

COUNTY OF HIDALGO § § §

CITY OF PENITAS § § §

ORDINANCE 2012-06

AN ORDINANCE ABANDONING A 15' FOOT UTILITY EASEMENT SITUATED ON LOT 5 ANADAL SUBDIVISION, AN ADDITION TO THE CITY OF LA JOYA (NOW PENITAS), HIDALGO COUNTY, TEXAS AS SHOWN ON THE MAP OR PLAT RECORDED IN VOLUME 26, PAGE 30 MAP RECORDS OF HIDALGO COUNTY, TEXAS AND AUTHORIZING THE MAYOR TO DEED SAID EASEMENT TO THE PROPERTY OWNER, AND PROVIDING FOR A EFFECTIVE DATE AND SEVERABILITY CLAUSE.

WHEREAS, the City of Penitas is a home Rule Municipality;

WHEREAS, Gilbert Madrid Rocha owns certain real property and improvements on Expressway 83 and Tom Gill Road. A utility easement on said real property has been occupied by a building for many years, see attached Plat marked as Exhibit "A";

WHEREAS, THE City of Penitas has no future plans to construct or place any future utilities on said platted easement; and

WHEREAS, the said Easement has been impassable for years and serves no public purposes.

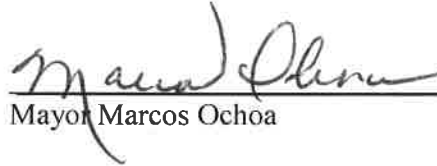
NOW, IT IS, THEREFORE, ORDAINED by the City of Council of the City of PENITAS as follows:

1. The City of Council find that all requirements of law have been met in the passing of this Ordinance.
2. The City Council declares that the Utility Easement serves no public purpose and it is hereby abandoned to the owner of Lot 5 Anadal Subdivision.
3. The City Council Authorizes Mayor Ochoa to execute a Deed Conveying and/or Abandoning said utility easement to Gilbert Madrid Rocha in Fee Simple Absolute.
4. Should any word, phrase, sentence or paragraph or portion of this Ordinance be declared illegal or void, the remaining portion of this Ordinance shall remain in full force and affect.

PASSED BY A 3 VOTE TO 0 VOTE ON THE 18th day of September, 2012 at a SPECIAL AND DULY CALLED MEETING OF THE CITY OF COUNCIL OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Local Government Code.

EXECUTED THIS 18th DAY OF SEPTEMBER, 2012.

CITY OF PENITAS




Mayor Marcos Ochoa

ATTEST:



Ana Cantu; City Secretary

APPROVED AS TO FORM:


for Ricardo Gonzalez Atty.
Ricardo Gonzalez, City Attorney