

4

3093

ORDINANCE NO. / 030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A PORTION OF McMAHAN STREET; 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 Mark Sterling Kelley, et al, agent Shirley Oliver, recommended to the City Council that a portion of McMahan Street, as hereinafter described, in the City of Abilene, Taylor County, Texas, which is neither needed, nor used, for public purposes, be closed and abandoned; 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 portion of McMahan Street 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 portion of McMahan Street, between Orange and Hickory Streets, located in Block 16, A. B. Hohertz Subd., North Park Addition, Abilene, Taylor County, Texas.

Excepting and reserving unto the public a 40' utility easement on McMahan Street, starting from the East boundary line of the dedicated 20' alley, which lies between Hickory and Orange Streets, and ending on Orange Street, 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 it is in the public interest of the City of Abilene to so abandon said above described portion of McMahan Street.

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 9th day of February, A.D. 1978.

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 5 day of February, 1978, 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 23 day of February, A.D. 1978.

(SEAL)

ATTEST:

Ruth Hodgin
CITY SECRETARY

Fred Lee Hughes
MAYOR

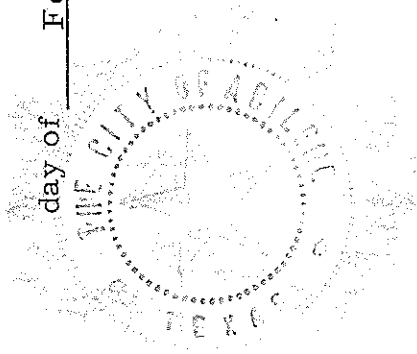
APPROVED:

1st. Asst.
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 23 day of February, A.D., 1978, same being recorded in the Ordinance Records of the City of Abilene, Texas, Volume 10, Page _____.

Given under my hand and seal of office, this the 23 day of February, A. D., 197 8.



Ruth Hodgkin
City Secretary, City of Abilene, Texas