

ORDINANCE NO. 58-2006

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, subject to conditions as stated in Exhibit A.

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 19th day of October A.D. 2006.

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 4th day of October 2006, 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 2nd day of November, A.D. 2006.

ATTEST:

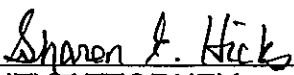


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. 58-2006

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfare:

Curry Lane between Sharon Road and Southwest Drive

with the following conditions:

- (1) All abandoned right-of-way and lots with sole access onto abandoned right-of-way must be replatted.
- (2) Easements must be dedicated to accommodate existing utilities unless they are relocated.

Location: South of Southwest Drive and west of Sharon Road

Legal Description: BEING 0.731 acres out of the J. E. Shepard Survey No. 96, Abilene, Taylor County, Texas, and containing all of Curry Lane ROW West of Sharon Road as shown by Plat of the Subdivision of the J. E. Shepard Survey No. 96 recorded in Volume 304, Page 532, Deed Records, Taylor County, Texas, and all of a 0.1023 acre road dedication by Block A, Coleman State Bank Addition, Abilene, Taylor County, Texas, recorded in Plat Cabinet 3, Slide 661, Plat Records, Taylor County, Texas, said Road Closure being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod and cap set for the SE corner of Lot 1, Block A, Coleman County State Bank Addition, Abilene, Taylor County, Texas, same being on the West line of Sharon Road Dedication recorded in Volume 1310, Page 481, Deed Records, Taylor County, Texas.

THENCE S 0°05'37"E at 14.18 feet pass a found 3/8" iron rod on the recognized North boundary line of the J. E. Shepard Survey No. 96 and the South boundary line of the J. C. Donley Survey No. 95, continuing in all 60.29 feet to a point in existing fence on the South boundary line of Curry Lane same being the North boundary line of the North 5 acres of a 15 acre tract recorded in Volume 423, Page 378, Deed Records, and being the recognized North boundary line of said Tract 4 of said Subdivision of the J. E. Shepard Survey No. 96, from which a chain-link fence corner the recognized NE corner of said 5 acre tract bears N 89°57'16"E 38.97 feet;

THENCE S 89°57'16"W at 339.97 feet pass the NW corner of said 5 acre tract continuing in all 596.00 feet to a found 3/8" iron rod by corner post for the NW corner of a 1.0 acre tract recorded in Volume 2748, Page 321, Deed Records;

THENCE N 0°04'03"W 45.76 feet to a 1/2" iron rod found for the SE corner of a 0.24 acre tract recorded in Volume 1551, Page 820, Deed Records and the SW corner of 2.4705 acre tract recorded in Volume 2933, Page 178, Official Public Records, and being on the North boundary line of the J. E. Shepard Survey No. 96 and the South boundary line of the J. C. Donley Survey No. 95;

THENCE N 89°55'32"E 282.10 feet to a 1/2" iron rod and cap marked "Needham" for the SW corner of said Block A;

THENCE N 0°05'56"W 14.18 feet to a 1/2" iron rod in concrete found for the SW corner of said Lot 1, Block A;

THENCE N 89°55'03"E 313.88 feet to the POINT OF BEGINNING and containing 0.731 acre of land more or less.

Certified correct as surveyed on the ground July & August, 2006.