

1865

ORDINANCE NO. 508

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF ALL THE PUBLICLY DEDICATED PORTION OF CEDAR STREET EXTENDING 450 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF AMBLER AVENUE; QUITCLAIMING SAID ABANDONED STREET TO THE ABUTTING PROPERTY OWNERS BUT RESERVING UNTO THE CITY OF ABILENE AN EASEMENT FOR UTILITY PURPOSES ALONG THE RIGHT OF WAY; 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, at the request of Hardin-Simmons University, recommended to the City Council that all of the publicly dedicated portion of Cedar Street extending 450 feet north of the north right of way line of Ambler Avenue, 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, but reserving unto the City of Abilene an easement for any and all utility purposes along the right of way so abandoned with the further restriction that no permanent structures will be placed on said easement; and

WHEREAS, it is the opinion of the City Council that such abandonment with reservation 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 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 but reserving unto the City of Abilene an easement for any and all utility purposes along the right of way so abandoned with the further restriction that no permanent structures will be placed on said easement.

BEING all the publicly dedicated portion of Cedar Street extending 450 feet north of the north right of way line of Ambler Avenue.

PART 2: That the City of Abilene does, by these presents, quitclaim subject to the reservation and restriction set out above, all its right, title, claim and demand in

and to that tract of land, described in Part I 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

VOL 901 PAGE 603

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 subject to the reservation and restrictions 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 5th day of November, 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 9th day of November, A. D. 1970, the same being more than twenty-four 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 3rd day of December

A. D. 1970.



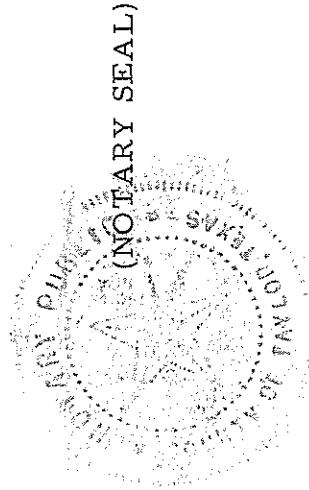
J. C. Rountree
MAYOR

APPROVED:
Ben M. ...
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 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 3rd day of December, 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 3rd day of December, A. D., 197 0,
same being recorded in the Ordinance Records of the City of Abilene,
Texas, Volume 9, Page 241.

Given under my hand and seal of office this the 4th day
of December, A. D., 197 0.



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



FILED
CITY CLERK
CITY OF ABILENE, TEXAS

1970