

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

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.

PASSED ON FIRST READING this the 12 day of September, A.D. 19 85.

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 3 day of September, 19 85, 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 September, A.D. 19 85.

ATTEST:
Patricia Trotter
CITY SECRETARY

David Stullbeman
MAYOR

APPROVED:

Henry Casper
CITY ATTORNEY

EXHIBIT "A"

I. **TC-04185**

Approved by P & Z Commission 6--0

A north-south alley 20 feet in width and bisecting Lots 1 and 8 as represented in a subdivision of outlots 2 & 3 and the north 140 feet of outlot 4, Block 209, Original Town, Abilene, Taylor County, Texas, filed for record on April 15, 1947, (file no. 2999) and recorded on April 28, 1947; SUBJECT TO retention of the entire length and width of said alley as a utility easement and, furthermore, that no permanent barriers (including fences) shall be constructed across the easement so as to impede continual access to it; should any barrier be constructed, this abandonment shall be of no force and effect.

location: 1300 block of South Treadaway (west side)