

ORDINANCE NO. 21-2008

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 10th day of April A.D. 2008.

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 March 2008, 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 FINAL READING THIS 8th day of May, A.D. 2008.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfare:

Venture Drive from Arnold Boulevard to Polaris Drive.

With the following conditions:

1. The future extension of Polaris as a through street connecting to Marigold to the north is accommodated through a replat or an agreement for a future replat negotiated and approved by the City Engineer.
2. Maintain a utility easement over the area of the existing right-of-way for planned utilities.
3. Maintain a drainage easement over the area of the existing right-of-way, unless an amended drainage plan is approved which otherwise accommodates the area's drainage.

Legal Description: Adjacent to:

FIVE POINTS BUSINESS PARK, BLOCK A, LOT 4, ACRES 12.229
FIVE POINTS BUSINESS PARK, BLOCK A, LOT 5, ACRES 11.296
FIVE POINTS BUSINESS PARK, BLOCK B, LOT 2, ACRES 11.073
FIVE POINTS BUSINESS PARK, BLOCK B, LOT 3, ACRES 24.283

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