

**ORDINANCE NO. 2119**

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

**WHEREAS** one or more of the adjoining property owners have filed a petition requesting that a portion of the public right-of-way be vacated; and

**WHEREAS** it appears that there is no present or foreseeable transportation requirement for that certain right-of-way, as further described below;

**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 F. E. Houston Survey, Abstract No. 212, and being a portion of the right-of-way dedicated for public street purposes by the plat of the Johnson Addition to said City, as recorded on 8 November 1876 in Vol. V, Page 176, of the Deed Records of said County, and being more particularly described as follows:

BEGINNING at the West corner of Block 17 of said addition, at the intersection of the northeast line of Main Street, a called 60-foot right-of-way (R.O.W.), with the southeast line of 5<sup>th</sup> Street, also a called 60-foot R.O.W.;

THENCE Northwesterly to the South corner of Block 24 of said addition, said corner being the intersection of the said northeast line of Main St. and the northwest line of 5<sup>th</sup> St.;

THENCE Northeasterly with the northwest line of 5<sup>th</sup> St. to the East corner of said Block 24, a called distance of 200 feet, said corner being the intersection of the southwest line of Washington St., a called 60-foot R.O.W., with the said northwest line of 5<sup>th</sup> St.;

THENCE Southeasterly to the North corner of said Block 17, a called distance of 60 feet, said corner being at the intersection of the said southwest line of Washington St. and the above said southeast line of 5<sup>th</sup> St.;

THENCE Southwesterly, with the southeast line of said 5<sup>th</sup> St. a called distance of 200 feet to the Point of Beginning.

SAVE, LESS AND EXCEPT easement, being 15-feet in width and centered upon each existing facility, is retained for a gas main and for a pole line, both being owned by Oncor, said easements allowing for the continued operation, maintenance and replacement of said facilities.

**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; and

**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 21<sup>ST</sup> DAY OF MAY, 2002.**  
**PASSED AND ADOPTED THIS 4<sup>TH</sup> DAY OF JUNE, 2002.**

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**FRANCES ANDERSON, MAYOR**

**ATTEST:**

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**JOHN ROUNSAVALL, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**MARY GAYLE RAMSEY, CITY ATTORNEY**