

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING HERITAGE PARKS PDR PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended; 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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 13th day of March, A.D. 19 86.

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 3rd day of March, 19 86, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 27th day of March, 19 86, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 27th day of March, A.D. 19 86.

ATTEST:

Faticia Patten  
CITY SECRETARY

David Stubbeman  
MAYOR

APPROVED:

Jordan Graham  
CITY ATTORNEY 00038

## EXHIBIT "A"

**Z-02786**

Rezone the following property from Agricultural Open Space (AO) & Residential Single Family (RS-6) to Planned Development Residential (PDR) district.

NAME: This PDR district shall hereafter be known and referred to as the "Heritage Parks Planned Development Residential" district.

## PART 1: Legal Description

BEING 8.07 acres of land, and being a replat of Lot 1, Block K, Lot 3, Block J, Lots 17 through 20, Block G, Lots 1 & 2, Block H, and various closed streets out of Section 1, Quail Valley Northeast, and a tract our of Section 25, Blind Asylum Lands, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at the intersection of the south boundary line of Independence Boulevard, formerly Wayne Street, with the east boundary line of Liberty Boulevard, formerly Dennis Street, same being the original NW corner of Lot 1, Block H, Section 1, Quail Valley Northeast, and being the P.C. of a curve to the left; from which the NW corner of said Section 25 bears N 0°16' E 462.79 feet and N 89°44' W 1789.33 feet;

THENCE with the arc of said curve to the left and the east line of Liberty Boulevard, having a central angle of 29°36'43", a property line radius of 370 feet, an arc distance of 191.22 feet to the P.R.C. of a curve to the right;

THENCE with the arc of said curve to the right and the east line of Liberty Boulevard, having a central angle of 26°57'45", a property line radius of 498 feet, an arc distance of 234.35 feet to the P.R.C. of another curve to the left;

THENCE with the arc of said curve to the left and the east line of Liberty Boulevard, having a partial delta of 2°48'03", a property line radius of 313.85 feet, and an arc distance of 15.34 feet to a point for a corner;

THENCE S 29°44' E 552.92 feet to a point for a corner of this tract;

THENCE S 74°44' E 42.43 feet to a point for a corner of this tract, and being on the NW R.O.W. line of State Highway 351;

THENCE S 60°16' W 460 feet with the NW R.O.W. line of said State Highway 351 to a point for a corner of this tract, same being the most easterly SE corner of Lot 9, Block K, Section 1, Quail Valley Northeast;

THENCE N 29°45'45" W 415.7 feet to a point for a corner of this tract, same being an interior corner of Lot 4, Block K, Section 1, Quail Valley Northeast;

THENCE N 43°03' W 177.50 feet to a point on the SE line of Constitution Avenue, formerly Dennis Street, same being the most westerly corner of Lot 1, Block K, and the most northerly corner of Lot 2, Block K, Section 1, Quail Valley Northeast, and being on a curve to the left;

THENCE with the arc of said curve to the left and the SE line of said Constitution Avenue, having a partial delta of 15°12'05", a property line radius of 980 feet an arc distance of 260.01 feet to a point for a corner of this tract, same being the original most northerly corner of Lot 3, Block J, and the most westerly corner of Lot 2, Block J, Section 1, Quail Valley Northeast;

THENCE S 64°10' E 114.90 feet with the line common to the said Lot 2 and original Lot 3, Block J, to a point for a corner of this tract, same being the most southerly corner of said Lot 2, Block J, Section 1, Quail Valley Northeast;

THENCE N 21°12' E 133.68 feet with the most easterly line of said Lot 2, Block J, to its most easterly corner, same being the SE corner of Lot 1, Block J, Section 1, Quail Valley Northeast, for a corner of this tract;

THENCE N 1°24'30" E 100 feet with the east line of said Lot 1, to its NE corner for a corner of this tract and the P.C. of a curve to the right;

THENCE with the arc of said curve to the right and the north line of said Lot 1, having a central angle of  $3^{\circ}52'56''$ , a property line radius of 980.07 feet and arc distance of 66.41 feet to the P.R.C. of a curve to the left;

THENCE with the arc of said curve to the left, having a central angle of  $71^{\circ}50'57''$ , a property line radius of 20 feet, an arc distance of 25.08 feet to the P.T. of said curve on the east line of said Constitution Avenue;

THENCE S  $85^{\circ}05'25''$  W 65.71 feet crossing the said Constitution Avenue to a point for a corner of this tract, same being the most easterly corner of Lot 16, Block G, and the most southerly corner of an original Lot 17, Block G, Section 1, Quail Valley Northeast;

THENCE N  $70^{\circ}01'41''$  W 105 feet with the line common to said Lot 16, Block G, and the original Lot 17, Block G, Section 1, Quail Valley Northeast, to a point for a corner of this tract, and being on a curve to the left, and being on the east line of Lot 4, Block G, Section 1, Quail Valley Northeast;

THENCE with the arc of said curve to the left, having a partial delta of  $17^{\circ}33'40''$ , a property line radius of 815.0 feet, an arc distance of 249.80 feet to the end of said curve, being on the south line of said Independence Boulevard, same being the NE corner of Lot 1, Block G, and the NW corner of the original Lot 20, Block G, Section 1, Quail Valley Northeast;

THENCE S  $89^{\circ}42'$  E 165.19 feet with the south line of said Independence Boulevard to the POINT OF BEGINNING, and containing 8.07 acres of land, more or less.

PART 2: The herein said Planned Development Residential District shall be in accordance with the approved plat and site plan (attached as Exhibit B). All development in the Planned Development Residential District shall be in conformance with said plat and site plan.

PART 3: The herein said Planned Development Residential District shall be constructed, maintained, laid-out, and operated in accordance with the following requirements:

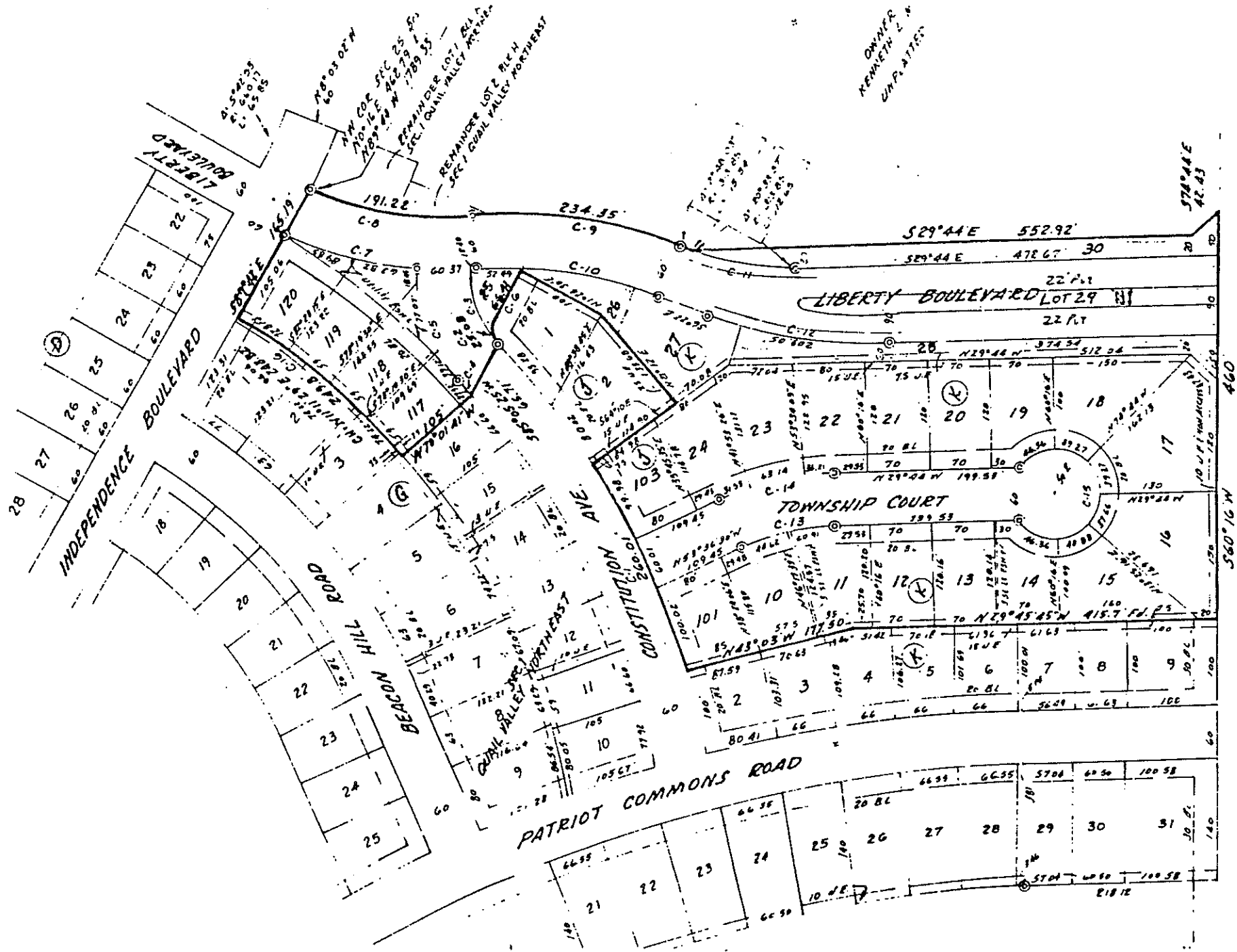
- A. Lots 101, 10-24, 103 and 27, Block K, shall be developed in a manner consistent with all RS-6 regulations specified in the Zoning Ordinance.
- B. Lots 117-120, Block G, shall be developed in a manner consistent with all RS-6 regulations in the Zoning Ordinance.
- C. Lots 25, 26, 28, and 30, Block K shall only be used for landscaping purposes. Said lots shall be maintained by a Home Owners Association and shall be private in nature.
- D. Lot 29, Block K, shall be designated as a private median, maintained by the Home Owners Association. Said median shall be restricted to the following uses:
  1. Landscaping, that shall not exceed a height of 30-inches within a 12-foot line from the intersection of Liberty Boulevard and State Highway 351.
  2. A 62-inch high ground sign announcing the entrance of this subdivision, that shall be placed a minimum of 10 feet from the intersection of State Highway 351, and Liberty Boulevard in a manner that shall not obstruct motorist visibility.
  3. City provided street lights.
- E. Home Owners Association shall be required for the improvement, operations, and maintenance for the common facilities contained on Lots 25, 26, 28-30. The owners must establish the association in accordance with requirements and procedures outlined by the FHA in Section 7 and 8.2 of the Land Planning Bulletin No. 6 entitled, "Planned Unit Development with the Homes Association" and dated December 1963. If the Home Owners Association is ever disbanded, the maintenance of those lots under Home Owner Association responsibility and care do not revert back to the City of Abilene.

PART 4: All structures and improvements in the herein said Planned Development Residential District shall be developed in accordance with all pertinent codes, ordinances, and regulations of the City of Abilene.

PART 5: The subdivision plat for Section 3, Heritage Parks, to which this ordinance applies, shall be withheld from official recording until all required subdivision improvements have been installed and accepted by the City of Abilene.

ORDINANCE NO. 15-1986

EXHIBIT "B"



STATE HWY 351 110 FOM

SECTION 3  
HERITAGE PARKS

00042