

ORDINANCE NO. 1974

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, VACATING AND ABANDONING AN ALLEY RIGHT-OF-WAY IN THE HOWARD ADDITION, CITY OF TERRELL, TEXAS.

WHEREAS, a petition, signed by more than 50% of the adjacent property owners requesting the alley right-of-way between Lydia and Burch Streets, extending from the north line of E. Moore Avenue, or U.S. Hwy. 80, to the south line of High Street, be closed to public use and abandoned, has been filed with the City for consideration; and

WHEREAS, this body has determined that a public need for the subject right-of-way no longer exists, and that its vacation would be to the public benefit in general;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell, Texas:

THAT the alley right-of-way being a north-south strip of land designated for alley purposes, called 13.5 feet wide on the plat of the Howard Addition to the City of Terrell, said plat being recorded in Vol. 73, Pg. 560, of the Deed Records of Kaufman County, Texas, said alley being situated between Lydia Street and Burch Street and extending from the north line of E. Moore Avenue, or U. S. Hwy. 80, to the south line of High Street, within the City of Terrell, Kaufman County, Texas, be and is hereby closed and abandoned.

ARTICLE II

THAT all Ordinances of the City of Terrell, Texas, in conflict with the provisions of this Ordinance be, and same are, hereby repealed.

ARTICLE III

THAT it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV

This ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVE THIS 15TH DAY OF JUNE, 1999.
PASSED AND ADOPTED THIS 6TH DAY OF JULY, 1999.

APPROVED:

HENRY C. MADGWICK, SR.
MAYOR

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney