



RESOLUTION NO. 17 - 33

A RESOLUTION OF THE CITY OF COMMERCE, TEXAS AUTHORIZING THE VACATION AND ABANDONMENT OF PROPERTY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH VACATION AND ABANDONMENT; AUTHORIZING THE CITY MANAGER TO PERFORM ACTIONS ON BEHALF OF THE CITY OF COMMERCE IN EXECUTION OF SAID RESOLUTION AND AUTHORIZING THE CITY SECRETARY TO AUTHENTICATE THE MAYOR'S SIGNATURE TO THIS RESOLUTION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL INSTRUMENTS REQUISITE TO THIS RESOLUTION AND AUTHORIZING THE CITY SECRETARY TO AUTHENTICATE THE CITY MANAGER'S SIGNATURE ON SAID INSTRUMENTS

WHEREAS, the City of Commerce, Texas is a City incorporated and operating under the laws of the State of Texas, which has the authority under Chapters 282 and 253 of the Local Government Code, as amended, to vacate, abandon, and close municipal building sites, by ordinance, when such action is in the best interest of and serves the public purpose; and

WHEREAS, the City of Commerce, Texas was deeded a utility easement from the Commerce Investment Company in 1963 on land described as:

Situated in Hunt County, Texas and being a strip or parcel of land, a part of the J. Millsap Survey, Abst. No 781, and within the Corporate Limits of the City of Commerce, and described as follows:

BEGINNING at the S.E. corner of the land in said survey conveyed from McNatt to Commerce Investment Company by deed of record in 1961 Hunt County Deed Records, a stake for corner on Westerly R.O.W. of F.M. Highway No. 513 with flair leading to the Southerly R.O.W. of State Highway No. 24;

THENCE West along S. line of Commerce Investment Co. land 329.5 feet to stake for corner;

THENCE North along Easterly edge of 32 foot dedicated street 10 feet to stake for corner;

THENCE East 329.6 feet to stake for corner on Westerly R.O.W. of said Hwy. No. 513;

THENCE S. 1 deg 50 min W. along Hwy. R.O.W. 10 feet to the place of beginning

WHEREAS, the City of Commerce, Texas has received a request from Derek Lambert for the vacation and abandonment of a utility easement in order to facilitate the sale and/or development thereof; and

WHEREAS, the City of Commerce, Texas no longer requires the use of the utility lines buried within the requested easement; and

WHEREAS, the City of Commerce, Texas encourages the development of commercial property along Live Oak Street

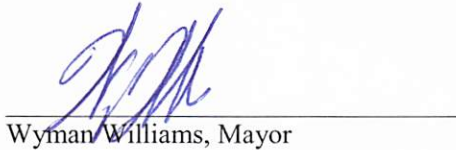
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

1. That the utility easement described in the preamble of this resolution is made a part of this resolution for all purposes, be, and the same are hereby abandoned and vacated insofar as the right, title or easement of the public is concerned.
2. That said property is not needed for municipal purposes and it is in the public interest of the City of Commerce, Texas to abandon said described property.
3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Commerce, Texas, and it is accordingly so resolved.

PASSED BY THE GOVERNING BODY of the City of Commerce, Texas, at a regular meeting of the City Council of the City of Commerce, Texas on this the 15th day of August, 2017.

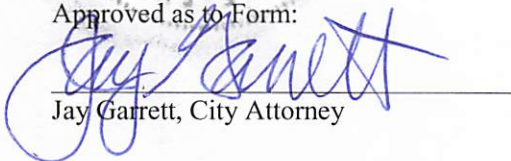
ATTEST:


Molly Jacobsen, City Secretary


Wyman Williams, Mayor

(seal)

Approved as to Form:

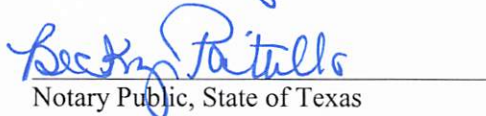

Jay Garrett, City Attorney

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

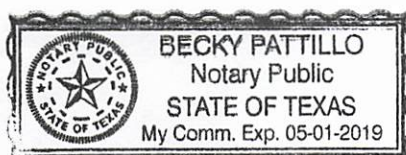
(Seal)


Molly Jacobsen, City Secretary

Sworn to and subscribed before me, on this the 16th day of August, 2017 to certify which witness my hand and seal of office.


Notary Public, State of Texas

(Seal)



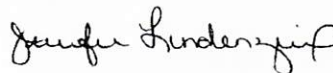
THE STATE OF TEXAS

COUNTY OF HUNT

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of HUNT County, Texas.

2018-07202 RES
05/08/2018 02:20 PM





Jennifer Lindenzweig, County Clerk
Hunt County, Texas