

ORDINANCE NO. 54

An Ordinance granting to the City of Dallas permission to build, maintain, operate, repair and reconstruct a water main in and across a public street, road or public way in the City of Addison; Providing for the terms and conditions under which such installation may be made; Provided for the acceptance of the terms of this grant; and Declaring an Emergency.

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WHEREAS, the City of Dallas desires to develop a water supply system in the area west of Noel Road and south of Belt Line Road in the City of Dallas and near the City of Addison in order to supply the inhabitants of the City of Addison with water service, said water supply system for such purpose of water service to City of Addison to be constructed partly through the corporate limits of the City of Addison as it now exists; and,

WHEREAS, the City of Dallas and the City of Addison have entered into an Agreement whereby the City of Dallas has agreed to sell to the City of Addison any surplus water available over and above the needs of the City of Dallas which may be needed by the City of Addison;

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON:

SECTION 1. That the City of Addison does hereby grant all right, privilege, franchise and authority to the City of Dallas to lay, build, construct, operate, repair, reconstruct and maintain an eight (8) inch water main beginning at the intersection of Addison City Limits and Celestial Road about 780 feet west of the intersection of Winnwood Road and Celestial Road, and running approximately 1100 feet in a westwardly direction through the City of Addison in Celestial Road to the intersection of Celestial Road and Noel Road to connect such water supply line to the City of Dallas Water System. The installation contemplated herein will be of a permanent nature and the easement granted herein shall continue for so long as the City of Dallas maintains said water main or water line in Celestial Road to serve its customers adjacent thereto, pursuant to said Agreement.

SECTION 2. That the City of Dallas agrees to repair and replace all the street surfaces, paved or unpaved, which may be cut or excavated by reason of the construction and installation of the eight (8) inch water main in Celestial Road so that said street will be returned to the same condition which existed prior to the installation of said water main.

SECTION 3. That the City of Dallas will construct the water line or water main in Celestial Road in such a manner so as not to interfere with any of the present existing underground or surface utilities which the City of Addison may have located in Celestial Road and if there are any changes necessary to be made, such changes will be made at the expense of the City of Dallas.

SECTION 4. That the City of Dallas shall have the right, privilege to enter upon Celestial Road in the City of Addison in order to make such installation and thereafter shall have the right to enter upon same for the purpose of operating, maintaining, repairing and replacing such installation.

SECTION 5. That in doing any maintenance, repair or reconstruction work, the City of Dallas will be obligated to repair any cuts in the surface of Celestial Road so that said street will be in as good a condition as it was at the time of such entry so that the same may be safe for public use and travel.

SECTION 6. That the City of Dallas shall within fifteen (15) days after the passage of this Ordinance accept the terms hereof by a resolution and forward same to the City Secretary of the City of Addison as evidence of the acceptance and conditions of this grant.

SECTION 7. The fact that the City of Dallas desires to expeditiously proceed with its plans and development of the additional supply of water to its inhabitants, and locate such facilities where the same will serve the City of Dallas and at the same time to make available an additional supply of water to the City of Addison in the event the City of Dallas has a surplus of water over and above the needs of its inhabitants, creates an urgency and an emergency in the preservation of the public peace, comfort and general welfare and requires that this Ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED this 8 day of October A.D., 1963.

M W Morris
M. W. MORRIS, Mayor
City of Addison

ATTEST:

Edwin Lewis
EDWIN LEWIS, City Secretary