

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A PORTION OF VICTORIA 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 Mr. Claude E. Payne and Mrs. Paul H. Scott, agent Mr. Charles Scarborough, recommended to the City Council that a portion of Victoria Street, as hereinafter described, 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 portion of Victoria Street 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 a part of Block E, Fletcher Subd. of Lot 1, Blk. 205, O.T., Abilene, and a part of a street designated as "Clinton Street" on said Fletcher Subdivision, and a part of Lots 17 and 18, Blk. E, Johnson's Subdivision of Lot 2, Blk. 205, O.T., Abilene, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the present (January 1973) east line of Victoria Street with the south line of North 5th Street, on the north line of said Blk. E, Fletcher Subdivision, S 85° E 13.5' from the original northwest corner of said Blk. E;

THENCE S 85° E along the south line of said North 5th Street, at 68.6' pass the northeast corner of said Blk. E, and continue on across part of "Clinton Street" along the south line of said North 5th Street for a total distance of 133.0' to an iron pin;

THENCE S 5° W, at 50.0' across the common line between the Fletcher and the Johnson Subdivision, and continue on, at 140' pass an iron pin, and continue on for a total distance of 150.0' to the south line of said Lot 17, Johnson Subdivision;

THENCE N 85° W 133.0' along the south line of said Lot 17 to the present east line of Victoria Street at a point 1.3' S 85° E from the southwest corner of said Lot 17;

THENCE N 5° E along the present east line of Victoria Street, at 100.0' pass the common line between said Fletcher and Johnson Subdivisions at a point S 85° E 8.2' from their common west corner, and continue on for a total of 150.0' along the present east line of Victoria Street to the place of beginning, and being the same property described in a warranty deed from J. M. Alexander to S. M. Alexander dated Aug. 31, 1906, recorded in Vol. 33, Page 360, Deed Records, Taylor County, Texas, and also containing the same property described in a Quit Claim Deed from the Alexander Trust Estate to Edna Alexander dated March 12, 1956, recorded in Vol. , Page , Deed Records, Taylor County, Texas, and located 50' x 80' of Victoria Street joined on the west by Block E and the east by Lot 2, Blk. D, Fletcher Subd., located at North 5th and Victoria Street.

PART 2: That the City of Abilene does, by these presents, quitclaim all its right, title, claim and demand in and to those tracts of land, described in Part 1 hereof, to those owning the property abutting on the above described portions of such streets 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, title, 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 tracts 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 8th day of March, A. D. 1973.

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 March, 1973, 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 12 day of

April, A.D. 1973.

(SEAL)

J. C. Hunter, Jr.
MAYOR

ATTEST:

Ruth Hodgin
CITY SECRETARY

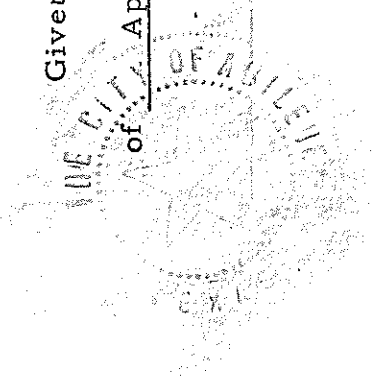
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APPROVED:
Ben Niederhiser, Jr.
CITY ATTORNEY

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

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 12 day of April, A.D., 1973, same being recorded in the Ordinance Records of the City of Abilene, Texas, Volume 9, Page 457.

Given under my hand and seal of office, this the 12 day of April, A.D., 1973.



Ruth Hodgkin
CITY SECRETARY
ABILENE, TEXAS