

002272

ORDINANCE NO. 588

AN ORDINANCE OF THE CITY OF MESQUITE ABANDONING A 50 FT. BY 120 FT. PUBLIC STREET AS MORE PARTICULARLY HEREINAFTER DESCRIBED; PROVIDING THAT SUCH ABANDONMENT SHALL BE IN FAVOR OF CADDO CLAY PRODUCTS, INC., 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 SUCH STREET BELONGING TO THE CITY OF MESQUITE; PROVIDING EFFECTIVE DATE OF ORDINANCE.

WHEREAS said 50 ft. by 120 ft. public street in the City of Mesquite, having been previously dedicated to the public, is no longer needed or necessary for public use and should be abandoned so that the City of Mesquite will no longer have the obligation to maintain same; and,

WHEREAS, said 50 ft. by 120 ft. public street 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 50 ft. by 120 ft. public street 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 such street being abandoned is described as follows, to-wit:

BEING a 50 ft. wide by 120 ft. long strip of land squarely off the Northerly side of Lot, 1, Block E of Edgemont Park Addition, 7th Installment (as indicated on the subdivision plat filed on May 7, 1964), an addition to the City of Mesquite, Texas, and also being out of the McKinney & Williams Survey, Abstract #1035, and being the Easterly 120 ft. of that certain 50' x 175' tract of land dedicated to the public for right of way and road purposes by Melton Construction Co., Ltd., by deed dated September 8, 1959, recorded in Volume 5187, Page 250 of the Deed Records of Dallas County, Texas.

SECTION 2. That the above described public street is here abandoned in favor of Caddo Clay Products, Inc., the owner of the abutting property.

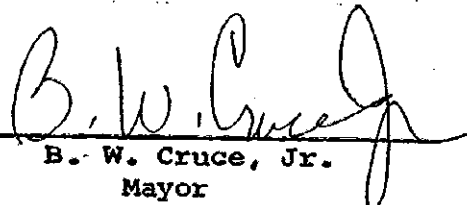
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SECTION 3. That the abandonment provided for herein shall extend only to the public right, title and interest in and to the street hereinabove described and shall be construed to extend only to that interest of the Governing Body of the City of Mesquite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

SECTION 4. That this abandonment ordinance shall constitute a quitclaim deed in favor of Caddo Clay Products, Inc., the owner of the abutting property, and a certified copy of the same may filed for record in the Deed Records of Dallas County, Texas, to indicate such abandonment.

SECTION 5. The fact that the street above described is no longer needed or necessary for public use and may be used by the abutting property owner for proper development of its property, and that such 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.

PASSED by the City Council on the 5th day of April, 1965.


B. W. Cruce, Jr.
Mayor

ATTEST: 
Norma G. McGaughey
City Secretary