

ORDINANCE NO. 2081- 2025

AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, TO GRANT A CONDITIONAL USE PERMIT (CUP) PURSUANT TO DICKINSON CODE OF ORDINANCES SECTION 18-8.2 SO AS TO ALLOW THE USE OF A PLACE OF PUBLIC ASSEMBLY "CHURCH" ON ± 1.40 ACRES OUT OF THE ABST 19 PERRY & AUSTIN SUR PT OF LOT 138 (2-3) DICKINSON ADDN D AKA PT OF TRACT B, MORE COMMONLY KNOWN AS 303 E FM 517, SUITE 309, AND GENERALLY LOCATED NEAR THE CORNER OF SPRUCE AND FM 517, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HERE OF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Terry Sun (the "Owner") is the owner of ± 1.40 acres out of the ABST 19 PERRY & AUSTIN SUR PT OF LOT 138 (2-3) DICKINSON ADDN D AKA PT OF TRACT B, more commonly known as 303 E FM 517, SUITE 309 generally located on the , said ± 1.40 being acres more particularly described in Exhibit "A" attached hereto (the "Property"), in the City of Dickinson, Galveston County, Texas (the "City"); and

WHEREAS, the Property presently has a zoning classification of Mixed-Use (MU) pursuant to Dickinson Code of Ordinances Section 18-8.2, the City's Comprehensive Zoning Ordinance; and

WHEREAS, the Owner has made application to the City for an additional Conditional Use Permit (CUP) for said Property to allow a Place of Public Assembly "Church" in a Mixed-Use "MU" zoning district as authorized by the City's Zoning Ordinance; and

WHEREAS, the City Secretary of Dickinson, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Dickinson and laws of the State of Texas, at a meeting of the City Council, to be held on the 28th day of January 2025, for the purpose of considering a Conditional Use Permit (CUP) to allow a Place of Public Assembly "Church" in an Mixed-Use "MU" zoning district as authorized by the City's Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Dickinson, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 28th day of January 2025; and

WHEREAS, the City Council is of the opinion and finds that the granting of the additional Conditional Use Permit (CUP) described herein would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Dickinson, and as well, the owners and occupants thereof, and the City generally.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. It is directed that the official zoning map of the City of Dickinson, adopted on the 23th day of July, 2024, by Ordinance No. 2068-2024, shall be revised and amended to reflect the Conditional Use Permit (CUP) granted by this Ordinance, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 3. All provisions of the ordinances of the City of Dickinson in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Dickinson not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section 5. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision contained in this Ordinance, or who shall commit or perform any act declared herein to be unlawful, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount of not less than one dollar (\$1.00) and not more than two thousand dollars (\$2,000.00). Each day a violation continues shall constitute a separate offense.

Section 6. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Dickinson, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

APPROVED on first reading on the 28th day of January, 2025.

PASSED, APPROVED, AND ADOPTED on second reading on the 25th day of February, 2025.

FOR THE CITY OF DICKINSON:



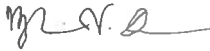
TRAVIS MAGLIOLO, MAYOR

ATTEST:



CLAUDE OLIVER, CITY SECRETARY

APPROVED AS TO FORM:



NGHIEM V. DOAN, CITY ATTORNEY

EXHIBIT "A" – Application, Location, Commission Report

1. The church proposal conforms to the city's land use policies by being located in an appropriately zoned area that allows for religious or institutional uses, such as a residential district with provisions for places of worship or an institutional zoning district. It aligns with the city's Comprehensive Plan, ensuring the church fits within areas designated for community-oriented facilities. The design complies with zoning code requirements, including setbacks, building height, parking, and environmental guidelines. Additionally, the church's operation and design are compatible with surrounding land uses, ensuring minimal disruption to the neighborhood, and it adheres to any aesthetic or community engagement policies required by the city.
2. The church proposal aligns with the character of the neighborhood, which is primarily commercial. As the area is already developed with commercial uses, the church fits within the existing context and serves as a compatible community facility. The proposed church will not disrupt the neighborhood's commercial character but rather provide a service to the community in a manner consistent with the area's development. Its design and operation will be in harmony with the commercial environment, adhering to relevant zoning and land use policies that support such institutional uses in commercial zones.
3. The proposed church is compatible with the zoning and use of nearby properties, as it aligns with the commercial character of the area. The surrounding properties are primarily commercial, and the church's institutional use fits well within this context, serving as a community facility that complements the existing uses. The proposed zoning classification supports such institutional uses in commercial zones, ensuring that the church's presence will not disrupt the area's character. Its design, scale, and operations will blend seamlessly with the surrounding commercial properties, ensuring compatibility with the neighborhood's current and future development.
4. The property is well-suited for the uses permitted by right in the proposed zoning district. As the area is primarily commercial, the zoning district allows for a variety of institutional and community-oriented uses, including churches, without significant modification. The site is capable of accommodating the church's size, parking, and operational needs while maintaining compatibility with the surrounding commercial environment. The property meets the requirements of the proposed zoning district, ensuring that the church can function effectively within the district's permitted uses without causing disruption or requiring special exceptions.
5. Approval of the church application will not detrimentally affect nearby properties. Given that the surrounding area is primarily commercial, the church is a compatible use that will not disrupt the character or operations of neighboring properties. The church's design and activities will be carefully managed to minimize impacts such as traffic or noise, ensuring that the community remains balanced. Additionally, the church will comply with zoning and land use policies, ensuring that it operates harmoniously within the existing commercial district without causing negative effects on nearby properties.

6. The proposed use will not affect the capacity or safety of the street network, public facilities, or utilities, nor will it present parking problems in the vicinity. The church's design includes sufficient parking, meeting or exceeding zoning requirements, and its operations are expected to generate minimal traffic impact given the commercial character of the area. The street network and public utilities can easily accommodate the church without strain, and any peak times for services or events will not create significant congestion or safety concerns. The church's presence will be well-integrated into the existing infrastructure and services, ensuring no adverse impact on the surrounding area.

7. Approval of the church application will not harm the value of nearby properties. The church is a compatible use within the predominantly commercial area and is expected to enhance the neighborhood by providing a community-oriented facility. Its presence is unlikely to negatively impact property values, and in many cases, such institutions can contribute positively by attracting visitors and enhancing the area's overall character. The church's design and operation will be well-integrated into the existing environment, ensuring that nearby properties maintain their value and continue to thrive.

PROJECT OVERVIEW

Project Type: Conditional / Specific Use Permit | **Project Title:** Conditional / Specific Use Permit

ID # 24-001129 | **Started** 10/08/2024 at 4:09 PM



Address

303 E FM 517, 309, Dickinson, TX USA 77539

Legal

BORDEN'S GULLY Lot E
S19
BORDEN'S GULLY (2007) ABST 19, RES E (5-0),
ACRES 1.40

Description

Non Profit Worship Center which is a public building or place where people gather for worship. A diverse community of faith that aims to bring the beauty of Christ into the city and the world. We believe in the gospel and focus on worship, loving others, and loving the city. We welcomes people at all stages of their spiritual journey. We offer Sunday services, classes, programs, and opportunities for kids and youth.

| CONTACTS | CONTACT INFO | ADDRESS | CREDENTIALS | ROLE |
|------------------------|---|---|-------------------------------------|----------------|
| Shirley Fontenot-Brown | shirleyfontenotministries@gmail.com 8329159393 | 303 FM 517 East 309 Dickinson, TX 77539 | Commercial Building Owner/Tenant | APPLICANT |
| Vichitra LLC | - | 1267 Portefino Lane League City, TX 77539 | - | Property Owner |

INFORMATION FIELDS

GCAD Property ID
296995

Address
-

GCAD Legal Description
Non Profit Worship Center

Property Acres
-

Property Owner
Terry Sun

Property Owner Address
303 FM 517 Dickinson, TX 77539

Property Owner Phone Number
+1 (713) 252-4004

Property Owner Email
laurenjwhite@gmail.com

Proof of Ownership

-

Signatory Authorization

-

Agent Authorization

-

Zoning Designation

Small-Scale Commercial "SC"

Existing Use Type

Commercial

Existing Use

-

Proposed Use Type

Commercial

Proposed Use

Non Profit Worship Center

Description of Specific Use Requested

Non Profit Worship Center which is a public building or place where people gather for worship. A diverse community of faith that aims to bring the beauty of Christ into the city and the world. We believe in the gospel and focus on worship, loving others, and loving the city. We welcomes people at all stages of their spiritual journey. We offer Sunday services, classes, programs, and opportunities for kids and youth.

Applicant Statement - Zoning

Commercial Lease Amendment 1 - 7_22.pdf

Additional Supporting Documents

-

Technical Studies

-

Floor Plan

-

Planning & Zoning Commission Public Hearing

12/17/2024 6:00 PM

City Council Public Hearing

01/28/2025 6:00 PM

City Council Meeting

02/25/2025 6:00 PM

Request To


Operate a place of Worship.



Agent Authorization

October 30, 2024

Please consider this letter as authorization that I, Terry Sun, owner of said 303-309 FM 517 E in Dickinson, Texas authorizes Shirley Fontenot to act as an agent for the purpose of an application for New Commercial Certificate of Occupancy Permit to the City of Dickinson as well as all the supporting documentation, changes, and corrections for this request.

Signature:  Date: 10-31-24

Printed Name: Terry Sun

ACKNOWLEDGMENT

THE STATE OF Texas §
COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this day personally appeared Terry Sun, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed.

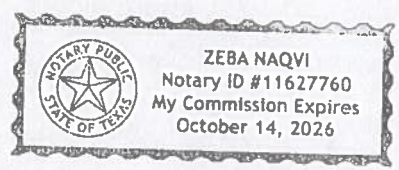
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 31st day of October 2024

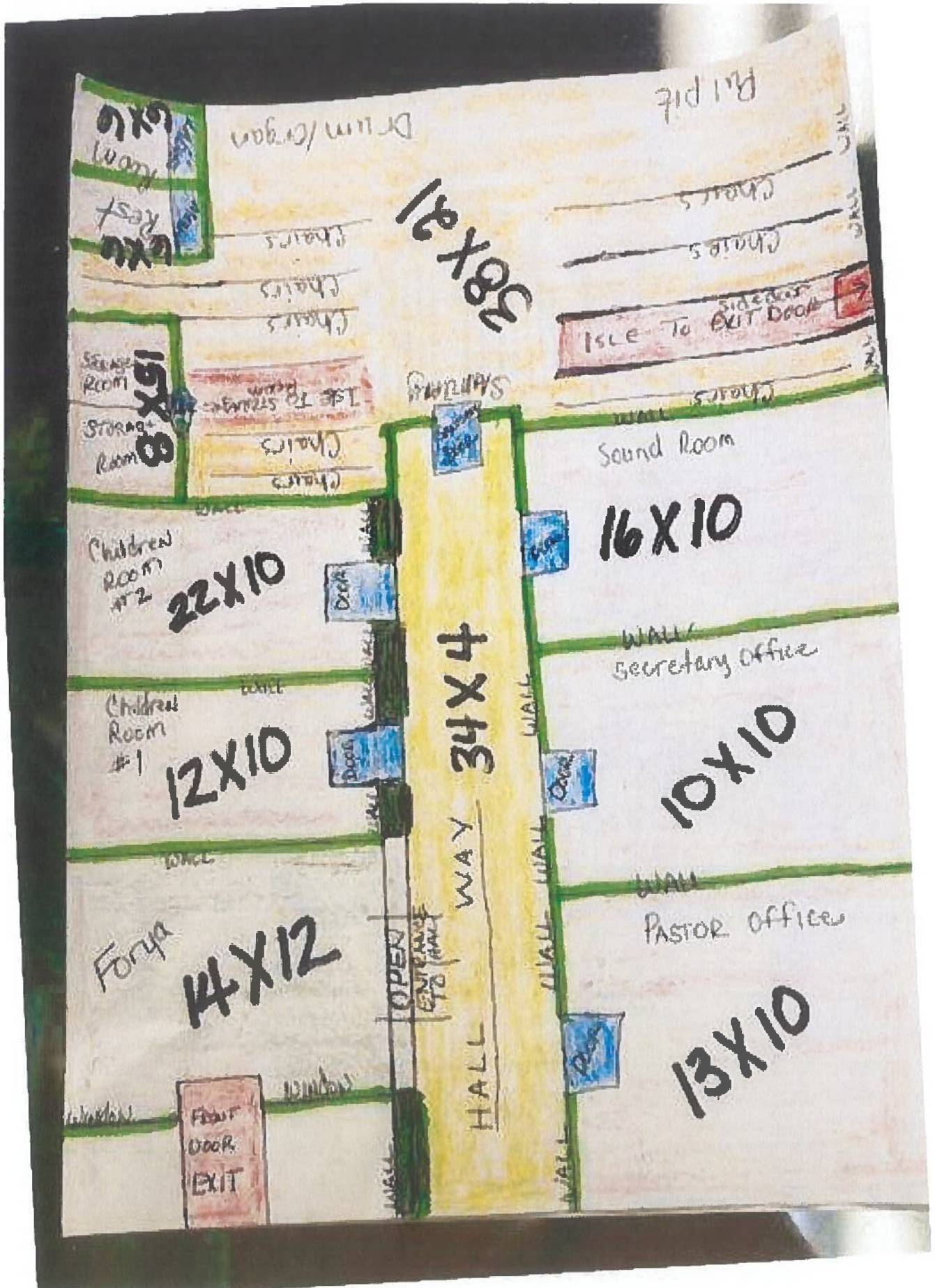


Notary Public In and For the State of Texas

My Commission Expires: Oct. 14, 2026

(Seal)





Rest Room 6x6

Seating Room 15x8
Storage Room 8x8

Children Room #2 22x10

Children Room #1 12x10

Forya 4x12

Front Door EXIT

50x21

SANTUARY

34x4

WAY

HALL

Pulpit

Drum/Organ

Chairs
Chairs
Chairs

Chairs
Chairs

Isle To EXIT Door

Sound Room

16x10

Secretary Office

10x10

Pastor Office

13x10

Door

Door

Door

Door

Door

Isle To Seating Room

Chairs
Chairs

Wall

Wall

Wall

Window

OPEN
ENTRANCE
ETO HALL

Wall

Wall

Wall

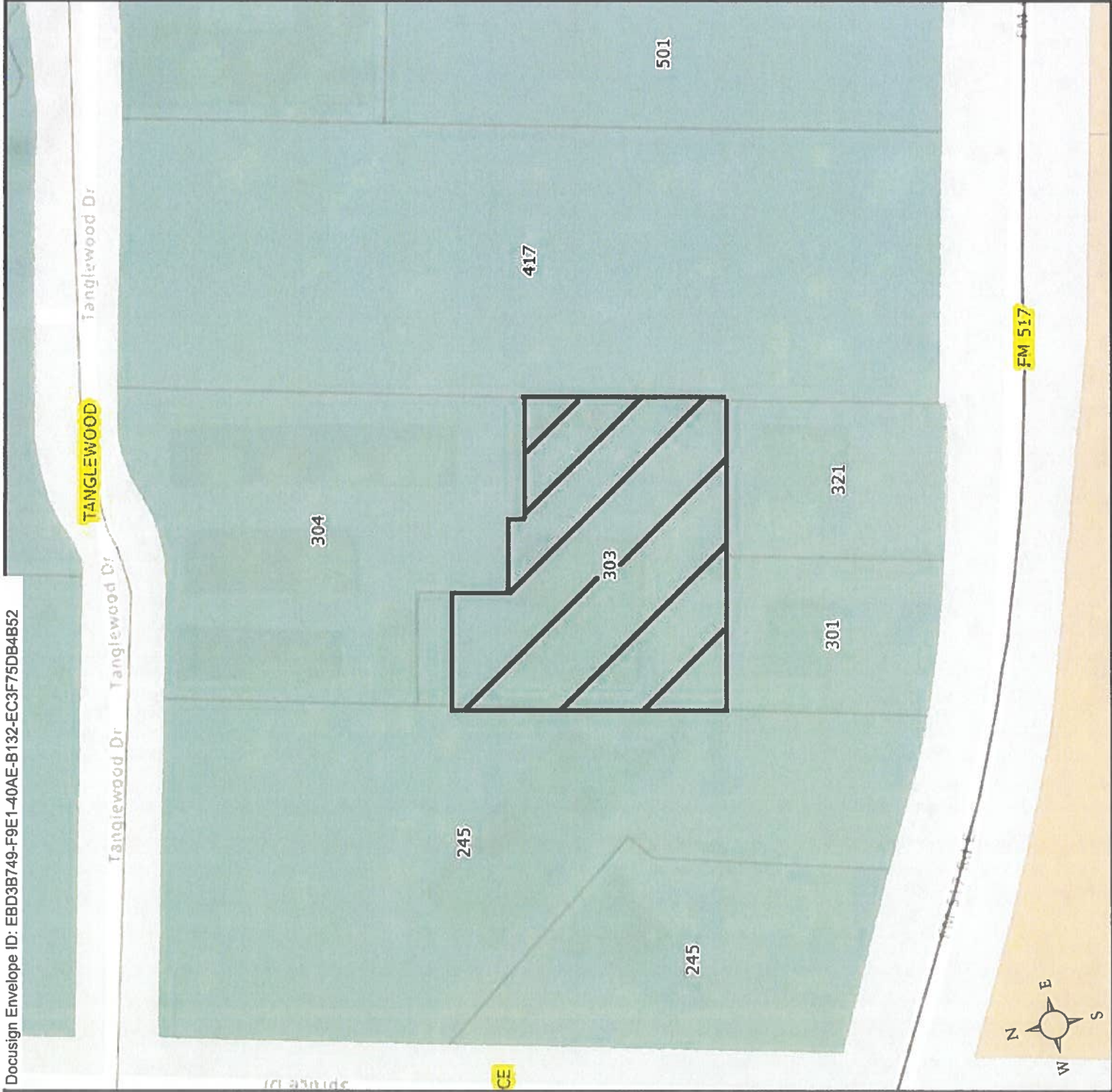
Wall

Wall

Wall

Wall

Wall



Conditional Use

Permit

- Vicinity Map -

GCAD ID #296995
 appx. 0.8471 acres legally
 described as ABST 19 PERRY &
 AUSTIN SUR PT OF LOT 138 (2-
 3) DICKINSON ADDN D AKA
 PT OF TRACT B

-  Subject Property
-  Mixed Use (MU)



The City of Dickinson Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.



City of Dickinson
Community Development

Planning & Zoning Commission
(P&Z)

Conditional Use Permit
December 17, 2024

Staff Report

Request: The applicant is requesting a Conditional Use Permit for Churches use in Mixed Use zoning district.

Applicant: Shirely Fontenot Brown

Owner: FM Investments LLC 517

Subject Property: 303 E. FM 517 Road, Suite 309, Dickinson, Galveston County, Texas.

Parcel Information: Previous Zoning: General Commercial
Use: Church

Surrounding Properties Information:

North: Mixed Use zoning district
West: Mixed Use zoning district
East: Mixed Use zoning district
South: Mixed Use zoning district

Background:

The purpose of the requested Conditional Use Permit (CUP) is to allow the property owner to permit the lessee to operate a Church as a land use at above referenced location.

The commission may consider the following criteria, to the extent pertinent to the application. In addition, other factors may be considered which may be relevant to the application and reasonable conditions may be recommended to City Council if P&Z deems this a land use fit for this area.

Common Review Criteria. The requests meet all applicable universal review criteria as

- 1. Yes, the property meets all applicable universal review criteria. However, property shall consider platting the property.**

Yes, in staff review it meets all applicable universal review. In addition, it meets all of the provisions of the City's Comprehensive Plan

2. Conditional Use Standards. The proposed conditional use complies with all of the applicable use-specific standards detailed in Sec. 18-14., Conditional Use Standards;

Yes, this conditional use permit will be consistent with other like uses in the area. There are three other churches with 500 ft of this location. Parking, stacking loading all will happen on site and should not spill into the public right of way. Size of the congregation as stated by owner is approximately 25 members, which should not cause any roadway disruption. Even if the other churches in the area were to have their time of worship at the same time, this church would have minimal impact to the surrounding area. This location will also have a limited ability to grow due to the overall size of lease space (total space <=1800sq ft). All other operational standards have currently not been an issue, but can be overseen via operational performance standards and can be cited if necessary as a code infraction if there were lighting, signage, parking or maintenance issues.

3. Public Health and Safety. The granting of the Conditional Use Permit is not injurious or otherwise detrimental to the public health, safety, and general welfare of the public.

Public Health and safety would not be impacted in this area if the CUP were to be approved. All impact of the use will be maintained on site allowing that there is ample parking for the Strip Center (33 spaces). This sort of land use/ assembly for the church can be determined by the number of seats in the church or based off square footage. In each scenario the number of spaces equals either 6 or 7 spaces as per the ordinance. Additionally, as previously stated, access to the lease space has plenty stacking room and should not have any impact to the public road way.

4. Property and Improvements within Vicinity. The granting of the Conditional Use Permit is not substantially or permanently injurious to the property or improvements in the vicinity in which the property is located;

As previously stated, the granting of this Conditional Use Permit in staff's opinion will not substantially or permanently be injurious to the existing property or other improvements in the vicinity. The Church is slated to only have weekend service along with Wednesday evening Bible Study. These alternate operational hours for peak use each week vs the other lease spaces in the same building should be compatible.

5. Location. There is no practical alternative location where the conditional use is permitted by right within the general vicinity of the parcel proposed for

development, or if such a location exists, the proposed location is comparable or more favorable in terms of:

a. Providing a needed community service.

- i. *The proposed church is in a location that would suit this need and has similar like kind uses in the area. The overall size and limited capacity to grow of the Church would not have an impact to the area, due to needing to request a new CUP if the Church decided to grow and incorporate new lease spaces in its current location.*

b. Providing a critical mass of related and mutually supportive land uses that promote quality economic development and opportunity.

- i. *Staff would state that there is a mix of both commercial, multifamily, and other places of assembly in the same area.*

c. Providing a balance of land uses, ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another; and

- i. *This use is in concert with the surrounding land uses and within a multitude of other commercial activities that will presumably not conflict with one another.*

d. Making more efficient use of public infrastructure.

- i. *No additional infrastructure needs to be constructed or considered for ultimate capacity since this is an existing location and will have no additional impact to the districts overall water or wastewater system and no additional roadwork or street installation/construction*

Recommendation: Staff recommends Approval

Due to the reasons mentioned above staff recommends approval of this land use in this location.

ORDINANCE NO. 2082-2025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ABANDONING A CERTAIN FIFTY-THREE-FOOT (53') UNDEVELOPED LAND EASEMENT LOCATED WEST OF DESEL DRIVE AND NORTH OF HUGHES ROAD RECORDED IN VOLUME 223, PAGE 207 OF PLAT RECORDS OF, GALVESTON COUNTY, TEXAS, WITHIN THE CORPORATE CITY LIMITS OF DICKINSON, GALVESTON COUNTY, TEXAS; HAVING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been filed with the City of Dickinson, to abandon a certain fifty-three-foot (53') undeveloped land easement described in Exhibit "A", attached hereto and made a part hereof for all purposes, and recorded in Volume 223, Page 207 of the Plat Records of Galveston County, Texas; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS:

Section 1. The City Council finds and determines that public convenience and necessity does not require retention of said fifty-three-foot (53') undeveloped land easement.

Section 2. That said undeveloped land easement, evidenced by Exhibit "A," attached hereto, is hereby ABANDONED by the City of Dickinson.

Section 3. That the City Manager or his designee or is hereby authorized to execute and the City Secretary to attest all documents necessary to give effect to this Ordinance.

Section 4. A certified copy of this ordinance recorded in the official records of Galveston County, Texas, shall constitute notice of this action by the City Council.

Section 5. **Savings.** All rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

Section 6. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. **Effective Date.** This Ordinance shall become effective upon its adoption by the City Council.

PASSED on first reading on 28th day of January, 2025.

PASSED and ADOPTED on second reading on 25th day of February, 2025.



TRAVIS MAGLIOLO
Mayor

ATTEST:

Claude Allen Oliver

CLAUDE ALLEN OLIVER
City Secretary

APPROVED AS TO FORM:



NGHIEM V. DOAN
City Attorney



TBPE No. F-726
TBPLS No. 10092300

INTERURBAN GARDENS R.O.W. ABANDONMENT 1.301 ACRES

FIELD NOTES of a 1.301 acre tract of land situated in the Alexander Farmer League, Abstract No. 11, Galveston County, Texas; said 1.301 acre tract of land being out of and a part of Interurban Gardens as recorded in Volume 223, Page 207 of the Galveston County Deed Records (G.C.D.R.); said 1.301 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert Grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum (2001 adjustment). All distances are actual distances. Scale factor = 0.999868980876.

COMMENCING at a concrete monument found for the Southeast corner of a called 36.2873 acre tract (Tract II) of land conveyed to Careyblanco Management, LP and recorded in G.C.C.F. No. 2022024463, the Southwest corner of the Remainder of a called 12.54 acre tract (Tract 1) of land as conveyed to Bertram C. Schroeder, Jr. Family Trust and recorded at G.C.C.F. No. 9701901, being in the Northerly right-of-way line of Hughes Road (70 feet wide as monumented) and recorded in G.C.C.F. No. 1702522.

THENCE S 67°41'38" W, along the Southerly line of said 36.2873 acre tract and the Northerly right-of-way line of said Hughes Road, at a distance of 384.32 feet pass a found 1/2-inch capped iron rod stamped "Zollars" that bears S 73°24'59" E, 0.67 feet, continue a total distance of 960.95 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" set for the Southwest corner of said 36.2873 acre tract and the Southeast corner of Lot 1 of Monterra Estates as recorded in Plat Record 18, Map 920 of the Galveston County Map Records (G.C.M.R.).



TBPE No. F-726
TBPLS No. 10092300

THENCE N 01°59'30" W, along the Westerly line of said 36.2873 acre tract and the Easterly line of said Monterra Estates; at 409.82 feet pass the Northeast corner of Lot 1 of said Monterra Estates from which a found 3/8 inch iron rod bears S 49°40'08" E, 0.27 feet; and continuing for a total distance of 1,439.61 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" set for the Southeast corner of this tract of land and the **POINT OF BEGINNING**.

- 1) **THENCE** S 88°00'30" W, along the South line of this tract of land a distance of 53.07 feet to 5/8-inch capped iron rod stamped "Scott O Ellis" found for the Southwest corner of this tract of land, and the Southeast corner of a called 9.550 acre tract of land as conveyed to Careyblanco Management, LP and recorded at Galveston County Clerk's File No. (G.C.C.F. No.) 2022024463.
- 2) **THENCE** N 01°59'30" W, along the West line of this tract of land and the Easterly line of said 9.550 acre tract; at a distance of 527.51 feet pass a found a 1/2 inch rod that bears N 56°24'55" E, 0.38 feet; at a distance of 1,033.34 feet pass a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" set for reference; and continuing for a total distance of 1,058.35 feet to the Northwest corner of this tract of land and being in the Southerly line of Dickinson Bayou.
- 3) **THENCE** N 68°56'24" E, along the North line of this tract of land and the Southerly line of said Dickinson Bayou a distance of 56.15 feet to the Northeast corner of this tract of land; said point also being the Northwest corner of said 36.2873 acre tract of land.



TBPE No. F-726
TBPLS No. 10092300

- 4) **THENCE** S 01°59'30" E, along the East line of this tract of land and the Westerly line of said 36.2873 acre tract of land; at a distance of 17.05 feet pass a 1-1/2 inch iron pipe which bears N 86°12'37" E, 0.72 feet; continuing for a total distance of 1,076.69 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 1.301 acres (56,653 sq. ft.) of land.

EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA

A handwritten signature in black ink, appearing to read "A. Munroe Kelsay".

A. Munroe Kelsay
Texas Registration No. 5580
10011 Meadowglen Lane
Houston, Texas 77042
713-784-4500



Date: 10/10/2024

Job No: 241-019-00

File No: R:\2024\241-019-00\Docs\Description\Boundary\241-019-00_ROW Abandonment (1.30 acres).docx