

ORDINANCE NO. 7741

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF S. VERNON STREET, S. SPRING STREET, S.E. 17TH AVENUE AND INTERSTATE-40, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT A PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo has been petitioned to abandon an existing twenty foot alley in the vicinity of S. Vernon Street, S. Spring Street, S.E. 17th Avenue and Interstate 40 in Potter County, Texas except for a public utility easement to retain for current and existing utilities; and

WHEREAS, after reviewing information presented in the petition, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following described Alley; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that the alley right-of-way described is no longer necessary and no longer serves a public purpose; and

WHEREAS, the City Council further decides that such vacation of alley right-of-way excepted the public utility easement, which is retained for current utilities; and

WHEREAS, the City Council further determined that this alley closure is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood.

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

SECTION 1. The herein-described Alley is vacated and abandoned for public purposes:

V-18-02 Vacation of an existing 20 ft. alley in Block 16, Benton Highland Addition, in Section 123, Block 2, AB&M Survey, Potter County, Texas (Vicinity: S. Vernon St., S. Spring St., S.E. 17th Ave. and Interstate-40) and being further described in attached Exhibit 2.

SAVE AND EXCEPT: The City of Amarillo is reserving a Public Utility Easement retained over the entire area of abandonment.

SECTION 2. The City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) in accordance with this Ordinance and the law.

SECTION 3. Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of conflict with this Ordinance.

FILED and RECORDED

Instrument Number: 2018OPR0008940

Filing and Recording Date: 07/02/2018 10:00:54 AM Pages: 3 Recording Fee: \$20.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Potter County, Texas.



A handwritten signature in blue ink that reads "Julie Smith". The signature is written in a cursive, flowing style.

Julie Smith, County Clerk
Potter County, Texas

DO NOT DESTROY - This document is part of the Official Public Record.

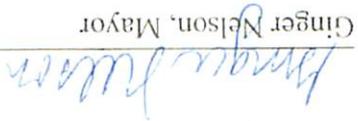
lhinojosa

SECTION 4. Severability. If any provision, section, subsection, clause or the application of sale to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality of any other portion or provision.

SECTION 5. Effective Date. This Ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 19th day of June, 2018 and PASSED on Second and Final Reading on this the 26th day of June, 2018.

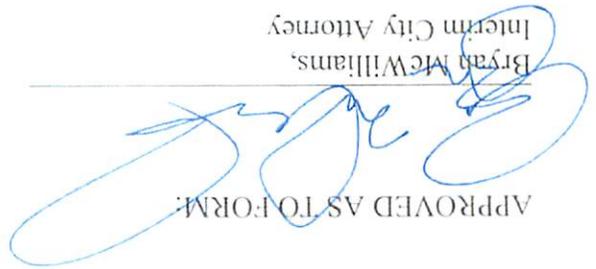
ATTEST:



 Ginger Nelson, Mayor



 Frances Hibbs, City Secretary

APPROVED AS TO FORM:


 Bryan McWilliams,
 Interim City Attorney

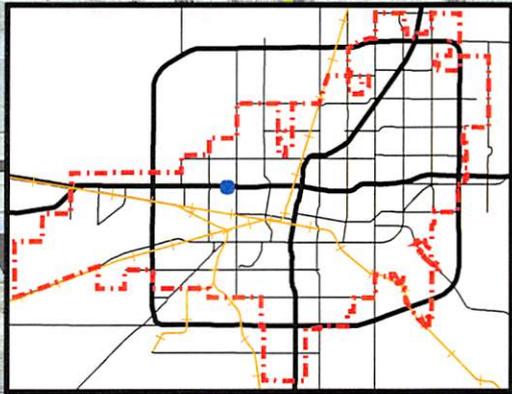
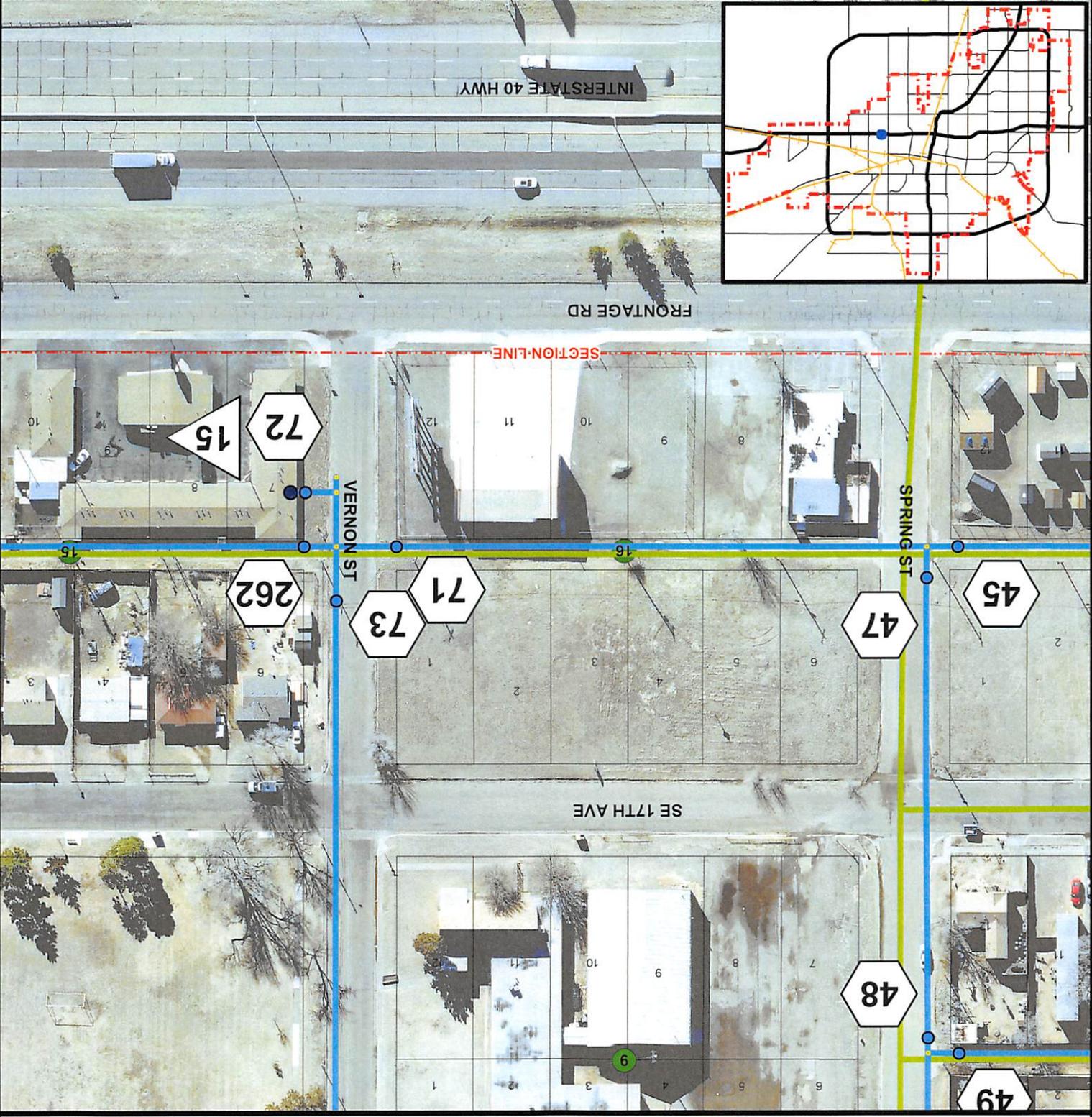
DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.



Scale: 1 inch = 90 feet
Date: 4/10/2018

Applicant: Furman Land Surveyors
Vicinity: Vernon St. and I-40 Access Road
Case Manager: Sherry L. Bailey

CITY OF AMARILLO PLANNING DEPARTMENT



Benton, Highland Addition Alley Location
ZB1800574/V-18-02