

AN ORDINANCE ABANDONING AVENUE I BETWEEN HIGHWAY FM-359 (2ND STREET) AND 1ST STREET AND ACCEPTING EQUAL RIGHT-OF-WAY THROUGH BLOCK NO. 17 BETWEEN HIGHWAY FM-359 AND 1ST STREET AND ABANDONING AVENUE J BETWEEN HIGHWAY FM-359 AND 1ST STREET AND ABANDONING 10' ALLEY THROUGH BLOCK NO. 18.

WHEREAS, H.P. DONIGAN AND NORMA DONIGAN, AS GRANTORS, FILED AN EASEMENT MAY 13, 1981, in Waller County, Texas, Deed Records, Vol. 324, Pages 663 through 670, covering Tracts A, B, and C, on the basis that the Town of Pattison had accepted this complete easement transaction by the passage of Ordinance No. 20; and

WHEREAS, Ordinance No. 20 during the March 9, 1981, regular monthly Council Meeting received only three (3) affirmative votes instead of the required four (4) affirmative votes to pass an ordinance with all six (6) members of the Board present; therefore, the ordinance was not passed and the easements were never accepted by the Town of Pattison; and

WHEREAS, the City Council, during the regular monthly meeting January 12, 1987, with one member absent voted unanimously to accept the 60' right-of-way at existing black topped Sterling Lane between highway FM-359 (2nd Street) and 1st Street (Tract A of subject filed easement) and to abandon the 60' unopened Avenue I right-of-way from highway FM-359 to 1st Street, and not to accept the easement transactions covered by Tract B and Tract C which includes portions of 1st Street and Block No. 1; and

WHEREAS, the right-of-way easement for Avenue J between highway FM-359 (2nd Street) and 1st Street and for the 10' alley through Block No. 18 delineated on the map or plat of the Town of Pattison, Texas, recorded September 3, 1886, in Vol. 9, Page 161, of the Waller County Deed Records as platted by the Texas Western (narrow gauge) Railroad Company when the Donigan Cotton Gin already occupied that particular area; and

WHEREAS, these easements have never been opened up and used as a public street and any offset to an adjacent area for use as street access to highway FM-359 would result in a dangerous intersection due to the offset; and

WHEREAS, the City Council, during the regular monthly meeting January 12, 1987, further voted unanimously to abandon the right-of-way for Avenue J from highway FM-359 to 1st Street and to abandon the right-of-way for the 10' alley across Block No. 18; and

WHEREAS, it appears in the best interest of the Town of Pattison that these unused and inappropriate right-of-way easements be permanently abandoned; now therefore,

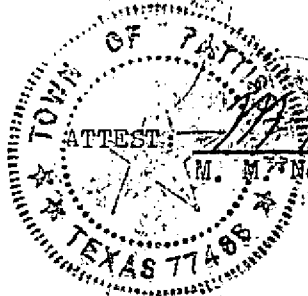
BE IT ORDAINED by the Town of Pattison that the Town of Pattison does hereby abandon unto H.P. Donigan and Norma Donigan the 60' unopened right-of-way for Avenue I from highway FM-359 (2nd Street) to 1st Street and accept in exchange the 60' right-of-way at existing black topped Sterling Lane between highway FM-359 and 1st Street (Tract A as described by metes and bounds in reference Deed Records Vol. 324, Pages 665 and 666; namely, the east 20.51' of lots 9 and 10, all of 31.43' lots 11 and 12, and the west 9.06' of lots 13 and 14 in Block No. 17, delineated on the map or plat of the Town of Pattison, Texas, recorded in Vol. 9, Page 161, of the Waller County Deed Records); and

BE IT FURTHER ORDAINED by the Town of Pattison that the Town of Pattison does hereby abandon unto H.D.H. Instruments, Inc., present owners of Block No. 18, that portion of the right-of-way for Avenue J adjacent to Block No. 18 between highway FM-359 and 1st Street and the right-of-way for the 10' alley through Block No. 18.

This ordinance shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval by the Mayor.

Passed and approved this 2nd day of March, A.D. 1987.

Linda A. Mladenka
Linda A. Mladenka, Pattison Mayor

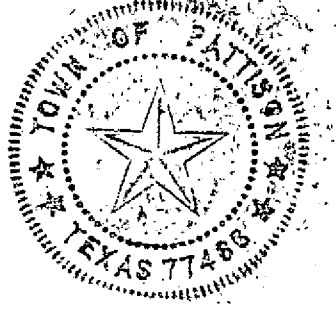


ATTEST: M. M. Norton
M. M. Norton, Pattison City Secretary

DATE: March 2, 1987.

This is to certify that the foregoing Ordinance No. 20A was adopted by an affirmative vote of three (3) elected aldermen present (the two (2) aldermen absent were not against passage of this ordinance) at the regular meeting of the City Council of the Town of Pattison held at 7:00 p.m., the 2nd day of March, A.D. 1987.

GIVEN UNDER MY HAND AND THE SEAL OF THE TOWN OF PATTISON, TEXAS, this the 3rd day of March, A.D. 1987.



M. M. Norton
CITY SECRETARY, TOWN OF PATTISON, TEXAS
M. M. Norton

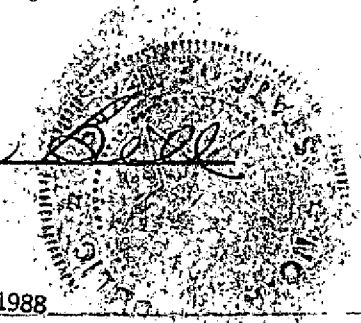
THE STATE OF TEXAS, COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared LINDA A. MLADENKA, Mayor, Town of Pattison, Texas, and M. M. NORTON, City Secretary, Town of Pattison, Texas, persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13 day of March, A.D. 1987.

Mrs. Hilda Bell
COMMISSION EXPIRES

MRS. HILDA BELL
Notary Public, State of Texas
My Commission Expires June 30, 1988



STATE OF TEXAS }
COUNTY OF WALLER }

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me, and was duly RECORDED, in the Volume and Page of the second RECORDS of Waller County, Texas, as stamped hereon by me, on

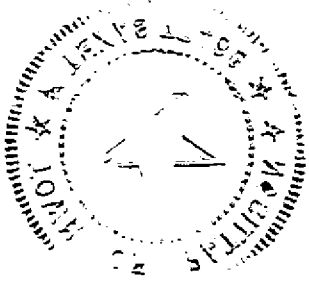
MAR 18 1987



ELVA D. MATHIS
COUNTY CLERK
WALLER COUNTY, TEXAS

Juanita Hand
Juanita Hand Deputy

153654



FILED FOR RECORD
AT 10:25 O'CLOCK <i>A</i> M
<i>Mar. 17, 1987</i>
ELVA D. MATHIS
COUNTY CLERK, WALLER COUNTY, TEXAS
BY <i>Charish Peters</i> DEPUTY

6.00 pd
 5.00 fee
 1.00 Ref.

Town of Pattison
 PO Box 156
 Pattison, Texas
 77466

Ordinance
 406-354-18-2.30

APR 1 1987

0365A

TOWN OF PATTISON, TEXAS

ORDINANCE NO. 20A

AN ORDINANCE ABANDONING AVENUE I BETWEEN HIGHWAY FM-359 (2ND STREET) AND 1ST STREET AND ACCEPTING EQUAL RIGHT-OF-WAY THROUGH BLOCK NO. 17 BETWEEN HIGHWAY FM-359 AND 1ST STREET AND ABANDONING AVENUE J BETWEEN HIGHWAY FM-359 AND 1ST STREET AND ABANDONING 10' ALLEY THROUGH BLOCK NO. 18.

WHEREAS; H.P. DONIGAN AND NORMA DONIGAN, AS GRANTORS, FILED AN EASEMENT MAY 13, 1981; in Waller County, Texas, Deed Records, Vol. 324, Pages 663 through 670, covering Tracts A, B, and C, on the basis that the Town of Pattison had accepted this complete easement transaction by the passage of Ordinance No. 20; and

WHEREAS, Ordinance No. 20 during the March 9, 1981, regular monthly Council Meeting received only three (3) affirmative votes instead of the required four (4) affirmative votes to pass an ordinance with all six (6) members of the Board present; therefore, the ordinance was not passed and the easements were never accepted by the Town of Pattison; and

WHEREAS, the City Council, during the regular monthly meeting January 12, 1987, with one member absent voted unanimously to accept the 60' right-of-way at existing black topped Sterling Lane between highway FM-359 (2nd Street) and 1st Street (Tract A of subject filed easement) and to abandon the 60' unopened Avenue I right-of-way from highway FM-359 to 1st Street, and not to accept the easement transactions covered by Tract B and Tract C which includes portions of 1st Street and Block No. 1; and

WHEREAS, the right-of-way easement for Avenue J between highway FM-359 (2nd Street) and 1st Street and for the 10' alley through Block No. 18 delineated on the map or plat of the Town of Pattison, Texas, recorded September 3, 1886, in Vol. 9, Page 161, of the Waller County Deed Records as platted by the Texas Western (narrow gauge) Railroad Company when the Donigan Cotton Gin already occupied that particular area; and

WHEREAS, these easements have never been opened up and used as a public street and any offset to an adjacent area for use as street access to highway FM-359 would result in a dangerous intersection due to the offset; and

WHEREAS, the City Council, during the regular monthly meeting January 12, 1987, further voted unanimously to abandon the right-of-way for Avenue J from highway FM-359 to 1st Street and to abandon the right-of-way for the 10' alley across Block No. 18; and

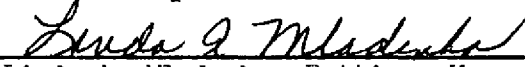
WHEREAS, it appears in the best interest of the Town of Pattison that these unused and inappropriate right-of-way easements be permanently abandoned; now therefore,

BE IT ORDAINED by the Town of Pattison that the Town of Pattison does hereby abandon unto H.P. Donigan and Norma Donigan the 60' unopened right-of-way for Avenue I from highway FM-359 (2nd Street) to 1st Street and accept in exchange the 60' right-of-way at existing black topped Sterling Lane between highway FM-359 and 1st Street (Tract A as described by metes and bounds in reference Deed Records Vol. 324, Pages 665 and 666; namely, the east 20.51' of lots 9 and 10, all of 31.43' lots 11 and 12, and the west 9.06' of lots 13 and 14 in Block No. 17, delineated on the map or plat of the Town of Pattison, Texas, recorded in Vol. 9, Page 161, of the Waller County Deed Records); and


BE IT FURTHER ORDAINED by the Town of Pattison that the Town of Pattison does hereby abandon unto H.D.H. Instruments, Inc., present owners of Block No. 18, that portion of the right-of-way for Avenue J adjacent to Block No. 18 between highway FM-359 and 1st Street and the right-of-way for the 10' alley through Block No. 18.

This ordinance shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval by the Mayor.

Passed and approved this 2nd day of March, A.D. 1987.


Linda A. Mladenka, Pattison Mayor

ATTEST:

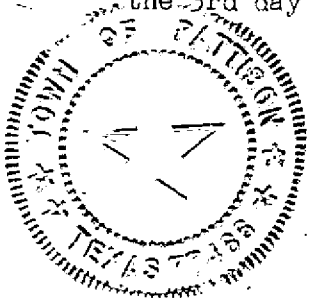

M. M. Norton, Pattison City Secretary

DATE: March 2, 1987.



This is to certify that the foregoing Ordinance No. 20A was adopted by an affirmative vote of three (3) elected aldermen present (the two (2) aldermen absent were not against passage of this ordinance) at the regular meeting of the City Council of the Town of Pattison held at 7:00 p.m., the 2nd day of March, A.D. 1987.

GIVEN UNDER MY HAND AND THE SEAL OF THE TOWN OF PATTISON, TEXAS, this the 3rd day of March, A.D. 1987.



M. M. Norton
M. M. Norton

CITY SECRETARY, TOWN OF PATTISON, TEXAS
M. M. Norton

THE STATE OF TEXAS, COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared LINDA A. MLADENKA, Mayor, Town of Pattison, Texas, and M. M. NORTON, City Secretary, Town of Pattison, Texas, persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13 day of March, A.D. 1987.

Mrs Hilda Bell
COMMISSION EXPIRES

MRS. HILDA BELL
Notary Public, State of Texas
My Commission Expires June 30, 1988

Filed MAR. 18, 1987