

ORDINANCE NO. 421

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF THE PUBLIC UTILITY EASEMENT LOCATED IN BLOCK E, SECOND INSTALLMENT OF LAKE PARK ADDITION TO THE CITY OF MESQUITE, TEXAS, THE SAID EASEMENT BEING 7½' IN WIDTH AND BEING LOCATED ON LOT 3 OF SAID BLOCK E OF SAID ADDITION AND IS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING THAT SUCH ABANDONMENT SHALL BE IN SO FAR AS APPLICABLE TO THE PUBLIC RIGHT, TITLE AND INTEREST IN AND TO THE SAID PUBLIC UTILITY EASEMENT AND DECLARING AN EMERGENCY.

WHEREAS, a portion of the Public Utility easement located in Lot 3, Block E of the Second Installment of Lake Park Addition, an addition to the City of Mesquite according to a plat of said addition, duly filed in Vol. 38, p. 53, in the Map Records of Dallas County, Texas, was dedicated to the public; and

WHEREAS, a portion of said public utility easement in said Block E of the Second Installment of Lake Park Addition, being that portion located on Lot 3, Block E and extending from Majors Drive in a westerly direction to the public utility easement located at the rear of said lot and being a public utility easement 7½ feet in width and approximately 123 feet in length is no longer needed or necessary for public use because the same is not being used for public utility purposes and public utility installations in said area and have no future need for said easement.

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

Section 1. That the hereinafter described public utility easement, be, and the same is hereby abandoned insofar as the right, title and interest of the public is concerned; that the said public utility easement so abandoned is described as follows:

BEING a public utility easement located on Lot 3, of Block E of the Second Installment of Lake Park Addition according to the Plat thereof filed for record in Vol. 32, p. 53 of the Map Records of Dallas County, Texas, and being an easement 7½ feet in width and extending in a Westerly direction of approximately 123 feet from Majors Drive to a public utility easement at the rear of said Lot 3 of said Block E, the Second Installment of Lake Park Addition, an addition to the City of Mesquite, Texas.

Section 2. That the abandonment provided for herein shall extend only to the public right, title and interest in and to said public utility easement and shall be construed to extend

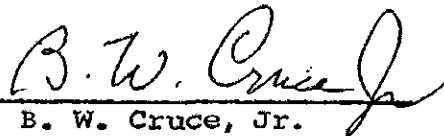
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only to that interest the governing body of the City of Mesquite may legally and lawfully abandon.

Section 3. That a Certified copy of this Ordinance shall be filed in the Deed Records of Dallas County, Texas, so as to evidence the abandonment of the easement described herein by the City of Mesquite.

Section 4. The fact that the public utility easement above described is no longer needed or necessary for public use and should be abandoned because it is not contemplated that the same will be needed for public utility purposes in the future, creates an urgency and emergency for the protection 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.

DULY PASSED BY THE CITY COUNCIL on the 7th day of May, 1962.



B. W. Cruce, Jr.
Mayor

ATTEST:


Norma G. McGaughey
City Secretary