

**ORDINANCE NO. 2237**

**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 D.B. Howard Addition as recorded on April 17, 1897 of Kaufman County Deed Records. And being all of the right -of-way dedicated for public and street purposes and also being an unnamed street shown on the official 1912 map of the City of Terrell and being more particularly described as follows:

BEGINNING at a point in the north R.O.W. of U.S. Highway 80 (Moore Avenue) said point also being the southeast corner for Lot 3, Block 526A, revised map of Terrell and the west R.O.W. of said unnamed street;

THENCE NO°13'32"W, with the westerly R.O.W. of said unnamed street a distance of 622.83 feet to a point for corner said point also being in the platted R.O.W. of High street shown in the D>B> Howard Addition and also being the northeast corner of Lot 36 of said D.B. Howard Addition;

THENCE east 50 feet crossing said unnamed street to the east R.O.W. of said unnamed street to a point for corner said point also being northwest corner of Lot 48 of said D.B. Howard Addition;

THENCE S0°a distance of 622.83 feet to a point in the north R.O.W. of U.S. Hwy. 80 (Moore Avenue) said point also being the southwest corner of Lot 1 Block 526B Revised Map of Terrell;

THENCE westerly with said R.O.W. of U.S. Hwy. 80 (Moore Avenue) 50 feet to the POINT OF BEGINNING and containing 0.71 acres of land more or less.

**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 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