

Ordinance No. 2009-04

AN ORDINANCE OF THE CITY OF RIESEL, TEXAS, PROVIDING FOR THE ALTERATION OF A PORTION OF RATTLESNAKE ROAD, PROVIDING FOR THE ESTABLISHMENT OF ROAD RIGHT-OF-WAY, AND APPROVING RELOCATION OF ELECTRIC TRANSMISSION LINES AND POLES

WHEREAS, the portion of Rattlesnake Road addressed by this Ordinance is within the municipal boundaries of the City of Riesel; and,

WHEREAS, the construction of a rail line will necessitate the installation of a proposed bridge to cross the rail line on Rattlesnake Road and the alteration of Rattlesnake Road; and,

WHEREAS, the alteration of Rattlesnake Road to accommodate the proposed new bridge is in the best interest of the City and the safety / traveling convenience of the public; and,

WHEREAS, the right-of-way from the portions of the existing Rattlesnake Road is needed for maintenance and support of the proposed bridge and road, continued conveying of City water services, and the location of public utilities.

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

1. Rattlesnake Road will be altered as shown on the map attached hereto as Exhibit "A" effective on the date that the proposed bridge and roadway alterations are completed and released to the City ("effective date");
2. The right-of-way from the altered portion of the current Rattlesnake Road will be retained and included in the right-of-way for Rattlesnake Road as altered as such is necessary for maintenance and support of the proposed bridge and road, continued conveying of City water, and the installation or reinstallation of public utilities. Said redescribed right-of-way, including the existing right-of-way retained, and the proposed new right-of-way, to be as set forth on Exhibit "A" as of the effective date;
3. Any electric utility having poles and transmission lines that must be relocated to accommodate the alteration is authorized to relocate such within the right-of-way of the current Rattlesnake Road at locations that will not interfere with the alteration work or the use and maintenance of Rattlesnake Road once altered;
4. This action is taken under the authority granted by 311.002(b)(2) of the *Transmission Code* and other law which allows the City to change or improve a roadway.
5. No abandonment of right-of-way of the City is intended hereby.

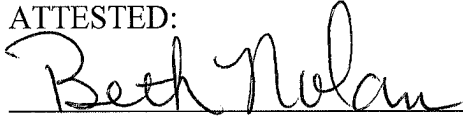
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PASSED AND APPROVED on the 3rd of March, 2009.



Dave Ross -- Mayor

ATTESTED:



Beth Nolan -- City Secretary

