

ORDINANCE NO. 504

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF THE EAST 298 FEET FROM WASHINGTON BOULEVARD AT ITS INTERSECTION WITH MEDICAL DRIVE; 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 Mr. Kenneth L. Musgrave, recommended to the City Council that the East 298 feet from Washington Boulevard at its intersection with Medical Drive, in the City of Abilene, Taylor County, Texas, 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 I: That the following described thoroughfare, 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 out of Survey 37, Blind Asylum Lands, and being a part of Continuation No. 1, Section 3, Radford Hills Addition and being described as follows:

BEGINNING at a point on the East Boundary Line of Washington Boulevard at the Southeast corner of Section 5, Radford Hills, same being on the North Boundary Line of Continuation No. 1, Section 3, Radford Hills, from which the Southeast corner of said Survey 37 bears East 965.67 feet and South 2112.67 feet.

THENCE S 85°01' E 298 feet to the Northeast corner of said Continuation No. 1, Section 3, Radford Hills Addition;

THENCE S 4°59' W 30 feet to a 3/8" Iron Rod set for the Northeast Corner of Block 5, Continuation No. 1, Section 3, Radford Hills;

THENCE N 85°01' W along the North line of Said Block 5; a distance of 298 feet to the Northeast corner of same, on the East line of Washington Boulevard;

THENCE N 4°59' E 30 feet to the point of beginning. The location of the property is East 298 feet from Washington Boulevard at its intersection with Medical Drive.

PART 2: 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.

PART 3: 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 4: 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 8 day of October, 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 12 day of October, 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.

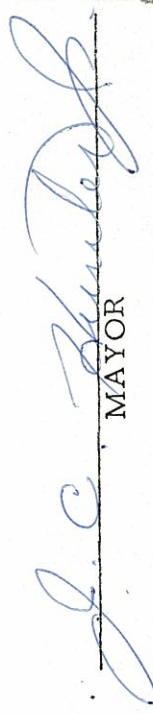
PASSED ON SECOND AND FINAL READING, this 5 day of

November, A. D., 1970.

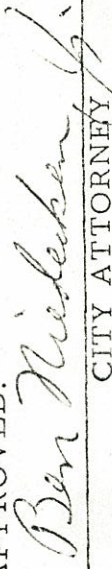
ATTEST:


CITY SECRETARY




MAYOR

APPROVED:


CITY ATTORNEY

THE STATE OF TEXAS

COUNTY OF TAYLOR

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 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 5 day of November, A.D., 1970.



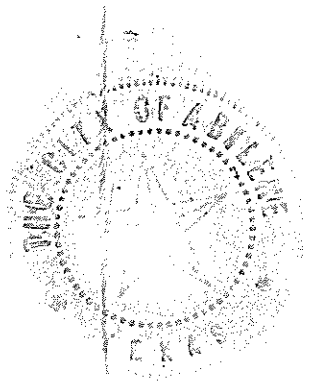
Ruth Hodgin

NOTARY PUBLIC, 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 5th day of November, A. D., 1970, same being recorded in the Ordinance Records of the City of Abilene, Texas, being in Volume 9, Page 236.

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



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