



**AGENDA**  
**CITY COUNCIL MEETING**  
**MAY 9, 2017 @ 6:00 P.M.**

Notice is hereby given the City Council for the City of Parker will meet in a Special Meeting on Tuesday, May 9, 2017 at 6:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

**CALL TO ORDER – Roll Call and Determination of a Quorum**

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

**CONSENT AGENDA** Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A DONATION IN THE AMOUNT OF \$1,000.00 FROM THE TURRENTINES FOR THE PARKER POLICE DEPARTMENT. [BROOKS]
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2017-537 AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION. [SHELBY]
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2017-538, REQUESTING A CLARIFYING AMENDMENT TO THE 2002 CITY-COUNTY PLAT APPROVAL AGREEMENT. [SHELBY]

## INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2017-536, RELOCATING CERTAIN PORTIONS OF THE CITY WATER MAIN ADJACENT TO PARKER ROAD. [SHELBY] [TABLED – 04172017]
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 747, THE RESERVE AT SOUTHRIDGE ANNEXATION. [SHELBY]
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SCHEDULING ANNEXATION PUBLIC HEARING DATES FOR KINGS CROSSING PHASE 4. [FLANIGAN]

## ROUTINE ITEMS

### 7. FUTURE AGENDA ITEMS

#### UPDATE(S):

- PROJECTED 2017 TAX RATE PLANNING CALENDAR

### 8. ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before May 5, 2017 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at [www.parkertexas.us](http://www.parkertexas.us).

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Date Notice Removed

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Patti Scott Grey  
City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.



## Council Agenda Item

Item 1  
C'Sec Use Only

Budget Account Code:	Meeting Date: May 9, 2017
Budgeted Amount:	Department/ Requestor: Police Dept./Finance
Fund Balance-before expenditure:	Prepared by: Police Chief Brooks
Estimated Cost:	Date Prepared: April 20, 2017
Exhibits:	Redacted Check

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A DONATION IN THE AMOUNT OF \$1,000.00 FROM THE TURRENTINES FOR THE PARKER POLICE DEPARTMENT. [BROOKS]

### SUMMARY

On April 9, 2017, the Turrentines, residents of Parker, made a personal donation to the City of Parker Police Department in the amount of \$1,000.00.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter -- Office Use			
Approved by:			
Department Head/ Requestor:	<i>Richard D. Brooks</i>	Date:	Via Email 04/20/2017
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/05/2017

JAMIE TURBENTINE

32-61/1110

3304

PAY TO THE  
ORDER OF

City of Parker Police Dept \$ 1000.<sup>00</sup>  
one thousand dollars & 00/100

DATE

4-9-17

CHASE

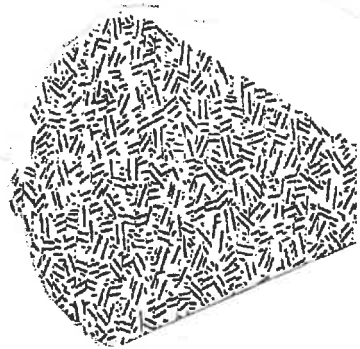
JPMorgan Chase Bank, N.A.  
www.Chase.com

DOLLARS

MP

MEMO

Police Fund Donat.a





## Council Agenda Item

Item 2  
C Sec Use Only

Budget Account Code:	Meeting Date: May 9, 2017
Budgeted Amount:	Department/ Requestor: City Attorney Shelby
Fund Balance-before expenditure:	Prepared by: City Attorney Shelby
Estimated Cost:	Date Prepared: May 3, 2017
Exhibits:	1. Proposed Resolution 2. Model Staff Report

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2017-537 AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION. [SHELBY]

### SUMMARY

Continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Parker.

### POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/05/2017

**RESOLUTION NO. 537**  
**{Atmos Steering Committee}**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AUTHORIZING THE PAYMENT OF FIVE CENTS (\$0.05) PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION, MID-TEX DIVISION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the City of Parker is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos), within the municipal boundaries of the city; and

**WHEREAS**, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

**WHEREAS**, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings, affecting gas utility rates; and

**WHEREAS**, the City of Parker is a member of ACSC; and

**WHEREAS**, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

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

**SECTION 1.** That the City of Parker is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Parker and to protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division, residing and conducting business within the city limits.

**SECTION 2.** That the City is further authorized to pay its 2017 assessment to the ACSC in the amount of five cents (\$0.05) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

**SECTION 3.** That a copy of this Resolution and the approved assessment fee payable to "Atmos Cities Steering Committee" shall be sent to:

Mary Bunkley, Treasurer  
Atmos Cities Steering Committee  
% Arlington City Attorney's Office  
Mail Stop 63-0300  
Post Office Box 90231  
Arlington, Texas 76004-3231

**SECTION 4.** That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

**PASSED AND APPROVED** on this the 9th day of May, 2017.

**CITY OF PARKER, TEXAS**

**BY:** \_\_\_\_\_  
**Z MARSHALL, MAYOR**

**ATTEST:**

**BY:** \_\_\_\_\_  
**PATTI SCOTT GREY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,  
CITY ATTORNEY**

May 2, 2017

## **MODEL STAFF REPORT**

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

The 2017 RRM filing is the fifth RRM filing under the renewed RRM Tariff. On March 1, 2017, Atmos made a filing requesting \$57.4 million additional revenues on a system-wide basis. Because the City of Dallas has a separate rate review process, exclusion of Dallas results in the Company requesting \$46.4 million from other municipalities.

Environs customers (ratepayers outside municipal limits) remain under the Railroad Commission's exclusive original jurisdiction and have their rates set through the GRIP process. If the Company had used the GRIP process rather than the RRM process it would receive a \$52.4 million increase, or about \$4.4 million more than will be approved by the Ordinance. ACSC and the Company have reached an agreement, reflected in the Ordinance, to reduce the Company's request by \$9.4 million, such that the Ordinance approving new rates reflects an increase of \$48 million on a system-wide basis, or \$38.8 million for Mid-Tex Cities, exclusive of the City of Dallas.

The tariffs attached to the Ordinance approve rates that will increase the Company's revenues by \$38.8 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2017. The monthly residential customer charge will be \$19.60. The consumption charge will be \$0.14 per Ccf. The monthly bill impact for the typical residential customer consuming 46.8 Ccf will be an increase of \$2.04, or about 3.87%. The typical commercial customer will see an increase of \$6.27, or 2.37%. Attached to this Model Staff Report is a summary of the impact of new rates on the average bills of all customer classes.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Ordinance with its attachments approving the negotiated rate settlement resolving the 2017 RRM filing, and implementing the rate change.

### **Explanation of "Be It Ordained" Sections:**

1. This section approves all findings in the Ordinance.
2. This section finds the settled amount of \$48 million on a system-wide basis to be a comprehensive settlement of gas utility rate issues arising from Atmos Mid-Tex's 2017 RRM filing, and that such settlement is in the public interest and is consistent with the City's statutory authority.
3. This section finds the existing Atmos Mid-Tex rates to be unreasonable, and approves the new tariffed rates providing for additional revenues over currently-billed rates of \$48 million on a system-wide basis and adopts the attached new rate tariffs (Attachment A).



4. This section establishes the baseline for pensions and other post-employment benefits for future rate cases (Attachment C).
5. This section requires the Company to reimburse Cities for reasonable ratemaking costs associated with reviewing and processing the RRM filing.
6. This section requires a rate reconciliation in the event that federal income tax rates change.
7. This section requires renegotiation of current RRM terms and conditions this Summer and if new terms and conditions are not agreed to by both parties, the RRM process will be terminated and Cities will be encouraged to pass show cause resolutions to trigger a traditional rate case at the Railroad Commission.
8. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.
9. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
10. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.
11. This section provides for an effective date upon passage which, according to the Cities' ordinance that adopted the RRM process, is June 1, 2017.
12. This paragraph directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

[illegible]





## Council Agenda Item

Item 3  
C'Sec Use Only

Budget Account Code:	Meeting Date: May 9, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: May 1, 2017
Exhibits:	<ol style="list-style-type: none"><li>1. Proposed Resolution</li><li>2. Collin County Judge Keith Self's Letter, dated April 28, 2017</li><li>3. Clarifying Amendment to 2002 City-County Plat Approval Agreement</li><li>4. Resolution No. 0212-02, passed and approved February 12, 2002</li></ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2017-538, REQUESTING A CLARIFYING AMENDMENT TO THE 2002 CITY-COUNTY PLAT APPROVAL AGREEMENT. [SHELBY]

### SUMMARY

Please review Collin County Judge Keith Self's Letter, dated April 28, 2017, and the Clarifying Amendment to 2002 City-County Plat Approval Agreement provided.

### POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon Shelby</i>	Date:	Via Email 05/04/2017
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/05/2016

**RESOLUTION NO. 538**  
**{Amending Interlocal Agreement with Collin County}**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY, TEXAS, PROVIDING FOR EXCLUSIVE CITY CONTROL OF SUBDIVISION REGULATIONS IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT AND ANY RELATED DOCUMENTS NECESSARY TO CARRY OUT ITS PURPOSE AND INTENT; PROVIDING A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 242.001 of Texas Local Government Code was enacted to require cities and counties to enter into an agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the Extra-Territorial Jurisdiction of the city; and

**WHEREAS**, The City of Parker ("City") and Collin County ("County") entered into an Interlocal Agreement ("Agreement") in 2002 that provided for exclusive City control of subdivision regulations in the City's Extraterritorial Jurisdiction ("ETJ"); and

**WHEREAS**, the City Council, on behalf of the City, finds that an amendment to the terms and conditions of said Agreement are in the best interests of the City and should be approved;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AS FOLLOWS:**

**SECTION 1.** The terms and conditions of the Amendment to the Agreement ("Amendment") attached hereto as Exhibit A are approved.

**SECTION 2.** The Mayor of the City is designated and authorized to execute the Amendment and all other documents necessary in connection thereof on behalf of the City, in order to carry out the intent and purposes of the Agreement.

**SECTION 3.** It is the intent of the City Council that each paragraph, sentence, subdivision, clause, phrase or section of this Resolution and the Exhibit attached hereto be deemed severable, and should any paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to effect the validity of those provisions of this Resolution and its Exhibit left standing.

**DULY RESOLVED** by the City Council of the City of Parker, Collin County, Texas on this the 9<sup>th</sup> day of May, 2017.

**CITY OF PARKER, TEXAS**

**BY:** \_\_\_\_\_  
**Z MARSHALL, MAYOR**

**ATTEST:**

**BY:** \_\_\_\_\_  
**PATTI SCOTT GREY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,  
CITY ATTORNEY**



## COLLIN COUNTY

Office of the County Judge  
Jack Hatchell Admin Building  
2300 Bloomdale Rd., Suite 4192  
McKinney, Texas 75071  
Office 972-548-4631  
Fax 972-548-4699  
[www.collincountytx.gov](http://www.collincountytx.gov)

April 28, 2017

VIA EMAIL AND FIRST CLASS MAIL

The Honorable Z Marshall  
Mayor - City of Parker  
5700 East Parker Rd.  
Parker, TX 75002

RE: 2002 City-County Plat Approval Agreement – Request for Clarifying Amendment

Dear Mayor Marshall:

Collin County has been involved in lengthy and expensive litigation with the City of McKinney over matters pertaining to the parties City-County Plat Approval Agreement which was approved and executed back in 2002. Beginning in 2015, McKinney began taking the position that the Agreement allowed it to impose its building regulations and City building permitting requirements on new construction in the ETJ.

To our knowledge, McKinney is the only city in Texas that is attempting to impose its building codes in the ETJ.

In 2016, the Texas Supreme Court found that general law cities have no such powers, but McKinney claims its status as a home-rule city, together with the City-County Plat Approval Agreement, gives it the authority to do so. Collin County strongly disagrees, namely because the legislature has not granted municipalities the necessary authority to extend their building regulations beyond their corporate limits. So the County is in litigation with the City over this issue.

Most important to the Commissioners Court is the fact that McKinney's actions have caused hardship to residents who are building in the ETJ, essentially forcing them to comply with both the County's and the City's building regulations, and in some instances requiring them to dedicate parts of their property to the City in exchange for building permits. Many of those residents have obtained the necessary County permits for their construction and they find themselves now having to meet the demands of a local government for which they do not vote or have any rights against whatsoever – other than to seek redress in the Courts. This is a travesty.

Specifically, McKinney focuses on a clause in the City-County Plat Agreement, which grants it the right to approve all subdivision plats and "approve all related permits" within its ETJ should be interpreted to allow it to impose its building regulations in the ETJ. The Commissioners

Court believes this is not an accurate interpretation of the letter or intent of the City-County Plat Agreement, which was intended to govern subdivisions of land in the ETJ and create a single office for plat approvals. The term “related permits” was intended to cover those permits incident to the subdivision of the land, including the laying out of streets, alleys, or other property dedicated for public use or for the use of purchasers of lots within the subdivision. The term was never intended to encompass building permits, as municipalities lack the statutory authority to impose building permit authority beyond their city limits.

For the protection of the County’s residents who reside or own property within the ETJ of the other home-rule cities located in Collin County, the Commissioners Court desires to amend its City-County Plat Approval Agreements – which are identical to that between the County and McKinney - so as to ensure the scope of such Agreements is limited to matters pertaining to subdivisions and platting, and not construction.

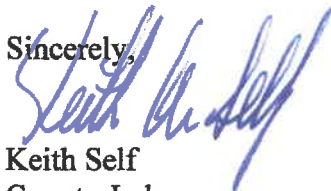
The County’s attorneys have drafted a clarifying amendment to the City-County Plat Approval Agreement for this purpose, which is enclosed for you and your Council’s review and consideration.

I hope that you and your Council will agree that nothing in the City-County Plat Approval Agreement was intended to concern or address building regulations. Upon such concurrence, I hope your Council will approve the enclosed clarifying Amendment.

I am available to discuss these matters as well as any concerns you may have regarding the statements in this letter and/or the enclosed Amendment.

I thank you for the good work you do on behalf of the residents of Parker.

Sincerely,



Keith Self  
County Judge

Enclosure



STATE OF TEXAS

§  
§  
§

COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

FIRST AMENDMENT TO CITY-COUNTY PLAT APPROVAL AGREEMENT  
(Exclusive City Control)

That this First Amendment to City-County Plat Approval Agreement ("First Amendment") is entered into by and between the County of Collin, Texas ("County") and the City of Parker, Texas ("City"), in accordance with the provisions of House Bill 1445 ("H.B. 1445"), passed by the 77<sup>th</sup> Legislature of the State of Texas, now codified as TEXAS LOCAL GOVERNMENT CODE chapter 242, and is to witness the following:

WHEREAS, County and City entered into a City-County Plat Approval Agreement ("Plat Approval Agreement") to be effective on the 25th day of March, 2002, whereby the parties agreed that the Subdivision Regulations of the City were serve as the consolidated and consistent set of regulations governing plats and subdivisions of land as authorized by Chapters 212 and 232 of the TEXAS LOCAL GOVERNMENT CODE to be enforced in the City's extra-territorial jurisdiction ("ETJ"); and

WHEREAS, the Plat Approval Agreement provided that the City was granted exclusive jurisdiction to regulate all subdivision plats "and approve all related permits" in its ETJ in accordance with Chapter 212 of the TEXAS LOCAL GOVERNMENT CODE, its adopted Subdivision Regulations or other applicable codes or ordinances, and the County was not to exercise any of those functions in the City's ETJ; and

WHEREAS, by this First Amendment, County and City seek to clarify the terms "and approve all related permits" as referenced in sections 1 and 4 of the Plat Approval Agreement so as to provide clarity and consistency in the application of the Parties duties and responsibilities under the Agreement

NOW, THEREFORE, for and in consideration of the mutual promises and considerations herein expressed, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties hereto agree as follows:

1. The terms "and approve all related permits" as used in sections 1 and 4 of the Plat Approval Agreement shall mean those permits that are incident to subdivisions of land and platting, such as those permits relating to laying out of streets, alleys, squares, parks, or other parts of a subdivided tract intended to be dedicated for public use or for the use of purchasers or owners of lots fronting on or adjacent to such streets, alleys, squares, parks, or other parts or permits relating to extensions of municipal facilities or utilities to serve the platted lots.

2. The terms "and approve related permits" as used in sections 1 and 4 of the Plat Approval Agreement shall not include building permits, fire code permits, regulation of on-site septic facilities and permits relating to storm water discharges, or other permits related to vertical

construction of improvements, including homes, businesses or other structures that are located on one or more lots within the subdivision.

3. The Parties further agree that nothing in the Plat Approval Agreement shall limit or supersede County's authority to issue building permits, fire code permits, permits relating to on-site septic facilities and permits related to storm water discharges and enforce related regulations to the extent it is statutorily authorized to do so by applicable law regarding vertical construction of improvements, including homes, businesses or other structures that are located on one or more lots within the subdivision.

This Agreement shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

City of Parker, Texas

Collin County, Texas

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: Keith Self

Title: \_\_\_\_\_

Title: County Judge

ATTEST:

ATTEST:

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

\_\_\_\_\_  
County Clerk

Date: \_\_\_\_\_, 2017

Date: \_\_\_\_\_, 2017

**RESOLUTION NO. 0212-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY, TEXAS, PROVIDING FOR EXCLUSIVE CITY CONTROL OF SUBDIVISION REGULATIONS IN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT AND ANY RELATED DOCUMENTS NECESSARY TO CARRY OUT ITS PURPOSE AND INTENT; PROVIDING A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Section 242.001 of Texas Local Government Code was enacted to require cities and counties to enter into an agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the Extra-Territorial Jurisdiction of the city; and

**WHEREAS,** the Parker City Council has been presented a proposed Interlocal Cooperation Agreement by Collin County, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

**WHEREAS,** the City Council, on behalf of the City of Parker, hereinafter referred to as "City", finds that the terms and conditions thereof are in the best interests of the City and should be approved;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AS FOLLOWS:**

**SECTION 1.** The terms and conditions of the Agreement attached hereto as Exhibit A entitled "*City County Plat Approval Agreement (Exclusive City Control)*" are approved.

**SECTION 2.** The Mayor of the City is designated and authorized to execute the Agreement and all other documents necessary in connection thereof on behalf of the City, in order to carry out the intent and purposes of the Agreement.

**SECTION 3.** It is the intent of the City Council that each paragraph, sentence, subdivision, clause, phrase or section of this Resolution and the Interlocal Agreement attached hereto be deemed severable, and should any paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall

not be construed to effect the validity of those provisions of this Resolution and its attachment left standing.

**DULY RESOLVED** by the City Council of the City of Parker, Collin County, Texas on this the 12<sup>th</sup> day of February, 2002.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

KNOW ALL MEN BY THESE PRESENTS:

**CITY-COUNTY PLAT APPROVAL AGREEMENT**  
**(Exclusive City Control)**

That this Agreement is entered into by and between the County of Collin, Texas ("County") and the City of Parker, Texas ("City"), in accordance with the provisions of House Bill 1445 ("H.B. 1445"), passed by the 77<sup>th</sup> Legislature of the State of Texas, and is to witness the following:

**WHEREAS**, County is operating under Sections 232.001-232.005 of the Local Government Code; and

**WHEREAS**, County does not contain extra-territorial jurisdiction of a municipality with a population of 1.9 million or more and is not within fifty miles of an international border and is not subject to Subchapter C, Chapter 232; and

**WHEREAS**, City is a (home rule/general law) city, town or village of Collin County, Texas, which has extraterritorial jurisdiction ("ETJ") under the provisions of Chapter 42, Local Government Code; and

**WHEREAS**, House Bill 1445, effective September 1, 2001, as Section 242.001, Local Government Code, was enacted to require City and County to enter into an agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the ETJ of the City;

**NOW, THEREFORE**, for and in consideration of the mutual promises and considerations herein expressed, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties hereto agree as follows:

1.     *City Granted Exclusive Jurisdiction.* The parties agree that City shall be granted exclusive jurisdiction to regulate all subdivision plats and approve all related permits in its ETJ in accordance with Chapter 212 of the Local Government Code, its adopted Subdivision Regulations or other applicable codes or ordinances, and County shall no longer exercise any of these functions in the City's ETJ.
2.     *One Office for Plat Applications, Fee Payments and Responses.* Pursuant to this Agreement, the City Secretary or his/her designee is authorized to accept plat applications for tracts of land located in the ETJ of the City, to collect plat application fees established by law, and provide applicants one response indicating approval or denial of the plat application by the appropriate approving authority.

3. *Consolidated Regulations.* That the Subdivision Regulations of the City are hereby established as a consolidated and consistent set of regulations related to plats and subdivisions of land as authorized by Chapters 212 and 232 of the Local Government Code, and will be enforced in the ETJ of the City.
4. *Areas Outside ETJ.* In an unincorporated area outside the ETJ of the City, the City may not regulate subdivisions or approve the filing of plats, and the County retains jurisdiction to do so. Should the City expand or reduce its ETJ, City shall promptly notify County of such expansion or reduction. City and County agree that such an expansion or reduction shall not require amendment of this Agreement, and the City shall continue to be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in its ETJ, and the County shall continue to have jurisdiction of areas outside the City's ETJ.
5. *Costs.* All costs involved with the approval of subdivision plats under this Agreement shall be borne by the City and payable out of current revenues available to it. All fees collected by the City will be the property of the City.
6. *Periodic Review.* This Agreement may be reviewed periodically and revised to address changed circumstances. This Agreement may only be modified or amended by a subsequent Agreement in writing between the same parties.

*Miscellaneous Provisions.*

7. This Agreement shall not constitute an Agreement for the provision of governmental functions or services by either party for the other, except for the specific subject matter hereof.
8. All notices required to be given by virtue of this Agreement shall be addressed as follows and delivered by certified mail, postage prepaid, or by hand delivery:  

City of Parker Attn: City Administrator 5700 E. Parker Road Parker, Texas 75002	Collin County Engineering Dept. 825 N. McDonald St., #160 McKinney, Texas 75069
--	---
9. In the event any section, subsection, paragraph, sentence, phrase or work of this Agreement shall be held invalid, illegal or unconstitutional, the balance of the Agreement shall be severable, and shall be enforced as if the parties intended to delete the invalid portion.
10. This Agreement shall be construed under the laws of the State of Texas. Venue for any action under this Agreement shall be the State District of Collin County, Texas. This Agreement is performable in Collin County, Texas.

11. This Agreement may be executed in identical counterparts, each of which shall be deemed an original and constitute one and the same instrument.
12. This Agreement embodies the complete agreement of the parties hereto, superceding all prior or contemporaneous, oral or written agreements between the parties relating to the subject matter hereof.
13. All Recitals contained in this Agreement are incorporated herein by reference for all purposes and specifically found to be true and correct by the parties hereto.
14. The undersigned officers of the parties hereto have been duly authorized by appropriate legislative action of their respective governing bodies to execute this Agreement and bind the represented party to the terms hereof.
15. This Agreement is not intended to and does not extend the liability of the parties beyond that provided by law. Neither the City or the county waives any immunity or defense that would otherwise be available to it against claims by third parties. The City and County are not entering into a joint enterprise.
16. All rights, orders, approvals, permits, and legal or administrative proceedings, with regard to a subdivision plat of property in the ETJ of the City in existence at the effective date of this Agreement shall continue until consummation.

This Agreement shall become effective on the 12th day of February, 2002.

City of Parker, Texas

Collin County, Texas

By: David Hammel  
Name: David Hammel  
Title: Mayor

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

ATTEST:

ATTEST:

[Signature]  
City Secretary

\_\_\_\_\_  
Secretary

Date: February 12, 2002

Date: \_\_\_\_\_, 2002



## Council Agenda Item

Item 4  
C'Sec Use Only

Budget Account Code:	Meeting Date: May 9, 2017
Budgeted Amount:	Department/ Requestor: City Attorney Shelby
Fund Balance-before expenditure:	Prepared by: City Attorney Shelby
Estimated Cost:	Date Prepared: May 5, 2017
Exhibits:	Proposed Resolution

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2017-536, RELOCATING CERTAIN PORTIONS OF THE CITY WATER MAIN ADJACENT TO PARKER ROAD. [SHELBY] [TABLED – 04172017]

### SUMMARY

City Council authorized Engineering Firm Birkhoff, Hendricks, & Cater, LLP, to make plans for the relocation of the city water main adjacent to certain portions of Parker Road. The proposed resolution is the first step in acquiring the easements along Parker Road.

Please review the proposed resolution, prepared by City Attorney Brandon S. Shelby.

### POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	04/21/2017 via email
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/05/2017



**RESOLUTION NO. 2017-536  
(Parker Road Water Line)**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR THE RELOCATION OF CERTAIN PORTIONS OF THE CITY WATER MAIN ADJACENT TO PARKER ROAD; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY ATTORNEY TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE MAYOR, CITY ADMINISTRATOR, AND CITY ATTORNEY TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the City Council of the City of Parker has previously authorized its engineering firm, Birkhoff, Hendricks, & Carter, LLP, to make plans for the relocation of the city water main adjacent to certain portions of Parker Road; and

**WHEREAS**, this project was necessitated by the Texas Department of Transportation's plans to widen Parker Road thereby creating conflict with existing water line easements; and

**WHEREAS**, the City Council has considered the relocation of the city water main adjacent to certain portions of Parker Road and determined that a public purpose and public necessity exists for the acquisition of a necessary and appropriate property rights for said relocation; and

**WHEREAS**, the City Council has secured funding for the project from Collin County and reimbursement funding from the Texas Department of Transportation;

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

**SECTION 1.** That the City Council hereby finds and determines that a public purpose and public necessity exists for the City of Parker to acquire all necessary and appropriate property rights in those certain lots, tracts, or parcels of land deemed necessary for the relocation of certain portions of the city water main adjacent to Parker Road; and does further determine the public purpose and public necessity of the City of Parker acquiring said property together with all necessary and appropriate appurtenances, additions, and improvements on, over under and through those certain lots, tracts and parcels of land.

**SECTION 2.** That the Mayor, City Administrator, City Attorney, or their designee is authorized and directed to acquire all appropriate property rights for the relocation of certain portions of the city water main adjacent to Parker Road for the City of Parker and to acquire said rights in compliance with State and Federal law. Mayor, City Administrator, City Attorney, or their designee is specifically authorized and directed to do each and every act necessary to acquire the needed property rights including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, and prepare contracts.

**SECTION 3.** That the Mayor, City Administrator, City Attorney, or their designee is hereby appointed as "negotiator" for the acquisition of the necessary property and, as such, the Mayor, City Administrator, City Attorney, or their designee is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference. Subject to the availability of funds appropriated by the City Council for such purposes and with the advice and recommendation of the City's appointed appraiser, the Mayor, City Administrator, City Attorney, or their designee is specifically authorized to establish the just compensation for the acquisition of this property.

**SECTION 4.** That a qualified appraiser shall be designated the appraiser of the property to be acquired as necessary.

**SECTION 5.** That the findings of fact, recitations and provisions set out in the preamble of this Resolution are adopted and made a part of the body of this resolution, as if the same were fully set forth herein.

**SECTION 6.** That it is found and determined that the meeting at which this Resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

**PASSED AND APPROVED** on this the 9th day of May, 2017.

**CITY OF PARKER, TEXAS**

**BY:** \_\_\_\_\_

**Z MARSHALL, MAYOR**

**ATTEST:**

**BY:** \_\_\_\_\_

**PATTI SCOTT GREY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,**  
**CITY ATTORNEY**

PROPOSED



## Council Agenda Item

Item 5  
C'Sec Use Only

Budget Account Code:	Meeting Date: May 9, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: May 3, 2017
Exhibits:	1. Proposed Ordinance with Exhibit(s) 2. Application

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 747,  
THE RESERVE AT SOUTHRIDGE ANNEXATION. [SHELBY]

### SUMMARY

Diyar Parker LP filed an Annexation Petition for Council's consideration and the property will be developed pursuant to a comprehensive development agreement.

The City Council followed the annexation process as required by law. The 1<sup>st</sup> public hearing was held on April 4, 2017 and the 2<sup>nd</sup> public hearing was held on April 17, 2017 *in accordance with Texas State Law*. The proposed ordinance has been included in the City Council packet for your review.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon Shelby</i>	Date:	Via Email 05/03/2017
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/05/2017

**ORDINANCE NO. 747**  
**{Annexation of The Reserve at Southridge }**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX 45.5 ACRES OF LAND ON GENERALLY EAST OF FM 2551 AND SOUTH OF CURTIS DRIVE, ADJACENT TO THE PARKER CITY LIMITS AND IN THE CITY OF PARKER'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL SERVICE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, Chapter 43 of the Texas Local Government Code authorizes the annexation of territory, subject to the laws of this State; and

**WHEREAS**, the procedures proscribed in Chapter 43 of the Texas Local Government Code and any other applicable laws have been duly followed with respect to the territory described in Section 1 of this Ordinance;

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

**SECTION 1.** That the limits of the City of Parker, Texas, shall be extended so as to hereinafter include within the corporate limits of said City the tracts of land, shown in Exhibit "A" and being more particularly described in Exhibit "B"

**SECTION 2.** That the inhabitants thereof shall hereinafter be entitled to all the rights and privileges of other citizens of the City of Parker and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

**SECTION 3.** That the Service Plan for the annexed area is adopted and attached as Exhibit "C" to this Ordinance and incorporated for all purposes.

**SECTION 4.** That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

**SECTION 5.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 6.** That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

**INTRODUCED** on this the 9th day of May, 2017.

**ADOPTED** on this the 9th day of May, 2017.

**EFFECTIVE DATE** on this the 9th day of May, 2017.

**CITY OF PARKER, TEXAS**

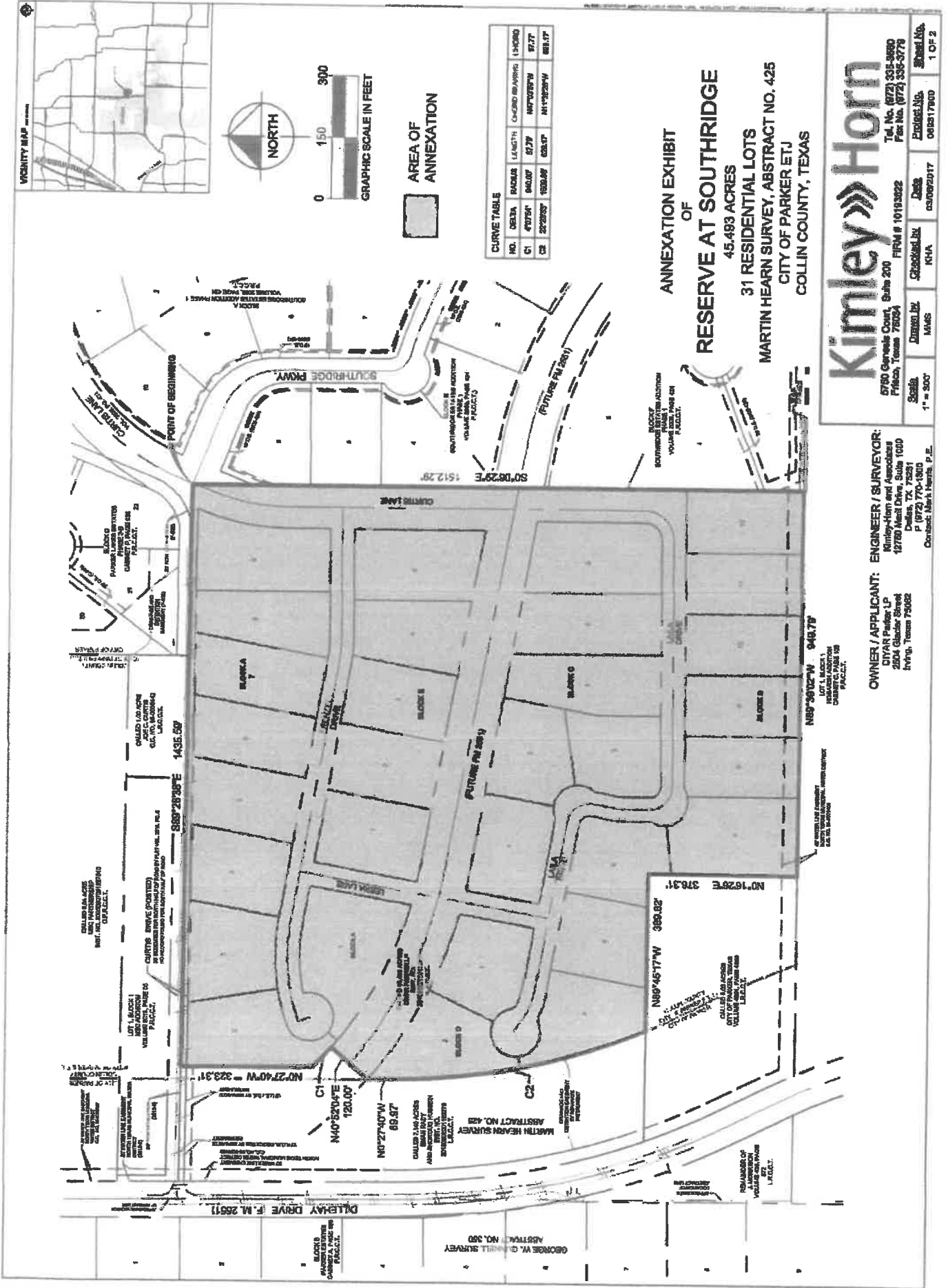
**BY:** Z MARSHALL, MAYOR

**ATTEST:**

**BY:** PATTI SCOTT GREY, CITY SECRETARY

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** BRANDON S. SHELBY, CITY ATTORNEY



OWNER'S CERTIFICATE

STATE OF TEXAS §  
COUNTY OF COLLIN §

WHEREAS DUYAR PARKER, LP, is the owner of all of that tract of land situated in the Martin Hearn Survey, Abstract No. 425, Collin County, Texas, and being all of a called 45.493 acre tract of land described in the deed recorded under Instrument No. 20160903001122870, Official Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at an "X" found scribbled in concrete for the northeast corner of said 45.493 acre tract, common to a re-entrant corner on the westerly line of Southridge Estates Addition Phase 1, an addition to the City of Parker according to the plat thereof recorded in Volume 2006, Page 494, Plat Records of Collin County, Texas, and from which the centerline intersection of Curtis Lane and Southridge Parkway bears South 68°38'12" East, a distance of 2.37 feet;

**THENCE** South 00°09'29" East, along the easterly line of said 45.493 acre tract, and along the westerly line of said Southridge Estates Addition Phase 1, a distance of 1512.28 feet to a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" found for the southeast corner of said 45.493 acre tract, and on the northerly line of Lot 1, Block 1 of Hogarth Addition, an addition to the City of Parker according to the plat thereof recorded in Cabinet C, Page 103, said Plat Records, and from which a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" bears South 00°08'29" East, a distance of 7.32 feet;

**THENCE** North 89°39'02" West, along the southerly line of said 45.493 acre tract, and along the northerly line of said Hogarth Addition, a distance of 949.79 feet to a 1/2-inch iron rod with plastic cap stamped "ROOMIE" found for the southerly-most southwest corner of said 45.493 acre tract, common to the southeast corner of a called 5.00 acre tract of land described in the deed to City of Parker, Texas, recorded in Volume 4994, Page 4869, Land Records of Collin County, Texas, and from which a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" bears North 11°59' East, a distance of 0.9 feet;

**THENCE** North 0°18'29" East, along the westerly line of said 45.493 acre tract, and along the easterly line of said 5.00 acre tract, a distance of 376.31 feet to a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" found for the northeast corner of said 5.00 acre tract, common to a re-entrant corner on the westerly line of said 45.493 acre tract;

**THENCE** North 89°45'17" West, along a southerly line of said 45.493 acre tract, and along the northerly line of said 5.00 acre tract, a distance of 389.82 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the westerly-most southwest corner of said 45.493 acre tract, common to the southeast corner of a called 7.140 acre tract of land described in the deed to Ethen Ruddy and Shorouq Hussein, recorded in Instrument No. 20160902001122270, said Land Records, and at the beginning of a non-tangent curve to the right having a central angle of 22°22'33", a radius of 1809.88 feet, a chord bearing and distance of North 11°39'28" West, 625.17 feet;

**THENCE** departing the northerly line of said 5.00 acre tract, along the westerly line of said 45.493 acre tract, and along the easterly line of said 7.140 acre tract, the following five (5) courses:

1. In a northwesterly direction, with said curve to the right, an arc distance of 525.17 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;
2. North 0°27'40" West, a distance of 89.57 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;
3. North 40°52'04" East, a distance of 120.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the beginning of a non-tangent curve to the right having a central angle of 4°07'54", a radius of 940.00 feet, a chord bearing and distance of North 47°03'59" West, 67.77 feet;
4. In a northwesterly direction, with said curve to the right, an arc distance of 67.79 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;
5. North 0°27'40" West, a distance of 323.31 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 45.493 acre tract, common to the northeast corner of said 7.140 acre tract, and on the southerly line of the MSC Addition, an addition to the City of Parker according to the plat thereof recorded in Volume 2015, Page 8, said Plat Records, and in Curtis Road, an asphalt roadway under apparent public use (no record found);

**THENCE** South 89°28'38" East, along the northerly line of said 45.493 acre tract, and along the southerly line of said MSC Addition, and along the southerly line of a called 1.00 acre tract of land described in the deed to Joe C. Curtis, recorded in County Clerk's File No. 88-0005943, said Land Records, and along the southerly line of Parker Lakes Estates Phase 3-8, an addition to the City of Parker according to the plat thereof recorded in Cabinet P, Page 936, said Plat Records, and along a southerly line of aforesaid Southridge Estates Addition Phase 1, a distance of 1435.59 feet to the **POINT OF BEGINNING** and containing 45.493 acres (1,981,884 square feet) of land, more or less.

ANNEXATION EXHIBIT  
OF  
**RESERVE AT SOUTHBRIDGE**  
45.493 ACRES  
31 RESIDENTIAL LOTS  
MARTIN HEARN SURVEY, ABSTRACT NO. 425  
CITY OF PARKER ETJ  
COLLIN COUNTY, TEXAS

**Kimley»»Horn**

5760 Geneva Court, Suite 200  
Frisco, Texas 75054  
Tel. No. (972) 335-3590  
Fax No. (972) 335-3770  
FIRM # 10193922  
Checked by KHA  
Drawn by MAUS  
Scale 1" = 300'  
Date 09/08/2017  
Project No. 069217500  
Sheet No. 2 OF 2

**OWNER / APPLICANT:**  
DUYAR PARKER LP  
2504 Oakleaf Street  
Irving, Texas 75062  
**ENGINEER / SURVEYOR:**  
Kimley-Horn and Associates  
12790 North Drive, Suite 1000  
Dallas, TX 75281  
P (972) 770-1500  
Cell: Mark Harris, P.E.



## SERVICE PLAN

Section 1. Subject to and conditioned upon any previous agreements of record for the Property, the City of Parker ("the City") will provide the following services to the territory or property so annexed:

- A. Police protection in accordance with the City of Parker Ordinance No. 498 and state and federal law;
- B. Volunteer fire department service and emergency medical service in accordance with City of Parker Ordinance No. 258 and state and federal law;
- C. Solid waste collection in accordance with the City of Parker's contract with the city solid waste collection contractor;
- D. Maintenance of water service in connection with the City of Parker Ordinance No. 345A, and related sanitary sewer service;
- E. Enforcement of all zoning ordinances, building codes, and miscellaneous penal ordinances including but not limited to regulation of animals, roads and streets, fireworks, alcoholic beverages, firearms, littering and dumping, except as provided in this Service Plan, and/or in any zoning ordinance imposed on the land subject to this Service Plan;
- F. Maintenance of public roads and streets, and
- G. Maintenance of public parks, playgrounds and swimming pools and any other publicly owned facilities, buildings or services, if any are expressly accepted by the City as publicly owned.



RECEIVED

FEB 23 2017

Page 1

CITY OF PARKER

**ZONING BOUNDARY CHANGE APPLICATION FORM**  
**ANNEXATION REQUEST FORM**

1. Requesting:

Permanent Zoning \_\_\_\_\_

Re-Zoning \_\_\_\_\_

Annexation \_\_\_\_\_

(See Note\*)

X

\*Note: If requesting re-zoning, please attach a letter stating nature of re-zoning request; i.e. state present zoning and type of zoning change requested

Applicant/Company Name: Diyar Parker LPCompany Address: 2504 Glacier Street, Irving TX. 75062Company Phone Number: 972-814-6248

Company Email: \_\_\_\_\_

Contact Name: Ahmed HusseinContact Phone Number: 972-814-6248Contact Email: ahmed0516@hotmail.com

2. Description and Location of Property:

a. Survey and abstract: Martin Hearn Survey, Abstract No. 425

b. Lot and block: \_\_\_\_\_

c. Total number of acres: 45.493 Ac.d. Location further described: Property South of Curtis Drive, West of Southridge Estates Subdivision

3. Attach 8 copies of the preliminary plat or survey that contains:

a. North point, scale, and date

b. Name and address of:

i. Applicant

ii. Engineer or surveyor responsible for survey of plat

c. Survey and abstract with tract designation

d. Location of major and/or secondary thoroughfares located with or adjacent to the property

e. Location of existing or platted streets within and adjacent to the existing property

f. Location of all existing rights of way, utility, and/or drainage easements

4. Fees (Non-Refundable): See Attached Fee Schedule

All fees are due and payable at the time of application. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been accomplished. Fees are non-refundable regardless of outcome of request.

All the requirements and fees of this application are submitted to the City of Parker requesting a hearing date for a Public Hearing before the Planning and Zoning Commission and/or the City Council as may be required. Hearing dates will be scheduled in accordance with provisions of the City of Parker's Comprehensive Zoning Ordinance.

Applicant:  \_\_\_\_\_ Date: 02/18/2017

Accepted: \_\_\_\_\_ Date: \_\_\_\_\_

REQUEST FOR ZONING BOUNDARY CHANGE:

You are requested to supply the names and addresses of all property owners within 200 feet of the subject property, IN ALL DIRECTIONS.

1. Kasser & Ammira Akil - 6000 Southridge Pkwy. Parker, TX. 75002
2. Praveen Madidi & Pesser Keertana - 6002 Southridge Pkwy. Parker, TX. 75002
3. David & Sabrina Butler - 6004 Southridge Pkwy. Parker, TX. 75002
4. Vincent & Tammy Turner - 6006 Southridge Pkwy. Parker, TX. 75002
5. Matthew & Kim Barr - 4607 Ravensthorpe Dr. Parker, TX. 75002
6. Carolyn Hollins - 4605 Ravensthorpe Dr. Parker, TX. 75002
7. Sylvia & M.A. Grotowski - 4604 Ravensthorpe Dr. Parker, TX. 75002
8. Cheri & Vaclav Sydney - 5000 Englenook Dr. Parker, TX. 75002
9. Richard & Jennifer Oldner - 4905 Englenook Dr. Parker, TX. 75002
10. Wyndell & Janette Caviness - 5001 Englenook Dr. Parker, TX. 75002
11. Joe Curtis - 5903 Curtis Dr. Parker, TX. 75002
12. MSC Partnership - 5855 Curtis Dr. Parker, TX. 75002
13. Louise Shanley - 4508 Dillehay Dr. Parker TX. 75002
14. Zai Mei Chen - 6001 Southridge Pkwy. Parker, TX. 75002
15. Eman Randy - Dillehay Dr. Parker, TX. 75002

List others on reverse side, if necessary.

FAILURE TO COMPLETE AND SUBMIT THIS INFORMATION WILL RESULT IN THE REJECTION OF THE APPLICATION.

Thank you.  
City of Parker  
5700 E Parker Road  
Parker, Texas 75002



## Council Agenda Item

Item 6  
C'Sec Use Only

Budget Account Code:	Meeting Date: May 9, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: May 3, 2017
Exhibits:	<ol style="list-style-type: none"><li>1. Annexation Schedule Plan – Kings Crossing Phase 4</li><li>2. Application</li><li>3. Survey/Map</li><li>4. Notice to be published in Dallas Morning News (DMN)</li></ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SCHEDULING ANNEXATION PUBLIC HEARING DATES FOR KINGS CROSSING PHASE 4. [FLANIGAN]

### SUMMARY

Stephen L. Sallman, Manager, has filed an Annexation Petition for Council's consideration. The property will be developed pursuant to a comprehensive development agreement, which includes the developer's obligation to annex the property into the City of Parker.

The City Council is required by law to follow the annexation process of property proposed by the owners for annexation. Please see the Annexation Schedule and note a called meeting **June 11, 2017** is needed.

### POSSIBLE ACTION

Council set two public hearing dates set forth by our City Attorney for Kings Crossing Phase 4 annexation and set a called meeting date between **June 11-14, 2017** to adopt the annexation ordinance.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon Shelby</i>	Date:	Via Email 05/03/2017
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/05/2016

## ANNEXATION SCHEDULING PLAN

### **Annexation of Approximately 71.089 Acres of Land Adjacent to the City Limit on**

Thursday, May 25, 2017.....	Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
Friday, May 26, 2017.....	Post notice on City's website, newspaper and City Hall for City Council's 1 <sup>st</sup> Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
Friday, June 2, 2017.....	Post notice of 1 <sup>st</sup> Public Hearing under the Open Meetings Act.
<b>Tuesday, June 6, 2017</b> .....	City Council's 1 <sup>st</sup> Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Friday, June 9, 2017 .....	Post notice on City's website, newspaper and City Hall for City Council's 2 <sup>nd</sup> Public Hearing on intent to annex. Obtain required affidavit of publication from newspaper.
Friday, June 16, 2017.....	Post notice of 2 <sup>nd</sup> Public Hearing under the Open Meetings Act.
<b>Tuesday, June 20, 2017</b> .....	City Council's 2 <sup>nd</sup> Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Tuesday, July 7, 2017.....	Post notice on City's website and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.
<b>July 11 to July 14, 2017</b> .....	Introduction and consideration of adoption of annexation ordinance. (Called/Special Council Meeting**)

\* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

\*\* Called/Special council meeting to meet statutory requirement that the two public hearings be held no more than 40 days and no less than 20 days prior to adoption of Ordinance

**KINGS CROSSING PHASE FOUR, LTD.**

4925 Greenville Ave., Suite 1020

Dallas, Texas 75206

(214) 368-0238:Office

(214) 368-0812:Fax

April 13, 2017

Mr. Jeff Flanigan  
City of Parker  
5700 East Parker Road  
Parker, Texas 75002

Ref: Annexation Application – Kings Crossing Phase 4

Dear Jeff:

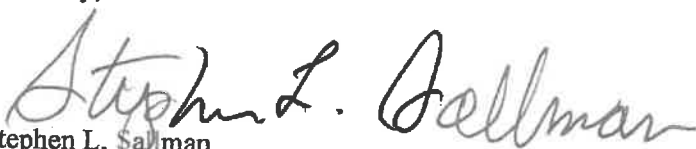
Attached is our completed and signed Annexation Application for the above referenced project. Also enclosed find the legal description (Exhibit A) and survey (Exhibit B) for the above referenced property.

Please note that the Application Fees are attached and have been calculated below:

Base Fee	\$400
\$5/Acre x 71.258 Acres =	<u>\$356.29</u>
Application Fee	<b>\$756.29</b>

Please contact me if you have any questions or additional concerns.

Sincerely,

  
Stephen L. Sallman  
Manager





4. Fees (Non-Refundable): See Attached Fee Schedule

All fees are due and payable at the time of application. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been accomplished. Fees are non-refundable regardless of outcome of request.

All the requirements and fees of this application are submitted to the City of Parker requesting a hearing date for a Public Hearing before the Planning and Zoning Commission and/or the City Council as may be required. Hearing dates will be scheduled in accordance with provisions of the City of Parker's Comprehensive Zoning Ordinance.

Applicant: Stephen L. Salzman Date: 4/11/17

Accepted: \_\_\_\_\_ Date: \_\_\_\_\_

**EXHIBIT A**

**71.089 Acres**

BEING situated in the City of Parker, Collin County, Texas, being a part of the Ann S. Hunt Survey, Abstract 428, and being a part of the 356 acre tract of land conveyed to Bedell Family Limited Partnership by deed recorded in Volume 4670, Page 1295 of the Official Public Records, Collin County, Texas, and being more particularly described as follows:

**BEGINNING** at a PK nail set in the center of Lewis Lane (a public road) for the northeast corner of the 56.5062 acre tract of land (Tract 3A) conveyed to Parker Bedell Farms, Ltd. by deed recorded under Instrument No. 20071002001358270 of said Official Public Records, said nail lying N 01° 01' 28" W, 1,221.29 feet from a 5/8 inch iron rod with plastic cap stamped "Petit" found for the southeast corner of said 356-acre tract;

**THENCE** in a southwesterly direction over and across said 356 acre tract and along the north line of said 56.5062 acre tract the following calls and distances:

S 88° 58' 36" W a distance of 377.04 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 71° 32' 33" W a distance of 187.91 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 47° 32' 18" W a distance of 51.55 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 56° 33' 02" W a distance of 248.92 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 33° 26' 58" W a distance of 120.47 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

Along a curve to the left having a radius of 325.00 feet and an arc length of 44.87 feet (chord bears N 37° 24' 16" W, 44.83 feet) to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 48° 38' 25" E a distance of 20.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

Along a curve to the left having a radius of 345.00 feet and an arc length of 15.21 feet (chord bears N 42° 37' 22" W, 15.21 feet) to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 46° 06' 51" E a distance of 10.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

Along a curve to the left having a radius of 355.00 feet and an arc length of 60.00 feet (chord bears N 48° 43' 40" W, 59.93 feet) to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 36° 25' 49" W a distance of 10.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

Along a curve to the left having a radius of 345.00 feet and an arc length of 36.27 feet (chord bears N 56° 34' 53" W, 36.25 feet) to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 31° 55' 10" W a distance of 70.10 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 58° 04' 50" E a distance of 20.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 31° 55' 10" W a distance of 263.38 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 58° 04' 50" W a distance of 330.50 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 77° 26' 58" W a distance of 33.63 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 07° 17' 21" W a distance of 242.22 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

Along a curve to the left having a radius of 328.92 feet and an arc length of 46.57 feet (chord bears N 86° 46' 07" W, 46.53 feet) to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 89° 17' 32" W a distance of 67.72 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 00° 49' 28" E a distance of 328.92 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 89° 10' 32" W a distance of 232.28 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 78° 32' 23" W a distance of 314.06 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 78° 41' 09" W a distance of 217.96 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 21° 30' 21" E a distance of 41.99 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 73° 12' 49" W a distance of 326.51 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set in the east line of Parker Lefee Estate, Phase 2B, an addition to the City of Parker, Texas, as shown by plat of record in Cabinet P, Page 936 of the Plat Records, Collin County, Texas, said rod being the northwest corner of said 56.5062 acre tract;

THENCE

N 00° 47' 44" W with said east line, passing the Southeast corner of Parker Lake Estates, Phase 3A, an addition to the City of Parker, Texas, as shown by plat of record in Cabinet N, Page 806 of said Plat Records, and continuing along the east line thereof for a total distance of 837.61 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for the northwest corner of the herein described tract;

THENCE

in a northeasterly direction over and across said 356 acre tract the following calls and distances:

N 89° 12' 16" E a distance of 230.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 00° 47' 44" W a distance of 185.80 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 89° 12' 16" E a distance of 105.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 00° 47' 44" E a distance of 16.21 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 89° 12' 16" E a distance of 275.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 00° 47' 44" W a distance of 100.06 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 89° 10' 32" E a distance of 160.00 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 74° 14' 10" E a distance of 84.73 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 15° 45' 50" W a distance of 99.86 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 74° 14' 10" E a distance of 106.48 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

S 19° 33' 06" E a distance of 94.78 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 70° 26' 54" East a distance of 213.04 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 23° 54' 30" E a distance of 133.15 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 08° 15' 31" E a distance of 197.26 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

N 36° 00' 15" E a distance of 275.95 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS";

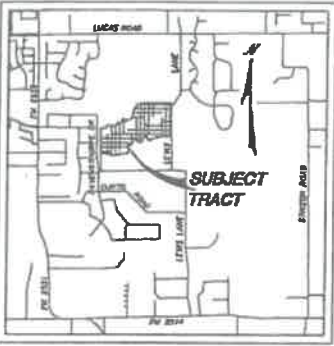
N 89° 16' 05" E a distance of 250.07 feet to a set 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS",

N 88° 58' 36" E a distance of 970.32 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set on the west edge of said Lewis Lane and in the east line of said 356 acre tract for the northeast corner of the herein described tract;

THENCE

S 01° 01' 28" E with the east line of said 356 acre tract, entering said Lewis Lane and continuing along the general centerline thereof, a distance of 1,245.00 feet to the Point of Beginning, and containing 71.089 acres or 3,096,632 square feet of land.

# EXHIBIT B

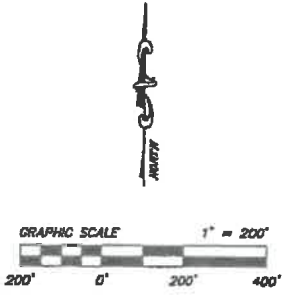


VICINITY MAP  
NOT TO SCALE

**Westwood**  
Westwood Professional Services, Inc.  
2740 North Dallas Parkway, Suite 200  
Ft. Worth, TX 76103  
Phone (817) 780-0000  
Fax (817) 780-0000  
Survey File Number: 100743201  
westwoodps.com

Design: JSA  
Check: JSA  
Draw: JSA  
Record Drawing by/Date:

Revised: CLIENT COMMENTS 12/21/15



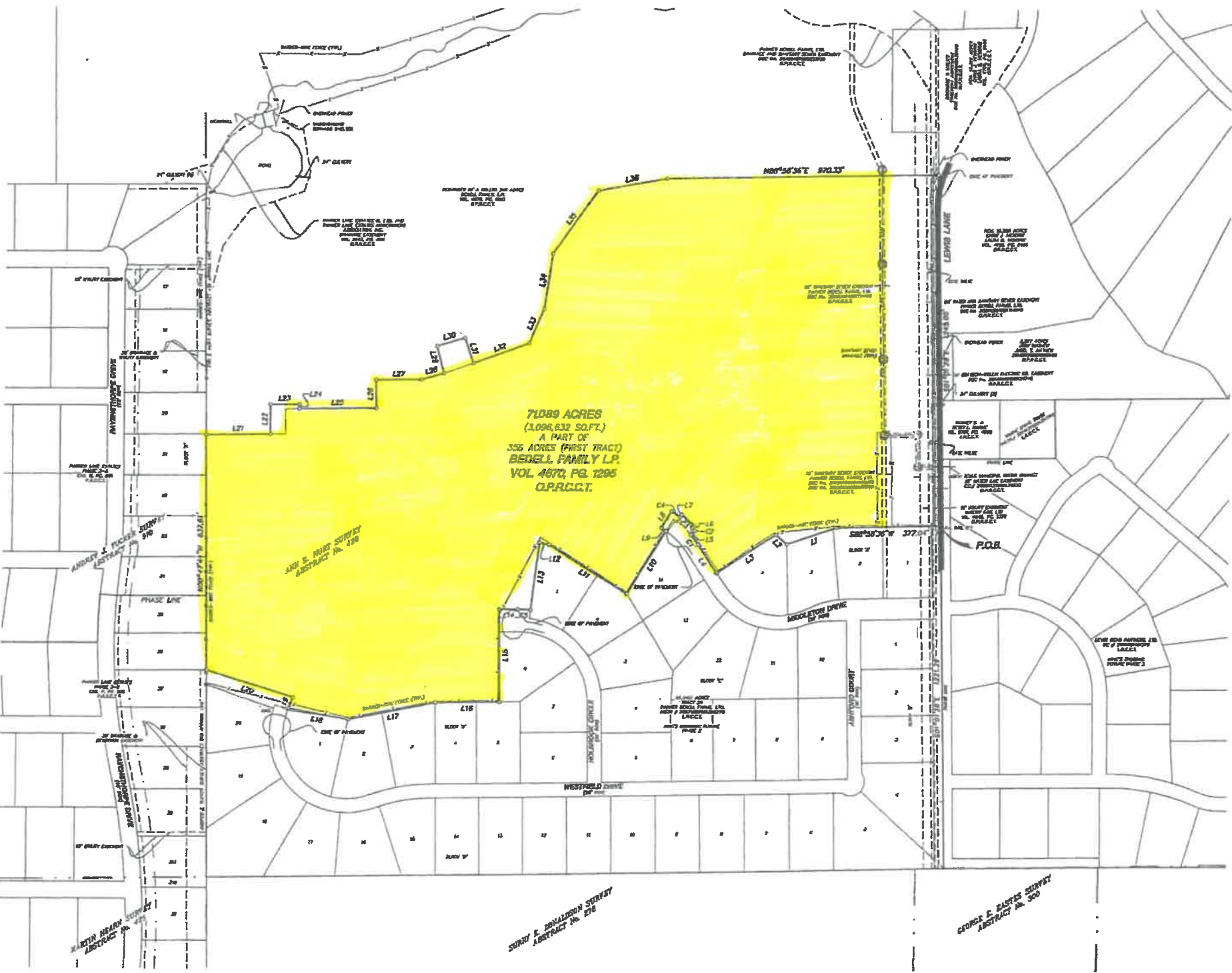
Prepared for:  
**Parker Bedell Farms, Ltd.**  
4925 Greenville Avenue,  
Suite 1020  
Dallas, Texas 75206

## Boundary Survey 71.089 Ac.

in the Ann S. Hunt Survey,  
Abstract No. 428  
City of Parker, Collin County, Texas

King's Crossing,  
Phase 4

Date: 11/20/15  
Sheet: 1 of 2



LINE #	LENGTH	BEARING
L1	187.91	S71°32'33"W
L2	51.55	N47°32'18"W
L3	248.82	S56°33'02"W
L4	120.47	N33°26'58"W
L5	20.00	N48°38'25"E
L6	10.00	N46°06'51"E
L7	10.00	S36°25'49"W
L8	70.10	S31°55'10"W
L9	30.00	S58°04'30"E
L10	203.38	S31°55'10"W
L11	330.50	N58°04'30"W
L12	33.63	N77°26'58"W
L13	242.22	S07°17'21"W
L14	67.72	S89°10'32"W
L15	328.82	S00°19'28"E
L16	232.34	S89°10'32"W
L17	314.06	S78°32'23"W
L18	217.98	N78°41'09"W

LINE #	LENGTH	BEARING
L19	41.80	N21°30'21"E
L20	326.51	N73°12'48"W
L21	230.00	N89°12'16"E
L22	105.00	N00°47'44"W
L23	105.00	N89°12'16"E
L24	16.21	S00°47'44"E
L25	275.00	N89°12'16"E
L26	100.00	N00°47'44"W
L27	160.00	N89°10'32"E
L28	84.73	N74°14'10"E
L29	98.88	N15°45'30"W
L30	106.48	N74°14'10"E
L31	94.78	S19°13'10"E
L32	213.04	N70°28'34"E
L33	133.15	N23°34'30"E
L34	197.26	N00°15'31"E
L35	278.85	N38°00'15"E
L36	250.07	N80°16'05"E

CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	007°54'38"	325.00'	N37°24'18"W	44.83'	44.80'
C2	002°31'34"	345.00'	N42°37'22"W	15.21'	15.21'
C3	009°41'02"	355.00'	N48°43'40"W	58.93'	60.00'
C4	008°01'23"	345.00'	N56°34'53"W	36.25'	36.37'
C5	008°06'42"	328.92'	N56°46'07"W	46.53'	46.57'

ALL CORNERS SET ARE 5/8 INCH IRON ROD UNLESS OTHERWISE NOTED

LEGAL DESCRIPTION

Situated in the City of Parker, Collin County, Texas, being a part of the Ann S. Hurt Survey, Abstract No. 428 and being a part of the 356 acre tract of land conveyed to Bedell Family Limited Partnership by deed of record in Volume 4870, Page 1295 of the Official Public Records, Collin County, Texas, and being more particularly described as follows:

Beginning at a PK nail set in the center of Lewis Lane (a public road) for the northeast corner of the 56.5062 acre tract of land (Tract 3A) conveyed to Parker Bedell Farms, LTD by deed of record in Instrument No. 20071002001358270 of said Official Public Records, said nail lying North 01° 01' 28" West, 1,221.29 feet from a 5/8" iron rod with plastic cap stamped "WESTWOOD PS" found for the southeast corner of said 356 acre tract;

Thence in a southeasterly direction over and across said 356 acre tract and along the north line of said 56.5062 acre tract the following calls and distances:

South 88° 58' 36" West a distance of 377.04 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 71° 32' 33" West a distance of 187.91 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 47° 32' 18" West a distance of 51.55 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 56° 33' 02" West a distance of 248.92 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 33° 25' 58" West a distance of 120.47 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
Along a curve to the left having a radius of 325.00 feet and an arc length of 44.87 feet (chord bears North 37° 24' 18" West, 44.83 feet) to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 48° 38' 25" East a distance of 20.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
Along a curve to the left having a radius of 345.00 feet and an arc length of 15.21 feet (chord bears North 42° 37' 22" West, 15.21 feet) to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 46° 06' 51" East a distance of 10.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
Along a curve to the left having a radius of 355.00 feet and an arc length of 60.00 feet (chord bears North 48° 43' 40" West, 58.93 feet) to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 36° 25' 49" West a distance of 10.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
Along a curve to the left having a radius of 345.00 feet and an arc length of 36.27 feet (chord bears North 58° 34' 53" West, 36.25 feet) to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 31° 55' 10" West a distance of 70.10 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 58° 04' 50" West a distance of 330.50 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 77° 26' 58" West a distance of 33.63 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 07° 17' 21" West a distance of 242.22 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
Along a curve to the left having a radius of 328.82 feet and an arc length of 46.57 feet (chord bears North 88° 48' 07" West, 46.53 feet) to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 89° 10' 32" West a distance of 67.72 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 00° 49' 28" East a distance of 328.92 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 89° 10' 32" West a distance of 232.28 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 78° 32' 23" West a distance of 314.06 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 79° 41' 09" West a distance of 217.96 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 21° 30' 21" East a distance of 41.99 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 73° 12' 49" West a distance of 326.51 feet to a 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS" set in the east line of Parker Lake Estates, Phase 3B, an addition to the City of Parker, Texas as shown by plot of record in Cabinet R, Page 936 of the Plat Records, Collin County, Texas, said rod being the northwest corner of said 56.5062 acre tract;

Thence North 00° 47' 44" West with said east line, passing the southeast corner of Parker Lake Estates, Phase 3A, an addition to the City of Parker, Texas as shown by plot of record in Cabinet R, Page 806 of said Plat Records, and continuing along the east line thereof for a total distance of 837.61 feet to a 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS" set for the northwest corner of the herein described tract;

Thence in a northeasterly direction over and across said 356 acre tract the following calls and distances:

North 89° 12' 16" East a distance of 230.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 00° 47' 44" West a distance of 105.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 89° 12' 16" East a distance of 105.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 00° 47' 44" East a distance of 18.21 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 89° 12' 16" East a distance of 273.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 00° 47' 44" West a distance of 100.06 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 89° 10' 32" East a distance of 160.00 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 74° 14' 10" East a distance of 84.73 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 15° 45' 50" West a distance of 99.86 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 74° 14' 10" East a distance of 106.48 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
South 19° 33' 06" East a distance of 94.78 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 70° 25' 54" East a distance of 213.04 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 23° 54' 30" East a distance of 133.15 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 08° 15' 31" East a distance of 197.26 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 38° 00' 15" East a distance of 275.95 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 80° 16' 05" East a distance of 250.07 feet to a set 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS";  
North 88° 58' 36" East a distance of 970.33 feet to a 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS" set on the west edge of said Lewis Lane and in the east line of said 356 acre tract for the northeast corner of the herein described tract;

Thence South 01° 01' 28" East with the east line of said 356 acre tract, entering said Lewis Lane and continuing along the general centerline thereof, a distance of 1,245.00 feet to the POINT-OF-BEGINNING and containing 71.089 acres or 3,086,632 square feet of land.

SURVEYOR'S NOTES

- 1.) THE BEARING BASIS IS GRID NORTH MAGNET, TEXAS NORTH CENTRAL ZONE 4202.
- 2.) AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR COLLIN COUNTY, THE SUBJECT TRACT DOES NOT APPEAR TO BE WITHIN A SPECIAL FLOOD HAZARD AREA (100 YEAR FLOOD). MAP DATE 6/1/2009 COMMUNITY PANEL NO. 4806304851. SUBJECT TRACT IS LOCATED IN ZONE "X". IF THIS SITE IS NOT WITHIN AN IDENTIFIED FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

SURVEYOR'S CERTIFICATION

TO: REPUBLIC TITLE OF TEXAS, INC., FIRST AMERICAN TITLE INSURANCE Co., BEDELL FAMILY, L.P., WARNER CAPITAL, LLC, AND/OR ASSIGNS.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT A SURVEY WAS THIS DATE MADE ON THE GROUND ON THE PROPERTY LEGALLY DESCRIBED HEREON PREPARED BY THE UNDERSIGNED AND IS CORRECT; THE SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE PROPERTY; THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCRUMPTIONS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS-OF-WAY EXCEPT AS SHOWN ON THE PLAT HEREON; THAT SUBJECT PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY; THE SUBJECT TRACT DOES NOT APPEAR TO BE WITHIN A SPECIAL FLOOD HAZARD AREA; AND THAT THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY DESCRIBED HEREON. FURTHERMORE, THE UNDERSIGNED HEREBY CERTIFIES THAT HE HAS CALCULATED THE QUANTITY OF LAND OR ACREAGE CONTAINED WITHIN THE TRACT SHOWN ON THIS PLAT OF SURVEY AND DESCRIBED HEREON AND CERTIFIES THAT THE QUANTITY OF LAND SHOWN HEREON IS CORRECT. THIS SURVEY MEETS THE REQUIREMENTS FOR A CATEGORY 1A, CONDITION II SURVEY AS DEFINED BY THE "TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE FOR LAND SURVEYING IN TEXAS."

DATED THIS THE 20th DAY OF NOVEMBER, 2015

*Jason B. Armstrong*  
JASON B. ARMSTRONG  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5357



REPUBLIC TITLE OF TEXAS, INC.  
TITLE COMMITMENT OF No. 1009-187873-RIT  
SCHEDULE B ISSUE DATE: OCTOBER 17, 2015  
EFFECTIVE DATE: OCTOBER 18, 2015

The following matters and all terms of the documents creating or offering evidence of the matters:

q. Easement granted by Bedell Family Limited Partnership to Parker Bedell Farms, Ltd., a limited partnership, filed 09/04/2008, recorded in cdf 20080804001174480, Real Property Records, Collin County, Texas.

Affects the subject tract as shown.

r. Easement granted by Bedell Family Limited Partnership to Collier Gas, Ltd., filed 01/31/2001, recorded in Volume 4843, Page 1320, Real Property Records, Collin County, Texas.

Affects the subject tract as shown.

u. Easement granted by Bedell Family Limited Partnership to North Texas Municipal Water District, filed 11/27/2006, recorded in cdf 20061127001670830, Real Property Records, Collin County, Texas.

Affects the subject tract as shown.

v. Terms, provisions and conditions of Development Agreement filed 09/25/2007, recorded in cdf 20070825001331830, Real Property Records, Collin County, Texas.

Applies to the subject tract not plottable.

w. Easement granted by Bedell Family Limited Partnership to Parker Bedell Farms, Ltd., a limited partnership, filed 08/04/2008, recorded in cdf 20080804001114510, Real Property Records, Collin County, Texas.

Affects the subject tract as shown.

xl. Easement granted by Bedell Family Limited Partnership to Grayson County Electric Cooperative, Inc., filed 02/02/2012, recorded in cdf 20120202000724740, Real Property Records, Collin County, Texas.

Affects the subject tract as shown.

yz. Easement granted by Bedell Family Limited Partnership to Parker Bedell Farms, Ltd., a limited partnership, filed 07/20/2015, recorded in cdf 20150720000892880, Real Property Records, Collin County, Texas.

Affects the subject tract as shown.

hh. Easement granted by Bedell Family Limited Partnership to Parker Bedell Farms, Ltd., a limited partnership, filed 07/20/2015, recorded in cdf 20150720000892880, Real Property Records, Collin County, Texas.

Affects the subject tract as shown. (Some document as Exception gq)

Westwood

Westwood Professional Services, Inc.  
2740 North Dallas Parkway, Suite 280  
Ft. Worth, TX 76106

Phone 817 753-6900

Toll Free 844 937-6155

Survey Firm Number: 1007-4381  
westwoodps.com

Dedicate

Checklist

BA

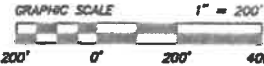
Drawn

WP

Record Drawing by/date

Revisions

CLIENT COMMENTS 12/21/15



Prepared for:

Parker Bedell Farms,  
Ltd.

4925 Greenville Avenue,  
Suite 1020  
Dallas, Texas 75206

Boundary Survey  
71089 Ac.

in the Ann S. Hurt Survey,  
Abstract No. 428  
City of Parker, Collin County, Texas

King's Crossing,  
Phase 4

Date: 11/20/15

Sheet: 2 of 2

LEGAL NOTICE FOR PUBLICATION ON  
KING'S CROSSING PHASE 4

**LEGAL NOTICE**

The City of Parker will hold a Public Hearing on Tuesday, June 6, 2017, at 7 p.m. in City Hall, 5700 E. Parker Rd, Parker, TX 75002, to consider annexation of property, extending the city limits of the City of Parker, and reviewing the service plan on the following described property:

***PARCEL DESCRIPTION***

*Annexation of approximately 71 +/- acres of land in the Ann S. Hurt Survey, Abstract No. 428, City of Parker ETJ, Collin County, Texas, generally located west of Lewis Lane and north of Curtis Drive.*

By direction of the City Council of the City of Parker, Texas.

Patti Grey  
City Secretary



LEGAL NOTICE FOR PUBLICATION ON  
KING'S CROSSING PHASE 4

**LEGAL NOTICE**

The City of Parker will hold a Public Hearing on Tuesday, June 20, 2017, at 7 p.m. in City Hall, 5700 E. Parker Rd, Parker, TX 75002, to consider annexation of property, extending the city limits of the City of Parker, and reviewing the service plan on the following described property:

***PARCEL DESCRIPTION***

*Annexation of approximately 71 +/- acres of land in the Ann S. Hurt Survey, Abstract No. 428, City of Parker ETJ, Collin County, Texas, generally located west of Lewis Lane and north of Curtis Drive.*

By direction of the City Council of the City of Parker, Texas.

Patti Grey  
City Secretary

CITY COUNCIL  
FUTURE AGENDA ITEMS

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
<b>2017</b>			
TBD	2017 City Fee Schedule	Flanigan	2015-16 Approved 2/29; added 2016-17 to FAI
TBD	Create a comprehensive zoning ordinance review committee (Fence Requirements, Alarm, Solicitors)	Council	discussion requested 3/16
TBD	Annual Codification Supplement	C'Sec	March
TBD	Staff Contract Policy	Shelby/Staff	10/18/2016 CC Mtg
			2016 1018
Jan., Apr., July., Oct,	Republic Waste Report	Bernas	REQUIRED PER ORDINANCE AND AGREEMENT.
Jan., Apr., July., Oct,	Fire Dept. Report	Sheff/Barnaby	
May 16, 2017	Canvass	C'Sec	Annual
May 16, 2017	Administer Oath of Office to Elected	Marshall	
May 16, 2017	Appointment of the 2017-18 Mayor Pro Tem	Marshall	
May 16, 2017	2017-18 Chief Inv. Off. & Committee		
May 16, 2017	Cancellation of 6/6 CC Mtg - If Runoff Elections	C'Sec	If Runoff Elections
May 16, 2017	Atmos Settlement	Shelby	
June 20, 2017	Budget Work Session, 3 PM	Marshall	

# 2017 PLANNING CALENDAR



## JULY

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## AUGUST

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## SEPTEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

## PROJECTED 2017 TAX RATE PLANNING CALENDAR

NAME OF CITY: City of Parker, Texas

April - May	Mailing of "Notices of Appraised Value" by Chief Appraiser.
April 30	The Chief Appraiser prepares and certifies to the Tax Assessor for each county, municipality, and school district participating in the appraisal district an estimate of the taxable value.
May 15	Deadline for submitting Appraisal Records to ARB.
July 20 (Aug 30)	Deadline for ARB to approve Appraisal Records.
July 24, 2017	Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.
Aug.	Certification of anticipated collection rate by collector.
	Calculation of Effective and Rollback Tax Rates.
	Submission of Effective and Rollback Tax Rates to governing body.
July 28, 2017	72 Hour Notice for Meeting (Open Meetings Notice).
Aug. 1, 2017	Meeting of Governing Body to Discuss Tax Rates. If proposed tax rate will exceed the Rollback Rate or the Effective Tax Rate (whichever is lower), take record vote and schedule two Public Hearings.
Aug. 7, 2017	Publish the "Notice of 2017 Property Tax Rates" by September 1. Notice must be published at least seven (7) days before first Public Hearing. Notice must also be posted on the municipality's website.
Aug. 11, 2017	72 Hour Notice for First Public Hearing (Open Meetings Notice).
Aug. 15, 2017	<b>First Public Hearing</b> At least 7 days after publication of "Notice of Property Tax Rates."
Aug. 25, 2017	72 Hour Notice for Second Public Hearing (Open Meetings Notice).
Aug. 29, 2017	<b>Second Public Hearing</b> May not be earlier than 3 days after first Public Hearing. Schedule and announce meeting to adopt tax rate three to fourteen (3 - 14) days from this date.
Sept. 1, 2017	72 Hour Notice for Meeting at which Governing Body will Adopt Tax Rate (Open Meetings Notice).
Sept. 5, 2017	<b>Meeting to Adopt 2017 Tax Rate.</b> Schedule meeting three to fourteen (3 to 14) days after second Public Hearing. Taxing Unit must adopt tax rate before September 30 or 60 days after receiving Certified Appraisal Roll, whichever is later.

Tax Code Section 81.06 directs that if a date falls on a weekend, the deadline is extended to the following regular business day.

Advice of taxing unit legal counsel should be sought to determine how to fulfill the requirements of Section 140.010 Local Code (SB 1510).

Please provide a copy of the Ordinance adopting the 2017 Tax Rate to the Collin County Tax Office by September 20, 2017.