

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CLOSING, VACATING, AND ABANDONING THE SECTION OF BALL AVENUE BETWEEN SOUTH 6<sup>TH</sup> STREET AND SOUTH 5<sup>TH</sup> AS DEPICTED ON EXHIBIT "A"; FINDING THAT CLOSING, VACATING, AND ABANDONING SAID RIGHT OF WAY IS TO THE BEST INTEREST OF THE CITY OF BALLINGER AND ITS CITIZENS; FINDING THAT SAME SHOULD BE CONVEYED BY QUITCLAIM DEED TO THE ABUTTING LANDOWNER AND AUTHORIZING THE MAYOR TO EXECUTE SUCH DEED.**

**WHEREAS**, the City of Ballinger owns property on both sides of the section of Ball Avenue between South 6<sup>th</sup> Street and South 5<sup>th</sup> Street as depicted on Exhibit "A" (the "Right of Way") and it desires to close, vacate, abandon, discontinue, and abolish the Right of Way; and

**WHEREAS**, the City Council of the City of Ballinger has found and determined, after report and examination thereof, that the Right of Way is no longer needed or necessary for public use and that the closing of the Right of Way will be to the benefit, interest, welfare, safety, and convenience of the City of Ballinger and its citizens. The City Council further finds that the City of Ballinger should abandon the Right of Way and deed any right on public behalf it may hold to the abutting landowner, the City of Ballinger; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALLINGER, TEXAS, that:**

**I.**

The section of Ball Avenue between South 6<sup>th</sup> Street and South 5<sup>th</sup> Street as depicted on Exhibit "A" (the "Right of Way"), is hereby closed abandoned, discontinued, abolished, closed and vacated, and the rights of the public generally to use the Right of Way herein described, are hereby terminated.

**II.**

And it further appearing to the City Council of the City of Ballinger, Texas, acting in accordance with the laws of the State of Texas, that it is proper that the Right of Way described and depicted in attached Exhibit "A," be conveyed to the following abutting property owner, the City of Ballinger, by Quitclaim Deed and the Mayor is authorized to sign this deed.

**PASSED AND APPROVED** on this \_\_\_ day of February, 2018.

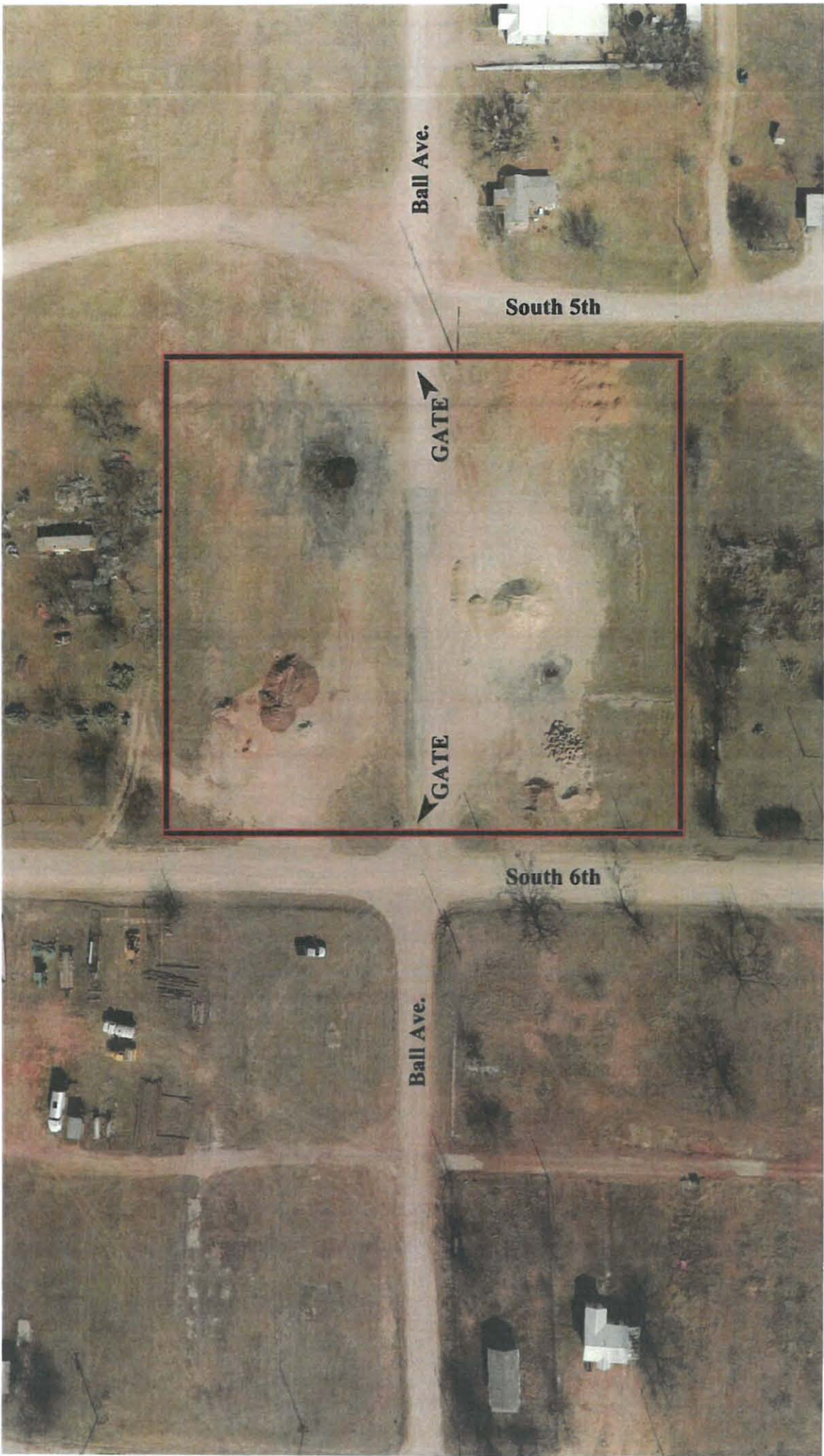
  
\_\_\_\_\_  
**SAM MALLORY, Mayor**

**ATTEST:**

\_\_\_\_\_  
**BONITA SHIELDS, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**PAT CHESSER, City Attorney**



Ball Ave.

South 5th

GATE

GATE

South 6th

Ball Ave.

EXHIBIT "A"