



## City of Abilene City Council Agenda

Shane Price, Mayor Pro-tem  
Lynn Beard, Deputy Mayor Pro-tem  
Jay Patterson, Council Member  
Brian Yates, Council Member  
Emily Crawford, City Manager

Weldon Hurt, Mayor

Miguel Espinoza, Council Member  
Travis Craver, Council Member  
Stanley Smith, City Attorney  
Shawna Atkinson, City Secretary

**Notice is hereby given of a meeting of the City Council of City of Abilene to be held on June 11, 2026, at 8:30 a.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.**

### **CALL TO ORDER**

### **INVOCATION**

1. Mayor Weldon Hurt

### **PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG**

### **PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**

2. **Service Award:**

- Joey Kincaid - 40 Years - Fire Department
- Sheletra Hayes - 25 Years - City Attorney's Office
- Lindsey Hoxsey - 20 Years - Police Department

### **CONSENT AGENDA AND PUBLIC COMMENTS**

All items listed in the Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion or presentation of these items unless otherwise requested by a Council Member. In the event one or more Council Members remove an item from the consent Agenda for separate discussion or presentation, the item or items removed will be considered in numerical order as part of the Regular Agenda and shall include a public hearing.

After the Council Members have requested any item on the consent Agenda be considered separately, the public comment period will be held. The public comment section of the consent agenda allows members of the public to present any ideas or information to the City Council and staff, and also allows for public

comment on the consent agenda items not otherwise pulled for separate consideration. Neither the City Council nor staff will engage in discussion with the public during the public comments unless the item is listed on the Council agenda.

Members of the public will have a total time limit of three (3) minutes to speak during the public comments section.

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting Held on May 20, 2026, and the Regular Meeting Held on May 28, 2026 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Amending the FY26 Bulk Chemical Bid Awards to Approve Rebids for Alum **(Matthew Dane)**
5. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on a Resolution Authorizing the City Manager to Execute an Agreement to Provide Sanitary Sewer Service Outside the City Limits Between the City of Abilene and Elmdale Development, LLC. **(Matthew Dane)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Amend a ReBuild ABI Chapter 380 Agreement with Kris Gay Homes LLC for 1349 Peach Street to Extend the Expiration Date **(Tim Littlejohn)**
7. **Ordinance (First Reading) Z-2026-29:** Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.48 Acres from Residential Medium Density (MD) to College University (CU) Zoning. Located at 1801 Lincoln Drive. **(Tim Littlejohn)**
8. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code **(Max Johnson)**

#### **REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS**

9. **Ordinance (Final Reading) TC-2026-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from McMurry University to Abandon a Certain Portion of Right-of-way known as Ross Avenue from South 15th Street to Hunt Street and a portion of South 16th Street from Ross Avenue to 140 Feet West to an Alley Running North and South. **(Tim Littlejohn)**
10. **Ordinance (Final Reading) Z-2026-23:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner to Change the Zoning of Approximately 99.38 Acres from Agricultural Open (AO) To a Planned Development District (PDD-199) to allow Residential Medium Density and Residential Single-family uses with amended standards. Located At 4489x Caldwell Road. **(Tim Littlejohn)**
11. **Ordinance (Final Reading) Z-2026-25:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 1.21 Acres from Residential Single-Family (RS-12) to General Commercial (GC) Zoning. Located on the Southwest Corner of ES 11th St and Oldham Ln. **(Tim Littlejohn)**
12. **Ordinance (Final Reading) Z-2026-27:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner, To Change the Zoning of Approximately 0.81 Acres from Residential Single Family (RS-6) to General Commercial (GC). Located at 1700, 1718, 1726, and 1742 Ambler Avenue. **(Tim Littlejohn)**

#### **EXECUTIVE SESSION**

13. **The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

**A. 551.071 (Consultation with Attorney)**

1. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
2. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
3. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
4. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
5. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
6. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
7. PFAS Litigation
8. Ginger Robertson v. City of Abilene and Abilene Zoological Society; Cause No. 13179-D, In the 350th Judicial District Court, Taylor County, Texas; filed December 5, 2023
9. City of Dallas, et al, v. Disney DTC, LLC, et al., Cause No. DC-22-09128, In the 14th Judicial District Court, Dallas County, Texas, filed August 3, 2022
10. Patricia Anderson v. City of Abilene; Cause No. 51867-A, IN the 42nd Judicial District Court, Taylor County, Texas; filed March 1, 2024
11. Mary Lou Gonzales v. City of Abilene, Board of Building Standards; Cause No. 29156-B; In the District Court, 104th Judicial District, Taylor County, Texas; filed April 10, 2024
12. Bouldin Pat Crofton v. City of Abilene, Board of Building Standards; Cause No. 52175-A, In the 42nd Judicial Court, Taylor County, Texas; filed May 9, 2025
13. Tracey Freeman v. City of Abilene, Case No. 13596-D; In the District Court of Taylor County, 350th Judicial District, filed on July 8, 2025
14. Victor Lynn Lee v. Erin Stamey, et al., Case No. 5:25-cv-00590-XR; In the United States District Court, Western District of Texas, San Antonio Division; filed May 28, 2025
15. Brennon and Brittany Manske, et al. v. City of Abilene, et al.; Case No. 1:25-cv-00172-H, In the United States District Court, Northern District of Texas, Abilene Division, filed September 5, 2025
16. Kevin Young v. Matthew Clopton; Case No. 1:24-CV-00113-H, In the United States District Court, Northern District of Texas, Abilene Division, filed July 16, 2024
17. Ishmael Jaimes v. City of Abilene; Civil Action No. 1:25-cv-00249-H; In the United States District Court, Northern District of Texas, Abilene Division; filed November 13, 2025
18. Joseph Jarrell Turner v. H Haught, Case No. 1:25-CV-00201-BU; In the United States District Court, Northern District of Texas, Abilene Division; filed October 16, 2025
19. Foco Capital LLC v. City of Abilene, Texas; Cause No. 29,758-B, In the 104<sup>th</sup> Judicial District Court, Taylor County, Texas; filed on April 21, 2026
20. Samantha Henry a/k/a Samantha Kae Henry-Davis v. Chris Milliorn, et al.; Civil Action No. 1:25-cv-00003, In the United States District Court, Northern District of Texas, Abilene Division, filed January 6, 2025

**B. 551.072 (Deliberations about Real Property)**

**C. 551.073 (Deliberations about Gifts and Donations)**

**D. 551.074 (Personnel Matters)**

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards & Commissions May be Discussed, as needed for (re)appointment

**E. 551.076 (Deliberations about Security Devices)**

**F. 551.087 (Business Prospect/Economic Development)**

**RECONVENE**

**REGULAR AGENDA**

14. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter (**Shawna Atkinson**)
  - Mayor's Advisory Board for People with Disabilities
  - Neighborhood Services Advisory Board
  
15. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.028 Acres Out Of Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, owned by Delbert Cordry, Instrument No. 2015-16128, Official Public Records, Taylor County, Texas (**Stanley Smith**)
  
16. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as 15 Feet Wide and Containing 0.103 Acres of Land Out Of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas, owned by Charlie Albert Barry, Volum 1723, Page 846, Official Public Records, Taylor County, Texas (**Stanley Smith**)
  
17. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as 15 Feet Wide and Containing 0.112 Acre of Land Out Of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas As Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas (**Stanley Smith**)
  
18. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.003 Acre Out Of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas (**Stanley Smith**)
  
19. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.027 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas (**Stanley Smith**)
  
20. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas (**Stanley Smith**)
  
21. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action

- on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.202 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out Of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas **(Stanley Smith)**
22. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas **(Stanley Smith)**
23. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Randall & Kelly Roberts, Instrument No. 2014-11393 and Instrument No. 2014-11392, Official Public Records, Taylor County, Texas **(Stanley Smith)**
24. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Betty Walker, Volume 534, Page 317, Deed Records, Taylor County, Texas **(Stanley Smith)**
25. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Eli Carrillo, Instrument No. 2016-14902, Official Public Records, Taylor County, Texas **(Stanley Smith)**
26. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Mario Castaneda, Instrument No. 2012-16544, Official Public Records, Taylor County, Texas **(Stanley Smith)**
27. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Jordan Bryan, Instrument No. 2020-10905, Official Public Records, Taylor County, Texas **(Stanley Smith)**
28. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.020 Acres Out Of The SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas, Owned By W. H. Varner, Volume 1042, Page 505, Deed Records, Taylor County, Texas **(Stanley Smith)**

## ADJOURNMENT

*In compliance with the Americans with Disabilities Act, the City of Abilene will provide for*

*reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please call 325-676-6208.*

**CERTIFICATION**

*I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 5th day of June, 2026, at 8:15 a.m.*

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*Shawna Atkinson, TRMC, CMC*  
City Secretary



**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Honorable Mayor & Members of City Council  
**FROM:** Shawna Atkinson, City Secretary  
**ITEM:** 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting Held on May 20, 2026, and the Regular Meeting Held on May 28, 2026 (*Shawna Atkinson*)

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**GENERAL INFORMATION**

Approval of the Minutes from the Special Meeting Held on May 20, 2026, and the Regular Meeting Held on May 28, 2026

**FUNDING/FISCAL IMPACT**

None

**STAFF AND/OR BOARD RECOMMENDATION**

Approval of the Minutes

**ATTACHMENTS:**

1. 05-20-2026 - Special - Pre-Budget Workshop
2. 05-28-2026 Minutes - Regular - Morning

**BACKUP DOCUMENTATION UPDATED?** Yes      **UPDATED ON:** 6/9/2026

**CITY COUNCIL MEETING**  
**May 20, 2026 at 8:30 a.m.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS**  
**COUNCIL CHAMBERS, CITY HALL**

The City Council of the City of Abilene, Texas met in Special Session on May 20, 2026, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Lynn Beard, and Councilmembers Jay Patterson, Miguel Espinoza and Travis Craver. Councilmember Brian Yates was absent. Also present were City Manager Emily Crawford, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Miguel Espinoza led the invocation and led the Pledge of Allegiance to the Flag of the United States of America and the State of Texas Flag.

This special called meeting was held for the purpose of holding a pre-budget workshop.

**PUBLIC COMMENTS**

Mayor Hurt opened the public comment period. The following addressed the City Council:

- Tammy Fogle
- Riley Rodriguez
- Samuel Garcia

With no other speakers coming forward, the public comment period was closed.

**AGENDA ITEMS**

Presentation – Fiscal Year 2027 Pre-Budget Workshop

Part I: Abilene's Fiscal Story

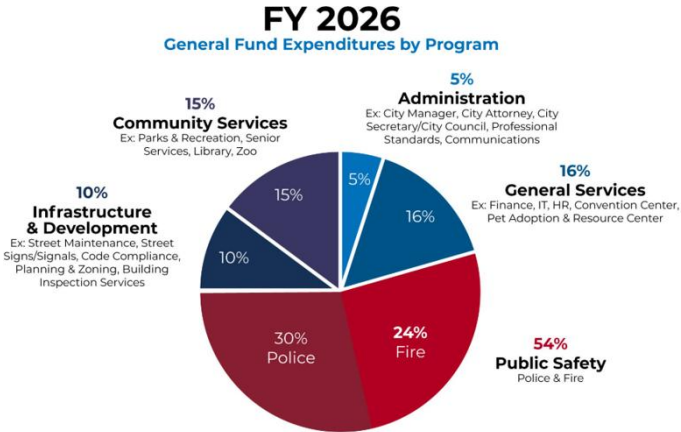
Emily Crawford, City Manager, thanked staff for the work on the budget so far. She gave a brief overview of what to expect for the day's workshop. Abilene is entering a period of significant transformation and growth on the heels of a fiscally constrained past.

Ms. Crawford highlighted the Council Priorities and Objectives that were decided on in the retreat in February: Infrastructure, Community Engagement, Housing, Sustainable Growth, and Organizational Excellence. The changes Abilene has seen over the last 20 years were highlighted including a large amount of growth and a timeline of significant budgetary events was presented from 2008 to today. From 2009 to 2019 the budget grew about 3.6%, and from 2016 to 2026 at 5%. Progress over the last decade was also highlighted, including the Street Maintenance Fee that was established in 2019, fire station growth, PD & Fire Apparatus Funds, a new law enforcement center, Adventure Cove and Splash Pads, the two new recreation centers, and the Cypress Plaza that will be completed soon. Important economic development was discussed, including the opening of the DoubleTree Convention Center Hotel, All Kind Animal Initiative and PARC Facility, the launch of Rebuild ABI, and I-20 development, including the Bass Pro Shop announcement.

Progress requires ongoing commitment, including investments in infrastructure, facilities and public safety. We are looking at new investments, but we still have maintenance and ongoing operations to

fund at the same time. Some headwinds we are facing include inflation, workforce pressures, and infrastructure pressures. Some future investments the City is committed to already include 6 new police officers, a new CAD/RMS initiative, body-worn/in-car cameras and related software, and patrol 1:1 lease vehicles. Police and Fire are the largest share of the General Fund at 54%. Public Safety compensation was discussed, including peer city averages in meet and confer agreements. The automatic cost escalation of these agreements creates strain.

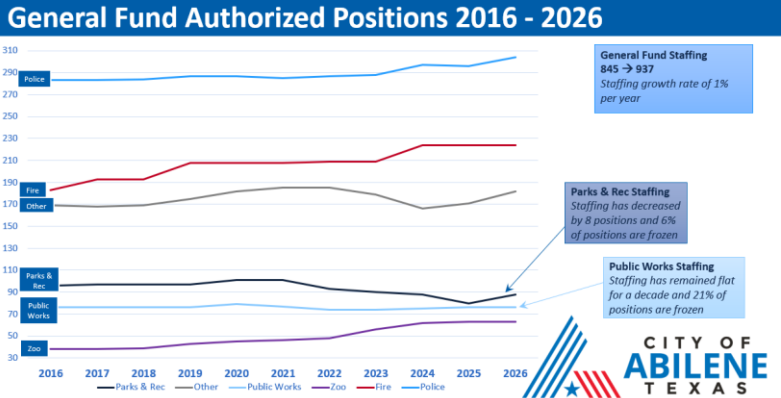
**General Fund Expenditures by Program**



Ms. Crawford gave a brief history of budgeted expenditures and highlighted the year over year expenditures, including frozen positions in 2025, which about 28 of are still frozen at this time. Infrastructure and MIP funds have seen a decline as well. Enterprise funds to support the General Fund were discussed. Some allowable uses for Enterprise funds include utility service credits, utility billing customer service center, water fund support for lake patrol and environmental enforcement, solid waste subsidies, franchise fees, and water payments in lieu of taxes.

Infrastructure needs were highlighted next. Many facilities and infrastructure systems are reaching major reinvestment and replacement phases. Roofing and HVAC issues are systematic, many facilities including Sandy Street need upgrades, and streets and drainage were top items. Deferred maintenance includes facilities maintenance, parks, street services, and signs, signals and lighting. The 2016 budget was compared to 2026 in these departments, which shows decline not growth.

Workforce capacity was highlighted. Technical positions have a lot of vacancies, and recruitment and retention are both challenges. We are still using a 2024 pay plan for non-civil service employees but working on a new compensation plan currently.

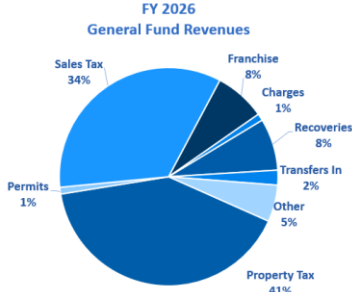


Note: Increases at Zoo over the past 10 years have primarily been funded by the Abilene Zoological Society

Abilene’s growth is creating opportunities but also increasing service level demands and expectations.

### Revenue Constraints

- Property tax = primary stable revenue source (41%)
- Sales tax = volatile and economy-dependent (34%)
- Charges or fees are only 1% of the budget.



Property tax constraints come from Senate Bill 2, that limits revenue growth to 3.5% without voter approval. 3.5% for Abilene equals about \$2 million from new property tax dollars per year, which is about 1.4% in inflation. Other recent proposed legislation, including HB 9, that increased the Business and Personal Property Tax exemption affected our revenues. Potential data center regulations could also affect our outlook.

Ms. Crawford summarized the fiscal story of Abilene and reiterated that we are entering into one of the most significant periods of growth and transformation in history. We must balance investments, sustainability, and financial flexibility to support our long-term success.



## Part II: General Fund Operating Budget

### 2. Financial Presentation:

#### a. Data Center Impact & Budget Environment

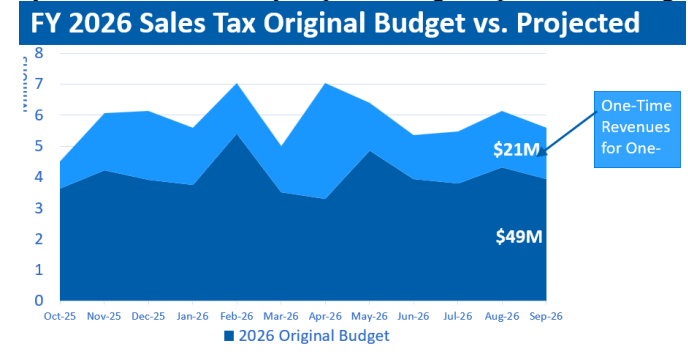
Marjorie Knight, Director of Finance, went over the financial presentation. Ms. Knight gave an overview of what she would be talking about today. She prefaced with a statement that the amounts and scenarios presented today are all planning estimates intended to support long-term financial preparedness and decision-making, so some numbers could change.

2027 will be a strong revenue year, some temporary and some lasting. Fluctuations are expected, and we may have larger swings at points. We need to continue to separate one-time revenue from reoccurring expenses. Staff will need direction on financial approaches and priorities at the conclusion today.

A multi-year forecasting model was created to help us predict tax base shifts and revenue. Some key uncertainties we face include property valuation fluctuations, business personal property volatility, and sales tax remaining difficult to forecast. We expect an increase in property tax revenue, some revenue fluctuations, and increased long-term reoccurring revenue capacity. This creates an opportunity for us to invest in the future of Abilene.

One-Time Revenue vs. Recurring Revenues	
<b>One-Time Revenue</b>	<b>Recurring Revenues</b>
<b>Definition:</b> Revenue driven by short-term or one-off economic events	<b>Definition:</b> Revenue generated from steady, everyday activity
<b>City Example:</b> Sales tax on large construction	<b>City Example:</b> Property tax
<b>Personal Example:</b> IRS tax refund	<b>Personal Example:</b> Your weekly paycheck
<b>Revenue Pattern:</b> Sharp increases followed by drop-offs	<b>Revenue Pattern:</b> Consistent and gradually changing
<b>Duration:</b> Short-lived	<b>Duration:</b> Continuous over time
<b>Forecastability:</b> Low; difficult to predict timing & magnitude	<b>Forecastability:</b> Higher; based on historical trends
<b>Budget Risk:</b> High if treated as ongoing revenue	<b>Budget Risk:</b> Lower; safer for baseline budgeting
<b>Planning Use:</b> Best for one-time expenditures or reserves	<b>Planning Use:</b> Supports ongoing operations and services

Ms. Knight went over sales tax. Through May 2026, sales tax sits at \$12 million (34%) over prior year to date, and \$13 million (41%) over budget. Data center construction is anticipated to continue into early 2028, with us likely experiencing the peak of that right now.



Property tax revenue was discussed next, and Ms. Knight spoke about the preliminary values received from the Appraisal Districts, which appear extraordinarily high, and reductions exceeding \$1 billion may occur before certification.

Property Tax Values – Preliminary Taylor County only			
Preliminary Taxable Values	FY2026	FY2027	Increase
Assessed Values	\$15.9B	\$24.1B	\$8.2B (52%)
Exemptions	-5.1B	-9.8B	-4.7B (92%)
<b>Net Taxable</b>	<b>10.8B</b>	<b>14.3B</b>	<b>3.5B (32%)</b>
Freeze Taxable	-1.4B	-1.5B	-.1B (7%)
<b>Freeze Adjusted Taxable*</b>	<b>\$9.4B</b>	<b>\$12.8</b>	<b>\$3.4B (36%)</b>

**Net Taxable Value Highlights:**

- Residential +.4B or 6%
- Multi-family +.2B or 29%
- Commercial real property +\$1B or 44%
- Commercial personal property +\$2B or 174%

**Exemptions: \$5.1B → \$9.8B**

- Most of this increase is due to abatements for the data center properties (\$4.3B)
- Exempt = 32% → 41% of tax base
- Freeze adjusted taxable value\*: \$9.4B → \$12.8B or 36%**
- The freeze adjusted taxable value is used for calculating the tax levy and determining the tax rate
- Excludes properties with frozen levies (age 65+, disabled, etc.)

**CITY OF ABILENE TEXAS**

Note: Jones County is < 1% of City's taxable value; All values presented are preliminary and actual certified values may vary significantly

Ms. Knight discussed Business Personal Property in detail, which is movable business assets that exclude land and buildings, and include things like computers, servers, machinery, and equipment. These shift our tax base, mostly because of the data centers. It is added to the tax role and then is depreciated at a faster rate than property. We do expect the data centers will have a larger BPP investment than originally expected, but hopefully it will self-balance over the years. In FY 2027 the data center values include \$1.3 billion in real property, and \$.98 billion in BPP, with a total value of \$2.2 billion. The data center is a very meaningful economic opportunity for us, but it also brings new considerations. This could affect preliminary values, revenue, tax rate, long-term valuation, and depreciation and asset lifecycle values. It should represent 15.4% of the City's tax base.

**Property Tax Revenue - Example of a Taxable Value Scenario**

Key Assumptions:				
Data Center Assumptions:	Buildings 1-2	Buildings 3-8	Buildings 9-10	
Taxable value effective	FY 2027 78% FY 2028 22%	FY 2027 60% FY 2028 40%	FY 2028 75% FY 2029 25%	
Other Assumptions:				
3.5% annual growth on current values (~\$400M+ growing annually)				
\$175M non-data center new value				
Results:				
Fiscal Year	Net Taxable Value	Tax Rate	General Fund Property Tax	Revenue Change
2026	\$9.2B	.7506	\$57.3M	
2027	12.6B	.7506	80.8M	↑ \$23.5M
2028	12.8B	.7506	82.3M	↑ \$1.5M
2029	12.6B	.7506	80.7M	↓ \$1.6M
2030	13.4B	.7366	85.1M	↑ \$4.4M

- FY 2027 includes 3 years revenue growth compressed into 1 year
- Average annual increases:
  - FY27-FY29 \$7.8M
  - FY30+ \$4.7M

Note: Scenario estimates are illustrative only. Actual taxable values and impacts may vary significantly. Net taxable value excludes TIRZ.

Property tax revenue growth patterns were presented. We expect FY 2027-2029 to have approximately \$23 million in total growth. FY 2030 and beyond could step down or normalize. This period represents a temporary revenue surge, but a portion of the growth is expected to permanently increase long-term revenue capacity.

**Data Center Revenue Impact on General Fund**

Fiscal Year	Property Tax Stable Recurring* (Real Property)	Property Tax Recurring* (BPP)	Property Tax One-Time	Sales Tax One-Time
2025	-	-	-	\$8.3M
2026	\$2.5M	-	-	21.7M
2027	1.2M	\$5.6M	\$6.9M	18.3M
2028	3.2M	4.4M	4.1M	6.1M
2029	3.6M	3.3M	-	-
2030	3.6M	5.0M	-	-
2031	3.6M	3.7M	-	-
2032	3.6M	2.6M	-	-
2033	3.6M	4.3M	-	-
<b>Total</b>	<b>\$24.9M</b>	<b>\$28.9M</b>	<b>\$11.0M</b>	<b>\$54.4M</b>

**Example of FY29 Property Tax:**

- \*Breakdown of Recurring Property Tax
  - Stable Recurring: \$3.6M attributable to real property (more stable)
  - Recurring: \$3.3M attributable to Business Personal Property (less stable)
- Important consideration:
  - Revenues above \$3.6M should be viewed with caution
  - BPP fluctuates due to depreciation cycles and investment timing
  - It will take several years of actual performance to establish reliable trends or minimum expected levels

Note: Business personal property projections assumes only the values we are aware of at this moment in time and uses our best estimates with the information we have available to us. Actual values may vary significantly.

FY 2027 will be a strong revenue year, but there is still a lot we don't know, and we need to ensure we can benefit from this while protecting ourselves.

Council discussed the data center abatements and the opportunities we may see from them, while being cautious of using short-term funds for long-term, reoccurring expenses.

b. Financial Framework Approaches

Ms. Knight moved on to a financial framework discussion. The recommended approach to the property tax rate would be to maintain at \$.7506 or the voter-approval tax rate (VATR), whichever is lower, until taxable values stabilize. Our goal is to provide sustainable tax relief, not just a one-time rebate. The recommendation is to set aside 10% of one-time sales tax for operating reserves and capping the use of sales tax for recurring costs at 5% annual growth. Council questioned why capping at 5% and not lower. Ms. Knight spoke about the potential for larger growth, and not underestimating our potential and flexibility at the same time. If we do change that, we would have to change a Council policy statement to reflect it.

**Current vs. Proposed Policy**

**Current Policy Language:** Per City Council’s policy document, Governing Principles, Rules of Procedures, and Council Policies, “the City of Abilene shall contribute 5% of sales tax receipts to a Minor Improvement Fund for general government related capital project purposes...In the event transferring 5% of sales tax receipts into the Minor Improvement Fund creates a financial hardship, the Council will be notified and will be asked to provide direction on whether or not to make the required transfer.”

**Proposed Approach (Summary):**

- Limit the use of sales tax for recurring costs to maximum 5% annual growth
- Sales tax growth above annual growth rate will be directed to one-time uses:
  - Operating reserves (10%) through project period
  - Capital projects (MIP)
  - One-time needs (emergency response, 380 agreements, fund balance reserves, etc.)

**Why 5%?**  
 Historical average sales tax growth for the City is 3%. We’re proposing a range of up to 5% to provide flexibility for high growth years.



Because our sales tax is fluctuating, we need a new policy to reflect the changes. The current policy requires fixed 5% of total sales tax to be transferred to MIP, and is designed for incremental growth and not revenue spikes. We’ve had to adjust this policy several times in the last few years, so we do need to adjust the policy to reflect our changing environment.

**How the Sales Tax Growth Cap Works – FY27 Example**

FY27 Sales Tax Projection	Recurring (4%)	One-Time	Total
Baseline (FY26 Original Budget)	\$48,592,880	-	\$48,592,880
New Revenues	1,943,715	\$18,312,721	20,256,436
<b>Total Sales Tax Revenues</b>	<b>50,536,595</b>	<b>18,312,721</b>	<b>68,849,316</b>

↓

Waterfall	One-Time
Operating Reserves 10%	1,831,272
Transfer to MIP for Capital	15,881,449
Rainy Creek 380 Agreement	600,000
<b>Total Allocated to One-Time</b>	<b>18,312,721</b>

For illustrative purposes



**Key takeaway:**

*Only stable, sustainable growth supports recurring expenses*

This proposed policy can help us prevent overcommitment during temporary revenue spikes, and create distinction between reoccurring vs. one-time funding, while reducing a need for annual exceptions. Staff would follow up with a resolution to revise the policy if Council is supportive.

The Mayor recessed the meeting for a break from 9:53 am to 10:03 am.

c. FY 2027 Preliminary Budget

Ms. Knight moved to the next topic of discussion, the FY 2027 budget priorities. Restoring and planning are the top priorities for this fiscal year.

FY 2027 Budget Priorities: Restore and Plan		General Fund Revenue Growth
<p><b>Restore</b></p> <ul style="list-style-type: none"> <li>• Restore staffing levels (evaluate currently frozen positions)</li> <li>• Restore competitive wages for noncivil service employees</li> <li>• Rebalance the General Fund after years of relying on one-time adjustments</li> </ul> <p><b>Plan</b></p> <ul style="list-style-type: none"> <li>• Develop strategies to address deferred maintenance</li> <li>• Evaluate use of one-time revenue for future impact</li> <li>• Develop year 1 of a multi-year operating plan</li> <li>• Begin development of a comprehensive Capital Improvement Program (CIP)</li> </ul>		<p><b>Average Annual Growth</b></p> <ul style="list-style-type: none"> <li>• Property Tax: varies                             <ul style="list-style-type: none"> <li>• FY27-FY29 +\$8M</li> <li>• FY30+ \$3-5M</li> </ul> </li> <li>• Sales Tax: +\$2M</li> <li>• Other Revenues: +\$1M</li> <li>• Total Ongoing Growth: ~\$6-8M (General Fund)</li> </ul> <p><b>Revenue Constraints</b></p> <ul style="list-style-type: none"> <li>• Anticipated reduction in 9-1-1 District funding for dispatchers ~\$497k+ (FY27-FY29)</li> <li>• Reverse one-time transfer from Self-Insurance Fund to return prior additional contributions ~\$500k</li> </ul>

**General Fund Major Cost Drivers – FY 2027**

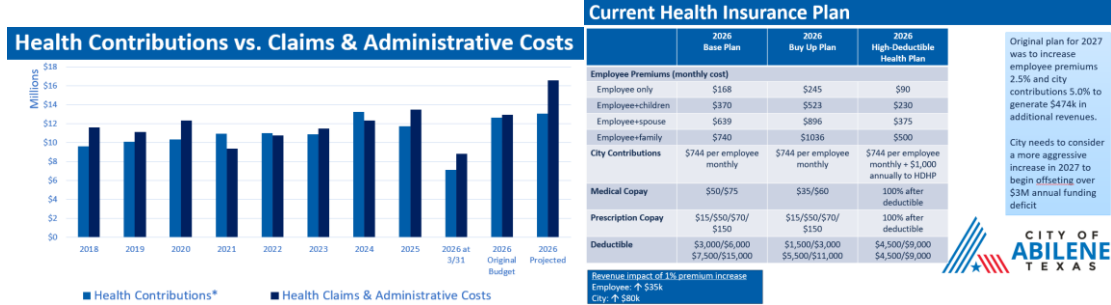
- Noncivil Service Pay Raise = TBD (e.g., per 1% raise = \$354k)
- Frozen Positions = **\$1.9M** (27.87 FTEs)
- Public Safety: Police Pay Raise = **\$1.0M** (3.85% average)
- Public Safety: Fire Pay Raise = **\$650k** (2.45% average)
- Public Safety: 6 New Police Officers = **\$835k (salaries + equip costs)**
- Public Safety: Patrol 1:1 Lease Vehicles = **\$920k**
- Reverse Fleet Replacement Credit = **\$800k**
- Health Insurance Contribution = TBD (e.g., 20% increase = \$1.4M)

While revenues are increasing, the City is simultaneously facing significant cost pressures.



Note: Pay raise % for Police and Fire will vary based on rank

Significant increases in health claims have been coming in since August of 2025. It is not driven by one-time events alone, but seems to be an emerging trend in higher costs. This is a significant financial impact resulting in a \$3.8 million deficit in FY 2026 for the health plan. We do have a self-insurance fund that can help absorb it for now, but it would not be sustainable. We are working on strategies to address these costs, but we need to assess if we need to send emergency reserves to the self-insurance fund to cover these costs.



Impact on employee take home pay when evaluating health premiums was highlighted. Sometimes a decrease in health insurance costs can have a bigger impact than a pay increase.

Preliminary Budget – Scenario #1: Flat .7506 Tax Rate (Base)						Preliminary Budget – Scenario #2: .7406 Tax Rate (-1¢)					
	2026	2027	2028	2029	2030		2026	2027	2028	2029	2030
Property Tax	\$97.2M	\$98.0M	\$98.3M	\$98.7M	\$99.1M	Property Tax	\$97.2M	\$97.6M	\$98.0M	\$98.3M	\$98.6M
Sales Tax	48.6M	50.5M	52.2M	54.8M	56.5M	Sales Tax	48.6M	50.5M	52.2M	54.8M	56.5M
Other Revenues	35.8M	35.9M	36.4M	37.0M	38.1M	Other Revenues	35.8M	35.9M	36.4M	37.0M	38.1M
<b>Total Revenues</b>	<b>181.6M</b>	<b>184.4M</b>	<b>186.9M</b>	<b>190.5M</b>	<b>193.7M</b>	<b>Total Revenues</b>	<b>181.6M</b>	<b>184.0M</b>	<b>186.6M</b>	<b>190.1M</b>	<b>193.2M</b>
Base Recurring Expenditures	141.6M	141.6M	151.6M	164.0M	172.3M	Base Recurring Expenditures	141.6M	141.6M	150.8M	163.1M	171.0M
Operating Increases:	-	9.2M	8.0M	7.1M	6.8M	Operating Increases:	-	9.2M	8.0M	7.1M	6.8M
Public Safety – Civil service compensation	-	1.7M	2.8M	3.0M	2.5M	Public Safety – Civil service compensation	-	1.7M	2.8M	3.0M	2.5M
Public Safety – New Police Officers	-	.8M	.8M	.8M	.8M	Public Safety – New Police Officers	-	.8M	.8M	.8M	.8M
Public Safety – Other (CAG, cameras, etc.)	-	1.3M	1.5M	.3M	.2M	Public Safety – Other (CAG, cameras, etc.)	-	1.3M	1.5M	.3M	.2M
Employee compensation (noncivil service)	-	1.4M	1.6M	1.6M	1.7M	Employee compensation (noncivil service)	-	1.4M	1.6M	1.6M	1.7M
Fund frozen positions	-	2.9M	-	-	-	Fund frozen positions	-	2.9M	-	-	-
Health insurance contributions	-	1.4M	.8M	.9M	1.0M	Health insurance contributions	-	1.4M	.8M	.9M	1.0M
Other expenditures (inflation - utilities, supplies...)	-	.7M	1.3M	1.3M	1.4M	Other expenditures (inflation - utilities, supplies...)	-	.7M	1.3M	1.3M	1.4M
Deferred maintenance and other Council priorities	-	.8M	4.6M	1.1M	.6M	Deferred maintenance and other Council priorities	-	.8M	4.6M	1.1M	.6M
One-Time:	-	15.6M	7.9M	3M	3M	One-Time:	-	15.3M	7.5M	3M	3M
Transfer to MP: Fireman's Retirement Fund	-	10.0M	-	-	-	Transfer to MP: Fireman's Retirement Fund	-	10.0M	-	-	-
Transfer to MP: Cash Funding for CIP	-	5.6M	7.9M	3M	3M	Transfer to MP: Cash Funding for CIP	-	5.1M	7.5M	3M	3M
<b>Total Expenditures</b>	<b>141.6M</b>	<b>167.2M</b>	<b>171.9M</b>	<b>172.5M</b>	<b>179.7M</b>	<b>Total Expenditures</b>	<b>141.6M</b>	<b>165.9M</b>	<b>170.6M</b>	<b>171.8M</b>	<b>178.4M</b>
Surplus (Deficit)	-	-	-	-	-	Surplus (Deficit)	-	-	-	-	-

Ms. Knight went over the key dates for budget activity. The certified values are planned for July 25<sup>th</sup>, so we hope to get the proposed budget to Council by July 31<sup>st</sup>, and then move to meetings after that. Key takeaways for this presentation highlighted revenue volatility to be expected for the next

3-5 years, and our need to manage our long-term financial stability while being flexible.

Council discussed the contributions to the Firemen’s Retirement Fund in all 4 scenarios and what that will do to the health of the plan. Ms. Knight does think this will help the plan and put it on the right path moving forward. The health insurance claims were also discussed in order to determine where the spike in costs is coming from. Pamela Williams, Director of HR, spoke about the costs and what HR is seeing, but there is not a lot of detail they are provided with to help determine that, unfortunately.

The Rebuild ABI program was discussed. Non-civil service compensation was questioned – is it a flat increase or what we anticipate the comp plan market study to recommend? Ms. Knight said it was an estimated 4% but it hadn’t been decided. We do not anticipate having the new plan completed before the end of this fiscal year though.

Ms. Crawford asked for direction from Council regarding the tax rate and sales tax policy. Council would like to start with the \$.7506 flat rate with the \$1 billion reduction as a starting point, and then once the values come in, we can look at other options. Council is comfortable with the 10% sales tax being set aside also. They just want it to be flexible if we need it.

### 3. Employee Compensation:

Pamela Williams, Director of Human Resources, spoke next on employee compensation.

#### Organizational Strain

City of Abilene | Human Resources

**The market moved faster than our pay structure**

The City is using more compensation adjustments while hiring slows and time-to-hire rises. Departments are responding by outsourcing work, reducing services, and absorbing workload.

262 → 896  
Compensation adjustments grew from FY23 annual to FY26 annualized pace

-26%  
New hire pay declined from FY23 to FY26 annualized

29 → 44 days  
Average time to hire increased by about 50%

35 days  
2023 U.S. Benchmark: City FY26 partial is about 9 days slower

**Operational response when positions remain unfilled**

**Outsourcing to sustain critical services**

- Parks Department: HVAC, plumbing, and moving support
- Information Technology: Multiple positions/functions requiring outside support

**Reduced services across the organization**

- Work is delayed, re-prioritized, or deferred when vacancies remain open
- Departments adjust workload through overtime, interim assignments, and service-level delays

**Council takeaway**  
Compensation lag is now an operational capacity issue: the cost shows up in outsourcing, longer vacancies, deferred work, and reduced service levels – not just payroll.

#### Experience With Our Pay Plans

City of Abilene | Human Resources

**How to read this chart**

The left axis is an index, not a dollar amount. 100 equals the 2021 market study. The bottom axis is the City fiscal year. The market line rises because market salaries increase over time.

**Fire & Police**

Meet and confer keeps these pay plans market-responsive; 4% above peer-city market, with a 2% minimum increase floor when a position is already above target.

**Non-Civil Service**

Non-CS pay movement reflects the applicable pay action in each year. In FY23-24, the City implemented the 2021 study at 94% of market.

**Fire and Police stay tied to current market; non-civil service remains tied to an outdated 2021 benchmark**

Market wage trends shown are an indexed proxy. Actual current market position requires an updated compensation study. 80% in progress.

We are currently in the process of an RFP for a new compensation plan, but have not finalized that yet. Once complete, we will begin work on a new compensation plan for all City employees.

#### Vacancy and Turnover Pressure

City of Abilene | Human Resources

**Open positions and elevated turnover show how compensation pressure turns into workforce capacity and service-delivery pressure**

Vacancy and turnover are not caused by compensation alone; however, pay competitiveness is a structural factor that affects the City’s ability to fill and retain positions.

153  
Total vacant positions of key classes

103  
Full-time vacancies of 70% vacancy rate

30.4%  
FY26 projected vacancy rate

31.5%  
Public Works turnover FY23-26 reported rate

**What this means**

- Departments with higher vacancies and turnover have less capacity to absorb workload
- When positions remain open, work is redistributed to existing staff, expanding overtime, reducing business hours, and service levels can be reduced
- The compensation plan adjustment addresses one structural factor in the compensation plan, but it does not reverse the need to re-evaluate workload and overtime, but it does not reverse the need to re-evaluate workload and overtime.

**Council takeaway**

- Vacancies and turnover cannot be eliminated by the operational process – through re-balanced work, overtime, outsourcing, and potential service re-structuring
- Parks & Recreation vacancies have decreased following recent compensation plan updates, supporting operational recruitment and retention in these roles

Source: Human Resources of the City of Abilene, Texas. Data is reported from May, 2026. All data is current as of the report date. Turnover data shown is reported from FY23-26.

#### Service Level Impacts

City of Abilene | Human Resources

**Compensation strain creates a chain reaction: compensation grows, vacancies remain open longer, work is redistributed, and service delivery becomes increasingly strained across departments.**

29 → 44 days  
Average time to hire increased from FY23 to FY26 partial; hiring vacancies open longer

18.4% Increase in Non-CS Overtime  
2023 actual to 2026 projected

262 → 740  
Compensation actions increased delays in the recruitment and deployment of public work

**How compensation issues turn into operational strain**

Different pay plans moved at different speeds, increasing competition and creating uneven pay movement across the organization. Longer vacancies do not remove the work – they shift the work to current staff, supervisors, overtime, outsourcing, or delayed service delivery.

To sustain services during prolonged vacancies, departments are shifting work, expanding roles, using overtime, restructuring positions, and relying on professional services in targeted areas. Current budget examples include approximately \$900K for IT GIS services and \$200K+ for building inspection support, reflecting the cost of maintaining service capacity where positions remain difficult to fill.

**Opportunity Going Forward**

- 80% is in progress for an updated compensation study
- Align compensation movements with service priorities and workforce needs
- Target funding where vacancies, workload, and service risk are greatest

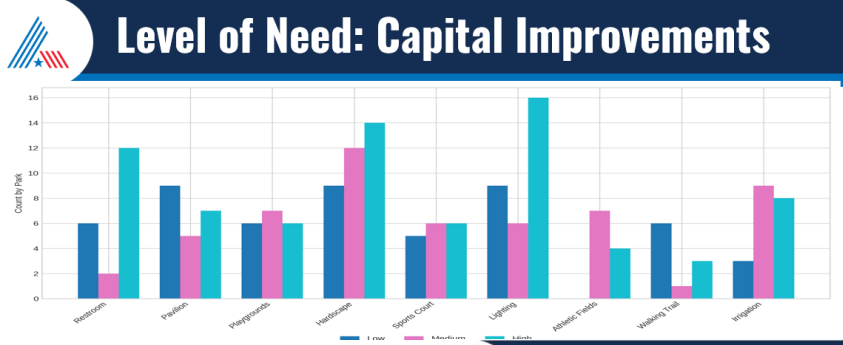
**Big picture takeaway:** compensation lag does not stay in the pay plan. It shows up in turnover pressure, longer vacancies, and service level strain.

Council had questions about the demand for HVAC and plumbing positions, and if we’d be able to reach out to AISD or Taylor County for some sort of shared position? We usually have them as full-time positions, so it would be hard to share that with another agency, but it is hard to retain them now with the data centers using the same types of positions. Are we able to take the comprehensive pay study and use it going forward instead of having to do a new one each time? Ms. Williams stated that that is the goal, we have just failed to continue to implement pay plan adjustments since 2023 to get us into the position we are in now. Council also discussed addressing a more holistic

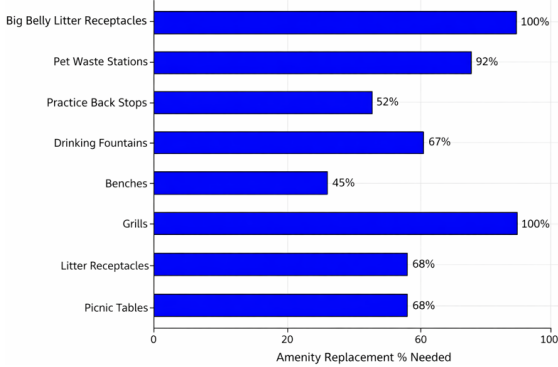
approach instead of just paying, to focus on the whole process.

4. Parks & Recreation:

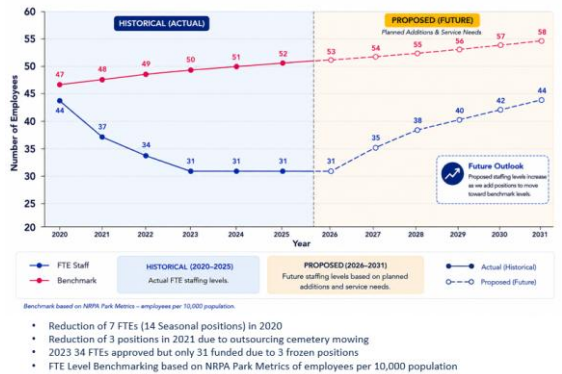
Lesli Andrews, Director of Parks & Recreation, gave an overview of the Parks Division and what all they do and provide. She highlighted some additions to the division in the last several years. Staff recently completed a comprehensive study of all the parks and what each one needs.



Level of Need: Amenities



Parks Staffing Levels



Some key takeaways are that 41% of capital assets have high-level capital improvement needs. 63% of amenities have high-level amenity replacement needs, and 41% of below staffing.

Ms. Andrews next went over recreation center staffing. She gave a brief history of the closing of the two recreation centers and the Mockingbird library, up until now with the new centers in place.

### Recreation Staffing Model

**Why additional hours and staff are needed**

- The current staffing model makes us very dependent on outside instructors.
- When we move into the fall and winter with colder temperatures and less sunlight coverage, and Sundays will be more important.
- We have received questions on when we will start our recreation programming that happens outside the centers.
- Additional staff allows us to plan and deliver more programs, events, and outreach as well as cover operational hours.

**In 2024 staff predicted staffing models for the new recreation centers. Staff created multiple scenarios from baseline minimum to ideal staffing models. Due to budget restraints, at the time, a minimum staffing model was developed.**

	Current	Scenario 1	Scenario 2
Hours of Operation	M/T/TH 9am-9pm W/F/Sa 9am-6pm	Same as Current	M/T/TH 6am-9pm W/F/Sa 6am-6pm Sun 1pm-6pm
Staffing	8FT & 4PT (Both Centers Included)	+2 FT One full-time staff per center to improve operational coverage and program flexibility	+6 FT & +6PT
Cost Impact	Stays Flat	\$105,647	\$295,474

### Library Staffing Model

**Even Staffing at Both Locations Matters**  
 On-site staff at both locations at both locations is essential. This model also offers some operating hours and program flexibility to support these programs.

**MINIMUM AVAILABILITY LIMITS SERVICE**  
 We have minimum availability for all services to ensure. Especially youth in evening and weekend.

**MORE HOURS - MORE OPPORTUNITIES**  
 Additional hours and staff allows us to plan and deliver more programs, events, and outreach as well as cover operational hours.

**In 2024 City staff predicted staffing models for the new recreation center library branches. Staff created multiple scenarios from baseline minimum to ideal staffing models. Due to budget restraints, at the time, the baseline minimum staffing model was selected.**

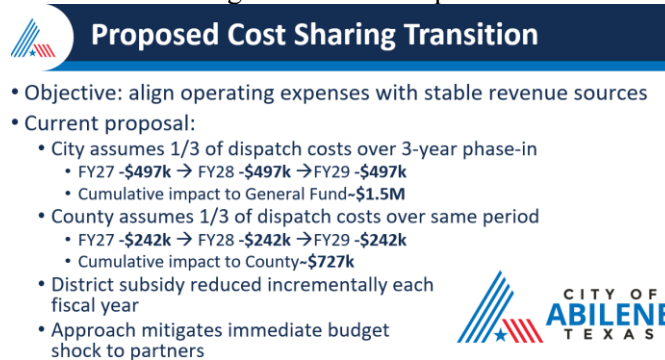
	Current	Scenario 1	Scenario 2
Hours of Operation	M/T/TH 10am-6pm W/F 10am-6pm Sat 10am-2pm	Same as Current	M/T/TH 9am-9pm W/F/Sa 9am-6pm Sun 1pm-6pm
Staffing	4FT & 4PT (Both Centers Included)	+1 FT	+4FT & +2PT
Cost Impact	Stays Flat	\$52,825	\$317,723

Council had questions about the after school and summer programming that were done previously and questioned what things we currently do to help us decide what we need to look at for next year's programming. Ms. Andrews said we are focused on programming for all ages. We are not able to do camps this year as it is impossible to do with only two staff members, and we do want

to get back to that point, but it will look different than it did in the past. There are organizations already out there that focus and hire solely for childcare, and we just do not have that capability. We focus more on recreation and programming, still giving them care, but not day care. If we go back to that, we will have to close to the public during those hours, and also space is an issue as the new rec centers are smaller than the old ones were.


#### 6. 911 District Funding for Dispatchers:

Troy Swanson, Director of IT, spoke about 911 District Funding. The projected revenue for the District is approximately \$2.3 million versus \$3.5 million. The projected expenses are approximately \$3.1 million, so an annual shortfall of \$800,000. Mr. Swanson discussed where this funding comes from and why it is declining faster than in the past. This currently subsidizes City and County dispatch operations and drives our rate model. He went over the proposal to align operating expenses with stable revenue sources, that is a 1/3 reduction for both City and County. This approach mitigates immediate budget shocks to our partners.



**Proposed Cost Sharing Transition**

- Objective: align operating expenses with stable revenue sources
- Current proposal:
  - City assumes 1/3 of dispatch costs over 3-year phase-in
    - FY27 -\$497k → FY28 -\$497k → FY29 -\$497k
    - Cumulative impact to General Fund-\$1.5M
  - County assumes 1/3 of dispatch costs over same period
    - FY27 -\$242k → FY28 -\$242k → FY29 -\$242k
    - Cumulative impact to County-\$727k
  - District subsidy reduced incrementally each fiscal year
  - Approach mitigates immediate budget shock to partners



This will reduce our dependency on the declining wireline revenue and stabilize District fund balance and its operating model. This will also support gradual reduction in 911 service rates, but it requires coordinated budget planning with the County and City for the FY 2027 budget to incorporate the initial phase of the cost transition.

Council discussed charges related to VOIP and fiber lines. Those are under the wireline, but it is still a declining revenue source. Council questioned why the model presented here has revenue decreases and service rate reductions at the same time. Mr. Swanson clarified the action taken in the past and what needs to happen to stabilize both the rates and expenses, by shifting expenses that the City has solely paid in the past into the other partner agencies. The coverage area for the District was also discussed.

Mr. Swanson also gave a brief overview of the IT staffing levels with frozen positions and vacancies. They are working to fill and get in viable candidates, but it is tough for them to attract quality candidates with lower compensation rates. Contractors have been used recently to help with more expert level jobs that we can't fill ourselves.

Mayor Hurt recessed the meeting for a lunch break from 11:00 – 12:15

Ms. Crawford brought up a few Directors to discuss specific departmental staffing levels at this time.

Tim Littlejohn, Director of Planning & Development Services, spoke about his department's staffing and the challenges they've had with hiring and retaining building inspectors, in particular. They use third party services currently to help, but it does not create good relationships with builders in town.

Max Johnson, Director of Public Works, spoke about their challenges, in particular with Street Services. Their vacancies and frozen positions are difficult to fill with quality people that want to be out in the sun all day. They've had delays in street maintenance because of staffing, as well as alley maintenance but that is less of a priority than streets. Solid Waste has to be picked up twice a week, so that is not something we can just not do. Street projects are being done at night and so that means their inspectors must be there at night also, which also creates challenges for staffing. They are stretching very thin. About half of their Street Services Department is vacant or frozen currently.

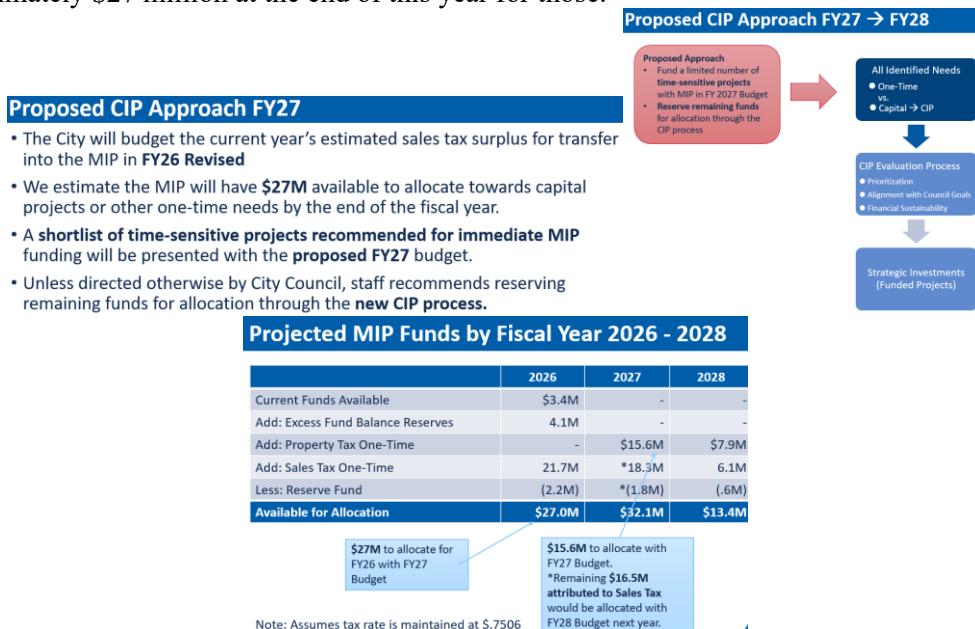
Ron Seratte, Chief of Police, spoke about vacancies in dispatch. It takes about 8 months to get someone hired and into a full dispatcher position. They do usually lose some in the process due to shift work and just the nature of the job, but he's hoping a pay increase would help keep staff a bit better. He is able to use officers on light duty to help them occasionally, but not full time.

Council would like to see a prioritized list of positions that need to be filled for the August meetings, just for a perspective of what top priorities should be. The frozen positions were built into the proposed budget options, but they will all be evaluated, and would still be based off of the 2021 pay scale so it would potentially be more in the end. Staff will determine what positions need to be unfrozen and then look at pay for them compared to filled positions that need salary adjustments too. Stability pay was discussed, as well as other opportunities for recruitment and retention.

Part III: General Projects

6. Capital & One-Time Expenditures

Marjorie Knight, Director of Finance, began the conversation on capital and one-time expenditures. Ms. Knight went over the Capital Improvement Program and explained that within the next 3-4 months, staff will begin developing a new comprehensive CIP process citywide. It could take over a year and potentially need to be phased in. For FY 2027, we will continue using the MIP fund to accumulate and allocate funds for general capital projects and will have approximately \$27 million at the end of this year for those.



One-Time Funds for One-Time Needs		Minor Improvement Project Fund (MIP) Update of Select Projects		
Major Funding Requests	Cost Estimate	Project	Budget	Status Update
CAD / RMS	\$4,000,000+	Downtown Parking Lot	\$950,000	Site prep / utility relocation
Convention Center	78,300,423	Cypress Plaza	2,135,000	New pedestrian plaza opens June 2026
Deferred Facility Maintenance (Roofs, HVAC)	5,000,000+	Ft Phantom Northwest Boat Ramp	2,278,246	TPWD Grant application 2025 (if selected, expect notice by Summer 2026) → design 2026 → construction 2027
Facility Condition Assessment	150,772	Ft Phantom Southeast Boat Ramp	1,871,496	TPWD Grant application 2026 → design 2027 → construction 2028
Firemen's Retirement Fund	10,000,000+	Kirby Lake Restroom	300,000	Design in progress
Grant Matches – Dyess	5,500,000	Rose Park Restroom	400,000	Design in progress
Griffith Road	2,891,525	Nelson Park Playground Toddler	700,000	Design in progress
Maple Street	12,000,000	Maxwell Golf Course	300,000	Pro Shop roof and fence construction in progress; Maintenance Barn cost estimate pending
Parks Master Plan Projects	82,529,000	Heritage Square	3,249,456	New Main Branch Library opened May 2026
Police Patrol 1:1 Phase 3 Buy vs Lease	1,756,000	Cyber Incident Response	2,965,459	Acquisition of phones in progress; all other response and recovery work is complete; Of this amount \$9,169 was reimbursed; Does not include costs directly paid by insurance
Rainy Creek 380 Agreement	600,000			
Sandy Street Facilities	39,315,579			
Self-Insurance Fund – Emergency Reserves	3,000,000+			
Zoo Retaining Wall	321,000			
<b>Total</b>	<b>\$245,364,299</b>			



Note: The comprehensive MIP project list will be included with the FY 2027 Proposed Budget.

Council asked about the grant matches for Dyess. Ms. Crawford talked about the DCIP Grant that has not been submitted yet, which is a federal grant that will help us rebuild Military Drive in concrete, prior to the Dyess AFB expansion work. It requires a 30% local match. If we don't receive the grant and rebuild the road, the road will be in bad condition after the Dyess expansion that we would then have to fix. The DEAGG grant is a match with the DCOA and the MAC. They are working on an application for that one now.

### 7. Street Projects

Max Johnson, Director of Public Works, gave an overview of street projects. We've touched about 30% of all roadways in the City since 2017 and through various sources, have invested \$165 million on roads.

#### Street Maintenance Information

This map depicts street work completed or planned to be completed from 2017 through 2026 with different funding sources. 30% of Abilene's roads have been improved through all funding sources since 2016. Since 2016, \$165 million invested in roads from all funding sources (bond funds, SMF, etc.) Raised \$71 million since SMF inception in 2018.

#### Street Maintenance Information

##### 2026 Street Maintenance Fund Projects

<b>Preventative Maintenance Projects:</b>	<b>Linear Projects:</b>	<b>Full/Partial Depth Neighborhood Projects:</b>
Workzone S4 (SODA) (Butternut St. to S. Treadaway Blvd. and S. 1 <sup>st</sup> St. to S. 7 <sup>th</sup> St.)	Barrow St. (S. 1 <sup>st</sup> St. to S. 11 <sup>th</sup> St.) S. 25 <sup>th</sup> St. (Ross Ave. to Buffalo Gap Rd.)	Workzone N9 (Grape St. to Hickory St. and N. 18 <sup>th</sup> St. to N. 13 <sup>th</sup> St.)
*Workzone S6 (Lonestar) (Loop 322 to Coyote Run and Beretta Dr. to Mossy Oak Dr.)		

\* Contingency Project

#### Street Maintenance Information

##### 2027 Work Zone Projects for Consideration

WORK ZONE	SUBDIVISION AREA	Est. Cost (2026)
N11	RICHLAND ACRES	\$3,650,000.00
S55A	MESQUITE FOREST SECTION A	\$2,410,000.00
S25B	MESQUITE FOREST SECTION B	\$1,565,000.00
S25C	MESQUITE FOREST SECTION C	\$2,100,000.00
S27 & S25	TAMARISK & PEBBLE BEACH	\$2,200,000.00
S3A	MOCKINGBIRD TO SAYLES S. 1ST TO S. 7TH	\$4,850,000.00
S3A	PIONEER TO ELM CREEK RUSSEL TO S. 7TH	\$3,575,000.00
S3B	WILLIS TO MOCKINGBIRD S. 1ST TO S. 7TH	\$2,880,000.00
S2B	ELM CREEK TO WILLIS S. 1ST TO S. 2TH	\$1,620,000.00
N8	ABILENE HEIGHTS ADDITION	\$3,870,000.00
S9	OLD TOWN ADDITION	\$3,770,000.00
S25	MYSTIC MEADOWS	\$3,220,000.00
S25	COUNTRY VILLAGE	\$2,400,000.00
S4 & S5	EAST HORIZON	\$1,840,000.00

#### Street Maintenance Information

##### 2027 Linear Roadway Projects for Consideration

STREET(S) NAME	LIMITS	Est. Cost (2026)
S. 14TH ST. (Phase I)	DANVILLE DR. TO WILLIS ST.	\$3,450,000.00
REBECCA LN. (Phase II)	ELM CREEK BRIDGE TO CATCLAW DR.	\$2,775,000.00
BARROW ST. (Phase II)	S. 11TH ST. TO S. 20TH ST.	\$3,900,000.00
WILLIS ST. (Phase II)	S. 7TH ST. TO S. 14TH ST.	\$1,950,000.00
SOUTHWEST DR	REBECCA TO SHARON	\$3,050,000.00
MOCKINGBIRD (Phase II)	N. 18TH TO N. 12TH	\$2,020,000.00
MOCKINGBIRD (Phase II)	N. 1ST ST. TO N. 12TH ST.	\$3,350,000.00
BARROW ST. (Phase III)	S. 20TH ST. TO S. 27TH ST.	\$2,130,000.00
S. 14TH ST. (Phase III)	SAYLES BLVD. TO TREADAWAY BLVD.	\$2,700,000.00
CHIMNEY ROCK RD.	BUFFALO GAP RD. TO CYPRESS PT.	\$2,150,000.00
ANTILLEY RD	CITY LIMITS TO BUFFALO GAP RD	\$3,560,000.00
WILLIS ST. (Phase I)	S. 1ST ST. TO S. 7TH ST.	\$1,500,000.00
NORTH 10TH ST	MOCKINGBIRD TO GRAPE	\$3,700,000.00
REBECCA LN. (Phase III)	DUB WRIGHT BLVD. TO ELM CREEK BRIDGE	\$2,780,000.00
MOCKINGBIRD (Phase III)	N. 18TH ST. TO VOGEL AVE.	\$2,370,000.00
NORTH 12TH ST	MOCKINGBIRD TO GRAPE	\$1,830,000.00
NORTH 1ST ST	WILLIS TO MOCKINGBIRD	\$1,500,000.00
ANSON AVE.	OLD ANSON RD. TO PINE ST.	\$1,850,000.00
NORTH 21ST ST.	HARDY ST. TO TREADAWAY BLVD.	\$630,000.00
S. 7TH ST.	PIONEER DR. TO S. LEGGETT DR.	\$1,850,000.00

### Three Year Projection

2026 Projection		
Description	Amount	Balance
Beginning balance	\$ 8,144,226.00	\$ 8,144,226.00
Fund Deposits	\$ 11,789,505.00	\$ 19,933,731.00
Project Values	\$ 13,296,184.15	\$ 6,637,546.85
<b>End Balance</b>	<b>\$ 6,637,546.85</b>	

2027 Projection		
Description	Amount	Balance
Beginning balance	\$ 6,637,546.85	\$ 6,637,546.85
Fund Deposits	\$ 11,674,416.00	\$ 18,311,962.85
Project Values	\$ 19,062,562.94	\$ 8,249,399.91
Maintenance Board Allowance	\$ 3,000,000.00	\$ 5,249,399.91
Maple Phase II Reserve	\$ 2,000,000.00	\$ 3,249,399.91
<b>End Balance</b>	<b>\$ 3,249,399.91</b>	

2028 Projection		
Description	Amount	Balance
Beginning balance	\$ 3,249,399.91	\$ 3,249,399.91
Fund Deposits (includes Reserved Funds)	\$ 13,674,416.00	\$ 16,923,815.91
Project Values	\$ 19,186,279.94	\$ 3,743,536.97
Maintenance Board Allowance	\$ 3,000,000.00	\$ 743,536.97
<b>End Balance</b>	<b>\$ 743,536.97</b>	

These figures presented propose to

1. Postpone the Barrow St. Phase I, S. 25th St., and Lonestar preventative maintenance from FY 2026 until FY 2027
2. Plan for the addition of multiple 380 agreements over FY 2026 and FY 2027 that have started the planning process
3. Maintain a minimum of \$3 million per year for Street Maintenance and Advisory Board for selection of new projects
4. Utilize the \$10.6 million in already received Bond Funds for Maple with a tentative let date of FY 2027 paired with Street Maintenance Funds to make up the shortfall for completion

Mr. Johnson presented four proposals for a three-year projection. Postponing the Barrow St Phase 1 preventative maintenance from FY 2026 to FY 2027, planning for the addition of multiple 380 agreements over FY 2026 and FY 2027, maintaining a minimum of \$3 million per year for Street Maintenance and Advisory Board for selection of new projects, and utilizing \$10.6 million already received bond funds for Maple with a tentative let date of FY 2027.

8. CAD / RMS

Kristen Tusing, Assistant Director of Finance, spoke about a new computer aided dispatch/records management system. Ms. Tusing spoke about the current system and its limitations. In November 2025, a contract for professional services to assist in an RFP process for this was approved.

#### Citizen Impact – Modernization Goals

- Direct impact on 911 call handling and response times
- Improves coordination between Police, Fire, EMS
- Enhances responder safety and situational awareness
- Reduces delays and data gaps
- Faster more organized response

#### Project Timeline

- PRE-RFP PLANNING: Late 2025 – Early 2026
- RFP ISSUED: March 29, 2026
- PROPOSALS DUE: May 20, 2026
- VENDOR SELECTION: Summer of 2026
- TARGET COMPLETION FOR IMPLEMENTATION: Fall of 2027\*

\* To be scheduled with successful vendor

The cost is estimated at somewhere between \$3 to \$5 million, with an ongoing annual cost for subscription, hosting and support. The goals for this will be to make a more modern, secure, cloud-based system, with improved response times and efficiency, and increased quality in records management.

Council questioned if we had been budgeting funding for these costs previously. This is a new ask, but a partial amount has been set aside already, approximately \$1 million. The subscription service will be approximately double our current subscription. We might see a reduction in costs of other systems though that this new system might do already. Records management was discussed, and operational improvements that can be beneficial. Chief Seratte explained there would be an overlap of services to work bugs out in the process. This will help in our efficiency to help the call load. Security in cloud-based systems was discussed, as well as our partner agencies and how this will affect them. We are working with them throughout this process.

Councilmember Craver left the meeting at 1:05 p.m.

Part IV: Enterprise Funds

9. Stormwater Rates

Max Johnson, Director of Public Works, spoke next about Stormwater utility fees and rates.

**FY26 Stormwater Fees and Revenue**

Residential	FY26 Fee	Projected Revenue*
Residential Tier 1	\$3.12	\$142,060
Residential Tier 2	\$4.16	\$1,064,963
Residential Tier 3	\$4.94	\$376,568
Residential Tier 4	\$5.98	\$402,287

Commercial	FY26 Fee	Projected Revenue*
Commercial	\$0.00832/sq ft	\$643,304
Minimum Monthly	\$7.50	\$143,349
Maximum Monthly	\$73.00	\$284,107
Environment Fee	\$1.50	\$739,162

**Revenue Sufficiency at Current Rates**

Projected Revenue	FY27	FY28	FY29	FY30	FY31
TOTAL	\$3,934,759	\$3,974,107	\$4,013,848	\$4,053,986	\$4,094,526

Projected Expense	FY27	FY28	FY29	FY30	FY31
Equipment	\$919,911	\$947,508	\$975,934	\$1,005,212	\$1,035,368
Labor	\$1,694,224	\$1,745,402	\$1,797,402	\$1,851,324	\$1,906,864
Other Recurring	\$1,201,782	\$1,237,835	\$1,274,971	\$1,313,220	\$1,352,616
Capital	\$-	\$-	\$-	\$-	\$-
TOTAL	\$3,815,917	\$3,930,745	\$4,048,307	\$4,169,756	\$4,294,848
TOTAL	\$118,842	\$43,712	(\$34,459)	(\$115,769)	(\$200,322)

Notes:  
 Revenue: Includes Environmental Fee  
 Equipment: Maintenance and replacement costs  
 Labor: Salaries, benefits, etc.  
 Other Recurring: Supplies, purchased services, etc.



**Summary of Options**

	Scenario 1	Scenario 2	Scenario 3
Commercial Rate Change	44%/year	32.5%/year	26.5%/year
Residential Rate Change	20%/year	10%/year	5%/year
5-year Capital Investment	\$22.7M	\$12.5M	\$8.3M
Annual Revenue Year 1	\$4.9M	\$4.5M	\$4.3M
Annual Revenue Year 5	\$13.7M	\$9.2M	\$7.4M

These revenue figures include the operating budget forecasted of \$3.9 Million at the current rate

**Scenario 1 – Moderate Annual Increases, \$1M-\$9.4M available for CIP**

Annual Residential increase – 20%; Annual Commercial increase - 44.5%

Additional Capital Available	FY27	FY28	FY29	FY30	FY31
	\$1M	\$2.2M	\$3.9M	\$6.2M	\$9.4M

Class	FY26 (Current)	FY27	FY28	FY29	FY30	FY31
Res Tier 1	\$3.12	\$3.78	\$4.54	\$5.45	\$6.54	\$7.85
Res Tier 2	\$4.16	\$5.04	\$6.05	\$7.26	\$8.71	\$10.45
Res Tier 3	\$4.94	\$6.00	\$7.20	\$8.64	\$10.37	\$12.44
Res Tier 4	\$5.98	\$7.20	\$8.64	\$10.37	\$12.44	\$14.93
Com (sq ft)	\$0.00832	\$0.01202	\$0.01737	\$0.02510	\$0.03627	\$0.05241
Com Min Rate	\$7.50	\$10.84	\$15.66	\$22.63	\$32.70	\$47.25
Com Max Rate	\$73.00	\$109.82	\$158.69	\$229.31	\$331.35	\$478.80

**Scenario 2 – Intermediate Annual Increases, \$700K-\$4.9M available for CIP**

Annual Residential increase – 10%; Annual Commercial increase – 32.5%

Additional Capital Available	FY27	FY28	FY29	FY30	FY31
	\$700K	\$1.3M	\$2.2M	\$3.4M	\$4.9M

Class	FY26 (Current)	FY27	FY28	FY29	FY30	FY31
Res Tier 1	\$3.12	\$3.47	\$3.82	\$4.20	\$4.62	\$5.08
Res Tier 2	\$4.16	\$4.62	\$5.08	\$5.59	\$6.15	\$6.77
Res Tier 3	\$4.94	\$5.50	\$6.05	\$6.66	\$7.33	\$8.06
Res Tier 4	\$5.98	\$6.60	\$7.26	\$7.99	\$8.79	\$9.67
Com (sq ft)	\$0.00832	\$0.01102	\$0.01460	\$0.01935	\$0.02564	\$0.03397
Com Min Rate	\$7.50	\$9.94	\$13.17	\$17.45	\$23.12	\$30.63
Com Max Rate	\$73.00	\$100.70	\$133.43	\$176.79	\$234.25	\$310.38

**Scenario 3 – Reduced Annual Increases, \$500K-\$3.1M available for CIP**

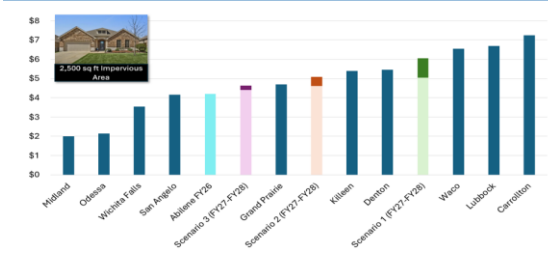
Annual Residential increase – 5%; Annual Commercial increase - 26.5%

Additional Capital Available	FY27	FY28	FY29	FY30	FY31
	\$500K	\$1M	\$1.5M	\$2.2M	\$3.1M

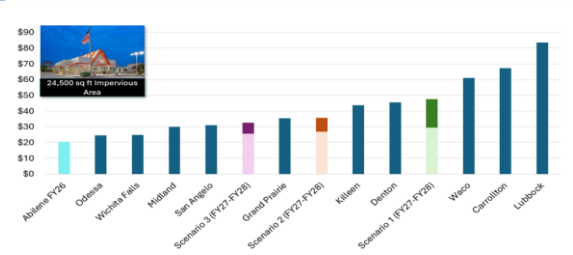
  

Class	FY26 (Current)	FY27	FY28	FY29	FY30	FY31
Res Tier 1	\$3.12	\$3.31	\$3.48	\$3.65	\$3.83	\$4.02
Res Tier 2	\$4.16	\$4.41	\$4.63	\$4.86	\$5.10	\$5.36
Res Tier 3	\$4.94	\$5.25	\$5.51	\$5.79	\$6.08	\$6.38
Res Tier 4	\$5.98	\$6.30	\$6.62	\$6.95	\$7.30	\$7.67
Com (sq ft)	\$0.00832	\$0.01052	\$0.01331	\$0.01684	\$0.02130	\$0.02694
Com Min Rate	\$7.50	\$9.49	\$12.00	\$15.18	\$19.21	\$24.29
Com Max Rate	\$73.00	\$96.14	\$121.62	\$153.85	\$194.61	\$246.19

**Rate Comparison - Residential**



**Rate Comparison - Commercial**



High Priority Stormwater Capital Needs (CIP): From 2020 Abilene Master Drainage Plan's Top 9 Projects

Project	2024 Costs*
Catclaw Creek**	\$1,271,970
Operations of Lake Abilene/Lake Kirby	\$181,710
Little Elm Creek at S 7 <sup>th</sup> St	\$6,702,676
Buttonwillow Creek Crossing	\$1,677,531
Elm Creek Detention below Southwest Dr	\$8,320,692
Treadaway and S 27 <sup>th</sup> St	\$1,101,746
Downtown Railroad Underpass	\$662,017
Buttonwillow Upstream Detention	\$4,290,991
Improve Curry Ln Detention Pond (+V-16)	\$5,751,727
<b>TOTAL</b>	<b>\$28,689,090</b>



\*Costs inflated based on ENR's Construction Cost Index, 21.14% increase from October 2019 to June 2024  
 \*\* Total does not include Catclaw creek as it is currently funded

### Scenarios

**Scenario 1**

- Funds **79% of priority CIP** needs in 5-year window
- Addresses inequities within current fee structure
- Provides for annual fee increases
- Typical residential impact is \$6.25/ month

**Scenario 2**

- Funds **44% of priority CIP** needs in 5-year window
- Reduces inequity in current fee structure
- Provides intermediate annual increases
- Typical residential impact is \$2.57/month

**Scenario 3**

- Funds **29% of priority CIP** needs in 5-year window
- Reduces inequity in current fee structure
- Provides for nominal annual fee increases
- Typical residential impact is \$1.16/month

**Scenario 4**

- Funds do not increase for FY 27, but will need to increase in FY 28
- Provides for operational expenditures
- Use additional Sales Tax surplus funds to cover costs for one of the CIP projects

Mr. Johnson gave a recap of the three different scenarios, as well as a fourth scenario that does not increase the fees in 2027, but 2028 instead, and then potentially using some sales tax funds to help. Council had questions on why the water and sewer fees are being considered as part of the budget, as that has not been done that way in the past. Michael Rice, Assistant City Manager, explained that this was a plan for five years, so it doesn't have to be rehashed every year. They would like to implement a master plan for more long-term planning purposes. Council would like to see updated numbers at the next discussion with pay increases included. Council is leaning more towards scenario two.

10. Water & Sewer Rates

Matthew Dane, Director of Water Utilities, presented water and sewer rates discussion. Fiscal Year 2027 is a "gap year" in the Water 5-year rate cycle, to better understand their rate plan and what Council is looking for. PFAS is also a major feature that they are working through funding on, and hopefully they will have better feedback on that in the next 6 months. Mr. Dane spoke about their research into this decision.

#### Bottom Line Up Front

- FY27 is a "gap year" in our 5-year rate cycle
- Carry forward the same 6% volumetric increase used through the current rate plan
- Projected FY27 total revenue: \$90,179,096 up from FY26 total: \$86,925,874

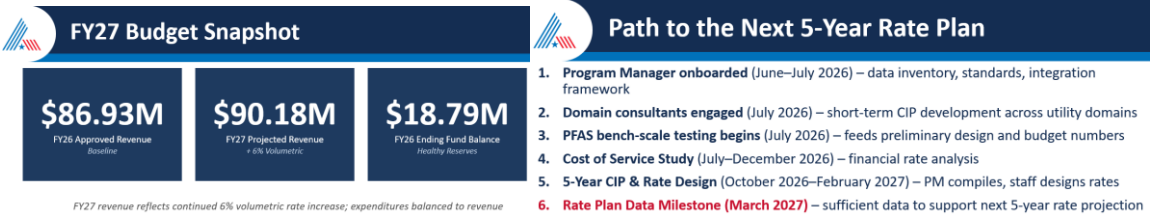
Average monthly residential water bill at 7,000 gallons (5/8" meter, inside-city). **"Your Model" = Abilene FY27 proposed.**

#### Typical Bill Impact

	Residential 5/8" meter, 7,000 gal/mo	Commercial 5/8" meter, 23,000 gal/mo
FY26 Total Bill	<b>\$96.60</b>	<b>\$302.20</b>
FY27 Total Bill	<b>\$100.34</b>	<b>\$318.28</b>
Monthly Change	<b>+\$3.74 (+3.87%)</b>	<b>+\$16.08 (+5.32%)</b>

6% increase applies to volumetric rates only; customer service charges hold at \$18.25 (water) and \$16.00 (sewer).

Mr. Dane reiterated the need for this gap year, including some information on the Cedar Ridge Reservoir project as it advances through the federal level permitting.



Council questioned why it was being called a gap year while still increasing. Mr. Dane explained that it is outside of their five-year plan projections. It was not meant to imply there is no increase, just not the increase included in their plan. This does not include an increase in non-potable water. He also explained why potable and non-potable water are separated, and that follows federal standards and manuals, which leave the reuse feature out. The reuse water still has an impact though, and he agrees that they would like to get reuse to cover its own costs, while still incentivizing its use.

Part V: Conclusion

Ms. Crawford concluded the meeting by asking for any other questions or key takeaways that Council would like to provide for the preparation of the budget. Council did ask why the changes in the dates for the budget hearings are later this year. Ms. Crawford clarified that we want to make sure we follow requirements of the law and get things done sooner, but we can be flexible if Council likes this schedule better. The Street Maintenance Fee was discussed and the possibility of adjusting that to see what more impact that could have on the roads. Staff will work to figure out the one-time revenues first to see if some of that can be used for street work.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 1:39 p.m.

\_\_\_\_\_  
 Shawna Atkinson  
 City Secretary

\_\_\_\_\_  
 Weldon Hurt  
 Mayor

Minutes approved on: \_\_\_\_\_

**CITY COUNCIL MEETING**  
**May 28, 2026 at 8:30 a.m.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS**  
**COUNCIL CHAMBERS, CITY HALL**

The City Council of the City of Abilene, Texas met in Regular Session on May 28, 2026, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Lynn Beard, and Councilmembers Jay Patterson, Brian Yates, Miguel Espinoza and Travis Craver. Also present were City Manager Emily Crawford, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Miguel Espinoza led the invocation.

Copen Kirk, 2<sup>nd</sup> grader from Ward Elementary, led the Pledge of Allegiance to the Flag of the United States of America and the State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**

- Recognitions:
  - Wylie ISD Destination Imagination Teams
  - National Cemetery Administration’s Operational Excellence Award for the Veteran’s Cemetery
- Proclamations:
  - ALS Awareness Month – accepted by Aubri Ward
- Dyess Airmen Exceptional Performance Recognition:
  - Staff Sergeant Bianna White
  - Senior Airman Caelan Stegall

**PRESENTATION OF CONSENT AGENDA**

The Consent Agenda consisted of items 5-14. Items 11 & 12 were pulled for individual consideration.

Item(s) pulled for individual consideration:

- Item 11 – Mayor Pro-tem Price
- Item 12 – Councilmember Espinoza

**PUBLIC COMMENTS**

Mayor Hurt opened the public comment period. The following addressed the City Council:

- Mary Maura
- Tammy Fogle
- Marisa Polanco
- Diana Bradley
- Jason Wilson
- Oliver De Santos
- Andrea Kelly

With no other speakers coming forward, the public comment period was closed.

Councilmember Patterson moved to approve the consent agenda, now consisting of items 5-10 and 13-14. Deputy Mayor Pro-tem Beard seconded the motion. Motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates, Espinoza and Craver  
NAYS (0): None

5. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on May 14, 2026 and the Special Meeting Held on May 12, 2026
6. Resolution: Receive a Report, Hold a Discussion and Take Action on the Acceptance of the 100 Acre Wood Series Sculptures as well as the Michael Mattson sculpture "This Way Up" as part of the City Sculpture Series  
**[ASSIGNED RESOLUTION NO. 100-2026]**
7. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Lease with the U.S. General Services Administration for Office, Breakroom and Storage Space Utilized by the Transportation Security Administration  
**[ASSIGNED RESOLUTION NO. 101-2026]**
8. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval of the Acquisition of Amended Professional Services to Assist in the Design, Configuration and Implementation of Network Technologies from Hoover Technology Consulting LLC  
**[ASSIGNED RESOLUTION NO. 102-2026]**
9. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval of the Acquisition of Verkada Products and Installation Services from Lynk Automation  
**[ASSIGNED RESOLUTION NO. 103-2026]**
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Amending the Composition of the Neighborhood Services Advisory Board  
**[ASSIGNED RESOLUTION NO. 104-2026]**
13. Ordinance (First Reading) Z-2026-25: Receive a Report, Hold a Discussion and Take Action on a Request from the Owner to Change the Zoning of Approximately 1.21 Acres from Residential Single-Family (RS-12) to General Commercial (GC) Zoning. Located on the Southwest Corner of ES 11th St and Oldham Ln.
14. Ordinance (First Reading) Z-2026-27: Receive a Report, Hold a Discussion, and Take Action on a Request from The Owner, To Change the Zoning of Approximately 0.81 Acres from Residential Single Family (RS-6) to General Commercial (GC). Located at 1700, 1718, 1726, and 1742 Ambler Avenue

#### **ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

11. Ordinance (First Reading) TC-2026-02: Receive a Report, Hold a Discussion and Take Action on a Request from McMurry University to Abandon a Certain Portion of Right-of-way known as Ross Avenue from South 15th Street to Hunt Street and a portion of South 16th Street from Ross Avenue to 140 Feet West to an Alley Running North and South.

Having pulled the item, Mayor Pro-tem Price expressed his concerns with closing a portion of Ross Avenue, stating that he is concerned it will cause problems with the homeowners who reside on this portion of the street.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Mayor Pro-tem Price moved to approve the item as presented. Councilmember Yates seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers  
Patterson, Yates, Espinoza and Craver

NAYS (0): None

12. Ordinance (First Reading) Z-2026-23: Receive a Report, Hold a Discussion and Take Action on a Request from The Owner to Change the Zoning of Approximately 99.38 Acres from Agricultural Open (AO) To a Planned Development District (PDD-199) to allow Residential Medium Density and Residential Single-family uses with amended standards. Located At 4489x Caldwell Road.

Having pulled the item, Councilmember Espinoza wanted clarification on what the blue portion of the map referenced. Tim Littlejohn, Director of Planning and Zoning stated this portion is the floodway. Council would like more information on what Tract 2 will be designed and developed for at the second reading.

Mayor Hurt opened the public hearing. The following spoke on the item:

- Derek Hood

With no other speakers coming forward, the public hearing was closed.

Councilmember Espinoza moved to approve the item as presented. Councilmember Craver seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers  
Patterson, Yates, Espinoza and Craver

NAYS (0): None

### REGULAR AGENDA

15. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 32, "Utilities," Article II, "Rates and Charges," Section 32-35, "Metering of Water Used for Sewer Rates", Abilene Code of Ordinances  
**[ASSIGNED ORDINANCE NO. 46-2026]**

Matthew Dane, Director of Water Utilities, presented the item. Adoption of the item would amend Chapter 32, Article II, Rates and Charges, increasing the Metering of Water Used for Sewer Rates.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Patterson moved to approve the item as presented. Deputy Mayor Pro-tem Beard seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers  
Patterson, Yates, Espinoza and Craver

NAYS (0): None

16. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, "Decreased Speed Limits-School Zones," of the Abilene Municipal Code  
**[ASSIGNED ORDINANCE NO. 47-2026]**

Max Johnson, Director of Public Works, presented the item. Adoption of the item would decrease the speed limit in front of the Crockett Early Headstart school during school hours.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Deputy Mayor Pro-tem Beard moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates, Espinoza and Craver

NAYS (0): None

17. Ordinance (Final Reading) Z-2026-24: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner to Change the Zoning of Approximately 6.86 acres from General Retail (GR) To A Planned Development District (PDD-200). Located At 256 East Beltway.  
**[ASSIGNED ORDINANCE NO. 48-2026]**

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced location from General Retail (GR) to a Planned Development District (PDD-200) to allow for an apartment building.

Mayor Hurt opened the public hearing. The following spoke in support of the item:

- Tal Filingham, agent

With no other speakers coming forward, the public hearing was closed.

Councilmember Craver moved to approve the item as presented with the additional condition of adding ornamental trees to the east side of the property. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates, Espinoza and Craver

NAYS (0): None

18. Ordinance (Final Reading) Z-2026-21: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.50 Acres from Residential Single Family (RS-8) to Town Home (TH). Located at 3035 Buffalo Gap Road.  
**[FAILED]**

Councilmember Patterson had a conflict of interest on the item and abstained from voting and left the room during deliberation. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office.

Mayor Pro-tem Price moved to remove the item from the table for discussion. Councilmember Yates seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Yates, Espinoza and Craver  
NAYS (0): None  
ABSTAIN (1): Councilmember Patterson

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced location from Residential Single-Family (RS-8) to Town Home (TH).

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- BJ Pritchard, agent

The following spoke in opposition to the item:

- Jan Craig
- Tammy Fogle
- Arlieta Jones
- Larry Jones

With no other speakers coming forward, the public hearing was closed.

Councilmember Craver moved to approve the item as presented. Mayor Hurt seconded the motion; motion failed.

AYES (3): Mayor Hurt, Mayor Pro-tem Price, and Councilmember Craver  
NAYS (3): Deputy Mayor Pro-tem Beard, Councilmembers Espinoza and Yates  
ABSTAIN (1): Councilmember Patterson

**EXECUTIVE SESSION**

Mayor Hurt stated there was no business to discuss, therefore Executive Session was not held.

**REGULAR AGENDA – END**

34. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Members to Various Boards and Commissions per the City Charter  
**[ASSIGNED RESOLUTION NO. 105-2026]**

Adoption of the item would approve the (re)appointments of the following board & commission members, per the City Charter:

Board	Term End Date
<i>Landmarks Commission</i>	
Austin Butler [Regular] [New] - Construction Rep	November 2029

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Deputy Mayor Pro-tem Beard moved to approve the item as presented. Councilmember Yates seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates, Espinoza and Craver

NAYS (0): None

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:56 a.m.

\_\_\_\_\_  
Shawna Atkinson  
City Secretary

\_\_\_\_\_  
Weldon Hurt  
Mayor

Minutes approved on: \_\_\_\_\_



**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Emily Crawford, City Manager**  
**FROM: Matthew Dane, Director of Water Utilities**

**ITEM: 4. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Amending the FY26 Bulk Chemical Bid Awards to Approve Rebids for Alum (Matthew Dane)**

---

**GENERAL INFORMATION**

The City of Abilene Water Utilities Department is requesting that the Abilene City Council amend the Fiscal Year 2026 bulk chemical bid awards (CB-2560) to approve rebids for Alum under bid CB-2636.

After the original FY26 chemical bids were awarded, the Alum contract was executed but subsequently canceled after execution and prior to full performance. Based on those cancellations, staff determined it was necessary to rebid Alum to ensure compliance with contract requirements and maintain a reliable chemical supply. In January of 2026, the City Council awarded the rebid Alum contract to Catalynt Solutions. In April of 2026, Catalynt Solutions notified the Department via letter that they would no longer be able to fulfill the contract. Therefore the alum chemical was rebid again under CB-2636.

Bid CB-2636 was published on April 30, 2026, and bids were opened on May 19, 2026. This rebid applies to the remainder of FY26, from June 11, 2026 through September 30, 2026.

During the rebid period, Water Utilities maintained uninterrupted treatment operations by utilizing short-term 30-day bids to supply Alum until the rebid process could be completed.

Following evaluation of the CB-2636 submittals, staff recommends awarding Alum to Chameleon Industries. The Alum award recommendation is based on a best value determination that considered price, vendor qualifications, and references. References were checked for the recommended vendor, and no negative feedback was received.

	Unit Price	Uni Qty (lbs)	Est. Cost
CHAMELEON INDUSTRIES INC.	\$0.13	lbs 6,220,000	\$808,600
CHEMTRADE	\$0.1648	lbs 6,220,000	\$1,025,056
USALCO	\$0.1691	lbs 6,220,000	\$1,051,802

The recommended vendor will serve for the remainder of FY26. All other chemical awards approved under CB-2560 and CB-2616 remain unchanged.

**FUNDING/FISCAL IMPACT**

Funding for Alum purchases will continue to come from the FY26 Annual Operating Budget of the Water Utilities Department.

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the Abilene City Council amend the FY26 bulk chemical bid awards (CB-2560 & CB-2616) to approve the rebid award for Alum under CB-2636 to Chameleon Industries.

**ATTACHMENTS:**

1. 2 - Written Resolution - Alum Chemical Re-Bid Award
2. CB2636TAB
3. 3 - Presentation - Alum Chemical Re-Bid Award

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING THE FISCAL YEAR 2026 BULK CHEMICAL BID AWARDS TO APPROVE REBID AWARD FOR ALUM.**

**WHEREAS**, the City of Abilene owns and operates the Grimes, Northeast, and Hargesheimer Water Treatment Plants and the Hamby Water Reclamation Facility; and

**WHEREAS**, the City Council previously approved Fiscal Year 2026 bulk chemical bid awards under CB-2560 and subsequently approved a rebid award for Alum under CB-2616; and

**WHEREAS**, following award of the Alum rebid contract under CB-2616, the vendor, Catalynt Solutions, notified the City that it could no longer fulfill the contract; and

**WHEREAS**, City staff determined it was necessary to rebid Alum to maintain a reliable supply of treatment chemicals and ensure continued operation of the City's water treatment facilities; and

**WHEREAS**, Bid CB-2636 was published on April 30, 2026, and bids were opened on May 19, 2026; and

**WHEREAS**, after evaluating the submitted bids and considering price, vendor qualifications, and references, staff recommends awarding the Alum contract to Chameleon Industries, Inc. as the best value to the City; and

**WHEREAS**, all other chemical awards previously approved under CB-2560 and CB-2616 will remain unchanged; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

That the City Council amends the Fiscal Year 2026 Bulk Chemical Bid Awards under CB-2560 and CB-2616 to approve the following rebid award for the remainder of Fiscal Year 2026:

Alum: Chameleon Industries, Inc. - *\$808,600.00 (Estimated Annual Costs)*

All other chemical awards previously approved under CB-2560 and CB-2616 shall remain in full force and effect.

**ADOPTED this 11th day of June, 2026.**

ATTEST:

\_\_\_\_\_  
Shawna Atkinson, City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
Stanley E. Smith, City Attorney

**CITY OF ABILENE  
PURCHASING DIVISION  
TABULATION OF BIDS**

**DEPARTMENT:** WATER  
**BID NO.:** CB-2636  
**TIME OF OPENING:** 2:00 P.M.  
**DATE OF OPENING:** MAY 19, 2026

CHAMELEON INDUSTRIES  
INC.  
MESQUITE, TX

CHEMTRADE  
PARSIPPANY, NJ

USALCO  
BALTIMORE, MD

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	WATER TREATMENT CHEMICAL – ALUM	6,220,000	LB	.13		.1648		.1691							
BASE BID															
DISCOUNT															
TOTAL BID															

\*NOTES: INDICATES RECOMMENDED AWARD

# Amendment to FY26 Bulk Chemical Bid Awards - Alum Rebid





## Alum Rebid

- Original FY26 Alum contract was rebid under CB-2616
- In April 2026, Catalynt Solutions notified the City they could no longer fulfill the contract
- Alum was rebid under CB-2636 to ensure a reliable chemical supply
- Temporary 30-day purchases were used to maintain uninterrupted treatment operations





# Alum Rebid

- Bid advertised April 30, 2026
- Bids opened May 19, 2026
- Covers the remainder of FY26
- Award recommendation based on best value evaluation
- Considered price, vendor qualifications, and references





# Alum Rebid

- Chameleon Industries, Inc.
  - \$0.13 per lb
  - Estimated Cost: \$808,600
- Chemtrade
  - \$0.1648 per lb
  - Estimated Cost: \$1,025,056
- USALCO
  - \$0.1691 per lb
  - Estimated Cost: \$1,051,802





# Alum Rebid

## Staff Recommendation

- Approve amendment to the FY26 Bulk Chemical Bid Awards to award Alum under CB-2636 to:  
Chameleon Industries, Inc.  
Estimated Cost: \$808,600
- All other FY26 chemical awards remain unchanged.



# Questions





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Emily Crawford, City Manager**  
**FROM: Matthew Dane, Director of Water Utilities**

**ITEM: 5. Resolution: Receive a Report, Hold a Discussion, and Take Action on a Resolution Authorizing the City Manager to Execute an Agreement to Provide Sanitary Sewer Service Outside the City Limits Between the City of Abilene and Elmdale Development, LLC. (Matthew Dane)**

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**GENERAL INFORMATION**

On April 23, 2026, the City Council adopted Ordinance No. 29-2026, amending Chapter 32 (Utilities) of the Code of Ordinances to authorize sanitary sewer service outside the City limits pursuant to a written agreement approved by the City Council, and to allow an alternative wastewater-flow measurement methodology for such service. The attached agreement is the implementing action contemplated by that ordinance.

Elmdale Development, LLC is developing a recreational vehicle park located at 938 Elmdale Road North, outside the City limits and in proximity to the City's Hamby Wastewater Treatment Plant. Phase 1 consists of 1,307 RV spaces. The development provides temporary housing for the regional workforce, consistent with the City's housing-relief priorities.

Wastewater from the development is conveyed to the City's system through a private lift station, which allows the discharge to be reliably measured by a dedicated flow meter. Accordingly, the agreement bills sewer service on metered flow at the Outside-City rate of \$7.90 per 1,000 gallons (two times the in-City sewer rate). The Developer installs and maintains the flow meter at its sole cost, provides monthly usage reporting, and is subject to an annual audit by the City. For any billing period in which the meter is not installed, is offline, or is reading inaccurately, the agreement provides a TCEQ-based fixed-charge fallback so that billing continues without interruption; metered billing resumes once the Director of Water Utilities confirms the meter has been restored.

The agreement carries a fixed five-year term and requires a new application and City Council approval to continue service or to change the approved use type. It obligates the Developer to comply with the City's industrial waste and pretreatment requirements, preserves the City's ability to suspend or limit service on written notice where necessary to protect the integrity, capacity, or regulatory compliance of its wastewater system, and indemnifies the City under an ordinary-negligence standard. Approval of this agreement authorizes outside-City sewer service to this development only. It does not obligate the City to extend service to any other outside-City customer, and it does not open service to additional customers; each such agreement would require separate City Council approval under Section 32-5 of the Code of Ordinances. The agreement does not include, and the City is not seeking, annexation of the property.

**FUNDING/FISCAL IMPACT**

The agreement generates sewer-service revenue to the City, billed on metered flow at the Outside-City rate (two times the in-City rate). The Developer bears all connection and metering infrastructure costs. No City capital expenditure is required. Service is provided on a cost-recovery basis consistent with the Code of Ordinances.

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the Abilene City Council approve a resolution authorizing the City Manager to execute an Agreement to Provide Sanitary Sewer Service Outside the City Limits between the City of Abilene and Elmdale Development, LLC.

**ATTACHMENTS:**

1. 2 - WrittenResolution - Elmdale Sewer Service Agreement
2. Elmdale Sewer Agreement FINAL CLEAN
3. 3 - Presentation - Elmdale Sewer Service Agreement

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT TO  
PROVIDE SANITARY SEWER SERVICE OUTSIDE THE CITY LIMITS BETWEEN  
THE CITY OF ABILENE AND ELMDALE DEVELOPMENT, LLC; AND DECLARING  
AN EFFECTIVE DATE.**

**WHEREAS**, the City of Abilene (the “City”) owns and operates a sanitary sewer collection and treatment system; and

**WHEREAS**, on April 23, 2026, the City Council adopted Ordinance No. 29-2026, amending Chapter 32 of the Code of Ordinances to authorize sanitary sewer service outside the City limits pursuant to a written agreement approved by the City Council, and to permit an alternative wastewater-flow measurement methodology for such service; and

**WHEREAS**, Elmdale Development, LLC (the “Developer”) owns and is developing property located outside the City limits at 938 Elmdale Road North that requires sanitary sewer service; and

**WHEREAS**, the City and the Developer have negotiated an Agreement to Provide Sanitary Sewer Service Outside the City Limits (the “Agreement”) that provides for metered sewer service at the Outside-City rate, establishes the terms and conditions of such service, and has been reviewed and approved as to form by the City Attorney; and

**WHEREAS**, the City Council finds that approval of the Agreement is in the best interest of the City and its citizens;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

**Section 1.** That the City Manager is hereby authorized to execute, on behalf of the City of Abilene, an Agreement to Provide Sanitary Sewer Service Outside the City Limits with Elmdale Development, LLC, in substantially the form attached hereto, together with such non-substantive changes as may be approved by the City Manager and the City Attorney.

**Section 2.** That this Resolution shall take effect immediately upon its adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Shawna Atkinson, City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
Stanley E. Smith, City Attorney

THE STATE OF TEXAS §

COUNTY OF TAYLOR §

**AGREEMENT TO PROVIDE SANITARY SEWER SERVICES**

**OUTSIDE OF THE CITY LIMITS**

This Agreement is made this \_\_\_ day of \_\_\_, 20\_\_ by and between the City of Abilene, Texas, a Municipal Corporation of Taylor, Jones and Shackelford Counties, Texas, (hereinafter referred to as “Abilene”), and Elmdale Development, LLC (hereinafter referred to as “Developer”), for sanitary sewer service to the property located at:

Service Address / Development Name: 938 Elmdale Road North, Abilene, Taylor County, Texas 79601 /Elmdale RV Park (the “Development”).

**WITNESSETH**

That for and in consideration of the covenants, promises, and agreements set forth herein, it is mutually agreed as follows:

**I. GENERAL PROVISIONS**

**A. Background and Purpose**

Abilene operates a Water Reclamation Plant and sanitary sewer system (“Sewer System”) with sufficient capacity to treat domestic wastewater from small communities and rural subdivisions in the area. Developer has requested that Abilene provide sanitary sewer service to the above-described Development, which is located outside the corporate limits of the City of Abilene.

The purpose of this Agreement is to establish the terms and conditions under which Abilene will accept and treat sanitary sewer flow from the Development, consistent with the City of Abilene Policy on Establishing Sewer Rates for Customers Outside City Limits.

**B. Duration**

This Agreement shall be effective for a period of five (5) years beginning: \_\_\_\_\_, 2026, through : \_\_\_\_\_, 2031.

This Agreement shall automatically expire at the end of the 5-year term. Developer must submit a new application to Abilene and obtain City Council approval in order to continue service or to request a change in use type.

**C. Council Approval**

This Agreement is not effective until approved by the Abilene City Council. The date and resolution number of Council approval shall be recorded here:

Council Approval Date: \_\_\_\_\_, 2026

Resolution No.: \_\_\_\_\_

**D. Suspension and Termination**

Provided the Developer is not in default of this Agreement, Developer may terminate this Agreement prior to the scheduled termination date by giving Abilene's Director of Water Utilities or his duly authorized representative at least thirty (30) days prior written notice of its intent to terminate, at which time Developer will have no further obligations hereunder. If terminated by Developer, Developer must disconnect from the Sewer System within thirty (30) days of such termination. If Developer fails to disconnect from the Sewer System as required, Abilene may perform, or contract with a third-party to perform, the disconnection, and Developer shall be liable for all costs incurred by Abilene to perform the disconnection. For purposes of this section, "disconnect" means physical severance and capping of the service line, verified by City inspection.

Abilene may terminate this Agreement and disconnect service if Developer (i) fails to pay Abilene in accordance with this Agreement or (ii) otherwise breaches its obligations under this Agreement and Developer fails or refuses to correct such breach within thirty (30) days of written notice from Abilene to the Developer of the nature and scope of any such breach; provided, however, that the thirty (30) day cure period shall not apply to a failure to pay under clause (i), which shall instead be governed by Abilene's standard utility billing and disconnection terms. Abilene's acceptance of any partial payment shall not waive its rights, including the right to pursue Developer for the remaining balance due. If terminated by Abilene, Abilene shall bear any cost to disconnect the Sewer System, at Abilene's sole discretion.

Abilene may also, upon written notice to Developer, suspend or limit service, or terminate this Agreement, if in the determination of Abilene such action is necessary to protect the integrity, capacity, or regulatory compliance of its wastewater collection or treatment system. Such conditions that may result in suspension, limitation of service, or termination of this Agreement include, but are not limited to, excessive flow, inflow and infiltration impacts, introduction of prohibited or high-strength wastes, or any discharge that threatens to interfere with treatment processes or cause Abilene to violate state or federal permit requirements. In the event of an immediate threat to public health, safety, or system operations, Abilene may suspend service without prior notice to Developer, and shall provide notice as soon as practicable thereafter. Service that is suspended or limited may be restored upon timely correction of the condition by Developer to the satisfaction of Abilene. If Developer fails to timely correct the condition which caused the suspension or limited service, Abilene may correct the condition, and Developer shall be liable for all costs incurred by Abilene to perform the correction of the condition.

**E. Modification**

This Agreement may only be amended, changed or modified in writing, by agreement signed by both Abilene and Developer, and approved by the Abilene City Council.

**F. Assignment**

If Developer seeks to assign or transfer any interest in this Agreement, Abilene must be notified in writing at least thirty (30) days prior to such assignment or transfer. Developer may not assign nor transfer any interest in this Agreement without the prior written consent of Abilene. All rights and duties remain binding on the Developer and any successors following any assignment or transfer of any interest.

**G. Notices**

All notices required under the provisions of the Agreement must be in writing, hand-delivered or sent by registered or certified mail to the address below.

**City of Abilene**  
Attn: Director of Water Utilities  
555 Walnut Street  
Abilene TX, 79601

**Developer**  
Elmdale Development, LLC  
P. O. Box 80038  
Lafayette, Louisiana 70598-0038

**H. Venue**

Venue for any legal proceeding shall be in the City of Abilene, Taylor County, Texas.

**I. Force Majeure**

If by any reason of force majeure either party hereto is rendered unable wholly or in part to carry out its Agreement obligations, other than Developer's obligation to make payments required under the provisions hereof, then if such party shall give written notice and full details of such force majeure to the other party within ten (10) days after occurrence of the event or cause

relied on, the obligation of the party filing such notice, so far as it is affected by such force majeure, shall be suspended during the continuance of the inability then claimed, but for no longer period, and any such party shall endeavor to remove or overcome such inability with all reasonable dispatch. The term “force majeure as used herein means any circumstance or condition beyond the party's reasonable control, including but not limited to: acts of God and actions of elements (including floods, droughts, storms, etc.); acts of the public enemy of acts of war; strikes or other industrial disturbances; accidents; explosions; laws, acts, rules, regulations, or orders of any local, state or federal government; transportation failures; civil disturbances; breakage or accidents to machinery, pipelines or canals; partial or complete failure of the Sewer System; and the City's inability to receive sanitary sewer or Developer's inability to deliver sanitary sewer hereunder; on account of any other causes not reasonably within the control of the party claiming such inability.

## **II. DUTIES AND RESPONSIBILITIES OF DEVELOPER**

### **A. Use Type Restriction**

The approved use type (residential, commercial, or mixed-use) for the Development shall be established at the time of application. Developer shall not change the use type during the 5-year term. Any request for change must be submitted as a new application to Abilene and approved by City Council. The approved use under this Agreement is for the Development which is a Recreational Vehicle Park.

### **B. Connection Point**

Abilene agrees to accept and treat all sanitary sewer from the Development, at the point of connection. Abilene's Director of Water Utilities and Developer shall agree that the connection point shall be where the Development's service line connects to the main sewer line. This connection point shall include the sanitary sewer tap located on the sewer line. Developer shall be

responsible for construction and maintenance of its service lines to the connection point, including the sewer tap.

**C. No Other Tie-Ins**

Developer shall not allow anyone or any business to tie into the sanitary sewer system or service line without the written consent of Abilene.

**D. Developer-Funded Improvements**

Developer shall be fully responsible for the procurement and installation of all collection system improvements necessary to serve its Development. Improvements to lift stations or wastewater treatment plants, if required, will be coordinated by Abilene but must be paid in full by Developer prior to service.

**E. One-Time Connection Fee**

Developer shall pay Abilene a one-time, non-refundable connection fee of \$1,500.00. This fee covers costs associated with staff review of the application, feasibility study, and preparation of documents. This fee is due prior to execution of this Agreement.

**F. Compensation to Abilene**

In consideration for providing sewer service, Developer shall pay Abilene at a monthly rate equal to two times (2×) the corresponding in-City sewer rate.

- Current in-City Rate (per 1,000 gallons): \$3.95
- Outside-City Rate (2×): \$7.90 per 1,000 gallons as shown by the Flow Meter

The City Council reserves the right to revise its rate schedules from time to time, and Developer agrees to pay such revised rates as applicable during the term of this Agreement. Such rate schedule for the Development shall be based on the 2x rate schedule of the in place and approved in-City rate schedule.

**G. Flow Meter**

The Developer at its sole cost and expense shall install a metering device acceptable to Abilene to measure the volumetric flow (expressed in gallons) of sanitary sewer from the Development into the Sewer System (“Flow Meter”). The Flow Meter can either provide monthly usage reporting to Abilene in an electronic format of the gallons used or the Developer will provide Abilene with a written monthly report of the gallons used together with a date and time stamped photograph of the Flow Meter supporting the gallons certified in the report. The Developer and Abilene's Director of Water Utilities shall agree on the type of Flow Meter and the manner and methodology for the monthly reporting of the usage by the Development. The Developer’s Flow Meter and gallons used shall be subject to an annual Audit by Abilene.

In any billing period during which the Flow Meter is not installed, is not in service, has lost communication with Abilene’s reading system for more than one (1) full billing cycle, or is determined to be reading outside an accuracy of plus or minus two percent ( $\pm 2\%$ ), Developer shall pay a fixed monthly charge calculated using the flow design criteria of the Texas Commission on Environmental Quality (TCEQ) as set forth in 30 Texas Administrative Code Chapter 217 or its successor, applied to the approved use type and the then-current number of recreational vehicle spaces in service at the Development, multiplied by the Outside-City Rate then in effect. The TCEQ-based fixed monthly charge shall apply for the entirety of any billing period in which the conditions of this subsection exist, and metered billing shall resume on the first day of the billing cycle following written confirmation by Abilene’s Director of Water Utilities that the Flow Meter has been restored to acceptable accuracy and reporting. Developer shall promptly repair, replace, or recalibrate the Flow Meter at Developer’s sole expense.

**H. Compliance with City and State Policies**

Developer hereby agrees to comply with and enforce all currently approved, or as may be amended, provisions of Abilene's Industrial Waste Ordinance that will govern the sanitary sewer waste load into Abilene's sanitary sewer system and other applicable laws, ordinances and codes such as, but not limited to, the Plumbing Code of the City of Abilene.

**I. Indemnification and Hold Harmless**

**Developer shall indemnify, hold harmless, and defend Abilene, its officers, agents, and employees from and against all liability for any and all claims, liens, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses, including court costs, attorneys' fees, and other reasonable costs occasioned by or resulting' from the negligent acts or omissions of Developer during the transportation, delivery, and disposal of said wastewater to the Connection Point while title to the wastewater remains with Developer.**

WHEREAS, the parties have approved and agreed to the terms of this Agreement as evidenced by the respective signatures below, effective as of the date so noted on page 1.

**City of Abilene**

**Developer: Elmdale Development, LLC a**

City Manager

Texas limited liability company

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name, Greg Gachassin, Manager*

APPROVED:

\_\_\_\_\_  
*City Attorney*

ATTEST:

\_\_\_\_\_  
*City Secretary*

# Sewer Service Agreement Outside the City Limits





## Sewer Agreement - Elmdale Development, LLC

- Enabled by Ordinance No. 29-2026 (adopted April 23, 2026), authorizing outside-City sewer service by Council-approved written agreement
- Elmdale Development, LLC — a recreational vehicle park at 938 Elmdale Road North, near the Hamby Wastewater Treatment Plant
- Phase 1: 1,307 RV spaces providing temporary workforce housing, consistent with the City's housing-relief priorities
- This agreement is the implementing action the ordinance established





## Sewer Agreement - Elmdale Development, LLC

**\$7.90**

Per 1,000 Gallons  
*Outside-City Rate*

**2x**

The In-City Sewer Rate  
*Rate Basis*

**Annual**

Audit by the City  
*+ Monthly Reporting*

*Developer installs and maintains the flow meter at its sole cost. If the meter is offline or inaccurate, a TCEQ-based fixed charge applies for that period, so billing continues without interruption.*





## Sewer Agreement - Elmdale Development, LLC

- **Fixed five-year term.** No automatic renewal; continuing service or changing the use type requires a new application and Council approval.
- **System protection.** The City may suspend or limit service on written notice to protect system integrity, capacity, or permit compliance.
- **Council authority preserved.** Amendments require City Council approval.
- **This development only.** Does not open service to other customers and does not annex the property; each agreement needs separate Council approval.



**Staff recommends approval of the resolution authorizing the City Manager to execute the agreement with Elmdale Development, LLC.**

**QUESTIONS?**





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Emily Crawford, City Manager  
**FROM:** Tim Littlejohn, Director of Planning & Development Services  
**ITEM:** **6. Resolution: Receive a Report, Hold a Discussion and Take Action to Amend a ReBuild ABI Chapter 380 Agreement with Kris Gay Homes LLC for 1349 Peach Street to Extend the Expiration Date *(Tim Littlejohn)***

---

**GENERAL INFORMATION**

Kris Gay Homes LLC is asking for a 3-month extension for 1349 Peach Street in order to complete the home. This is tied to a previous approved Chapter 380 Agreement as part of the Rebuild Abi program.

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Approval

**ATTACHMENTS:**

1. Resolution Amend Kris Gay Homes 380 Agreement
2. Amendment to Kris Gay LLC 380 Agmt
3. 271-2024 - Approving Ch. 380 Agreements with Kris Gay Homes - 1349 Peach St
4. Kris Gay Extension Presentation

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AN AMENDMENT TO THE CHAPTER 380 AGREEMENT BETWEEN THE CITY OF ABILENE AND KRIS GAY HOMES REGARDING 1349 PEACH ST.**

**WHEREAS**, on November 21, 2024, the City of Abilene and Kris Gay Homes (“Developer”) entered into a Chapter 380 Economic Development Agreement (“Agreement”) as part of the Rebuild ABI program; and

**WHEREAS**, the term of the Agreement is the earlier of 18 months or until each party has completed their respective obligations; and

**WHEREAS**, the Developer has requested an extension of the term of the Agreement for an additional 3 months; and

**WHEREAS**, the Developer intends to complete the project located at 1349 Peach St., in Abilene, Taylor County, Texas (the “Project Area”) within this requested additional amount of time.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE TEXAS:**

**PART 1:** That the City of Abilene approves the amendment to the Chapter 380 Economic Development Agreement with Kris Gay Homes to extend the term and additional 3 months for a total of 21 months.

**PART 2:** That this Resolution becomes effective immediately upon adoption.

**ADOPTED on the 11<sup>th</sup> day of June, 2026.**

ATTEST:

\_\_\_\_\_  
Shawna Atkinson, City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
Stanley Smith, City Attorney

FIRST AMENDMENT TO  
CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT  
BETWEEN THE CITY OF ABILENE, TEXAS AND  
KRIS GAY HOMES, LLC

As part of the Rebuild ABI program, on November 21, 2024, the City of Abilene, Texas (“City”) and Kris Gay Homes, LLC (“Developer”) entered into a Chapter 380 Economic Development Agreement (“Agreement”), wherein Developer is making improvements to 1349 Peach Street, Abilene, Texas. City and Developer hereby agree to amend the terms of the Agreement as follows:

**“III. TERM**

3.01 This Agreement shall be effective as of the date of execution of both parties. This Agreement shall remain in full force and effect until the earlier of: (A) each party hereto has completed their respective obligations hereunder; or (B) twenty one (21) months from the Effective Date (“Term”).”

No other terms of the Agreement are amended hereby.

AGREED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

CITY OF ABILENE, TEXAS

DEVELOPER

BY: \_\_\_\_\_  
City Manager

BY: \_\_\_\_\_  
(signature)

\_\_\_\_\_  
(printed name and title)

Attest:

\_\_\_\_\_  
City Secretary

Approved:

\_\_\_\_\_  
City Attorney

**RESOLUTION NO. 271-2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING CHAPTER 380 AGREEMENTS BETWEEN THE CITY OF ABILENE AND KRIS GAY HOMES REGARDING 1349 Peach St.**

**WHEREAS**, the Economic Development Agreements (“Agreements”) are effective as of the 21st day of November, 2024, by and between Kris Gay Homes, (“Developer”), and the CITY OF ABILENE, TEXAS, a home rule city and municipal corporation (“City”), for the purposes and considerations stated below; and

**WHEREAS**, the City of Abilene adopted Resolution 142-2024 creating an Economic Development Program authorized by Chapter 380 of the Texas Local Government Code; and

**WHEREAS**, the City has adopted Resolution No. 192-2023 which created the Rebuild ABI program; and

**WHEREAS**, the Developer intends to acquire, or has acquired, fee simple ownership of 1349 Peach St., in Abilene, Taylor County, Texas (the “Project Areas”); and

**WHEREAS**, the City desires to enter into these Agreements with the Developer in order to implement the Rebuild ABI economic development program developed by the City to enhance and expand the City’s commercial, economic and employment base to the long-term interest and benefit of the City and the State of Texas; and

**WHEREAS**, it is anticipated that the development of the Project Areas will have a direct and positive economic benefit to the City; and

**WHEREAS**, the City hereby finds that these Agreements embody an eligible “project” and clearly promotes economic development in the City and, as such, meets the requisites under Chapter 380 of the Texas Local Government Code and is in the best interests of the City.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE TEXAS:**

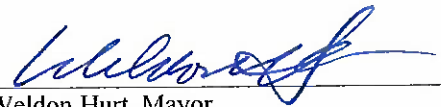
**PART 1:** That the City of Abilene approves the Rebuild ABI economic development agreements upon the terms and conditions as set forth in the attached agreements hereto.

**PART 2:** That this Resolution becomes effective immediately upon adoption.

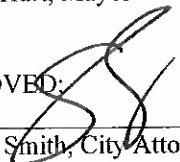
**ADOPTED on the 21st day of November, 2024.**

ATTEST:

  
\_\_\_\_\_  
Shayna Atkinson, City Secretary

  
\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

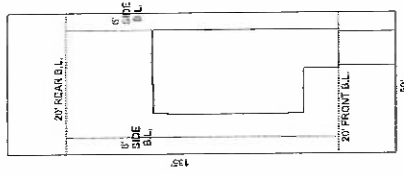
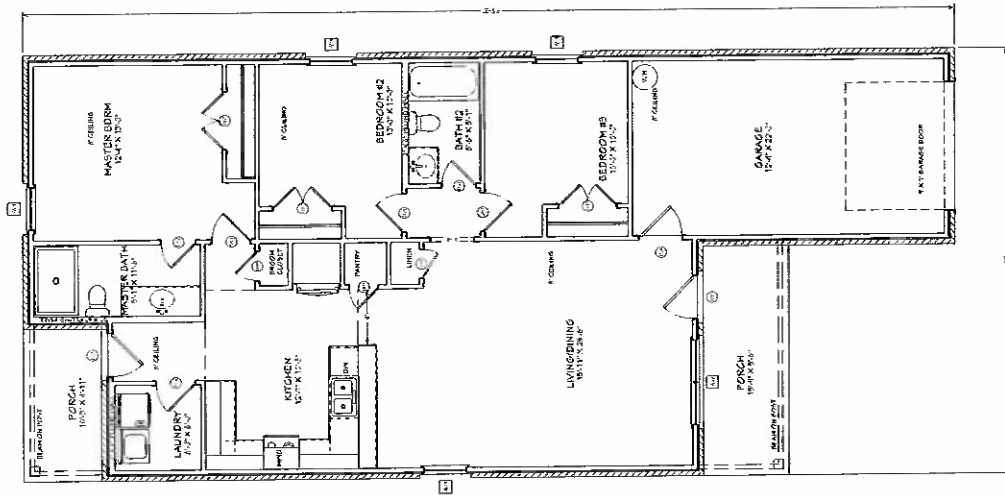
  
\_\_\_\_\_  
Stanley Smith, City Attorney



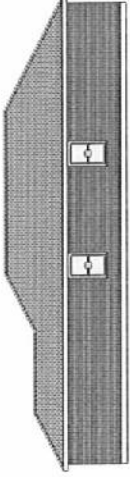
TOTAL REPRESENTATIVE	
NO. OF UNITS	1
NO. OF UNITS PER LOT	1
NO. OF UNITS PER BLOCK	1
NO. OF UNITS PER PHASE	1
NO. OF UNITS PER TRACT	1
NO. OF UNITS PER SUBDIVISION	1
NO. OF UNITS PER PROJECT	1
NO. OF UNITS PER PHASE	1
NO. OF UNITS PER TRACT	1
NO. OF UNITS PER SUBDIVISION	1
NO. OF UNITS PER PROJECT	1

TOTAL REPRESENTATIVE	
NO. OF UNITS	1
NO. OF UNITS PER LOT	1
NO. OF UNITS PER BLOCK	1
NO. OF UNITS PER PHASE	1
NO. OF UNITS PER TRACT	1
NO. OF UNITS PER SUBDIVISION	1
NO. OF UNITS PER PROJECT	1

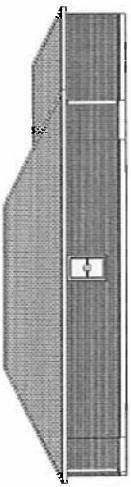
LIVING AREA  
1337.65 FT<sup>2</sup>



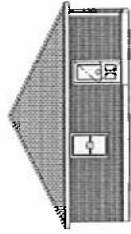
plot 1 in = 20 ft



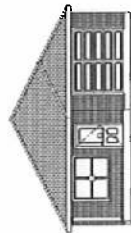
RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION 1/8 in = 1 ft

1349 PEACH ST.  
ABILENE, TX 79602

KRS DAY/REGINA DRUPTI	
Date: OCT 2024	Scale: 1/4" = 1' 5/8 FT
FLOOR PLAN AND ELEVATIONS	
Page: 11	Of: 2
Drawing: K	

**NEW CONSTRUCTION ECONOMIC DEVELOPMENT AGREEMENT  
BETWEEN THE CITY OF ABILENE AND**

**Kris Gay Homes**

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This Economic Development Agreement ("Agreement") is effective as of the 21st day of November, 2024 ("Effective Date"), by and between Kris Gay Homes ("Developer"), and the CITY OF ABILENE, TEXAS, a home rule city and municipal corporation ("City"), for the purposes and considerations stated below.

**RECITALS**

**WHEREAS**, the Developer has acquired, fee simple ownership of 1349 Peach St.. in Abilene, Taylor County, Texas (the "Project Area"); and

**WHEREAS**, the governing body of the City of Abilene adopted Resolution 49-2016 and Resolution 129-2023 creating an Economic Development Program authorized by Chapter 380 of the Texas Local Government Code; and

**WHEREAS**, the governing body of the City of Abilene adopted Resolution 192-2023 and has created Rebuild ABI as an infill development incentive for new residential construction in certain target areas throughout the City; and

**WHEREAS**, the City desires to enter into this Agreement with the Developer in order to implement the Rebuild ABI economic development program developed by the City to enhance and expand the City's commercial, economic and employment base to the long-term interest and benefit of the City and the State of Texas; and

**WHEREAS**, it is anticipated that the development of the Project Area will have a direct and positive economic benefit to the City; and

**WHEREAS**, the City hereby finds that this Agreement embodies an eligible "project" and clearly promotes economic development in the City and, as such, meets the requisites under Chapter 380 of the Texas Local Government Code and is in the best interests of the City; and

**NOW THEREFORE**, in consideration of the foregoing premises and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed as follows:

## I. AUTHORITY

- 1.01 The Agreement is authorized by state law, including but not limited Chapter 380 of the Texas Local Government Code, and is within the authority of the City and constitutes a legal and binding obligation of the City.
- 1.02 The Developer's execution and performance of this Agreement constitutes a valid and binding obligation of the Developer.
- 1.03 The factual recitals and findings set forth above are found to be true and correct for all purposes and are incorporated into this Agreement.

## II. DEFINITIONS

- 2.01. **Program** means the economic development program identified in Article IV herein and established by the City pursuant to this Agreement.
- 2.02. **Developer** means Kris Gay Homes its successors or assigns.

## III. TERM

- 3.01 This Agreement shall be effective as of the date of execution of both parties. This Agreement shall remain in full force and effect until the earlier of: (A) each party hereto has completed their respective obligations hereunder; or (B) eighteen months from the Effective Date ("**Term**").

## IV. ECONOMIC DEVELOPMENT PROGRAM

- 4.01 Upon Developer's completion of its obligations and duties set forth in this Agreement, the City shall pay the Developer the following incentives:
  - a. Payable at the time of closing of the interim construction financing to the participating eligible lender, on behalf of the Developer, a ten (10%) percent equity contribution of the total interim financing needed for the single-family construction. Lender eligibility is based solely on City accepting the lender into the Rebuild ABI program.

- b. Payable at the time of closing of the final buyer, a five (5%) percent completion grant will be paid to the Developer, such grant being equal to five(5%) percent of the amount of the sales price of the home, and the home sales price shall not exceed a maximum price of \$203,000.00,
  - c. In addition to the equity contribution and completion grant authorized above, the City shall provide without cost to the Developer, at the sole discretion of the City, one or more the following: (1) waiver of construction-related City permits and fees, (2) utility taps, (3) sidewalks, (4) roll-off containers and two tips, and (4) demolition of existing structures.
- 4.02 In the event the Developer chooses not to use a participating eligible lender, the Developer is eligible to receive a fifteen (15%) percent incentive, payable at the time of closing of the final buyer. Additionally, the Developer is eligible to receive the incentives listed in 4.01(c).

*V. DEVELOPER'S OBLIGATIONS AND DUTIES*

The Developer shall perform or cause to be performed, the construction of the improvements set forth in **Exhibit A- "Public and Private Improvements"** on or before the expiration of this agreement. Additionally::

- 5.01 The Developer shall be a member of the Big Country Home Builder's Association as of the effective date of this Agreement, and during the term of this Agreement.
- 5.02 The Developer shall construct, at its expense, the improvements identified on **Exhibit A - "Public and Private Improvements"** in accordance with all applicable laws and regulations, including but not limited to the City's current residential building code and residential energy code.
- 5.03 The Developer shall purchase all building materials from a business located within the corporate boundaries of the City of Abilene, and pay all applicable local sales and use taxes to the City of Abilene. Upon request of the City, Developer shall promptly provide written documentation of compliance with this requirement, such written documentation being receipts or other documentation as agreed to by the City.
- 5.04 The Developer shall require the final buyer of the residence to sign an affidavit at closing that the buyer intends to occupy the residence as their legal homestead in the State of Texas and that it shall serve as their primary residence for a period of Two years following closing.

- 5.05 The Developer shall construct the new construction within the existing Neighborhood Empowerment Zones of the City, or shall receive written approval from the City Manager, or his or her designee to build the home on a specific lot north of South 27<sup>th</sup> Street.

*VI. CITY OBLIGATIONS AND DUTIES*

- 6.01 Pay the Economic Incentives to Developer pursuant to the terms and conditions of this Agreement.

*VII. DEFAULT*

- 7.01 If any party should default upon any terms or obligations with respect to this Agreement ("Defaulting Party"), the other party ("Complaining Party") shall provide written notice of the default and shall reasonably include the actions required to cure such default. If the Defaulting Party cures the default within thirty (30) days after notice of default is received ("Cure Period"), or commences to cure default within said thirty (30) days and diligently pursues the cure to its conclusion then this Agreement shall continue as if no default occurred.
- 7.02 In the event that the Defaulting Party fails to cure the default as required by Section 7.01 above, the Complaining Party may, by action or proceeding at law or in equity, be awarded damages and/or specific performance for such default, including reasonable attorney's fees and costs.

*VIII. GENERAL PROVISIONS*

- 8.01 DEVELOPER COVENANTS AND AGREES TO AND DOES HEREBY FULLY INDEMNIFY, HOLD HARMLESS AND DEFEND THE CITY, ITS OFFICERS, AGENTS, SERVANTS, AND EMPLOYEES FROM ALL CLAIMS, SUITS OR CAUSES OF ACTION OF ANY NATURE WHATSOEVER WHETHER REAL OR ASSERTED, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES TO PERSONS OR PROPERTY, INCLUDING DEATH, RESULTING FROM OR IN ANY WAY CONNECTED WITH THIS AGREEMENT OR THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS. IN ADDITION, DEVELOPER COVENANTS TO INDEMNIFY, HOLD HARMLESS AND DEFEND THE CITY, ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, SUITS OR CAUSES OF ACTION OF ANY NATURE WHATSOEVER, BROUGHT FOR OR ON ACCOUNT OF INJURIES OR DAMAGES TO PERSONS OR PROPERTY, INCLUDING DEATH, RESULTING FROM THE**

**FAILURE OF DEVELOPER OR ITS CONTRACTORS AND SUBCONTRACTORS TO PROPERLY SAFEGUARD THE WORK, ON ACCOUNT OF ANY ACTS, INTENTIONAL OR OTHERWISE, NEGLIGENCE OR MISCONDUCT OF DEVELOPER, ITS CONTRACTORS, SUBCONTRACTORS, AGENTS, SERVANTS OR EMPLOYEES.**

- 8.02 If any provision of this Agreement, or a portion thereof, or the application thereof to any person or circumstances shall to any extent be held invalid, inoperative or unenforceable, the remainder of this Agreement, or the application of such provision or portion thereof to any other persons or circumstances, shall not be affected thereby. It shall not be deemed that any such invalid provision affects the consideration for this Agreement, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 8.03 This Agreement shall be construed in accordance with the laws of the State of Texas. Venue for any action brought under this Agreement shall be in Taylor County, Texas.
- 8.04 Developer shall not assign this Agreement without the express written consent of the City.
- 8.05 Nothing in this Agreement shall be construed to make the parties hereto partners or joint venturers or render any of said parties liable for the debts or obligations of any other of said parties.
- 8.06 Except as otherwise expressly provided herein, this Agreement may only be amended, modified or terminated by a declaration in writing, executed and acknowledged by all the parties to this Agreement.
- 8.07 This Agreement constitutes the entire agreement of the parties with respect to the matters set forth herein, and supersedes all prior discussions and agreements between the parties.
- 8:08 This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors and assigns.
- 8.09 In the event any legal proceeding is commenced to enforce or interpret provisions of this Agreement, the prevailing party in any such legal action shall be entitled to recover its reasonable attorney's fees and expenses incurred by reason of such action.

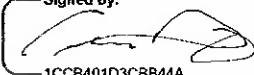
*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.  
SIGNATURE PAGE FOLLOWS.]*

AGREED:

DEVELOPER

**Kris Gay Homes**  
5849 Legacy Dr.  
Abilene, TX 79606  
325.660.2550  
Buildingabilene@gmail.com

\_\_\_\_\_  
\_\_\_\_\_

Signed by:   
1CCB401D3CBB44A

By (signature): \_\_\_\_\_

Name (printed):     Kris Gay    

Title:     Principal    

CITY OF ABILENE

DocuSigned by:  
  
E27D700B8444EA...

City Manager

**ATTEST:**  
DocuSigned by:  
  
C9A687226196428

City Secretary

APPROVED AS TO FORM:

DocuSigned by:  
  
D47E7C82A7BE450

City Attorney



# City Council Meeting

Economic Development Agreement Extension





- Kris Gay Homes is proposing to build a newly constructed affordable home located at 1349 Peach St.
- 3 bedroom, 2 bathroom, and 1 car garage
- Estimated sales price will not be above \$203,000
- He is asking for a 3 month extension to the adopted Resolution in order to wrap up the project.





# QUESTIONS





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Emily Crawford, City Manager  
**FROM:** Tim Littlejohn, Director of Planning & Development Services  
**ITEM:** 7. Ordinance (First Reading) Z-2026-29: Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.48 Acres from Residential Medium Density (MD) to College University (CU) Zoning. Located at 1801 Lincoln Drive. (Tim Littlejohn)

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**GENERAL INFORMATION**

The subject property was annexed into the City limits in 1928. Property was platted in 1927. This property has remained vacant since at least 2012.

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of 5-0.

**ATTACHMENTS:**

1. Ordinance
2. Staff Report (10)
3. 1810 Lincoln Drive
4. Presentation

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

**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 A CERTAIN PROPERTY; 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 Two Thousand Dollars (\$2,000.00). 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 11<sup>th</sup> day of June, 2026.

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 18<sup>th</sup> day of May 2026, 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 25<sup>th</sup> day of June, 2026, 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** 25<sup>th</sup> day of June, 2026.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

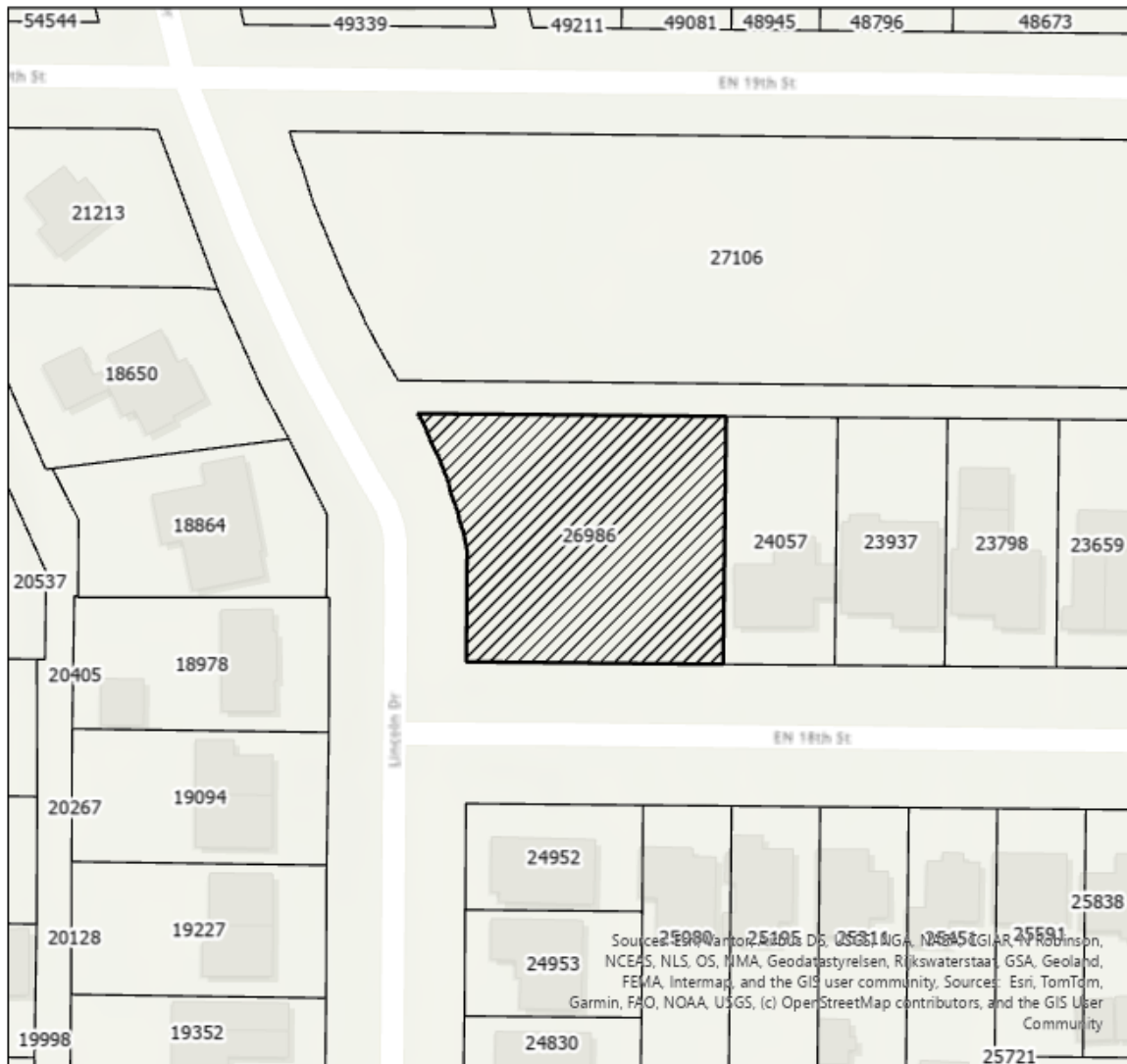
**ORDINANCE NO.** \_\_\_\_\_

**EXHIBIT A**

Change the zoning of approximately 0.48 acres from Medium Density Residential (MD) to College/University (CU).

Legal description being Lots 6-8, Block 23, Abilene Heights Addition, Abilene, Taylor County, Texas.

Located at 1801 Lincoln Drive.



**END**

# ZONING CASE

## Z-2026-29

### STAFF REPORT



#### Scheduled Hearings

Planning & Zoning Commission: June 2, 2026  
 City Council 1<sup>st</sup> Reading: June 11 2026  
 City Council 2<sup>nd</sup> Reading: June 25, 2026

#### Applicant

Agent: eHT  
 Owner: Abilene Christian University

#### Case Manager

Adam Holland – Planner

#### Request

Change the zoning of approximately 0.48 acres from Medium Density Residential (MD) to College/University (CU) zoning

#### Location

Located at 1801 Lincoln Drive. Legal description being lots 6-8, Block 23, Abilene Heights Addition, Abilene, Taylor County, Texas.

#### Background

The subject property was annexed into the City limits in 1928. Property was platted in 1927. This property has remained vacant since at least 2012.

#### Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	CU	Vacant
East	MD	Residential
South	RS-6	Residential
West	MD	Residential

#### Criteria Assessment

Section 1.4.1.4 of Abilene’s Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**

The proposed use is consistent with the Comprehensive Plan. This property is within a transitional character area which recommends retail, high density residential, neighborhood commercial, and light industrial which College/University is supported as a secondary use.

**(2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate as it would be consistent with the surrounding uses.

**(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property will be subject to site plan review; therefore, any and all utilities that are required will be addressed during that time.

**(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

**Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission recommends **approval**

**Attachments**

- PowerPoint Presentation

**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

**PROPERTY OWNER**

Legend: O - Opposed, F - In Favor

OWNER	PROP_ID	SITUS	RESPONSE
ABILENE CHRISTIAN UNIVERSITY	26986	1801 LINCOLN DR	Owner
ABILENE CHRISTIAN UNIVERSITY	27106	525 EN 19TH ST	Owner
ALLEN TOM & JUDY TRUST	25311	533 EN 18TH ST	
ALLEN TOM & JUDY TRUST	25311	533 A EN 18TH ST	
EIDSON TYLER & ASIA &	24057	526 EN 18TH ST	
FINNELL JOY LIFE EST	25591	549 EN 18TH ST	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	550 EN 18TH ST	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	1802 AVENUE D	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	552 EN 18TH ST	
JONES JERRY L & SHERILYN A	23937	534 EN 18TH ST	
MANSUR KAUAI	25195	525 EN 18TH ST	
MC ANALLY BENJAMIN F IV	25451	541 EN 18TH ST	
MC ANALLY BENJAMIN F IV	25451	541 1/2 EN 18TH ST	
MCFALL DIANNA LYNN	18864	1810 LINCOLN DR	F
MOERKERKE FAMILY TRUST	23798	542 1/2 EN 18TH ST	
MOERKERKE FAMILY TRUST	23798	542 EN 18TH ST	
OGLESBY ROBERT K JR &	24952	1749 LINCOLN DR	
OGLESBY ROBERT K JR &	24953	1741 LINCOLN DR	
PROWEN PROPERTIES LLC	21213	1842 LINCOLN DR	
RICHARDSON NANCY	25080	517 EN 18TH ST	

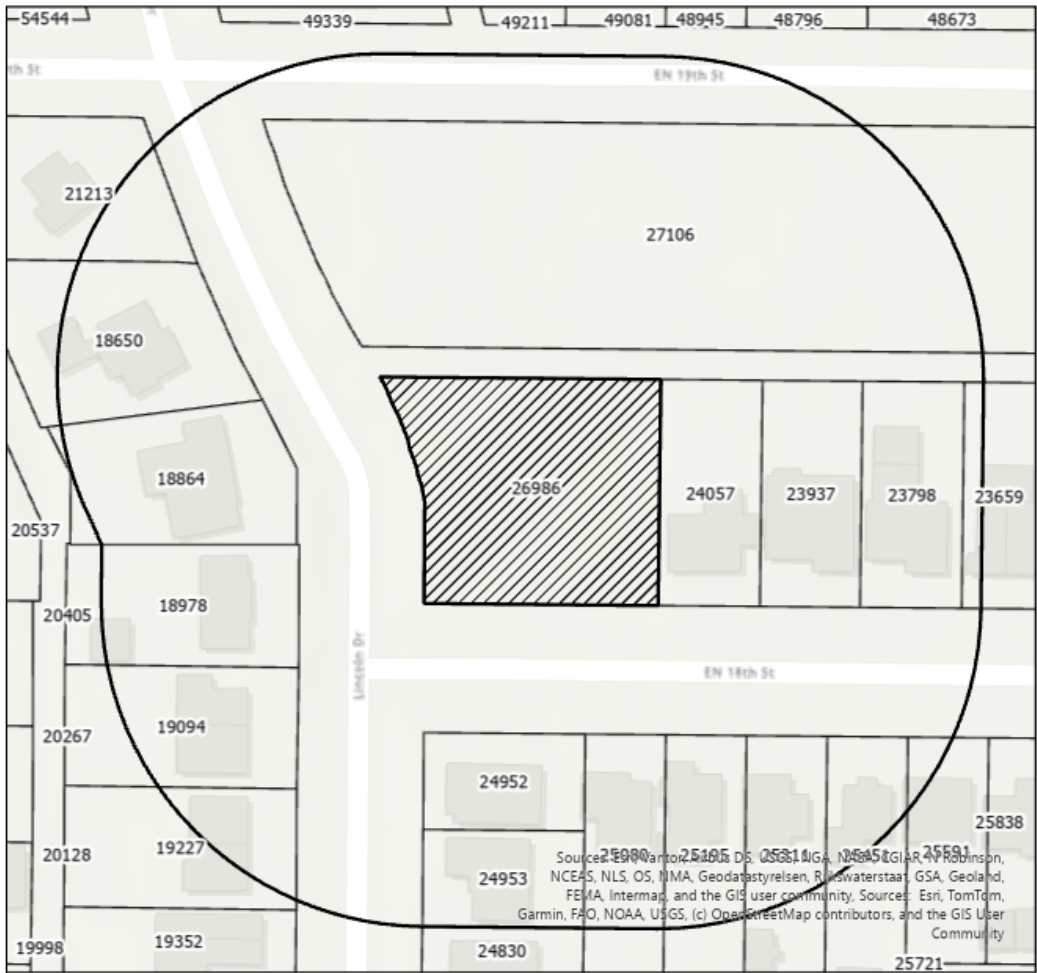
SEDDSCO LLC	18650	1826 LINCOLN DR	
SEDDSCO LLC	18650	1826 1/2 LINCOLN DR	
SEWELL FIELD VENTURES LLC	18978	1802 LINCOLN DR	
SEWELL FIELD VENTURES LLC	18978	1802 1/2 LINCOLN DR	
SULLIVAN SLADE	19094	1768 LINCOLN DR	
SULLIVAN SLADE	19094	1766 LINCOLN DR	
SULLIVAN SLADE	19227	1760 LINCOLN DR	
SULLIVAN SLADE	19227	1758 LINCOLN DR	

**PROPERTY ID**

Legend: O - Opposed, F - In Favor

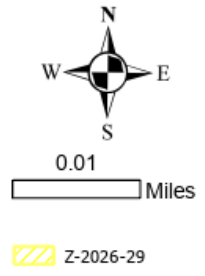
OWNER	PROP_ID	SITUS	RESPONSE
SEDDSCO LLC	18650	1826 LINCOLN DR	
SEDDSCO LLC	18650	1826 1/2 LINCOLN DR	
MCFALL DIANNA LYNN	18864	1810 LINCOLN DR	F
SEWELL FIELD VENTURES LLC	18978	1802 LINCOLN DR	
SEWELL FIELD VENTURES LLC	18978	1802 1/2 LINCOLN DR	
SULLIVAN SLADE	19094	1768 LINCOLN DR	
SULLIVAN SLADE	19094	1766 LINCOLN DR	
SULLIVAN SLADE	19227	1760 LINCOLN DR	
SULLIVAN SLADE	19227	1758 LINCOLN DR	
PROWEN PROPERTIES LLC	21213	1842 LINCOLN DR	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	550 EN 18TH ST	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	1802 AVENUE D	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	552 EN 18TH ST	
MOERKERKE FAMILY TRUST	23798	542 1/2 EN 18TH ST	
MOERKERKE FAMILY TRUST	23798	542 EN 18TH ST	
JONES JERRY L & SHERILYN A	23937	534 EN 18TH ST	
EIDSON TYLER & ASIA &	24057	526 EN 18TH ST	
OGLESBY ROBERT K JR &	24952	1749 LINCOLN DR	
OGLESBY ROBERT K JR &	24953	1741 LINCOLN DR	
RICHARDSON NANCY	25080	517 EN 18TH ST	
MANSUR KAUAI	25195	525 EN 18TH ST	
ALLEN TOM & JUDY TRUST	25311	533 EN 18TH ST	
ALLEN TOM & JUDY TRUST	25311	533 A EN 18TH ST	
MC ANALLY BENJAMIN F IV	25451	541 EN 18TH ST	
MC ANALLY BENJAMIN F IV	25451	541 1/2 EN 18TH ST	
FINNELL JOY LIFE EST	25591	549 EN 18TH ST	
ABILENE CHRISTIAN UNIVERSITY	26986	1801 LINCOLN DR	Owner
ABILENE CHRISTIAN UNIVERSITY	27106	525 EN 19TH ST	Owner

NOTIFICATION MAP



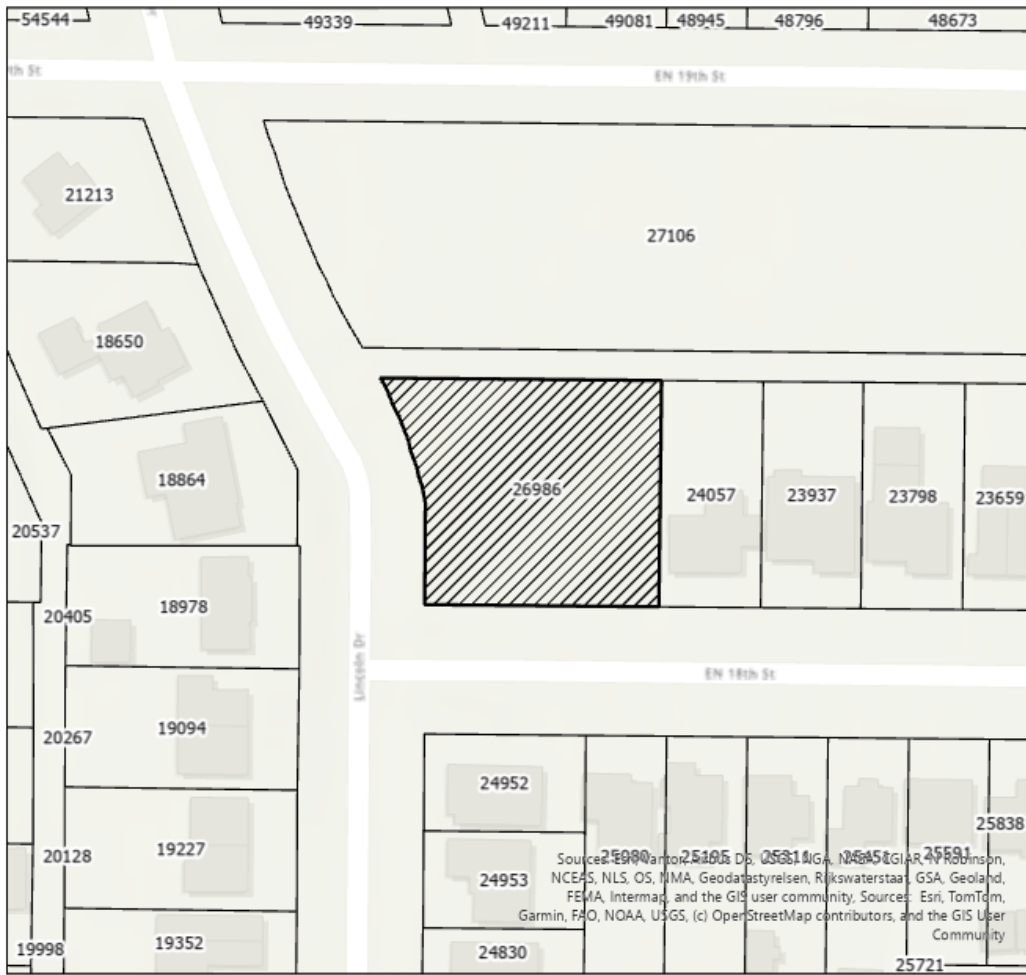
Sources: Esri, DeLorme, USGS, Imagery, NCEAS, NLS, OS, MMA, Geodanastyrelsen, Riskswaterstaat, GSA, Geolohd, FEMA, Intermap, and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

# LOCATION MAP





# FLOOD MAP



North arrow and scale bar (0.01 Miles).

**Z-2026-29**

**FEMA Flood Zones**

Blue	Floodway	Floodway
Red	100 Year 1%	100 Year 1%
Orange	100 Year 1%	100 Year 1%
Yellow	500 Year .2%	500 Year .2%
Purple	Unstudied A Zone	Unstudied A Zone

Sources: Esri, DeLorme, USGS, NAD, Esri, Robinson, NCEAS, NLS, OS, NIMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

**ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-29**

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. All responses must be received within 5 days of the meeting to be placed in the agenda packet. Please mail the response form to:

**Planning and Development Services**  
**PO BOX 60, Abilene, TX 79604-0060.**

MAY 25 AM 12:09

Alternatively, you may email your response to [planning@abilenetx.gov](mailto:planning@abilenetx.gov).

Requestor's Property Zoning:	MD	Your Name:	MCFALL DIANNA LYNN	I am in favor	<input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	CU	Your Address:	1810 LINCOLN DR		
Requestor's Parcel ID:	26986	Your Parcel ID:	18864	I am opposed	<input type="checkbox"/>

Signature: *Diana McFall*



# REZONE REQUEST

**Case:** Z-2026-29

**Agent:** eHT

**Owner:** Abilene Christian University

**Request:** Change the zoning of approximately 0.48 acres from Residential Medium Density (MD) to College University (CU).

**Location:** Located 1801 Lincoln Drive

**Notification:** 1 in Favor, 0 in Opposition

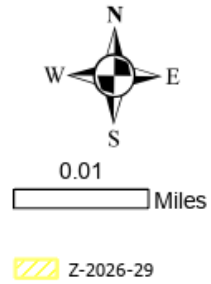
**Planning & Zoning:** June 2, 2026

**Council Hearing:** June 11, 2026  
June 25, 2026



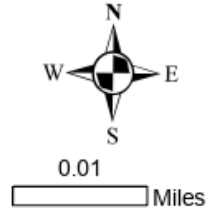
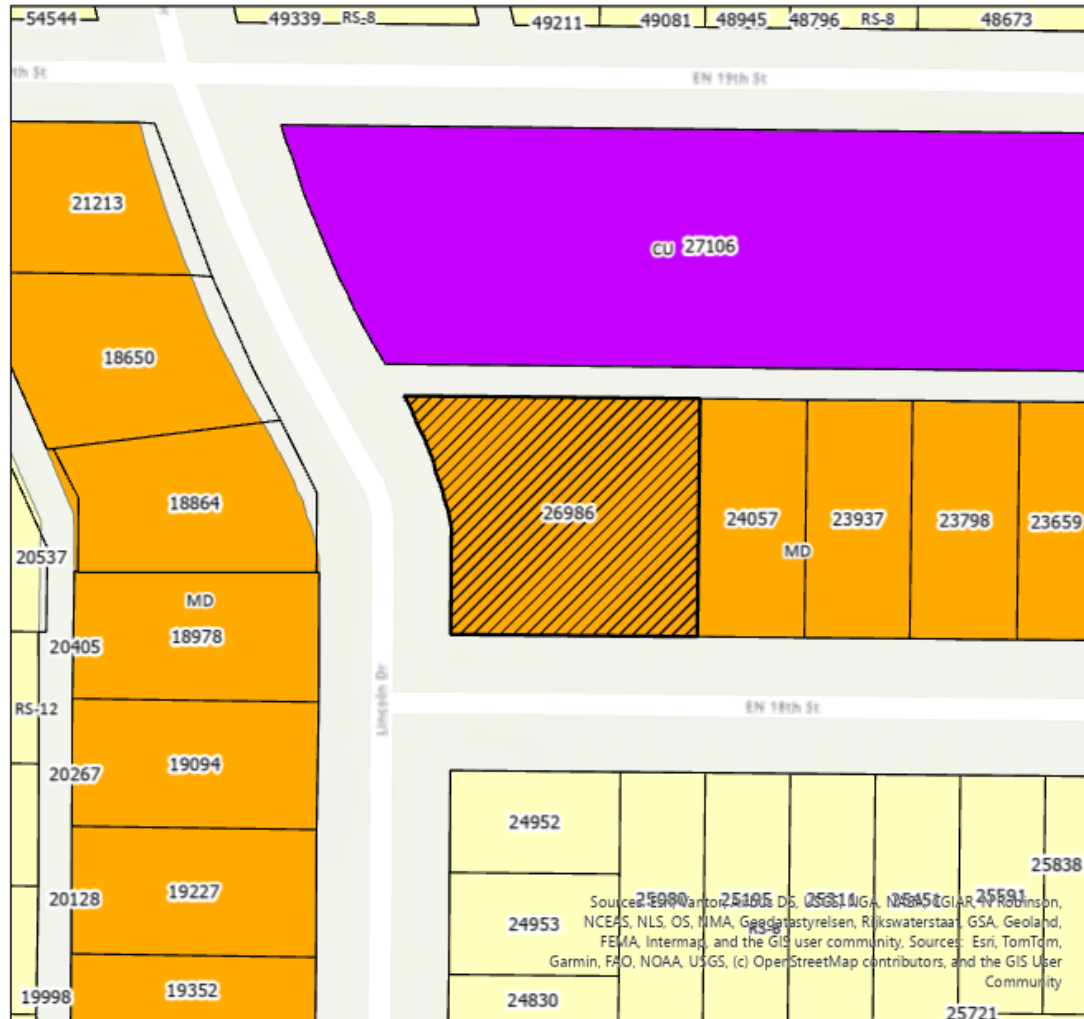


# AERIAL LOCATION MAP





# ZONING MAP



- Z-2026-29
- Zoning Districts
- CU
  - MD
  - RS-12
  - RS-6
  - RS-8





# PROPERTY VIEWS



Subject Property



East Neighboring Property



West Neighboring Property



North Neighboring Property





# USES IN MEDIUM DENSITY ZONING

## RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Group Home

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter
- C Rehabilitation Facility
- C Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment





# USES IN COLLEGE & UNIVERSITY ZONING

## RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Hotel/Motel

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Animal Lot
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Building, Mobile (storage and parking)\*
- P Recycling Collection Point
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- C Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- P Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Fire/Police Station
- P Hospital
- P Post Office

## EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P School: Public/Private
- P Trade/Business School
- P University/College

## TRADE – RETAIL USES:

- P/C Restaurant, Fast Food
- P/C Restaurant, Standard

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower – Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

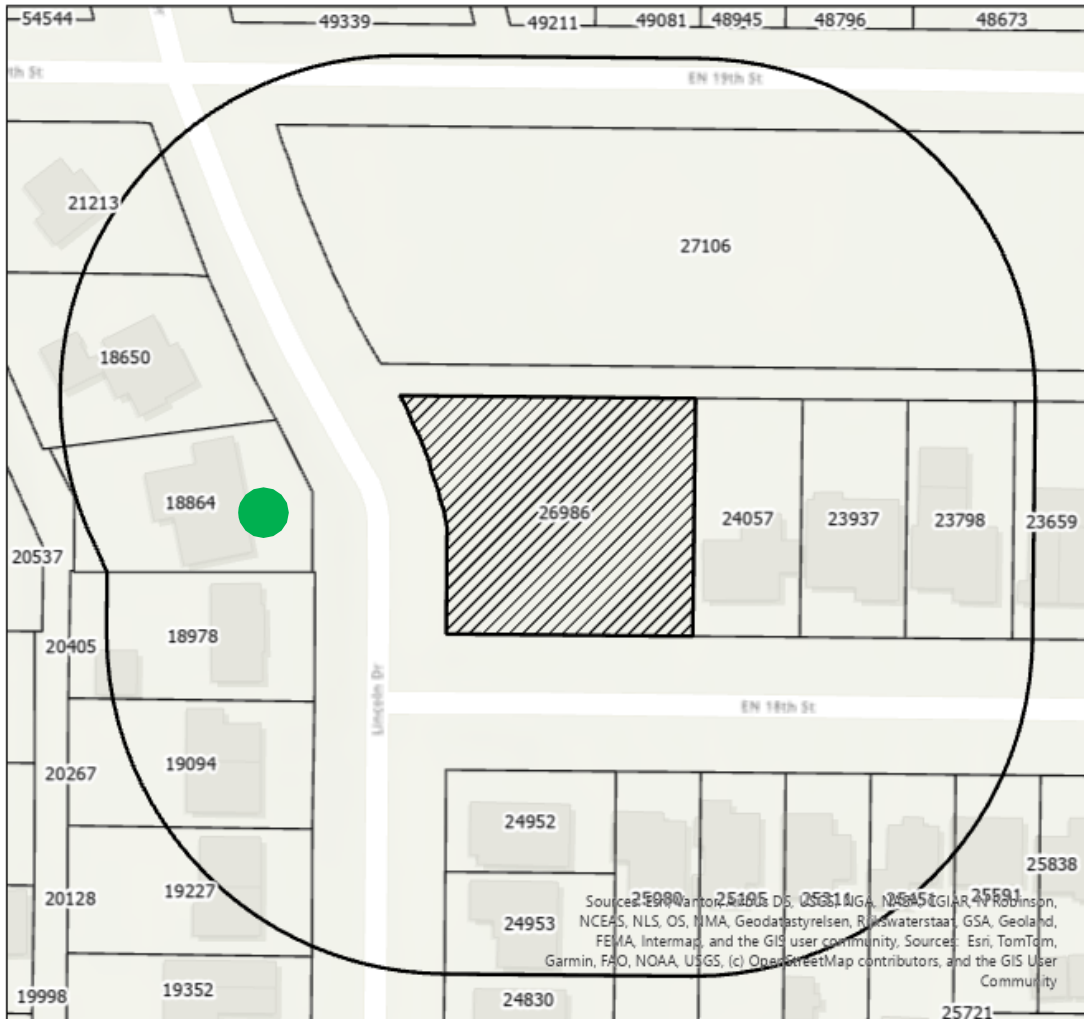
## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment





# NOTIFICATION AREA MAP



0.01  
Miles

□ Z-2026-29 Notification Buffer  
▨ Z-2026-29

1 - in Favor - ●  
0 - in Opposition - ●





# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

P&Z recommends **approval**.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Emily Crawford, City Manager**  
**FROM: Max Johnson, Director of Public Works**

**ITEM: 8. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code (Max Johnson)**

---

**GENERAL INFORMATION**

This Ordinance amendment will alter the speed limits set forth in Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code. This modification will change the existing limits of a 45 mph speed zone on Hardwick Road and add a speed limit onto Fairway Oaks Boulevard from Hardwick Road to Antilley Road. The Hardwick Road section between Antilley Road and Fairway Oaks Boulevard will be marked 40 mph. The section of Hardwick Road between Fairway Oaks Boulevard and Beltway South (FM 707) will be marked 35 mph. Lastly, Fairway Oaks Boulevard from Hardwick Road to Antilley Road will be added to the ordinance with a speed limit of 35 mph.

**FUNDING/FISCAL IMPACT**

Minimal fiscal impact expected. New signs displaying modified speed zones will be posted along designated roadways.

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends modification of the ordinance as supported by speed study of the roadways.

**ATTACHMENTS:**

1. Red Line - 2026 Hardwick Rd. Speed Limit Changes -- 6-3-2026
2. PROJECT LOCATION MAP
3. Hardwick Rd Speed Limit Slideshow - 6-3-2026

BACKUP DOCUMENTATION UPDATED? No                      UPDATED ON:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 18, “MOTOR VEHICLES AND TRAFFIC,” ARTICLE XIII, “SCHEDULES,” SECTION 18-285, “INCREASED SPEED LIMITS,” OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY**

**WHEREAS**, Hardwick Road is currently set at a speed of 45 mph from Antilley Road to Beltway South (FM 707); and

**WHEREAS**, Fairway Oaks Boulevard is currently not included in the ordinance; and

**WHEREAS**, the City has evaluated speeds posted in the area and made the determination that limits and speeds need to be altered in the table to meet safe travel requirements; and

**WHEREAS**, there is a need to amend the City Code of Ordinances to implement the recommended changes to the speed limit on Hardwick Road and Fairway Oaks Boulevard.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

**PART 1:** That Chapter 18, Article XIII, Section 18-285, “Increased Speed Limits,” of the Abilene Municipal Code be amended as set out in Exhibit “A,” attached hereto and made a part of this ordinance for all purposes.

**PART 2:** That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force or effect.

**PART 3:** That any persons violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine in accordance with Chapter 1 (Section 1-9) of this Code. 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 FIRST READING this 11th day of June, 2026.**

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 21th day of June, 2026, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 25th day of June, 2026, to permit the public to be heard.

**PASSED ON SECOND AND FINAL READING this 25<sup>th</sup> day of June, 2026.**

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

## Exhibit A

### Sec. 18-285. - Increased speed limits.

In accordance with the terms of this chapter and when signs are erected giving notice thereof, the prima facie speed limits shall be as set forth in this schedule upon those streets or portions of streets named herein and at all times unless otherwise specifically provided:

Street	Extent	Speed (mph)
North 1st St.	From Orange St. to Grape St.	35
	From Grape St. to Main St.	40
South 1st St.	From Treadaway Blvd. to Grape St.	35
	From Grape St. to Leggett Dr.	40
	From Leggett Dr. to Danville Dr.	45
	From Danville Dr. to west City limits	55
North 6th St.	From Shelton St. to Elm Creek	35
South 7th St.	From Pioneer Dr. to Corsicana Ave.	35
	From Corsicana Ave. to Arnold Blvd.	40
East North 10th St.	From FW&D RR to Kenwood Dr.	40
	From Kenwood Dr. to Loop 322	45
North 10th St.	From Treadaway Blvd. to FW&D RR	35
	From Westmoreland St. to North Clack St.	35
	From Clack St. to Wall St.	40
South 11th St.	From South Treadaway Blvd. to Abilene Southern RR	35
East South 11th St.	From Abilene Southern RR to Lytle Acres Dr.	40
	From Lytle Acres Dr. to Judge Ely Blvd.	45
	From Judge Ely Blvd. to Jake Roberts Freeway	55

South 14th St.	From Treadaway Blvd. to Hollis Dr.	35
	From Hollis Dr. to 500 feet west of Pioneer Dr.	40
	From 500 feet west of Pioneer Dr. To Danville Dr.	35
South 25th St.	From Treadaway Blvd. to Maple St.	40
South 27th St.	From Brookhollow Dr. to South Treadaway Blvd.	35
	From South Treadaway Blvd. to Abilene Southern RR	40
East South 27th St.	From Abilene Southern RR to Oldham Ln.	50
Airport Blvd.	From State Highway 36 to Lance Dr.	40
Ambler Ave.	From Judge Ely Blvd. to I-20	50
	From Judge Ely Blvd. to Cottonwood St.	45
	From Cottonwood St. to North Danville Dr.	35
Arnold Blvd.	From S. 1st St. to Military Dr.	40
	From Military Dr. to Hartford St.	45
Antilley Rd.	From US 83/84 to 400 feet west of Directors Prkwy.	35
	From 400 feet west of Directors Prkwy. to west City limits	45
Barrow St.	From S. 7th St. to S. 27th St.	35
Bentley St.	From Lytle Way to Loop 322	40
Buffalo Gap Rd.	From Sayles Blvd. to South 27th St.	35
	From South 27th St. to 300 feet south of Stonecrest Dr.	40
	From 300 feet south of Stonecrest Dr. to 800 feet south of Antilley Rd.	45
	From 800 feet south of Antilley Rd. to Catclaw Creek	50
	From Catclaw Creek to south City limits	55
Butternut St.	From South 1st St. to South Treadaway Blvd.	35
Beltway South	From west City limits to east City limits	55
Catclaw Drive	From S. Clack to Cedar Run Rd.	35

	From Cedar Run Rd. to Rebecca Ln.	40
Clack St., North	From North 10th St. to West Stamford St.	45
	From West Overland Trail to north City limits	45
Clack St., South	From South 7th St. to Hartford St.	45
	From Hartford St. to South 14th St.	40
	From South 14th St. to U.S. 83/84	45
Corsicana Ave.	From alley south of Pueblo Dr. to alley north of Benbrook St.	35
Danville Dr., North	From North 10th St. to West Stamford St.	45
	From West Overland Trail to north City limits	45
Danville Dr., South	From Treadaway Blvd. to Fairmount St.	45
	From Fairmount St. to a point 500 feet south of Steffens St.	40
Dub Wright Blvd.	From US 277 to 1,000 feet south of Jennings Dr.	55
	From 1,000 feet south of Jennings Dr. to Hartford St.	50
East Lake Rd.	From SH 351 to north City limits	55
	SH 351 to Musgrave Blvd.	40
Expo Dr.	From ES 11th St. to 500 feet south of Lytle Way	35
Expo Dr.	From 500 feet south of Lytle Way to Loop 322	40
<b>Fairway Oaks Blvd.</b>	<b>From Antilley Rd. to Hardwick Rd.</b>	<b>35</b>
Five Points Prkwy.	From Fulwiler Rd. to Arnold Blvd.	35
FM 3438	From I-20 to S. 1st St. (US 84)	50
Fulwiler Road	From I-20 to S. 1st St. (US 84)	50
Grape St.	From North 1st St. to Pine St.	35
Hardison Ln.	From Maple St. to Oldham Ln. (FM 1750)	40
Hardwick Rd.	From <del>Antilley Rd.</del> <b>Fairway Oaks Blvd.</b> to Beltway South (FM 707)	<del>45</del> <b>35</b>
<b>Hardwick Rd.</b>	<b>From Antilley Rd. to Fairway Oaks Blvd.</b>	<b>40</b>

Hartford St.	From Corsicana Ave. to Dub Wright Blvd.	40
Highland Ave.	From South 20th Street to Buffalo Gap Rd.	35
Industrial Blvd.	From Danville Dr. to Treadaway Blvd.	40
	From Loop 322 to Oldham Lane	45
	From Oldham Lane to Georgetown Dr.	40
	From Treadaway Blvd. to Loop 322	50
Judge Ely Blvd.	From E.N. 10th St. to E.N. 16th St.	40
	From Stamford St. to E.N. 16th St.	45
	From E.N. 10th St. to E. Hwy. 80	40
	From E. Hwy. 80 to East South 11th St.	45
Leggett Dr.	From North 1st St. to Elm Creek	35
Loop 322 (Jake Roberts F'way)	From east property line of South Treadaway Blvd. to East Stamford St.	55
Lytle Way	From East South 11th St. to Loop 322	40
Maple St.	From East South 11th St. to east South 27th St.	40
	From East South 27th St. to Loop 322	50
	Loop 322 to 1500 feet north of Colony Hill Rd.	50
	1500 feet north of Colony Hill Rd. to Beltway South	40
Military Dr.	From Chapel Hill Rd. to west City limits	45
Mockingbird Blvd.	From South 3rd St. to North 3rd St.	35
Mockingbird Lane	From South 3rd St. to South 7th St.	35
	From North 3rd St. to Vogel Ave.	35
Musgrave Blvd.	East Lake Road to Scottish Road	35
Old Anson Rd.	From Ambler Ave. to I-20	40
	From I-20 to Winters Freeway	45

Oldham Ln.	From E.S. 11th St. to Berry Lane	45
	From Berry Ln. to 200 ft. south of Cornell Dr.	50
	From 200 ft. south of Cornell Dr. to 1,250 ft. north of City limits	55
	From 1,250 ft. north of City limits to south City limits	60
Overland Trail, East	From FW&D RR to east City limits	45
Overland Trail, West	From entrance ramp west of Shirley Rd. to North Clack St.	45
	From entrance ramp west of Shirley Rd. to west City limits	55
	From N. Danville Dr. to Old Anson Rd.	45
Pine St.	From North 6th St. to Lowden St.	35
	From Lowden St. to Huckleberry Ln.	45
	From Huckleberry Ln. to north City limits	55
Pioneer Dr.	From North 1st St. to North 10th St.	40
	From South 1st St. to South 14th St.	35
Rebecca Ln.	From Buffalo Gap Rd. to Catclaw Dr.	40
	From Catclaw Dr. to 1,000 feet west of Catclaw Dr.	45
	From 1,000 feet west of Catclaw Dr. to U.S. 277	55
Ridgemont Dr.	From Clack St. to Rebecca Ln.	35
SH 36	From Jake Roberts Freeway to south City limits	55
SH 351	From I-20 to 0.1 mile east of East Lake Rd.	50
	From 0.1 mile of East Lake Rd. to east City limits	55
Sayles Blvd.	From South 1st St. to Industrial Blvd.	35
Southwest Dr.	From Brookhollow Dr. to S. Clack St.	35
	From Clack St. to 1,000 feet northeast of Sharon Rd.	40
	From 1,000 feet northeast of Sharon Road to 200 feet southwest of Elm Creek	45
	From 200 feet southwest of Elm Creek to Rebecca Lane	55

Stamford St., East	From FW&D RR to east City limits	45
Stamford St., West	From exit ramp west of Shirley Rd. to west City limits	55
	From North Clack St. to exit ramp west of Shirley Rd.	45
	From Old Anson Rd. to Danville Dr.	45
T & P Lane	From E. Hwy. 80 to E.S. 11th St.	35
Texas Ave.	From U.S. 277 to Denton St.	35
	From Denton St. to Corsicana Ave.	40
	From Corsicana Ave. to Dub Wright Blvd.	45
Transformer Trail	From Wise St. to T & P R.R.	40
Treadaway Blvd.	From North 4th St. to Pine St.	40
	From South 3rd St. to South 11th St.	40
	From South 11th St. to South 32nd St.	45
	From South 32nd St. to 500 feet south of Executive Dr.	50
	From 500 feet south of Executive Dr. to south City limits	55
E. Hwy. 80	From Judge Ely Blvd. to 400 feet west of Cockerell St.	40
	From Judge Ely Blvd. to Northway Dr. (eastbound)	55
	From east City limits to Northway Dr.	55
	From Northway Dr. to Judge Ely Blvd. (westbound)	45
U.S. 277	From Danville Dr. to Texas Ave.	40
	From Texas Ave. to 200 feet south of Twilight Tr.	45
	From 200 feet south of Twilight Tr. to south City limits	55
Vogel Avenue	From Old Anson Rd. to Mockingbird Lane	35
Waldrop Drive	Hardwick Rd. to Clack St.	40
West Lake Rd.	From Ambler to 1,000 feet north	40
	From 1,000 feet north of Ambler Ave. to Anson Ave.	50

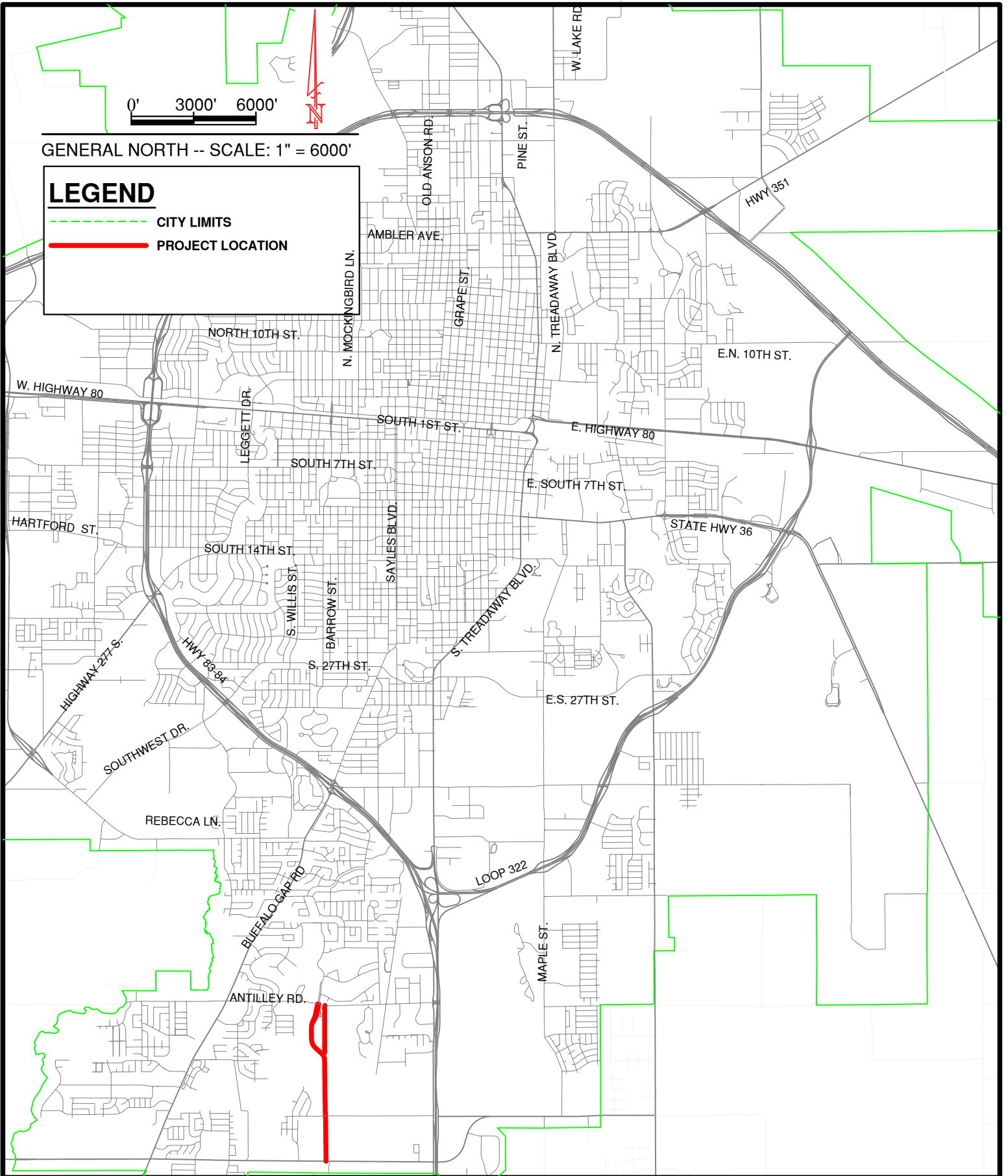
	From Anson Ave. to Stamford St.	40
	From Stamford St. to 500 feet north of Trailway Dr.	50
	From 500 feet north of Trailway Dr. to north City limits	55
Willis St.	From North 1st St. to North 12th St.	35
Zoo Lane	From Judge Ely Blvd. to Loop 322	40

0' 3000' 6000'

GENERAL NORTH -- SCALE: 1" = 6000'

**LEGEND**

- CITY LIMITS
- PROJECT LOCATION



Sheet  
1  
of  
1

**CITY OF ABILENE, TEXAS**  
PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION

**PROPOSED HARDWICK/FAIRWAY OAKS  
SPEED LIMIT CHANGES**

Designed By: M. MILLER  
Drawn By: M. MILLER  
Checked By: M. JOHNSON

NOT TO SCALE

Computer File Name:  
Project Location Map  
Date: APRIL 2026

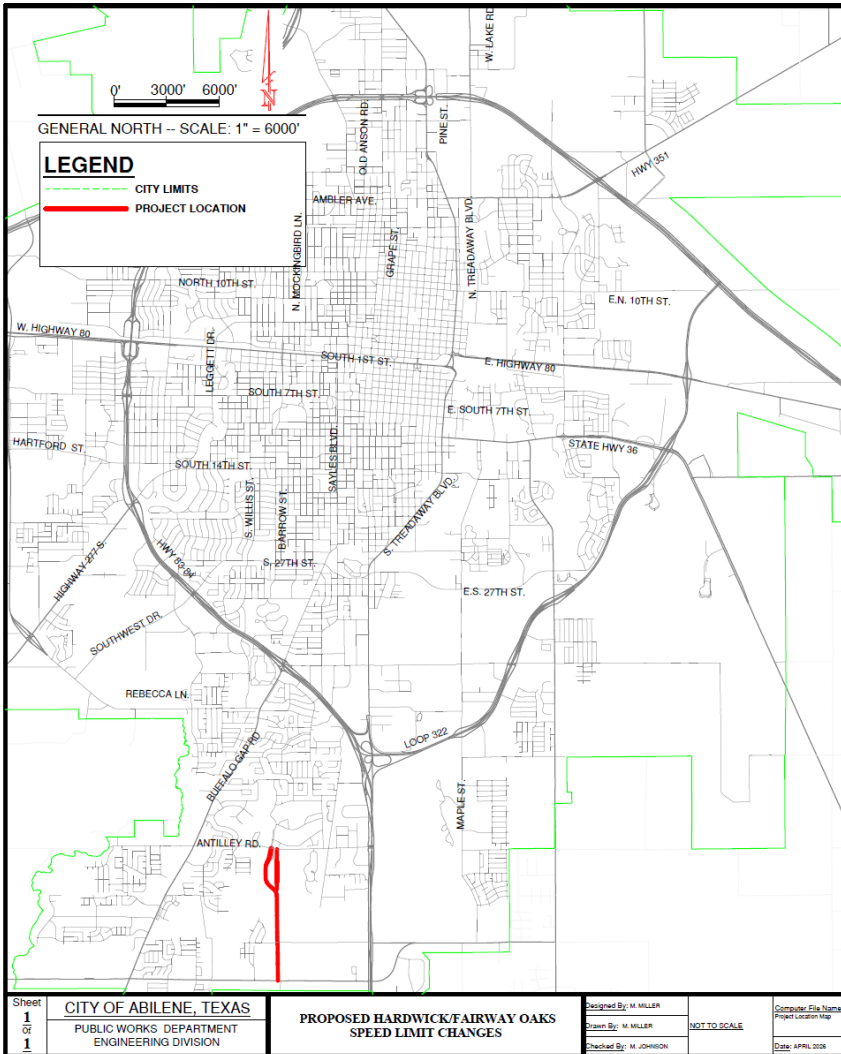
**Ordinance (First Reading): Amending  
Chapter 18, “Motor Vehicles and Traffic,”  
Article XIII, “Schedules,” Section 18-285,  
“Increased Speed Limits” of the Abilene  
Municipal Code**

*(Max Johnson)*





# Ordinance: Amending Code For Speed Limit Modification on Hardwick Road and Fairway Oaks Boulevard



## Limits

40 mph – Hardwick Road from Antilley Road to Fairway Oaks Boulevard

35 mph - Hardwick Road from Beltway South (FM 707) to Fairway Oaks Boulevard

35 mph - Fairway Oaks Boulevard from Hardwick Road to Antilley Road





# Ordinance: Amending Code For Speed Limit Modification on Hardwick Road and Fairway Oaks Boulevard

- Includes:
  - Modification of speed limit on Hardwick Road between Antilley Road and Fairway Oaks Boulevard from 45 mph to 40 mph.
  - Modifies speed limit on Hardwick Road between Fairway Oaks Boulevard to Beltway South (FM 707) from 45 mph to 35 mph.
  - Adds speed limit of 35 mph on Fairway Oaks Boulevard from Antilley Road to Hardwick Road.





Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Emily Crawford, City Manager  
**FROM:** Tim Littlejohn, Director of Planning & Development Services  
**ITEM:** **9. Ordinance (Final Reading) TC-2026-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from McMurry University to Abandon a Certain Portion of Right-of-way known as Ross Avenue from South 15th Street to Hunt Street and a portion of South 16th Street from Ross Avenue to 140 Feet West to an Alley Running North and South. *(Tim Littlejohn)***

---

**GENERAL INFORMATION**

The property adjacent to the requested area is owned by McMurry University. McMurry intends to create a more pedestrian-friendly environment through the abandonment of the rights-of-way.

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

The Planning and Zoning Commission recommends approval with conditions by a vote of 4-0.

- All utilities must be relocated at the expense of the applicant or placed in appropriate easements.
- Emergency access and drainage easements shall be provided to meet the standards set by the Fire Marshal and Public Works Department.
- Property must be replatted within one year of the approval date of this request.

**ATTACHMENTS:**

1. Ordinance
2. Staff Report
3. ROW Closure Exhibit
4. Presentation

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE PROVIDING FOR ABANDONMENT OF A CERTAIN PORTION OF A PUBLIC RIGHT-OF-WAY FOR A PORTION OF ROSS AVENUE EXTENDING NORTH FROM HUNT STREET TO SOUTH 15<sup>TH</sup> STREET AND SOUTH 16<sup>TH</sup> STREET FROM ROSS AVENUE WEST 140 FEET TO AN ALLEY RUNNING NORTH AND SOUTH; PROVIDING FOR TERMS AND CONDITIONS OF SUCH ABANDONMENT AND CALLING A PUBLIC HEARING.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

**PART 1:** That the following described portion of public right-of-way for the subject right-of-way, as described on Exhibit “A” attached hereto and made part of this ordinance for all purposes, be and the same are hereby abandoned, vacated and closed insofar as the right, title or easement of the City of Abilene is concerned, subject to conditions as stated herein.

**PART 2:** That said portion of public right-of-way is not needed for the City of Abilene’s purposes, and it is in the City of Abilene’s interest to abandon the above-described portion of public right-of-way, specifically to the State of Texas, for the purpose of expanding its highway improvements therein.

**PART 3:** That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land specifically described in Part 1 of this ordinance and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

**PASSED ON FIRST READING THE 28<sup>th</sup> day of May, 2026.**

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 17<sup>th</sup> day of April, 2026, the same being more than fifteen (15) days prior to a public hearing to be held at the Council Chambers in City Hall at 555 Walnut St. Abilene, Texas, at 8:30 a.m. on the 11<sup>th</sup> day of June, 2026, to permit the public to be heard prior to final consideration of this ordinance.

**PASSED ON FINAL READING THIS 11<sup>th</sup> day of June, 2026.**

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

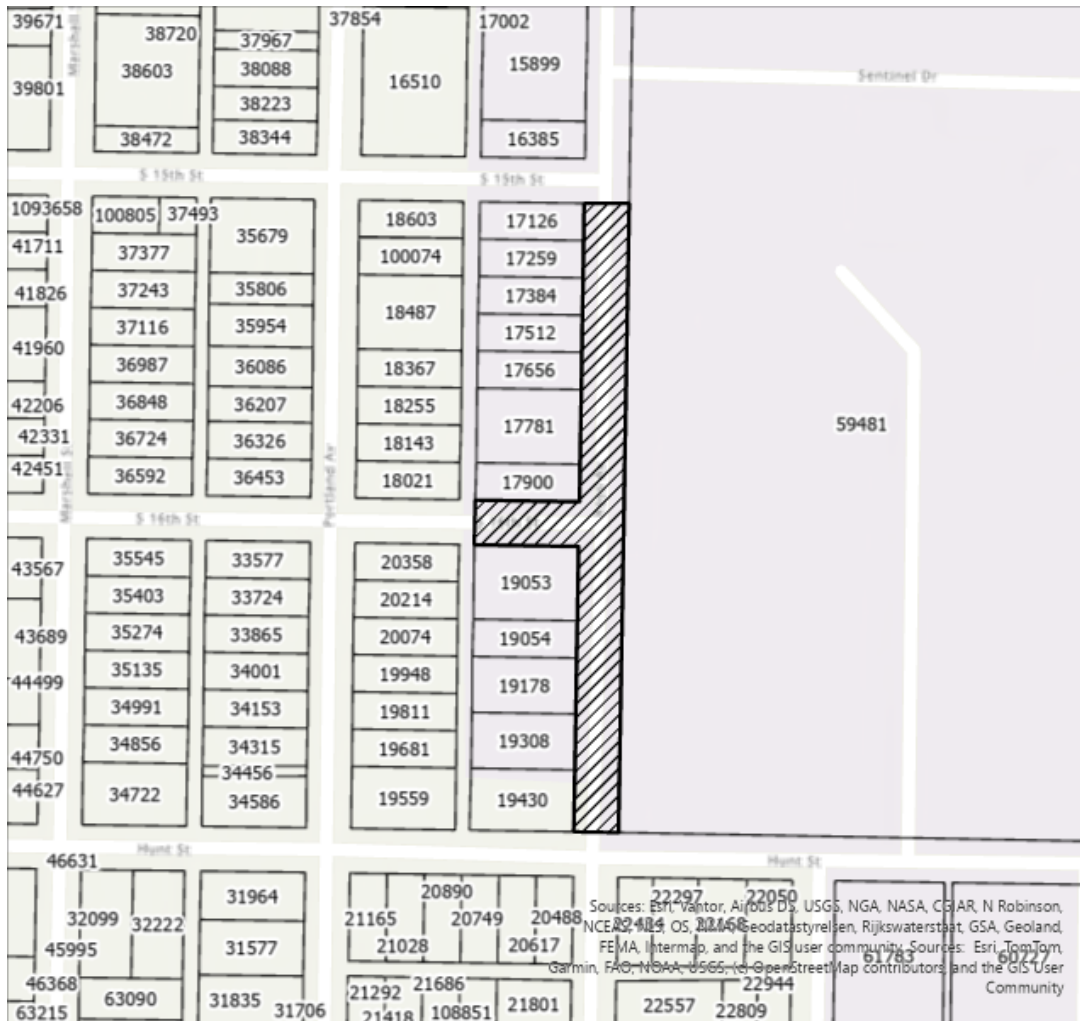
ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

The City of Abilene hereby abandons the following portion of right-of-way:

Ross Avenue from South 15<sup>th</sup> Street extending south to Hunt Street and South 16<sup>th</sup> Street from Ross Avenue to the north and south alley approximately 140 feet west; subject to the following conditions.

1. The subject right-of-way, and all adjoining properties, shall be platted in accordance with the City of Abilene's Standards. A plat must be recorded within one (1) year from the date of approval.
2. Emergency access and drainage easements shall be provided to meet the standards set by the Fire Marshal and Public Works Department.
3. All utilities must be relocated at the expense of the applicant or placed in appropriate easements.



END

# ZONING CASE TC-2026-02 STAFF REPORT



## Scheduled Hearings

Planning & Zoning Commission: May 5, 2026  
City Council 1<sup>st</sup> Reading: May 28, 2026  
City Council 2<sup>nd</sup> Reading: June 11, 2026

## Applicant

Agent: McMurry University

## Case Manager

Adam Holland – Planner

## Request

Abandon certain portions of ROW

## Location

Located at Ross Ave. from S 15<sup>th</sup> St. to Hunt St. and S 16<sup>th</sup> St. from Ross Ave. west to an alley running north and south.

## Background

The property adjacent to the requested area is owned by McMurry University. McMurry intends to create a more pedestrian-friendly environment through the abandonment of the rights-of-way.

## DRC Review

The Development Review Committee reviewed this request and made the following comments:

### Athan Himmelstein - AEP Texas Abilene Distribution

McMurry will need to sign a specific easement drafted by AEP to convert the facilities underground and provide an easement for the existing down guying on the northeast corner of Hunt St. & Ross Ave. The existing down guying is on the east side of Ross St. that goes 40' north of Hunt St.

### Abilene Fire Department

\*Fire Department access to all structures on campus must be accessible within 150 feet.

\*The Fire Department Connection for the Press Box of the football stadium is located on Ross. This must be accessible by AFD.

-Please provide the distances from accessible means, to the most remote area of all buildings that could be affected by this closure.

### Abilene Water Department

The existing water and sanitary sewer infrastructure must be relocated as discussed. Please submit Construction Plans for the proposed work.

### Abilene Public Works Department

Engineering will require a drainage and emergency vehicle access easement. Public Works

administration requests further information as to why this closure is necessary.

### Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	CU	McMurry University
East	CU	McMurry University
South	CU/MD	McMurry University/Single-Family
West	CU/RS-6	McMurry University/Single-Family

### Criteria Assessment

Section 1.4.1.4 of Abilene’s Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**

The proposed use is consistent with the Comprehensive Plan.

- (2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed abandonment would be appropriate as it would be consistent with the surrounding uses to facilitate a pedestrian friendly environment.

- (3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property is served by all public utilities.

- (4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

### Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommends **approval with conditions**.

- All utilities must be relocated at the expense of the applicant or placed in appropriate easements.
- Emergency access and drainage easements shall be provided to meet the standards set by the Fire Marshal and Public Works Department.
- Property must be replatted within one year of the approval date of this request.

### Attachments

- PowerPoint Presentation
- ROW Closure Exhibit

### Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on April 17, 2026, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified

below:

**PROPERTY OWNER**

Legend: A - Applicant O - Opposed, F - In Favor

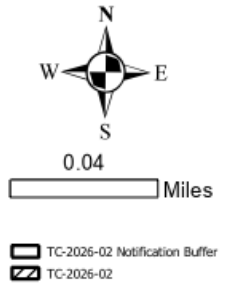
OWNER	PROP_ID	SITUS	RESPONSE
AZIRI HOLDINGS, LLC	100074	1509 PORTLAND AV APT B	
AZIRI HOLDINGS, LLC	18487	1525 PORTLAND AV APT A	
IGLESIA BAUTISTA EL BUEN PASTOR	18603	1501 PORTLAND AV	
IMPACT GROUP EQUITIES LLC	18021	1557 PORTLAND AV	
MARTINEZ JOHN & JUANITA	18367	1533 PORTLAND AV	
MARTINEZ JOHN & JUANITA	18255	1541 PORTLAND AV	
MC MURRY COLLEGE	59481	2302 HUNT ST	A
MC MURRY UNIVERSITY	19308	1642 ROSS AV	A
MC MURRY UNIVERSITY	19430	1660 ROSS AV	A
MC MURRY UNIVERSITY	19430	2510 HUNT ST	A
MC MURRY UNIVERSITY	19811	1633 PORTLAND AV	A
MC MURRY UNIVERSITY	20488	2501 HUNT ST	A
MC MURRY UNIVERSITY	20890	2525 HUNT ST	A
MC MURRY UNIVERSITY	22050	2401 HUNT ST	A
MC MURRY UNIVERSITY	20617	2509 HUNT ST	A
MC MURRY UNIVERSITY	20749	2517 HUNT ST	A
MC MURRY UNIVERSITY	22297	2441 HUNT ST	A
MC MURRY UNIVERSITY	22434	2449 HUNT ST	A
MC MURRY UNIVERSITY	19178	1634 ROSS AV	A
MC MURRY UNIVERSITY	15899	1436 ROSS AV	A
MC MURRY UNIVERSITY	19053	1610 ROSS AV	A
MC MURRY UNIVERSITY	19054	1618 ROSS AV	A
MC MURRY UNIVERSITY	18143	1549 PORTLAND AV	A
MC MURRY UNIVERSITY	17384	1518 ROSS AV	A
MC MURRY UNIVERSITY	17900	1560 ROSS AV	A
MC MURRY UNIVERSITY	17656	1534 ROSS AV	A
MC MURRY UNIVERSITY	17126	1502 ROSS AV	A
MC MURRY UNIVERSITY	16385	1458 ROSS AV	A
MC MURRY UNIVERSITY	17781	1548 ROSS AV	A
MC MURRY UNIVERSITY	20214	1609 PORTLAND AV	A
MC MURRY UNIVERSITY	17259	1510 ROSS AV	A
MC MURRY UNIVERSITY	17512	1526 ROSS AV	A
MC MURRY UNIVERSITY	16510	1441 PORTLAND AV	A
NEW JIMMY L SR	22557	1741 ROSS AV	
RCD HOLDINGS LLC	19948	1625 PORTLAND AV	
SCOTT DALE DAYTON	22168	2409 HUNT ST	
SMITH ROBERT D	21801	1750 ROSS AV	
SMITH RODNEY E & JILL A	19559	1649 PORTLAND AV	F
SOULAR RTS LLC SERIES Z ET AL	19681	1641 PORTLAND AV	
SOULAR RTS LLC SERIES Z ET AL	20358	1601 PORTLAND AV	
STONEHENGE INVESTMENTS LLC	20074	1617 PORTLAND AV	

PROP ID

Legend: O - Opposed, F - In Favor

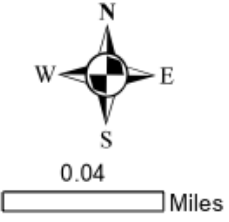
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NEW JIMMY L SR	22557	1741 ROSS AV	
MC MURRY COLLEGE	59481	2302 HUNT ST	A
AZIRI HOLDINGS, LLC	100074	1509 PORTLAND AV APT B	

# NOTIFICATION MAP





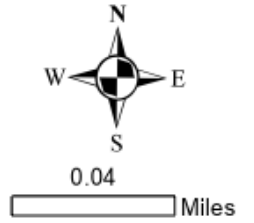
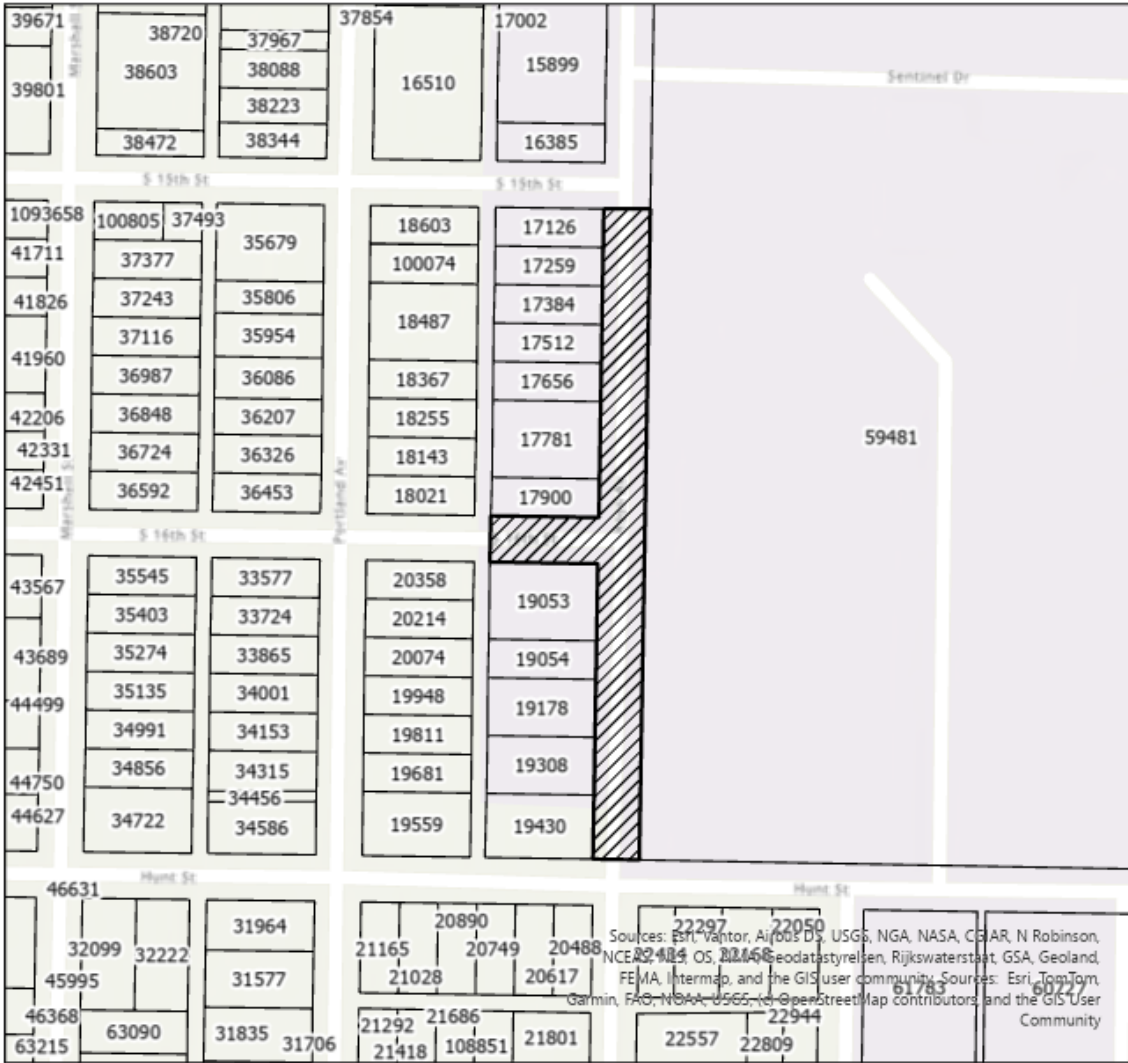
# ZONING MAP



- Zoning Districts**
- TC-2026-02 (Hatched)
  - CU (Purple)
  - GC (Green)
  - MD (Orange)
  - NR (Pink)
  - RS-6 (Yellow)

Sources: Esri, DeLorme, Airphoto, USGS, NGA, NGA, CBAR, N Robinson, NCEM, Esri, DeLorme, Airphoto, USGS, NGA, NGA, CBAR, N Robinson, NCEM, Esri, DeLorme, Airphoto, USGS, NGA, NGA, CBAR, N Robinson, FEMA, Intermap, and the GIS user community. Sources: Esri, DeLorme, Garmin, Esri, NGA, USGS, Esri, DeLorme, Airphoto, USGS, NGA, NGA, CBAR, N Robinson, NCEM, Esri, DeLorme, Airphoto, USGS, NGA, NGA, CBAR, N Robinson, FEMA, Intermap, and the GIS user community.

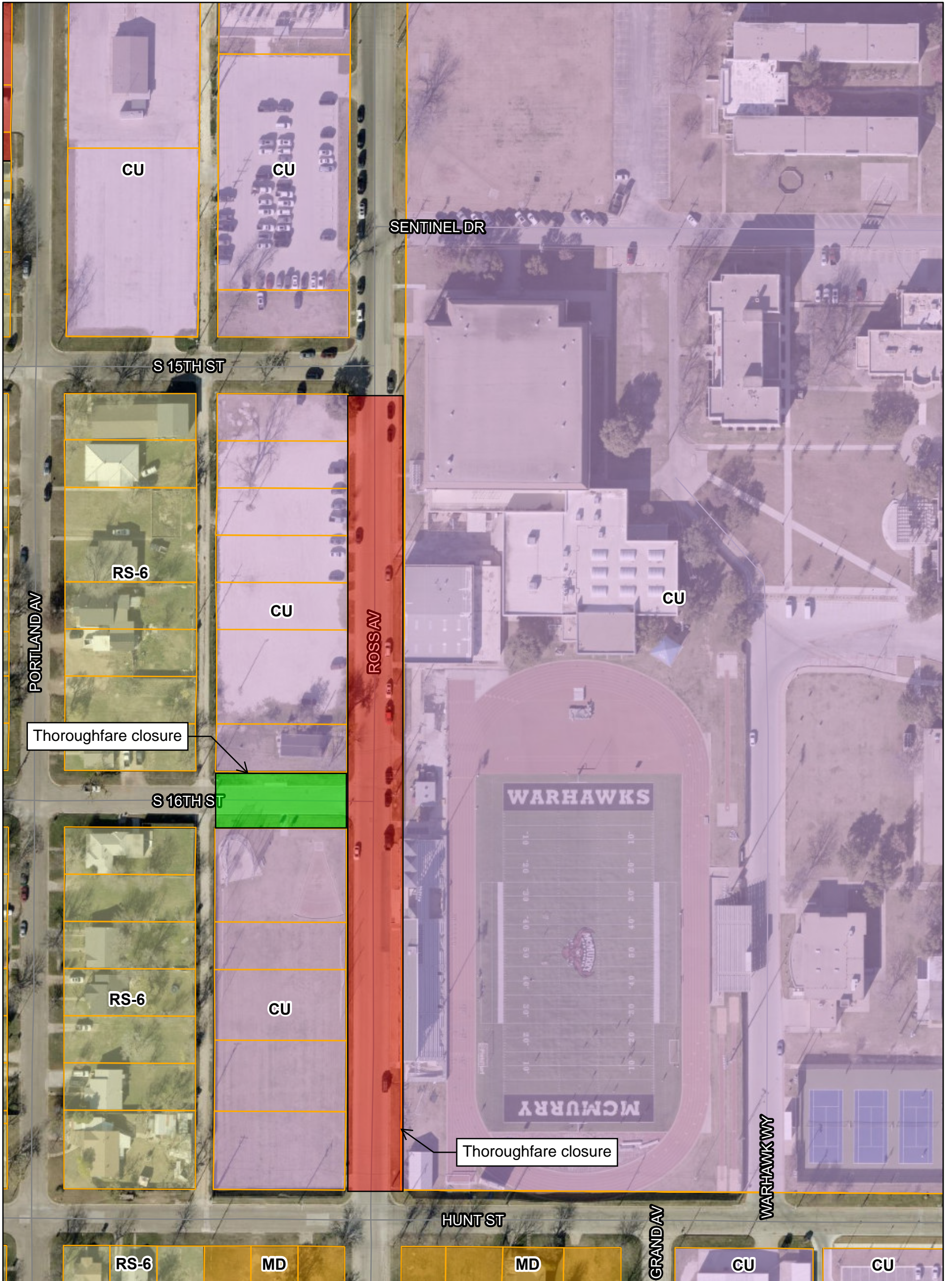
# FLOOD MAP



- TC-2026-02  
**FEMA Flood Zones**  
 Floodway Floodway  
 100 Year 1% 100 Year 1%  
 500 Year .2% 500 Year .2%  
 Unstudied A Zone Unstudied A Zone

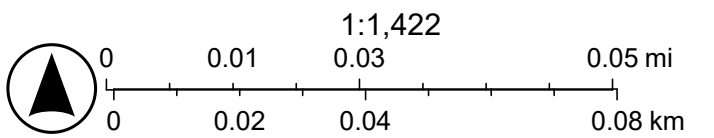
Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CSAR, N Robinson, NCEM, OS, Geodastyleisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, and OpenStreetMap contributors, and the GIS User Community

# ArcGIS Web Map



3/27/2026, 3:49:10 PM

- |                            |                 |                       |                          |                        |                                |                  |                 |                                 |               |                               |                |                          |                          |            |                     |                         |                  |                         |                       |                       |                       |                       |                          |                  |               |                            |                              |                              |           |                          |
|----------------------------|-----------------|-----------------------|--------------------------|------------------------|--------------------------------|------------------|-----------------|---------------------------------|---------------|-------------------------------|----------------|--------------------------|--------------------------|------------|---------------------|-------------------------|------------------|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|--------------------------|------------------|---------------|----------------------------|------------------------------|------------------------------|-----------|--------------------------|
| Abilene Municipal Boundary | Courier Parcels | All District Outlines | Rural - Residential (RR) | Agricultural Open (AO) | Single Family Residential (RS) | Mobile Home (MH) | Patio Home (PH) | Medium Density Residential (MD) | Townhome (TH) | Multi-Family Residential (MF) | Mixed Use (MX) | Neighborhood Retail (NR) | Neighborhood Office (NO) | Office (O) | General Retail (GR) | College/University (CU) | Medical Use (MU) | General Commercial (GC) | Central Business (CB) | Light Industrial (LI) | Heavy Industrial (HI) | Heavy Commercial (HC) | Planned Development (PD) | Road Centerlines | World Imagery | Low Resolution 15m Imagery | High Resolution 60cm Imagery | High Resolution 30cm Imagery | Citations | 30cm Resolution Metadata |
|----------------------------|-----------------|-----------------------|--------------------------|------------------------|--------------------------------|------------------|-----------------|---------------------------------|---------------|-------------------------------|----------------|--------------------------|--------------------------|------------|---------------------|-------------------------|------------------|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|--------------------------|------------------|---------------|----------------------------|------------------------------|------------------------------|-----------|--------------------------|



Microsoft, Vantor  
 THIS DOCUMENT IS RELEASED ON 03/27/2026 FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF KENDRA M HANFELD, P.E., TEXAS LICENSE #118983. IT IS NOT TO BE USED FOR REGULATORY APPROVAL, CONSTRUCTION, BIDDING OR PERMIT PURPOSES.  
 PARKHILL SMITH & COOPER, INC. Page 118 of 339



# REZONE REQUEST

**Case:** TC-2026-02

**Agent:** McMurry University

**Request:** Abandon certain portions of ROW including Ross Ave from S 15th St to Hunt St. And S 16th St from Ross to an alley running north and south.

**Location:** Ross St and S 16th St

**Notification:** 1 in Favor, 0 in Opposition

**Planning & Zoning:** May 5, 2026

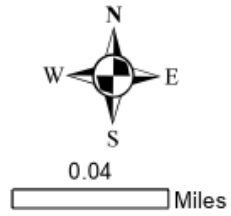
**Council Hearing:** May 28, 2026  
June 11, 2026







# ZONING MAP



- TC-2026-02
- Zoning Districts
- CU
  - GC
  - MD
  - NR
  - RS-6



CITY OF  
**ABILENE**  
TEXAS



# PROPERTY VIEWS



North Neighboring Property



Subject Thoroughfare (S 16th St.)



Adjacent Property (West)



Adjacent Property (East)



Subject Thoroughfare (Ross Ave)





# NOTIFICATION AREA MAP



0.04 Miles

- TC-2026-02 Notification Buffer
- TC-2026-02

- 1 - in Favor -
- 0 - in Opposition -



CITY OF  
**ABILENE**  
TEXAS

Sources: Esri, Vantor, Altimetrik, USGS, NGA, NASA, CIA, N Robinson, NCEM, FEMA, Intermap, and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, and OpenStreetMap contributors, and the GIS User Community



# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

P&Z recommends **approval with conditions:**

- All utilities must be relocated at the expense of the applicant or placed in appropriate easements.
- Emergency access and drainage easements shall be provided to meet the standards set by the Fire Marshal and Public Works Department.
- Property must be replatted within one year of the approval date of this request.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Emily Crawford, City Manager**  
**FROM: Tim Littlejohn, Director of Planning & Development Services**  
**ITEM: 10. Ordinance (Final Reading) Z-2026-23: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner to Change the Zoning of Approximately 99.38 Acres from Agricultural Open (AO) To a Planned Development District (PDD-199) to allow Residential Medium Density and Residential Single-family uses with amended standards. Located At 4489x Caldwell Road. (Tim Littlejohn)**

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**GENERAL INFORMATION**

The subject property was annexed into the City limits in 1980. The owner intends to allow Medium Density with alternative minimum size standards of 40 feet in width and 4,000 square feet in area to allow a mixture of single-family and duplexes. Additionally, within tract 2, they have proposed Residential Single-Family uses with minimum standard sizes of 50 feet in width and a minimum of 5,000 square foot lots.

Because the proposed rezoning from Agricultural Open (AO) to a Planned Development (PD) with base zoning of Medium Density Residential (MD) and Single-Family Residential (RS-6) will create more residential development, a super-majority vote is not required.

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of 4-0.

**ATTACHMENTS:**

1. ordinance
2. Staff Report
3. 633 Neas Road
4. 4073 Caldwell Rd (1)
5. Presentation

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

ORDINANCE NO. \_\_\_\_\_

**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 PROPERTY; CREATING A PLANNED DEVELOPMENT DISTRICT (PDD-199); 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 Two Thousand Dollars (\$2,000.00). 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 28<sup>th</sup> day of May, 2026.

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 17<sup>th</sup> day of April, 2026, 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 11<sup>th</sup> day of June, 2026, 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** 11<sup>th</sup> day of June, 2026.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

**EXHIBIT A**

Change the zoning classification of the following described land from Agricultural Open (AO) to a Planned Development District (PDD-199) subject to the requirements set out in Exhibit B and the Concept Plan shown in Exhibit C.

Legal description being as follows:

**TRACT ONE:**

BEING 93.81 acres out of Section 82, Block 14, T. & P. RR. Company Surveys, Taylor County, Texas, said 93.81 acres being all of that same property described in Volume 2106, Page 471, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at an existing wood post on the SBL of Neas Road (FM Highway 3308) at the northeast corner of a 0.029 acre tract described in Volume 1645, Page 699, Official Public Records, Taylor County, Texas;

THENCE N89°56'34"E 1977.0 feet to a 3/8" rebar set on the WBL of a 300 Cedar Creek Flood Control Channel for the northeast corner of this tract;

THENCE S1°57'57"W 727.9 feet along the WBL, of said Flood Control Channel to a point on the east bank of Cedar Creek;

THENCE along the east bank of Cedar Creek as follows:

S26°10'57"W 17.0 feet to a point; S70°37'57"W 180.0 feet to a point;

N78°27'03"W 69.3 feet to a point, from whence a 3/8" rebar set for reference on the west bank of Cedar Creek bears N66°09'37"W 152.25 feet;

S1°37'03"E 157.1 feet to a point; S55°33'03"E 69.7 feet to a point;

S71°15'03"E 178.2 feet to a point on the WBL of said Flood Control Channel, from whence a 3/8" rebar set for reference on the west bank of Cedar Creek bears S13°28'25"E 138.12 feet;

THENCE S1°57'57"W 369.87 feet along the WBL of said Flood Control Channel to a point at the beginning of a curve to the right;

THENCE along the WBL of said Flood Control Channel and along said curve to the right having a radius of 1620 feet, a length of 411.05 feet and a chord bearing and distance of S9°14'09"W 409.95 feet to a point on the east bank of Cedar Creek;

THENCE along the east bank of Cedar Creek as follows:

N79°41'03"W 199.9 feet to a point, from whence a 3/8" rebar set for reference on the west bank of Cedar Creek bears N12°26'04"E 199.79 feet;

N55°43'03"W 78.0 feet to a point; S56°35'57"W 41.8 feet to a point;

S33°45'57"W 269.4 feet to a point, from whence a 3/8" rebar set for reference on the west bank of Cedar Creek bears N80°52'18"W 66.63 feet;

S26°13'03"E 195.31 feet to a 3/8" rebar set on the NBL of a 7.47 acre tract deeded to West Texas Utilities in Volume 212, Page 92, Deed Records, Taylor County, Texas for the southeast corner of this tract;

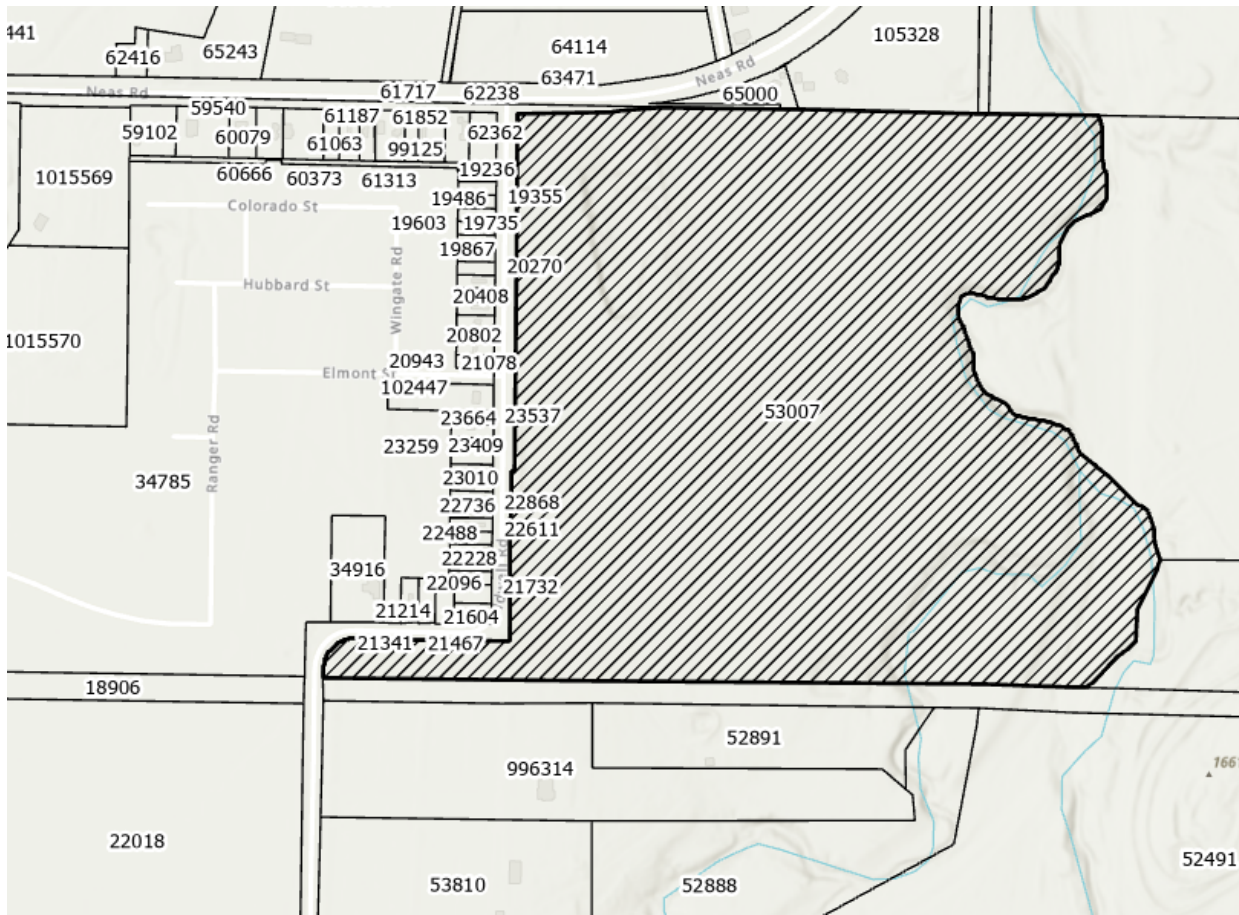
THENCE N89°32'03"W 1576.68 feet along the NBL of said 7.47 acre tract to an existing wood post for the southwest corner of this tract;

THENCE N0°42'57"E 2092.41 feet partially along the EBL of Caldwell Road to an existing wood post at the southwest corner of said 0.029 acre tract;

THENCE N44°25'22"E 72.8 feet to the place of beginning and containing 93.81 acres of land.

Located at 4489x Caldwell Road

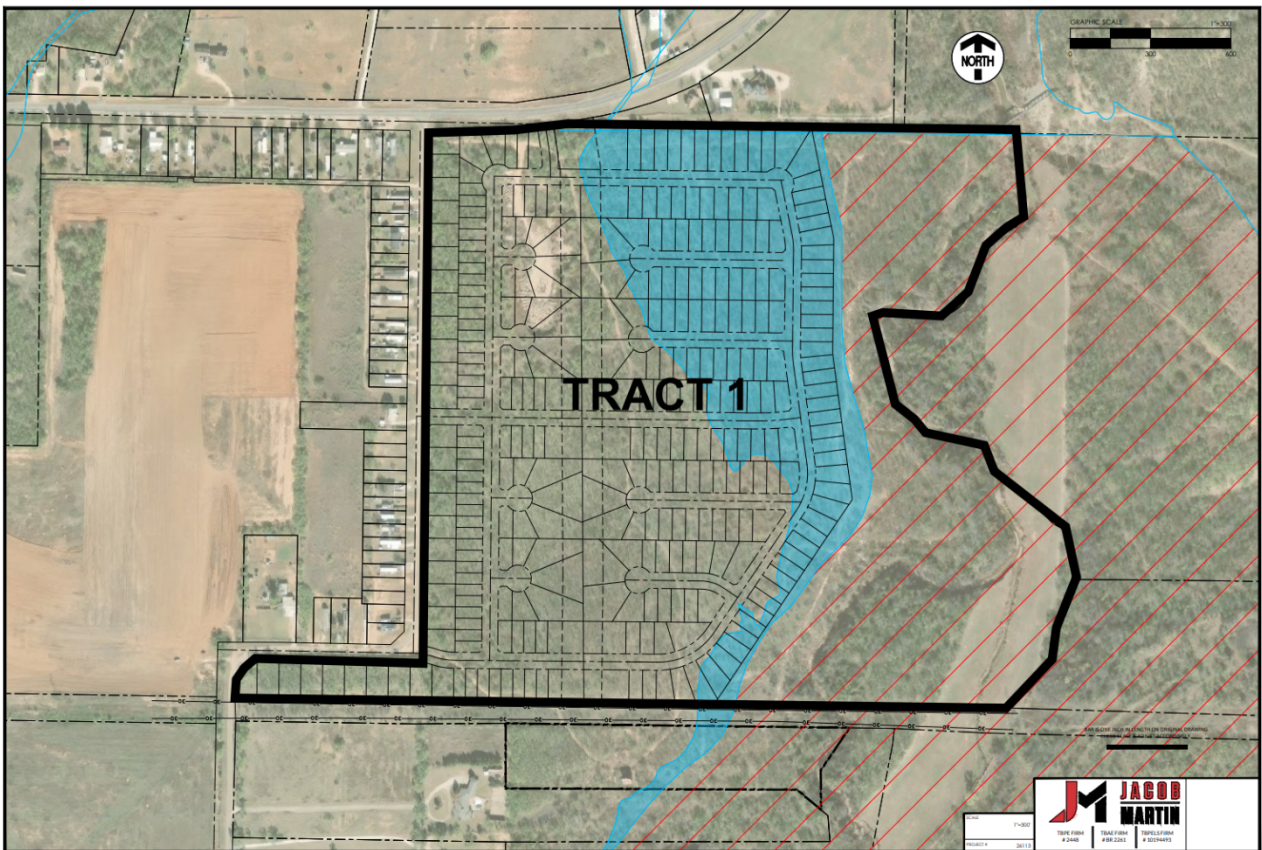
ORDINANCE NO. \_\_\_\_\_



**EXHIBIT B**  
**Base Zoning District, Land Uses, and Development Standards**

1. Base Zoning Classification. The base zoning classification for the proposed Planned Development District (PDD-199) shall be as follows:
  - a. Tract 1 – Shall be subject to the standards and requirements of the Medium Density Residential zoning district except as modified below;
    - i. Single family standards:
      1. Minimum lot area: 4,000 square feet
      2. Minimum lot width: 40 feet
      3. Minimum interior side setback: 5 feet

**EXHIBIT C**



**END**

# ZONING CASE

## Z-2026-23

### STAFF REPORT



#### Scheduled Hearings

Planning & Zoning Commission: May 5, 2026  
 City Council 1<sup>st</sup> Reading: May 28, 2026  
 City Council 2<sup>nd</sup> Reading: June 11, 2026

#### Applicant

Agent: Jacob Martin  
 Owner: B.R.O. Services

#### Case Manager

Adam Holland – Planner

#### Request

Create a Planned Development District (PDD-199) to allow Medium Density and Residential Single-Family uses with specific standards.

#### Location

Located near the intersection of Neas Road and Caldwell Road.

#### Background

The subject property was annexed into the City limits in 1980. The owner intends to allow Medium Density with alternative minimum size standards of 40 feet in width and 4,000 square feet in area to allow a mixture of single-family and duplexes.

Additionally, within tract 2 they have proposed Residential Single-Family uses with minimum standard sizes of 50 feet in width and a minimum of 5,000 square foot lots.

**The applicant has expressed that they would like to remove tract 2 from this request as of Friday May 29, 2026.**

#### Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	ETJ	Single-family/Agricultural
East	ETJ	Water Treatment
South	AO	Single-family
West	MH/PDD-177	Mobile/manufactured home/Single-family

#### Criteria Assessment

Section 1.4.1.4 of Abilene’s Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**

The proposed use is consistent with the Comprehensive Plan.

**(2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate as it would be consistent with the neighboring uses.

**(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property is unplatted and will need to plat prior to development can take place on this property. At that time utilities will be extended to the property.

**(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

**Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission recommends **approval**.

**Addition Requested Information**

The applicant has requested to withdraw the proposed Tract 2 from the request.

**Attachments**

- PowerPoint Presentation

**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on April 17, 2026, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

**PROPERTY OWNER**

Legend: A - Applicant O - Opposed, F - In Favor

OWNER	PROP_ID	SITUS	RESPONSE
BLACKBURN JANE E	22736	4242 CALDWELL RD	
BLACKBURN JANE E	22868	4250 CALDWELL RD	
CLEVENGER GARY ALAN	52888	4001 CALDWELL RD	
FARTHING COLTEN L &	20001	4410 CALDWELL RD	
FOREMAN JOE	20943	4358 CALDWELL RD	
FOREMAN JOE	21078	4350 CALDWELL RD	
GARCIA JESSICA	19603	4434 CALDWELL RD	
GARCIA JESSICA	19735	4426 CALDWELL RD	
HARDESTY JOSEPH CONNOR	52891		
HARDESTY JOSEPH CONNOR	53007	4489X CALDWELL RD	
HAWKINS MEKIL	102447	4334 CALDWELL RD	
HONEYCUTT COREY JASON &	21604	4190 CALDWELL RD	
HOOD DEREK L	996314	4073 CALDWELL RD	O
KOSTIC BARBRIA ANN	64114		
LUGO LUCIA & NANCY	105328	633 NEAS RD	O
MATA JOSE & MELANEA	34916	4148 CALDWELL RD	
MHD INVESTMENT GROUP LLC	65000		
MOORE GREATHOUSES LLC	20408	4390 CALDWELL RD	
MOORE GREATHOUSES LLC	23259	4274 CALDWELL RD	

MOORE GREATHOUSES LLC	19486	4442 CALDWELL RD	
MOORE GREATHOUSES LLC	21214	4162 CALDWELL RD	
MOORE GREATHOUSES LLC	23140	4266 CALDWELL RD	
MOORE GREATHOUSES LLC	19355	4450 CALDWELL RD	
MOORE GREATHOUSES LLC	22488	4226 CALDWELL RD	
MOORE GREATHOUSES LLC	23664	4302 CALDWELL RD	
MOORE GREATHOUSES LLC	19867	4418 CALDWELL RD	
MOORE GREATHOUSES LLC	23409	4282 CALDWELL RD	
MOORE GREATHOUSES LLC	21467	4182 CALDWELL RD	
MOORE GREATHOUSES LLC	22611	4234 CALDWELL RD	
MOORE GREATHOUSES LLC	22353	4218 CALDWELL RD	
MOORE GREATHOUSES LLC	22228	4210 CALDWELL RD	
MOORE GREATHOUSES LLC	21732	4198 CALDWELL RD	
MOORE GREATHOUSES LLC	20539	4382 CALDWELL RD	
MOORE GREATHOUSES LLC	19236	4458 CALDWELL RD	
MOORE GREATHOUSES LLC	20130	4402 CALDWELL RD	
MOORE GREATHOUSES LLC	23537	4290 CALDWELL RD	
MOORE GREATHOUSES LLC	22096	4202 CALDWELL RD	
MOORE GREATHOUSES LLC	23010	4258 CALDWELL RD	
MOORE GREATHOUSES LLC	20270	4398 CALDWELL RD	
PALACIO PETE S	62238	541 NEAS RD	
STATE OF TEXAS	63344	117 SPYKES RD	
TARPLEY GARRY GLENN	21341	4174 CALDWELL RD	
TREJO RAINIERO CHAVEZ	20670	4374 CALDWELL RD	
TROY KATHERINE L	62362	549 NEAS RD	
WATER CREST RANCH ABILENE LLC	34785	4134 Y CALDWELL RD	
WATER CREST RANCH ABILENE LLC	22018		
WEBBER JUANITA	20802	4366 CALDWELL RD	
WEST TEXAS UTILITIES CO	50133		
WEST TEXAS UTILITIES CO	18906	4150 VICTORIA ST	

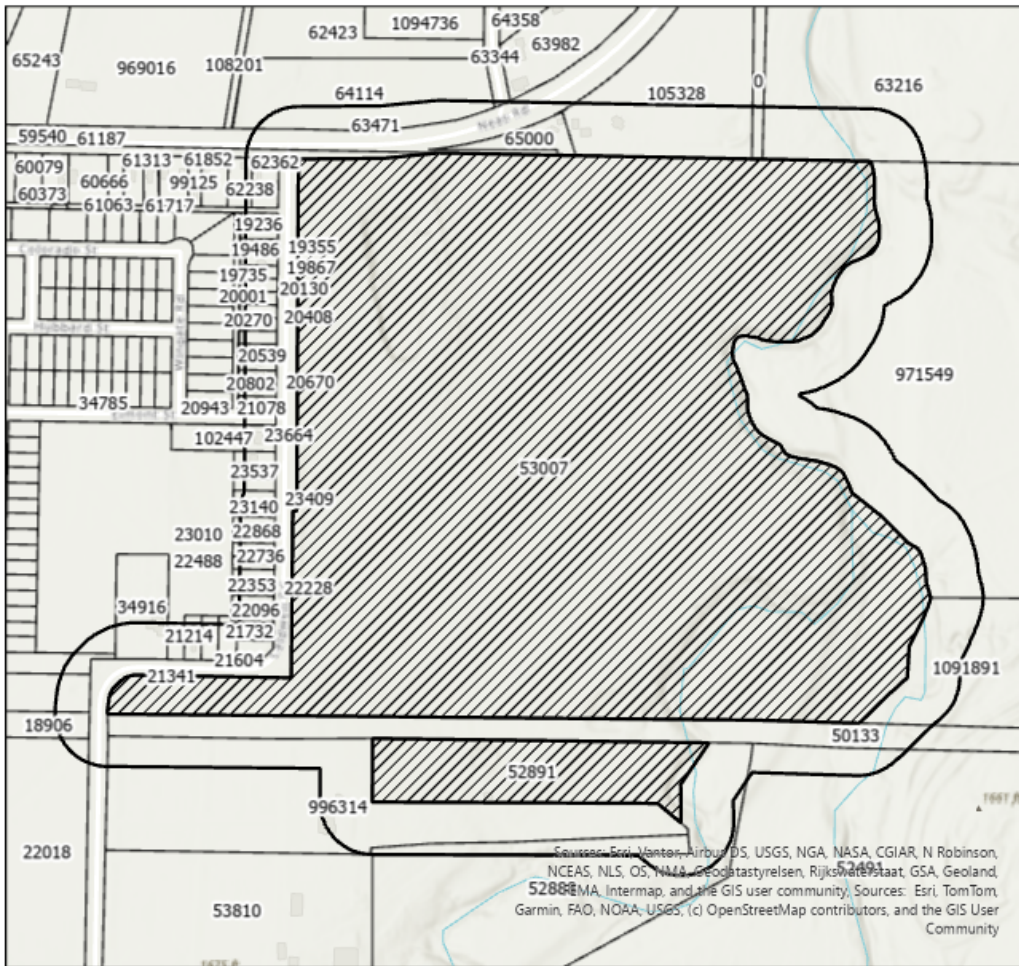
**PROP ID**

Legend: O - Opposed, F - In Favor

OWNER	PROP_ID	SITUS	RESPONSE
WEST TEXAS UTILITIES CO	18906	4150 VICTORIA ST	
MOORE GREATHOUSES LLC	19236	4458 CALDWELL RD	
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LUGO LUCIA & NANCY	105328	633 NEAS RD	O
HOOD DEREK L	996314	4073 CALDWELL RD	O

# NOTIFICATION MAP

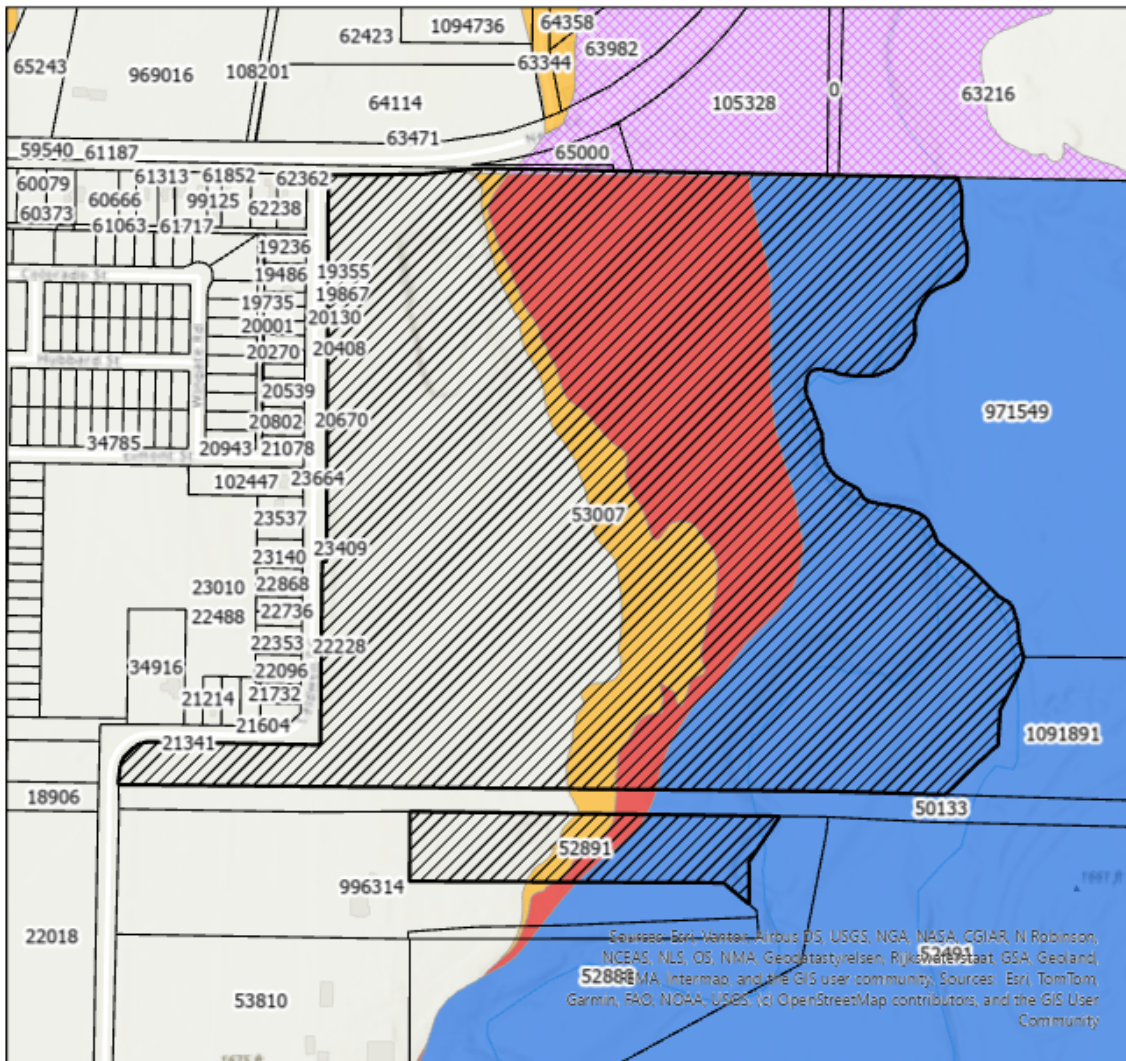


LOCATION MAP





# FLOOD MAP



- Z-2026-23
- FEMA Flood Zones**
- Floodway
  - 100 Year 1%
  - 100 Year 1%
  - 500 Year .2%
  - Unstudied A Zone

[planning@abilenetx.gov](mailto:planning@abilenetx.gov)

**ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-23**

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. All responses must be received within 5 days of the meeting to be placed in the agenda packet. Please mail the response form to:

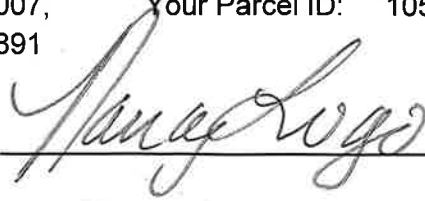
**Planning and Development Services  
PO BOX 60, Abilene, TX 79604-0060.**

MAY 5 PM 1:52

Alternatively, you may email your response to [planning@abilenetx.gov](mailto:planning@abilenetx.gov).

Requestor's Property Zoning: AO	Your Name: LUGO LUCIA & NANCY	I am in favor <input type="checkbox"/>
Requestor's Proposed Zoning: PDD	Your Address: 633 NEAS RD	
Requestor's Parcel ID: 53007, 52891	Your Parcel ID: 105328	I am opposed <input checked="" type="checkbox"/>

Signature: \_\_\_\_\_





HOOD DEREK L  
4073 CALDWELL RD  
ABILENE, TX 79601-2739

**NOTICE OF PUBLIC HEARING**

**RE: Zoning Application Number Z-2026-23**

**April 15, 2026**

The Planning and Zoning Commission of the City of Abilene will hold a public hearing on **May 5, 2026, at 1:30 PM** in the Council Chambers. The Council Chambers are located on the second floor of City Hall at 555 Walnut Street in Abilene, Texas. The owner or the owner's agent is requesting to Change the Zoning of Approximately 99.38 Acres from Agricultural Open (AO) To a Planned Development District (PDD-199) to allow **Residential Medium Density and Residential Single-family uses with amended standards**. Located At 4489x Caldwell Road. Legal Description Being A 93.4 Acre Tract of Land of Survey 82 and 82, T & P Railway Company Block 14 and a 5.9 acre tract out of Survey 82-83, Block 14 T & P Railway Company, Abilene, Taylor County, Texas.

This public hearing is open to any interested person. Your opinions, objections, and comments relative to this may be expressed in writing, or in person at the public hearing. The City of Abilene encourages you to participate in this process. You will find a response form at the bottom of this letter that you may complete, cut off, and mail to the City. All written responses must be signed by the respondent per State law.

The area highlighted on the map by striped lines is being considered for a zone change. The solid boundary line surrounding the highlighted area is a state mandated 200' notification area. You are receiving this letter because your address is located within this notification area.

If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for a final reading with a public hearing on **June 11, 2026, at 8:30 AM** in the Council Chambers.

If you have any questions, please contact Adam Holland at 325-676-6230 or by email address [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

**ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-23**

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. All responses must be received within 5 days of the meeting to be placed in the agenda packet. Please mail the response form to:

**Planning and Development Services  
PO BOX 60, Abilene, TX 79604-0060.**

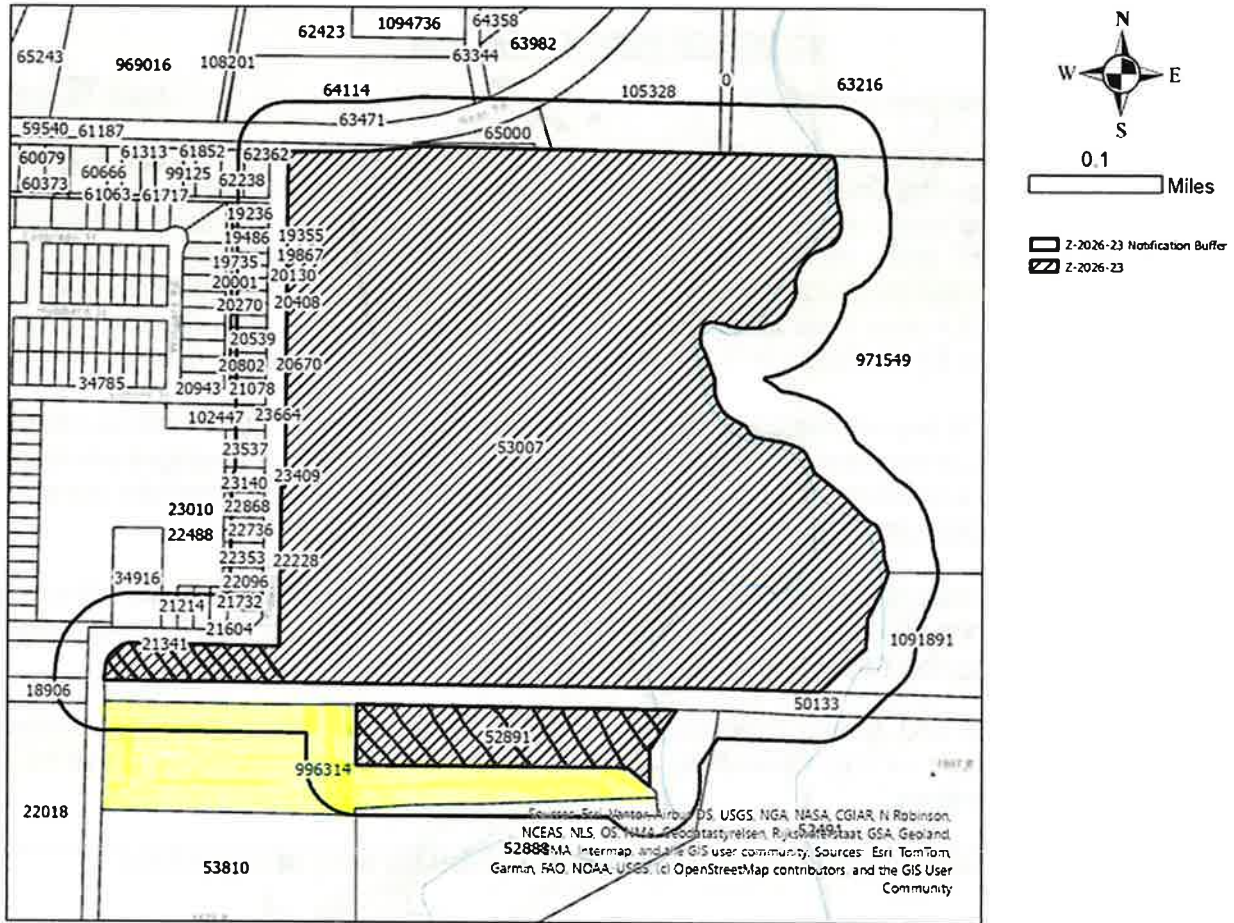
APR 29 PM 2:32

Alternatively, you may email your response to [planning@abilenetx.gov](mailto:planning@abilenetx.gov).

Requestor's Property Zoning:	AO	Your Name:	HOOD DEREK L	I am in favor <input type="checkbox"/>
Requestor's Proposed Zoning:	PDD	Your Address:	4073 CALDWELL RD	
Requestor's Parcel ID:	53007, 52891	Your Parcel ID:	996314	I am opposed <input checked="" type="checkbox"/>

Signature:

**Z-2026-23**



**If opposed, please provide comments:**

I have a home and reside in the yellow highlighted parcel # 996314. I'm requesting that parcel # 52891 remain as AO in order to provide a sufficient buffer area from my home. The existing transmission ROW (50133) will provide a good buffer line separating the planned development from my property, but parcel # 52891 is too close and hopefully too small for intended residential development. In regards to the cross hatched SW corner of parcel # 53007, I have always maintained that area and it's part of my property fence line. I'd request that area remain as AO.



# REZONE REQUEST

**Case:** Z-2026-23

**Agent:** Jacob Martin

**Owner:** B.R.O. Services

**Request:** Create a Planned Development District (PDD-199) to allow Medium Density and Residential Single-Family uses with specific standards.

**Location:** Located near the intersection of Neas Road and Caldwell Road.

**Notification:** 0 in Favor, 2 in Opposition

**Planning & Zoning:** May 5, 2026

**Council Hearing:** May 28, 2026  
June 11, 2026









# PROPERTY VIEWS



Northeast Neighboring Property



East Neighboring Property



Subject Property

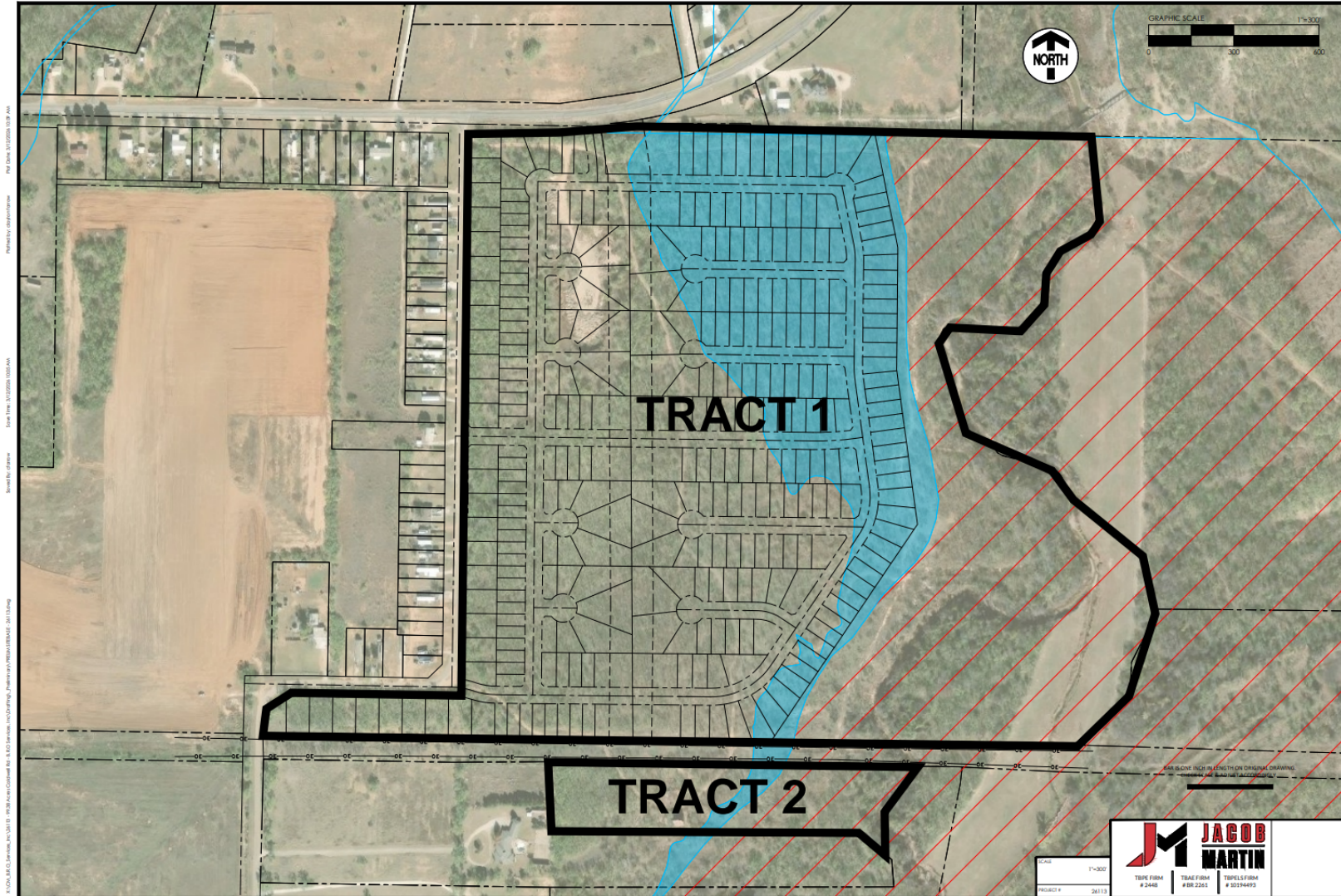


Subject Property





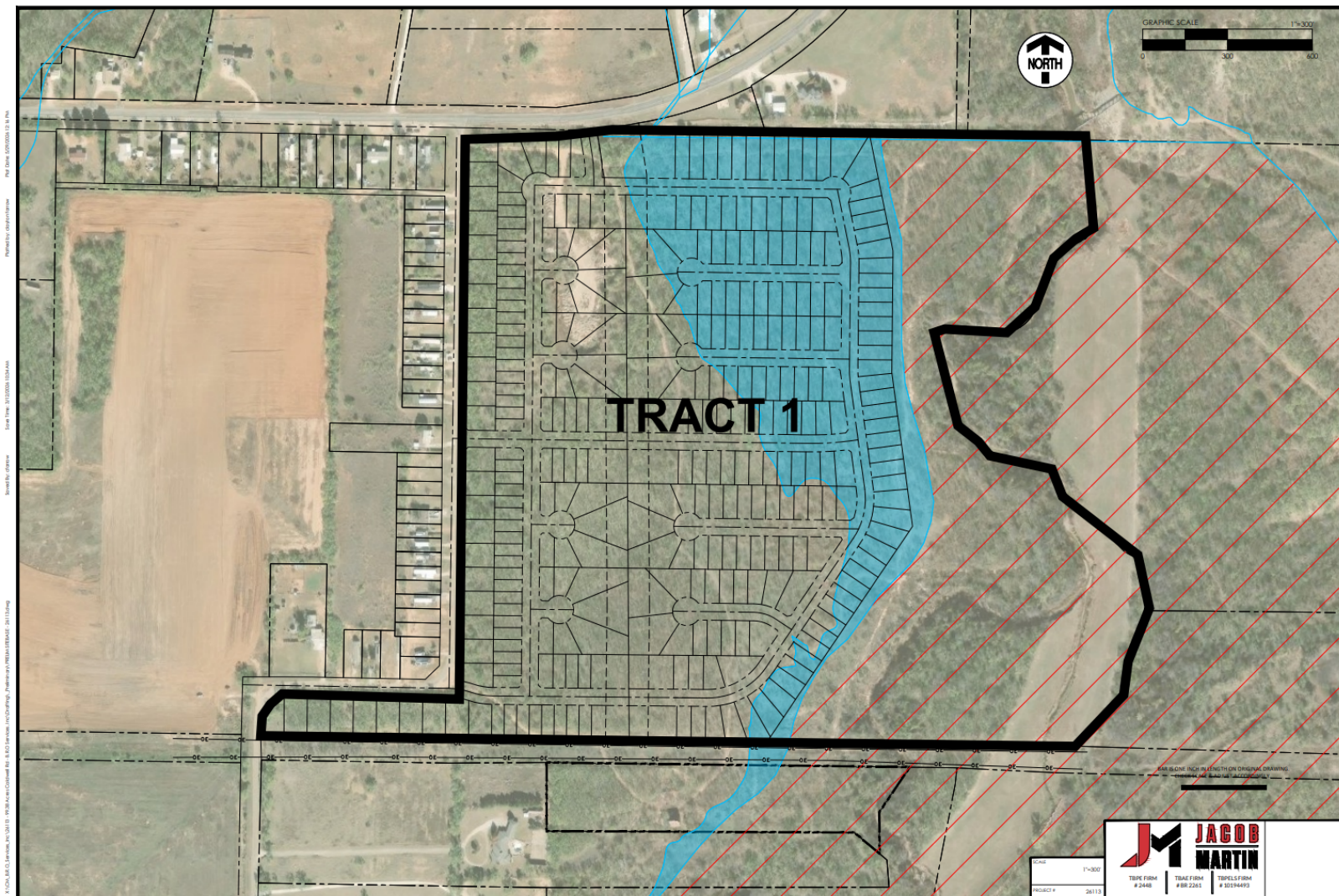
# INITIAL CONCEPT PLAN



CITY OF  
**ABILENE**  
TEXAS



# AMENDED CONCEPT PLAN



CITY OF  
**ABILENE**  
TEXAS



# SPECIFIC MODIFICATIONS

Tract 1 – This Planned Development District shall be subject to the requirements of the Medium Density (MD) zoning district, except as modified below:

Single Family Standards:

- Minimum Lot Area: 4,000 Square feet
- Minimum Lot Width: 40 feet
- Minimum Side Setback: 5 feet





# USES IN AGRICULTURAL OPEN ZONING

## RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling– Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Vacation Travel Trailer Park

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Animal Lot
- P/C Day Care Operation – Home-Based\*
- P Dwelling – Accessory\*
- TP Field Office or Construction Office (temporary)\*
- P Freight Container\*
- P Garage Sale
- P Home Occupation
- C Mobile Home (permanent security residence)
- C Mobile Home (temporary security residence)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems\*

## CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Fairgrounds/Rodeo
- C Motorized Racing
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Zoo

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- C Correction, Detention, or Penal Facilities
- P Fire/Police Station
- C Military and Armed Forces Reserve Center
- C Sanitary Landfill

## EDUCATIONAL AND RELIGIOUS USES:

- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P School: Public/Private

## SERVICE:

- C Kennel (with outdoor pens)
- P Kennel (without outdoor pens)
- P Veterinary Service (all size animals)

## TRADE – RETAIL USES:

- C Liquor Store (on premises consumption) (Defined under Liquor Store)

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Airport, Heliport and Flying Field Terminals – Commercial
- C Antenna Tower – Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Farming, Ranching & Livestock, Hatchery
- C Mining
- C Petroleum or Gas Well
- P Urban Garden

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



CITY OF  
**ABILENE**  
TEXAS



# USES IN MEDIUM DENSITY ZONING

## RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Group Home

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter
- C Rehabilitation Facility
- C Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden



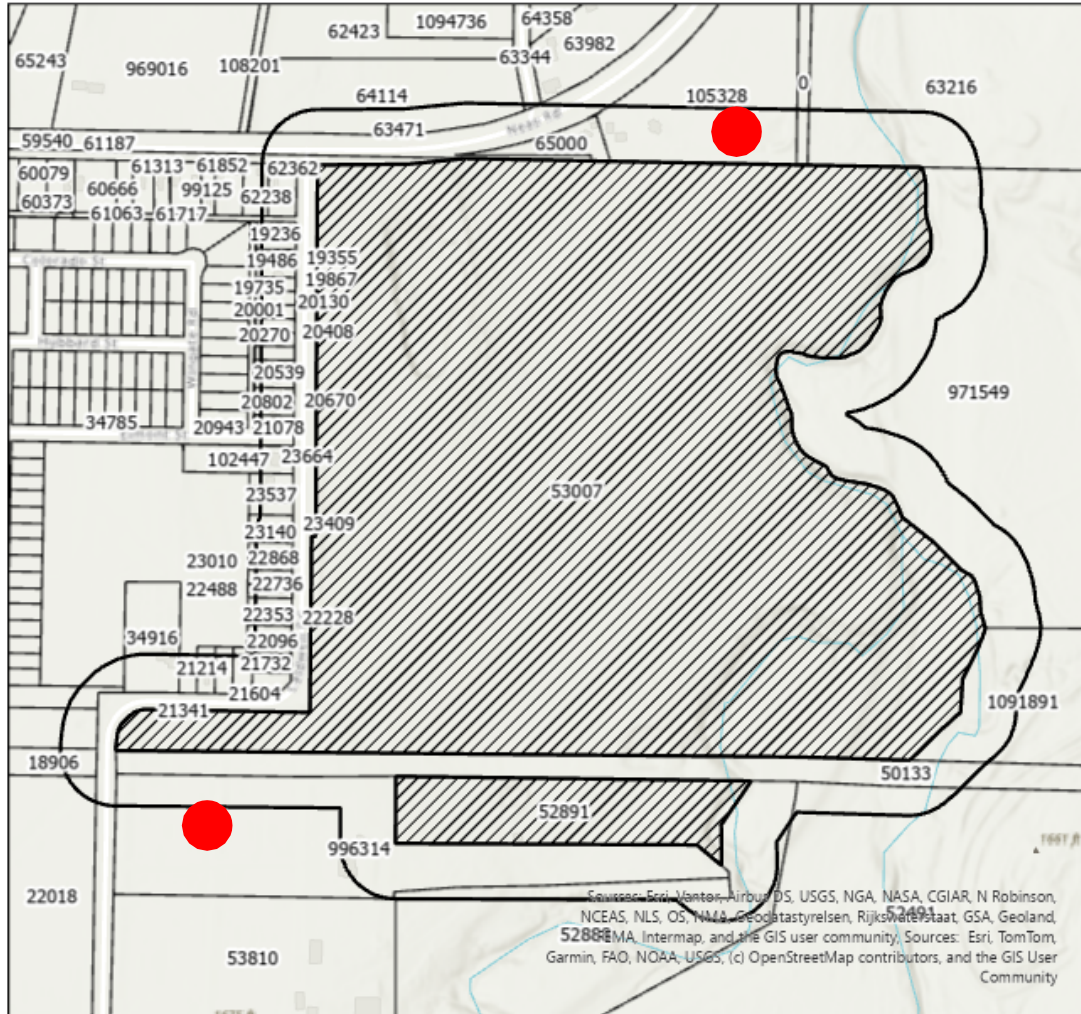
CITY OF  
**ABILENE**  
TEXAS

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



# NOTIFICATION AREA MAP



0.1 Miles

□ Z-2026-23 Notification Buffer  
▨ Z-2026-23

0 - in Favor - ●  
2 - in Opposition - ●  
21.71% Opposition



CITY OF  
**ABILENE**  
TEXAS

Source: Esri, DeLorme, Airburn, US, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystem, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community



# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

P&Z recommends **approval**.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Emily Crawford, City Manager  
**FROM:** Tim Littlejohn, Director of Planning & Development Services  
**ITEM:** **11. Ordinance (Final Reading) Z-2026-25: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 1.21 Acres from Residential Single-Family (RS-12) to General Commercial (GC) Zoning. Located on the Southwest Corner of ES 11th St and Oldham Ln. (Tim Littlejohn)**

---

**GENERAL INFORMATION**

The subject property was annexed in 1959 and has remained vacant since. The applicant is looking to rezone to General Commercial (GC) to make the property more marketable.

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of 4-0.

**ATTACHMENTS:**

1. Ordinance
2. Staff Report
3. Presentation

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

**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 A CERTAIN PROPERTY; 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 Two Thousand Dollars (\$2,000.00). 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 28<sup>th</sup> day of May 2026.

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 17<sup>th</sup> day of April, 2026, 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 11<sup>th</sup> day of June, 2026, 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** 11<sup>th</sup> day of June, 2026.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

**ORDINANCE NO. \_\_\_\_\_**

**EXHIBIT A**

Change the zoning of approximately 1.21-acres from a Residential Single-Family (RS-12) to General Commercial (GC) zoning.

Legal description as follows:

Property ID: 19721

**Being** 1.210 acres of land containing a portion of a 1.30-acre tract recorded in Volume 716, Page 491, Deed Records, Taylor County, Texas out of the Southeast  $\frac{1}{4}$  of Section 48, Blind Asylum Lands, City of Abilene, Taylor County, Texas. Said 1.210 acres being more particularly described as follows:

**COMMENCING** at a found  $\frac{1}{2}$ " metal rebar on the West line of Oldham Lane (100' right-of-way) at the Southeast corner of a 3.85 acre tract recorded in Instrument No.2010-00008427, Official Public Records, Taylor County, Texas and at the Northeast corner of Oldham Court West Subdivision recorded in Plat Cabinet 2, Slide 303-A, Plat Records, Taylor County, Texas:

**THENCE** N00°32'00"E with the West line of said Oldham Lane 546.14' to a set  $\frac{1}{2}$ " metal rebar at the reestablished Northeast corner of said 3.85 acre tract and the Southeast corner of a 3.829 acre tract surveyed this same day,

**THENCE** N00°32'00"E with the West line of said Oldham Lane 99.13' to a found concrete right-of-way maker at a point of curve,

**THENCE** N13°58'16"W 219.24' to a set  $\frac{1}{2}$ " metal rebar at the Northeast corner of said 3.829 acre tract of the Southeast corner and POINT OF BEGINNING of this tract;

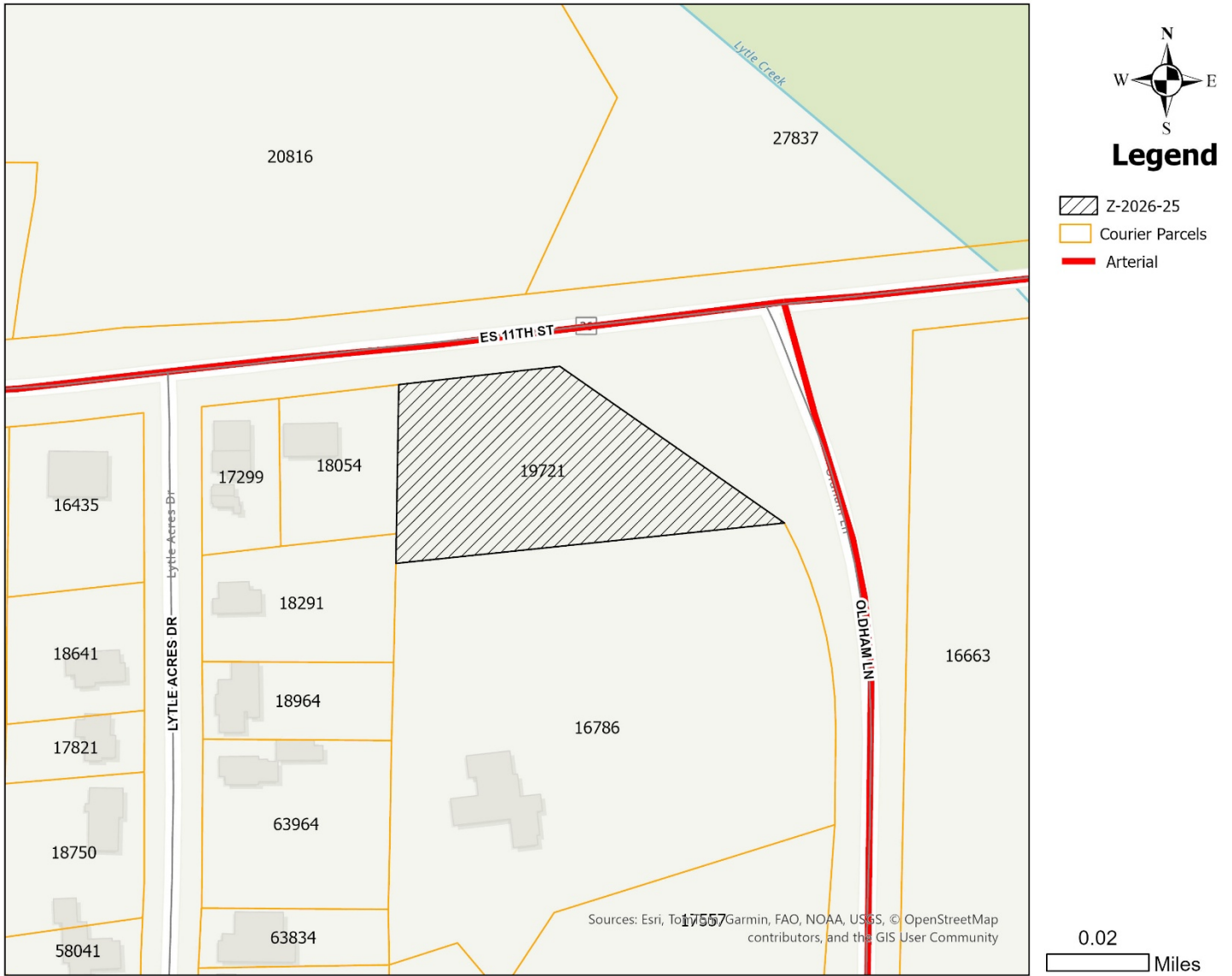
**THENCE** S84°03'44"W 403.93' to a set  $\frac{1}{2}$ " metal rebar at the Northwest corner of said 3.829 acre tract for the Southwest corner of this tract, whence a found  $\frac{1}{2}$ " metal rebar at the Southwest corner of said 3.829 acre tract bears S00°56'24"W 415.00',

**THENCE** N00°56'24"E 184.81' to a point on the South line of East South 11<sup>th</sup> Street (80' right-of-way) for the Northwest corner of this tract, whence the center of a 7" wood fence corner post bears N00°56'32"E 0.60' and from said point a found  $\frac{3}{8}$ " metal rebar on the South Line of said East South 11<sup>th</sup> Street and the East line of Lytle Acres Drive at the Northwest corner of a tract of land recorded in Volume 3372, Page 796, Official Public Records, Taylor County, Texas bears S83°31'44"W 202.01',

**THENCE** N 83°31'44"E with the South line of said East South 11<sup>th</sup> Street 167.56' to a found concrete highway monument on the West line of said Oldham Lane for the North most Northeast corner of this tract;

**THENCE** S55°07'18"E with the West line of said Oldham Lane 283.09' to the point of beginning and containing 1.210 acres of land.

Located on the Southwest Corner of ES 11th St and Oldham Ln.



END

# ZONING CASE

## Z-2026-25

### STAFF REPORT



#### Scheduled Hearings

Planning & Zoning Commission: May 5, 2026  
 City Council 1<sup>st</sup> Reading: May 28, 2026  
 City Council 2<sup>nd</sup> Reading: June 11, 2026

#### Applicant

Owner: Kaitlyn Shaw

#### Case Manager

Clarissa Ivey – Planner

#### Request

Change the zoning of approximately 1.21 acres from Residential Single Family (RS-12) to General Commercial (GC).

#### Location

Located on the Southwest Corner of ES 11th St and Oldham Ln. (Property ID: 19721)  
 Legal description being approximately 1.21 Acres of Land Out of the Southeast 1/4 of Section 48, Blind Asylum Lands, City of Abilene, Taylor County, Texas.

#### Background

The subject property was annexed in 1959 and has remained vacant since. The applicant is looking to rezone to General Commercial (GC) to make the property more marketable.

#### Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	GC	PARC
East	RS-12	Lytle Creek
South	RS-12	Residential
West	RS-6	Residential

#### Criteria Assessment

Section 1.4.1.4 of Abilene’s Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) **Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**  
 The proposed use is consistent with the Comprehensive Plan.
- (2) **Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate as it would be consistent with the surrounding uses as this will place commercial uses along an arterial intersection.

**(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property will be subject to platting and site plan review; therefore, any and all utilities that are required will be addressed during that time.

**(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

**Planning and Zoning Commission Recommendation**

P&Z recommends **approval**.

**Attachments**

- PowerPoint Presentation

**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on April 17, 2026, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER		PROPERTY ID	SITUS	RESPONSE
CITY OF ABILENE		27837		
CITY OF ABILENE		20816	704 ES 11TH ST	
CITY OF ABILENE		20816	610 ES 11TH ST	
CITY OF ABILENE		20816	610 B ES 11TH ST	
GOODMAN WALTER		18964	1125 LYTLE ACRES DR	
LYTLE LAKE WATER DISTRICT		16663	1301 OLDHAM LN	
LYTLE LAKE WATER DISTRICT		16663	1505 OLDHAM LN	
MURDOCK JESSE & NANCY		18291	1109 LYTLE ACRES DR	
SANTOS ROMEO		17299	701 ES 11TH ST APT A	
SANTOS ROMEO		17299	701 ES 11TH ST APT C	
SANTOS ROMEO		17299	701 ES 11TH ST APT B	
SANTOS ROMEO		17299	701 ES 11TH ST APT D	
SCOTT ANGELA		18054	709 ES 11TH ST	
SHEETS ZACHARY K & KARA		19721		
WHEELER BRYAN K LIFE EST		63964	1133 LYTLE ACRES DR	
WORGULL RONICA MICHELLE		16786	1102 OLDHAM LN	

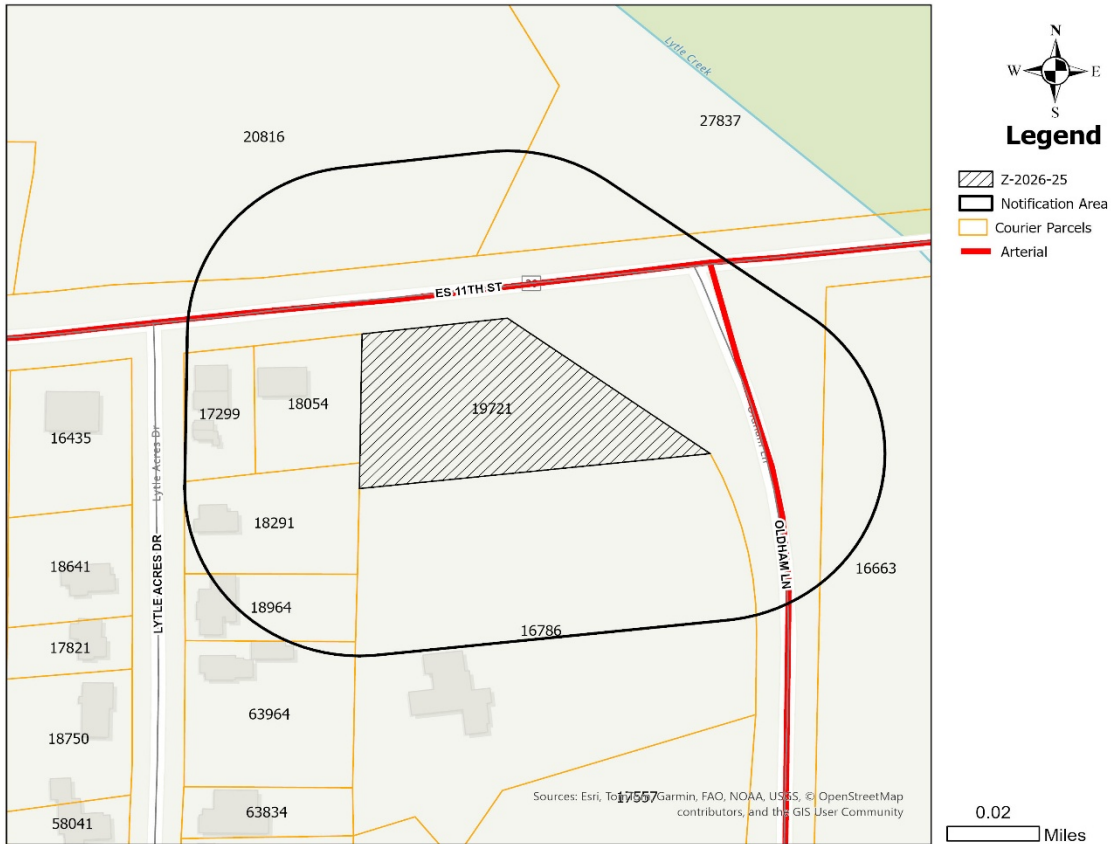
Legend: O - Opposed, F - In Favor

**PROPERTY ID**

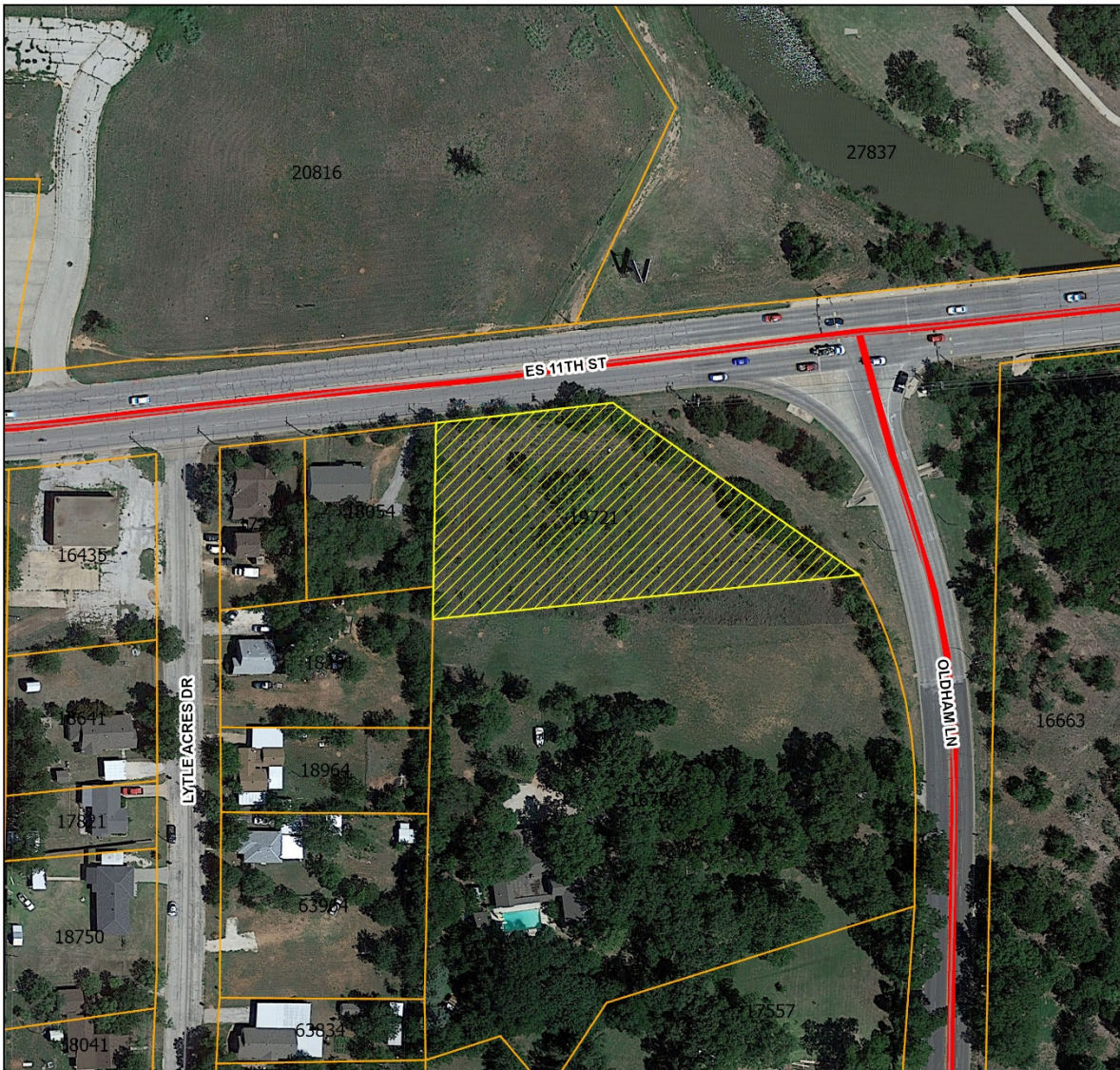
Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
LYTLE LAKE WATER DISTRICT	16663	1301 OLDHAM LN	
LYTLE LAKE WATER DISTRICT	16663	1505 OLDHAM LN	
WORGULL RONICA MICHELLE	16786	1102 OLDHAM LN	
SANTOS ROMEO	17299	701 ES 11TH ST APT A	
SANTOS ROMEO	17299	701 ES 11TH ST APT C	
SANTOS ROMEO	17299	701 ES 11TH ST APT B	
SANTOS ROMEO	17299	701 ES 11TH ST APT D	
SCOTT ANGELA	18054	709 ES 11TH ST	
MURDOCK JESSE & NANCY	18291	1109 LYTLE ACRES DR	
GOODMAN WALTER	18964	1125 LYTLE ACRES DR	
SHEETS ZACHARY K & KARA	19721		
CITY OF ABILENE	20816	704 ES 11TH ST	
CITY OF ABILENE	20816	610 ES 11TH ST	
CITY OF ABILENE	20816	610 B ES 11TH ST	
CITY OF ABILENE	27837		
WHEELER BRYAN K LIFE EST	63964	1133 LYTLE ACRES DR	

**NOTIFICATION MAP**



# LOCATION MAP

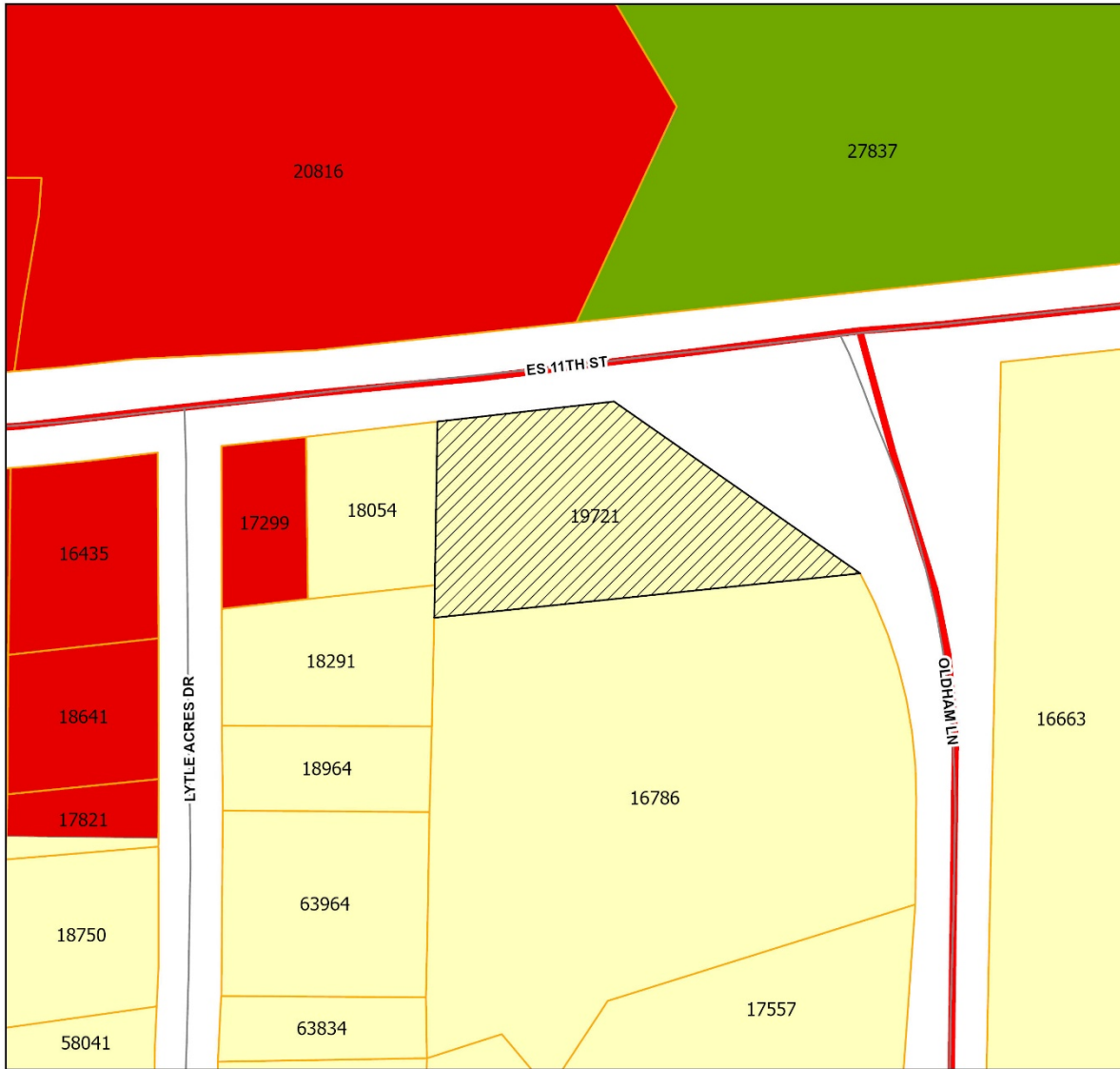


## Legend

-  Z-2026-25
-  Courier Parcels
-  Arterial

0.02  
Miles

# ZONING MAP

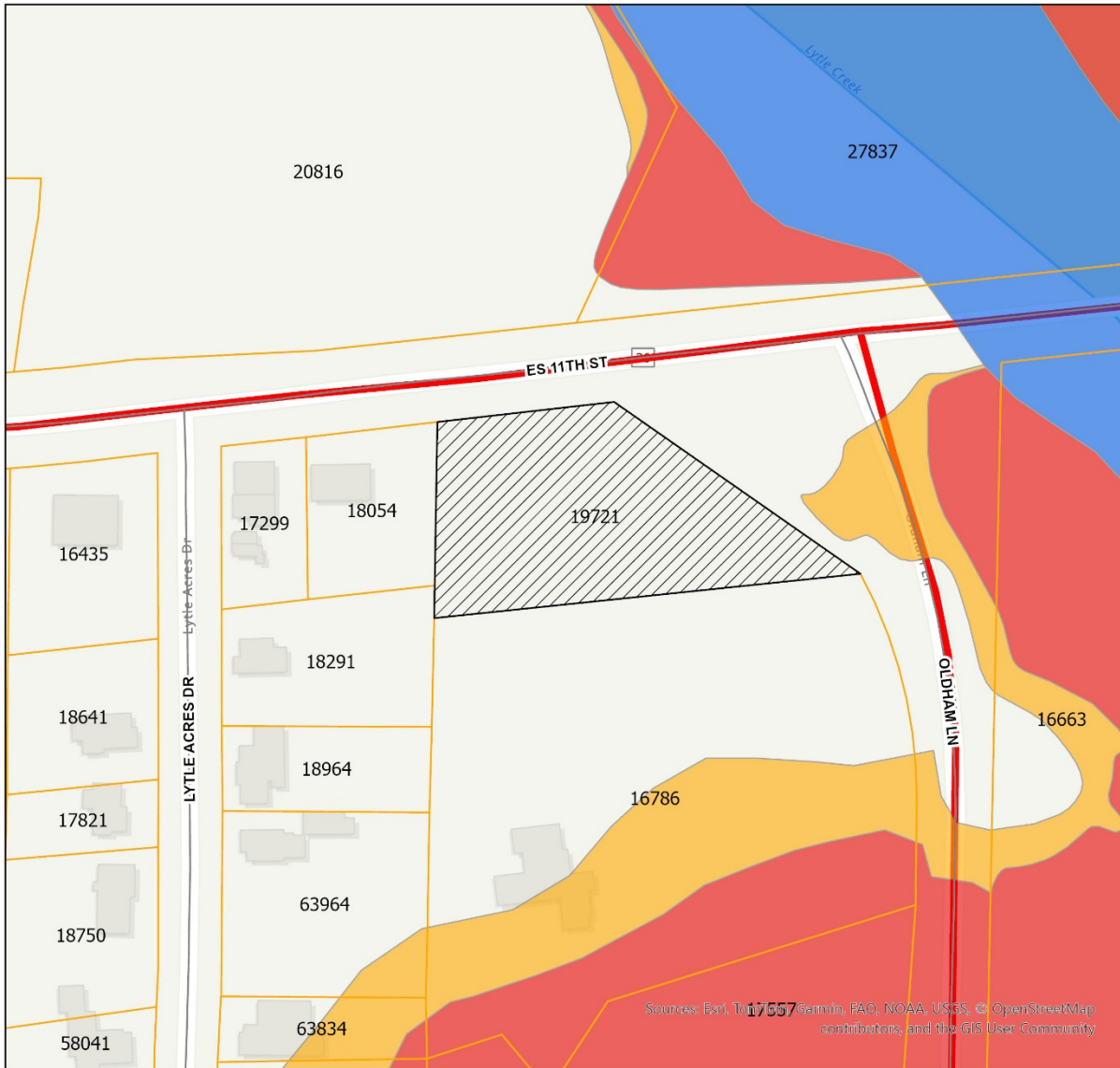


## Legend

- Z-2026-25
- Courier Parcels
- GC (General Commercial)
- RS (Residential - Single Family)
- AO (Agricultural Open)
- Arterial

0.02 Miles

# FLOOD MAP



- Z-2026-25
  - Courier Parcels
- FEMA Flood Zones**
- |                  |              |
|------------------|--------------|
| Floodway         | Floodway     |
| 100 Year 1%      | 100 Year 1%  |
| 100 Year 1%      | 100 Year 1%  |
| 500 Year .2%     | 500 Year .2% |
| Unstudied A Zone | Unstudied A  |
| Arterial         |              |

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

0.02 Miles



# REZONE REQUEST

**Case:** Z-2026-25

**Owner:** Kaitlyn Shaw

**Request:** Change the zoning of approximately 1.21 acres from Residential Single Family (RS-12) to General Commercial (GC).

**Location:** Located on the Southwest Corner of ES 11th St and Oldham Ln. (Property ID: 19721)

**Notification:** 0 in Favor, 0 in Opposition

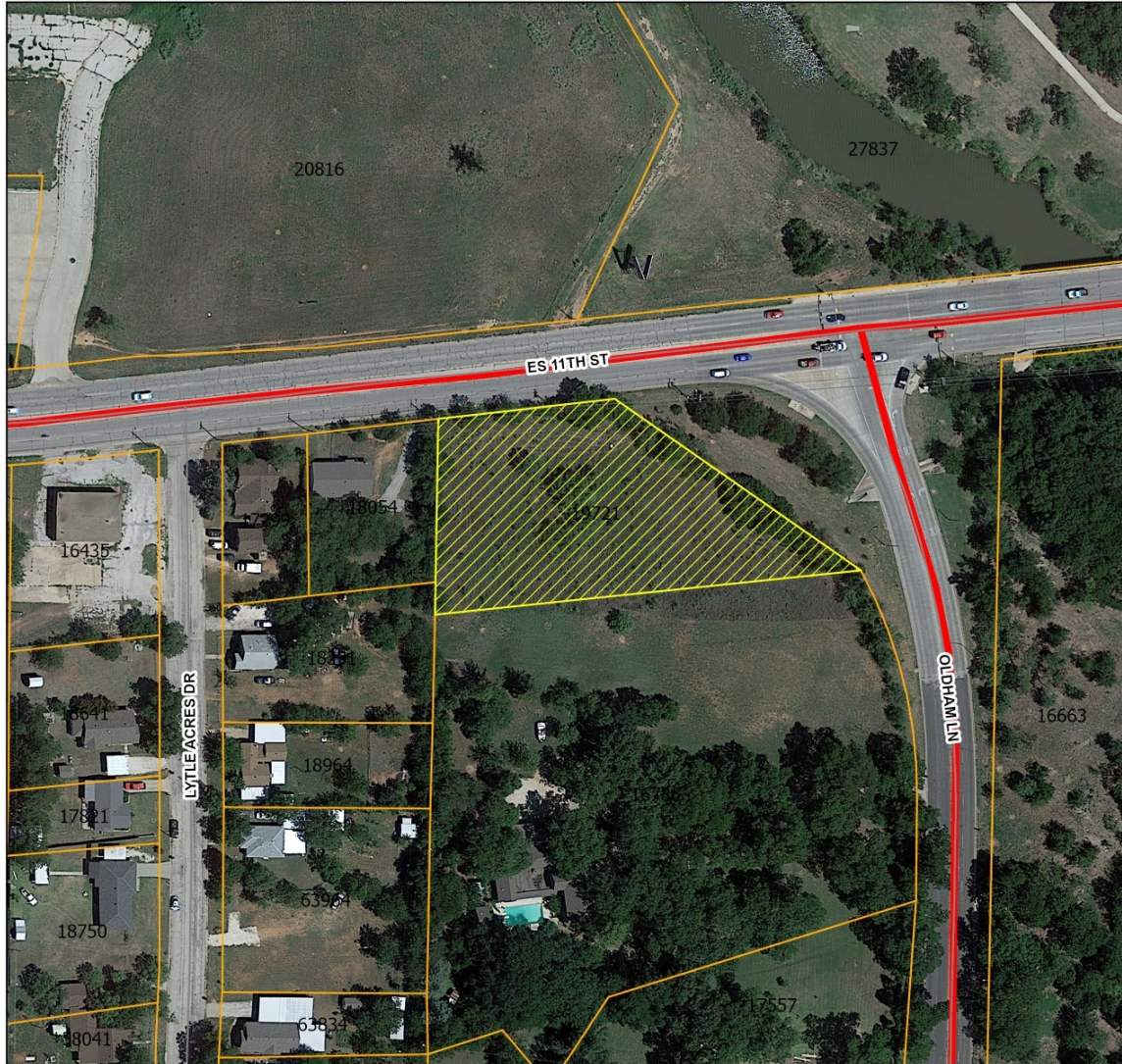
**Planning & Zoning:** May 5, 2026

**Council Hearing:** May 28, 2026  
June 11, 2026





# AERIAL LOCATION MAP



## Legend

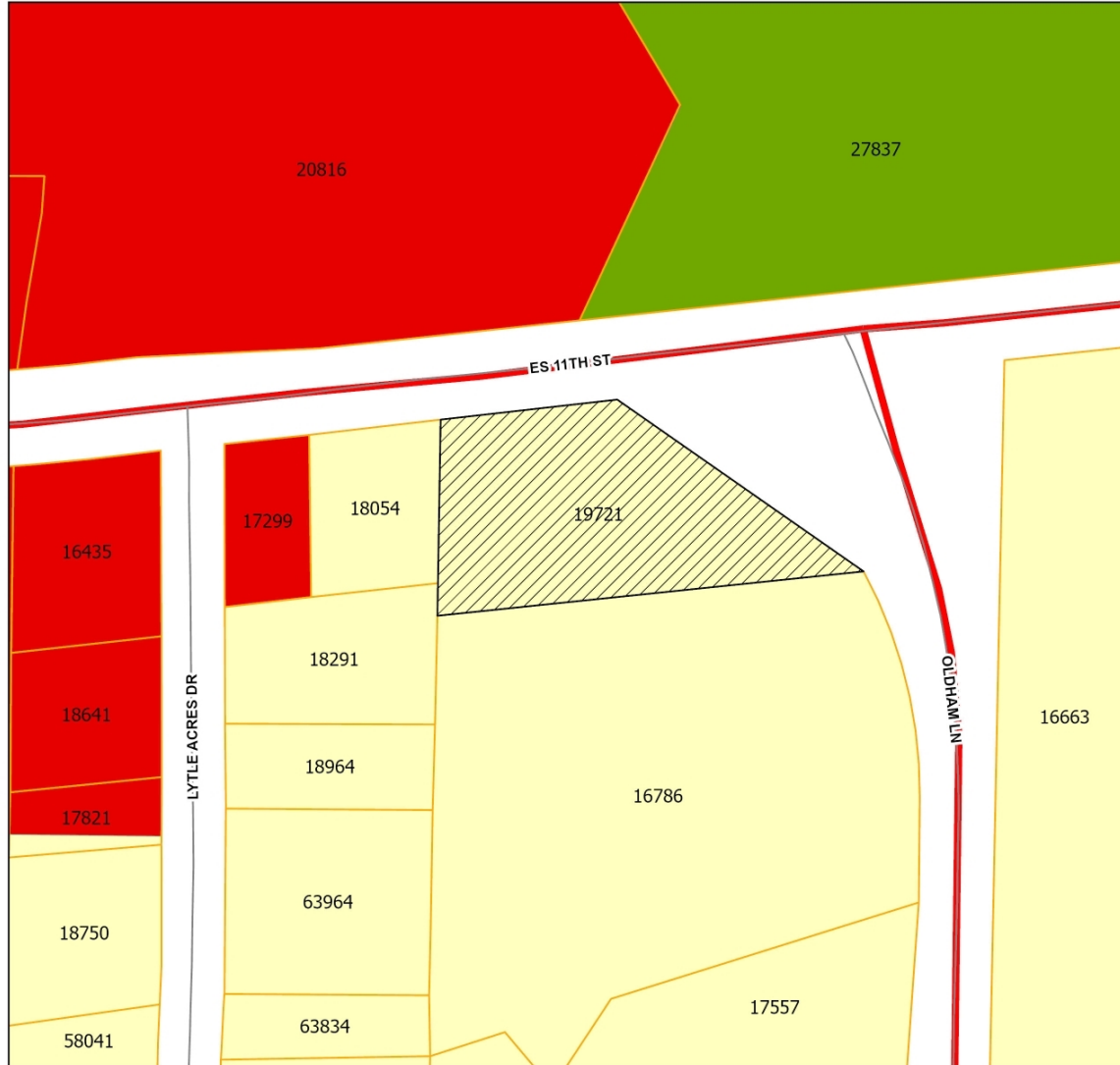
-  Z-2026-25
-  Courier Parcels
-  Arterial

0.02  
Miles





# ZONING MAP



## Legend

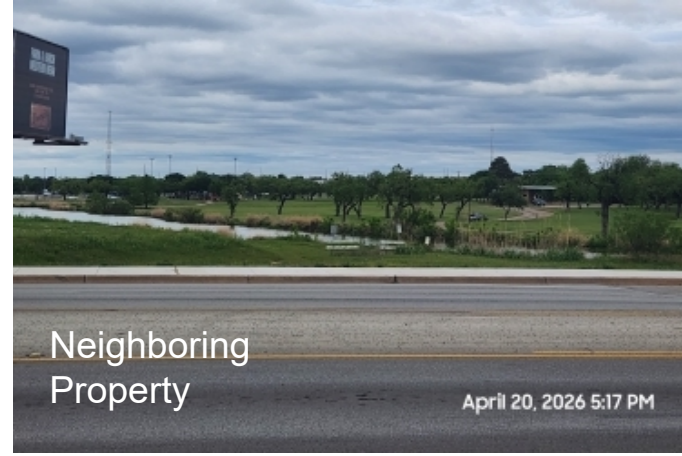
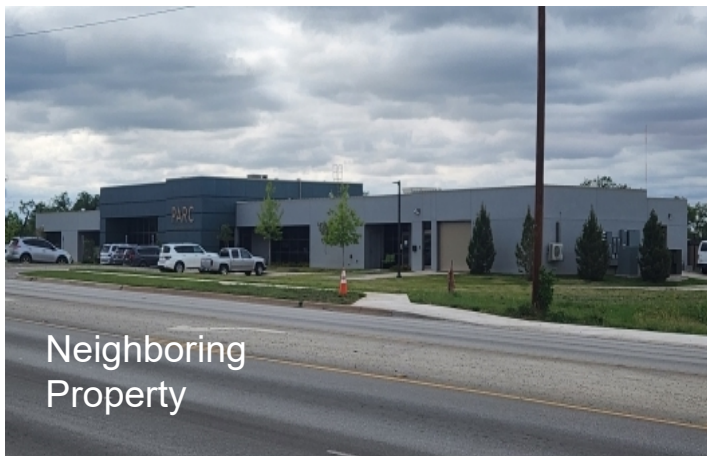
- Z-2026-25
- Courier Parcels
- GC (General Commercial)
- RS (Residential - Single Family)
- AO (Agricultural Open)
- Arterial

0.02 Miles





# PROPERTY AND NEIGHBORING VIEWS





# USES IN RESIDENTIAL ZONING

## RESIDENTIAL USES:

- C Bed & Breakfast
- C Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Group Home

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- P Dwelling – Accessory
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

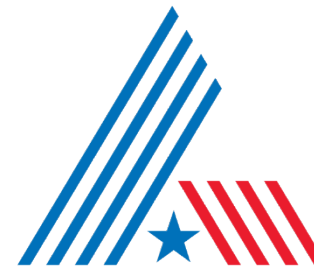
- P Church or Place of Worship
- P School: Public/Private

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

## RESOURCE PRODUCTION AND EXTRACTION USES:

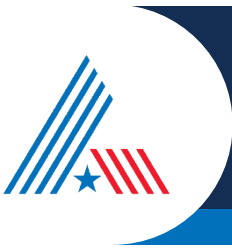
- P Petroleum or Gas Well
- P Urban Garden



CITY OF  
**ABILENE**  
TEXAS

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



# USES IN GENERAL COMMERCIAL ZONING

## RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- TP Itinerant Business
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- C Mobile Home or Temporary Building (office for sales and service)
- P Recycling Collection Point
- C Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- P Drive-in Theater
- P Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment – Indoor

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Ambulance Service
- P Fire/Police Station
- C Homeless/Emergency Shelter
- P Hospital
- P Medical/Dental Laboratory
- P Post Office
- C Rehabilitation Facility
- P Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- P Trade/Business School
- P University/College

## SERVICE:

- P/C Automobile Wash
- C Contractor Services
- P Funeral Home/ Mortuary/Morgue
- C Kennel (With Outdoor Pens)
- P Kennel (Without Outdoor Pens)
- P Laundry, Dry Cleaning, Dyeing, and Linen Service (no retail customers)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- P Printing, Copying, Reproduction, Publishing
- C Recycling Collection and Processing Center
- P Repair and Maintenance Services - Automobile/Small Truck (major)
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Repair and Maintenance Services (outdoors)
- P Storage - Self-Service Units
- P Tattoo Parlor
- P Taxidermist
- P Veterinary Service (small animals)

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

## TRADE – WHOLESALE USES:

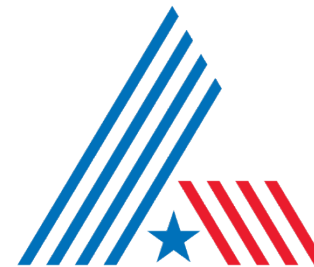
- C Wholesaling and Storage (indoor)

## TRADE – RETAIL USES:

- C Aircraft and Accessories
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) *(Defined under Liquor Store)*
- P Liquor Store (On Premises Consumption) *(Defined under Liquor Store)*
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (automobile/small truck)
- P Retail Sales/Rental (indoor)
- P Retail Sales/Rental (outdoors, non-vehicle)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- P Pressure Control Station
- P Public Utility Facility



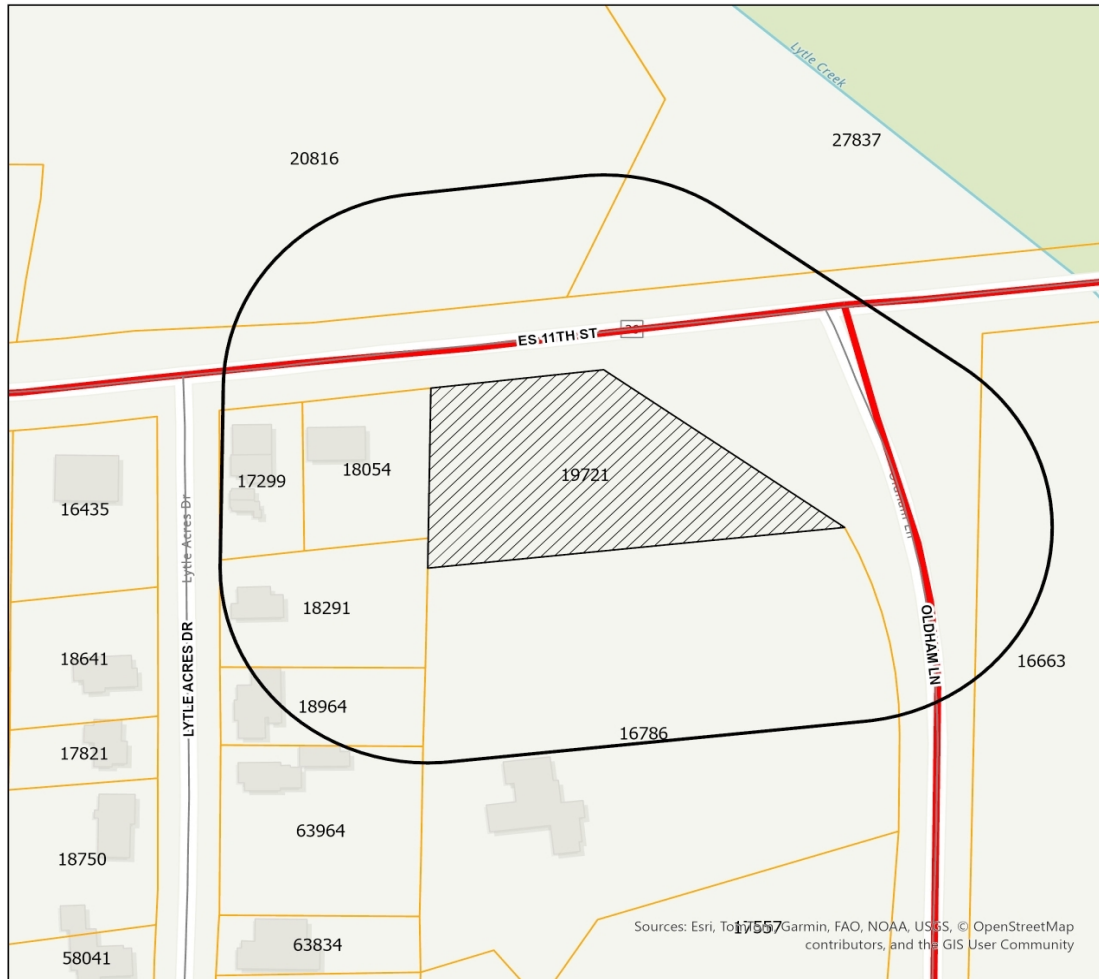
**CITY OF**  
**ABILENE**  
**T E X A S**

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



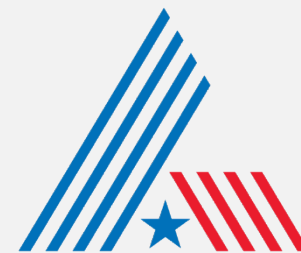
# NOTIFICATION AREA MAP



### Legend

- Z-2026-25
- Notification Area
- Courier Parcels
- Arterial

- 0 - in Favor -
- 0 - in Opposition -



CITY OF  
**ABILENE**  
TEXAS



# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

P&Z Recommends: **Approval**





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Emily Crawford, City Manager  
**FROM:** Tim Littlejohn, Director of Planning & Development Services  
**ITEM:** **12. Ordinance (Final Reading) Z-2026-27: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner, To Change the Zoning of Approximately 0.81 Acres from Residential Single Family (RS-6) to General Commercial (GC). Located at 1700, 1718, 1726, and 1742 Ambler Avenue. (Tim Littlejohn)**

---

**GENERAL INFORMATION**

The subject property was annexed into the City limits in 1924 and has remained residentially zoned since. The applicant is requesting to change the zoning for a proposed coffee shop.

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends approval.

**ATTACHMENTS:**

1. Ordinance
2. Staff Report
3. Presentation

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

**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 A CERTAIN PROPERTY; 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 Two Thousand Dollars (\$2,000.00). 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 28<sup>th</sup> day of May, 2026.

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 17<sup>th</sup> day of April, 2026, 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 11<sup>th</sup> day of June, 2026, 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** 11<sup>th</sup> day of June, 2026.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

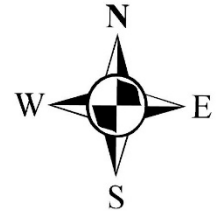
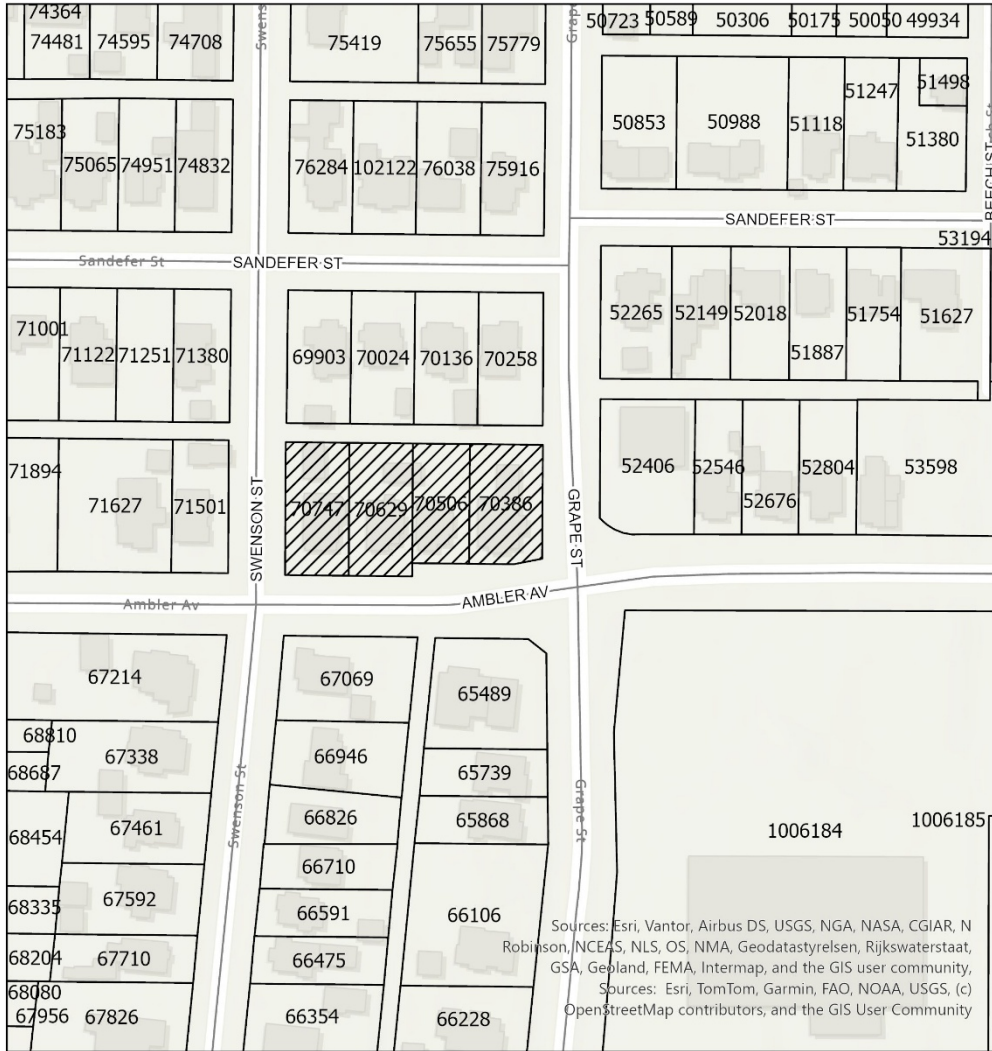
ORDINANCE NO. \_\_\_\_\_

EXHIBIT A

Change the zoning of approximately 0.81 acres from Residential Single Family (RS-6) to General Commercial (GC).

Legal description being Lots 5-8, Block 1, University Place, Abilene, Taylor County, Texas.

Located at 1700, 1718, 1726, and 1742 Ambler Avenue.



0.04 Miles

Z-2026-27

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastyrrelsen, Rijkswaterstaat, GSA, Gepland, FEMA, Intermap, and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

END

# ZONING CASE

## Z-2026-27

### STAFF REPORT



#### Scheduled Hearings

Planning & Zoning Commission: May 5, 2026  
City Council 1<sup>st</sup> Reading: May 28, 2026  
City Council 2<sup>nd</sup> Reading: June 11, 2026

#### Applicant

Agent: Jack Oduro

#### Case Manager

Kera Valois – Planner

#### Request

Change the zoning of approximately 0.81 acres from Residential Single Family (RS-6) to General Commercial (GC).

#### Location

Located at 1700, 1718, 1726, and 1742 Ambler Avenue. Legal description being Lots 5-8, Block 1, University Place, Abilene, Taylor County, Texas.

#### Background

The subject property was annexed into the City limits in 1924 and has remained residentially zoned since. The applicant is requesting to change the zoning for a proposed coffee shop.

#### Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	RS-6	Residential
East	GC	Pawn Shop
South	GC/MD	Retail/Residential
West	RS-6	Residential

#### Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**

The proposed use is consistent with the Comprehensive Plan.

- (2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate as it would be consistent with the surrounding uses.

**(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property has access to utilities.

**(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

**Planning & Zoning Recommendation**

P&Z recommends **approval**.

**Attachments**

- PowerPoint Presentation

**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on April 17, 2026, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

**PROPERTY OWNER**

Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ARIAS JOSE LUIS JR	67069	2165 SWENSON ST	
BLAKE BYRON & PRISMA	71627	1758 AMBLER AV	
CASTERENO JOHNNY & GLORIA	70136	1709 SANDEFER ST	
FLOPS TO PROPS LLC	71251	1757 SANDEFER ST	
FLOPS TO PROPS LLC	71380	1749 SANDEFER ST	
FLORES SERGIO	65489	1709 AMBLER AV	
FLORES SERGIO	65489	2166 GRAPE ST	
GRIFFITH JAMES A	71501	1750 AMBLER AV	
GRIFFITH JAMES A	71501	2218 SWENSON ST	
HRARDIN SIMMONS UNIVERSITY	52265	1641 SANDEFER ST	
HOOPER KENNETH & ASHLEY	67338	2150 SWENSON ST	
HUNDLEY DEBORAH LOYA	70629	1726 AMBLER AV	
LARA ALVIN JR	70747	1742 AMBLER AV	
LARNED TIMOTHY B TRUSTEE	70258	1701 SANDEFER ST	F
LOYA JONATHAN JOEL	70506	1718 AMBLER AV	Owner
MEEKS MARY JEANETTE	69903	1741 SANDEFER ST	
OUTLAW TERRY L & TAMMI L	70386	1700 AMBLER AV	Owner
PCKC LLC	52546	1660 AMBLER AV	
PCKC LLC	52406		
PEREZ ISMAEL M & JUANA RAMOS	71122	1765 SANDEFER ST	
PETTY MARY JO	52149	1633 SANDEFER ST	F
PETTY MARY JO	52149	1633 1/2 SANDEFER ST	F
SEGURA BALDOMERO & CELINA	65739	2150 GRAPE ST	
UNDERWOOD GARY & MARTY SUE	67214	2166 SWENSON ST	
UNDERWOOD GARY & MARTY SUE	67214	2165 MERCHANT ST	
VERMILLION LINDSEY ELIZABETH	70024	1717 SANDEFER ST	
WALMART REAL ESTATE	1006184	1535 AMBLER AV	
WALMART REAL ESTATE	1006184	1541 AMBLER AV	

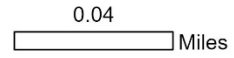
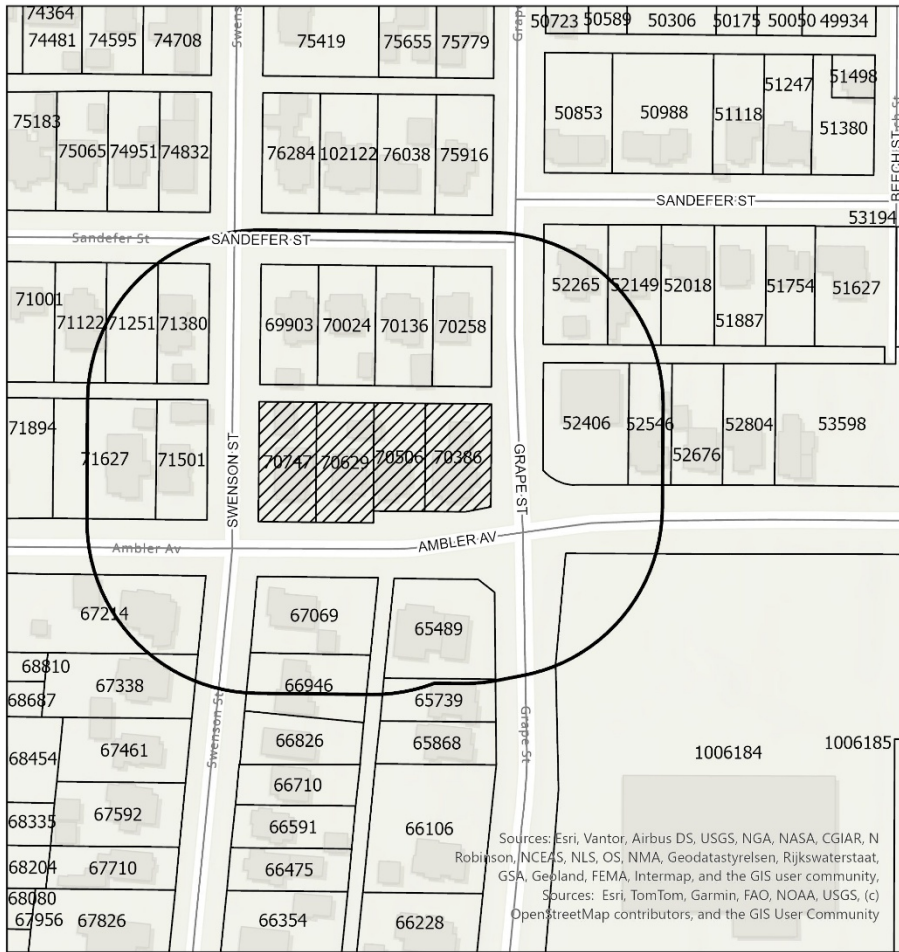
WALMART REAL ESTATE	1006184	2141 GRAPE ST	
WALMART REAL ESTATE	1006184	1537 AMBLER AV	
WALMART REAL ESTATE	1006184	1619 AMBLER AV	
WALMART REAL ESTATE	1006184	1619 A AMBLER AV	
YANEZ KOLY	66946	2149 SWENSON ST	

**PROPERTY ID**

Legend: O - Opposed, F - In Favor

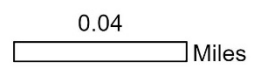
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
PETTY MARY JO	52149	1633 SANDEFER ST	F
PETTY MARY JO	52149	1633 1/2 SANDEFER ST	F
HARDIN SIMMONS UNIVERSITY	52265	1641 SANDEFER ST	
PCKC LLC	52406		
PCKC LLC	52546	1660 AMBLER AV	
FLORES SERGIO	65489	1709 AMBLER AV	
FLORES SERGIO	65489	2166 GRAPE ST	
SEGURA BALDOMERO & CELINA	65739	2150 GRAPE ST	
YANEZ KOLBY	66946	2149 SWENSON ST	
ARIAS JOSE LUIS JR	67069	2165 SWENSON ST	
UNDERWOOD GARY & MARTY SUE	67214	2166 SWENSON ST	
UNDERWOOD GARY & MARTY SUE	67214	2165 MERCHANT ST	
HOOPER KENNETH & ASHLEY	67338	2150 SWENSON ST	
MEEKS MARY JEANETTE	69903	1741 SANDEFER ST	
VERMILLION LINDSEY ELIZABETH	70024	1717 SANDEFER ST	
CASTERENO JOHNNY & GLORIA	70136	1709 SANDEFER ST	
LARNED TIMOTHY B TRUSTEE	70258	1701 SANDEFER ST	F
OUTLAW TERRY L & TAMMI L	70386	1700 AMBLER AV	Owner
LOYA JONATHAN JOEL	70506	1718 AMBLER AV	Owner
HUNDLEY DEBORAH LOYA	70629	1726 AMBLER AV	
LARA ALVIN JR	70747	1742 AMBLER AV	
PEREZ ISMAEL M & JUANA RAMOS	71122	1765 SANDEFER ST	
FLOPS TO PROPS LLC	71251	1757 SANDEFER ST	
FLOPS TO PROPS LLC	71380	1749 SANDEFER ST	
GRIFFITH JAMES A	71501	1750 AMBLER AV	
GRIFFITH JAMES A	71501	2218 SWENSON ST	
BLAKE BYRON & PRISMA	71627	1758 AMBLER AV	
WALMART REAL ESTATE	1006184	1535 AMBLER AV	
WALMART REAL ESTATE	1006184	1541 AMBLER AV	
WALMART REAL ESTATE	1006184	2141 GRAPE ST	
WALMART REAL ESTATE	1006184	1537 AMBLER AV	
WALMART REAL ESTATE	1006184	1619 AMBLER AV	
WALMART REAL ESTATE	1006184	1619 A AMBLER AV	

# NOTIFICATION MAP



- Z-2026-27
- Notification Area

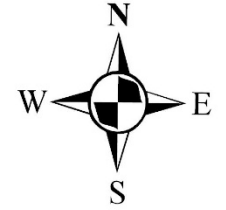
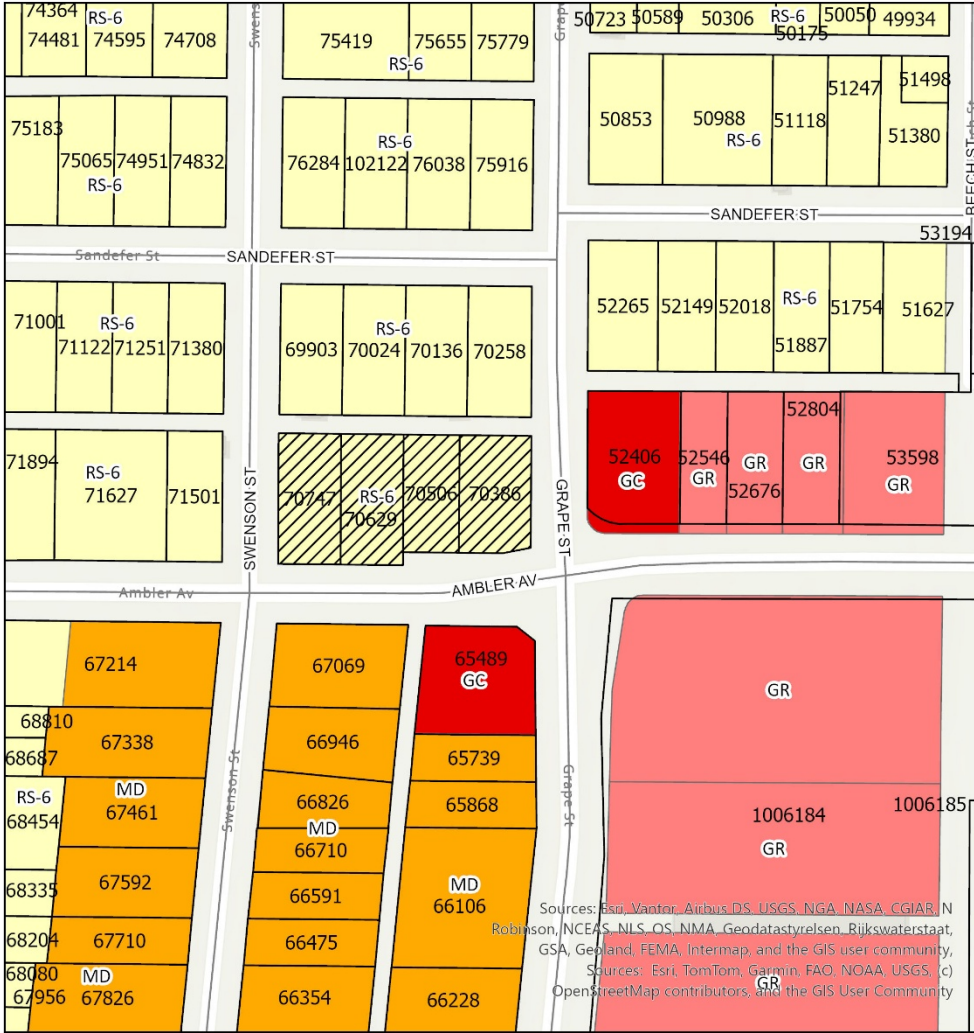
# LOCATION MAP



 Z-2026-27

Sources: Esri, DeLorme, Airbus DS, USGS, NGA, NASA, CIGNA, N  
 Robinson, NCEM, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat,  
 GSA, Geobase, FEMA, Intermap, and the GIS user community.  
 Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, IGN,  
 OpenStreetMap contributors, and the GIS User Community.

# ZONING MAP



0.04 Miles

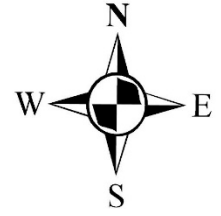
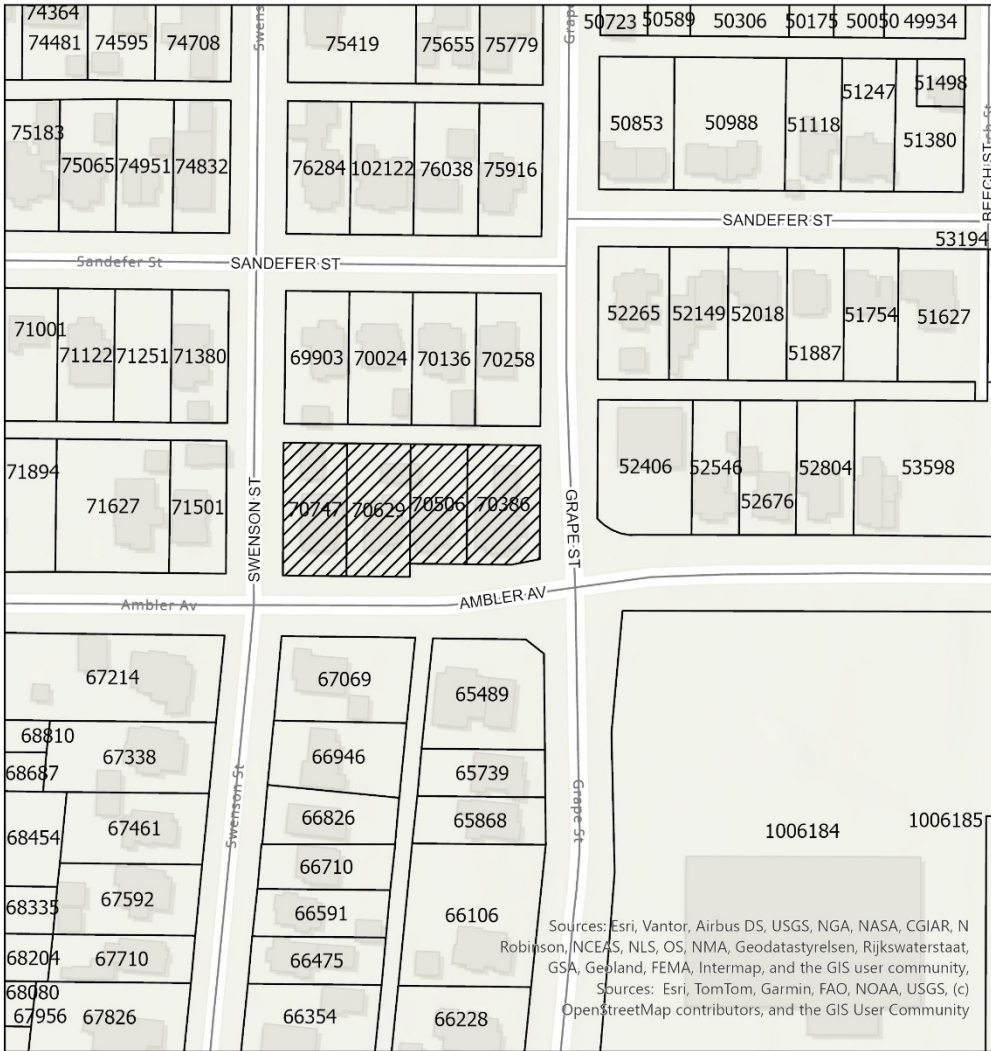
Z-2026-27

## Zoning Districts

- GC
- GR
- MD
- RS-6

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community.  
 Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

# FLOOD MAP



0.04 Miles

- FEMA Flood Zones**
- Floodway
  - 100 Year 1%
  - 100 Year 1%
  - 500 Year .2%
  - Unstudied A Zone

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Gepland, FEMA, Intermap, and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community



# REZONE REQUEST

**Case:** Z-2026-27

**Agent:** Jack Oduro

**Request:** Change the zoning of approximately 0.81 acres from Residential Single Family (RS-6) to General Commercial (GC).

**Location:** Located 1700, 1718, 1726, and 1742 Ambler Ave.

**Notification:** 2 in Favor, 0 in Opposition

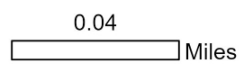
**Planning & Zoning:** May 5, 2026

**Council Hearing:** May 28, 2026  
June 11, 2026





# AERIAL LOCATION MAP



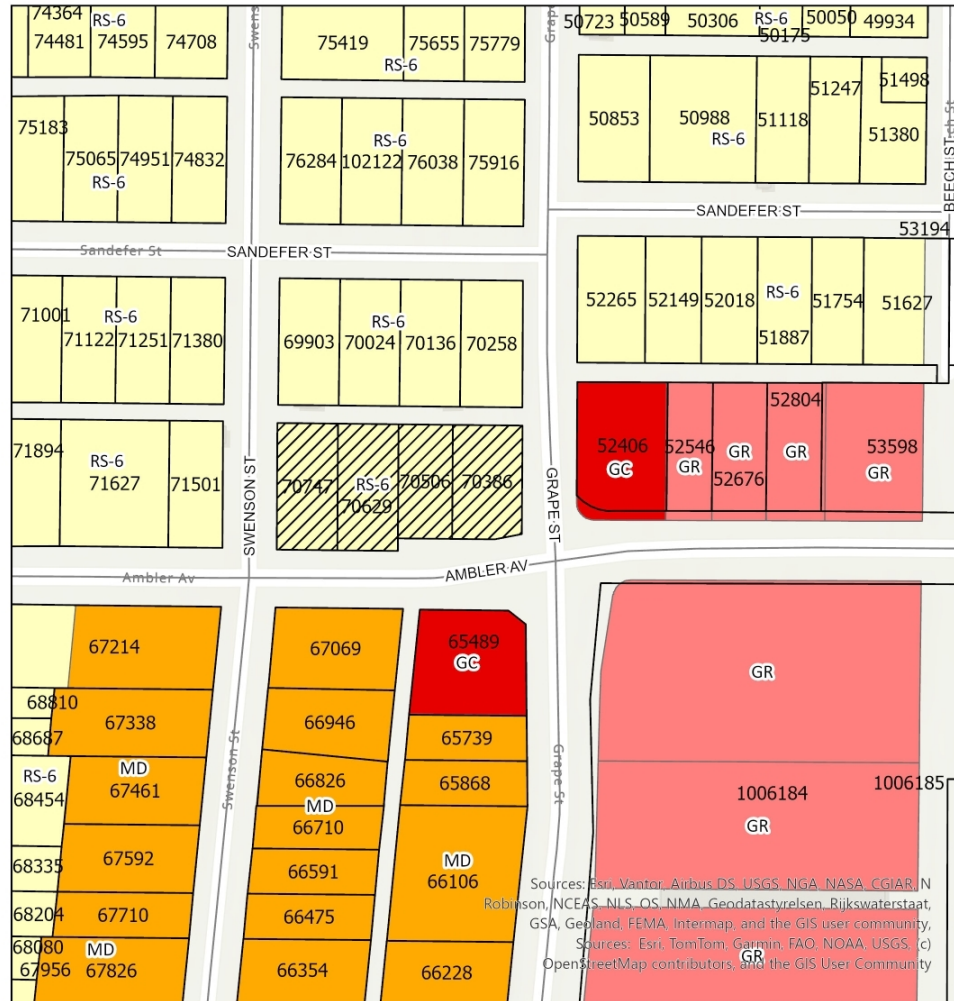
Z-2026-27

Sources: Esri, Mapbox, Airbus DS, USGS, NGA, NASA, CGIAR, N  
Robinson, NCEM, NCS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat,  
GSA, Geomatics, FEMA, Intermap, and the GIS user community.  
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c)  
OpenStreetMap contributors, and the GIS User Community





# ZONING MAP



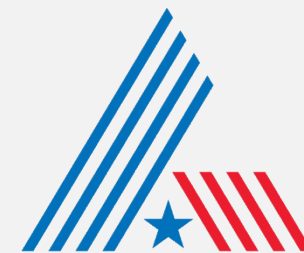
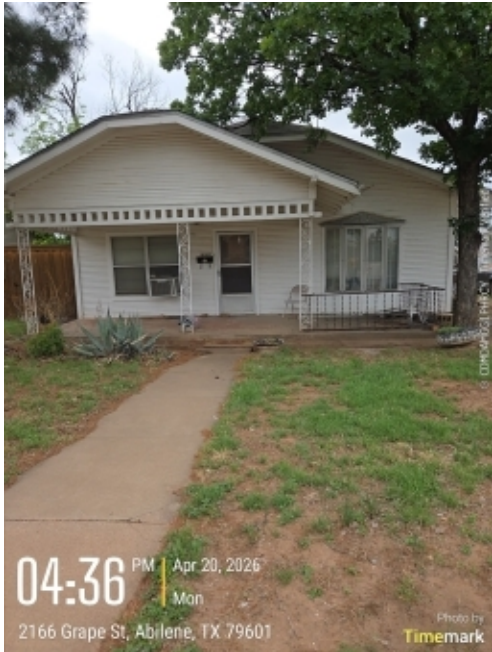
- Z-2026-27
- Zoning Districts
- GC
  - GR
  - MD
  - RS-6

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community





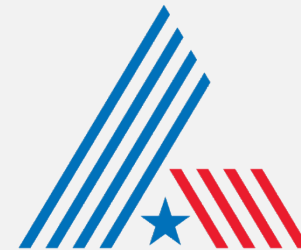
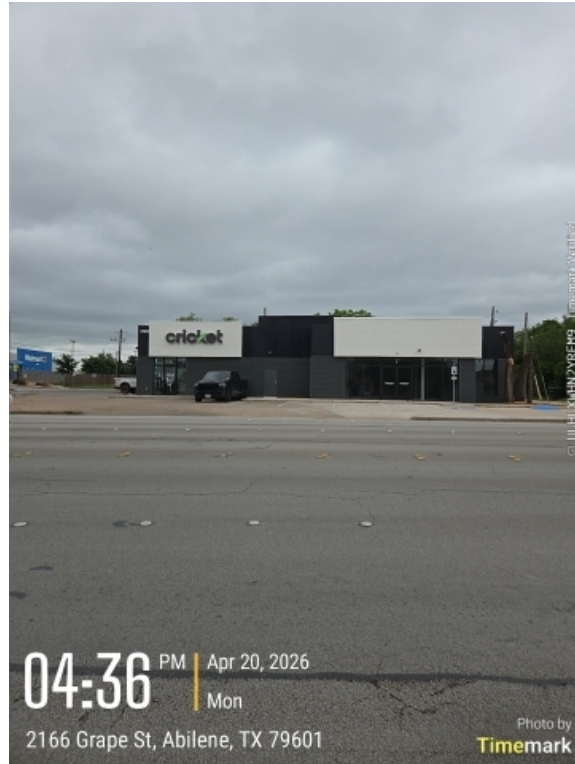
# PROPERTY VIEWS



CITY OF  
**ABILENE**  
TEXAS



# SURROUNDING PROPERTY VIEWS



CITY OF  
**ABILENE**  
T E X A S



# USES IN RESIDENTIAL ZONING

## RESIDENTIAL USES:

- C Bed & Breakfast
- C Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Group Home

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- P Dwelling – Accessory
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

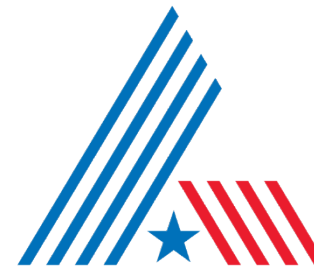
- P Church or Place of Worship
- P School: Public/Private

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden



**CITY OF**  
**ABILENE**  
**T E X A S**

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



# USES IN GENERAL COMMERCIAL ZONING

## RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- TP Itinerant Business
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- C Mobile Home or Temporary Building (office for sales and service)
- P Recycling Collection Point
- C Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- P Drive-in Theater
- P Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment – Indoor

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Ambulance Service
- P Fire/Police Station
- C Homeless/Emergency Shelter
- P Hospital
- P Medical/Dental Laboratory
- P Post Office
- C Rehabilitation Facility
- P Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- P Trade/Business School
- P University/College

## SERVICE:

- P/C Automobile Wash
- C Contractor Services
- P Funeral Home/ Mortuary/Morgue
- C Kennel (With Outdoor Pens)
- P Kennel (Without Outdoor Pens)
- P Laundry, Dry Cleaning, Dyeing, and Linen Service (no retail customers)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- P Printing, Copying, Reproduction, Publishing
- C Recycling Collection and Processing Center
- P Repair and Maintenance Services - Automobile/Small Truck (major)
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Repair and Maintenance Services (outdoors)
- P Storage - Self-Service Units
- P Tattoo Parlor
- P Taxidermist
- P Veterinary Service (small animals)

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

## TRADE – WHOLESALE USES:

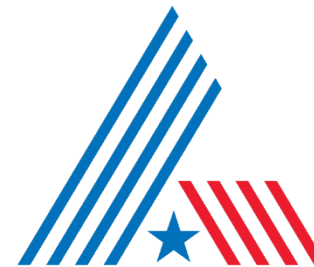
- C Wholesaling and Storage (indoor)

## TRADE – RETAIL USES:

- C Aircraft and Accessories
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) *(Defined under Liquor Store)*
- P Liquor Store (On Premises Consumption) *(Defined under Liquor Store)*
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (automobile/small truck)
- P Retail Sales/Rental (indoor)
- P Retail Sales/Rental (outdoors, non-vehicle)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- P Pressure Control Station
- P Public Utility Facility



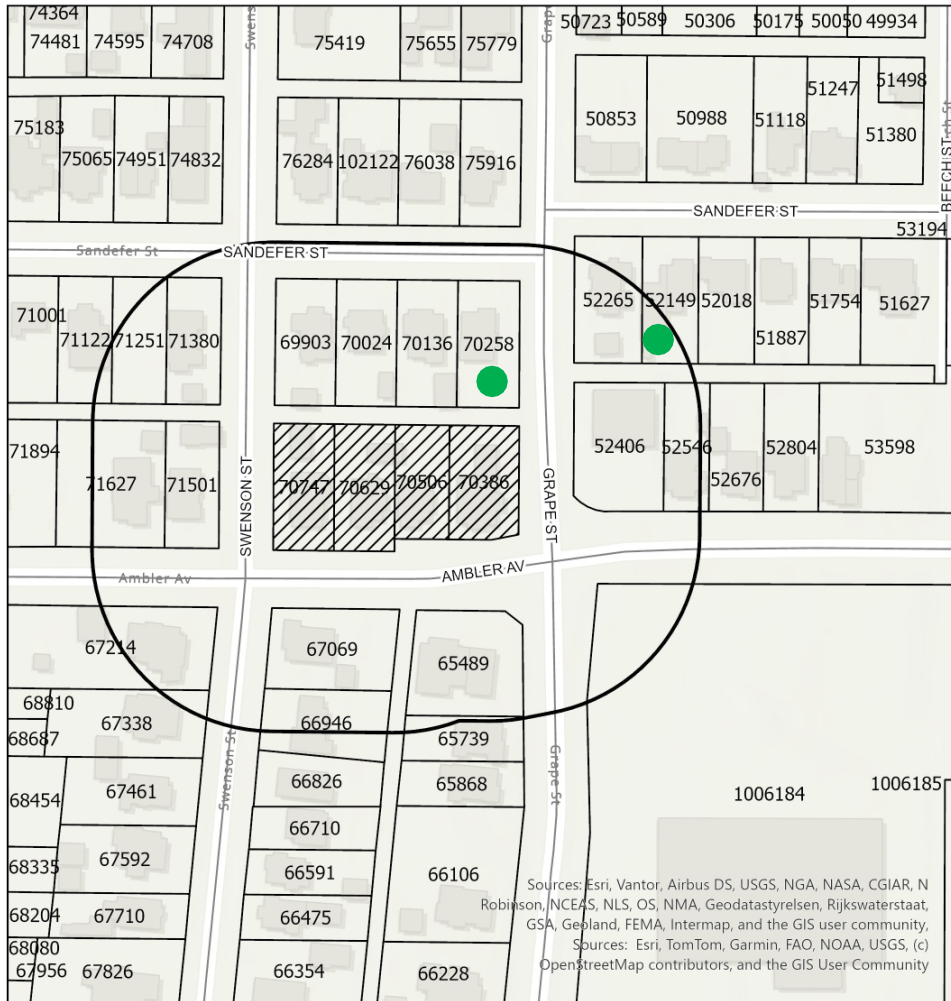
**CITY OF**  
**ABILENE**  
**T E X A S**

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



# NOTIFICATION AREA MAP



0.04 Miles

- Z-2026-27
- Notification Area

2 - in Favor -

0 - in Opposition -

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community.  
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community





# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

P&Z Recommendation: **Approval**





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor & Members of City Council**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 13. The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

---

**GENERAL INFORMATION**

**The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections: 551.071 (Consultation with Attorney)**

1. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
2. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
3. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
4. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
5. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
6. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
7. PFAS Litigation
8. Ginger Robertson v. City of Abilene and Abilene Zoological Society; Cause No. 13179-D, In the 350th Judicial District Court, Taylor County, Texas; filed December 5, 2023
9. City of Dallas, et al, v. Disney DTC, LLC, et al., Cause No. DC-22-09128, In the 14th Judicial District Court, Dallas County, Texas, filed August 3, 2022
10. Patricia Anderson v. City of Abilene; Cause No. 51867-A, IN the 42nd Judicial District Court, Taylor County, Texas; filed March 1, 2024
11. Mary Lou Gonzales v. City of Abilene, Board of Building Standards; Cause No. 29156-B; In the District Court, 104th Judicial District, Taylor County, Texas; filed April 10, 2024
12. Bouldin Pat Crofton v. City of Abilene, Board of Building Standards; Cause No. 52175-A, In the 42nd Judicial Court, Taylor County, Texas; filed May 9, 2025
13. Tracey Freeman v. City of Abilene, Case No. 13596-D; In the District Court of Taylor County, 350th Judicial District, filed on July 8, 2025
14. Victor Lynn Lee v. Erin Stamey, et al., Case No. 5:25-cv-00590-XR; In the United States District Court, Western District of Texas, San Antonio Division; filed May 28, 2025
15. Brennon and Brittany Manske, et al. v. City of Abilene, et al.; Case No. 1:25-cv-00172-H, In the United States District Court, Northern District of Texas, Abilene Division, filed September 5, 2025
16. Kevin Young v. Matthew Clopton; Case No. 1:24-CV-00113-H, In the United States District Court, Northern District of

Texas, Abilene Division, filed July 16, 2024

17. Ishmael Jaimes v. City of Abilene; Civil Action No. 1:25-cv-00249-H; In the United States District Court, Northern District of Texas, Abilene Division; filed November 13, 2025

18. Joseph Jarrell Turner v. H Haught, Case No. 1:25-CV-00201-BU; In the United States District Court, Northern District of Texas, Abilene Division; filed October 16, 2025

19. Foco Capital LLC v. City of Abilene, Texas; Cause No. 29,758-B, In the 104<sup>th</sup> Judicial District Court, Taylor County, Texas; filed on April 21, 2026

20. Samantha Henry a/k/a Samantha Kae Henry-Davis v. Chris Milliorn, et al.; Civil Action No. 1:25-cv-00003, In the United States District Court, Northern District of Texas, Abilene Division, filed January 6, 2025

**B. 551.072 (Deliberations about Real Property)**

**C. 551.073 (Deliberations about Gifts and Donations)**

**D. 551.074 (Personnel Matters)**

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members

2. City of Abilene Boards and Commissions may be discussed, as needed for (re)appointment

**E. 551.076 (Deliberations about Security Devices)**

**F.551.087 (Business Prospect/Economic Development)**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

**ATTACHMENTS:**

None

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:



**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Honorable Mayor & Members of City Council  
**FROM:** Shawna Atkinson, City Secretary

**ITEM:** 14.

**Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter (*Shawna Atkinson*)**

- **Mayor's Advisory Board for People with Disabilities**
- **Neighborhood Services Advisory Board**

---

**GENERAL INFORMATION**

The item provides for reappointment of members as well as appointing members to certain boards and commissions.

**FUNDING/FISCAL IMPACT**

No cost consideration to the city.

**STAFF AND/OR BOARD RECOMMENDATION**

(Re)Appointment

**ATTACHMENTS:**

1. B&C Resolution
2. Exhibit A
3. B&C Presentation Slide

**BACKUP DOCUMENTATION UPDATED?** No

**UPDATED ON:**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUTES OF THE STATE OF TEXAS**

**WHEREAS**, the Charter of the City of Abilene and the Statutes of the State of Texas require that certain Boards and Commissions be established with a portion of the memberships thereof to be filled by appointment each year; and

**WHEREAS**, the City Council is of the opinion that the following members should be appointed to the designated Boards and Commissions, and has requested the Mayor to appoint same with the approval of the Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

**PART 1:** That the list of Members is attached hereto as Exhibit A, shall be in all things, approved.

**PART 2:** That this resolution shall take effect immediately from and after its passage.

**PASSED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
Shawna Atkinson, City Secretary

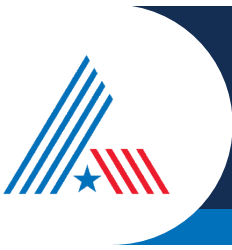
\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
Stanley Smith, City Attorney

**RESOLUTION NO. \_\_\_\_\_**  
**EXHIBIT "A"**

<b>Board</b>	<b>Term End Date</b>
<i>Mayor's Advisory Board for People with Disabilities</i>	
Helen Usera [New]	October 2027
<i>Neighborhood Services Advisory Board</i>	
Ricardo Gutierrez [New]	November 2027



## **Resolution:** Appointing Member(s) to Various Boards and Commissions per the City Charter

- Mayor's Advisory Board for People with Disabilities
  - Helen Usera [New]
- Neighborhood Services Advisory Board
  - Ricardo Gutierrez [New]





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.028 Acres Out Of Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, owned by Delbert Cordry, Instrument No. 2015-16128, Official Public Records, Taylor County, Texas (Stanley Smith)**

---

**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property containing 0.028 acres out of Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A".

Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire 0.028 acres out of Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Delbert Cordry
2. Exhibit A Delbert Cordry
3. Presentation-Eminent Domain-Maple Street-Delbert Cordy - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, BEING 0.028 ACRES OUT OF BLOCK 3, OF THE BOWYERS SUBDIVISION, CITY OF ABILENE, TAYLOR COUNTY, TEXAS.**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", being 0.028 acres out of Block 3, of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

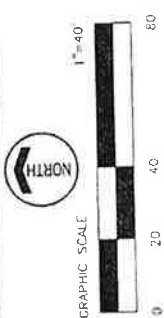
\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney

EXHIBIT "A"  
SURVEYED FOR:  
CITY OF ABILENE



**JACOB MARTIN**  
LAND SURVEYOR  
REG. NO. 7130

1823 FORT WORTH HWY  
WEATHERFORD, TX 76086  
856-368-8275  
4325 S. LOOP 289, STE 02  
LUBBOCK, TX 79414  
325-695-1272  
4311 N. L. TX 79606

0162 CLUBY AVE  
4311 N. L. TX 79606  
325-695-1272

DELORES ANN GRAHAM  
ASST. REG. SURVEYOR  
O.P.R.

**METS. & BOUNDS DESCRIPTION:**

BEING a 0.028 acre easement out of the Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, as shown per plat recorded in Cabinet 4, Slide 327, Plat Records, Taylor County, Texas, and also being out of that certain tract of land, known as Tract One, as described in a Warranty Deed to Delbert Cordry recorded in Instrument No. 2015-16128, Official Public Records, Taylor County, Texas. Said 0.028 acre easement being more particularly described by notes and bounds as follows:

BEGINNING at a 3/8 inch rebar rod found for the southeast corner of this easement and being the intersection of the north right-of-way line of S. 26th Street and the occupied west right-of-way line of Maple Street;

THENCE N89°55'59"W, a distance of 10.00 feet along the south line of this easement and said Cordry tract, and along the north right-of-way line of said S. 26th Street to a point for the southwest corner of this easement;

THENCE N00°30'29"E, a distance of 123.04 feet along the west line of this easement and over and across said Cordry tract to a point for the northwest corner of this easement, being in the north line of said Cordry tract and the south line of a certain tract of land described in a deed to Delores Ann Graham recorded in Instrument No. 201918567, Official Public Records, Taylor County, Texas;

THENCE S89°55'59"E, a distance of 10.00 feet along the north line of this easement and said Cordry tract, and along the south line of said Cordry tract to a 1/2 inch rebar rod found for the northeast corner of this easement and said Cordry tract, same being in the occupied west right-of-way line of Maple Street;

THENCE S00°30'29"W, a distance of 123.04 feet with the east line of this easement and said Cordry tract, and with the occupied west right-of-way line of said Maple Street, to the POINT OF BEGINNING and containing 0.028 acres of land, more or less.



**LEGEND**

- FOUND 1/2 INCH REBAR ROD
- FOUND 3/8 INCH REBAR ROD
- EASEMENT BOUNDARY
- ADJOINER LINES
- EXIST. STREET R.O.W.
- DRAINAGE EASEMENTS
- OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS
- DEED RECORDS, TAYLOR COUNTY, TEXAS
- PLAT RECORDS, TAYLOR COUNTY, TEXAS
- PLAT RECORDS, TAYLOR COUNTY, TEXAS



THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THE FIELDWORK OF WHICH WAS COMPLETED IN FEBRUARY AND MARCH 2025.

*Riaz Lafshar*  
RIAZ LAFSHAR, REG. (L.S. #7130)

**SURVEY NOTES:**

1. BEARING, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE CALLED AND REFERENCED TO THE TYPICAL TAPERS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE SCALE FACTOR OF 1.00015887.
2. JACOB & MARTIN, LLC IS REGISTERED WITH THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS UNDER FIRM NO. 1018483.
3. SURVEYOR DID NOT ABSTRACT THE PROPERTY. THERE MAY BE EASEMENTS, CONSTRAINTS, OR RESTRICTIONS THAT ENCUMBER THE PROPERTY. SURVEYOR'S LIABILITY IS LIMITED TO HIS PROFESSIONAL DUTY FOR TAYLOR COUNTY APPROVAL DISTRICT.

**SURVEY DRAWING OF  
DRAINAGE EASEMENT  
CONTAINING 0.028 ACRES OUT OF  
BLOCK 3 OF THE BOWYERS  
SUBDIVISION,  
CITY OF ABILENE, TAYLOR COUNTY,  
TEXAS**

DRAWING COMPLETED: APRIL 14, 2025

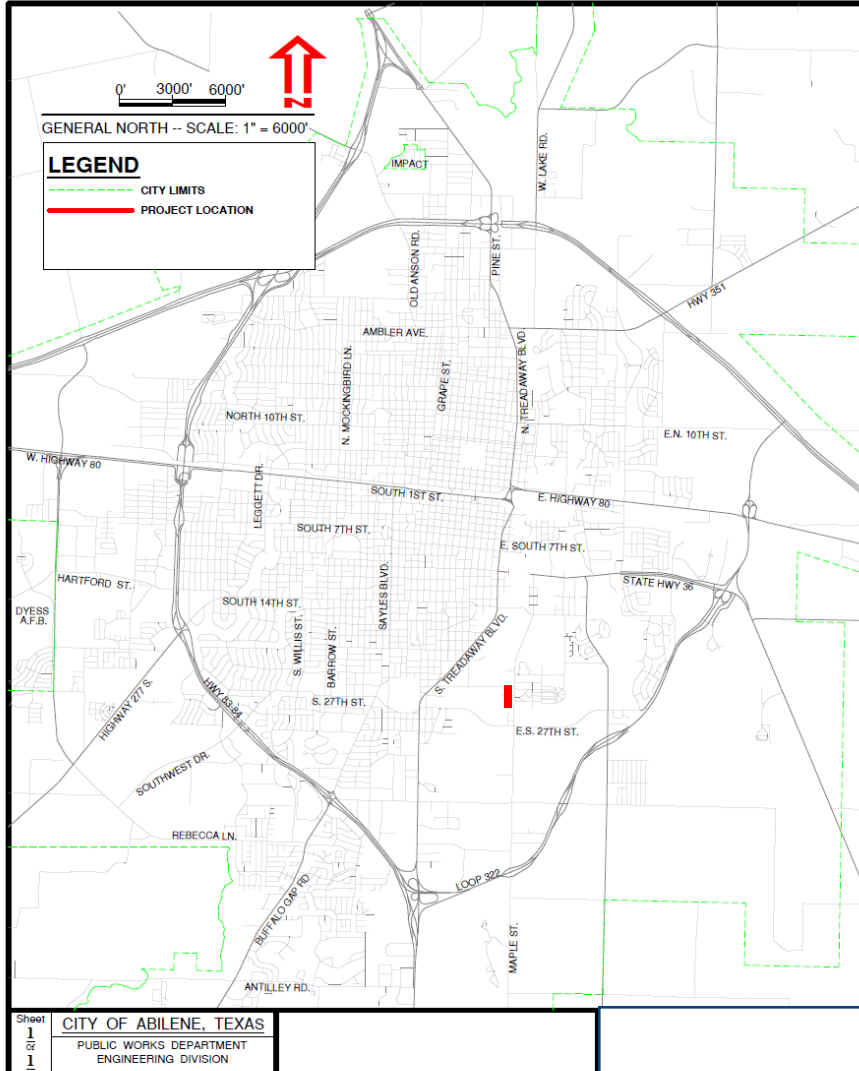
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



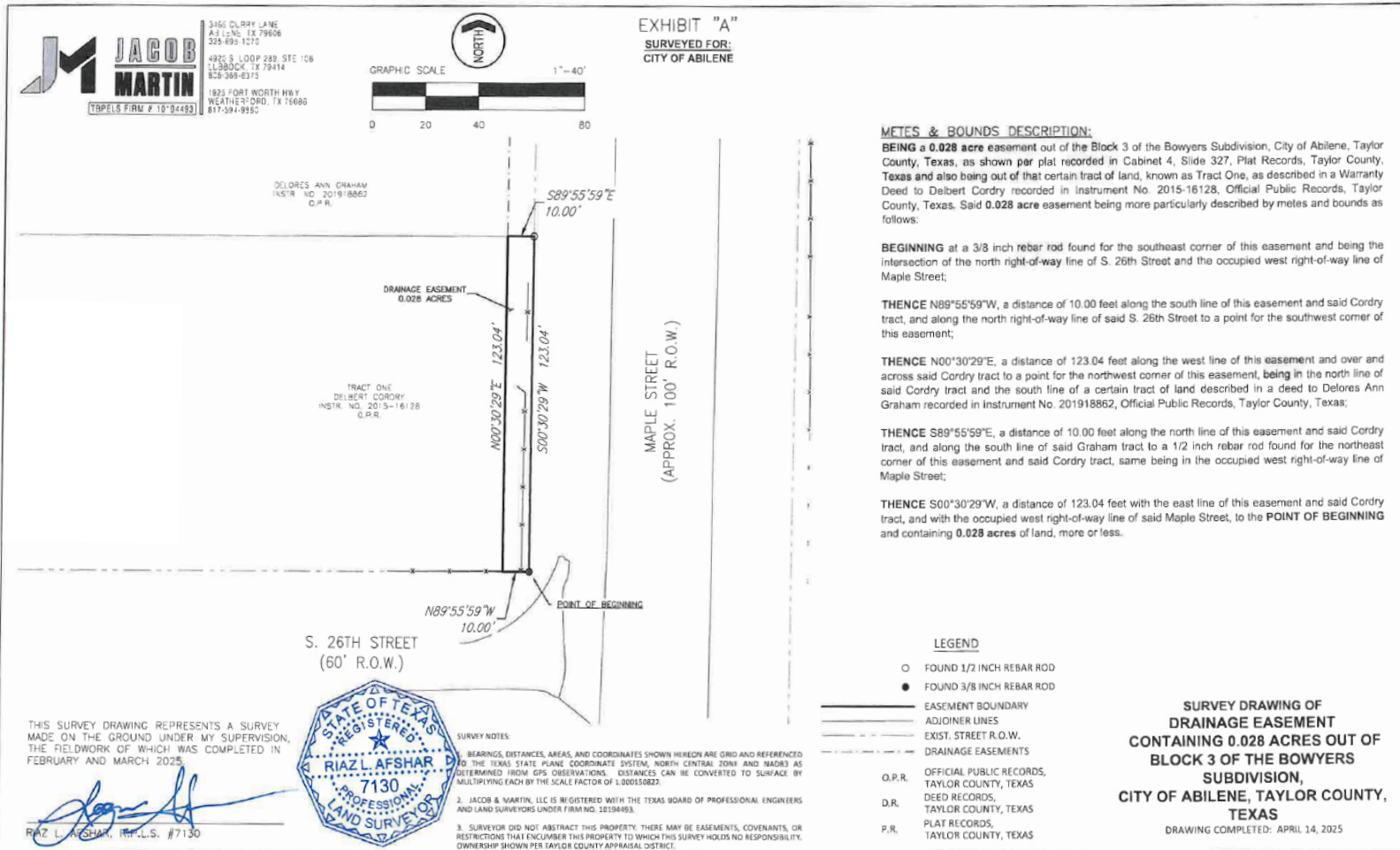
**Project Location: Maple Street**

**0.028 acres out of Block 3, of the Bowyers Subdivision, City of Abilene, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as 15 Feet Wide and Containing 0.103 Acres of Land Out Of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas, owned by Charlie Albert Barry, Volum 1723, Page 846, Official Public Records, Taylor County, Texas *(Stanley Smith)***

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property being 15 feet wide and containing 0.103 acre of land out of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A".

Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property being 15 feet wide and containing 0.103 acre of land out of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Charlie Barry
2. Exhibit A Charlie Barry
3. Presentation-Eminent Domain-Maple Street-Charlie A Barry - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, BEING 15 FEET WIDE AND CONTAINING 0.103 ACRES OF LAND OUT OF BLOCK 6, BOWYER SUBDIVISION OF THE SW/4, SE/4 & NE/4 OF SECTION 50, BLIND ASYLUM LANDS, ABSTRACT NO. 634, CITY OF ABILENE, TAYLOR COUNTY, TEXAS.**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", being 15 feet wide and containing 0.103 acres of land out of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

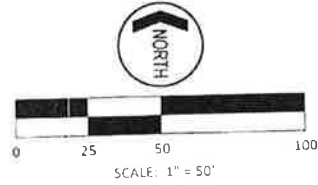
\_\_\_\_\_  
City Attorney



3469 COLONY PARK  
 ABILENE, TX 79605  
 325-895-1070  
 4923 E. LOOP 293, STE 101  
 LUBBOCK, TX 79414  
 806-388-6275  
 1928 FORT WORTH HWY  
 AERTHE STATION, TX 76098  
 817-504-3880

SURVEYED FOR:  
 THE CITY OF ABILENE

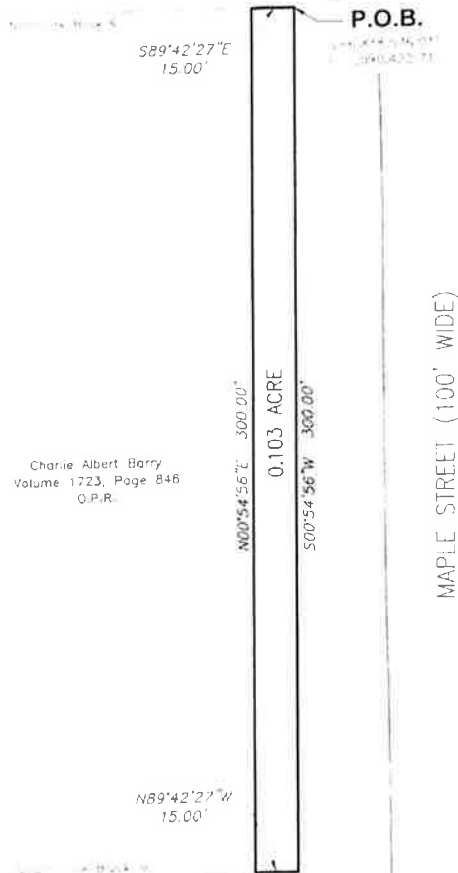
EXHIBIT "A"



LEGEND

- = END 3/8" REBAR ROD
- = FENCE
- = EASEMENT BOUNDARY LINE (BOLD)
- = STREET RIGHT-OF-WAY LINE
- O.P.R. = OFFICIAL PUBLIC RECORDS OF TAYLOR COUNTY, TEXAS
- P.R. = OFFICIAL PUBLIC RECORDS OF TAYLOR COUNTY, TEXAS
- P.O.B. = POINT OF BEGINNING

SOUTH 22ND STREET  
 (60' WIDE)



Charlie Albert Barry  
 Volume 1723, Page 846  
 O.P.R.

MAPLE STREET (100' WIDE)

PLATTED UNNAMED ROAD  
 (60' WIDE)

METES AND BOUNDS DESCRIPTION

BEING 0.103 acre of land, a strip 15 feet wide and adjacent to the west right-of-way line of Maple Street (a public street 100 feet wide), being out of the most easterly part of Block 6, Bowyer Subdivision of parts of the NE/4, SE/4 and SW/4 of Section No. 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas per plat recorded in Cabinet 4, Slide 327, Plat Records, Taylor County, Texas, with all of said Block 6 being conveyed in a certain Quit Claim Deed to Charlie Albert Barry recorded in Volume 1723, Page 846, Official Public Records, Taylor County, Texas, and said 0.103 acre easement tract being more particularly described in metes and bounds as follows:

BEGINNING at a point being the northeast corner of said Block 6 and being the intersection of said west right-of-way line of Maple Street and the south right-of-way line of South 22nd Street (60 feet wide), from which a found 3/8-inch rebar rod in concrete marking the southeast corner of Lot 101 of the Replat of Cockerell Subdivision per plat recorded in Cabinet 4, Slide 327, Plat Records, Taylor County, Texas bears N00°54'56"E 60.01 feet, and a found 3/8-inch rebar rod marking the northwest corner of said Block 6 bears N89°42'27"W 695.55 feet;

THENCE S00°54'56"W 300.00 feet along said west right-of-way line to a point for the southeast corner of said Block 6, and the intersection of said west right-of-way line of Maple Street and the north right-of-way line of a platted unnamed road (60 feet wide);

THENCE N89°42'27"W 15.00 feet along said north right-of-way line of said platted unnamed road and south line of said Block 6 to a point for the southwest corner of this easement tract;

THENCE N00°54'56"E 300.00 feet over and across said Block 6, along a line which is parallel with and 15.00 feet west of said Maple Street right-of-way line to a point in said south right-of-way line of South 22nd Street and the north line of said Block 6;

THENCE S89°42'27"E 15.00 feet along the common line of said Block 6 and said south right-of-way line of South 22nd Street to said POINT OF BEGINNING and containing 0.103 acre (4500 square feet) of land.



SURVEY DRAWING OF A  
**DRAINAGE EASEMENT**  
 15 FEET WIDE AND CONTAINING 0.103 ACRE OF LAND  
 OUT OF BLOCK 6, BOWYER SUBDIVISION OF THE SW/4,  
 SE/4 & NE/4 OF SECTION 50, BLIND ASYLUM LANDS,  
 ABSTRACT NO. 634  
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS

THIS SURVEY DRAWING REPRESENTS A SURVEY  
 MADE ON THE GROUND UNDER MY SUPERVISION,  
 THE FIELDWORK OF WHICH WAS COMPLETED IN  
 MARCH, 2025.

*Mark J. Brown*  
 MARK T. BROWN, R.P.L.S. NO 4247  
 DATED: APRIL 24, 2025

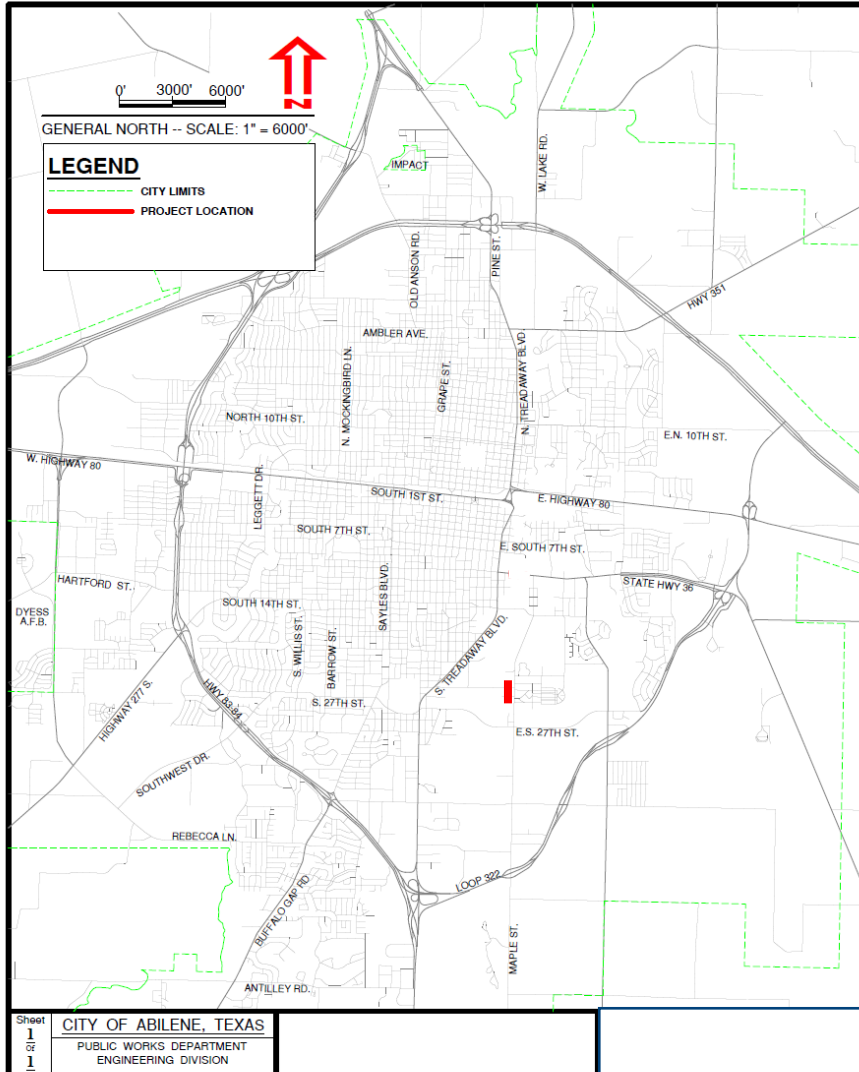
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



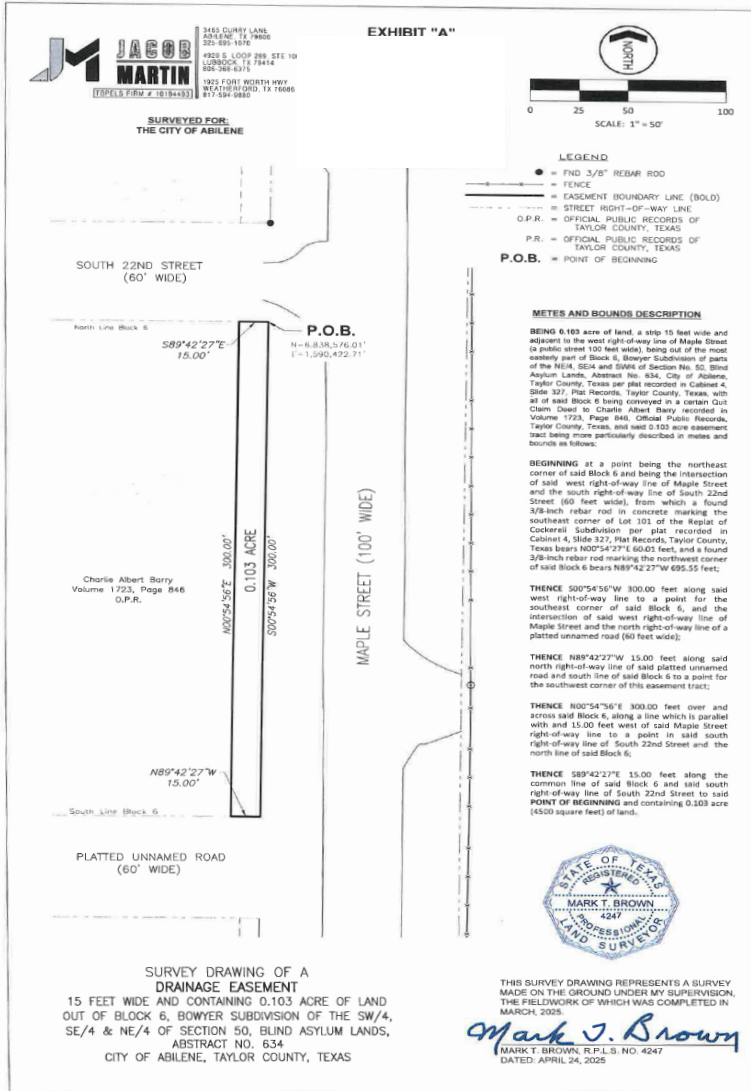
**Project Location: Maple Street**

**0.103 Acres of Land Out of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 17. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as 15 Feet Wide and Containing 0.112 Acre of Land Out Of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas As Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas (Stanley Smith)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as 15 Feet Wide and Containing 0.112 Acre of Land Out Of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas As Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as 15 Feet Wide and Containing 0.112 Acre of Land Out Of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas As Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

- 1. 2026 Eminent Domain easement Maple St Terry Wolfer 1
- 2. Exhibit A Terry Wolfer
- 3. Presentation-Eminent Domain-Maple Street-Terry Wolfer and Donna Long - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No                    UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, BEING 15 FEET WIDE AND CONTAINING 0.112 ACRES OF LAND OUT OF BLOCKS 7 AND 8, BOWYER SUBDIVISION OF PARTS OF THE NE/4, SE/4 & SW/4 OF SECTION 50, CITY OF ABILENE, TAYLOR COUNTY, TEXAS AS SHOWN BY PLAT RECORDED IN CABINET NO. 4, SLIDE NO. 327, PLAT RECORDS, TAYLOR COUNTY, TEXAS.**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1:** That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2:** That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3:** That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", being 15 feet wide and containing 0.112 acres of land out of Blocks 7 and 8, Bowyer Subdivision of parts of the NE/4, SE/4 & SW/4 of Section 50, City of Abilene, Taylor County, Texas as shown by Plat recorded in Cabinet No. 4, Slide NO. 327, Plat Records, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4:** That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

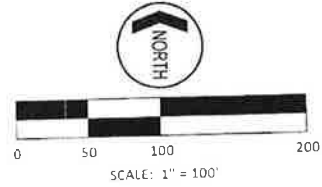
APPROVED:

\_\_\_\_\_  
City Attorney



3465 CUNRY LANE  
 ABILENE TX 79606  
 325-835-1070  
 1820 S LOOP 249 STE 106  
 BLOCK 7 79412  
 325-368-6375  
 1324 FORT WORTH HWY  
 ATATHE ROAD TX 76946  
 817-594-8845

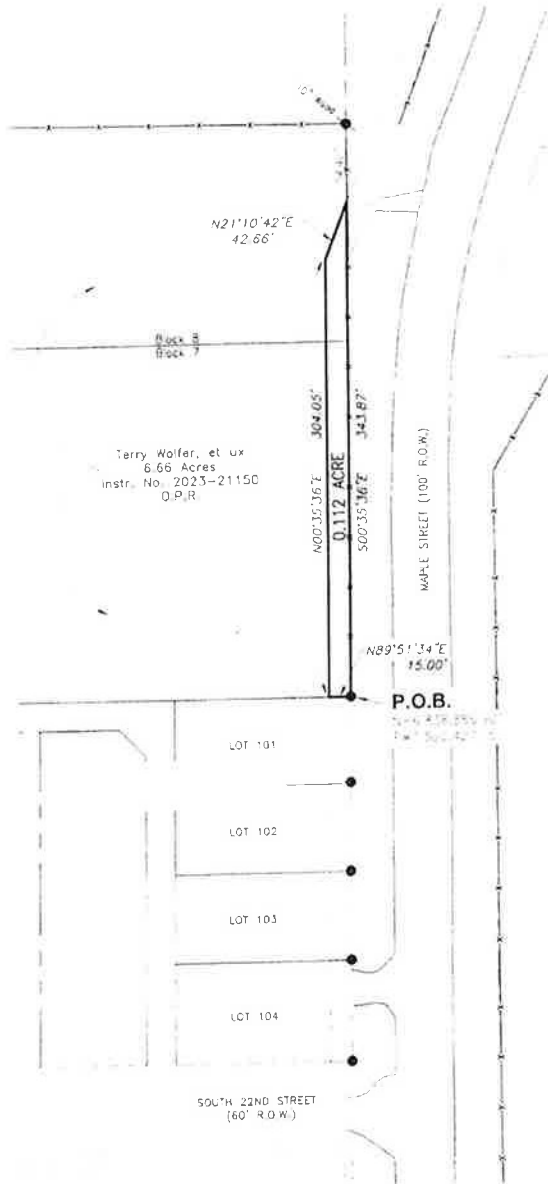
EXHIBIT "A"



SURVEYED FOR:  
 THE CITY OF ABILENE

LEGEND

- = EXISTING FENCE CORNER POST
- = FND 3/8" REBAR ROD UNLESS OTHERWISE INDICATED
- = FENCE
- = EASEMENT BOUNDARY LINE (BOLD)
- = STREET RIGHT-OF-WAY LINE
- O.P.R. = OFFICIAL PUBLIC RECORDS OF TAYLOR COUNTY, TX
- P.R. = PLAT RECORDS, TAYLOR COUNTY, TX
- P.O.B. = POINT OF BEGINNING



METES AND BOUNDS DESCRIPTION

BEING 0.112 acre of and a DRAINAGE EASEMENT, out of a 6.66-acre tract out of parts of Blocks 7 and 8 and a 60-foot strip formerly known as China Street lying West of Block 7, Bowyer Subdivision of parts of Northeast, Southeast, and Southwest Quarters of Survey 50, Blind Asylum Lands, City of Abilene, Taylor County, Texas, and said 6.66-acre tract being described in an Assumption Warranty Deed to Terry Wolfer and Donna J. Long, husband and wife, recorded in Instrument No. 2023-21150, Official Public Records, Taylor County, Texas. Said 0.112-acre drainage easement is more particularly described in metes and bounds as follows:

BEGINNING at a found 3/8-inch rebar rod in the west right-of-way line of Maple Street (100' wide), coordinates of N=6,838,886.90' and E=1,590,427.05', and marking the S.E. corner of said 6.66-acre tract, same being the northeast corner of Lot 101, Replat of COCKERELL SUBDIVISION as shown on the plat recorded in Cabinet 2, Slide 85-D, Plat Records, Taylor County, Texas, and from said point of beginning a found 1/2-inch rebar for the southwest corner of said 6.66-acre tract bears N89°51'34\"/>

THENCE N89°51'34"E 15.00 feet along the south line of said 6.66-acre tract, same being the north line of said Lot 101 to a point for the southwest corner of this easement tract;

THENCE over and across said 6.66-acre tract (portions of said Blocks 7 and 8) the following calls:

- N00°35'36"W 304.05 feet along a line that is parallel to and 15.00 feet west of said west right-of-way line of Maple Street to a point for the northwest corner of this easement tract;
- N21°10'42"W 42.66 feet to a point in the east line of said 6.66-acre tract and east line of said Block 8 and the west line of Lot 1, Block A, Section 1, PARKVIEW ADDITION to said City of Abilene, as shown on the plat recorded in Cabinet 2, Slide 338-B of said Plat Records;

THENCE S00°35'36"E along said east line of said 6.66-acre tract and the west line of said Lot 1, at 42.66 feet pass the most southerly corner of said Lot 1 being a point in said west right-of-way line Maple Street, and continuing a total distance of 343.87 feet to the POINT OF BEGINNING and containing 0.112-acre (4859 square feet) of land.



SURVEY DRAWING OF A  
 DRAINAGE EASEMENT  
 15 FEET WIDE AND CONTAINING 0.112 ACRE OF LAND  
 OUT OF BLOCKS 7 AND 8, BOWYER SUBDMISION OF PARTS  
 OF THE NE/4, SE/4 AND SW/4 OF SECTION 50,  
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS AS SHOWN  
 BY PLAT RECORDED IN CABINET NO. 4, SLIDE NO. 327,  
 PLAT RECORDS, TAYLOR COUNTY, TEXAS.

THIS SURVEY DRAWING REPRESENTS A SURVEY  
 MADE ON THE GROUND UNDER MY SUPERVISION,  
 THE FIELDWORK OF WHICH WAS COMPLETED IN  
 MARCH, 2025.

*Mark J. Brown*  
 MARK T. BROWN, R.P.L.S. NO. 4247  
 DATED: APRIL 24, 2025

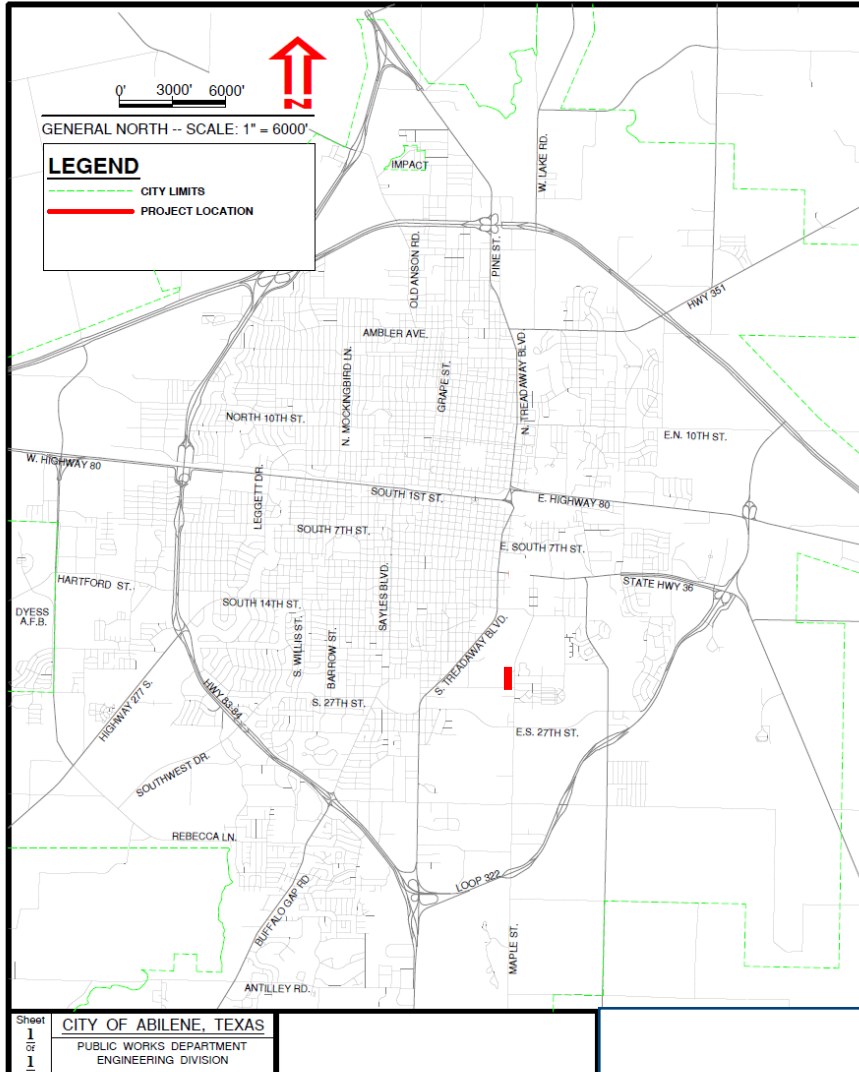
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



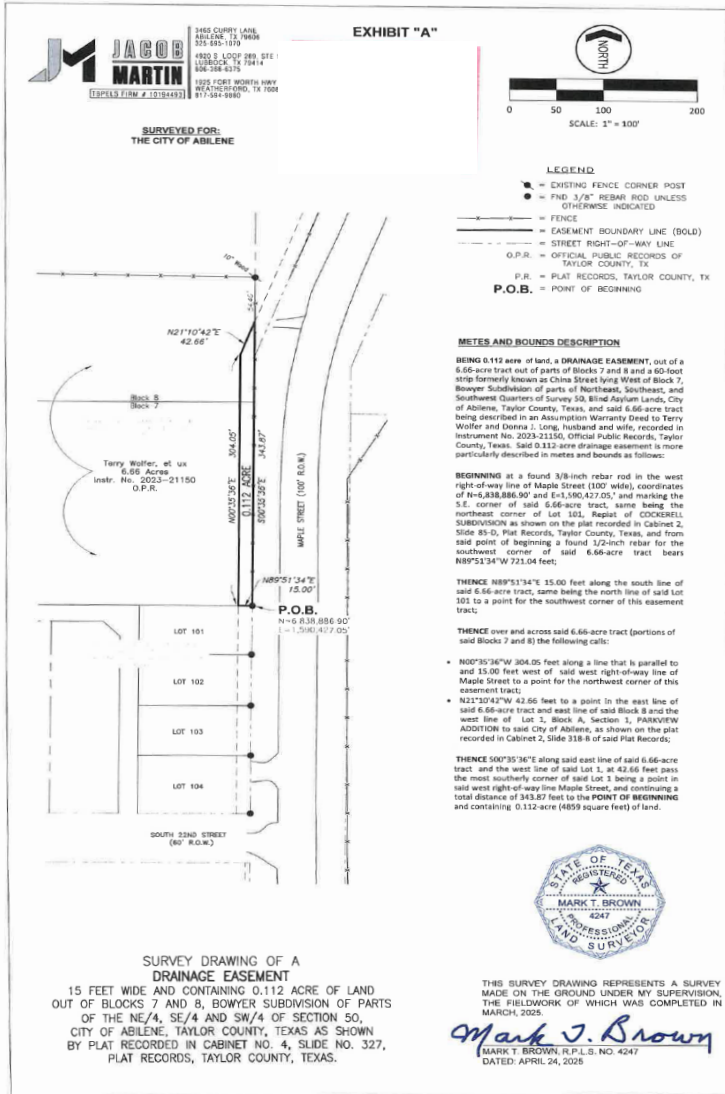
**Project Location: Maple Street**

**0.112 Acre of Land Out of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas as Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.003 Acre Out Of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas (*Stanley Smith*)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.003 Acre Out Of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.003 Acre Out Of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Terry Wolfer 2
2. Exhibit A Terry Wolfer 2
3. Presentation-Eminent Domain-Maple Street-Terry Wolfer and Donna Long - 6-4-2026 -- 20B

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.003 ACRE OUT OF THE W. BERRY SURVEY, A/K/A THE NE/4 SECTION 50, BLIND ASYLUM LANDS, ABSTRACT NO. 623, CITY OF ABILENE, TAYLOR COUNTY, TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.003 acre out of the W. Berry Survey, a/k/a the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney

**JACOB MARTIN**  
 3485 CURRY LANE  
 ABILENE, TX 79606  
 325-895-1010  
 4923 S. LOOP 265, S.E. 106  
 LUBBOCK, TX 79414  
 806-388-5375  
 953 FORT WORTH HWY  
 WEAVER, TX 76798  
 817-347-9886  
 [TYPE, SIZE, PRINT # 10151133]

**SURVEYED FOR:**  
**THE CITY OF ABILENE**

**EXHIBIT "A"**



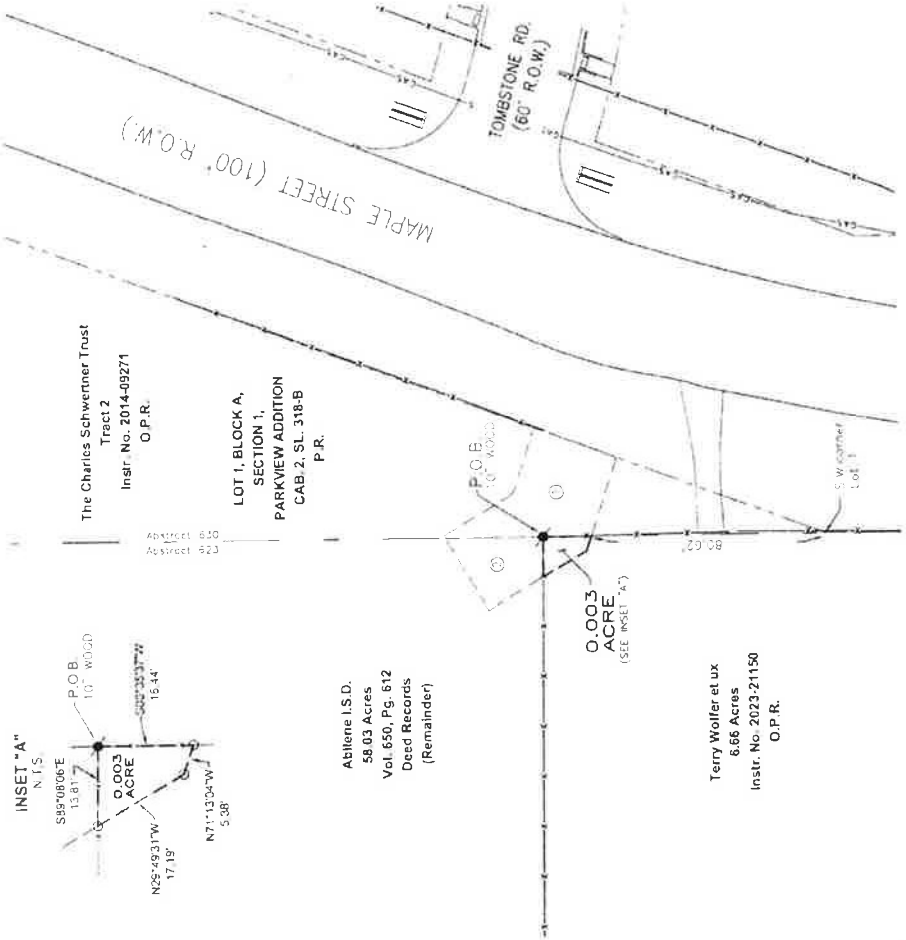
- LEGEND**
- = EXISTING FENCE CORNER POST
  - = SET 1/2" REBAR ROD WITH CAP MARKED "JM EASEMENT"
  - = FND REBAR ROD AS INDICATED
  - = FENCE
  - = EASEMENT BOUNDARY LINE (BOLD)
  - = STREET RIGHT-OF-WAY LINE
  - D.R. = DEED RECORDS, TAYLOR CO., TX
  - P.R. = PLAT RECORDS, TAYLOR CO., TX
  - O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TX
  - N.I.S. = NOT TO SCALE
  - P.O.B. = POINT OF BEGINNING
  - = A 0.027-ACRE DRAINAGE EASEMENT SURVEYED THIS SAME DATE
  - = A 0.013-ACRE DRAINAGE EASEMENT SURVEYED THIS SAME DATE

**SURVEY NOTE:**  
 1. THE BEARINGS AND DISTANCES SHOWN HEREON ARE GRID AND DETERMINED FROM GPS OBSERVATIONS AND RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.00014626.



THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THE FIELDWORK OF WHICH WAS COMPLETED IN OCTOBER, 2024.

*Mark T. Brown*  
 MARK T. BROWN, R.P.L.S. NO. 4247  
 DATED: OCTOBER 25, 2024



**METES AND BOUNDS DESCRIPTION**

**BEGINNING** at a 10-inch wood fence corner post with coordinates of N16,839,285.14' and E1,590,431.18' and marking the N.E. corner of said 6.66-acre tract, same being the northerly southeast corner of a 58.03-acre tract described in a deed to Abilene Independent School District recorded in Volume 650, Page 612, Deed Records, Taylor County, Texas, and also corner post being in the west line of Lot 1, Block A, Section 1, PARKVIEW ADDITION, City of Abilene, Taylor County, Texas as shown on the plat of said addition recorded in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, and from said corner post a 1/2-inch rebar rod found in the west right-of-way line of Maple Street marking the southeast corner of said 6.66-acre tract bears S00°35'37"W 398.26 feet;

**THENCE** S00°35'37"W 16.44 feet along the east line of said 6.66-acre tract and the west line of said Lot 1 to a set 1/2-inch rebar rod with cap stamped "JM EASEMENT" (SET REBAR) marking the southeast corner of this described easement tract, same being the southwest corner of a 0.027-acre drainage easement surveyed this same date, and from which the southerly corner of said Lot 1 bears S00°35'37"W 80.62 feet;

**THENCE** over and across said 6.66-acre tract the following call:  
 • N71°13'04"W 5.38 feet to a SET REBAR;  
 • N29°49'31"W 17.19 feet to a SET REBAR in the common line of said 6.66-acre tract and said 58.03-acre tract, same being the southwest corner of a 0.013-acre tract surveyed this same date, and from which a found 3/8-inch rebar rod found for the northwest corner of said 6.66-acre tract bears N89°08'06"W 708.28 feet;

**THENCE** S89°08'06"E 13.81 feet along said common line of said 6.66-acre tract and said 58.03-acre tract to the POINT OF BEGINNING and containing 0.003-acre (144 square feet, more or less)

**SURVEY DRAWING OF A DRAINAGE EASEMENT CONTAINING 0.003 ACRE**

OUT OF THE W. BERRY SURVEY, A.K.A THE NE/4 SECTION 50, BLIND ASYLUM LANDS, ABSTRACT NO. 623  
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS



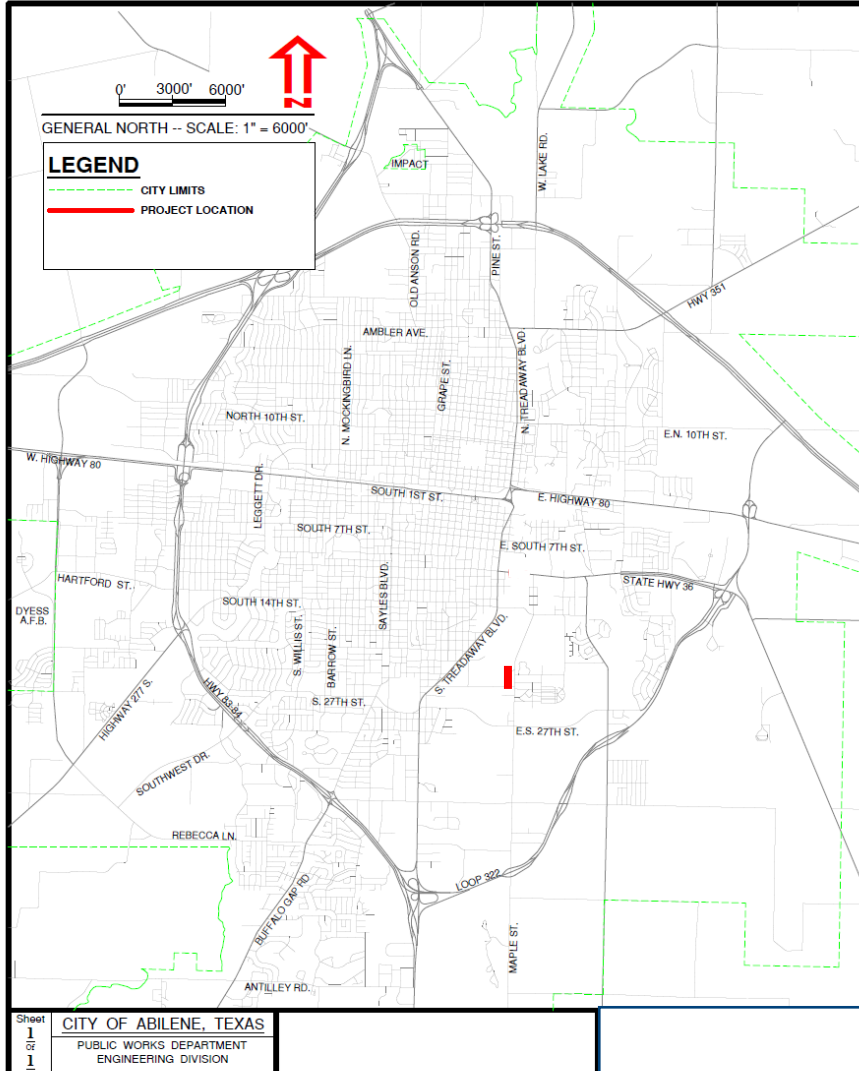
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



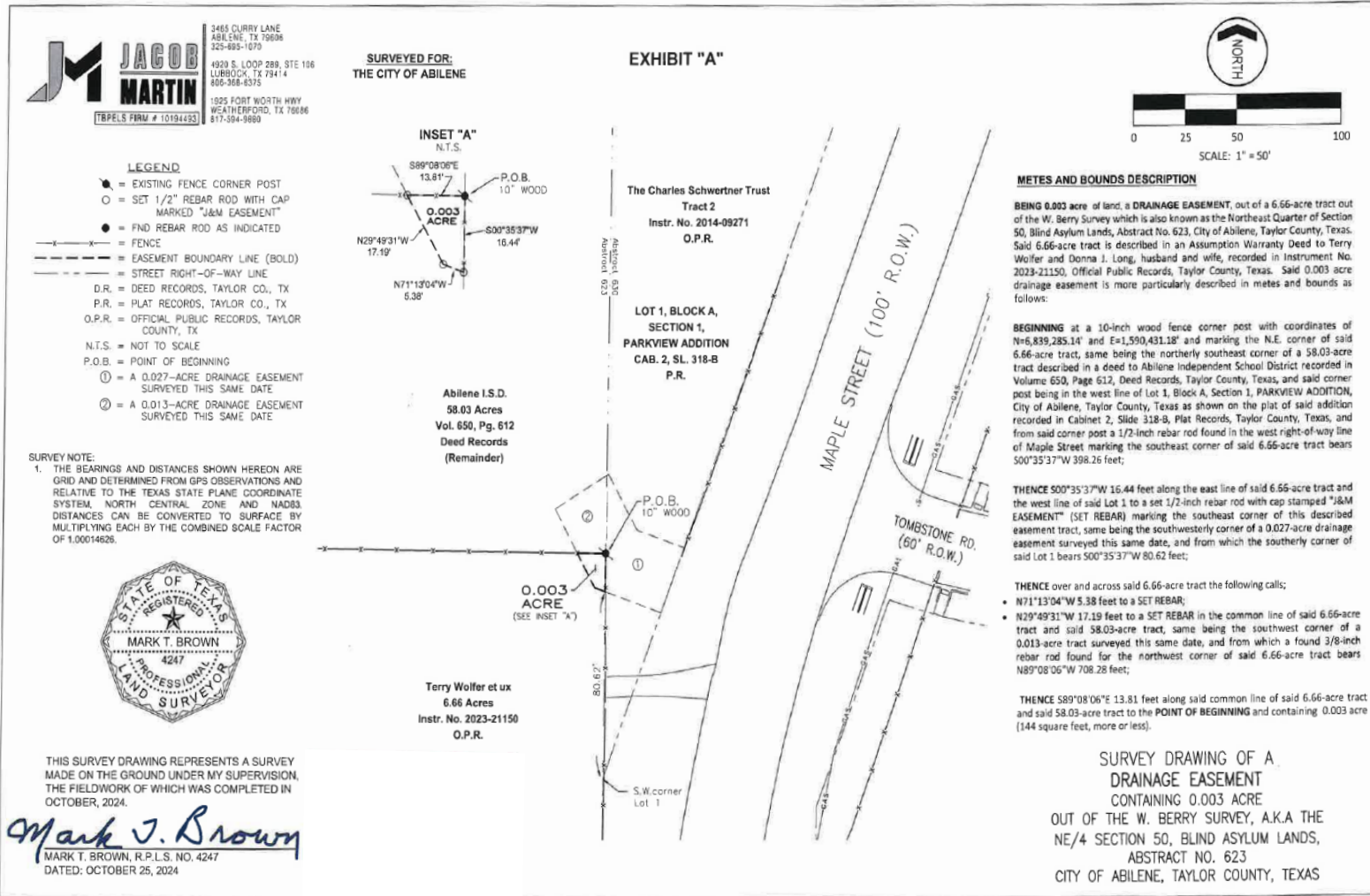
**Project Location: Maple Street**

**0.003 Acre Out of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.027 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas (Stanley Smith)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.027 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.027 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Valley Creek Homes 1
2. Exhibit A Valley Creek 1
3. Presentation-Eminent Domain-Maple Street-Valley Creek Homes (21A) - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.027 ACRE OUT OF LOT 1, BLOCK A, SECTION 1, PARKVIEW ADDITION, CITY OF ABILENE, TAYLOR COUNTY, TEXAS PER PLAT OF RECORD IN CABINET 2, SLIDE 318-B PLAT RECORDS, TAYLOR COUNTY, TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.027 acre out of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas per Plat of record in Cabinet 2, Slide 318-B Plat records, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney



3463 CURRY LANE  
 ABILENE, TX 79606  
 325.633.1072  
 4926 S. LOOP 289, STE 100  
 ABILENE, TX 79602  
 325.633.1072  
 505.958.6242  
 1925 JOHN MARTIN HWY  
 WYATT, TEXAS 76798  
 817.554.9830  
 TERRELL FIRM # 13194493

**SURVEYED FOR:**  
 THE CITY OF ABILENE

**EXHIBIT "A"**

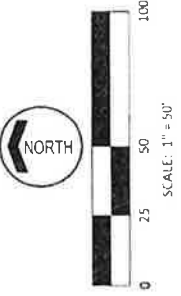
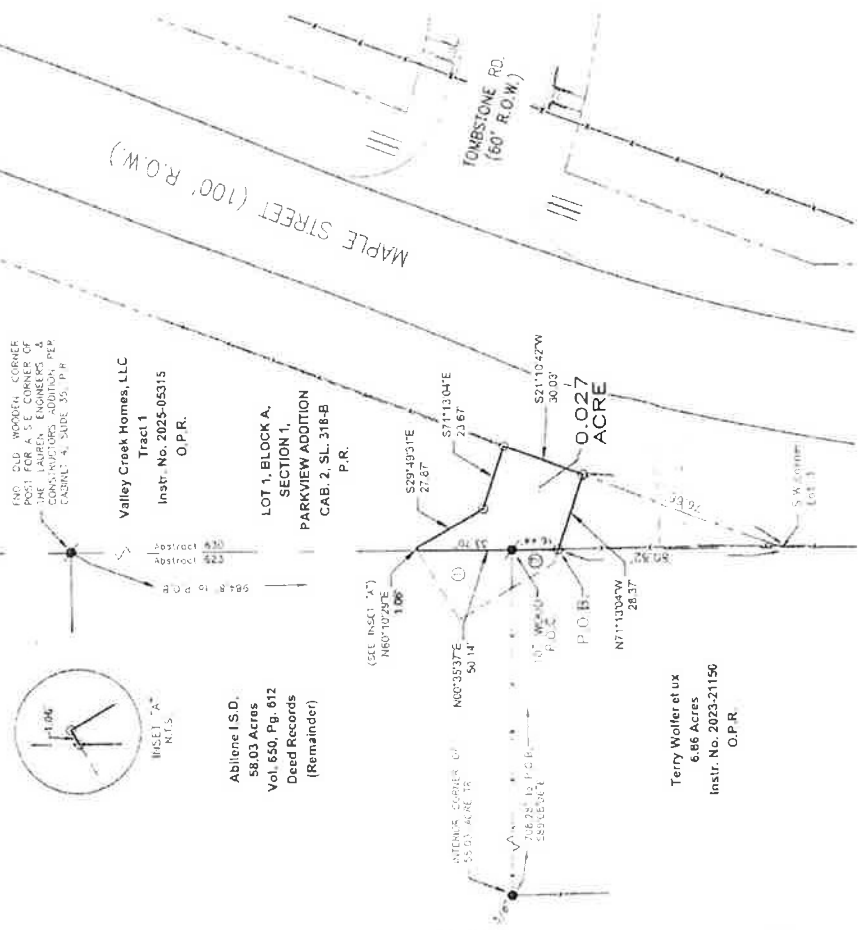
END OLD WOODEN CORNER POST FOR A.S.E. CORNER OF THE LAUREN ENGINEERS & CONSULTORS ADDITION, PARKWAY ADDITION, CABINET 2, SLIDE 318-B, 3002-351, P.P.

Valley Creek Homes, LLC  
 Tract 1  
 Instr. No. 2023-05315  
 O.P.R.

Abilene I.S.D.  
 58.03 Acres  
 Vol. 650, Pg. 612  
 Deed Records  
 (Remainder)

LOT 1, BLOCK A,  
 SECTION 1,  
 PARKVIEW ADDITION  
 CAB. 2, SL. 318-B  
 P.R.

Terry Woller et ux  
 6.86 Acres  
 Instr. No. 2023-21150  
 O.P.R.



**METES AND BOUNDS DESCRIPTION**

BEING 0.027 acre of block 1, DRAINAGE EASEMENT, said Lot 1, Block A, Section 1, PARKVIEW ADDITION, City of Abilene, Taylor County, Texas, as shown by plat recorded in Cabinet 2, Slide 318-B, Deed Records of said Taylor County, Texas. Said Lot 1, Block A being conveyed to Valley Creek Homes, LLC as Tract 1 in a Warranty Deed With Vendor's Lien recorded in Instrument No. 2023-05315, Official Public Records, Taylor County, Texas. Said 0.027 acre drainage easement is more particularly described in metes and bounds as follows:

COMMENCING at a 10-inch wood fence corner post with coordinates of N49°52'25.3\"/>

THENCE N60°10'39\"/>

THENCE N71°10'42\"/>

THENCE N71°10'42\"/>

**SURVEY DRAWING OF A  
 DRAINAGE EASEMENT  
 CONTAINING 0.027 ACRE**

OUT OF LOT 1, BLOCK A, SECTION 1,  
 PARKVIEW ADDITION, CITY OF ABILENE,  
 TAYLOR COUNTY, TEXAS PER  
 PLAT OF RECORD IN CABINET 2, SLIDE 318-B  
 PLAT RECORDS, TAYLOR COUNTY, TEXAS

**SURVEY NOTE:**  
 1. THE BEARINGS AND DISTANCES SHOWN HEREON ARE GRID AND DETERMINED FROM GPS COORDINATES AND RELATIVE TO THE TEXAS STATE COORDINATE SYSTEM, NORTH AND NORTH DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.00014626



THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN OCTOBER, 2024

*Mark T. Brown*  
 MARK T. BROWN, P.L.S. NO. 4247  
 DATED: JUNE 3, 2025

# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*







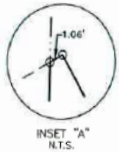
# Resolution: Use of Eminent Domain for an Easement Along Maple Street



3465 CURRY LANE  
ABILENE, TX 79606  
325-895-1070  
4020 S. LOOP 289, STE 109  
LUBBOCK, TX 79414  
806-368-6375  
1925 FORT WORTH HWY  
WEATHERFORD, TX 76066  
817-594-9800  
[TPELS FIRM # 10194483]

**SURVEYED FOR:**  
THE CITY OF ABILENE

**EXHIBIT "A"**



Abilene I.S.D.  
Vol. 650, Pg. 612  
Deed Records  
(Remainder)

FND OLD WOODEN CORNER  
POST FOR A S.E. CORNER OF  
THE LAUREN ENGINEERS &  
CONSTRUCTORS ADDITION PER  
CABINET 4, SLIDE 33, P.R.

Valley Creek Homes, LLC  
Tract 1  
Instr. No. 2025-05315  
O.P.R.

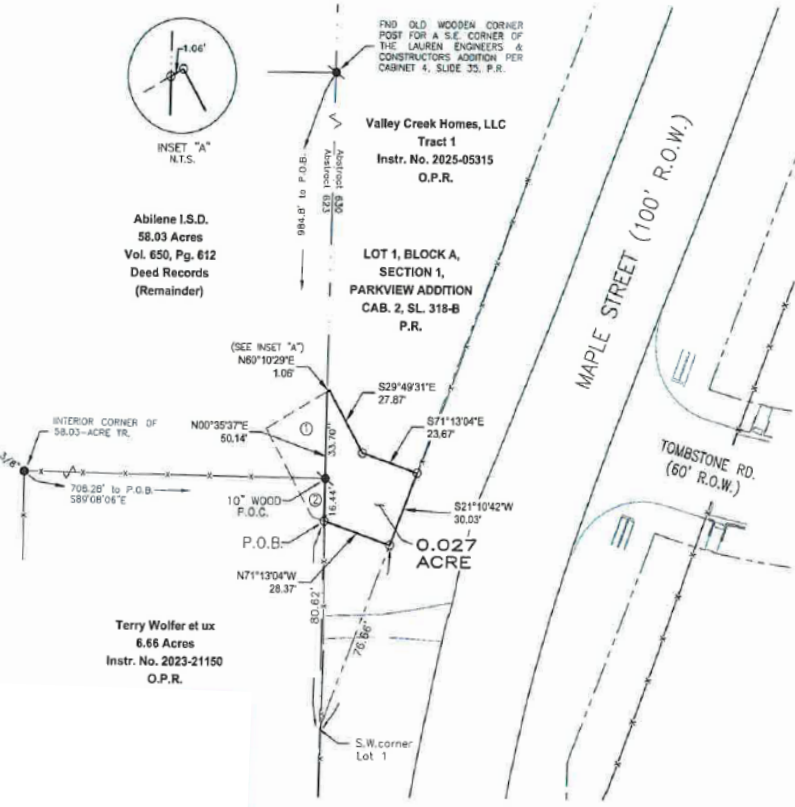
LOT 1, BLOCK A,  
SECTION 1,  
PARKVIEW ADDITION  
CAB. 2, SL. 318-B  
P.R.

MAPLE STREET (100' R.O.W.)

TOMBSTONE RD.  
(60' R.O.W.)

0.027  
ACRE

Terry Wolfer et ux  
6.66 Acres  
Instr. No. 2023-21150  
O.P.R.



**METES AND BOUNDS DESCRIPTION**

BEING 0.027 acre of land, a DRAINAGE EASEMENT, out Lot 1, Block A, Section 1, PARKVIEW ADDITION, City of Abilene, Taylor County, Texas, as shown by plat recorded in Cabinet 2, Slide 318-B, Plat Records of said Taylor County, Texas. Said Lot 1, Block A being conveyed to Valley Creek Homes, LLC as Tract 1 in a Warranty Deed With Vendor's Lien recorded in Instrument No. 2025-05315, Official Public Records, Taylor County, Texas. Said 0.027 acre drainage easement is more particularly described in metes and bounds as follows:

COMMENCING at a 10-inch wood fence corner post with coordinates of N=6,839,285.14' and E=1,590,431.18', at the N.E. corner of a 6.66-acre tract described in a deed to Terry Wolfer et ux recorded in Instrument No. 2023-21150, Official Public Records, Taylor County, Texas, same being the northerly southeast corner of a 58.03-acre tract described in a deed to Abilene Independent School District recorded in Volume 650, Page 612, Deed Records, Taylor County, Texas, and said corner post being in the west line of said Lot 1, and from which a 1/2-inch rebar rod found in the west right-of-way line of Maple Street and marking the southeast corner of said 6.66-acre tract bears S00°35'37\"/>

THENCE N00°35'37\"/>

THENCE over and across said Lot 1 the following calls:  
• N60°10'29\"/>

THENCE S21°10'42\"/>

THENCE N71°13'04\"/>

**SURVEY DRAWING OF A  
DRAINAGE EASEMENT  
CONTAINING 0.027 ACRE  
OUT OF LOT 1, BLOCK A, SECTION 1,  
PARKVIEW ADDITION, CITY OF ABILENE,  
TAYLOR COUNTY, TEXAS PER  
PLAT OF RECORD IN CABINET 2, SLIDE 318-B  
PLAT RECORDS, TAYLOR COUNTY, TEXAS**

- LEGEND**
- = EXISTING FENCE CORNER POST
  - = SET 1/2" REBAR ROD WITH CAP MARKED "M&M EASEMENT"
  - = FND REBAR ROD AS INDICATED
  - = FENCE
  - = EASEMENT BOUNDARY LINE (BOLD)
  - = STREET RIGHT-OF-WAY LINE
  - D.R. = DEED RECORDS, TAYLOR CO., TX
  - P.R. = PLAT RECORDS, TAYLOR CO., TX
  - O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TX
  - N.T.S. = NOT TO SCALE
  - P.O.C. = POINT OF COMMENCING
  - P.O.B. = POINT OF BEGINNING
  - ① = A 0.013-ACRE DRAINAGE EASEMENT SURVEYED THIS SAME DATE
  - ② = A 0.003-ACRE DRAINAGE EASEMENT SURVEYED THIS SAME DATE

**SURVEY NOTE:**  
1. THE BEARINGS AND DISTANCES SHOWN HEREON ARE GRID AND DETERMINED FROM GPS OBSERVATIONS AND RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.00014626.



THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN OCTOBER, 2024.  
**Mark T. Brown**  
MARK T. BROWN, R.P.L.S. NO. 4247  
DATED: JUNE 3, 2025

**CITY OF  
ABILENE  
TEXAS**



# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas (*Stanley Smith*)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 5, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

- 1. 2026 Eminent Domain easement Maple St Valley Creek Homes 2
- 2. Exhibit A Valley Creek 3
- 3. Presentation-Eminent Domain-Maple Street-Valley Creek Homes (21B) - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No                    UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.108 ACRE OUT OF LOT 1, BLOCK A, SECTION 1, PARKVIEW ADDITION, OUT OF SECTION 51, BLIND ASYLUM LANDS, ABSTRACT NO. 630, CITY OF ABILENE, TAYLOR COUNTY, TEXAS PER PLAT OF RECORD IN CABINET 2, SLIDE 318-B PLAT RECORDS, TAYLOR COUNTY, TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.108 acre out of Lot 1, Block A, Section 1, Parkview Addition, out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas per Plat of record in Cabinet 2, Slide 318-B Plat records, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

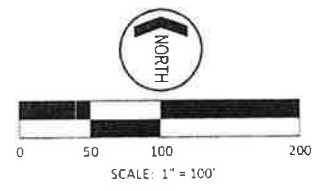
APPROVED:

\_\_\_\_\_  
City Attorney



3445 CURRY LAKE  
 ABILENE, TX 79605  
 325-695-1070  
 4920 S LOOP 289, STE 106  
 LUBBOCK, TX 79418  
 804-968-9376  
 1924 FORT ARTHUR WAY  
 WEATHERFORD, TX 74286  
 817-394-2885

**EXHIBIT "A"**

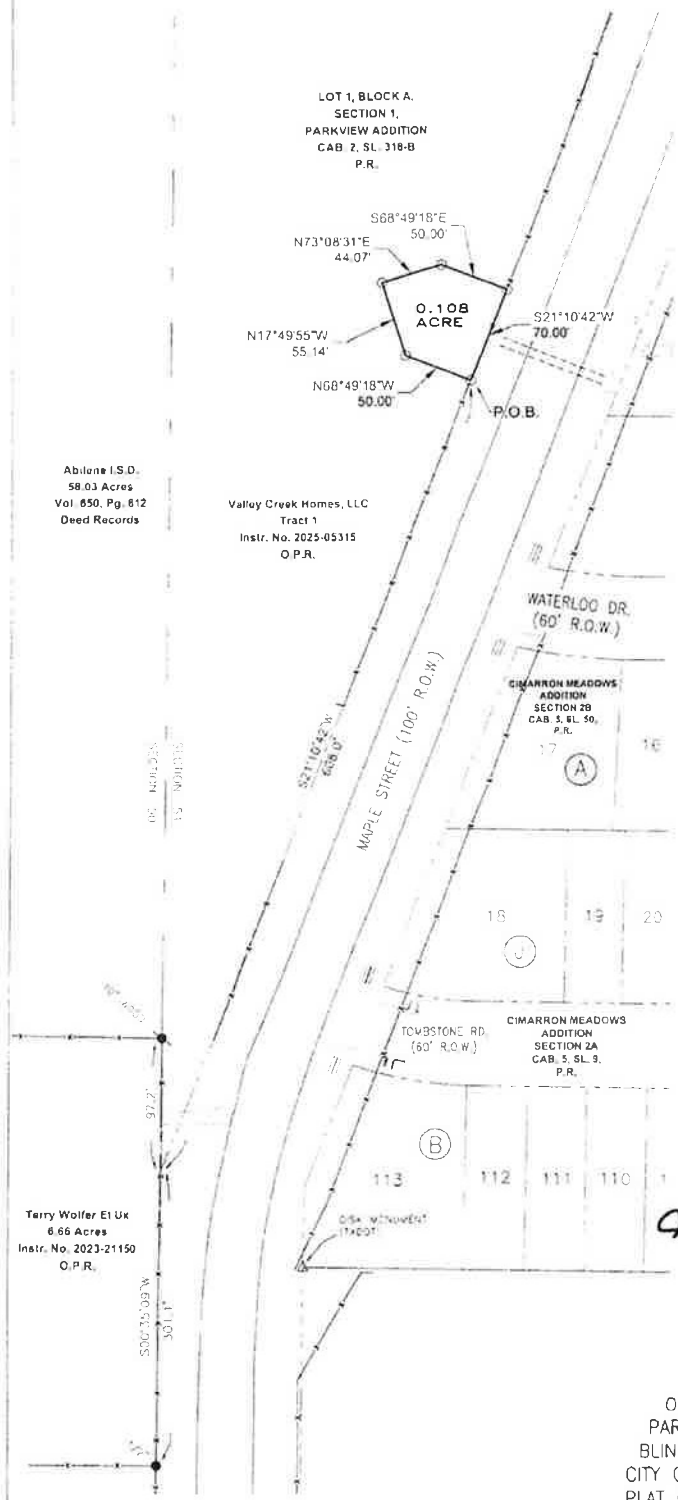


**SURVEYED FOR:  
 THE CITY OF ABILENE**

**LOT 1, BLOCK A,  
 SECTION 1,  
 PARKVIEW ADDITION  
 CAB 2, SL. 318-B  
 P.R.**

Abilene I.S.D.  
 58.03 Acres  
 Vol. 650, Pg. 612  
 Deed Records

Valley Creek Homes, LLC  
 Tract 1  
 Instr. No. 2025-05315  
 O.P.R.



**LEGEND**

- = EXISTING FENCE CORNER POST
- = END REBAR ROD AS INDICATED
- = FENCE
- = EASEMENT BOUNDARY LINE (B.O.L.)
- - - = DRAINAGE CULVERT UNDER MAPLE ST.
- - - = STREET RIGHT-OF-WAY LINE
- D.R. = DEED RECORDS, TAYLOR CO., TX
- P.R. = PLAT RECORDS, TAYLOR CO., TX
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TX

**METES AND BOUNDS DESCRIPTION**

BEING 0.108 acre of land, a DRAINAGE EASEMENT, out Lot 1, Block A, Section 1, PARKVIEW ADDITION out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas as shown by Plat recorded in Plat Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas said Lot 1, Block A, Section 1 being conveyed to Valley Creek Homes, LLC as Tract 1 in Warranty Deed With Vendor's Lien recorded in Instrument No. 2025-05315, Official Public Records, Taylor County, Texas. Said 0.108-acre drainage easement is more particularly described in metes and bounds as follows:

BEGINNING at a 1/2 inch rebar rod with cap stamped "BM EASEMENT", the coordinates thereof are 116,839.754 937 and E=1,590,649.79, marking the southeast corner of this described easement in the east line of said Lot 1, Block A, Section 1, same being the west right-of-way line of Maple Street (100 feet wide), and from which the southerly corner of said Lot 1, Block A, Section 1 bears S21°10'42"W 608.0 feet;

THENCE over and across said Lot 1, Block A the following calls:

- N68°49'18"W 50.00 feet to a SET REBAR;
- N17°49'55"W 55.14 feet to a SET REBAR;
- N73°08'31"E 44.07 feet to a SET REBAR;
- S68°49'18"E 50.00 feet to a SET REBAR in said westerly right-of-way line;

THENCE S21°10'42"W 70.00 feet along said westerly right-of-way line to said POINT OF BEGINNING and containing 0.108 acre (4734 square feet, more or less). Said easement tract is centered on the drainage culvert crossing Maple Street.



THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THE FIELDWORK OF WHICH WAS COMPLETED IN OCTOBER, 2024.

*Mark J. Brown*  
 MARK T. BROWN, R.P.L.S. NO. 4247  
 DATED JUNE 5, 2025

**SURVEY DRAWING OF A  
 DRAINAGE EASEMENT  
 CONTAINING 0.108 ACRE  
 OUT OF LOT 1, BLOCK A, SECTION 1,  
 PARKVIEW ADDITION, OUT OF SECTION 51,  
 BLIND ASYLUM LANDS, ABSTRACT NO. 630,  
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS PER  
 PLAT OF RECORD IN CABINET 2, SLIDE 318-B  
 PLAT RECORDS, TAYLOR COUNTY, TEXAS**

X: C:\Abilene\21565 - Abilene Maple St. Roadway Improvements #CB 3153 Loop 322 to ES 11th St Surveying\Exhibits\Open\Drainage Easement\Mark Exhibit\June 3, 2025\Map\00108 Ac Drainage Easement\_Valley Creek Homes, LLC 03June25.dwg

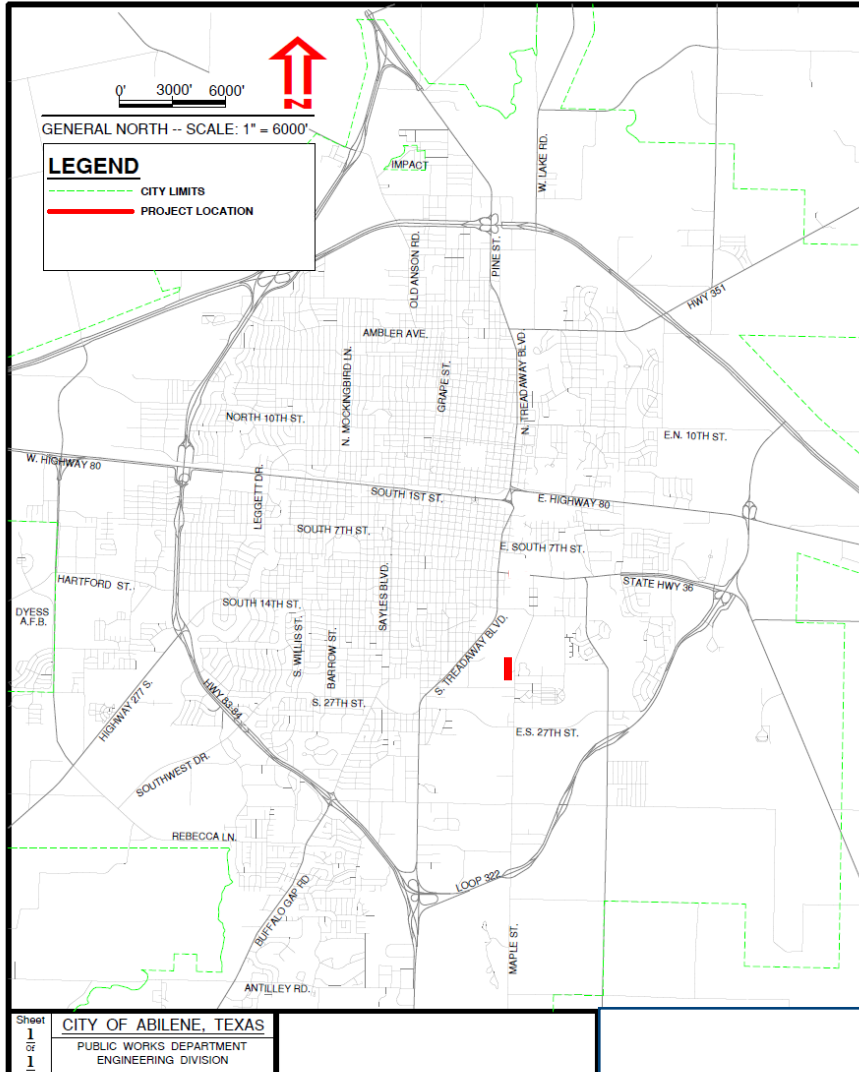
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



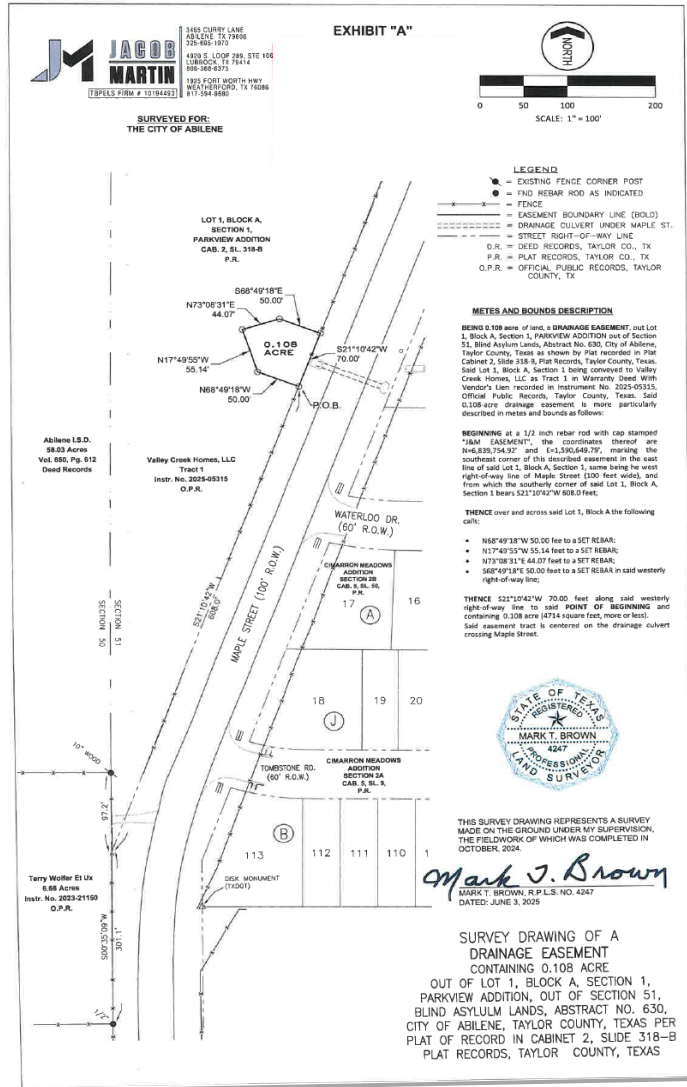
**Project Location: Maple Street**

**0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 5, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, Owned by Valley Creek Homes, LLC., Instrument No. 2025-05315, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.202 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out Of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas (*Stanley Smith*)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.202 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out Of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.202 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out Of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

- 1. 2026 Eminent Domain easement Maple St Valley Creek Homes 3
- 2. Exhibit A Valley Creek 2
- 3. Presentation-Eminent Domain-Maple Street-Valley Creek Homes (21C) - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No                    UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.202 ACRE OUT OF LOT 1, BLOCK A, SECTION 1, PARKVIEW ADDITION, OUT OF SECTION 51, BLIND ASYLUM LANDS, ABSTRACT NO. 630, CITY OF ABILENE, TAYLOR COUNTY, TEXAS PER PLAT OF RECORD IN CABINET 2, SLIDE 318-B PLAT RECORDS, TAYLOR COUNTY, TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1:** That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2:** That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3:** That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.202 acre out of Lot 1, Block A, Section 1, Parkview Addition, out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas per Plat of record in Cabinet 2, Slide 318-B Plat records, Taylor County, Texas, for the public purpose of a widening and drainage easement.
- PART 4:** That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

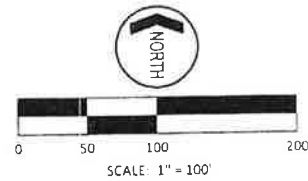
APPROVED:

\_\_\_\_\_  
City Attorney



5495 CURRY LAKE  
 ABILENE, TX 79605  
 326.493-7070  
 4820 S. CDP 289, STE 106  
 LUBBOCK, TX 79414  
 806-768-8375  
 1825 FORT WORTH HWY  
 WEATHERFORD, TX 75086  
 817-594-9880

EXHIBIT "A"



SURVEYED FOR:  
 THE CITY OF ABILENE

- LEGEND**
- = EXISTING FENCE CORNER POST
  - ⊕ = END REBAR ROD AS INDICATED
  - = FENCE
  - = EASEMENT BOUNDARY LINE (BOLD)
  - = DRAINAGE CULVERT UNDER MAPLE ST.
  - - - = STREET RIGHT-OF-WAY LINE
  - D.R. = DEED RECORDS, TAYLOR CO., TX
  - P.R. = PLAT RECORDS, TAYLOR CO., TX
  - O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TX
  - P.O.B. = POINT OF BEGINNING

**METES AND BOUNDS DESCRIPTION**

BEING 0.202-acre of land a DRAINAGE EASEMENT, OUT Lot 1, Block A, Section 1, PARKVIEW ADDITION OUT OF Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas as shown by Plat recorded in Plat Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas. Said Lot 1, Block A, Section 1 being conveyed to Valley Creek Homes, LLC as Tract 1 in Warranty Deed With Vendor's Lien recorded in Instrument No. 2025-05315, Official Public Records, Taylor County, Texas; Said 0.202-acre drainage easement is more particularly described in metes and bounds as follows:

BEGINNING at a found 1/2 inch rebar rod with cap stamped "IBM EASEMENT" marking the northeast corner of this described easement and the southeast corner of a 1.08-acre drainage easement surveyed by Jacob Martin, LLC and said 1/2-inch rebar rod being in the east line of said Lot 1, Block A, Section 1, same being the west right-of-way line of Maple Street (100 feet wide), and from which the southerly corner of said Lot 1, Block A, Section 1 bears S21°10'42"W 608.00 feet;

THENCE S21°10'42"W 608.00 feet along said west right-of-way line of Maple Street and the east line of said Lot 1, Block A to a point for the most southerly corner of said Lot 1, Block A and being in the west line of a 6.66-acre tract described in a deed to Terry Woller et ux recorded in Instrument No. 2023-21150 of said Official Public Records, and being in the common line between Sections 50 and 51, Blind Asylum Lands;

THENCE N00°35'09"E 42.66 feet along the west line of said Lot 1, Block A, same being the east line of said 6.66-acre tract, and said common section line, to a point for the southwest corner of this easement tract;

THENCE N21°10'42"E 568.08 feet, over and across said Lot 1, Block A to a point in said 0.108-acre drainage easement surveyed by Jacob Martin, LLC for the northwest corner of this easement tract;

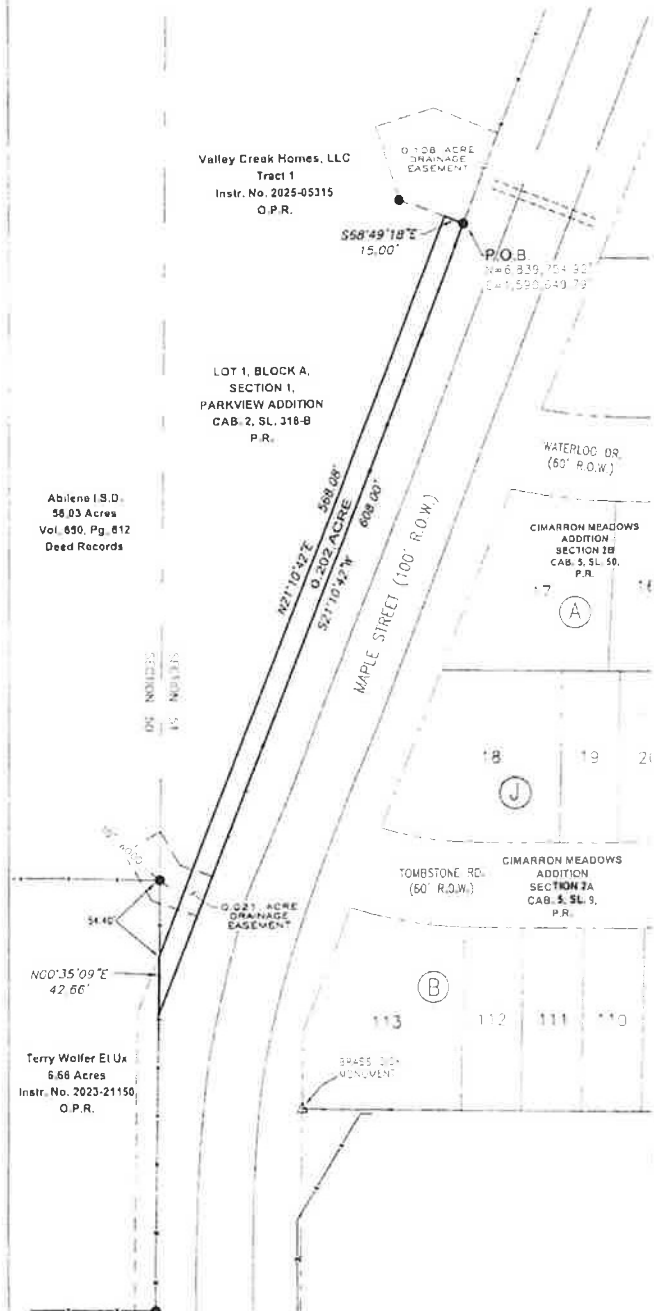
THENCE S68°49'18"E 15.00 feet to the POINT OF BEGINNING and containing 0.202 acre (8820 square feet) of land.



THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN MARCH, 2025

*Mark J. Brown*  
 MARK T. BROWN, R.P.L.S. NO. 4247  
 DATED: JUNE 3, 2025

SURVEY DRAWING OF A DRAINAGE EASEMENT CONTAINING 0.202 ACRE OUT OF LOT 1, BLOCK A, SECTION 1, PARKVIEW ADDITION, OUT OF SECTION 51, BLIND ASYLUM LANDS, ABSTRACT NO. 630, CITY OF ABILENE, TAYLOR COUNTY, TEXAS PER PLAT RECORD IN CABINET 2, SLIDE 318-B PLAT RECORDS, TAYLOR COUNTY, TEXAS



Abilene I.S.D.  
 58.03 Acres  
 Vol. 650, Pg. 612  
 Deed Records

Terry Woller Et Ux  
 6.66 Acres  
 Instr. No. 2023-21150,  
 O.P.R.

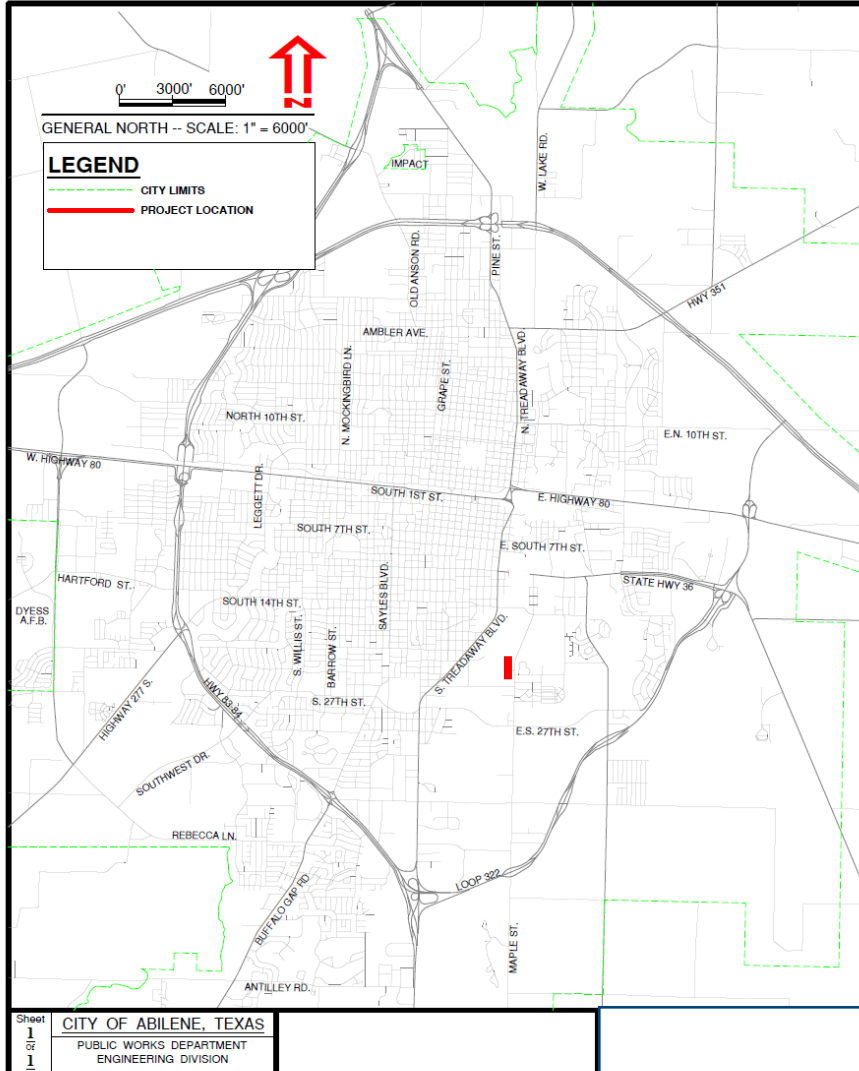
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



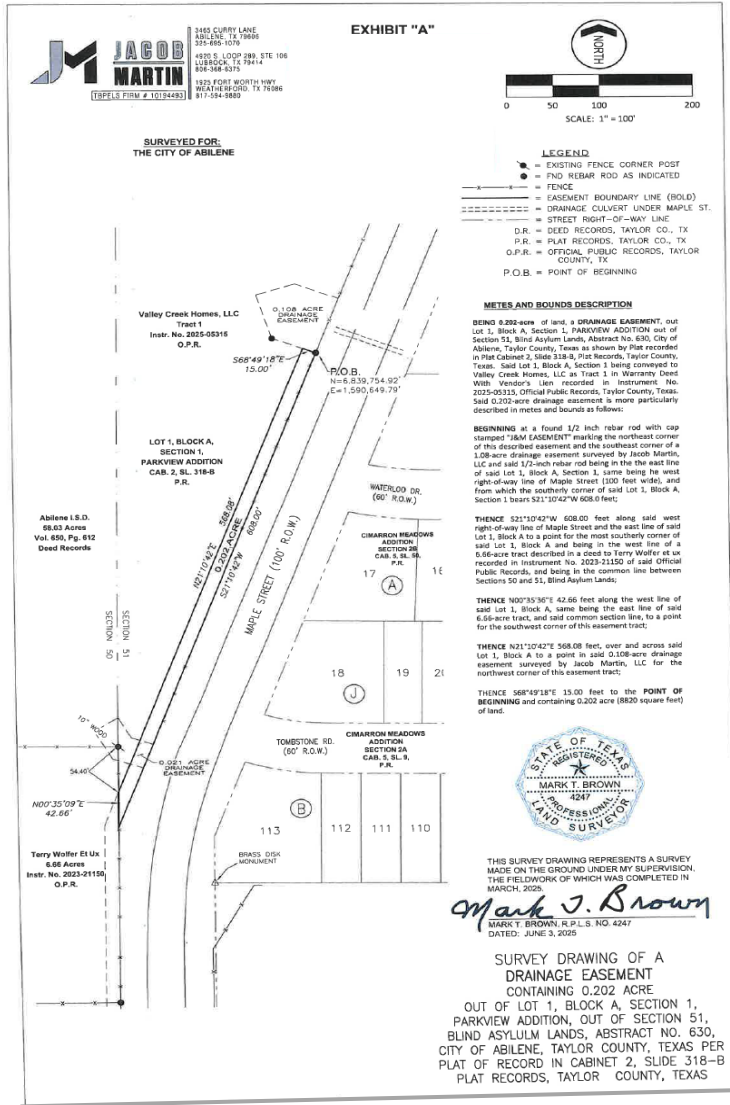
**Project Location: Maple Street**

**0.202 Acre Out of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 22. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas (*Stanley Smith*)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

- 1. 2026 Eminent Domain easement Maple St Valley Creek Homes 4
- 2. Exhibit A Valley Creek 4
- 3. Presentation-Eminent Domain-Maple Street-Valley Creek Homes (21D) - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No                    UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.487 ACRE OUT OF LOT 4, BLOCK 210, ORIGINAL TOWN OF ABILENE PER PLAT IN CABINET 4, SLIDE 254, PLAT RECORDS, TAYLOR COUNTY, TEXAS AND LOT 1, BLOCK A, SECTION 1, PARKVIEW ADDITION PER PLAT IN CABINET 2, SLIDE 318-B, PLAT RECORDS, TAYLOR COUNTY, TEXAS, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.487 acre out of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas and Lot 1, Block A, Section 1, Parkview Addition, per Plat of record in Cabinet 2, Slide 318-B Plat records, Taylor County, Texas, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney



**EXHIBIT "A"**  
**PAGE 2 OF 2**  
**METES AND BOUNDS DESCRIPTION**

BEING 0.487 acre of land, a DRAINAGE EASEMENT adjacent to the south right-of-way line of S. 14th Street, City of Abilene, Taylor County, Texas and being out of Tract Nos. 1 and 2 described in a Warranty Deed With Vendor's Lien to Valley Creek Homes, LLC recorded in Instrument No. 2025-05315, Official Public Records, Taylor County, Texas with said Tract 1 being all of Lot 1, Block A, Section 1, PARKVIEW ADDITION, City of Abilene, Taylor County, Texas, per plat thereof recorded in Plat Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, and Tract 2 being 1.32 acre out of Lot 4, Block 210, City of Abilene, Taylor County, Texas, per plat thereof recorded in Cabinet 4, Slide 254, Plat Records, Taylor County, Texas. Said 0.487-acre drainage easement is more particularly described in metes and bounds as follows:

**BEGINNING** at a found 1/2-inch rebar rod with cap stamped "JLW4885" (N=6,842,084.73' and E=1,590,493.26') and being in said south right-of-way line of S. 14th Street and in the west line of said Lot 4, Block 210, and being the northwest corner of said Tract 2, and being in the upper east bank of Cedar Creek;

**THENCE** along said south right-of-way line of S. 14th Street the following calls:

- S89°34'41"E 199.82 feet to a 1/2-inch rebar rod with cap (JLW4885) for the northeast corner of said Tract 2 and the northwest corner of said Tract 1 (Lot 1, Block A, Section 1, PARKVIEW ADDITION);
- S89°18'30"E 150.60 feet to a 4.5-inch steel corner post and beginning of a curve to the right;
- along said curve to the right having a radius of 173.79 feet, a delta angle of 52°12'56", a chord with bearing and length of S63°46'57"E 152.96 feet, a curve length of 158.38 feet to a 4.5-inch steel corner post;
- S37°41'39"E 245.93 feet to a 4.5-inch steel corner post and beginning of a curve to the left;
- along said curve to the left having a radius of 238.05 feet, a delta angle of 51°20'31", a chord with bearing and length of S63°21'55"E 206.25 feet, a curve length of 213.31 feet to a set 1/2-inch rebar rod with cap stamped "J&M BOUNDARY" for the end of said curve to the left;
- S89°02'10"E 97.52 feet to a set 1/2-inch rebar rod with cap stamped "J&M BOUNDARY" in the westerly right-of-way line of Maple Street for the northeast corner of said Lot 1, and this easement tract;

**THENCE** S21°10'42"W 21.31 feet along said westerly right-of-way line, same being the easterly line of said Lot 1 to a set 1/2-inch rebar rod with cap stamped "J&M EASEMENT" (henceforth being known as a SET REBAR) for the southeasterly corner of this easement tract;

**THENCE** along the south line of this easement, over and across said Tract 1, then said Tract 2, the following calls:

- N89°02'10"W 90.15 feet to a SET REBAR and beginning of a curve to the right;
- along said curve to the right having a radius of 258.05 feet, a delta angle of 51°20'34", a chord with bearing and length of N63°21'56"W 223.58 feet, a curve length of 231.24 feet, to a SET REBAR for the end of said curve;
- N37°41'39"W 245.94 feet to a SET REBAR and beginning of a curve to the left;
- along said curve to the left having a radius of 153.79 feet, a delta angle of 51°00'53", a chord with bearing and length of N63°10'56"W 132.45 feet, a curve length of 136.93 feet to a SET REBAR for the end of said curve;
- N89°18'30"W 153.98 feet to a point in the west line of said Tract 1 (Lot 1) and the east line of said Tract 2;
- N89°34'41"W 199.71 feet to a point in the west line of said Tract 2;

**THENCE** N00°13'45"E 20.00 feet along said west line of Tract 2 and the east upper bank of Cedar Creek to said POINT OF BEGINNING and containing 0.487 acre (21,235 square feet of land, more or less).

This date, June 3, 2025 the foregoing metes and bounds description was prepared from a survey made on the ground under my supervision. See attached survey drawing of equal date (Page 1 of 2 of this exhibit).

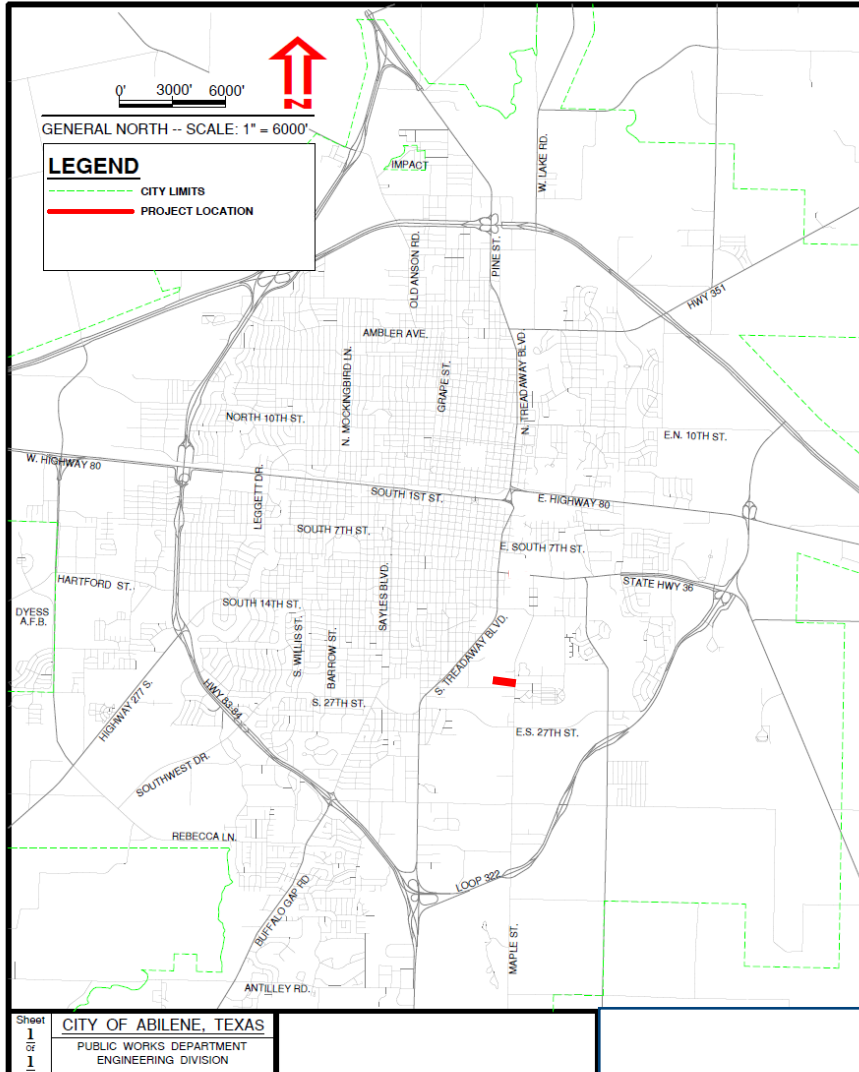
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



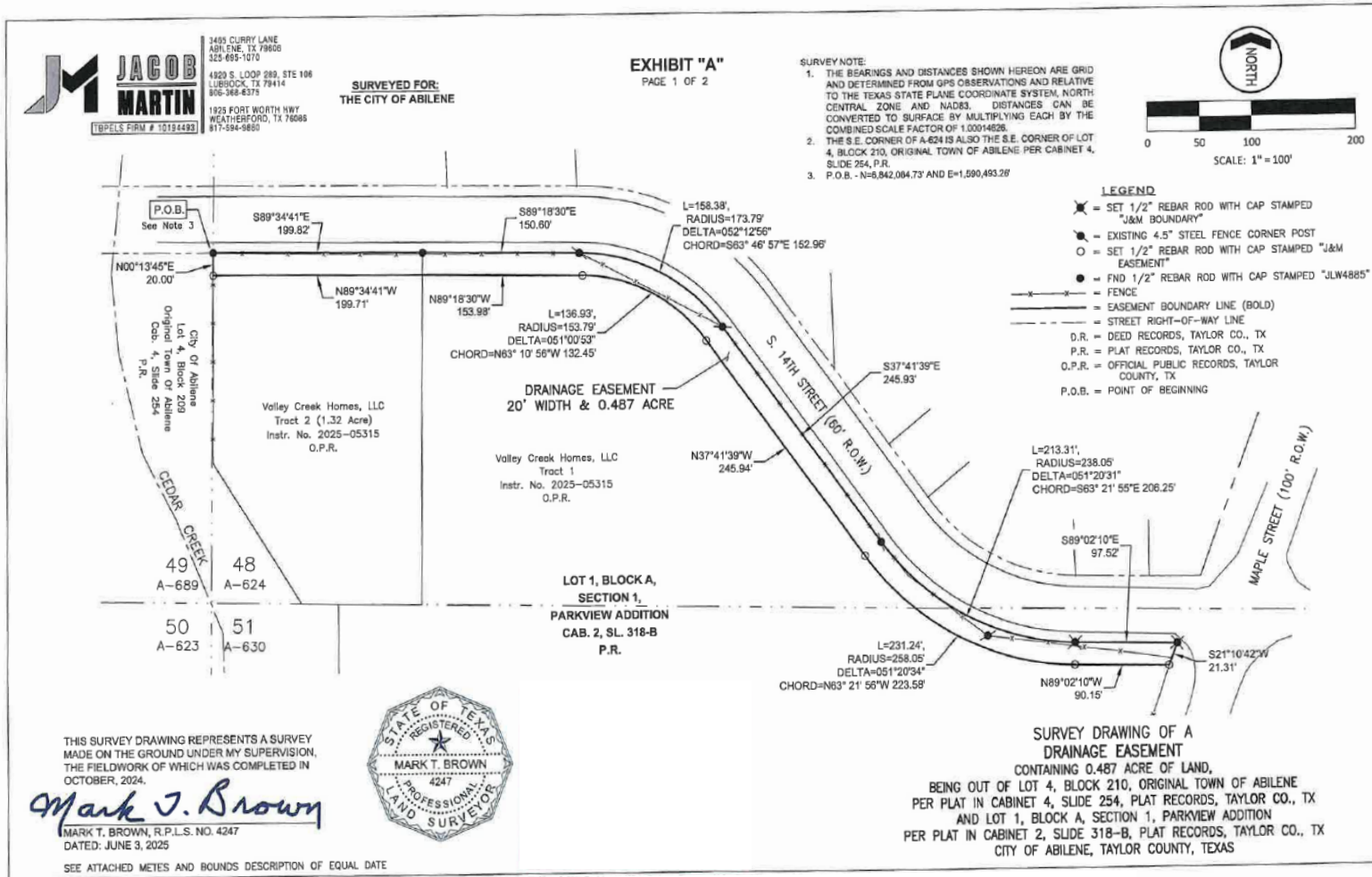
**Project Location: Maple Street**

**0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas, And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas, owned by Valley Creek Homes, LLC., Instrument No. 2025-05315, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 23. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Randall & Kelly Roberts, Instrument No. 2014-11393 and Instrument No. 2014-11392, Official Public Records, Taylor County, Texas (Stanley Smith)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire described as Containing 0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Randall Roberts

2. Exhibit A Randall Roberts
3. Presentation-Eminent Domain-Maple Street-Randall Lee and Kelly Lynn Roberts - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.012 ACRES OUT OF LOTS 19 & 20, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit “A”; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public’s use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in “Exhibit A”, containing 0.012 acres out of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney



3848 COLONY, 4TH  
ABILENE, TX 79601  
325-695-1170  
4930 E LOOP 289, STE 108  
LUBBOCK, TX 79414  
806-369-6370  
1926 FORT WORTH HWY  
AFATHERFORD, TX 76806  
817-594-9850

EXHIBIT "A"

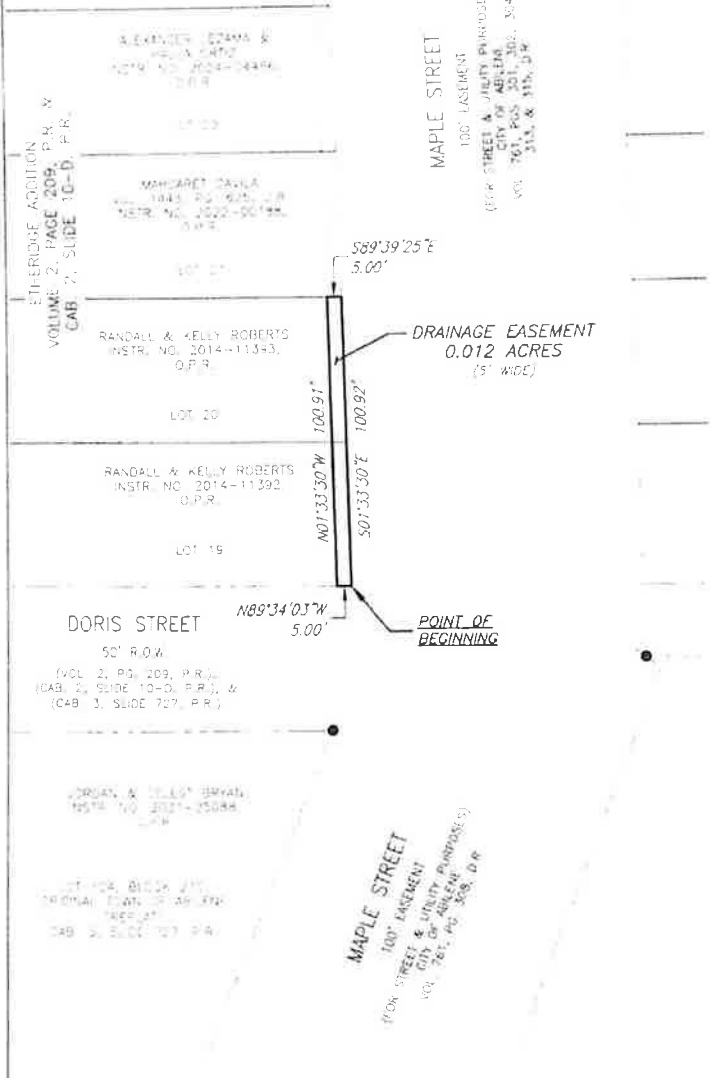


SCALE: 1" = 50'

SURVEYED FOR:  
THE CITY OF ABILENE

LEGEND

- = FOUND 3/8 INCH REBAR ROD
- = FOUND 1/2 INCH REBAR ROD
- = EASEMENT BOUNDARY LINE (BOLD)
- = STREET RIGHT-OF-WAY LINE
- P.R. = PLAT RECORDS, TAYLOR COUNTY, TEXAS
- D.R. = DEED RECORDS, TAYLOR COUNTY, TEXAS
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS



METES AND BOUNDS DESCRIPTION

BEING a 0.012 acre str. of land a DRAINAGE EASEMENT, 5 feet wide, out of Lots 19 & 20, Etheridge Addition out of the Southwest-Quarter of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas as shown by plats recorded in Volume 2, Page 209, Plat Records, Taylor County, Texas and Cabinet 2, Slide 10-D of said Plat Records. Said Lots 19 & 20 being conveyed to Randall & Kelly Roberts by Warranty Deeds recorded in Instrument No. 2014-11393 (Lot 20), Official Public Records, Taylor County, Texas. Said 0.012 acre DRAINAGE EASEMENT is more particularly described in metes and bounds as follows:

BEGINNING at a calculated point at the intersection of the south line of said Lot 19, same being the north right-of-way line of Doris Street (50 feet wide) as shown per said Etheridge Addition plats and Lot 104, Block 210, Original Town of Abilene as shown per replat recorded in Cabinet 3, Slide 727 of said Plat Records, with the west line of Maple Street (100 feet wide easement for street and utility purposes to the City of Abilene) as recorded in Volume 761, Pages 301, 302, 304, 313, & 315, Deed Records, Taylor County, Texas, for the southeast corner of this described easement tract;

THENCE N89°34'03"W along the south line of this described easement tract and said Lot 19, same being the north right-of-way line of said Doris Street, for a distance of 5.00 feet to a calculated point for the southwest corner of this described easement tract;

THENCE N01°33'30"W along the west line of this described easement tract, and over and across said Lots 19 & 20, for a distance of 100.91 feet to a calculated point in the north line of said Lot 20 for the northwest corner of this described easement tract;

THENCE S89°39'25"E along the north line of this described easement tract and said Lot 20, for a distance of 5.00 feet to a calculated point at the intersection of the north line of said Lot 20 with the west line of said Maple Street for the northeast corner of this described easement tract;

THENCE S01°33'30"E along the east line of this described easement tract, and along the west line of said Maple Street, for a distance of 100.92 feet to the POINT OF BEGINNING, and containing 0.012 acres of land, more or less.

- SURVEY NOTES:
1. BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE GRID AND REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83 AS DETERMINED FROM GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE SCALE FACTOR OF 1.00046876.
  2. JACOB & MARTIN, LLC IS REGISTERED WITH THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS UNDER FIRM NO. 10194493.
  3. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THERE MAY BE EASEMENTS, COVENANTS, OR RESTRICTIONS THAT ENCLUMBER THIS PROPERTY TO WHICH THIS SURVEY HOLDS NO RESPONSIBILITY. OWNERSHIP SHOWN PER TAYLOR COUNTY APPRAISAL DISTRICT.

THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN MARCH, 2025.

*Lee W. Rosenbaum*  
LEE W. ROSENBAUM, R.P.L.S. NO. 6394  
DATED: APRIL 14, 2025



SURVEY DRAWING OF A  
DRAINAGE EASEMENT  
CONTAINING 0.012 ACRES  
OUT OF  
LOTS 19 & 20,  
ETHERIDGE ADDITION,  
CITY OF ABILENE,  
TAYLOR COUNTY, TEXAS

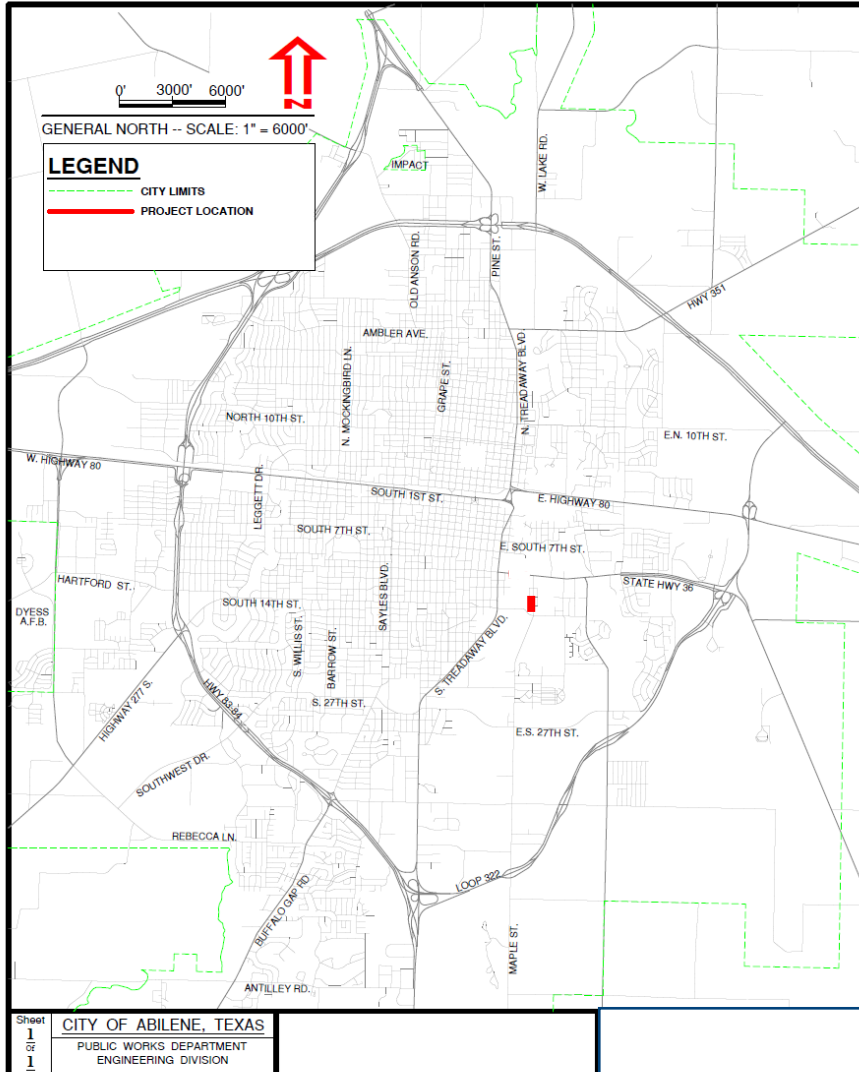
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



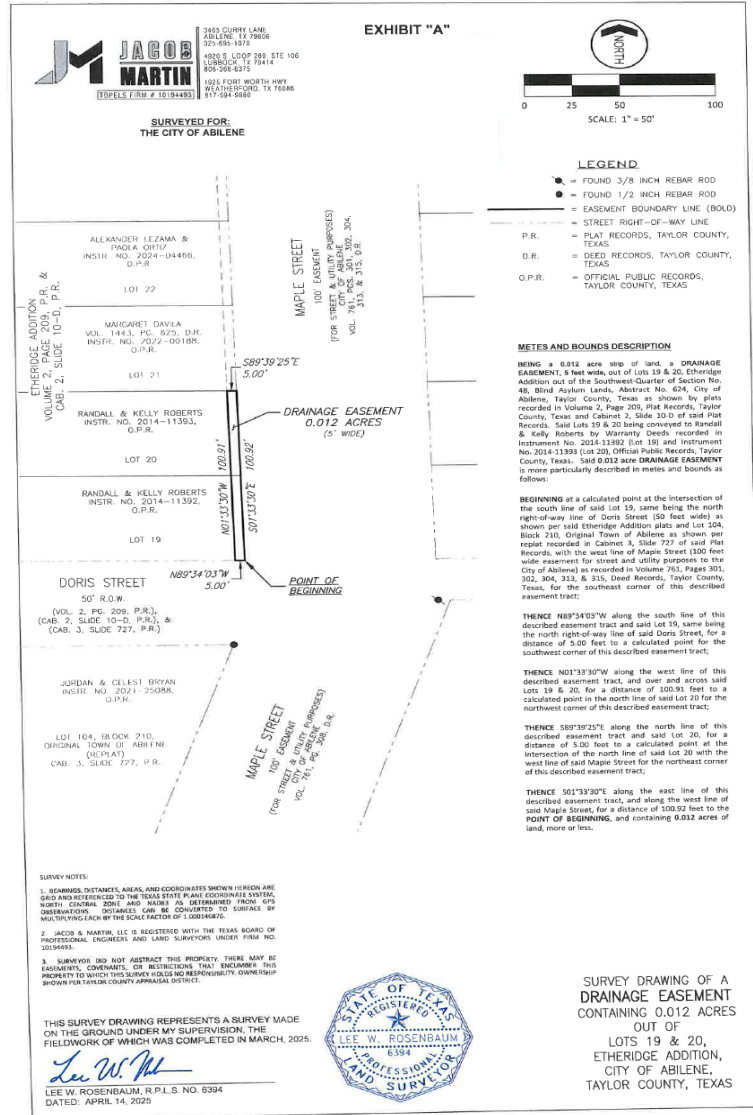
**Project Location: Maple Street**

**0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Randall & Kelly Roberts, Instrument No. 2014-11393 and Instrument No. 2014-11392, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Stanley Smith, City Attorney  
**ITEM:** **24. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Betty Walker, Volume 534, Page 317, Deed Records, Taylor County, Texas (Stanley Smith)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Betty Jo Walker

2. Exhibit A Betty Walker
3. Presentation-Eminent Domain-Maple Street-Betty Jo Walker - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.006 ACRES OUT OF LOT 23, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.006 acres out of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

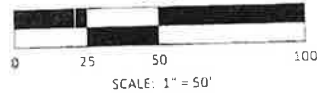
APPROVED:

\_\_\_\_\_  
City Attorney



3608 OL KAY LANE  
ABILENE, TX 79606  
325-495-1070  
4220 E LOOP 283 STE 118  
LUBBOCK, TX 79414  
806-368-6379  
1028 FORT WORTH ROAD  
WEAVERVILLE, TX 76086  
817-594-8845

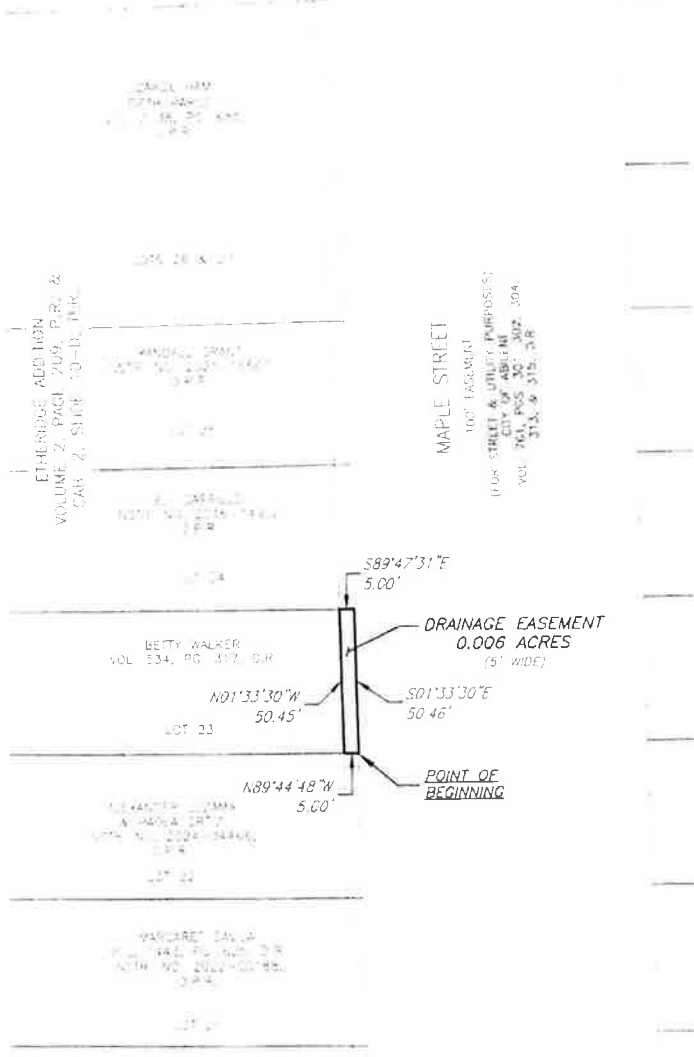
EXHIBIT "A"



SURVEYED FOR:  
THE CITY OF ABILENE

LEGEND

- = FOUND 3/8 INCH REBAR ROD
- = FOUND 1/2 INCH REBAR ROD
- = EASEMENT BOUNDARY LINE (BOLD)
- = STREET RIGHT-OF-WAY LINE
- P.R. = PLAT RECORDS, TAYLOR COUNTY, TEXAS
- D.R. = DEED RECORDS, TAYLOR COUNTY, TEXAS
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS



METES AND BOUNDS DESCRIPTION

BEING a 0.006 acre strip of land a DRAINAGE EASEMENT, 5 feet wide, out of Lot 23, Etheridge Addition out of the Southwest-Quarter of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas as shown by plats recorded in Volume 2, Page 209, Plat Records, Taylor County, Texas and Cabinet 2, Slide 10-D of said Plat Records. Said Lot 23 being described in a Deed recorded in Volume 534, Page 317, Deed Records, Taylor County, Texas. Said 0.006 acre DRAINAGE EASEMENT is more particularly described in metes and bounds as follows:

BEGINNING at a calculated point at the intersection of the south line of said Lot 23 with the west line of Maple Street (100 feet wide easement for street and utility purposes to the City of Abilene) as recorded in Volume 761, Pages 301, 302, 304, 313, & 315 of said Deed Records, for the southeast corner of this described easement tract;

THENCE N89°44'48\"/>

THENCE N01°33'30\"/>

THENCE S89°47'31\"/>

THENCE S01°33'30\"/>

SURVEY NOTES:

1. BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE GRID AND REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83 AS DETERMINED FROM GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE SCALE FACTOR OF 1.002146876.

2. JACOB & MARTIN, LLC IS REGISTERED WITH THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS UNDER FIRM NO 10194493.

3. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THERE MAY BE EASEMENTS, COVENANTS, OR RESTRICTIONS THAT ENCUMBER THIS PROPERTY TO WHICH THIS SURVEY HOLDS NO RESPONSIBILITY. OWNERSHIP SHOWN PER TAYLOR COUNTY APPRAISAL DISTRICT.

THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN MARCH, 2025.

*Lee W. Rosenbaum*  
LEE W. ROSENBAUM, R.P.L.S. NO. 6394  
DATED APRIL 15, 2025



SURVEY DRAWING OF A  
DRAINAGE EASEMENT  
CONTAINING 0.006 ACRES  
OUT OF  
LOT 23, ETHERIDGE ADDITION,  
CITY OF ABILENE,  
TAYLOR COUNTY, TEXAS

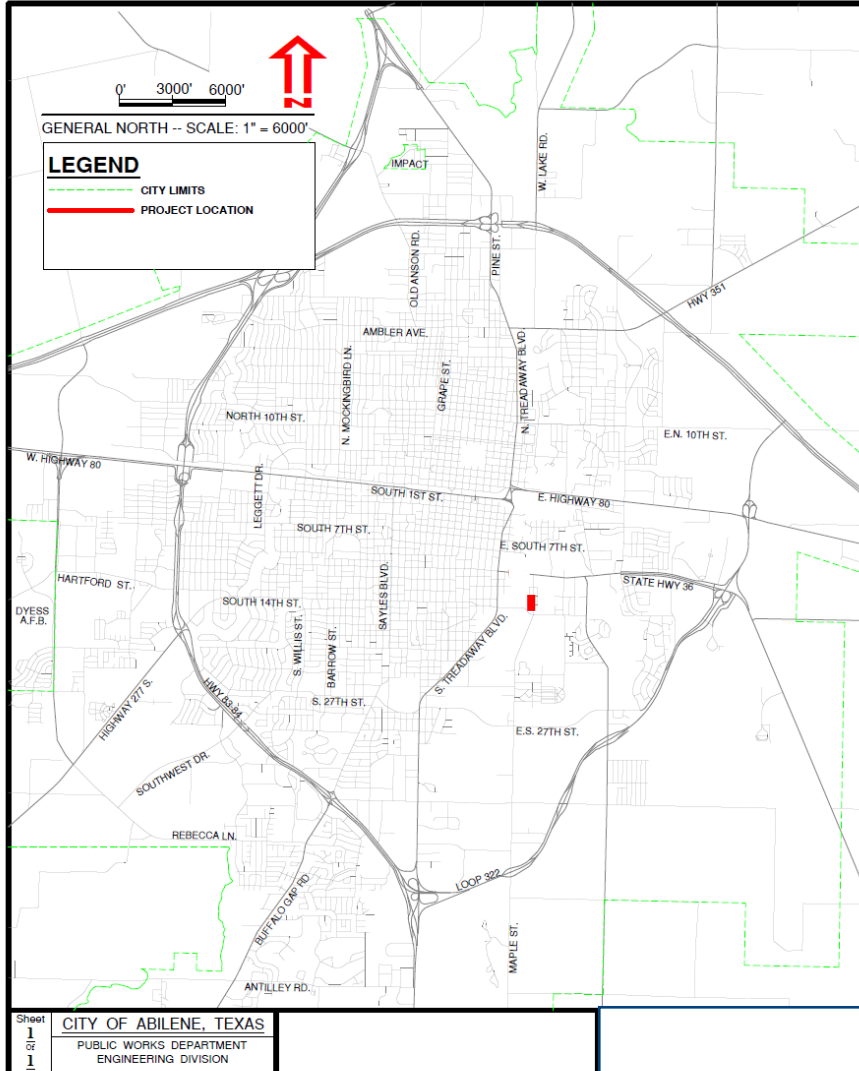
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



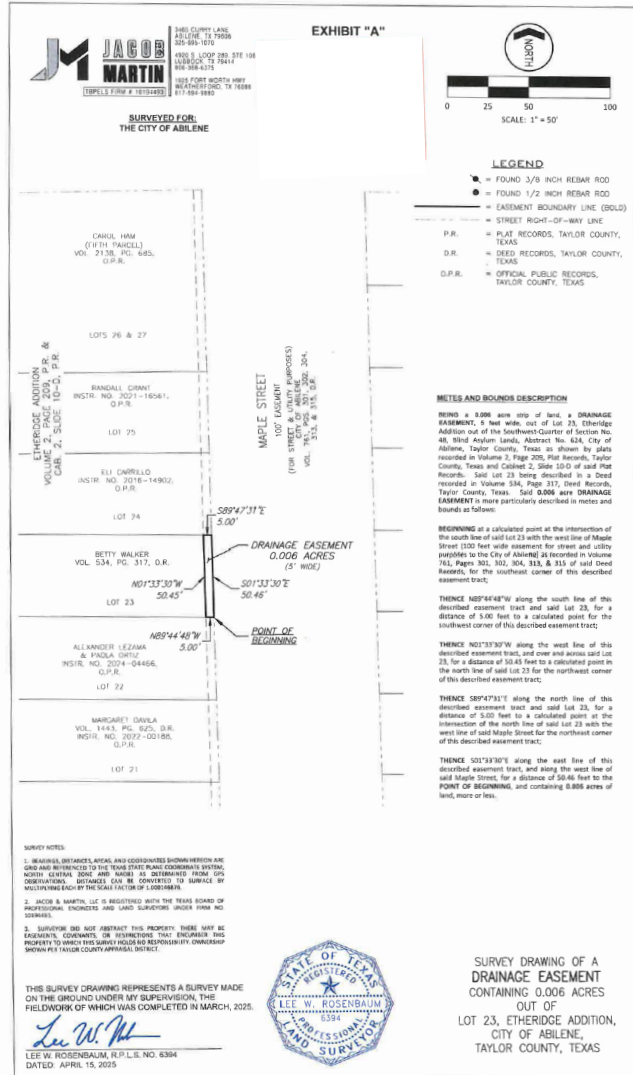
**Project Location: Maple Street**

**0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Betty Walker, Volume 534, Page 317, Deed Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**  
**ITEM: 25. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Eli Carrillo, Instrument No. 2016-14902, Official Public Records, Taylor County, Texas (*Stanley Smith*)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Eli Carrillo

2. Exhibit A Eli Carrillo
3. Presentation-Eminent Domain-Maple Street-Eli Carrillo - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.006 ACRES OUT OF LOT 24, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.006 acres out of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

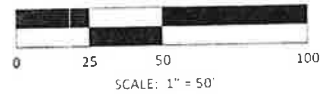
APPROVED:

\_\_\_\_\_  
City Attorney



3462 CURRY AVE  
 ABILENE, TX 79602  
 325-692-1270  
 4925 LOCKWOOD STRATION  
 LUBBOCK, TX 79414  
 806-358-6375  
 1925 FORT WORTH HWY  
 WEATHERFORD, TX 76089  
 817-594-0885

EXHIBIT "A"



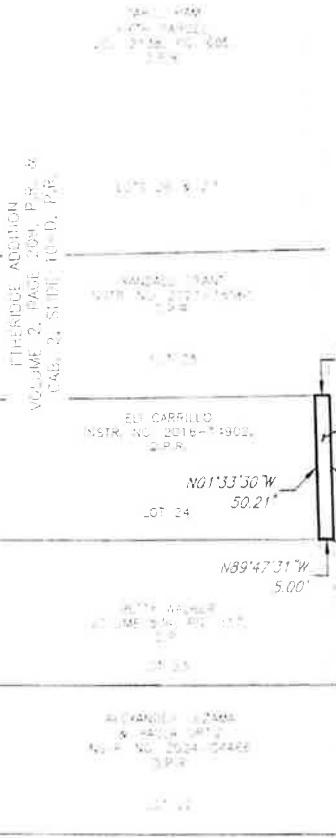
SURVEYED FOR:  
 THE CITY OF ABILENE

LEGEND

- FOUND 3/8 INCH REBAR ROD
- FOUND 1/2 INCH REBAR ROD
- EASEMENT BOUNDARY LINE (R.O.C.)
- STREET RIGHT-OF-WAY LINE
- PLAT RECORDS, TAYLOR COUNTY, TEXAS
- DEED RECORDS, TAYLOR COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS

BYNUM STREET

50' R.O.W.  
 (VOL. 2, PG. 209, P.R.) &  
 (TAB. 2, SLIDE 10-D, P.R.)



MAPLE STREET

100' EASEMENT  
 (FOR STREET & UTILITY PURPOSES)  
 CITY OF ABILENE  
 VOL. 795, PAGES 307, 309, 314, & 315, D.R.

METES AND BOUNDS DESCRIPTION

BEING a 0.006 acre strip of land a DRAINAGE EASEMENT, 5 feet wide, out of Lot 24, Etheridge Addition out of the Southwest-Quarter of Section No. 18, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas as shown by plats recorded in Volume 2, Page 209, Plat Records, Taylor County, Texas and Cabinet 2, Slide 10-D of said Plat Records. Said Lot 24 being conveyed in a Warranty Deed to Eli Carrillo recorded in Instrument No. 2016-00024902, Official Public Records, Taylor County, Texas. Said 0.006 acre DRAINAGE EASEMENT is more particularly described in metes and bounds as follows:

BEGINNING at a calculated point at the intersection of the south line of said Lot 24 with the west line of Maple Street (100 feet wide easement for street and utility purposes to the City of Abilene) as recorded in Volume 761, Pages 301, 302, 304, 313, & 315, Deed Records, Taylor County, Texas, for the southeast corner of this described easement tract;

THENCE N89°47'31"W along the south line of this described easement tract and said Lot 24, for a distance of 5.00 feet to a calculated point for the southwest corner of this described easement tract;

THENCE N01°33'30"W along the west line of this described easement tract, and over and across said Lot 24, for a distance of 50.21 feet to a calculated point in the north line of said Lot 24 for the northwest corner of this described easement tract;

THENCE N89°42'33"E along the north line of this described easement tract and said Lot 24, for a distance of 5.00 feet to a calculated point at the intersection of the north line of said Lot 24 with the west line of said Maple Street for the northeast corner of this described easement tract;

THENCE S01°33'30"E along the east line of this described easement tract, and along the west line of said Maple Street, for a distance of 50.25 feet to the POINT OF BEGINNING, and containing 0.006 acres of land, more or less.

SURVEY NOTES

1. BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE GRID AND REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83 AS DETERMINED FROM GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE SCALE FACTOR OF 1.000146875.
2. JACOB & MARTIN, LLC IS REGISTERED WITH THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS UNDER FIRM NO. 10194493.
3. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THERE MAY BE EASEMENTS, COVENANTS, OR RESTRICTIONS THAT ENCUMBER THIS PROPERTY TO WHICH THIS SURVEY HOLDS NO RESPONSIBILITY. OWNERSHIP SHOWN PER TAYLOR COUNTY APPRAISAL DISTRICT.

THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN MARCH, 2025

LEE W. ROSENBAUM, R.P.L.S. NO. 6394  
 DATED: APRIL 15, 2025



SURVEY DRAWING OF A  
 DRAINAGE EASEMENT  
 CONTAINING 0.006 ACRES  
 OUT OF  
 LOT 24, ETHERIDGE ADDITION,  
 CITY OF ABILENE,  
 TAYLOR COUNTY, TEXAS

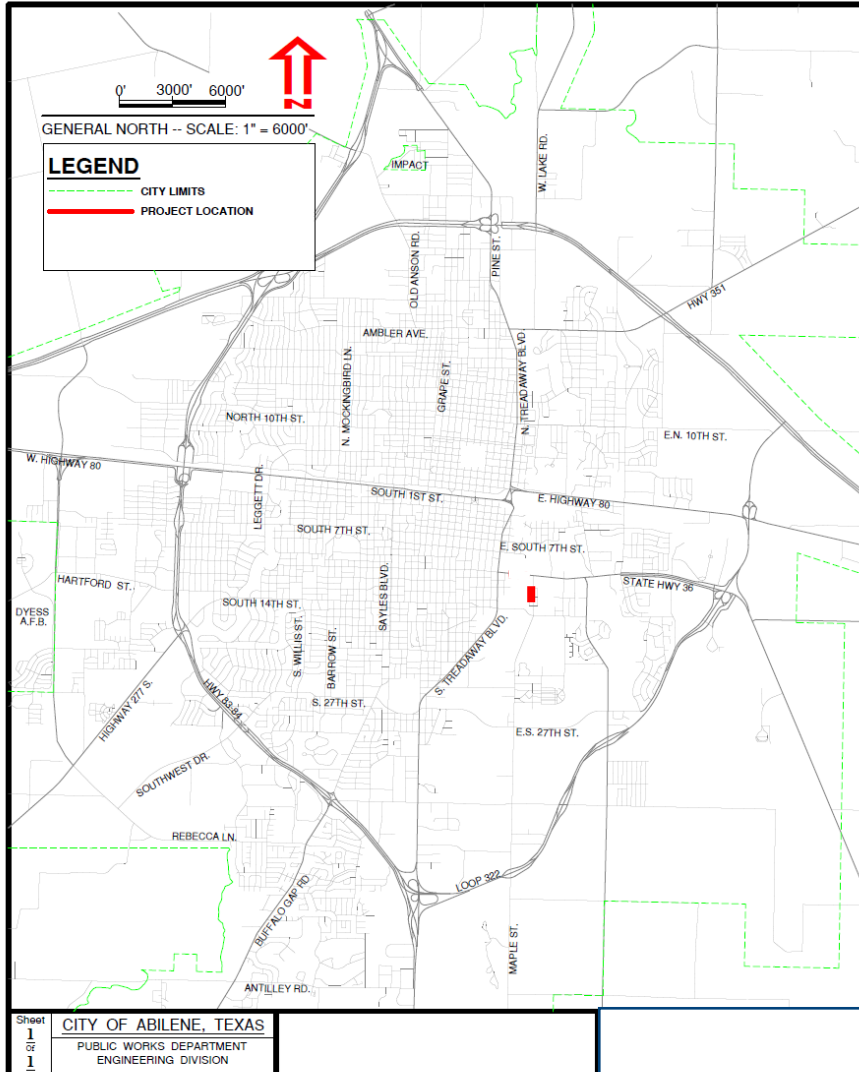
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



**Project Location: Maple Street**

**0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Eli Carrillo, Instrument No. 2016-14902, Official Public Records, Taylor County, Texas**







# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 26. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Mario Castaneda, Instrument No. 2012-16544, Official Public Records, Taylor County, Texas (Stanley Smith)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Mario Castaneda

2. Exhibit A Mario Castaneda
3. Presentation-Eminent Domain-Maple Street-Mario Castaneda - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.006 ACRES OUT OF LOT 29, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.006 acres out of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

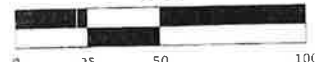
APPROVED:

\_\_\_\_\_  
City Attorney



3445 COLONY AVE.  
 ABILENE, TX 79608  
 325.895.1070  
 1920 S. LOOP 289, STE 108  
 LUBBOCK, TX 79414  
 806.388.8371  
 1925 FORT WORTH HWY  
 WEATHERFORD, TX 75086  
 817.334.9467

EXHIBIT "A"

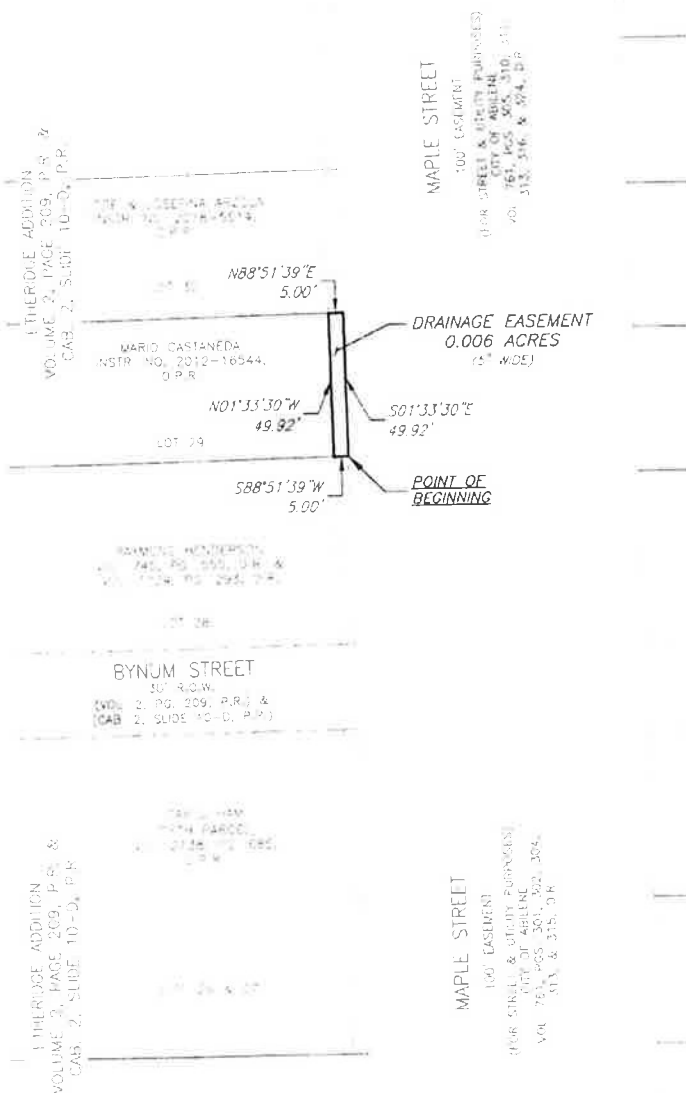


SCALE: 1" = 50'

SURVEYED FOR:  
 THE CITY OF ABILENE

LEGEND

- = FOUND 3/8 INCH REBAR ROD
- = FOUND 1/2 INCH REBAR ROD
- = EASEMENT BOUNDARY LINE (BOLD)
- - - = STREET RIGHT-OF-WAY LINE
- P.P. = PLAT RECORDS, TAYLOR COUNTY, TEXAS
- D.R. = DEED RECORDS, TAYLOR COUNTY, TEXAS
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS



METES AND BOUNDS DESCRIPTION

BEING a 0.006 acre subd of land, a DRAINAGE EASEMENT, 5 feet wide, out of Lot 29, Etheridge Addition out of the Southwest-Quarter of Section No. 4R, Blind Asylum Lards, Abstract No. 624, City of Abilene, Taylor County, Texas as shown by plats recorded in Volume 2, Page 209, Plat Records, Taylor County, Texas and Cabinet 2, Slide 10-D of said Plat Records. Said Lot 29 being conveyed in a Warranty Deed to Mario Castaneda recorded in Instrument No. 2012-00016544, Official Public Records, Taylor County, Texas, Said 0.006 acre DRAINAGE EASEMENT is more particularly described in metes and bounds as follows:

**BEGINNING** at a calculated point at the intersection of the south line of said Lot 29 with the west line of Maple Street (100 feet wide easement for street and utility purposes to the City of Abilene) as recorded in Volume 761, Pages 305, 310, 311, 313, 316, & 324, Deed Records, Taylor County, Texas, for the southeast corner of this described easement tract;

THENCE S88°51'39"W along the south line of this described easement tract and said Lot 29, for a distance of 5.00 feet to a calculated point for the southwest corner of this described easement tract;

THENCE N01°33'30"W along the west line of this described easement tract, and over and across said Lot 29, for a distance of 49.92 feet to a calculated point in the north line of said Lot 29 for the northwest corner of this described easement tract;

THENCE N88°51'39"E along the north line of this described easement tract and said Lot 29, for a distance of 5.00 feet to a calculated point at the intersection of the north line of said Lot 29 with the west line of said Maple Street for the northeast corner of this described easement tract;

THENCE S01°33'30"E along the east line of this described easement tract, and along the west line of said Maple Street, for a distance of 49.92 feet to the POINT OF BEGINNING, and containing 0.006 acres of land, more or less.

SURVEY NOTES

1. BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE GRID AND REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83 AS DETERMINED FROM GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE SCALE FACTOR OF 1.000146876.
2. JACOB & MARTIN, LLC IS REGISTERED WITH THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS UNDER FIRM NO. 20194493.
3. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THERE MAY BE EASEMENTS, COVENANTS, OR RESTRICTIONS THAT ENCUMBER THIS PROPERTY TO WHICH THIS SURVEY HOLDS NO RESPONSIBILITY. OWNERSHIP SHOWN PER TAYLOR COUNTY APPRAISAL DISTRICT.

THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THE FIELDWORK OF WHICH WAS COMPLETED IN MARCH, 2025

*Lee W. Rosenbaum*  
 LEE W. ROSENBAUM, R.P.L.S. NO. 6394  
 DATED: APRIL 15, 2025



SURVEY DRAWING OF A DRAINAGE EASEMENT CONTAINING 0.006 ACRES OUT OF LOT 29, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY, TEXAS

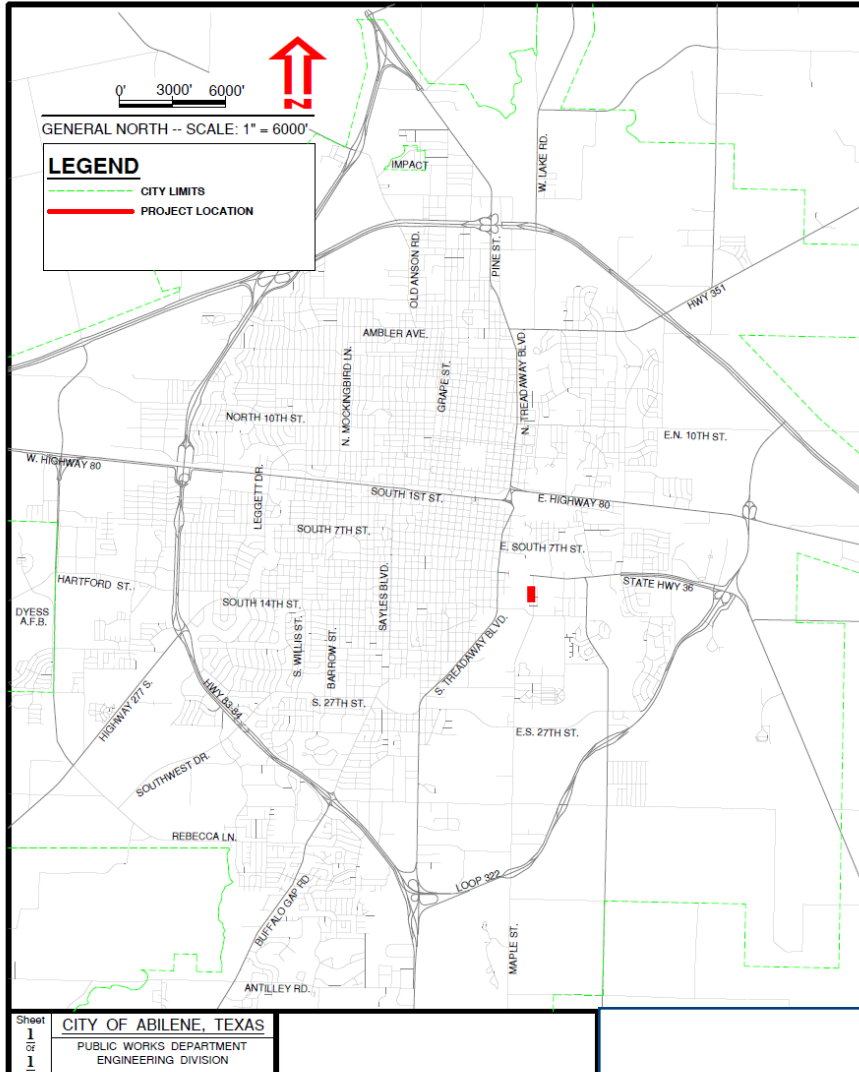
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



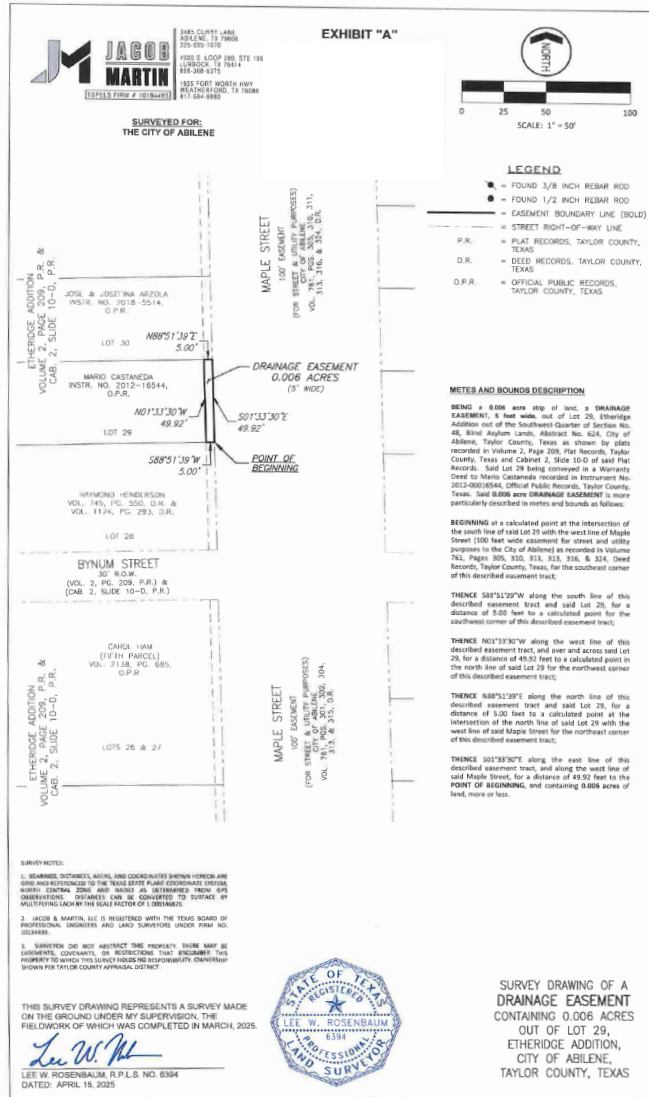
**Project Location: Maple Street**

**0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Mario Castaneda, Instrument No. 2012-16544, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

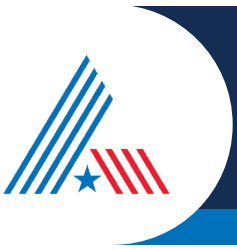




# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 27. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Jordan Bryan, Instrument No. 2020-10905, Official Public Records, Taylor County, Texas *(Stanley Smith)***

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St Jordan Bryan

2. Exhibit A Jordan Bryan
3. Presentation-Eminent Domain-Maple Street-Jordan Bryan - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.026 ACRES OUT OF LOTS 31-34 & THE SOUTH-HALF OF LOT 35, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit “A”; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public’s use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in “Exhibit A”, containing 0.026 acres out of Lots 31-34 & the South-half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

\_\_\_\_\_  
City Secretary

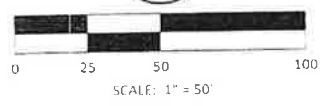
\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney



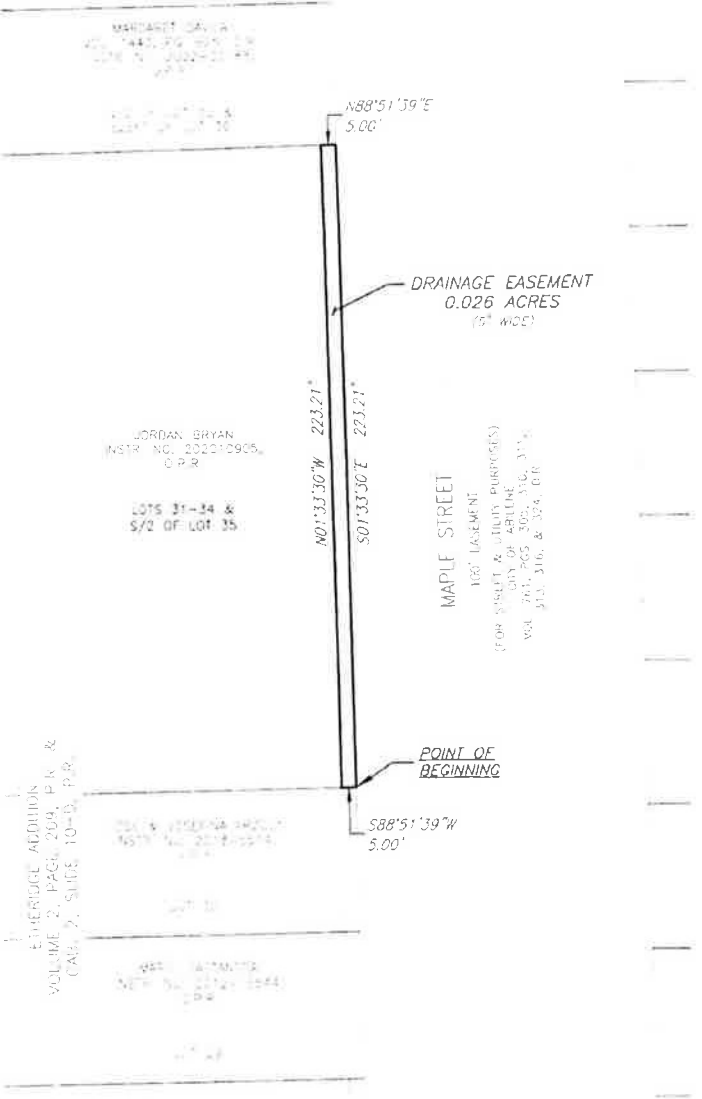
EXHIBIT "A"



SURVEYED FOR:  
THE CITY OF ABILENE

LEGEND

- = FOUND 3/8 INCH REBAR ROD
- = FOUND 1/2 INCH REBAR ROD
- = EASEMENT BOUNDARY LINE (BOLD)
- = STREET RIGHT-OF-WAY LINE
- D.P. = PLAT RECORDS, TAYLOR COUNTY, TEXAS
- D.D. = DEED RECORDS, TAYLOR COUNTY, TEXAS
- D.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS



METES AND BOUNDS DESCRIPTION

BEING a 0.026 acre 5m of land a DRAINAGE EASEMENT, 5 feet wide, out of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition out of the Southwest Quarter of Section No. 48, Blind Asylum lands, Abstract No. 624, City of Abilene, Taylor County, Texas as shown by plats recorded in Volume 2, Page 209, Plat Records, Taylor County, Texas and Cabinet 2, Slide 10-D of said Plat Records. Said Lots 31-34 & The South-Half of Lot 35 being conveyed in a Warranty Deed to Jordan Bryan recorded in Instrument No. 202010909, Official Public Records, Taylor County, Texas. Sa d 0.026 acre DRAINAGE EASEMENT is more particularly described in metes and bounds as follows:

BEGINNING at a calculated point at the intersection of the south line of said Lot 31 with the west line of Maple Street (100 feet wide easement for street and utility purposes to the City of Abilene) as recorded in Volume 761, Pages 305, 310, 311, 313, 316, & 324, Deed Records, Taylor County, Texas, for the southeast corner of this described easement tract;

THENCE S88°51'39"W along the south line of this described easement tract and said Lot 31, for a distance of 5.00 feet to a calculated point for the southwest corner of this described easement tract;

THENCE N01°33'30"W along the west line of this described easement tract, and over and across said Lots 31-34 & The South-Half of Lot 35, for a distance of 223.21 feet to a calculated point in the north line of the South-Half of said Lot 35 for the northwest corner of this described easement tract;

THENCE N88°51'39"E along the north line of this described easement tract and the South-Half of said Lot 35, for a distance of 5.00 feet to a calculated point at the intersection of the north line of the South-Half of said Lot 35 with the west line of said Maple Street for the northeast corner of this described easement tract;

THENCE S01°33'30"E along the east line of this described easement tract, and along the west line of said Maple Street, for a distance of 223.21 feet to the POINT OF BEGINNING, and containing 0.026 acres of land, more or less.

SURVEY NOTES:

1. BEARINGS, DISTANCES, AREAS, AND COORDINATES SHOWN HEREON ARE GROUND AND REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE AND NAD83 AS DETERMINED FROM GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE SCALE FACTOR OF 1.00014876.
2. JACOB & MARTIN, LLC IS REGISTERED WITH THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS UNDER FIRM NO. 107944993.
3. SURVEYOR DID NOT ABSTRACT THIS PROPERTY THERE MAY BE EASEMENTS, COVENANTS, OR RESTRICTIONS THAT ENCLUMBER THIS PROPERTY TO WHICH THIS SURVEY HOLDS NO RESPONSIBILITY. OWNERSHIP SHOWN PER TAYLOR COUNTY APPRAISAL DISTRICT.

THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN MARCH, 2025.

*Lee W. Rosenbaum*  
LEE W. ROSENBAUM, R.P.L.S. NO. 6394  
DATED: APRIL 15, 2025



SURVEY DRAWING OF A DRAINAGE EASEMENT CONTAINING 0.026 ACRES OUT OF LOTS 31-34 & THE SOUTH-HALF OF LOT 35, ETHERIDGE ADDITION, CITY OF ABILENE, TAYLOR COUNTY, TEXAS

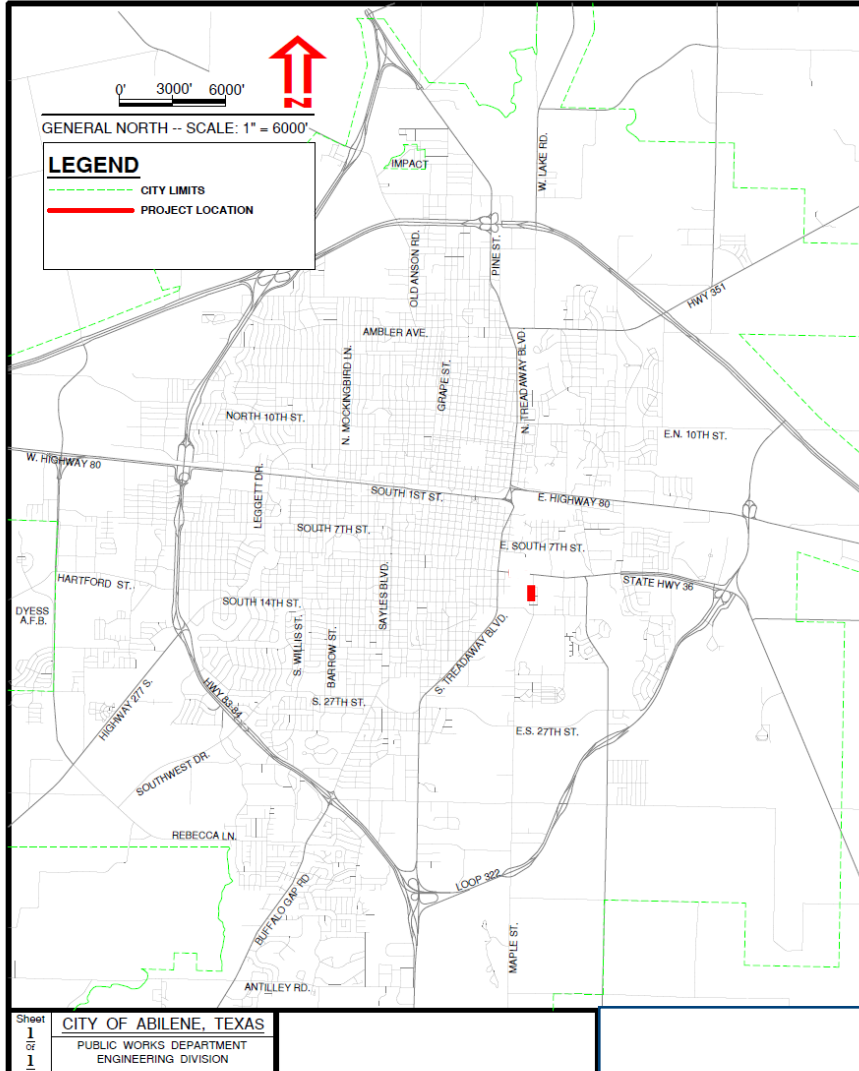
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



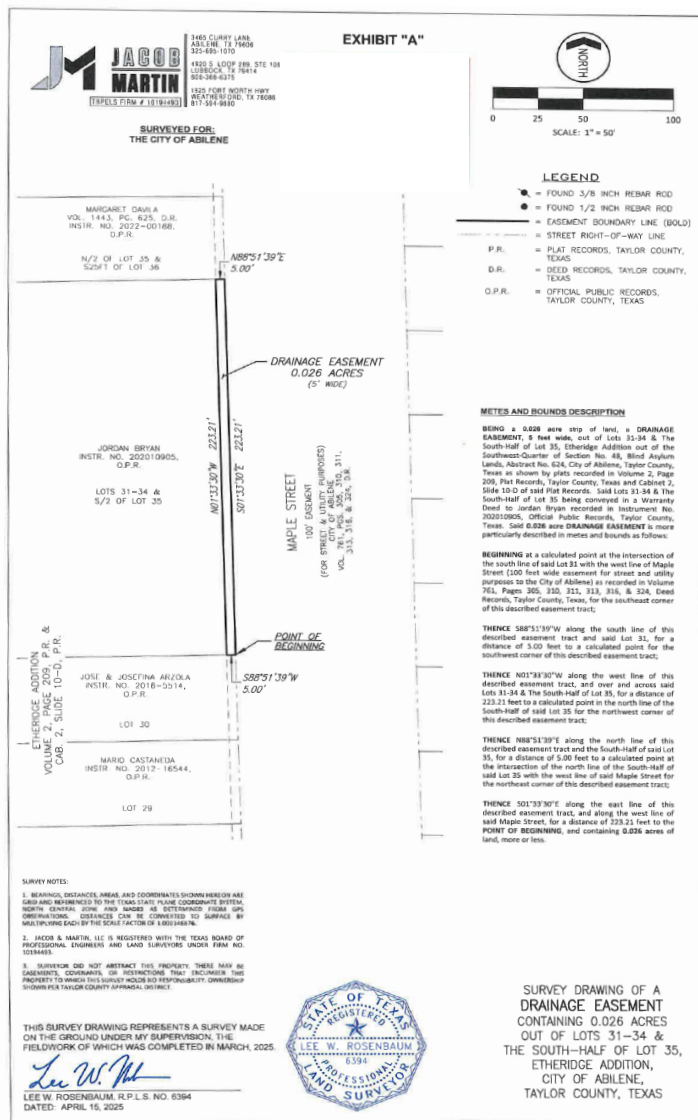
**Project Location: Maple Street**

**0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Jordan Bryan, Instrument No. 2020-10905, Official Public Records, Taylor County, Texas**





# Resolution: Use of Eminent Domain for an Easement Along Maple Street





# Resolution: Use of Eminent Domain for an Easement Along Maple Street

- Eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code.
- The City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project.
- Acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.
- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?





**CITY COUNCIL  
MEMORANDUM  
6/11/2026**

**TO: Honorable Mayor and City Council Members**  
**FROM: Stanley Smith, City Attorney**

**ITEM: 28. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.020 Acres Out Of The SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas, Owned By W. H. Varner, Volume 1042, Page 505, Deed Records, Taylor County, Texas (Stanley Smith)**

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**GENERAL INFORMATION**

Eminent Domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code. Under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order.

The City of Abilene requires a permanent widening and drainage easement located on property described as Containing 0.020 Acres Out Of The SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas. The proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A". Acquiring this public widening and drainage easement is necessary for public use and water drainage along Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

To date, the City has been unsuccessful in reaching an agreement with the Property Owner for purchase of the necessary public easement. The City will continue to seek an agreement with the Property Owner for the voluntary granting of an easement, but eminent domain is necessary if an agreement is not reached.

The Council should make the following Motion, as required by law:

**"I move that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.020 Acres Out Of The SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas, for a public widening and drainage easement."**

**FUNDING/FISCAL IMPACT**

**STAFF AND/OR BOARD RECOMMENDATION**

Staff recommends that the City Council approve condemnation action for the widening and drainage easement.

**ATTACHMENTS:**

1. 2026 Eminent Domain easement Maple St W.H. Varner

2. Exhibit A WH Varner
3. Presentation-Eminent Domain-Maple Street-WH Varner - 6-4-2026

BACKUP DOCUMENTATION UPDATED? No      UPDATED ON:

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND USE OF DRAINAGE FACILITIES AND IMPROVEMENTS TO FACILITATE WATER DRAINAGE TO AND FROM MAPLE STREET RIGHT-OF-WAY AS PART OF THE MAPLE STREET WIDENING AND DRAINAGE IMPROVEMENT PROJECT, CONTAINING 0.020 ACRES OUT OF THE SW/4 OF SECTION NO. 48, BLIND ASYLUM LANDS, ABSTRACT NO. 624, CITY OF ABILENE, TAYLOR COUNTY TEXAS**

**WHEREAS**, eminent domain proceedings in the State of Texas are governed by Chapter 21 of the Texas Property Code; and

**WHEREAS**, under that code a governmental entity exercising the power of eminent domain must first authorize the initiation of the condemnation proceeding at a public meeting by a record vote adopting a resolution, ordinance, or order; and

**WHEREAS**, the City of Abilene requires an easement for the purpose of the construction, maintenance and use of drainage facilities and improvements to facilitate water drainage to and from Maple Street right-of-way as part of the Maple Street widening and drainage improvement project; and

**WHEREAS**, the proposed easement which is the subject of the condemnation is located in Taylor County and will be located on the real property as depicted in the attached Exhibit "A"; and

**WHEREAS**, acquiring this widening and drainage easement is necessary for the public's use of Maple Street, and the City of Abilene finds it necessary to begin the eminent domain process to condemn the permanent easement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1: That the City Council incorporates herein as findings the above listed Whereas clauses.
- PART 2: That the City Council finds that taking is necessary to achieve a public use and does hereby make a determination of a public necessity to acquire the widening and drainage easement.
- PART 3: That following a public hearing and record vote, the City Council hereby authorizes the use of the power of eminent domain to acquire a permanent easement as depicted in "Exhibit A", containing 0.020 acres out of the SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas for the public purpose of a widening and drainage easement.
- PART 4: That this Resolution is effective immediately upon adoption.

**ADOPTED** this 11<sup>th</sup> day of June, 2026.

ATTEST:

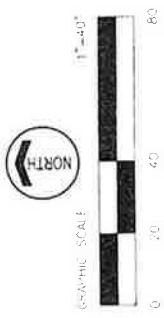
\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Weldon Hurt, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney

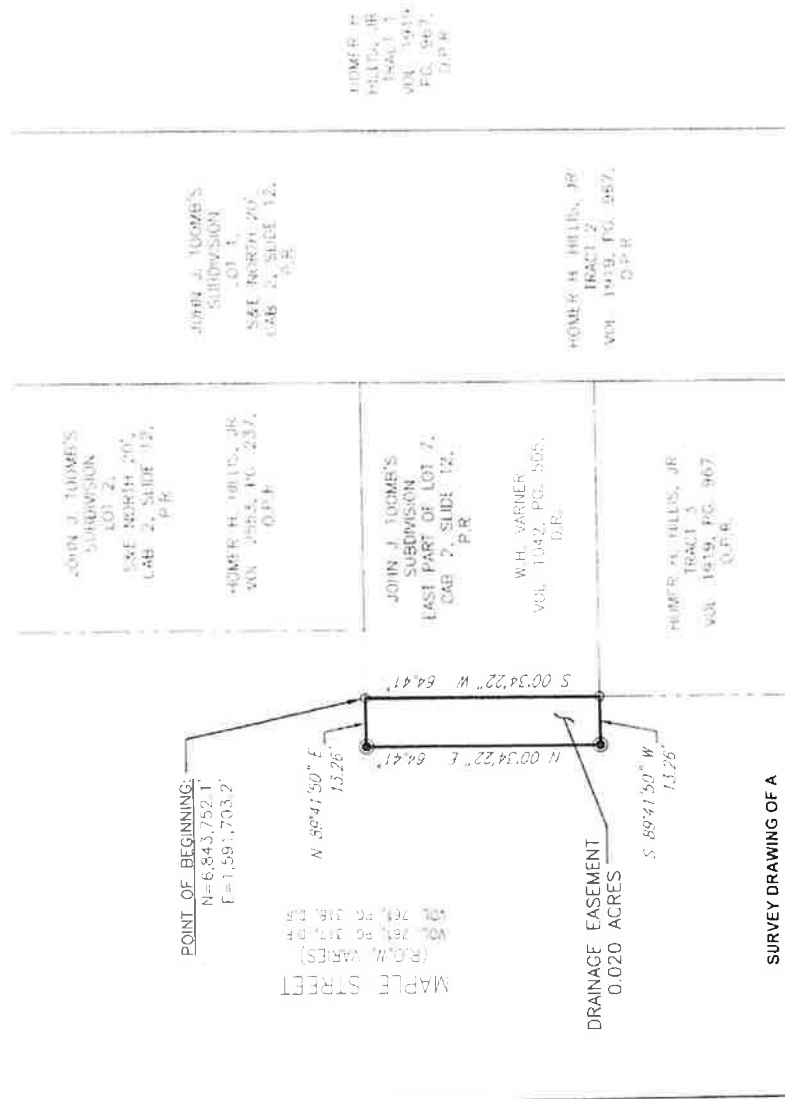
**EXHIBIT "A"**  
**SURVEYED FOR:**  
**CITY OF ABILENE**



**JACOB MARTIN**  
 SURVEYORS & ENGINEERS  
 1225 FORT WORTH HWY  
 WATFORD, TX 76786  
 (817) 946-8600

TXS. CLARY LANE  
 BEAUFORT, TX 75806  
 325-595-1670

4906 E LOOP 293, STE 136  
 LUBBOCK, TX 79418  
 806-362-0372



**SURVEY DRAWING OF A  
 DRAINAGE EASEMENT  
 CONTAINING 0.020 ACRES  
 OUT OF THE  
 SW/4 OF SECTION NO. 48,  
 BLIND ASYLUM LANDS, ABSTRACT NO. 624,  
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS**

DRAWING COMPLETED: OCTOBER 30, 2024

**METES & BOUNDS DESCRIPTION:**  
 BEING a 0.020 acre tract of land, a **DRAINAGE EASEMENT**, out of the SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas and also being out of the east part of Lot 7, John J. Toomb's Subdivision, as shown per plat recorded in Cabinet 2, Slice 12, Plat Records, Taylor County, Texas and conveyed in a Warranty Deed to W.H. Varner, recorded in Volume 1042, Page 505, Deed Records, Taylor County, Texas. Said **0.020 acre DRAINAGE EASEMENT** being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch rebar rod with plastic cap stamped "J&M EASEMENT" (N=6843.7521; E=1591.7032) set for the northeast corner of the herein described easement tract, and being in the north line of said Lot 7, from which a 3/8 inch rebar rod found at the original northeast corner of Lot 2 of said John J. Toomb's Subdivision bears N89°41'50"E 18.66 feet, N00°34'22"E 139.39 feet, S84°31'38"E 69.02 feet, and N00°34'22"E 20.07 feet;

**THENCE** S00°34'22"W with the east line of the herein described easement tract, and over and across the east part of said Lot 7, for a distance of 64.41 feet, to a 1/2 inch rebar rod with plastic cap stamped "J&M EASEMENT" set for the southeast corner of the herein described easement tract, from which a 3/8 inch rebar rod found at the intersection of the occupied east right-of-way line of Maple Street with the south line of Lot 13 of said John J. Toomb's Subdivision bears S00°34'22"W 399.42 feet;

**THENCE** S89°41'50"W with the south line of the herein described easement tract, and along the south line of said Lot 7, for a distance of 13.26 feet, to a 1/2 inch rebar rod with plastic cap stamped "J&M BOUNDARY" set for the southwest corner of the herein described easement tract, and being at the southwest corner of the east part of said Lot 7, and being inside the occupied right-of-way of Maple Street;

**THENCE** N00°34'22"E along the west line of the herein described easement tract, and along the west line of the east part of said Lot 7, for a distance of 64.41 feet, to a 1/2 inch rebar rod with plastic cap stamped "J&M BOUNDARY" set for the northwest corner of the herein described easement tract, and being at the northwest corner of the east part of said Lot 7, and being inside the occupied right-of-way of said Maple Street;

**THENCE** N89°41'50"E along the north line of the herein described easement tract, and along the north line of said Lot 7, for a distance of 13.26 feet, to the **POINT OF BEGINNING**, and containing 0.020 acres of land, more or less.



- LEGEND**
- SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
  - SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M EASEMENT"
  - EASEMENT BOUNDARY
  - ADJONINER LINES
  - EAST-STREET R.O.W.
  - OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS
  - DEED RECORDS, TAYLOR COUNTY, TEXAS
  - PLAT RECORDS, TAYLOR COUNTY, TEXAS
  - SAVE AND EXCEPT

THIS SURVEY DRAWING REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THE FIELDWORK OF WHICH WAS COMPLETED IN MAY 2024.

*L. W. Rosenbaum*  
 LEE W. ROSENBAUM, R.P.L.S. #6394

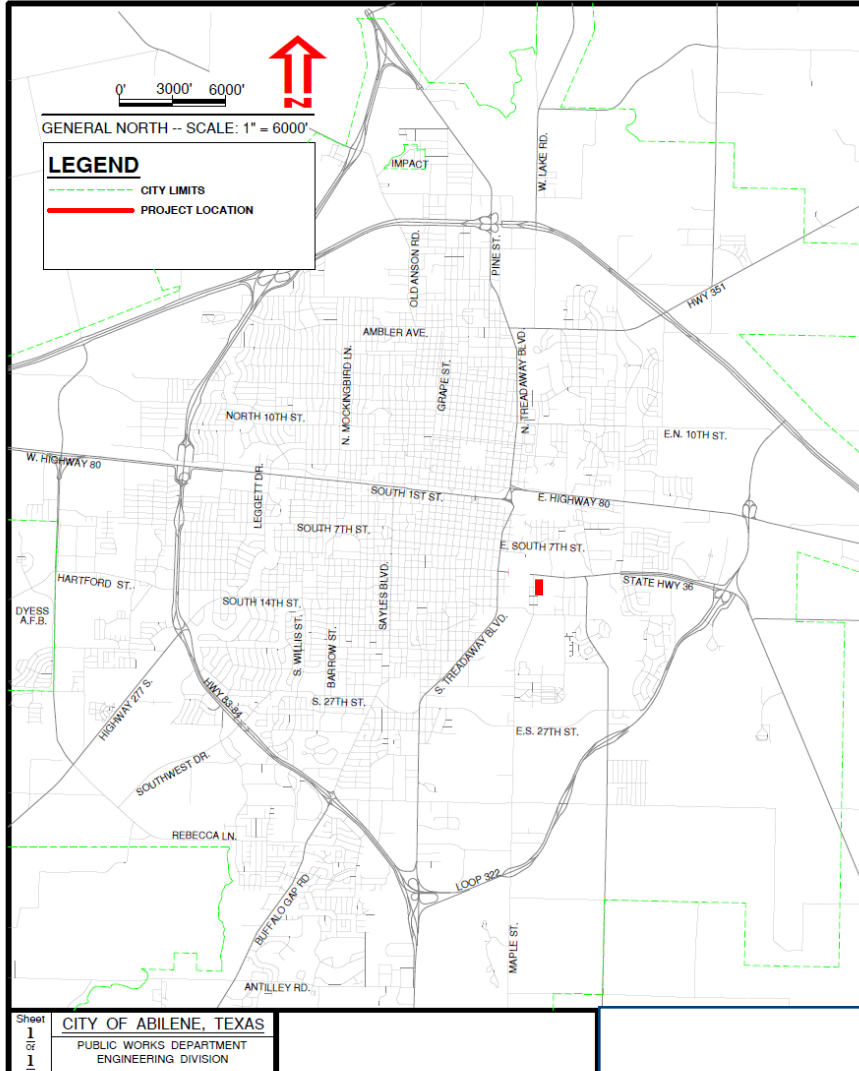
# Resolution: Use of Eminent Domain for an Easement Along Maple Street

*(Stanley Smith)*





# Resolution: Use of Eminent Domain for an Easement Along Maple Street



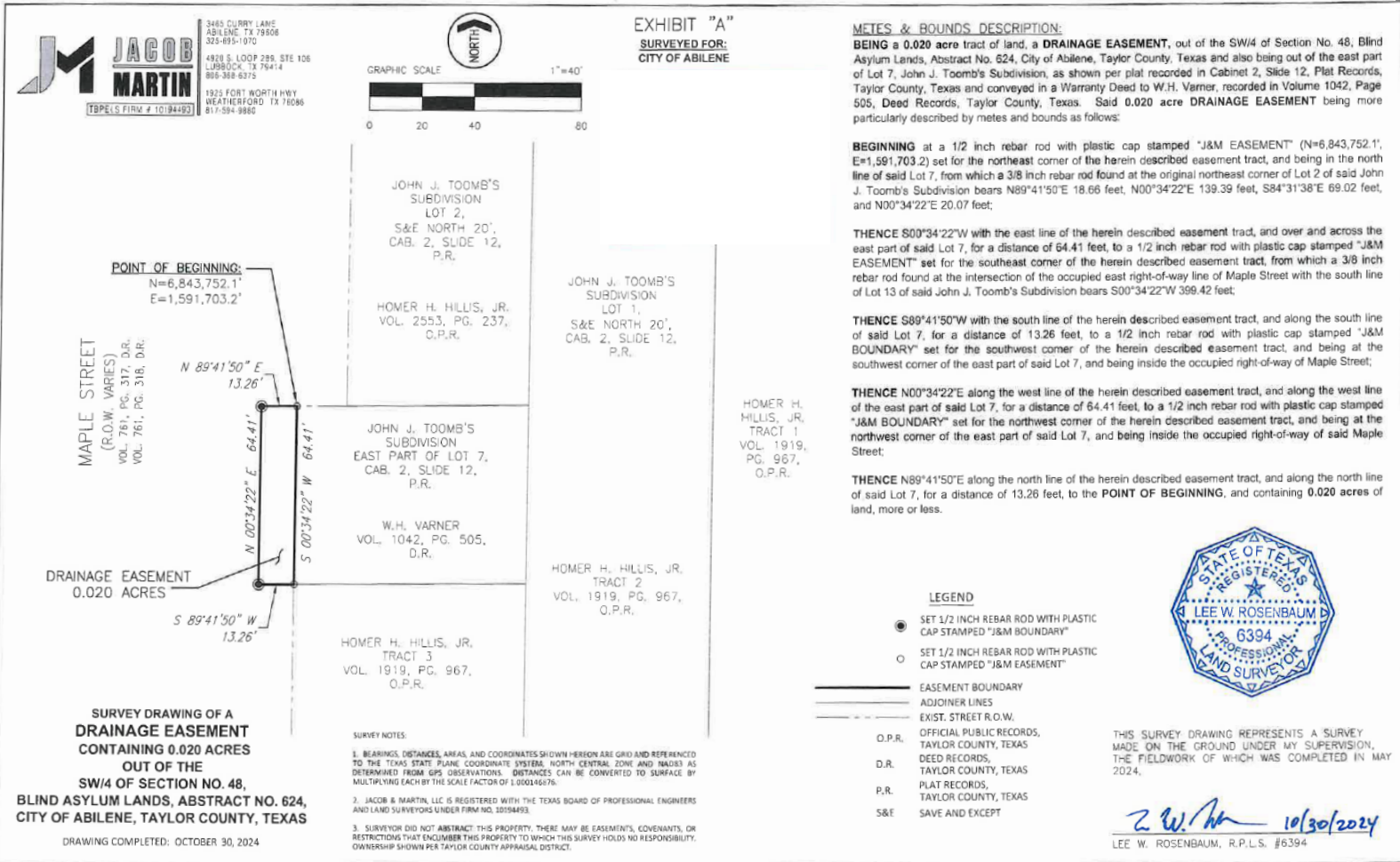
**Project Location: Maple Street**

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# Resolution: Use of Eminent Domain for an Easement Along Maple Street





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- Following a public hearing and record vote, Staff recommends the City Council hereby authorizes the use of the power of eminent domain to acquire the described permanent easement for the public purpose of a widening and drainage easement.





# Questions?

