

ORDINANCE NO. 65-2005

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE CONCERNING PDD-65, 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 Five Hundred Dollars (\$500.00). 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 17th day of November 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 October, 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 1st day of December, 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 1st day of December, A.D. 2005.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

  
CITY ATTORNEY

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EXHIBIT "A"

Rezone property from PDD (Planned Development District) to AO (Agricultural Open Space), RS-6 (Residential Single family) and PH (Patio Home Overlay) zoning districts.

Legal Description:

**AO Tract**

237 acres out of the east ½ of Section 33 and out of the west ½ of Section 32, Blind Asylum Lands, Abilene, Taylor County, Texas.

And

159.62 acres of land out of and a part of Blocks 9 & 3, Jackson Subdivision of Section 32, Blind Asylum Lands, as shown by Plat recorded in Volume 1, Page 91, Plat Records, Taylor County, Texas, and described by metes and bounds as follows:

Beginning at a point 330 feet N 89°56' E of the Southwest corner of Section 32, same being the Southwest corner of Block 9, Jackson Subdivision,

Said point being in the center of an East-West public road known as North 10<sup>th</sup> Street, for the Southwest corner of this tract, and the Southeast corner for a certain 20 acre tract conveyed to Dr. R.C. Gambill.

THENCE N 0°09' E at 25 feet past a corner post on the North side of North 10<sup>th</sup> Street; continue along a property fence on the East line of said 20 acre tract in all 2642.3 feet to a 3/8" iron rod set on the North line of said Block 9, for the Northeast corner of Dr. R.C. Gambill tract, and being the Northwest corner of this tract, from which the Northwest corner of Block 9, brs. S 89°54' W 330 feet.

THENCE N 89°54' E 984.4 feet along a property fence on the North line of Block 9, and this tract, to a 3/8" iron rod set by a corner post recognized as the Southwest corner of Block 3, and Southeast corner of Block 4, Jackson Subdivision of said Section 32, for a corner of this tract.

THENCE N 0°08' W 80.7 feet with an old fence to a 3/8" iron rod set by a corner post on the West boundary line of said Block 3.

THENCE N 89°57' E 248.2 feet along a n old property fence to a 3/8" iron rod found set by a corner post on the West right of way of Interstate Highway 20 and being 175 feet at right angles to Highway Station 1502 + 20.49, for the Northeast corner of this tract.

THENCE S 45°45' E 3179.10 feet along said right of way to a bronze disk and concrete highway monument.

THENCE S 31°47' E 205.76 feet along said right of way to a bronze disk and concrete highway monument.

THENCE S 43°53' W along an existing fence on said highway right of way at 420.13 feet past a corner post on the North side of North 10<sup>th</sup> Street; continue in all 454.85 feet to a point on the South line of Section 32, for the Southeast corner of this tract.

THENCE S 89°56' W 3309.43 feet to the point of beginning and containing 159.62 acres of land, with 1.917 acres being located in North 10<sup>th</sup> Street.

AND

A Lot, Tract or Parcel of land lying and being situated in Taylor County, Texas and being out of and a part of Lots 3 and 4, Jackson Subdivision of Section 32, Blind Asylum Lands, Taylor County, Texas, and described as follows:

BEGINNING at a point, a 3/8" iron rod set by a 6" corner post and being the Southeast corner of said Lot 4 and the Southwest corner of Lot 3, Jackson Subdivision of Section 32, Blind Asylum Lands;

THENCE N 0°13' E along a existing fence and common lies of Lots 3 and 4; a distance of 81 feet to a 3/8" iron rod set by a 6" corner post for an inside corner of this tract;

THENCE S 89°56' E along existing fence 248.2 feet to a 3/8" iron rod set on the Southwest right of way of Interstate Highway 20, for the Southeast corner of this tract;

THENCE N 45°44' W along said highway right of way, 318.8 feet to a bronze disk in a concrete monument and being the point of a curve to the left;

THENCE around said curve to the left, having a central angle of 6°33' and a radius of 11,248.36 feet; a distance of 163 feet to a 3/8" iron rod set for a corner of this tract, and being the Northeast corner of an 8.628 acre tract;

THENCE S 43°29' W 570.6 feet to a 3/8" iron rod set on the South boundary line of Lot 4 of the Jackson Subdivision of Section 32, Blind Asylum Lands and being the Southwest corner of this tract and Southeast corner of said 8.628 acre tract;

THENCE S 89°45' E along an existing fence and South line of said Lot 4, a distance of 491 feet to the point of beginning and containing 3.396 acres of land.

LESS all of the HBMS Roppe Estates Addition and all of Wildlife Trails Subdivision, Abilene, Taylor County, Texas.

**RS-6 TRACT**

All of the HBMS Roppe Estates Addition and all of Wildlife Trails Subdivision, Abilene, Taylor County, Texas

**PH OVERLAY TRACT**

Lots 2, 3, and 101-115, Block A, Wildlife Trails Subdivision, Abilene, Taylor County, Texas.

Location:

South of I-20 and Scottish Rd, between Griffith Rd and Loop 322.

-END-