

ORDINANCE NO. O-2019-0027

AN ORDINANCE VACATING, ABANDONING, AND CLOSING A STREET AND/OR ALLEYWAY IN BLOCK 5 OF THE ROUND ROCK ORIGINAL PLAT, WITHIN THE CITY OF ROUND ROCK, TEXAS, PURSUANT TO SECTION 311.007, TEXAS TRANSPORTATION CODE, V.A.T.S., PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, Section 311.007, Transportation Code, V.A.T.S., allows a home-rule municipality to vacate, abandon, or close a street or an alley; and

WHEREAS, the City of Round Rock desires to vacate, abandon, and close an alleyway situated in Block 5 of the Round Rock Original Plat, as depicted in Exhibit "A,"

Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That the alleyway situated in Block 5 of the Round Rock Original Plat, as depicted in Exhibit "A," said exhibit attached hereto and made a part of this ordinance, be hereby vacated, abandoned and closed, insofar as the right, title, or easement of the public is concerned.

II.

That the abandonment provided herein shall extend only to the public right, title, or easement in and to the tracts of land described in Paragraph I of this ordinance for the purpose of using same as a street or alley, and shall be construed only to pertain to that interest the governing body of the City of Round Rock may legally and lawfully abandon. Nothing in this ordinance shall be construed to abandon or otherwise affect

the interest of the City of Round Rock or the public in easements within the subject area related to public utilities and storm water drainage facilities. The City of Round Rock retains an easement for any existing public utilities and storm water drainage facilities located within the alleyway.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2019.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2019.

READ, APPROVED and **ADOPTED** on second reading this the _____ day of _____, 2019.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk