

# **CITY OF WILLOW PARK**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ABANDONING THAT CERTAIN 0.36 ACRE BANKHEAD HIGHWAY RIGHT-OF-WAY, ADJACENT TO LOT 3, BLOCK 1, PORTER ADDITION; PROVIDING FOR THE TERMS AND CONDITIONS OF ABANDONMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Willow Park is a Type A General law municipality located in Parker County, created in accordance with the provisions of Chapter 211 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the owner of Lot 3, Block 1, Porter Addition, Basic Developers, LLC petitioned the City of Willow Park to vacate, abandon, relinquish the 0.36 acre right-of-way adjacent to Lot 3, Block 1, Porter Addition;

**WHEREAS**, the City desires to abandon, vacate and relinquish all of its right, title and interest in and to that certain 0.36 acre right-of-way adjacent to Lot 3, Block 1, Porter Addition, located within the corporate limits of the City, described in Exhibit "A", which is attached hereto and incorporated herein by reference and;

**WHEREAS**, the 0.36 acre right-of-way described in Exhibit "A" attached hereto is located within the corporate limits of the City and is not needed for current or future use and the same should be abandoned, vacated and relinquished;

**NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:**

## **SECTION I. AUTHORITY**

The Mayor, or his designee, is hereby authorized and directed to implement the applicable provisions of this ordinance.

## **SECTION 2. ABANDONMENT**

The 0.36 acre right-of-way or the right, title and interest of the City to that certain portion of such right-of-way, described in Exhibit "A", attached hereto and made a part hereof, that lies within the corporate limits of the City is hereby vacated, abandoned, and relinquished.

## **SECTION 3. RECORDING**

The City Secretary of the City of Willow Park is instructed to file a copy of this Ordinance reflecting the abandonment, vacation and relinquishment authorized by this Ordinance

with the Real Property Records of the City of Willow Park and the Real Property Records of Parker County, Texas.

**SECTION 4. RESTRICTIONS**

The abandonment provided for herein is made subject to all present zoning and deed restrictions and is subject to all pre-existing rights of others, if any, whether apparent or non- apparent, aerial, surface, underground or otherwise.

**SECTION 5. TITLE**

The abandonment provided for herein shall extend only to that public right, title, easement and interest and shall be construed only to the extent of that interest which the governing body of the City of Willow Park may legally and lawfully abandon and vacate.

**SECTION 6. SEVERABILITY**

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

**SECTION 7. EFFECTIVE DATE**

This Ordinance shall be effective on or after its adoption.

**PASSED AND ADOPTED this the 15<sup>th</sup> day of November, 2022.**

**APPROVED:**

\_\_\_\_\_  
Doyle Moss, Mayor

**ATTEST:**

\_\_\_\_\_  
Crystal R. Dozier TRMC, City Secretary

\_\_\_\_\_  
Pat Chesser, City Attorney

The Willow Park City Council in acting on Ordinance \_\_\_\_\_, did on the 15th day of November 2022, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss, Mayor	_____	_____	_____
Eric Contreras, Place 1	_____	_____	_____
Chawn Gilliland, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
Lea Young, Place 4	_____	_____	_____
Nathan Crummel, Place 5	_____	_____	_____