

ORDINANCE NO. 533

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A SANITARY SEWER 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 SANITARY SEWER EASEMENT BELONGING TO THE CITY OF MESQUITE; PROVIDING THAT SAID ABANDONMENT SHALL BE A QUITCLAIM DEED IN FAVOR OF THE ABUTTING PROPER 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 sanitary sewer easement located in Block 22 of the El Rosa Addition to the City of Mesquite, Texas, is no longer needed or necessary for use as a sanitary sewer easement and is needed by the abutting property owner for the proper development of its property; and,

WHEREAS, such portion of said sanitary sewer easement is no longer needed or necessary:

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

SECTION 1. That the hereinafter described portion of a sanitary sewer 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 the sanitary sewer easement being abandoned is described as follows, to-wit:

Being a strip of land located in Block 22 of the El Rosa Addition to the City of Mesquite, Texas, as recorded in Volume 4735, Page 546 of the Dallas County Deed Records, and being 15 feet in width, having a centerline more particularly described as follows:

BEGINNING at an iron pin for a corner a distance of 178.35 feet South, $88^{\circ} 39'$ West, of the point of intersection of the West right-of-way line of Gus Thomasson Road and the South right-of-way line of Rosabelle Drive;

THENCE, South $04^{\circ} 14'$ East a distance of 460 feet, 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 sanitary sewer 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 the Estate of E. A. Grubb, Deceased, 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 4. The fact that the portion of the above described sanitary sewer easement 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.

DULY PASSED by the City Council of the City of Mesquite on the 6 day of April, 1964.

APPROVED:

B. W. C. [Signature]
MAYOR

DULY RECORDED:

[Signature]
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
CITY ATTORNEY