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*Copies to: Eng.
Planning 2 C.H.
B.G.G. Jns
Jax*

ORDINANCE NO. 934

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A PORTION OF SOUTH 10TH STREET; 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 recommended to the City Council that a portion of South 10th Street, as hereinafter described, in the City of Abilene, Taylor County, Texas, which is neither needed, nor used for public purposes, be closed and abandoned; 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 South 10th 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:

A portion of South 10th Street between the West right of way line of Cherry Street and the East right of way line of Locust Street

Excepting and reserving unto the public an easement the width and length of the street abandoned hereby 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 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 3: That, after the effective date of this ordinance, 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.

PART 4: It is the intention of the City Council that this street be vacated in connection with the development of a proposed Locust School Park and not otherwise. Therefore, this ordinance shall not take effect until such time as the City has acquired the three (3) parcels of land described in Exhibit "A" attached hereto.

PASSED ON FIRST READING, this the 10th day of February, A.D. 1977.

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 26 day of February, 1977, 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 24 day of February, A.D. 1977.

ATTEST:

Russell Hodgins
CITY SECRETARY

[Signature]
MAYOR

APPROVED: [Signature]
CITY ATTORNEY