

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 Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 16 day of December _____ A.D. 1993.

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 5 day of December, 1993, 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 13 day of January, 1994, 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 13 day of January _____, A.D. 1994.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to HC (Heavy Commercial) zoning district.

Legal Description:

FOR CONSIDERATION OF ZONING CERTAIN LANDS OUT OF L. BOWERMAN SURVEYS 84 AND THE J. SHIPMAN SURVEY 85, FROM A C DISTRICT TO LIGHT INDUSTRY (SAID LANDS BEING A PART OF THE OLD ELM CAKS COUNTRY CLUB AREA IN N W ABILENE)

DESCRIPTION: Beginning at a point in the E ROWL of U.S. Highway 277 as it intersects the S ROWL of the New Elm Creek Drainage Channel said point being in the L. Bowerman Survey 84.

Thence following the said S ROWL of said Elm Creek Easement Southeasterly as per the attached plat of the Abilene City Engineers to its intersection with the center line of the New Catclaw Creek.

Thence following the center line of Catclaw Creek East to its intersection with the SBL of the 35.72 acre ERBC Tract, continuing on East 62 deg. 44' E a distance of 144 ft. to an iron pin set in concrete in 1948 for the SWC of the said 35.72 acre tract, same being the Northeast most corner of the herein described tract.

Thence, S. 28 deg. 59' East 376.4 ft. to a 3/8 iron pin set in the S ROWL of Interstate 20 Right-of-Way, for the most S.E. corner of this tract.

Thence, Southwesterly along the N ROWL of Interstate 20 to its intersection with the SBL of the L. Bowerman Survey 84. Thence to the right around the curve of Interstate 20 through the J. Shipman Survey 85 to its intersection with the E ROWL of U.S. Highway 277 thence Northerly along the E ROWL of U.S. Hwy. 277 to the place of beginning and containing some 110 acres, more or less.

(Note: In addition to the Abilene Engineering records, other engineering calls can be obtained from that certain Deed from H. S. Higginbotham conveying this land to Bailey G. Choate in 1975.)

Location:

I-20 & U.S. Hwy 83-277