

ORDINANCE NO. 2023-53

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, ABANDONING RIGHT-OF-WAY BEING A 0.093 ACRE DEAD END ALLEYWAY WITHIN THE WOODED CREEK ESTATES ADDITION, AND TO WAIVE THE REQUIREMENT FOR AN APPRAISAL FOR SAID RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described herein as Exhibits “A” and “B”, said right-of-way being approximately 0.093 acres; and

WHEREAS, the principal owner of 2718 Spanish Oak Trail, adjacent to said right-of-way has requested that the right-of-way be abandoned and offered for sale according to State law (LGC Sec 253.009) and the City of Wylie Subdivision Regulations (Section 2.12); and

WHEREAS, the City of Wylie has determined that said right-of-way is no longer needed for public access purposes, provided that existing utilities located within said right-of-way are converted to easements through replatting or other legal instruments by the new owners acquiring said right-of-way; and

WHEREAS, the City of Wylie finds that it is in the public interest to waive the expense of an appraisal and convey the properties for a fair amount;

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

SECTION 1: That the described right-of-ways as shown in Exhibits “A” and “B” attached are no longer necessary for public access purposes, provided that existing utilities shall be located within easements, and that said portion of right-of-way should be abandoned in favor of adjacent property owner.

SECTION 2: That this abandonment shall extend only to the public right-of-way, title and interest which the City of Wylie, Texas may have in and to said right-of-way, and shall be construed to extend only to such interest that the governing body of the City of Wylie may legally and lawfully abandon.

SECTION 3: That the City of Wylie, Collin County, for and in consideration of \$5,000.00 dollars, have granted, sold, and conveyed, and by these presents do grant, sell, and convey unto the said 2718 Spanish Oak Trail, of the City of Wylie, in the state of Texas, all that certain properties as described in Exhibits “A” and “B”. To have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the said Brandon Newingham and Terra McClain or assigns forever. And do hereby bind the City of Wylie, executors, and administrators to warrant and forever defend all and singular the said premises unto the said Brandon Newingham and Terra McClain, and assigns, against every person whomsoever, lawfully claiming or to claim the same, or any part thereof.

SECTION 4: That this ordinance shall be in full force and effect from and after its adoption by the City Council, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 14th day of November, 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary