

ORDINANCE NO. 506

AN ORDINANCE OF THE CITY OF MESQUITE ABANDONING A SANITARY SEWER 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 January 14, 1953, Purl P. Paschall and Brucie L. Paschall conveyed to the City of Mesquite an easement for a sanitary sewer line on property described in said instrument; 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, TEXAS:

SECTION 1. That the hereinafter described easement for sanitary sewer 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 15 feet in width in the City of Mesquite, Dallas County, Texas, having a centerline more particularly described as follows:

COMMENCING at the intersection of the North right of way line of New Market Road and the West right of way line of a 15 ft. wide alley in Block 1 of the Murray Addition to the City of Mesquite, Texas;

THENCE in a Northerly direction along the said West alley right of way line of the 15 ft. wide alley a distance of 31.61 feet to the place of beginning of the centerline of the said 15 foot wide sanitary sewer easement;

THENCE North 46 degrees 45 minutes West a distance of 695.07 feet to the end of centerline of said 15 foot sanitary sewer easement being abandoned.

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 21. day of October, 1963.

APPROVED:

Perry Swanson
MAYOR PRO TEM

DULY RECORDED:

Norm G. M. Gaughy
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY