

ORDINANCE NO. 215

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS PROVIDING FOR THE ABANDONMENT OF A PORTION OF SANDY STREET FROM THE WEST RIGHT OF WAY LINE OF STADIUM WAY A DISTANCE OF APPROXIMATELY 3,034 FEET TO THE SOUTHWEST CORNER OF TUTT SUBDIVISION; QUITCLAIMING SAID ABANDONED PORTION OF SUCH STREET TO THE TEXAS AND PACIFIC RAILROAD COMPANY; PROVIDING FOR THE TERMS AND CONDITIONS OF SAID ABANDONMENT; PROVIDING FOR PAYMENT OF THE PUBLICATION FEE AND CALLING A PUBLIC HEARING.

WHEREAS, the Texas and Pacific Railroad Company is the owner of certain property upon which a portion of Sandy Street has been constructed, which portion is no longer needed or used for public purposes, and the said Texas and Pacific Railroad Company is requesting the City of Abilene to close and abandon the hereinafter described portion of Sandy Street; and,

WHEREAS, in consideration thereof and to provide for the protection of public utilities located underneath the hereinafter described portion of Sandy Street, said Railroad Company has agreed to grant an easement over that portion proposed to be abandoned for the installation, maintenance, repair and replacement of any and all public utilities with the right of ingress and egress thereto, and it being the opinion of the City Council that such 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 portion of Sandy Street be and the same is hereby abandoned, vacated and closed insofar as the right, title and easement of the public are concerned:

All of Sandy Street from the West right of way line of Stadium Way, which is also at right angles to the Texas & Pacific Railroad Company centerline station 21378 + 54.27 E a distance of approximately 3,034' to the SW corner of Tutt Sub., which is also at right angles to Texas & Pacific Railroad Co. centerline station 21348 + 20.

Section 2: That the City of Abilene, for and in consideration of the granting of an easement over and across the above described portion of Sandy Street for public utility purposes, does by these presents quitclaim all of its right, title, claim and demand to that tract of land described in Section 1 of this ordinance to Texas and Pacific Railroad Company 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 to the said Texas and Pacific Railroad Company, its 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 Texas and Pacific Railroad Company shall pay the fee for the publication and filing of this ordinance.

Section 4: That the abandonments provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Section 1 of this ordinance 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 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 11th day of November, 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 14th day of November, A.D. 1965, 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 hearing.

PASSED ON SECOND AND FINAL READING this 23rd day of November, 1965.

(SEAL)  
ATTEST:

Lila Fern Martin  
CITY SECRETARY

W. Lee Byrd

MAYOR

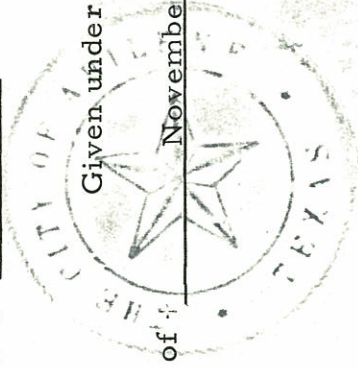
APPROVED:

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 388 of the Ordinance Records of the City of Abilene, Texas.



Given under my hand and seal of office this the 24th day  
of November, A..D. 1965.

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

FILED FOR RECORD

1 O'CLOCK 05 MIN PM

DEC 3 1965

*Mr. Charles Hutchens*  
County Clerk, Taylor Co., Texas

*B.S.* Deputy



STATE OF TEXAS } DEED RECORDS  
COUNTY OF TAYLOR }  
I hereby certify that this instrument was FILED  
on the 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. Charles Hutchens*  
County Clerk,  
Taylor County, Texas