

THE STATE OF TEXAS)(

January 14, 1952

COUNTY OF JOHNSON)(

BE IT REMEMBERED that at a regular meeting of the commissioners' court of Johnson County, held in the court house at Cleburne, Texas, the following members were present: Honorable H. G. Littlefair, County Judge, W. M. Coward, Commissioner Precinct 1, S. W. Evans, Commissioner Precinct 2, V. L. Maddox, Commissioner Precinct 3, M. W. Roland Commissioner Precinct 4, and Louis B. Lee, County Clerk. Among other things they did the following:

A motion was made by Commissioner Evans, seconded by Commissioner Roland that all proper and duly endorsed bills against Johnson County, be allowed and ordered paid as submitted and examined in open court. All voted aye.

A motion was made by Commissioner Coward, seconded by Commissioner Evans that the petition submitted by interested parties requesting the close of a portion of Ewing Street and the order setting date of hearing for same be recorded in the Commissioner Court Minutes. The petition and order are as follows:

TO THE HONORABLE COMMISSIONERS COURT OF JOHNSON COUNTY, TEXAS:

We, the undersigned freeholders, all residents of Commissioners Precinct No. 1, Johnson County, Texas, hereby respectfully petition you to make and enter an order closing, vacating, abandoning, and discontinuing certain alleys and a portion of a street as shown on the plat of the College Heights Addition to the City of Cleburne, Johnson County, Texas, and aver:

1.

That on or about March 10, 1909, the Cleburne Land Company made the dedication of the College Heights Addition to the City of Cleburne, Johnson County, Texas, now of record in vol. 154, page 698 Deed Records of Johnson County, Texas, whereby it purported to grant to the public easements for street purposes and rights of way over the streets as shown and designated on the plat accompanying said dedication, which plat is recorded in vol. 154, page 699, Deed Records of Johnson County, Texas. Among the streets and alleys shown on such plat are the following:

(1) Ewing Street, which according to the plat extends in a northerly and southerly direction from Poindexter Avenue on the south to Rose Avenue on the north and is bounded on the east by the College Campus and Blocks Nos. 113 to 117, inclusive, and on the west by Blocks Nos. 118 to 125, inclusive. Just

south of the intersection of Ewing Street and Poindexter Avenue, an unnamed street extends from Poindexter Avenue in a southerly direction, through the Woodard Addition to the City of Cleburne, to Woodard Avenue. At its north end, Ewing Street intersects Rose Avenue a short distance west of an unnamed street wich extends from Rose Avenue north to the old Granbury Road;

(2) An east-west alley through Block No. 118, extending from Ewing Street on the east through said Block No. 118 and apparently extending into or through an unnumbered block or blocks west of said Block No. 118;

(3) An east-west alley through Block No. 119, extending from Ewing Street on the east through said Block No. 119 and apparently extending into or through an unnumbered block or blocks west of said Block No. 119;

(4) An east-west alley through Block No. 120, extending from Ewing Street on the east through said Block No. 120 and apparently extending into or through an unnumbered block or blocks west of said Block No. 120.

All of the above mentioned streets and alleys are located in Commissioners Precinct No. 1, Johnson County, Texas.

2.

The alleys and portion of the street which the Court is requested to close, vacate, abandon and discontinue are as follows:

(1) All of the east-west alleys extending through Blocks Nos. 118, 119 and 120, according to said plat of the College Heights Addition, together with any and all westward extensions of such alleys;

(2) All that portion of Ewing Street which lies north of the north line of Phillips Avenue and south of the south line of Rose Avenue according to said plat of the college Heights Addition.

3.

That on October 2, 1917, by order of record in vol. 9, page 3, Minutes of the Commissioners Court of Johnson County, Texas, the Commissioners Court of Johnson County duly closed vacated and abandoned certain streets as shown on said plat of the College Heights Addition, but the alleys and portion of Ewing

Street described in paragraph 2 above have not been formally closed and abandoned.

The alleys and portion of Ewing Street described in paragraph 2 above are not located within the city limits of the City of Cleburne or within the limits or any other incorporated city, town or village. Such alleys and portion of Ewing Street have never been used for street or alley purposes but have for many years been cultivated and used by the owners of the adjoining property, and any rights of the public therein have long since been abandoned and lost. There are no houses or other structures or improvements on such alleys or portion of Ewing Street, and the same are not used as an entrance or outlet to or from any property or by any person or persons for any purpose. The Cleburne Independent School District is the owner of all property on both sides of the alleys and portion of Ewing Street described in paragraph 2 above and desires to use the entire property for public school purposes, including the erection of a school building thereon. Such alleys and the portion of Ewing Street are of no value or benefit to anyone, but would constitute a hazard to the children and impair the use of the property for public school purposes, if they were ever used for street purposes.

5.

As shown by the affidavit attached hereto, notices of the filing of this application have been duly posted as required by law.

Wherefore, the premises considered, we respectfully pray that the alleys and portion of Ewing Street described in paragraph 2 above be permanently closed, vacated, abandoned and discontinued.

Bryan Miller	M. D. Murphy
Peyton Lawson	Ernest E. Guinn
Tom R. Bentley	Joe Faulkenbury
Maurice Vereen	J. Hunter Pearson
Berry B. Taylor	W. R. Walker
Baxter Lawson	Jas. D. Stalcup
J. Wm. Clarke	W. L. Pou

Dave Sowell, Jr.

John S. King,

Cleburne Independent School District, the owner of all of the property on both sides of the alleys and portions of the alleys and Ewing Street described in paragraph 2 of the foregoing application, hereby requests the Honorable Commissioners Court of Johnson County to grant such application and to close, abandon and discontinue such alleys and portion of Ewing Street.

CLEBURNE INDEPENDENT SCHOOL DISTRICT

By J. Hunter Pearson, President

Board of Trustees

NOTICE

Of the filing of petition for closing, vacating, abandoning and discontinuing certain alleys and a portion of Ewing Street as shown on the plat of the College Heights Addition to the City of Cleburne, Johnson County, Texas.

We, the undersigned freeholders, residents of Commissioners Precinct No. 1 of Johnson County, Texas, hereby give notice according to law that we have filed with the County Clerk of Johnson County, Texas, a petition to the Honorable Commissioners Court of Johnson County, Texas, to close, vacate, abandon and discontinue the following alleys and portion of Ewing Street as shown on the plat of the College Heights Addition to the City of Cleburne, Johnson County, Texas, which plat is recorded in vol. 154, page 699, Deed Records of Johnson County, Texas, to wit:

(1) All of the east-west alleys extending through Blocks Nos. 118, 119 and 120, according to said plat of the College Heights Addition, together with any and all westward extensions of such alleys;

(2) All that portion of Ewing Street which lies north of the north line of Phillips Avenue and south of the south line of Rose Avenue, all according to said plat of the College Heights Addition.

Such petition, to which reference is here made for all purposes, will be presented to and heard by the Commissioners Court of Johnson County, Texas, at

the court house in Cleburne, Texas, on the 1st day of February, 1952 at 10:00
o'clock A. M.

Peyton Lawson

Ernest E. Guinn

Tom R. Bentley

Joe Faulkenbury

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John S. King,

Bryan Miller

M. D. Murphy

STATE OF TEXAS) (

COUNTY OF JOHNSON) (

I, Ruel C. Walker, being duly sworn on my oath state that on the 7 day of January 1952, I posted true and correct copies of the above and foregoing notice at each and all of the following three public place in Johnson County, Texas:

(1) The Court House Door of Johnson County, Texas;

(2) At or near the intersection of Phillips Avenue and Ewing Street as shown on the plat of the College Heights Addition to the City of Cleburne, Johnson County, Texas;

(3) At or near the intersection of Rose Avenue and Ewing Street as shown on the plat of College Heights Addition to the City of Cleburne, Johnson County, Texas.

Witness my hand this the 7 day of January, 1952.

Ruel C. Walker

Sworn to and subscribed before me this the 7 day of January, 1952.

Mrs. L. E. Miles, Notary Public

(Seal)

Johnson County, Texas

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A petition having been filed with the County Clerk by Bryan Miller and 15 other freeholders of Commissioners Precinct No. 1, Johnson County, Texas, to close, vacate, abandon and discontinue certain alleys and a portion of Ewing Street as shown on the plat of the College Heights Addition to the City of Cleburne, Johnson County, Texas, it is ordered that the hearing on such petition is set for February 1, 1952 at 10:00 o'clock A. M. at the court house in Cleburne, Texas.

All voted aye.

ATTEST: _____ COUNTY CLERK _____ COUNTY JUDGE

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