

ORDINANCE NO. O-2008-75

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF UNIMPROVED RIGHTS-OF-WAY: SABINE STREET, EXTENDING EAST FOR APPROXIMATELY 800 FEET FROM WATSON STREET, TERMINATING AT LOOP 323; OAK STREET, EXTENDING NORTH FOR APPROXIMATELY 1,050 FEET FROM THE SOUTHEAST CORNER OF LOT 148 OF NCB 837B; LOUIS STREET, EXTENDING SOUTH FOR APPROXIMATELY 1,200 FEET FROM LOOP 323 TO THE SOUTHERN PROPERTY LINE OF LOT 148 LF NCB 837B; FANNIN STREET, EXTENDING SOUTH FOR APPROXIMATELY 1,200 FEET FROM LOOP 323 TO THE SOUTHERN PROPERTY LINE OF LOT 148 OF NCB 837B; NECHES STREET, EXTENDING EAST FOR APPROXIMATELY 1,300 FEET FROM WATSON STREET TO THE EAST PROPERTY LINE OF LOT 148 OF NCB 837B; AN ALLEY EXTENDING EAST FROM THE NORTHWEST PROPERTY LINE OF LOT 148 OF NCB 837B FOR APPROXIMATELY 412 FEET TO THE NORTHEAST PROPERTY LINE OF LOT 148 OF NCB 837B; AND AN ALLEY, EXTENDING SOUTH FROM LOOP 323 FOR APPROXIMATELY 300 FEET TO THE EAST PROPERTY LINE OF LOT 10A OF NCB 836X.

WHEREAS, the applicant is requesting the closure of an unimproved alley, beginning at Sabine Street, extending east for approximately 800 feet from Watson Street, terminating at Loop 323; Oak Street, extending north for approximately 1,050 feet from the southeast corner of Lot 148 of NCB 837B; Louis Street, extending south for approximately 1,200 feet from Loop 323 to the southern property line of Lot 148 of NCB 837B; Fannin Street, extending south for approximately 1,200 feet from Loop 323 to the southern property line of Lot 148 of NCB 837B; Neches Street extending east for approximately 1,300 feet from Watson Street to the east property line of Lot 148 of NCB 837B; an alley extending east from the northwest property line of Lot 148 of NCB 837B for approximately 412 feet to the northeast property line of Lot 148 of NCB 837B; and an alley, extending south from Loop 323 for approximately 300 feet to the east property line of Lot 10A of NCB 836X.

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:

Sabine Street, extending east for approximately 800 feet from Watson Street, terminating at Loop 323; Oak Street, extending north for approximately 1,050 feet from the southeast corner of Lot 148 of NCB 837B; Louis Street, extending south for approximately 1,200 feet from Loop 323 to the southern property line of Lot 148 of NCB 837B; Fannin Street, extending south for approximately 1,200 feet from Loop 323 to the southern property line of Lot 148 of NCB 837B; Neches Street extending east for approximately 1,300 feet from Watson Street to the east property line of Lot 148 of NCB 837B; an alley extending east from the northwest property line of Lot 148 of NCB 837B for approximately 412 feet to

the northeast property line of Lot 148 of NCB 837B; and an alley, extending south from Loop 323 for approximately 300 feet to the east property line of Lot 10A of NCB 836X.

PART 2: That closure and abandonment are contingent upon and will not become effective until and unless the applicant replats the property within six (6) months.

PART 3: That said public right-of-way is not needed for public purposes and it is in the public interest of the City to abandon said described public right-of-way, other than the terms and conditions set out above.

PART 4: 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 that the governing body of the City of Tyler may legally and lawfully abandon.

PART 5: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 6: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 28th day of May, A.D., 2008.


BARBARA BASS, MAYOR
CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. SANDERS
CITY ATTORNEY

