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ORDINANCE NO. 55-1979
14678

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A 50' WIDE STREET DEDICATION OUT OF LOTS 6 & 7, C. W. KENNER SUBDIVISION; 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 Duwel Development, Inc., agent Duane Unrue, recommended to the City Council that a 50' wide street dedication out of Lots 6 & 7, C. W. Kenner Subdivision, 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 50' wide street dedication, 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 50' wide street dedication out of Lots 6 & 7, C. W. Kenner Subdivision, Abilene, Taylor County, Texas, located between Curry Lane and S. Danville and described as follows:

The East 25' of Lot 7 and the West 25' of Lot 6 of C. W. Kenner's Subdivision of the North 40 acres of that part of the John Doak Survey lying West of the Abilene-Buffalo Gap Road, City of Abilene, Taylor County, Texas.

Excepting and reserving unto the public a 35' easement (being the E. 25' of Lot 6 and the W. 10' of Lot 7) for any and all utility purposes along said right-of-way so abandoned with the further restriction that no permanent structures will be placed on said easement.

PART 2: That it is in the public interest of the City of Abilene to so abandon said above described street dedication.

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 9th day of August, A.D. 1979.

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 5th day of August, 1979, 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 23rd day of August, _____, A.D. 1979.

ATTEST:

Ruth Hodgkin
CITY SECRETARY

Oliver Howard
MAYOR

APPROVED:

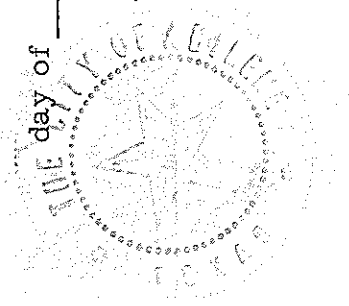
David M. Wagon
1st Asst. CITY ATTORNEY

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 23rd day of August, A.D., 197 9, same being recorded in the Ordinance Records of the City of Abilene, Texas, Volume 11, Page 45.

Given under my hand and seal of office, this the 23rd

day of August, A. D., 197 9.



Ruth Hodgkin
City Secretary, City of Abilene, Texas