

10666

ORDINANCE NO. 1066

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, TEMPORARILY ABANDONING CERTAIN LAND DESCRIBED AS A 50 FOOT RIGHT-OF-WAY OF LOCUST STREET BETWEEN KIMBROUGH STREET AND TEXAS STREET FOR USE AS A PUBLIC STREET AND DIRECTING THE USE THEREOF UNTIL A NEED AS A PUBLIC STREET ARISES THEREFOR; AUTHORIZING THE HONORABLE GEORGE BOYCE, MAYOR, TO EXECUTE AN AGREEMENT LETTING SAID LAND CONSISTENT WITH CERTAIN RESERVATIONS AND STIPULATIONS; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, certain land described as Locust Street is not presently needed for use as a public thoroughfare in the City of Mesquite; and

WHEREAS, it is not contemplated that such land will be needed for street purposes in the immediate future; and

WHEREAS, it is in the public interest that such land be held and reserved for future use as a public street at such time as a need therefore arises and be temporarily abandoned as a public street and diverted to other use pending time of such need;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the land described in Exhibit "A" attached hereto be and the same is hereby temporarily abandoned as a public street until such time as a need therefor arises; provided however, that said land is expressly reserved and held as a public street at such time as a need may arise therefor.

SECTION 2. That the land described herein be diverted to a use other than street purposes for a temporary period pending the need therefor as a public thoroughfare.

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SECTION 3. That the Honorable George Boyce, Mayor, is hereby authorized to execute a lease agreement letting such land consistent with the reservations and stipulations herein and providing for a sixty (60) day cancellation clause in said agreement.

SECTION 4. That should any provision of this ordinance be declared invalid or unconstitutional for any reason, such invalidity or unconstitutionality shall not affect those provisions of this ordinance left standing nor any other of the ordinances of the City of Mesquite.

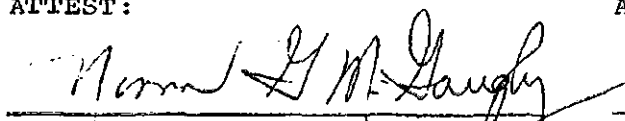
SECTION 5. The fact that the maintenance of the land described herein is burdensome to the City of Mesquite and is non-productive creates an urgency and an emergency in the interest of the public safety and welfare and necessitates that this ordinance take effect immediately from and after its date of passage and publication of its caption as the law in such cases provides.

PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on this 18 day of September, A.D., 1972.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney