

ORDINANCE NO. 19-2005

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 property from AO (Agricultural Open Space) to RS8 (Single-Family Residential)

Legal Description:

BEING 41.187 acres of land out of the W.E. Vaughn Survey #101 and the T.C. Garner Survey, Taylor County, Texas. Said 41.187 acres of land belonging to William E. Ward, Jr., and Lee Addell Ward as recorded in Volume 312, Page 675 of the Deed Records of Taylor County, Texas, and Billy Ernest Ward and wife Patricia Dale Ward as recorded in Volume 1275, Page 148 of said records. Said 41.187 acres being more fully described as follows:

Beginning at a set stone found for the Southeast corner of the W.E. Vaughn Survey #101, said point also being the Southeast corner of said 41.187 acres.

THENCE; S88°47'05"W along the South line of said 41.187 acres 1800.23 feet to a corner post on the North R.O.W. line of Forrest Hill Road found for a corner of this tract;

THENCE; N51°48'46"W along the North R.O.W. of said road 44.68 feet to a corner post found for a corner of this tract;

THENCE; N76°04'24"W along the North R.O.W. of said road 36.77 feet to a corner post found for a corner of this tract;

THENCE; N81°51'37"W along the North R.O.W. line of said road 127.14 feet to a 1/2" iron pin set for the Southwest corner of this tract;

THENCE; N00°26'45"E along the West line of said tract 868.75 feet to a 1/2" iron pin set for the Northwest corner of this tract;

THENCE; N89°58'07"E along the North line of said tract 747.61 feet to a 1/2" iron pin set for a corner of this tract, said point being the Southwest corner of Lot 106, Block "C", Section 3, Champions Addition to the City of Abilene, Taylor County, Texas;

THENCE; S53°47'13"E along the South line of said Lot 106, 127.90 feet to a 1/2" iron pin found for a corner of this tract, said point being the most Southerly corner of said Lot 106;

THENCE; N44°51'36"E passing a 1/2" iron pin at 64.84 feet, found for the Southeast corner of Lot 106 and the Southwest corner of Lot 107 of said sub-division, continuing on the same bearing a total of 106.74 feet to a 1/2" iron pin set for a corner of this tract;

THENCE; N89°58'07"E along the North line of said tract 1066.50 feet to a 1/2" iron pin found for the Northeast corner of this tract, said point being on the East line of the W.E. Vaughn Survey #101;

THENCE; S00°11'08"W along the East line of said survey, also being the East line of this tract, 886.12 feet to the place of beginning, containing a total of 41.187 acres of land more or less

ORDINANCE NO. 19-2005
EXHIBIT A
PAGE 3

SAVE AND EXCEPT FOR Lot 106, a Replat of Lots 6 through 33, Block C, of the Amended Final Plat of Section 3, Champions Addition to the City of Abilene, Taylor County, Texas.

BEING all that certain lot, tract or parcel of land out of the T. C. Garner Survey, Taylor County, Texas, and being particularly described as follows:

BEGINNING at a 3/4" iron rod for the Northeast corner of said T. C. Garner Survey, said point also being the Southeast corner of the C. Donovan Survey;

THENCE North 89 degrees 12 minutes 32 seconds West along the North line of said T. C. Garner Survey a distance of 1855.71 feet to a 1/2" iron rod (set) for corner, said point being on the centerline of a West Texas Utilities power line;

THENCE South 54 degrees 24 minutes 51 seconds East along said centerline of the West Texas Utilities power line a distance of 1686.65 feet to a 1/2" iron rod (set) for corner, said point being on the East line of said T. C. Garner Survey;

THENCE North 26 degrees 51 minutes East along the East line of said T. C. Garner Survey a distance of 1071.37 feet to the Place of Beginning containing 20.50 acres of land.

Location:

Old Forrest Hill Road and Forrest Hill Road

-END-