

ORDINANCE NO. 1404

AN ORDINANCE OF THE CITY OF LLANO, TEXAS, FINDING THAT A PORTION OF SALEM AVENUE, CITY OF LLANO, LLANO COUNTY, TEXAS, IS NOT CURRENTLY NECESSARY FOR PUBLIC USE AS A THOROUGHFARE; PROVIDING FOR THE CLOSURE OF THAT PORTION OF THE SALEM AVENUE RIGHT-OF-WAY; RETAINING ANY AND ALL PUBLIC RIGHTS, TITLE AND INTEREST; AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS RELATED TO THE CLOSURE OF SAID PORTION OF SALEM AVENUE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING

WHEREAS, pursuant to section 311.002 of the Texas Transportation Code, a general-law municipality such as the City of Llano, Texas ("City") has exclusive control over the highways, streets and alleys of the City; and

WHEREAS, pursuant to section 311.008 of the Texas Transportation Code, the City has authority to vacate, abandon, and close streets and alleys within the City; and

WHEREAS, within the City there is a portion of a public right-of-way named Salem Avenue described in more detail in **Exhibit "A"** attached hereto and incorporated herein for all purposes (hereafter referred to as the "Right-of-Way"); and

WHEREAS, the owner of the property abutting the Right-of-Way has petitioned, in writing, that the Right-of-Way be closed by the City and such petition is attached as **Exhibit "B"** and incorporated herein for all purposes; and

WHEREAS, the owner of the property abutting the Right-of-Way has agreed to execute a license agreement with the City in consideration for the use of the Right-of-Way, substantially in the form of license agreement attached hereto as **Exhibit "C"**; and

WHEREAS, the City Council of the City of Llano ("City Council") finds that the Right-of-Way is not currently necessary as a public thoroughfare; and

WHEREAS, the City Council finds that closing the Right-of-Way would have no adverse effect on adjacent properties; and

WHEREAS, the City Council has determined that it is in the best interest of the City to vacate, abandon, and close the Right-of-Way;

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

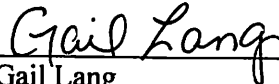
1. Findings of Fact: That the foregoing recitals are incorporated into this Ordinance by

reference as findings of fact as if set forth herein at length.

2. Right-of-Way Closure: The City Council hereby closes a portion of the Salem Avenue Right-of-Way, which is more particularly described in **Exhibit "A"**. This closed portion of Salem Avenue shall be closed to all vehicular and pedestrian traffic and use, except that the abutting property owner shall be allowed to use the Right-of-Way as provided for the in the license agreement further described in Exhibit "C".
3. Retention of Rights: The City hereby retains any and all public rights, title and interest to the Right-of-Way.
4. License Agreement: The owner of the property abutting the Right-of-Way shall execute a license agreement with the City in consideration for the use of the Right-of-Way, substantially in the form of license agreement attached hereto as **Exhibit "C"**
5. Authorization: The Mayor is hereby authorized to execute any documents necessary to complete the closure of the Right-of-Way as described in this Ordinance.
6. Repealer: All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed to the extent of any such conflict.
7. Severability: If any word, article, phrase, paragraph, sentence, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.
8. Effective Date: This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.
9. Proper Notice and Open Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was 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 of the Texas Government Code.

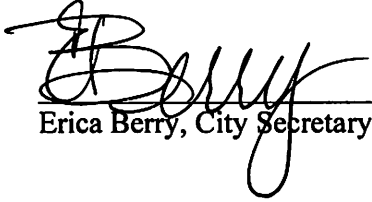
ADOPTED AND APPROVED on this, the 4th day of November, 2019.

CITY OF LLANO



Gail Lang
Mayor, City of Llano

ATTEST:

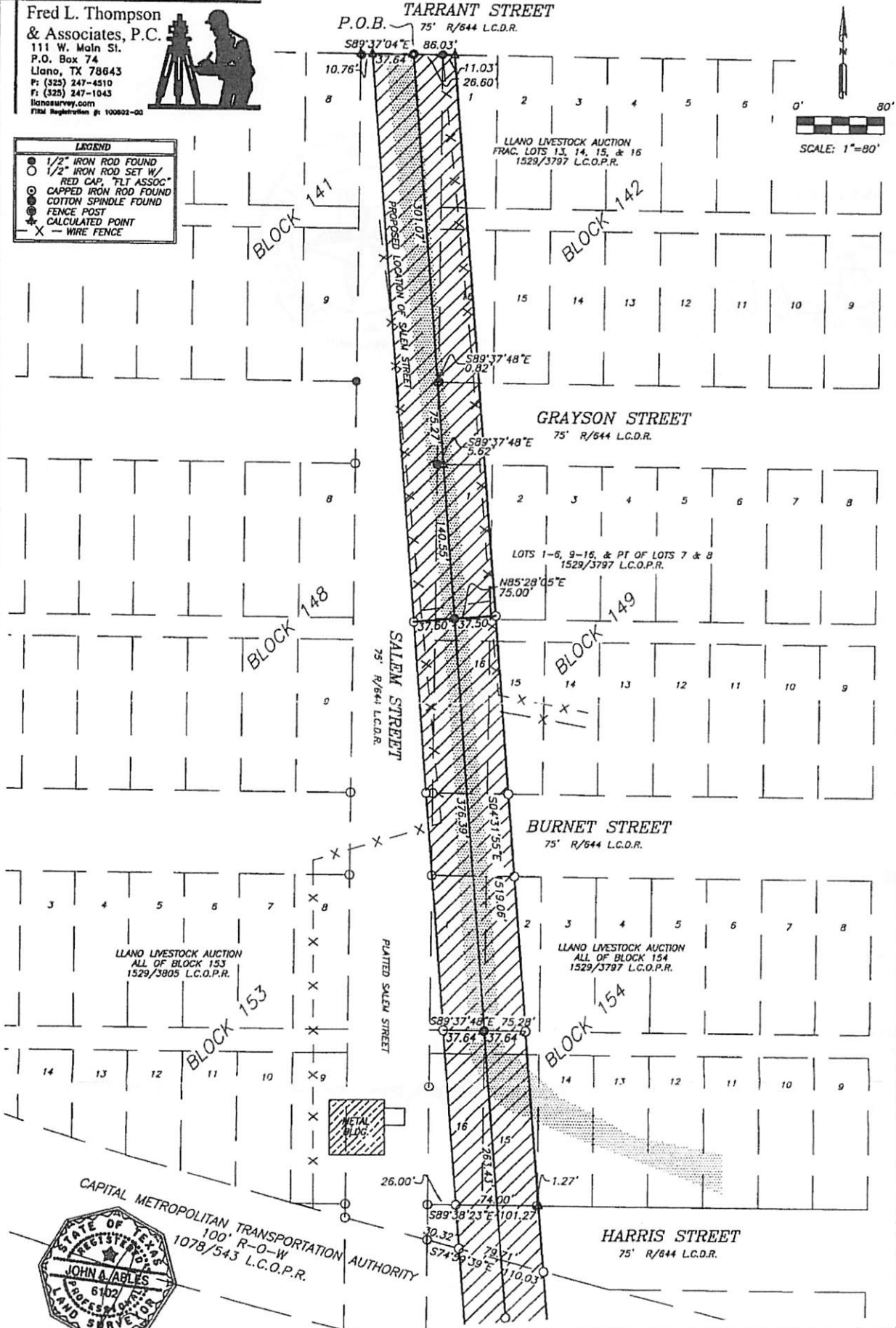
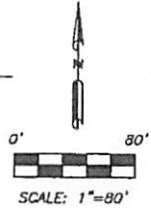

Erica Berry, City Secretary



Fred L. Thompson
 & Associates, P.C.
 111 W. Main St.
 P.O. Box 74
 Llano, TX 78643
 P: (325) 247-4510
 F: (325) 247-1043
 llanosurvey.com
 TSM Registration #: 1006021-03



- LEGEND**
- 1/2" IRON ROD FOUND
 - 1/2" IRON ROD SET W/
RED CAP, "FLT ASSOC"
 - CAPPED IRON ROD FOUND
 - COTTON SPINDLE FOUND
 - FENCE POST
 - CALCULATED POINT
 - X WIRE FENCE



LLANO LIVESTOCK AUCTION
 BLOCKS K, L, M, & N
 1529/3805 L.C.O.P.R.

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SKETCH SHOWING THE EXISTING LOCATION AND THE
 PLATTED LOCATION OF SALEM STREET ACCORDING TO THE
 PLAT RECORDED IN VOLUME R, PAGE 844, LLANO COUNTY
 DEED RECORDS AND AS LOCATED ON THE GROUND.
 FIELDRD: 01/15/2015 CREW: WT & JC DRAFTED: 02/25/2015
 BY: LMC JOB#: 14083002
 COPYRIGHT 2015 FRED L. THOMPSON AND ASSOCIATES, P.C.