

ORDINANCE NO. 2026-O-07

AN ORDINANCE TO CLOSE, VACATE, AND ABANDON A 3,340 SQFT OR 0.077 ACRES OF LAND MILAM CSL SURVEY, ABSTRACT 136 CITY OF GLEN ROSE; REQUIRING COMPENSATION; AUTHORIZING ISSUANCE OF A QUIT CLAIM DEED; PROVIDING REPEALING, SEVERABILITY AND PROPER NOTICE, MEETING, AND QUORUM CLAUSES; REQUIRING FILING WITH SOMERVELL COUNTY CLERK; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Glen Rose (City) is a Type A General Law municipality operating under the general laws of the State of Texas; and

WHEREAS, the City Council is the Governing Body of a Type A General Law municipality; and

WHEREAS, pursuant to §311.008 of the Texas Transportation Code, “The governing body of a general-law municipality by ordinance may vacate, abandon, or close a street or alley of the municipality if a petition signed by all the owners of real property abutting the street or alley is submitted to the governing body”; and

WHEREAS, pursuant to §272.001(b)(2) of the Texas Local Government Code (TLGC), the sale of “streets or alleys, owned in fee or used by easement” is not subject to the procedures required in the sale of other municipal property; and

WHEREAS, pursuant to §272.001(b) of the TLGC, “The land and those interests described by this subsection may not be conveyed, sold, or exchanged for less than the fair market value of the land or interest unless the conveyance, sale, or exchange is with one or more abutting property owners who own the underlying fee simple”; and

WHEREAS, pursuant to §272.001(c), streets or alleys, owned in fee or used by easement must be divided between “abutting property owners in proportion to their abutting ownership”; and

WHEREAS, the right of way shown on the plat of the Milam CSL survey Abstract 136 of Glen Rose is undeveloped, and the City has no plans to develop and open said right of way; and

WHEREAS, signed and notarized applications by the owners and/or Managing Members of all the properties abutting said street have been submitted, requesting the vacation and/or abandonment and closure of a 3,340 square feet or 0.077 acres portion of said right of way as identified in a survey prepared by Shield Engineering; and

WHEREAS, using the \$1.05/foot average value of all the land adjoining that portion of the street to be abandoned, as found in the Somervell Central Appraisal District records, the value of the 3,340 square feet or 0.077 acre tract identified in the Shield Engineering survey is calculated as being \$3,523.52; and,

WHEREAS, the City Council has determined that an ordinance to close, vacate, and abandon the 3,340-square-foot, 0.077-acre tract identified in the Shield Engineering survey is necessary for the good government, peace, and order of the municipality.

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

SECTION 1 (of 9)
INCORPORATION OF RECITALS

All of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2 (of 9)
CLOSURE OF A PORTION OF UNNAMED STREET IN THE ORIGINAL TOWNSITE OF GLEN ROSE

All that portion of the right-of-way in the Milam CSL survey of the City of Glen Rose as described in Exhibit "A", which is incorporated herein by reference, shall be closed, vacated, and abandoned.

SECTION 3 (of 9)
QUITCLAIM DEED AUTHORIZED

Upon receipt of three thousand five hundred and twenty-three dollars and fifty two cents payable to the City of Glen Rose, the Mayor of the City of Glen Rose, Texas, is hereby authorized to sign a quit claim deed conveying title to that 3,340 sqft or 0.077 acre portion of land Milam CSL Survey, Abstract 136 of Glen Rose to be closed, vacated, and abandoned by this Ordinance, as described in Exhibit "A" to abutting property owners, Glen Rose Real Estate LLC.

SECTION 4 (of 9)
SAVINGS/REPEALING CLAUSE

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5 (of 9)
SEVERABILITY CLAUSE

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council of the City of Glen Rose hereby declares that it would have passed this Ordinance and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6 (of 9)
PROPER NOTICE, MEETING, AND QUORUM CLAUSE

It is hereby officially found and determined that the meeting at which this Ordinance was adopted by majority vote of the City Council of the City of Glen Rose, Texas, was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to §22.039 of the Texas Local Government Code.

SECTION 7 (of 9)
FILING REQUIREMENT

A copy of this ordinance shall be presented for filing with the County Clerk of Somervell County, Texas, by the City Secretary's office.

SECTION 8 (of 9)
EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage.

PASSED AND APPROVED this the 14th day of July, 2026.

APPROVED:

Joe Boles, Mayor

ATTEST:

Veronica Welch, City Secretary