

ORDINANCE NO. 369

AN ORDINANCE OF THE CITY OF MESQUITE ABANDONING A PORTION OF SAM HOUSTON ROAD AS MORE PARTICULARLY HEREINAFTER DESCRIBED; PROVIDING SUCH ABANDONMENT SHALL BE IN FAVOR OF BUCKNER ORPHANS HOME, THE OWNER OF THE ABUTTING PROPERTY; PROVIDING THAT SUCH ABANDONMENT SHALL BE ONLY INSOFAR AS APPLICABLE TO THE PUBLIC RIGHT, TITLE AND INTEREST IN AND TO THAT PORTION OF SUCH STREET BELONGING TO THE CITY OF MESQUITE; PROVIDING EFFECTIVE DATE OF ORDINANCE.

WHEREAS, a portion of Sam Houston Road, a public street in the City of Mesquite, having been previously dedicated to the public, is no longer needed or necessary for public use and should be abandoned so that the City of Mesquite will no longer have the obligation to maintain the same; and,

WHEREAS, such portion of Sam Houston Road 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, TEXAS:

SECTION 1. That the hereinafter described portion of Sam Houston Road, a public street 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 portion of Sam Houston Road being abandoned is described as follows, to-wit:

BEGINNING at the North corner of the intersection of Forney Road and Sam Houston Road;

THENCE Northwesterly and Northerly along the Northeasterly right-of-way line of Sam Houston Road (a 40 foot right-of-way) to a point for corner, said point being located 158.75 feet South of the South right-of-way line of Samuell Boulevard and said point being also the Southwest corner of a 158.75 foot by 110 foot tract of land presently owned by A. R. Nehrmeyer;

THENCE along the Westerly extension of the South line of the said A. R. Nehrmeyer tract a distance of 40 feet to a point for corner, said point being in the Southwesterly right-of-way line of Sam Houston Road;

THENCE Southerly and Southeasterly along the Southwesterly right-of-way line of Sam Houston Road to a point for corner, said point being the intersection of the Westerly extension of the Northwesterly right-of-way line of Forney Road (in the City of Mesquite, Texas) and the said Southwesterly right-of-way line of Sam Houston Road;

THENCE Northeasterly 40 feet to the place of beginning.

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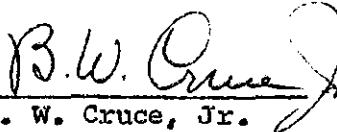
SECTION 2. That the above described portion of Sam Houston Road being abandoned is here abandoned in favor of Buckner Orphans Home, the owner of the abutting property.

SECTION 3. That the abandonment provided for herein shall extend only to the public right, title and interest in and to that portion of the street hereinabove described and shall be construed to extend only to that interest the Governing Body of the City of Mesquite may legally and lawfully abandon.

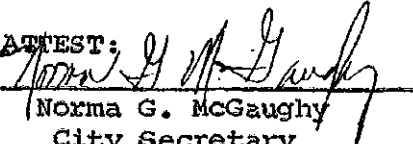
SECTION 4. That this abandonment ordinance shall constitute a quitclaim deed in favor of Buckner Orphans Home, the owner of the abutting property, and a certified copy of the same may be filed for record in the Deed Records of Dallas County, Texas, to indicate such abandonment.

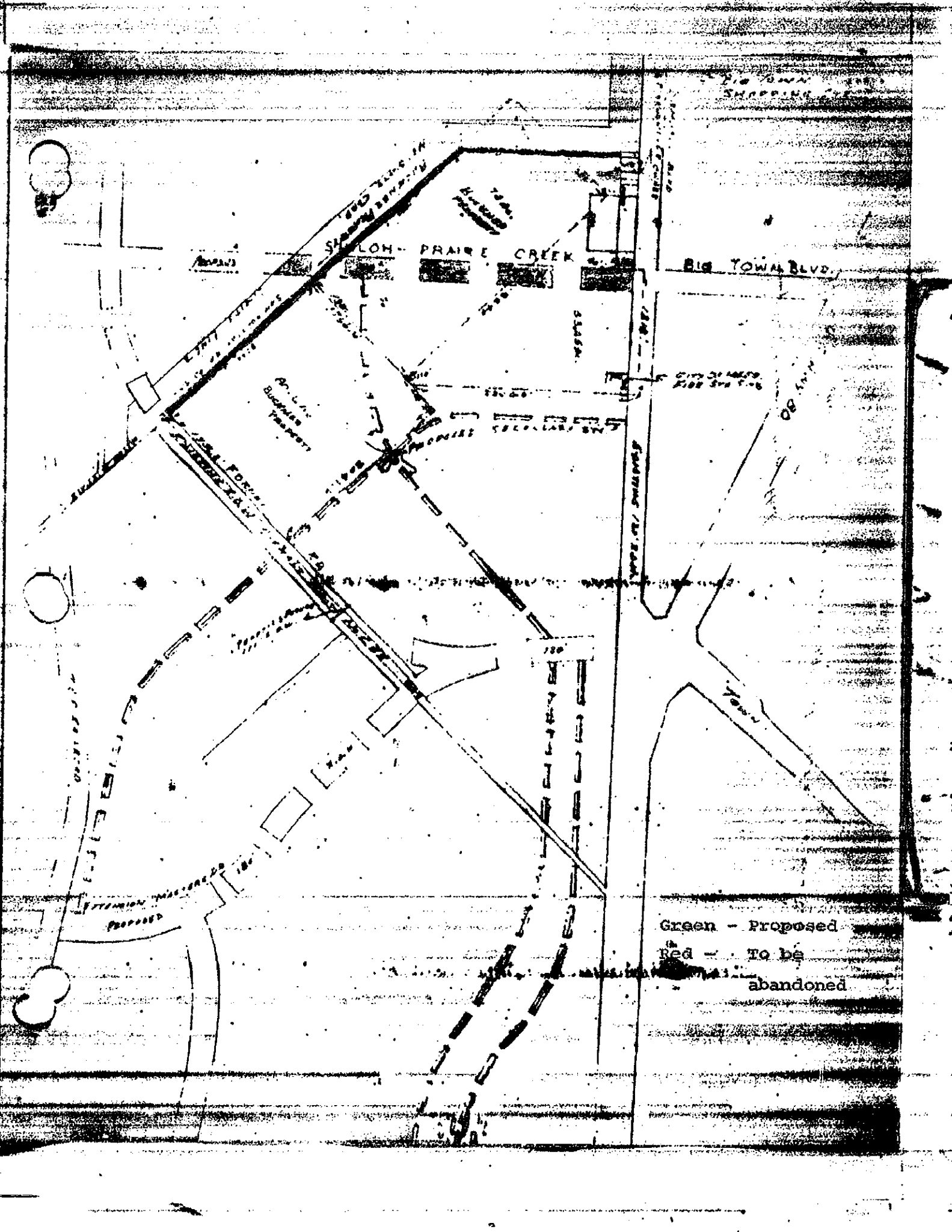
SECTION 5. The fact that the portion of the street above described is no longer needed or necessary for public use and may be used by the abutting property owner for proper development of his property, and that such portion should be so abandoned so that the City will not have the responsibility for maintaining the same, 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 AND ADOPTED by the City Council on the 15th day of May, 1961.


B. W. Cruce, Jr.
Mayor

ATTEST:


Norma G. McGaughey
City Secretary



BIG TOWNA SHIPPING YARD

SHIPPING YARD

LOH PRAIRIE CREEK

BIG TOWNA BLVD.

CITY OF ALTO
FIVE SIX FIVE

Green - Proposed

Red - To be
abandoned