

CITY OF HUMBLE

ORDINANCE NO. 15-754

AN ORDINANCE OF THE CITY OF HUMBLE, TEXAS, PROVIDING FOR THE VACATING, ABANDONMENT, AND CLOSING OF A PORTION OF A TWENTY FOOT (20') RIGHT-OF-WAY EASEMENT LYING WEST OF NORTH HOUSTON AVENUE OUT OF THE C. BENDER SR. NORTH ADDITION AND SITUATED IN THE WHERRY B. ADAMS SURVEY, A-95.

WHEREAS, the City of Humble (the "City") is a Texas home-rule municipality organized under the Constitution and laws of the State of Texas, located in Harris County, Texas; and

WHEREAS, the City's Charter provides that it may exercise all powers of local self-government and powers granted to home rule cities by State Law; and

WHEREAS, the Texas Transportation Code provides that a home-rule municipality may vacate, abandon, or close a street or alley; and

WHEREAS, the City Council of the City of Humble, Texas finds that the unnamed twenty foot (20') right-of-way easement lying west of North Houston Avenue, which is situated between lots 27 and 10; and lots 26 and 11, depicted in Exhibit A, of the C. Bender Sr North Addition according to the map or plat thereof recorded in Volume 1, Page 101 of the Map Records of Harris County and situated in the Wherry B. Adams Survey, A-95, Harris County, Texas was never opened or improved as a public road, and

WHEREAS, the City does not intend to pave or other wise use the said portion of the unnamed twenty foot (20') right-of-way easement lying between lots 27 and 10; and lots 26 and 11, and

WHEREAS, Phil Bates and/or their Assignee is an individual; and

WHEREAS, Phil Bates and/or their Assignee has requested that the City abandon a portion of the unnamed twenty foot (20') right-of-way; and

WHEREAS, Phil Bates owns lots 27, 10, 26 and 11, and abuts all of the unnamed twenty foot (20') right-of-way that the City Council is requested to abandon, and

WHEREAS, the City Council finds that abandoning parts of the said unnamed twenty foot (20') right-of-way will cause no detriment to the rights of the citizens of Humble, Texas; and

WHEREAS the City Council finds and declares that it is in the best interest of all of the citizens of Humble, Texas that the part of the said unnamed twenty foot (20') right-of-way be vacated, closed and abandoned, and

WHEREAS, the City intends to terminate its interests only, if any, in the part of the said unnamed twenty foot (20') right-of-way and does not intend to convey or terminate any property

interest of any person owning property abutting the twenty foot (20') right-of-way or any other property in the C. Bender Sr North Addition, Vol. 1, Pg. 101, H.C.M.R. and situated in the Wherry B Adams Survey, A-95, Harris County, Texas; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT

Section 1 The facts set forth in the preamble of this Ordinance are hereby found to be true and correct.

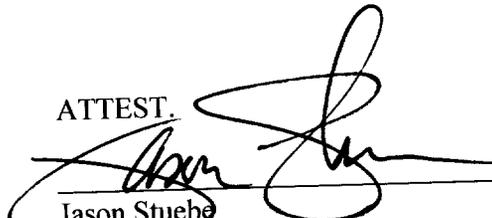
Section 2. The City's interest, if any, of the part of unnamed twenty foot (20') right-of-way easement lying west of North Houston Avenue, which is situated between Lots 27 and 10; and lots 26 and 11 of the C. Bender Sr North Addition, Vol. 1 Pg. 101 H.C.M.R. and situated in the Wherry B Adams Survey, A-95, Harris County, Texas. is hereby vacated, abandoned and closed to be conveyed to Phil Bates, their Assignee and all successors for and in consideration of \$10.00 and other good and valuable consideration. A survey of the property to be abandoned is attached as Exhibit "A."

Section 3. This Ordinance any ordinances of the City to the extent that said ordinance are inconsistent or in conflict with this Ordinance, but not otherwise.

Section 4. In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of provision hereof other than the part declared to be invalid, unconstitutional, and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 26th day of March 2015


Donald G McMannes
Mayor

ATTEST.

Jason Stuebe
City Secretary

