

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THE SALE OF THE “SURFACE ONLY” OF CLOSED SECTION OF URBAHN AVENUE AT ITS APPRAISED FAIR MARKET VALUE OF \$21,000 TO RIES DWAIN LANDRUM. DESCRIBED AS A 0.18 ACRE SECTION OF URBAHN AVENUE R.O.W. BETWEEN SANTA CLARA STREET AND PECAN STREET, SAID 0.18 ACRE TRACT OF LAND BETWEEN BLOCK 209 AND BLOCK 208 IS SITUATED IN DISTRICT II, EASTERN DIVISION, CITY OF LAREDO, WEBB COUNTY. THE CITY OF LAREDO RESERVES ANY AND ALL VISABLE AND APPARENT EASEMENTS RECORDED OR NOT RECORDED; APPROVING AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the street as shown in Exhibit “A” is a surplus and not necessary for use by the City, the general public, or the landowners adjacent thereto as an alley or street;

WHEREAS, Chapter. 272, *Tex. Loc. Gov't Code*, authorizes political subdivisions to sell and convey rights-of-way to abutting owners in proportion to abutting ownership at an appraised fair market value;

WHEREAS, retaining a blanket public utility easement within the vacated street is necessary for use by the City for public utility purposes;

WHEREAS, the City has established, after an appraisal, that the fair market value of the above described street to be \$21,000.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS THAT:

Section 1: Findings. The foregoing recitals are hereby found to be true and correct and are incorporated into this Ordinance as findings of fact by the City of Laredo, Texas.

Section 2: Street. A tract of land containing approximately 7,713 Sq. Ft. (0.18 Acre), more or less, being the south $\frac{1}{2}$ of the 1600 Block of South Urbahn Avenue Right-of-Way, bordered by Pecan Street to the south, Block 208 E.D. to the east and Block 209 E. D. to the west, Laredo, Webb County, Texas, 78043, as more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes (the “Property” or “street”), has been permanently closed, vacated, and abandoned by the City and the general public under Ordinance No. 2024-O-229.

Section 3: Consideration and Authorization to Execute Special Warranty Deed.

The City Manager and or his designee is hereby authorized, empowered, instructed and directed to execute a special warranty deed or deeds, from time to time, in a form substantially similar to that set forth in Exhibit “B”, conveying the rights and interests of the City in the Property to abutting

property owners, in proportion to their ownership of the abutting property; provided that said special warranty deed shall reserve a public utility easement to be held by the City as described in the special warranty deed attached as Exhibit "B", and provided that the purchase price to be paid for such property shall be at the appraised value of \$21,000.

Section 4: Retain Utility Easement. A public utility easement in, upon, under, and across the Property is hereby retained by the City and the general public for use as a public utility easement as described in the special warranty deed attached as Exhibit "B".

Section 5: Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 6: Effective Date. This ordinance shall take effect immediately from and after its passage.

Section 7: Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Tex. Gov't. Code.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS, THE
____ DAY OF _____, 2024**

Dr. Victor D. Treviño
MAYOR

ATTEST:

Mario I. Maldonado Jr.
CITY SECRETARY

APPROVED AS TO FORM:

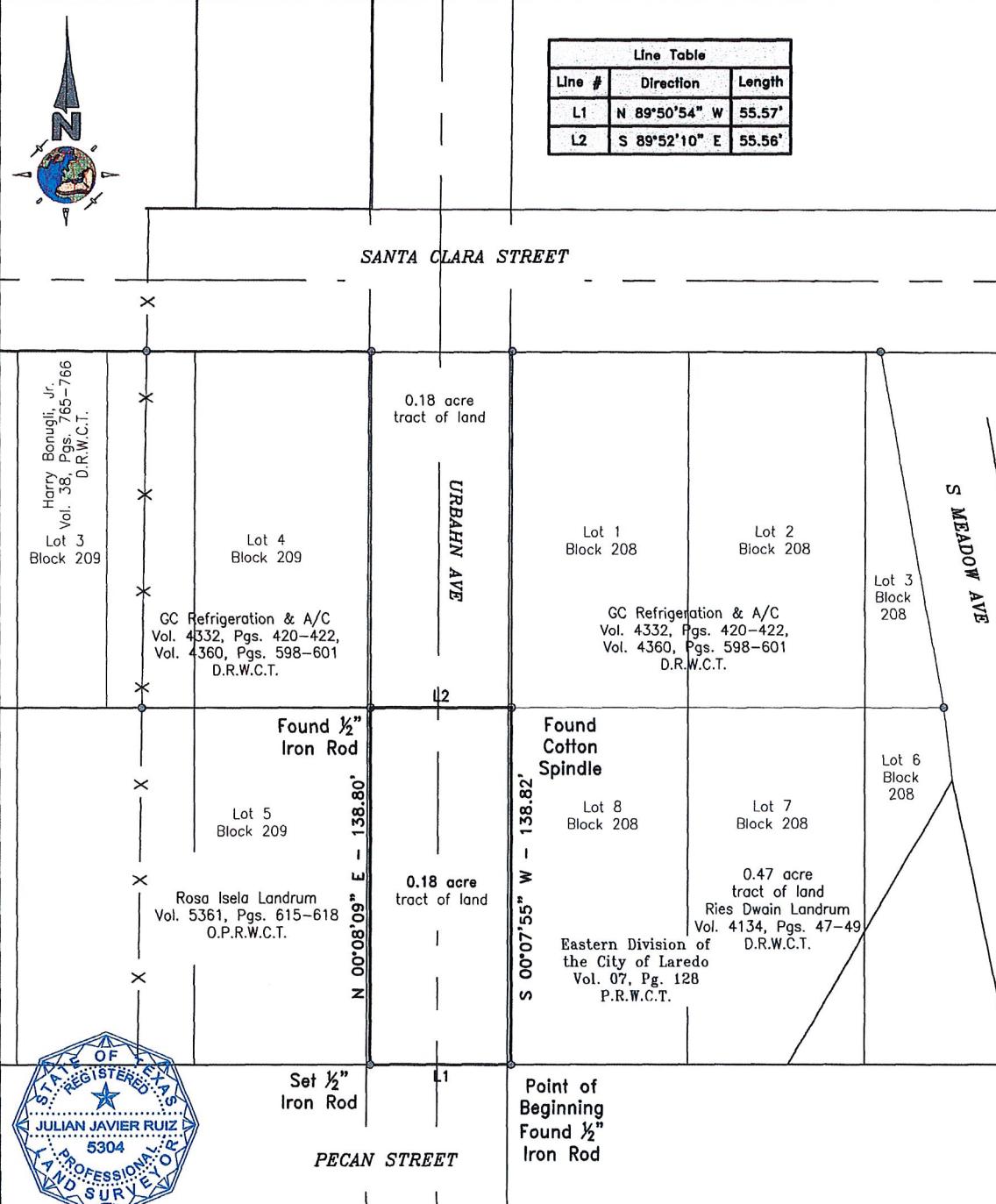
Doanh "Zone" T. Nguyen
CITY ATTORNEY

By: _____
Rodolfo Morales III
ASSISTANT CITY ATTORNEY

Exhibit “A”
[See Attached Survey]

SURVEY

of a 0.18 acre tract of land on Urbahn Ave
between Block 209, and Block 208
Eastern Division of the City of Laredo
Webb County, Texas



Basis of Bearings: NAD 83 – Texas South Zone – 4205

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT THIS SURVEY IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, ON THE GROUND, THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED OR LOCATED.

Julian Javier Ruiz, R.P.L.S. No. 5304-TEXAS

06-22-24

CURRENT DATE:



TECH: J.J.R.
Q.C.: J.J.R.
JOB No.:17170
DATE: 09-20-15
F.B.: 000
PG.: 000
SHEET: 1 OF 2



2724 Wildwood Drive
Weslaco, Texas 78596
www.jjruizlandsurveying.com
Phone 956-568-4470
Fax 956-568-4471

**Field Notes
for a 0.18 acre tract of land on Urbahn Avenue
between Block 209, and Block 208
Eastern Division of the City of Laredo
Webb County, Texas**

Being a 0.18 acre tract of land on Urbahn Avenue, between Block 209, and Block 208, Eastern Division to the City of Laredo, Texas, recorded in Volume 07, Page 128, Plat Records, Webb County, Texas, and being more particularly described by metes and bounds as follows, to wit:

Beginning at a $\frac{1}{2}$ " **iron rod** found at the southwest corner of Lot 8, Block 208, Eastern Division, conveyed to Ries Dwain Landrum, described in deed recorded in Volume 4134, Pages 47-49, Deed Records, Webb County, Texas, at the intersection of the easterly Right of Way line of Urbahn Avenue, and the northerly Right of Way line of Pecan Street, for the southeast corner hereof;

Thence, across Urbahn Avenue, **North 89 degrees 50 minutes 54 seconds West, 55.57 feet** to a $\frac{1}{2}$ " **iron rod** set at the southeast corner of Lot 5, Block 209, conveyed to Rosa Isela Landrum, described in deed recorded in Volume 5361, Pages 615-618, Official Public Records, Webb County, Texas, at the intersection of the northerly Right of Way line of Pecan Street, and the westerly Right of Way line of Urbahn Avenue, for the southwest corner hereof;

Thence, with the westerly Right of Way line of said Urbahn Avenue, **North 00 degrees 08 minutes 09 seconds East, 138.80 feet** to a $\frac{1}{2}$ " **iron rod** found at the southeast corner of Lot 4, Block 209, conveyed to GC Refrigeration & A/C, described in deed recorded in Volume 4332, Pages 420-422, and Volume 4360, Pages 598-601, Deed Records, Webb County, Texas, for the northwest corner hereof;

Thence, across Urbahn Avenue, **South 89 degrees 52 minutes 10 seconds East, 55.56 feet** to a **cotton spindle** found at the southwest corner of Lot 1, Block 208, conveyed to GC Refrigeration & A/C, described in deed recorded in Volume 4332, Pages 420-422, and Volume 4360, Pages 598-601, Deed Records, Webb County, Texas, at the easterly Right of Way line of Urbahn Avenue, for the northeast corner hereof;

Thence, with the easterly Right of Way line of said Urbahn Avenue, **South 00 degrees 07 minutes 55 seconds West, 138.82 feet** to the **Point of Beginning** and containing **0.18 acres** of land, more or less.

Basis of Bearings: NAD 83 - Texas South Zone - 4205

State of Texas:

County of Webb:

I, Julian Javier Ruiz, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the above captioned "Field Notes" and attached "Drawing" was prepared from an actual Survey performed on the ground under my supervision.


R.P.L.S. No. 53047 Texas
REGISTERED PROFESSIONAL LAND SURVEYOR


06-22-24
Current Date

Exhibit “B”

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

§

COUNTY OF WEBB **§ KNOW ALL PERSONS BY THESE PRESENTS:**

That the **City of Laredo, Texas**, a Texas municipal corporation, hereinafter called "**GRANTOR**," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to **GRANTOR** cash in hand paid by **Dwain Ries Landrum**, hereinafter called "**GRANTEE**", the receipt of which is hereby acknowledged, has **GRANTED, SOLD** and **CONVEYED**, and by these presents does **GRANT, SELL** and **CONVEY** unto the said **GRANTEE**, all that certain lot, tract or parcel of land known and described as follows:

PROPERTY (including any improvements):

Being a 0.18-acre tract of land on Urbahn Avenue, between Block 209, and Block 208, Eastern Division to the City of Laredo, Texas, recorded in Volume 07, Page 128, Plat Records, Webb County, Texas, and being more particularly described by metes and bounds as follows, to wit:

Beginning at a $\frac{1}{2}$ " *iron rod* found at the southwest corner of Lot 8, Block 208, Eastern Division, conveyed to Ries Dwain Landrum, described in deed recorded in Volume 4134, Pages 47-49, Deed Records, Webb County, Texas, at the intersection of the easterly Right of Way line of Urbahn Avenue, and the northerly Right of Way line of Pecan Street, for the southeast corner hereof;

Thence, across Urbahn Avenue, North 89 degrees 50 minutes 54 seconds West, 55.57 feet to a $\frac{1}{2}$ " iron rod set at the southeast corner of Lot 5, Block 209, conveyed to Rosa Isela Landrum, described in deed recorded in Volume 5361, Pages 615-618, Official Public Records, Webb County, Texas, at the intersection of the northerly Right of Way line of Pecan Street, and the westerly Right of Way line of Urbahn Avenue, for the southwest corner hereof:

Thence, with the westerly Right of Way line of said Urbahn Avenue, *North 00 degrees 08 minutes 09 seconds East, 138.80 feet* to a $\frac{1}{2}$ " iron rod found at the southeast corner of Lot 4, Block 209, conveyed to GC Refrigeration & A/C, described in deed recorded in Volume 4332, Pages 420-422, and Volume 4360, Pages 598-601, Deed Records, Webb County, Texas, for the northwest corner hereof:

Thence, across Urbahn Avenue, *South 89 degrees 52 minutes 10 seconds East, 55.56 feet* to a *cotton spindle* found at the southwest corner of Lot 1, Block 208, conveyed to GC Refrigeration & A/C, described in deed recorded in Volume 4332, Pages 420-422, and Volume

Exhibit "B"

4360, Pages 598- 601, Deed Records, Webb County, Texas, at the easterly Right of Way line of Urbahn Avenue, for the northeast corner hereof;

Thence, with the easterly Right of Way line of said Urbahn Avenue, ***South 00 degrees 07 minutes 55 seconds West, 138.82 feet*** to the **Point of Beginning** and containing **0.18 acres** of land, more or less.

This conveyance is expressly made subject to the easements reserved in this instrument, and the restrictions, covenants and easements, if any, apparent on the ground, in use or existing of record in the office of the County Clerk of Webb County, Texas, to which reference is here made for all purposes.

GRANTOR hereby expressly reserves an exclusive, perpetual public utility easement for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary and useful for the supplying of water, sanitary sewer service, and/or any other utility services or public facility in, upon, under and across the Property.

GRANTEE covenants and agrees to use the Property only in those ways consistent with the public utility easement herein reserved and agrees to do nothing which would impair, damage, or destroy or interfere with the public utility easement or any structure, facility, or improvement placed thereon, and it is further understood and agreed that the covenants and agreements set forth herein regarding the public utility easement shall be considered covenants running with the land, fully binding upon **GRANTEE** and Grantee's successors and assigns.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said **GRANTEE**, the heirs, executors, successors and assigns forever, and **GRANTOR** does hereby bind its successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular, the said premises unto the said **GRANTEE**, the heirs, executors, successors and assigns, against every person whomsoever lawfully claiming or to claim the same by, through or under the City of Laredo, Texas, but not otherwise.

This deed is subject to the public utility easement reserved in this instrument and all other easements, restrictions, covenants, conditions and other instruments of record.

EXECUTED at Laredo, Webb County, Texas, this the _____ day of _____ 20_____.

City of Laredo, Texas

Joseph W. Neeb, City Manager

THE STATE OF TEXAS

§

COUNTY OF WEBB

§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Joseph W. Neeb, City Manager, of the City of Laredo, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____
_____, 20_____.

Notary Public-State of Texas