

ORDINANCE NO. 535

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 CONSTITUTE A QUITCLAIM DEED IN FAVOR OF THE 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 sanitary sewer easement located in Lots 1 and 2 of Block F of the Lakeside 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 portion of a 10 foot wide utility easement with the centerline of said easement being the common property line dividing Lots 1 and 2, Block F of Lakeside Addition, an addition to the City of Mesquite, as recorded in the Dallas County Map Records; the description of said utility easement abandonment being more particularly described by metes and bounds as follows:

COMMENCING at a point in the West right of way line of Lakeview Drive (a 60 foot right of way); said point being the Southeast corner of said Lot 1 and the Northeast corner of said Lot 2;

THENCE in a Westerly direction along the South property line of Lot 1 and the North property line of Lot 2, a distance of 15 feet to the point of beginning of the part being abandoned;

THENCE in a Northerly direction along a line 15 feet West of and parallel to the West right of way line of Lakeview Drive to a point for corner; said point being located 5 feet North of and at right angles a distance of 5 feet, more or less, with the South line of said Lot 1 and the North line of said Lot 2;

THENCE in a Westerly direction along a line 5 feet North of and parallel to the South property line of Lot 1 and the North property line of Lot 2, to a point for corner, said point being in the East boundary line of an existing 15 foot wide utility easement across the most western side of said Lots 1 and 2;

THENCE in a Southerly direction along the East boundary line of the said 15 foot wide utility easement to a point for corner; said point also being 5 feet South of and at right angles with the South property line of Lot 1 and the North property line of Lot 2;

THENCE in an Easterly direction along a line 5 feet South of and parallel to the South property line of Lot 1 and the North property line of Lot 2, to a point for corner; said point also being 15 feet West of the West right of way line of Lakeview Drive (a 60 ft. right of way);

THENCE in a Northerly direction along a line 15 feet West of and parallel to the West right of way line of Lakeview Drive to the place of beginning.

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 Jeff D. Maxwell, 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, Texas, on the 20 day of April, 1964.

APPROVED:

B. W. Cline
MAYOR

DULY RECORDED:

Norm L. M. Laughy
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY