

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ORDERING THE IMPROVEMENT OF THE HEREINAFTER NAMED STREET, PROVIDING FOR ASSESSMENT OF A PORTION OF THE CURB AND GUTTER COST AGAINST ABUTTING PROPERTY OWNERS; THE NAME OF THE STREET TO BE SO IMPROVED BEING AS FOLLOWS, TO-WIT: BUFFALO GAP ROAD FROM SOUTH OF THE INTERSECTION AT ANTILLEY ROAD SOUTH TO HIGHWAY 707; APPROVING AN ESTIMATE OF COSTS OF SAID PROPOSED IMPROVEMENTS; APPROPRIATING FUNDS IN THE SUM OF NINETY-SIX THOUSAND FIVE HUNDRED FORTY AND NO/100 DOLLARS (\$96,540.00) FOR THE CITY OF ABILENE'S PORTION OF SUCH ESTIMATED COSTS; AND CALLING A PUBLIC HEARING TO CONSIDER AN ORDINANCE LEVYING PROPOSED ASSESSMENTS AGAINST THE ABUTTING PROPERTY OWNERS.

WHEREAS, the City of Abilene deems it necessary to permanently improve the hereinafter named street, within the corporate limits of said City; and,

WHEREAS, it is necessary to assess a portion of the cost against abutting property owners, which property is set forth in the attached Exhibit "A", under the "Front Foot" Plan; and,

WHEREAS, the City Engineer of the City of Abilene, Texas, at the direction of the City Council, has reviewed an estimate of costs for the improvement to the above-named street, and it is proposed an assessment be levied against abutting owners of said street, or portion thereof, which does not exceed nine-tenths (9/10ths) of the estimated cost of such improvement, and it is the opinion of the City Council that said estimate of costs should be approved, and that the proposed assessments shall be just, equitable and reasonable, and, in all respects, meet the requirements of the law, and that a public hearing should be called to consider the proposed assessments and to consider an ordinance levying said proposed assessments against the abutting property owners; and,

WHEREAS, the City Council approved, on August 8, 1985, the expenditure in the estimated sum of Ninety-six Thousand Five Hundred Forty and no/100 (\$96,540.00) Dollars; now, therefore,

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

PART 1: That the following named street, or portion thereof, lying and being situated in the City of Abilene, Texas, be and the same is hereby, ordered to be improved, in the following manner, to-wit: Curb and gutter improvements to Buffalo Gap Road from south of the intersection at Antilley Road south to Highway 707.

PART 2: That the cost of the improvements ordered above shall be paid as follows, to-wit:

(a) Not more than all the cost of constructing, reconstructing, repairing and realigning curbs and gutters, and nine-tenths (9/10ths) of the remaining costs of such improvements, as shown by the Estimate of Costs, shall be assessed against abutting property and the owners thereof.

(b) The City of Abilene shall pay all remaining costs of the improvements.

(c) The costs which shall be assessed against abutting owners and their property shall be assessed in accordance with what is known as the "Front Foot" Plan, in proportion to the frontage of the property of each owner to the whole frontage improved; said assessments shall be payable in full, or in monthly installments not to exceed thirty-six (36), and, in no event, shall any such monthly payment be less than Ten Dollars (\$10.00) per month. Payment in full or the first monthly installment payment shall be paid within thirty (30) days from the date of acceptance of said improvements by the Director of Public Works of the City of

Abilene. In the case of monthly installments, one installment shall be paid each month thereafter until paid in full, together with interest thereon at the rate of five percent (5%) per annum, with the provision that any of said installments may be paid at any time before maturity by payment of the principal and accrued interest thereon. Any property owner against whom, and upon whose, property an assessment has been levied may pay the whole assessment chargeable to him, without interest, within thirty (30) days after acceptance of said improvements by the Director of Public Works.

Provided, that if the application of the above mentioned rule of apportionment between property owners would, in the opinion of the City Council, in particular cases, be unjust or unequal, it shall be the duty of said Council to assess and apportion said costs in such a manner as it may deem just and equitable, having in view the special benefits in enhanced value to be received by each owner of such property, the equities of owners and the adjustment of such apportionment so as to produce a substantial equality of benefits received by, and burdens imposed upon, said owners.

That no assessment shall be made against any owner of abutting property until after the notice and hearing required by law, and no assessment shall be made against an owner of abutting property in excess of the benefits of such property, in enhanced value thereof, by virtue of said improvements.

That part of the costs of the improvements, determined to be levied against abutting property and the owners thereof, shall be levied by assessment, as herein provided, and said improvements may further be secured by Mechanic's Liens, to be executed in favor of the City of Abilene, as provided by law, in accordance with the terms and provisions of this resolution. Paving certificates evidencing the assessments shall be issued in favor of the City of Abilene for the amount of assessment, whether the property owners have executed Mechanic's Liens to secure the payment or not, and shall be payable for the use and benefit of the fund established for the purpose of financing paving improvements.

PART 3: That the City Council finds there is a necessity to assess a portion of the cost of said proposed improvements against abutting property owners under the "Front Foot" Plan, as provided in Article 1105b, V.A.T.S., and hereby proposes to assess said costs, against abutting property owners, which property is set forth in the attached Exhibit "A", which contains the legal description of the property abutting said street or portion thereof.

PART 4: That the sum of Ninety six thousand five hundred forty and 00/100ths (\$96,540.00), which includes the amount of such bid and all engineering expenses to be incurred by the City of Abilene in connection with such project, be, and the same is hereby, appropriated from Street Improvement Bond Funds for the City of Abilene's portion of such estimated costs.

PART 5: That the City Secretary of the City of Abilene be, and she is hereby, directed to publish a Notice of Public Hearing, to be held in the Council Chambers of the City Hall, Abilene, Texas, on the 8th day of May, A.D. 1986, at 9:00 o'clock A.M., at which time, all of the owners, their agents or attorneys, or any persons owning any interest therein, whose properties are subject to an assessment, as set out in Exhibit "A", attached hereto, may appear before the City Council, and may be heard on any matter as, to which hearing, is a constitutional prerequisite to the validity of any assessment authorized by Article 1105b, V.A.T.S., and to contest the amounts of the proposed assessments; the liens and liability thereof; the special benefits to the abutting property, and owners thereof, by means of the improvement for which assessments are to be levied, and the accuracy,

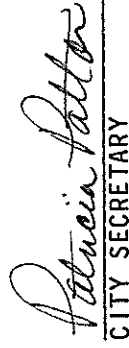
sufficiency, regularity and validity of the proceedings and contract in connection with such improvements and proposed assessments. Said notice shall be published in the official newspaper of the City of Abilene at least three (3) times, the first publication to be made at least twenty-one (21) days before the date of the hearing, and additional written notice of such hearing shall be given by depositing in the United States Mail, at least fourteen (14) days before the date of the hearing, written notice of such hearing, postage prepaid, in an envelope addressed to the owners of the respective properties abutting such street, or portions thereof, to be improved, as the names of such owners are shown on the then current rendered tax rolls of the City and at the addresses so shown, or, if the names of such respective owners do not appear on such rendered tax rolls, then addressed to such owners as their names are shown on the current unrendered rolls of the City at the addresses shown thereon. Such notice shall describe, in general terms, the nature of the improvements for which assessments are proposed to be levied and to which such notice relates; shall state the street, street, portion, or portions thereof, to be improved; shall state the estimated amount, or amounts, per front foot proposed to be assessed against the owner, or owners, of abutting property and such property on each street, or portion thereof, with reference to which hearing is to be held; shall state the estimated total cost of the improvements on each such street, portion, or portions thereof, and, if the improvements are to be constructed in any part of the area between and under railway tracks, double tracks, turn-outs, switches, and two (2) feet on each side thereof of any railway, street railway or inter-urban, shall also state the amount proposed to be assessed therefor, and shall state the time and place at which such hearing shall be held. Said notice shall be sufficient, valid and binding upon all persons owning or claiming such abutting property, or any interest therein, and upon all owners, or those claiming such railway, street railway or inter-urban properties, or any interest therein. The notice to be mailed may consist of a copy of the published notice. In those cases in which an owner of property abutting a street, or portion thereof, which is to be improved is listed as "unknown" on the then current City Tax Roll, or the name of an owner is shown on the City Tax Roll, but no address for such owner is shown, no notice need be mailed. In those cases where the owner is shown to be an estate, the mailed notice may be addressed to such estate.

PART 6: That the City Council, in initiating this proceeding, is acting under the terms and provisions of Article 1105b, Vernon's Annotated Texas Statutes, and Section 5 of the Charter of the City of Abilene, Texas.

PART 7: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 10th day of April, A.D., 1986.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

7. Being a 405.5 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 405.5 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 102 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being out of the east 200 feet of the tract or parcel of land conveyed as Tract No. 4 in a Deed to Jordan Wood Construction, Inc. from Country Village of Abilene, a Texas Joint Venture, as recorded in Volume 1368, Page 627 of the Deed Records of Taylor County, Texas.
8. Being a 305 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 305 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 102 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being out of the east 200 feet of the tract or parcel of land conveyed as Tract 3 in a Deed to Jordan Wood Construction, Inc. from Country Village of Abilene, a Texas Joint Venture, as recorded in Volume 1368, Page 627 of the Deed Records of Taylor County, Texas.
9. Being a 207.09 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 207.09 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being out of the east 200 feet of the tract or parcel of land conveyed in a Deed to Robert S. Jenkins from Mattie Edmondson, as recorded in Volume 632, Page 24 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT a tract or parcel conveyed to the Texas Highway Department as right-of-way as recorded in Volume 645, Page 555 of the Deed Records of Taylor County, Texas.
10. Being a 237.2 foot by 153.7 foot tract or parcel of land, said tract or parcel of land fronting 237.2 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 153.7 feet of the tract or parcel of land conveyed in a Deed to Jack D. Chamberlain, Trustee, from R. B. Russell, Trustee, as recorded in Volume 1216, Page 51 of the Deed Records of Taylor County, Texas.
11. Being a 32.3 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 32.3 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 200 feet out of the southern portion of a certain tract or parcel of land conveyed in a Deed to Roland D. Miller, et ux, from Qualls Construction Company, Inc. as recorded in Volume 1057, Page 661 of the Deed Records of Taylor County, Texas.
12. Being a 161.1 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 161.1 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 200 feet of a certain tract or parcel of land conveyed in a Deed to John R. Collett, et ux, from James D. Williams, et ux, as recorded in Volume 1244, Page 277 of the Deed Records of Taylor County, Texas.
13. Being a 180.1 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 180.1 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 200 feet of a certain

- tract or parcel of land conveyed in a Deed to Homer Carrol Parris, et ux, from Jesse Lloyd Edmondson, et ux, as recorded in Volume 992, Page 651 of the Deed Records of Taylor County, Texas.
14. Being a 200 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 200.0 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract or parcel of land being the east 200 feet of a certain tract or parcel of land conveyed in a Deed to Bennie J. Henson, et ux, from Qualls Construction Company, Inc. as recorded in Volume 1033, Page 844 of the Deed Records of Taylor County, Texas.
 15. Being a 154.7 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 154.7 feet on the west wide of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 200 feet of a certain tract or parcel of land conveyed in a Deed to Wade S. Armstrong from Gary A. Holliman, et ux, as recorded in Volume 1423, Page 99 of the Deed Records of Taylor County, Texas.
 16. Being a 154.73 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 154.73 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 200 feet of a certain tract or parcel of land conveyed in a Deed to Ann Y. Bond from Dwain Bond as recorded in Volume 1138, Page 678 of the Deed Records of Taylor County, Texas.
 17. Being a 835.82 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 835.82 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the east 200 feet of a certain tract or parcel of land described in Volume 1013, Page 454 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT the portion conveyed to Taylor Landscape and Lawn Sprinkler Company from Jack W. Qualls, as recorded in Volume 1315, Page 324 of the Deed Records of Taylor County, Texas, now platted as Lot 1, Block A, Continuation No. 3, Mesquite Forest Estates out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas.
 18. Lot 1, Block A, Continuation No. 3, Mesquite Forest Estates, out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas.
 19. Being a tract or parcel of land fronting 430.97 feet on the west side of F.M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land out of the William E. Vaughn Survey No. 104 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract or parcel of land being a part of that land conveyed to Jesse Lloyd Edmondson in two Deeds, one from Eula Newberry and one from Mattie Edmondson as recorded in Volume 338, Page 543 and Volume 936, Page 687 of the Deed Records of Taylor County, Texas, said tract or parcel of land being more particularly described as follows:

BEGINNING at a point, said point being the intesection of the west right-of-way line of F.M. Highway 89 (known as Buffalo Gap Road), and the south right-of-way line of F.M. Highway 707;

THENCE S 22° 14' W, also the west right-of-way line of F.M. Highway 89 (known as Buffalo Gap Road), a distance of 173.39 feet for a corner; said corner being the beginning of a curve to the

right having a radius of 2804.71 feet;

THENCE in a southwesterly direction with said curve to the right having a radius of 2804.71 feet and a chord which bears S 24° 37' 38" W, with a length of 234.29 feet, a distance of 234.36 feet for a corner;

THENCE N 0° 20' E with a line that is perpendicular to the south right-of-way of F.M. Highway 707, a distance of 500.0 feet for a corner, said corner being on the south right-of-way line of F.M. Highway 707;

THENCE S 89° 40' E with the south right-of-way of F.M. Highway 707 a distance of 231.88 feet for a corner;

THENCE S 46° 30' E with the south right-of-way of F.M. Highway 707 a distance of 183.89 feet to the Place of Beginning;

SAVE AND EXCEPT a certain one-half acre tract or parcel of land conveyed to W. R. Hancock, et ux, from Jesse Lloyd Edmondson, et ux, as recorded in Volume 699, Page 415 of the Deed Records of Taylor County, Texas.

20. Being all that tract or parcel of land fronting 112.6 feet on the west side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the William E. Vaughn Survey No. 104 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being a certain tract or parcel of land conveyed in a Deed to W. R. Hancock, et ux, from Jesse Lloyd Edmondson, et ux, as recorded in Volume 699, Page 415 of the Deed Records of Taylor County, Texas.

21. Being a 991.91 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 991.91 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the W. E. Vaughn Survey 101 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being the west 200 feet of a certain 71.8 acre tract conveyed in a Deed to William E. Ward, Jr., et al, from Clemmie Ward, described as the first tract in Volume 1192, Page 597 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT a portion conveyed to the State of Texas for right-of-way purposes for F. M. Highway 89 as recorded in Volume 639, Page 378 of the Deed Records of Taylor County, Texas; and SAVE AND EXCEPT a portion in a public road named Forest Hill Road.

22. Being a tract or parcel of land fronting 208.33 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the northeast corner of the Mathew Talbot Survey No. 102 and the northwest corner of the G. E. Harlan Pre-emption Survey, both surveys being in Taylor County, Texas, and situated in the City of Abilene, Taylor County, Texas, said tract or parcel of land being that certain one acre of land conveyed in a Deed to the Hendrick Medical Development Corporation from Bob Edward Huff, et ux, as recorded in Volume 1190, Page 533 of the Deed Records of Taylor County, Texas.

23. Being a 2374.7 foot by 200 foot tract or parcel of land fronting 2374.7 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land out of the Mathew Talbot Survey No. 102 and G. E. Harlan Survey A-1259, both surveys in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, being the west 200 feet of a certain 112.44 acres conveyed in a Deed to Hendrick Medical Development Corporation from Abilene Equities, Inc. as recorded in Volume 1188, Page 275, SAVE AND EXCEPT a public roadway platted for the final plat of Lot 101, Block A, a replat of Lot 1, Block A, Section 1, Hendrick Medical Development Corporation Life Care Retirement Village Subdivision, and a 17.90 acre tract out of the G. E. Harlan and M. Talbot Survey No. 102, Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas.

24. Being a 300.0 foot by 200 foot tract or parcel of land, said tract or parcel of land fronting 300.0 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, being the west 200 feet of a certain tract or parcel of land conveyed in a Deed to Merrill R. Bridges, et ux, from Francis M. Hodge, et ux, as recorded in Volume 1049, Page 422 of the Deed Records of Taylor County, Texas.
25. Lot 18, Block A, Continuation No. 2, Mesquite Forest Estates, out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas.
26. Being a tract or parcel of land fronting 142.2 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, being a 0.385 acre tract or parcel of land save and excepted as described on Page 182 of Volume 1200 of the Deed Records of Taylor County, Texas.
27. Being a tract or parcel of land fronting 210 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas. Said tract or parcel of land being that certain 0.783 acre, more or less, tract or parcel of land conveyed in a Deed to Lloyd Boren, et al, Trustee, Lighthouse Assembly of God, from Richard L. Hedrick, Jr., as recorded in Volume 1331, Page 898 of the Deed Records of Taylor County, Texas, SAVE AND EXCEPT a portion in the public roadway of F. M. Highway 89 (known as Buffalo Gap Road).
28. Lot 1, Block E, a revised plat of Continuation No. 1, Mesquite Forest Estates out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas.
29. Lots 1 and 2, Block A, a revised plat of Continuation No. 1, Mesquite Forest Estates out of the Mathew Talbot Survey No. 103 in Taylor County, Texas, an addition to the City of Abilene, Taylor County, Texas.
30. Being a tract or parcel of land fronting 223.93 feet on the east side of F. M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the Mathew Talbot Survey 103 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, and being more particularly described as follows:
BEGINNING at a point, said point on the east right-of-way line of F. M. Highway 89 (known as Buffalo Gap Road), being the southwest corner of Lot 1, Block A of a revised plat of Continuation No. 1, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas;
THENCE S 89° 27' 15" E with the south boundary line of Lot 1 of said Block A, a distance of 211.96 feet for a corner, said corner being the southeast corner of said Lot 1, and also lying on the west boundary of Lot 10 of Block A, Revised Plat, Continuation No. 1, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas;
THENCE S 18° 50' 50" W with the west boundary line of Lot 10, 11 and 12, Block A of a Revised Plat, Continuation No. 1, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas, a distance of 219.56 feet for a corner, said corner being the southwest corner of Lot 12, Block A of a Revised Plat, Continuation No. 1, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas;

THENCE N 89° 31' W with the projection of the south boundary line

of said revision of Continuation No. 1, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas, a distance of 224.18 feet for a corner, said corner being on the east right-of-way line of F. M. Highway 89 (known as Buffalo Gap Road);

THENCE N 21° 47' 52" W with the east right-of-way line of F. M. Highway 89 (known as Buffalo Gap Road), a distance of 223.92 feet to the Place of Beginning, said tract or parcel of land containing 1.044 acres of land, more or less, being the same tract or parcel of land conveyed in a Deed to Mager Cuin Grigsby, Jr. from Sarten Construction Corp., as recorded in Volume 1405, Page 510 of the Deed Records of Taylor County, Texas.

31. Lot 1, Block A, Section 2, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas.

32. Lot 1, Block B, Section 2, Mesquite Forest Estates, an addition to the City of Abilene, Taylor County, Texas.

33. Being a tract or parcel of land fronting 537.57 feet on the east side of F.M. Highway 89 (known as Buffalo Gap Road), said tract or parcel of land being out of the William E. Vaughn Survey No. 104 in Taylor County, Texas, situated in the City of Abilene, Taylor County, Texas, said tract being out of a tract or parcel of land conveyed in a Deed to Sojourner Drilling Corporation from Marks A. Waldrop, et ux, as recorded in Volume 1143, Page 685 of the Deed Records of Taylor County, Texas, said tract or parcel of land being more particularly described as follows:

BEGINNING at a concrete right-of-way monument located on the south right-of-way line of F.M. Highway 707 and the east right-of-way of F.M. Highway 89 (known as Buffalo Gap Road) from which the northwest corner of the William E. Vaughn Survey No. 104 in Taylor County, Texas, bears west a distance of 6719 feet and north a distance of 30.4 feet;

THENCE S 64° 54' 10" W with the East right-of-way of F. M. Highway 89 (known as Buffalo Gap Road) a distance of 264.5 feet for a corner; said corner being a concrete right-of-way marker;

THENCE S 21° 58' W with the east right-of-way of F. M. Highway 89 (known as Buffalo Gap Road) a distance of 207.9 feet for a corner, said corner being an iron pipe at the beginning of a curve to the left having a radius of 2924.71 feet;

THENCE in a southerly direction with said curve to the right having a radius of 2924.71 feet, having a chord with a bearing S 23° 58' 08" W and a length of 204.36 feet, a distance of 204.4 feet for a corner;

THENCE S 88° 47' 20" E a distance of 411.0 feet for a corner;

THENCE N 1° 12' 40" E with a line that is perpendicular to the south right-of-way line of F. M. Highway 707 a distance of 500 feet for a corner, said corner being on the south right-of-way line of F. M. Highway 707;

THENCE N 88° 47' 20" W with the south right-of-way line of F. M. Highway 707 a distance of 21.35 feet to the Place of Beginning.