

RESOLUTION NO. 71-1984

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE SALE OF SURPLUS TRACTS OF LAND ALONG BARROW (MOCKINGBIRD) STREET FROM SOUTH 3RD TO SOUTH 14TH.

WHEREAS, the acquisition of the real property acquired on this project required the acquisition of additional property out of a particular lot or lots; now, therefore,

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

PART 1: That the City Manager be and is hereby authorized to sell any additional real property acquired in connection with this project, as shown on Exhibits "A" through "G" inclusive, attached hereto, at an assessment of not less than the appraised value at the time of acquisition and in accordance with the provisions of Tex. Rev. Civ. Stat. Ann. Article 5421C-12; and,

PART 2: That a Quit Claim Deed be issued to Bargain, Sell, Release and forever Quit Claim any right, title and interest in the surplus tracts; and,

PART 3: That said property be a non-economic unit or parcel of land as described by the Zoning Ordinance Section 32-16.1 of the City of Abilene; and,

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

ADOPTED this 25 day of October, A.D., 1984.

ATTEST:

Patricia Fetter
City Secretary

David Stubbeman
Mayor

APPROVED:

Gary Sanders
City Attorney

Ex. A

PARCEL 33

BEING the West 50.0 feet of Lot 4, of the Frank E. Smith's Subdivision of Lot 4, Block 3, of the Sayles and Hughes Subdivision, Block 11 of B. Austin Survey No. 91 (lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being the tract or parcel of land conveyed in a deed to Walter J. Richter, et ux Frances Richter from R. and P. Investment Company as recorded in Volume 830 Page 449 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the Southwest Corner of Lot 4, of the Frank E. Smith's Subdivision of Lot 4, Block 3, of the Sayles and Hughes Subdivision of Block 11, B. Austin Survey No. 91 (lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being the Southwest Corner of a tract or parcel of land conveyed in a deed to Walter R. Richter, et ux Frances Richter from R. and P. Investment Company as recorded in Volume 830, Page 449 of the Deed Records of Taylor County, Texas;

THENCE N 90° 41' W with the West boundary line of said Lot 4 and said Richter tract or parcel of land a distance of 155.0 feet for a corner, said corner being the Northwest corner of said Lot 4, also the Northwest corner of said Richter tract or parcel of land;

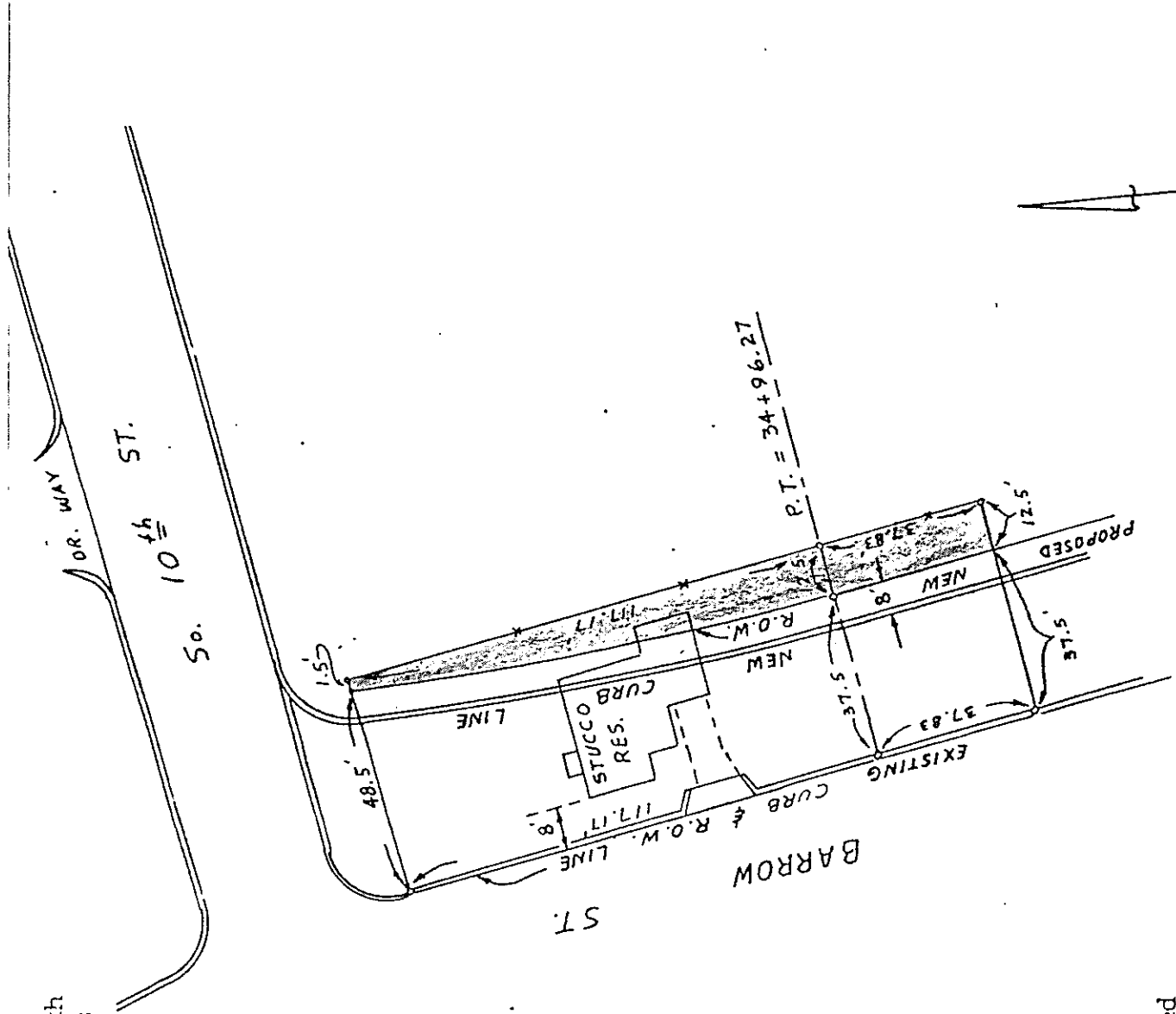
THENCE N 80° 19' E with the North boundary line of said Lot 4 and said Richter tract or parcel of land a distance of 48.5 feet for a corner, said corner being the intersection of the North boundary line of said Lot 4 and said Richter tract or parcel of land and a curve to the left having a radius of 676.2 feet and a total central angle of 31° 00', said line being the New Proposed East Right-of-Way of Barrow Street (MH 179)

THENCE in a Southwesterly direction with said curve to the left having a radius of 676.2 feet and a total central angle of 31° 00' a distance of 117.83 feet for a corner, said corner being the end of said curve to the left;

THENCE S 90° 41' E parallel with the West boundary line of said Lot 4 and said Richter tract or parcel of land a distance of 37.83 for a corner, said corner being on the South boundary of said Lot 4 and said Richter tract or parcel of land;

THENCE S 80° 19' W with the South boundary line of said Lot 4 and said Richter tract or parcel of land a distance of 37.5 feet to the place of beginning.

00242



EX. A
P. 2

3041 South 10th
Abilene, Texas

SCALE 1" = 40'

00243

Exhibit A-I

Parcel 33

Exhibit 'B'

PARCEL 35

BEING Lot 12, Block 2, of B. F. Horn Subdivision of Lot 1, Block 6, of the Harris Subdivision of the Benjamin Austin Survey No. 91, Section No. 16, West of Meander Street in the City of Abilene, Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas, also being that tract or parcel of land conveyed in a deed to the City of Abilene from Melvin Tompkins et ux Clara B. Tompkins as recorded in Volume 1217, Page 46, of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the Northeast corner of Lot 12, Block 2 of the B. F. Horn Subdivision of Lot 1, Block 6 of the Harris Subdivision of the Benjamin Austin Survey No. 91, Section No. 16 West of Meander Street in the City of Abilene, Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas, also being the Northeast corner of the tract or parcel of land conveyed in a deed to Melvin Tompkins from Jack Odom Arby Robinson et ux Ura Lee Robinson as recorded in Volume 505 Page 220 of the Deed Records of Taylor County, Texas;

THENCE S. $9^{\circ}43'$ E. with the East Boundary Line of said Lot 12 and said Tompkins tract or parcel of land a distance of 129.25 feet for a corner, said corner being the Southeast corner of said Lot 12 and also the Southeast corner of said Tompkins tract or parcel of land.

THENCE S. $80^{\circ}17'$ W. with the South Boundary Line of said Lot 12 and said Tompkins tract or parcel of land a distance of 16.0 feet for a corner;

THENCE N. $6^{\circ}46'$ W. a distance of 129.3 feet for a corner, said corner being on the North Boundary Line of said Lot 12 and said Tompkins tract or parcel of land;

THENCE N. $80^{\circ}17'$ E. with the North Boundary Line of said Lot 12 and said Tompkins tract or parcel of land a distance of 9.38 feet to the place of beginning.

Ex. C

PARCEL 36

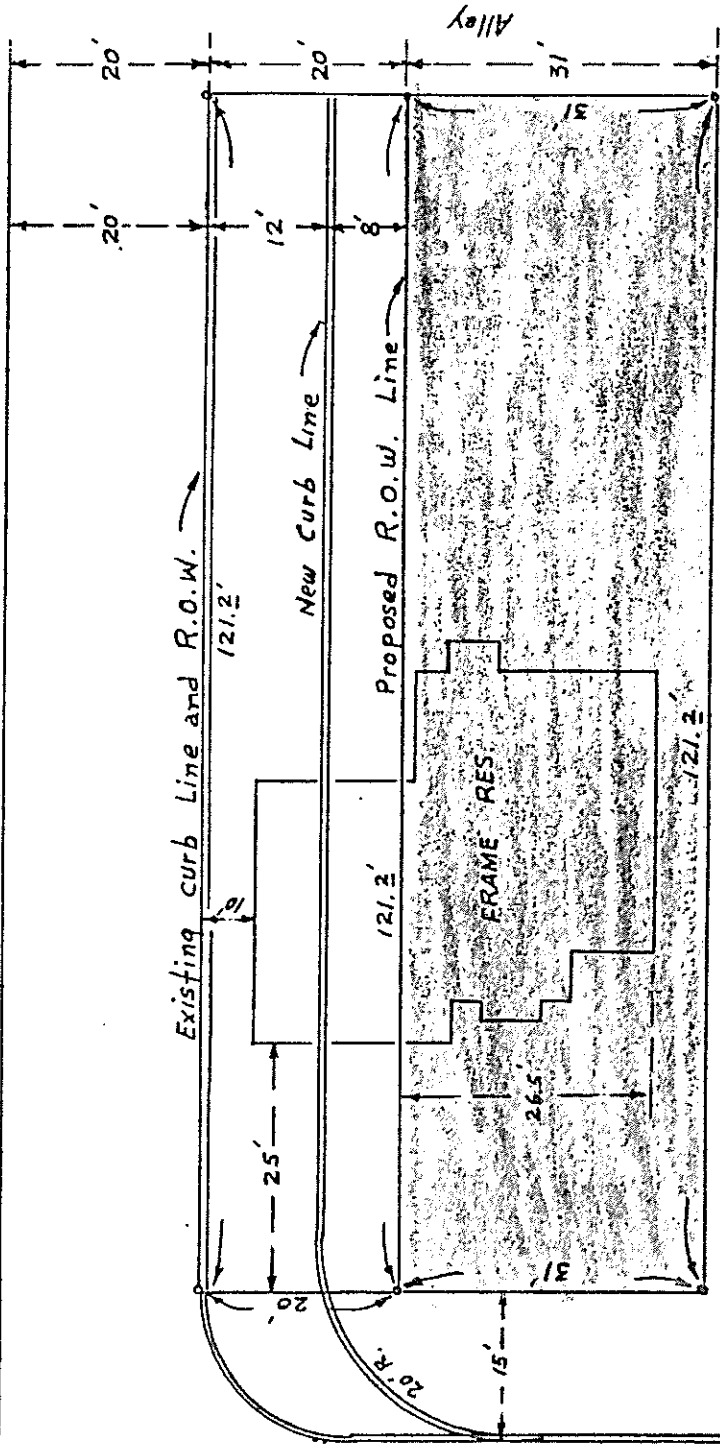
BEING all of Lot 11, Block C of B.F. Horn Subdivision of Lot 4, Block 6 of Harris Subdivision of Benjamin Austin Survey No. 91, Section 16, West of Meander Street in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, and also being out of a tract or parcel of land conveyed in a deed to Myrna Hughston from Fred D. Hughston as recorded in Volume 934, Page 612 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the Northeast Corner of Lot 11, Block C of B.F. Horn Subdivision of Lot 4, Block 6 of the Harris Subdivision of Benjamin Austin Survey No. 91, Section 16, West of Meander Street in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, and also the Northeast corner of a tract or parcel of land conveyed in a deed to Myrna Hughston from Fred D. Hughston as recorded in Volume 934, Page 612 of the Deed Records of Taylor County, Texas;
THENCE S 90° 43' E with the East boundary line of said Lot 11 and said Hughston tract or parcel of land and parallel with the Tangent of the New Proposed Center Line of Barrow Street (MH 179) a distance of 121.2 feet for a corner, said corner being the Southeast corner of said Lot 11 and also being the Southeast corner of said Hughston tract or parcel of land.
THENCE S 80° 17' W with the South boundary line of said Lot 11 and said Hughston tract or parcel of land a distance of 20.0 feet for a corner;
THENCE N 90° 43' W and parallel with the East boundary line of said Lot 11 and said Hughston tract or parcel of land and also parallel with the Tangent of the New Proposed Center Line of Barrow Street (MH 179) and a distance of 121.2 feet for a corner, said corner being on the North boundary line of said Lot 11 and said Hughston tract or parcel of land;
THENCE N 80° 17' W with the North boundary line of said Lot 11 and said Hughston tract or parcel of land a distance of 20.0 feet to the place of beginning.

EX. C
P. 2

PLOT PLAN
3101 South 13th Street
Abilene, Texas

Existing & Proposed \pm of BARROW ST.



Scale 1" = 20'




-  To Be Acquired
-  New Curb Line
-  Present Curb Line

Exhibit "D"

Parcel 46

BEING Lot 3, of the Frank E. Smith's Subdivision of Lot 4, Block 3 of the Sayles and Hughes Subdivision of Block 11, B. Austin Survey No. 91 (lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being that tract or parcel of land conveyed in a deed to the City of Abilene from Susie Dell Rodgers as recorded in Volume 1212, Page 421 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the Northwest corner of Lot 3, of the Frank E. Smith's Subdivision of Lot 4, Block 3 of the Sayles and Hughes Subdivision of Block 11, B. Austin Survey No. 91 (lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being the Northwest corner of a tract or parcel of land conveyed in a deed to Susie Dell Rodgers from Opal Louise Loudamy as recorded in Volume 661, Page 118 of the Deed Records of Taylor County, Texas;

THENCE S. 9°41' W. with the West Boundary Line of said Lot 3 and said Rodgers tract or parcel of land a distance of 155.0 feet for a corner, said corner being the Southwest corner of said Lot 3 and also the Southwest corner of said Rodgers tract or parcel of land;

THENCE N. 80°19' E. with the South Boundary Line of said Lot 3 and said Rodgers tract or parcel of land a distance of 40.0 feet for a corner;

THENCE N. 9°41' W. and parallel with the West Boundary Line of said Lot 3 and said Rodgers tract or parcel of land and also parallel with the new proposed center line of Barrow Street (MH 179) a distance of 40.0 feet for a corner, said corner being a curve to the right having a radius of 563.8 feet and a central angle of 37°43'20".

THENCE in a Northeasterly direction with a curve to the right having a radius of 563.8 feet and a central angle of 37°48'32" and parallel with the new proposed center line of Barrow Street (MH 179) a distance of 115.62 feet for a corner, said corner being on the North Boundary Line of said Lot 3 and said Rodgers tract or parcel of land;

THENCE S. 80°19' W. with the North Boundary Line of said Lot 3 and said Rodgers tract or parcel of land a distance of 50.5 feet to the place of beginning.

SAVE AND EXCEPT a tract or parcel of land out of Lot 3 of the Frank E. Smith's Subdivision of Lot 4, Block 3 of the Sayles and Hughes Subdivision of Block 11, B. Austin Survey No. 91 (Lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being that tract or parcel of land to the City of Abilene from Susie Dell Rodgers as recorded in Volume 1212, Page 421 of the Deed Records of Taylor County, Texas, said tract or parcel of land being more particularly described below:

BEGINNING at a point, for which Southeast corner of Lot 3 of the Frank E. Smith's Subdivision of Lot 4, Block 3, of the Sayles and Hughes Subdivision of Block 11, B. Austin Survey, No. 91 (lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, bear S 80°19' W a distance of 10.5 feet.

THENCE N 9°01'27" W a distance of 14.08 feet for a corner, said corner being on a curve to the right having a radius of 563.8 feet and total central angle of 37°43'20"

THENCE in a Southwesterly direction with said curve to the right having a radius of 563.8 feet and a total central angle of 37°43'20" a distance of 15.0 feet for a corner, said corner being on the South Boundary Line of said Lot 3.

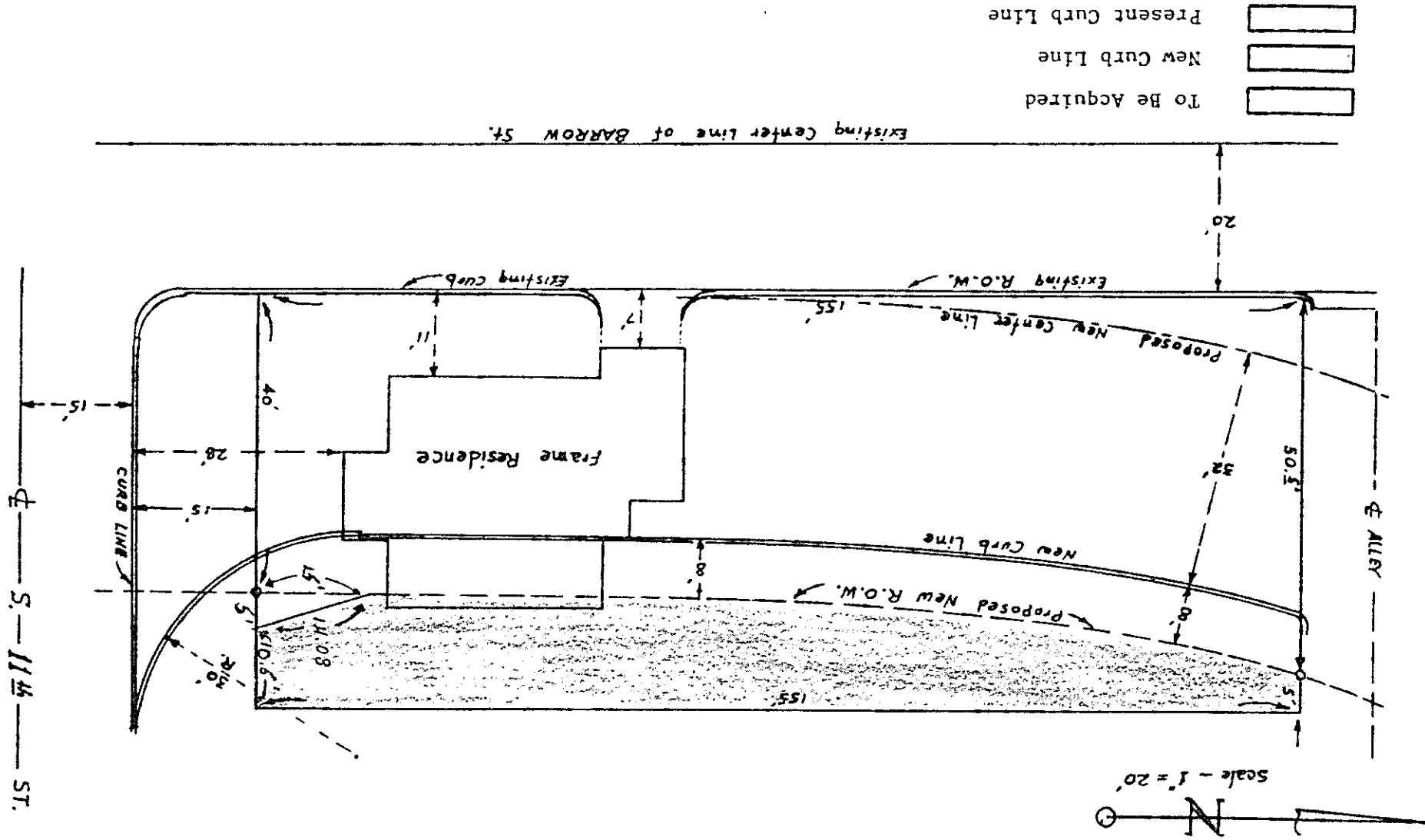
THENCE S 80°19' W with the South Boundary Line of said Lot 3 a distance of 5.0 feet to the place of BEGINNING.

SAID tract or parcel of land containing 35.71 square feet more or less.

K. Davis

00248

Ex. D
P. 2



3042 S. 11th St.
Abilene, Texas

~~Final D~~

REVISED

Exhibit "E"

PARCEL 47

BEING the West 55.0 feet of the North 120.0 feet of Lot 4, Block 2 of the Sayles and Hughes: Subdivision of Block 11, of B. Austin Survey No. 91 (lying West of Meander Street) situated in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being out of a tract or parcel of land conveyed in a deed to the City of Abilene from Eleanor Richter Lawrence as recorded in Volume 1230, Page 357 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the Northwest corner of Lot 4, Block 2 of the Sayles and Hughes: Subdivision of Block 11 of B. Austin Survey No. 91 (lying West of Meander Street) in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, also being the Northwest corner of the tract or parcel of land conveyed in a deed to A. A. Lawrence et ux Eleanor Lawrence from Beulah Kirley as recorded in Volume 864, Page 272 of the Deed Records of Taylor County, Texas;

THENCE S. $9^{\circ}41'$ E. with the West Boundary Line of said West 55.0 feet of the North 120.0 feet of said Lot 4 and said Lawrence tract or parcel of land and parallel with the new proposed center line of Barrow Street (MH 179) a distance of 120.0 feet for a corner, said corner being the Southwest corner of said Lawrence tract or parcel of land;

THENCE N. $80^{\circ}19'$ E. with the South Boundary Line of said Lawrence tract or parcel of land and parallel with the North Boundary Line of said Lot 4 and with the North Boundary Line of a tract or parcel of land conveyed in a deed to D. F. Fitzgerald et ux Mary Louise Fitzgerald from Inez McGuire Fitzgerald as recorded in Volume 1070, Page 697 of the Deed Records of Taylor County, Texas a distance of 40.0 feet for a corner;

THENCE N. $9^{\circ}41'$ W. and parallel with the West Boundary Line of West 55.0 feet of North 120.0 feet of said Lot 4 and said Lawrence tract or parcel of land and parallel with the new proposed center line of Barrow Street (MH 179) a distance of 120.0 feet for a corner, said corner being on the North Boundary Line of said Lawrence tract or parcel of land and said Lot 4;

THENCE S. $80^{\circ}19'$ W. with the North Boundary Line of said Lot 4 and said Lawrence tract or parcel of land a distance of 40.0 feet to the place of beginning.

SAVE AND EXCEPT BEGINNING at a point, said point being on the North Boundary of Lot 4, Block 2 of the Sayles and Hughes Subdivision of Block 11 of B. Austin Survey No. 91 (lying West of Meander Street) in the City of Abilene, Texas, an addition to the City of Abilene, Taylor County, Texas, from which Northwest corner of the tract or parcel of land conveyed in a deed to A. A. Lawrence et ux Eleanor Lawrence from Beulah Kirley as recorded in Volume 864, Page 272 of the Deed Records of Taylor County, Texas, bear S $80^{\circ}19'$ W a distance of 40.0 feet.

THENCE N $80^{\circ}19'$ E with North Boundary of said Lot 4 a distance of 10.0 feet for a corner.

THENCE S $24^{\circ}00'24''$ W a distance of 18.03 feet for a corner.

THENCE N $9^{\circ}41'$ W a distance 15.0 feet to the place of beginning, said tract or parcel of land containing 75.00 square feet of land more or less.

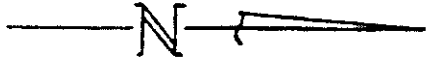
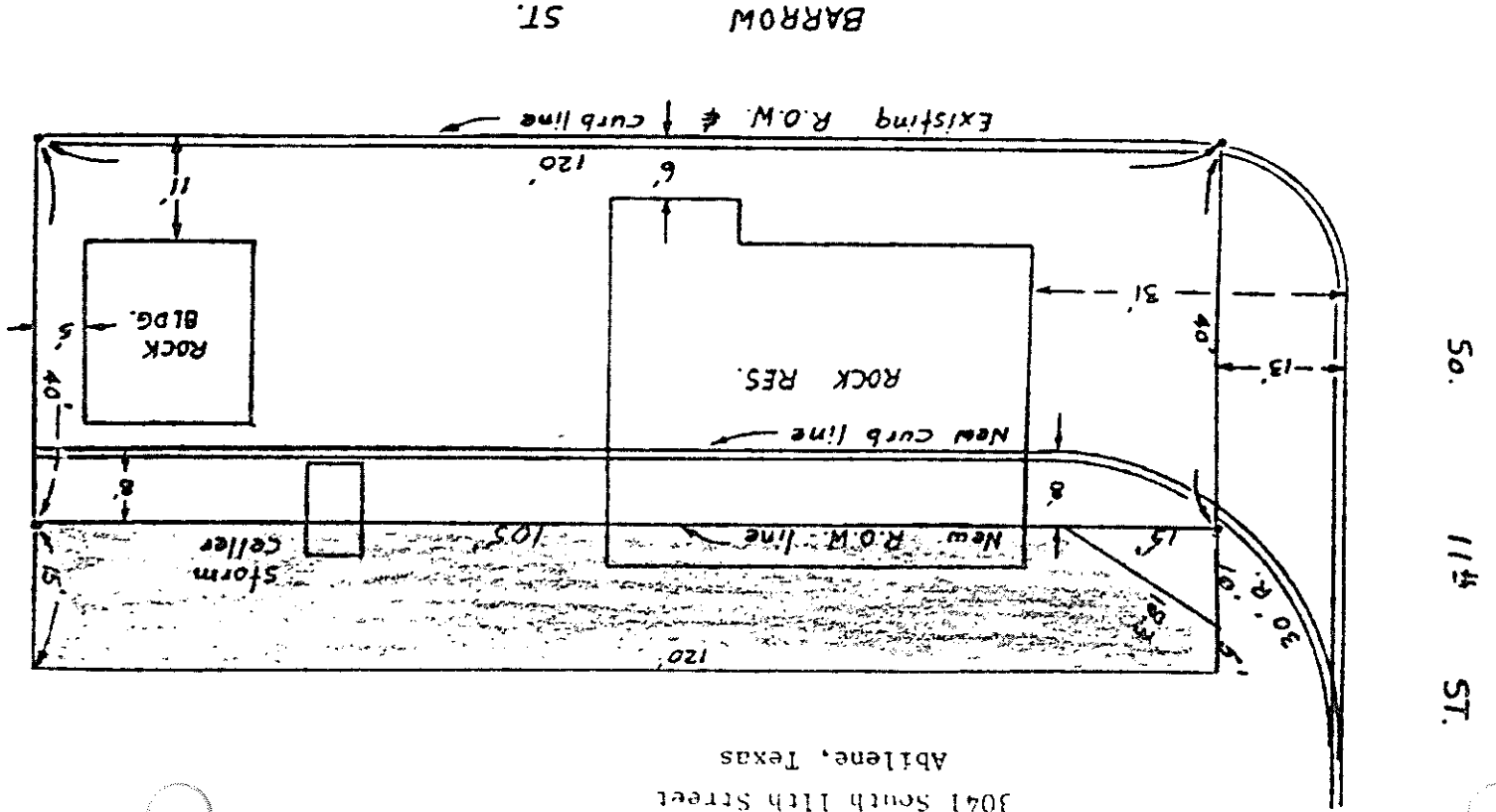
Kirley

00250

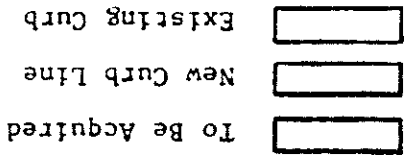
EX. E
P. 2

49

3041 South 11th Street
Abilene, Texas



Scale - 1" = 20'



~~EXHIBIT E-1~~

Revised

Exhibit 'F'

PARCEL 56

BEING the West 57.25 feet of Lot 2, Block 2, Sayles Subdivision of Lots 1 and 2, Block 5 of the B. Austin Survey No. 91 (lying West of Meander Street), in the City of Abilene, Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas, also being out of the tract or parcel of land conveyed in a deed to the City of Abilene from Severe Robertson as recorded in Volume 1223 Page 695 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

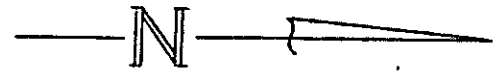
BEGINNING at a point, said point being the Northwest corner of the West 57.25 feet of Lot 2, Block 2, Sayles Subdivision of Lots 1 and 2, Block 5, of the B. Austin Survey No. 91 (lying West of Meander Street) in the City of Abilene, Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas, also being the Northwest corner of a tract or parcel of land conveyed in a deed to Severe Robertson from L. D. Walker as recorded in Volume 689 Page 584 of the Deed Records of Taylor County, Texas;

THENCE S. 90°43' E. with the West Boundary Line of said Lot 2 and said Robertson tract or parcel of land and parallel with the new proposed center line of Barrow Street (MH 179) a distance of 149.25 feet for a corner, said corner being the Southwest corner of said Lot 2 and also the Southwest corner of said Robertson tract or parcel of land; THENCE N. 80°19' E. with the South Boundary Line of said Lot 2 and said Robertson tract or parcel of land and also with the North Boundary Line of Lot 6 of the Hilburn Subdivision of Lot 3 and 6, Block 2 of Sayles Subdivision of Lots 1 and 2, Block 5, B. Austin Survey No. 91 (lying West of Meander Street) in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas, a distance of 40.0 feet for a corner; THENCE N. 90°41' W. and parallel with the West Boundary Line of said Lot 2 and said Robertson tract or parcel of land and also parallel with the new proposed center line of Barrow Street (MH 179) a distance of 149.25 feet for a corner, said corner being on the North Boundary Line of said Lot 2 and said Robertson tract or parcel of land; THENCE S. 80°19' W. with the North Boundary Line of said Lot 2 and said Robertson tract or parcel of land a distance of 40.0 feet to the place of beginning.

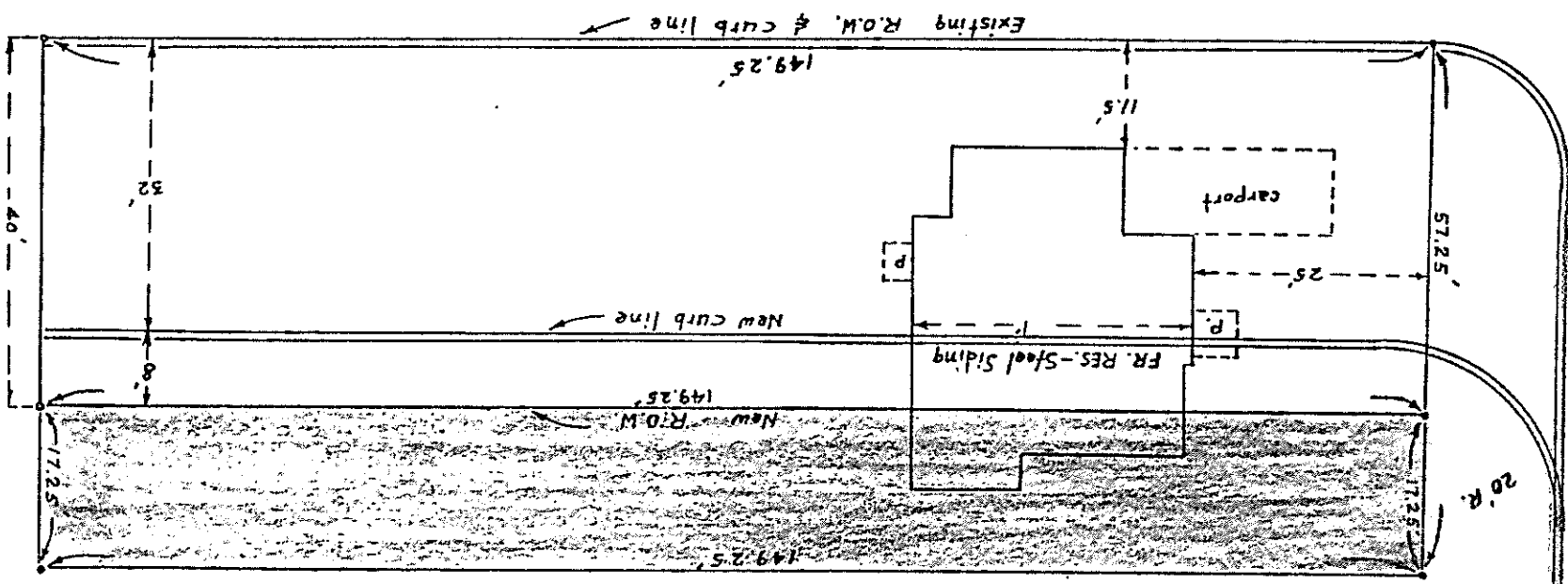
So. 12th St.

- To Be Acquired
- New Curb Line
- Existing Curb Line

Scale - 1" = 20'



BARROW ST.



3041 South 12th Street
Abilene, Texas

Ex. F
p. 2

Parcel 56

Exhibit 'G'

PARCEL 57

BEING Lot 6 of the Hilburn Subdivision of Lots 3 and 6, Block 2, of Sayles Subdivision of Lots 1 and 2, Block 5, B. Austin Survey No. 91 (lying West of Meander Street) in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas, also being out of a tract or parcel of land conveyed in a deed to the City of Abilene from Tommy E. Millioern, Trustee as recorded in Volume 1224 Page 832 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the tract or parcel of land being more particularly described below:

BEGINNING at a point, said point being the Northwest corner of Lot 6 of the Hilburn Subdivision of Lots 3 and 6, Block 2, of Sayles Subdivision of Lots 1 and 2, Block 5, B. Austin Survey No. 91 (lying West of Meander Street) in Taylor County, Texas an addition to the City of Abilene, Taylor County, Texas, also being the Northwest corner of the tract or parcel of land conveyed in a deed to Tommy E. Millioern, Trustee from Donald E. Zimmer et ux Peggy J. Zimmer as recorded in Volume 1000 Page 530 of the Deed Records of Taylor County, Texas;

THENCE S. 90°41' W. with the West Boundary Line of said Lot 6 and said Millioern tract or parcel of land and also parallel with the new proposed center line of Barrow Street (MH 179) a distance of 130.0 feet for a corner, said corner being the Southwest corner of Lot 6 and also the Southwest corner of said Millioern tract or parcel of land;

THENCE N. 80°19' E. with the South Boundary Line of said Lot 6 and said Millioern tract or parcel of land a distance of 48.0 feet for a corner;

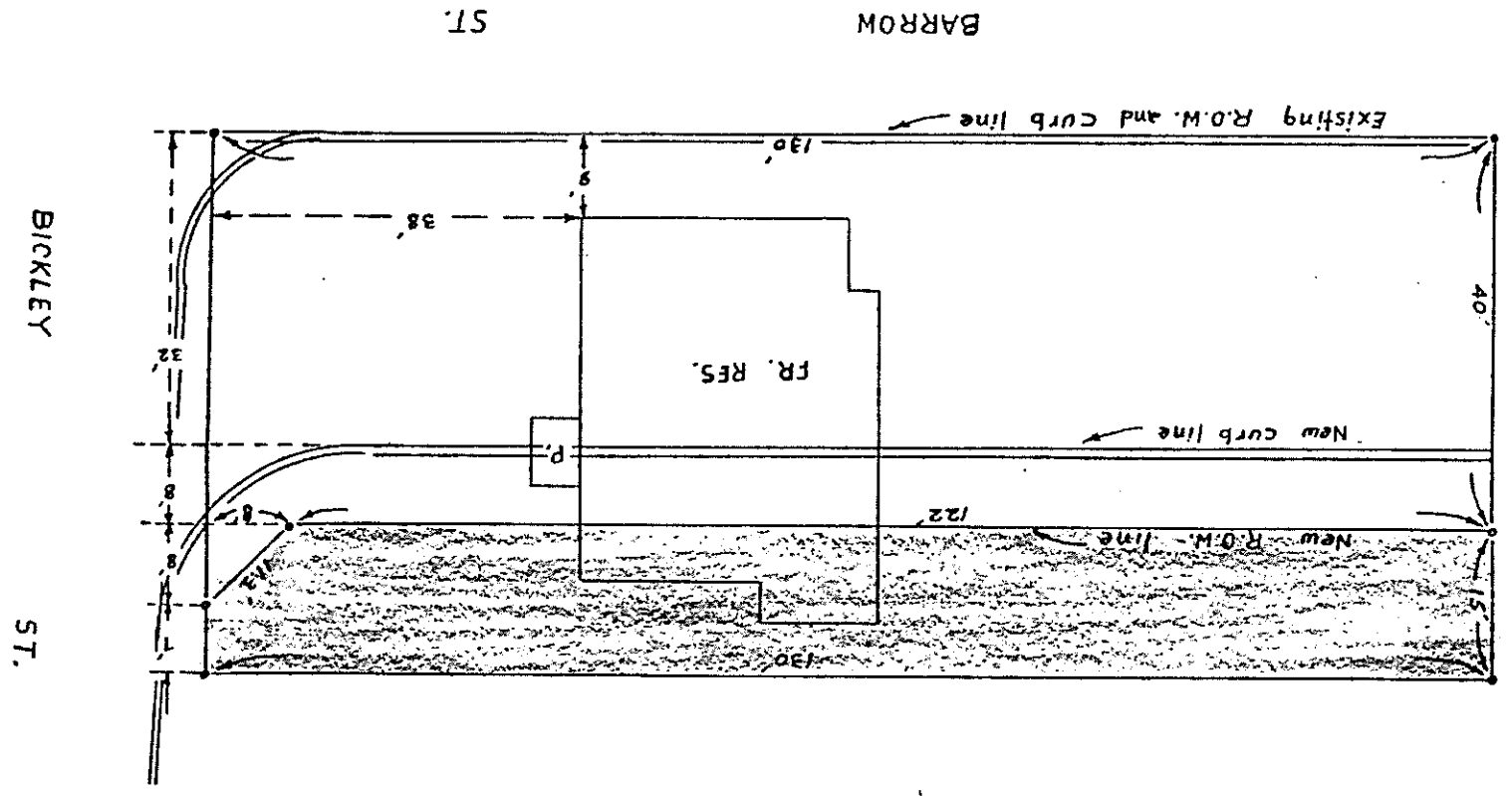
THENCE N. 54°41' W. a distance of 11.3 feet for a corner;

THENCE N. 90°41' W. and parallel with the West Boundary Line of said Lot 6 and said Millioern tract or parcel of land and also parallel with the new proposed center line of Barrow Street (MH 179) a distance of 122.0 feet for a corner, said corner being on the North Boundary Line of said Lot 6 and said Millioern tract or parcel of land;

THENCE S. 80°19' W. with the North Boundary Line of said Lot 6 and said Millioern tract or parcel of land a distance of 40.0 feet to the place of beginning.

To Be Acquired
 New Curb Line
 Existing Curb Line

Scale - 1"=20'



3042 Bickley Street
 Abilene, Texas

PLOT PLAN

Ex. G
 P. 2

Parcel 57