

AN ORDINANCE GRANTING TO THE FORT WORTH & DENVER RAILWAY COMPANY THE RIGHT TO CONSTRUCT, OPERATE, AND MAINTAIN TRACKS AND SWITCHES ACROSS COTTONWOOD STREET IN THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS

BE IT ORDAINED by the Board of Commissioners of the City of Abilene, Taylor County, Texas:

SECTION 1: That the Fort Worth & Denver Railway Company and its successors and assigns be and it is hereby granted the right and privilege of laying, erecting, and maintaining its railroad tracks and switches over, across, and along Cottonwood Street in the City of Abilene, Taylor County, Texas at a point approximately 377 feet south of the intersection of Cottonwood Street with Ambler Avenue in the City of Abilene, Taylor County, Texas.

SECTION 2: This easement and right is granted by the City of Abilene to the Fort Worth & Denver Railway Company subject to and in accordance with all of the terms and provisions of the Charter of the City of Abilene pertinent hereto, and subject to all Laws of the State of Texas pertinent hereto, and with the understanding that should the Fort Worth & Denver Railway Company ever abandon said tracks and switches, then it will restore the street to the same condition as the street is then being maintained by the City of Abilene as if the railroad tracks and switches had never been constructed.

SECTION 3: This easement and right-of-way is granted subject to all of the ordinances of the City of Abilene now in force or which may hereafter be enacted regulating the construction, operation, and maintenance of railway tracks and railway equipment.

SECTION 4: The easement and right-of-way herein granted shall be perpetual.

Passed on first reading this 21<sup>st</sup> day of March,  
1957, four members of the Board of Commissioners voting Aye.

Passed on second reading this 4<sup>th</sup> day of April,  
1957, four members of the Board of Commissioners voting Aye.

Approved this 4<sup>th</sup> day of April, 1957.

E. S. Guthrie  
Mayor of the City of Abilene, Taylor County,  
Texas

ATTEST:

Sida Fern Martin  
City Secretary

Approved as to form before passage.

West  
Corporation Counsel