

# THE CITY OF AMARILLO, TEXAS

## *INTERDEPARTMENTAL OFFICE COMMUNICATION*

February 13, 2013

TO: See Distribution List Below

FROM: Planning Department

SUBJECT: V-12-08 Vacation of a portion of a 20ft. alley in Block 338, Holland's Addition in Section 156, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: SE 3rd Ave & Arthur St.)  
APPLICANT: Charles Lynch

The Amarillo City Commission, at its meeting of January 8, 2013, approved the above-mentioned item. The ordinance affecting this change was filed of record in Potter County in File Clerk 1230502 on February 8, 2013. Please post your records accordingly.



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Kelley Shaw, Planning Director

ORDINANCE NO. 7387

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF SOUTHEAST THIRD AVENUE AND ARTHUR STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT CREATION OF A UTILITY AND DRAINAGE EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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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 20ft. alley in Block 338, Holland's Addition, in Section 156, Block 2, AB&M Survey, Potter County, Texas and being further described below: (Vicinity: SE 3<sup>rd</sup> Ave. & Arthur St.)

A 4,517 square foot tract of land being a portion of a 20 foot wide alley lying North of SE 3<sup>rd</sup> Avenue and South of the BNSF Railroad right of way in Block 338, of the Holland Addition, an addition to the City of Amarillo, Potter County, Texas, according to the recorded map or plat thereof, of record in Volume 65, Page 20 of the Deed Records of Potter County, Texas and being further described by metes and bounds as follows:

BEGINNING at the Southeast corner of Lot 6, Block 338;

THENCE North 09 degrees 30 minutes 00 seconds East, along the East lines of Lots 6, 7, 8, and 9 a distance of 216.02 feet to a 3/8 inch iron rod with cap stamped "RPLS 4664" found in the South line of the BNSF Railroad, the beginning of a curve to the right having a radius of 1357.69 feet, whence a T - Rail bears North 10 degrees 29 minutes 27 seconds West, 1.76 feet:

THENCE Northeasterly along said railroad right of way being a curve to the right having a chord bearing of North 55 degrees 10 minutes 31 seconds East, a chord distance of 27.96 feet and an arc distance of 27.96 feet to a point whence a T Rail hears North 09 degrees 30 minutes 00 seconds East, 1.65 feet:

THENCE South 09 degrees 30 minutes 00 seconds West, along the West line of Lots 2, 3, 4, and 5 a distance of 235.55 feet to a "T" in concrete found for the Southwest corner of Lot 5:

THENCE North 80 degrees 30 minutes 00 seconds West, along the North line of SE 3<sup>rd</sup> Avenue, a distance of 20.00 feet to the PLACE OF BEGINNING.

SAVE AND EXCEPT: A Public Utility and Drainage Easement is retained over the ALLEY area of abandonment.

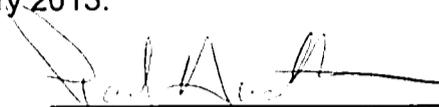
SECTION 2: City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

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

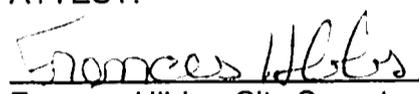
SECTION 4: In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect.

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 2nd day of January 2013; and PASSED on Second and Final Reading this the 8th day of January 2013.

  
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Paul Harpole, Mayor

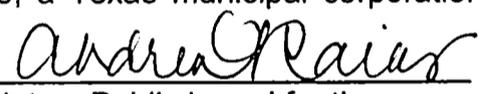
ATTEST:

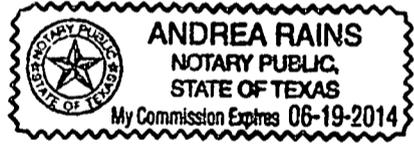
  
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Frances Hibbs, City Secretary

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS   §  
  §  
COUNTY OF POTTER   §

This instrument was acknowledged before me on the 8th day of January 2013, by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

  
\_\_\_\_\_  
Notary Public in and for the  
State of Texas



Return to:  
**FRANCES HIBBS**  
City Secretary, City of Amarillo  
P.O. Box 1971  
Amarillo, Texas 79105-1971

## FILED and RECORDED

Instrument Number: 1230502

Filing and Recording Date: 02/08/2013 09:19:06 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 cursive script that reads "Julie Smith".

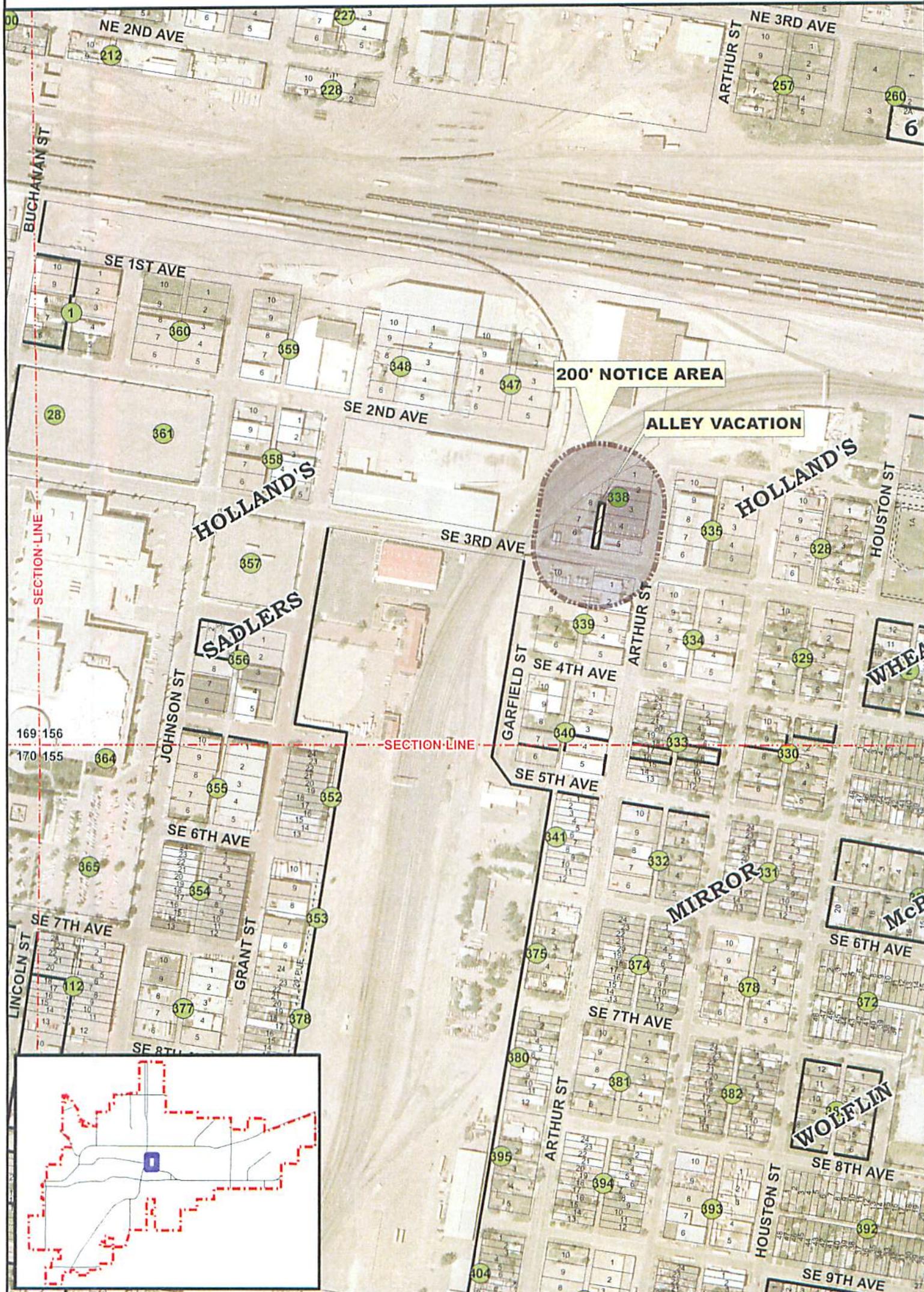
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Julie Smith, County Clerk  
Potter County, Texas

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

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# VACATION OF ALLEY



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

Scale: 1" = 400'  
Date: 12-7-12  
Case No: V-12-08



V-12-08 Vacation of the remaining portion of a 20ft. alley in Block 338, Holland's Addition in Section 156, Block 2, AB&M Survey, Potter County, Texas.

Applicant: Charles Lynch

Vicinity: SE 3rd Ave & Arthur St