

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 September 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 August, 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 11th day of October, 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 11th day of October, A.D. 2007.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 45-2007

EXHIBIT "A"

Rezone property from RM2 (Residential Multi-Family) to LC (Limited Commercial) zoning district.

Legal Description:

SEE EXHIBIT "B"

Location:

Corner of Catclaw Dr. and Cedar Run Rd.

-END-

ORDINANCE NO. 45-2007

EXHIBIT "B"

BEING 2.961 acres of land out of the Northwest corner of a 14.000 acre tract (recorded in Volume 3251, Page 535, Official Public Records, Taylor County, Texas) out of a 122.376 acre tract (recorded in Volume 1093, Page 818, Deed Records, Taylor County, Texas), being all of Tract 2 and a part of Tract 1, a Subdivision of the J.E. Shepherd Survey No. 96, Taylor County, Texas, and said 2.961 acre tract being more particularly described as follows;

BEGINNING at a set ½" Metal Rebar on the South Line of Cedar Run Road on the North line of said 14.000 acre tract whence a found 3/8" Metal Rebar at the Northeast corner of said 14.000 acre tract on the South Line of Cedar Run Road at the Northwest corner of Lot 1, Block D, Continuation No. 2, Section 1, Curry Park Addition (recorded in Plat Cabinet 1, Slide 141, Plat Records, Taylor County, Texas) bears N 89° 14' 46" E 973.98'(referenced bearing for this survey);

THENCE S 0° 43' 00" E 493.40' to a set ½" Metal Rebar on the South Line of said 14.000 acre tract;

THENCE S 89° 17' 00" W 97.91' to a set ½" Metal Rebar on the East line of Catclaw Drive (69.0' R.O.W.), (recorded in Plat Cabinet 1, Slide 759, Plat Records, Taylor County, Texas) on a curve to the left;

THENCE with the arc of said curve the left having a radius of 529.15' and a chord bearing N 33° 12' 33" W 120.68', a distance of 120.94' to a found ½" Metal Rebar at the end of this curve at the beginning of a curve to the right;

THENCE with the arc of said curve to the right having a radius of 2172.03' and a chord bearing N 35° 58' 07" W 290.13' a distance of 290.35' to a set ½" Metal Rebar at the end of this curve;

THENCE N 32° 08' 22" W 93.34' to a set ½" Metal Rebar at the beginning of a curve to the right;

THENCE with the arc of said curve to the right having a radius of 465.50' and a chord bearing N 30° 07' 18" W 28.05' a distance of 28.05' to a found 3/8" Metal Rebar at the beginning of a curve to the right;

THENCE with the arc of said curve to the right having a radius of 25.00' and a chord bearing N 23° 52' 34" E 39.55' a distance of 45.62' to a set ½" Metal Rebar at the beginning of a curve to the right on the South line of Cedar Run Road;

THENCE with the arc of said curve to the right having a radius of 505.00' and a chord bearing N 82° 21' 40" E 120.12' a distance of 120.40' to a set ½" Metal Rebar at the end of this curve on the South line of Cedar Run Road;

THENCE N 89° 14' 46" E 256.93' along the South line of Cedar Run Road and the North Line of said 14.000 acre tract to the place of beginning and containing 2.961 acres of land.