

ORDINANCE NO. 2104

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 AVENUE W BETWEEN MONCRIEF AVENUE AND PARKS AVENUE, 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 Rangeland Properties, LLC (“Rangeland”), 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 Avenue W between Moncrief Avenue and Parks Avenue, 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 Avenue W between Moncrief Avenue and Parks Avenue, 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:** Rangeland, 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 Avenue W between Moncrief Avenue and Parks Avenue, 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.
7. **Effective Date:** This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

8. **Proper Notice and Open Meeting:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED by the City Council on first reading this 30th day of August, 2021.

Mayor

ATTEST:

City Secretary

PASSED AND ADOPTED by the City Council on second reading this 13th day of September, 2021.

Mayor

ATTEST:

City Secretary

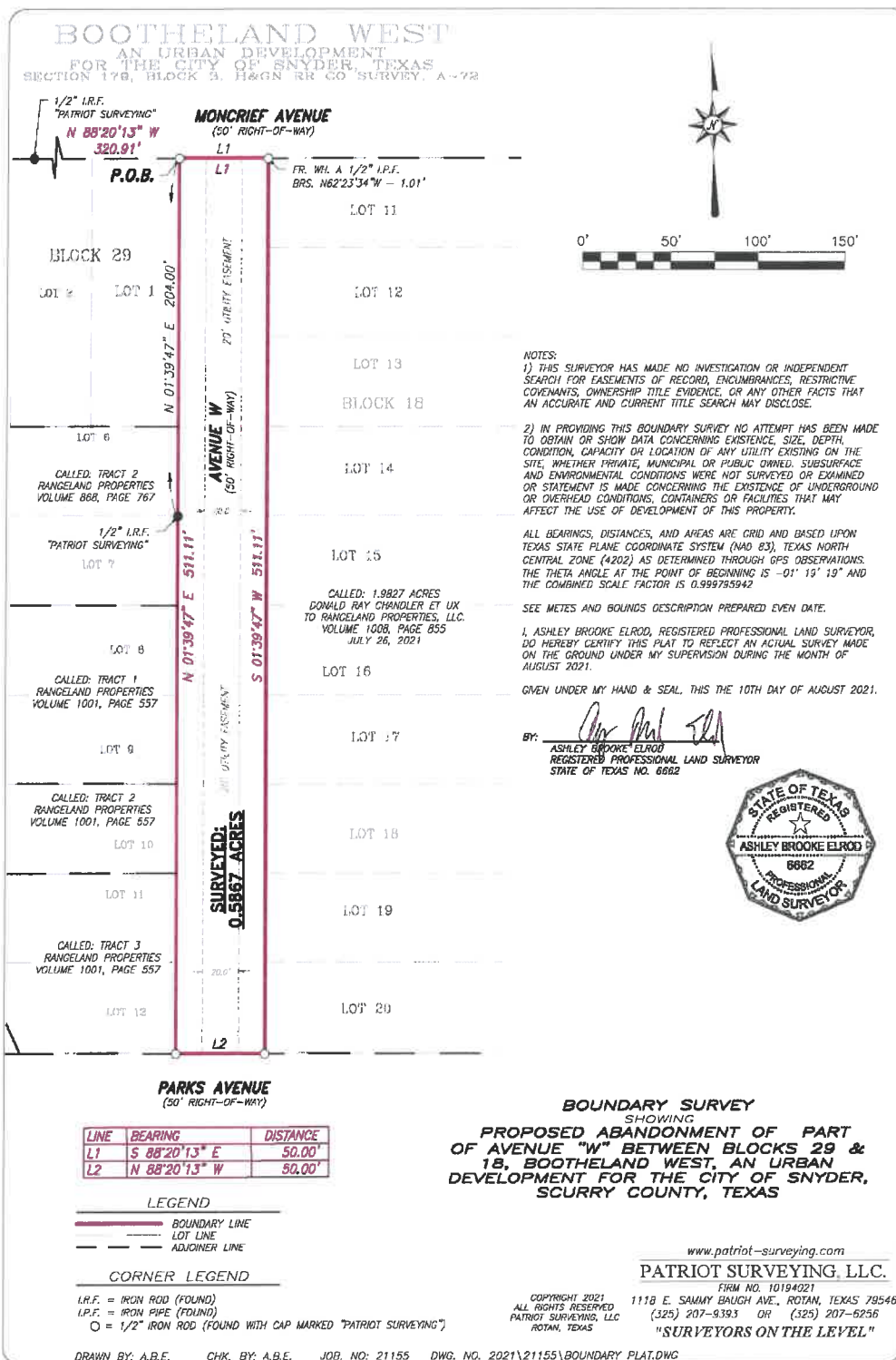
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF SCURRY §

This instrument was acknowledged before on the ____ day of _____, 2021, by Stephanie Ducheneaux, Mayor, City of Snyder, a Texas home-rule municipality.

Notary Public, State of Texas
My commission expires: _____

Exhibit "A"



Legal Description/Fieldnote Description

BEING A 0.5867 ACRE TRACT OF LAND SITUATED IN SECTION 179, BLOCK 3, H&GN RR CO SURVEY, ABSTRACT NO. 72, SCURRY COUNTY, TEXAS, BEING A PART OF AVENUE "W" LOCATED BETWEEN BLOCKS 29 AND 18 OF BOOTHELAND WEST, AN URBAN DEVELOPMENT FOR THE CITY OF SNYDER, AS SHOWN ON IN CABINET A, SLIDE 38, PLAT RECORDS, SCURRY COUNTY, TEXAS, AND DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: at a 1/2" iron rod (set with cap marked "PATRIOT SURVEYING") at the northeast corner of Lot 1, Block 29, being in the west right-of-way line of Avenue W and the south right-of-way line of Moncrief Avenue, from which a 1/2" iron rod (found with cap marked "PATRIOT SURVEYING") bears North 88°20'13" West, a distance of 320.91 feet;

THENCE: South 88°20'13" East, for a distance of 50.00 feet, with the south right-of-way line of Moncrief Avenue, to a 1/2" iron rod (set with cap marked "PATRIOT SURVEYING") at the northwest corner of Lot 11, Block 18;

THENCE: South 01°39'47" West, for a distance of 511.11 feet, with the west boundary line of Block 18 and the east right-of-way line of Avenue W, to a 1/2" iron rod (set with cap marked "PATRIOT SURVEYING") at the southwest corner of Lot 20, Block 18, being in the north right-of-way line of Parks Avenue;

THENCE: North 88°20'13" West, for a distance of 50.00 feet, with the north right-of-way line of Parks Avenue, to a 1/2" iron rod (set with cap marked "PATRIOT SURVEYING") at the southeast corner of Lot 12, block 29;

THENCE: North 01°39'47" East, for a distance of 511.11 feet, with the east boundary line of Block 29 and the west right-of-way line of Avenue W, **back to the Place of Beginning and containing 0.5867 acres of land.**

All bearings, distances, and areas are grid and based upon Texas State Plane Coordinate System (NAD 83), Texas North Central Zone (4202), as determined through GPS observations. The Theta Angle at the Point of Beginning is -01° 19' 19" and the combined scale factor is 0.999795942