

ARTICLE 253.001 ABANDONING STREETS AND ALLEYS

SECTION I.

That all persons desiring to have the City Council exercise its powers under the provisions of Article 1016 of Vernon's Texas Civil Statutes regarding the abandoning, altering, closing and vacating streets, alleys and other public ways and portions thereof, shall file their petition with the City Secretary, in writing, directed to the City Council. Such petition shall contain a description of the street, alley or portion thereof, as the case may be, together with the last known address of all such owners. In the event that all abutting property owners do not join in said petition, a statement shall be attached to said request showing the reason for non-participation of those who have not signed. The City Secretary shall make the City Tax Rolls available to any petitioner under this Ordinance for the purpose of determining the names and addresses of all abutting property owners and the tax rolls shall be conclusive as to the names of the abutting property owners for the purposes of this Ordinance.

SECTION II.

Upon filing of such request with the City Secretary as provided in Section I, an administration fee shall be deposited with the City secretary in the amount required by Article 500.000 to cover the expense of administering the procedure outlined in this Ordinance, and the cost of mailing notices and release forms to all abutting property owners.

SECTION III.

Upon the filing of such request and fee as provided in Section I and II, the City secretary shall mail notices of said request and release forms by certified mail, return receipt request, to all abutting property owners.

SECTION IV.

In the event the petition request that only a portion of a through street, alley or public way which is open to public access from either direction is to be abandoned, altered, closed or vacated, then it shall be necessary for the petitioner to provide the City Secretary with the names and last known mailing addresses of all abutting property owners both for the portion to be closed and for the portion which is to remain open in either direction up to the next intersection with another street, alley or public way. Notices and release forms will be mailed to all such abutting property owners for the closed and open portions of said street, alley or public way provided in Section III above.

SECTION V.

The proposed action by the City Council shall be placed on the agenda for the next public meeting of the City Council after the filing of the petition or such public meeting as the City Council may set, provided that at least ten (10) days have elapsed from the date said request is filed until the date of said meeting in order to allow sufficient time for the mailing of notices and release forms to the abutting property

owners. The City Council shall not act on such petition until such time as each of the abutting property owners listed in the petition. Such petition, if not acted upon at the first public meeting at which it appears on the agenda, may be continued on the agenda to subsequent public meeting if it is in the best interest of the parties and the public as the City Council of the City of Mabank, Texas, may in its sole discretion determine.