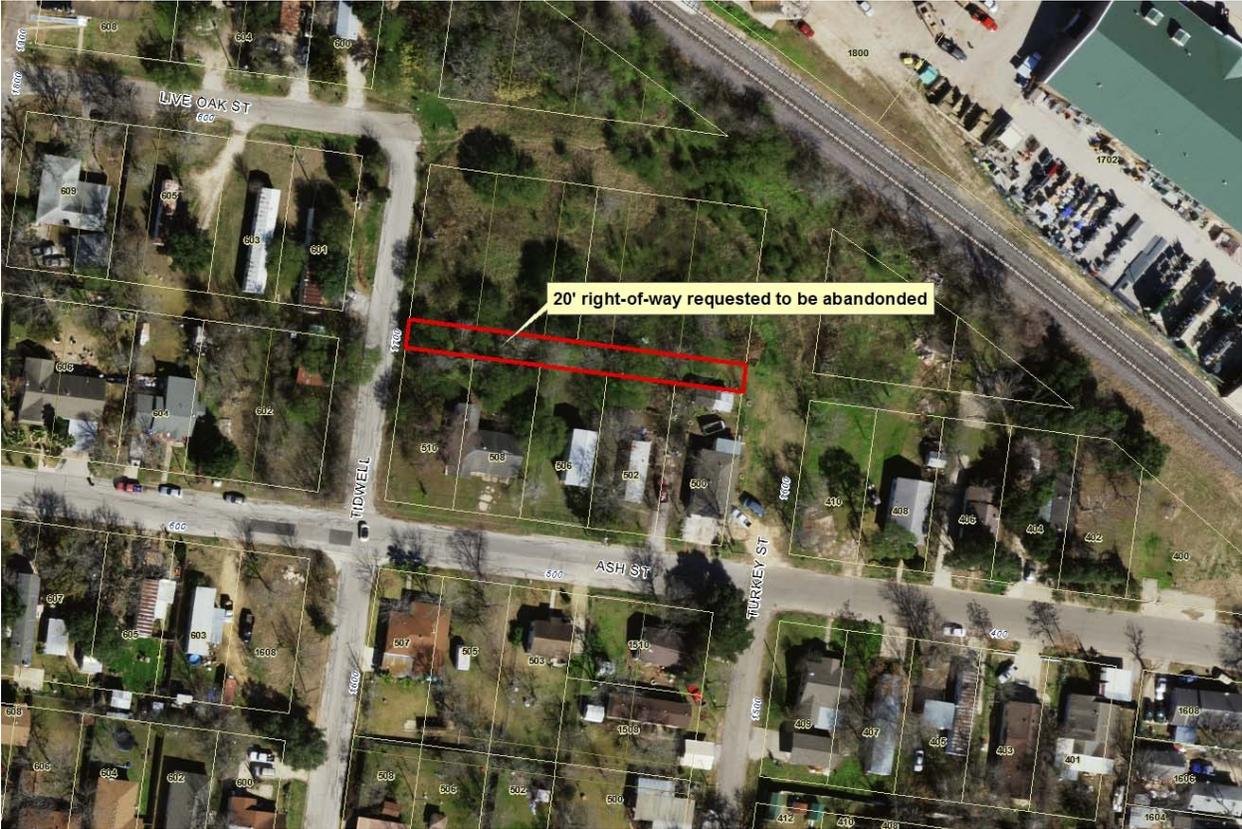


LOCATION MAP:



ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF THE FOLLOWING PUBLIC RIGHT-OF-WAY, TO WIT: 0.1148 ACRE SECTION OF PUBLIC ALLEY RIGHT-OF-WAY EXTENDING EAST-TO-WEST BETWEEN TURKEY STREET AND TIDWELL AVENUE IN BLOCK 43 OF THE OAK GROVE PARK SUBDIVISION IN BRYAN, BRAZOS COUNTY, TEXAS; AUTHORIZING THE CONVEYANCE THEREOF TO THE ABUTTING PROPERTY OWNERS; PROVIDING FOR THE TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of Lots 1 through 10 in Block 43 of the Oak Grove Park Addition have requested the abandonment of approximately 0.1148 acres of public alley right-of-way located adjacent to said lots; and

WHEREAS, during its regular meeting on May 19, 2016, the Bryan Planning and Zoning Commission recommended approving the request to abandon and close said public alley right-of-way (case no. RA16-03); and

WHEREAS, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration a part of which being the discontinuance of the obligations of the City of Bryan to maintain said alley right-of-way; and

WHEREAS, said above recited considerations are of at least equal value to the appraised market value of this alley right-of-way; and

WHEREAS, the City Council of the City of Bryan, acting pursuant to law, deems it advisable to abandon and convey this tract of land to the abutting property owners and is of the opinion that said land is not needed for public use, and that same should be abandoned to the abutting property owners as hereinafter provided; and

WHEREAS, the City Council of the City of Bryan is of the opinion that the best interest and welfare of the public will be served by abandoning and conveying same to the abutting property owners;

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

1.

That all language contained in the preambles to this Ordinance shall be incorporated into the text of the Ordinance as if set forth verbatim herein.

2.

That the following described tract in the City of Bryan, Brazos County, Texas be and the same is hereby abandoned, vacated and closed insofar as the right and title of the public are concerned:

a 20-foot wide and 250-foot long public alley right-of-way extending east-to-west between Turkey Street and Tidwell Avenue in Block 43 of the Oak Grove Park Subdivision, said tract being described more particularly on attached Exhibit "A" and depicted on Exhibit "B."

3.

That the abandonment and conveyance provided for herein is made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all existing easements, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

4.

That the abandonment and conveyance provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to the interest which the governing body for the City of Bryan may legally and lawfully abandon and vacate.

5.

That the Mayor of the City of Bryan is hereby authorized to execute and deliver quit claim deeds conveying the above-described property to the abutting property owners.

Said deeds shall furthermore conform to all other conditions and restrictions herein set out and are attached hereto as Exhibits "C-1" through "C-7" and incorporated herein by this reference for all purposes.

6.

That this ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 7th day of June, 2016 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 12th day of July, 2016 by a vote of ___ yeses and ___ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

Exhibit "A":

**METES AND BOUND DESCRIPTION
0.1148 ACRES TRACT
OAK GROVE PARK
BRAZOS COUNTY, TEXAS**

Being a 0.1148 acres tract of land, out of the Oak Grove Park Subdivision, as recorded in Volume 38, Page 398 of the Brazos County Deeds Records, also being a called 20' Alley out of Block 43 of the said Oak Grove Park Subdivision, the said 0.1148 acres tract being the same alley shown on a Plat of Survey, prepared by Carlomagno Surveying, having the file name 16020-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6 of the said Block 43, also being a point at the intersection of the north row line of Ash Street, a 50' right-of-way and the east right-of-way line of Tidwell avenue, a 50' right-of-way;

THENCE along the west boundary line of the said Lot 6b and the east right-of-way line of Tidwell Avenue, North 02°00'00" East, a distance of 115.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" point for corner for the **PLACE OF BEGINNING** of this tract, also being the southwest corner of this tract, also being the northwest corner of the said Lot 6, also being a point along the east right-of-way line of the said Tidwell Avenue;

THENCE along the common line of this tract and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 20.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the northwest corner of this tract, also being a point along the east right-of-way line of the said Tidwell Avenue, also being the southwest corner of Lot 5 of the said Block 43, of the said Oak Grove Park Subdivision;

THENCE along the common line of this tract and along the south line of the said Lot 5 and along the south line of Lots 1-4, Block 43 of the said Oak Grove Park Subdivision, South 88°00'00" East, a distance of 250.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the northeast corner of this tract, also being the southeast corner of the said Lot 1, also being a point along the west right-of-way line of Turkey Avenue, an undeveloped right-of-way;

THENCE along the common line of this tract and the west right-of-way of the said Turkey Avenue, South 02°00'00" West, a distance of 20.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the southeast corner of this tract, also being a point along the west right-of-way line of the said Turkey Avenue, also being the northeast corner of Lot 10, Block 43 of the said Oak Grove Park Subdivision;

THENCE along the common line of this tract and along the north line of the said Lot 10, also along the north line of Lots 6-9, Block 43 of the said Oak Grove Park Subdivision, North 88°00'00" West, a distance of 250.00 feet to the **PLACE OF BEGINNING** containing 0.1148 acres.


Dante Carlomagno
Texas Registered Professional
Land Surveyor No. 1562
February 2, 2016
16020-MB-alley.doc
Revised: April 13, 2016



EXHIBIT "C-1":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Beatris and Abraham Ramirez**, the owners of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0115 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 6, Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-1A" and labelled "A.C. 1" on attached Exhibit "C-1B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-1A":

**ALLEY CLOSURE 1
METES AND BOUNDS DESCRIPTION
0.0115 ACRES TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0115 acres tract of land, out of Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley), of the said Oak Grove Park Subdivision, as recorded in Volume 38, Page 398 of the Brazos County Deeds Records (B.C.D.R.), all of the following lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0115 acres tract being the same tract of land shown on the Plat of Survey, prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way, and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the west boundary line of the said Lot 6 and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 115.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" found for the **PLACE OF BEGINNING** of this tract, also being the southwest corner of this tract, also being the southwest corner of the said Alley, also being the northwest corner of the said Lot 6, also being a point along the east right-of-way line of the said Tidwell Avenue;

THENCE along the common line of this tract and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 10.00 feet to a point for the northwest corner of this tract, also being a point along the east right-of-way line of the said Tidwell Avenue, also being a point along the west boundary line of the said Alley;

THENCE severing the said Alley, the following calls and distances:

South 88°00'00" East, a distance of 50.00 feet to a point for the northwest corner of this tract;

South 02°00'00" West, a distance of 10.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the southeast corner of this tract, also being the northwest corner of Lot 7, also being the northeast corner of the said Lot 6;

THENCE along the common line of this tract and the north boundary line of the said Lot 6, North 88°00'00" West, a distance of 50.00 feet to the **PLACE OF BEGINNING** containing 0.0115 acres.



Dante Carlomagno
Texas Registered Professional
Land Surveyor No. 1562
March 2, 2016
16020-AC1.txt



EXHIBIT "C-2":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Luis U. Rodriguez**, the owner of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0287 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 4 and 5, and (half of) Lot 3, in Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-2A" and labelled "A.C. 2" on attached Exhibit "C-2B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-2A":

**ALLEY CLOSURE 2
METES AND BOUNDS DESCRIPTION
0.0287 ACRES TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0287 acre tract of land, out of the Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley) of the said Oak Grove Park Subdivision as recorded in Volume 38, Page 398 of the Brazos County Deeds Records (B.C.D.R.) all of the following lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0287 acres tract being the same tract of land shown on the Plat of Survey, prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the east right-of-way line of the said Tidwell Avenue, also being along the west boundary line of the said Lot 6, passing the said Lot 6, and continuing on along the west boundary line of the said Alley, North 02°00'00" East, a distance of 135.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" for the **PLACE OF BEGINNING** of this tract, also being the northwest corner of this tract, also being the northwest corner of the said Alley, also being a point along the east right-of-way line of the said Tidwell Avenue, also being the southwest corner of Lot 5,4, and half of Lot 3, owned by Luis U. Rodriguez (Rodriguez) as recorded in Volume 847, Page 432 of the B.C.D.R.;

THENCE along the common boundary line of this tract and the said Rodriguez tract, South 88°00'00" East, a distance of 125.00 feet to a point for the northeast corner of this tract, also being the southeast corner of the said Rodriguez tract, also being the southwest corner of Lot 1, 2, and half of Lot 3, owned by Luis U. Rodriguez, as recorded in Volume 935, Page 393 of the B.C.D.R.;

THENCE severing the said Alley, the following calls and distances:

South 02°00'00" West, a distance of 10.00 feet to a point for the southeast corner of this tract;

North 88°00'00" West, a distance of 125.00 feet to a point for the southwest corner of this tract, also being a point along the east right-of-way of the said Tidwell Avenue;

THENCE along the west boundary line of this tract and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 10.00 feet to the **PLACE OF BEGINNING** containing 0.0287 acres.


Carlomagno Surveying
Texas Registered Professional
Land Surveyor No. 1562
March 2, 2016
16020-AC2-alley.txt



EXHIBIT "C-3":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Luis U. Rodriguez**, the owner of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0287 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 1 and 2, and (half of) Lot 3, in Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-3A" and labelled "A.C. 3" on attached Exhibit "C-3B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-3A":

**ALLEY CLOSURE 3
METES AND BOUNDS DESCRIPTION
0.0287 ACRES TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0287 acres tract of land, out of the Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley), of the said Oak Grove Park Subdivision, as recorded in Volume 38, Page 398 of the Brazos County Deeds Records (B.C.D.R), all of the following Lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0287 acres tract being the same tract of land shown on the Plat of Survey, prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way, and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the east right-of-way line of the said Tidwell Avenue, also being along the west boundary line of the said Lot 6, passing the said Lot 6, and continuing on along the west boundary line of the said Alley, North 02°00'00" East, a distance of 135.00 feet to a 5/8" iron rod with an orange cap marked "Carlomagno RPLS 1562" found for the northwest corner of the said Alley, also being a point along the east right-of-way line of the said Tidwell Avenue, also being the southwest corner of Lot 5,4, and half of Lot 3, owned by Luis U. Rodriguez (Rodriguez) as recorded in Volume 847, Page 432 of the B.C.D.R.;

THENCE along the north boundary line of the said Alley and the south boundary line of the said Rodriguez tract, South 88°00'00" East, a distance of 125.00 feet to the **PLACE OF BEGINNING** of this tract, also being the northwest corner of this tract, also being a point along the north boundary line of the said Alley, also being the southeast corner of the said Rodriguez 1 tract, also being the southwest corner of Lot 1,2, and half of Lot 3, owned by Luis U. Rodriguez (L.Rodriguez) as recorded in Volume 935, Page 393 of the B.C.D.R.;

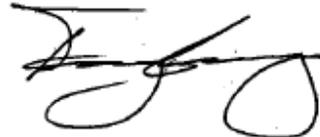
THENCE along the common line of this tract and the south boundary line of the said L.Rodriguez tract, South 88°00'00" East, a distance of 125.00 feet to a 5/8" iron rod with an orange cap marked "Carlomagno RPLS 1562" found for the northeast corner of this tract, also being the northeast corner of the said Alley, also being southeast of the said L.Rodriguez tract, also being a point along the west right-of-way line of Turkey Avenue, an undeveloped right-of-way;

THENCE along the common line of this tract and the west right-of-way line of the said Turkey Avenue, South 02°00'00" West, a distance of 10.00 feet to a point for the southeast corner of this tract, also being a point along the east boundary line of the said Alley, also being a point along the west right-of-way line of the said Turkey Avenue;

THENCE severing the said Alley, the following calls and distances:

North 88°00'00" West, a distance of 125.00 feet to a point for the southwest corner of this tract;

North 02°00'00" East, a distance of 10.00 feet to the **PLACE OF BEGINNING** containing 0.0287 acres.



Carlomagno Surveying
Texas Registered Professional
Land Surveyor No. 1562
March 3, 2016
16020-AC3.doc



EXHIBIT "C-4":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Pedro Carrillo**, the owner of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0115 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 10, in Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-4A" and labelled "A.C. 4" on attached Exhibit "C-4B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-4A":

**ALLEY CLOSURE 4
METES AND BOUNDS DESCRIPTION
0.0115 ACRES TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0115 acres tract of land, out of the Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley) of the said Oak Grove Park Subdivision, as recorded in Volume 38. Page 398 of the Brazos County Deeds Records (B.C.D.R.), all of the following lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0115 acres tract being the same tract of land shown on the Plat of Survey, prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way, and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the west boundary line of the said Lot 6 and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 115.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RLPS 1562" found for the northwest corner of the said Lot 6, also being a point along the east right-of-way line of the said Tidwell Avenue, also being the southwest corner of the said Alley;

THENCE along the south boundary line of the said Alley, South 88°00'00" East, a distance of 200.00 feet to the **PLACE OF BEGINNING** of this tract, also being the southwest corner of this tract, also being the northwest corner of Lot 10, also being the northeast corner of Lot 9;

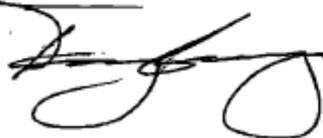
THENCE severing the said Alley, the following calls and distances:

North 02°00'00" East, a distance of 10.00 feet to a point for the northwest corner of this tract;

South 88°00'00" East, a distance of 50.00 feet to a point for the northeast corner of this tract, also being a point along the east line of the said Alley, also being a point along the west right-of-way line of Turkey Avenue, an undeveloped right-of-way;

THENCE along the common line of this tract and the west right-of-way line of the said Turkey Avenue, South 02°00'00" West, a distance of 10.00 feet to a 5/8" iron rod with an orange cap marked "Carlomagno RLPS 1562" found for the southeast corner of this tract, also being a point along the west right-of-way line of the said Turkey Avenue, also being the northeast corner of the said Lot 10;

THENCE along the common line of this tract and the said Lot 10, North 88°00'00" West, a distance of 50.00 feet to the **PLACE OF BEGINNING** containing 0.0115 acres.



Carlomagno Surveying
Texas Registered Professional
Land Surveyor No. 1562
March 3, 2016
16020-AC4.doc



EXHIBIT "C-5":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Luis U. Rodriguez**, the owner of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0115 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 9, in Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-5A" and labelled "A.C. 5" on attached Exhibit "C-5B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-5A":

**ALLEY CLOSURE 5
METES AND BOUNDS DESCRIPTION
0.115 ACRE TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0115 acres tract of land, out of the Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley), of the said Oak Grove Park Subdivision, as recorded in Volume 38, Page 398 of the Brazos County Deeds Records (B.C.D.R.), all of the following Lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0115 acres tract being the same tract of land shown on the Plat of Survey prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way, and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the west boundary line of the said Lot 6 and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 115.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RLSP 1562" found for the northwest corner of the said Lot 6, also being a point along the east right-of-way line of the said Tidwell Avenue, also being the southwest corner of the said Alley;

THENCE along the south boundary line of the said Alley, South 88°00'00" East, a distance of 150.00 feet to the **PLACE OF BEGINNING** of this tract, also being the southwest corner of this tract, also being the northwest corner of Lot 9, also being the northeast corner of Lot 8;

THENCE severing the said Alley the following calls and distances:

North 02°00'00" East, a distance of 10.00 feet to a point for the northwest corner of this tract;

South 88°00'00" East, a distance of 50.00 feet to a point for the northeast corner of this tract;

South 02°00'00" West, a distance of 10.00 feet to a point for the southeast corner of this tract, also being the northwest corner of Lot 10, also being the northeast corner of the said Lot 9;

THENCE along the common line of this tract and the said Lot 9, North 88°00'00" West, a distance of 50.00 feet to the **PLACE OF BEGINNING** containing 0.0115 acres.



Carlomagno Surveying
Texas Registered Professional
Land Surveyor No. 1562
March 3, 2016
16020-AC5.doc



EXHIBIT "C-6":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Terri L Miller**, the owner of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0115 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 8, in Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-6A" and labelled "A.C. 6" on attached Exhibit "C-6B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-6A":

**ALLEY CLOSURE 6
METES AND BOUNDS DESCRIPTION
0.115 ACRES TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0115 acres tract of land, out of the Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley), of the said Oak Grove Park Subdivision, as recorded in Volume 38, Page 398 of the Brazos county Deeds Records (B.C.D.R.), all of the following Lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0115 acres tract being the same tract of land shown on the Plat of Survey prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way, and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the west boundary line of the said Lot 6 and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 115.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" found for the northwest corner of the said Lot 6, also being a point along the east right-of-way line of the said Tidwell Avenue, also being the southwest corner of the said Alley;

THENCE along the south boundary line of the said Alley, South 88°00'00" East, a distance of 100.00 feet to the **PLACE OF BEGINNING** of this tract, also being the southwest corner of this tract, also being the northwest corner of Lot 8, also being the northeast corner of Lot 7;

THENCE severing the said Alley, the following calls and distances:

North 02°00'00" East, a distance of 10.00 feet to a point for the northwest corner of this tract;

South 88°00'00" East, a distance of 50.00 feet to a point for the northeast corner of this tract;

South 02°00'00" West, a distance of 10.00 feet to a point for the southeast corner of this tract, also being the northwest corner of Lot 9, also being the northeast corner of the said Lot 8;

THENCE along the common line of this tract and the north line of the said Lot 8, North 88°00'00" West, a distance of 50.00 feet to the **PLACE OF BEGINNING** containing 0.0115 acres.



Carlomagno Surveying
Texas Registered Professional
Land Surveyor No. 1562
March 4, 2016
16020-AC6.doc



EXHIBIT "C-7":

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL PERSONS BY THESE PRESENTS:

That the CITY OF BRYAN TEXAS a municipal corporation existing by and under the laws of the STATE OF TEXAS acting by and through its duly elected mayor (Grantor) does by these presents RELEASE AND FOREVER QUIT CLAIM unto **Brenda Solis**, the owner of the property adjacent thereto (Grantee), all of the following tract of land described as follows:

0.0115 acre tract or parcel of land, lying and being situated in the Oak Grove Park Subdivision, Block 43, in Bryan, Brazos County, Texas, and being part of the 20' wide alley of the said Oak Grove Park Subdivision of Lot 8, in Block 43, according to the plat recorded in Volume 38, Page 398, of the Deed Records of Brazos County, Texas, said tract being more particularly described by metes-and-bounds as follows on attached Exhibit "C-7A" and labelled "A.C. 7" on attached Exhibit "C-7B."

This conveyance is subject to all present zoning and deed restrictions, if the latter exist Grantor expressly reserves all easements whether apparent or non-apparent, aerial, surface, underground or otherwise.

Subject to the above reservation, Grantor quitclaims to Grantee all of Grantor right, title and interest in and to such tract of land, to have and to hold it to Grantee, Grantee's heirs successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the property or any part of it and this deed is given to relinquish and release any right, title, and interest the Grantor its successors and assigns may have in the above-described property. When the context requires singular nouns and pronouns include the plural.

This conveyance is authorized by an ordinance of the governing body for the City of Bryan as approved and adopted on July 12, 2016.

EXECUTED this the _____ day of _____, 2016

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before a notary public on _____
by Jason P. Bienski, Mayor of the City of Bryan, a municipal corporation, on behalf of said
Municipal Corporation.

Notary Public, State of Texas

Exhibit "C-7A":

**ALLEY CLOSURE 7
METES AND BOUNDS DESCRIPTION
0.0115 ACRES TRACT
OAK GROVE PARK SUBDIVISION
BRAZOS COUNTY, TEXAS**

Development
Services

APR 14 2016

RECEIVED

Being a 0.0115 acres tract of land, out of Oak Grove Park Subdivision, Brazos County, Texas, also being out of the 20' Alley of Block 43 (Alley), of the said Oak Grove Park Subdivision, as recorded in Volume 38, Page 398 of the Brazos County Deeds Records (B.C.D.R.), all of the following lots referenced, are out of Block 43 of the said Oak Grove Park Subdivision, the said 0.0115 acres tract being the same tract of land shown on the Plat of Survey, prepared by Carlomagno Surveying, having the file name 16020-divide-alley.dwg and being more particularly described as follows:

COMMENCING at a 3/8" iron rod found for the southwest corner of Lot 6, also being a point at the intersection of the north right-of-way line of Ash Street, a 50' right-of-way, and the east right-of-way line of Tidwell Avenue, a 50' right-of-way;

THENCE along the west boundary line of the said Lot 6 and the east right-of-way line of the said Tidwell Avenue, North 02°00'00" East, a distance of 115.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" found for the southwest corner of the said Alley, also being the northwest corner of the said Lot 6, also being a point along the east right-of-way line of the said Tidwell Avenue;

THENCE along the south boundary line of the said Alley, and the north boundary line of the said Lot 6, South 88°00'00" East, a distance of 50.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the **PLACE OF BEGINNING** for this tract, also being the southwest corner of this tract, also being a point along the south boundary line of the said Alley, also being the northwest corner of the said Lot 7, also being the northeast corner of the said Lot 6;

THENCE severing the said Alley, the following calls and distances:

North 02°00'00" East, a distance of 10.00 feet to a point for the northwest corner of this tract;

South 88°00'00" East, a distance of 50.00 feet to a point for the northeast corner of this tract;

South 02°00'00" West, a distance of 10.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" found for the southeast corner of this tract, also being a point along the south line of the said Alley, also being the northwest corner of Lot 8, also being the northeast corner of the said Lot 7;

THENCE along the common line of this tract and the north boundary line of the said Lot 7, North 88°00'00" West, a distance of 50.00 feet to the **PLACE OF BEGINNING** containing 0.0115 acres.



Dante Carlomagno
Texas Registered Professional
Land Surveyor No. 1562
March 2, 2016
16020-AC7.txt



PLANNING AND ZONING COMMISSION MEETING MINUTE RECORD OF MAY 19, 2016:

5. CONSENT AGENDA.

c. Right-of-way Abandonment RA16-03: Alley in Block 43 of Oak Grove Park Subdivision

A request to abandon a 20-foot wide and 250-foot long public alley right-of-way extending east-to-west between Turkey Street and Tidwell Avenue in Block 43 of the Oak Grove Park Subdivision in Bryan, Brazos County, Texas. (S. Doland)

Commissioner Madison moved to approve the Consent Agenda. Commissioner Krolczyk seconded the motion, and the motion passed unanimously.

**PLANNING AND ZONING COMMISSION
STAFF REPORT**



May 19, 2016

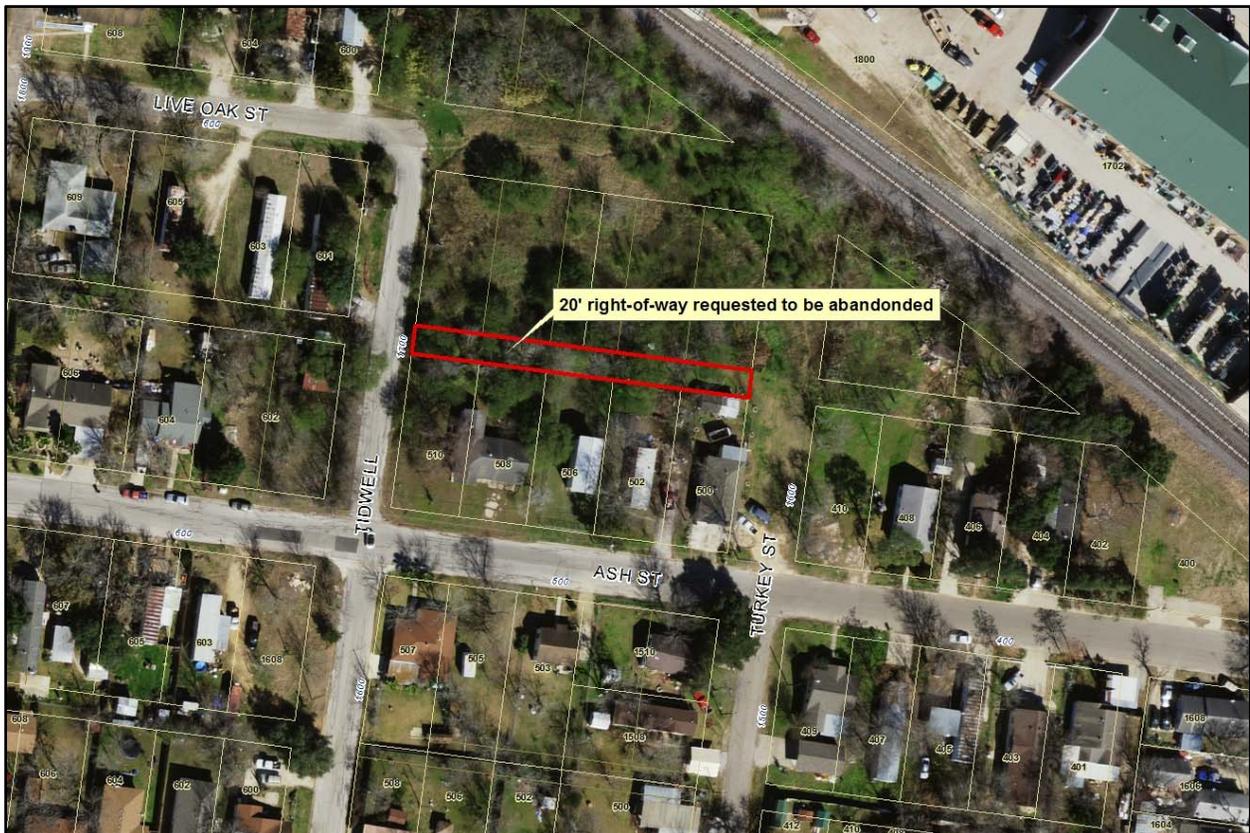
**Right-of-way Abandonment case no. RA16-03:
Alley in Block 43 of Oak Grove Park Subdivision**

SIZE AND LOCATION: a 20-foot wide and 250-foot long public alley right-of-way extending east-to-west between Turkey Street and Tidwell Avenue in Block 43 of the Oak Grove Park Subdivision

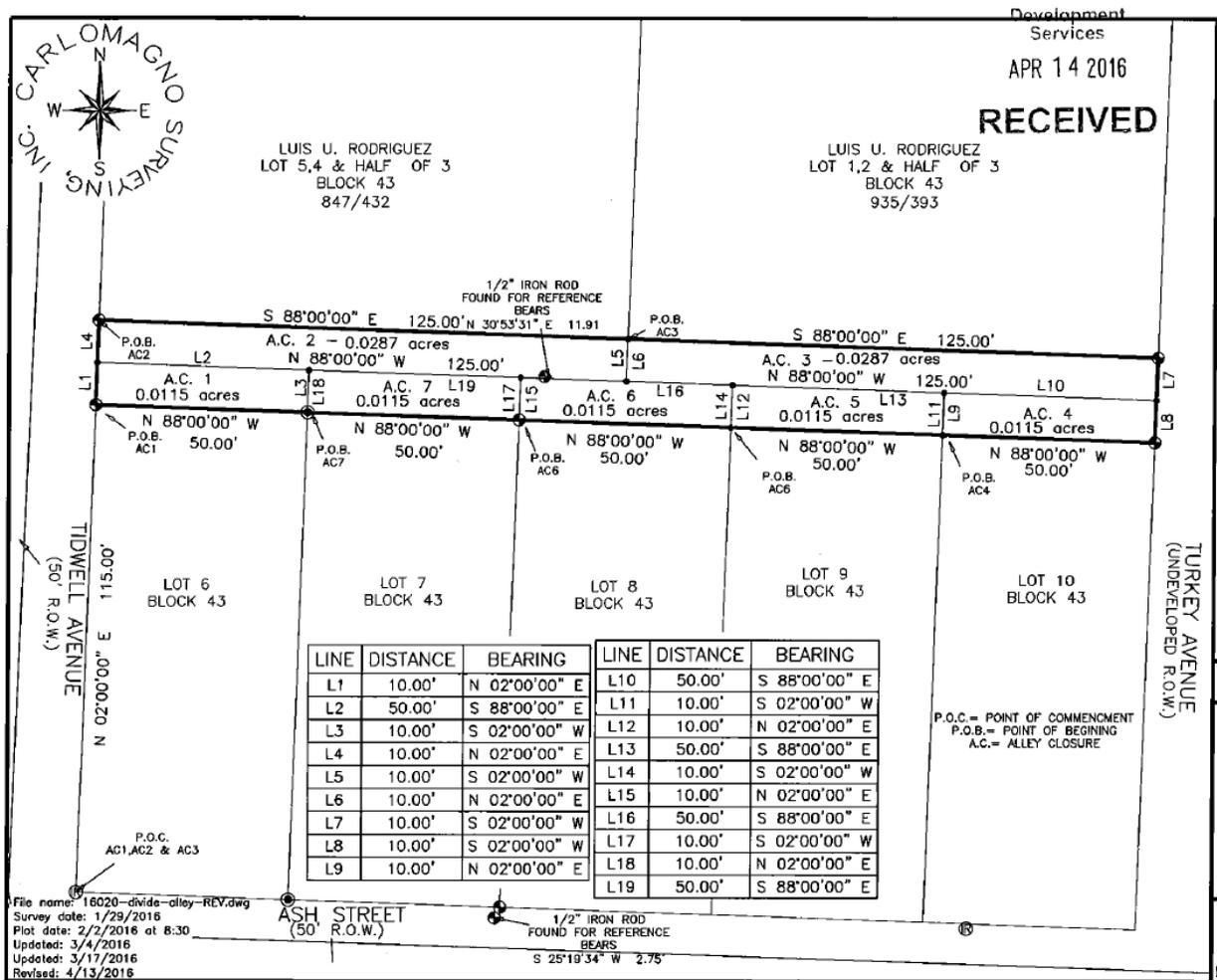
APPLICANT(S): Luis Rodriguez Jr.

STAFF CONTACT: Stephanie Doland, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested right-of-way abandonment.



DETAIL OF PROPOSED ALLEY RIGHT-OF-WAY REQUESTED TO BE ABANDONED:



RIGHT-OF-WAY REQUESTED TO BE ABANDONED:

The applicant, Luis Rodriguez Jr, and all abutting property owners are requesting the official abandonment of a 250-foot long by 20-foot wide public alley right-of-way in Block 43 of the Oak Grove Park Subdivision. The right-of-way in question was originally dedicated with the Oak Grove Park Addition plat that was recorded at the Brazos County Court House in 1913 and has never been improved with a driving surface. The lots located to the north remain undeveloped and are owned by the applicant. Properties to the south, Lots 6 and 8 and are developed with single-family homes and Lot 9 is developed with an accessory structure. As the homes developed, each home took access to either Tidwell Avenue (Lot 6) or to Ash Street (Lots 8-10).

Bryan's City Council is authorized to formally abandon all or portions of rights-of-way originally dedicated for public use, allowing the conveyance of that land to adjoining property owners, in equal and proportionate amounts based on their ownership of adjoining land. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

ANALYSIS AND RECOMMENDATION:

Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The alley right-of-way requested to be abandoned has never been improved with a driving surface. Abandoning the subject right-of-way, therefore, will not interfere with the smooth circulation of vehicular and pedestrian traffic.

No public or franchised utility facilities are currently located in the alley right-of-way requested to be abandoned. City staff does not foresee a need for possible future use of this alley for public utility purposes.

The Site Development Review Committee and staff recommend **approving** the request to abandon this segment of alley right-of-way, as requested. Abandoning the subject right-of-way, as recommended, will allow this land to be integrated with adjacent lots and relieve the public from maintenance responsibilities. Staff contends that, in this particular case, the recommended rearrangement of land will have the most likely long-range public benefit.