

00173

ORDINANCE NO. 2376

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ABANDONING THE 15 FOOT UTILITY EASEMENT SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, AND BEING PART OF LOT 3, BLOCK A OF CRAMER ADDITION, PHASE III, AS RECORDED IN VOLUME 86186, PAGE 3748, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED; AND DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE THEREOF:


NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City of Mesquite does hereby release, and abandon the utility easement described in Exhibit "A" attached hereto.

SECTION 2. That Mayor Brunhilde Nystrom is hereby authorized to execute a quit claim deed to carry out said release and abandonment.

SECTION 3. That the orderly development of the City of Mesquite requires the release and abandonment of the utility easement described herein, creates an urgency and emergency in the public interest and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of the caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of January, A.D., 1987.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney

06174

FIELD NOTES DESCRIBING
A 15.0' PUBLIC UTILITY EASEMENT
TO BE ABANDONED
LOT 3, BLOCK A, CRAMER ADDITION, PHASE III

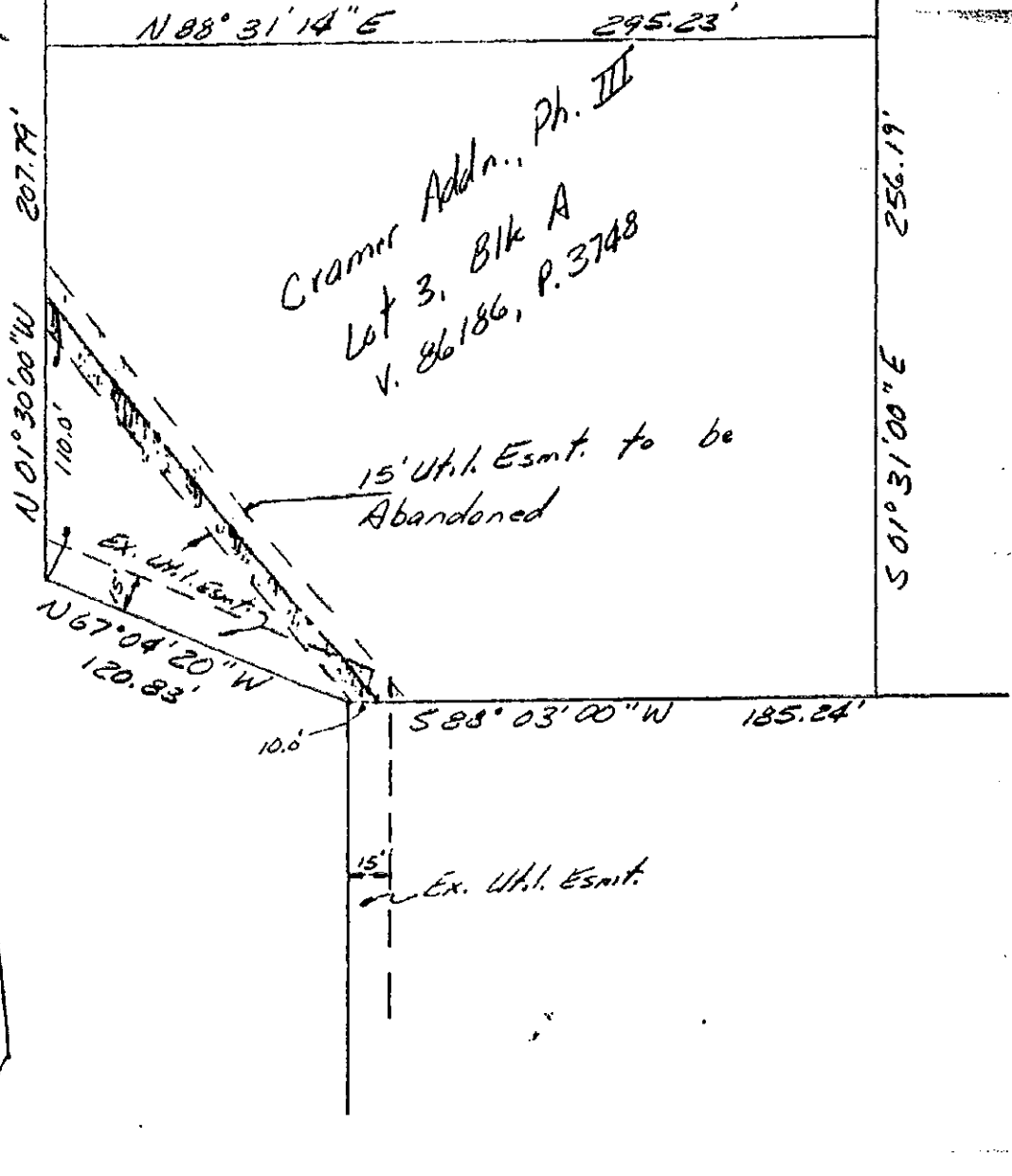
BEING a tract of land situated in the City of Mesquite, Dallas County, Texas, in the Daniel Tanner Survey, Abstract No. 1462, and being part of Lot 3, Block A of Cramer Addition, Phase III, as recorded in Volume 86186, Page 3748, DRDCT, and being all of that 15.0' Public Utility Easement described in the instrument recorded in Volume 381, Page 858, DRDCT, and being 7.5 feet on either side of the following described centerline:

COMMENCING at the most southerly southwest corner of Lot 3, Block A, Cramer Addition, Phase III ;

THENCE N 88° 03' 00" E a distance of 10.0 feet to the POINT OF BEGINNING of said centerline ;

THENCE in a northwesterly direction to a point lying in the east line of Gus Thomasson Road, said point being N 01° 31' W a distance of 110.0 feet from the most northerly southwest corner of Lot 3, Block A, Cramer Addition, Phase III.

Gus Thomassen Road



THE STATE OF TEXAS)
COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

That The Presbytery of Trinity of the United Presbyterian Church in the United States of America, a corporation, acting herein by and through its duly authorized officers, in consideration of the sum of One Dollar (\$1.00) to it in hand paid, the receipt of which is hereby acknowledged, does hereby dedicate to the City of Mesquite, the hereinafter described tract of land as a public utilities easement, said tract of land lying and being situated in the City of Mesquite, County of Dallas, Texas, and being more particularly described as follows:

BRING a 15.0' wide easement, 7.5 ft. on either side of a centerline and being located in a 5.98 acre tract out of the Daniel Tanner Survey, Abstract No. 1462, conveyed to The Presbytery of Trinity of the United Presbyterian Church in the United States of America by J. Dale Edwards, Trustee, and T. C. Stricklin by General Warranty Deed now of record in Vol. 5364, Page 574, Deed Records, Dallas County, Texas; the centerline of said 15 ft. strip of land being more particularly described as follows:

COMMENCING at the most southerly southwest corner of said 5.98 acre tract, said point being on the most easterly R.O.W. line of the Gross Road overpass;

THENCE N. 88 deg. 29 min. E with the south line of said 5.98 acre tract, 10 ft. to the place of beginning of the hereinafter described centerline;

THENCE in a northwesterly direction and crossing the southwest portion of said 5.98 acre tract a distance of approximately 215 ft. to a point on the west line of said 5.98 acre tract, said point being on the east line of the proposed Gus Thomasson Road relocation (a 120 ft. R.O.W.); said point being 110 ft. N 1 deg. 31 min W of the most northerly southwest corner of said 5.98 acre tract, said point being the end of the centerline description of the tract herein described.

The hereinabove described tract of land is hereby dedicated as a public utility easement for the perpetual use and benefit of the City of Mesquite, providing however, that nothing herein shall be construed as a dedication of said tract as a public street other than for the passage of vehicles owned and operated by the City of Mesquite or its agents. The City of Mesquite shall have the right to remove or keep removed all or parts of buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on this easement; and The City of Mesquite shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring permission of anyone.

IN TESTIMONY WHEREOF, witness our hands this the 22nd day of July, 1964.

ATTEST:

THE PRESBYTERY OF TRINITY OF THE UNITED
PRESBYTERIAN CHURCH IN THE UNITED STATES
OF AMERICA

Stuart O. Woolf
Assistant Secretary

BY: [Signature]
President



00177

STATE OF TEXAS)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Ewing Jones, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said The Presbytery of Trinity of the United Presbyterian Church in the United States of America, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22nd day of

Shirley Jacobs
Notary Public, Dallas County, Texas
(Shirley Jacobs)

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CC178

City of Memphis

STATE OF TENNESSEE COUNTY OF DALLAS
I hereby certify that this instrument was filed on the
date and time stamped herein by me and was duly re-
corded in the volume and page of the public records
of Dallas County, Texas as hereinafter shown by me.

AUG 18 1964



Don E. Kelly
County Clerk, Dallas County, Texas

AUG 17 12 05 PM '64

Don E. Kelly
COUNTY CLERK
DALLAS COUNTY

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