

ORDINANCE NO. 22-2004

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 12th day of August 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 11th day of August, 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 26th day of August, 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 26 day of August, A.D. 2004.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. 22-2004

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RS-6 (Residential Single-Family) zoning district.

BEING 5.891 acres out of a 7.615 acre tract, out of and a part of a 1.762 acre tract, 3.571 acre tract, 0.462 acre tract and 10.756 acre tract, and being out of the J. Smith Survey No. 99, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point on a curve to the right, at the intersection of the south boundary line of Chimney Rock Road and the east boundary line of Catclaw Drive, same being a corner of Section 2, Continuation No. 4, Royal Crest Addition, from which the northernmost northwest corner of Lot 1, Block C, Section 2, Continuation No. 4, Royal Crest Addition bears N 89°54' 10.0 feet, and the called for southeast corner of the J. Blakemore Survey No. 98 bears N 0°36' W 170 feet and N 89°54' E 3270.89 feet;

THENCE along said curve to the right, having a partial delta of 2°11', a radius of 11,911.7 feet on a chord bearing of S 3°04'34" E 453.90 feet for an arc distance of 453.93 feet to a 3/8" iron rod, found, for the southernmost southwest corner of said SECTION 2, for the southernmost southeast corner of this tract, and being on the south boundary line of a Gulf Pipeline easement;

THENCE S 80°45'45" W 48.40 feet to a 3/8" iron rod, found, for a corner of said 0.462 acre tract;

THENCE S 7°02' W 12.0 feet to a bent 3/8" iron rod, in a broken concrete monument;

THENCE S 86°42'30" W at 9.73 feet pass the called for southwest corner of said 0.462 acre tract, same being the southeast corner of said 10.756 acre tract, continuing in all 463.08 feet to a 3/8" iron rod, found, in concrete, called to be the southwest corner of said 10.7 acre tract;

THENCE N 1°20' W 509.38 feet to a 3/8" iron rod, found, for the southwest corner of a 1.774 acre tract, from which the called for north boundary line of the J. Smith Survey No. 99 bears N 1°20' W 136.54 feet;

THENCE S 89°34'30" E 292.25 feet to a 3/8" iron rod, found, for the southeast corner of said 1.774 acre tract;

THENCE N 5°55' W 15.00 feet to a 3/8" iron rod, set, for the southwest corner of Lot 10, Block D, Section 3, Royal Crest Addition;

THENCE S 89°34'30" E 196.14 feet to a 'x' set on ~~Catclaw Drive~~, in a curve to the right, on the west boundary line of Catclaw Drive for the southeast corner of said Lot 10;

THENCE along said curve to the right, having a partial delta of 0°12'56", a radius of 11,851 feet on a chord bearing S 4°17'24" E 44.60 feet for an arc distance of 44.60 feet to a 3/8" iron rod, set, for a corner of said Section 2, Continuation No. 4, Royal Crest Addition, from which the southwest corner of said 1.762 acre tract, same being the northwest corner of said 3.576 acre tract bears S 7°12'30" E 100.77 feet;

THENCE N 89°54' E 60.15 feet to the POINT OF BEGINNING, and containing 5.891 acres of land, more or less.

Location:

South of the intersection of Chimney Rock Road and Catclaw Drive

END-