

ORDINANCE NO. 53-1987

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

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

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 13 day of August, A.D. 19 87.

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 2 day of August, 19 87, 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 9:00 a.m., on the 27 day of August, 19 87, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 27 day of August, A.D. 19 87.

ATTEST:

Leticia Hancock  
CITY SECRETARY

Dale Ferguson  
MAYOR

APPROVED:

Harry Cangel  
CITY ATTORNEY

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EXHIBIT "A"

Rezone from MH (Mobile Home) to A0 (Agricultural Open Space) district.

Legal Description:

A 27 acre tract out of the 28 acre tract legally described as:

Fieldnotes of a survey of a 28.00 acre tract of land in H. B. Martin Survey, Abst. 487, Taylor County, Texas. Said tract is a part of that land that Pearl Briggs, et al, deeded to Julius H. Schmidt, et ux, on June 3, 1941, by deed recorded in Vol. 304, page 165, Taylor County Deed Records, and part of that land that Troy Briggs et ux, deeded to Julius H. Schmidt, et ux, on June 3, 1941, by deed recorded in Vol. 301, page 638, Taylor County Deed Records. Said 28.00 acre tract is also part of a 100.00 acre tract.

BEGINNING at an iron stake located at the most southerly SW corner of a 33.33 acre tract. Said point is located on the north line of a public road and is 80 ft. North of and 1378.7 ft. S 89<sup>0</sup>45' E of the SW corner of said Martin Survey.

THENCE N 89<sup>0</sup>45' W 623.4 ft. along the north line of said public road to an iron stake.

THENCE North 1955.3 ft. to an iron stake located 61.8 ft. East of the most Westerly SW corner of said 33.33 acre tract.

THENCE East 623.4 ft. to an iron stake located at a corner of said 33.33 acre tract.

THENCE South 1958 ft. to the place of beginning.

The excepted 1 acre tract is legally described as:

Being 1.0 acres of land out of and a part of a 5.0 acre tract and being out of a 28.0 acre tract out of H. B. Martin Survey Abstract 487, said tract is a part of that land that Pearl Briggs, et al, deeded to Julius H. Schmidt, et ux, on June 3, 1941 by deed recorded in Volume 304, Page 165, Taylor County, Texas, said one acre being described by metes and bounds as follows:

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BEGINNING at a point, an iron rod located at the Southeast corner of said 28.0 acre tract for the Southeast corner of this tract, said point being on the North boundary line of an 80 foot public road and being 80 foot North of and 1378.7 feet South  $89^{\circ}45'$  East of the Southwest corner of said H. B. Martin Survey.

THENCE North  $89^{\circ}45'$  West 209.9 feet along the North boundary line of said public road to a  $2/8"$  Iron Rod set for the Southwest corner of this tract.

Location:

7150 Military Drive