

**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 23-04-06-13**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS ABANDONING A 24' ACCESS EASEMENT RECORDED IN THE DENTON COUNTY LAND RECORDS INSTRUMENT 2021-456, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" HERETO; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS, TO SERVE AS A QUITCLAIM DEED AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECT THE ABANDONMENT OF THE EASEMENT; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF CORINTH AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth is a home rule municipality and pursuant to its Charter and state law, the City is authorized to own property and sell property and to divest itself of any and all interests in property, including without limitation its interest in easements granted to the City for public purposes; and

**WHEREAS**, The Economic Development Foundation of the City of Corinth is the owner of an approximate 6.504 acre tract of land situated in the J.P. Walton Survey, Abstract 1389, City of Corinth, Denton County, Texas, as depicted in a Final Plat instrument Number 2021-456 (the "Property"); and

**WHEREAS**, The Economic Development Foundation of the City of Corinth (the "Property Owner") intends to sell the subject Property and the purchaser has requested that the City abandon a certain 24' Access Easement on the Property that was previously granted to the City of Corinth and that is recorded in the **Denton County Land Records at Instrument 2021-456**, and more specifically described in **Exhibit "A"**, a copy of which is attached hereto and incorporated herein, (the "Access Easement" or "Easement"); and

**WHEREAS**, the City Council has determined that no public infrastructure is located within the Easement, and that the Easement as located upon the Property is not necessary for future use by the City for the location of public infrastructure, and thus the City Council finds that abandonment of the Easement as requested by the Property Owner is appropriate; and

**WHEREAS**, the City Council has determined it appropriate to adopt this Ordinance abandoning and quitclaiming to the Property Owner any and all interest in the Easement described in **Exhibit "A"** hereto;

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

**SECTION 1.**

That the foregoing recitals are findings of the Corinth City Council and are incorporated into this Ordinance as if written word for word.

**SECTION 2.**

That the City of Corinth hereby abandons the 24' Access Easement as more specifically described in **Exhibit "A"** hereto and filed in the **Denton County Land Records at instrument 2021-456**, a copy of the recorded Easement document being attached hereto and included as part of **Exhibit "A"** and the City does hereby quitclaim in favor of Property Owner The Economic Development Foundation of the City of Corinth, such Access Easement.

**SECTION 3.**

That the Access Easement is abandoned, vacated, and closed, insofar as the right title and interest of the public to such easement are concerned. That the City of Corinth does not abandon any other interest other than that described in **Exhibit "A"**, but does hereby abandon all of its right, title and interest in and to that certain Easement described in **Exhibit "A"**, together with any and all improvements thereon.

**SECTION 4.**

That upon passage hereof, the City Secretary is authorized and directed to prepare a certified copy of this ordinance and furnish the same to The Economic Development Foundation of the City of Corinth, and the recording of this abandonment ordinance in the real property records of Denton County, Texas shall serve as the quitclaim deed of the City of Corinth, Texas to The Economic Development Foundation of the City of Corinth of all right, title, or interest of the City of Corinth in and to the Easement described in **Exhibit "A"**. The City Manager is further authorized to execute any additional documents necessary to effect the abandonment of the Easement.

**SECTION 5.**

As a condition of this abandonment and as a part of the consideration for the quitclaim to Grantee herein, Grantee agrees to indemnify, defend, release and hold the City of Corinth whole and harmless against any and all claims for damages, costs or expenses to persons or property that may arise out of or be occasioned by or from, the abandonment, closing, vacation, and quitclaim by the City of Corinth of the Easement described in **Exhibit "A"** and the Grantee hereby agrees to defend any and all suits, claims, or causes, of action brought against the City on account of the same, and to discharge any judgment or judgments that may be rendered against the City of Corinth in connection therewith.

**SECTION 6.**

This Ordinance shall take effect from and after its adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS** on this 6<sup>th</sup> day of April, 2023.  
2023.

**APPROVED:**

DocuSigned by:  
*Bill Heidemann*  
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Bill Heidemann, Mayor

**ATTEST:**

DocuSigned by:  
*Lana Wylie*  
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Lana Wylie, City Secretary



**APPROVED AS TO FORM:**

DocuSigned by:  
*Patricia Adams*  
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Patricia A. Adams, City Attorney

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**EXHIBIT "A"**

