

1

ORDINANCE NO. 299

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF SOUTH LOCUST STREET, BETWEEN WEST MAIN STREET AND WEST DAVIS STREET, AS HEREINAFTER MORE PARTICULARLY DESCRIBED AND AS SHOWN ON THE PLAT WHICH IS MADE A PART OF THIS ORDINANCE; PROVIDING THAT SUCH ABANDONMENT SHALL BE ONLY INSOFAR AS APPLICABLE TO THE PUBLIC RIGHT, TITLE AND INTEREST IN AND TO THAT PORTION OF SOUTH LOCUST STREET; PROVIDING THAT THE ABANDONMENT WILL BE WITHOUT PREJUDICE TO ANY EXISTING RIGHTS OF PUBLIC UTILITY COMPANIES; AND DECLARING AN EMERGENCY.

WHEREAS, that portion of South Locust Street between West Main Street and West Davis Street, a public street within the limits of the City of Mesquite, was dedicated to the public by an instrument of dedication filed in Volume U, page 70, of the Map Records of Dallas County, Texas; and,

WHEREAS, a portion of South Locust Street is no longer needed or necessary for public use and said portion has not been used and is not now being used for public street purposes; and

WHEREAS, the hereinafter described portion of South Locust Street is no longer needed or necessary for public use; and,

WHEREAS, the abutting property owner, the Mesquite Savings & Loan Association, has petitioned the City Council to abandon a portion of South Locust Street; and,

WHEREAS, the abutting property owner, the Mesquite Savings & Loan Association, has dedicated by deed to the City of Mesquite certain property for the widening of South Ebrite Street and West Main Street;

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

Section 1. That the hereinafter described portion of South Locust Street be, and the same is hereby abandoned insofar as the right, title and interest of the public is concerned, and that portion of South Locust Street so abandoned is described as follows, to-wit:

Situated in Dallas County, Texas, in the City of Mesquite, Texas, and being a portion of South Locust Street in said City, described by metes and bounds as follows:

BEGINNING at the Southwest corner of Block 5 of the Original Town of Mesquite, Texas, as shown on the survey plat attached hereto, made by H. Lou Horne, Jr., Registered Professional Engineer, dated January, 1960,

Page 2

Ordinance No. 299

which plat by reference hereto is hereby made a part of this instrument for all purposes;

THENCE Northerly along the existing West line of the said Block 5 as shown by the attached plat, 138.5 feet to point for corner in the proposed North line of said Block 5 as shown on the survey plat;

THENCE Westerly along the said North proposed property line as projected, seven (7) feet to point for corner;

THENCE Southerly parallel to and 7 feet West of the existing West line of the said Block 5 as shown on the attached plat hereto; a distance of 138.5 feet to a point for corner;


THENCE Easterly 7 feet to the place of beginning.

Section 2. That the abandonment provided for herein shall extend only to the public right, title and interest in and to that portion of South Locust Street hereinabove described, and shall be construed to extend only to that interest which the Governing Body of the City of Mesquite may legally and lawfully abandon.


Section 3. That the abandonment provided for herein shall be without prejudice to the existing rights of any public utility company.

Section 4. The fact that the portion of South Locust Street above described is no longer needed or necessary for public use and should be abandoned because the same has not been used and is not now being used for a public street, and no longer serves a public purpose creates an urgency and an emergency in the preservation of public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage as the Charter in such cases provides, and it is accordingly so ordained.

PASSED by the City Council on the 6th day of June, 1960.


James Fontenot
Mayor

ATTEST:


Norma G. McGaughy
City Secretary