

C20-004

RECEIVED

MAY 15 2020

PLANNING DEPT.

Print Form

City of Tyler  
Planning Department  
423 W. Ferguson  
Tyler, TX 75710-2039  
(903) 531-1175  
(903) 531-1170 fax  
www.tylerpz.org

## THOROUGHFARE CLOSURE REQUEST PETITION

### INDEX

#### ITEMS REQUIRED FOR EACH APPLICATION:

- A. Petition for Thoroughfare Closure
- B. Applicant's Support Information for Thoroughfare Closure
- C. Authorization of Agent
- D. Map showing thoroughfare
- E. Fee - Section 10-776

### PROCESS

City Code Sec. 10-260 - 10-266

All thoroughfare closures are by Ordinance, and only the City Council has the authority to close a thoroughfare. The Council has assigned the study of thoroughfare closings to the Planning and Zoning Commission, who will make recommendations to the Council. If the Commission recommends this request for the closure of a thoroughfare, it will not be effective until it is then passed by the City Council. The closure process normally requires a period of sixty (60) days.

**NOTE:** The Planning and Zoning Commission hears all requests on the first Tuesday of each month, at 1:30 p.m., in the Council Chamber, City Hall, 212 North Bonner Avenue, Tyler, Texas.

**Thoroughfare Closure requests must be filed in the Planning Department, 423 West Ferguson, Tyler, Texas.**

Please have a representative present at all public hearings. The applicant has the duty to produce evidence before the Planning and Zoning Commission and City Council to justify the proposed thoroughfare closure. This generally requires a showing that conditions affecting the thoroughfare have substantially changed, resulting in the thoroughfare no longer being required for public access.

### OFFICE USE ONLY

#### Filing Fee for Application

Receipt No.: \_\_\_\_\_ Amount: \_\_\_\_\_

Signed By: \_\_\_\_\_



# PETITION FOR THOROUGHFARE CLOSURE

The undersigned, as owner of the herein described property hereby makes application in the name of:

APPLICANT Tyler Packing Co. ADDRESS 2209 East Erwin, Tyler, TX 75702

of the following public thoroughfare of the City of Tyler: Portion of Epperson Ave.

The thoroughfare is a:  Street  Alley

The thoroughfare is:  Paved  Unpaved

*(Please print all but signature)*

Owner(s) Name: Tyler Packing Co.

Address: 2209 E. Erwin

City, State, Zip: Tyler, TX 75702

Phone: 903-593-9592

Signature: Herbert A. Buie

Email: hc\_buie@yahoo.com

*(Please print all but signature)*

Owner(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Email: \_\_\_\_\_



# SUPPORT INFORMATION FOR THOROUGHFARE CLOSURE

Applicants should submit the following information in support of their Thoroughfare Closure Request:

1. Is this thoroughfare a paved or surfaced street, or is it an unimproved right-of-way?

*Paved and incorporated into parking area for Tyler Packing Co.*

2. Is this public thoroughfare no longer in use? If so, approximately how long has it not been in use?

*The thoroughfare has never been utilized as a street.*

3. Is it likely that this thoroughfare will ever be needed for public access?

*No*

4. Do all of the lots adjacent to the proposed closed thoroughfare have an alternative source of public access? If not, how will public access be provided?

*Yes*

5. Is this public right-of-way currently in private use by the adjacent property owner(s)? If so, for what use is the right-of-way currently used?

*Yes. The ROW is currently used for parking area for Tyler Packing and has been for past 50+ yrs.*

6. Will the closure of this thoroughfare be of any inconvenience to through traffic?

*No*

7. If this thoroughfare is to be closed to the public, for what private use will it be utilized?

*ROW will be incorporated into parking area for Tyler Packing and will join property currently owned on all sides to make their property contiguous.*

PRINTED:

*Herbert C. Buse*  
OWNER or AGENT (FORM C)

SIGNED:

*Herbert C. Buse*  
OWNER or AGENT (FORM C)



# AUTHORIZATION OF AGENT

We, the undersigned, being owners of real property adjacent to the thoroughfare closure requested, do hereby authorize (please print),

Agent Name: Herbert C. Buie

Address: 2209 E. Erwin

City, State, Zip: Tyler, Tx

Phone: 903-593-9592

Signature: Herbert C. Buie

Email: hcbuie@yahoo.com

to act as our Agent in the matter of this thoroughfare closure. The term "agent" shall be construed to mean any lessee, developer, option holder, or authorized individual who is authorized to act in behalf of the owner(s) of said adjacent property.

(Form to be signed below by all owners of the adjacent property.)

**SIGNATURE**

**MAILING ADDRESS**

1		
2		
3		
4		

(Completion of this section is necessary only when the person submitting this request does not own all of the property. If not the owner, the applicant must sign the petition as "AGENT".)

# SURVEYED: TRACT A, B, & C - CITY OF TYLER

## A - SURVEYED: 1.6979 ACRES

CALLED 1.599 ACRES  
HERBERT C. BUIE, MELVINA N. BUIE, & RONALD HUBERT WILLIS

## B - SURVEYED: 0.0993 ACRES

CALLED 0.088 ACRES  
HERBERT C. BUIE, MELVINA N. BUIE, & RONALD HUBERT WILLIS

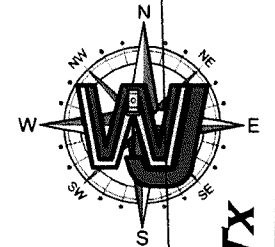
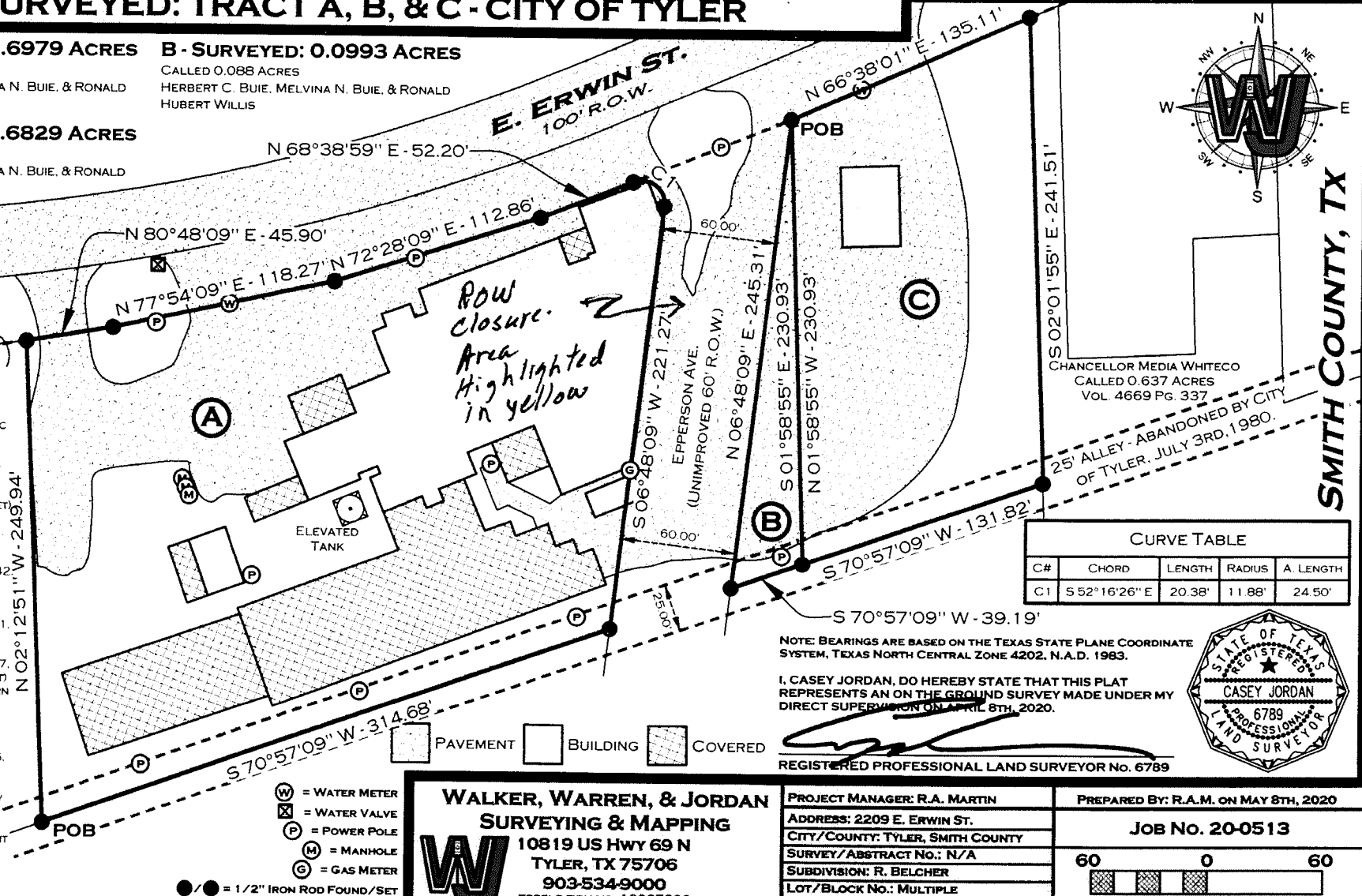
## C - SURVEYED: 0.6829 ACRES

CALLED 0.645 ACRES  
HERBERT C. BUIE, MELVINA N. BUIE, & RONALD HUBERT WILLIS

DOUG STOUFFER  
CALLED 0.602 ACRES  
DOC. NO. 2018-43450

CENTRAL TITLE COMPANY  
GF No. 6200260  
SCHEDULE B ITEMS:

- 10B. NO PORTION OF THIS PROPERTY LIES WITHIN A PUBLIC ROADWAY.
- 10E. R.O.W. TO W.R. SPANN. 176/165 & 190/335. (DOES NOT AFFECT)
- 10F. R.O.W. TO DIXIE GAS & FUEL Co. 207/326. (BLANKET)
- 10G. EASEMENT TO CITY OF TYLER. 349/421 & 351/391. (DOES NOT AFFECT)
- 10H. R.O.W. TO TEXAS POWER & LIGHT. 221/161 & 228/442. (BLANKET)
- 10I. EASEMENTS TO TEXAS POWER & LIGHT. 221/191, 268/250, 336/61, 349/421, 381/598, 448/117, 122, 394, & 537.585/206 & 208, 613/200, 672/96, 682/637, 768/88, 807/289. (BLANKET)
- 10J. R.O.W. TO SOUTHWESTERN BELL TELEPHONE CO. 351/392, 352/186. (BLANKET)
- 10K. R.O.W. TO STATE OF TEXAS. 734/549, 551, & 556. (ROAD RIGHT-OF-WAY DEDICATION)
- 10L. SEWER EASEMENT TO CITY OF TYLER. 2540/206. (DOES NOT AFFECT)
- 10M. ALL VISIBLE AND APPARENT EASEMENTS ARE SHOWN
- 10N. NO ENCROACHMENTS WERE FOUND TO ADVERSELY AFFECT THIS PROPERTY.



SMITH COUNTY, TX

CHANCELLOR MEDIA WHITECO  
CALLED 0.637 ACRES  
Vol. 4669 Pg. 337

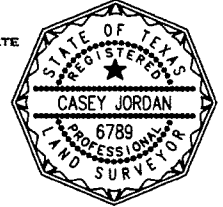
25' ALLEY - ABANDONED BY CITY OF TYLER, JULY 3RD, 1980.

CURVE TABLE			
C#	CHORD	LENGTH	A LENGTH
C1	S 52°16'26" E	20.38'	24.50'

NOTE: BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, N.A.D. 1983.

I, CASEY JORDAN, DO HEREBY STATE THAT THIS PLAT REPRESENTS AN ON THE GROUND SURVEY MADE UNDER MY DIRECT SUPERVISION ON APRIL 8TH, 2020.

*(Signature)*  
REGISTERED PROFESSIONAL LAND SURVEYOR No. 6789



PAVEMENT
  BUILDING
  COVERED

- W = WATER METER
- X = WATER VALVE
- P = POWER POLE
- M = MANHOLE
- G = GAS METER
- /● = 1/2" IRON ROD FOUND/SET

### WALKER, WARREN, & JORDAN

#### SURVEYING & MAPPING

10819 US HWY 69 N  
TYLER, TX 75706  
903-534-9000  
TBPELS FIRM No. 10025300

PROJECT MANAGER: R.A. MARTIN  
ADDRESS: 2209 E. ERWIN ST.  
CITY/COUNTY: TYLER, SMITH COUNTY  
SURVEY/ABSTRACT No.: N/A  
SUBDIVISION: R. BELCHER  
LOT/BLOCK No.: MULTIPLE  
CLIENT: STEVE EWING

PREPARED BY: R.A.M. ON MAY 8TH, 2020  
**JOB No. 20-0513**

SCALE: 1" = 60'