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 <u>11</u> day of <u>December</u> A.D. 19 <u>97</u> . |
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| 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 November, 19 97, 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 18 day of December |
| , A.D. 19 <u>97</u> . |
| |

ATTEST:

CITY SECRETARY

APPROVED:

CITY ATTORNEY

00224

| ORDINANCE NO |
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| EXHIBIT "A" |

Abandon thoroughfare, being the south 382 feet of a 20 foot north-south alley in block 2, Johnston's Subdivision of Lot 1, Block 161, Original Town, Abilene, Taylor County, Texas; SUBJECT TO: (1) unobstructed utility and drainage easements shall be retained on the entire area of the abandoned right-of-way, (2) if relocation of utilities is desired, the relocation will be at proponent's expense; and (3) the proponent shall replat its property in a manner which will provide a connection to Elm Street; filed for record approximately February 1886, Taylor County Deed Record Book N, Page 634.

Location:

Between South 7th & South 8th and Butternut & Elm Streets