

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 12 day of August A.D. 1999.

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 1 day of August, 1999, 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 26 day of August, 1999, 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 26 day of August, A.D. 1999.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature]
CITY ATTORNEY

EXHIBIT "A"

Rezone property from HI (Heavy Industrial) to HC (Heavy Commercial) zoning district.

Legal Description:

Being 1.062 acres of land out of Lots 1 and 2, Block 190, Original Town of Abilene (Plat recorded in Volume C, Page 590, Deed Records, Taylor County, Texas) and containing all of Lots 1, 2 and 3, Block V, of the J.S. Johnston Subdivision (Plat recorded in Plat Cabinet 2, Slide 135-C, Plat Records, Taylor County, Texas), a 10' alley along the East side of said Lots 1, 2 and 3, Block V (alley closed and vacated by the City of Abilene as recorded in Volume 358, Page 19, said Deed Records) and a portion of a tract of land referred to as TRACT FOUR in Volume 1708, Page 765, Official Public Records, Taylor County, Texas, SAVE AND EXCEPT that part conveyed to the State of Texas by deed recorded in Volume 365, Page 86, said Deed Records and said 1.062 acres of land being more particularly described as follows:

Beginning at a 1/2" metal rebar set on the East right of way of South Treadaway Boulevard (100' right of way) with its intersection with the South line of South Eighth Street (80' right of way recorded on plat of said Original Town) and being 10' S85°00'00"E of the Northwest Corner of said Lot 1, Block V;

Thence S85°00'00"E with the South line of said South Eighth Street and the North line of said Lot 1 at 130.00' pass a point for the Northeast corner of said Lot 1 and the Northwest corner of said 10' alley, at 140.00' pass a point for the Northeast corner of said 10' alley and the Northwest corner of said TRACT FOUR and continue on a distance in all of 324.37', to a 1/2" metal rebar set for the Northeast corner of this tract;

Thence S05°00'00"W 41.90' to a 1/2" metal rebar set for an angle corner of this tract;

Thence S29°05'00"W 83.00' to a 1/2" metal rebar set for an angle corner of this tract;

Thence S05°00'00"W 32.32' to a 1/2" metal rebar set for the Southeast corner of this tract;

Thence N85°00'00"W at 150.50' pass a point on the West line of said TRACT FOUR and the East line of said 10' alley, at 160.50' pass a point on the West line of said 10' alley for the Southeast corner of said Lot 3, Block V and continue on a distance in all of 290.50' to a 1/2" metal rebar set on the East line of said South Treadaway Boulevard for the Southwest corner of this tract whence a point for the Southwest corner of said Lot 3, Block V, bears N85°00'00"W 10.00';

Thence N05°00'00"E with the East line of said South Treadaway Boulevard 150.00' to the point of beginning and containing 1.062 acres of land.

Location:

801 S. Treadaway