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WHEREAS, J. D. Moore Transfer and Storage Company is the owner of cer-

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A PORTION OF A NORTH-SOUTH ALLEY IN BLOCK 61, ORIGINAL TOWN, TO J. D. MOORE TRANSFER AND STORAGE COMPANY; QUITCLAIMING SAID ABANDONED PORTION TO SUCH COMPANY; PROVIDING FOR THE TERMS AND CONDITIONS OF SAID ABANDONMENT; AND CALLING A PUBLIC HEARING.

tain lots in Block 61, Original Town of the City of Abilene, said lots abutting on both the East and West sides of an alley in said Block, which alley is no longer needed for public purposes and J. D. Moore Transfer and Storage Company has requested the City of Abilene to close and abandon the hereinafter described portion of such alley; and,

WHEREAS, in consideration thereof and to provide for the protection of public utilities located underneath the hereinafter described portion of such alley J. D. Moore Transfer and Storage Company has agreed to grant an easement over that portion of such alley proposed to be abandoned, for the installation, maintenance, repair and replacement of any and all public utilities with the right of ingress and egress thereto, and it is the opinion of the City Council that said abandonment is in the public interest of the City of Abilene, Texas; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE,

TEXAS:

Section 1: That the following described alley way, constituting a portion of the alley in Block 61, be and the same is hereby abandoned, vacated and closed insofar as the right, title and easement of the public are concerned:

Being the South 200 feet of a North-South alley abutting upon lots 3-6 and 7-10, Block 61, Original Town, City of Abilene, Texas.

Section 2: That the City of Abilene does hereby retain an easement for ingress and egress for the maintenance, installation, repair and replacement of utility lines underneath the above described 200 feet of such abandoned alley way.

Section 3: That the City of Abilene, for and in consideration of such utility easement does by these presents, quitclaim all of its right, title, claim and demand to that tract of land described in Section 1 hereof to J. D. Moore Transfer and Storage

company with all and singular its right, title, interest, estate, claim and demand in said tract as described; to have and to hold the above released rights, titles, interests, claims and demands to the said J. D. Moore Transfer and Storage Company, its assigns, for ever, so neither the City of Abilene nor its legal representatives or assigns shall have any right or title to or interest in such property, premises or appurtenances or any part thereof at any time hereafter.

Section 4: That the abandonments provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Section 1 hereof and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

Section 5: That a further condition to such abandonment shall be that any gate constructed at the north end of the utility easement herein granted shall not open northward

PASSED ON FIRST READING this 22nd day of July, A. D. 1965.

After said passage a notice of time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 26th day of July, A. D. 1965, the same being more than one (1) week prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final hearing.

PASSED ON SECOND AND FINAL READING this 12th day of August, A. D. 1965.

(SEAL)

ATTEST:

Annette Jackson

ASST. CITY SECRETARY

Bob Springer
MAYOR PRO TEMPORE

APPROVED:

Ray D. Anderson
~~xxxxxxxxxx~~ Assistant City Attorney

THE STATE OF TEXAS
COUNTY OF TAYLOR
CITY OF ABILENE

I, Lila Fern Martin, City Secretary of the City of Abilene, Texas, do hereby certify that the above and foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Abilene, Texas, same being recorded in Volume 8 page 325 of the Ordinance Records of the City of Abilene, Texas.

Given under my hand and seal of office this the 23rd day of August, A..D. 1965.

Lila Fern Martin
Lila Fern Martin, City Secretary
City of Abilene, Texas.



STATE OF TEXAS }
COUNTY OF TAYLOR }
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the named RECORDS of Taylor County, Texas, as stamped hereon by me.

Mr. O. Walter Whitehead
County Clerk,
Taylor County, Texas

FILED FOR RECORD
2 O'CLOCK *15* MIN. *P.M.*

SEP 23 1965

Mr. O. Walter Whitehead
County Clerk, Taylor Co., Texas
Cp. Deputy