

ORDINANCE NO. 20-1990

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, NOMINATING AN AREA AS AN ENTERPRISE ZONE PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEX.REV.CIV.STAT.ANN.ART. 5190.7); PROVIDING TAX INCENTIVES; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS PERTAINING TO THE NOMINATION AND DESIGNATION OF THE AREA DESCRIBED HEREIN AS AN ENTERPRISE ZONE AND REINVESTMENT ZONE; AND FURTHER DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE ENTERPRISE ZONE SO DESIGNATED BY THE TEXAS DEPARTMENT OF COMMERCE.

WHEREAS, the City Council of the City of Abilene, Texas, desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the city and to provide employment to residents of such area; and

WHEREAS, certain conditions exist in such area which represent a threat to the health, safety, and welfare of the people of such area; and

WHEREAS, it is necessary and in the best interest of the City to nominate such area as an enterprise zone pursuant to the Texas Enterprise Zone Act (Tex.Rev.Civ.Stat.Ann.Art. 5190.7; the "Act");

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

1. That the City hereby nominates the area described in Exhibit A as an enterprise zone in accordance with the Act.
2. That the City Council finds the zone area described in Exhibit A meets the qualifications of the Act.
3. That the City Council will provide certain tax incentives applicable to business enterprises in the zone which are not applicable throughout the City as follows:

The City shall refund to any qualified business which is ineligible for tax abatement under the City's Tax Abatement Policy, located in such enterprise zones, the amount of tax paid by the business under the Municipal Sales and Use Tax Act, TEX. TAX CODE Ch. 321, and remitted to the Comptroller of Public Accounts to the extent authorized by the TEX. TAX CODE Section 321.508, for a period of one year from the date the Texas Department of Commerce certifies the entity as a qualified business under the Act.


4. That the City Council will authorize tax abatement to an applicable business in the zone, in accordance with the current tax abatement policy, upon approval of a separate ordinance designating the area as a reinvestment zone for tax abatement purposes.
5. That the area described in this ordinance is designated as an enterprise zone and a reinvestment zone, subject to the approval of the Texas Department of Commerce.

6. That the City Council directs and designates Jim C. Blagg, City Manager, or his successor, as the City's authorized representative to act in all matters pertaining to the nomination and designation of the area described herein as an enterprise zone and a reinvestment zone.
7. That the City Council further directs and designates Michael E. Morrison, Director, Community and Economic Development Department, or his successor, as liaison for communication with the Department to oversee zone activities and communications with qualified businesses, and to act on all matters pertaining to the enterprise zone so designated by the Texas Department of Commerce.
8. That a public hearing to consider this ordinance be held by the City Council on May 10, 1990.
9. That this ordinance shall become effective 10 days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene.


PASSED ON FIRST READING THIS 26 DAY OF April, A.D. 1990.

PASSED ON SECOND READING THIS 10 DAY OF May, A.D. 1990.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT A

That the City hereby nominates the area set forth below as the East Enterprise Zone in accordance with the Act:

For a 6,343 acre tract of land within the City of Abilene, Texas and particularly described as follows:

Beginning at the intersection of the south right-of-way of South 34th Street and the east right of way of Treadaway Boulevard.

Thence north along the east right-of-way line of Treadaway Boulevard, a distance of 2,250 feet (more or less) to the intersection of the east right-of-way of Jeanette Street.

Thence north along the east right-of-way line of Jeanette Street, a distance of 5,700 feet (more or less) to the intersection of the south right-of-way of South 14th Street.

Thence east along the south right-of-way line of South 14th Street, a distance of 2,100 feet (more or less) to the intersection of the east right-of-way of Sycamore Street.

Thence north along the east right-of-way line of Sycamore Street, a distance of 1,350 feet (more or less) to the intersection of the south right-of-way of South 12th.

Thence east along the south right-of-way line of South 12th Street, a distance of 375 feet (more or less) to the intersection of the east right-of-way of Chestnut Street.

Thence north along the east right-of-way line of Chestnut Street, a distance of 2,325 feet (more or less) to the intersection of the north right-of-way of South 7th Street.

Thence west along the north right-of-way line of South 7th Street, a distance of 2,625 feet (more or less) to the intersection of the east right-of-way of Jeanette Street.

Thence north along the east right-of-way line of Jeanette Street, a distance of 1,500 feet (more or less) to the intersection of the north right-of-way of South 3rd Street.

Thence west along the north right-of-way line of South 3rd Street, a distance of 225 feet (more or less) to the intersection of the east right-of-way of Vine Street.

Thence north along the east right-of-way line of Vine Street, a distance of 750 feet (more or less) to the intersection of the south right-of-way of South 1st Street.

Thence east along the south right-of-way line of South 1st Street, a distance of 450 feet (more or less) to the intersection of the east right-of-way of Grape Street.

Thence north along the east right-of-way line of Grape Street, a distance of 2,175 feet (more or less) to the intersection of the south right-of-way of North 6th Street.

Thence east along the south right-of-way line of North 6th Street, a distance of 1,500 feet (more or less) to the intersection of the east right-of-way of Hickory Street.

Thence north along the west right-of-way line of Hickory Street, a distance of 375 feet (more or less) to the intersection of the south right-of-way line of North 7th Street.

Thence west along the south right-of-way line of North 7th Street, a distance of 375 feet (more or less) to the intersection of the west right-of-way line of Orange Street.

Thence north along the west right-of-way line of Orange Street, a distance of 656 feet (more or less) to the intersection of the south right-of-way line of North 8th Street.

Thence east along the south right-of-way line of North 8th Street, a distance of 1,500 feet (more or less) to the intersection of the east right-of-way line of Pine Street.

Thence north along the east right-of-way line of Pine Street, a distance of 1,000 feet (more or less) to the intersection of the south right-of-way of North 10th Street.

Thence east along the south right-of-way line of North 10th Street, a distance of 8,025 feet (more or less) to the intersection of the east right-of-way of Judge Ely Boulevard.

Thence north along the east right-of-way line of Judge Ely Boulevard, a distance of 10,950 feet (more or less).

Thence east along the north right-of-way line of Judge Ely Boulevard, a distance of 900 feet (more or less).

Continuing east along a straight line, a distance of 1,875 feet (more or less) to the intersection of the Rainy Creek.

Thence south along the line of Rainy Creek, a distance of 3,450 feet (more or less) to the intersection of the north right-of-way of Lowden Street.

Thence east along the north right-of-way line of Lowden Street, a distance of 3,000 feet (more or less) to the intersection of the east right-of-way of FM HWY 2833.

Thence south along the east right-of-way line of FM HWY 2833, a distance of 2,700 feet (more or less) to the intersection of the north right-of-way of Scottish Road.

Thence east along the north right-of-way line of Scottish Road, a distance of 1,425 feet (more or less) to the intersection of the Abilene City Limits.

Thence southeast along the Abilene City Limits line, a distance of 5,550 feet (more or less).

Thence southwest along a straight line, a distance of 1,650 feet (more or less) until the line intersects the west right-of-way of Loop 322 and the south right-of-way of Interstate 20.

Thence northwest along the south right-of-way line of Interstate 20, a distance of 8,850 feet (more or less) to the intersection of the east right-of-way of Griffith Road.

Thence south along the east right-of-way line of Griffith Road, a distance of 6,375 feet (more or less) to the intersection of the east right-of-way of Redwood Drive.

Continuing south along the east right-of-way line of Redwood Drive, a distance of 2,700 feet (more or less) to the intersection of the north right-of-way of San Jacinto Drive.

Thence east along the north right-of-way line of San Jacinto Drive, a distance of 1,725 feet (more or less) to the intersection of the east right-of-way of Fair Drive.

Thence south along the east right-of-way line of Fair Drive, a distance of 1,650 feet (more or less) to the intersection of the north right-of-way of U.S. HWY 80.

Thence east along the north right-of-way line of U.S. HWY 80, a distance of 3,450 feet (more or less) to the intersection of the east right-of-way of Loop 322.

Thence south along the east right-of-way line of Loop 322, a distance of 5,850 feet (more or less) to the intersection of the south right-of-way of the Texas-Pacific Railroad.

Thence east in a straight line, a distance of 656 feet (more or less).

Thence south in a straight line, a distance of 1,125 feet (more or less).

Thence east in a straight line, a distance of 1,875 feet (more or less).

Thence southeast in a straight line, a distance of 21,938 feet (more or less).

Thence west in a straight line, a distance of 6,000 feet (more or less).

Thence north in a straight line, a distance of 13,031 feet (more or less).

Thence west in a straight line, a distance of 4,438 feet (more or less).

Thence south in a straight line, a distance of 2,750 feet (more or less).

Thence east in a straight line, a distance of 1,875 feet (more or less).

Thence north in a straight line, a distance of 2,750 feet (more or less).

Thence west in a straight line, a distance of 625 feet (more or less).

Thence north in a straight line, a distance of 7,125 feet (more or less).

Thence west in a straight line, a distance of 1,875 feet (more or less).

Thence southwest in a straight line, a distance of 2,625 feet (more or less).

Thence north in a straight line, a distance of 1,300 feet (more or less) to the intersection of the east right-of-way line of Loop 322.

Thence northeast along the east right-of-way line of Loop 322, a distance of 7,000 feet (more or less) to the south right-of-way line of the Texas Pacific Railroad.

Thence west along the south right-of-way line of the Texas-Pacific Railroad, a distance of 12,150 feet (more or less) to the intersection of the east right-of-way of the Missouri-Pacific Railroad.

Thence south along the east right-of-way line of Missouri-Pacific Railroad, a distance of 15,300 feet (more or less) to the intersection of the south right-of-way of South 34th Street.

Thence west along the south right-of-way line of South 34th Street, a distance of 750 feet (more or less) to the POINT OF BEGINNING.

And further described as portions of census tracts 101 block group 9, 109 block group 1, 110 block group 2, 119 block group 2, 122 block groups 1 and 3, 133 block group 9; 134 block group 9, and all of census tracts 111, 118, 109 block group 2, 110 block group 1, 119 block group 1, and 122 block group 2.