



201900289641

ORD 1/6

RETURN TO: CITY SECRETARY
CITY OF MESQUITE
P.O. BOX 850137
MESQUITE, TX 75185-0137

ORDINANCE NO. 4724

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE ABANDONMENT OF RIGHT-OF-WAY AT THE INTERSECTION OF COLUMBIA PARKWAY, FORMERLY KNOWN AS AUDUBON PARKWAY, AND REPUBLIC PARKWAY; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, a representative of Urban Logistics Realty requested the abandonment of approximately 0.87 acres of unused right-of-way at the intersection of Columbia Parkway, formerly known as Audubon Parkway, and Republic Parkway (the "**Subject ROW**"); and

WHEREAS, Dallas County land records indicate the Subject ROW was dedicated by plat in 1988 for the planned construction of Twin Hills Estates that was never constructed, and no roadway nor any other improvement has been constructed thereon or within the Subject ROW; and

WHEREAS, Halff Associates, Inc., obtained confirmation letters from franchise utility companies and other right-of-way users, including Oncor Electric Delivery, Atmos Energy, AT&T and Spectrum, indicating they have no facilities in the Subject ROW and no objection to the abandonment; and

WHEREAS, the Subject ROW is no longer needed for public purposes and it is in the public interest of the City to abandon said described Subject ROW.

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

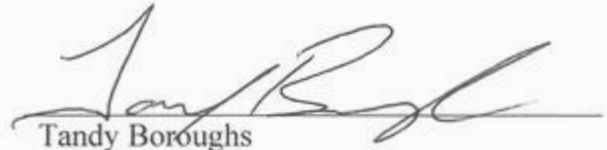
SECTION 1. That the Subject ROW, more fully depicted and described in Exhibit "A," attached hereto and included herein for all purposes, shall be and the same is hereby abandoned.

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or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed.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 Subject ROW described herein and 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 7th day of October 2019.




Tandy Boroughs
Mayor Pro Tem

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney

LEGAL DESCRIPTION

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE THEOPHALUS THOMAS SURVEY, ABSTRACT NO. 1461, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING PART OF AUDOBON PARKWAY, A RIGHT-OF-WAY DEDICATION IN THE CITY OF MESQUITE ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 99248, PAGE 3831 OF THE OFFICIAL PUBLIC RECORDS, DALLAS COUNTY TEXAS;

BEGINNING AT A 1/2" IRON ROD FOUND IN THE NORTHWEST RIGHT-OF-WAY LINE OF REPUBLIC PARKWAY (80' RIGHT-OF-WAY, AS RECORDED IN VOLUME 88248, PAGE 3828), ALSO BEING IN THE SOUTH RIGHT-OF-WAY LINE OF SAID AUDOBON PARKWAY, AND BEING A SOUTHWEST CORNER OF A 11.0496 ACRE TRACT OF LAND KNOWN AS PARCEL 2 AS CONVEYED TO COLUMBIA MESQUITE HEALTH SYSTEM, L.P., A DELAWARE LIMITED PARTNERSHIP, AS RECORDED IN VOLUME 97115, PAGE 3782 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 55° 17' 28" WEST, DEPARTING SAID REPUBLIC PARKWAY AND FOLLOWING ALONG THE SOUTH LINE OF SAID AUDOBON PARKWAY AND ALONG THE NORTH LINE OF SAID 11.0496 ACRE TRACT FOR A DISTANCE OF 640.54 FEET TO A POINT FOR A NORTH CORNER OF SAID 11.0496 ACRE TRACT, AND BEING ON A SOUTH LINE OF A 45.584 ACRE TRACT OF LAND AS CONVEYED TO COLUMBIA MESQUITE HEALTH SYSTEM, L.P., A DELAWARE LIMITED PARTNERSHIP, AS RECORDED IN VOLUME 97115, PAGE 3782 AS PARCEL 1 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 44° 57' 36" EAST AND FOLLOWING ALONG THE COMMON LINE OF SAID AUDOBON PARKWAY AND SAID 45.584 ACRE TRACT FOR A DISTANCE OF 60.91 FEET (60.97' PLAT) TO A 1/2" IRON ROD FOUND FOR THE NORTH CORNER OF SAID AUDOBON PARKWAY;

THENCE SOUTH 55° 17' 28" EAST AND CONTINUING ALONG THE COMMON LINE OF SAID AUDOBON PARKWAY AND SAID 45.584 ACRE TRACT FOR A DISTANCE OF 629.70' TO A POINT FOR CORNER;

THENCE SOUTH 34° 42' 32" WEST AND DEPARTING THE COMMON LINE OF SAID AUDOBON PARKWAY AND SAID 45.584 ACRE TRACT, OVER AND ACROSS SAID AUDOBON PARKWAY FOR A DISTANCE OF 59.94 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.8740 ACRES (38,070 SQUARE FEET) OF LAND, MORE OR LESS.



DAVID PETREE
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 1890



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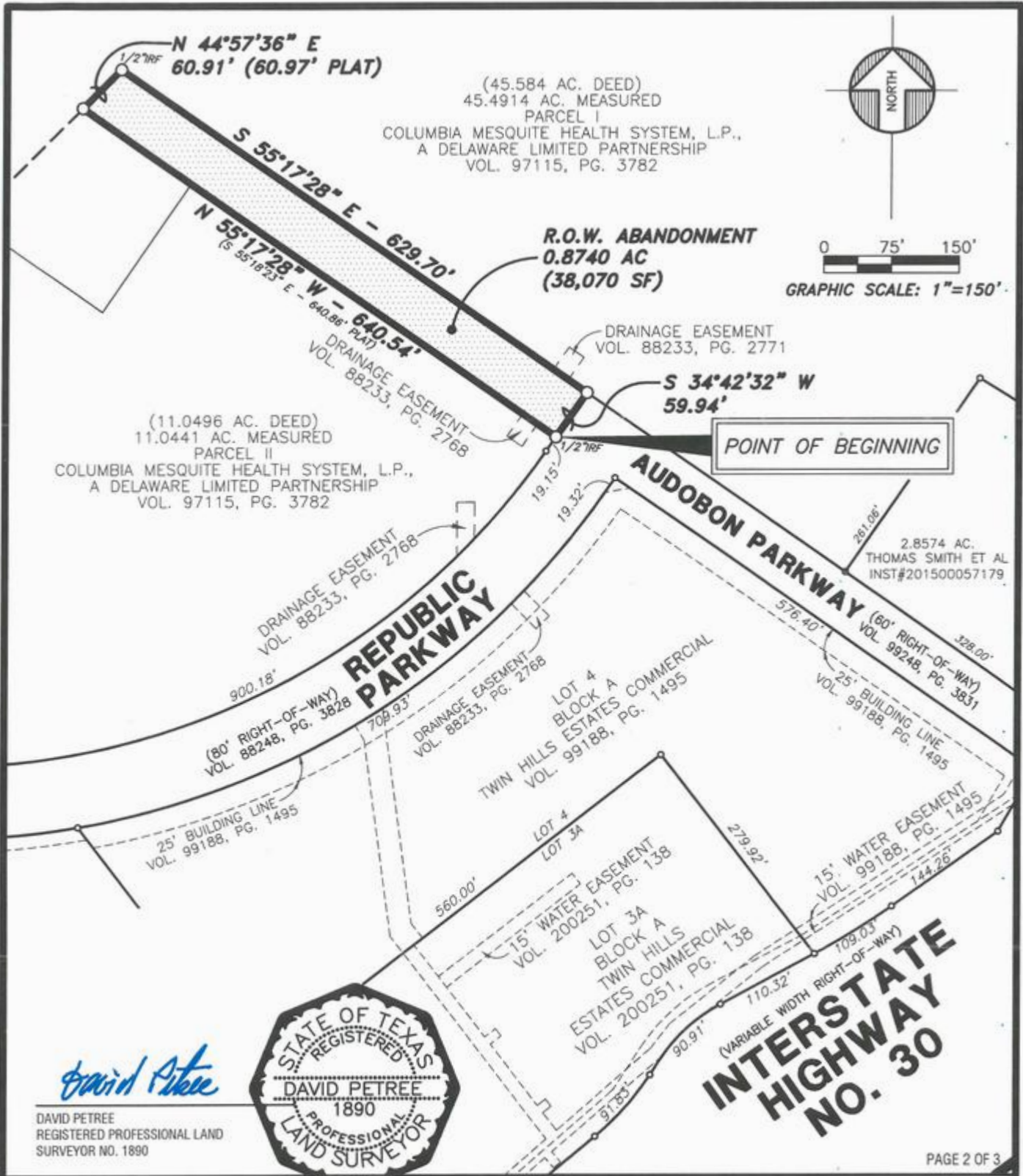


BLUE SKY SURVEYING
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FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

RIGHT-OF-WAY ABANDONMENT
0.8740 AC (38,070 SF)
PART OF AUDUBON PARKWAY
CITY OF MESQUITE
DALLAS COUNTY, TEXAS

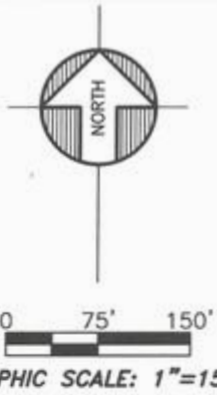
DATE: JULY 15, 2019

:RepublicParkway\H30-77ac\ROWabandon2019



$N 44^{\circ}57'36'' E$
 60.91' (60.97' PLAT)

(45.584 AC. DEED)
 45.4914 AC. MEASURED
 PARCEL I
 COLUMBIA MESQUITE HEALTH SYSTEM, L.P.,
 A DELAWARE LIMITED PARTNERSHIP
 VOL. 97115, PG. 3782



$S 55^{\circ}17'28'' E - 629.70'$
 $N 55^{\circ}17'28'' W - 640.54'$
 (S 55-16-23 E - 640.88 PLAT)

R.O.W. ABANDONMENT
 0.8740 AC
 (38,070 SF)

(11.0496 AC. DEED)
 11.0441 AC. MEASURED
 PARCEL II
 COLUMBIA MESQUITE HEALTH SYSTEM, L.P.,
 A DELAWARE LIMITED PARTNERSHIP
 VOL. 97115, PG. 3782

DRAINAGE EASEMENT
 VOL. 88233, PG. 2771

$S 34^{\circ}42'32'' W$
 59.94'

POINT OF BEGINNING

DRAINAGE EASEMENT
 VOL. 88233, PG. 2768

REPUBLIC PARKWAY

AUDUBON PARKWAY

2.8574 AC.
 THOMAS SMITH ET AL
 INST#201500057179

(80' RIGHT-OF-WAY)
 VOL. 88248, PG. 3828

DRAINAGE EASEMENT
 VOL. 88233, PG. 2768

LOT 4
 BLOCK A
 ESTATES COMMERCIAL
 VOL. 99188, PG. 1495

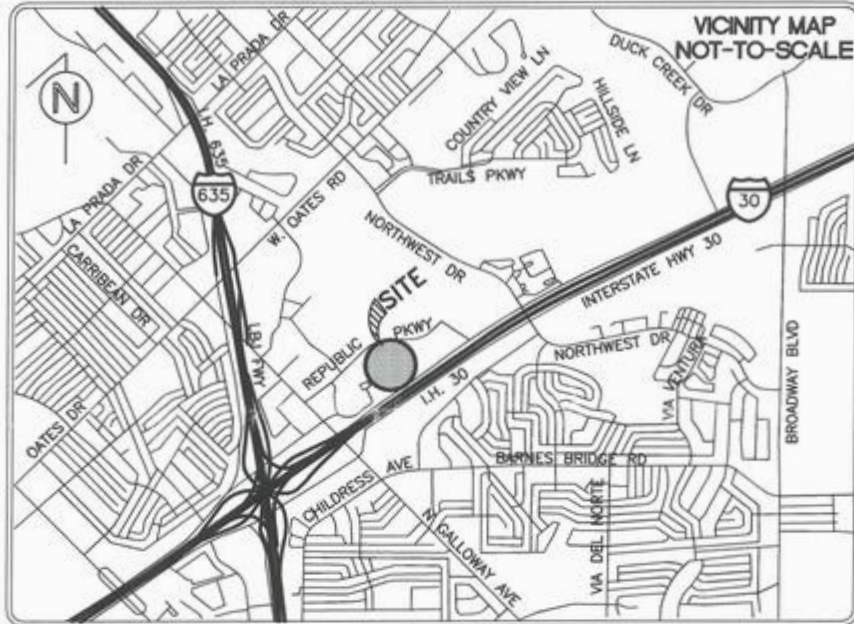
(60' RIGHT-OF-WAY)
 VOL. 99248, PG. 3831

25' BUILDING LINE
 VOL. 99188, PG. 1495

LOT 3A
 BLOCK A
 TWIN HILLS
 ESTATES COMMERCIAL
 VOL. 200251, PG. 138

25' BUILDING LINE
 VOL. 99188, PG. 1495

INTERSTATE HIGHWAY NO. 30



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RIGHT-OF-WAY ABANDONMENT
0.8740 AC (38,070 SF)
PART OF AUDUBON PARKWAY
CITY OF MESQUITE
DALLAS COUNTY, TEXAS

DATE: JULY 15, 2019

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Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
10/29/2019 09:14:12 AM
\$42.00



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

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