

**ORDINANCE NO. 2208**

**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 north corner of Block 1 of said Addition, said corner being the intersection of the southwest line of Johnson Street with the southeast line of Second St.;

THENCE southwest, with the northwest line of Block 1, the common southeast line of Second St., a platted distance of 200 feet to the west corner of said Block, said corner being the intersection of the northeast line of Washington St. with the said southeast line of Second St.;

THENCE northwest, with the projected northeast line of Washington St., a platted distance of 60 feet to the south corner of Block 8 of said Addition, said corner being in the northwest line of Second St.;

THENCE northeast, with the southeast line of said Block 8, the common northwest line of Second St., a platted distance of 200 feet to the east corner of said Block 8, in the southwest line of Johnson St.;

THENCE southeast, with the projected southwest line of Johnson St., a platted distance of 60 feet to the POINT OF BEGINNING, and containing 12,000 square feet, or 0.275 acre of land, more or less.

SAVE, LESS AND EXCEPT easement, being 15-feet in width and centered upon the existing facility, is retained for an overhead electric line owned by Oncor, said easement 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 2<sup>nd</sup> DAY OF DECEMBER, 2003.**

**PASSED AND ADOPTED THIS 6<sup>TH</sup> DAY OF JANUARY, 2004.**

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**FRANCES R. ANDERSON, MAYOR**

**ATTEST:**

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**JOHN ROUNSAVALL, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**MARY GAYLE RAMSEY, CITY ATTORNEY**