

CITY OF HUMBLE

ORDINANCE NO. 15-770

AN ORDINANCE OF THE CITY OF HUMBLE, TEXAS, PROVIDING FOR THE VACATING, ABANDONMENT, AND CLOSING OF A THIRTY FOOT (30') RIGHT-OF-WAY EASEMENT LYING BETWEEN BLOCKS 1 AND 2 OF THE M. BUTLER SUBDIVISION OUT OF THE JOHN BROWN JONES 1/3 LEAGUE, ABSTRACT NO. 484, IN THE CITY OF HUMBLE, HARRIS COUNTY, TEXAS.

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 thirty foot (30') right-of-way easement lying between Blocks 1 and 2 of the M. Butler Subdivision, out of the John Brown Jones 1/3 League, Abstract No. 484, in the City of Humble, 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 thirty foot (30') right-of-way easement lying between Blocks 1 and 2; and

WHEREAS, Medclub Group Townsen Road, LLC and/or their Assignee is a Texas Limited Liability Company; and

WHEREAS, Medclub Group Townsen Road, LLC and/or their Assignee has requested that the City abandon a portion of the unnamed thirty foot (30') right-of-way; and

WHEREAS, Medclub Group Townsen Road, LLC owns Blocks 1 and 2, and abuts all of the unnamed thirty foot (30') right-of-way that the City Council is requested to abandon; and

WHEREAS, the City Council finds that abandoning parts of the said unnamed thirty foot (30') 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 thirty foot (30') right-of-way be vacated, closed and abandoned; and

WEHEREAS, the City intends to terminate its interests only, if any, in the part of the said unnamed thirty foot (30') right-of-way and does not intend to convey or terminate any property interest of any person owning property abutting the thirty foot (30') right-of-way or any other property in the

M. Butler Subdivision out of the John Brown Jones 1/3 League, Abstract No. 484 in the City of Humble, 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 thirty foot (30') right-of-way easement lying between Blocks 1 and 2 of the John Brown Jones 1/3 League, Abstract No. 484 in the City of Humble, Harris County, Texas is hereby vacated, abandoned and closed to be conveyed to Medclub Group Townsen Road, LLC, 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 10th day of December 2015.

Merle Aaron

Merle Aaron
Mayor

ATTEST:

Jason Stuebe
Jason Stuebe
City Secretary

