

ORDINANCE NO. 1779

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DECLARING CERTAIN LAND EXCESS RIGHT-OF-WAY AND ABANDONING A CERTAIN STRIP OF LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND AUTHORIZING THE MAYOR TO EXECUTE CERTAIN INSTRUMENTS CONVEYING SAME, RESERVING CERTAIN EASEMENTS FOR EXISTING UTILITIES AND DECLARING AN EMERGENCY.

WHEREAS, a study was made by the Department of Community Development as to the need for right-of-way along Military Parkway between Carmack and Interstate Highway 635 and it was determined that fifty (50) feet on either side of Military Parkway was unneeded for right-of-way purposes and constituted excess right-of-way; and,

WHEREAS, it was further determined that such strip was too narrow to be usable as an independent lot; and

WHEREAS, an appraisal was made and approved establishing the value of land described in Exhibit "A" attached hereto to be \$.75 per square foot as provided by Article 5421c-12 V.A.C.S.

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

SECTION 1. That a fifty (50) foot strip along either side of Military Parkway between Carmack and Interstate Highway 635 be sold to the abutting property owners as may be determined at a price as may be established by an appraisal paid for by such abutting property owner and approved by the Council; said appraisal to be by either an MAI or SREA appraiser, at such time as such abutting property owner shall petition for same together with payment of appraisal fee and the furnishing of legal description of land sought and acceptable evidence that petitioner is the current owner of abutting property; provided, however, there shall be reserved out of such land an easement for all existing utilities until such purchaser, at purchaser shall cause said existing utilities to be relocated off said land at purchaser's expense, at which time said easement shall cease and become null and void. Said sale and conveyance shall be by general warranty deed. Further evidence of title or title policy to be at purchaser's expense.

SECTION 2. That land described in Exhibit "A" attached hereto is hereby abandoned and the Mayor is hereby authorized to execute instruments conveying same to the abutting landowner upon payment by owner of the purchase price of \$.75 per square foot.

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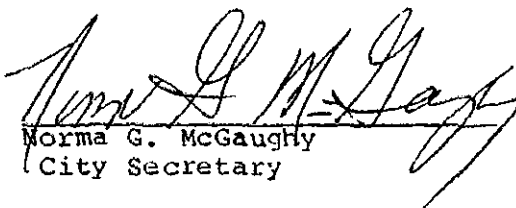
SECTION 3. The fact that the present ordinances of the City of Mesquite, Texas, do not adequately provide for the abandoning of a certain strip of land along either side of Military Parkway between Carmack and Interstate Highway 635 creates an urgency and an emergency and in the preservation of the public safety and welfare of its citizens requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provides.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 3rd day of May, A.D., 1982.


LEN GIBBENS
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Eiland Archer
City Attorney

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EXHIBIT "A"

A fifty foot wide strip of land 150 feet along the front Lot 1, Military Square Addition, City of Mesquite, Dallas County, Texas and being the South fifty (50) feet of Military Parkway right-of-way as it abuts said lot, containing 7,500 square feet.

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