

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 Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 9 day of July A.D. 1998.

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 5 day of July, 1998, 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 23 day of July, 1998, 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 23 day of July, A.D. 1998.

ATTEST:

[Signature]  
CITY SECRETARY

[Signature]  
MAYOR

APPROVED:

[Signature]  
CITY ATTORNEY

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning district.

Legal Description:

Being 32.86 acres of land more or less and being part of Subdivision 9 of the Steffens Subdivision of the Merchants Pasture and being part of the James R. Shipman Surveys Nos. 85 and 86, Taylor County, Texas, and being part of a tract of land conveyed to Robert Baxter Childress and Mary Page Childress by S.D. Hearn and wife Eulala, said land being parts of Subdivision Nos. 9, 10, and 11 of the Stephens Subdivision of the Merchants Pasture, being parts of the James R. Shipman Surveys 85 and 86, the F. Rodriques Survey No. 26 and the P. Guerra Survey No. 27 containing 99.6 acres of land more or less and being more particularly described by metes and bounds in Volume 405, Page 567, Deed Records, Taylor County, Texas.

LESS 2.29 acres out of Lot 9 as shown by Plat recorded in Volume 814, page 777, Deed Records, Taylor County, Texas, conveyed to Inez Hohertz, dated October 24, 1966, Warranty Deed #12953.

LESS that parcel of land conveyed to the State of Texas being 21.363 acres of land out of Subdivision No. 9 of the Stephens Subdivision of the Merchants Pasture, and being part of the James R. Shipman Surveys Nos. 85 and 86 of Taylor county, Texas, as shown by plat recorded in Volume T, page 639 of the Deed Records of Taylor County, Texas.

LESS that certain tract or parcel of land being out of Lot No. 9, Stephens Subdivision of Merchants Pasture, and being .251 of an acre of land and described by metes and bounds recorded in Volume 816, Page 865, and conveyed to C.M. Caldwell, a widower, Guy Caldwell, Agnes C. Beckham, a widow, Mildred C. Touchstone, and E.L. Harwell on December 6, 1966.

LESS a 38.55 acre tract of land out of Lots 9 and 11 of the Steffens Subdivision of Merchants Pasture, out of P.Z. Guerra Survey 27 and J.R. Shipman Survey 85, Taylor County, Texas, as recorded in Volume 1101, Page 522 and conveyed to Burl McAlister by Warranty Deed dated 1st day of October, 1970 and recorded in Volume 898, Page 487.

LESS that 4 acres of land out of Subdivision 9 of the Stephens Subdivision of the Merchants Pasture and being out of the James R. Shipman Surveys Nos. 85 and 86, Taylor County, Texas, and being more fully described by the metes and bounds and plat as recorded the 25 day of March, 1976 in volume 1026, Page 330 of the Deed of Records of Taylor County, Texas.

AND

All of that certain 5.252 acres of land out of Subdivision 8, Steffens Subdivision of the Merchant Pasture in James R. Shipman Survey 85, Taylor County, Texas, which subdivision is shown by plat recorded in Volume T, Page 639 Deed Records of Taylor County, Texas, to which reference is here made. The said 2.252 acres more particularly described as follows, to-wit:

BEGINNING at an iron pin set for the southwest corner of Block No. 8 of Steffens Subdivision, Merchant's Pasture, for the southwest and beginning corner of this tract;

THENCE north 0 deg. 45 min. East 571 feet to an iron pin set in the south boundary line of Interstate Highway No. 20, for the northwest corner of this tract;

THENCE with said Highway; with a curve to the right having a central angle of 78 deg. 16 min. and a radius of 418.77 feet a distance of 571.3 feet to its P. T.; South 16 deg. 40 min. east 8.3 feet; the P. C. of another curve to the right having a central angle of 8 deg. 51 min. and a radius of 1771.57 feet a distance of 273.9 feet to an iron pin set for the southeast corner of this tract, said point being in the south boundary line of Block 8, of Steffens subdivision;

THENCE north 89 deg. 39 min. west 503.1 feet along the south boundary line of Subdivision No. 8, to the place of beginning.

Location:

I-20 and Highway 83/277, southwest intersection

-END-