

ORDINANCE NO. 38-2006

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 Five Hundred Dollars (\$500.00). 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 27th day of July A.D. 2006.

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 14th day of June, 2006, 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 10th day of August, 2006, 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.

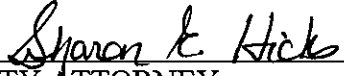
PASSED ON SECOND AND FINAL READING THIS 10th day of August, A.D. 2006.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

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EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) and PDD-78 (Planned Development District) to RM-2 (Multi-family Residential) zoning district.

Legal Description:

BEING a tract out of the SE corner of Section 84, Block 14, T & P RR Co. Survey, Taylor County, Texas, described as follows:

BEGINNING at a set 3/4" pipe with cap on the West line of Judge Ely Boulevard and the South right-of-way of Interstate 20, from which point the SE corner of said Section 84 bears S 0° 23' 40" W 223.75 feet and S 89° 30' 00" E 54.75 feet;

THENCE S 0° 23' 40" W 223.75 feet with the West line of Judge Ely Boulevard to a set 3/4" galvanized pipe with cap at the intersection of the West line of Judge Ely Boulevard and the South line of Section 84, said point also being the Southeast corner of a 41.460 acre tract of land;

THENCE N 89°30' 00" W 963.25 feet with the South line of Section 84 and the South line of said 41.460 acre tract to a recovered 1/2" rebar at the Southeast corner of a 12.04 acre tract described in Volume 542, Page 132, Deed Records, Taylor County, Texas, called to be 32' S89° 30' E of the Northeast corner of Block 11, Section 5, Hillcrest Addition;

THENCE N 20° 40' 00" E, at 483.34 feet pass the NE corner of said 12.04 acre tract and continue to the SBL of Interstate 20, in the North line of said 41.640 acre tract;

THENCE S 52° 08'25" E with SBL of said Interstate Highway 20 and the North line of said 41.460 acre tract to the place of beginning.

Location:

Southwest corner of N. Judge Ely Boulevard and E. Stamford Street

-END-