

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 8 day of August 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 4 day of August 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 22 day of August, 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 22 day of August, A.D. 2002.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT "A"

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

Legal Description:

BEING 32.07 acres (1,396,928 SF) of land out of the North 51.614 acres out of the West 75 acre West of U. S. Hwy 277, of the Samuel Ricker Survey #45, Taylor County, Texas, and being more particularly described as follows:
BEGINNING at a sucker rod found on the Northwest R.O.W. line of U. S. Hwy 277 at the extreme South corner of this tract also being the most Southerly corner of a certain Tract 2 whence the Northwest corner of said Ricker Survey 45 bears N 41o39'02" E 463.30 feet (chord bearing and distance), N 39o15'24" E 364.7 feet, N 38o00' E 881.4 feet, and N 89o34' W 2541.7 feet;
THENCE N 45o53'23" W 512.73 feet along a fence to a found iron pin at the point of intersection being the Southeast corner of a certain Tract 4;
THENCE N 88o22'56" W 566.51 feet along a fence to a found iron pin for the Southwest corner of this tract;
THENCE N 01o13'23" E 964.38 feet along a fence and the West line of this tract to a fence corner post for the Northwest corner of this tract being on the South line of a county road;
THENCE S 88o28'10" E 1380.09 feet along a fence on the South line of said county road to a R.O.W. hub on the Southwest line of F.M. Hwy 3438;
THENCE S 63o57'11" E 90.94 feet to a R.O.W. hub for said F.M. Hwy 3438;
THENCE S 39o22'37" E 296.23 feet to a set iron pin for a corner of this tract;
THENCE N 88o56'20" W 786.88 feet to a set iron pin at a point of intersection in a fence for an interior corner of this tract;
THENCE S 54o44'01" E 722.66 feet to an iron pin set on the Northwest R.O.W. line of said U. S. Hwy 277;
THENCE S 39o15'24" W 364.70 feet along said Hwy 277 to a R.O.W. monument at the beginning of a curve to the right;
THENCE along the arc of said curve and the Northwest line of Hwy 277 having a radius of 5729.65 feet, an interior angle of 04o38", an arc length of 463.42 feet and a chord bearing and distance of S 41o39'02" W 463.30 feet to the place of beginning and containing 32.07 acres of land.

Location:

Hwy 277 & Dub Wright Boulevard, northwest corner