

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 9 day of March A.D. 19 95.

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 March, 19 95, 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 23 day of March, 19 95, 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 23 day of March, A.D. 19 95.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

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CITY ATTORNEY

ORDINANCE NO. 15-1995

EXHIBIT "A"

Rezone property from PDD & AO (Planned Development & Agricultural Open Space) to GC (General Commercial) zoning district.

Legal Description:

(Proposed Lot 2,3,4)

**BEING** an approximate 2.60-acre tract of land situated in the J. C. Donley Survey, Abstract Number 95, City of Abilene, Taylor County, Texas said 2.60- acre tract of land being a portion of Lot 1, Block A, Section 4, Southwest Drive Addition, an addition to the City of Abilene, according to the plat recorded in Taylor County, Plat Records, and a portion of a tract of land as conveyed to Kickapoo Land Company and recorded in Volume 1551, Page 823, Taylor County, Deed Records, said 2.60-acre tract of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a railroad spike found in the west right-of-way line of Catclaw Drive (a 60' wide public right-of-way), said point being the northeast corner of said Lot 1, Block A, Section 4, Southwest Drive Addition and also being in a curve to the right whose radius is 816.89 feet and long chord bears South 08° 52' 14 West, 245.94 feet;

**THENCE** along said right-of-way line and along said curve in a southerly direction, through a central angle of 17° 18' 57", an arc length of 246.88 feet to a ½" iron pin found;

**THENCE** South 17° 31' 43" West, along said right-of-way line, a distance of 32.83 feet to a ½" iron pin found at the beginning of a curve to the left whose radius is 442.31 feet and long chord bears South 14° 32' 08" West, 46.19 feet;

**THENCE** along said right-of-way line and along said curve, in a southerly direction, through a central angle of 5° 59' 09", an arc length of 46.21 feet to the **POINT OF BEGINNING**;

**THENCE** along said right-of-way line and along said curve, in a southerly direction, through a central angle of 29° 00' 51", an arc length of 223.98 feet to a ½" iron pin found;

**THENCE** South 17° 28' 17" East, continuing along said right-of-way line, a distance of 89.97 feet to a ½" iron pin found at the beginning of a curve to the right whose radius is 15.00 feet and long chord bears South 20° 01' 08" West, 18.27 feet;

**THENCE** continuing along said right-of-way and along said curve in a southerly direction, through a central angle of 75° 01' 09", an arc length of 19.64 feet to a ¾" iron pin set in the northerly right-of-way line of Southwest Boulevard (a 120' wide public right-of-way);

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**THENCE** South 57° 31' 43" West, along said right-of-way line, a distance of 242.74 feet to a  $\frac{3}{8}$ " iron pin set;

**THENCE** North 32° 28' 17" West leaving said right-of-way a distance of 103.99 to the beginning of a curve to the right whose radius is 85.00 feet and long chord bears North 9° 58' 17" West, 65.06 feet;

**THENCE** along said curve in a northerly direction through a central angle of 45° 00' 00", an arc length of 66.76 feet;

**THENCE** North 12° 31' 43" East a distance of 63.52 feet to the beginning of a curve to the left whose radius is 265.00 feet and long chord bears North ° 28' 17" West, 137.17 feet;

**THENCE** along said curve in a northerly direction through a central angle of 30° 00' 00", an arc length of 138.75 feet;

**THENCE** North 17° 28' 17" West a distance of 217.07 feet;

**THENCE** South 77° 28' 17" East a distance of 157.50 feet to the beginning of a curve to the right whose radius is 235.00 feet and long chord bears South 64° 17' 06" East, 107.22 feet;

**THENCE** along said curve in a easterly direction through a central angle of 26° 22' 22", an arc length of 108.17 feet to the beginning of a curve to the right whose radius is 115.00 feet and long chord bears South 64° 07' 15" East 51.83 feet;

**THENCE** along said curve in a easterly direction through a central angle of 26° 02' 39", an arc length of 52.27 feet to the **POINT OF BEGINNING** and containing an approximate 2.60 acres of land.

(Proposed Lot 5)

**BEING** an approximate 1.53-acre tract of land situated in the J. C. Donley Survey, Abstract Number 95, City of Abilene, Taylor County, Texas said 1.53- acre tract of land being a portion of Lot 1, Block A, Section 4, Southwest Drive Addition, an addition to the City of Abilene, according to the plat recorded in Taylor County, Plat Records, and a portion of a tract of land as conveyed to Kickapoo Land Company and recorded in Volume 1551, Page 823, Taylor County, Deed Records, said 1.53-acre tract of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a railroad spike found in the west right-of-way line of Catclaw Drive (a 60' wide public right-of-way), said point being the northeast corner of said Lot 1, Block A, Section 4, Southwest Drive Addition and also being in a curve to the right whose radius is 816.89 feet and long chord bears South 08° 52' 14 West, 245.94 feet;

**THENCE** along said right-of-way line and along said curve in a southerly direction, through a central angle of 17° 18' 57", an arc length of 246.88 feet to a ½" iron pin found;

**THENCE** South 17° 31' 43" West, along said right-of-way line, a distance of 32.83 feet to a ½" iron pin found at the beginning of a curve to the left whose radius is 442.31 feet and long chord bears South 00° 01' 43" West, 266.01 feet;

**THENCE** along said right-of-way line and along said curve, in a southerly direction, through a central angle of 35° 00' 00", an arc length of 270.19 feet to a ½" iron pin found;

**THENCE** South 17° 28' 17" East continuing along said right-of-way line a distance of 89.97 feet to a ½" iron pin found at the beginning of a curve to the right whose radius is 15.00 feet and long chord bears South 20° 01' 08" West, 18.27 feet;

**THENCE** continuing along said right-of-way and along said curve in a southerly direction through a central angle of 75° 01' 09", an arc length of 19.64 feet to a 5/8" iron pin set in the northerly right-of-way line of Southwest Boulevard (a 120' wide public right-of-way);

**THENCE** South 57° 31' 43" West, along said right-of-way line, a distance of 330.02 feet to the **POINT OF BEGINNING**;

**THENCE** South 57° 31' 43" West continuing along said right-of-way line a distance of 422.85 feet to a 5/8" iron pin set;

**THENCE** North 32° 28' 17" West leaving said right-of-way a distance of 45.44 feet to the beginning of a curve to the right whose radius is 200.00 feet and long chord bears North 09° 58' 17" West, 153.07 feet;

**THENCE** along said curve in a northerly direction through a central angle of 45° 00' 00", an arc length of 157.08 feet;

**THENCE** South 77° 28' 17" East a distance of 389.71 feet to the **POINT OF BEGINNING** and containing 1.53 acres of land.

Location:

Southwest corner of Southwest & Catclaw Drives