

ORDINANCE NO. _____

AN ORDINANCE CLOSING, ABANDONING AND VACATING THE RIGHT OF WAY OF GARY STREET, CONVEYED IN VOLUME 66 PAGE 623, DEED RECORDS, DENTON COUNTY, TEXAS, AND LOCATED IN THE B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 185, TO ACCOMMODATE CONSTRUCTION BY THE DENTON INDEPENDENT SCHOOL DISTRICT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Denton is the holder of the Right of Way commonly referred to as Gary Street;

WHEREAS, the City of Denton ("City") has received a request for the closure, abandonment, and vacation of the Gary Street Right of Way from the Denton Independent School District ("DISD"); and

WHEREAS, the fifty foot (50') wide Right of Way to be abandoned and vacated is located in the B.B.B.&C. R.R. Survey, Abstract No. 185 and further described in the Deed recorded in Volume 66, Page 623, of the Deed Records of Denton County, Texas, now also referenced as Document Number 1898-77001081, and also being specifically described and depicted in Exhibit A, attached hereto, all being incorporated by reference and description and made a part hereof (the "Abandonment Tract"); and

WHEREAS, the City reviewed the requested closure, abandonment, and vacation of the Abandonment Tract and determined that a Gary Street is no longer needed, and recommended approval of the request; and

WHEREAS, the City Council of the City of Denton, Texas, has determined that the Abandonment Tract is no longer needed for public use and finds it is in the public interest to close, abandon, and vacate the Abandonment Tract; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON ORDAINS:

SECTION 1. The recitations and finding set forth above are incorporated by reference.

SECTION 2. The Abandonment Tract is hereby closed, abandoned, and vacated and all right, title, and interest of the City in and to the Abandonment Tract is released.

SECTION 3. The provisions of this ordinance are severable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2016.

CHRIS WATTS, MAYOR

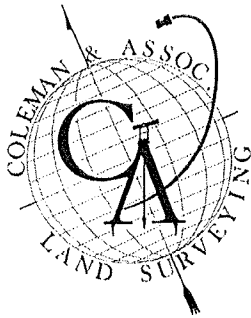
ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY:  _____

EXHIBIT "A" attachment to Gary Street Abandonment Ordinance



Coleman & Assoc. Land Surveying

P. O. Box 686
Denton, Texas 76202
Phone (940)565-8215 Fax (940)565-9800
REGISTRATION #10095100

Gary Street Abandonment
0.381 of an acre

FIELD NOTES to all that certain tract of land situated in the BBB&CRR Co. Survey Abstract Number 185, City of Denton, Denton County, Texas and being all of Lot 5 and Lot 16, Block 4, Northside Addition as shown by the plat thereof recorded in Volume 42, Page 14 of the Deed Records of Denton County, Texas as described in the Street Dedication Deed from G. B. Collins to the City of Denton recorded in Volume 66, Page 623 of the said Deed Records; the subject tract being more particularly described with bearings relative to Texas Coordinate System of 1983 North Central Zone (4202) based on GPS ties to Geodetic Control as follows:

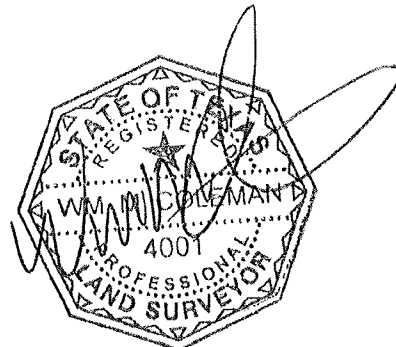
BEGINNING for the Southwest corner of the tract being described herein at an "X" set in a concrete sidewalk at the Southwest corner of the said Lot 16 and the Northwest corner of Lot 17A, Block 4, Northside Addition as shown by the replat thereof recorded in Cabinet J, page 147 of the Plat Records of Denton County, Texas and also being in the East right-of-way line of Elm Street;

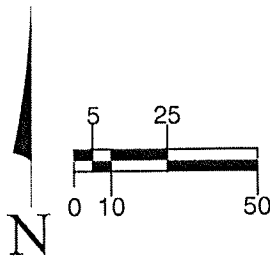
THENCE North 00 Degrees 14 Minutes 35 Seconds West with the East right-of-way line of Elm Street a distance of 50.00 feet to the Northwest corner of Lot 16;

THENCE North 89 Degrees 50 minutes 38 Seconds East with the North line of Lot 16 and the North line of the said Lot 5 a distance of 331.87 feet to the Northeast corner thereof on the West right-of-way line of Locust street;

THENCE South 00 Degrees 05 Minutes 59 Seconds East with the West right-of-way line of Locust Street a distance of 50.00 feet to the Southeast corner of Lot 5;

THENCE South 89 Degrees 50 Minutes 38 Seconds West with the South line of Lot 5 and the South line of Lot 16 a distance of 332.40 feet to the PLACE OF BEGINNING and enclosing 0.381 of an acre of land.





BEARINGS BASED ON:
TEXAS COORDINATE SYSTEM OF 1983, NORTH
CENTRAL ZONE (4202)
ESTABLISHED BY GPS TIES TO GEODETIC CONTROL
REFERENCE FRAME: NAD83 (2011) EPOCH 2010

LOT 6A, BLOCK 4, NORTHSIDE ADDITION CAB. E, P. 104

CALLED ALL OF LOTS 6-15,
BLOCK 4, NORTHSIDE ADDITION
CITY OF DENTON
V. 67, P. 435

N 89°50'38" E 331.87'

GARY ST.

STREET DEDICATION TO CITY OF DENTON
V. 66, P. 623

LOT 18, BLOCK 4,
NORTHSIDE ADDITION
OAB. J, P. 147

LOT 6, BLOCK 4,
NORTHSIDE ADDITION
OAB. J, P. 147

S 89°50'38" W 332.40'

P.O.B.

CALLED LOT 17A, BLOCK 4,
NORTHSIDE ADDITION
DENTON I.S.D.
DOC# 97-R0000885
R.P.R.D.Co.Tx.

CALLED LOT 3A, BLOCK 4,
NORTHSIDE ADDITION
DENTON I.S.D.
DOC# 97-R0000885
R.P.R.D.Co.Tx.

ELM ST.
N00°14'35"W 50.00'

LOCUST ST.
S00°50'59"E 50.00'

SEE ACCOMPANYING METES & BOUNDS DESCRIPTION

GARY STREET ABANDONMENT

ALL OF LOTS 5 & 16, BLOCK 4, NORTHSIDE ADDITION

CITY OF DENTON
DENTON COUNTY, TEXAS

JOB #: 16-2026

DRAWN: MGD

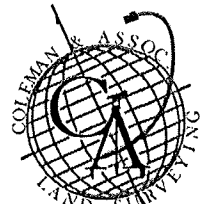
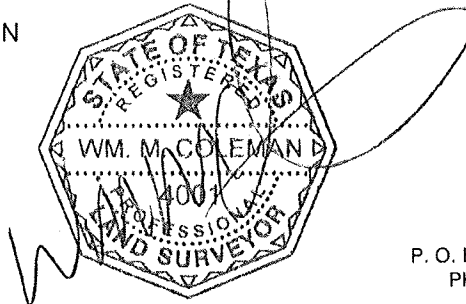
UPDATED:

CHECKED: WMC

DATE: 06-20-16

REVISED:

SCALE 1" = 50'



**Coleman & Assoc.
Land Surveying**

P. O. BOX 686 · DENTON, TEXAS 76202
PH(940)565-8215, FAX (940)565-9800,
www.colemansurveying.com
© 2016 COLEMAN & ASSOC. LAND SURVEYING