

ORDINANCE NO. 2016-068

AN ORDINANCE VACATING AND ABANDONING PORTIONS OF UNDEVELOPED STREETS AND ALLEY RIGHT-OF-WAY GENERALLY LOCATED ADJACENT TO LOTS 1-7 AND LOTS 8-11 AND LOTS 23-26, BLOCK 26, ORIGINAL TOWN OF ALEDO, TEXAS ACCORDING TO A PLAT RECORDED IN VOLUME 18, PAGE 400, PLAT RECORDS OF PARKER COUNTY, TEXAS, IN THE CITY OF ALEDO, PARKER COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO ABUTTING PROPERTY OWNERS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Aledo, Texas, is a Type A general-law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, a petition requesting the vacation and abandonment of the streets and alley right-of-way described below signed by abutting property owners has been received by the city; and

WHEREAS, the streets and alley, although designated on the plat, has never been developed or used as a street; and

WHEREAS, the City Council of the City of Aledo, Texas, after careful study and consideration, has determined that the streets and alley right-of-way located adjacent to Lots 1-7 and Lots 8-11 and Lots 23-26, Block 26, Original Town of Aledo, Texas according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County, Texas, in the City of Aledo, Parker County, Texas, hereinafter more specifically described, are not being used by, nor useful or convenient to the public in general; therefore, they constitute a public charge without a corresponding public benefit, and the public would be better served and benefitted by its vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said easement, the City desires to execute a Quit Claim Deed releasing all title, ownership and control in said easement to the owner or owners of the abutting property;

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

SECTION 1.

The streets and alley right-of-way, herein described, are not being used by, nor useful or convenient to the public in general. They constitute a public charge without a corresponding benefit, and the public would be better served and benefitted by their vacation and abandonment. Accordingly, the following streets and alley right-of-way is hereby vacated and abandoned as public property, as depicted on Exhibit "A", attached hereto, and generally described as:

- 1) One half of Houston Street, comprised of a width of 40 feet, extending from South Front Street to Old Annetta Road, abutting Lots 1 and Lots 23-26, Block 26, Original Town of Aledo, Texas according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County;
- 2) All of Front Street, comprised of a width of 50 feet abutting Lots 1-11, Block 26, Original Town of Aledo, Texas according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County, and extending to the middle of Houston Street; and
- 3) The 20 foot wide alley between Lot 1, Block 26, Original Town of Aledo to Lot 8 and Lot 26, Block 26, Original Town of Aledo, according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County.

SECTION 2.

The City of Aledo does not abandon any other interest that specifically described herein, but does hereby abandon all of its right, title or interest either in fee simple or by easement or otherwise, in the described property, together with any and all improvements thereon.

SECTION 3.

The Mayor of the City of Aledo, Texas, is hereby authorized and empowered to execute a quitclaim deed releasing all claims to title, ownership, or control of the right-of-way easement described above, on behalf of the City of Aledo, Texas.

SECTION 4.

A copy of said quitclaim deed shall be presented for filing with the County Clerk of Parker County, Texas by the office of the City Secretary.

SECTION 5.

The City Secretary of the City of Aledo is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause and effective date clause in the minutes of the City Council and by filing the Ordinance in the Ordinance Records of the City.

SECTION 6.

This Ordinance shall be in full force and effect from and after its passage provided by law, and it is so ordained.

PASSED AND APPROVED ON THIS 22nd DAY OF SEPTEMBER, 2016.



MAYOR

ATTEST:


CITY SECRETARY

EFFECTIVE: 9/22/2016

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

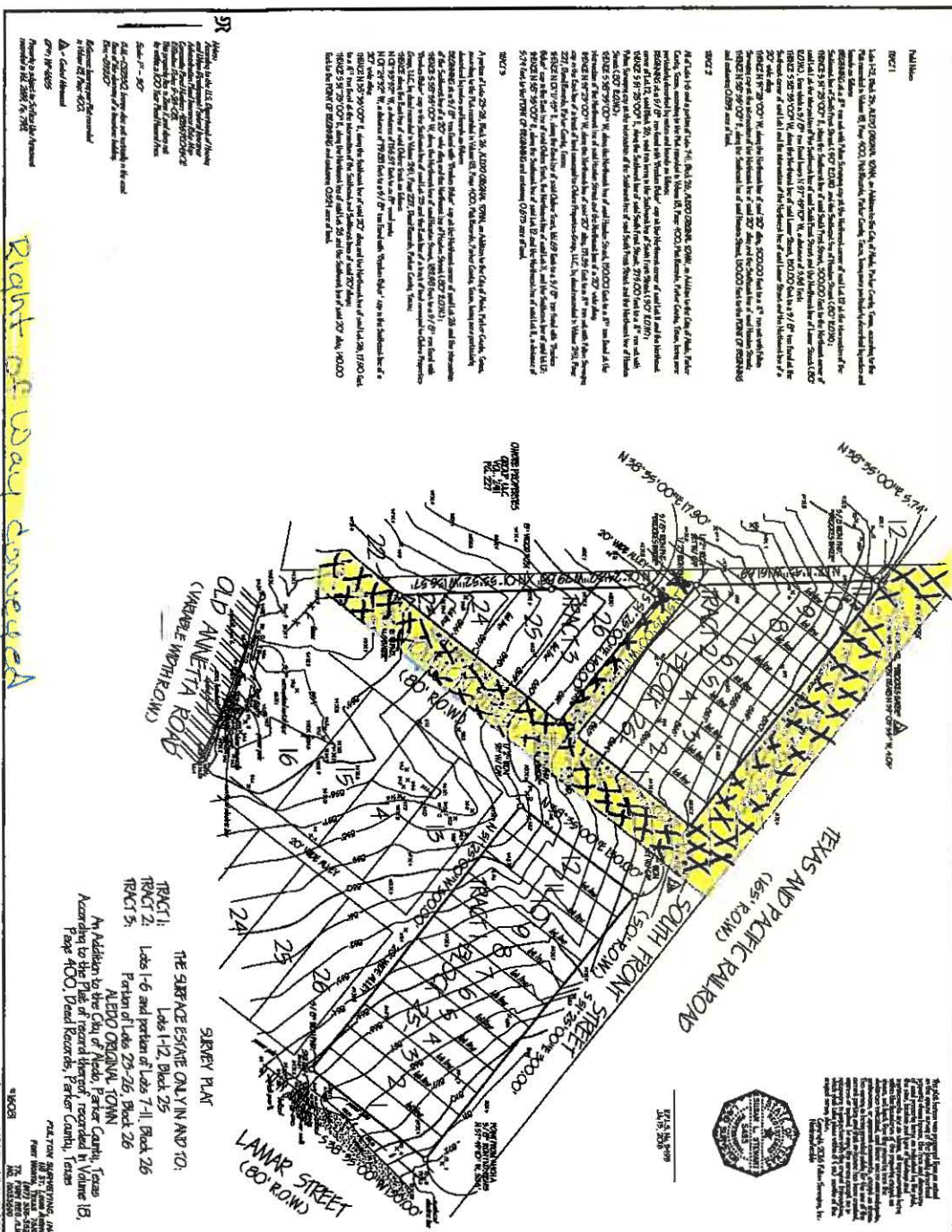


Exhibit A

QUITCLAIM DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF PARKER

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver=s License Number.

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the City of Aledo (AGrantor@) does hereby bargain, sell, convey and quitclaim unto Ombre Properties (AGrantee@), whose address is _____, all of Grantor's right, title and interest in and to that certain right of way and land (the "Property") described as follows:

- 1) One half of Houston Street, comprised of a width of 40 feet, extending from South Front Street to Old Annetta Road, abutting Lots 1 and Lots 23-26, Block 26, Original Town of Aledo, Texas according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County;
- 2) All of Front Street, comprised of a width of 50 feet abutting Lots 1-11, Block 26, Original Town of Aledo, Texas according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County, and extending to the middle of Houston Street; and
- 3) The 20 foot wide alley between Lot 1, Block 26, Original Town of Aledo to Lot 8 and Lot 26, Block 26, Original Town of Aledo, according to a plat recorded in Volume 18, Page 400, Plat Records of Parker County.

and depicted on Exhibit A attached hereto and incorporated herein.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the Property, together with all and singular the rights and appurtenances belonging in any way to Grantor, unto Grantee, its successors and assigns forever, and neither Grantor nor Grantor's heirs, personal representatives, successors or assigns shall have, claim or demand any right, title or interest in all or any part of the Property.

EXECUTED this 22nd day of September, 2016.

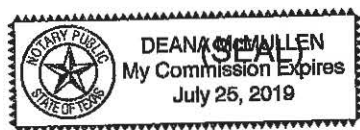
By: Kit Marshall
Kit Marshall, Mayor

STATE OF TEXAS

COUNTY OF PARKER

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Kit Marshall, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22nd day of September, 2016.




Notary Public, State of Texas

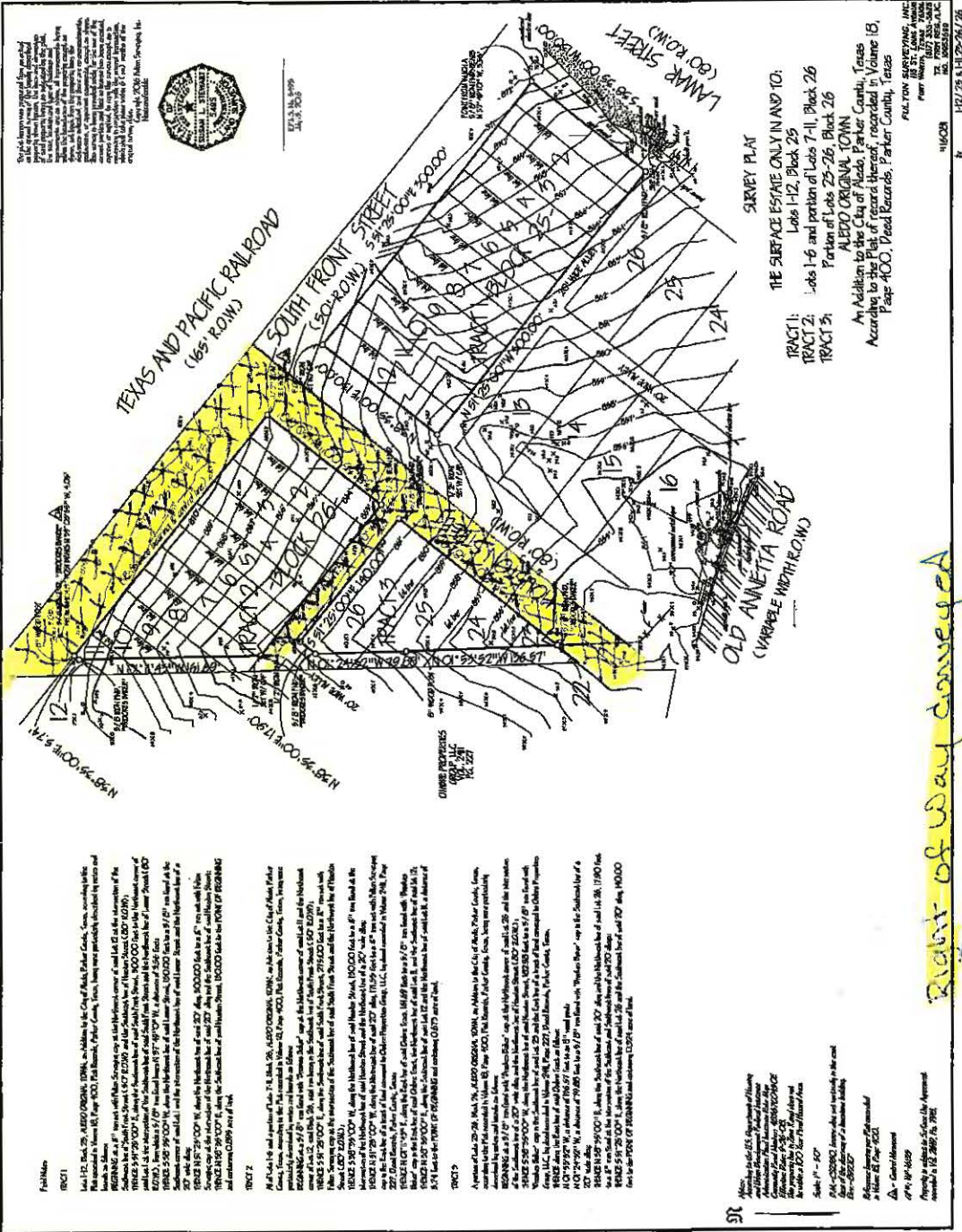


Exhibit A