



P2025-002: Final Plat for Lots 1-4, Block A, Fox-Harris Addition



Case Location Map = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



NOTES:

- 1. BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83/2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALL TERRA CENTRAL RTKNET CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000146135.
2. BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0040L DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

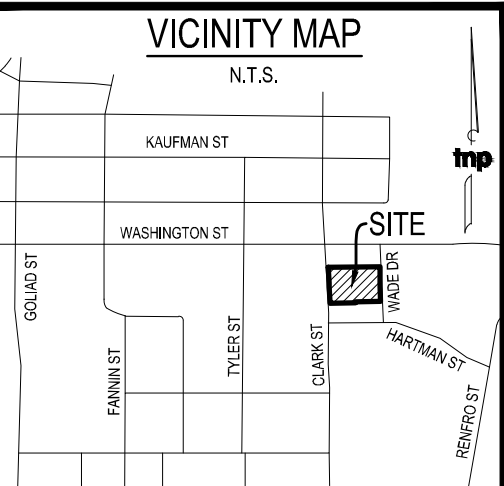
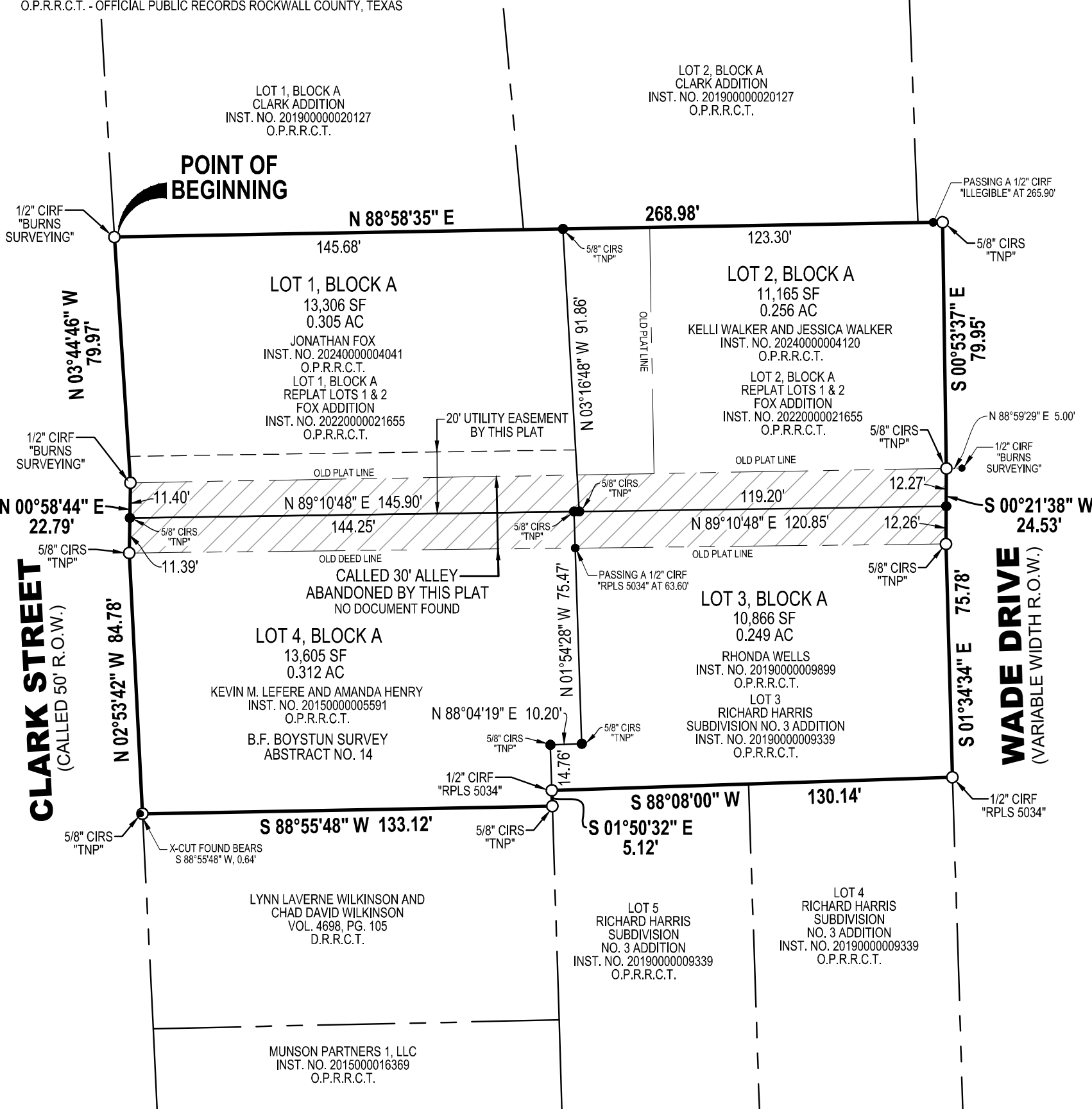
tnp



SCALE IN FEET 1" = 40'

LEGEND

- CIRF - CAPPED IRON ROD FOUND
N.T.S. - NOT TO SCALE
R.O.W. - RIGHT OF WAY
INST. NO. - INSTRUMENT NUMBER
VOL. - VOLUME
PG. PAGE
SF - SQUARE FEET
AC - ACRES
D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY, TEXAS



RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED I hereby certify that the above and foregoing plat of LOTS 1, 2, 3, & 4, BLOCK 1, FOX-HARRIS ADDITION, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the day of 2024.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this day of 2024.

Mayor, City of Rockwall City Secretary City Engineer

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS) COUNTY OF ROCKWALL)

We, the undersigned owners of the land shown on this plat, and designated herein as LOTS 1, 2, 3, & 4, BLOCK A, FOX-HARRIS ADDITION an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.
7. Drainage/Retention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

JONATHAN FOX

STATE OF TEXAS) COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of 2024.

Notary Public in and for the State of Texas

My Commission Expires:

KELLI WALKER

STATE OF TEXAS) COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of 2024.

Notary Public in and for the State of Texas

My Commission Expires:

JESSICA WALKER

STATE OF TEXAS) COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of 2024.

Notary Public in and for the State of Texas

My Commission Expires:

RHONDA WELLS

STATE OF TEXAS) COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of 2024.

Notary Public in and for the State of Texas

My Commission Expires:

Table with 4 columns: OWNER LOT 1 (Jonathan Fox), OWNER LOT 2 (Kelli Walker and Jessica Walker), OWNER LOT 3 (Rhonda Wells), OWNER LOT 4 (Kevin M. Lefere and Amanda Henry).

KEVIN M. LEFERE

STATE OF TEXAS) COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of 2024.

Notary Public in and for the State of Texas

My Commission Expires:

AMANDA HENRY

STATE OF TEXAS) COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of 2024.

Notary Public in and for the State of Texas

My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS) COUNTY OF ROCKWALL)

WHEREAS, Jonathan Fox, Kelli Walker and Jessica Walker, Rhonda Wells, and Kevin M. Lefere and Amanda Henry, being the owners of a tract of land in the County of Rockwall, State of Texas, being all of Lots 1 & 2, Block A, Fox Addition, an addition to the City of Rockwall, Texas according to the Plat recorded in Instrument Number 2022000021655 of the Official Public Records of Rockwall County, Texas, all of Lot 3 of Richard Harris No. 3 Addition, an addition to the City of Rockwall, Texas according to the Plat recorded in Instrument Number 2019000009339 of the Official Public Records of Rockwall County, Texas, all of a tract of land described by deed to Kevin M. Lefere and Amanda Henry as recorded in Instrument Number 2015000005591 of the Official Public Records of Rockwall County, Texas, and all of a called 30 feet wide alley, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "BURNS SURVEYING" found on the east right-of-way of Clark Street, a called 50 foot right-of-way, for the southwest corner of Lot 1, Block A of Clark Addition, an addition to the City of Rockwall, Texas as recorded in Instrument Number 2019000020127 of the Official Public Records of Rockwall County, Texas, same being the northwest corner of said Lot 1, Block A, Fox Addition;

THENCE North 88 degrees 58 minutes 35 seconds East departing the east right-of-way of said Clark Street and along the south line of said Clark Addition, same being the north line of said Fox Addition, passing at a distance of 265.90 feet a 1/2 inch iron rod with an illegible cap found, and continuing a total distance of 268.98 feet to a 5/8 inch iron rod with cap stamped "TNP" set on the west right-of-way of Wade Drive, a variable width right-of-way, for the northeast corner of said Lot 2, Block A, Fox Addition;

THENCE South 00 degrees 53 minutes 37 seconds East, along the west right-of-way of said Wade Drive and the east line of said Fox Addition, a distance of 79.95 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the southeast corner of said Lot 2, Block A, Fox Addition;

THENCE South 00 degrees 21 minutes 38 seconds West continuing along the west right-of-way of said Wade Drive, a distance of 24.53 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the northeast corner of said Lot 3, Block A, Richard Harris No. 3 Addition;

THENCE South 01 degrees 34 minutes 34 seconds East continuing along the west right-of-way of said Wade Drive and the east line of said Lot 3, Block A, a distance of 75.78 feet to a 1/2 inch iron rod with cap stamped "RPLS 5034" found for the southeast corner of said Lot 3, and the northeast corner of Lot 4 of said Richard Harris No. 3 Addition;

THENCE South 88 degrees 08 minutes 00 seconds West departing the west right-of-way of said Wade Drive and along the south line of said Lot 3, Richard Harris No. 3 Addition and the north line of Lot 4 of said Richard Harris No. 3 Addition, a distance of 130.14 feet to a 1/2 inch iron rod with cap stamped "RPLS 5034" found in the east line of said Lefere tract for the southwest corner of said Lot 3, Richard Harris No. 3 Addition, same being the northwest corner of Lot 5 of said Richard Harris No. 3 Addition;

THENCE South 01 degrees 50 minutes 32 seconds East along the east line of said Lefere tract, same being the west line of said Lot 5, Richard Harris No. 3 Addition, a distance of 5.12 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the northeast corner of a tract of land described by deed to Lynn Laverne Wilkinson and Chad David Wilkinson as recorded in Volume 4698, Page 105 of the Deed Records of Rockwall County, Texas, same being the southeast corner of said Lefere tract;

THENCE South 88 degrees 55 minutes 48 seconds West along the south line of said Lefere tract, same being the north line of said Wilkinson tract, a distance of 133.12 feet to a 5/8 inch iron rod with cap stamped "TNP" set on the east right-of-way of said Clark Street for the southwest corner of said Lefere tract, same being the northwest corner of said Wilkinson tract, from which an x-cut found bears South 88 degrees 55 minutes 48 seconds West, a distance of 0.64 feet;

THENCE North 02 degrees 53 minutes 42 seconds West along the east right-of-way of said Clark Street and the west line of said Lefere tract, a distance of 84.78 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the northwest corner of said Lefere tract;

THENCE North 00 degrees 58 minutes 44 seconds East continuing along the east right-of-way of said Clark Street, a distance of 22.79 feet to a 1/2 inch iron rod with cap stamped "BURNS SURVEYING" found for the southwest corner of said Lot 1, Block A, Fox Addition;

THENCE North 03 degrees 44 minutes 46 seconds West continuing along the east right-of-way of said Clark Street and the west line of said Lot 1, Block A, Fox Addition, a distance of 79.97 feet to the POINT OF BEGINNING containing 48,942 square feet, or 1.124 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE DAY OF 2024.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. BRIAN J. MADDOX, R.P.L.S. NO. 5430

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. BEING A REPLAT OF LOTS 1 & 2, BLOCK A OF FOX ADDITION, A REPLAT OF LOT 3, BLOCK A OF RICHARD HARRIS NO. 3 ADDITION, ALL OF A TRACT OF LAND DESCRIBED BY DEED TO KEVIN M. LEFERE AND AMANDA HENRY AND ALL OF A CALLED 30 FEET WIDE ALLEY CONTAINING A TOTAL OF 1.124 ACRES

FINAL PLAT FOX-HARRIS ADDITION LOTS 1, 2, 3, & 4, BLOCK A

AND SITUATED IN THE B.F.. BOYSTUN SURVEY, ABSTRACT NO. 14 AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PROJECT INFORMATION

Project No.: RWL 24372 Date: December 19, 2024 Drawn By: WS Scale: 1"=40' SHEET 1 of 1



CASE NO.

SURVEYOR

TEAGUE NALL AND PERKINS, INC. 825 Watters Creek Boulevard, Suite M300 Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx T.B.P.L.S. Registration No. 10194381 www.tnpsc.com



May 29, 2024

TO: Johnathan and Sydney Fox
205 S. Clark Street
Rockwall, Texas 75087

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) for the Abandonment of the Alleyway between Clark Street and Wade Drive

Mr. and Ms. Fox,

I am writing to you on behalf of the City of Rockwall regarding the abandonment of the alleyway between Clark Street and Wade Drive, which is directly adjacent to your property at 210 Wade Drive. As you may be aware, the City of Rockwall has identified several unimproved or underutilized City rights-of-way within our jurisdiction that provide limited to no public benefit. These rights-of-way have been maintained by the City for decades without plans for future improvement. In some cases, adjacent properties have constructed improvements within these rights-of-way, further complicating their potential use by the City.

On February 5, 2024, the City Council approved a motion to direct staff to proceed with the abandonment of these rights-of-way to the adjacent property owners. Following this action, the City has decided to abandon the alleyway between Clark Street and Wade Drive, and we are pleased to offer you the opportunity to acquire this land at no cost. The abandoned right-of-way encompasses the entire alleyway between Clark Street and Wade Drive. By acquiring this land, you will have the opportunity to expand your property and utilize it according to your needs and preferences. This offer aligns with the City of Rockwall's objective of promoting responsible land use and supporting efficient land utilization within our community.

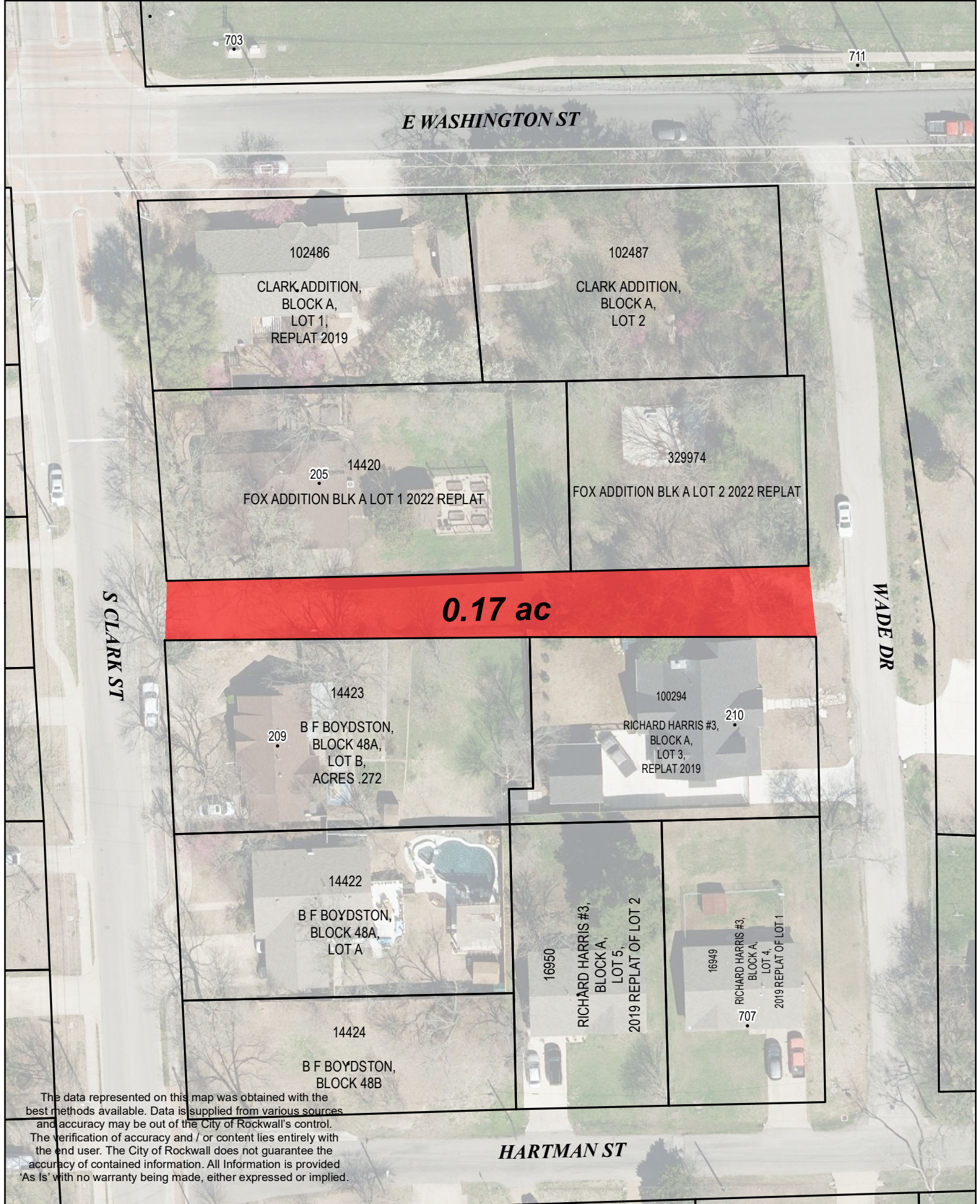
In order to proceed with this transaction, I kindly request your cooperation in signing the attached Letter of Intent (LOI), acknowledging your acceptance of the abandoned right-of-way. Additionally, by signing this letter, you agree to allow the City of Rockwall to file a subdivision plat, which is necessary to accommodate the acquisition of the abandoned land, and you agree to maintain the acquired land. Please note that should you choose not to allow a subdivision plat to be filed after signing this Letter of Intent (LOI), you acknowledge your responsibility for reimbursing the City for any costs associated with the subdivision plat. If you decide not to acquire the abandoned land, please take note that other adjacent property owners will be given the opportunity to acquire the abandoned land.

Please review the attached map, which outlines the details of the abandonment and the terms and conditions of the Letter of Intent (LOI). Please provide all required information back to the Planning and Zoning Department of the City of Rockwall by no later than August 1, 2024 to proceed with the program. If you have any questions or require further clarification, please do not hesitate to contact me by phone at (972) 772-6441 or by email at rmiller@rockwall.com.

The City of Rockwall appreciates your cooperation and looks forward to working with you to finalize this transaction. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning



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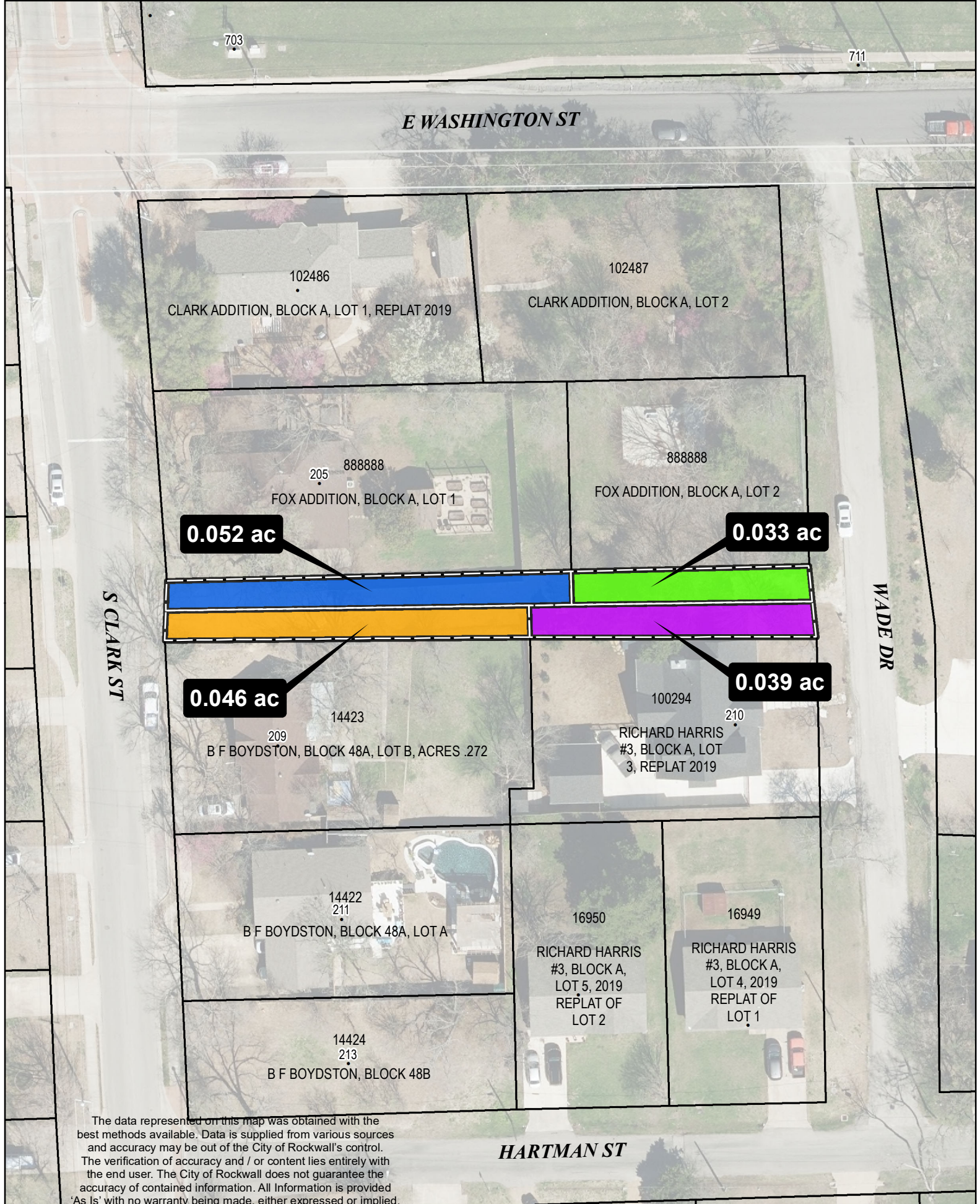
E WASHINGTON ST

S CLARK ST

WADE DR

HARTMAN ST

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.



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DATE: 7-11-24

TO: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

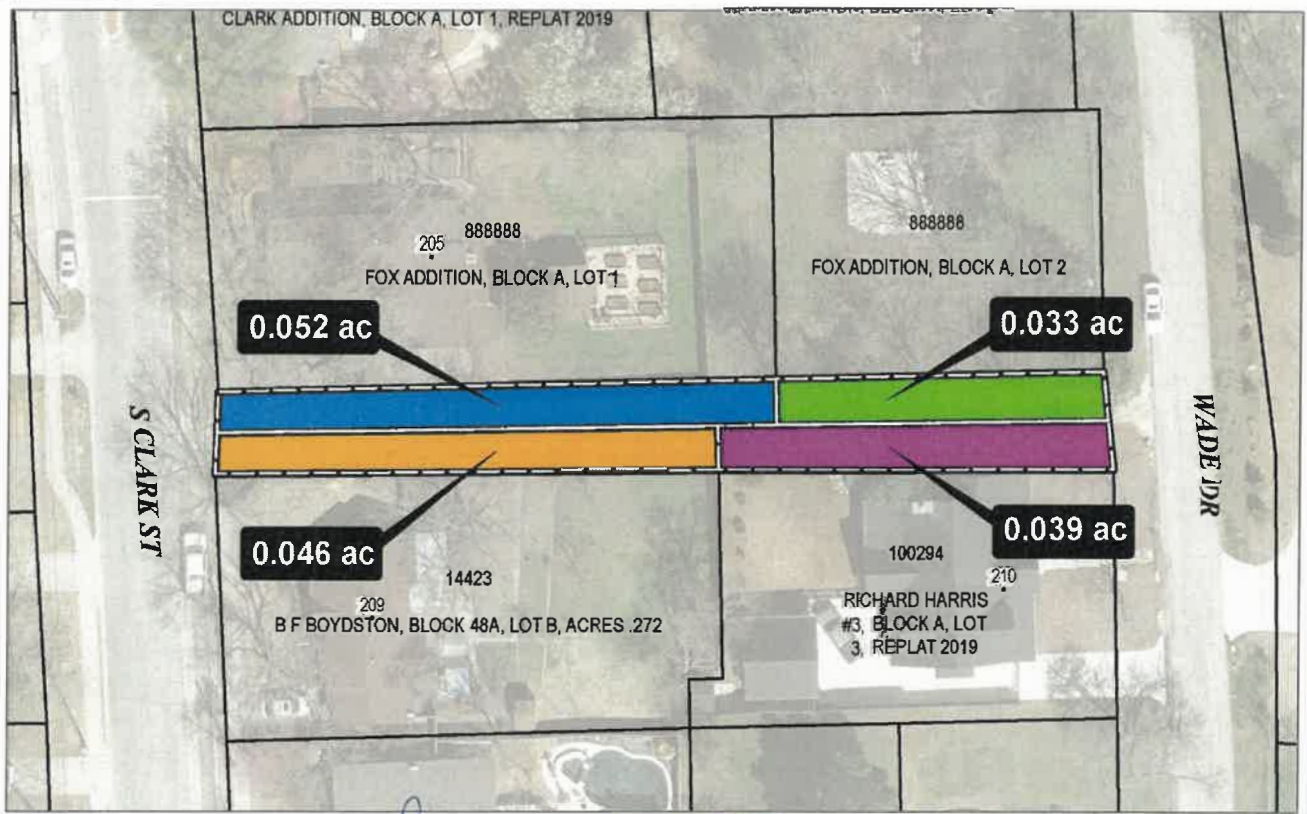
PROPERTY OWNER NAME(S): Jonathan Fox
PROPERTY OWNER ADDRESS: 205 S. Clark St.
Rockwall, Tx 75087

PROPERTY ADDRESS: _____
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in *Exhibit 'A'* below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- *that will be prepared by and at the cost of the City of Rockwall* -- to facilitate the acquisition of the abandoned right-of-way as depicted in *Exhibit 'A'* below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in *Exhibit 'A'* and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: Jonathan Fox

PROPERTY OWNER'S SIGNATURE: _____

DATE: 6/24/14

TO: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

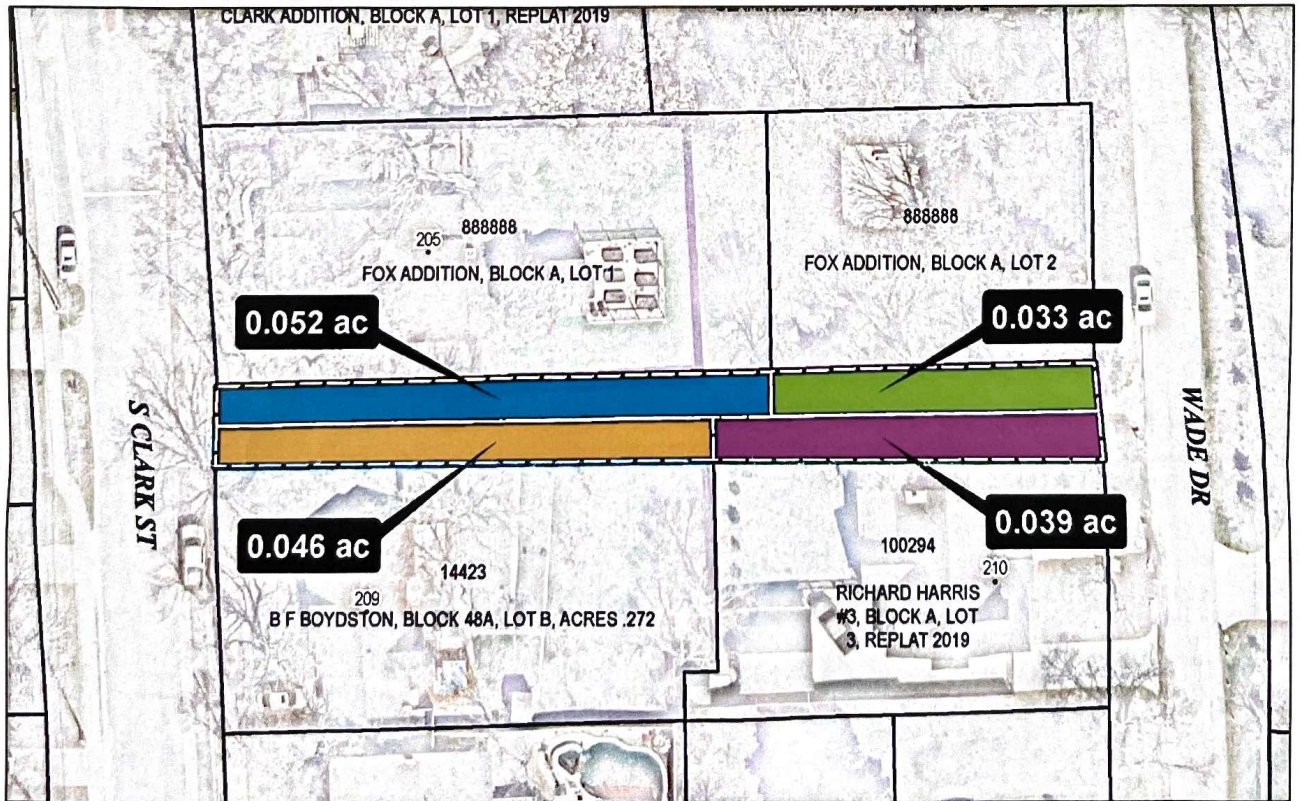
PROPERTY OWNER NAME(S): Kelli + Jessica Walker
PROPERTY OWNER ADDRESS: 206 WADE DRIVE (Fox Addition, Block A lot 2)
Rockwall, TX 75087

PROPERTY ADDRESS: _____
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in Exhibit 'A' below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat – that will be prepared by and at the cost of the City of Rockwall – to facilitate the acquisition of the abandoned right-of-way as depicted in Exhibit 'A' below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in Exhibit 'A' and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: Kelli Walker
PROPERTY OWNER'S SIGNATURE: J Walker

DATE: 7/11/24

TO: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

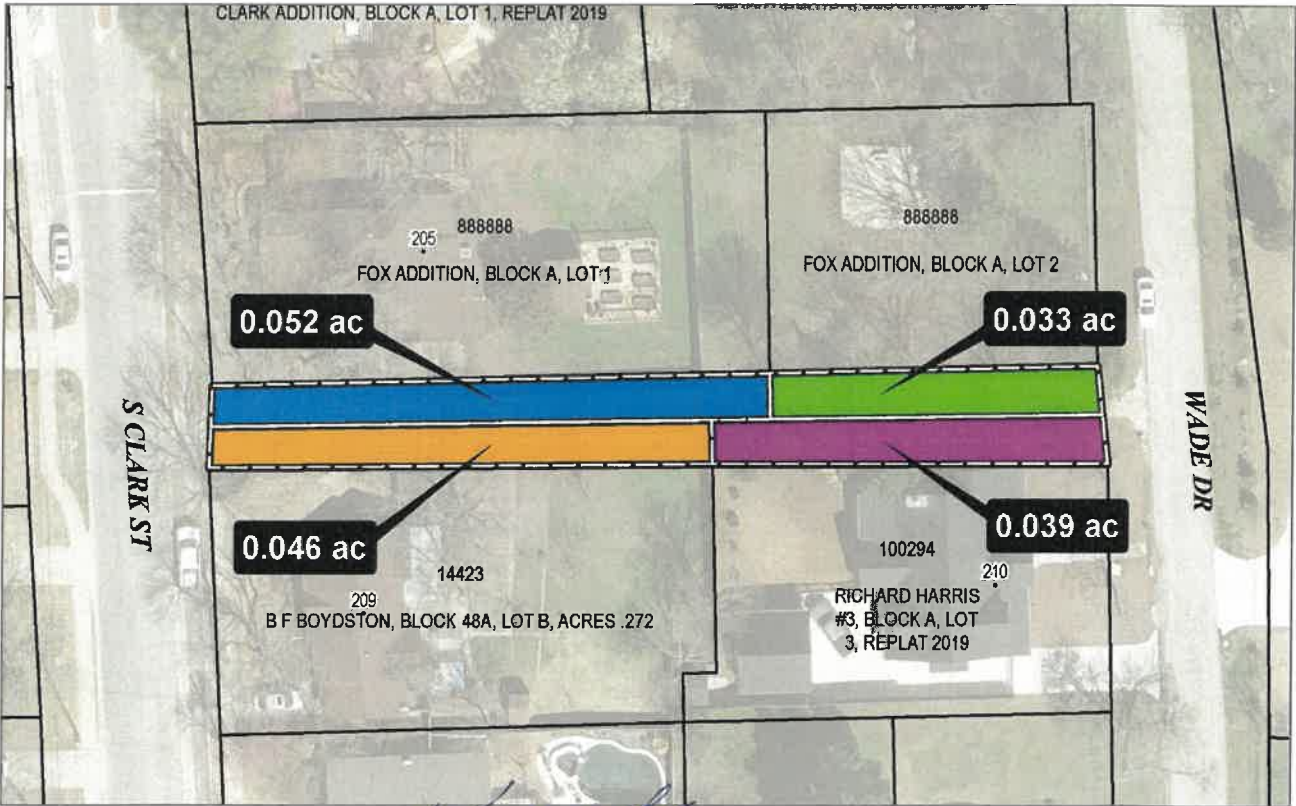
PROPERTY OWNER NAME(S): Kevin Leferre
PROPERTY OWNER ADDRESS: 209 S Clark St.
Rockwall, TX 75087

PROPERTY ADDRESS: _____
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in Exhibit 'A' below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- that will be prepared by and at the cost of the City of Rockwall -- to facilitate the acquisition of the abandoned right-of-way as depicted in Exhibit 'A' below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in Exhibit 'A' and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: 

PROPERTY OWNER'S SIGNATURE: _____

DATE: 7-19-24

TO: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

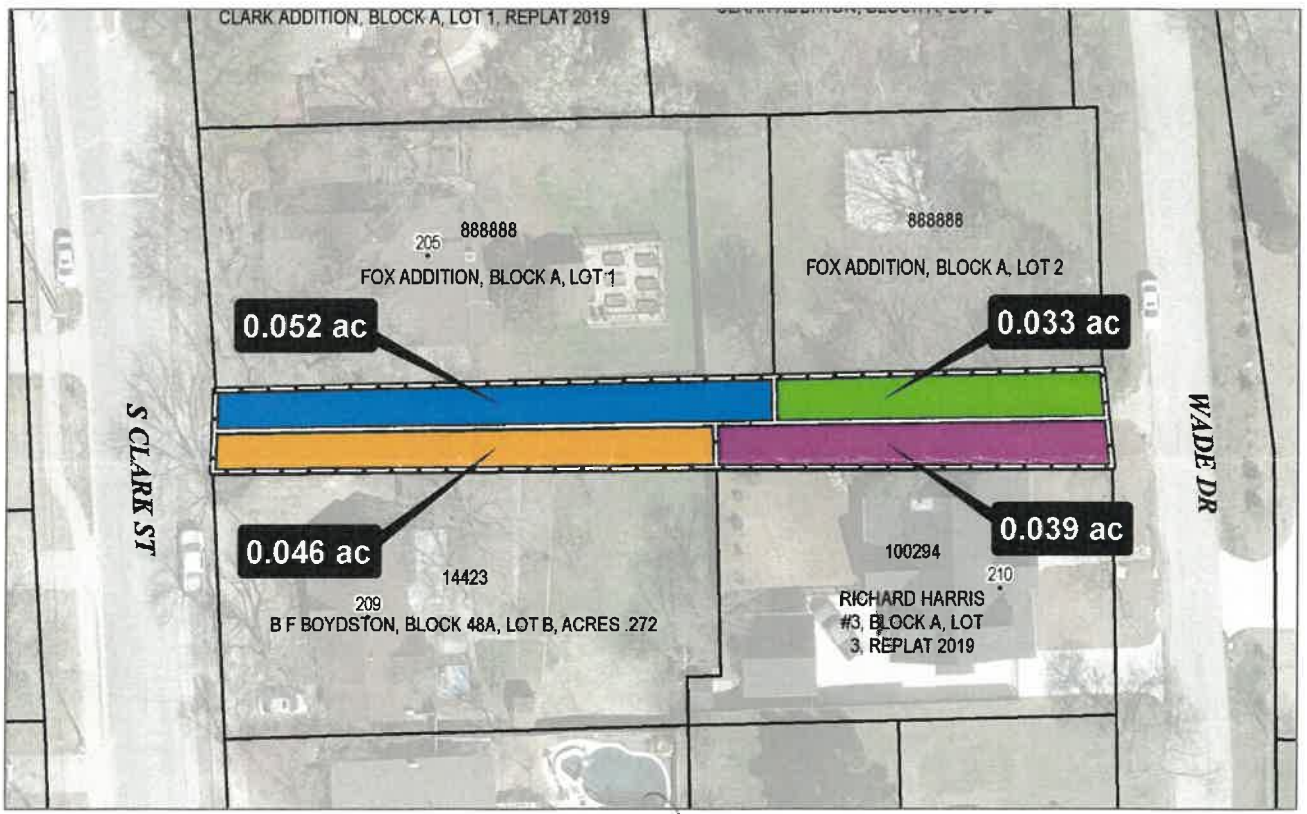
PROPERTY OWNER NAME(S): Rhonda Wells
PROPERTY OWNER ADDRESS: 210 Wade Dr.
Rockwall, TX 75087

PROPERTY ADDRESS: _____
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in *Exhibit 'A'* below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- *that will be prepared by and at the cost of the City of Rockwall* -- to facilitate the acquisition of the abandoned right-of-way as depicted in *Exhibit 'A'* below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in *Exhibit 'A'* and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: Rhonda Wells

PROPERTY OWNER'S SIGNATURE: _____

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code grants a home-rule municipality the powers to vacate, abandon, or close a street or alleyway; and,

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, the City of Rockwall currently incurs costs annually associated with the maintenance (*i.e. mowing*) of the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- which is currently unimproved; and,

WHEREAS, the City Council of the City of Rockwall has determined that the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- is no longer needed for public purposes, and finds that it is in the best interest of the City to convey the alleyway to the adjacent and abutting property owners -- *in the manner depicted in this ordinance*; and,

WHEREAS, with proper notice to the public, a public hearing was held on February 3, 2025 at a meeting of the City Council of the City of Rockwall, during which all interested parties and citizens were allowed to appear and be heard; and,

WHEREAS, the City of Rockwall has determined that it is feasible and advantageous to abandon this City property subject to the terms and conditions set forth below.

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

SECTION 1. PROPERTY. The *Property* shall be as described and depicted in *Exhibit 'A'* of this ordinance, and shall be incorporated by reference herein.

SECTION 2. QUITCLAIM. Section 272.001(b) of the Texas Local Government Code allows the City the power to convey city-owned property at less than fair market value to the abutting property owners. The Mayor of the City of Rockwall or the City Manager, as the case may be, are authorized to quitclaim the *Property* described in *Section 1* hereof to the abutting property owner upon the approval of this ordinance.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described and depicted in *Exhibit 'A'* of this ordinance, and shall be construed only to that interest the governing body of the City may legally and lawfully

abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described portions of the right-of-way as depicted in *Exhibit 'A'* to the adjacent and abutting property owners.

SECTION 5. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in *Section 1* of this ordinance, and shall be construed only to that interest the governing body of the City of Rockwall may legally and lawfully abandon.

SECTION 6. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether record or not in the real property records of Rockwall County Texas.

SECTION 7. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Ordinance* are true and correct and incorporates them as findings of fact.

SECTION 8. SAVINGS CLAUSE. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 9. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This *Ordinance* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF FEBRUARY, 2025.

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 3, 2025

2nd Reading: February 18, 2025

DRAFT
ORDINANCE

Exhibit 'A'

Abandonment and Conveyance of Right-of-Way to the Adjacent and Abutting Property Owners

Drawing: L:\Projects\RWL 24372 Downtown Roadway\Acad\Deliverables\Final_Plat\0204 12 19 RWL 24372 Fox-Harris Final Plat.dwg at Dec 15, 2024 2:43pm by vrsingh

