

ORDINANCE NO. 943

AN ORDINANCE CORRECTING THE OFFICIAL RECORDS OF THE CITY OF ABILENE, TEXAS, BY DELETING A CERTAIN LOT, TRACT, OR PARCEL OF LAND COMMONLY REFERRED TO AS "EAST ABILENE" FROM THE OFFICIALLY DESIGNATED CITY LIMITS.

WHEREAS, HERETOFORE, TO-WIT: On or about the twenty-third of December, 1957, the Board of Commissioners of the City of Abilene, Texas, passed an ordinance on second and final reading attempting to annex, among other lands, a certain lot, tract, or parcel of land commonly referred to as "East Abilene" and described by metes and bounds herein; and,

WHEREAS, the residents of the land in question instituted a cause of action styled Ernest F. Pitzer, et al, Plaintiffs, vs. the City of Abilene, Defendant, in the 42nd Judicial District Court of Taylor County, Texas, the same being cause number 22,682-A; and,

WHEREAS, the contentions of the Plaintiff, Ernest T. Pitzer, et al were sustained and the Courts of proper jurisdiction held that the attempted annexation of that lot, tract or parcel of land popularly known as "East Abilene" was void and of no force and effect; and,

WHEREAS, it is the intent and desire of the Board of Commissioners of the City of Abilene, to conform to the order and decision of the Courts of the State of Texas, and to correct the records of the City of Abilene in such manner as to show complete conformity to the orders of the Courts of the State of Texas;

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

SECTION I: That the following described lot, tract, or parcel of land be and is hereby removed from the official designation of the City of Abilene, Texas, said land being described by metes and bounds as follows:

BEING all that certain land in Taylor County, Texas, described as follows:

BEGINNING at the NW corner of the City of Abilene Municipal Airport property, as same existed in December, 1956, at a point in the South right-of-way line of old State Highway No. 36, from which point the NE corner of Section 52, Blind Asylum Lands bears S. 89 deg. 31' E. 1366 feet and North 50 feet;

THENCE with the West boundary line of said airport property:

S. 0 deg. 21' W. 2208.9 feet

N. 89 deg. 39' E. 500 feet

S. 52 deg. 30' E. 422 feet

S. 43 deg. W. 1668 feet

S. 37 deg. 30' E. 792.2 feet

N. 52 deg. 30' E. 2312.2 feet

S. 52 deg. 30' E. 741.7 feet

S. 0 deg. 21' E. to a point in the South boundary line of Section 53, Blind Asylum Lands;

THENCE W. with the South boundary line of said

Section 53 and 52 to a point in the East R. O. W.

line of Farm Road Number 1750, from whence the S.W. corner of said Section 52 bears west 10 feet;

THENCE in a northerly and northwesterly direction with the East boundary line of said Farm Road Number 1750 to it intersection with the North property line of Berry Lane (extended);

THENCE West with the existing boundary line of Berry Lane to its intersection with the East boundary line of Lakeside Drive;

THENCE North with the East boundary line of Lakeside Drive to its intersection with the South R. O. W. line of the present State Highway Number 36;

THENCE with the South R. O. W. line of the present State Highway Number 36 in an easterly direction to its intersection with the East line of Castle Drive;

THENCE with the South R. O. W. line of old State Highway Number 36 in an easterly and southeasterly, and an easterly direction to the place of beginning.

SECTION II: That the books and records of the City of Abilene, Texas, be altered, amended, and changed to conform to this ordinance.

PASSED AND APPROVED ON This the 4th day of June, 1959.

THE BOARD OF COMMISSIONERS hereby finds that an emergency exists requiring suspension of the rules provided in Section 32 of the City Charter requiring an ordinance be read and passed at two separate meetings of the Board of Commissioners and said rule is hereby suspended and said ordinance is passed twice at one and the same meeting of the Board of Commissioners.

PASSED AND APPROVED ON SECOND AND FINAL READING, This the 4th day of June, A.D., 1959.

Geo. Winter
Mayor

ATTEST:

Ella Fern Martin
City Secretary

APPROVED AS TO FORM BEFORE PASSAGE:

John Cuckelshell
Corporation Counsel

