

ORDINANCE NO. 3421

AN ORDINANCE ABANDONING A PORTION OF PARKER BOULEVARD RIGHT-OF-WAY IN THE CITY OF NORTH RICHLAND HILLS, TARRANT COUNTY, TEXAS, AND AUTHORIZING THE CONVEYANCE OF THE RIGHT-OF-WAY TO ADJACENT OWNERS; DECLARING THAT SUCH RIGHT-OF-WAY 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, an area described as a street right-of-way, commonly referred to as Parker Boulevard, specifically, the portion of a former 88’ right of way on the survey attached to this Ordinance as Exhibit “A”, was previously dedicated to the City, said dedication recorded at Volume A, Page 10807 of the Deed Records Of Tarrant County, Texas; and

WHEREAS, the City Council has been requested to vacate and abandon a portion of Parker Boulevard which will no longer be needed for street purposes after the Final Plat for Hometown-Dolce Addition Phase II is completed, and convey it to the owner of property which is adjacent to the abandoned portion of the Boulevard; and

WHEREAS, the City Council, after careful study and consideration, has determined that the right-of-way to be abandoned is not being used by, nor 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: The portion of Parker Boulevard described in Exhibit “A” hereto is hereby abandoned effective on the approval of the Final Plat for Hometown-Dolce Addition Phase II to the City of North Richland Hills, Tarrant County, Texas.

Section 3: The property described in Exhibit “A” hereto shall be conveyed to the owner of Hometown-Dolce Addition, Phase II to the City of North Richland

Hills, RCC Hometown Apartments, Ltd., conditional upon and in consideration of further dedication of easements necessary for utilities, sidewalks, drainage and all other components of a "CS-86-56" thoroughfare type as defined by the Town Center Zoning District.

Section 4: 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.

AND IT IS SO ORDAINED.

Passed and approved on the 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, Managing Director Development Services