

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A STRIP OF RIGHT-OF-WAY, BEING A TRACT OR PARCEL OF LAND 89' NORTH AND SOUTH BY 80' EAST AND WEST OUT OF CHERRY 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 City of Abilene's Director of Public Works, recommended to the City Council that a strip of right-of-way, being a tract or parcel of land 89' North and South by 80' East and West out of Cherry 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 strip of right-of-way 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 tract or parcel of land 89' north and south by 80' east and west out of Cherry Street and being more particularly described as follows:

Beginning at a point, said point being the NW corner of Lot 12 of Block 62, Original Town, City of Abilene, Taylor County, Texas.

Thence west with the south right-of-way line of South 1st Street a distance of 80' for a corner, said corner being the NE corner of Lot 1 of Block 35, Original Town, City of Abilene, Taylor County, Texas;

Thence south with the east boundary line of said Lot 1 of said Block 35, a distance of 89' for a corner;

Thence east and parallel with the south right-of-way line of South 1st Street, a distance of 80' for a corner, said corner being in the west boundary line of Lot 12, Block 62, Original Town, City of Abilene, Taylor County, Texas;

Thence north with the west boundary line of Lot 12 of said Block 62, a distance of 89' to the place of beginning. Said tract or parcel of land containing 0.16 acres of land more or less. 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.

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 11th day of April, A. D. 1974.

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 15 day of April 1974, 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 9 day of

May, A. D. 1974.

(SEAL)

J. C. Hunter, Jr.  
MAYOR

ATTEST:

Ruth Hodgkin  
CITY SECRETARY

APPROVED:

Robert A. Chestnut  
CITY ATTORNEY

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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

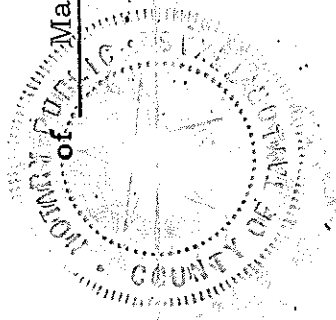
Abilene, Texas, on 9 day of May, A.D., 1974,

same being recorded in the Ordinance Records of the City of

Abilene, Texas, Volume 9, Page 541.

Given under my hand and seal of office, this the 9 day

of May, A.D., 1974.



*Ruth R. Hodgkin*  
CITY SECRETARY  
ABILENE, TEXAS