

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, AWARDING A CONTRACT FOR THE IMPROVEMENT OF THE FOLLOWING NAMED STREET WITHIN THE LIMITS OF THE CITY OF COLLEGE STATION, TEXAS, TO-WIT:

1. Longmire South – from its current termination at Graham Road to its southern termination at Cypress Meadows Subdivision-48' wide street from back of curb to back of curb with (2) – 6' wide sidewalks.

APPROVING AN ESTIMATE OF COSTS OF SAID IMPROVEMENTS; PREPARED BY THE CITY ENGINEER OF THE CITY OF COLLEGE STATION, TEXAS; APPROPRIATING FUNDS IN THE SUM OF ONE MILLION SEVENTY SEVEN THOUSAND FOUR HUNDRED SEVENTY NINE AND 50/100THS (\$1,077,479.50) DOLLARS FOR THE CITY OF COLLEGE STATION'S PORTION OF SUCH ESTIMATED COSTS; APPROVING THE PROPOSED ASSESSMENTS TO BE LEVIED AGAINST ABUTTING PROPERTY OWNERS; AND CALLING A PUBLIC HEARING TO CONSIDER AN ORDINANCE LEVYING PROPOSED ASSESSMENTS AGAINST THE ABUTTING PROPERTY OWNERS.

WHEREAS, the City of College Station has heretofore duly advertised for competitive, sealed bids for the construction of certain improvements on the following named street in the City of College Station, Texas, to-wit

Longmire South – from its current termination at Graham Road to its southern termination at Cypress Meadows Subdivision-48' wide street from back of curb to back of curb with 2' – 6' wide sidewalks.

And, on the 9th day of June 2004, said bids were received and read, as follows:

<u>BIDDER:</u>	<u>AMOUNT:</u>
Fuqua Construction	\$1,077,479.50
Texcon, Inc.	\$1,118,989.75
Young Contractors, Inc.	\$1,136,118.75

WHEREAS, Fuqua Construction is the lowest, responsible bidder, and it is the opinion of the City Council that it is in the best interest of the public welfare of the City of College Station to award a contract to said lowest, responsible bidder;

WHEREAS, the City Engineer of the City of College Station, Texas, at the direction of the City Council has reviewed an estimate of costs for the improvements to the above named street, and has prepared a proposed assessment roll against abutting owners of said street, or portion 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 College Station, Texas:

- PART 1: That the bid of Fuqua Construction., being the lowest, responsible bid, be, and the same is hereby accepted, and said firm is hereby awarded a contract, to be prepared by the City Attorney, for the construction of said improvements.
- PART 2: That the estimate of costs attached hereto, and incorporated herein, for all purposes, as Exhibit "B" be, and the same is hereby, in all things, approved.
- PART 3: 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 V.T.C.A. TRANSPORTATION CODE, Chapter 313, and hereby proposes to assess said costs, as set out in detail in Exhibit "B", attached hereto, which describes the owners of property abutting said street, or portions thereof, to be improved; the legal description of the property abutting said street, 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 street, or portions thereof, to be improved.
- PART 4: That the sum of One Million Seventy Seven Thousand Four Hundred Seventy Nine and 50/100ths (\$1,077,479.50) Dollars which includes the amount of such base bid plus alternate B and all engineering expenses to be incurred by the City of College Station in connection with such project, be, and the same is hereby, appropriated from Certificates of Obligation for the City of College Station's portion of such estimated costs.
- PART 5: That the City Secretary of the City of College Station be, and is hereby directed to publish a Notice of Public Hearing, to be held in the Council Chamber of the City Hall, College Station, Texas, on the twenty sixth day of August, 2004, at seven o'clock P.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 "A", attached hereto, may appear before the 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 V.T.C.A. TRANSPORTATION CODE, Chapter 313, 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 College Station 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 thereof, 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 of 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 6: That this resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, A.D. 2004.

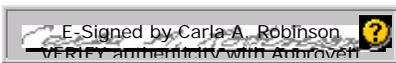
ATTEST:

APPROVED:

 CONNIE HOOKS, City Secretary

 RON SILVIA, Mayor

APPROVED:



 City Attorney