

12-29-1950

ORDINANCE NO; 413

AN ORDINANCE CLOSING, VACATING AND ABANDONING AN ALLEY RUNNING NORTH AND SOUTH ACROSS BLOCK 47; THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS; RESERVING AN EASEMENT ACROSS SAID PROPERTY FOR PUBLIC UTILITY PURPOSE AND PROVIDING A REVISIONARY INTEREST IN THE CITY OF ABILENE UPON THE ABANDONMENT OF SAID PROPERTY FOR CHURCH PURPOSES AND ORDERING A PUBLIC HEARING BEFORE FINAL PASSAGE.

WHEREAS, the FIRST BAPTIST CHURCH of Abilene, Texas, is the owner of all of Block 47 in the City of Abilene, Taylor County, Texas; and

WHEREAS, as originally dedicated there is an alley running North and South through the middle of said block; and

WHEREAS, by virtue of the fact that said church has now acquired title to the whole of said block and is using all of same, and intends to use all of same in the future for church purposes, for which reason the Board of Commissioners of the City of Abilene has concluded, after hearing all of the pertinent facts and inspecting said property on the ground that it is to the best interest of the City of Abilene and the public generally that said alley be closed, vacated and abandoned as to said Block 47 only; and

WHEREAS, said Board of Commissioners further findsthat the public will be benefited by the vacating and closing of said alley, not only for the reason that the City will no longer be obligated to maintain same and certain traffic hazards will be avoided, but for the reason not necessary herein to state, and said Board of Commissionershaving determined the necessity and advisability of vacating and closing such alley, and said church, through its proper representatives, having appeared before the Commission and voiced its willingness and desire that such alley be vacated and closed;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE:

That said alley as heretofore dedicated in Block 47 of the Original Town of Abilene, Taylor County, Texas, be and the same is hereby ordered closed, vacated and abandoned, between the South boundary line of North Third Street and the North boundary line of North Second Street; and further that the title to the part of said alley so ordered closed, vacated and abandoned be and the same is hereby vested in said FIRST BAPTIST CHURCH, of Abilene, Texas, as the sole owner of all lots abutting on the part of the alley so closed, vacated and abandoned.

It is specifically provided, however, that the City of Abilene hereby retains an easement in said alley as dedicated for the purpose of constructing, maintaining and repairing any and all utility lines which it may deem proper and necessary; and it is further provided that in the event the property aforesaid shall at any time in the future be abandoned or conveyed by the First Baptist Church, ^{or} that the said property shall no longer be used for church purposes, then and in that event the title to said alley shall revert to the City of Abilene and City shall have the right to immediately re-enter upon the premises and to assume control over same for the use and benefit of the public.

PASSED ON FIRST READING THIS THE 15th day of December, A.D. 1950.

After said passage, a notice of the time and place when and where said ordinance would be read and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, the publication being on the 20th day of December, 1950, at least one week prior to the time advertised. After such opportunity for the public to be heard, said ordinance was passed on its SECOND AND FINAL READING on the 29th day of December, A.D. 1950.

ATTEST:

Lela Jean Martin
City Secretary

Hubert Smart
Mayor

Hudson Smart

APPROVED AS TO FORM BEFORE PASSAGE:

Wilson Johnson
Corporation Counsel

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF TAYLOR

Before me, the undersigned authority, in and for said state and county, on this day personally appeared J. L. Black to me known, who after being

by me first duly sworn on oath says that he is the Class. Adv. Mgr. of The Reporter-News which is a newspaper of general circulation, published in the City of Abilene, in Taylor County, Texas and which had been continuously and regularly published therein for a period of more than one year next before the publication of the attached notice; and said publications were made to his own personal knowledge on:

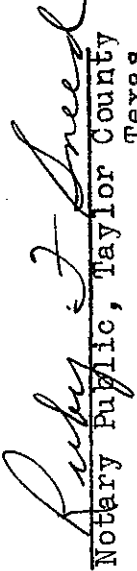
December 20, and

and that a true and correct copy of said notice as published on the above publication dates is attached hereto, which he swears is a true and correct copy of said notice, and that the fee therefor is \$ 6.72.



Subscribed and sworn to before me by J. L. Black

on this 21st day of December, 1950.


Notary Public, Taylor County
Texas

(Seal)

NOTICE OF PASSAGE
Notice is hereby given that the Board of Commissioners of the City of Abilene has passed on first reading an ordinance captioned as follows:
AN ORDINANCE CLOSING, VACATING AND ABANDONING ALLEY RUNNING NORTH AND SOUTH ACROSS BLOCK 47, THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, RESERVING AN EASEMENT ACROSS SAID PROPERTY FOR PUBLIC UTILITY PURPOSES AND PROVIDING A REVERSIONARY INTEREST IN THE CITY OF ABILENE UPON THE ABANDONMENT OF SAID PROPERTY FOR CHURCH PURPOSES AND ORDERING A PUBLIC HEARING BEFORE THE FINAL PASSAGE.
Said ordinance is on file in the office of the City Secretary available to public inspection said ordinance will be given a public hearing and considered for final passage on the 29 day of December A. D. 1950, at 9:00 a. m. in the meeting room of the Board of Commissioners. LILA BERN MARTIN City Secretary ADV