

ORDINANCE NO. 22-2012

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," 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 Land Development Code 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 22nd day of March, A.D. 2012.

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 17th day of February, 2012, 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 12th day of April, 2012 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 12th day of April, A.D. 2012.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

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EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to MF (Multi Family) zoning

Legal Description:

BEING 6.198 acres of land out of the NW/4 of Section 25 of the Blind Asylum Land Survey, Abstract No. 1007, City of Abilene, Taylor County, Texas and being out of the remainder of that certain tract described as 16.889 acres described in a certain Warranty Deed to Kenneth Paul Musgrave, Trustee of the Musgrave Children's Trust, recorded in Instrument No. 2009-15164 of the Official Public Records of Taylor County, Texas. Said 6.198 acre tract is more particularly described in metes and bounds as follows:

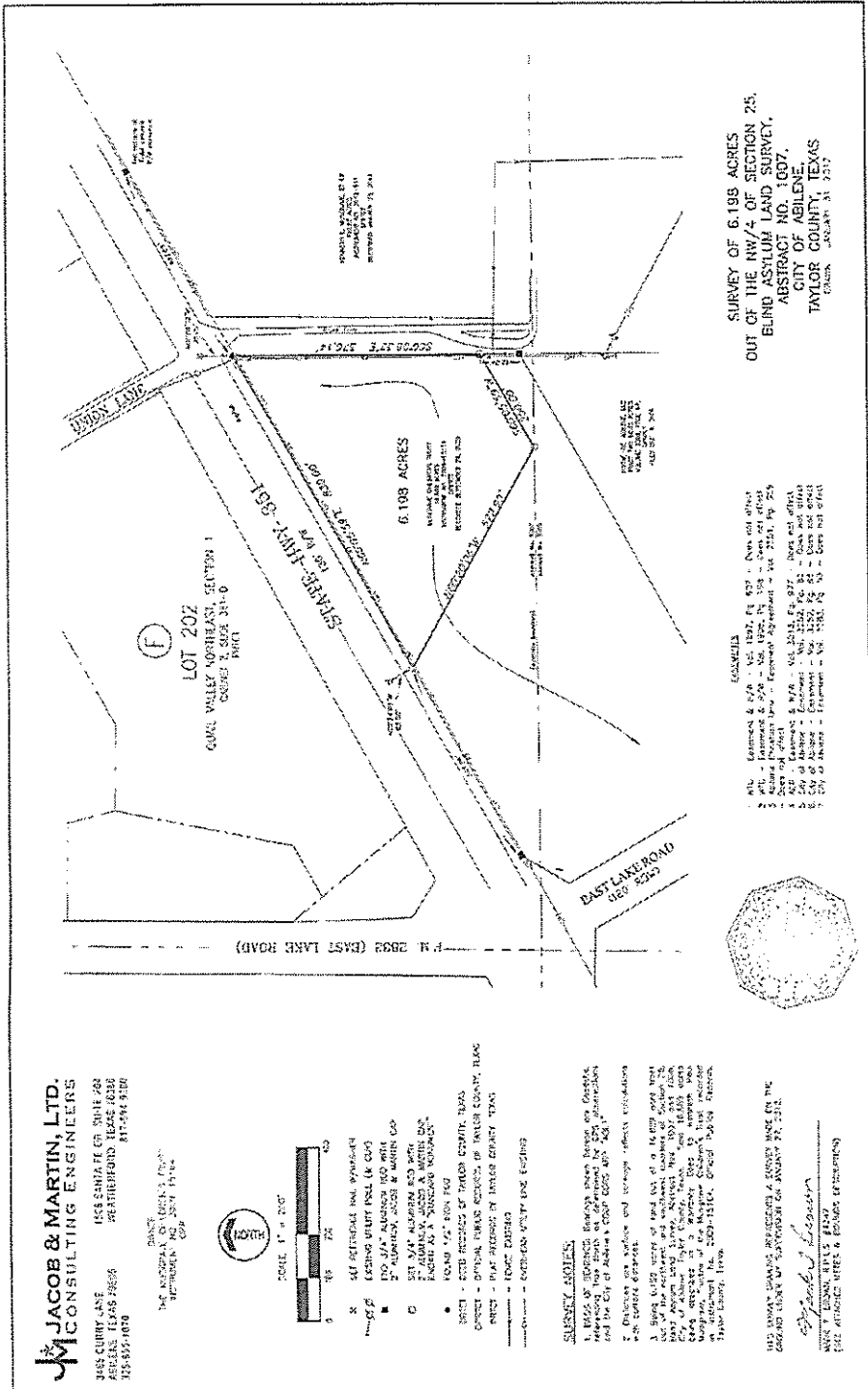
BEGINNING at a set $\frac{3}{4}$ inch aluminum rod with a 2 inch aluminum cap stamped "JACOB & MARTIN" (henceforth called a standard monument) in the southeasterly right-of-way line of State Highway 351 whence a found standard monument in said right-of-way line at the intersection of said right-of-way line with the easterly right-of-way line of East Lake Road bears S60°05'59"W 501.96 feet;

THENCE N60°05'59"E feet along said southeast right-of-way line of State Highway 351, at 820.00 feet pass a set standard monument for reference, and continuing a total distance of 830.00 feet to a found 1/2 inch iron rod with cap stamped "J&M 4247" for the northeast corner of said 16.889 acre tract, same being the most northerly, northwest corner of a 796.87 acre tract described in said Warranty Deed recorded in said Instrument No. 2009-15164, and most recently described in a Special Warranty Deed to Kenneth L. Musgrave and Etta D. Musgrave recorded in Instrument No. 2012-911 of said Official Public Records, and from said $\frac{1}{2}$ inch iron rod a 4-1/2 inch steel corner post bears S40°47'36"E 1.03 feet and the remains of a TxDOT concrete right-of-way monument bears N60°05'59"E 486.05 feet;

THENCE S00°06'32"E 576.14 feet along the east line of said 16.889 acre tract, same being the most northerly, west line of said 796.87 acre tract, to a standard monument set for the southeast corner of this tract from which a found standard monument at the southeast corner of said 16.889 acre tract bears S00°06'32"E 92.04 feet;

THENCE S60°05'59"W 250.00 feet to a set standard monument for the southwest corner of this tract;

THENCE N60°20'06"W 579.90 feet to the PLACE OF BEGINNING and containing 6.198 acres of land, more or less.



Location:

The south side of Hwy 351 at Union Ln.

-END-