

By Louis Stas, Mayor Pro-Tem

Mildred Ramsey,  
City Secretary