

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING
ORDINANCE 126 TO MODIFY THE PLANNED UNIT DEVELOPMENT
LAND USE PLAN FOR THE SHADOWGLEN DEVELOPMENT;
REZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO
PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT;
AND PROVIDING FOR RELATED MATTERS.**

Whereas, the City of Manor, Texas (the “City”) has initiated that the property described hereinafter in Exhibit “A” attached hereto and incorporated herein as if fully set forth (the “Property”) be rezoned from zoning district Planned Unit Development (PUD) to zoning district Planned Unit Development (PUD);

Whereas, Ordinance No. 126 (“PUD Ordinance”) was adopted by the City of Manor, Texas City Council (the “City Council”) on July 23, 1996 and action was taken by City Council to amend the PUD Ordinance on December 20, 2000 and February 16, 2005;

Whereas, the Third Amendment to the Development Agreement for the ShadowGlen Subdivision dated effective July 7, 2021 amended that certain Development Agreement for the ShadowGlen Subdivision dated effective January 10, 2011, as amended, contemplated amendments to the PUD through among other things, revising the Land Use Plan for the PUD; and

Whereas, the City has initiated an amendment to the PUD Ordinance in order to update and modify the PUD, including the Planned Unit Development Land Use Plan for the Shadowglen Subdivision PUD;

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Ordinance. Ordinance No. 126 is hereby modified and amended by replacing Appendix “A” in its entirety and replacing with a new Appendix “A” which is attached hereto and incorporated herein as if fully set forth as Exhibit “B” to include the modified Planned Unit Development Land Use Plan for the Shadowglen Planned Unit Development.

Section 3. Amendment of Conflicting Ordinances. Appendix “A” of the City’s Ordinance No. 126 is hereby amended as provided in this Ordinance. All ordinances and parts of ordinances in conflict with this ordinance are amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Gov't. Code.

PASSED AND APPROVED FIRST READING on this the ____ day of _____ 2023.

PASSED AND APPROVED SECOND AND FINAL READING on this the ____ day of _____ 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC,
City Secretary

EXHIBIT "A"

Property Legal Description:

AREA INSIDE MANOR CITY LIMITS FOR "P.U.D. GENERAL LAND USE PLAN"

METES AND BOUNDS DESCRIPTION

Being all that certain 292.7963 acre tract or parcel of land out of and part of that certain 1020.318 acre tract as described in Deed to Cottonwood General Partner, L.C., recorded in Volume 12251, Page 1531, Travis County Real Property Records (TCRPR) and out of that certain 97.212 acre tract (called Tract 2) in Deed to Cottonwood Holdings, Ltd. and as described in Deed recorded in Volume 9658, Page 366, TCRPR, and being comprised of a 58.1610 acre tract (TRACT 1) called a 58.134 acre tract (called Second Tract of a 816.928 acre tract) in Deed to Austin Manor Investments recorded in Volume 8623, Page 931, Travis County Real Property Records (TCRPR), and, a 0.3629 acre tract (TRACT 2) called a 0.36 acre tract (called Third Tract of a 203.39 acre tract) in said Deed to Austin Manor Investments recorded in Volume 8623, Page 931, TCRPR; and out of and part of that certain 758.794 acre tract (called First Tract of 816.928 acres) and out of and part of that certain 181.445 acre tract (called First Tract of 203.39 acres, both as described in Warranty Deed to Austin Manor Investments, and recorded in Volume 8623, Page 931, Travis County Real Property Records (TCRPR); all being situated in the SUMNER BACON SURVEY NO. 62 and the WILLIAM STANDERFORD SURVEY NO. 69, Travis County, Texas, all being originally out of Tracts 2, 3, 4, 5, 6, 7, 8, and 9, of the T. M. RECTOR ESTATE, according to the map or plat thereof as described in Volume 52, Page 323, Cause No. 6096, Travis County Probate Records, and being a 3.0418 acre tract situated in the JAMES MANOR SURVEY NO. 40, A-546 (called 3.055 acres), as described in Deed to Austin Manor Investments by Deed recorded in Volume 8103, Page 270, TCRPR; said 292.7963 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point marking the Northeast corner of the herein described tract, same being located at the intersection with the existing City of Manor City Limits Line, same being located in the East line of said 1020.318 acre tract and being further located North $31^{\circ}25'$ East-654.09 feet from a concrete monument found marking the intersection of the Northerly right-of-way line of U.S. Highway 290, with the said East line of the 1020.318 acre tract;

THENCE, South $31^{\circ}25'$ West, with the East line of said 1020.318 acre tract, a distance of 654.09 feet to a concrete monument found marking the intersection of the Northerly right-of-way line of U.S. Highway 290 with the said East line of the said 1020.318 acre tract;

THENCE, crossing said U.S. Highway 290, South $31^{\circ}49'03''$ West, a distance of 258.62 feet to an iron rod found marking the Northeast corner of the herein described tract, same being the Northeast corner of said 58.5239 acre tract, same being the Northwest corner of that certain 93.787 acre tract as conveyed by Deed to Ruben H. Johnson Company, recorded in Volume 5610, Page 828, Travis County Deed Records (TCDR), same being located in the South right-of-way line of U.S. 290 East (based on 222 feet in width) and being further located South $31^{\circ}49'03''$ West, a distance of 258.62 feet from a State Department of Highways and Public Transportation (SDHPT) concrete monument;

THENCE, South $31^{\circ}28'34''$ West, with the Southeast line of the herein described tract and the Southeast line of said 58.5239 acre tract, and the Northwesterly line of an old abandoned county road, as vacated in Volume D, Page 520, TCDR, a distance of 1620.28 feet to an iron rod found for angle point and corner, same being an internal "L" corner of said 93.787 acre tract, same being located North $56^{\circ}12'18''$ West, a distance of 20.76 feet from an iron rod found marking the Northwest corner of that certain 0.23 acre tract as conveyed by Deed to Cleora McVade, recorded in Volume 7585, Page 917, TCDR;

THENCE, South $33^{\circ}05'54''$ West, with the Southeast line of the herein described tract, a distance of 106.33 feet to a 60d nail found in fence corner marking the Southeast corner of the herein described tract and the Southeast corner of said 58.5239 acre tract, same being in the Northerly line of that certain 9.997 acre tract as conveyed by Deed to A. Jo Baylor, Trustee, recorded in Volume 865, Page 277, TCRPR;

THENCE, North 59°03'21" West, with the Southwest line of the herein described tract and the said 58.5239 acre tract and the Northeast line of said 9.997 acre tract, a distance of 356.38 feet to an iron rod found for angle point and corner;

THENCE, North 60°15'09" West, with the said Southwest line of the herein described tract and the said Northeast line of the 9.997 acre tract, passing at a distance of 43.45 feet a point marking the Southeast corner of that certain 0.115 acre tract conveyed by Deed to Gary Warren, recorded in Volume 12187, Page 18, TCRPR, passing at a distance of 93.45 feet the Southeast corner of that certain 0.115 acre tract conveyed by Deed to Howard Richards, recorded in Volume 12269, Page 1278, TCRPR, passing at a distance of 143.45 feet the Southeast corner of that certain 0.115 acre tract conveyed by Deed to H. Schneider, recorded in Volume 8585, Page 396, TCRPR, passing at a distance of 193.45 feet the Southeast corner of that certain 0.115 acre tract conveyed by Deed to R. Eppright, recorded in Volume 8585, Page 393, TCRPR, passing at a distance of 243.45 feet the Southwest corner of that certain 0.115 acre tract conveyed by Deed to R. Rochner, recorded in Volume 8585, Page 390, TCRPR, and continuing a total distance of 350.91 feet to an iron rod found for angle point and corner, same being the Northwest corner of said 9.997 acre tract and the Northeast corner of the City of Manor Cemetery;

THENCE, North 59°52'02" West, with the said Southwest line of the herein described tract and the Northeast line of said City of Manor Cemetery, a distance of 366.67 feet to an iron rod found for angle point and corner, same being the Northwest corner of said Cemetery and the original Northeast corner of A. E. LANE'S ADDITION, a subdivision according to the map or plat thereof recorded in Volume 2, Page 223, Travis County Plat Records (TCPR);

THENCE, North 58°29'42" West, with the said Southwest line of the herein described tract and the said 58.5239 acre tract and the Northeast line of that certain tract conveyed to Anderson by Deed recorded in Volume 8702, Page 813, TCRPR, a distance of 141.14 feet to an iron rod found for angle point and corner;

THENCE, with the said Southwest line of the herein described tract and of the said 58.5239 acre tract and the Northeast line of said A. E. LANE'S ADDITION, and the Southwesterly line of COTTONWOOD COMMERCIAL SOUTH SECTION ONE, the following five (5) courses and distances:

- (1) North 59°05'39" West, passing at a distance of 103.35 feet the Southeast corner of Lot 7 of COTTONWOOD COMMERCIAL SOUTH SECTION ONE, a subdivision of a portion of said 58.5239 acres recorded in Volume 94, Page 393, TCPR, and continuing a total distance of 457.00 feet to an iron rod set for angle point and corner;
- (2) North 59°00'00" West-359.92 feet to an iron rod set for angle point and corner;
- (3) North 59°05'00" West-243.47 feet to an iron rod found for angle point and corner;
 -) North 58°42'33" West, passing at a distance of 81.40 feet an iron rod found marking the common North corner of Lot 1 and Lot 2, Block 11, A. E. LANE'S ADDITION, passing at a distance of 133.75 feet an iron rod found marking the common North corner of Lot 2 and Lot 3, passing at a distance of 186.33 feet an iron rod found marking the common North corner of Lot 3 and Lot 4, and continuing a total distance of 314.95 feet to an iron rod found for angle point and corner; and
- (5) North 58°51'13" West-112.14 feet to an iron rod set marking the Southwest corner of said 58.1610 acre tract, the Southeast corner of said 0.3629 acre tract and the common West corner of said T. M. RECTOR ESTATE Tract 3 and Tract 4;

THENCE, continue with the Southwest line of the herein described tract and of the said 0.3629 acre tract and the said Northeast line of A. E. LANE'S ADDITION the following two (2) courses and distances:

- (1) North 58°51'13" West-81.45 feet to an iron rod found marking the West 1/2 of Lot 8, Block 10; and
- (2) North 58°26'34" West-149.08 feet to an iron rod set for the most Westerly corner of the herein described tract and of said 0.3629 acre tract, same being located in the said South right-of-way line of U.S. 290 East (variable width), same being the most Westerly apex corner of said 58.5239 acre tract, and of said COTTONWOOD COMMERCIAL SOUTH SECTION ONE;

THENCE, crossing said U.S. Highway 290 North $59^{\circ}13'54''$ West, a distance of 0.32 feet an iron rod set for angle point and corner, same being in the original Northeast line of A. E. LANE'S ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 2, Page 223, Travis County Plat Records (TCPR);

THENCE, North $59^{\circ}17'58''$ West, with the Southwesterly line of said 203.39 acre tract and the Northeast line of said A. E. LANE'S ADDITION, passing at a distance of 1.98 feet an iron rod found and continuing a total distance of 295.07 feet to an iron rod found marking the Northeast corner of said 3.0418 acre tract, same being the common North corner of Lot 7 and Lot 8, Block 3, said A. E. LANE'S ADDITION, same being further located South $59^{\circ}07'23''$ East, a distance of 100.33 feet from an iron pipe found marking the Northwest corner of Lot 6, Block 3, and the original Northwest corner of said A. E. LANE'S ADDITION;

THENCE, South $13^{\circ}42'48''$ West, with the East line of said 3.0418 acre tract and the East line of said Lot 7, Block 3, a distance of 178.33 feet to an iron rod set for the Southeast corner of said 3.0418 acre tract, same being located in the curving North right-of-way line of U.S. 290 East;

THENCE, in a Southwesterly direction along the arc of a curve to the left and with the said North right-of-way line of U.S. 290 East, said curve having a radius of 3836.62 feet, a chord bearing and distance of South $87^{\circ}01'47''$ West-42.27 feet to an iron rod found for angle point and corner;

THENCE, North $64^{\circ}14'41''$ West, with a Southwest line of the said 3.0418 acre tract and the Northeasterly right-of-way of Gregg-Manor Road, a distance of 347.67 feet to a SDHPT brass monument found for angle point and corner;

THENCE, with the Easterly right-of-way line of Gregg-Manor Road and the West line of said 3.0418 acre tract and said 203.39 acre tract, and the herein described tract, the following eleven (11) courses and distances:

- (1) North $34^{\circ}16'29''$ West-220.71 feet to an iron rod found for angle point and corner;
- (2) North $35^{\circ}24'43''$ West-200.14 feet to an iron rod found for angle point and corner;
- (3) North $34^{\circ}33'22''$ West-141.01 feet to an iron pipe found marking the most Westerly corner of said 3.0418 acre tract, same being in the Westerly line of said 203.39 acre tract;
- (4) North $58^{\circ}35'33''$ West-2.78 feet with the said Westerly line of the 203.39 acre tract to an iron rod set for corner and the point of curvature of a curve to the right;
- (5) In a Northwesterly direction along an arc of a curve to the right, said curve having a radius of 532.96 feet, an arc length of 322.71 feet, a chord bearing and distance of North $09^{\circ}10'09''$ West-317.80 feet to an iron rod found for point of tangency,

same being further located South $82^{\circ}01'15''$ East-79.83 feet from an iron rod found on the West right-of-way line of said Gregg-Manor Road;

- (6) North $08^{\circ}09'25''$ East-625.30 feet to a point for corner;
- (7) North $08^{\circ}09'25''$ East-207.80 feet to a point of curvature;
- (8) In a Northeasterly direction along the arc of a curve to the left, said curve having a radius of 2905.45 feet, an arc length of 451.27 feet, a chord bearing and distance of North $03^{\circ}43'55''$ East-450.31 feet;
- (9) North $00^{\circ}47'03''$ West-282.72 feet to a point of curvature;
- (10) In a Northwesterly direction along the arc of a curve to the left, said curve having a radius of 1469.50 feet, an arc length of 599.72 feet, a chord bearing and distance of North $12^{\circ}24'45''$ West-595.57 feet; and
- (11) North $24^{\circ}05'00''$ West, a distance of 275.25 feet to an iron rod set for the Northwest corner of the herein described tract, same being located in the curving said City of Manor City Limits Line;

THENCE, in a Southeasterly direction along the arc of a curve to the right and with the said City of Manor City Limits Line, said curve having a radius of 2640.00 feet, a chord bearing and distance of South $78^{\circ}20'55''$ East-1029.14 feet to a point of compound curvature for a corner of the herein described tract;

THENCE, continue, in a Southeasterly direction along the arc of a curve to a right and with the said City of Manor City Limits Line, said curve having a radius of 2640.00 feet, a chord bearing and distance of South 65° 02'05" East-545.91 feet to a point of tangency of the herein described tract;

THENCE, South 59°05'36" East, with the said City of Manor City Limits Line, a distance of 4380.39 feet to the POINT OF BEGINNING and containing 292.7968 acres of land, not including the area encompassed by existing U.S. Highway 290 right-of-way.

Compiled From Office and Field Information By:

Robert M. Sherrrod, R.P.L.S.
GEO, A Geographical Land Services Co.
4412 Spicewood Springs Road, #1002
Austin, Texas 78759
RMS:ks
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