

CITY HALL

ROCKWALL, TEXAS

APPLICATION FOR ZONING CHANGE

Case No. 83-47-SP/2 Filing Fee \$110.00 Date September 22, 1983

Applicant SIGNAL DEVELOPMENT CORPORATION

Mailing Address RR #4, BOX 39, ROCKWALL, TEXAS 75087 Phone No. 722-1201

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED:
(if additional space is needed for description, the description may be put on a separate sheet and attached hereto.)

I hereby request that the above described property be changed from its present zoning which is "PD-22" District Classification to a "PD-15" District Classification for the following reasons: (Attach separate sheet if necessary.)

1. Signal Development Corporation has acquired this property in trade and wish to include it into our Planned Development.
- 2.
- 3.

THERE ^(ARE) ~~(ARE NOT)~~ DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY.

STATUS OF APPLICANT: Owner Tenant _____ Prospective Purchaser _____

I have attached hereto as Exhibit "A" a Plat showing the property which is the subject of this requested zoning change and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

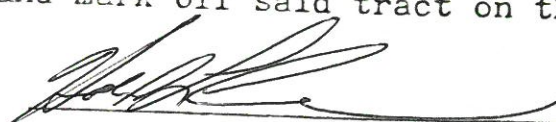

APPLICANT

NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description, however, the same is not a requirement of the Application.)

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as Exhibit "A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground.


Surveyor or Attorney for Applicant
(Mark out one.)

J.G. 1.

PD PRELIMINARY/~~DEVELOPMENT PLAN~~
FACT SHEET

Case No. 83-47-SP/P

Applicant Signal Development Corp.

Name of Proposed Development Signal Ridge

Location of Property PD-15, north of Chandlers

Acreage increase of .7717

Number Lots/Units _____

Current Zoning PD-15

Surrounding Zoning PD-22

Reason for Request traded land with Kirby Albright, changing boundary
and gaining .7717 acres

Notices Sent: 6 Favorable: 0 Unfavorable: 0

Additional Information _____

Staff Comments _____

See Attached Sheet.

Planning and Zoning Commission Recommendation: _____

Approval

Council decision _____

11/7/83 Approval

Staff Comments: When Signal Ridge originally acquired their 20 acres from Kirby Albright, the property line between the two tracts of land had a number of curves in it and left odd shaped tracts on either side. In order to resolve the problem, Signal Ridge and Kirby Albright have worked out a trade on the property to straighten out this property line. They would like to revise their preliminary plan and their property description to reflect the change which results in .7717 acre increase in the area for PD-15, Signal Ridge. It does not provide any increase in density or units or in any way materially affect the development. It is just a technical cleanup of an odd shaped property line.

CITY OF ROCKWALL
OFFICIAL RECEIPT

DATE 9-23-83
NAME Signal Development
ADDRESS _____

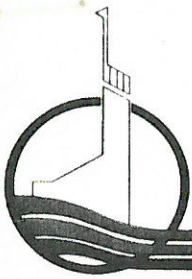
Cash Check Other

GARBAGE		
LAND FILL PERMIT		
GARAGE SALES		
SOLICITORS PERMIT		
RENT		
MISCELLANEOUS WATER SALES		
<u>Zone Charge</u>	<u>110.00</u>	

Received By _____

2073

FORM G-1



SIGNAL DEVELOPMENT CORPORATION

presents

S I G N A L R I D G E

A Planned Development

in

City of Rockwall, Texas

prepared for

PLANNING AND ZONING COMMISSION

CITY OF ROCKWALL

meeting of

October 13, 1983

RE-CAP OF
CURRENT STATUS
OF
SIGNAL RIDGE

1. Total Site Development Plan has been approved.
2. Final Plat of Phase I has been approved.
3. Final Plat of Phase II has been approved.
4. Construction is nearly complete in Phase I.
5. Construction is in process in Phase II.

CONSIDERATIONS CURRENTLY BEFORE PLAN COMMISSION

1. Request for approval of a revised north boundary line.
2. Request for approval of a Revised Development Plan for Phases III and IV, incorporating the revised north boundary line.
3. Request for approval of the Final Plats of Phases III and IV.

SUPPORTING INFORMATION IN REFERENCE TO:

1. THE REVISED NORTH BOUNDARY LINE

- A. Takes into consideration the new Comprehensive Master Plan for Roads as adopted by the City of Rockwall.
- B. Is a straight line with a 7 1/2 ft. easement on both sides.
- C. Allows TP & L a much simpler electrical line installation.
- D. Allows a greatly simplified master sanitary sewer line for the City of Rockwall.
- E. Allows better orientation of living units to the site.
- F. Adds a small amount of property to Signal Ridge.

2. THE REVISED DEVELOPMENT PLAN FOR PHASES III & IV

- A. Reduces the total number of living units.
- B. Adds more parking spaces per living unit.
- C. Reduces the number of living units per acre.
- D. Creates better circulation for fire protection.
- E. Creates a more proper distribution of the amenities throughout the project.

3. FINAL PLATS OF PHASES III AND IV

The final platting of Phases III and IV completes the approval process and will make the completion of the project as proposed a reality.

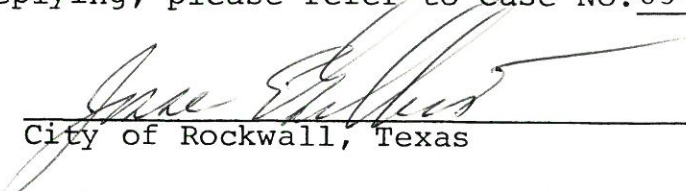
BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30
o'clock p.m., on the 13 day of October, 1983, in
District Courtroom, Rockwall County Courthouse
Rockwall, Texas, on the request of Signal Development Company
for a zoning change from PD-22 to PD-15 (redefining the PD-15 boundaries)

on the following described property:

See attached page.

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 83-47-SP



City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087.

Case No. 83-47-SP/Z

I am in favor of the request for the reasons listed below. _____

I am opposed to the request for the reasons listed below. _____

- 1.
- 2.
- 3.

Signature _____

Address _____

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,
City of Rockwall

ARTICLES OF INCORPORATION
OF
SIGNAL RIDGE OWNERS ASSOCIATION, INC.
(A Texas Non-Profit Corporation)

Rockwall County, Texas

ARTICLES OF INCORPORATION
OF
SIGNAL RIDGE OWNERS ASSOCIATION, INC.
(A Texas Non-Profit Corporation)

We, the undersigned natural persons of the age of eighteen (18) years or more, at least two (2) of whom are citizens of the State of Texas, acting as incorporators of a corporation (hereinafter called the "Corporation") under the Texas Non-Profit Corporation Act (hereinafter called the "Act") do hereby adopt the following Articles of Incorporation for such Corporation.

ARTICLE I

NAME

The name of the Corporation is SIGNAL RIDGE OWNERS ASSOCIATION, INC.

ARTICLE II

NON-PROFIT CORPORATION

The Corporation is a non-profit corporation.

ARTICLE III

DURATION

The period of the duration of the Corporation is perpetual.

ARTICLE IV

PURPOSES AND POWERS

1. The Corporation does not contemplate pecuniary gain or profit to the Members thereof, and its specific and primary purpose is to provide for the preservation and maintenance of a Condominium Project, as provided in the Condominium Declaration of SIGNAL RIDGE CONDOMINIUMS (hereinafter referred to as the "Declaration"), located in Rockwall County, Texas.

2. The general purposes and powers are:

a. To promote the common good, health, safety and general welfare of the residents within the Property;

b. To exercise all of the powers and privileges and to perform all of the duties and obligations of the Corporation arising from the Declaration applicable to the Property, as amended from

time to time, and recorded or to be recorded in the Office of Public Records of Real Property in the Office of the County Clerk of Rockwall County, Texas, the Declaration being incorporated herein by reference for all purposes;

c. To enforce applicable provisions of the Declaration, By-Laws, any rules and regulations of the Corporation and any other instrument for the management and control of the Property;

d. To fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to contract for and pay all expenses in connection with the maintenance, gardening, utilities, materials, supplies and services relating to the Common Elements (as defined in the Declaration) and facilities; to employ personnel reasonably necessary for administration and control of the Common Elements, including lawyers and accountants where appropriate; and to pay all office and other expenses incident to the conduct of the business of the Corporation, including all licenses, taxes and special assessments which are or would become a lien on any portion of the Property;

e. To have and to exercise any and all powers, rights and privileges, including delegation of powers as permitted by law, which the Corporation under the Act may now or hereafter have or exercise;

f. To acquire (by purchase, grant or otherwise), annex and merge, own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Corporation;

g. To borrow money, mortgage, pledge or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred in accordance with the Declaration limitations; and

h. To act in the capacity of principal, agent, joint venturer, partner or otherwise.

The foregoing statement of purposes shall be construed as a statement both of purposes and of powers, and the purposes and powers in each clause shall not be limited or restricted by reference to or inference from the terms

or provisions of any other clause, but shall be broadly construed as independent purposes and powers. Notwithstanding any of the above statements of purposes and powers, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the Corporation.

ARTICLE V

REGISTERED OFFICE AND REGISTERED AGENT

The street address of the initial registered office of the Corporation is 3100 Ridge Road, Rural Route #4, Box 39, Rockwall, Texas, 75087, and the name of its initial registered agent at such address is Robert S. Whittle.

ARTICLE VI

INITIAL BOARD OF DIRECTORS

The number of Directors constituting the initial Board of Directors of the Corporation is four (4), and the names and addresses of the persons are:

<u>NAME</u>	<u>ADDRESS</u>
Robert S. Whittle	3100 Ridge Road Rural Route #4, Box 39 Rockwall, Texas 75087
Sarah J. Whittle	3100 Ridge Road Rural Route #4, Box 39 Rockwall, Texas 75087
David L. Zehr	3100 Ridge Road Rural Route #4, Box 39 Rockwall, Texas 75087
Joseph L. Zehr	3100 Ridge Road Rural Route #4, Box 39 Rockwall, Texas 75087

At the first (1st) annual meeting of the Members of the Association, or any annual meeting thereafter, or special meeting of the Association called for that purpose, the number of Directors may be increased to seven (7).

ARTICLE VII

INCORPORATORS

The name and street address of each incorporator is:

<u>NAME</u>	<u>ADDRESS</u>
Robert S. Whittle	3100 Ridge Road Rural Route #4, Box 39 Rockwall, Texas 75087
Sarah J. Whittle	3100 Ridge Road Rural Route #4, Box 39 Rockwall, Texas 75087

NAME
David L. Zehr

ADDRESS
3100 Ridge Road
Rural Route #4, Box 39
Rockwall, Texas 75087

ARTICLE VIII

MEMBERSHIP

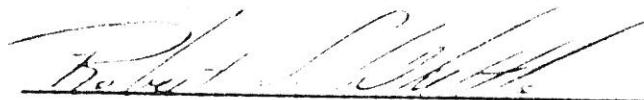
The authorized number of and qualifications for membership in the Corporation along with the appurtenant voting rights and other privileges due Unit Owners in the Condominium Project shall be as set out in the Declaration. Every person or entity who is a record Owner of a fee or undivided fee interest in any Unit which is subject to the Declaration, including contract sellers, shall be a Member of the Corporation. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Unit which is subject to assessment by the Corporation.


ARTICLE IX

DISSOLUTION

The Corporation may be dissolved in accordance with the limitations set out in the Declaration. The Corporation is one which does not contemplate pecuniary gain or profit to the Members thereof, and it is organized solely for non-profit purposes. In the event of liquidation, dissolution or winding up of the Corporation, whether voluntarily or involuntarily, the Directors shall dispose of the Property and assets of the Corporation in such manner as they, in the exercise of their discretion (as set out in the Declaration), deem appropriate; provided, however, that such disposition shall be exclusively in the furtherance of the object and purposes for which the Corporation is formed, and shall not accrue to the benefit of any Director of the Corporation or any individual having a personal or private interest in the affairs of the Corporation or any organization which engages in any activity in which the Corporation is precluded from engaging.

IN WITNESS WHEREOF, we have hereunto set our hands this 14th day of September, 1983, A.D.


Robert S. Whittle



Sarah J. Whittle



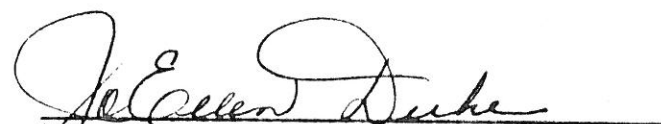
David L. Zehr

THE STATE OF TEXAS §

COUNTY OF ROCKWALL §

I, the undersigned authority, a Notary Public in and for said County and State, do hereby certify that on this 14th day of September, 1983, A.D., personally appeared before me Robert S. Whittle, who being by me first duly sworn, declared that he is the person who signed the foregoing document as Incorporator, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date and year above written.




Notary Public in and for
The State of Texas
My Commission Expires: 9-14-87

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned authority, a Notary Public in and for said County and State, do hereby certify that on this 14th day of SEPTEMBER, 1983, A.D., personally appeared before me Sarah J. Whittle, who being by me first duly sworn, declared that she is the person who signed the foregoing document as Incorporator, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date and year above written.

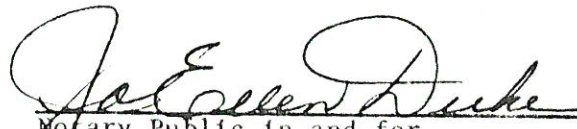


Notary Public in and for
The State of Texas
My Commission Expires: 9-14-87

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned authority, a Notary Public in and for said County and State, do hereby certify that on this 14th day of SEPTEMBER, 1983, A.D., personally appeared before me David L. Zehr, who being by me first duly sworn, declared that he is the person who signed the foregoing document as Incorporator, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date and year above written.



Notary Public in and for
The State of Texas
My Commission Expires: 9-14-87

EXHIBIT A

BEING a tract of land situated in E. Teal Survey, Abstract No. 207, Rockwall County, Texas and being a part of that 55.106 acre tract of land conveyed from Henry Beckman to Kirby Albright by deed recorded in Volume 83, Page 510, Deed Records, Rockwall County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the North corner of said 55.106 acre tract and on the City of Dallas take line for Lake Ray Hubbard;

THENCE: South $11^{\circ}03'39''$ West a distance of 665.00 feet along said take line to an iron rod at the Point of Beginning;

THENCE: South $80^{\circ}39'45''$ East a distance of 403.83 feet traversing said 55.106 acre tract to an iron rod on the North line of that 4.4158 acre tract of land conveyed to Signal Development Corporation by deed recorded in Volume 170, Page 451, Deed Records, Rockwall County, Texas;

THENCE: Along the North lines of said 4.4158 tract as follows:
South $77^{\circ}57'11''$ West a distance of 129.63 feet to an iron rod at the point of curvature of a circular curve to the left having a central angle of $29^{\circ}13'16''$ and a radius of 200.00 feet;

Along said curve in a Southwesterly direction an arc distance of 102.00 feet to an iron rod for a corner;

North $41^{\circ}16'05''$ West a distance of 80.00 feet to an iron rod for a corner, and North $66^{\circ}14'58''$ West a distance of 146.20 feet to an iron rod at the North corner of said 4.4158 acre tract and on the City of Dallas take line;

THENCE: North $23^{\circ}45'02''$ East a distance of 6.10 feet to an iron rod at an angle point;

THENCE: North $11^{\circ}03'39''$ East a distance of 13.50 feet continuing along said take line to the Point of Beginning and Containing 19,009 Square Feet or 0.4364 Acres of Land.