

ORDINANCE NO. 29-2007

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 28th day of June 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 16th day of May, 2007, 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 12th day of July, 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 12th day of July, A.D. 2007.

ATTEST:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

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EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RS-6 (Residential Single-Family) zoning district.

Legal Description:

**BEING** 6.537 acres (284,766 square feet, more or less) out of the Northwest quarter of Section 68, Blind Asylum Lands, Abstract No. 680, Taylor County, Texas and out of 3 tracts of land as follows: 24.088 acres described in Volume 1950, Page 727 of the Official Public Records of Taylor County Texas; 14.288 acres described in Volume 1965, Page 286 of said Official Public Records; and the remainder of 52.18 acres described in Volume 2058, Page 26 of said Official Public Records. Said 6.537 acre tract is more particularly described in metes and bounds as follows:

**BEGINNING** at a 3/4 inch aluminum rod with 2 inch aluminum Jacob & Martin, Ltd. cap (henceforth called a standard monument) found in the South line of Section 4, South Lytle Addition to the City of Abilene, Taylor County, Texas per plat thereof recorded in Plat Cabinet 3, Slide 742 of the Plat Records of said Taylor County, Texas, and said standard monument further being located at the Northeast corner of Section 5 of said South Lytle Addition per plat thereof recorded in Plat Cabinet 2, Slide 336-B of said Plat Records and at the most easterly Northwest corner hereof;

**THENCE** S89°19'21"E 248.00 feet along the South line of said Section 4, South Lytle Addition to a standard monument set for the Northeast corner hereof;

**THENCE** S00°40'39"W 528.00 feet to a standard monument set for the Southeast corner hereof;

**THENCE** N89°19'21"W 785.80 feet to a standard monument set for a southwesterly exterior corner hereof;

**THENCE** N44°19'21"W 70.00 feet to a standard monument set for a southwesterly exterior corner hereof;

**THENCE** N00°40'39"E 214.50 feet to a standard monument set in the South line of Lot 11, Block A of said Section 5, South Lytle Addition from which the Southwest corner of said Lot 11 bears N89°19'21"W 14.98 feet, said standard monument further being the most westerly Northwest corner hereof;

**THENCE** S89°19'21"E, at 390.30 feet pass a standard monument found at the Southwest corner of Trinity Lane (per said plat in Plat Cabinet 2, Slide 336-B), at 450.30 feet pass a standard monument found at the Southeast corner of said Trinity Lane, and continuing a total distance of 587.30 feet to a standard monument found at the Southeast corner of said Section 5, South Lytle Addition;

**THENCE** N00°40'39"E 264.00 feet along the East line of said Section 5, South Lytle Addition to the **POINT OF BEGINNING** and containing 6.537 acres of land.

Location:

Eastern extension of Lewis & Clark Trail and southern extension of Trinity Lane

-END-