

ORDINANCE NO. 1312

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DISCLAIMING ACCEPTANCE OF A PORTION OF LAND CONTAINED IN A CERTAIN PLAT AND PERMITTING THE VACATION OF THAT PORTION OF SAID PLAT AND AUTHORIZING THE CHAIRMAN OF THE PLANNING AND ZONING COMMISSION TO ACT ON BEHALF OF THE CITY OF MESQUITE TO ENDORSE SUCH APPROVAL ON ANY INSTRUMENTS REQUIRED TO EFFECT SUCH VACATION AND DECLARING AN EMERGENCY.

WHEREAS, a certain plat containing the land described in Exhibit "A" attached hereto was approved by the Planning and Zoning Commission as provided by law; and

WHEREAS, the City of Mesquite has made no actual appropriation of land described and has made no improvements thereon and no acceptance of said dedication has occurred; and

WHEREAS, the owners of said land have requested permission to vacate that portion of said plat; and

WHEREAS, it appears that no lots have been sold pursuant to such plat;

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

SECTION 1. That the City of Mesquite, Texas, disclaims acceptance of that area described in Exhibit "A" attached hereto as land dedicated to the public use and grants permission to the owners of land contained in the plat containing such dedication to vacate that portion of said plat described in Exhibit "A" hereof and further authorizes the Chairman of the Planning and Zoning Commission to endorse such approval on any instruments required to be filed by Article 974a, Vernon's Annotated Civil Statutes, to effect such vacation; provided, however, that such permission and authorization shall extend only to that portion of such plat described in Exhibit "A" hereof and the remainder of said plat and all other areas thereof dedicated to the public use are expressly reserved to the public use forever.


C0067

ORDINANCE/PAGE 2

SECTION 2. That the Chairman of the Planning and Zoning Commission shall not endorse approval on instruments of vacation until the Director of Community Development shall have examined such instruments and determined that such instruments effect vacation only that portion authorized herein; and that satisfactory arrangements have been made for electric and telephone service to that area of said plat not vacated. Upon determination thereof the Director of Community Development shall endorse his approval thereon.

SECTION 3. The fact that the plat as recorded is inadequate to promote the proper development of the city creates an urgency and emergency and requires that this ordinance shall take effect immediately upon passage and publication of said ordinance, as the law and charter in such cases provides.

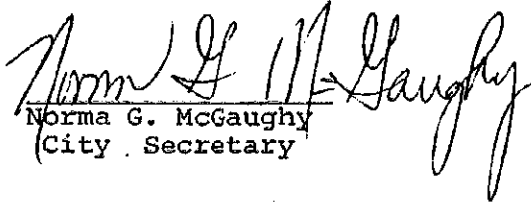
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of April, A.D., 1976.



Bob Beard
Mayor

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney