

ORDINANCE NO. 06-2021

AN ORDINANCE PROVIDING FOR ABANDONMENT OF A PORTION OF PUBLIC RIGHT-OF-WAY FOR THE ORIGINAL (BUT NOW UNPAVED) ALIGNMENT OF NORTH JUDGE ELY BOULEVARD; 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 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 said Exhibit A.

PART 2: That said portions of a public right-of-way are not needed for public purposes, and it is in the public interest of the City of Abilene to abandon said described portions of 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 tract 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 the 17th day of December, 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 18th day of November, 2020, 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 8:30 a.m. on the 14th day of January, 2021, to permit the public to be heard prior to final consideration of this ordinance.

PASSED ON FINAL READING THIS 14th day of January, 2021.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY



ORDINANCE NO. 06-2021

EXHIBIT "A"

The City of Abilene hereby abandons the public right-of-way within an 0.4039-acre parcel described below and which is embraced with the original right-of-way acquired for North Judge Ely Boulevard but which said parcel is now considered obsolete (save and except for utility placement) due to the realignment of pavement on North Judge Ely Boulevard:

BEING a 0.4039-acre tract out of the southwest quarter of Section 33 in Blind Asylum Lands, Taylor County, Texas, and being out of a 12.055-acre tract recorded on Page 249 in Volume 427 of Deed Records for Taylor County, Texas, said 0.4039-acre tract being more particularly described as follows:

BEGINNING at a found TxDOT bronze disk (called STA 97+67.63R) at the end of a curve on the west line of right-of-way for North Judge Ely Boulevard (previously known as Metropolitan Highway 25 and FM Highway 1234) and also being on the east side of a 13.06-acre tract recorded in Document No. 2020-20580 in Official Public Records of Real Property in Taylor County, Texas, at the southeast corner of this 0.4039-acre tract;

THENCE North $00^{\circ} 33' 12''$ East, being the reference bearing for this tract (called *-N. $0^{\circ} W.$*) along the common line of original right-of-way for North Judge Ely Boulevard and said 13.06-acre tract, for a distance of 535.23 feet to a point at the southwest corner of a certain Tract No. 2 recorded in a document found on Page 102 in Volume 1904 of Official Public Records of Real Property in Taylor County, Texas, for the northwest corner of this 0.4039-acre tract and from where a found $\frac{1}{2}$ -inch iron rod at the northeast corner of said 13.06-acre tract bears N $00^{\circ} 33' 12''$ East 347.63 feet;

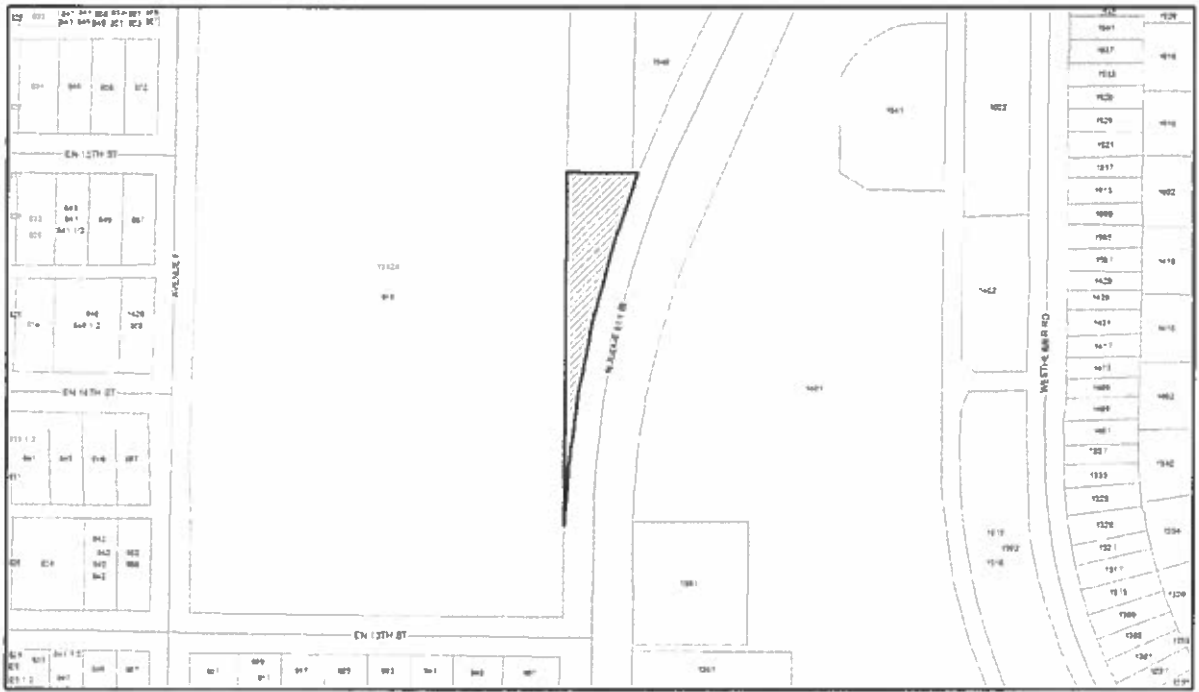
THENCE South $89^{\circ} 26' 42''$ East along the south line of said Tract No. 2, for a distance of 100.00 feet to a point on the west line of present right-of-way for North Judge Ely Boulevard at the southeast corner of said Tract No. 2 and the south corner of a certain remainder of Lot 101 in Block A in the University Hills Addition (as recorded on Slide 406 in Cabinet 1 of Plat Records for Taylor County, Texas, for the northeast corner of this 0.4039-acre tract and where a found TxDOT bronze disk (called STA 91+44.23R) at the beginning of a curve on the west line of right-of-way for North Judge Ely Boulevard bears N. $23^{\circ} 36' 16''$ E. 97.55 feet on a chord;

THENCE along the west line of right-of-way for North Judge Ely Boulevard, with a curve turning to the left and having a delta angle of $21^{\circ} 09' 54''$, a radius of 1482.39 feet, an arc length of 547.59 feet, and a chord bearing S. $11^{\circ} 08' 11''$ W. for a distance of 544.49 feet to the POINT OF BEGINNING and containing an area of 0.4039 acres;

-CONTINUED-

SUBJECT to the following conditions:

1. approval and subsequent recording of a subdivision plat showing how this right-of-way (authorized to be abandoned) will be integrated with adjacent property;
2. reservation of a 20-foot-wide utility easement along the entire west margin of the otherwise abandoned right-of-way;
3. reservation of a 10-foot-wide utility easement along the entire east margin of the otherwise abandoned right-of-way



-END-