

ORDINANCE # 1211-2018

AN ORDINANCE VACATING AND ABANDONING ALL OF DOYLE DRIVE (50' RIGHT-OF-WAY) FROM THE INTERSECTION OF CHURCHILL ROAD WEST TO HAGG DRIVE, ALL OF HAGG DRIVE (50' RIGHT-OF-WAY) FROM SHEAR DRIVE TO DOYLE DRIVE: ALL OF SHEAR DRIVE (A VARIABLE WIDTH 50' RIGHT-OF-WAY) AND 60.5 FEET OF WORTHVIEW DRIVE (50' RIGHT-OF-WAY) NORTH TO SOUTH OF ITS INTERSECTION WITH SHEAR DRIVE AS DEDICATED BY DOYLE-HEAD ADDITION SECOND FILING AS RECORDED IN VOLUME 388-N, PAGE 18 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC, AUTHORIZING THE MAYOR TO EXECUTE QUIT CLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST AND CONTROL OF THESE STREETS; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Castleberry Independent School District desires for a 60.5 foot portion of Worthview Drive north to its intersection with Shear Drive, all of Shear Drive from Worthview Drive east to Churchill Road, all of Hagg Drive from Shear Drive to Doyle Drive and all of Doyle Drive from Hagg Drive east to Churchill Road to become a private street under the control of the school district in order to accommodate the planned renovations to Irma Marsh Middle School; and

WHEREAS, the plat shall be fully recorded in the Tarrant County Deed of Records providing a 60.5 foot portion of Worthview Drive north to its intersection with Shear Drive, all of Shear Drive from Worthview Drive east to Churchill Road, all of Hagg Drive from Shear Drive to Doyle Drive and all of Doyle Drive from Hagg Drive east to Churchill Road to become a private street under the control of the school district in order to accommodate the planned renovations to Irma Marsh Middle School and the street right-of-ways by replat will be abandoned and be reserved as a 50-foot utility easement or as is otherwise provided for on the plat; and

WHEREAS, River Oaks City Council finds that the street right-of-way designated in the recorded plat herein enclosed as "Exhibit A" to this ordinance is better served to be a privately owned by the Castleberry Independent School District than as a public owned street right-of-way by the City of River Oaks; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said right-of-way, the City desires to execute quit claim deeds releasing all title, ownership and control in said right-of-way to Castleberry Independent School District except for its use as a dedicated utility easement indicated on the recorded plat herein provided for as "Exhibit A" to this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:

SECTION 1.

WORTHVIEW DRIVE

The subject right-of-way is not being used by, nor useful or convenient to the public in general. The public would be better served and benefited by its vacation and abandonment. The right-of-way so vacated and abandoned reverts in fee simple to Castleberry Independent School District as the owner and such vacation and abandonment is more particularly described as being a strip

of land located in the John Watson Survey, Abstract No. 1670 BEING part of Worthview Drive (50' ROW) as dedicated by Doyle-Head Addition Second Filing as recorded in Volume 388-N, Page 18 of the Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamp "4613" found for corner at the intersection of the south Right Of Way line of Shear Drive and the east Right Of Way line of Worthview Drive (50' ROW);

THENCE S 00°15'17" E following the east Right Of Way line of Worthview Drive a distance of 60.50' to a 1/2" iron rod with yellow plastic cap stamp "4613" found for corner;

THENCE S 89°44'43" W a distance of 50.00' to a point in the west Right Of Way line of Worthview Drive;

THENCE N 00°15'17" W following the west Right Of Way line of Worthview Drive a distance of 60.50' to a point;

THENCE N 89°44'43" E a distance of 50.00' to the POINT OF BEGINNING and containing 3,025 Square Feet or 0.069 Acres of land.

SECTION 2.

SHEAR DRIVE

The subject right-of-way is not being used by, nor useful or convenient to the public in general. The public would be better served and benefited by its vacation and abandonment. The right-of-way so vacated and abandoned reverts in fee simple to Castleberry Independent School District as the owner and such vacation and abandonment is more particularly described as being a strip of land located in the John Watson Survey, Abstract No. 1670 BEING all of Shear Drive (a variable width ROW) as dedicated by Doyle-Head Addition Second Filing as recorded in Volume 388-N, Page 18 of the Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with a yellow plastic cap stamped "4613" found at the intersection of the south Right Of Way line of Shear Drive and the west Right Of Way line of Churchill Road (50' ROW);

THENCE S 89°44'43" W following the south Right Of Way line of Shear Drive passing at 555.60' a 1/2" iron rod with a yellow plastic cap stamped "4613" found at the intersection of the south Right Of Way line of Shear Drive and the east Right Of Way line of Worthview Drive (50' ROW) continuing in all a distance of 605.60' to a point in the west Right Of Way line of Shear Drive;

THENCE N 00°15'17" W following the west Right Of Way line of Shear Drive a distance of 50.00' to a point at the northwest corner of Shear Drive;

THENCE N 89°44'43" E following the north Right Of Way line of Shear Drive a distance of 435.00' to the intersection of the north Right Of Way line of Shear Drive and the west Right Of Way line of Hagg Drive;

THENCE S 85°40'51" E following the north Right Of Way line of Shear Drive a distance of 50.16' to the intersection of the north Right Of Way line of Shear Drive and the east Right Of Way line of Hagg Drive.

THENCE N 89°44'43" E following the north Right Of Way line of Shear Drive a distance of 125.00' to the intersection of the north Right Of Way line of Shear Drive and the west Right Of Way line of Churchill Road.

SECTION 3.

HAGG DRIVE

The subject right-of-way is not being used by, nor useful or convenient to the public in general. The public would be better served and benefited by its vacation and abandonment. The right-of-way so vacated and abandoned reverts in fee simple to Castleberry Independent School District as the owner and such vacation and abandonment is more particularly described as being a strip of land located in the John Watson Survey, Abstract No. 1670 BEING all of Hagg Drive from Shear Drive to Doyle Drive and being all of Hagg Drive (50' ROW) as dedicated by Doyle-Head Addition Second Filing as recorded in Volume 388-N, Page 18 of the Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the south Right Of Way line of Doyle Drive and the west Right Of Way line of Hagg Drive (50' ROW);

THENCE N 89°44'43" E following the south Right Of Way line of Doyle Drive a distance of 50.00' to a 1/2" iron rod with yellow plastic cap stamp "4613" found at the intersection of the south Right Of Way line of Doyle Drive and the east Right Of Way line of Hagg Drive;

THENCE S 00°15'17" E following the east Right Of Way line of Hagg Drive a distance of 595.00' to the intersection of the north Right Of Way line of Shear Drive and the east Right Of Way line of Hagg Drive;

THENCE N 85°40'51" W following the north Right Of Way line of Shear Drive a distance of 50.16' to the intersection of the north Right Of Way line of Shear Drive and the west Right Of Way line of Hagg Drive;

THENCE N 00°15'17" W following the west Right Of Way line of Hagg Drive a distance of 591.00' to the POINT OF BEGINNING and containing 29,650 Square Feet or 0.681 Acres of land.

SECTION 4.

DOYLE DRIVE

The subject right-of-way is not being used by, nor useful or convenient to the public in general. The public would be better served and benefited by its vacation and abandonment. The right-of-way so vacated and abandoned reverts in fee simple to Castleberry Independent School District as the owner and such vacation and abandonment is more particularly described as being a strip of land located in the John Watson Survey, Abstract No. 1670 BEING all of Doyle Drive west of Churchill Road and being all of Doyle Drive (50' ROW) as dedicated by Doyle-Head Addition Second Filing as recorded in Volume 388-N, Page 18 of the Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamp "4613" found for corner at the intersection of the south Right Of Way line of Doyle Drive and the west Right Of Way line of Churchill Road (50' ROW);

THENCE S 89°44'43" W following the south Right Of Way line of Doyle Drive passing at 181.19' a 1/2" iron rod with yellow plastic cap stamp "4613" found at the intersection of the south Right Of Way line of Doyle Drive and the east Right Of Way line of Hagg (50' ROW) and continuing in all a distance of 231.94' to a 1/2" iron rod with yellow plastic cap stamp "4613" found for corner in the east line of Block A of said Doyle-Head Addition Second Filing;

THENCE N 00°15'17" W following the east line of said Block a distance of 49.07' to the intersection of the east line of said Block A and of the south Right Of Way line of Doyle Drive;

THENCE N 89°55'59" E following of the south Right Of Way line of Doyle Drive a distance of 236.18' to a 1/2" iron rod with yellow plastic cap stamp "4613" found for corner at the intersection of the north Right Of Way line of Doyle Drive and the west Right Of Way line of said Churchill Road;

THENCE S 04°45'48" W following the west Right Of Way line of said Churchill Road a distance of 48.48' to the POINT OF BEGINNING and containing 11,394 Square Feet or 0.262 Acres of land.

SECTION 5.

The Mayor of the City of River Oaks, Texas, is hereby authorized and empowered to execute a quitclaim deed releasing all claims to title, ownership, or control of the above described street portion and right-of-way except when pertaining to the dedication of a 50-foot utility easement as plotted and properly recorded in the plat herein attached as "Exhibit A" of this ordinance.

SECTION 6.

A copy of the quitclaim deed shall be presented for filing with the County Clerk of Tarrant County, Texas by the office of the City Secretary.

SECTION 7.

SEVERABILITY CLAUSE

It is hereby declared to be the intentions of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.

EFFECTIVE DATE

This Ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS THE 11th DAY OF DECEMBER 2018.



Mayor Herman Earwood

ATTEST:



Marvin C. Gregory III
City Secretary
City of River Oaks