

ORDINANCE 2025-11

AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS, VACATING AND ABANDONING A PORTION OF AN UNDEVELOPED RIGHT-OF-WAY KNOWN AS MESQUITE STREET IN THE LOGAN SUBDIVISION; AUTHORIZING THE CONVEYANCE OF SAID RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS, RICHARD & CYNTHIA MOORE; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property commonly known as Mesquite Street was originally platted in 1956 as a 40-foot-wide right-of-way within the Logan Subdivision, extending approximately 425 feet in length from South Lovers Lane to the edge of the subdivision; and

WHEREAS, the portion of Mesquite Street between South Lovers Lane and Clover Street (hereinafter “the Subject Property”) remains an undeveloped right-of-way and has never been improved or used for vehicular access or utility infrastructure as described in “Exhibit A”; and

WHEREAS, the City of Gatesville has verified, through City Staff review, that there is no known existing or planned public utility infrastructure within the Subject Property; and

WHEREAS, Richard & Cynthia Moore, as abutting property owners, have requested to purchase the Subject Property, and have provided the City with a current survey of the proposed area; and

WHEREAS, pursuant to the Texas Transportation Code, Chapter 311, Section 311.007, the City of Gatesville, as a home-rule municipality, has the authority to vacate, abandon, or close a public street; and

WHEREAS, pursuant to the Texas Local Government Code, Chapter 272, Section 272.001(b) and (c), the City may sell abandoned street rights-of-way to abutting property owners in a subdivision without requiring public notice or bidding, provided such transfer is made for fair market value or to the fee simple owner of the underlying land; and

WHEREAS, Richard & Cynthia Moore are the owners of the fee interest in the property underlying and abutting the Subject Property and meet the criteria for such conveyance under state law; and

WHEREAS, an agreement for the sale and conveyance of the Subject Property has been duly executed by the City Manager and Richard & Cynthia Moore, in accordance with applicable laws and regulations; and

WHEREAS, the City published public notice of a public hearing regarding the proposed vacation in the *Gatesville Messenger* on May 3rd, in compliance with local practice; and

WHEREAS, notice of the proposed vacation was mailed to all abutting property owners, and no objections or responses were received; and

WHEREAS, the City Charter requires that this ordinance be read at three separate regular meetings of the City Council;

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

SECTION 1. The findings set forth in the above preamble to this Ordinance are true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. The City of Gatesville hereby vacates and abandons the portion of the undeveloped right-of-way known as Mesquite Street, as shown on the original Logan Subdivision plat, lying between South Lovers Lane and Clover Street, approximately 425 feet in length and 40 feet in width, subject to the conveyance to Richard & Cynthia Moore.

SECTION 3. The City Manager is hereby authorized to execute all documents necessary to convey the Subject Property to Richard & Cynthia Moore in accordance with the executed agreement and in compliance with Texas Local Government Code § 272.001. Said conveyance shall be made for fair market value or to the underlying fee simple owners, in accordance with state law.

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance, or the application thereof to any person or under any circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Gatesville, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 5. It is officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and public notice of the time, place and purpose of this meeting was given as required by law.

SECTION 6. This Ordinance shall become effective immediately upon its passage and approval.

The foregoing **Ordinance No. 2025-11** was read the first time and passed to the second reading this 13th day of May 2025.


The foregoing **Ordinance No. 2025-11** was read the second time and passed to the third reading
this **27th day of May 2025**.

The foregoing **Ordinance No. 2025-11** was read the third time and was passed and adopted as an
Ordinance to the City of Gatesville, Texas, this **24th day of June 2025**.

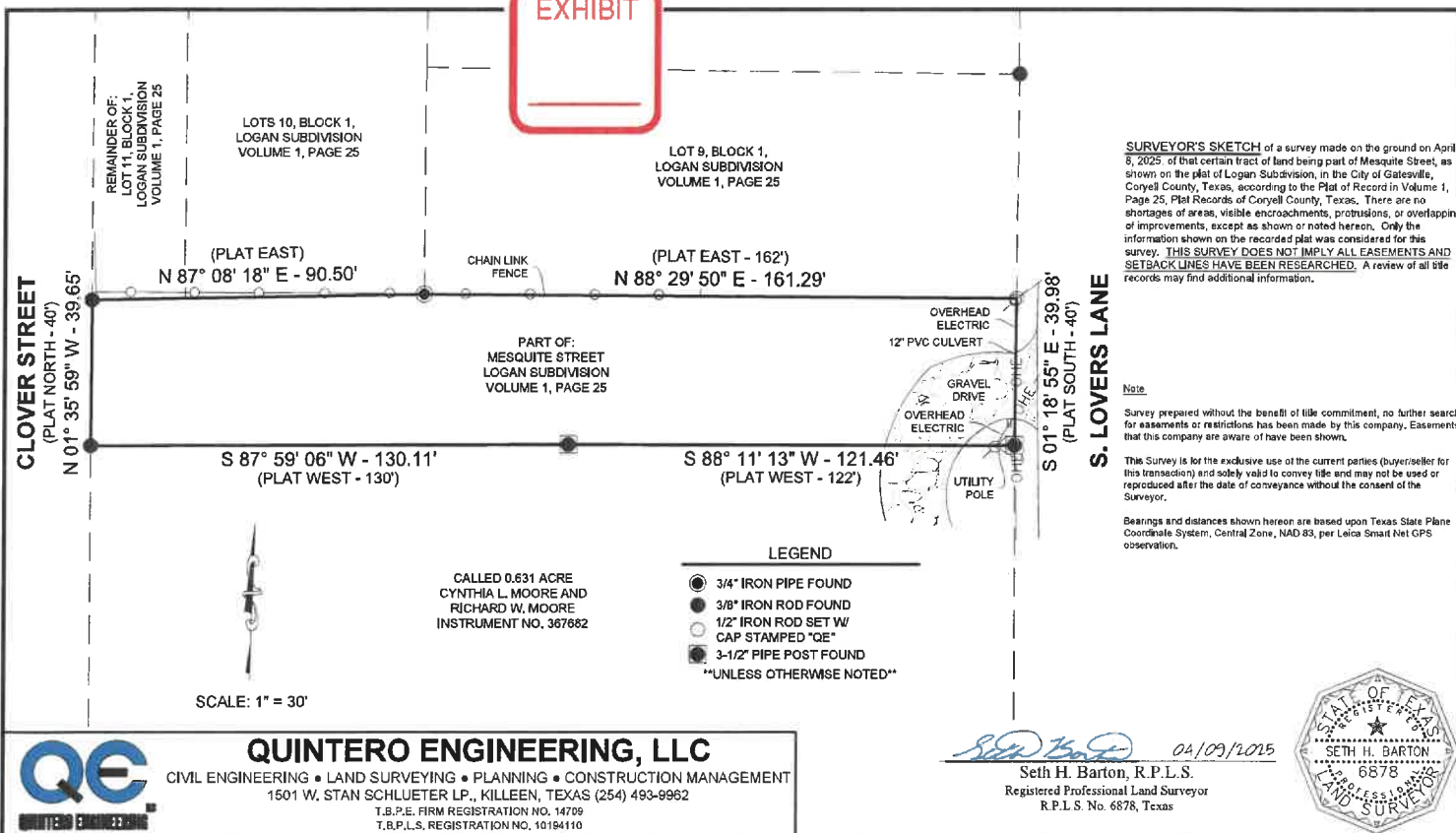


BY: 
GARY M. CHUMLEY, MAYOR

ATTESTED:


HOLLY OWENS, T.R.M.C.
CITY SECRETARY

EXHIBIT



This survey provided solely for the use of the current parties and no license has been created, expressed or implied to copy the survey except as necessary in connection with this original transaction, which shall take place within 90 days of the completion of the survey.