

A RESOLUTION PERMITTING THE CROSSING OF NORTH FIRST STREET IN ABILENE PLAZA BY RAILWAY TRACKS, PROVIDING THAT ALL WORK DONE IN CONNECTION THEREWITH SHALL BE STRICTLY IN ACCORDANCE WITH THE CITY CHARTER OF THE CITY OF ABILENE UNDER THE CONTROL AND DIRECTION OF THE CITY ENGINEER OF THE CITY OF ABILENE, AND CORRECTING CERTAIN OMISSIONS.

WHEREAS, heretofore a receipt of Blocks 1, 2, 4, 6, 8, and 10, Section 1 of Abilene Plaza, in addition to the City of Abilene, Taylor County, Texas, was duly filed with and approved by the City Planning and Zoning Commission and thereafter approved by the Board of Commissioners of the City of Abilene, Texas; and

WHEREAS, Block 13 and Block 17 of such receipt were intended to be railroad easements; and

WHEREAS, for such easements to be effective, the Texas and Pacific Railway Company must be permitted to cross North First Street in Section 1 of Abilene Plaza;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS:

Section 1: That the Board of Commissioners does hereby recognize that Block 13 and Block 17, Section 1, Abilene Plaza, were intended to be set aside for a railroad easement.

Section 2: That for such easements to become effective the Texas and Pacific Railway Company must be allowed to cross North First Street at a point contiguous to such blocks.

Section 3: That the Board of Commissioners recognizes that it was an omission on the part of the Developer, when filing said plat, in that he did not retain a railroad easement across North First Street.

Section 4: That the Texas and Pacific Railway Company is hereby given permission to cross North First Street at the point set forth above, but any work done relating thereto must be done under the direction and control of the City Engineer of the City of Abilene.

Section 5: The City of Abilene does not by these presents relinquish its right, power and authority to direct and control the laying, constructing and maintaining of railroad tracks, nor their right, power and privilege of requiring the same to conform to the general provisions of Article 1 of the City of Abilene, and the City hereby reserves all powers granted to it by its Charter to regulate such crossings.

PASSHD AND APPROVED this 26th day of June, 1958

ATTEST:

MAYOR

CITY SECRETARY