

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE ABANDONMENT OF RIGHT-OF-WAY OF RIPPLEWOOD DRIVE AND AUTUMN WOOD DRIVE AND 15-FOOT-WIDE UTILITY EASEMENTS LOCATED ON A VACANT TRACT OF LAND TO THE WEST OF LAWSON ROAD AND SOUTH OF McKENZIE ROAD, OTHERWISE KNOWN AS WOODLAND PARK ADDITION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a representative of the Tynes family requested the abandonment of right-of-way (ROW) of Ripplewood Drive and Autumn Wood Drive and 15-foot-wide utility easements located on a vacant tract of land to the west of Lawson Road and south of McKenzie Road, otherwise known as Woodland Park Addition; and

WHEREAS, Dallas County land records indicate that the subject easements were dedicated by plat in 1973 for the planned construction of a subdivision; and

WHEREAS, the subdivision was partially constructed and the subject ROW and utility easements contain no active franchise or city utilities; and

WHEREAS, Lingle Engineering obtained confirmation letters from the four franchise utility companies (ONCOR Electric Delivery, Atmos Energy, AT&T and Spectrum), indicating they have no facilities in the subject easements and no objection to the abandonment; and

WHEREAS, Lingle Engineering had the necessary survey and legal description prepared for the easements to be abandoned.

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

SECTION 1. That the abandonment of ROW of Ripplewood Drive and Autumn Wood Drive and 15-foot-wide utility easements located on a vacant tract of land to the west of Lawson Road and south of McKenzie Road, said easements more fully described in Exhibit "A," attached hereto and included herein for all purposes, are 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 are 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 ordinance shall be effective on and after its date of passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of February, 2018.

Stan Pickett
Mayor

ATTEST:

APPROVED:



Sonja Land
City Secretary

B. J. Smith
City Attorney

EXHIBIT “A”

ROW and Easements Abandonments

EASEMENT ABANDONEMENT (3,368 S.F.)
CITY OF MESQUITE
DALLAS COUNTY, TEXAS

BEING a 0.077 acre tract of land situated in the J. P. Anderson Survey, Abstract No. 1, Dallas County, Texas, and being a portion of Lots 18-25 Block F of Revised Woodland Park recorded in Volume 73077 Page 1106 Deed Records of Dallas County Texas (DRDCT), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the southwest right-of-way line of McKenzie Road (variable width right-of -way) and the northeast line of said addition which bears North 45°02'53" West, a distance of 266.50 feet from a concrete TXDOT Monument found at the intersection of the southwest line of said McKenzie Road with the north right-of-way line of Interstate Highway 20, said beginning point also being in the northeast line of Lot 22 Block F of said addition and the southeast line of a 15' wide easement as shown on said plat from which the most northern corner of said Lot 22 bears North 45°02'53" West, a distance of 7.50 feet;

THENCE South 44°54'35" West, along the southeast line of said easement and through lots 22-25, respectively, a distance of 217.02 feet to 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the north line of said Interstate Highway 20;

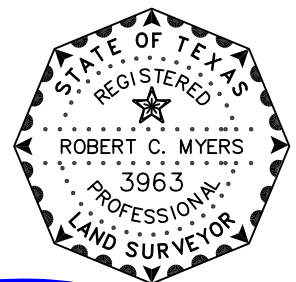
THENCE South 89°51'40" West, with the north line of said Highway a distance of 21.23 feet to a 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the northwest line of said easement;

THENCE North 44°54'35" East, along the northwest line of said easement and through Lots 18-21, Block F, respectively, a distance of 232.06 feet to 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the southwest line of said McKenzie Road and northeast line of said addition;

THENCE South 45°02'53" East, along last mentioned common line, a distance of 15.00 feet to the **PLACE OF BEGINNING** and containing 3,368 square feet or 0.077 acres of land.

NOTES:

1. Bearings are based on deed line South 89 deg. 51 min. 40 sec. West as called out in Parcel 11 per Quit Claim Deed to Jenene M. Tynes Family et al, recorded as document number 201500343116, Deed Records, Dallas County, Texas. All references to deed calls are from the descriptions on this deed. All references to plat calls are from plat referenced in Note #3.
2. This survey was conducted without the benefit of an abstractor or a title commitment; therefore no search of record easements was performed on subject property.
3. (PP) indicates building lines, easements, right-of-ways, dimensions, etc. are per Woodland Park Additon, Revised, an addition to the City of Dallas, Dallas County, Texas, recorded in Volume 73077, Page 1106, Map Records, Dallas County, Texas.




ROBERT C. MYERS R.P.L.S. NO. 3963

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SCALE
1"=50'

DATE
01/24/18

SHEET NUMBER
1 OF 2

JOB NUMBER
392B

ROW ABANDONEMENT (5184 S.F.)
RIPPLEWOOD DRIVE, CITY OF MESQUITE
DALLAS COUNTY, TEXAS

BEING a 0.119 acre tract of land situated in the J. P. Anderson Survey, Abstract No. 1, Dallas County, Texas, and being a portion of Ripplewood Drive as originally dedicated by plat of Revised Woodland Park recorded in Volume 73077 Page 1106 Deed Records of Dallas County Texas (DRDCT), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the southwest right-of-way line of McKenzie Road (variable width right-of -way) and the northeast line of said addition which bears North 45°02'53" West, a distance of 103.90 feet from a concrete TXDOT Monument found at the intersection of the southwest line of said McKenzie Road with the north right-of-way line of Interstate Highway 20, said beginning point also being the most northern corner of Lot 21 Block G of said addition and in the southeast right-of-way line of Ripplewood Drive as dedicated;

THENCE South 44°54'35" West, along the southeast line of said Ripplewood Drive and the northwest lines of said lots 21 and 20, respectively, a distance of 83.58 feet to 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the north line of said Interstate Highway 20;

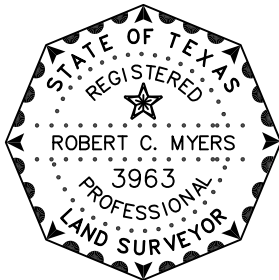
THENCE North 83°52'43" West, with the north line of said Highway a distance of 64.15 feet to a 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the northwest right-of-way line of said Ripplewood Drive common to the southeast line of Lot 23 Block F;

THENCE North 44°54'35" East, along the southeast line of said Lots 23 and 22, Block F, respectively, common to the northwest right-of-way line of said Ripplewood Drive, a distance of 123.80 feet to 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the southwest line of said McKenzie Road and northeast line of said addition;

THENCE South 45°02'53" East, along last mentioned common line, a distance of 50.00 feet to the **PLACE OF BEGINNING** and containing 5,184 square feet or 0.119 acres of land.

NOTES:

1. Bearings are based on deed line South 89 deg. 51 min. 40 sec. West as called out in Parcel 11 per Quit Claim Deed to Jenene M. Tynes Family et al, recorded as document number 201500343116, Deed Records, Dallas County, Texas. All references to deed calls are from the descriptions on this deed. All references to plat calls are from plat referenced in Note #3.
2. This survey was conducted without the benefit of an abstractor or a title commitment; therefore no search of record easements was performed on subject property.
3. (PP) indicates building lines, easements, right-of-ways, dimensions, etc. are per Woodland Park Addition, Revised, an addition to the City of Dallas, Dallas County, Texas, recorded in Volume 73077, Page 1106, Map Records, Dallas County, Texas.




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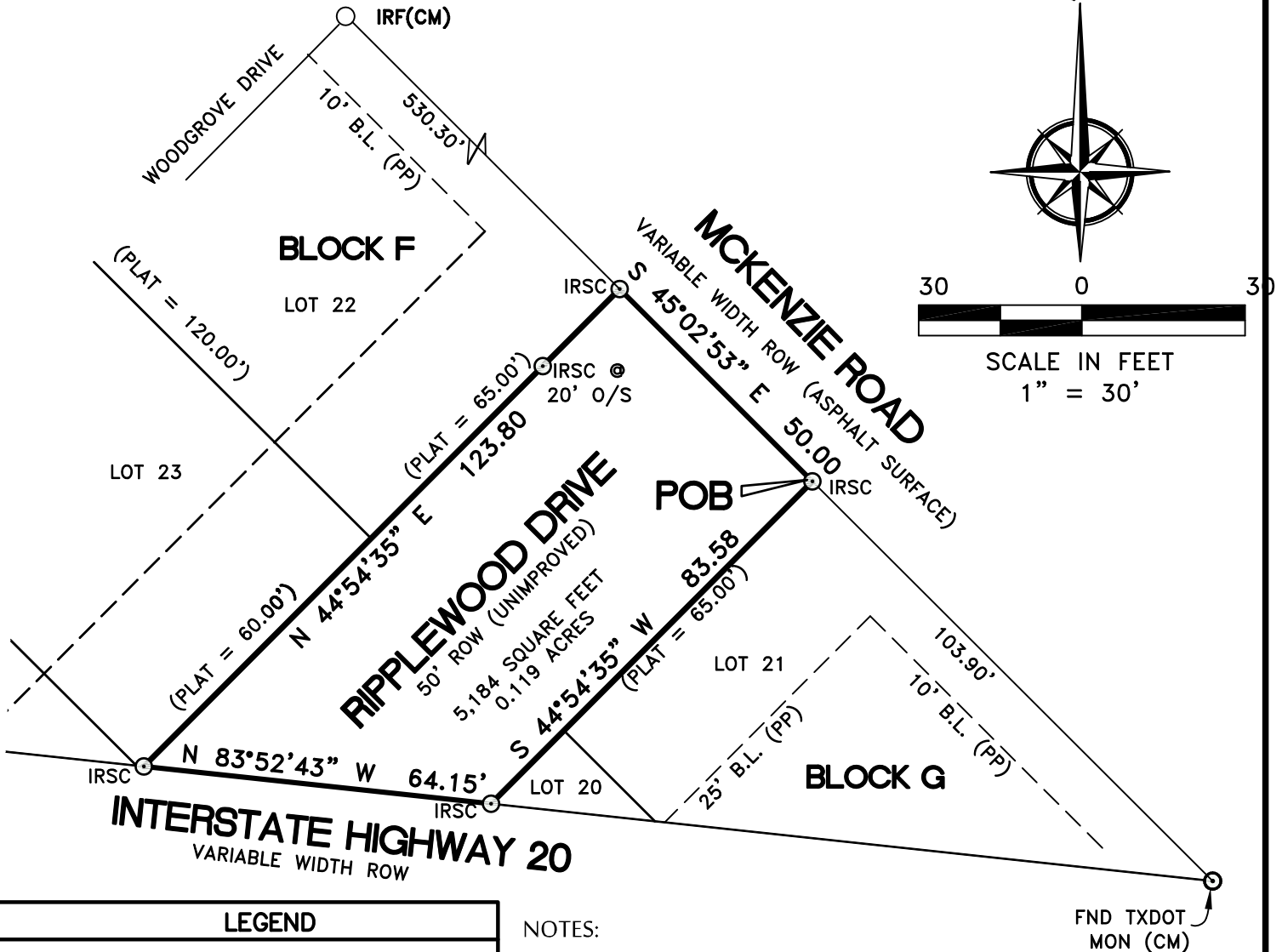
SCALE
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ROW ABANDONEMENT (5184 S.F.)
 RIPPLEWOOD DRIVE, CITY OF MESQUITE
 DALLAS COUNTY, TEXAS

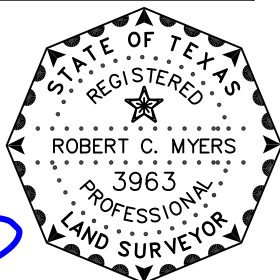


LEGEND

IRFC	1/2" IRON ROD FOUND WITH CAP
IRF	1/2" IRON ROD FOUND
IRSC	5/8" IRON ROD WITH CAP STAMPED "RPLS 3963" SET
CM	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
(D.R.R.C.T.)	DEED RECORDS, DALLAS COUNTY, TEXAS
(P.R.R.C.T.)	PLAT RECORDS, DALLAS COUNTY, TEXAS

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ROW ABANDONEMENT (18,500 S.F.)
AUTUMN WOOD DRIVE, CITY OF MESQUITE
DALLAS COUNTY, TEXAS

BEING a 0.425 acre tract of land situated in the J. P. Anderson Survey, Abstract No. 1, Dallas County, Texas, and being a portion of Autumn Wood Drive as originally dedicated by plat of Revised Woodland Park recorded in Volume 73077 Page 1106 Deed Records of Dallas County Texas (DRDCT), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the southwest right-of-way line of McKenzie Road (variable width right-of -way) and the northeast line of said addition which bears North 45°02'53" West, a distance of 394.10 feet from a concrete TXDOT Monument found at the intersection of the southwest line of said McKenzie Road with the north right-of-way line of Interstate Highway 20, said beginning point also being the most northern corner of Lot 21 Block F of said addition and in the southeast right-of-way line of Autumn Wood Drive as dedicated.

THENCE South 44°54'35" West, along the southeast line of said Autumn Wood Drive and the northwest lines of said lots 21-16, respectively, a distance of 344.93 feet to 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the north line of said Interstate Highway 20;

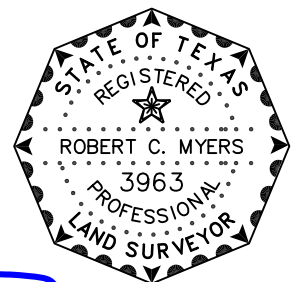
THENCE South 89°51'40" West, with the north line of said Highway a distance of 70.77 feet to a 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the northwest right-of-way line of said Autumn Wood Drive common to the southeast line of Lot 28 Block E;

THENCE North 44°54'35" East, along the southeast line of said Lots 28-22, Block E, respectively, common to the northwest right-of-way line of said Autumn Wood Drive, a distance of 395.06 feet to 5/8" iron rod with a yellow cap stamped " RPLS 3963" set for corner in the southwest line of said McKenzie Road and northeast line of said addition;

THENCE South 45°02'53" East, along last mentioned common line, a distance of 50.00 feet to the **PLACE OF BEGINNING** and containing 18,500 square feet or 0.425 acres of land.

NOTES:

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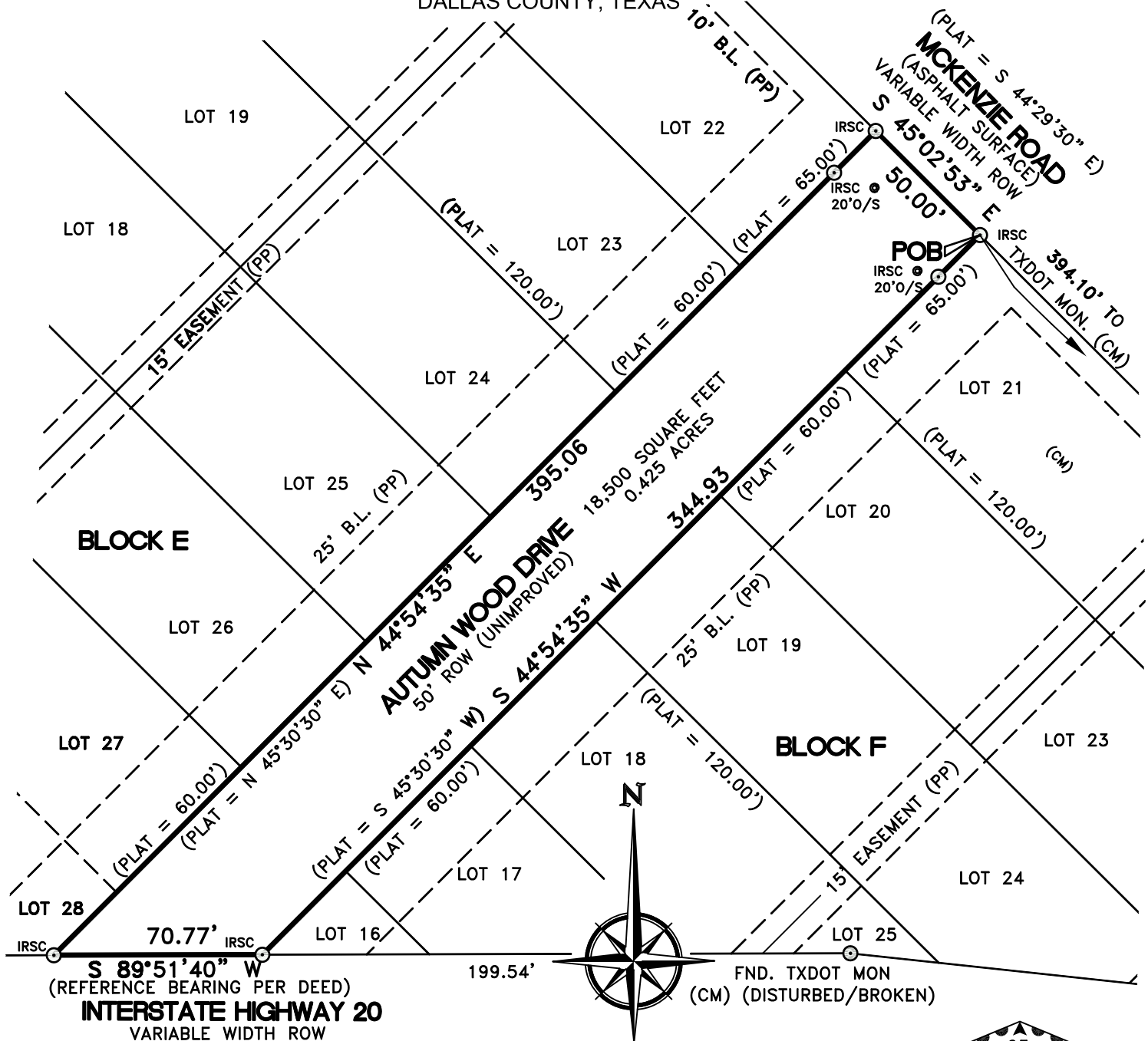
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ROW ABANDONEMENT (18,500 S.F.)
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DALLAS COUNTY, TEXAS



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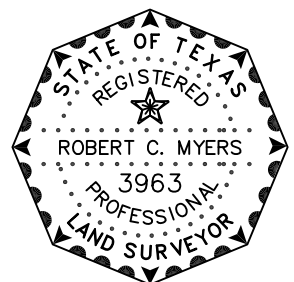
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SCALE IN FEET
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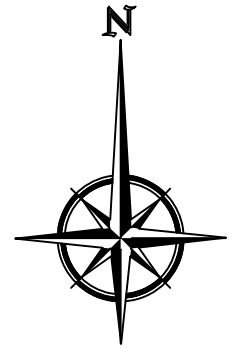
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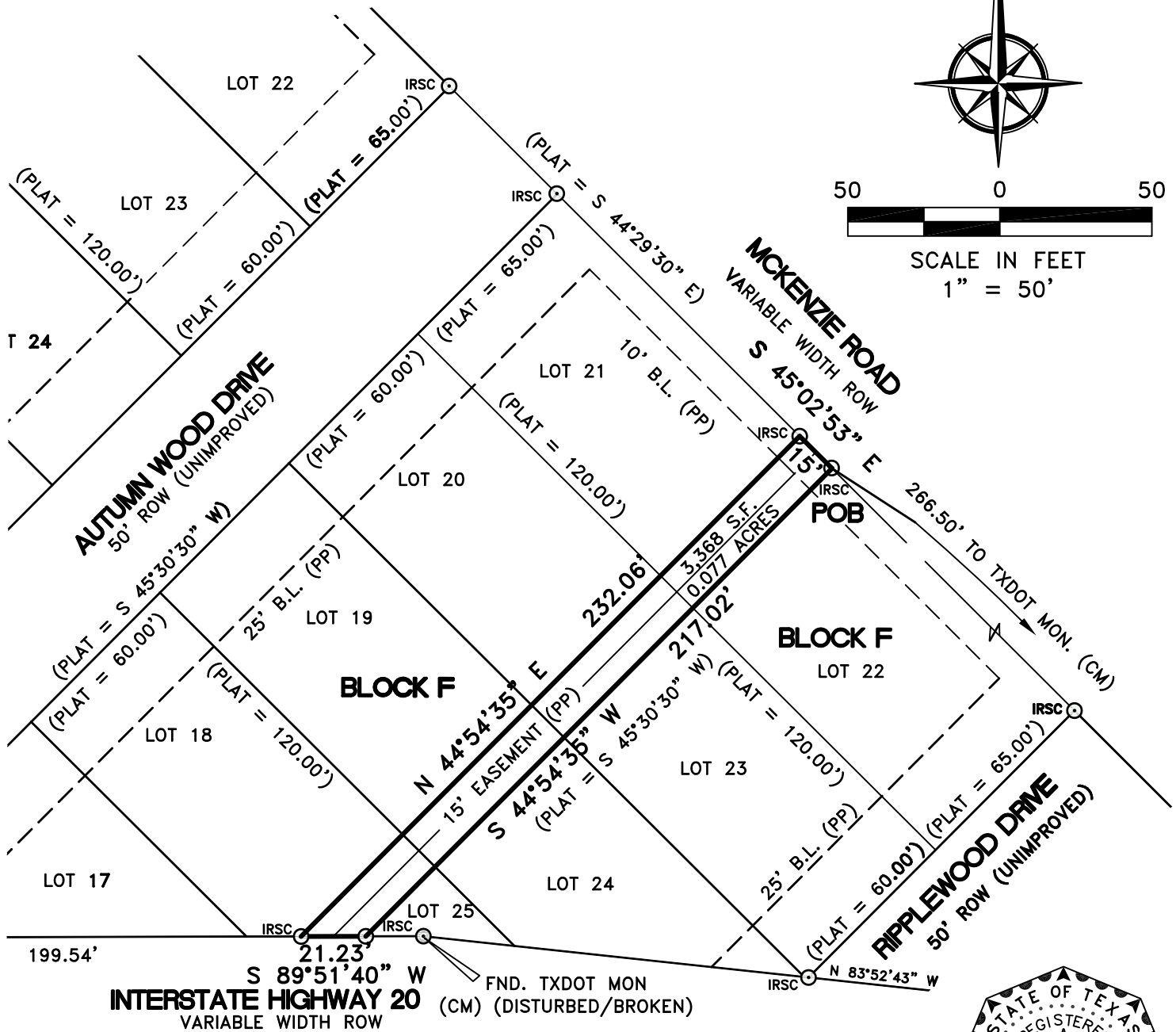
SHEET NUMBER
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EASEMENT ABANDONEMENT (3,368 S.F.)
CITY OF MESQUITE
DALLAS COUNTY, TEXAS



SCALE IN FEET
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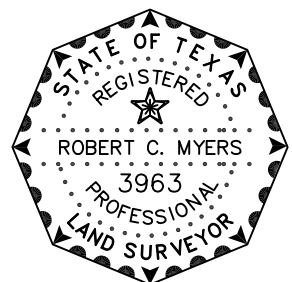


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