

ORDINANCE NO. {{ITEM.SEQUENTIAL\_NUMBER}}  
(FY-25-1-AB)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS AUTHORIZING THE RELEASE OF AN APPROXIMATELY 0.479-ACRE RIGHT-OF-WAY, SUBJECT TO A PUBLIC UTILITY EASEMENT BEING A PORTION OF OLD HOWARD ROAD NEAR ITS REALIGNED INTERSECTION WITH THE OUTER LOOP; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, this is a City-initiated request for the release of the right-of-way easement for an approximately 0.479-acre portion of the former alignment of Old Howard Road near its intersection with the Outer Loop;

**Whereas**, while this portion of road has been demolished as part of the realignment with the Outer Loop project, the right-of-way was not abandoned - this abandonment will allow the City to consider negotiating the sale of this remainder triangle created by the realignment of the Outer Loop as part of a larger future development;

**Whereas**, Staff has contacted all public and private service providers, including the Public Works Department, and confirmed that the easement may be released - however, some utility lines were found to still remain within the right-of-way and those utilities with remaining lines requested that a public utility easement be retained over the area to be abandoned to allow them to continue servicing those utility lines;

**Whereas**, Staff recommends Council authorize the release of an approximately 0.479-acre right-of-way, subject to a public utility easement being a portion of Old Howard Road near its realigned intersection with the Outer Loop; and

**Whereas**, the City Council has considered these matters and deems it in the public interest to authorize these actions.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:**

**Part 1: Findings.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**Part 2:** The City Council approves the release of an approximately 0.479-acre right-of-way, subject to a public utility easement being a portion of Old Howard Road near its realigned intersection with the Outer Loop, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

**Part 3:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **December, 2024**.

PASSED AND APPROVED on Second and Final Reading on the **16<sup>th</sup>** day of **January, 2025**.

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Liz Caraway  
Deputy City Secretary

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Kathryn H. Davis  
City Attorney