

ORDINANCE NO. 06-2020

AN ORDINANCE PROVIDING FOR ABANDONMENT OF CERTAIN PORTION OF PUBLIC RIGHT-OF-WAY, PROVIDING FOR 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 public right-of-way, as described on Exhibit "A," attached hereto and made 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 City of Abilene is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of public right-of-way is not needed for public purposes, and it is in the public interest to abandon the above described portion of public right-of-way, save and except for an open and unobstructed easement reserved for continual access to water lines and related appurtenances located therein.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land specifically 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 THE 23rd day of January, A.D. 2020.

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 20th day of December, 2019, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 13th day of February, 2020, to permit the public to be heard prior to final consideration of this ordinance.

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EXHIBIT "A"

The City of Abilene hereby abandons the approximately 80-foot-wide right-of-way of Cherry Street, beginning on the south side of South 14th Street, and extending south, as shown in the map below within the dashed area:



With the following conditions:

1. The underlying property owner(s) shall replat, incorporating the right-of-way, as described above, into one or more of the adjoining properties.
2. An open and unobstructed easement shall be reserved for the benefit of the public, to allow continual maintenance, repair and replacement of water lines and related appurtenances, said easement extending over the entire area of tract otherwise abandoned as public right-of-way.

-END-

PASSED ON FINAL READING THIS 13th day of February, A.D. 2020.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

