

**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 land, singular, the rights and appurtenances thereto in anywise belonging, unto the said City of Rockdale.

its successors  
its 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. 1952  
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 privately 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

I, Homer Noloure

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 Feby 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.  
Homer Noloure

Clerk of Milam County  
By Lucile P. Torwin  
Deputy

St. 120 H. 752 N. 19152

# Warrant

with single and wife's Separate  
Acknowledgment.

H. L. Fieseler, et ux

To

City of Rockdale

Filed for Record  
Feb 12, 1952  
at Rockdale, Illinois  
County Clerks  
County Clerks

By \_\_\_\_\_

Plat

5000

**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. Towery, 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. Towery

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. Towery, 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. Francis  
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., 1952 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.

*Pauline B. Brown*  
By Pauline B. Brown, Deputy.

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

Milam St  
4349  
1/24/52  
DEED  
O F Towner  
to  
City of Rockdale

FILED FOR RECORD  
O'clock M  
day of Jan 1952  
*Homer Nabours*  
Clerk Milam Co. Texas  
By Homer Nabours  
Deputy

*E. C. C.*  
75

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

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

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 our 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 conveyance 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 hand s at Rockdale, Texas  
this 2nd day of Feby., A. D. 1852.  
Witnesses at Request of Grantor:

F.O. Muston  
Mrs. Fadie O. Muston

## SINGLE 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

known to me to be the person \_\_\_\_\_ whose name \_\_\_\_\_ 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 \_\_\_\_\_ 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 MilamI, Homer Nabours, CountyClerk 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 Feby., A. D. 1952, at 8 o'clock A.M., and duly recorded this 5 day of Feby., A. D. 1952, at 9:40 o'clock A.M., in the Deed Records of said County, in Volume 275, on pages 110.WITNESS MY HAND AND SEAL OF THE COUNTY COURT of said County, at office in Cameron, Texas,

, the day and year last above written.

Homer NaboursCounty Clerk, Milam County, Texas.  
By Charles B. Erwin, 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 5 day of Feby. A. D. 1952at 9:40 o'clock A.M.  
County Clerk, Milam Co., Texas.  
By Charles B. Erwin, Deputy.

RECORDED

Feb. 5 A. D. 1952Milam County Records,  
Book 275, Page 449Homer Nabours, County Clerk,  
Deputy.

Charles B. Erwin, Deputy.

Recording Fee \$ 10This instrument should be filed immediately with  
the County Clerk for record.

MARTIN Stationery Co., Dallas

John D. Jones

C-102

Case 4465 1412  
Milam Co., Texas

**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 considerations 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 certain 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 any wise, belonging, unto the said City of Rockdale

its successors  
~~heirs~~, 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. 19 52

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 acknowledged to me that he executed the same for the purposes and consideration therein expressed;

Given under my hand and seal of office, this 12<sup>th</sup> day of March A.D. 1952  
Vivian Hobbs  
Notary Public, Milam County, Texas

The State of Texas  
County of } 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  
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 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. 1952

The State of Texas  
County of Milam } I Warner Nebraska  
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 377 on pages 141

Witnessed my hand and the seal of the County Court of said County at office in  
(Cameron) the day and year last above written  
I Warner Nebraska  
Clerk G. Meloy County  
By Julie B. Ervin Deputy

Grant No. 458 3/17/52

Frances Murrell

with single and wife's Separate  
Acknowledgment.

Mrs. Frances Murrell

To

City of Rockdale

Filed for Record  
3/20/52  
at DeKalb County Clerk  
Frances Murrell

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

J. A. C. 150