

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 14 day of March,  
A.D. 19 85.

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 3 day of March, 19 85, 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 11 day of  
April, A.D. 19 85.

ATTEST:

Antonia Patten  
CITY SECRETARY

David Stubbeman  
MAYOR

APPROVED:

Henry Cargill  
CITY ATTORNEY

EXHIBIT "A"

Thoroughfare abandonment, being Woods Place, formerly known as Poplar Street, platted of record on Flat Acres Addition Plat on February 11, 1959, being 60 feet wide and extending south from the present right-of-way line of Industrial Boulevard, a distance of 580 feet; save and except that this abandonment is conditioned on the following:

1. The City of Abilene conditionally abandons said above described property for 16 years, conditioned that said property adjoining Woods Place, owned by Woods Psychiatric Institute Lots 1 and 2, must be replatted into one lot before (1) the expiration of the 16-year period from the date of this abandonment; and (2) prior to the sale of either Tract 1 or Tract 2. Upon the occurrence of either event--sale without platting, expiration of the 16-year period without platting--the City of Abilene shall have the full right of usage of Woods Place as a public street. Upon replatting, the conditions prior to the sale or expiration of the 16-year period shall be satisfied. The intent of this provision is to get the two lots platted into one lot. The property, owned by Woods Psychiatric Institute, adjoining Woods Place, is platted of record on Woods Psychiatric Addition, Lot 182, Block A, Section 66, Blind Asylum Lands, Taylor County, Texas, filed for record July 1, 1982.
2. The City of Abilene's intention is to allow Woods Psychiatric Institute to solve security problems and give Woods Psychiatric Institute control over the previously described property, Woods Place.
3. The City reserves the entire length and width of Woods Place as a utility easement. Woods Psychiatric Institute further agrees to provide access for refuse collection and emergency vehicles onto Woods Place, both as to serve Woods Psychiatric Institute and adjoining land owners as is necessary.  
  
This abandonment is further conditioned that if the utility easement--access for refuse collection or emergency vehicles--is interfered with or denied, that this abandonment shall be of no force and effect and that Woods Place shall revert to the City of Abilene and become a public street.

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