

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING AND ABANDONING A 0.059 ACRE VARIABLE WIDTH DRAINAGE EASEMENT IN THE SAMUEL C. NEILL SURVEY, ABSTRACT NO 1159, TRACT 6A, CITY OF MANSFIELD, TARRANT COUNTY, TEXAS, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID DRAINAGE EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the City Council of the City of Mansfield, Texas, after careful study and consideration, has determined that the 0.059 acre variable width drainage easement in the Samuel C. Neill Survey, Abstract No. 1159, Tract 6A, City of Mansfield, Tarrant County, Texas, hereinafter more specifically described, is not being used by, nor useful or convenient to the public in general; therefore, it constitutes a public charge without a corresponding public benefit, and the public would be better served and benefited by the vacation and abandonment. Said easement is described in Exhibits "A" and "B" attached hereto and made a part hereof for all purposes; and,

**WHEREAS**, in order to remove any question as to the continued interest or ownership of the public in said easement, the City desires to execute a Quitclaim Deed releasing all title, ownership and control in said easement to the owner of the underlying property;

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

**SECTION 1.**

The drainage easement, as described hereinabove, is not being used by, nor useful or convenient to the public in general. This easement constitutes a public charge without a corresponding benefit, and the public would be better served and benefited by its vacation and abandonment. Accordingly, the above described easement, a 0.059 acre variable width drainage easement in the Samuel C. Neill Survey, Abstract No. 1159, Tract 6A, City of Mansfield, Tarrant County, Texas, is hereby vacated and abandoned as public property and such area so abandoned shall revert in fee simple to the owner of the underlying property.

**SECTION 2.**

The Mayor of the City of Mansfield, Texas, is hereby authorized and empowered to execute a quitclaim deed releasing all claims to title, ownership, or control of the easement described hereinabove, on behalf of the City of Mansfield, Texas.

**SECTION 3.**

A copy of said quitclaim deed shall be presented for filing with the County Clerk of Tarrant County, Texas by the office of the City Secretary.

**SECTION 4.**

This Ordinance shall become effective immediately upon its passage as provided by law.

**DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 24<sup>TH</sup> DAY OF MAY, 2021.**

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**Michael Evans**, Mayor

ATTEST:

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**Susana Marin**, City Secretary

APPROVED AS TO FORM AND LEGALITY:

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**Allen Taylor**, City Attorney