

ORDINANCE NO. 126

ABANDONMENT OF ALLEY

AN ORDINANCE ABANDONING AN ALLEYWAY BETWEEN FOURTH AND FIFTH STREETS; RESERVING RIGHTS FOR FUTURE UTILITY EASEMENTS AND RIGHTS-OF-WAY; AND AUTHORIZING A QUITCLAIM TO THE MAGNOLIA UNITED METHODIST CHURCH.

WHEREAS, the City of Magnolia has authority to vacate, abandon and close streets and alleys by virtue of Article 1016, Vernon's Texas Civil Statutes; and

WHEREAS, a petition requesting abandonment has been signed by all owners of property abutting upon the alley west of Commerce Street between Fourth and Fifth Streets; and

WHEREAS, the City Council finds that it is in the best interest of the city that this alleyway be abandoned, provided future utility use is reserved; now, therefore,

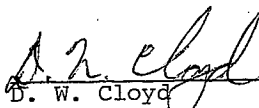
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

Section 1. Abandonment. The alleyway west of Commerce Street between Fourth Street and Fifth Street, being 300 feet in length and 20. feet in width, is hereby declared abandoned.


Section 2. Utility Reservation. This abandonment is made, however, subject to the right of the city in the future to designate and use itself or by franchisees, utility easements, including but not limited to subsurface and aerial.

Section 3. Quitclaim Authorized. The Mayor of the City of Magnolia is hereby authorized to execute and deliver to Magnolia United Methodist Church a quitclaim of the abandoned alleyway, provided that any quitclaim will include the utility rights reserved above.

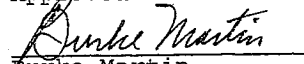
PASSED on this 11 day of February, 1986.


D. W. Cloyd
Mayor

Attest:


Mary McQuerry
City Secretary

Approved as to form:


Burke Martin
City Attorney