

ORDINANCE NO. 273

AN ORDINANCE ABANDONING A 60 X 1022.4 FOOT STREET, A PART OF EL ROSA ADDITION TO THE CITY OF MESQUITE, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 39, PAGE 83 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND AUTHORIZING THE CONVEYANCE OF SAID PROPERTY BY QUITCLAIM DEED TO ADJACENT PROPERTY OWNERS, JAMES F. RIGGS AND W. WESLEY HARRIS AS TO THE SOUTH ONE-HALF THEREOF AND FRANK NICK AND WIFE, VIRGINIA NICK, AS TO THE NORTH ONE-HALF THEREOF

WHEREAS, James F. Riggs and W. Wesley Harris are the owners of Blocks 2 and 11 of El Rosa Addition to the City of Mesquite, Texas, according to the map thereof recorded in Volume 39, Page 83 of the map records of Dallas County, Texas, and are also the owners of the following described tract of land, to-wit:

BEGINNING at a point, said point being in the El Rosa Addition to the City of Mesquite, Texas, as recorded in Volume 39, Page 83 of the Dallas County, Texas Map Records and being also in the northeasterly right-of-way of Midway Street a distance of 15 feet at a bearing of North 45 degrees 55 minutes West along the said right-of-way from the West corner of Lot 15 Block 2 of the said El Rosa Addition;

THENCE, North 45 degrees 55 minutes West 175 feet along the said Northeast right-of-way of Midway Street to a point, said point being in the centerline of the projection of Rosabella Drive to the West, a street abandoned by the City of Mesquite, Texas;

THENCE, North 88 degrees 39 minutes East 249.42 feet along the projection of the said centerline of Rosabella Drive;

THENCE, South 44 degrees 05 minutes West 177.72 feet along the Northwest right-of-way of a 15 foot alley Northwesterly of Block 2 of the said El Rosa Addition to the place of beginning, containing 0.3570 acres;

SAVE AND EXCEPT, however, such portions of all of such tracts of land as are embraced within the bounds of that portion of Rosabella Drive which is hereinafter described; and

WHEREAS, Frank Nick and wife, Virginia Nick, are the owners of all of the property adjacent to that portion of Rosabella Drive which is hereinafter described, on the North; and

Ordinance No. 273

Page 2

WHEREAS, James F. Riggs and W. Wesley Harris and Frank Nick and wife, Virginia Nick, have petitioned the City Council of the City of Mesquite, Texas, to abandon a portion of Rosabella Drive being 60 x 1022.4 feet and being that portion of Rosabella Drive which is hereinafter described; and

WHEREAS, that portion of Rosabella Drive which is hereinafter described has never been opened and has never been used by the public and, if opened, would provide access only to property owned by James F. Riggs and W. Wesley Harris and Frank Nick and wife, Virginia Nick; and

WHEREAS, it would not be against the public interest to now abandon this property as a street and such property has never been used as a street and would not be useful as a street; and

WHEREAS, that portion of Rosabella Drive referred to hereinabove is legally described as follows:

Being a tract out of the Swing and Laws Survey, Abstract No. 1396 and the M. L. Swing Survey, Abstract No. 1397 in Dallas County, Texas, and being a part of Rosabella Drive as dedicated to the City of Mesquite and being described as follows:

BEGINNING at the Southwest corner of a tract deeded to Frank Nick by deed recorded August 30, 1956, and recorded in the Dallas County, Texas, Deed Records and being also the Northwest corner of said Rosabella Drive.

THENCE, North 88 degrees 43 minutes East 1022.4 feet along the North line of said Rosabella Drive;

THENCE, South 1 degree 13 minutes East 60 feet to a point in the South line of said Rosabella Drive;

THENCE, South 88 degrees 43 minutes West 1022.4 feet along the South line of said Rosabella Drive to a point in the West line of said Rosabella Drive in the City of Mesquite;

THENCE, North 2 degrees 7 minutes 30 seconds West along the West line of Rosabella Drive to the place of beginning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, that that portion of Rosabella Drive which is legally described hereinabove be, and the same hereby is, abandoned.

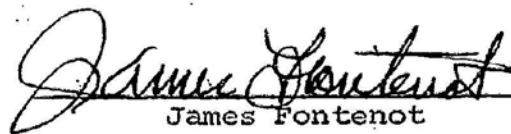
Ordinance No. 273

Page 3

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, that the Mayor and the City Secretary be, and they are hereby, authorized, empowered and directed to execute and deliver a quitclaim deed conveying said property described hereinabove as follows:

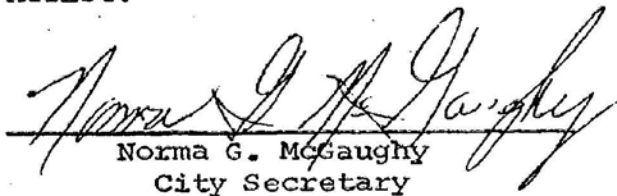
The North one-half (1/2) thereof shall be conveyed to Frank Nick and wife, Virginia Nick, and the South one-half (1/2) thereof shall be conveyed to James F. Riggs and W. Wesley Harris.

PASSED AND APPROVED THE 18th DAY OF JANUARY, 1960.



James Fontenot
Mayor

ATTEST:



Norma G. McGaughy
City Secretary