



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • OCTOBER 11, 2021

Council Chambers**Regular Meeting****6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Betty Williams	Ward 3	Present	
Christie Page	Ward 4	Present	
Bill Harp	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: Interim City Manager David Orr, Vicky Coopwood, Jennifer Evans, Karey Parker, Kristin Peeples, Vashil Fernandez, J. W. Bramlett, Lisa Thompson, Kevin Schutte, Mashell Daniel, Eric Schlotter, Robby Robertson and Dustin Henslee.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER MARY HART

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 25, 2021 at 6:00 p.m.

Monday, November 8, 2021 at 6:00 p.m. (REMINDER: Only one November meeting.)

Upcoming City Events:

Save the Date: Ribbon Cutting for the Courthouse Square Connections Project at the U.S. Post Office and Federal Courthouse will take place Friday, October 29th at 11:30 a.m. Local high school bands, food trucks and more will be on hand to celebrate the new improvements.

The Tough Kookie Foundation Breast Cancer Race will take place at Texas A&M-Texarkana, 7101 University Avenue, on October 16th. The race will start at 7:00 a.m. Participants can sign-up online at ToughKookie.org.

Parks & Recreation Events:

October 14 th	Movies in the Park - "Tom and Jerry"	Spring Lake Park
October 16 th	Alzheimer's Awareness Walk	Spring Lake Park
October 21 st	Fall Festival	Spring Lake Park
October 21 st	Movies in the Park - "Cruella"	Spring Lake Park
October 23 rd	Yard Sale / Electronics Recycle	Spring Lake Park

****Movies in the Park will start at dusk****

Additional Parks & Recreation information can be found on the city's website at <http://www.ci.texarkana.tx.us> or by contacting staff at (903) 798-3978.

IV. SPECIAL PRESENTATIONS

2021 Live United Bowl - by Jerry Huckabee

Mr. Huckabee said the 9th Annual Live United Bowl will be held on Saturday, December 4th. Farmer's Bank and Trust is replacing Dean Barry as the title sponsor of the event. Two additional feature events are the team banquet and community pep rally. Both events will be held on the Friday night before the game at the Texarkana Convention Center. He thanked the City for its partnership in supporting this event.

Future Leaders Exchange (FLEX) Students

Celia Moreno Gonzalez is from Seville, Spain and attends Texas High. Celia applied to be an exchange student because she wants to experience and adapt to a different way of living, improve her English and become more independent. At Texas High, she has joined Rosebuds, Latin Club, Student Council and the swim team. (Hosts: Doug and Christina Dietz)

Khuslen Ganbat is from Mongolia and attends Texas High. He wants to learn about American history, culture and ethics. He speaks excellent English. Khuslen wanted to play volleyball but Texas High doesn't have a men's team. He decided to try cross country. (Hosts: Ed and Loretta Williams)

The Mayor presented each student with a city lapel pin and thanked them for their attendance.

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

A. E Jernigan is the pastor of Mount Zion Baptist Church located at Robison Road and Lake Drive. This church is the oldest black church in Texarkana, founded in 1873. The congregation recently celebrated its 148th birthday and the Mayor attended. Pastor

Jernigan gave lapel pins to the Mayor and City Council and thanked them for their support.

Josh Morris expressed support to appoint David Orr as the next City Manager.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Council Member Harp made the following recommendation to the Permit and License Appeal Board: Steven Kelley, Kristi Dunn, Brian Barry, Dana Iona, Kimberly Perry, Adriana McEntire (alternate), Iran Pitre (alternate).

Mayor Bruggeman recommended J. W. Bramlett to the Library Commission as an ex-officio member filling the expired term of Ann Burke.

(6:23 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Davis, Ward 6
SECONDER:	Christie Page, Ward 4
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:34 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betty Williams, Ward 3
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 27, 2021 at 6:00 PM.

Action Items - None

VIII. FIRST BRIEFINGS - NONE

IX. PUBLIC HEARINGS

1. Ordinance No. 2021-087 closing and abandoning a section of a forty-foot (40') street right-of-way and retaining a utility easement in its place, in the Classic Auto Park East Addition and the George Brinlee HRS, A-18, located in the 900 block of Franklin Street.

Public Hearing: October 11, 2021
Council Vote: October 11, 2021

There were no public comments made at this hearing.
(6:37 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christie Page, Ward 4
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

2. Ordinance No. 2021-088 rezoning a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182, located at 1801 Waterall Street. Single Family-2 to Neighborhood Service. Knights of Columbus, owner, Kevin DuPree, agent.

Public Hearing: October 11, 2021
Council Vote: October 11, 2021

There were no public comments made at this hearing.
(6:38 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

X. ITEMS FOR DISCUSSION

Interim City Manager's Report

I-30 Construction Update from TXDOT

The project is in Phase 1B with the primary work area in the median to construct concrete pavement. There continues to be temporary lane closures primarily at night between 8:00 p.m. and 6:00 a.m. There are temporary lane closures on the weekends related to crash investigations. TxDOT and the City encourage the public to use caution in the construction areas and ask motorists to check traffic updates by visiting www.drivetexas.org <<https://protect-us.mimecast.com/s/B2WtCM8gKxFqQB78tkD5t8?domain=drivetexas.org>> .

The following is a link to the I-30 Widening Project (the project currently under construction) Public Information page: <https://www.txdot.gov/inside->

txdot/projects/studies/atlanta/i-30-widening-project-4-lane-to-6-lane.html
<https://protect-us.mimecast.com/s/qcMxCR6nKDcvJO34FVaMCJ?domain=lnks.gd>

Ribbon Cutting for the Courthouse Square Connections Project

This event will take place at the U.S. Post Office and Federal Courthouse on Friday, October 29th at 11:30 a.m. All local schools are invited for the ribbon-cutting. There will be a few remarks and a photo opportunity at 11:30 a.m. followed by food trucks, outdoor games and fun.

Food Truck Fridays at the Federal Courthouse & Post Office

Lunch will be available every Friday throughout the month of October from 11:00 a.m. to 1:00 p.m.

Leadership Texarkana Fall Party at the Texarkana Convention Center

Leadership Texarkana's annual Fall Party - celebrating generous Partners and Members - will be held after hours Tuesday, October 12th. The event will include the opportunity to welcome members of the newest and largest Leadership Texarkana Class (50 total this year) and offer lots of festivity, live music, food, friends, and fun. The event will kick off at 5:00 p.m. with brief remarks. The City is the signature sponsor for this annual event.

Perot Theatre Open House & Toast

Tours of the newly enhanced theatre along with hors d'oeuvres will be served on Tuesday, October 12th from 5:30 p.m. to 7:00 p.m. The City and Texarkana Symphony Orchestra will cohost this event.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Council Member Harp reminded the Mayor and Council Members that Leadership Texarkana will be hosting its local government, law and court session on December 14th. A breakfast for city elected officials will be held before the meeting. Breakfast starts at 8:00 a.m.

2. City Staff

Staff had no administrative comments for Council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters) to discuss or deliberate the appointment of David W. Orr, Ph.D., as City Manager, and to discuss or deliberate a City Manager Contract.

XIII. RECONVENED INTO OPEN SESSION

Council Member Harp recommended the appointment of David Orr as City Manager and asked the City Attorney and Mayor Bruggeman to work on an ordinance and contract to be considered at the next council meeting.

(7:36 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.

(7:37 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Davis, Ward 6
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman



Vicky Coopwood
Asst. City Secretary



Bob Bruggeman
Mayor



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • SEPTEMBER 27, 2021

Council Chambers**Regular Meeting****6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Betty Williams	Ward 3	Present	
Christie Page	Ward 4	Present	
Bill Harp	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: Interim City Manager David Orr, Vicky Coopwood, Jennifer Evans, Kristin Peeples, Eric Schlotter, Karey Parker, Vashil Fernandez, Sherry Jackson Hawkins, Jonathan Wade, Doug Avery, J. W. Bramlett, Garrett Baker, Lisa Thompson, Mashell Daniel, Kevin Schutte and Dustin Henslee.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JAY DAVIS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 11, 2021 at 6:00 p.m.

Monday, October 25, 2021 at 6:00 p.m.

Parks & Recreation Events:

October 9 th	The Down Syndrome Awareness Walk	Spring Lake Park
October 10 th	Tough Kookie Dow Show	Spring Lake Park
October 14 th	Movies in the Park - "Tom and Jerry"	Spring Lake Park
October 16 th	Alzheimer's Awareness Walk	Spring Lake Park

Minutes Acceptance: Minutes of Sep 27, 2021 6:00 PM (Consent Items)

****Movies will start at dusk****

Additional Parks & Recreation information can be found on the city's website at <http://www.ci.texarkana.tx.us> or by contacting staff at (903) 798-3978.

A new COVID-19 therapeutic infusion center was opened in Nash, Texas. The center is designed to treat COVID positive individuals in hopes of avoiding hospitalization.

It will be open seven days a week from 8:30 a.m. to 4:30 p.m. and there are no residency requirements.

The Mayor thanked several City staff along with local partners instrumental in bringing this facility to Bowie county.

IV. SPECIAL PRESENTATION - BY RIK ADAMSKI, ASH + LIME GROUP

COVID Rebound Study for small businesses. (Virtual)

Rik Adamski gave a virtual presentation regarding how to help small business owners recover from the COVID-19 epidemic. The targeted corridor was New Boston Road but the approach can be used in any location.

Vashil Fernandez provided Council a resource guide that explains programs currently available for small business COVID relief.

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

There were no public comments made at Open Forum.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

There were no appointments or re-appointments made to any board, commission or committee by the Council.

VII. ITEMS FOR CONSIDERATION***Consent Items***

(6:18 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christie Page, Ward 4
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 13, 2021 at 6:00 PM.
2. Resolution No. 2021-086 authorizing the Interim City Manager to execute a 5-year lease agreement with FTC Texas of Texarkana, Texas, a member of the Texas Department of Information Resources, in an amount not to exceed \$246,600, with funds available in each department's budget, to supply new and updated Canon copiers and services.

Public Hearing:

Council Vote: September 27, 2021

Action Items

3. Resolution No. 2021-081 authorizing a Public Safety System Contract with Motorola Solutions, through an Interlocal Agreement with Houston-Galveston Area Council, for the purchase and installation of Computer Aided Dispatch and Records System and Services Agreement in an amount not to exceed \$600,000.

Public Hearing:

Council Vote: September 27, 2021

Doug Avery, from the Bi-State Justice Center's Central Records and Communications department, briefed this agenda item.

(6:29 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betty Williams, Ward 3
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

4. Resolution No. 2021-089 approving a settlement agreement with AEP/SWEPCO for a \$39,712.98 settlement payment to the City for street lighting services for the time period between August 18, 2014, and November 25, 2019, and authorizing the Interim City Manager to sign and execute the settlement agreement.

Public Hearing:

Council Vote: September 27, 2021

Interim City Manager Orr briefed this agenda item.
(6:31 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Hart, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

VIII. FIRST BRIEFINGS

1. Ordinance No. 2021-087 closing and abandoning a section of a forty-foot (40') street right-of-way and retaining a utility easement in its place, in the Classic Auto Park East Addition and the George Brinlee HRS, A-18, located in the 900 block of Franklin Street.

Public Hearing: October 11, 2021
Council Vote: October 11, 2021

Jonathan Wade briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 10/11/2021 6:00 PM
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2. Ordinance No. 2021-088 rezoning a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182, located at 1801 Waterall Street. Single Family-2 to Neighborhood Service. Knights of Columbus, owner, Kevin DuPree, agent.

Public Hearing: October 11, 2021
Council Vote: October 11, 2021

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 10/11/2021 6:00 PM
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IX. PUBLIC HEARINGS

1. Ordinance No. 2021-082 updating the City's drainage design manual and amending Chapters 120, 130 and 135 of the Code of Ordinances.

Public Hearing: September 27, 2021
Council Vote: September 27, 2021

There were no public comments made at this hearing.
(6:37 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Davis, Ward 6
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

X. ITEMS FOR DISCUSSION

Interim City Manager's Report

Mary Philips Withdraw Letter

Mary Philips submitted a letter to withdraw as a candidate for Ward 2. The deadline to remove names from the election ballot has passed, so her name will still appear on the ballot. A copy of the withdrawal letter has been posted on the City's website. For additional information please contact Jennifer Evans at 903.798.3930. or j.evans@txkusa.org

Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

The City has been recognized for a sixth consecutive year for the Government Finance Officers Association (GFOA) Budget Presentation award for fiscal year 2021 that was delayed due to the cyber-attack. The award is based on the examination of the budget by a panel of independent reviewers and it is the highest form of recognition in governmental budgeting. Congratulations to Kristin and her team for this outstanding accomplishment.

Lake Wright Patman Ultimate Rule Curve and Environmental/Cultural Resources Study

City and Riverbend staff continue to hold weekly calls with the U.S. Army Corp of Engineers (USACE) on the federally required environmental studies. There is much more discussion about the cultural resources study and how to proceed. Costs for the study came back much higher than the original \$2.1 million that was anticipated. City and Riverbend staff are hopeful that the additional costs will be quantified soon so the project can continue to move forward.

State Line Corridor Virtual Survey

There was a good turn-out at Community Meeting #2. The consultants have a short survey at the link below that will help tremendously in finalizing recommendations. Questions or comments for the design team are welcomed at statelinecorridor@gmail.com <<mailto:statelinecorridor@gmail.com>>.

Virtual Survey Link Here www.statelinecorridor.com <<https://protect-us.mimecast.com/s/7mRNCgJKDNFARGoZCoehkG?domain=statelinecorridor.com>>

XI. ADMINISTRATIVE COMMENTS

1. City Council
Council had no administrative comments for staff.
2. City Staff
Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.074 (Personnel Matters) to discuss or deliberate the Interim City Manager's contract, evaluation, duties, and goals (scheduled performance review per May 2021 Interim City Manager Contract).

NOTE: The Council did not take any action after closed session other than reconvening in open session and adjourning the meeting.

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:29 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betty Williams, Ward 3
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

City of Texarkana, Texas

Version: A

Update Date: 9/24/2021 12:05 PM

Briefing Sheet

Lead Department: Public Works Department **Action Officer:** Jonathan Wade,
Ordinance No. 2021-087 closing and abandoning a section of a forty-foot (40') street right-of-way and retaining a utility easement in its place, in the Classic Auto Park East Addition and the George Brinlee HRS, A-18, located in the 900 block of Franklin Street.

Subject: block of Franklin Street.

Briefing: 10/11/2021 **Public Hearing:** 10/11/2021 **Council Vote:** 10/11/2021

Item Schedule

Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:**Executive Summary and Background Information:**

The City received a request from Mrs. Kayla Wood and Gregg Orr for the abandonment of a section of 40' Street Right of Way for Franklin Street. This section is in the Classic Auto Park East Subdivision just north of Oakhill Drive and South of Mall Drive. All associated lots adjacent to the abandonment area are owned by Gregg Orr.

If this street section is abandoned, then by policy the right-of-way will be delivered to Gregg Orr.

The City sent out a memorandum to City Departments and Utility representatives. The City has no plans for ever using this right of way for future street purposes. Utility responses have requested we maintain utility easement throughout the entirety of the area to be abandoned and there are no issues with closing and abandoning this right of way. Attached in the packet is the memorandum and responses.

Potential Options:

- Approve closure and abandonment
- Not approve closure and abandonment

Fiscal Implications:

No fiscal implications

Staff Recommendation:

Staff recommends approval and retaining utility easement

Advisory Board/Committee Review:

NONE

City of Texarkana, Texas

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:**Attachments**

- a. 2021-087 ORD ROW Abandonment for Franklin Street (DOCX)
- b. 2021-087 EXH 'A' - Property Description (PDF)
- c. 2021-087 ATTH 01 Memo To City Staff and Utility Companies (PDF)
- d. 2021-087 ATTH 02 Staff and Utility Comments and Approvals (PDF)
- e. Goals and Perspectives (DOCX)
- f. 2021-087 ORD ROW abandonment Franklin St. Signed (PDF)

Staff Coordination

Public Works Department	Vicky Coopwood	Review	Skipped
09/27/2021 6:07 PM			
Public Works Department	Vicky Coopwood	Department Head Review	
Skipped	09/27/2021 6:07 PM		
Fire Department	Vicky Coopwood	Review	Skipped 09/27/2021
6:07 PM			
Police	Vicky Coopwood	Review	Skipped 09/27/2021
6:07 PM			
City Manager	Vicky Coopwood	City Manager Review	Skipped 09/27/2021
6:07 PM			
City Council	Vicky Coopwood	Meeting	Completed 09/27/2021
6:00 PM			

Meeting History

09/27/21 City Council MOVED FORWARD Next: 10/11/21

ORDINANCE NO. 2021-087

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A FORTY-FOOT (40') STREET RIGHT-OF-WAY LOCATED IN THE 900 BLOCK OF FRANKLIN STREET NORTH OF OAKHILL ROAD AND SOUTH OF MALL DRIVE, LOCATED IN THE GEORGE BRINLEE HEADRIGHT SURVEY, ABSTRACT 18, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting that the City close and abandon a forty-foot (40') street right-of-way of Franklin Street located in the 900 block of Franklin Street, north of Oakhill Road, and south of Mall Drive located in the George Brinlee Headright Survey Abstract 18 in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit 'A'**; and

WHEREAS, the City has notified all adjacent landowners, interested utilities, and city departments requesting their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interest of the City to close and abandon the forty-foot (40') street right-of-way of Franklin Street located in the 900 block of Franklin Street, north of Oakhill Road and south of Mall Drive as shown on the attached property description and incorporated herein as **Exhibit 'A'**; and

WHEREAS, a utility easement will be retained throughout the entirety of the abandoned forty-foot (40') street right-of-way; and

WHEREAS, the ownership of the forty-foot (40') of right-of-way, as shown on **Exhibit "A"**, will be transferred to the owners of Gregg Orr Auto

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

SECTION 1: The forty-foot (40') street right-of-way located in the 900 block of Franklin Street, north of Oakhill Road and south of Mall Drive, located in the George Brinlee Headright Survey, Abstract 18 in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Street Abandonment Request (**ATTH 01**) hereto and incorporated herein as **Exhibit "A"**, be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: The above described property is hereby declared surplus and abandoned and the responsibility of the City to maintain said property is hereby terminated.

SECTION 3: In case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of October, 2021.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Property Description
0.110 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being all of that tract of land shown as right-of-way dedication as shown on Classic Auto Park East Subdivision, according to the plat recorded in Document No. 2019-00013249, and filed in Plat Cabinet D, Sleeve 73 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

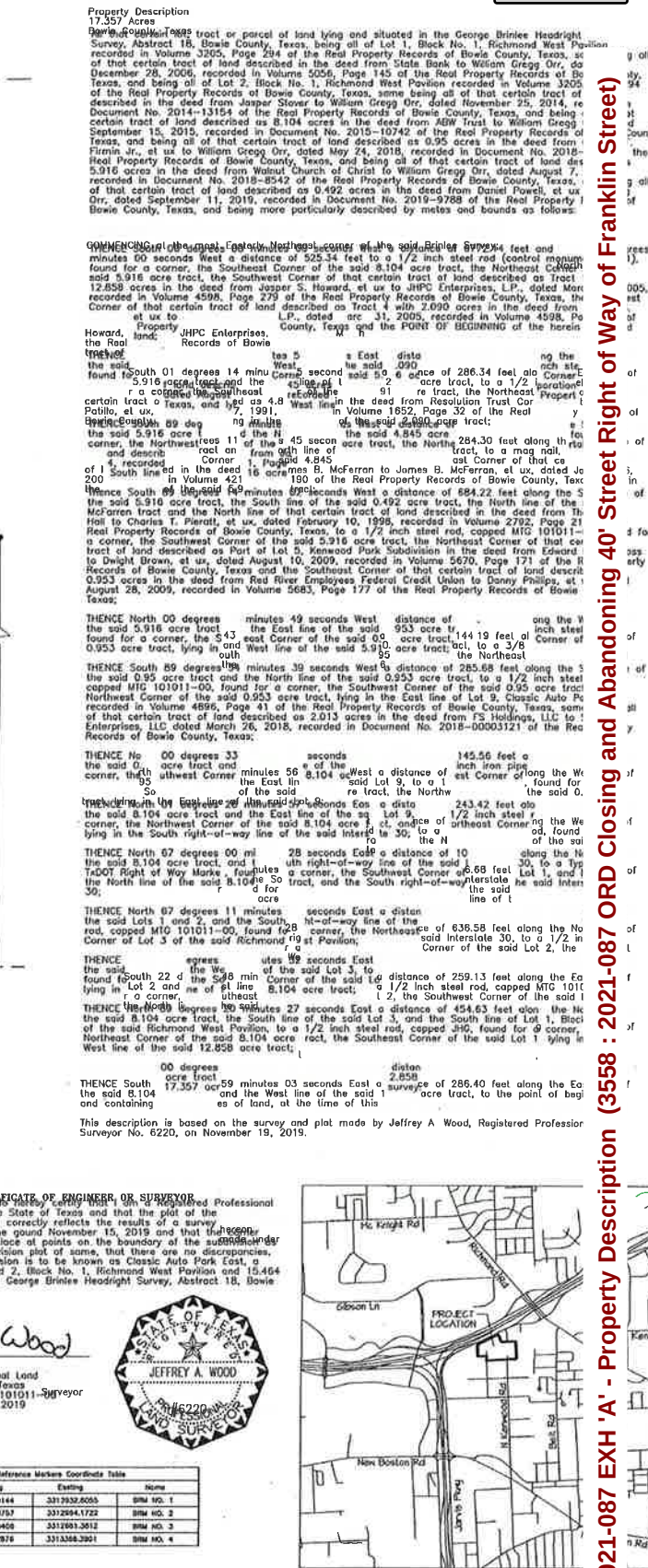
BEGINNING at a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the most Southerly Southwest corner of Lot 4, Block 1 of the said Classic Auto Park East, lying in the North line of the North line of that certain tract of land described in the deed from Theresa Hall to Charles T. Pieratt, et ux, dated February 10, 1998, recorded in Volume 2792, Page 217 of the Real Property Records of Bowie County, Texas;

THENCE South 89 degrees 17 minutes 56 seconds West a distance of 37.35 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the Southeast corner of that certain tract of land described as 0.953 acres in the deed from Michelle Phillips to William Gregg Orr, dated June 24, 2020, recorded in Document No. 2020-00006227 of the Real Property Records of Bowie County, Texas;

THENCE North 00 degrees 43 minutes 49 seconds West a distance of 144.19 feet along the West line of the said 0.953 acre tract to a 3/8 inch steel rod found for a corner, the Northeast corner of the said 0.953 acre tract, lying in the South line of the said Lot 4;

THENCE North 89 degrees 34 minutes 39 seconds East a distance of 29.27 feet along the South line of the said Lot 4 to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, at an angle point;

THENCE South 03 degrees 56 minutes 38 seconds East a distance of 144.28 feet along the West line of the said Lot 4 to the point of beginning and containing 0.110 acres of land.



CERTIFICATE OF DEDICATION BY OWNERS

I, William Gregg Orr, being the Owner of a tract of land as shown on the attached map or plat have caused the same to be surveyed, platted and subdivided as shown, and which subdivision shall hereafter be known as Classic Auto Park East, a Report of Lots 1 and 2, Block No. 1, Richmond West Addition and 13.464 acres of part of the George Brinker Healdright Survey, Abstract 180, Bowie County, Texas, and by these presents, I, as hereby dedicate to the public in fee simple, the streets, as shown on this plat, and by this instrument, I in hereby dedicate the easements shown on this plat for utility purposes.

Wm. Gregg Orr
By: William Gregg Orr

We, undersigned, do hereby certify the approval of the Planning Commission, Lots 1 and 2, Block No. 1, Richmond West Addition and 12464 acres in part of the George Brinjes Headright Survey, Abstract 18, Bowie County, Texas & Burn Headright Survey, Abstract 141, Bowie County, Texas, together with the Owner's Certificate and Surveyor's Certificate of same as presented to the Planning Commission of the City of Texarkana, Texas, for its approval, and that said plot, Owner's Certificate, and Surveyor's Certificate being found to conform to the requirements in all respects, are in all things on this _____ day of _____, A.D. 19019.

approved

Planning Commission Approval
Expires on 1-3-01

Chairman

Secretary

Survey Reference markers Coordinate table				
Heading	Existing	Station	Area	Description
7240211-0201	3313187.2353	Sta. HD. 1	1/2	STEEL ROD
7240480-8276	3313018.8123		1/2	STEEL ROD
7240188-0215	3313167.3558	Sta. HD. 2	1/2	STEEL ROD

[illegible]



CITY OF
TEXARKANA
Public Works Department TEXAS

2021-087 ATTH 01

9.1.c

919 Elm Street
Texarkana, TX 75501
Phone: (903) 798-3948
Fax: (903) 792-6419

September 14th, 2021

City Departments and Utility Representatives

Re: Proposed Street Abandonment

The City of Texarkana, Texas has received a letter from Kayla Wood requesting the abandonment of an approximately 4800 SF section of Franklin Street originally dedicated to Classic East Subdivision.

Please refer to the attachments and provide any comments to me by September 28th, 2021 if you are in favor of abandonment and if your office will need an easement for any existing utilities.

Your prompt response is appreciated. If you have any questions, please contact me at my office or through email.

Sincerely,

Jonathan Wade, EIT, CFM

Associate City Engineer

Office: (903) 798-3251

Cell: (903) 908-2725

Jonathan.wade@txkusa.org



CITY OF

TEXARKANA
TEXAS

2021-087 ATTH 01

9.1.c

P.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

Application for Public R.O.W. Abandonment

Type:☒ Street ☐ Alley ☐ OtherPurpose of Abandonment: To eliminate public access through developmentApplicant/Agent Information:Name: Kayla WoodAddress: 5930 Summerhill Road, Texarkana, TX 75503Phone: () 903-838-8533 Fax: () 903-832-4700 Work E-mail: kwood@mtgengineers.comRequired Documents needed to proceed with review:

- ☒ Letter requesting abandonment
- ☒ Electronic Copy of plat/deed/plot plan showing requested abandonment
- ☒ Letter/Petition from all adjacent property owners agreeing to abandonment

Required Documents needed prior to City Council Meeting:

- ☐ Abandonment release form signed by owner/applicant
- ☐ Abandonment release form signed by adjacent land owners
- ☒ Legal Exhibit and Property Description of property being abandoned
- ☒ Application Fee

Note: Partial abandonment requests will not be accepted.

Kayla Wood

Applicant's Printed Name

Kayla R. Wood

Applicant's Signature

8-24-21

Date

Application Fee: \$750

Received by: _____

Application Fee Paid: _____

Receipt No.: _____

Attachment: 2021-087 ATTH 01 Memo To City Staff and Utility Companies (3558 : 2021-087 ORD Closing and Abandoning 40' Street Right of

August 24, 2021

Dusty Henslee, Public Works Director
City of Texarkana
220 Texas Boulevard
Texarkana, TX 75503

Re: *Franklin Street Right-of-Way*

Dear Dusty,

Gregg Orr Auto would like to abandon the right-of-way of Franklin Street that was originally dedicated Classic East Subdivision in 2019.

Gregg Orr Auto owns both sides of the development and no longer wishes to have a city-maintained street inside its development perimeter. Instead, a gated fence to eliminate through access to Franklin would be provided for emergency egress and ingress.

The only other user of this street is the Verizon Tower who leases from Gregg Orr Auto. An access easement was provided in their original lease agreement that will still stand and be shown on further plats. Additionally, Verizon will have access to the gate at all times.

We understand that utility easements might still be required in this right-of-way location and understand that those utilities will need proper access at all times.

Please use this letter as the owner's request to abandon Franklin Right-of-Way on Classic Auto East Plat.

Sincerely,



Gregg Orr



August 13, 2021

Dusty Henslee, Public Works Director
City of Texarkana
220 Texas Boulevard
Texarkana, TX 75503

Re: Franklin Street Right-of-Way

Dear Dusty,

It is our understanding that Gregg Orr would like to abandon the right-of-way of Franklin Street that was originally dedicated on the attached plat in 2019.

Verizon has a 50'x50' lease agreement with an access easement agreement that provides access to the edge of the subdivision and to the dedicated Franklin Street Right-of-Way.

If this access easement is not impinged and is still shown on the plat as per our original agreement, Verizon will agree to the right-of-way abandonment as requested.

Please use this letter as our agreement and consent to abandon Franklin Right-of-Way on Classic Auto East Plat.

Sincerely,

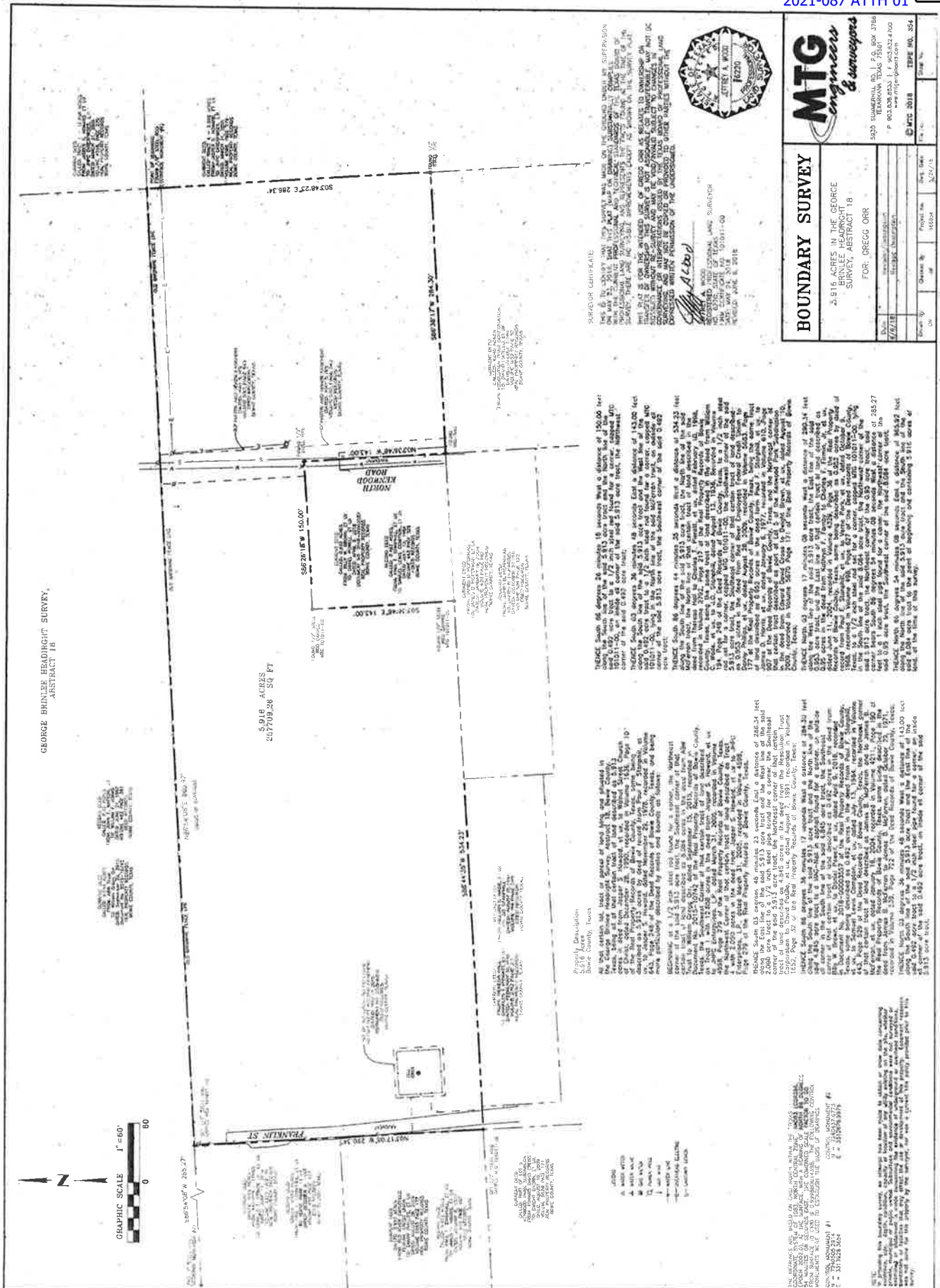

Lucas Conder (Aug 23, 2021 17:56 CDT)

Sr. Real Estate Manager, Network

23/08/2021

Date







CITY OF
TEXARKANA
Public Works Department TEXAS

2021-087 ATTH 02

9.1.d

919 Elm Street
Texarkana, TX 75501
Phone (903) 798-3941
Fax (903) 792-6419

Date: September 16, 2021

To: File

From: Jonathan Wade, EIT, CFM, Associate City Engineer

Re: ROW Abandonment of 40' Street Right of Way of Franklin Street Originally Dedicated To Classic East Subdivision

Comments are as follows:

1. TWU – 40' wide easement requested within abandonment area
2. Fire – No comments
3. Centerpoint – No comments
4. Police – No comments
5. Public Works – No issues
6. Windstream Communications – No comments
7. Electric:
 - AEP/SWEPCO – 20' wide easement requested within abandonment area
 - REA – No comments
 - Bowie Cass – No Comments
8. Sparklight – No comments

Staff recommends for the approval of the abandonment of the right-of-way and retainment of utility easements.



Texarkana Water Utilities

801 Wood Street, P.O. Box 2008, Texarkana, Texas
75504

(903) 798-3800 Phone
711 TTY
(903) 791-0724 Fax

MEMORANDUM

To: Jonathan Wade, EIT, CFM, Associate City Engineer, City of Texarkana, Texas

From: Gary L. Smith, P.E., Interim Executive Director, TWU

Date: September 14, 2021

Re: **Franklin Street Right-of-way Abandonment – 4,800’ SF section of Franklin Street originally dedicated to Classic East Subdivision**

The Utility staff has reviewed the above referenced request for a right-of-way abandonment and has the following comments:

1. There is an existing six-inch (6”) water main and an existing six-inch (6”) sanitary sewer main in the street right-of-way.
2. The Utility does not oppose the abandonment of the right-of-way if a utility easement is retained over the width of the existing street right-of-way.
3. The size and location of the existing water and sewer mains have not been field verified. The developer’s representative shall field verify the size and location of the existing utilities before any construction.

If you should have any questions or require further information, please do not hesitate to contact me. Thank you.

cc: Kenny Icenhower, P.E., Design Engineer, TWU
Bill Moss, GIS Technician, TWU

TEX-Wade, Jonathan

From: TWU-Smith, Gary
Sent: Tuesday, September 14, 2021 4:22 PM
To: TEX-Wade, Jonathan; TWU-Akard, Teresa; TWU-Icenhower, Kenny; TWU-Moss, Bill; TWU-White, Pamela
Subject: FW: Proposed Franklin St Abandonment
Attachments: Franklin St ROW Abandonment.pdf; MEMO Franklin St ROW Abandonment.pdf; Franklin St ROW Abandonment.doc

Jonathan,

Attached is our review. Thanks

Gary

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Tuesday, September 14, 2021 8:12 AM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; diane.engelkes@centerpointenergy.com; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Smith, Gary <gsmith@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtolllett@swrea.com) <jtolllett@swrea.com>; David Plunk <dplunk@swrea.com>; Miller, William Jarrod <WJMiller@wm.com>
Subject: Proposed Franklin St Abandonment

All,

The City has received a request to abandon a portion of Franklin St originally dedicated to Classic East Subdivision. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
 Associate City Engineer
 City of Texarkana, Texas
 Office: (903) 798-3251
 Cell: (903) 908-2725
 Email: Jonathan.Wade@txkusa.org

TEX-Wade, Jonathan

From: Zac Pianalto <zspianalto@aep.com>
Sent: Tuesday, September 14, 2021 12:09 PM
To: TEX-Wade, Jonathan; Kayla Wood
Cc: Dusty Wiley
Subject: RE: Proposed Franklin St Abandonment
Attachments: Orr Marine CTR Recorded Easement.pdf; Orr 20ft addition.pdf

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jonathan,

SWEPCO is in favor of the closing the street as long as we can maintain access to the power lines on the property. SWEPCO requires a 20' wide easement in the area where the Franklin street will be abandon. We have an existing 10'X10' Easement where a pole was recently add to serve the Corporate Meeting Building in Spring of 2020.

Thank you,
 Zac



ZAC PIANALTO | ENGINEER

ZSPIANALTO@AEP.COM | D:903.223.5731 | C:903.826.5027
 3708 W 7TH ST, TEXARKANA, TX 75501-6324

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Tuesday, September 14, 2021 8:12 AM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; diane.engelkes@centerpointenergy.com; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Smith, Gary <gsmith@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtolllett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>; Miller, William Jarrod <WJMiller@wm.com>
Subject: [EXTERNAL] Proposed Franklin St Abandonment

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to incidents@aep.com from a mobile device.

All,

The City has received a request to abandon a portion of Franklin St originally dedicated to Classic East Subdivision. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
 Associate City Engineer

City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

2020-00004478

EASE

Total Pages: 7

T20-025
TX200667**RIGHT OF WAY AND EASEMENT****STATE OF TEXAS****COUNTY OF BOWIE**

GRANTOR William Gregg Orr, 4333 Mall Dr, Texarkana, Bowie County, TX 75503 in consideration of one dollar, paid, and other good and valuable considerations, receipt of which is acknowledged, have and by these presents do grant and convey unto GRANTEE, Southwestern Electric Power Company (hereinafter referred to as "Grantee") a Delaware corporation, whose address is 428 Travis Street, P.O. Box 21106, Shreveport, LA 71156, its associated and allied companies and their respective successors and assigns, herein referred to as GRANTEE, a perpetual right of way and easement 10 feet in width and 30 feet in width over and through a part of the following described property:

All that certain tract or parcel of land situated in the George Brinlee Headright Survey, Abstract No. 18, Bowie County, Texas being more particularly described in a Warranty Deed dated 5/24/2018 from Charles F. Firmin and Judie Firmin to William Gregg Orr and recorded as Instrument#2018-00005503 in the Deed Records of Bowie County, Texas.

Said right of way and easement is described in Exhibit "A" attached hereto and made a part hereof.

With the right to construct, reconstruct, repair, replace, change the size and capacity of, modify, operate, maintain, inspect, remove, a line or lines of underground and/or overhead facilities, including, but not limited to, poles, structures, wires, cables, conduits, guys, anchors, and other fixtures and equipment as the GRANTEE may from time to time require for the distribution of electric current, and other forms of energy, and for the transmission or communication of data, audio and video information. Together with the right of ingress and egress to said right of way and easement at all times with equipment and personnel across GRANTOR'S lands for the purpose of constructing, operating and maintaining said lines and related facilities and making all necessary repairs, alterations or removal of any of its property placed thereon, provided that GRANTEE shall repair, replace, or pay for actual damages which may be the result of construction, maintenance and operation of its facilities. GRANTOR shall not construct nor permit to be constructed, any structure or building of any type or nature, including swimming pools, on or adjacent to said easement right of way that would prevent the use or endanger the said facilities or that would cause a violation of the National Electric Safety Code. In addition, the GRANTEE may trim, treat, cut down, or remove any trees, growth and vegetation without incurring damages (within the right of way or which could grow into the right of way) which may interfere with GRANTEE'S lines and other facilities.

To have and hold the above described easement and rights unto the GRANTEE, its successors and assigns, forever or until said right of way and easement is finally abandoned.

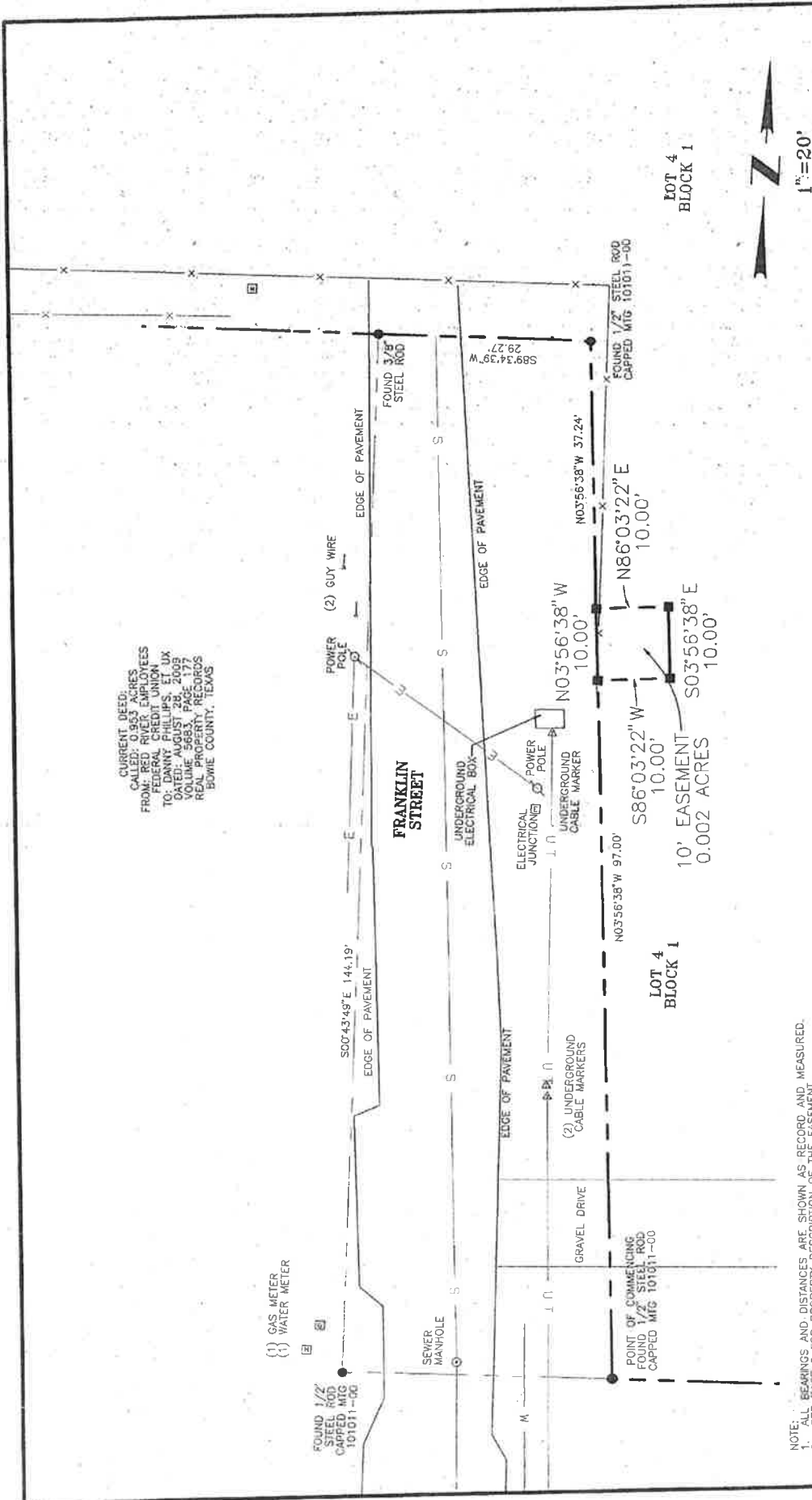
SIGNED AND DATED, this 13th day of May, 2020

WITNESS:




William Gregg Orr

Work Order No. DST0105692



NOTE: 1. ALL BEARINGS AND DISTANCES ARE SHOWN AS RECORD AND MEASURED.
2. SEE PAGE 2 FOR PROPERTY DESCRIPTION OF THE EASEMENT.

SURVEYOR CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON OR ABOUT _____, THAT THIS PLAN (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE BEING NO SURVEYING IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAN.

THIS PLAN IS FOR THE INTENDED USE OF SWPCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR SUBJECT TO CHANGE IN GOVERNANCE OR WITHOUT BEING SURVEYED AND MAY BE USED BY THE BOARD OF PROFESSIONAL LAND SURVEYING AND MAPPING FOR THE PURPOSE OF PROVIDING TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

PRINTED IN THE UNDERSIGN:

Henry Wood

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011-00
DATE: MAY 11, 2020



10' UTILITY EASEMENT

LOT 4, BLOCK 1
CLASSIC AUTO PARK EAST
BOWIE COUNTY, TEXAS

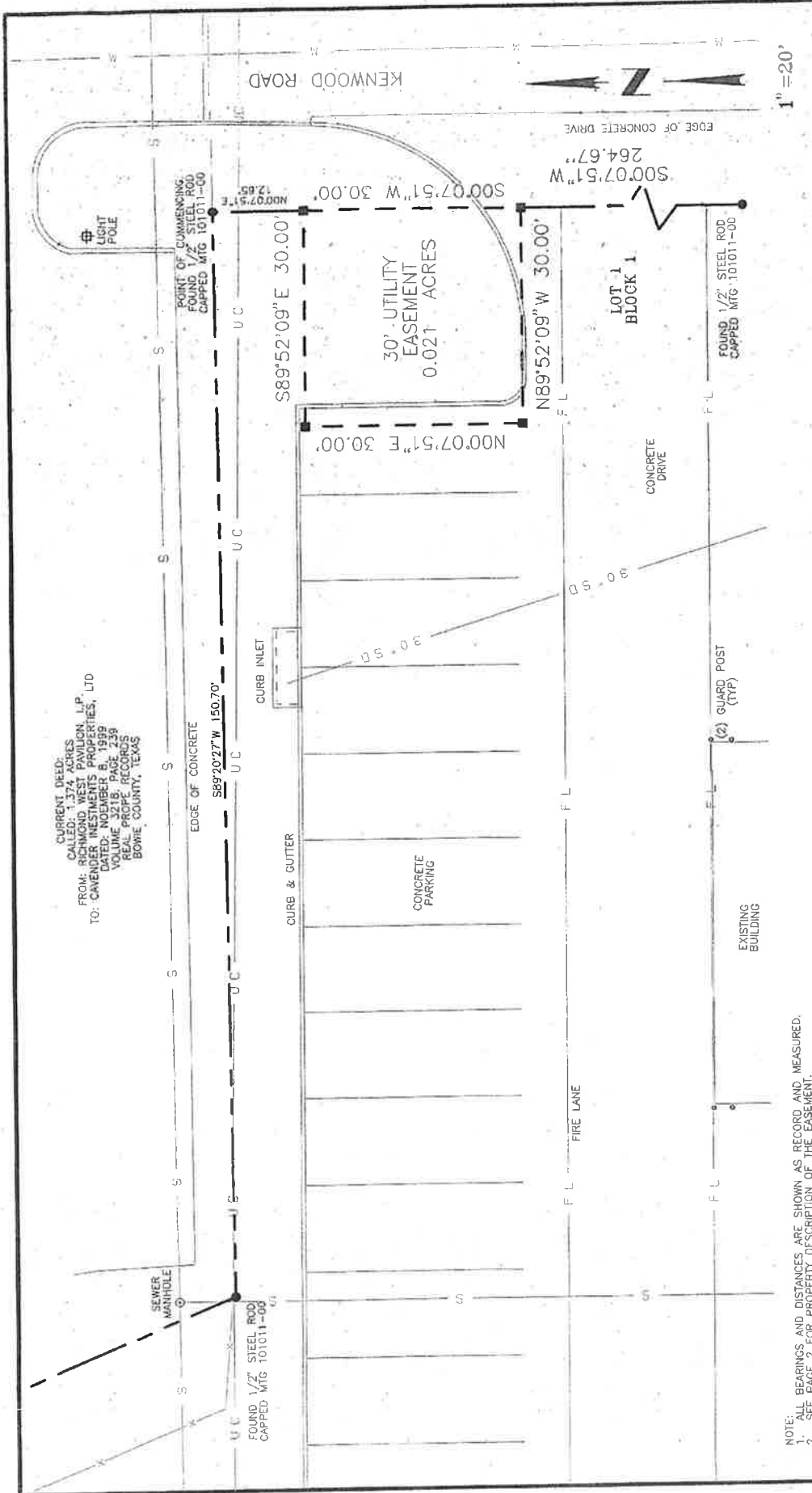
Date	Revision/Description		
Drawn By DC	Checked By JW	Project No. 202051	Dwg. Date 4/3/2020

MTG
engineers
& supervisors

5430 SUMMERHILL RD.
TEXARKANA TEXAS 75503
P 903.836.8533
www.mtgengineers.com

© MTG 2020 TBPÉ NO. 354
Sheet No.

EXHIBIT A 1 OF 2

**30' UTILITY EASEMENT**

LOT 1, BLOCK 1
CLASSIC AUTO PARK EAST
BOWIE COUNTY, TEXAS.

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
DC	JW	202051	4/3/2020

Sheet No.
1 OF 2

MTG 2020 TEPF NO. 354

MTG
engineers & surveyors

5430 SUMNERHILL RD.
TEXARKANA, TEXAS 75503
P 903.830.0033
www.mtgengineers.com



\\s2020\Projects\202051 SWERCOP Gregg ORR Marine\202051.pro
Fri Apr 17, 2020 7:34AM

THE STATE OF TEXAS
COUNTY OF BOWIE

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Records of Bowie County, Texas.

2020-00004478 EASE
05/15/2020 09:19:22 AM Total Fees: \$46.00

Tina Petty, County Clerk
Bowie County, Texas



CURRENT DEED:
 CALLED: 0.953 ACRES
 FROM: DEED GRANTEES
 TO: DANNY PHILLIPS, ET UX
 DATED: AUGUST 28, 2009
 VOLUME 5683, PAGE 177
 REAL PROPERTY RECORDS
 BOWIE COUNTY, TEXAS

115.00

20.00

S00°43'49"E 144.19'

EDGE OF PAVEMENT

FRANKLIN STREET

SEWER
MANHOLE(1) GAS METER
(1) WATER METER1/2" STEEL ROD
CAPPED MTG 101011-00POWER POLE
(2) GUY WIRE

20.00

21.36

22.41

S89°34'39"W 29.27'

N03°56'38"W 37.24'

S86°03'22"W 97.00'

N03°56'38"W 10.00'

S03°56'38"E 10.00'

N03°56'38"W 10.00'

S86°03'22"E 10.00'

N03°56'38"W 10.00'

S03°56'38"E 10.00'

N03°56'38"W 10.00'

S86°03'22"E 10.00'

N03°56'38"W 10.00'

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S86°03'22"E 10.00'

N03°56'38"W 10.00'

S03°56'38"E 10.00'

N03°56'38"W 10.00'

S86°03'22"E 10.00'

N03°56'38"W 10.00'

LOT 4
BLOCK 1

1"=20'

SURVEYOR CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON APRIL 1, 2020. THAT THIS PLAN (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROCEEDINGS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND REPRESENTS THE FACTS FOUND AT THE SURVEY. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAN.

THIS PLAN IS FOR THE INTENDED USE OF SWERCO, AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE. MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

Jeffrey A. Wood

JEFFREY A. WOOD
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 6220, STATE OF TEXAS
 FIRM CERTIFICATE NO. 101011-00
 DATE: MAY 11, 2020



10' UTILITY EASEMENT

LOT 4, BLOCK 1
 CLASSIC AUTO PARK EAST
 BOWIE COUNTY, TEXAS

Date	Revision/Description	Drawn By	Checked By	Project No.	Dwg. Date
		DC	JW	202051	4/3/2020

MTG
 engineers & surveyors

5430 SUMMERHILL RD.
 TEXARKANA, TEXAS 75503
 P 903.838.8533
 www.mtgengineers.com

© MTG 2020 TBPE NO. 354

EXHIBIT A 1 OF 2

TEX-Wade, Jonathan

From: Tod Corbin <todc@bcec.com>
Sent: Tuesday, September 14, 2021 8:39 AM
To: TEX-Wade, Jonathan
Subject: RE: Proposed Franklin St Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Wade,
 Bowie-Cass Electric has no comment on the proposed Franklin St. Abandonment request.
 Tod Corbin
 Bowie-Cass Electric Cooperative, Inc.

From: TEX-Wade, Jonathan [mailto:Jonathan.Wade@txkusa.org]
Sent: Tuesday, September 14, 2021 8:12 AM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley; Zac Pianalto; diane.engelkes@centerpointenergy.com; Brooks, Brandon D; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; Greg D. Russell; Tod Corbin; rexa@bcec.com; TWU-Smith, Gary; TWU-Smith, Gary; TTPD-Schutte, Kevin; TTFD-Schlotter, Eric; Jeff Tollett (jtollett@swrea.com); David Plunk; Miller, William Jarrod
Subject: Proposed Franklin St Abandonment

All,

The City has received a request to abandon a portion of Franklin St originally dedicated to Classic East Subdivision. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
 Associate City Engineer
 City of Texarkana, Texas
 Office: (903) 798-3251
 Cell: (903) 908-2725
 Email: Jonathan.Wade@txkusa.org

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☐ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

(Insert Text Here/or say "NONE")

Resource Impact:Staff time required if item is approved: [Select One By Clicking Here](#)**Other Potential Impacts:**

List or say "NONE APPLICABLE"

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☐ None Required	☐

Other:

ORDINANCE NO. 2021-087

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A FORTY-FOOT (40') STREET RIGHT-OF-WAY LOCATED IN THE 900 BLOCK OF FRANKLIN STREET NORTH OF OAKHILL ROAD AND SOUTH OF MALL DRIVE, LOCATED IN THE GEORGE BRINLEE HEADRIGHT SURVEY, ABSTRACT 18, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting that the City close and abandon a forty-foot (40') street right-of-way of Franklin Street located in the 900 block of Franklin Street, north of Oakhill Road, and south of Mall Drive located in the George Brinlee Headright Survey Abstract 18 in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit 'A'**; and

WHEREAS, the City has notified all adjacent landowners, interested utilities, and city departments requesting their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interest of the City to close and abandon the forty-foot (40') street right-of-way of Franklin Street located in the 900 block of Franklin Street, north of Oakhill Road and south of Mall Drive as shown on the attached property description and incorporated herein as **Exhibit 'A'**; and

WHEREAS, a utility easement will be retained throughout the entirety of the abandoned forty-foot (40') street right-of-way; and

WHEREAS, the ownership of the forty-foot (40') of right-of-way, as shown on **Exhibit "A"**, will be transferred to the owners of Gregg Orr Auto

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

SECTION 1: The forty-foot (40') street right-of-way located in the 900 block of Franklin Street, north of Oakhill Road and south of Mall Drive, located in the George Brinlee Headright Survey, Abstract 18 in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Street Abandonment Request (**ATTH 01**) hereto and incorporated herein as **Exhibit "A"**, be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: The above described property is hereby declared surplus and abandoned and the responsibility of the City to maintain said property is hereby terminated.

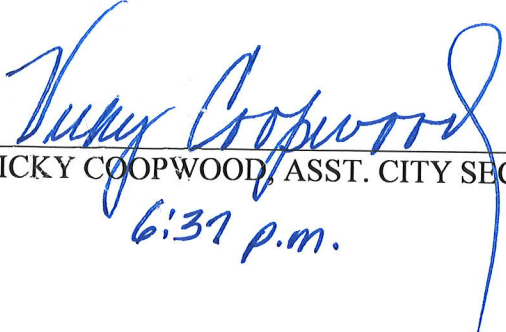
SECTION 3: In case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 11th day of October, 2021.

ATTEST:



VICKY COOPWOOD, ASST. CITY SECRETARY
6:37 p.m.



BOB BRUGGEMAN, MAYOR

Property Description
0.110 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being all of that tract of land shown as right-of-way dedication as shown on Classic Auto Park East Subdivision, according to the plat recorded in Document No. 2019-00013249, and filed in Plat Cabinet D, Sleeve 73 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the most Southerly Southwest corner of Lot 4, Block 1 of the said Classic Auto Park East, lying in the North line of the North line of that certain tract of land described in the deed from Theresa Hall to Charles T. Pieratt, et ux, dated February 10, 1998, recorded in Volume 2792, Page 217 of the Real Property Records of Bowie County, Texas;

THENCE South 89 degrees 17 minutes 56 seconds West a distance of 37.35 feet to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, the Southeast corner of that certain tract of land described as 0.953 acres in the deed from Michelle Phillips to William Gregg Orr, dated June 24, 2020, recorded in Document No. 2020-00006227 of the Real Property Records of Bowie County, Texas;

THENCE North 00 degrees 43 minutes 49 seconds West a distance of 144.19 feet along the West line of the said 0.953 acre tract to a 3/8 inch steel rod found for a corner, the Northeast corner of the said 0.953 acre tract, lying in the South line of the said Lot 4;

THENCE North 89 degrees 34 minutes 39 seconds East a distance of 29.27 feet along the South line of the said Lot 4 to a 1/2 inch steel rod found for a corner, capped MTG 101011-00, at an angle point;

THENCE South 03 degrees 56 minutes 38 seconds East a distance of 144.28 feet along the West line of the said Lot 4 to the point of beginning and containing 0.110 acres of land.





City of Texarkana, Texas

Version:

Update Date: 9/22/2021 1:12 PM

Briefing Sheet

Lead Department: Planning & Zoning Commission **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2021-088 rezoning a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182, located at 1801 Waterall Street. Single Family-2 to Neighborhood Service. Knights of Columbus, owner, Kevin DuPree, agent.

Briefing: 10/11/2021 **Public Hearing:** 10/11/2021 **Council Vote:** 10/11/2021

Item ScheduleSchedule 2: Brief once - vote once (two weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Knights of Columbus, Kevin Dupree, agent, to rezone a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182, located at 1801 Waterall Street from Single Family-2 to Neighborhood Service. The proposed use is an event center. The property is currently the Knights of Columbus Hall and Meeting Center.

The adjacent zoning is Commercial to the north, Industrial-1 to the east, Single Family-2 to the west and south. The adjacent land use is commercial business to the north and east and vacant property to the south and a veterans meeting hall to the west.

The existing building is non-conforming. The Knights of Columbus used this property for years for meetings and events. The property is being sold and therefore zoning is required to conform with the new use. The plan by the new owner is an event center. Therefore, staff recommends for approval of this request.

The applicant should also be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

All notification and application requirements have been met to consider this request.

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

City of Texarkana, Texas

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

The Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 7, 2021

Attachments

- a. 2021-088 ORD rezoning 1801 Waterall St (DOCX)
- b. 2021-088 EXH 'A'(Legal Description) (PDF)
- c. 2021-088 ATTH 01 (Maps) (PDF)
- d. 2021-088 Goals & Perspective (DOCX)
- e. 2021-088 ORD rezoning 1801 Waterall Signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Review	Completed
09/21/2021 4:05 PM			
City Manager	David Orr	Review	Completed 09/22/2021
1:50 PM			
City Council	Vicky Coopwood	Meeting	Completed 09/27/2021
6:00 PM			

Meeting History

09/27/21	City Council	MOVED FORWARD	Next: 10/11/21
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Z-21-21

ORDINANCE NO. 2021-088

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 0.48-ACRE TRACT OF LAND (BEING TRACT 49) IN THE HOWARD ETHERIDGE HRS, A-182, LOCATED AT 1801 WATERALL STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO NEIGHBORHOOD SERVICE; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182 (“Exhibit ‘A’), located at 1801 Waterall Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Neighborhood Service**; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Neighborhood Service on a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182 (“Exhibit ‘A’), located at 1801 Waterall Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Neighborhood Service** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 0.48-acre tract of land (being Tract 49) in the Howard Etheridge HRS, A-182 (**Exhibit ‘A’**), located at 1801 Waterall Street in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Neighborhood Service**.

Attachment: 2021-088 ORD rezoning 1801 Waterall St (3559 : 2021-088 rezoning 1801 Waterall SF-2 to NS)

SECTION 2: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

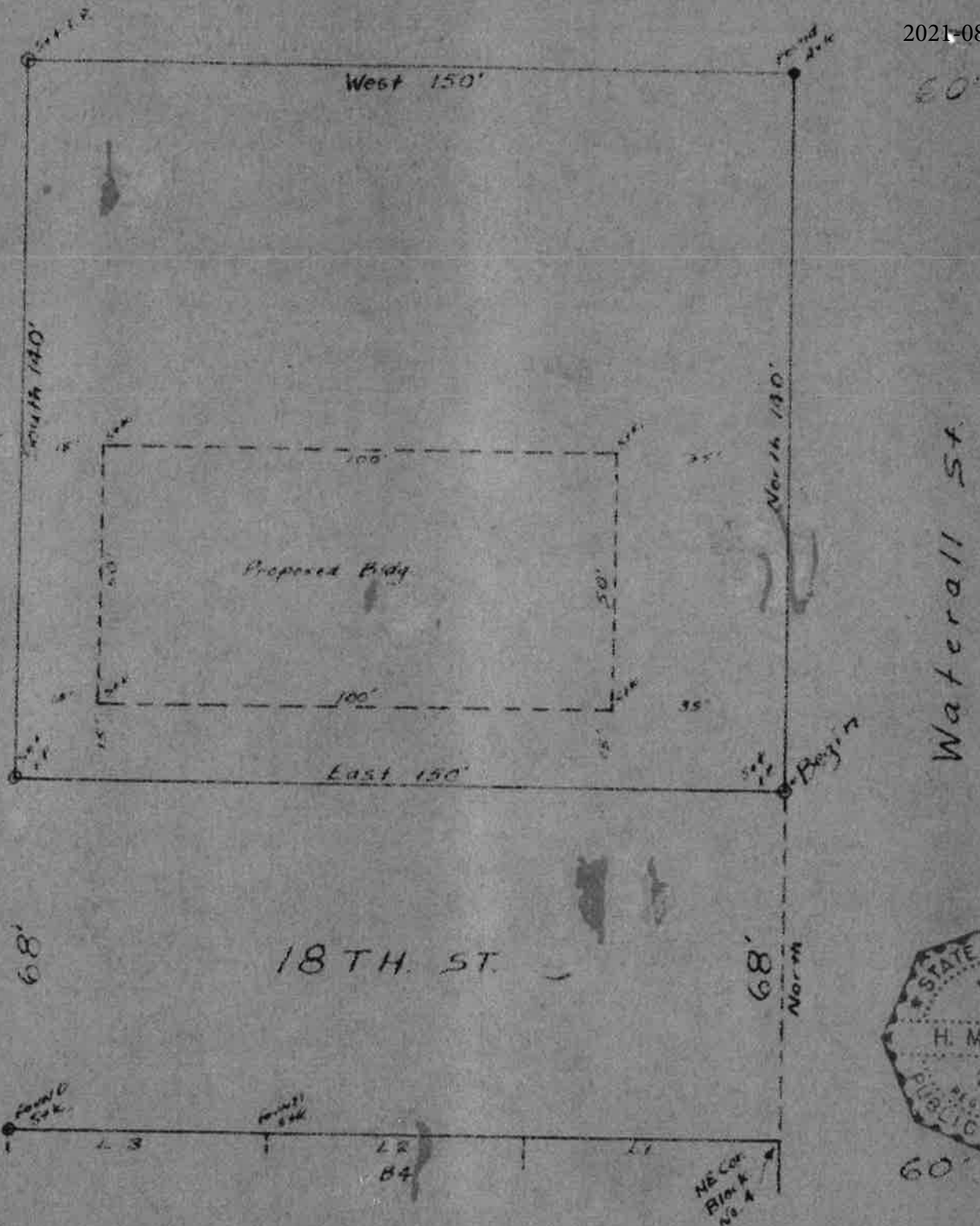
SECTION 4: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of October, 2021.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR



This is to certify that this plat correctly reflects a survey as made by us on the ground April 4, 1957 of all that certain tract or parcel of land a part of the Old Watts Home, the same being a part of the Howard Etheridge Survey in the City of Texarkana, Bowie County, Texas, and described by metes and bounds as follows:

BEGINNING at an I.P. on the West Line of Waterall St. and the North Line of 68' 18th St., said POINT being 68 ft. North of the NE Cor. of Block No. 4 in Plamberg Heights Addition; THENCE North with the NB Line of Waterall St. 140 ft. to an axle for a corner; THENCE West with Fox Tire Co. SB Line 160 ft. to an I.P. for a corner; THENCE South 140 ft. to an I.P. for a corner on the NB Line 18th St.; THENCE East with the NB Line of 18th St. to the place of BEGINNING, and being the equivalent of three lots.

April 4, 1957 Scale: 1" to 30'

[Signature]
J. M. [illegible]
J. M. [illegible]

Back

1801 Waterall St.



Attachment: 2021-088 ATTH 01 (Maps) (3559 : 2021-088 rezoning 1801 Waterall SF-2 to NS)

Z-21-21

1801 Waterall St.



Attachment: 2021-088 ATTH 01 (Maps) (3559 : 2021-088 rezoning 1801 Waterall SF-2 to NS)

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☒ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☒ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☒ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☒ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☒ None Required	☐

Other:

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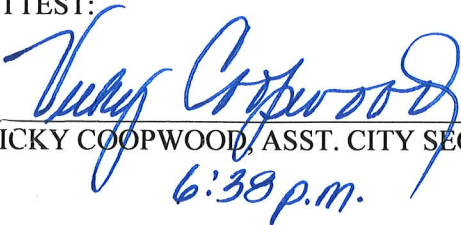
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ATTEST:

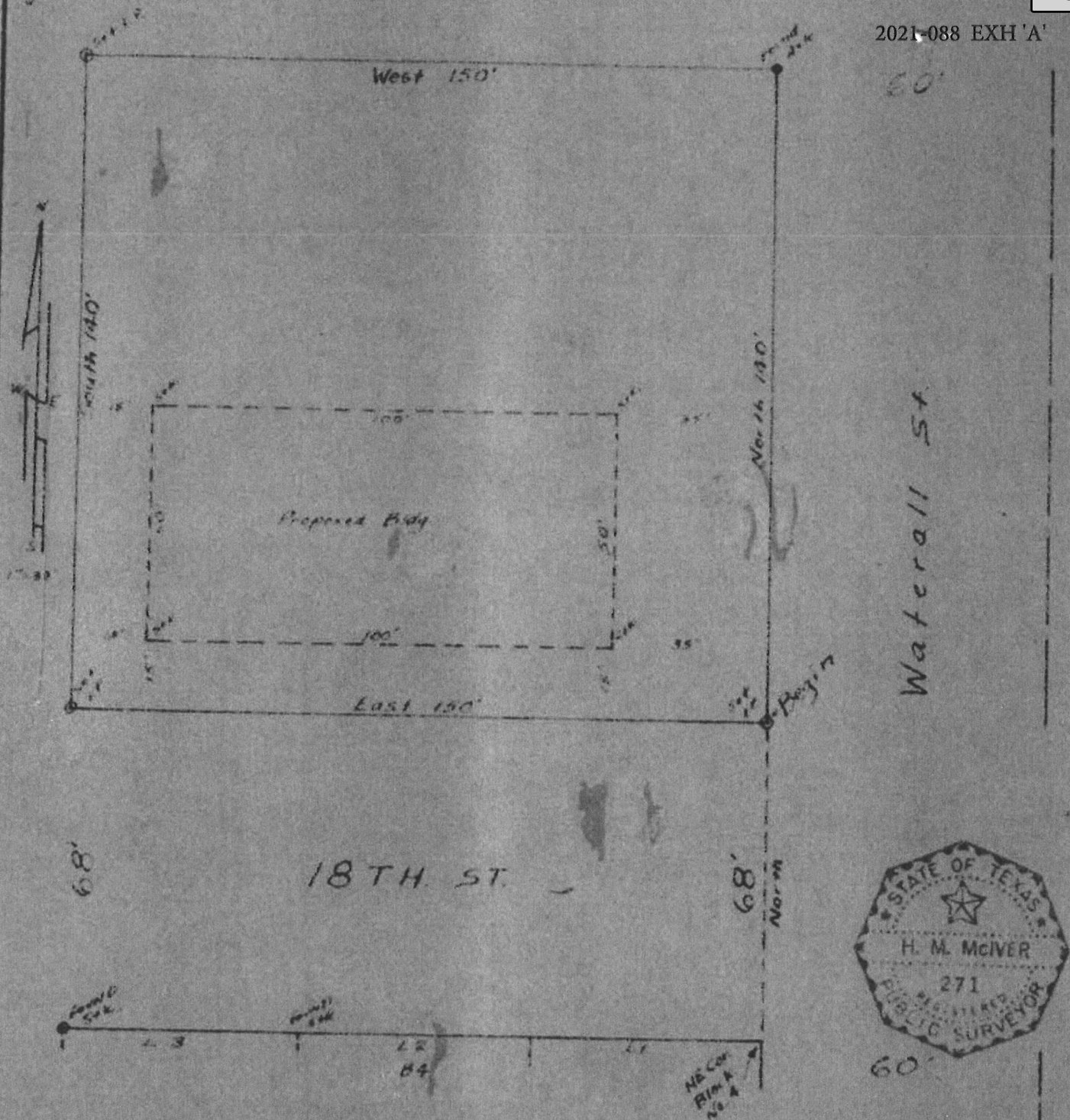


VICKY COOPWOOD, ASST. CITY SECRETARY
6:38 p.m.



BOB BRUGGEMAN, MAYOR

2021-088 EXH 'A'



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April 4, 1957 Scale: 1" to 30'

H. M. McIVER, Registered Surveyor 271