

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 28th day of August, A.D. 2008.

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 29th day of July, 2008, 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 11th day of September, 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 11th day of September, A.D. 2008.

ATTEST:


CITY SECRETARY


MAYOR

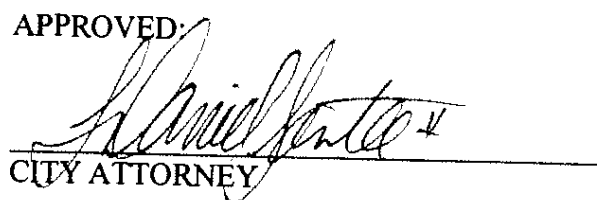
APPROVED:

CITY ATTORNEY

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RM-3 (Multi-Family Residential).

Legal Description:

**METES & BOUNDS DESCRIPTION
3.351 ACRES**

CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS

LANDOWNER:
ABILENE INDEPENDENT
SCHOOL DISTRICT

BEING 3.351 acres of land out of Sections 21 and 25, Blind Asylum Lands, Abstract 1039 and 1007, City of Abilene, Taylor County, Texas, and being out of that certain tract described as 20.449 acres in a deed to Abilene Independent School District recorded in Volume 1362, Page 600 of the Official Public Records of Taylor County, Texas. Said 3.351 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a 3/4 inch aluminum rod with 2 inch aluminum cap marked "J&M 4247" (henceforth called a standard monument) found at the intersection of the Easterly right-of-way line of Liberty Boulevard and the Northerly right-of-way line of Independence Boulevard, said point further being the Northwest corner of Heritage Parks Addition, Section 5 according to the plat thereof recorded in Plat Cabinet 3, Slide 782, Plat Records, Taylor County, Texas, and the Southwest corner of said 20.449 acre tract;

THENCE N00°54'05"E along said East line of said Liberty Boulevard and the West line of said 20.449 acre tract a distance of 130.00 feet to a point for the Northwest corner hereof;

THENCE along the North line hereof the following calls,

N83°41'07"E 71.00 feet to a point,

N76°34'30"E 63.00 feet to a point,

N69°45'45"E 63.00 feet to a point,

N63°05'57"E 62.55 feet to a point and

N60°53'25"E 828.00 feet to a point for the Northeast corner hereof;

THENCE S29°06'35"E 130.00 feet along the East line hereof to a standard monument found at the Northeast corner of said Independence Boulevard, same being the Northeast corner of said Heritage Parks Addition, Section 5, being in the South line of said 20.449 acre tract for the Southeast corner hereof;

THENCE S60°53'25"W 840.00 feet along said North line of Heritage Parks Addition, Section 5 and said North right-of-way line of said Independence Boulevard and South line of said 20.449 acre tract to a standard monument found at the beginning of a curve to the right with a radius of 660.17 feet, a delta angle of 27°24'24" and a long chord which bears S74°35'37"W 312.78 feet;

THENCE along said curve to the right, being said South line of said 20.449 acre tract and said North line of said Independence Boulevard, a distance of 315.78 (arc length) to the **POINT OF BEGINNING** and containing 3.351 acres of land, more or less.

This date, September 2, 2008, the foregoing metes and bounds description was prepared from a survey made on the ground under my supervision completed in November, 2006.

Mark T. Brown

Mark T. Brown, R.P.L.S. No. 4247



Location:

North side of Independence Blvd.

-END-