



**NOTICE OF
CITY COUNCIL REGULAR MEETING
FIRST UNITED METHODIST CHURCH 112 N. COLORADO ST, CELINA, TX 75009
TUESDAY, JANUARY 12, 2016 AT 5:00 PM**

AGENDA

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Discussion regarding Light Farms Development Agreement (Liebman)
- B. Home occupation regulation briefing (Liebman)
- C. Department Update for Engineering and Public Works (Johnson)
- D. My1City (Ricketts)
- E. 2016 Festivals and Event Dates (Ricketts, Bise)

III. EXECUTIVE SESSION:

The Celina City Council will convene into Executive Session pursuant to Texas Government Code 551.072, Deliberations Regarding Real Property, to deliberate the purchase, exchange, lease or value of real property.

- A. Discussion regarding potential sale of city owned real property (S. Preston Road)
- B. Discussion regarding land located north of Frontier Parkway, south of FM 455, west and north of FM 428 and east of CR 8.
- C. Consider and act upon any items discussed in executive session.

IV. PLEDGE OF ALLEGIANCE/INVOCATION 6:00 PM:

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. Community Builder Award
- B. Volunteer of the Year Award

VI. OPEN FORUM:

Open Forum is for information only. If you wish to speak, please sign the "Speaker List" with the City Secretary. Speakers are limited to three (3) minutes. The Council can take no action. No charges and/or complaints will be heard against any elected official or employee of the city.

Please note Anyone wishing to furnish the City Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the City Secretary for distribution to the City Council.

VII. CONSENT AGENDA: Items are considered self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the City Council.

A. Minutes Approval:

1. City Council - Regular Meeting - Dec 7, 2015 5:00 PM
- B. Consider and act to authorize the City Manager to execute an agreement with Denton County to fund the repairs of Mutual Boundary Roads. (Johnson)
- C. Consider and act upon a petition for annexation and set two public hearing dates on February 9, 2016 at 6:00 p.m. and February 9, 2016 at 6:05 p.m. for a ± 641.3 acre tract of land situated in the John Culwell Survey, Abstract No. 208, the Hezekiah Culwell Survey, Abstract No. 186, the B.B.B. & C.R.R. Survey, Abstracts No. 129 and 130, and the George Jay Survey, Abstract No. 488 and generally located north of CR 130, south of CR 134, and east of CR 101, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (O'Donnell Annexation) (Liebman)
- D. Consider and act upon a petition for annexation and set two public hearing dates on February 9, 2016 at 6:00 p.m. and February 9, 2016 at 6:05 p.m. for a ± 244.1 acre tract of land 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)
- E. Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday February 9, 2016 at 6:00 p.m. and Tuesday February 9, 2016 at 6:05 p.m., 112 N. Colorado, Celina, Texas) for two public hearings on the proposed annexation of the portion of CR 83 right-of-way adjacent to the annexation for Wells North, a ± 1.845 acre strip of land situated in the Lindsey Lewis Survey, Abstract No. 532. (CR 83 ROW annexation) (Liebman)
- F. Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday February 9, 2016 at 6:00 p.m. and Tuesday February 9, 2016 at 6:05 p.m., 112 N. Colorado, Celina, Texas) for public hearings on the proposed annexation of the portion of CR 88 right-of-way adjacent to the annexation for Wells North, a ± 2.643 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346. (CR 88 ROW annexation) (Liebman)
- G. Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday February 9, 2016 at 6:00 p.m. and Tuesday February 9, 2016 at 6:05 p.m., 112 N. Colorado, Celina, Texas) for public hearings on the proposed annexation of the portion of CR 1224 right-of-way adjacent to the annexation for Wells North, a ± 2.266 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346. (CR 1224 ROW annexation) (Liebman)

- H. Consider and adopt the ordinance annexing certain territory contiguous to and adjoining the City of Celina, Texas, to wit: being an approximately 45.311 acre tract of land in the Thomas Stayton Survey, Abstract No. 806, 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 and east of CR 51 and west of the future alignment of the Dallas North Tollway. (May Tract Annexation Decision) (Liebman)
- I. Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday, February 9, 2016 at 6:00 p.m. & Tuesday, February 9, 2016 at 6:05 p.m.) for public hearings on the proposed involuntary annexations of Tracts 10, 9, 34, & 76 of Block 2, of the Collin County School Land Survey #15, Abstract No. 170 and being ±111.9710 acres. (Liebman)
- J. Consider and act upon a resolution of the City Council of the City of Celina, Texas, ordering and calling a General Election for the purpose of electing a Council Member for Place 1, and a Council Member for Place 6 for three (3) year terms each; authorizing a joint election with the Collin County Elections Administrator, Denton County Elections Administrator and the political subdivisions located entirely or partially inside the boundaries of Denton County and Celina Independent School District Board of Trustees to be held on May 7, 2016. (Faulkner)
- K. Consider and act upon an ordinance of the City Council of the City of Celina, Texas, ordering an election to be held in said city on the 7th day of May, 2016, for the purpose of submitting to the qualified voters of the City of Celina, Texas, certain proposed amendments to the existing City Charter; designating the places at which said election is to be held; appointing the early voting clerk; making provisions for notice and publication of the election; and providing for an effective date. (Faulkner)
- L. Consider an act to approve the EMS agreement for Denton County. Metdker
- M. Consider an act to approve the Denton County Fire Agreement. Metdker
- N. Consider and act upon an ordinance Of The City Council Of The City Of Celina, Texas, Amending The City's Code Of Ordinances, Appendix A: Fee Schedule, Earthwork Permit. (Johnson)
- O. Consider and act to approve the Celina Main Street 2016 Golf Tournament date and tournament location (Bise)
- P. Consider and act to approve the 2016 Celina Farmers Markets Dates (Bise, Baty)

VIII. PUBLIC HEARING/ACTION:

- A. Conduct a public hearing to consider testimony and act upon an ordinance of the City Council of the City of Celina for a zoning amendment request for a ±96.712 acre tract of land to amend PD#45 - Planned Development #45 located in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas. The property is generally located on the east side of SH 289 (Preston Road), west of CR 97, north of CR 100 and south of CR 134. (Westgate 96) (Liebman)

- B. The Celina City Council will conduct two public hearings at 6:00 p.m. and 6:05 p.m. to consider testimony regarding the voluntary annexation of a ± 669.95 acre tract of land located in the Mary Howell Survey, Abstract No. 395, the Charles Rice Survey, Abstract No. 771, the J.B. Wilmeth Surveys, Abstracts No. 983 and No. 985, the Levin Routh Survey, Abstract No. 779 and the Samuel Queen Survey, Abstract No. 731, Collin County, Texas, and generally located east of Preston Road and on both the north and south sides of Sunset Boulevard, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas and set two public hearing dates on January 12, 2016 at (Parks at Wilson Creek) (Liebman)
- C. The Celina City Council will conduct two public hearings at 6:00 p.m. and 6:05 p.m. to consider testimony regarding the proposed involuntary annexation of a ± 34.62 acre tract of land situated in Tract 55 of the Coleman Watson Survey, Abstract No. 945 and generally located north of FM 1461 (Frontier Parkway), south of Coastal Drive, west of FM 2478 (Custer Road), and east of CR 84. (Kim Young Lei) (Liebman)

IX. ACTION ITEM:

- A. Consider and act upon a resolution of the City Council of the City of Celina, Texas, supporting the construction of an overpass on Frontier Parkway (County Road 5) over the Burlington Northern/Santa Fe Railway Line, the reconstruction of FM 1461 from Preston Road to Custer Road, and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway Overpass at US Highway 380, in cooperation with the Town of Prosper, Collin County and the Regional Transportation Council. (Johnson)
- B. Consider and act upon a resolution of the City Council of the City of Celina, Texas, accepting a petition to create a Public Improvement District (PID) in the Extraterritorial Jurisdiction, calling for a public hearing and directing the statutory notices to be given. The property, Wells North, is an approximately 244.136 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 generally located south of CR 88, north of CR 83, east of Carter Ranch and approximately 1,350 feet west of the future alignment of Coit Road. (Wells North PID Petition) (Liebman)
- C. Consider and act upon a eighth amendment to the Amended and Restated Development Agreement with Light Farms regarding sex offender residency restrictions and provisions for payment of Police and Fire services. (Liebman)
- D. Consider and act upon a resolution of the City Council of the City of Celina, Texas, accepting a petition to create a Public Improvement District (PID) in the City Limits of Celina, Texas, calling for a public hearing and directing the statutory notices to be given. The property, "G-Bar 7", is an approximately ± 119.138 acre tract of land situated in the Collin County School Land Survey, Abstract No. 167 Celina, Texas and generally located south of CR 55, north of CR 53, east of CR 52 and west of the BNSF railroad & CR 1117. (G-Bar 7 PID Petition) (Liebman)
- E. Consider and act upon a resolution declaring expectation to reimburse expenditures with proceeds of future debt. (Toutounchian)

X. 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



Engineering/Public Works
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Gabe Johnson, Director of Public Works
Date: January 12, 2016
Re:

Action Requested:

Department Update for Engineering and Public Works (Johnson)

Supporting Documents:

Report

Staff Recommendation:



Department of Engineering and Public Works
City of Celina, Texas

Memorandum

To: Honorable Mayor Terry and the Celina City Council
From: Gabe Johnson, PE, PH, CFM, GISP – Director of Engineering and Public Works
CC: Mike Foreman, City Manager
Date: January 12, 2016
Re: Activity Report – December 2015

Action Requested:

This is an executive summary for review, informational, and statistical purposes.

Engineering Projects:

- SE Sector Water and Sewer – All Notices to Proceed (NTP) have been issued. Still acquiring some easements, but contractors have either mobilized or started working.
- Ash Street – Street is open to public. Waiting for Oncor to remove remaining franchise utility from pole to finish concrete leaveouts.
- Willock Hills – Engineering and survey contract has been approved. Preliminary engineering and survey have been completed. Pulling together bid documents for public bid.
- Celina Parkway Alignment – Still working with property owners.
- Special Events – Have started planning and permit submittals for Cajun Fest.
- Keller Williams Sewer Extension – Working on agreement with owner and engineer to begin the engineering and survey.
- Multiple plan reviews and development agreements are being worked on simultaneously.
- Frontier Bridge – Have met with adjacent property owners to discuss the bridge and Collin County. County is asking for a resolution supporting the bridge from both Prosper and Celina in order for the County to manage the design and construction of the project. Resolution is being presented to both cities for their approval.
- Reviewing applications for new Engineer
- Will be relocating Public Works and Inspections staff to new facility on CR 106.

Construction Inspections:

- Sunset/Utah
 - 99% complete
- Parkside Phase 1
 - Lift station installation is 98% complete
- Ash Street Rehab
 - Sewer is 100% complete
 - Storm drain is 100% complete
 - Paving is 98% complete
- Light Farms Maydell Phase 2
 - Maydelle Phase 2 is 85% complete
 - Worthington Way is 85% complete
 - Grange Phase 4 is 65% complete
 - Phase 5 is 90% complete
- Creeks of Legacy
 - Off-site is 95% complete
 - Phase 1A is 80% complete
 - Phase 1B is 100% complete
 - Phase 1C is 98% complete
 - Off-site Phase 2 is under plan review
- Lakes at Mustang Ranch
 - Water is 90% complete
 - Sewer is 90% complete
 - Storm drain is 90% complete
 - Paving is 50% complete
- O'Reilly's
 - 100% complete
- Carter Ranch Phase 2
 - Water is 95% complete
 - Sewer is 95% complete
 - Storm drain is 10% complete
 - Paving is 0% complete
- SE Sector Water

- Easements are 85% acquired
 - Water is 50% complete
- SE Sector Sewer – Phase 1 – LaMR to Frontier
 - Easements are 100% acquired
 - Sewer is 25% complete
- SE Sector Sewer – Phase 2 – Frontier to Preston
 - Easements are 75% acquired
 - Sewer is 5% complete
- SE Sector Sewer – Phase 3 – Lift Station and Force Main
 - Easements are 80% acquired
 - Condemnation has started
 - Sewer is 10% complete
- SE Sector Sewer – Phase 4 – Preston to Doe Branch Trunk Main
 - Easements are 80% acquired
 - Sewer is 10% complete

Public Works

- **Projects**
 - Design Standards and Specifications – Staff is in the process of a secondary review and drawing configuration.
 - GIS Implementation – Web maps are currently live and available to City staff. Implementation is 75% complete.
 - Street Rehabilitation Project – Staff will begin the bidding process in February.
 - SCADA upgrade – Garver is awaiting hardware configuration. Software implementation is expected to complete in February.
 - I&I study– The contractor is scheduled to perform manhole inspections January 4-15th; smoke testing is scheduled for the week of January 18-22nd, weather permitting.
- **Water Department**
 - Produced – 6,432,000 gallons
 - Purchased – 29,424,000 gallons
 - Total production – 35,856,000 gallons.
 - Peak day – 1,476,000 gallons
 - Leaks repaired – 20
 - Inspections – 15
 - Investigations – 10
- **Meter Department**
 - Meters installed – 56
 - Meters/radios replaced – 10
 - Investigations – 11
- **Wastewater Department**
 - Treated – 23,287,000 gallons
 - Average per day – 751,000 gallons
 - Peak day – 3,511,000 gallons
 - Total rainfall – 4.9 inches
 - Inspections – 114
 - 18 sewer repairs
- **Street Department**
 - Asphalt used – 28 tons
 - Street repairs – 889 ft²
 - Water repairs – 0 ft²
 - Wastewater repairs – 94 ft²
 - Signs replaced/repared – 14
 - Drainage issues resolved – 2

Additional supporting documents are available upon request. Thank you for your consideration of this item. If I can be of any support, please contact me on at 972-382-2682 Ext 1081, or by email at gjohnson@celina-tx.gov.



Mainstreet Department
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Terri Ricketts, Marketing
Date: January 12, 2016
Re:

Action Requested:

My1City (Ricketts)

Background Information:

My1City, represented by Shailender Malik, will present a new citizen communications platform. This platform takes advantage of the move to mobile devices, rather than web pages, for citizen engagement. This intelligent mobile device application interacts with strategically located static signal devices to provide content relevant, time and location specific two-way communication.

Financial Considerations:

One time Initial Set up: \$2,500

Monthly fee \$300 Beginning April 2016 @ 6 months/\$1800 FY 2015-2016

Total FY 2015/2016 \$4300

FY 2016 -2017 \$3600

Staff Recommendation:

Approve



Mainstreet Department
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Terri Ricketts, Marketing
CC: Mike Foreman, City Manager
Date: January 12, 2016
Re:

Action Requested:

2016 Festivals and Event Dates (Ricketts, Bise)

Splash and Blast June 25th or July 2nd

Fall Festival (formerly Balloon Festival) October 15th (3rd Saturday) or October 22nd

Staff Recommendation:

n/a



**NOTICE OF
CITY COUNCIL REGULAR MEETING
FIRST UNITED METHODIST CHURCH 112 N. COLORADO ST, CELINA, TX 75009
MONDAY, DECEMBER 7, 2015 AT 5:00 PM**

MINUTES

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Attendee Name	Organization	Title	Status	Arrived	Departed
Wayne Nabors	City of Celina	Place 2	Present		
Carmen Roberts	City of Celina	Place 4	Present		
Lori Vaden	City of Celina	Place 5	Present	5:14 PM	6:04 PM
Chad Anderson	City of Celina	Place 6	Present		6:21 PM
Andy Hopkins	City of Celina	Place 3	Present		
Erik Geiger	City of Celina	Place 1	Present		
Sean Terry	City of Celina	Mayor	Present		

Mayor Pro Tem Anderson left the meeting at 5:10 PM and returned at 5:31 PM. Mayor Pro Tem Anderson left the meeting again at 6:21 PM.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

A. Employee Introductions

Chief Mark Metdker introduced new Firefighter/Paramedic Anthony Baca.

B. Main Street event update

Main Street Manager Bridgette Bise gave a presentation on recent city events.

C. Code Enforcement Recognition

Code Enforcement Officer Greg Gulick updated the City Council on a difficult case south of the city and reviewed the procedures he takes in working with citizens to comply with city codes.

D. Fire Department equipment needs

Assistant Fire Chief Kyle Mills advised the City Council of increasing maintenance costs to an older ambulance and fire engine. He outlined a plan to purchase new equipment.

III. EXECUTIVE SESSION:

The Celina City Council will convene into Executive Session pursuant to Texas Government Code 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, and 551.087, Deliberation Regarding Economic Development Negotiation.

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

The Celina City Council convened into executive session at 5:33 PM. with City Manager Mike Foreman and City Attorney Trey Sargent.

- A. Professional Engineer/Permit Technician (Foreman)
- B. Potential economic development opportunities
- C. Consider and act upon any items discussed in executive session.

City Council reconvened into open session at 6:06 PM. No action was taken out of executive session.

IV. PLEDGE OF ALLEGIANCE/INVOCATION 6:00 PM:

Mayor Terry led the pledges of allegiance. Councilman Nabors gave the invocation.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. Keep Celina Beautiful Check Presentation(Ricketts)

Haley Norris with Keep Celina Beautiful introduced Elizabeth with Progressive Waste who presented the city with a check for \$5,000.00 towards Keep Celina Beautiful projects.

- B. Volunteer of the Year Presentation (Bise)

This item will be presented in January.

VI. OPEN FORUM:

Dale Bainum of 3541 Heritage Trail asked what the actual dollar amount of the proposed budget amendment is, and stated that the city seems to be doing a lot for the Wells South development. He asked if all future developments would receive this financing and asked for more communication regarding these items and stated that citizens needed to better understand the benefits.

VII. CONSENT AGENDA:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Wayne Nabors, Place 2
AYES:	Nabors, Vaden, Anderson, Hopkins, Geiger
ABSENT:	Roberts

A. Minutes Approval:

1. City Council - Public Hearing and Special Meeting - Nov 5, 2015 7:00 AM
2. City Council - Regular Meeting - Nov 10, 2015 5:00 PM

- B. Consider and act upon an ordinance of the City of Celina, Texas, amending Ordinance 2015-36, which adopted and approved the budget for fiscal year beginning October 1, 2014, and ending September 30, 2015, and make appropriations for each department, project and account, by adopting an amended fiscal year 2014-2015 Budget for the City of Celina, Texas, reallocating funds between accounts pursuant to exhibit "A", attached hereto and incorporated into this ordinance. Toutounchian

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

2015-69

- C. Consider and act upon a petition for the voluntary annexation of a ±669.95 acre tract of land located in the Mary Howell Survey, Abstract No. 395, the Charles Rice Survey, Abstract No. 771, the J.B. Wilmeth Surveys, Abstracts No. 983 and No. 985, the Levin Routh Survey, Abstract No. 779 and the Samuel Queen Survey, Abstract No. 731, Collin County, Texas and generally located on the east side of Preston Road and south of Sunset Boulevard, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas and set two public hearing dates on January 12, 2016 at 6:00 p.m. and on January 12, 2016 at 6:05 p.m. (Parks at Wilson Creek) (Liebman)
- D. Consider and act upon the adoption of a Home Builder Kiosk Sign Program and authorize the City Manager to enter into a contract with National Sign Plazas to facilitate the installation of informational signs in city-owned right-of-way to direct potential customers to residential developments within the City and Celina's ETJ. (Kiosks) (Liebman)
- E. Consider and act upon a Construction Plat for Light Farms, Cypress Creek and Worthington Way, approximately 7.03 acres situated in the Collin County School Land Survey No. 14, Abstract No. 167. These rights-of-way are located within Light Farms in Celina's extraterritorial jurisdiction (ETJ) and generally located north of Frontier Parkway, west of Preston Road and east of the BNSF Railroad. (Light Farms right-of-way dedications) (Liebman)
- F. Consider and act upon a resolution authorizing the City Manager to sign a Chapter 43 Pre-Annexation agreement by and between the City of Celina and William and Wynelle Kleber. (Liebman)

2015-62R

- G. Consider and act to authorize the City Manager to execute contracts with Hill & Wilkinson, Kendrick Mechanical Inc., and Automation Integration For The Renovation Of City Hall. (Montgomery)
- H. Consider and act upon an ordinance of the City Council of the City of Celina, Texas amending the City's Code of Ordinances, Chapter 12, Traffic and Vehicles, Article 12.04, Parking, Section 12.04.002, Parking Restrictions on Specific Streets; prohibiting parking on the north side of the entire length of W. Cedar Street from the intersection of S. Arizona Drive to the intersection of S. Utah Street, the western side of the entire length of S. Utah Drive from the intersection of W. Cedar Street to the intersection of W. Sunset Boulevard/W. Carl Darnall Parkway, and the entire length of W. Sunset Boulevard/W. Carl Darnall Parkway. (Liebman)

2015-70

- I. Consider and act upon a resolution to support participation in a Regional Water Distribution Study. (Johnson)

2015-63R

- J. Consider and act upon the renewal of the miscellaneous professional land surveying services agreements between Pacheco Koch Consulting Engineers, Inc. (PKCE) and the City of Celina, Texas. (Liebman)
- K. Consider and act upon an ordinance of the City Council of the City of Celina, Texas regarding a surety bond in the name of the Celina City Manager.

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

2015-71

VIII. PUBLIC HEARING/ACTION:

- A. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance updating the Rough Proportionality Ordinance. (Johnson)

Mayor Terry opened the hearing at 6:14 PM. No public comment was received. The hearing was closed at 6:15 PM. Public Hearing item D was taken at this time as Mayor Terry recused himself at 6:15 PM due to a conflict of interest on item D. 2015-72

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wayne Nabors, Place 2
SECONDER:	Carmen Roberts, Place 4
AYES:	Nabors, Roberts, Anderson, Hopkins, Geiger
ABSENT:	Vaden

- B. The Celina City Council will conduct a public hearing to consider testimony and take action regarding the adoption of an Ordinance to declare the drainage of the municipality a public utility and establish a Municipal Storm Water Utility System. (Johnson)

Mayor Terry opened the hearing at 6:21 PM. Financial Advisor Jim Sabonis explained the logic behind the fees. Dale Bainum of 3541 Heritage Trail asked if this fee applies to properties in the ETJ and how many other cities do this? The hearing was closed at 6:28 PM. 2015-73

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Carmen Roberts, Place 4
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

- C. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance of the City of Celina amending the Code of Ordinances by adding "Municipal Drainage Utility System Fee Schedule"; Establishing a Municipal drainage utility system fee; Providing for exemptions and credits. (Johnson)

Mayor Terry opened the hearing at 6:44 PM. Dale Bainum asked if the projects done with these fees are on public property only. Financial Advisor Jim Sabonis noted that the tiered rate is based on lot permeability versus the fee based on Ad Valorem values. The hearing was closed at 6:46 PM. Councilman Anderson moved to approve the service level 2 tiered basis fee and to allow exemptions to city, county, school district and tax exempt properties. 2015-74

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wayne Nabors, Place 2
SECONDER:	Andy Hopkins, Place 3
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

- D. The Celina City Council will conduct a public hearing, consider testimony and act upon a resolution regarding the dissolution of an existing Public Improvement District (PID) for Sutton Fields, a ±494.883 acre tract of land located in the F. Wilkerson Survey, Abstract Number 1411, H. Rue Survey, Abstract Number 1111, T. Cox Survey, Abstract Number 309, J. Rue Survey, Abstract Number 1109, and the C. Jackson Survey, Abstract Number 1546, Denton County, Texas. The property is generally located north of Parvin Road, east of FM 1385 and west of Smiley Road. (Sutton Fields I Dissolution) (Liebman)

Mayor Terry recused himself from this item at 6:15 PM due to a conflict of interest. Mayor Pro Tem Anderson opened the hearing at 6:15 PM. No public comment was received. The hearing was closed at 6:17 PM. Mayor Pro Tem Anderson skipped to action items R and S while the mayor was still out of the room. 2015-64R

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Carmen Roberts, Place 4
AYES:	Nabors, Roberts, Anderson, Hopkins, Geiger
ABSENT:	Vaden

- E. The Celina City Council will conduct a public hearing on the proposed assessments to be levied against the assessable property within the Wells South 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 ±400.5 acre tract of land located within the city limits and the ETJ of the City of Celina, Collin County, Texas, and is generally located at the north of FM 1461 (Frontier Parkway), east of CR 83, and south and west of CR 84. (Wells South) (Liebman)

Mayor Terry opened the hearing at 6:48 PM. Misty Ventura with Shupe, Ventura, Lindelow and Olsen, 9406 Biscayne Blvd, Dallas, Texas, representing the applicant stated the property owner “approves and accepts the Service and Assessment Plan, approves the Major Improvement Area Assessment Roll, approves this Ordinance and approves the levy of the Major Improvement Area Special Assessments against their property located within the District, agrees to pay the Major Improvement Area Special Assessments when due and payable and requested that the City file the Service and Assessment Plan and/or the assessment roll with the real property records of Collin County.” Financial Advisor Jim Sabonis explained how and why this project works with the proposed financing. The hearing was closed at 6:54 PM. Mayor Terry went to action items F through Q.

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

RESULT: NO ACTION

- F. 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, 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 ± 400.5 acre tract of land located in the W. Wilhite Survey, Abstract No. 1002 and the Jonathan Westover Survey, Abstract No. 1030; Collin County, Texas; as described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein to be zoned PD Planned Development No. 58; the property is generally located north of FM 1461 (Frontier Parkway), south and west of CR 84, and east of CR 83 (Coit Road). (Wells South) (Liebman)

Mayor Terry opened the hearing at 7:18 PM. No public comment was received. The hearing was closed at 7:18 PM. 20105-75

RESULT: APPROVED [UNANIMOUS]
MOVER: Andy Hopkins, Place 3
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- G. 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, 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 6.017 acre tract of land located in the Collin County School Land Survey, Abstract No. 167; Collin County, Texas; as described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein to be zoned PD Planned Development No. 59; the property is generally located on the west side of SH 289 (Preston Road) approximately 2,000 feet north of Frontier Parkway. (Kids R Kids and Hallford) (Liebman)

Mayor Terry opened the hearing at 7:19 PM. Dale Bainum of 3542 Heritage Trail asked why one little plot was being annexed, why not annex large tracts. 2015-76

RESULT: APPROVED [UNANIMOUS]
MOVER: Erik Geiger, Place 1
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- H. 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, 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 ± 93.277 acre tract of land located in the L.M. Boyd Survey, Abstract No. 48; Collin County, Texas; as described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein to be zoned PD Planned Development No. 60; the property is generally located approximately 2,000 feet east of SH 289 (Preston Road) north of CR 100 and south of CR 134. (Littell 93) (Liebman)

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

Mayor Terry opened the hearing at 7:23 PM. The hearing was closed at 7:28 PM. 2015-77

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Wayne Nabors, Place 2
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

- I. The Celina City Council will conduct two public hearings at 6:00 p.m. and 6:05 p.m. to consider testimony regarding the proposed involuntary annexation of a ±45.311 acre tract of land in Celina's extraterritorial jurisdiction (ETJ) and situated in the Thomas Stayton Survey, Abstract No. 806, and generally located at the northwest corner of CR 51 and the future alignment of the Dallas North Tollway. (May Tract) (Liebman)

Mayor Terry opened the first hearing at 7:29 PM. City Land Use Attorney Julie Fort went over the timeline of events for this property. The applicant's representative Jim Judge of Whipper and Associates on Dallas Parkway in Dallas. He stated that Ms. May has signed an agreement and requests that it be considered and approved. The hearing was closed at 7:39 PM. Mayor Terry opened the second hearing at 7:39 PM. No public comment was received. Mr. Judge said he would have the same statement for this hearing as the previous one. The hearing was closed at 7:40 PM.

RESULT:	NO ACTION
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- 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, amending Ordinance No. 1997-07, as heretofore amended, the same being the Subdivision Ordinance, Division 4: Design Standards, to add a new Section 10.03.129 entitled "Median Landscaping." (Liebman)

Mayor Terry opened the hearing at 7:43 PM. No public comment was received. The hearing was closed at 7:43 PM. 2015-78

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wayne Nabors, Place 2
SECONDER:	Carmen Roberts, Place 4
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

- K. 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, amending Ordinance No. 2006-57, as heretofore amended, the same being the Comprehensive Zoning Ordinance, Chapter 14: Zoning, Article 14.05: Performance Standards, Section 14.05.229, Lighting. (Liebman)

Mayor Terry opened the public hearing at 7:45 PM. No public comment was received. The hearing was closed at 7:46 PM. 2015-79

RESULT: APPROVED [UNANIMOUS]
MOVER: Erik Geiger, Place 1
SECONDER: Wayne Nabors, Place 2
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- L. Conduct a public hearing to consider testimony and act upon an ordinance of the City Council of the City of Celina for a zoning amendment request for a ±96.712 acre tract of land to amend PD#45 - Planned Development #45 located in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas. The property is generally located on the east side of SH 289 (Preston Road), west of CR 97, north of CR 100 and south of CR 134. (Westgate 96) (Liebman)

Councilman Nabors moved to table the action to the January 12, 2016, regular council meeting. Mayor Terry opened the hearing at 7:47 PM. No public comment was received. Councilman Nabors moved to continue the hearing to the January 12, 2016, regular council meeting. Councilwoman Roberts seconded. Motion carried. 4-yes;0-no.

RESULT: TABLED [UNANIMOUS] **Next: 1/12/2016 5:00 PM**
MOVER: Wayne Nabors, Place 2
SECONDER: Andy Hopkins, Place 3
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

IX. **ACTION ITEM:**

- A. Consider and act upon a resolution of the City Council of the City of Celina, Texas, affirming changes proposed by the Home Rule Charter Committee. Vanzant

City Attorney Trey Sargent noted that the Charter Review Committee met and recommends the changes that will be a part of the calling of the special election in January. 2015-65R

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- B. Consider and act to authorize the City Manager to purchase Fire Equipment not to exceed 1.1 million dollars. (Metdker)

Councilman Nabors moved to approve item B with the amendment to 1.6 million dollars to include \$400,000.00 for radios and \$100,000.00 for public works equipment.

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- C. Consider and act upon a resolution of the City Council of the City of Celina, Texas, supporting the construction of an overpass on Frontier Parkway (County Road 5) over the Burlington Northern/Santa Fe Railway Line, the reconstruction of FM 1461 from Preston Road to Custer Road, and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway Overpass at US Highway 380, in cooperation with the Town of Prosper, Collin County and the Regional Transportation Council. (Johnson)

RESULT: TABLED [UNANIMOUS] **Next: 1/12/2016 5:00 PM**
MOVER: Wayne Nabors, Place 2
SECONDER: Andy Hopkins, Place 3
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- D. Consider and act upon an ordinance Of The City Council Of The City Of Celina, Texas, Amending The City's Code Of Ordinances, Appendix A: Fee Schedule, various utility fees. (Fourmentin/Montgomery)

2015-81

RESULT: APPROVED [UNANIMOUS]
MOVER: Andy Hopkins, Place 3
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- E. Consider and act upon an Agreement by and between The City of Celina, Texas and Greater Celina Chamber for Commerce for Economic Development Services. (Foreman)

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- F. 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 Major Improvement Area Assessment Roll for Wells South 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 South MIA) (Liebman)

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

Items F through Q were taken after Public Hearing item E. 2015-65

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carmen Roberts, Place 4
SECONDER:	Wayne Nabors, Place 2
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

- G. 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 South 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 South NIA #1) (Liebman)

2015-66

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Carmen Roberts, Place 4
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

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

2015-61R

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wayne Nabors, Place 2
SECONDER:	Erik Geiger, Place 1
AYES:	Nabors, Roberts, Hopkins, Geiger
ABSENT:	Vaden, Anderson

- I. 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 2015 (Wells South Public Improvement District Major Improvement Area Project) and approving and authorizing related agreements. (Wells South MIA) (Liebman)

Bond Counsel Drew Slone explained the risk. 2015-67

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

RESULT: APPROVED [UNANIMOUS]
MOVER: Andy Hopkins, Place 3
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- J. 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 2015 (Wells South Public Improvement District Neighborhood Improvement Area #1 Project) and approving and authorizing related agreements. (Wells South NIA #1) (Liebman)

2015-68

RESULT: APPROVED [UNANIMOUS]
MOVER: Erik Geiger, Place 1
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- K. Consider and act upon an ordinance of the City of Celina, Texas, annexing certain territory contiguous to and adjoining the City of Celina, Texas, to wit: being an approximately 400.5 acre tract of land in the W. Wilhite Survey, Abstract No. 1002 and the Jonathan Westover Survey, Abstract No. 1030, 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 FM 1461 (Frontier Parkway), south and west of CR 84, and east of CR 83 (Coit Road), within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (Wells South) (Liebman)

2015-82

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- L. Consider and act upon 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 a being a ± 11.05 acre strip of CR 83 right-of-way adjacent to Wells South, situated in the William Wilhite Survey, Abstract No. 1002, the Lindsey Lewis Survey, Abstract No. 532, and the Jonathan Westover Survey, Abstract No. 1030. (CR 83 ROW) (Liebman)

2015-83

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)

RESULT: APPROVED [UNANIMOUS]
MOVER: Carmen Roberts, Place 4
SECONDER: Wayne Nabors, Place 2
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- M. Consider and act on 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 a ± 4.203 acre strip of CR 84 right-of-way adjacent to Wells South, located in the Jonathan Westover Survey, Abstract No. 1030 and the McKinzie Wilhite Survey, Abstract No. 1008 Collin County, Texas, such tract is generally CR 84. (CR 84 Right-of-Way Annexation) (Liebman)

2015-84

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- N. Consider and act upon an ordinance of the City of Celina, Texas, authorizing the future release of portions of CR 83 and CR 84 roadway easements adjacent to Wells South, located in the Jonathan Westover Survey, Abstract No. 1030 and the McKinzie Wilhite Survey, Abstract No. 1008 Collin County, Texas. (Wells South) (Liebman)

2015-85

RESULT: APPROVED [UNANIMOUS]
MOVER: Andy Hopkins, Place 3
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- O. Consider and act upon a Subdivision Ordinance variance request to allow construction to begin on the Mustang Lakes Amenity Center prior to the lot being platted and required utilities provided. (Mustang Lakes Amenity Center Variance) (Liebman)

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- P. Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday, January 12, 2016 at 6:00 p.m. & Tuesday, January 12, 2016 at 6:05 p.m.) for public hearings on the proposed involuntary annexations of Tracts 10, 19, 34, & 76 of Block 2, of the Collin County School Land Survey #15, Abstract No. 170 and being ± 111.9710 acres; and a ± 34.62 acre tract of land located in Tract 55 of the Coleman Watson Survey, Abstract No. 945. (Liebman)

Councilman Nabors asked that the city change the process of holding hearings one right after another and give people a chance to speak by holding the hearings on different days. 2015-66R

RESULT: APPROVED [UNANIMOUS]
MOVER: Carmen Roberts, Place 4
SECONDER: Andy Hopkins, Place 3
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- Q. Consider and act upon on an ordinance of the City of Celina, Texas, adopting the annexation of certain territories contiguous to and adjoining the City of Celina, Texas, to wit: being all of Rolling Meadows Estates, a residential subdivision within Collin County Texas, encompassing 51.418 acres situated in the Coleman Watson Survey, Abstract No. 945 and comprising of forty-four (44) lots. (Rolling Meadows) (Liebman)

Mayor Terry continued to Public Hearing items F through L at the conclusion of this action. 2015-86

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Hopkins, Geiger
ABSENT: Vaden, Anderson

- R. Consider and act upon a Final Plat for Creeks of Legacy, Phase 1A, a ±59.906 acre tract of land situated in the William Davenport Survey, Abstract No. 262 and the F. D. Gary Survey, Abstract No. 361, containing 212 residential lots and nine (9) open space/common area lots. The property is generally located north of Frontier Parkway, south of Clear Creek Parkway and west of Doe Branch Boulevard. (Creeks of Legacy) (Liebman)

This item and item S were taken after Public Hearing item D. Mayor Terry recused himself from this item. Councilman Nabors moved to approve this item with the condition that inspections and public improvements are accepted by staff.

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne Nabors, Place 2
SECONDER: Carmen Roberts, Place 4
AYES: Nabors, Roberts, Anderson, Hopkins, Geiger
ABSENT: Vaden

- S. Consider and act upon a Final Plat for Creeks of Legacy, Phase 1C, a ±25.539 acre tract of land situated in the William Davenport Survey, Abstract No. 262 and the F. D. Gary Survey, Abstract No. 361, containing ninety-one (91) residential lots and generally located north of Frontier Parkway, south of Clear Creek Parkway and west of Doe Branch Boulevard. (Creeks of Legacy) (Liebman)

Mayor Terry recused himself from this item. Councilman Geiger moved to approve this item with the condition that inspections and public improvements are accepted by staff. Mayor Terry returned to the meeting after this item at 6:21 PM. Mayor Pro Tem Anderson left the meeting at this time. Mayor Terry resumed the meeting with Public Hearing item B.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erik Geiger, Place 1
SECONDER:	Wayne Nabors, Place 2
AYES:	Nabors, Roberts, Anderson, Hopkins, Geiger
ABSENT:	Vaden

X. **ADJOURNMENT:**

Sean Terry, Mayor

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

Date Minutes Approved

Minutes Acceptance: Minutes of Dec 7, 2015 5:00 PM (Minutes Approval)



Engineering/Public Works
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Gabe Johnson, Director of Public Works
Date: January 12, 2016
Re:

Action Requested:

Consider and act to authorize the City Manager to execute an agreement with Denton County to fund the repairs of Mutual Boundary Roads. (Johnson)

Background Information:

Staff has been working with Denton County in drafting an agreement for the repair of the mutual boundary roads. City staff has requested Denton County provide a map detailing which roads are considered mutual boundary. The scope of the project shall be limited to grading of the following mutual boundary roads:

- Fritcher Road - 3,327 ft
- County Line Road - 13,470 ft
- Crutchfield Road - 1654 ft
- Smiley Road North - 3450 ft
- Smiley Road South - 1430 ft
- Fairfield Road and Celina Road - 8339 ft
- Carey Road - 1233 ft
- Legacy Road - 5203 ft

The scope of the project does not include the addition of flexbase to the roads. If flexbase is requested by the City, the County agrees to apply flexbase to the above named roads, provided that the City furnishes any and all necessary materials. The estimated cost the City will incur is approximately \$x,xxx.

Board Review/Citizen Input:

None

Alternatives:

None

Financial Considerations:

General Fund FY16 - Materials and Supplies - 102-514-03-5210

Legal Review:

Staff has provided the draft agreement to the City Attorney for content and form.

Supporting Documents:

- 2016 ICA Agreement

Staff Recommendation:

Approve



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: January 12, 2016
 Re: <Insert Subject/RE Here>

Action Requested:

Consider and act upon a petition for annexation and set two public hearing dates on February 9, 2016 at 6:00 p.m. and February 9, 2016 at 6:05 p.m. for a ±641.3 acre tract of land situated in the John Culwell Survey, Abstract No. 208, the Hezekiah Culwell Survey, Abstract No. 186, the B.B.B. & C.R.R. Survey, Abstracts No. 129 and 130, and the George Jay Survey, Abstract No. 488 and generally located north of CR 130, south of CR 134, and east of CR 101, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas. (O'Donnell Annexation) (Liebman)

Background Information:

A petition for annexation was received from Kimley Horn, representing the owners, on December 18, 2015. The property is contiguous to current city limits.

- | | |
|--------------------|--|
| § January 12, 2016 | Council option to accept voluntary petition to annex |
| § January 29, 2016 | Notice of public hearing to be published |
| § February 9, 2016 | Council to hold public hearings (2) |
| § March 8, 2016 | Council to consider annexation ordinance |

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Legal Review:

N/A

Supporting Documents:

- Annexation Petition
- Property Exhibit

Staff Recommendation:

Staff recommends approval.



VOLUNTARY ANNEXATION APPLICATION

Property Description: See Attached **Survey Name and Abstract No.:** _____
Tract Number(s): _____ **Number of Acres:** 641.30
Number of People Living on Each Tract of Land (attach an additional sheet if necessary): See Attached

Current Property

Owner's Name: Patricia Deason / Celina Partners, Ltd.

Company: _____

Address: 10645 Lennox Lane / 1437 Halsey Way

City, State, Zip: Dallas, TX 75229 / Carrollton, TX 75007

Phone#: 214-750-9797 / 469-568-9700

Fax #: _____

E-Mail Address: lilyrosen@aol.com / jodonnell@lmlandscapes.com

Owners

Signature: *Patricia Deason*

Representative's Name: Frank G. Abbott, Jr.

Company: Kimley-Horn and Associates, Inc.

Address: 5750 Genesis Court, Ste. 200

City, State, Zip: Frisco, TX 75034

Phone#: 972-335-3580

Fax #: 972-335-3779

E-Mail Address: frank.abbott@kimley-horn.com

Submittal Requirements

- ☒ Application
- ☒ Application Fee -Minimum \$250.00 or actual costs
- ☒ Metes and bounds description of the property with a graphic exhibit. The metes and bounds description and the graphic exhibit must contain an original seal and signature of a registered professional land surveyor and shall be on an 8½" x 11" sheet of paper.
- ☒ An exhibit depicting the location of the property in location to the nearest existing or future major thoroughfare north, south, east, and west of the property.
- ☒ Properties within the Marilee Special Utility District (formerly Gunter Special Utility District) Water Certificate of Convenience and Necessity area are required to submit fees in accordance with the attached settlement agreement.

TO BE COMPLETED BY PROPERTY OWNER OR REPRESENTATIVE

STATE OF TEXAS:

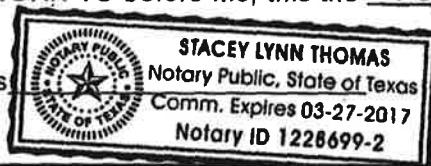
COUNTY OF COLLIN:

BEFORE ME, a Notary Public, on this day personally appeared Jo O'Donnell & Patricia Deason
undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or
duly authorized agent of the owner, for the purposes of this application; that all information submitted
herein is true and correct.

Owner, Applicant, or Representative Owner

SUBSCRIBED AND SWORN TO before me, this the 18 day of December, 20 15

My Commission expires



Stacey Lynn Thomas
Notary Public in & for the State of Texas

OFFICE USE ONLY

Receipt #: _____

Check #: _____

Payor Name: _____

This application meets necessary requirements: _____

Signature

Date

Exhibit "A"

BEING a tract of land situated in the B. B. B. & C. RR. Company Survey, Abstract No. 130, Hezekiah, Culwell Survey, Abstract No. 186, John Culwell Survey, Abstract No. 208 and the George Jay Survey, Abstract No. 488, Collin County, Texas, and being all of a called 21.349 acre tract of land, conveyed to Patricia Deason, as evidenced in a Deed, recorded in Volume 5698, Page 1119, Land Records of Collin County, Texas, all of a called 2.469 acre tract of land, conveyed to Patricia Ann Miller, as evidenced in a Deed, recorded in Volume 3969, Page 1405, Land Records of Collin County, Texas, all of a called 75.931 acre tract of land, conveyed to Patricia Ann Miller, as evidenced in a Deed, recorded in Volume 4047, Page 299, Land Records of Collin County, Texas, a portion of a called 166.407 acre tract of land, conveyed to Patricia Ann Miller, as evidenced in a Deed, recorded in County Clerk's File No. 96-0036768, Official Public Records of Collin County, Texas, all of a called 86.076 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 5144, Page 3554, Land Records of Collin County, Texas, all of a called 92.315 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 4516, Page 1563, Land Records of Collin County, Texas, a portion of a called 93.492 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 4801, Page 1372, Land Records of Collin County, Texas, all of a called 0.432 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 4817, Page 2629, Land Records of Collin County, Texas, a portion of a called 160.635 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 5023, Page 2451, Land Records of Collin County, Texas, and all of a called 76.551 acre tract of land, conveyed to Legacy Stables LLC, as evidenced in a Deed, recorded in Volume 5045, Page 190, Land Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said 76.551 acre tract, same being in the approximate centerline of a gravel road, known as County Road 130;

THENCE South 89°10'46" West, along the southerly line of said 76.551 acre tract and generally along the centerline of said County Road 130, a distance of 1,650.07 feet to the southwest corner of said 76.551 acre tract;

THENCE in a northerly direction, departing said County Road 130 and along the westerly line of said 76.551 acre tract, the following:

North 08°03'48" East, a distance of 123.07 feet to a corner;

North 38°59'36" East, a distance of 364.43 feet to a corner;

North 04°52'07" West, a distance of 282.14 feet to a corner;

North 12°40'03" East, a distance of 87.53 feet to a corner;

South 57°12'42" East, a distance of 80.32 feet to a corner;

North 11°22'42" West, a distance of 293.00 feet to a corner;

North 42°52'42" West, a distance of 948.00 feet to a corner;

Attachment: Exhibit A - Legal Description (1397 : O'Donnell annexation petition)

North 04°51'06" West, a distance of 166.08 feet to the northwest corner of said 76.551 acre tract, same being the southwest corner of aforesaid 93.492 acre Celina Partners, Ltd., tract and the southeast corner of aforesaid 0.432 acre Celina Partners, Ltd., tract;

THENCE North 89°02'05" West, along the southerly line of said 0.432 acre tract and the southerly line of aforesaid 166.407 acre Patricia Ann Miller tract, a distance of 673.58 feet to the northeast corner of aforesaid 75.931 Patricia Ann Miller Tract;

THENCE South 00°07'27" East, along the easterly line of said 75.931 acre tract, the easterly line of aforesaid 2.469 acre Patricia Ann Miller tract, and generally along the centerline of a gravel road, known as County Road 132, a distance of 1,893.03 feet to the southeast corner of said 75.931 acre tract, same being at the intersection of the centerline of said County Road 132 with the centerline of aforesaid County Road 130;

THENCE South 89°29'28" West, along the southerly line of said 75.931 acre tract and generally along the centerline of said County Road 130, a distance of 1,772.15 feet to the southwest corner of said 75.931 acre tract;

THENCE in a northerly direction, departing the centerline of said County Road 130 and along the westerly line of said 75.931 acre tract, the following:

North 00°31'28" West, a distance of 591.28 feet to a corner;

North 00°42'37" West, a distance of 551.51 feet to a corner;

North 00°31'07" West, a distance of 550.24 feet to a corner;

North 00°32'47" East, a distance of 247.17 feet to the northwest corner of said 75.931 acre tract, same being the most southerly, southwest corner of aforesaid 166.407 acre Patricia Ann Miller tract;

THENCE North 00°23'39" West, along a westerly line of said 166.407 acre tract, a distance of 352.65 feet to an inner ell corner of said 166.407 acre tract;

THENCE South 89°38'59" West, along a southerly line of said 166.407 acre tract, a distance of 259.30 feet to a corner;

THENCE South 89°20'23" West, continuing along a southerly line of said 166.407 acre tract, a distance of 539.26 feet to the most westerly, southwest corner of said 166.407 acre tract;

THENCE North 01°11'36" East, along the westerly line of said 166.407 acre tract, a distance of 951.42 feet to a corner;

THENCE North 00°45'52" East, continuing along the westerly line of said 166.407 acre tract, a distance of 111.03 feet to the southeast corner of aforesaid 21.349 acre Patricia Deason tract;

THENCE South 89°33'54" West, along the southerly line of said 21.349 acre tract, a distance of 159.39 feet to a corner;

THENCE North 57°01'20" West, continuing along the southerly line of said 21.349 acre tract, a distance of 62.38 feet to a corner;

THENCE North 85°51'39" West, continuing along the southerly line of said 21.349 acre tract, a distance of 607.88 feet to the southwest corner of said 21.349 acre tract, same being on the easterly line of Prairie Meadow Estates, an Addition to the City of Celina, Texas, according to the Final Plat, recorded in Volume N, Page 983, Plat Records of Collin County, Texas;

THENCE North 00°24'20" East, along the westerly line of said 21.349 acre tract, a distance of 1,099.49 feet to the northwest corner of said 21.349 acre tract;

THENCE North 89°16'33" East, along the northerly line of said 21.349 acre tract, a distance of 813.52 feet to the northeast corner of said 21.349 acre tract, same being the northwest corner of aforesaid 166.407 Patricia Ann Miller tract;

THENCE South 80°02'56" East, along the northerly line of said 166.407 acre tract, a distance of 3,265.65 feet to the northeast corner of said 166.407 acre tract, same being the northwest corner of aforesaid 93.492 acre Celina Partners, Ltd., tract, same also being in the approximate centerline of a gravel road, known as County Road 132;

THENCE North 84°52'21" East, along the northerly line of said 93.492 acre tract, a distance of 30.10 feet to the northwest corner of right of way acquisition to Collin County, Texas, recorded in Instrument No. 20120830001083660, Official Public Records of Collin County, Texas;

THENCE departing the northerly line of said 93.492 acre tract, crossing said 93.492 acre tract and along said Collin County right of way acquisition tract, the following:

South 00°27'03" East, a distance of 115.59 feet to the southwest corner of said Collin County right of way acquisition tract;

North 89°32'57" East, a distance of 13.75 feet to the southeast corner of said Collin County right of way acquisition tract;

North 03°37'40" East, a distance of 85.85 feet to a corner;

North 30°42'24" East, a distance of 38.83 feet to the northeast corner of said Collin County right of way acquisition tract, same being on the northerly line of said 93.492 acre tract;

THENCE North 84°52'22" East, along the northerly line of said 93.492 acre tract, a distance of 711.05 feet to the most westerly, southwest corner of aforesaid 92.315 acre Celina Partners, Ltd., tract, same being in a gravel road, known as County Road 131;

THENCE North 00°01'29" West, along the westerly line of said 92.315 acre tract, a distance of 688.68 feet to the northwest corner of said 92.315 acre tract, same being on the southerly line of aforesaid 160.635 acre Celina Partners, Ltd., tract;

THENCE North 00°11'16" West, crossing said 160.635 acre tract and along the easterly line of a tract of land, conveyed to Michael D. Reardon and Marilyn Reardon, as evidenced in a Deed, recorded in Instrument No. 20150107000021820, Official Public Records of Collin County, Texas and the easterly line of a tract of land, conveyed to Joseph McCormick and Kelli McCormick, as evidenced in a Deed, recorded in Instrument No. 20141003001085590, Official Public Records of Collin County, Texas, a distance of 821.74 feet to the northeast corner of said McCormick tract, same being on the southerly line of a tract of land, conveyed to Chi Chu Chan and Tsun Huei Chan, as evidenced in a Deed, recorded in Volume 5446, Page 427, Land Records of Collin County, Texas;

THENCE North 89°46'59" East, continuing across said 160.635 acre tract, along the southerly line of said Chan tract and the southerly line of a tract of land, conveyed to Michael E. Herbert, as evidenced in a Deed, recorded in Instrument No. 20112026001367720, Official Public Records of Collin County, Texas, a distance of 1,139.34 feet to the southeast corner of said Herbert tract, same being on the easterly line of said 160.635 acre tract and the westerly line of aforesaid 86.076 acre Celina Partners, Ltd., tract;

THENCE North 00°33'19" West, along the westerly line of said 86.076 acre tract, a distance of 202.79 feet to the northwest corner of said 86.076 acre tract;

THENCE North 89°15'05" East, along the northerly line of said 86.076 acre tract, a distance of 2,671.76 feet to the northeast corner of said 86.076 acre tract, same being in the approximate centerline of a gravel road, known as County Road 133;

THENCE South 01°13'49" East, along the easterly line of said 86.076 acre tract and generally along the centerline of said County Road 133, a distance of 1,224.03 feet to the southeast corner of said 86.076 acre tract, same being the northeast corner of aforesaid 92.315 acre Celina Partners, Ltd., tract;

THENCE South 01°09'05" East, along the easterly line of said 92.315 acre tract, a distance of 1,518.05 feet to the southeast corner of said 92.315 acre tract;

THENCE in a westerly direction, along the southerly line of said 92.315 acre tract, the following:

North 79°16'29" West, a distance of 434.44 feet to a corner;

South 78°59'25" West, a distance of 597.70 feet to a corner;

North 81°38'35" West, a distance of 271.40 feet to a corner;

South 51°24'25" West, a distance of 170.70 feet to a corner;

North 82°43'22" West, a distance of 682.32 feet to the most southerly, southwest corner of said 92.315 acre tract, same being on the easterly line of aforesaid 93.492 acre Celina Partners, Ltd., tract;

THENCE in a southwesterly direction, along the easterly line of said 93.492 acre tract, the following:

South 38°13'03" West, a distance of 353.71 feet to a corner;

South 57°30'27" West, a distance of 110.51 feet to a corner;

South 74°52'15" West, a distance of 187.74 feet to a corner;

South 22°17'00" West, a distance of 156.04 feet to the northeast corner of aforesaid 76.551 acre Legacy Stables LLC tract;

THENCE South 01°48'30" East, along the easterly line of said 76.551 acre tract, a distance of 2,461.12 feet to the **POINT OF BEGINNING** and containing 641.30 acres of land, more or less.

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

Michael B. Marx 12/16/15

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
5750 Genesis Court, Suite 200
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com
TXBPLS Firm No. 10193822







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: January 12, 2016
 Re: Wells North Annexation Petition

Action Requested:

Consider and act upon a petition for annexation and set two public hearing dates on February 9, 2016 at 6:00 p.m. and February 9, 2016 at 6:05 p.m. for a ±244.1 acre tract of land 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)

Action Requested:

Consider and act to accept a petition for annexation and set public two hearing dates on February 9, 2016 at 6:00 p.m. and February 9, 2016 at 6:05 p.m. for a 244.1 acre tract of land 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)

Background Information:

A petition for annexation was received from The Hillwood Company on December 21, 2015. The property is contiguous to current city limits.

- | | |
|--------------------|--|
| § January 12, 2016 | Council option to accept voluntary petition to annex |
| § January 29, 2016 | Notice of public hearing to be published |
| § February 9, 2016 | Council to hold public hearings (2) |
| § March 8, 2016 | Council to consider annexation ordinance |

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Legal Review:

N/A

Supporting Documents:

- Annexation Petition
- Property Exhibit

Staff Recommendation:

Staff recommends approval.

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CELINA,
TEXAS, COLLIN COUNTY, TEXAS:

The George White Family Limited Partnership, a Texas limited partnership ("Owner"), the owner of the property described by metes and bounds on Exhibit A and depicted on Exhibit B (the "Property"), hereby requests that the Property be annexed by the City of Celina, Texas (the "City"). The Property is currently governed by a development agreement approved by the City on November 10, 2015 (the "Development Agreement"). Prior to annexation of the Property, the City shall have approved a bond ordinance authorizing the issuance and selling of the first series of PID assessment revenue bonds in amounts sufficient to fund the Public Improvements that provide a special benefit to the Property, but not to exceed \$20,000,000. If the City does not satisfy such condition prior to annexing the Property, this Petition and the Owner's consent to annexation of the Property shall be deemed to be withdrawn.

Capitalized terms in this Petition that are not defined in this Petition shall have the meaning attributed to such terms in the Development Agreement. Exhibits referenced in this Petition are attached hereto and made a part hereof for all purposes.

EXECUTED this ____ day of December, 2015.

THE GEORGE WHITE FAMILY LIMITED PARTNERSHIP,
a Texas limited partnership

By: WWW Group, LLC,
a Texas limited liability company,
its general partner

By: Katherine W. Power

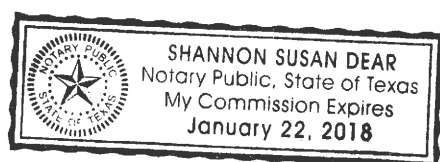
Name: Katherine W. Power

Title: Manager

Date of Execution: 12/17/2015

THE STATE OF TEXAS §
 §
 COUNTY OF DALLAS §

This instrument was acknowledged before me on December 17, 2015, by Katherine W. Power, Manager of WWW Group, LLC, a Texas limited liability company, on behalf thereof as the general partner of The George White Family Limited Partnership, a Texas limited partnership, on behalf of said limited partnership.



Shannon Dear

Notary Public in and for the State of Texas

Attachment: Annexation Petition (1398 : Wells North Annexation Petition)

Exhibit A
Metes and Bounds Description of Property

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 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;

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 IX, 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 IX, 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" indeed 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 Map of Property

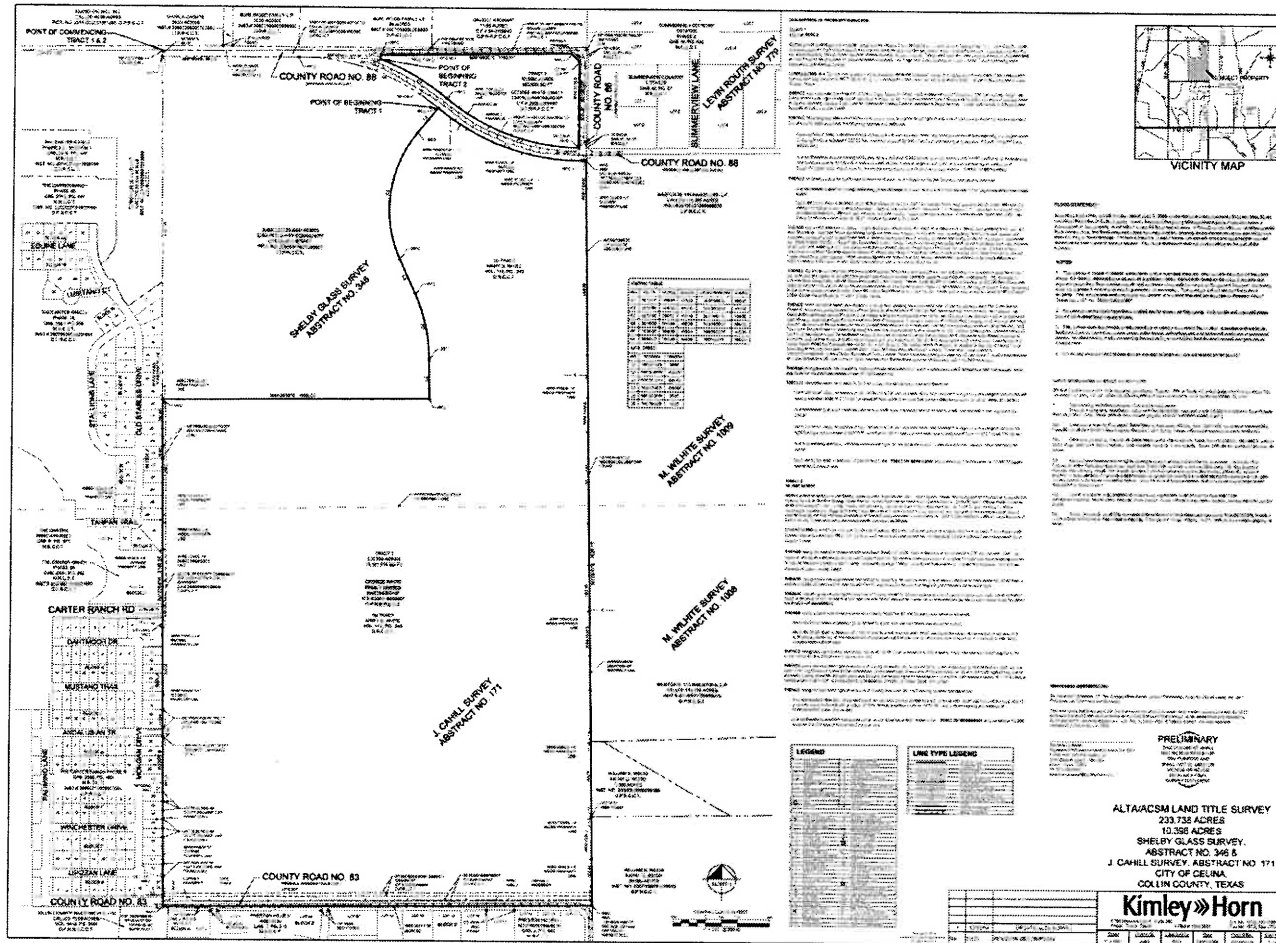


Exhibit A
Property Description
TRACT 1
233.738 ACRES

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 1881.02 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 feet 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;

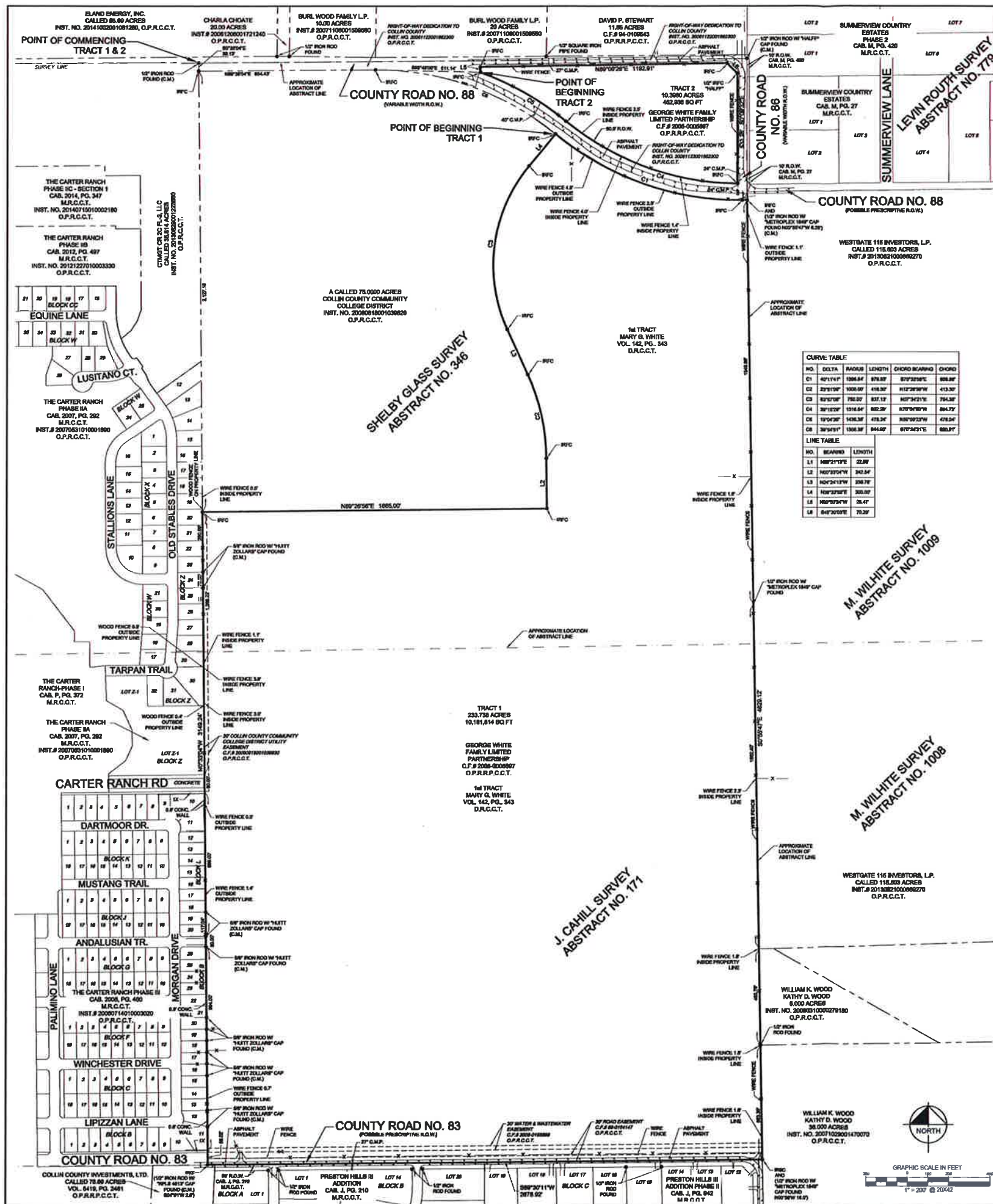
THENCE along the said west right-of-way line of County Road No. 86, South 00°09'32" East, a distance of 533.28 feet to a 5/8" iron rod with "KHA" cap found for corner at the intersection of the said west right-of-way line of County Road No. 86 and the north right-of-way line of County Road No. 88; said 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 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.

Attachment: Exhibit A - Legal Description (1398 : Wells North Annexation Petition)



DESCRIPTION OF PROPERTY SURVEYED.

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. 2005-000607, Official Public Records of Collin County, Texas, said tract also being part of a tract of land depicted 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 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 TIMOTHY CR 20-11-2, L.L.G., recorded in Instrument No. 201308200122360, Official Public Records of Collin County, Texas;

THENCE along the road 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 "1044" cap found on the south right-of-way line of said County Road No. 88, for the northwest corner of a called 75.000 acre tract of land described in Special Warranty Deed to Collin County Community College District, recorded in Instrument No. 2008081000103820, Official Public Records of Collin County, Texas;

THENCE departing said road line of said 35.814 acre tract, along the south right-of-way line of said County Road No. 88, and the north line of said 75.000 acre tract, the following courses and distances:

North 00°30'34" East, a distance of 854.43 feet to a 5/8" iron rod with "1044" 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°14'11", and a chord bearing and distance of South 70°25'50" East, 859.56 feet, for the northeast corner of said 75.000 acre tract and the POINT OF BEGINNING;

In a southeasterly direction along said curve, an arc distance of 944.90 feet to a 5/8" iron rod with "1044" cap found, at the beginning of a reverse curve to the left with a radius of 1,356.38 feet, a central angle of 40°11'41", and a chord bearing and distance of South 70°25'50" East, 859.56 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 979.83 feet to a 5/8" iron rod with "1044" cap found at the end of said curve;

North 00°30'34" East, a distance of 22.58 feet (Ded 22.79) to a 5/8" iron rod with "1044" 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. 201308200122360, Official Public Records of Collin County, Texas, from which point a 1/2" iron rod with "1044" cap found for witness bears North 00°55'47" West, a distance of 6.25 feet;

THENCE along 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 "1044" cap found, continuing along the west line of said 115.503 acre tract, at a distance of 3612.06 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. 2008081000279150, Official Public Records of Collin County, Texas, continuing along the west line of said Wood tract, at a distance of 4075.63 feet, passing a 1/2" iron rod found at the southwest corner of said Wood tract and the northeast corner of a tract of land described in General Warranty Deed to William K. Wood and Kathy D. Wood, recorded in Instrument No. 2007100501407070, Official Public Records of Collin County, Texas, continuing with the west line of the second referenced Wood tract, in all a total distance of 4529.12 feet to a 5/8" iron rod with "1044" cap found for corner in County Road No. 83;

THENCE departing said west line of the second referenced Wood tract and along the north right-of-way line of County Road No. 83 and the north line of a called 75.000 acre tract of land described in Special Warranty Deed to Collin County Community College District, recorded in Instrument No. 2008081000279150, Official Public Records of Collin County, Texas, South 00°30'34" West, a distance of 2618.92 feet (Ded call 2653.75 feet) to a 1/2" iron rod found for the southeast corner of The Carter Ranch Phase II, an addition to the City of Celina, Texas according to the plat recorded in Instrument No. 2008081000279150, Page 401 of the Map Records of Collin County, Texas and in Instrument No. 2008071401000300, of the Official Public Records of Collin County, Texas;

THENCE North 00°30'34" West, at a distance of 54.02 feet, passing the southeast corner of Lot 1X, Block B, said The Carter Ranch Phase II, continuing along the east line of said Block B, at a distance of 1052.02 feet, passing a 5/8" iron rod with "1044" cap found at the northeast corner of Lot 2X of said Block B and the southeast corner of the east terminus of Andalusian Trail (a 1/2" iron rod with "1044" cap found at the northeast corner of Lot 2X of said Block B), at a distance of 1102.03 feet, passing a 5/8" iron rod with "1044" cap found at the northeast corner of the east terminus of Andalusian Trail and the southeast corner of Lot 20, Block L, said The Carter Ranch Phase II, continuing along the east line of said Block L, at a distance of 1021.03 feet, passing the northeast corner of Lot 1X of said Block L, and the southeast corner of the east terminus of Carter Ranch Road (an 80 foot wide right-of-way), continuing along the east terminus of Carter Ranch Road, at a distance of 1881.02 feet, passing the northeast corner of said terminus of Carter Ranch Road and the southeast corner of Lot 2-1, Block 2, The Carter Ranch Phase II, an addition to the City of Celina, Texas according to the plat recorded in Instrument No. 2007100501407070, Page 252, Map Records of Collin County, Texas and in Instrument No. 2007100501407070, Official Public Records of Collin County, Texas, continuing along the east line of said Block 2, in all a total distance of 3,149.24 feet to a 5/8" iron rod with "1044" cap found for the southeast corner of a called 75.000 acre tract;

THENCE, along the south line of said 75.000 acre tract, North 00°25'50" East, a distance of 1,665.00 feet to a 5/8" iron rod with "1044" cap found for 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°30'34" West, a distance of 242.54 feet to a 5/8" iron rod with "1044" cap found at the beginning of a tangent curve to the left having a central angle of 22°51'09", a radius of 1000.00 feet, a chord bearing and distance of North 12°28'33" West, 413.30 feet;

In a northeasterly direction, said curve to the left, an arc distance of 416.30 feet to a 5/8" iron rod with "1044" cap found for corner;

North 24°24'17" West, a distance of 230.16 feet to a 5/8" iron rod with "1044" cap found at the beginning of a tangent curve to the right having a central angle of 67°57'00", a radius of 750.00 feet, a chord bearing and distance of North 7°54'21" East, 734.36 feet;

In a northeasterly direction, said curve to the right, an arc distance of 837.13 feet to a 5/8" iron rod with "1044" cap found for corner;

North 39°25'50" East, a distance of 700.00 feet to the POINT OF BEGINNING and containing 233.738 acres or 10,161.614 square feet of land, more or less.

TRACT 2
118.803 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. 2005-000607, Official Public Records of Collin County, Texas, said tract also being part of a tract of land depicted 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 part of a tract of land depicted 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 part of a tract of land depicted 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 part of a tract of land depicted as "1st Tract" in deed to Mary G. White recorded in Volume 142, Page 343 of the Deed 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 TIMOTHY CR 20-11-2, L.L.G., recorded in Instrument No. 201308200122360, Official Public Records of Collin County, Texas;

THENCE along the road 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 "1044" cap found on the south right-of-way line of said County Road No. 88, for the northwest corner of a called 75.000 acre tract of land described in Special Warranty Deed to Collin County Community College District, recorded in Instrument No. 2008081000103820, Official Public Records of Collin County, Texas;

THENCE, along the south right-of-way line of County Road No. 88 and the north line of said 75.000 acre tract, North 00°30'34" East, a distance of 854.43 feet to a 5/8" iron rod with "1044" cap found for the point of beginning of a tangent curve to the right;

THENCE, departing said south right-of-way line of County Road No. 88 and said north line of called 75.000 acre tract, South 00°30'34" West, a distance of 511.14 feet to a 5/8" iron rod with "1044" cap found for corner on the north right-of-way line of said County Road No. 88 for the POINT OF BEGINNING;

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

North 00°30'34" West, a distance of 25.47 feet to a 5/8" iron rod with "1044" cap found for corner;

North 00°30'34" East, a distance of 1,182.51 feet to a 5/8" iron rod with "1044" 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. 88 (a variable width right-of-way);

THENCE along said right-of-way corner clip, South 45°30'34" East, a distance of 70.29 feet to a 5/8" iron rod with "1044" 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. 88, South 00°30'34" East, a distance of 533.28 feet to a 5/8" iron rod with "1044" cap found for corner at the intersection of said west right-of-way line of County Road No. 88 and the north right-of-way line of a called 75.000 acre tract of land described in Special Warranty Deed to Collin County Community College District, recorded in Instrument No. 2008081000103820, Official Public Records of Collin County, Texas, at a distance of 511.14 feet to a 5/8" iron rod with "1044" cap found for corner at the beginning of a non-tangent curve to the right having a radius of 1,316.84 feet, a central angle of 39°15'20", 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 northeasterly direction, along said curve, an arc distance 902.38 feet to a 5/8" iron rod with "1044" cap found 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°52'27" West, 476.04 feet;

In a northeasterly direction, along said curve, an arc distance of 478.24 feet to the POINT OF BEGINNING and containing 10.380 acres or 452,036 square feet of land, more or less.

LEGEND	LINE TYPE LEGEND
1. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	1. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
2. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	2. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
3. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	3. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
4. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	4. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
5. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	5. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
6. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	6. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
7. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	7. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
8. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	8. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
9. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	9. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
10. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	10. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
11. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	11. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
12. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	12. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
13. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	13. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
14. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	14. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
15. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	15. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
16. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	16. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
17. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	17. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
18. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	18. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
19. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	19. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
20. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	20. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
21. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	21. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
22. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	22. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
23. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	23. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
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25. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	25. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
26. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	26. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
27. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	27. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
28. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	28. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
29. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	29. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
30. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	30. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
31. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	31. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
32. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	32. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
33. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	33. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
34. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	34. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
35. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	35. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
36. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	36. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
37. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	37. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
38. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	38. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
39. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	39. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
40. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	40. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
41. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	41. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
42. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	42. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
43. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	43. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
44. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	44. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
45. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	45. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
46. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	46. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
47. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	47. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
48. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	48. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
49. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	49. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
50. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	50. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
51. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	51. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
52. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	52. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
53. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	53. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
54. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	54. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)
55. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)	55. 1/2" IRON ROD WITH "1044" CAP FOUND (C.M.)
56. 5/8" IRON ROD WITH "1044" CAP FOUND (C.M.)	56. 5/8" IRON ROD WITH "1044" CAP



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: January 12, 2016
 Re: CR 83 Right of Way Annexation Petition

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday February 9, 2016 at 6:00 p.m. and Tuesday February 9, 2016 at 6:05 p.m., 112 N. Colorado, Celina, Texas) for two public hearings on the proposed annexation of the portion of CR 83 right-of-way adjacent to the annexation for Wells North, a ± 1.845 acre strip of land situated in the Lindsey Lewis Survey, Abstract No. 532. (CR 83 ROW annexation) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the CR 83 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 annexation ordinance |

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Legal Review:

N/A

Supporting Documents:

§ Resolution

Staff Recommendation:

Staff recommends approval.

**CITY OF CELINA
RESOLUTION NO. 2016-__**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON A PROPOSED ANNEXATION OF CERTAIN PROPERTIES BY THE CITY AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS AND AUTHORIZING CITY STAFF TO TAKE ALL NECESSARY ACTION TO FULFILL THE REQUIREMENTS OF THE MUNICIPAL ANNEXATION ACT.

WHEREAS, the City of Celina, Texas (the “City”) is a Home Rule municipality located in Collin County, Texas, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the Celina Home Rule Charter; and

WHEREAS, the City of Celina is provided the power to annex land under its Home Rule Charter and Section 43.021 of the Texas Local Government Code pursuant to the requirements and limitations set forth in state law; and

WHEREAS, the City of Celina has determined that it is in the best interest of the City and its citizens to consider the potential annexation of certain properties that are located within the City’s extraterritorial jurisdiction; and

WHEREAS, the City of Celina desires to start the process that will enable the City, should it so desire, to annex the properties referenced in Exhibits “A” & “B” into the City of Celina, call two public hearings, and set a proposed annexation proceedings schedule.

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

- I. That on Tuesday, the 9^h day of February, 2016 at 6:00 p.m. and on Tuesday, the 9^h day of February, 2016 at 6:05 p.m., at 112 N. Colorado, Celina, Texas 75009. The City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexations by the City of Celina of the properties more particularly described on the attached Exhibits “A” & “B”
- II. That the City Secretary is hereby authorized and directed to cause notice of each public hearing to be published once in a newspaper having general circulation in the City and in the territories described in Exhibits “A” & “B” not more than twenty (20) days, nor less than ten (10) days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

PASSED AND APPROVED by the City Council of the City of Celina, Texas, this the 12th day January, 2016.

SEAN TERRY, MAYOR

VICKI FAULKNER, CITY SECRETARY

Attachment: CR 83 Involuntary Annexation Resolution (1399 : CR 83 Right of Way Annexation Petition)

**EXHIBIT “A”
Property 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;

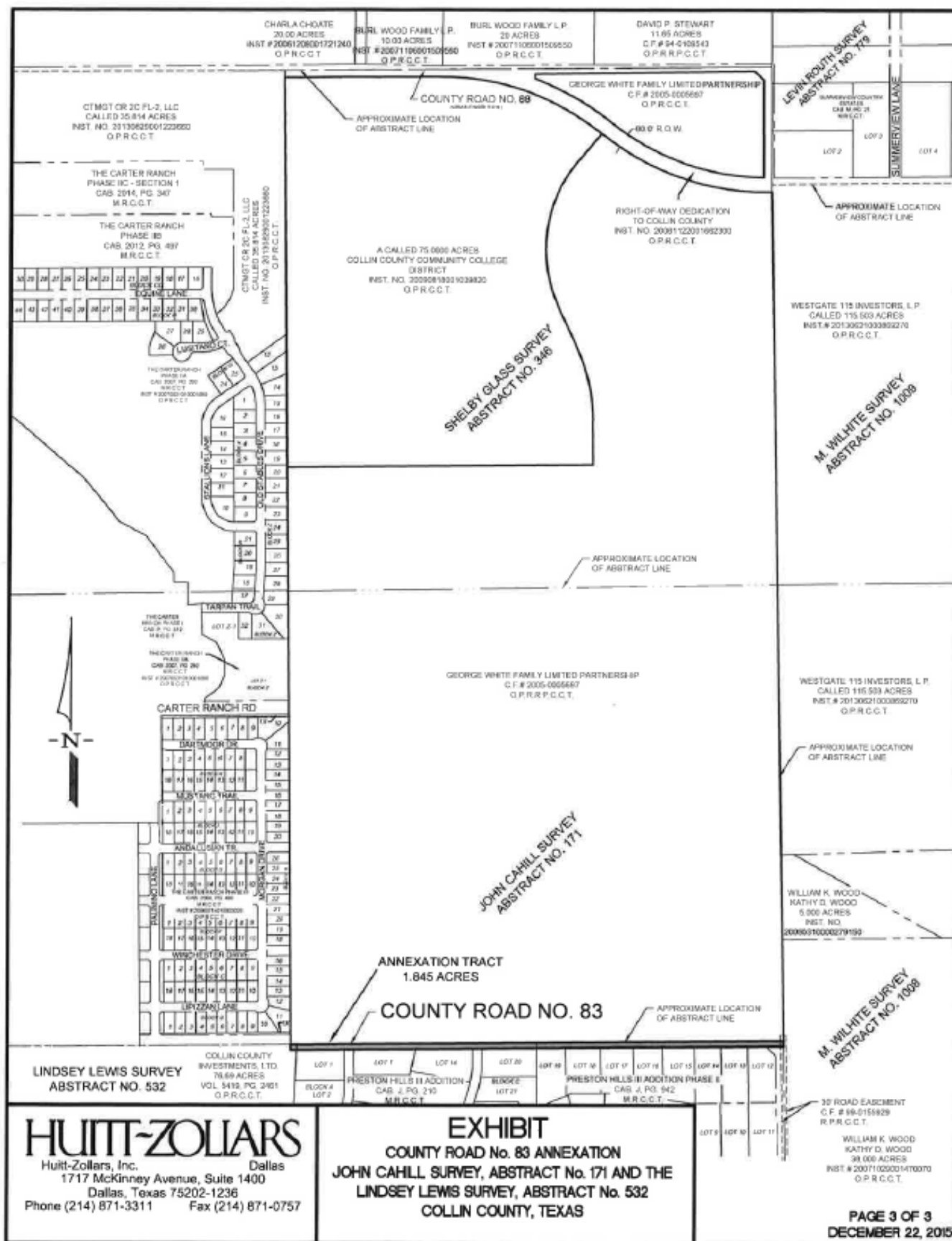
THENCE, North 89 degrees 30 minutes 11 seconds East departing the southeast corner of Carter Ranch, Phase III addition along the south line of the White Family tract, a distance of 2,678.92 feet to the POINT OF BEGINNING and CONTAINING 1.845 acres of land, more or less.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone (4202).

Attachment: CR 83 Involuntary Annexation Resolution (1399 : CR 83 Right of Way Annexation Petition)

EXHIBIT “B”

Property Description





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: January 12, 2016
 Re: CR 88 Right of Way Annexation Petition

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday February 9, 2016 at 6:00 p.m. and Tuesday February 9, 2016 at 6:05 p.m., 112 N. Colorado, Celina, Texas) for public hearings on the proposed annexation of the portion of CR 88 right-of-way adjacent to the annexation for Wells North, a ± 2.643 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346. (CR 88 ROW annexation) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the CR 88 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 annexation ordinance |

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Supporting Documents:

§ Resolution

Staff Recommendation:

Staff recommends approval.

**CITY OF CELINA
RESOLUTION NO. 2016-__**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON A PROPOSED ANNEXATION OF CERTAIN PROPERTIES BY THE CITY AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS AND AUTHORIZING CITY STAFF TO TAKE ALL NECESSARY ACTION TO FULFILL THE REQUIREMENTS OF THE MUNICIPAL ANNEXATION ACT.

WHEREAS, the City of Celina, Texas (the “City”) is a Home Rule municipality located in Collin County, Texas, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the Celina Home Rule Charter; and

WHEREAS, the City of Celina is provided the power to annex land under its Home Rule Charter and Section 43.021 of the Texas Local Government Code pursuant to the requirements and limitations set forth in state law; and

WHEREAS, the City of Celina has determined that it is in the best interest of the City and its citizens to consider the potential annexation of certain properties that are located within the City’s extraterritorial jurisdiction; and

WHEREAS, the City of Celina desires to start the process that will enable the City, should it so desire, to annex the properties referenced in Exhibits “A” & “B” into the City of Celina, call two public hearings, and set a proposed annexation proceedings schedule.

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

- I. That on Tuesday, the 9^h day of February, 2016 at 6:00 p.m. and on Tuesday, the 9^h day of February, 2016 at 6:05 p.m., at 112 N. Colorado, Celina, Texas 75009. The City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexations by the City of Celina of the properties more particularly described on the attached Exhibits “A” & “B”
- II. That the City Secretary is hereby authorized and directed to cause notice of each public hearing to be published once in a newspaper having general circulation in the City and in the territories described in Exhibits “A” & “B” not more than twenty (20) days, nor less than ten (10) days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

PASSED AND APPROVED by the City Council of the City of Celina, Texas, this the 12th day January, 2016.

SEAN TERRY, MAYOR

VICKI FAULKNER, CITY SECRETARY

Attachment: CR 88 Involuntary Annexation Resolution (1400 : CR 88 Right of Way Annexation Petition)

EXHIBIT "A"
Property 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 19 degrees 04 minutes 36 seconds, a radius of 1,356.38 feet, a chord bearing of North 59 degrees 59 minutes 24 seconds West, a chord distance of 449.52 feet;

THENCE, along the southerly right-of-way of County Road No. 88 and said curve to the left, an arc distance of 451.61 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 18 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 northerly right-of-way of County Road No. 88, and being the beginning of a non-tangent curve to the right having a central angle of 19 degrees 04 minutes 36 seconds, a radius of 1,436.38 feet, a chord bearing of South 59 degrees 59 minutes 24 seconds East, a chord distance of 476.04 feet;

THENCE, along the northerly right-of-way of County Road No. 88 and said curve to the right, an arc distance of 478.24 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 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 of County Road No. 88, a distance of 22.18 feet to a point for corner;

THENCE, departing the northerly right-of-way 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:

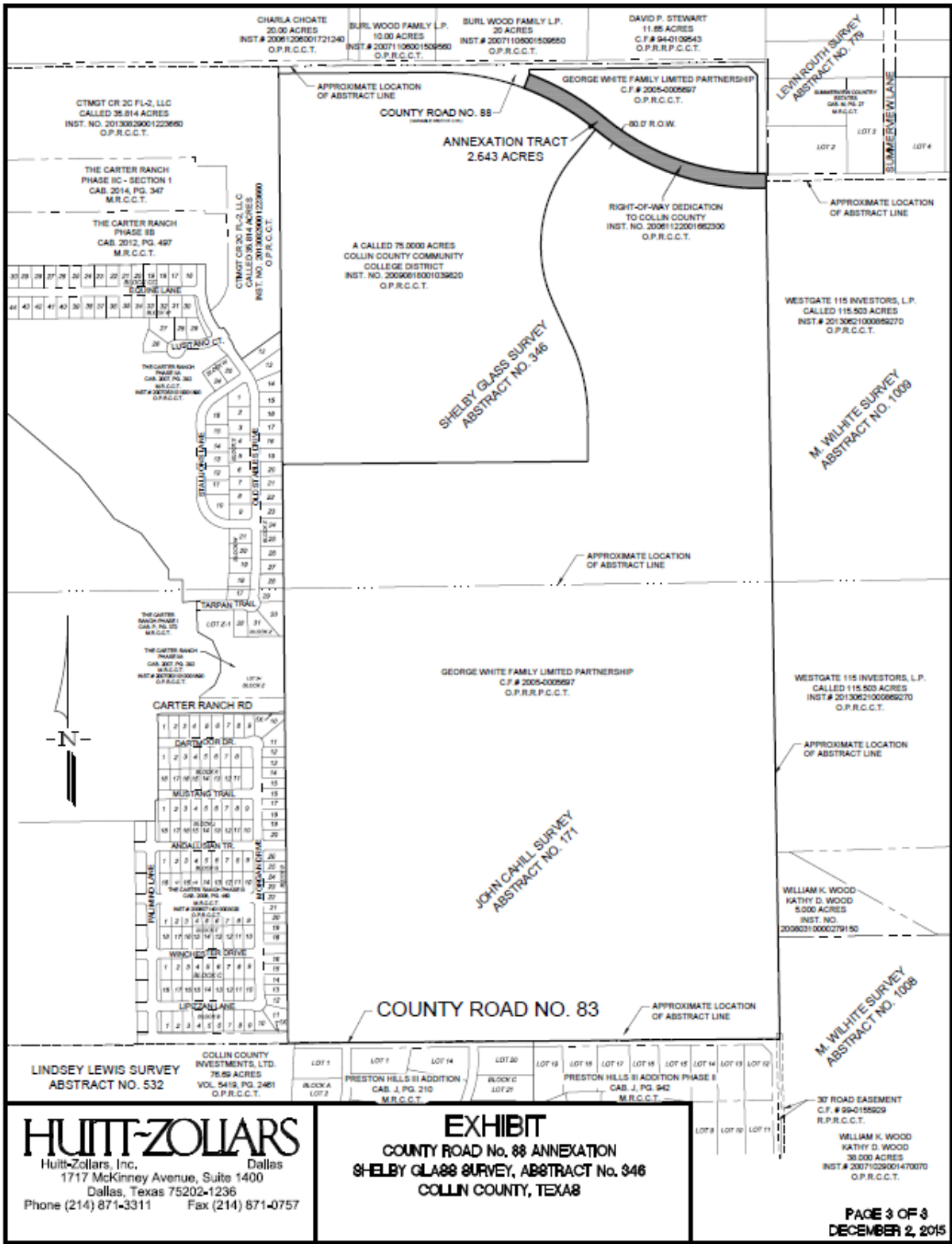
South 89 degrees 21 minutes 13 seconds West a distance of 22.58 feet to a 5/8 inch iron rod found with cap stamped "KHA" and being the beginning of a curve to the right having a central angle of 40 degrees 11 minutes 41 seconds, a radius of 1,396.84 feet, a chord bearing of North 70 degrees 32 minutes 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 2.643 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 “B”

Property Description





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: January 12, 2016
 Re: CR 1224 Right-of-Way Annexation Petition

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday February 9, 2016 at 6:00 p.m. and Tuesday February 9, 2016 at 6:05 p.m., 112 N. Colorado, Celina, Texas) for public hearings on the proposed annexation of the portion of CR 1224 right-of-way adjacent to the annexation for Wells North, a ± 2.266 acre strip of land situated in the Shelby Glass Survey, Abstract No. 346. (CR 1224 ROW annexation) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the CR 1224 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 annexation ordinance |

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Supporting Documents:

§ Resolution

Staff Recommendation:

Staff recommends approval.

**CITY OF CELINA
RESOLUTION NO. 2016-__**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON A PROPOSED ANNEXATION OF CERTAIN PROPERTIES BY THE CITY AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS AND AUTHORIZING CITY STAFF TO TAKE ALL NECESSARY ACTION TO FULFILL THE REQUIREMENTS OF THE MUNICIPAL ANNEXATION ACT.

WHEREAS, the City of Celina, Texas (the “City”) is a Home Rule municipality located in Collin County, Texas, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the Celina Home Rule Charter; and

WHEREAS, the City of Celina is provided the power to annex land under its Home Rule Charter and Section 43.021 of the Texas Local Government Code pursuant to the requirements and limitations set forth in state law; and

WHEREAS, the City of Celina has determined that it is in the best interest of the City and its citizens to consider the potential annexation of certain properties that are located within the City’s extraterritorial jurisdiction; and

WHEREAS, the City of Celina desires to start the process that will enable the City, should it so desire, to annex the properties referenced in Exhibits “A” & “B” into the City of Celina, call two public hearings, and set a proposed annexation proceedings schedule.

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

- I. That on Tuesday, the 9th day of February, 2016 at 6:00 p.m. and on Tuesday, the 9th day of February, 2016 at 6:05 p.m., at 112 N. Colorado, Celina, Texas 75009. The City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexations by the City of Celina of the properties more particularly described on the attached Exhibits “A” & “B”
- II. That the City Secretary is hereby authorized and directed to cause notice of each public hearing to be published once in a newspaper having general circulation in the City and in the territories described in Exhibits “A” & “B” not more than twenty (20) days, nor less than ten (10) days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

PASSED AND APPROVED by the City Council of the City of Celina, Texas, this the 12th day January, 2016.

SEAN TERRY, MAYOR

VICKI FAULKNER, CITY SECRETARY

EXHIBIT "A"
Property 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;

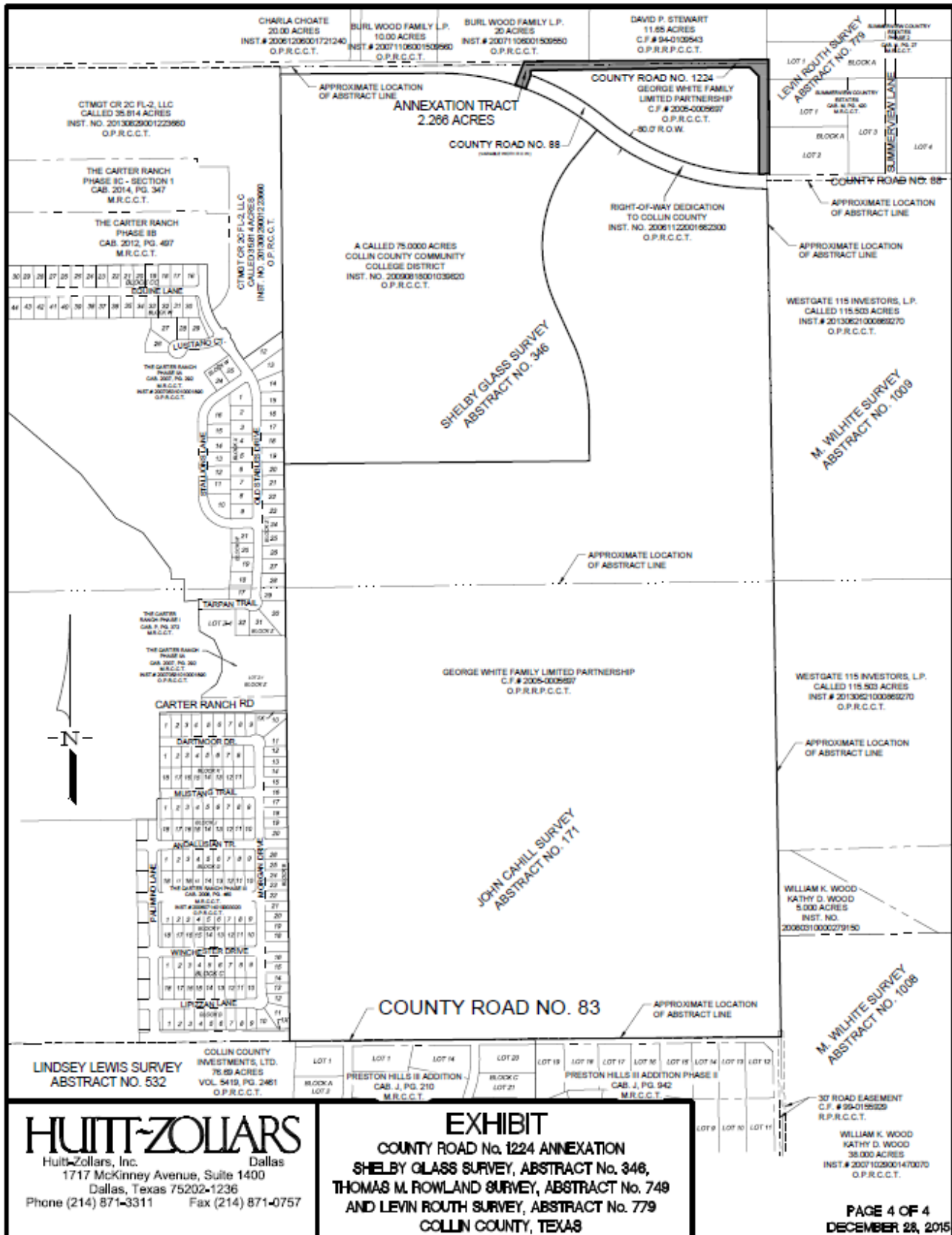
THENCE, North 20 degrees 28 minutes 13 seconds East departing the north right-of-way line of County Road No. 88, a distance of 58.24 feet to a point for corner in the north line of County Road No. 1224 (no deed of record found) and the south line of a called 20.0 acre tract of land described in instrument 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 "B" **Property Description**



Attachment: CR 1224 Involuntary Annexation Resolution (1401 : CR 1224 Right-of-Way Annexation Petition)



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: January 12, 2016
 Re: May Tract Annexation Ordinance

Action Requested:

Consider and adopt the ordinance annexing certain territory contiguous to and adjoining the City of Celina, Texas, to wit: being an approximately 45.311 acre tract of land in the Thomas Stayton Survey, Abstract No. 806, 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 and east of CR 51 and west of the future alignment of the Dallas North Tollway. (May Tract Annexation Decision) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the properties listed in Exhibit "A"

The properties have an agricultural exemption. A pre-annexation agreement was offered to the owner and was not returned to the City prior to the required deadline.

- ~~• November 10, 2015 - City Council acts on Resolution to set the public hearing dates.~~
- ~~• December 7, 2015 - Two separate public hearings are held on the same night (6:00pm & 6:05pm @ 112 N. Colorado Dr. Celina, Texas.)~~
- January, 12 2016 - City Council acts on Ordinance annexing the properties listed in Exhibit "A"

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

The City's land use attorney assisted staff during the pre-annexation process.

Staff Recommendation:

Staff recommends approval.

CITY OF CELINA, TEXAS

ORDINANCE NO. 2015-
MAY TRACT ANNEXATION

AN ORDINANCE OF THE CITY OF CELINA, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORIES CONTIGUOUS TO AND ADJOINING THE CITY OF CELINA, TEXAS, TO WIT: BEING ALL OF 45.311 ACRE TRACT OF LAND SITUATED IN THE THOMAS STAYTON SURVEY, ABSTRACT NO. 806, AND BEING MORE PARTICULARLY DESCRIBED BY LEGAL DESCRIPTION IN EXHIBIT "A" AND GRAPHICALLY DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN, SUCH TRACTS ARE GENERALLY LOCATED NORTH AND EAST OF CR 51, WEST OF DALLAS PARKWAY, AND SOUTH OF FM 428; 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 7th day of December, 2015 and the second hearing being held on the 7th day of December, 2015 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 properties 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 20th day of November, 2015, 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, 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 ____ day of _____, 2015.

Sean Terry, Mayor
City of Celina, Texas

ATTEST:

APPROVED AS TO FORM:

Vicki Faulkner, City Secretary
City of Celina, Texas

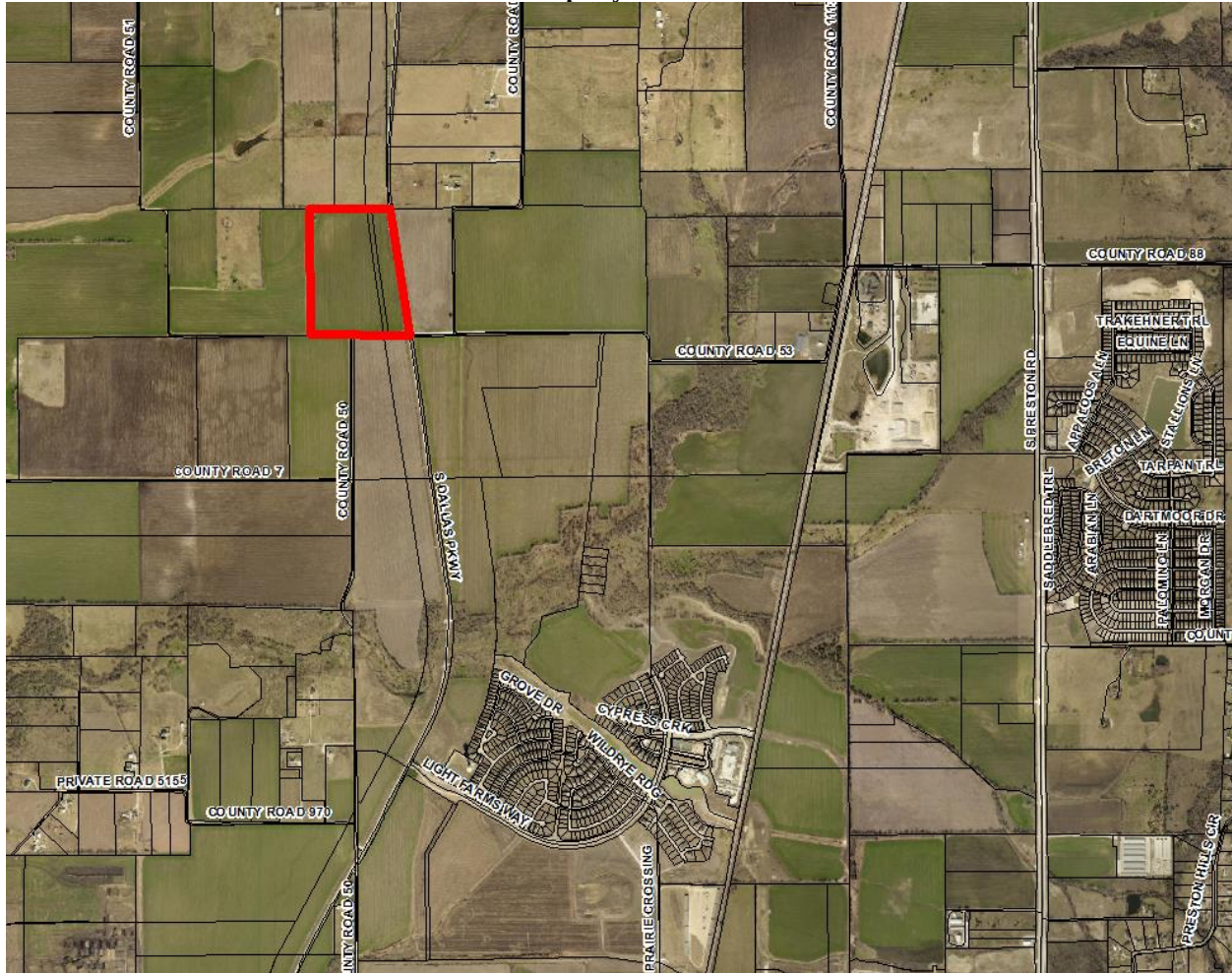
City Attorney
City of Celina, Texas

Attachment: May Tract Annexations Ordinance (1405 : May Tract Annexation Ordinance)

EXHIBIT "A"
Property Description

Abs A0806 Thomas Stayton Survey, Tract 2, 45.311 Acres
Collin County Appraisal District Property ID: 2595780
Collin County Appraisal District Geographic ID: R-6806-000-0020-1

EXHIBIT "B"
Property Exhibit



Attachment: May Tract Annexations Ordinance (1405 : May Tract Annexation Ordinance)

**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: Ben Rodriguez, Planner
 CC: Mike Foreman, City Manager
 Date: January 12, 2016
 Re: Involuntary Annexation Resolution Correction for "LM Celina 115 LP" Tracts.

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting a date, time and place (Tuesday, February 9, 2016 at 6:00 p.m. & Tuesday, February 9, 2016 at 6:05 p.m.) for public hearings on the proposed involuntary annexations of Tracts 10, 9, 34, & 76 of Block 2, of the Collin County School Land Survey #15, Abstract No. 170 and being ±111.9710 acres. (Liebman)

Background Information:

Below is the anticipated annexation schedule for the properties listed in Exhibit "A"

The property owners have declined the offered pre-annexation agreement offered by the City.

- January 12, 2015 - City Council acts on Resolution to set the public hearing dates.
- February 9, 2015 - Two separate public hearings are held on the same night (6:00pm & 6:05pm @ 112 N. Colorado Dr. Celina, Texas.)
- March 8, 2015 - City Council acts on Ordinance annexing the properties listed in Exhibit "A".

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

Portions of the area under consideration of annexation are within the Marilee Special Utility District, upon the initiation of City water service to the tract a fee of \$1,250 per acre will be due to Marilee SUD.

Legal Review:

The City's land use attorney has assisted staff in the pre-annexation process.

Supporting Documents:

- Proposed Resolution.

Staff Recommendation:

Staff recommends approval.

**CITY OF CELINA
RESOLUTION NO. 2015-__**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON A PROPOSED ANNEXATION OF CERTAIN PROPERTIES BY THE CITY AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS AND AUTHORIZING CITY STAFF TO TAKE ALL NECESSARY ACTION TO FULFILL THE REQUIREMENTS OF THE MUNICIPAL ANNEXATION ACT.

WHEREAS, the City of Celina, Texas (the “City”) is a Home Rule municipality located in Collin County, Texas, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the Celina Home Rule Charter; and

WHEREAS, the City of Celina is provided the power to annex land under its Home Rule Charter and Section 43.021 of the Texas Local Government Code pursuant to the requirements and limitations set forth in state law; and

WHEREAS, the City of Celina has determined that it is in the best interest of the City and its citizens to consider the potential annexation of certain properties that are located within the City’s extraterritorial jurisdiction; and

WHEREAS, Exhibit “A” in the Resolution 2015-66R, passed on December 7, 2015 incorrectly cited tract “19”, this resolution corrects this error.

WHEREAS, the City of Celina desires to start the process that will enable the City, should it so desire, to annex the properties referenced in Exhibit “A” into the City of Celina, call two public hearings, and set a proposed annexation proceedings schedule.

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

- I. That on Tuesday, the 9^h day of February, 2016 at 6:00 p.m. and on Tuesday, the 9th day of February, 2016 at 6:05 p.m., at 112 N. Colorado, Celina, Texas 75009. The City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexations by the City of Celina of the properties more particularly described on the attached Exhibit “A”
- II. That the City Secretary is hereby authorized and directed to cause notice of each public hearing to be published once in a newspaper having general circulation in the City and in the territories described in Exhibit “A” not more than twenty (20) days, nor less than ten (10) days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

PASSED AND APPROVED by the City Council of the City of Celina, Texas, this the 12th day January, 2015.

SEAN TERRY, MAYOR

VICKI FAULKNER, CITY SECRETARY

Attachment: January Involuntary Resolution (1420 : Involuntary Annexation Resolution Correction "LM 115")

Exhibit "A"

Tracts 10, 9, 34, & 76 of Block 2, of the Collin County School Land Survey #15, abstract no. 170 and being
±111.9710 acres.



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: January 12, 2016
 Re: May General Election

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, ordering and calling a General Election for the purpose of electing a Council Member for Place 1, and a Council Member for Place 6 for three (3) year terms each; authorizing a joint election with the Collin County Elections Administrator, Denton County Elections Administrator and the political subdivisions located entirely or partially inside the boundaries of Denton County and Celina Independent School District Board of Trustees to be held on May 7, 2016. (Faulkner)

Background Information:

Board Review/Citizen Input:

Alternatives:

Financial Considerations:

Legal Review:

Supporting Documents:

Resolution

Staff Recommendation:

approve

**CITY OF CELINA, TEXAS
RESOLUTION 2016- R**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, ORDERING AND CALLING A GENERAL ELECTION FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR PLACE 1, AND A COUNCIL MEMBER FOR PLACE 6 FOR THREE (3) YEAR TERMS EACH; AUTHORIZING A JOINT ELECTION WITH THE COLLIN COUNTY ELECTIONS ADMINISTRATOR, DENTON COUNTY ELECTIONS ADMINISTRATOR AND THE POLITICAL SUBDIVISIONS LOCATED ENTIRELY OR PARTIALLY INSIDE THE BOUNDARIES OF DENTON COUNTY AND CELINA INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES TO BE HELD ON MAY 7, 2016; PROVIDING FOR ALL NECESSARY ACTIONS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 41.001(a)(1) of the Texas Election Code (hereinafter the “Code”) establishes the first Saturday in May as a Uniform Election Date for the purposes of conducting a General or Special Election; and

WHEREAS, Chapter 271 of the Code provides for joint elections between municipalities and school districts; and

WHEREAS, Section 3.004(a)(3) of the Code provides that the governing body of a municipality shall be the authority to order a General or Special Election; and

WHEREAS, Section 3.005(c)(2) of the Code provides that an election ordered by an authority of a municipality shall be ordered not later than the 78th day before Election Day; and

WHEREAS, Section 31.092 of the Code provides that the County Election Officer (the “Election Officer”) may contract with the City to perform election services; and

WHEREAS, the City, the Celina Independent School District and Collin County Community College (Collin County only) have contracted with Denton County and Collin County, Texas through its Election Officer to perform election services pursuant to Section 31.091; and

WHEREAS, Section 2.053 of the Code provides that a City Council may, in its discretion, declare a candidate elected to office if: (1) the candidate is the only person who has qualified to appear on the ballot for that office, and (2) no write-in candidates have submitted their names to be placed on the list for write-in candidates; and

WHEREAS, the City Council desires to and hereby calls a General Election to be conducted on May 7, 2016, to elect one (1) Council Member for Place 1, and one (1) Council Member for Place 6 for three (3) year terms each.

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

SECTION 1
INCORPORATION

All of the above premises are true and correct and are hereby incorporated in the body of this Resolution as if fully set forth herein.

SECTION 2
DATE OF ELECTION

It is hereby ordered that a General Election (the "Election") shall be held in and throughout the City of Celina on Saturday, May 7, 2016 under the direction and administration of the Election Officers.

SECTION 3
PURPOSE OF ELECTION

The purpose of said General Election is to elect Council Member for Place 1 and a Council Member for Place 6, for three (3) year terms each.

SECTION 4
ELIGIBILITY FOR CANDIDACY

As set forth in Section 3.02 Qualifications of the Celina Home Rule Charter, and where applicable, in the Code, no person shall be eligible for a public elective office of this city, unless that person is a qualified voter of the City; at least 18 years of age on the first day of the term to be filled at the election, have resided in the City not less than six (6) months immediately preceding the deadline for filing an application for a place on the ballot; and shall meet the requirements as set forth in Section 141.001 of the code; has not been determined mentally incompetent by a final judgment of a court, has not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities; and has resided continuously in the State of Texas for 12 (twelve) months immediately preceding the deadline for filing an application for a place on the ballot (preceding the date of the election for a write-in candidate).

SECTION 5
APPLICATION FOR A PLACE ON THE BALLOT

Pursuant to Section 143.007 (c)(2) of the Code, any eligible and qualified person may have that person's name printed upon the official ballot as a candidate for the office(s) hereinbefore set forth by filing the person's sworn application with the City Secretary not later than 5:00 p.m. of the 78th day before election day, and not earlier than the 30th day before the date of the filing deadline. Each such application shall be on a form as prescribed by the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a

drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with Section 52.094(c)(d) of the Code.

SECTION 6

CANCELLATION OF ELECTION

If only one person who has qualified to appear on the ballot for each office hereinbefore set forth, and no write-in candidates have submitted their names to be placed on the list for write-in candidates, the City Council may declare the candidates elected to office and cancel the election called herein.

SECTION 7

RUNOFF ELECTION

In the event a candidate for office fails to receive a majority of all votes cast for that office, a run-off election for that office shall be conducted on a date provided by Section 2.025 of the Code. The runoff election shall be held in accordance with the Code.

SECTION 8

ELECTION PRECINCT, POLLING PLACE, AND HOURS

The polling place in Collin County for the Election shall be at the Celina Independent School District Administration Building, 205 S. Colorado Street, Celina, Collin County, Texas, the polling place in Denton County for the Election shall be posted at a time when determined by Denton County Elections Administrator. In accordance with Section 41.031 of the Code, said polling place shall be open between the hours of 7:00 a.m. and 7:00 p.m. on the date of the Election.

SECTION 9

APPOINTMENT JUDGES AND CLERKS

The Election Officers shall arrange for the appointment, notifications, training and compensation of all Election Judges and Alternate Judges in accordance with law. The presiding Judge shall appoint not less than two (2) nor more than nine (9) qualified elections clerks to serve and assist in the conduct of the election in accordance with law.

SECTION 10

COMPENSATION OF THE JUDGE AND CLERKS

The Election Judge and the Alternate Election Judge shall be compensated in accordance with Section 32.091 of the Code. The Election Judge or Clerk who delivers the returns of the Election, keys to the ballot boxes or other election equipment, and unused election supplies shall also be paid the additional sum of \$25.00 for delivering such materials. Any payment referred to in this Section shall not exceed the maximum amounts set forth in Sections 32.091 and 32.092 of the Code.

SECTION 11

METHOD OF VOTING

The Election Officer(s) is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the election. Voting at the Election shall be by use of a Direct Record Electronic Voting System. Preparation of the official ballots for the Election shall conform to the requirements of the Code, and in so doing shall permit the voter to vote for one (1) Council Member for Place 1, and one (1) Council Member for Place 6.

SECTION 12

GOVERNING LAW; QUALIFIED VOTERS

The Election shall be held in accordance with the Constitution of the State of Texas, the Code, and the Home Rule Charter, and all resident, qualified electors of the City shall be eligible to vote at the election. Election materials shall be printed in both English and Spanish for use at the polling place and for early voting for the Election.

SECTION 13

PUBLICATION AND POSTING OF NOTICE

Notice of the Election shall be given by posting a Notice of Election in both English and Spanish at the Celina City Hall, on the bulletin board or other location used for posting notices of the meetings of the City Council not later than twenty-one (21) days prior to the date upon which the Election is to be held, and by publication of said notice at least once in a newspaper published in the City or if none, then in a newspaper of general circulation within the City, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the City Secretary shall secure a publisher's affidavit, which complies with the requirements of the Code. In addition thereto, a copy of the notice shall also be filed with the City Secretary at least twenty-one (21) days before the Election.

SECTION 14

EARLY VOTING

Early voting by personal appearance shall be conducted by the Election Officer(s), who is hereby appointed the Early Voting Clerk. The main early voting location for Collin County voters shall be located at Collin County Elections, 2010 Redbud Blvd., #102, McKinney, Texas. The main early voting location for Denton County voters shall be located at Denton County Elections, 701 Kimberly Drive, Denton, Texas. Additional branch locations will be identified in the contract executed with the Denton County Elections Administrator. Additional branch locations will be identified in the contract executed with the Collin County and Denton County Elections Administrator. The City Secretary may change the places and times of the locations contained in the contract without further City Council action after consulting with the Denton County Elections administrator and Collin County Elections administrator and determining that a change in the places or times is necessary. For the period early voting for the election is permitted by law, the Early Voting Clerk shall keep said office open Monday through Friday

between the hours of 8:00 a.m. and 5:00 p.m., commencing on Monday, April 25, 2016 and terminating on Tuesday, May 3, 2016 except that early voting on May 2, 2016, and May 3, 2016, shall be between the hours of 7:00 a.m. and 7:00 p.m., and (Collin County only) Saturday, April 30, 2016 8 a.m. to 5:00 p.m.). Early voting will not be conducted on any official State and/or national holiday during the period of early voting, unless required by the Code.

Application for early voting by mail shall be delivered to the Early Voting Clerk at the same address(s) and not later than the close of regular business in the Early Voting Clerk's office or 12:00 p.m., whichever is later, on April 26, 2016.

Early voting, both by personal appearance and by mail, shall be by use of ballots which conform to the requirements of the Code, and in so doing shall permit the voters to vote for one (1) Council Member for Place 1, and one (1) Council Member for Place 6 for three (3) year terms each. The Early ballots shall be canvassed by the Early Ballot Board, which is hereby created under the direction of the Election Officer.

SECTION 15

DELIVERY OF RETURNS

Pursuant to Section 66.051 of the Code, immediately after the closing of the poll on the day of the Election, the election officers named in this Ordinance shall make four (4) copies of the returns. The returns shall be delivered as follows: The Election Judge shall deliver envelope #1 in person to the presiding officer of the local canvassing authority. If the presiding officer of the local canvassing authority is unavailable, the envelope shall be delivered to the general custodian of election records who shall then deliver it to the local canvassing authority before the time set for convening the local canvass. The Election Judge shall deliver envelope #2 to the general custodian of election records. The Election Judge shall retain envelope #3. The Election Judge shall deliver envelope #4 in person to the voter registrar. If the voter registrar is unavailable, the envelope shall be delivered to the general custodian of election records, who shall deliver it to the voter registrar on the next regular business day. All election records and supplies shall be preserved by the City Secretary in accordance with the Code.

SECTION 16

CANVASSING OF RETURNS

In accordance with Section 67.003 of the Code, the City Council shall canvass the returns not earlier than May 10, 2016, or later than May 18, 2016.

SECTION 17

NECESSARY ACTIONS

The Mayor, City Council, Election Officer and City staff, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the Election, whether or not expressly authorized herein.

SECTION 18
SEVERABILITY CLAUSE

It is hereby declared to be the intent of the City Council of the City of Celina that the phrases, clauses, sentences, paragraphs, and sections of this Resolution are severable, and if any phrase, clause, sentence, paragraph, or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution, since the same would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 19
ENGROSSMENT AND ENROLLMENT

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

SECTION 20
EFFECTIVE DATE

This Resolution shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED by the City Council of the City of Celina, Texas, this the 12th day of January, 2016.

Sean Terry, Mayor

ATTEST:

Vicki Faulkner, City Secretary
City of Celina, Texas

APPROVED AS TO FORM:

Lance Vanzant, City Attorney



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: January 12, 2016
Re: Home Rule Charter amendments

Action Requested:

Consider and act upon an ordinance of the City Council of the City of Celina, Texas, ordering an election to be held in said city on the 7th day of May, 2016, for the purpose of submitting to the qualified voters of the City of Celina, Texas, certain proposed amendments to the existing City Charter; designating the places at which said election is to be held; appointing the early voting clerk; making provisions for notice and publication of the election; and providing for an effective date. (Faulkner)

Background Information:

Board Review/Citizen Input:

Alternatives:

Financial Considerations:

Publication of proposed amendments

Legal Review:

The City Attorney has reviewed the proposed changes and prepared the ordinance calling the election

Supporting Documents:

ordinance

Staff Recommendation:

n/a



Fire Department
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Mark Metdker, Public Safety Director
CC: Mike Foreman, City Manager
Date: January 12, 2016
Re: <Insert Subject/RE Here>

Action Requested:

Consider an act to approve the EMS agreement for Denton County. Metdker

Background Information:

Board Review/Citizen Input:

Alternatives:

Financial Considerations:

Legal Review:

Supporting Documents:

Staff Recommendation:

Approve

THE COUNTY OF DENTON

§
§
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**CITY OF CELINA
AMBULANCE SERVICES**

STATE OF TEXAS

**INTERLOCAL COOPERATION AGREEMENT
AMBULANCE SERVICE**

THIS AGREEMENT, which has an effective date of October 1, 2015, is made and entered into by and between Denton County a political subdivision of the State of Texas, hereinafter referred to as "the **COUNTY**," and the City of Celina, a municipal corporation, located in Denton County, Texas, hereinafter referred to as "the **AGENCY**".

WHEREAS, the **COUNTY** is a duly organized political subdivision of the State of Texas engaged in the administration of county government and related services for the benefit of the citizens of Denton County; and

WHEREAS, the **AGENCY** is a municipal corporation, duly organized and operating under the laws of the State of Texas and engaged in the provision of ambulance services and related services for the benefit of the citizens of the City of Celina; and

WHEREAS, the **AGENCY** is an owner and operator of certain ambulance vehicles and other equipment designed for the transportation of persons who are sick, infirmed or injured and has in its employ trained personnel whose duties are related to the treatment of said individuals and the use of such vehicles and equipment; and

WHEREAS, the **COUNTY** desires to obtain emergency ambulance and related services for the benefit of residents of the **COUNTY** living in unincorporated areas of the **COUNTY** which the **AGENCY** is capable of providing; and

WHEREAS, the provision of emergency ambulance and related services is a governmental function that serves the public health and welfare and is of mutual concern to both the **COUNTY** and the **AGENCY**; and

WHEREAS, the **COUNTY** desires to expend County funds to defray the expense of establishing, operating and maintaining emergency ambulance services in the County; and

WHEREAS, the **COUNTY** and the **AGENCY** mutually desire to be subject to and contract pursuant to the provisions of Texas Government Code, Chapter 791 and Texas Health and Safety Code, Section 774.003, and

Attachment: 20160107115715 (1422 : Denton County EMS agreement)

NOW THEREFORE, the **COUNTY** and the **AGENCY**, in consideration of the mutual promises, covenants, and Agreements stated herein, agree as follows:

I.
TERM

The term of this Agreement shall be for the period beginning of October 1, 2015, and ending on September 30, 2016.

II.
DEFINITIONS

As used herein, the words and phrases hereinafter set forth shall have the meanings as follows:

- A. "Emergency" shall mean any circumstance that calls for immediate action and in which the element of time in transporting the sick, wounded or injured for medical treatment is essential to the health or life of a person or persons. Whether an emergency, in fact, exists is solely up to the discretion of the **AGENCY**. For dispatch purposes only, "emergency" shall include, but not be limited to:
 - 1. The representation by the individual requesting ambulance service that an immediate need exists for the transportation of a person from any location within the agreed operating area of the **AGENCY** to a place where emergency medical treatment may be obtained; or
 - 2. The representation by the individual requesting ambulance service that an immediate need exists for the transportation of a person from any location within the agreed operating area of the **AGENCY** to the closest medical facility.
- B. "Rural area" means any area within the boundaries of the **COUNTY**, but outside the corporate limits of all incorporated cities, towns and villages within the **COUNTY**.
- C. "Urban area" means any area within the corporate limits of an incorporated city, town or village within the **COUNTY**.
- D. "Emergency ambulance call" means a response to a request for ambulance service by the personnel of the **AGENCY** in a situation involving an emergency, as defined above, by an ambulance vehicle. A single response to a call may involve the transportation of more than one person at a time, but shall be considered as only one call.

III.
SERVICES

The services to be rendered under this Agreement by the **AGENCY** are the ambulance services normally rendered by the **AGENCY** to citizens of City of Celina in circumstances of emergency, but which services will now be extended to all citizens of the **COUNTY** residing in

the unincorporated areas of the **COUNTY** within the operating territory or jurisdiction of the **AGENCY**, as agreed to by the **AGENCY** and the **COUNTY** in this Agreement and as set forth in "Exhibit A," attached hereto and incorporated herein by reference.

It is recognized that the officers and employees of the **AGENCY** have the duty and responsibility of rendering ambulance services to citizens of the **AGENCY** and the **COUNTY**. In the performance of these duties and responsibilities, it shall be within the sole responsibility and discretion of the officers and employees of the **AGENCY** to determine priorities in the dispatching and use of such equipment and personnel and the judgment of the officer or employee shall be final.

The **COUNTY** shall designate the County Judge to act on behalf of the **COUNTY** and to serve as "Liaison Officer" between the **COUNTY** and the **AGENCY**. The County Judge, or her designated substitute, shall devote sufficient time and attention to insure the performance of all duties and obligations of the **COUNTY** under this Agreement and shall provide for the immediate and direct supervision of employees, agents, contractors, sub-contractors and/or laborers of the **COUNTY** engaged in the performance of this Agreement.

IV.

PERFORMANCE OF SERVICES

The **AGENCY** shall devote sufficient time and attention to insure the performance of all duties and obligations of the **AGENCY** under this Agreement and shall provide immediate and direct supervision of the **AGENCY's** employees, agents, contractors, sub-contractors and/or laborers engaged in the performance of this Agreement for the mutual benefit of the **AGENCY** and the **COUNTY**.

V.

COMPENSATION

COUNTY agrees to pay to the **AGENCY** an estimated fee of \$2,875.00 (amount rounded to the nearest dollar) based on a funding formula as follows:

1. A fixed sum based on a population percentage .5009 per capita; said sum computes to \$696.20.
2. A fixed sum of \$248.9627 per ambulance transport. There were no transports made by **AGENCY** in fiscal year 2015.
3. A fixed sum based on 3.16 rural miles in the agreed operating territory; said sum computes to \$2,179.17.

The first and third sums are based upon population and mileage figures obtained from the North Central Texas Council of Governments. The second sum is based upon the definition of an "ambulance call" for purposes of this Agreement. Payment shall not be allowed for any instance in which a patient is not transported. Consistent with the reporting procedures described below, the **AGENCY** shall receive payment for transporting the patient regardless of the service delivery area in which the call originated.

Each emergency transport made shall be submitted on the standardized ambulance transportation reporting form approved and provided by the **COUNTY**. It shall be the responsibility of the **AGENCY** to fully complete the forms and to provide complete and accurate patient information. A list of emergency transports shall be submitted monthly by the **AGENCY**. Emergency transport forms not timely submitted shall not be considered for payment. Completed emergency transport forms may be submitted by personal delivery, U.S. Mail, facsimile or email to the office of the Denton County Fire Marshal. The date of submission shall be the date the fully documented request is received in said office.

VI.

FINANCIAL RECORDS

The **AGENCY** agrees to make its financial records available for audit and/or review by the **COUNTY**, upon request by the **COUNTY**.

VII.

RESPONSIBILITY OF THE COUNTY

The **COUNTY**, to the extent permitted by law, shall be responsible for the acts, omissions and negligence of all officers, employees and agents of the **COUNTY** who are engaged in the performance of this Agreement.

VIII.

RESPONSIBILITY OF THE AGENCY

The **AGENCY**, to the extent permitted by law, shall be responsible for the acts, omissions and negligence of all officers, employees and agents of the **AGENCY** who are engaged in the performance of this Agreement.

IX.

APPLICABLE LAW

The **COUNTY** and the **AGENCY** understand and agree that liability under this contract is governed by Texas Government Code, Chapter 791 and Texas Health and Safety Code, Section 774.003. This Agreement is made in contemplation of the applicability of these laws to

the Agreement. Insofar as legally possible the **COUNTY** and the **AGENCY** agree to be bound by the above mentioned statutes as they exist as of the date of this Agreement.

X. DEFAULT

In the event of default of any of the covenants herein contained, this Agreement may be terminated at the discretion of the non-defaulting party if such default continues for a period of ten (10) days after notice to the other party in writing of such default and the intent to terminate this Agreement due to the default. Unless the default is cured, this Agreement shall terminate.

XI. TERMINATION

This Agreement may be terminated at any time by either the **COUNTY** or the **AGENCY** by giving sixty (60) days advance written notice to the other party. In the event of termination by either party, the **AGENCY** shall be compensated pro rata for all services performed to termination date together with reimbursable expenses then due as authorized by this Agreement. In the event of such termination, should the **AGENCY** be overcompensated on a pro rata basis for all services performed to the termination date and/or be overcompensated for reimbursable expenses, the **COUNTY** shall be reimbursed pro rata for all such overcompensation. Acceptance of such reimbursement shall not constitute a waiver of any claim that may otherwise arise out of this Agreement.

XII. GOVERNMENTAL IMMUNITY

The fact that the **COUNTY** and the **AGENCY** accept certain responsibilities relating to the rendering of ambulance services under this Agreement as a part of their responsibility for providing protection for the public health makes it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be, and is hereby, invoked to the extent permitted under the law. Neither the **AGENCY**, nor the **COUNTY** waive, nor shall be deemed to have hereby waived any immunity or defense that would otherwise be available to it against claims arising from the exercise of governmental powers and functions.

Attachment: 20160107115715 (1422 : Denton County EMS agreement)

XIII.
ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the **COUNTY** and the **AGENCY** and supersedes all prior negotiations, representations and Agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties.

XIV.
LAW OF CONTRACT

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. The venue for any dispute, or matter, arising under this Agreement shall lie in Denton County, Texas.

XV.
SEVERABILITY

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions of this Agreement shall remain valid and in full force and effect to the fullest extent possible.

XVI.
AUTHORITY

The undersigned officer or agents of the parties are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties.

XVII.
SERVICE AREA

Acceptance of this Agreement constitutes approval of the service area set out in attached Exhibit "A".

EXECUTED in triplicate originals on the dates set forth below.

COUNTY:

Denton County, Texas
110 West Hickory Street, 2nd Floor
Denton, Texas 76201

BY: _____
Mary Horn
Denton County Judge

AGENCY:

City of Celina
142 N. Ohio Drive
Celina, Texas 75009

BY: _____
Name _____
Title _____

Attachment: 20160107115715 (1422 : Denton County EMS agreement)

Acting on behalf of and by
the authority of the Denton County
Commissioners Court of Denton, Texas

Acting on behalf of and by the
authority of the City of Celina

DATED: _____

DATED: _____

ATTEST:

APPROVED AS TO CONTENT:

BY: _____
Denton County Clerk

BY: _____
Denton County Fire Marshal

APPROVED AS TO FORM:

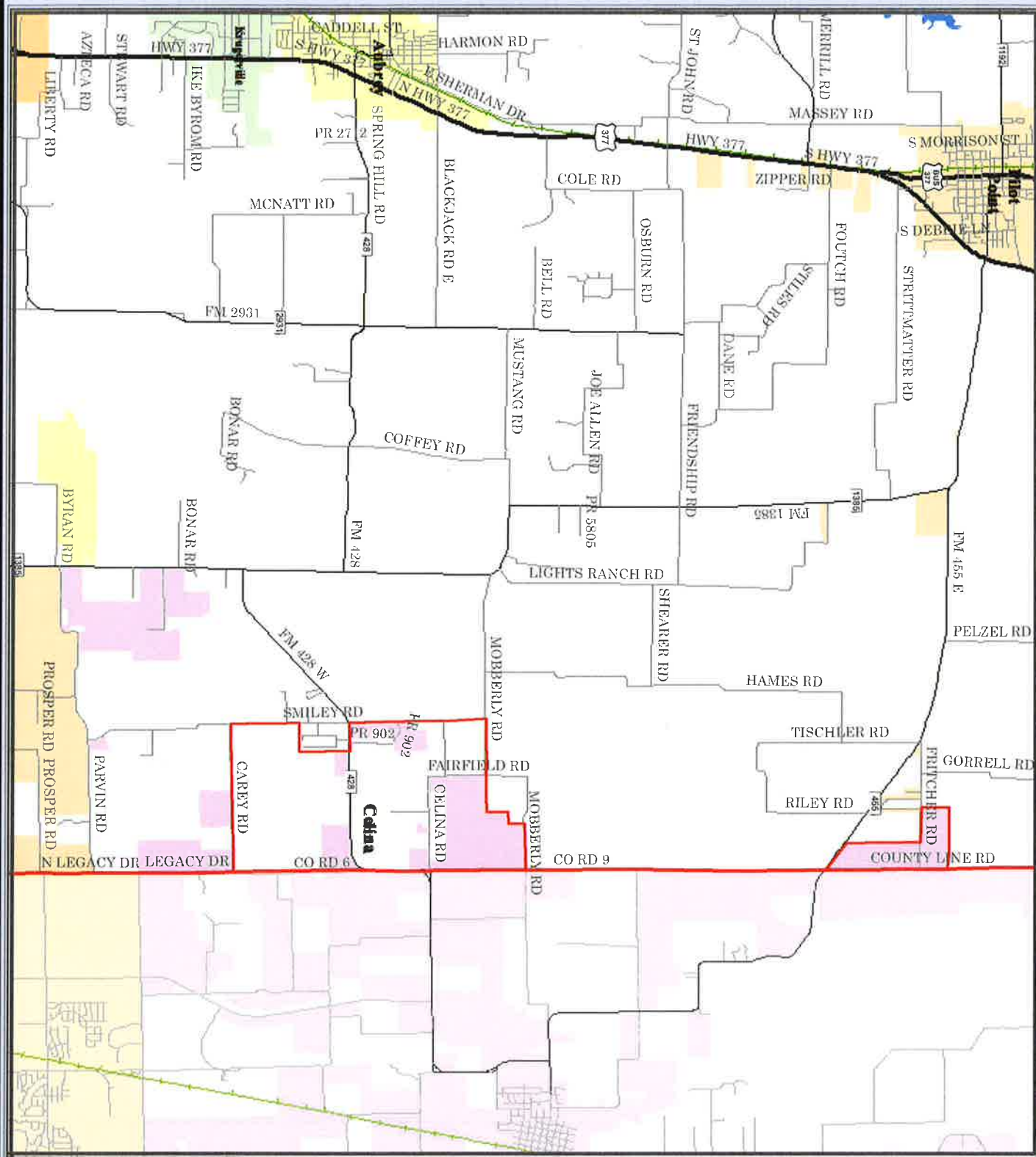
BY: _____
Assistant District Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to
accomplish and pay the obligation of Denton County under this Agreement.

James Wells, Denton County Auditor

Attachment: 20160107115715 (1422 : Denton County EMS agreement)





Fire Department
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Mark Metdker, Public Safety Director
CC: Mike Foreman, City Manager
Date: January 12, 2016
Re: <Insert Subject/RE Here>

Action Requested:

Consider an act to approve the Denton County Fire Agreement. Metdker

Background Information:

Board Review/Citizen Input:

Alternatives:

Financial Considerations:

Legal Review:

Supporting Documents:

<Insert Supporting Documents Here>

Staff Recommendation:

Approve

THE COUNTY OF DENTON

§
§
§
§CITY OF CELINA
FIRE DEPARTMENT

STATE OF TEXAS

**INTERLOCAL COOPERATION AGREEMENT
FIRE PROTECTION SERVICES**

THIS AGREEMENT, which has an effective date of October 1, 2015, is made and entered into by and between Denton County, a political subdivision of the State of Texas, hereinafter referred to as "the **COUNTY**," and the City Celina Fire Department, a municipal corporation, located in Denton County, Texas, hereinafter referred to as "the **AGENCY**".

WHEREAS, the **COUNTY** is a duly organized political subdivision of the State of Texas engaged in the administration of county government and related services for the benefit of the citizens of Denton County; and

WHEREAS, the **AGENCY** is a municipal corporation, duly organized and operating under the laws of the State of Texas and engaged in the provision of fire protection services and related services for the benefit of the citizens of the City of Celina; and

WHEREAS, the **AGENCY** is the owner and operator of certain fire protection vehicles and other equipment designed for the extinguishing of fire and prevention of damage to property and injury to persons from fire and has in its employ trained personnel whose duties are related to the use of such vehicles and equipment; and

WHEREAS, the **COUNTY** and the **AGENCY** mutually desire to be subject to and contract pursuant to provisions of the Texas Government Code, Chapter 791 and the Texas Local Government Code, Chapter 352, and

NOW, THEREFORE, the **COUNTY** and the **AGENCY**, for the mutual promises, covenants, Agreements and consideration stated herein, agree as follows:

I.**TERM**

The term of this Agreement shall be for the period beginning of October 1, 2015, and ending September 30, 2016.

II.**SERVICES**

The services to be rendered in accordance with this Agreement by the **AGENCY** are the fire protection services normally rendered by the **AGENCY** to citizens of the City of Celina in circumstances of emergency, but which services will now be extended to all citizens of the

COUNTY residing in the unincorporated areas of the **COUNTY** within the operating territory or jurisdiction of the **AGENCY**, as agreed to by the **AGENCY** and the **COUNTY** in this Agreement and as set forth in "Exhibit A," attached hereto and incorporated herein by reference. These services are rendered in consideration of the basic funding and the separate per call fee set forth in this Agreement for the common good and benefit and to serve the public convenience and necessity of the citizens of the **COUNTY** who are not otherwise protected with respect to fire prevention, extinguishment, safety and rescue services. The services to be rendered are as follows:

- A. The **AGENCY** shall make available and provide emergency fire prevention, extinguishment, safety and rescue services within the agreed or specified territory or jurisdiction of the **AGENCY**.
- B. The **AGENCY** shall respond to requests for fire protection services made within the portion of the **COUNTY** designated as "*Celina*" as set out in Exhibit "A".
- C. The **COUNTY** agrees that, in the event a fire in the **AGENCY**'s unincorporated designated area which the **AGENCY** considers to be of an incendiary nature and upon request by the **AGENCY**, the County Fire Marshal will dispatch investigation personnel to the fire scene within a response time sufficient to legally maintain and protect all evidence of said fire and will conduct all appropriate investigation and assist in the prosecution of any case of arson. The **AGENCY** shall not be responsible for investigations of suspected incendiary fires in the unincorporated areas, but shall cooperate with the County Fire Marshal in immediately relating all pertinent information possible to the investigator(s).
- D. The **COUNTY** agrees that the County Fire Marshal may assist in the conduct of appropriate investigations of a fire which the **AGENCY** considers to be of incendiary nature in the **AGENCY**'s incorporated area upon request of the **AGENCY**.
- E. The **AGENCY** shall submit monthly statements on the Texas Fire Incident Reporting System's standardized forms to the Denton County Fire Marshal, 9060 Teasley Lane, Denton, Texas 76210-4010. This form will serve as the billing statement to the **COUNTY** for reimbursement of calls made in the unincorporated area. The Denton County Fire Marshal shall provide the forms upon request from the **AGENCY**.
- F. The **AGENCY**, in the performance of its duties and responsibilities under this Agreement, shall have the responsibility, within the sole discretion of the officers and employees of the **AGENCY**, except as otherwise determined by the Denton County Fire Marshal, to determine priorities in the dispatching and use of the **AGENCY**'s equipment and personnel, and the judgment of any such officer or employee as to such matters shall be the final determination.

The **COUNTY** shall designate the County Judge to act on behalf of the **COUNTY** and to serve as "Liaison Officer" between the **COUNTY** and the **AGENCY**. The County Judge, or her designated substitute, shall devote sufficient time and attention to insure the performance of all duties and obligations of the **COUNTY** under this Agreement and shall provide immediate and direct supervision of employees, agents, contractors, sub-contractors and/or laborers of the **COUNTY** engaged in the performance of this Agreement for the mutual benefit of the **COUNTY** and the **AGENCY**.

III.

PERFORMANCE OF SERVICE

The **AGENCY** shall devote sufficient time and attention to insure the performance of all duties and obligations of the **AGENCY** under this Agreement and shall provide immediate and direct supervision of the **AGENCY's** employees, agents, contractors, sub-contractors and/or laborers engaged in the performance of this Agreement for the mutual benefit of the **AGENCY** and the **COUNTY**.

IV.

COMPENSATION

The **COUNTY** agrees to pay to the **AGENCY** for the full performance of services as provided in this Agreement the sum of **\$10,000.00**, payable upon execution of this Agreement, and further agrees to pay the sum of **\$500.00** per fire call in the designated unincorporated areas of the **COUNTY** from October 1, 2015, to September 30, 2016. The **COUNTY** anticipates the **AGENCY** to run approximately 1 fire calls for a total funding of **\$1,000.00** for fire calls. The total payments by the **COUNTY** to the **AGENCY** pursuant to this Agreement are estimated to be **\$11,000.00**. The **COUNTY** will make no payment to the **AGENCY** for service provided outside the agreed service district whether by Mutual Aid Agreement or otherwise. The **AGENCY** understands and agrees that payment by the **COUNTY** to the **AGENCY** shall be made in accordance with the normal and customary processes and business procedures of the **COUNTY** and in conformance with applicable state law.

V.

FINANCIAL RECORDS

The **AGENCY** agrees to make its financial records available for audit and/or review by the **COUNTY**, upon request by the **COUNTY**.

VI.
RESPONSIBILITY OF THE COUNTY

The **COUNTY**, to the extent permitted by law, shall be responsible for the acts, negligence and omissions of all officers, employees and agents of the **COUNTY** who are engaged in the performance of this Agreement.

VII.
RESPONSIBILITY OF THE AGENCY

The **AGENCY**, to the extent permitted by law, shall be responsible for the acts, negligence and omissions of all officers, employees and agents of the **AGENCY** who are engaged in the performance of this Agreement.

VIII.
APPLICABLE LAW

The **COUNTY** and the **AGENCY** understand and agree that liability under this contract is governed by the Texas Government Code, Chapter 791 and the Texas Local Government Code, Chapter 352. This Agreement is made in contemplation of the applicability of these laws to the Agreement. Insofar as legally possible the **COUNTY** and the **AGENCY** agree to be bound by the above mentioned statutes as they exist as of the date of this Agreement.

IX.
DEFAULT

In the event of default of any of the covenants herein contained, this Agreement may be terminated at the discretion of the non-defaulting party if such default continues for a period of ten (10) days after notice to the other party in writing of such default and the intent to terminate this Agreement due to the default. Unless the default is cured, this Agreement shall terminate.

X.
TERMINATION

This Agreement may be terminated any time, by either the **COUNTY** or the **AGENCY** by giving sixty (60) days advance written notice to the other party. In the event of termination by either party, the **AGENCY** shall be compensated pro rata for all services performed to the termination date together with reimbursable expenses then due as authorized by this Agreement. In the event of such termination, should the **AGENCY** be overcompensated on a pro rata basis for all services performed to the termination date and/or be overcompensated reimbursable expenses, the **COUNTY** shall be reimbursed pro rata for all such overcompensation.

Acceptance of such reimbursement shall not constitute a waiver of any claim that may otherwise arise out of this Agreement.

XI.
GOVERNMENTAL IMMUNITY

The fact that the **COUNTY** and the **AGENCY** accept certain responsibilities relating to the rendition of fire protection services under this Agreement as part of their responsibility for providing protection for the public health makes it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be, and it is hereby, invoked to the extent permitted by law. Neither the **AGENCY**, nor the **COUNTY** waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims arising from the exercise of government powers and functions.

XII.
ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the **COUNTY** and the **AGENCY** and supersedes all prior negotiations representations and Agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties.

XIII.
LAW OF CONTRACT

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. The venue for any dispute, or matter, arising under this Agreement shall lie in Denton County, Texas.

XIV.
SEVERABILITY

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

XV.
AUTHORITY

The undersigned officer or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties.

**XVI.
SERVICE AREA**

Acceptance of this Agreement constitutes approval of the service area set out in attached Exhibit "A".

EXECUTED in triplicate originals on the dates set forth below.

COUNTY

Denton County, Texas
110 West Hickory Street, 2nd Floor
Denton, Texas 76201

AGENCY

City of Celina
142 N. Ohio Drive
Celina, Texas 75009

By _____
Mary Horn
Denton County Judge

By _____
Name _____
Fire Chief

Acting on behalf of and by the
authority of Denton County
Commissioners Court of
Denton County, Texas

Acting on behalf of and by the
authority of the City of Celina

DATED: _____

DATED: _____

ATTEST:

BY: _____
Denton County Clerk

APPROVED AS TO CONSENT:

BY: _____
Denton County Fire Marshall

APPROVED AS TO FORM:

BY: _____
Assistant District Attorney

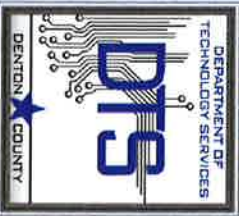
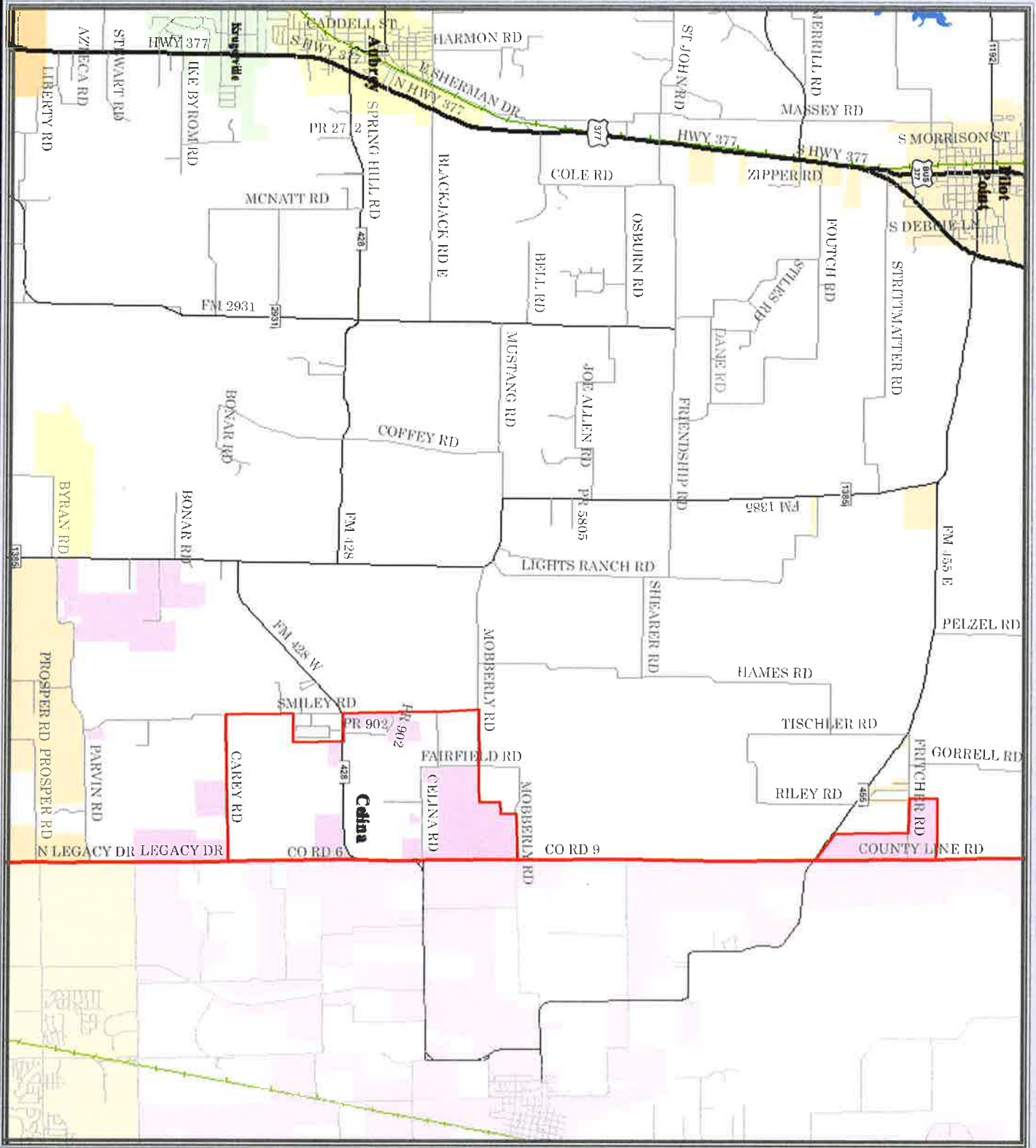
AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to
accomplish and pay the obligation of Denton County under this Contract/Agreement.

James Wells, Denton County Auditor

Attachment: 20160107115739 (1423 : Denton County Fire Agreement)

Celina Fire/EMS District
 Attachment: 20160107115739 (1423 : Denton County Fire Agreement)





Engineering/Public Works
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Gabe Johnson, Director of Public Works
Date: January 12, 2016
Re: Approve

Action Requested:

Consider and act upon an ordinance Of The City Council Of The City Of Celina, Texas, Amending The City's Code Of Ordinances, Appendix A: Fee Schedule, Earthwork Permit. (Johnson)

Background Information:

The intended cost for larger disturbances is not clear. The intent of the fee schedule was to be \$10 per acre for disturbances of 5 acres or more. Below is how the recommended change will be reflected in the ordinances:

That the Celina Code of Ordinances, Appendix A: Fee Schedule; Article A3.000: Building Relate Fees; Section A3.009: Earthwork Permit Fees; Subsection (a), shall be amended to read as follows:

Sec. A3.009 Earthwork Permit Fees

(a) Permit fees:

- 1) 0.1 - 0.5 acres: \$0.00
- 2) 0.5 - 1.0 acres: \$10.00
- 3) 1.0 - 5.0 acres: \$50.00
- 4) 5.0 or more acres: \$10.00/acre

Financial Considerations:

See Attachment

Legal Review:

Reviewed and Approved by City Attorney

Supporting Documents:

Fee Schedule Update Ordinance

Staff Recommendation:

Approve

CITY OF CELINA, TEXAS

ORDINANCE 2016-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, APPENDIX A: FEE SCHEDULE, PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY, 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 County 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, the City has enacted a schedule of fees in order to recover costs attributable to inspection, review, other services provided by the City; and

WHEREAS, the City has determined it is in the public interest to raise its fee schedule to make said fees consistent with the cities actual costs.

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

Attachment: Earthwork Permit Fee Update (1396 : Fee Schedule Update - Earthwork)

SECTION 3 **AMENDMENTS**

- 3.01 That the Celina Code of Ordinances, Appendix A: Fee Schedule; Article A3.000: Building Relate Fees; Section A3.009: Earthwork Permit Fees; Subsection (a), shall be amended to read as follows:

Sec. A3.009 Earthwork Permit Fees

- (a) Permit fees:
- 1) 0.1 – 0.5 acres: \$0.00
 - 2) 0.5 – 1.0 acres: \$10.00
 - 3) 1.0 – 5.0 acres: \$50.00
 - 4) 5.0 or more acres: \$10.00/acre

SECTION 4 **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 5 **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 fees 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 6 **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 7 **PENALTY**

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) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs and continues.

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 **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 Clause of this Ordinance as required by Section 52.013 of the Local Government Code.

SECTION 9 **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 10 **EFFECTIVE DATE**

This Ordinance shall become effective from and after its date of passage in accordance with law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Celina, Texas this ____ day of January, 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

Attachment: Earthwork Permit Fee Update (1396 : Fee Schedule Update - Earthwork)



Administration
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Michael Montgomery, Administrative Services
Date: January 12, 2016
Re:

Action Requested:

Consider and act to approve the Celina Main Street 2016 Golf Tournament date and tournament location (Bise)

Background Information:

The Main St Board gathered bids from area golf courses for their 2016 tournament. They have proposed the date of Monday, May 9th.

Staff Recommendation:



Administration
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Michael Montgomery, Administrative Services
Date: January 12, 2016
Re:

Action Requested:

Consider and act to approve the 2016 Celina Farmers Markets Dates (Bise, Baty)

Background Information:

2016 Proposed dates for Celina Newcomers and Friends Friday Night Farmer's Market on the Square:

April 1

April 15

May 6

May 20

June 3

June 17

July 1

NO August markets

Sept 16

Oct 7

Oct 21

Nov 4

Staff Recommendation:



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: January 12, 2016

Re: Conduct a public hearing to consider testimony and take action on a zoning amendment request for a ±96.712 acre tract of land to amend PD#45 - Planned Development #45 located in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas. The property is generally located on the east side of SH 289 (Preston Road), west of CR 97, north of CR 100 and south of CR 134. (Westgate 96)

Action Requested:

Conduct a public hearing to consider testimony and act upon an ordinance of the City Council of the City of Celina for a zoning amendment request for a ±96.712 acre tract of land to amend PD#45 - Planned Development #45 located in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas. The property is generally located on the east side of SH 289 (Preston Road), west of CR 97, north of CR 100 and south of CR 134. (Westgate 96) (Liebman)

Action Requested:

Conduct a public hearing to consider testimony and take action on a zoning amendment request for a ±96.712 acre tract of land to amend PD#45 - Planned Development #45 located in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas. The property is generally located east of SH 289 (Preston Road), west of CR 97, north of CR 100 and south of CR 134. (Westgate 96)

Background Information:

The applicant is proposing an amendment to the current Planned Development that was approved in 2010 to address the division in ownership into three tracts. The amendment is addressing various desired changes by the city such as lot width, height limitations, densities, open space and detention amenities, screening requirements, and any future amendments. The original Planned Development also contained a sunset clause which stated that the property will revert back to the base zoning district if the property was not developed in seven years.

The PD proposes a mixture of land use types spread out over three tracts that include MU-2, Mixed Use Regional and several residential types including townhomes, duplexes and multi-family. The PD prohibits residential uses within 200 feet of Preston Road and will comply with the PRO Preston Road Overlay regulations.

The MU-2 Mixed Use Regional standards are contained within “Tract 1” adjacent to Preston Road, and “Tract 2”.

The MU-2 standards contain a maximum height provision of 100 feet with a maximum footprint size of 200,000 square feet.

The MU-2 areas within Tracts 1 & 2 must provide setbacks equal to the height of the building but not less than 45 feet from adjacent single family residential structures. Additionally, a six foot solid masonry screening wall will be constructed for screening when adjacent to any single family district.

Residential Type “B” (RTB) units are attached residential duplexes, and are limited to 75 units each in Tracts 2 & 3. Each duplex shall be at least 1,300 square feet in size and have a lot area of 3,750 square feet. Each building must have a front and rear set back of 20 feet and buildings must have a side setback of seven and a half feet. Side yards adjacent to a public street must have a 15 foot setback.

All front entry garages for Residential Type B units shall be set back thirty feet from the street, rear entry garages must be set back twenty five feet from the property line / Right of Way ROW.

Residential Type “C” (RTC) units are multi-family units. The RTC units are limited to tracts 2 & 3 and may developed to twenty four (24) units per acre and have a maximum limit of 20 acres throughout the entire PD. Developments that provide 50% or 100% enclosed spaces may qualify for density bonuses up to twenty nine (29) units per acre. RTC units are limited to 4 stories not to exceed sixty (60) feet in height.

Residential Type “D” (RTD) units are attached residential townhome units. RTD units are limited to Tracts 2 and 3 with each tract allowed 112 units each. RTD units shall be a minimum of 1,200 square feet and each lot shall be a minimum of 3,000 square feet. RTD units shall have a maximum of three stories and be limited to 45 feet in height. Front entry garages must be set back 30 feet from the ROW and rear entry garages must be set back 25 feet from the property line/ROW. Additionally, the RTD units may not repeat the same front façade elevation on the same building more frequently than every fourth unit.

A minimum of 15% of each tract area shall be devoted to open space for non-residential development and a minimum of 1 acre per 75 dwelling units shall be devoted to open space for single, duplex, and multi-family development. Detention/retention areas counted toward open space shall be amenitized on three sides with improvements such as sidewalks, benches, pavilions, etc.

Staff has had the opportunity to coordinate the amendments with the applicant and the item before you represents a compromise that benefits both the land owners and the city.

Public Notice:

The public hearing notice was published in the Celina Record on Friday, October 2, 2015. Notices of the public hearing have been sent to all owners of property, as indicated by the most recently approved city tax roll, who are located within 200 feet of any property affected. As of October 15, 2015 staff has received no letters either in support or in opposition to the proposal.

Supporting Documents:

- Proposed Zoning Ordinance

- Proposed Planned Development Zoning Exhibit
- Proposed Planned Development Concept Plan

Legal Review:

N/A

Board/Committee Recommendation:

At its regularly scheduled meeting on October 20, 2015 the Planning and Zoning Commission voted unanimously to recommend approval of the proposed zoning amendment.

Staff Recommendation:

Staff recommends that the item be tabled until the City Council meeting on January 12, 2015

CITY OF CELINA, TEXAS

ORDINANCE 2015-____
WESTGATE 96 PD#45 AMENDMENT

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 96.678 ACRE TRACT OF LAND LOCATED IN THE L M BOYD SURVEY, ABSTRACT NUMBER 48, TRACT 1, COLLIN COUNTY, TEXAS; AND THE W H RATTON SURVEY, TRACT 9, 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 #45; 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

Attachment: Westgate PD ordinance (1320 : Westgate 96 PD Amendment)

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, #45 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 #45.

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 regulations 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, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 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 exact Caption and Effective Date clause 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 ____ day of _____, 2015.

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

Exhibit "A"

DRAFT

Attachment: Westgate PD ordinance (1320 : Westgate 96 PD Amendment)

Overall Description - 96.678 Acres

DRAFT

Attachment: Westgate PD ordinance (1320 : Westgate 96 PD Amendment)

Tract One:

BEING a tract of land situated in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas, and being part of a called 640 acre tract of land described in a Deed to Moses Hubbard et ux, of record in Volume 29, Page 487, Deed Records, Collin County, Texas, and being a portion of that certain tract of land conveyed to Westgate Celina Investors, L.P., by deeds recorded in Volume 5857, Page 335 and Instrument Number 2006497280, Official Public Records, Collin County, Texas, and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod with "Peiser & Mankin SURV" red plastic cap set (hereinafter referred to as 1/2 inch iron rod set) for corner in the East Right-of-Way line of State Highway 289 (variable R.O.W.) and near the centerline of County Road 100, said point also being the northwest corner of a tract of land conveyed to Preston Acreage, L.P., by deed recorded in Volume 5239, Page 1060, Deed Records, Collin County, Texas, from which a 60 "D" nail found for reference bears North 85° 13' 01" East, a distance of 0.86 feet;

THENCE in a Northerly direction along the East Right-of-Way line of said State Highway 289, the following courses and distances:

- 1) North 06° 09' 00" East, a distance of 18.98 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof;
- 2) North 42° 26' 00" West, a distance of 39.69 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof;
- 3) North 06° 09' 00" East, a distance of 707.91 feet to a 1/2" iron rod with cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 10° 57' 01" West, a distance of 1.27 feet;
- 4) North 11° 52' 00" East, a distance of 100.50 feet to a 1/2" iron rod with cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 28° 39' 50" West, a distance of 1.27 feet;
- 5) North 06° 09' 00" East, a distance of 300.00 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 02° 02' 06" East, a distance of 1.73 feet;
- 6) North 00° 26' 00" East, a distance of 100.50 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 21° 57' 39" East, a distance of 1.80 feet;
- 7) North 06° 09' 00" East, a distance of 1297.10 feet to a 1/2 inch iron rod set for the most westerly Northwest corner of the herein described tract, same being the South end of a corner clip in the Southeast intersection of said State Highway 289 and County Road 134

THENCE North 50° 25' 23" East, along said corner clip, a distance of 56.73 feet to a 1/2 inch iron rod set for the North end of said corner clip;

THENCE North 01° 00' 04" West, along the East right-of-way line of said State Highway 289, a distance of 31.39 feet to a mag nail set for the most northerly Northwest corner of the herein described tract, said corner being near the centerline of County Road 134, same being in the South line of that certain tract of land conveyed to Celina Independent School District, by deed recorded under Instrument Number 20070404000455450, Official Public Records, Collin County, Texas;

THENCE in an Easterly direction along the approximate centerline of County Road 134, the following courses and distances;

- 1) North 88° 21' 11" East, a distance of 270.14 feet to a 1/2" iron rod with "RPLS 3963" cap found for angle point;
- 2) North 88° 17' 46" East, a distance of 1146.25 feet to a mag nail set for the Northeast corner of the herein described tract, same being ;

THENCE South 01° 17' 40" East, with the West line of aforesaid Westgate tract, and with the West line of an 0.55 acre tract of land conveyed to Gunter Water Supply Corporation by deed recorded in Volume 796, Page 810, Deed Records, Collin County, Texas, at a distance of 160.0 feet passing the Southwest corner of said 0.55 acre tract, the Northwest corner of a 46.885 acre tract of land conveyed to Philip N. Littell, recorded in Volume 2869, Page 535, Deed Records, Collin County Texas, the Northwest corner of an 0.5032 acre tract of land conveyed to Gunter Water Supply Corporation, recorded in Volume 2936, Page 496, Deed Records, Collin County, Texas, and continuing with the West line of said 0.5032 acre tract, passing its Southwest corner, and continuing, passing the Southwest corner of said 46.885 acre tract and continuing with the West line of said Westgate tract, at a distance of 2583.63 feet passing a cross tie corner post on the North side of a gravel public road known as County Road No. 100, and continuing for a total distance of 2601.13 feet to a found 3/8 inch rebar in said County Road No. 100, and on the South line of said Boyd Survey, the North line of the George Joy Survey, Abstract No. 488, the North line of that certain tract of land conveyed to Central Frisco, LTD. by deed recorded under Instrument Number 20080306000268700, Official Public Records, Collin County, Texas, said rebar maintaining the Southwest corner of said Westgate tract;

THENCE South 88° 19' 51" West, with the South line of said Boyd Survey, the North line of both said Joy Survey and Westgate tract, at a distance of 1066.99 feet passing the Northeast corner of a 50.487 acre tract of land conveyed to Preston Acreage, L.P. by deed recorded in Volume 5239, Page 1060 (Clerk's No. 2002-0120427), Deed Records, Collin County, Texas, the Northeast corner of the John M. Herron Survey Abstract No. 377, in said County Road No. 100 and continuing with the North line of both said Herron Survey, and 50.487 acre tract for a total distance of 1143.91 feet to a found spike nail in said County Road No. 100 maintaining the Southwest corner of said Boyd Survey, the most Southerly Southeast corner of the above mentioned W. H. Ratton Survey;

THENCE South 88° 40' 12" West with the South line of said Westgate tract, the approximate centerline of said County Road 100, the North line of said Preston tract, a distance of 618.08 feet to the PLACE OF BEGINNING, and containing 96.678 acres of computed land, more or less.

Tract 1 – 30 Acres

BEING a tract of land situated in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas, and being part of a called 640 acre tract of land described in a Deed to Moses Hubbard et ux, of record in Volume 29, Page 487, Deed Records, Collin County, Texas, and being a portion of that certain tract of land conveyed to Westgate Celina Investors, L.P., by deeds recorded in Volume 5857, Page 335 and Instrument Number 2006497280, Official Public Records, Collin County, Texas, and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod with "Peiser & Mankin SURV" red plastic cap set (hereinafter referred to as 1/2 inch iron rod set) from which a 60D nail found bears North 85 deg. 10 min. 01 sec. East, 0.86 feet for corner in the East Right-of-Way line of State Highway 289 (variable R.O.W.) and near the centerline of County Road 100, said point also being the northwest corner of a tract of land conveyed to Preston Acreage, L.P., by deed recorded in Volume 5239, Page 1060, Deed Records, Collin County, Texas, from which a 60 "D" nail found for reference bears North 85° 13' 01" East, a distance of 0.86 feet;

THENCE in a Northerly direction along the East Right-of-Way line of said State Highway 289, the following courses and distances:

- 1) North 06° 09' 00" East, a distance of 18.98 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof;
- 2) North 42° 26' 00" West, a distance of 39.69 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof;
- 3) North 06° 09' 00" East, a distance of 707.91 feet to a 1/2" iron rod with cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 10° 57' 01" West, a distance of 1.52 feet;
- 4) North 11° 52' 00" East, a distance of 100.50 feet to a 1/2" iron rod with cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 28° 39' 50", West, a distance of 1.27 feet;
- 5) North 06° 09' 00" East, a distance of 300.00 feet a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 02° 02' 06" East, a distance of 1.73 feet;
- 6) North 00° 26' 00" East, a distance of 100.50 feet to a 1/2" iron rod with "RPLS 3963" cap found for corner at an angle point thereof, from which a Wood R.O.W. Marker found for reference bears North 21° 57' 39" East, a distance of 1.80 feet;
- 7) North 06° 09' 00" East, a distance of 1297.10 feet to a 1/2 inch iron rod set for the most westerly Northwest corner of the herein described tract, same being the South end of a corner clip in the Southeast intersection of said State Highway 289 and County Road 134

THENCE North 50° 25' 23" East, along said corner clip, a distance of 56.73 feet to a 1/2 inch iron rod set for the North end of said corner clip;

THENCE North 01° 00' 04" West, along the East right-of-way line of said State Highway 289, a distance of 31.39 feet to a mag nail set for the most northerly Northwest corner of the herein described tract, said corner being near the centerline of County Road 134, same being in the South line of that certain tract of land conveyed to Celina Independent School District, by deed recorded under Instrument Number 20070404000455450, Official Public Records, Collin County, Texas;

THENCE in an Easterly direction along the approximate centerline of County Road 134, the following courses and distances;

- 1) North 88° 21' 11" East, a distance of 270.14 feet to a 1/2" iron rod with "RPLS 3963" cap found for angle point;
- 2) North 88° 17' 46" East, a distance of 199.47 feet to a point for the Northeast corner of the herein described tract;

THENCE South 06° 09' 00" West, through the interior of aforesaid Westgate tract, a distance of 2624.05 feet to a point for the Southeast corner of the herein described tract, same being in the South line of said Westgate tract, same being in the approximate centerline of aforesaid County Road 100, same being in the North line of aforesaid Preston Acreage tract;

THENCE South 88° 40' 12" West with the South line of said Westgate tract, the approximate centerline of said County Road 100, the North line of said Preston tract, a distance of 475.22 feet to the PLACE OF BEGINNING, and containing 30.000 acres of computed land, more or less.

Tract 2 – 33.356 Acres (southern)

BEING a tract of land situated in the W.H. Ratton Survey, Abstract No. 753 and the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas, and being part of a called 640 acre tract of land described in a Deed to Moses Hubbard et ux, of record in Volume 29, Page 487, Deed Records, Collin County, Texas, and being a portion of that certain tract of land conveyed to Westgate Celina Investors, L.P., by deeds recorded in Volume 5857, Page 335 and Instrument Number 2006497280, Official Public Records, Collin County, Texas, and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod with "Peiser & Mankin SURV" red plastic cap set (hereinafter referred to as 1/2 inch iron rod set) from which a 60D nail found bears North 85 deg. 10 min. 01 sec. East, 0.86 feet for corner in the East Right-of-Way line of State Highway 289 (variable R.O.W.) and near the centerline of County Road 100, said point also being the northwest corner of a tract of land conveyed to Preston Acreage, L.P., by deed recorded in Volume 5239, Page 1060, Deed Records, Collin County, Texas, from which a 60 "D" nail found for reference bears North 85° 13' 01" East, a distance of 0.86 feet;

THENCE North 88° 40' 12" East, with the South line of said Westgate tract, the approximate centerline of said County Road 100, the North line of said Preston tract, a distance of 475.22 feet to a point for the Southwest corner of the herein described tract, same being the POINT OF BEGINNING;

THENCE through the interior of said Westgate tract as follows:

North 06° 09' 00" East, a distance of 1213.41 feet to a point for the Northwest corner of the herein described tract;

North 88 deg. 21 min. 58 sec. East, a distance of 1129.55 feet to a point for the Northeast corner of the herein described tract, same being in the West line of a 46.885 acre tract of land conveyed to Philip N. Littell, recorded in Volume 2869, Page 535, Deed Records, Collin County Texas;

THENCE South 01° 17' 40" East, with the East line of said Westgate tract, and with the West line of said 46.885 acre tract a distance of 1202.30 feet to a found 3/8 inch rebar in aforesaid County Road No. 100, and on the South line of said Boyd Survey, the North line of the George Joy Survey, Abstract No. 488, the North line of that certain tract of land conveyed to Central Frisco, LTD. by deed recorded under Instrument Number 20080306000268700, Official Public Records, Collin County, Texas, said rebar maintaining the Southeast corner of said Westgate tract;

THENCE South 88° 19' 51" West, with the South line of said Boyd Survey, the North line of both said Joy Survey and said Central Frisco tract, at a distance of 1066.99 feet passing the Northeast corner of a 50.487 acre tract of land conveyed to Preston Acreage, L.P. by deed recorded in Volume 5239, Page 1060 (Clerk's No. 2002-0120427), Deed Records, Collin County, Texas, the Northeast corner of the John M. Herron Survey Abstract No. 377, in said County Road No. 100 and continuing with the North line of both said Herron Survey, and 50.487 acre tract for a total distance of 1143.91 feet to a found spike nail in said County Road No. 100 maintaining the Southwest corner of said Boyd Survey, the most Southerly Southeast corner of the above mentioned W. H. Ratton Survey;

THENCE South 88° 40' 12" West with the South line of said Westgate tract, the approximate centerline of said County Road 100, the North line of said Preston tract, a distance of 142.85 feet to the PLACE OF BEGINNING, and containing 33.356 acres of computed land, more or less.

Tract 3 – 33.356 Acres (northern)

BEING a tract of land situated in the L.M. Boyd Survey, Abstract No. 48, Collin County, Texas, and being part of a called 640 acre tract of land described in a Deed to Moses Hubbard et ux, of record in Volume 29, Page 487, Deed Records, Collin County, Texas, and being a portion of that certain tract of land conveyed to Westgate Celina Investors, L.P., by deed recorded under Instrument Number 2006497280, Official Public Records, Collin County, Texas, and being more particularly described as follows;

COMMENCING at a nail spike found from which a 60D nail found bears North 85 deg. 10 min. 01 sec. East, 0.86 feet for corner in the East Right-of-Way line of State Highway 289 (variable R.O.W.) and near the centerline of County Road 100, said point also being the northwest corner of a tract of land conveyed to Preston Acreage, L.P., by deed recorded in Volume 5239, Page 1060, Deed Records, Collin County, Texas, from which a 60 "D" nail found for reference bears North 85° 13' 01" East, a distance of 0.86 feet;

THENCE North 88° 40' 12" East, with the South line of said Westgate tract, the approximate centerline of said County Road 100, the North line of said Preston tract, a distance of 475.22 feet to a point;

THENCE through the interior of said Westgate tract as follows:

North 06° 09' 00" East, a distance of 1213.41 feet to a 1/2 inch iron rod set with "Peiser & Mankin SURV" red plastic cap set (hereinafter referred to as 1/2 inch iron rod set) for the Southwest corner of the herein described tract, same being the POINT OF BEGINNING;

North 06 deg. 09 min. 00 sec. East, a distance of 1410.65 feet to a mag nail set for the Northwest corner of the herein described tract, same being in the North line of said Westgate tract, same being in the approximate centerline of County Road 134, same being in the South line of that certain tract of land conveyed to Celina Independent School District, by deed recorded under Instrument Number 20070404000455450, Official Public Records, Collin County, Texas;

THENCE North 88° 17' 46" East, along the approximate centerline of County Road 134, a distance of 946.78 feet to a mag nail set for the Northeast corner of the herein described tract;

THENCE South 01° 17' 40" East, with the East line of aforesaid Westgate tract, and with the West line of an 0.55 acre tract of land conveyed to Gunter Water Supply Corporation by deed recorded in Volume 796, Page 810, Deed Records, Collin County, Texas, at a distance of 160.0 feet passing the Southwest corner of said 0.55 acre tract, the Northwest corner of a 46.885 acre tract of land conveyed to Philip N. Littell, recorded in Volume 2869, Page 535, Deed Records, Collin County Texas, the Northwest corner of an 0.5032 acre tract of land conveyed to Gunter Water Supply Corporation, recorded in Volume 2936, Page 496, Deed Records, Collin County, Texas, and continuing with the West line of said 0.5032 acre tract, passing its Southwest corner, and continuing, passing the Southwest corner of said 46.885 acre tract and continuing with the East line of said Westgate tract for a total distance of 1398.83 feet to a 1/2 inch iron rod set for the Southeast corner of the herein described tract;

THENCE South 88° 21' 58" West, through the interior of said Westgate tract, a distance of 1129.55 feet to the PLACE OF BEGINNING, and containing 33.356 acres of computed land, more or less.

Exhibit "B"

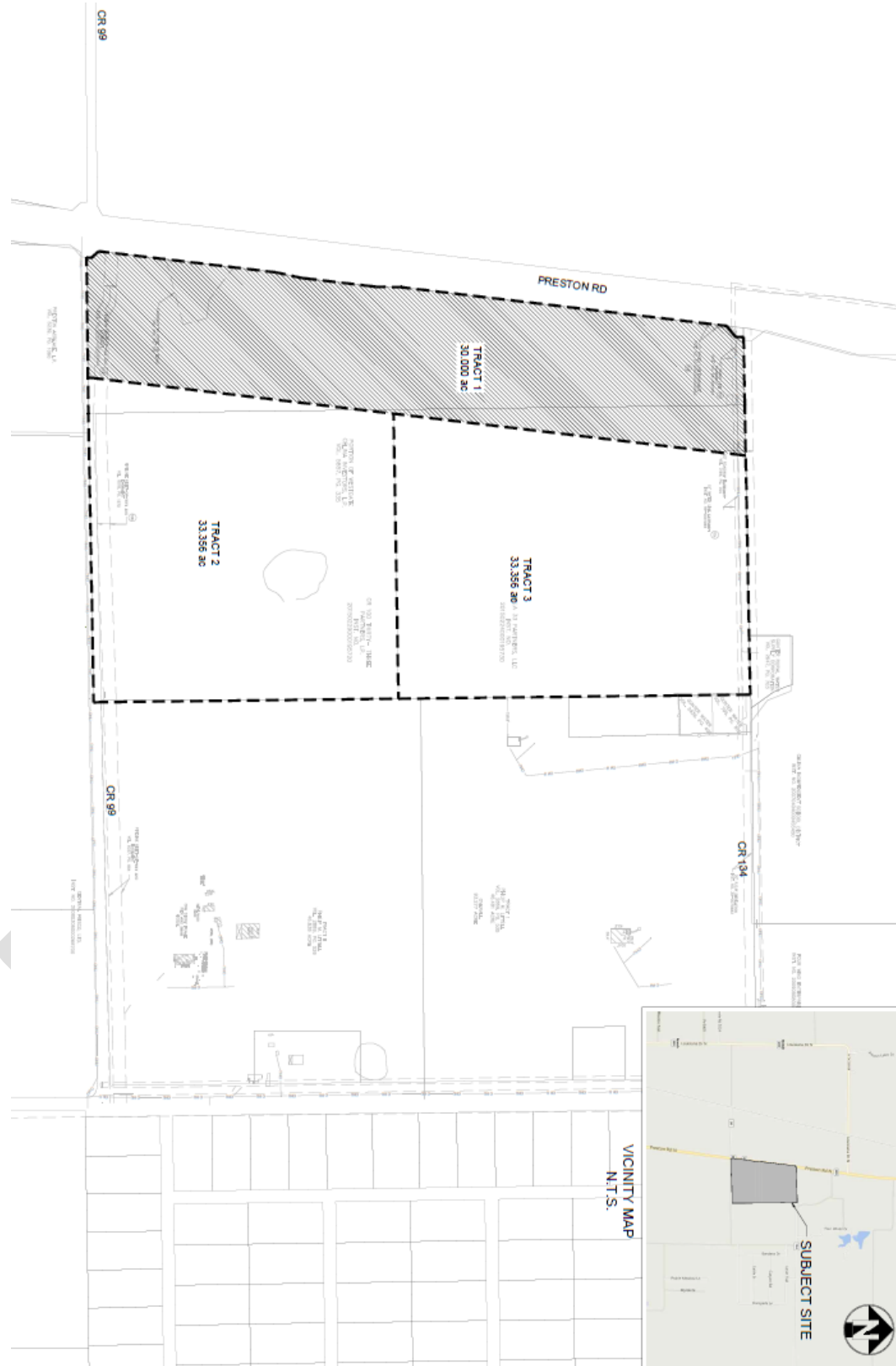


Exhibit “C”



Attachment: Westgate PD ordinance (1320 : Westgate 96 PD Amendment)

**Exhibit “D”
Development Standards**

DRAFT

Attachment: Westgate PD ordinance (1320 : Westgate 96 PD Amendment)



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: January 12, 2016
 Re: Parks at Wilson Creek Annexation Public Hearings

Action Requested:

The Celina City Council will conduct two public hearings at 6:00 p.m. and 6:05 p.m. to consider testimony regarding the voluntary annexation of a ±669.95 acre tract of land located in the Mary Howell Survey, Abstract No. 395, the Charles Rice Survey, Abstract No. 771, the J.B. Wilmeth Surveys, Abstracts No. 983 and No. 985, the Levin Routh Survey, Abstract No. 779 and the Samuel Queen Survey, Abstract No. 731, Collin County, Texas, and generally located east of Preston Road and on both the north and south sides of Sunset Boulevard, within the extraterritorial jurisdiction of the City of Celina, Collin County, Texas and set two public hearing dates on January 12, 2016 at (Parks at Wilson Creek) (Liebman)

Background Information:

A petition for annexation was received from Matthew Alexander of the Cambridge Company on November 12, 2015. The property is contiguous to current city limits.

- ~~§ December 7, 2015 Council passed resolution setting date and time of the two public hearings~~
- ~~§ December 25, 2015 Notice of public hearings published~~
- ~~§ December 23, 2015 Notice of annexation sent to school districts and utilities~~
- ~~§ December 23, 2015 Notice of public hearing posted on City website~~
- § January 12, 2016 Council to hold two (2) public hearings
- § February 9, 2016 Council to consider annexation ordinance

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Legal Review:

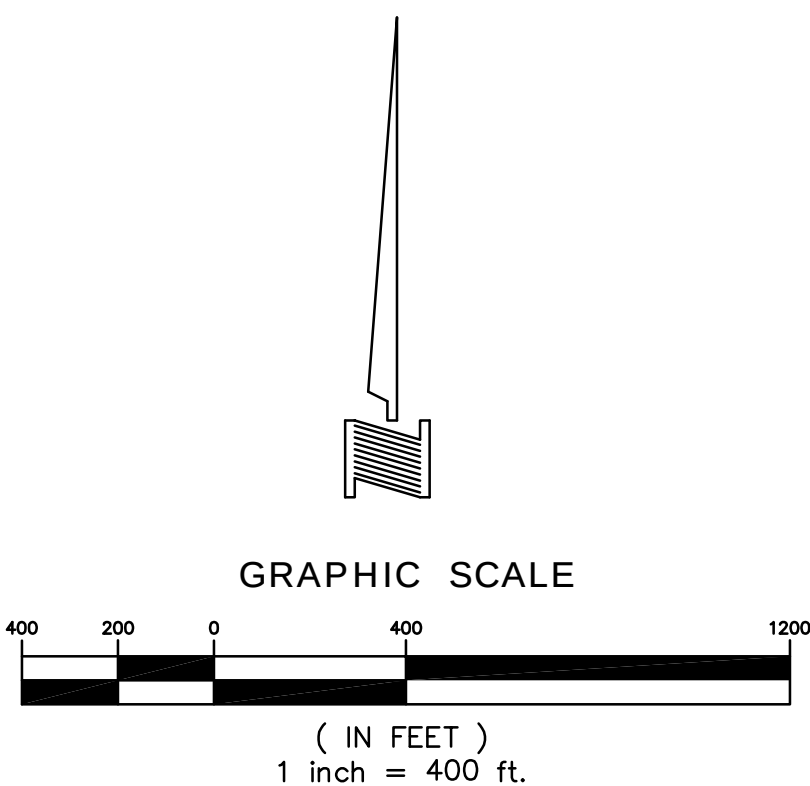
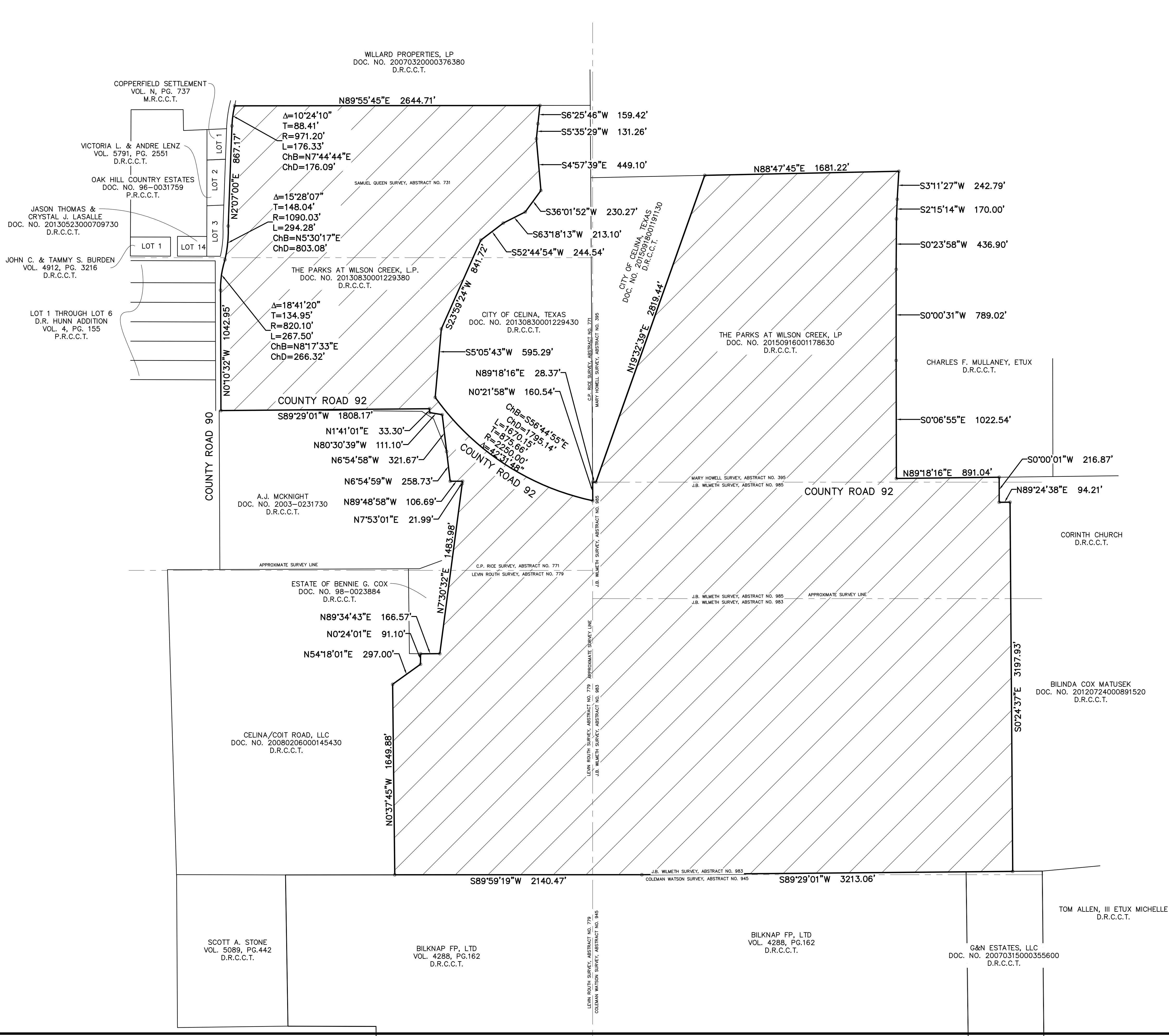
N/A

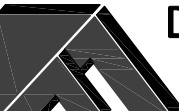
Supporting Documents:

- Property Exhibit

Staff Recommendation:

N/A



THE PARKS AT WILSON CREEK						
ANNEXATION EXHIBIT						
CITY OF CELINA						
COLLIN COUNTY, TEXAS						
 DOWDEY, ANDERSON & ASSOCIATES, INC. 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694						
STATE REGISTRATION NUMBER: F-399						
DESIGN	DRAWN	CHECKED	DATE	SCALE	JOB	SHEET
-	CEK	JCR	12/03/2015	1" = 400'	13004	1



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: January 12, 2016
 Re: Kim Young Lei Annexation Public Hearings

Action Requested:

The Celina City Council will conduct two public hearings at 6:00 p.m. and 6:05 p.m. to consider testimony regarding the proposed involuntary annexation of a ±34.62 acre tract of land situated in Tract 55 of the Coleman Watson Survey, Abstract No. 945 and generally located north of FM 1461 (Frontier Parkway), south of Coastal Drive, west of FM 2478 (Custer Road), and east of CR 84. (Kim Young Lei) (Liebman)

Background Information:

Below is the anticipated annexation schedule for the properties listed in Exhibit "A"

The properties have an agricultural exemption. A pre-annexation agreement was offered to the owner and was not returned to the City prior to the required deadline.

- ~~• December 7, 2015 - City Council acts on Resolution to set the public hearing dates.~~
- January 12, 2016 - Two separate public hearings are held on the same night (6:00pm & 6:05pm @ 112 N. Colorado Dr. Celina, Texas.)
- February, 9 2016 - City Council acts on Ordinance annexing the properties listed in Exhibit "A"

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

The City's land use attorney assisted staff during the pre-annexation process.

Staff Recommendation:

N/A



Engineering/Public Works
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Gabe Johnson, Director of Public Works
Date: January 12, 2016
Re:

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, supporting the construction of an overpass on Frontier Parkway (County Road 5) over the Burlington Northern/Santa Fe Railway Line, the reconstruction of FM 1461 from Preston Road to Custer Road, and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway Overpass at US Highway 380, in cooperation with the Town of Prosper, Collin County and the Regional Transportation Council. (Johnson)

Background Information:

Consider and act upon a resolution supporting the construction of a bridge on Frontier Parkway over the BNSF Railroad between Preston Road and Dallas North Tollway. Below are a few bullet points of the resolution:

- There is a need to construct an urban thoroughfare on County Road 5 (Frontier Parkway) from the Dallas North Tollway service road to Preston Road/SH 289 to provide for mobility for the anticipated increase in travel demand in the area as well as improved access to adjoining land;
- It is vital to the safety and traffic flow of this thoroughfare that this thoroughfare be separated from the Burlington Northern/Santa Fe Railroad (BNSF) railway crossing by passing the thoroughfare over the railroad via a bridge;
- It is critical to the access to the adjoining land on the north side of the thoroughfare that a service road be provided at ground level;
- Due to the desire that trains not have to sound their horns when approaching the crossing, the features of a street/railroad crossing known as a “quiet crossing” should be included as part of the improvements;
- It is understood that the project cost, including right-of-way, engineering design and construction, is estimated to be in the range of \$16 - \$21 million;
- The Town of Prosper has expressed its willingness to contribute Town funds to this project;

- The City of Celina has expressed its willingness for Collin County bond funds that have been allocated to Celina to be contributed to this project;
- Regional Toll Revenue (RTR) funds have been allocated by the Regional Transportation Council to this project;
- The Town of Prosper and the City of Celina jointly desire that Collin County manage the design and construction of this project;
- The Town of Prosper and the City of Celina also support the reconstruction of FM 1461 from Preston Road to Custer Road and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway overpass at US Highway 380, as part of a regional cooperative effort involving the City, the Town, the North Central Texas Council of Governments, the North Texas Tollway Authority and Collin County.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

As per the resolution The City of Celina agrees that \$3,970,000 in Collin County bond funds allocated to Celina shall be dedicated to this project with the understanding that the Town of Prosper agrees to contribute \$3,650,000 toward the total cost of the project.

Legal Review:

City attorney has reviewed the resolution for content and form.

Supporting Documents:

Resolution

Staff Recommendation:

Approve

CITY OF CELINA, TEXAS

RESOLUTION NO. 2015-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, SUPPORTING THE CONSTRUCTION OF AN OVERPASS ON FRONTIER PARKWAY (COUNTY ROAD 5) OVER THE BURLINGTON NORTHERN/SANTA FE RAILWAY LINE, THE RECONSTRUCTION OF FM 1461 FROM PRESTON ROAD TO CUSTER ROAD, AND THE TWO SOUTHBOUND DALLAS NORTH TOLLWAY SERVICE LANES ALONG WITH THE DALLAS NORTH TOLLWAY OVERPASS AT US HIGHWAY 380, IN COOPERATION WITH THE TOWN OF PROSPER, COLLIN COUNTY AND THE REGIONAL TRANSPORTATION COUNCIL; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there is a need to construct an urban thoroughfare on County Road 5 (Frontier Parkway) from the Dallas North Tollway service road to Preston Road/SH 289 to provide for mobility for the anticipated increase in travel demand in the area as well as improved access to adjoining land; and

WHEREAS, it is vital to the safety and traffic flow of this thoroughfare that this thoroughfare be separated from the Burlington Northern/Santa Fe Railroad (BNSF) railway crossing by passing the thoroughfare over the railroad via a bridge; and

WHEREAS, it is critical to the access to the adjoining land on the north side of the thoroughfare that a service road be provided at ground level; and

WHEREAS, due to the desire that trains not have to sound their horns when approaching the crossing, the features of a street/railroad crossing known as a “quiet crossing” should be included as part of the improvements; and

WHEREAS, it is understood that the project cost, including right-of-way, engineering design and construction, is estimated to be in the range of \$16 - \$21 million; and

WHEREAS, the Town of Prosper has expressed its willingness to contribute Town funds to this project; and

WHEREAS, the City of Celina has expressed its willingness for Collin County bond funds that have been allocated to Celina to be contributed to this project; and

WHEREAS, Regional Toll Revenue (RTR) funds have been allocated by the Regional Transportation Council to this project; and

WHEREAS, the Town of Prosper and the City of Celina jointly desire that Collin County manage the design and construction of this project; and

WHEREAS, the Town of Prosper and the City of Celina also support the reconstruction of FM 1461 from Preston Road to Custer Road and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway overpass at US Highway 380, as part of a regional cooperative effort involving the City, the Town, the North Central Texas Council of Governments, the North Texas Tollway Authority and Collin County.

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

SECTION 1

The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2

The City Council of the City of Celina hereby agrees and finds as follows:

1. The first stage of a six-lane urban thoroughfare should be planned, designed and constructed along CR 5 (Frontier Parkway) from the Dallas North Tollway service road to Preston Road/SH 289 with a grade separation at the BNSF railroad, with the first phase of said project consisting of minimum of (a) a four-lane divided concrete roadway with curbs and storm sewer; (b) one-half of the grade separation necessary for the full six lanes; and (c) a two-lane concrete service road with curbs on the north side of the grade separation.
2. The City of Celina agrees that \$3,970,000 in Collin County bond funds allocated to Celina shall be dedicated to this project with the understanding that the Town of Prosper agrees to contribute \$3,650,000 toward the total cost of the project.
3. The Town of Prosper and the City of Celina agree that \$4,350,000 in RTR funds shall be used for this project.
4. The Town of Prosper and the City of Celina acknowledge and understand that the remainder of the funds necessary for this first stage of the project will be provided by the Regional Transportation Council and Collin County.
5. The Town of Prosper and the City of Celina acknowledge and agree that Collin County will manage the design, right-of-way acquisition and construction of this thoroughfare; however, the City of Celina will do everything within its power to encourage adjacent land owners to provide the right-of-way to the County at no cost, or at the lowest cost possible.
6. The Town of Prosper and the City of Celina acknowledge and agree that the maintenance of the facilities built with regard to this project in Town/City limits will be the responsibility of the Town/City, except that Collin County will accept maintenance of the grade separation for the first five years, after which the Town of Prosper will accept maintenance responsibilities.
7. The Town of Prosper and the City of Celina also support the reconstruction of FM 1461 from Preston Road to Custer Road and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway overpass at US Highway 380, as part of a regional cooperative effort involving the City, the Town, the North Central Texas Council of Governments, the North Texas Tollway Authority and Collin County.

SECTION 3

Any and all resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Resolution are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 4

This Resolution shall be effective from and after its passage by the City Council.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, ON THIS 7TH DAY OF DECEMBER, 2015.

Sean Terry, Mayor

ATTEST:

Vicki Faulkner, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Lance Vanzant, City Attorney

Attachment: 2015-12-07 Celina Frontier Bridge Resolution (1362 : Frontier Bridge Resolution)



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: January 12, 2016
 Re: Wells North PID Petition

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, accepting a petition to create a Public Improvement District (PID) in the Extraterritorial Jurisdiction, calling for a public hearing and directing the statutory notices to be given. The property, Wells North, is an approximately 244.136 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 generally located south of CR 88, north of CR 83, east of Carter Ranch and approximately 1,350 feet west of the future alignment of Coit Road. (Wells North PID Petition) (Liebman)

Background Information:

The applicant has submitted a petition to create a PID Public Improvement District for a ±244.136 acre tract of land (Wells North). The proposed resolution authorizes the creation of the Wells North Public Improvement District PID and provides for items associated with the PID, including a signed and executed Petition to Dissolve the Public Improvement District. This Dissolution Petition is submitted by the current owner concurrently with the PID Creation Petition as required by Section 7.01(a) of the Development Agreement and pursuant to the provisions of Chapter 372 of the Texas Local Government Code to be held in trust by the City and used by the City to dissolve the PID if Hillwood Enterprises, L.P. does not purchase the Property as required by the terms of the Development Agreement.

Public Notice:

N/A

Supporting Documents:

- PID Petition
- Resolution Authorizing the Creation of the Wells North PID

Legal Review:

The proposed resolution has been reviewed by the City's land use attorney.

Board/Committee Recommendation:

N/A

Staff Recommendation:

Staff recommends approval.

PETITION FOR THE CREATION OF A
PUBLIC IMPROVEMENT DISTRICT WITHIN
THE ETJ OF THE CITY OF CELINA, TEXAS,
FOR THE WELLS NORTH DEVELOPMENT

This petition (the "Petition") is submitted and filed with the City Secretary of the City of Celina, Texas (the "City"), by The George White Family Limited Partnership, a Texas limited partnership (the "Owner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), requesting that the City create a public improvement district (the "District") to include property owned by the Owner and located within the extraterritorial jurisdiction of the City (the "Property"), more particularly described in Exhibit A and depicted in Exhibit B. In support of this Petition, the Owner would present the following:

Section 1. General Nature of the Authorized Improvements. The purposes of the District include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to, water and wastewater system improvements, roadway improvements, right-of-way acquisition, and other improvement projects (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Section 2. Estimated Cost of the Authorized Improvements. The Owner estimates that the cost to design, acquire, and construct the Authorized Improvements is \$20,000,000.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy an assessment on each residential lot within the District to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). The installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements.

Section 5. Proposed Apportionment of Cost between the District and the City. The City shall not be obligated to provide any funds to finance the Authorized Improvements. The cost of the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Owner.

Section 6. Management of the District. The Owner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. Owner Requests Establishment of the District. The person signing this Petition requests the establishment of the District.

Section 8. Advisory Board. The Owner proposes that the District be established and managed without the creation of an advisory body.

This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City in support of the creation of the District by the City Council as herein provided. The undersigned requests that the City Council grant its consent as above stated.

RESPECTFULLY SUBMITTED, on this the ____ day of December, 2015.

THE GEORGE WHITE FAMILY LIMITED PARTNERSHIP,
A Texas limited partnership

By: WWW Group, LLC
A Texas limited liability company,
its General Partner

By:

Name:

Title:

Katherine N. Power
Manager

Attachment: Wells North PID Petition (1404 : Wells North PID Petition)

Exhibit A**Metes and Bounds Description of the Property****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:

Attachment: Wells North PID Petition (1404 : Wells North PID Petition)

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 to The Wells North Tract PID Petition – Page 1



**CITY OF CELINA, TEXAS
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA,
TEXAS, ACCEPTING A PETITION TO CREATE A PUBLIC
IMPROVEMENT DISTRICT IN THE ETJ AND CALLING FOR A
PUBLIC HEARING.**

WHEREAS, Chapter 372 of the Texas Local Government Code (the “Act”) authorizes the creation of public improvement districts; and

WHEREAS, on December 21, 2015, the owners of real property delivered to the City of Celina, Texas a petition (the “Petition”, which is attached as Exhibit “A”) indicating: (i) the owners of more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, and (ii) the owners of more than fifty percent (50%) of the area of all taxable real property liable for assessment within the District have executed the Petition requesting that the City Council create the Wells North Public Improvement District (the “District”), as shown in Exhibit “A” (the “map of the District”); and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, the Act further requires that prior to the adoption of the resolution creating the District, the City Council must hold a public hearing on the advisability of establishing the District, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs.

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

Section 1. City Staff reviewed the Petition and determined that same complied with the requirement of the Act and the City Council accepts the Petition.

Section 2. The City Council calls a public hearing to be scheduled at 6:30 p.m. on February 9, 2016 to be held at First United Methodist Church, 112 N. Colorado Street, Celina, Texas on the advisability of establishing the District, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the cost.

Section 3. The City Council hereby authorizes and directs the City Secretary, before the 15th day before the February 9, 2016 hearing, in accordance with the Act, to: (a) publish notice in a newspaper of general circulation of the public hearing; and (b) mail notice of the public hearing to the owners of property located in the proposed District as reflected on the city tax rolls.

PASSED AND APPROVED THIS THE 12th DAY OF JANUARY, 2016.

CITY OF CELINA, TEXAS

SEAN TERRY, MAYOR

ATTEST:

VICKI FAULKNER, CITY SECRETARY

EXHIBIT A

Petition for the Creation of a Public Improvement District including Map

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE ETJ OF THE CITY OF CELINA, TEXAS, FOR THE WELLS NORTH DEVELOPMENT

This petition (the "Petition") is submitted and filed with the City Secretary of the City of Celina, Texas (the "City"), by The George White Family Limited Partnership, a Texas limited partnership (the "Owner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), requesting that the City create a public improvement district (the "District") to include property owned by the Owner and located within the extraterritorial jurisdiction of the City (the "Property"), more particularly described in Exhibit A and depicted in Exhibit B. In support of this Petition, the Owner would present the following:

Section 1. General Nature of the Authorized Improvements. The purposes of the District include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to, water and wastewater system improvements, roadway improvements, right-of-way acquisition, and other improvement projects (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Section 2. Estimated Cost of the Authorized Improvements. The Owner estimates that the cost to design, acquire, and construct the Authorized Improvements is \$20,000,000.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy an assessment on each residential lot within the District to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). The installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements.

Section 5. Proposed Apportionment of Cost between the District and the City. The City shall not be obligated to provide any funds to finance the Authorized Improvements. The cost of the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Owner.

Section 6. Management of the District. The Owner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. Owner Requests Establishment of the District. The person signing this Petition requests the establishment of the District.

The Wells North Tract PID Petition - Page 1

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Section 8. Advisory Board. The Owner proposes that the District be established and managed without the creation of an advisory body.

This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

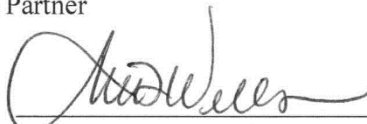
This Petition is hereby filed with the City Secretary of the City in support of the creation of the District by the City Council as herein provided. The undersigned requests that the City Council grant its consent as above stated.

RESPECTFULLY SUBMITTED, on this the 18th day of December, 2015.

THE GEORGE WHITE FAMILY LIMITED PARTNERSHIP,
A Texas limited partnership

By: WWW Group, LLC
A Texas limited liability company,
its General Partner

By:



Name: Marianne Wells

Title: Manager

Exhibit AMetes and Bounds Description of the Property**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 IX, 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 IX, 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

Exhibit A to The Wells North Tract PID Petition – Page 3

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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 1,436.38 feet, a central angle of $19^{\circ}04'36''$, and a chord bearing and distance of North $59^{\circ}59'23''$ 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
Depiction of the Property



Exhibit B to The Wells North Tract PID Petition – Page 1

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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: January 12, 2016

Re: Consider and act upon a eighth amendment to the Amended and Restated Development Agreement with Light Farms regarding sex offender residency restrictions and provisions for payment of Police and Fire services. (Liebman)

Action Requested:

Consider and act upon a eighth amendment to the Amended and Restated Development Agreement with Light Farms regarding sex offender residency restrictions and provisions for payment of Police and Fire services. (Liebman)

Background Information:

In November, 2015 the City passed the seventh amendment to the development agreement with Light Farms to extend the City's sex offender ordinance to cover the development. The amendment to the agreement expires on January 13, 2015.

This seventh amendment to the City's agreement with Light Farms is to extend the sex offender ordinance to Light Farms, and provide a vehicle for payments to the City for contracted police and fire services. In the event that Light Farms is unable to secure required regulatory approvals this amendment will expire on December 31, 2016.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

Per this proposed agreement Light Farms is to pay \$468 per year for Fire & EMS services, and \$432 per year for Police services for each home permitted during the previous year. Additionally a prorated fee will be due each month for homes permitted in the previous month.

Legal Review:

The City's Land Use Attorney has reviewed the proposed amendment and has deemed it acceptable.

Supporting Documents:

- Proposed amendment

Staff Recommendation:

Staff recommends approval as presented.

**EIGHTH AMENDMENT TO
AMENDED AND RESTATED DEVELOPMENT AGREEMENT**

This Eighth Amendment to Amended and Restated Development Agreement (this "Eighth Amendment") is made and entered into effective as January 12, 2016 (the "Effective Date") by and among the City of Celina, Texas (the "City") and the following owners of land in the City's extraterritorial jurisdiction who execute this Eighth Amendment: LFC Land Company, LLC ("LFC"), LFC Land Company II, LLC ("LFC II"), LFC Development Company I, LLC ("LFC Development I"), LFC Devco Maydelle, LLC ("LFC Maydelle"), LFC Devco BIG II, LLC ("LFC BIG"), Collin County Municipal Utility District No. 1 ("MUD 1"), LFC Devco Cypress, LLC ("LFC Cypress"), LFC Graham, LLC ("LFC Graham"), LFC HLH, LLC ("LFC HLH"), LFC GM, LLC ("LFC GM"), LFC Sage, LLC ("LFC Sage"), and Highland Homes, LLC, American Legend Homes, Darling Homes of Texas, LLC, Drees Custom Homes, LP, RH of Texas Limited Partnership, Shaddock Homes, Ltd., Horizon Homes, LLC, and K. Hovanian DFW Light Farms, LLC (the last eight parties are collectively referred to herein as the "Homebuilders"). LFC, LFC II, LFC Development I, LFC Maydelle, LFC BIG, LFC Cypress, LFC Graham, LFC HLH, LFC GM, and LFC Sage are collectively referred to herein as the "LFC Parties." The parties hereto are sometimes individually referred to as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, LFC owns the property described by metes and bounds and depicted on the attached **Exhibit A** (the "LFC Property"); and

WHEREAS, LFC II owns the property described by metes and bounds and depicted on the attached **Exhibit B** (the "LFC II Property"); and

WHEREAS, LFC Development I owns the property described by metes and bounds and depicted on the attached **Exhibit C** ("LFC Development I Property"); and

WHEREAS, LFC Maydelle owns the property described by metes and bounds and depicted on the attached **Exhibit D** (the "LFC Maydelle Property"); and

WHEREAS, LFC BIG owns the property described by metes and bounds and depicted on the attached **Exhibit E** (the "LFC BIG Property"); and

WHEREAS, MUD 1 owns the property described by metes and bounds and depicted on the attached **Exhibit F** (the "MUD-Owned Property"); and

WHEREAS, LFC Cypress owns the property described by metes and bounds and depicted on the attached **Exhibit G** (the "LFC Cypress Property"); and

WHEREAS, LFC Graham owns the property described by metes and bounds and depicted on the attached **Exhibit H** (the "LFC Graham Property"); and

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

WHEREAS, LFC HLH owns the property described by metes and bounds and depicted on the attached **Exhibit I** (the "**LFC HLH Property**"); and

WHEREAS, LFC GM owns the property described by metes and bounds and depicted on the attached **Exhibit J** (the "**LFC GM Property**"); and

WHEREAS, LFC Sage owns the property described by metes and bounds and depicted on the attached **Exhibit K** (the "**LFC Sage Property**"); and

WHEREAS, the property described by metes and bounds and depicted on the attached **Exhibit A** through **Exhibit K** includes certain platted lots owned by the Homebuilders (the "**Homebuilder Lots**"); and

WHEREAS, the LFC Property, the LFC II Property, the LFC Development I Property, the LFC Maydelle Property, the LFC BIG Property, the MUD-Owned Property, the LFC Cypress Property, the LFC Graham Property, the LFC HLH Property, the LFC GM Property, the LFC Sage Property, and the Homebuilder Lots are collectively referred to herein as the "**Property**"; and

WHEREAS, for purposes of this Eighth Amendment, the defined term "Property" excludes platted lots that are within the metes and bounds description and depiction on the attached **Exhibit A** through **Exhibit K** to the extent such lots are not owned by any of the LFC Parties, MUD 1, or the Homebuilders on the Effective Date; and

WHEREAS, the City, Forestar/RPG Land Company, LLC ("**RPG**"), Lucas Celina 209, Ltd., Central Frisco, Ltd. executed that certain Amended and Restated Development Agreement approved by the City Council on March 12, 2007 and dated effective as of March 12, 2007 and filed in the deed records of Collin County, Texas as Instrument No. 20071101001489980 (the "**Original Development Agreement**"), as modified by the following: (a) that certain Addendum to Amended and Restated Development Agreement approved by the City Council on May 14, 2007 and dated effective as of March 12, 2007 and filed in the deed records of Collin County, Texas as Instrument No. 200711010011489990 (the "**Addendum**"); (b) that certain First Amendment to Amended and Restated Development Agreement approved by the City Council on August 13, 2007 and dated effective as of March 12, 2007 and filed in the deed records of Collin County, Texas as Instrument No. 20071114001544520 (the "**First Amendment**"); (c) that certain Second Amendment to Amended and Restated Development Agreement approved by the City Council on December 14, 2009 and dated effective as of March 12, 2007 and filed in the deed records of Collin County, Texas as Instrument No. 20100105000007540 (the "**Second Amendment**"); (d) that certain Third Amendment to Amended and Restated Development Agreement approved by the City Council on, and dated effective as of, May 9, 2011 and filed in the deed records of Collin County, Texas as Instrument No. 20120423000464760 (the "**Third Amendment**"); (e) that certain Fourth Amendment to Amended and Restated Development Agreement approved by the City Council on October 8, 2012 and dated effective as of October 12, 2012 and filed in the deed records of Collin County, Texas as Instrument No. 20121114001454530 (the "**Fourth Amendment**"); (f) that certain Fifth Amendment to Amended and Restated Development Agreement approved by the City Council on May 13, 2014 and filed in the deed records of Collin County, Texas as Instrument No. 20140711000715400 (the "**Fifth**

Amendment"); (g) that certain Memorandum of Amendment to Development Agreement executed September 16, 2014 and filed in the deed records of Collin County, Texas as Instrument No.20140916001001050 (the "Memorandum"); (h) that certain Sixth Amendment to Amended and Restated Development Agreement approved by the City Council on September 8, 2015 and filed in the deed records of Collin County, Texas as Instrument No. 20151022001338070 (the "Sixth Amendment"); and (i) that certain Seventh Amendment to Amended and Restated Development Agreement approved by the City Council on November 10, 2015 and filed in the deed records of Collin County, Texas as Instrument No. 20151228001609150 (the Original Development Agreement, the Addendum, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Memorandum, the Sixth Amendment, and the Seventh Amendment are hereafter collectively referred to as the "Development Agreement"); and

WHEREAS, this Eighth Amendment further amends the Development Agreement, as such agreement relates to the portions of the Property governed by such agreement; and

WHEREAS, (a) RPG, by Instrument No. 20120423000464800 filed of record in the deed records of Collin County, Texas, assigned to LFC all of its rights, title, and interest in and to the LFC Property, the LFC Development I Property, the LFC Maydelle Property, the LFC BIG Property, and the MUD-Owned Property; (b) LFC assigned to LFC Cypress, LFC Graham, LFC HLH, and LFC GM all of its rights, title, and interest in and to the portions of the LFC Property acquired by each of those four entities; (c) LFC II assigned to LFC Sage all of its rights, title, and interest in and to the portion of the LFC II Property acquired by LFC Sage; and (d) without making RPG a party to this Eighth Amendment or otherwise requiring RPG's approval, the LFC Parties and MUD 1 are authorized to amend the Development Agreement, as they relate to the Property, save and except the Homebuilder Lots; and

WHEREAS, the Property is located within the extraterritorial jurisdiction ("ETJ") of the City and not within the ETJ or corporate limits of any other city or town.

NOW THEREFORE, for and in consideration of these premises and of the mutual promises, obligations, covenants and benefits herein contained, the Parties contract and agree as follows:

1. **Amendment to Article 2.** Article 2 of the Development Agreement is hereby amended by adding a new Section 2.1(m) to read as follows:

The Applicable Regulations also include the Additional City Regulations described in Section 2.11.

2. **Amendment to Section 2.2.** Section 2.2 of the Development Agreement is amended to read as follows:

2.2 **Development Fees and Charges.** Development of the Property shall be subject to the payment of the following fees and charges (collectively, the "Development Fees"): (a) for each connection, a water impact fee in the amount provided on **Exhibit L** (subject to rebate as provided in Section

5.5(d) of this Agreement); (b) for each connection, a sanitary sewer impact fee in the amount provided on **Exhibit L** (subject to rebate as provided in Section 5.6(d) of this Agreement); (c) for each connection, a sewer capacity reservation fee of \$500; (d) building permit fees as provided by Section 2.3 of this Agreement; (e) park dedication fees as provided by Section 2.6 of this Agreement; (f) Plan Review Fees as provided by Section 4.7 of this Agreement; (g) charges for labor and materials (such as meter costs and meter set fees) as set forth in the Retail Utility Policies; (h) the costs to design and construct the Water Facilities and Sewer Facilities; (i) the costs to design and construct the water distribution lines and appurtenances and sanitary sewer collection lines and appurtenances necessary to serve individual lots or connections within the Property; (j) the City's standard plat application fee as adopted and set forth in the City's Master Fee Schedule, as amended; and (k) City standard professional fee for review of all types of plats and related plans and studies including, but not to, (i) floodplain studies, proposed applications for Letters of Map Revision or similar applications, (ii) traffic impact studies, and (iii) civil construction plans (to the extent not included in the Plan Review Fee for providing Review Services pursuant to Section 4.7), as adopted and set forth in the City's Professional Review Fee Ordinance, as amended. Sewer capacity reservation fees and water and sanitary sewer impact fees applicable to individual lots will be due and payable by the applicants at the time building permits are issued for homes or other structures to be built on such lots. In the event of any conflict or inconsistency between the Development Fees and any development fees or charges otherwise referenced in the Applicable Regulations, the Development Fees shall control. No development fees, impact fees, front foot fees, pro-rata charges, capital recovery charges, or charges of any kind shall apply to the development of the Property other than the Development Fees. The Development Fees are charged pursuant to the authority of Texas Local Government Code Section 212.172(b) and are not Texas Local Government Code Chapter 395 impact fees.

3. **Amendment to Section 2.3.** Section 2.3 of the Development Agreement is amended to read as follows:

- 2.3 **Building Permits.** Except for temporary manufactured housing permitted by Section 2.5, all buildings and improvements constructed within the Property shall comply with the Building Codes, and applications for building permits and construction plans for all such structures shall be submitted to the City for review and approval prior to commencement of construction of such structures. The City shall review construction plans, issue building permits, inspect construction (including call-backs, if applicable), and issue certificates of occupancy or completion for all buildings and improvements (collectively, the "**Permit Services**"). The Permit Services will be performed by a qualified and certified independent

contractor selected by the City; however, the City reserves the right to perform the Permit Services using full-time City employees who are qualified and certified to the same standards as other building inspectors employed by cities within Collin, Denton, and/or Dallas Counties. The City agrees that the Permit Services shall be performed in a timely manner and without undue delay. The fees for the Permit Services shall be charged at the time of construction plan submission and shall be competitive with similar fees charged within the north Texas area (but shall not exceed the fee charged by the City for Permit Services anywhere else within the City's corporate limits or ETJ).

4. **Amendment to Article 2.** Article 2 of the Development Agreement is hereby amended by adding a new Section 2.11 titled "Additional City Regulations" to read as follows:

2.11 **Additional City Regulations.** To the extent allowed by law, including, but not limited to, the authority granted pursuant to Texas Local Government Code § 212.172(b)(3) and (4), as amended, the City is authorized to enforce on and within the boundaries of the Property the following provisions of the City's Code of Ordinances, in the same manner the City enforces land use and development regulations within the City's corporate limits:

- (a) Article 3.03 "Dangerous, Substandard, or Abandoned Buildings";
- (b) Division 7 "Minimum Sanitation Requirements for Dwellings" of Article 3.04 "Structural Standards Code";
- (c) Division 8 "Rooming Houses" of Article 3.04 "Structural Standards Code";
- (d) Article 4.04 "Garage Sales";
- (e) Article 4.07 "Alarm Systems and Alarm Permits";
- (f) Article 5.04 "Open Fires";
- (g) Article 5.05 "Fireworks";
- (h) Sections 6.02.003, 6.02.006 and 6.02.007 of Article 6.02 "Property Maintenance";
- (i) Article 8.01.001 "Loitering or Prowling";
- (j) Article 8.01.002 "Consumption of Alcoholic Beverages in Public Places";
- (k) Division 2 "Curfew" of Article 8.02 "Minors";

- (l) Article 8.04 “Noise”;
- (m) Sections 8.06.001 and 8.06.004 of Article 8.06 “Prohibited Conditions on Private Property”;
- (n) Article 8.07 "Sex Offender Residency and Public Safety Zone." For the purposes of this Section 2.11(a) and the definitions within said Article 8.07, planted street medians are not parks, and the phrase "open space area that is accessible by residents within the Property or by the general public" means the areas labeled as "open space" on **Appendix 1** to this Agreement. In addition, the offenses set forth in Section 8.07.003, as enforced on the Property, shall include "open space" as defined in this Agreement; and
- (o) Article 8.08 “Abandoned or Junked Vehicles”.

- 5. **Deletion of Section 3.2.** Section 3.2 of the Development Agreement shall be deleted in its entirety.
- 6. **Amendment to Section 4.7.** The phrase “one percent” as it appears in Section 4.7 of the Development Agreement is amended to read “three percent (3.0%).”
- 7. **Amendment to Section 6.8.** Section 6.8 of the Development Agreement shall be amended in its entirety to read as follows:

6.8 **Police, Fire and Emergency Services.**

- (a) **Fire and Emergency Services.** The City agrees with the LFC Parties and, subject to and upon receipt of the Approvals (hereinafter defined), MUD 1 to provide fire-fighting and emergency medical services (“Fire-Fighting Services”) to all properties located within the boundaries of MUD 1 until December 31, 2016, on the same or similar level as provided within the City’s corporate limits subject to the following:

- (1) As consideration for the City providing such Fire-Fighting Services during calendar year 2016, the LFC Parties and/or, subject to the Approvals, MUD 1, will pay to the City the following:

- a. On or before January 15, 2016, the LFC Parties and/or MUD 1 will pay the City a one-time fee (“Initial Firefighting Services Fee”) in an amount equal to \$468 multiplied by a number equal to (i) the number of residential units constructed within the boundaries of MUD 1 as of December 31, 2015, plus (ii) the number of building permits granted by the City during calendar year ending on

December 31, 2015 for the construction of residential units on lots within the boundaries of MUD 1 which construction was not completed before January 1, 2016.

- b.* Not later than fifth (5th) day following receipt of an invoice from City, but in any case not earlier than the fifth (5th) day of each calendar month beginning with February 2016 and ending January 2017, the LFC Parties and/or MUD 1 will pay an additional fee (“Monthly Firefighting Services Fees”) in an amount equal to \$468 multiplied by (i) the number of building permits issued by the City for construction of residential units on lots within the boundaries of MUD 1 during the preceding month divided by (ii) a denominator which is equal to the number of whole calendar months remaining for the calendar year after the month in which such building permits were issued. The Monthly Firefighting Services Fee shall be calculated each month and shall be cumulative of all prior months. By way of example to further explain the intent of this paragraph *b*:
- (i) The Monthly Firefighting Services Fee for January 2016 shall be an amount equal to \$468 X the number of building permits issued by the City for lots within MUD 1 during January 2016 ÷ 11. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than February 5, 2016. The amount of the January 2016 Monthly Firefighting Services Fee shall be due and payable each calendar month beginning February 5, 2016 and ending January 5, 2017.
 - (ii) The Monthly Firefighting Services Fee for February 2016 shall be an amount equal to the Monthly Firefighting Services Fee for January 2016 PLUS \$468 X the number of building permits issued by the City for lots within MUD 1 during February 2016 ÷ 10. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than March 5, 2016. The amount of the February 2016 Monthly Firefighting Services Fee shall be due and payable

each calendar month beginning March 5, 2016 and ending January 5, 2017.

- (iii) The Monthly Firefighting Services Fee for March 2016 shall be an amount equal to the cumulative total of the Monthly Firefighting Services Fees for January and February 2016 PLUS \$468 X the number of building permits issued by the City for lots within MUD 1 during March 2016 ÷ 9. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than April 5, 2016. The amount of the March 2016 Monthly Firefighting Services Fee shall be due and payable each calendar month beginning April 5, 2016 and ending January 5, 2017.
- (iv) The Monthly Firefighting Services Fee for April 2016 shall be an amount equal to the cumulative total of the Monthly Firefighting Services Fees for January, February, and March 2016 PLUS \$468 X the number of building permits issued by the City for lots within MUD 1 during April 2016 ÷ 8. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than May 5, 2016. The amount of the April 2016 Monthly Firefighting Services Fee shall be due and payable each calendar month beginning May 5, 2016 and ending January 5, 2017.

The foregoing calculations of the Monthly Firefighting Services Fee shown in (i) through (iv), above shall continue to be made for each of the remaining months of the 2016 with the amount calculated for each month being added to the amount paid for the month prior.

- (2) In order for MUD 1 to contract with the City to perform Firefighting Services within the District and pay such services for any remaining portion of calendar year 2016 or for years following calendar year 2016, TCEQ approval of such contract must be obtained in accordance with the Texas Water Code, Section 49.351 ("TCEQ Approval"). MUD 1 and the City agree to use their good faith efforts to negotiate and enter into such a contract pursuant to

which the City will provide such services and MUD 1 will adopt and enforce all necessary charges and fees necessary to raise the funds to pay for such services; provided, however, failure of the City and MUD 1 to reach agreement on and enter into such contract shall not constitute a default of this Agreement. The payments to be made by MUD 1 for Firefighting Services for periods after December 31, 2016, shall be calculated in accordance with the provisions of such contract. If MUD 1 and the City are successful in negotiating such a contract, upon approval of TCEQ, MUD 1 shall place proposition(s) as may be required by Texas Water Code, Section 49.351 or other applicable statutes on the ballot at an election to be conducted within MUD 1 such proposition(s) as may be required by Texas Water Code, Section 49.351 or other applicable statutes to provide MUD 1 the authority to levy the necessary ad valorem taxes or assess other charges to raise the funds necessary to pay City for providing Firefighting Services to the District. Thereafter, if approved by the voters, (“District Voter Approval”, such District Voter Approval and TCEQ Approval, collectively “Approvals”) the Board of Directors of MUD 1 will enter into a contract with the City under which the City will provide Firefighting Services in accordance with the agreed upon terms and conditions. Upon the execution of such contract by MUD 1 and the City, and payment of all amounts required by subparagraph (a)(1) by the LFC Parties and/or MUD 1 as provided therein, the LFC Parties will have no further liability to the City under subparagraph (a)(1).

- (b) Police Services. The City agrees with the LFC Parties and MUD 1 to provide police services (“Police Services”) in accordance with the Texas Water Code, Section 49.216, to all properties located within the boundaries of MUD 1 until December 31, 2016, on the same or similar level as provided within its corporate limits subject to the following:
 - (1) As consideration for the City providing Police Services during calendar year 2016, the LFC Parties and/or MUD 1 will pay to the City the following:
 - a. On or before January 15, 2016, the LFC Parties and/or MUD 1 will pay the City a one-time fee (“Initial Police Services Fee”) in an amount equal to \$432 multiplied by a number equal to (i) the number of residential units constructed within the boundaries of MUD 1 as of December 31, 2015, plus (ii) the number of building

permits granted by the City during calendar year ending on December 31, 2015 for the construction of residential units on lots within the boundaries of MUD 1 which construction was not completed before January 1, 2016.

- b. Not later than fifth (5th) day following receipt of an invoice from City, but in any case not earlier than the fifth (5th) day of each calendar month beginning with February 2016 and ending January 2017, the LFC Parties and/or MUD 1 will pay an additional fee (“Monthly Police Services Fees”) in an amount equal to \$432 multiplied by (i) the number of building permits issued by the City for construction of residential units on lots within the boundaries of MUD 1 during the preceding month divided by (ii) a denominator which is equal to the number of whole calendar months remaining for the calendar year after the month in which such building permits were issued. The Monthly Police Services Fee shall be calculated each month and shall be cumulative of all prior months. By way of example to further explain the intent of this subparagraph *b*:
- (i) The Monthly Police Services Fee for January 2016 shall be an amount equal to \$432 X the number of building permits issued by the City for lots within MUD 1 during January 2016 ÷ 11. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than February 5, 2016. The amount of the January 2016 Monthly Police Services Fee shall be due and payable each calendar month beginning February 5, 2016 and ending January 5, 2017.
 - (ii) The Monthly Police Services Fee for February 2016 shall be an amount equal to the Monthly Police Services Fee for January 2016 PLUS \$432 X the number of building permits issued by the City for lots within MUD 1 during February 2016 ÷ 10. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than March 5, 2016. The amount of the February 2016 Monthly Police Services Fee shall be due and payable each calendar

month beginning March 5, 2016 and ending January 5, 2017.

- (iii) The Monthly Police Services Fee for March 2016 shall be an amount equal to the cumulative total of the Monthly Police Services Fees for January and February 2016 PLUS \$468 X the number of building permits issued by the City for lots within MUD 1 during March 2016 $\div$ 9. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than April 5, 2016. The amount of the March 2016 Monthly Police Services Fee shall be due and payable each calendar month beginning April 5, 2016 and ending January 5, 2017.
- (iv) The Monthly Police Services Fee for April 2016 shall be an amount equal to the cumulative total of the Monthly Police Services Fees for January, February, and March 2016 PLUS \$468 X the number of building permits issued by the City for lots within MUD 1 during April 2016 $\div$ 8. Said amount shall be due and payable not later than the fifth (5th) day after receipt of an invoice from the City, but not earlier than May 5, 2016. The amount of the April 2016 Monthly Police Services Fee shall be due and payable each calendar month beginning May 5, 2016 and ending January 5, 2017.

The foregoing calculations of the Monthly Police Services Fee shown in (i) through (iv), above shall continue to be made for each of the remaining months of the 2016 with the amount calculated for each month being added to the amount paid for the month prior.

- (2) MUD 1 and the City agree to use their good faith efforts to negotiate and enter into a contract pursuant to which the City will provide such services and MUD 1 will adopt and enforce all necessary charges and fees necessary to raise the funds to pay for such services; provided, however, failure of the City and MUD 1 to reach agreement on and enter into such contract shall not constitute a default of this Agreement. . The payment to be made by MUD 1 for

Police Services provided after December 31, 2016, shall be calculated in accordance with the provisions of such contract. If MUD 1 and the City are successful in negotiating such a contract, upon the execution of such Contract by MUD 1 and the City, and payment of all amounts required by subparagraph (b)(1), above, by the LFC Parties and/or MUD 1, the LFC Parties will have no further liability to the City under subparagraph (b)(1).

- (c) The Parties agree that the payment obligations described in Section 6.8(a) of the Development Agreement, after taking into consideration the \$172,138.64 credit described in Section 6.8(c)(4) of the Development Agreement as it existed prior to this Eight Amendment, require the LFC Parties to pay to the City \$191,762.25 for Fire Fighting Services and Police Services provided through December 31, 2015. The LFC Parties will pay the City \$191,762.25 within 10 days of the Effective Date.
 - (d) During its November 19, 2015, meeting, MUD 1 authorized (i) the preparation of an interlocal agreement with Collin County pursuant to Section 251.151 of the Texas Transportation Code and Section 791.035 of the Texas Government Code to apply the County's traffic regulations to MUD 1 roads, including preparation of the agreement and any proposed regulations and maps; (ii) the preparation of an interlocal agreement with the City for peace officer services; and (iii) the preparation and application to TCEQ for approval of a fire plan and the contract with the City to perform Fire-Fighting Services and preparation of the interlocal agreement with the City for such services. If MUD 1 and Collin County enter into the interlocal agreement described in (i) above, the City agrees to use good faith efforts to enter into an interlocal agreement with Collin County allowing the City to enforce Collin County's traffic regulations within the boundaries of MUD 1; provided, however, failure of the City and Collin County to reach agreement on and enter into such interlocal agreement shall not constitute a default by the City of this Agreement.
8. **Amendment to Section 12.1.** Section 12.1 of the Development Agreement shall be amended by renumbering the existing language as subsection (a) and adding a new subsection (b) to read as follows:
- (b) Section 12.1(a) applies to all provisions of this Agreement other than Section 2.11. No notice or cure provisions shall apply to a default by the LFC Parties or MUD 1 of the terms of Section 2.11 of this Agreement, and the City shall be entitled to all remedies available at law and equity in the event of a default of the terms of Section 2.11, provided such remedies shall not affect any portion of the Property other than the lot or lots that are the subject of the default. Such remedies shall include, but not be

limited to, the right to refuse water or wastewater service to a lot that is in violation of Section 2.11(a) of this Agreement.

9. **Addition of Appendix 1.** The Development Agreement is amended by adding a new **Appendix 1** which shall be as set forth in **Exhibit L** of this Eighth Amendment.
10. **Effective Date of Applicability of Eighth Amendment.** This Eighth Amendment shall be deemed effective on the date it bears the signatures of all of the authorized representatives of all of the Parties.
11. **Termination Date of Applicability of Eighth Amendment.** In the event the Approvals are not obtained on or before December 31, 2016, or the City and MUD -1 fail to enter into a separate agreement for providing Firefighting Services and/or Police Services as contemplated by Section 6.8 of the Development Agreement (as amended by this Eighth Amendment) on or before December 31, 2016, (a) the City shall have no obligation to provide Firefighting Services or Police Services within the boundaries of MUD 1 after December 31, 2016; (b) except for amounts related to the provision of Firefighting Services and/or Police Services before January 1, 2017, neither the LFC Parties nor MUD 1 will have any further liability to the City to pay for Firefighting Services or Police Services within the boundaries of MUD 1 provided after December 31, 2016; and (c) the amendments to Article 2 of the Development Agreement described in Sections 1 and 4 of this Eighth Amendment are of no further force and effect within the boundaries of MUD 1 after December 31, 2016.
12. **Captions.** The captions of each section of this Eighth Amendment are inserted solely for convenience and shall never be given effect in construing the duties, obligations or liabilities of the Parties or any provisions hereof, or in ascertaining the intent of any Party with respect to the provisions hereof.
13. **Severability.** If any provision of this Eighth Amendment is determined by a court of competent jurisdiction to be unenforceable for any reason, then (a) such unenforceable provision shall be deleted from the Development Agreement; (b) the unenforceable provision shall, to the extent possible, be rewritten to be enforceable and to give effect to the intent of the Parties; and (c) the remainder of this the Development Agreement, as amended by this Eighth Amendment, shall remain in full force and effect and shall be interpreted to give effect to the intent of the Parties. Without limiting the generality of the foregoing, (x) if it is determined that, as of the Effective Date, any Party other than the City does not own any portion of the Property, this Eighth Amendment shall remain in full force and effect with respect to all of the Property that is then owned by a Party to this Eighth Amendment or a successor or assign of one of the Parties, and (y) if it is determined, as of the Effective Date, that any portion of the Property is not within the City's ETJ, this Eighth Amendment shall remain in full force and effect with respect to all of the Property that is then within the City's ETJ. If at any time after the Effective Date it is determined that any portion of the Property is no longer within the City's ETJ, this Eighth Amendment shall remain in full force and effect with respect to all of the Property that remains within the City's ETJ.

14. **Binding Obligation; Releases; Estoppel.** This Eighth Amendment shall bind and inure to the benefit of the Parties, their successors, and their permitted Assignees. This Eighth Amendment shall be recorded in the Real Property Records of Collin County, Texas, and, upon recordation, shall bind and constitute a covenant running with the Property. This Eighth Amendment is binding on the Parties and their respective successors and assigns for the term of this Eighth Amendment. The provisions in Section 2.11 of the Development Agreement as amended by this Eighth Amendment are land use and development regulations that are binding on an end-buyer of a fully developed and improved lot pursuant to Section 212.172(f) of the Texas Local Government Code. For purposes of this Amendment, the Parties agree as follows: (1) that the term "end-buyer" means any owner, lessee, or occupant; and (2) that term "fully developed and improved lot" means any lot, regardless of proposed use, for which the City has approved a final plat.
15. **Authority.** By signing this Eighth Amendment, the Parties agree that they have all necessary authority to enter into this Eighth Amendment, including any necessary approval by partners, directors or council members.
16. **Interlocal Agreement.** This Eighth Amendment, as an amendment to the Development Agreement, shall constitute an Interlocal Cooperation Agreement entered into between MUD 1 and the City pursuant to Chapter 791, Texas Government Code, as amended.
17. **Exhibits.** The exhibits attached to this Eighth Amendment are incorporated as part of this Eighth Amendment for all purposes as if set forth in full in the body of this Amendment.
18. **Effect on Only the Property.** The Parties acknowledge that this Eighth Amendment governs only the Property, as defined by this Eighth Amendment, and has no effect on the rights or obligations of the "East Commercial Property Owner" or the "West Commercial Property Owner" as described in the Development Agreement.
19. **Development Agreement in Effect.** Except to the extent amended by this Eighth Amendment, the Parties acknowledges and agrees the Development Agreement remains in full force and effect without further amendment.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties hereto have signed and agreed to this Eighth Amendment in multiple copies, each of equal dignity, as of the dates set forth in the respective acknowledgments below.

Approved by:

City of Celina, Texas

By: _____

Name: _____

Date: _____

Title: Mayor

STATE OF TEXAS §

§

COUNTY OF COLLIN §

This instrument was acknowledged before me on this _____ day of January, 2016, by _____, Mayor, City of Celina, Texas, a Texas home rule municipality on behalf of said municipality.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC LAND COMPANY LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Land Company, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC LAND COMPANY I, LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Land Company I, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC DEVELOPMENT COMPANY II, LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Development Company II, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC DEVCO MAYDELLE, LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Devco Maydelle, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC DEVCO BIG II, LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Devco BIG II, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC DEVCO CYPRESS, LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Devco Cypress, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC GRAHAM, LLC
a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Graham, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC HLH, LLC

a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC HLH, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC GM, LLC

a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC GM, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

LFC SAGE, LLC

a Texas limited liability company

By: RJM/Celina III, L.P.
a Texas limited partnership
its manager

By: RJM/Celina III GP, Inc.,
a Texas corporation
its general partner

Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of RJM/Celina III GP, Inc., a Texas corporation and general partner of RJM/Celina III, L.P., a Texas limited partnership and manager of LFC Sage, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

**COLLIN COUNTY MUNICIPAL UTILITY
DISTRICT NO. 1**

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title : _____

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____ of the Collin County Municipal Utility District No. 1 on behalf of said district.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

HIGHLAND HOMES - DALLAS, LLC.
a Texas limited liability company

By: Highland Homes Management, Inc.

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of Highland Homes Management, Inc., a _____ and _____ of Highland Homes - Dallas, LLC, a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

AMERICAN LEGEND HOMES, LLC

a Texas limited liability company

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

 This instrument was acknowledged before me on _____, 2016, by
_____, _____ of American Legend Homes, LLC, a
Texas limited liability company, on behalf of said limited liability company.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

DARLING HOMES OF TEXAS, LLC

By: _____

Name: _____

Title: _____

STATE OF TEXAS

§

§

COUNTY OF _____

2

This instrument was acknowledged before me on _____, 2016, by _____, _____ of Darling Homes, LLC, a Texas limited liability company on behalf of said limited liability company.

Notary Public, State of Texas

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

DREES CUSTOM HOMES, LP.

a Texas limited partnership

By: Drees Builders, Inc., an Ohio corporation, its
general partner

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by
_____, _____ of Drees Builders, Inc., an Ohio corporation
and general partner of Drees Custom Homes, LP, a Texas limited partnership, on behalf of said
limited partnership.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

RH OF TEXAS LIMITED PARTNERSHIP

a Maryland limited partnership, d/b/a LIONSGATE HOMES

By: Ryland Homes of Texas, Inc., a Texas Corporation, its general partner

By: _____

Name: _____

Title: _____

STATE OF TEXAS

§

§

COUNTY OF _____

§

This instrument was acknowledged before me on _____, 2016, by _____, _____ of Ryland Homes of Texas, Inc., a Texas corporation and general partner of RH of Texas Limited Partnership, a Maryland limited partnership, d/b/a LIONSGATE HOMES, on behalf of said limited partnership.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Approved by:

SHADDOCK HOMES, LTD.
a Texas limited partnership

By: Shaddock H GP, LLC, a Texas limited liability company, its general partner

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2016, by _____, _____ of Shaddock H GP, LLC, a Texas limited liability company and general partner of Shaddock Homes, Ltd., a Texas limited partnership, on behalf of said limited partnership.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

K. HOVNANIAN DFW LIGHT FARMS, LLC,
a Texas limited liability company

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

 This instrument was acknowledged before me on _____, 2016, by
_____, _____ of Horizon Homes Management Inc., a
Texas corporation and _____ of Horizon Homes, LLC, a Texas limited
partnership, on behalf of said limited partnership.

Notary Public, State of Texas

Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)

Approved by:

HORIZON HOMES, LLC
a Texas liability company

By: Horizon Homes Management, Inc.

By: _____

Name: _____

Title: _____

STATE OF TEXAS

§

§

COUNTY OF _____

§

This instrument was acknowledged before me on _____, 2016, by _____, _____ of Horizon Homes Management Inc., a Texas corporation and _____ of Horizon Homes, LLC, a Texas limited liability company, on behalf of said company.

 Notary Public, State of Texas

After recording, return to:

Republic Property Group
 Attn: Tim McKnight
 8401 N. Central Expressway, Suite 350
 Dallas, Texas 75225

Attachment: Celina Light Farms Development Agreement (8th Amendment) 74970 (1409 : Light Farms Eighth Amendment)

Exhibits:

Exhibit A	Legal Description and Depiction of the LFC Property
Exhibit B	Legal Description and Depiction of the LFC II Property
Exhibit C	Legal Description and Depiction of the LFC Development I Property
Exhibit D	Legal Description and Depiction of the LFC Maydelle Property
Exhibit E	Legal Description and Depiction of the LFC BIG Property
Exhibit F	Legal Description and Depiction of the MUD-Owned Property
Exhibit G	Legal Description of the LFC Cypress Property
Exhibit H	Legal Description of the LFC Graham Property
Exhibit I	Legal Description of the LFC HLH Property
Exhibit J	Legal Description of the LFC GM Property
Exhibit K	Legal Description of the LFC Sage Property
Exhibit L	New Appendix 1

Exhibit A
Legal Description and Depiction of the LFC Property

TRACT A

Being a 597.17 acre tract of land situated in the John Ragsdale Survey, Abstract No. 734, and the Collin County School Land Survey No. 14, Abstract No. 167, and being all of Tract A, a 597.17 acre tract of land as described in instrument to LFC Land Company, LLC, as recorded in Document Number 20120423000464780, Land Records, Collin County, Texas, all of a 1.00 acre tract of land as described in instrument to Frederick L Albrecht, as recorded in Document Number 20070510000634680, Land Records, Collin County, Texas, all of a 1.00 acre tract of land as described in instrument to Keller Webster, as recorded in Document Number 20070510000634710, Land Records, Collin County, Texas, all of a 1.00 acre tract of land as described in instrument to Andy Harvey, as recorded in Document Number 20070510000724440, Land Records, Collin County, Texas, all of a 1.00 acre tract of land as described in instrument to Gordon Greeson, as recorded in Document Number 2007051000634740, Land Records, Collin County, Texas, all of a tract of 1.00 acre tract of land as described in instrument to Kenneth Prater, as recorded in Document Number 20070510000634770, Land Records, Collin County, Texas, and a portion of Collin County Road 51. Said 597.17 acre tract, with reference bearing of grid north, Texas State Plane Coordinates, North Central Zone, HARN NAD 83 (93) datum, being more particularly described by metes and bounds as follows:

Commencing at ½ inch iron rod found for the northwest corner of a called 161.4193 acre tract of land conveyed by deed to the Board of Regents of the Texas A&M University System recorded in Volume 2513, Page 274, Land Records, Collin County, Texas, and being on the west line of aforesaid John Ragsdale Survey, and being on the east line of the F.D. Gary Survey, Abstract No. 361;

THENCE, North 89 degrees 56 minutes 06 seconds East, along the North line of aforesaid 161.4193 acre tract of land, a distance of 950.04 feet to the POINT OF BEGINNING and being the most southerly southwest corner of said Lucas Celina tract;

THENCE, North 00 degrees 36 minutes 37 seconds West, along a west line of said Lucas Celina tract a distance of 1,513.85 feet to a 5/8 inch iron rod found;

THENCE, North 30 degrees 59 minutes 39 seconds East, continuing along a northwesterly line of said Lucas Celina tract a distance of 867.40 feet to a 1/2 inch iron rod found at an inner ell corner of said Lucas Celina tract;

THENCE, South 59 degrees 00 minutes 21 seconds East, departing the northwesterly line of said Lucas Celina tract a distance of 50.00 feet to a 5/8 inch iron rod found with cap stamped "Huitt-Zollars" on a northwesterly line of said 408.510 acre tract;

THENCE, North 30 degrees 59 minutes 39 seconds East, along a northwesterly line of said 408.510 acre tract a distance of 575.60 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars”;

THENCE, North 59 degrees 00 minutes 21 seconds West, departing the northwesterly line of said 408.510 acre tract a distance of 260.21 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” and being the beginning of a non-tangent curve to the left having a radius of 3,644.79 feet;

THENCE, in a northerly direction along said curve to the left through a central angle of 36 degrees 57 minutes 20 seconds, an arc distance of 2,350.88 feet and being subtended by a chord bearing North 09 degrees 52 minutes 14 seconds East, a distance of 2,310.34 feet;

THENCE, North 08 degrees 36 minutes 26 seconds West, a distance of 1,585.77 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars”;

THENCE, North 89 degrees 27 minutes 32 seconds East, passing at 322.72 feet a 5/8 inch iron rod found at the most northerly southwest corner of said 408.510 acre tract, passing at 1,521.70 feet a 5/8 inch iron rod found at an inner ell corner of said 408.510 acre tract, continuing for a total distance of 1,571.93 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars”;

THENCE, North 04 degrees 53 minutes 56 seconds East, a distance of 1,990.49 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars”;

THENCE, North 03 degrees 20 minutes 56 seconds East, a distance of 52.00 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” on the north line of said 408.510 acre tract;

THENCE, North 89 degrees 32 minutes 06 seconds East, along the north line of said 408.510 acre tract a distance of 657.83 feet to a 5/8 inch iron rod with a yellow plastic cap stamped “Carter Burgess” found for corner at the northeast corner of said 408.51 acre tract and the common northeast corner of said John Ragsdale Survey and the southwest corner of the M.D. Bullion Survey, Abstract No. 137 and being on the west line of Collin County School Land Survey No. 14, Abstract No. 167 and the west line of a tract of land conveyed to Richard C. Smith and wife, Janet L. Smith by deed recorded in County Clerk’s File No. 97-0086916, Land Records, Collin County, Texas.

THENCE, South 01 degrees 06 minutes 02 seconds East, along the east line of said 408.510 acre tract and the west line of said Collin County School Land Survey No. 14, Abstract No. 167 and the common west line of said Smith Tract, and the common west line of a 100.593 acre tract conveyed by deed to the Walton Bradford Family Partnerships, L.P. recorded in Volume 5050, Page 00784, Land Records, Collin County, Texas, and the west line of tract of land conveyed by deed to Albert Mokhtar, trustee, recorded in Volume 2722, Page 333, Land Records, Collin County, Texas, a distance of 3,004.05 feet to a point for corner;

THENCE, North 89 degrees 28 minutes 05 seconds East, passing at a distance of 35.43 feet a 1” iron pipe found for the northwest corner of aforesaid 151.289 acre tract and continuing along the

north line of said 151.289 acre tract and the common south line of aforesaid Albert Mokhtar Tract, a total distance of 1,948.01 feet to a ½ inch iron rod found for the northeast corner of said 151.289 acre tract and the southeast corner of said Albert Mokhtar Tract and being on the west right-of-way of the Red River Texas & Southern Railway Company, Tract No. 54, by deed recorded in Volume 121, Page 20, Land Records, Collin County, Texas.

THENCE, South 11 degrees 20 minutes 28 seconds West, along the east line of aforesaid 151.289 acre tract and the common west line of aforesaid Red River Texas & Southern Railway Company Tract No. 54, a distance of 4,816.17 feet to a ½ inch iron rod found for the southeast corner of said 151.289 acre tract and point on the north line of a called 81.68 acre tract of land, conveyed to Graham S. Stelzer and wife, Doris Stelzer by deed recorded in Volume 587, Page 146, Land Records, Collin County, Texas;

THENCE, South 89 degrees 32 minutes 42 seconds West, along the south line of aforesaid 151.289 acre tract and the common north line of aforesaid 81.68 acre tract, passing at a distance of 884.15 feet a 3/8 inch iron rod found for the southeast corner of said 151.289 acre tract and continuing a total distance of 910.34 feet to a point for corner on the east line of aforesaid 408.510 acre tract;

THENCE, South 01 degrees 06 minutes 02 seconds East, along the east line of said 408.510 acre tract, a distance of 1,090.95 feet to a 5/8 inch iron rod with a yellow plastic cap stamped “Carter Burgess” set for corner at the southeast corner of said 408.510 acre tract and the northeast corner of aforesaid 161.4193 acre tract;

THENCE, along the south line of said 408.510 acre tract and the common north line of said 161.4193 acre tract, the following courses and distances:

NORTH 89 degrees 44 minutes 17 seconds West, a distance of 138.60 feet to a point for corner;

NORTH 82 degrees 40 minutes 54 seconds West, a distance of 632.77 feet to a point for corner;

SOUTH 89 degrees 19 minutes 08 seconds West, a distance of 1,314.05 feet to a point for corner;

SOUTH 87 degrees 52 minutes 29 seconds West, a distance of 475.03 feet to a point for corner;

SOUTH 89 degrees 56 minutes 06 seconds West, a distance of 722.47 feet to the POINT OF BEGINNING and containing 597.17 acres of land, more or less.

Save and except the (a) property described on Exhibit C, Exhibit D, Exhibit E, Exhibit F, Exhibit H, Exhibit I, and Exhibit J of this Amendment (including the lots that are saved and excepted from the legal description on Exhibit C); and (b) the following 5.00-acre MUD Director Lots tract:

MUD Director Lots

BEING a 5.00 acre tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas, and being all of five 1.000 acre tracts as described in instrument to Rett Corson, as recorded in Volume 5438, Page 6055 of the Land Records of Collin County, Texas (L.R.C.C.T.), in instrument to Jay Kirby, as recorded in Volume 5438, Page 6058 (L.R.C.C.T.), in instrument to Michael Blase, as recorded in Volume 5438, Page 6061 (L.R.C.C.T.), in instrument to 14875 Partners, Ltd., as recorded in County Clerk's File No. 20061027001545080 (L.R.C.C.T.), in instrument to Josh J. Kahn, as recorded in Volume 5438, Page 6021 (L.R.C.C.T.), Said 5.00 acre tract, with reference bearing of grid north, Texas State Plane Coordinates, North Central Zone, HARN NAD 83 (93) datum, being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found with yellow plastic cap stamped "Carter Burgess" at the north east corner of Tract 1 as described in instrument to Forestar/RPG Land Company, LLC, as recorded in Document No. 20070221000239380 (L.R.C.C.T.);

THENCE, South 89 degrees 32 minutes 06 seconds West, along the north line of said Tract 1, a distance of 657.83 feet to a point for corner in the east line of a 50.0 foot easement to Lone Star Gas Company, as recorded in Volume 507, Page 383 (L.R.C.C.T.);

THENCE, South 03 degrees 20 minutes 56 seconds West, along the easterly line of said Lone Star Gas easement, a distance of 52.00 feet to a point for corner;

THENCE, South 04 degrees 53 minutes 56 seconds West, continuing along the easterly line of said Lone Star Gas easement, a distance of 2,933.00 feet to the POINT OF BEGINNING of said Five 1.000 acres tracts;

THENCE, South 85 degrees 06 minutes 04 seconds East, departing the easterly line of said Lone Star Gas easement, a distance of 348.48 feet to a point for corner;

THENCE, South 04 degrees 53 minutes 56 seconds West, a distance of 625.00 feet to a point for corner;

THENCE, North 85 degrees 06 minutes 04 seconds West, a distance of 348.48 feet to a point for corner on the easterly line of said Lone Star Gas easement;

THENCE, North 04 degrees 53 minutes 56 seconds East, along the easterly line of said Lone Star Gas easement, a distance of 625.00 feet to the POINT OF BEGINNING and CONTAINING 5.000 acres of land, more or less.

TRACT B

Being a 209.022 acre tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being all of Tract B, a 209.022 acre tract of land as

described in instrument to LFC Land Company, LLC, recorded in Document No. 20120423000464780, Land Records, Collin County, Texas, said 209.022 acre tract, with bearing basis of grid north, Texas State Plane Coordinates, north central zone, harn nad 83 (93) datum, being more particularly described by metes and bounds as follows:

Beginning at ½ inch iron rod found for the northeast corner of aforesaid 209.022 acre tract and being the southeast corner of a called Tract 4, conveyed to Ownsby 1880 Farms, LTD. by deed recorded in County Clerk's File No. 99-0005737, Land Records, Collin County, Texas and being on the west line of a called Tract 1, conveyed to Ownsby 1880 Farms, LTD. by deed recorded in County Clerk's File No. 99-0005737, Land Records, Collin County, Texas;

THENCE, South 00 degrees 28 minutes 05 seconds east, along the east line of aforesaid 209.022 acre tract, and the west line of aforesaid Tract 1 and a called Tract 2 & Tract 3, conveyed to Ownsby 1880 Farms, LTD. by deed recorded in County Clerk's File No. 99-0005737, Land Records, Collin County, Texas, a distance of 4058.21 feet to a 60D Nail found for the southwest corner of aforesaid Tract 3;

THENCE, continuing along the east line of aforesaid 209.022 acre tract and the west line of a called 139.708 acre tract of land, conveyed to Keeran Family Partnership, LTD., recorded in County Clerk's File No. 2001-0083876, Land Records, Collin County, Texas, the following courses and distances:

SOUTH 00 degrees 28 minutes 43 seconds East, a distance of 658.85 feet to a ½ inch iron rod found for corner;

SOUTH 00 degrees 26 minutes 50 seconds East, a distance of 2675.40 feet to a 3/8 inch iron rod found for corner in the approximate centerline of Business Highway No. 289 (A variable prescriptive width right-of-way) and being the southeast corner of aforesaid 209.022 acre tract and the southwest corner of aforesaid 139.708 acre tract, from said corner a 60D nail bears north 00 degrees 52 minutes 30 seconds West, a distance of 33.68 feet found for witness;

THENCE, South 89 degrees 29 minutes 44 seconds West, along the south line of aforesaid 209.022 acre tract and with the approximate centerline of aforesaid Business Highway No. 289, a distance of 1322.70 feet to a 3/8 inch iron rod found for the southwest corner of said 209.022 acre tract and the southeast corner of a called 7.438 acre tract of land, conveyed to Lotti Loraine Couch by deed recorded in County Clerk's File No. 97-0002825, Land Records, Collin County, Texas, from said corner a 60D nail bears north 01 degrees 13 minutes 49 seconds west, a distance of 37.84 feet found for witness;

THENCE, North 00 degrees 42 minutes 12 seconds West, along a west line of aforesaid 209.022 acre tract and the common east line of aforesaid 7.438 acre tract, a distance of 605.95 feet to a ½ inch iron rod found for the northeast corner of said 7.438 acre tract;

THENCE, North 00 degrees 18 minutes 06 seconds West, continuing along a west line of aforesaid 209.022 acre tract and the common east line of a called 81.68 acre tract of land,

conveyed to Graham S. Stelzer and wife, Doris Stelzer by deed recorded in Volume 587, Page 146, Land Records. Collin County, Texas, a distance of 2067.07 feet to a ½ inch iron rod found for the insider ell corner of said 209.022 acre tract and the northeast corner of said 81.68 acre tract;

THENCE, South 89 degrees 31 minutes 56 seconds West, along a south line of aforesaid 209.022 acre tract and the common north line of aforesaid 81.68 acre tract, a distance of 353.59 feet to a 5/8 inch iron rod with a yellow plastic cap stamped “Carter Burgess” set for corner on the east right-of-way of the Red River Texas & Southern Railway Company Tract No. 54 by deed recorded in Volume 121, Page 20, Land Records, Collin County, Texas;

THENCE, North 11 degrees 20 minutes 28 seconds East, along the west line of aforesaid 209.022 acre tract and the west line of aforesaid 69.81 acre tract and the common east line of aforesaid Red River Texas & Southern Railway Company Tract No. 54, a distance of 4816.78 feet to a 5/8 inch iron rod with a yellow plastic cap stamped “Carter Burgess” set for the northwest corner of said 209.022 acre tract and the southwest corner of aforesaid Tract 4;

THENCE, North 89 degrees 04 minutes 39 seconds East, along the north line of aforesaid 209.022 acre tract and the common south line of aforesaid Tract 4, a distance of 687.89 feet to the POINT OF BEGINNING and containing 209.022 acres of land, more or less.

Save and except the property described on Exhibit G.

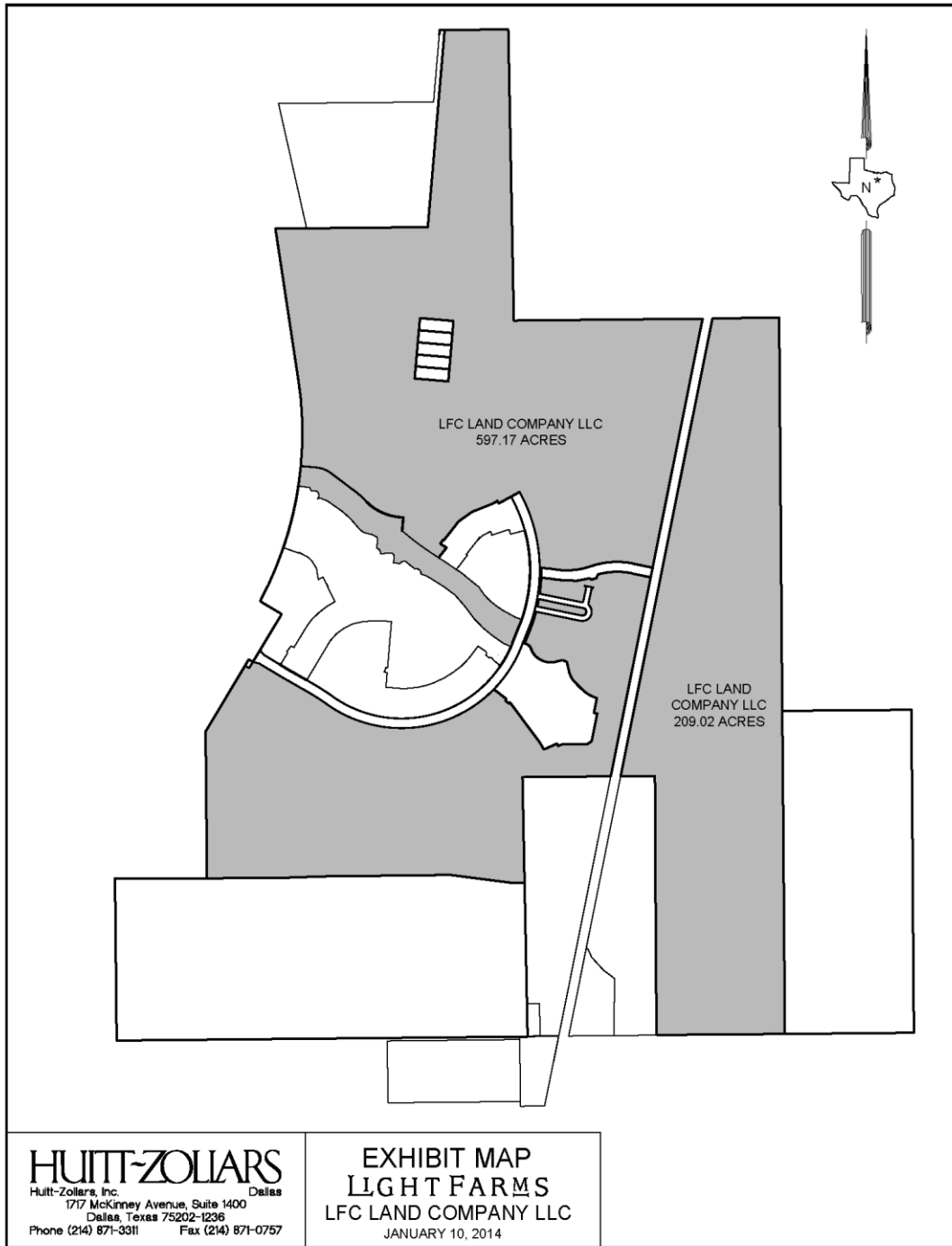


Exhibit B
Legal Description and Depiction of the LFC II Property

Keeran Tract

BEING all that certain lot, tract or parcel of land situated in the City of Celina, Collin County, Texas, out of the Collin County School Land No. 14 Survey, Abstract 167, and being a part of the 134.88 acres of Land described in Deeds to Keeran Family Partnership, Ltd., as recorded in County Clerk's file Number 2001-0083874 and 2001-0083876 of the Real Property Records of Collin County, Texas, and being more particular described by metes and bounds as follows:

BEGINNING AT A ½" IRON ROD FOUND FOR THE Northwest corner of said 134.88 acre tract, said point also being in the East line of a 209.022 acre tract of land conveyed to LFC Land Company as recorded in County Clerk's file No. 2012-0423000464780 of the Real Property Records of Collin County, Texas, said point also being the Southwest corner of tract of land conveyed to Ownsby Farms, Ltd., as recorded in Volume 4332, Page 1047, Deed Records, Collin County, Texas;

THENCE North 89 degrees 35 minutes 26 seconds East (North 89 degrees 58 minutes West Deed), (Basis of Bearings per North Central Texas Zone 4203 State Plane Coordinates) South line of said Ownsby Farms Ltd. Tract for distance of 1334.62 feet (1335.30 feet Deed) to a 1/2" iron rod found for the Northeast corner of said 134.88 acre tract, said point also being the Northwest corner of a called 15.211 acre tract of land conveyed to J. Altus Inc. Profit Sharing Trust & Metroplex Properties LLC & Dall Developments, Inc. as recorded in Volume 5870 at Page 5025 of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 15 minutes 00 seconds East (South 00 degrees 00 minutes 38 seconds West Deed), and following along the East line of said 134.88 acre tract, and the West line of said 15.211 acre J. Altus tract and also along the West line of a 15.28 acre tract of land conveyed to John Feizy by Deed and recorded in County Clerk's file No. 93-0056727, for a distance of 1045.61 feet to a 1/2" iron rod found for corner, said point being the Southwest corner of a 3.99 acre tract of land conveyed to Terry Barnes by Deed as recorded in Volume 2006, Page 93180, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 54 minutes 17 seconds East and continuing along the East line of the Keeran Family 134.88 acre tract and the West line of said 3.99 acre Terry Barnes Tract, for a distance of 527.61 feet to a point for the Southwest corner of said 3.99 acre Terry Barnes Tract, same being the Northwest corner of 12.0734 acre tract of land conveyed to J. Altus Inc. Profit Sharing by Deed and Recorded in Volume 5826 at Page 5441 of the Deed Records of Dallas County, Texas;

THENCE South 00 degrees 03 minutes 36 seconds West and following along the West line of said 12.0734 acre J. Altus Inc. Profit Sharing Tract, for a distance of 417.19 feet to a ½" iron rod found for the Southwest corner of said 12.0734 acre J. Altus Inc. Profit Sharing Tract;

THENCE South 00 degrees 30 minutes 27 seconds East across said 134.88 acre tract for a distance of 1341.14 feet to a railroad spike set in asphalt for corner in the center of Business Highway No. 289 Also known as County Road No. 5 and also known as North Coleman Street (an undedicated variable width prescriptive right of way);

THENCE South 89 degrees 29 minutes 33 seconds West and following along the center of said roadway and the South line of said 134.88 acre tract, for a distance of 1332.51 feet to a 3/8" iron rod found for the Southwest corner of said 134.88 acre tract, same being the Southeast corner of the aforementioned 209.022 acre tract;

THENCE North 00 degrees 26 minutes 47 seconds West (North 00 degrees 05 minutes West Deed), and following along the West line of said 134.88 acre tract and the East line of said 209.22 acre tract for a distance of 2674.96 feet (2675.16 feet Deed) to a 1/2" iron rod found for corner;

THENCE North 00 degrees 29 minutes 23 seconds West (North 0 degrees 12 minutes West Deed) , and continuing along the West line of said 134.88 acre tract and the East line of said 209.022 acre tract for a distance of 658.83 feet (659.2 feet Deed) to the point of Beginning and Containing 101.9292 acres of Land, more or less of which 0.9177 acres of land lies within the aforesaid Business Highway No. 289, leaving 101.0115 acres of land net of right of way.

Save and except the LFC Sage Property described on Exhibit K of this Eighth Amendment.

Texas A&M Tract

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas and being all of a tract of land described in instrument to the Board of Regents of the Texas A & M University System as recorded in Volume 2513, Page 274 of the Deed Records, Collin County, Texas and being more particularly described as follows;

BEGINNING at a P.K. Nail found at the southeast corner of said Texas A & M University System tract, said point being at the approximate intersection of CR 5 and CR 51;

THENCE along the approximate centerline of CR 5, South 89 degrees 26 minutes 49 seconds West a distance of 4,240.33 feet (Deed 4,239.94 feet) to a 1/2 inch iron rod found at the southwest corner of said Texas A & M University System tract and being at the approximate intersection of CR 5 and CR 50;

THENCE departing the approximate centerline of CR 5, North 00 degrees 36 minutes 39 seconds West a distance of 1,674.54 feet (Deed 1,673.98 feet) to a 1/2 inch iron rod found at the northwest corner of the aforementioned Texas A & M University System tract;

THENCE along the northerly line of said Texas A & M University System tract and the approximate centerline of a drainage ditch the following;

North 89 degrees 56 minutes 00 seconds East a distance of 1,672.59 feet (Deed 1,669.51 feet) to a point for corner;

North 87 degrees 52 minutes 29 seconds East a distance of 475.03 feet to a point for corner;

North 89 degrees 19 minutes 08 seconds East a distance of 1,314.05 feet to a point for corner;

South 82 degrees 40 minutes 54 seconds East a distance of 632.77 feet to a point for corner;

South 89 degrees 44 minutes 17 seconds East a distance of 138.60 feet (Deed 138.11 feet) to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" in the approximate centerline of the aforementioned CR51;

THENCE along the approximate centerline of the aforementioned CR51, South 01 degrees 06 minutes 06 seconds East a distance of 1,587.75 feet to the POINT OF BEGINNING and containing 161.51 Acres of land, more or less.

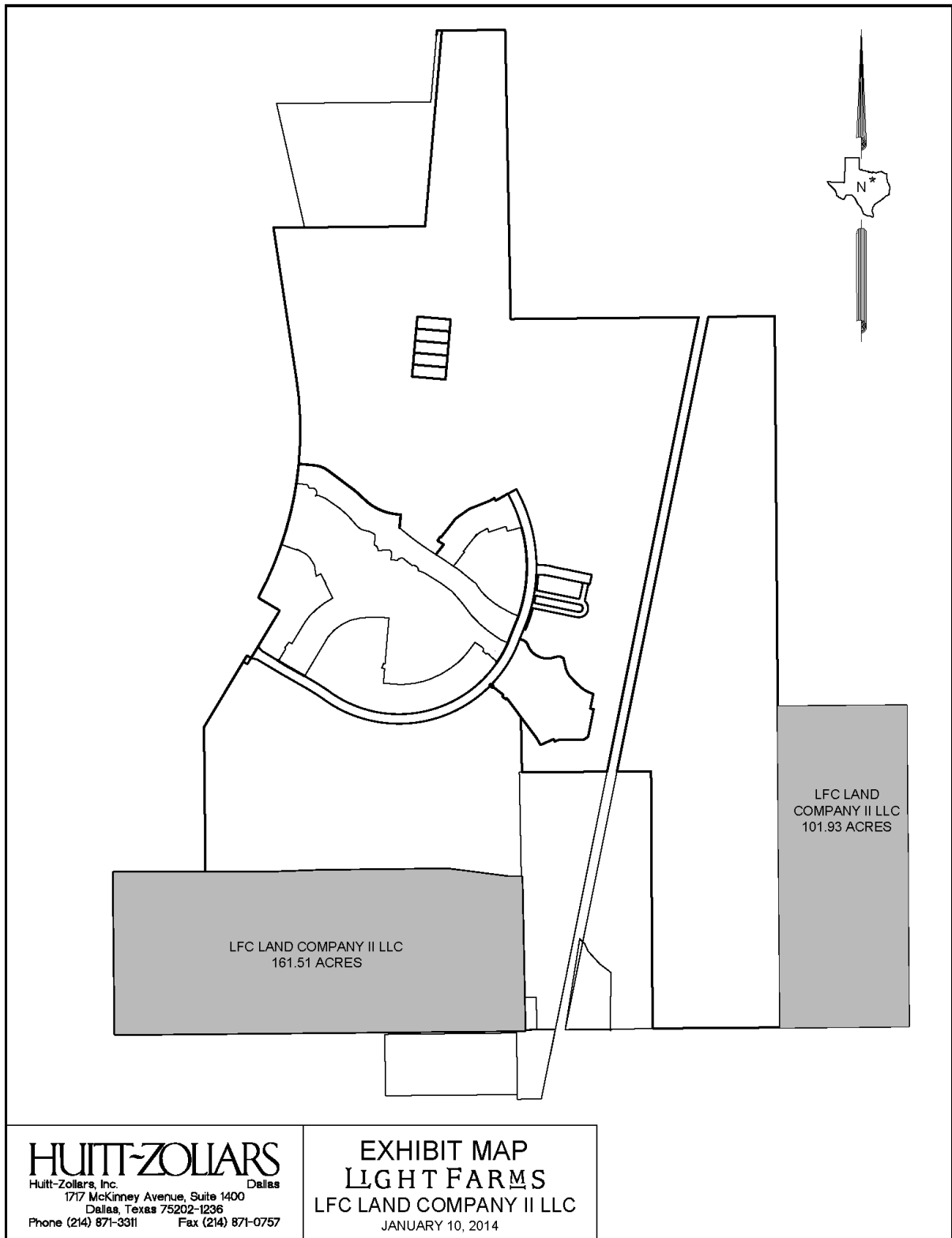


Exhibit C
Legal Description and Depiction of the LFC Development I Property

BLUESTEM TRACT 1

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas and being a portion of a tract of land described in instrument to LFC Land Company, LLC as recorded in Document No. 20120423000464780 of the Land Records, Collin County Texas and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the southeasterly corner of the Water Tower Addition at Light Farms, an addition to Collin County as recorded in Document No. 2009-424 of the Land Records, Collin County, Texas (L.R.C.C.T.), said point being on the northeasterly right-of-way line of Light Farms Way (a variable width right-of-way as recorded in Document No. 2009-422 (L.R.C.C.T.);

THENCE along the northeasterly right-of-way line of said Light Farms Way, South 41 degrees 03 minutes 20 seconds East a distance of 64.89 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE continuing along the northeasterly right-of-way line of said Light Farms Way, South 59 degrees 00 minutes 21 seconds East a distance of 177.84 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the POINT OF BEGINNING;

THENCE departing the northeasterly right-of-way line of said Light Farms Way, North 75 degrees 59 minutes 39 seconds East a distance of 28.28 feet to a point for corner;

THENCE North 30 degrees 59 minutes 39 seconds East a distance of 122.20 feet to a point for corner;

THENCE North 17 degrees 04 minutes 17 seconds West a distance of 16.13 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 00 degrees 19 minutes 51 seconds, a radius of 375.00 feet and being subtended by a chord which bears North 54 degrees 12 minutes 10 seconds West a distance of 2.17 feet;

THENCE along said curve to the right an arc distance of 2.17 feet to a point at the end of said curve;

THENCE North 35 degrees 57 minutes 46 seconds East a distance of 71.29 feet to a point for corner;

THENCE South 59 degrees 00 minutes 21 seconds East a distance of 34.41 feet to a point for corner;

THENCE North 30 degrees 59 minutes 39 seconds East a distance of 205.00 feet to a point for corner;

THENCE North 32 degrees 30 minutes 14 seconds East a distance of 64.26 feet to a point for corner;

THENCE North 38 degrees 07 minutes 30 seconds East a distance of 84.25 feet to a point for corner;

THENCE North 45 degrees 33 minutes 45 seconds East a distance of 98.42 feet to a point for corner;

THENCE North 52 degrees 30 minutes 56 seconds East a distance of 98.38 feet to a point for corner;

THENCE North 59 degrees 28 minutes 14 seconds East a distance of 98.41 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 26 degrees 39 minutes 08 seconds West a distance of 164.81 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 00 degrees 10 minutes 09 seconds, a radius of 945.00 feet and being subtended by a chord which bears North 63 degrees 25 minutes 56 seconds East a distance of 2.79 feet;

THENCE along said curve to the right an arc length of 2.79 feet to a point at the end of said curve;

THENCE North 26 degrees 28 minutes 59 seconds West a distance of 116.03 feet to a point for corner;

THENCE South 63 degrees 30 minutes 01 seconds West a distance of 55.53 feet to a point for corner;

THENCE North 09 degrees 39 minutes 51 seconds West a distance of 117.46 feet to a point for corner;

THENCE North 31 degrees 32 minutes 08 seconds West a distance of 94.89 feet to a point for corner;

THENCE North 47 degrees 32 minutes 46 seconds West a distance of 47.67 feet to a point for corner;

THENCE North 61 degrees 02 minutes 49 seconds West a distance of 105.94 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 00 degrees 06 minutes 50 seconds, a radius of 3,814.79 feet and being subtended by a chord which bears South 18 degrees 49 minutes 42 seconds West a distance of 7.58 feet;

THENCE along said curve to the right an arc length of 7.58 feet to a point at the end of said curve;

THENCE North 71 degrees 06 minutes 53 seconds West a distance of 50.00 feet to a point for corner;

THENCE North 71 degrees 03 minutes 42 seconds West a distance of 120.00 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" on the westerly line of the aforementioned LFC Land Company, LLC tract and being the beginning of a non-tangent curve to the left having a delta angle of 10 degrees 19 minutes 33 seconds, a radius of 3,644.79 feet and being subtended by a chord which bears North 13 degrees 43 minutes 14 seconds East a distance of 655.97 feet;

THENCE along said curve to the left an arc length of 656.86 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve;

THENCE departing the westerly line of said LFC Land Company, LLC tract, South 81 degrees 23 minutes 06 seconds East a distance of 116.37 feet to a point for corner;

THENCE South 29 degrees 15 minutes 21 seconds East a distance of 42.79 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 143 degrees 06 minutes 25 seconds, a radius of 50.00 feet and being subtended by a chord which bears South 47 degrees 42 minutes 09 seconds East a distance of 94.86 feet;

THENCE along said curve to the right an arc length of 124.88 feet to a point at the end of said curve;

THENCE South 67 degrees 39 minutes 58 seconds East a distance of 101.32 feet to a point for corner;

THENCE South 56 degrees 30 minutes 30 seconds East a distance of 60.10 feet to a point for corner;

THENCE South 55 degrees 00 minutes 25 seconds East a distance of 117.58 feet to a point for corner;

THENCE South 48 degrees 17 minutes 44 seconds East a distance of 116.56 feet to a point for corner;

THENCE South 41 degrees 36 minutes 59 seconds East a distance of 116.46 feet to a point for corner;

THENCE South 40 degrees 10 minutes 06 seconds East a distance of 55.03 feet to a point for corner;

THENCE South 62 degrees 14 minutes 09 seconds East a distance of 43.36 feet to a point for corner;

THENCE South 75 degrees 31 minutes 39 seconds East a distance of 73.94 feet to a point for corner;

THENCE South 66 degrees 03 minutes 20 seconds East a distance of 47.22 feet to a point for corner;

THENCE South 49 degrees 55 minutes 04 seconds East a distance of 25.14 feet to a point for corner;

THENCE South 06 degrees 42 minutes 22 seconds West a distance of 103.27 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 70 degrees 11 minutes 25 seconds, a radius of 50.00 feet and being subtended by a chord which bears South 41 degrees 37 minutes 17 seconds East a distance of 57.49 feet;

THENCE along said curve to the right an arc length of 61.25 feet to a point at the end of said curve;

THENCE South 05 degrees 57 minutes 02 seconds East a distance of 16.58 feet a point for corner;

THENCE North 84 degrees 37 minutes 31 seconds East a distance of 112.31 feet to a point for corner;

THENCE South 55 degrees 06 minutes 34 seconds East a distance of 37.80 feet to a point for corner;

THENCE South 04 degrees 54 minutes 25 seconds West a distance of 83.18 feet to a point for corner;

THENCE South 85 degrees 05 minutes 35 seconds East a distance of 30.00 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE South 04 degrees 54 minutes 25 seconds West a distance of 604.27 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE North 86 degrees 04 minutes 59 seconds West a distance of 79.87 feet to a point for corner;

THENCE South 89 degrees 14 minutes 24 seconds West a distance of 200.97 feet to a point for corner;

THENCE South 77 degrees 30 minutes 52 seconds West a distance of 126.41 feet to a point for corner;

THENCE South 61 degrees 50 minutes 18 seconds West a distance of 96.87 feet to a point for corner;

THENCE South 54 degrees 46 minutes 28 seconds West a distance of 96.73 feet to a point for corner;

THENCE South 41 degrees 05 minutes 29 seconds West a distance of 96.87 feet to a point for corner;

THENCE South 30 degrees 59 minutes 39 seconds West a distance of 473.30 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" on the northeasterly right-of-way line of the aforementioned Light Farms Way and being the beginning of a non-tangent curve to the left having a delta angle of 00 degrees 35 minutes 50 seconds, a radius of 3,050.00 feet and being subtended by a chord which bears North 61 degrees 15 minutes 36 seconds West a distance of 31.79 feet;

THENCE along the northeasterly right-of-way line of said Light Farms Way the following;

Along said curve to the left an arc length of 31.79 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" the beginning of a reverse curve to the right having a delta angle of 02 degrees 33 minutes 10 seconds, a radius of 2,950.00 feet and being subtended by a chord which bears North 60 degrees 16 minutes 56 seconds West a distance of 131.42 feet;

Along said curve to the right an arc length of 131.43 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

North 59 degrees 00 minutes 21 seconds West a distance of 169.27 feet to the POINT OF BEGINNING and CONTAINING 1,136,817 square feet or 26.098 acres of land, more or less.

INDIGO TRACT 1

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas and being a portion of a tract of land described in instrument to LFC Land Company, LLC as recorded in Document No. 20120423000464780 of the Land Records, Collin County Texas and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the southeasterly corner of the Water Tower Addition at Light Farms, an addition to Collin County as recorded in Document No. 2009-424 of the Land Records, Collin County, Texas (L.R.C.C.T.), said point being on the northeasterly right-of-way line of Light Farms Way (a variable width right-of-way) as recorded in Document No. 2009-422 (L.R.C.C.T.);

THENCE along the northeasterly right-of-way line of Light Farms Way the following;

South 41 degrees 03 minutes 20 seconds East a distance of 64.89 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

South 59 degrees 00 minutes 21 seconds East a distance of 347.10 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a delta angle of 02 degrees 33 minutes 10 seconds, a radius of 2,950.00 feet and being subtended by a chord which bears South 60 degrees 16 minutes 56 seconds East a distance of 131.42 feet;

Along said curve to the left an arc length of 131.43 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the right having a delta angle of 00 degrees 35 minutes 50 seconds, a radius of 3,050.00 feet and being subtended by a chord which bears South 61 degrees 15 minutes 36 seconds East a distance of 31.79 feet;

Along said curve to the right an arc length of 31.79 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE departing the northerly right-of-way line of said Light Farms Way, North 30 degrees 59 minutes 39 seconds East a distance of 473.30 feet to a point for corner;

THENCE North 41 degrees 05 minutes 29 seconds East a distance of 96.87 feet to a point for corner;

THENCE North 54 degrees 46 minutes 28 seconds East a distance of 96.73 feet to a point for corner;

THENCE North 61 degrees 50 minutes 18 seconds East a distance of 96.87 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

THENCE North 77 degrees 30 minutes 52 seconds East a distance of 126.41 feet to a point for corner;

THENCE North 89 degrees 14 minutes 24 seconds East a distance of 200.97 feet to a point for corner;

THENCE South 86 degrees 04 minutes 59 seconds East a distance of 79.87 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the POINT OF BEGINNING;

THENCE North 04 degrees 54 minutes 25 seconds East a distance of 604.27 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 85 degrees 05 minutes 35 seconds East a distance of 30.00 feet to a point for corner;

THENCE North 57 degrees 21 minutes 10 seconds East a distance of 59.46 feet to a point for corner;

THENCE South 50 degrees 57 minutes 35 seconds East a distance of 139.86 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 112 degrees 38 minutes 06 seconds, a radius of 50.00 feet and being subtended by a chord which bears South 49 degrees 30 minutes 56 seconds East a distance of 83.21 feet;

THENCE along said curve to the right an arc length of 98.29 feet to a point at the end of said curve;

THENCE South 72 degrees 17 minutes 36 seconds East a distance of 64.12 feet to a point for corner;

THENCE South 57 degrees 53 minutes 14 seconds East a distance of 216.20 feet to a point for corner;

THENCE South 52 degrees 44 minutes 20 seconds East a distance of 133.44 feet to a point for corner;

THENCE South 41 degrees 10 minutes 43 seconds East a distance of 144.43 feet to a point for corner;

THENCE South 37 degrees 40 minutes 41 seconds East a distance of 178.53 feet to a point for corner;

THENCE South 44 degrees 27 minutes 55 seconds East a distance of 124.02 feet to a point for corner;

THENCE South 49 degrees 58 minutes 18 seconds East a distance of 118.82 feet to point for corner;

THENCE South 54 degrees 40 minutes 22 seconds East a distance of 146.99 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 35 degrees 38 minutes 52 seconds West a distance of 132.57 feet to a point for corner at the beginning of a non-tangent curve to the left having a delta angle of 06 degrees 47 minutes 50 seconds, a radius of 200.00 feet and being subtended by a chord which bears South 65 degrees 22 minutes 15 seconds East a distance of 23.71 feet;

THENCE along said curve to the left an arc length of 23.73 feet to a point at the beginning of a reverse curve to the right having a delta angle of 10 degrees 40 minutes 03 seconds, a radius of 200.00 feet and being subtended by a chord which bears South 63 degrees 26 minutes 08 seconds East a distance of 37.18 feet;

THENCE along said curve to the right an arc distance of 37.24 feet to a point at the end of said curve;

THENCE South 58 degrees 06 minutes 07 seconds East a distance of 23.48 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

THENCE North 75 degrees 40 minutes 30 seconds East a distance of 27.67 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the northwesterly right-of-way line of the aforementioned Light Farms Way and being the beginning of a non-tangent curve to the right having a delta angle of 05 degrees 49 minutes 25 seconds, a radius of 1,230.00 feet and being subtended by a chord which bears South 31 degrees 53 minutes 53 seconds West a distance of 124.96 feet;

THENCE along the along northerly right-of-way line of said Light Farms Way and said curve to the right an arc distance of 125.02 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE departing the northwesterly right-of-way line of said Light Farms Way, North 11 degrees 52 minutes 04 seconds West a distance of 27.68 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 20 degrees 13 minutes 54 seconds, a radius of 300.00 feet and being subtended by a chord which bears North 47 degrees 34 minutes 18 seconds West a distance of 105.38 feet;

THENCE along said curve to the right an arc length of 105.93 feet to a point at the end of said curve;

THENCE North 77 degrees 14 minutes 25 seconds West a distance of 15.28 feet to a point for corner;

THENCE South 41 degrees 13 minutes 35 seconds West a distance of 9.15 feet to a point for corner;

THENCE North 49 degrees 43 minutes 37 seconds West a distance of 50.00 feet to a point for corner;

THENCE North 41 degrees 34 minutes 24 seconds East a distance of 14.75 feet to a point for corner;

THENCE North 01 degrees 44 minutes 58 seconds West a distance of 14.02 feet to a point for corner at the beginning of a non-tangent curve to the left having a delta angle of 06 degrees 22 minutes 54 seconds, a radius of 400.00 feet and being subtended by a chord which bears North 51 degrees 09 minutes 40 seconds West a distance of 44.53 feet;

THENCE along said curve to the left an arc length of 44.55 feet to a point at the end of said curve;

THENCE North 54 degrees 21 minutes 08 seconds West a distance of 64.12 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 36 degrees 54 minutes 38 seconds West a distance of 129.56 feet to a point for corner;

THENCE South 41 degrees 46 minutes 12 seconds West a distance of 59.05 feet to a point for corner;

THENCE South 45 degrees 23 minutes 09 seconds West a distance of 86.87 feet to a point for corner;

THENCE South 51 degrees 20 minutes 24 seconds West a distance of 90.33 feet to a point for corner;

THENCE South 57 degrees 53 minutes 01 seconds West a distance of 118.14 feet to a point for corner;

THENCE South 65 degrees 18 minutes 59 seconds West a distance of 118.12 feet to a point for corner;

THENCE South 70 degrees 57 minutes 25 seconds West a distance of 76.20 feet to a point for corner;

THENCE South 77 degrees 11 minutes 21 seconds West a distance of 101.04 feet to a point for corner;

THENCE South 83 degrees 53 minutes 44 seconds West a distance of 126.18 feet to a point for corner;

THENCE South 04 degrees 54 minutes 25 seconds West a distance of 2.29 feet to a point for corner;

THENCE North 85 degrees 05 minutes 35 seconds West a distance of 200.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 04 degrees 54 minutes 25 seconds East a distance of 147.56 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 02 degrees 50 minutes 53 seconds, a radius of 625.00 feet and being subtended by a chord which bears North 70 degrees 03 minutes 21 seconds West a distance of 31.06 feet;

THENCE along said curve to the right an arc length of 31.07 feet to a point at the end of said curve;

THENCE North 21 degrees 22 minutes 05 seconds East a distance of 50.00 feet to a point for corner at the beginning of a non-tangent curve to the left having a delta angle of 01 degrees 38 minutes 18 seconds, a radius of 575.00 feet and being subtended by a chord which bears South 69 degrees 27 minutes 04 seconds East a distance of 16.44 feet;

THENCE along said curve to the left an arc length of 16.44 feet to a point at the end of said curve;

THENCE North 04 degrees 54 minutes 25 seconds East a distance of 480.68 feet to the POINT OF BEGINNING and containing 926,572 Square Feet or 21.271 Acres of land, more or less.

GRANGE TRACT 1

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas and being a portion of a tract of land described in instrument to LFC Land Company, LLC as recorded in Document No. 20120423000464780 of the Land Records, Collin County Texas (L.R.C.C.T.) and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the westerly right-of-way line of Light Farms Way (a variable width right-of-way) as recorded in Document No. 2009-422 (L.R.C.C.T.) and being the beginning of a curve to the left having a delta angle of 02 degrees 25 minutes 43 seconds, a radius of 1,560.00 feet and being subtended by a chord which bears North 20 degrees 16 minutes 54 seconds East a distance of 66.12 feet;

THENCE along the westerly right-of-way line of Light Farms Way and said curve to the left an arc length of 66.13 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the POINT OF BEGINNING;

THENCE departing the westerly right-of-way line of Light Farms Way, North 70 degrees 55 minutes 58 seconds West a distance of 63.85 feet to a point for corner;

THENCE North 60 degrees 59 minutes 29 seconds West a distance of 182.96 feet to a point for corner;

THENCE North 52 degrees 12 minutes 55 seconds West a distance of 172.88 feet to a point for corner;

THENCE North 34 degrees 49 minutes 17 seconds West a distance of 146.11 feet to a point for corner;

THENCE North 51 degrees 27 minutes 14 seconds West a distance of 225.00 feet to a point for corner;

THENCE North 55 degrees 08 minutes 37 seconds West a distance of 69.81 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 37 degrees 31 minutes 54 seconds East a distance of 184.33 feet to a point for corner at the beginning of a non-tangent curve to the left having a delta angle of 00 degrees 35 minutes 56 seconds, a radius of 1,225.00 feet and being subtended by a chord which bears North 52 degrees 46 minutes 03 seconds West, a distance of 12.80 feet;

THENCE along said curve to the left an arc length of 12.80 feet to a point at the end of said curve;

THENCE North 38 degrees 13 minutes 15 seconds East a distance of 150.49 feet to a point for corner;

THENCE North 40 degrees 01 minutes 33 seconds East a distance of 67.34 feet to a point for corner;

THENCE North 52 degrees 51 minutes 00 seconds East a distance of 50.91 feet to a point for corner;

THENCE North 62 degrees 57 minutes 40 seconds East a distance of 84.60 feet to a point for corner;

THENCE South 18 degrees 50 minutes 52 seconds East a distance of 41.62 feet to a point for corner;

THENCE North 71 degrees 09 minutes 08 seconds East a distance of 136.39 feet to a point for corner;

THENCE North 72 degrees 43 minutes 35 seconds East a distance of 50.00 feet to a point at the beginning of a non-tangent curve to the right having a delta angle of 02 degrees 05 minutes 06 seconds, a radius of 1,409.00 feet and being subtended by a chord which bears South 16 degrees 13 minutes 52 seconds East, a distance of 51.27 feet;

THENCE along said curve to the right an arc length of 51.27 feet to a point at the end of said curve;

THENCE North 74 degrees 48 minutes 41 seconds East a distance of 151.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the westerly right-of-way line of the aforementioned Light Farms Way and being the beginning a non-tangent curve to the right having a delta angle of 34 degrees 15 minutes 21 seconds, a radius of 1,560.00 feet and being subtended by a chord which bears South 01 degrees 56 minutes 21 seconds West a distance of 918.86 feet;

THENCE along the westerly right-of-way line said Light Farms Way and said curve to the right an arc length of 932.69 feet to the POINT OF BEGINNING and containing 451,171 Square Feet or 10.357 Acres of land, more or less.

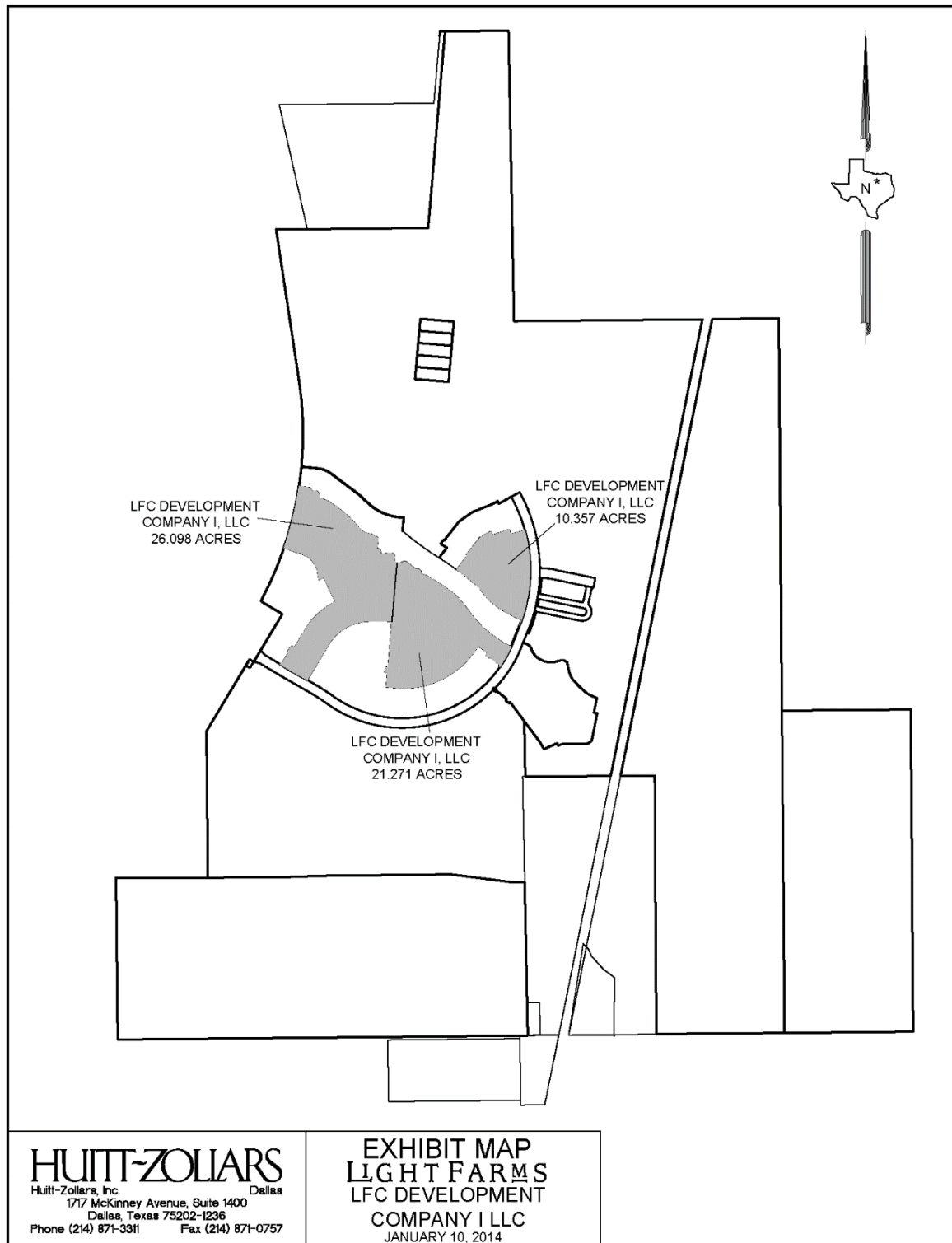


Exhibit D
Legal Description and Depiction of the LFC Maydelle Property

MAYDELLE AT LIGHT FARMS

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734 and in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of the 597.17 acre tract of land described as Tract A in instrument to LFC LAND COMPANY, LLC as recorded under Document No. 20120423000464780 of the Land Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the southeasterly right-of-way line of Light Farms Way (a 100 foot wide right-of-way at this point as recorded in Volume 2009, Page 422 of the Plat Records of Collin County, Texas) at the southwest corner of Lot 1X, Block A of Homestead Court Addition, an addition to Collin County, Texas within the extra-territorial jurisdiction of the City of Celina, Texas, as recorded in Volume 2009, Page 282 of the Plat Records of Collin County, Texas;

THENCE South 21 degrees 29 minutes 45 seconds West, along the southeasterly right-of-way line of said Light Farms Way, a distance of 107.54 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the POINT OF BEGINNING of the herein described tract;

THENCE South 68 degrees 30 minutes 15 seconds East, departing the southeasterly right-of-way line of said Light Farms Way, a distance of 31.10 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the right having a central angle of 46 degrees 04 minutes 54 seconds, a radius of 100.00 feet and being subtended by a 78.28 foot chord which bears South 45 degrees 27 minutes 48 seconds East;

THENCE along said curve to the right, an arc distance of 80.43 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for the point of reverse curvature of a curve to the left having a central angle of 80 degrees 03 minutes 46 seconds, a radius of 218.32 feet and being subtended by a 280.86 foot chord which bears South 62 degrees 27 minutes 14 seconds East;

THENCE along said curve to the left, an arc distance of 305.08 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the end of said curve;

THENCE North 77 degrees 30 minutes 53 seconds East, a distance of 79.32 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars”;

THENCE South 65 degrees 31 minutes 25 seconds East, a distance of 46.49 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars”;

THENCE South 13 degrees 25 minutes 55 seconds East, a distance of 112.14 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the left

having a central angle of 30 degrees 59 minutes 13 seconds, a radius of 200.00 feet and being subtended by a 106.85 foot chord which bears South 28 degrees 55 minutes 32 seconds East;

THENCE along said curve to the left, an arc distance of 108.16 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 44 degrees 25 minutes 08 seconds East, a distance of 109.46 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 29 degrees 54 minutes 38 seconds, a radius of 350.00 feet and being subtended by a 180.64 foot chord which bears South 59 degrees 22 minutes 27 seconds East;

THENCE along said curve to the left, an arc distance of 182.71 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 11 degrees 20 minutes 28 seconds West a distance of 154.50 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 78 degrees 39 minutes 32 seconds East a distance of 34.21 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 11 degrees 20 minutes 28 seconds West a distance of 291.91 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 56 degrees 35 minutes 03 seconds West a distance of 53.30 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 89 degrees 32 minutes 42 seconds West a distance of 257.81 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 68 degrees 56 minutes 23 seconds West a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the left having a central angle of 6 degrees 33 minutes 20 seconds, a radius of 225.00 feet and being subtended by a 25.73 foot chord which bears North 24 degrees 20 minutes 17 seconds West;

THENCE northwesterly along said curve to the left, an arc distance of 25.74 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner at the end of said curve;

THENCE South 66 degrees 32 minutes 18 seconds West a distance of 145.89 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 30 degrees 08 minutes 17 seconds West a distance of 83.95 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 36 degrees 52 minutes 24 seconds West a distance of 513.86 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 37 degrees 22 minutes 55 seconds West a distance of 14.14 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 52 degrees 37 minutes 05 seconds West a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 37 degrees 22 minutes 55 seconds East a distance of 22.17 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 52 degrees 37 minutes 05 seconds West a distance of 144.58 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for an angle point;

THENCE North 45 degrees 47 minutes 16 seconds West a distance of 20.00 feet to 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner on the aforementioned southeasterly right-of-way line of Light Farms Way, said point also being the beginning of a non-tangent curve to the left having a central angle of 22 degrees 42 minutes 58 seconds, a radius of 1,330.00 feet and being subtended by a 523.86 foot chord which bears North 32 degrees 51 minutes 15 seconds East;

THENCE northeasterly along said curve to the left, an arc distance of 527.31 feet to 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the end of said curve;

THENCE North 21 degrees 29 minutes 45 seconds East continuing along the southeasterly right-of-way line of said Light Farms Way, a distance of 40.11 feet to the POINT OF BEGINNING and containing 15.178 acres of land, more or less.

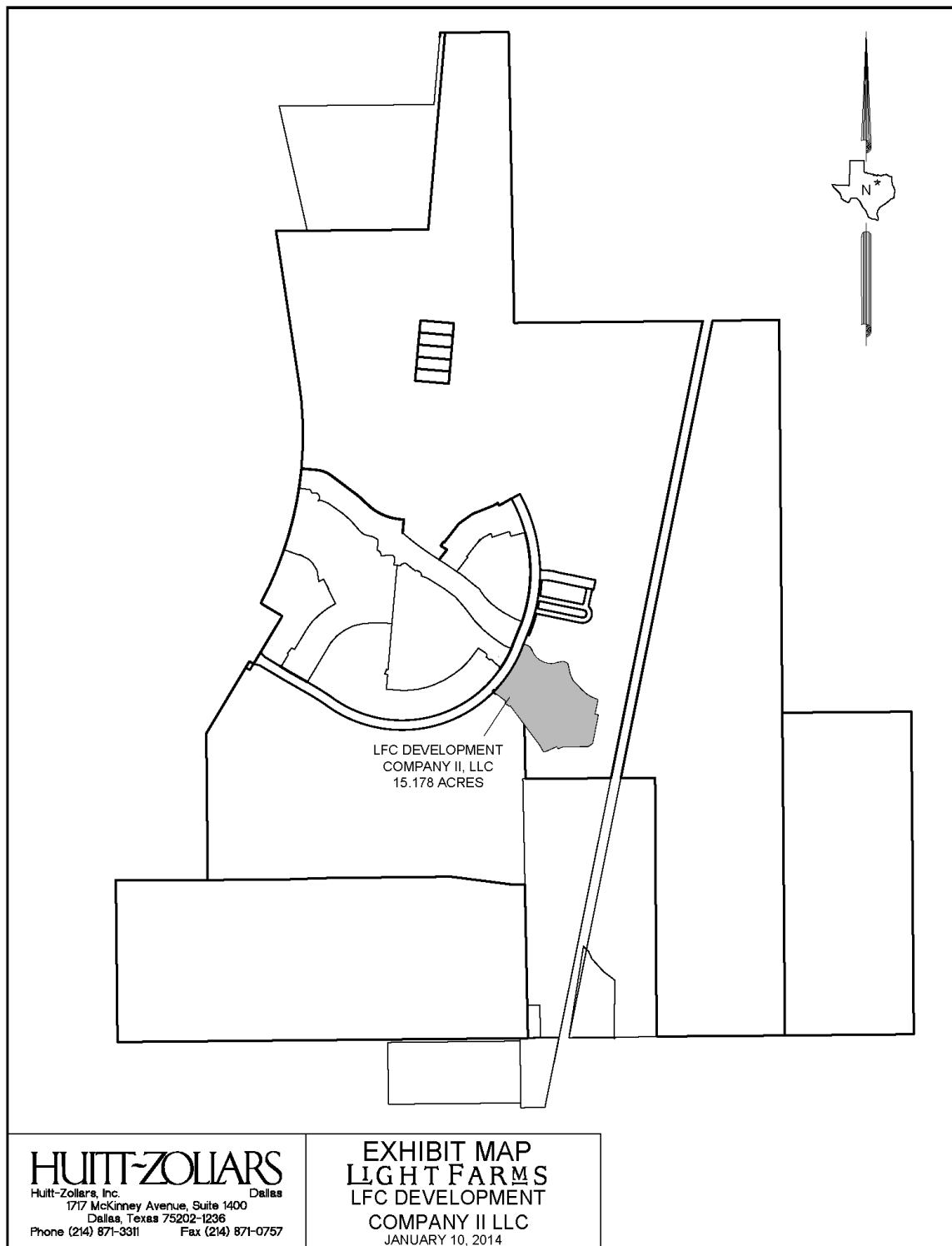


Exhibit E
Legal Description and Depiction of the LFC BIG Property

Indigo Addition Phase 2

Being a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas, and being a portion of a 597.17 acre tract described as Tract 'A' in instrument to LFC Land Company, LLC as recorded under Document No. 20120423000464780 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the southerly corner of Lot 1, Block A of Water Tower Addition at Light Farms, an addition to Collin County within the extra-territorial jurisdiction of the City of Celina, Texas, said point also being on the northeasterly right-of-way line of Light Farms Way (a variable width right-of-way as established by plat recorded in Volume 2009, Page 422 of the Plat Records of Collin County, Texas);

THENCE South 41 degrees 03 minutes 20 seconds East along the northeasterly right-of-way line of said Light Farms Way, a distance of 64.90 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE South 59 degrees 00 minutes 20 seconds East along the northeasterly right-of-way line of said Light Farms Way, a distance of 347.10 to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 2 degrees 33 minutes 10 seconds, a radius of 2,950.00 feet and being subtended by a 131.42 foot chord which bears South 60 degrees 16 minutes 56 seconds East;

THENCE southeasterly along the northeasterly right-of-way line of said Light Farms Way and curve to the left, an arc distance of 131.43 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the right having a central angle of 0 degrees 35 minutes 51 seconds, a radius of 3,050.00 feet and being subtended by a 31.80 foot chord which bears South 61 degrees 15 minutes 36 seconds East;

THENCE southeasterly along the northeasterly right-of-way line of said Light Farms Way and curve to the right, an arc distance of 31.81 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the southeast corner of Lot 2-X, Block B of Light Farms Phase One, an addition to Collin County within the extra-territorial jurisdiction of the City of Celina, Texas, as recorded in Volume 2013, Page 278 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and the POINT OF BEGINNING;

THENCE along the southeasterly and southerly lines of said Light Farms Phase One the following courses:

North 30 degrees 59 minutes 39 seconds East departing the northeasterly right-of-way line of said Light Farms Way, a distance of 473.30 feet to a 5/8 inch iron rod found with plastic cap

stamped “Huitt-Zollars” at the common easterly corner of Lots 9 and 10, Block B of said Light Farms Phase One;

North 41 degrees 05 minutes 29 seconds East a distance of 96.87 feet to a “MAG” nail found at the common easterly corner of Lots 11 and 12, of said Block B;

North 54 degrees 46 minutes 28 seconds East a distance of 96.73 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common southerly corner of Lots 13 and 14, of said Block B;

North 61 degrees 50 minutes 18 seconds East a distance of 96.87 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common southerly corner of Lots 15 and 16, of said Block B;

North 77 degrees 30 minutes 52 seconds East a distance of 126.41 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point in the southerly line of Lot 18 of said Block B;

North 89 degrees 14 minutes 24 seconds East a distance of 200.97 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point in the southerly line of Lot 20 of said Block B;

South 86 degrees 04 minutes 59 seconds East a distance of 79.87 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an inner corner of Lot 6-X of said Block B;

THENCE along the westerly lines of said Light Farms Phase One the following courses:

South 4 degrees 54 minutes 25 seconds West a distance of 480.68 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the northerly right-of-way line of Cottonwood Drive (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.), said point being the beginning of a non-tangent curve to the right having a central angle of 1 degree 38 minutes 18 seconds, a radius of 575.00 feet and being subtended by a 16.44 foot chord which bears North 69 degrees 27 minutes 04 seconds West;

Northwesterly along the northerly right-of-way line of said Cottonwood Drive and curve to the right, an arc distance of 16.44 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” for a corner;

South 21 degrees 22 minutes 05 seconds West a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the southerly right-of-way line of said Cottonwood Drive, said being the beginning of a curve to the left having a central angle of 2 degrees 50 minutes 53 seconds, a radius of 625.00 feet and being subtended by a 31.06 foot chord which bears South 70 degrees 03 minutes 21 seconds East;

Southeasterly along the southerly right-of-way line of said Cottonwood Drive and curve to the left, an arc distance of 31.07 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-

Zollars” at the northwest corner of Lot 3-X, Block H of said Light Farms Phase One and end of said curve;

South 4 degrees 54 minutes 25 seconds West departing the southerly right-of-way line of said Cottonwood Drive, a distance of 147.56 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southwest corner of Lot 3-X of said Block H;

THENCE along the southerly and southeasterly lines of said Light Farms Phase One the following courses:

South 85 degrees 05 minutes 35 seconds East a distance of 200.00 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the easterly right-of-way line of Clearlight Road (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.);

North 4 degrees 54 minutes 25 seconds East along the easterly right-of-way line of said Clearlight Road, a distance of 2.29 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southwest corner of Lot 1, Block J of said Light Farms Phase One;

North 83 degrees 53 minutes 44 seconds East a distance of 126.18 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point in the southerly line of Lot 2 of said Block J;

North 77 degrees 11 minutes 21 seconds East a distance of 101.04 feet to a “MAG” nail found at the common southerly corner of Lots 3 and 4 of said Block J;

North 70 degrees 57 minutes 25 seconds East a distance of 76.20 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point in the southerly line of Lot 5 of said Block J;

North 65 degrees 18 minutes 59 seconds East a distance of 118.12 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point in the southeasterly line of Lot 6 of said Block J;

North 57 degrees 53 minutes 01 second East a distance of 118.14 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point in the southeasterly line of Lot 8 of said Block J;

North 51 degrees 20 minutes 24 seconds East a distance of 90.33 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common southerly corner of Lots 9 and 10 of said Block J;

North 45 degrees 23 minutes 09 seconds East a distance of 86.87 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point in the southeasterly line of Lot 11 of said Block J;

North 41 degrees 46 minutes 12 seconds East a distance of 59.05 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point in the southeasterly line of Lot 12 of said Block J;

North 36 degrees 54 minutes 38 seconds East a distance of 129.56 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the southwesterly right-of-way line of Wildrye Ridge (a variable width right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.), said point also being the east corner of Lot 13, Block J of said Light Farms Phase One;

THENCE southeasterly along the southwesterly right-of-way line of said Wildrye Ridge the following courses:

South 54 degrees 21 minutes 01 seconds East a distance of 65.37 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the right having a central angle of 6 degrees 12 minutes 10 seconds, a radius of 400.00 feet and being subtended by a 43.28 foot chord which bears South 51 degrees 04 minutes 18 seconds East;

Southeasterly along said curve to the right, an arc distance of 43.30 feet to an “X” cut found in concrete at the end of said curve;

South 1 degrees 44 minutes 58 seconds East a distance of 14.02 feet to an “X” cut found in concrete at the beginning of a non-tangent curve to the left having a central angle of 2 degrees 36 minutes 02 seconds, a radius of 325.00 feet and being subtended by a 14.75 foot chord which bears South 41 degrees 34 minutes 24 seconds West;

Southwesterly along said curve to the left, an arc distance of 14.75 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the end of said curve;

South 49 degrees 43 minutes 37 seconds East a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the beginning of a non-tangent curve to the right having a central angle of 1 degree 54 minutes 25 seconds, a radius of 275.00 feet and being subtended by a 9.15 foot chord which bears North 41 degrees 13 minutes 35 seconds East;

Northeasterly along said curve to the right, an arc distance of 9.15 feet to an “X” cut found in concrete at the end of said curve;

South 77 degrees 14 minutes 25 seconds East a distance of 15.28 feet to an “X” cut found in concrete at the beginning of a non-tangent curve to the left having a central angle of 20 degrees 13 minutes 54 seconds, a radius of 300.00 feet and being subtended by a 105.38 foot chord which bears South 47 degrees 34 minutes 18 seconds East;

Southeasterly along said curve to the left, an arc distance of 105.93 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the end of said curve;

South 11 degrees 52 minutes 04 seconds East a distance of 27.68 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the northerly right-of-way line of aforementioned Light Farms Way (a 100 foot wide right-of-way at this point), said point being the beginning of a non-tangent curve to the right having a central angle of 90 degrees 17 minutes 04 seconds, a radius of 1,230.00 feet and being subtended by a 1,743.80 foot chord which bears South 79 degrees 57 minutes 07 seconds West;

THENCE westerly along the northerly right-of-way line of said Light Farms Way and curve to the right, an arc distance of 1,938.19 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the point of reverse curvature of a curve to the left having a central angle of 6 degrees 03 minutes 20 seconds, a radius of 3,050.00 feet and being subtended by a 322.20 foot chord which bears North 57 degrees 56 minutes 01 seconds West;

THENCE northwesterly along the northeasterly right-of-way line of said Light Farms Way, an arc distance of 322.35 feet to the POINT OF BEGINNING and containing 22.014 acres of land, more or less.

The Grange Addition Phase 2

Being a tract of land situated in the John Ragsdale Survey, Abstract No. 734, and the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of a 597.17 acre tract described as Tract ‘A’ in instrument to LFC Land Company, LLC as recorded under Document No. 20120423000464780 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the westerly corner of Lot 14, Block M of Light Farms Phase One, an addition to Collin County within the extra-territorial jurisdiction of the City of Celina, Texas, as recorded in Volume 2013, Page 278 of the Plat Records of Collin County, Texas (P.R.C.C.T.), said point also being on the northeasterly line of Lot 13-X, Drainage Easement and Open Space of said Light Farms Phase One;

THENCE North 55 degrees 08 minutes 38 seconds West along the northeasterly line of said Lot 13-X, a distance of 137.73 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE North 58 degrees 11 minutes 01 second West continuing along the northeasterly line of said Lot 13-X, a distance of 80.28 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the right having a central angle of 1 degree 08 minutes 27 seconds, a radius of 3,000.00 feet and being subtended by a 59.74 foot chord which bears North 57 degrees 36 minutes 49 seconds West;

THENCE northwesterly along the northeasterly line of said Lot 13-X and curve to the right, an arc distance of 59.74 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 31 degrees 56 minutes 57 seconds East departing the northeasterly line of said Lot 13-X, a distance of 129.83 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 32 degrees 46 minutes 49 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the left having a central angle of 0 degrees 20 minutes 27 seconds, a radius of 2,619.00 feet and being subtended by a 15.58 foot chord which bears South 57 degrees 30 minutes 48 seconds East;

THENCE southeasterly along said curve to the left, an arc distance of 15.58 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 31 degrees 56 minutes 57 seconds East a distance of 147.40 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 51 degrees 27 minutes 14 seconds West a distance of 70.47 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 54 degrees 50 minutes 59 seconds East a distance of 246.13 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 58 degrees 58 minutes 35 seconds East a distance of 67.99 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 65 degrees 18 minutes 10 seconds East a distance of 67.97 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 70 degrees 49 minutes 45 seconds East a distance of 119.72 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the right having a central angle of 3 degrees 31 minutes 39 seconds, a radius of 275.00 feet and being subtended by a 16.93 foot chord which bears South 48 degrees 26 minutes 29 seconds East;

THENCE southeasterly along said curve to the right, an arc distance of 16.93 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 43 degrees 19 minutes 21 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 60 degrees 46 minutes 56 seconds East a distance of 144.73 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 58 degrees 10 minutes 37 seconds East a distance of 20.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the right having a central angle of 16 degrees 38 minutes 04 seconds, a

radius of 1,560.00 feet and being subtended by a 451.32 foot chord which bears South 23 degrees 30 minutes 21 seconds East;

THENCE southeasterly along said curve to the right, passing a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the most northerly northwest corner of Light Farms Way (a 100 foot wide right-of-way as established by plat recorded in Volume 2009, Page 422, P.R.C.C.T.) at an arc distance of 75.95 feet and continuing southeasterly along said curve to the right and westerly right-of-way line of said Light Farms Way for a total arc distance of 452.91 feet to an "X" cut found in concrete at the northeast corner of Lot 5, Block P of said Light Farms Phase One;

THENCE along the northerly and northwesterly lines of said Light Farms Phase One the following courses:

South 74 degrees 48 minutes 41 seconds West departing the westerly right-of-way line of said Light Farms Way, a distance of 151.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the northwest corner of Lot 5, Block P of said Light Farms Phase One, said point being on the easterly right-of-way line of Springhouse Way (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.) and the beginning of a non-tangent curve to the left having a central angle of 2 degrees 05 minutes 06 seconds, a radius of 1,409.00 feet and being subtended by a 51.27 foot chord which bears North 16 degrees 13 minutes 52 seconds West;

Northwesterly along the easterly right-of-way line of said Springhouse Way and curve to the left, an arc distance of 51.27 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" for a corner;

South 72 degrees 43 minutes 35 seconds West a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the westerly right-of-way line of said Springhouse Way, said point also being the northeast corner of Lot 5, Block O of said Light Farms Phase One;

South 71 degrees 09 minutes 08 seconds West a distance of 136.39 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the northwest corner of said Lot 5, Block O;

North 18 degrees 50 minutes 52 seconds West a distance of 41.62 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the northeast corner of Lot 4 of said Block O;

South 62 degrees 57 minutes 40 seconds West a distance of 84.60 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an angle point in the northerly line of said Lot 4, Block O;

South 52 degrees 51 minutes 00 seconds West a distance of 50.91 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an angle point in the northwesterly line of Lot 3 of said Block O;

South 40 degrees 01 minute 33 seconds West a distance of 67.34 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common westerly corner of Lots 2 and 3 of said Block O;

South 38 degrees 13 minutes 15 seconds West a distance of 150.49 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the west corner of Lot 1 of said Block O, said point being on the northeasterly right-of-way line of Cypress Creek (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.) and the beginning of a non-tangent curve to the right having a central angle of 0 degrees 35 minutes 56 seconds, a radius of 1,225.00 feet and being subtended by a 12.80 foot chord which bears South 52 degrees 46 minutes 04 seconds East;

Southeasterly along the northeasterly right-of-way line of said Cypress Creek and curve to the right, an arc distance of 12.80 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” for a corner at the end of said curve;

South 37 degrees 31 minutes 54 seconds West departing the northeasterly right-of-way line of said Cypress Creek, a distance of 184.33 feet to the POINT OF BEGINNING and containing 7.306 acres of land, more or less.

Bluestem Addition Phase 2

Being a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas, and being a portion of a 597.17 acre tract described as Tract ‘A’ in instrument to LFC Land Company, LLC as recorded under Document No. 20120423000464780 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southerly corner of Lot 1, Block A of Water Tower Addition at Light Farms, an addition to Collin County within the extra-territorial jurisdiction of the City of Celina, Texas, said point also being on the northerly right-of-way line of Light Farms Way (a variable width right-of-way as established by plat recorded in Volume 2009, Page 422 of the Plat Records of Collin County, Texas);

THENCE North 30 degrees 59 minutes 39 seconds East along the southeasterly line of said Lot 1, Block A, a distance of 435.60 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” for the east corner of said Lot 1, Block A;

THENCE North 59 degrees 00 minutes 20 seconds West along the northeasterly line of said Lot 1, Block A, a distance of 260.21 to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the northwesterly line of the aforementioned 597.17 acre tract, said point being the beginning of a non-tangent curve to the left having a central angle of 9 degrees 27 minutes 47 seconds, a radius of 3,644.79 feet and being subtended by a 601.30 foot chord which bears North 23 degrees 37 minutes 01 seconds East;

THENCE departing the northeasterly line of said Lot 1, Block A and continuing northeasterly along the northwesterly line of said 597.17 acre tract and curve to the left, an arc distance of 601.98 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southwest corner of Lot 25, Block A of Light Farms Phase One, an addition to Collin County within the extra-territorial jurisdiction of the City of Celina, Texas, as recorded in Volume 2013, Page 278 of the Plat Records of Collin County, Texas (P.R.C.C.T.);

THENCE along the southerly and southwesterly lines of said Light Farms Phase One the following courses:

South 71 degrees 06 minutes 53 seconds East a distance of 170.00 feet 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” on the easterly right-of-way line of Fieldview Court (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.) said point being the beginning of a non-tangent curve to the left having a central angle of 0 degrees 06 minutes 50 seconds, a radius of 3,814.79 feet and being subtended by a 7.58 foot chord which bears North 18 degrees 49 minutes 42 seconds East;

Northeasterly along the easterly right-of-way line of said Fieldview Court and curve to the left, an arc distance of 7.58 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southwest corner of Lot 9, Block D of said Light Farms Phase One;

South 61 degrees 02 minutes 49 seconds East a distance of 105.94 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common southerly corner of Lots 10 and 11, Block D of said Light Farms Phase One;

South 47 degrees 32 minutes 46 seconds East a distance of 47.67 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common southerly corner of Lots 11 and 12, Block D of said Light Farms Phase One;

South 31 degrees 32 minutes 08 seconds East a distance of 94.89 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the common westerly corner of Lots 13 and 14, Block D of said Light Farms Phase One;

South 09 degrees 39 minutes 51 seconds East a distance of 117.46 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southwest corner of Lot 15, Block D of said Light Farms Phase One;

North 63 degrees 30 minutes 01 seconds East a distance of 55.53 feet to a “MAG” nail found at the northwest corner of Lot 16, Block D of said Light Farms Phase One;

South 26 degrees 28 minutes 59 seconds East a distance of 116.03 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the southwest corner of said Lot 16, Block D, said point being on the northerly right-of-way line of Wagon Wheel Way (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.) and being the beginning of a non-tangent curve to the left having a central angle of 0 degrees 10 minutes 09

seconds, a radius of 945.00 feet and being subtended by a 2.79 foot chord which bears South 63 degrees 25 minutes 56 seconds West;

Southwesterly along the northerly right-of-way line of said Wagon Wheel Way and curve to the left, an arc distance of 2.79 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" for a corner;

South 26 degrees 39 minutes 08 seconds East a distance of 164.81 feet to a "MAG" nail found at the southwest corner of Lot 14, Block C of said Light Farms Phase One;

THENCE along the northwesterly lines of said Light Farms Phase One the following courses:

South 59 degrees 28 minutes 14 seconds West a distance of 98.41 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at angle point in the northwesterly line of Lot 30, Block C of said Light Farms Phase One;

South 52 degrees 30 minutes 56 seconds West a distance of 98.38 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an angle point in the northwesterly line of Lot 31, Block C of said Light Farms Phase One;

South 45 degrees 33 minutes 45 seconds West a distance of 98.42 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an angle point in the northwesterly line of Lot 33, Block C of said Light Farms Phase One;

South 38 degrees 07 minutes 30 seconds West a distance of 84.25 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at a common westerly corner of Lots 34 and 35, Block C of said Light Farms Phase One;

South 32 degrees 30 minutes 14 seconds West a distance of 64.26 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an point in the northwesterly line of Lot 36, Block C of said Light Farms Phase One;

South 30 degrees 59 minutes 39 seconds West a distance of 205.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the most westerly corner of Lot 39, Block C of said Light Farms Phase One, said point also being on the northeasterly line of Lot 4-X of said Block C;

North 59 degrees 00 minutes 21 seconds West along the northeasterly line of said Lot 4-X, Block C, a distance of 34.41 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the northwesterly corner of said Lot 4-X, Block C;

South 35 degrees 57 minutes 46 seconds West a distance of 71.29 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the southwesterly right-of-way line of Partridge Drive (a 50 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.), said point being the beginning of a non-tangent curve to the left having a

central angle of 0 degrees 19 minutes 51 seconds, a radius of 375.00 feet and being subtended by a 2.17 foot chord which bears South 54 degrees 12 minutes 10 seconds East;

Southeasterly along the southwesterly right-of-way line of said Partridge Drive and curve to the left, an arc distance of 2.17 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the northerly end of a westerly right-of-way corner clip with Sage Way (an 80 foot wide right-of-way as established by plat recorded in Volume 2013, Page 278, P.R.C.C.T.);

South 17 degrees 04 minutes 17 seconds East along said westerly right-of-way corner clip with Sage Way, a distance of 16.13 feet to an "X" cut found in concrete at the southerly end of said westerly right-of-way corner clip of Sage Way;

South 30 degrees 59 minutes 39 seconds West along the northwesterly right-of-way line of Sage Way, a distance of 122.20 feet to an "X" cut found in concrete at the easterly corner of a westerly right-of-way corner clip of Sage Way at the aforementioned Light Farms Way;

South 75 degrees 59 minutes 39 seconds West along the westerly right-of-way corner clip of Sage Way at Light Farms Way, a distance of 28.28 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the westerly corner of said right-of-way corner clip, said point being on the northeasterly right-of-way line of said Light Farms Way;

THENCE North 59 degrees 00 minutes 21 seconds West along the northeasterly right-of-way line of said Light Farms Way, a distance of 177.84 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 41 degrees 03 minutes 20 seconds West along the northeasterly right-of-way line of said Light Farms Way, a distance of 64.90 feet to the POINT OF BEGINNING and containing 11.072 acres of land, more or less.

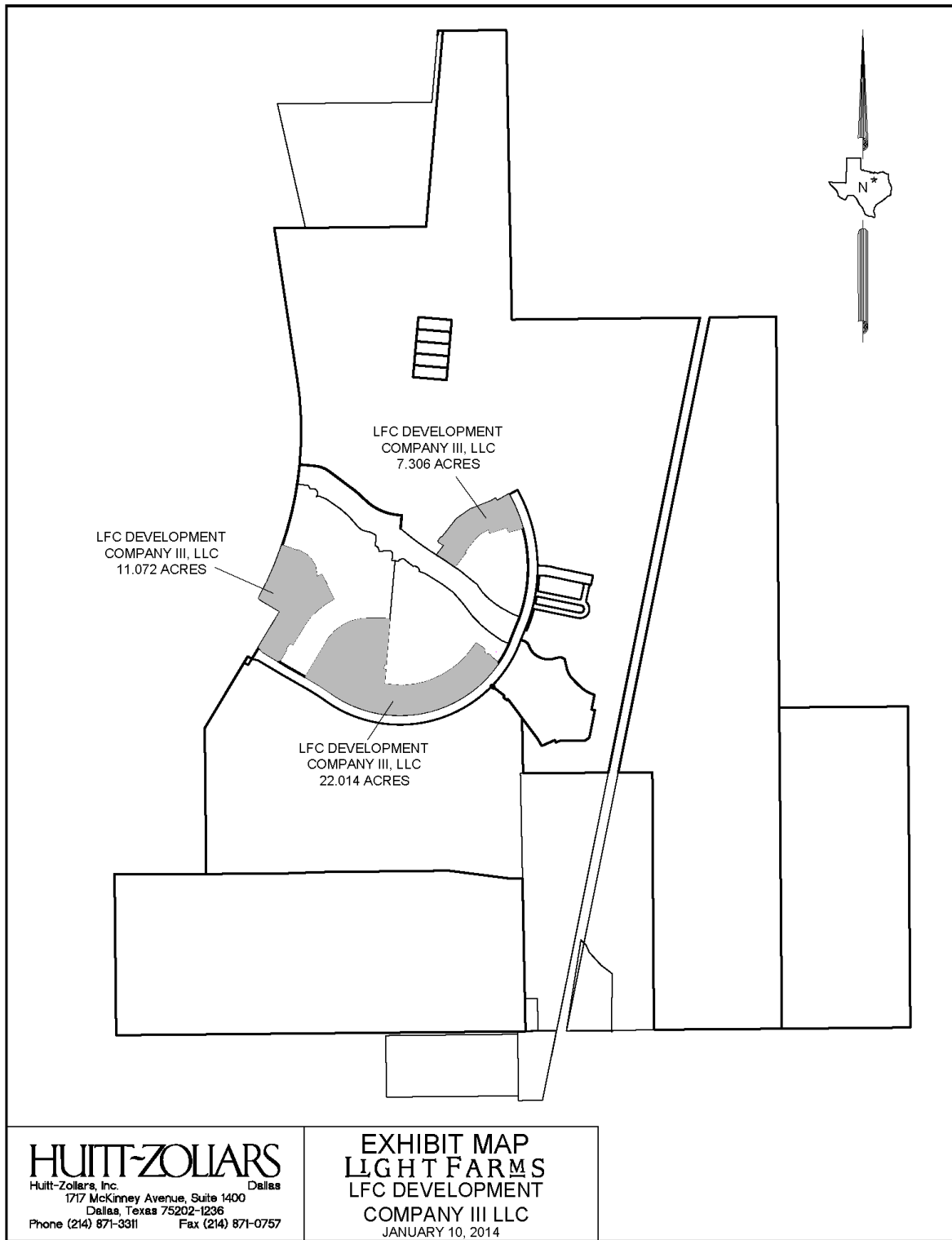


Exhibit F
Legal Description and Depiction of the MUD-Owned Property

LAND DESCRIPTION HOMESTEAD COURT and COMMONS DRIVE RIGHT-OF-WAY

BEING, a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of a tract of land as described in instrument to Forestar/RPG Land Company, LLC as recorded under Document No. 20070221000239380 Land Records of Collin County, Texas (L.R.C.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” at an inner corner of a tract of land as described in instrument to Collin County Municipal Utility District No. 1, as recorded in Document No. 20080225000217970 (L.R.C.C.T.), said corner being the southeast corner of the intersection of Light Farms Way (a 100’ ROW) with Cypress Creek (a 100’ ROW) as shown on Exhibit "B" of said Collin County Municipal Utility District No. 1 tract;

THENCE, North 47 degrees 10 minutes 14 seconds East, along the southeasterly line of said Collin County Municipal Utility District No. 1 tract, a distance of 28.77 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” and being the beginning of non-tangent curve to the right;

THENCE, continuing along a southerly line of said Collin County Municipal Utility District No. 1 tract along said curve to the right having a central angle of 10 degrees 31 minutes 16 seconds, a radius of 710.00 feet and an arc distance of 130.38 feet, being subtended by a chord which bears South 83 degrees 38 minutes 52 seconds East, a distance of 130.19 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” at the end of said curve;

THENCE, South 78 degrees 23 minutes 14 seconds East, continuing along the southerly line of said Collin County Municipal Utility District No. 1 tract, a distance of 324.77 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” at the **POINT OF BEGINNING**;

THENCE, South 78 degrees 23 minutes 14 seconds East, continuing along the southerly line of said Collin County Municipal Utility District No. 1 tract a distance of 92.00 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, departing the southerly line of said Collin County Municipal Utility District No. 1 tract South 50 degrees 16 minutes 22 seconds West a distance of 25.61 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, South 11 degrees 36 minutes 46 seconds West a distance of 154.52 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, South 17 degrees 55 minutes 28 seconds East a distance of 17.40 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” and being the beginning of non-tangent curve to the right;

THENCE, along a curve to the right having a central angle of 146 degrees 03 minutes 29 seconds, a radius of 95.00 feet and an arc length of 242.17 feet, being subtended by a chord of South 28 degrees 35 minutes 02 seconds West a distance of 181.73 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” at the end of said curve;

THENCE, North 78 degrees 23 minutes 14 seconds West a distance of 468.75 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, South 58 degrees 27 minutes 13 seconds West a distance of 29.18 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” on the easterly line of said Collin County Municipal Utility District No. 1 tract and being the beginning of non-tangent curve to the left;

THENCE, along the easterly line of said Collin County Municipal Utility District No. 1 tract and along a curve to the left having a central angle of 3 degrees 18 minutes 54 seconds, a radius of 1,660.00 feet and an arc length of 96.04 feet, being subtended by a chord of North 13 degrees 53 minutes 47 seconds East a distance of 96.03 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” at the end of said curve;

THENCE, departing the easterly line of said Collin County Municipal Utility District No. 1 tract, South 32 degrees 54 minutes 33 seconds East a distance of 28.05 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, South 78 degrees 23 minutes 14 seconds East a distance of 466.54 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” and being the beginning of non-tangent curve to the left;

THENCE, along a curve to the left having a central angle of 180 degrees 00 minutes 00 seconds, a radius of 39.00 feet and an arc length of 122.52 feet, being subtended by a chord of North 11 degrees 36 minutes 46 seconds East a distance of 78.00 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” at the end of said curve;

THENCE, North 78 degrees 23 minutes 14 seconds West a distance of 466.58 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, South 56 degrees 06 minutes 21 seconds West a distance of 28.03 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” on the easterly line of said Collin County Municipal Utility District No. 1 tract and being the beginning of non-tangent curve to the left ;

THENCE, along the easterly line of said Collin County Municipal Utility District No. 1 tract and along a curve to the left having a central angle of 3 degrees 18 minutes 55 seconds, a radius of 1,660.00 feet and an arc length of 96.05 feet, being subtended by a chord of North 09 degrees

16 minutes 10 seconds East a distance of 96.04 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve;

THENCE, departing the easterly line of said Collin County Municipal Utility District No. 1 tract, South 35 degrees 15 minutes 34 seconds East a distance of 29.20 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE, South 78 degrees 23 minutes 14 seconds East a distance of 447.31 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE, North 56 degrees 36 minutes 46 seconds East a distance of 14.14 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE, North 11 degrees 36 minutes 46 seconds East a distance of 143.47 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE, North 33 degrees 23 minutes 14 seconds West a distance of 28.28 feet to the **POINT OF BEGINNING** and containing 1.780 acres of land, more or less.

LAND DESCRIPTION LOT 1X, BLOCK A

BEING, a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of a tract of land as described in instrument to Forestar/RPG Land Company, LLC as recorded under Document No. 20070221000239380 Land Records of Collin County, Texas (L.R.C.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with cap stamped "Huitt-Zollars" at an inner corner of a tract of land as described in instrument to Collin County Municipal Utility District No. 1, as recorded in Document No. 20080225000217970 (L.R.C.C.T.), said corner being the southeast corner of the intersection of Light Farms Way (a 100' ROW) with Cypress Creek (a 100' ROW) as shown on Exhibit "B" of said Collin County Municipal Utility District No. 1 tract and being the beginning of non-tangent curve to the right;

THENCE, along an easterly line of said Collin County Municipal Utility District No. 1 tract along said curve to the right having a central angle of 12 degrees 02 minutes 41 seconds, a radius of 1,660.00 feet and an arc distance of 348.96 feet, being subtended by a chord which bears South 09 degrees 31 minutes 54 seconds West, a distance of 348.32 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the **POINT OF BEGINNING**;

THENCE, departing the easterly line of said Collin County Municipal Utility District No. 1 tract, North 58 degrees 27 minutes 13 seconds East a distance of 29.18 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" and being the beginning of a non-tangent curve to the right;

THENCE, along a curve to the right having a central angle of 6 degrees 38 minutes 58 seconds a radius of 1,680.00 feet and an arc length of 194.97 feet, being subtended by a chord of South 18

degrees 08 minutes 59 seconds West a distance of 194.86 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” at the end of said curve;

THENCE, South 21 degrees 29 minutes 45 seconds West a distance of 46.17 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, North 68 degrees 30 minutes 15 seconds West a distance of 20.00 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, North 21 degrees 29 minutes 45 seconds East a distance of 46.16 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” and being the beginning of a curve to the left;

THENCE, along a curve to the left having a central angle of 5 degrees 55 minutes 13 seconds a radius of 1,660.00 feet and an arc length of 171.53 feet, being subtended by a chord of North 18 degrees 30 minutes 51 seconds East a distance of 171.45 feet to the **POINT OF BEGINNING** and containing 0.1053 acres of land, more or less.

LAND DESCRIPTION LOT 1X, BLOCK B

BEING, a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of a tract of land as described in instrument to Forestar/RPG Land Company, LLC as recorded under Document No. 20070221000239380 Land Records of Collin County, Texas (L.R.C.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” at an inner corner of a tract of land as described in instrument to Collin County Municipal Utility District No. 1, as recorded in Document No. 20080225000217970 (L.R.C.C.T.), said corner being the southeast corner of the intersection of Light Farms Way (a 100’ ROW) with Cypress Creek (a 100’ ROW) as shown on Exhibit "B" of said Collin County Municipal Utility District No. 1 tract and being the beginning of non-tangent curve to the right;

THENCE, along an easterly line of said Collin County Municipal Utility District No. 1 tract along said curve to the right having a central angle of 7 degrees 25 minutes 04 seconds, a radius of 1,660.00 feet and an arc distance of 214.91 feet, being subtended by a chord which bears South 07 degrees 13 minutes 06 seconds West, a distance of 214.76 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” at the **POINT OF BEGINNING**;

THENCE, departing the easterly line of said Collin County Municipal Utility District No. 1 tract, North 56 degrees 06 minutes 21 seconds East a distance of 28.03 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” and being the beginning of non-tangent curve to the right;

THENCE, along said curve to the right having a central angle of 2 degrees 39 minutes 37 seconds having a radius of 1,680.00 feet and an arc length of 78.00 feet, being subtended by a chord of South 11 degrees 35 minutes 00 seconds West a distance of 78.00 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, North 32 degrees 54 minutes 33 seconds West a distance of 28.05 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” on the easterly line of said Collin County Municipal Utility District No. 1 tract and being the beginning of a non-tangent curve to the left;

THENCE, along the easterly line of said Collin County Municipal Utility District No. 1 tract and along said curve to the left having a central angle of 1 degrees 18 minutes 43 seconds having a radius of 1,660.00 feet and an arc length of 38.01 feet, being subtended by a chord of North 11 degrees 34 minutes 59 seconds East a distance of 38.01 feet to the **POINT OF BEGINNING** and containing 0.0267 acres of land, more or less.

LAND DESCRIPTION LOT 1X, BLOCK C

BEING, a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of a tract of land as described in instrument to Forestar/RPG Land Company, LLC as recorded under Document No. 20070221000239380 Land Records of Collin County, Texas (L.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” at an inner corner of a tract of land as described in instrument to Collin County Municipal Utility District No. 1, as recorded in Document No. 20080225000217970 (L.R.C.C.T.), said corner being the southeast corner of the intersection of Light Farms Way (a 100’ ROW) with Cypress Creek (a 100’ ROW) as shown on Exhibit "B" of said Collin County Municipal Utility District No. 1 tract;

THENCE, North 47 degrees 10 minutes 14 seconds East, along the southeasterly line of said Collin County Municipal Utility District No. 1 tract, a distance of 28.77 feet to a 5/8 inch iron rod found with cap stamped “Huitt-Zollars” and being the beginning of non-tangent curve to the right;

THENCE, departing the southerly line of said Collin County Municipal Utility District No. 1 tract along said curve to the right having a central angle of 5 degrees 32 minutes 31 seconds, a radius of 1,680.00 feet and an arc length of 162.50 feet, being subtended by a chord of South 05 degrees 34 minutes 04 seconds West a distance of 162.43 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars”;

THENCE, North 35 degrees 15 minutes 34 seconds West a distance of 29.20 feet to a 5/8 inch iron rod set with cap stamped “Huitt-Zollars” and being the beginning of non-tangent curve to the left;

THENCE, along a curve to the left having a central angle of 4 degrees 06 minutes 09 seconds having a radius of 1,660.00 feet and an arc length of 118.86 feet, being subtended by a chord of North 05 degrees 33 minutes 38 seconds East a distance of 118.83 feet to the **POINT OF BEGINNING** and containing 0.0646 acres of land, more or less.

LIGHT FARMS WAY

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734 and the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of that tract of land as described in instrument to Collin County Municipal Utility District No. 1 as recorded under Document No.20080225000217970 of the Deed Records, Collin County, Texas (D.R.C.C.T.) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the southeasterly corner of that tract of land as described in instrument to the City of Celina, Texas as recorded under Document No.20071115001546420 (D.R.C.C.T.) and being on the northerly line of said Collin County Municipal Utility District No. 1 tract;

THENCE along the northerly and westerly lines of said Collin County Municipal Utility District No. 1 tract, the following;

South 41 degrees 03 minutes 20 seconds East a distance of 64.89 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

South 59 degrees 00 minutes 21 seconds East a distance of 347.10 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 02 degrees 33 minutes 10 seconds, a radius of 2,950.00 feet and being subtended by a chord which bears South 60 degrees 16 minutes 56 seconds East a distance of 131.42 feet;

along said curve to the left an arc distance of 131.43 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the right having a central angle of 06 degrees 39 minutes 10 seconds, a radius of 3,050.00 feet and being subtended by a chord which bears South 58 degrees 13 minutes 56 seconds East a distance of 353.95 feet;

along said curve to the right an arc distance of 354.15 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the left having a central angle of 103 degrees 35 minutes 54 seconds, a radius of 1,230.00 feet and being subtended by a chord which bears North 73 degrees 17 minutes 42 seconds East a distance of 1,933.19 feet;

along said curve to the left an arc distance of 2,224.00 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve;

North 21 degrees 29 minutes 45 seconds East a distance of 193.19 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 50 degrees 31 minutes 46 seconds, a radius of 1,560.00 feet and being subtended by a chord which bears North 03 degrees 46 minutes 08 seconds West a distance of 1,331.62 feet;

along said curve to the left an arc distance of 1,375.78 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve and being the northwest corner of said Collin County Municipal Utility District No. 1 tract

THENCE North 60 degrees 57 minutes 59 seconds East, along the northerly line of said Collin County Municipal Utility District No. 1 tract, a distance of 100.00 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the northeast corner of said tract, at the beginning of a non-tangent curve to the right having a central angle of 27 degrees 42 minutes 37 seconds, a radius of 1,660.00 feet and being subtended by a chord which bears South 15 degrees 10 minutes 43 seconds East a distance of 795.03 feet;

THENCE along the easterly line of said Collin County Municipal Utility District No. 1 tract and along said curve to the right an arc distance of 802.83 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 44 degrees 54 minutes 42 seconds East, continuing along the easterly line of said Collin County Municipal Utility District No. 1 tract, a distance of 28.81 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

THENCE South 01 degrees 05 minutes 16 seconds West, crossing said Collin County Municipal Utility District No. 1 tract a distance of 100.00 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" on a southerly line of said Collin County Municipal Utility District No. 1 tract;

THENCE along the easterly and southerly lines of said Collin County Municipal Utility District No. 1 tract, the following;

South 47 degrees 10 minutes 14 seconds West a distance of 28.77 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a central angle of 17 degrees 59 minutes 11 seconds, a radius of 1,660.00 feet and being subtended by a chord which bears South 12 degrees 30 minutes 10 seconds West a distance of 518.97 feet;

along said curve to the right an arc distance of 521.11 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve;

South 21 degrees 29 minutes 45 seconds West a distance of 193.19 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a curve to the right having a central angle of 103 degrees 35 minutes 54 seconds, a radius of 1,330.00 feet and being subtended by a chord which bears South 73 degrees 17 minutes 42 seconds West a distance of 2,090.36 feet;

along said curve to the right an arc distance of 2,404.82 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the left having a central angle of 06 degrees 39 minutes 10 seconds, a radius of 2,950.00 feet and being subtended by a chord which bears North 58 degrees 13 minutes 56 seconds West a distance of 342.34 feet;

along said curve to the left an arc distance of 342.54 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the right having a central angle of 02 degrees 33 minutes 10 seconds, a radius of 3,050.00 feet and being subtended by a chord which bears North 60 degrees 16 minutes 56 seconds West a distance of 135.88 feet;

along said curve to the right an arc distance of 135.89 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the end of said curve;

North 59 degrees 00 minutes 21 seconds West a distance of 347.10 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

North 76 degrees 57 minutes 21 seconds West a distance of 64.90 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

North 30 degrees 59 minutes 39 seconds East a distance of 140.00 feet to the POINT OF BEGINNING and containing 11.143 acres of land, more or less.

CYPRESS CREEK WAY

Being a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being all of that 1.837 acre tract of land described in instrument to Collin County Municipal Utility District No. 1 as recorded under Document No. 20131226001678350 of the Official Public Records of Collin County, Texas, and part of the 12.507 acres of land described in instrument to Collin County Municipal Utility District No. 1 as recorded under Document No. 20080225000217970 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the easterly right-of-way line of Light Farms Way (a variable width right-of-way at this point as recorded in Volume 2009, Page 422 of the Plat Records of Collin County, Texas) at the northeast corner of Lot 1X, Block C of Homestead Court Addition, an addition to Collin County, Texas within the extra-territorial jurisdiction of the City of Celina, Texas, as recorded in Volume 2009, Page 282 of the Plat Records of Collin County, Texas, said point also being common with the northwest corner of Lot 1, Block C of said addition;

THENCE North 01 degree 05 minutes 16 seconds East along the easterly right-of-way line of said Light Farms Way, a distance of 100.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" for a corner, said point being on a northerly line of the aforementioned 12.507 acre tract and the beginning of a non-tangent curve to the right having a central angle of 8 degrees 59 minutes 43 seconds, a radius of 810.00 feet and being subtended by a 127.04 foot chord which bears South 84 degrees 24 minutes 35 seconds East;

THENCE departing the easterly right-of-way line of said Light Farms Way and continuing easterly along said northerly line of the 12.507 acre tract and curve to the right, an arc distance of 127.17 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the left having a central angle of 29 degrees 08 minutes 34 seconds, a radius of 750.00 feet and being subtended by a 377.38 foot chord which bears North 85 degrees 30 minutes 54 seconds East;

THENCE departing the said northerly line of the 12.507 acre tract and continuing easterly along said curve to the left, an arc distance of 381.48 feet to a 5/8 inch iron rod set with plastic cap

stamped “Huitt-Zollars” at the point of reverse curvature of a curve to the right having a central angle of 30 degrees 40 minutes 09 seconds, a radius of 850.00 feet and being subtended by a 449.57 foot chord which bears North 86 degrees 16 minutes 41 seconds East;

THENCE easterly along said curve to the right, an arc distance of 454.99 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the end of said curve;

THENCE South 78 degrees 23 minutes 14 seconds East a distance of 199.76 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner on west right-of-way line of Red River Texas & Southern Railway Company, Tract 54, by deed recorded in Volume 121, Page 20 of the Land Records of Collin County, Texas;

THENCE South 11 degrees 20 minutes 28 seconds West along the east line of aforementioned 597.17 acre tract and common west line of said Red River Texas & Southern Railway Company Tract 54, a distance of 100.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” from which a 1/2 inch iron rod found for the southeast corner of said 597.17 acre tract and a point on the north line of a 81.68 acre tract of land described in instrument to Graham S. Stelzer and wife, Doris Stelzer as recorded in Volume 587, Page 146 of Land Records of Collin County, Texas bears South 11 degrees 20 minutes 28 seconds West at a distance of 2,095.57 feet;

THENCE North 78 degrees 23 minutes 14 seconds West departing the west line of said Red River Texas & Southern Railway Company Tract 54, a distance of 200.23 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the left having a central angle of 30 degrees 40 minutes 09 seconds, a radius of 750.00 feet and being subtended by 396.68 foot chord which bears South 86 degrees 16 minutes 41 seconds West;

THENCE westerly along said curve to the left, an arc distance of 401.46 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the point of reverse curvature of a curve to the right having a central angle of 0 degrees 49 minutes 47 seconds, a radius of 850.00 feet and being subtended by a 12.31 foot chord which bears South 71 degrees 21 minutes 31 seconds West;

THENCE westerly along said curve to the right, an arc distance of 12.31 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the end of said curve;

THENCE South 29 degrees 02 minutes 45 seconds West a distance of 29.06 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 14 degrees 21 minutes 21 seconds East a distance of 28.42 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the right having a central angle of 22 degrees 37 minutes 59 seconds, a radius of 155.00 feet and being subtended by a 60.83 foot chord which bears South 03 degrees 02 minutes 21 seconds East;

THENCE southerly along said curve to the right, an arc distance of 61.23 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner on the northerly line of the

aforementioned Homestead Court Addition and common line with the 12.507 acre tract from which a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at a common easterly corner of said Homestead Court Addition and 12.507 acre tract bears South 78 degrees 23 minutes 14 seconds East at a distance of 16.26 feet;

THENCE North 78 degrees 23 minutes 14 seconds West along the northerly line of said Homestead Court Addition and common line with the 12.507 acre tract a distance of 75.74 feet to a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” at the most northerly northeast corner of Lot 1, Block C of said Homestead Court Addition and westerly right-of-way line of Commons Drive (a variable width right-of-way as recorded in Volume 2009, Page 282 of the Plat Records, Collin County, Texas), said point being the beginning of a non-tangent curve to the left having a central angle of 21 degrees 36 minutes 42 seconds, a radius of 141.41 feet and being subtended by a 53.02 foot chord which bears North 03 degrees 33 minutes 00 seconds West;

THENCE departing the northerly line of said Homestead Court Addition and common line with the 12.507 acre tract and continuing northerly along said curve to the left, an arc distance of 53.34 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the end of said curve;

THENCE North 14 degrees 21 minutes 21 seconds West a distance of 2.63 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 57 degrees 55 minutes 02 seconds West a distance of 28.99 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner, said point being the beginning of a non-tangent curve to the right having a central angle of 20 degrees 53 minutes 27 seconds, a radius of 850.00 feet and being subtended by a 308.21 foot chord which bears South 89 degrees 38 minutes 27 seconds West;

THENCE westerly along said curve to the right, an arc distance of 309.92 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” on the northerly line of said Lot 1, Block C of Homestead Court Addition and common line with the 12.507 acre tract from which a 5/8 inch iron rod found with plastic cap stamped “Huitt-Zollars” bears South 79 degrees 09 minutes 33 seconds East at a distance of 18.91 feet, said set iron rod being the beginning of a curve to the left having a central angle of 8 degrees 59 minutes 41 seconds, a radius of 710.00 feet and being subtended by a 111.35 foot chord which bears North 84 degrees 24 minutes 34 seconds West;

THENCE westerly along said curve to the left and continuing along the northerly line of said Lot 1, Block C, an arc distance of 111.46 feet to the POINT OF BEGINNING and containing 2.812 acres of land, more or less.

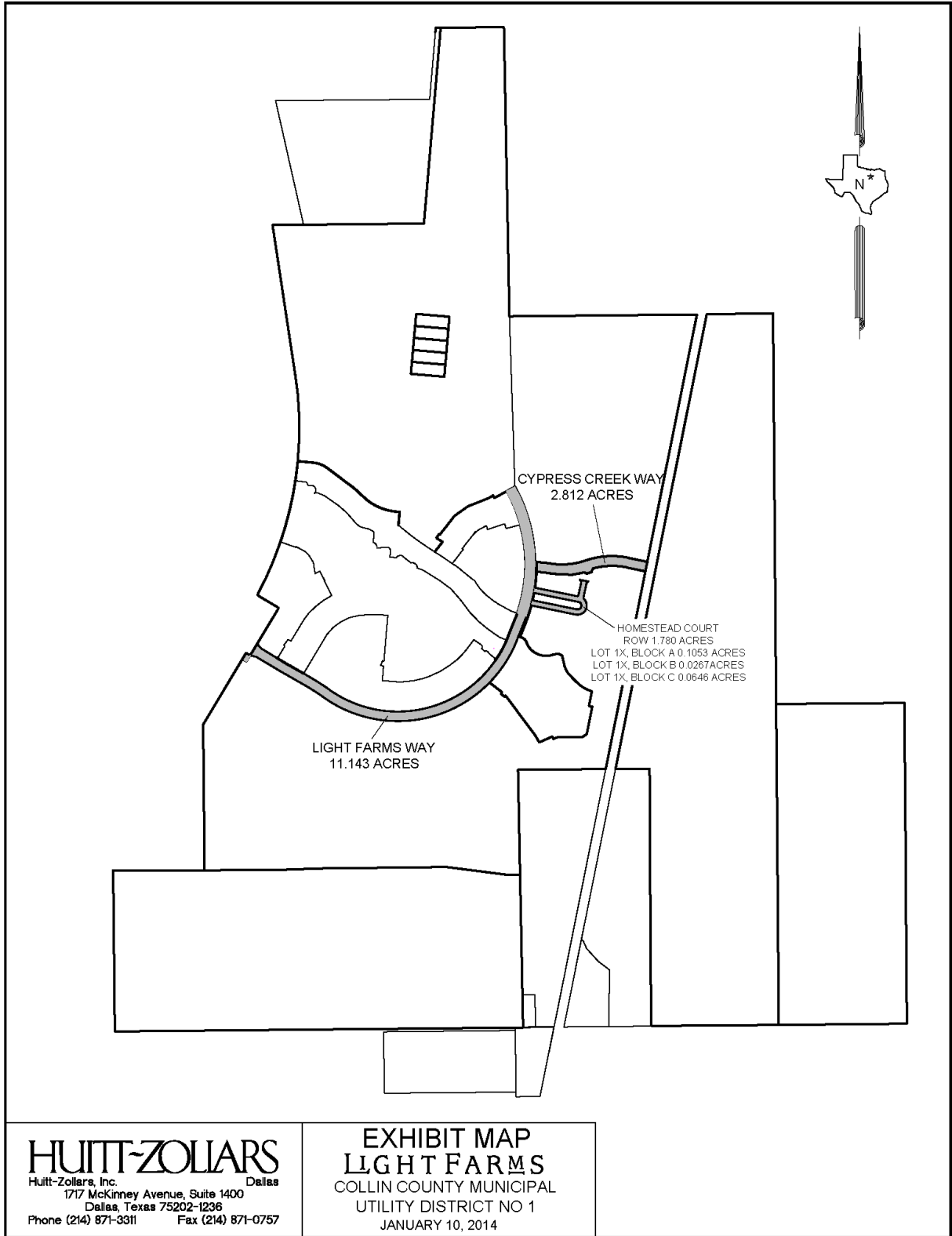


Exhibit G
Legal Description of the LFC Cypress Property

Being a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas and being a portion of the 209.022 acres of land described as 'Tract B' in instrument to LFC Land Company, LLC as recorded under Document No. 20120423000464780 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8 inch iron rod found at the southeast corner of said 209.022 acre tract, said point being the center of State Highway No. 289 Business Route (also known as County Road No. 5 or formerly known as North Coleman Street and now known as Frontier Parkway) said point also being the southwest corner of a 101.9292 acres of land described in instrument to LFC Land Company II, LLC as recorded under Document No. 20121113001449460 of the Official Public Records of Collin County, Texas;

THENCE South 89 degrees 29 minutes 45 seconds West along the south line of said 209.022 acre tract and the center of State Highway No. 289 Business Route now known as Frontier Parkway, a distance of 625.15 feet to a 'MAG' nail set in asphalt pavement for a corner;

THENCE North 00 degrees 30 minutes 15 seconds West departing the south line of said 209.022 acre tract and center of Frontier Parkway, a distance of 123.97 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 78 degrees 15 minutes 33 seconds West a distance of 70.52 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 67 degrees 45 minutes 18 seconds West a distance of 141.04 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 56 degrees 05 minutes 39 seconds West a distance of 141.28 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 42 degrees 26 minutes 37 seconds West a distance of 430.90 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 28 degrees 15 minutes 40 seconds West a distance of 74.21 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 24 degrees 27 minutes 26 seconds West a distance of 149.98 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner on the west line of said 209.022 acre tract from which a 1/2 inch iron rod found at the northeast corner 7.438 acre tract of land described in instrument to Lottie Loraine Couch as recorded under County Clerk's No. 97-0002825 of the Official Public Records of Collin County, Texas bears South 00 degrees 18 minutes 06 seconds East at a distance of 190.62 feet;

THENCE North 00 degrees 18 minutes 06 seconds West along the west line of said 209.022 acre tract a distance of 682.07 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 89 degrees 41 minutes 54 seconds East departing the west line of said 209.022 acre tract a distance of 234.47 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 78 degrees 33 minutes 40 seconds East a distance of 141.41 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 71 degrees 31 minutes 11 seconds East a distance of 245.84 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 75 degrees 01 minute 15 seconds East a distance of 41.59 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 14 degrees 41 minutes 29 seconds East a distance of 5.98 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 74 degrees 44 minutes 08 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 79 degrees 02 minutes 39 seconds East a distance of 54.61 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 84 degrees 18 minutes 59 seconds East a distance of 280.94 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 83 degrees 57 minutes 29 seconds East a distance of 148.72 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 00 degrees 39 minutes 56 seconds East a distance of 134.44 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the right having a central angle of 5 degrees 39 minutes 03 seconds, a radius of 159.50 feet and being subtended by a 15.72 foot chord which bears North 84 degrees 16 minutes 16 seconds East;

THENCE easterly along said curve to the right, an arc distance of 15.73 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the left having a central angle of 0 degrees 24 minutes 18 seconds, a radius of 1,937.50 feet and being subtended by a 13.69 foot chord which bears North 86 degrees 53 minutes 38 seconds East;

THENCE easterly along said curve to the left, an arc distance of 13.69 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 37 degrees 10 minutes 56 seconds East a distance of 21.51 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 83 degrees 03 minutes 25 seconds East a distance of 91.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 06 degrees 56 minutes 35 seconds East a distance of 7.01 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 49 degrees 21 minutes 03 seconds East a distance of 17.20 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the east line of the aforementioned 209.022 acre tract, same being the west line of the aforementioned 101.9292 acre tract;

THENCE South 00 degrees 26 minutes 50 seconds East along the east line of said 209.022 acre tract and west line of said 101.9292 acre tract, a distance of 1,199.42 feet to the POINT OF BEGINNING and containing 35.94 acres of land, more or less.

The basis of bearings described hereon are N.A.D. 1983 tied to Texas State Plane Coordinate System of 1983, North Central Zone (4202).

Exhibit H
Legal Description of the LFC Graham Property

WHEREAS, LFC LAND COMPANY, LLC is the owner of a tract of land situated in the John Ragsdale Survey, Abstract No. 734 and in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and being a portion of the 597.17 acres of land described as Tract A in instrument recorded under Document No. 20120423000464780 of Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the easterly right-of-way line of Light Farms Way (a 100 foot wide right-of-way at this point as recorded in Volume 2009, Page 422 of the Plat Records of Collin County, Texas) at the northerly corner of corner clip of future Cypress Creek Way (a 100 foot wide right-of-way) as established by instruments to Collin County Municipal District No.1 recorded under Document No. 20080225000217970 and No. 20131226001678350 of the Official Public Records of Collin County, Texas, and being the beginning of a non-tangent curve to the left having a central angle of 31 degrees 52 minutes 51 seconds, a radius of 1,660.00 feet and being subtended by a 911.80 foot chord which bears North 17 degrees 15 minutes 50 seconds West;

THENCE continuing along the easterly right-of-way line of said Light Farms Way, passing a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at an arc distance of 802.83 feet and continuing along said arc for a total distance of 923.67 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE North 55 degrees 39 minutes 24 seconds East a distance of 129.54 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 52 degrees 40 minutes 12 seconds East a distance of 275.49 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE North 71 degrees 33 minutes 04 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the left having a central angle of 11 degrees 27 minutes 28 seconds, a radius of 225.00 feet and being subtended by a 44.92 foot chord which bears South 24 degrees 10 minutes 40 seconds East;

THENCE southeasterly along said curve to the left, an arc distance of 44.99 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 29 degrees 54 minutes 24 seconds East a distance of 57.72 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 77 degrees 24 minutes 24 seconds East a distance of 20.27 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 55 degrees 05 minutes 36 seconds East a distance of 6.92 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 34 degrees 54 minutes 24 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 55 degrees 05 minutes 36 seconds West a distance of 9.20 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 10 degrees 05 minutes 36 seconds West a distance of 21.21 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 34 degrees 54 minutes 24 seconds East a distance of 106.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 55 degrees 06 minutes 30 seconds East a distance of 319.61 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE North 62 degrees 30 minutes 38 seconds East a distance of 214.73 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 28 degrees 57 minutes 30 seconds East a distance of 133.82 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 26 degrees 31 minutes 09 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner, said point being the beginning of a non-tangent curve to the right having a central angle of 0 degrees 47 minutes 24 seconds, a radius of 275.00 feet and being subtended by a 3.79 foot chord which bears South 63 degrees 52 minutes 33 seconds West;

THENCE southwesterly along said curve to right, an arc distance of 3.79 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 12 degrees 13 minutes 33 seconds West a distance of 18.70 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 19 degrees 58 minutes 57 seconds East a distance of 75.47 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 70 degrees 01 minute 03 seconds West a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner, said point being the beginning of a non-tangent curve to the right having a central angle of 31 degrees 19 minutes 23 seconds, a

radius of 125.00 feet and being subtended by a 67.49 foot chord which bears South 04 degrees 19 minutes 16 seconds East;

THENCE southerly along said curve to the right, an arc distance of 68.34 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 72 degrees 56 minutes 08 seconds West a distance of 131.88 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 11 degrees 20 minutes 28 seconds West a distance of 375.83 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 06 degrees 55 minutes 54 seconds West a distance of 47.57 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 00 degrees 50 minutes 17 seconds East a distance of 96.08 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 12 degrees 30 minutes 00 seconds East a distance of 60.85 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the left having a central angle of 0 degrees 42 minutes 05 seconds, a radius of 925.00 feet and being subtended by a 11.32 foot chord which bears South 77 degrees 08 minutes 57 seconds West;

THENCE southwesterly along said curve to the left, an arc distance of 11.32 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 13 degrees 12 minutes 05 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, said point being the beginning of a non-tangent curve to the left having a central angle of 4 degrees 58 minutes 47 seconds, a radius of 875.00 feet and being subtended by a 76.02 foot chord which bears South 74 degrees 18 minutes 31 seconds West;

THENCE southwesterly along said curve to the left, an arc distance of 76.05 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 24 degrees 08 minutes 09 seconds West a distance of 20.39 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 23 degrees 03 minutes 22 seconds East a distance of 8.88 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 14 degrees 36 minutes 16 seconds, a radius of 150.00 feet and being subtended by a 38.13 foot chord which bears South 30 degrees 21 minutes 30 seconds East;

THENCE southerly along said curve to the left, an arc distance of 38.23 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the

right having a central angle of 14 degrees 36 minutes 16 seconds, a radius of 159.50 feet and being subtended by a 40.55 foot chord which bears South 30 degrees 21 minutes 30 seconds East;

THENCE southerly along said curve to the right an arc distance of 40.66 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 23 degrees 03 minutes 22 seconds East a distance of 25.19 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 64 degrees 10 minutes 08 seconds East a distance of 29.82 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the northerly line of a 1.837 acre tract of the aforementioned instrument to Collin County Municipal Utility District No. 1 as recorded under Document No. 20131226001678350 of the Official Public Records of Collin County, Texas, said point being the beginning of a non-tangent curve to the left having a central angle of 3 degrees 48 minutes 07 seconds, a radius of 850.00 feet and being subtended by a 56.39 foot chord which bears South 72 degrees 53 minutes 04 seconds West;

THENCE westerly along said curve to the left and northerly line of said 1.837 acre tract, an arc distance of 56.40 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the right having a central angle of 29 degrees 02 minutes 09 seconds, a radius of 750.00 feet and being subtended by a 376.03 foot chord which bears South 85 degrees 30 minutes 02 seconds West;

THENCE westerly along said curve to the right and northerly line of said 1.837 acre tract, an arc distance of 380.08 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the end of said curve and west corner of said 1.837 acre tract, said point being on the northerly line of the aforementioned tract described in instrument recorded under 20080225000217970 of the Official Public Records of Collin County, Texas and the beginning of a curve to the left having a central angle of 8 degrees 55 minutes 39 seconds, a radius of 810.00 feet and being subtended by a 126.08 foot chord which bears North 84 degrees 26 minutes 42 seconds West;

THENCE westerly along said curve to the left, an arc distance of 126.21 feet to the end of said curve;

THENCE North 88 degrees 54 minutes 32 seconds West a distance of 2.84 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the easterly right-of-way line of said Light Farms Way;

THENCE North 44 degrees 59 minutes 07 seconds West continuing along the easterly right-of-way line of said Light Farms Way, a distance of 28.76 feet to the POINT OF BEGINNING and containing 17.75 acres of land, more or less.

Exhibit I
Legal Description of the LFC HLH Property

LAND DESCRIPTION
(Hawthorne, Hazel, Parkview)

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas, and being described in instrument to LFC DEVCO HLH, LLC as recorded under Document No. 20150528000625930 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the intersection of the southerly right-of-way line of Light Farms Way (100 foot wide right-of-way), as established by the Final Plat of Light Farms Way at Light Farms, an addition to the City of Celina, Texas, as recorded in Document Number 2009-422 of the Plat Records of Collin County, Texas, and the proposed westerly right-of-way line of Prairie Crossing (plat unrecorded as of this date);

THENCE, departing the southerly right of way line of said Light Farms Way, and along the proposed westerly right-of-way line of said Prairie Crossing the following:

South 76 degrees 11 minutes 34 seconds East a distance of 28.76 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

South 32 degrees 09 minutes 43 seconds East a distance of 95.88 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 04 degrees 42 minutes 40 seconds, with a radius of 635.00 feet, a chord bearing of South 34 degrees 31 minutes 03 seconds East, a chord length of 52.20 feet;

Along said curve an arc length of 52.21 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

South 36 degrees 52 minutes 24 seconds East a distance of 533.54 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the right having a central angle of 35 degrees 46 minutes 21 seconds, with a radius of 565.00 feet, a chord bearing of South 18 degrees 59 minutes 12 seconds East, a chord length of 347.06 feet;

Along said curve an arc length of 352.76 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

South 01 degrees 06 minutes 07 seconds East a distance of 650.60 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, departing the proposed westerly right-of-way line of said Prairie Crossing, North 46 degrees 06 minutes 07 seconds West a distance of 28.28 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 88 degrees 53 minutes 53 seconds West a distance of 80.84 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the right having a central angle of 12 degrees 10 minutes 16 seconds, with a radius of 375.00 feet, a chord bearing of North 85 degrees 00 minutes 59 seconds West, a chord length of 79.51 feet;

THENCE, along said curve an arc length of 79.66 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 78 degrees 55 minutes 51 seconds West a distance of 195.01 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 03 degrees 28 minutes 52 seconds, with a radius of 725.00 feet, a chord bearing of North 80 degrees 40 minutes 17 seconds West, a chord length of 44.04 feet;

THENCE, along said curve an arc length of 44.05 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 07 degrees 35 minutes 17 seconds West a distance of 105.18 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars"

THENCE, South 50 degrees 58 minutes 14 seconds West a distance of 20.61 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 85 degrees 38 minutes 49 seconds West a distance of 44.40 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 89 degrees 43 minutes 55 seconds West a distance of 48.80 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 85 degrees 06 minutes 38 seconds West a distance of 48.80 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 80 degrees 27 minutes 50 seconds West a distance of 48.80 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 76 degrees 22 minutes 05 seconds West a distance of 49.37 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 76 degrees 31 minutes 45 seconds West a distance of 54.84 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 81 degrees 36 minutes 23 seconds West a distance of 57.24 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 85 degrees 19 minutes 00 seconds West a distance of 57.23 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 89 degrees 26 minutes 21 seconds West a distance of 57.23 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 86 degrees 26 minutes 45 seconds West a distance of 55.95 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 84 degrees 36 minutes 35 seconds West a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 85 degrees 06 minutes 04 seconds West a distance of 45.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 40 degrees 06 minutes 04 seconds West a distance of 21.21 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 04 degrees 53 minutes 56 seconds East a distance of 104.82 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars at the beginning of a non-tangent curve to the left having a central angle of 10 degrees 45 minutes 16 seconds, with a radius of 275.00 feet, a chord bearing of South 87 degrees 26 minutes 16 seconds West, a chord length of 51.54 feet;

THENCE, along said curve an arc length of 51.62 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the right having a central angle of 12 degrees 50 minutes 19 seconds, with a radius of 325.00 feet, a chord bearing of South 88 degrees 28 minutes 47 seconds West, a chord length of 72.67 feet;

THENCE, along said curve an arc length of 72.82 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 85 degrees 06 minutes 04 seconds West a distance of 156.68 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 89 degrees 11 minutes 18 seconds West a distance of 100.50 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 85 degrees 06 minutes 04 seconds West a distance of 154.18 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having

a central angle of 51 degrees 40 minutes 32 seconds, with a radius of 220.00 feet, a chord bearing of South 69 degrees 03 minutes 40 seconds West, a chord length of 191.76 feet;

THENCE, along said curve an arc length of 198.42 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 46 degrees 46 minutes 35 seconds West a distance of 60.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 00 degrees 12 minutes 06 seconds East a distance of 21.36 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a central angle of 21 degrees 47 minutes 35 seconds, with a radius of 125.00 feet, a chord bearing of North 58 degrees 42 minutes 59 seconds West, a chord length of 47.26 feet;

THENCE, along said curve an arc length of 47.54 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 17 degrees 28 minutes 41 seconds West a distance of 110.84 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 62 degrees 28 minutes 41 seconds West a distance of 14.14 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 72 degrees 31 minutes 19 seconds West a distance of 306.29 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 20 degrees 39 minutes 04 seconds West a distance of 74.21 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the left having a central angle of 38 degrees 12 minutes 48 seconds, with a radius of 20.00 feet, a chord bearing of South 01 degree 32 minutes 40 seconds West, a chord length of 13.09 feet;

THENCE, along said curve an arc length of 13.34 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the right having a central angle of 128 degrees 25 minutes 46 seconds, with a radius of 50.00 feet, a chord bearing of South 46 degrees 39 minutes 09 seconds West, a chord length of 90.04 feet;

THENCE, along said curve an arc length of 112.08 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a compound curve to the right having a central angle of 05 degrees 02 minutes 03 seconds, with a radius of 2,685.00 feet, a chord bearing of North 66 degrees 36 minutes 56 seconds West, a chord length of 235.84 feet;

THENCE, along said curve an arc length of 235.91 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 25 degrees 54 minutes 05 seconds West a distance of 105.31 feet to a 5/8 inch

iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 71 degrees 19 minutes 30 seconds West a distance of 21.06 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 63 degrees 15 minutes 04 seconds West a distance of 57.59 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 61 degrees 58 minutes 49 seconds West a distance of 62.22 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 60 degrees 42 minutes 34 seconds West a distance of 57.59 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 15 degrees 17 minutes 09 seconds West a distance of 21.06 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 08 minutes 16 seconds East a distance of 105.31 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a central angle of 00 degrees 21 minutes 36 seconds, with a radius of 2,685.00 feet, a chord bearing of North 59 degrees 40 minutes 56 seconds West, a chord length of 16.87 feet;

THENCE, along said curve an arc length of 16.87 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a compound curve to the right having a central angle of 127 degrees 43 minutes 56 seconds, with a radius of 50.00 feet, a chord bearing of North 04 degrees 21 minutes 50 seconds East, a chord length of 89.78 feet;

THENCE, along said curve an arc length of 111.47 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the left having a central angle of 38 degrees 12 minutes 48 seconds, with a radius of 20.00 feet, a chord bearing of North 49 degrees 07 minutes 24 seconds East, a chord length of 13.09 feet;

THENCE, along said curve an arc length of 13.34 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 01 minutes 00 seconds East a distance of 187.61 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 16 degrees 32 minutes 24 seconds West a distance of 14.54 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 59 degrees 59 minutes 00 seconds West a distance of 3.07 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a central angle of 00 degrees 39 minutes 49 seconds, with a radius of 1,055.00

feet, a chord bearing of North 59 degrees 39 minutes 05 seconds West, a chord length of 12.22 feet;

THENCE, along said curve an arc length of 12.22 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 40 minutes 49 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a central angle of 00 degrees 39 minutes 49 seconds, with a radius of 1,005.00 feet, a chord bearing of South 59 degrees 39 minutes 05 seconds East, a chord length of 11.64 feet;

THENCE, along said curve an arc length of 11.64 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 59 degrees 59 minutes 00 seconds East a distance of 3.07 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 76 degrees 34 minutes 25 seconds East a distance of 14.54 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 01 minutes 00 seconds East a distance of 109.70 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 57 degrees 29 minutes 40 seconds West a distance of 83.14 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 53 degrees 10 minutes 18 seconds West a distance of 67.56 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 48 degrees 50 minutes 56 seconds West a distance of 67.56 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 44 degrees 31 minutes 35 seconds West a distance of 67.56 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 40 degrees 12 minutes 13 seconds West a distance of 67.56 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 51 degrees 57 minutes 28 seconds East a distance of 120.64 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a central angle of 04 degrees 53 minutes 44 seconds, with a radius of 775.00 feet, a chord bearing of North 35 degrees 35 minutes 40 seconds West, a chord length of 66.20 feet;

THENCE, along said curve an arc length of 66.22 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 56 degrees 51 minutes 12 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a central angle of 02 degrees 29 minutes 50 seconds, with a radius of 725.00 feet, a chord bearing of South 34 degrees 23 minutes 43 seconds East, a chord length of 31.60 feet;

THENCE, along said curve an arc length of 31.60 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 54 degrees 56 minutes 06 seconds East a distance of 15.58 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 50 degrees 57 minutes 55 seconds East a distance of 264.39 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 17 degrees 20 minutes 00 seconds West a distance of 16.11 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 35 degrees 22 minutes 30 seconds West a distance of 14.14 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 54 degrees 37 minutes 30 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 35 degrees 22 minutes 30 seconds East a distance of 55.70 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 54 degrees 37 minutes 30 seconds East a distance of 58.10 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 59 minutes 39 seconds East a distance of 425.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 59 degrees 00 minutes 21 seconds West a distance of 16.53 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 59 minutes 39 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 59 degrees 00 minutes 21 seconds East a distance of 60.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, North 30 degrees 59 minutes 39 seconds East a distance of 142.99 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" in the southerly right-of-way line of said

Light Farms Way, and the beginning of a non-tangent curve to the left having a central angle of 64 degrees 05 minutes 24 seconds, with a radius of 1,330.00 feet, a chord bearing of South 87 degrees 44 minutes 53 seconds East, a chord length of 1,411.36 feet;

THENCE, continuing along the southerly right-of-way line of Light Farms Way and along said curve an arc length of 1,487.71 feet to the **POINT OF BEGINNING** and **CONTAINING** 80.10 acres of land, more or less.

Exhibit J
Legal Description of the LFC GM Property

Tract A:

WHEREAS, LFC Land Company, LLC is the owner of a tract of land situated in the Collin County School Land Survey No. 14, Survey, Abstract No. 167 and the John Ragsdale Survey, Abstract No. 734, Collin County, Texas and being a portion of a tract of land described in instrument to LFC Land Company, LLC as recorded under Document Number 20120423000464780 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 plastic cap stamped "Huitt-Zollars" at the north corner of Lot 11, Block P of Light Farms Phase 2C, The Grange Neighborhood, an addition to Collin County as recorded in Volume 2014, Page 398 of the Plat Records, Collin County, Texas;

THENCE along the northwesterly line of said Light Farms Phase 2C the following;

South 58 degrees 10 minutes 37 seconds West a distance of 20.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 60 degrees 46 minutes 56 seconds West a distance of 144.73 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 43 degrees 19 minutes 21 seconds West a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a delta angle of 03 degrees 31 minutes 39 seconds, a radius of 275.00 feet and being subtended by a chord which bears North 48 degrees 26 minutes 29 seconds West a distance of 16.93 feet;

Along said curve an arc length of 16.93 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the end of said curve;

South 70 degrees 49 minutes 45 seconds West a distance of 119.72 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 65 degrees 18 minutes 10 seconds West a distance of 67.97 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 58 degrees 58 minutes 35 seconds West a distance of 67.99 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 54 degrees 50 minutes 59 seconds West a distance of 246.13 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 51 degrees 27 minutes 14 seconds East a distance of 70.47 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 31 degrees 56 minutes 57 seconds West a distance of 147.44 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a delta angle of 00 degrees 20 minutes 27 seconds, a radius of 2619.00 feet and being subtended by a chord which bears North 57 degrees 23 minutes 24 seconds West a distance of 15.58 feet;

Along said curve to the right an arc length of 15.58 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the end of said curve;

South 32 degrees 46 minutes 49 seconds West a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 31 degrees 56 minutes 57 seconds West a distance of 129.83 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the west corner of Lot 18, Block M of said Light Farms Phase 2C and being the beginning of a non-tangent curve to the right having a delta angle of 07 degrees 48 minutes 22 seconds, a radius of 3000.00 feet and being subtended by a chord which bears North 53 degrees 08 minutes 16 seconds West a distance of 408.41 feet;

THENCE departing the northwesterly line of said Light Farms Phase 2C and along said curve to the right an arc length of 408.72 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE North 04 degrees 47 minutes 46 seconds East a distance of 138.14 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 85 degrees 06 minutes 04 seconds West a distance of 5.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 04 degrees 53 minutes 56 seconds East a distance of 762.84 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 85 degrees 03 minutes 08 seconds East a distance of 135.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 05 degrees 02 minutes 15 seconds East a distance of 92.32 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 85 degrees 06 minutes 04 seconds East a distance of 49.78 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 04 degrees 53 minutes 56 seconds West a distance of 130.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE South 85 degrees 06 minutes 04 seconds East a distance of 146.13 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE North 61 degrees 41 minutes 06 seconds East a distance of 221.33 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a delta angle of 07 degrees 41 minutes 39 seconds, a radius of 1250.00 feet and being subtended by a chord which bears South 48 degrees 08 minutes 58 seconds East a distance of 167.73 feet;

THENCE along said curve to the left an arc length of 167.86 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a reverse curve to the right having a delta angle of 11 degrees 00 minutes 32 seconds, a radius of 1560.00 feet and being subtended by a chord which bears South 46 degrees 29 minutes 31 seconds East a distance of 299.28 feet;

THENCE along said curve to the right an arc length of 299.74 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE North 49 degrees 00 minutes 44 seconds East a distance of 100.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a delta angle of 11 degrees 57 minutes 14 seconds, a radius of 1660.00 feet and being subtended by a chord which bears South 35 degrees 00 minutes 38 seconds East a distance of 345.71 feet;

THENCE along said curve to the right an arc length of 346.34 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the end of said curve, said point being at the north corner of Light Farms Way (a 100' right-of-way) as recorded in Volume 2009, Page 422 of the Plat Records, Collin County, Texas;

THENCE along the north line of said Light Farms Way, South 60 degrees 57 minutes 59 seconds West a distance of 100.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the left having a delta angle of 02 degrees 47 minutes 22 seconds, a radius of 1560.00 feet and being subtended by a chord which bears North 30 degrees 25 minutes 42 seconds West a distance of 75.94 feet;

THENCE departing the north line of said Light Farms Way and along said curve to the left an arc length of 75.95 feet to and containing 17.886 acres of land, more or less.

Tract B:

WHEREAS, LFC LAND COMPANY, LLC is the owner of a tract of land situated in the John Ragsdale Survey, Abstract No. 734 and in the Collin County School Land Survey No. 14,

Abstract No. 167, Collin County, Texas, and being a portion of the 597.17 acres of land described as Tract A in instrument recorded under Document No. 20120423000464780 of Land Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" on the southeasterly right-of-way line of Light Farms Way (a 100 foot wide right-of-way at this point as recorded in Volume 2009, Page 422 of the Plat Records of Collin County, Texas) at the southwest corner of Lot 1X, Block A of Maydelle – Phase 1, at Light Farms, an addition to Collin County, Texas within the extra-territorial jurisdiction of the City of Celina, Texas, as recorded in Document Number 2014-115 of the Plat Records of Collin County, Texas;

THENCE, departing the southeasterly right-of-way line of said Light Farms Way along the southerly line of said Maydelle – Phase 1 addition the following courses and distances:

South 45 degrees 47 minutes 16 seconds East a distance of 20.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 52 degrees 37 minutes 05 seconds East a distance of 144.58 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 37 degrees 23 minutes 36 seconds West a distance of 22.17 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 52 degrees 37 minutes 05 seconds East a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 37 degrees 22 minutes 55 seconds East a distance of 14.14 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 36 degrees 52 minutes 24 seconds East a distance of 513.86 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

South 30 degrees 08 minutes 17 seconds East a distance of 83.95 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 66 degrees 32 minutes 18 seconds East a distance of 145.89 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the beginning of a non-tangent curve to the right having a central angle of 06 degrees 33 minutes 20 seconds, with a radius of 225.00 feet, a chord bearing of South 24 degrees 20 minutes 17 seconds East, a chord length of 25.73 feet;

Along said curve to the right an arc length of 25.74 feet to a 5/8" iron rod found with plastic cap stamped "Huitt-Zollars";

North 68 degrees 56 minutes 23 seconds East a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 89 degrees 32 minutes 42 seconds East a distance of 257.81 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 56 degrees 35 minutes 03 seconds East a distance of 53.30 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 11 degrees 20 minutes 28 seconds East a distance of 241.91 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 11 degrees 20 minutes 28 seconds East a distance of 50.00 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 78 degrees 39 minutes 32 seconds West a distance of 34.21 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars";

North 11 degrees 20 minutes 28 seconds East a distance of 154.50 feet to a 5/8 inch iron rod found with plastic cap stamped "Huitt-Zollars" at the northeasterly corner of Maydelle – Phase 1 addition and being the beginning of a non-tangent curve to the left having a central angle of 13 degrees 27 minutes 20 seconds, with a radius of 350.00 feet, a chord bearing of South 81 degrees 03 minutes 26 seconds East, a chord length of 82.01 feet;

THENCE, departing the Maydelle – Phase 1 addition along said curve to the left an arc length of 82.20 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 87 degrees 47 minutes 06 seconds East a distance of 47.64 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 68 degrees 43 minutes 12 seconds East a distance of 109.75 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, South 78 degrees 39 minutes 32 seconds East a distance of 62.13 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the westerly right-of-way line of the Red River Texas & Southern Railway Company Railroad (currently Burlington Northern Santa Fe Railroad), a 100.0 foot wide right-of-way, by deed recorded in Volume 121, Page 20, L.R.C.C.T;

THENCE, South 11 degrees 20 minutes 28 seconds West along the westerly right-of-way line of said Red River Texas & Southern Railway Company Railroad, a distance of 754.96 feet to a 1/2 inch iron rod found at a southeast corner of the LFC Land Company tract;

THENCE, South 89 degrees 32 minutes 42 seconds West departing the westerly right-of-way line of said Red River Texas & Southern Railway Company Railroad and along the a south line of the LFC Land Company tract, a distance of 910.34 feet to a 5/8 inch iron rod set with plastic

cap stamped "Huitt-Zollars" on the proposed easterly right-of-way line of Prairie Crossing, a 75.0 foot wide right-of-way, and being the beginning of a non-tangent curve to the left having a central angle of 13 degrees 45 minutes 59 seconds, with a radius of 385.00 feet, a chord bearing of North 26 degrees 48 minutes 19 seconds West, a chord length of 92.28 feet;

THENCE, along the proposed northeasterly right-of-way line of Prairie Crossing the following courses and distances:

Along said curve to the left an arc length of 92.50 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

North 11 degrees 06 minutes 03 seconds East a distance of 14.10 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

North 32 degrees 40 minutes 06 seconds West a distance of 88.35 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

North 79 degrees 49 minutes 25 seconds West a distance of 24.01 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

North 36 degrees 52 minutes 24 seconds West a distance of 521.48 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the right having a central angle of 04 degrees 42 minutes 40 seconds, with a radius of 565.00 feet, a chord bearing of North 34 degrees 31 minutes 03 seconds West, a chord length of 46.44 feet;

Along said curve to the right an arc length of 46.46 feet to a 5/8" iron rod set with plastic cap stamped "Huitt-Zollars";

North 32 degrees 09 minutes 43 seconds West a distance of 95.88 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

North 11 degrees 52 minutes 05 seconds East a distance of 28.76 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" in the said southeasterly right-of-way line of Light Farms Way and being the beginning of a non-tangent curve to the left having a central angle of 11 degrees 15 minutes 20 seconds, with a radius of 1,330.00 feet, a chord bearing of North 49 degrees 50 minutes 24 seconds East, a chord length of 260.86 feet;

THENCE, along the southeasterly right-of-way line of Light Farms Way along the southeasterly right-of-way line of Light Farms Way and curve an arc length of 261.28 feet to the POINT OF BEGINNING and CONTAINING 15.457 acres of land, more or less.

Exhibit K
Legal Description of the LFC Sage Property

BEING a tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, said tract being a portion of a 101.9292 acre tract of land described in instrument to LFC Land Company II, LLC as recorded under Document No. 20121113001449460 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a 3/8 inch iron rod found at the southwest corner of said 101.9292 acre tract, said point being in the center of State Highway No. 289 Business Route (also known as County Road No. 5, or formerly known as North Coleman Street and now known as Frontier Parkway), said point also being the southeast corner of a 209.022 acres of land described as 'Tract B' in instrument to LFC Land Company, LLC as recorded under Document No. 20120423000464780 of the Official Public Records of Collin County, Texas;

THENCE North 00 degrees 26 minutes 50 seconds West departing said Frontier Parkway and along the west line of said 101.9092 acre tract and east line of said 209.022 acre tract, a distance of 412.31 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for the POINT OF BEGINNING;

THENCE continuing North 00 degrees 26 minutes 50 seconds West, continuing along the west line of said 101.9292 acre tract and east line of said 209.022 acre tract, a distance of 1,169.15 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 82 degrees 01 minute 52 seconds East departing the west line of said 101.9292 acre tract and east line of said 209.022 acre tract, a distance of 22.46 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for an angle point;

THENCE North 61 degrees 36 minutes 01 seconds East a distance of 95.07 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE South 28 degrees 23 minutes 56 seconds East a distance of 49.79 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 86 degrees 33 minutes 58 seconds East a distance of 105.33 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 83 degrees 40 minutes 32 seconds East a distance of 99.58 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 81 degrees 31 minutes 49 seconds East a distance of 59.68 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at an angle point;

THENCE South 79 degrees 14 minutes 51 seconds East a distance of 89.69 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 77 degrees 12 minutes 02 seconds East a distance of 75.14 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 86 degrees 49 minutes 58 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 03 degrees 10 minutes 02 seconds West a distance of 20.09 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE South 86 degrees 49 minutes 58 seconds East a distance of 46.78 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 74 degrees 55 minutes 03 seconds East a distance of 59.78 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 77 degrees 57 minutes 11 seconds East a distance of 67.72 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 80 degrees 20 minutes 39 seconds East a distance of 81.57 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 83 degrees 33 minutes 52 seconds East a distance of 99.53 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE South 87 degrees 42 minutes 17 seconds East a distance of 87.62 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at an angle point;

THENCE North 89 degrees 29 minutes 45 seconds East a distance of 121.80 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 00 degrees 30 minutes 15 seconds West a distance of 32.30 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” at the beginning of a curve to the left having a central angle of 7 degrees 55 minutes 23 seconds, a radius of 275.00 feet and being subtended by a 38.00 foot chord which bears North 04 degrees 27 minutes 56 seconds West;

THENCE northerly along said curve to the left, an arc distance of 38.03 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner;

THENCE North 81 degrees 34 minutes 22 seconds East a distance of 50.00 feet to a 5/8 inch iron rod set with plastic cap stamped “Huitt-Zollars” for a corner, said being the beginning of a non-tangent curve to the right having a central angle of 7 degrees 55 minutes 23 seconds, a radius of 325.00 feet and being subtended by a 44.91 foot chord which bears South 04 degrees 27 minutes 56 seconds East;

THENCE southerly along said curve to the right, an arc distance of 44.94 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the end of said curve;

THENCE South 00 degrees 30 minutes 15 seconds East a distance of 9.59 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner;

THENCE North 89 degrees 29 minutes 45 seconds East a distance of 121.20 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner on the east line of the aforementioned 101.9292 acre tract;

THENCE South 00 degrees 05 minutes 21 seconds West along the east line of said 101.9292 acre tract, a distance of 108.92 feet to a 1/2 inch iron rod found at an angle point;

THENCE South 00 degrees 30 minutes 15 seconds East continuing along the east line of said 101.9292 acre tract, a distance of 1,042.80 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" for a corner, from which a found P-K nail for the southeast corner of said 101.9292 acre tract in the center of State Highway No. 289 Business Route now known as Frontier Parkway bears South 00 degrees 30 minutes 15 seconds East at a distance of 289.77 feet;

THENCE South 89 degrees 29 minutes 45 seconds West departing the east line of said 101.9292 acre tract, a distance of 250.08 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the beginning of a curve to the right having a central angle of 16 degrees 36 minutes 53 seconds, a radius of 2,665.00 feet and being subtended by a 770.10 foot chord which bears North 82 degrees 11 minutes 48 seconds West;

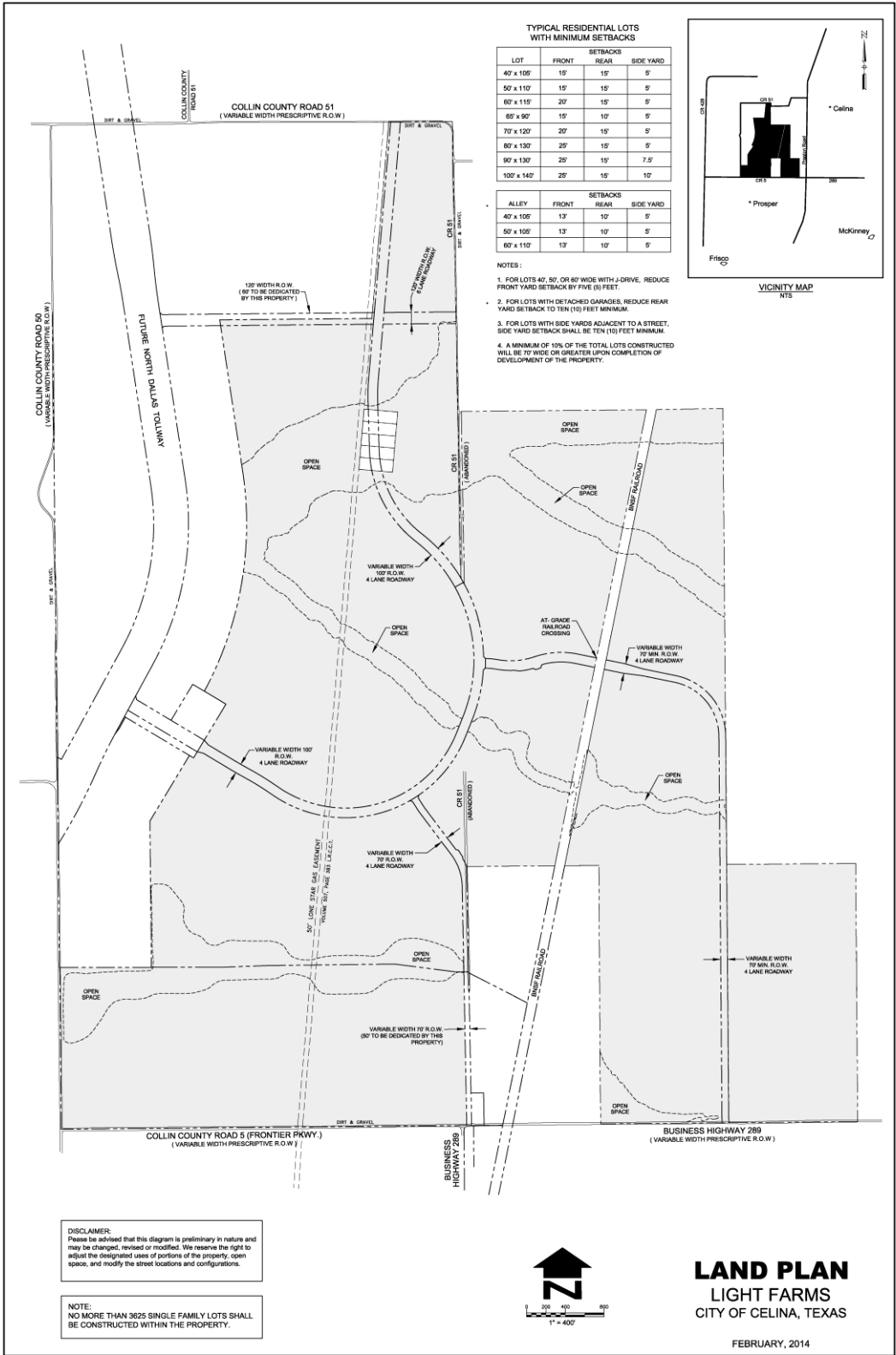
THENCE westerly along said curve to the right, an arc distance of 772.80 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the left having a central angle of 28 degrees 09 minutes 19 seconds, a radius of 455.00 feet and being subtended by a 221.34 foot chord which bears North 87 degrees 58 minutes 01 second West;

THENCE westerly along said curve to the left, an arc distance of 223.59 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" at the point of reverse curvature of a curve to the right having a central angle of 14 degrees 25 minutes 49 seconds, a radius of 395.00 feet and being subtended by a 99.22 foot chord which bears South 85 degrees 10 minutes 14 seconds West;

THENCE westerly along said curve to the right, an arc distance of 99.48 feet to the POINT OF BEGINNING and containing 35.22 acres of land, more or less.

The basis of bearings described hereon are N.A.D. 1983 tied to Texas State Plane Coordinate System of 1983, North Central Zone (4202).

Exhibit L
New Appendix 1



Attachment: Celina Light Farms Development Agreement (8th Amendment)74970 (1409 : Light Farms Eighth Amendment)



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: January 12, 2016
 Re: G-Bar 7 PID Petition

Action Requested:

Consider and act upon a resolution of the City Council of the City of Celina, Texas, accepting a petition to create a Public Improvement District (PID) in the City Limits of Celina, Texas, calling for a public hearing and directing the statutory notices to be given. The property, "G-Bar 7", is an approximately ± 119.138 acre tract of land situated in the Collin County School Land Survey, Abstract No. 167 Celina, Texas and generally located south of CR 55, north of CR 53, east of CR 52 and west of the BNSF railroad & CR 1117. (G-Bar 7 PID Petition) (Liebman)

Background Information:

The applicant has submitted a petition to create a PID Public Improvement District from Old Celina Limited on behalf of Wynne Jackson Inc. For a ± 119.138 acre tract of land. The proposed resolution authorizes the creation of the G-Bar 7 Public Improvement District PID and provides for items associated with the PID.

At the time of publication it was staff's understanding that the applicant will be including a signed and executed Petition to Dissolve the Public Improvement District as well as a revised petition with a reduced acreage that removes "Phase 3" from the petition. A Dissolution Petition is to be submitted by the current owner concurrently with the PID Creation Petition pursuant to the provisions of Chapter 372 of the Texas Local Government Code to be held in trust by the City and used by the City to dissolve the PID if Wynne Jackson Inc. Does not purchase the Property.

The City's Land Use Attorney will provide the completed resolution prior to the City Council Meeting.

Public Notice:

N/A

Supporting Documents:

- PID Petition
- Resolution Authorizing the Creation of the G-Bar 7 PID

Legal Review:

The proposed resolution has been reviewed by the City's land use attorney.

Board/Committee Recommendation:

N/A

Staff Recommendation:

N/A

**CITY OF CELINA, TEXAS
RESOLUTION NO. __**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CELINA,
TEXAS, ACCEPTING A PETITION TO CREATE A PUBLIC
IMPROVEMENT DISTRICT IN THE CITY LIMITS AND CALLING FOR
A PUBLIC HEARING.**

WHEREAS, Chapter 372 of the Texas Local Government Code (the “Act”) authorizes the creation of public improvement districts; and

WHEREAS, on January 4, 2016, the owners of real property delivered to the City of Celina, Texas a petition (the “Petition”, which is attached as Exhibit “A”) indicating: (i) the owners of more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, and (ii) the owners of more than fifty percent (50%) of the area of all taxable real property liable for assessment within the District have executed the Petition requesting that the City Council create the G Bar 7 Public Improvement District (the “District”), as shown in Exhibit “A” (the “map of the District”); and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, the Act further requires that prior to the adoption of the resolution creating the District, the City Council must hold a public hearing on the advisability of establishing the District, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs.

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

Section 1. City staff reviewed the Petition and determined that same complied with the requirement of the Act and the City Council accepts the Petition.

Section 2. The City Council calls a public hearing to be scheduled at 6:00 p.m. on February 9, 2016 to be held at First United Methodist Church, 112 N. Colorado Street, Celina, Texas on the advisability of establishing the District, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the cost.

Section 3. The City Council hereby authorizes and directs the City Secretary, on or before January 22, 2016, in accordance with the Act, to: (a) publish notice in a newspaper of general circulation of the public hearing; and (b) mail notice of the public hearing to the owners of property located in the proposed District as reflected on the city tax rolls.

PASSED AND APPROVED THIS THE 12th DAY OF JANUARY, 2016.

CITY OF CELINA, TEXAS

SEAN TERRY, MAYOR

ATTEST:

VICKI FAULKNER, CITY SECRETARY

EXHIBIT A

Petition for the Creation of a Public Improvement District including Map

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF CELINA, TEXAS, FOR THE G BAR 7 DEVELOPMENT

This petition (the "Petition") is submitted and filed with the City Secretary of the City of Celina, Texas (the "City"), by G Bar 7, Ltd., a Texas limited partnership (the "Owner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), requesting that the City create a public improvement district (the "District") to include property owned by the Owner and located within the corporate limits of the City (the "Property"), more particularly described in Exhibit A and depicted in Exhibit B. In support of this Petition, the Owner would present the following:

Section 1. General Nature of the Authorized Improvements. The purposes of the District include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to, water and wastewater system improvements, drainage improvements, roadway improvements, right-of-way acquisition, and other improvement projects (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Section 2. Estimated Cost of the Authorized Improvements. The Owner estimates that the cost to design, acquire, and construct the Authorized Improvements is \$23,000,000.00.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy an assessment on each residential lot within the District to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). The installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements.

Section 5. Proposed Apportionment of Cost between the District and the City. The City shall not be obligated to provide any funds to finance the Authorized Improvements. The cost of the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Owner.

Section 6. Management of the District. The Owner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. Owner Requests Establishment of the District. The person signing this Petition requests the establishment of the District.

G Bar 7 PID Creation Petition - Page 1

Section 8. Advisory Board. The Owner proposes that the District be established and managed without the creation of an advisory body.

This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City in support of the creation of the District by the City Council as herein provided. The undersigned requests that the City Council grant its consent as above stated.

RESPECTFULLY SUBMITTED, on this the 31st day of December, 2015.

G Bar 7, Ltd.,
A Texas limited partnership

By: 7 G Management, LLC
A Texas limited liability company,
its General Partner

By: 
Name: Rex Glendenning, President

Exhibit A

Metes and Bounds Description of the Property

BEING a tract of land situated in the Collin County School Land Survey, Abstract No. 167, City of Celina, Collin County, Texas, the subject tract being all of a tract conveyed as Tract 1, and all of a tract conveyed as Tract 2, to G Bar 7, Ltd. according to the deed recorded in Volume 5850, Page 990 of the Deed Records, Collin County, Texas (DRCCT), the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in County Road 1117, a prescriptive right-of-way, for the easterly northwest corner of a tract conveyed to Old Celina, Ltd., recorded in Volume 5398, Page 693 DRCCT;

THENCE S 00°22'51" E, along said road, passing at 2331.03 feet a 1/2" iron rod found for the lower southwest corner of said Old Celina tract, and continuing a total distance of 2973.39 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set on the north line of a tract conveyed to Mitch Goldmiz, recorded in Volume 4250, Page 2347 DRCCT, and from which a 1/2" iron rod found for the northeast corner of said Goldmiz tract bears N 89°42'07" E, 53.87 feet;

THENCE S 89°42'07" W, along the north line of said Goldmiz tract, passing at 1619.88 feet the northwest corner thereof and for the northeast corner of a tract conveyed to Celina Tork, Ltd., recorded in Document No. 20070214000210230 of the Official Public Records, Collin County, Texas (OPRCCT), and continuing along the north line thereof a total distance of 2728.83 feet to a 1/2" iron rod found on the east line of a tract conveyed to Martha Ann King and Peggy Sue Earthman, recorded in Document No. 92-0091304 OPRCCT;

THENCE N 01°04'23" W, 161.49 feet along the east line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

THENCE S 89°26'34" W, 66.50 feet continuing along the east line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

THENCE N 00°33'26" W, 480.39 feet continuing along the east line thereof to a 1/2" iron rod found for the southwest corner of a tract conveyed to Jack Semones and Betty Semones, recorded in Document No. 93-0052600 OPRCCT;

THENCE along the common line thereof, the following:

N 89°42'02" E, 353.43 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

S 89°45'29" E, 502.33 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

N 89°41'42" E, 300.00 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

N 89°09'42" E, 96.60 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set;

N 89°46'18" E, 216.40 feet to a 1/2" iron rod with plastic cap stamped "SPIARSEN" set, from which a 1" iron pipe found (bent) bears S 68°51'06" W, 1.66 feet;

Exhibit A to the G Bar 7 PID Creation Petition – Page 1

N 00°05'42" E, 142.00 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

N 00°47'18" W, 500.20 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

N 00° 30'18" W, 73.00 feet to a 1/2" iron rod found;

And N 00°45'18" W, 427.87 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the southeast corner of a tract conveyed to the Hollingsworth Irrevocable Trust, recorded in Document No. 20130411000490940 OPRCCT;

THENCE N 00°51'41" W, 590.35 feet along the east line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the southeast corner of a tract conveyed to United Realtors, LLC, recorded in Document No. 20120314000298850 OPRCCT;

THENCE along the east line thereof, the following:

N 00°40'44" W, 318.30 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

N 00°21'29" W, 90.50 feet to a 1/2" iron rod with plastic cap found;

N 00°26'29" W, 300.00 feet to a 1/2" iron rod with plastic cap found;

N 00°59'29" W, 213.00 feet to a 1/2" iron rod with plastic cap found;

And N 01°20'29" W, passing at 67.90 feet a 1/2" iron rod with plastic cap found for the northeast corner of said United Realtors tract, and continuing a total distance of 91.37 feet to a point in County Road 55, a prescriptive right-of-way, and being on the south line of another tract conveyed to Old Celina Ltd., recorded in Volume 5208, Page 3403 DRCCT;

THENCE N 89°18'21" E, 722.80 feet along County Road 55 and said second Old Celina tract, to a point for the upper northwest corner of the first mentioned Old Celina tract;

THENCE S 00°23'50" E, along the upper west line of the first mentioned Old Celina tract, passing at 45.08 feet a 1/2" iron rod found for witness, and passing at 59.76 feet a 1/2" iron rod with plastic cap found for witness, continuing along the common line thereof a total distance of 419.77 feet to a 1/2" iron rod with plastic cap found for the inset northwest corner of the first mentioned Old Celina tract;

THENCE N 89°09'44" E, continuing along the common line thereof, passing at 604.25 feet a 1/2" iron rod with plastic cap found for witness, continuing along the common line thereof a total distance of 623.17 feet to the POINT OF BEGINNING with the subject tract containing 5,189,656 square feet or 119.138 acres of land.

Exhibit A to the G Bar 7 PID Creation Petition – Page 2

Exhibit B
Depiction of the Property

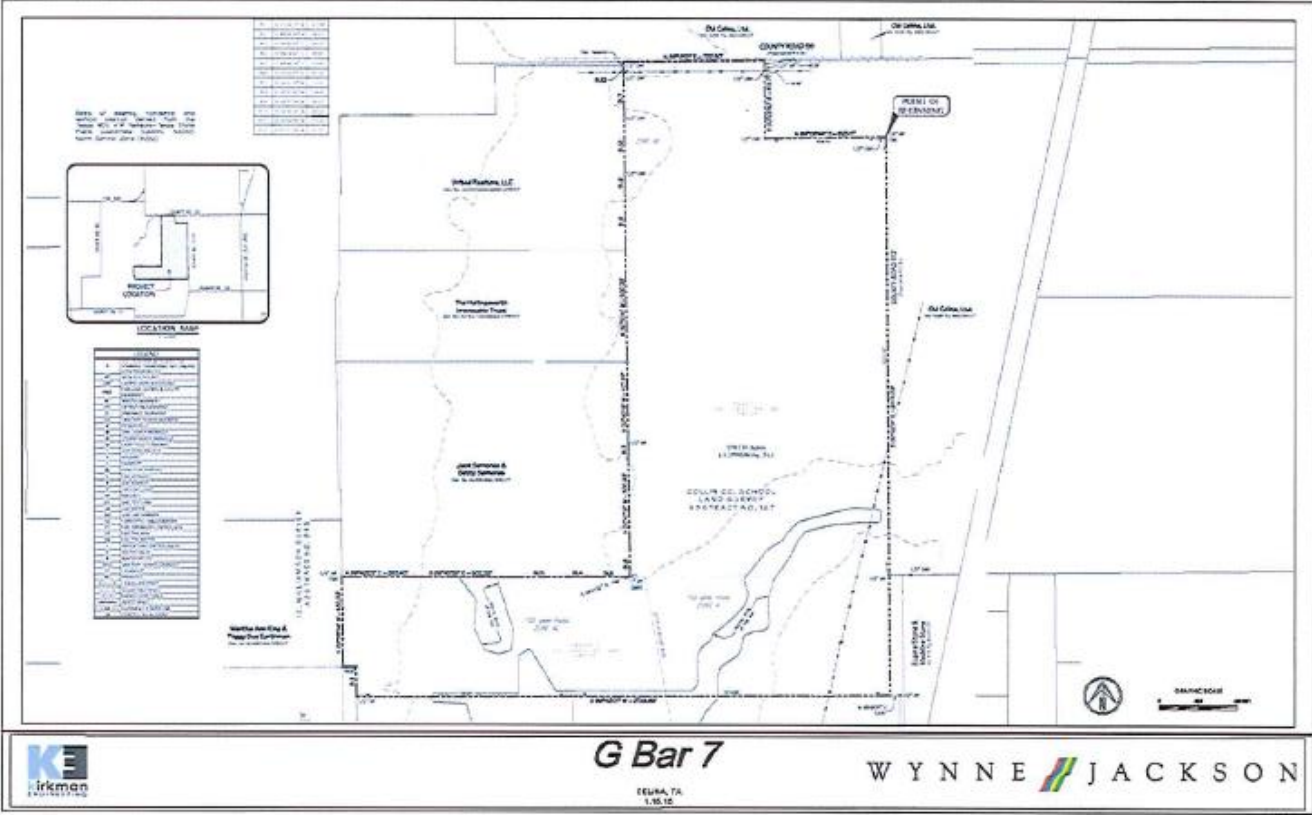


Exhibit B to the G Bar 7 PID Creation Petition – Page 1



Finance Department
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Jay Toutounchian, Finance Director
CC: Mike Foreman, City Manager
Date: January 12, 2016
Re: Reimbursement Resolution

Action Requested:

Consider and act upon a resolution declaring expectation to reimburse expenditures with proceeds of future debt. (Toutounchian)

Background Information:

Board Review/Citizen Input:

Alternatives:

Financial Considerations:

Legal Review:

Supporting Documents:

resolution

Staff Recommendation:

n/a

RESOLUTION NO. 2016-____

A RESOLUTION DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH
PROCEEDS OF FUTURE DEBT.

WHEREAS, the City of Celina, Texas (the "City"), intends to issue debt for the following purposes, to wit: (i) improving and extending the City's combined Waterworks and Sewer System, including the acquisition of land and rights-of-way therefor, (ii) acquiring equipment and vehicles for police, fire, EMS, streets, traffic and transportation, and public works departments (iii) the acquisition, installation and improvement of municipal information technology systems, public safety and emergency management communications and radio systems, and public safety records management systems, (iv) acquiring, constructing, and equipping buildings, structures, and facilities for the public works department, (v) constructing, equipping and improving City Hall and (vi) professional services rendered in connection with such projects and the financing thereof (together, the "Project"); and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Project and currently desires and expects to reimburse the capital expenditures with proceeds of such debt; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CELINA:

SECTION 1: The City reasonably expects to reimburse capital expenditures with respect to the Project with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation. The maximum principal amount of obligations expected to be issued for the Project is \$9,995,000.

SECTION 2: This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED, this January 12, 2016.

CITY OF CELINA, TEXAS

ATTEST:

Mayor

City Secretary

(City Seal)