

RESOLUTION NO. 23-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY TO EXCHANGE PARK LAND WITH THE ABILENE INDEPENDENT SCHOOL DISTRICT FOR LAND LOCATED ON THE CAMPUS OF BOWIE ELEMENTARY.**

**WHEREAS**, prior to 1964 the Abilene Independent School District (hereinafter AISD) and the City co-owned land at 1733 South 20<sup>th</sup> Street, shown on Attachment A. In 1964, AISD and the City divided the land so that AISD would have clear title to the land Bowie Elementary now occupies, and the City would have clear title to the half block adjoining that is used for a City park; and

**WHEREAS**, AISD is considering an expansion for Bowie Elementary and as part of the expansion will require the use of the land currently owned by the City and designated as a City park; and

**WHEREAS**, AISD owns adjoining land that may be exchanged and used for park purposes;

**WHEREAS**, on August 3, 2010, the Parks and Recreation Board made a recommendation to the City Council that the City exchange 1.558 acres of park property (Tract B) with AISD for 1.558 acres of school property (Tract A) in accordance with Attachment A; and


**WHEREAS**, notice of public hearing regarding this land exchange has been published in the Abilene Reporter News, a newspaper of general circulation, on August 15, 22, and 29 of 2010 in accordance with the requirements of Texas Parks and Wildlife Code Chapter 26.

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

- PART 1.** That due to the nature of the project, there is no feasible and prudent alternative to the exchange of said land.
- PART 2.** The project includes all reasonable planning to minimize harm to the land, as a park, resulting from the exchange.
- PART 3.** The tracts of property to be exchanged are of equal size and value.
- PART 4.** The City Manager is authorized to execute all documents necessary to complete the exchange of land with AISD as referenced in Attachment A.


**ADOPTED this 9<sup>th</sup> day of September 2010.**

ATTEST:

  
Danette Dunlap, City Secretary

  
Norman Archibald, Mayor

APPROVED:

  
City Attorney