

**Ordinance No. 2005.10  
Village of Salado  
County of Bell  
State of Texas  
July 21, 2005**

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, FINDING THAT THE STREET LOCATED AT THE CORNER OF MILL CREEK DRIVE AND SOUTHRIDGE, VILLAGE OF SALADO, IS NOT NECESSARY FOR PUBLIC USE AS A THOROUGHFARE; PROVIDING FOR THE VACATION, ABANDONMENT AND CLOSURE OF THE STREET; AND RELEASING ANY AND ALL PUBLIC RIGHTS, TITLE AND INTEREST.**

**WHEREAS,** pursuant to Chapter 311 of the Texas Transportation Code, a general-law municipality such as Salado has exclusive control over the highways, streets and Streets of the municipality; and

**WHEREAS,** pursuant to Chapter 311 of the Texas Transportation Code, the Village of Salado has the authority to vacate, abandon, and close streets and Streets within the Village; and

**WHEREAS,** within the Village of Salado there is a platted public street right-of-way that is described in more detail in Exhibit A, (hereafter referred to as the "Street");

**WHEREAS,** the Board of Aldermen has determined that the portion of the Street delineated on Exhibit A has not been used as a public thoroughfare, is not necessary as a public thoroughfare and has no other public use; and

**WHEREAS,** Mill Creek Homeowners Association has expressed to the Board of Aldermen its commitment to improving the portion of the Street as a beautification project ; and

**WHEREAS,** the Board of Aldermen finds that vacating the Street would have no adverse effect on adjacent properties; and


**WHEREAS,** the Board of Aldermen has determined that it is in the best interest of the Village to vacate, abandon, and close the Street; and

**NOW THEREFORE, be it ordained by the Board of Aldermen of the Village of Salado, State of Texas:**

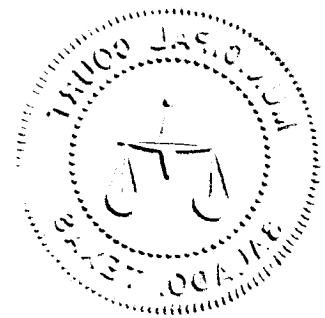
1. **Findings of Fact:** That the foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if set forth herein at length.
2. **Street Closure:** The Board of Aldermen hereby vacates, abandons, and closes the Street, which is more particularly described in Exhibit A.
3. **Abandonment of Rights:** The Board of Aldermen hereby abandons any and all public rights, title and interest, if any, to the Street.
4. **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.
5. **Effective Date:** This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.
6. **Proper Notice & 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.

**PASSED AND APPROVED, this 21st day of July, 2005, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the Board of Aldermen of the Village of Salado.**

**VILLAGE OF SALADO**

by:   
Rick Ashe, Mayor

**APPROVED AS TO FORM:**  
Alan J. Bojorquez, Village Attorney

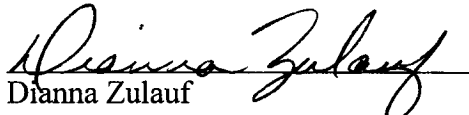


## CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF BELL

I, Dianna Zulauf, being the current Village Secretary of the Village of Salado, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2005.10, passed and approved by the Board of Aldermen of the Village of Salado, Texas, on the 21 day of July, 2005, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 26 day of July, 2005.

  
Dianna Zulauf  
Village Secretary

Original /