



AGENDA

PLANNING AND ZONING NOVEMBER 5, 2020 @ 7:00 P.M.

Notice is hereby given; the Planning and Zoning Commission for the City of Parker will hold a Special Meeting on Thursday, November 5, 2020 at 7:00 P.M. at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

CALL TO ORDER – Roll Call and Determination of a Quorum

PLEDGE OF ALLEGIANCE

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

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

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

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR AUGUST 27, 2020.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH PHASE 4A AND 4B FINAL PLAT. [MACHADO]

ROUTINE ITEMS

3. FUTURE AGENDA ITEMS
4. ADJOURN

In addition to any specifically identified Executive Sessions, the Planning and Zoning Commission 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 Commission 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 October 30, 2020 by 5:00 p.m. at the Parker City Hall.

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.



Agenda Item

Item 1
C'Sec Use Only

Budget Account Code:	Meeting Date: November 5, 2020
Budgeted Amount:	Department/ Requestor: P&Z Commission
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: October 21, 2020
Exhibits:	Proposed Minutes

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES
FOR AUGUST 27, 2020.

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

Planning and Zoning (P&Z) Commission may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	10/22/2020
City Attorney:		Date:	
Public Works Director:	<i>Gary Machado</i>	Date:	10/23/2020

MINUTES
PLANNING AND ZONING COMMISSION MEETING

August 27, 2020

CALL TO ORDER – Roll Call and Determination of a Quorum

The Planning and Zoning Commission met on the above date. Chairperson Wright called the meeting to order at 7:00 p.m.

Commissioners Present: Use “✓” or “X”, please

X	Chairperson Russell Wright		X	Alternate Marilyn Kittrell
X	Commissioner Joe Lozano		X	Alternate Larkin Crutcher
X	Commissioner Wei Wei Jeang		X	Alternate JR Douglas
X	Commissioner David Leamy			
X	Commissioner Jasmat Sutaria			

Staff/Others Present:

X	Public Works Director Gary Machado			City Attorney Brandon S. Shelby
X	City Secretary Patti Scott Grey			

PLEDGE OF ALLEGIANCE

The pledges were recited.

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

No comments.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WHITESTONE ETATES PHASE 2 FINAL PLAT. (**EXHIBIT – WHITESTONE ETATES PHASE 2 FINAL PLAT**)

There were discussions about two items left to be handled: reseeding of the detention pond by the developer in the Fall and replacing the grouted rip rap with concrete, for which a surety check has been received. The Commissioners were assured that these two remaining items will be handled.

There were discussions about certain lots in the development that may need to be cleaned up and fencing behind certain lots inside the drainage easement. Discussion about Onsite sewage facility (OSSF). Discussion about whose responsibility it is to maintain certain areas of the lots at the end of Pecan Orchard Drive, and to add it to the HOA maintenance agreement instead of relying on the homeowner. Discussion about existing neighboring homeowner's concern about the new fence for the neighborhood creating a double fence situation.

MOTION: Commissioner Leamy moved to recommend that the City Council approve the final plat for Whitestone Estates Phase 2. Commissioner Lozano seconded with Commissioners Wright, Lozano, Jeang, Leamy, and Sutaria voting for. Motion carried 5-0.

ROUTINE ITEMS

2. Questions were asked about the status of the on-going project of amending the city zoning regulations, which is still pending city attorney review; questions were asked about Comprehensive Plan Committee meeting schedule.
3. ADJOURN

Chairperson Wright adjourned the meeting at 7:15 p.m.

Minutes Approved on 5th day of November, 2020.

Chairperson Russell Wright

Prepared by Commission Secretary Wei Wei Jeang

Attest:

City Secretary Patti Scott Grey



Agenda Item

Item 2
C'Sec Use Only

Budget Account Code:	Meeting Date: November 5, 2020
Budgeted Amount:	Department/ Requestor: P&Z Commission
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:	Date Prepared: October 21, 2020
Exhibits:	<ol style="list-style-type: none">1. John W. Birkhoff, P.E. letter, dated October 21, 20202. Development Application with additional backup3. Final Plat

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH PHASE 4A AND 4B FINAL PLAT.

SUMMARY

Please review the information provided for Parker Ranch Phase 4A (55.031 Acres, 32 Residential Lots) and 4B (19.118 Acres, 14 Residential Lots) Final Plat.

POSSIBLE ACTION

Planning and Zoning (P&Z) Commission may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
ACA/CS:	<i>Patti Scott Grey</i>	Date:	10/22/2020
City Attorney:		Date:	
Public Works Director:	<i>Gary Machado</i>	Date:	10/23/2020

50

Years
(1969 – 2019)

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

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhcllp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E., R.P.L.S.
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., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.

October 21, 2020

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

Re: Parker Ranch Phase 4A & 4B

Dear Mr. Machado:

We attended the city's walk thru of the completed project for Parker Ranch Phase 4A & 4B additions on October 21, 2020 and offer no further comments.

We are available at your convenience to discuss any questions you may have with our observations.

Sincerely,

John W. Birkhoff, P.E.



DEVELOPMENT APPLICATION
City of Parker, Texas

Proposed Name of Subdivision: Parker Ranch Estates Phase 4A and Phase 4B

Plat Approval Requested	Filing Fee	$\$800 + [(56 \text{ Ac} + 20 \text{ Ac}) \times \$30] = \$3080$	Filing Fee
<input type="checkbox"/> Preliminary Plat	<u>$\\$800.00 + \\$30/\text{acre}$</u>	<input checked="" type="checkbox"/> Final Plat	<u>$\\$800.00 + \\$30/\text{acre}$</u>
<input type="checkbox"/> Site Plan	<u>$\\$300.00 + \\$25/\text{acre}$</u>	<input type="checkbox"/> Minor Plat (5 acres or less)	<u>$\\$500.00 + \\$100/\text{lot}$</u>
<input type="checkbox"/> Replat/Amended	<u>$\\$500.00 \text{ plus } \\$15/\text{lot}$</u>	<input type="checkbox"/> Development Plat	<u>$\\$300.00 + \\$30/\text{acre}$</u>

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

(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):
John Snider Survey, Abstract No. 848

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

Acreage: _____ Existing # of Lots/Tracts: Unplatted Existing Zoning: SFT Ord. 546
Phase 4A: 55.031 Ac Phase 4A: Proposed 32 Resid. Lots (If a PD, include the Ordinance with application)
Phase 4B: 19.118 Ac Phase 4B: Proposed 14 Resid. Lots

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

Applicant/Contact Person: Justin Zuniga Title: _____

Company Name: First Texas Homes, Inc.

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

Phone: 469-446-5135 Fax: _____ Email Address: jzuniga@firsttexashomes.com

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: 75059

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 _____
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)

SUBSCRIBED AND SWORN TO before me, this the _____ day of _____, _____.

Notary Public in and for the State of Texas: _____

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:

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

- Public Works Director
- City Engineer
- Building Official
- Fire Department

Public Hearing Required: Yes 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	
10-22-20	PR4A. INSP	PR4A	UTIL/PAVE	INSP	INSP	54428.41		.00		54428.41	
10-22-20	PR4B. INSP	PR4B	UTIL/PAVE	INSP	INSP	5240.90		.00		5240.90	
CHECK DATE	10-23-20	CHECK NUMBER	297495	TOTAL >		59669.31		.00		59669.31	

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

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

<i>First Texas Homes</i> 500 Crescent Court #350 Dallas, Texas 75201	Frost Bank Dallas, Texas	DATE October 23, 2020	CHECK NO. 297495	AMOUNT \$*****59,669.31
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Pay: *****Fifty-nine thousand six hundred sixty-nine dollars and 31 cents

PAY
TO THE
ORDER OF
CITY OF PARKER

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

PARKER 4A

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 689.00 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 Enajean 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 Dawell 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 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 Land 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.

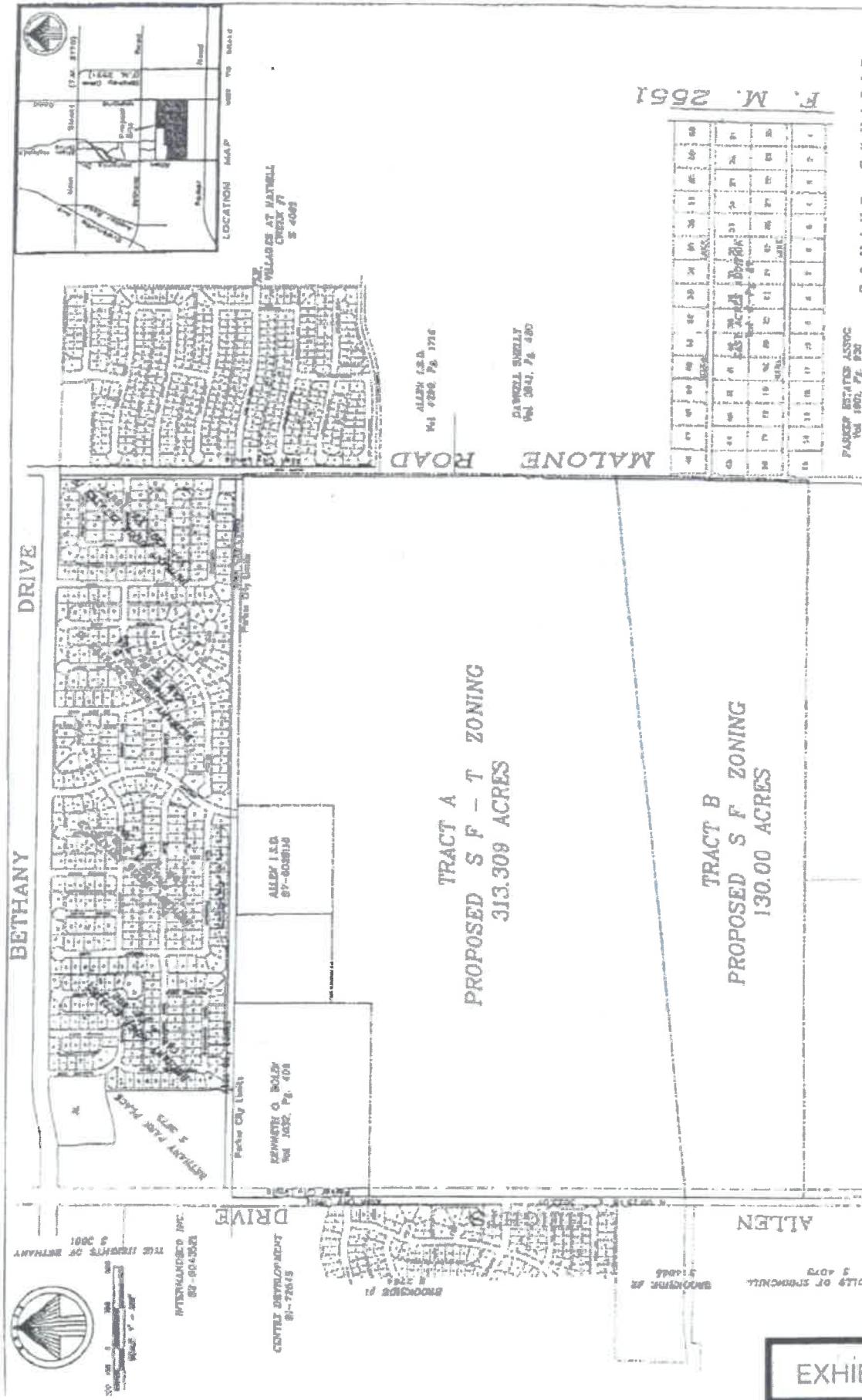


EXHIBIT C
Chaparral Road Specifications

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.

SENDERA TITLE GF# 1803684-MCCB/collin
AFTER RECORDING RETURN TO:

First Texas Homes, Inc.
500 Crescent Court, Suite, 350
Dallas, Texas 75201

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

Date: December 4, 2018

Grantor: DFW Sunrise, LLC, a Texas limited liability company

Grantor's Mailing Address: 16950 Dallas Parkway, Suite 102, Dallas, Texas 75248

Grantee: First Texas Homes, Inc., a Texas corporation

Grantee's Mailing Address: 500 Crescent Court, Suite 350, Dallas, Texas 75201

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements): The real property containing approximately 55.031 gross acres of land, out of the John Snider Survey, Abstract 848, in the City of Parker, Collin County, Texas, being the real property described in EXHIBIT A and incorporated herein by reference for all purposes (hereinafter called the "Land"), together with: (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said Land and any of Seller's rights to use same; (iv) any and all rights of ingress and egress to and from said Land and any of Seller's rights to use same; (v) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit said Land or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vi) any and all rights and interests of Seller in and to any leases covering all or any portion of said Land, and (vii) all right, title, and interest of Seller, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding said Land, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to said Land (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said Land and (d) any and all reversionary interests in and to said Land (the Land together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (vii) above are herein collectively called the "Property").

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Those certain exceptions set forth in **EXHIBIT B**, attached hereto, standby fees and assessments by any taxing authority for the year 2019, and subsequent years, the payment of which Grantee assume and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Exceptions to Conveyance and Warranty.

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

DFW Sunrise, LLC, a Texas limited liability company

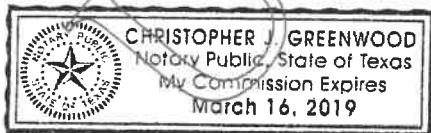
Tony Shaw, Managing Member

STATE OF TEXAS

COUNTY OF Dallas

Before me, Christopher J. Greenwood, on this day personally appeared Tony Shaw, proved to me through Driver's License to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that Tony Shaw executed the same as the act of DFW Sunrise, LLC, a Texas limited liability company, as its Managing Member, for the purposes and consideration therein expressed.

Given under my hand and seal of office this 4th day of December, 2018.



Christopher J. Greenwood
Notary Public, State of Texas

EXHIBIT A

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 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 $00^{\circ}23'50''$ 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 $89^{\circ}16'48''$ 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 $00^{\circ}23'20''$ 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 $89^{\circ}17'14''$ 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

- a. Easement dated October 13, 1965, executed Luther Bolin to Pecan Orchard Water Supply Corporation, recorded under Volume 662, Page 198, Deed Record of Collin County, Texas, and as noted on survey dated August 14, 2015, prepared by Jason B. Armstrong, RPLS No. 5557.
- b. Easement awarded to North Texas Municipal Water District in Condemnation Proceedings in the County of Collin County, under Cause No. 219-490-85, dated April 30, 1986, filed June 11, 1986 and recorded in Volume 2386, Page 541, Real Property Records, Collin, Texas, and as shown on survey dated August 14, 2015, prepared by Jason B. Armstrong, RPLS No. 5557.
- c. Easement awarded to North Texas Municipal Water District in Condemnation Proceedings in the County of Collin County, under Cause No. H85-490-296, dated April 30, 1986, filed June 11, 1986 and recorded in Volume 2386, Page 556, Real Property Records, Collin, Texas, and as shown on survey dated August 14, 2015, prepared by Jason B. Armstrong, RPLS No. 5557.
- d. Easement as shown in instrument from Allen Independent School District to North Texas Municipal Water District, dated May 27, 2014 and filed in Instrument No. 20140623000637320, Official Public Records, Collin County, Texas, and as shown on survey dated August 14, 2015, prepared by Jason B. Armstrong, RPLS No. 5557.
- e. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated September 3, 2015, filed September 3, 2015, under Instrument No. 20150903001126800, of the Official Public Records of Collin County, Texas. Reference to which instrument is here made for particulars.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
12/06/2018 03:46:27 PM
\$38.00 SCAPELA
20181206001491270



Stacey Kemp



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 $00^{\circ}23'50''$ 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 $89^{\circ}16'48''$ 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 $00^{\circ}23'20''$ 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 $89^{\circ}17'14''$ 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 cursive script that reads "Stacey Kemp".

1403106-McCB

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.

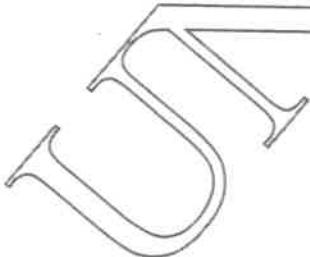
2. Permitted Exceptions.

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: McCallum
Name: Dean Castelhano, President
Title: President

STATE OF TEXAS §
COUNTY OF DALLAS §
§

This instrument was acknowledged before me on December 15, 2014, by Dean Castelhano, President
_____, the _____ of Graham Mortgage Corporation, a Texas corporation, on behalf
of said corporation.

Notary Public, State of Texas

My Commission Expires: _____

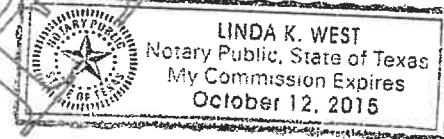


EXHIBIT "A"

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 Belin 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.

UNOFFICIAL

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



October 28, 2020

First Texas Homes
Attn: Justin Zuniga
500 Crescent Court
Suite 350
Dallas, TX 75201

RE: Parker Ranch 4A & 4B – Final Acceptance

Dear Justin:

The inspection and testing of the above referenced property drainage structures has met the standards of approval for the City of Allen. We also acknowledge the receipt of your Maintenance Bond for 2 years from the date of final acceptance and 10% of the contract price.

The City of Allen hereby accepts this project effective October 28, 2020. Please keep in mind the City expects the drainage structure be kept clean and the erosion control maintained during the house construction phase.

If you have any questions, please do not hesitate to contact Joseph Cotton, PE at 214-509-4577 or jcotton@cityofallen.org.

Sincerely,


Joseph Cotton, P.E.
Assistant Director of Engineering

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 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°17'4" 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.

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 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 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 _____, 2020.

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 wherein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____, 2020.

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 herein 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 therein, 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 _____, 2020.

Jason B. Armstrong
Registered Professional Land Surveyor No. 5557

THE 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 wherein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2020.

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 _____, 2020, 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 _____, 2020.

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

LOT NO.	TOTAL AREA(AC.)	BUILDABLE AREA(AC.)	LOT NO.	TOTAL AREA(AC.)	BUILDABLE AREA(AC.)
BLOCK A					BLOCK B
1	1.498	0.718	1	1.498	0.686
2	1.374	0.736	2	1.264	0.693
3	1.333	0.699	3	1.249	0.691
4	1.168	0.592	4	1.088	0.844
5	1.179	0.501	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	2.556	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

FINAL PLAT

OF
PARKER RANCH ESTATES
PHASE 4A

32 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
Westwood Professional Services, Inc.
TIBPLS Firm Reg. No. 11074301
TIBPLS Firm Reg. No. 11074301

