

Report
week
Monday
and Report

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING A LAND-EXCHANGE BETWEEN THE CITY OF ABILENE, TEXAS AND THE FRALEY BUTANE COMPANY, INC., AND AUTHORIZING THE MAYOR TO EXECUTE A DEED TO FRALEY BUTANE COMPANY, INC.

WHEREAS, the City of Abilene desires to obtain a certain 3.72 acres of land adjacent to Elm Creek which is needed to proceed with the City's plans for Flood Prevention of Elm Creek; and,

WHEREAS, the Fraley Butane Company, Inc. owns said land in question and has offered to deed the 3.72 acres of land to the City of Abilene in exchange for a deed to 1.64 acres of land owned by the City of Abilene; and,

WHEREAS, the City Council of Abilene, Texas, is of the opinion that the transaction is desirable and necessary for the city to carry out its Flood Control work on Elm Creek and that the Mayor should be authorized to execute a deed to Fraley Butane Company, Inc., for said 1.64 acres of land; now, therefore,

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

PART 1: That the Mayor is hereby authorized to execute a deed for 1.64 acres of land to Fraley Butane Company, Inc., a copy of which is attached hereto for all purposes.

PART 2: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 24th day of March, A. D. 1970.

[Signature]
MAYOR

[Signature]
CITY SECRETARY

APPROVED:

[Signature]
CITY ATTORNEY

THE STATE OF TEXAS 1
COUNTY OF TAYLOR 1

KNOW ALL MEN BY THESE PRESENTS:

THAT the FRALLEY BUTANE COMPANY, INC., a corporation existing under and by virtue of the laws of the State of Texas and having its office and principal place of business in the City of Abilene, County of Taylor, State of Texas, acting herein by and through its duly authorized officers, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to us in hand paid by the grantees herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD, AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto THE CITY OF ABILENE, TEXAS, a municipal corporation of Taylor and Jones Counties, State of Texas, all that certain lot, tract or parcel of land, lying and being situated in the County of Taylor, State of Texas, more particularly described as follows, to-wit:

BEING a parcel of land out of J. Jarman Survey 82, and being out of a tract described in deed dated August 5, 1946 from Frank Holden and recorded in Vol. 350, page 264, Deed Records of Taylor County, Texas.

BEGINNING at an iron pipe set on the south bank of Elm Creek on the East right of way line of Highway 277-83, said point being 100 feet east of the centerline of said Highway. The southwest corner of said tract bears S. 37° 09' E., 974.0 feet.

THENCE, with the meanders of said creek, N. 60° 23' E., 409 feet; N. 48° 50' E., 93.0 feet; S. 72° 46' E., 409 feet; N. 48° 50' E., 93.0 feet; S. 72° 46' E., 90.9 feet; S. 58° 27' E., 105.3 feet; S. 21° 53' E., 193.5 feet; S. 25° 36' W., 79.0 feet for a corner.

Said corner being on the South right-of-way of a proposed channel for Elm Creek, 200 feet left of center-line Station 144+69 as staked on the ground by the U.S. Corps of Engineers. Said corner being on 3°00' curve to the left, with a central angle of 15° 15' 44" and a center-line radius of 1909.86 feet. Thence, in a westerly direction along said South right-of-way to Station 148+47.54 the P. T. of said curve.

THENCE, S. 75° 15' 22" W. along south right-of-way to center-line station 152+36 for a corner. Said corner being on the east right-of-way of Highway 277-83 - 100.0 feet East of its center-line. Thence N. 37° 09' W. along East right-of-way line 203.1 feet to the place of beginning and containing 3.72 acres more or less.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto, in anywise belonging, unto the said CITY OF ABILENE, its successors and assigns, against every person

whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS OUR HANDS at Abilene, Texas, this 24 day of March

A.D., 1970.

FRALEY BUTANE COMPANY, INC.

BY: Dono Day
DONO DAY, PRESIDENT

ATTEST:

Marvin Imken
MARVIN IMKEN, Secretary

THE STATE OF TEXAS Y
COUNTY OF TAYLOR Y

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared DONO DAY, President of Fraley Butane Company, Inc., Known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Fraley Butane Company, Inc., a corporation existing under and by virtue of the laws of the State of Texas, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24 day of March, A.D., 1970.



P. D. Patterson
NOTARY PUBLIC, Taylor County, Texas

FILED FOR RECORD 11 OCTOBER 28 1970
MAR 2 1970
COUNTY CLERK, Taylor County, Texas
FILED FOR RECORD 3 OCTOBER 30 1970
City Secretary
Box 10
257
13

THE STATE OF TEXAS Y
COUNTY OF TAYLOR Y

BEFORE ME, the undersigned authority, on this day personally appeared J. C. HUNTER, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he signed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24 day of March A. D. 1970.


Henry James
NOTARY PUBLIC, Taylor County, Texas

THE STATE OF TEXAS Y
COUNTY OF TAYLOR Y

BEFORE ME, the undersigned authority, on this day personally appeared *Gene Dwyer*, President of Fraley Butane Company, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Fraley Butane Company, Inc., a corporation, that he was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24 day of March, A. D., 1970.


C. O. Patterson
NOTARY PUBLIC, Taylor County, Texas

FILED FOR RECORD
11 O'CLOCK 22 MIN AM
MAR 25 1970
County Clerk, Taylor County, Texas
City Secretary
9:00 AM 4/1/70