

ORDINANCE NO. 603

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A DRAINAGE 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; AND DECLARING AN EMERGENCY.

WHEREAS, a drainage easement located in the Town East Estates #8 Addition to the City of Mesquite, Texas, is no longer needed or necessary for public use or drainage purposes and is needed by the abutting property owners for the proper development of their property, and

WHEREAS, said drainage 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 drainage 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 drainage easement being abandoned is described as follows, to-wit:

BEING a strip of land situated in the Joseph Foreman Survey, Abstract No. 483, City of Mesquite, Dallas County, Texas, said strip also being part of the 30 foot x 300 foot Drainage Easement as described in Volume 3068 at page 276 of the Dallas County Deed Records and being more particularly described as follows:

COMMENCING at the point of intersection of the Southeast right-of-way line of U. S. Highway No. 67 (before relocation) with the centerline of the said 30 foot x 300 foot Drainage Easement said point being the same as the PLACE OF BEGINNING as described in the above said deed, a point for corner;

THENCE S. 0°35' E. along the said Drainage Easement center line a distance of 45.82 feet to a point in the present right-of-way of U.S. Highway No. 67, (a 300' R.O.W.), a point for corner;

THENCE S. 60° 14' W. along said U.S. Highway No. 67 present right-of-way a distance of 1.32 feet to the PLACE OF BEGINNING of the herein described easement abandonment, a point for corner;

THENCE S. 29°46' E. leaving the said U.S. Highway No. 67 present right-of-way line and proceeding along the Southwesterly line of a 20 foot drainage easement as dedicated on the plat of Town East Estates No. 8, First Installment, a distance of 33.13 feet to a point on the East line of said 30 foot x 300 foot Drainage Easement, a point for corner;

THENCE S. 0°35' E. along said 30 foot x 300 foot Drainage Easement East line, a distance of 224.61 feet to a point for corner;

THENCE S. 89°25' W. along the South line of said 30 foot x 300 foot Drainage Easement, a distance of 30.00 feet to a point for corner;

THENCE N. 0°35' W. along the West line of said 30 foot x 300 foot Drainage Easement a distance of 245.80 feet to a point in the said U.S. Highway No. 67 present right-of-way line, a point for corner;

THENCE N. 60°14' E. along said present right-of-way line a distance of 15.86 feet 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 drainage 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:** The fact that the portion of the above described drainage 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 2 day of August, 1965.

APPROVED:

George Boyce  
Mayor

DULY ENROLLED:

Norm H. M. Garby  
City Secretary

APPROVED AS TO FORM:

B. Robert Baker  
Attorney