

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 January A.D. 2004.

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 January 2004, 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 January, 2004, 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 22 day of January A.D. 2004.

ATTEST:

Op Moore
CITY SECRETARY

Grady Barr
MAYOR

APPROVED:

Sharon E. Hicks
CITY ATTORNEY

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) zoning district.

Legal Description:

BEING the West 2.908 acres out of a 4.72 acre tract recorded in Volume 1614, Page 42, Deed Records, and Volume 2677, Page 528, Official Public Records, Taylor County, Texas, out of the North part of Lot 3, Steffens Subdivision of Merchants Pasture, a part of J. R. Shipman Survey 85, City of Abilene, Taylor County, Texas, save and except a 0.0294 acre ROW deeded to the City for Old Anson Road recorded in Volume 1712, Page 688, Official Public Records, Taylor County, Texas, and described by metes and bounds as follows:

BEGINNING at a 6" pipe post the called for Southwest corner of said 4.72 acre tract and the recognized Northwest corner of West 5 acre tract recorded in Volume 1760, Page 627, Official Public Records, Taylor County, Texas same being the Southwest corner this tract;

THENCE N 0° 07' E 132.17 feet to a point in Catclaw Creek for the Northwest corner of said 4.72 acre tract and the Southwest corner of a certain 13.00 acre tract surveyed this same day, same being the Southwest corner of a 15.0 acre tract recorded in Volume 955, Page 746, Deed Records, Taylor County, Texas, from which the Northwest corner of said 13 acre tract a found 3/8" iron rod bears N 0° 07' E 410.17 feet;

THENCE East 958.30 feet along the South boundary line of said 15.0 acre tract and the North boundary line of said 4.72 acre tract to a 1/2" iron rod and cap marked 'Chase/1901' set for the Northeast corner this tract same being the Northwest corner of a certain 1.786 acre tract surveyed this same day;

THENCE South 132.17 feet to a 1/2" iron rod and cap set for the Southeast corner this tract and the Southwest corner of said 1.786 acre tract from which a 80d nail set by the City bears East 590.00 feet;

THENCE West 958.57 feet more or less along a fence on the South boundary line of said 4.72 acre tract to the POINT OF BEGINNING and containing 2.908 acres of land more or less.

Bearings based on the South boundary line of 4.72 acre tract as West 1548.56 feet between found 80d nail by City and 6" pipe post called for in deed.

Certified correct as surveyed on the ground Oct. & Nov., 2003.

Location:

2828 Old Anson Road