

RESOLUTION NO. 36-1990

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE EXCHANGE OF CITY LAND ALONG CEDAR CREEK NORTH OF FM 3308, in TAYLOR COUNTY, TEXAS.

WHEREAS, the City of Abilene is making Creek Channel Improvements for flood control purposes and desires to obtain land for this use, as well as for City utility improvements as needed; and,

WHEREAS, the City has land described in EXHIBIT "A", SAVE AND EXCEPT that land described in EXHIBIT "B", which has been advertised, according to law, for sale or exchange; and;

WHEREAS, in response to said advertisement, one proposal was received offering to grant an easement, as shown in Exhibit "C", in exchange for the City's property in Exhibit "A" and "B"; now therefore;

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

PART 1: That the City Manager is hereby authorized to exchange land as described in EXHIBIT "A", SAVE AND EXCEPT that land described in EXHIBIT "B", which is located along Cedar Creek North of FM 3308, for an easement as described in EXHIBIT "C"; and,

PART 2: That the City Manager be and is hereby authorized to execute the exchange of the fee simple title to the afore described City property for an easement described in Exhibit "C" to be used for City flood control and utility purposes; and,

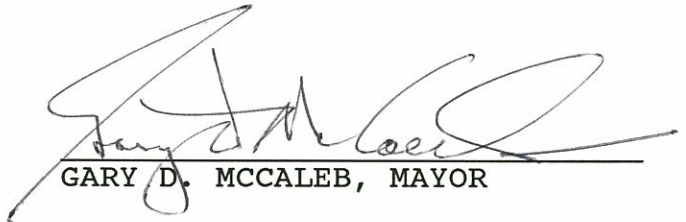
PART 3: That this Resolution shall take effect immediately from and after its passage.

ADOPTED this 13 day of September A.D., 1990.

ATTEST:




JO MOORE, CITY SECRETARY



GARY D. MCCALED, MAYOR

APPROVED:



CLAUDIA CLINTON
CITY ATTORNEY

County of Taylor
State of Texas
Grantor: City of Abilene
Subject: Property north of FM 3308

EXHIBIT A

Fieldnotes of a survey of 25.204 acres of land being located in the E. Anderson Survey #81, Taylor County, Texas. Said land is a part of that land conveyed to the City of Abilene, Texas, from J. H. Parramore, Jr., and wife, Clara Parramore, by Deed dated December 21, 1942 as recorded in Volume 315, Page 18 of the Deed Records of Taylor County, Texas, and being more particularly described as follows:

NOTE: All bearings are based on grid north as tied to the State Plane Coordinate System North Central Zone.

Beginning at a found 3/8" iron rod and fence corner post being located in the north line of said E. Anderson Survey #81 and representing the north line of said City property, from which the northwest corner of said Survey #81 bears North 88 degrees 36 minutes 29 seconds West 6287 feet;

THENCE South 87 degrees 48 minutes 04 seconds East for a distance of 1788.91 feet along said fence line to a set 3/8" X 12" nail being located in the northerly right of way of said F.M. Highway #3308;

THENCE along a curve to the right representing the northerly right of way of said F. M. Highway #3308, having a radius of 2802.60 feet and an arc length of 259.00 feet, being subtended by a chord of South 56 degrees 51 minutes 16 seconds West for a distance of 258.90 feet to a found brass cap in concrete highway right of way monument;

THENCE South 59 degrees 31 minutes 24 seconds West for a distance of 1042.91 feet along the northerly right of way of said F. M. Highway #3308 to a found brass cap in concrete highway right of way monument being the beginning of a curve to the left;

THENCE along said curve to the left representing the northerly right of way of said F. M. Highway #3308, having a radius of 1956.80 feet and an arc length of 865.21 feet, being subtended by a chord of South 46 degrees 51 minutes 16 seconds West for a distance of 858.18 feet to a found brass cap in concrete highway right of way monument;

THENCE South 34 degrees 11 minutes 23 seconds West for a distance of 133.34 feet along the northerly right of way of said F. M. Highway #3308 to a found 1/2" iron rod and fence corner post;

THENCE North 01 degrees 09 minutes 35 seconds East for a distance of 1436.60 feet along said fence line representing the west line of said City property to the place of beginning and containing 25.2037 acres of land.

I, GARY D. HUDSON, R.P.S. #4389, DO
HEREBY CERTIFY THAT THIS SURVEY
IS TRUE AND CORRECT AND
THAT IT REPRESENTS A SURVEY
MADE ON THE GROUND.

DATE 3-9-90 11/1/90 00169

County of Taylor
State of Texas
Grantor: City of Abilene
Subject: Channel

EXHIBIT B

Fieldnotes of a survey of 7.547 acres of land being located in the E. Anderson Survey #81, Taylor County, Texas. Said land is a part of that land conveyed to the City of Abilene, Texas, from J. H. Parramore, Jr., and wife, Clara Parramore, by Deed dated December 21, 1942 as recorded in Volume 315 Page 18 of the Deed Records of Taylor County, Texas and being more particularly described as follows:

NOTE: All bearings are based on grid north as tied to the State Plane Coordinate System North Central Zone.

Beginning at a set 3/8" X 12" nail being located in a stone mound on the north line of said E. Anderson Survey #81 from which the northwest corner of said Survey #81 bears North 88 degrees 36 minutes 29 seconds West 6650 feet;

THENCE South 87 degrees 48 minutes 04 seconds East for a distance of 619.06 feet along the north line of said E. Anderson Survey #81 to a set 3/8" X 12" nail being located on a curve to the right;

THENCE along said curve to the right having a radius of 951.01 feet and an arc length of 464.74 feet, being subtended by a chord of South 44 degrees 28 minutes 35 seconds East for a distance of 460.13 feet to a set 3/8" X 12" nail being located on the northerly right of way of F. M. Highway #3308;

THENCE South 59 degrees 31 minutes 24 seconds West for a distance of 300.00 feet along the northerly right of way of said F. M. Highway #3308 to a set 3/8" X 12" nail being located on the beginning of a curve to the left;

THENCE along said curve to the left having a radius of 651.01 feet and an arc length of 387.48 feet, being subtended by a chord of North 47 degrees 31 minutes 41 seconds West for a distance of 381.79 feet to a set 3/8" X 12" nail;

THENCE North 64 degrees 34 minutes 46 seconds West for a distance of 38.84 feet to a set 3/8" X 12" nail;

THENCE South 02 degrees 37 minutes 18 seconds West for a distance of 474.10 feet to a set 3/8" X 12" nail being located on the northerly right of way of said F. M. Highway #3308;

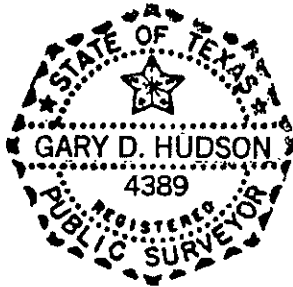
THENCE South 59 degrees 31 minutes 24 seconds West for a distance of 42.93 feet along the northerly right of way of said F.M. Highway #3308 to a found bronze cap in concrete highway right of way monument to the beginning of a curve to the left;

THENCE along said curve to the left having a radius of 1956.80 feet and an arc length of 203.04 feet, being subtended by a chord of South 56 degrees 32 minutes 56 seconds West for a distance of 202.95 feet to a set 3/8" X 12" nail;

THENCE North 02 degrees 37 minutes 18 seconds East for a distance of 604.66 feet to a set 3/8" X 12" nail on the beginning of a curve to the left;

THENCE along said curve to the left having a radius of 178.17 feet and an arc length of 182.25 feet, being subtended by a chord of North 26 degrees 40 minutes 57 seconds West for a distance of 174.41 feet to a set 3/8" X 12" nail being located on a curve the right;

THENCE along said curve to the right having a radius of 823.38 feet and an arc length of 116.42 feet, being subtended by a chord of North 48 degrees 27 minutes 18 seconds West for a distance of 116.32 feet to the place of beginning and containing 7.547 acres of land.



I, GARY D. HUDSON, R.P.S. #4389, DO
HEREBY CERTIFY THAT THIS SURVEY
IS TRUE AND CORRECT AND
THAT IT REPRESENTS A SURVEY
MADE ON THE GROUND.

DATE 3-9-90

Gary D. Hudson

EXHIBIT "C"

County of Taylor
State of Texas
Grantor: Riley G. Maxwell Company, a Corporation

Fieldnotes of a survey of 15.511 acres of land being located in T. D. Johnson Survey #80, Taylor County, Texas. Said land is a part of that land conveyed to Riley G. Maxwell Company, a Corporation, from Riley G. Maxwell, and Mary Maxwell Masterson by Deed dated December 10, 1970 as recorded in Volume 902, Page 243 of the Deed Records of Taylor County, Texas and being more particularly described as follows:

NOTE: All bearings are based on grid north as tied to the State Plane Coordinate System North Central Zone.

Beginning at a set 3/8" X 12" nail in a stone mound being located in the south line of said Survey #80 and the grantor's south property line from which the southwest corner of said Survey #80 bears North 88 degrees 40 minutes West 6650 feet;

THENCE South 87 degrees 48 minutes 04 seconds East for a distance of 619.06 feet to a set 3/8" X 12" nail being located on a curve to the left;

THENCE along a curve to the left having a radius of 951.01 feet and an arc length of 101.31 feet, being subtended by a chord of North 61 degrees 31 minutes 40 seconds West for a distance of 101.26 feet to a set 3/8" X 12" nail;

THENCE North 64 degrees 34 minutes 46 seconds West for a distance of 29.20 feet to the beginning of a curve to the right;

THENCE along said curve to the right having a radius of 592.91 feet and an arc length of 680.78 feet, being subtended by a chord of North 31 degrees 41 minutes 11 seconds West for a distance of 643.99 feet to a set 3/8" X 12" nail;

THENCE North 01 degrees 12 minutes 24 seconds East for a distance of 826.40 feet to the beginning of a curve to the left;

THENCE along said curve to the left having a radius of 1000.00 feet and an arc length of 198.68 feet, being subtended by a chord of North 04 degrees 29 minutes 06 seconds West for a distance of 198.35 feet to a 14" willow tree in a fence line representing the north line of said Survey #81 and the grantor's north property line;

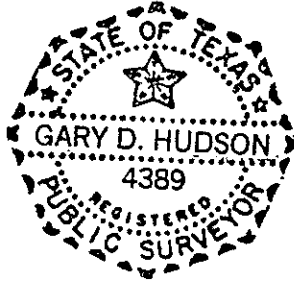
THENCE North 88 degrees 58 minutes 21 seconds West for a distance of 413.28 feet along said fence line to a set 3/8" X 12" nail being located on a curve to the right;

THENCE along said curve to the right having a radius of 600.00 feet and an arc length of 199.75 feet, being subtended by a chord

of South 08 degrees 19 minutes 51 seconds East for a distance of 198.83 feet to a set 3/8" X 12" nail;

THENCE South 01 degrees 12 minutes 24 seconds West for a distance of 826.40 feet to a set 3/8" X 12" nail being located on the beginning of a curve to the left;

THENCE along said curve to the left having a radius of 823.38 feet and an arc length of 655.46 feet, being subtended by a chord of South 21 degrees 35 minutes 56 seconds East for a distance of 638.29 feet to the place of beginning and containing 15.51 acres of land.



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DATE 3-9-90

Gary D. Hudson