

Corrected

782A

ORDINANCE NO. 704

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A PORTION OF CEDAR STREET; QUITCLAIMING SAID ABANDONED STREET TO THE ABUTTING PROPERTY OWNERS BUT RESERVING UNTO THE CITY OF ABILENE AN EASEMENT FOR UTILITY PURPOSES ALONG THE RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

WHEREAS, the Planning and Zoning Commission of the City of Abilene has, at the request of Hendrick Memorial Hospital, agent James D. Tittle, recommended to the City Council that a portion of Cedar Street, in the City of Abilene, Taylor County, Texas, which is neither needed, nor used, for public purposes, be closed, abandoned and quitclaimed to the abutting property owners; and,

WHEREAS, it is 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:

PART 1: That the following portion of Cedar Street, situated within the City of Abilene, Taylor County, Texas, be, and the same is hereby, abandoned, vacated and closed insofar as the right, title and easement of the public are concerned, but reserving unto the City of Abilene an easement for any and all utility purposes along the right of way so abandoned with the further restriction that no permanent structures will be placed on said easement:

Being Cedar Street from the North R.O. W. line of North 19th Street to the South R.O. W. line of North 21st Street and being more fully described as follows:

Beginning at the N. E. corner of Lot 1, Blk. 16, Central Park Addition;

Thence South 500 feet;

Thence East 60 feet;

Thence North 500 feet;

Thence West 60 feet to the place of beginning.

PART 2: That the City of Abilene does, by these presents, quitclaim subject to the reservation and restriction set out above, all its right, title, claim and demand in and to that tract of land, described in Part 1 hereof, to those owning the property abutting on the above described portion of such street as their interest may appear, with, all and singular, its right, title, interest, estate, claim and demand in said tract, as hereinabove described; TO HAVE AND TO HOLD the above released rights, titles, interests, claims and demand to the said abutting property owners, their heirs and assigns, forever, so that neither the City of Abilene, nor its legal representatives or assigns, shall have any right, title or interest in such property, premises or appurtenances, or any part thereof.

PART 3: That the abandonment subject to the reservation and restrictions provided for herein shall extend only to the public right, title and easement in and to the tract of land described in Part 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.

PART 4: 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 the 9th day of May, A. D. 1974.

After said passage, a Notice of the 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 13 day of May, A. D. 1974, the same being more than twenty-four hours 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.

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

1974.

(SEAL)

ATTEST:

Ruth Hodgkin

CITY SECRETARY

J. C. Hunter, Jr.

MAYOR

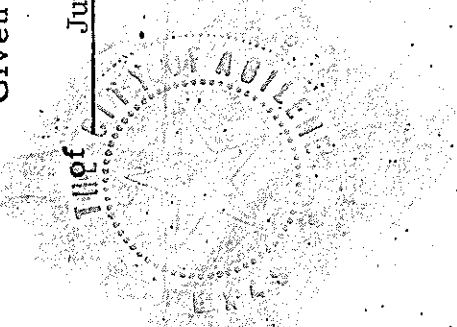
APPROVED:

*Robert M. Chestnut*

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

I, Ruth Hodgkin, 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, on 13 day of June, A.D., 1974,  
same being recorded in the Ordinance Records of the City of  
Abilene, Texas, Volume 9, Page \_\_\_\_\_.

Given under my hand and seal of office, this the 13 day  
13 of June, A.D., 1974.



*Ruth Hodgkin*  
CITY SECRETARY  
ABILENE, TEXAS