

ORDINANCE NO. 334

#1
AN ORDINANCE CLOSING, VACATING, AND ABANDONING
A PORTION OF A PUBLIC ALLEY RUNNING NORTH AND
SOUTH ACROSS BELMONT DEVELOPMENT COMPANY'S
SUBDIVISION OF LOT 1, BLOCK 21, CONTINUATION
OF BELMONT ADDITION TO THE CITY OF ABILENE,
TAYLOR COUNTY, TEXAS, AND ORDERING A PUBLIC
HEARING BEFORE FINAL PASSAGE THEREOF.

WHEREAS a petition has been presented by all of the owners of Lots 1, 6, 7, 8, 9, 10 and 11 of Belmont Development Company's subdivision of Lot 1, Block 21, Continuation of Belmont Addition to the City of Abilene, requesting that that portion of an alley running North and South across said property which lies between U. S. Highway No. 83 and the Abilene Southern Railway Company right-of-way, be closed, abandoned and vacated, and

WHEREAS it appears that said alley has never been opened to the public use; that the relocation of said highway No. 83 has rendered the Southern portion of said alley useless and that said property cannot be put to its best use so long as said portion of said alley remains dedicated to the public use;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE:

That that portion of the above described alley lying South of U.S. Highway No. 83 and North of the Abilene and Southern Railway Company right-of-way be and the same is hereby closed, vacated and abandoned as a public alleyway and that title to said alley shall revert to the abutting property owners as provided by law.

There is hereby reserved, however, for the benefit of the City of Abilene, an easement over, across and under said tract of land for the purpose of maintaining and removing and replacing a water line which runs under and across said land and it is hereby stipulated that the City of Abilene shall have a right of ingress and egress for the purpose of maintaining, removing or replacing said water line and shall not be liable to the surface owner for any damages caused in the exercise of the easement so reserved.

Passed on first reading the 27th day of December, A.D. 1949.

After said passage a notice of the time and place when and where said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, the first publication being

at least one week prior to the time advertised. After such opportunity for the public to be heard, said ordinance was passed on its second and final reading on the 16th day of December, A.D. 1949.

(Signed)

Hubert J. ...
Mayor

12-16-49
Date of
Signing

ATTEST:

Lila Fern Martin
City Secretary

APPROVED AS TO FORM BEFORE PASSAGE:

Milner Johnston
Asst. Corporation Counsel