

ORDINANCE NO. 20260113-011

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, ABANDONING THE CENTER PORTION OF A 10 FT. INACTIVE UTILITY EASEMENT FOR PROPERTY LOCATED AT 2201 S. VELASCO ST., ANGLETON, TEXAS, BRAZORIA COUNTY, ON A 5.00-ACRE TRACT OF LAND, WEST OF SHANKS RD., SOUTH OF IDEN RD.; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Welty Services located at 2123 S. Velasco St. requests the inactive easement abandonment on a 5-acres tract of land described by the Brazoria County Central Appraisal District as: A0134 E WALLER BLOCK 4 TRACT 19B-20B (SD E/2) ACRES 5.0 of a (10) foot wide unused utility easement, and more particularly described in the attached Exhibit “A” which is incorporated herein.

WHEREAS, on January 13, 2025, the City of Angleton City Council conducted a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicants request to abandon a portion of a (10) foot wide unused utility easement; and

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

SECTION 1. That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. That the portion of the ten (10) foot wide utility easement extending north to south and a portion of the ten (10) foot wide private utility easement extending east to west across the center portions of the said 5-acre tract as described in the attached Exhibit “A” is hereby abandoned and any right, title, or interest of the public in and to that portion of the twenty(10) foot wide utility easement is hereby renounced and reclaimed.

SECTION 3. The effect of this Ordinance is to abandon a portion of the ten (10) foot wide unused utility easement and a portion of a ten (10) foot wide private utility easement as described to renounce or disclaim any right, title, or interest of the public in and to said utility easement.

SECTION 4. *Recordation.* The City Council hereby directs that this Ordinance be recorded in the public records of Brazoria County, Texas.

SECTION 5. *Repeal.* All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 6. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect,

impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 7. *Effective date.* That this Ordinance shall be effective and in full force immediately upon its adoption.

SECTION 8: *Proper Notice & Meeting.* It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED AND ADOPTED THIS THE 13TH DAY OF JANUARY 2026.

CITY OF ANGLETON, TEXAS:

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC, CMC
City Secretary