

RESOLUTION NO. 3-1989

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING CITY STAFF TO COMMENCE THE PROCEDURE TO OFFICIALLY CLOSE THE LANDFILL (PROPERTY OWNED BY ROBERT AND NATHAN MORRIS, FORMERLY ABILENE BRICK COMPANY).

WHEREAS, on July 9, 1981, the City Council approved an agreement with the Abilene Brick Company for the above referenced landfill, effective October 1, 1981; and,

WHEREAS, said agreement included a property as described in Exhibit "A" and indicated on the map attached hereto as Exhibit "B", both of which are made a part hereof for all purposes; and,

WHEREAS, per terms of said agreement the City paid the sum of Twenty-four Thousand and no/100 Dollars (\$24,000.00) representing a One Thousand and no/100 Dollars (\$1,000.00) per month fee for the first and last years of said agreement, and has paid One Thousand and no/100 Dollars (\$1,000.00) per month fee since October, 1982; and,

WHEREAS, the Federal Government, through the United States Environmental Protection Agency, is promulgating new rules to revise part of Subtitle D of the Resource Conservation and Recovery Act; and,

WHEREAS, the new rules spell out specific requirements for municipal solid waste landfills which place a new and costly burden on the landfill operator, The City of Abilene; and,

WHEREAS, the City wishes to cease usage of this landfill facility and terminate the existing agreement; now, therefore,

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

PART 1: That staff is hereby directed to commence closure

procedures for the landfill facility on the land previously known as Abilene Brick Company.


PART 2: That property owners, Robert Morris and Nathan Morris, be duly notified of the City's intent to close this landfill facility.

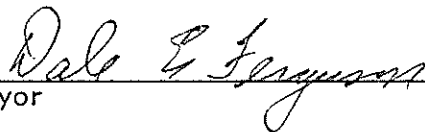
PART 3: That the projected closure date is February 1, 1990.

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

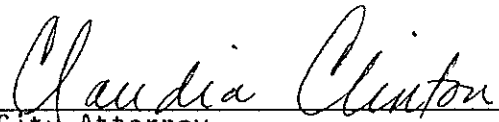
ADOPTED this 26th day of January, A.D., 1989.

ATTEST:

  
\_\_\_\_\_  
City Secretary

  
\_\_\_\_\_  
Mayor

APPROVED:

  
\_\_\_\_\_  
City Attorney

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TRACT II:

Being a 48.25 acre tract or parcel of land out of Lot 1 of the A. F. McDonald's Subdivision of the Wilson W. Sills Surveys No. 23 and 24 Taylor County, Texas, being more particularly described below:

Beginning at a point said point being Northwest Corner of Lot 1 of the A. F. McDonald's Subdivision of the Wilson W. Sills Survey No. 23 and 24, Taylor County, Texas.

Thence S. 39° 54' E. with the North Boundary Line of said Lot 1 a distance of 1057.3 feet for a corner said corner being on the West Right of Way Line of U.S. Highway 33.

Thence S. 37° 09' E. with the West Right of Way Line of U.S. Highway 33 a distance of 228.7 feet for a corner.

Thence S. 13° 19' E. with the West Right of Way Line of U.S. Highway 33 a distance of 259.4 feet for a corner, said corner being the Northeast Corner of a certain 120 feet by 140 feet tract of land described in a deed recorded in Volume 306, Page 304 of the Deed Records of Taylor County, Texas.

Thence S. 71° 41' W. a distance of 140.0 feet for a corner.

Thence S. 13° 19' E. a distance of 120.0 feet for a corner.

Thence N. 71° 41' E. a distance of 140.0 feet for a corner, said corner being on the West Boundary Line of U.S. Highway 33.

Thence S. 13° 19' E. with the West Right of Way Line of U.S. Highway 33 an approximate distance of 120.00 feet for a corner, said corner being the Northeast Corner of a certain 10.7 acre tract or parcel of land described in a deed recorded in Volume 425, Page 229 of the Deed Records of Taylor County, Texas.

Thence S. 57° 00' W. a distance of 611.3 feet for a corner.

Thence S. 22° 00' E. a distance of 700.0 feet to Elm Creek for a corner.

Thence up Elm Creek with its Meanders to a corner, said corner being 2072.0 feet South of the North West Corner of said Lot 1.

Thence North with the West Boundary Line of said Lot 1 a distance of 451.4 feet for a corner.

Thence N. 45° 29' E. a distance of 209.3 feet for a corner.

Thence N. 22° 02' W. a distance of 411.1 feet for a corner said corner on the West Boundary Line of said Lot 1.

Thence North with the West Boundary Line of said Lot 1 a distance of 1095.8 feet to the place of beginning.

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TRACT I:

Being a tract or parcel of land out of Subdivision No. 9 and 10 of the Alexander Thompson Survey No. 20 in Taylor County, Texas, said tract or parcel of land being more particularly described below:

Beginning at a point, said point being the intersection of the South Right of Way Line of the Fort Worth and Denver Railroad and the East Boundary Line of Subdivision No. 9 of the Alexander Thompson Survey No. 20 in Taylor County, Texas.

Thence South with the East Boundary Line of said Subdivision No. 9 a distance of 2701.4 feet for a corner said corner being the Southeast Corner of said subdivision.

Thence West a distance of 1002.3 feet for a corner.

Thence North 3544.2 feet for a corner said corner being on the South Right of Way Line of Fort Worth and Denver Railroad.

Thence S. 50° 00' E. with the South Right of Way Line of Fort Worth and Denver Railroad a distance of 1311.1 feet to the place of beginning.

SAVE AND EXCEPT a portion of U.S. Highway 83 and portion of an East West Public Road known as Summit Road.

Said tract or parcel of land containing 8.17 acres more or less in U.S. Highway 83 and 0.90 acre more or less in Summit Road and 62.95 acre more or less in leased Tract I.

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SANITARY LANDFILL DISPOSAL SITES AND PREMISES

JONES  
TAYLOR



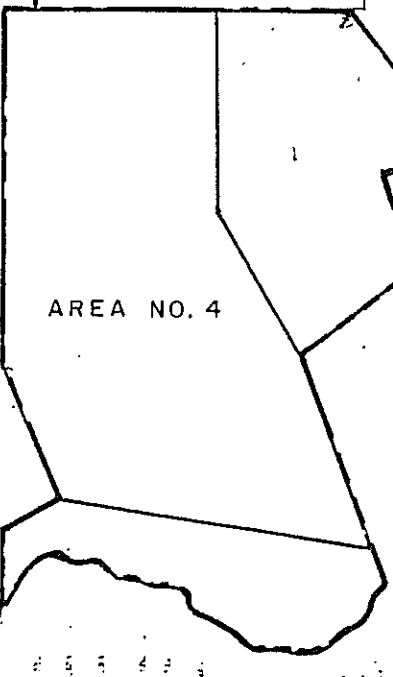
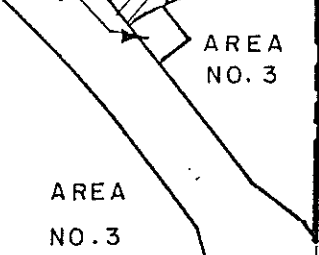
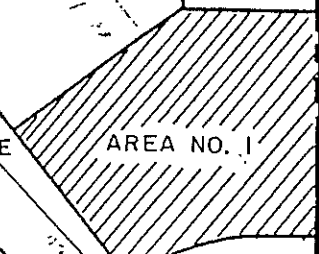
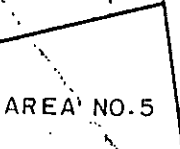
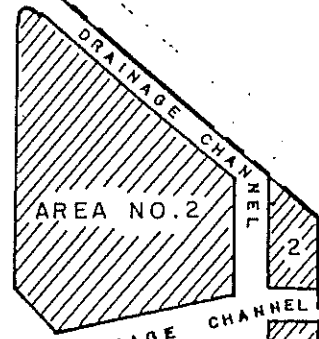
SANITARY LANDFILL DISPOSAL SITES



PREMISES BOUNDARY



SCALE: 1"=600'



ABILENE BRICK COMPANY OFFICE

BRICK MFG. PLANT

FT. WORTH & DENVER RR.

FREEWAY

WINTER

SANITARY LANDFILL DISPOSAL SITE AND PREMISES

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EXHIBIT "B"