

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 February A.D. 2003.

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 February 2003, 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 February, 2003, 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 27 day of February, A.D. 2003.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

  
CITY ATTORNEY

## EXHIBIT "A"

Rezone property from AO, (Agricultural Open Space) to RS-8 (Residential Single Family) zoning district.

## Legal Description:

Being 15.829 acres of land containing a tract of land recorded in Volume 2393, Page 301, Official Public Records, Taylor County, Texas, a 1.0 acre tract, recorded in Volume 2092, Page 432, Official Public Records, Taylor County, Texas, and a portion of a 7.820 acre tract, recorded in Volume 2230, Page 945, Official Public Records, Taylor County, Texas. Said 15.829 acre tract being out of the John Smith Survey No. 99, City of Abilene, Taylor County, Texas and being more particularly described as follows.

Beginning at a found ½" metal rebar on the East line of Buffalo Gap Road (120' right-of-way) at the Southwest corner of Lot 1, Block B, Section 1, Woodlake Addition (Plat Cabinet 2, Slide 269-D, Plat Records, Taylor County, Texas and at the Northwest corner of said tract recorded in Volume 2393, Page 303, for the Northwest corner of this tract, whence a found 5/8" metal rebar at the Northwest corner of said Lot 1, Block B, Woodlake Addition bears N34°08'37"E 221.26' and from said point of beginning the Southeast corner of said John Smith Survey 99 is record to bear East 1854.3', South 210', East 3129.75' and South 399.7' per said Volume 2393, Page 301. THENCE N89°51'12"E, along the South line of said Block B, Section 1, Woodlake Addition and Block B, Section 2 Woodlake Addition (Plat Cabinet 2, Slide 291-C, Plat Records), 1855.35' to a found ½" metal rebar at the Southeast corner of Lot 19, of said Block B, Section 2 at the Northeast corner of said Tract recorded in Volume 2393, Page 301 and being on the West line of Lot 3, Block F, The Fairways Addition (Plat Cabinet 2, Slide 294-D, Plat Records), for the Northeast corner of this tract;

THENCE S00°03'48"E, with the West line of said Block F, 412.86' to a found 3/8" metal rebar at the Southeast corner of said 1.0 acre tract and Northeast corner of a 0.623 acre tract, recorded in Volume 2259, Page 101, Official Public Records, Taylor County, Texas, for the East most Southeast corner of this tract, whence a found 3/8" metal rebar at the Southeast corner of said 7.820 acre tract bears S00°16'33"E 198.86';

THENCE N89°59'31"W, with the South line of said 1.0 acre tract, 137.90' to a point whence a found ½" metal rebar bears S01°16'45"E 0.09', said point being the Northwest corner of said 0.623 acre tract, for an interior corner of this tract;

THENCE S01°16'45"E, with the West line of said 0.623 acre tract, 134.20' to a found ½" metal rebar at the Northeast corner of a 0.335 acre tract, recorded in Volume 2627, Page 592, Official Public Records, Taylor County, Texas, for the West most Southeast corner of this tract;

THENCE S89°57'15"W with the North line of said 0.335 acre tract, a 0.402 acre tract, recorded in Volume 2628, Page 725, Official Public Records, Taylor County, Texas, a 0.133 acre tract, recorded in Volume 2628, Page 857, Official Public Records, Taylor County, Texas and a 0.134 acre tract recorded in Volume 2734, Page 99, Official Public Records, Taylor County, Texas, at 673.86' pass a found ½" metal rebar, for the Northwest corner of said 0.134 acre tract and continue on a total distance of 764.40' to a found ½" metal rebar at a point of intersection on the East line of a 3.245 acre tract, recorded in Volume 2748, Page 635, Official Public Records, Taylor County, Texas, for the East most Southwest corner of this tract;

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and

THENCE N05°31'38"W 135.51' to a found ½" metal rebar on the South line of Lot 1, Block A, Apostolic United Pentecostal Addition (Plat Cabinet 3, Slide 97, Plat Records) at the Northeast corner of said 3.245 acre tract, for a point of intersection of this tract, whence a found ½" metal rebar at the Northwest corner of said 3.245 acre tract bears N89°59'31"E 436.49';

THENCE N03°11'52"W 201.50' to a found ½" metal rebar on the North line of said Lot 1, Block A, for an interior corner of this tract;

THENCE N89°59'31"W, with the North line of said Lot 1, Block A, 946.78' to a set ½" metal rebar, for a point of intersection;

THENCE N80°04'29"W, with the North line of said Lot 1, Block A, 113.95' to a set ½" metal rebar on the East line of said Buffalo Gap Road, at the Northwest corner of said Lot 1, Block A, for the West most Southwest corner of this tract, whence a found 2" outside diameter metal pipe at the Southwest corner of said Lot 1, Block A bears S34°08'27"W 266.76' and from said set ½" a found 3/8" metal rebar at the Southwest corner of said 7.820 acre tract bears S33°25'43"W 505.56';

THENCE N34°08'27"E, with the East line of said Buffalo Gap Road, 225.97' to the point of beginning and containing 15.829 acres of land.

Bearing basis - found 3/8" metal rebar at the Southeast and Southwest corner of said 7.820 acre tract. Record S89°57'00"W

Location:

5500 block of Buffalo Gap Road

-END-