

ORDINANCE NO. 19-2018

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 22nd day of March A.D. 2018.

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 16th day of February, 2018, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 4:30 p.m., on the 12th day of April, 2018 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 12th day of April A.D. 2018.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY



EXHIBIT "A"

The City of Abilene hereby abandons the southern 103.10' of an existing 15' wide alley running north and south between South 14th Street and College Street (to the north). The specific alley segment to be abandoned begins at South 14th Street's right-of-way on the south and ends 103.10' north, near the northwest corner of South 14th Street and Barrow Street.

All Public Right-of-Way as indicated and shown in the map below within the dashed area:



With the following conditions:

1. The applicant must replat within 12-months from the date of this ordinance, incorporating the entire right-of-way (authorized to be abandoned) into one or both adjoining properties.
2. The applicant is responsible reserving utility vehicle access and drainage easements on proposed new lot and in the otherwise abandoned right-of-way, allowing sufficient means of access by utility vehicles (including refuse collection trucks) as well as underground and overhead utilities.

-END-