

ORDINANCE 2012 - 07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LA FERIA ABANDONING AN EXISTING 5.00 FOOT ELECTRICAL EASEMENT AND A 29.74 FEET SQUARE UTILITY EASEMENT WITHIN BLOCK "A" OF THE AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION, LA FERIA, CAMERON COUNTY, TEXAS, AS RECORDED IN CABINET 1, SLOT 3100A OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of La Feria is a Home Rule Texas municipal corporation organized under Texas Local Government Code § 9.001, et seq.; and

WHEREAS, the City Commission of the City of La Feria previously approved the Amended Plat of Sunflower Estates Subdivision, La Feria, Cameron County, Texas, as recorded in Cabinet 1, Slot 3100A of the Map Records of Cameron County, Texas, which contains the dedication of a 5.00 foot electrical easement ("the electrical easement") and a 29.74 feet square utility easement (the "utility easement") within Block "A" as identified thereon as more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the electric utility provider and other utility providers did not use the electrical easement or the utility easement to provide street lighting or other utilities and have used alternate routes to provide street lighting and other utilities resulting in rendering such easements unnecessary for the proper development of Sunflower Estates Subdivision; and

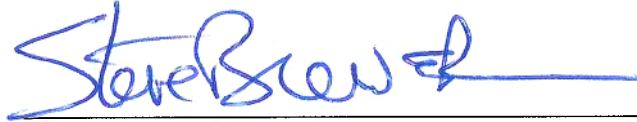
WHEREAS, the City Commission of the City of La Feria has determined that abandoning such electrical easement and utility easement is appropriate and that failure to abandon such unnecessary easements would result in hardship upon the owner of the underlying fee simple title to such property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA THAT:

1. The recitals stated above are found to be true and correct.
2. The electrical easement and the utility easement, as more particularly described in Exhibit "A" attached hereto and made a part hereof, are vacated and abandoned.
3. This ordinance shall be effective upon approval hereof by the City Commission of the City of La Feria.
4. A certified duplicate original of this Ordinance 2012-07, including the attachments hereto, shall be filed of record in the Office of the Cameron County Clerk.


PASSED AND APPROVED THIS THE 24TH DAY OF APRIL, 2012, IN LA FERIA, TEXAS.

APPROVED:



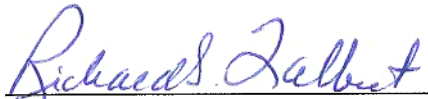
STEVE BREWER, Mayor

ATTEST:



OLGA OBERWETTER, City Secretary


APPROVED AS TO FORM:



RICHARD S. TALBERT, City Attorney

STATE OF TEXAS
COUNTY OF CAMERON

I, Olga Oberwetter, City Secretary for the City of La Feria hereby certify that this is a true and correct duplicate original of Ordinance 2012-07 approved by the City Commission of the City of La Feria on April 24, 2012, at a duly called meeting of the City Commission of the City of La Feria where a quorum of the City Commission was present.

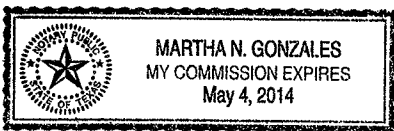


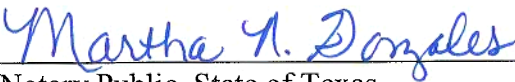
OLGA OBERWETTER, City Secretary

(ACKNOWLEDGMENT)

State of Texas
County of Cameron

This instrument was acknowledged before me on the 25th day of April, 2012, by **OLGA OBERWETTER, City Secretary** of the **CITY OF LA FERIA, TEXAS**, as the act and deed thereof.





Notary Public, State of Texas

After recording return to:

City of La Feria
115 E. Commercial Avenue
La Feria, TX 78559

EXHIBIT "A"

RANDY WINSTON, P.E.
PRESIDENT

CHAS A. GREENWOOD, P.E.
SPECIAL CONSULTANT

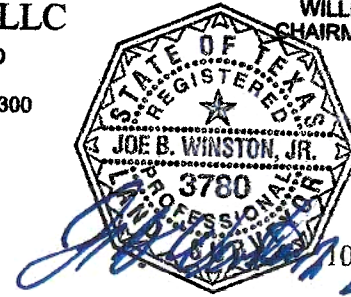
SIGLER, WINSTON, GREENWOOD
& ASSOCIATES
SWG ENGINEERING, LLC

611 BILL SUMMERS INTL BLVD
WESLACO, TEXAS 78596
PH: 956-968-2194 FX: 956-968-8300

APRIL 23, 2012

JOE B. WINSTON, P.E.
EXECUTIVE VICE PRESIDENT

WILLIAM R. SHEA, P.E.
CHAIRMAN OF THE BOARD



STATE OF TEXAS
COUNTY OF CAMERON

RE: 5 FT. ELECTRICAL EASEMENT AND 29.74 FT. UTILITY EASEMENT ABANDONMENT OUT OF BLOCK "A", AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION.

FIELD NOTE DESCRIPTION FOR AN ABANDONMENT OF A 5.00 FOOT ELECTRICAL EASEMENT AND 29.74 FT. UTILITY EASEMENT, BEING A 0.037 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCK "A", AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION, LA FERIA, TEXAS AS RECORDED IN CABINET 1, PAGE 3046A OF THE MAP & PLAT RECORDS OF CAMERON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO WIT;

COMMENCING AT A FOUND NAIL FOR THE NORTHWEST CORNER OF THE AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION, CABINET 1, PAGE 3046A;

THENCE, NORTH 88°43'00" EAST A DISTANCE OF 30.00 FEET ALONG THE NORTH PROPERTY LINE OF THE AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION TO A FOUND 1/2 INCH STEEL REBAR FOR THE EAST RIGHT OF WAY OF CANAL STREET, THENCE CONTINUING ALONG SAID BEARING A DISTANCE OF 178.88 FEET TO A POINT ON THE NORTH PROPERTY LINE OF THE AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION, AND THENCE SOUTH 00°47'00" EAST A DISTANCE OF 30.00 FEET FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND HEREIN DESCRIBED, AND THE POINT OF BEGINNING;

THENCE, NORTH 88°43'00" EAST A DISTANCE OF 5.00 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR THE NORTHEAST CORNER OF THIS TRACT OF LAND HEREIN DESCRIBED;

THENCE, SOUTH 00°47'00" EAST A DISTANCE OF 138.06 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR A INSIDE CORNER OF THIS TRACT LAND HEREIN DESCRIBED;

THENCE, SOUTH 46°17'00" EAST A DISTANCE OF 29.74 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR THE SOUTHEAST CORNER OF THIS TRACT LAND HEREIN DESCRIBED;

THENCE, SOUTH 44°12'44" WEST A DISTANCE OF 30.00 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR A OUTSIDE CORNER OF THIS TRACT OF LAND HEREIN DESCRIBED;

THENCE, NORTH 46°17'00" WEST A DISTANCE OF 29.74 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR THE SOUTHWEST CORNER OF THIS TRACT LAND HEREIN DESCRIBED;

THENCE, NORTH 44°12'44" EAST A DISTANCE OF 25.00 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR A INSIDE CORNER OF THIS TRACT OF LAND HEREIN DESCRIBED;

THENCE, NORTH 46°17'00" WEST A DISTANCE OF 2.05 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR A OUTSIDE CORNER OF THIS TRACT LAND HEREIN DESCRIBED;

THENCE, NORTH 00°47'00" WEST A DISTANCE OF 140.11 FEET TO A FOUND 1/2 INCH STEEL REBAR FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF THIS TRACT OF LAND HEREIN DESCRIBED, AND CONTAINING WITHIN THESE METES AND BOUNDS A 0.037 GROSS ACRE TRACT OF LAND, MORE OR LESS.

SCALE 1"=100'

LEGEND

Property Line.....

Found 1/2" Rebar.....

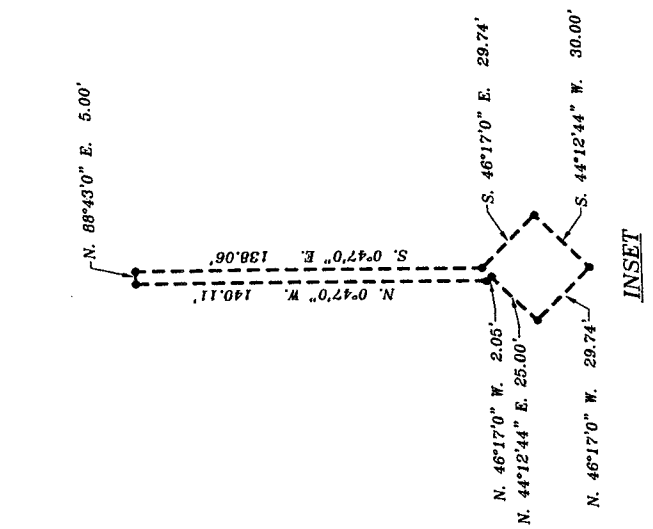
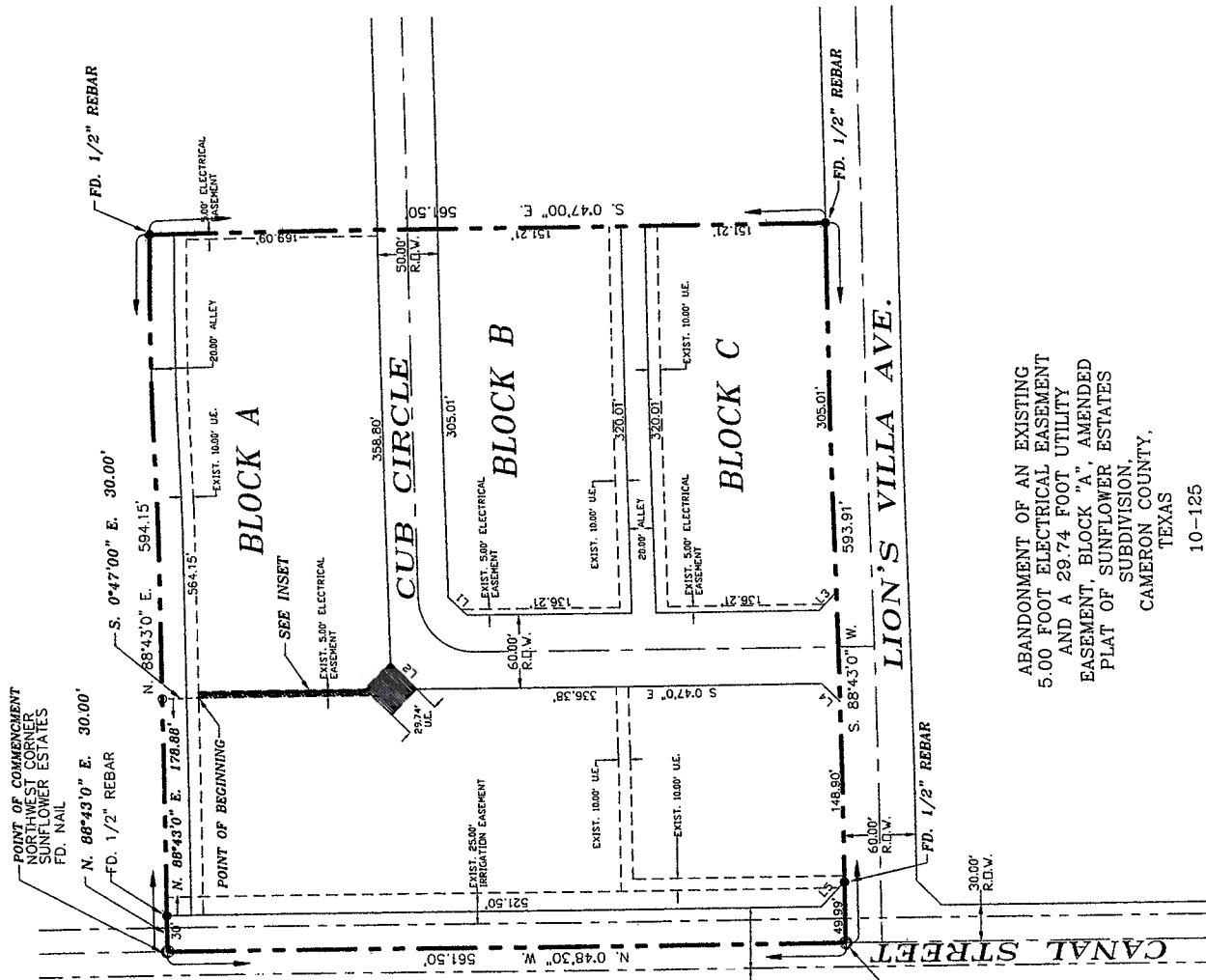
Fd. Nail.....

BASIS OF BEARING
 Amended plat of Sunflower Estates Subdivision Cabinet 1, Page 3046A

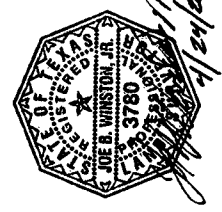
TEXAS FIRM REGISTRATION NO. F-592

Sigler, Winston, Greenwood & Associates, LLC.
 CONSULTING ENGINEERS
 #ESLACO, TEXAS

SINCE 1945
 COPYRIGHT 2012



ABANDONMENT OF AN EXISTING 5.00 FOOT ELECTRICAL EASEMENT AND A 29.74 FOOT UTILITY EASEMENT, BLOCK 'A', AMENDED PLAT OF SUNFLOWER ESTATES SUBDIVISION, CAMERON COUNTY, TEXAS



This survey is being provided solely for the use of the current parties and not no license has been created, express or implied, to copy, the survey except as is otherwise stated on the drawing, which shall take place within a six (6) months time period.

This is to certify that the foregoing plat is, to the best of my knowledge, a true and complete representation of properties as surveyed under my direction.

Signed
 Date 4.24.2012