

**ORDINANCE 12-25-15**

**AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, ABANDONING THE RIGHT-OF-WAY OF WAGON WHEEL DRIVE BETWEEN SANGER CIRCLE DRIVE AND VILLAS DRIVE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Sanger has received a request from the developer of Sanger Circle Phase 2 to abandon the right-of-way of a proposed street, Wagon Wheel Drive; and

WHEREAS, the City Council has reviewed the public necessity of maintaining this right-of-way; and

WHEREAS, the City Council has found that this right-of-way no longer serves a valuable enough public interest to merit its continued maintenance; Now Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:**

**Section 1** The right-of-way of Wagon Wheel Drive south of Sanger Circle Drive to Villas Drive is hereby abandoned. The City of Sanger continues to hold maintain a twenty-foot wide easement over any and all public utilities within the subject property.

**Section 2** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**Section 3** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

**Section 4** Any person, firm, or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**Section 5** This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Sanger, Texas, on this 7<sup>th</sup> day of December, 2015.

APPROVED:

*Thomas E. Muir*  
Mayor Thomas Muir

ATTEST:

*Tami Taber*  
City Secretary Tami Taber

