

ORDINANCE NO. 3444

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE ABANDONMENT OF PORTIONS OF THE SANITARY SEWER EASEMENT LOCATED IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND CONVEYED BY DEED TO MAVEX MANAGEMENT CORPORATION AS RECORDED IN VOLUME 94144, PAGE 5227, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.T.); PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mesquite has heretofore obtained a twenty (20)-foot sanitary sewer easement; and

WHEREAS, as part of the development of the site upon which the easement is located, a new sanitary sewer easement and trunk main was dedicated with the platting of the property and the sanitary sewer trunk main was relocated to the new easement; and

WHEREAS, the previously obtained twenty (20)-foot sanitary sewer easement will not be needed in the future.

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

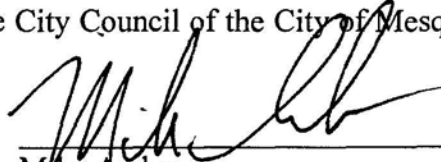
SECTION 1. That the twenty (20)-foot sanitary sewer easement in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being part of a tract of land conveyed by deed to Mavex Management Corporation as recorded in Volume 94144, Page 5227, Deed Records, Dallas County, Texas (D.R.D.C.T.) more fully described in Exhibit "A," attached hereto, is not needed for public purposes and is in the public interest of the City of Mesquite to abandon said described easement.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

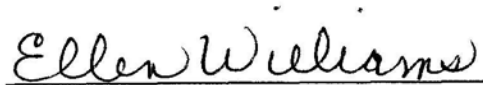
SECTION 4. That the orderly development of the City of Mesquite requires the release and abandonment of the easement described herein creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 4th day of September, 2001.



Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B. J. Smith
City Attorney

EXHIBIT A

20' SANITARY SEWER EASEMENT (NORTH OF DALLAS POWER AND LIGHT
CO. VOL. 5535, PG. 252) TO BE ABANDONED
LEGAL DESCRIPTION
7,042.06 SQ. FT. / 0.16 ACRES

BEING an 0.16 acre tract of land in the DANIEL TANNER SURVEY, ABSTRACT NO. 1462, City of Mesquite, County of Dallas, and being part of a tract of land conveyed by deed to Mavex Management Corporation as recorded in Volume 94144, Page 5227, Deed Records, Dallas County, Texas (D.R.D.C.T) and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the northerly line of variable width Dallas Power & Light Easement according to the deed records in Volume 55355, Page 252, D.R.D.C.T., said point also being in the south line of Lot 4, Block B of the Mesquite Commons, an addition to the City of Mesquite, Dallas County, Texas, and bearing S44°37'49"W, a distance of 192.68' from the ¾" iron rod found at the intersection of the northerly line of said Dallas Power & Light Easement with the westerly right-of-way line of Interstate Highway 635 (a variable width R.O.W); thence S51°57'32"W, a distance of 92.42'; thence S73°53'25"W, a distance of 62.24'; thence N83°35'56"W, a distance of 220.81'; thence N67°01'30"W, a distance of 85.69'; thence S74°55'07"W, a distance of 154.18' to the POINT OF BEGINNING;

Thence S01°45'34"W, a distance of 271.65'; thence S74°55'07"W, distance of 21.04'; thence N01°46'48"E, a distance of 58.24'; thence N43°37'58"W, a distance of 76.73'; thence N04°35'37"W, a distance of 31.75'; thence S43°37'58"E, a distance of 81.68'; thence N01°46'48"E, a distance of 185.36'; thence N74°55'07"E, a distance of 20.94' to the POINT OF BEGINNING, containing 7,042.06 sq. ft. or 0.16 acres of land more or less.

Exhibit "A" (Continued)

20' SANITARY SEWER EASEMENT (SOUTH OF DALLAS POWER AND LIGHT CO. VOL. 5535, PG. 252) TO BE ABANDONED
LEGAL DESCRIPTION
6,134.27 SQ. FT. / 0.14 ACRES

BEING an 0.14 acre tract of land in the DANIEL TANNER SURVEY, ABSTRACT NO. 1462, City of Mesquite, County of Dallas, and being part of a tract of land conveyed by deed to Mavex Management Corporation as recorded in Volume 94144, Page 5227, Deed Records, Dallas County, Texas (D.R.D.C.T) and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the northerly line of variable width Dallas Power & Light Easement according to the deed records in Volume 55355, Page 252, D.R.D.C.T., said point also being in the south line of Lot 4, Block B of the Mesquite Commons, an addition to the City of Mesquite, Dallas County, Texas, and bearing S44°37'49"W, a distance of 192.68' from the ¾" iron rod found at the intersection of the northerly line of said Dallas Power & Light Easement with the westerly right-of-way line of Interstate Highway 635 (a variable width R.O.W); thence S51°57'32"W, a distance of 92.42'; thence S73°53'25"W, a distance of 62.24'; thence N83°35'56"W, a distance of 220.81'; thence N67°01'30"W, a distance of 85.69'; thence S74°55'07"W, a distance of 154.18'; thence S01°45'34"W, a distance of 271.65'; thence S03°02'20"W, a distance of 131.46' to the POINT OF BEGINNING;

Thence S03°02'20"W, a distance of 352.95'; thence N10°03'54"W, a distance of 88.22'; thence N03°02'20"E, a distance of 260.48'; thence N74°55'07"E, a distance of 21.04' to the POINT OF BEGINNING, containing 6,134.27 sq. ft. or 0.14 acres of land more or less.

Portions of Easement
Property to be abandoned
(Cross-hatched area)

