

On: May 01, 2006 at 01:47P

ORDINANCE NO. 83 By:  
Lucinda H. Cordova

AN ORDINANCE  
AUTHORIZING THE MAYOR TO EXECUTE FOR AND ON BEHALF OF THE TOWN  
OF BAYSIDE A DEED WITHOUT WARRANTY FOR CERTAIN DESCRIBED  
PROPERTY;  
AND PROVIDING FOR PUBLICATION

WHEREAS, the Plat of Saint Mary's Addition to the Town of Bayside, Refugio County, Texas was filed for record on June 16, 1910 and recorded on August 11, 1910 at Volume 1, Page 10, Map Records of Refugio County, Texas; and

WHEREAS, certain property was dedicated to the public for public utility use but is not needed for such use; and

WHEREAS, such property is not needed and is excess property to the Town of Bayside; and

WHEREAS, the Town of Bayside may relinquish its interest to an abutting land owner and may trade for property of unequal value; and

WHEREAS, the Town Council has investigated the matter of conveying such property and finds such property it is unnecessary and unneeded; and

WHEREAS, adequate access and right-of-way and public utility easements will still exist for all affected property; and

WHEREAS, the Town Council finds that the conveyance of said property is necessary for the public safety, health, comfort, convenience and welfare of the Town of Bayside.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BAYSIDE, TEXAS:

**Section 1.** That the Mayor is authorized to execute on behalf of the Town of Bayside the North forty-four feet (N/44') of Lot Thirteen (13), in Block Fifty (50) of St Mary's Addition to the Town of Bayside, Refugio County, Texas, according to the established map and plat of record in Volume 1, Page 10, Map Records of Refugio County, Texas to Donald J. Foxhall and wife Naomi Z. Foxhall in accordance with the Deed Without Warranty attached hereto.

**Section 2.** That the North forty-four feet (N/44') of Lot Thirteen (13), Block Fifty (50), St. Mary's Addition to the Town of Bayside, Refugio County, Texas, according to the map and plat of record in Volume 1, Page 10, Map Records of Refugio County, Texas be and the same is hereby closed and abandoned as a public utility easement.

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**Section 3.** The hereinabove described tract of land is hereby declared surplus and unneeded by the Town of Bayside and may be sold for the fair market value of the land as a narrow strip of land pursuant to Section 272.001, Local Government Code in accordance with the Deed Without Warranty attached hereto.

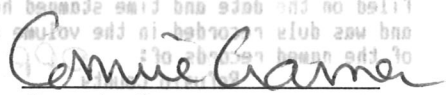
**Section 4.** The City Secretary is hereby authorized and directed to publish notice of this Ordinance by the publication of the caption of this Ordinance in the official newspaper of the Town of Bayside on two separate occasions and by recording a certified copy of such Ordinance in the Deed Records of Refugio County, Texas.

PASSED and APPROVED this the 11<sup>th</sup> day of April, 2006.

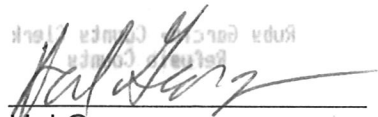
THE TOWN OF BAYSIDE

  
BILLY P. FRICKS  
Mayor

ATTEST:

  
Connie Cramer  
City Secretary

APPROVED AS TO LEGAL FORM:

  
Hal George  
City Attorney