



**AN ORDINANCE VACATING AND ABANDONING A PERMANENT TRAIL EASEMENT PREVIOUSLY GRANTED TO THE CITY OF WESTWORTH VILLAGE, TEXAS BY SCOTT O’NEAL AND HIS WIFE, CHRISTEN O’NEAL, AS RECORDED IN DOCUMENT NO. D218131482 OF THE DEED RECORDS OF TARRANT COUNTY; DECLARING THAT SUCH EASEMENT IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED RELEASING AND ASSIGNING THIS EASEMENT TO THE OWNERS OF THE FEE ESTATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Westworth Village, Texas (the “City”) is a Type A General Law city located in Tarrant County Texas; and

**WHEREAS,** on or about February 27, 2018, Scott O’Neal and his wife Christen O’Neal granted a Permanent Trail Easement (the easement) to the City, which easement was filed of record and is recorded in the Deed Records of Tarrant County, Texas in Document No. D218131482; and

**WHEREAS,** the City Council of the City of Westworth Village, Texas, after careful study and consideration, has determined that the easement referenced above is not being used by, nor useful or convenient to the public in general, and that the public and the owner of the fee estate would be better served and benefited by its vacation and abandonment; and

**WHEREAS,** in order to remove any question as to the continued interest in the easement, the City desires to execute a quitclaim deed releasing and assigning all title and control of the City, if any, in said easement to the owner of the fee estate on which the easement is located.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS:**

**SECTION 1:** The City Council finds that the Permanent Trail Easement granted to the City on or about February 27, 2018, by Scott O’Neal and his wife, Christen O’Neal, which easement was filed of record and recorded in Document D218131482 of the Deed Records of Tarrant County, Texas, is not being used by, nor useful or convenient to the public in general and that the public and the owner of the fee estate would be better served and benefited by the vacation and abandonment of the easement by the filing of a quitclaim deed. A copy of the quitclaim to be signed is attached hereto as Exhibit A, and a depiction and/or description of the Permanent Trail Easement to be abandoned is attached thereto.

**SECTION 2:** The Mayor of the City of Westworth Village, Texas, is hereby authorized and empowered to execute the quitclaim deed abandoning and vacating the above-described easement to the current owner of the fee estate on which the easement is located.

Nbvm/m’j

**SECTION 3:** After the quitclaim deed is executed, the City Secretary is authorized and instructed to file it in the real property records of Tarrant County, Texas.

**SECTION 4:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence,