

ORDINANCE NO. 346

ORDINANCE DETERMINING TO ASSESS A PART OF THE COST OF IMPROVING PORTIONS OF FAIRVIEW AVENUE IN THE CITY OF COLLEGE STATION, TEXAS, AGAINST ABUTTING PROPERTY AND THE OWNERS THEREOF, ADOPTING ENGINEER'S ROLLS, PROVIDING FOR NOTICE OF HEARING, AND DECLARING AN EMERGENCY.

Whereas, the City Council of the City of College Station, Texas, is heretofore ordered that the following portions of streets in said city be improved by raising, grading, filling same, installing concrete curbs and gutters and by paving and by installing drains, inlets and storm sewer, where provided in the plans, with necessary incidentals and appurtenances and in accordance with the plans now on file with the City and in accordance with the specifications therefor, said portions of said streets being as follows, to wit:

All that certain portion of Fairview Avenue described as follows: commencing at the intersection of Jersey Street and Fairview Avenue and in a southerly direction along Fairview Avenue until same intersects Luther Street.

The improvements to Fairview Avenue shall consist of a six (6) inch compact depth gravel base with a one (1) inch asphalt plant mix with concrete curbs to a width, measured from back to back of 37 feet, provided in said plans and specifications; and

WHEREAS, the City of College Station has entered into a contract with the improvements of said Fairview Avenue, and the City Engineer is prepared and filed rolls or statements concerning the improvements and assessments therefor; and

WHEREAS, the City Council has determined to assess a portion of the cost of such improvements against the owners of the property abutting thereon and against such property; and

WHEREAS, the present condition of such streets and places endangers the public health and safety and it is necessary that the improvements thereof be proceeded with while the weather permits, and such improvements are being delayed pending the passing and taking effect of this ordinance and the other proceedings incidental thereto, and such facts constitute and create an emergency;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, THAT:

The City of College Station does hereby determine to assess a portion of the cost of said improvements on said portions of streets against abutting property thereon and against the owners of such property and said assessments to be levied in exercise of the power granted in Article II, Section XI of the Charter of said city, and as provided by Acts of 1927, 40th Legislature of the State of Texas, First called Session, Chapter 106, page 489, as amended, commonly known as Article 1105-B, Revised Civil Statutes of Texas.

Said rolls or statements be and the same are hereby adopted and approved.

The several amounts proposed to be assessed against such parcels of property and the owners thereof, the other matters and things as shown on said rolls or statements being as follows, to wit:

| Name of Owner | Description | No. of Front Feet | Amount |
|----------------------|--------------------------------|-------------------|----------|
| Frank W. Sheppard | Lot pt. 5, Blk 1, College Park | 135. | \$405.00 |
| F. Adams | Lots pt. 5, 6, pt. 7, Blk 1 | 69. | \$207.00 |
| Frank C. Coulter | Lots pt. 7, 8, pt. 9, Blk 1 | 95. | \$285.00 |
| arrison E. Hierth | Lots pt. 9, 10, Blk 1 | 80. | \$240.00 |
| W. Fleming | Lot 1, Blk 2A | 140. | \$420.00 |
| rs. Stella R. Smith | Lots 5, 6, Blk 2 | 100. | \$300.00 |
| arion Pugh | Lot 7, Blk 2 | 50. | \$150.00 |
| uben E. Velasco | Lot 8, Blk 2 | 65. | \$195.00 |
| ward O. Hefti | Lot 1, Blk 3 | 60. | \$180.00 |
| orris E. Tittle | Lot 2, Blk 3 | 50. | \$150.00 |
| E. McAfee | Lots 3, 4, Blk 3 | 100. | \$300.00 |
| mes R. Brown | Lots 5, 6, pt. 7, Blk 4 | 125. | \$375.00 |
| Ann Cruice | Lots pt. 7, 8, Blk 4 | 85. | \$255.00 |
| M. Jackson | Lot 1, Blk 5 | 50. | \$150.00 |
| B. Brown III | Lots 2, 3, 4, Blk 5 | 150. | \$300.00 |
| rs. S. A. Lipscomb | Lots 5, 6, Blk 5 | 100. | \$300.00 |
| oward Anderson | Lots 3, pt. 4, Blk 6 | 62. | \$186.00 |
| P. Murray | Lots pt. 4, pt. 5, Blk 6 | 60.3 | \$180.90 |
| mes E. Poore | Lots pt. 5, pt. 6, Blk 6 | 62.7 | \$188.10 |
| G. Zubik | Lots pt. 6, 7, Blk 6 | 75. | \$225.00 |
| W. Williams | Lot 7, Blk 9 | 120. | \$360.00 |
| G. Anderson | Lot 5, Blk 10 | 125. | \$375.00 |
| isel G. Jones | Lots 10, pt. 11, Blk A | 85. | \$255.00 |
| obe Smith, Jr. | Lots pt. 11, 12, 13, Blk A | 115. | \$345.00 |
| erbert O. Evans | Lots 14, 15, Blk A | 100. | \$300.00 |
| rs. Alice Frazier | Lots 16, pt. 17, Blk A | 99. | \$297.00 |
| e T. Sanders | Lots 17, 18, Blk A | 97.8 | \$293.40 |
| ty of College Sta. | Lots 1, pt. 2, Blk B | 268.2 | \$804.60 |
| umbert H. Wilkes | Lots 1, pt. 2, Blk C | 100.4 | \$301.20 |
| ederal Housing Adm. | Lots pt. 2, pt. 3, Blk C | 75. | \$225.00 |
| arence A. Moore | Lots pt. 3, 4, 5, pt. 6, Blk C | 150. | \$450.00 |
| omas D. Watkins, Jr. | Lots pt. 6, 7, Blk C | 75. | \$225.00 |
| arion Pugh | Lots 8, 9, Blk C | 100.0 | \$300.00 |
| onard I. Knowles | Lots 1, pt. 2, Blk D | 75. | \$225.00 |
| aniel N. Kelley | Lots pt. 2, 3, Blk D | 75. | \$225.00 |
| ville L. Baugh | Lots 4, 5, Blk D | 115. | \$345.00 |

Where more than one person, firm or corporation owns an interest in any property above described, each person, firm or corporation shall personally responsible only for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

A hearing shall be given by and before the governing body of the City of College Station, Texas, on the 20th day of July, 1962, at 7:00 p.m. at the City Council Chamber of the City Hall of the City of College Station, Texas, to the owners of the respective parcels of property and to all others in any wise interested, whether they be named herein or not, all of whom are hereby notified to be and appear at the time and place herein named and fixed, and said hearing shall continue from time to time and from day to day, if necessary, until all desiring and presenting themselves to be heard, shall have been fully and fairly heard, and at which hearing any mistakes, irregularities or invalidities in any of the proceedings with reference to the making of said improvements or assessments therefor may be corrected and the benefits by means of said improvements, and the amount of the assessments, and the apportionment of the cost of the said improvements, and all other matters and things shall be determined, and the legal and true owners of the property abutting upon the said streets be improved, and any and all others in any wise interested, their agents and attorneys shall be and appear at said hearing at said time and place and present and make any protest or objections which they may have as to the said improvements, as to the benefits therefrom, as to the cost thereof, as to the amounts of such assessments, or as to the amounts assessed, or as to any mistake, irregularity or invalidity in any proceedings with reference to said assessments, such improvements, or to the contracts therefor and as to any other matter or thing in any wise connected, either with said improvements, contracts, or proceedings and after all desiring and presenting themselves to be heard, either in person or by agents, attorneys, or representatives have been fully and fairly heard, the said hearing shall be used and assessments will be by ordinance and in accordance with law and the proceedings of the city be levied against the respective parcels abutting property and the owners thereof, whether such owners be named herein or not, and whether the property be correctly described or not. At such hearings anyone in any wise interested or affected by subpoena witnesses and introduce evidence and have the right to appear and be heard.

Assessments against abutting property and the owners shall be personal liability of the owners of such property and a first and lien on the property against which assessments are levied, and all be due and payable on or before thirty days after date of completion and acceptance of the improvements and said assessments shall be interest from date of such completion and acceptance until paid at the rate of eight per centum (8%) per annum, payable annually, provided, any owner shall have the right to pay the assessment at any time before maturity by paying principal and interest accrued to date payment, provided further that if default be made in the payment

Bryan-Hoods' Brigade Centennial



... Early Convertible

—Photo by Ronnie Fann



... Early Schooling

—Photo by Ronnie Fann

promptly as the same matures the entire assessment shall be collectible together with reasonable attorney fees and cost of collection, if incurred.

The improvements in each unit constitute an entirely separate district and independent unit, and the proposed assessment for the improvement in each unit are in no wise affected by any fact or circumstance in connection with any other unit all to the same extent and as fully as if entirely separate proceedings had separate hearings, and separate notices thereof ordered.

The City Secretary of the City of College Station is directed to give notice to the owners of property abutting upon the said portions of streets named to be improved and to all others interested, of the time, place and purpose of such hearings and of all matters and things by causing a substantially correct copy of this ordinance to be published at least three times in a newspaper published in and of general circulation in the City of College Station, Texas, the first of which publication shall be made at least ten days before the date of such hearing, and by such publication all owners of property abutting upon said portions of said streets and avenues, whether such owners be named herein or not and whether the property be correctly described herein or not, as well as to all others in any wise interested therein or to be affected thereby, shall be and are duly notified and no error or mistake in the name of any property owner, in the description of any property or in the amount of any proposed assessment shall in anywise affect or invalidate such notice or any assessment levied pursuant thereto, and the real and true owners of such abutting property shall be and are by such notice duly and fully notified. The City Secretary is further directed, but not required to give further notice of such hearing by causing a substantial copy of such published notice to be mailed to each owner of property abutting upon such portions of said streets and avenues, but all such notices by mail shall be only cumulative of such notice by advertisement and publication, and said notice by advertisement and publication shall in all cases be sufficient and binding whether or not any other kind or character of notice be given.

The present condition of said portions of streets and avenues endangers health and public safety, and it is necessary that the improvements thereof be proceeded with at once and while the weather will permit, and such facts constitute and create an emergency and an urgent public necessity requiring that the rules and provisions for ordinances to be read more than one time or at more than one meeting be suspended, and requiring that this ordinance be passed as and take effect as an emergency measure, and such rules and provisions are accordingly suspended and this ordinance is passed as and shall take effect as an emergency measure and shall be in full force and effect from and after its passage.

PASSED AND APPROVED this the 15th day of June, 1962.

ATTEST:
s/K. A. Manning
City Secretary
APPROVED:
s/Ernest Langford
Mayor



... Early Settlers

—Photo by Ronnie Fann

PRIORITY TICKET SALES

FOR: FACULTY, EMPLOYEES
AND GENERAL PUBLIC

Deadline

JULY 31

SEASON BOOKS ONLY \$12.00
COVERING 3 HOME GAMES
AND 3 FRESHMAN GAMES

Oct. 6 — Texas Tech. College
Oct. 20 — Texas Christian Univ.
Nov. 3 — Univ. of Arkansas

FOOTBALL



Place Orders With The

ATHLETIC DEPT. BUSINESS OFFICE

Before July 31

Season Books for Faculty and Employees good for admission to all sports held under the auspices of the Athletic Council. Books for the General Public good for all events except basketball.

Single games tickets are available for all games—home and away.

Tickets Available To All Out of Town Games