ORDINANCE NO. 24-030

ENTITLED AN ORDINANCE ABANDONING A SANITARY SEWER EASEMENT IN LOT 8 OF THE COLLEGE ACRES ADDITION AT 4595 COLLEGE STREET, CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Jared Riggenbach, has applied for the abandonment of a 6' wide sanitary sewer easement at 4595 College Street, being Lot 8 in the College Acres Addition, David Brown League Survey, Abstract No.5, City of Beaumont, Jefferson County, Texas, containing 0.0238 acres, more or less, as described in Exhibit "A," and shown on Exhibit "B," attached hereto; and,

WHEREAS, the City Council has considered the purpose of said abandonment and is of the opinion the abandonment of a 6' wide sanitary sewer easement at 4595 College Street, being the southern property line of Lot 8 in the College Acres Addition is in the best interest of the City and should be granted, with the following condition:

1. A new easement and sanitary sewer line to be dedicated to the City;

NOW, THEREFORE, BE IT ORDAINED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

THAT the 6' wide sanitary sewer easement at 4595 College Street, being Lot 8 in the College Acres Addition, David Brown League Survey, Abstract No.5, City of Beaumont, Jefferson County, Texas, containing 0.0238 acres, more or less, as described in Exhibit "A," and shown on Exhibit "B," attached hereto, be and the same is hereby vacated and abandoned and that title to such property shall revert to and become the property of the persons entitled thereto by law, with the following condition:

1. A new easement and sanitary sewer line to be dedicated to the City.

The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 18th day of June,

2024.

- Mayor Roy West -

LEGAL DESCRIPTION OF THE RIGHT-OF-WAY FOR ORDINANCE PURPOSES

BEING 0.0238 acres of land in the David Brown League, Abstract No. 5, in the City of Beaumont, Jefferson County, Texas, being a part of that certain tract of land designated as Parcel 3 and described in the deed to O'Reilly Auto Enterprises, LLC recorded in Jefferson County Clerk's File No. 2014003057, Official Public Records of Jefferson County, Texas, being a part of Lot 8 of College Acres, a subdivision recorded in Volume 5, Page 34, Map Records of Jefferson County, Texas, being all of that same 6-foot wide sanitary sewer easement recorded in Volume 963, Page 84, Deed Records of Jefferson County, Texas, said 0.0238 acre tract of land is described by metes and bounds as follows:

BEGINNING at a 5/8 inch "Huitt-Zollars" plastic capped iron rod found on the north line of that certain 0.9616 acre tract of land described in the deed to O'Reilly Auto Enterprises, LLC recorded in Jefferson County Clerk's File No. 2022041263, Official Public Records of Jefferson County, Texas and the north line of Lot 20 of the Columbus Cartwright Subdivision No. 1 recorded in Volume 1, Page 112, Map Records of Jefferson County, Texas, said capped iron rod being the southeast corner of said 6-foot wide sanitary sewer easement, the southeast corner of said Parcel 3, the southeast corner of said Lot 8, the southwest corner of Lot 9, said College Acres, and the southwest corner of that certain tract of land designated as Tract I and described in the deed to Sutherland Lumber — Southwest, Inc. recorded in Jefferson County Clerk's File No. 2013010199, Official Public Records of Jefferson County, Texas, from said capped iron rod a 5/8 inch "Baseline Corp." plastic capped iron rod found for the northeast corner of said 0.9616 acre tract and the northwest corner of that certain tract of land designated as Tract III and described in said deed to Sutherland Lumber — Southwest, Inc. bears North 86 degrees 40 minutes 45 seconds East, 36.44 feet;

THENCE, South 86 degrees 40 minutes 45 seconds West along the south line of said Parcel 3, the south line of said Lot 8, the north line of said 0.9616 acre tract and the north line of said Lot 20, 173.00 feet to a point on the east right-of-way line of 23rd Street (60 feet wide) as dedicated by the plat recorded in Volume 5, Page 34, Map Records of Jefferson County, Texas, said point being the southwest corner of said Parcel 3, the southwest corner of said Lot 8 and the northwest corner of said 0.9616 acre tract, from which a 5/8 inch "Baseline Corp." plastic capped iron rod found for the southwest corner of said 0.9616 acre tract bears South 03 degrees 23 minutes 15 seconds East, 200.00 feet;

THENCE, North 03 degrees 23 minutes 15 seconds West, along the east right-of-way line of said 23rd Street, the west line of said Parcel 3 and the west line of said Lot 8, 6.00 feet to a point from which a 5/8 inch "Baseline Corp." plastic capped iron rod found for the northwest corner of said Parcel 3 bears North 03 degrees 23 minutes 15 seconds West, 294.00 feet

THENCE, North 86 degrees 40 minutes 45 seconds East, 173.00 feet to a point on the east line

of said Parcel 3, the east line of said Lot 8, the west line of said Lot 9 and the west line of said Tract I, from which a 5/8 inch "Huitt-Zollars" plastic capped iron rod found for the northeast corner of said Parcel 3 and the northwest corner of said Tract I bears North 03 degrees 23 minutes 15 seconds West, 294.00 feet;

THENCE, South 03 degrees 23 minutes 15 seconds East, along the east line of said Parcel 3, the east line of said Lot 8, the west line of said Lot 9 and the west line of said Tract I, 6.00 feet to the POINT OF BEGINNING and containing 0.0238 acres of land.



Planning & Community Development

Case Type:Planning and Zoning Case Sub Type: Abandonment

Case #: PZ2024-17

Location: 4595 COLLEGE ST, BEAUMONT, TX, 77707

Individuals listed on the record:

Applicant

Jared Riggenbach 1750 Seamlst Dr., Suite 160 Houston, TX 77008

Property Owner

O'Reilly Auto Enterprises, LLC 233 S. Patterson Springfield, MO 65802 Case Status: REVIEW

Tag Name: Abandonment of Sanitary Sewer

Easement

Initiated On: 1/17/2024 4:34:21PM

Home Phone: 2817949760

Work Phone:

Cell Phone: 2817949760

E-Mail: |riggenbach@baselinesurveyors.net

Home Phone: 417-862-2674

Work Phone: Cell Phone: N/A

E-Mail: dgalloway9@orelllyauto.com

Flood Zones

Construction Type

Primary Occupancy Type

Secondary Occupancy Type

Fire District

Occupancy Load

Code Edition

Sprinkler System

Additional Comment

Notes:

January 17, 2024

Ms. Demi Engman
Planning Manager
Planning & Community Development
City of Beaumont
801 Main Street, Suite 201
Beaumont, Texas 77701

Re: Request for abandonment of Sanitary Sewer Easement

O'Reilly Auto Parts - 4595 College Street

Dear Ms. Engman,

Baseline Corporation (Baseline) is the Surveyor for O'Reilly Auto Enterprises, LLC (O'Reilly). O'Reilly is working on a project to redevelop their property at 4595 College Street. There is a conflict between O'Reilly's proposed building and the existing sanitary sewer/sanitary sewer easement within the O'Reilly property. O'Reilly's Civil Engineer, OWN, Inc. has prepared plans to re-route the sanitary sewer around the proposed building. To my knowledge, those plans have been approved by the City. Baseline has prepared a sanitary sewer easement for the proposed re-routed sanitary sewer. This easement has been submitted to Ms. Antoinette Hardy, Real Property Coordinator for the City. This easement will replace the existing easement within the O'Reilly property.

The purpose of this letter is to formally request the abandonment of the existing sanitary sewer easement within the O'Reilly property. The easement to be abandoned was dedicated by the instrument recorded in Volume 963, Page 84, Deed Records of Jefferson County, Texas. The easement to be abandoned is 6' in width and runs along the south line of Lot 8 of the College Acres subdivision. The easement to be abandoned lies wholly within property owned by O'Reilly. O'Reilly also owns the property south of and abutting the easement to be abandoned.

Baseline has prepared a survey drawing and metes and bounds description of the easement to be abandoned. We are attaching them to our application for reference. We are also attaching the survey of the O'Reilly property. On said survey, the easement to be abandoned is shaded red and Lot 8 of the College Acres subdivision is outlined in blue. Finally, we're attaching to our application a copy of the aforementioned document which dedicated the easement to be abandoned (Volume 963, Page 84).

Please review our application and let me know if you have any questions or require additional information. Thanks in advance for your assistance with this request.

Sincerely,

BASELINE CORPORATION

Jared W. Riggenbach, CST

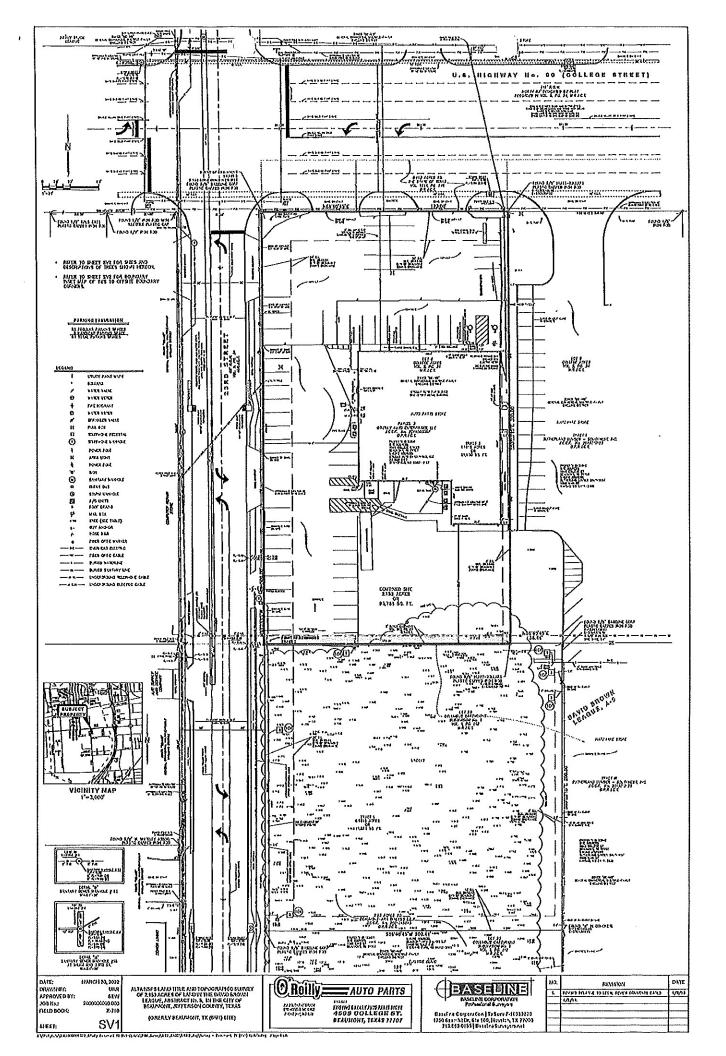
Senior Survey Technician - Project Manager

APPLICATION FOR PUBLIC RIGHT-OF-WAY, ALLEY OR UTILITY EASEMENT ABANDONMENT

Application Ownership List

	Date:	January 1	7, 2024		
We, the undersigned, being the sole owners of all the property					
of a 6' wide sanitary sewer easement recor	ded in Vo	lume 936,	Page 84,		
Deed Records of Jefferson County, Texas		hereby respect	fully petition		
that the right-of-way, alley, or utility easement be closed and	abandoned.				
OWNER and ADDRESS O'Reilly Auto Enterprises, LLC Jim Riggs, Senior Director, Real Estate Development	Lot (tract) 8	<u>Block</u> (tax plat) N/A	<u>Addition</u> (survey) College Acres		
O'Relliy Auto Enterprises, LLC Jim Riggs, Sentor Director, Real Ealate Development	20	N/A	Columbus Cartwrig Subdivision No. 1		
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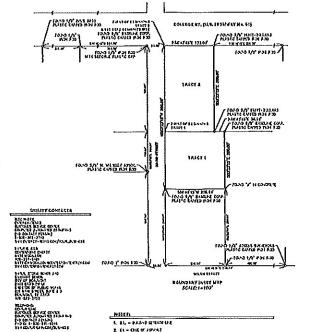
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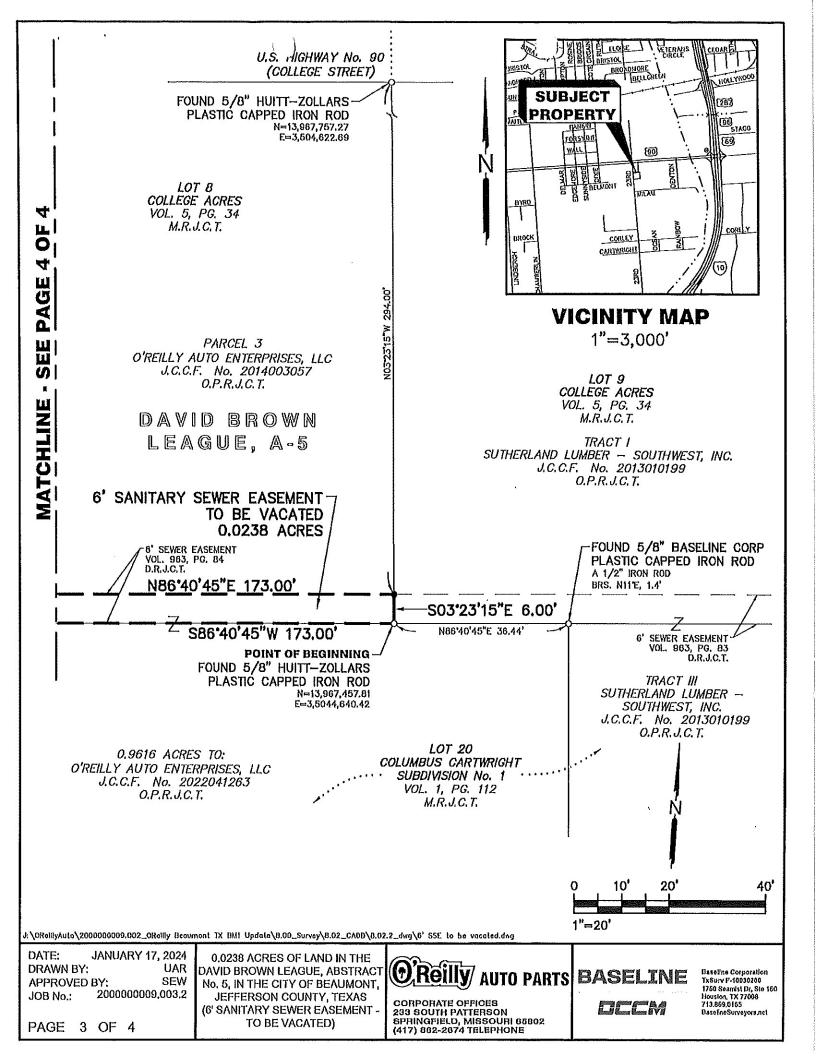
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METES AND BOUNDS DESCRIPTION 0.0238 ACRES OF LAND IN THE DAVID BROWN LEAGUE, ABSTRACT No. 5 IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS (6' SANITARY SEWER EASEMENT – TO BE VACATED)

BEING 0.0238 acres of land in the David Brown League, Abstract No. 5, in the City of Beaumont, Jefferson County, Texas, being a part of that certain tract of land designated as Parcel 3 and described in the deed to O'Reilly Auto Enterprises, LLC recorded in Jefferson County Clerk's File No. 2014003057, Official Public Records of Jefferson County, Texas, being a part of Lot 8 of College Acres, a subdivision recorded in Volume 5, Page 34, Map Records of Jefferson County, Texas, being all of that same 6-foot wide sanitary sewer easement recorded in Volume 963, Page 84, Deed Records of Jefferson County, Texas, said 0.0238 acre tract of land is described by metes and bounds as follows:

BEGINNING at a 5/8 inch "Huitt-Zollars" plastic capped iron rod found on the north line of that certain 0.9616 acre tract of land described in the deed to O'Reilly Auto Enterprises, LLC recorded in Jefferson County Clerk's File No. 2022041263, Official Public Records of Jefferson County, Texas and the north line of Lot 20 of the Columbus Cartwright Subdivision No. 1 recorded in Volume 1, Page 112, Map Records of Jefferson County, Texas, said capped iron rod being the southeast corner of said 6-foot wide sanitary sewer easement, the southeast corner of said Parcel 3, the southeast corner of said Lot 8, the southwest corner of Lot 9, said College Acres, and the southwest corner of that certain tract of land designated as Tract I and described in the deed to Sutherland Lumber – Southwest, Inc. recorded in Jefferson County Clerk's File No. 2013010199, Official Public Records of Jefferson County, Texas, from said capped iron rod a 5/8 inch "Baseline Corp." plastic capped iron rod found for the northeast corner of said 0.9616 acre tract and the northwest corner of that certain tract of land designated as Tract III and described in said deed to Sutherland Lumber – Southwest, Inc. bears North 86 degrees 40 minutes 45 seconds East, 36.44 feet:

THENCE, South 86 degrees 40 minutes 45 seconds West along the south line of said Parcel 3, the south line of said Lot 8, the north line of said 0.9616 acre tract and the north line of said Lot 20, 173.00 feet to a point on the east right-of-way line of 23rd Street (60 feet wide) as dedicated by the plat recorded in Volume 5, Page 34, Map Records of Jefferson County, Texas, said point being the southwest corner of said Parcel 3, the southwest corner of said Lot 8 and the northwest corner of said 0.9616 acre tract, from which a 5/8 inch "Baseline Corp." plastic capped iron rod found for the southwest corner of said 0.9616 acre tract bears South 03 degrees 23 minutes 15 seconds East, 200.00 feet;

THENCE, North 03 degrees 23 minutes 15 seconds West, along the east right-of-way line of said 23rd Street, the west line of said Parcel 3 and the west line of said Lot 8, 6.00 feet to a point from which a 5/8 inch "Baseline Corp." plastic capped iron rod found for the northwest corner of said Parcel 3 bears North 03 degrees 23 minutes 15 seconds West, 294.00 feet

THENCE, North 86 degrees 40 minutes 45 seconds East, 173.00 feet to a point on the east line of said Parcel 3, the east line of said Lot 8, the west line of said Lot 9 and the west line of said Tract I, from which a 5/8 inch "Hultt-Zollars" plastic capped iron rod found for the northeast corner of said Parcel 3 and the northwest corner of said Tract I bears North 03 degrees 23 minutes 15 seconds West, 294.00 feet;

THENCE, South 03 degrees 23 minutes 15 seconds East, along the east line of said Parcel 3, the east line of said Lot 8, the west line of said Lot 9 and the west line of said Tract I, 6.00 feet to the POINT OF BEGINNING and containing 0.0238 acres of land.

The bearings herein were derived from redundant RTK GPS observations and are based on the Texas Coordinate System, South Central Zone (4204), NAD 83 CORS adjustment. The distances herein are surface datum. To convert to grid multiply by a combined project adjustment factor of 0,99994826.

This description was prepared in conjunction with surveys made on the ground in January and February of 2020, March of 2022 and with a survey drawing prepared by Baseline Corporation and bearing the same date as this description (Pages 3 and 4 of 4 herein).

January 17, 2024

By: BASELINE CORPORATION TxSurv F-10030200

Steve E. Williams, RPLS Texas Registration No. 4819 THE STATE OF TEXAS COUNTY OF JEFFERSON

BEFORE ME, the undersigned authority, on this day personally appeared Stewart O'Dell 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 purposes and consideration therein expressed.

A. D. 195 4

GIVEN UNDER MY HAND and soal of office this 14 day

or Santember.

Notary Public in and for Jefferson County, Texas.

Thelma Gevelo Deputy.



Filed for Record <u>An 27</u>, 1955, at <u>9</u> o'clock <u>A</u>. M.,

Fred C. Hill, Gounty Clerk, Defferson County, Texas. By W. C. Boulet,

Deputy. Recorded <u>Jul //</u>, 1955, at <u>2 ff</u> o'clock <u>O</u>. M.

PRED G. HILL, County Clerk,

Jefferson County, Texas.

393830

THE STATE OF TEXAS Y
COUNTY OF JEFFERSON Y

KNOW ALL MEN BY THESE PRESENTS:

THAT AND, I, C. B. Holland

of Jefferson County, Toxas, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to //p/me in hand paid by The City of Beaumont, a municipal corporation dominised in Jefferson County, Texas, receipt of which is hereby acknowledged and confessed, have GRANTED and CON-VEYED, and by these presents do GRANT and CONVEY unto the said The City of Beaumont, its successors and assigns, an easement for sever purposes only, across property ormed by fi/me and situated in Jefferson County, Texas, more particularly described as follows, to-wit:

Being an easement six (6) feet in width off the south line of Lot or Block 8
College Acres Addition to the City of Beaumont, Jefferson County, Texas, the south line of said easement being the south line of said Lot or Block 8

TO MAVE AND TO HOLD the same perpetually unto The City of Beaumont and its successors, together with the right and privilege at any and all times to enter said premises or any part thereof for the purpose of constructing, reconstructing and maintaining said sever and for making connections therevith, all upon the condition that The City of Beaumont will at all times after doing any work in connection with the construction, reconstruction or repair of said sever or any lateral thereof, restore and premises to the condition in which same was found before such work was undertaken, and that in the use of said rights and privileges herein granted The City of Beaumont will not create a nuisance or do anything that will be detrimental to said premises.

and the religion of the contract of the contra
WITHESS of /my hands at Deaumont, Texas, this _5_ day of Legisland for, A. D. 1951. C. B. Holland
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•
THE STATE OF TEXAS : COUNTY OF JEFFERSON :
BEFORE ME, the undersigned authority, on this day personally appearedC. B. HOLLAND
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 purposes and consideration therein expressed.
GIVEN UNDER MY HAND and soal of office this 15 day
or Seplosules, A. D. 1954.
Notary Pholic in and for Jofferson County, Texas.
1 CAC NI

THE STATE OF TEXAS

,393831

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF JEFFERSON

THAT We, /t/

__ W. E. Ward and wife, Wanda Ward'

of Jefferson County, Texas, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to us/pp in hand paid by The City of Beaumont, a municipal corporation domiciled in Jefferson County, Texas, receipt of which is hereby acknowledged and confessed, have GRANTED and CONVEYED, and by these presents do GRANT and CONVEY unto the said The City of Beaumont, its successors and assigns, an easement for sever purposes only, across property owned by us/pp and situated in Jefferson County; Texas, more particularly described as follows, to-wit:

Being an easement six (6) feet in width off the south line of Lot or Block 19 College Acres Addition to the City of Beaumont, Jefferson County, Texas, the south line of said easement being the south line of said Lot or Block 19.

PZ2024-17: Request to abandon a sanl'y sewer easement in Lot 8 of the Colly ? Acres Addition.

Applicant: Jared Riggenbach of Baseline Corporation

Location: Easement located along the southern property line of Lot 8 of the College Acres Addition.

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