

ORDINANCE NO. 672

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A PUBLIC RIGHT OF WAY AND ROAD 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 ROAD BELONGING TO THE CITY OF MESQUITE; PROVIDING THAT SAID ABANDONMENT SHALL BE CONSTRUED AS A QUITCLAIM DEED IN FAVOR OF 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 Gus Thomasson Road in the City of Mesquite, Dallas County, Texas, is no longer needed or necessary for the use of citizens as a right of way or road and is needed by the abutting property owner for the proper development of his property; and,

WHEREAS, said public right of way and road 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 public right of way and road 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 public right of way and road being abandoned is described as follows, to-wit:

TRACT NO. 1:

Situated in the Daniel Tanner Survey, Abstract No. 1462 and in the Zack Motley Survey, Abstract No. 1007, Dallas County, Texas;

Being a total of 0.4453 acres of land, more or less, adjoining the 74.15 acre tract of land conveyed to E. K. Franklin by deed recorded in Volume 3860, page 325, Deed Records of Dallas County, Texas; said 0.4453 acres of land being described as follows:

Beginning at the North corner of said 74.15 acre tract, said beginning point being in the Southwest line of Gus Thomasson Road;

Thence S.  $45^{\circ} 24' 12''$  E. 105.0 feet along said Southwest line of Gus Thomasson Road to a point for corner in the West line of U. S. Interstate Highway 635;

Thence N.  $12^{\circ} 47' 01''$  W. 55.65 feet along said West line of U. S. Interstate Highway 635 to a point for corner in the centerline of said Gus Thomasson Road;

Thence N.  $10^{\circ} 56' 12''$  W. 53.01 feet along said West line of U. S. Interstate Highway 635 to a point for corner in the Northeast line of said Gus Thomasson Road;

Thence N.  $45^{\circ} 24' 12''$  W. 438.88 feet along said Northeast line of Gus Thomasson Road to a point for corner;

Thence S.  $44^{\circ} 35' 48''$  W. 30.0 feet to a point in the centerline of Gus Thomasson Road, a point for corner;

Thence S.  $45^{\circ} 24' 12''$  E. 420.0 feet along said centerline of Gus Thomasson Road to a point for corner;

Thence S.  $44^{\circ} 35' 48''$  W. 30.0 feet to the place of beginning.

TRACT NO. II:

Situated in the Daniel Tanner Survey, Abstract No. 1462 and in the Zach Motley Survey, Abstract No. 1007, Dallas County, Texas;

Being a total of 0.75 acres of land, more or less, adjoining the 74.15 acre tract of land conveyed to E. K. Franklin by deed recorded in Volume 3860, page 325, Deed Records of Dallas County, Texas; said 0.75 acres of land being described as follows:

BEGINNING at the east corner of said 74.15 acre tract, said beginning point being in the southwest line of Gus Thomasson Road;

Thence, North 45° 24' 12" West 245 feet to a point for corner in the east line of U. S. Interstate Highway 635;

Thence, North 29° 26' 44" West 109.06 feet along said east line of U. S. Interstate Highway 635 to a point for corner;

Thence, North 13° 24' 30" West 56.62 feet along said east line of U. S. Interstate Highway 635 to a point for a corner in the Northeast line of said Gus Thomasson Road;

Thence, South 45° 24' 12" East 807.85 feet along said Northeast line of Gus Thomasson Road to a point for corner;

Thence, South 44° 35' 48" West 30 feet to a point for corner in the centerline of said Gus Thomasson Road;

Thence, North 45° 24' 12" West 409.98 feet along said centerline of Gus Thomasson Road to a point for corner;

Thence, South 44° 35' 48" West 30 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 the above described right of way and road and shall be construed to extend only to that interest which the Governing Body of the City of Mesquite may legally and lawfully abandon.

SECTION 3. That this abandonment ordinance shall constitute a quitclaim deed in favor of E. K. Franklin, the abutting property owner, 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 above public right of way and road is no longer needed or necessary for public use and is needed by the abutting property owner for the proper development of his 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 20 day of March,  
1967.

APPROVED:

George Bayce  
MAYOR

DULY ENROLLED:

Anna G. McHughy  
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker  
ATTORNEY