

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN FINDINGS OF FACT AND VACATING AND ABANDONING A PORTION OF A 2.48 ACRE CHRISTINE LANE RIGHT-OF-WAY, WHICH CROSSES AND LIES WITHIN THE CRAWFORD BURNETT LEAGUE, ABSTRACT 7, IN THE CITY OF COLLEGE STATION, TEXAS, FOR ROADWAY PURPOSES, BUT RETAINING A PUBLIC UTILITY EASEMENT IN THE SAME AREA.

WHEREAS, the City of College Station has received an application for the vacation and abandonment of a portion of a 2.48 acre right-of-way, which crosses and lies within the Crawford Burnett League, Abstract 7, in the City of College Station, being more particularly described on Exhibit "A" attached hereto; and

WHEREAS on December 15, 2005, the City Council of the City of College Station, Texas, heard the application of O.D. Butler Family Partnership Ltd. for the vacation and abandonment of the aforementioned portion of Christine Lane; and

WHEREAS, in order to vacate and abandon the right-of-way the City of College Station, the Council must make certain findings of facts; and

WHEREAS, after hearing the application of O.D. Butler Family Partnership, Ltd. to vacate and abandon a 2.48 acre portion of the Christine Lane right-of-way, the City Council of the City of College Station, finds the following facts:

1. A portion of the Christine Lane right-of-way crosses the applicant's property and inhibits its development.
2. Utility infrastructure exists within the right-of-way and the City has a continuing need for public utilities located within the right-of-way.
3. The City of College Station does not need the area being abandoned for street/roadway purposes.

WHEREAS, the City Council after hearing the application and finding the specific facts as stated above now concludes and finds that:

1. The abandonment of the described right-of-way in Exhibit A will not result in property that does not have access to public roadways or utilities.
2. That there is no current or anticipated public need or use of the right-of-way except for public utilities;
3. The City will retain a public utility easement in the area described in Exhibit A but abandon the use of the area as a road;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, that the described area of the Christine Lane right-of-way will be abandoned for roadway and transportation purposes but the City shall retain a

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public utility easement and does not abandon the use of the described area as a public utility easement.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2005.

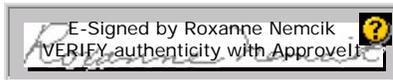
APPROVED:

RON SILVIA, Mayor

ATTEST:

CONNIE HOOKS, City Secretary

APPROVED:



City Attorney