

ORDINANCE NO. 12-05

**AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS,
VACATING AND ABANDONING AN ALLEY;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
IN CONFLICT HEREWITH.**

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

WHEREAS, the property owners abutting the portion of Bryan Street, as shown on Exhibit "A", together with all utility easements lying therein, to be abandoned have requested the abandonment of said alley; and,

WHEREAS, the City Council has reviewed this request and recommends that the same should be abandoned; and,

WHEREAS, the City Council finds it is no longer in the public interest for the City to maintain said alley, it has no present use or reasonable future use of said alley, and there are no utilities located in the alley that serve any person other than the abutting property owner at this location and therefore agrees to abandon the same;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

SECTION 1. The recitals set forth above are hereby found by the Council to be true and correct, and are incorporated by reference herein and expressly made a part hereof as if copied verbatim.

SECTION 2. That the City hereby abandons and vacates the alley way as shown on Exhibit "A", attached.

SECTION 3. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion hereinabove described shall be held or declared to be invalid, the same shall not affect the validity of the balance and remainder of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and he is hereby authorized to execute this Ordinance, and the City Manager or his designate is authorized to execute and all instruments requisite to implementing this Ordinance.

BE IT FURTHER RESOLVED that the City Secretary be and she is hereby authorized to attest to the signature of the Mayor to this Ordinance, and to attest to the signature of the City Manager to any instruments requisite to implementing this Ordinance.

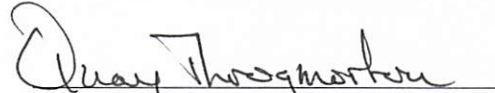
PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the FIRST READING this the 17th day of January 2012.

PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the SECOND READING this the 21 day of February 2012.

ATTEST:


Marty Cunningham, City Secretary

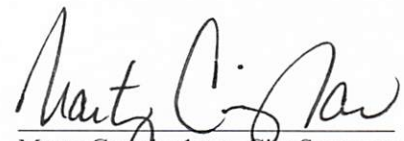
CITY OF COMMERCE, TEXAS


Quay Throgmorton, Mayor

(seal)

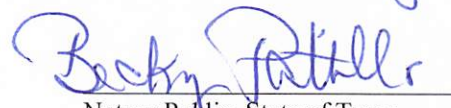
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

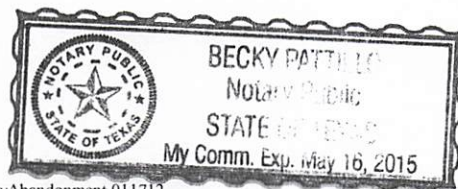
(seal)


Marty Cunningham, City Secretary
City of Commerce, Texas

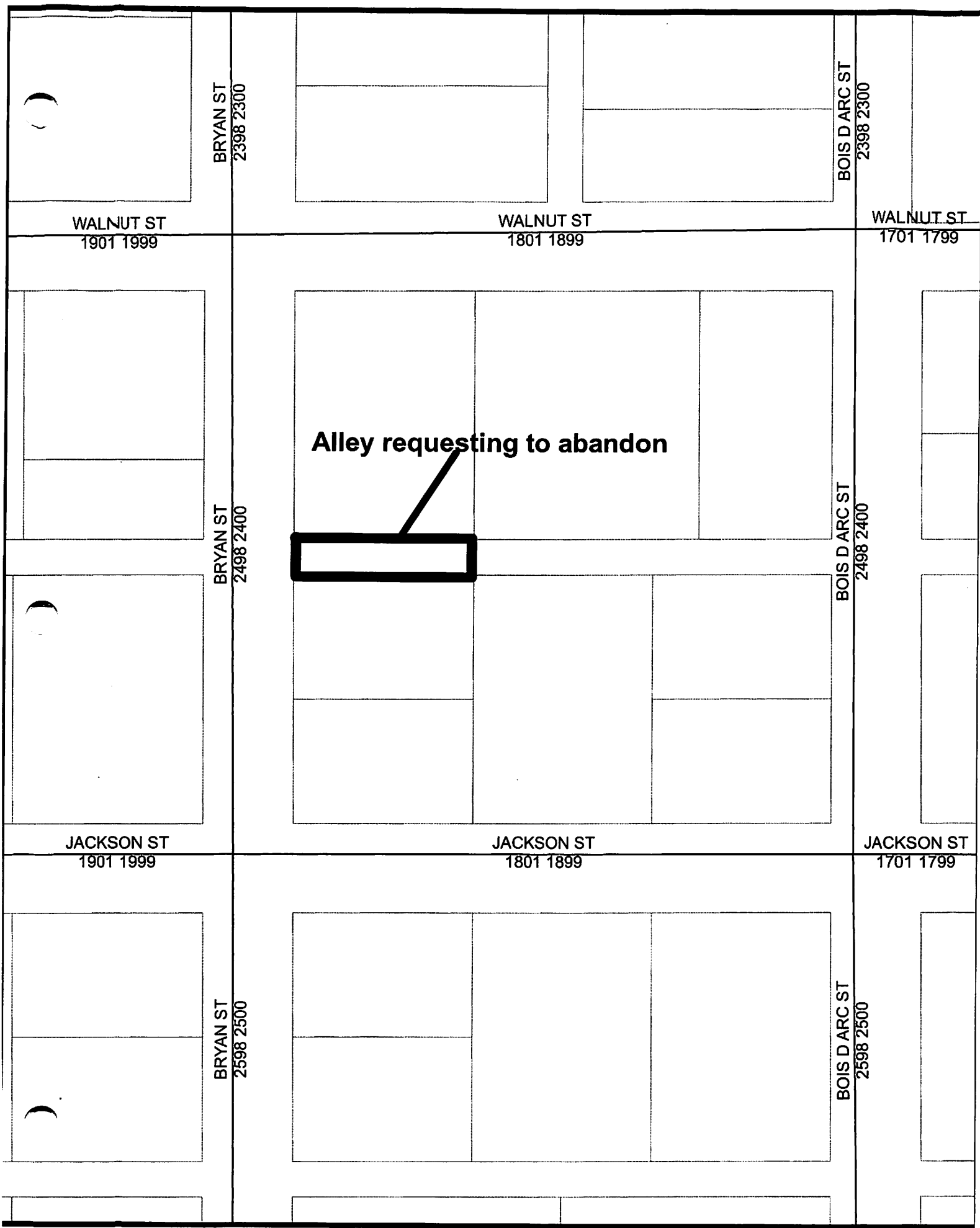
Sworn to and subscribed before me, on this the 23rd day of February, 2012, to certify which witness my hand and seal of office.

(Seal)


Notary Public, State of Texas



BryanAlleyAbandonment.011712



Alley requesting to abandon

~~24~~ 18 UNITS - NO ALLEY ABANDON / NO RE-PLANT
~~SETBACK~~

25' NORTH / SOUTH (WALNUT & JACKSON)
 15' SIDE (BRYAN) 5' BACK (WALK TO EAST)
 15' ALLEY (Both Sides) N + S

~~Life Alley Abandon~~ = Move building closer together
 (12') + expand one 40' park
 to 60' for added parking
 + add 2 more units

