

ORDINANCE NO. 2592

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS VACATING AND ABANDONING A PORTION OF THE POLLY DRIVE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 33, BLOCK 1, WALLACE ADDITION, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS.

WHEREAS the owner of the property adjoining Polly Drive has requested that a portion of the Polly Drive public right-of-way located adjacent to Lot 33, Block 1, Wallace Addition of the City of Terrell, Kaufman County, Texas, be vacated and abandoned; and

WHEREAS the Polly Drive right-of-way is less than (24') feet wide and does not meet the minimum width standards for a public street and has never been developed or improved; and

WHEREAS the subject portion of the Polly Drive right-of-way that is to be abandoned will be utilized to correct an encroachment of a single-family residence over an existing property line and to correct other nonconformances on Lots 33 and 34, Block 1, Wallace Addition, City of Terrell, Kaufman County, Texas; and

WHEREAS it appears that there is no present or foreseeable public transportation or utility requirement for that certain right-of-way and no public purpose for which said right-of-way is needed.

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

ARTICLE I.

THAT any interest the City of Terrell might claim, now or in the future, in the real property be vacated and abandoned, the real property being more particularly described in the survey thereof attached as Exhibit "A". Realignment of the property lines of Lots 33 and 34 for the purposes of allocating the abandoned right-of-way shall be in accordance with Exhibit "B" attached hereto and made a part hereof for all purposes.

ARTICLE II.

THAT said right-of-way, as set forth above, save any exceptions 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 of record in the Real Property Records of Kaufman County; and

THAT the Mayor is hereby authorized to execute a Quit Claim Deed on behalf of the City of Terrell to the interest in the above described right-of-way upon the request of the adjoining property owner.

PASSED AND APPROVED on first reading this the 21st day of January, 2014.

PASSED AND ADOPTED on second reading this the 4th day of February, 2014.

\_\_\_\_\_  
Hal Richards, Mayor

Attest:

\_\_\_\_\_  
John Rounsavall, City Secretary

Approved as to form:

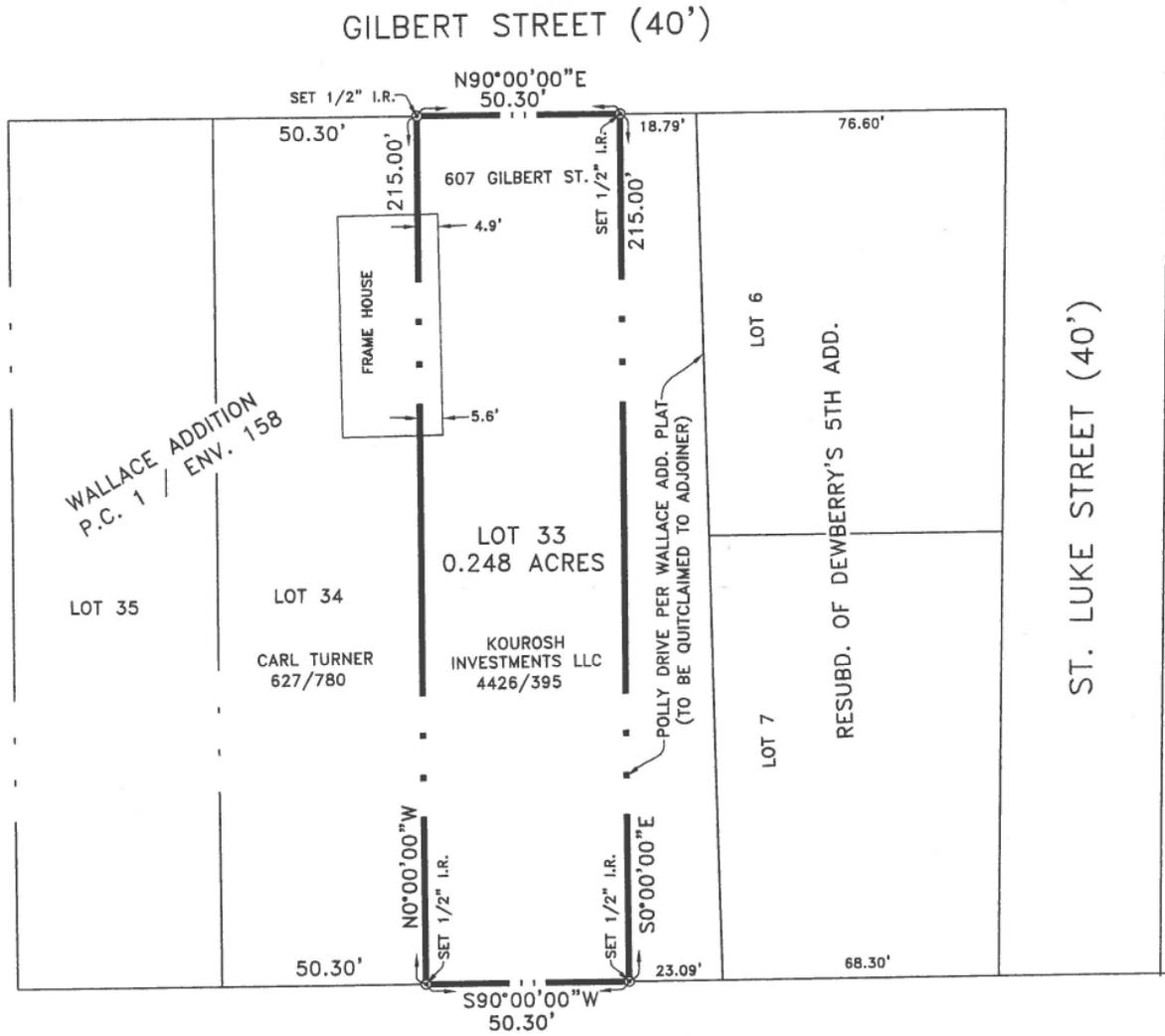
\_\_\_\_\_  
Mary Gayle Ramsey, City Attorney

# EXHIBIT A



EXISTING CONDITIONS

SCALE: 1"=30'



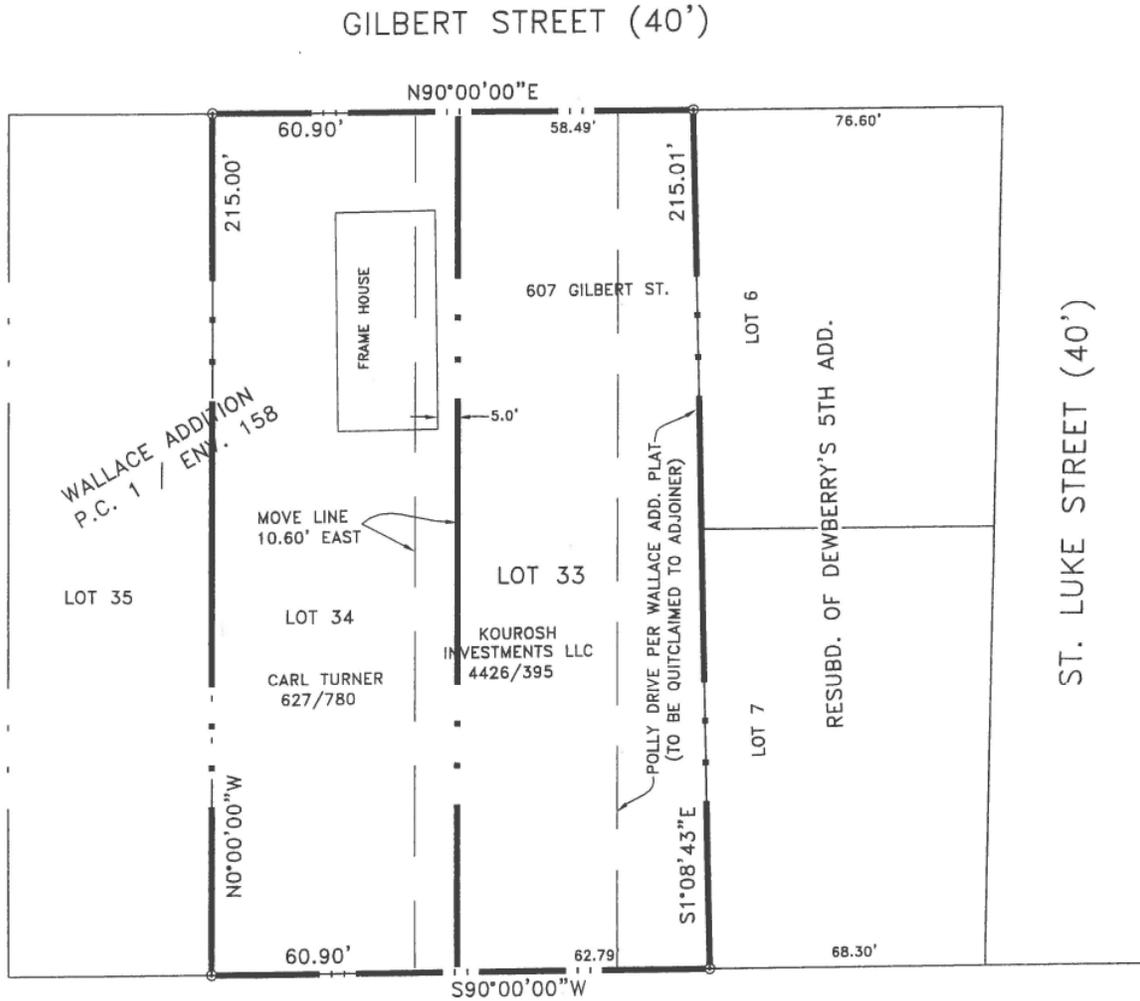
REPLAT OF THE JOHN F. KENNEDY  
ELEMENTARY SCHOOL PROPERTY

# EXHIBIT B

PROPOSED CONDITIONS  
AFTER QUIT CLAIM AND REPLAT



SCALE: 1"=30'



REPLAT OF THE JOHN F. KENNEDY  
ELEMENTARY SCHOOL PROPERTY