

ORDINANCE NO. 2090

AN ORDINANCE OF THE CITY OF SNYDER, TEXAS CLOSING, ABANDONING AND VACATING ALL OF THE FOLLOWING IN THE CITY OF SNYDER, SCURRY COUNTY, TEXAS: A PORTION OF TRINITY DRIVE NORTH OF MARTHA ANN BLVD, ALL OF WHICH SUCH STREET IS BORDERED BY LAND OWNED BY THE SAME OWNER.

WHEREAS, The City of Snyder, Texas has the authority to close a public street or street under the laws of the State of Texas;

WHEREAS, The City of Snyder, Texas has received a petition from the Scurry County Hospital District (“Hospital”), the owner of all abutting property, requesting that the City vacate, abandon and close the certain street more specifically described below;

WHEREAS, a single owner owns all the abutting property to the street in question;

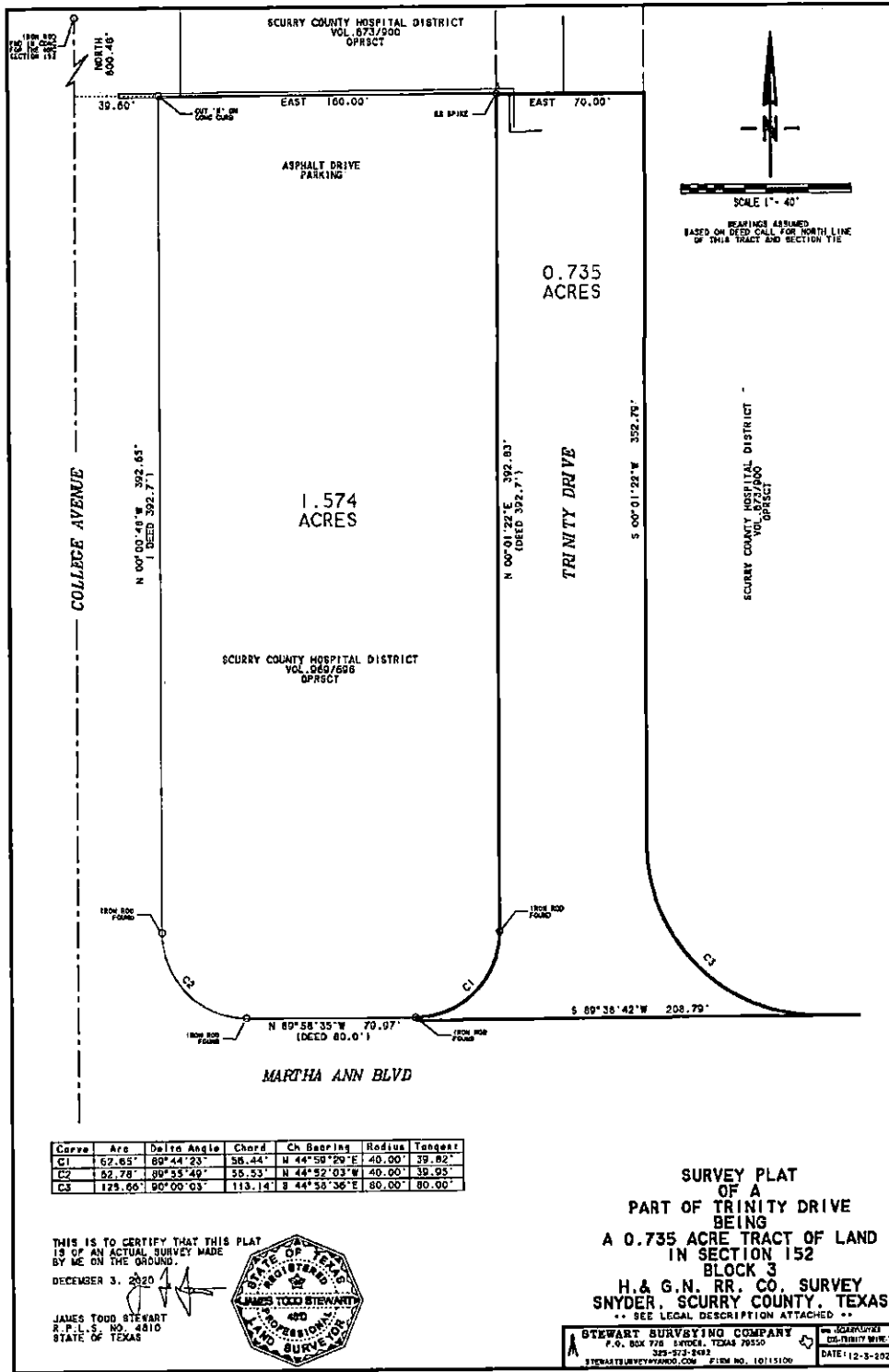
WHEREAS, the City Council of Snyder desires to vacate, abandon, and close that segment of Trinity Drive north of Martha Ann Blvd, City of Snyder, Scurry County, Texas as set forth on Exhibit “A.”

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SNYDER, SCURRY COUNTY, STATE OF TEXAS:

1. **Finding of Fact:** That the foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if set forth herein at length.
2. **Street and Street Closure:** The City Council vacates, abandons, and closes the street or portion of street, which is shown on Exhibit A and more particularly described as follows:

That segment of Trinity Drive north of Martha Ann Blvd, City of Snyder, Scurry County, Texas as set forth on Exhibit “A”.
3. **Abandonment of Rights/Retention of Easement:** The City Council abandons all public rights, title and interest, if any, to the street or portion of the street. Said portion of the street is not needed for public purposes and it is in the public interest of the City to abandon said described portion of the street. The abandonment provided for herein shall extend only to the public right and title in and to the tracts of land described in this ordinance and shall be construed only to that interest the governing body of the City of Snyder, Texas may legally and lawfully abandon. There is hereby retained in the street right-of-way to be vacated, a permanent easement for all public utilities and utility maintenance vehicles and equipment. This Easement for public utilities covers any public utility lines which may already exist or that may hereafter be laid in the area in question in the future.
4. **Land Records:** The City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City, and in the land records of Scurry County, Texas.
5. **Payment of Costs and Compensation:** Hospital, the abutting property owner, shall pay all costs associated with the procedures necessitated by the request to abandon this street segment, including, but not limited to, administrative fees, appraisal costs, survey costs, and all costs associated with moving any public utilities infrastructure from under that segment of Trinity Drive north of Martha Ann Blvd, City of Snyder, Scurry County, Texas as set forth on Exhibit “A”.
6. **Severability:** If any word, article, phrase, paragraph, sentence, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Exhibit "A"



Legal Description/Fieldnote Description

Description of a 0.735-acre tract of land in Section 152, Block 3, H.& G.N. RR. Company Survey, Scurry County, Texas and being a part of Trinity Drive, said 0.735 acres being more particularly described as follows:

Beginning at a RR. Spike found for the northwest corner of this tract and being the northeast corner of a 1.574 acre tract of land conveyed to Scurry County Hospital District by deed recorded in Volume 969, Page 696, Official Public Records of Scurry County, Texas, from which point a 1/2" Iron Rod in Concrete found for the northwest corner of Section 152, Block 3, H.& G.N. RR. Co. Survey, Scurry County, Texas, bears WEST 199.60 feet and NORTH 800.48 feet;

Thence EAST along the north line of this tract for a distance of 70.00 feet to a point in the east line of said Trinity Drive and west line of a tract of land conveyed to Scurry County Hospital District by deed recorded in Volume 673, Page 900, Official Public Records of Scurry County, Texas;

Thence S 00°01'22"W along the east line of said Trinity Drive and said west line of Scurry County Hospital District Tract for a distance of 352.79 feet to a point for the PC. of a curve to the left having a central angle of 89°59'50" and a radius of 80.0 feet;

Thence along said curve, for an arc distance of 125.66 feet to a point in the north line of Martha Ann Boulevard for PT. of said curve for the southeast corner of this tract (chord of curve: S 44°58'36"E 113.14 feet);

Thence S 89°38'42"W along the south line of this tract across said Trinity Drive and along the north line of said Martha Ann Boulevard for a distance of 208.79 feet to an Iron Rod found for the southwest corner of this tract and being a corner of that tract of land conveyed to Scurry County Hospital District by deed recorded in Volume 969, Page 696, Official Public Records of Scurry County, Texas, said point also being the beginning of a curve to the left having a radius of 40.00 feet and a central angle of 89°44'23";

Thence around said curve for an arc distance of 62.65 feet to an Iron Rod found for PT. of curve in the west line of Trinity Drive for a corner of this tract (Chord of Curve: N 44°59'29"E 56.44 feet);

Thence N 00°01'22"E along the west line of this tract and east line of said tract of land conveyed to Scurry County Hospital District by deed recorded in Volume 969, Page 696, Official Public Records of Scurry County, Texas for a distance of 392.83 feet to the Place of Beginning.