

ORDINANCE NO. 3807

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A LANDSCAPE AND ENTRY MONUMENT MAINTENANCE EASEMENT LOCATED ON CLAY-MATHIS ROAD AT THE NEW DR. JAMES TERRY MIDDLE SCHOOL IN DALLAS COUNTY, AS RECORDED IN VOLUME 90090, PAGE 3006, DEED RECORDS OF DALLAS COUNTY, TEXAS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the easement located on Clay-Mathis Road on the site of the new Dr. James Terry Middles School (School) originally contained a brick entry monument to the Creek Crossing Addition (Addition) and some limited landscaping and irrigation; and

WHEREAS, the monument and associated improvements fell into disrepair after the Addition was built-out in the mid-1990s; and

WHEREAS, the monument was demolished with the construction of the School; and

WHEREAS, the Mesquite Independent School District has requested abandonment of this easement to clear the title and formalize the termination of the easement.

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

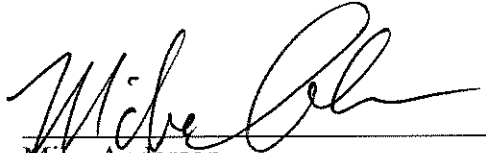
SECTION 1. That the landscape and entry monument maintenance easement located on Clay-Mathis Road, more fully described in Exhibit "A" attached hereto and included herein for all purposes, shall be and the same is hereby abandoned.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

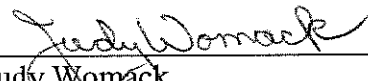
SECTION 4. That the orderly development of the City of Mesquite requires the release and abandonment of the landscape and entry monument maintenance easement described herein, creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 19th day of June, 2006.



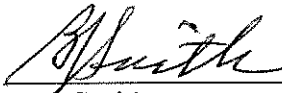
Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B.A. Smith
City Attorney

1,817 SQUARE FEET
EASEMENT ABANDONMENT
out of the
JOHN P. ANDERSON SURVEY — ABSTRACT NO. 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING all that certain tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas and being the same tract of land described in that certain Easement Dedication No. 10 recorded in Volume 90090, Page 3006, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found at the end of a circular curve to the left having a central angle of 16°00'00", a radius of 2,500.00 feet, a tangent of 351.35 feet, an arc length of 698.13 feet and a back tangent bearing of North 44°16'56" West, said point being on the west line of Clay Mathis Road (a 100.00' R.O.W.);

THENCE South 44°16'56" East along the said west line of Clay Mathis Road a distance of 2.00 feet to a point for corner;

THENCE South 45°43'04" West, departing the said west line of Clay Mathis Road, a distance of 51.00 feet to a point for corner;

THENCE North 44°16'56" West a distance of 9.00 feet to a point for corner;

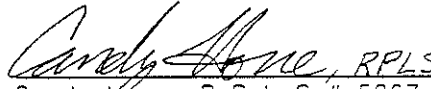
THENCE North 02°49'51" West a distance of 55.08 feet to a point for corner;

THENCE North 46°49'04" East a distance of 15.00 feet to a point for corner on the said west line of Clay Mathis Road, said point also being the beginning of a circular curve to the left;

THENCE along said west line of Clay Mathis Road and said circular curve to the left a central angle of 1°06'00", a radius of 2,500.00 feet, a tangent of 24.00 feet, a chord bearing of South 43°43'56" East, a chord of 48.00 feet, and an arc length of 48.00 feet to the POINT OF BEGINNING and containing 1,817 square feet of land, more or less.

Note: The bearings shown and recited hereon are according to the instrument recorded in Volume 90090, Page 3006, Deed Records, Dallas County, Texas.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

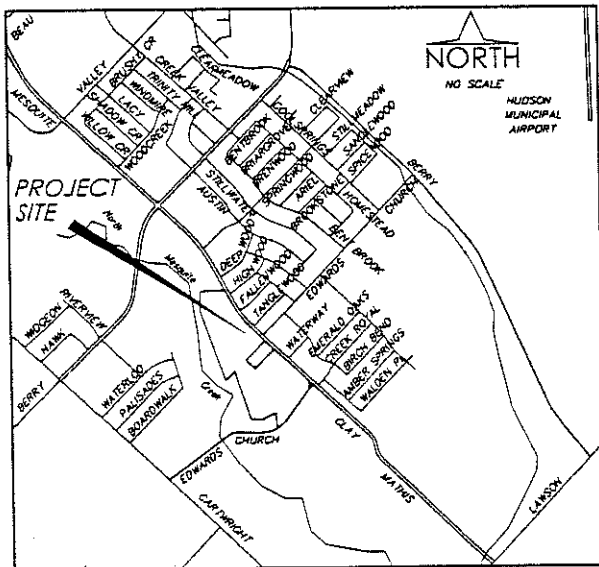
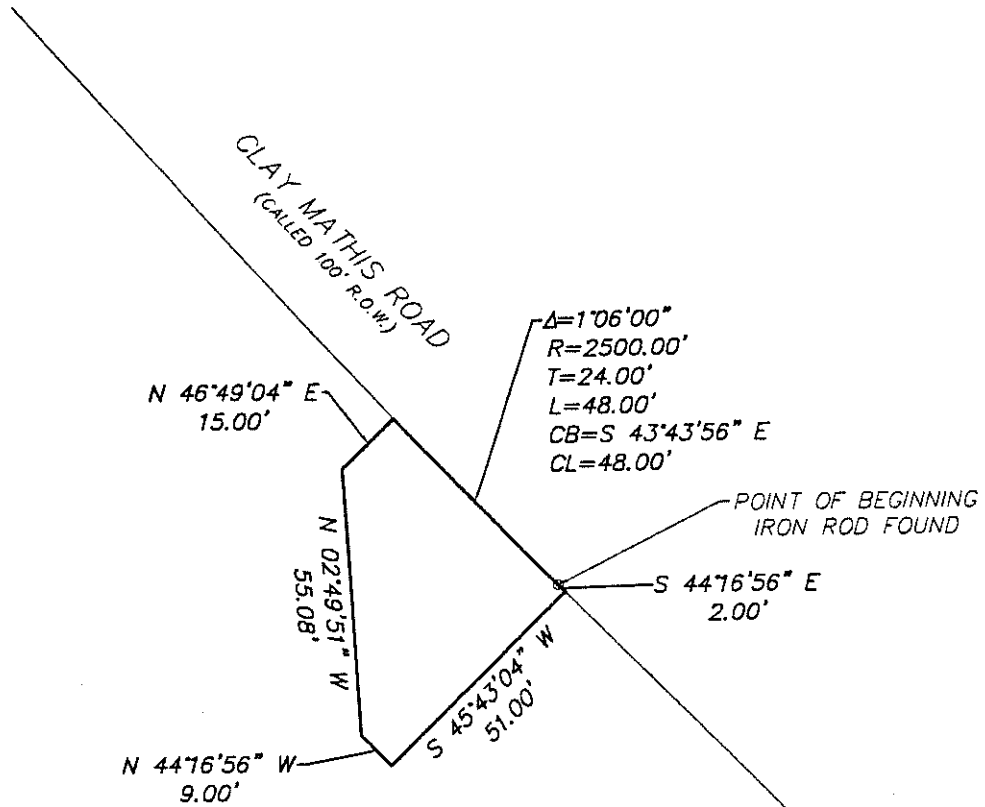

Candy Hone, R.P.L.S. # 5867
Registered Professional Land Surveyor



1,817 SQUARE FEET
EASEMENT ABANDONMENT
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CITY OF MESQUITE, DALLAS COUNTY, TEXAS



SCALE: 1" = 40'



LOCATION MAP

MESQUITE INDEPENDENT SCHOOL DISTRICT
VOLUME 99226, PAGE 4262,
DEED RECORDS, DALLAS COUNTY, TEXAS