

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,
GRANTING THE PARTIAL ABANDONMENT OF A
DRAINAGE EASEMENT DEDICATED WITH THE ORIGINAL
PLAT FOR BUCKNER CROSSING NO. 2 ADDITION, LOT 2A,
BLOCK A/8476; PROVIDING FOR A REPEALER CLAUSE;
PROVIDING FOR A SEVERABILITY CLAUSE; AND
DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, a representative of the Quick Trip Corporation requested the partial abandonment of a drainage easement dedicated with the original plat for Buckner Crossing No. 2 Addition, Lot 2A, Block A/8476; and

WHEREAS, the requested abandonment is associated with a shopping center at the northeast corner of Buckner Boulevard and Samuell Boulevard; and

WHEREAS, the utility and drainage improvements originally proposed for this portion of the drainage easement in the Buckner Crossing Addition were never constructed and is not needed for drainage infrastructure; and

WHEREAS, the requested partial abandonment of the drainage easement is recommended to remove this unneeded encumbrance from the property.

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

SECTION 1. That the partial abandonment of a drainage easement dedicated with the original plat for Buckner Crossing No. 2 Addition, Lot 2A, Block A/8476, said portion being more fully described in Exhibit "A" attached hereto and included herein for all purposes, is hereby abandoned.

SECTION 2. That the partial abandonment provided for herein shall extend only to the public rights, titles, easements and interests, and shall be construed to extend only to those interests the City Council of the City of Mesquite may legally and lawfully abandon and vacate.

SECTION 3. That the partial abandonment provided for herein is made subject to all present zoning and deed restrictions, if the latter exist, and is 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or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed.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 1st day of April 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary



David L. Paschall
City Attorney

EXHIBIT "A"
PARTIAL DRAINAGE EASEMENT ABANDONMENT
BUCKNER CROSSING
BLOCK A/8476

BEING a 3,325 square foot tract of land located in the City of Mesquite, Dallas County, Texas, being a portion of an existing Drainage Easement located on Lot 2A, Block A, / 8476, Buckner Crossing No. 2, an addition to the City of Dallas and the City of Mesquite according to the plat thereof as recorded as Instrument No. 201800075875, Official Public Records, Dallas County, Texas, said 3,325 square foot tract being part of that tract of land conveyed to QuikTrip Corporation by Special Warranty Deed recorded as Instrument No. 201600042661, Official Public Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an "X" in concrete found in the north right-of-way line of Samuell Boulevard, being the most southerly southwest corner of said Lot 2A, being the southeast end of a right-of-way corner clip at the intersection of the north right-of-way line of Samuell Boulevard (variable width R.O.W.) and the east right-of-way line of Buckner Boulevard (Loop 12, a variable width R.O.W.)

THENCE, along the south line of said Buckner Crossing No. 2 and the north right-of-way line of Samuell Boulevard, North 89 degrees 32 minutes 31 seconds East, a distance of 269.55 feet;

THENCE, departing the north right-of-way of Samuell Boulevard, over and across said Lot 2A, North 00 degrees 27 minutes 29 seconds West, a distance of 51.00 feet to the **POINT OF BEGINNING**, being the southeast corner of the herein described tract;

THENCE, along the south line of the herein described tract, South 89 degrees 32 minutes 31 seconds West, a distance of 15.00 feet to the southwest corner of the herein described tract;

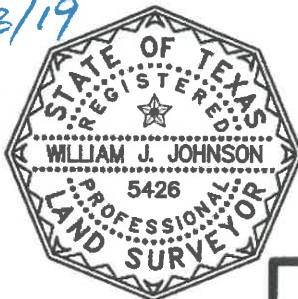
THENCE, along the westerly line of the herein described tract as follows:
North 00 degrees 27 minutes 22 seconds West, a distance of 7.75 feet;
South 89 degrees 32 minutes 31 seconds West, a distance of 28.00 feet;
North 00 degrees 27 minutes 22 seconds West, a distance of 20.00 feet;
North 89 degrees 32 minutes 31 seconds East, a distance of 28.00 feet;
North 00 degrees 27 minutes 22 seconds West, a distance of 156.62 feet to the northwest corner of the herein described tract;

THENCE, along the north line of the herein described tract, North 89 degrees 32 minutes 38 seconds East, a distance of 15.00 feet to the northeast corner of the herein described tract;

THENCE, along the east line of the herein described tract, South 00 degrees 27 minutes 21 seconds East, a distance of 184.37 feet to the **POINT OF BEGINNING** and containing 3,325 square feet or 0.0763 acres of land more or less.

NOTE: Bearings based on the recorded plat for Buckner Crossing No. 2, Instrument No. 201800075875, Official Public Records, Dallas County, Texas. North right-of-way line of Samuell Boulevard held as North 89 degrees 32 minutes 31 seconds East.

WJ Johnson
William J. Johnson
Registered Professional
Land Surveyor No. 5426



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TBPLS Firm No. 10139600

EXHIBIT "A"
PARTIAL DRAINAGE EASEMENT ABANDONMENT
BUCKNER CROSSING
BLOCK A/8476

5/8" I.R.S.

LEGEND

5/8" IRON ROD SET WITH PLASTIC
 CAP STAMPED "SCI"
 CONTROLLING MONUMENT
 DEED RECORDS, DALLAS COUNTY, TEXAS
 IRON ROD FOUND
 IRON ROD FOUND WITH CAP
 OFFICIAL PUBLIC RECORDS,
 DALLAS, COUNTY, TEXAS
 PAGE
 POINT OF BEGINNING
 POINT OF COMMENCING
 RIGHT-OF-WAY
 VOLUME

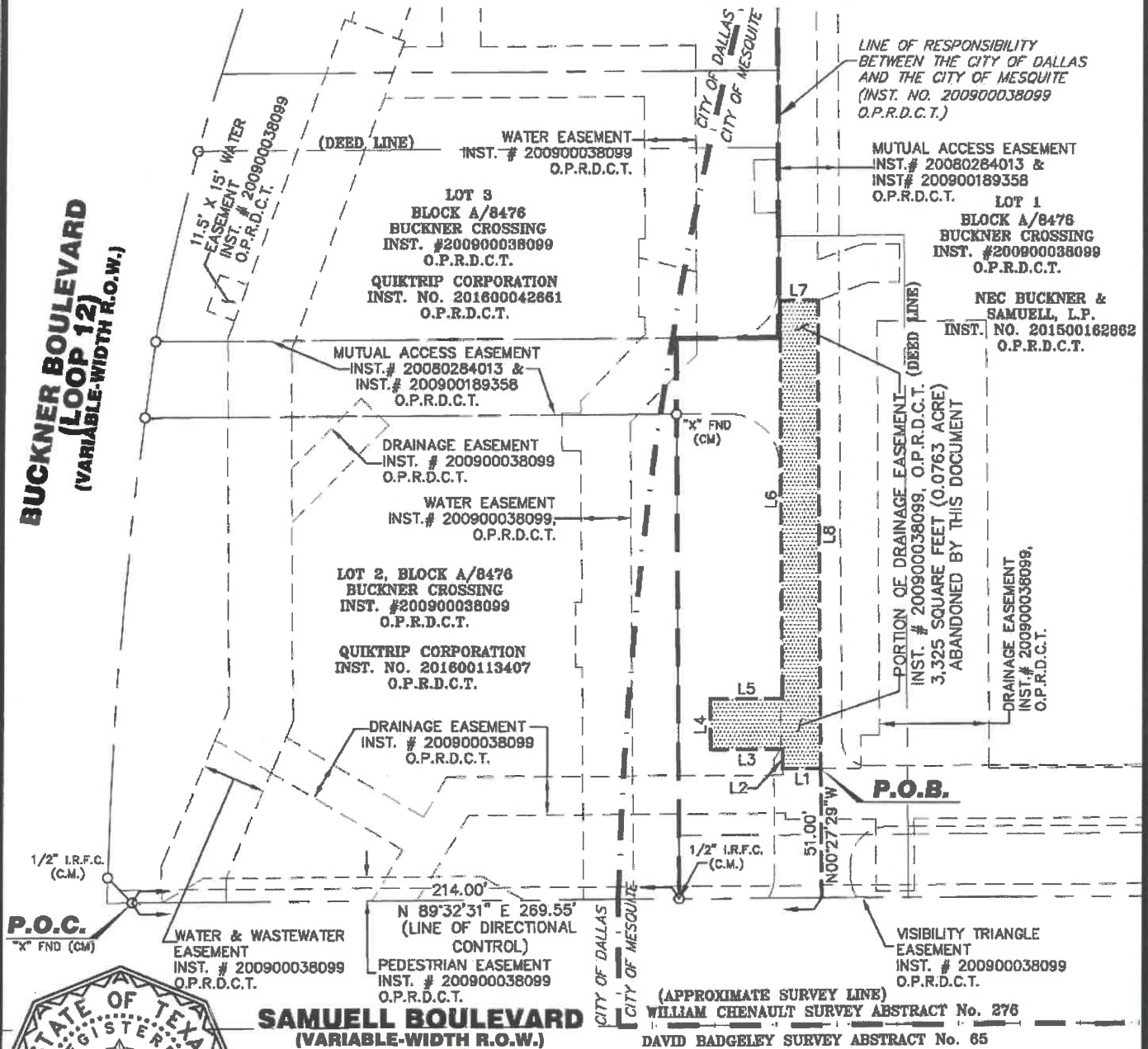
(C.M.)
 D.R.D.C.T.
 I.R.F.
 I.R.F.C.
 O.P.R.D.C.T.
 PG.
 P.O.B.
 P.O.C.
 R.O.W.
 VOL.

BASIS OF BEARINGS
 NORTH R.O.W. LINE OF SAMUELL BLVD.
 S 89°32'31" W
 (INST. NO. 200900038099, O.P.R.D.C.T.)

0 30' 60'
SCALE: 1"=60'

**SEE LINE TABLE
 ON SHEET 3**

**BUCKNER BOULEVARD
 (LOOP 12)
 (VARIABLE-WIDTH R.O.W.)**



**SAMUELL BOULEVARD
 (VARIABLE-WIDTH R.O.W.)**
 3/13/19
 William J. Johnson
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LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 89°32'31" W	15.00'
L2	N 00°27'22" W	7.75'
L3	S 89°32'31" W	28.00'
L4	N 00°27'22" W	20.00'
L5	N 89°32'31" E	28.00'
L6	N 00°27'22" W	156.62'
L7	N 89°32'38" E	15.00'
L8	S 00°27'21" E	184.37'



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