



**NOTICE OF
CITY COUNCIL SPECIAL MEETING
FIRST UNITED METHODIST CHURCH 112 N. COLORADO ST, CELINA, TX 75009
TUESDAY, MARCH 29, 2016 AT 4:00 PM**

AGENDA

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

II. EXECUTIVE SESSION:

The Celina City Council will convene into Executive Session pursuant to Texas Government Code 551.087, Deliberation Regarding Economic Development Negotiation.

- A. Potential new business

III. PUBLIC HEARING/ACTION:

- A. The Celina City Council will conduct a public hearing to consider testimony and act upon an amendment to the Wells North Development Agreement by and between the City of Celina, Texas and the property owners of Wells North. The property is a ±244.1 acre tract of land located within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas and is generally located south of CR 88, east of Carter Ranch, north of CR 83, and approximately 1,350 feet west of the future alignment of Coit Road. (Wells North) (Liebman)
- B. The Celina City Council will conduct a public hearing on the proposed assessments to be levied against the assessable property within the Wells North Public Improvement District (PID) and a final Service and Assessment Plan, pursuant to the provisions of Chapter 372 of the Texas Local Government Code. The property is a ±244.1 acre tract of land located within the ETJ of the City of Celina, Collin County, Texas, and is generally located at the north of CR 83 (, north and south and west of CR 88, and east of Carter Ranch. (Wells North) (Liebman)
- C. Consider and act upon an ordinance of the City Council of the City of Celina, Texas, accepting and approving a Service and Assessment Plan and Assessment and Major Improvement Area Assessment Roll for Wells North Public Improvement District; making a finding of Special Benefit to the property in the District, levying special assessments against property within the District and establishing a lien on such property; providing for payment of the Major Improvement Area Assessments, in accordance with Chapter 372, Texas Local Government Code, as amended; providing a method of assessment and the payment of Major Improvement Area assessments, and providing penalties and interest on delinquent assessments. (Wells North) (Liebman)

- D. Consider and act upon an ordinance of the City Council of the City of Celina, Texas, accepting and approving a Service and Assessment Plan and Neighborhood Improvement Area #1 Assessment Roll for Wells North Public Improvement District; making a finding of Special Benefit to the property in the District, levying special assessments against property within the District and establishing a lien on such property; providing for payment of the Neighborhood Improvement Area #1 Assessments, in accordance with Chapter 372, Texas Local Government Code, as amended; providing a method of assessment and the payment of Neighborhood Improvement Area #1 assessments, and providing penalties and interest on delinquent assessments. (Wells North) (Liebman)
- E. Consider and act upon a resolution of the City Council of the City of Celina, Texas, approving and authorizing the Mayor to execute a Wells North Public Improvement District Reimbursement Agreement between the City of Celina, Texas and Celina Development North, LLC. (Wells North) (Liebman)
- F. Consider and act upon an ordinance of the City Council of the City of Celina, Texas, approving and authorizing the issuance and sale of the City of Celina, Texas, Special Assessment Revenue Bonds, Series 2016 (Wells North Public Improvement District Major Improvement Area) and approving and authorizing related agreements. (Wells North) (Liebman)
- G. Consider and act upon an ordinance of the City of Celina, Texas approving and authorizing the issuance and sale of the City of Celina, Texas, Special Assessment Revenue Bonds, Series 2016 (Wells North Public Improvement District Neighborhood Improvement Area #1 Project) and approving and authorizing related agreements. (Wells North) (Liebman)
- H. Consider and adopt an ordinance of the City Council of the City of Celina, Texas, annexing certain territory contiguous to and adjoining the City of Celina, Texas, to wit: being a ± 244.1 acre tract of land situated in the Shelby Glass Survey, Abstract No. 346 and the J. Cahill Survey, Abstract No. 171, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "A" and graphically depicted in Exhibit "B" attached hereto and incorporated herein, and generally located north of CR 83, south of CR 88, and east of Carter Ranch, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (Wells North Annexation) (Liebman)
- I. Consider and adopt an ordinance of the City Council of the City of Celina, Texas, annexing certain territories contiguous to and adjoining the City of Celina, Texas, to wit: being a ± 1.845 acre strip of land situated in the McKinzie Wilhite Survey, Abstract No. 1008, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "A" and graphically depicted in Exhibit "B" attached hereto and incorporated herein, such right-of-way extends from Preston Road to the north-south segment of CR 83, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas (CR 83); and being a ± 2.643 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "C" and graphically depicted in Exhibit "D" attached hereto and incorporated herein, such right-of-way extends from the east/west portion of CR 1224 to the north-south portion of CR 1224, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas (CR 88); and being a ± 2.266 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "E" and graphically depicted in Exhibit "F" attached hereto and incorporated herein, such right-of-way is the entirety of CR 1224, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (CR 1224). (County Roads adjacent to Wells North) (Liebman)

- J. The Celina City Council will conduct a public hearing to consider testimony and act upon an ordinance of the City Council of the City of Celina, Texas, rezoning an approximately 244.1 acre tract of land from an AG-Agricultural zoning district to a PD-Planned Development zoning district with base zoning designations of SF-R–Single Family Residential and MU-2–Regional Mixed Use. The property is situated in the Shelby Glass Survey, Abstract No. 346 and the J. Cahill Survey, Abstract No. 171 and generally located north of CR 83, south of CR 88, and east of Carter Ranch, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (Wells North) (Liebman)
- K. The Celina City Council will conduct a public hearing to consider testimony on creating the G-Bar 7 Public Improvement District (PID) in accordance with Chapter 372 of the Texas Local Government Code; being an approximately 109.090 acre tract of land situated in the Collin County School Land Survey #14, Abstract No. 167 and generally located south of CR 55, north of CR 53, west of CR 1117, and east of CR 52, within the City of Celina, Texas (GBar7 PID) (Liebman)
- L. Consider and act upon an offer from Ursalene Davis to purchase 204 S. Arkansas Street. (Toutouchian)
- M. Consider and act upon an offer from Ursalene Davis to purchase Block 59, Lot 3 and Block 71, Lot 6b. (Toutouchian)
- N. Consider and act upon an offer from Thomas Yi to purchase 601 W. Elm Street. (Toutouchian)
- O. Consider and act upon an offer from Thomas Yi to purchase Block 70, Lot 12 (E. Oak St). (Toutouchian)

IV. ADJOURNMENT:

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551. “I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall of the City of Celina, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: _____ at ____ p.m. and remained so posted continuously for at least 72 hours prior to the scheduled time of said meeting.”

Vicki Faulkner, TRMC
City Secretary, City of Celina, TX

Date Notice Removed



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Brooks Wilson, Senior Planner
CC: Mike Foreman, City Manager
Date: March 29, 2016
Re: Wells North Development Agreement Amendment

Action Requested:

The Celina City Council will conduct a public hearing to consider testimony and act upon an amendment to the Wells North Development Agreement by and between the City of Celina, Texas and the property owners of Wells North. The property is a ±244.1 acre tract of land located within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas and is generally located south of CR 88, east of Carter Ranch, north of CR 83, and approximately 1,350 feet west of the future alignment of Coit Road. (Wells North) (Liebman)

Background Information:

The Wells North Development Agreement was approved by City Council on November 10, 2015. The proposed amendment clarifies the financing arrangements between the developer and the City.

Legal Review:

The City Attorney has reviewed the ordinance and found it to be acceptable.

Supporting Documents:

Revised Development Agreement

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Public Hearing on Wells North PID Assessments and Final Service and Assessment

Plan

Action Requested:

The Celina City Council will conduct a public hearing on the proposed assessments to be levied against the assessable property within the Wells North Public Improvement District (PID) and a final Service and Assessment Plan, pursuant to the provisions of Chapter 372 of the Texas Local Government Code. The property is a ±244.1 acre tract of land located within the ETJ of the City of Celina, Collin County, Texas, and is generally located at the north of CR 83 (, north and south and west of CR 88, and east of Carter Ranch. (Wells North) (Liebman)

Background Information:

The public hearing is to allow public input for assessments to be levied to facilitate development for the Wells North Public Improvement District (PID), created on February 9, 2016.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Public Notice:

The public hearing notice was published in *The Celina Record* on Friday, March 11, 2016 and notice was sent to the property owner via certified mail on March 11, 2016.

Legal Review:

The City's land use attorney and bond counsel have both reviewed this document and deemed it acceptable.

Supporting Documents:

Proposed Assessments

Service and Assessment Plan

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Ordinance for Wells North PID Service and Assessment Plan

Action Requested:

Consider and act upon an ordinance of the City Council of the City of Celina, Texas, accepting and approving a Service and Assessment Plan and Assessment and Major Improvement Area Assessment Roll for Wells North Public Improvement District; making a finding of Special Benefit to the property in the District, levying special assessments against property within the District and establishing a lien on such property; providing for payment of the Major Improvement Area Assessments, in accordance with Chapter 372, Texas Local Government Code, as amended; providing a method of assessment and the payment of Major Improvement Area assessments, and providing penalties and interest on delinquent assessments. (Wells North) (Liebman)

Background Information:

The proposed ordinance: 1) adopts the Service and Assessment Plan (SAP) for Wells North Major Improvement Area and levies assessments on property based on the assessment roll contained in the SAP; 2) makes a finding that the proposed improvements confer a Special Benefit on the property; and 3) creates a lien against the property in Wells North for the assessments and provides a method of determining the assessments on each property and a method of payment of the assessments.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

The City's land use counsel has prepared the proposed ordinance.

Supporting Documents:

Ordinance

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Ordinance for Wells North PID Service and Assessment Plan NIA #1

Action Requested:

Consider and act upon an ordinance of the City Council of the City of Celina, Texas, accepting and approving a Service and Assessment Plan and Neighborhood Improvement Area #1 Assessment Roll for Wells North Public Improvement District; making a finding of Special Benefit to the property in the District, levying special assessments against property within the District and establishing a lien on such property; providing for payment of the Neighborhood Improvement Area #1 Assessments, in accordance with Chapter 372, Texas Local Government Code, as amended; providing a method of assessment and the payment of Neighborhood Improvement Area #1 assessments, and providing penalties and interest on delinquent assessments. (Wells North) (Liebman)

Background Information:

The proposed ordinance: 1) adopts the Service and Assessment Plan (SAP) for Wells North Neighborhood Improvement Area #1 (NIA #1) and levies assessments on property based on the assessment roll contained in the SAP; 2) makes a finding that the proposed improvements confer a Special Benefit on the property; and 3) creates a lien against the property in Wells North for the assessments and provides a method of determining the assessments on each property and a method of payment of the assessments.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

The City's land use counsel has prepared the proposed ordinance.

Supporting Documents:

Ordinance

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Wells North PID Reimbursement Agreement

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, approving and authorizing the Mayor to execute a Wells North Public Improvement District Reimbursement Agreement between the City of Celina, Texas and Celina Development North, LLC. (Wells North) (Liebman)

Background Information:

This item presents the plan for the reimbursement of project costs associated with the development of Wells North Neighborhood Improvement Area (NIA #1) and the Major Improvement Area (MIA).

Legal Obligations and Review:

The Reimbursement Agreement Resolution has been reviewed by the city's land use attorney and bond counsel.

Supporting Documents:

Resolution adopting the Wells North Reimbursement Agreement

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Wells North PID Bond Sale Authorization for the Major Improvement Area

Action Requested:

Consider and act upon an ordinance of the City Council of the City of Celina, Texas, approving and authorizing the issuance and sale of the City of Celina, Texas, Special Assessment Revenue Bonds, Series 2016 (Wells North Public Improvement District Major Improvement Area) and approving and authorizing related agreements. (Wells North) (Liebman)

Background Information:

At the February 9, 2016 Regular Meeting, the City Council passed an ordinance creating the Wells North Public Improvement District (PID). On March 8, 2016, the City Council approved the distribution of the Major Improvement Area Preliminary Official Statement, which precedes the approval of the issuance and sale of bonds associated with the Wells North Major Improvement Area.

Financial Considerations:

The City shall not incur any financial responsibility with respect to the Bonds issuance with the exception of certain staff administrative duties. In order to perform its duties and obligations hereunder, the City may employ such persons or entities as it deems necessary or advisable. The City shall not be held liable in connection with the performance of its administrative duties and shall not risk the City's general funds or otherwise incur any financial liability other than with respect to the Pledged Revenues and the Annual Collection Costs.

Notification:

A notice was published in *The Celina Record* on March 11, 2016 and notices were sent via certified mail to the property owners on March 11, 2016.

Legal Obligations and Review:

The ordinance of the City of Celina authorizing the issuance and sale of bonds for Wells North has been reviewed by the city's land use attorney and bond counsel.

Supporting Documents:

Ordinance authorizing the issuance and sale of Wells North Major Improvement Area (MIA) bonds.

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Wells North PID Bond Sale Authorization for the Neighborhood Improvement Area

#1

Action Requested:

Consider and act upon an ordinance of the City of Celina, Texas approving and authorizing the issuance and sale of the City of Celina, Texas, Special Assessment Revenue Bonds, Series 2016 (Wells North Public Improvement District Neighborhood Improvement Area #1 Project) and approving and authorizing related agreements. (Wells North) (Liebman)

Background Information:

At the February 9, 2016 Regular Meeting, the City Council passed an ordinance creating the Wells North Public Improvement District (PID). On March 8, 2016, the City Council approved the distribution of the Neighborhood Improvement Area #1 Preliminary Official Statement, which precedes the approval of the issuance and sale of bonds associated with the Neighborhood Improvement Area #1.

Financial Considerations:

The City shall not incur any financial responsibility with respect to the Bonds issuance with the exception of certain staff administrative duties. In order to perform its duties and obligations hereunder, the City may employ such persons or entities as it deems necessary or advisable. The City shall not be held liable in connection with the performance of its administrative duties and shall not risk the City's general funds or otherwise incur any financial liability other than with respect to the Pledged Revenues and the Annual Collection Costs.

Notification:

A notice was published in *The Celina Record* on March 11, 2016 and notices were sent via certified mail to the property owners on March 11, 2016.

Legal Obligations and Review:

The ordinance of the City of Celina authorizing the issuance and sale of bonds for Wells North has been reviewed by the city's land use attorney and bond counsel.

Supporting Documents:

Ordinance authorizing the issuance and sale of Wells North bonds

Staff Recommendation:

Staff recommends approval.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Wells North Annexation Ordinance

Action Requested:

Consider and adopt an ordinance of the City Council of the City of Celina, Texas, annexing certain territory contiguous to and adjoining the City of Celina, Texas, to wit: being a ± 244.1 acre tract of land situated in the Shelby Glass Survey, Abstract No. 346 and the J. Cahill Survey, Abstract No. 171, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "A" and graphically depicted in Exhibit "B" attached hereto and incorporated herein, and generally located north of CR 83, south of CR 88, and east of Carter Ranch, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (Wells North Annexation) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the Wells North annexation:

~~January 12, 2016~~ ~~Council acts on a resolution setting date and time of the two public hearings for February 9, 2016~~
~~January 5, 2016~~ ~~Notice sent to affected property owners~~
~~January 22, 2016~~ ~~Notice of public hearing published~~
~~January 22, 2016~~ ~~Notice of annexation sent to school districts and utilities~~
~~January 22, 2016~~ ~~Notice of public hearing posted on City website~~
~~February 9, 2016~~ ~~Council to hold two (2) public hearings.~~
~~March 8, 2016~~ ~~Council to consider instituting annexation~~
 March 29, 2016 Council to consider annexation ordinance

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Legal Review:

The City Attorney has reviewed this ordinance and deemed it acceptable.

Supporting Documents:

Wells North Annexation Ordinance

Staff Recommendation:

Staff recommends approval.

CITY OF CELINA, TEXAS

ORDINANCE NO. 2016-
WELLS NORTH ANNEXATON

AN ORDINANCE OF THE CITY OF CELINA, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO AND ADJOINING THE CITY OF CELINA, TEXAS, TO WIT: A 244.136 ACRE TRACT OF LAND OUT OF THE SHELBY GLASS SURVEY, ABSTRACT NO. 346 AND THE J. CAHILL SURVEY, ABSTRACT NO. 171, COLLIN COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND DEPICTED IN SPECIAL WARRANTY DEED TO GEORGE WHITE FAMILY LIMITED PARTNERSHIP, RECORDED IN CLERK'S FILE NO. 2005-0005697, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COLLIN COUNTY, TEXAS, SAID TRACT ALSO BEING PART OF A TRACT OF LAND DESCRIBED AS "1ST TRACT" IN DEED TO MARY G. WHITE RECORDED IN VOLUME 142, PAGE 343, DEED RECORDS OF COLLIN COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" AND GRAPHICALLY DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN, SUCH TRACT IS GENERALLY LOCATED NORTH OF CR 83, SOUTH OF CR 88, AND EAST OF CARTER RANCH; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL CITY MAP; PROVIDING FOR A SERVICE PLAN; REQUIRING THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING AS APPROPRIATE TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF CELINA, TEXAS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Celina is a Home Rule Municipality located in Collin and Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and the Celina City Charter; and

WHEREAS, two separate public hearings were conducted in accordance with Section 43.052 of the Texas Local Government Code, the first hearing being held on the 9th day of February, 2016 and the second hearing being held on the 9th day of February, 2016 in the Council Chambers located in the First United Methodist Church, 112 N. Colorado in the City of Celina to consider the annexation of the property being more particularly described in Exhibit "A," attached hereto and incorporated herein; and

WHEREAS, any and all required written notices and offers were timely sent to all property owners and others entitled to same; and

WHEREAS, the public hearings were conducted and held no more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, the notice of the public hearings were published in *The Celina Record*, a newspaper of general circulation within the City of Celina, Texas, on the 22nd day of January, 2016, such date being not more than twenty (20) days nor less than ten (10) days prior to each public hearing; and

WHEREAS, all required statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been accomplished; and

WHEREAS, the City Council of the City of Celina, Texas has determined that such territory is contiguous to and adjoins the City of Celina, Texas; and

Attachment: Wells North Annexation Ordinance (1523 : Wells North Annexation Ordinance)

WHEREAS, the City Council of the City of Celina, Texas has investigated into, has determined and officially finds that no part of such territory is within the extraterritorial jurisdiction of any other incorporated city or town; and

WHEREAS, to the extent that this Ordinance would cause an unincorporated area to be entirely surrounded by the City of Celina's limits, the City Council has found - and incorporates herein its finding - that surrounding the area is in the public interest; and

WHEREAS, metes and bounds descriptions of the property to be annexed is attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the service plan for such territory is attached hereto as Exhibit "C" and incorporated herein for all purposes.

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

SECTION 1 **INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2 **OFFICIAL CITY MAP AMENDED**

1. The official map and boundaries of the City are hereby amended so as to include the property being more particularly described in Exhibit "A," which is incorporated herein as if written word for word, and that such territory shall be and is hereby annexed into the corporate limits of the City.
2. The Mayor is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the territory hereby annexed as required by law.

SECTION 3 **SERVICE PLAN**

The municipal service plan for the herein annexed territory, attached hereto as Exhibit "C", was submitted in accordance with Chapter 43 of the Texas Local Government Code and is hereby approved as part of this ordinance, and is made a part hereof.

SECTION 4 **FILING OF ORDINANCE REQUIRED**

The Mayor shall file or cause to be filed a certified copy of this Ordinance in the office of the County Clerk of Collin County, Texas, and any other necessary agencies.

SECTION 5 **EFFECT ON TERRITORY**

From and after the passage of this Ordinance, the territory referenced in Exhibit "A", attached hereto and incorporated herein for all purposes, shall be a part of the City of Celina, Texas, and subject to the municipal service plan referenced in Section 3 of this Ordinance. The inhabitants thereof shall be entitled to all of the rights, privileges and immunities as all other citizens of the City of Celina, Texas, and shall be bound by all of the Ordinances and regulations enacted pursuant to and in conformity with the general laws of the State of Texas.

SECTION 6 **CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 7
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 8
ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Celina is hereby directed to engross and enroll this Ordinance by copying the Caption in the minutes of the City Council of the City of Celina and by filing this Ordinance in the Ordinance records of the City.

SECTION 9
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

AND IT IS SO ORDAINED .

PASSED AND APPROVED by the City Council of the City of Celina, Texas, on this 29th day of March, 2016.

Sean Terry, Mayor
City of Celina, Texas

ATTEST:

APPROVED AS TO FORM:

Vicki Faulkner, City Secretary
City of Celina, Texas

City Attorney
City of Celina, Texas

Exhibit "A"
Legal Description

TRACT 1
233.738 ACRES

BEING a tract of land out of the Shelby Glass Survey, Abstract No. 346 and the J. Cahill Survey, Abstract No. 171, Collin County, Texas, and being part of a tract of land depicted in Special Warranty Deed to George White Family Limited Partnership, recorded in Clerk's File No. 2005-0005697, Official Public Records of Real Property of Collin County, Texas, said tract also being part of a tract of land described as "1st Tract" in deed to Mary G. White recorded in Volume 142, Page 343, Deed Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a ½" iron rod found in County Road No. 88 at the northeast corner of a called 35.814 acre tract of land described in Special Warranty Deed to CTMGT CR 2C FL-2, LLC, recorded in Instrument No. 20130829001223660, Official Public Records of Collin County;

THENCE along the east line of said 35.814 acre tract, South 00°33'04" East, a distance of 39.13 feet to a 5/8" iron rod with "KHA" cap found in the south right-of-way line of said County Road No. 88, for the northwest corner of a called 75.0000 acre tract of land described in Special Warranty Deed to Collin County Community College District, recorded in Instrument No. 20090818001039820, Official Public Records of Collin County;

THENCE departing the said east line of called 35.814 acre tract, along the south right-of-way line of said County Road No. 88 and the north line of said 75.0000 acre tract, the following courses and distances:

North 89°38'04" East, a distance of 854.43 feet to a 5/8" iron rod with "KHA" cap found for corner at the beginning of a tangent curve to the right with a radius of 1,356.38 feet, a central angle of 39°54'51" and a chord bearing and distance of South 70°24'31" East, 925.91 feet;

In a southeasterly direction along said curve, an arc distance of 944.90 feet to a 5/8" iron rod with "KHA" cap found at the beginning of a reverse curve to the left with a radius of 1,396.84 feet, a central angle of 40°11'41" and a chord bearing and distance of South 70°32'56" East, 959.96 feet for the northeast corner of said 75.000 acre tract and the **POINT OF BEGINNING**;

THENCE continuing along the south right-of-way line of said County Road No. 88, the following courses and distances:

In a southeasterly direction along said curve, an arc distance of 979.93 feet to a 5/8" iron rod with "KHA" cap found at the end of said curve;

North 89°21'13" East, a distance of 22.58 feet (Deed 22.79') to a 5/8" iron rod with "KHA" cap found for corner in the west line of a called 115.503 acre tract of land described in Special Warranty Deed to Westgate 115 Investors, L.P., recorded in Instrument No. 20130621000869270, Official Public Records of Collin County, Texas; from said point a 1/2" iron rod with "Metroplex 1849" cap found for witness bears North 00°55'47" West, a distance of 6.25 feet;

THENCE along the said west line of called 115.503 acre tract, South 00°55'47" East, at a distance of 1,949.66 feet, passing a 1/2" iron rod with "Metroplex 1849" cap found, continuing along the west line of said 115.503 acre tract, at a distance of 3,612.06 feet, passing the northwest corner of a tract of land described in General Warranty Deed to William K. Wood and Kathy D. Wood recorded in Instrument No. 20080310000279150, Official Public Records of Collin County, Texas, continuing along the west line of said Wood tract, at a distance of 4,075.82 feet, passing a 1/2" iron rod found at the southwest corner of said Wood tract and the northwest corner of a tract of land described in General Warranty Deed to William K. Wood and Kathy D. Wood recorded in Instrument No. 20071029001470070, Official Public Records of Collin County, Texas, continuing with the west line of the second referenced Wood tract, in all a total distance of 4,629.12 feet to a 5/8" iron rod with "KHA" cap found for corner in County Road No. 83;

THENCE departing the said west line of the second reference Wood tract and along the north right-of-way line of County Road No. 83 and the north line of a called 76.69 acre tract of land described in Special Warranty Deed to Collin County Investments, Ltd., recorded in Volume 5419, Page 2461, Official Public Records of Collin County, Texas, South 89°30'11" West, a distance of 2,678.92 feet (Deed calls 2,663.76 feet) to a PK nail found for the southeast corner of The Carter Ranch Phase III, an addition to the City of Celina according to the plat recorded in Cabinet 2006, Page 460 of the Map Records of Collin County, Texas and in Instrument No. 20060714010003020, of Official Public Records of Collin County, Texas;

THENCE North 00°33'04" West, at a distance of 58.02 feet, passing the southeast corner of Lot 1X,

Block B, said The Carter Ranch Phase III, continuing along the east line of said Block B, at a distance of 1,052.02 feet, passing a 5/8" iron rod with "Huitt Zollars" cap found at the northeast corner of Lot 26 of said Block B and the southeast corner of the east terminus of Andalusian Trail (a 50-foot wide right-of-way), continuing along the said east terminus of Andalusian Trail, at a distance of 1,102.02 feet, passing a 5/8" iron rod with "Huitt Zollars" cap found at the northeast corner of the said east terminus of Andalusian Trail and the southeast corner of Lot 20, Block L, said The Carter Ranch Phase III, continuing along the east line of said Block L, at a distance of 1,801.02 feet, passing the northeast corner of Lot 1X, of said Block L and the southeast corner of the east terminus of Carter Ranch Boulevard (an 80-foot wide right-of-way), continuing along the said east terminus of Carter Ranch Boulevard, at a distance of 1,881.02 feet, passing the northeast corner of said terminus of Carter Ranch Boulevard and the southeast corner of Lot Z-1, Block Z, The Carter Ranch Phase IIA, an addition to the City of Celina, Texas according to the plat recorded in Cabinet 2007, Page 292, Map Records of Collin County, Texas and in Instrument No. 20070531010001890, Official Public Records of Collin County, Texas, continuing along the east line of said

Block Z, at a distance of 3,149.24 feet to a 5/8" iron rod with "KHA" cap found for the southwest corner of aforesaid called 75.000 acre tract;

THENCE along the south line of said 75.000 acre tract, North 89°26'56" East, a distance of 1,665.00 to a 5/8" iron rod with "KHA" cap found at the southeast corner of said 75.000 acre tract;

THENCE, along the east line of said 75.000 acre tract, the following courses and distances:

North 00°33'04" West, a distance of 242.54 feet to a 5/8" iron rod with "KHA" cap found at the beginning of a tangent curve to the left having a central angle of 23°51'09", a radius of 1,000.00 feet, a chord bearing and distance of North 12°28'39" West, 413.30 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 416.30 feet to a 5/8" iron rod with "KHA" cap found for corner;

North 24°24'13" West, a distance of 239.76 feet to a 5/8" iron rod with "KHA" cap found at the beginning of a tangent curve to the right having a central angle of 63°57'09", a radius of 750.00 feet, a chord bearing and distance of North 7°34'21" East, 794.35 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 837.13 feet to a 5/8" iron rod with "KHA" cap found for corner;

North 39°32'55" East, a distance of 200.00 feet to the **POINT OF BEGINNING** and containing 233.738 acres or 10,181,614 square feet of land, more or less.

TRACT 2
10.3980 ACRES

BEING a tract of land out of the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being part of a tract of land depicted in Special Warranty Deed to George White Family Limited Partnership, recorded in Clerk's File No. 2005-0005697, Official Public Records of Real Property of Collin County, Texas, and also being part of the tract of land described as "1st Tract" in deed to Mary G. White recorded in Volume 142, Page 343 of the Deed Records of Collin County, Texas; said tract also being all of the same resultant tract of land defined by the Right-of-Way Dedication to Collin County recorded in Instrument No. 20061122001662300, Official Public Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found in County Road No. 88 at the northeast corner of a called 35.814 acre tract of land described in Special Warranty Deed to CTMGT CR 2C FL-2, LLC recorded in Instrument No. 20130829001223660, Official Public Records of Collin County, Texas;

THENCE along the east line of said 35.814 acre tract, South 00°33'04" East a distance of 39.13 feet to a 5/8" iron rod with "KHA" cap found on the south right-of-way line of said County Road No. 88, for the northwest corner of a called 75.0000 acre tract of land described in Special Warranty Deed to Collin County Community College District recorded in Instrument No. 20090818001039820, Official Public Records of Collin County;

THENCE, along the south right-of-way line of County Road No. 88 and north line of said 75.0000 acre tract, North 89°38'04" East, a distance of 854.43 feet to a 5/8" iron rod with "KHA" cap found for the point of beginning of a tangent curve to the right;

THENCE, departing the said south right-of-way line of County Road No. 88 and north line of called 75.000 acre tract, South 88°48'06" West, a distance of 511.14 feet to a 5/8" iron rod with "KHA" cap set for corner on a north right-of-way line of said County Road No. 88 for the **POINT OF BEGINNING**;

THENCE along a south right-of-way line of said County Road No. 88, the following courses and distances:

North 00°50'34" West, a distance of 25.47 feet to a 5/8" iron rod with "KHA" cap set for corner;
 North 89°09'26" East, a distance of 1,192.91 feet to a 5/8" iron rod with "KHA" cap found for corner at the northern most end of a right-of-way corner clip at the intersection of said south right-of-way line and the west right-of-way line of County Road No. 86 (a variable width right-of-way);

THENCE along said right-of-way corner clip, South 45°30'03" East, a distance of 70.29 feet to a 5/8" iron rod with "KHA" cap found for corner at the southernmost end of said corner clip;

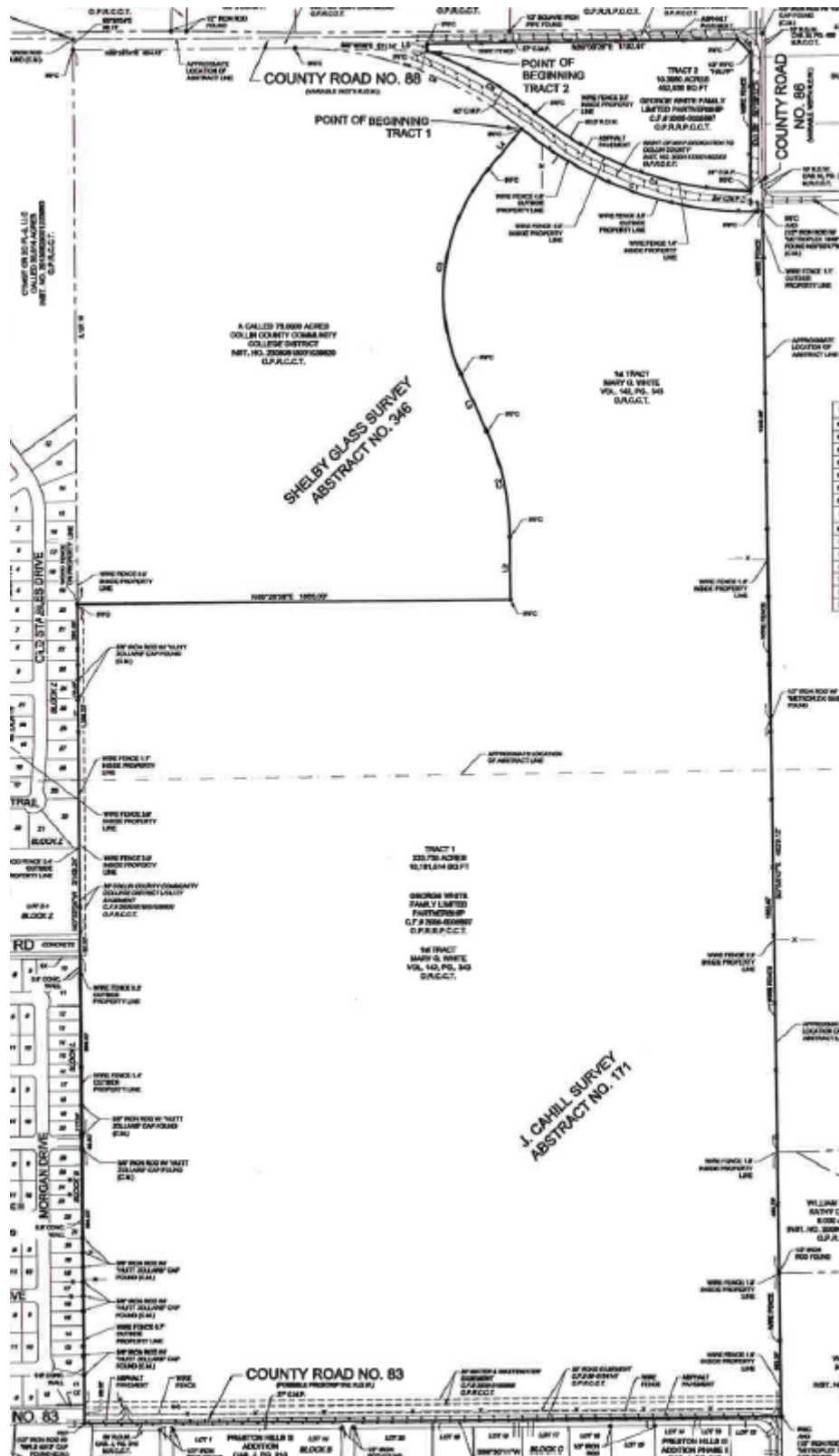
THENCE along the said west right-of-way line of County Road No. 86, South 00°09'32" East, a distance of 533.28 feet to a 5/8" iron rod with "KHA" cap found for corner at the intersection of the said west right-of-way line of County Road No. 86 and the north right-of-way line of County Road No. 88; said point also being at the beginning of a non-tangent curve to the right having a radius of 1316.84 feet, a central angle of 39°15'29", a chord bearing and distance of North 70°04'50" West, 884.73 feet;

THENCE along the said north right-of-way line of County Road No. 88, the following courses and distances:

In a northwesterly direction, along said curve, an arc distance 902.28 feet to a 5/8" iron rod with "KHA" cap set at the beginning of a reverse curve to the left with a radius of 1436.38 feet, a central angle of 19°04'36", and a chord bearing and distance of North 59°59'23" West, 476.04 feet;

In a northwesterly direction, along said curve, an arc distance of 478.24 feet to the **POINT OF BEGINNING** and containing 10.3980 acres or 452,936 square feet of land.

Exhibit "B"
Property Exhibit



**Exhibit “C”
Service Plan**

A) SERVICE PLAN GENERALLY

- 1) This service plan has been prepared in accordance with the Texas Local Government Code (“LGC”), Sections 43.021; 43.065 and 43.056(b)-(o). Municipal facilities and services to the annexed area will be provided or made available on behalf of the City of Celina in accordance with the following plan. The City of Celina shall provide the annexed tract the levels of service, infrastructure, and infrastructure maintenance that are comparable to the levels of service, infrastructure, and infrastructure maintenance available in other parts of the City of Celina with similar topography, land use, and population density. The provisions of the service plan were made available for public inspection and explained at the two public hearings held by the City Council in accordance with LGC Section 43.056(j).
- 2) For purposes of this service plan, to “provide” services includes having services provided by any method or means by which the City provides municipal services to any other areas of the City, and may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract or right, in whole or in part, and may include duties on part of the private landowner with regard to such services.

B) EMERGENCY SERVICES

- 1) Police Protection
 - a) Police protection from the City of Celina Police Department shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar areas on the effective date of the annexation ordinance. Some of these services include:
 - i) Normal patrol and responses;
 - ii) Handling of complaints and incident reports;
 - iii) Special units, such as traffic enforcement and investigations; and
 - iv) Coordination with other public safety support agencies.
 - b) As development commences in these areas, sufficient police protection, including personnel and equipment will be provided to furnish these areas with the level of police services consistent with the characteristics of topography, land utilization and population density of the areas.
 - c) Upon ultimate development, police protection will be provided at a level consistent with other similarly situated areas within the city limits.
- 2) Fire Protection
 - a) The Celina Fire Department will provide emergency and fire prevention services to the annexed area. These services include:
 - i) Fire suppression and rescue;
 - ii) Pre-hospital medical services including triage, treatment and transport by Advanced Life Support (ALS) fire engines, trucks and ambulances;
 - iii) Hazardous materials response and mitigation;
 - iv) Emergency prevention and public education efforts;
 - v) Technical rescue response; and
 - vi) Constriction Plan Review and required inspections.
 - b) Fire protection from the City of Celina shall be provided to the annexed area at a level

consistent with current methods and procedures presently provided to similar areas of the City of Celina on the effective date of the annexation ordinance.

- c) As development commences in these areas, sufficient, fire protection, including personnel and equipment will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas. It is anticipated that fire stations planned to service areas currently with the City of Celina will be sufficient to serve the annexed area.
 - d) Upon ultimate development, fire protection will be provided at a level consistent with similarly situated areas within the city limits.
- 3) Emergency Medical Services
- a) The Celina Fire Department will provide emergency and safety services to the annexed area. These services include:
 - i) Emergency medical dispatch and pre-arrival First Aid instructions;
 - ii) Pre-hospital emergency Advanced Life Support (ALS) response; and transport; and
 - iii) Medical rescue services.
 - b) Emergency Medical Services (EMS) from the City of Celina shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar areas of the City of Celina on the effective date of the annexation ordinance.
 - c) As development commences in these areas, sufficient EMS, including personnel and equipment, will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas.
 - d) Upon ultimate development, EMS will be provided at a level consistent with similarly situated areas within the city limits.

C) SOLID WASTE

- 1) Solid Waste and Recycling Collection Services will be provided to the annexed area immediately upon the effective date of the annexation at a level consistent with current methods and procedures presently provided to similar areas within the City. Private solid waste collection service providers operating in the affected area immediately prior to annexation and currently providing customers with service may continue to provide their existing service for up to two (2) years in accordance with Texas Local Government Code Section 43.056(n).

D) WASTEWATER FACILITIES

- 1) As development commences in these areas, sanitary sewer mains as defined by the Certificate of Convenience and Necessity (CCN) Number 20764, as issued by the Texas Commission on Environmental Quality (TCEQ) will be extended in accordance with the provisions of the City's codes, ordinances, regulations and policies. City participation in the costs of these extensions shall be in accordance with applicable City codes, ordinances, regulations and policies. Capacity and extensions shall be provided consistent with the characteristics of topography, land utilization and population density of the areas. If the annexed area is in the CCN of another provider, wastewater service shall be provided in accordance with the policies of the CCN holder. In some instances, the City might acquire the CCN rights and become the new wastewater provider, in time.
- 2) Sanitary sewer mains and lift stations installed or improved to City standards, and accepted by the City, within the annexed area which are located within dedicated easement, rights-of-way, or any other acceptable location approved by the City Manager or his designee, shall be maintained by the City on the effective date of this ordinance.
- 3) Operation and maintenance of wastewater facilities in the annexed area that are within the

certificated service area of another wastewater utility will be the responsibility of that utility. Operation and maintenance of private wastewater facilities in the annexed area will be the responsibility of the owner.

E) WATER FACILITIES

- 1) Connections to existing City of Celina water distribution mains for water service as defined by Certificate of Convenience and Necessity (CCN) Number 12667, as issued by the Texas Commission on Environmental Quality (TCEQ) will be provided in accordance with existing City codes, ordinances, regulations and policies. Upon connection to existing distribution mains, water service will be provided at rates established by city ordinance. If the annexed area is in the CCN of another provider, water service shall be provided in accordance with the policies of the CCN holder. In some instances, the City might acquire the CCN rights and become the new water provider, in time.
- 2) As development commences in these areas, water distribution mains will be extended in accordance with City of Celina codes, ordinances, regulations and policies. City participation in the costs of these extensions shall be in accordance with the City of Celina's codes, ordinances, regulations and policies. Water service extensions and capacity shall be provided consistent with the characteristics of topography, land utilization and population density of the area.
- 3) Operation and maintenance of existing water facilities in the annexed area that are within the service area of another water utility will be the responsibility of that utility. Operation and maintenance of private water facilities in the annexed area will be the responsibility of the owner.

F) ROAD AND STREETS

- 1) Emergency street maintenance shall be provided within the annexed area on the effective date of the applicable ordinance of acceptance. Routine maintenance will be provided within the annexed area and will be scheduled as part of the City's annual program and in accordance with the City's current codes, ordinances, regulations, policies and procedures defined therein and/or as established by the City Council.
- 2) Any construction or reconstruction will be considered within the annexed area on a City-wide basis and within the context of the City's Capital Improvement Plan and/or yearly fiscal budgetary allotments by the City Council. As development, improvement or construction of streets to City standards commences within this property, the policies of the City of Celina with regard to participation in the costs thereof, acceptance upon completion and maintenance after completion shall apply.
- 3) Roadway signage and associated posts will be replaced in priority of importance starting with regulatory signs, then warning signs, then informational signs and in conformance with fiscal allotments by the City Council. If a sign remains, it will be reviewed and placed on the City's inventory listed for routine re-placement. All existing signs will be reviewed for applicability and based upon an engineering study. New signs will be installed when necessary and based upon an engineering study.
- 4) Routine maintenance of road/street markings will be placed on a priority listing and scheduled within the yearly budgetary allotments by the City Council.
- 5) The City will coordinate any request for improved road and street lighting with the local electric provider. Any and all road and street lighting will be pursuant to the rules, regulations and fees of such electric utility and shall be maintained by the applicable utility company.

G) ENVIRONMENTAL HEALTH, INSPECTIONS AND CODE ENFORCEMENT SERVICES

- 1) Enforcement of the City's environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances and animal control ordinances, shall be provided within this area sixty (60) days of the effective date of the

annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel.

- 2) Inspection services including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical and electrical work to ensure compliance with City codes and ordinances will be continue to be provided after the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
- 3) The City's zoning, subdivision, sign and other ordinances shall be enforced in this area beginning upon the effective date of the annexation.
- 4) All inspection services furnished by the City of Celina, but not mentioned above, will be provided to this area beginning within sixty (60) days of the effective date of the annexed ordinance.
- 5) As development and construction commence in this area, sufficient personnel will be provided to furnish this area the same level of environmental health, inspection and code enforcement services as are furnished throughout the City.

H) PLANNING AND ZONING SERVICES

- 1) The Planning and zoning jurisdiction of the City will extend to this area upon the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Zoning Ordinance and Comprehensive Plan.

I) PARKS, PLAYGROUNDS, LIBRARIES, SWIMMING POOLS

- 1) Residents within the annexed area may utilize all existing park and recreation facilities, on the effective date of this ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.
- 2) As development commences in the area, additional park and recreation facilities shall be constructed based on park policies defined in the Park Master Plan and as specified in the Park Dedication Ordinance. The general planned locations and classifications of parks will ultimately serve residents from the current City limits and residents from areas being considered for annexation.

J) PUBLICLY OWNED FACILITIES

- 1) Any publicly owned facility, building, or service located within the annexed area, and not otherwise owned or maintained by another governmental entity, shall be maintained by the City of Celina on the effective date of the annexation ordinance.

K) OTHER SERVICES

- 1) Other services that may be provided by the City of Celina, such as municipal and general administration will be made available on the effective date of the annexation. The City of Celina shall provide levels of service, infrastructure, and infrastructure maintenance that are comparable to the levels of services, infrastructure, and infrastructure maintenance available in other parts of the City of Celina with similar topography, land use, and population density similar to those reasonably contemplated or projected in the area.

L) UNIFORM LEVEL OF SERVICES IS NOT REQUIRED

- 1) Nothing in this Service Plan shall require the City of Celina to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for provided different levels of service. The City Council finds and determines that this Service Plan will not provide any fewer services, and it will not provide a lower level of services, than were in existence in the annexed area at the time immediately preceding the annexation process.

- 2) The City of Celina's codes, ordinances, regulations and policies that apply throughout the City may be reviewed at City Hall and at <http://www.franklinlegal.net/codes.html>.

M) TERM

- 1) This Service Plan shall be valid for a term of ten (10) years. Renewal of the Service Plan shall be at the discretion of the City Council and must be approved by ordinance.

N) AMENDMENTS

- 1) This Service Plan may be amended if the City Council determines at a public hearing that changed conditions or subsequent occurrences make this Service Plan unworkable or obsolete. The City Council may amend the Service Plan to conform to the changed conditions, subsequent occurrences or any other legally sufficient circumstances exist pursuant to the LGC or other Texas or Federal laws that make this service plan unworkable, obsolete or unlawful.



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Wells North County Roads Annexation Ordinance

Action Requested:

Consider and adopt an ordinance of the City Council of the City of Celina, Texas, annexing certain territories contiguous to and adjoining the City of Celina, Texas, to wit: being a ± 1.845 acre strip of land situated in the McKinzie Wilhite Survey, Abstract No. 1008, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "A" and graphically depicted in Exhibit "B" attached hereto and incorporated herein, such right-of-way extends from Preston Road to the north-south segment of CR 83, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas (CR 83); and being a ± 2.643 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "C" and graphically depicted in Exhibit "D" attached hereto and incorporated herein, such right-of-way extends from the east/west portion of CR 1224 to the north-south portion of CR 1224, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas (CR 88); and being a ± 2.266 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being more particularly described by metes and bounds in Exhibit "E" and graphically depicted in Exhibit "F" attached hereto and incorporated herein, such right-of-way is the entirety of CR 1224, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (CR 1224). (County Roads adjacent to Wells North) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the CR-83, CR-88, and CR-1224 annexations:

January 12, 2016	Council acts on a resolution setting date and time of the two public hearings for February 9, 2016
January 5, 2016	Notice sent to affected property owners
January 22, 2016	Notice of public hearing published
January 22, 2016	Notice of annexation sent to school districts and utilities
January 22, 2016	Notice of public hearing posted on City website
February 9, 2016	Council to hold two (2) public hearings for each right of way

~~March 8, 2016 Council to consider instituting annexation~~

March 29, 2016 Council to consider annexation ordinance

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Legal Review:

The City Attorney has reviewed this ordinance and deemed it acceptable.

Supporting Documents:

Annexation Ordinance

Staff Recommendation:

Staff recommends approval.

CITY OF CELINA, TEXAS

ORDINANCE NO. 2016-
COUNTY ROADS 83, 88 and 1224 ANNEXATIONS

AN ORDINANCE OF THE CITY OF CELINA, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO AND ADJOINING THE CITY OF CELINA, TEXAS, TO WIT: BEING AN APPROXIMATELY 1.845 ACRE STRIP OF LAND SITUATED IN THE MCKINZIE WILHITE SURVEY, ABSTRACT NO. 1008, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" AND GRAPHICALLY DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN, SUCH TRACT IS GENERALLY THE EAST/WEST SEGMENT OF COUNTY ROAD 83 FROM PRESTON ROAD TO THE NORTH-SOUTH SEGMENT OF COUNTY ROAD 83; AND BEING AN APPROXIMATELY 2.643 ACRE STRIP OF LAND SITUATED IN THE SHELBY GLASS SURVEY, ABSTRACT NO. 346, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "C" AND GRAPHICALLY DEPICTED IN EXHIBIT "D" ATTACHED HERETO AND INCORPORATED HEREIN, SUCH RIGHT-OF-WAY EXTENDS FROM THE EAST/WEST PORTION OF CR-1224 TO THE NORTH-SOUTH PORTION OF CR-1224; AND BEING AN APPROXIMATELY 2.266 ACRE STRIP OF LAND SITUATED IN THE SHELBY GLASS SURVEY, ABSTRACT NO. 346, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "E" AND GRAPHICALLY DEPICTED IN EXHIBIT "F" ATTACHED HERETO AND INCORPORATED HEREIN, SUCH RIGHT-OF-WAY IS THE ENTIRETY OF CR-1224; WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CELINA, COLLIN COUNTY, TEXAS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL CITY MAP; PROVIDING FOR A SERVICE PLAN; REQUIRING THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING AS APPROPRIATE TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF CELINA, TEXAS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Celina is a Home Rule Municipality located in Collin and Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and the Celina City Charter; and

WHEREAS, two separate public hearings were conducted in accordance with Section 43.052 of the Texas Local Government Code, the first hearing being held on the 9th day of February, 2016 at 6:00 p.m. and the second hearing being held on the 9th day of February, 2016 at 6:05 p.m. in the Council Chambers located in the First United Methodist Church, 112 N. Colorado in the City of Celina to consider the annexation of the property being more particularly described in Exhibits "A," "C," and "E" attached hereto and incorporated herein; and

WHEREAS, any and all required written notices and offers were timely sent to all property owners and others entitled to same; and

WHEREAS, the public hearings were conducted and held no more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, the notice of the public hearings were published in *The Celina Record*, a newspaper of general circulation within the City of Celina, Texas, on the 22nd day of January, 2016, such date being not more than twenty (20) days nor less than ten (10) days prior to each public hearing; and

WHEREAS, all required statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been accomplished; and

WHEREAS, the City Council of the City of Celina, Texas has determined that such territory is contiguous to and adjoins the City of Celina, Texas; and

WHEREAS, the City Council of the City of Celina, Texas has investigated into, has determined and officially finds that no part of such territory is within the extraterritorial jurisdiction of any other incorporated city or town; and

WHEREAS, to the extent that this Ordinance would cause an unincorporated area to be entirely surrounded by the City of Celina's limits, the City Council has found – and incorporates herein its finding – that surrounding the area is in the public interest; and

WHEREAS, metes and bounds descriptions of the property to be annexed is attached hereto as Exhibits "A," "C," and "E" and incorporated herein for all purposes.

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

SECTION 1 **INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2 **OFFICIAL CITY MAP AMENDED**

2. The official map and boundaries of the City are hereby amended so as to include the property being more particularly described in Exhibits "A," "C," and "E," which is incorporated herein as if written word for word, and that such territory shall be and is hereby annexed into the corporate limits of the City.
2. The Mayor is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the territory hereby annexed as required by law.

SECTION 3 **FILING OF ORDINANCE REQUIRED**

The Mayor shall file or cause to be filed a certified copy of this Ordinance in the office of the County Clerk of Denton County, Texas, and any other necessary agencies, including the United States Department of Justice.

SECTION 4 **CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are

inconsistent with this Ordinance.

SECTION 5
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6
ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Celina is hereby directed to engross and enroll this Ordinance by copying the Caption in the minutes of the City Council of the City of Celina and by filing this Ordinance in the Ordinance records of the City.

SECTION 7
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

AND IT IS SO ORDAINED

PASSED AND APPROVED by the City Council of the City of Celina, Texas, on this 29th day of March, 2015.

Sean Terry, Mayor
City of Celina, Texas

ATTEST:

APPROVED AS TO FORM:

Vicki Faulkner, City Secretary
City of Celina, Texas

City Attorney
City of Celina, Texas

Exhibit "A"
Legal Description CR 83

BEING, a tract of land situated in the Lindsey Lewis Survey, Abstract No. 532, Collin County, Texas, and being a portion of Preston Hills III Addition, Phase II, and addition to Collin County, Texas, as recorded in Cabinet J, Pg. 942, of the Map Records of Collin County, Texas (MRCCT), a portion of Preston Hills III Addition, and addition to Collin County, Texas, as recorded in Cabinet J, Pg. 210, MRCCT, and a portion of a called 76.69 acre tract of land as described in instrument to Collin County Investments, Ltd, as recorded in Volume 5419, Page 2461 of the Official Property Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with cap stamped "KHA" at the northeast corner of said Preston Hills III Addition, Phase II, said corner also being the southeast corner of the George White Family tract;

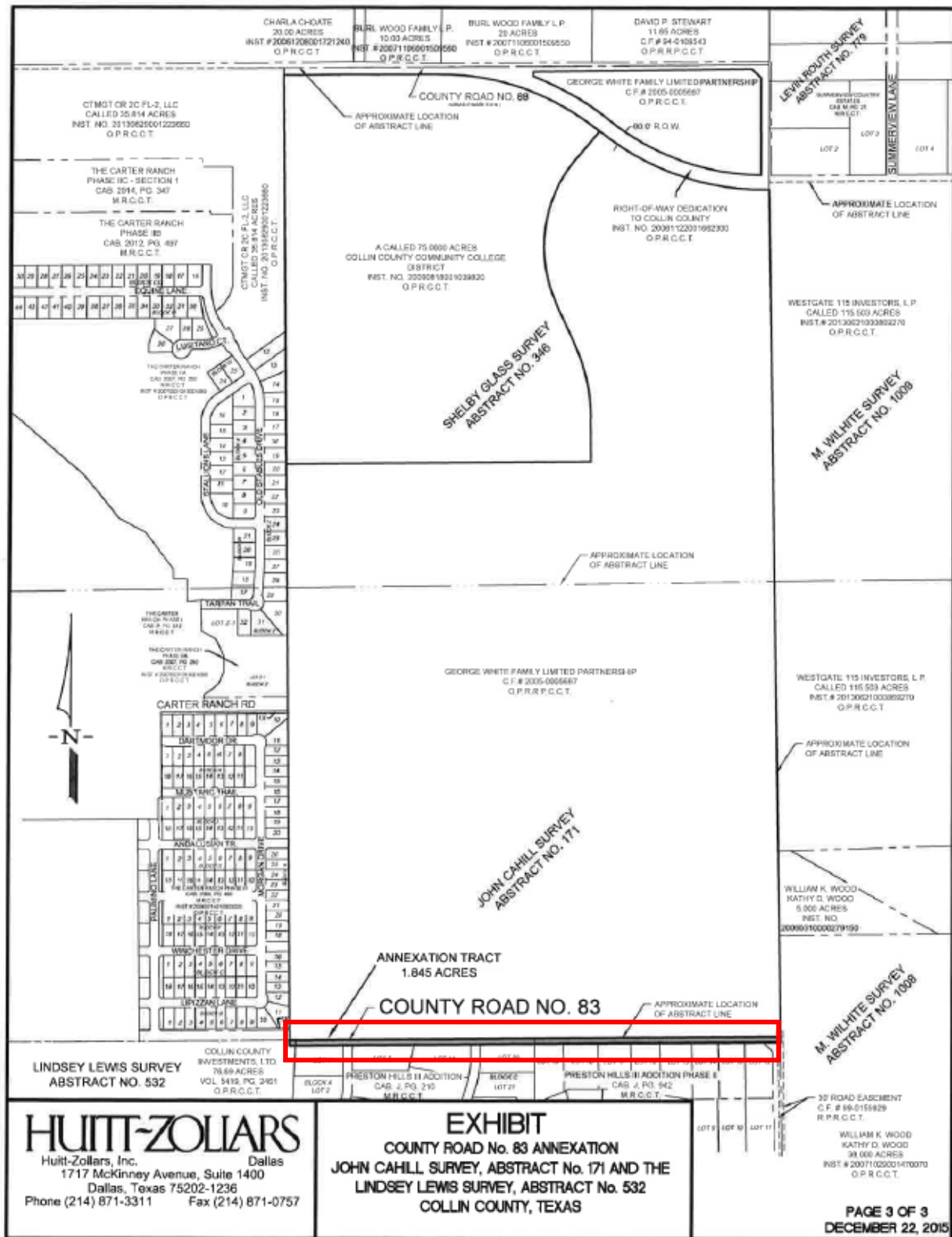
THENCE, South 00 degrees 55 minutes 47 seconds East along the east line of said Preston Hills III Addition, Phase II, a distance of 30.00 feet to the intersection of the east line of said Preston Hills III Addition, Phase II with an extension of the south line of the platted 30.0 foot wide right-of-way dedication for County Road No. 83.

THENCE, South 89 degrees 30 minutes 11 seconds West departing the east line of said Preston Hills III Addition, Phase II along the platted south right-of-way line of County Road No. 83 as shown on said Preston Hills III Addition, Phase II and said Preston Hills III Addition and an extension thereof over said Collin County Investments tract, a distance of 2,679.12 feet;

THENCE, North 00 degrees 33 minutes 04 seconds West a distance of 30.00 feet to a PK nail found in the north line of the Collin County Investments tract and being the southeast corner of Carter Ranch, Phase III, an addition to the City of Celina, recorded under instrument number 2006071400003020 of the Official Property Records of Collin County, Texas, same being the southwest corner of the White Family tract;

THENCE, North 89 degrees 30 minutes 11 seconds East departing the southeast corner of Carter Ranch, Phase III addition along the south line of the White Family tract, a distance of 2,678.92 feet to the POINT OF BEGINNING and CONTAINING 1.845 acres of land, more or less.

Exhibit "B"
CR 83 Property Exhibit



Attachment: ROW Annexation ordinance (1524 : Wells North County Roads Annexation Ordinance)

Exhibit "C"
Legal Description CR 88

BEING, a tract of land situated in the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being a portion of a right-of-way dedication for County Road No. 88 to Collin County, as recorded in Instrument Number 20061122001662300 of the Official Property Records of Collin County, Texas (OPRCCT), and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with cap stamped "KHA" southerly right-of-way line of County Road No. 88 at the northeast corner of a tract of land as described in instrument to Collin County Community College District, as recorded in Instrument Number 20090818001039820, OPRCCT, and being the beginning of a non-tangent curve to the left having a central angle of 21 degrees 36 minutes 43 seconds, a radius of 1,356.38 feet, a chord bearing of North 61 degrees 15 minutes 27 seconds West, a chord distance of 508.60 feet;

THENCE, along the southerly right-of-way of County Road No. 88 and said curve to the left, an arc distance of 511.62 feet to a point for corner, from which a 5/8 inch iron rod found with cap stamped "KHA" bears North 79 degrees 56 minutes 49 seconds West, a distance of 490.57 feet;

THENCE, North 20 degrees 28 minutes 13 seconds East over and across County Road No. 88, a distance of 80.07 feet to a point for corner on the northerly right-of-way line of County Road No. 88, and being the beginning of a non-tangent curve to the right having a central angle of 21 degrees 28 minutes 14 seconds, a radius of 1,436.38 feet, a chord bearing of South 61 degrees 11 minutes 13 seconds East, a chord distance of 535.12 feet;

THENCE, along the northerly right-of-way line of County Road No. 88 and said curve to the right, an arc distance of 538.26 feet to a 5/8 inch iron rod found with cap stamped "KHA" at the beginning of a reverse curve to the left having a central angle of 40 degrees 11 minutes 41 seconds, a radius of 1,316.84 feet, a chord bearing of South 70 degrees 32 minutes 56 seconds East, a chord distance of 904.98 feet;

THENCE, along the northerly right-of-way line of County Road No. 88 and said curve to the left an arc distance of 923.80 feet to a 5/8 inch iron rod found with cap stamped "KHA";

THENCE, North 89 degrees 21 minutes 13 seconds East continuing along the northerly right-of-way line of County Road No. 88, a distance of 22.18 feet to a point for corner;

THENCE, departing the northerly right-of-way line of County Road No. 88, South 00 degrees 55 minutes 47 seconds East over and across County Road No. 88, a distance of 80.00 feet to a 5/8 inch iron rod found with cap stamped "KHA" in the southerly right-of-way line of County Road No. 88;

THENCE, along the southerly right-of-way line of County Road No. 88 the following courses and distances:

South 89 degrees 21 minutes 13 seconds West a distance of 22.58 feet to a 5/8 inch iron rod found with cap stamped "KHA" and being the beginning of a curve to the right having a central angle of 40 degrees 11 minutes 41 seconds, a radius of 1,396.84 feet, a chord bearing of North 70 degrees 32 minutes 56 seconds West, a chord distance of 959.95 feet;

Along said curve to the right, an arc distance of 979.93 feet to the POINT OF BEGINNING and CONTAINING 2.753 acres of land, more or less.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone.

Exhibit “D”
CR 88 Property Exhibit

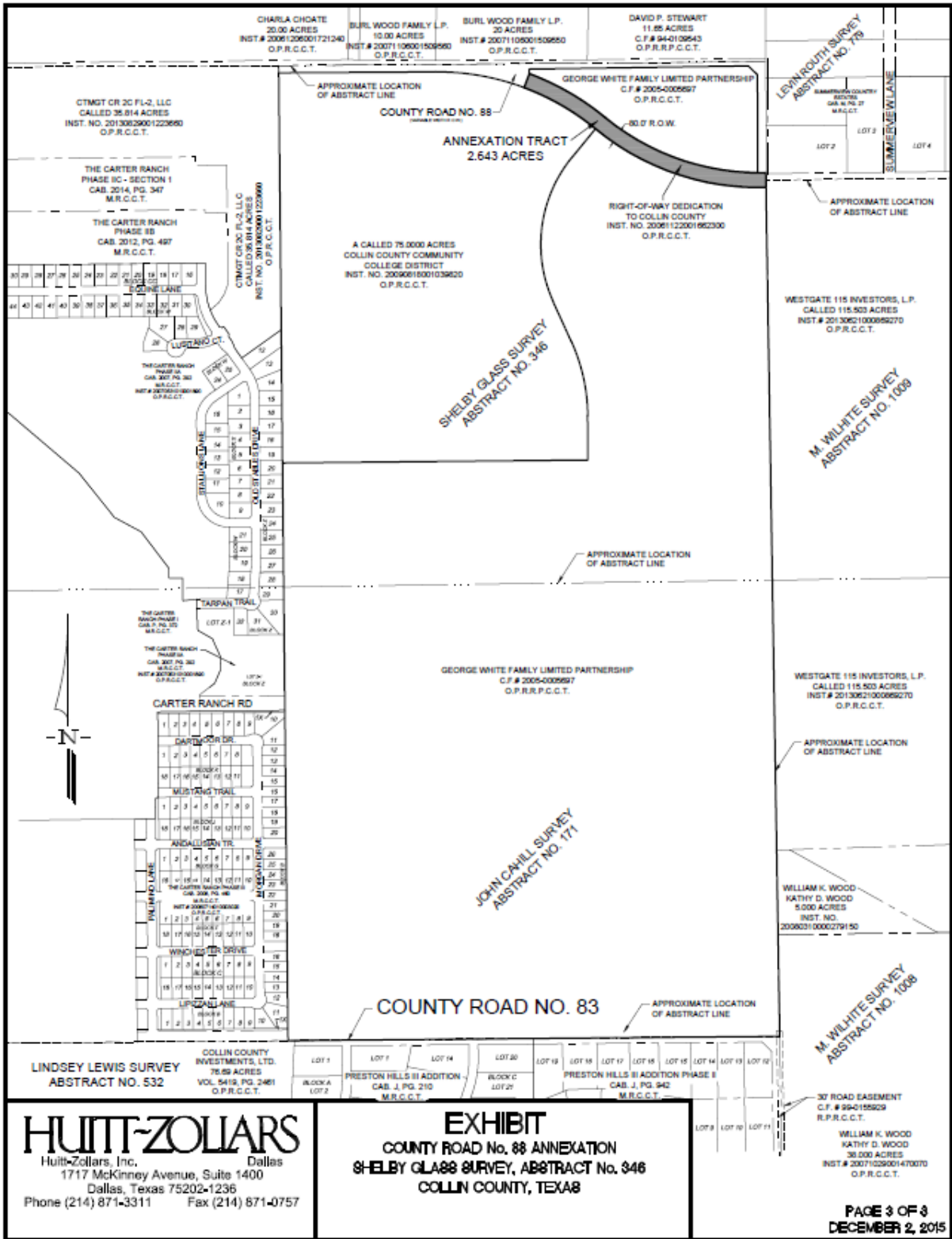


Exhibit "E"
Legal Description CR 1224

BEING, a tract of land situated in the Shelby Glass Survey, Abstract No. 346, Thomas M. Rowland, Abstract No. 749 and the Levin Routh Survey, Abstract No. 779, Collin County, Texas, and being a portion of a right-of-way dedication for County Road No. 88 to Collin County, Texas, as recorded in Instrument Number 20061122001662300 of the Official Property Records of Collin County, Texas (OPRCCT), a portion of a 10.0 foot wide right-of-way dedication for County Road No. 88 as shown on Summerview Country Estates, an addition to Collin County, Texas, as recorded in Cabinet M, Page 420 of the Plat Records of Collin County, Texas (PRCCT), all of a 10.0 foot wide right-of-way dedication for County Road No. 88 as shown on Summerview Country Estates, Phase 2, an addition to Collin County, Texas, as recorded in Cabinet N, Page 27, PRCCT, and a portion of old County Road No. 88, no deed of record found, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found with plastic cap stamped "RPLS 4613" at the northeast corner of said 10.0 foot wide right-of-way dedication as shown on said Summerview Country Estates, Phase 2 addition, said corner being an inner ell corner of Lot 1, Block A of said Summerview Country Estates, Phase 2 addition;

THENCE, South 00 degrees 08 minutes 58 seconds East along the east line of said 10.0 foot wide right-of-way dedications as shown on said Summerview Country Estates, Phase 2 addition and said Summerview Country Estates addition, a distance of 622.93 feet to a point for corner;

THENCE, South 89 degrees 21 minutes 13 seconds West departing the east line of the 10.0 foot wide right-of-way dedications as shown on the Summerview Country Estates addition plat, a distance of 33.68 feet to a point for corner in County Road No. 1224;

THENCE, South 89 degrees 49 minutes 19 seconds West continuing across County Road No. 1224, a distance of 21.52 feet to a 5/8 inch iron rod found with plastic cap stamped "KHA" in the west right-of-way line of County Road No. 1224 (formerly County Road No. 88) as established by said instrument to Collin County, Texas, as recorded in Instrument Number 20061122001662300;

THENCE, along the west and south right-of-way line of County Road No. 1224 (formerly County Road No. 88) the following courses and distances:

North 00 degrees 09 minutes 32 seconds West, a distance of 533.27 feet to a 5/8 inch iron rod found with plastic cap stamped "KHA";

North 45 degrees 30 minutes 04 seconds West, a distance of 70.29 feet to a 5/8 inch iron rod found with plastic cap stamped "KHA";

South 89 degrees 09 minutes 25 seconds West, a distance of 1,192.91 feet to a 5/8 inch iron rod found with plastic cap stamped "KHA";

South 00 degrees 50 minutes 11 seconds East, a distance of 25.47 feet to a 5/8 inch iron rod found with plastic cap stamped "KHA" in the north right-of-way line of County Road No. 88, an 80.0 foot wide right-of-way as, as established by said instrument to Collin County, Texas, as recorded in Instrument Number 20061122001662300, and being the beginning of a non-tangent curve to the left having a central angle of 02 degrees 23 minutes 39 seconds, a radius of 1,436.38 feet, a chord bearing of North 70 degrees 43 minutes 31 seconds West, a chord distance of 60.01 feet;

THENCE, along the north right-of-way line of County Road No. 88 and said curve to the left an arc distance of 60.02 feet;

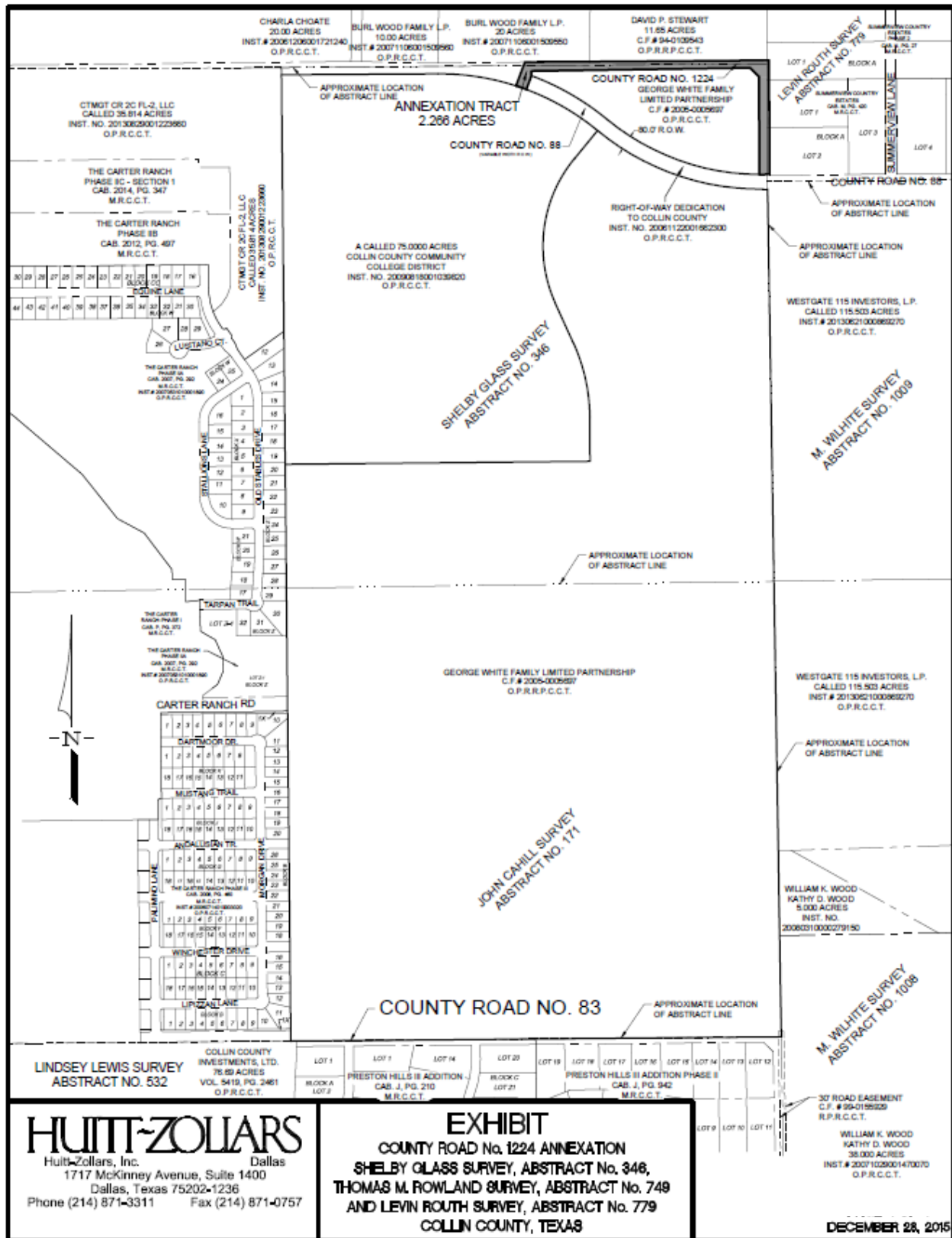
THENCE, North 20 degrees 28 minutes 13 seconds East departing the north right-of-way line of County Road No. 88, a distance of 58.24 feet to a point for corner in the north line of County Road No. 1224 (no deed of record found) and the south line of a called 20.0 acre tract of land described in instrument to the Burl Wood Family, L.P., recorded in Instrument Number 20071106001509550, OPRCCT;

THENCE, North 89 degrees 36 minutes 02 seconds East along the north line of County Road No. 1224 and the south line of the Burl Wood Family tract, a distance of 352.44 feet to a 1/2 inch square tubing found at the southeast corner of the Burl Wood Family tract, said corner being the southwest corner of a called 11.65 acre tract of land described in instrument to the David P. Stewart, recorded in County Clerk's File No. 94-0109543, OPRCCT;

THENCE, North 89 degrees 35 minutes 22 seconds East continuing along the north line of County Road No. 1224 and the south line of the Stewart tract, passing at 971.47 feet the southeast corner of the Stewart tract, in all a total distance of 981.47 feet to the POINT OF BEGINNING and CONTAINING 2.156 acres of land, more or less.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone.

Exhibit "F"
CR 1224 Property Exhibit



Attachment: ROW Annexation ordinance (1524 : Wells North County Roads Annexation Ordinance)



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Brooks Wilson, Senior Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Wells North Rezoning Ordinance

Action Requested:

The Celina City Council will conduct a public hearing to consider testimony and act upon an ordinance of the City Council of the City of Celina, Texas, rezoning an approximately 244.1 acre tract of land from an AG-Agricultural zoning district to a PD-Planned Development zoning district with base zoning designations of SF-R–Single Family Residential and MU-2–Regional Mixed Use. The property is situated in the Shelby Glass Survey, Abstract No. 346 and the J. Cahill Survey, Abstract No. 171 and generally located north of CR 83, south of CR 88, and east of Carter Ranch, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (Wells North) (Liebman)

Background Information:

The property is currently in the City of Celina’s Extraterritorial Jurisdiction (ETJ). The voluntary annexation of the ±244.1 acre tract of land into the City is anticipated to be completed at the March 29, 2016 City Council Special Called Meeting. Following the annexation, the City Council will consider this rezoning request.

The Planning and Zoning Commission unanimously approved the development regulations on September 15, 2015 that were incorporated into the pre-annexation Development Agreement approved by City Council on November 10, 2015. The proposed zoning request includes development regulations that conform to those included in the ETJ Development Agreement, as approved by the Planning and Zoning Commission and the City Council.

Public Notice:

A notice of the City Council public hearing was published in *The Celina Record* on March 11, 2016. Notices of the public hearing have been sent to all owners of property, as indicated by the most recently approved Collin County tax rolls, who are located within 200 feet of the subject property. One-hundred fourteen (114) property owners were notified by mail on January 29, 2016. As of the printing of this packet, staff has received one letter in support of the proposed zoning change and two letters in opposition (attached).

Legal Review:

The City Attorney has reviewed the ordinance and found it to be acceptable.

Supporting Documents:

Proposed Ordinance

Legal Description

Zoning Exhibit

Proposed Planned Development Regulations

Concept Plan Option A

Concept Plan Option B

Concept Plan Option A with lotting pattern

Concept Plan Option B with lotting pattern

Open Space and Trail Plan

Street System Exhibit

Screening and Landscape - Street Sections

Screening and Landscape - Edge Treatments

Street Tree Program

Community Entry & Garage Setback Exhibit

Citizen Letter of Support (Weller)

Citizen Letter of Opposition (Brooks)

Citizen Letter of Opposition (Roy)

Planning and Zoning Commission Recommendation:

At the meeting held on February 16, 2016, the Planning and Zoning Commission voted (6-0) to recommend approval of the rezoning request.

Staff Recommendation:

Staff recommends approval.

CITY OF CELINA, TEXAS

ORDINANCE 2016-____
WELLS NORTH ZONING - PD-65

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS AN APPROXIMATELY 244.136 ACRE TRACT OF LAND IN THE SHELBY GLASS SURVEY, ABSTRACT NO. 346 AND THE J. CAHILL SURVEY, ABSTRACT NO. 171, COLLIN COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND DEPICTED IN SPECIAL WARRANTY DEED TO GEORGE WHITE FAMILY LIMITED PARTNERSHIP, RECORDED IN CLERK'S FILE NO. 2005-0005697, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COLLIN COUNTY, TEXAS, SAID TRACT ALSO BEING PART OF A TRACT OF LAND DESCRIBED AS "1ST TRACT" IN DEED TO MARY G. WHITE RECORDED IN VOLUME 142, PAGE 343, DEED RECORDS OF COLLIN COUNTY, TEXAS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT #65; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT STANDARDS; PROVIDING FOR REVISION OF ZONING MAP; PROVIDING FOR COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO PUBLIC HEALTH AND SAFETY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Celina is a home rule municipality located in Collin, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

WHEREAS, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

WHEREAS, Title 7 Chapter 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

WHEREAS, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the tract comprising the property has been depicted in detail in Exhibit “B” attached hereto; and incorporated herein; and

WHEREAS, the concept plan and development regulations set forth in Exhibit “C” and Exhibit “D” attached hereto and incorporated herein define the base zoning districts and provide for certain modifications to such district regulations.

WHEREAS, the City Council has considered, among other things, the character of the property and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

WHEREAS, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of Celina, have given the requisite notices by publication and otherwise, and have held public hearings and afforded 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

WHEREAS, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

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

SECTION 1 **INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2 **FINDINGS**

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

SECTION 3 **AMENDMENT OF ZONING CLASSIFICATION**

That the zoning classification is hereby established as “PD” Planned Development District, #53 on a certain tract of land described in in Exhibit “A” and depicted in Exhibit “B”.

SECTION 4 **ZONING DESIGNATION AND DEVELOPMENT STANDARDS**

4.01 That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City’s Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land, depicted in Exhibit “A” attached hereto and incorporated herein, as “PD” Planned Development District #65.

4.02 This ordinance only regulates the uses allowed for the property identified above. All development and construction shall occur in accordance with the requirements of this ordinance; the concept plan set forth in Exhibit “C”; the development standards set forth in Exhibit “D” and all other applicable ordinances, rules, and regulations of the City.

SECTION 5
REVISION OF ZONING MAP

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

SECTION 6
COMPLIANCE REQUIRED

That the property depicted on Exhibit "A" hereto shall be used only in the manner and for the purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended.

SECTION 7
PENALTY

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

SECTION 8
CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 9
SAVINGS CLAUSE

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulation which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 10
SEVERABILITY

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full

force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

SECTION 11
PUBLICATION CLAUSE

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, and Effective Date of this Ordinance as required by Section 52.013 of the Local Government Code.

SECTION 12
ENGROSSMENT AND ENROLLMENT

The City Secretary is hereby directed to engross and enroll this Ordinance by copying the descriptive Caption in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

SECTION 13
EFFECTIVE DATE

This Ordinance shall become effective from and after its date of passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Celina, Texas this 29th day of March, 2016.

Sean Terry, Mayor
City of Celina, Texas

ATTEST:

Vicki Faulkner, City Secretary
City of Celina, Texas

[SEAL]

APPROVED AS TO FORM:

City Attorney
City of Celina, Texas

City of Celina, Ordinance No. 2016-_____

Page 4

EXHIBIT "A"
Wells North
Legal Description

TRACT 1 - 233.738 ACRES

BEING a tract of land out of the Shelby Glass Survey, Abstract No. 346 and the J. Cahill Survey, Abstract No. 171, Collin County, Texas, and being part of a tract of land depicted in Special Warranty Deed to George White Family Limited Partnership, recorded in Clerk's File No. 2005-0005697, Official Public Records of Real Property of Collin County, Texas, said tract also being part of a tract of land described as "1st Tract" in deed to Mary G. White recorded in Volume 142, Page 343, Deed Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a ½" iron rod found in County Road No. 88 at the northeast corner of a called 35.814 acre tract of land described in Special Warranty Deed to CTMGT CR 2C FL-2, LLC, recorded in Instrument No. 20130829001223660, Official Public Records of Collin County;

THENCE along the east line of said 35.814 acre tract, South 00°33'04" East, a distance of 39.13 feet to a 5/8" iron rod with "KHA" cap found in the south right-of-way line of said County Road No. 88, for the northwest corner of a called 75.0000 acre tract of land described in Special Warranty Deed to Collin County Community College District, recorded in Instrument No. 20090818001039820, Official Public Records of Collin County;

THENCE departing the said east line of called 35.814 acre tract, along the south right-of-way line of said County Road No. 88 and the north line of said 75.0000 acre tract, the following courses and distances:

North 89°38'04" East, a distance of 854.43 feet to a 5/8" iron rod with "KHA" cap found for corner at the beginning of a tangent curve to the right with a radius of 1,356.38 feet, a central angle of 39°54'51" and a chord bearing and distance of South 70°24'31" East, 925.91 feet;

In a southeasterly direction along said curve, an arc distance of 944.90 feet to a 5/8" iron rod with "KHA" cap found at the beginning of a reverse curve to the left with a radius of 1,396.84 feet, a central angle of 40°11'41" and a chord bearing and distance of South 70°32'56" East, 959.96 feet for the northeast corner of said 75.000 acre tract and the **POINT OF BEGINNING**;

THENCE continuing along the south right-of-way line of said County Road No. 88, the following courses and distances:

In a southeasterly direction along said curve, an arc distance of 979.93 feet to a 5/8" iron rod with "KHA" cap found at the end of said curve;

North 89°21'13" East, a distance of 22.58 feet (Deed 22.79') to a 5/8" iron rod with "KHA" cap found for corner in the west line of a called 115.503 acre tract of land described in Special Warranty Deed to Westgate 115 Investors, L.P., recorded in Instrument No. 20130621000869270, Official Public Records of Collin County, Texas; from said point a 1/2" iron rod with "Metroplex 1849" cap found for witness bears North 00°55'47" West, a distance of 6.25 feet;

THENCE along the said west line of called 115.503 acre tract, South 00°55'47" East, at a distance of 1,949.66 feet, passing a 1/2" iron rod with "Metroplex 1849" cap found, continuing along the west line of said 115.503 acre tract, at a distance of 3,612.06 feet, passing the northwest corner of a tract of land described in General Warranty Deed to William K. Wood and Kathy D. Wood recorded in Instrument No. 20080310000279150, Official Public Records of Collin County, Texas, continuing along the west line of said Wood tract, at a distance of 4,075.82 feet, passing a 1/2" iron rod found at the southwest corner of said Wood tract and the northwest corner of a tract of land described in General Warranty Deed to William K. Wood and Kathy D. Wood recorded in Instrument No. 20071029001470070, Official Public Records of Collin County, Texas, continuing with the west line of the second referenced Wood tract, in all a total distance of 4,629.12 feet to a 5/8" iron rod with "KHA" cap found for corner in County Road No. 83;

THENCE departing the said west line of the second reference Wood tract and along the north right-of-way line of County Road No. 83 and the north line of a called 76.69 acre tract of land described in Special Warranty Deed to Collin County Investments, Ltd., recorded in Volume 5419, Page 2461, Official Public Records of Collin County, Texas, South 89°30'11" West, a distance of 2,678.92 feet (Deed calls 2,663.76 feet) to a PK nail found for the southeast corner of The Carter Ranch Phase III, an addition to the City of Celina according to the plat recorded in Cabinet 2006, Page 460 of the Map Records of Collin County, Texas and in Instrument No. 20060714010003020, of Official Public Records of Collin County, Texas;

THENCE North 00°33'04" West, at a distance of 58.02 feet, passing the southeast corner of Lot 1X, Block B, said The Carter Ranch Phase III, continuing along the east line of said Block B, at a distance of 1,052.02 feet, passing a 5/8" iron rod with "Huitt Zollars" cap found at the northeast corner of Lot 26 of said Block B and the southeast corner of the east terminus of Andalusian Trail (a 50-foot wide right-of-way), continuing along the said east terminus of Andalusian Trail, at a distance of 1,102.02 feet, passing a 5/8" iron rod with "Huitt Zollars" cap found at the northeast corner of the said east terminus of Andalusian Trail and the southeast corner of Lot 20, Block L, said The Carter Ranch Phase III, continuing along the east line of said Block L, at a distance of 1,801.02 feet, passing the northeast corner of Lot 1X, of said Block L and the southeast corner of the east terminus of Carter Ranch Boulevard (an 80-foot wide right-of-way), continuing along the said east terminus of Carter Ranch Boulevard, at a distance of 1,881.02 feet, passing the northeast corner of said terminus of Carter Ranch Boulevard and the southeast corner of Lot Z-1, Block Z, The Carter Ranch Phase IIa, an addition to the City of Celina, Texas according to the plat recorded in Cabinet 2007, Page 292, Map Records of Collin County, Texas and in Instrument No. 20070531010001890, Official Public Records of Collin County, Texas, continuing along the east line of said Block Z, at a distance of 3,149.24 feet to a 5/8" iron rod with "KHA" cap found for the southwest corner of aforesaid called 75.000 acre tract;

THENCE along the south line of said 75.000 acre tract, North 89°26'56" East, a distance of 1,665.00 to a 5/8" iron rod with "KHA" cap found at the southeast corner of said 75.000 acre tract;

THENCE, along the east line of said 75.000 acre tract, the following courses and distances:

North 00°33'04" West, a distance of 242.54 feet to a 5/8" iron rod with "KHA" cap found at the beginning of a tangent curve to the left having a central angle of 23°51'09", a radius of 1,000.00 feet, a chord bearing and distance of North 12°28'39" West, 413.30 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 416.30 feet to a 5/8" iron rod with "KHA" cap found for corner;

North 24°24'13" West, a distance of 239.76 feet to a 5/8" iron rod with "KHA" cap found at the beginning of a tangent curve to the right having a central angle of 63°57'09", a radius of 750.00 feet, a chord bearing and distance of North 7°34'21" East, 794.35 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 837.13 feet to a 5/8" iron rod with "KHA" cap found for corner;

North 39°32'55" East, a distance of 200.00 feet to the **POINT OF BEGINNING** and containing 233.738 acres or 10,181,614 square feet of land, more or less.

TRACT 2 - 10.3980 ACRES

BEING a tract of land out of the Shelby Glass Survey, Abstract No. 346, Collin County, Texas, and being part of a tract of land depicted in Special Warranty Deed to George White Family Limited Partnership, recorded in Clerk's File No.

2005-0005697, Official Public Records of Real Property of Collin County, Texas, and also being part of the tract of land described as "1st Tract" in deed to Mary G. White recorded in Volume 142, Page 343 of the Deed Records of Collin County, Texas; said tract also being all of the same resultant

tract of land defined by the Right-of-Way Dedication to Collin County recorded in Instrument No. 20061122001662300, Official Public Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found in County Road No. 88 at the northeast corner of a called 35.814 acre tract of land described in Special Warranty Deed to CTMGT CR 2C FL-2, LLC recorded in Instrument No. 20130829001223660, Official Public Records of Collin County, Texas;

THENCE along the east line of said 35.814 acre tract, South 00°33'04" East a distance of 39.13 feet to a 5/8" iron rod with "KHA" cap found on the south right-of-way line of said County Road No. 88, for the northwest corner of a called 75.0000 acre tract of land described in Special Warranty Deed to Collin County Community College District recorded in Instrument No. 20090818001039820, Official Public Records of Collin County;

THENCE, along the south right-of-way line of County Road No. 88 and north line of said 75.0000 acre tract, North 89°38'04" East, a distance of 854.43 feet to a 5/8" iron rod with "KHA" cap found for the point of beginning of a tangent curve to the right;

THENCE, departing the said south right-of-way line of County Road No. 88 and north line of called 75.000 acre tract, South 88°48'06" West, a distance of 511.14 feet to a 5/8" iron rod with "KHA" cap set for corner on a north right-of-way line of said County Road No. 88 for the **POINT OF BEGINNING**;

THENCE along a south right-of-way line of said County Road No. 88, the following courses and distances:

North 00°50'34" West, a distance of 25.47 feet to a 5/8" iron rod with "KHA" cap set for corner;

North 89°09'26" East, a distance of 1,192.91 feet to a 5/8" iron rod with "KHA" cap found for corner at the northern most end of a right-of-way corner clip at the intersection of said south right-of-way line and the west right-of-way line of County Road No. 86 (a variable width right-of-way);

THENCE along said right-of-way corner clip, South 45°30'03" East, a distance of 70.29 feet to a 5/8" iron rod with "KHA" cap found for corner at the southernmost end of said corner clip;

THENCE along the said west right-of-way line of County Road No. 86, South 00°09'32" East, a distance of 533.28 feet to a 5/8" iron rod with "KHA" cap found for corner at the intersection of the said west right-of-way line of County Road No. 86 and the north right-of-way line of County Road No. 88; said point also being at the beginning of a non-tangent curve to the right having a radius of 1,316.84 feet, a central angle of 39°15'29", a chord bearing and distance of North 70°04'50" West, 884.73 feet;

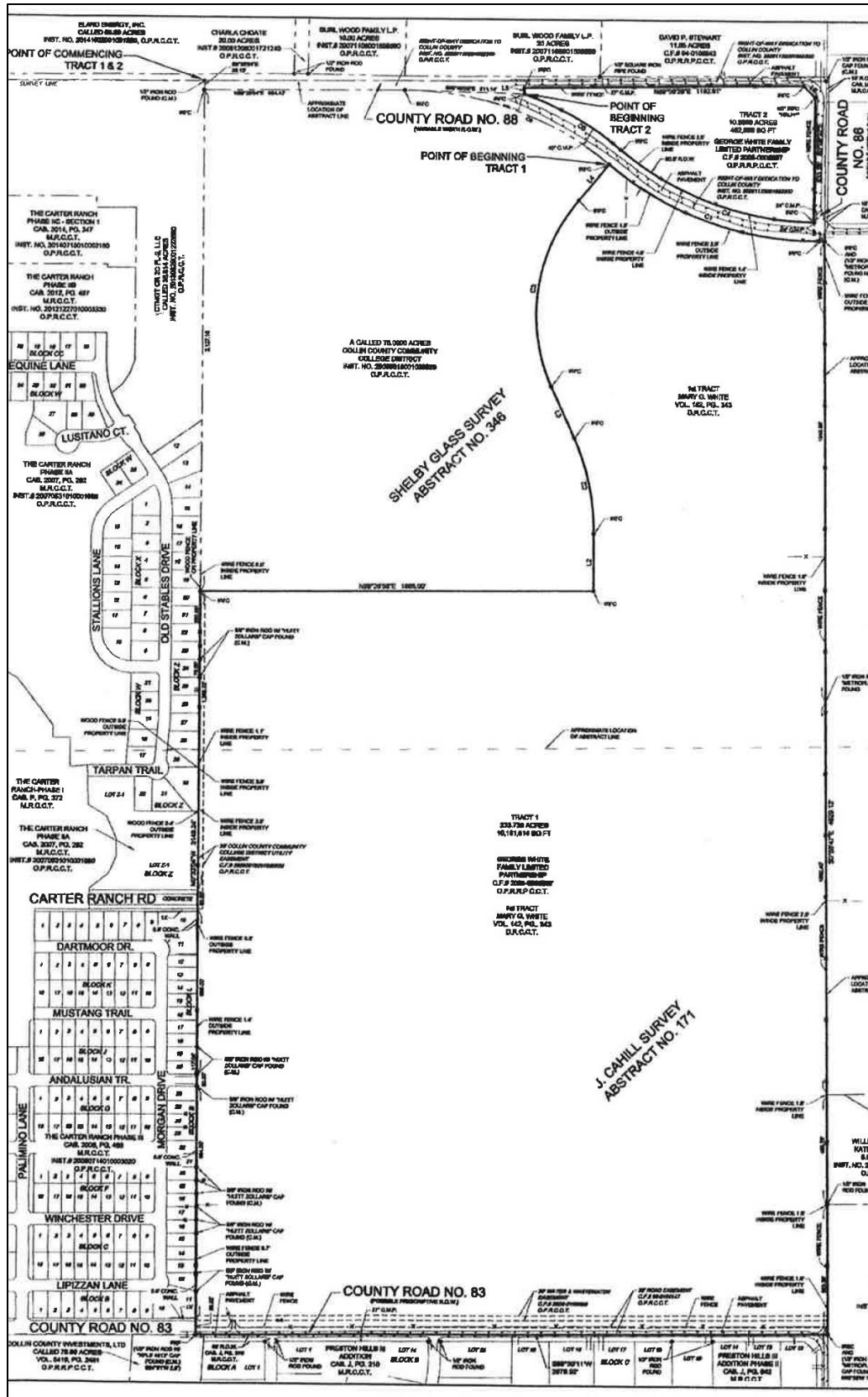
THENCE along the said north right-of-way line of County Road No. 88, the following courses and distances:

In a northwesterly direction, along said curve, an arc distance 902.28 feet to a 5/8" iron rod with "KHA" cap set at the beginning of a reverse curve to the left with a radius of 1,436.38 feet, a central angle of 19°04'36", and a chord bearing and distance of North 59°59'23" West, 476.04 feet;

In a northwesterly direction, along said curve, an arc distance of 478.24 feet to the **POINT OF BEGINNING** and containing 10.3980 acres or 452,936 square feet of land.

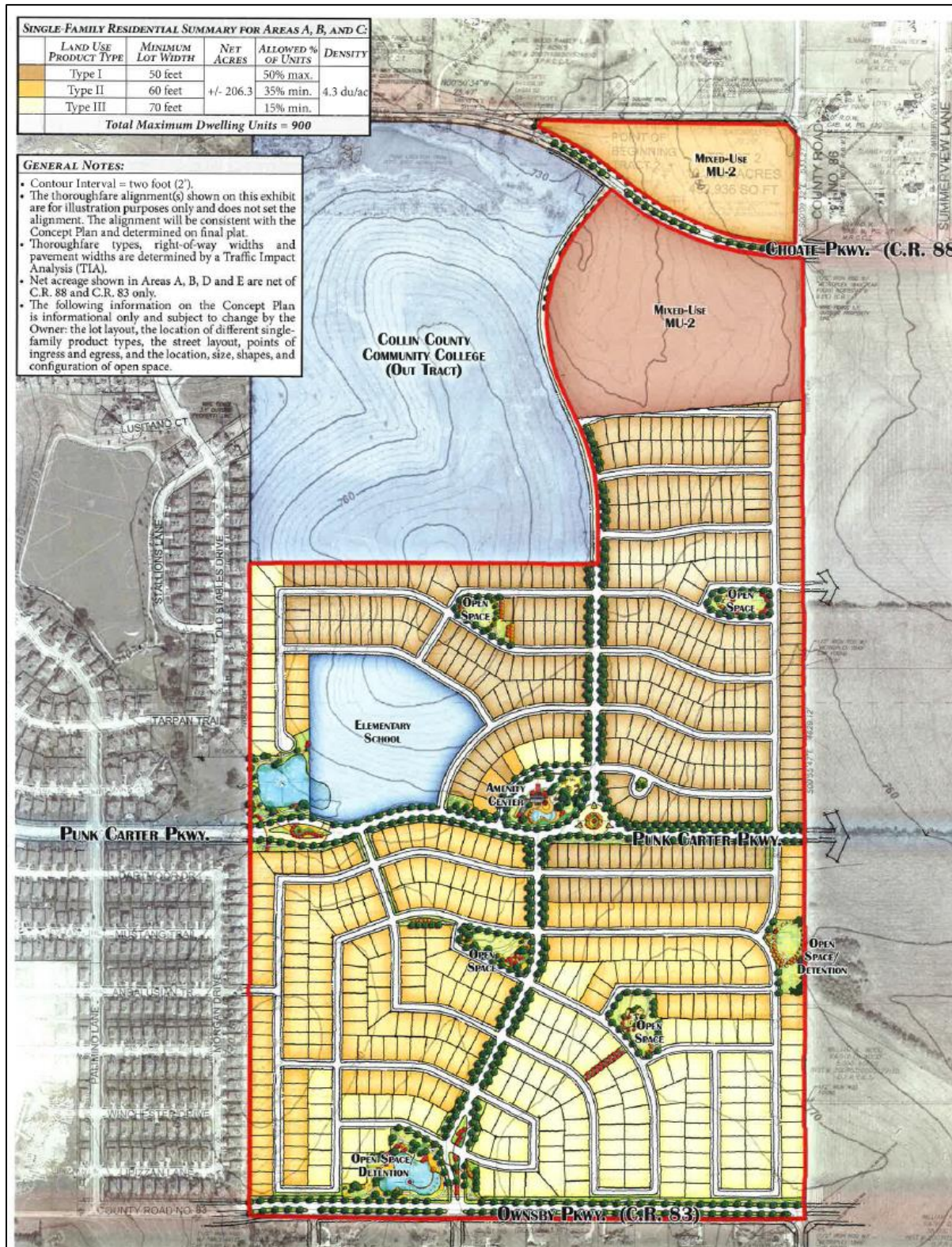
**EXHIBIT “B”
Zoning Exhibit**

Attachment: Ordinance - Wells North with no exhibits (1525 : Wells North Rezoning Ordinance)



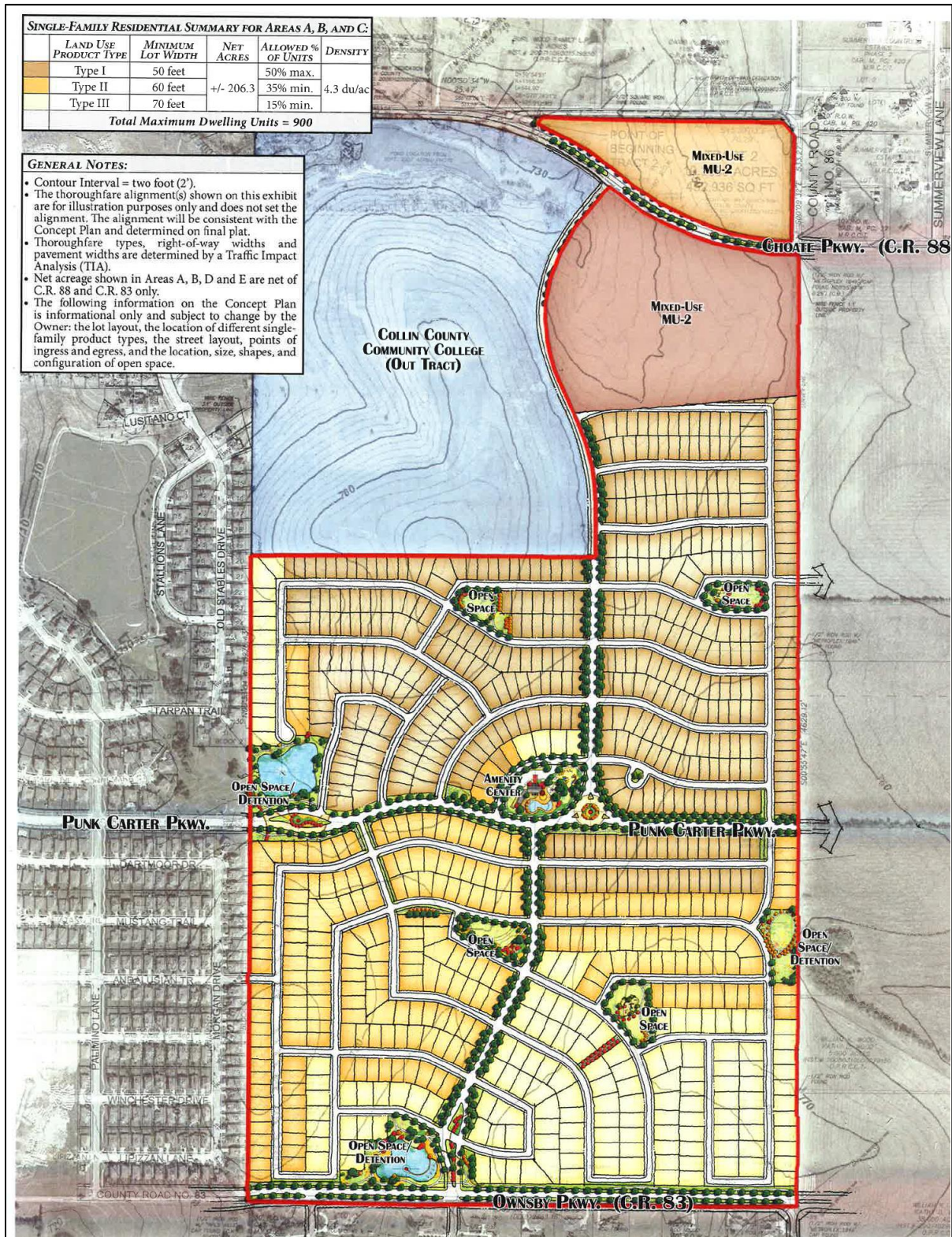
Attachment: Ordinance - Wells North with no exhibits (1525 : Wells North Rezoning Ordinance)

EXHIBIT "C" **Concept Plan with School Site**



Attachment: Ordinance - Wells North with no exhibits (1525 : Wells North Rezoning Ordinance)

EXHIBIT "C" **Concept Plan without School Site**



Attachment: Ordinance - Wells North with no exhibits (1525 : Wells North Rezoning Ordinance)

EXHIBIT “D”
Wells North
Development Regulations

The following shall constitute the Wells North Tract Planned Development Regulations:

1. Purpose. The purpose and intent of these Development Regulations is to create a unique and well-designed master planned community to preserve natural features, open space, and other topographical features of the land. The community will be a walkable environment where the amenities will consist of long, contiguous open space greenways with hike and bike trails that connect the entire community and promote connectivity of the community to the City of Celina. The project will promote a sense of community, environmental stewardship, and healthy living, embrace new technology, and attempt to educate its residences through the project's design and planning principles.
2. Definitions. All terms used on this document shall be defined as stated in the Agreement and the Zoning Ordinance, as applicable, except as follows:
 - a. Concept Plan means the drawing attached as Exhibit C to this Agreement, as amended from time to time in accordance with Section 3.02 of this Agreement.
 - b. Open space means any publicly or privately owned or accessible property containing a minimum of 10,000 square feet in area and being at least 15 feet in width or 100 feet in length, with no slope greater than eight percent, exclusive of rights-of-way, that is designated as open space at the time of platting. Open space may include bodies of water, trails, landscaped or hardscaped areas, trails, and other similar features. The term open space shall include detention ponds in Area C. Typically, open space will not be individually owned, and will be for the common use or enjoyment of the residents within the Property. The City Manager may allow full or partial open space credit for areas exceeding the maximum eight percent slope if it is determined that such are environmentally or aesthetically significant and their existence enhances the development or surrounding area.
 - c. Zoning Ordinance means the comprehensive zoning ordinance of the City, as amended from time to time.
3. Applicable Regulations; Conflicts; Concept Plans and Site Plans
 - a. Development and use of the Property shall comply with this Agreement and the Zoning Ordinance. In the event of a conflict between this Agreement and the Zoning Ordinance, this Agreement controls. Areas A, B, and C, as shown on the Concept Plan and more particularly described on Exhibit A-1, shall be governed by the SF-R residential zoning district in the Zoning Ordinance, as amended by this Exhibit D. Areas D and E, as shown on the Concept Plan and more particularly described on Exhibit A-1, shall be governed, as determined by the developer at the time of platting, by either SF-R or MU-2, as amended by this Exhibit D.
 - b. The Concept Plan attached as Exhibit C is a conceptual plan that illustrates how the Property could be developed with single family uses. The following information on the Concept Plan is informational only and subject to change by the Owner without City approval: the lot layout, the location of different single family product types, the street layout, points of ingress and egress, the location, size, and configuration of an elementary school site (if one is provided), and the location, size, shapes configuration of open space. Revisions other than the foregoing revisions to the Concept Plan may be made in accordance with Section 3.02 of the Agreement.
 - c. Prior to the development of portions of the Property located in Area D or E, a concept plan and site plan for each non-single family project within that area must be approved in accordance with Division 7 of the Zoning Ordinance in effect on the Effective Date

(defined in Article III of the Agreement as the "Required Concept Plans and Site Plans"), except as follows:

- i. No concept plan or site plan other than the Concept Plan attached as **Exhibit C** shall be required in connection with the PD zoning of the Property upon annexation. The Required Concept Plans and Site Plans for Areas D and E shall be required only as a condition to the issuance of a building permit. Required Concept Plans and Site Plans are not required for single family detached or attached development, including amenities, at any location within the Property.
 - ii. The Required Concept Plans and Site Plans for Areas D and E may be submitted and approved on a project by project basis. No particular phasing is required, and no development schedule shall be required.
 - iii. The Division 7 process for approving the Required Concept Plans and Site Plans for Areas D and E may not be used to require conditions that conflict with or are inconsistent with the terms of this **Exhibit D** or this Agreement.
 - iv. Consideration and approval of the Required Concept Plans and Site Plans for Areas D and E shall be subject to the same notice and public hearing procedural requirements before the Planning and Zoning Commission and City Council that apply to any request in the City for a change of zoning. Section 14.02.226 of the Zoning Ordinance shall not apply, and the City shall not be authorized to require additional studies or information described in that section in connection with an application under this Section 3(c).
4. General Regulations.
- a. All single family detached and attached residences may have front entry garages and direct access from a dedicated public street. All front entry garage doors must be in line with, or set back from, the front facade of the home as shown on Attachment 1. This requirement does not apply to a j-swing garage.
 - b. No particular phasing of any area shown on the Concept Plan is required.
5. Use Regulations; Cap on Residential Units. The uses permitted by this Section 5 are permitted. In addition, any residential or commercial use that is less intense than permitted uses within the designated area, as reasonably determined by the Director of Planning and Development Services, is also permitted. The uses authorized by this Section 5 are the only uses permitted on the Property.
- a. Areas A, B, and C: SF-R single family residential district uses and the associated uses defined in Section 14.03.008 of the Zoning Ordinance, on the Effective Date of this Agreement, are permitted to the same extent they are permitted in the SF-R district. For example, if a use is permitted by right in the SF-R zoning district, that use is permitted by right in Areas A, B, and C. If a use is permitted by SUP in the SF-R zoning district, that use is permitted by SUP in Areas A, B, and C. In addition, a public elementary school is permitted by right. The maximum number of residential lots in Areas A, B, and C combined shall be 900. Within Areas A, B, and C combined, at full build out, a maximum of 50 percent shall be Type I lots, a minimum of 35 percent shall be Type II lots, and a minimum of 15 percent shall be Type III lots. Areas A and C are restricted to Type III lots.
 - b. Area D:
 - i. The MU-2 mixed use regional district uses identified on Attachment 2 are permitted by right.
 - ii. Single family detached uses are permitted by right, and must be Type I, II, or III lots or patio homes, as described in Section 6 below.
 - iii. A public elementary school is permitted by right.
 - iv. Accessory dwellings are prohibited.

- v. Townhouses, multi-family and permitted non-residential uses are permitted without limitation. A minimum of ten percent of the net acreage within Area D shall be reserved for nonresidential development.
 - vi. Residential uses are permitted within Area D at a density not to exceed nine dwelling units per gross acre.
 - vii. Duplexes are prohibited.
- c. Area E:
- i. The MU-2 mixed use regional district uses identified on Attachment 2 are permitted by right.
 - ii. Single family detached uses are permitted by right, and must be Type I, II, or III lots or patio homes, as described in Section 6 below.
 - iii. A public elementary school is permitted by right.
 - iv. Accessory dwellings are prohibited.
 - v. Townhouses and permitted non-residential uses are permitted without limitation.
 - vi. Residential uses are permitted within Area E at a density not to exceed nine dwelling units per gross acre.
 - vii. Duplexes are prohibited.
6. Area Regulations.
- a. The regulations in Section 5 and this Section 6 shall serve as the exclusive regulations governing residential density (regardless of the type of residential use), as well as the following with respect to single family detached development only: lot size, width, and depth, setbacks, roof pitch, lot coverage, and minimum dwelling unit size.
 - b. The regulations in the table below in this Section 6 shall apply to all single family detached residential lots within the Property. In addition, single family detached homes in Areas D and E may be developed in accordance with the patio home standards below in this Section 6.
 - c. All single family detached homes within the Property that are on a key lot shall meet the minimum front yard setback requirement along both street frontages. A key lot is a corner lot with a rear yard that is adjacent to the front yard of the adjoining lot.
 - d. Within Areas D and E, townhouses shall be developed in accordance with the height regulations and area regulations of the TH zoning district set forth in Section 14.03.017 of the Zoning Ordinance; and all permitted uses other than single family detached and townhouses shall be developed in accordance with the perimeter setback regulations and lot regulations of the MU-2 zoning district set forth in Section 14.03.006(a)-(d) of the Zoning Ordinance. All other requirements in Section 14.03.006 shall not apply to Areas D and E.

	Type I Lots	Type II Lots	Type III Lots
Minimum lot width	50 feet	60 feet	70 feet
Minimum lot depth	110 feet	115 feet	115 feet
Minimum lot area	5,500 square feet	7,000 square feet	8,500 square feet
Minimum front yard setback (applicable to both streets for key lots)	20 feet	20 feet generally 15 feet if the house has a j-swing garage	25 feet 15 feet if the house has a j-swing garage
Minimum rear yard setback	20 feet	20 feet	20 feet
Minimum side yard setback	5 feet generally 15 feet on corner side yards	5 feet generally 15 feet on corner side yards	7 feet generally 15 feet on corner side yards
Minimum front porch	15 feet	15 feet	20 feet

setback			
Minimum primary roof pitch*	6:12	8:12	8:12
Maximum percentage of impervious lot cover**	60 percent	60 percent	60 percent
Minimum dwelling unit size (air conditioned floor area)	1,600 square feet	1,800 square feet	2,000 square feet
Accessory building setbacks	Minimum front yard setback – 50 feet Minimum side yard setback generally – 3 feet Minimum setback for corner side yard – 15 feet Minimum rear setback – 3 feet		
Minimum off-street parking requirements	At a minimum, each dwelling unit shall provide: 2 parking spaces within an enclosed garage 2 unenclosed parking spaces (which may be included within a setback area)		

*Primary roof pitch does not include roofs over architectural features or enhancements, such as porches and dormers.

**Impervious lot cover limitations apply only to the footprint of an enclosed building, including enclosed garages, and excluding patios and porches (whether covered or uncovered), driveways, sidewalks, and other similar improvements that are not part of an enclosed building.

- e. Single Family Detached (Patio Homes) in Areas D and E. Single family detached homes may be developed pursuant to the following patio home standards:
- i. Minimum front yard setback: 20 feet (applies to both streets for key lots)
 - ii. Minimum side yard setback:
 1. Zero sided option: 0 feet on one side and 10 feet on the other side, except 15 feet on corner side yards
 2. Center option: 5 feet on both sides, except 15 feet on corner side yards
 - iii. Minimum rear yard setback: 12 feet
 - iv. Minimum lot area: 5,000 square feet for a zero side option, and 6,000 square feet for a center option
 - v. Minimum lot width: 40 feet
 - vi. Minimum lot depth: 90 feet
 - vii. Minimum dwelling unit size (air conditioned floor area): 1,200 square feet
 - viii. Minimum primary roof pitch: 6:12. Primary roof pitch does not include roofs over architectural features or enhancements, such as porches and dormers.
 - ix. Maximum height and number of stories: 40 feet and 2.5 stories, subject to Section 6(f) below.
 - x. Maximum impervious lot cover: 55 percent. Impervious lot cover limitations apply only to the footprint of an enclosed building, including enclosed garages, and excluding patios and porches (whether covered or uncovered), driveways, sidewalks, and other similar improvements that are not part of an enclosed building.

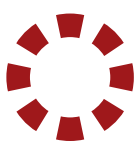
- xi. Accessory building setbacks: same requirements that apply to Type I, II, and III lots
 - xii. Minimum off-street parking: same requirements that apply to Type I, II, and III lots
7. Building Materials. Exterior Building Facade for Residential Main Structures. Except as follows, all exterior building facades shall meet the requirements in Section 14.05.152 of the Zoning Ordinance: Single family detached residential structures (primary and accessory) shall comply with the applicable requirements in Section 14.05.152 of the Zoning Ordinance in effect on the Effective Date, except that cementitious fiberboard may be used in the same vertical plane as the first story if it is interrupted with an intersecting roof line or another architectural element. No other building design or architectural standards shall apply to detached single family residences.
 8. Screening and Landscaping Regulations. Landscaping and screening along CR-83 shall be provided as shown in one of the options in the conceptual drawings on Attachment 3. All required landscaping materials shall be selected from the recommended list on Attachment 4. Internal landscaping and screening shall comply with the internal landscaping edge treatment exhibit on Attachment 3. Where trees are shown along streets, trees must average a minimum of one tree per 50 feet of street frontage, but are not required to be evenly spaced and may be clustered. Section 14.05.122 of the Zoning Ordinance shall apply only when a nonresidential use in Area D or E abuts any residential use adjacent to the boundary of the Property, and a minimum six foot tall solid masonry wall shall be required in that instance.
 9. Open Space Regulations. The following shall serve as the exclusive open space requirements:
 - a. Open space requirements for Areas A, B, and C shall be governed by SF-R district requirements in effect on the Effective Date of this Agreement and the definition of the term "open space" on this document.
 - b. A minimum of ten percent of Areas D and E combined shall be open space.
 - c. Maintenance of open space may be funded through the PID or by a homeowners association. If the maintenance of open space is funded through the PID, a homeowners association shall also be established to assume all of the PID's maintenance responsibilities under this paragraph when and if the PID is dissolved. If open space maintenance will be funded through the PID, a homeowners association shall own the open space, and a public use easement covering the open space and benefiting the City shall be recorded by separate instrument with each final plat that includes open space. When and if the PID is dissolved, the City has the sole option of terminating the easement, at which point the homeowners association that owns the open space shall have the sole responsibility for maintaining the open space.
 - d. Other than the provision of open space required by these Development Regulations, no park land dedication or construction of park improvements shall be required, and no fee related to maintenance of park improvements shall be required other than PID assessments.
 - e. This Section 9 shall serve as the exclusive open space requirement for the Property.
 10. Trails and Sidewalks. Trails shall be constructed in general conformance with the conceptual open space and trail plan attached as Attachment 5. The exact location of trails shown on the plan is conceptual and subject to change based on the final design of lot and street layouts at the time of platting. The construction of trails may be phased with each affected plat. Sidewalks shall generally be curvilinear.
 11. Street Sections. The Property may be developed in accordance with the conceptual street sections and street diagram shown on Attachment 3. The street sections may be used to design roadways, and may be modified by the developer with the approval of the Director of Planning and Development Services. The lot and street layouts on Attachment 3 are conceptual and subject to change at the time of platting.

12. Street Trees.

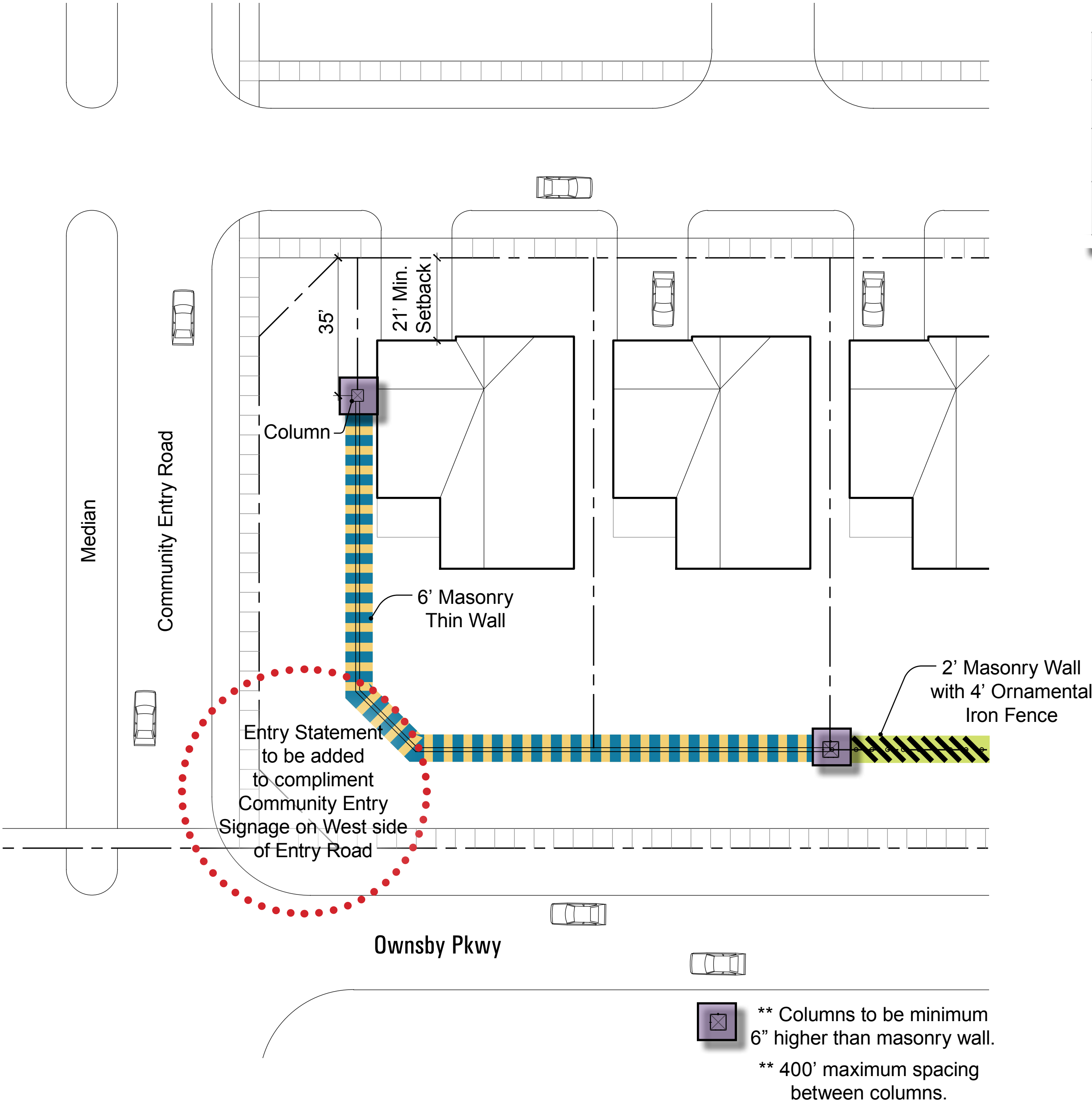
- a. Street trees, as shown on the conceptual street tree diagram attached as Attachment 6, may be provided in the parkway at the option of the developer to meet landscaping requirements for large trees on the adjacent lot, subject to approval by the Director of Planning and Development Services and the Fire Marshall at the time of building permit issuance. If street trees are approved, the developer shall, as a condition of the City's approval, do one of the following, as determined by the City, to fund resulting damages to streets, sidewalks, and utilities: (1) enter into a repair agreement obligating developer to make the repairs and providing financial security of the ability to perform; or (2) consent to annual updates to PID assessments on the Property to fund repair costs.
- b. The lot and street layouts on Attachment 6 are conceptual and subject to change at the time of platting.
- c. For purposes of Attachment 6 and the landscaping regulations in the zoning ordinance, a large tree shall be a minimum of three inches in caliper at the time of planting, and a small or ornamental tree shall be a minimum of two inches in caliper at the time of planting.
- d. If trees are planted in the parkway in accordance with this section, the trees must have a minimum height clearance of 14 feet at maturity. Where trees are shown along streets, trees must average a minimum of one tree per 50 feet of street frontage, but are not required to be evenly spaced and may be clustered.

Attachment 1
Garage Setback

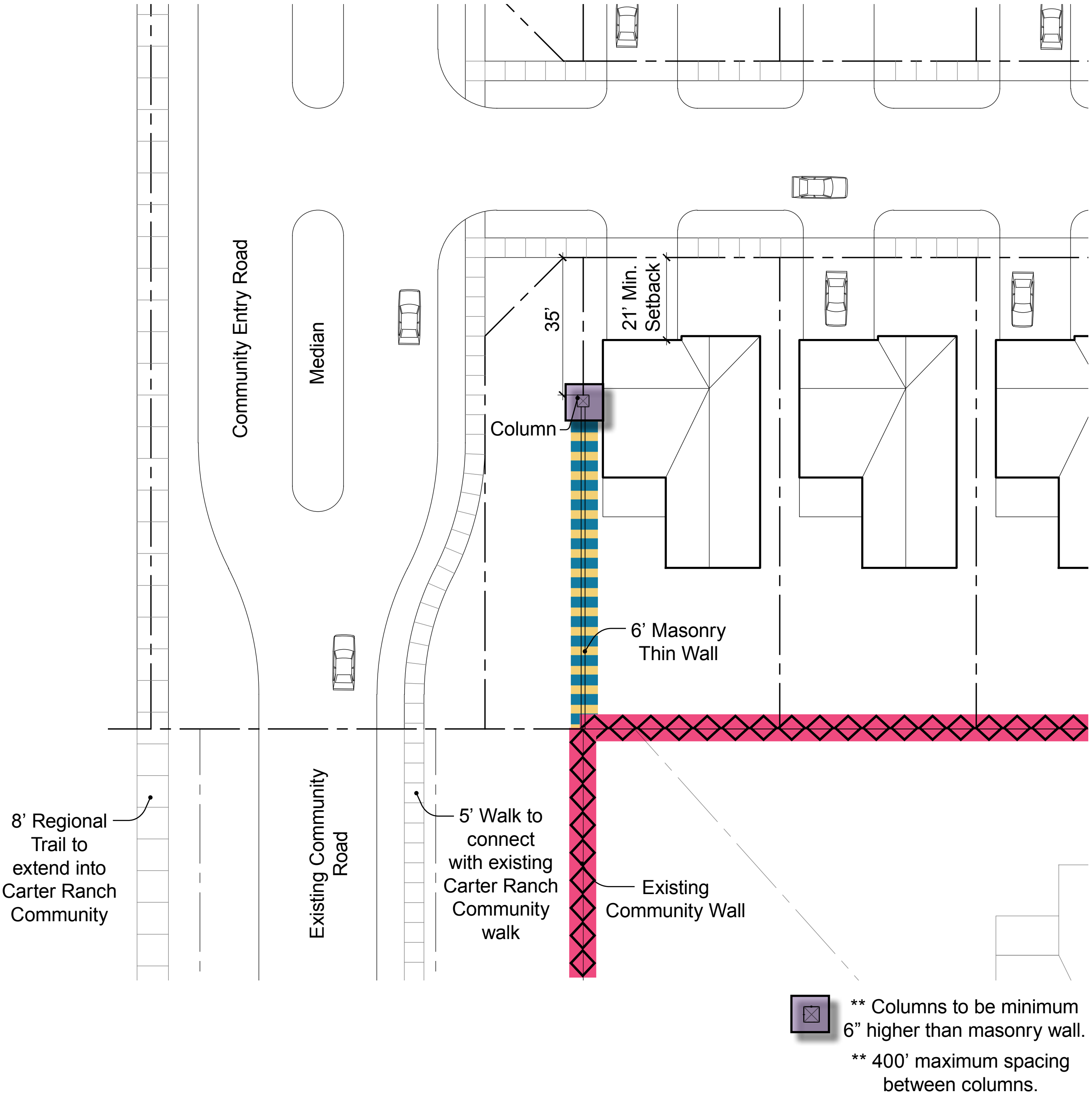
Attachment: Wells North Ordinance Exhibits and Attachments (1525 : Wells North Rezoning Ordinance)



Community Entry at Ownsby Pkwy (Ornamental Fence Option)



Community Entry at Punk Carter Pkwy (Masonry Option)



INDEX MAP



Attachment 2
Uses Permitted in Areas D and E

The following uses are permitted by right in Areas D and E except as noted with a "C" indicating a conditional use permit is required for that use in accordance with the conditional use permit requirements of this Zoning Ordinance:

1. Amusement park – C
2. Amusement ride – C
3. Amusement services (indoors)
4. Amusement services (outdoors) – C
5. Armed services recruiting center
6. Artist studio
7. Assisted living facility – C
8. Auto dealer (new) – C
9. Auto laundry or car wash – C
10. Auto repair (major) – C
11. Auto repair (minor) – C
12. Auto supply stores for new & rebuilt parts – C
13. Bakery or confectionery (retail)
14. Bank/credit union
15. Bed & breakfast inn – C
16. Caretaker's/guard's residence – C
17. Carnival – C
18. Child day care (business)
19. Church/place of worship
20. Club, private (Class I & II) – C
21. Community home – C
22. Concrete or asphalt batching plant (temporary) – C
23. Contractor's office/sales (with no outside storage)
24. Convenience store
25. Convenience store (with gas sales) – C
26. Day camp for children
27. Drapery, blind or furniture upholstery shop
28. Dry cleaning plant – C
29. Dwelling, single family attached (no duplex)
30. Fair ground/exhibition area – C
31. Family home (adult or child care) – C
32. Farmers market (public) – C
33. Feed and grain store
34. Food or grocery store
35. Franchise private utility – C
36. Fraternal organization, lodge or union – C
37. Funeral home (without crematorium) – C
38. Garden shop (inside storage)
39. General retail store

40. Group day care home – C
41. Home improvement center (lumber yard) – C
42. Hotel – C
43. Household appliance service and repair – C
44. Kiosk (providing a service) – C
45. Laundry/dry cleaning (drop off/pick up)
46. Living quarters on-site with a business – C
47. Medical facilities
48. Micro brewery - C
49. Mini-warehouse/self storage – C
50. Motorcycle sales and repair – C
51. Municipal facility
52. Nursery (grown for commercial purposes) – C
53. Nursery (retail sales outdoors)
54. Nursing/convalescent home – C
55. Office center
56. Offices (professional and general business)
57. Office warehouse – C
58. Outdoor retail sales/commercial promotion – C
59. Parking lot structure, commercial (auto) – C
60. Pawn shop – C
61. Personal services shop
62. Pet and animal grooming shop (no outdoor kennels/play area)
63. Propane sales (retail) – C
64. Rehabilitation care facility – C
65. Rehabilitation care institutions – C
66. Residential loft
67. Restaurant (with or without drive-through or drive-in services)
68. Retirement home/home for the aged – C
69. Rooming/boarding house – C
70. Seasonal business – C
71. Studio for radio or television (without tower) – C
72. Telemarketing agency – C
73. Temporary amusement rides – C
74. Temporary business – C
75. Theater or playhouse (indoor)
76. Tire dealer, with or without open storage – C

Note: Uses listed above that involve the sale or consumption of alcohol are permitted only to the extent permitted by applicable state alcohol laws.

Attachment 3
Screening and Landscaping

Attachment: Wells North Ordinance Exhibits and Attachments (1525 : Wells North Rezoning Ordinance)



Attachment: Wells North Ordinance Exhibits and Attachments (1525 : Wells North Rezoning Ordinance)

WELLS NORTH / Screening and Landscaping Edge Treatment Area

Celina, TX

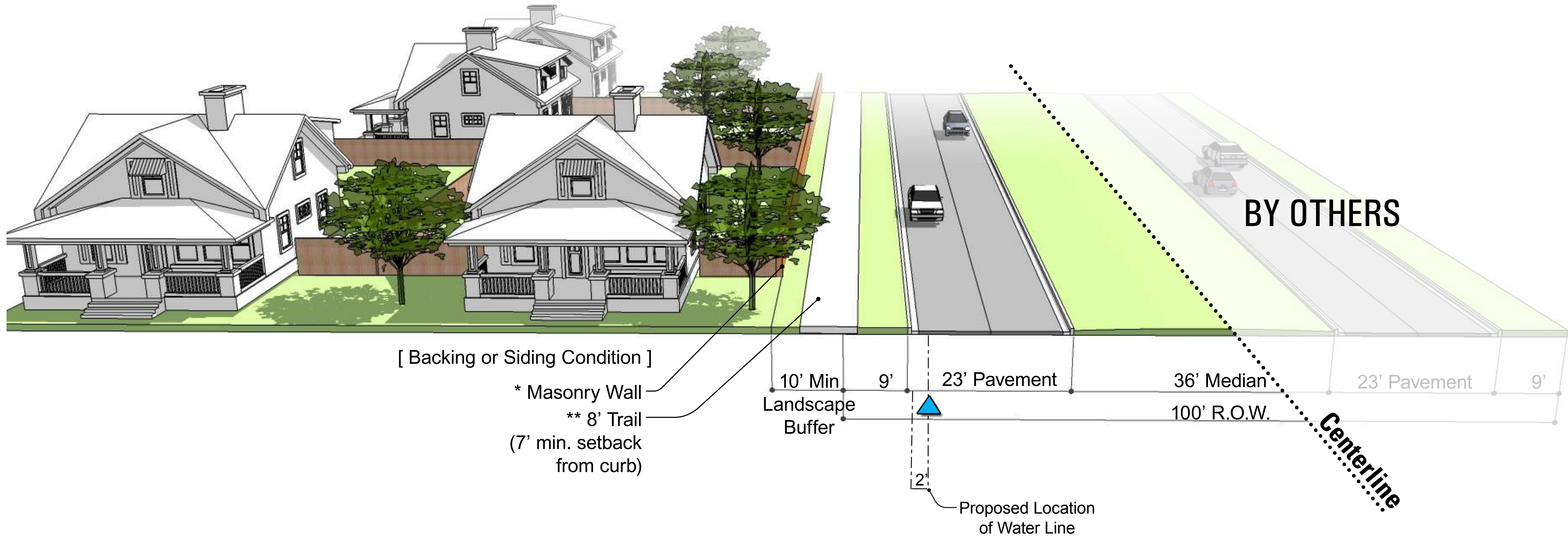
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HILLWOOD COMMUNITIES
Live Smart™

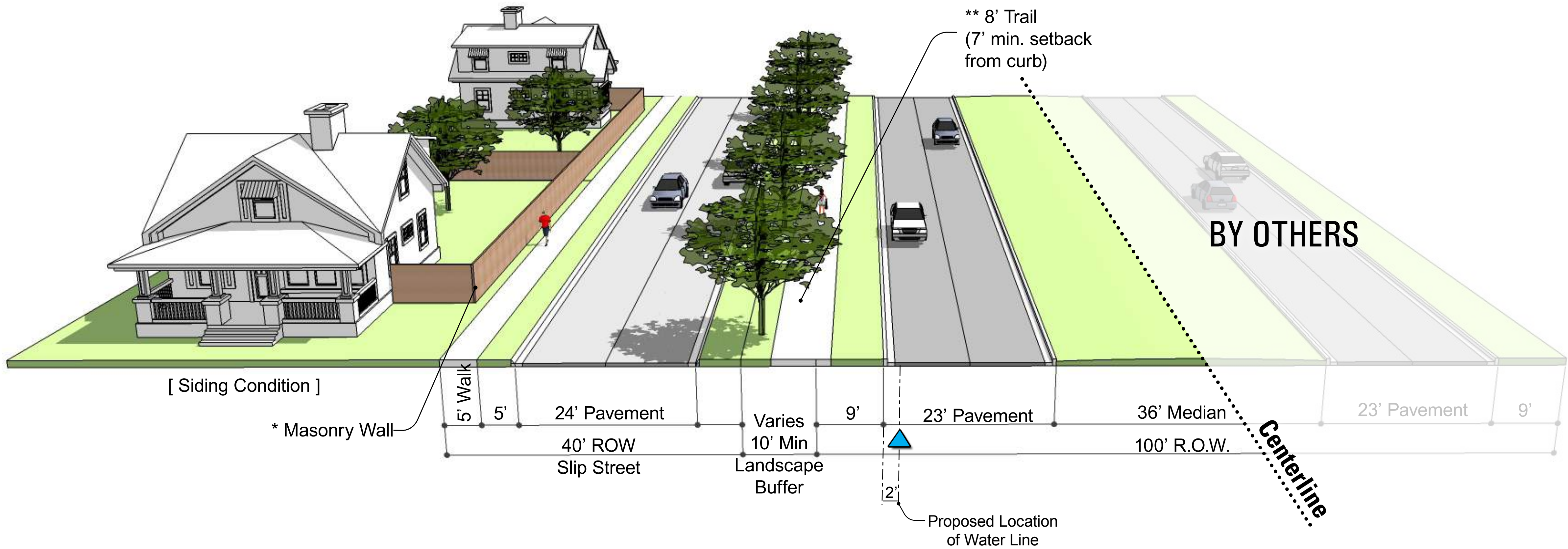
TBG

James Knapp, LLC
Land Planning & Urban Design

Ownsby Pkwy - Siding & Backing Condition with 8' wide Regional Trail



Ownsby Pkwy - Slip Street Condition with 8' wide Regional Trail



UTILITIES LEGEND	
	Storm Sewer Line
	Sanitary Sewer Line
	Water Line

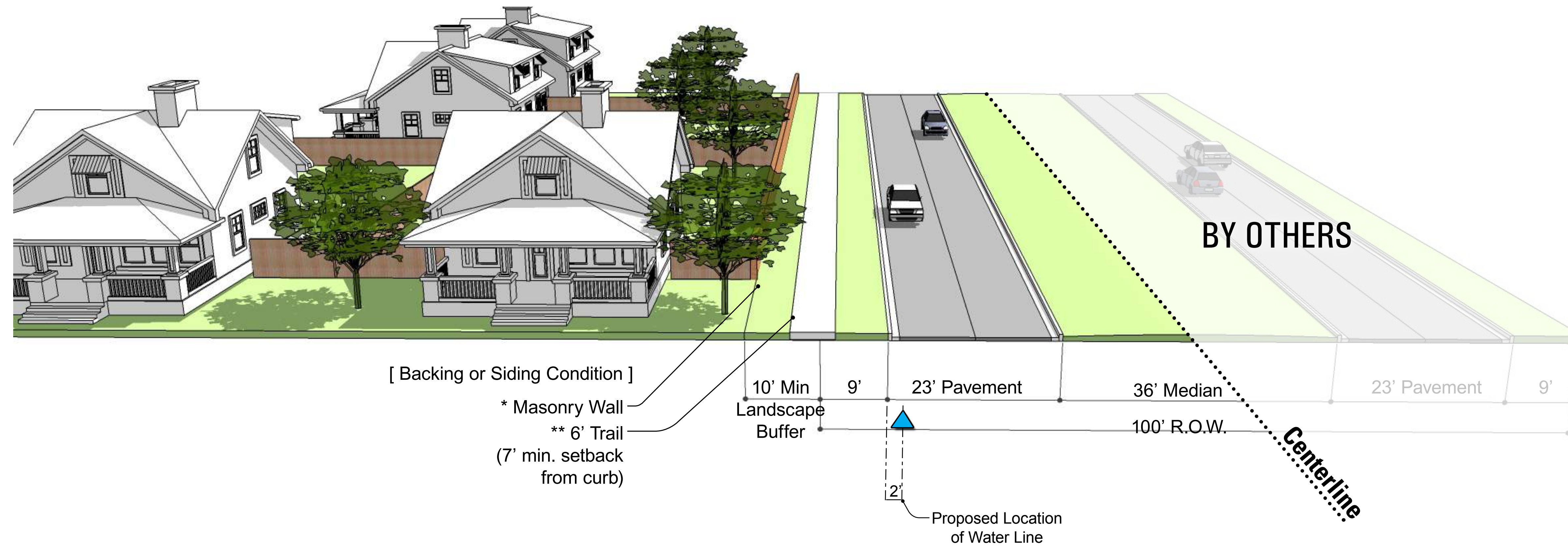
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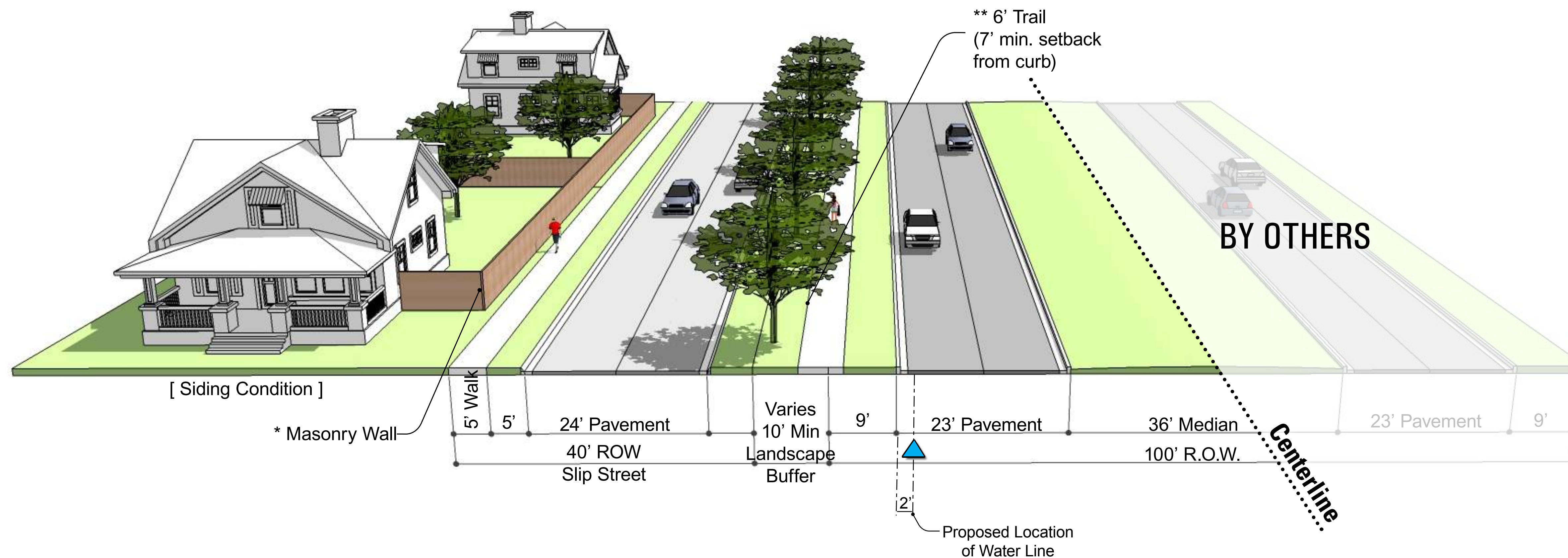
*No wood fences shall be used at rear or sides of residential homes along CR 83.
** Trail shown for conceptual purposes only.

WELLS NORTH / Screening and Landscaping - Ownsby Pkwy (CR 83) Edge Treatment Sections

 Owensby Pkwy - Siding & Backing Condition with 6' wide trail



 Owensby Pkwy - Slip Street Condition with 6' wide trail



UTILITIES LEGEND	
	Storm Sewer Line
	Sanitary Sewer Line
	Water Line

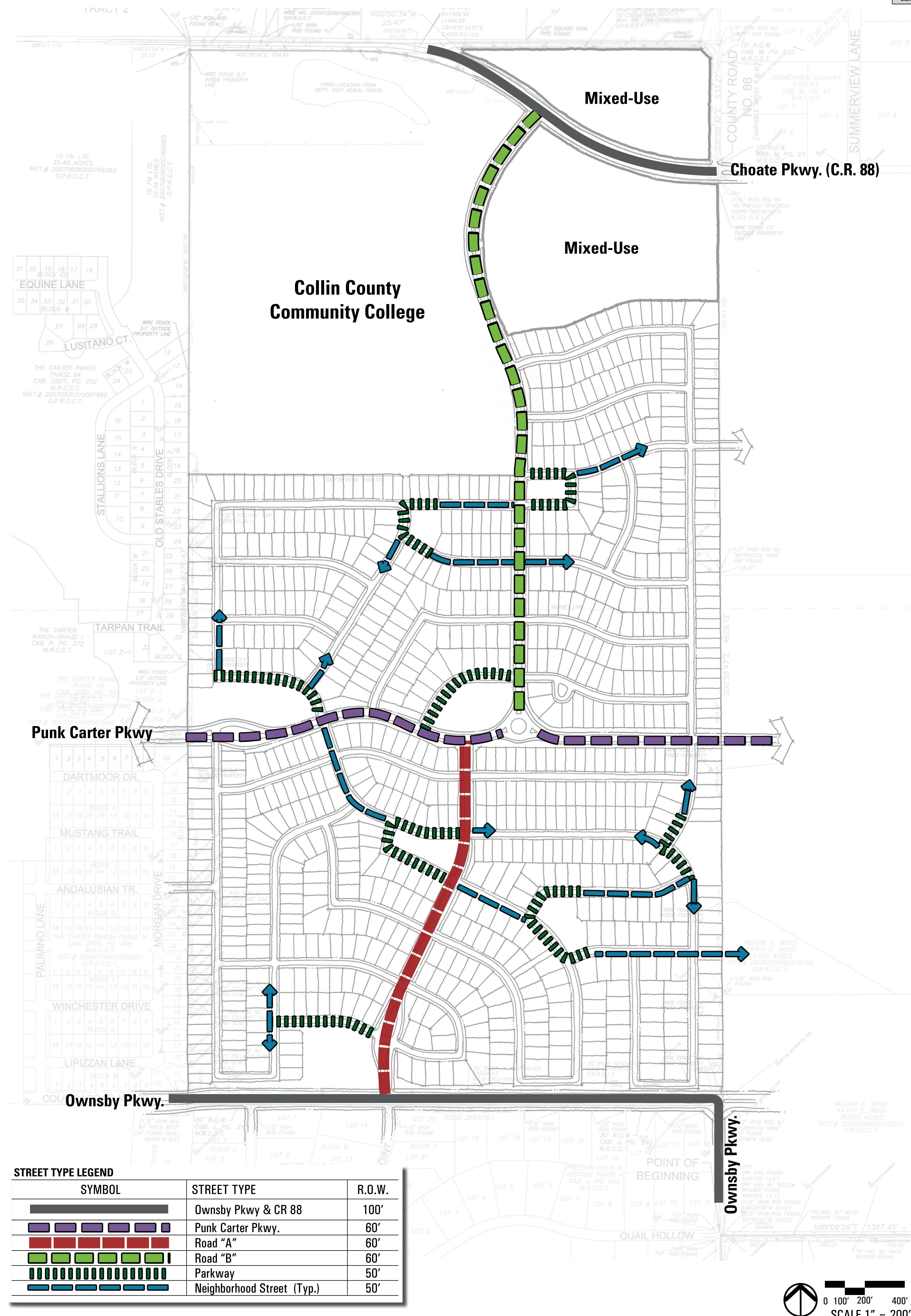
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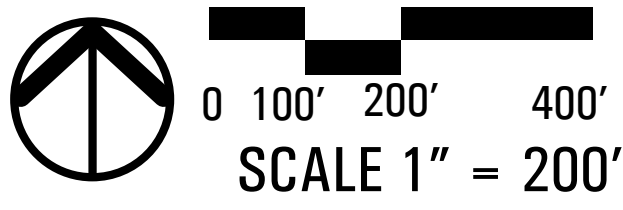
*No wood fences shall be used at rear or sides of residential homes along CR 83.

** Trail shown for conceptual purposes only.

WELLS NORTH / Screening and Landscaping - Owensby Pkwy (CR 83) Edge Treatment Sections



STREET TYPE LEGEND		
SYMBOL	STREET TYPE	R.O.W.
	Owensby Pkwy & CR 88	100'
	Punk Carter Pkwy.	60'
	Road "A"	60'
	Road "B"	60'
	Parkway	50'
	Neighborhood Street (Typ.)	50'



WELLS NORTH / Screening and Landscaping - Street System Diagram

Celina, TX

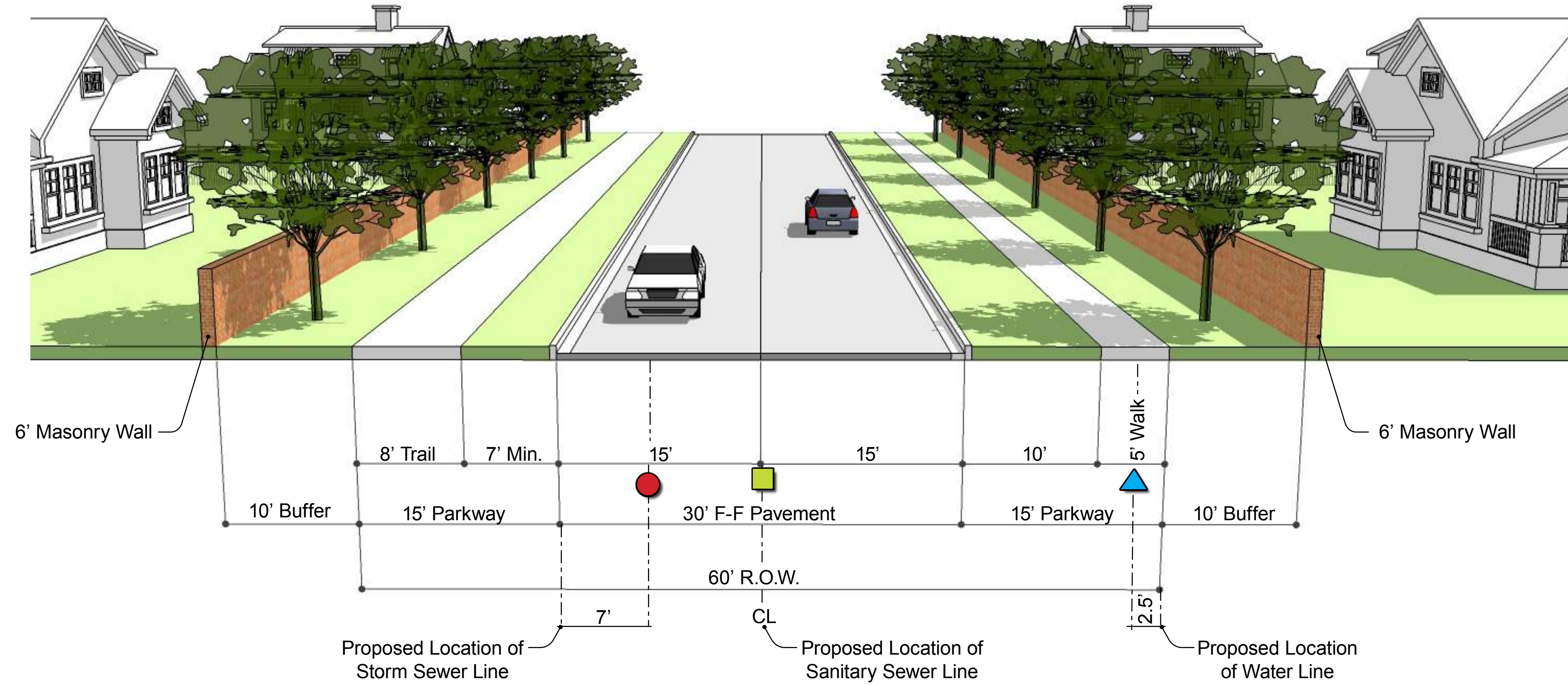
The information shown is based on the best information available and is subject to change without notice.

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TBG

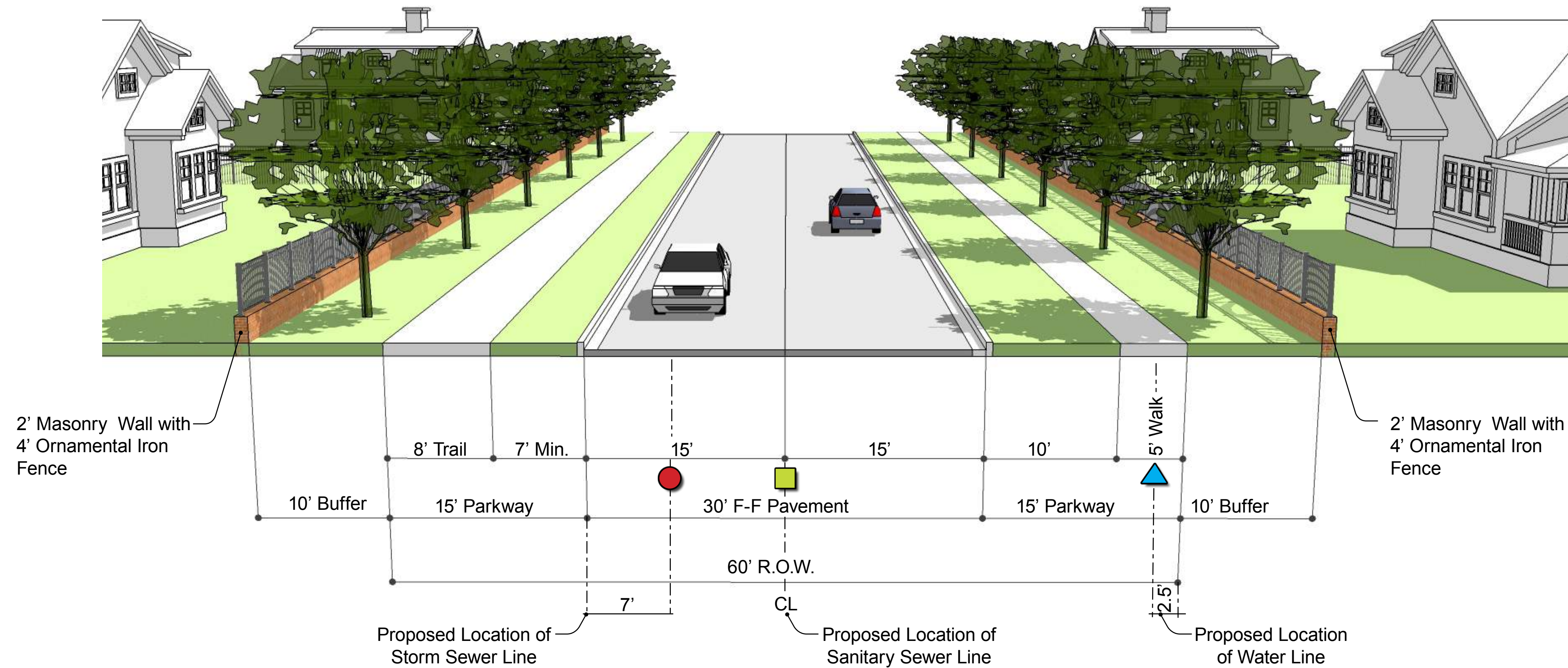
James Knapp, LLC
Land Planning & Urban Design

■■■■■ Road 'A' (Option 1- Masonry Screen Wall)



UTILITIES LEGEND	
	Storm Sewer Line
	Sanitary Sewer Line
	Water Line

■■■■■ Road 'A' (Option 2- Low Masonry Wall with Ornamental Screen Wall)

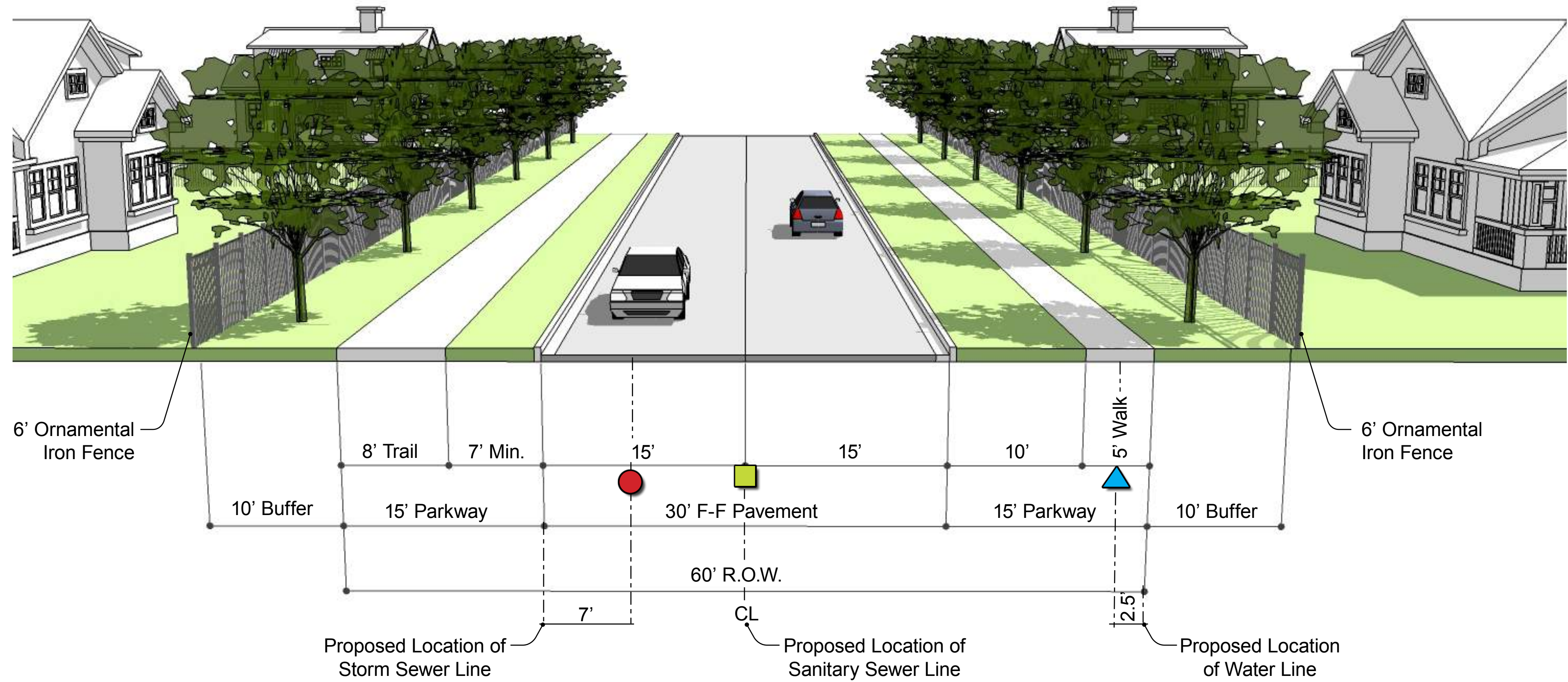


INDEX MAP



WELLS NORTH / Screening and Landscaping - Street Sections

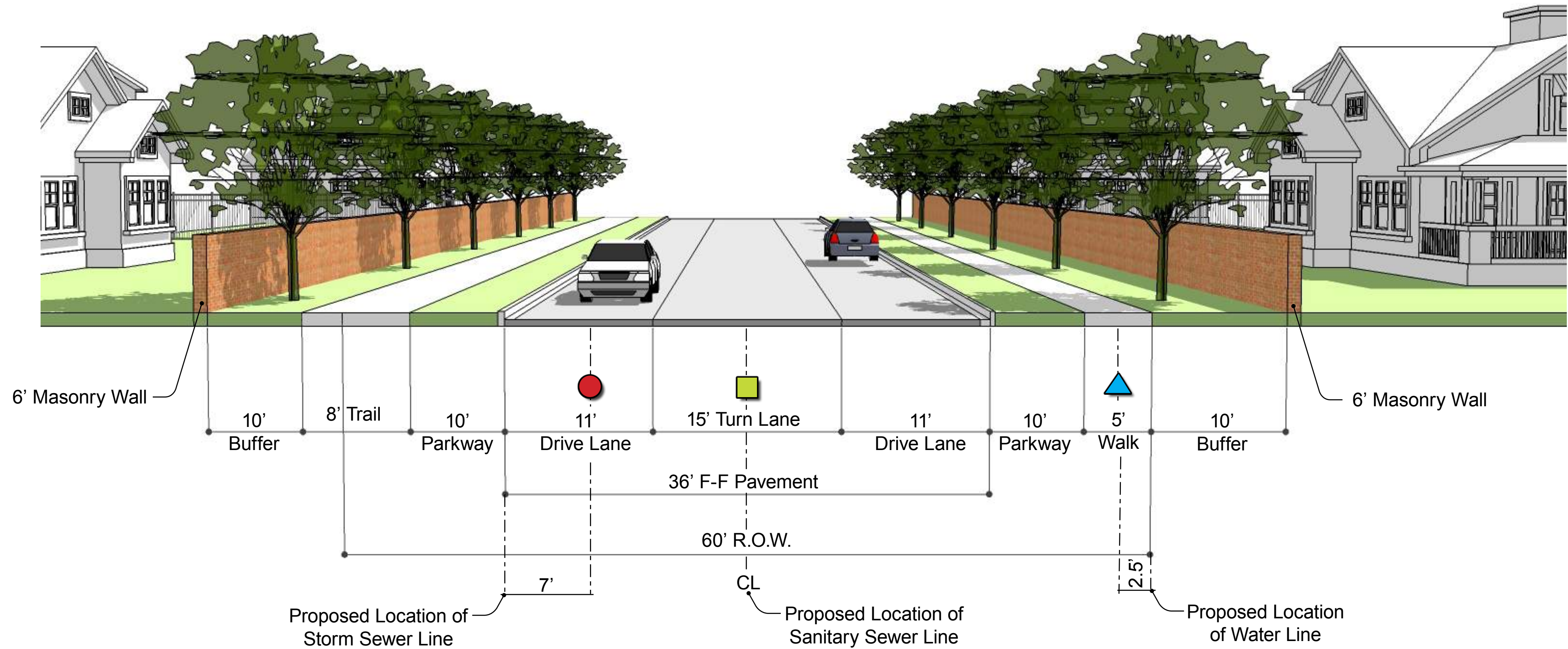
■■■■■ Road 'A' (Option 3- Ornamental Screen Wall)



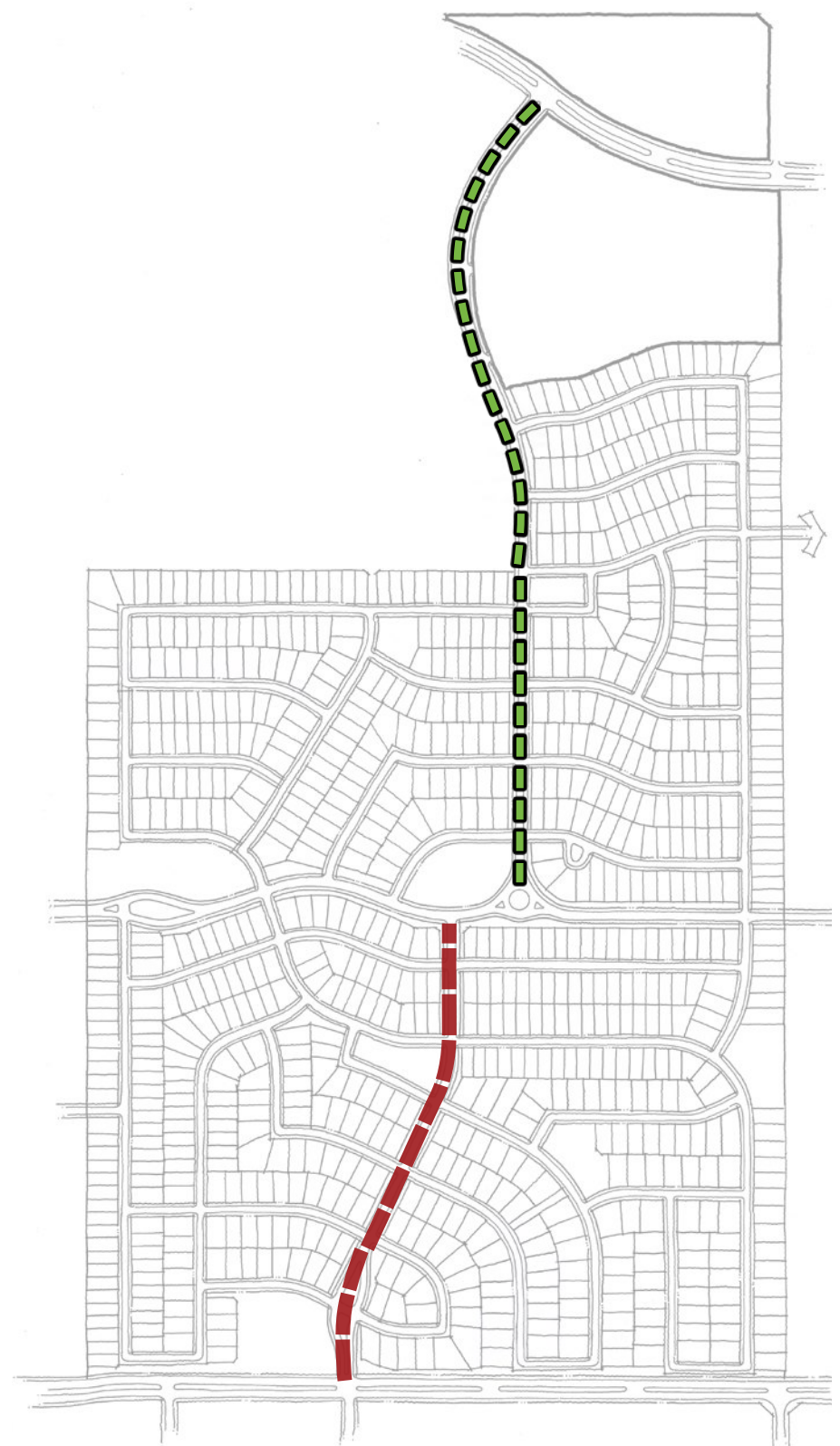
UTILITIES LEGEND

●	Storm Sewer Line
■	Sanitary Sewer Line
▲	Water Line

■■■■■ Road 'B' (Shown with Option 1 - Shown with Masonry Screen Wall)



INDEX MAP



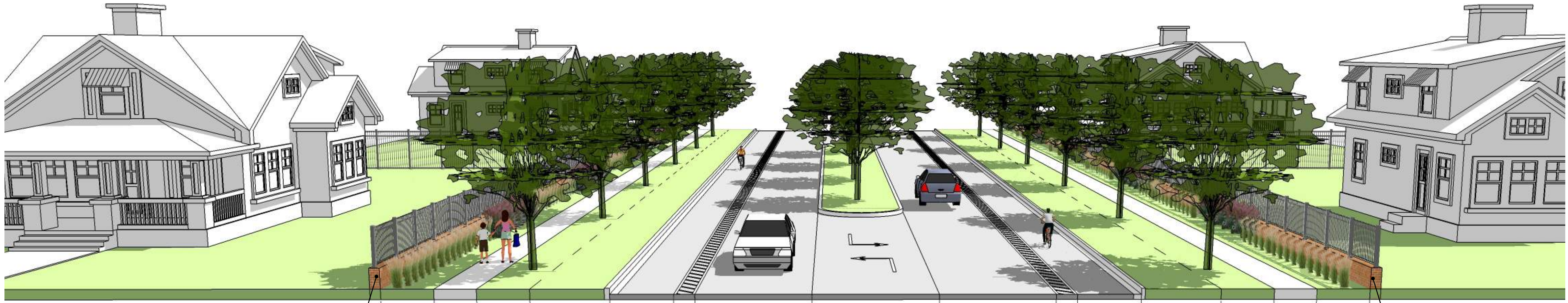
* Reference Road "A". 3 Screen Wall Options to be applied to Punk Carter Road.

WELLS NORTH / Screening and Landscaping - Street Sections

📍 Celina, TX 🧑 Hillwood Communities

The information shown is based on the best information available and is subject to change without notice.

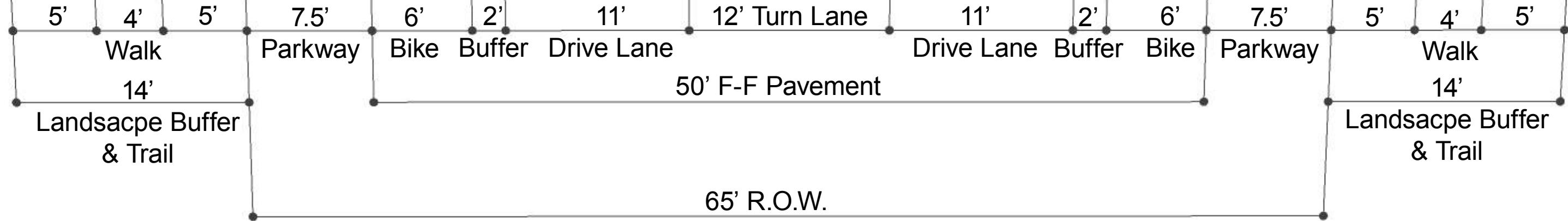
Punk Carter Pkwy (Side Lot Condition)



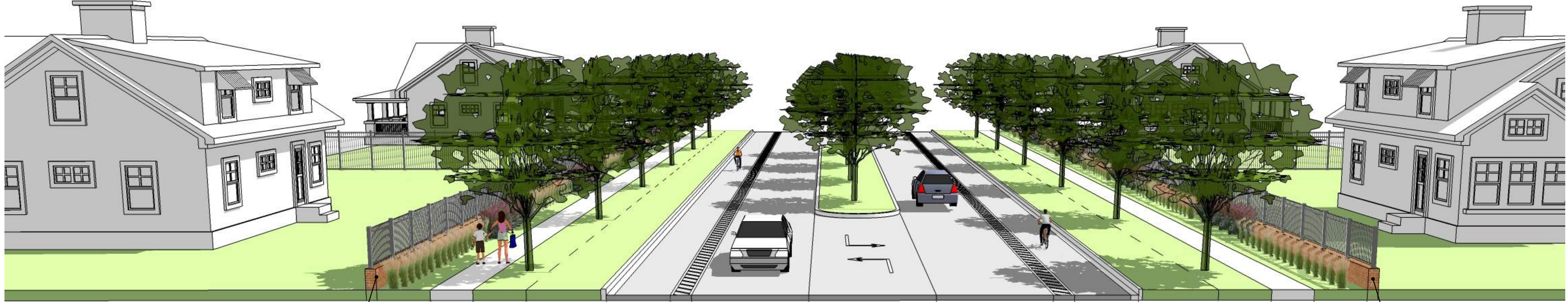
* Reference Road A.
3 Screen Wall Options to be applied
to Punk Carter Road.

* Screen Wall Option :
2' Masonry Wall with
4' Ornamental Iron Fence

* Screen Wall Option:
2' Masonry Wall with
4' Ornamental Iron Fence



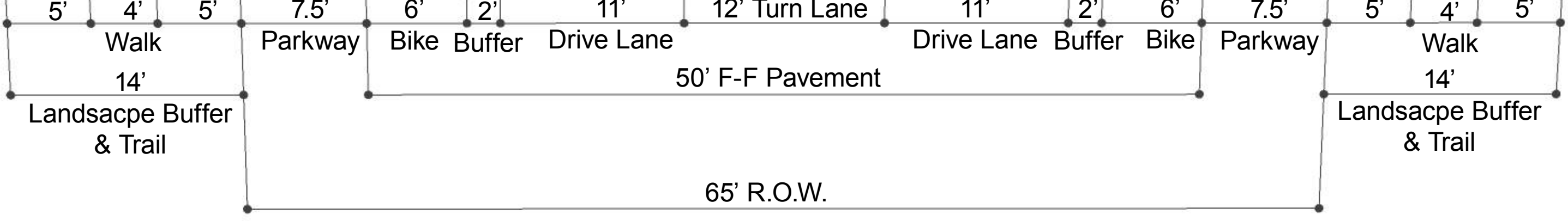
Punk Carter Pkwy (Rear Lot Condition)



* Reference Road A.
3 Screen Wall Options to be applied
to Punk Carter Road.

* Screen Wall Option:
2' Masonry Wall with 4'
Ornamental Iron Fence
and Vegetative Buffer

* Screen Wall Option:
2' Masonry Wall with 4'
Ornamental Iron Fence
and Vegetative Buffer



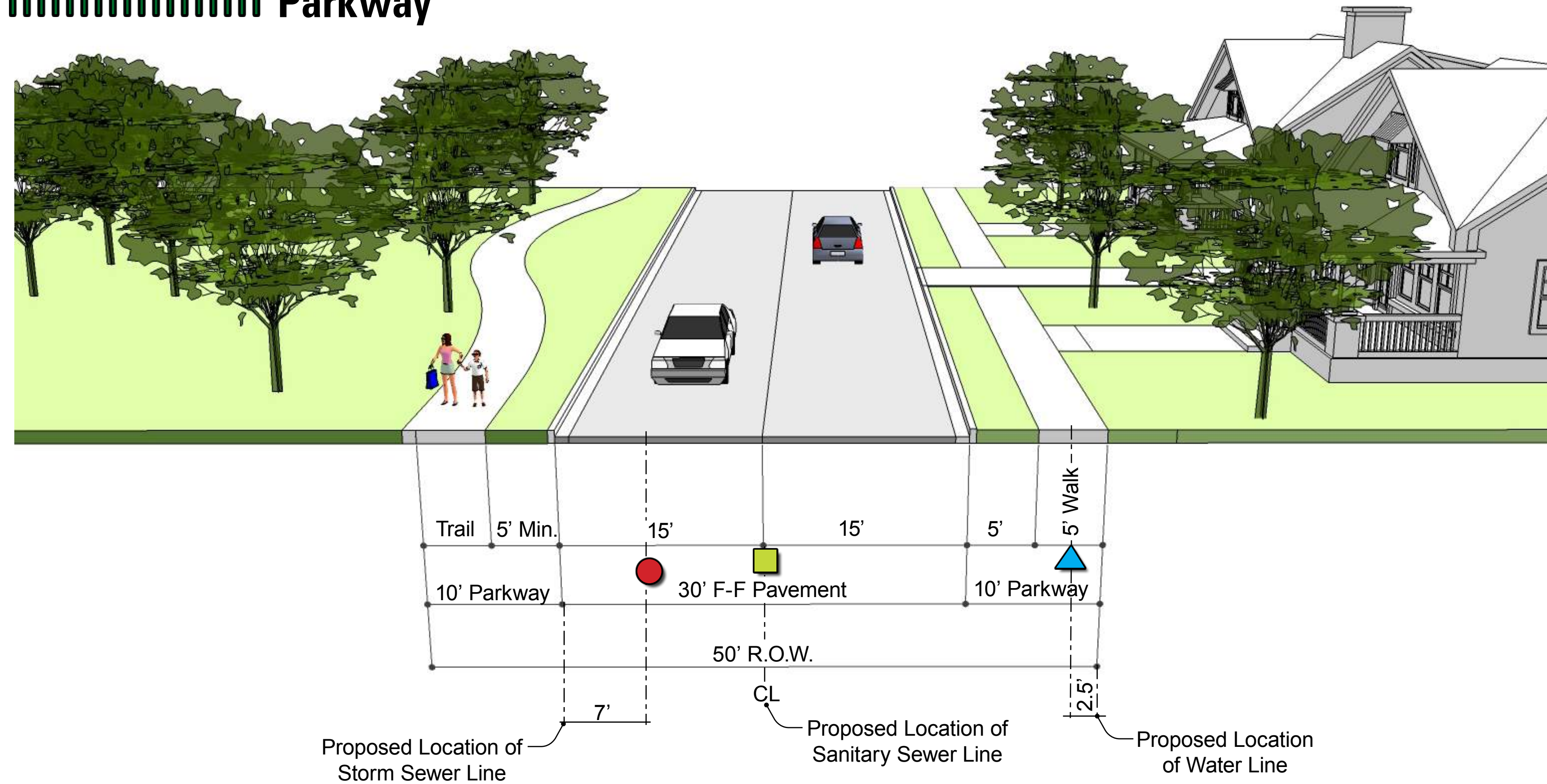
UTILITIES LEGEND	
	Storm Sewer Line
	Sanitary Sewer Line
	Water Line

INDEX MAP



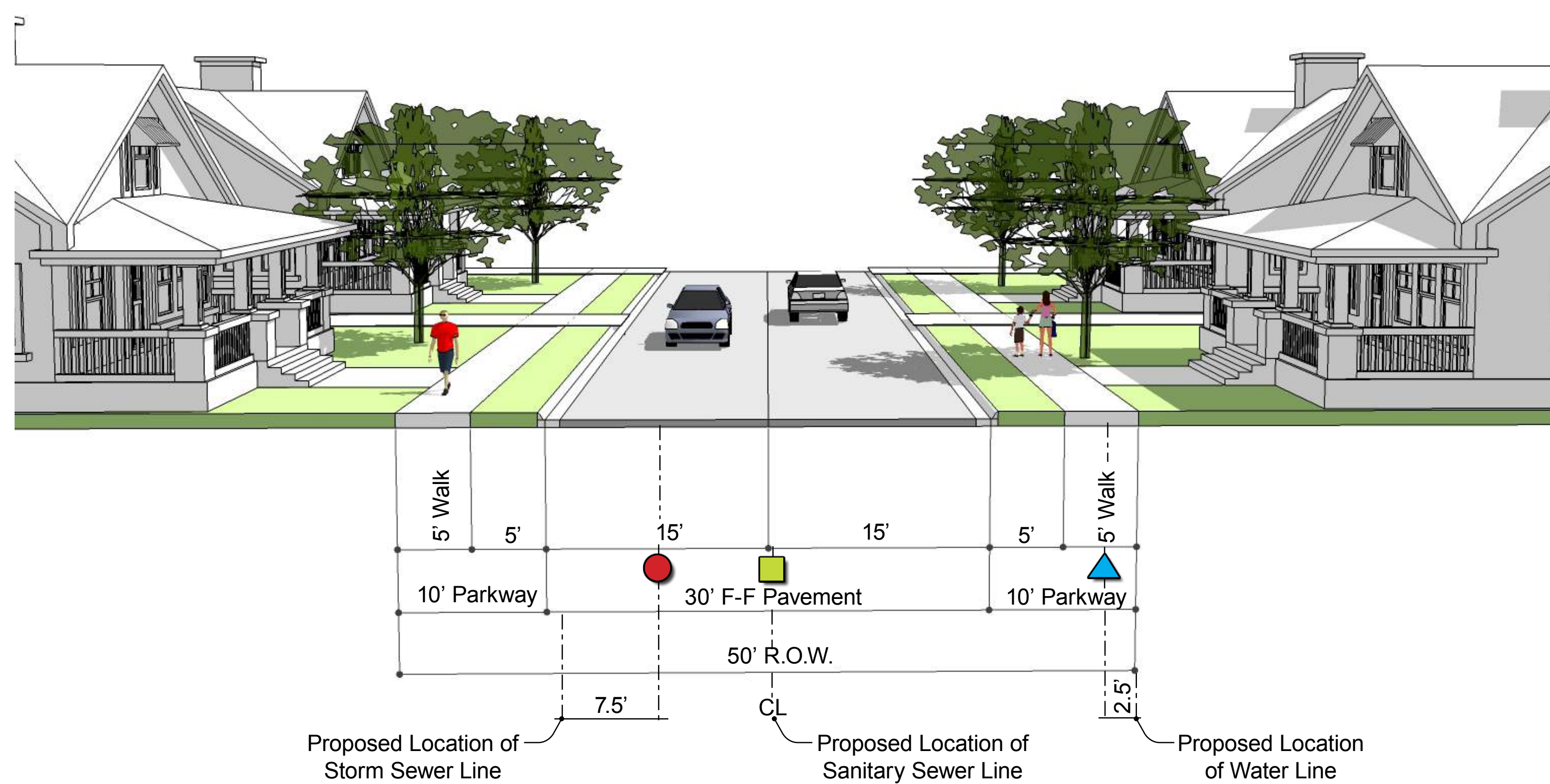
WELLS NORTH / Screening and Landscaping - Street Sections

||||| Parkway



UTILITIES LEGEND	
	Storm Sewer Line
	Sanitary Sewer Line
	Water Line

■■■■ Neighborhood Street (Typ.)



INDEX MAP



WELLS NORTH / Screening and Landscaping - Street Sections

Celina, TX Hillwood Communities

The information shown is based on the best information available and is subject to change without notice.

HILLWOOD
COMMUNITIES
Live Smart™

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James Knapp, LLC
Land Planning & Urban Design

Attachment 4
Recommended Planting List

Canopy Trees:

1. Acer barbatum var. Caddo. **Caddo Maple**
2. Acer buergerianum. **Trident Maple**
3. Acer grandidentatum. **Bigtooth Maple**
4. Acer negundo. **Boxelder Tree or Ashleaf Maple**
5. Carya illinoensis. **Pecan**, select Sioux or Desirable variety
6. Fraxinus americana. **White Ash**
7. Fraxinus pennsylvanica. **Green Ash**
8. Fraxinus pennsylvanica var. Urbanite. **Urbanite Ash**
9. Fraxinum texensis. **Texas Ash**
10. Ginkgo biloba. **Ginkgo**
11. Gleditsia triacanthus var. Inermis. **Inermis Thornless Honeylocust**
12. Gymnocladus dioicus. **Kentucky Coffeetree**
13. Juglans microcarpa. **Texas Black Walnut**
14. Koelreuteria paniculata. **Goldenrain Tree**
15. Pistacio chinensis. **Chinese Pistache**
16. Quercus acutissima. **Sawtooth Oak**
17. Quercus buckleyi. **Texas Red Oak**
18. Quercus durandii. **Durand Oak**
19. Quercus laceyii. **Lacey Oak**, bluish foliage
20. Quercus macrocarpa. **Bur Oak**
21. Quercus muhlenbergii. **Chinquapin Oak**
22. Quercus prinus. **Chestnut Oak**
23. Quercus shumardii. **Shumard Red Oak**
24. Quercus virginiana. **Live Oak**
25. Sapindus drummondii. **Western Soap berry**
26. Sideroxylon lanuginosum. **Chittamwood**
27. Taxodium ascendens. **Pond Cypress**
28. Taxodium distichum. **Bald Cypress**
29. Taxodium distichum var. Shawnee Brave. **Shawnee Brave Bald Cypress**
30. Ulmus alata. **Winged Elm**
31. Ulmus Americana var. Valley Forge. **Valley Forge American Elm**, this variety is resistant to Dutch Elm Disease
32. Ulmus crassifolia. **Cedar Elm**
33. Ulmus parvifolia. **Lacebark Elm**
34. Ulmus parvifolia var. Allee. **Allee Elm**
35. Zelkova serrata. **Japanese Zelkova** - very drought tolerant

Accent Plants:

1. Aesculus pavia. **Red Buckeye**
2. Aesculus parviflora. **Bottlebrush Buckeye**

3. *Callicarpa americana*. **American Beautyberry**
4. *Callicarpa Americana* var. *Profusion*. **Profusion Beautyberry**
5. *Callicarpa dichotoma* var. *Early Amethyst*. **Early Amethyst Beautyberry**
6. *Carpinus betulus*. **European Hornbeam**
7. *Cephalanthus occidentalis*. **Button Bush**
8. *Cercis canadensis*. **Redbud** - full sun or understory tree
9. *Cercis canadensis* var. *Alba*, **White Redbud** - full sun or understory tree
10. *Cercis canadensis* var. *Texensis*, **Texas Redbud** - full sun or understory tree
11. *Cercis canadensis* var. *Mexicana*, **Mexican Redbud** - full sun or understory tree
12. *Cercis reniformis* var. *Oklahoma*, **Oklahoma Redbud** - full sun or understory tree
13. *Chilopsis linearis*, **Desert Willow**
14. *Chionanthus virginicus*, **White Fringe Tree**
15. *Cornus drummondii*, **Roughleaf Dogwood** - understory tree
16. *Cotinus obovatus*, **American Smoketree**
17. *Cupressus arizonica* - **Arizona Cypress**
18. *Cupressus sempervirens*, **Italian Cypress**
19. *Diospyros texana*, **Texas Persimmon**
20. *Foresteria pubescens*, **Elbow Bush**
21. *Hamamelis vernalis*, **Arkansas Witch Hazel**
22. *Hamamelis virginiana*, **Common Witch Hazel**
23. *Ilex decidua*, **Possumhaw Holly**
24. *Ilex decidua* var. *Finch's Golden*, **Finch's Golden Possumhaw Holly** - bright golden berries
25. *Ilex decidua* var. *Paco*, **Paco Possumhaw Holly** - deep orange berries
26. *Ilex decidua* var. *Warren's Red*, **Warren's Red Possumhaw Holly** - bright red berries
27. *Ilex* var. *Mary Nell*, **Mary Nell Holly**
28. *Ilex* var. *Nellie R. Steven's*, **Nellie R. Steven's Holly**
29. *Ilex vomitoria* var. *Pride of Houston*, **Pride of Houston Yaupon Holly**
30. *Ilex vomitoria* var. *Will Fleming*, **Will Fleming Yaupon Holly** - upright, 1-2' spread, no berries
31. *Juniperus asheii*, **Ash Juniper or Blueberry Juniper**
32. *Juniperus chinensis* var. *Blue Point*, **Blue Point Juniper** - blue color foliage
33. *Juniperus chinensis* var. *Spartan*, **Spartan Juniper** - more upright
34. *Juniperus virginiana*, **Eastern Red Cedar**
35. *Lagerstroemia indica* var. *Acoma*, **Acoma Crape Myrtle** - white with weeping, cascading growth habit
36. *Lagerstroemia indica* var. *Basham's Party Pink*, **Party Pink Crape Myrtle** - lavender pink
37. *Lagerstroemia indica* var. *Muskogee*, **Muskogee Crape Myrtle** - light lavender
38. *Lagerstroemia indica* var. *Natchez*, **Natchez Crape Myrtle** - White
39. *Lagerstroemia indica* var. *Sioux*, **Sioux Crape Myrtle** - vivid pink
40. *Lagerstroemia indica* var. *Tonto*, **Tonto Crape Myrtle** - deep red
41. *Lagerstroemia indica* var. *Tuscarora*, **Tuscarora Crape Myrtle** - coral pink
42. *Lagerstroemia indica* var. *Tuskegee*, **Tuskegee Crape Myrtle** - dark pink
43. *Leucocorydon retusa*, **Lemonball or Goldenball Lead Tree** - very drought tolerant
44. *Undera benzoin*, **Spice Bush**

45. Magnolia grandiflora var. Alta, **Alta Magnolia** - upright and dense
46. Magnolia grandiflora var. Claudia Wannamaker - **Claudia Wannamaker Magnolia**
47. Magnolia grandiflora var. Uttle Gem - **Little Gem Magnolia**
48. Magnolia stellata, **Star Magnolia** - understory tree
49. Magnolia soulangiana, **Saucer Magnolia** - understory tree
50. Pinus edulis, **Pinion Pine**
51. Pinus eldarica, **Afghan Pine**
52. Pinus nigra, **Austrian Pine**
53. Pinus pinea, **Italian Stone Pine**
54. Pinus thunbergii, **Japanese Black Pine**
55. Prosopis glandulosa, **Honey Mesquite**
56. Prunus mexicana, **Mexican Plum**
57. Rhamnus caroliniana, **Carolina Buckthorn**
58. Rhus aromatic, **Fragrant Sumac**
59. Rhus lanceolata, **Prairie Flameleaf Sumac**
60. Rhus microphylla, **Littleleaf Sumac** - very. very drought tolerant
61. Sophora affinis, **Eve's Necklace**
62. Ungnadia speciosa, **Mexican Buckeye**
63. Viburnum macrocephalum, **Chinese Snowball Viburnum**
64. Viburnum rufulum, **Rusty Blackhaw** - good understory tree
65. Vitex agnus-castus, **Vitex** - purple variety
66. Vitex agnus-castus var. Cooke's White, **Cooke's White Vitex** - white variety

Shrubs:

1. Abelia var. Rose Creek, **Rose Creek Abelia**
2. Abelia var. Kaleidoscope, **Kaleidoscope Abelia**
3. Abelia var. White Prostrate, **White Prostrate Abelia**
4. Agavespp. Agave
5. Buxus var. Wintergreen, **Wintergreen Boxwood**
6. Buxus var Winter Gem, **Winter Gem Boxwood**
7. Ceanothus americana, **New Jersey Tea Plant**
8. Chaenomeles superba var. Texas Scarlet, **Texas Scarlet Flowering Quince**
9. Cotoneaster glaucophyllus, **Gray Cotoneaster**
10. Dalea formosa, **Feather Dalea**
11. Eupatorium greggii, **Greg's Mist Flower**
12. Hesperaloe funifera, **Giant Red Yucca**
13. Hesperaloe parviflora, **False Red Yucca**
14. Hesperaloe parviflora, **False Yellow Yucca**
15. Hibiscus coccineus, **Texas Star Hibiscus**
16. Hydrangea quercifolia, **Oakleaf Hydrangea**
17. Ilex vomitoria var. Nona, **Dwarf Yaupon Holly**
18. Ilex vomitoria var. Bordeaux, **Bordeaux Dwarf Yaupon Holly**
19. Lagerstroemia Indica, **Dwarf Crape Myrtle**, this plant is available in many colors and range of heights
20. Leucophyllum frutescens, **Texas Sage**
21. Leucophyllum var. Greencloud, **Greencloud Texas Sage**

22. *Leucophyllum* var. Silverado Dwarf. **Silverado Dwarf Texas Sage**
23. *Malvaviscus drummondii*. **Turk's Cap**
24. *Mimosa borealis*. **Fragrant Mimosa**
25. *Myrica pusilla*. **Dwarf Wax Myrtle**
26. *Opuntia ellisiana*. **Spineless Prickly Pear**
27. *Rhus michauxii* **Michaux's Sumac**
28. *Rosa* var. Belinda's Dream. **Belinda's Dream Rose**
29. *Rosa* var. Knockout. **Knockout Rose**
30. *Rosa* var. Martha Gonzalez. **Martha Gonzalez Rose**
31. *Rosa* var. Mutabilis. **Mutabilis Rose**
32. *Rosmarinus officinalis*. **Rosemary**
33. *Sedum* var. Autumn Joy. **Autumn Joy Sedum**
34. *Spirea vanhouttei*. **Bridal Wreath Spirea**
35. *Spirea japonica* var. Anthony Japonica. **Anthony Spirea**
36. *Symphoricarpos chenaultii* var. Hancock, **Hancock Snowberry**
37. *Symphoricarpos orbiculatus*, **Coralberry**
38. *Yucca filamentosa* var. Color Guard, **Color Guard Yucca**
39. *Yucca gloriosa* var. Variegata, **Variegated Spanish Dagger**
40. *Yucca pallida*, **Pale Leaf Yucca**
41. *Yucca recurvifolia*, **Softleaf Yucca**
42. *Yucca rigida*, **Blue Yucca**
43. *Yucca rostrata* var. Sapphire Skies, **Sapphire Skies Yucca**
44. *Yucca rupicola*, **Twisted Leaf Yucca**
45. *Yucca treculeana*, **Texas Bayonet Yucca**

Ornamental Grasses:

1. *Carex buchananii* var. Red Rooster, **Red Rooster Sedge**
2. *Carex cherokeensis*, **Cherokee Sedge**
3. *Carex divulsa*, **Meadow Sedge**
4. *Carex oshimensis* var. Everest **Everest Weeping Sedge**
5. *Carex oshimensis* var. Evergold, **Evergold Sedge**
6. *Carex peridentata*, **Webberville Sedge**
7. *Carex phyllocephala* var. Sparkler, **Sparkler Sedge**
8. *Chasmanthium latifolium*, **Inland Sea Oats**
9. *Cortaderia selloana* var. Pumila, **Dwarf Pampas Grass**
10. *Corynephorus canescens* var. Spiky Blue, **Spiky Blue Grass**
11. *Cyperus alternifolius*, **Umbrella Plant**
12. *Cyperus nanus*, **Compact Umbrella Plant**
13. *Dianella tasmanica* var. Variegata, **Variegated Flax Lily**
14. *Eragrostis curvula*, **Weeping Lovegrass**
15. *Eragrostis elliottii*. **Blue Lovegrass**
16. *Juncus inflexus* var. Blue Arrows, **Blue Arrows Rush**
17. *Juncus pallidus* var. Javelin, **Javelin Rush**
18. *Koeleria glauca* var. Coolio, **Coolio Blue Hair Grass**
19. *Koeleria glauca* var. Blue Sprite, **Blue Sprite Blue Hair Grass**
20. *Miscanthus sinensis* var. Adagio, **Adagio Miscanthus**

21. *Miscanthus sinensis* var. *Gracillimus*, **Maiden Grass**
22. *Muhlenbergia capillaris*, **Gulf Coast Muhly**
23. *Muhlenbergia capillaris* var. *Lenca*, **Regal Mist Pink Muhly**
24. *Muhlenbergia duboides*, **Weeping Muhly**
25. *Muhlenbergia dumosa*, **Bamboo Muhly**
26. *Muhlenbergia lindheimeri*, **Lindheimer Muhly**
27. *Panicum virgatum* var. *Dallas Blues*, **Dallas Blues Switchgrass**
28. *Panicum virgatum* var. *Heavy Metal*, **Heavy Metal Switchgrass**
29. *Schizachyrium scoparium*, **Little Bluestem**
30. *Stipa tenuissima*, **Mexican Feathergrass**

Perennials:

1. *Achillea* var. *Moonshine*, **Moonshine Yarrow**
2. *Anisacanthus quadrifidus wrightii*, **Flame Acanthus**
3. *Aquilegia chrysantha* var. *hinkcleiana*, **Texas Gold Columbine**
4. *Artemisia* var. *Powis Castle*, **Powis Castle Artemisia**
5. *Aster oblongifolius*, **Fall Aster**
6. *Astrolepis sinuata*, **Wavy Scaly Cloakfern**
7. *Buddleia davidii*, **Butterfly Bush**
8. *Caillirhoe involucrate*, **Winecup**
9. *Calyptracarpus vialis*, **Horse Herb**
10. *Chrysactinia mexicana*, **Damianita**
11. *Coreopsis lanceolata*, **Lanceleaf Coreopsis**
12. *Datura wrightii*, **Datura Jimson Weed**
13. *Dyschoriste linearis*, **Snake Herb**
14. *Echinacea purpurea*, **Purple Coneflower**
15. *Eupatorium greggii*, **Greg's Mist Flower**
16. *Gaura lindheimeri*, **Pink Gaura**
17. *Lantana horrida*, **Texas Lantana**
18. *Lavandula intermedia* var. *Provence*, **Provence Lavender**
19. *Lippia graveolens*, **Mexican Oregano**
20. *Marsilea macropoda*, **Clover Fern**
21. *Melampodium leucanthum*, **Blackfoot Daisy**
22. *Nepeta faassenii* var. *Walker's Low*, **Walker's Low Catmint**
23. *Nierembergia gracilis* var. *Starry Eyes*, **Starry Eyes Nierembergia**
24. *Oenothera missouriensis*, **Fluttermills**
25. *Penstemon tenuis*, **Brazos Penstemon**
26. *Perovskia atriplicifolia*, **Russian Sage**
27. *Physostegia virginiana*, **Fall Obedient Plant**
28. *Rosmarinus officinalis* var. *Prostratus*, **Prostrate Rosemary**
29. *Rudbeckia fulgida*, **Black-eyed Susan**
30. *Rudbeckia fulgida* var. *Goldsturm*, **Goldsturm Rudbeckia**
31. *Rudbeckia maxima*, **Giant Coneflower**
32. *Salvia chamaedryoides*, **Gray Shrub Sage**
33. *Salvia farinacea* var. *Henry Duelberg*, **Henry Duelberg Sage**
34. *Salvia greggii* var. *Autumn Sage*, **Autumn Sage Salvia**

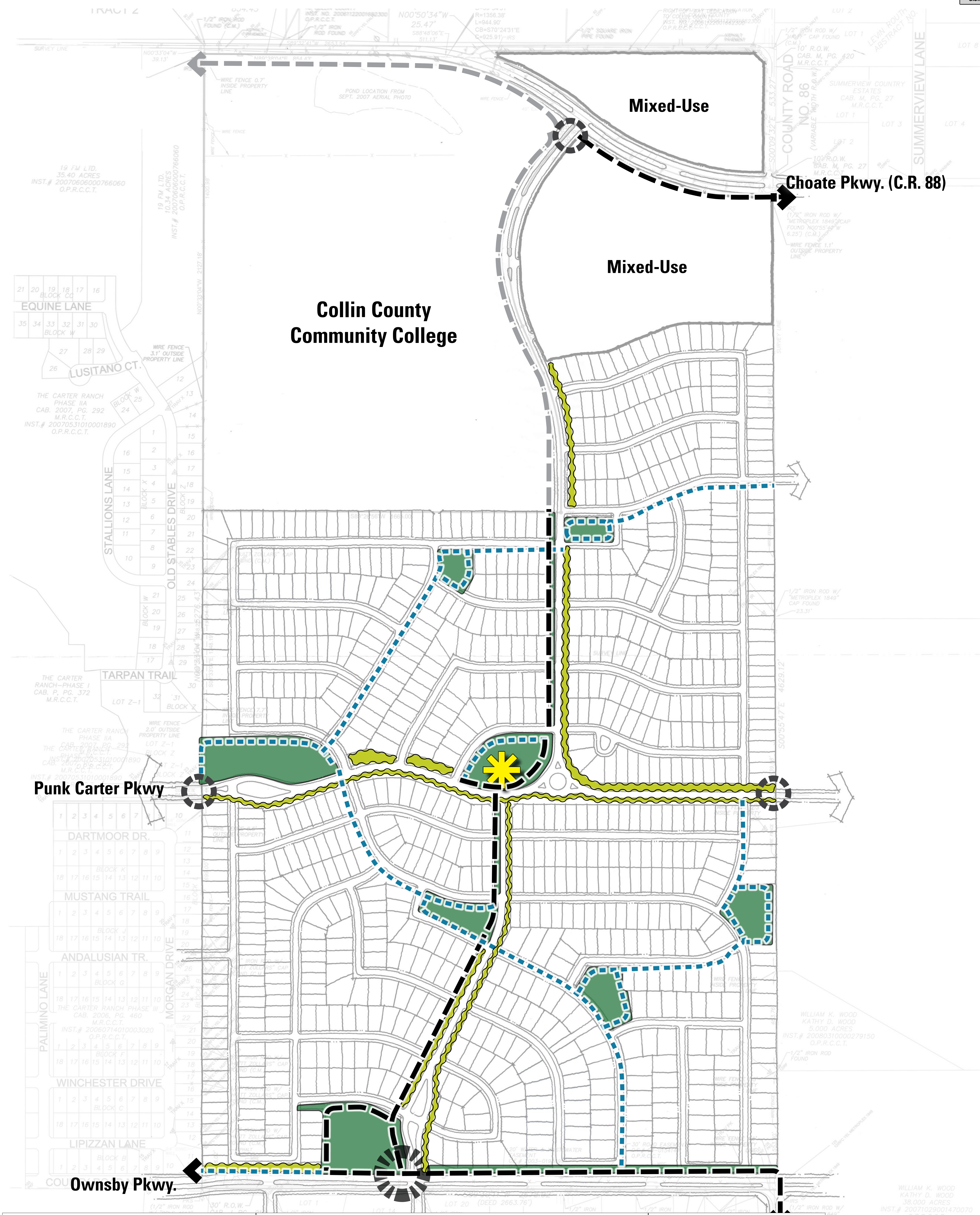
35. Salvia hybrid. **Nuevo Leon Sage**
36. Salvia longispicata var. Indigo Spires, **Indigo Spires Salvia**
37. Salvia lyrata, **Lyre Leaf Sage**
38. Salvia roemeriana, **Cedar Sage**
39. Salvia var. May Night. **May Night Salvia**
40. Santolina chamaecyparissus, **Gray Santolina**
41. Santolina pin nata, **Green Santolina**
42. Scytellaria ovate, **Heartleaf Skullcap**
43. Scutellaria suffrutescens, **Pink Skullcap**
44. Sedum var. Autumn Joy, **Autumn Joy Sedum**
45. Stachys byzantine, **Lamb's Ear**
46. Tetraneuris scaposa, **Four Nerve Daisy**
47. Thelypteris kunthii. **Southern Wood Fern**
48. Verbena canadensis var. Homestead Purple, **Homestead Purple Verbena**
49. Wedelia texana, **Orange Zexmenia**

Vines and Groundcover:

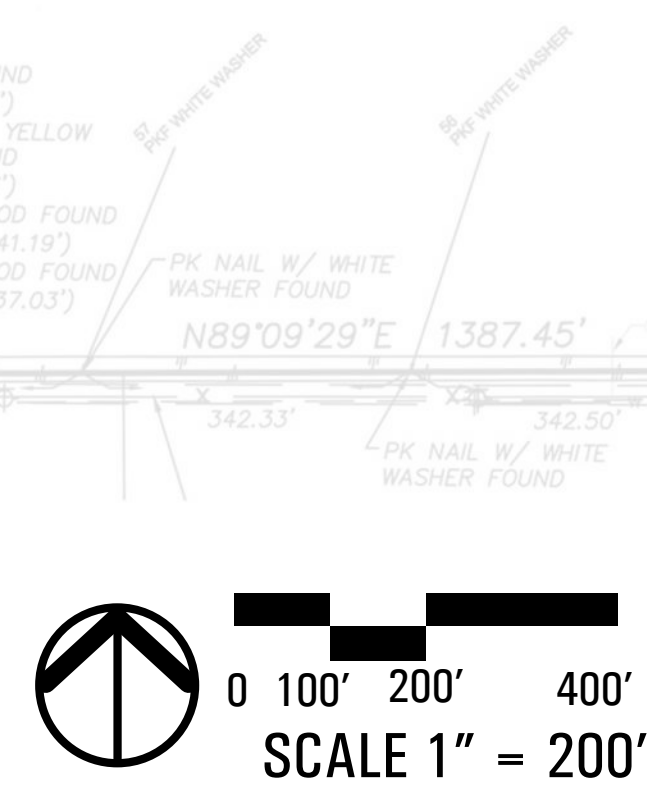
1. Bignonia capreolata var. Tangerine Beauty, **Tangerine Beauty Crossvine**
2. Campsis tagliabuana var. Madame Galen, **Madame Galen Trumpet creeper**
3. Campsis radicans var. MonbaL **Balboa Sunset Trumpet creeper**
4. Campsis radicans var. Flamingo, **Flamingo Trumpet creeper**
5. Campsis radicans var. Flava, **Yellow Trumpet creeper**
6. Clematis paniculata, **Sweet Autumn Clematis**
7. Clematis var. Henryi, **Henry's Clematis**
8. Clematis var. Jackmanii, **Jackmanii ClemaHs**
9. Clematis var. Ramona, **Ramona ClemaHs**
10. Gelsemium rankinii, **Swamp Jessamine**
11. Gelsemium sempervirens, **Carolina Jessamine**
12. Ipomoea quamoclit, **Cypress Vine**
13. Ipomoea sinuate, **Alamo Vine**
14. Lonicera sempervirens, **Coral Honeysuckle**
15. Lonicera sempervirens, **Yellow Honeysuckle**
16. Mascagnia macroptera, **Butterfly Vine**
17. Mazus Reptans, **Mazus Reptans**
18. Parthenocissus quinquefolia, **Virginia Creeper**
19. Passiflora caerulea var. Blue Crown, **Blue Crown Passion Vine**
20. Passiflora incarnate cinnicata var. Incense, **Incense Passion Vine**
21. Phyla nodiflora, **Texas Frogfruit**
22. Sedum spp., **Sedum**
23. Vinca Major, **Vinca Major**
24. Vinca Minor, **Vinca Minor**
25. Wisteria frutescens, **Texas Wisteria**

Attachment 5
Conceptual Open Space and Trail Plan

Attachment: Wells North Ordinance Exhibits and Attachments (1525 : Wells North Rezoning Ordinance)



AMENITIES & OPEN SPACE			TRAILS	NOTES
	Secondary Entry		 8' (minimum width) Regional Hike & Bike Trail	City Standard Open Space Requirement -- One acre per every 75 housing units = 12.0 acres IF maximum density is constructed.
	Primary Entry		 Future Regional Hike & Bike Trail by C.C.C.C.	
	Amenity Center		 6' (minimum width) Trail ** 6' Trails in front of homes to be built by builder.	
	Open Space	14.8 AC	* 5' minimum width on all internal walks and 4' minimum width on Punk Carter Pkwy ** Material on all walks and trails to be concrete. City shall consider design alternative materials such as decomposed granite at the time of design. - Bike Route from Carter Ranch Community along Punk Carter Pkwy will be accommodated within proposed hike and bike trail for Wells North	If elementary school site plan is to be implemented, overall proposed open space to remain at 14.8 ac. total. For informational purposes only
	Buffer			



WELLS NORTH / Conceptual Open Space & Trail Plan

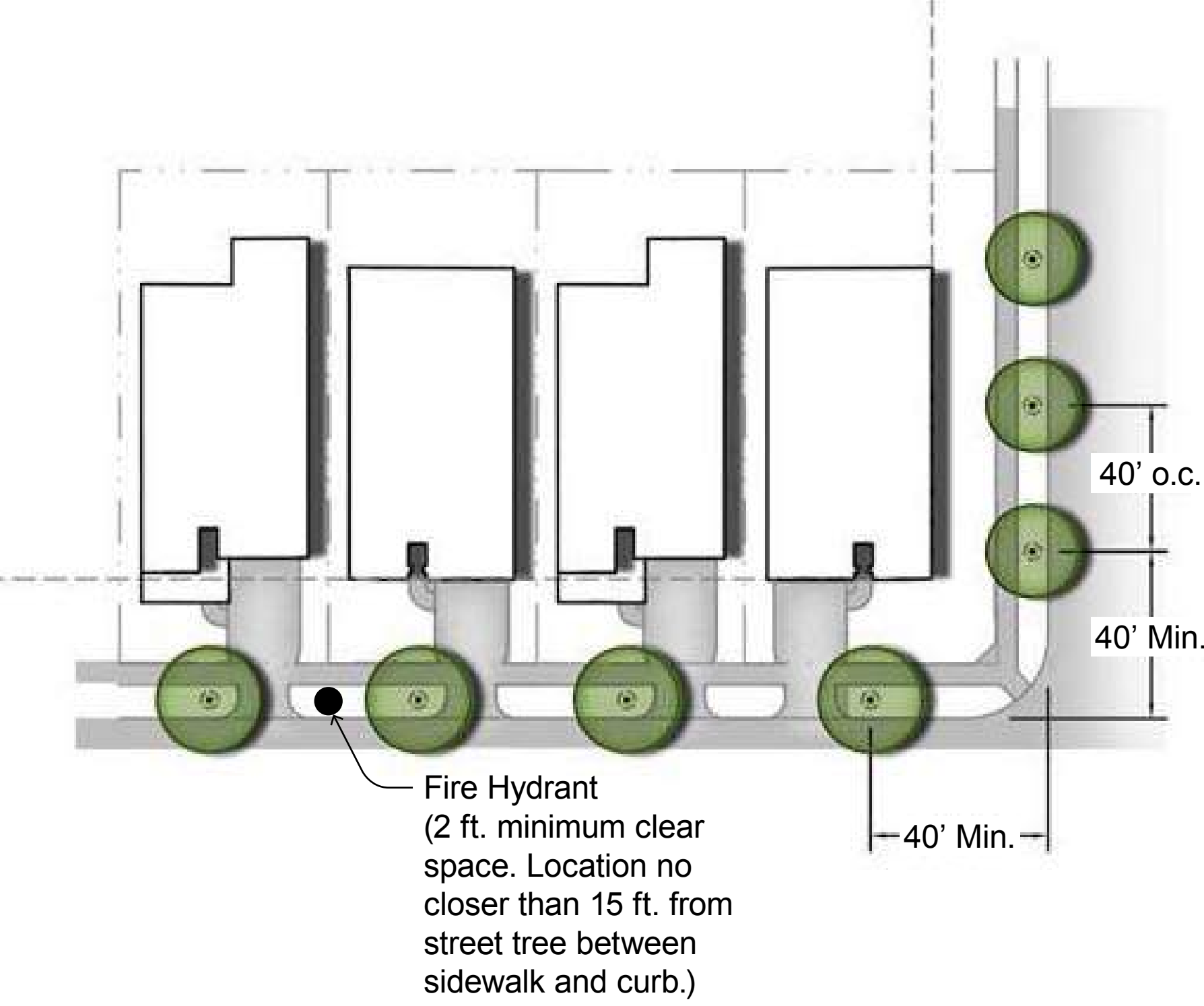
Attachment 6
Conceptual Street Tree Diagram

Attachment: Wells North Ordinance Exhibits and Attachments (1525 : Wells North Rezoning Ordinance)

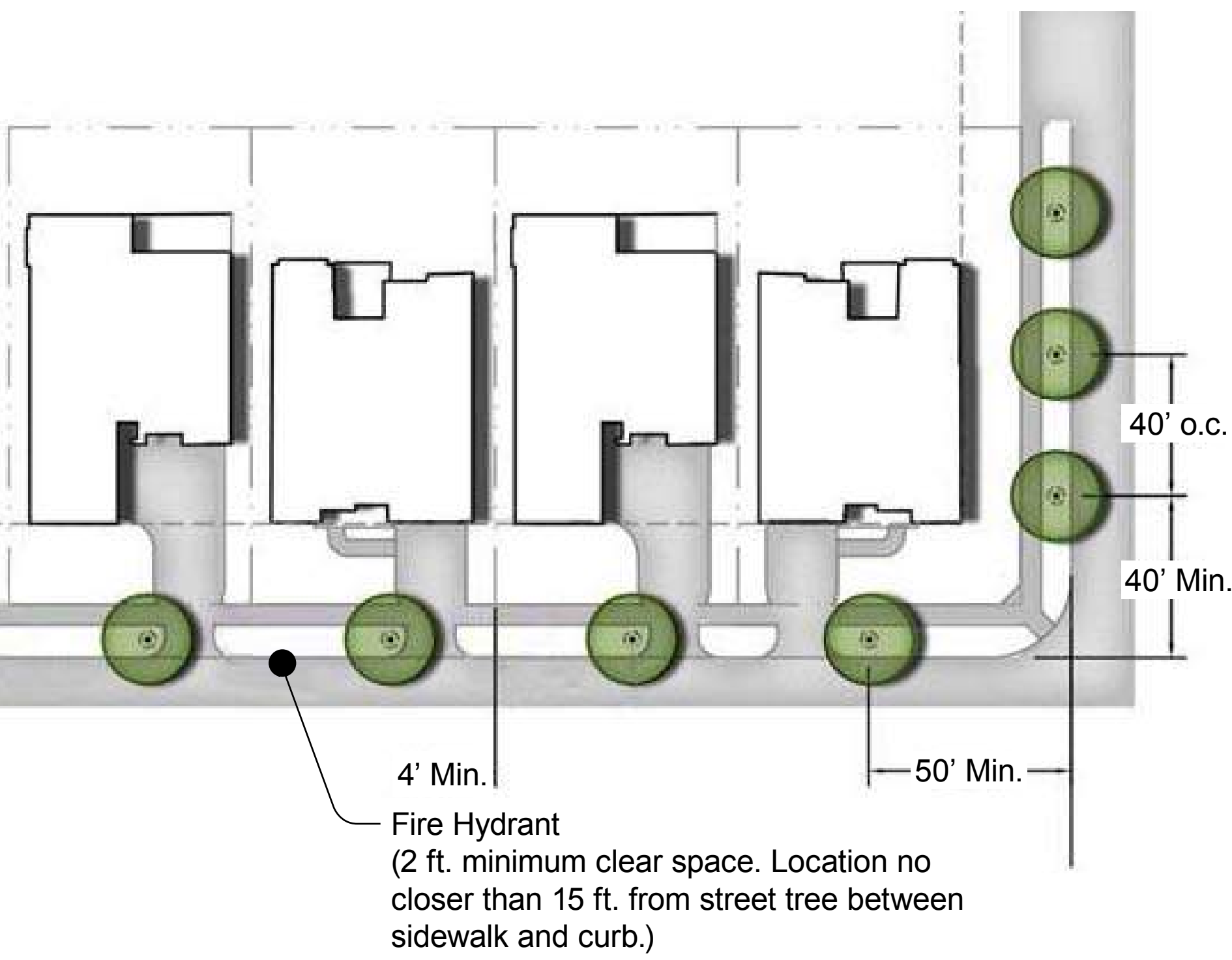
Tree Lined Street Examples



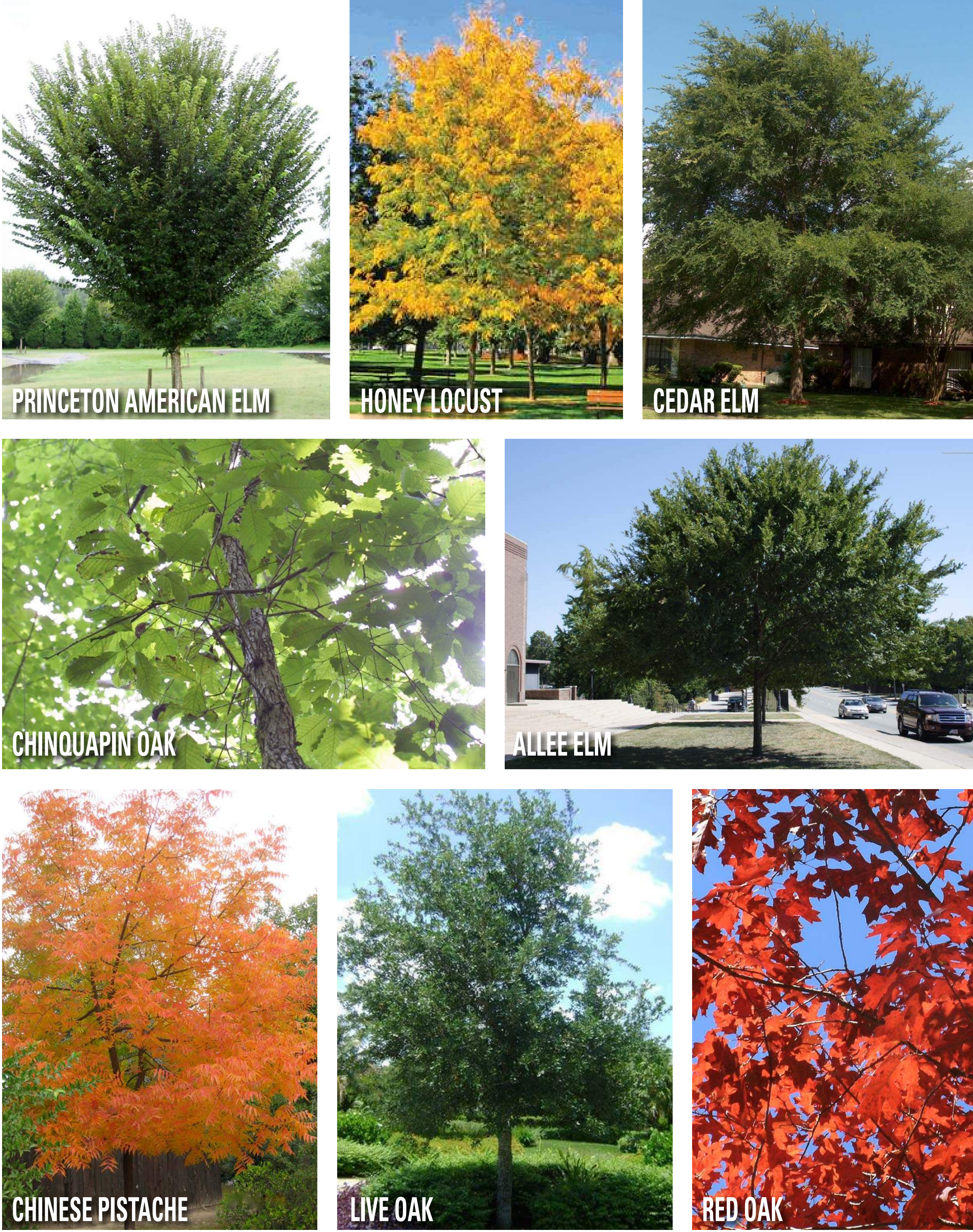
50' Lot Street Tree Layout



60' Lot Street Tree Layout



Street Tree Palette



**Street trees are subject to section 12 of Exhibit D.

WELLS NORTH / Conceptual Street Tree Diagram



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Ben Rodriguez, Planner
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: G-Bar 7 PID Public Hearing

Action Requested:

The Celina City Council will conduct a public hearing to consider testimony on creating the G-Bar 7 Public Improvement District (PID) in accordance with Chapter 372 of the Texas Local Government Code; being an approximately 109.090 acre tract of land situated in the Collin County School Land Survey #14, Abstract No. 167 and generally located south of CR 55, north of CR 53, west of CR 1117, and east of CR 52, within the City of Celina, Texas (GBar7 PID) (Liebman)

Background Information:

Staff recommends that the public hearing be continued to the April 12, 2016 City Council Meeting at 6:00 p.m. to allow the applicant and staff additional time to negotiate the associated development costs.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Supporting Documents:

N/A

Staff Recommendation:

Staff recommends that the item be tabled until the City Council Meeting on April 12, 2016



City Secretary
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Vicki Faulkner, City Secretary
CC: Mike Foreman, City Manager
Date: March 29, 2016
Re: Delinquent Tax Property

Action Requested:

Consider and act upon an offer from Ursalene Davis to purchase 204 S. Arkansas Street. (Toutounchian)

Background Information:

This property went to Sheriff's sale on February 7, 2012 for delinquent taxes. There were no bidders. There are a total of \$11,252.62 in total judgment fees (all taxing entities) due on this property. The most recent value according to the Appraisal District is \$10,000.00. An offer of \$5,000.00 is being made.

Board Review/Citizen Input:

n/a

Alternatives:

Deny offer.

Financial Considerations:

The city would receive a percentage of the \$5000.00 towards its \$2742.08 judgment.

Legal Review:

The offer comes through the city's delinquent tax attorney. (Gay, McCall, Isaacks & Roberts, P.C.)

Supporting Documents:

Letter, deed and distribution of proceeds summary

Staff Recommendation:

LAW OFFICES
GAY, MCCALL, ISAACKS & ROBERTS, P.C.
 A PROFESSIONAL CORPORATION

JOHN E. GAY
 DAVID MCCALL +
 LEWIS L. ISAACKS ♦+
 WILLIAM J. ROBERTS +
 JENNIFER T. PETTIT
 ERIN MINETT
 JOHN RAPIER
 JAMES W. WILSON

777 E. 15TH STREET
 PLANO, TEXAS 75074
 (972) 424-8501 • Fax (972) 422-9322

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW
 TEXAS BOARD OF LEGAL SPECIALIZATION
 +ATTORNEY - MEDIATOR

March 4, 2016

Ms. Vicki Faulkner
 City Secretary
 City of Celina
 142 N Ohio St
 Celina, TX 75009

Re: Offer from Ursalene Davis to purchase
 204 Arkansas St. S, Celina, Texas

Dear Mr. Lynn:

Ursalene Davis has offered to purchase 204 Arkansas St. S, Celina, Collin County, Texas (204 ARKANSAS STREET S.; BEING LOT 2C, BLOCK 69, OF CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL.1, PAGE 114, OF THE COLLIN COUNTY DEED RECORDS.) for \$5,000.00.

This property was sold at a Sheriff's Sale on February 7, 2012 pursuant to delinquent tax collection suit number 401-2192-06. There were no bidders and the property was struck off to the College for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$10,000.00. The property was struck off for the total judgment amount, \$11,252.62, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code the court costs and costs of sale must be paid first out of the proceeds of a resale. The remainder would be distributed to the taxing jurisdictions pro-rata. Those costs total \$1,899.67. A breakdown of amounts each taxing entity will receive is enclosed.

If all taxing jurisdictions agree to accept \$5,000.00 for the property, the property may be sold for that amount. Each jurisdiction must execute the deed.

If your entity decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it in the enclosed self-addressed, stamped envelope.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



Erin Minett

Enclosure

Attachment: 204 S. Arkansas Street (1517 : Delinquent Tax Properties)

CELINA INDEPENDENT SCHOOL DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
_____, 2016, by _____,
_____ of the Celina Independent School District as
the act and deed of said Celina Independent School District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: 204 S. Arkansas Street (1517 : Delinquent Tax Properties)

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
 _____, 2016, by _____,

_____ of the Collin County Community College District as the act and
 deed of said Collin County Community College District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: 204 S. Arkansas Street (1517 : Delinquent Tax Properties)

EXHIBIT A

204 ARKANSAS STREET S.; BEING LOT 2C, BLOCK 69, OF CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL.1, PAGE 114, OF THE COLLIN COUNTY DEED RECORDS.

Attachment: 204 S. Arkansas Street (1517 : Delinquent Tax Properties)

Distribution of Proceeds

204 Arkansas St. S, Celina, Texas

R1023069002C1

Cause no.: 401-2192-06

Judgment date: February 5, 2007

Sheriff's sale: February 7, 2012

Taxes in Judgment:	CISD	\$5,761.19
	City	\$2,742.08
	County	\$863.66
	CCCCD	<u>\$312.39</u>
	Total	<u>\$9,679.32</u>

Other Judgment Amounts:

District Clerk Fees	\$1,573.30
Demolition Lien	\$0.00

Resale price:	\$5,000.00
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Settlement Costs:

Constable Fee	\$245.62
Publication Fee	\$80.75
District Clerk Fees	\$1,573.30

Total Costs:	<u>\$1,899.67</u>
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Proceeds to be Distributed:	<u>\$3,100.33</u>
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Percentage of Judgment Taxes:	32%
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Distributed to Collin County Tax Assessor on Behalf of:

CISD	\$1,845.34
City	\$878.30
County	\$276.63
CCCCD	<u>\$100.06</u>
Total	<u>\$3,100.33</u>



City Secretary
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
 From: Vicki Faulkner, City Secretary
 CC: Mike Foreman, City Manager
 Date: March 29, 2016
 Re: Delinquent Tax Property

Action Requested:

Consider and act upon an offer from Ursalene Davis to purchase Block 59, Lot 3 and Block 71, Lot 6b. (Toutounchian)

Background Information:

These properties went to Sheriff's sale on April 3, 2007. There were no bidders. There are a total of \$3911.51 in total judgment fees (all taxing entities), plus a \$997.00 demolition lien from the City of Celina due on these properties. The most recent value according to the Appraisal District is \$10,000.00 for Block 59, and \$600.00 for Block 71. An offer of \$3,912.00 is being made.

Board Review/Citizen Input:

n/a

Alternatives:

Deny offer.

Financial Considerations:

The city would receive its full \$585.79 in judgment fees, but would not collect any money on the demolition lien.

Legal Review:

The offer comes through the city's delinquent tax attorney. (Gay, McCall, Isaacks & Roberts, P.C.)

Supporting Documents:

Letter, deed and distribution of proceeds summary

Staff Recommendation:

LAW OFFICES
GAY, MCCALL, ISAACKS & ROBERTS, P.C.
 A PROFESSIONAL CORPORATION

JOHN E. GAY
 DAVID MCCALL +
 LEWIS L. ISAACKS ♦+
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 (972) 424-8501 • Fax (972) 422-9322

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW
 TEXAS BOARD OF LEGAL SPECIALIZATION
 +ATTORNEY - MEDIATION

March 4, 2016

Ms. Vicki Faulkner
 City Secretary
 City of Celina
 142 N Ohio St
 Celina, TX 75009

Re: Offer from Ursalene Davis to purchase
 TR 1: Blk 59, Lot 3, TR 2: Blk 71, Lot 6b, Celina Original Donation, Celina, Texas

Dear Mr. Lynn:

Ursalene Davis has offered to purchase TR 1: Blk 59, Lot 3, TR 2: Blk 71, Lot 6b, Celina Original Donation, Celina, Collin County, Texas (PROPERTY DESCRIPTION: TR 1: BEING LOT 3, BLOCK 59, OF CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA; TR 2: BEING LOT 6B, BLOCK 71, OF THE CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 1, PAGE 114, OF THE COLLIN COUNTY DEED RECORDS.) for \$3,912.00.

These properties were sold at a Sheriff's Sale on April 3, 2007 pursuant to delinquent tax collection suit number 380-02191-06. There were no bidders and the properties were struck off to the College for itself and on behalf of the other taxing jurisdictions.

The properties' most recent value according to the Appraisal District is TR 1: \$10,000.00, and TR 2: \$600.00. The properties were struck off for the total judgment amount, \$3,911.51, which includes taxes, penalties and interest, costs of court, and costs of sale.

As the offer is for more than the minimum bid at the Sheriff's Sale, all amounts due under the judgment will be paid. A breakdown of amounts each taxing entity will receive is enclosed.

In addition, the City has a demolition lien on the properties which will be extinguished by this sale. Pursuant to the Texas Property Tax Code, this lien is only paid if there are excess proceeds after all entities are paid the full amount of taxes due.

If any taxing jurisdictions agree to accept \$3,912.00 for the properties, they may be sold for that amount. Each jurisdiction must execute the deed.

If your entity decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it in the enclosed self-addressed, stamped envelope. If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



Erin Minett

Enclosure

Attachment: Block 59, lot 3, Block 71, lot 6b (1518 : Delinquent Tax Properties)

CELINA INDEPENDENT SCHOOL DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
_____, 2016, by _____,
_____ of the Celina Independent School District as
the act and deed of said Celina Independent School District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: Block 59, lot 3, Block 71, lot 6b (1518 : Delinquent Tax Properties)

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
 _____, 2016, by _____,

_____ of the Collin County Community College District as the act and
 deed of said Collin County Community College District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: Block 59, lot 3, Block 71, lot 6b (1518 : Delinquent Tax Properties)

EXHIBIT A

PROPERTY DESCRIPTION: TR 1: BEING LOT 3, BLOCK 59, OF CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA; TR 2: BEING LOT 6B, BLOCK 71, OF THE CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 1, PAGE 114, OF THE COLLIN COUNTY DEED RECORDS.

Attachment: Block 59, lot 3, Block 71, lot 6b (1518 : Delinquent Tax Properties)

Distribution of Proceeds

TR 1: Blk 59, Lot 3, **TR 2:** Blk 71, Lot 6b & , Celina Original Donation, Celina, Texas
 R102305900301 & R1023071006b1

Cause no.: 380-02191-06
 Judgment date: December 19, 2006
 Sheriff's sale: April 3, 2007

Taxes in Judgment:	CISD	\$730.74
	City	\$585.79
	County	\$209.66
	CCCCD	<u>\$79.32</u>
	Total	<u>\$1,605.51</u>

Other Judgment Amounts:

District Clerk Fees	\$1,309.00
Demolition Lien	\$997.00

Resale price:	\$3,912.00
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Settlement Costs:

Constable Fee	\$129.81
Publication Fee	\$169.65
District Clerk Fees	\$1,309.00
Demolition Lien	\$697.54

Total Costs:	<u>\$2,306.00</u>
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Proceeds to be Distributed:	<u>\$1,605.51</u>
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Percentage of Judgment Taxes:	100%
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Distributed to Collin County Tax Assessor on Behalf of:

CISD	\$730.74
City	\$585.79
County	\$209.66
CCCCD	<u>\$79.32</u>

Total	<u>\$1,605.51</u>
-------	-------------------



City Secretary
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Vicki Faulkner, City Secretary
CC: Mike Foreman, City Manager
Date: March 29, 2016
Re: Delinquent Tax Property

Action Requested:

Consider and act upon an offer from Thomas Yi to purchase 601 W. Elm Street. (Toutounchian)

Background Information:

This property went to Sheriff's sale on May 1, 2012. There were no bidders.

Board Review/Citizen Input:

n/a

Alternatives:

Deny offer.

Financial Considerations:

The city would receive

Legal Review:

The offer comes through the city's delinquent tax attorney. (Gay, McCall, Isaacks & Roberts, P.C.)

Supporting Documents:

Letter, deed and distribution of proceeds summary

Staff Recommendation:

LAW OFFICES
GAY, MCCALL, ISAACKS & ROBERTS, P.C.

A PROFESSIONAL CORPORATION

JOHN E. GAY
 DAVID MCCALL +
 LEWIS L. ISAACKS ♦+
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777 E. 15TH STREET
 PLANO, TEXAS 75074
 (972) 424-8501 • Fax (972) 422-9322

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW
 TEXAS BOARD OF LEGAL SPECIALIZATION
 + ATTORNEY - MEDIATION

March 11, 2016

Ms. Vicki Faulkner
 City Secretary
 City of Celina
 142 N Ohio St
 Celina, TX 75009

Re: Offer from Thomas Yi to purchase
 301 W Elm St., Celina, Texas

Dear Mr. Lynn:

Thomas Yi has offered to purchase 301 W Elm St., Celina, Collin County, Texas (601 W. ELM STREET, BEING LOT 5A, OF BATEMAN# 01 AND # 02, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN THE COLLIN COUNTY DEED RECORDS.) for \$2,500.00.

This property was sold at a Sheriff's Sale on May 1, 2012 pursuant to delinquent tax collection suit number 380-02582-2010. There were no bidders and the property was struck off to the College for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$4,000.00. The property was struck off for the total judgment amount, \$2,645.10, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code the court costs and costs of sale must be paid first out of the proceeds of a resale. The remainder would be distributed to the taxing jurisdictions pro-rata. Those costs total \$2,492.25. A breakdown of amounts each taxing entity will receive is enclosed.

If all taxing jurisdictions agree to accept \$2,500.00 for the property, the property may be sold for that amount. Each jurisdiction must execute the deed.

If your entity decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it in the enclosed self-addressed, stamped envelope.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



Erin Minett

Enclosure

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

SPECIAL WARRANTY DEED

Date: _____, 2016

Grantor: CELINA INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY
COMMUNITY COLLEGE DISTRICT, and CITY OF CELINA

Grantor's Mailing Address (including county):
142 N Ohio St
Celina, TX 75009
Collin County

Grantee: Thomas Yi

Grantee's Mailing Address (including county):
3612 Parker Rd.
Wylie, TX 75098
Collin County

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

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever. Grantor binds Grantor and Grantor's successors 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, by, through or under Grantor, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

The intent of this Special Warranty Deed is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 380-02582-2010 in the 380th Judicial District Court, Collin County, Texas, and no more.

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

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

CELINA INDEPENDENT SCHOOL DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2016, by _____, _____ of the Celina Independent School District as the act and deed of said Celina Independent School District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

COLLIN COUNTY, TEXAS

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of

_____, 2016, by _____,

_____ of Collin County, Texas as the act and deed of
said Collin County, Texas.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
 _____, 2016, by _____,

_____ of the Collin County Community College District as the act and
 deed of said Collin County Community College District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

CITY OF CELINA

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
 _____, 2016, by _____,
 _____ of the City of Celina as the act and deed of
 said City of Celina.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

EXHIBIT A

601 W. ELM STREET, BEING LOT 5A, OF BATEMAN# 01 AND # 02, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN THE COLLIN COUNTY DEED RECORDS.

Attachment: 301 W Elm St (1530 : Delinquent Tax Properties)

Distribution of Proceeds

301 W Elm St., McKinney, Texas

R1027000005A1

Cause no.: 380-02582-2010

Judgment date: July 18, 2011

Sheriff's sale: May 1, 2012

Taxes in Judgment:	CISD	\$530.82
	City	\$215.13
	County	\$82.63
	CCCCD	<u>\$29.52</u>
	Total	<u>\$858.10</u>

Other Judgment Amounts:

District Clerk Fees	\$1,787.00
Demolition Lien	\$0.00

Resale price:	\$2,500.00
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Settlement Costs:

Constable Fee	\$175.00
Publication Fee	\$530.25
District Clerk Fees	\$1,787.00
Maintenance Fee	\$0.00
Demolition Lien	\$0.00
Lien Release Fee	<u>\$0.00</u>

Total Costs:	<u>\$2,492.25</u>
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Proceeds to be Distributed:	<u>\$7.75</u>
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Percentage of Judgment Taxes:	0.01%
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Distributed to Collin County Tax Assessor on Behalf of:

CISD	\$4.79
City	\$1.94
County	\$0.75
CCCCD	<u>\$0.27</u>
Total	<u>\$7.75</u>



City Secretary
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Vicki Faulkner, City Secretary
CC: Mike Foreman, City Manager
Date: March 29, 2016
Re: Delinquent Tax Property

Action Requested:

Consider and act upon an offer from Thomas Yi to purchase Block 70, Lot 12 (E. Oak St). (Toutounchian)

Background Information:

This property went to Sheriff's sale on May 1, 2007. There were no bidders. There are a total of \$2,042.32 in judgement fees (all taxing entities) due on this property. The most recent value according to the Appraisal District is \$10,000.00. An offer of \$2,500.00 is being made.

Board Review/Citizen Input:

n/a

Alternatives:

Deny offer.

Financial Considerations:

the city would receive its full \$387.34 towards the \$222.18 in judgment fees.

Legal Review:

The offer comes through the city's delinquent tax attorney. (Gay, McCall, Isaacks & Roberts, P.C.)

Supporting Documents:

Letter, deed and distribution of proceeds summary

Staff Recommendation:

LAW OFFICES
GAY, MCCALL, ISAACKS & ROBERTS, P.C.

A PROFESSIONAL CORPORATION

JOHN E. GAY
 DAVID MCCALL +
 LEWIS L. ISAACKS ♦+
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777 E. 15TH STREET
 PLANO, TEXAS 75074
 (972) 424-8501 • Fax (972) 422-9322

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW
 TEXAS BOARD OF LEGAL SPECIALIZATION
 +ATTORNEY - MEDIATOR

March 11, 2016

Ms. Vicki Faulkner
 City Secretary
 City of Celina
 142 N Ohio St
 Celina, TX 75009

Re: Offer from Thomas Yi to purchase
 Oak St. E., Celina, Texas

Dear Mr. Lynn:

Thomas Yi has offered to purchase Oak St. E., Celina, Collin County, Texas (BEING LOT 12, BLOCK 70, OF THE CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 1, PAGE 114, OF THE COLLIN COUNTY DEED RECORDS.) for \$2,500.00.

This property was sold at a Sheriff's Sale on May 1, 2007 pursuant to delinquent tax collection suit number 416-2193-06. There were no bidders and the property was struck off to the College for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$10,000.00. The property was struck off for the assessed value in the Judgment, \$1,000.00. The total Judgment amount at the sale was \$2,042.32.

As the offer is for more than the minimum bid at the Sheriff's Sale, if any taxing jurisdictions agree to accept \$2,500.00 for the property, the property may be sold for that amount. Each jurisdiction must execute the deed. A breakdown of amounts each taxing entity will receive is enclosed.

If your entity decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it in the enclosed self-addressed, stamped envelope.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



Erin Minett

Enclosure

Attachment: Block 70, Lot 12, E. Oak St (1531 : Delinquent Tax Properties)

SPECIAL WARRANTY DEED

Date: _____, 2016

Grantor: COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF CELINA

Grantor's Mailing Address (including county):

142 N Ohio St
Celina, TX 75009
Collin County

Grantee: Thomas Yi

Grantee's Mailing Address (including county):

3612 Parker Rd.
Wylie, TX 75098
Collin County

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

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever. Grantor binds Grantor and Grantor's successors 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, by, through or under Grantor, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

The intent of this Special Warranty Deed is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 416-2193-06 in the 416th Judicial District Court, Collin County, Texas, and no more.

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

Attachment: Block 70, Lot 12, E. Oak St (1531 : Delinquent Tax Properties)

COLLIN COUNTY, TEXAS

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
_____, 2016, by _____,
_____ of Collin County, Texas as the act and deed of
said Collin County, Texas.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: Block 70, Lot 12, E. Oak St (1531 : Delinquent Tax Properties)

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
 _____, 2016, by _____,

_____ of the Collin County Community College District as the act and
 deed of said Collin County Community College District.

 Notary Public, State of Texas
 Notary's name, (printed):

Notary's commission expires: _____

Attachment: Block 70, Lot 12, E. Oak St (1531 : Delinquent Tax Properties)

CITY OF CELINA

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
 _____, 2016, by _____,
 _____ of the City of Celina as the act and deed of
 said City of Celina.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

Attachment: Block 70, Lot 12, E. Oak St (1531 : Delinquent Tax Properties)

EXHIBIT A

BEING LOT 12, BLOCK 70, OF THE CELINA ORIGINAL DONATION, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 1, PAGE 114, OF THE COLLIN COUNTY DEED RECORDS.

Attachment: Block 70, Lot 12, E. Oak St (1531 : Delinquent Tax Properties)

Distribution of Proceeds

Oak St. E., Celina, Texas

R102307001201

Cause no.: 416-2193-06

Judgment date: January 30, 2007

Sheriff's sale: May 1, 2007

Taxes in Judgment:	CISD	\$290.90
	City	222.18
	County	75.06
	CCCCD	<u>27.58</u>
	Total	<u>\$615.72</u>

Other Judgment Amounts:

District Clerk Fees	\$1,426.60
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Resale price:	\$2,500.00
Settlement Costs:	
District Clerk Fees	1,426.60
Total Costs:	<u>1,426.60</u>
Proceeds to be Distributed:	<u>\$1,073.40</u>

Percentage of Judgment Taxes:	174%
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Distributed to Collin County Tax Assessor on Behalf of:

CISD	\$507.13
City	387.34
County	130.85
CCCCD	<u>48.08</u>
Total	<u>\$1,073.40</u>

