

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 6 day of October _____ A.D. 19 94.


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 October, 19 94, 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 20 day of October, 19 94, 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 20 day of October _____, A.D. 19 94.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT "A"

Rezone property from RM-3 (Residential Multi-Family) to O (Office) zoning district.

Legal Description:

BEING 1.436 acres out of a 23.08 acre tract, recorded in Volume 600, Page 72, Deed Records, Taylor County, Texas, out of Lot 9, Anderson and Berry Subdivision of the A. Thompson Survey No. 37, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point in the center of Elm Creek, called to be the northeast corner of the Joseph H. Beck Survey No. 42 and the southeast corner of said Lot 9, same being the northeast corner of Lot 118 of a replat of Lot 17, Block 43, Continuation of Section 3, Brook Hollow Addition, according to map or plat filed for record in Plat Cabinet 2, Slide 304-D, Taylor County.

THENCE S 89°22' W 64.49 feet to a 3/8" iron rod, found, for the northwest corner of said Lot 118, on the east right-of-way of U.S. Highway 83-84, from which a 60d nail, found, in a broken concrete right-of-way marker bears S 6°31' E 22.63 feet;

THENCE N 6°31' W 603.14 feet (called N 5°53' W by highway maps) to a concrete right-of-way marker;

THENCE N 13°03'10" W 138.01 feet (called N 12°26' W by highway maps) to a 3/8" iron rod, found, for the southwest corner of Lot 402 of a replat of Lots 103, 104 & 301, Block 2 of a replat of Lots 1, 2, 3 & 4 and Lots 3 & 4, Block 1, Section 2 and the remainder of Lot 2, Block 1, Section 1, Frenchman's Creek Subdivision, according to plat recorded in Plat Cabinet 2, Slide 193-C, Taylor County, from which an 'X' on concrete of a Highway Bronze Disc bears N 13°03'10" W 623.04 feet for the northwest corner of said Lot 402 (called N 12°26' W 623 feet by said Lot 402 Frenchman's Creek Subdivision);

THENCE N 74°47'20" E 79.13 feet to a point in the center of Elm Creek for the south-east corner of said Lot 401;

THENCE along the meanders of the center of Elm Creek as follows:

- S 6°40'15" W 30.62 feet to a 3/8" iron rod, from which a reference 3/8" iron rod in the east bank bears S 45°57' W 10.90 feet;
- S 2°59'05" E 111.47 feet to a 3/8" iron rod;
- S 27°11'30" E 128.60 feet to a point from which a reference 3/8" iron rod, set, on the east bank bears S 25°01'10" W 16.29 feet;
- S 58°00'25" E 50.70 feet to a 3/8" iron rod, from which a reference 3/8" iron rod, set, on the east bank bears S 78°48' W 20.71 feet;
- S 4°05'35" W 128.78 feet to a 3/8" iron rod, from which a reference 3/8" iron rod, set, on the east bank bears S 38°23'50" W 12.26 feet;
- S 4°48'50" E 130.38 feet to a 3/8" iron rod, from which a reference 3/8" iron rod, set, on the east bank bears S 66°39'20" W 22.34 feet;
- S 25°41'50" W 108.76 feet to a point, from which a referenced 3/8" iron rod, set, on the east bank bears S 46°10'20" W 15.42 feet;

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S 3°29'30" E 85.75 feet to a point;

S 39°43'25" E 37.43 feet to the POINT OF BEGINNING, and containing 1.436 acres of land, more or less, and being the same tract of land as shown on the attached plat of this tract, shown as Sheet 1 of 3.

Bearings based on the east boundary line of Continuation of Section 3, Brook Hollow Addition.

Location:

2000 S. Danville

-END-