

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 11 day of April, A.D. 19 85.

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 31 day of March, 19 85, 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 9:00 a.m., on the 25 day of April, 19 85, 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 25 day of \_\_\_\_\_

April, A.D. 19 85.

ATTEST:

Patricia Patten  
CITY SECRETARY

David J. Stullerman  
MAYOR

APPROVED:

00110

Karen J. Cordova

EXHIBIT "A"

From AO & RM-3 (Agricultural Open Space & Residential Multi-Family) to GC (General Commercial) district.

Legal Description:

Being the combination of two adjoining tracts of land described below:

Tract 1

BEGINNING at a point in the N.B.L. of the southwest  $\frac{1}{4}$  of Section 48, Blind Asylum Lands, 140.1 feet west of the northeast corner of said  $\frac{1}{2}$  section;

THENCE west 77.9 feet to a fence corner;

THENCE south  $5^{\circ}$  west with a fence on the east side of the A. Fredeck 5.2 acre tract 558.8 feet to a fence corner in the N.B.L. of Highway No. 1 and the S.B.L. of Lot No. 2, Block No. 213, of the Original City of Abilene;

THENCE south  $85^{\circ}$  E with the S.B.L. of said Lot No. 2, 77.5 feet to a corner stake, 191.5 feet north  $85^{\circ}$  W from southeast corner of said Lot 2, Block 213;

THENCE north  $5^{\circ}$  E 565.5 feet to place of beginning, containing one (1) acre, and being the same acre of land described in deed from William Fredeck et ux to Ed. Riesel et ux, dated May 15, 1985, filed for record in Taylor County, June 6, 1928, reference to which is hereby made.

Tract 2

Being out of Block 213, of the Original Town of Abilene, in Taylor County, Texas, and out of the southwest  $\frac{1}{4}$  of Section 48, Blind Asylum Land, in said Taylor County, Texas; and being more particularly described as Parcel No. 11, and allotted to Albert Fredeck, as more particularly set forth and described in said "Final Decree Confirming Partition", recorded in Volume 314, page 37, of the Deed Records of Taylor County, Texas, and being the same Parcel No. 11 shown on that certain map contained as a part of said Final Decree, and which map is recorded at page 46 in said Volume 314, of the Taylor County Deed Records, reference to which is hereby made, and which tract of land may be more particularly described as follows:

BEGINNING at a point in the N.B.L. of the southwest  $\frac{1}{4}$  of Section 48, Blind Asylum Lands, 140.1 feet west of the northeast corner of said  $\frac{1}{2}$  section;

THENCE east 60.85 feet to a fence corner;

THENCE south  $2^{\circ}$  west 571.89 feet to a fence corner in the north boundary line of E.S. 11th Street and the south boundary line of Lot 2, Block 213;

THENCE north  $85^{\circ}$  west with the south boundary line of Lot 2, Block 213, 85.1 feet to a fence corner;

THENCE north  $5^{\circ}$  east 565.5 feet to the place of beginning.

Location:

440 and 450 E. S. 11th Street