

ORDINANCE NO. 407

AN ORDINANCE CLOSING, VACATING AND ABANDONING
A PORTION OF CHINA STREET LYING IMMEDIATELY
EAST OF LOTS 4, 5, AND 6, BLOCK 96, ORIGINAL
CITY OF ABILENE, TAYLOR COUNTY, TEXAS AND
AUTHORIZING MAYOR TO EXECUTE QUIT CLAIM DEED
TO ABUTTING PROPERTY OWNERS.

WHEREAS, the public road known as China Street has heretofore been designated and dedicated to the public use as shown by the official maps of the City of Abilene, Taylor County, Texas, and

WHEREAS, that portion of said street which lies immediately East of Lots 4, 5, and 6 of said Block 96, and immediately South of the main line of the Abilene & Southern Railway Company has heretofore been closed, to actual use and has been re-routed in a Northeasterly direction as U. S. Highway No. 83, and

WHEREAS, it appears that said property can serve no further useful purpose as a public street and that the rights of the public will not be jeopardized by the vacating and closing of said portion of said street, and

WHEREAS, Morrison Supply Company, the owner of said Lot 6, and Abilene & Southern Railway Company, the owner of Lots 4 and 5, have filed their petition requesting the Board of Commissioners to close, vacate and abandon said property as a public street and that title to said property be quit claimed to the abutting property owners as provided by Article 1017, Revised Civil Statutes, 1925, as amended;

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

SECTION 1. That that portion of China Street which lies immediately East of Lots 4, 5, and 6, of said Block 96, and immediately South of the main line of the Abilene & Southern Railway Company, and immediately West of U. S. Highway No. 83, be and the same is hereby closed, vacated and abandoned as a public street of the City of Abilene, said property being described by metes and bounds as follows:

BEGINNING at the Southeast corner of Said Lot 6;

THENCE in a Northeasterly direction along a line parallel to and fifty feet from the center line of U. S. Highway No. 83, a distance of ninety-two feet to a point in the center line of the Abilene & Southern Railroad;

THENCE in a Northwesternly direction along the center line of said track a distance of thirty-seven feet to a point where said line intersects the East boundary line of said

Lot 4;

THENCE South with the East boundary line of Said Block 96 a distance of one hundred eight feet to the place of beginning.

SECTION 2. That Mayor Hudson Smart be and he is hereby authorized and directed to execute a quit claim deed conveying that portion of the above described property which lies immediately East of said Lot 6 to the abutting property owner, Morrison Supply Company, and conveying that portion lying immediately East of Lots 4 and 5 to Abilene & Southern Railway Company.

SECTION 3. That the City Engineer be and he is hereby authorized and directed to close said street on the ground as above indicated and amend the official maps of the City of Abilene showing said street to be closed.

PASSED ON FIRST READING this 20th day of October, A.D. 1950.

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 publication being on the 24th day of October, A.D. 1950, 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 2nd day of November, A.D. 1950.


Hudson Smart, Mayor

ATTEST:


Ella Kinn Martin
City Secretary

APPROVED AS TO FORM BEFORE PASSAGE:


William J. Johnston
Corporation Counsel

*copy is not being
submitted to any other
department for
review*