

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, REPEALING ORDINANCE #144, PROVIDING FOR THE ABANDONMENT OF COMMUNITY PLACE, A STREET BETWEEN SOUTH WILLIS STREET AND BLAIR STREET AND PROVIDING FOR THE QUITCLAIMING OF SUCH ABANDONED STREET TO ABUTTING PROPERTY OWNERS; PROVIDING FOR THE ABANDONMENT OF THE EAST HALF OF COMMUNITY PLACE; PROVIDING FOR QUITCLAIMS TO ABUTTING PROPERTY OWNERS; PROVIDING FOR PAYMENT OF FEES; AND CALLING A PUBLIC HEARING.

WHEREAS, the City Council of the City of Abilene passed one certain Ordinance, #144, on second and final reading on February 25, 1965, abandoning the following described street, to-wit:

All of Community Place, a street running East and West between the West property line of South Willis Street and the East property line of Blair Street, bounded on the North by Lots 1-11, Block 11, North Part, Elmwood Addition, and on the South by Lots 10 and 11, Block 1, South Part, Elmwood Addition;

and,

WHEREAS, such abandonment was made expressly subject to and conditioned upon the granting to the City of Abilene by the abutting property owners an easement for ingress and egress of emergency fire, police and ambulance vehicles and garbage trucks across such abandoned right of way; and,

WHEREAS, a part of such abutting property owners have failed and refused and do fail and refuse to grant such above described easement; and,

WHEREAS, the City Council is of the opinion that the public interest can best be served by repealing such described ordinance, Number 144, and in re-abandoning a portion of such street, which portion is no longer needed or used for public purposes; now, therefore,

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

TEXAS:

Section 1: That Ordinance #144, enacted on second and final reading on February 25, 1965, abandoning, closing and vacating the following described property, to-wit:

All of Community Place, a street running East and West between the West property line of South Willis Street and the East property line of Blair Street, bounded on the North by Lots 1-11, Block 11, North part, Elmwood Addition, and on the South by Lots 10 and 11, Block 1, South part Elmwood Addition,

be and the same is hereby in all things repealed and of no effect.

Section 2: That the following described property, constituting a portion of a public street within the corporate limits of the City of Abilene, be and the same is hereby abandoned, closed and vacated insofar as the right, title and easement of the public are concerned:

Community Place from the West property line of South Willis Street to an extension of the East property line of an alley between South Willis and Blair Streets, said east property line being also the West property line of one certain tract of land owned by Irye L. Townsend, bounded on the East by Willis Street, on the North by Lots 6-11, Block 11, North part, Elmwood Addition and on the West by such alley.

Section 3: That the City of Abilene does by these presents quitclaim all of its right, title, claim and demand to that tract of land described in Section 2 hereof to the owners of the following described property:

Lots 6 and 7, Block 11, North part, Elmwood Addition - Boy Scouts of America
Lots 8-11, Block 11, North part, Elmwood Addition - Willis Street Church of Christ
Lot 10, Block 1, South part, Elmwood Addition - I. L. Townsend,
with all and singular its right, title, interest, estate, claim and demand in said tract as described, to have and to hold the above released rights, titles, interests, claims and demands unto the owners hereinabove set out, their heirs, 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 4: That the above named owners shall pay the fee for the publication and filing of this ordinance.

Section 5: That the abandonments provided for herein shall extend only to the public right, title and easement in and to the land described in Section 2 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 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 22nd day of April, A. D. 1965.

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 27th day of April, 1965, the same being more than one 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 hearing.

PASSED ON SECOND AND FINAL READING this 13th day of May, A. D. 1965.

(SEAL)
ATTEST:

S/ Lila Fern Martin

CITY SECRETARY

S/ W. Lee Byrd

MAYOR

APPROVED:

S/ Les Cochran

Les Cochran, Assistant City Attorney

THE STATE OF TEXAS |
COUNTY OF TAYLOR |
CITY OF ABILENE |

I, Lila Fern Martin, City Secretary of the City of Abilene,
Texas, do hereby certify that the above and foregoing is a true and
correct copy of an ordinance adopted by the City Council of the City of
Abilene, Texas, same being recorded in Volume 8
page 305 of the Ordinance Records of the City of Abilene, Texas.



Given under my hand and seal of office this the 18th day
of May, A..D. 1965.

Lila Fern Martin
Lila Fern Martin, City Secretary
City of Abilene, Texas.

FILED FOR RECORD
7 O'CLOCK P.M. 7/1/65

JUL 1 1965
Mr. E. J. ...
County Clerk, Taylor Co., Texas
Deputy



STATE OF TEXAS }
COUNTY OF TAYLOR }
I hereby certify that this instrument was FILED
on this date and at the time stamped hereon by me
and was duly RECORDED in the Volume and Page
of the named RECORDS of Taylor County, Texas,
as stamped hereon by me.

Mr. E. J. ...
County Clerk,
Taylor County, Texas