

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 10 day of October A.D. 2002.

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 6 day of October 20 02, 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 24 day of October, 20 02, 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 20 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 24 day of October, A.D. 20 02.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

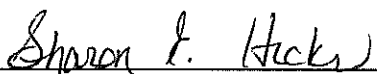

CITY ATTORNEY

EXHIBIT "A"

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

Legal Description:

BEING a 1.440 acre tract out of the John Adams Survey 44, Taylor County, Texas, and being out of the remainder of a 15 acre tract conveyed to Byron G. Bagley and wife, Martha L. Bagley, recorded in Volume 920, Page 593, Deed Records, Taylor County, Texas, said 1.440 acre tract being more particularly described as follows:

BEGINNING at a found 3/8" iron rod for the northwest corner of the said 15 acre Bagley tract, same being the southwest corner of a 5.0 acre tract conveyed as Tract Two, to Richard Lee Mims and Sandra J. Mims recorded in Volume 2414, Page 349, Official Public Record, Taylor County, Texas, and being in the east line of the remainder of a 15 acre tract, conveyed as Tract One, to Michael J. Wingo and Calla Loraine Wingo, as Trustees for The Michael J. Wingo and Calla Loraine Wingo Revocable Living Trust, recorded in Volume 2657, Page 924, Official Public Records, Taylor County, Texas;

THENCE South 89 degrees 55 minutes 14 seconds East for a distance of 220.42 feet to a found 3/8" iron rod for the northeast corner of this tract, same being the northwest corner of Lot 1, Block "A", APB Subdivision, Abilene, Taylor County, Texas, recorded in Cabinet #3, Slide 454, Plat Records, Taylor County, Texas;

THENCE South 00 degrees 09 minutes 09 seconds West (being the Reference Bearing for this description) for a distance of 314.72 feet to a found 30" detachable monument with 2" aluminum cap, stamped "Hibbs & Todd", for an angle point in the east line of this tract, same being an angle point in the west line of the said APB Subdivision;

THENCE South 37 degrees 58 minutes 12 seconds West for a distance of 35.19 feet to a set 30" detachable monument with 2" aluminum cap, stamped "Hibbs & Todd", for the southeast corner of this tract;

THENCE North 57 degrees 41 minutes 11 seconds West for a distance of 235.01 feet to a set 30" detachable monument with 2" aluminum cap, stamped "Hibbs & Todd", on the east line of the said 15 acre Wingo tract, for the southwest corner of this tract;

THENCE North 00 degrees 11 minutes 00 seconds East for a distance of 217.14 feet to the Point of Beginning, containing 1.440 acres, or 62,748 square feet.

Location:

3600 block of Dub Wright Boulevard, northeastern corner

END-