

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, CLOSING AND VACATING THE RIGHT-OF-WAY IN THE PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE REVERSION OF THE FEE IN SAID LAND; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

WHEREAS, the right-of-way to be abandoned has never been used or maintained by the City of Lewisville or any other public utility within said city; and

WHEREAS, it has been determined that there will be no future need for a right-of-way in the hereinafter-described property;

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

SECTION I.

That the right-of-way described in the attached Exhibit "A" be and the same is hereby extinguished, vacated, closed and permanently abandoned as a right-of-way for Railroad Street.

SECTION II.

That the fee to the land described in the attached Exhibit "A" is hereby released and will revert to the owners as provided by law, and the City Manager is hereby authorized to sign all instruments necessary to properly convey same.

SECTION III.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

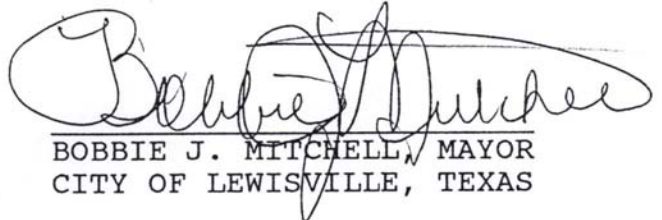
SECTION IV.

That this Ordinance shall take effect and be in full force and effect from and after the date of its passage.

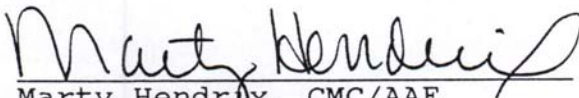
SECTION V.

It being for the public welfare that this Ordinance be passed and that the City has no need for such right-of-way, creates an emergency and public necessity, and the rule requiring this Ordinance be read on three (3) separate occasions be, and the same is hereby waived, and this Ordinance shall now be placed on its third and final reading for its passage, and shall be in full force and effect from and after its passage and approval.

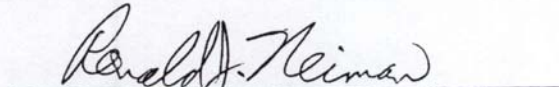
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 20TH DAY OF FEBRUARY, 1995.


BOBBIE J. MITCHELL, MAYOR
CITY OF LEWISVILLE, TEXAS

ATTEST:


Marty Hendrix, CMC/AAE
City Secretary

APPROVED AS TO FORM:


Ronald J. Weiman
City Attorney

Railroad Street South of Main Street

**BEING OUT OF THE A.G KING SURVEY, ABSTRACT NO.
698, DENTON COUNTY, TEXAS, AND BEING A PART OF
KEALY'S ADDITION, AS RECORDED IN CABINET A,
PAGE 175, PLAT RECORDS, DENTON COUNTY, TEXAS.**


BEGINNING at a point on the south line of Main street (80' Wide), said point being the northwest corner of Lot 1, Block 21, said Kealy's addition, from which a found 1/2" iron rod bears S 89° 54' 54" E 193.32' for the northeast corner of Lot 4, Block 21;

THENCE S 00° 06' 55" W, along the east line of railroad street and the west line of said Lot 1, and Lot 6, Block 21, 209.61' to a point for the southwest corner of said Lot 6;

THENCE N 89° 21' 18" W, along the South line of said Railroad Street and the south line of said Kealy's addition 66.00' to a point for the southeast corner of Lot 7, Block 20 of said kealy's Addition;

THENCE N 00° 06' 55" E, along the east line of said Lot 7, and Lot 6, Block 20, and the west line of said Railroad Street 208.97' to a point for the northeast corner of said Lot 6;

THENCE S 89° 54' 54" E, along the south line of Said Main Street 66.00' to the point of Beginning and containing 0.32 acre of land.



ARTHUR DEAN HODDE
R.P.L.S. NO. 4260
TEXAS NATIONAL SURVEYING
P.O. BOX 293254
LEWISVILLE TX. 75029
PH: 214-539-7676





DRAWN BY:	PROJECT	SHT. NAME	SHT. NO.
DATE: 02/06/95 at 13:28	PORTION OF RAILROAD	STREET ABANDONMENT	1
DWG. NO.: D:\DATA\15139502	STREET (CALLED 66'-	SURVEY, KEALY ADD.,	OF
APPROVED BY:	WIDE), SOUTH OF MAIN	CITY OF LEWISVILLE,	1
	STREET (CALLED 80'	DENTON COUNTY, TEXAS.	
	WIDE)		

MEMORANDUM

TO: Mayor Bobbie Mitchell
Dep. Mayor Pro Tem Gene Carey
Councilman Michael Metzger
Mayor Pro Tem Cynthia White
Councilman Rudy Durham
Councilwoman Ronni Cade

FROM: Jimmy Leach, Community Development Director *CL*

DATE: February 9, 1995

SUBJECT: Railroad Street Abandonment

Background:

When the Kealy Addition was originally platted, right-of-way for a street called the Railroad Street was granted west of the existing Railroad Street. The street shown on the plat was not built. Many years ago the city relinquished its right to use the right-of-way by deeding it to the adjacent property owners but never formally abandoned the right-of-way.

Analysis:

The right-of-way is now the parking lot for the CCA "A frame apartments", which has been in private ownership for many years. Since private ownership has been in effect for these particular tracts, reimbursement for right-of-way outlined in the abandonment policy does not apply. CCA is now requesting formal abandonment for clear title purposes.

Recommendation: That the City Council approve the abandonment ordinance.

Texas National Surveying Co.

3300 Long Prairie Road
Flower Mound, Texas 75028
(214) 539-7676
724-1323 - metro

JANUARY 31, 1995

HONORABLE MAYOR
BOBBIE J. MITCHELL
P.O. BOX 299002
CITY OF LEWISVILLE 75029-9002

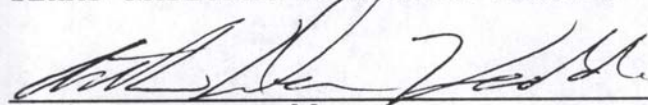
Re: ABANDONMENT OF RAILROAD STREET SOUTH
OF MAIN STREET

Dear Mr. MITCHELL:

The results of an on the ground survey of the area in question, has shown that Railroad Street appears to have been abandoned in fact for quite sometime, there are deeds of record that take in all of said street. However we can find no record of a formal abandonment of said portion of Railroad Street to date. The ownership adjacent to said street on the east and west sides is now common (Christian Community Action).

We formally request an abandonment of this portion of Railroad Street at this time in order to clear up any future development and ownership problems.

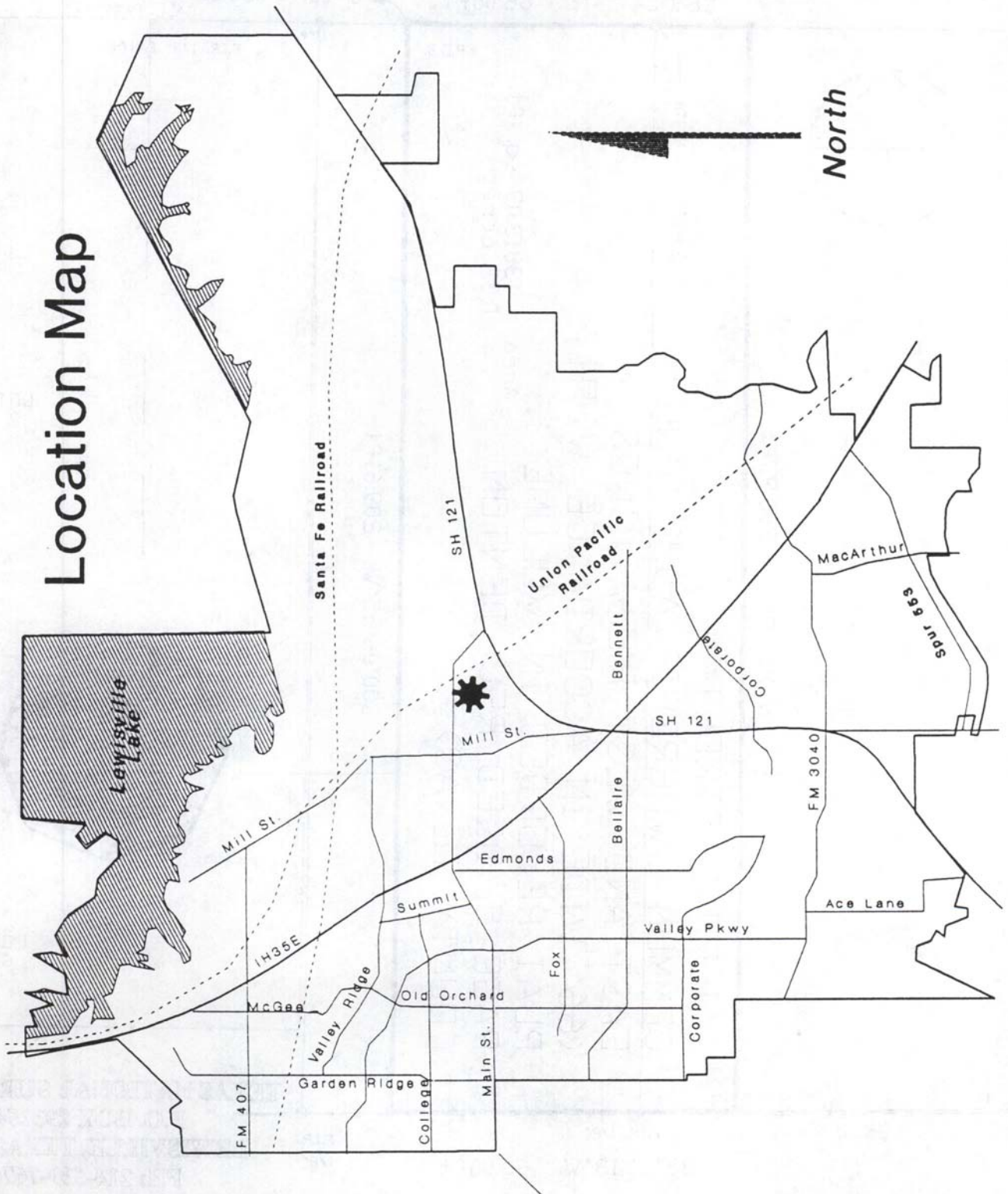
TEXAS NATIONAL SURVEYING COMPANY



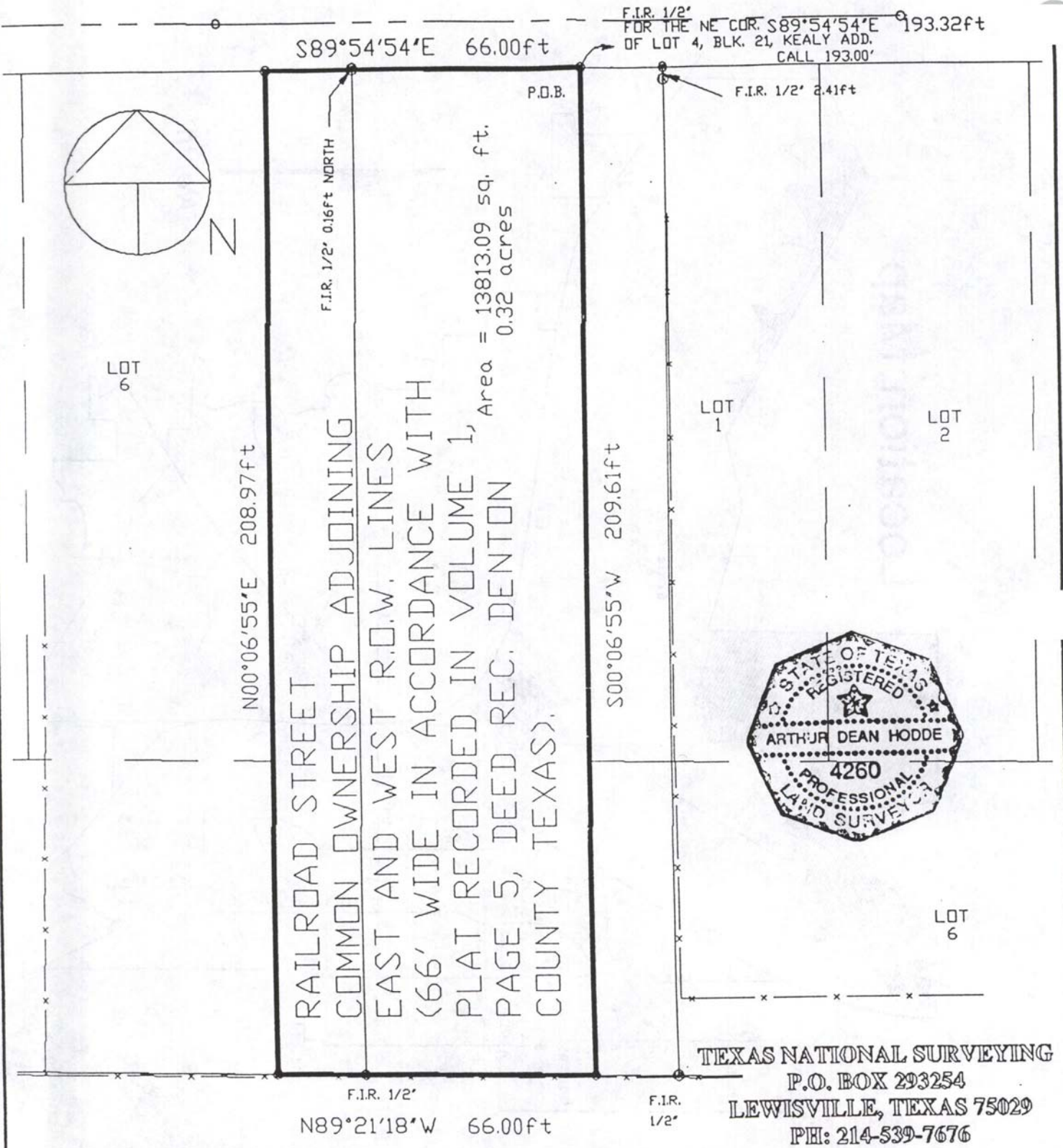
Arthur Dean Hodde
Registered Professional Land Surveyor No. 4260

/lr
encl.

Location Map



MAIN STREET



DRAWN BY:	PROJECT	SHT. NAME	SHT. NO
DATE: 02/06/95 at 13:28	PORTION OF RAILROAD STREET (CALLED 66'-WIDE), SOUTH OF MAIN STREET (CALLED 80' WIDE).	STREET ABANDONMENT SURVEY, KEALY ADD., CITY OF LEWISVILLE, DENTON COUNTY, TEXAS.	1
DWG. NO.: D:\DATA\15139502			OF
APPROVED BY:			1

ORDINANCE NO. _____

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ORDINANCE NO. _____

PAGE 2

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DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF _____ TO _____, ON THIS THE _____ DAY OF _____, 1995.

BOBBIE J. MITCHELL, MAYOR
CITY OF LEWISVILLE, TEXAS

ATTEST:

Marty Hendrix, CMC/AAE
City Secretary

APPROVED AS TO FORM:

Ronald J. Neiman
City Attorney

Railroad Street South of Main Street

BEING OUT OF THE A.G KING SURVEY, ABSTRACT NO. 698, DENTON COUNTY, TEXAS, AND BEING A PART OF KEALY'S ADDITION, AS RECORDED IN CABINET A, PAGE 175, PLAT RECORDS, DENTON COUNTY, TEXAS.

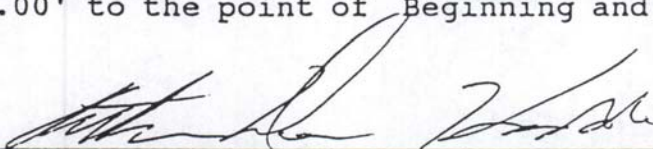
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