

ORDINANCE NO. 04-2008

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 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 20th day of December A.D. 2007.

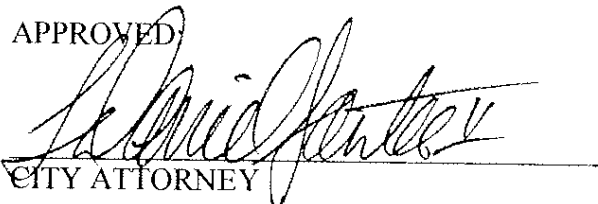
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of November, 2007, the same 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 10th day of January, 2008, 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 10th day of January, A.D. 2008.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

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EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to LI (Light Industrial) zoning district.

Legal Description:

Being 3.682 acres of land being that land previously described in Volume 1080, Page 361, Deed Records, Taylor County, Texas out of the Northwest $\frac{1}{4}$ of Section 45, Blind Asylum Lands, Taylor County, Texas. Said 3.682 acre tract being more particularly described as follows.

Beginning at a found $\frac{3}{8}$ " metal rebar on the South line of Newman Road at the Northwest corner of a 4.040 acre tract recorded in Volume 2804, Page 668, Official Public Records, Taylor County, Texas for the Northeast corner of this tract, whence the Northeast corner of the Northwest $\frac{1}{4}$ of said Section 45 is record to bear N89°26'23"E 236.63';

THENCE South (bearing basis per said 4.040 acre tract) 720.79' to a found $\frac{3}{8}$ " metal rebar on the North line of East Highway 80 (100' right-of-way, Volume 364, Page 369, Deed Records, Taylor County, Texas) at the Southwest corner of said 4.040 acre tract and being the Southwest corner of Lot 1, Block A, Section 1, Nitrogen Oil Well Service Co. Addition (Plat Cabinet 2, Slide 320-B, Plat Records, Taylor County, Texas) for the Southeast corner of this tract, whence a found $\frac{1}{2}$ " metal rebar at the Southeast corner of said 4.040 acre tract and being the Southeast corner of said Lot 1 bears S78°33'50"E 240.02';

THENCE N78°34'50"W with the North line of said East Highway 80, 228.55' to a found 2" metal pipe at the Southeast corner of Maroon & White Addition (Plat Cabinet 2, Slide 351-D, Plat Records, Taylor County, Texas) for the Southwest corner of this tract, whence a found $\frac{3}{8}$ " metal rebar at the Southwest corner of said Maroon & White Addition bears N78°50'34"W 219.89';

THENCE N00°58'28"W 676.31' to a found $\frac{3}{4}$ " metal rebar on the South line of said Newman Road at the Northeast corner of said Maroon & White Addition for the Northwest corner of this tract, whence a found $\frac{1}{2}$ " metal pipe at the Northwest corner of said Maroon & White Addition bears S89°53'40"W 215.11';

THENCE S89°50'11"E with the South line of said Newman Road 235.53' to the point of beginning and containing 3.628 acres of land.

Location:

E HWY 80 and Newman Rd. (3400 Block of E HWY 80)

-END-