

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING CERTAIN UTILITY EASEMENTS AND DRAINAGE EASEMENTS RELATING TO THE M3 RANCH 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 M3 Ranch 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 utility easements and 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 utility easements and drainage easements relating to the M3 Ranch 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 quitclaim deeds releasing all claims to title, ownership, or control of the easements described hereinabove, on behalf of the City of Mansfield, Texas.

SECTION 3

A copy of said quitclaim deeds 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 become effective immediately upon its passage as provided by law.

First reading approved on the _____ day of _____, 20__.

Second reading approved on the _____ day of _____, 20__.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 20__.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney