

ORDINANCE NO. 22-2009

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 23rd day of July A.D. 2009.

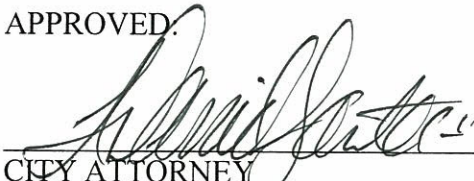
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of June, 2009, the same being 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 13th day of August, 2009, 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 13th day of August, A.D. 2009.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

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EXHIBIT "A"

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

Legal Description:

BEING 19.383 acres of land, out of a 54.768 acre tract out of the southeast one-quarter of Section 67, Blind Asylum Lands, Abstract No. 1461, City of Abilene, Taylor County, Texas, with said 54.768 acre tract being described in a certain Warranty Deed to from Jerald L. Johnson to Aaron Waldrop recorded as Document No. 2007-16523 of the Official Public Records of Taylor County, Texas and said 19.383 acre tract being more particularly described in metes and bounds as follows:

BEGINNING at a ½ inch iron rod found at the northeast corner of said 54.768 acre tract, same being the northwest corner of the Indian Wells Addition, Section 2, Block D per plat thereof recorded in Cabinet 2, Slide 354-D of the Plat Records of Taylor County, Texas, the southeast corner of a 15.85 acre tract described in a deed to Stockyard Investments, Inc. recorded in Volume 3218, Page 38 of said Official Public Records and the southwest corner of a 5.32 acre tract described in a deed to said Stockyard Investments, Inc. recorded in said Volume 3218, Page 38;

THENCE S00°43'16"W along the east line of said 54.768 acre tract, same being the west line of said Indian Wells Addition, Section 2 a distance of 1445.00 feet to a point;

THENCE N89°16'43"W 465.00 feet to a point;

THENCE N00°43'17"W 25.00 feet to a point;

THENCE N89°16'43"W 125.00 feet to a point;

THENCE N09°16'25"W 114.70 feet to a point being the beginning of a non-tangent curve to the left which has a radius of 220.00 feet, a delta angle of 03°26'27" and a long chord which bears S81°11'15"W 13.21 feet;

THENCE along the arc of said non-tangent curve to the left, in a westerly direction, a distance of 13.21 feet to a point;

THENCE N10°32'00"W 60.00 feet to a point;

THENCE N09°27'23"W 115.00 feet to a point;

THENCE N89°02'42"E 75.00 feet to a point;

THENCE N00°43'17"E 1010.00 feet to a point;

THENCE S89°16'43"E 22.00 feet to a point;

THENCE N00°30'48"E 122.97 feet to a point in the north line of said 54.768 acre tract;

THENCE S89°29'13"E along said north line of said 54.768 acre tract a distance of 558.45 feet to the **POINT OF BEGINNING** and containing **19.383** acres of land.

-END-