

ORDINANCE NO. 04-2017

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," 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, part known as the Land Development Code 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 26th day of January, A.D. 2017.

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 19th day of January, 2017, 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 9th day of February, 2017 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.

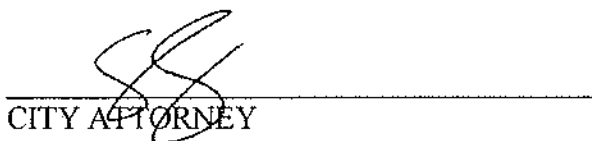
PASSED ON SECOND AND FINAL READING THIS 9th day of February, A.D. 2017.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

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EXHIBIT "A"

Rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to GR/COR (General Retail/ Corridor Overlay).

Legal Description: The legal description for the property is set out in Exhibit "B", attached hereto.



Location: 7542 Buffalo Gap Road.

-END-

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EXHIBIT "B"

Being 1.005 acres land being that same tract of land previously described as a one acre tract in Volume 2764, page 233, Official Public Records, Taylor County, Texas out of the Northeast part of the M. Talbot Survey No. 103, Taylor County, Texas, said 1.005 acre tract being more particularly described as follows:

Beginning at a found 3/8" metal rebar at the Northwest corner of said one acre tract and the Southwest corner of a 0.432 acre tract recorded in Volume 2422, Page 288, Official Public Records, Taylor County, Texas and the North most Northeast corner of a 1.432 acre tract recorded in Volume 2715, Page 870, Official Public Records, Taylor County, Texas, for the Northwest corner of this tract, whence the Northeast corner of a 40.8 acre tract in the name of the City of Abilene, described in Volume H, Page 333, Civil Minutes, Taylor County, Texas bears West 221' and North 193.27' and said found 3/8" recorded to be 208.97' South of the North line of said M. Talbot Survey;

THENCE N89° 17'50"E at 75.07' pass a found 1/2" metal rebar at the Southeast corner of said 0.432 acre tract and the Southwest corner of a 0.818 acre tract recorded in Volume 2127, Page 872, Official Public Records, Taylor County, Texas and continue on a total distance 243.18' to a found 3/8" metal rebar on a curve to the left and on the West line of Buffalo Gap Road (120' right-of-way) at the Southeast corner of said 0.818 acre tract, for the Northeast corner of this tract, whence a found 3/8" metal rebar at the Northeast corner of said 0.818 acre tract bears N22° 17' 57"E 207.28';

THENCE with said right-of-way line and with said curve to the left, having a radius of 11519.32', a chord bearing S21°20'36"W 195.32', an arc distance of 195.32' to a found broken concrete highway monument at the end of said curve (hwy sta; 300+52.34);

THENCE S21°14'00"W with the West line of said right-of-way, 41.64' to a found 1/2" metal rebar at the South most Northeast corner of said 1.432 acre tract, for the Southeast corner of this tract, whence a found 3/8" metal rebar at the Southeast corner of said 1.432 acre tract bears S21° 14' 00"W 32.28';

THENCE S89°15'53"W 156.00' to a point whence the center of a 6" cedar fence post bears S84°39'40"E 0.74'. Said point being the interior corner of said 1.432 acre tract for the Southwest corner of this tract;

THENCE N00°15'42"W 219.76' to the point of beginning and containing 1.005 acres of land.

-END-