

RESOLUTION NO. 17-1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ACCEPTING OFFER OF CONVEYANCE OF LAND FROM ABILENE CHRISTIAN UNIVERSITY (ACU) FOR FIRE STATION SITE, AND AGREEING TO REVERT EXISTING FIRE STATION SITE TO ACU.

WHEREAS, the City Council has deemed it advisable to relocate existing Fire Station No. 5, currently located at the northwest corner of EN 19th and Avenue D to a location somewhere on Judge Ely Boulevard between EN 10th and Ambler Avenue; and,

WHEREAS, Abilene Christian University has offered to convey to the City land in the desired area on which to erect and maintain a fire station; and

WHEREAS, acceptance of the conveyance will provide the City with a beneficial cost savings, now therefore,

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

PART 1: That the proposed conveyance attached hereto as "Exhibit A" be hereby accepted by the City Council.

PART 2: That the City Council agrees that upon completion of the relocation of existing Fire Station No. 5 to the new site described in "Exhibit A", the existing site will be abandoned and shall revert to Abilene Christian University as provided in "Exhibit B" attached hereto.

PART 3: That the City Manager be authorized to sign any and all documents necessary to complete such transactions described in Part 1 and Part 2 above.

PART 4: That this resolution shall take effect immediately from and after its adoption.

Adopted this 22 day of March, 1984.

ATTEST:

Patricia Patton
City Secretary

Julia
Mayor

APPROVED:

Ray Sanders
City Attorney

THE STATE OF TEXAS X
COUNTY OF TAYLOR X

KNOW ALL MEN BY THESE PRESENTS

That ABILENE CHRISTIAN UNIVERSITY, a corporation, of said County and State, for the sum of ONE AND NO/100 DOLLARS and other valuable consideration, paid by the CITY OF ABILENE, grantee herein, the receipt of which is hereby acknowledged and confessed, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the CITY OF ABILENE, of the County of Taylor, and State of Texas, all that certain tract or parcel of land situated in Taylor County, Texas, and more particularly described as follows:

BEING a tract or parcel of land out of Section 33, Blind Asylum Lands in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the intersection of the west right-of-way line of Pemelton Drive and the north right-of-way line of East North 16th Street, from which the northwest corner of Section 33, Blind Asylum Lands in Taylor County, Texas, bears along a chord of a 1,000 foot radius circular curve N. 83° 41' 05" W, 222.5 feet; then S 89° 57' 25" W, 934.14 feet; N 0° 01' W, 3130.11 feet; and N 89° 07' 26" W, 658.8 feet;

THENCE in a northwesterly direction with the west right-of-way line of Pemelton Drive being a curve to the left having a radius of 210.0 feet and a central angle of 15° 27' 28", a distance of 56.78 feet for a corner, said corner being on the end of said curve to the left;

THENCE N 0° 02' 36" W with the west right-of-way line of Pemelton Drive a distance of 263.22 feet for a corner;

THENCE S 89° 57' 24" W a distance of 200.0 feet for a corner;

THENCE S 0° 02' 36" E a distance of 298.0 feet for a corner, said corner being on the north right-of-way line of East North 16th Street, being a curve to the right having a radius of 1000.0 feet;

THENCE in a southeasterly direction with said curve to the right having a radius of 1000.0 feet and a partial central angle of 11° 06' 25.71" a distance of 193.86 feet to the Place of Beginning.

Said tract or parcel of land containing 61,056.043 square feet more or less.

It is expressly understood and agreed that as a part of the consideration for the conveyance herein the City of Abilene will erect and maintain on the above described property a FIRE STATION. And should it fail or refuse to do so or ever abandon the premises as a FIRE STATION, then in that event, the title to the above described

lots shall revert to ABILENE CHRISTIAN UNIVERSITY, its successors or assigns.

TO HAVE AND TO HOLD the above described property, premises, and improvements with all and singular the rights, improvements, hereditaments, and appurtenances thereunto in any manner belonging or appertaining unto the above named grantee, in fee simple forever.

And the aforesaid ABILENE CHRISTIAN UNIVERSITY does hereby bind itself and its successors to forever warrant and defend the title to the above described property, premises, and improvements unto the above described grantee against the claim or claims of any and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

TO EVIDENCE WHICH, the ABILENE CHRISTIAN UNIVERSITY has caused these presents to be executed by the hereinafter named officer executing this instrument for said corporation, fully empowered hereunto, and has caused the seal of said corporation to be affixed hereto by order of the Board of Trustees of said corporation, this the _____ day of March, 1984.

ATTEST:

ABILENE CHRISTIAN UNIVERSITY

Secretary _____ By: _____

THE STATE OF TEXAS X
 X
COUNTY OF TAYLOR X

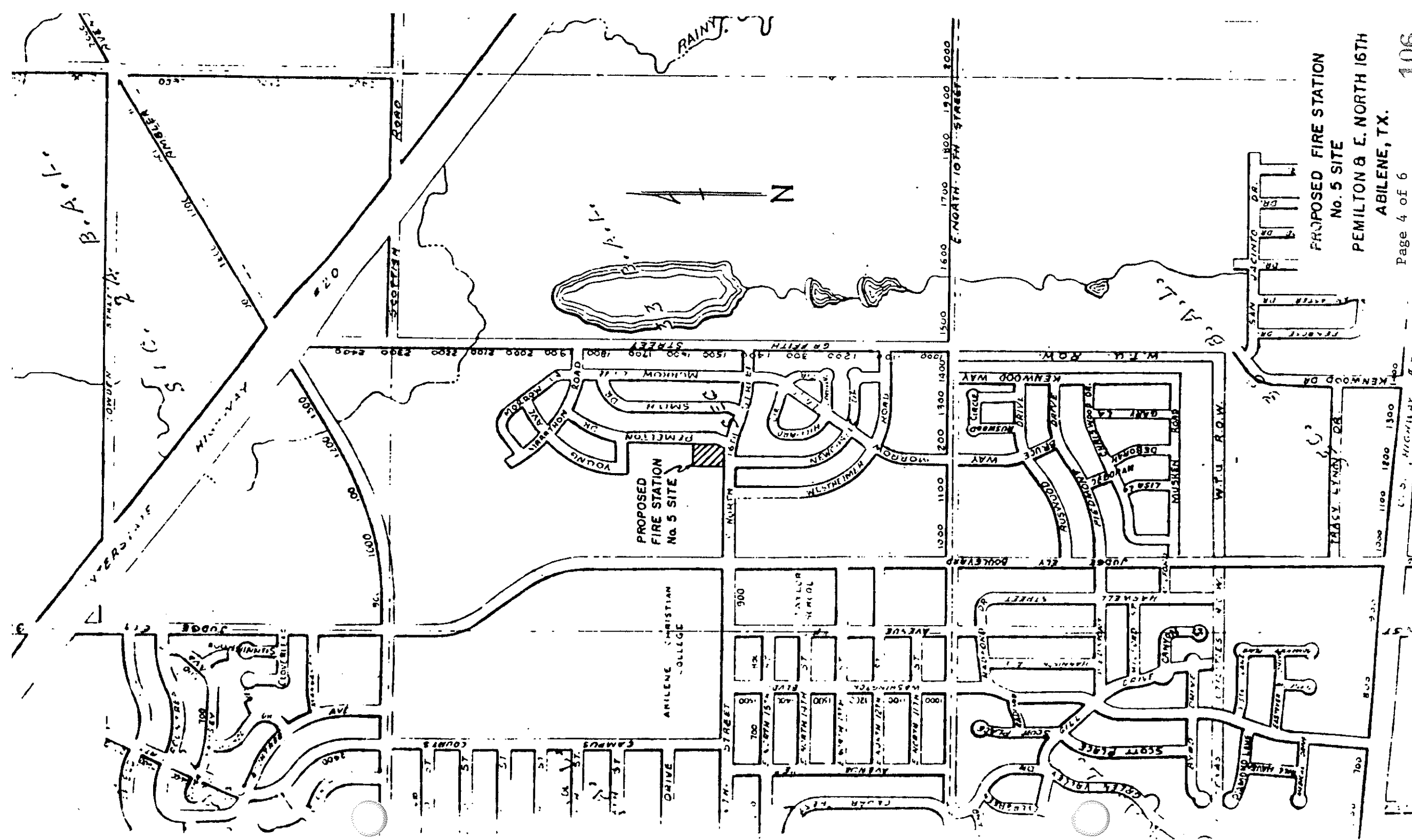
BEFORE ME, the undersigned, a Notary Public in and for said State and County, on this day personally appeared _____

_____, of the Board of Trustees of ABILENE CHRISTIAN UNIVERSITY, known to me to be such and known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and

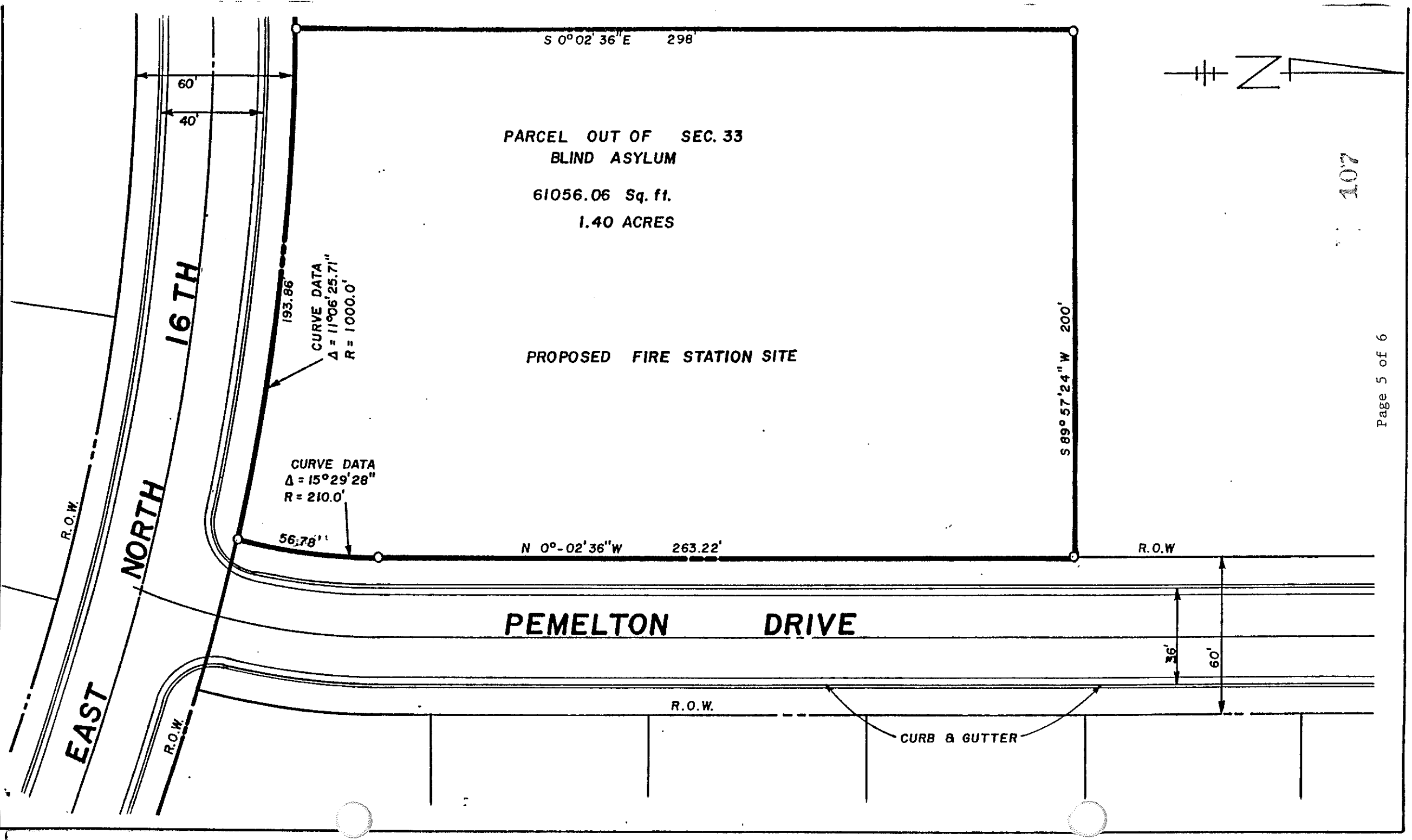
consideration therein expressed, and as the act and deed of the said
ABILENE CHRISTIAN UNIVERSITY.

GIVEN UNDER MY HAND and seal of office, this the _____ day of
March, 1984.

Notary Public, Taylor County, Texas



PROPOSED FIRE STATION
 No. 5 SITE
 PEMILTON & E. NORTH 16TH
 ABILENE, TX.



S 0°02'36" E 298'

PARCEL OUT OF SEC. 33
BLIND ASYLUM

61056.06 Sq. ft.
1.40 ACRES

PROPOSED FIRE STATION SITE

S 89° 57' 24" W 200'

CURVE DATA
Δ = 11°06'25.71"
R = 1000.0'

CURVE DATA
Δ = 15°29'28"
R = 210.0'

N 0°-02'36"W 263.22'

PEMELTON DRIVE

R.O.W.

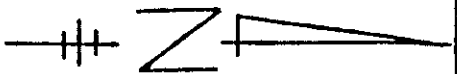
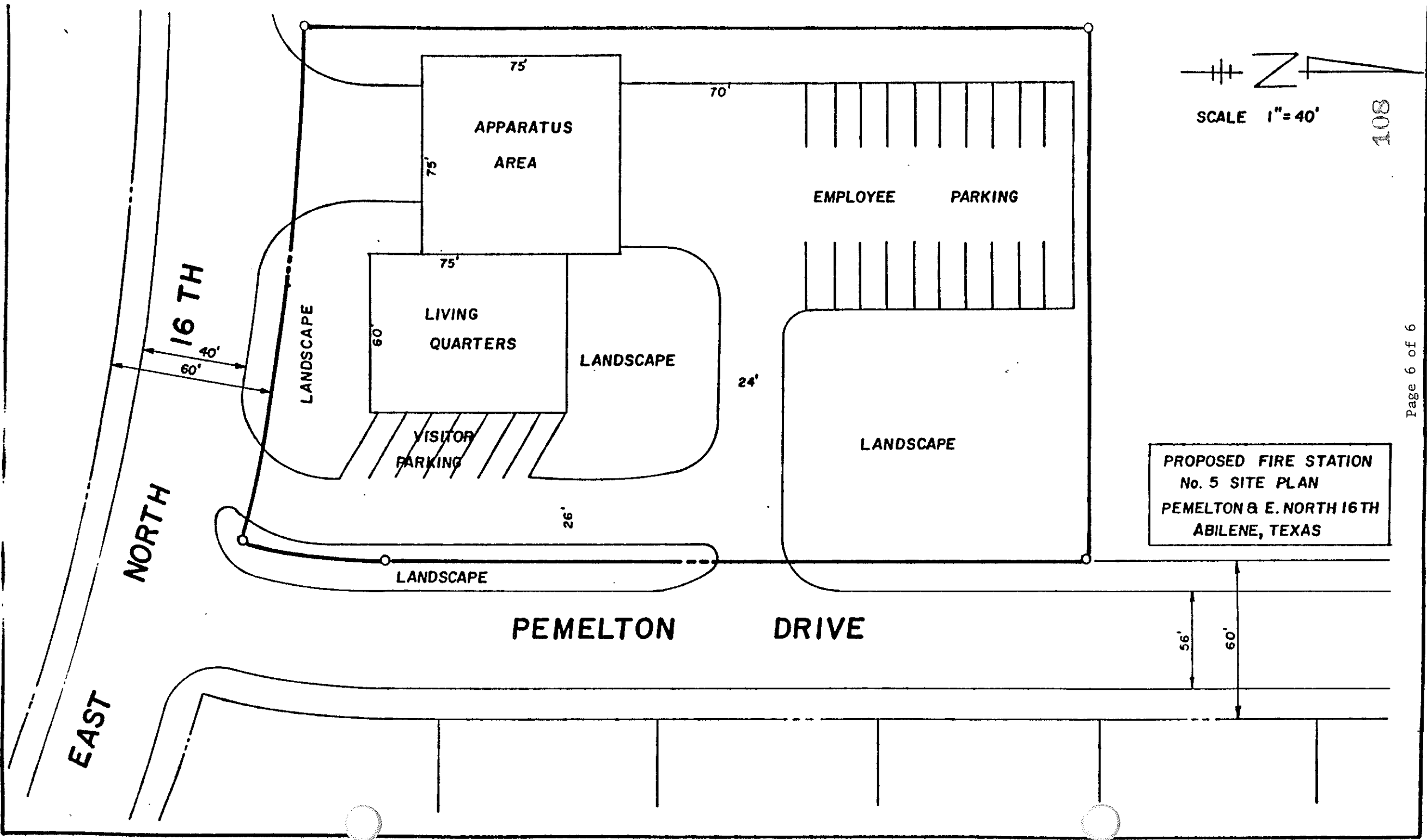
CURB & GUTTER

36'

60'



107



SCALE 1" = 40'

108

**PROPOSED FIRE STATION
No. 5 SITE PLAN
PEMELTON & E. NORTH 16TH
ABILENE, TEXAS**

THE STATE OF TEXAS
COUNTY OF TAYLOR

KNOW ALL MEN BY THESE PRESENTS

That ABILENE CHRISTIAN COLLEGE, a corporation, of said County and State, for the sum of ONE AND NO/100 DOLLARS and other valuable consideration, paid by the City of Abilene, grantee herein, the receipt of which is hereby acknowledged and confessed, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the CITY OF ABILENE, of the County of Taylor, and State of Texas, all that certain tract or parcel of land situated in Taylor County, Texas, and more particularly described as follows:

Lots Nos. One (1) and Two (2), in Block No. Forty (40) according to the Map or Plot of the Continuation of Abilene Heights, an Addition to the City of Abilene, Texas, as recorded in Taylor County, Texas, Plot Book Records, Volume No. Two (2), Page 297, reference to which is made.

It is expressly understood and agreed that as a part of the consideration for the conveyance herein the City of Abilene will erect and maintain on the above described property a FIRE STATION. And should it fail or refuse to do so or ever abandon the premises as a FIRE STATION, then in that event, the title to the above described lots shall revert to ABILENE CHRISTIAN COLLEGE, its successors or assigns.

TO HAVE AND TO HOLD the above described property, premises, and improvements with all and singular the rights, improvements, hereditaments, and appurtenances thereunto in any manner belonging or appertaining unto the above named grantee, in fee simple forever.

And the aforesaid ABILENE CHRISTIAN COLLEGE does hereby bind itself and its successors to forever warrant and defend the title to the above described property, premises, and improvements unto the above described grantee against the claim or claims of any and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

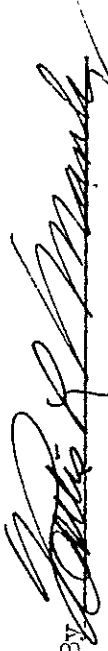
TO EVIDENCE WHICH, the ABILENE CHRISTIAN COLLEGE has caused these presents to be executed by the hereinafter named officer executing this instrument for said corporation, fully empowered hereunto, and has caused the seal of said corporation to be affixed hereto by order of the Board of Trustees of said corporation, this the sixth day of November, 1950.

ATTEST:



Secretary

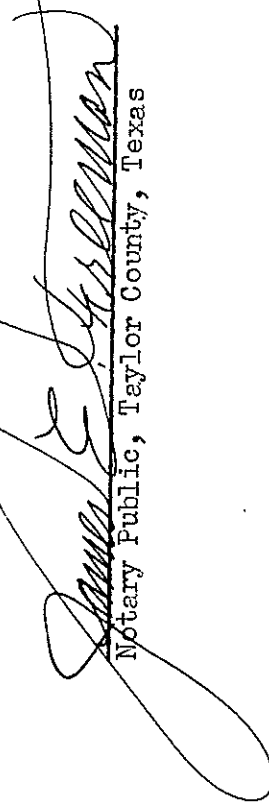
ABILENE CHRISTIAN COLLEGE

By 
Vice-President, Board of Trustees

THE STATE OF TEXAS X
: :
COUNTY OF TAYLOR X

BEFORE ME, the undersigned, a Notary Public in and for said State and County, on this day personally appeared Hollis L. Manly, Vice-President of the Board of Trustees of ABILENE CHRISTIAN COLLEGE, known to me to be such and known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of the said ABILENE CHRISTIAN COLLEGE.

GIVEN UNDER MY HAND and seal of office, this the 6th day of November, 1950.


Notary Public, Taylor County, Texas

CERTIFICATE OF RECORD

STATE OF TEXAS
County of Taylor

I, MRS. CHESTER HUTCHESON, County Clerk in and for said County, do hereby certify that the

foregoing instrument dated the 6 day of November, 1950 with its certificate of authentication was filed for record in my office this 28 day of May A. D., 1952, at 10:30 o'clock A.M., and duly recorded this 4 day of June A. D., 1952 at 8:10 o'clock A.M., in the Deed Records of said County, in Volume 444 on page 47

Witness my hand and Seal of the County Court of said County at office in Abilene, Texas, the day and year last above written.

By Staged Yghang, Deputy MRS. CHESTER HUTCHESON, County Clerk, Taylor County

4-52 10M FULWILER PRINTING CO., ABILENE