



## **Agenda Information Sheet**

### **July 14, 2016**

#### Agenda Item

Consider authorizing the City Manager to execute a Quit Claim Deed regarding a small strip of right-of-way property located at W. Crockett Street and S. Wellington Street. (Director of Planning & Development)

#### Background & Summary of Request:

In January of this year, the City Commission approved an encroachment agreement for the property at 307 S. Wellington, commonly known as Allred Veterinary Hospital. After reviewing a recent survey of the property it was determined that a portion of their facilities extend over the property line and into the right-of-way of East Crockett Street. Those facilities include existing covered pens, 6' chain link fences, portion of a block building, and sidewalks on the south portions of lots 4 and 5 bordering and encroaching into the West Crockett Street right-of-way. By granting this agreement the property owner could continue to keep their improvements within the city right-of-way with the understanding that the city is not responsible for any damage to the improvements.

Since that time, the title company has additionally requested a Quit Claim Deed regarding the property in question. The City Attorney has reviewed the attached deed and recommends approval.

#### Attachments:

1. Quit Claim Deed

**QUITCLAIM DEED**

**Date:** July 13, 20016

**Grantor:** City Of Marshall, Texas, a Texas Home Rule City  
401 South Alamo  
Marshall, TX 75670

**Grantee:** Allred Veterinarian Clinic  
307 South Wellington St.  
Marshall, Texas 75670

**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property:**

All that property described on the attached Exhibit "A", which Exhibit is incorporated herein by this reference for all purposes.

For the Consideration, Grantor quitclaims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Neither Grantor nor Grantor's heirs, successors, or assigns will have, claim, or demand any right or title to the Property or any part of it.

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

City Of Marshall, Texas.

\_\_\_\_\_  
Lisa Agnor, City Manager

STATE OF TEXAS                    )  
COUNTY OF HARRISON            )

This instrument was acknowledged before me on July\_\_, 2016, by Lisa Agnor, as the City Manager of Marshall, Texas, a a Texas Home Rule City, on behalf of said City.

\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

### EXHIBIT A

All that certain lot, tract, or parcel of land situated in Harrison County, Texas, within the corporate limits of the City of Marshall, being 0.5723 acres of land, a part of the PETER WHETSTONE SURVEY, A – 756, being all of Lots 4, 5, and 6 of Block 59 of the Original Townsite of said City, as shown on plat on file in the City of Marshall Engineering Department, and being a portion of the right of way of West Crockett Street, said 0.5723 acres being more particularly described as follows:

**Commencing** at a ¾” iron pipe found at the intersection of the monument lines of West Fannin Street and South Franklin Street, from which a city street monument found at the intersection of the monument lines of East Fannin Street and South Bolivar Street bears East – 925.06 feet;

Thence East – 25.00 feet, and South – 218.75 feet to a ½” iron rod with surveyor’s cap, being a ½” rebar with yellow plastic cap stamped “RPLS 4528”, (typical), set at the Northwest corner of Lot 4 and the Southwest corner of Lot 3 for the **true point of beginning** of herein described tract, from which a ¾” iron pipe found bears South 75°42’57” West – 0.63 feet;

Thence East, with the North line of Lot 4 and the South line of Lot 3, 120.00 feet to a ½” iron rod with surveyor’s cap set at the Northeast corner of Lot 4, the Southeast corner of Lot 3, the Southwest corner of Lot 6, and the Northwest corner of Lot 5;

Thence North, with the West line of Lot 6 and the East line of Lot 3, 61.25 feet to a ½” iron rod with surveyor’s cap set at the Northwest corner of Lot 6, the Northeast corner of Lot 3, the Southeast corner of Lot 2, and the Southwest corner of Lot 7, from which a ¾” iron pipe found bears North 02°55’45” East – 2.69 feet;

Thence East, with the North line of Lot 6 and the South line of Lot 7, 120.00 feet to a ½” iron rod with surveyor’s cap set on the West margin of South Wellington Street for the Northeast corner of Lot 6 and the Southeast corner of Lot 7, from which a 3/8” iron rod with surveyor’s cap stamped “RPLS 4445” found bears North 04°08’41” East – 2.53 feet;

Thence South, with the East lines of Lot 6 and Lot 5 and said West margin, at 122.50 feet passing a ½” iron rod with surveyor’s cap set at the intersection of said West margin and the North margin of West Crockett Street for the Southeast corner of Lot 5 and of Block 59, and continuing for a total distance of 134.50 feet to a ½” iron rod with surveyor’s cap set for corner;

Thence West, parallel to the with the South lines of Lot 5 and Lot 4 and said North margin, 240.00 feet to a ½” iron rod with surveyor’s cap set for corner;

Thence North, at 12.00 feet passing a ½” iron rod with surveyor’s cap set at the intersection of the East margin of South Franklin Street and the North margin of West Crockett Street for the Southwest corner of said Lot 4 and of said Block 59, and continuing for a total distance of 73.25 feet to the place of beginning and containing 0.5723 acres of land.

**Bearing Basis:** Bearings are oriented to the East along the monument line of Fannin Street, between South Franklin Street and South Bolivar Street.