

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 13 day of June A.D. 2002.

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 June 2002, 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 8:30 a.m., on the 27 day of June, 2002, 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 20 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 27 day of June, A.D. 2002.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED


CITY ATTORNEY

EXHIBIT "A"

Rezone property from PDD-69 (Planned Development District) to SC, LC & AO (Shopping Center, Limited Commercial & Agricultural Open Space) zoning district.

Legal Description:

1.307 acres out of the southern part of Lot 203, Block A, a replat of part of Lot 101 and Lot 102, Block A, Section 1, Hunter's Creek Addition, Abilene, Taylor County, Texas; filed for record June 17, 1998, Taylor County Clerk File Number 10625;

Lot 1, Block A, Mindy Morris Subdivision, Abilene, Taylor County, Texas; filed for record May 27, 1993, Taylor County Clerk File Number 8686;

All of 0.57 of an acre tract out of the north 5 acres of the Gooch 10 acre tract, located in the J. Smith Survey No. 99, Abilene, Taylor County, Texas, recorded in Official Public Records volume 2003, page 636; and

All of 5 acre tract out of the 10 acre tract out of the SWC of the 148 acre tract of the J. Smith Survey No. 99, Taylor County, Texas, recorded in Deed Records volume 828, page 695;

and being more particularly described as follows:

BEGINNING at a point on the East right of way line of Buffalo Gap Road (120 foot right of way), said point bears North 34 degrees 11 minutes 30 seconds East a distance of 227.12 feet from the Southwest corner of said Lot 203, Block "A", Hunter's Creek Addition;

THENCE South 55 degrees 48 minutes 30 seconds East a distance of 160.00 feet to a point for corner;

THENCE South 81 degrees 28 minutes 37 seconds East a distance of 106.44 feet to a point for corner;

THENCE South 89 degrees 56 minutes 49 East a distance of 200.00 feet to a point on the West line of a 20 foot Alley, for corner;

THENCE South 00 degrees 03 minutes 10 seconds West a distance of 82.51 feet to the Southeast corner of said Lot 203, Block "A", said point also being on the North line of said Lot 1, Block "A", Mindy Morris Subdivision, for corner;

THENCE South 89 degrees 56 minutes 49 seconds East along the North line of said Mindy Morris Subdivision, a distance of 404.75 feet to the Northeast corner of said Mindy Morris Subdivision;

THENCE South 00 degrees 28 minutes 10 seconds East at 185.02 feet pass the Southeast corner of said Mindy Morris Subdivision, same being the Northeast corner of said 5 acre tract, continuing on for a total distance of 391.92 feet to the Southeast corner of said 5 acre tract, for corner;

THENCE North 89 degrees 58 minutes 04 seconds West along the South line of said 5 acre tract, a distance of 1239.53 feet to a point on the East line of said Buffalo Gap Road, for corner;

THENCE North 34 degrees 11 minutes 30 seconds East along the East right of way line of said Buffalo Gap Road, at 251.90 feet pass the Southwest corner of said 0.57 of an acre tract, at 360.7 feet pass the Northwest corner of said 0.57 of an acre tract, at 474.04 feet pass the Southwest corner of said Lot 203, continuing on for a total distance of 701.16 feet to the place of beginning, containing 11.251 acres of land.

Location:

5300 block of Buffalo Gap Road

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