

ORDINANCE NO. 17-03
(Road or Alley Abandonment)

AN ORDINANCE OF THE CITY OF NEVADA, COLLIN COUNTY, TEXAS, ADOPTED PURSUANT TO THE AUTHORITY GRANTED BY THE STATE OF TEXAS TO TYPE A GENERAL LAW CITIES BY ORDINANCE TO VACATE, ABANDON OR CLOSE STREETS AND ALLEYS OF THE CITY IF A PETITION SIGNED BY ALL THE OWNERS OF REAL PROPERTY ABUTTING THE STREET OR ALLEY IS SUBMITTED TO THE CITY COUNCIL; FINDING THAT SUCH A PETITION HAS BEEN SUBMITTED FOR THAT PORTION OF AN ALLEY DESCRIBED HEREIN ON EXHIBIT A; PROVIDING A SEVERANCE CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Nevada, Texas has been presented with a petition signed by all the owners of real property abutting an alley proposed to be abandoned and closed by the City has been received; and

Whereas, the City Council has determined that no material objection to the closing of the road or alley has been presented; and

Whereas, the City Council has determined that no public or private utilities are located in or have an existing facility in the road or alley to be abandoned;

NOW, THEREFORE, be it ordained by the City Council of the City of Nevada, Texas , as follows:

SECTION 1. The recitations in the preamble of this Ordinance are found to be true.

SECTION 2. The road or alley to be abandoned and closed is described by metes and bounds, and/or lot 3A and block 18, together with the names of the adjacent property owners on exhibit A, which is attached hereto and incorporated herein for all purposes;

SECTION 3. The road or alley as described on Exhibit A is abandoned and closed, with one half of its width conveyed to the property owner on each side of the abandoned area., as identified below:

SECTION 4. The owners of the abandoned property are directed to file a replat with the City for consideration and approval, adding one half of the abandoned property to each abutting property owner's original tract, on or before 30 days from the effective date of this Ordinance.

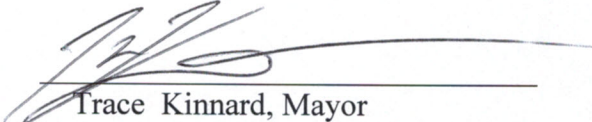
SECTION 5. All city fees costs and expenses for the abandoned property, and any necessary surveys or plats are to be paid by the property owners receiving the property.

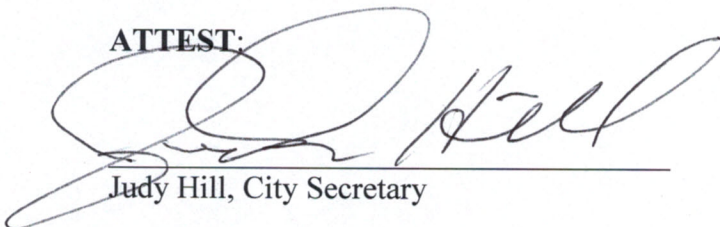
SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 7. That all provisions of the ordinances of the City of Nevada in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Nevada not in conflict with the provisions of this Ordinance shall remain in full force and effect.

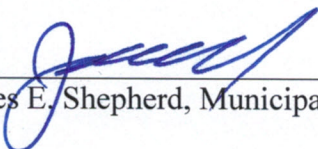
PASSED and **APPROVED** by the City Council of the City of Nevada, Collin County, Texas this 21 day of March, 2017.

CITY OF NEVADA, TEXAS


Trace Kinnard, Mayor

ATTEST:

Judy Hill, City Secretary

APPROVED AS TO FORM:


James E. Shepherd, Municipal Attorney