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ORDINANCE NO. 845

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A TWENTY FOOT (20') PUBLIC ROAD NORTH FROM AMBLER AVENUE TO ALLEY SOUTH OF BACON DRIVE AND WEST OF LINCOLN; QUITCLAIMING SAID ABANDONED AREA 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. William B. Decker, recommended to the City Council that a 20' public road North from Ambler Avenue to alley South of Bacon Drive and West of Lincoln, as hereinafter described, 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 20' public road, 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 20' public road North from Ambler Avenue to alley South of Bacon Drive and West of Lincoln, City of Abilene, Taylor County, Texas. But re-serving unto the City of Abilene a 20' 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.

PART 2: That the City of Abilene does, by these presents, quitclaim all its right, title, claim and demand in and to those tracts of land, described in Part 1 hereof, to those owning the property abutting on the above described portion of such road 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, title, 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 tracts 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 12th day of February, A.D. 1976.

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 1st day of February, 1976, 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, said Ordinance was passed on second and final reading.

PASSED ON SECOND AND FINAL READING, this the 26 day of February

_____, A.D. 1976.

(SEAL)

ATTEST:

Ruth Hodgkin
CITY SECRETARY

Abe Allen
MAYOR Pro Tempore

APPROVED:

Asst.
Barney Craig
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 26 day of February, A.D., 1976, same being recorded in the Ordinance Records of the City of Abilene, Texas, Volume 10, Page 110.

Given under my hand and seal of office, this the 27 day of February, A.D., 1976.

Ruth Hodgkin
City Secretary, City of Abilene, Texas