

ORDINANCE NO. 46-1983

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

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.

PASSED ON FIRST READING this the 28th day of April,

A.D. 19 83.

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 3rd day of April, 19 83, 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 12th day of

May, A.D. 19 83.

ATTEST:

Willie Beard, Asst
CITY SECRETARY

Joe Hall
MAYOR

APPROVED:

Karen J. Anderson
CITY ATTORNEY

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EXHIBIT "A"

Legal Description:

Thoroughfare abandonment being:

Tract 1:

BEING 0.235 acre off the east end of a 4.32 acre tract of land out of the J. Smith Survey No. 99, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at an iron pin at an interior corner of the said 4.32 acre tract, being the NW corner of Lot 4, Continuation No. 1, Crestview Acres Addition;

THENCE N 2°06' W 55.0 feet to a point in the north line of the said 4.32 acre tract and the south line of a 60 foot wide street dedication (Vol. 596, Page 620) at the beginning of a curve to the southeast;

THENCE with curve to the right along the north line of the said 4.32 acre tract, same being the south line of the said street deed, having a radius of 676.6 feet, a chord bearing S 83°08' E 187.6 feet, a distance of 188.2 feet to a point at the beginning of a curve to the left;

THENCE with said curve to the left continuing along the said north line of the 4.32 acre tract and the south line of the public road, having a radius of 736.0 feet, a chord bearing S 80°21' E 127.4 feet, a distance of 127.5 feet to a point in the west line of a 60 foot wide public road (Ridgeline Drive);

THENCE S 24°53' W 4.0 feet to a point in the west line of the said 60 foot wide public road (Ridgeline Drive) same being the NE corner of the said Lot 4, Continuation No. 1, Crestview Acres Addition;

THENCE S 88°35'30" W 308.2 feet to the POINT OF BEGINNING, and containing 0.235 acre of land, more or less.

Tract 2:

BEING 0.46 acre tract of land out of J. Smith Survey No. 99, and being a part of an implied street dedication as recorded in Volume 596, Page 620, Deed Records, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at the SW corner of Lot 1, Block B, Section 3, Countryside South Addition for the NW corner of this tract and being the PC of a curve to the right;

THENCE along the south boundary line of said Lot 1, Block B, with said curve, having a radius of 736.6 feet on a chord bearing of S 83°08' E 205.76 feet to the PRC of said curve;

THENCE with curve to the left having a radius of 676.6 feet on a chord bearing of S 83°08' E 188.36 feet to the PT of said curve;

THENCE S 1°15' E 4.8 feet to a point on the north boundary line of Crestview Acres Addition;

THENCE S 88°45' W 53.89 feet to a point on the west boundary line of Ridgeline Drive; THENCE S 24°53' W 56.77 feet to a point in a curve to the right for the NE corner of a certain 4.32 acre tract;

THENCE along the north boundary line of said 4.32 acre tract with said curve having a radius of 736.6 feet on a chord bearing N 80°21' W 127.4 feet to PRC and a curve to the left;

THENCE along said curve having a radius of 676.6 feet on a chord bearing of N 83°08' E 187.6 feet to the PT of said curve;

THENCE N 1°15' W 60.0 feet to the POINT OF BEGINNING, and containing 0.46 acre of land more or less.

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Tract 3:

BEING 0.16 acre consisting of the North 10 feet of Mabray Lane, out of the J. Smith Survey No. 99, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod for the SE corner of Lot 2, Block B, Continuation of Section 3, Countryside South Addition, on the west boundary line of FM 89;

THENCE S 34°08'04" W 12.24 feet to a point on the west boundary line of FM 89;

THENCE S 88°45'51" W 713.51 feet and being 10 feet south of and parallel to the south boundary line of Lot 2, Lot 102, and part of Lot 1, to a point in the center of a 20 inch waterline;

THENCE N 1°14' W 10.0 feet to a point on the south boundary line of Lot 1 for the NW corner of this tract;

THENCE N 88°45'51" E at 4.9 feet pass a 3/8" iron rod the centerline of a 20 foot water easement, at 232.15 feet pass the centerline of a 20 foot utility easement, at 243.17 feet pass a 3/8" iron rod for the SW corner of Lot 102, at 703.66 feet pass the centerline of a 20' sewer easement, continuing in all 720.85 feet to the POINT OF BEGINNING, and containing 0.16 acre of land, more or less,

SAVE AND EXCEPT for the three 20 foot water, utility, and sewer easements described in the preceding paragraph and as shown on Exhibit A, page 3. ~~4~~ 4.

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