



ABANDONMENT OF PUBLIC RIGHT-OF-WAY/EASEMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS

- Abandonment Fee (\$550 for right-of-way, \$250 for easement)
- A completed copy of the Abandonment of Public ROW/Easement Application All exhibits processed (except for Exhibit No. 3 & 4, which will be processed by staff).
- A copy of a recent (within 90 days) deed or title insurance policy showing the names of the owners, or, an older deed or titles with a Nothing Further Certificate.
- For unplatted property, a signed, sealed and dated metes and bounds description and a diagram of the property showing the location of the abandonment.
- For platted property, a copy of the plat showing the lot, block, subdivision, and recording information.
- Corporate or partnership owners must furnish a copy of a corporate resolution or other proof of authority to sign on behalf of the corporation, partnership, or joint venture.

APPLICATION

ADDRESS: Pear Street ROW (South of E. Miller St. and West of S. Dobson St.)

LEGAL DESCRIPTION: _____

APPLICANT (Primary Contact for the Project):

Name: Adele Parker and Jesse Becton IV email: _____

Street Address: 336 S. Dobson Street

City: Burleson State: Texas Zip Code: 76028

Phone Number: 505-934-3434 Fax Number: _____

PROPERTY OWNER'S INFORMATION (If different from above):

Name: Same as above email: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

The applicant has prepared this application and certifies that the facts stated hereing and exhibits attached hereto are true and correct.

Signature of Owner

Date

Signature of Owner

Date

**APPLICATION FOR
THE ABANDONMENT OF A
PUBLIC RIGHT-OF-WAY/EASEMENT**

Date: 8/20/23

Location of Right-of-way/Easement to be Abandoned:

Pearl St ROW - see exhibits contained in application

Property Owner's Name and Address: City of Burleson

141 W. Renfro St, Burleson, Texas, 76028

Property Owner's Phone Number: 817-426-9600

Property Owner's email: citymanager@burlesontx.com

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF BURLESON:

The undersigned hereby makes application for the abandonment of that portion of the above right-of-way particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. The undersigned will hold the City of Burleson harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such abandonment.
2. Attached, marked Exhibit No. 1, are two sealed metes and bounds descriptions (dividing the area in half) of the area sought to be abandoned, prepared by a Registered Public Surveyor.
3. Attached, marked Exhibit No. 2, are two copies of a plat or detailed sketch of that portion of the public right-of-way/easement sought to be abandoned and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described right-of-way/easement is situated, together with the record owners of such lots.
4. Attached, marked Exhibit No. 3, is the consent of all public utilities to the abandonment.
5. Attached, marked Exhibit No. 4, is the consent of City of Burleson staff.
6. Attached, marked Exhibit No. 5, is the consent of all the abutting property owners, except the following: (if none, so state)

None

Abandonment Location: Pearl Street ROW

7. Such public right-of-way/easement should be abandoned because:
The area is unimproved and adjacent property have maintained the area up until recently when it was brought to the city's attention.

8. Such public right-of-way/easement has been and is being used as follows:
The ROW is currently unimproved and there are no city utilities within this ROW.
The ROW was a total of 80 feet wide. Thirty feet (fifteen feet on either side) was abandoned by Ordinance C-181 (Vol 757, PG 709) in 1974.

I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Owner's Signature: _____

Date: _____

STATE OF TEXAS

ACKNOWLEDGEMENT

COUNTY OF JOHNSON

Subscribed and sworn to me, a Notary Public, this _____ day of _____, 20____,
by _____.

Notary Public in and for the State of Texas

STATE OF TEXAS

ACKNOWLEDGEMENT

COUNTY OF JOHNSON

Subscribed and sworn to me, a Notary Public, this _____ day of _____, 20____,
by _____.

Notary Public in and for the State of Texas

Abandonment Location: Pearl Street ROW

EXHIBIT NO. 1

Attached is a sealed copy of the metes and bounds description of the public right-of-way or easement situated in Original Town of Burleson Addition/Subdivision/Survey to the City of Burleson, Johnson County, Texas, sought to be abandoned.

Abandonment Location: Pearl Street ROW

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE J.W. HENDERSON SURVEY, ABSTRACT NO. 376, JOHNSON COUNTY, TEXAS, BEING A PORTION OF PEARL STREET (50' R-O-W) AS SHOWN ON ORIGINAL TOWN OF BURLESON, ACCORDING TO THAT PLAT RECORDED IN VOLUME 59, PAGE 638, DEED RECORDS, JOHNSON COUNTY, TEXAS(D.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A POINT FOR THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF PEARL STREET (50' R-O-W) AND THE WESTERLY RIGHT-OF-WAY LINE OF DOBSON STREET (VARIABLE R-O-W) FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF BLOCK 60, ORIGINAL TOWN OF BURLESON, ACCORDING TO THAT PLAT RECORDED IN VOLUME 59, PAGE 638, D.R.J.C.T., BEARS N 05°47'54" W, A DISTANCE OF 15.00 FEET;

THENCE LEAVING SAID INTERSECTION S 05°47'54" E, A DISTANCE OF 50.00 FEET TO A POINT FOR THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PEARL STREET (50' R-O-W) AND SAID WESTERLY RIGHT-OF-WAY LINE OF DOBSON STREET (VARIABLE R-O-W);

THENCE LEAVING SAID INTERSECTION S 84°34'56" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.02 FEET TO A POINT FOR THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF COMMERCE STREET (50' R-O-W) AND THE SAID SOUTHERLY RIGHT-OF-WAY LINE;

THENCE LEAVING SAID INTERSECTION N 05°46'27" W, A DISTANCE OF 50.00 FEET TO A POINT FOR THE INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE AND SAID NORTHERLY RIGHT-OF-WAY LINE OF PEARL STREET;

THENCE LEAVING SAID INTERSECTION N 84°34'56" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.287 ACRES OF LAND MORE OR LESS.

SURVEYOR'S CERTIFICATE:

PREPARED BY ME OR UNDER MY DIRECTION.



Matt Powell
MATT POWELL

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5544

DATED: 10/03/22



EXHIBIT "A"

SHT. NO.
2 OF 2

DATE: 10-03-22

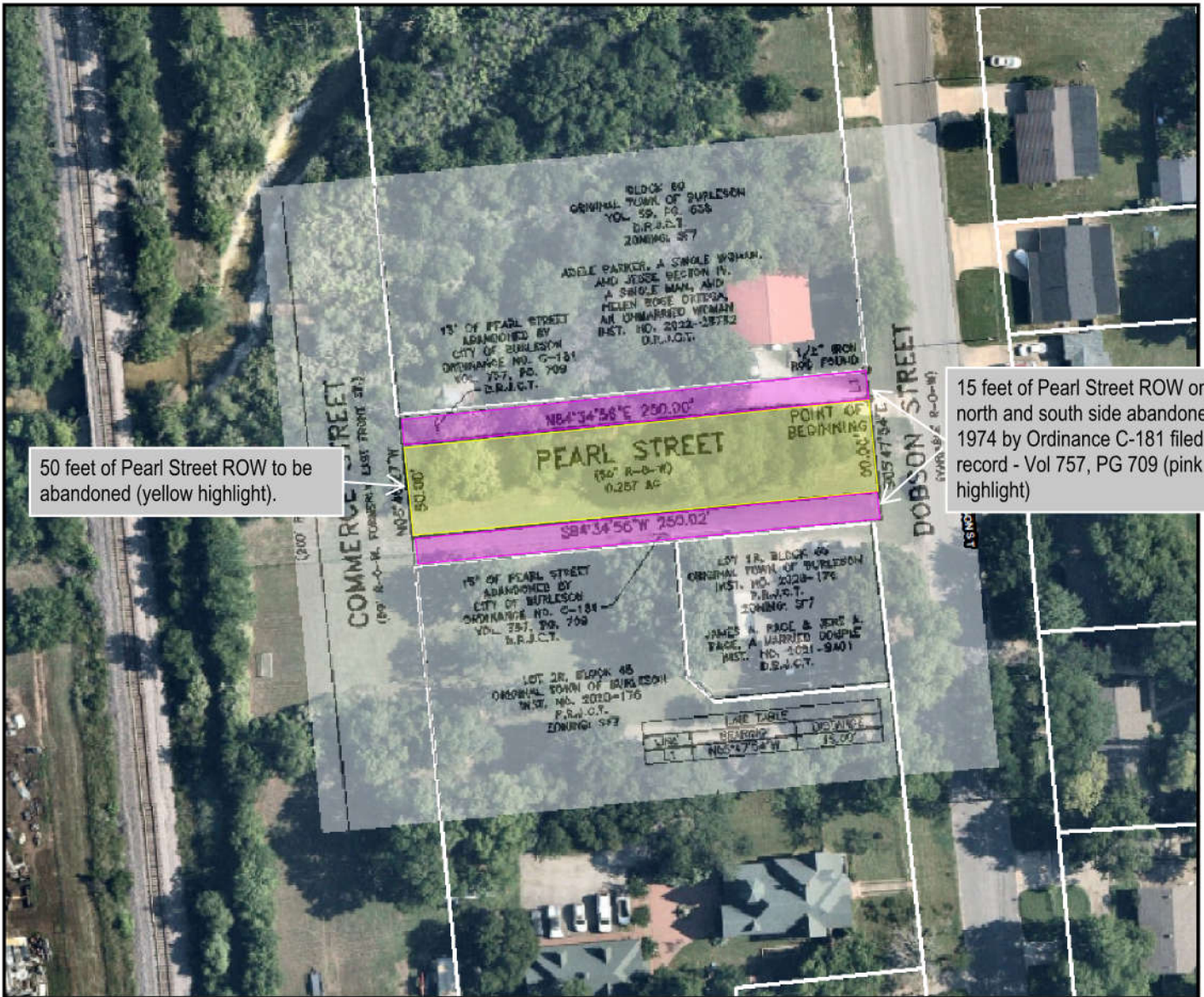
DRAWN: J.B.P.

CHECKED: M.P.

DFW JOB No. 2022038-01

EXHIBIT NO. 2

Attached is a copy of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated. Also, the names of record owners of the abutting lots are shown.



50 feet of Pearl Street ROW to be abandoned (yellow highlight).

15 feet of Pearl Street ROW on north and south side abandoned in 1974 by Ordinance C-181 filed of record - Vol 757, PG 709 (pink highlight)

M.K.T. RAILROAD
(200' R-O-W)

COMMERCE STREET
(50' R-O-W, FORMERLY EAST FRONT ST.)

N05°46'27"W

50.00'

BLOCK 60
ORIGINAL TOWN OF BURLESON
VOL. 59, PG. 638
D.R.J.C.T.
ZONING: SF7

ADELE PARKER, A SINGLE WOMAN,
AND JESSE BECTON IV,
A SINGLE MAN, AND
HELEN ROSE ORTEGA,
AN UNMARRIED WOMAN
INST. NO. 2022-23732
D.R.J.C.T.

15' OF PEARL STREET
ABANDONED BY
CITY OF BURLESON
ORDINANCE NO. C-181
VOL. 757, PG. 709
D.R.J.C.T.

1/2" IRON
ROD FOUND

N84°34'56"E 250.00'

L1

PEARL STREET

POINT OF
BEGINNING

(50' R-O-W)
0.287 AC

50.00'

S05°47'54"E

DOBSON STREET
(VARIABLE R-O-W)

S84°34'56"W 250.02'

15' OF PEARL STREET
ABANDONED BY
CITY OF BURLESON
ORDINANCE NO. C-181
VOL. 757, PG. 709
D.R.J.C.T.

LOT 1R, BLOCK 65
ORIGINAL TOWN OF BURLESON
INST. NO. 2020-176
P.R.J.C.T.
ZONING: SF7

JAMES A. PACE & JERE A.
PACE, A MARRIED COUPLE
INST. NO. 2021-9401
D.R.J.C.T.

LOT 2R, BLOCK 65
ORIGINAL TOWN OF BURLESON
INST. NO. 2020-176
P.R.J.C.T.
ZONING: SF7

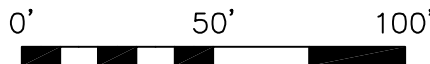
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N05°47'54"W	15.00'

NOTE:

THIS EXHIBIT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD THAT MAY AFFECT THE SUBJECT PROPERTY.

BASIS OF BEARINGS:

BASIS OF BEARINGS ARE BASED ON NORTH AMERICAN DATUM OF 1983, TEXAS NORTH CENTRAL ZONE, DERIVED FROM GPS OBSERVATIONS.



SCALE: 1" = 50'

AN EXHIBIT SHOWING A PORTION OF
PEARL STREET
RIGHT-OF-WAY ABANDONMENT
CITY OF BURLESON, JOHNSON COUNTY, TEXAS



1108 SOUTH DOBSON STREET
BURLESON, TX 76028
817-447-4122

EXHIBIT "A"

SHT. NO.
1 OF 2

DATE: 10-03-22

DRAWN: J.B.P.

CHECKED: M.P.

DFW JOB No. 2022038-01

EXHIBIT NO. 3

**ROW-EASEMENT ABANDONMENT
UTILITY COMPANY SIGN OFF SHEET**

The undersigned public utility companies, using or entitled to use under the terms and provisions of agreements with the City of Burleson, that portion of the public ~~utility easement~~ **ROW** sought to be abandoned, do hereby consent to the joint use of the described portion of such ~~utility easement in Lot(s) _____, Block(s) _____ of the _____~~ **ROW** ~~Addition to the City of Burleson, _____ County, Texas.~~ **to the abandonment of Pearl Street as depicted in the exhibits contained within.**

ONCOR ELECTRIC DELIVERY

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

AT&T

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

CHARTER CABLE

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

BETHESDA WATER SUPPLY CORP.

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

**JOHNSON COUNTY SPECIAL
UTILITY DISTRICT**

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

PATHWAY COMMUNICATIONS

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

UNITED COOPERATIVE SERVICES

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

ATMOS ENERGY

By: _____

Title: _____
(Please Print)

Signature: _____

EXHIBIT NO. 4

The undersigned, City staff of the City of Burleson, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above from the standpoint of the City of Burleson ordinances and with respect to present and future needs of the City of Burleson and see no objection to the requested abandonment from the City's standpoint.

Assistant Director of Public Works/Utilities
City of Burleson

Deputy Director of Public Works/Streets and Drainage
City of Burleson

Assistant Director of Public Works (Development) / City Engineer
City of Burleson

Director of Development Services
City of Burleson

Fire Marshal
City of Burleson

Building Official
City of Burleson

EXHIBIT NO. 5

The undersigned owners of property abutting upon that portion of the public right-of-way/easement named and described in the Application for Abandonment of a Public Right-of-Way/Easement referred to above, do hereby consent to such abandonment, and have indicated their desire to receive half of the abandoned right-of-way from the City.

Name: _____

Address: _____

Phone Number: _____

Signature: _____

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20__.

Notary Public in and for the State of Texas

Name: _____

Address: _____

Phone Number: _____

Signature: _____

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20__.

Notary Public in and for the State of Texas

Attach as many copies of this sheet as necessary.

Abandonment Location: _____