

# City of *OVILLA* City Council

Rachel Huber, Place One  
Larry Stevenson, Place Two  
David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four  
Dean Oberg, Place Five  
Interim City Administrator Jacqueline Lee

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, May 11, 2015

6:30 P.M.

Council Chamber Room

## AGENDA

NOTICE is hereby given of a **Regular Meeting** of the City Council of the City of Ovilla, to be held on **Monday, May 11, 2015 at 6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

### I. CALL TO ORDER

- Invocation – Pastor Brian Treadaway
- Pledge of Allegiance

### II. COMMENTS, PRESENTATIONS & REPORTS

Police Officer Memorial Week Proclamation  
Motorcycle Awareness Proclamation

#### ▪ Citizen Comments

*The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.*

#### ▪ Department Activity Reports / Discussion

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| • Police Department                   | Police Chief M. Moon              |
| ○ Monthly Report                      |                                   |
| • Fire Department                     | Interim Fire Chief B. Kennedy     |
| ○ Monthly Report                      |                                   |
| • Public Works                        | Public Works Director B. Piland   |
| ○ Monthly Report                      |                                   |
| • Finance Department                  | City Accountant L. Harding        |
| ○ February 2015 Monthly Financials    |                                   |
| • Administration                      | Interim City Administrator J. Lee |
| ○ Activity Report                     |                                   |
| ○ Monthly Municipal Court Report      | City Secretary P. Woodall         |
| ○ Monthly Code/Animal Control Reports | Code/AC Officer M. Dooly          |

### III. CONSENT AGENDA

*The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration.*

- C1. March 2015 Financial Transactions over \$5,000
- C2. Committed Fund Balance
- C3. Quarterly Investment Report
- C4. Staff responses to Management Letter from Yeldell
- C5. Consideration of and action on Resolution R2015-010 of the City of Ovilla, Texas, adopting the Storm Water Management Plan 2014-2019.
- C6. Consider ERCOT Election of Unaffiliated Director and Bylaws Amendment

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- C7. Minutes of the April 17, 20 and 29 Special Meetings
- C8. Minutes of the April 13, 2015 Briefing Session and Regular City Council Meeting

## IV. PUBLIC HEARING AND CONSIDERATION

*In accordance with the laws of the State of Texas, the City Council of the City of Ovilla conducts public hearings to receive public testimony and comments from all interested persons and parties of the properties described.*

- 1. Case No. PZ15.03. *Receive* presentation and citizen comments on a request by Mr. Robert Hill to replat his property at Tanglewood Hollow, Phase 11, approximately 6.968 acres replatting to 6 individual residential lots 18A, 18B, 18C, 18D, 18E, 18F, ranging from 1.147 – 1.186 acres, in the City of Ovilla, Extraterritorial Jurisdiction (ETJ).
  - a. *Presentation* of Request for replat, Mr. Robert Hill.
  - b. *PUBLIC HEARING* to receive comments from the public regarding the request.
  - c. *DISCUSSION/ACTION* – Case No. PZ15-03. Receive recommendation from the Planning and Zoning Commission regarding the request from Mr. Robert Hill on his property of approximately 6.968 acres to replat to 6 individual residential lots 18A, 18B, 18C, 18D, 18E, 18F, ranging from approximately 1.147 – 1.186 acres, located in Tanglewood Hollow, Phase 11, in the City of Ovilla, Extraterritorial Jurisdiction (ETJ) and consider approval of the replat request.

## V. REGULAR AGENDA

- 2. *DISCUSSION/ACTION* - Case No. PZ15.004 *Receive* recommendation report from the Planning and Zoning Commission for the MISD Site Plan and consider approval of same.
- 3. *DISCUSSION/ACTION* – *Consideration* of and action on Ordinance 2015-011 providing for the amendment to the Zoning Ordinance of the City of Ovilla, Texas, that being Ordinance 2010-013, as heretofore amended, approving a Planned Development District 5 being approximately 130.043 acres of land, consisting of 3 tracts of land situated in the Samuel Clark Survey and each being part of a 107.8110 acre tract recorded in volume 2115, page 2065 of the deed records of Ellis County, and 2 tracts of land situated in the E. W. Banton Survey, Abstract 5 and both being part of a 22.232 acre tract of land described in volume 2335, page 1106 of the deed records of Ellis County; providing for regulations applicable to the Planned Development District; providing for an amendment of the official zoning map of the City of Ovilla to reflect the Planned Development District as Ovilla Town Center - PD1; providing for penalties; providing a savings clause, providing a severability clause; providing for publication and providing an effective date.
- 4. *DISCUSSION/ACTION* – *Consideration* of and action for approval of a proposed Budget Calendar for FY2015-2016 budget preparations.
- 5. *DISCUSSION/ACTION* – *Consideration* of and action on volunteer board appointments and/or reappointments to the Board of Adjustment and direct staff as necessary.
- 6. *DISCUSSION/ACTION* – *Consideration* of and action on volunteer board appointments and/or reappointments to the Planning and Zoning Commission and direct staff as necessary.
- 7. *DISCUSSION/ACTION* – *Consideration* of and action on volunteer board appointments and/or reappointments to the Economic Development Corporation (EDC) and direct staff as necessary.

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8. **DISCUSSION/ACTION** – *Consideration* of and action declaring two City vehicles that are no longer in use or operable as surplus property and authorize sale.
9. **DISCUSSION/ACTION** – *Consideration* of and action authorizing the method of sale on City property declared as surplus under Item 9, with Rene Bates Auctioneers.
10. **DISCUSSION/ACTION** – *Consideration* of and action on Resolution R2015-011 of the City Council of the City of Ovilla, TX, amending the deadline of the ESD #4 contract to September 30, 2015, for the provision of Fire Services and First Responder Services by the Ovilla Fire Department to Emergency Services District #4, repealing Resolution R2014-032.
11. **DISCUSSION/ACTION** – *Consideration* of and action on Resolution R2015-012, authorizing continued participation with the ATMOS Cities Steering Committee; and authorizing the payment of five cents per capita to the ATMOS Cities Steering Committee to fund regulatory and related activities related to ATMOS Energy Corporation.

## VI. EXECUTIVE SESSION

12. **DISCUSSION/ACTION** – *Consideration* of and action on the appointment of the Fire Chief.
13. **DISCUSSION/ACTION** – *Deliberate* the appointment, employment, and evaluation of applicants for the position of City Administrator.

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.

## VI. REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF

## VII. ADJOURNMENT

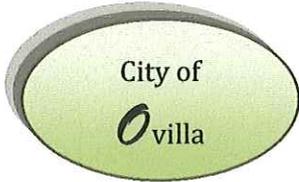
THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the May 11, 2015 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofovilla.org](http://www.cityofovilla.org), on the 8<sup>th</sup> day of May 2015 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 5-8-15 TIME: 11:00 am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 3

Meeting Date: May 11, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: J. Lee Interim CA

Amount: N/A

Reviewed By:  Interim City Administrator  City Secretary  City Attorney  
 Accountant  Other: Public Works Director

Attachments:
1. Ordinance 2015-011
Agenda Item / Topic:
3. <b>DISCUSSION/ACTION</b> – <i>Consideration</i> of and action on Ordinance 2015-011 for the amendment of the Zoning Ordinance of the City of Ovilla, Texas, that being Ordinance 2010.013, as heretofore amended, approving a Planned Development District being approximately 130.043 acres of land, consisting of 3 tracts of land situated in the Samuel Clark Survey and each being part of a 107.8110 acre tract recorded in Volume 2115, page 2065 of the Deed Records of Ellis County, and 2 tracts of land situated in the E. W. Banton Survey, Abstract 5 and both being part of a 22.232 acre tract of land described in Volume 2335, Page 1106 of the Deed Records of Ellis County; proving for regulations applicable to the Planned Development District; providing for an amendment of the official zoning map of the City of Ovilla to reflect the Planned Development District as the <b>Ovilla Town Center-PD1</b> ; providing for penalties; providing a savings clause, providing a severability clause; providing for publication and providing an effective date.
Discussion / Justification:
The presented Ordinance ratifies the Planned Development Concept Plan of the Hosford Tracts, submitted by the Developer, Mr. Clyde Hargrove, and approved by Council on February 09, 2015. This will amend the Zoning Ordinance of the City at the location of the senior community tract. There were no other zoning changes.
Recommendation / Staff Comments:
Sample Motion(s):
<i>I move that Council APPROVE/DENY</i> Ordinance 2015-011 for the amendment of the Zoning Ordinance of the City of Ovilla, Texas, that being Ordinance 2010.013, as heretofore amended, approving a Planned Development District being approximately 130.043 acres of land, consisting of 3 tracts of land situated in the Samuel Clark Survey and each being part of a 107.8110 acre tract recorded in Volume 2115, page 2065 of the Deed Records of Ellis County, and 2 tracts of land situated in the E. W. Banton Survey, Abstract 5 and both being part of a 22.232 acre tract of land described in Volume 2335, Page 1106 of the Deed Records of Ellis County; proving for regulations applicable to the Planned Development District; providing for an amendment of the official zoning map of the City of Ovilla to reflect the Planned Development District as the <b>Ovilla Town Center-PD1</b> ; providing for penalties; providing a savings clause, providing a severability clause; providing for publication and providing an effective date.

ORDINANCE NO. 2015-011

AN ORDINANCE PROVIDING FOR THE AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF OVILLA, TEXAS, THAT BEING ORDINANCE 2010.013, AS HERETOFORE AMENDED, APPROVING A PLANNED DEVELOPMENT DISTRICT BEING APPROXIMATELY 130.043 ACRES OF LAND, CONSISTING OF 3 TRACTS OF LAND SITUATED IN THE SAMUEL CLARK SURVEY AND EACH BEING PART OF A 107.8110 ACRE TRACT RECORDED IN VOLUME 2115, PAGE 2065 OF THE DEED RECORDS OF ELLIS COUNTY, AND 2 TRACTS OF LAND SITUATED IN THE E.W. BANTON SURVEY, ABSTRACT 5 AND BOTH BEING PART OF A 22.232 ACRE TRACT OF LAND DESCRIBED IN VOLUME 2335, PAGE 1106 OF THE DEED RECORDS OF ELLIS COUNTY; PROVIDING FOR REGULATIONS APPLICABLE TO THE PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR AN AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF OVILLA TO REFLECT THE PLANNED DEVELOPMENT DISTRICT AS OVILLA TOWN CENTER-PD1; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Ovilla, Texas is a Type A general-law municipality located in Ellis and Dallas Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City of Ovilla, Texas, previously adopted its comprehensive zoning ordinance, Ordinance No. 2010.013; and

**WHEREAS**, the owner of five tracts of land consisting of approximately 130.043 acres of land in the City of Ovilla has made application with the City for a planned development district;

**WHEREAS**, the Planning and Zoning Commission of the City of Ovilla and the City Council of the City of Ovilla have given the requisite notices, by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all interested property owners generally and to all persons interested in and situated in the affected area and the vicinity thereof; and

**WHEREAS**, the City Council, in the exercise of its legislative discretion, has concluded that Ovilla's zoning ordinance should be amended to provide for the planned development as set forth herein.

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

**SECTION 1.** The legal descriptions of the properties zoned herein are described as follows:

- Tract 1- A 58.399 acre tract of land situated in the Samuel Clark Survey, Abstract No. 212, Ellis County, Texas and being part of a 107.8110 acre tract of land described in the deed to SLJ Corner Stone II, Ltd., as recorded in Volume 2115, Page 2065, of the Deed Records of Ellis County, and being more particularly described by metes and bounds in Exhibit A attached hereto and incorporated herein for all purposes.
- Tract 2 - A 29.907 acre tract of land situated in the Samuel Clark Survey, Abstract No. 212, Ellis County, Texas and being part of a 107.8110 acre tract of land described in the deed to SLJ Corner Stone II, Ltd., as recorded in Volume 2115, Page 2065, of the Deed Records of Ellis

## ORDINANCE NO. 2015-011

County, and being more particularly described by metes and bounds in Exhibit B attached hereto and incorporated herein for all purposes.

- Tract 3 - A 19.505 acre tract of land situated in the Samuel Clark Survey, Abstract No. 212, Ellis County, Texas and being part of a 107.8110 acre tract of land described in the deed to SLJ Corner Stone II, Ltd., as recorded in Volume 2115, Page 2065, of the Deed Records of Ellis County, and being more particularly described by metes and bounds in Exhibit C attached hereto and incorporated herein for all purposes.
- Tract 4 - A 21.130 acre tract of land situated in the E.W. Banton Survey, Abstract No. 51, Ellis County, Texas and being part of a 22.232 acre tract of land described in the deed to Clyde L. Hargrove as recorded in Volume 2335, Page 1106, of the Deed Records of Ellis County, and being more particularly described by metes and bounds in Exhibit D attached hereto and incorporated herein for all purposes.
- Tract 5 - A 1.102 acre tract of land situated in the E.W. Banton Survey, Abstract No. 51, Ellis County, Texas and being part of a 22.232 acre tract of land described in the deed to Clyde L. Hargrove as recorded in Volume 2335, Page 1106, of the Deed Records of Ellis County, and being more particularly described by metes and bounds in Exhibit E attached hereto and incorporated herein for all purposes.

### SECTION 2.

1. Rezoning of Tract 1. The zoning classification of the above described Tract 1 is currently zoned "R-22" - Single Family Residential, as reflected on Exhibit F attached hereto and incorporated herein, and is hereby changed to "PD" – Planned Development.
2. Rezoning of Tract 2. The zoning classification of the above described Tract 2 currently consists of "C-G" – General Commercial and "R-22" – Single Family Residential zoning, as reflected on Exhibit F attached hereto and incorporated herein, and is hereby changed to "PD" – Planned Development.
3. Rezoning of Tract 3. The zoning classification of the above described Tract 3 is currently zoned "R-22" – Single Family Residential, as reflected on Exhibit F attached hereto and incorporated herein, and is hereby changed to "PD" – Planned Development.
4. Rezoning of Tract 4. The zoning classification of the above described Tract 4 currently consists of "R-C" – Single Family Residential, "C-R" – Restricted Commercial and "C-G" – General Commercial, as reflected on Exhibit F attached hereto and incorporated herein, and is hereby changed to "PD" – Planned Development.
5. Rezoning of Tract 5. The zoning classification of the above described Tract 5 is currently "C-G" – General Commercial, as reflected on Exhibit F attached hereto and incorporated herein, and is hereby changed to "PD" – Planned Development.

**SECTION 3.** The property described herein shall be used only in the manner and for the purposes provided for in the Zoning Ordinance of the City of Ovilla, as heretofore amended, and as amended

## ORDINANCE NO. 2015-011

herein by granting this zoning change, and as may be amended in the future, and subject to the following additional conditions:

1. That the Planned Development of Tract 1 shall be subject to the requirements and uses in the R-22 – Single Family Residential District and all uses, site and building plans shall comply with the requirements of as specified in Section 16 and Article 4 of the Zoning Ordinance of the City of Ovilla.
2. That the Planned Development of Tract 2 shall be subject to the requirements and uses in the "C-G" – General Commercial District and all uses, site and building plans shall comply with the requirements of Section 22 and Article 4 of the Zoning Ordinance of the City of Ovilla.
3. That the Planned Development of Tract 3 shall be subject to the requirements and base standards applicable to the "R-15" Single Family Residential District as set forth in Section 17 of the Zoning Ordinance of the City of Ovilla subject to the following additional regulations:
  - (a) Tract 3 shall be a "senior community" and all homes therein shall be designed for and explicitly restricted to owner occupants of ages 55 and older.
  - (b) Lot Area Regulations.
    - (i) Minimum lot size shall be 5,000 square feet
    - (ii) Minimum lot depth shall be 100 feet
    - (iii) Minimum lot width shall be 50 feet
    - (iv) Minimum Yards:
      - front yard – 10 feet
      - side yard – 5 feet (10 feet for corner lots)
      - rear yard – 20 feet
  - (c) Dwelling Areas. The minimum dwelling area of each main dwelling unit, excluding an attached garage, porch area, or other similar non-living area shall not be less than 1,500 square feet.
  - (d) Garages. All garages shall be two-car, front entry garages, and shall be constructed at a setback sufficient to allow the parking of motor vehicles in the driveway to the garage without blocking any sidewalk or other public right-of-way.
  - (e) Private Gated Community. This area shall be a gated community and shall be governed by its own homeowners association and managed by a separate management company. The homeowners association shall be responsible for maintaining all streets and street lights situated in the community. There shall be a six-foot brick wall constructed on the west and south boundaries of the community with landscaped entryways. The northern and eastern boundaries of the community shall be screened by a uniform stained cedar fence with steel poles and shall be constructed at the same time the senior community is developed, unless preceded by the development of Tract 3 in which case it will be a requirement by this ordinance and the deed restrictions of Tract 3 that builders be required to construct the same uniform fence as described above. There shall be a clubhouse and open space park constructed as shown in the attached Exhibit G and shall be maintained by the homeowners association.

**ORDINANCE NO. 2015-011**

4. That the Planned Development of Tract 4 shall be subject to the requirements and uses in the "R-22" – Single Family Residential District and all uses, site and building plans shall comply with the requirements of Section 16 and Article 4 of the Zoning Ordinance of the City of Ovilla.
5. That the Planned Development of Tract 5 shall be subject to the requirements and uses in the "C-G" – General Commercial District and all uses, site and building plans shall comply with the requirements of Section 22 and Article 4 of the Zoning Ordinance of the City of Ovilla.

**SECTION 4.** The official zoning map of the City of Ovilla shall be amended to reflect the zoning changes described herein.

**SECTION 5.** Any person, firm, corporation or other entity which violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined an amount not to exceed the sum of \$2,000 for each offence. Each and every day such an offense shall continue shall be deemed to constitute a separate, punishable offense.

**SECTION 6.** In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

**SECTION 7.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 8.** Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

**SECTION 9.** The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of Ovilla, Texas on this the

\_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Richard Dormier, Mayor

**ATTEST:**

\_\_\_\_\_  
Pamela Woodall, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney

**TRACT 1**  
**R-22 RESIDENTIAL ZONING**  
**58.399 ACRES**

**LEGAL DESCRIPTION**

**BEING** a 58.399 acre tract of land situated in the SAMUEL CLARK SURVEY, ABSTRACT NO. 212, Ellis County, Texas, and being part of a 107.8110 acre tract of land described in deed to SLJ Corner Stone II, Ltd., as recorded in Volume 2115, Page 2065, Deeds Records Ellis County, Texas, said 58.399 acre tract being more particular described as by metes and bounds follows:

**BEGINNING** at the easterly northeast corner of said 107.8110 acres tract, in the approximate center line of Westmoreland Road (a Public Road);

**THENCE** South 00 degrees 28 minutes 00 seconds East, along the southerly east line of the said 107.8110 acre tract and the approximate center line of Westmoreland Road a distance of 396.17 feet to a point for corner;

**THENCE** South 89 degrees 47 minutes 11 seconds West, a distance of 1351.62 feet to a point for corner;

**THENCE** North 00 degrees 02 minutes 00 seconds East, a distance of 180.00 feet to a point for corner;

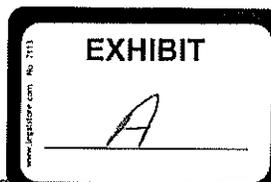
**THENCE** North 89 degrees 47 minutes 11 seconds East, a distance of 32.48 feet to a point for a corner;

**THENCE** North 00 degrees 16 minutes 08 seconds West, a distance 694.16 feet to a point for corner.;

**THENCE** South 89 degrees 47 minutes 11 seconds West, a distance 1248.77 feet to a point for a corner in the approximate center line of Malloy Lane and the west line of said 107.8110 acre tract;

**THENCE** North 00 degrees 28 minutes 16 seconds West, along the approximate center line of Malloy Lane and the west line of said 107.8110 acre tract, a distance of 1111.66 feet to the northwest corner of said 107.8110 acre tract;

**THENCE** North 89 degrees 33 minutes 10 seconds East, along the north line of the said 107.811 acre tract, a distance of 1642.85 feet to the westerly line north east corner of said 107.8110 acre tract;



**THENCE** South 00 degrees 15 minutes 50 seconds East, along the westerly east line of said 107.8110 acre tract, a distance of 1596.35 feet an ell corner of said 107.8110 acre tract;

**THENCE** North 89 degrees 47 minutes 11 seconds East, along the easterly north line of said 107.8110 acre tract, a distance of 926.81 feet to the **POINT OF BEGINNING**, containing 58.399 acres of land.

This document was prepared under 22 TAC 663.21, it does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**TRACT 2  
COMMERCIAL ZONING  
29.907 ACRES**

LEGAL DESCRIPTION

BEING a 29.907 acre tract of land situated in the SAMUEL CLARK SURVEY, ABSTRACT NO. 212, Ellis County, Texas, and being part of a 107.8110 acre tract of land described in deed to SLJ Corner Stone II, Ltd., as recorded in Volume 2115, Page 2065, Deeds Records, Ellis County, Texas said 29.907 acre tract being more particularly described as by metes and bounds follows:

**BEGINNING** the southeast corner of said 107.8110 acres tract and being in approximate centerline of Westmoreland Road and the north line of Ovilla Road (FM 664);

**THENCE** North 89 degrees 58 minutes 00 seconds West, along the south line of said 107.8110 acre tract and along the north line of FM 664, a distance of 1624.19 feet, to a point for corner;

**THENCE** South 87 degrees 10 minutes 00 seconds West, continuing along the of said 107.8110 acre tract and the north line of FM 664 a distance of 100.10 feet, to a point for corner;

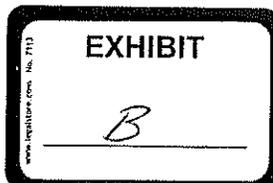
**THENCE** North 89 degrees 58 minutes 00 seconds West continuing along the south line of said 107.8110 acre tract and the north line of FM 664 a distance of 839.70 feet, to the southwest corner of said 107.8110 acre tract at the intersection of the approximate center line of Malloy Lane, (a public road), with the north line of FM. 664;

**THENCE** North 00 degrees 28 minutes 16 seconds West, along the approximate center line of Malloy Road and the west line of said 107.8110 acre tract, a distance of 608.49, to a point for corner;

**THENCE** North 89 degrees 46 minutes 53 seconds East, a distance of 1153.96 feet to a point for corner;

**THENCE** South 00 degrees 02 minutes 00 seconds West, a distance of 14.16 feet to a point for corner;

**THENCE** North 89 degrees 47 minutes 11 seconds East, a distance of 60.00 feet to a point for corner.



**THENCE** South 00 degrees 02 minutes 00 seconds West, a distance 180.00 feet to a point for corner.

**THENCE** North 89 degrees 47 minutes 11 seconds East, a distance 1351.62 feet to a point for corner in the east line of said 107.8110 acre tract and the approximate centerline of Westmoreland Road.

**THENCE** South 00 degrees 28 minutes 00 seconds East, along the east line of said 107.8110 acre tract and the approximate center line of Westmoreland Road a distance of 420.37 feet to the POINT OF BEGINNING AND CONTAINING and containing 29.907 acres of land.

This document was prepared under 22 TAC 663.21, it does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**TRACT 3**  
**PD-1 (SENIOR COMMUNITY)**  
**BASE ZONING OF R-15**  
**(See details in attached PD Ordinance)**  
**19.505 ACRES**

LEGAL DESCRIPTION

**BEING** a 19.505 acre tract of land situated in the SAMUEL CLARK SURVEY, ABSTRACT NO. 212, Ellis County, Texas, and being part of a 107.8110 acre tract of land described in deed to SLJ Corner Stone II, Ltd., as recorded in Volume 2115, Page 2065, Deeds Records Ellis County, Texas said 19.505 acre tract being more particularly described as by metes and bounds follows:

**BEGINNING** at a point for corner in the west line of said 107.8110 acre tract and the approximate center line of Malloy Road, from which the southeast corner of said 107.8110 acre tract bears South 00 degrees 28 minutes 16 seconds East, a distance of 608.49 feet;

**THENCE** North 00 degrees 28 minutes 16 seconds West, along approximate center line of Malloy Lane and along the West line of said 107.8110 acre tract, a distance of 680.01 feet to a point for corner;

**THENCE** North 89 degrees 47 minutes 11 seconds East, a distance of 1248.77 feet to a point for corner;

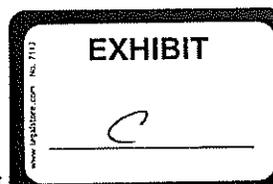
**THENCE** South 00 degrees 16 minutes 08 seconds East, a distance of 694.16 feet to a point for corner;

**THENCE** South 89 degrees 47 minutes 11 seconds West, a distance of 92.48 feet to a point for corner;

**THENCE** North 00 degrees 02 minutes 00 seconds East, a distance 14.16 feet to a point for corner;

**THENCE** South 89 degrees 47 minutes 11 seconds West, a distance 1153.96 feet to the **POINT OF BEGINNING**, containing 19.505 acres of land.

This document was prepared under 22 TAC 663.21, it does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



**TRACT 4  
R-22 RESIDENTIAL ZONING  
21.130 ACRES**

LEGAL DESCRIPTION

**BEING** a 21.130 acre tract of land situated in the E.W. BANTON SURVEY, ABSTRACT 51, Ellis County, Texas, and being part of the 22.232 acre tract described in deed Clyde L. Hargrove as recorded in Volume 2335, page 1106, Deed to Records, Ellis County, Texas, said 21.130 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** the southwest corner of said 22.232 acre tract;

**THENCE** North 00 degrees 07 minutes 39 seconds East, along the west line of said 22.232 acre tract, a distance of 932.61 feet to the northwest corner of said 22.232 acre tract;

**THENCE** South 89 degrees 57 minutes 51 seconds East, along the north line of said 22.232 acre tract, a distance of 1079.23 feet to the northeast corner of said 22.232 acre tract corner, in the center of Malloy Lane;

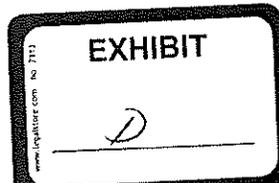
**THENCE** South 00 degrees 02 minutes 09 seconds West along the center line of Malloy Road and east line of said 22.232 acre tract, a distance of 678.36 feet to a point for corner;

**THENCE** North 89 degrees 57 minutes 51 seconds West, a distance of 269.99 feet to a point for corner;

**THENCE** South 00 degrees 02 minutes 07 seconds West, a distance 177.81 feet, to a point for corner in the south line of said 22.232 acre tract and the north right-of-way line of FM 664 (Ovilla Road);

**THENCE** North 89 degrees 58 minutes 00 seconds West along the north right-of-way line of Ovilla Road (FM 664) a distance of 38.00 feet to the beginning of a tangent curve to the left with a radius of 766.20 feet and a chord bearing of South 76 degrees 43 minutes 27 seconds West, a distance 352.77 feet;

**THENCE** Southwesterly, along said curve to the left, through a central angle of 26 degrees 37 minutes 06 seconds, an arc length 355.96 feet to the end of said curve;



**THENCE** North 89 degrees 55 minutes 11 seconds West, along the south line of said 22.232 acre tract, a distance of 412.14 feet to a point for corner;

**THENCE** North 75 degrees 29 minutes 26 seconds West, continuing along the south line of said 22.232 acre tract, a distance of 17.87 feet to the **POINT OF BEGINNING**, and containing 21.130 acres of land.

This document was prepared under 22 TAC 663.21, it does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**TRACT 5  
COMMERCIAL ZONING  
1.102 ACRE**

LEGAL DESCRIPTION

**BEING** a 1.102 acre tract of the land situated in the E.W. BANTON SURVEY, ABSTRACT 51, Ellis County, Texas, and being part of a 22.232 acre tract of land described in deed to Clyde L Hargrove, as recorded in Volume 2335, page 1106, Deed Records, Ellis County, Texas, said 1.102 acre track being more particularly described by its metes and bounds as follows:

**BEGINNING** the southeast corner of said 22.232 acre tract at the intersection of the approximate center line of Malloy Road and the northerly right-of-way line of Ovilla Road (F.M. 664);

**THENCE** North 89 degrees 58 minutes 00 seconds West, along the south line of said 22.232 acre tract and the north right-of-way line of Ovilla Road (FM 664), a distance 269.99 feet to a point for corner;

**THENCE** North 00 degrees 02 minutes 07 seconds East, a distance of 177.81 feet to a point for corner;

**THENCE** South 89 degrees 57 minutes 53 seconds East, a distance 269.99 feet, to a point of corner in the east line of said 22.232 acre tract and the approximate center line of Malloy Road;

**THENCE** South 00 degrees 02 minutes 09 seconds West, along the east line of said 22.232 acre tract and the approximate center line of Malloy Road a distance of 177.80 feet to the **POINT OF BEGINNING**, and containing 1.102 acre of land.

This document was prepared under 22 TAC 663.21, it does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

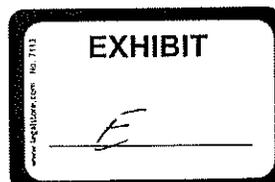






EXHIBIT "G"

TRACT 3

PD-1 (SENIOR COMMUNITY)

AS SHOWN ON CONCEPT PLAN EXHIBIT

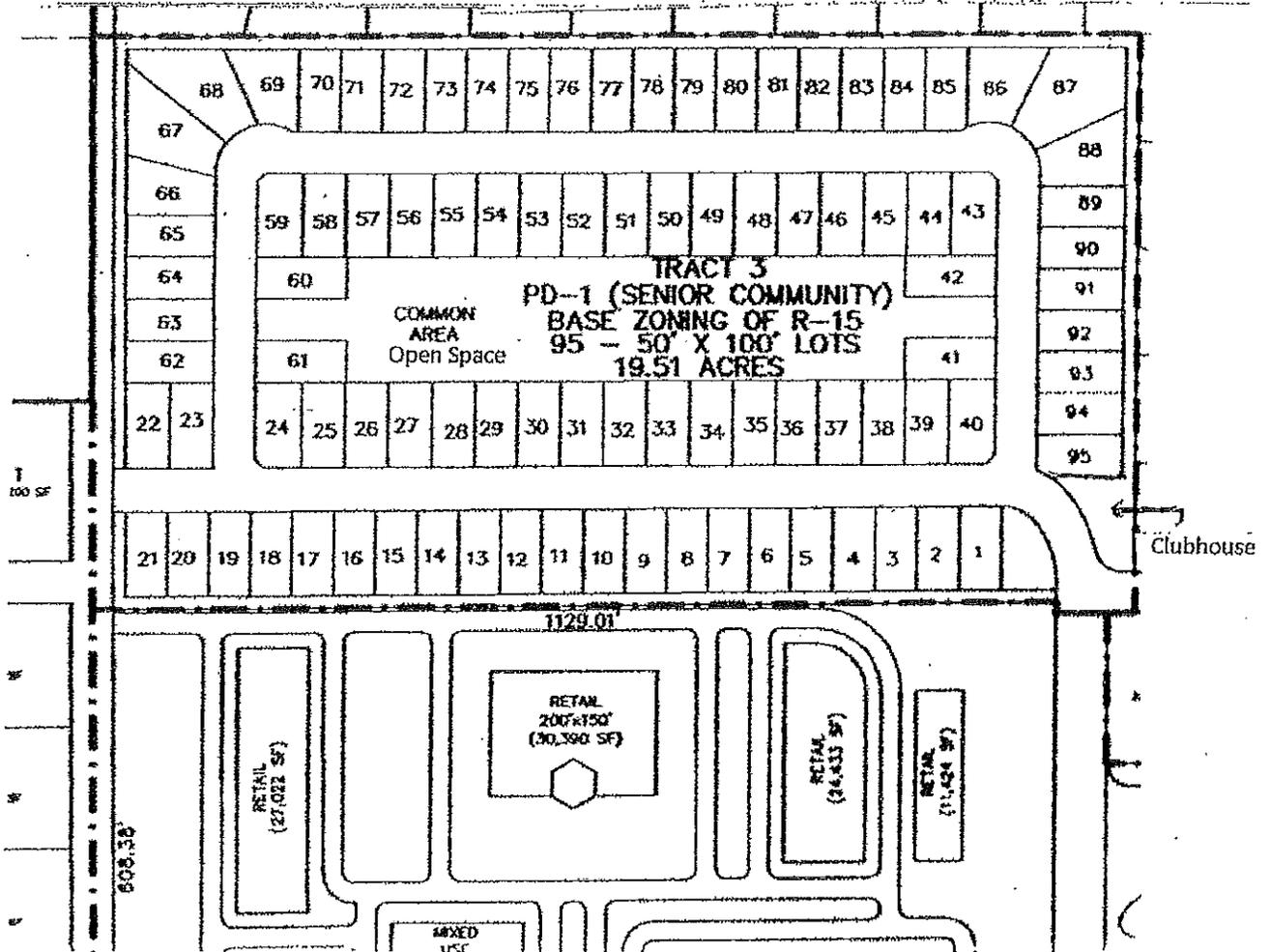


EXHIBIT  
G  
2 OF 2