

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 11th day of February A.D. 2010.

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 28th day of January 2010, 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 25th day of February, A.D. 2010.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

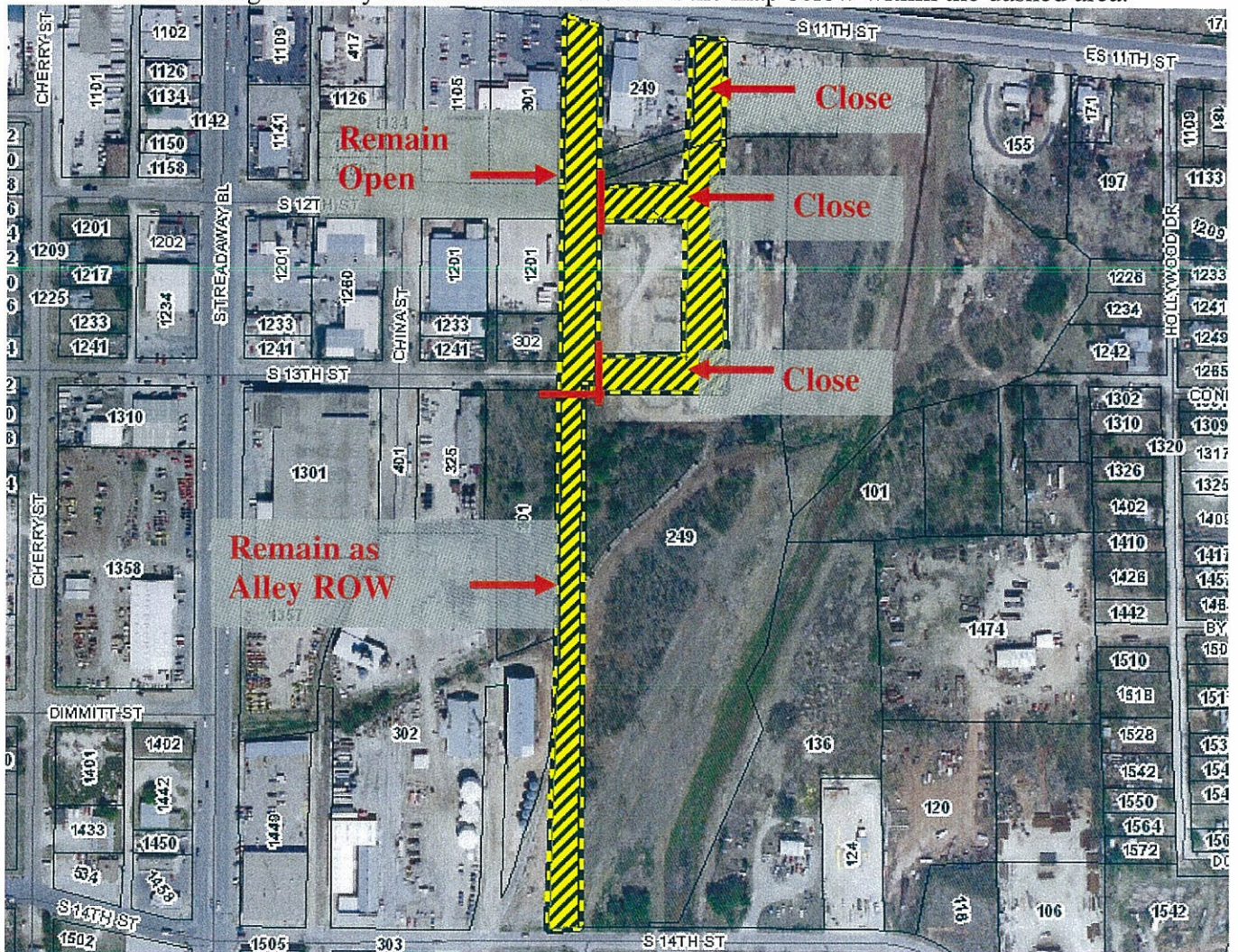
ORDINANCE NO. 4-2010

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfares:

- Abandon S. 12th Street east of Rose Street
- Abandon S. 13th Street east of Rose Street
- Abandon the unnamed north-south street between S. 11th Street and S. 13th Street
- Abandon as street right-of-way Rose Street south of S. 13th Street, but retain as an alley

All Public Right of Way as indicated and shown in the map below within the dashed area:



With the following conditions:

1. All of the adjacent properties be replatted within 12 months.
2. An Open Drainage/Utility Easement be retained along Rose Street.
3. Maintaining Rose St. south of S. 13th St. as an alley right-of-way
4. Rose St. north of S.13th St. to continue as it exists currently.

-END-