

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, subject to the condition as stated in Exhibit A.

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 11th day of August A.D. 2005.

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 20<sup>th</sup> day of July 2005, 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<sup>th</sup> day of August, A.D. 2005.

ATTEST:

Op Moore  
CITY SECRETARY

Tom Archibald  
MAYOR

APPROVED:

Sharon Hicks  
CITY ATTORNEY

ORDINANCE NO. 43-2005

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfare:

The full 20-foot wide alleyway extending North from Potomac Avenue for 175 feet, with the following conditions:

The utilities in the alleyway be relocated, at the expense of the owner.

Location:

Extending North from Potomac Avenue between Buccaneer Drive and S Pioneer Drive, at 701 S Pioneer Drive.