



AGENDA

CITY COUNCIL MEETING

JULY 2, 2019 @ 7:00 P.M.

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, July 2, 2019 at 7:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

CALL TO ORDER – Roll Call and Determination of a Quorum

EXECUTIVE SESSION START TO FINISH – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 - b. Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation
 - c. Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act)
2. RECONVENE REGULAR MEETING.
3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

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.

ITEMS OF COMMUNITY INTEREST

- BUDGET WORK SESSION - MONDAY, JULY 15, 2019, 7:00 PM
- HOME RULE CHARTER COMMISSION (HRCC) – MONDAY, JULY 22, 2019, 7:00 PM
- NATIONAL NIGHT OUT (NNO) – TUESDAY, OCTOBER 1, 2019, 6:00 P.M. – 9:00 P.M

INDIVIDUAL CONSIDERATION ITEMS

4. APPROVAL OF MEETING MINUTES FOR JUNE 18, 2019. [SCOTT GREY]
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-608 AWARDING THE 2019 GREGORY LANE CULVERT REPLACEMENT PROJECT. [BIRKHOFF/MACHADO/OLSON]
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH PHASE 4A & 4B PRELIMINARY PLAT. [BIRKHOFF/MACHADO]
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 777, UPDATING ORDINANCE NO. 725, SPECIFICALLY ADDRESSING BRUSH (STORAGE, COLLECTION AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE REGULATIONS). [SHELBY]

ROUTINE ITEMS

8. FUTURE AGENDA ITEMS

UPDATE(S):

- HOME RULE CHARTER COMMISSION (HRCC) UPDATE [SHELBY]

9. 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 June 28, 2019 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.

Date Notice Removed

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.

CITY OF PARKER

2019 PLANNING CALENDAR



<u>April - May</u>	Mailing of "Notices of Appraised Value" by Chief Appraiser.
<u>April 30</u>	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.
<u>May 15</u>	Deadline for submitting Appraisal Records to ARB.
<u>July 20</u>	Deadline for ARB to approve Appraisal Records.
<u>July 25</u>	Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.
<u>Aug</u>	Certification of anticipated collection rate by collector.
<u>July 25 - Aug.</u>	Calculation of Effective and Rollback Tax Rates.
<u>July 25 - Aug.</u>	Submission of Effective and Rollback Tax Rates to governing body from the Tax Office.
<u>Aug. 2, 2019</u>	72 Hour Notice for Meeting (Open Meetings Notice).
<u>Aug. 6, 2019</u>	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.
<u>Aug. 12, 2019</u>	Publish the "Notice of 2019 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.
<u>Aug. 16, 2019</u>	72 Hour Notice for First Public Hearing (Open Meetings Notice).
<u>Aug. 20, 2019</u>	First Public Hearing At least 7 days after publication of "Notice of 2019 Property Tax Rates.
<u>Aug. 23, 2019</u>	72 Hour Notice for Second Public Hearing (Open Meetings Notice).
<u>Aug. 27, 2019</u>	Second Public Hearing 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.
<u>Aug. 30, 2019</u>	72 Hour Notice for Meeting at which Governing Body will Adopt Tax Rate (Open Meetings Notice). Meeting to Adopt 2019 Tax Rate. Meeting to adopt must be no later than September 18, 2019.
<u>Sept. 3, 2019</u>	Schedule meeting three to fourteen (3 to 14) days <u>after</u> second Public Hearing.
Noon on September 18	Deadline to submit the Tax Rate Ordinance to the Collin County Tax Office.

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 2019 Tax Rate to the Tax Office by
Noon on September 18, 2019.**



Council Agenda Item

Item 4
C'Sec Use Only

Budget Account Code:	Meeting Date: July 2, 2019
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: June 26, 2019
Exhibits:	<u>Proposed Minutes</u>

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR JUNE 18, 2019. [SCOTT GREY]

SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at PGrey@parkertexas.us prior to the City Council meeting.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	06/27/2019
City Attorney:		Date:	
Acting City Administrator:	<i>Luke B. Olson</i>	Date:	06/28/2019

MINUTES
CITY COUNCIL MEETING
JUNE 18, 2019

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Lee Pettle called the meeting to order at 7:00 p.m. Councilmembers Diana M. Abraham, Cindy Meyer, Edwin Smith, Ed Standridge and Patrick Taylor were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/H.R. Manager Grant Savage, City Attorney Brandon Shelby (arrived at 7:22 p.m.), Fire Chief Mike Sheff, Police Chief Richard Brooks and Public Works Director Gary Machado

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Sheryl Burk led the pledge.

TEXAS PLEDGE: Stephanie Casson led the pledge.

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

Sheryl Burk, 6806 Estados Drive, said the ditch in front of her home needs to be cleaned out and she is physically unable to do it herself. Ms. Burk stated her neighbor recently put levees in his yard which puts water in the ditch and the water will soon be to or in her home. She asked for help to comply with City Codes and Ordinances before she is fined. (See Exhibit 1 – Sheryl Burk's pictures, dated June 18, 2019.)

John Griego, 6601 Poco Drive, said he lived near Ms. Burk and would be happy to clean her ditch. He indicated he has cleaned many of the ditches in his neighborhood as well as his own ditch to help alleviate some of his drainage issues. Mr. Griego thanked the City for notifying/reminding residents it is their responsibility to clean their ditches. This has helped the whole area and helped improve his drainage. He also suggested the City reminders to clean the ditches include a deadline date.

Terry Lynch, 5809 Middleton Drive, asked to speak during Item #7, discussion and/or any appropriate direction on Ordinance No. 775, updating Ordinance No. 459, specifically excluding/including groups (Solicitors and Peddlers regulations). [Shelby]

ITEMS OF COMMUNITY INTEREST

- **FRIDAY, JULY 5, 2019, CITY OFFICES WILL BE CLOSED**
The City of Parker will be closed July 4 and July 5. Emergency Fire and Police Services will continue as usual.
- **NATIONAL NIGHT OUT (NNO) – TUESDAY, OCTOBER 1, 2019, 6:00 P.M. – 9:00 P.M.**
Parker residents were encouraged to contact City Staff to schedule their visits.

- **PROJECTED 2019 TAX RATE PLANNING CALENDAR**

A Budget Work Session was rescheduled for Monday, July 15, 2019, 7:00 p.m. (previously Tuesday, July 16, 2019, 6:00 p.m. prior to the City Council meeting).

A Budget Work Session set for Tuesday, July 30, 2019, 7:00 p.m. was canceled due to the fact some of the Councilmembers were unavailable.

A Budget Work Session was set for Tuesday, August 6, 2019, 7:00 p.m. and is also noted as the date on the 2019 Planning Calendar for the Governing Body to discuss the Tax Rate.

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. APPROVAL OF MEETING MINUTES FOR MAY 14, 2019. [SCOTT GREY]
2. APPROVAL OF MEETING MINUTES FOR MAY 21, 2019. [SCOTT GREY]
3. APPROVAL OF MEETING MINUTES FOR JUNE 4, 2019. [SCOTT GREY]
4. DEPARTMENT REPORTS-COURT, POLICE AND WEBSITE
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-603, PROVIDING FOR THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PARKER, TEXAS, AND THE CITIES OF PLANO AND ALLEN, TEXAS, FOR COMMUNICATION SERVICES. [BROOKS] [TABLED – 05212019]

MOTION: Councilmember Taylor moved to approve consent agenda items 1 and 5 as presented. Councilmember Abraham seconded with Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-607, AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF 8 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC. [SHELBY]

There was some discussion whether the City was already a member and participating in this steering committee. It was determined the City was a member for ATMOS and not yet a member for Oncor and participating would cost the City approximately \$400 or less.

City Attorney Brandon Shelby arrived at 7:22 p.m.

MOTION: Councilmember Taylor moved to approve Resolution No. 2019-607, authorizing participation with the steering committee of cities served by Oncor; and authorizing the payment of 8 cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor electric delivery company, LLC. Councilmember Smith seconded with Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

7. DISCUSSION AND/OR ANY APPROPRIATE DIRECTION ON ORDINANCE NO. 775, UPDATING ORDINANCE NO. 459, SPECIFICALLY EXCLUDING/INCLUDING GROUPS (SOLICITORS AND PEDDLERS REGULATIONS). [SHELBY]

Terry Lynch, 5809 Middleton Drive, inquired why Ordinance No. 775, updating Ordinance No. 459 (Solicitors and Peddlers Regulations) was on the agenda and whether regulating solicitors and peddlers is something the City should be regulating. Ms. Lynch asked that the ordinance be revoked. (See Exhibit 2 – Terry Lynch's comments, dated June 18, 2019.)

After discussion, City Council referred Ordinance No. 459, passed and approved on May 11, 1999, to City Attorney Shelby for review and possible updates, if needed. Mr. Shelby will bring his recommendations to City Council when completed.

City Attorney Shelby noted conflicts in Section 2 of Ordinance No. 459, regarding minors.

8. DISCUSSION AND/OR ANY APPROPRIATE DIRECTION ON ORDINANCE NO. 776, UPDATING ORDINANCE NO. 358, SPECIFICALLY ADDRESSING FALSE/POWER FAILURE ALARMS (FIRE AND POLICE ALARM SYSTEMS REGULATIONS). [SHELBY]

After discussion, City Council referred Ordinance No. 358, passed and approved on February 8, 1994, to City Staff for review and possible updates, if needed. City Staff will bring any recommendations to City Council when completed.

9. DISCUSSION AND/OR ANY APPROPRIATE DIRECTION ON ORDINANCE NO. 777, UPDATING ORDINANCE NO. 725, SPECIFICALLY ADDRESSING BRUSH (STORAGE, COLLECTION AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE REGULATIONS). [SHELBY]

After discussion, City Council directed City Attorney Shelby to revise Ordinance No. 725 (Amending Ordinance No. 706 and 666) (Regulating Storage, Collection, and Disposal of Brush and Bulky Items of Solid Waste), specifically Sections 2 and 4, to reflect brush and bulky items may be placed by the street for pick up no earlier than the Friday, Saturday, or Sunday prior to the scheduled Monday pick up service and further prior to Friday before the scheduled pick up service, the brush and bulky items shall be stored out of sight on the resident's property.

MOTION: Councilmember Meyer moved to approve Ordinance No. 777, updating Ordinance No. 725. (*Since this item's caption was for discussion/direction, the item will be placed on the July 2, 2019 City Council agenda for official approval/vote.*) Councilmember Standridge seconded with Councilmembers Abraham, Meyer, Smith, and Standridge voting for the motion. Councilmember Taylor voting against the motion. Motion carried 4-1.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 766, REINSTITUTING THE PARKER PARKS AND RECREATION COMMISSION. [PETTLE/OLSON/SHELBY] [TABLED – 10082018]

After discussion, City Council recommended tabling this item, requesting interested Parker residents to come forward and speak at a future City Council meeting (To be determined – TBD) to confirm community interest in reinstituting the Parker Parks and Recreation Commission. Interested residents were asked to contact Mayor Lee Pettle at lpettle@aol.com or City Secretary Patti Scott Grey at PGrey@parkertexas.us.

MOTION: Mayor Pro Tem Standridge moved tabled Ordinance No. 766, reinstituting the Parker Parks and Recreation Commission. Councilmember Smith seconded with

Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

11. FUTURE AGENDA ITEMS

UPDATE(S):

- TRANSPORTATION UPDATE [STANDRIDGE]

Mayor Pro Tem Standridge said the City of Parker was being represented at the monthly Collin County Transportation Committee meetings. Parker Road is still on schedule for completion in summer of 2021, weather permitting. Collin County is moving forward with the U.S. 380 expansion, acquiring the necessary land/property. Discussions are still underway regarding the Dillehay Drive/Hogge Road transition and whether it will or can be straightened or not. Mr. Standridge also indicated a decision on the transition may be delayed until 2022. Additional money is being allocated for transportation needs. Finally, the widening of Springhill Estates has not been scheduled and is not on the list of projects at this time.

Mayor Pettle asked if there were any items to be added to the future agenda list. Hearing none, she encouraged everyone to email her any requests.

Mrs. Pettle stated the next regularly scheduled City Council meeting would be Tuesday, July 2, 2019 at 7:00 p.m. and the next Home Rule Charter Commission (HRCC) meeting would be June 25, 2019 at 7:00 p.m.

Mayor Pettle asked City Council and City Attorney Shelby if there was a need to recess into Executive Session tonight. Everyone indicated they were not aware of any issues.

12. ADJOURN

Mayor Lee Pettle adjourned the meeting at 8:54 p.m.

APPROVED:

Mayor Lee Pettle

ATTESTED:

Approved on the 2nd day
of July, 2019.

Patti Scott Grey, City Secretary

Exhibit 1



June 18, 2019





Terry Lynch, 5809 Middleton Dr.

Here to address the Agenda Item relating to the Ordinance Regulating Solicitors and Peddlers.

The council packet did not include background information to explain – why it is being brought to council – complaints/sunset review/ etc?; Is the ordinance being enforced, how many vendors are registered, what revenues in the last two years.

The first question that comes to my mind after reading the ordinance is – Is control of “solicitors” an appropriate governmental duty?

I hope that Council members will ask these questions. I also hope they will solicit input from staff on costs/benefits and effectiveness.

I do not think this is an appropriate duty of our city government and ask council to revoke this ordinance.

I do recognize that there are homeowners that would prefer not to have people visit their home, but isn’t the most effective way with a sign at the entrance of a home? Perhaps to assist homeowners the city could include “educational information” in periodic newsletters and on the city’s website – how to stop solicitors from coming to your door.

The city staff and council are making efforts to increase transparency, it shows, and I appreciate it. However, I do ask that council consider requesting that more information be included in meeting packets not only to assist in making informed decisions but also providing residents of the facts of issues being addressed and used in making decisions.

I would also like to ask council to consider my comments about publishing and reviewing relevant facts before actions are taken when the next topic of Regulation of Fire and Police Alarm Systems is addressed. For instance: how many alarm registrations do we have; how many false alarms are reported in a year; how many homes does this relate to; what are the causes of the false alarms.



Council Agenda Item

Item 5
C'Sec Use Only

Budget Account Code:	Meeting Date: July 2, 2019
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Olson
Estimated Cost:	Date Prepared: June 26, 2019
Exhibits:	<ol style="list-style-type: none">1. Proposed Resolution2. City Engineer Letter, dated June 26, 20193. Bid Summary4. Tabulation of Bids

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-608 AWARDING THE 2019 GREGORY LANE CULVERT REPLACEMENT PROJECT. [MACHADO/OLSON]

SUMMARY

The 2019 Gregory Lane Culvert Replacement was advertised in the Dallas Morning News on June 9, 2019 and June 16, 2019. The bids were received at 1:15 p.m., Tuesday, June 25, 2019.

As stated in City Engineer Birkhoff's letter dated June 26, 2019, Four Star Excavating of Dallas, Texas submitted the low base bid in the amount of \$299,679.00 and the low base bid plus deductive alternate in the amount of \$279,697.00. The deductive alternate of (\$20,000.00) is available if the city can obtain an alternate route to ingress and egress local traffic during a 7-day road closure of Gregory Lane. The base bid allows for one-way traffic during along half of the culvert to be constructed at a time.

We have checked the references provided and based on experience in other cities, this contractor has satisfactory experience in this type of work. Accordingly, based on the information we have available to us, we recommend that the City accept the base bid, and award Four Star Excavating a construction contract in the amount of \$299,679.00. If a detour can be achieved the deductive bid item will be applied to the contract.

We are available to discuss our recommendation further at your convenience.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			

Department Head/ Requestor:	<i>Gary Machado</i>	Date:	06/27/2019
City Attorney:		Date:	
City Administrator:	<i>Luke Olson</i>	Date:	06/28/2019

RESOLUTION NO. 2019-608
(Gregory Lane Culvert Replacement)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH FOUR STAR EXCAVATING OF DALLAS, TEXAS FOR THE GREGORY LANE CULVERT REPLACEMENT PROJECT; 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 authorized its engineering firm, Birkhoff, Hendricks, & Carter, LLP, to seek bids to perform work on a project known as the Gregory Lane Culvert Replacement Project; and,

WHEREAS, on June 25, 2019 two (2) bids were received; and,

WHEREAS, Birkhoff, Hendricks, & Carter, LLP confirmed the satisfactory record of the lowest bidder, Four Star Excavating of Dallas, Texas and recommended the bid be awarded to same.

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

SECTION 1. That Four Star Excavating is hereby awarded the bid in the total amount of Two Hundred Ninety Nine Thousand Six Hundred Seventy Nine Dollars and Zero Cents (\$299,679.00) for the Gregory Lane Culvert Replacement Project; and that the Mayor be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract with Four Star Excavating for the project.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 2nd day of July, 2019.

APPROVED:
CITY OF PARKER

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

Proposed

BIRKHOFF, HENDRICKS & CARTER, L.L.P. PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

June 26, 2019

Mr. Gary Machado
Director of Public Works
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Gregory Lane Culvert Replacement

Dear Mr. Machado:

We have checked the bids received at 1:15 p.m., Tuesday, June 25, 2019 for the Gregory Lane Culvert Replacement project. We are enclosing six (6) copies of the Bid Summary and Itemized Bid Tabulation.

Four Star Excavating of Dallas, Texas submitted the low base bid in the amount of \$299,679.00 and the low base bid plus deductive alternate in the amount of \$279,697.00. The deductive alternate of (\$20,000.00) is available if the city can obtain an alternate route to ingress and egress local traffic during a 7-day road closure of Gregory Lane. The base bid allows for one-way traffic during along half of the culvert to be constructed at a time.

We have checked the references provided and based on experience in other cities, this contractor has satisfactory experience in this type of work. Accordingly, based on the information we have available to us, we recommend that the City accept the base bid, and award Four Star Excavating a construction contract in the amount of \$299,679.00. If a detour can be achieved the deductive bid item will be applied to the contract.

We are available to discuss our recommendation further at your convenience.

Sincerely,



John W. Birkhoff, P.E.

Enclosures

CITY OF PARKER, TEXAS
Gregory Lane Culvert Replacement

BID SUMMARY

Bids Received Until 1:15 p.m., Tuesday, June 25, 2019

<u>Contractor</u>	<u>Total Amount Bid</u>
1. Four Star Excavating 6825 Levelland Road, Suite 2B Dallas, Texas 75252	\$ 299,697.00
2. Grod Construction LLC. 889 E. Rock Island Ave. Boyd, Texas 76023	\$ 353,218.00

TABULATION OF BIDS

Date: June 25, 2019

Project: CITY OF PARKER, TEXAS
Gregory Lane Culvert Replacement

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
Dallas, Texas

BID OF

Four Star Excavating
6825 Levelland Road, Suite 2B
Dallas, Texas 75252

BID OF

Grod Construction LLC.
889 E. Rock Island Ave.
Boyd, Texas 76023

Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension
1	36	L.F.	Furnish & Install 10-foot x 6-foot Precast concrete box culvert	\$1,922.00	\$ 69,192.00	\$2,000.00	\$ 72,000.00
2	2	Ea.	Furnish & Place TxDOT PW headwall	\$29,200.00	\$ 58,400.00	\$29,500.00	\$ 59,000.00
3	168	S.Y.	Furnish & Place reinforced concrete channel lining	\$79.00	\$ 13,272.00	\$111.00	\$ 18,648.00
4	12	S.Y.	Furnish & Place reinforced concrete pilot channel	\$80.00	\$ 960.00	\$111.00	\$ 1,332.00
5	300	C.Y.	Unclassified channel excavation	\$58.00	\$ 17,400.00	\$116.00	\$ 34,800.00
6	100	C.Y.	Compacted fill (embankment)	\$58.00	\$ 5,800.00	\$111.00	\$ 11,100.00
7	160	L.F.	Furnish & Install metal beam guard fence with wood post	\$23.00	\$ 3,680.00	\$55.00	\$ 8,800.00
8	4	Ea.	Furnish & Install terminal with object marker	\$4,200.00	\$ 16,800.00	\$3,550.00	\$ 14,200.00
9	70	L.F.	Furnish & Install three strand barbed wire fence	\$20.00	\$ 1,400.00	\$12.00	\$ 840.00
10	1	L.S.	Furnish, Install & Maintain rock check dam	\$2,500.00	\$ 2,500.00	\$1,350.00	\$ 1,350.00
11	45	C.Y.	Furnish & Install Grade 4 crushed stone	\$75.00	\$ 3,375.00	\$115.00	\$ 5,175.00
12	53	TON	Furnish & Place 2-inch TxDOT Type D asphalt	\$171.00	\$ 9,063.00	\$183.00	\$ 9,699.00
13	53	TON	Furnish & Place 2-inch TxDOT Type B asphalt	\$171.00	\$ 9,063.00	\$183.00	\$ 9,699.00
14	230	C.Y.	Furnish & Compact 18-inch flex base	\$75.00	\$ 17,250.00	\$160.00	\$ 36,800.00
15	7	Ea.	Remove trees including root ball and dispose	\$900.00	\$ 6,300.00	\$675.00	\$ 4,725.00
16	1	L.S.	Remove and dispose 48-inch CMP with 36-inch plastic pipe	\$3,500.00	\$ 3,500.00	\$2,500.00	\$ 2,500.00
17	1	Ea.	Remove and dispose 84-inch metal pipe	\$10,000.00	\$ 10,000.00	\$4,500.00	\$ 4,500.00
18	1	L.S.	Remove and dispose reinforced concrete headwall (approx. 43 S.Y.)	\$7,700.00	\$ 7,700.00	\$5,500.00	\$ 5,500.00

TABULATION OF BIDS

Date: June 25, 2019

 Project: CITY OF PARKER, TEXAS
 Gregory Lane Culvert Replacement

 BIRKHOFF, HENDRICKS & CARTER, L.L.P.
 PROFESSIONAL ENGINEERS
 Dallas, Texas

BID OF

 Four Star Excavating
 6825 Levelland Road, Suite 2B
 Dallas, Texas 75252

BID OF

 Grod Construction LLC.
 889 E. Rock Island Ave.
 Boyd, Texas 76023

Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension
19	76	L.F.	Remove and dispose barbed wire fence	\$20.00	\$ 1,520.00	\$5.00	\$ 380.00
20	480	S.Y.	Remove and dispose asphalt pavement. Including saw cut.	\$10.00	\$ 4,800.00	\$27.00	\$ 12,960.00
21	2	Ea.	Furnish and install flood gate	\$1,500.00	\$ 3,000.00	\$1,800.00	\$ 3,600.00
22	62	L.F.	Furnish and install 6-Inch PVC waterline by open cut, including embedment	\$119.00	\$ 7,378.00	\$110.00	\$ 6,820.00
23	32	L.F.	Furnish and install 6-Inch PVC waterline with 16-Inch steel encasement pipe, including spacers	\$133.00	\$ 4,256.00	\$375.00	\$ 12,000.00
24	2	Ea.	Furnish and install 6-Inch resilient seated gate valve	\$2,600.00	\$ 5,200.00	\$2,200.00	\$ 4,400.00
25	2	Ea.	For connection to 2.5-Inch waterline complete in place	\$3,600.00	\$ 7,200.00	\$3,450.00	\$ 6,900.00
26	1	L.S.	For furnishing and placing flowable sill backfill in waterline trench, complete	\$10,000.00	\$ 10,000.00	\$3,800.00	\$ 3,800.00
27	1	L.S.	For furnishing Trench Safety Plan	\$500.00	\$ 500.00	\$750.00	\$ 750.00
28	94	L.F.	For furnishing, installing and maintaining Trench Safety Systems, complete	\$2.00	\$ 188.00	\$10.00	\$ 940.00
			SUB TOTAL BASE BID		\$ 299,697.00		\$ 353,218.00
101	1	L.S.	Reduction in Contract amount to close the entire road to construct culverts and paving; complete	(\$20,000.00)	\$ (20,000.00)	(\$7,000.00)	\$ (7,000.00)
			SUB TOTAL AMOUNT OF DEDUCTIVE ALTERNATE		\$ (20,000.00)		\$ (7,000.00)
			GRAND TOTAL AMOUNT OF BID (Base Bid + Alternate)		\$ 279,697.00		\$ 346,218.00



Agenda Item

Item 6
C'Sec Use Only

Budget Account Code:	Meeting Date: July 2, 2019
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:	Date Prepared: June 27, 2019
Exhibits:	<ol style="list-style-type: none">1. Craig M. Kerkhoff, P.E., C.F.M letter, dated June 20, 20192. Development Application - Parker Ranch Phase 4A & 4B3. Special Warranty Deed - Parker Ranch Phase 4A & 4B4. Parker Ranch Phase 4A & 4B Metes and Bounds description5. Preliminary Plat

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH PHASE 4A & 4B PRELIMINARY PLAT. [BIRKHOFF/MACHADO]

SUMMARY

Please review the information provided for Parker Ranch Phase 4A & 4B Preliminary Plat, 4A (55.031 Acres, 32 Residential Lots) 4B (19.118 Acres, 14 Residential Lots). The Preliminary Plat was recommended for approval June 27, 2019 by the Planning and Zoning (P&Z) Commission. Per Craig Kerkhoff' s letter, dated June 20, 2019, the Preliminary Plat and engineering plans are in general compliance with the City of Parker's development requirements and good engineering practice, offering no objection.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
ACA/CS:	<i>Patti Scott Grey</i>	Date:	06/28/2019
Public Works Director	<i>Gary Machado</i>		06/28/2019
City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	06/28/2019

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.

GARY C. HENDRICKS, P.E.

JOE R. CARTER, P.E.

MATT HICKEY, P.E.

ANDREW MATA, JR., P.E.

JOSEPH T. GRAJEWSKI, III, P.E.

DEREK B. CHANEY, P.E.

CRAIG M. KERKHOFF, P.E.

June 20, 2019

Mr. Gary Machado
City Administrator
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Parker Ranch Estates – Phase 4A & 4B

Dear Mr. Machado:

As you requested, we have reviewed the Engineering Plans for the Parker Ranch Estates – Phase 4A development prepared by Westwood Professional Services, Inc., dated June 20, 2019. We received these plans from Westwood Engineering electronically on June 20, 2019.

Our review of the Engineering Plans is for general compliance with the City of Parker's development requirements and good engineering practice, and does not relieve the engineer of record of his responsibilities under the Texas Engineering Practice Act. Listed below are our review comments.

We offer no further comments for the plans submitted for Phase 4A and 4B.

We are available to discuss our review comments further at your convenience.

Sincerely,



Craig M. Kerkhoff, P.E., C.F.M.

WAIVER OF EXPEDITION

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

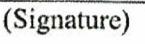
APPLICANT:


(Signature)
Name: Keith Hardesty
Title: Division President
Phone: 214-683-5789
Address: 500 Crescent Court Suite 300
Dallas TX 75201

Date: _____

Corporation; Partnership;
 Individual; or
 Other (description) _____

CITY OF PARKER:
RECEIVED BY:


(Signature)
Name: _____
Title: _____
Date: _____

SUBMITTAL DEADLINES: Twenty eight (28) days prior to the Planning and Zoning Commission Meeting Date. Planning and Zoning Commission meets the second and fourth Thursday of each month.

SUBMISSIONS. Failure to submit all materials (including three sets of bound engineering plans) to the City with this application will result in delays scheduling the agenda date. Submit twelve (12) FOLDED to 8 1/2" X 11" copies of 24" X 36" prints [1"=100' scale] + electronic version in .jpeg, .tiff, or .pdf format. Applicant is to submit a complete copy of this application and drawings to the City Engineer

ALL APPLICATIONS MUST BE COMPLETE BEFORE THEY WILL BE PLACED ON A CITY AGENDA. It is the applicant's responsibility to be familiar with and to comply with, all City submittal requirements in the Zoning and Subdivision Ordinance (www.parkertexas.us), and any separate submittal policies, requirements and/or checklists that may be obtained from City staff)

NOTICE OF PUBLIC RECORDS: The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e. copy) such documents.

SUBMITTAL FEES: All fees are due and payable at the time of application, except inspection, engineering and legal fees, which are due at the time of pre-Construction meeting with the City. No construction shall take place prior to the pre-construction meeting and submission of certified construction cost bid(s) by the contractor(s) and Owner. 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.

City Contact Information:

Public Workers Superintendent
City of Parker, Texas
5700 E. Parker Road * Parker, Texas 75002
Phone 972-442-6811 * Fax 972-442-2894 * www.parkertexas.us

OFFICE USE ONLY This submittal meets the City of Parker's requirements per City ordinances for processing.

Signature	Title	OFFICIAL SUBMISSION DATE
Fees Paid \$ _____	Check # _____	From : _____
P&Z Agenda Date: _____	Action: _____	CC Agenda Date: _____ Action: _____
Current Zoning: _____	Ordinance Number: _____	Date Approved: _____
Staff Comments forwarded to applicant on: _____	Revisions Due no later than: _____	
Plans routed for review on _____, to:	<input type="checkbox"/> Public Works Director <input type="checkbox"/> City Engineer <input type="checkbox"/> Building Official <input type="checkbox"/> Fire Department	
Public Hearing Required: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Paper Notice _____ (date)		
Written Notice _____ (date)		

SUBMITTAL REQUIREMENTS:

Failure to submit all materials to the City with complete application will result in delays scheduling the agenda date.

- Five (5) FOLDED copies of drawing(s) 24" X 36" [1"=100' scale]
- Twelve (12) FOLDED 11 X 17
- Three (3) Complete Engineering Plans (if applicable)

N/A Three (3) General Tree Survey

- Property Metes and Bounds on 8 1/2 X 11 Sheet
- Proof of Ownership (Warranty Deed or Tax Certificate)
- Power of Attorney

The face of the plat shall show the following:

- Date of preparation
- Scale of plat
- North arrow
- Name and address of:
 - Applicant
 - Engineer or Surveyor responsible for preparation of plat
- Survey and abstract with tract designation
- Location of major and/or secondary thoroughfares located with or adjacent to the property.
- Location of existing or platted streets within and adjacent to the existing property
- Location of existing right-of-ways, utility and/or drainage easements.
- Vicinity map showing location of tracts by reference to existing streets or highways.
- Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision. The subdivision boundary shall be construed to include the part of adjacent boundary streets which were previously established by dedication or purchase from the tract being subdivided.
- Legal description of the property to be subdivided, and metes and bounds description of the subdivision perimeter.
- Primary control points or descriptions, and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referred.
- Names of the owners of contiguous parcels of un-subdivided land, and names of contiguous subdivisions and the County Recorder's book and page number thereof, and the lot patterns of these subdivisions.
- Location of the city limits lines, the outer border of the City's extraterritorial jurisdiction and zoning district boundaries, if they traverse the subdivision, or form part of the boundary of the subdivision, or are contiguous to such boundary.
- If there is no adjacent subdivision, a map on a small scale shall be included with the preliminary plan, and oriented the same way, to show the nearest subdivision in each direction; it shall show how the streets, alleys, or highways in the subdivision submitted may connect with those in the nearest subdivision, if situated within two thousand (2,000) feet of the proposed subdivision.
- All other data required by the Zoning and Subdivision Ordinances, available for view at www.parkertexas.us.

First Texas Homes

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	CITY OF PARKER BALANCE
11-27-18	PR4A.PRELIM	PR4A PRELIM PLAT FE	2450.93	.00	2450.93
CHECK DATE	11-28-18	CHECK NUMBER	291897	TOTAL >	2450.93

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

First Texas Homes

500 Crescent Court #350
Dallas, Texas 75201

Frost Bank
Dallas, Texas

DATE	CHECK NO.	AMOUNT
November 28, 2018	291897	\$*****2,450.93

Pay: *****Two thousand four hundred fifty dollars and 93 cents

PAY
TO THE
ORDER OF

CITY OF PARKER

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

000 291897 114000093

6500 28215



January 8, 2004

Development Services

City of Parker
Betty McMenamy, City Administrator
5700 E. Parker Rd.
Parker, TX 75002

Dear Ms. McMenamy:

Please let this letter serve as a reminder that every subdivided plat of land that will utilize On-Site Sewage Facilities (OSSFs) for wastewater disposal (in the ETJ as well as within your City limits) **MUST** be signed off by Collin County Development Services, prior to gaining final approval, or the plat is invalid.

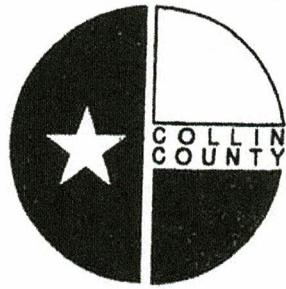
The TCEQ regulation section 285.4(c) states that, "Before the permit process for individual OSSFs can begin, persons proposing residential subdivisions, manufactured housing communities, multi-unit residential developments, business parks or other similar uses and using OSSFs for sewage disposal shall submit planning materials for these developments to the permitting authority." Collin County is the permitting authority for all unincorporated land, ETJ, and in certain city limits (through adoption of an interlocal agreement). "The planning materials shall be prepared by a professional engineer or professional sanitarian and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells, location of easements, and a complete report detailing the types of OSSFs to be considered, and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials. The permitting authority will either approve or deny the planning materials in writing within 45 days of receipt." Collin County charges a \$150.00 fee for subdivision plat review.

Please make sure that the on-site sewage facility review remains part of your city's platting workflow process, so that we can assure that our subdivisions are compliant with state regulations.

If you have any questions please call me at 972-548-5585.

Sincerely,

Misty Brown
Development Services Division Manager



Public Services & Operations

December 9, 2004

Betty McMenamy, City Administrator
City of Parker
5700 E. Parker Rd
Parker, TX 75002

Re: Request to be present at subdivision hearings.

Dear Mrs. McMenamy

This letter is to request that Collin County be informed of any upcoming preconstruction hearings regarding sub-divisions fronting county roads in your city. Collin County would like to have a representative present at these hearings. Please direct any correspondence to: James Lorance @ 972-548-3712 or jlorance@co.collin.tx.us or Bobby Jones @ 972-548-3743 or bjones@co.collin.tx.us.

Thanks,

Bobby Jones, Utility Construction Inspector

BEING a 55.031 acre tract of land situated in the City of Parker, Collin County, Texas, being a part of the John Snider Survey, Abstract No. 848, and being the same land described as 55.031 acres in deed to JBGL Kittyhawk, LLC of record in Instrument No. 20150903001126800 of the Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at an "X" found in the concrete pavement of Malone Road (a public road) in the west line of a 30' right-of-way dedication to the City of Allen, Texas of record in Volume 4214, Page 1763 and Volume 4244, Page 3622, both of the Deed Records, Collin County, Texas, said "X" marking the northeast corner of said 55.0291 acre tract;

THENCE South 00°23'50" East along Malone Road and with the west line of said dedication, a distance of 1,320.72 feet to an "X" found in the concrete pavement for the most easterly northeast corner of the 205.9329 acre tract of land conveyed to First Texas Homes, Inc. by deed of record in Clerk's File No. 20141229001413160 of said Official Public Records, said "X" marking the southeast corner of said 55.031 acre tract;

THENCE South 89°16'48" West with the north line of said 205.9329 acre tract, a distance of 1,815.00 feet to a 1/2" iron rod found marking an ell corner in the north line of said 205.9329 acre tract and the southwest corner of said 55.031 acre tract;

THENCE North 00°23'20" West a distance of 1,320.95 feet to a 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS" found in the south line of the 50' easement to North Texas Municipal Water District of record in Volume 2882, Page 480 of said Deed Records, said rod being the northwest corner of said 55.0291 acre tract, and being the northeast corner of said 205.9329 acre tract;

THENCE North 89°17'14" East with the south line of said 50' easement, a distance of 1,814.81 feet to the **POINT-OF-BEGINNING** and containing **2,397,149 Square Feet or 55.031 Acres of land.**

ORDINANCE NO. 546

AN ORDINANCE OF THE CITY OF PARKER, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF PARKER AS HERETOFORE AMENDED, BY ZONING A NEWLY ANNEXED PARCEL OF LAND OF APPROXIMATELY 399.7 ACRES OF LAND, AND ADDITIONAL LAND OF APPROXIMATELY 43 ACRES, EACH, IN COLLIN COUNTY, TEXAS, FOR A TOTAL OF APPROXIMATELY 443.309 ACRES, SAID PARCEL OF LAND BEING ZONED IN ITS NORTHERN PORTION SINGLE FAMILY TRANSITIONAL (SFT), AND ITS SOUTHERN PORTION SINGLE FAMILY (SF), AS SET FORTH SPECIFICALLY HEREIN, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Parker Planning and Zoning Commission and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the City of Parker should be amended to zone the land described herein,

WHEREAS, by Ordinance No. 518, the City of Parker did annex approximately 399.7 acres of land in the John Snyder Survey, Abstract 848, Collin County, Texas, portions of which were owned by the Hall families, and the Bolin families; and

WHEREAS, Douglas Properties, Inc. has requested zoning of those properties as set forth in this Ordinance, together with an additional parcel of land of approximately 43 acres; and

WHEREAS, the total of approximately 443.309 acres is to be zoned by this Ordinance in its northern portion, Single Family Transitional (SFT), and its southern portion, Single Family (SF), as more particularly described below:

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

SECTION 1. The Comprehensive Zoning Ordinance of the City of Parker, Texas, Ordinance 483, as heretofore amended, be, and the same is hereby amended by zoning the 443.309 acre tract (the "Subdivision" or the "443.309 acre tract") submitted by Douglas Properties, Inc. (the "Developer"), more particularly described by metes and bounds as shown on the attached Exhibit A, to zone the property in its northern portion as Single Family Transitional (SFT), and in its Southern portion as Single Family (SF). The areas of SFT (the "SFT tract"), and SF (the "SF tract"), are each specifically described by Exhibit B. The zoning and special conditions of the SFT and the SF tracts are as follows:

SPECIAL CONDITIONS

1. The southern thirty (30%) percent of the Subdivision shall be zoned Single Family (SF). The metes and bounds description of the SF portion of the Subdivision is as shown in the attached Exhibit B. The Developer will submit to the City a survey of the property showing the dividing line between the SF and SFT tracts, with an additional copy reduced in size and appropriate for attaching to this Ordinance as Exhibit B2. The line dividing the SF and SFT tracts (the "SF/SFT boundary line") may be placed by the Developer to include an area of the Subdivision which is greater than 30%, should the Developer desire to do so. The area of the Subdivision north of the SF/SFT boundary line shall be SFT, and the area of the Subdivision south of said line shall be SF. All of the Subdivision south of the right of way dedicated for Chaparral Road shall be zoned SF.

2. Any platted lot whose area is crossed by the SF/SFT boundary line shall conform to whichever zoning classification in which more than half of the lot lies. In the event the lot is divided 50/50 by the SF/SFT boundary line, the lot shall be SF.

3. All lots in the Subdivision which are adjacent to, and have a contiguous lot line with a developed Parker Residential lot must be two acres net. A "Parker Residential lot" is defined as a lot contiguous to the Subdivision which is developed and utilized as a residential lot on or before the date of preliminary plat approval of the Subdivision. The preliminary plat shall include all of the Subdivision.

4. No more than 246 single family residential lots shall be platted or permitted on the 443.309 acre tract, notwithstanding any other provision of this Ordinance, or lot density which might otherwise be permitted in the SF and/or SFT tracts.

5. No home shall face, nor shall any home have a driveway which shall access Chaparral Road, Allen Heights Drive, Springhill Estates Drive, or any other right-of-way in the Subdivision, or adjacent thereto, planned for construction as a four lane road, divided or undivided, and/or which includes a 105 foot wide right of way dedication (M4D-S).

6. The Developer shall provide an access road leading from the southern portion of the Subdivision (SF) in a southerly direction towards Parker Road. The location is to be approved by the City Council, on the recommendation of the City Engineer, and in compliance with the City's Master Thoroughfare Plan, at the time of review of the preliminary plat of the Subdivision. The Developer will submit with the preliminary plat a location for a 2 lane access road in the northwestern section of the Subdivision, to Allen Heights Drive.

7. The Developer shall construct a landscaped boulevard entrance to the Subdivision at the intersection of Chaparral Drive and Allen Heights/Springhill Estates Drive, in accordance with the landscape plan submitted by the Developer for approval by the City, and a construction plan approved by the City Engineer. The Chaparral intersection is in addition to the two lane access road described above in No. 6.

8. Chaparral Road will be constructed in the Subdivision by the developer, and dedicated to the public vehicular use. The specific construction schedule and specifications for Chaparral Road are as shown in Exhibit C, and as required in the Subdivision regulations.

(a) The road is to be designed with a one hundred-five (105) foot right of way, in accordance with the city's four-lane divided thoroughfare specifications designated as M4D-S. The initial construction of the road will be a two-lane road, with a fully developed landscaped and irrigated median between the lanes. Construction will be performed in such a way that the addition of two (2) additional lanes of traffic may be added to the two (2) initial lanes. The construction of Chaparral Road will begin on the western side of the Subdivision, where Chaparral Road intersects with Allen Heights Road/Springhill Drive, and shall continue in an easterly direction as the phases of the Subdivision are developed. The eastern end of Chaparral Road shall be placed as approved by the City Council upon approval of the preliminary plat. The eastern end point shall be at the eastern city limits of the City of Parker, at Malone Drive, north of the Easy Acres Subdivision. Chaparral Road shall be completed, and open for public use, at the request of the City, regardless of the stage of the Subdivision development, or upon the final plat approval for that phase of the Subdivision's development, whichever shall first occur. The developer's obligation to construct the entire length of Chaparral Road from the City's western boundary to the City's eastern boundary is required by this ordinance, and is not contingent on the development of the Subdivision.

(b) The landscape plan for Chaparral Road's entrance into the Subdivision at Allen Heights road shall be submitted by the developer for approval to the City Council on or before the date of preliminary plat approval.

9. The Developer is required to use all commercially reasonable good faith efforts to direct the traffic resulting from construction in the Subdivision to Allen Heights Road and Bethany Drive. All reasonable means are to be employed to reduce construction traffic on Springhill Drive and Parker Road.

10. The Developer will dedicate to the City an area of four (4) acres of land in the Subdivision for public purposes, including but not limited to ground or elevated water utility facilities, and/or fire, police and EMS services. The location of the tract will be determined by the City and the Developer prior to preliminary plat approval. The decision on the location of the public tract will not be unreasonably withheld, conditioned, or delayed by any party.

11. All trail systems within the Subdivision shall be available for use by the general public. All maintenance and repair of the trails system shall be provided and paid for by the Developer, the required and mandatory homeowners association, and/or the individual property owners whose land is encumbered by the trail, as the case may be. The trails system will be constructed by the Developer in accordance with the plans and specifications to be agreed upon by the City staff and the Developer, with input from the Conservancy of Parker. Such agreements are not to be unreasonably withheld, conditioned, or delayed, by the City, or the Developer.

12. The Developer agrees not to remove the existing treed areas in the Subdivision except to the absolute minimum amount of tree removal necessary for development. The tree removal, if any, will be done with the approval of the City staff with the advice of the Conservancy of Parker.

13. The Developer will submit a landscape plan, trail plan, and a tree plan, to the City for approval on or before the date of filing of the preliminary plat.

14. All onsite infrastructure, including roads and utilities, is to be constructed and paid for by the Developer. Any offsite required development will be governed by the City's Pro-Rata Ordinance, as limited by any State or Federal law.

15. The Developer and/or builder is to provide each residential structure with a septic system for each individual home. The septic system shall comply with all requirements of the City of Parker, Collin County, and the Texas Commission on Environmental Quality. No public sanitary sewer system will be constructed for the Subdivision.

16. The Developer will dedicate all additional right-of-way required by the City of Parker Subdivision Ordinance and the City of Parker Settlement Agreement of the annexation litigation with the City of Allen for that portion of Allen Heights Road adjacent to the Subdivision. The required right-of-way for Allen Heights Road will be dedicated, irrigated and landscaped. Landscape plans will be submitted with the preliminary plat. Maintenance and irrigation of all of Allen Heights right-of-way, as with all other common areas and landscaping in the Subdivision will be maintained and paid by the Developer and/or the Homeowner's Association.

SECTION 2. That the property shall be used only in the manner and for the purposes as required in the SFT and SF zoning classifications provided for by this Ordinance pursuant to the Amended Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and subject to the aforementioned special conditions. Any dispute as to the operation, effect, or interpretation of this Ordinance shall be determined by the Parker City Council at a meeting properly noticed and held on the subject.

SECTION 3. That should any sentence, paragraph, Subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon

conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the City Secretary.

ADOPTED this 23rd day of September, 2003, by
the Parker City Council

APPROVED:

David Hammel
David Hammel, Mayor

ATTEST:

Betty McMenamy
Betty McMenamy, City Secretary

Exhibits

- A. Subdivision Metes and Bounds
- B. SF & SFT Metes and Bounds
- C. Chaparral Road Specifications

EXHIBIT A
Subdivision Metes and Bounds

LEGAL DESCRIPTION

4286 LEG

BEING a tract of land situated in the City of Parker, Collin County, Texas and in the J. Snider Survey, Abstract No. 848, and being part of a tract of land described in a deed to Luther Bolin recorded in Volume 378, Page 48 of the Deed Records of Collin County, Texas and being part of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Collin County, Texas and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found on the east line of Allen Heights Drive (variable right of way) being the northwest corner of said Bolin tract;

THENCE, S 00° 25' 18" E, with said east right of way line a distance of 966.00 feet to the POINT OF BEGINNING;

THENCE, S 89° 33' 23" E, leaving said right of way line a distance of 1085.36 feet to a point for corner;

THENCE, N 00° 26' 37" E, a distance of 965.99 feet to a point on the south line of Bethany Ridge Estates, an addition to Collin County, Texas recorded in Cabinet J, Slide 692, of the Deed Records of Collin County, Texas;

THENCE, S 89° 33' 22" E, along the said south line of Bethany Ridge Estates a distance of 971.20 feet to the northwest corner of a tract of land described in deed to Allen ISD recorded in Clerks File Number 97-0039110 of the Deed Records of Collin County, Texas;

THENCE, S 00° 26' 37" W, along the west line of said Allen ISD tract a distance of 680.00 feet to a 3/8" iron rod found with cap stamped "CORWIN ENGR. INC.,"

THENCE, S 89° 33' 23" E, along the south line of said Allen ISD tract a distance of 803.32 feet to a 3/8" iron rod found with cap stamped "CORWIN ENGR. INC." being the southeast corner of said Allen ISD tract;

THENCE, N 00° 26' 37" E, with the east line of said Allen ISD tract a distance of 680.00 feet to a 5/8" iron rod found on the north line of said Bolin tract and on the south line of Bethany Ridge 3, an addition to Collin County, Texas recorded in Cabinet J, Slide 800 of the Deed Records of Collin County, Texas;

THENCE, S 89° 33' 23" E, with the common line of said Bolin tract and said Bethany Ridge 3, passing at a distance of 1002.10 feet, a 1/2" iron rod found being the southeast corner of said Bethany Ridge 3 and being the southwest corner of Bethany Ridge 3, Phase B, an addition to Collin County, Texas recorded in Cabinet K, Slide 704 of the Map Records of Collin County, Texas passing at a distance of 1507.45 feet, a 1/2" iron

EXHIBIT A

rod found being the southeast corner of said Bethany Ridge 3, Phase B and being the southwest corner of Bethany Ridge IV, an addition to Collin County, Texas recorded in Cabinet L, Slide 894 of the Map Records of Collin County, Texas, passing at a distance of 2313.79 feet a 1/2" iron rod found being the southwest corner of a tract of land described in a deed to North Texas Municipal water District recorded in Volume 2882, Page 480 of the Deed Records of Collin County, Texas, passing at a distance of 2413.66 feet a 1/2" iron rod found at the west corner of the south terminus of Malone Road being the southeast corner of said North Texas Municipal Water District tract, continuing with the north line of said Bolin tract a total distance of 2449.23 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." in Malone Road being the northeast corner of said Bolin tract;

THENCE, S 00° 46' 29" W, along said Malone Road and with the east line of said Bolin tract passing at a distance of 1320.72 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." being the southwest corner of said Bolin tract and being the northeast corner of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Dallas County, Texas continuing for a total distance of 2982.11 feet to a 1/2" iron rod found being the original southwest corner of a tract of land described in a deed to Dawneel Shelley recorded in Volume 3841, Page 480 of the Deed Records of Collin County, Texas and being the original northwest corner of Easy Acres Addition, an addition to Collin County, Texas recorded in Volume 6, Page 87 of the Map Records of Collin County, Texas;

THENCE, S 01° 27' 51" W, with the east line of said Hall tract and along said road a distance of 959.49 feet to a 1/2" iron rod wet with cap stamped "Precise Land Surv.,"

THENCE, N 89° 33' 23" W, leaving said road a distance of 3003.79 feet to a 1/2" iron rod set with cap stamped "Precise Lan Surv." being the northeast corner of Lot 7, Block A of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Volume 11, Page 39 of the Map Records of Collin County, Texas;

THENCE, N 89° 49' 07" W, with the common line of said Hall tract and said Lots 7 and 8, a distance of 773.66 feet to a 1/2" iron rod found;

THENCE, S 89° 49' 10" W, with the common line of said Hall tract and said Lot 8 and Lot 19 of Replat of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Cabinet C, Slide 415 of the Map Records of Collin County, Texas a distance of 1501.83 feet to a 1/2" iron rod found on the east line of said Allen Heights Drive (variable width right of way) being the southwest corner of said Hall tract;

THENCE, N 00° 28' 36" E, with the east line of said Allen Heights Drive, a distance of 2995.30 feet to the POINT OF BEGINNING containing 19,310.549 square feet or 443.309 acres of land.

EXHIBIT A

EXHIBIT B

EXHIBIT B-1 SF Tract (Tract B)

EXHIBIT B-2 SFT Tract (Tract A)

EXHIBIT B-3 Zoning Exhibit

LEGAL DESCRIPTION

4286LEG3

BEING a tract of land situated in the City of Parker, Collin County, Texas and in the J. Snider Survey, Abstract No. 848, and being part of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Collin County, Texas and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found on the east line of Allen Heights Drive (variable right of way) being the northwest corner of said Hall tract;

THENCE, S 00° 25' 18" E, with said east right of way line a distance of 3135.86 feet to the POINT OF BEGINNING;

THENCE, N 84° 48' 03" E, leaving said right of way line a distance of 5323.95 feet to a point in Malone Road;

THENCE, S 00° 46' 29" W, along said Malone Road and with the east line of said Hall tract for a distance of 369.66 feet to a 1/2" iron rod found being the original southwest corner of a tract of land described in a deed to Dawnell Shelley recorded in Volume 3841, Page 480 of the Deed Records of Collin County, Texas and being the original northwest corner of Easy Acres Addition, an addition to Collin County, Texas recorded in Volume 6, Page 87 of the Map Records of Collin County, Texas;

THENCE, S 01° 27' 51" W, with the east line of said Hall tract and along said road a distance of 959.49 feet to a 1/2" iron rod wet with cap stamped "Precise Land Surv.;"

THENCE, N 89° 33' 23" W, leaving said road a distance of 3003.79 feet to a 1/2" iron rod set with cap stamped "Precise Lan Surv." being the northeast corner of Lot 7, Block A of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Volume 11, Page 39 of the Map Records of Collin County, Texas;

THENCE, N 89° 49' 07" W, with the common line of said Hall tract and said Lots 7 and 8, a distance of 773.66 foot to a 1/2" iron rod found;

THENCE, S 89° 49' 10" W, with the common line of said Hall tract and said Lot 8 and Lot 19 of Replat of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Cabinet C, Slide 415 of the Map Records of Collin County, Texas a distance of 1501.83 feet to a 1/2" iron rod found on the east line of said Allen Heights Drive (variable width right of way) being the southwest corner of said Hall tract;

THENCE, N 00° 28' 36" E, with the east line of said Allen Heights Drive, a distance of 825.43 feet to the POINT OF BEGINNING containing 5,662.800 square feet or 130.00 acres of land.

EXHIBIT B-2
SFT Zoning Tract

The SFT Tract is a 313.309 acre tract, which is that portion of the Subdivision described in Exhibit A, save and except that SF portion of the Subdivision shown in the attached Zoning Exhibit as Tract B (130 acres) described in Exhibit B-1. The SFT tract is shown in Exhibit B-3 as Tract A.



BETTANY

2172



TRACT A
PROPOSED S F - T ZONING
313.309 ACRES

MAHONE ROAD

JOURNAL OF
LITERATURE

卷之三

F. M. 2551

ZONING EXHIBIT
443-399 ACRES
JUNIOR SUNSET ABSTRACT NO 669
CITY PARKER, COLLIN COUNTY, TEXAS

卷之三

ESTATE PLANNING

ALLEN

EXHIBIT B-3

EXHIBIT C
Chaparral Road Specifications

Chaparral Road will be constructed in accordance with this zoning ordinance, and the City Subdivision Regulations. Unless otherwise stated, the road will be two lanes eighteen (18) feet wide separated by a median. The median and parkways will be irrigated and landscaped. The landscape plans will be submitted with the preliminary plat for approval. Chaparral Road will be constructed of concrete.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date:

9/3/2015

Grantor:

BOARD OF TRUSTEES OF THE
ALLEN INDEPENDENT SCHOOL DISTRICT

Grantor's Mailing Address:

612 E. Bethany Dr.
Allen, Collin County, Texas 75002

Grantee:

JBGL KITTYHAWK, LLC, a Texas limited liability company

Grantee's Mailing Address:

2805 Dallas Pkwy. Ste. 400
Plano, Collin County, Texas 75093-8722

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration.

Property (including improvements):

As used herein, the term "**Property**" means a 55.036 acre tract of land, more or less, situated in the J. Snider Survey, Abstract No. 848, City of Parker, Collin County, Texas, and being the same land described as 55.0291 acres (Tract 1) in a deed to the Allen Independent School District by General Warranty Deed dated May 20, 2009 and recorded under the Collin County Clerk File Number 20090521000619350 of the official Public Records, Collin County, Texas, and being more particularly described in **Exhibit "A"** attached hereto and incorporated herein by reference for all purposes, together with all fixtures and improvements thereon and all benefits, privileges, leases, tenements, rights-of-way, easements, covenants, licenses, permits, entitlements, hereditaments, rights and appurtenances thereon or in anywise belonging or appertaining thereto, including, without limitation, any right, title or interest of Grantor in or to adjacent streets, alleys or rights-of-way.

Reservations from Conveyance:

Grantor hereby reserves all of Grantor's right, title and interest in and to all oil, gas and other minerals, whether similar or dissimilar (the "**Reserved Substances**"), in and under the Property; provided, that no right shall be reserved, and Grantor hereby releases and waives forever the right, on behalf of itself and its successors, assigns, operators or lessees, to enter upon, cross, use or enjoy the surface of the Property for any purpose, including, without limitation, exploration, drilling, extraction, production, processing or transporting of any Reserved Substances; provided, however, that nothing herein contained shall ever be construed to prevent Grantor or its successors or assigns from developing or producing the Reserved Substances in and under the Property by pooling or directional drilling under the Property from well sites located on property other than the Property; provided, however, that any subsurface entry onto the Property shall be from an offsite location at a minimum depth of at least 300 feet below the surface of the Property.

Exceptions to Conveyance and Warranty:

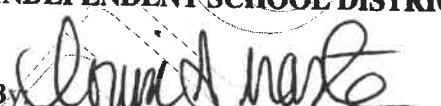
This Deed is made and accepted subject to those encumbrances described and referenced on **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (the "Permitted Exceptions"), but only to the extent that the same are valid and subsisting and affect the Property.

THE PROPERTY IS SOLD AND CONVEYED TO AND ACCEPTED BY GRANTEE IN ITS PRESENT CONDITION, AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, OTHER THAN THE LIMITED SPECIAL WARRANTY OF TITLE INCLUDED HEREIN, AND GRANTEE EXPRESSLY ACKNOWLEDGES THAT THE SALES PRICE REFLECTS SUCH CONDITION.

TO HAVE AND HOLD the Property, subject to the Permitted Exceptions, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns, and Grantor does hereby bind Grantor and Grantor's successors to **WARRANT AND FOREVER DEFEND**, subject to the Permitted Exceptions, all and singular the Property unto Grantee and Grantee's successors and assigns against every party whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

BOARD OF TRUSTEES OF THE ALLEN INDEPENDENT SCHOOL DISTRICT

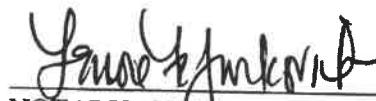
By 
Louise Master, President

THE STATE OF TEXAS

COUNTY OF COLLIN

ACKNOWLEDGMENT

BEFORE ME, a Notary Public, on this day personally appeared Louise Master, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon her oath stated that she is the President of the Board of Trustees of the Allen Independent School District; that she was authorized to execute such instrument pursuant to resolution of the Board of Trustees adopted on May 18, 2015; and acknowledged that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.


NOTARY PUBLIC, STATE OF TEXAS

Return to Grantee's Address:
JBGL KITTYHAWK, LLC
2805 Dallas Pkwy. Ste. 400'
Plano, Texas 75093-8722



EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Being a 55.036 acre tract of land situated in the City of Parker, Collin County, Texas, being a part of the John Snider Survey, Abstract No. 848, and being the same land described as 55.0291 acres (Tract 1) in deed to Allen Independent School District of record in County Clerk's File No. 20090521000619350 of the Official Public Records, Collin County, Texas, and being more particularly described as follows:

Beginning at an "X" found in the concrete pavement of Malone Road (a public road) in the west line of a 30' right-of-way dedication to the City of Allen, Texas of record in Volume 4214, Page 1763 and Volume 4244, Page 3622, both of the Deed Records, Collin County, Texas, said "X" marking the northeast corner of said 55.0291 acre tract;

Thence South 00°23'50" East along Malone Road and with the west line of said dedication, a distance of 1,320.72 feet to an "X" found in the concrete pavement for the most easterly northeast corner of the 205.9329 acre tract of land conveyed to First Texas Homes, Inc. by deed of record in Clerk's File No. 20141229001413160 of said Official Public Records, said "X" marking the southeast corner of said 55.0291 acre tract;

Thence South 89°16'48" West with the north line of said 205.9329 acre tract, a distance of 1,815.00 feet to a 1/2" iron rod found marking an ell corner in the north line of said 205.9329 acre tract and the southwest corner of said 55.0291 acre tract;

Thence North 00°23'20" West a distance of 1,320.95 feet to a 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS" set in the south line of the 50' easement to North Texas Municipal Water District of record in Volume 2882, Page 480 of said Deed Records, said rod being the northwest corner of said 55.0291 acre tract;

Thence North 89°17'14" East with the south line of said 50' easement, a distance of 1,814.81 feet to the Point-of-Beginning and containing 2,397,149 Square Feet or 55.031 Acres of land.

EXHIBIT B
PERMITTED EXCEPTIONS

1. Easement as awarded to North Texas Municipal Water District in Condemnation Proceedings in the County Court of Collin County, Texas, under Cause No. 219-490-85, dated 04/30/1986, filed 06/11/1986, recorded in Volume 2386, Page 541, Real Property Records, Collin County, Texas.
2. Easement as awarded to North Texas Municipal Water District in Condemnation Proceedings in the County Court of Collin County, Texas, under Cause No. H85-490-296, dated 04/30/1986, filed 06/11/1986, recorded in Volume 2386, Page 556, Real Property Records Collin County, Texas.
3. Easement granted by Allen Independent School District to North Texas Municipal Water District, filed 06/23/2014, recorded in cc# 20140623000637320, Real Property Records, Collin County, Texas.
4. Rights, if any, of third parties with respect to any portion of the subject property lying within the boundaries and improvements of Malone Road.
5. Consequences of the following matters shown on the survey dated August 14, 2015 prepared by Westwood Professional Services, Inc., certified by Jason B. Armstrong, RPLS 5557:
 - i. Drainage inlet.
 - ii. Gas line marker and gas valve.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
09/03/2015 01:58:25 PM
\$34.00 DFOSTER
20150903001126800



A handwritten signature in black ink, which appears to read "Stacey Kemp", is positioned to the right of the recorded information.

SURVEYOR'S NOTES

1. Basis of bearing is the final plat of Kreymer Estates Phase 1, as recorded in Volume 2013, Page 77-178, and in Doc# 20130502010001260, O.P.R.C.C.T.
2. All exterior corners set are monumented with a 5/8" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS". All interior corners set are monumented with a 1/2" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS".
3. Selling a portion of this addition by metes and bounds is a violation of city subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
4. According to the Flood Insurance Rate Map (Firm) Community Panel No. 48085c0385 J, Dated June, 2 2009, the subject tract does not appear to be within the 100 Year Floodplain.

GRAPHIC SCALE
1" = 100'

100' 0' 100' 200'

NORTH

100'

LEGAL DESCRIPTION

Being a 55.031 acre tract of land situated in the City of Parker, Collin County, Texas, being a part of the John Snider Survey, Abstract No. 848, and being the same land described as 55.031 acres in deed to First Texas Homes, Inc. of record in Instrument No. 20181206001491270 of the Official Public Records, Collin County, Texas, and being more particularly described as follows:

Beginning at an "X" found in the concrete pavement of Malone Road (a public road) in the west line of a 30' right-of-way dedication to the City of Allen, Texas of record in Volume 4214, Page 1763 and Volume 4244, Page 3622, both of the Deed Records, Collin County, Texas, said "X" marking the northeast corner of said 55.0291 acre tract;

Thence South 00°23'50" East along Malone Road and with the west line of said dedication, a distance of 1,320.72 feet to an "X" found in the concrete pavement for the most easterly northeast corner of the 204.4329 acre tract of land conveyed to First Texas Homes, Inc. by deed of record in Clerk's File No. 20141229001413160 of said Official Public Records, said "X" marking the southeast corner of said 55.031 acre tract;

Thence South 89°16'48" West with the north line of said 204.4329 acre tract, a distance of 1,815.00 feet to a 1/2" iron rod found marking an ell corner in the north line of said 204.4329 acre tract and the southwest corner of said 55.031 acre tract;

Thence North 00°23'20" West a distance of 1,320.95 feet to a 5/8" iron rod with yellow plastic cap stamped "WESTWOOD PS" found in the south line of the 50' easement to North Texas Municipal Water District of record in Volume 2882, Page 480 of said Deed Records, said rod being the northwest corner of said 55.031 acre tract, and being the northeast corner of said 204.4329 acre tract;

Thence North 89°17'14" East with the south line of said 50' easement, a distance of 1,814.81 feet to the Point-of-Beginning and containing 2,397,149 Square Feet or 55.031 Acres of land.

LOT AREA TABLE

LOT NO.	TOTAL AREA(Ac.)	BUILDABLE AREA(Ac.)	LOT NO.	TOTAL AREA(Ac.)	BUILDABLE AREA(Ac.)
BLOCK A					
1	1.498	0.718	1	1.498	0.686
2	1.374	0.736	2	1.264	0.669
3	1.333	0.699	3	1.278	0.691
4	1.168	0.592	4	1.488	0.844
5	1.179	0.510	5	1.942	1.002
6	1.446	0.792	6	1.322	0.717
7	1.485	0.840	7	1.451	0.655
8	1.848	0.971	8	2.303	0.970
9	1.984	1.019	9	2.369	1.052
10	1.466	0.807	10	2.112	0.880
11	1.070	0.535	11	2.554	1.045
12	1.255	0.673	12	1.494	0.684
13	1.499	0.844	13	1.456	0.790
14	1.479	0.725	14	1.263	0.672
15	1.498	0.863			
16	1.499	0.855			
17	1.166	0.606			
18	1.166	0.603			

AVERAGE LOT AREA - 1.537 ACRES

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, FIRST TEXAS HOMES, INC., acting herein by and through its duly authorized officer, do hereby adopt this plat designating the herein above described property as PARKER RANCH ESTATES PHASE 4A an addition to the City of Parker, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Parker and all public utilities desiring to use or using same. All and any public utility and the City of Parker shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Parker and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems, without the necessity, at any time or procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Parker, Texas.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 2019.

FIRST TEXAS HOMES, INC.

By: KEITH HARDESTY

THE STATE OF TEXAS X
COUNTY OF DALLAS X

BEFORE ME, the undersigned authority, on this day personally appeared Keith Hardesty, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said FIRST TEXAS HOMES, INC., and that he executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:
I, Jason B. Armstrong, Registered Professional Land Surveyor for Westwood, PS, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made in October, 2018, under my direction and supervision, and further certify that all corners are as shown thereon, and that said plat has been prepared in accordance with the platting rules and regulations of the City of Parker, Texas.

Date: This the _____ day of _____, 2019.

Jason B. Armstrong
Registered Professional Land Surveyor No. 5557THE STATE OF TEXAS X
COUNTY OF COLLIN X

BEFORE ME, the undersigned authority, on this day personally appeared Jason B. Armstrong, whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WESTWOOD, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RECOMMENDED FOR APPROVAL

Chairman, Planning and Zoning Commission
City of Parker, Texas

Date _____

APPROVED AND ACCEPTED

Mayor, City of Parker, Texas

Date _____

The undersigned, the City Secretary of the City of Parker, hereby certifies that the foregoing Final map or plat of PARKER RANCH ESTATES PHASE 4A, a subdivision or addition to the City of Parker was submitted to the City Council on this _____ day of _____, 2019, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the approval thereof by signing his name herein above subscribed.

WITNESS my hand this _____ day of _____, 2019.

City Secretary
City of Parker, Texas

HEALTH DEPARTMENT CERTIFICATION:

I hereby certify that the on-site sewage facilities described on this plat conform to the applicable osst laws of the state of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

REGISTERED SANITARIAN OR DESIGNATED REPRESENTATIVE
COLLIN COUNTY DEVELOPMENT SERVICESPRELIMINARY PLAT
OF
PARKER RANCH ESTATES
PHASE 4A32 RESIDENTIAL LOTS
55.031 ACRES

OUT OF THE

JOHN SNIDER SURVEY, ABSTRACT NO. 848
IN THE
CITY OF PARKER, COLLIN COUNTY, TEXAS

OWNER
FIRST TEXAS HOMES, INC.
500 CRESCENT COURT, SUITE 350
DALLAS, TX 75201
ENGINEER/SURVEYOR

Westwood

Phone (214) 473-4640
2740 Dallas Parkway, Suite 280
Fax (888) 937-5150
Plano, TX 75093
westwoodps.com
TBPE Firm Reg. No. 11756
TBPLS Firm Reg. No. 10074301

2/2



DEVELOPMENT APPLICATION
City of Parker, Texas

Proposed Name of Subdivision: Parker Ranch Phase 4B

Plat Approval Requested	Filing Fee	Filing Fee
	$\$800 + \$30/\text{Ac} \times 19.118 \text{ Ac} = \1373.54	
<input checked="" type="checkbox"/> Preliminary Plat	<u>$\\$800.00 + \\$30/\text{acre}$</u>	<u>$\\$800.00 + \\$30/\text{acre}$</u>
<input type="checkbox"/> Site Plan	<u>$\\$300.00 + \\$25/\text{acre}$</u>	<u>$\\$500.00 + \\$100/\text{lot}$</u>
<input type="checkbox"/> Replat/Amended	<u>$\\$500.00 \text{ plus } \\$15/\text{lot}$</u>	<u>$\\$300.00 + \\$30/\text{acre}$</u>

Physical Location of Property: West of Malone Road and Shelley Drive

(Address and General Location – Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bound description to application):

West of Malone Road and Shelley Drive

(Survey/Abstract No. and Tracts: or platted Subdivision Name with Lot/Block)

Acreage: 19.118 Ac. Existing # of Lots/Tracts: 14 Lots Existing Zoning: SFT Ord. 546

(If a PD, include the Ordinance with application)

Property Owner's Name: First Texas Homes, Inc. Phone Number: 214-683-5789

Applicant/Contact Person: Steve Stolte Title: _____

Company Name: First Texas Homes, Inc.

Street/Mailing Address: 500 Crescent Court Suite 300 City: Dallas State: TX Zip: 75201

Phone: 214-683-5789 Fax: _____ Email Address: sstolte@swbell.net

Engineering Company: Westwood Professional Services

Contact Person: Matthew Lee, P.E. Title: Project Manager
Street/Mailing Address: 2740 Dallas Parkway, #280 City: Plano State: TX Zip: 75218
Phone: 214-473-4640 Fax: _____ Email Address: matthew.lee@westwoodps.com

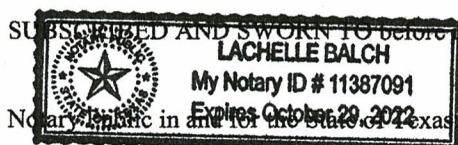
**** READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS) (

COUNTY OF COLLIN) (

BEFORE ME, a Notary Public, on this day personally appeared Keith Hardesty,
the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly
authorized agent of the owner, (Proof must be attached, e.g. "Power of Attorney") for the purposes of this
application; that all information submitted herein is true and correct. I understand that submitting this
application does not constitute approval, and incomplete applications will result in delays and possible denial."

Owner / Agent (circle one)



29th June, 2019
Rachelle Balch

Over

WAIVER OF EXPEDITION

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

APPLICANT:

(Signature)
Name: Keith Hardisty
Title: Division President
Phone: 214-683-5789
Address: 500 Crescent Court Suite 300
Dallas TX 75201

Date: _____

Corporation; Partnership;
 Individual; or
 Other (description)

CITY OF PARKER:
RECEIVED BY:

Name: _____
Title: _____
Date: _____

SUBMITTAL DEADLINES: Twenty eight (28) days prior to the Planning and Zoning Commission Meeting Date. Planning and Zoning Commission meets the second and fourth Thursday of each month.

SUBMISSIONS. Failure to submit all materials (including three sets of bound engineering plans) to the City with this application will result in delays scheduling the agenda date. Submit twelve (12) FOLDED to 8 1/2" X 11" copies of 24" X 36" prints [1"=100' scale] + electronic version in .jpeg, .tiff, or .pdf format. Applicant is to submit a complete copy of this application and drawings to the City Engineer

ALL APPLICATIONS MUST BE COMPLETE BEFORE THEY WILL BE PLACED ON A CITY AGENDA. It is the applicant's responsibility to be familiar with and to comply with, all City submittal requirements in the Zoning and Subdivision Ordinance (www.parkertexas.us), and any separate submittal policies, requirements and/or checklists that may be obtained from City staff)

NOTICE OF PUBLIC RECORDS: The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e. copy) such documents.

SUBMITTAL FEES: All fees are due and payable at the time of application, except inspection, engineering and legal fees, which are due at the time of pre-Construction meeting with the City. No construction shall take place prior to the pre-construction meeting and submission of certified construction cost bid(s) by the contractor(s) and Owner. 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.

City Contact Information:

Public Workers Superintendent
City of Parker, Texas
5700 E. Parker Road * Parker, Texas 75002
Phone 972-442-6811 * Fax 972-442-2894 * www.parkertexas.us

OFFICE USE ONLY This submittal meets the City of Parker's requirements per City ordinances for processing.

Signature	Title	OFFICIAL SUBMISSION DATE
Fees Paid \$ _____	Check # _____	From : _____
P&Z Agenda Date: _____	Action: _____	CC Agenda Date: _____ Action: _____
Current Zoning: _____	Ordinance Number: _____	Date Approved: _____
Staff Comments forwarded to applicant on: _____	Revisions Due no later than: _____	
Plans routed for review on _____, to:	<input type="checkbox"/> Public Works Director <input type="checkbox"/> City Engineer <input type="checkbox"/> Building Official <input type="checkbox"/> Fire Department	
Public Hearing Required: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Paper Notice _____ (date)		
Written Notice _____ (date)		

SUBMITTAL REQUIREMENTS:

Failure to submit all materials to the City with complete application will result in delays scheduling the agenda date.

- Five (5) FOLDED copies of drawing(s) 24" X 36" [1"=100' scale]
- Twelve (12) FOLDED 11 X 17
- Three (3) Complete Engineering Plans (if applicable)

N/A Three (3) General Tree Survey

- Property Metes and Bounds on 8 1/2 X 11 Sheet
- Proof of Ownership (Warranty Deed or Tax Certificate)
- Power of Attorney

The face of the plat shall show the following:

- Date of preparation
- Scale of plat
- North arrow
- Name and address of:
 - Applicant
 - Engineer or Surveyor responsible for preparation of plat
- Survey and abstract with tract designation
- Location of major and/or secondary thoroughfares located with or adjacent to the property.
- Location of existing or platted streets within and adjacent to the existing property
- Location of existing right-of-ways, utility and/or drainage easements.
- Vicinity map showing location of tracts by reference to existing streets or highways.
- Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision. The subdivision boundary shall be construed to include the part of adjacent boundary streets which were previously established by dedication or purchase from the tract being subdivided.
- Legal description of the property to be subdivided, and metes and bounds description of the subdivision perimeter.
- Primary control points or descriptions, and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referred.
- Names of the owners of contiguous parcels of un-subdivided land, and names of contiguous subdivisions and the County Recorder's book and page number thereof, and the lot patterns of these subdivisions.
- Location of the city limits lines, the outer border of the City's extraterritorial jurisdiction and zoning district boundaries, if they traverse the subdivision, or form part of the boundary of the subdivision, or are contiguous to such boundary.
- If there is no adjacent subdivision, a map on a small scale shall be included with the preliminary plan, and oriented the same way, to show the nearest subdivision in each direction; it shall show how the streets, alleys, or highways in the subdivision submitted may connect with those in the nearest subdivision, if situated within two thousand (2,000) feet of the proposed subdivision.
- All other data required by the Zoning and Subdivision Ordinances, available for view at www.parkertexas.us.

First Texas Homes**CITY OF PARKER**

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
11-27-18	PR4B, PRELIM	PR4B PRELIM PLAT FE	1373.54	.00	1373.54
CHECK DATE	11-28-18	CHECK NUMBER	291898	TOTAL >	1373.54

PLEASE DETACH AND RETAIN FOR YOUR RECORDS.

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

First Texas Homes500 Crescent Court #350
Dallas, Texas 75201Frost Bank
Dallas, TexasDATE CHECK NO. AMOUNT
November 28, 2018 291898 \$*****1,373.54

Pay: *****One thousand three hundred seventy-three dollars and 54 cents

PAY CITY OF PARKER
TO THE
ORDER OF

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

"000 291898" : 114000093:

"6 500 28 215"



January 8, 2004

Development Services

City of Parker
Betty McMenamy, City Administrator
5700 E. Parker Rd.
Parker, TX 75002

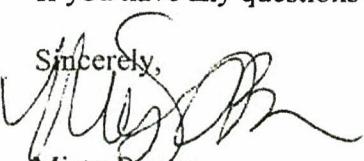
Dear Ms. McMenamy:

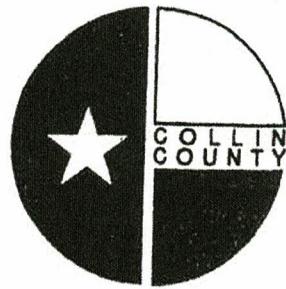
Please let this letter serve as a reminder that every subdivided plat of land that will utilize On-Site Sewage Facilities (OSSFs) for wastewater disposal (in the ETJ as well as within your City limits) **MUST** be signed off by Collin County Development Services, prior to gaining final approval, or the plat is invalid.

The TCEQ regulation section 285.4(c) states that, "Before the permit process for individual OSSFs can begin, persons proposing residential subdivisions, manufactured housing communities, multi-unit residential developments, business parks or other similar uses and using OSSFs for sewage disposal shall submit planning materials for these developments to the permitting authority." Collin County is the permitting authority for all unincorporated land, ETJ, and in certain city limits (through adoption of an interlocal agreement). "The planning materials shall be prepared by a professional engineer or professional sanitarian and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells, location of easements, and a complete report detailing the types of OSSFs to be considered, and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials. The permitting authority will either approve or deny the planning materials in writing within 45 days of receipt." Collin County charges a \$150.00 fee for subdivision plat review.

Please make sure that the on-site sewage facility review remains part of your city's platting workflow process, so that we can assure that our subdivisions are compliant with state regulations.

If you have any questions please call me at 972-548-5585.

Sincerely,

Misty Brown
Development Services Division Manager



Public Services & Operations

December 9, 2004

Betty McMenamy, City Administrator
City of Parker
5700 E. Parker Rd
Parker, TX 75002

Re: Request to be present at subdivision hearings.

Dear Mrs. McMenamy

This letter is to request that Collin County be informed of any upcoming preconstruction hearings regarding sub-divisions fronting county roads in your city. Collin County would like to have a representative present at these hearings. Please direct any correspondence to: James Lorance @ 972-548-3712 or jlorance@co.collin.tx.us or Bobby Jones @ 972-548-3743 or bjones@co.collin.tx.us.

Thanks,

Bobby Jones, Utility Construction Inspector

BEING a 19.118 acre tract of land situated in the City of Parker, Collin County, Texas, being a part of the John Snider Survey, Abstract No. 848, and being a part of a 204.4329 acre tract of land conveyed to First Texas Homes, Inc., by deed of record in Instrument No.

20141229001413160 of the Official Public Records, Collin County, Texas, said 19.118 being more particularly described as follows:

BEGINNING at a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" in the east right-of-way line of Cheyenne Drive, 60-feet wide, at the northwest corner Lot 19, Block E, of Parker Ranch Phase 3, an addition to the City of Wylie, Collin County, Texas, according to the plat of record in Volume 2018, Page 221 of the Plat Records of Collin County, Texas;

THENCE North 00 degrees 43 minutes 20 seconds West, along said east line of Cheyenne Drive, a distance of 640.93 feet to a found 1/2" iron rod with a cap stamped "TIPTON" at the northeast corner of the north terminus of said Cheyenne Drive, and being the southeast corner of a tract of land conveyed to Anna I.S.D., by deed of record in Volume 3914, Page 1347, of said Deed Records of Collin County, Texas;

THENCE North 00 degrees 42 minutes 53 seconds West, along the west line of said Allen I.S.D. tract, a distance of 679.91 feet to a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" in the south line of a 50' easement to North Texas Municipal Water District of record in Volume 2882, Page 480 of said Deed Records at the most northwest corner of said 204.4329 acre tract, and being the northeast corner of said Allen I.S.D. tract;

THENCE North 89 degrees 16 minutes 19 seconds East, along said south line of the 50' easement, a distance of 634.25 feet to a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" at the northeast corner of said 204.4329 acre tract, and being the northwest corner of a 55.031 acre tract conveyed in deed to JBGL Kittyhawk, LLC, by deed of record in Instrument No. 20150903001126800 of said Official Public Records;

THENCE South 00 degrees 23 minutes 20 seconds East, along the west line of said JBGL Kittyhawk, LLC tract, a distance of 1,320.95 feet to a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" at the southwest corner of said JBGL Kittyhawk, LLC tract;

THENCE South 89 degrees 16 minutes 48 seconds West, at a distance of 60.36 feet passing the northwest corner of Lot 17, Block E, of said Parker Ranch Phase 3, continuing along the north line of said Block E, in all a total distance of 626.65 feet to the **POINT-OF-BEGINNING**, containing **832,780 square feet or 19.118 acres of land**.

ORDINANCE NO. 546

AN ORDINANCE OF THE CITY OF PARKER, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF PARKER AS HERETOFORE AMENDED, BY ZONING A NEWLY ANNEXED PARCEL OF LAND OF APPROXIMATELY 399.7 ACRES OF LAND, AND ADDITIONAL LAND OF APPROXIMATELY 43 ACRES, EACH, IN COLLIN COUNTY, TEXAS, FOR A TOTAL OF APPROXIMATELY 443.309 ACRES, SAID PARCEL OF LAND BEING ZONED IN ITS NORTHERN PORTION SINGLE FAMILY TRANSITIONAL (SFT), AND ITS SOUTHERN PORTION SINGLE FAMILY (SF), AS SET FORTH SPECIFICALLY HEREIN, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Parker Planning and Zoning Commission and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the City of Parker should be amended to zone the land described herein;

WHEREAS, by Ordinance No. 518, the City of Parker did annex approximately 399.7 acres of land in the John Snyder Survey, Abstract 848, Collin County, Texas, portions of which were owned by the Hall families, and the Bolin families; and

WHEREAS, Douglas Properties, Inc. has requested zoning of those properties as set forth in this Ordinance, together with an additional parcel of land of approximately 43 acres; and

WHEREAS, the total of approximately 443.309 acres is to be zoned by this Ordinance in its northern portion, Single Family Transitional (SFT), and its southern portion, Single Family (SF), as more particularly described below:

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

SECTION 1. The Comprehensive Zoning Ordinance of the City of Parker, Texas, Ordinance 483, as heretofore amended, be, and the same is hereby amended by zoning the 443.309 acre tract (the "Subdivision" or the "443.309 acre tract") submitted by Douglas Properties, Inc. (the "Developer"), more particularly described by metes and bounds as shown on the attached Exhibit A, to zone the property in its northern portion as Single Family Transitional (SFT), and in its Southern portion as Single Family (SF). The areas of SFT (the "SFT tract"), and SF (the "SF tract"), are each specifically described by Exhibit B. The zoning and special conditions of the SFT and the SF tracts are as follows:

SPECIAL CONDITIONS

1. The southern thirty (30%) percent of the Subdivision shall be zoned Single Family (SF). The metes and bounds description of the SF portion of the Subdivision is as shown in the attached Exhibit B. The Developer will submit to the City a survey of the property showing the dividing line between the SF and SFT tracts, with an additional copy reduced in size and appropriate for attaching to this Ordinance as Exhibit B2. The line dividing the SF and SFT tracts (the "SF/SFT boundary line") may be placed by the Developer to include an area of the Subdivision which is greater than 30%, should the Developer desire to do so. The area of the Subdivision north of the SF/SFT boundary line shall be SFT, and the area of the Subdivision south of said line shall be SF. All of the Subdivision south of the right of way dedicated for Chaparral Road shall be zoned SF.

2. Any platted lot whose area is crossed by the SF/SFT boundary line shall conform to whichever zoning classification in which more than half of the lot lies. In the event the lot is divided 50/50 by the SF/SFT boundary line, the lot shall be SF.

3. All lots in the Subdivision which are adjacent to, and have a contiguous lot line with a developed Parker Residential lot must be two acres net. A "Parker Residential lot" is defined as a lot contiguous to the Subdivision which is developed and utilized as a residential lot on or before the date of preliminary plat approval of the Subdivision. The preliminary plat shall include all of the Subdivision.

4. No more than 246 single family residential lots shall be platted or permitted on the 443.309 acre tract, notwithstanding any other provision of this Ordinance, or lot density which might otherwise be permitted in the SF and/or SFT tracts.

5. No home shall face, nor shall any home have a driveway which shall access Chaparral Road, Allen Heights Drive, Springhill Estates Drive, or any other right-of-way in the Subdivision, or adjacent thereto, planned for construction as a four lane road, divided or undivided, and/or which includes a 105 foot wide right of way dedication (M4D-S).

6. The Developer shall provide an access road leading from the southern portion of the Subdivision (SF) in a southerly direction towards Parker Road. The location is to be approved by the City Council, on the recommendation of the City Engineer, and in compliance with the City's Master Thoroughfare Plan, at the time of review of the preliminary plat of the Subdivision. The Developer will submit with the preliminary plat a location for a 2 lane access road in the northwestern section of the Subdivision, to Allen Heights Drive.

7. The Developer shall construct a landscaped boulevard entrance to the Subdivision at the intersection of Chaparral Drive and Allen Heights/Springhill Estates Drive, in accordance with the landscape plan submitted by the Developer for approval by the City, and a construction plan approved by the City Engineer. The Chaparral intersection is in addition to the two lane access road described above in No. 6.

8. Chaparral Road will be constructed in the Subdivision by the developer, and dedicated to the public vehicular use. The specific construction schedule and specifications for Chaparral Road are as shown in Exhibit C, and as required in the Subdivision regulations.

(a) The road is to be designed with a one hundred-five (105) foot right of way, in accordance with the city's four-lane divided thoroughfare specifications designated as M4D-S. The initial construction of the road will be a two-lane road, with a fully developed landscaped and irrigated median between the lanes. Construction will be performed in such a way that the addition of two (2) additional lanes of traffic may be added to the two (2) initial lanes. The construction of Chaparral Road will begin on the western side of the Subdivision, where Chaparral Road intersects with Allen Heights Road/Springhill Drive, and shall continue in an easterly direction as the phases of the Subdivision are developed. The eastern end of Chaparral Road shall be placed as approved by the City Council upon approval of the preliminary plat. The eastern end point shall be at the eastern city limits of the City of Parker, at Malone Drive, north of the Easy Acres Subdivision. Chaparral Road shall be completed, and open for public use, at the request of the City, regardless of the stage of the Subdivision development, or upon the final plat approval for that phase of the Subdivision's development, whichever shall first occur. The developer's obligation to construct the entire length of Chaparral Road from the City's western boundary to the City's eastern boundary is required by this ordinance, and is not contingent on the development of the Subdivision.

(b) The landscape plan for Chaparral Road's entrance into the Subdivision at Allen Heights road shall be submitted by the developer for approval to the City Council on or before the date of preliminary plat approval.

9. The Developer is required to use all commercially reasonable good faith efforts to direct the traffic resulting from construction in the Subdivision to Allen Heights Road and Bethany Drive. All reasonable means are to be employed to reduce construction traffic on Springhill Drive and Parker Road.

10. The Developer will dedicate to the City an area of four (4) acres of land in the Subdivision for public purposes, including but not limited to ground or elevated water utility facilities, and/or fire, police and EMS services. The location of the tract will be determined by the City and the Developer prior to preliminary plat approval. The decision on the location of the public tract will not be unreasonably withheld, conditioned, or delayed by any party.

11. All trail systems within the Subdivision shall be available for use by the general public. All maintenance and repair of the trails system shall be provided and paid for by the Developer, the required and mandatory homeowners association, and/or the individual property owners whose land is encumbered by the trail, as the case may be. The trails system will be constructed by the Developer in accordance with the plans and specifications to be agreed upon by the City staff and the Developer, with input from the Conservancy of Parker. Such agreements are not to be unreasonably withheld, conditioned, or delayed, by the City, or the Developer.

12. The Developer agrees not to remove the existing treed areas in the Subdivision except to the absolute minimum amount of tree removal necessary for development. The tree removal, if any, will be done with the approval of the City staff with the advice of the Conservancy of Parker.

13. The Developer will submit a landscape plan, trail plan, and a tree plan, to the City for approval on or before the date of filing of the preliminary plat.

14. All onsite infrastructure, including roads and utilities, is to be constructed and paid for by the Developer. Any offsite required development will be governed by the City's Pro Rata Ordinance, as limited by any State or Federal law.

15. The Developer and/or builder is to provide each residential structure with a septic system for each individual home. The septic system shall comply with all requirements of the City of Parker, Collin County, and the Texas Commission on Environmental Quality. No public sanitary sewer system will be constructed for the Subdivision.

16. The Developer will dedicate all additional right-of-way required by the City of Parker Subdivision Ordinance and the City of Parker Settlement Agreement of the annexation litigation with the City of Allen for that portion of Allen Heights Road adjacent to the Subdivision. The required right-of-way for Allen Heights Road will be dedicated, irrigated and landscaped. Landscape plans will be submitted with the preliminary plat. Maintenance and irrigation of all of Allen Heights right-of-way, as with all other common areas and landscaping in the Subdivision will be maintained and paid by the Developer and/or the Homeowner's Association.

SECTION 2. That the property shall be used only in the manner and for the purposes as required in the SFT and SF zoning classifications provided for by this Ordinance pursuant to the Amended Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and subject to the aforementioned special conditions. Any dispute as to the operation, effect, or interpretation of this Ordinance shall be determined by the Parker City Council at a meeting properly noticed and held on the subject.

SECTION 3. That should any sentence, paragraph, Subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon

conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the City Secretary.

ADOPTED this 23rd day of September, 2003, by
the Parker City Council.

APPROVED:

David Hammel
David Hammel, Mayor

ATTEST:

Betty McMenamy
Betty McMenamy, City Secretary

Exhibits

- A. Subdivision Metes and Bounds
- B. SF & SFT Metes and Bounds
- C. Chaparral Road Specifications

EXHIBIT A
Subdivision Metes and Bounds

LEGAL DESCRIPTION

4286 LEG

BEING a tract of land situated in the City of Parker, Collin County, Texas and in the J. Snider Survey, Abstract No. 848, and being part of a tract of land described in a deed to Luther Bolin recorded in Volume 378, Page 48 of the Deed Records of Collin County, Texas and being part of a tract of land described in a deed to Emajean Haggard Hell recorded in Volume 646, Page 647 of the Deed Records of Collin County, Texas and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found on the east line of Allen Heights Drive (variable right of way) being the northwest corner of said Bolin tract;

THENCE, S 00° 25' 18" E, with said east right of way line a distance of 966.00 feet to the POINT OF BEGINNING;

THENCE, S 89° 33' 23" E, leaving said right of way line a distance of 1085.36 feet to a point for corner;

THENCE, N 00° 26' 37" E, a distance of 965.99 feet to a point on the south line of Bethany Ridge Estates, an addition to Collin County, Texas recorded in Cabinet J, Slide 692, of the Deed Records of Collin County, Texas;

THENCE, S 89° 33' 22" E, along the said south line of Bethany Ridge Estates a distance of 971.20 feet to the northwest corner of a tract of land described in deed to Allen ISD recorded in Clerks File Number 97-0039110 of the Deed Records of Collin County, Texas;

THENCE, S 00° 26' 37" W, along the west line of said Allen ISD tract a distance of 680.00 feet to a 3/8" iron rod found with cap stamped "CORWIN ENGR. INC.;"

THENCE, S 89° 33' 23" E, along the south line of said Allen ISD tract a distance of 803.32 feet to a 3/8" iron rod found with cap stamped "CORWIN ENGR. INC." being the southeast corner of said Allen ISD tract;

THENCE, N 00° 26' 37" E, with the east line of said Allen ISD tract a distance of 680.00 feet to a 5/8" iron rod found on the north line of said Bolin tract and on the south line of Bethany Ridge 3, an addition to Collin County, Texas recorded in Cabinet J, Slide 800 of the Deed Records of Collin County, Texas;

THENCE, S 89° 33' 23" E, with the common line of said Bolin tract and said Bethany Ridge 3, passing at a distance of 1002.10 feet, a 1/2" iron rod found being the southeast corner of said Bethany Ridge 3 and being the southwest corner of Bethany Ridge 3, Phase B, an addition to Collin County, Texas recorded in Cabinet K, Slide 704 of the Map Records of Collin County, Texas passing at a distance of 1507.45 feet, a 1/2" iron

EXHIBIT A

rod found being the southeast corner of said Bethany Ridge 3, Phase B and being the southwest corner of Bethany Ridge IV, an addition to Collin County, Texas recorded in Cabinet L, Slide 894 of the Map Records of Collin County, Texas, passing at a distance of 2313.79 feet a 1/2" iron rod found being the southwest corner of a tract of land described in a deed to North Texas Municipal water District recorded in Volume 2882, Page 480 of the Deed Records of Collin County, Texas, passing at a distance of 2413.66 feet a 1/2" iron rod found at the west corner of the south terminals of Malone Road being the southeast corner of said North Texas Municipal Water District tract, continuing with the north line of said Bolin tract a total distance of 2449.23 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." in Malone Road being the northeast corner of said Bolin tract;

THENCE, S 00° 46' 29" W, along said Malone Road and with the east line of said Bolin tract passing at a distance of 1320.72 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." being the southwest corner of said Bolin tract and being the northeast corner of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Dallas County, Texas continuing for a total distance of 2982.11 feet to a 1/2" iron rod found being the original southwest corner of a tract of land described in a deed to Dawnell Shelley recorded in Volume 3841, Page 480 of the Deed Records of Collin County, Texas and being the original northwest corner of Easy Acres Addition, an addition to Collin County, Texas recorded in Volume 6, Page 87 of the Map Records of Collin County, Texas;

THENCE, S 01° 27' 51" W, with the east line of said Hall tract and along said road a distance of 959.49 feet to a 1/2" iron rod wet with cap stamped "Precise Land Surv.,"

THENCE, N 89° 33' 23" W, leaving said road a distance of 3003.79 feet to a 1/2" iron rod set with cap stamped "Precise Lan Surv." being the northeast corner of Lot 7, Block A of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Volume 11, Page 39 of the Map Records of Collin County, Texas;

THENCE, N 89° 49' 07" W, with the common line of said Hall tract and said Lots 7 and 8, a distance of 773.66 feet to a 1/2" iron rod found;

THENCE, S 89° 49' 10" W, with the common line of said Hall tract and said Lot 8 and Lot 19 of Replat of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Cabinet C, Slide 415 of the Map Records of Collin County, Texas a distance of 1501.83 feet to a 1/2" iron rod found on the east line of said Allen Heights Drive (variable width right of way) being the southwest corner of said Hall tract;

THENCE, N 00° 28' 36" E, with the east line of said Allen Heights Drive, a distance of 2995.30 feet to the POINT OF BEGINNING containing 19,310.549 square feet or 443.309 acres of land.

EXHIBIT A

EXHIBIT B

EXHIBIT B-1 SF Tract (Tract B)

EXHIBIT B-2 SFT Tract (Tract A)

EXHIBIT B-3 Zoning Exhibit

LEGAL DESCRIPTION

4286LEG3

BEING a tract of land situated in the City of Parker, Collin County, Texas and in the J. Snider Survey, Abstract No. 848, and being part of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Collin County, Texas and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found on the east line of Allen Heights Drive (variable right of way) being the northwest corner of said Bolin tract;

THENCE, S 00° 25' 18" E, with said east right of way line a distance of 3135.86 feet to the POINT OF BEGINNING;

THENCE, N 84° 48' 03" E, leaving said right of way line a distance of 5323.95 feet to a point in Malone Road;

THENCE, S 00° 46' 29" W, along said Malone Road and with the east line of said Hall tract for a distance of 369.66 feet to a 1/2" iron rod found being the original southwest corner of a tract of land described in a deed to Dawnell Shelley recorded in Volume 3341, Page 480 of the Deed Records of Collin County, Texas and being the original northwest corner of Easy Acres Addition, an addition to Collin County, Texas recorded in Volume 6, Page 87 of the Map Records of Collin County, Texas;

THENCE, S 01° 27' 51" W, with the east line of said Hall tract and along said road a distance of 959.49 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv.:";

THENCE, N 89° 33' 23" W, leaving said road a distance of 3003.79 feet to a 1/2" iron rod set with cap stamped "Precise Lan Surv." being the northeast corner of Lot 7, Block A of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Volume 11, Page 39 of the Map Records of Collin County, Texas;

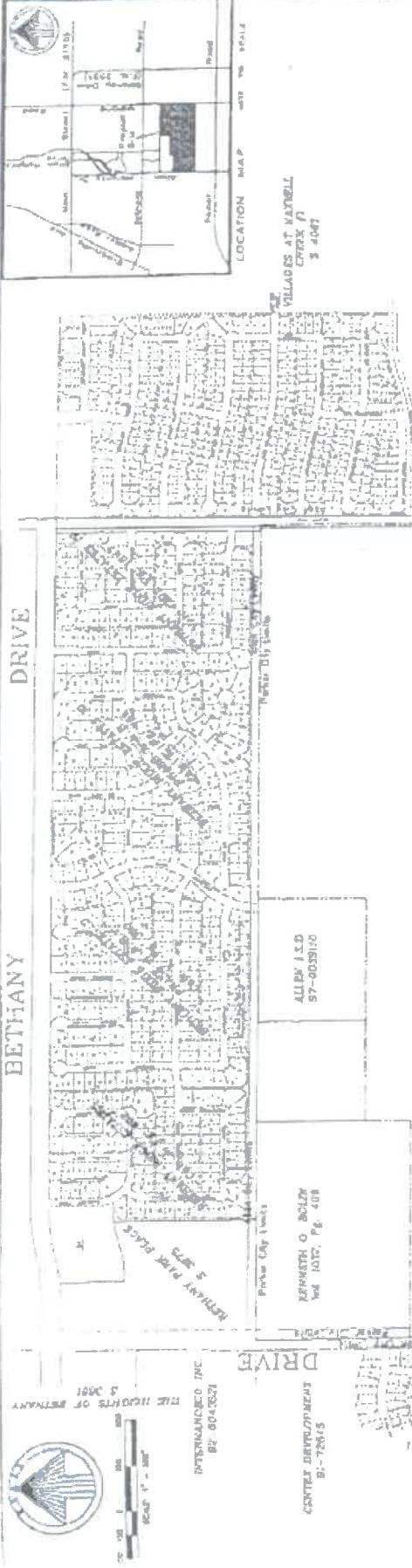
THENCE, N 89° 49' 07" W, with the common line of said Hall tract and said Lots 7 and 8, a distance of 773.66 feet to a 1/2" iron rod found;

THENCE, S 89° 49' 10" W, with the common line of said Hall tract and said Lot 8 and Lot 19 of Replat of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Cabinet C, Slide 415 of the Map Records of Collin County, Texas a distance of 1501.83 feet to a 1/2" iron rod found on the east line of said Allen Heights Drive (variable width right of way) being the southwest corner of said Hall tract;

THENCE, N 00° 28' 36" E, with the east line of said Allen Heights Drive, a distance of 825.43 feet to the POINT OF BEGINNING containing 5,662.800 square feet or 130.00 acres of land.

EXHIBIT B-2
SFT Zoning Tract

The SFT Tract is a 313.309 acre tract, which is that portion of the Subdivision described in Exhibit A, save and except that SF portion of the Subdivision shown in the attached Zoning Exhibit as Tract B (130 acres) described in Exhibit B-1. The SFT tract is shown in Exhibit B-3 as Tract A.



TRACT A
PROPOSED S F - T ZONING
313.309 ACRES

MALONE ROAD

1422

F. M. 2551

W₂₃ 6900, P_J 0.31

MANAGEMENT

卷之三

卷之三

CITY PAPER COLUMN COUNTY THEMES

EXHIBIT B-3.

EX-16
TELEGRAMS TO CHIEF STATION

EXHIBIT C
Chaparral Road Specifications

Chaparral Road will be constructed in accordance with this zoning ordinance, and the City Subdivision Regulations. Unless otherwise stated, the road will be two lanes eighteen (18) feet wide separated by a median. The median and parkways will be irrigated and landscaped. The landscape plans will be submitted with the preliminary plat for approval. Chaparral Road will be constructed of concrete.

1403106-MCLB

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 §
 COUNTY OF COLLIN §

THIS SPECIAL WARRANTY DEED (this "Deed") is made as of December 19, 2014, by GRAHAM MORTGAGE CORPORATION ("Grantor"), to FIRST TEXAS HOMES, INC. ("Grantee"), whose address is 500 Crescent Court, Suite 350, Dallas, Texas 75201.

1. Conveyance and Warranty of Title.

Grantor GRANTS, SELLS, and CONVEYS to Grantee, subject to the Permitted Exceptions (as defined below), all of the real property more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with (i) the improvements thereon and all of Grantor's rights to appurtenances, easements, adjacent streets and alleys, strips, and gores, (ii) all of Grantor's right, title and interest in and to any personal property located thereon, and (iii) all of Grantor's right, title and interest in and to any warranties, guaranties and other intangible property related to such real property (collectively, the "Property").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions together with all and singular the rights and appurtenances thereto in anywise belonging, to Grantee, its successors and assigns, forever, and Grantor binds itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

2. Permitted Exceptions.

This Deed is made, and is accepted by Grantee, subject to the restrictions, easements, covenants and encumbrances described on Exhibit B attached hereto and incorporated herein by reference for all purposes (the "Permitted Exceptions").

3. "AS-IS"

EXCEPT AS EXPRESSLY SET FORTH IN THAT CERTAIN CONTRACT OF COMMERCIAL SALE BY AND BETWEEN GRANTOR AND GRANTEE DATED EFFECTIVE JULY 30, 2014 (THE "CONTRACT") AND THE DOCUMENTS DELIVERED AT CLOSING, IT IS UNDERSTOOD AND AGREED THAT GRANTOR IS NOT MAKING AND HAS NOT, AT ANY TIME, MADE ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING BUT NOT LIMITED TO WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE (OTHER THAN GRANTOR'S WARRANTY OF TITLE TO BE SET FORTH HEREIN), ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITION, UTILITIES, OPERATING HISTORY OR PROJECTIONS, VALUATION, GOVERNMENTAL APPROVALS, THE COMPLIANCE OF THE PROPERTY WITH GOVERNMENTAL LAWS, THE TRUTH, ACCURACY OR COMPLETENESS OF THE ITEMS DELIVERED TO GRANTEE UNDER THE CONTRACT, OR OF ANY OTHER INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR TO GRANTEE, OR ANY OTHER MATTER OR THING REGARDING THE PROPERTY. EXCEPT AS EXPRESSLY SET FORTH IN THE CONTRACT AND THE DOCUMENTS DELIVERED AT CLOSING, GRANTEE ACKNOWLEDGES AND AGREES THAT UPON CLOSING, GRANTOR SHALL SELL AND CONVEY TO GRANTEE AND GRANTEE SHALL ACCEPT THE PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS." GRANTEE WILL NOT RELY ON, AND GRANTOR IS NOT LIABLE FOR OR BOUND BY ANY OTHER EXPRESS OR IMPLIED WARRANTIES, GUARANTEES, STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY OR RELATING THERETO, MADE OR FURNISHED BY GRANTOR OR ANY REAL ESTATE BROKER OR AGENT REPRESENTING OR PURPORTING TO REPRESENT GRANTOR TO WHOMEVER MADE OR GIVEN, DIRECTLY OR INDIRECTLY, VERBALLY, ORALLY OR IN WRITING. GRANTEE REPRESENTS TO GRANTOR THAT GRANTEE HAS CONDUCTED SUCH INVESTIGATIONS OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AS GRANTEE DEEMS NECESSARY TO SATISFY ITSELF AS TO THE CONDITION OF THE PROPERTY AND THE EXISTENCE OR NONEXISTENCE OF CURATIVE ACTIONS TO BE TAKEN WITH RESPECT TO ANY HAZARDOUS OR TOXIC SUBSTANCES ON OR DISCHARGED FROM THE PROPERTY, AND WILL RELY SOLELY UPON SAME AND NOT UPON ANY INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR OR ITS AGENTS OR EMPLOYEES WITH RESPECT THERETO, EXCEPT AS EXPRESSLY SET FORTH IN THE CONTRACT OR IN ANY DOCUMENTS DELIVERED AT CLOSING.

[signature page follows]

EXECUTED as of the date of acknowledgement below, but made to be effective as of the date first written above.

GRANTOR:

**GRAHAM MORTGAGE CORPORATION,
a Texas corporation**

By: 
Name: Dean Castelhano, President
Title: _____

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on December 18, 2014, by Dean Castelhano, President
_____, the _____ of Graham Mortgage Corporation, a Texas corporation, on behalf
of said corporation.

Linda K. West
Notary Public, State of Texas

My Commission Expires: _____

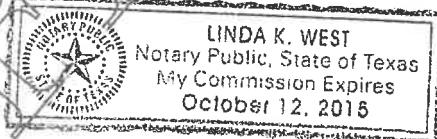


EXHIBIT "A"

Being a 205.9329 acre tract of land situated in the J.S. Bradley Survey, Abstract No. 89 and the J. Snider Survey, Abstract No. 848, in the City of Parker, Collin County, Texas and being a part of a 319.021 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 2010080300798510, Official Public Records, Collin County, Texas and a part of a Remainder of a 105.992 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 20101116001248230, Official Public Records, Collin County, Texas, said 205.9329 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of a tract of land conveyed as Tract 1 to Allen Independent School District by deed recorded in Instrument No. 20090521000619350, Deed Records, Collin County, Texas from which a 1/2 inch iron rod with red plastic cap stamped "TIPTON" bears South 21° 35' 20" West, a distance of 0.68 feet, same being on the common northeast corner of the remainder of said Graham 105.992 acre tract on the south line of Bethany Ridge Estates III, Phase A, an addition to the City of Allen according to the plat recorded in Cabinet J, Page 800, Plat Records, Collin County, Texas;

THENCE South 00° 23' 20" East, along the west line of said Allen Independent School District tract and the common east line of said remainder tract, a distance of 1320.95 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD" found for the southwest corner of said Allen Independent School District tract and the common southeast corner of said remainder tract, same being on the north line of said 319.021 acre tract;

THENCE North 89° 16' 48" East, along the north line of said 319.021 acre tract and the common south line of said Allen Independent School District tract, a distance of 1815.00 feet to an "X" Cut in concrete found for the northeast corner of said 319.021 acre tract, same being on Malone Road (a 30 foot Right-of-Way) as recorded in Volume 4214, Page 1763 and Volume 4244, Page 3622, Deed Records Collin County, Texas;

THENCE along the east line of said 319.021 acre tract, the following courses and distances:

South 00° 23' 13" East, a distance of 1661.24 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 00° 16' 51" West, a distance of 959.31 feet to a 1/2 inch iron rod with yellow plastic cap found for the southeast corner of said 319.021 acre tract;

THENCE South 89° 16' 29" West, along the south line of said 319.021 acre tract and the common north line of Parker Estates Associates, an addition to the City of Allen according to the plat recorded in Volume 1901, Page 390, Plat Records, Collin County, Texas, a distance of 2787.53 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner in the north line of said Parker Estates Addition and the common northeast corner of Sycamore Estates, an addition to the City of Allen, according to the plat recorded in Volume 11, Page 59, Plat Records, Collin County, Texas;

THENCE along the west line of said Remainder tract, the following courses and distances:

North 09° 56' 50" West, a distance of 880.07 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 80° 03' 10" East, a distance of 330.55 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 09° 56' 50" West a distance of 846.92 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner and the beginning of a tangent curve to the right having a central angle of 09° 13' 31", a radius of 1340.30 feet and a long chord that bears North 05° 20' 05" West, a distance of 215.57 feet;

Along said tangent curve to the right, an arc distance of 215.81 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 00° 43' 19" West, a distance of 670.83 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 89° 16' 41" West, a distance of 907.44 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 00° 41' 20" West, a distance of 275.00 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 77° 25' 43" West, a distance of 213.14 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 89° 16' 41" West. a distance of 36.07 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner and being in the east line of a tract of land conveyed Kimberly Bolin by deed recorded in County Clerk's File No. 20070717000986660, Deed Records, Collin County, Texas;

North 00° 44' 50" West, a distance of 294.19 feet to a 1/2 inch iron rod found for the northeast corner of a 1.137 acre tract of land conveyed to Elizabeth Bolin by deed recorded in County Clerk's File No. 20070717000986670, Deed Records, Collin County, Texas;

North 89° 16' 40" East, a distance of 1491.20 feet to a bent 1/2 inch iron rod found for the southeast corner of a tract of land conveyed to Allen Independent School District by deed recorded in Volume 3914, Page 1347, Deed Records, Collin County, Texas;

THENCE North 00° 42' 53" West along the west line of said 105.992 acre tract and the common east line of said Allen Independent School District tract, a distance of 679.95 feet to a 1/2 inch iron rod with cap stamped "CORWIN" found for the northwest corner of said 105.992 acre tract;

THENCE North 89° 16' 33" East along the north line of said 105.992 acre tract and the common south line of said Bethany Ridge Estates III Phase A, a distance of 634.16 feet the POINT OF BEGINNING and containing 8,970,435 square feet or 205.9329 acres more or less.

SAVE AND EXCEPT:

Being a 1.500 acre tract of land situated in the J.S. Bradley Survey, Abstract No. 89, in the City of Parker, Collin County, Texas and being a part of a 319.021 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 2010080300798510, Official Public Records, Collin County, Texas, a part of the Remainder of a 105.992 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 20101116001248230, Official Public Records, Collin County, Texas, said 1.500 acre tract being more particularly described by metes and bounds as follows:

COMMENCING, at a 1/2 inch capped iron rod found for the southeast corner of said 319.021 acre tract, the southwest corner of Easy Acres Addition, an addition to the City of Parker, Texas, recorded in Volume 6, Page 87, Deed Records Collin County, Texas, situated in the D. Hearn Survey, Abstract No. 427, the northwest corner of Parker Estates, an Addition to the City of Parker, Texas, recorded in Volume 10, Page 28, Plat Records Collin County, Texas, situated in the G. Gunnell Survey, Abstract No. 350, and the northeast corner of Parker Estates Associates recorded in Volume 1901, Page 930, Plat Records Collin County, Texas;

THENCE South 89 Degrees 16 Minutes 29 Seconds West, along the common north line of said Parker Estates Associates tract and the south line of said 319.021 acre tract, a distance of 397.76 feet to the Point of Beginning a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

THENCE South 89 Degrees 16 Minutes 29 Seconds West, along the common north line of said Parker Estates Associates tract and the south line of said 319.021 acre tract, a distance of 216.00 feet to a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

THENCE departing said common line, and over and across said 319.021 acre tract the following courses and distances;

North 00 Degrees 43 Minutes 31 Seconds West, a distance of 302.50 feet to a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

North 89 Degrees 16 Minutes 29 Seconds East, a distance of 216.00 feet to a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

THENCE South 00 Degrees 43 Minutes 31 Seconds East, a distance of 302.50 feet to the POINT OF BEGINNING and containing 65,340 square feet or 1.500 acres more or less.

Exhibit B

- (1) Easement executed by S. S. Ballew to American Telephone and Telegraph Company, dated December 18, 1928, filed December 19, 1928, recorded in Volume 274, Page 101, of the Deed Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (2) Easement executed by Emma Jean Haggard Hall to Pecan Orchard Water Supply Corporation, filed October 13, 1965, recorded in Volume 662, Page 195, of the Deed Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (3) Easement executed by Luther Bolin to Pecan Orchard Water Supply Corporation, dated September 30, 1965, filed October 13, 1965, recorded in Volume 662, Page 198, of the Deed Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (4) Easement executed by Emajean Haggard Hall, Trustee, to North Texas Municipal Water District, dated November 22, 1985, filed May 14, 1986, recorded in Volume 2366, Page 867, of the Real Property Records of Collin County, Texas, as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (5) Easement awarded to North Texas Municipal Water District in Judgment entered under Cause No. 219-490-85, filed June 11, 1986, recorded in Volume 2386, Page 541, of the Real Property Records of Collin County, Texas, as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (6) Easement executed by Graham Mortgage Corporation to North Texas Municipal Water District, dated April 23, 2014, filed April 25, 2014, recorded under Instrument No. 20140425000401090, of the Real Property Records of Collin County, Texas, as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (7) Terms, conditions and provisions of unrecorded Farming Lease by and between Graham Mortgage Corporation (Landlord) and Bill Donihoo (Tenant), dated March 2, 2011, as evidenced by Special Warranty Deed filed January 2, 2014, recorded under Instrument No. 20140102000004300, of the Real Property Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (8) Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument filed October 23, 1952, in Volume 460, Page 454, of the Deed Records of Collin County, Texas.
- (9) Terms and conditions of that certain unrecorded Farming Lease by and between Graham Mortgage Corporation (Landlord) and Gerald Lewis (Tenant).

(10) The following as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939:

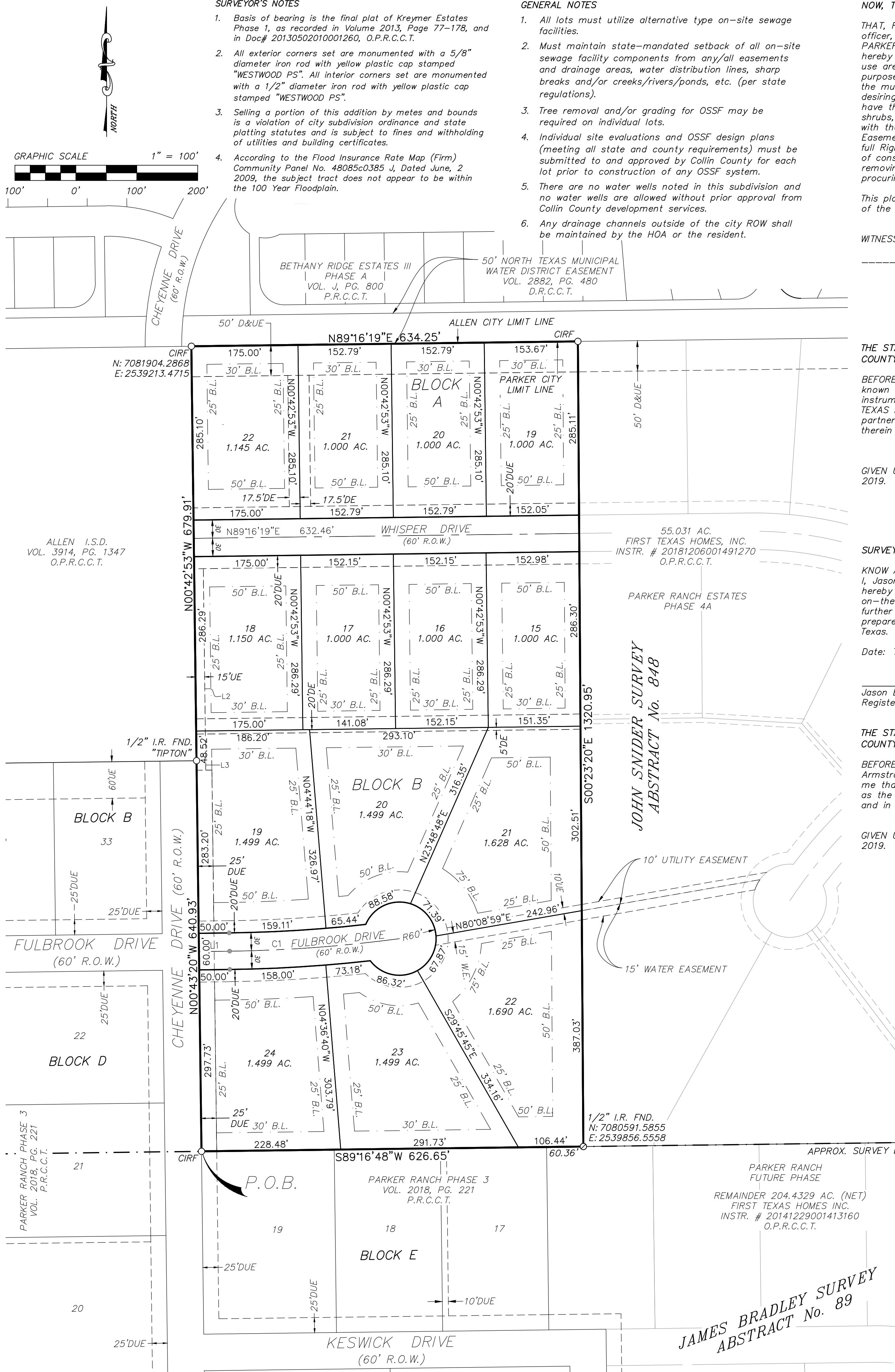
1. That portion of subject property lying within the right of way of Bozeman/Malone Road on the Easterly property line, and within the right of way of Cheyenne Drive along a portion of the North property line.
2. Rights, if any, of third parties with respect to well located near an internal westerly property line.

UNO FICIA

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
12/29/2014 02:59:40 PM
\$50.00 CJAMAL
20141229001413160



Stacey Kemp



GENERAL NOTES

1. Basis of bearing is the final plat of Kremer Estates Phase 1, as recorded in Volume 2013, Page 77-178, and in Doc# 20130502010001260, O.P.R.C.C.T.
2. All exterior corners set are monumented with a 5/8" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS". All interior corners set are monumented with a 1/2" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS".
3. Selling a portion of this addition by metes and bounds is a violation of city subdivision ordinance and state plotting statutes and is subject to fines and withholding of utilities and building certificates.
4. According to the Flood Insurance Rate Map (FIRM) Community Panel No. 48085c0385 J. Dated June, 2 2009, the subject tract does not appear to be within the 100 Year Floodplain.
5. There are no water wells noted in this subdivision and no water wells are allowed without prior approval from Collin County development services.
6. Any drainage channels outside of the city ROW shall be maintained by the HOA or the resident.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, FIRST TEXAS HOMES, INC., acting herein by and through its duly authorized officer, do hereby adopt this plat designating the herein above described property as PARKER RANCH ESTATES PHASE 4B an addition to the City of Parker, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Parker and all public utilities desiring to use or using same. All and any public utility and the City of Parker shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in anyway endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Parker and all public utilities shall, at all times, have the full Right of Ingress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems, without the necessity, at any time or procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Parker, Texas.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 2019.

FIRST TEXAS HOMES, INC.

By: KEITH HARDESTY

BEFORE ME, the undersigned authority, on this day personally appeared Keith Hardesty, known to me to be the person or officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said FIRST TEXAS HOMES, INC., and that he executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: I, Jason B. Armstrong, Registered Professional Land Surveyor for Westwood, PS, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made in February, 2018, under my direction and supervision, and further certify that all corners are as shown thereon, and that said plat has been prepared in accordance with the platting rules and regulations of the City of Parker, Texas.

Date: This the _____ day of _____, 2019.

Jason B. Armstrong
Registered Professional Land Surveyor No. 5557

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Jason B. Armstrong, whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WESTWOOD, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LOT AREA TABLE

LOT NO.	TOTAL AREA(Ac.)	BUILDABLE AREA(Ac.)	LOT NO.	TOTAL AREA(Ac.)	BUILDABLE AREA(Ac.)
BLOCK A					
19	1.000	0.485	15	1.000	0.484
20	1.000	0.484	16	1.000	0.484
21	1.000	0.484	17	1.000	0.484
22	1.145	0.589	18	1.150	0.592
			19	1.499	0.845
			20	1.499	0.841
			21	1.628	0.784
			22	1.690	0.787
			23	1.499	0.840
			24	1.499	0.849

AVERAGE LOT AREA - 1.258 ACRES

LINE #	LENGTH	BEARING
L1	50.00	N89°16'40"E
L2	314.81	N00°42'53"W
L3	15.75	N00°43'20"W

CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	006°58'16"	2300.0'	N85°47'33"E	279.66'	279.63'

THIS PLAT FILED IN DOCUMENT No. _____

LEGAL DESCRIPTION

BEING a 19.118 acre tract of land situated in the City of Parker, Collin County, Texas, being a part of the John Snider Survey, Abstract No. 848, and being a part of a 204.4329 acre tract of land conveyed to First Texas Homes, Inc., by deed of record in Instrument No. 2014229001413160 of the Official Public Records, Collin County, Texas, said 19.118 being more particularly described as follows:

BEGINNING at a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" in the east right-of-way line of Cheyenne Drive, 60'-feet wide, at the northwest corner Lot 19, Block E, of Parker Ranch Phase 3, an addition to the City of Parker, Texas, according to the plat of record in Volume 2018, Page 221 of the Plat Records of Collin County, Texas;

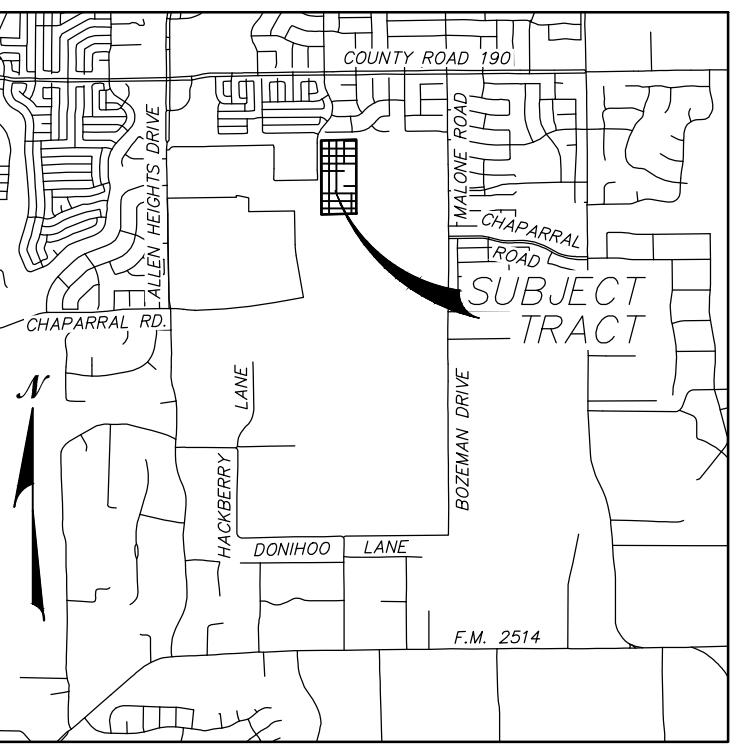
THENCE North 00 degrees 42 minutes 53 seconds West, along said east line of Cheyenne Drive, a distance of 640.93 feet to a found 1/2" iron rod with a cap stamped "TIPON" at the northeast corner of the north terminus of said Cheyenne Drive, and being the southeast corner of a tract of land conveyed to Anna L.S.D., by deed of record in Volume 3914, Page 1347, of said Deed Records of Collin County, Texas;

THENCE North 00 degrees 42 minutes 53 seconds West, along the west line of said Allen I.S.D. tract, a distance of 679.91 feet to a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" in the south line of a 50' easement to North Texas Municipal Water District of record in Volume 2882, Page 480 of said Deed Records at the most northwest corner of said 204.4329 acre tract, and being the northeast corner of said Allen I.S.D. tract;

THENCE North 89 degrees 16 minutes 19 seconds East, along said south line of the 50' easement, a distance of 634.25 feet to a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" at the northeast corner of said 204.4329 acre tract, and being the northwest corner of a 55.031 acre tract conveyed in deed to First Texas Homes, Inc., by deed of record in Instrument No. 2018206001491270 of said Official Public Records;

THENCE South 89 degrees 23 minutes 20 seconds East, along the west line of said 55.031 acre tract, a distance of 1,320.95 feet to a found 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" at the southwest corner of said JBL Kittyhawk, LLC tract;

THENCE South 89 degrees 16 minutes 48 seconds West, at a distance of 60.36 feet passing the northwest corner of Lot 17, Block E, of said Parker Ranch Phase 3, continuing along the north line of said Block E, in an total distance of 626.65 feet to the POINT-OF-BEGINNING, containing 832,780 square feet or 19.118 acres of land.



VICINITY MAP
NOT TO SCALE

RECOMMENDED FOR APPROVAL

Chairman, Planning and Zoning Commission
City of Parker, Texas

Date _____

APPROVED AND ACCEPTED

Mayor, City of Parker, Texas

Date _____

The undersigned, the City Secretary of the City of Parker, hereby certifies that the foregoing Final map or plat of PARKER RANCH ESTATES PHASE 4B a subdivision or addition to the City of Parker was submitted to the City Council on this _____ day of _____, 2019, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the approval thereof by signing his name herein above subscribed.

WITNESS my hand this _____ day of _____, 2019.

City Secretary
City of Parker, Texas

HEALTH DEPARTMENT CERTIFICATION:

I hereby certify that the on-site sewage facilities described on this plat conform to the applicable OSSF laws of the state of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

REGISTERED SANITARIAN OR DESIGNATED REPRESENTATIVE
COLLIN COUNTY DEVELOPMENT SERVICES

PRELIMINARY PLAT

OF

PARKER RANCH ESTATES PHASE 4B

14 RESIDENTIAL LOTS

19.118 ACRES

OUT OF THE

JOHN SNIDER SURVEY, ABSTRACT NO. 848

IN THE

CITY OF PARKER, COLLIN COUNTY, TEXAS

OWNER
FIRST TEXAS HOMES, INC.
500 CRESCENT COURT, SUITE 350
DALLAS, TX 75201
ENGINEER/SURVEYOR
Westwood

Phone (214) 473-4640
Fax (888) 937-5150
westwoodsps.com
Westwood Professional Services, Inc.
TBPE Firm Reg. No. 11756
TBPLS Firm Reg. No. 10074301

O.P.R.K.C.T.

55.031 ACRES MAY 14, 2019 JOB NO. 0006535 PARKER RANCH PHASE 4B

0:\0006535.00\dwg\Survey\PHASE 4B\0006535FP PARKER 4B.dwg



Council Agenda Item

Item 7
C'Sec Use Only

Budget Account Code:	Meeting Date: July 2, 2019
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Attorney Shelby
Estimated Cost:	Date Prepared: June 26, 2019
Exhibits:	1. Proposed Ordinance 2. Ordinance No. 725

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 777, UPDATING ORDINANCE NO. 725, SPECIFICALLY ADDRESSING BRUSH (STORAGE, COLLECTION AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE REGULATIONS). [SHELBY]

SUMMARY

At the June 18, 2019 City Council meeting,

9. DISCUSSION AND/OR ANY APPROPRIATE DIRECTION ON ORDINANCE NO. 777, UPDATING ORDINANCE NO. 725, SPECIFICALLY ADDRESSING BRUSH (STORAGE, COLLECTION AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE REGULATIONS). [SHELBY]

After discussion, City Council directed City Attorney Shelby to revise Ordinance No. 725 (Amending Ordinance No. 706 and 666) (Regulating Storage, Collection, and Disposal of Brush and Bulky Items of Solid Waste), specifically Sections 2 and 4, to reflect brush and bulky items may be placed by the street for pick up no earlier than the Friday, Saturday, or Sunday prior to the scheduled Monday pick up service and further prior to Friday before the scheduled pick up service, the brush and bulky items shall be stored out of site on the resident's property.

MOTION: Councilmember Meyer moved to approve Ordinance No. 777, updating Ordinance No. 725. (***Since this item's caption was for discussion/direction, the item will be placed on the July 2, 2019 City Council agenda for official approval/vote.***) Councilmember Standridge seconded with Councilmembers Abraham, Meyer, Smith, and Standridge voting for the motion. Councilmember Taylor voting against the motion. Motion carried 4-1.

Please review the proposed Ordinance.

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:	06/26/2019 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	06/28/2019

ORDINANCE NO. 777
(AMENDING ORDINANCES NO. 725, 706 and 666)

(Regulating Storage, Collection, and Disposal of Brush and Bulky Items of Solid Waste)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING ORDINANCES NO. 706 AND 666, REGULATING THE STORAGE, COLLECTION, AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED \$500.00 PER DAY, FOR EACH DAY OF VIOLATION; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR REVOCATION OF CONFLICTING ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, large lots, extensive agriculture, and landscaping within the City of Parker may produce significant accumulations of brush and/or other bulky items in need of disposal; and

WHEREAS, the City of Parker provides a brush and bulky items solid waste disposal service to its residents, at certain regulated times during the year; and

WHEREAS, a property owner's storage of brush and other bulky items collected from the owner's property is a practice which may produce a physical and visual hazard for the travelling public, all against the health, safety, and welfare of the residents of the City of Parker, Texas;

WHEREAS, Ordinances 666, 706, and 725 established requirements for the placement and timing of the removal of brush and bulky items, which the Council now has determined should be further amended;

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

Section 1. :

- A. Bulky items include appliances, and other trash items too large to be contained in the residential trash bin.
- B. Brush items include trees, tree limbs, plants, and/or leaves.
- C. It is a violation of this Ordinance to place or store Bulky or Brush Items less than 25 feet from the edge of the surface of the road or anywhere that may be visible to the public before the Friday prior to the Monday of the week such items are scheduled to be removed by the City's solid waste service provider.
- D. Residents may place their bulky or brush items within ten (10) feet from the edge of the roadbed prior to Monday of the week such items are scheduled to be removed by the City solid waste service provider.

Section 2. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

Section 3. All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 4. That any person, firm or corporation violating any of the provisions or terms of this Ordinance upon conviction shall be punished by a fine not to exceed the sum of \$500.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 2nd DAY OF JULY, 2019.

APPROVED:

Mayor Lee Pettle

ATTEST:

City Secretary Patti Scott Grey

APPROVED AS TO FORM:

City Attorney Brandon Shelby

ORDINANCE NO. 725
(AMENDING ORDINANCES NO. 706 and 666)

(Regulating Storage, Collection, and Disposal of Brush and Bulky Items of Solid Waste)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING ORDINANCES NO. 706 AND 666, REGULATING THE STORAGE, COLLECTION, AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED \$500.00 PER DAY, FOR EACH DAY OF VIOLATION; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR REVOCATION OF CONFLICTING ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, large lots, extensive agriculture, and landscaping within the City of Parker may produce significant accumulations of brush and/or other bulky items in need of disposal; and

WHEREAS, the City of Parker provides a brush and bulky items solid waste disposal service to its residents, at certain regulated times during the year; and

WHEREAS, a property owner's storage of brush and other bulky items collected from the owner's property is a practice which may produce a physical and visual hazard for the travelling public, all against the health, safety, and welfare of the residents of the City of Parker, Texas;

WHEREAS, Ordinances 666 and 706 established requirements for the placement and timing of the removal of brush and bulky items, which the council now has determined should be further amended;

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

Section 1. Bulky item regulations:

- A. Bulky items include appliances, and other trash items too large to be contained in the residential trash bin. It is a violation of this Ordinance to place or store Bulky Items less than 25 feet from the edge of the surface of the road more than seven (7) days prior to the date such items are scheduled to be removed by the city solid waste service. The term "bulky items" does not include the brush items defined in Section 2. below.
- B. Residents are requested to place their bulky items within ten (10) feet from the edge of the roadbed within the seven day period prior to the date such items are scheduled to be removed by the city solid waste service.

Section 2. Brush items (including trees, tree limbs, plants, and/or leaves) may be placed within 10 feet of the edge of the surface of the road at any time during the month.

Section 3. All brush and bulky items must be placed by the edge of the roadbed for removal in a manner that will not create a physical or visual hazard to motorists, cyclists, or pedestrians. No portion of the brush or bulky items should touch the surface of the roadway, or protrude into the space above the roadway. No portion of the brush or bulky items should be placed in a drainage way or bar ditch of the roadway in a manner to cause an impediment to storm drainage.

Section 4. The date scheduled for collection by the city is not counted in the seven (7) day period. The schedule for brush and bulky item pick-up may be obtained from the City of Parker's web site, or, in the event it is not available on the web site, directly from Parker City Hall.

Section 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

Section 6. All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance upon conviction shall be punished by a fine not to exceed the sum of \$500.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 8. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 17th DAY OF FEBRUARY, 2015.

March

APPROVED:

Mayor Pro Tem Levine



ATTEST:

Carrie L. Smith
City Secretary Carrie L. Smith

APPROVED AS TO FORM:

City Attorney James E. Shepherd

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
2019			
TBD	Municipal Complex Update	Standridge	General Update from time to time
TBD	Transportation Update	Standridge	Last update 6/18/2019 CC Mtg
TBD	Home Rule	Shelby	Update 7/2
TBD	International Building Codes	Machado	2018 0920 PWD GM working toward update
TBD	Staff Contract Policy	Shelby/Olson	Last update 6/04/2019 CC Mtg
TBD	CIP - (Drainage Committee) Update	Taylor/Machado	
TBD	Comprehensive Plan	Council	discussion requested 3/17
TBD	Annual Codification Supplement	C'Sec	Last update 6/04/2019 CC Mtg
TBD	2019 City Fee Schedule	Savage	2015-16 Approved 2/29; added 2016-17 to FAI; Last Update 06/04/2019
TBD	Ord. No. 775 - Updating Ord. No. 459 (Sorcerors and Peddlers Regulations) – City Attorney Reviewing Section 2, Minor Reviewing if needed	Shelby	2019 0618 CC Mtg
TBD	Ord. No. 776 - Updating Ord. No. 550 (Fire and Police Alarm Systems Regulations) – City Staff Reviewing if needed	Olson	2019 0618 CC Mtg
TBD	Discussion - Research - Going Electronic	Olson	MLP added 06/24/2019
2016 1018			
Feb, May, Aug., Nov.	Republic Waste Report		REQUIRED PER ORDINANCE AND AGREEMENT.
Feb, May, Aug., Nov.	Fire Dept. Report	Sheff/Miller/Fowers	
Feb, May, Aug., Nov.	Investment Report	Savage	
July 16, 2019	IT Services	Olson/Savage	Work in Progress
July	Atmos	Shelby	Res. No. 2018-564 - 03202018

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
July	Res.to add a Municipal Court Alt. Judge (Moore)	Olson/Newton	2019 0116 0605 Res2018-573 Appmnt of Municipal Court Officials Update
July	Depository Services Bid - check w/GS	Savage-5/14	Resolution 2015-467 - 12/31/2017 - ANB w/3-1yr renewals per JB see agr she has starting 18, 19, 20
July	SUP - P&Z 5/23 - Canceled - On Hold	Shelby/Machado	
July	Res. Updating maps, e.g. Zoning, Annexation, Waterline, etc.	Gary	20190116 working with Ken, w/CEJB's office
TBA	Annual Street Maintenance 2019 - Award Bid	Machado/Olson	No bids - DMN - 20190609 & 20190616
July	Paramedic Ambulance Service w-ETMC Coalition	Sheff	Res2014-460 - 5 yr contract - Expires 20191001 Automatic Renewal, If no, written notice 120 days
August	Parks & Rec. Discussion/Ord - Keep Texas Beautiful	Pettle	Tabled June 18, 2019