

ORDINANCE NO. 271-90

AN ORDINANCE ABANDONING THE WATER WELL SITE ON LOT NO. 9, BLOCK NO. 1, WILLOW SPRINGS ADDITION TO THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS, AND FURTHER ABANDONING THE ROADWAY EASEMENT TRAVERSING ALONG THE SOUTHERN BOUNDARY OF LOTS 10 AND 12 AND THE NORTHERN BOUNDARY OF LOT 9 OF BLOCK 1, WILLOW SPRINGS ADDITION TO THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS; FURTHER ABANDONING THE 150 RADIUS SANITARY EASEMENT CENTERED IN THE WATER WELL SITE AND PERMEATING AND TRAVERSING UPON LOTS 8, 9, 10, 12 AND 13 OF BLOCK 1, WILLOW SPRINGS ADDITION TO THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS, BUT RETAINING THE UTILITY EASEMENT THAT IS SITUATED ALONG THE NORTH LINE OF LOT 9 AND THROUGH THE ABANDONED WATER WELL EASEMENT A DISTANCE OF 10 FEET AS WELL AS THE UTILITY EASEMENT ALONG THE SOUTH LINES OF LOTS 12 AND 10 OF BLOCK 1, WILLOW SPRINGS ADDITION TO THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS; DECLARING NO CONTINUING NEED FOR SUCH EASEMENTS AND PROPERTIES ABANDONED, BUT EXPRESSING A NEED TO CONTINUE THE UTILITY EASEMENT AS PREVIOUSLY DEDICATED AND AS THE SAME WOULD GO IN A STRAIGHT LINE ACROSS THE ABANDONED WELL LOCATION A DISTANCE OF 10 FEET SOUTH FROM THE NORTH PROPERTY LINE; DECREERING THAT SUCH ABANDONMENT OF THE EASEMENTS DESCRIBED ABOVE ARE IN FAVOR OF THE RECORD OWNER OF EACH SUCH LOT UPON WHICH THE ABANDONED EASEMENT NOW RESTS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR PASSAGE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

I.

There is attached hereto and incorporated by reference as fully as though copied verbatim herein the survey of Brent A. Mizell, a registered public surveyor, dated September 23, 1985, as recorded in Volume 362-A, Page 23 of the Plat Records of Parker County, Texas. Such Exhibit so incorporated is referred to as Exhibit "A".

II.

The sanitary easement having a radius of 150 feet as shown on Exhibit "A" is hereby abandoned in favor of the record title owners of Lots 8, 9, 10, 12 and 13 of Block 1, Willow Springs Addition to the City of Willow Park, Parker County, Texas.

III.

The roadway easement 20 feet in width, 10 feet of which is located on Lot 9 and 10 feet of which is located on Lots 10 and 12, of Block 1 of Willow Springs Addition to the City of Willow Park, Parker County, Texas, is hereby abandoned in favor of the record title owners described.

IV.

The water well site currently shown on Exhibit "A" and located entirely upon Lot 9 of Block 1 is hereby abandoned in favor of the record owner of title of Lot 9, Block 1, Willow Springs Addition to the City of Willow Park, Parker County, Texas, except that a utility easement 10 feet in width is retained contiguous to the north line of Lot 9 and across the abandoned well location site 50 x 50 that is hereby abandoned. It being the purpose and intent to abandon the 50 x 50 well site location but retain along the north perimeter of such well location an easement 10 feet in width contiguous and parallel to the north line of Lot 9 across the well location generally in an east to west direction.

V.

The utility easement 20 feet in width beginning at the intersection of Kingswood Road and proceeding westward with 10 feet located on either side of the property lines between Lots 10, 9 and 12 shall be reduced to a 10 foot utility easement with 5 feet of the same being located on either side of the property line between Lots 12 and 9 and shall be in all things continued and decreed to be necessary for the providing of public services by the City of Willow Park. This utility easement last described shall be continued and held by the City of Willow Park to its point of intersection with the utility easement running generally north and south along the rear of Lots 12 and 9 of Willow Springs Addition to the City of Willow Park, Parker County, Texas.

VI.

The City Council, after investigation, determines that the easements and properties abandoned hereby shall pass to and vest in the record owner of title of such properties upon which such easements and water well site currently exist.

VII.

The council further finds that there exists no public need for continuation of the easements hereby abandoned and to retain the same would constitute a charge upon the public money without corresponding benefit to the citizens and inhabitants of Willow Park, Texas

VIII.

The Council further finds, however, that the retention of the utility easement on Lots 9, 10 and 12 is essential as currently depicted on Exhibit "A" and as extended through the old well location site on Lot 9.

IX.

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

This Ordinance shall be effective from and after its passage and publication as required by law.

PASSED AND ADOPTED this 20th day of March, 1990.

APPROVED:

G. L. Prickett Mayor Pro-Tem
MARK BUMPAS, MAYOR

ATTEST:

Aref Hassan
AREF HASSAN, CITY SECRETARY