

**ORDINANCE NO. 2236**

**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 F.E. Houston Survey, Abstract No. 212, and being a portion of the right-of-way dedicated for the public street purposes by the plat of said Johnson Addition to said city, as recorded on November 8<sup>th</sup>, 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 2 of said Addition, said corner being the intersection of the southwest line of Washington Ave. with southeast line of Second Street;

THENCE southwest, with the northwest line of Block 2, the common southeast line of Second Street, a platted distance of 200 feet to the west corner of said Block, said corner being the intersection of the northeast line of Main Street with the said southeast line of Second Street;

THENCE northwest, with the projected northeast line of Main Street, a platted distance of 60 feet to the south corner of Block 7 of said Addition, said corner being in the northwest line of Second Street;

THENCE northeast, with the southeast line of said Block 7, the common northwest line of Second Street, a platted Distance of 200 feet to the east corner of said Block 7, in the southwest line of Washington Avenue;

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

SAVE, LESS AND EXCEPT an easement being 10 feet in width and centered upon the existing facility, if retained for an overhead electric line owned by TXU Electric Delivery, said easement allowing for the continued operation, maintenance and replacement of said facilities (See Exhibit "A").

**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.

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**ARTICLE III.**

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

**PASSED AND APPROVED THIS THE 17<sup>TH</sup> DAY OF AUGUST, 2004.  
PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF SEPTEMBER, 2004.**

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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