

**ORDINANCE NO. 26-2019**

**AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY 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 2 (Zoning Regulations) of 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 the 25<sup>th</sup> day of April, 2019.

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 15<sup>th</sup> day of March, 2019, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 9<sup>th</sup> day of May, 2019, 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 FINAL READING THIS 9<sup>th</sup> day of May, 2019.

ATTEST:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

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



**ORDINANCE NO. 26-2019**

**EXHIBIT A**

Rezone 41.94 acres of now-vacant land, from Residential Single-Family (RS-8) zoning to a combination of Residential Single-Family (RS-6) and Residential Medium Density (MD), zoning districts, specifically as follows:

Legal description being Tract One

BEING a 35.408 acre tract of land out of Lots 1 & 2 of the T.C. Garner Survey Subdivision recorded in Cabinet 4, Slide 11, Plat Records, Taylor County, Texas, and being out of the T.C. Garner Survey, Abstract No. 1366, Taylor County, Texas. Said 35.408 acre tract also being out of that certain 63.95 acre tract of land described in a Warranty Deed with Vendor's Lien to Abilene Forrest Hill, L.L.C. recorded in Instrument No. 201901397, Official Public Records, Taylor County, Texas. Said 35.408 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northwest corner of this described tract and of said 63.95 acre tract;

THENCE N89°55'51"E along the north line of this described tract and the north line of said 63.95 acre tract, a distance of 1175.05 feet to a point for the most northerly northeast corner of this described tract;

THENCE S53°46'44"E along the northeasterly line of this described tract and over and across said 63.95 acre tract, a distance of 1037.68 feet to a point for the most easterly northeast corner of this described tract;

THENCE S19°39'03"W along an easterly line of this described tract and over and across said 63.95 acre tract, a distance of 188.89 feet to a point for an interior corner of this described tract;

THENCE S00°48'13"W along an easterly line of this described tract and over and across said 63.95 acre tract, a distance of 81.39 feet to a point for the most easterly southeast corner of this described tract;

THENCE N89°11'47"W along a southerly line of this described tract and over and across said 63.95 acre tract, a distance of 985.00 feet to a point for an interior corner of this described tract;

THENCE S00°48'13"W along the an easterly line of this described tract and over and across said 63.95 acre tract, a distance of 150.00 feet to a point for the most southerly southeast corner of this described tract, and being in the south line of said 63.95 acre tract;

THENCE N89°11'47"W along a southerly line of this described tract and the south line of said 63.95 acre tract, a distance of 339.23 feet to a slight angle point of this described tract and of said 63.95 acre tract;

THENCE N89°17'45"W along a southerly line of this described tract and said south line of said 63.95 acre tract, a distance of 495.21 feet to a point for the southwest corner of this described tract and of said 63.95 acre tract;

THENCE N07°12'59"W along the west line of this described tract and of said 63.95 acre tract, a distance of 1004.30 feet to the POINT OF BEGINNING and containing 35.408 acres of land, more or less.

Tract Two now in an MD District

BEING a 6.532 acre tract of land out of Lots 1 & 2 of the T.C. Garner Survey Subdivision recorded in Cabinet 4, Slide 11, Plat Records, Taylor County, Texas, and being out of the T.C. Garner Survey, Abstract No. 1366, Taylor County, Texas. Said 6.532 acre tract also being out of that certain 63.95 acre tract of land described in a Warranty Deed with Vendor's Lien to Abilene Forrest Hill, L.L.C. recorded in Instrument No. 201901397, Official Public Records, Taylor County, Texas. Said 35.408 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the southeast corner of this described tract and the southeast corner of said 63.95 acre tract;

THENCE N89°11'47"W along the south line of this described tract and the south line of said 63.95 acre tract, a distance of 1559.29 feet to a point for the southwest corner of this described tract;

THENCE N00°48'13"E along the most southerly west line of this described tract and over and across said 63.95 acre tract, a distance of 150.00 feet to a point for the northwest corner of this described tract;

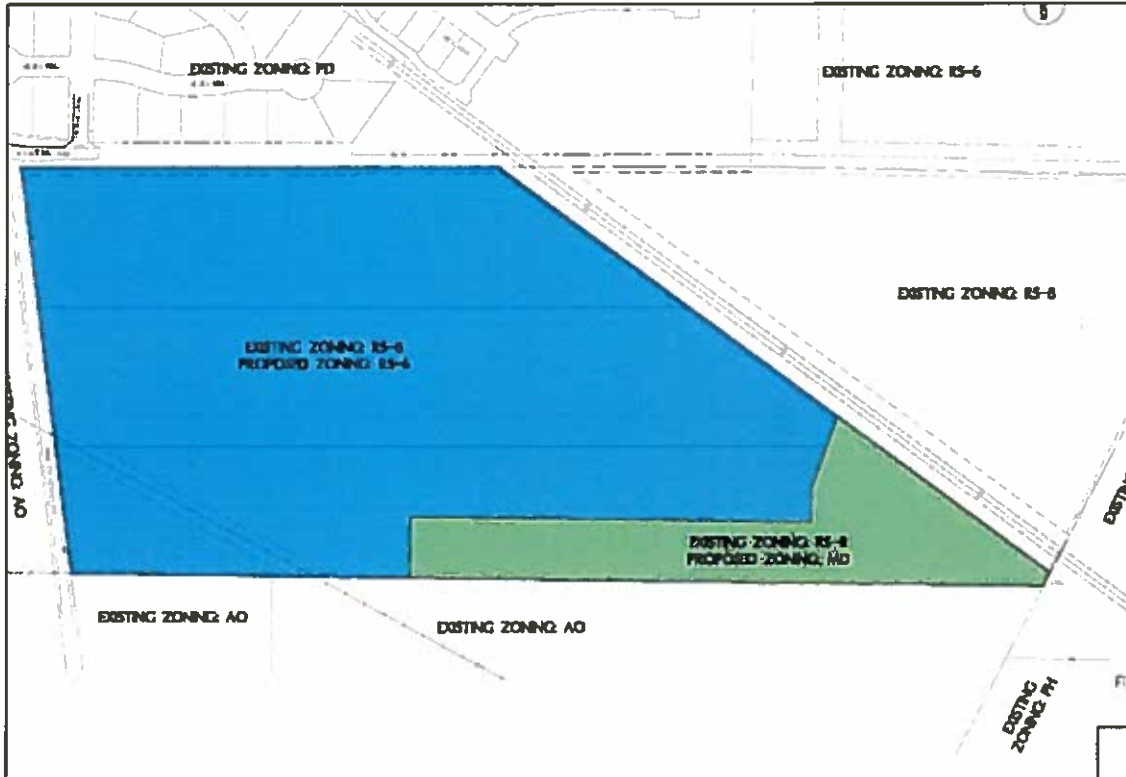
THENCE S89°11'47"E along the northerly line of this described tract and over and across said 63.95 acre tract, a distance of 985.00 feet to a point for an interior corner of this described tract;

THENCE N00°48'13"E along a westerly line of this described tract and over and across said 63.95 acre tract, a distance of 81.39 feet to a point for an angle point of this described tract;

THENCE N19°39'03"E along the northwesterly line of this described tract and over and across said 63.95 acre tract, a distance of 188.89 feet to a point for the north corner of this described tract;

THENCE S53°46'44"E along the northeasterly line of this described tract and over and across said 63.95 acre tract, a distance of 650.26 feet to a point for the east corner of this described tract, and being in the southeast line of said 63.95 acre tract;

THENCE S27°23'10"W along the southeast line of this described tract and of said 63.95 acre tract, a distance of 37.24 feet to the POINT OF BEGINNING and containing 6.532 acres of land, more or less.



-END-

Location: 42 acres of now-vacant land bordering east side of Old Forrest Hill Road, south from Forrest Hill Road.