

ORDINANCE NO. 18-2005

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 14th day of April A.D. 2005.

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 13th day of April, 2005, 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 28th day of April, 2005, 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 28th day of April, A.D. 2005.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT "A"

Rezone 5.13 Acres depicted on Exhibit B and described below from AO (Agricultural Open Space) to RM3 (Residential Multi-Family).

Rezone remainder of property (27.45 Acres) depicted on Exhibit B and described below from AO (Agricultural Open Space) to RS6/PH (Single-Family Residential with Patio Home Overlay).

Legal Description:

BEING 27.45 acres out of a 223.29 acre tract out of part of Section 21 and Section 25, Blind Asylum Lands, Abilene, Taylor County, Texas, and begin described by metes and bounds as follows:

BEGINNING at a point for the SW corner this tract on the NW ROW of State Hwy. 351 same being the SE corner of Lot 30, Block K, Section 3, Heritage Parks Addition, recorded in Cabinet 1, Slide 695, Plat Records, Taylor County, Texas, from which the called for SE corner of said Section 21 bears N 60°16'E 3410 feet and S 0°36'E 341.1 feet;

THENCE N 74°44'W 42.43 feet to a point for a corner of said Lot 30;

THENCE N 29°44'W 552.92 feet to the North corner of said Lot 30 in a curve to the right;

THENCE along said curve to the right having a partial Delta of 2°48'03", a Radius of 313.85 feet, on a Chord bearing of N 7°45'45"W 15.34 feet to the beginning of a curve to the left;

THENCE along said curve to the left having a Delta of 26°57'45", a Radius of 498 feet, on a Chord bearing of N 19°50'52"W 232.19 feet to the PRC of another curve to the right;

THENCE along said curve to the right having a partial Delta of 7°29'37", a Radius of 370 feet, on a Chord bearing of N 29°34'56"W 48.36 feet to a point for the NW corner this tract same being the SW corner of a certain 5.18 acre RM-3 Zone tract;

THENCE N 78°47'21"E 264.86 feet to a point;

THENCE N 60°15'27"E 1059.32 feet to a point;

THENCE N 77°34'02"E 262.87 feet to a point for the NE corner this tract in a curve to the left;

THENCE along said curve to the left having a partial Delta of 23°19'24", a Radius of 1680 feet, on a Chord bearing of S 18°04'51"E 679.16 feet;

THENCE S 29°44'34"E 46.64 feet to a point on the NW ROW of State Hwy. 351 for the SE corner this tract;

THENCE S 60°15'26"W 1440 feet to the POINT OF BEGINNING and containing 27.45 acres of land more or less.

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EXHIBIT A

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BEING 5.13 acres out of a 223.29 acre tract out of part of Section 21 and Section 25, Blind Asylum Lands, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod for the NW corner this tract same being the NW corner of Lot 101, Block H, Section 1, Heritage Parks Addition on the South boundary line of Independence Blvd.;

THENCE along a curve to the left having a partial delta of 27° 38' 09", a Radius of 720.17 feet, on a Chord bearing of N 74° 04' 31" E 377.0 feet;

THENCE N 60° 15' 27" E 869.32 feet to a point for a curve to the right;

THENCE along said curve to the right having a partial Delta of 27° 06' 34", a Radius of 837.69 feet, on a Chord bearing of N 73° 48' 44" E 392.67 feet to a point in a curve to the left;

THENCE along said curve to the left having a partial Delta of 4 46' 40", a Radius of 1680 feet, on a Chord bearing of S 4 01' 49" E 140.05 feet to the SE corner this tract same being the NE corner of a certain 27.34 acre RS-6 Zone tract;

THENCE S 77° 34' 02" W 262.87 feet;

THENCE S 60° 15' 27" W 1059.32 feet;

THENCE S 78° 47' 21" W 264.86 feet to the SW corner this tract and being the NW corner of said 27.45 acre tract in a curve to the right;

THENCE along said curve to the right having a partial Delta of 22° 15' 52", a Radius of 370 feet, on a Chord bearing of N 14° 42' 11" W 142.87 feet to the POINT OF BEGINNING and containing 5.13 acres of land more or less.

Location:

State Highway 351 and Liberty Boulevard

-END-