

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS, FINDING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF THAT PORTION OF PUBLIC RIGHT-OF-WAY NEAR AVENUE B BETWEEN 7<sup>TH</sup> STREET AND 8<sup>TH</sup> STREET; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHTS-OF-WAY; MAKING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City, as fee owner of property adjacent to and underlying the hereinafter described rights-of-way, desires to vacate, abandon, and close that portion of Avenue B between 7th Street and 8th Street, an unimproved right-of-way that does not provide the only access route to any other property, as more particularly described in Exhibit "A", attached hereto and incorporated by reference for all purposes, (the "Rights-of-way"); and

WHEREAS, the City Council has determined these Rights-of-way are no longer necessary for public convenience and necessity and should be vacated, abandoned, and closed so they can be used for construction of City facilities necessary for operation of the City's water well;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, 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.** The City Council of the City of Beasley, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of this Right-of-way and said Right-of-way is hereby vacated, abandoned, and closed.

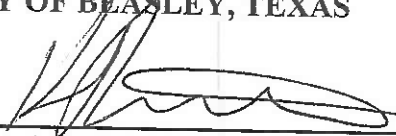
**Section 3. Effective Date and Publishing.** This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

**Section 4. Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

**Section 5. Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Beasley on this 15 day of March, 2022.

CITY OF BEASLEY, TEXAS

  
\_\_\_\_\_  
Kenneth Reid, Mayor

ATTEST:

  
\_\_\_\_\_  
Misty Tiemann, City Secretary

**Metes and Bounds Description  
0.4408 Acre (19,200 Sq. Ft.)  
Avenue "B" Street (Partial Abandonment)  
S.A. & M.G.R.R. Company Survey, Section 15, A-329  
Fort Bend County, Texas**

Description of a 0.4408-acre (19,200 square feet) tract of land situated in the S.A. and M.G.R.R. Company Survey, Section 15, Abstract No. 329, Fort Bend County, Texas, being a portion of Avenue "B" Street (Unimproved Street), (80-ft. wide per Volume 2, Page 20, Map Records Fort Bend County, Texas and Volume 11, Page 91, Deed Records Fort Bend County, Texas), a street right-of-way created by the Subdivision Plat of the Town of Beasley as recorded under said Volume 2, Page 20, and said Volume 11, Page 91; Said 0.4408-acre tract being more particularly described by metes and bounds, as follows: (Bearing basis: Texas Coordinate System, South Central Zone, NAD83, 2001 Adjustment).

**BEGINNING** at a found 1/2-inch iron pipe for the intersection of the south right-of-way line of said Avenue "B" Street (80-ft. wide per Volume 2, Page 20, M.R.F.B.C. and Volume 11, Page 91, D.R.F.B.C.), with the east right-of-way line of N. 8th Street (80-ft. wide per Volume 2, Page 20, M.R.F.B.C. and Volume 11, Page 91, D.R.F.B.C.), for the westerly corner of Lot 1, Block 8 of said Plat of Town of Beasley, said Lot 1 conveyed unto Juan and Margarita Barrios by deed recorded under Document No. 2012063041, Official Public Records of Fort Bend County, Texas, and for the most southerly corner of the herein described tract; Said Beginning point having Grid coordinates of  $X=2,948,786.97'$  and  $Y=13,744,283.18'$ , Combined Scale Factor = 0.999870017);

**THENCE**, North 36 degrees 43 minutes 18 seconds West, over and across said Avenue "B" Street right-of-way, a distance of 80.00 feet to a set 5/8-inch iron rod set for the most southerly corner of Block 7, of said Plat of Town of Beasley and for the most westerly corner of the herein described tract, said corner located in the north right-of-way line of said Avenue "B";

**THENCE**, North 53 degrees 16 minutes 42 seconds East, with the north right-of-way line of said Avenue "B" and the south line of said Block 7, a distance of 240.00 feet to a set 5/8-inch iron rod for the most easterly corner of said Block 7 and the most northerly corner of the herein described tract, said corner being the intersection of the north right-of-way line of said Avenue "B" Street, with the west right-of-way line of N. 7th Street (80-ft. wide per Volume 2, Page 20, M.R.F.B.C. and Volume 11, Page 91, D.R.F.B.C.);

**THENCE**, South 36 degrees 43 minutes 18 seconds East, over and across said Avenue "B" Street right-of-way, a distance of 80.00 feet to a found 1/2-inch iron pipe for the most northerly corner of Lot 6, said Block 8, as conveyed unto Doshi Holdings, LLC., by deed recorded under Document No. 2017110687, Official Public Records of Fort Bend County, Texas, and for the most easterly corner of the herein described tract, said corner being the intersection of the south right-of-way line of said Avenue "B" Street, with the west right-of-way line of said N. 7th Street;

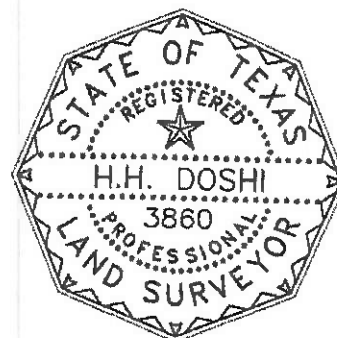
**THENCE**, South 53 degrees 16 minutes 42 seconds West, with the south right-of-way line of said Avenue "B" and the north line of said Lot 6 and said Block 8, a distance of 240.00 feet to the **POINT OF BEGINNING** and containing 0.4408 of an acre (19,200 square feet) of land, more or less.

*H.H. Doshi*

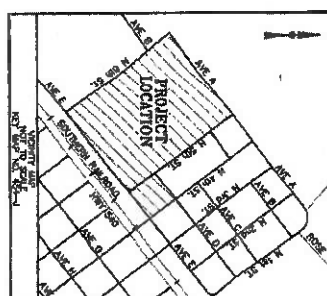
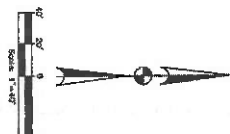
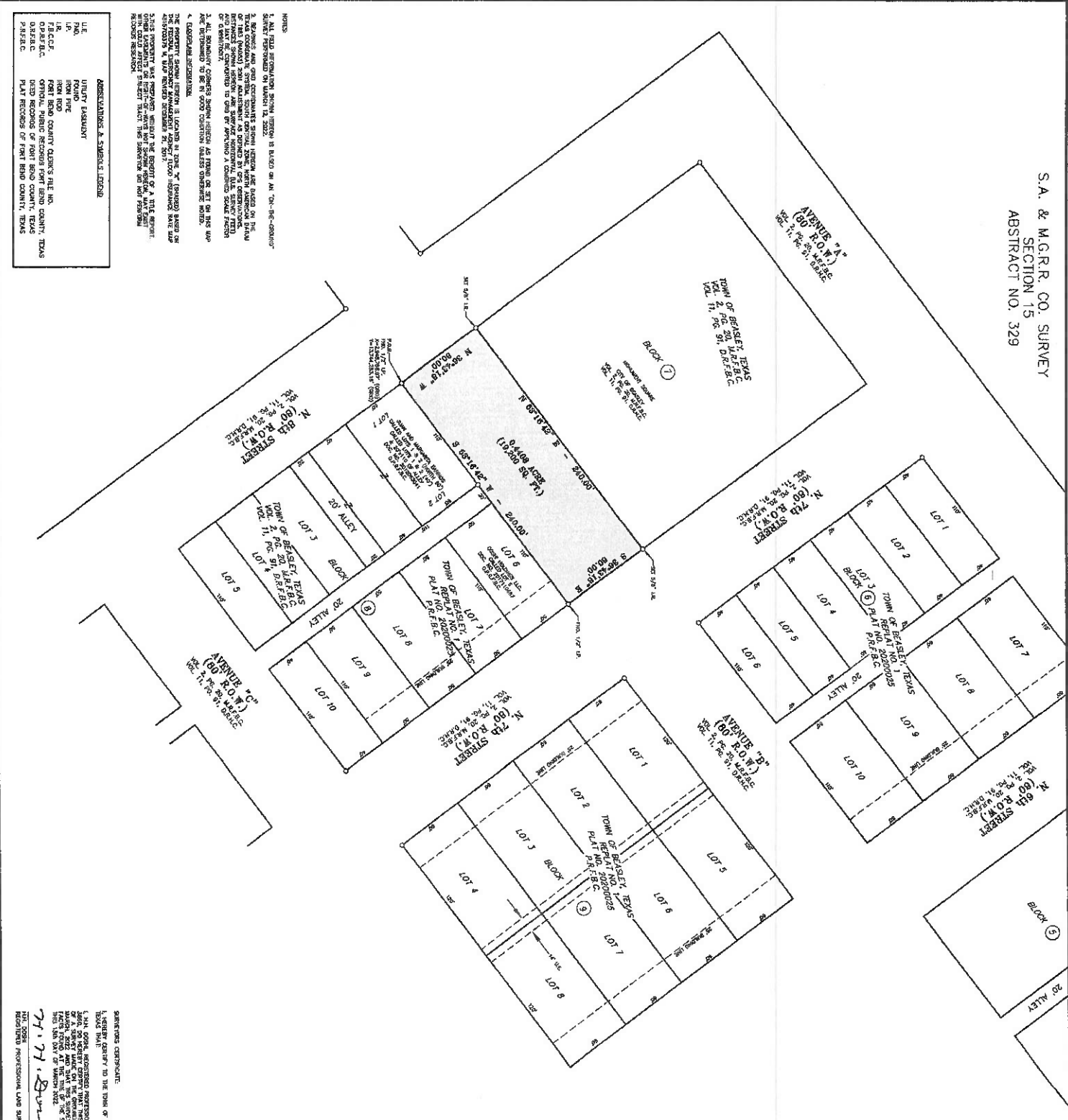
H.H. Doshi

Registered Professional Land Surveyor No. 3860

Doshi Engineering & Surveying Company  
2019 Shadow Park Drive  
Katy, Texas 77494  
(281)395-9906  
Survey Firm Registration No. 100876000



S.A. & M.G.R.R. CO. SURVEY  
SECTION 15  
ABSTRACT NO. 329



METES & BOUNDS DESCRIPTION

Description of a 0.4408-acre (19,200 square feet) tract of land situated in the S.A. and M.G.R.R. Company Survey, Section 15, Abstract No. 329, Fort Bend County, Texas, being a portion of Avenue 'B' Street (Unimproved Street), (80-11, wide per Volume 2, Page 20, Map Records Fort Bend County, Texas said Volume 11, Page 91, Deed Records Fort Bend County, Texas, a street right-of-way created by the Subdivisor Plat of the Town of Beasley in said Volume 2, Page 20, and said Volume 11, Page 91. Said 0.4408-acre tract being more particularly described as follows: (bearing west, Texas Coordinate System, State Central Zone) (NAD83, 2011 Adjustment).

**BEGINNING** at a found 1/2-inch iron pipe for the intersection of the south right-of-way line of said Avenue 'B' Street (80-11, wide per Volume 2, Page 20, M.G.R.R.C. and Volume 11, Page 91, D.R.F.B.C.) for the westerly corner of Lot 1, Block 3 of said Plat of Town of Beasley, said Lot 1 conveyed unto Juan and Margarita Ramos by deed recorded under Document No. 20120658041, Official Public Records of Fort Bend County, Texas, and for the most southerly corner of the herein described tract; said Beginning point having grid coordinates of X=2948786.97 and Y=13744283.18; Combined Scale Factor = 0.999970017;

**THENCE**, North 36 degrees 43 minutes 18 seconds West, over and across said Avenue 'B' Street right-of-way, a distance of 80.00 feet to a set 5/8-inch iron rod set for the most southerly corner of Block 7, of said Plat of Town of Beasley and for the most westerly corner of the herein described tract, said corner located in the north right-of-way line of said Avenue 'B';

**THENCE**, North 33 degrees 16 minutes 42 seconds East, with the north right-of-way line of said Avenue 'B' and the south line of said Block 7, a distance of 240.00 feet to a set 5/8-inch iron rod for the most easterly corner of said Block 7 and the most northerly corner of the herein described tract, said corner being the intersection of the north right-of-way line of said Avenue 'B' Street, with the east right-of-way line of N. 7th Street (80-11, wide per Volume 2, Page 20, M.G.R.R.C. and Volume 11, Page 91, D.R.F.B.C.);

**THENCE**, South 36 degrees 43 minutes 18 seconds East, over and across said Avenue 'B' Street right-of-way, a distance of 80.00 feet to a found 1/2-inch iron pipe for the most northerly corner of Lot 6, right-of-way, a distance of 240.00 feet to a set 5/8-inch iron rod for the most easterly corner of the herein described tract, said corner located in the north right-of-way line of said Avenue 'B' Street, with the east right-of-way line of N. 7th Street (80-11, wide per Volume 2, Page 20, M.G.R.R.C. and Volume 11, Page 91, D.R.F.B.C.);

**THENCE**, South 36 degrees 43 minutes 18 seconds East, over and across said Avenue 'B' Street right-of-way, a distance of 80.00 feet to a set 5/8-inch iron rod for the most northerly corner of Lot 6, right-of-way, a distance of 240.00 feet to a set 5/8-inch iron rod for the most easterly corner of the herein described tract, said corner located in the north right-of-way line of said Avenue 'B' Street, with the east right-of-way line of N. 7th Street (80-11, wide per Volume 2, Page 20, M.G.R.R.C. and Volume 11, Page 91, D.R.F.B.C.);

**THENCE**, South 53 degrees 16 minutes 42 seconds West, with the south right-of-way line of said Avenue 'B' and the north line of said Lot 6 and said Block 8, a distance of 240.00 feet to the **POINT OF BEGINNING** and containing 0.4408 of an acre (19,200 square feet) of land, more or less.

- NOTES
1. ALL FIELD MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE 2011 EDITION OF THE INTERNATIONAL GEODETIC ASSOCIATION (IAGG) PUBLISHED BY THE INTERNATIONAL UNION OF PURE AND APPLIED PHYSICS (IUPAP) AND THE INTERNATIONAL UNION OF PURE AND APPLIED CHEMISTRY (IUPAC) IN 1980.
  2. BEARINGS AND DISTANCES WERE OBTAINED BY MEANS OF A TOTAL STATION THEODOLITE WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10, WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10, WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10.
  3. ALL DISTANCES WERE MEASURED IN FEET AND INCHES AS SHOWN ON THIS PLAN.
  4. ALL DISTANCES WERE MEASURED AS SHOWN ON THIS PLAN.
  5. THE PROPERTY SHOWN HEREON IS LOCATED IN THE S.A. & M.G.R.R. CO. SURVEY, SECTION 15, ABSTRACT NO. 329, FORT BEND COUNTY, TEXAS.
  6. THIS PROPERTY WAS MEASURED UNDER THE SURVEY OF A TITLE REPORT.
  7. THE SURVEY WAS MADE BY MEANS OF A TOTAL STATION THEODOLITE WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10.
  8. THE SURVEY WAS MADE BY MEANS OF A TOTAL STATION THEODOLITE WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10.
  9. THE SURVEY WAS MADE BY MEANS OF A TOTAL STATION THEODOLITE WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10.
  10. THE SURVEY WAS MADE BY MEANS OF A TOTAL STATION THEODOLITE WITH AN ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) OF THE TYPE: SOKKIA TOPCON, MODEL: TS-10.

RESERVATIONS & REMARKS:  
 U.L.E. UTILITY EXAMINER  
 F.M.D. FOUND  
 L.B. FROM ROAD  
 F.B.C.C. FORT BEND COUNTY CLERK'S FILE NO.  
 O.P.S.F.C. OFFICIAL PUBLIC RECORDS FORT BEND COUNTY, TEXAS  
 D.E.A.R.C. DEED RECORDS OF FORT BEND COUNTY, TEXAS  
 P.L.A.T. PLAT

SURVEYOR'S CERTIFICATE:  
 I, **DAVID J. BROWN**, a duly qualified and licensed Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey plat as shown to me by the client, and that the same was made by me or under my direct supervision and control, and that I am a duly qualified and licensed Professional Land Surveyor in the State of Texas.

*David J. Brown*  
 DAVID J. BROWN  
 LICENSED PROFESSIONAL LAND SURVEYOR #380



SURVEY OF A 0.4408-ACRE (19,200 SQ. FT.) TRACT OF LAND (STREET ABANDONMENT) SITUATED IN THE S.A. & M.G.R.R. CO. SURVEY, SECTION 15, ABSTRACT NO. 329, TOWN OF BEASLEY, FORT BEND COUNTY, TEXAS.	
DESIGN ENGINEER & SURVEYING COMPANY	BOSS ENGINEERING & SURVEYING COMPANY
DATE	MAY 13, 2022
SCALE	AS SHOWN
CHECKED BY	DATE
DATE	3-13-2022
PROJECT NO.	2022-018
SHEET NO.	1 OF 1
REV	