

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 17 day of November A.D. 1994.

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 6 day of November, 1994, 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 1 day of December, A.D. 1994.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature]
CITY ATTORNEY

ORDINANCE NO. 51-1994

EXHIBIT "A"

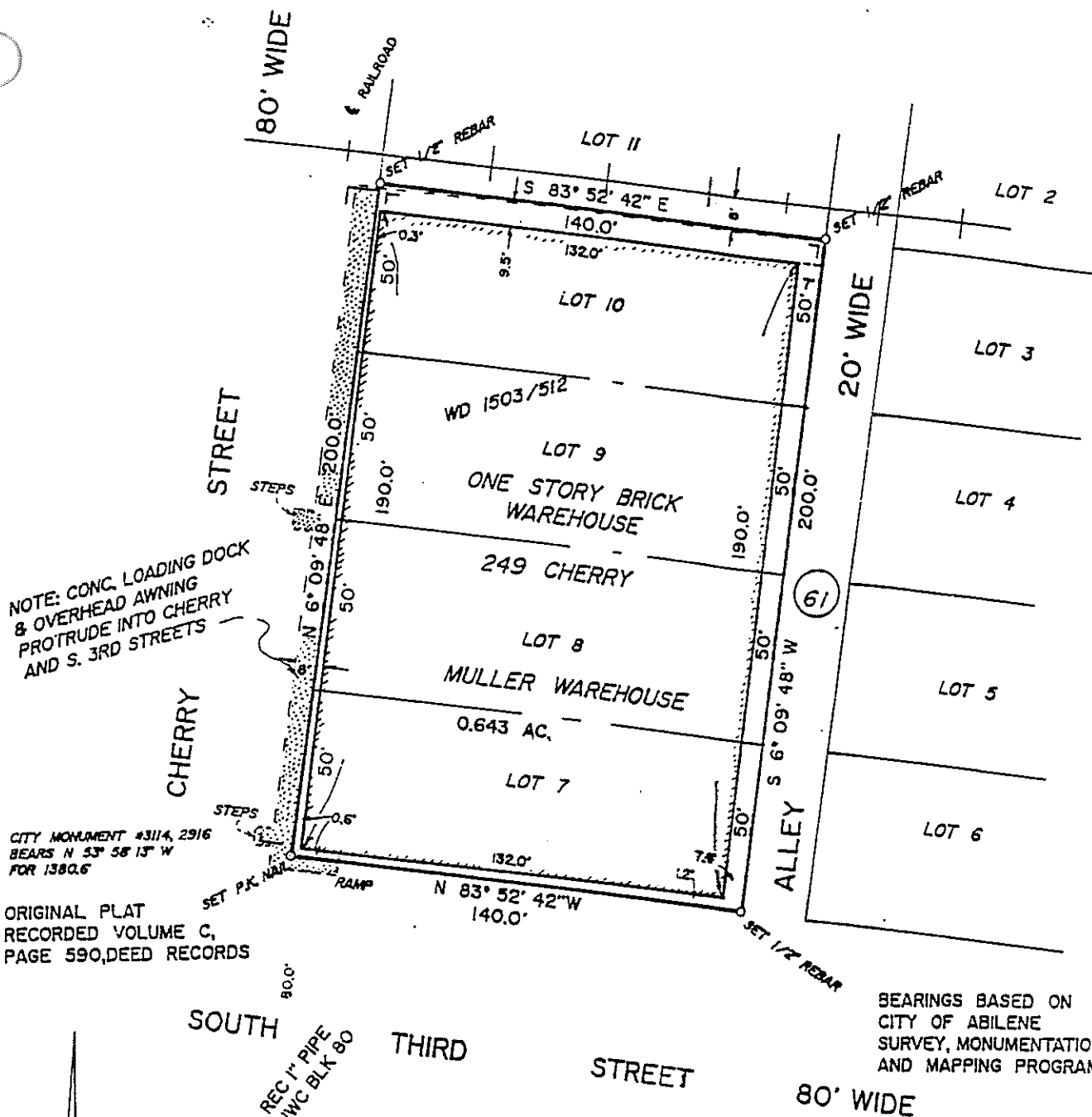
Abandon dedicated thoroughfare, being an 8 foot strip of land on the east right-of-way line of Cherry Street from the north right-of-way line of South 3rd going north a distance of 200 feet; and a 5 foot x 20 foot strip of land along the north right-of-way line of South 3rd Street; filed of record May 4, 1881, Book C, Pages 590 and 591.

-END-

00185

LOT NOS. 7, 8, 9 AND 10
 BLOCK NO. 61
 ORIGINAL TOWN OF ABILENE
 TAYLOR COUNTY, TEXAS

EXHIBIT "B"



NOTE: CONC. LOADING DOCK
 & OVERHEAD AWNING
 PROTRUDE INTO CHERRY
 AND S. 3RD STREETS

CITY MONUMENT #3114, 2916
 BEARS N 53° 58' 13" W
 FOR 1380.6'

ORIGINAL PLAT
 RECORDED VOLUME C,
 PAGE 590, DEED RECORDS

BEARINGS BASED ON
 CITY OF ABILENE
 SURVEY, MONUMENTATION
 AND MAPPING PROGRAM

I, Maxey Sheppard, a Registered Professional Land Surveyor of Texas, do hereby certify to Parts, Inc., Attorneys Messrs, Waring Cox, Jackson & Walker, L.L.P., and Safeco Land Title of Tarrant that the foregoing plat represents the findings of a survey completed on the 16th day of September 1994; that there are no visible intrusions or protrusions on this property other than the concrete dock and overhead awning shown on Cherry & S 3rd Street. Based solely upon Firm Community Panel 485450 0025C, this tract lies within Flood Zone C.

Maxey Sheppard
 Maxey Sheppard, R.P.L.S. 3697

Drawn	SHEPPARD SURVEYING CO., INC.
Chk.	17 WINDMILL CIRCLE ABILENE TEXAS 79606
	915 695-6277