

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING A PORTION OF A PUBLIC RIGHT OF WAY AND ROAD AS MORE PARTICULARLY HEREAFTER 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 PUBLIC RIGHT OF WAY AND EASEMENT BELONGING UNTO THE CITY OF MESQUITE; PROVIDING THAT SAID ABANDONMENT BE CONSTRUED AS A QUITCLAIM DEED IN FAVOR OF ABUTTING PROPERTY OWNERS; PROVIDING FOR THE RECORDING OF SAID ORDINANCE IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS; AND DECLARING AN EMERGENCY.

WHEREAS, a public right of way and road, located in the hereinafter described portions of Pecan Drive, Walnut Drive, and Acorn Drive, said public roads and right of ways being in the City of Mesquite, Dallas County, Texas, are no longer needed or necessary for the use of citizens as a right of way or road and is needed by the abutting property owners for the proper development of their property; and,

WHEREAS, said public right of ways and roads are 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 ways and roads located within the City Limits of the City of Mesquite, Texas, be and same are hereby abandoned, insofar as the right, title, and interest of the public is concerned. That said public right of ways and roads being abandoned are described as follows, to wit:

That portion of Pecan Drive from the East line of I.H. 635 East to the West line of Acorn Drive;

That portion of Walnut Drive from the East line of I.H. 635 East to the West line of Acorn Drive;

That portion of Acorn Drive from the North line of Hickory Heights Subdivision to the City of Mesquite South to the East line of I.H. 635.

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.

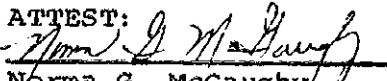
Ordinance No. 724

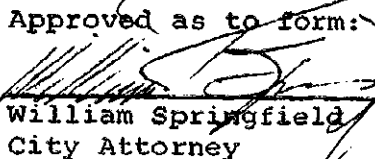
Section 3. That this abandonment ordinance shall constitute a quitclaim deed in favor of the abutting property owners, and a certified copy of the same may be filed for record in the deed records of Dallas County, Texas, to indicate such abandonment.

Section 4. The fact that the above described public right of ways and roads are no longer needed or necessary for public use and are needed by the abutting property owners for the proper development of their property creates an urgency and 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.

Duly passed and approved by the City Council of the City of Mesquite, Texas, on the 5 day of February, 1968.

  
George Boyce  
Mayor

ATTEST:  
  
Norma G. McGaughy  
City Secretary

Approved as to form:  
  
William Springfield  
City Attorney