

ORDINANCE NO. 16-2005

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 14th day of April A.D. 2005.

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 13th day of April, 2005, 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 28th day of April, 2005, 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 28th day of April, A.D. 2005.

ATTEST:

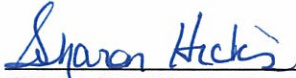


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT "A"

Rezone the westernmost 4.75 Acres depicted on Exhibit B and described below from AO (Agricultural Open Space) to RS12 (Residential Single-Family).

Rezone the remainder of said tract depicted on Exhibit B and described below from AO (Agricultural Open Space) to RS6 (Single Family Residential).

Legal Description:

BEING 69.03 acres of land in the Lunatic Asylum Lands, Section 8, Abstract 805, Taylor County, Texas, being part of that 70.03 acre tract conveyed to Trans-Western Property Corporation by Warranty Deed With Vendor's Lien dated May 4, 2004 and recorded in Volume 2960, Page 441 of the Official Public Records of Taylor County, Texas. Said 69.03 acres is described more particularly in metes and bounds as follows:

BEGINNING at a ½ inch iron rod found in the East right-of-way line of Maple Street (County Road 125), and at the Northwest corner of said 70.03 acre tract, said point being located 183.37 feet N00°02'27"W of an iron rod found at the Southwest corner of Lot 16 of the Kings Hill Subdivision, Continuation No. 2 recorded in Plat Cabinet 3, Slide 528, Taylor County Plat Records said beginning point being the Southwest corner of a 7.587 acre tract conveyed to Gerald Wayne King as recorded in Volume 1891, Page 614 of said Official Public Records;

THENCE N89°59'47"E 699.51 feet to a ½ inch iron rod found at the most southerly Southeast corner of said 7.587 acre tract, same being an ell corner of said 70.03 acre tract;

THENCE N00°00'37"W 305.10 feet to a ½ inch iron rod found at an ell corner of said 7.587 acre tract and an exterior corner of said 70.03 acre tract;

THENCE N89°42'01"E 1945.87 feet to a ½ inch iron rod found at the Southwest corner of a 24.99 acre tract deeded to Garth McLeod in Volume 2841, page 266 of said Official Public Records and at the Northwest corner of a 404.12 acre tract deeded to S. Garth McLeod in Volume 2841, page 270 of said Official Public Records;

THENCE S00°17'52"E 1446.04 to a ½ inch iron rod found at the Southeast corner of said 70.03 acre tract, said point being an ell corner of said 404.12 acre;

THENCE S89°25'21"W, at 1893.39 feet an ell corner of said 70.03 acre tract, continuing a total distance of 1953.47 feet to a ¾ inch aluminum rod with 2 inch aluminum cap marked "J&M 4247" set for the most southerly Southwest corner of said 69.03 acre tract;

THENCE N00°00'26"E, at 30.70 feet an ell corner of said 70.03 acre tract, same being the Southeast corner of Lot 11 of Kings Hill Subdivision, Continuation No. 1 per plat recorded in Plat Cabinet 3, slide 373 of the Plat Records of Taylor County, Texas, and continuing a total distance of 895.48 feet to a ½ inch iron rod found at the Northeast

ORDINANCE NO. 16-2005
EXHIBIT A
PAGE 3

corner of a 0.94 acre tract of land conveyed to Vernon Mische as recorded in Volume 3027, page 655, of said Official Public Records;

THENCE S89°59'55"W 699.51' along the north line of said 0.94 acre tract of land to a ½ inch iron rod found in said East right-of-way line of Maple Street and at the Northwest corner of said 0.94 acre tract;

THENCE N00°00'36"W 254.93 feet along said East right-of-way line of Maple Street to the place of beginning, bearings determined from GPS survey data, distances and areas being relative to horizontal surface measurements.

This date, March 17, 2005, the foregoing field note description was prepared from a survey made on the ground under my supervision in November, 2004.

Location:
Maple Street

-END-