

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 January A.D. 20 03.

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 January 20 03, 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 23 day of January, 2003, 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 23 day of January, A.D. 20 03.

ATTEST:

D. Moore
CITY SECRETARY

Grady Barr
MAYOR

APPROVED:

Sharon E. Hicks
CITY ATTORNEY

EXHIBIT "A"

Rezone property from AO, HC & MH (Agricultural Open Space, Heavy Commercial & Mobile Home) to RM-2 (Residential Multi-Family) zoning district.

Legal Description:

BEING 13.0 acres of land out of a 15.0 acre tract recorded in Volume 955, Page 743, and Volume 1089, Page 393, Deed Records, Taylor County, Texas, and part of Lot 1, Block A, Robert Rasberry Subdivision of part of a 15.0 acre tract recorded in Plat Cabinet 1, Slide 110, Plat Records, Taylor County, Texas, out of the Northeast corner of Lot 3, Steffens Subdivision of Merchants' Pasture save and except part of a 0.1462 acre ROW deeded to the City for Old Anson Road, recorded in Volume 1714, Page 173, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 80d nail set by the City for the Northwest corner of said ROW Deed same being the called for Southeast corner of a certain 8.2999 acre tract from which the Northeast corner of said Lot 3, by said City ROW Deed bears S 88°24'31"E 42.18 feet;

THENCE along a curve to the left having a radius of 955 feet on a chord bearing of S 10°33'40"E 76.43 feet to a 80d nail;

THENCE S 5°47'56"E (called S 4°30'57"E by ROW deed) 147.12 feet to a point on the West ROW line of Old Anson Road;

THENCE West 300.0 feet parallel to the South boundary line of said 15.0 acre tract;

THENCE South approximately 200 feet to a point for the South boundary line of said 15.0 acre tract for the Southeast corner this tract;

THENCE West 1235.2 feet to a point in Catclaw Creek Channel for the Southwest corner this tract same being the Southwest corner of said 15.0 acre tract;

Thence North 418.53 feet to a point for the Northwest corner of said 15.0 acre tract same being the Northwest corner this tract;

THENCE N 89°53'E 1506.3 feet along the North boundary line of said 15.0 acre tract same being the called for North boundary line of said Lot 3 to the POINT OF BEGINNING and containing 13.0 acres of land.

and

Being the South 5.00 acres of a 8.2999 acre tract recorded in Volume 2202, Page 420, Official Public Records, Taylor County, Texas, out of the West part of 8.9 acre tract out of the L. Bowerman Survey No. 84, Abilene, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 80d nail set by the City for the Southwest corner of a 0.5941 acre Old Anson Road ROW tract recorded in Volume 1707, Page 744, Official Public Records, from which the called for Northeast corner of Lot 3, Steffens Subdivision of Merchants Pasture by said City ROW Deed bears S 88°24'31"E 43.18 feet;

THENCE N 89°52'30"W 571.50 feet to a point for the Southwest corner this tract same being the Southwest corner of said 8.2999 acre tract;

THENCE N 0°05'10"E 460.0 feet to a point for the Northwest corner this tract on the West boundary line of said 8.2999 acre tract;

THENCE S 89°52'30"E 393.2 feet to a point on the East boundary line of said 8.2999 acre tract and the West boundary line of said City ROW Deed for the Northeast corner this tract;

THENCE S 23°56'45"E 292.8 feet to a 1/2" iron rod;

THENCE S 18°10'05"E 188.24 feet to the POINT OF BEGINNING and containing 5.00 acres of land.

Location:

2800 block of Old Anson Road

-END-