

ORDINANCE NO. 9-2007

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 25th day of January A.D. 2007.

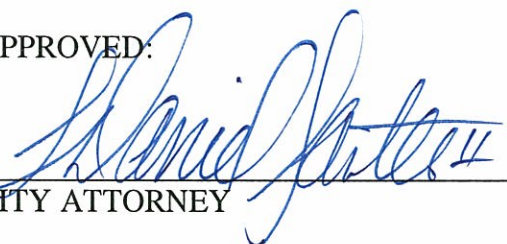
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 13th day of December, 2006, the same 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 8th day of February, 2007, 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 8th day of February, A.D. 2007.

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:  
  
\_\_\_\_\_  
CITY ATTORNEY

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EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RM-3 (Residential Multi-Family) zoning district.

Legal Description:

BEING 14.396 acres out of the Southeast one-quarter of Section 62 of the Blind Asylum Lands, Taylor County, Texas and out of the Southeast portion of a 98.33 acre tract which is bounded by Loop 322 on the Northwest, F.M. Highway 1750 on the East and Industrial Boulevard on the South and described in a deed to Musgrave and Musgrave, LLP in Volume 3151, Page 821 of the Official Public Records of Taylor County, Texas. Said 14.396 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point in the West right-of-way line of said FM Highway 1750 (known as Oldham Lane), same being the East line of said 98.33 acre tract, whence a ½ inch iron rod found at the intersection of the West right-of-way line of said F. M. Highway 1750 with the North right-of-way line of Industrial Boulevard (said North right-of-way line is established by a certain Street and Utility Improvement Easement to the City of Abilene recorded in Volume 1246, Page 394 of the Deed Records of said Taylor County) bears S00°28'56"E 503.29 feet and whence the Southeast corner of said Section 62 bears S00°28'56"E 580.24 feet and S89°37'17"E 40.00 feet;

THENCE N89°17'58"W, at 719.92 feet pass a ¾ inch aluminum rod with 2 inch aluminum Jacob & Martin, Ltd cap found at the Northeast corner of an 8.885 acre tract being the Abilene State School Cemetery, and continuing a total distance of 859.92 feet to a point in the North line of said 8.885 acre tract;

THENCE N00°42'02"E 738.17 feet to a point being the beginning of a non-tangent curve to the right having a radius of 550.00 feet, a delta angle of 05°14'44" and a long chord having a bearing of S87°51'34"E and length of 50.34 feet;

THENCE in an easterly direction along the arc of said curve the right a distance of 50.35 feet to the end of said curve;

THENCE N89°31'04"E 794.22 feet to a point on said West right-of-way line of FM Highway 1750;

THENCE S00°28'56"E 794.22 feet along said right-of-way line to the POINT OF BEGINNING and containing 14.396 acres of land, more or less

Location:

Northwest corner of E. Industrial Boulevard and Oldham Lane

-END-