

ORDINANCE NO. 661

AN ORDINANCE OF THE CITY OF WEST COLUMBIA, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A TRACT OF LAND BEING A PART OF JACKSON STREET IN COLUMBIA OUTLOT NUMBER 99 IN THE J.H. BELL 1-1/2 LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PORTION OF STREET; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, A QUITCLAIM DEED CONVEYING SAID ABANDONED PORTION OF STREET EASEMENT TO JOAO GODINHO; AND PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS, ORDINANCES, RESOLUTIONS, AND/OR INFORMAL POLICIES OF THE CITY OF WEST COLUMBIA TO THE EXTENT THAT THEY ARE INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, Joao and Margaret Godinho, the owners of the subject property, have petitioned the City of West Columbia, Texas, to vacate, abandon, and close the hereinafter described portion of Jackson Street; and

WHEREAS, the City Council has determined that such portion of Jackson street should be vacated, abandoned, and closed for the reason that the same is no longer needed by the City;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST COLUMBIA, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council of the City of West Columbia, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of that portion of the street described in Section 3 hereof.

Section 3. The portion of the street, a 0.05 acre tract (2259 square feet) being a part of Jackson Street in Columbia Outlot Number 99 in the J.H. Bell 1-1/2 League Grant, Abstract

40, Brazoria County, Texas, further identified and described by metes and bounds and survey attached as Exhibit "A" and made a part hereof, is hereby vacated, abandoned, and closed.

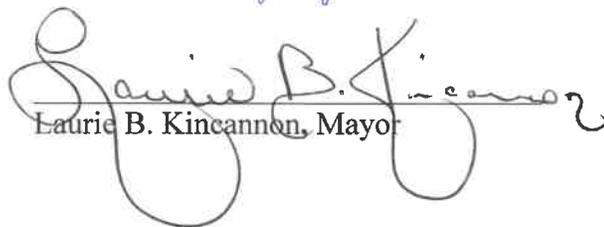
Section 4. The Mayor and City Secretary are hereby authorized to execute and attest, respectively, a quitclaim deed, a copy of which is attached hereto as Exhibit "B" and made a part hereof, conveying the hereinabove described abandoned roadway to Joao and Margaret Godinho.

Section 5. Any and all Code provisions, rules, ordinances, police regulations, resolutions, and/or informal policies of the City of West Columbia, whether written, or otherwise, which are in any manner in conflict with or inconsistent with this article, shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

Section 6. It is hereby declared to be the intention of the City Council that the several provisions of this article are severable, and if any court of competent jurisdiction enters a final order which holds that any section, sub-section, sentence, clause, phrase, or other portion of this article is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provisions of this article which are not specifically designated as being illegal, invalid, or unenforceable.

Section 7. This article shall be effective upon its passage and approval, and the publication of its caption as provided by law.

PASSED and APPROVED this the 23rd day of July, 2018.


Laurie B. Kincannon, Mayor

ATTEST:


Kelli Kuban, City Secretary/Treasurer

EXHIBIT "A"

Randy L. Stroud, P.E.
Civil Engineer and Land Surveyor
201 South Velasco
Angleton, Texas 77515
(979) 849-3141 Fax # (979) 849-9444

Randy L. Stroud, PE
RPLS #2112

FIRM NO. 10020500

Brian G. Fambrough
RPLS # 6017

FIELD NOTES OF A 0.05 ACRE TRACT (2259 SQUARE FEET) BEING A PART OF JACKSON STREET IN COLUMBIA OUTLOT NUMBER 99 IN THE J. H. BELL 1-1/2 LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8" iron rod, with plastic cap stamped G & W Engineers, found at the intersection of the West right-of-way line of Thirteenth Street (City of West Columbia) with the South right-of-way line of Jackson Street (40 feet wide);

- THENCE; North 87° 53' 40" West 340.54 feet, along the South right-of-way line of Jackson Street, to a 1/2" iron pipe found marking the Northeast corner of a called 0.16403 acre tract described in a deed recorded in Volume 251, Page 852 of the Deed Records of Brazoria County, Texas;
- THENCE; North 86° 32' 48" West (Reference Bearing) 124.40 feet, along the South right-of-way line of Jackson Street and the North line of said called 0.16403 acre tract, to a 1/2" iron pipe found for the place of beginning of the herein described tract at the Northeast corner of a 0.10 acre tract and the Northwest corner of said called 0.16403 acre tract out of said Outlot 99;
- THENCE; North 86° 32' 48" West 55.33 feet, along the North line of said 0.10 acre tract and the South right-of-way line of Jackson Street, to a 1/2" iron rod set for corner at the Southwest corner of Jackson Street;
- THENCE; North 1° 48' 30" East 8.14 feet, along the West line of Jackson Street, to a 1/2" iron rod set for angle point;
- THENCE; North 2° 00' 00" East 31.84 feet, along the West line of Jackson Street, to a 1/2" iron rod set for corner at the Northwest corner of Jackson Street at the Southwest corner of Lot 23 of the Subdivision of Columbia Outlot 99;
- THENCE; South 86° 32' 48" East 57.70 feet, along the North right-of-way line of Jackson Street and the South line of said Lot 23, to a 1/2" iron rod set for corner;

EXHIBIT "A"

FIELD NOTES OF A 0.05 ACRE TRACT CONTINUED.....PAGE 2 OF 2

THENCE; South 5° 21' 45" West 40.00 feet to the place of beginning.

Said tract therein containing 0.05 acres of land.

CERTIFIED:

Randy L. Stroud

Randy L. Stroud, P. E.

Registered Professional Land Surveyor #2112

*See attached plat.

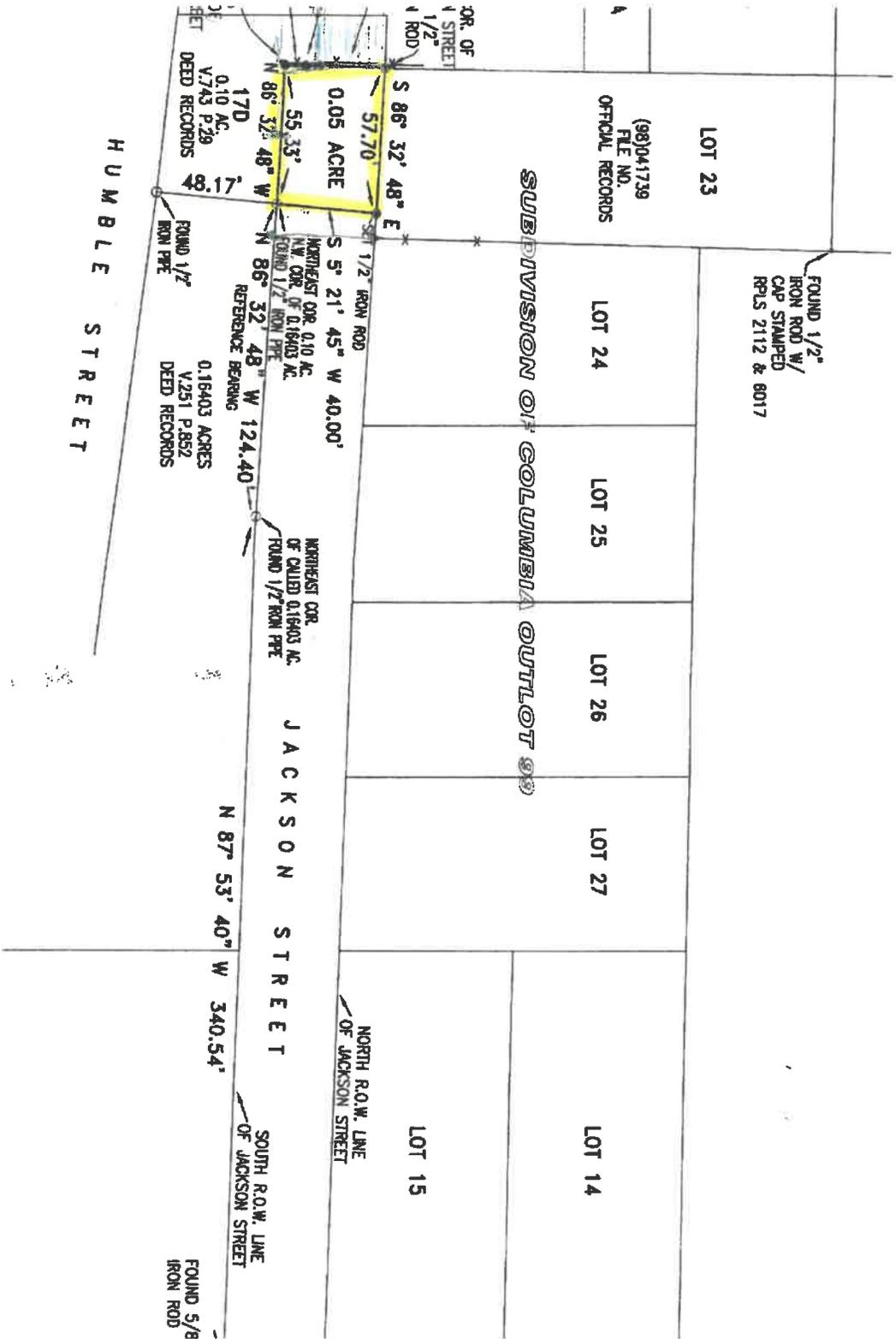
**All iron rod set for this survey have a plastic cap stamped "RPLS 2112 - RPLS 6017"

4T26898

June 9, 2017



EXHIBIT "A"



A PLAT OF A 0.05 ACRE TRACT (2259 SQUARE FEET) BEING A PART OF JACKSON STREET IN COLUMBIA OUTLOT NUMBER 99 IN THE J.H. BELL 1-1/2 LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.
 SCALE: 1" = 50'
 41 26,898
 6-12-17
 I, RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, ANGLETON, TEXAS, DO HEREBY CERTIFY THAT THE



EXHIBIT "B"

QUITCLAIM DEED

Date: July 23, 2018

Grantor: **City of West Columbia, Texas**

Grantor's Address (including County): P.O. Box 487, West Columbia, Texas 77486
Brazoria County, Texas.

Grantee: **Joao and Margaret Godinho**

Grantee's Address (including county): 510 Humble Drive, West Columbia, Texas 77486
Brazoria County, Texas.

Consideration:

Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property:

A 0.05 acre tract (2259 square feet) being a part of Jackson Street in Columbia Outlot, Number 99 in the J.H. Bell 1-1/2 League Grant, Abstract 40, Brazoria County, Texas, which Property is further identified and described in a metes and bounds description attached hereto as Exhibit "A" and made a part of this Quitclaim Deed hereof.

For the consideration, Grantor quit claims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's successors and assigns forever. Neither Grantor nor Grantor's successors or assigns shall have, claim, or demand any right or title to the property or any part of it.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the 23rd day of July 2018.

GRANTOR:

CITY OF WEST COLUMBIA, TEXAS

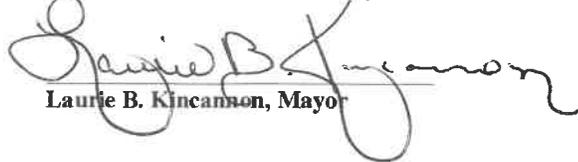

Laurie B. Kincannon, Mayor

EXHIBIT "B"

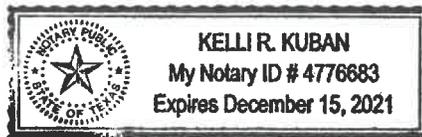
ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on this 23rd day of July, 2018,
by Laurie B. Kincannon, Mayor of the City of West Columbia, Texas, on behalf of said City.

Kelli R. Kuban
Notary Public In and For the State of Texas

My Commission Expires: 12-15-21



Kelli R. Kuban
Kelli Kuban, City Secretary

Please return to:
City of West Columbia
Attn: City Manager
P.O. Box 487
West Columbia, Texas 77486

EXHIBIT "B"

Randy L. Stroud, P.E.

Civil Engineer and Land Surveyor

201 South Velasco

Angleton, Texas 77515

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Randy L. Stroud, P. E. Registered Professional Land Surveyor #2112

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