

AN ORDINANCE OF THE CITY OF ABILENE PROVIDING FOR THE ABANDONMENT OF AN ALLEY BETWEEN NORTH THIRTEENTH STREET AND NORTH FOURTEENTH STREET FROM TREADAWAY BOULEVARD TO COTTONWOOD STREET RUNNING EAST TO WEST IN BLOCK 3, T. C. CAMPBELL'S REPLAT OF COLLEGE DRIVE ADDITION; QUITCLAIMING SAID ABANDONED ALLEY TO HILL & HILL COMPANY; PROVIDING FOR THE TERMS AND CONDITIONS OF SAID ABANDONMENT; PROVIDING FOR PAYMENT OF THE PUBLICATION FEE; AND CALLING A PUBLIC HEARING.

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WHEREAS, Hill & Hill Company is the owner of certain property in Block 3, T. C. Campbell's Replat of College Drive Addition, said property abutting on both the North and South sides of an alley running East and West from Treadaway Boulevard to Cottonwood Street between North 13th and North 14th Streets, which alley is no longer needed or used for public purposes and the said Hill & Hill Company has requested the City of Abilene to close and abandon said alley; and,

WHEREAS, in consideration thereof and to provide for the protection of public utilities located underneath the hereinafter described alley, Hill & Hill Company has agreed, at its sole expense, to relocate said utilities, and it is the opinion of the City Council that said abandonment is in the public interest of the City of Abilene; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Section 1: That the following described alley, constituting a public way in the City of Abilene, Texas, be and the same is hereby abandoned, vacated and closed insofar as the right, title and easement of the public are concerned:

All that public way designated as an alley in Block 3 of T. C. Campbell's Replat of College Drive Addition, running east and west from Treadaway Boulevard to Cottonwood Street between North 13th and North 14th Streets.

Section 2: That the City of Abilene, for and in consideration of the relocation of utilities located in said alley, does by these presents, quitclaim all of its right, title, claim and demand to that tract of land described in Section 1 hereof to Hill & Hill Company with all and singular its right, title, interest, estate, claim and demand in said tract; to have and to hold the above released rights, titles, interests, claims and demands to the said Hill & Hill Company, its successors and assigns forever, so neither the City of Abilene nor its legal representatives or assigns shall have any right or title to or interest in such property, premises or appurtenances or any part thereof at any time hereafter.

Section 3: That the said Hill & Hill Company shall pay the fee for the publication and filing of this ordinance. ✓

Section 4: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land described in Section 1 hereof, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon. That, upon final passage hereof, the City Secretary of the City of Abilene be and she is hereby authorized and directed to certify a copy of this ordinance and file it in the Deed Records of Taylor County, Texas.

PASSED ON FIRST READING this 24th day of September, A.D. 1964.

After said passage a notice of time and place, where and when 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, said publication being on the 30th day of September, A.D. 1964, the same being more than one (1) week prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

X
PASSED ON SECOND AND FINAL READING this 22nd day of October, A. D. 1964.

(SEAL)
ATTEST:

Lila Fern Martin
CITY SECRETARY

W. Lee Byrd
MAYOR

APPROVED:
JOHN W. DAVIDSON, City Attorney

✓ John W. Davidson

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