

**ORDINANCE NO. 2023-02**

**“An ordinance abandoning and conveying a portion of the right of way of Center Street.”**

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, ABANDONING A PORTION PUBLIC ROAD RIGHT OF WAY AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO EXECUTE A CONVEYANCE OF THE SAME; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; A SAVINGS CLAUSE; SEVERABILITY; REPEALER, EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.**

**WHEREAS**, the Village of Salado, Texas (“Village”) owns an interest in land, specifically described on Exhibit “A” attached hereto and hereafter referred to as the “Land;” and

**WHEREAS**, the Land consists of an approximately 0.318 acre portion of the City’s right-of-way along Center Street which is not currently in use by the Village and for which the Village has no future use; and

**WHEREAS** Patricia Norman (the “Owner”) owns property adjacent to the Land; and

**WHEREAS**, the Owner has requested that the Village convey the land to the Owner for purposes consistent with the permitted uses of that property; and

**WHEREAS**, pursuant to section 253.001 of the Texas Local Government Code, the Village can sell or convey land or an interest in land that is an abandoned part of a street right of way; and

**WHEREAS**, pursuant to section 272.001(b) of the Texas Local Government Code, the Village may convey the Land to abutting property owners who own the underlying fee simple; and

**WHEREAS**, in order to effectuate the conveyance of the property interest, the Board of Aldermen of the Village (the “Board”) must adopt an ordinance abandoning the Land and directing the Village Administrator to execute the conveyance; and

**WHEREAS**, pursuant to the laws of the State of Texas, including Chapter 51 of the Texas Local Government Code, the Board may adopt ordinances and rules that are for good government and necessary for carrying out the power granted by law to the municipality; and

**WHEREAS**, the Board determined that the abandonment and conveyance of the Land is in the best interest of the citizens of the Village;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:**

**SECTION I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the Board of Aldermen of Salado, Texas and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION II. ABANDONMENT AND CONVEYANCE**

A. The Land consisting of approximately 0.318 acres, which is owned by the Village and is a portion of the Center Street right-of-way adjacent to the Owner's property as described in Exhibit "A" attached hereto and incorporated herein, is hereby abandoned.

B. The Village Administrator of the Village is hereby authorized to execute a conveyance of the Land to the Owner.

**SECTION III. SAVINGS**

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the Village under any section or provisions of any ordinances at the time of passage of this Ordinance.

**SECTION IV. SEVERABILITY**

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**SECTION V. REPEALER**

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

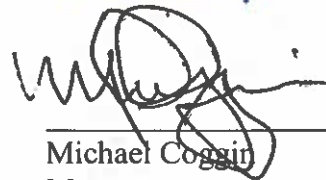
**SECTION VI. EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

**SECTION VII. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at that 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 19<sup>th</sup> day of January, 2023.



Michael Coggin  
Mayor

ATTEST:



Cara McPartland  
Village Secretary

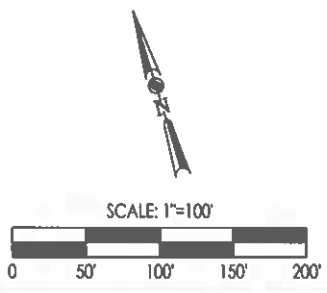


APPROVED AS TO FORM:

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Joshua Katz,  
Village Attorney

**Exhibit "A"**

**Map and Metes and Bounds Description**

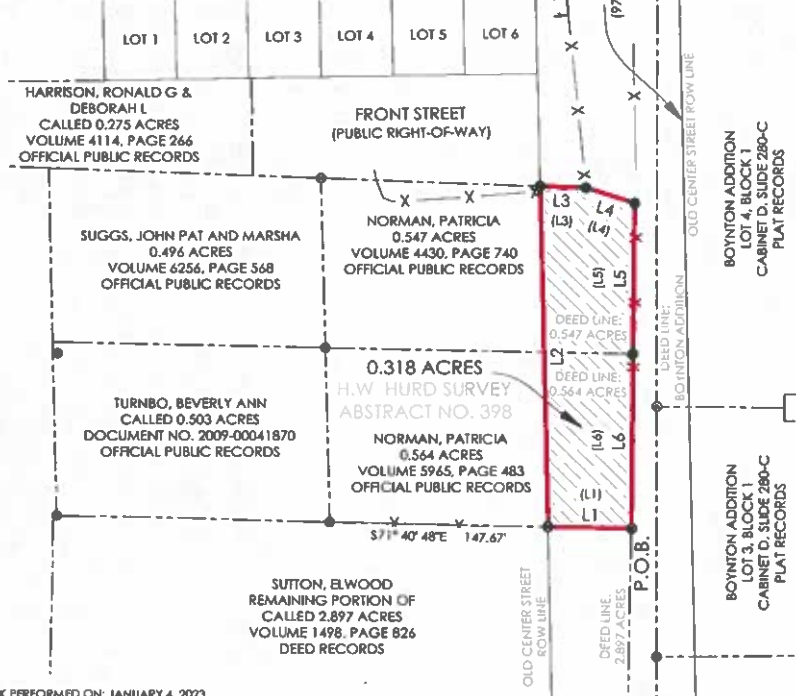


ORIGINAL TOWN OF SALADO  
BLOCK 4  
VOLUME H, PAGE 245  
DEED RECORDS

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N71° 40' 48"W	56.61'
L2	N15° 57' 44"E	232.25'
L3	S70° 51' 11"E	31.18'
L4	S55° 35' 48"E	34.65'
L5	S17° 56' 25"W	102.81'
L6	S17° 49' 57"W	119.21'

- LEGEND**
- P.O.B. POINT OF BEGINNING
  - 1/2" IRON ROD FOUND
  - ⊙ 1/2" IRON PIPE FOUND
  - ⊕ 5/8" IRON ROD FOUND
  - ⊖ CALCULATED POINT
  - ⊙ 6" CEDAR FENCE POST FOUND
  - ⊘ UTILITY POLE
  - ⊘→ UTILITY POLE WITH GUY WIRE
  - X—X— WIRE FENCE
  - CHAIN-LINK FENCE
  - - - - - OELx - - - - - ELECTRIC (OVERHEAD)

RECORD LINE TABLE		
LINE	BEARING	DISTANCE
(L1)	N70° 57' 15"W	
(L3)	S70° 09' 19"E	
(L4)	S54° 41' 10"E	34.29'
(L5)	S18° 36' 14"W	103.00'
(L6)	S18° 36' 14"W	119.26'



KINNISSON, KAREN V &  
ANDREW K VOELTER  
CALLED 2.09 ACRES  
DOCUMENT NO. 2009-41354  
OFFICIAL PUBLIC RECORDS

BOYNTON ADDITION  
LOT 4, BLOCK 1  
CABINET D. SLIDE 280-C  
PLAT RECORDS

BOYNTON ADDITION  
LOT 3, BLOCK 1  
CABINET D. SLIDE 280-C  
PLAT RECORDS

- NOTES:**
- 1) FIELD WORK PERFORMED ON: JANUARY 4, 2023
  - 2) PREPARED FOR: VILLAGE OF SALADO
  - 3) ADDRESS: CENTER STREET, SALADO, TEXAS
  - 4) BASIS OF BEARING: TEXAS STATE PLANE, CENTRAL ZONE, NAD83
  - 5) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE ALL SETBACKS, EASEMENTS, ENCUMBRANCES AND RESTRICTIONS MAY NOT BE SHOWN HEREON. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE
  - 6) A METES AND BOUNDS DESCRIPTION WAS PREPARED BY A SEPARATE DOCUMENT.
  - 7) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BELL COUNTY, TEXAS, MAP NUMBER 48027C05 (OE, EFFECTIVE DATE SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY LIES IN ZONE "AE", WHICH IS DEFINED AS AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOOD PLAIN. THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM; IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE, OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE FLOOD HAZARD AREA IS SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERSHED OR CHANNEL CONDITIONS CHANGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
  - 8) ONLY APPARENT UTILITIES WERE LOCATED. NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO SHOW THE EXISTENCE, SIZE, DEPTH, CONDITION, OR LOCATION OF ANY UNDERGROUND UTILITY. FOR INFORMATION REGARDING UNDERGROUND UTILITIES PLEASE CONTACT THE APPROPRIATE AGENCY.
  - 9) THE IMPROVEMENTS SHOWN HEREON ARE FOR GENERAL LOCATIVE PURPOSES ONLY AND HAVE NOT BEEN DETAILED IN THEIR ENTIRETY.

SURVEY SHOWING A 0.318 ACRE TRACT OF LAND, LOCATED IN THE H.W. HURD SURVEY, ABSTRACT NO. 398, BELL COUNTY, TEXAS, SAID 0.318 ACRE TRACT, BEING A PORTION OF THAT CALLED 0.547 ACRE TRACT OF LAND RECORDED IN VOLUME 4430, PAGE 740, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 0.564 ACRE TRACT OF LAND RECORDED IN VOLUME 5965, PAGE 483, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS.

**Quick Inc.**  
Land Surveying, Land Planning, Consulting.  
Firm: 10194104 512-915-4950  
1430 N. Robertson Road, Salado, Texas 76571



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

*Travis L. Quicksall*  
TRAVIS L. QUICKSALL DATE: JANUARY 9, 2023  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6447  
JOB NO. 23-0002



Land Surveying. Land Planning. Consulting.

Firm: 10194104 512-915-4950

1430 N. Robertson Road, Salado, Texas 76571

**FIELD NOTES FOR A 0.318 ACRE TRACT OF LAND:**

**BEING A 0.318 ACRE TRACT OF LAND**, LOCATED IN THE H.W. HURD SURVEY, ABSTRACT NO. 398, BELL COUNTY, TEXAS; SAID 0.318 ACRE TRACT, BEING A PORTION OF THAT CALLED 0.547 ACRE TRACT OF LAND RECORDED IN VOLUME 4430, PAGE 740, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 0.564 ACRE TRACT OF LAND RECORDED IN VOLUME 5965, PAGE 483, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS; SAID 0.318 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 5/8" iron rod located within the old right-of-way of Center Street, being the southeast corner of said 0.564 acre tract, the northeast corner of the remaining portion of that called 2.897 acre tract of land recorded in Volume 1498, Page 826, Deed Records, Bell County, Texas, said point being the southeast corner of the herein described tract of land;

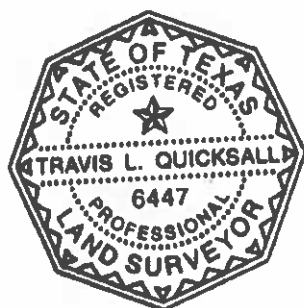
1. **Thence**, across the old right-of-way of Center Street, with the southwest line of said 0.564 acre tract, the northeast line of the remainder of said 2.897 acre tract, **N 71° 40' 48" W**, a distance of **56.61'** (Record: N 70° 57' 15" W), to a calculated point in the old west right-of-way line of Center Street, being in the southwest line of said 0.564 acre tract, the northeast line of the remainder of said 2.897 acre tract, said point being the southwest corner of the herein described tract of land which bears S 71° 40' 48" E, a distance of 147.67' from a 1/2" iron rod located for the southwest corner of said 0.564 acre tract;
2. **Thence**, with the old west right-of-way line of Center Street, across said 0.564 acre tract, across said 0.547 acre tract, **N 15° 57' 44" E**, a distance of **232.25'**, to a calculated point in the old west right-of-way line of Center Street, a

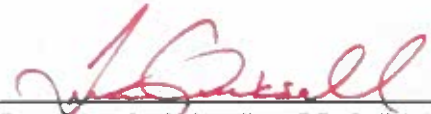
northeast line of said 0.547 acre tract, said point being the northwest corner of the herein described tract of land;

Thence, across the old right-of-way of Center Street, with the common boundary lines of said 0.547 acre tract and said 0.564 acre tract, the following four (4) courses and distances:

3. **S 70° 51' 11" E**, a distance of **31.18'** (Record: S 70° 09' 19" E), to a 6" cedar fence post located for an angle point of the herein described tract of land;
4. **S 55° 35' 48" E**, a distance of **34.65'** (Record: S 54° 41' 10" E, a distance of 34.29'), to a 1/2" iron rod located for the northeast corner of the herein described tract of land;
5. **S 17° 56' 25" W**, a distance of **102.81'** (Record: S 18° 36' 14" W, a distance of 103.00'), to a 1/2" iron rod located for the southeast corner of said 0.547 acre tract, the northeast corner of said 0.564 acer tract, said point being an angle point of the herein described tract of land;
6. **S 17° 49' 57" W**, a distance of **119.21'** (Record: S 18° 36' 14" W, a distance of 119.26'), to the **POINT OF BEGINNING** containing **0.318 acres** of land.

**Note:** The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document.



  
Travis L. Quicksall RPLS #6447  
Date: 01/09/2023  
Job #23-0002

**DEED WITHOUT WARRANTY**

**Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.**

Date: January 19, 2023

Grantor: Village of Salado, Texas

Grantor's Mailing Address: P.O. Box 219  
Salado, TX 76571

Grantee: Patricia Norman

Grantee's Mailing Address: 200 Cibolo Ridge Drive  
Georgetown, TX 78628

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property (including any improvements):

Being 0.318 acres of land, a portion of Center Street, located in the H.W. Hurd Survey, Abstract No. 398, Bell County, being a portion of that called 0.547 acre tract of land recorded in Volume 4430, Page 740 of the Official Public Records of Bell County, Texas, and being a portion of that called 0.564 acre tract of land recorded in Volume 5965, Page 483 of the Official Public Records of Bell County, Texas, and described by metes and bounds and map on Exhibit A attached hereto.

Reservations from and Exceptions to Conveyance and Warranty:

All existing easements, rights-of-way, and prescriptive rights, whether of record or not, including all utility and drainage easements, whether apparent or non-apparent, aerial, surface, or underground; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for the calendar year in which the Grantor executes this deed and subsequent years, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the




Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

When the context requires, singular nouns and pronouns include the plural.

**GRANTOR:**

**VILLAGE OF SALADO, TEXAS**

By:   
Village Administrator, Village of Salado, TX

STATE OF TEXAS           §  
  §  
COUNTY OF BELL         §

This instrument was acknowledged before me, the undersigned authority, this 20<sup>th</sup> day of February, 2028, by Don Ferguson, the Village Administrator of the Village of Salado, Texas

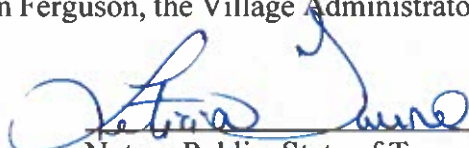
  
Notary Public, State of Texas



Exhibit "A"

Being 0.318 acres of land, a portion of Center Street, located in the H.W. Hurd Survey, Abstract No. 398, Bell County, being a portion of that called 0.547 acre tract of land recorded in Volume 4430, Page 740 of the Official Public Records of Bell County, Texas, and being a portion of that called 0.564 acre tract of land recorded in Volume 5965, Page 483 of the Official Public Records of Bell County, Texas, and described by metes and bounds as attached hereto.