

**ORDINANCE No. 2025-12-08 (12)**

**AN ORDINANCE OF THE CITY OF ROCKDALE, TEXAS, ABANDONING PORTIONS OF DONATED RIGHTS-OF-WAY FOR THE “REVISED DYER ADDITION OF ROCKDALE” AND AUTHORIZING CONVEYANCE OF SAID RIGHTS-OF-WAY BACK TO THE ORIGINAL DONATORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, A developer, J. E. Dyer was establishing the “Revised Dyer Addition to Rockdale” and as part of such development and dedication, Mr. Dyer donated to the City of Rockdale an additional thirty (30) feet along the east side of the Miller Street right-of-way to widen Miller Street from Twenty (20) feet to an ultimate width of fifty (50) feet;

**WHEREAS**, before such dedication of the development, other property owners along the west line of Block 120 of the Revised Dyer Addition to Rockdale and the west line of Block 5 of the Hillyer-Stokes Addition to Rockdale believed that Miller Street was too narrow and so donated and dedicated additional right-of-way to the City of Rockdale – specifically:

H.L. Fieseler and his wife dedicated an additional strip of twenty (20) feet off the west side of their property; and

O.F. Towery dedicated an additional strip of twenty (20) feet off the west side of his property (Block 5 of the Hillier-Stokes Addition); and

F.O. Muston and his wife Fadie O. Muston dedicated an additional strip of twenty (20) feet off the west side of their property; and

Frances Murrell dedicated an additional strip of twenty (20) feet off the west side of her property.

Each of these tracts are more particularly shown and described in Exhibits “A”, “B”, “C”, and “D” attached hereto and incorporated herein for all purposes (the “Properties”);

**WHEREAS**, the Revised Dyer Addition to Rockdale is platted and takes the existing twenty (20) feet right-of-way, adds the (30) feet in additional right-of-way, together with the additional twenty (20) feet that was deeded by the property owners;

**WHEREAS**, the property was donated to ensure there was enough right-of-way for the City to build a sufficient street with area for public utilities and/or drainage easements;

**WHEREAS**, the additional twenty (20) feet of right-of-way deeded by the above referenced property owners is surplus and not necessary for use by the City, the general public or the landowners adjacent thereto as an alley or street;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKDALE, TEXAS, THAT:**

**Section 1. Findings of Fact.** The findings and recitations set out hereinabove are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Right-of-Way.** The portion of the public right-of-way, more particularly shown and described in Exhibits "A" and "B" and "C" and "D" attached hereto and incorporated herein for all purposes (the "Properties"), is hereby permanently closed, vacated, and abandoned by the City and the general public.

**Section 3. Consideration and Authorization to Execute Quit Claim Deed.** In consideration for the dedication of the four strips of Right of Way, as well as other good and valuable consideration, the Mayor and the City Secretary are hereby authorized, empowered, instructed and directed to execute a Quit Claim Deed ("Deed") conveying the rights and interests of the City in the Property to the respective dedicating Owners. Upon the execution and filing of the Deed described in this Ordinance in the Milam County Real Property Records, such deed shall be and become a valid and binding act and deed of the City of Rockdale, Texas.

**Section 4. Effective Date.** This Ordinance shall be in force and effect from and after its passage on the date shown below.

**Section 5. Open Meetings.** It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**FINALLY PASSED AND ADOPTED** this 8<sup>th</sup> day of December, 2025.

**Attest:**

  
\_\_\_\_\_  
Shanna Johnson

**The City of Rockdale, Texas**

  
\_\_\_\_\_  
Ward D. Roddam, Mayor

**Exhibit "A"**  
**Description of the Property (ROW to be Vacated)**

# The State of Texas,

County of Milam

## Know all Men by these Presents,

That We, H.L. Fieseler and wife, Mamie Fieseler

of the County of Milam and State aforesaid, for and in consideration of the sum of One and no/100--- Dollars,

to us *in hand paid by* City of Rockdale and the further consideration of grantee removing the fence along the west line of the land herein conveyed and replacing the same along the east line of the land herein conveyed all in as good condition as it now is and which fence shall be removed and replaced before this conveyance shall become effective,

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said City of Rockdale

of the County of Milam and State of Texas, all that certain lot and parcel of land lying and being situated in the city of Rockdale, Milam County, Texas out of block No. 120 of said city and more fully described as follows: Beginning in the N. line of Murray st. at the S.W. cor. of said blk. 120; Thence N. 26 W. to the N.W. cor. of said blk; Thence N. 64 E. 20 ft. to the N.E. cor. of this in the N. line of said blk. 120; Thence S. 26 E. parallel to the first line hereof to the S.E. cor. of this in the S. line of said blk. 120; Thence S. 64 W. 20 ft. to the place of beginning and being a strip 20 ft. wide from off of the W. side of said blk. and which strip is herenow conveyed to the City of Rockdale to be used for street purposes. Should the street ever be abandoned then the title shall revert to us.

To have and to hold, the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said City of Rockdale

its <sup>successors</sup> ~~heirs~~ and assigns forever. And we do hereby bind ourselves our heirs, executors, and administrators, to Warrant and forever defend, all and singular the said premises, unto the said City of Rockdale its successors ~~heirs~~ and assigns, against every person, whomsoever, lawfully claiming or to claim the same or any part thereof.

Witness our hands at Rockdale, Texas  
this 11th day of Jan. A.D. 19 52  
Signed, and Delivered, in Presence of

H. L. Fieseler  
Mamie Fieseler

The State of Texas }  
County of Milam } Before me, the undersigned a notary public

in, and for Milam County, Texas on this day personally appeared  
H.L. Fieseler

known to me  
to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 28th day of Jan. Feby. A.D. 1952

E A Camp Notary public, Milam County, Tex

The State of Texas }  
County of Milam } Before me, the undersigned a notary public

in, and for Milam County, Texas  
on this day personally appeared Mamie Fieseler wife  
of H.L. Fieseler

known to me to be the  
person whose name is subscribed to the foregoing instrument, and having been examined by me  
privily and apart from her husband, and having the same fully explained to her, she  
the said Mamie Fieseler acknowledged such instrument to  
be her act and deed, and declared that she had willingly signed the same for the purposes  
and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 28th day of Jan. Feby. A.D. 1952

E A Camp  
Notary Public, Milam County, Texas

The State of Texas }  
County of Milam } J. Horner Nabours  
Clerk of the County Court of said County, do hereby certify that the above instrument of  
writing, dated on the 11 day of Jan A.D. 1952 with its  
Certificate of Authentication, was filed for record in my office this 29 day of  
Feb A.D. 1952 at 8 o'clock A. M. and duly recorded the  
7 day of March A.D. 1952 at 2:10 o'clock P. M. in the  
records of said County, in Volume 277, on pages 45

Witness my hand, and the seal of the County Court of said County, at office in  
Cameron the day and year last above written.

Horner Nabours

Clerk of Milam County  
By Lucile B. Gerwin Deputy

25/12/12 # 2574 4/12/12

# NOTARY PUBLIC

with single and Wife's Separate  
Acknowledgment.

H.L. Fieseler, et ux

To

City of Rockdale

Filed for Record  
2012 May 29 1952  
at Rockland, N.Y.  
Karey O'Brien  
(County Clerk)

By

Deputy

2574

**Exhibit "B"**  
**Description of the Property (ROW to be Vacated)**



STATE OF TEXAS  
COUNTY OF MILAM

WHEREAS, J. E. Dyer has filed a dedication of the "Revised Dyer Addition to Rockdale" and is widening Miller street along the west line of block 120 of Rockdale and the west line of block 5 of the Hillier-Stokes Addition to Rockdale and H.L. Fieseler and wife are giving 20 ft. off of the west side of block 120 and Dyer and wife have included an additional 10 ft. off of the east side of their land, thus making Miller street 50 ft. wide and I am desirous of the street continuing along the west side of my land. Now therefore, I, O.F. Tower, in consideration of the premises and in order to induce said street to be opened, have and by these present do herenow grant, bargain, sell and convey unto the City of Rockdale a strip of land 20 ft. wide from and off of the west side of said block 5 of the said Hillier -Stokes Addition to Rockdale. To have and to hold unto the City of Rockdale, its successors and assigns to be used for street purposes. The property here conveyed to be simply a continuation of Miller street northward along the west side of my land so that with the present street, the land here conveyed and the Dyer portion will make such street 50 ft. wide along my west line.

To evidence all of which witness my hand this Jan. 22, 1952.

O. F. Tower

STATE OF TEXAS  
COUNTY OF MILAM

Before me the undersigned a notary public in and for said state and county on this day personally appeared, O.F. Tower, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this Jan. 22<sup>nd</sup>, 1952.

S. A. Jones  
Notary Public, Milam County, Texas

STATE OF TEXAS }  
COUNTY OF MILAM

I, Homer Nabours, Clerk of the County Court of Milam County, Texas, do hereby certify that the foregoing instrument of writing was duly recorded this 28 day of Jan A. D., 1924, at 4:15 o'clock P M. in the Deed Records of said County, in Volume 275, Page 373

Witness my hand and seal of the County Court of said County at Office in Cameron on the day of the year last above written.

By Lucile B. Erwin Deputy.

**Homer Nabours**  
Clerk County Court, Milam County, Texas

DEED  
O F LOWERY  
to  
City of Rockdale

*Index at*  
4349  
*11-24-24*

FILED FOR RECORD

28 day of Jan 1924  
Lucile B. Erwin  
County Clerk Milam Co., Texas  
By James H. Anderson  
Deputy

E. A. Kemp  
756

**Exhibit "C"**  
**Description of the Property (ROW to be Vacated)**

THE STATE OF TEXAS, }  
COUNTY OF Milam } KNOW ALL MEN BY THESE PRESENTS:

That F O Muston and wife, Fadie O. Muston

of the County of Milam State of Texas for and in consideration of  
the sum of Ten & no/100--

DOLLARS,

to us in hand paid by City of Rockdale, the receipt whereof is here  
acknowledged and confessed

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

City of Rockdale, Texas

of the County of Milam, State of Texas, all that certain

lot and parcels of land lying and being situated in the N W Cor. of  
the city of Rockdale, and being a part of the lots conveyed to us by  
Lynch by deed in Vol. 255 pg. 62 of Milam county deed records, and  
described as beginning at the N W Cor of our said lots. Thence  
N 64 E 20 Ft to N E Cor of this. Thence S. 26 E across out lots to  
our S. line for the S E Cor of this. Thence S. 64 W to our west line  
thence N. 26 W to place of beginning and being a strip 20 feet wide  
from off the west ends of lots One and Two of Block No. Five of the  
Hillyer & Stokes Addition to Rockdale

This conveyence being made to the city for street purposes and  
for that purpose only

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights  
and appurtenances thereto in anywise belonging unto the said

City of Rockdale, its successors,

heirs and assigns forever; and we do hereby bind ourselves, our

heirs, executors and administrators, to Warrant and Forever Defend all and singular the said premises

unto the said City of Rockdale, its successors,

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same or any  
part thereof.

Witness our hands at Rockdale, Texas

this 2nd day of Feby., A. D. 1952.

Witnesses at Request of Grantor:

*F. O. Muston*

*Mrs. Fadie O. Muston*

THE STATE OF TEXAS,  
COUNTY OF \_\_\_\_\_

SINGLE ACKNOWLEDGMENT

BEFORE ME, the undersigned, a Notary Public,

\_\_\_\_\_, in and for said County, Texas, on this day personally appeared

known to me to be the person \_\_\_\_\_ whose name \_\_\_\_\_ subscribed to the foregoing instrument, and acknowledged to me that \_\_\_\_\_ executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 \_\_\_\_\_

(L. S.)

JOINT ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF Milam

BEFORE ME, the undersigned, a Notary Public,

\_\_\_\_\_, in and for said County, Texas, on this day personally appeared

F O Muston and Fadie O Muston

his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said \_\_\_\_\_

Fadie O Muston wife of the said F O Muston having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said \_\_\_\_\_

Fadie O Muston acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 2nd day of Feby., A. D. 1952

(L. S.)

(E A Camp) Notary Public, Milam County, Texas.

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned, a Notary Public,

\_\_\_\_\_, in and for said County, Texas, on this day personally appeared

\_\_\_\_\_, wife of \_\_\_\_\_

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said \_\_\_\_\_

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 \_\_\_\_\_

(L. S.)

CLERK'S CERTIFICATE

THE STATE OF TEXAS,  
COUNTY OF Milam

I, Homer Nabours, County

Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing dated on the 2nd day of Feby, A. D. 1952, with its Certificate of Authentication, was filed for record in my office on the 4 day of Feb, A. D. 1952, at 8 o'clock A. M., and duly recorded this 5 day of Feb, A. D. 1952, at 9:40 o'clock A. M., in the Deed Records of said County, in Volume 275, on pages 449.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT of said County, at office in Mercury Cameron, Texas, the day and year last above written.

Homer Nabours

County Clerk Milam County, Texas.

By Lucile B. Brown, Deputy

(L. S.)

WARRANTY DEED

With Single, Joint and Wife's Separate Acknowledgments

FROM

F O Muston et ux

TO

City of Rockdale,

FILED FOR RECORD

this 4th day of Feb, A. D. 1952

at 8 o'clock P.M.

Homer Nabours  
County Clerk Milam Co., Texas

By Lucile B. Brown Deputy.

RECORDED

Feb. 5 A. D. 1952

in Milam County Records,

Book 275, Page 449

Homer Nabours

County Clerk.

Lucile B. Brown

Deputy.

Recording Fee \$ 1.00

This instrument should be filed immediately with the County Clerk for record.

MARTIN Stationary Co., Dallas

Give them 4465 74112

**Exhibit “D”**  
**Description of the Property (ROW to be Vacated)**

# The State of Texas,

County of Milam

*Know all Men by these Presents,*

*That* I, Mrs. Frances Murrell, a widow

*of the County of* Milam *and State, aforesaid, for and in consideration of the*  
*sum of* Ten and no/100-- *Dollars,*  
*to* me *in hand paid by* City of Rockdale, and other valuable con-  
siderations the receipt whereof is hereby acknowledged and confessed,

*have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey*  
*unto the said* City of Rockdale

*of the County of* Milam *and State of* Texas *all that contain*

lot and parcel of land lying and being situated in the city of Rockdale  
Milam County, Texas and being 20 ft. from off of the W. ends of lots  
3 and 4 of block No. 5 of the Hillier & Stokes addition to Rockdale, said  
strip to extend from the N. to the S. lines of said lots and to be 20 Ft.  
from off of the W. side which is herenow conveyed to the city for street  
purposes.

To have and to hold, the above described premises, together with all and singular the rights and appurtenances thereto, in anywise, belonging, unto the said City of Rockdale

its successors  
~~heirs, executors and administrators~~ and assigns forever. And I do hereby bind myself  
my heirs, executors and administrators, to Warrant and forever defend, all and singular the said premises, unto the said City of Rockdale, its successors  
~~heirs~~ and assigns, against  
every person, whomsoever, lawfully claiming, or to claim the same, or any part thereof.

Witness my hand at Rockdale, Texas  
this 12th day of March A.D. 1952  
Signed and Delivered, in Presence of

Mrs Frances Murrell



The State of Texas }  
County of Milam } Before me, the undersigned a notary public

in and for Milam County, Texas on this day personally appeared  
Mrs. Frances Murrell, a widow

known to me  
to be the person whose name is subscribed to the foregoing instrument, and acknow-  
ledged to me that she executed the same for the purposes and consideration therein expressed;

Given under my hand and seal of office, this 12 day of March A.D. 1952

Vivian Haddock  
Notary Public, Milam County, Texas

The State of Texas }  
County of Milam } Before me,  
in and for \_\_\_\_\_ County,  
on this day personally appeared \_\_\_\_\_ wife  
of \_\_\_\_\_

known to me to be the  
person whose name is subscribed to the foregoing instrument, and having been examined by me  
privately and apart from her husband, and having the same fully explained to her, she  
the said \_\_\_\_\_ acknowledged such instrument to  
be her act and deed, and declared that she had willingly signed the same for the purposes  
and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_

The State of Texas }  
County of Milam } I Harner Nabours  
Clerk of the County Court of said County, do hereby certify that the above instrument, of  
writing, dated on the 12 day of March A.D. 1952, with its  
Certificate of Authentication, was filed for record in my office, this 13 day of  
Mar A.D. 1952, at 8 o'clock A.M. and duly recorded, the  
17 day of Mar A.D. 1952, at 3 o'clock P.M. in the  
records of said County, in Volume 277 on pages 141

Witness my hand and the seal of the County Court of said County, at office, in

Cameron the day and year last above written

Harner Nabours

Clerk of Milam County

Julia E. Brown  
Deputy

Just Vol 458 3/12/52

# Rocky Mountain

with single and wife's Separate  
Acknowledgment.

Mrs. Frances Murrell

To

City of Rockdale

Filed for Record  
March 13<sup>th</sup> 1952  
at Springfield, Missouri  
Homer (Homer)  
County Clerk

By \_\_\_\_\_  
Deputy

EAC 100