

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING THE HEREINAFTER DESCRIBED PORTION OF A PUBLIC RIGHT-OF-WAY, THE SAME BEING USED FOR THE PURPOSE OF AN ALLEY; PROVIDING THAT SUCH ABANDONMENT SHALL BE ONLY INsofar AS APPLICABLE TO THE PUBLIC RIGHT, TITLE, AND INTEREST IN AND TO THAT PORTION OF SAID ALLEY RIGHT-OF-WAY BELONGING UNTO THE CITY OF MESQUITE; PROVIDING THAT SAID ABANDONMENT SHALL BE CONSTRUED AS A QUIT CLAIM 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 right-of-way for use as a public alley exists on the hereinafter described real property, situated in the City of Mesquite, Dallas County, Texas, and said right-of-way is no longer needed or necessary for public purposes and is needed by the abutting property owner for the development of his property; and

WHEREAS, such above stated right-of-way being no longer needed or necessary for a public purpose 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 street right-of-way, same being a public alley, located within the city limits of the City of Mesquite, Dallas County, Texas, be, and the same is, hereby abandoned insofar as the right, title, and interest of the public is concerned unto Thomas Blankenship, owner of the abutting property. That said right-of-way being abandoned is described as follows, to wit:

"Being an alley fifteen feet in width located in Block D-36 in the 2nd Addition of the Ebrite Addition to the City of Mesquite as shown in Volume 163, Page 486, of the Deed Records of Dallas County, Texas. Said alley is located on the west side of Lots 1, 2, and 3 of said 2nd Addition of the Ebrite Addition."

SECTION 2. That the abandonment provided for herein shall extend only to the public right, title, and interest in and to that above described alley right-of-way 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 quit claim deed in favor of Thomas Blankenship, 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 above described alley right-of-way 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 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 3 day of June, 1968.

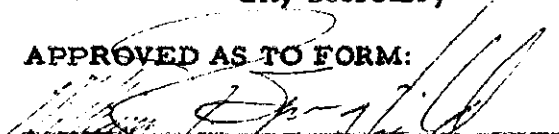


~~George Boyce~~ Jim Thompson
Mayor Pro Tem

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney