

ORDINANCE NO. 658

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF AN ACCESS AND UTILITY 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 ACCESS AND UTILITY EASEMENT BELONGING TO THE CITY OF MESQUITE; PROVIDING THAT SAID ABANDONMENT SHALL BE A QUIT CLAIM DEED IN FAVOR OF THE 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 an access and utility easement located in Lot 21, Block 2 of Town East Estates No. 8, First Installment, an Addition to the City of Mesquite, Texas, is no longer needed or necessary for use as an access and utility easement and is needed by the abutting property owners for the proper development of their property; and

WHEREAS, such portion of said access and utility 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 an access and 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 the access and utility easement being abandoned is described as follows, to-wit:

Being a tract of land situated in Town East Estates No. 8, First Installment, an Addition to the City of Mesquite, Dallas County, Texas, said tract further being part of Lot 21, Block 2, of said Addition, and also being part of the 30 foot wide Access and Utility Easement as shown on said Lot 21, Block 2, and being more particularly described as follows:

BEGINNING at a point in the East line of said Lot 21, Block 2, said point being South 1°25' E, a distance of 16.46 feet from the intersection of said Lot 21 East line with the Southwesterly line of Gross Road, (a variable width R.O.W.), a point for corner;

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THENCE South $1^{\circ}25'E$ continuing along said Lot 21, East line a distance of 16.46 feet to a point for corner;

THENCE along the Southerly line of said 30 foot easement the following:

North $67^{\circ}06'W$ a distance of 148.62 feet to an angle point;
North $46^{\circ}38'W$ a distance of 91.01 feet to an angle point;
North $89^{\circ}16'W$ a distance of 98.79 feet to an angle point;
South $60^{\circ}14'W$ a distance of 126.07 feet to a point for corner;

THENCE North $57^{\circ}28'W$ a distance of 16.94 feet to a point for corner;

THENCE proceeding parallel to and 15 feet from the Northerly line of said Lot 21, the following:

North $60^{\circ}14'E$ a distance of 138.04 feet to an angle point;
South $89^{\circ}16'E$ a distance of 108.73 feet to an angle point;
South $46^{\circ}38'E$ a distance of 94.15 feet to an angle point;
South $67^{\circ}06'E$ a distance of 139.14 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 access and 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 Quit Claim Deed in favor of I. S. Fonville, Roy R. Dixon, A. P. Roffino and Charles G. Roffino, the owners 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 access and 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.

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DULY PASSED by the City Council of the City of Mesquite
on the 26 day of September, 1966.

APPROVED:

George Boyce
MAYOR

DULY RECORDED:

John H. M. Gaughy
CITY SECRETARY