

ORDINANCE NO. 1172

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS, VACATING, ABANDONING, CLOSING, AND SELLING 10,762 SQUARE FEET OF ASHTON STREET BETWEEN BLOCK 1 OF NORTH ADDITION LOTS 3 AND PART OF LOT 4 AND BLOCK 2 OF NORTH ADDITION LOT 5 BETWEEN TARRANT STREET AND AMERICAN LEGION DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS, THAT:

SECTION 1. The City Council recognizes receipt of petition from abutting property owners Lance and Sharon Idol in which abandonment and selling 10,762 square feet of Ashton Street between Block 1 of North Addition Lots 3 and Part of Lot 4 and Block 2 of North Addition is requested. Petitioner is the owner of property on East side of said street. The portion of the street to be vacated, abandoned, closed and sold to the Petitioner is further described in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2. The City of Llano has studied the requested abandonment in view of safety, health and other considerations, and has determined that the public interest would be served if the request is approved.

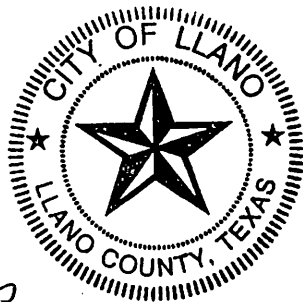
SECTION 3. Property owners, Lance and Sharon Idol, and John David Myers, have agreed to pay fair market value for the land.

SECTION 4. Pursuant to the said abandonment request, from and after the effective date of this Ordinance, the portion of the street described in Exhibit "A," attached hereto and incorporated herein for all purposes, shall be and the same is hereby vacated, abandoned and closed, except with regard to any existing utility lines and facilities, for which an easement shall be reserved by the City.

SECTION 5. The City Council authorizes the Mayor to execute the necessary documents to vacate, abandon, close and convey 10,762 square feet of Ashton Street Between Block 1 of North Addition Lots 3 and Part of Lot 4 and Block 2 of North Addition described herein to the property owner, and to reserve an easement for utilities within said portion of alley.

SECTION 6. The City Council hereby finds that the above-described public right-of-way is not needed, with the exception of the utility easement, and the City Council hereby deems that it is in the best interest of the public to vacate, abandon, close and sell 10,762 square feet of Ashton Street Between Block 1 of North Addition Lots 3 and Part of Lot 4 and Block 2 of North Addition as described herein.

PASSED AND APPROVED this the 6th day of December, 2010.



Mike Reagor
Mike Reagor, Mayor

ATTEST:

Kerry Williams
Kerry Williams, City Secretary

- (10) Notice to utility company on grid-interconnected systems. No grid-interconnected wind Energy System shall be installed until evidence has been provided the city that the appropriate electric power provider has been informed of the customer's intent to install a grid-connected customer-owned Wind Energy System and that the customer's system meets the utility's approved specifications for interconnection. If a system will interconnect through City of Llano, the System shall conform to the Provision of the City's Distributed Generation Ordinance.
- (11) Roof Mounted Systems. Any system designed to be mounted on the roof of a structure that does not extend more than sixty (60) inches above the roof line shall not be required to comply with the provisions of Section (B) (1) (a)(i), (B)(1)(a)(ii), (B) (3) and (B)(4) of this ordinance.
- (12) Rated Capacity. Any system will have a rated capacity up to and to not exceed 10 kw Output at any given time.

(D) Maintenance and Abandonment:

- (1) A Wind Energy System shall be maintained at all times according to the manufacture's specifications.
- (2) A Wind Energy System that has become unstable, leans significantly out-of-plumb, or that poses a danger of collapse shall be removed or brought into repair within 60 days following notice by the Building Official to the owner of the lot upon which the system is located. The Building Official may order immediate repairs in the event of imminent collapse. Failure to make the required repairs within the time provided is an offense.
- (3) If the owner of a Wind Energy System plans to abandon or discontinue, or is required to discontinue, the operation of the System, the owner shall notify the Building Official by certified U.S. mail of the proposed date of abandonment or discontinuation. Such notice shall be given no less than 30 days prior to abandonment or discontinuation.
- (a) In the event that an owner fails to give such notice, the Wind Energy System shall be considered abandoned if the Wind Energy System is not operated for a continuous period of six (6) months.
- (b) Upon abandonment or discontinuation of use, the property owner shall physically remove the Wind Energy System within 90 days from the date of abandonment or discontinuance of work. "Physically remove" includes, without limitation, the actual, complete removal of the tower, turbine and all other components of the Wind Energy System for the site of the original installation.

(E) Specific Use Permits will be required for:

- (1) Systems that exceed 40 feet from ground level to the topmost portion of the System inclusive of the turbine and blades.
- (2) Systems that exceed 10kw output.
- (3) Systems that exceed 60 decibels at any point along the property line.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS;

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.