

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING SECTION 46 BY REPEALING THE EXISTING SECTION 46.13 AND SUBSTITUTING THEREFOR A REQUIREMENT OF AN ABTRACTOR'S OR ATTORNEY'S STATEMENT RELATIVE TO DEED RESTRICTIONS ON PROPERTY ON WHICH ZONE CHANGES HAVE BEEN REQUESTED; AND CALLING A PUBLIC HEARING.

WHEREAS, the Planning and Zoning Commission has heretofore considered amendments to the Zoning Ordinance of the City of Abilene deleting the requirement that an applicant for a zone change circulate a petition and requiring such applicants to furnish a statement prepared by either an abstractor or an attorney stating that there are no deed restrictions on property for which a zone change is requested which would prohibit any use allowed under the requested zone; and,

WHEREAS, such Commission has held a public hearing and, following such hearing, has made its report and recommendation to the City Council; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Section 1: That Section 46.13 of Ordinance No. 1020, the Zoning Ordinance of the City of Abilene, Texas, as it now exists, be, and the same is hereby in all things repealed.

Section 2: That the following be and is hereby substituted for Section 46.13:

"46.13 Deed Restrictions. The applicant shall submit to the Planning Department four (4) days before the meeting of the Planning Commission at which the request will be heard, a statement in writing from an abstractor or an attorney stating whether or not there are deed restrictions on the property for which the zone change is requested which would prohibit any use which is allowed under the requested zone. If there are such restrictions, the statement in writing shall further state the nature of the restrictions and the use which is prohibited thereby. "

Section 3: That the City Secretary shall call a public hearing to be held on the 23rd day of September, A. D. 1965, and shall give notice of such hearing in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene.

PASSED ON FIRST READING this 26th day of August, A. D. 1965.

After said passage a notice of 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 1st day of September, A. D. 1965, the same being more than fifteen (15) days prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second