

ORDINANCE NO. 05-2017

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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, part 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 26th day of January, A.D. 2017.

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 19th day of January, 2017, 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 9th day of February, 2017 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.

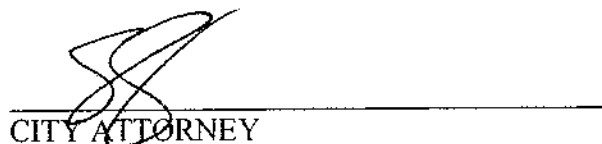
PASSED ON SECOND AND FINAL READING THIS 9th day of February, A.D. 2017.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

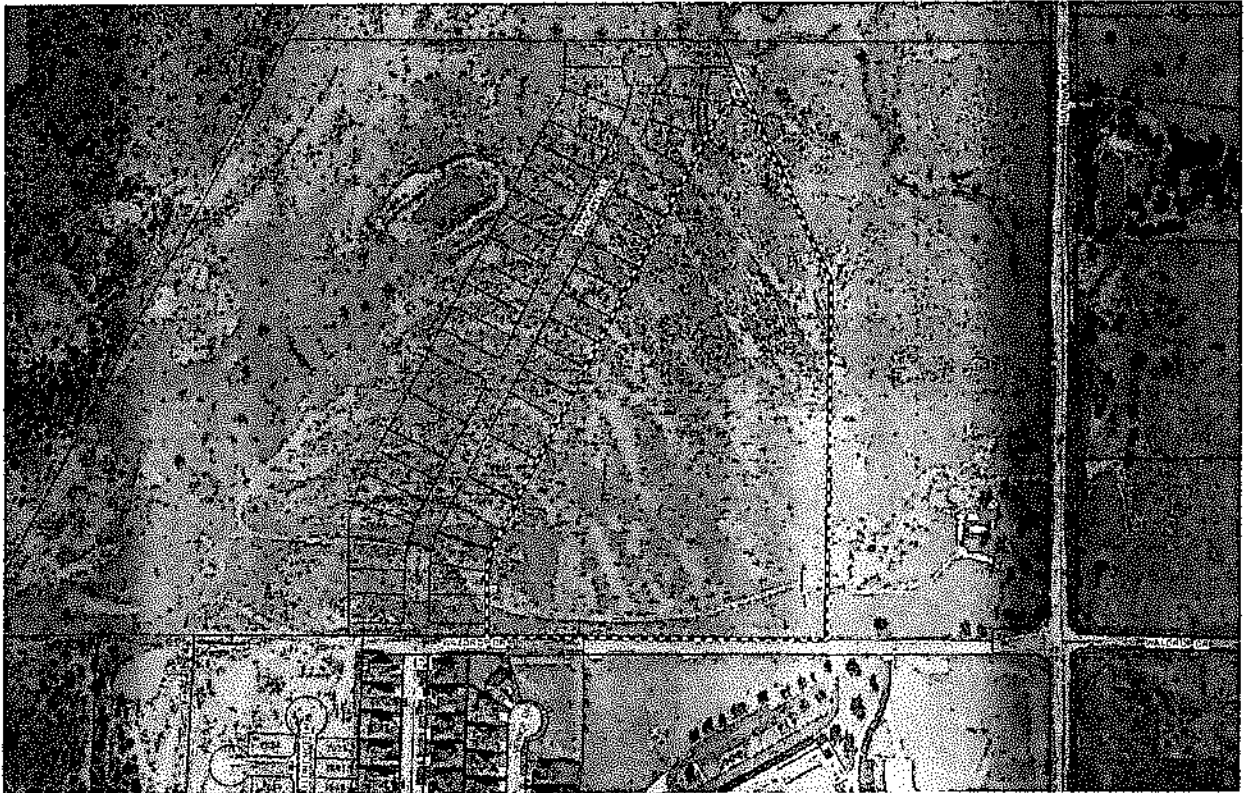

CITY ATTORNEY

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EXHIBIT "A"

Rezone property from RS-6 (Residential Single-Family) to PH (Residential Single-Family Patio Home).

Legal Description: The legal description for the property is set out in Exhibit "B", attached hereto.



Location: Part of 7550 Hardwick Road.

-END-

EXHIBIT "B"

**FIELD NOTES
FOR
PHASE 2
TUSCANY RIDGE ADDITION
ABILENE, TAYLOR COUNTY, TEXAS**

BEING Phase 2, Tuscanry Ridge Addition, Abilene, Taylor County, Texas and being 16.922 acres of land out of Section 11, Lunatic Asylum Lands, Taylor County, Texas and also being part of the land described in Document Number 2014-19361, Official Public Records of Taylor County, Texas. Said 16.922 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 30" detachable monument with 2" aluminum cap stamped "HIBBS & TODD" recovered for the southwest corner of this tract on the south line of the aforesaid Section 11, the north line of the W. J. Reddell Pre-emption Survey as established by a boundary line agreement described in Document No. 2013-7157, Official Public Records of Taylor County, Texas and also being the north line of Tuscanry Trails Subdivision as shown on plat recorded in Plat Cabinet 2, Slide 334-C, Plat Records of Taylor County, Texas; Said monument bears 1264.22 feet North 89 degrees 45 minutes 33 seconds East from a 1/2" iron rod with cap stamped "AES 4130" recovered for the southwest corner of the aforesaid Section 11;

Bearings are based on Grid North as determined by RTK GPS observations using the City of Abilene's Monumentation and Mapping Program Survey Marker Number 330 (published coordinates of N 6813304.298, E 1577602.701). From the said marker, the Point of Beginning bears 2280.06 feet North 14 degrees 08 minutes 25 seconds East.

THENCE North 00 degrees 13 minutes 02 seconds East for a distance of 168.90 feet to a recovered 1/2" iron rod with cap stamped "H & T";

THENCE North 13 degrees 53 minutes 30 seconds East for a distance of 59.75 feet to a recovered 1/2" iron rod with cap stamped "H & T";

THENCE North 27 degrees 34 minutes 31 seconds East for a distance of 1227.69 feet to a recovered 1/2" iron rod with cap stamped "H & T";

THENCE South 82 degrees 25 minutes 24 seconds East for a distance of 63.92 feet to a 1/2" iron rod with cap stamped "H & T" recovered on the west line of that certain 20.006 acre tract conveyed to Mike Byrd and described in Document Number 2014-19362, Official Public Records of Taylor County, Texas. Said iron rod bears 175.71 feet South 24 degrees 47 minutes 35 seconds East

from a 1/2" iron rod with cap stamped "H & T" recovered for the northwest corner of the aforesaid 20.006 acre tract;

THENCE South 24 degrees 47 minutes 35 seconds East for a distance of 455.76 feet to a 1/2" iron rod with cap stamped "H & T" recovered for an angle point in the west line of the aforesaid 20.006 acre tract;

THENCE South 00 degrees 13 minutes 02 seconds West for a distance of 903.27 feet to a 1/2" iron rod with cap stamped "H & T" recovered for the southwest corner of the aforesaid 20.006 acre tract on the south line of the aforesaid Section 11, and being the north right of way line of Waldrop Road;

THENCE North 89 degrees 17 minutes 32 seconds West (Bearing Base for this tract) at a distance of 594.06 feet pass a 3/8" iron rod recovered for the northeast corner of the aforesaid Tuscan Trails Subdivision and continue the same course for a total distance of 834.42 feet to the point of beginning and containing an area of 737126 square feet or 16.922 acres of land.

The purpose of this legal description is for zoning only and does not represent an on the ground survey.