

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 13 day of February A.D. 1997.

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 2 day of February, 1997, 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 27 day of February, A.D. 1997.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 7-1997

EXHIBIT "A"

Abandon thoroughfare, being Lytle Way beginning approximately 430 feet east of Play Street, east for a distance of 1,066 feet, Abilene, Taylor County, Texas; as shown on the Engineering Base Map of the City of Abilene located in the Engineering Division; SUBJECT TO retention of a utility and drainage easement the length and width of the proposed abandonment, the City retain a 40 foot wide public access easement centered on the center line of the existing roadway and extending the entire length of the site and before releasing the easement a turnaround must be constructed for any public street remaining between the easement and Loop 322; adequate access to the adjacent residence and public facilities must be maintained for emergency vehicles by not closing Lytle Way to vehicle traffic until such time that Play Street extension to Loop 322 has been completed and the intersection of Play street and the frontage road of Loop 322 not be closed during the construction period to emergency vehicles; and any relocation or removal of utility lines, street lights, or drainage facilities will be at proponent's expense.

-END-

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