

RESOLUTION

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ABILENE, AUTHORIZING AND DIRECTING THAT THE MAYOR EXECUTE TO W. P. WRIGHT, SR., A QUITCLAIM DEED TO THE SOUTH 25 FEET OF BLOCK 7, WESTLAWN ADDITION TO THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, TO CORRECT AN ERROR IN THE METES AND BOUNDS DESCRIPTION CONTAINED IN A QUITCLAIM DEED DATED NOVEMBER 12, 1954, FROM J. M. BRETT TO THE CITY OF ABILENE, A MUNICIPAL CORPORATION, OF RECORD IN VOLUME 490, AT PAGE 141 OF THE DEED RECORDS OF TAYLOR COUNTY, TEXAS.

WHEREAS, on November 12, 1954, J. M. Brett conveyed by quitclaim deed to the City of Abilene, a Municipal Corporation, a strip of land 60 feet wide described as follows:

Being a part of Subdivision No. 2 of the P. Durst Survey No. 88, more particularly described as follows:
BEGINNING at the Northeast corner of said Subdivision No. 2;
THENCE South 683' to a point in the EBL of Subdivision No. 2 for the place of beginning;
THENCE West 2,652.78' to a point for a corner;
THENCE South 60';
THENCE East 2,652.78';
THENCE North 60' to the place of beginning.

said quitclaim deed being recorded in Volume 490, at Page 141 of the Deed Records of Taylor County, Texas;

WHEREAS, at the time of the above described conveyance, by the said J. M. Brett, the following described tract of land was owned by F. L. Layland et ux, Betty Jo Layland, to-wit:

All that certain tract or parcel of land lying and being situated in the County of Taylor, State of Texas, and being 2.69 acres of land, more or less, out of Subdivision No. 2 of the Patrick E. Durst Survey No. 88, in Taylor County, Texas, and described by metes and bounds as follows:
BEGINNING at an iron pin set 366.5 feet South and 1543.78 feet West of the Northeast corner of Subdivision No. 2, Patrick E. Durst Survey No. 88, for the North-east and beginning corner of this tract;
THENCE South 341.5 feet to an iron pin set for the Southeast corner of this tract;

THENCE West 343 feet to an iron pin set for the South-west corner of this tract;
THENCE North 341.5 feet to an iron pin set for the Northwest corner of this tract;
THENCE East 343 feet to the place of beginning;

WHEREAS, at the time of the above described conveyance, by the said J. M. Brett, the following described tract of land was owned by Katherine F. Payne and Claude E. Payne, to-wit:

All that certain tract or parcel of land lying and being situated in the County of Taylor, State of Texas, and being 2.69 acres of land, more or less, out of Subdivision No. 2 of the Patrick E. Durst Survey No. 88, in Taylor County, Texas, and described by metes and bounds as follows:

BEGINNING at a point 366.5 feet South and 1886.78 feet West of the NEC of Subdivision No. 2 of the Patrick E. Durst Survey No. 88, for the NE and beginning corner of this tract;
THENCE South 341.5 feet to a point for the SEC of this tract;
THENCE West 343 feet to a point for the SWC of this tract;
THENCE North 341.5 feet to a point for the NWC of this tract;
THENCE East 343 feet to the place of beginning.

WHEREAS, through an error in the field notes, there was an encroachment on the Layland and Payne tracts in the amount of 25 feet along the South side;

WHEREAS, on June 5, 1956, under file No. 8135, a plat and dedication of WESTLAWN ADDITION to the City of Abilene, Taylor County, Texas, was filed for record in the Office of the County Clerk of Taylor County, Texas, the grantee of F. L. Layland, et ux Betty Jo Layland, being Biggers Building Supply Co., joined in this plat and dedication, and the subsequent grantee of Katherine F. Payne and Claude E. Payne, being Bailey G. Choate, Trustee, joined in the plat and dedication;

WHEREAS, the entire 60 foot strip of land referred to and described above is now wholly within North 10th Street and the South 25 feet of the above described Layland and Payne tracts is part of Block 7, WESTLAWN ADDITION;

WHEREAS, in order to clear up said encroachment the present owner of the South 280 feet of Block 7, WESTLAWN ADDITION, W. P. Wright, Sr., who is a subsequent grantee of the West 9 feet of the South 280 feet of the Layland tract described above, and the South 280 feet of the Payne tract described above, desires the City of Abilene to quitclaim all its interest, if any, to the South 25 feet of Block 7, WESTLAWN ADDITION to the City of Abilene, Taylor County, Texas, as it lies West of North Willis Street, in order to remove the cloud from his title;

WHEREAS, the City has no claim to the encroachment and the use of North 10th Street and North Willis Street would not be affected by the conveyance sought herein;

NOW, THEREFORE, be it resolved by the City Commission of the City of Abilene, Texas,

SECTION I; That the Mayor is hereby authorized and directed to execute a quitclaim deed to the said W. P. Wright, Sr., covering the South 25 feet of Block 7, WESTLAWN ADDITION to the City of Abilene, Taylor County, Texas.

Passed and approved this 5th day of January, A.D. 1961.

ATTEST:

Helena Fern Martin
City Secretary

Gras Misher
Mayor

APPROVED:

Lawrence P. Kirk
Assistant Corporation Counsel