

RESOLUTION NO. 34-1991

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CONSENTING TO THE DISPOSITION OF CERTAIN EXCESS RIGHT-OF-WAY BY THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO TAYLOR COUNTY.

WHEREAS, right-of-way was acquired in 1951 in the name of the State of Texas from Mrs. Xenia Adams Miller and from Abilene Christian College for the construction of FM Highway 1234; and

WHEREAS, Taylor County, at its sole expense, acquired the right-of-way required by the State Department of Highways and Public Transportation for the construction of FM Highway 1234, which at the present time is designated as Metropolitan Highway 25; and

WHEREAS, Metropolitan Highway 25 (also known as Judge Ely Boulevard) is currently being relocated to the east of the original location; and

WHEREAS, the relocation will result in two tracts of surplus right-of-way containing 7.291 acres and 0.805 acres, such tracts being described in Exhibit "A"; and

WHEREAS, the surplus right-of-way described in the attached Exhibit "A" was removed from the highway system July 31, 1962 by Minute Order 51606 and is no longer needed by the State for the use of citizens as a road and is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway; and

WHEREAS, Taylor County has requested the State of Texas to quitclaim to Taylor County those tracts of right-of-way as shown in the attached Exhibit "A", which has been determined by the State Department of Highways and Public Transportation to be in excess to their needs; and

WHEREAS, the City of Abilene, being aware of the surplus right-of-way and having made a study of possible uses of said tracts, has concluded that the City is not now, nor in the foreseeable future, in need of said tracts of land; now, therefore,

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

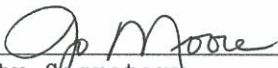
PART 1: That the City of Abilene consents to the conveyance by the State of Texas, acting by and through the State Department of Highways and Public Transportation Commission, to Taylor County all of its rights, title and interest in and to the tracts of land described by metes and bounds on the attached Exhibit "A", as said tracts of land are no longer needed for the use of citizens for right-of-way purposes.

PART 2: That such conveyance of rights, title, and interest in and to the tracts of land described in Exhibit "A" shall not occur until after the completion of the relocation of Judge Ely Boulevard.

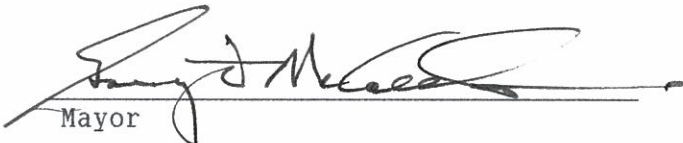
PART 3: That this resolution shall take effect immediately from and after its adoption.

ADOPTED this 12th day of September, A.D., 1991.

ATTEST:



City Secretary



Mayor

APPROVED:



City Attorney

EXHIBIT "A"

Taylor County
Control 8040-08-003
M.H. 25

Tract No. 1

7.291 acres of land, more or less, same being out of and a part of that certain 0.767 acre tract out of the northeast 1/4 of Section 34 and being out of and a part of that certain 12.055 acre tract out of the west 1/2 of Section 33, both Sections in the Blind Asylum Land Survey in Taylor County, Texas: which said tracts were conveyed to the State of Texas by Deeds dated May 8, 1951, and May 10, 1951, of Record in Vols. 427 and 425, Pages 249 and 441, respectively, Deed Records of Taylor County, Texas; said 7.291 acres of land, more or less, are more particularly described as follows:

Begin at a point in the present east right of way line of the present location of Metropolitan Highway 25, said point being 50 feet North 90° 00' East (Due East) from centerline chaining station 1+39.70 of the present location of said highway, said point also being 50 feet easterly from and measured at right angles to centerline chaining station 1+39.63 of the present location of said Metropolitan Highway 25, and said point also being 140 feet southerly from and measured at right angles to centerline chaining station 72+11.79 of the present location of State Highway 351;

- 1) Thence South 0° 05' West along the present east right of way line of the present location of said Metropolitan Highway 25 a distance of 259.77 feet to the beginning of a curve to the left, said point being 50 feet easterly from and measured at right angles to centerline chaining station 3+99.40 of the present location of said Metropolitan Highway 25;
- 2) Thence in a southeasterly direction continue along said present east right of way line, same being along a curve to the left having a radius of 905.37 feet and a central angle of 34° 04', a distance of 538.08 feet to the end of said curve, said point being 50 feet northeasterly from and measured at right angles to centerline chaining station 9+67.20 of the present location of said Metropolitan Highway 25;
- 3) Thence South 33° 59' East continue along said present east right of way line a distance of 537.10 feet to the beginning of a curve to the right, said point being 50 feet northeasterly from and measured at right angles to centerline chaining station 15+04.30 of the present location of said Metropolitan Highway 25;
- 4) Thence in a southerly direction continue along with present east right of way line, same being along a curve to the right having a radius of 1005.37 feet and a central angle of 33° 58', a distance of 595.73 feet to the end of said curve, said point being 50 feet easterly from and measured at right angles to centerline chaining station 20+70.40 of the present location of said Metropolitan Highway 25;

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- 5) Thence South $0^{\circ} 01'$ East continue along said present east right of way line a distance of 1245.14 feet to a point in the present north right of way line of the present location of East North Sixteenth Street;
- 6) Thence South $89^{\circ} 59'$ West along the present north right of way line of the present location of said East North Sixteenth Street, at 50 feet cross the centerline of the present location of said Metropolitan Highway 25 at centerline chaining station 33+15.54 of the present location of said Metropolitan Highway 25, and continue a total distance of 100 feet to a point in the present west right of way line of the present location of said Metropolitan Highway 25, said point being 2,209.46 feet North $0^{\circ} 01'$ West and 580 feet North $89^{\circ} 59'$ East from the southeast corner of said Section 34 and the southwest corner of said Section 33;
- 7) Thence North $0^{\circ} 01'$ West along the present west right of way line of the present location of said Metropolitan Highway 25 a distance of 1245.14 feet to the beginning of a curve to the left, said point being 50 feet westerly from and measured at right angles to centerline chaining station 20+70.40 of the present location of said Metropolitan Highway 25;
- 8) Thence in a northwesterly direction continue along said present west right of way line, same being along a curve to the left having a radius of 905.37 feet and a central angle of $33^{\circ} 58'$, a distance of 536.47 feet to the end of said curve, said point being 50 feet southwesterly from and measured at right angles to centerline chaining station 15+04.30 of the present location of said Metropolitan Highway 25;
- 9) Thence North $33^{\circ} 59'$ West continue along said present west right of way line a distance of 537.10 feet to the beginning of a curve to the right, said point being 50 feet southwesterly from and measured at right angles to centerline chaining station 9+67.20 of the present location of said Metropolitan Highway 25;
- 10) Thence in a northerly direction continue along said present west right of way line, same being along a curve to the right having a radius of 1005.37 feet and a central angle of $34^{\circ} 04'$, a distance of 597.52 feet to the end of said curve, said point being 50 feet westerly from and measured at right angles to centerline chaining station 3+99.40 of the present location of said Metropolitan Highway 25;
- 11) Thence North $0^{\circ} 05'$ East continue along said present west right of way line a distance of 259.63 feet to a point in the present south right of way line of the present location of said State Highway 351, said point being 50 feet westerly from and measured at right angles to centerline

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chaining station 1+39.77 of the present location of said Metropolitan Highway 25, said point also being 140 feet southerly from and measured at right angles to centerline chaining station 71+11.79 of the present location of said State Highway 351;

- 12) Thence North 90° 00' East (Due East) along the present south right of way line of the present location of said State Highway 351, at 50 foot cross the centerline of the present location of said Metropolitan Highway 25 at centerline chaining station 1+39.70 of the present location of said Metropolitan Highway 25, and continue a total distance of 100 feet to the point of beginning.

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EXHIBIT "A"

Taylor County
Control 8040-08-003
M.H. 25

Tract No. 2

0.805 acre of land, more or less, same being out of and a part of that certain 12.055 acre tract out of the west 1/2 of Section 33, Blind Asylum Land Survey in Taylor County, Texas: which said 12.055 acre tract was conveyed to the State of Texas by Deed dated May 8, 1951, of Record in Vol. 427, Page 249, Deed Records of Taylor County, Texas; said 0.805 acre of land, more or less, is more particularly described as follows:

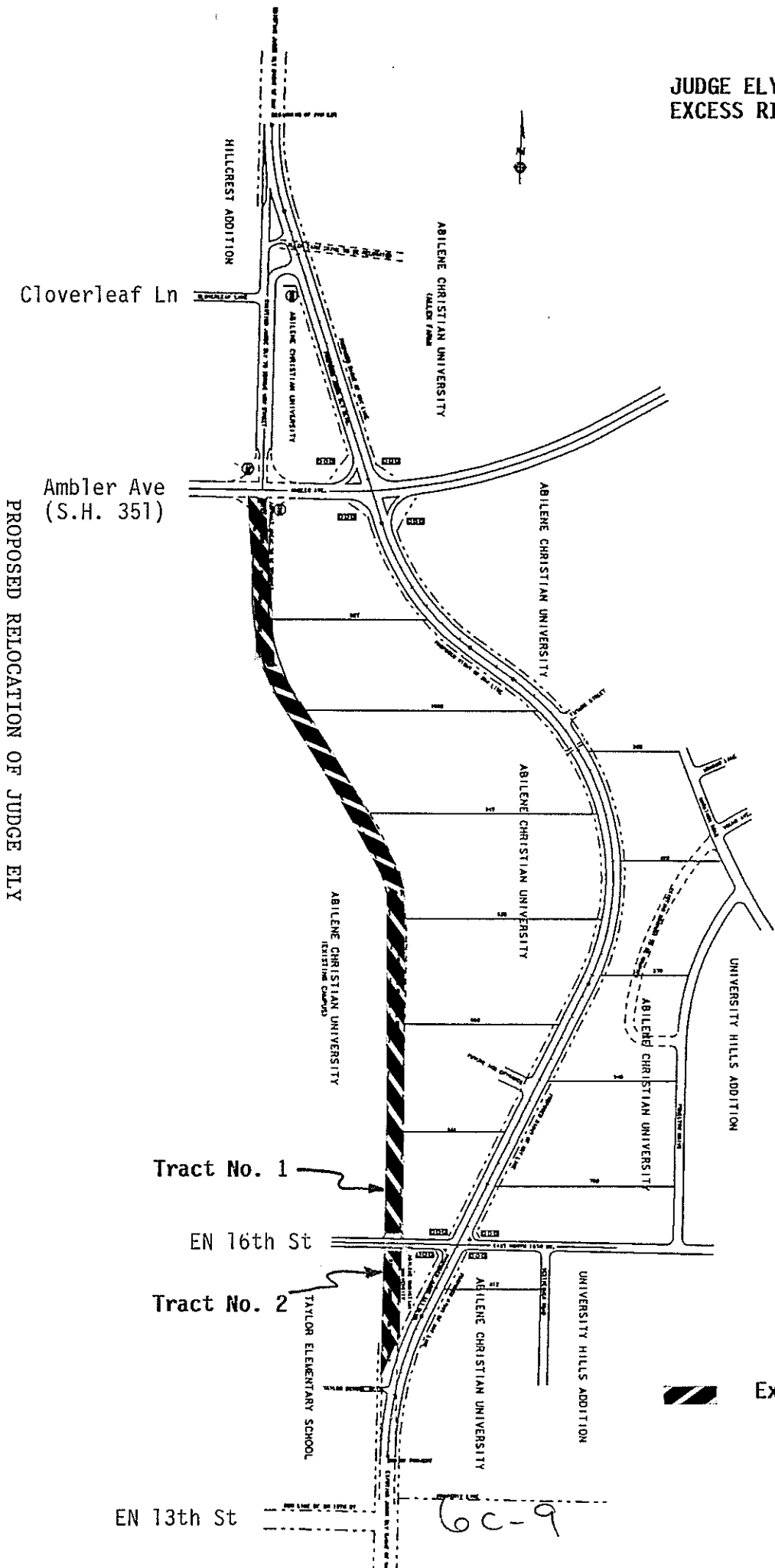
Begin at the point of intersection of the present west right of way line of the present location of Metropolitan Highway 25 and the present south right of way line of the present location of East North Sixteenth Street, said point being 50 feet South 89° 59' West from centerline chaining station 33+95.54 of the present location of said Metropolitan Highway 25, said point also being 2129.46 feet North 0° 01' West and 580 feet North 89° 59' East from the southwest corner of said Section 33 and the southeast corner of Section 34, Blind Asylum Land Survey in Taylor County, Texas;

- 1) Thence North 89° 59' East along the present south right of way line of the present location of said East North Sixteenth Street, at 50 feet cross the centerline of the present location of said Metropolitan Highway 25 at centerline chaining station 33+95.54 of the present location of said Metropolitan Highway 25, and continue a total distance of 100 feet to a point in the East right of way line of the present location of said Metropolitan Highway 25;
- 2) Thence South 0° 01' East along the present east right of way line of the present location of said Metropolitan Highway 25 a distance of 350.57 feet;
- 3) Thence South 89° 59' West at 50 feet cross the centerline of the present location of said Metropolitan Highway 25 at centerline chaining station 37+46.11 of the present location of said Metropolitan Highway 25, and continue a total distance of 100 feet to a point in the present west right of way line of the present location of said Metropolitan Highway 25;
- 4) Thence North 0° 01' West along the present west right of way line of the present location of said Metropolitan Highway 25 a distance of 350.57 feet to the point of beginning.

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JUDGE ELY BOULEVARD
EXCESS RIGHT-OF-WAY



PROPOSED RELOCATION OF JUDGE ELY

EN 13th St

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