

**ORDINANCE NO. 2073**

**AN ORDINANCE VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY WITHIN THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS.**

**WHEREAS** it appears that there is no present or foreseeable public need for certain rights-of-way, as further described below, within the City of Terrell; and

**WHEREAS**, this body is interested in facilitating the transfer of property interests and clarifying questions of title and ownership to tracts adjacent thereto;

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

**ARTICLE I.**

**THAT** any interest this City might claim, now or in the future, in the following described right-of-way is hereby vacated and abandoned:

SITUATED in Kaufman County, Texas, within the corporate limits of the City of Terrell, a part of the J.C. Hale Survey, Abstract No. 202, and being that portion of Presley Avenue as shown on the plat of Dewberry's Second Addition, as recorded in Volume 151, Page 633 of the Deed Records of Kaufman County, Texas and being that portion of Presley Avenue right-of-way lying Southwest of Block 2 of said Dewberry's Second Addition, being of an undetermined width and bounded as follows:

BEGINNING at the Northeast by Block 2 of Dewberry's Second Addition;

THENCE on the Southeast by the Northwest line of Frank Street;

THENCE on the Southwest by Terrell Revised Block 299; and

THENCE On the Northwest by the Southeast line of Frazier Street.

THENCE southeast with the said northeast line of Houston and the southwest line of Block 6 to the Point of Beginning.

SAVE, LESS AND EXCEPT an easement for the continued use, maintenance or replacement of an existing utility pole and its associated guy wire located at or near the North corner of the aforementioned Block 299.

**ARTICLE II**

**THAT** said right-of-way, save any exception noted, is hereby vacated and abandoned, and every claim, right or rights, either the City of Terrell or the public generally has in and to said right-of-way is hereby released and relinquished forever; and whatever control, right of control, jurisdiction or dominion the City of Terrell has or may have had, either for itself or on behalf of the public generally, over the same as public right-of-way is hereby abandoned so that the City of Terrell neither for itself, nor on behalf of the public generally, shall hereafter have or assert any claim or right whatsoever to the same or any part thereof.

**ARTICLE III.**

**THAT** this ordinance shall be filed in the deed records of Kaufman County.

**PASSED AND APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_.**

**PASSED AND ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_.**

---

HENRY C. MADGWICK, MAYOR

ATTEST:

\_\_\_\_\_  
JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
MARY GAYLE RAMSEY, CITY ATTORNEY

**ORDINANCE NO. 2073**

**AN ORDINANCE VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY WITHIN THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS.**

**WHEREAS** it appears that there is no present or foreseeable public need for certain rights-of-way, as further described below, within the City of Terrell; and

**WHEREAS**, this body is interested in facilitating the transfer of property interests and clarifying questions of title and ownership to tracts adjacent thereto;

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

**ARTICLE I.**

**THAT** any interest this City might claim, now or in the future, in the following described right-of-way is hereby vacated and abandoned:

SITUATED in Kaufman County, Texas, within the corporate limits of the City of Terrell, a part of the J.C. Hale Survey, Abstract No. 202, and being that portion of Presley Avenue right-of-way lying Southwest of Block 2, as shown on the plat of Dewberry's Second Addition, as recorded in Volume 151, Page 633, of the Deed Records of Kaufman County, Texas, said right-of-way being of an undefined width and being bounded as follows:

ON the Northeast by Block 2 of Dewberry's Second Addition;

ON the Southeast by the Northwest line of Frank Street;

ON the Southwest by Terrell Revised Block 299; and

ON the Northwest by the Southeast line of Frazier Street.

SAVE, LESS AND EXCEPT an easement for the continued use, maintenance or replacement of an existing utility pole and its associated guy wire located at or near the North corner of the aforementioned Block 299.

**ARTICLE II**

**THAT** said right-of-way, save any exception noted, is hereby vacated and abandoned, and every claim, right or rights, either the City of Terrell or the public generally has in and to said right-of-way is hereby released and relinquished forever; and whatever control, right of control, jurisdiction or dominion the City of Terrell has or may have had, either for itself or on behalf of the public generally, over the same as public right-of-way is hereby abandoned so that the City of Terrell neither for itself, nor on behalf of the public generally, shall hereafter have or assert any claim or right whatsoever to the same or any part thereof.

**ARTICLE III.**

**THAT** this ordinance shall be filed in the deed records of Kaufman County.

**ARTICLE IV.**

**THAT** the Mayor is hereby authorized to execute quitclaim deeds on behalf of the City of Terrell to interests in any of the above described right-of-way upon the request of adjoining property owners.

**PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF JUNE, 2001.**  
**PASSED AND ADOPTED THIS 3<sup>RD</sup> DAY OF JULY, 2001.**

---

HENRY C. MADGWICK, MAYOR

ATTEST:

---

JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

---

MARY GAYLE RAMSEY, CITY ATTORNEY