

MEMORANDUM

DATE: November 22, 2022

TO: Mayor & City Council
CC: Mercy Rushing, City Manager

FROM: David Madsen

SUBJECT: Council Meeting Agenda Item: Street abandonment

Background Information: Connie Holley, 817 Mimosa owns 1 acre consisting of Lot 19 and part of Lot 18 Hillcrest Addition. The property is off of the west end of Ryan which is the unimproved portion and on the east side of an unimproved section of Potts. Ms. Holley plans to build a small house for her mother and needs extra space. She has requested the city to abandon the unimproved section of Potts. The owner of the property to the west of her, Mr. James T. Hollis, has agreed to deed his portion of the street, once abandoned, to her. This will give her an extra 40 feet of usable space. She has submitted a petition for abandonment and the City Attorney has drafted an ordinance. There are no utilities located in the proposed abandoned section of street. There are also some flood plain issues that would restrict future development of the street.

Recommendation:

Final Disposition:

Petition To Abandon Street

The following individuals and or entities own property that abut an unimproved street located in East Mineola. The Unnamed Street runs north and south between Mimosa Street and Ryan Street. It is approximately 40 feet wide and approximately 279 feet long. It is bordered on the east by Ms. Connie Holley, Lot 19, of the Hillcrest Addition, #2020-00003538 O.P.R. and on the west by Mr. James Todd Hollis, Tract Two - 4.885 Acres, #2019-00000356 O.P.R. Ms. Holley and Mr. Hollis are requesting the Unnamed Street be abandoned by the City of Mineola. Both parties Agree, that when the Unnamed Street is abandoned, that the whole portion will be owned by Ms. Holley.

These owners, per the most current tax role, are the individuals and or entities that own property abutting the Unnamed Street described above.

Property Owner: Connie Holley
817 Mimosa
Mineola, TX 75773

Signature:

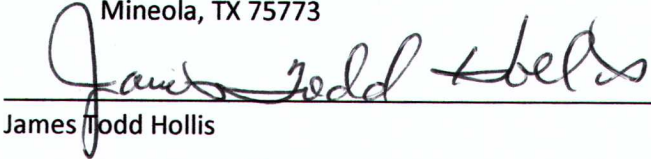


Connie Holley

Date: 10/9/22

Property Owner: James Todd Hollis
P.O. Box 1342
Mineola, TX 75773

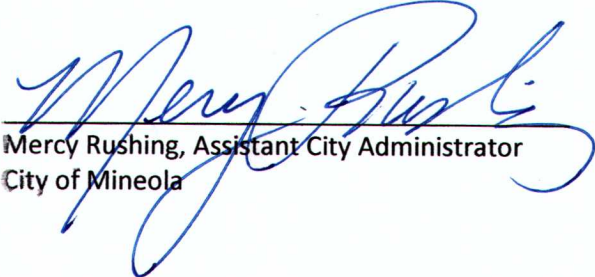
Signature:



James Todd Hollis

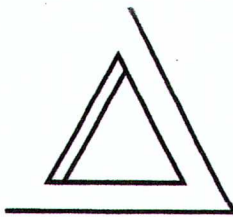
Date: 10-9-22

By way of this petition the above owners are requesting that the City of Mineola permanently close this street.



Mercy Rushing, Assistant City Administrator
City of Mineola

Date 10/11/2022



Land Surveying Services

copy

P.O. Box 665 • 3421 E. US Hwy 80 • Mineola, Texas 75773 • (903) 845-7508

FIELD NOTES

ROAD

Job No. 220364

All that certain lot, tract, or parcel of land being an unnamed and undeveloped public right-of-way (ROAD) of the Hillcrest Addition Mineola, Texas and being that portion West of and adjoining Lot 19 of said subdivision as shown on Plat thereof recorded Vol. 1, Page 32 and 66 of the Plat Records of Wood County, Texas. Said lot, tract or parcel of land being more particularly described as follows:

BEGINNING at a ½" rebar set for the Northwest corner of Lot 19 and being the Northeast corner of this portion of said ROAD;

THENCE S 00 deg. 21 min. 14 sec. E 278.92 ft. following the West line of Lot 19 being the East line of said ROAD to a ½" rebar set for the Southwest corner of said Lot 19 being the Southeast corner of this portion of said ROAD and being on the North line of a 20 ft. Alley of said subdivision;

THENCE S 81 deg. 47 min. 28 sec. W 40.38 ft. following the South line of this portion of said ROAD to a ½" rebar set for the Southeast corner of same and being on the East line of that 4.885 acre Tract Two described in Special Warranty Deed conveyed to James T. Hollis recorded by Clerk's Instrument No. 2019-00000356 O.P.R.;

THENCE N 00 deg. 21 min. 14 sec. W 279.06 ft. following the West R.O.W. line of said ROAD being said Hollis East line to a ½" rebar set for the Northwest corner of this portion of said ROAD which bears S 00 deg. 21 min. 14 sec. E 212.84 ft. from a ½" cap inscribed "T&A 2291" found for the Northeast corner of said Hollis tract;

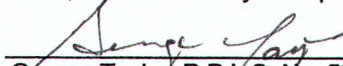
THENCE N 81 deg. 59 min. 29 sec. E 40.36 ft. following the North line of this portion of said ROAD to the point of beginning, containing 0.256 acre of land as surveyed by George Taylor, R.P.L.S. No. 5246.

See Plat of this survey for additional information.

SURVEYOR'S CERTIFICATE

I, George Taylor, Registered Professional Land Surveyor No. 5246, do hereby certify that the performance of the survey for the above described tract of land and the information provided in these Reports of said survey are in compliance with the Practice and Rules of the Professional Engineering and Land Surveying Board dated April 1, 2021, to the best of my knowledge and ability.

WITNESS my hand and seal at Hoard, Texas, this the 15th day of September, 2022.


George Taylor, R.P.L.S. No. 5246



PLAT OF SURVEY

Showing the North portion of that ROAD West of and adjoining Lot 19 of the Hillcrest Addition Mineola, Texas as shown on Plat thereof recorded in Vol. 1, Page 32 and 66 of the Plat Records of Wood County, Texas.



Scale: 1" = 40'
 Job No. 220355
 Firm #10050300

o Denotes SET 1/2" rebar,
 except as noted.

See Field Notes of this survey
 for a written boundary description.

SURVEYED SEPTEMBER 2022 BY

George Taylor
 GEORGE TAYLOR, R.P.L.S. No. 5246

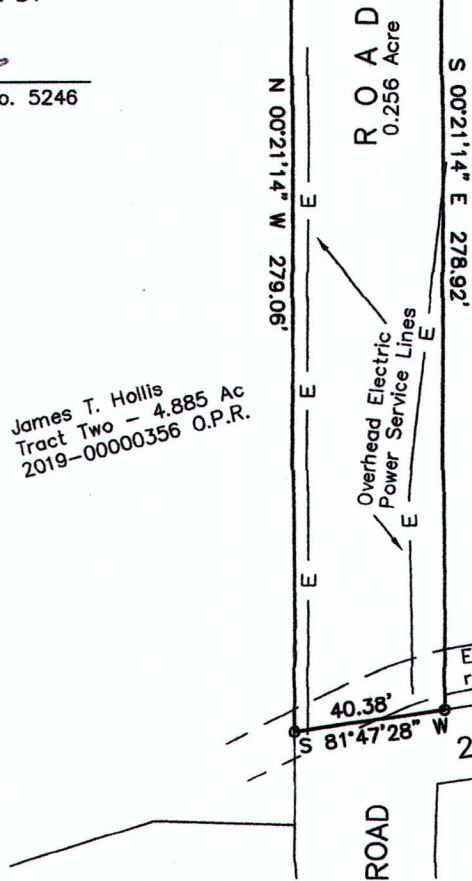


James T. Hollis
 Tract Two - 4.885 Ac
 2019-00000356 O.P.R.

Jeffrey Basham
 7.506 Ac
 #2019-00004032 O.P.R.

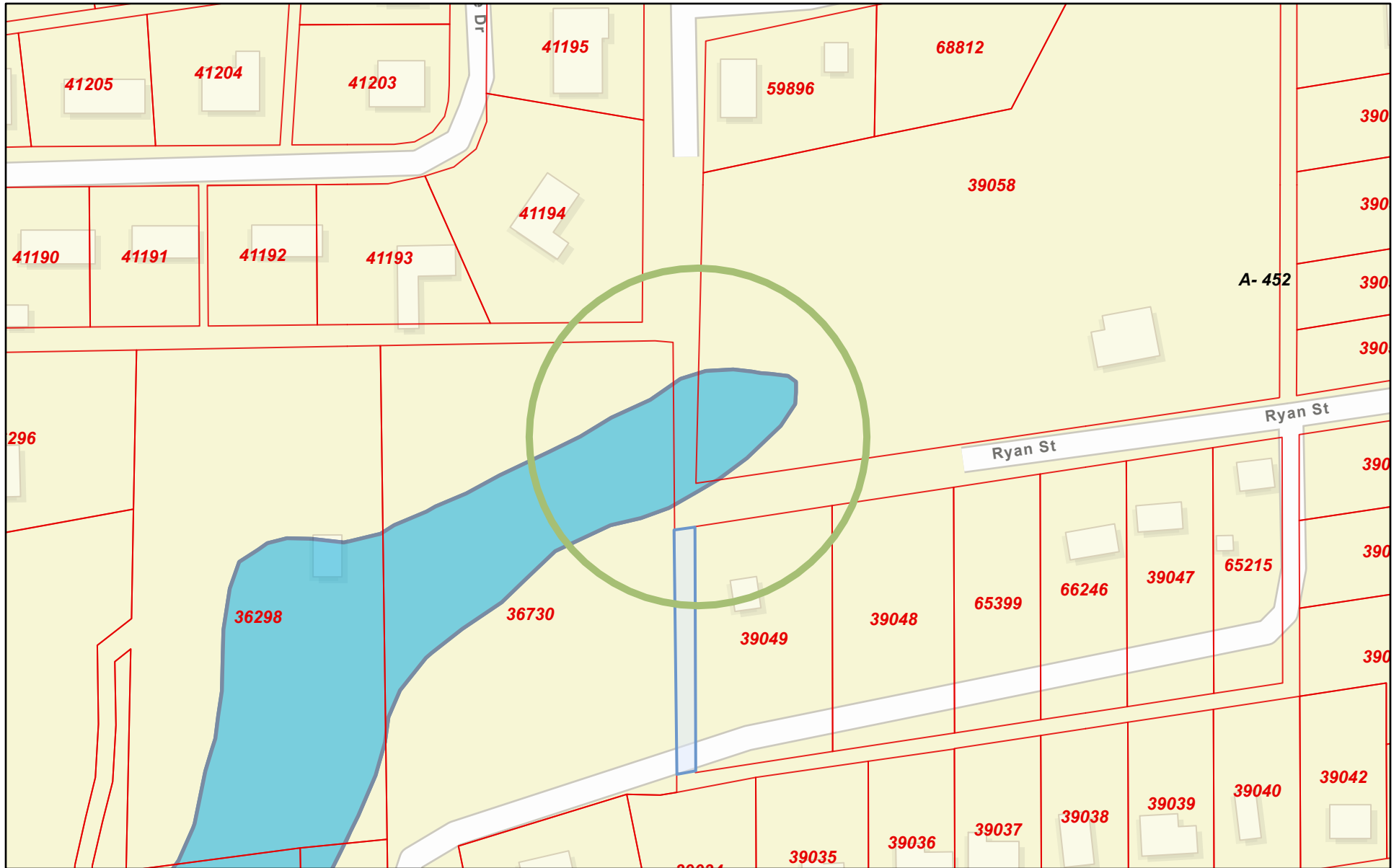
Found 1/2" cap
 "T&A 2291"

Found 1/2" cap
 "T&A 2291" for
 NEC Hollis tract
 bears N00°21'14"W
 212.84'








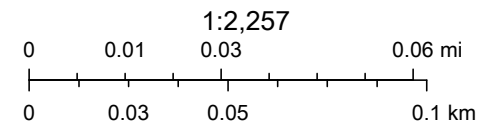
Connie Holley
 Lot 19, Block Hillcrest Addition
 #2020-00003538 O.P.R.

Wood CAD Web Map



11/22/2022, 10:58:05 AM

-  Abstracts
-  Flood Hazard Area
-  Parcels
-  A - Areas with a 1% annual chance of flooding.
-  X - Area of Minimal Flood Hazard

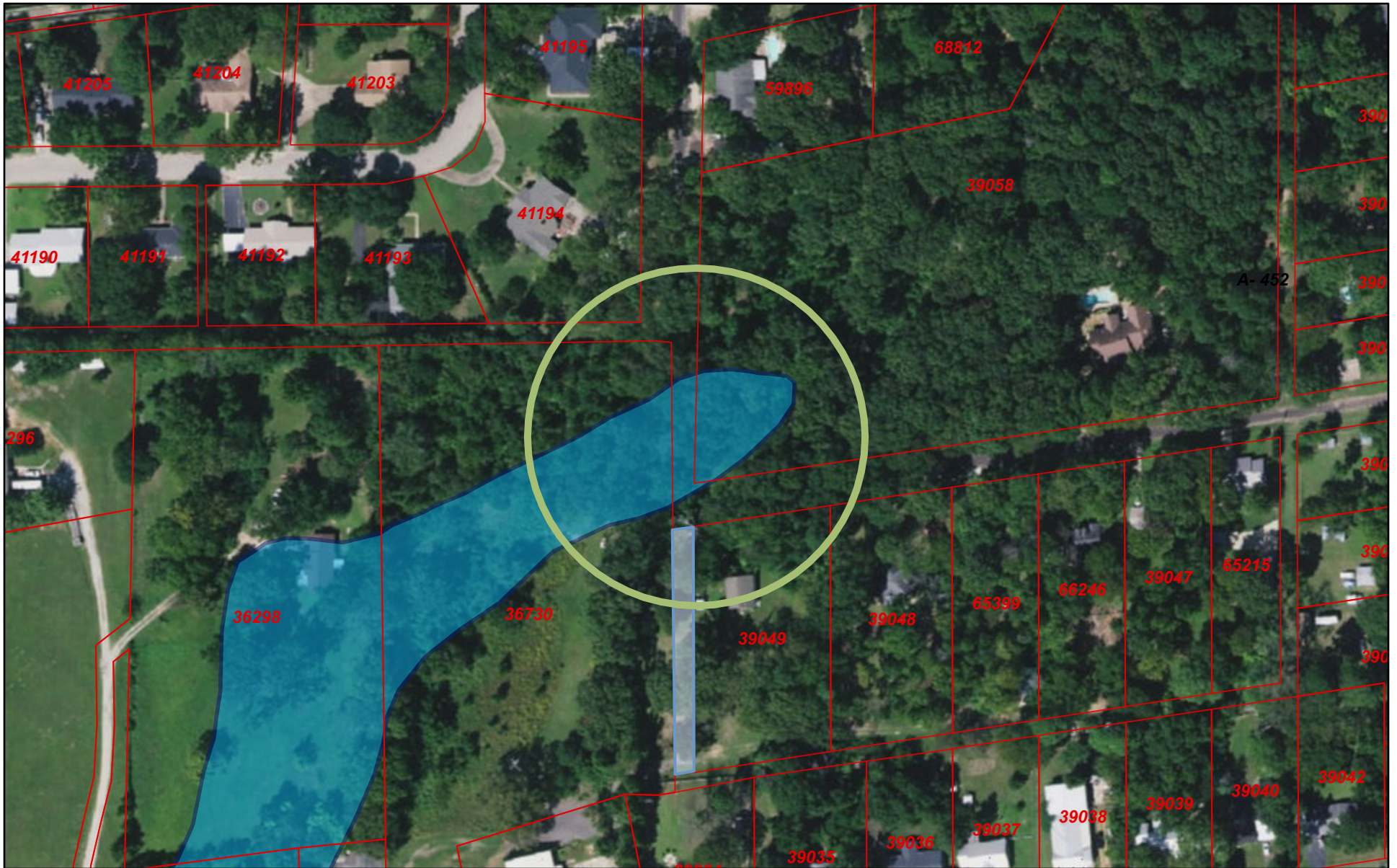


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Wood County Appraisal District, BIS Consulting - www.bisconsulting.com

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Wood CAD Web Map

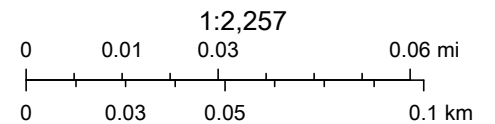


11/22/2022, 11:00:00 AM

Abstracts Flood Hazard Area

Parcels A - Areas with a 1% annual chance of flooding.

X - Area of Minimal Flood Hazard



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Wood County Appraisal District, BIS Consulting - www.bisconsulting.com

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ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF MINEOLA, TEXAS
ABANDONING A PORTION OF THE CITY'S RIGHT OF WAY LOCATED WITHIN
THE CITY LIMITS OF MINEOLA, TEXAS**

WHEREAS, it has been requested that the City of Mineola, Texas abandon a portion of its right of way located within the city limits of Mineola, Texas.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Mineola, Texas as follows:

1. That said portion of the City's right of way, being an area of Potts Street, which is more specifically described in the survey and metes and bounds description attached hereto as **Exhibit A**, is hereby abandoned; and

2. As of the passing of this Ordinance, the tract and portion of land being abandoned herein as a right of way in favor of City shall, in all respects, now become the responsibility of the fee simple owner(s) of said tract for all maintenance and upkeep.

PASSED AND APPROVED by the City Council for the City of Mineola, Texas this _____ day of _____, 2022.

APPROVED BY:

Jayne Lankford, Mayor

STATE OF TEXAS §
 §
COUNTY OF WOOD §

This instrument was acknowledged before me on _____, 2022 by Jayne Lankford, as Mayor of the City of Mineola, Texas.

Notary Public, State of Texas

ATTEST:

Cindy Karch, City Secretary