

ORDINANCE NO. _G-4-21

AN ORDINANCE ABANDONING A PORTION OF JUANITA,
MULBERRY, ALICE WILKINS, NUECES, CHESTNUT, STREETS; AND
PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA,
TEXAS:

WHEREAS, the Port Lavaca Cemetery Association, Inc., hereinafter “Cemetery”, requested the City of Port Lavaca, Texas, hereinafter “CITY”, to close the portions of Juanita, Mulberry, Alice Wilkins, and Nueces Streets located within the boundaries of the Port Lavaca Cemetery; and,

WHEREAS, Cemetery owns the real property abutting both sides of the portion of Juanita, Mulberry, Alice Wilkins, and Nueces Streets located within the boundaries of the Port Lavaca Cemetery that are sought to be closed; and,

WHEREAS, Texas Local Government Code §272.001 provides that the CITY may sell streets, or alleys, owned in fee or used by easement by CITY without the notice or bidding requirements of Texas Local Government Code §272.001(a) when the same is sold to abutting property owners in proportion to their abutting ownership;

WHEREAS, the some of the streets that are sought to be abandoned have never been constructed by the CITY;

WHEREAS, the CITY does not have any future plans regarding these streets, nor does it have any future development plans regarding this property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF PORT LAVACA, TEXAS:

SECTION 1: All that portion of Juanita, Mulberry, Alice Wilkins, and Nueces Streets located within the boundaries of the Port Lavaca Cemetery shall be abandoned and all rights, title and interest into said portion of Juanita, Mulberry, Alice Wilkins and Nueces Streets shall vest in Cemetery upon final passage of this Ordinance.

SECTION 2: Upon final passage, the Mayor of the CITY is authorized to sign a Special Warranty Deed and any other necessary documents in order to convey said property Cemetery.

SECTION 3: This ordinance shall become effective upon the date of its final reading.
FIRST READING this the 12th day of April, 2021.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

SECOND READING this the _____ day of _____, 2021.

PASSED AND APPROVED this the _____ day of _____, 2021.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney