

## ORDINANCE NO. 584.

AN ORDINANCE OF THE CITY OF MESQUITE ABANDONING A PORTION OF BAKER DRIVE (FORMERLY KNOWN AS GROSS ROAD) AS MORE PARTICULARLY HEREINAFTER DESCRIBED: PROVIDING THAT SUCH ABANDONMENT SHALL BE IN FAVOR OF JACK W. BYRD, THE OWNER OF THE ABUTTING PROPERTY; PROVIDING THAT SUCH ABANDONMENT SHALL BE ONLY INSOFAR AS APPLICABLE TO THE PUBLIC RIGHT, TITLE AND INTEREST IN AND TO THAT PORTION OF BAKER DRIVE BELONGING TO THE CITY OF MESQUITE, SAVE AND EXCEPT DRAINAGE AND UTILITY EASEMENTS; PROVIDING EFFECTIVE DATE OF ORDINANCE.

WHEREAS, said portion of Baker Drive (formerly known as Gross Road) in the City of Mesquite, having been previously dedicated to the public, is no longer needed or necessary for public use, save and except for drainage and utility easements, and should be abandoned so that the City of Mesquite will no longer have the obligation to maintain same; and,

WHEREAS, said portion of Baker Drive (formerly known as Gross Road), is no longer needed or necessary for public use, save and except for drainage and utility easements, 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 Baker Drive 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, save and except drainage and utility easements. That such portion of said street being abandoned is described as follows, to-wit:

Being an irregular shaped tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, Sheet 13-C of the Map Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the Southeast corner of the intersection of Baker Drive (a 60-foot right of way) and a 15 ft. wide alley in Block D, Byrd Estates Addition No. 3, 2nd Installment;

THENCE Southeasterly along the easterly right of way line of Baker Drive (a 60 ft. right of way) a distance of 80 feet to the place of beginning of the tract herein described;

THENCE in a southeasterly direction around a curve to the right having a radius of 280.0 ft., a central angle of  $44^{\circ}32'$ , and a tangent bearing of  $S45^{\circ}00'E$ , a distance of 217.63 feet to the end of said curve;

THENCE S 0°28'E 8.68 ft. to a point on the Northerly line of Interstate Highway 20 (U.S. Highway 80), said point being 180' North of the centerline of the said Interstate Highway 20, measured at right angles;

THENCE N89°32'E along the northerly line of Interstate Highway 20, 171.15 ft. to point for corner;

THENCE N 67°44'W, 61.70 ft. to point for corner;

THENCE S 45°W, 11.67 ft. to point for corner;

THENCE N 45°W, 265.69 ft. to the place of beginning.

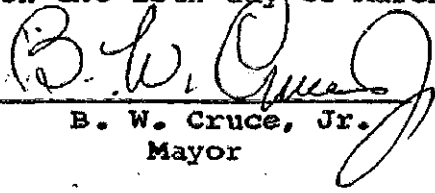
SECTION 2. That the above-described portion of Baker Drive is hereby abandoned in favor of Jack W. Byrd, the owner of the abutting property, save and except drainage and utility easements.

SECTION 3. That the abandonment provided for herein shall extend only to the public right, title and interest in and to that portion of street hereinabove described, save and except drainage and utility easements, and shall be construed to extend only to that interest of the Governing Body of the City of Mesquite may legally and lawfully abandon.

SECTION 4. That this abandonment ordinance shall constitute a quitclaim deed in favor of Jack W. Byrd, 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 5. The fact that the portion of street above described is no longer needed or necessary for public use, save and except for drainage and utility easements, and may be used by the abutting property owner for proper development of his property, and that such portion of street should be so abandoned so that the City will not have the responsibility of maintaining the same, creates an urgency and an emergency 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, and it is accordingly so ordained.

DULY PASSED by the City Council on the 15th day of March, 1965.

  
B. W. Cruce, Jr.  
Mayor

  
Norma G. McGaughy  
City Secretary