

# THE CITY OF AMARILLO, TEXAS

## INTERDEPARTMENTAL OFFICE COMMUNICATION

May 5, 2011

TO: See Distribution List Below

FROM: Planning Department

SUBJECT: V-11-01 Vacation of a portion of a 20 ft. alley Right-of-Way in Block 15, Morningside Subdivision Addition in Section 156, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: Amarillo Blvd. and Mirror St.)  
APPLICANT: Greg Mitchell

The Amarillo City Commission, at its meeting of February 23, 2011, approved the above-mentioned item. The ordinance affecting this change was filed of record in Potter County in Volume 4303 Pages 68-69, on March 14, 2011. Please post your records accordingly.



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Kelley Shaw, Planning Director



AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR PORTION OF AN ALLEY IN THE VICINITY OF AMARILLO BOULEVARD AND MIRROR STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT CREATION OF A UTILITY AND INGRESS/EGRESS EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

01191732

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Commission that there is no public necessity for the following-described ALLEY; and

WHEREAS, the City Commission, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; now, therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO:

SECTION 1: That the herein-described ALLEY be vacated and abandoned for public purposes:

Vacation of a portion of a 20 ft. alley Right-of-Way in Block 15, Morningside Subdivision in Section 156, Block 2, AB&M Survey, Potter County, Texas and being further described below (Vicinity: Amarillo Blvd. and Mirror St.)

APPLICANT: Greg Mitchell

BEGINNING at a 1/2" iron rod found on the east right-of-way line of Mirror Street, at the northwest corner of said Lot 17 which bears N. 09° 26' 51" E., a distance of 686.00 feet from a 1/2" iron pipe found for the southwest corner of Lot 7, Block 6, Morningside Subdivision for the most westerly southwest corner of this tract.

THENCE N. 09° 26' 51" E., along said right-of-way line, a distance of 20.27 feet to the southwest corner of said Lot 1, for the northwest corner of this tract.

THENCE S. 89° 54' 45" E., along the south line of said Lots 1- 5, a distance of 283.69 feet for the southeast corner of said Lot 5 same being on the west right-of-way line of Roberts Street for the northeast corner of this tract.

THENCE S. 09° 26' 51" W. along said west right-of-way line of said Roberts Street, a distance of 20.27 feet to the northeast corner of said Lot 6, for the most easterly southeast corner of this tract.

THENCE N. 89° 54' 45" W. a distance of 131.83 feet to the northwest corner of said Lot 6, for an interior ell corner of this tract.

THENCE S. 09° 26' 51" W. along the west line of said Lots 6 & 7, a distance of 100.80' for the most southerly southeast corner of this tract.

THENCE N. 80° 33' 09" W. a distance of 20.00 feet for the most southerly southwest corner of this tract.

THENCE N. 09° 26' 51" E. a distance of 97.50 feet to the northeast corner of said Lot 17 for an interior ell corner of this tract.

THENCE N. 89° 54' 45" W. along the north line of said Lot 17 a distance of 131.58 feet to place of BEGINNING and containing 0.17 acres (7656.74 sq. ft.) of land.

SAVE AND EXCEPT: A Public Ingress/Egress and Utility Easement is hereby retained over the entire area of abandonment. Upon completed relocation/rerouting of existing utility equipment and dedication of new Ingress/Egress easement, said portion of the retained Public Ingress/Egress and Utility Easement encroached upon with a structure and/or no longer containing utility equipment, shall be abandoned entirely.

SECTION 2: City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

SECTION 3: All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 4: In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect.

SECTION 5: This Ordinance shall become and be effective on and after its adoption.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 15<sup>th</sup> day of February 2011; and PASSED on Second and Final Reading this the 23<sup>rd</sup> day of ~~March~~ February 2011.

Debra McCartt  
Debra McCartt, Mayor

ATTEST:

Donna DeRight  
Donna DeRight, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS   §  
  §  
COUNTY OF POTTER   §

This instrument was acknowledged before me on the 23<sup>rd</sup> day of March 2011, by Debra McCartt, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

Frances Hibbs  
Notary Public in and for the State of Texas



Return to:  
DONNA DeRIGHT  
City Secretary, City of Amarillo  
P.O. Box 1971  
Amarillo, Texas 79105-1971

COUNTY CLERK'S MEMO  
Portions of this document may not be legible and/or reproducible when received for recording.



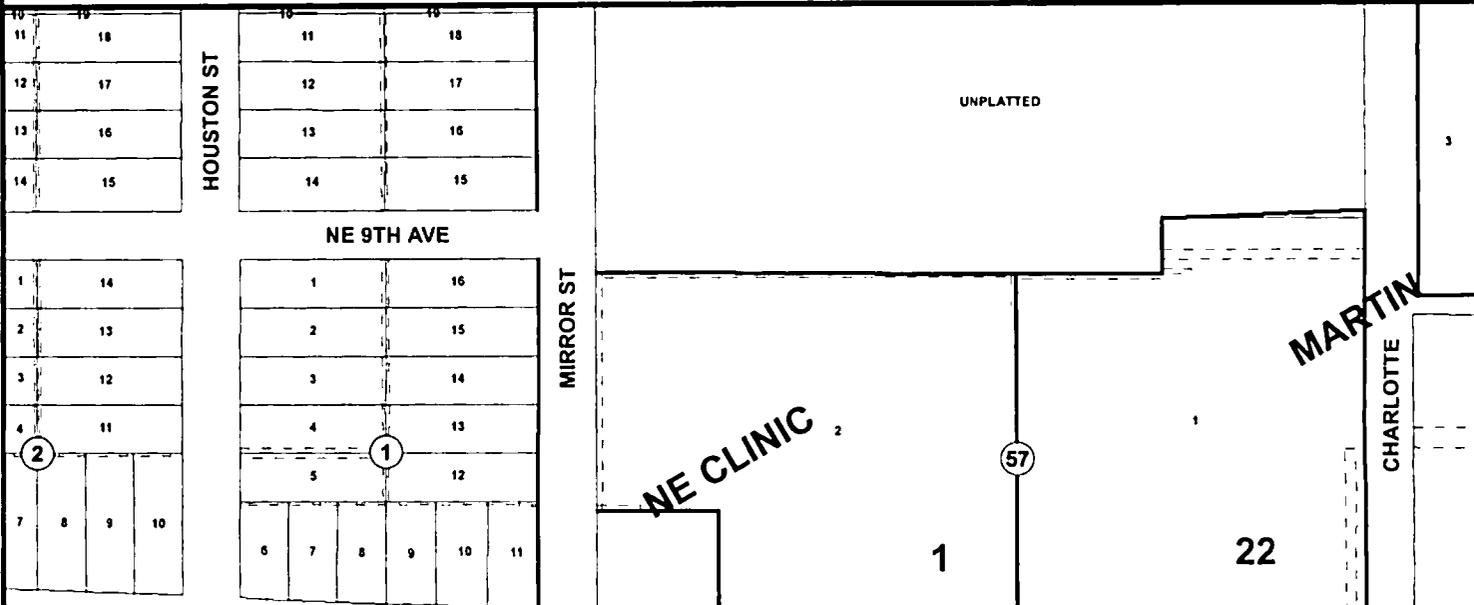
Julie Smith, County Clerk  
Potter County  
By Stydia Smith, Deputy

Any provision herein which restricts the sale, rental or use of the described real property because of color or race is invalid and unenforceable under federal law.

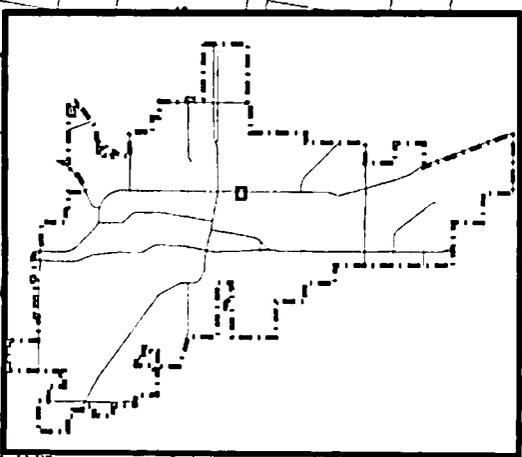
STATE OF TEXAS   COUNTY OF POTTER  
I hereby certify that this instrument was FILED on this date and at this time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF POTTER COUNTY TEXAS, in the volume and page as shown.

Filed AND Recorded  
OFFICIAL PUBLIC RECORDS  
On: Mar 14/2011 at 08:30A  
Receipt# - 155023  
Document Number 01191732:  
Amount 20.00  
Julie Smith  
County Clerk, Potter County  
By [Signature], Deputy

# Vacation of alley ROW



SECTION LINE E. AMARILLO BLVD.



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

Vacation of alley ROW between Lots 1-7 & 16-17,  
Block 15, Morningside Subdivision in Section 156,  
Block 2, AB&M Survey, Potter County, TX

Vicinity: Amarillo Blvd. & Mirror St.

Applicant: Greg Mitchell

Scale: 1" = 200'  
Date: 2-2-11  
Case No: V-11-01



AP#: 0-11