

RESOLUTION NO. 15-1986

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING RESOLUTION 109-1985 ADOPTED THURSDAY, NOVEMBER 7, 1985, AND RESOLUTION 1-1986 ADOPTED THURSDAY, JANUARY 9, 1986, AUTHORIZING THE ACQUISITION OF LAND AND APPROPRIATION OF FUNDS FOR THE CEDAR CREEK (1-20 TO BUCK CREEK) WIDENING PROJECT.

WHEREAS, on Thursday, November 7, 1985, the City Council of the City of Abilene determined the necessity of establishing procedures for the establishment and approval of just compensation for the fee simple title to each of the parcels to be acquired for such project; and,

WHEREAS, the City Council authorized the staff to proceed with the necessary procedures to acquire said parcels; and,

WHEREAS, in order to clarify the legal descriptions used for this project, it is necessary to adjust the field notes to reflect both survey names used on Tracts V and VI; and

WHEREAS, the intent of Resolution 1-1986 was to correct Exhibit "A" ONLY, and the intent of this Resolution is to clarify Exhibit "A"; and,

WHEREAS, said changes have been made and are attached as Exhibit "A" and made a part of the resolution adopted on November 7, 1985; now, therefore,

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

PART 1: That all the provisions of the resolution approved on November 7, 1985 shall remain in full force and effect and all steps taken pursuant to the November 7, 1985 resolution are ratified and approved.

PART 2: That the attached Exhibit "A" replaces all previous Exhibit "A"'s.

PART 3: That the City Council of the City of Abilene hereby authorizes the Mayor to execute this resolution.

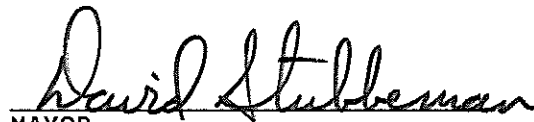
PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 8th day of May A.D., 1986.

ATTEST:

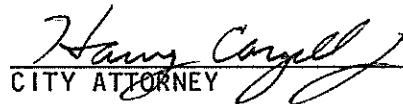


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT "A"

TRACT I

OWNER: WEST TEXAS UTILITIES

0.772 acre of land located in Section 83, T & P Railroad Survey, Block 14, Taylor County, Texas. Said land is part of that land conveyed to West Texas Utility Company, a private corporation, by C. C. Wilson as President, and Rowena Scott Wilson as Secretary of and for Abilene Irrigation Company, a corporation, of the County of Taylor, State of Texas by deed dated April 13, 1928, as recorded in Volume 208, Page 187 of the Deed Records of Taylor County, Texas, and being more particularly described as follows:

BEGINNING at an iron stake located 2735 feet North and 2678 feet East of the interior Southeast corner of said Section 83, T & P Railroad Survey, Block 14, Taylor County, Texas. All bearings are based on the Texas State Coordinate System, North Central Zone;

THENCE S 88° 20' E, 329.7 feet to an iron stake located on a curve to the right;

THENCE along said curve to the right a distance of 109.48 feet to an iron stake. Said curve has a radius of 1920 feet and a chord which bears S 25° 40' 42" W, 109.47 feet;

THENCE N 88° 20' W, 340.2 feet to an iron stake located on a curve to the left;

THENCE along said curve to the left 114.52 feet to the PLACE OF BEGINNING. Said curve has a radius of 1620 feet and a chord which bears N 30° 30' 28" E, 114.15 feet.

TRACT II

OWNER: THOMAS M. AND BARBARA J. MORGAN

2.981 acres of land located in Section 83, Block 14, T & P Railroad Co. land, Taylor County, Texas. Being also a part of that land conveyed to Thomas M. Morgan, and wife, Barbara J. Morgan, by Grady B. Jolly and wife, Audria Nell Jolly, by Deed dated August 9, 1977, as recorded in Volume 1064, Page 572 of the Deed Records of Taylor County, Texas, and being more particularly described as follows:

BEGINNING at an iron stake and corner post located 992' South and 1262' East of the interior Southeast corner of said Section 83. All bearings are based on the Texas State Coordinate System, North Central Zone;

THENCE N 1° 27' E, 782.1' along a fence line to the centerline of Cedar Creek;

THENCE along the centerline of Cedar Creek as follows: N 42° 28' W, 88.1'; N 52° 13' W, 110.3';

THENCE S 1° 27' W, 627.2' to an iron stake located on the P.C. of a curve to the right;

THENCE along said curve 284.66' to an iron stake located in a fence line. Said curve has a radius of 1792.76' and a chord which bears S 5° 59' 45" W, 284.36';

THENCE S 88° 28' E, 172.5' along a fence line to the Place of Beginning.

TRACT III

OWNER: RAYMOND McNUTT

1.893 acres of land located in Section 83, Block 14, T & P Railroad Company Lands, Taylor County, Texas. Said land is a part of that land conveyed to Raymond McNutt by Robert A. Rosinbaum and wife, Fanny Rosinbaum by deed dated March 15, 1960, as recorded in Volume 707, Page 481 of the deed records of Taylor County, Texas and being more particularly described as follows:

BEGINNING at an iron stake and corner post located 409 feet North and 1298 feet East of the interior Southeast corner of said Section 83, all bearings are based on the Texas State Coordinate System, North Central Zone;

THENCE N 88° 30' W 150' along a fence line to an iron stake;

THENCE S 1° 27' W 491.0' to the center of Cedar Creek;

THENCE along the center of Cedar Creek as follows: S 52° 13' E 110.3', S 42° 28' E 88.1';

THENCE N 1° 27' E 619.7' along a fence line to the place of Beginning.

TRACT IV

OWNER: GRADY B. AND AUDRIA N. JOLLY

2.033 acres of land located in Section 83, Block 14, T & P Railroad Co. land, Taylor County, Texas. Being also part of that land conveyed to Grady B. Jolly and wife, Audria Nell Jolly, by James R. Rogers and wife, Frankie M. Rogers, by Deed dated November 19, 1975, as recorded in Volume 1023, Page 387 of the Deed Records of Taylor County, Texas, and also being part of that land conveyed to James R. Rogers and Grady B. Jolly by Deed dated December 9, 1963, as recorded in Volume 728, Page 129 of the Deed Records of Taylor County, Texas, and being more particularly described as follows:

BEGINNING at an iron stake and corner post located 992' South and 1262' East of the interior Southeast corner of said Section 83. All bearings are based on the Texas State Coordinate System, North Central Zone;

THENCE S 1° 27' W, 99.6' to Cedar Creek;

THENCE N 88° 26' W, 82.1' along Cedar Creek;

THENCE S 10° 34' E, 217.2' to a railroad spike;

THENCE S 17° 26' W, 75.3' to a railroad spike;

THENCE S 48° 44' W, 113.1' to a railroad spike;

THENCE S 73° 12' W, 214.4' to a railroad spike located on a curve to the left;

THENCE along said curve a distance of 555.87' to a railroad spike located in a fence line. Said curve has a radius of 1792.76' and a chord which bears N 19° 27' 51" E a distance of 555.62';

THENCE S 88° 28' E 172.5' along a fence line to the Place of Beginning.

TRACT V

OWNER: H. C. WELCH

Four tracts of land - tracts one and two are located in Section 83, T&P Railroad Lands, Block 14, and tracts three and four located in Section #82, T & P Railroad Land, Block 14, which is also known as A. M. Warfield Survey #82, all in Taylor County, Texas. All of said land is a part of that land conveyed to H. C. Welch by V. J. Kuehn and wife, Lona Kuehn, and L. G. Rhodes and wife, Helen L. Rhodes, by deed dated August 21, 1972, as recorded in Volume 941, Page 141 of the Deed Records of Taylor County, Texas, and being more particularly described as follows:

TRACT ONE:

BEGINNING at an iron stake located 1516 feet North and 1376 feet East of the interior Southeast corner of said Section 83, T&P Railroad Lands, Block 14, said point also located 100 feet Southeast of the centerline of Cedar Creek;

THENCE along a curve to the left 396.02 feet to an iron stake, such curve has a radius of 1460 feet and a chord which bears N 39° 37' 23" E, 394.81 feet;

THENCE S 21° 58' E, 99.3 feet to an iron stake;

THENCE S 39° 49' W, 241.5 feet to an iron stake;

THENCE S 78° 49' W, 136.9 feet to the Place of Beginning and containing 0.716 acres of land.

TRACT TWO:

BEGINNING at an iron stake located 2000 feet North and 1871 feet East of said interior Southeast corner of Section 83, T&P Railroad Lands, Block 14, said point is also located N 53° 20' 12" E, 302.31 feet of the most Northerly corner of said Tract One and being also a point on a curve, curving to the right;

THENCE along the said curve to the right, 113.95 feet to an iron stake located at the point of reverse curve. Said curve has a radius of 1460 feet and a chord which bears N 61° 30' 42" E, 113.92 feet;

THENCE along said curve to the left 615.77 feet to an iron stake, said curve has a radius of 1620 feet and a chord which bears N 52° 51' 40" E, 612.07 feet;

THENCE S 21° 54' E, 254.9 feet to an iron stake;

THENCE S 33° 22' W, 143.95 feet to an iron stake;

THENCE S 67° 14' W, 395.8 feet to an iron stake;

THENCE N 71° 14' W, 247.3 feet to an iron stake;

THENCE N 36° 54' W, 8.1 feet to the Place of Beginning and containing 3.23 acres.

TRACT THREE:

BEGINNING at an iron stake located on a curve to the left and being also located N 28° 52' 45" E, 733.89 feet of the most Northerly corner of said Tract Two. Said point is also located 2020 feet South and 1426 feet East of the Northwest corner of said Section #82, T & P Railroad Land, Block 14, which is also known as A. M. Warfield Survey #82, all in Taylor County, Texas, and being more particularly described as follows:

THENCE along said curve to the left, 411.05 feet to an iron stake located at the P.C. of said curve, said curve has a radius of 1620 feet and a chord which bears N 8° 31' 12" E, 409.95 feet;

THENCE N 1° 15' E, 369.87 feet to an iron stake;

THENCE S 71° 58' E, 55.8 feet to an iron stake;

THENCE S 32° 19' E, 185.5 feet to an iron stake;

THENCE S 10° 29' E, 400.3 feet to an iron stake;
THENCE S 34° 01' W, 122.3 feet to an iron stake;
THENCE S 45° 25' W, 104.4 feet to an iron stake;
THENCE S 72° 07' W, 124.9 feet to an iron stake;
THENCE N 80° 24' W, 32.7 feet to the Place of Beginning and containing 3.07 acres.

TRACT FOUR:

BEGINNING at an iron stake located in a fence line, being the North line of said H. C. Welch property. Said point is located 50 feet South and 2100.8 feet S 89° 40' E of the Northwest corner of said Section #82, T & P Railroad Land, Block 14, which is also known as A. M. Warfield Survey #82, all in Taylor County, Texas, and being more particularly described as follows:

THENCE S 1° 15' W, 727.9 feet to an iron stake;
THENCE N 25° 28' E, 169.0 feet to an iron stake;
THENCE N 43° 28' E, 259.5 feet to an iron stake;
THENCE N 15° 15' E, 141.0 feet to an iron stake;
THENCE N 16° 13' W, 289.7 feet to an iron stake;
THENCE S 73° 46' W, 100 feet to the center of Cedar Creek;
THENCE N 89° 40' W, 95.5 feet to the Place of Beginning and containing 3.02 acres.

TRACT VI

OWNER: WAYNE V. AND MARIE RAMSEY; JACK D. AND JOY C. RAMSEY

17.16 acres of land, 11.44 acres of which is located in Section 83, T&P Railroad Land, Block 14, and 5.72 acres of which is located in Section 84, T & P Railroad Land, Block 14, which is also known as M. Martin Survey #84, all in Taylor County, Texas. Said land is part of that land Marie D. Ramsey, a widow, conveyed to Jack D. Ramsey and wife, Joy C. Ramsey, by deed dated December 25, 1970, as recorded in Volume 903, Page 185 of the Deed Records of Taylor County, Texas, and being more particularly described as follows:

BEGINNING at an iron stake and corner post located 409 feet North and 1298 feet East of the interior Southeast corner of said Section 83, T&P Railroad Land, Block 14. All bearings are based on Texas Coordinate System North Central Zone;

THENCE S 1° 27' W, 1501.2 feet along a fence line, crossing Cedar Creek the first time at 620 feet, to the centerline of Cedar Creek;

THENCE N 88° 26' W, 82.1 feet to a corner;

THENCE S 10° 34' E, 217.2 feet to an iron stake;

THENCE S 17° 26' W, 75.3 feet to an iron stake;

THENCE S 48° 44' W, 113.1 feet to an iron stake;

THENCE S 73° 12' W, 214.4 feet to an iron stake located on a curve to the right;

THENCE along said curve to the right a distance of 336.96 feet to an iron stake. Said curve has a radius of 1792.76 feet and a chord which bears S 33° 46' 01" W, 336.96 feet;

THENCE S 39° 09' 42" W, at 383.7 feet cross the South boundary line of said Section 83, T&P Railroad Land, Block 14, and the North boundary line of said Section 84, T & P Railroad Land, Block 14, which is also known as M. Martin Survey #84, a total distance of 1099.4 feet to an iron stake located in the Northerly right-of-way line of Interstate Highway #20;

THENCE S 50° 54' E, 300 feet along said Northerly right-of-way line of Interstate Highway #20 to an iron stake;

THENCE N 39° 09' 42" E, at 946.7 feet cross the said North line of said Section 84, T & P Railroad Land, Block 14, which is also known as M. Martin Survey #84 and the South line of said Section 83, T&P Railroad Land, Block 14, a total distance of 1099.1 feet to an iron stake located on a curve to the left;

THENCE along said curve to the left 1377.43 feet to an iron stake. Said curve has a radius of 2092.76 feet and a long chord which bears N 20° 18' 19" E, 1352.70 feet;

THENCE N 1° 27' E, 1112.6 feet to an iron stake located in an old fence line;

THENCE N 86° 31' W, 150.1 feet along said fence line to the Place of Beginning.