

282145

ORDINANCE NO. 2015-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CLOSING AND ABANDONING TO THE ABUTTING PROPERTY OWNERS PORTIONS OF CARPENTER STREET, AN UNIMPROVED STREET, AND ALLEY; AND ESTABLISHING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of Copperas Cove, Texas, a home rule municipality, has established a certain portion of Carpenter Street, located west of Second Street, as public streets, as shown on the Plat of the Whitsett Addition of the Official Public Records of Coryell County (hereinafter the "Street"); and

WHEREAS, the City of Copperas Cove, Texas, a home rule municipality, has established a certain portion of Alley, located between South Main Street and Second Street, as public Alley, as shown on the Plat of the Outlots #18 Addition of the Official Public Records of Coryell County (hereinafter the "Alley"); and

WHEREAS, the Street and Alley is an unimproved street and alley, which abuts property owned by the City of Copperas Cove; and

WHEREAS, pursuant to Section 311.008 of the Texas Transportation Code, the City Manager has recommended the closure and abandonment of the Street and Alley;

WHEREAS, the City of Copperas Cove has caused studies and inquiries to be made of the public in general and utility entities who might be directly affected; and

WHEREAS, no detriment or hazard to the City of Copperas Cove or its citizens has been found.

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

Section 1. That the recitals contain in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. That the City Council finds that such closure and abandonment will cause no harm or injury to the City of Copperas Cove or its citizens.

Section 3. That pursuant to the authority provided to the City by Section 311.008 of the Texas Transportation Code, and subject to the requirements of Section 4., below, City Council hereby closes and abandons to the abutting owners the Street as shown on **Exhibit "A"**.

Section 4. Conditions of closure and abandonment.

- (a) That the street and alley closure and abandonment authorized by this Ordinance may not become effective until such time as a replat of the abutting lot(s) is completed reflecting the closing and abandonment;
- (b) That the City Manager is hereby authorized to execute such instruments and documents that are reasonably necessary to effectuate the purpose of this Ordinance; and
- (c) That should the required replat not occur within 360 days from the date of the effective date of this Ordinance, this Ordinance shall be deemed void and without further effect.

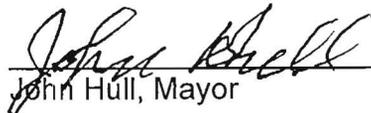
Section 5. That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

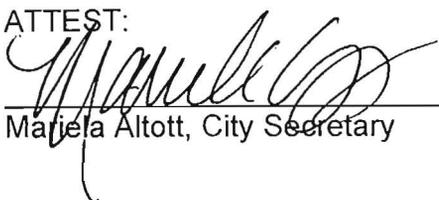
Section 7. This Ordinance shall be effective upon passage and approval subject to the requirements of Section 4 herein.

PASSED, APPROVED and ADOPTED by the City Council of the City of Copperas Cove, Texas, on this 21st day of July, 2015.

CITY OF COPPERAS COVE



John Hull, Mayor

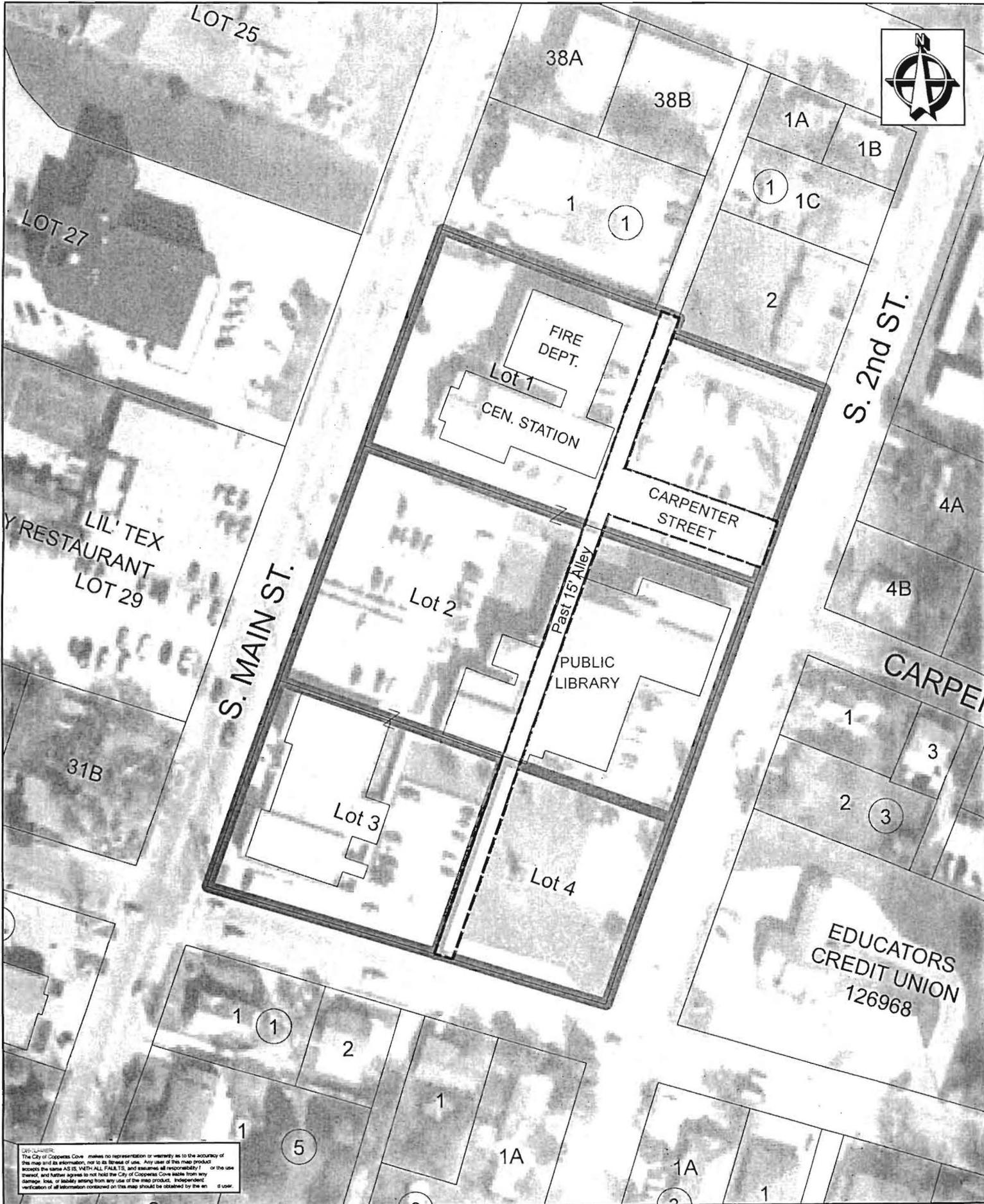
ATTEST:


Mariela Altott, City Secretary

APPROVED AS TO FORM:

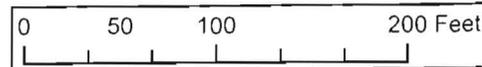

Denton, Navarro, Rocha & Bernal, P.C.
City Attorney





DISCLAIMER:
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**Cove Library Addition - Exhibit A
Vicinity Map
July 10, 2015**



STATE OF TEXAS
COUNTY OF CORYELL
I, Barbara Simpson, County Clerk In and for
Coryell County, Texas do hereby certify that this
instrument was filed for record in the volume
and page of the Coryell County Public
Records and of the time and date as stamped
hereon by me.



BARBARA SIMPSON, CLERK
CORYELL COUNTY, TEXAS

Barbara Simpson

FILED FOR RECORD
AT 2 O'CLOCK P M

AUG 06 2015

Barbara Simpson
COUNTY CLERK, CORYELL CO., TEXAS

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