

RETURN TO: CITY SECRETARY
CITY OF MESQUITE
P.O. BOX 830137
MESQUITE, TX 75185-0137

ORDINANCE NO. 4080

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A SEGMENT OF A 15-FOOT-WIDE SANITARY SEWER EASEMENT LOCATED AT 700 GROSS ROAD AND ASSOCIATED WITH THE COMPLETED CONSTRUCTION OF A NEW SANITARY SEWER MAIN; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, research of the area indicated the sanitary sewer easement was dedicated in October of 1953 for the exclusive use of constructing and maintaining a sanitary sewer main; and

WHEREAS, Staff received a request for the abandonment of a segment of the 15-foot-wide sanitary sewer easement; and

WHEREAS, Staff believes the abandonment is in the public interest and recommends abandonment of the subject sanitary sewer easement.

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

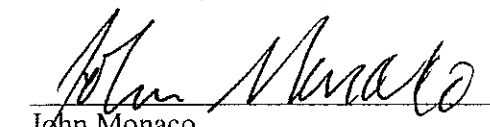
SECTION 1. That a segment of the 15-foot-wide sanitary sewer easement located at 700 Gross Road and associated with the completed construction of a new sanitary sewer main, more fully described in Exhibit "A" attached hereto and included herein for all purposes, shall be and the same is hereby abandoned.

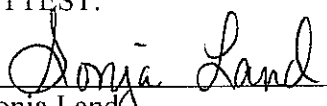
SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

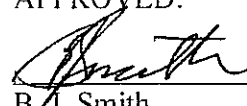
SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That the orderly development of the City of Mesquite requires the release and abandonment of a segment of the sanitary sewer 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 15th day of March, 2010.

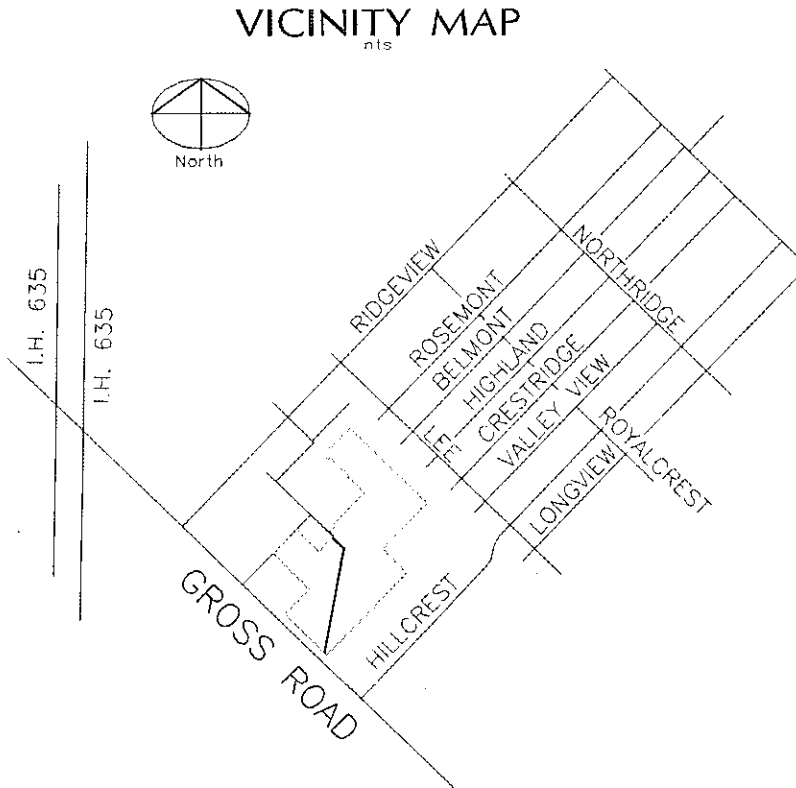

John Monaco
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:

B.J. Smith
City Attorney

03/30/2010 09:58:58 AM
201000076326
ORD 1/9

Easement Abandonment
15' Sanitary Sewer Easement
700 Gross Road
Lot 1, Block A, Villas at Mesquite Creek
City of Mesquite, Dallas County, Texas



NOTES:

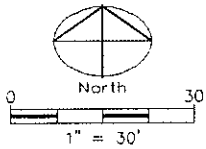
irs = iron rod set

irf = iron rod found

Bearings are based on plat recorded as Instrument No. 200900005896, Official Public Records, Dallas County, Texas.

SHT. 1 of 7
Project No. 10031
DATE: 3/3/2010

PIBURN & PARTNERS, LLC
9535 Forest Lane - Suite 229
Dallas, Texas 75243
ph: (214) 328-3500 fax: (214) 328-3512
email@piburnpartners.com



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15' Sanitary Sewer Easement
700 Gross Road
Lot 1, Block A, Villas at Mesquite Creek
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PROPERTY DESCRIPTION

BEING a 0.372 acre tract of land situated in the Daniel Tanner League Survey, Abstract No. 1462 and also being a portion of that 15 foot Sanitary Sewer Easement as recorded in Volume 3986, Page 495, said portion being situated within Lot 1, Block A of Villas At Mesquite Creek, an addition to the City of Mesquite, recorded as Instrument No. 200900005896, Official Public Records, Dallas County, Texas, and said 0.372 acre tract being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for corner in the south right of way line of Windbell Street (Private Street), same being the northeasterly corner of said Lot 1 of Villa At Mesquite Creek;

THENCE S 45°42'52" E, along said easterly line, a distance of 279.83 feet to a 1/2" iron rod found for corner;

THENCE N 44°15'39" E, a distance of 195.93 feet to the POINT OF BEGINNING of the aforementioned 0.372 acre tract, same being the apparent location of the southwesterly line of a 15 foot Sanitary Sewer Easement recorded as Volume 3986, Page 495, Deed Records, Dallas County, Texas, at a point intersecting with the northwesterly line of the aforementioned Lot 1;

THENCE N 44°15'39" E, continuing along said northwesterly line of said Lot 1, a distance of 15.00 feet;

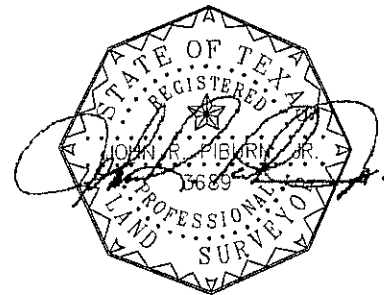
THENCE S 47°11'07" E, a distance of 240.58 feet;

THENCE S 10°25'37" W, a distance of 948.35 feet;

THENCE N 79°34'23" W, a distance of 15.00 feet;

THENCE N 10°25'37" E, a distance of 940.10 feet;

THENCE N 47°11'07" W, a distance of 232.34 feet to the POINT OF BEGINNING containing 16,205 sq. ft. or 0.372 acres of land more or less.



NOTES:

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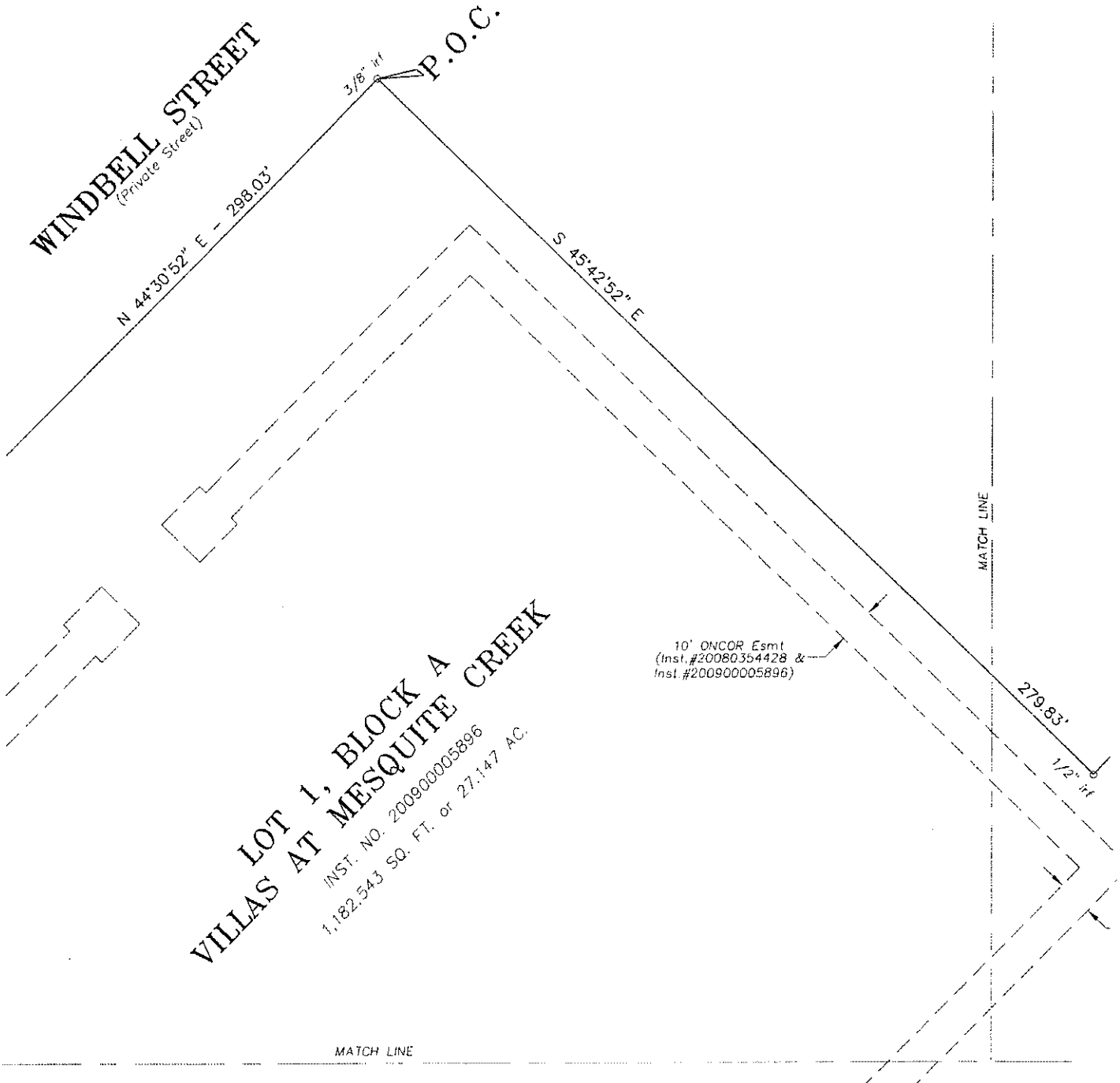
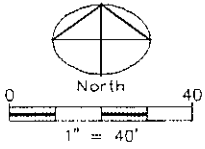
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SHT. 2 of 7
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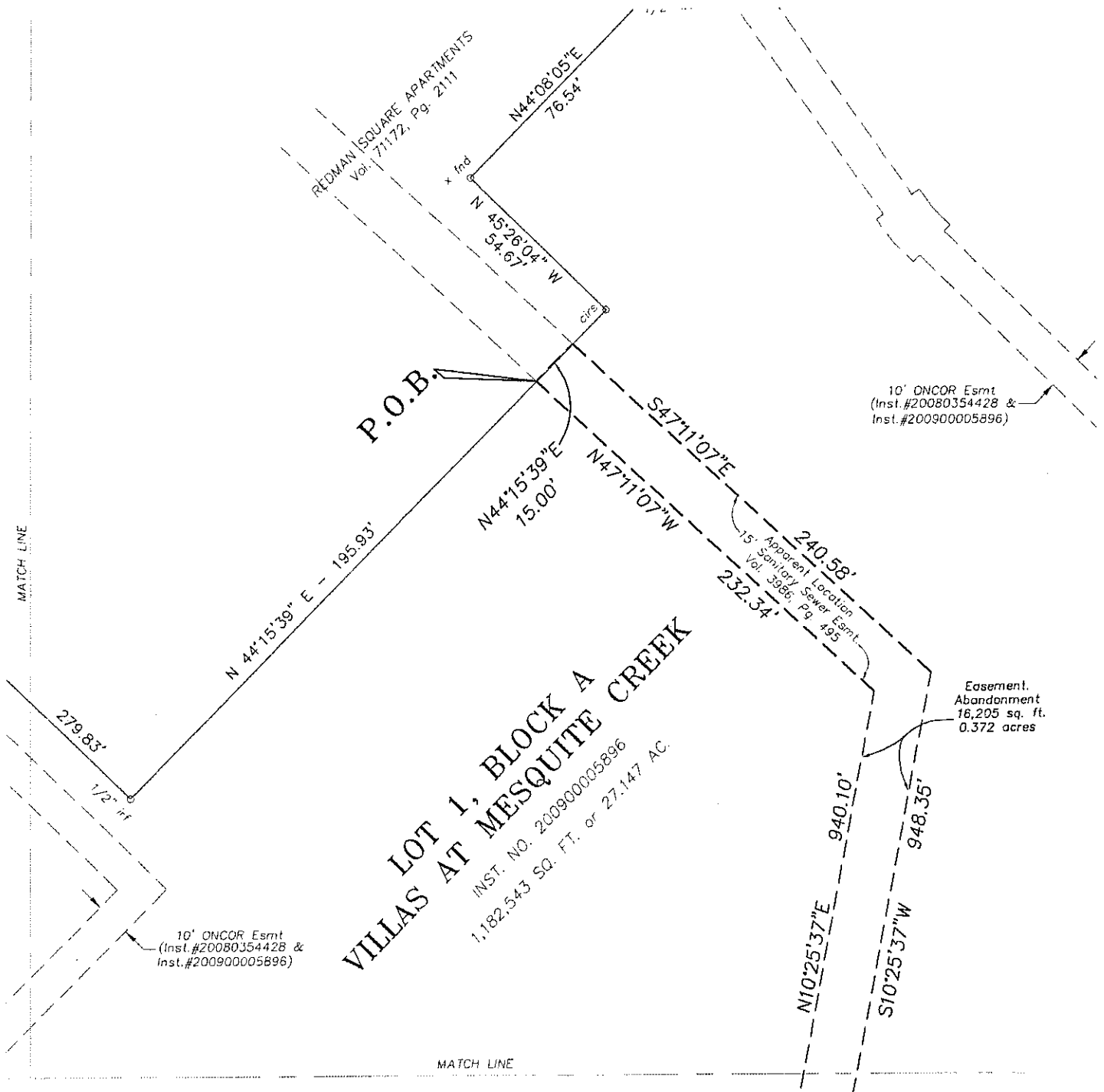
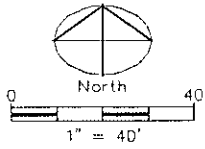
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 Lot 1, Block A, Villas at Mesquite Creek
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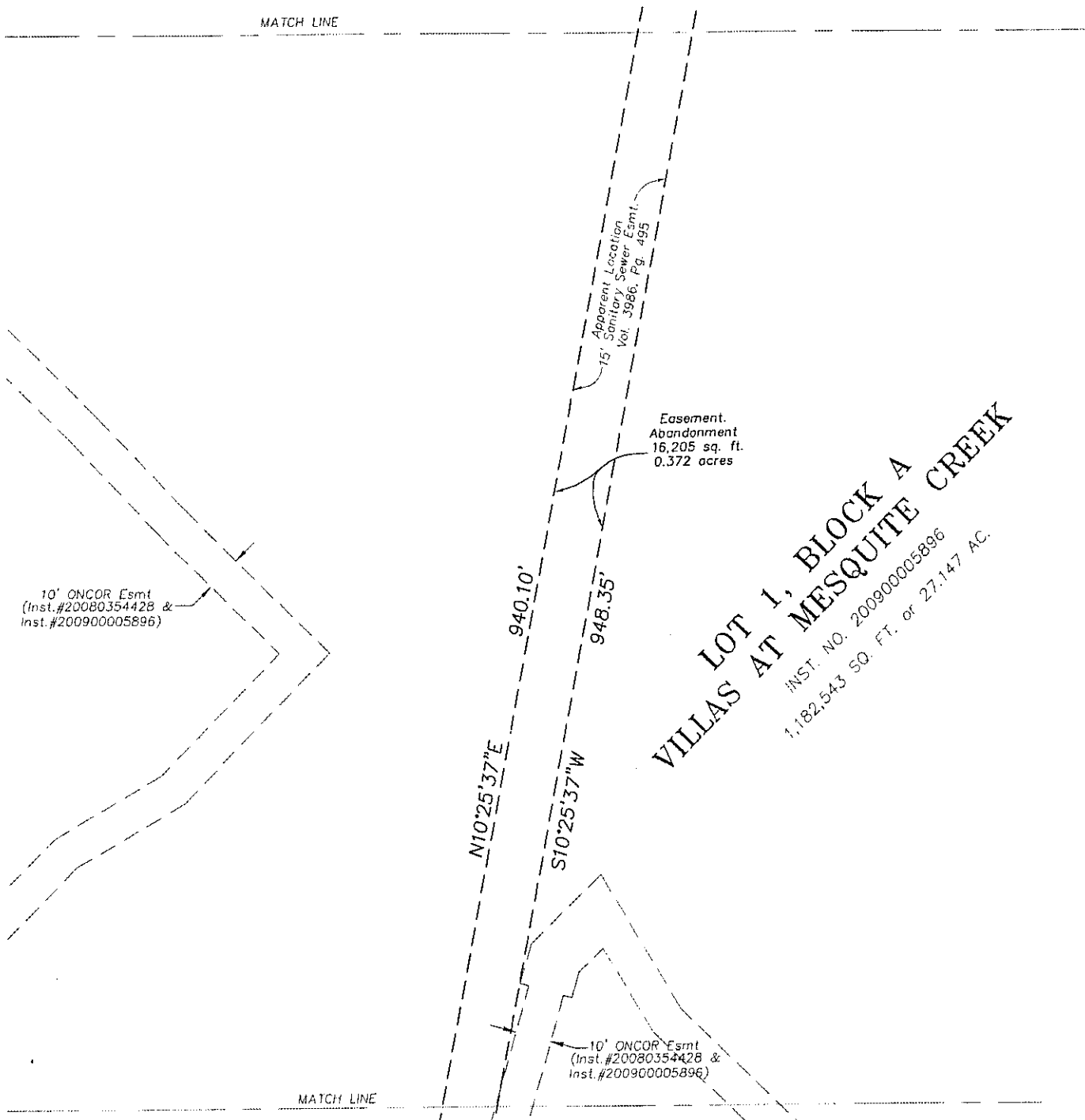
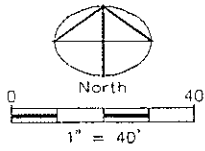
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700 Cross Road
Lot 1, Block A, Villas at Mesquite Creek
City of Mesquite, Dallas County, Texas



10' ONCOR Esmt
(Inst. #20080354428 &
Inst. #200900005896)

10' ONCOR Esmt
(Inst. #20080354428 &
Inst. #200900005896)

LOT 1, BLOCK A
VILLAS AT MESQUITE CREEK
INST. NO. 200900005896
1,182,543 SQ. FT. or 27.147 AC.

NOTES:

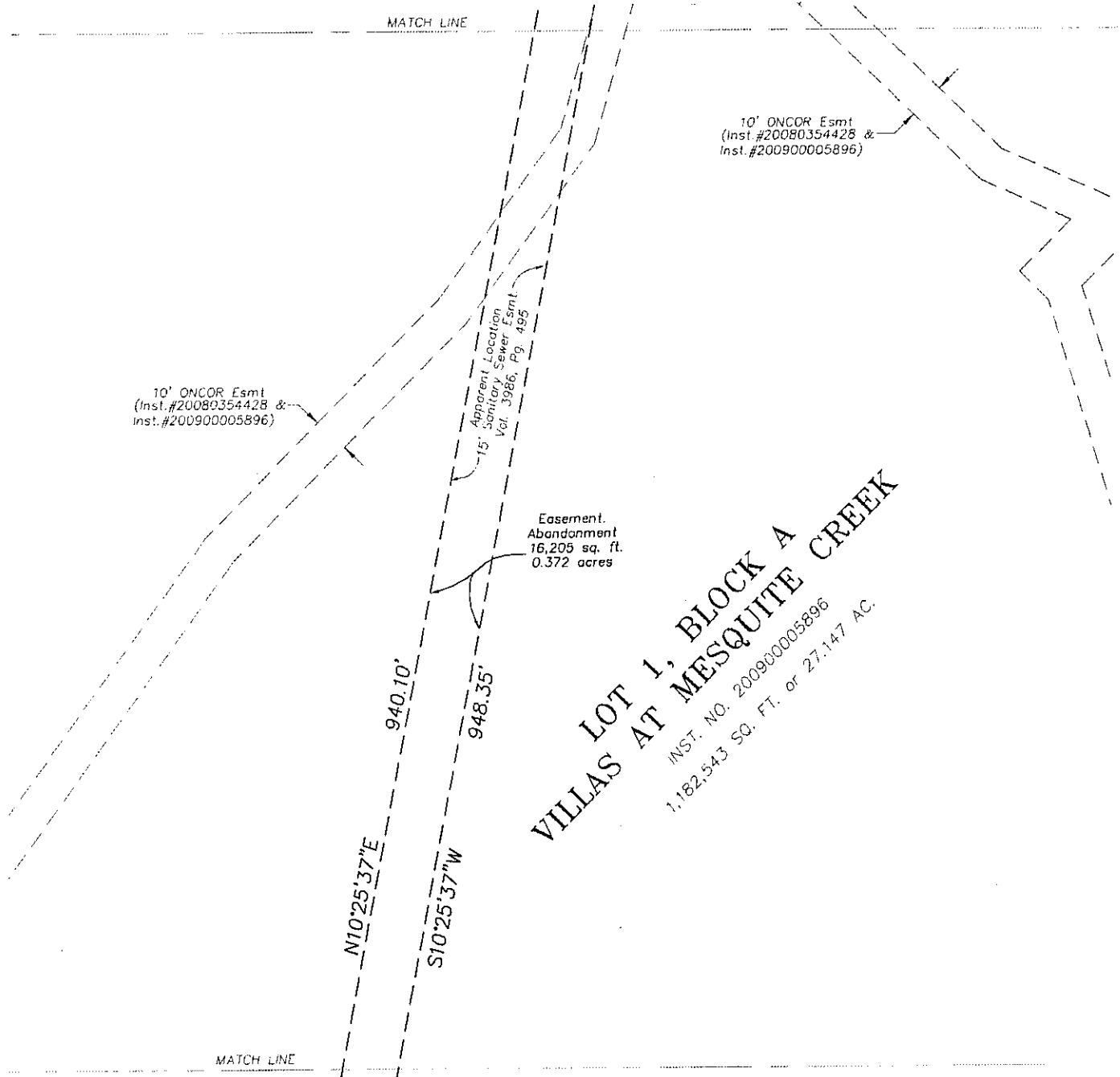
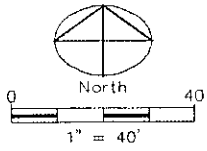
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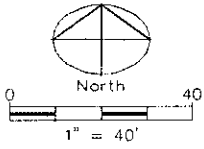
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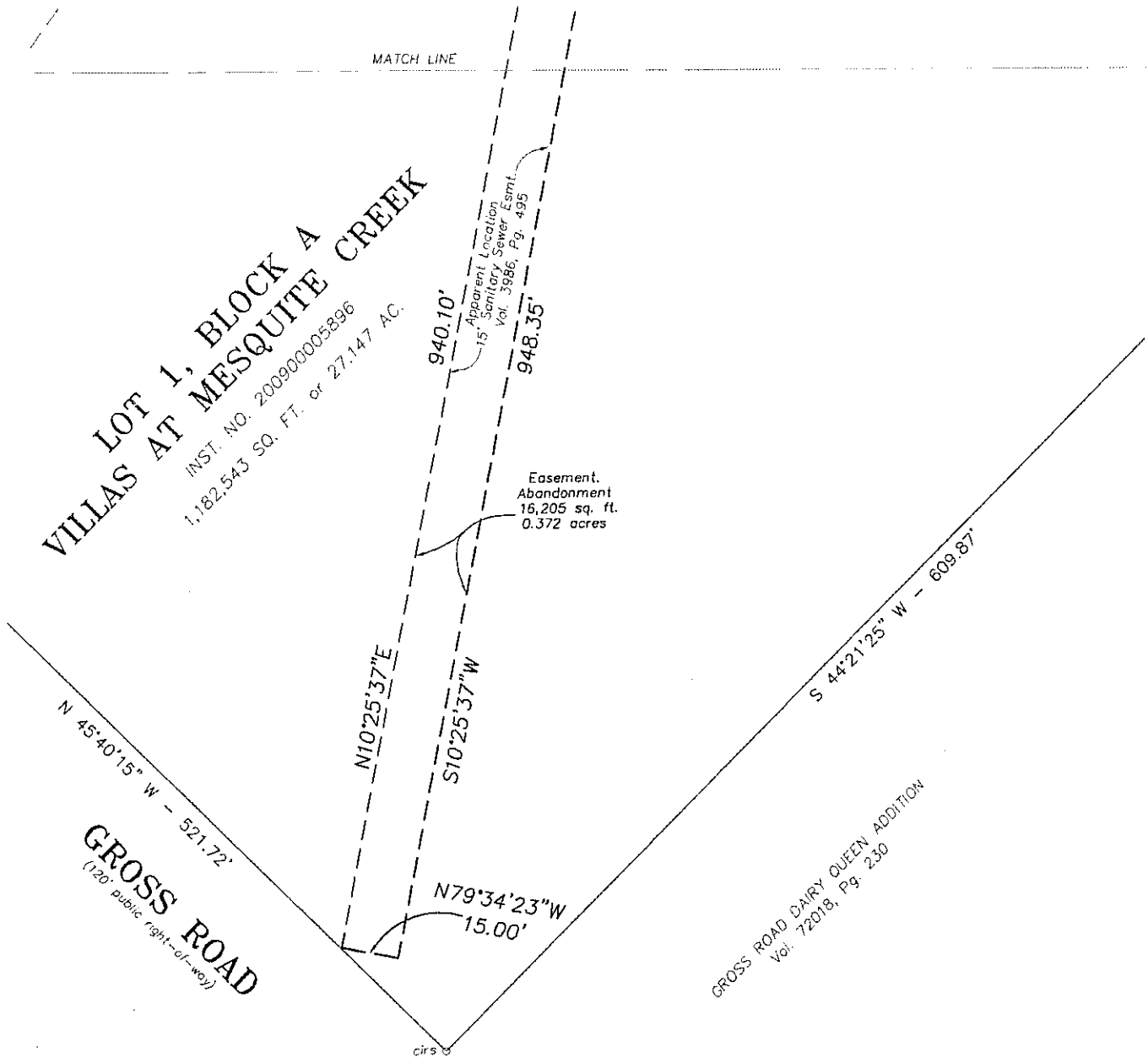
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Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
03/30/2010 09:58:58 AM
\$44.00



A handwritten signature in black ink, appearing to be "JFW", is written over the seal.

201000076326