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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AGREEING TO VACATE AND QUITCLAIM A PORTION OF CURRY LANE IN EXCHANGE FOR RIGHT OF WAY FOR THE RELOCATION OF CURRY LANE.

WHEREAS, the City of Abilene, Texas, intends to relocate a portion of Curry Lane for which it will need additional right of way; and,

WHEREAS, after the relocation of Curry Lane, a portion of the existing Curry Lane right of way will no longer be required for public street purposes; and,

WHEREAS, James Aneff has agreed to dedicate certain right of way necessary for the relocation of Curry Lane in exchange for vacation, except for a public utility easement, of a portion of the old Curry Lane right of way and the quitclaiming to the said James Aneff of the City's right, title and interest in such portion of the Curry Lane right of way; and,

WHEREAS, the City Council is of the opinion that the right of way to be obtained is of value equal to the fair market value of the right of way to be vacated and conveyed; now, therefore,

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

PART 1: Upon execution by the Mayor and delivery to James Aneff of the attached Quitclaim Deed, the public street easement described in the attached Quitclaim Deed is hereby vacated and released save and except for the public utility easement described in the said Quitclaim Deed.

PART 2: The Mayor of the City of Abilene is hereby authorized and directed to execute and cause to be delivered to the said James Aneff the original of such Quitclaim Deed upon completion of the necessary street improvements and the opening to public travel of the relocated portion of Curry Lane for which right of way is hereby acquired.

PART 3: That the Warranty Deed from James Aneff to the City of Abilene, Texas, conveying .26 acres of land more or less out of a certain 2.8 acres more or less out of Lot 8 of the C. W. Kenner Subdivision of the North 40 acres of part of the John Doak Survey in Taylor County, Texas, lying West of the Abilene-Buffalo Gap Road, an addition to the City of Abilene, Taylor County, Texas, and a tract or parcel of land out of the

Northeast corner of the J. E. Shepard Survey No. 96 in Taylor County, Texas, being North of the U. S. Highway 83-84 Bypass, is hereby accepted and ordered filed.

PART 4: That this resolution shall take effect immediately upon its passage except that Part 1 shall not take effect until execution and delivery of the Deed as provided in Part 2.

ADOPTED this 12th day of August, A. D. 1976.

ATTEST:

Paul R. Hedgier
CITY SECRETARY

Paul R. Hedgier
MAYOR

APPROVED: W. S. Green
CITY ATTORNEY

QUITCLAIM DEED

THE STATE OF TEXAS X
COUNTY OF TAYLOR X

KNOW ALL MEN BY THESE PRESENTS:

That the CITY OF ABILENE, TEXAS, a lawfully incorporated Home Rule municipality, of the Counties of Taylor and Jones, State of Texas, for and in consideration of the exchange of a tract of land of 0.26 acres more or less, located in Taylor County and more fully described in a general Warranty Deed given by James Aneff to the City of Abilene, Texas, the receipt of which is hereby acknowledged, have QUITCLAIMED, and by these presents do QUITCLAIM, unto JAMES ANEFF, of the County of Taylor, State of Texas, all of its right, title and interest in and to the following described real property situated in Taylor County, Texas, to-wit:

Being a tract or parcel of land out of a public road known as Curry Lane lying between the J. E. Sheppard Survey No. 96, the John Doak Survey and the I. & G. N. Railroad Company Survey, all in Taylor County, Texas, said portion of Curry Lane lying between Ivanhoe Lane and a point 553 feet East of Ivanhoe Lane and being more particularly described below:

BEGINNING at a point, said point being the present intersection of Curry Lane and the Northeast Right of Way of the U. S. Highway 83-84 Bypass;

THENCE, East with the existing South Fence Line of Curry Lane, an approximate distance of 460 feet for a corner, said corner being the East Boundary Line of the J. E. Sheppard Survey No. 96 in Taylor County, Texas;

THENCE, South with the East boundary Line of the J. E. Sheppard Survey No. 96 in Taylor County, Texas, a distance of 137 feet for a corner, said corner being the Northwest Corner of Lot 8 of the C. W. Kenner Subdivision of the North 40 acres of a part of the John Doak Survey in Taylor County, Texas, lying West of Abilene-Buffalo Gap Road, an addition to the City of Abilene, Taylor County, Texas;

THENCE, East with the North Boundary Line of Lot 8 of the said C. W. Kenner Subdivision, a distance of 87.0 feet for a corner, said corner being on a curve to the right having a central angle of 57° 10' and a radius of 244.1 feet;

THENCE, with a curve to the right having a central angle of 57° 10' and a radius of 244.1 feet, a distance of 32.0 feet for a corner, said corner being 20 feet North of the North Boundary Line of Lot 8 of said C. W. Kenner Subdivision;

THENCE, West and parallel with the North Boundary Line of Lot 8 of said C. W. Kenner Subdivision, an approximate distance of 94.0 feet for a corner, said corner being 20.0 feet East of the East Boundary Line of the J. E. Sheppard Survey No. 96 in Taylor County, Texas, also being 20.0 feet North of the North Boundary Line of Lot 8 of said C. W. Kenner Subdivision;

THENCE, North and parallel with the East Boundary Line of the J. E. Sheppard Survey No. 96 in Taylor County, Texas, a distance of 157.0 feet for a corner, said corner being 40.0 feet North of a projection of the existing South Fence Line of Curry Lane;

THENCE, West and parallel with and 40 feet North of the existing South Fence Line of Curry Lane, an approximate distance of 460.0 feet for a corner, said corner being 20.0 feet East of the present curb line of Ivanhoe Lane;

THENCE, in a Southwest direction and parallel and 20 feet East of the present curb line of Ivanhoe Lane, an approximate distance of 43.0 feet to the place of beginning. Said tract or parcel of land containing 0.53 acres of land more or less.

SAVE AND EXCEPT a Utility Easement, said Utility Easement being described more particularly below in two (2) tracts:

TRACT 1:

Being a 20 foot strip of land lying 10 feet on each side of a center line of an existing water line described below:

BEGINNING at a point, said point being on the Western Boundary Line of the tract described above which is the intersection of a line 20 feet East and parallel with the present curb line of Ivanhoe Lane and the center line of an existing water line being 21.0 feet North of the existing South Fence Line of Curry Lane;

THENCE, East with the existing water line and parallel and 21.0 feet North of the existing South Fence Line, an approximate distance of 458.0 feet for a corner;

THENCE, South 13° 20' East with the existing water line, an approximate distance of 40.0 feet for a corner, said corner being on the most Westerly of the East Boundary Lines of the tract of land described above.

TRACT 2:

Being a 10 foot strip of land lying 5 feet on each side of a center line described below:

BEGINNING at a point, from said beginning point the Northwest Corner of Lot 8 of the C. W. Kenner Subdivision of the North 40 acres of a part of the John Doak Survey in Taylor County, Texas, lying West of Abilene-Buffalo Gap Road, an addition to the City of Abilene, Taylor County, Texas, bears West a distance of 20.0 feet and South a distance of 15.0 feet;

THENCE, East and parallel with the North Boundary Line of Lot 8 of said C. W. Kenner Subdivision, an approximate distance of 84.0 feet for a corner, said corner being on the most Eastern Boundary Line of said abandoned portion of Curry Lane.

TO HAVE AND TO HOLD all of its right, title and interest in and to the above described property and premises unto the said grantee, his heirs and assigns forever, so that neither the City of Abilene, Texas, nor its legal representatives, successors or assigns shall have, claim or demand any right or title to the aforesaid property, premises of apportionances or any part thereof.

EXECUTED this 12 day of August, A.D. 1976.

ATTEST:

Rust B. Hodgson
CITY SECRETARY

THE CITY OF ABILENE, TEXAS
BY: Paul W. Hefner
MAYOR

APPROVED: [Signature]
CITY ATTORNEY

THE STATE OF TEXAS X
COUNTY OF TAYLOR X

BEFORE ME, the undersigned authority, on this day personally appeared FRED LEE HUGHES, Mayor of the City of Abilene, 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 City of Abilene, a municipal 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 12th day of August, A.D. 1976.

[Signature]
NOTARY PUBLIC, TAYLOR COUNTY, TEXAS

My Commission Expires June 1, 1977