

**ORDINANCE NO. O-2015-75**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, PROVIDING FOR THE ABANDONMENT OF AN UNIMPROVED EIGHT FOOT WIDE ALLEY RIGHT-OF-WAY. THE EAST SIDE OF THE UNIMPROVED RIGHT-OF-WAY IS ADJACENT TO LOTS 14 AND 13 OF NCB 608. THE WEST SIDE OF THE UNIMPROVED RIGHT-OF-WAY IS ADJACENT TO LOTS 1A AND 2A OF NCB 608; 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 an unimproved eight foot wide alley right-of-way. The east side of the unimproved right-of-way is adjacent to Lots 14 and 13 of NCB 608. The west side of the unimproved right-of-way is adjacent to Lots 1A and 2A of NCB 608.

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

**PART 1:** That the following thoroughfare closure is hereby approved as follows:

**I. APPLICATION C07-15-007**

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

An unimproved eight foot wide alley beginning east of the intersection of East Gentry Parkway and East Nutbush Street and continuing south approximately 155 feet to the southwest edge of Lot13 of NCB 608. The east side of the unimproved right-of-way is adjacent to Lots 14 and 13 of NCB 608. The west side of the unimproved right-of-way is adjacent to Lots 1A and 2A of NCB 608.

**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 right-of-way is not needed for public purposes and it is in the public interest of the City to abandon said described public right-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 22<sup>nd</sup> day of July, A.D., 2015.

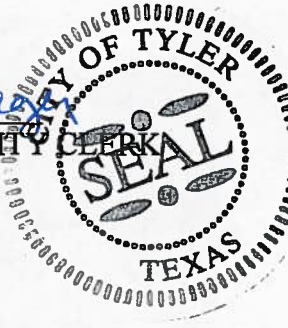
*Edward Moore*

EDWARD MOORE, MAYOR PRO TEM  
OF THE CITY OF TYLER, TEXAS

A T T E S T:

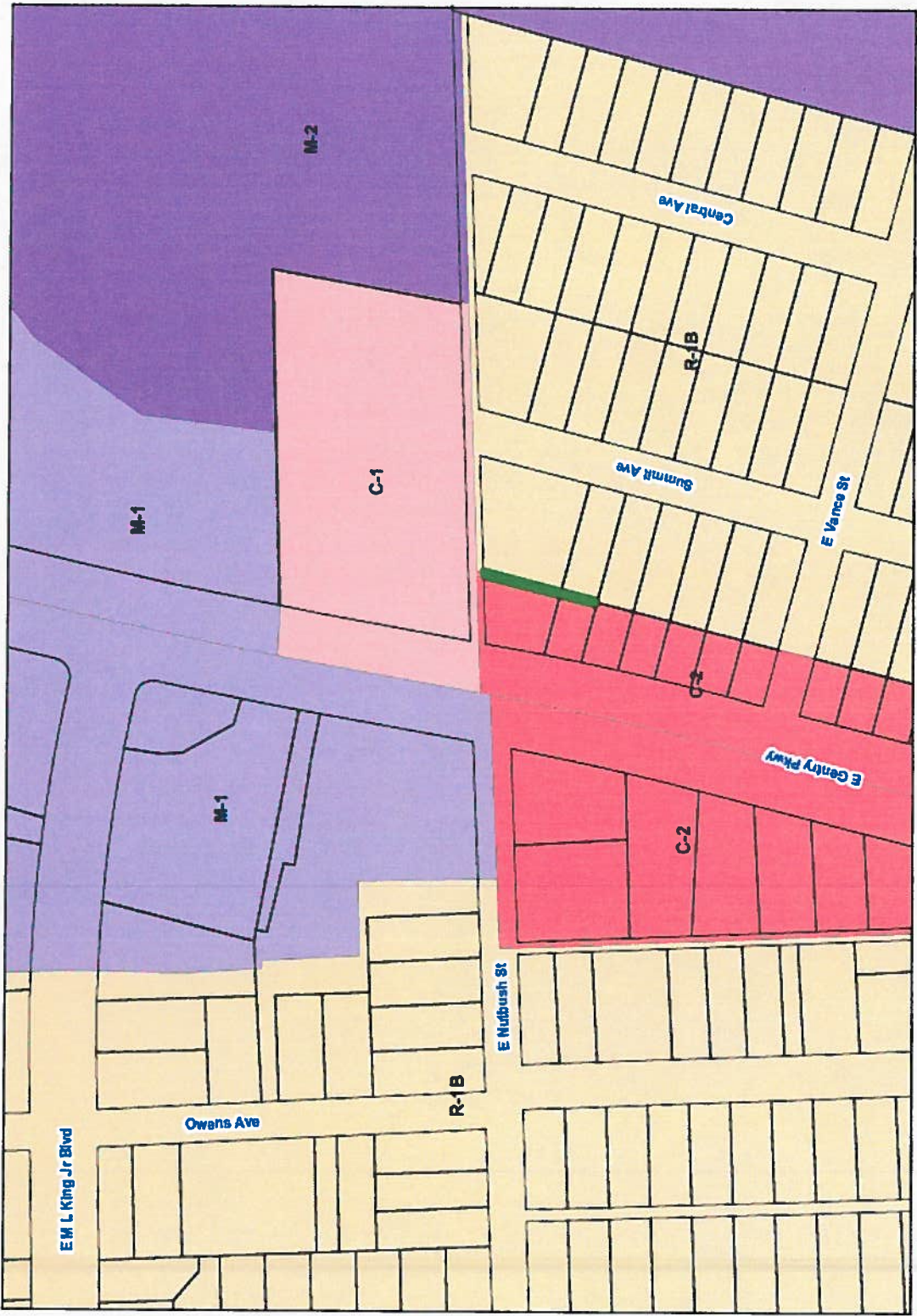
APPROVED:

*Cassandra Brager*  
CASSANDRA BRAGER, CITY CLERK



*Deborah G. Pullum*  
DEBORAH G. PULLUM,  
CITY ATTORNEY

ORDINANCE NO. O-2015-75  
EXHIBIT "A"  
LOCATION MAP



Subject Property



Street Closure

Street Closure #: C07-15-007  
Applicant: Javed Corporation (Alley ROW)

This product is for informational purposes and may not have been prepared for or by a public agency. It does not represent an engineering survey and represents only the approximate relative location of property boundaries.



200 0 200 Feet



ORDINANCE NO. O-2015-75  
EXHIBIT "B"  
TYLER 1<sup>st</sup> FUTURE LAND USE GUIDE



**ORDINANCE NO. O-2015-75  
EXHIBIT "C"  
NOTIFICATION MAP**



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**Street Closure**

**Street Closure #: C07-15-007**

**Applicant: Javed Corporation (Alley ROW)**

