

**ORDINANCE 2015-04**

**AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS ABANDONING A TEN (10) FOOT BY TWO HUNDRED (200) FOOT UTILITY EASEMENT THAT IS LOCATED ALONG THE EAST PROPERTY LINE OF LOT 1, DEPOT SUBDIVISION, LA FERIA, CAMERON COUNTY, TEXAS, AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the plat of Depot Subdivision located in the City of La Feria dedicated a ten (10) foot by two hundred (200) foot utility easement (the "Utility Easement") along the east property line of Lot 1, Depot Subdivision, La Feria, Cameron County, Texas as recorded in Cabinet 1, Slot 3091B, Map Records of Cameron County, Texas; and,

**WHEREAS**, Lots 1 and 2 of Depot Subdivision are owned by the Baserock Holdings, LLC, and in conjunction with CVS Pharmacy, Inc., have requested a building permit to construct an 11,945 square foot CVS Pharmacy on Lots 1 and 2 which requires the abandonment of the Utility Easement in order to comply with the applicable requirements of the City of La Feria; and,

**WHEREAS**, the Utility Easement is not in use and there is no expectation that such utility easement is necessary for any future use in relation to the City's utility system; and,

**WHEREAS**, the abandonment of the Utility Easement will allow the construction of the CVS Pharmacy which will enhance the tax base of the City, will provide job opportunities to the citizens of the City and will otherwise be a benefit to the citizens of La Feria; and,

**WHEREAS**, the City Commission of La Feria finds that the abandonment of the Utility Easement will be a benefit to the City of La Feria and now desires to abandon, terminate, release, and relinquish the Utility Easement;

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

1. The City of La Feria hereby permanently abandons, terminates, releases, and relinquishes the ten (10) foot by two hundred (200) foot utility easement along the east property line of Lot 1, Depot Subdivision, La Feria, Cameron County, Texas as recorded in Cabinet 1, Slot 3091B of the Map Records of Cameron County, Texas.
2. The City Manager of the City of La Feria is authorized and directed to execute and deliver for recording in the Office of the County Clerk of Cameron County, Texas, all such instruments necessary to effectuate the abandonment of the Utility Easement as provided herein.
3. This ordinance becomes effective immediately.

PASSED AND APPROVED THIS THE 10<sup>TH</sup> DAY OF MARCH, 2015.

APPROVED:



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VICTOR GONZALEZ, JR., Mayor

ATTEST:



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OLGA OBERWETTER, City Secretary

APPROVED AS TO FORM:



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RICHARD S. TALBERT, City Attorney