

6928

ORDINANCE NO. 382

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF THAT PORTION OF EDNA STREET, LYING BETWEEN VIRGIL STREET AND HAILEY STREET; QUITCLAIMING SAID ABANDONED STREET TO THE ABUTTING PROPERTY OWNERS; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

WHEREAS, the Planning and Zoning Commission of the City of Abilene has, at the request of Central Texas Iron Works, recommended to the City Council that a portion of Edna Street, lying between Virgil Street and Hailey Street, which is neither needed, nor used, for public purposes, be closed, abandoned and quitclaimed to the abutting property owners; and

WHEREAS, it is the opinion of the City Council that such abandonment is in the public interest of the City of Abilene; now, therefore,

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

TEXAS:

PART 1: That the following described portion of Edna Street, situated within the City of Abilene, Taylor County, Texas, be, and the same is hereby, abandoned, vacated and closed, insofar as the right, title and easement of the public are concerned:

BEGINNING at a point where the West Right-of-Way Line of Edna Street intersects with the South Right-of-Way Line of Virgil Street;

THENCE South, along the West Right-of-Way Line of Edna Street, for a distance of 599 feet to a point where the West Right-of-Way Line of Edna Street intersects the North Right-of-Way Line of Hailey Street;

THENCE East, for a distance of 35 feet to a point where the East Right-of-Way Line of Edna Street intersects the North Right-of-Way Line of Hailey Street;

THENCE North, along the East Right-of-Way Line of Edna Street, for a distance of 599 feet to a point;

THENCE West, for a distance of 35 feet to the point of beginning.

*RECORDED & INDEXED*  
*APR 11 1914*  
*CLERK*

PART 2: That a utility easement, extending throughout the above described premises, shall be, and is hereby, retained for the installation, maintenance and repair of all public utilities, of every kind and nature, both above and beneath the surface of the ground, which may now be, or hereafter might be, installed therein, together with the right of all necessary ingress and egress thereto.

PART 3: That the City of Abilene does, by these presents, quitclaim all of its right, title, claim and demand, in and to that tract of land, described in Part 1 hereof, to those owning the property abutting on the above described portion of such street, as their interest may appear, with, all and singular, its right, title, interest, estate, claim and demand in said tract, as hereinabove described; TO HAVE AND TO HOLD the above released rights, titles, interests, claims and demands to the said abutting property owners, their heirs and assigns, forever, so that neither the City of Abilene, nor its legal representatives or assigns, shall have any right, title or interest in such property, premises or appurtenances, or any part thereof, save and except those rights and interests retained hereby, at any time hereafter.

PART 4: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land described in Part 1 of this Ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PART 5: That, upon final passage hereof, the City Secretary be, and she is hereby, authorized and directed to certify a copy of this Ordinance, and file it in the Deed Records of Taylor County, Texas.

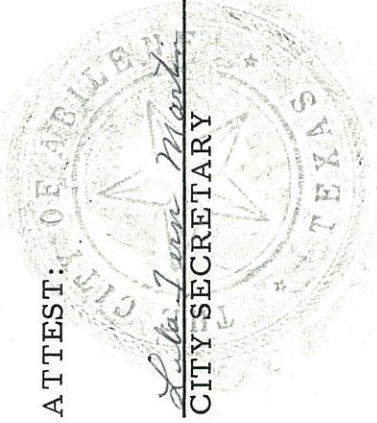
PASSED ON FIRST READING, this the 13th day of June, A. D., 1968.

After said passage, a notice of the 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 19<sup>th</sup> day of June, A. D., 1968, the same being more than twenty-four (24) hours 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 reading.

PASSED ON SECOND AND FINAL READING, this the 27th day of June,

A. D., 1968.



ATTEST:

CITY SECRETARY

*[Signature]*  
MAYOR

APPROVED:

*[Signature]*  
CITY ATTORNEY

THE STATE OF TEXAS

COUNTY OF TAYLOR

BEFORE ME, the undersigned authority, on this day personally appeared RALPH N. HOOKS, Mayor of the City of Abilene, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said City of Abilene, a Municipal Corporation, and that he executed the same as the act of such corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

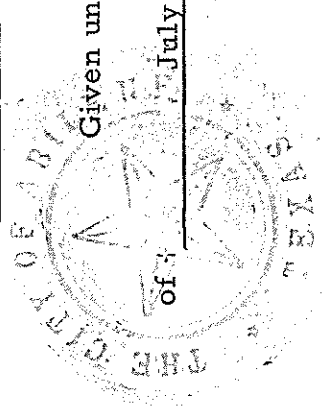


GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 27<sup>th</sup> day of June, A. D., 1968.

*[Signature]*  
Notary Public, Taylor County, Texas

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 9  
page 26 of the Ordinance Records of the City of Abilene, Texas.



Given under my hand and seal of office this the 9th day  
of July, A..D. 1968.

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