

ORDINANCE NO. 3420

AN ORDINANCE ABANDONING A PUBLIC WATER LINE EASEMENT ON PROPERTY LOCATED IN THE BIRDVILLE HIGH SCHOOL ADDITION IN THE CITY OF NORTH RICHLAND HILLS; DECLARING THAT SUCH EASEMENT IS UNNECESSARY FOR USE BY THE PUBLIC; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on or about October 4, 1989, William D. Souder and James A. Lucas granted a water line easement (“the Easement”) to the City, which easement is in DRTCT Volume 9723, Page 275, Tarrant County, Texas; and

WHEREAS, the City Council of the City of North Richland Hills, after careful study and consideration, has determined that a portion of the Easement is not being used by the public, is not useful or convenient to the public in general, and that the public would be better served and benefited by its vacation and abandonment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

Section 1: THAT the above and foregoing recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2: A portion of the fifteen foot (15') wide water line easement located on Lot 1, Block 1, Birdville High School Addition to the City of North Richland Hills, Tarrant County, Texas, which easement is described in an instrument recorded in DRTCT Volume 9723, Page 275, Tarrant County, Texas and depicted on Exhibits “A” and “B” hereto is hereby abandoned and discontinued.

Section 3: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections 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 and 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, clause, sentence, paragraph or section.

Section 4: This Ordinance shall be in full force and effect from and its passage, and it so ordained.

PASSED AND APPROVED this 11th day of July, 2016.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Cara Leahy White, Assistant City Attorney

APPROVED AS TO CONTENT:

Mike Curtis, P.E., Managing Director