

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE PARTIAL ABANDONMENT OF A 15-FOOT-WIDE DRAINAGE EASEMENT LOCATED AT TOWN EAST MALL TO ACCOMMODATE THE CONSTRUCTION OF A PROPOSED RETAIL DEVELOPMENT; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, a representative of General Growth Properties requested partial abandonment of a 15-foot-wide drainage easement located at Town East Mall which was originally dedicated by plat in 2012; and

WHEREAS, the easement is exclusively a City drainage easement with no other franchised utilities having authority to occupy the easement; and

WHEREAS, 1519 Surveying, LLC, prepared the necessary survey and legal description for the portion of the easement to be abandoned.

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

SECTION 1. That the partial abandonment of a 15-foot-wide drainage easement located at Town East Mall, said easement more fully described in Exhibits “A” and “B” attached hereto and included herein for all purposes, is hereby abandoned.

SECTION 2. That the abandonment provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Mesquite may legally and lawfully abandon and vacate.

SECTION 3. That the abandonment provided for herein is made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 4. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 6. That the orderly development of the City of Mesquite requires the release and abandonment of the utility easement described herein, creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this

ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 3rd day of January, 2017.

Stan Pickett
Mayor

ATTEST:

APPROVED:

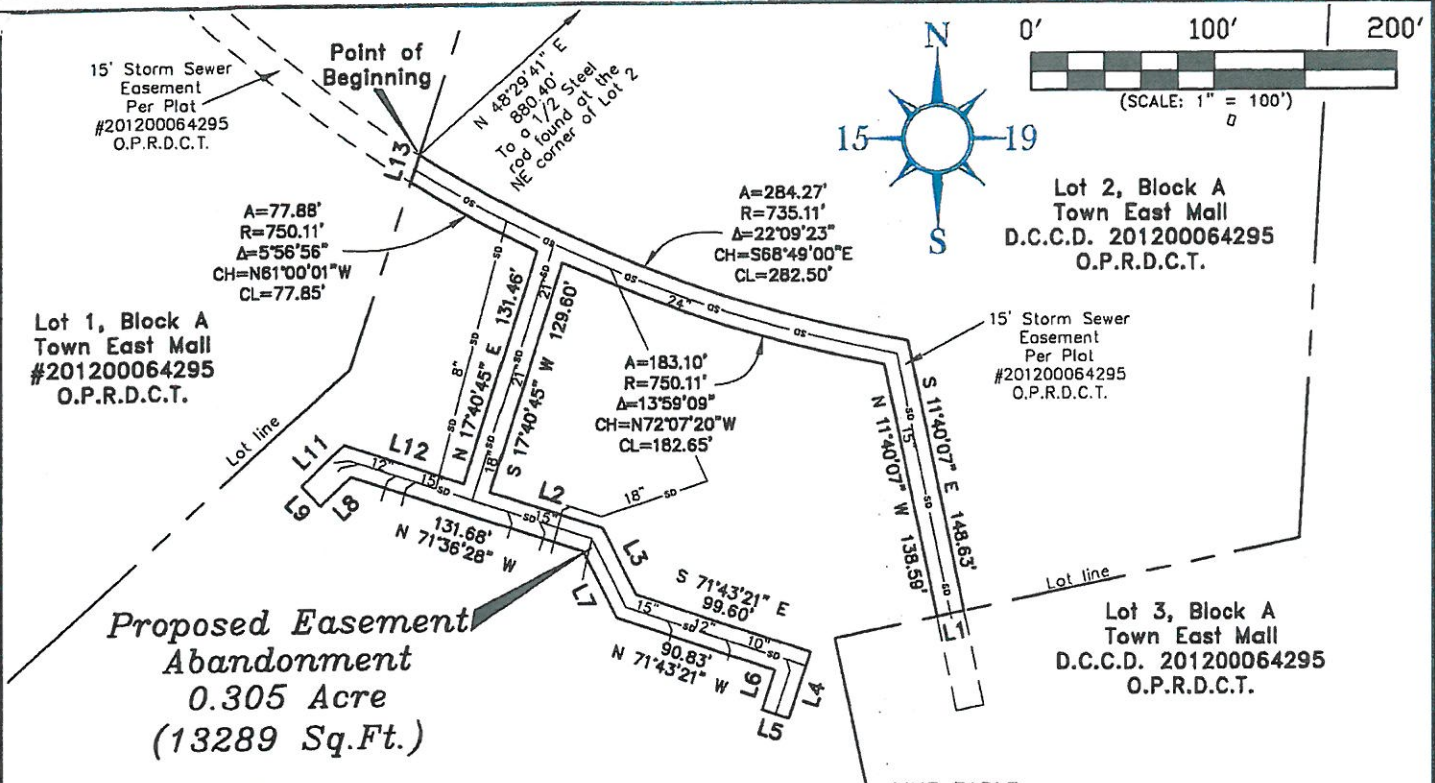
Sonja Land
City Secretary



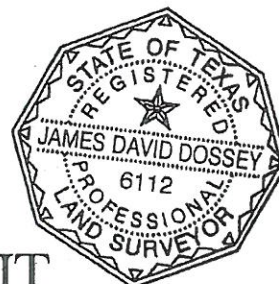
B. J. Smith
City Attorney

EXHIBIT "A"

Proposed Easement Abandonment



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 78°10'27" W	15.00'
L2	S 71°36'28" E	63.90'
L3	S 26°36'28" E	40.02'
L4	S 18°16'39" W	37.48'
L5	N 71°43'21" W	15.00'
L6	N 18°16'39" E	22.48'
L7	N 26°36'28" W	40.03'
L8	S 46°39'10" W	22.84'
L9	N 43°20'50" W	15.00'
L11	N 46°39'10" E	31.80'
L12	S 71°36'28" E	67.96'
L13	N 18°10'27" E	15.46'



EASEMENT EXHIBIT

FOR A PROPOSED 0.305 ACRE EASEMENT ABANDONMENT IN LOT 2, BLOCK A OF THE TOWN EAST MALL ADDITION AS SHOWN ON THE PLAT RECORDED IN DALLAS COUNTY CLERK'S DOCUMENT 201200064295 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.
See Sheet 2 for easement description, attached hereto and made a part hereof.

EASEMENT EXHIBIT
FOR A PROPOSED 0.305 ACRE EASEMENT ABANDONMENT IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS

1519 Job No.: 37839
Sheet 1 of 2
Property Address:
Town East Mall
Mesquite, Texas

Drawn By: BJ
Reviewed By: JDD
Prepared For:
Collins Engineers

1519 Surveying, LLC

5054 Franklin Avenue Suite A Waco, TX 76710 Ph: 254-776-1519 TRPLS Firm- 10193968
www.1519llc.com

EXHIBIT "B"

Legal Description

Proposed 15-Foot Wide Easement Abandonment

LEGAL DESCRIPTION
PROPOSED 15' WIDE EASEMENT ABANDONMENT

STATE OF TEXAS
COUNTY OF DALLAS

BEING a 15' wide proposed storm drain easement abandonment, being part of Lot 2, Block A of the Town East Mall Addition as shown on the plat recorded in Dallas County Clerk's Document 201200064295 of the Official Public Records of Dallas County, Texas and being further described as follows:

BEGINNING at a point on the West line of said Lot 2 and on the North line of an existing storm drain easement as shown on said plat, a curve to the left, from which a 1/2 inch steel rod found for the Northeast corner of said Lot 2 bears North 48 degrees 29 minutes 41 seconds East, 880.40 feet for reference;

THENCE along said easement the following two courses and distances:

1. Southeasterly, 284.27 feet along said curve to the left having a radius of 735.11 feet and a central angle of 22 degrees 09 minutes 23 seconds (Chord bears South 68 degrees 49 minutes 00 seconds East, 282.50 feet) and;
2. South 11 degrees 40 minutes 07 seconds East, 148.63 feet to a point on a Southeast line of said Lot 2;

THENCE South 78 degrees 10 minutes 27 seconds West, 15.00 feet along a Southeast line of said Lot 2 to a point;

THENCE along the lines of said existing easement the following nineteen courses and distances:

1. North 11 degrees 40 minutes 07 seconds West, 188.59 feet to a point;
2. Northwesterly, 183.10 feet along said curve to the right having a radius of 750.11 feet and a central angle of 13 degrees 59 minutes 09 seconds (Chord bears North 72 degrees 07 minutes 20 seconds West, 182.65 feet), to a point;
3. South 17 degrees 40 minutes 45 seconds West, 129.60 feet to a point;
4. South 71 degrees 36 minutes 28 seconds East, 63.90 feet to a point;
5. South 26 degrees 36 minutes 28 seconds East, 40.02 feet to a point;
6. South 71 degrees 43 minutes 21 seconds East, 99.60 feet to a point;
7. South 18 degrees 16 minutes 39 seconds West, 37.48 feet to a point;
8. North 71 degrees 43 minutes 21 seconds West, 15.00 feet to a point;
9. North 18 degrees 16 minutes 39 seconds East, 22.48 feet to a point;
10. North 71 degrees 43 minutes 21 seconds West, 90.83 feet to a point;
11. North 26 degrees 36 minutes 28 seconds West, 40.03 feet to a point;
12. North 71 degrees 36 minutes 28 seconds West, 131.68 feet to a point;
13. South 46 degrees 39 minutes 10 seconds West, 22.84 feet to a point;
14. North 43 degrees 20 minutes 50 seconds West, 15.00 feet to a point;
15. North 46 degrees 39 minutes 10 seconds East, 31.80 feet to a point;
16. South 71 degrees 36 minutes 28 seconds East, 67.96 feet to a point;
17. North 17 degrees 40 minutes 45 seconds East, 131.46 feet to a point on a curve to the right;
18. Northwesterly, 77.88 feet along said curve to the right having a radius of 750.11 feet and a central angle of 05 degrees 56 minutes 56 seconds (Chord bears North 61 degrees 00 minutes 01 seconds West, 77.85 feet) to a point on the West line of said Lot 2;
19. North 18 degrees 10 minutes 27 seconds East, 15.46 feet along the West line of said Lot 2 to the Point of Beginning, containing 0.305 acres of land.

Bearings based on Grid North, State Plane Coordinate System, NAD83, Texas North Central Zone 4202.

See Sheet 1, for an easement exhibit attached hereto and made a part hereof.

LEGAL DESCRIPTION
PROPOSED
15' WIDE EASEMENT ABANDONMENT
IN LOT 2, BLOCK A, TOWN EAST MALL
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

1519 Job No.: 37339
Sheet 2 of 2
Property Address:
Town East Mall
Mesquite, Texas

Drawn By: BJ
Reviewed By: JDD
Prepared For:
Collins Engineers

1519 Surveying, LLC

3054 Franklin Avenue Suite A Waco, TX 76710 Ph: 254-776-1519 TBPUS Firm# 10193968

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