

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING CERTAIN DRAINAGE EASEMENTS RELATING TO THE SOMERSET ADDITION; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE QUITCLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID 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 certain utility easements and drainage easements relating to the Somerset Addition to the City of Mansfield, Johnson County, Texas, more specifically described in the attached Exhibit "A", are not being used by, nor useful or convenient to the public in general; therefore, they constitute a public charge without a corresponding public benefit, and the public would be better served and benefited by the vacation and abandonment of said easements; and,

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said easement, the City, upon request, will execute Quitclaim Deeds releasing all title, ownership and control in said easements to the fee title owner or owners of the underlying property.

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

SECTION 1.

The drainage easements more particularly described and depicted on Exhibit "A" attached hereto and incorporated herein for all purposes, are not being used by, nor useful or convenient to the public in general. Such easements constitute a public charge without a corresponding benefit, and the public would be better served and benefited by the vacation and abandonment of said easements. Accordingly, the drainage easements relating to the Somerset Addition shown on the attached Exhibit "A" are hereby vacated and abandoned as public property and such easement areas so abandoned shall revert in fee simple to the owner or owners 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 Johnson County, Texas by the office of the City Secretary.

SECTION 4.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 10TH DAY OF APRIL 2023.

Michael Evans, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Bradley Anderle, City Attorney