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61-130
AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT OVER AND ACROSS HOUSTON STREET IN DE LEON, TEXAS, TO DE LEON PEANUT COMPANY, FOR THE PURPOSE OF AUTHORIZING SAID DE LEON PEANUT COMPANY TO INSTALL PIPE LINES, GRAIN CONVEYORS AND/OR CONVEYOR BELTS OR TUBES OVER AND ACROSS HOUSTON STREET, SUBJECT TO THE LIMITATIONS AND CONDITIONS THEREIN EXPRESSED, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DE LEON, TEXAS:

SECTION I.

That the Mayor and City Secretary of the City of De Leon, Texas, are hereby ordered, authorized, and empowered to grant unto De Leon Peanut Company, a Corporation, a certain easement over and across Houston Street in De Leon, Texas, between Blocks Nos. 19 and 20 of the ORIGINAL Townsite of De Leon, Texas, authorizing said De Leon Peanut Company to construct, erect and maintain pipelines, grain conveyors, and/or conveyor belts or tubes over and across Houston Street, linking together two buildings owned by the De Leon Peanut Company, one being a factory warehouse building and the other being a storage building, the factory and warehouse building being situated on the West side of Houston Street and the storage building situated on the East side of Houston Street.

SECTION II.

Said easement to be granted shall further provide that said pipelines, grain conveyors, and/or conveyor belts or tubes shall be erected at a height above Houston Street at least 35 feet so as to not interfere with traffic or passage thereon, and that the said De Leon Peanut Company shall hold the City harmless from all loss, claims, and damages, arising out of the construction, maintenance, and erection of said pipelines, grain conveyors, and/or conveyor belts or tubes constructed hereunder. Said easement shall authorize the said De Leon Peanut Company to erect one or more pipelines, grain conveyors, and/or conveyor belts or tubes as may be necessary, in its discretion, in the conduct of its business.

SECTION III

DECLARATION OF AN EMERGENCY: The fact that De Leon Peanut Company is being hindered in the carrying on of its business and the expanding of its facilities due to the lack of a proper easement to allow it to connect its two buildings by necessary pipelines, grain conveyors, and/or conveyor belts or tubes creates a imperative public necessity and demand, that the rule requiring reading of ordinances at two separate meetings prior to their final

passage be dispensed with, and it is accordingly ordained, that this ordinance shall take effect and shall be in full force and effect, immediately from and after its passage.

PASSED AND APPROVED this 7th day of February, A. D. 1961.


W. B. NOMININ, MAYOR

ATTEST:


Eula Weaver
CITY SECRETARY

THE STATE OF TEXAS

COUNTY OF COMANCHE

I, Eula Weaver, City Secretary of the City of De Leon, Texas, do hereby certify that the above and foregoing is a full, true, and correct copy of an ordinance passed by the Board of City Commissioners of the City of De Leon, Texas, in regular meeting duly assemble, on the 7th day of February, A. D. 1961, as same appears of record in the current minute book of said City. Witness my hand and seal of said City this 7th day of February, A. D. 1961.


Eula Weaver
CITY SECRETARY
CITY OF DE LEON, TEXAS

THE STATE OF TEXAS
COUNTY OF COMANCHE

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the City of De Leon, Texas, a Municipal Corporation, acting by and through W. B. Newlin, Mayor, and Eula Weaver City Secretary, thereunto by ordinance duly authorized a copy of which is attached to this easement, and made a part thereof for all purposes, have bargained granted and sold and convey, and do by these presents, grant, bargain and sell and convey unto the De Leon Peanut Company, its successors and assigns, an easement over and across Houston Street in De Leon, Texas, between Blocks 19 and 20 in the City of De Leon, Comanche County, Texas, hereinafter by authorizing the said De Leon Peanut Company its successors and assigns, to construct, to erect, and maintain, over and across said Houston Street, between blocks 19 and 20 in the City of De Leon, Comanche County, Texas, a sufficient number of pipelines, grain conveyers and/or conveyor belts, or tubes to connect its factory and warehouse building on the West side of said Street with its storage building on the East side of said Street. Said pipelines, grain conveyers and/or conveyor belts or tubes shall be erected at a height which shall not interfere with the traffic or other use of Houston Street, and shall be at a minimum distance of 35 feet above street level.

In accepting this easement, the said De Leon Peanut Company hereby binds itself, its successors and assigns, to hold the City of De Leon, its successors and assigns, harmless from any and all losses, and claims, damages, and lawsuits, which may arise out of the construction, maintenance and operation of said pipeline, grain conveyor and/or conveyor belts or tubes, erected installed and maintained by the De Leon Peanut Company under the terms of this easement.

In testimony whereof, witness our hands this the 28 day of February,

A. D. 1961.

THE CITY OF DE LEON, TEXAS

BY: W. B. Newlin
MAYOR

ATTEST:

Eula Weaver
CITY SECRETARY.

ACCEPTED: DE LEON PEANUT COMPANY

BY: _____
General Manager