

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF AN UNIMPROVED RIGHT-OF-WAY CONTAINING 0.1032 ACRES OUT OF CODY DRIVE RECORDED IN CLERK’S FILE NO. B394990, FILM CODE NO. 058-15-0196 AND IN VOLUME 8002, PAGE 199 IN THE DEED RECORDS OF HARRIS COUNTY IN THE JOSEPH HOUSE SURVEY, ABSTRACT 34 IN HARRIS COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PORTION OF SUCH UNIMPROVED RIGHT-OF-WAY; AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY SECRETARY TO ATTEST A QUITCLAIM DEED QUITCLAIMING THE CITY’S INTEREST IN SAID UNIMPROVED RIGHT-OF-WAY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

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WHEREAS, the City of Tomball, Texas (“city”) owns an unimproved right-of-way containing 0.1032 acres out of Cody Drive recorded in Clerk’s File No. B394990, Film Code No. 058-15-0196 and in Volume 8002, Page 199 in the Deed Records of Harris County in the Joseph House Survey, Abstract 34 in Harris County, Texas and

WHEREAS, the City Council of the City has determined that public necessity and convenience no longer require the existence of the unimproved right-of-way; and

WHEREAS, the City Council has determined that the unimproved right-of-way should be vacated, abandoned, and closed for the reason that it is no longer needed by the city; and

WHEREAS, the City Council desires to convey the unimproved right-of-way to the owner of the property on which the unimproved right-of-way exists; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

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

Section 2. That the City Council of the City of Tomball, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of the unimproved right-of-way described in Section 3 hereof.

Section 3. That the portion of that certain City of Tomball unimproved right-of-way containing 0.1032 acres out of Cody Drive recorded in Clerk’s File No. B394990, Film Code No. 058-15-0196 and in Volume 8002, Page 199 in the Deed Records of Harris County in the Joseph House Survey, Abstract 34 in Harris County, Texas is hereby vacated, abandoned, and closed.

Section 4. That the City Manager is authorized to execute a quitclaim deed quitclaiming the unimproved right-of-way described in Section 3 hereof to the owners of the property on which the unimproved right-of-way is located.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3rd DAY OF February 2025.

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| COUNCILMAN FORD | <u>Aye</u> |
| COUNCILMAN GARCIA | <u>Absent</u> |
| COUNCILMAN DUNAGIN | <u>Aye</u> |
| COUNCILMAN COVINGTON | <u>Aye</u> |
| COUNCILMAN PARR | <u>Aye</u> |

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 17th DAY OF February 2025.

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| COUNCILMAN FORD | <u>Aye</u> |
| COUNCILMAN GARCIA | <u>Aye</u> |
| COUNCILMAN DUNAGIN | <u>Aye</u> |
| COUNCILMAN COVINGTON | <u>Aye</u> |
| COUNCILMAN PARR | <u>Aye</u> |

Lori Klein Quinn
LORI KLEIN QUINN, Mayor

ATTEST:

Tracylynn Garcia
TRACYLYNN GARCIA, City Secretary