

ORDINANCE NO. 511

AN ORDINANCE OF THE CITY OF MESQUITE ABANDONING A TRACT OF LAND IN THE CITY OF MESQUITE, TEXAS, AS MORE PARTICULARLY HEREINAFTER DESCRIBED; PROVIDING SUCH ABANDONMENT SHALL BE IN FAVOR OF CAPITAN BOWLING CENTER, INC., 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 PARTICULAR TRACT OF LAND BELONGING TO THE CITY OF MESQUITE; PROVIDING EFFECTIVE DATE OF ORDINANCE.

WHEREAS, a tract of land 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 tract of land 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 tract of land 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 parcel of land being abandoned is described as follows, to-wit:

BEING a 10-foot wide tract of land 405.6 feet in length off the entire South side of Lot 4, Block B/20, Sheet 4 of the Original Town of Mesquite Map Records, said 10 foot wide tract of land lying North of and adjacent to the North right of way line of Holley Street and being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the East right of way line of South Galloway Avenue and the North right of way line of Holley Street (a 40-foot right of way);

THENCE Southerly along the East right of way line of Galloway Avenue a distance of 10 feet to a point for a corner;

THENCE Easterly along a line parallel to and 10 feet South of the present North right of way line of Holley Street a distance of 405.60 feet to a point for corner, said point being located in the west right of way line of Bryan Street;

THENCE Northerly along the West right of way line of Bryan Street a distance of 10 feet to a point for corner, said point being the intersection of the West right of way line of Bryan Street and the present North right of way line of Holley Street;

THENCE Westerly along the present North right of way line of Holley Street a distance of 405.60 feet to the point of beginning and containing 0.093 acres of land.

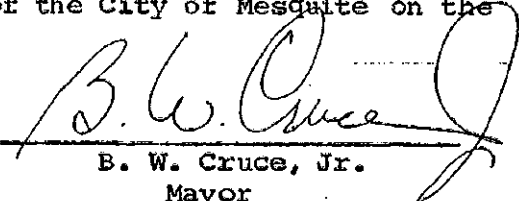
Section 2. That the above described tract of land being abandoned is here abandoned in favor of Capitan Bowling Center, Inc., the owner of the abutting property.

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 tract 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.

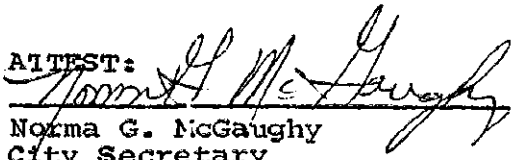
Section 4. That this abandonment ordinance shall constitute a quitclaim deed in favor of Capitan Bowling Center, Inc., the owner of the abutting property, and a certified copy of the same may be filed for record in the Deed Records of Dallas County, Texas, to indicate such abandonment.

Section 5. The fact that the portion of the tract above described is no longer needed or necessary for public use and may be used by the abutting property owner for proper development of its 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 by the City Council of the City of Mesquite on the
2 day of December, 1963.


B. W. Cruce, Jr.
Mayor

ATTEST:


Norma G. McGaughy
City Secretary