

ORDINANCE NO. 2007-03-02

AN ORDINANCE VACATING AND ABANDONING VARIOUS RIGHTS-OF-WAY INTERSECTING NORTH ST., CHICKEN ST. AND THE 100 BLOCK OF MAIN ST. IN THE CITY OF WESTON, COLLIN COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF WESTON TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP, INTEREST AND CONTROL OF THESE RIGHTS-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council of the City of Weston, after careful study and consideration, has determined that certain rights-of-way intersecting North St., Chicken St. and the 100 Block of Main St. are not being used by, nor are they useful or convenient to, the public in general; therefore, the City Council has concluded that they constitute a public charge without a corresponding public benefit, and that the public would be better served and benefited by their vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said rights-of-way, the City desires to execute the appropriate quitclaim deeds releasing all title, ownership and control in said rights-of-way to the owners of the abutting properties.

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

SECTION 1. That the following east-west oriented rights-of-way are vacated and abandoned as public property:

1. Right-of-way located between 114 North St (Banner, Franklin P, Old Weston Donation Lot 26,) & 112 North St (Canada, Kenneth D Sr, Old Weston Donation 27);
2. Right-of-way located between 105 North St (Riley, Dewey, Old Weston Donation Lot 19) & 103 North St (Riley, Dewey, Old Weston Donation 17);
3. Right-of-way located between 104 Main St (Apollas, Esta J, Old Weston Donation Lot 14) & 100 Main St (Terrell, James, Old Weston Donation Lot 15A)/103 Main St (Ulmer, James, Old Weston Donation Lot 15B);
4. Right-of-way located between 106 Main St (Isbell, Tommy L, Trust, Old Weston Donation 13)& 115 West St (Minshew, Bobbye J, Old Weston Donation Lot 12)/(Eckert, James & Carr, Gary, Old Weston Donation 9B)/108 Main St (Eckert, James & Carr, Gary, Old Weston Donation 11);
5. Right-of-way located between 115 West St (Minshew, Bobbye J, Old Weston Donation Lot 12)/114 Main St (Eckert, James & Carr, Gary, Old Weston Donation 8) & 209 West St (Betty, Glen & Norma Reeb, Old Weston Donation 1)/116 Main St (Goldstein, Steve & Epi, Old Weston Donation 7); and
6. Right-of-way located between 101 Main St (Bilderback, Brent, Old Weston Donation 33/34) & 105 Main St (Bilderback, Brent, Old Weston Donation 35)/(Weston Water Supply Corporation, Old Weston Donation 36A)/406 Chicken St (Weston Water Supply Corporation, Old Weston Donation 36C).

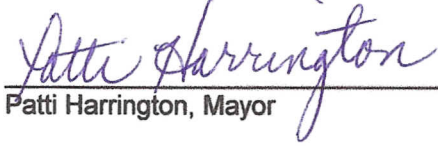
The affected rights-of-ways described herein are more particularly described in the attached and incorporated Exhibit "A" hereto. In addition, the right-of-ways so vacated and abandoned shall revert in fee simple to the owner of the abutting properties.

SECTION 2. The Mayor of the City of Weston, Texas, is hereby authorized to execute a quitclaim deed to each abutting property owner in the form shown in Exhibit "B" releasing all claims to title, ownership, or control of the rights-of-way on the behalf of the City of Weston, Texas. A copy of the applicable quitclaim deed may be presented for filing with the County Clerk of Collin County, Texas by each abutting property owner.

SECTION 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

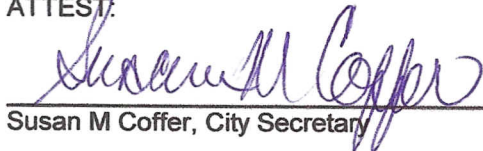
SECTION 4. This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED this the 13th day of March 2007.



Patti Harrington, Mayor

ATTEST:



Susan M Coffey, City Secretary

