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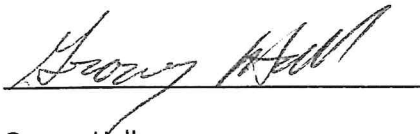
February 7, 2022

To Whom it may concern;

We are requesting an abandonment of an undeveloped portion of a platted 60 X 146 ½ foot roadway along Concord Avenue between Lot 4, Block 3, and the East and West halves of Lot 1, Block 4, of Roberts Subdivision.

Thank you for your consideration.

Respectfully;

A handwritten signature in cursive script, appearing to read "Grover Hall", written over a horizontal line.

Grover Hall

A handwritten signature in cursive script, appearing to read "Diane Ortega", written over a horizontal line.

Diane Ortega

ORDINANCE 2022-09

STATE OF TEXAS
COUNTY OF CONCHO

CITY OF EDEN
MARCH 8, 2022

AN ORDINANCE OF THE CITY OF EDEN, TEXAS FINDING THAT THE 60' X 146 ½' PORTION OF CONCORD AVENUE "STREET" LOCATED BETWEEN LOT 4, BLOCK 3 AND THE EAST AND WEST HALVES OF LOT 1, BLOCK 4, ROBERTS SUBDIVISION, WITHIN THE CITY OF EDEN, IS NOT NECESSARY FOR PUBLIC USE AS A THOROUGHFARE; THAT IT IS IN THE PUBLIC INTEREST TO ABANDON SAID STREET; PROVIDING FOR THE VACATION, ABANDONMENT AND CLOSURE OF THE STREET; AND RELEASING ANY AND ALL PUBLIC RIGHTS, TITLE AND INTEREST.

WHEREAS, pursuant to Chapter 311 of the Texas Transportation Code, a general-law municipality such as Eden has exclusive control of the highways, roads and streets of the municipality; and

WHEREAS, pursuant to chapter 311 of the Texas Transportation code, The City of Eden has the authority to vacate, abandon, and close streets and Streets within the City; and

WHEREAS, within the City of Eden there is a public "Street", that is described as Concord Avenue, between Lot 4, Block 3, and the East and West Halves of Lot 1, Block 4, Roberts Subdivision, (hereafter referred to as the "Street");

WHEREAS, in a sworn petition dated February 7, 2022, Grover Hall and Diane Ortega, have requested that the Street be vacated, attached hereto as *Exhibit "A"*; and

WHEREAS, the City Council has determined that the Street has not been used as a public thoroughfare, is not necessary as a public thoroughfare and has no other public use; and

WHEREAS, the City Council finds that vacating the Street would have no adverse effect on adjacent properties; and

WHEREAS, the City Council has determined that it is in the public interest of the City to vacate, abandon, and close the Street; and

NOW THEREFORE, be it ordained by the City Council of the City of Eden, County of Concho, State of Texas:

1. **Finding of Fact:** That the foregoing recitals are incorporated into the Ordinance by reference as findings of fact as if set forth herein at length.
2. **Street Closure:** The City Council hereby vacates, abandons, and closes the portion of the Street, which is more particularly described as a 60' X 146 ½' portion of Concord

Avenue, located between Lot 4, Block 3, and the East and West halves of Lot 1, Block 4, Roberts Subdivision, Eden, TX.

3. **Abandonment of Rights:** The City Council hereby abandons all rights, title and interest, if any, to the portion of the Street described in Section 2 of this Ordinance.
4. **Land Records:** The Municipal Clerk is hereby authorized and instructed to file a signed sealed copy of this Ordinance in and among the records of the City and in the land records of Concho County.
5. **Severability:** If any word, article, phrase, paragraph, sentence, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.
6. **Effective Date:** This Ordinance shall take effect immediately from and after its passage.
7. **Proper Notice and Open Meeting:** It is hereby officially found and determined that two meetings at which this Ordinance was passed were open to the public as required and the public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

READ on the 8th day of FEBRUARY, 2022, and PASSED AND APPROVED, this, the 8th day of MARCH, 2022 by a vote of

3 (ayes) to 0 (nays) to 1 (abstentions) of the City Council of

the City of Eden.

 MAYOR
Agapito Torres, Mayor


Laura Beeson, City Secretary