

ORDINANCE NO. 156

**AN ORDINANCE OF THE CITY OF COAHOMA, TEXAS, PROVIDING FOR THE ABANDONMENT, VACATION AND CLOSURE OF A PORTION OF AN ALLEY THAT IS TEN FEET IN WIDTH AND RUNS GENERALLY EAST AND WEST BETWEEN THE EAST LINE OF SOUTH SECOND STREET UNTIL IT REACHES THE WEST LINE OF A TWENTY FOOT ALLEY; IS FURTHER BORDERED BY THE SOUTHERN LOT LINE OF LOT NO. 18 AND THE NORTHERN LOT LINES OF LOT NOS. 13, 14, 15, 16, AND 17, WITH ALL OF SAID LOTS BEING SITUATED IN BLOCK NO. 12 OF THE ORIGINAL TOWN OF COAHOMA, IN HOWARD COUNTY, TEXAS ACCORDING TO THE PROPER PLAT THEREOF RECORDED IN THE PLAT RECORDS OF HOWARD COUNTY;; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED TO NELDA WATTS, ONE OF THE ABUTTING PROPERTY OWNERS AND ANY OTHER NECESSARY DOCUMENTS TO COMPLETE THE TRANSFER OF ALL THE CITY'S INTEREST IN SUCH DESCRIBED ALLEY; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.**

**WHEREAS,** The City of Coahoma is a General-law Municipality located in Howard County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS,** Texas Transportation Code Section 311.008 authorizes a general law city to vacate, abandon and close any street or alley upon a petition of all of the abutting owners on said street or alley; and

**WHEREAS,** the owners of all of the property abutting an alley proposed to be abandoned described as: **an alley that is ten feet in width and runs generally east and west between the East line of South Second Street until it reaches the West line of a twenty foot alley; is further bordered by the Southern lot line of Lot No. 18 and the Northern lot lines of Lot Nos. 13, 14, 15, 16, and 17, with all of said Lots being situated in Block No. Twelve (12) of the Original Town of Coahoma, in Howard County, Texas according to the proper plat thereof recorded in Plat Records of Howard County,** have filed a petition requesting that the City Council vacate, abandon and/or close the alley; and

**WHEREAS,** a Public Hearing was held on May 19, 2022 at which the public was allowed to be heard concerning the petition and proposed action; and

**WHEREAS,** the said City Council finds and declares that it is in the best interest of all of the citizens of the City of Coahoma that the alley shown on Exhibit "A" be vacated, closed and abandoned.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COAHOMA THAT:**

**SECTION 1.** The alley described as: an alley that is ten feet in width and runs generally east and west between the East line of South Second Street until it reaches the West line of a twenty foot alley; is further bordered by the Southern lot line of Lot No. 18 and the Northern lot lines of Lot Nos. 13, 14, 15, 16, and 17, with all of said Lots being situated in Block No. Twelve (12) of the Original Town of Coahoma, in Howard County, Texas according to the proper plat thereof recorded in Plat Records of Howard County, is hereby abandoned, vacated and closed. A survey depicting the property to be abandoned is attached as Exhibit "A."

**SECTION 2.** Attached as Exhibit "B" to this ordinance is the application and petition by the landowner(s) requesting abandonment, vacation and closure of said alley.

**SECTION 3.** Said alley is not needed for public purposes and it is in the public interest of the City to abandon said described alley. The abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of lands described in this ordinance and shall be construed only to that interest the governing body of the City of Coahoma may legally and lawfully abandon.

**SECTION 4** The Mayor is hereby authorized to execute any documents necessary to complete the transaction, and to convey by Quit Claim Deed all of the interest of the City in and to the said portion of an alley described in Section 1 of this ordinance save all present and future public utility easements, to Nelda Watts, one of the abutting property owners upon payment of any applicable costs associated with the conveyance. The consideration, if any, for said sale, heretofore received, shall be deposited in the street maintenance fund, as required by Tex. Loc. Gov't Code §253.001.

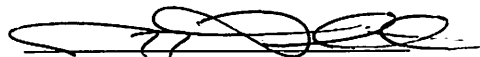
**SECTION 5.** This sale is to abutting property owner(s) and therefore an appraisal is not required.

**SECTION 6.** Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

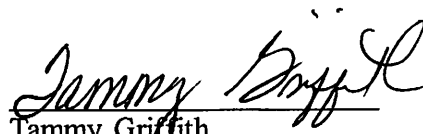
**SECTION 7.** This ordinance shall be effective from and after its approval.

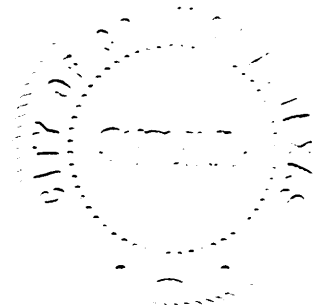
PASSED, APPROVED and ADOPTED on this the 19<sup>th</sup> day of May, 2022.

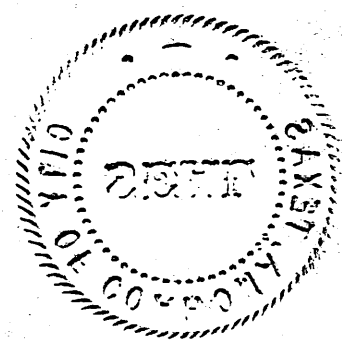
CITY OF COAHOMA

  
Jay Holt, Mayor

ATTEST:

  
Tammy Griffith,  
City Secretary





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