

CITY OF SEGUIN

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

STATE OF TEXAS

**AN ORDINANCE OF THE CITY COUNCIL OF SEGUIN, TEXAS AUTHORIZING THE ABANDONMENT OF THE CITY'S INTEREST IN THE UNIMPROVED STREET RIGHT-OF-WAY FOR LAVACA LANE DEDICATED AS PART OF PARKVIEW ESTATES, CATER'S ADDITION; ASSIGNING ABANDONED RIGHT OF WAY TO ADJOINING PROPERTY OWNERS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS**

**WHEREAS**, before annexation into the City, Lavaca Lane was dedicated as street right-of-way by the original plat of Parkview Estates; and

**WHEREAS**, to date Lavaca Lane, which runs between Guadalupe River Drive and Rio Grande Drive, has not been improved for use as a street or alley way; and

**WHEREAS**, in 1998, an amended plat was recorded for what is known as the Cater's Addition to Parkview Estates that changed a few of the lots and noted that Lavaca Lane was undeveloped; and

**WHEREAS**, in 2000 some of the residents adjoining Lavaca Lane filed a Boundary Line Agreement (Volume 1542, Page209) reassigning property areas, including some of Lavaca Lane; and

**WHEREAS**, the owner of Lot 127, one of the four lots adjoining Lavaca Lane, needs to replace an existing septic system that includes a drain field that encroaches into the Lavaca Lane right-of-way; and

**WHEREAS**, after discussion with city departments it is clear that the City has no proposed use for the street right-of-way; and

**WHEREAS**, city staff recommends that the right-of-way to Lavaca Lane be abandoned in favor of the adjoining landowners subject to the terms of their previously filed Boundary Line Agreement.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Seguin**

**SECTION ONE.** The City Council hereby approves and authorizes the abandonment of Lavaca Lane running between Guadalupe River Drive and Rio Grande Drive.

**SECTION TWO.** The abandoned right-of-way shall be divided among the adjoining property owners in accordance with the previously filed Boundary Line Agreement attached to this Ordinance; with any remaining property to be divided equally between the adjoining property owners.

**SECTION THREE.** The City Manager is authorized to execute any documents, including quit claim deeds, necessary to carry out the right-of-way abandonment.

**PASSED AND APPROVED** on first reading this 20<sup>th</sup> day of April 2021.

**PASSED AND APPROVED** on second and final reading this 4<sup>th</sup> day of May 2021.

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**DONNA DODGEN, Mayor**

**ATTEST:**

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**Naomi Manski, City Secretary**