

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

**AN ORDINANCE VACATING AND ABANDONING A 0.741 ACRE VARIABLE WIDTH DRAINAGE EASEMENT AND A 1.630 ACRE VARIABLE WIDTH DRAINAGE EASEMENT IN THE CRESANTO VELA SURVEY, ABSTRACT NO 851, CITY OF MANSFIELD, JOHNSON 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 0.741 acre and a 1.630 acre variable width permanent drainage easements in the Cresanto Vela Survey, Abstract No 851, City of Mansfield, Johnson County, Texas, hereinafter more specifically described, 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. Said easements are described respectively in Exhibits "A1", "A2", "B1" and "B2" 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 or owners of the abutting property.

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

**SECTION 1.**

The two drainage easements, as described hereinabove, are not being used by, nor useful or convenient to the public in general. These easements constitute a public charge without a corresponding benefit, and the public would be better served and benefited by their vacation and abandonment. Accordingly, the above described easements, a 0.741 acre and a 1.630 acre variable width permanent drainage easement in the Cresanto Vela Survey, Abstract No 851, City of Mansfield, Johnson County, Texas, Somerset Subdivision, Phase Three, are 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 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.

**DULY PASSED AND APPROVED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 8<sup>TH</sup> DAY OF FEBRUARY, 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**