

RESOLUTION NO. 32-1995

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING THE USE OF INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT ("ISTEA") FUNDS AND TAX INCREMENT FINANCING ("TIF") FUNDS FOR ACQUISITION OF A TRACT OF LAND ALONG THE SOUTH SIDE OF NORTH FIRST STREET FROM HICKORY STREET EAST TO MESQUITE STREET ("RAILROAD RIGHT OF WAY") AND COMMITTING TO RESTORE THE T&P FREIGHT WAREHOUSE AFTER ACQUISITION OF THE TRACT.

WHEREAS, the Missouri Pacific Railroad ("Railroad") owns the property generally described as a tract of land along the south side of North First Street from Hickory Street east to Mesquite Street including the land under the T&P Depot, T&P Freight Warehouse, and REA\Wells Fargo (Baggage Express) building; and

WHEREAS, the City of Abilene has an overall master plan for the downtown revitalization program which calls for the acquisition and beautification of Entryway property, including the tract of land described above as Railroad Right of Way; and

WHEREAS, the Abilene City Council passed resolution 17-1994 on April 14, 1994, authorizing City staff to pursue acquisition of the Railroad Right of Way; and

WHEREAS, the City Council passed an oral resolution on August 11, 1994, approving use of TIF funds to match ISTEA grants; and

WHEREAS, the ISTEA grant awarded to the City in the amount of Six Hundred and Ninety Thousand Eight Hundred Dollars (\$690,800), in conjunction with matching TIF funds of One Hundred Seventy-Two Thousand Seven Hundred Dollars (\$172,700), may be used to acquire the Railroad Right of Way; and

WHEREAS, as a condition of the ISTEA grant award, the City must provide documentation of its commitment to restore the T&P Freight Warehouse after the Right of Way acquisition.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, THAT:

- PART 1. ISTEA and TIF funds not to exceed Five Hundred Ninety Thousand Dollars (\$590,000), plus incidental closing costs, are hereby authorized to be used for acquisition of a tract of land along the south side of North First Street from Hickory Street east to Mesquite Street.
- PART 2. Subject to acquisition of the Railroad Right of Way, the City hereby commits to restoring the T&P Freight Warehouse.

PART 3. The City Manager, or his designee, is authorized to sign all relevant documents pertaining to the acquisition.

PART 4. City staff is directed to pursue approval from the Texas Department of Transportation to use any remaining ISTEAs funds allocated to the project for rehabilitation of the T&P Freight Warehouse, Baggage Express building, and/or site improvements to the Railroad Right of Way.

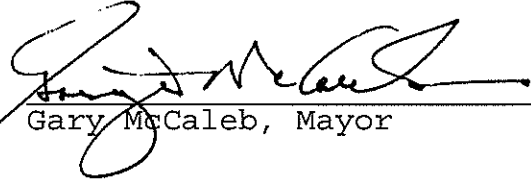
PART 5. This resolution shall take effect immediately from and after its passage.

ADOPTED this 14th day of September, A.D., 1995.

ATTEST:




Jo Moore, City Secretary



Gary McCaleb, Mayor

APPROVED:



Claudia Clinton
First Asst. City Attorney

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