

RESOLUTION NO. 79-1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ABANDONING APPROXIMATELY FOUR (4) ACRES OF LAND IN REDBUD PARK FOR A YMCA FACILITY. SAID LAND BEING DESCRIBED IN EXHIBIT "A" ATTACHED.

WHEREAS, a request has been made by the YMCA that the City Council of the City of Abilene abandon approximately four (4) acres of land in Redbud Park for a YMCA facility; and,

WHEREAS, numerous documents will have to be completed and signed to consummate the requested abandonment of property; now, therefore,

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

PART 1: That the City Council of the City of Abilene hereby finds that it would be a public purpose for the City of Abilene to allow the YMCA to build a facility in Redbud Park.

PART 2: That because of the Texas Constitutional and State statutory provisions, the City of Abilene cannot sell or give the requested four (4) acres of land to the YMCA.

PART 3: That the City Council of the City of Abilene hereby agrees to and does so abandon approximately four (4) acres of land for a YMCA facility as described in the request to the City Council. This abandonment of four (4) acres is not an abandonment of the balance of Redbud Park as described in Vol. 833, Page 347 of the Deed Records of Taylor County, Texas, dated March 29, 1967.

PART 4: That this abandonment to the YMCA is made on the condition that the Dodge Jones Foundation, the Episcopal Church of the Heavenly Rest of Abilene, and St. John's Episcopal School of Abilene, Inc. recognize and agree that the City of Abilene is not abandoning the balance of the Redbud Park property as recorded in Vol. 833, Page 347, of the Deed Records of Taylor County, Texas, dated March 29, 1967.

PART 5: That in order to complete this transaction, numerous documents will have to be signed by numerous parties. It is therefore specifically provided that this abandonment shall take place only when all the documents, including this resolution, are

signed by all the parties. The Mayor is hereby authorized to sign this resolution when he is satisfied that all documentation is completed. The City Attorney shall sign and approve this resolution when the legal documentation to carry out the City Council's instructions are completed.

PART 6: This resolution and abandonment shall not become effective unless or until it is signed by the Mayor and City Attorney.

ADOPTED this 20 day of December, A.D. 19 84.

ATTEST:

Atsucia Patton
CITY SECRETARY

David Stulbeman
MAYOR

APPROVED:

Harry Cayser
CITY ATTORNEY

Signed by City Attorney March 10, 1985

RESOLUTION #79-1984
EXHIBIT "A"

STATE OF TEXAS
COUNTY OF TAYLOR

4.00 ACRES
Y.M.C.A.

FIELD NOTES

BEING 4.00 acres out of a certain 127.08 acre tract out of the I & GN R.R. Survey, out of Red Bud Park, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point on the back of curb of a park road, said point being the end of a curve to the right, for a corner of this tract, from which the NW corner of the said 127.08 acre tract bears N 89°44' W 1462.88 feet and N 0°16' E 766.18 feet and the NE corner of Lot 32, Block 6, of a replat of Block 1, Section 1, Ivanhoe Acres Addition bears N 89°44' W 1526.78 feet and S 0°16' W 45.35 feet;

THENCE N 79°12'45" E 259.40 feet with the back of curb of said park road to a point for a corner and the beginning of a curve to the left;

THENCE more or less along the back of a curb of the said park road along said curve to the left, having a partial delta of 27°27', a property line radius of 258.5 feet for an arc distance of 123.85 feet to a point for a corner;

THENCE S 42°20'30" E 38.61 feet to a point for a corner and the beginning of a curve to the right;

THENCE along said curve to the right having a delta of 29°37'30", a radius of 253.96 feet for an arc distance of 131.31 feet to the PRC of said curve and the beginning of a curve to the left;

THENCE along said curve to the left, having a delta of 25°46'30", a radius of 333.41 feet for an arc distance of 149.99 feet to a point for the P.T. of said curve;

THENCE S 38°29'30" E 37.95 feet to a point for a corner, more or less at the back of curb of another park road, from which the beginning of a curve to the right bears N 51°31'30" E 18.5 feet;

THENCE S 51°31'30" W 231.5 feet, more or less along the back of said curb, to a point for a corner and the beginning of a curve to the right;

THENCE more or less along the back of said curb along a curve to the right, having a partial delta of 33°57'32", a radius of 392.07 feet for an arc distance of 232.38 feet to a point for a corner of this tract;

THENCE N 18°31'15" W 459.88 feet to the POINT OF BEGINNING, and containing 4.00 acres of land, more or less.

Certified correct as surveyed December 1984.



A handwritten signature in black ink, appearing to read "Eddie Chase".

Eddie Chase
Registered Public Surveyor No. 1901