

will be

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE CANCELLATION OF A CONTRACT FOR SALVAGE RIGHTS
IN THE ABILENE REFUSE DISPOSAL AREA.

WHEREAS, the City of Abilene did on the 1st day of November, 1962, enter into a contract with one Roy A. McClung, whereby the said Roy A. McClung was granted the right to salvage all materials of any kind located on the Municipal Refuse Disposal site owned and operated by the City of Abilene, in return for which the said Roy A. McClung agreed to pay to the City a monthly fee of \$269.50, payable each month in advance; and,

WHEREAS, on the 21st day of February, 1963, the City of Abilene approved a transfer of such contract to Melvin Ray Delano, upon the same terms and conditions as fully set out in the original contract; and,

WHEREAS, the said Melvin Ray Delano has failed to make the agreed upon payments for the months of April, May and June, 1965; and,

WHEREAS, the said Melvin Ray Delano was, on the 15th day of June, 1965, in accordance with Paragraph 10 of said contract, given a written notice of his failure to pay the agreed upon consideration, such failure being a violation of Paragraph 2 of said contract, and was in such letter requested to cure said default within ten days of receipt of said notice; and,

WHEREAS, such ten day period has passed and the said Melvin Ray Delano has failed to cure said violation and, in addition, has failed to make the July payment on said contract; and,

WHEREAS, in view of the above facts it is the opinion of the City Council that the best interests of the City of Abilene would best be served by cancelling said contract and re-advertising for new bids for the operation of such salvage rights; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS:

Section 1: That the contract between the City of Abilene and Melvin Ray Delano for the right to salvage materials at the Municipal Refuse Disposal site be and the same is hereby in all things cancelled and is hereafter null and void.

Section 2: That the administrative staff of the City of Abilene be and is hereby authorized to prepare specifications and advertise for bids for the right to salvage

such materials.

Section 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 8th day of July, A. D. 1965.

ATTEST:

MAYOR

Walter Bond

Dea Ann Martin

CITY SECRETARY

APPROVED:

[Signature]

Les Cochran, Assistant City Attorney

