

ORDINANCE NO. 2099

AN ORDINANCE VACATING AND ABANDONING A PORTION OF PUBLIC RIGHT OF WAY ON VILLA DRIVE FROM A POINT APPROXIMATELY 632 FEET TO THE EAST OF S. INDUSTRIAL BOULEVARD ENCAPSULATING APPROXIMATELY 1.053 ACRES, IN THE CITY OF EULESS, TARRANT COUNTY, TEXAS; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 4 “Streets and Public Property” establishes that the City shall have the power to establish, maintain, improve, alter, abandon, or vacate public streets, sidewalks, alleys, highways, public squares and public ways within the corporate limits of the City; and

WHEREAS, the City Council approved the Midtown Planned Development Zoning District through Ordinance No. 2072 on June 23, 2015; and

WHEREAS, CADG 901 Airport Freeway, LLC has requested that the City of Euless abandon a portion of Villa Drive from a point approximately 632 feet to the east of S. Industrial Boulevard encapsulating approximately 1.053 acres in order to facilitate development and construction of the Midtown project; and

WHEREAS, CADG 901 Airport Freeway, LLC owns property on the north and south sides abutting this portion of Villa Drive; and

WHEREAS, the City Council hereby finds that it would be in the best interests of the city, generally, to abandon this portion of the Villa Drive right of way; and

WHEREAS, the City Council further finds that the following ordinance provisions promote the health, safety, and general welfare of the citizens of Euless.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, THAT:

SECTION 1.

The portion of Villa Drive from a point approximately 632 feet to the east of S. Industrial Boulevard encapsulating approximately 1.053 acres out of the A.J. Huitt Survey Abstract No. 684, in the City of Euless, Tarrant County, Texas, being more particularly described in “**Exhibit A**” and “**Exhibit B**”, attached hereto and incorporated herein for all intents and purposes, is hereby officially vacated and abandoned as street right of way.

SECTION 2.

The City Council hereby finds that this ordinance is in the best interests of the City of Euless, generally.

SECTION 3.

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless, Texas, that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

SECTION 4.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on January 26, 2016, by a vote of ____ayes, ____nays, and ____abstentions.

APPROVED:

Linda Martin, Mayor

ATTEST:

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne K. Olson, City Attorney

EXHIBIT "A"

FIELD NOTES

BEING a 1.053 tract or parcel of land situated in the A. J. Huitt Survey Abstract Number 684, and being part of Villa Drive (a 60 foot right-of-way) and being part of a tract of land conveyed to Villa West Addition an addition to the City of Euless as recorded in Volume 388-45, Page 23, Plat Records, Tarrant County, Texas; and being more particularly described as follows:

BEGINNING at the southeast corner of a tract of land conveyed to Creative Child Care, INC. as recorded in Volume 7776, Page 1777, Deed Records, Tarrant County, Texas said point also being the southwest corner of said CADG 901 Airport Freeway, LLC, tract Instrument Number D214140253, said point also being the north right-of-way line of said Villa Drive, and being the southeast corner of Lot 3 of said Villa West Second Installment as recorded in Volume 388-52, Page 63, Plat Records, Tarrant County, Texas;

THENCE North 89°05'31" East along said north right-of-way line of Villa Drive a distance of 630.41 feet to a point for corner;

THENCE North 86°53'30" East a distance of 131.42 feet to a point for corner, said point being in the west line of a tract of land conveyed to CADG 901 Airport Freeway, LLC, as recorded in County Clerk File Number D515218862, Deed Records, Tarrant County, Texas;

THENCE South 03°13'59" East along west line of said CADG 901 Airport Freeway, LLC, tract a distance of 59.83 feet to a point for corner, said point being in the south right-of-way line of said Villa Drive;

THENCE South 86°53'30" West along the south right-of-way line of said Villa Drive a distance of 132.70 feet to a point for corner;

THENCE South 89°05'31" West continuing along the south right-of-way line of said Villa Drive a distance of 631.56 feet to a point for corner;

THENCE North 00°54'54" West departing said south right-of-way line and crossing said Villa Drive a distance of 60.00 feet to the POINT OF BEGINNING and containing 1.053 acres of land, more or less.

David F. McCullah

DAVID F. McCULLAH RPLS NO. 4023
BROWN & GAY ENGINEERS, INC.
2595 DALLAS PARKWAY, SUITE 204
FRISCO, TEXAS 75034
TELEPHONE: (972) 464-4800
DATED 1-19-16



SURVEYOR



Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.browngay.com
TBPLS Registration No. 10193953

Copyright 2015

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE
COORDINATE SYSTEM, NORTH CENTRAL ZONE,
NORTH AMERICAN DATUM OF 1983.

**RIGHT-OF-WAY ABANDONMENT
(VILLA DRIVE)**

1.053 ACRES
A. J. HUITT SURVEY, ABSTRACT NO. 684
CITY OF EULESS, TEXAS
TARRANT COUNTY, TEXAS
JANUARY 2016

EXHIBIT "B"

LOT 1, BLOCK A
 BELCHASE ADDITION
 C.C.F.# D197087100
 D.R.T.C.T.
 H D DEVELOPMENT PROPERTIES, LP
 VOLUME 13903, PAGE 558
 D.R.T.C.T.

PIPE LINE AND TELEPHONE EASEMENT
 LONE STAR GAS COMPANY
 VOL. 4775, PG. 846
 D.R.T.C.T.

25' DRAINAGE & WATER EASEMENT
 VOL. 10462, PG. 1774
 D.R.T.C.T.

10'x5' WATER ESMT

25' FIRE LANE & WATER EASEMENT

VILLA WEST SECOND INSTL.
 VOL. 388-52, PG. 63
 P.R.T.C.T.

6' UTILITY EASEMENT
 VOL. 388-52, PG. 63
 M.R.T.C.T.

10' UTILITY EASEMENT
 VOL. 4691, PG. 274
 D.R.T.C.T.

CADG 901 AIRPORT FREEWAY, LLC.
 C.C.F.# D214140253
 D.R.T.C.T.

CREATIVE CHILD CARE, INC. CADG 901 AIRPORT FREEWAY, LLC.
 VOL. 7776, PG. 1777
 D.R.T.C.T.

C.C.F.# D214140253
 D.R.T.C.T.

LOT 3 P.O.B.

N: 6989183.8236
 E: 2399102.9843

LOT 4

N89°05'31"E

10' UTILITY EASEMENT
 VOL. 4691, PG. 274
 D.R.T.C.T.

630.41'

VILLA DRIVE

N00°54'54"W
 60.000'

S89°05'31"W

631.56'

15' DRAINAGE & UTILITY EASEMENT
 VOL. 388-45, PG. 23
 P.R.T.C.T.

CADG 901 AIRPORT FREEWAY, LLC.
 C.C.F.# D214154503
 D.R.T.C.T.

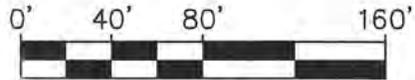
VILLA WEST ADDITION
 VOL. 388-45, PG. 23
 P.R.T.C.T.

LEGEND

- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING
- D.R.D.C.T. DEED RECORDS, TARRANT COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, TARRANT COUNTY, TEXAS
- VOL. VOLUME
- PG. PAGE

Notes:

1. Surveyor has not abstracted the property.
2. Property is subject to all easements of record.



SCALE: 1"=80

SURVEYOR



Brown & Gay Engineers, Inc.
 2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
 Tel: 972-464-4800 • www.browngay.com
 TBPLS Registration No. 10193953

Copyright 2015

RIGHT-OF-WAY ABANDONMENT
 (VILLA DRIVE)

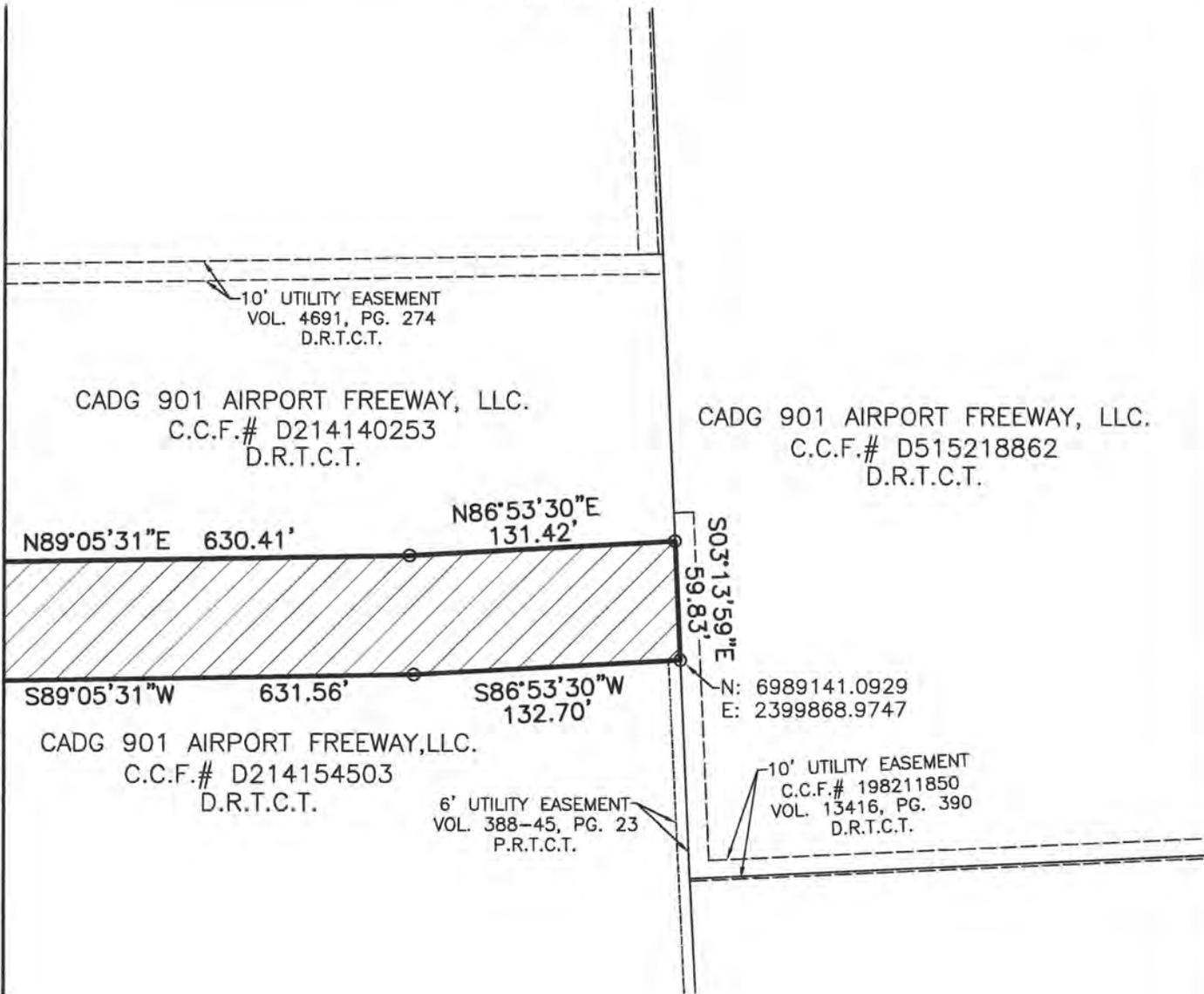
1.053 ACRES
 A. J. HUITT SURVEY, ABSTRACT NO. 684
 CITY OF EULESS, TEXAS
 TARRANT COUNTY, TEXAS
 JANUARY 2016

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE
 COORDINATE SYSTEM, NORTH CENTRAL ZONE,
 NORTH AMERICAN DATUM OF 1983.

MATCH LINE SEE SHEET 3 OF 3

MATCH LINE SEE SHEET 2 OF 3

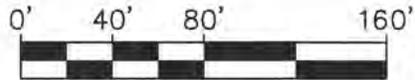


LEGEND

P.O.C.	POINT OF COMMENCING
P.O.B	POINT OF BEGINNING
D.R.D.C.T.	DEED RECORDS, TARRANT COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, TARRANT COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE

Notes:

1. Surveyor has not abstracted the property.
2. Property is subject to all easements of record.



SCALE: 1"=80

SURVEYOR



Brown & Gay Engineers, Inc.
 2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
 Tel: 972-464-4800 • www.browngay.com
 TBPLS Registration No. 10193953

Copyright 2015

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE
 COORDINATE SYSTEM, NORTH CENTRAL ZONE,
 NORTH AMERICAN DATUM OF 1983.

**RIGHT-OF-WAY ABANDONMENT
 (VILLA DRIVE)**

1.053 ACRES
 A. J. HUITT SURVEY, ABSTRACT NO. 684
 CITY OF EULESS, TEXAS
 TARRANT COUNTY, TEXAS
 JANUARY 2016