

ORDINANCE NO. 0234

AN ORDINANCE VACATING A 14,248 SQUARE FOOT PORTION OF THE CITY RIGHT-OF-WAY KNOWN AS LTV ROAD LOCATED IN LEIGH CLARK SURVEY NO. 297, TOWN OF HORIZON CITY, TEXAS; AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES

WHEREAS, the abutting property owners have requested vacation of a parcel of land being a 14,248 square foot portion of the right-of-way known as LTV Road located in Leigh Clark Survey No. 297, Town of Horizon City, Texas.

WHEREAS, after public hearing, the Town of Horizon City Planning and Zoning Commission has recommended that said portion of right-of-way should be vacated.

WHEREAS, the City Council finds that the vacation of said portion of right-of-way is in the public interest of the Town of Horizon City, Texas.

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, THAT:

1. ENACTMENT OF STREET VACATION

A 14,248 square foot portion of the right-of-way known as LTV Road located in Leigh Clark Survey No. 297, Town of Horizon City, Texas, further described by metes and bounds attached hereto as Exhibit "A" and incorporated by reference herein, is hereby vacated and the Mayor is hereby authorized to sign an instrument quitclaiming all of the City's right, title and interest in such vacated parcel to EP Core Property Co.

2. FINDINGS OF FACT

This ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

3. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. EFFECTIVE DATE

This Ordinance shall be effective upon passage.

6. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this 8th day of November, 2016, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Horizon City, Texas.

TOWN OF HORIZON CITY

by: [Signature]
Ruben Mendoza, Mayor

ATTEST:

[Signature]
Elvia Schuller, TRMC, City Clerk



APPROVED AS TO FORM:

[Signature]
Bertha A. Ontiveros, Assistant City Attorney

First Reading 10/11/2016
Second Reading 11/8/2016

EXHIBIT A



Land - Mark Professional Surveying Inc.

"Serving Texas, New Mexico and Arizona"

METES AND BOUNDS DESCRIPTION PORTION OF LTV ROAD

BEING A PARCEL OF LAND OUT OF LEIGH CLARK SURVEY No. 297, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference, from the common corner of Sections 43 and 44, Block 78, Township 3, T. & P. R.R. Co. Surveys, Section 5, Block 78, Township 4, T. & P. R.R. Co. Surveys and Leigh Clark Survey No. 297; **THENCE**, North 89°59'32" West, with the common boundary line of said Leigh Clark Survey No. 297 and said Section 43, a distance of 858.36 feet to a point; **THENCE** South 00°00'23" East, departing said common boundary line, a distance of 1921.01 feet to an existing 5/8" rebar with cap stamped "LAND-MARK TX4869 NM11402"; **THENCE**, South 89°59'37" West, a distance of 464.65 feet to a point lying in the easterly right-of-way line of LTV Road, recorded in Volume 1959, Page 803, Official Records of El Paso County, Texas and being the **POINT OF BEGINNING** of this parcel description;

THENCE, South 00°36'31" East, with said easterly right-of-way line, a distance of 237.15 feet to a point, for a corner of this parcel;

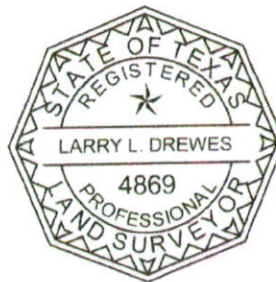
THENCE, South 89°23'28" West, with the south end of said LTV Road, a distance of 60.00 feet to a point lying in the westerly right-of-way line of said LTV Road, for a corner of this parcel;

THENCE, North 00°36'31" West, with said westerly right-of-way line, a distance of 237.78 feet to a point, for a corner of this parcel;

THENCE, North 89°59'37" East, a distance of 60.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.327 Acres (14,238 Square Feet) more or less.

Larry L. Drewes, R.P.L.S.
Texas License No. 4869
Job. No. 30146
Date: May 10, 2016



LEIGH CLARK SURVEY No. 297

SEC. 43, BLK. 78, TSP. 3,
T. & P. R.R. Co. SURVEYS

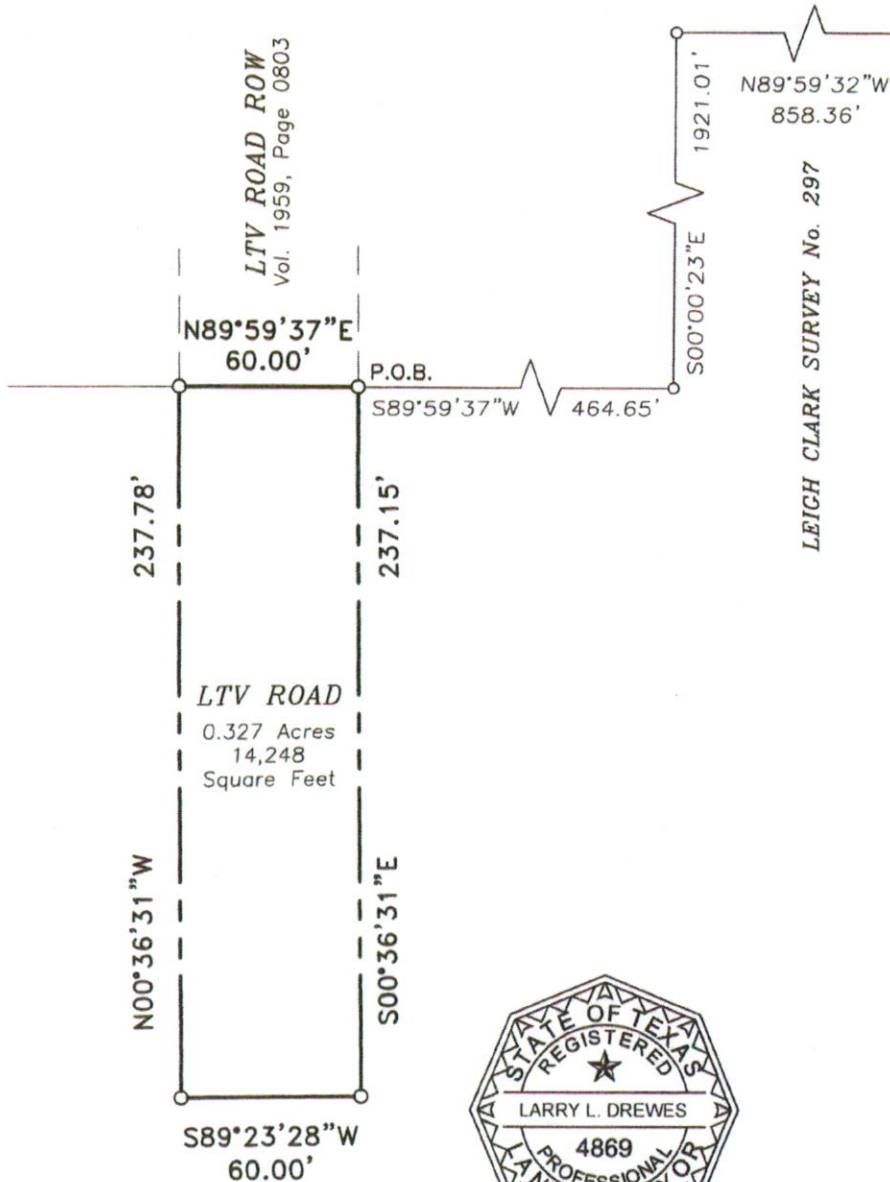
SEC. 44, BLK. 78, TSP. 3,
T. & P. R.R. Co. SURVEYS

P.O.C.
Existing 2" Iron Pipe

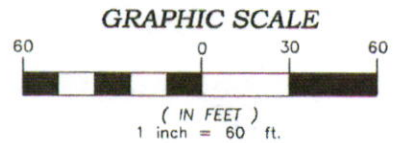
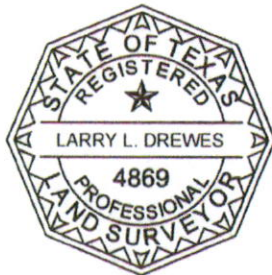
SEC. 5, BLK. 78, TSP. 4,
T. & P. R.R. Co. SURVEYS

LTV ROAD ROW
Vol. 1959, Page 0803

LEIGH CLARK SURVEY No. 297



LTV ROAD
0.327 Acres
14,248
Square Feet

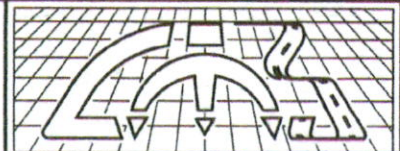


I hereby certify that the foregoing boundary survey was made by me or under my supervision.

Larry L. Drewes, R.P.L.S.
Texas 4869 N.M. 11402

Plat of Survey

A PORTION OF LTV ROAD
A PARCEL OF LAND OUT OF
LEIGH CLARK SURVEY No. 297,
EL PASO COUNTY, TEXAS



Land-Mark Professional
Surveying, Inc.

1420 Bessemer Drive, Suite 'A'
El Paso, Texas 79936
(915) 598-1300

Texas Licensed Surveying Firm
Registration Number 10125900
email: Larry@Land-marksurvey.com
"Serving Texas, New Mexico
and Arizona"

Job No. 16-02-30146

Scale: 1" = 60'

Date: May 10, 2016