

KEYS HOLDING ALLIANCE

ORDINANCE NO. 62

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; providing for the acceptance of the terms of this grant; and Reciting as Emergency.

WHEREAS, in Ordinance No. 18 dated 6th day of October A. D. 1952, the City Council of the City of Addison did grant 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, and

WHEREAS, said ordinance allowed the City of Dallas fifteen (15) days after the passage of said ordinance to accept the terms thereof, and

WHEREAS, more than 15 days has passed since the passage of said ordinance without the City of Dallas having accepted the terms thereof so that now a new ordinance must be passed granting additional time for the City of Dallas to accept the terms of a new ordinance, and

WHEREAS, the City of Dallas desires to develop a water supply system in the area west of Neal Road and south of Salt Line Road in the City of Dallas and near the City of Addison in order to supply the laboring tanks of the City of Addison with water service, said water supply system for such purpose of water service to the City of Addison to be constructed partly through the corporate limits of the City of Addison as it now extends 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 supplies which are available only and above the needs of the City of Dallas which may be needed by the City of Addison; Now, Therefore, as it enables 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 buy, build, construct, operate, repair, reconstruct and maintain an eight (8) inch water main beginning at the intersection of Addison City Road and Colonial Road about 750 feet west of the intersection of Mimms Road and Colonial Road, and running approximately 1100 feet in a westerly direction through the City of Addison in Colonial Road to the intersection of Colonial Road and Neal Road to connect such water supply line to the City of Dallas Water

System, said franchise to include an area seven and one-half (7-1/2) feet on either side of the center line of the proposed pipeline. In agreement with the City of Dallas Water Plans No. 2894-5400, Sheets 1 and 2, a copy of which is attached hereto as Exhibit A(1) and (2) and made a part of this ordinance. 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 Colonial 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 surfacing, paved or unpaved, which may be not or disturbed by reason of the construction and installation of the eight (8) inch water main in Colonial 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 Colonial Road in such a manner as to not to interfere with any of the present existing underground or surface utilities which the City of Addison may have located in Colonial 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 Colonial Road in the City of Addison in order to make such installation and thereafter shall have the right to enter upon said 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 curbs in the center of Colonial 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 thirty (30) days after the passage of this Ordinance accept the same heretofore 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 accept timely placed 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 be available as 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 17 day of May A. D. 1944.

IN WITNESS WHEREOF

M. W. Morris
M. W. Morris, Mayor
City of Dallas

NOV 10 1944

ATTEST:

Edna D. Lewis
Edna Lewis, City Secretary

W. W. [unclear]

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