

ORDINANCE NO. 558

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 OWNERS; 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 the Lake Park Addition No. 2 to the City of Mesquite, Texas, is no longer needed or necessary for public use and is needed by the abutting property owners for the proper development of their 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 15 foot wide utility easement situated on Lots 6 and 7, Block G, Lake Park Addition No. 2, City of Mesquite, Texas; the centerline of said easement being the common property line dividing said Lots 6 and 7.

BEGINNING at the intersection of the West right-of-way line of Majors Drive (a 50 foot wide right-of-way) and the common property line dividing said Lots 6 and 7.

THENCE Westerly a distance of 140 feet to the intersection of said easement and the East Line of a 15 foot wide utility easement situated at the rear of Lots 6 and 7.

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 Bobby J. Boone and L. L. Leake, the abutting property owners, to the extent of one-half (1/2) of the above described utility easement, being 7½ feet on either side of the above described centerline, and a certified copy of the same may be filed for record in the Dead 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 owners for the proper development of their 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 3 day of August, 1964.

APPROVED:

B. W. Quinn
MAYOR

DULY ENROLLED:

Jeanette Stiles
CITY SECRETARY (acting)

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY