

**ORDINANCE NO. O-2015-65**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, PROVIDING FOR THE ABANDONMENT OF TWO UNIMPROVED 15 FEET WIDE ALLEY RIGHTS-OF-WAY. THE EAST SIDE OF THE FIRST 15 FEET WIDE ALLEY RIGHT-OF-WAY IS ADJACENT TO LOTS 10-13 OF NCB 209 AND THE WEST SIDE IS ADJACENT TO LOTS 23 AND 14 OF NCB 209. THE NORTH SIDE OF THE SECOND 15 FEET WIDE ALLEY RIGHT-OF-WAY IS ADJACENT TO LOTS 21B AND 23 OF NCB 209 AND THE SOUTH SIDE IS ADJACENT TO LOTS 14-16 OF NCB 209; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the applicant is requesting the closure of two unimproved alley rights-of-way. The east side of the first 15 feet wide alley right-of-way is adjacent to Lots 10-13 of NCB 209 and the west side is adjacent to Lots 23 and 14 of NCB 209. The north side of the second 15 feet wide alley right-of-way is adjacent to Lots 21B and 23 of NCB 209 and the south side is adjacent to Lots 14-16 of NCB 209.

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

**PART 1:** That the following thoroughfare closures are hereby approved as follows:

**I. APPLICATION C06-15-006**

That the public rights-of-way described below, and the same are hereby abandoned, vacated and closed insofar as the right, or title of the public is concerned:

The first right-of-way is an unimproved 15 feet wide alley right-of-way, beginning south of the southeast corner of North Whitten Avenue and West Queen Street and continuing south approximately 240 feet to Maple Street. The east side of the unimproved right-of-way is adjacent to Lots 10-13 of NCB 209. The west side of the unimproved right-of-way is adjacent to Lots 23 and 14 of NCB 209. The second right-of-way is an unimproved 15 feet wide alley right-of-way, beginning at midpoint of the aforementioned 15 feet wide alley and extending approximately 160 feet west to Reed Alley. The north side of the right-of-way is adjacent to Lots 21B and 23 of NCB 209. The south side is adjacent to Lots 14-16 of NCB 209.

**PART 2:** That closure and abandonment are contingent upon and will not become effective until and unless the applicant replats the property within six (6) months and dedicates utility easements for the existing public infrastructure.

**PART 3:** That said public rights-of-way are not needed for public purposes and it is in the public interest of the City to abandon said described public rights-of-way, other than the terms and conditions set out above.

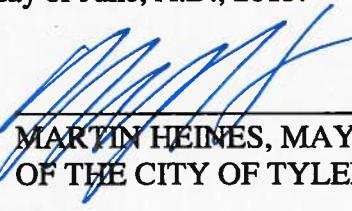
**PART 4:** That the abandonment provided for herein shall extend only to the public right, title and overlay with ingress/egress, public utility easements and to the tracts of land

described in this ordinance, and shall be construed only to that interest that the governing body of the City of Tyler may legally and lawfully abandon.

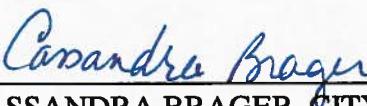
**PART 5:** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

**PART 6:** That this ordinance shall be effective on and after its date of passage and approval by the City Council.

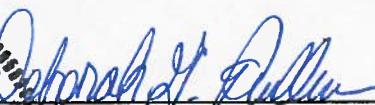
**PASSED AND APPROVED** this the 24<sup>th</sup> day of June, A.D., 2015.

  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

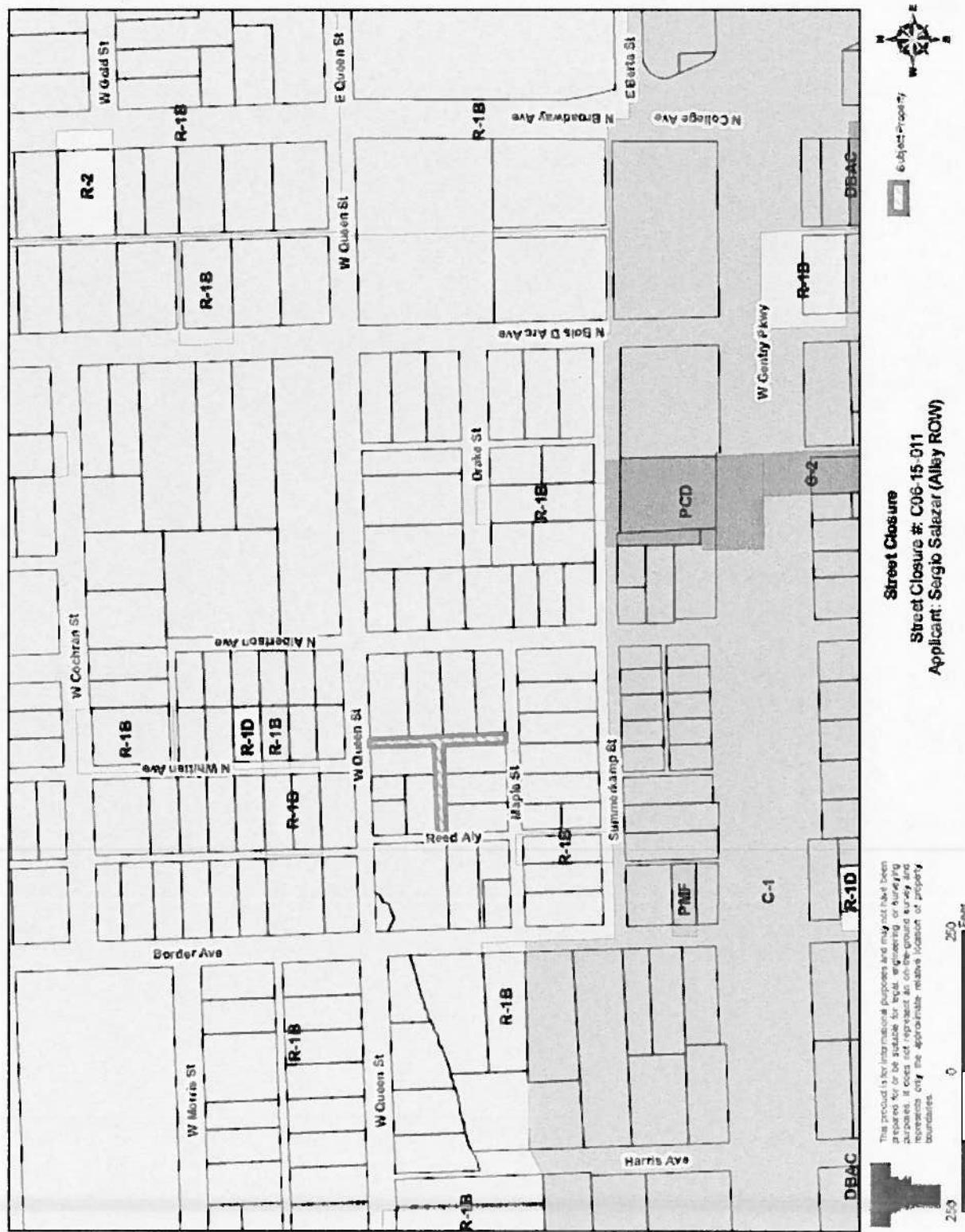
  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY



**ORDINANCE NO. O-2015-65  
EXHIBIT "A"  
LOCATION MAP**



**ORDINANCE NO. O-2015-65**  
**EXHIBIT "B"**  
**TYLER 1<sup>st</sup> FUTURE LAND USE GUIDE**



**ORDINANCE NO. O-2015-65**  
**EXHIBIT "C"**  
**NOTIFICATION MAP**

