

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 14 day of October A.D. 19 99.

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 3 day of October, 19 99, 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 28 day of October, 19 99, 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 28 day of October, A.D. 19 99.

ATTEST:

Op Moore
CITY SECRETARY

Grady Barr
MAYOR

APPROVED:

Sharon L. Hicks
CITY ATTORNEY

EXHIBIT "A"

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

Legal Description:

Being 6.57 acres of land out of a 10 acre tract of land out of John Adams Survey No. 44, Taylor County, Texas and said 10 acre tract being of record in Volume 1488, Page 863, Deed Records, Taylor County, Texas and said 6.57 acre tract being more particularly described as follows:

Beginning at a 3/8" iron pin found for the Northwest corner of said 10 acre tract and the Northwest corner of this tract, whence the Northwest corner of said John Adams Survey No. 44 bears West 220.26', N0°09'30"E 854.06' and West 2420.73'

Thence N89°50'03"E along the North boundary line of said 10 acre tract 234.07' to a 3/8" iron pin found for the most Northerly Northeast corner of said 10 acre tract and the most Northerly Northeast corner of this tract;

Thence S33°51'E along the Northeast boundary line of said 10 acre tract 495.68' to a 1/2" iron pin set for the most Southerly Northeast corner of this tract;

Thence S39°22'05"W 554.50' to a 1/2" iron pin set on the Southwest boundary line of said 10 acre tract and on the North boundary line of F.M. 3438 for the Southeast corner of this tract;

Thence N49°23'01"W along the Southwest boundary line of said 10 acre tract and the North boundary line of said F.M. 3438 211.22' to a 3/8" iron pin found for the Southwest corner of said 10 acre tract and the Southwest corner of this tract, whence a R.O.W. Monument bears N51°26'58"W 487.88';

Thence N0°09'09"E along the West boundary line of said 10 acre tract 702.16' to the Point of Beginning and containing 6.57 acres of land.

AND

Being 0.6505 acres of land out of a 15 acre tract of land (recorded in Volume 920, Page 593, Deed Records, Taylor County, Texas) out of the John Adams Survey 44, Abilene, Taylor County, Texas and said 0.6505 acres being more particularly described as follows:

Beginning at a 1/2 metal rebar found on the North right of way of FM Highway 3438 (right of way varies and North line of said right of way recorded in Volume 1354, Page 569, said Deed Records) for the South corner of this tract same being the Southwest corner of a 2.00 acre tract of land recorded in Volume 1926, Page 717, Official Public Records, Taylor County, Texas, whence a bronze disc found in concrete bears S51°26'43"E 19.35';

Thence N51°26'43"W with the North line of said highway 237.39' to a 1/2" metal rebar set for the West corner of this tract whence a 3/8" metal rebar found on the West line of said 15 acre tract bears N51°26'43"W 44.13' and a bronze disc found in concrete bears N51°26'43"W 250.48';

Thence N49°57'27"E 243.54' to a 1/2" metal rebar found for the North corner of this tract and the Northwest corner of said 2.00 acre tract;

Thence S00°09'09"W with the West line of said 2.00 acre tract (bearing basis) 304.64' to the point of beginning and containing 0.6505 acres of land (28,336 square feet, more or less).

Location:

Hwy 277 and F.M. 3438

-END-