

**ORDNANCE NO. 20-2020**

**AN ORDINANCE APPROVING THE EXECUTION OF A DEVELOPER PARTICIPATION AGREEMENT BETWEEN THE CITY OF ABILENE (CITY) AND AARON WALDROP (DEVELOPER) FOR THE PURPOSE OF MAKING CERTAIN PUBLIC IMPROVEMENTS AS AUTHORIZED BY LAW**

**WHEREAS**, Chapter 212 of the Local Government Code allows a municipality to enter an agreement with a developer of land to construct public improvements related to the development, and;

**WHEREAS**, the improvements cannot include the construction of buildings, and the municipality may not participate at a level that would exceed thirty percent of the total project cost and/or one-hundred percent of any oversizing costs for portions of the public improvement the municipality would not otherwise be solely responsible for anyway, and;

**WHEREAS**, Developer is planning to construct a new thoroughfare that is part of the adopted Thoroughfare Plan that will provide improved vehicular circulation for the immediate area (Project), and;

**WHEREAS**, the City and Developer agree it is in the best interest of both entities to enter into a participation agreement in order to expedite construction of the project, to decrease total costs of construction, and prevent duplicate efforts by the parties.

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

**PART 1:** That the City Manager is authorized to execute a Developer Participation Agreement between the City and Developer for the purpose of allowing the City to participate in the project, as set out in Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.

**PART 2:** That if any provision or 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 and effect.

**PASSED ON FIRST READING** this 14<sup>th</sup> day of May, 2020.

**PASSED ON SECOND AND FINAL READING** this 28<sup>th</sup> day of May, 2020.

ATTEST:



Shawna Atkinson, City Secretary



Anthony Williams, Mayor

APPROVED:



Stanley Smith, City Attorney





WYLIE EAST  
ELEMENTARY  
SCHOOL

MAPLE STREET

CARRIAGE HILLS  
SUBDIVISION

BEGIN ROAD  
RECONSTRUCTION  
& TRANSITION  
FROM EXISTING  
PAVEMENT

CITY OF ABILENE - KIRBY LAKE

3,744' PAVEMENT FULL DEPTH RECONSTRUCTION  
44' WIDE EOP-EOP RURAL CROSS SECTION

MAPLE ST.

RECONSTRUCT FULL DRIVE  
CONNECTION TO FM 707

ADDITION OF 610'  
DECELERATION & RIGHT  
TURN LANE

FM 707

BLACKHAWK RD

ANGIE LANE

KRISTI PATH

ALEX WAY

PERIWINKLE TRAIL

PILGRIM RD

PILGRIM RD

PILGRIM RD

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SCALE	1"=500'
PROJECT #	20121
DESIGNED	CSF
DRAWN	CSF
CHECKED	CSF

CITY OF ABILENE, TEXAS  
MAPLE STREET IMPROVEMENTS

DEVELOPER'S AGREEMENT  
EXHIBIT 'A'



**JACOB  
MARTIN**  
FIRM # F-2448

3485 CURRY LANE  
ABILENE, TX 79606  
325-695-1070  
1508 SANTA FE DR, STE 204  
WEATHERFORD, TX 76088  
817-594-9880  
1014 BROADWAY ST  
LUBBOCK, TX 79401  
806-368-6375