

ORDINANCE NO. O-2019-17

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CLOSING THE UNIMPROVED PORTION OF TWO RIGHTS-OF LOCATED EAST OF LOT 20A OF NCB 210 AT SUMMERKAMP STREET CONTINUING SOUTH, ENDING AT WEST GENTRY PARKWAY. THE SECOND CLOSURE IS LOCATED WEST OF THE INTERSECTION OF NORTH ALBERTSON AVENUE AND WEST GENTRY PARKWAY, CONTINUING SOUTH APPROXIMATELY 218 FEET. THE EAST SIDE OF THE SECOND RIGHT-OF-WAY CLOSURE IS ADJACENT TO NORTH ALBERTSON DRIVE, THE SOUTH SIDE IS ADJACENT TO LOTS 23, 24, 27 – 31 THE WEST SIDE IS ADJACENT TO LOT 20A OF NCB 210 AND, THE NORTH SIDE OF THE RIGHT-OF-WAY IS ADJACENT TO LOTS 22, 23, 24, 25, 26, 27 AND 31; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH CLOSURE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The applicant is requesting the closure in order to replat the rights-of-way for development purposes. The first closure request is located east of Lot 20A of NCB 210 at Summerkamp Street continuing south, ending at West Gentry Parkway. The second closure is located west of the intersection of North Albertson Avenue and West Gentry Parkway, continuing south approximately 218 feet. The east side of the second right-of-way closure is adjacent to North Albertson Drive, the south side is adjacent to Lots 23, 24, 27 – 31 the west side is adjacent to Lot 20A of NCB 210 and, the north side of the right-of-way is adjacent to Lots 22, 23, 24, 25, 26, 27 and 31 as described by Exhibit "A".

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 C19-001

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:

East of Lot 20A of NCB 210 at Summerkamp Street continuing south, ending at West Gentry Parkway. The second closure is located west of the intersection of North Albertson Avenue and West Gentry Parkway, continuing south approximately 218 feet. The east side of the second right-of-way closure is adjacent to North Albertson Drive, the south side is adjacent to Lots 23, 24, 27 – 31 the west side is adjacent to Lot 20A of NCB 210 and, the north side of the right-of-way is adjacent to Lots 22, 23, 24, 25, 26, 27 and 31.

PART 2: That closure is contingent upon and will not become effective until and unless the applicant replats the property within six (6) months and dedicates utility easements where required.

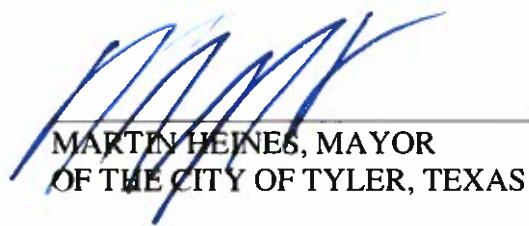
PART 3: That said public right-of-way is not needed for public purposes and it is in the public interest of the City to abandon said described public right-of-way, other than the terms and conditions set out above.

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 27th day of February A.D., 2019.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



Cassandra Brager
CASSANDRA BRAGER, CITY CLERK

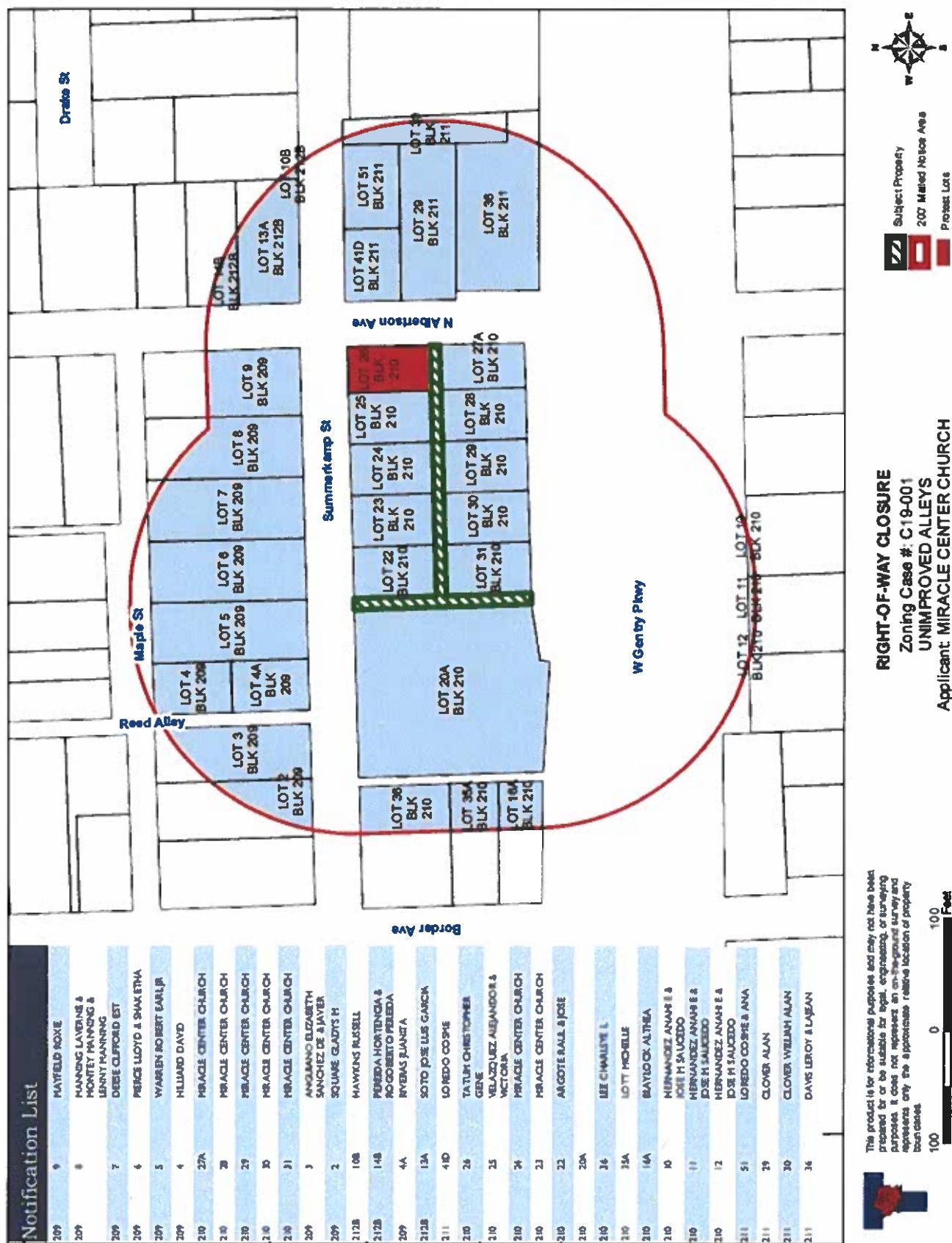


APPROVED:



Deborah G. Pullum
DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2019-17
EXHIBIT "A"
NOTIFICATION MAP**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property lines.

RIGHT-OF-WAY CLOSURE
Zoning Case #: C19-001
UNIMPROVED ALLEYS
Applicant: MIRACLE CENTER CH

100 0 -100

ORDINANCE NO. O-2019-17

EXHIBIT "B"
LOCATION MAP

