

ORDINANCE NO. 63-2006

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 conditions 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.

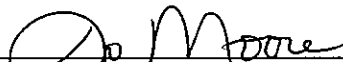
PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING this 16th day of November A.D. 2006.

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 18th day of October 2006, 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 7th day of December, A.D. 2006.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. 63-2006

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfare:

S. 18th Street beginning at the east line of a railroad right-of-way or approximately 330 feet east of S. Treadaway Blvd. and extending eastward approximately 555 feet to its eastern termination

with the following conditions:

- (1) All abandoned right-of-way and lots adjacent to the abandoned right-of-way must be replatted.
- (2) An accessible utility easement must be dedicated to accommodate existing utilities unless they are relocated.
- (3) A proper termination of S. 18th Street must be dedicated and constructed east of the railroad right-of-way as approved by the City of Abilene.
- (4) Any gates must be located/relocated so that they do not block the public right-of-way.

Legal Description: Located between Block 9, Rhodes Replat of Bowyer Estates and Block A, Hicks Replat of Bowyer Estates.