

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF APPROXIMATELY THE CORNER OF SOUTH 34TH STREET AND WAVERLY STREET; QUITCLAIMING SAID ABANDONED AREA 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 Treanor Equipment Company, agent T. E. Bowser, recommended to the City Council that approximately the corner of South 34th Street and Waverly Street, 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 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:

Beginning at a point on the East property line of Lot 4, Block 8, Country Club Addition Replat, said point being South 19° 28' W 50' from the Northeast corner of said Lot 4.

Thence around a curve to the right which has a central angle of 45° 28', a tangent of 93.73', and a radius of 223.7', a distance of 177.5' for the Southwest corner of this tract;

Thence South 89° 58' E, a distance of 69' for the Southeast corner of this tract;

Thence North 19° 28' E 135.9' to the point of beginning. This is approximately the corner of South 34th Street and Waverly Street.

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 16th day of November,  
A. D. 1972.

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 20th day of November, A. D. 1972, 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 7th day of December,  
A. D. 1972.

(SEAL)  
ATTEST:

Ruth Hodgkin  
CITY SECRETARY

J. C. Hunter, Jr.  
MAYOR

APPROVED:  
Ben Niedecken, Jr., CITY ATTORNEY

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

I, Ruth Hodgkin, 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 7th day of December, A.D., 197 2,

same being recorded in the Ordinance Records of the City of

Abilene, Texas, Volume 9, Page 433.

Given under my hand and seal of office, this the 7th day

of December, A.D., 197 2.



*Ruth Hodgkin*  
CITY SECRETARY  
ABILENE, TEXAS

RECORDED  
INDEXED  
DEC 10 1972