

CITY OF WILLOW PARK

ORDINANCE NO. 559-07

AN ORDINANCE ABANDONING THAT CERTAIN 60-FOOT RIGHT-OF-WAY EASEMENT WITHIN BLOCK 12, LOT A BLOCK 13, BLOCK 14 & BLOCK 15 EL CHICO ADDITION; PROVIDING FOR THE TERMS AND CONDITIONS OF ABANDONMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the owners of Block 12 (Richard & Nancy Shields), Lot A Block 13 (James & Leigh Hutsell), Block 14 (R. Kent & Denna Sears), and Block 15 (James & Ruby Simons) El Chico addition petitioned the City of Willow Park to vacate, abandon, relinquish the 60-foot right-of-way easement within Block 12, Lot A, Block 13, Block 14, & Block 15 El Chico Addition;

WHEREAS, the City desires to abandon, vacate and relinquish all of its right, title and interest in and to that certain portion of 60-foot right-of-way easement within Block 12, Lot A Block 13, Block 14, and Block 15 El Chico Addition, located within the corporate limits of the City, described in Exhibit "A: and depicted on Exhibit "B", which are attached hereto and incorporated herein by reference and; and

WHEREAS, the 60-foot right-of-way easement described in Exhibit "A" and depicted in Exhibit "B" attached hereto is located within the corporate limits of the City and is not needed for current or future use and the same should be abandoned, vacated and relinquished;

WHEREAS, the City Council of the City of Willow Park is of the opinion that the best interest and welfare of the public would be served by abandoning and vacating the 60-foot right-of-way easement shown in Exhibit A in exchange for and in consideration of the conveyance of the sanitary easement shown in Exhibit B to the City;

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

SECTION 1. AUTHORITY

The Mayor, or his designee, is hereby authorized and directed to implement the applicable provisions of this ordinance.

SECTION 2. ABANDONMENT

The 60-foot right-of-way easement or the right, title and interest of the City to that certain portion of such easement, described in Exhibit "A: and depicted on Exhibit "B", attached hereto and made a part hereof, that lies within the corporate limits of the City is hereby vacated, abandoned, and relinquished.

SECTION 3. RECORDING

The City Secretary of the City of Willow Park is instructed to file a copy of this Ordinance reflecting the abandonment, vacation and relinquishment authorized by this Ordinance with the Real Property Records of the City of Willow Park and the Real Property Records of Parker County, Texas.

SECTION 4. RESTRICTIONS

The abandonment provided for herein is made subject to all present zoning and deed restrictions and is subject to all pre-existing rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 5. TITLE

The abandonment provided for herein shall extend only to that public right, title, easement and interest and shall be construed only to the extent of that interest which the governing body of the City of Willow Park may legally and lawfully abandon and vacate.

SECTION 6. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be effective on or after its adoption.

PASSED AND ADOPTED this 20th day of March, 2007.

/s/ Brad Johnson
Mayor

ATTEST:

/s/ Candice J. Scott
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ Ashley Stewart
City Attorney

The Willow Park City Council in acting on Ordinance No. 559-07, did on the 20th day of March 2007 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Brad Johnson, Mayor	_____	_____
Barry Tatum, Place 1	_____✓	_____
Teresa Welch, Place 2	_____✓	_____
Hale Alderman, Place 3	_____✓	_____
Ken Hawkins, Place 4	_____✓	_____
Marvin Glasgow, Place 5	_____✓	_____



EXHIBIT B