

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 11 day of July A.D. 1996.

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 30 day of June, 1996, 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 25 day of July, A.D. 1996.

ATTEST:

  
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CITY SECRETARY

  
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MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. 38-1996

EXHIBIT "A"

Abandon thoroughfare, being North 19th Street from the east right-of-way line of Simmons Street to the west right-of-way line of Hickory Street, Abilene, Taylor County, Texas; SUBJECT TO (1) a utility easement retained on the entire right-of-way; (2) a drainage easement be retained on the entire right-of-way until a new master drainage plan is approved by the City of Abilene; (3) all street lights located in the affected right-of-way shall be removed at the proponent's expense; (4) If this portion of North 19th is closed without the prior or concurrent closure of the intersecting alley and the intersecting portion of Orange Street, an approved cul-de-sac turnaround must be constructed for Orange and an outlet or turnaround provided for the alley; and (5) any resulting relocation of utility lines or drainage facilities shall be accomplished at the proponent's expense in a manner satisfactory to the City of Abilene or the affected utility provider; filed for record on March 26, 1906, College Heights Addition Map.

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