

ORDINANCE NO. 513

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A UTILITY EASEMENT AS MORE PARTICULARLY HEREINAFTER DESCRIBED; PROVIDING THAT SUCH ABANDONMENT SHALL BE ONLY INsofar AS APPLICABLE TO THE PUBLIC RIGHT, TITLE AND INTEREST IN AND TO THAT PORTION OF SAID EASEMENT BELONGING TO THE CITY OF MESQUITE; PROVIDING THAT SAID ABANDONMENT SHALL BE CONSTRUED AS A QUITCLAIM DEED IN FAVOR OF ABUTTING PROPERTY OWNER; PROVIDING FOR THE RECORDING OF SAID ORDINANCE IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS; AND DECLARING AN EMERGENCY.

WHEREAS, a portion of a utility easement located in Crestwood Addition No. 1 to the City of Mesquite, Texas, is no longer needed or necessary for public use and is needed by the abutting property owner for the proper development of his property; and,

WHEREAS, such portion of said utility 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 portion of a utility easement 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 said portion of a utility easement being abandoned is described as follows, to-wit:

Being a dedicated utility easement 10 feet in width and located on Lot 2, Block A, Crestwood Addition No. 1 to the City of Mesquite, Texas; said 10 foot easement being adjacent to the East property line of said Lot 2, and containing 0.019 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 above described utility easement 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 O. M. Whitten, the

abutting property owner, 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 portion of the above described utility easement is no longer needed or necessary for public use and is needed by the abutting property owner for the proper development of his property, creates an urgency and an emergency and 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.

PASSED BY THE CITY COUNCIL on the 16 day of
December, 1963.

APPROVED:

B. W. Cline
MAYOR

DULY RECORDED:

James H. McLaughlin
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
CITY ATTORNEY