

RESOLUTION NO. 10-1988

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING A PRIVATE PARKING LOT LEASE AGREEMENT BETWEEN THE CITY OF ABILENE AS LESSOR AND E-Z SERVE, INC. AS LESSEE, DATED MARCH 8, 1984, WHICH PRIVATE PARKING LOT LEASE AGREEMENT WAS ASSIGNED TO HILLCREST CHURCH OF CHRIST OF ABILENE, INC., A TEXAS NON-PROFIT CORPORATION ON OCTOBER 14, 1987.

WHEREAS, on March 8, 1984, the City of Abilene, as Lessor, entered into a Private Parking Lot Lease Agreement with E-Z Serve, Inc., as Lessee, covering three tracts of land set out in Exhibit "A" attached hereto; and,

WHEREAS, said Lease Agreement contained a provision giving the Lessee the right to assign the Lease Agreement; and,

WHEREAS, Lessor did assign said Lease Agreement to Hillcrest Church of Christ of Abilene, Inc., a Texas Non-Profit Corporation, on October 14, 1987; and,

WHEREAS, Hillcrest Church of Christ of Abilene, Inc. has requested an amendment to said Lease Agreement to add an approximate 15 foot x 36 foot strip of Lot 21, Block 3, Original Town of Abilene, Abilene, Taylor County, Texas, to the Lease to include air conditioning equipment located on these lots; and,

WHEREAS, the original Lease Agreement remains in full force and effect as to all provisions, and this Resolution will only amend Exhibit "A" to include an approximate 15 foot x 36 foot strip of Lot 21, Block 3, Original Town of Abilene, Abilene, Taylor County, Texas; now, therefore,

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

PART 1: That the original Lease entered into remains in full force and effect as to all provisions.

PART 2: That this amendment will only change the legal description of the property covered by the Lease to include the approximate 15 foot x 36 foot strip of land out of Lot 21, Block 3, Original Town of Abilene, to the City of Abilene, Taylor County, Texas, as shown in the attached Exhibit "B".

PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 10 day of March, A.D., 1988.

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

LEGAL DESCRIPTION

TRACT I:

Lot 3 and the East 10 feet of Lot 4, Block 3, City of Abilene, Taylor County, Texas.

TRACT II:

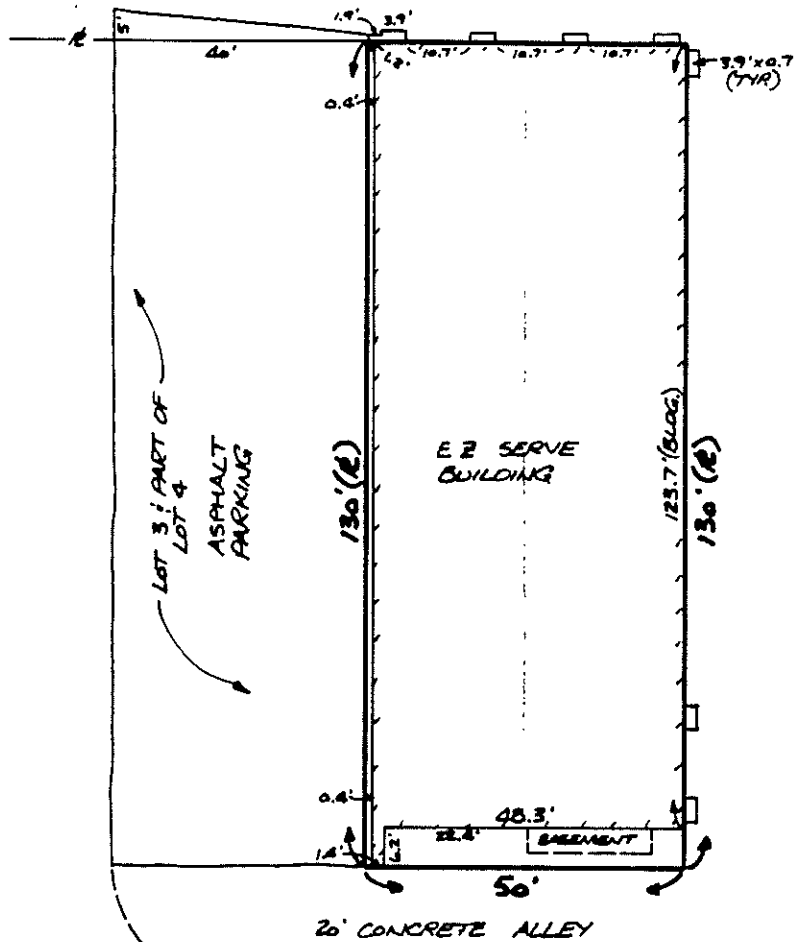
East 85 feet of an alley running east and west in Block 3, City of Abilene, Taylor County, Texas, and being all of said alley, 20 feet in width lying adjacent to Lots 1, 2, 3 and the East 10 feet of Lot 4, all in said Block 3, City of Abilene, Taylor County, Texas.

TRACT III:

Lots 10, 11 and 12, Block 119, Original Town of Abilene, Taylor County, Texas (Drainage for Proposed Parking Lot on Corner of South First and Chestnut Street)

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EXHIBIT "A"

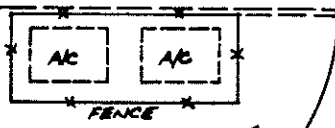
SOUTH 1<sup>ST</sup> STREET



OAK STREET  
(100' R.O.W.)

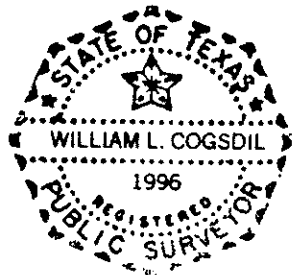


20' CONCRETE ALLEY



GRASS  
PART OF LOTS  
20 & 21

901 SOUTH FIRST



*William L. Cogsdil*  
 WILLIAM L. COGSDIL  
 R.P.S. NO. 1996

I hereby certify the above plat to show the correct location of the improvements situated upon Lots 1 and 2, Block 3, and the improvements lying on the adjacent property, Original Town of Abilene, to the City of Abilene, Taylor County, Texas, according to plat recorded in Volume C, Page 590, Deed Records, Taylor County, Texas. This property does not lie within the Flood Plain, according to National Flood Insurance Rate Map Community-Panel No. 485450 0025 C. There are no encroachments upon these lots.

Surveyed on the ground  
 February 11, 1988

4c-6  
 EXHIBIT "B"