

ORDINANCE NO. 364

AN ORDINANCE CLOSING, VACATING AND ABANDONING THAT PORTION OF A PUBLIC ROAD LYING IMMEDIATELY EAST OF LEGGETT DRIVE AND IMMEDIATELY WEST OF ELM CREEK AND NOW COMPRISING A PART OF THE SOUTH ONE-HALF OF LOT 42, AND LOT 43, BLOCK L, SECTION 2, ELMWOOD WEST ADDITION TO THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AND DIRECTING THE MAYOR TO EXECUTE A DEED QUIT CLAIMING SAID PROPERTY TO W. S. WAGLEY.

WHEREAS, a public road known as the Abilene-Capps Road has heretofore been designated and dedicated to the public use and,

WHEREAS, that portion of said road which crosses the South one-half of Lot 42 and Lot 43, Block L, Section 2, Elmwood West Addition to the City of Abilene, Taylor County, Texas, has heretofore been abandoned, closed and rerouted by the Commissioners Court of the County of Taylor and the State of Texas, and

WHEREAS, it appears that said property can serve no official purpose as a public road, and W. S. Wagley, the abutting property owner has requested the Board of Commissioners to close, vacate and abandon said property as a public road and that title to said property be quit claimed to the abutting property owners as provided by Article 1017, RGS, 1925, as amended;

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

SECTION 1. That all that portion of the old Abilene-Capps Road which lies East of Leggett Drive and West of Elm Creek and which now comprises a part of the South one-half of Lot 42 and Lot 43, Block L, /Elmwood West Addition to the City of Abilene, Taylor County, Texas, be and the same is hereby closed, vacated and abandoned as a public street of the City of Abilene.

SECTION 2. That Mayor Hudson Smart be and he is hereby authorized and directed to execute a proper instrument quit claiming all right, title and interest which the City of Abilene may have in said property.

Passed on first reading this 17th day of March, A.D. 1950.

Passed on second and final reading the <sup>31st</sup> day of March, A.D. 1950.

ATTEST:

Lela Fern Martin  
City Secretary

W. S. Wagley  
Mayor Hudson Smart

APPROVED AS TO FORM BEFORE PASSAGE: