

ORDINANCE NO. 497

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF ALL OF HALL STREET, QUITCLAIMING SAID AGANDONED STREET TO THE ABUTTING PROPERTY OWNER; 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 Mr. H. S. Higginbotham, recommended to the City Council that all of Hall Street, in the City of Abilene, Taylor County, Texas, which is neither needed, nor used, for public purposes, be closed, abandoned and quit-claimed to the abutting property owner, H. S. Higginbotham; 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 Hall 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:

BEING all of Hall Street from the Winters Freeway to North 1st Street, City of Abilene, Taylor County, Texas, and located West of Winters Freeway and North of North 1st Street from Approximately 500' West of Winters Freeway to Winters Freeway.

PART 2: THAT a utility easement in and to all of the above described premises is hereby reserved in favor of Southwestern Bell Telephone Company for the installation, maintenance and repair of any lines and poles of said company, together with the right of all necessary ingress and egress thereto.

PART 3: THAT the City of Abilene does, by these presents, quitclaim all 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 demand 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.

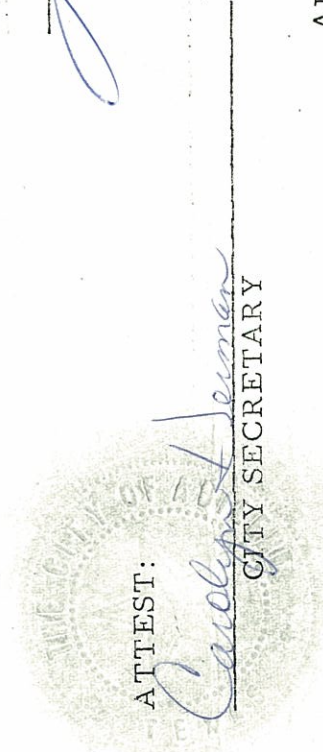
PART 4: THAT the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land described in Part 1 of this Ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

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 August, A. D., 1970.

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 17th day of August A. D., 1970, 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.

PASSES ON SECOND AND FINAL READING, this the 10th day of September, A. D., 1970.



ATTEST:

*Carolyn J. Seaman*  
CITY SECRETARY

*J. C. Schuster*  
MAYOR

APPROVED:

*Ben Niederbaug*  
CITY ATTORNEY

THE STATE OF TEXAS  
COUNTY OF TAYLOR

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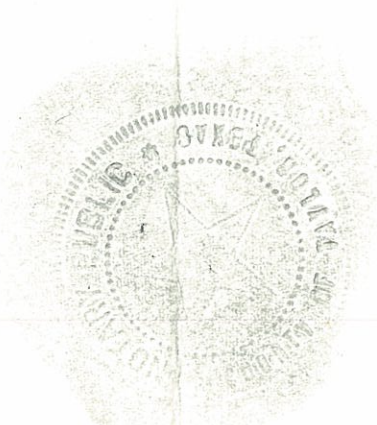
BEFORE ME, the undersigned authority, on this day personally appeared J. C. Hunter, Jr., Mayor of the City of Abilene, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged that the same was the act of the said City of Abilene, a municipal 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 10 day of

Sept, 1970.

*Judy Carl*

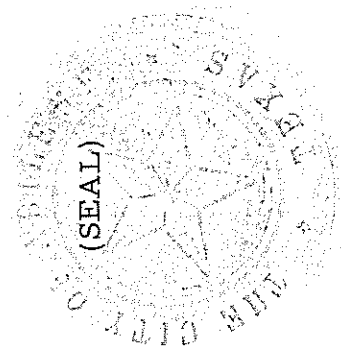
NOTARY PUBLIC in and for Taylor County,  
Texas



THE STATE OF TEXAS |  
COUNTY OF TAYLOR |  
CITY OF ABILENE |

I, Carolyn Herman, 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, on the 10th day of September, A. D., 1970, same being recorded in Volume 9, Page 220 of the Ordinance Records of the City of Abilene, Texas.

Given under my hand and seal of office this the 11th day of September, A. D., 1970.



*Carolyn Herman*  
Carolyn Herman, City Secretary  
City of Abilene, Texas.