

ORDINANCE NO. 532

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A PUBLIC STREET AND ALLEY 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 PUBLIC STREET AND ALLEY 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 public street and alley located in Harter Heights Addition, First Installment 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 its property; and,

WHEREAS, such portion of said public street and alley 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 public street and alley 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 public street and alley being abandoned is described as follows, to-wit:

Being a tract of land situated in the Henry Harter Survey, Abstract 594, Dallas County, Texas, and being a part of that tract of land to Ralco Corporation as described in Volume 122, Page 108 of the Dallas County Probate Court Minutes and being more fully described as follows:

BEGINNING at the most easterly south corner of the First Installment, Harter Heights Addition to the City of Mesquite, Texas, as recorded on March 16, 1961, in the Dallas County, Texas Map and Plat Records;

THENCE N 0° 05' E 23.14 feet to the Point of Beginning for this description;

THENCE, S 59° 52' W 57.9 feet;

THENCE, N 0° 05' E 96.86 feet to a point in a curve;

THENCE, in a southwesterly direction along said curve, being to the left and having a radius of 121.27 feet, a central angle of $30^{\circ} 13'$ and a tangent of 32.74 feet, a distance of 63.96 feet;

THENCE S $59^{\circ} 52'$ W. 4.48 feet;

THENCE, N $01^{\circ} 42' 10''$ E 17.73 feet to a point a curve;

THENCE, in an easterly direction along said curve, being to the right and having a radius of 136.27 feet, a central angle of $27^{\circ} 55'$, and a tangent of 33.87 feet, a distance of 66.40 feet;

THENCE, S $89^{\circ} 55'$ E 50.0 feet; and

THENCE S $0^{\circ} 05'$ W 82.66 feet to the Point of Beginning and containing 0.1349 acre, more or less.

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 public street and alley 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 Balco Corporation, 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 public street and alley is no longer needed or necessary for public use and is needed by the abutting property owner for the proper development of its property, creates an urgency and an emergency and in the preservation of the public health, safety and welfare 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 of the City of Mesquite on the 6 day of April, 1964.

APPROVED:

B. W. [Signature]
Mayor

DULY RECORDED:

Norman M. [Signature]
City Secretary

APPROVED AS TO FORM:

B. Robert Baker
City Attorney