

**CITY OF STARBASE, TEXAS
ORDINANCE NO. 2026-13**

AN ORDINANCE OF THE CITY OF STARBASE, TEXAS, ABANDONING AND VACATING CERTAIN PORTIONS OF SAINT JUDE STREET, OHIO AVENUE, MEMES STREET, AND ESPERSON STREET IN THE CITY OF STARBASE, CAMERON COUNTY, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE A DEED OR OTHER DOCUMENTS CONVEYING SAID RIGHTS-OF-WAY TO THE ABUTTING PROPERTY OWNERS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas (the “City”), is a Type C general-law municipality, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

WHEREAS, Section 311.002 of the Texas Transportation Code provides that a general-law municipality has exclusive control over highways, streets, and alleys of the municipality; and

WHEREAS, Section 311.008 of the Texas Transportation Code provides that a general-law municipality, such as the City of Starbase (“City”), has the authority to vacate, abandon, or close a street or alley within the City; and

WHEREAS, Section 272.001 of the Texas Local Government Code authorizes the City to convey property interests to abutting property owners who own the underlying fee simple without appraisal; and

WHEREAS, a Petition for Abandonment and Vacation of a Portion of Public Streets (attached hereto as Attachment 2) was submitted on May 13, 2026 seeking to vacate, abandon, and close certain portions of Saint Jude Street, Ohio Avenue, Memes Street (formerly Weems), and Esperson Street, as more particularly described in Attachment 1 attached hereto (the “Portions”), and such Petition was filed by all owners (or authorized representatives of all owners) of real property abutting said Portions; and

WHEREAS, the City Commission considered the Petition at a duly posted public meeting held on the 28th day of May, 2026, in accordance with the Texas Open Meetings Act; and

WHEREAS, the City finds that the Portions, which are located within the corporate limits of Starbase, are no longer necessary for public use, have limited or no current public traffic, and whose continued maintenance as public rights-of-way is not required for the public health, safety, or welfare, all as set forth in the Petition for Abandonment and Vacation of Portions of Public Streets dated May 13, 2026, filed by all owners (or authorized representatives of all owners) of real property abutting said portions; and

WHEREAS, the abandonment and vacation of the Property will serve a public purpose, and will not interfere with ongoing obligations under the City's subdivision regulations and other applicable codes; and

WHEREAS, to the extent any portion of the Property is, following abandonment, retained, used, or maintained as a private street or roadway, such portion shall be constructed and maintained to the same standards and specifications that apply to public rights-of-way of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS THAT:

SECTION 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Findings. After due deliberations the City Commission has concluded that the adoption of this Ordinance is in the best interest of the City of Starbase, Texas, and of the public health, safety and welfare.

SECTION 3. Abandonment. The City Commission hereby approves the abandonment, vacation, and closing of the Portions described as certain portions of Saint Jude Street, Ohio Avenue, Memes Street, and Esperson Street as more particularly set forth on Attachment 1 attached hereto.

SECTION 4. Authorization. The City Administrator is hereby authorized to enter into any agreement, document, quitclaim deed, or other instrument necessary to effectuate the abandonment, vacation, and closing of the Portions and conveyance to the abutting property owners without monetary compensation or for a reasonable compensation in the amount determined by the City Administrator. A formal boundary survey of the Property describing each of the Portions by metes and bounds, shall be attached to and incorporated into the instrument of conveyance.

SECTION 5. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. Severability. It is hereby declared to be the intention of the City Commission that the phrases, clauses, and sentences of this Ordinance are severable, and if any 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,

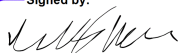
such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7. Engrossment/Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

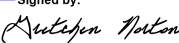
SECTION 8. Effective Date. This Ordinance shall become effective from and after its date of passage in accordance with law.

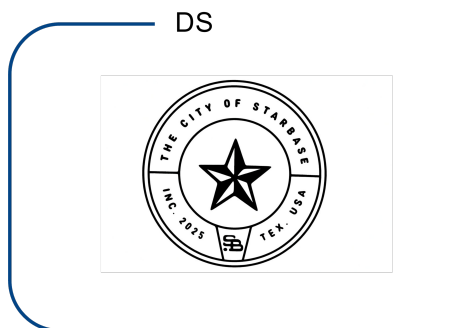
DULY PASSED AND APPROVED by the City Commissioners of the City of Starbase, Texas on the 28th day of May, 2026.

CITY OF STARBASE

Signed by:

7BB380E2C1EE4A7
Bobby Peden, Mayor

ATTEST:

Signed by:

DAD49BF2123C4E3
Gretchen Norton, City Clerk



APPROVED AS TO FORM:

Signed by:

7B28C05100B74C6...
Caleb Rush, City Attorney



**PETITION FOR ABANDONMENT AND VACATION OF PORTIONS OF PUBLIC STREETS CITY OF
STARBASE, TEXAS**

STATE OF TEXAS COUNTY OF CAMERON

TO THE HONORABLE MAYOR AND CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

Being the owners (or authorized representatives of all owners) of real property abutting the portions of the public streets described below, hereby respectfully petition the City Commission of the City of Starbase, Texas (the "City"), pursuant to the authority granted by Section 311.008 of the Texas Transportation Code and any applicable City ordinances, including but not limited to the procedures for vacating, abandoning, or closing streets or alleys, to adopt an ordinance vacating, abandoning, and closing the following portions of public rights-of-way within the corporate limits of the City of Starbase, Cameron County, Texas:

- Certain portions of **Saint Jude Street**;
- Certain portions of **Ohio Avenue**;
- Certain portions of **Memes Street**; and
- Certain portions of **Esperson Street**.

A more particular description of the portions of the streets proposed for abandonment is attached hereto as **Exhibit A**.

Petitioners state the following in support of this request:

1. The petitioners constitute all of the owners of real property abutting the portions of the streets described above.
2. The subject portions of the streets are no longer necessary for public use, have limited or no current public traffic, and their continued maintenance as public rights-of-way is not required for the public health, safety, or welfare.
3. Abandonment and vacation of these portions will serve the best interests of the City and the public by allowing for enhanced security measures and improved property utilization.
4. No public utilities or services will be adversely affected by the proposed abandonment.

WHEREFORE, the Petitioner respectfully prays that the City Commission set this matter for public hearing with proper notice, consider and approve this petition, and enact an ordinance abandoning and vacating the described portions of the public streets as requested.

Respectfully submitted,

May 13, 2026

Exhibit A

