

ORDINANCE NO. 84-1985

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

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 7th day of November, 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 3rd day of November, 19 85, the same being more than twenty-four (24) hours prior to the time designated for said hearing. On November 21, 1985, the public was given an opportunity to be heard on this thoroughfare abandonment.

PART 4: That the City Council hereby finds that an emergency exists requiring suspension of the rule provided in Section 18 of the City Charter requiring ordinances to be read on two (2) separate days, and said rule is hereby suspended and this emergency ordinance shall take effect immediately upon passage. The immediate passage of said ordinance is necessary

for the preservation of the public peace, safety and welfare,
to-wit:

The passage of this ordinance will be of benefit to
the public because once the thoroughfare is abandoned
it can be used to provide improved drainage in the area.
A further delay would possibly jeopardize and unnecessarily
delay improved flood drainage in the area.

PASSED ON EMERGENCY BASIS OR SECOND AND FINAL READING

this the 5th day of December, A.D. 19 85.

ATTEST:

Patricia Potts
CITY SECRETARY

David Stulman
MAYOR

APPROVED:

Frank Cayce
CITY ATTORNEY

1. **TC-08285**

A 20-foot wide north-south alley 400 feet in length located on the west side of K.R.B.C. Addition, Abilene, Taylor County, Texas, filed for record on October 6, 1976, (file No. 14471) and a 24-foot wide north-south alley 481 feet in length located on the east side of Lot 103, Block 1, Episcopal Subdivision, Abilene, Taylor County, Texas, 20 feet being filed for record K.R.B.C. Addition filed on October 6, 1976, (file No. 14471) with an additional 4 feet dedicated by Episcopal Subdivision filed for record November 1, 1985 (file No. 21794); SUBJECT TO retention of a drainage easement over the western 10 feet of the north 416 feet of the original alley dedication; and retention of a drainage and utility easement over the western 14 feet of the south 481.4 feet of the alley dedication, from South 14th Street to Hartford Street.

Location: Between South 14th St. & Hartford St.