



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** Z-9

**Date:** April 25, 2007

**Subject:** **APPLICATION C03-07-003B CITY OF TYLER (PAUL ALLEY)**  
Request that the City Council consider a request to close a portion of an unimproved public alley beginning approximately 203' north of the intersection of Paul Street and N. Gaston Avenue, extending east 660', terminating at Confederate Avenue. The south side of the right-of-way is adjacent to Lots 8F, 8E, 7D, 5G, 5F, 8G, 7F, and 7G, NCB 358B and Lots 6, 9, 10, and 11, NCB 358A of the J.P. Patterson Second Addition. The north side of the right-of-way is adjacent to Lots 1, 2A, 3A, and 4, NCB 358A, and Lots 1 – 4, NCB 358B of the J.P. Patterson Second Addition.

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**Item Reference:**

The applicant is requesting a closure in order to incorporate the right-of-way into the adjacent lots for a City sponsored affordable housing development. Paul Alley is an unimproved right-of-way. The right-of-way is not serving as an access point to any of the surrounding properties and will be better utilized if incorporated into the adjacent lots.

No utilities exist within the alley. Therefore, no easement is needed.

All other departments have reviewed the request and anticipate no significant impact on services or facilities by the proposed change.

As of Tuesday, March 13, 2007, The Planning Department has received no written letters of protest and one letter of support.

**RECOMMENDATION:**

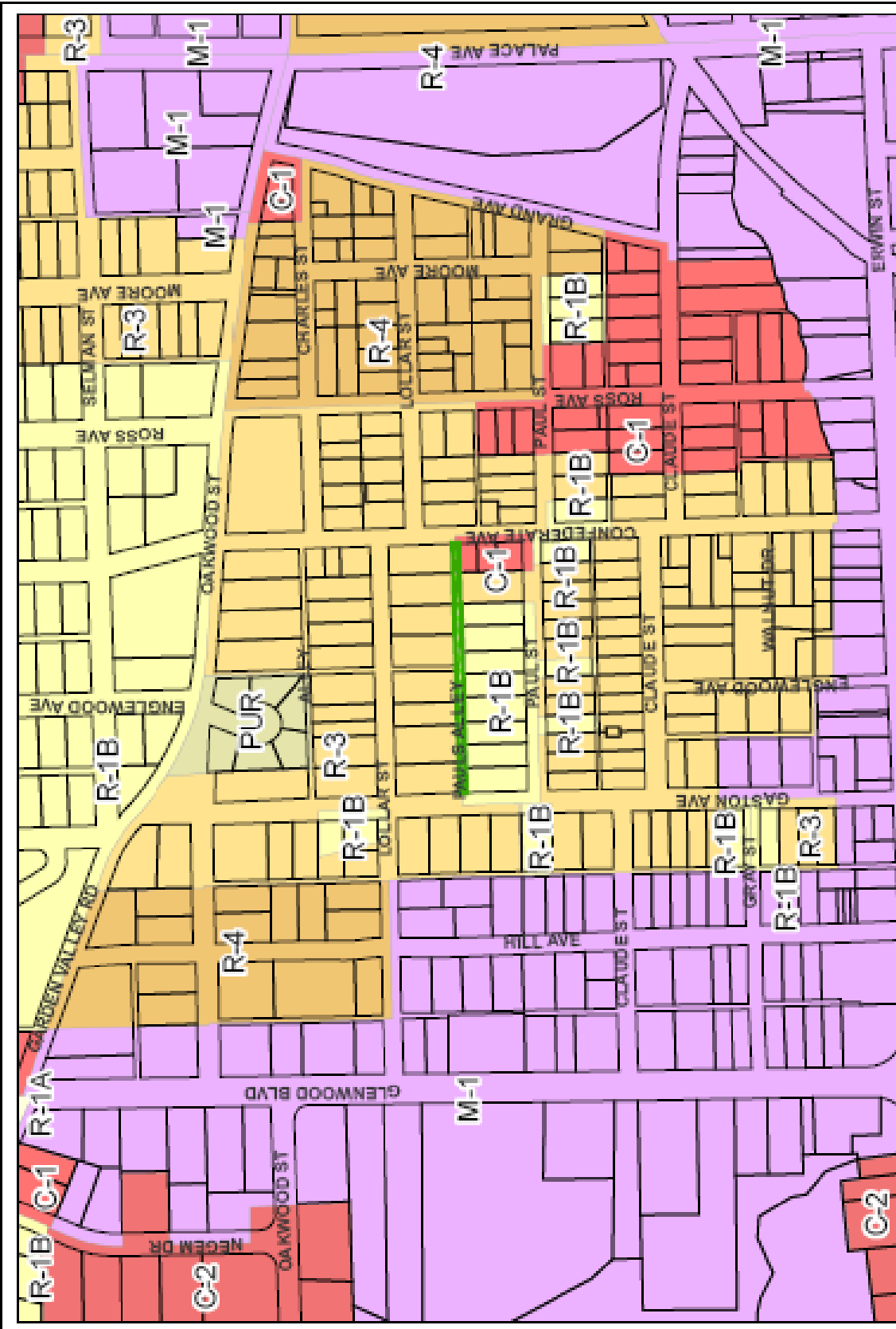
The Planning and Zoning Commission vote was 6-0 for the Paul Street Alley Closure. Staff recommends approval of the closure of the unimproved right-of-way.

*Barbara Holly*

**Drafted/Recommended By: Barbara Holly, AICP  
Department Leader**

**Edited/Submitted By:  
City Manager**





**ZONING CASE**

Zoning Cases #: C03-07-003B  
 Applicant: CITY OF TYLER



**ORDINANCE NO. O-2007-44**

**AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF UNIMPROVED RIGHT-OF-WAY LOCATED 203 FEET NORTH OF THE INTERSECTION OF PAUL STREET AND NORTH GASTON AVENUE, EXTENDING EAST 660 FEET, TERMINATING AT CONFEDERATE AVENUE. THE SOUTH SIDE OF THE RIGHT-OF-WAY IS ADJACENT TO LOTS 8F, 8E, 7D, 5G, 5F, 8G, 7F, AND 7G OF NCB 358B AND LOTS 6, 9, 10, AND 11, OF NCB 358B OF THE J.P. PATTERSON SECOND ADDITION. THE NORTH SIDE OF THE RIGHT-OF-WAY IS ADJACENT TO LOTS 1, 2A, 3A, AND 4 OF NCB 358A AND LOTS 1, 2, 3, AND 4 OF NCB 358B OF THE J.P. PATTERSON SECOND ADDITION.**

**WHEREAS**, the applicant is requesting the closure of an unimproved public alley beginning approximately 203 feet north of the intersection of Paul Street and N. Gaston Avenue, extending east 660 feet, terminating at Confederate Avenue. The south side of the right-of-way is adjacent to Lots 8F, 8E, 7D, 5G, 5F, 8G, 7F, and 7G of NCB 358B and Lots 6, 9, 10, and 11 of NCB 358A of the J.P. Patterson Second Addition. The north side of the right-of-way is adjacent to Lots 1, 2A, 3A, and 4 of NCB 358A, and Lots 1 – 4 of NCB 358B of the J.P. Patterson Second Addition.

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

**PART 1.** That the public right-of-way described below, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned:

Beginning approximately 203 feet north of the intersection of Paul Street and N. Gaston Avenue, extending east 660 feet, terminating at Confederate Avenue. The south side of the right-of-way is adjacent to Lots 8F, 8E, 7D, 5G, 5F, 8G, 7F, and 7G of NCB 358B and Lots 6, 9, 10, and 11 of NCB 358A of the J.P. Patterson Second Addition. The north side of the right-of-way is adjacent to Lots 1, 2A, 3A, and 4 of NCB 358A, and Lots 1-4 of NCB 358B of the J.P. Patterson Second Addition.

**PART 2.** That said public right-of-way is not needed for public purposes and it is in the public interest of the City of Tyler to abandon said described public right-of-way.

**PART 3.** That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in this ordinance, and shall be construed only to that interest the governing body of the City of Tyler may legally and lawfully abandon.

**PASSED AND APPROVED** this the 25<sup>th</sup> day of April, 2007.

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JOSEPH O. SEEBER, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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GARY LANDERS, CITY ATTORNEY