

ORDINANCE NO. 366

AN ORDINANCE OF THE CITY OF MESQUITE ABANDONING A SANITARY SEWER AND WATER LINE EASEMENT HERETOFORE GRANTED TO THE CITY, AS HEREINAFTER MORE PARTICULARLY DESCRIBED; PROVIDING THAT SUCH ABANDONMENT SHALL BE ONLY INsofar AS APPLICABLE TO THE PUBLIC RIGHT, TITLE AND INTEREST IN AND TO THAT EASEMENT BELONGING TO THE CITY OF MESQUITE; AND DECLARING AN EMERGENCY.

WHEREAS, by instrument dated the 1th day of October, 1960, John K. Ford and Howard S. Smith conveyed to the City of Mesquite, Texas, an easement for sanitary sewer and water lines on property described in said easement instrument, said instrument being filed for record in Vol. 5426, Page 221 of the Deed Records of Dallas County, Texas; and,

WHEREAS, the governing body of the City of Mesquite has concluded that such easement is no longer needed or necessary for public use and should be abandoned; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE:

SECTION 1. That the hereinafter described easement for sanitary sewer and water line purposes located within the limits of the City of Mesquite, Texas, be, and the same is hereby abandoned insofar as the right, title and interest of the public is concerned. That such easement so abandoned is described as follows, to-wit:

BEING a strip of land 50.0' wide, 25.0' on either side of a centerline, situated in the J. Foreman Survey, Abstract No. 483, Dallas County, Texas, said centerline being more particularly described as follows:

BEGINNING at a point on the southerly line of Byrd Estates, a proposed addition to the City of Mesquite, Texas, said point being S 43°08'W, 765.7', from the westerly line of Gross Rd.;

THENCE along said centerline as follows:

S46°52'E, 150.0', to a point;


S66°10'E, 513.3', to a point on the northerly line of Town East Estates, an addition to the City of Mesquite, Texas, said point being S43°08'W, 580.0', from the westerly line of Gross Rd. and end of said easment, said easement containing 0.76 acres of land.

SECTION 2. That the abandonment provided for herein shall extend only to the public right, title and interest in and to that portion of the easement above described, and shall be construed to extend only to that interest the governing body of the City of Mesquite may legally and lawfully abandon.

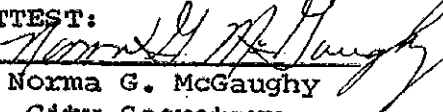
SECTION 3. That this abandonment ordinance shall constitute a quitclaim deed in favor of the abutting property owners, and a certified copy of the same may be filed for record in the Deed Records of Dallas County, Texas, to indicate such abandonment.

SECTION 4. The fact that the easement above described is no longer needed or necessary for public use and should be abandoned in order to permit the proper platting and development of the property in which said easement is located, creates an urgency and an emergency in the preservation of the 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 1st day of May, 1961.

  
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B. W. Cruce, Jr.  
Mayor

ATTEST:

  
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Norma G. McGaughy  
City Secretary