

ORDINANCE NO. 649

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A SANITARY SEWER EASEMENT 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 BE A QUIT CLAIM 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 Block 22 of the El Rosa 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 I. 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 tract of land situated in the Swing and Laws Survey, Abstract No. 810, and the M. L. Swing Survey, Abstract No. 1397, Dallas, County, Texas, and being in Block 22 of the El Rosa Addition to the City of Mesquite, Texas as recorded in Volume 39, Page 38, of the Dallas County, Texas Deed Records, and being more fully described as follows:

BEGINNING at the most Northwesterly corner of Gus Thomasson Road and Highland Village Drive (a 50.0 foot street dedicated to the City of Mesquite by deed recorded in Volume 240, Page 1034, of the Dallas County, Texas Deed Records);

THENCE South $75^{\circ}25'$ West 288.07 feet along the North right of way line of Highland Village Drive to the Point of Beginning of this description;

THENCE South $75^{\circ}25'$ West 5.17 feet to an Angle point in the North right of way line of Highland Village Drive;

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THENCE North 00°01' East 398.88 feet to a point in the South right of way line of Rosabelle Drive (dedicated to the City of Mesquite by deed recorded in Volume 534, Page 40, of the Dallas County, Texas Deed Records);

THENCE North 88°39' East 5.00 feet along said South right-of-way line of Rosabelle Drive to an angle point;

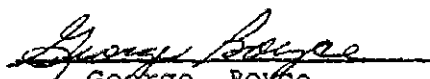
THENCE South 00°01' West 397.70 feet to the place of beginning.

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 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 Quit Claim Deed in favor of the Mesquite Memorial Hospital of Mesquite, Texas, Inc., a Texas Corporation, 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 on the 15th day of August, 1966.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary