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AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A NORTH-SOUTH ALLEY IN BLOCK 36, ORIGINAL TOWN BETWEEN NORTH 2ND STREET AND NORTH 3RD STREET AND BETWEEN PLUM STREET AND ASH STREET; QUITCLAIMING SAID ABANDONED ALLEY TO THE ABUTTING PROPERTY OWNERS; 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 Mr. Ray Lewis, recommended to the City Council that an alley in Block 36, Original Town between North 2nd Street and North 3rd Street and between Plum Street and Ash 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 described alley, 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:

BEING a twenty (20.0) foot alley running North and South in Block 36, Original Town, City of Abilene, Taylor County, Texas and being more particularly described below:

BEGINNING at a point, said point being the Northwest corner of Lot 1 of Block 36 of Original Town, City of Abilene, Taylor County, Texas.

THENCE South with the West boundary lines of Lots 1 thru 6 of said Block 36 a distance of 300.0 feet for a corner, said corner being the Southwest corner of Lot 6 of said Block 36, also being on the North Right of Way line of North Second (2nd) Street,

THENCE West with the North Right of Way of North Second (2nd) Street a distance of 20.0 feet for a corner, said corner being the Southeast corner of Lot 7, of said Block 36,

THENCE North with the East boundary lines of Lots 7 thru 12 of said Block 36 a distance of 300.0 feet for a corner, said corner being the Northeast corner of Lot 12 of said Block 36, also being on the South Right of Way line of North Third (3rd) Street,

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THENCE East with the South Right of Way line of North Third (3rd) Street a distance of 20.0 feet to the place of beginning.

Said tract or parcel of land containing 0.14 acres more or less.

PART 2: That the City of Abilene does, by these presents, quitclaim 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 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 January, A. D., 1975.

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 January, A. D., 1975, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, the said Ordinance was passed on second and final reading.

PASSED ON SECOND AND FINAL READING, this the 13 day of February
A. D., 1975.

(SEAL)

J. C. Hunter, Jr.

MAYOR

ATTEST:

Ruth Hodgin

CITY SECRETARY

APPROVED:

Robert D. Cheatham

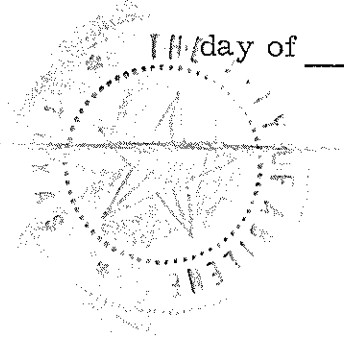
CITY ATTORNEY

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 February, A.D., 1975, same being recorded in the Ordinance Records of the City of Abilene, Texas, Volume 9, Page 627.

Given under my hand and seal of office, this the 13

13/day of February, A.D., 197 5.



Ruth Hodgkin
City Secretary, City of Abilene, Texas