AGENDA
AUGUST 1, 2023
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING
6:30 PM

1. **PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT**
2. **PLEDGE OF ALLEGIANCE AND INVOCATION**
3. **ITEMS OF INTEREST/COMMUNICATIONS**
   Members may identify community events, functions, and other activities.
4. **CITIZENS COMMENTS**
   Citizens may provide comments (3-minute time limit/person). The response regarding items that are not on the agenda may be to request items be placed on a future agenda or referred to city staff.
5. **CONSENT AGENDA**
   Consent items are considered routine or non-controversial and will be voted on in one motion unless a separate discussion is requested by a member.

   A. Approve the minutes of the July 18, 2023 meeting.

   B. Approve Resolution No. **2023-08-01** approving and authorizing the execution of a one-year extension of the Interlocal Agreement with Collin County for fire inspection and fire plan review services for commercial buildings and subdivisions.

   C. Approve Resolution No. **2023-08-02** approving and authorizing the execution of an interlocal agreement with Region 8 Education Service Center for cooperative purchasing services through The Interlocal Purchasing System (TIPS).

6. **ITEMS FOR CONSIDERATION**

   A. Public Hearing, discussion, and action regarding the 2023-2025 Lavon Strategic Plan.

   1) Presentation of proposed Strategic Plan.
   2) **PUBLIC HEARING** to receive comments regarding the proposed Strategic Plan.
   3) Discussion and action regarding the proposed Strategic Plan.

   B. Public Hearing, discussion and action regarding an amendment to Article 9.03 of the City of Lavon Code of Ordinances – Zoning to amend Ordinance No. **2004-09-05** that established the Grand Heritage Planned Development to remove the commercial site plan public hearing requirement, restrict commercial height requirements, adjust the permitted uses, remove residential minimum floor area requirements, and adjust compatibility setback dimensions, screening, and buffering requirements on approximately 89.275 acres of land situated on the southeast corner of SH 205 and SH 78 and on the north side of SH 78, on several tracts of land within approximately 1,500 feet east and west of Grand Heritage Boulevard.

   1) Presentation of proposed amendment.
   2) **PUBLIC HEARING** to receive comments regarding the proposed amendment.
   3) Discussion and action regarding the proposed amendment and accompanying Ordinance.

   C. Public Hearing, discussion, and action regarding an application for a conditional use permit in a Retail (R) District to operate a tattoo studio at 450 S. SH 78, Suite #140, Lavon Business Park, Blk A, Lot 2, Lavon, Collin County, TX (CCAD Property ID 2539017) requested by JH2 Enterprises, L.L.C. ***Note: the applicant has withdrawn the application.***

D. Public Hearing, discussion, and action regarding the site plan and landscape plan for Spec's on Lot 2A, Block A of the Highway 205 Tract, Phase 2, at 900 S. SH 78, southwest of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, Texas (CCAD Property ID 2614673).

1) Presentation of proposed site plan and landscape plan.
2) **PUBLIC HEARING** to receive comments regarding the proposed site plan.
3) Discussion and action regarding the proposed site plan and landscape plan.

E. Discussion and action regarding the short-form final plat of the Lavon JP Office Addition consisting of 2 non-residential lots on 2.387 acres of land, situated in the W. H. Moore Survey, A-638 at 1025 S. SH 78, northwest of the intersection of SH 205 and SH 78, Lavon, Collin County, TX (CCAD Property ID 2632625).

F. Discussion and action regarding the final plat of the 78 Commercial East Addition consisting of 1 non-residential lot on 1.24 acres situated in the W. H. Moore Survey, A-638 at 701 S. SH 78, northeast of the intersection of Grand Heritage Boulevard and SH 78, Lavon, Collin County, TX (CCAD Property ID 2614649).

G. Discussion and action regarding Resolution No. **2023-08-03** approving and authorizing the execution of Change Order No. 2 to the construction contract with Summit Solutions, Inc. for the City of Lavon - North Lift Station (CIP-38) Construction Project to add larger electrical manholes and additional conduit for more efficient phasing in future wastewater treatment plant control equipment in an amount not to exceed $58,800.00; and providing an effective date.

H. Discussion and action regarding Resolution No. **2023-08-04** approving and authorizing the execution of Change Order No. 3 to the construction contract with Summit Solutions, Inc. for the City of Lavon - North Lift Station (CIP-38) Construction Project to add approximately 430 feet of gravel access road that was not included in the Elevon Parkway project to connect the lift station and wastewater treatment plant site to Elevon Parkway, in an amount not to exceed $64,844.75; and providing an effective date.

I. Discussion and action regarding Resolution No. **2023-08-05** approving and authorizing the execution of Change Order No. 4 to the construction contract with North Texas Contracting, Inc. for the City of Lavon Bently Farms, Phase 1 Paving and Storm Drain (CIP-24) Construction Project to reduce the original project scope and reduce the contract amount by $107,523.00; and providing an effective date.

J. Discussion and action regarding Resolution No. **2023-08-06** approving and authorizing the execution of Change Order No. 7 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $8,737.26 to replace a drainage flume to improve drainage at the Police Department; and providing an effective date.

K. Discussion and action regarding Resolution No. **2023-08-07** approving and authorizing the execution of Change Order No. 9 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $70,994.40 to expand the original project scope to expand the concrete parking area to serve the police, fire, and public works facilities; and providing an effective date.

L. Discussion and action regarding Resolution No. **2023-08-08** approving and authorizing the execution of utility easements granted from MA Elevon 429, L.L.C., MA Land Holdings, L.L.C., 78 Straddle L.P., MA Lavon 292, L.L.C., BTR at Elevon, L.L.C., and the City of Lavon to the City of Lavon related to the Elevon Parkway West Addition and Elevon West Commercial Phase 1 Addition; and providing an effective date.

7. BUDGET WORK SESSION

Discussion regarding the regulatory requirements, financial status for current fiscal year, budget calendar, anticipated commitments, departmental service levels and requests, tax rate, fee schedule, Capital Improvements Plan (CIP) updates, FY 2022-23 projections, and proposed revenues and expenditures for FY 2023-24.

8. BUDGET AND TAX RATE ITEMS FOR CONSIDERATION

A. Public hearing and discussion regarding the proposed Fiscal Year 2023-24 Annual Budget, Capital Improvements Plan, and Fee Schedule.

1) **PUBLIC HEARING** to receive comments regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule.
2) Discussion regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule.

B. Discussion and action regarding the proposed tax rate and conduct a record vote to call a public hearing for Tuesday, August 15, 2023 at 6:30 p.m.

9. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may recess into Executive Session (closed meeting) pursuant to: Section 551.074 - Personnel matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or hear a complaint or charge against an officer or employee – City Manager; 2) Section 551.071 (2) consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter for the provision of municipal services in an unincorporated area and pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property

10. RECONVENE INTO REGULAR SESSION

Consider and take any action necessary as a result of the executive session.

11. SET FUTURE MEETINGS AND AGENDA

Requests may be made for items to be placed on a future agenda or for a special meeting.

August 15, 2023 – Regular Meeting
Public Hearing on Budget, Capital Improvements Plan, Tax Rate, and Fee Schedule

12. PRESIDING OFFICER TO ADJOURN THE MEETING

This is to certify that this Agenda was duly posted on the City's website at www.cityoflavon.com and at City Hall and on or before 7:00 PM on July 28, 2023.

/ Rae Norton /

_____
Rae Norton, City Secretary

1. Notice is hereby given that members of the City Council, Economic Development Corporation Board, Planning and Zoning Commission, and Parks and Recreation Board may attend the meeting.
2. The body reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

MINUTES
JULY 18, 2023
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING

ATTENDING: VICKI SANSON, MAYOR
JOHN KELL, PLACE 1
KAY WRIGHT, PLACE 3, MAYOR PRO TEM
TED DILL, PLACE 4
LINDSEY HEDGE, PLACE 5
ABSENT: MIKE COOK, PLACE 2

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:31 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND COUNCILMAN KELL DELIVERED THE INVOCATION**.
3. **ITEMS OF INTEREST/COMMUNICATIONS**
   - Bicycle Safety Rodeo -July 27, 2023, 6:00 p.m.-8:30 p.m.
   - CISD Back to School Bash -August 5, 2023, 4:30 p.m.-7:30 p.m.
4. **CITIZENS COMMENTS**

   There were no citizen comments.
5. **CONSENT AGENDA**
   - **A. Approve the minutes of the June 20, 2023, meeting.**
   - **B. Approve the minutes of the July 11, 2023, meeting.**
   - **C. Approve Resolution No. 2023-07-01 approving and authorizing the execution of a Contract Amendment to the Interlocal Jail Services Agreement with Collin County for jail services for a one (1) year period from October 1, 2023, to September 30, 2024; and providing for an effective date.**
   - **D. Approve Resolution No. 2023-07-02 approving and authorizing the execution of a Contract Amendment to the Interlocal Dispatch Services Agreement with Collin County for Dispatch Services for a one (1) year period from October 1, 2023 to September 30, 2024; and providing for an effective date.**
   - **E. Approve Resolution No. 2023-07-03 approving and authorizing the execution of a Contract Amendment to the Fire Department Interlocal Dispatch Services Agreement with Collin County for Dispatch Services for a one (1) year period from October 1, 2023 to September 30, 2024; and providing for an effective date.**
   - **F. Approve Resolution No. 2023-07-04 approving and ratifying the execution of Change Orders No. 2, 3, and 4 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in amounts not to exceed $2,315.77 for increase gas lines; $1,986.28 to install hose bibs; and $5,629.12 for plumbing modifications respectively at the Fire Station; and providing an effective date.**
   - **G. Approve Resolution No. 2023-07-05 approving and authorizing the execution of Change Order No. 1 to the contract with GRod Construction L.L.C. for the Forder Court Improvements (CIP-**

30) Construction Project to adjust the quantities and amend contract language; and providing an effective date.

H. Approve Resolution No. 2023-07-06 approving and authorizing the execution of an Assessment Collection Services Agreements with Collin County for the Trails of Lavon Public Improvement District Improvement; and providing for an effective date.

MOTION: APPROVE THE CONSENT AGENDA.
MOTION MADE: KELL
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Cook)

6. ITEMS FOR CONSIDERATION

A. Public hearing, discussion, and action regarding an ordinance of the City Council of the City of Lavon accepting and approving a Service and Assessment Plan and Assessment Roll for the Trails of Lavon 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 the method of assessment and the payment of the assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability; approving Reimbursement Agreements and an agreement with Bear Creek Special Utility District, and providing an effective date.

PRESENTATION of proposed ordinance.

City Manager Kim Dobbs introduced Cooper Anderson, McCall, Parkhurst & Horton, L.L.P., Bond Counsel, who provided information regarding the proposed ordinance. Zachary Little, P3 Works, PID Administrator, and Jason Hughes, Hilltop Securities, Financial Advisor, were present and assisted with the presentation. Landowner/Developer Counsel Sarah Landiak, Winstead, P.C. and Landowner representative Vanessa Stowe, Development Planning & Financing Group were present to assist with questions and support the proposed ordinance.

PUBLIC HEARING to receive comments regarding the proposed ordinance.

Mayor Sanson opened the public hearing at 6:41 p.m. and invited comments for or against the proposed ordinance. There being no comments, Mayor Sanson closed the public hearing at 6:41 p.m.

Discussion and action regarding the proposed ordinance.

MOTION: APPROVE ORDINANCE NO. 2023-07-01 ACCEPTING AND APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR THE TRAILS OF LAVON 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 THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS, PROVIDING FOR SEVERABILITY; APPROVING REIMBURSEMENT AGREEMENTS AND AN AGREEMENT WITH BEAR CREEK SPECIAL UTILITY DISTRICT, AND PROVIDING AN EFFECTIVE DATE.
MOTION MADE: WRIGHT
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Cook)

B. Discussion, and action regarding acceptance of the Forder Court (CIP-30) construction project improvements.

Ms. Dobbs provided information regarding the project, noting that Community Development Block Grant funds were utilized to partially fund construction. City Engineer, Mark Hill, Freeman Millican, Inc., provided details regarding the acceptance.

MOTION: ACCEPT THE FORDER COURT (CIP-30) CONSTRUCTION PROJECT.
MOTION MADE: DILL
SECONDED: HEDGE
APPROVED: UNANIMOUS (Absent: Cook)

C. Discussion, and action regarding acceptance of the public infrastructure for the Elevon, Section 2, Phase 2A Addition.

Ms. Dobbs provided information regarding the public infrastructure. Will Lamb, 3220 Saint Claire, Denton, TX., and Daniel Dewey, JBI Partners, provided updates on streetlight installation.

MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE ELEVON, SECTION 2, PHASE 2A ADDITION.
MOTION MADE: KELL
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Cook)

D. Discussion and action regarding acceptance of the public infrastructure for the Elevon, Section 2, Phase 2B-1 Addition.

Ms. Dobbs provided information regarding the public infrastructure.

MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE ELEVON, SECTION 2, PHASE 2B-1 ADDITION.
MOTION MADE: WRIGHT
SECONDED: HEDGE
APPROVED: UNANIMOUS (Absent: Cook)

E. Discussion and action regarding Resolution No. 2023-07-07 approving and authorizing the execution of Change Order No. 3 to the construction contract with North Texas Contracting, Inc. for the City of Lavon Bently Farms, Phase 1 Paving and Storm Drain (CIP-24) Construction Project in an amount not to exceed $247,683.00 to replace damaged pipe and pavement north of the original project scope; and providing an effective date.

Mr. Hill provided information regarding Change Order No. 3.

MOTION: APPROVE RESOLUTION NO. 2023-07-07 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 3 TO THE CONSTRUCTION CONTRACT WITH NORTH TEXAS CONTRACTING, INC. FOR THE CITY OF LAVON BENTLY FARMS, PHASE 1 PAVING AND STORM DRAIN (CIP-24) CONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED $247,683.00 TO REPLACE DAMAGED PIPE AND PAVEMENT NORTH OF THE ORIGINAL PROJECT SCOPE; AND PROVIDING AN EFFECTIVE DATE.
MOTION MADE: HEDGE
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Cook)

F. Discussion and action regarding Board and Commission appointments – Board of Adjustment.

Ms. Dobbs reviewed the unexpired term on the Board of Adjustment and noted that all Volunteer Applications on file have been submitted to the City Council for their consideration.

MOTION: APPOINT CLINTON MCCLURE TO SEAT 1 OF THE BOARD OF ADJUSTMENT.
MOTION MADE: WRIGHT
SECONDED: KELL

APPROVED: UNANIMOUS (Absent: Cook)

G. Discussion and action regarding a revision of the approved preliminary plat of the Elevon, Section 1, Phase 3 and Phase 4 Addition consisting of 443 residential lots, 16 open spaces and a school site on 141.311 acres situated south of the Elevon Section 1, Phases 1 and 2 Additions and east of the LakePointe Addition in the extraterritorial jurisdiction of the City of Lavon, Collin County, Texas (CCAD Property ID 2829214).

Ms. Dobbs provided information regarding the revised preliminary plat of the Elevon, Section 1, Phase 3 and Phase 4 additions. Ms. Dobbs also provided a report from the Planning and Zoning Commission recommending approval.

MOTION: APPROVE REVISION OF THE APPROVED PRELIMINARY PLAT OF THE ELEVON, SECTION 1, PHASE 3 AND PHASE 4 ADDITION CONSISTING OF 443 RESIDENTIAL LOTS, 16 OPEN SPACES AND A SCHOOL SITE ON 141.311 ACRES SITUATED SOUTH OF THE ELEVON SECTION 1, PHASES 1 AND 2 ADDITIONS AND EAST OF THE LAKEPOINTE ADDITION IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS.
MOTION MADE: WRIGHT
SECONDED: HEDGE
APPROVED: UNANIMOUS (Absent: Cook)

7. BUDGET WORK SESSION

Ms. Dobbs and the staff provided reports regarding budget and regulatory requirements, tax rate requirements, financial status for current fiscal year, budget calendar, anticipated commitments, departmental service levels, fee schedule, and projected needs for FY 2022-23. Ms. Dobbs noted that the certified appraisal roll had not yet been provided by the Collin Central Appraisal District. The City Council reviewed preliminary departmental requests and future Capital Improvements Plan (CIP) project rankings. Mr. Hughes, detailed options regarding debt service and the issuance of tax notes and certificates of obligation.

8. DEPARTMENT REPORTS

A. Police Services – Police Chief Mike Jones and Sergeant Carissa Vargas provided reports, and referenced information provided in the meeting packet.

B. Fire Services – Fire Chief Anthony referenced the reports in the meeting packet and answered questions.

C. Public Works – Director of Public Works David Carter provided general information regarding public works operations.

D. Administration – Ms. Dobbs referenced reports in the meeting packet and provided additional information.

9. EXECUTIVE SESSION

At 7:51 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) pursuant to Section 551.071 (2) consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter for the provision of municipal services in an unincorporated area and Section 551.072 deliberation regarding the purchase, exchange, lease, or value of real property.

10. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 8:00 p.m. and stated that no action was taken in executive session.

11. SET FUTURE MEETINGS AND AGENDA

August 1, 2023 – Regular Meeting

August 15, 2023 – Regular Meeting
Possible public hearings regarding annual budget and tax rate

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:01 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 5 - B**

Item:

CONSENT AGENDA

Approve Resolution No. **2023-08-01** approving and authorizing the execution of a one-year extension of the Interlocal Agreement with Collin County for fire inspection and fire plan review services for commercial buildings and subdivisions.

Background:

In January 2021, the City Council approved an update of the February 2019 contract with the Collin County Fire Marshal for the provision of fire inspection and fire plan review services. The annual renewal for the period of October 1, 2023 to September 30. 2024 is attached.

The Collin County Fire Marshal's Office provides exceptional service for a very fair contract price.

Financial Impact:

The rates increase slightly to accommodate the added workload and expenditures for the contract service are provided for within current budget levels.

Staff Notes:

Approval is recommended.

Attachments: Proposed Resolution and Agreement

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-01

ILA - Collin County Fire Inspection and Plan Review Services

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON APPROVING AND AUTHORIZING THE EXECUTION OF A ONE-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES FOR COMMERCIAL BUILDINGS AND SUBDIVISIONS.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"), provides the authority to political subdivisions for contracts by and between each other to facilitate the governmental functions and services of said political subdivisions under the terms of the Act, and

WHEREAS, the City of Lavon and Collin County have the authority to enter into this Agreement under the Act; and

WHEREAS, the City Council of the City of Lavon finds and determines that approving the interlocal agreement with Collin County for the services described in the attached is in the best interests of the citizens of the City of Lavon.

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

SECTION 1. The City Council does hereby approve and authorize the execution of a one-year extension of the Interlocal Agreement with Collin County for Fire Inspection and Fire Plan Review services for the period of October 1, 2023 through September 30, 2024 at the same rates established in the original agreement, attached hereto and incorporated herein as "Exhibit A".

SECTION 2. This resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson
Mayor

ATTEST:

_____
Rae Norton
City Secretary

RESOLUTION NO. 2023-08-01

EXHIBIT A

EXTENSION - INTERLOCAL AGREEMENT COLLIN COUNTY FIRE INSPECTION AND FIRE PLAN REVIEW

INTERLOCAL COOPERATION AGREEMENT

FOR

FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES

FOR COMMERCIAL BUILDINGS

WHEREAS, the Interlocal Cooperation Act, Title 7, Chapter 791, of the Texas Government Code (the "Act"), and the Constitution of the State of Texas, Article III, Section 64(b) (the "Constitution") specifically authorize counties and other political subdivisions comprised or located within the county, to contract with one another for the performance of governmental functions and/or services required or authorized by the Constitution, or the laws of this State, under the terms and conditions prescribed in the Act; and

WHEREAS, the functions and/or services contemplated to be performed by Collin County, Texas, as set out herein, are governmental functions and/or services contemplated by the terms of the Act and are functions and/or services which each of the parties hereto have independent authority to pursue, notwithstanding this Agreement; and

WHEREAS, both the County and the political subdivision named herein as the City of Lavon, Texas, are desirous of entering into this Interlocal Cooperation Agreement, as is evidenced by the resolutions or orders of their respective governing bodies approving this Agreement which are attached hereto and made a part hereof.

NOW, THEREFOR, THIS AGREEMENT is hereby made and entered into by and between Collin County, Texas, and the City of Lavon, Texas, a political subdivision of the State of Texas, which is wholly or partially located within Collin County, Texas. Consideration for this Agreement consists of the mutual covenants contained herein, as well as any monetary consideration, which may be stated herein. This agreement is as follows, to wit:

1. SERVICES: As requested by the political subdivision named herein, Collin County, Texas, acting by and through its duly authorized agents and employees, agrees to provide political subdivision with the following described governmental functions and/or services:

FIRE INSPECTIONS AND FIRE PLAN REVIEW IN ACCORDANCE WITH 2009 INTERNATIONAL FIRE CODE and the laws and regulations of the City of Lavon pertaining to fire prevention and fire protection, including all amendments approved by the City Council of the City of Lavon, Texas.

2. NONEXCLUSIVITY OF SERVICE PROVISIONS: The parties agree that the County may contract to perform services similar or identical to those specified on this Agreement for such additional governmental or public entities as the County, in its sole discretion sees fit.

3. COMPENSATION: As consideration for the above-described governmental functions and/or services, the City of Lavon agrees to make payment to Collin County, Texas in the amount of Five Thousand Seven Hundred Fifty Dollars ($5,750.00) per year for each year of the term of this Agreement including renewal terms. See Exhibit "A" for cost itemization. The City's payment shall be made in quarterly installments to the County in advance, due and payable on the first day of each quarter during the term of this Agreement, including any renewal terms, with the first payment due and payable within

ten (10) days from the Effective Date of this Agreement. Such quarters begin on October 1, January 1, April 1, and July 1 of each year hereunder. The City will make all billing and collections from inspection recipients for services provided by Collin County.

4. TERM: The effective date of this Agreement shall be on the 1st day of October, 2023. The term of this Agreement shall begin on the Effective Date, and shall automatically renew for successive one year terms unless the Agreement is terminated or cancelled by either Party as provided by this Agreement.

5. TERMINATION: Either party may terminate this Agreement by giving ninety (90) days written notice to the other party.

6. AMENDMENT: This Agreement shall not be amended or modified other than in written agreement signed by the parties.

7. CONTROLLING LAW: This Agreement shall be deemed to be made under, governed by, and construed in accordance with the laws of the State of Texas. Venue shall be in Collin County, Texas.

8. NOTICES: Unless otherwise specified, all communications provided for in this Agreement shall be in writing and shall be deemed delivered, whether actually received or not, seventy-two (72) hours after deposit in the United States mail or immediately when delivered in person.

All communication provided for in this Agreement shall be addressed as followed:

COLLIN COUNTY:

Collin County Fire Marshal

4690 Community Blvd, Suite 200 McKinney, Texas 75071

Purchasing Department

2300 Bloomdale #3160

McKinney, Texas 75071

Collin County Administrator

Bill Bilyeu

2300 Bloomdale #4192

McKinney, Texas 75071

CITY:

City Manager

City of Lavon

120 School Rd.

Lavon, TX 75166

Notwithstanding the foregoing, it is understood that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. In the event of a non-appropriation by the paying party, the performing party shall be relieved of its responsibilities hereunder as of the first day of the fiscal year of such non-appropriation. All payments must be in an amount that fairly compensates the performing party for the services or functions performed under this agreement.

Approved and effective this day of , 2023

COURT ORDER:

CITY OF

COLLIN COUNTY, TEXAS

By:

By:

Title:

Title: COUNTY JUDGE

Date:

Date:

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: _5 - C_**

Item:

CONSENT AGENDA

Approve Resolution No. **2023-08-02** approving and authorizing the execution of an interlocal agreement with Region 8 Education Service Center for cooperative purchasing services through The Interlocal Purchasing System (TIPS).

Background:

The proposed Interlocal Agreement will enable the City of Lavon to utilize and take advantage of the purchasing partnerships held by the Interlocal Purchasing System to secure the best possible pricing for goods and services. Using TIPS will save time and resources when it comes to bidding of specific items, such as vehicles.

Financial Impact:

There is no cost to participate.

Staff Notes:

Approval is recommended.

Attachments: Proposed Resolution and Agreement

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-02

Interlocal Cooperative Purchasing Agreement – TIPS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH REGION 8 EDUCATION SERVICE CENTER FOR COOPERATIVE PURCHASING SERVICES THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "**Act**"), provides the authority to political subdivisions for contracts by and between each other to facilitate the governmental functions and services of said political subdivisions under the terms of the Act, and

WHEREAS, the City of Lavon and the Region 8 Education Service Center have the authority to enter into this Agreement under the Act; and

WHEREAS, upon full review and consideration of the Interlocal Agreement and all matters related thereto, the City Council is of the opinion and finds all the terms and conditions thereof should be approved.

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

SECTION 1. The City Council does hereby approve and authorizes the execution of an interlocal agreement with Region 8 Education Service Center for cooperative purchasing services through The Interlocal Purchasing System (TIPS).

SECTION 2. That this resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson
Mayor

ATTEST:

_____
Rae Norton
City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-02

EXHIBIT A

INTERLOCAL AGREEMENT

AN INTERLOCAL AGREEMENT Between
Region 8 Education Service Center and a
TEXAS PUBLIC ENTITY OR LOCAL GOVERNMENT
(School, College, University, State, City, County, or Other Political Subdivision)

TEXAS PUBLIC ENTITY NAME

Control Number (TIPS will Assign)
Schools enter County-District Number

Region 8 Education Service Center
Pittsburg, Texas

225 - 950
County-District Number

Texas Education Code §8.002 permits regional education service centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university operations. Authority for an Interlocal agreement to provide such services is granted under Texas Government Code § 791 *et seq* as amended. Cooperative Purchasing Services under this agreement are extended to all Texas State, City or County Government Agencies, or any other legally eligible Local Government Entity as defined in the Texas Government Code § 791.003.

This Interlocal Agreement (hereinafter the "Agreement") is effective_____and shall be automatically renewed unless either party gives sixty (60) days prior written notice of non-renewal. This Agreement may be terminated without cause by either party upon (60) days prior written notice, or may also be determined for cause at any time upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:
Region 8 Education Service Center, by this Agreement, agrees to provide cooperative purchasing services to the above-named public entity through a Program known as The Interlocal Purchasing System (TIPS) Program.

The purpose of the TIPS Program shall be to improve procurement process efficiencies and assist in achieving best value for participating School District, University, College, Community College, City, County or Other Public Agencies through cooperative purchasing.

Roles of the TIPS Purchasing Cooperative:

- Provide for the organizational structure of the program.
- Provide staff for efficient operation of the program.
- Promote marketing of the TIPS Program.
- Coordinate the Competitively Bid Process for all Vendor Awarded Contracts.
- Provide members with procedures for placing orders through TIPS PO System.
- Maintain filing system for Due Diligence Documentation.
- Collect fees from vendors to support the costs of operations of TIPS.

Role of the Public Entity:

- Commit to participate in the program by an authorized signature on membership forms.
- Designate a Primary Contact and Secondary Contact for entity.

- Commit to purchase products and services from TIPS Vendors when in the best interest of the entity.
- Submit Purchase Orders and/or Vendor Contracts through the TIPS PO System by emailing the pdf document to tipspo@tips-usa.com.
- Accept shipments of products ordered from Awarded Vendors.
- Process Payments to Awarded Vendors in a timely manner.

General Provisions:

The Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

This Agreement shall be governed by the law of the State of Texas and venue shall be in the county in which the administrative offices of RESC 8 are located which is Camp County, Texas.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect.

The Parties to this Agreement expressly acknowledge and agree that all monies paid pursuant to this Agreement shall be paid from legally appropriated and budgeted available funds for the current fiscal year of each such entity.

No jointly owned property shall be created by this agreement and, therefore, no provision to dispose of jointly held property is required.

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation. The site of the mediation shall be in Camp County, Texas or a site mutually agreed by the parties. The selection of the mediator shall be mutually agreed. The cost of mediation shall be shared equally.

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

This Agreement may be negotiated and transmitted between the Parties by electronic means and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region 8 Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered

into an Agreement to provide cooperative purchasing opportunities to public agencies.
This Agreement was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. (If required by the entity.)

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Member Entity:

_____
Entity or District Name

By: _____
Authorized Signature

Print Name: _____

Title: _____

_____
Date

Purchasing Cooperative Lead Agency:

Region 8 Education Service Center

By: _____
Authorized Signature

Dr. David Fitts
Title: Executive Director Region 8 ESC

_____
Date

Public Entity Contact Information

_____
Primary Purchasing Person Name

_____
Street Address

_____
City, State Zip

_____
Telephone Number

_____
Fax Number

_____
Primary Person Email Address

_____
Secondary Person Name

_____
Secondary Person Email Address

The state of Texas requires an Interlocal Agreement be approved by the respective entities governing board. You may email completed Interlocal Agreement to tips@tips-usa.com.

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 - A**

Item:

Public Hearing, discussion, and action regarding the 2023-2025 Lavon Strategic Plan.

1) Presentation of proposed Strategic Plan.
2) **PUBLIC HEARING** to receive comments regarding the proposed Strategic Plan.
3) Discussion and action regarding the proposed Strategic Plan.

Background:

On March 7, 2023, the City Council the City Council conducted a work session to discuss a Community Survey and update of the 2019-2021 Lavon Strategic Plan.

The online community survey was conducted for at least three weeks in March and April 2023. On April 22, 2023, the City Council held a Leadership Retreat to review the community survey results and discuss the City's vision, framework, goals, and actions for an update of the Strategic Plan.

A draft Strategic Plan has been drafted and will be presented for consideration.

Staff Notes:

Approval is recommended.

Attachment: 1) 2023 Community Survey Report
2) Executive Summary 2023-2025 Strategic Plan

City of Lavon

2023 LAVON COMMUNITY SURVEY REPORT



DRAFT MAY 2023

LAVON, TX



SUMMARY BASED ON RESPONDENTS WHO INDICATED THEY ARE RESIDENTS OF LAVON

Survey Summary

- 288 Responses, 260 of which identified as Lavon Residents
    - This Community Survey Report is filtered by Lavon Resident responses only
- Survey was available for response for 5.5 Weeks (03/08/2023 – 04/13/2023)
- 15 Questions
- Averaged less than 10 minutes to complete

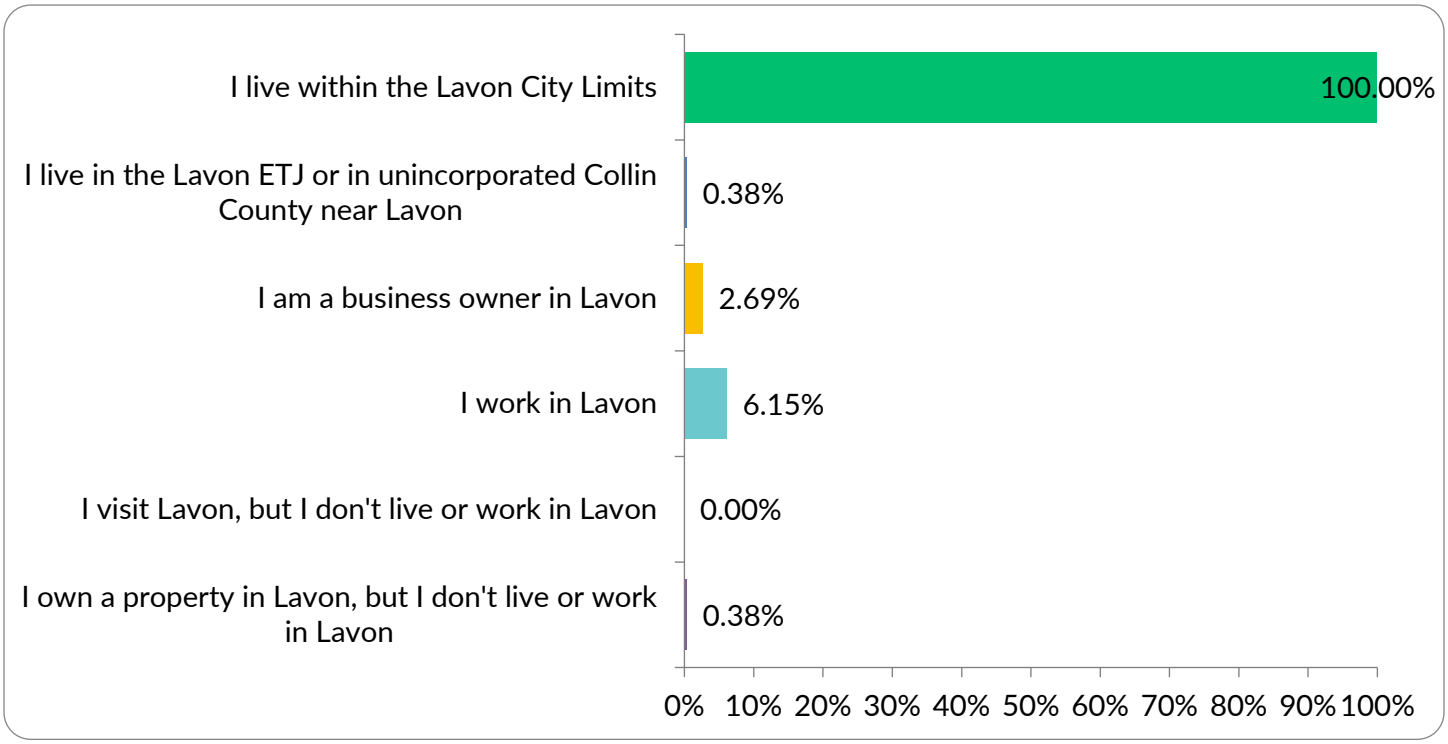
The 2023 Lavon Community Survey had a great response rate of four percent, which is double the healthy minimum for a city (i.e., two percent). The Survey included questions regarding levels of satisfaction and perceived strengths, weaknesses, opportunities, and threats/challenges of Lavon.

By far, the top theme in this Survey was traffic. It was not as prevalent of a theme in 2019's Survey, and it is apparent that traffic is perceived to be much worse than in 2019. Overall, respondents are pleased with City services provided but would like to see some improvements in specific areas, such as traffic and infrastructure. Lavon is a community that continues to take pride in the small-town feel while also anticipating and controlling growth. Some top strengths listed by respondents are Lavon's rural and green areas, public safety, and new restaurants and shopping. For opportunities, respondents indicated parks and recreation, economic development, and a grocery store. Traffic and connectivity continue to be themes of respondent feedback regarding challenges and weaknesses that Lavon and its partners, such as TxDOT and Collin County, can continue to improve. Respondents report relatively high levels of satisfaction with the way things are in Lavon and are eager to see Lavon reach its full potential. Respondents are interested in strong and proactive growth management to make sure existing residents are protected while ensuring that new development and programming is consistent with the community's Vision.

Feedback Themes:
The image displayed below represents frequently used words in the Survey feedback. The larger the word, the more it was used.

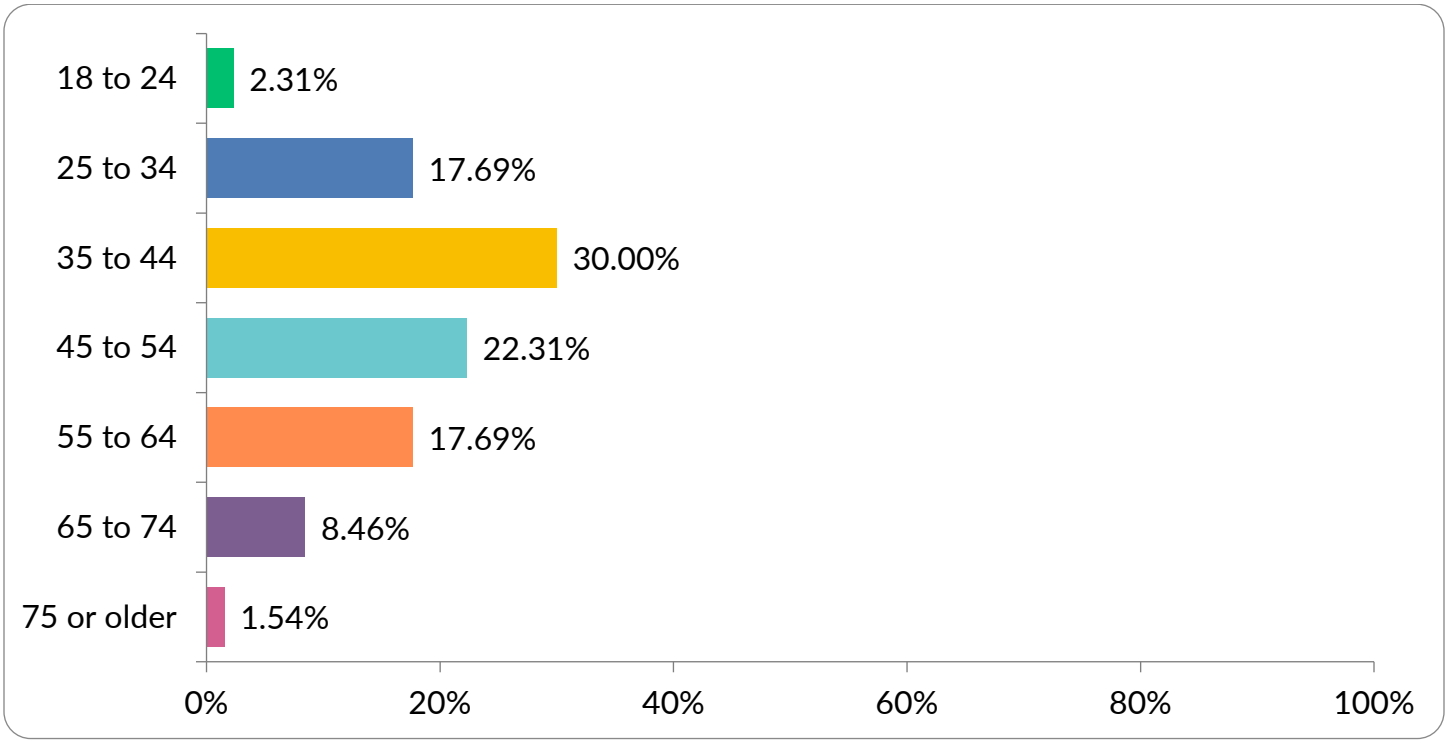


Q1: Which of the following best characterizes your role in Lavon? (check all that apply)



This Survey Report reflects responses for the 260 respondents that indicated living within the City Limits of Lavon. Of the 288 total responses (not reflected in the graph above), approximately 90 percent of respondents indicated living within the City Limits of Lavon, while the remaining 10 percent (28 people) either work in Lavon and/or are business owners. Anyone living outside the City Limits was still able to respond to the Survey but are not reflected in the feedback on the pages that follow.

Q2: What is your age?

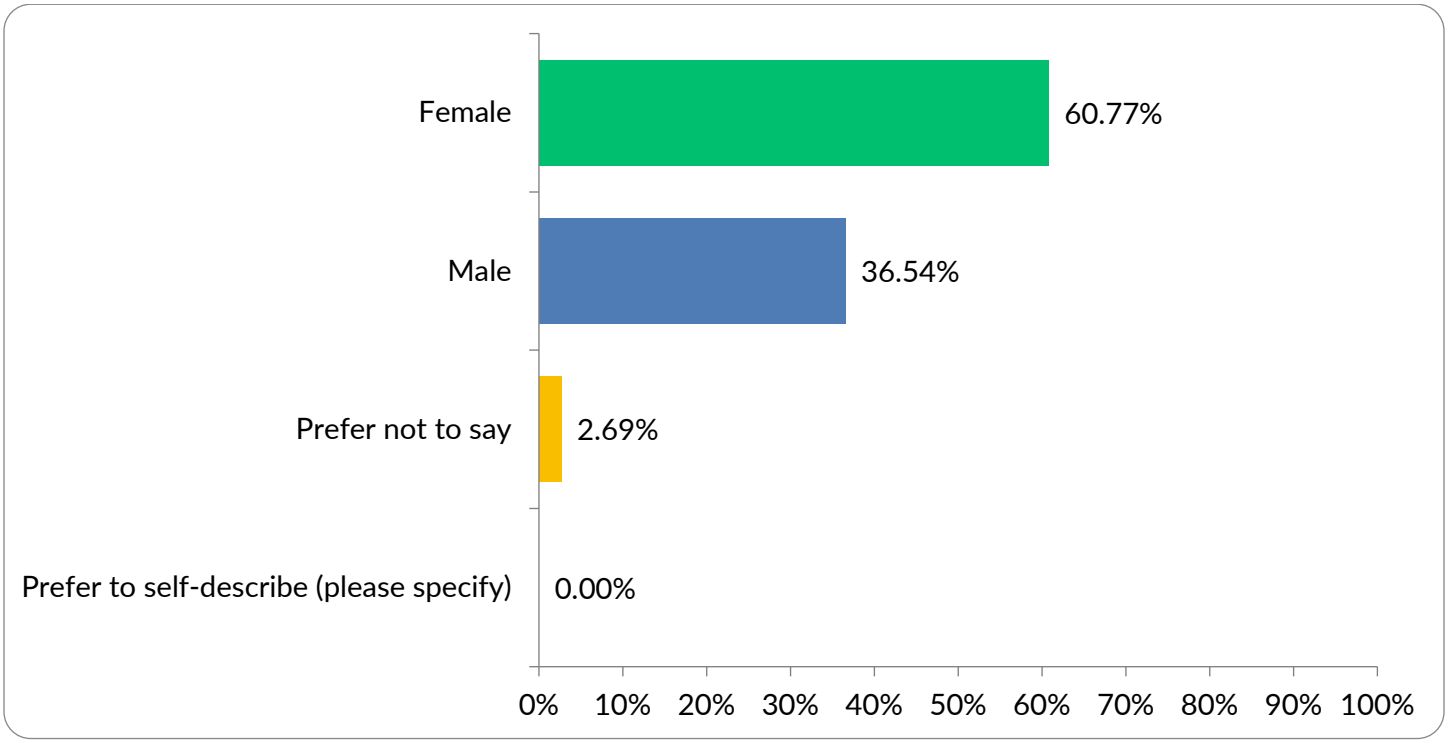


ANSWER CHOICES	RESPONSES	
18 to 24	2.31%	6
25 to 34	17.69%	46
35 to 44	30.0%	78
45 to 54	22.31%	58
55 to 64	17.69%	46
65 to 74	8.46%	22
75 or older	1.54%	4
TOTAL		260

Analysis Notes:

Approximately 20 percent of respondents were under the age of 35, 30 percent were between the age of 35 to 44, and approximately 50 percent of respondents were over the age of 45. The age distribution reflects a younger demographic profile than some other North Texas cities. The age distribution was similar to the prior Community Survey.

Q3: What is your gender?

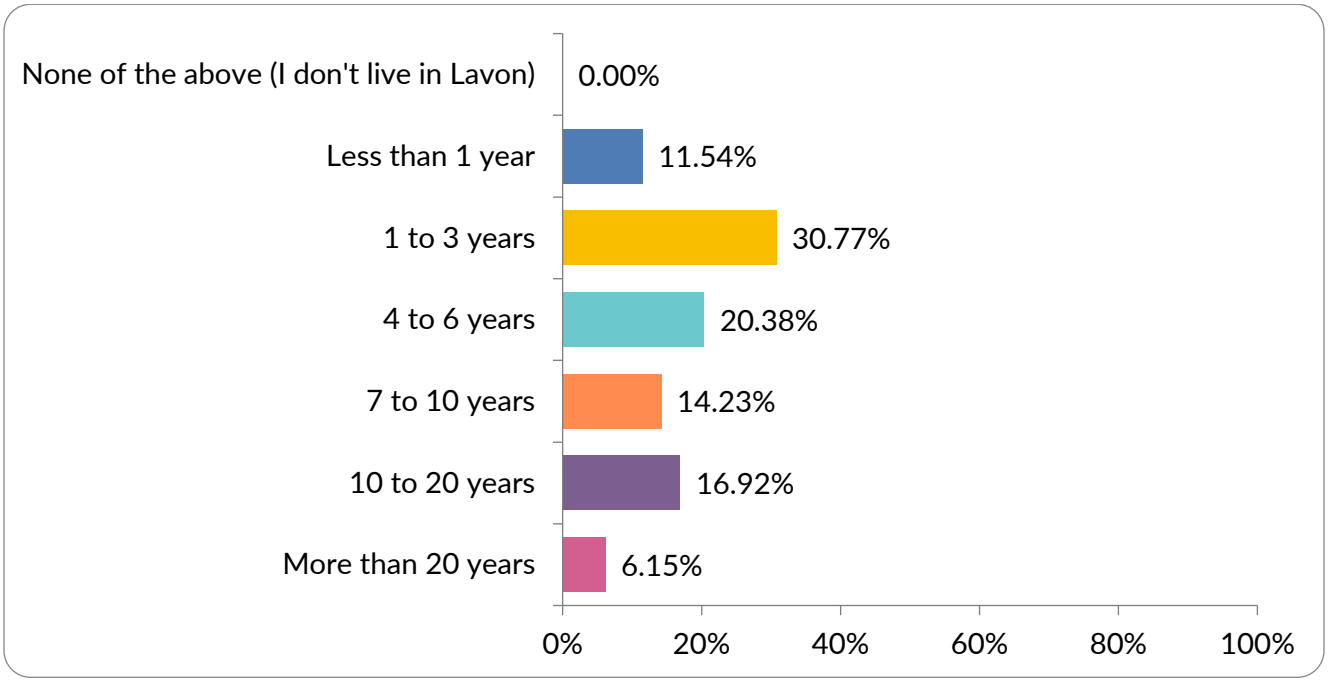


ANSWER CHOICES	RESPONSES	
Female	60.77%	158
Male	36.54%	95
Prefer not to say	2.69%	7
Prefer to self-describe (please specify)	0%	0
TOTAL		260

Analysis Notes:

Approximately 61 percent of the respondents were female. Since online surveys are publicly distributed and are available for broad participation, they are typically free from gender bias in terms of opportunity to complete the Survey. Voluntary surveys are typically completed at a higher rate by females than males and can be completed on behalf of multiple people in a household. Gender distribution was similar to the 2019 Community Survey.

Q4: How long have you lived in Lavon?

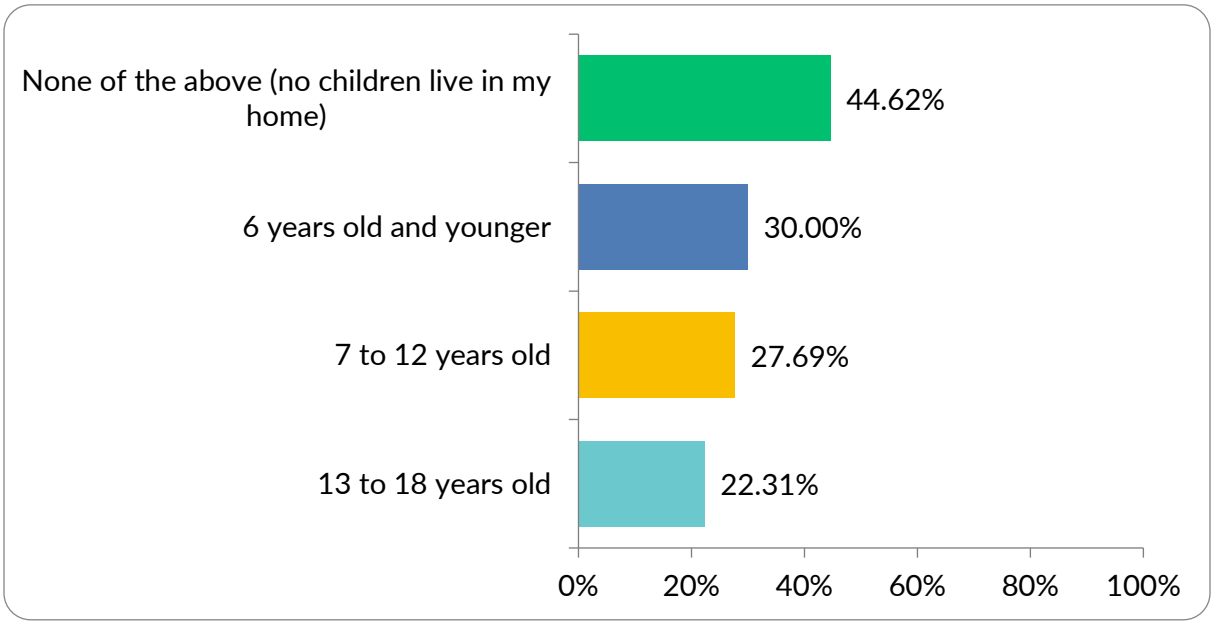


ANSWER CHOICES	RESPONSES	
None of the above (I don't live in Lavon)	0%	0
Less than 1 year	11.54%	30
1 to 3 years	30.77%	80
4 to 6 years	20.38%	53
7 to 10 years	14.23%	37
10 to 20 years	16.92%	44
More than 20 years	6.15%	16
TOTAL		260

Analysis Notes:

The Survey feedback reflects the continued growth that Lavon has experienced throughout recent years. There has been a significant in-migration of new residents since 2019. According to feedback, Lavon is perceived as a family-friendly city with open space and recreation opportunities. In 2019, over 40 percent of respondents had lived in Lavon for less than four years. Similar to the 2019 Community Survey, this Survey also had over 40 percent of respondents living in Lavon for less than four years.

Q5: If you have children under the age of 19 currently living in your home, what age(s) are they?



ANSWER CHOICES	RESPONSES	
None of the above (no children live in my home)	44.62%	116
6 years old and younger	30.0%	78
7 to 12 years old	27.69%	72
13 to 18 years old	22.31%	58
TOTAL		324

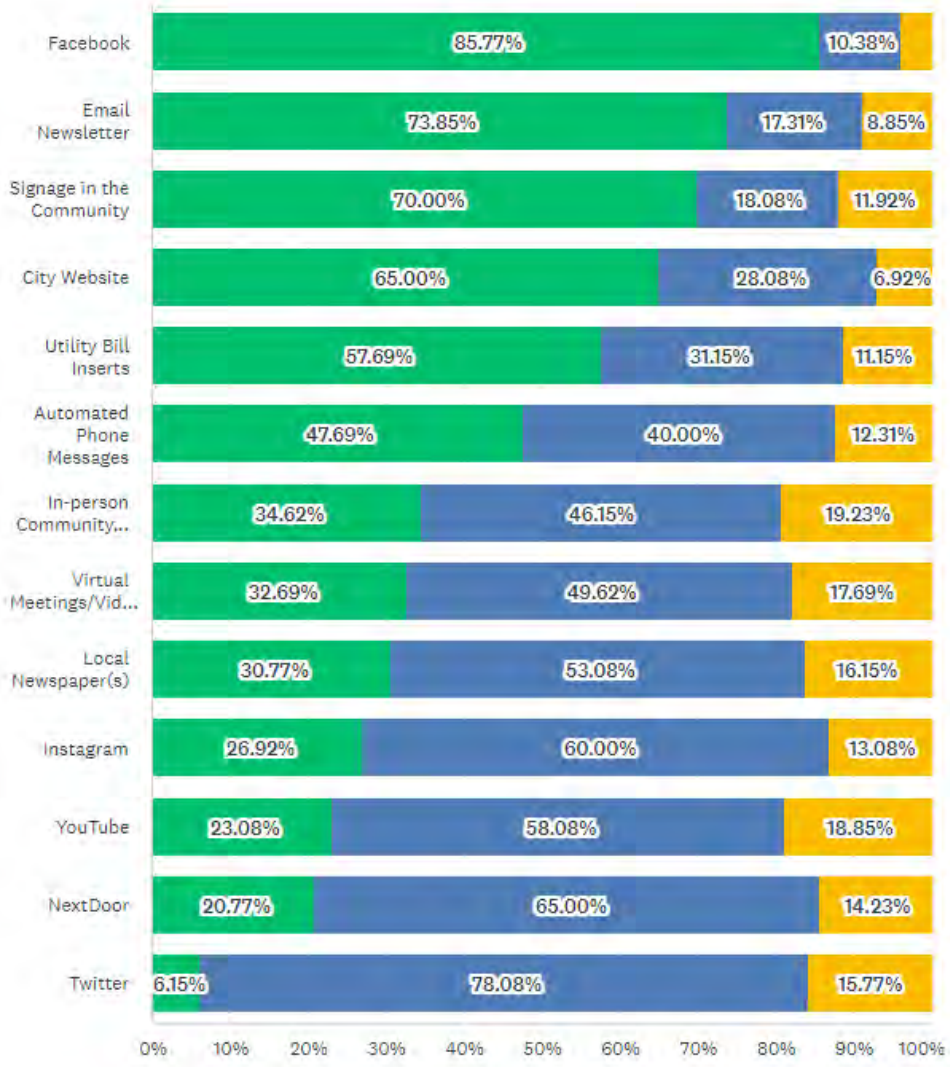
Analysis Notes:

Within households of respondents with children, children ages six to 18 are approximately evenly distributed in the responses. This contributes to a high demand for family-friendly amenities, such as parks and recreation facilities and community events. This Survey had similar responses from the 2019 Community Survey, with slightly more respondents having children in the home compared to 2019. Approximately 45 percent of respondents do not have children living in the home, compared to 48 percent in 2019.



Preferences, Levels of Service, and Quality of Life

Q6: How likely would you be to see and use the following sources to receive communications from the City?



Green = Likely
Blue = Unlikely
Yellow = Not applicable, maybe, or unsure

Analysis Notes:

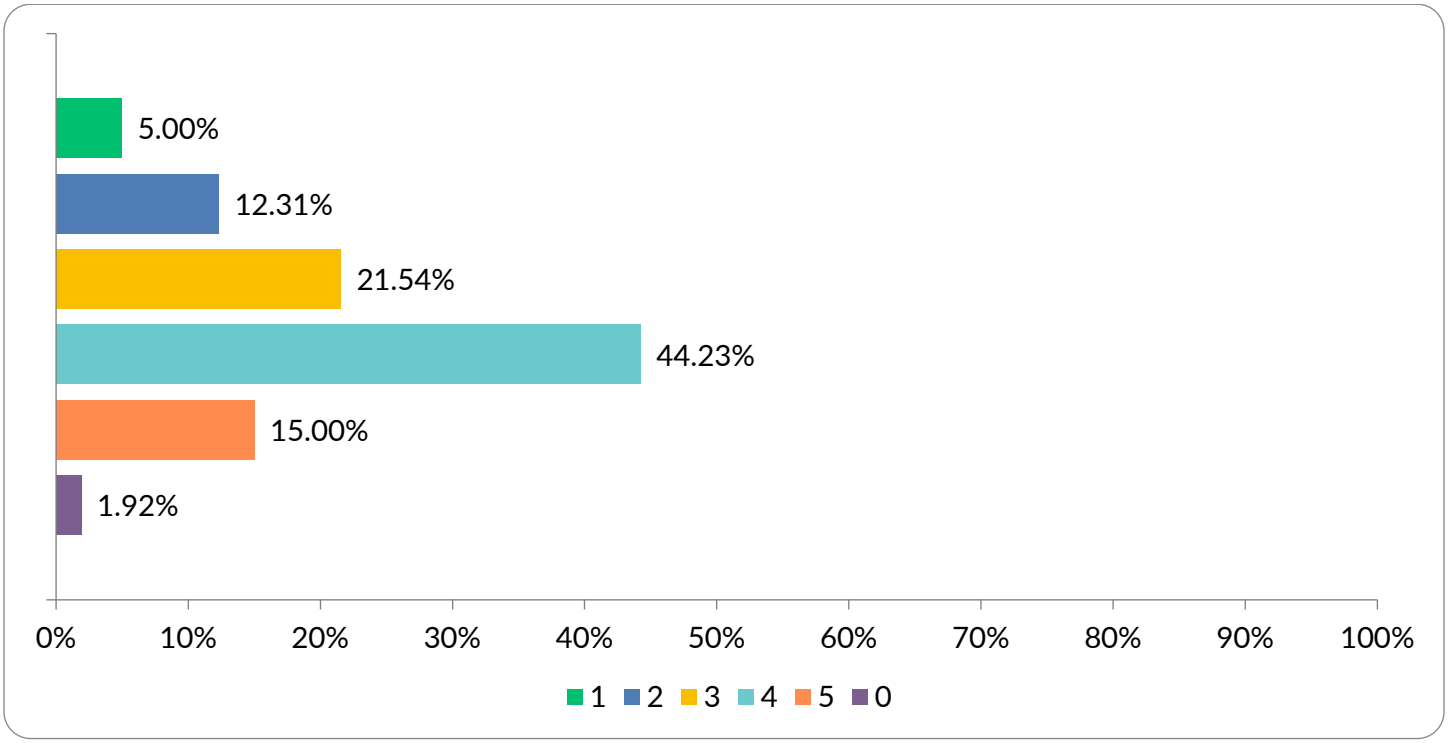
The top forms of preferred communication from the City, in order of preference, are as follows:

1. Facebook
2. Email Newsletter
3. Signage in the Community
4. City Website
5. Utility Bill Inserts

The community is less likely to use Twitter, NextDoor, Youtube, and Instragram than other methods.

Communication is one of the top 10 strengths identified in the Survey. Providing various forms of high quality communication is important to keep the community informed and engaged with a great level of satisfaction. COVID-19 elevated online forms of communication, such as Facebook and email newsletters. Additional feedback indicated the need/want of specific updates regarding new developments. Automated Phone Messages, Virtual Meetings/Videos (i.e., Zoom and On-Demand Recordings), and NextDoor were added to the answer choices in 2023 since 2019. In addition, the 2023 Community Survey was simplified to only provide the choices Likely, Unlikely, Not applicable, Maybe, or Unsure instead of Very Likely, Somewhat Likely, Somewhat Unlikely, and Very Unlikely. In 2019, the top three methods that respondents were most likely to utilize were Facebook, Email Newsletter, and Signage in the Community so the responses were consistent with 2019's responses, with the addition of being open to the new options presented.

Q7: Please indicate your level of satisfaction with the quality of life in Lavon?

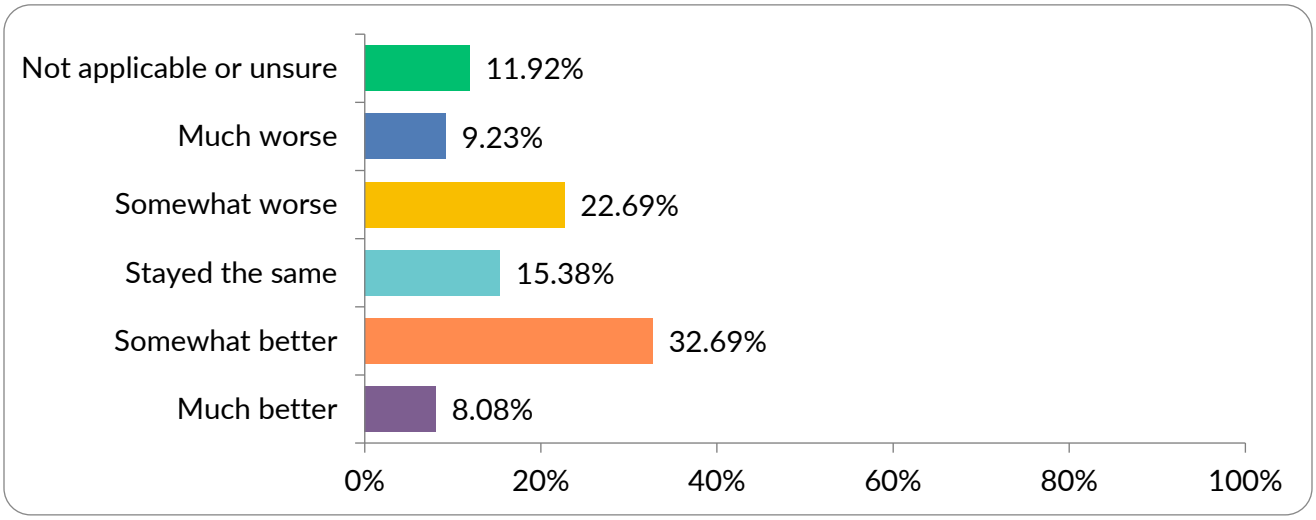


	VERY DISSATISFIED	DISSATISFIED	NEUTRAL	SATISFIED	VERY SATISFIED	NOT APPLICABLE OR UNSURE	TOTAL	WEIGHTED AVERAGE
☆	5.00% 13	12.31% 32	21.54% 56	44.23% 115	15.00% 39	1.92% 5	260	3.53

Analysis Notes:

Approximately 59 percent of respondents indicated that they are satisfied or very satisfied with the quality of life in Lavon (versus 68 percent 2019). When the "neutral" category is included as a positive level of satisfaction, approximately 81 percent of respondents have a positive view of quality of life in lavon (versus 90 percent in 2019). Approximately 17 percent of respondents indicated being dissatisfied or very dissatisfied with the quality of life in Lavon (versus approximately 10 percent in 2019). Most negative responses mentioned traffic, infrastructure, and/or lack of a grocery store.

Q8: Which of the following best describes changes in Lavon, as a community, over the last three years or so?

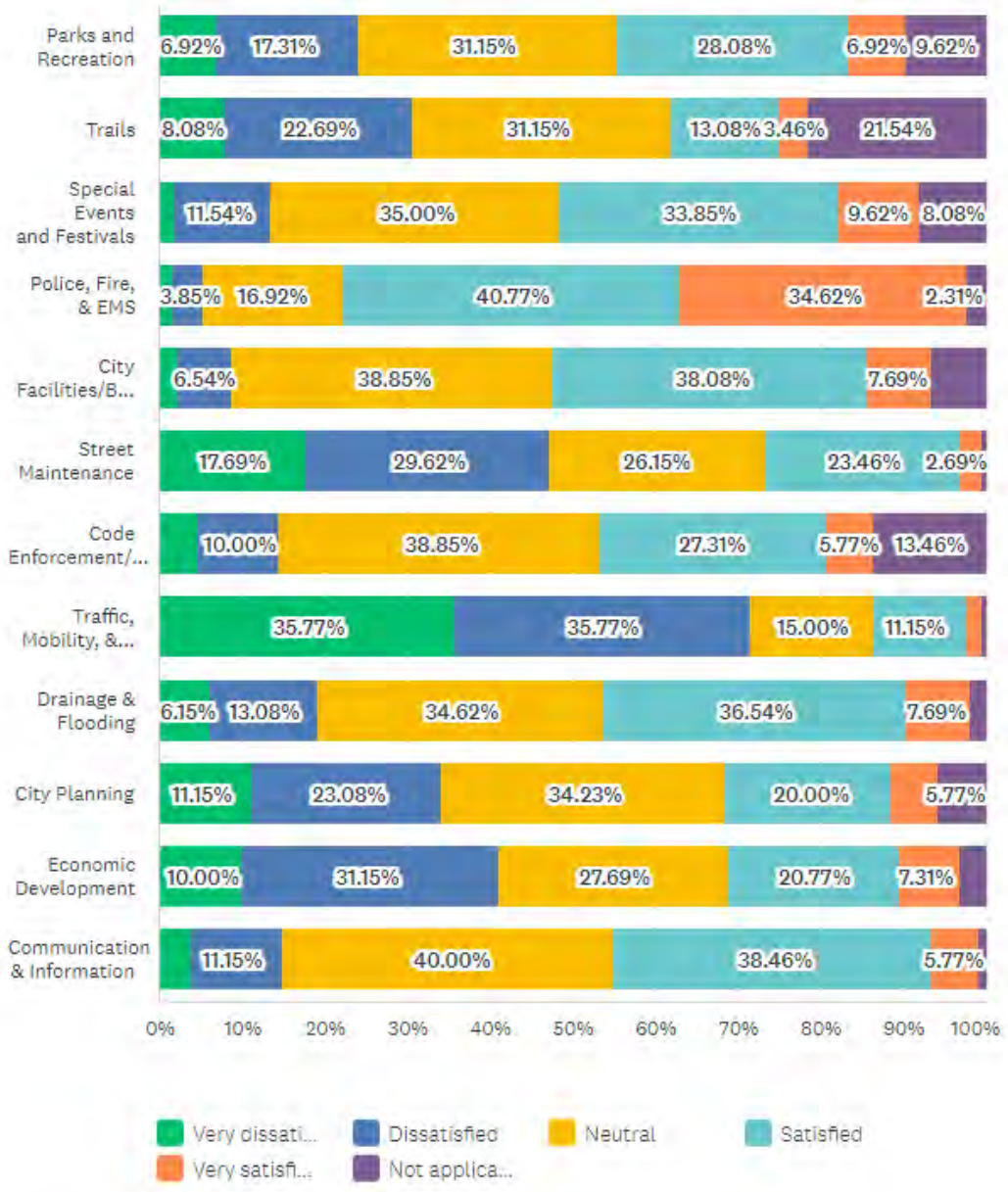


ANSWER CHOICES	RESPONSES	
Not applicable or unsure	11.92%	31
Much worse	9.23%	24
Somewhat worse	22.69%	59
Stayed the same	15.38%	40
Somewhat better	32.69%	85
Much better	8.08%	21
TOTAL		260

Analysis Notes:

Approximately 41 percent of respondents perceive recent changes in Lavon as “Somewhat Better” or “Much Better” (versus approximately 55 percent in 2019). Approximately 32 percent of respondents perceive recent changes in Lavon as “Somewhat Worse” or “Much Worse” (versus approximately 16 percent in 2019). Comments on this question indicated that most negative responses included concerns relating to traffic, over development of housing, and infrastructure keeping up with development. Positive responses included satisfaction with new businesses and more diversity in cultures. In the 2023 Community Survey, the response option of “Not Applicable or Unsure,” was added, which gave respondents an option to opt out of answering if they recently moved to Lavon, and the timeframe was reduced from “the last five years” to “the last three years.” An important observation on this question’s feedback is that approximately 42 percent of resident respondents reported living in Lavon three years or less, and this question asks about the last three years, which would reflect their entire residency.

Q9: Please indicate your level of satisfaction with the following City services or amenities over the last few years:



See data table next page.

	VERY DISSATISFIED	DISSATISFIED	NEUTRAL	SATISFIED	VERY SATISFIED	NOT APPLICABLE OR UNSURE	TOTAL	WEIGHTED AVERAGE
Parks and Recreation	6.92% 18	17.31% 45	31.15% 81	28.08% 73	6.92% 18	9.62% 25	260	3.12
Trails	8.08% 21	22.69% 59	31.15% 81	13.08% 34	3.46% 9	21.54% 56	260	2.76
Special Events and Festivals	1.92% 5	11.54% 30	35.00% 91	33.85% 88	9.62% 25	8.08% 21	260	3.41
Police, Fire, & EMS	1.54% 4	3.85% 10	16.92% 44	40.77% 106	34.62% 90	2.31% 6	260	4.06
City Facilities/ Buildings	2.31% 6	6.54% 17	38.85% 101	38.08% 99	7.69% 20	6.54% 17	260	3.45
Street Maintenance	17.69% 46	29.62% 77	26.15% 68	23.46% 61	2.69% 7	0.38% 1	260	2.64
Code Enforcement/Animal Control	4.62% 12	10.0% 26	38.85% 101	27.31% 71	5.77% 15	13.46% 35	260	3.23
Traffic, Mobility, & Connectivity	35.77% 93	35.77% 93	15.00% 39	11.15% 29	1.92% 5	0.38% 1	260	2.07
Drainage & Flooding	6.15% 16	13.08% 34	34.62% 90	36.54% 95	7.69% 20	1.92% 5	260	3.27
City Planning	11.15% 29	23.08% 60	34.23% 89	20.0% 52	5.77% 15	5.77% 15	260	2.85
Economic Development	10.0% 26	31.15% 81	27.69% 72	20.77% 54	7.31% 19	3.08% 8	260	2.84
Communication & Information	3.85% 10	11.15% 29	40.0% 104	38.46% 100	5.77% 15	0.77% 2	260	3.31

Analysis Notes:

Similar to the 2019 Community Survey, “Police, Fire, and EMS” have the highest levels of satisfaction amongst the listed City services and facilities. The following City services and facilities had increased levels of satisfaction from 2019:

- Parks and Recreation,
- Special Events and Festivals,
- Police, Fire, and EMS,
- City Facilities/ Buildings,
- Code Enforcement/Animal Control,
- Drainage & Flooding, and
- Communication & Information.

The following City services and facilities had decreased levels of satisfaction from 2019:

- Street Maintenance,
- Traffic, Mobility, & Connectivity,
- City Planning, and
- Economic Development.

Approximately 72 percent of respondents indicated being dissatisfied or very dissatisfied with “Traffic, Mobility, & Connectivity.” The amount and type of negative responses on this question specifically are typical of high growth cities in North Texas who are experiencing “growing pains,” such as Celina. The nature of high growth Collin County is intense, especially when it comes to infrastructure and mobility improvements. Combined with the lack of local control available to cities due to continued tightening of State law restrictions on tools previously available to curb growth on the fringes and the dynamics of influencing capital construction and improvement of Collin County and TxDOT, Lavon is not able to affect these topics as much as City Leadership would like to.

There are high percentages of “Neutral” responses across all of the categories. This could be due to the high number of respondents only living in Lavon for one to three years (42 percent of resident respondents) and not being aware of the services the City is providing and/or could be due to lack of information available to or experience by respondents relating to each topic. This indicates that there is an opportunity for increased communication, education, and marketing regarding the City’s efforts in the listed categories.

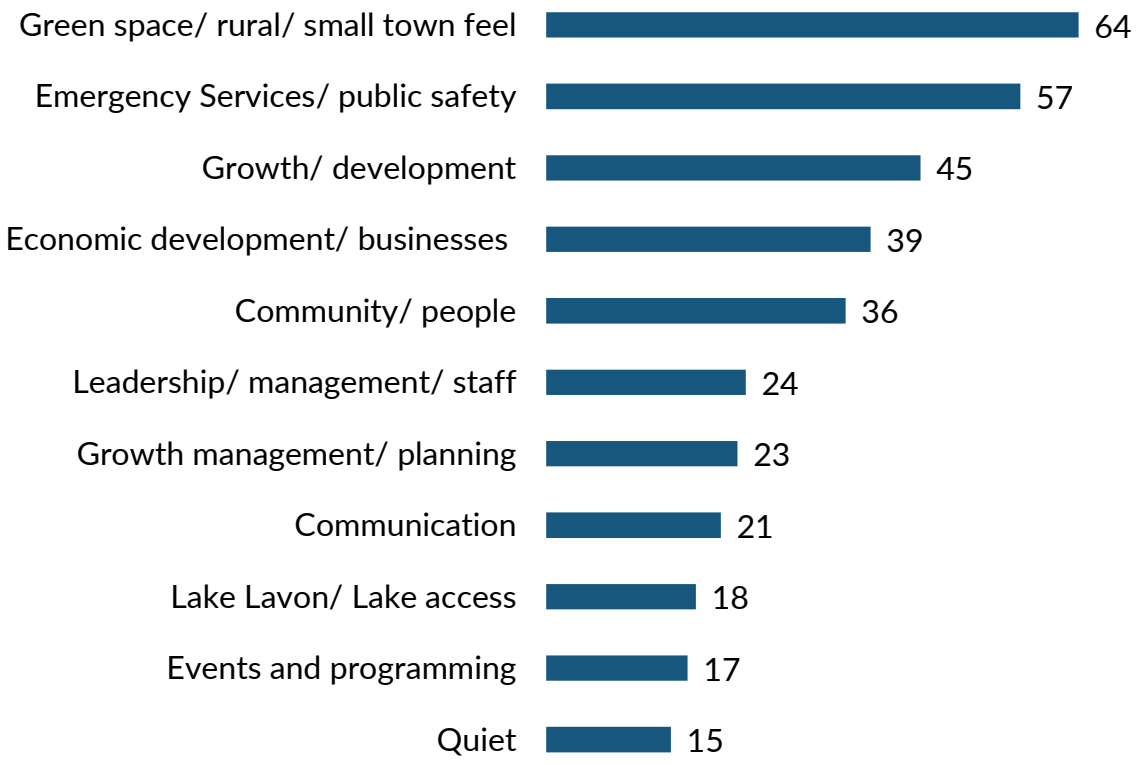
The response “Not applicable or unsure” was added as one of the response options in this Survey versus the 2019 Survey. The categories which the respondents were able to rate were simplified and broadened from 17 to 12 in the 2019 Survey versus this Survey.

As is typical in a write-in field of this nature, which covers multiple topics with both positive and negative responses from one respondent, most comments were about noted concerns instead of the positive items. The concerns most mentioned were about traffic, infrastructure, development, and lack of a grocery store.



Strengths, Weaknesses, Opportunities, Threats/Challenges (SWOT) Analysis

Q10: Please list one or two top strengths of Lavon. What is Lavon doing right? What are Lavon's biggest assets?



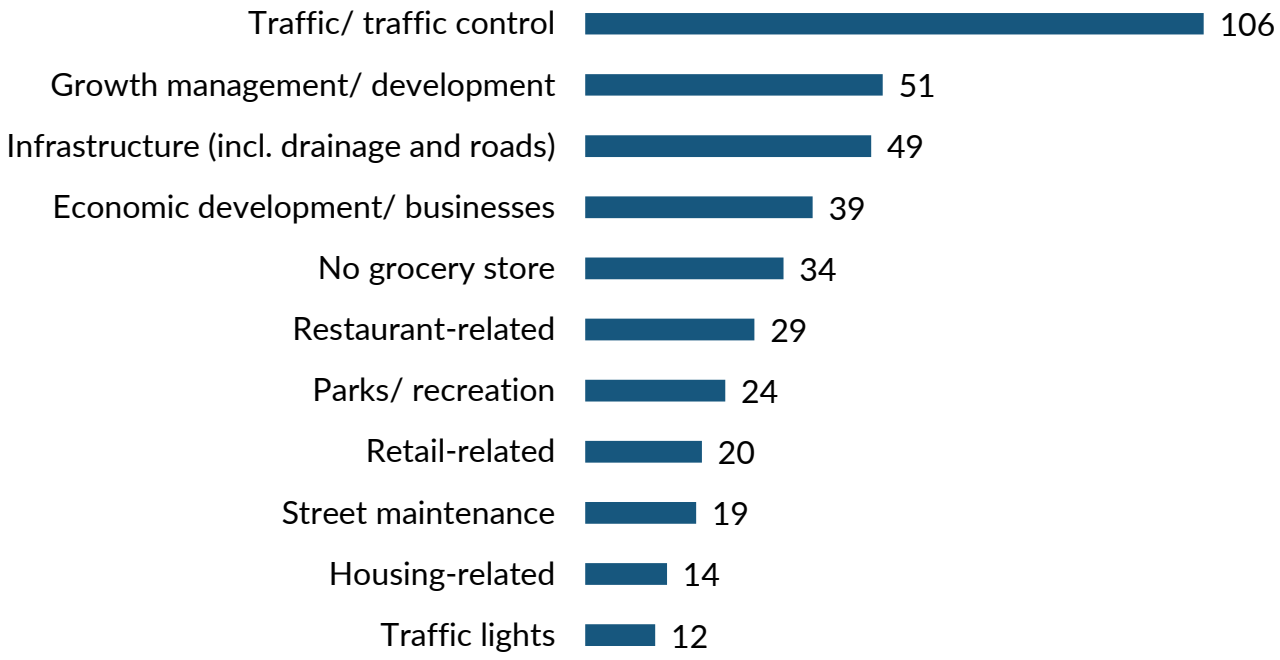
Analysis Notes:

Each comment in response to this question was given one to two "tags" or categories to assist with analysis. Although the tags are used to graphically illustrate the feedback in summary format, as reflected above, all comments are utilized for their full content, regardless of the tag(s) assigned.

The top response theme for strengths of Lavon is its green spaces, rural environment, and the small town feel/charm. Coupled with the "community/ people" tag, resident respondents treasure the country lifestyle, close-knit community ties, natural areas, proximity to the Lake, and the welcoming/neighborly culture. Emergency Services and public safety continue to be a top strength in Lavon (number one in 2019). Losing its top 10 strength status from 2019, SH 78 is no longer perceived as a strength in Lavon (detailed more in weaknesses and challenges/threats).

Residents are generally very satisfied with the level of service they receive from City Staff, the Mayor and other City leaders. Growth and development were identified as top strengths-- residents are generally happy to see new commercial development coming to Lavon, and they are looking forward to seeing more. Within the "growth management/ planning" tag, resident respondents are appreciative of the City's planning efforts and growth management. There is significant overlap between the "growth management/ planning" and "growth/ development" tags with resident respondents expressing general satisfaction with growth and new development within the latter tag.

Q11: Please list one or two top weaknesses of Lavon. What is Lavon not doing well? What does Lavon need to improve? (State as simply as possible, ONE PER BOX)



Analysis Notes:

Traffic has taken the number one spot on the weaknesses list versus being number 11 in 2019 (plus the number 10 top weakness relating to traffic lights). The "growth management/ development," "economic development/ businesses," and several other tags in Weaknesses have significant overlap in the feedback. Resident respondents continue to voice the need for a grocery store, more restaurants, more shopping, and preferences for specific retailers/businesses over others, but the perceptions of economic development in Lavon have dramatically improved from 2019. There are also concerns regarding Lavon's ability to keep up with the significant growth impacts of rapidly developing housing and traffic issues, and there are some perceptions that Lavon is control of more factors with those topics than it is (ex. Collin County, TxDOT, and development within the ETJ).

In 2019, the top five weaknesses identified by respondents related to economic development, lack of amenities, streets, drainage and flooding, and infrastructure.

Q12: Please list one or two top opportunities Lavon can pursue within the next 10 to 15 years. What ideas do you have to make Lavon better? What does Lavon need that it doesn't have already? (State as simply as possible, ONE PER BOX)



Analysis Notes:

Since the 2019 Community Survey, economic development was the top-ranked Opportunity in Lavon. Looking at this Survey's feedback, "grocery store," "restaurant-related," "economic development/businesses," "retail-related," and "entertainment/activities," all exhibit significant overlap to a larger theme of economic development. Resident respondents continue to value new commercial businesses and express the need and want for more. Economic development also appears within top Weaknesses due to the significant demand and perception of the opportunities Lavon has to capture non-residential development that can serve residents. Similar to 2019, parks & recreation is a top theme within Opportunities. Resident respondents listed opportunities for the City to provide more trails, playgrounds, parks, and sports-related parks and fields. Since COVID-19, communities around Texas have seen an increase in the need and want for more parks and recreation amenities, and people have moved to Lavon from more urban areas with an appeal of open land and the "small town feel."

Within the "infrastructure (incl. drainage and roads)" tag, resident respondents mentioned there are opportunities to improve mobility and connectivity by making improvements, such as increasing lane counts, repairing streets, and widening roads, but there was no mention of utilities (reflecting the major concern of traffic). Sidewalks, trails, and walkability were a theme for top opportunities in 2019 and remain on the top 10 with this Survey.

Q13: Please list one or two top threats or challenges Lavon has in the next 10 to 15 years. What can affect Lavon negatively if not taken care of? What should be planned to prevent or avoid to the greatest extent possible? (State as simply as possible, ONE PER BOX)



Analysis Notes:

The distribution of this Survey's responses regarding Lavon's top challenges/threats was more focused than 2019's Survey. Resident respondents generally covered more topics in 2019, but this Survey's respondents generally focused on five top challenges/threats as reflected above.

Within the top threat/challenge of "traffic/ traffic control," congestion, traffic accidents, and traffic on SH 78 and SH 205 are frequently noted. The "development/ growth" tag has overlap with "traffic/ traffic control" and several other top threats. Some responses were mixed in this category, but the majority expressed that Lavon is growing too fast and noted concerns with so many people moving to Lavon so quickly. The "housing-related" tag overlaps with the "development/ growth" tag, but within the former, there was frequent mention of concerns regarding apartments and multi-family units with their potential adverse impacts on existing neighborhoods, services, traffic, etc.

Although "Emergency Services/ public safety" is a top strength of Lavon, resident respondents noted concerns about the increasing potential for crime with new growth and with young age groups. Respondents did not state that crime is an issue in Lavon but mentioned it becoming an issue in the next 10 to 15 years if proper actions are not taken (or continued to be taken).

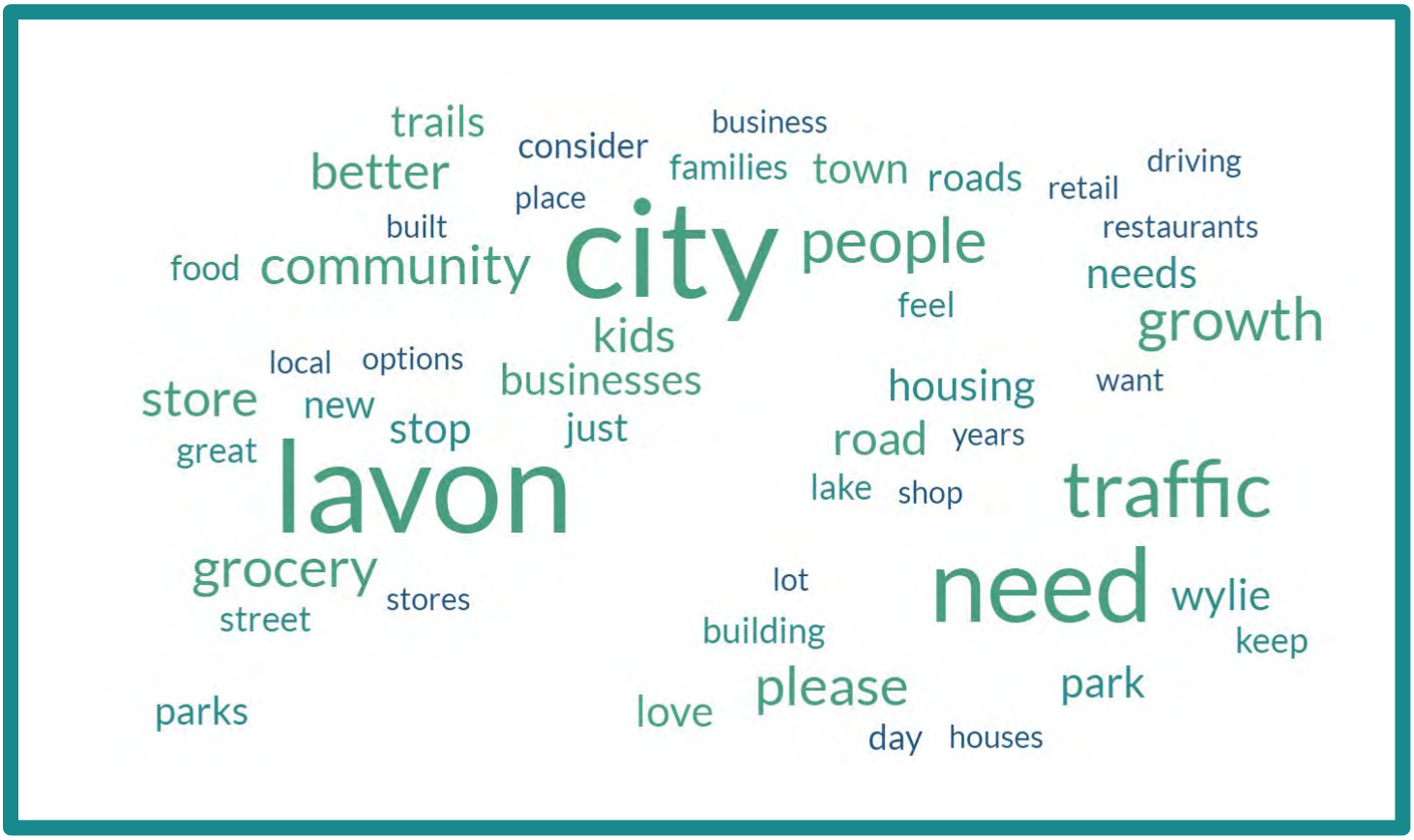
Q14: Not required: Every city is unique and has its own personality. What do you think the character or soul of Lavon is? How would you describe Lavon if it were a person?



The image displayed represents the most used words in the response to this question. The larger the word is, the more it was used. Since some responses were in sentence form, there may be words that are out of place, such as “use” and “just.” The following is a list of sample responses:

- A 16-year-old teenager with all the potential in the world.
- Small town feel with a big town soul
- Small town with a big heart, a little wild around the edges. Happy to grow without losing the connection of community.
- Friendly and quiet, Simple
- Quaint, quiet, beautiful, historic, small, peaceful
- You know you’re home when you get here. It is grounded in community.
- Lavon is that 20s person that is trying find its identity. It’s open to new ideas and things.
- Friendly, not rushed, relaxed, beautiful
- Very welcoming but prefers to stay close to its true friends.
- Quiet, shy person being forced into public sphere

Q15: Not required: Please share any additional thoughts (if any) that you may have on what should be considered in the City's upcoming planning and policies.



The image above represents the most used words in the response to this question. The larger the word is, the more it was used. Since some responses were in sentence form, there may be words that are out of place, such as “please” and “day.”



City of Lavon

DRAFT MAY 2023

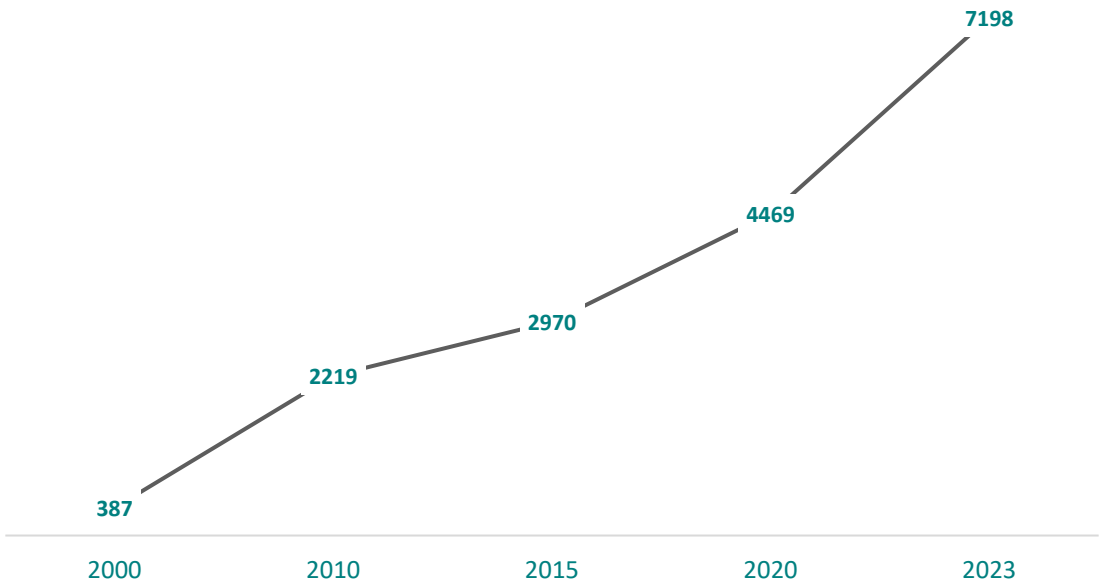
LAVON, TX

2023-2025 Lavon Strategic Plan Update

EXECUTIVE SUMMARY

The City of Lavon is in Collin County and is approximately 30 miles north of Dallas. Lavon provides an opportunity to live in a rural setting with a small-town feel while offering short commutes to Dallas' business hubs, attractions, and environment. A big attraction of the city is Lake Lavon. The freshwater reservoir brings people from around the DFW Metroplex to enjoy camping, fishing, swimming, boating, and other recreation activities. Lavon is experiencing rapid growth, some inside the city and some on its edges and beyond. In the early 1850s, Lavon started as land that was ideal for farming due to its proximity to Bear Creek and the fertile Blackland Prairie. By the 1880's, with a population of 300, Lavon served as a center of commerce and agriculture. As of 2023, Lavon is home to an estimated 7,198 residents and is a dynamic community for business, living, and leisure.

Population Growth



2000: 387 (Census 2000), (473% growth rate)

2010: 2,219 (Census 2010), (34% growth rate)

2015: 2,970 (NCTCOG), (50% growth rate)

2020: 4,469 (Census 2020), (61% growth rate)

2023 Estimate: 7,198 (NCTCOG)

In 2019, the City of Lavon took the initiative to collaborate and create the Community Vision Assessment, which included a Community Survey, Leadership Retreat, and the 2019-2021 Strategic Plan. The COVID-19 pandemic had an impact on timing and implementation of various initiatives during the prior Plan timeframe. The update to the Strategic Plan addresses new concerns, celebrates accomplishments, and sets new goals for the betterment of Lavon. The community participated in a Community Survey in the spring of 2023 that gave City Leadership fresh feedback and informed the creation of this Strategic Plan at the City Leadership Workshop.

CORE PURPOSE

The City organization exists to:

- Ensure a safe and secure community;
- Serve as stewards of planning, infrastructure, and investment;
- Provide a family-oriented place for generations to stay and grow;
- Establish and foster relationships within the community;
- Communicate relevant information in a timely manner; and
- Continuously improve the quality of life in Lavon.

VISION FRAMEWORK

The methodology for this Vision Framework was inspired by Jim Collins' book "Good to Great." What it says is that an organization needs a "big, hairy, audacious goal" (i.e. "BHAG") that it can work toward, incrementally, over time. His "flywheel" says that *"No matter how dramatic the end result, good-to-great transformations never happen in one fell swoop. In building a great company or social sector enterprise, there is no single defining action, no grand program, no one killer innovation, no solitary lucky break, no miracle moment. Rather, the process resembles relentlessly pushing a giant, heavy flywheel, turn upon turn, building momentum until a point of breakthrough, and beyond."* Our "flywheel" is our Vision Framework, and it is detailed on the following pages. It includes four main components, and through community input and collaboration, it churns out 10 two-year goals every other year and one 25-year goal (our BHAG).

The first three components of our Vision Framework represent what Collins refers to as our Hedgehog Concept. It's a simple and clear representation of who we are and what is special about Lavon within three topics: 1) what we are deeply passionate about, 2) what we can be the best at, and 3) what best drives our economic and resource engine. Transformations from Good to Great come about by a series of good decisions, made consistently within the intersection of the three circles over a sustained period of time. We started operating with this method back in 2019, with the adoption of our first Strategic Plan for Lavon. With this Strategic Plan, we are going to be even more laser-focused on achieving our goals and making decisions based on our Vision Framework.

Deeply Passionate About

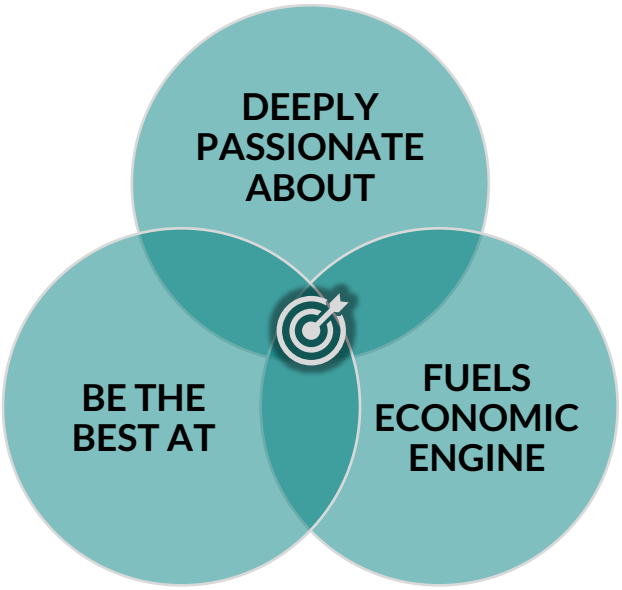
- What are Lavon's Core Values that stir us to act and cause us to stand our ground?

Be the Best At

- What can Lavon realistically be the best at, knowing the context?

Fuels Economic Engine

- What will Lavon leverage for sustained and robust revenues and resources?



DEEPLY PASSIONATE ABOUT

- Communication & Transparency
- Safety
- Integrity
- Family-Friendly
- Inclusivity & Diversity
- High-Quality Service

BE THE BEST AT

- Public Safety
- Housing Choice
- Family-Oriented Amenities
- Communication & Transparency
- Lake & Recreation Culture

FUELS ECONOMIC ENGINE

- Planning, Branding, & Marketing
- Right Development, Right Place
- Parnerships, Synergy, & Communication
- Provision & Maintenance of Infrastructure
- Public Safety
- Competitive Taxes & Incentives

Our actions and our ability to work toward shared goals, together, are what are going to make us truly great. We understand that operating at the intersection of the three circles in the Vision Framework gives us the most "bang for our buck" and can keep us focused on what we want to achieve for Lavon.

25-Year Goal: Our Mission

The City of Lavon will be a quaint and walkable, lake-oriented destination, full of vibrant neighborhoods and complemented by shopping and dining opportunities and family-oriented amenities. Our community's safety will be our top priority and will continue to be the city's biggest strength. Our brand will be communicated through what we say, the actions we take, the relationships we build, and our city's physical design. Lavon will be the place anyone would want to live, work, invest, and visit and the place where your neighbors are your friends.

Deeply Passionate About

The time is right for Lavon to capitalize on the opportunity to have a competitive edge and unique identity in the region. Our Core Purpose and Core Values were developed by City Staff and City Council during the City Leadership Retreat through a series of meetings and workshops. The Core Purpose and Core Values represent our highest aspirations, our moral code, and what we are deeply passionate about. We truly believe that these are present in our organization and should remain present throughout everything we do.

Core Values

Communication & Transparency

We believe in proactively engaging and communicating with the community to be transparent and understand issues. Communication, to us, is about timely listening and sharing, in addition to forging and maintaining partnerships and relationships for our community.

Safety

We believe that providing a safe community, with high-quality infrastructure and services, is one of the primary purposes of our City government. Maintaining safety as a strength of Lavon is extremely important.

Integrity

We believe in doing the right thing, regardless of whether someone is or is not looking. We are ethical, honest, and trustworthy. Even in tough times or with tough decisions, we stick to our Core Values and keep the people of the community at top of mind.

Family-Oriented

We are a city that supports current and future generations of individuals and families to cultivate a sense of community. Making family-friendly investments in Lavon is essential to improving quality of life.

Inclusivity & Diversity

Lavon is a diverse and inclusive place that welcomes people and families of all ages and stages. We believe in treating everyone equally and respectfully, and our inclusive nature and affordable cost of living are components of what makes us unique.

High-quality Service

We support our fellow community members by respectfully holding each other accountable and by always keeping the people of the community first. We are leaders in service, and we truly care about making Lavon the best it can be.

10 TWO-YEAR GOALS

Provided on the following pages are summaries of each goal which will be further developed administratively to ensure they are achieved. These two-year goals should guide City actions, both in workflow and in budgeting. These goals were created through collaboration with the community. Goals were identified by evaluating where the three circles of the Vision Framework intersect: what we are deeply passionate about, what we can be the best at, and what fuels our economic engine.

Welcome to Lavon where we…

Plan & design our community

Taking the initiative to prioritize planning and design of Lavon improves our returns on public investments in infrastructure and services, and it can ensure that we get closer to our envisioned future with each action. With so much growth occurring in and near Lavon, including within our region, it is important to guide the right developments to the right places, as much as we can. The State limits our ability to control much of the housing development impacting our city and our infrastructure. Planning for, designing, and analyzing growth's impacts is essential to our success. We have heavily pursued planning and design over the past several years, and making further progress on our requirements, illustrative designs, and creating a thriving and quaint downtown in Lavon is important to us.

Sample Anticipated Project: Create and adopt an initial Downtown Master Plan and corresponding Downtown Code.

Sample Anticipated Project: Process Code of Ordinance amendments for key topics to implement the updated Comprehensive Plan and comply with Legislative Mandates.

Invest in Lavon's future

With growth and development not expected to slow down and limited tools to control it, we will do our best to deploy the strategies we can to protect our residents and business and preserve what is special about Lavon. Utilizing past investments, such as the Comprehensive Plan, Parks and Recreation Master Plan, and Capital Improvements Plan, we have roadmaps to successfully implement our envisioned future. With the priorities of being cost-effective, efficient, and timely to preserve limited resources, we will tackle projects in priority order and maintain and expand community services, facilities, and amenities in partnership with neighborhoods, business owners, Collin County, TxDOT, Bear Creek Special Utility District (SUD), developers, and others.

Sample Anticipated Project: Designate a Committee for Capital Improvements Program/ Bond Exploration to assist the City in monitoring and evaluating large expenditures and priorities.

Sample Anticipated Project: Revise the Code of Ordinances to adopt Parkland Dedication and Development requirements, consistent with the Comprehensive Plan and Parks and Recreation Master Plan.

Sample Anticipated Project: Conduct a Staffing and Facilities Assessment to identify potential needs and phasing/thresholds for additional City staff and facilities to serve the existing and future population and development.

Protect what's important

Lavon is well known for its small-town feel, which is exemplified by our people, the natural features, and community safety. To protect important assets that contribute to quality of life in Lavon and what sets us apart from other cities, the we will prioritize the top two assets identified by the community: our emergency services (ex. Police, Fire, EMS, etc.) and natural features (ex. trees, creeks, scenic areas, etc.). Continuing to protect our

community with high quality and prompt emergency services can ensure safety remains a top asset and strength. Work performed under this goal will ensure that Lavon remains strong and prepared by thinking through and setting standards for human, technological, and natural events. It will also evaluate and develop strategies to manage Lavon's natural features that contribute to our rural character and small-town feel. Proximity to nature and open space have been one of the main drivers of Lavon's appeal to existing and new residents and businesses alike. Preserving these natural features through green infrastructure, low-impact development, and the identification of improvement areas can help maintain the small-town feel the community cherishes as Lavon continues to evolve.

Sample Anticipated Project: Develop a Risk Management Strategy.

Sample Anticipated Project: Create and adopt a Drainage and Natural Features Study.

Communicate with each other

Lavon prides itself on the transparency and open communication it provides to the community. By continuing communication and collaboration with the community, Lavon can continue to build trust and gain buy-in from community members for future plans and actions. Informing, engaging, and inspiring the community can continue to strengthen Lavon's small-town feel and the bonds within our community. This can be accomplished by providing informal and formal opportunities to participate in community feedback through inclusive, efficient, and accessible approaches. Communicating alerts, news, and updates through a variety of communication methods, such as Facebook, email newsletter, utility bill inserts, and signage, is important. We want to identify gaps and opportunities in our communications and fill/address them for the betterment of our community.

Sample Anticipated Project: Create an initial Communications Strategy to enhance City communication efforts with the community.

Sample Anticipated Project: Conduct an annual State of the City presentation/town hall forum to share City updates with the community and encourage others to ask questions and provide information.

Distinguish ourselves from the rest

Lavon is a fast-growing city, and we have opportunities to continue to distinguish our community from neighboring cities. How we market and present Lavon to others, through our physical features, at conferences, to developers, to potential residents, and more, is essential to implementing our envisioned future. To do this effectively, we must create a Branding and Marketing Strategy that includes messaging, our creative selling strategy, visual elements, and theming for physical improvements, new developments, economic development efforts, and public art (among other purposes). It can help exhibit the City's businesses, values, assets, and competitive market positioning through a distinct and meaningful lens. As part of this effort, spotlighting businesses, groups, and neighborhoods that make Lavon special can help bring us closer together and maintain our bonds as we grow and advance.

Sample Anticipated Project: Create a Branding and Marketing Strategy.

Sample Anticipated Project: Identify a day of the week or the month to spotlight a business, group, or neighborhood in Lavon to connect the community with each other and share who we are.

Nurture our relationships

Relationships are the key to our success. From being family-friendly, to our safety, to our communication, and everything in between, we are better when we work together to achieve our goals. Pressing issues, such as traffic and mobility concerns on SH 78 & SH 205, have daily impacts on us and the region. SH 78 is a critical commercial corridor for Lavon and other cities in the area, and they experience similar issues as Lavon. With the involvement of TxDOT and Collin County in the corridor as well, coordinating with our partners and their efforts can tackle

regional concerns and explore solutions that benefit our community and others. In a different but related topic, our relationships can assist with recreation and amenities as well. The City benefits from our proximity to Lake Lavon, but our City Limits do not actually include frontage/access to/on Lake Lavon. It is a regional asset that provides recreation and economic development opportunities for the area, and coordinating with Wylie to obtain lake access would increase accessibility and economic growth for our community.

Sample Anticipated Project: Partner with the City of Wylie to attempt to obtain Lake access.

Sample Anticipated Project: Partner with the North Central Texas Council of Governments (NCTCOG) and nearby cities to study mobility issues and solutions.

Enjoy family fun

Lavon is a family-oriented community, and we enjoy the small-town feel and our close-knit culture. The City hosts several community events with limited staffing and funding, and they are treasured by our residents and visitors. Parks and Recreation Departments often oversee and provide the staff needed to plan community events in cities that have grown to the point of needing them, but these functions are currently done by staff with other responsibilities that keep them busy. Through a phased approach, we can begin to work toward allocating staff for parks and recreation (including community events) specifically, especially in light of more parks and recreation facilities coming into the city as new development is constructed. Expanding youth programming for school-aged children to support families and contribute to our safety is also a top priority for us so proper staffing of this function of our City is important.

Sample Anticipated Project: Host a new seasonal family-friendly event that includes intergenerational activities to bring together different generations within the community.

Sample Anticipated Project: Explore the allocation of staffing for parks and recreation to coordinate and implement community events and program outdoor and recreational spaces with activities for all ages.

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: _6 – B__**

Item:

Public Hearing, discussion and action regarding an amendment to Article 9.03 of the City of Lavon Code of Ordinances – Zoning to amend Ordinance No. **2004-09-05** that established the Grand Heritage Planned Development to remove the commercial site plan public hearing requirement, restrict commercial height requirements, adjust the permitted uses, remove residential minimum floor area requirements, and adjust compatibility setback dimensions, screening, and buffering requirements on approximately 89.275 acres of land situated on the southeast corner of SH 205 and SH 78 and on the north side of SH 78, on several tracts of land within approximately 1,500 feet east and west of Grand Heritage Boulevard.

1) Presentation of proposed amendment.
2) **PUBLIC HEARING** to receive comments regarding the proposed amendment.
3) Discussion and action regarding the proposed amendment and accompanying Ordinance.

Background:

The subject property is part of the Grand Heritage Planned Development (PD) established by Ordinance No. **2004-09-05** that was adopted in 2004. With the exception of the Scrubbies site and the eastern portion of West Flex B, the proposed amendment will affect property within the West Commercial A and West Flex B areas designated for commercial uses in the PD. Note that the areas identified as West Commercial C-1 and West Commercial C-2 were rezoned from the Grand Heritage PD to Retail (R) by Ordinance No. **2022-09-03** in September 2022, the goal being to accomplish similar objectives as submitted in the proposed zoning amendment.

While the proposed amendment is similar to and no less restrictive than the regulations applied to the Retail (R) District, it maintains and improves the vision of the original planned development.

The city staff and consulting team prepared the proposed amendment and worked with Petro-Hunt, the original developer who owns the undeveloped portions of the property, that comprise all but approximately 3.79 acres. The 3.79 acres have been developed into the Victory at Lavon, Taco Bell, and O'Reilly's projects and the elements of the proposed amendment do not generally affect the properties as they are developed.

The proposed amendment is designed to improve the process and increase the compatibility measures for adjacent residential areas. A table providing a detailed explanation of the proposed amendment and rationale is attached.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF AN AMENDMENT TO ARTICLE 9.03 OF THE CITY OF LAVON CODE OF ORDINANCES – ZONING TO AMEND ORDINANCE NO. 2004-09-05 THAT ESTABLISHED THE GRAND HERITAGE PLANNED DEVELOPMENT TO REMOVE THE COMMERCIAL SITE PLAN PUBLIC HEARING REQUIREMENT, RESTRICT COMMERCIAL HEIGHT REQUIREMENTS, ADJUST THE PERMITTED USES, REMOVE RESIDENTIAL MINIMUM FLOOR AREA REQUIREMENTS, AND ADJUST COMPATIBILITY SETBACK DIMENSIONS, SCREENING, AND BUFFERING REQUIREMENTS ON APPROXIMATELY 89.275 ACRES OF LAND SITUATED ON THE SOUTHEAST CORNER OF SH 205 AND SH 78 AND ON THE NORTH SIDE OF SH 78, ON SEVERAL TRACTS OF LAND WITHIN APPROXIMATELY 1,500 FEET EAST AND WEST OF GRAND HERITAGE BOULEVARD.

MOTION MADE: NABORS
SECONDED: TIEGS
APPROVED: UNANIMOUS

Staff Notes:

The requisite public hearing notice was published in the newspaper and posted on the website, zoning change signs were placed on the property, and sixty-nine (69) neighbor notices were mailed to the owners of property located within 200 feet of the applicant's property of which three (3) notices have been returned, two in favor of the amendment and one in opposition. Information about the proposed amendment was also provided via email to the Grand Heritage Homeowners Association (HOA) with a telephone call to follow up.

The proposed application is consistent with the Future Land Use Plan and the Comprehensive Plan. Approval is recommended. The City Attorney has reviewed the proposed amendments. The proposed ordinance is still in draft stages and may be updated to include the text of the amended sections in their entirety.

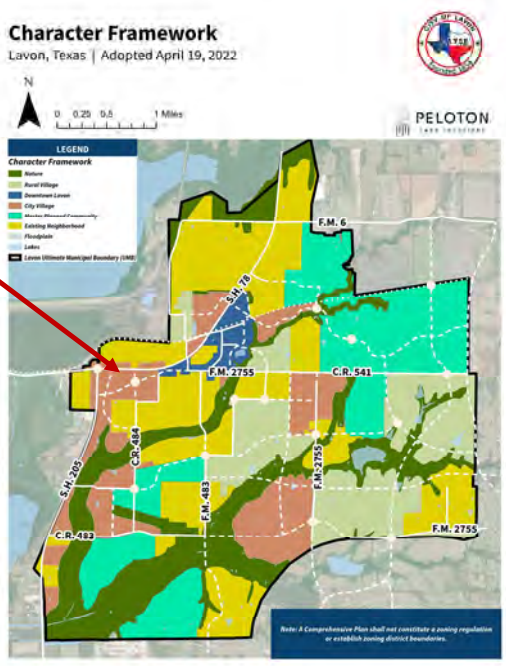
Attachment: 1) DRAFT Proposed Ordinance
2) Amendment Information Table
3) Location Exhibits
4) Neighbor Notices
(a data source of property owners who were mailed notices is available upon request from cityhall@lavontx.gov)

The following amendments to Ordinance No. **2004-09-05**, as amended, are proposed to:

PROPOSED AMENDMENT	WHY
1) Section 2.6.2 Commercial Planning Area to remove the site plan public hearing requirements	A public hearing implies that a permitted use is up for discussion when in fact it is not.
2) Section 3.1.1.2 General Height Requirements to change commercial height requirements from four (4) stories to "45 feet, except when adjacent to residential uses. Where adjacent to residential uses other than multiple family, the maximum height shall be 30 feet for the first 50 feet from the shared property line."	Clarification. Refines restrictions for the protection of adjacent residential property to additionally restrict height the closer it is to the shared property line.
3) Section 3.2.4 Uses in Commercial Planning Areas to adjust permitted uses to: – Add Assisted Living Center/Memory Care/Nursing Care; Residential Uses (Permitted above Ground Floor Commercial Uses Only with a Maximum Density of Three Dwelling Units per Gross Acre) consisting of - Home Occupation; Single Family Attached (Townhomes); Multi-family; Alcohol-related Uses (with Associated Standards) in the "R" – Retail District per Ordinance No. **2022-07-02**. – Remove Auto Rental;Taxidermist; Carwash; Vehicle Display, Sales, and Service; all Utility and Public Service Uses – Change permitted to specific use for an Auto Service Center – Change permitted Motor Vehicle Fueling Station to require it to be Accessory to a Grocer	Modernize uses for improved compatibility with nearby residential uses and allow uses appropriate for key corridors, consistent with the Comprehensive Plan. Allows minimal incidental residential units above commercial uses. *Note: the pending car wash project is exempted from this amendment as it is grandfathered.*
4) Section 3.3 Building Size to remove the minimum floor area requirement of 1,000 square feet of air-conditioned living area for single family and duplex residential units	Removes a requirement that courts have held is dicriminatory and a violation of Fair Housing regulations.
5) Section 3.6.2.2 Commercial Planning Area Setbacks to provide that the required landscape buffer can be included within the rear yard	Clarification of the newly required landscape buffer (described below) and that it can "double dip" with the required building setback.
6) Section 3.6.2.4 Setback Standards to increase the Rear Yard Setback for a Commercial Planning Area Adjacent to a Residential Planning Area from 25 feet to 50 feet; and for a Commercial Planning Area Adjacent to or in a Commercial Planning Area from 5 feet to 10 feet	Increases setbacks for the protection of adjacent residential property.
7) Section 3.11.1 Buffering Between Uses to change the height requirement for a masonry sight-barring fence from six (6) feet to eight (8) feet	Increases height of required fencing from six to eight feet for the protection of adjacent residential property.
8) Section 3.11.2.3.1 Commercial Screening in West Commercial A requires a landscape buffer (i.e. bufferyard) of at least 20 feet in depth, along the shared property line of a commercial use adjacent to a residential use, shall be provided except in cases where an alternative landscape buffer is required due to utility conflictsalternative landscape buffer is required due to utility conflicts	Adds a minimum 20-foot landscape buffer along adjacent shared property line for the protection of adjacent residential property, which was not required previously
9) Section 3.11.2.3.2 Commercial Screening in West Flex B section number updated from Section 3.11.2.3	Section number updated to accommodate new Commercial Screening in West Commercial A section

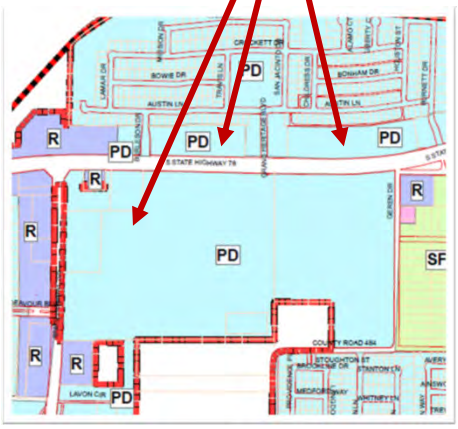
Future Land Use Plan

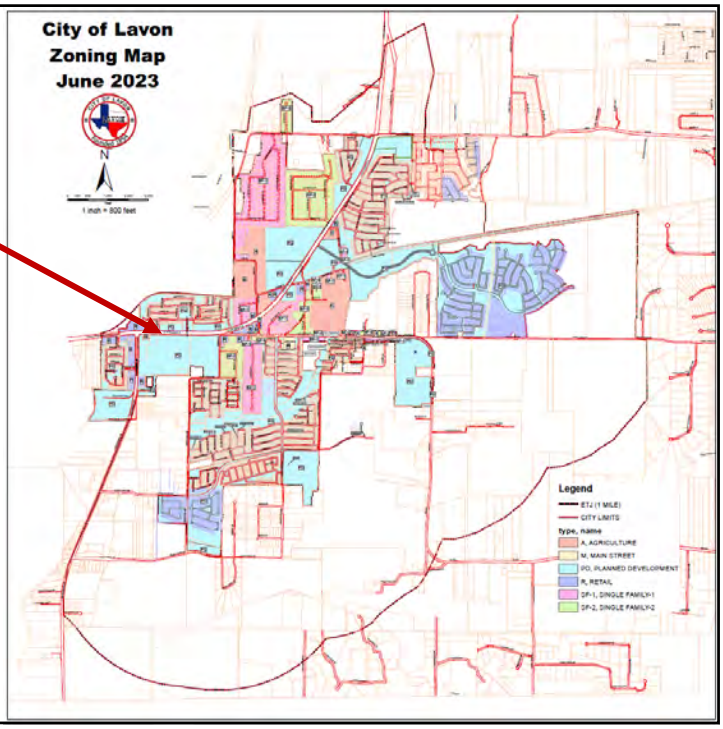




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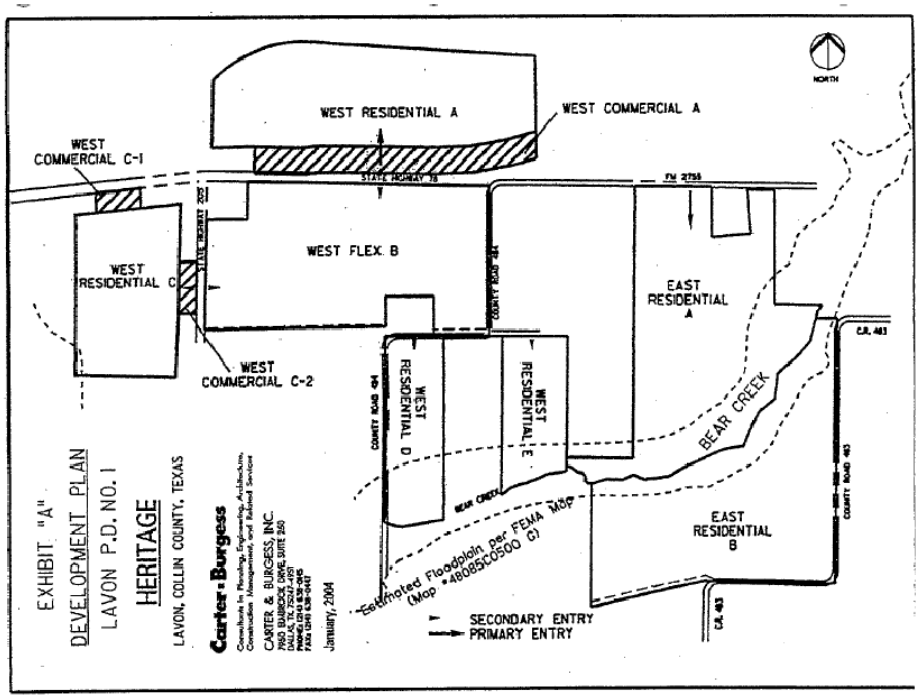
Zoning Map





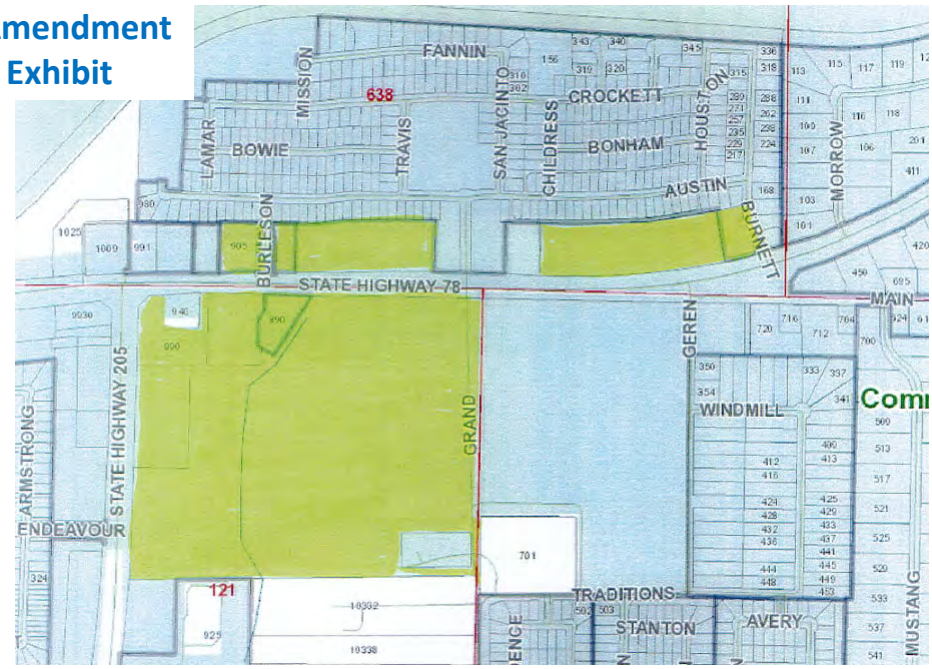
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Grand Heritage PD Development Plan



7

Zoning Amendment Location Exhibit



8

Zoning Amendment Location Exhibit



9

RECEIVED
JUL 19 2023
CITY OF LAVON

CITY OF LAVON, TEXAS
NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

Notice is hereby given that the **Planning and Zoning Commission** will hold a public hearing at the meeting starting at 6:30 PM, Tuesday, **July 25, 2023** at Lavon City Hall, 120 School Rd. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting starting at 6:30 PM, Tuesday, **August 1, 2023** at Lavon City Hall. At such times and place, the Commission and the Council will hear and take action on:

Request: Consider an amendment to Article 9.03 of the City of Lavon Code of Ordinances – Zoning to amend Ordinance No. **2004-09-05** that established the Grand Heritage Planned Development to remove the commercial site plan public hearing requirement, restrict commercial height requirements, adjust the permitted uses, restrict utility and public services uses, amend residential minimum floor area requirements, and adjust compatibility setback dimensions, screening, and buffering requirements.

Property Description: Grand Heritage Planned Development West Commercial A area out of the W. H. Moore Survey, A-0638 consisting of Block 1, Lot 1, Victory at Lavon, 1.517 acres at 905 S. SH 78 (CCAD #2875348); Block A, Lot 1, SMI Addition Ph 1, 0.82 acres at 891 S. SH 78 (CCAD #2614354); Tract 21, 5.4545 acres (CCAD #2614354); Tract 19, 8.636 acres - save and except for Block A, Lot 1 of the 78 Commercial East Addition, 1.24 acres at 701 S. SH 78 (CCAD #2614649); and Grand Heritage Club Addition, Lot 1, 1.12 acres (CCAD #2612610); and a portion of Grand Heritage Planned Development West Flex B area out of the W.A.S. Bohannan Survey, A-0121, consisting of Tract 70, 59.4311 acres (CCAD #2624070); Tract 10, 7.1412 acres (CCAD #2614673); Tract 65, 2.7588 acres (CCAD #2110476), and Block A, Lot 1, Highway 205 Tract, Ph 1,1.45 acres at 890 SH 78, (CCAD #2790029). See location exhibit on reverse.

In the event that the P&Z Commission or City Council will be unable to meet at City Hall, the City will post on its website www.cityoflavon.com information for persons to attend the meeting by telephone, teleconference or other electronic means. Additional information regarding the request may be obtained at cityhall@lavontx.gov or at 972-843-4220.

You are receiving this notice because the subject property is located within 200 feet of your property. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.

Check one: ☑ **I am in favor of the request.** ☐ **I am opposed to the request.**

Reasons: (*attach separate sheet(s) as needed*) _____

_____

_____

_____

_____

Signature: Ernestine Hawkins

Name (printed): Eric Hawkins

Address: 850 Austin, Lavon, TX, 75166-1769

Phone: 402-321-1339 Email Address: mrs_hawkins10@yahoo.com

You may return this form to: ***City of Lavon*** *or via email to:* CityHall@cityof lavon.org
P.O. Box 340
Lavon, Texas 75166

850 Austin ***GRAND HERITAGE CLUB, BLK E, LOT 7***

The following amendments to Ordinance No. **2004-09-05**, as amended, are proposed to:

1) Section 2.6.2 Commercial Planning Area to remove the site plan public hearing requirements
2) Section 3.1.1.2 General Height Requirements to change commercial height requirements from four (4) stories to "45 feet, except when adjacent to residential uses. Where adjacent to residential uses other than multiple family, the maximum height shall be 30 feet for the first 50 feet from the shared property line."
3) Section 3.2.4 Uses in Commercial Planning Areas to adjust permitted uses to:
   - Add Assisted Living Center/Memory Care/Nursing Care; Residential Uses (Permitted above Ground Floor Commercial Uses Only with a Maximum Density of Three Dwelling Units per Gross Acre) consisting of - Home Occupation; Single Family Attached (Townhomes); Multi-family; Alcohol-related Uses (with Associated Standards) in the "R" – Retail District per Ordinance No. **2022-07-02**.
   - Remove Auto Rental;Taxidermist; Carwash; Vehicle Display, Sales, and Service; all Utility and Public Service Uses
   - Change permitted to specific use for an Auto Service Center;
   - Change permitted Motor Vehicle Fueling Station to to require it to be Accessory to a Grocer
4) Section 3.3 Building Size to remove the minimum floor area requirement of 1,000 square feet of air-conditioned living area for single family and duplex residential units
5) Section 3.6.2.2 Commercial Planning Area Setbacks to provide that the required landscape buffer can be included within the rear yard
6) Section 3.6.2.4 Setback Standards to increase the Rear Yard Setback for a Commercial Planning Area Adjacent to a Residential Plannnig Area from 25 feet to 50 feet; and for a Commercial Planning Area Adjacent to a or in a Commercial Plannnig Area from 5 feet to 10 feet
7) Section 3.11.1 Buffering Between Uses to change the height requiremt for a masonry sight-barring fence from six (6) feet to eight (8) feet

LOCATION:

RECEIVED
JUL 19 2023
CITY OF LAVON

CITY OF LAVON, TEXAS
NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

Notice is hereby given that the **Planning and Zoning Commission** will hold a public hearing at the meeting starting at 6:30 PM, Tuesday, **July 25, 2023** at Lavon City Hall, 120 School Rd. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting starting at 6:30 PM, Tuesday, **August 1, 2023** at Lavon City Hall. At such times and place, the Commission and the Council will hear and take action on:

Request: Consider an amendment to Article 9.03 of the City of Lavon Code of Ordinances – Zoning to amend Ordinance No. **2004-09-05** that established the Grand Heritage Planned Development to remove the commercial site plan public hearing requirement, restrict commercial height requirements, adjust the permitted uses, restrict utility and public services uses, amend residential minimum floor area requirements, and adjust compatibility setback dimensions, screening, and buffering requirements.

Property Description: Grand Heritage Planned Development West Commercial A area out of the W. H. Moore Survey, A-0638 consisting of Block 1, Lot 1, Victory at Lavon, 1.517 acres at 905 S. SH 78 (CCAD #2875348); Block A, Lot 1, SMI Addition Ph 1, 0.82 acres at 891 S. SH 78 (CCAD #2614354); Tract 21, 5.4545 acres (CCAD #2614354); Tract 19, 8.636 acres - save and except for Block A, Lot 1 of the 78 Commercial East Addition, 1.24 acres at 701 S. SH 78 (CCAD #2614649); and Grand Heritage Club Addition, Lot 1, 1.12 acres (CCAD #2612610); and a portion of Grand Heritage Planned Development West Flex B area out of the W.A.S. Bohannan Survey, A-0121, consisting of Tract 70, 59.4311 acres (CCAD #2624070); Tract 10, 7.1412 acres (CCAD #2614673); Tract 65, 2.7588 acres (CCAD #2110476), and Block A, Lot 1, Highway 205 Tract, Ph 1,1.45 acres at 890 SH 78, (CCAD #2790029). See location exhibit on reverse.

In the event that the P&Z Commission or City Council will be unable to meet at City Hall, the City will post on its website www.cityoflavon.com information for persons to attend the meeting by telephone, teleconference or other electronic means. Additional information regarding the request may be obtained at cityhall@lavontx.gov or at 972-843-4220.

You are receiving this notice because the subject property is located within 200 feet of your property. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.

Check one: ☒ **I am in favor of the request.** ☐ **I am opposed to the request.**

Reasons: (*attach separate sheet(s) as needed*) Have spoken with Kim Dobbs and clarified all requested changes with rational behind changes; after these clarification am in full support of Planning and Zoning Commission's recommended changes to Ordinance No 2004-09-05

Signature: Scott Swanson

Name (printed): Scott Swanson

Address: 606 Austin, Lavon, TX, 75166-1770

Phone: 972-288-7825 Email Address: sscjs1975@att.net

You may return this form to: ***City of Lavon*** *or via email to:* CityHall@cityof lavon.org
P.O. Box 340
Lavon, Texas 75166

606 Austin ***GRAND HERITAGE CLUB, BLK J, LOT 21***

The following amendments to Ordinance No. **2004-09-05**, as amended, are proposed to:

1) Section 2.6.2 Commercial Planning Area to remove the site plan public hearing requirements
2) Section 3.1.1.2 General Height Requirements to change commercial height requirements from four (4) stories to "45 feet, except when adjacent to residential uses. Where adjacent to residential uses other than multiple family, the maximum height shall be 30 feet for the first 50 feet from the shared property line."
3) Section 3.2.4 Uses in Commercial Planning Areas to adjust permitted uses to:
   - Add Assisted Living Center/Memory Care/Nursing Care; Residential Uses (Permitted above Ground Floor Commercial Uses Only with a Maximum Density of Three Dwelling Units per Gross Acre) consisting of - Home Occupation; Single Family Attached (Townhomes); Multi-family; Alcohol-related Uses (with Associated Standards) in the "R" – Retail District per Ordinance No. **2022-07-02**.
   - Remove Auto Rental;Taxidermist; Carwash; Vehicle Display, Sales, and Service; all Utility and Public Service Uses
   - Change permitted to specific use for an Auto Service Center;
   - Change permitted Motor Vehicle Fueling Station to to require it to be Accessory to a Grocer
4) Section 3.3 Building Size to remove the minimum floor area requirement of 1,000 square feet of air-conditioned living area for single family and duplex residential units
5) Section 3.6.2.2 Commercial Planning Area Setbacks to provide that the required landscape buffer can be included within the rear yard
6) Section 3.6.2.4 Setback Standards to increase the Rear Yard Setback for a Commercial Planning Area Adjacent to a Residential Plannnig Area from 25 feet to 50 feet; and for a Commercial Planning Area Adjacent to a or in a Commercial Plannnig Area from 5 feet to 10 feet
7) Section 3.11.1 Buffering Between Uses to change the height requiremt for a masonry sight-barring fence from six (6) feet to eight (8) feet

LOCATION:

Signature: _____

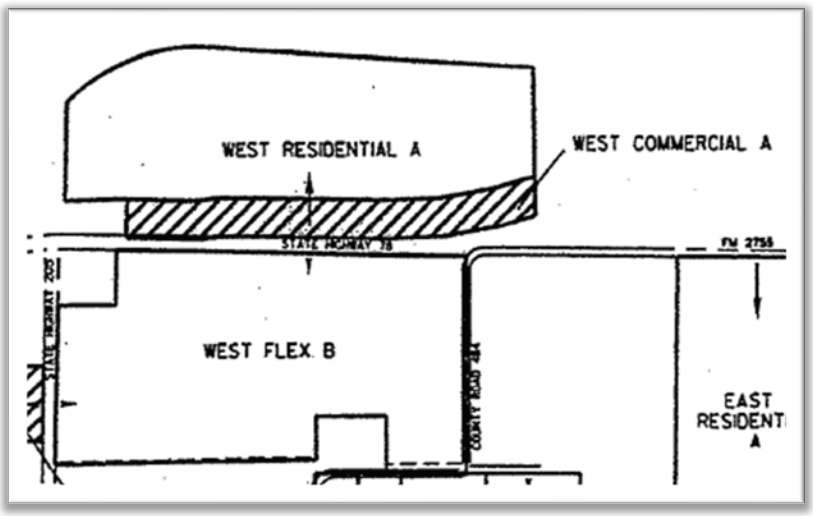
Name (printed): _____

Address: _____

Phone: _____ Email Address: _____

You may return this form to: ***City of Lavon*** *or via email to:* CityHall@lavontx.gov
P.O. Box 340
Lavon, Texas 75166

LOCATION:





Ordinance No. **2004-09-05** Planned Development PD No. 1 Grand Heritage may be downloaded at: https://cityoflavon.com/codes-and-ordinances/

RECEIVED
JUL 24 2023
CITY OF LAVON

CITY OF LAVON, TEXAS
NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

Notice is hereby given that the **Planning and Zoning Commission** will hold a public hearing at the meeting starting at 6:30 PM, Tuesday, **July 25, 2023** at Lavon City Hall, 120 School Rd. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting starting at 6:30 PM, Tuesday, **August 1, 2023** at Lavon City Hall. At such times and place, the Commission and the Council will hear and take action on:

Request: Consider an amendment to Article 9.03 of the City of Lavon Code of Ordinances – Zoning to amend Ordinance No. **2004-09-05** that established the Grand Heritage Planned Development to remove the commercial site plan public hearing requirement, restrict commercial height requirements, adjust the permitted uses, restrict utility and public services uses, amend residential minimum floor area requirements, and adjust compatibility setback dimensions, screening, and buffering requirements.

Property Description: Grand Heritage Planned Development West Commercial A area out of the W. H. Moore Survey, A-0638 consisting of Block 1, Lot 1, Victory at Lavon, 1.517 acres at 905 S. SH 78 (CCAD #2875348); Block A, Lot 1, SMI Addition Ph 1, 0.82 acres at 891 S. SH 78 (CCAD #2614354); Tract 21, 5.4545 acres (CCAD #2614354); Tract 19, 8.636 acres - save and except for Block A, Lot 1 of the 78 Commercial East Addition, 1.24 acres at 701 S. SH 78 (CCAD #2614649); and Grand Heritage Club Addition, Lot 1, 1.12 acres (CCAD #2612610); and a portion of Grand Heritage Planned Development West Flex B area out of the W.A.S. Bohannan Survey, A-0121, consisting of Tract 70, 59.4311 acres (CCAD #2624070); Tract 10, 7.1412 acres (CCAD #2614673); Tract 65, 2.7588 acres (CCAD #2110476), and Block A, Lot 1, Highway 205 Tract, Ph 1,1.45 acres at 890 SH 78, (CCAD #2790029). See location exhibit on reverse.

In the event that the P&Z Commission or City Council will be unable to meet at City Hall, the City will post on its website www.cityoflavon.com information for persons to attend the meeting by telephone, teleconference or other electronic means. Additional information regarding the request may be obtained at cityhall@lavontx.gov or at 972-843-4220.

You are receiving this notice because the subject property is located within 200 feet of your property. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.

Check one: ☐ **I am in favor of the request.** ☑ **I am opposed to the request.**

Reasons: (*attach separate sheet(s) as needed*) I am opposed as I don't agree with removing public hearing for site plan as it is away for residents to voice their opinion and without it we would not have been able to get items such as a wall built between Grand Heritage pond and car wash. opposed to adding assisted living/nursing care and multifamily.

Signature: Jessica Ratliff

Name (printed): Jessica Ratliff

Address: 890 Austin, Lavon, TX, 75166-1769

Phone: 512-689-5067 Email Address: elaine_ratliff@hotmail.com

You may return this form to: ***City of Lavon*** *or via email to:* CityHall@cityof lavon.org
P.O. Box 340
Lavon, Texas 75166

890 Austin ***GRAND HERITAGE CLUB, BLK E, LOT 3***

The following amendments to Ordinance No. **2004-09-05**, as amended, are proposed to:

1) Section 2.6.2 Commercial Planning Area to remove the site plan public hearing requirements
2) Section 3.1.1.2 General Height Requirements to change commercial height requirements from four (4) stories to "45 feet, except when adjacent to residential uses. Where adjacent to residential uses other than multiple family, the maximum height shall be 30 feet for the first 50 feet from the shared property line."
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   - Add Assisted Living Center/Memory Care/Nursing Care; Residential Uses (Permitted above Ground Floor Commercial Uses Only with a Maximum Density of Three Dwelling Units per Gross Acre) consisting of - Home Occupation; Single Family Attached (Townhomes); Multi-family; Alcohol-related Uses (with Associated Standards) in the "R" – Retail District per Ordinance No. **2022-07-02**.
   - Remove Auto Rental;Taxidermist; Carwash; Vehicle Display, Sales, and Service; all Utility and Public Service Uses
   - Change permitted to specific use for an Auto Service Center;
   - Change permitted Motor Vehicle Fueling Station to to require it to be Accessory to a Grocer
4) Section 3.3 Building Size to remove the minimum floor area requirement of 1,000 square feet of air-conditioned living area for single family and duplex residential units
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7) Section 3.11.1 Buffering Between Uses to change the height requiremt for a masonry sight-barring fence from six (6) feet to eight (8) feet

LOCATION:

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: _6 – C__**

Item:

Public hearing, discussion, and action regarding an application for a conditional use permit in a Retail (R) District to operate a tattoo studio at 450 S. SH 78, Suite #140, Lavon Business Park, Blk A, Lot 2, Lavon, Collin County, TX (CCAD Property ID 2539017) requested by JH^2 Enterprises, L.L.C. ***Note: the applicant has withdrawn the application.***

Application Information

Owner(s): JH^2 Enterprises, L.L.C.

Applicant: Jane Hall

Location: 450 S. SH 78, Suite 140, shopping center

Description: Lavon Business Park, Blk A, Lot 2
Lavon, Collin County, TX; CCAD Property ID 2539017

Current Zoning: Retail (R)

Request: Conditional Use Permit – Tattoo Studio

Request Details

The applicant has withdrawn their application for a conditional use permit (CUP) for a tattoo service and body artwork establishment. The proposed use was to be located in a 1,400 square feet (sq. ft.) suite leased in a commercial center with no similar establishments located within 1,000 feet of the proposed subject site.

Code Excerpts:

CITY OF LAVON – ZONING ORDINANCE

Sec. 9.03.131 Retail district (R)

(c) Conditional uses.

(20) Tattoo service and similar body artwork establishment provided the lot on which a similar establishment is located is more than one thousand (1,000) feet from the location of the proposed use; the one thousand (1,000) foot distance shall be measured between the lots and along the public street

The requisite public hearing notice was posted, signage placed, and published and ten (10) neighbor notices were mailed to the owners of properties located within 200 feet of the applicant's property. Of the neighbor notices, one (1) notice has been returned in favor of and one (1) notice has been returned in opposition to the request.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF AN APPLICATION FOR A CONDITIONAL USE PERMIT IN A RETAIL (R) DISTRICT TO OPERATE A TATTOO STUDIO AT 450 S. SH 78, SUITE #140, LAVON BUSINESS PARK, BLK A, LOT 2, LAVON, COLLIN COUNTY, TX (CCAD PROPERTY ID 2539017) REQUESTED BY JH2 ENTERPRISES, L.L.C. WITH THESE CONDITIONS:
1) SEPARATE SINK FOR HANDWASHING MUST BE AVAILABLE TO EMPLOYEES SEPARATE FROM THE BATHROOM
2) NO WINDOW DISPLAYS
3) NO ACTIVE DISPLAY OF SERVICES PROVIDED IN A PUBLIC AREA.
4) NO PERSONS UNDER THE AGE OF 18 SHALL BE PERMITTED IN THE TATTOO AREA.
5) NO TATTOOING DEPICTING KNOWN GANG MEMBERSHIP AFFILIATION-AS POSSIBLE.
6) THE TENANT SPACE SHALL BE EQUIPPED WITH INTERIOR SURVEILLANCE CAMERAS WITH FUNCTIONAL AND OPERATIONAL RECORDING DURING BUSINESS HOURS.
7) "NO LOITERING" SIGNS SHALL BE POSTED AT THE FRONT, REAR AND SIDE OF THE FACILITY.
8) THE CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES ON THE PREMISES IS PROHIBITED.
9) NO NEON SIGNAGE.)

MOTION MADE:	NABORS
SECONDED:	TIEGS
FOR:	NABORS, TIEGS
AGAINST:	COX, ROSENQUIST, JACOBS

MOTION FAILED

Staff Notes:

THE APPLICANT HAS WITHDRAWN THE APPLICATION CONSEQUENTLY, NO ACTION IS RECOMMENDED.

When the Planning and Zoning Commission recommends that a proposed application be denied, a vote of at least three-fourths (3/4) of all members of the city council shall be required to overturn such a recommendation.

Attachments: 1. Written notification of withdrawal
2. Application

From: Jane Hall
To: Kim Dobbs
Subject: Re: Conditional Use Permit - Lavon
Date: Friday, July 28, 2023 2:57:06 PM

Ms. Dobbs;
We have decided to withdraw our application for a Conditional Use Permit (CUP). We appreciate all of the time and effort you have put into it.
Thank you
Jane Hall

Sent from my iPhone

> On Jul 28, 2023, at 2:17 PM, Kim Dobbs <kdobbs@lavontx.gov> wrote:
>
> Ms. Hall,
> I tried to give you a quick call to discuss the conditional use permit application and the City Council meeting, but your voice mail box was not accepting messages.
> Can you please give me a call at 972-843-4220 when you have a moment?
> Thank you,
> Kim
>
> **Kim Dobbs**
> City Manager
> City of Lavon
> 972-843-4220

CITY OF LAVON

120 School Road, P.O. Box 340, Lavon, TX 75166
(972) 843-4220
cityhall@lavontx.gov

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

JH² Enterprises, LLC — June 28, 2023
Applicant Name — Date

Jane Hall — 972-514-6392
Representative, Agent or Owner — Phone

janealicehall@gmail.com
Company — Email address

13001 Meghan Lane — Farmersville, Tx. 75442
Street — City, State, Zip

450 State Highway 78 Suite 140
Address and Location of Property

Legal Description of Property

Existing Zoning: Retail

REASON FOR REQUEST (Include the type of conditional use requested, dimensions, materials and elevations. Attach a separate sheet if necessary and include supporting documentation.)

Tattoo and Piercing Studio at the above location

Signature of Applicant or Representative: Jane A. Hall

For Office Use Only

Date Received: _____ Date Paid: _____ Fee Paid: _____

Next P & Z Meeting: _____ Next City Council Meeting: _____

RECEIVED
JUN 28 2023
CITY OF LAVON

INFINITY 13 STUDIOS

At Infinity 13 Studios, we have built our reputation on being a family owned and family operated business, with award winning artists and topnotch service. We have been in business for over 15 years and take pride in our high standard of operation.

Our clients are comprised of, but not limited to, police officers, firefighters, servicemen, attorneys, doctors, and professional athletes who have been repeat customers for years.

Some of our artists have college credit hours and many years of experience as artists. They do custom work and have impeccable reputations in the industry.

Infinity 13 Studios has been ranked among the top 10 shops in the DFW area.

Personally, my husband and I have been married for 52 years and have 5 young grandchildren. We do not/will not allow anything on our walls or activity in our shop to embarrass or endanger them or anyone else.

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: _6 – D__**

Item:

Public Hearing, discussion, and action regarding the site plan and landscape plan for Spec's on Lot 2A, Block A of the Highway 205 Tract, Phase 2, at 900 S. SH 78, southwest of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, Texas (CCAD Property ID 2614673).

1) Presentation of proposed site plan and landscape plan.
2) **PUBLIC HEARING** to receive comments regarding the proposed site plan.
3) Discussion and action regarding the proposed site plan and landscape plan.

Background:

The subject property is part of the Grand Heritage Planned Development (PD) established by Ordinance No. **2004-09-05** that was adopted in 2004. The site is situated on approximately 1.56 acres in the West Flex B area of the PD subject to Commercial Planning Area requirements. The site is identified in the area labeled on the preliminary plat as Block A, Lot 2 of the Highway 205 Tract approved in June 2008.

Application Information

Owner(s):	Bear Creek Commercial Properties, LP
Applicant:	McClure Partners
Location:	900 S. SH 78, southwest of the intersection of SH 78 and Burleson Dr.
Description:	W.A.S. Bohannan Survey, A-0121, Survey Sheet 3, Tract 10, approximately 1.5 acres Lavon, Collin County, TX; CCAD Property ID 2614673
Current Zoning:	Planned Development (PD)
Request:	Site Plan and Landscape Plan

Request Details

The applicant is seeking approval of the Site Plan and Landscape Plan for the Spec's project at 900 S. SH 78. The site will be developed in accordance with Ordinance No. **2004-09-05** that established the Grand Heritage Planned Development (PD), as amended. A conditional use permit (CUP) for an alcohol: mixed beverage package store (off-premise consumption) was approved for the project on May 2, 2023.

Ordinance No. **2004-09-05** provides that in commercial planning areas, a project must obtain approval of a site plan and landscape plan pursuant to city regulations and that the site plan is subject to a public hearing.

Code Excerpt:

LAVON CODE OF ORDINANCES – ZONING ORDINANCE
DIVISION 7 – SITE PLAN

9.03.151 PURPOSE

The purpose of this Section is to regulate the manner in which land in the City of Lavon is used and developed, minimize adverse effects on surrounding property or the general public, protection from fire, protection of adjacent uses from obstructions to light, air and visibility plus provision of adequate storm water drainage facilities, transportation, water and sanitary sewage facilities.

9.03.154 CRITERIA FOR APPROVAL

a) All applicable City of Lavon Comprehensive Master Plan and Ordinance requirements shall have been met as a condition of site plan approval.

b) All applicable Site Plan requirements of this Subtitle shall have been met as a condition of site plan approval.

c) The adequate capacity of public or private facilities for water, sewer and access to, from and through the development shall be met as a condition of site plan approval. City reserves the right to deny approval of a site plan based upon insufficient capacity of any public facility or facilities.

Zoning: The property is zoned Planned Development (PD). The proposed development of the property is permitted with an approved conditional use permit. The site plan and landscape plan are prepared in conformance with the zoning requirements.

Platting: A revised preliminary plat and a final plat will be required.

Access: There is presently access via an access easement from SH 78 with two points of ingress and egress. There is no direct access to SH 78. Eventually, the access easement will connect to access from SH 205 at Endeavor. Parking is sufficient as proposed.

Utilities: The site will be served water by the Bear Creek Special Utility District and sanitary sewer by the City of Lavon. The extension of utilities facilities to the site creates opportunity for the future connection of unserved properties.

Screening and Landscaping: Screening is provided in accordance with the zoning requirements. The Landscape Plan complies with the zoning regulations.

The application and plans satisfy the criteria for approval.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE SITE PLAN AND LANDSCAPE PLAN FOR SPEC'S ON LOT 2A, BLOCK A OF THE HIGHWAY 205 TRACT, PHASE 2, AT 900 S. SH 78, SOUTHWEST OF THE INTERSECTION OF SH 78 AND BURLESON DR., LAVON, COLLIN COUNTY, TEXAS (CCAD PROPERTY ID 2614673).
MOTION MADE: NABORS
SECONDED: COX
APPROVED: UNANIMOUS

Staff Notes:

The proposed site plan was reviewed by the city engineer, planning consultant, and staff development review committee (DRC). The site plan consideration does not include signs.

Approval of the site plan and landscape plan is recommended.

Attachments:

1. Application
2. Site Plan; Building Elevations
3. Landscape Plan
4. Location Exhibits
5. Review comments

CITY OF LAVON
SITE PLAN APPLICATION

P.O. Box 340 120 School Rd., Lavon, TX 75166
Office (972) 843-4220

APPLICATION INFORMATION

Name: McClure Partners (John McClure)

Address: PO Box 2935, Wylie, TX 75098

Telephone Number: 214-384-3470

Email Address: jmcclure@mcclureusa.com

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)
Portion of ABS A0121 W.A.S. Bohannan Survey, Tract 1, 1.559 acres

SUBDIVISION NAME: (*approved plat is prerequisite*)
Proposed Lot 2A, Block A - Highway 205 Tract, Phase 2

ZONING: Lavon PD No. 1

LEGAL OWNER OF PROPERTY INVOLVED: Bear Creek Commercial LP

If Applicant is NOT the Owner, Relationship to Owner: Developer

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: _____ 6/20/2023
Owner / Authorized Agent — Date

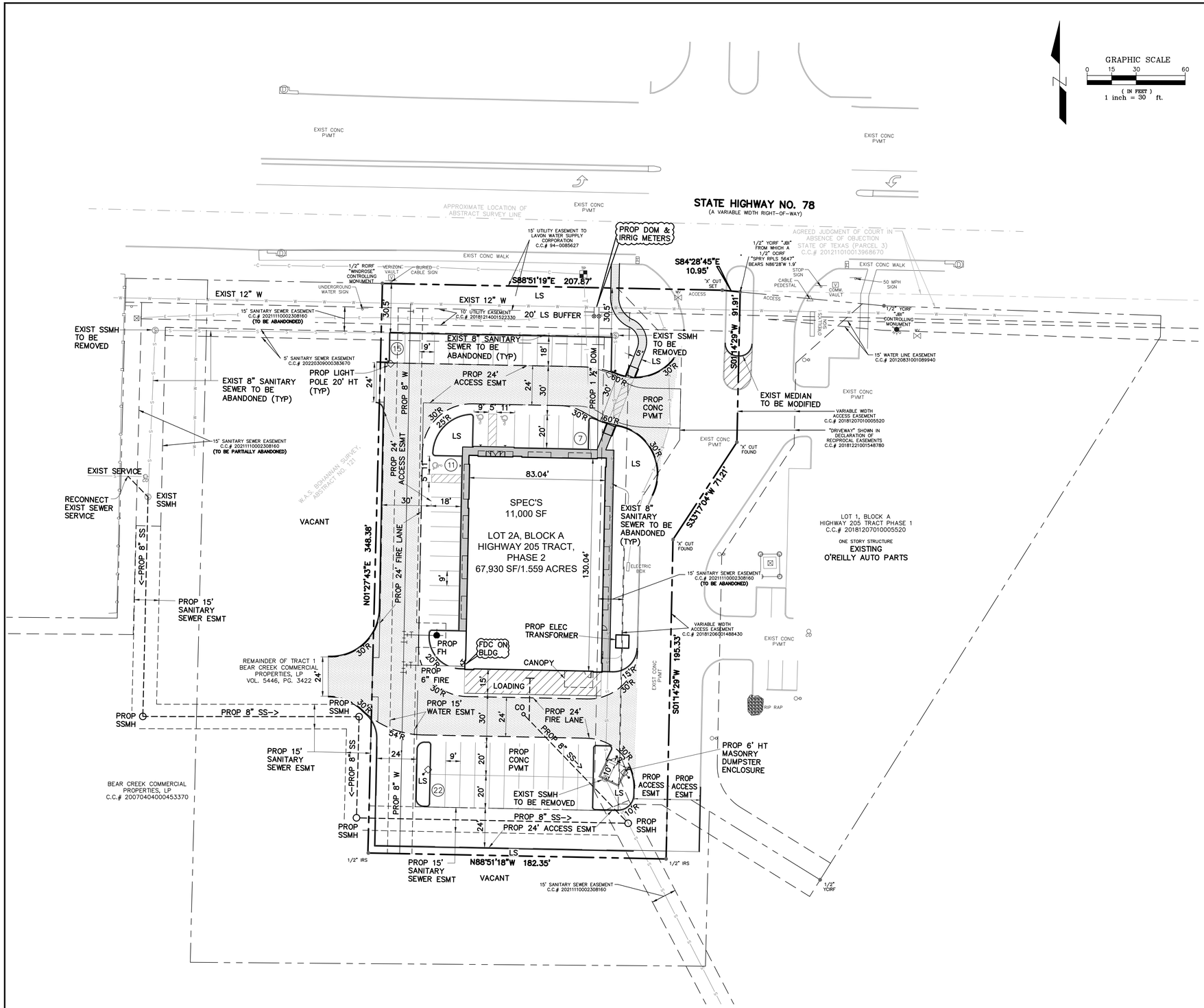
Printed Name: Carter W. Hunt
Owner / Authorized Agent

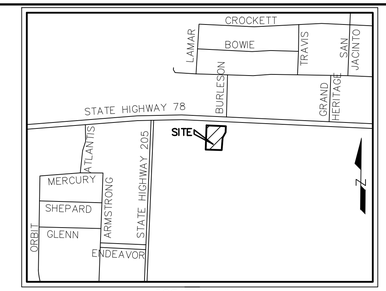
Title: Vice President

Company: Bear Creek Commercial, LP

City Office Use Only:

Fee paid (*due at time of application*) Cost $200 plus - $500 deposit	**Amount:** **Check #** **or Cash** _____
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	





LOCATION MAP
N.T.S.

NO.	DATE	APP.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-278-2948
TX Registration # F-12266

STATE OF TEXAS
JUAN J. VASQUEZ
85852
LICENSED PROFESSIONAL ENGINEER
07/11/2023

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JUAN J. VASQUEZ, P.E. 85852, ON 07/11/2023

LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
	PAVEMENT	
	SIDEWALK	
	FIRELANE	
(S)	PARKING COUNT	(S)
	INLET	
	FIRE HYDRANT	FH
WV	WATER VALVE	T
	WATER METER	
S	SANITARY SEWER MH	SSMH
	LIGHT POLE	
W	WATER	W
S	SANITARY SEWER	SS
C	CABLE	
E	U.G. ELECTRIC	E E
	TELEPHONE	T T
	LANDSCAPE	LS
	LIGHT POLE	

NOTES

1. TOPOGRAPHIC SURVEY PREPARED BY PEISER & MANKIN SURVEYING, LLC DATED MARCH 20, 2023.
2. REFERENCE ARCHITECT PLANS FOR EXACT BUILDING DIMENSIONS.
3. ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR AS OTHERWISE NOTED.
4. ALL CURB RADII NOT LISTED IS 2' AT FACE OF CURB.
5. SEE LANDSCAPE PLANS FOR SITE LANDSCAPING.

SITE SUMMARY TABLE

Site Address	900 S. S.H. 78	
County	COLLIN	
Project Name	SPEC'S	
Zoning	PD 2004-09-05 (RETAIL)	
Proposed use	PACKAGE LIQUOR STORE & WWAREHOUSE	
Site Area:	1.559 Acres 67,930 S.F.	
Building Area	11,000 S.F.	
Building Height	26'; 1 Story	
Parking Required:	RETAIL	
	11,000 S.F. (1/200 S.F.)	= 55 SPACES
	TOTAL REQUIRED	= 55 SPACES
Parking Provided:	REGULAR	= 52 SPACES
	ACCESSIBLE	= 3 SPACES
	TOTAL	= 55 SPACES
Impervious Area:	55,357 S.F.	
Impervious Area Ratio:	55,357 S.F. / 67,930 = 81.49%	
Pervious Area Ratio:	12,573 S.F. / 67,930 = 18.51%	

DEVELOPER
McCLURE PARTNERS
JOHN MCCLURE
P.O. BOX 2935
WYLIE, TX 75098
PH: (214) 384-3470

OWNER
BEAR CREEK COMMERCIAL, LP
JOHN BLACKBURN
2101 CEDAR SPRINGS ROAD
SUITE 600
DALLAS, TX 75201
PH: (214) 880-8540

ENGINEER
VASQUEZ ENGINEERING, LLC
JUAN J. VASQUEZ, P.E.
1919 S. SHILOH ROAD
SUITE 440, LB 44
GARLAND, TEXAS 75042
972-278-2948 TELE
972-271-1383 FAX

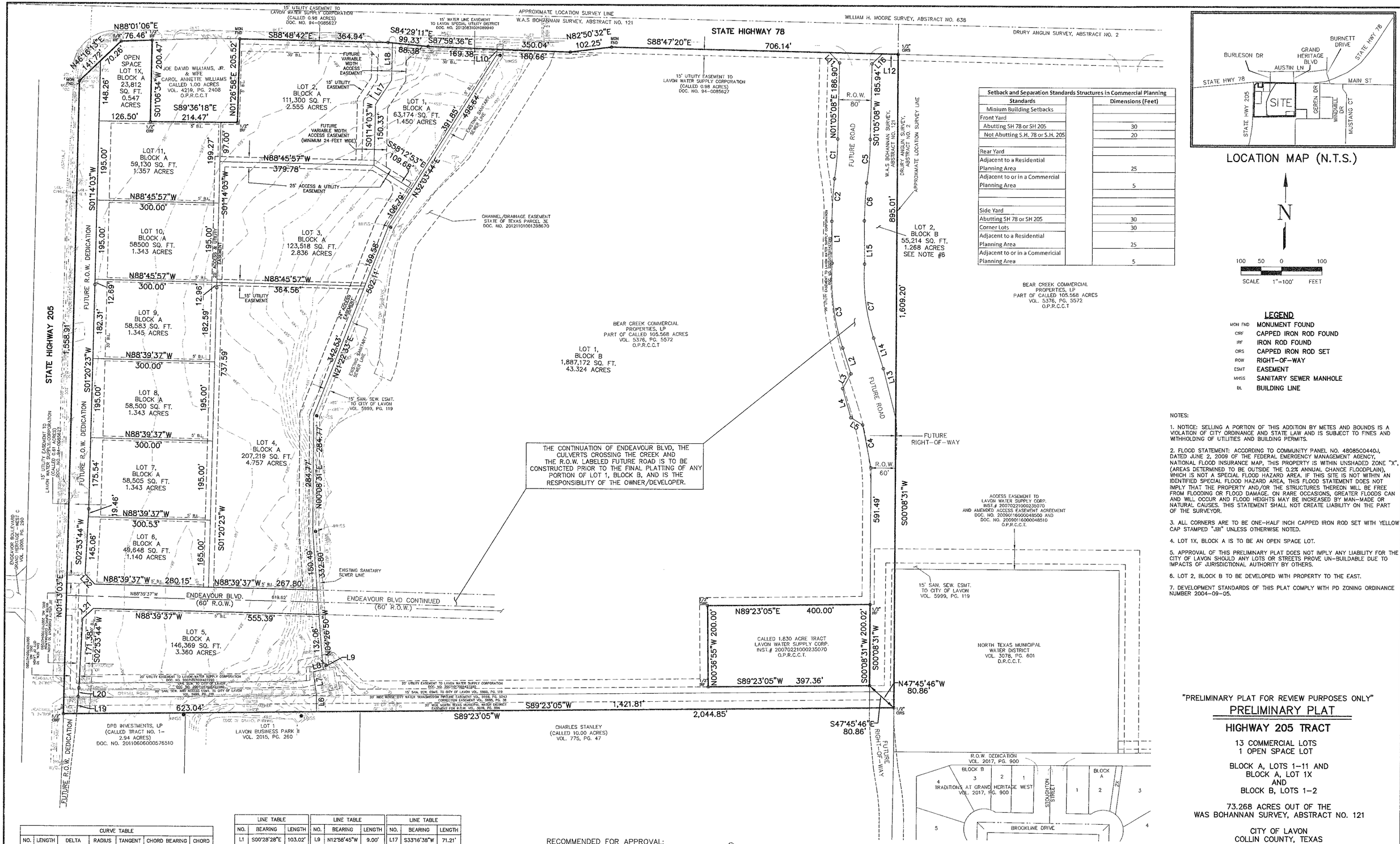
SITE PLAN
SPEC'S
LOT 2A, BLOCK A
HIGHWAY 205 TRACT, PHASE 2
67,930 SF, 1.559 ACRES
CITY OF LAVON,
COLLIN COUNTY, TEXAS
JULY 11, 2023

DEVELOPER:
McCLURE PARTNERS
P.O.BOX 2935
WYLIE, TX 75098

SITE PLAN
SPEC'S
LOT 2A, BLOCK A
HIGHWAY 205 TRACT, PHASE 2
CITY OF LAVON, TEXAS

Scale: 1" = 30'
Designed by: JJV
Drawn by: DRS
Checked by: JJV
698-39\dwg\CP1 CONCEPT PLAN.dwg
Date: 07/11/2023

SHEET
SP1



Setback and Separation Standards Structures in Commercial Planning	
Standards	Dimensions (Feet)
Minium Building Setbacks	
Front Yard	
Abutting SH 78 or SH 205	30
Not Abutting S.H. 78 or S.H. 205	20
Rear Yard	
Adjacent to a Residential Planning Area	25
Adjacent to or in a Commercial Planning Area	5
Side Yard	
Abutting SH 78 or SH 205	30
Corner Lots	30
Adjacent to a Residential Planning Area	25
Adjacent to or in a Commercial Planning Area	5

LOCATION MAP (N.T.S.)

LEGEND

MON FND	MONUMENT FOUND
CRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
ROW	RIGHT-OF-WAY
ESMT	EASEMENT
MHSS	SANITARY SEWER MANHOLE
BL	BUILDING LINE

NOTES:

1. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

2. FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48085C0440J, DATED JUNE 2, 2009 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE MAP, THIS PROPERTY IS WITHIN UNSHADED ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3. ALL CORNERS ARE TO BE ONE-HALF INCH CAPPED IRON ROD SET WITH YELLOW CAP STAMPED "JBI" UNLESS OTHERWISE NOTED.

4. LOT 1X, BLOCK A IS TO BE AN OPEN SPACE LOT.

5. APPROVAL OF THIS PRELIMINARY PLAT DOES NOT IMPLY ANY LIABILITY FOR THE CITY OF LAVON SHOULD ANY LOTS OR STREETS PROVE UN-BUILDABLE DUE TO IMPACTS OF JURISDICTIONAL AUTHORITY BY OTHERS.

6. LOT 2, BLOCK B TO BE DEVELOPED WITH PROPERTY TO THE EAST.

7. DEVELOPMENT STANDARDS OF THIS PLAT COMPLY WITH PD ZONING ORDINANCE NUMBER 2004-09-05.

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	98.40'	009°10'49"	614.11'	49.30'	S04°30'54"W	98.29'
C2	105.11'	005°10'15"	1164.66'	52.59'	S03°12'44"W	105.07'
C3	211.35'	021°03'05"	575.23'	106.88'	S07°22'50"E	210.16'
C4	107.86'	000°37'18"	9940.06'	53.93'	S11°14'23"E	107.86'
C5	107.96'	008°54'41"	694.11'	54.09'	N04°26'58"E	107.85'
C6	93.31'	004°53'17"	1093.69'	46.68'	N03°14'17"E	93.28'
C7	184.80'	021°22'49"	495.23'	93.49'	N07°12'58"W	183.73'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°28'28"E	103.02'
L2	S17°54'22"E	66.79'
L3	S28°58'17"W	41.43'
L4	S15°54'58"E	74.51'
L5	S58°17'08"E	34.14'
L6	N00°36'55"W	44.08'
L7	N08°33'41"W	55.16'
L8	N77°01'15"E	26.20'

LINE TABLE		
NO.	BEARING	LENGTH
L9	N12°58'45"W	9.00'
L10	N01°19'13"E	12.98'
L11	S43°51'08"E	35.39'
L12	S88°47'20"E	38.73'
L13	N14°16'20"W	125.09'
L14	N17°54'22"W	79.05'
L15	N00°29'23"W	108.09'
L16	N46°08'54"E	35.32'

LINE TABLE		
NO.	BEARING	LENGTH
L17	S33°16'38"W	71.21'
L18	S01°14'03"W	91.91'
L19	S04°58'34"W	42.62'
L20	S03°56'05"W	21.17'
L21	N47°07'04"E	36.03'
L22	S42°52'56"E	34.68'

RECOMMENDED FOR APPROVAL:

May 22, 2018
DATE

CHAIRMAN, PLANNING AND ZONING COMMISION

June 5, 2018
DATE

MAYOR, CITY OF LAVON, TEXAS

"PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY"

PRELIMINARY PLAT

HIGHWAY 205 TRACT

13 COMMERCIAL LOTS
1 OPEN SPACE LOT

BLOCK A, LOTS 1-11 AND
BLOCK A, LOT 1X
AND
BLOCK B, LOTS 1-2

73.268 ACRES OUT OF THE
WAS BOHANNAN SURVEY, ABSTRACT NO. 121

CITY OF LAVON
COLLIN COUNTY, TEXAS

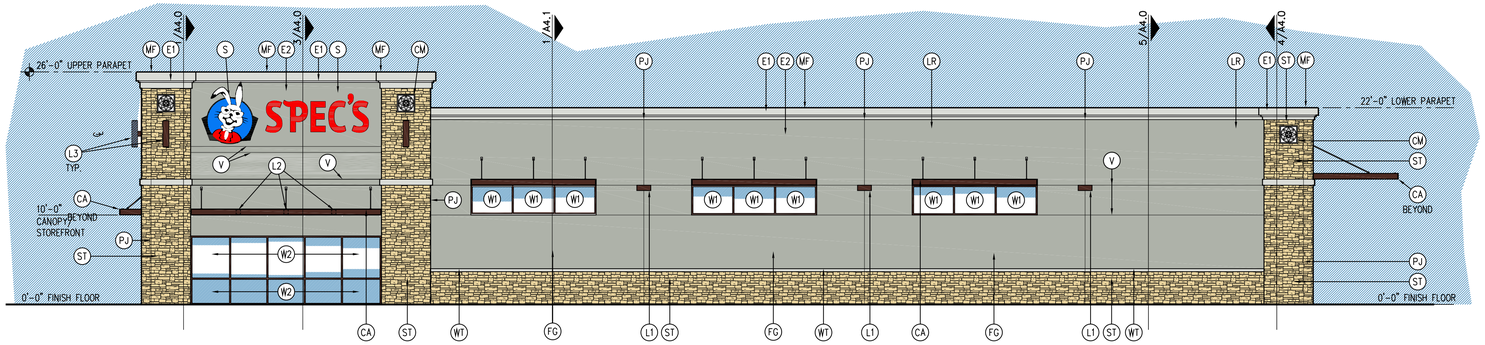
BEAR CREEK COMMERCIAL PROPERTIES, LP — OWNER/DEVELOPER
2101 Cedar Springs Road, Suite 600
Dallas, Texas 75201 (214)880-8400
CONTACT: ALAN BAIN

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
16301 Quorum Drive, Suite 200 B
Addison, Texas 7500 (972)248-7676
CONTACT: BRET BLANKENSHIP, P.E.
TBPE No. F-438 TBPLS No. 10076000

MAY 10, 2018

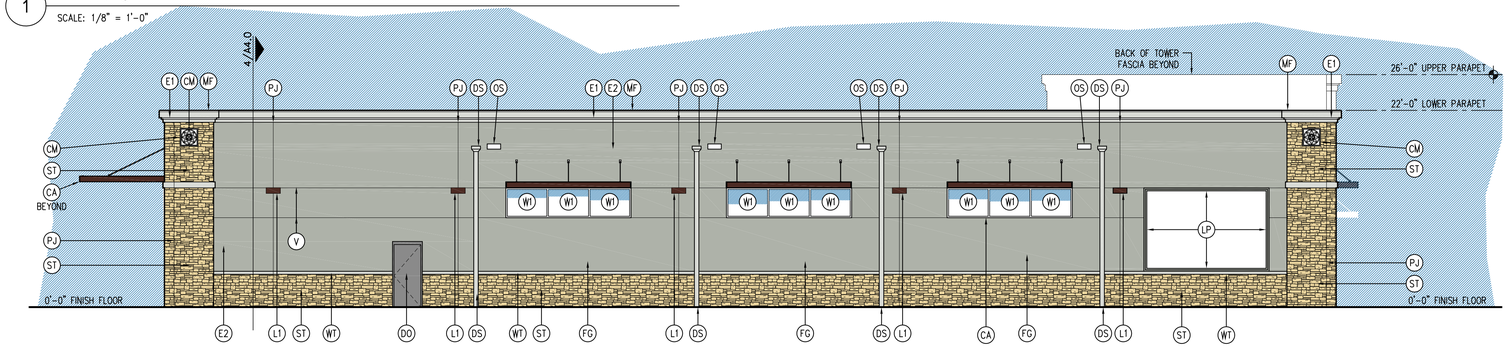
Sheet 1 of 1

Drawing: H:\Projects\HUN006-Hwy 205 Commercial\dwg\survey\XHUN006-PPT.dwg Saved By: bdorough Save Time: 5/9/2018 3:23 PM
Plotted by: bdorough Plot Date: 5/9/2018 3:24 PM



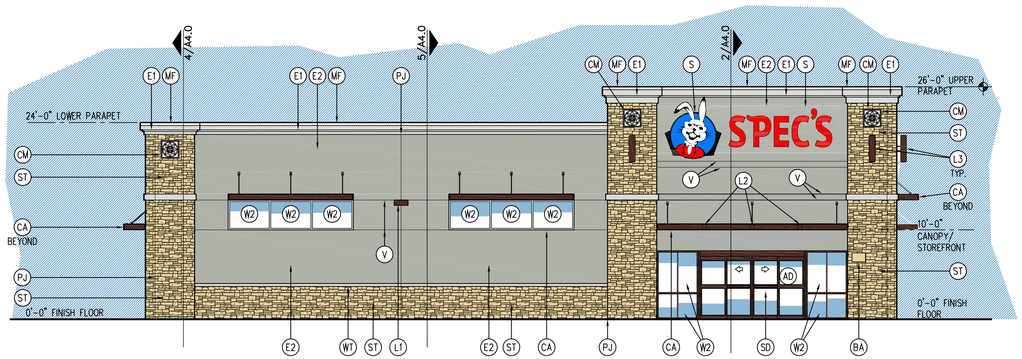
1 **ELEVATION** BUILDING FACE 2400 SF: TEXTURED FINISH ON TILT WALL WITH 29% STONE

SCALE: 1/8" = 1'-0"



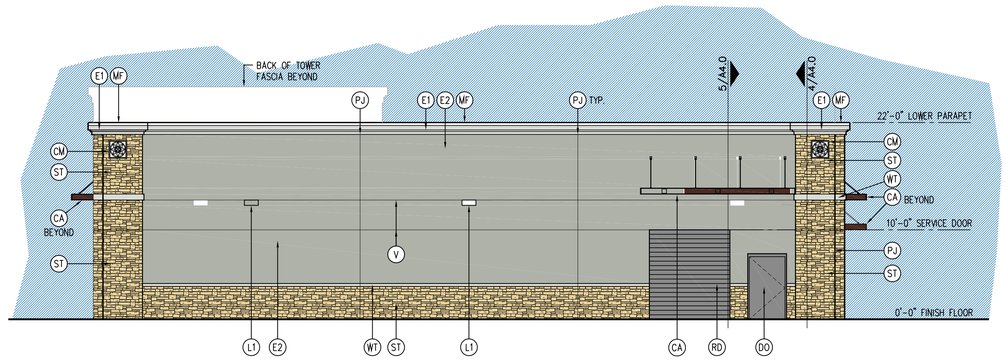
2 **ELEVATION** BUILDING FACE 2880 SF: TEXTURED FINISH ON TILT WALL WITH 23% STONE

SCALE: 1/8" = 1'-0"



3 **ELEVATION** BUILDING FACE 1815 SF: TEXTURED FINISH ON TILT WALL WITH 29% STONE

SCALE: 1/8" = 1'-0"



4 **ELEVATION** BUILDING FACE 1850 SF: TEXTURED FINISH ON TILT WALL WITH 24% STONE

SCALE: 1/8" = 1'-0"

KEYED NOTES

- (AD) ADA DOOR SIGNAGE REFERENCE DETAILS ON THIS SHEET.
- (BA) BUILDING ADDRESS SIGNAGE, REFER TO SIGNAGE DETAIL ON THIS SHEET
- (CA) ALUMINUM CANOPY SYSTEM (COLOR: DARK BRONZE ANODIZED ALUMINUM) WITH TIE-BACKS
- (CM) CAST STONE "COMPASS" MEDALLION
- (DO) HOLLOW METAL DOOR - COLOR 7049 NUANCE
- (DS) DOWN SPOUT FROM GUTTER AND COLLECTOR (COLOR 7049 NUANCE)
- (E1) DECORATIVE EIFS, REFERENCE ASSEMBLY NOTES AND INSTALL PER MANF. (COLOR SW7049 NUANCE)
- (E2) TEX-COTE EPOXY-ACRYLATE RESIN TEXTURED FINISH, INSTALL PER MANF. (COLOR: SW7051 ANALYTICAL GRAY)
- (L1) EXTERIOR WALL PACKS - CENTER AS DIMENSIONED ON ELEVATIONS. REFERENCE ELECTRICAL
- (L2) SURFACE MOUNTED CAN FIXTURE INSTALLED IN CANOPY SYSTEM. REFERENCE ELECTRICAL
- (L3) LIGHT FIXTURE INSTALLED AS SHOWN ON PILASTERS. REFERENCE ELECTRICAL
- (LP) LOCAL ARTISTS PANEL
- (OS) 18" X 8" OVERFLOW SCUPPER
- (PJ) TILT WALL PANEL JOINT
- (RD) ROLL UP OVERHEAD RECEIVING DOOR
- (S) SIGNAGE PROVIDED & INSTALLED BY SPEC'S
- (SD) SLIDING DOOR (DARK. BRONZE)
- (ST) RATTLESNAKE STONE
- (V) HORIZONTAL V-GROOVE REVEAL
- (W1) EXTERIOR WINDOW ASSEMBLY (DARK BRONZE)
- (W2) EXTERIOR WINDOW W/SPANDREL GLASS (DARK BRONZE)
- (WT) CAST STONE WATER TABLE / TRIM

McClure Partners

SPEC'S LIQUOR
State Highway 78
Lavon, TX

ARCHITECT OF RECORD:
GENESIS DESIGN GROUP, INC.
9500 Ray White Road, Suite 200
Fort Worth, Texas 76244
TEL (817) 285-7444

SEAL:

REVISIONS:

DRAWING BY:

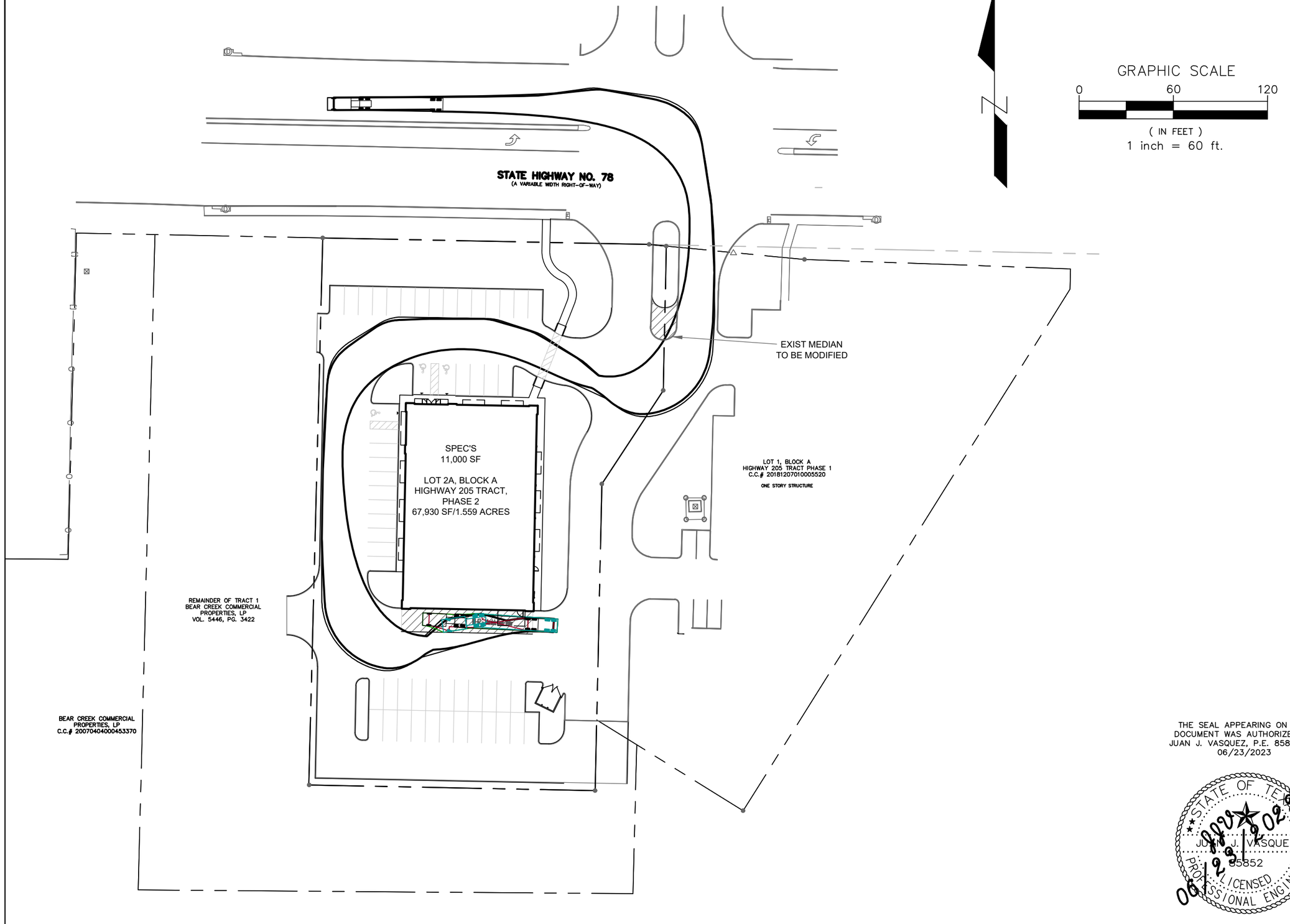
DATE: 5/08/2023

JOB NUMBER: 23-007

TITLE: EXTERIOR ELEVATIONS

SHEET NUMBER: A2.0

COMMENTS:



NO.	DATE	APP.

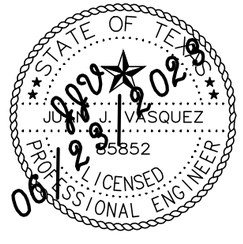
VASQUEZ ENGINEERING L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-278-2948
TX Registration # F-12266

DEVELOPER:
McCLURE PARTNERS
PO BOX 2935
WYLIE, TX 75098

DELIVERY TRUCK EXIT

SPEC'S
LOT 2A, BLOCK A
HIGHWAY 205 TRACT, PHASE 2
CITY OF LAVON, TEXAS

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JUAN J. VASQUEZ, P.E. 85852, ON 06/23/2023



Scale:	AS NOTED
Designed by:	JJV
Drawn by:	DRS
Checked by:	JJV
608-39 LDMC\TRUCK EXHIBIT	
Date:	06/23/2023

SHEET
EX2

ELECTRICAL SITE NOTES:

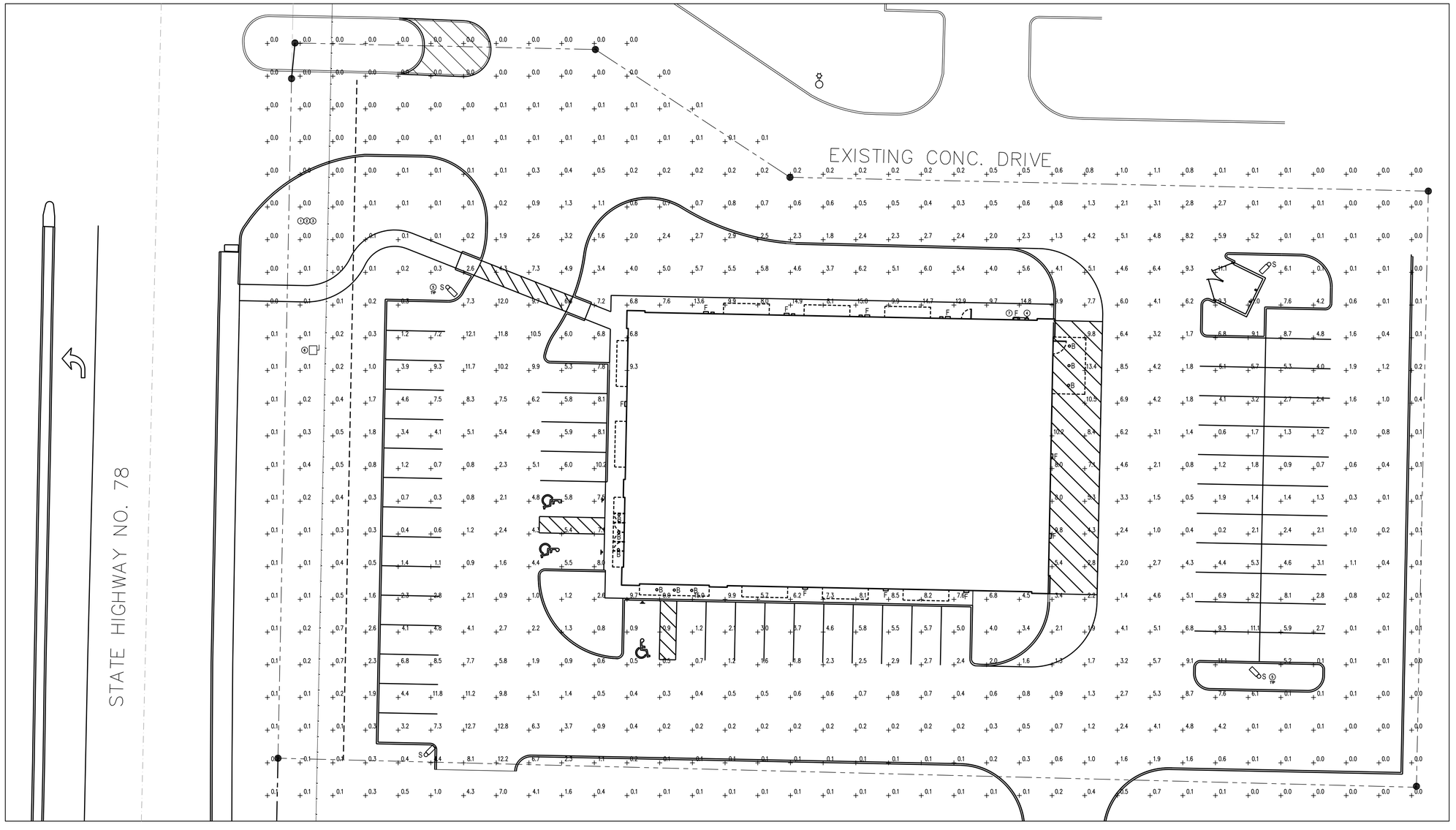
1. CONTRACTOR SHALL CONTACT ALL LOCAL UTILITY COMPANIES AND COORDINATE ALL SITE UTILITY SERVICES PRIOR TO BID. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FEES AND COSTS ASSOCIATED WITH PROVIDING SERVICES AND ANY UP-FRONT CHARGES REQUIRED BY UTILITY PROVIDERS AND SHALL BE INCLUDED IN BID.
2. CONTRACTOR SHALL COORDINATE THE EXTENSION, RELOCATION, OR REMOVAL OF OVERHEAD ELECTRICAL LINES AND POLES WITH UTILITY COMPANY AS REQUIRED. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FEES ASSOCIATED WITH THESE SERVICES.
3. CONTRACTOR SHALL COORDINATE ANY EXISTING UNDERGROUND ELECTRICAL SERVICES, FEEDERS, BRANCH CIRCUITS, SPECIAL SYSTEM CIRCUITS, ETC. LOCATED UNDERNEATH FOOTPRINT OF NEW BUILDING AND RELOCATE OUT OF AREA OF CONSTRUCTION AS REQUIRED.
4. ELECTRICAL SERVICE ENTRANCE EQUIPMENT. SEE ELECTRICAL SERVICE RISER FOR ADDITIONAL INFORMATION.
5. POLE MOUNTED LED LIGHT FIXTURE (4) . PROVIDE WITH 20 FT. SQUARE STEEL POLE . SEE LIGHT FIXTURE SCHEDULE FOR ADDITIONAL INFORMATION.
6. PROVIDE 120V, 1P/20 AMP NEMA 3R DISCONNECT AND SERVICE RECEPTACLE AT BASE OF SIGN. VERIFY LOCATION IN FIELD.
7. UNDERGROUND TELEPHONE SERVICE. REFER TO CIVIL SHEETS FOR LOCATION AND ROUTING. VERIFY AND COORDINATE ALL REQUIREMENTS WITH UTILITY CO.

SCHEDULE

SYMBOL	LABEL	QUALITY	MANUFACTURER	CATALOG NUMBER	DESCRIPTION	LAMP	NUMBER LAMPS	FILENAME	LUMENS PER LAMP	LIGHT LOSS FACTOR	WATTAGE	EFFICIENCY	DISTRIBUTION	NOTES
▯	F	11	LITHONIA LIGHTING	TWH LED 10C 1000 50K T3M	TWH LED, 10 LED'S, 1 AMP DRIVER (1000mA), 5000K CCT, TYPE 3 OPTIC	LED	1	TWH_LED_10C_1000_50K_T3M.IES	2559	1	39	100%	TYPE IV, SHORT, BUG RATING: B0-U3-G2	
○	B	9	LITHONIA LIGHTING	LDN6 35/25 L06AR LS	6IN LDN, 3500K, 2500LM, 80CRI, CLEAR, SPECULAR REFLECTOR	LED	1	LDN6_35_25_L06AR_LS.IES	2529	1	27.1	100%	DIRECT, SC-0=1.02, SC-90=1.03	
▨	S	4	LITHONIA LIGHTING	DSX1 LED P8 50K BLC MVOLT	DSX1 LED P8 50K BLC MVOLT	LED	1	DSX1_LED_P8_50K_BLC_MVOLT.IES	20135	1	207	100%	TYPE III, SHORT, BUG RATING: B2-U0-G3	

STATISTICS

DESCRIPTION	SYMBOL	AVG	MAX	MIN	MAX/MIN	AVG/MIN
CALC ZONE #1	+	1.6 FC	17.6 FC	0.1 FC	176.0:1	16.0:1



McClure Partners

SPEC'S LIQUOR

State Highway 78
Lavon, TX

ARCHITECT OF RECORD:

GENESIS DESIGN GROUP, INC.
9500 Ray White Road, Suite 200
Fort Worth, Texas 76244
TEL (817) 285-7444

MEP ENGINEER:

SEAL:

REGISTERED ARCHITECT
LONG A. SCHOOLCRAFT
12561
STATE OF TEXAS
6/22/2023

REVISIONS:

DRAWING BY: DW
DATE: 6/22/2023
JOB NUMBER: 23-007
TITLE:

SITE LIGHTING PLAN

SHEET NUMBER:

E4.0

COMMENTS:

CITY OF LAVON
LANDSCAPE PLAN APPLICATION

P.O. Box 340 120 School Rd., Lavon, TX 75166
Office (972) 843-4220 Fax (972) 843-0397

APPLICATION INFORMATION

Name: McClure Partners (John McClure)

Address: PO Box 2935, Wylie, TX 75098

Telephone Number: 214-384-3470

Email Address: jmcclure@mcclureusa.com

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)
Portion of ABS A0121 W.A.S Bohannan Survey, Tract 1, 1.559 acres

SUBDIVISION NAME: (*approved plat is prerequisite*)
Proposed Lot 2A, Block A - Highway 205 Tract, Phase 2

ZONING: Lavon PD No. 1

LEGAL OWNER OF PROPERTY INVOLVED: Bear Creek Commercial LP

If Applicant is NOT the Owner, Relationship to Owner: Developer

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: _____ 6/20/2023
Owner / Authorized Agent — Date

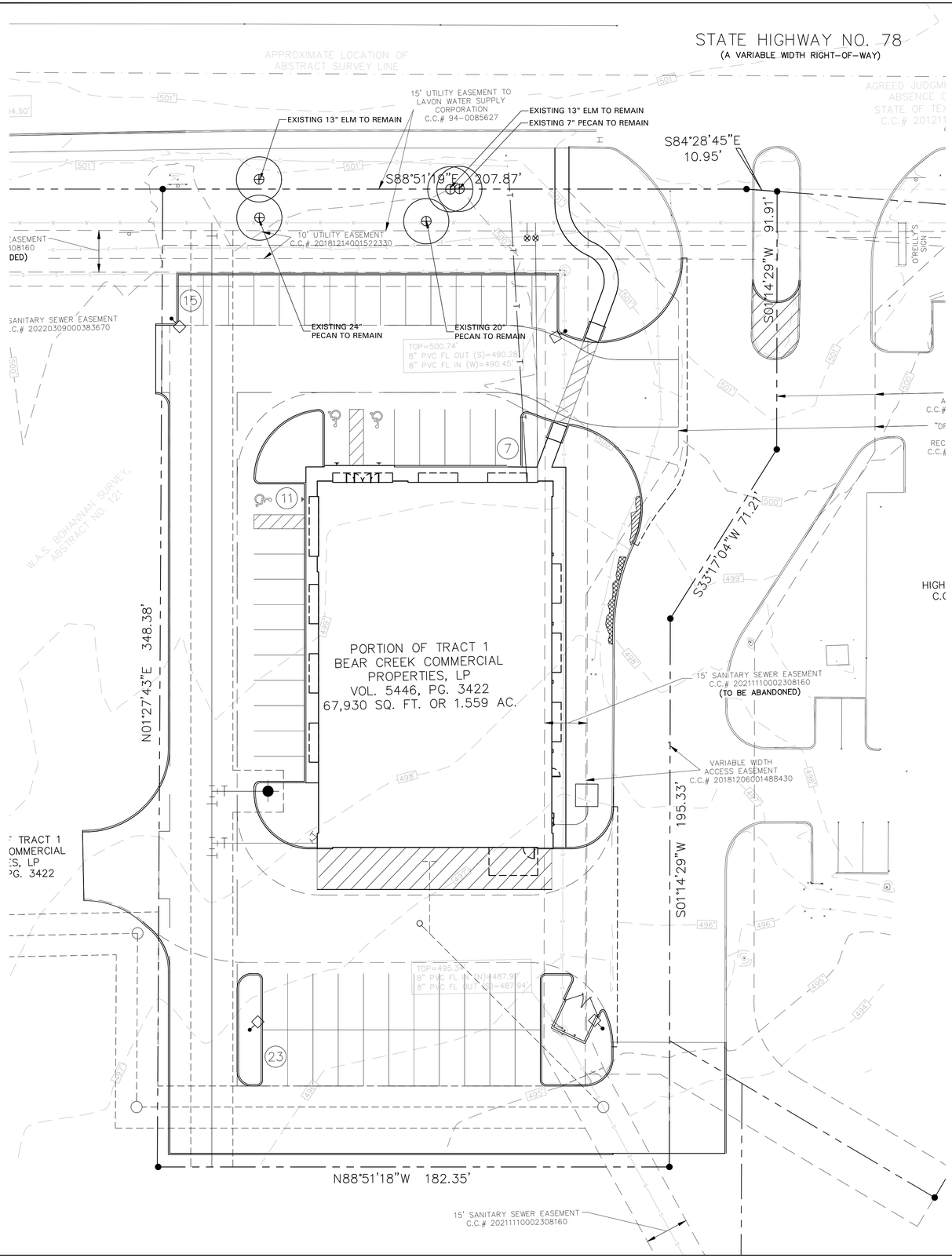
Printed Name: Carter W. Hunt
Owner / Authorized Agent

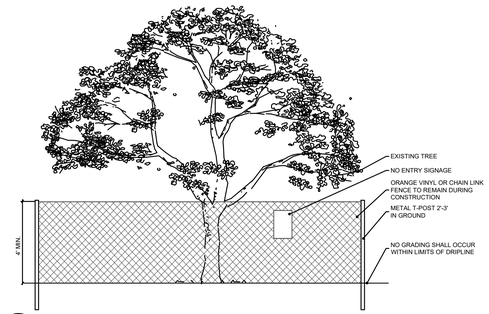
Title: Vice President

Company: Bear Creek Commercial, LP

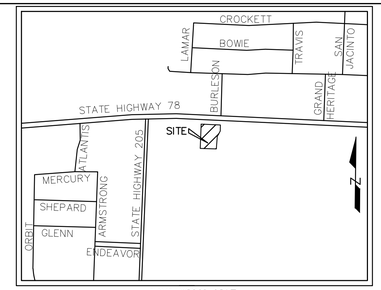
City Office Use Only:

Fee paid (*due at time of application*) Cost plus admin fee - $500 deposit	**Amount:** **Check #** **or Cash** _____
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	

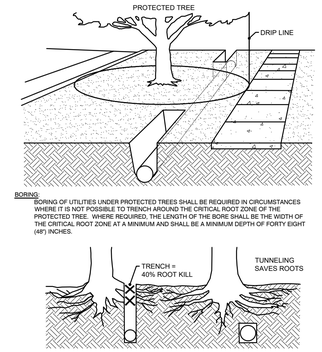




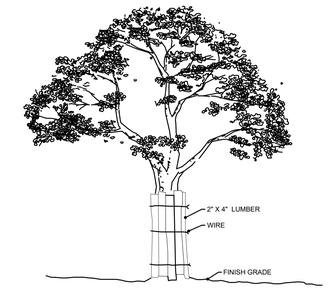
1 TREE PROTECTION FENCING
N.T.S.



LOCATION MAP
N.T.S.



2 BORING AND TUNNELING
N.T.S.



WHERE A PROTECTED TREE REMAINS IN THE IMMEDIATE AREA OF INTENDED CONSTRUCTION, AND THE TREE MAY BE IN DANGER OF BEING DAMAGED BY CONSTRUCTION EQUIPMENT OR OTHER ACTIVITY, THE CONTRACTOR OR SUBCONTRACTOR SHALL PROTECT THE TREE WITH 2" X 4" LUMBER ENCIRCLED WITH WIRE OR OTHER MEANS THAT DO NOT DAMAGE THE BARK OF THE TREE. THE INTENT IS TO PROTECT THE TRUNK OF THE TREE AGAINST INCIDENTAL CONTACT BY LARGE CONSTRUCTION EQUIPMENT.

3 BARK PROTECTION
N.T.S.

TREE PRESERVATION NOTES

CONSTRUCTION METHODS:

BORING: BORING OF UTILITIES UNDER PROTECTED TREES MAY BE REQUIRED. WHEN REQUIRED, THE MINIMUM LENGTH OF THE BORE SHALL BE THE WIDTH OF THE CRITICAL ROOT ZONE AND SHALL BE A MINIMUM DEPTH OF FORTY (48) INCHES.

TRENCHING: ALL TRENCHING SHALL BE DESIGNED TO AVOID TRENCHING ACROSS CRITICAL ROOT ZONES OF ANY PROTECTED TREE. THE PLACEMENT OF UNDERGROUND UTILITY LINES SUCH AS ELECTRIC, PHONE, GAS, ETC., IS ENCOURAGED TO BE LOCATED OUTSIDE THE CRITICAL ROOT ZONE. TRENCHING FOR IRRIGATION SYSTEMS SHALL BE PLACED OUTSIDE THE CRITICAL ROOT ZONE EXCEPT THE MINIMUM REQUIRED SINGLE HEAD SUPPLY LINE. THIS LINE IS ALLOWED TO EXTEND INTO THE CRITICAL ROOT ZONE PERPENDICULAR TO THE TREE TRUNK WITH THE LEAST POSSIBLE DISTURBANCE.

TREES TO BE REMOVED: ALL TREES TO BE REMOVED FROM THE SITE SHALL BE FLAGGED BY THE CONTRACTOR WITH BRIGHT RED VINYL TAPE WRAPPED AROUND THE MAIN TRUNK AT A HEIGHT OF FOUR (4) FEET ABOVE GRADE.

TREES TO REMAIN: ALL TREES TO REMAIN, AS NOTED ON DRAWINGS, SHALL HAVE PROTECTIVE FENCING LOCATED AT THE TREES DRIP LINE. THE PROTECTIVE FENCING SHALL BE LOCATED AS INDICATED ON THE TREE PROTECTION DETAIL.

EXISTING TREES NOTED TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION FROM DAMAGE AND COMPACTION OF SOIL UNDER AND AROUND DRIP LINE OF TREE.

UNDER NO CIRCUMSTANCE SHALL THE CONTRACTOR PRUNE ANY PORTION OF THE DAMAGED TREE WITHOUT THE PRIOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE.

PROHIBITED ACTIVITIES IN CRITICAL ROOT ZONE:
THE FOLLOWING ACTIVITIES ARE PROHIBITED IN THE AREAS NOTED AS THE CRITICAL ROOT ZONE.

MATERIAL STORAGE: NO MATERIALS INTENDED FOR USE IN CONSTRUCTION, OR WASTE MATERIALS ACCUMULATED DUE TO EXCAVATION OR DEMOLITION, SHALL BE PLACED WITHIN THE LIMITS OF THE CRITICAL ROOT ZONE OF ANY PROTECTED TREE.

EQUIPMENT CLEANING/LIQUID DISPOSAL: NO EQUIPMENT SHALL BE CLEANED, OR OTHER LIQUIDS DEPOSITED OR ALLOWED WITHIN THE LIMITS OF THE CRITICAL ROOT ZONE OF A PROTECTED TREE. THIS INCLUDES, WITHOUT LIMITATION: PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR OR SIMILAR MATERIALS.

TREE ATTACHMENTS: NO SIGNS, WIRES, OR OTHER ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY PROTECTED TREE.

VEHICULAR TRAFFIC: NO VEHICULAR AND/OR CONSTRUCTION, EQUIPMENT, TRAFFIC, OR PARKING SHALL TAKE PLACE WITHIN THE LIMITS OF THE CRITICAL ROOT ZONE OF ANY PROTECTED TREE OTHER THAN ON EXISTING STREET PAVEMENT.

GRADE CHANGES: A MINIMUM OF 75% OF THE DRIP LINE AND ROOT ZONE SHALL BE PRESERVED AT NATURAL GRADE. ANY FINE GRADING DONE WITHIN THE CRITICAL ROOT ZONES OF THE PROTECTED TREES MUST BE DONE WITH LIGHT MACHINERY SUCH AS A BOBCAT OR LIGHT TRACTOR. NO EARTH MOVING EQUIPMENT WITH TRACKS IS ALLOWED WITHIN THE CRITICAL ROOT ZONE OF THE TREES.

PROCEDURES REQUIRED PRIOR TO CONSTRUCTION:
PROTECTIVE FENCING: PRIOR TO CONSTRUCTION, THE CONTRACTOR OR SUBCONTRACTOR SHALL CONSTRUCT AND MAINTAIN, FOR EACH PROTECTED TREE ON A CONSTRUCTION SITE, A PROTECTIVE FENCING WHICH ENCIRCLES THE OUTER LIMITS OF THE CRITICAL ROOT ZONE OF THE TREE TO PROTECT IT FROM CONSTRUCTION ACTIVITY. ALL PROTECTIVE FENCING SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF ANY SITE WORK, AND REMAIN IN PLACE UNTIL ALL EXTERIOR WORK HAS BEEN COMPLETED.

BARK PROTECTION: IN SITUATIONS WHERE A PROTECTED TREE REMAINS IN THE IMMEDIATE AREA OF INTENDED CONSTRUCTION, AND THE LANDSCAPE ARCHITECT OR OWNERS'S REPRESENTATIVE DETERMINES THE TREE BARK TO BE IN DANGER OF DAMAGE BY CONSTRUCTION EQUIPMENT OR OTHER ACTIVITY, THE CONTRACTOR OR SUBCONTRACTOR SHALL PROTECT THE TREE BY ENCLOSING THE ENTIRE CIRCUMFERENCE OF THE TREE WITH 2"X4" LUMBER ENCIRCLED WITH WIRE OR OTHER MEANS THAT DO NOT DAMAGE THE TREE. THE INTENT IS TO PROTECT THE BARK OF THE TREE AGAINST INCIDENTAL CONTACT BY LARGE CONSTRUCTION EQUIPMENT.

TREE PRESERVATION LEGEND

TREE TO BE REMOVED

TREE TO REMAIN

TREE PRESERVATION FENCING

GRAPHIC SCALE
0 20 40 FEET
Scale 1"=20' - 0"

DEVELOPER	OWNER	ENGINEER
McCLURE PARTNERS	BEAR CREEK COMMERCIAL, LP	VASQUEZ ENGINEERING, LLC
JOHN MCCLURE	JOHN BLACKBURN	JUAN J. VASQUEZ, P.E.
P.O. BOX 2935	2101 CEDAR SPRINGS ROAD	1919 S. SHILOH ROAD
WYLIE, TX 75098	SUITE 600	SUITE 440, LB 44
PH: (214) 384-3470	DALLAS, TX 75201	GARLAND, TEXAS 75042
	PH: (214) 384-3470	972-278-2948 TELE
		972-271-1383 FAX

AWR Designs, LLC
P.O. Box 1746
Aledo, Texas 76008
amanda@awr-designs.com
c. 512.517.5589

TREE PRESERVATION PLAN
SPEC'S
LOT 2A, BLOCK A
HIGHWAY 205 TRACT, PHASE 2
67,930 SF, 1.559 ACRES
CITY OF LAVON,
COLLIN COUNTY, TEXAS
JULY 11, 2023

NO.	DATE	APP.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-278-2948
TX Registration # F-12266

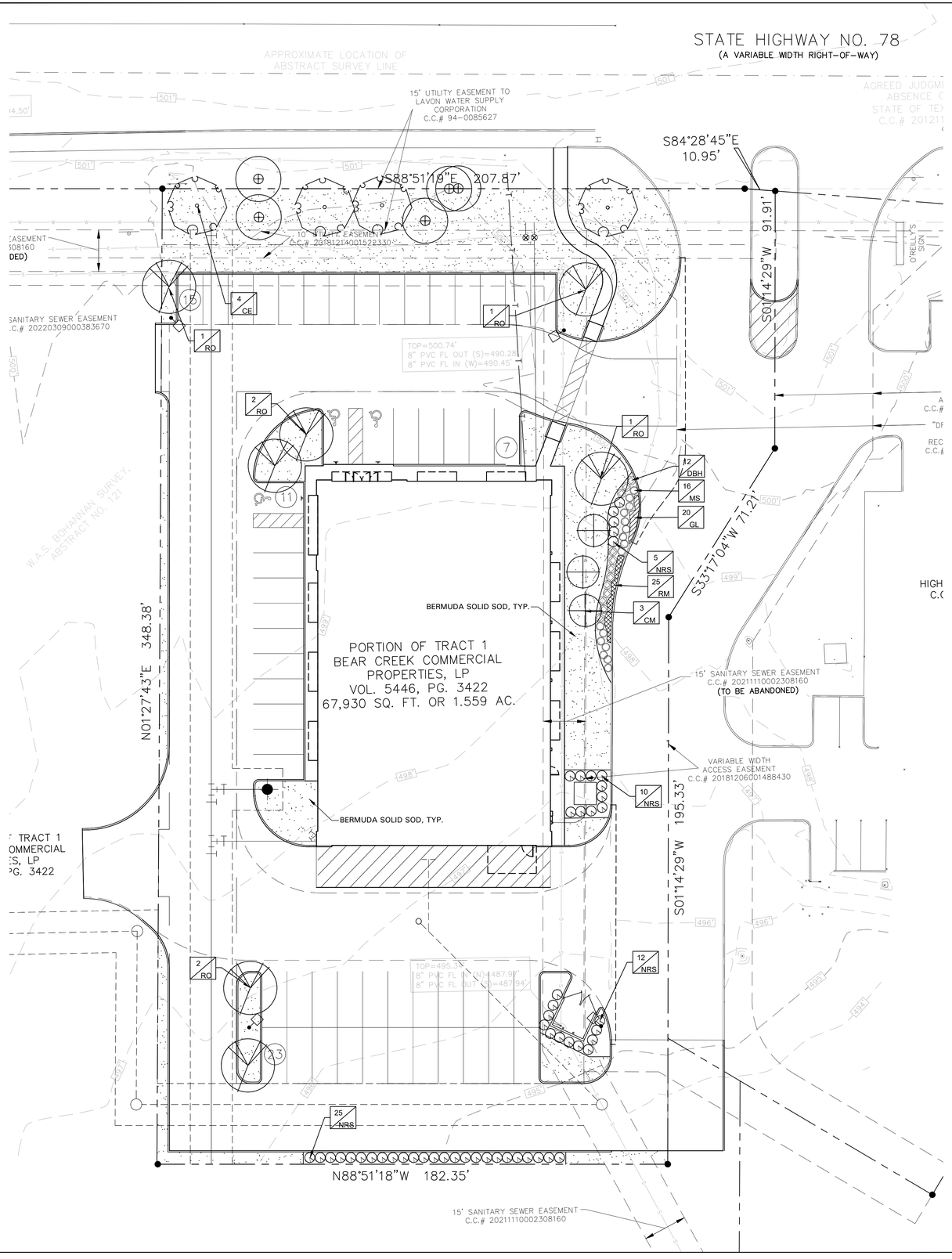
REGISTERED LANDSCAPE ARCHITECT
AMANDA N. RICHARDSON
2754
STATE OF TEXAS
07/11/2023

DEVELOPER:
McCLURE PARTNERS
P.O.BOX 2935
WYLIE, TX 75098

TREE PRESERVATION PLAN
SPEC'S
LOT 2A, BLOCK A
HIGHWAY 205 TRACT, PHASE 2
CITY OF LAVON, TEXAS

Scale: 1" = 30'
Designed by: JJV
Drawn by: DRS
Checked by: JJV
606-39/dwg/CP1 CONCEPT PLAN.dwg
Date: 07/11/2023

SHEET
L1.1



GENERAL LAWN NOTES

1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
2. LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3. CONTRACTOR TO FIND GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. ROUNDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER BREAKS IN GRADE. CORRECT AREAS WHERE STANDING WATER MAY OCCUR.
4. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" IN DIAMETER AND LARGER. REMOVE ALL DIRT CLODS, STICKS, CONCRETE SPOILS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS INSTALLATION.
6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

SOLID SOD:

1. SOLID SOD SHALL BE PLACED ALONG ALL IMPERVIOUS EDGES, AT A MINIMUM. THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BED AREAS. SOD SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
2. SOD SHALL BE STRONGLY ROOTED DROUGHT RESISTANT SOD, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MACHINE CUT TO PAD THICKNESS OF 3/4" (+1/4"), EXCLUDING TOP GROWTH AND THATCH.
3. LAY SOD BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS, NO OVERLAPS WITH STAGGERED STRIPS TO OFFSET JOINTS.
4. TOP DRESS JOINTS IN SOD BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY
5. SOD SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOD SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
6. SHOULD INSTALLATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 1ST, OVERSEED BERMUDAGRASS SOD WITH WINTER RYEGRASS AT A RATE OF 4 POUNDS PER 1000 S.F.

HYDROMULCH:

1. SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
2. BERMUDA GRASS SEED SHALL BE EXTRA HULLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATE/LOCAL LAW REQUIREMENTS.
3. FIBER SHALL BE 100% WOOD CELLULOSE FIVER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY "CONWEB" OR EQUAL.
4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC OR APPROVED EQUAL.
5. HYDROMULCH WITH BERMUDA GRASS SEET AT A RATE OF 2 POUNDS PER 1000 S.F.
6. USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAY.
7. IF INADEQUATE MOISTURE IS PRESENT IN SOIL, APPLY WATER AS NECESSARY FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
8. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDORMULCH AREAS SHALL BE OVER-SEEDED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDA GRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
9. AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS. WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO SATURATION.
10. ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

LANDSCAPE TABULATIONS
Lavon, Texas

LANDSCAPING

1. All lots shall contain a minimum of 8% landscape.

2. A minimum of 2% of all parking areas on lot shall be landscaped.
Site: 67,930 s.f.
Parking Area: 22,430 s.f.

REQUIRED	PROVIDED
5434 s.f. (8%)	13,655 s.f. (20%)
449 s.f. (2%)	2424 s.f. (10.8%)

LANDSCAPE TABULATIONS
Lavon, Texas

LANDSCAPING

1. Aminimum of 20% of the property shall be landscaped.
2. A landscape planting strip 20' wide shall be required in all districts except the main street district where strip shall be 10' wide.
3. Street trees shall be provided, one (4" cal.) shall be required every 25' of public street frontage.
4. For development within the retail, main street and planned commercial districts, a minimum of 1 tree shall be planted fore very 1500 s.f. of floor area with the site.

Site: 67,930 s.f.

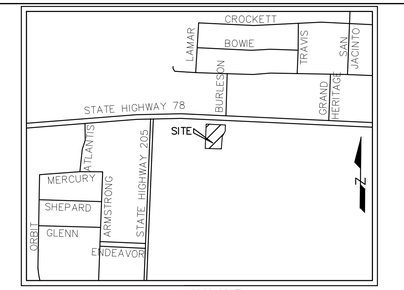
REQUIRED	PROVIDED
13,586 s.f. (20%)	13,655 s.f. (20%)
20' buffer	30' buffer
State Highway 78 - 208 l.f.	
8 street trees	4 proposed street trees; 4 existing trees
7 site trees	7 site trees

PLANT SCHEDULE

QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
		TREES			
4	CE	Cedar Elm	*Ulmus crassifolia*	3" cal.	12' ht., 4' spread, matching
3	CM	Crepe Myrtle 'Dynamite'	*Lagerstroemia indica 'Dynamite'*	30 gal.	8' ht., 4' spread, multi trunk, 3 cane min.
7	RO	Texas Red Oak	*Quercus buckleyi*	3" cal.	12' ht., 5' spread
		SHRUBS			
12	DBH	Dwarf Burford Holly	*Ilex comuta ' Burford Nana'*	5 gal.	full, 20" spread, 36" o.c.
16	MS	Morning Light Miscanthus	*Miscanthus sinensis 'Morning Light'*	5 gal.	full, 20" spread, 36" o.c.
52	NRS	Nellie R Stevens Holly	*Illex x 'Nellie R. Stevens'*	7 gal.	full, 40" o.c.
		GROUNDCOVER/VINES/GRASS			
20	GL	Giant Lirope	*Liriope gigantea*	1 gal.	full, 18" o.c.
25	RM	Creeping Rosemary	*Rosmarinus officinalis 'Prostratus'*	1 gal.	full, 18" o.c.
		Bermuda Solid Sod	*Cynodon dactylon*		

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of matching specimens. All plant material shall meet or exceed remarks as indicated.

GRAPHIC SCALE
0 20 40 FEET
Scale 1"=20' - 0"



LOCATION MAP
N.T.S.

LANDSCAPE NOTES

1. CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING ELEMENTS. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE FOR ANY LAYOUT DISCREPANCIES OR ANY CONDITION THAT WOULD PROHIBIT THE INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS
2. CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND UTILITIES.
3. A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES.
4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT THE SITE.
6. PLANTING AREAS AND SOD TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR CURBS. EDGING NOT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE.
7. EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND/OR CURBS.
8. MULCH SHALL BE INSTALLED AT 1/2" BELOW THE TOPS OF SIDEWALKS AND CURBING.
9. QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAILS.
10. CONTAINER GROWN PLANT MATERIAL IS PREFERRED HOWEVER BAIL AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEED BE AND IS APPROPRIATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT MATERIAL LIST.
11. TREES SHALL BE PLANTED AT A MINIMUM OF 5' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEAR FROM FIRE HYDRANTS.
12. 4" OF SHREDDED HARDWOOD MULCH (2" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL. PINE STRAW MULCH IS PROHIBITED.
13. WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MIRAFI 140S WEED BARRIER OR APPROVED EQUAL.
14. CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION PERMITS.

IRRIGATION:

1. ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE/RAIN SENSOR. SYSTEM SHALL ALSO HAVE AN ET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.

MAINTENANCE REQUIREMENTS:

1. VEGETATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
2. MOWING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSUMES REGULAR MAINTENANCE.
3. ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

MISCELLANEOUS MATERIALS:

1. STEEL EDGING SHALL BE 3/16" X 4 X 16' DARK GREEN DURAEDGE STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.

PRUNING AND TRIMMING NOTES

1. CONTRACTOR SHALL PRUNE ALL EXISTING TREES ON-SITE USING STANDARD GUIDELINES IN THE INDUSTRY.
2. ALL TREES SHALL BE TRIMMED SO THAT NATURAL SHAPES OF THE PLANTS ARE RETAINED.
3. DO NOT 'TOP' OR 'HEAD' TREES.
4. IF BALLING OR SHEARING OF TREES HAS OCCURRED IN THE PAST, DISCONTINUE THIS PRACTICE AND ALLOW PLANTS TO GROW INTO NATURAL SHAPE.
5. REMOVE SUCKERS, DEAD, DYING, DISEASED, BROKEN AND / OR WEAK BRANCHES FROM ALL TREES ALONG THE MAIN TRUNK STRUCTURE AND WITHIN THE BRANCHING AREA.
6. CONTRACTOR SHALL PRUNE EXISTING DECIDUOUS HARDWOOD BY REMOVING LOWER LIMBS TO RAISE THE CANOPY. THE BOTTOM OF THE CANOPY SHALL BE RAISED TO 12'-0" ABOVE GRADE FOR DECIDUOUS HARDWOOD TREES, WHEN POSSIBLE. THE INTEGRITY OF THE CANOPY AND STRUCTURE OF THE TREE SHALL BE MAINTAINED. DO NOT CUT OR PRUNE CENTRAL LEADERS.
7. CONTRACTOR SHALL THIN THE CANOPY BY ONE-FOURTH. PRUNE TREE TO EVENLY SPACE BRANCHES WITHIN THE CANOPY WHENEVER POSSIBLE. REMOVE THOSE LIMBS THAT CROSS OTHERS, DOUBLE LEADERS AND THOSE THAT EXCESSIVELY EXTEND BEYOND THE NATURAL CROWN OF THE TREE.
8. CONTRACTOR SHALL PROVIDE DEEP ROOT FEEDING AND INVIGORATION OF EXISTING TREES. THIS SHALL BE ORGANIC BASED NUTRIENTS BASED FOR ROOT GROWTH AND LEAF GROWTH STIMULATION.
9. CONTRACTOR SHALL BE REQUIRED TO CHIP ALL REMOVED BRANCHES, LEAFS, ETC.

DEVELOPER	OWNER	ENGINEER
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668-39\dwg\DP1 CONCEPT PLAN.dwg
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SHEET
L1.2

SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1.1 QUALIFICATIONS OF THE LANDSCAPE CONTRACTOR.

A. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING

1.2 REFERENCE DOCUMENTS

A. REFER TO LANDSCAPE PLANS, NOTES, SCHEDULES AND DETAILS FOR ADDITIONAL REQUIREMENTS

1.3 SCOPE OF WORK / DESCRIPTION OF WORK

A. WORK COVERED BY THESE SECTIONS INCLUDES: FURNISH ALL SUPERVISIONS, LABOR, MATERIALS, SERVICES, EQUIPMENT AND APPLIANCES REQUIRED TO COMPLETE THE WORK COVERED IN CONJUNCTION WITH THE LANDSCAPING COVERED IN LANDSCAPE PLANS AND SPECIFICATIONS INCLUDING:
   1. PLANTING (TREES, SHRUBS, GRASSES)
   1. BED PREP AND FERTILIZATION
   3. NOTIFICATION OF SOURCES
   4. WATER AND MAINTENANCE UNTIL ACCEPTANCE
   5. GUARANTEE
B. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
C. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK

1.4 REFERENCES

A. AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY AMERICAN ASSOCIATION OF NURSERYMEN, 27 OCTOBER 1960, EDITION; BY AMERICAN NATIONAL STANDARDS INSTITUTE (ZX) 1 - PLANT MATERIAL
B. AMERICAN JOINT COMMITTEE ON HORTICULTURE NOMENCLATURE; 1942 EDITION OF STANDARDIZED PLANT NAMES.
C. TEXAS ASSOCIATION OF NURSERYMEN, GRADES AND STANDARDS

1.5 SUBMITTALS

A. PROVIDE REPRESENTATIVE QUANTITIES OF EACH SOIL, MULCH, BED MIX, GRAVEL AND STONE BEFORE INSTALLATION. SAMPLES TO BE APPROVED BY OWNERS REPRESENTATIVE BEFORE USE.
B. SOIL AMENDMENTS AND FERTILIZERS SHOULD BE RESEARCHED AND BASED ON THE SOILS IN THE AREA.
C. BEFORE INSTALLATION, SUBMIT DOCUMENTATION THAT PLANT MATERIALS ARE AVAILABLE AND HAVE BEEN RESERVED. FOR ANY PLANT MATERIAL NOT AVAILABLE, SUBMIT REQUEST FOR SUBSTITUTION.

1.6 JOB CONDITIONS, DELIVERY, STORAGE AND HANDLING

A. GENERAL CONTRACTOR TO COMPLETE WORK BEFORE LANDSCAPE CONTRACTOR TO COMMENCE.
B. ALL PLANTING BED AREAS SHALL BE LEFT THREE INCHES BELOW FINAL GRADE OF SIDEWALKS, DRIVES AND CURBS. ALL AREAS TO RECEIVE SOLID SOD SHALL BE LEFT ONE INCH BELOW THE FINAL GRADE OF WALKS, DRIVES AND CURBS. CONSTRUCTION DEBRIS SHALL BE REMOVED PRIOR TO LANDSCAPE CONTRACTOR BEGINNING WORK
C. STORAGE OF MATERIALS AND EQUIPMENT AT THE JOB SITE WILL BE AT THE RISK OF THE LANDSCAPE CONTRACTOR. THE OWNER CANNOT BE HELD RESPONSIBLE FOR THEFT OR DAMAGE.

1.7 SEQUENCING

A. INSTALL TREES, SHRUBS, AND LINER STOCK PLANT MATERIALS PRIOR TO INSTALLATION OF LAWN/SOLID SOD.
B. WHERE EXISTING TURF AREAS ARE BEING CONVERTED TO PLANTING BEDS, THE TURF SHALL BE CHEMICALLY ERADICATED TO MINIMIZE RE-GROWTH IN THE FUTURE. AREAS SHALL BE PROPERLY PREPARED WITH AMENDED ORGANIC MATTER.

1.8 MAINTENANCE AND GUARANTEE

MAINTENANCE:

A. THE LANDSCAPE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK FROM THE TIME OF PLANTING UNTIL FINAL ACCEPTANCE BY OWNER.
B. NO TREES, GRASS, GROUNDCOVER OR GRASS WILL BE ACCEPTED UNLESS THEY SHOW HEALTHY GROWTH AND SATISFACTORY FOLIAGE CONDITIONS.
C. MAINTENANCE SHALL INCLUDE WATERING OF TREES AND PLANTS, CULTIVATION, WEED SPRAYING, EDGING, PRUNING OF TREES, MOWING OF GRASS, CLEANING UP AND ALL OTHER WORK NECESSARY FOR MAINTENANCE.
D. A WRITTEN NOTICE REQUESTING FINAL INSPECTION AND ACCEPTANCE SHOULD BE SUBMITTED TO THE OWNER AT LEAST 7 DAYS PRIOR TO COMPLETION. AN ON SITE INSPECTION BY THE OWNER'S AUTHORIZED REPRESENTATIVE WILL BE COMPLETED PRIOR TO WRITTEN ACCEPTANCE.
E. NOTIFY OWNER OR OWNER'S REPRESENTATIVE SEVEN DAYS PRIOR TO THE EXPIRATION OF THE WARRANTY PERIOD.
F. REMOVE DEAD, UNHEALTHY AND UNSIGHTLY PLANTS DURING WARRANTY PERIOD
G. REMOVE GUYING AND STAKING MATERIALS AFTER ONE YEAR
H. ALL LANDSCAPE MUST BE MAINTAINED AND GRASS MOWED/EDGED ON A WEEKLY SCHEDULE UNTIL ACCEPTANCE BY OWNER. REMOVE CLIPPINGS AND DEBRIS FROM SITE PROMPTLY.
I. REMOVE TRASH, DEBRIS, AND LITTER. WATER, PRUNE, RESTAKE TREES, FERTILIZE, WEED AND APPLY HERBICIDES AND FUNGICIDES AS REQUIRED.
J. COORDINATE THE OPERATION OF IRRIGATION SYSTEM TO ENSURE THAT PLANTS ARE ADEQUATELY WATERED. HAND WATER AREAS NOT RECEIVING ADEQUATE WATER FROM AN IRRIGATION SYSTEM.
K. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN ACCORDANCE TO THE MAINTENANCE SERVICE TO ENSURE THE SYSTEM IS IN PROPER WORKING ORDER WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
L. REAPPLY MULCH TO BARE AND THIN AREAS.
M. SHOULD SEEDED AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF GRASS AT NO ADDITIONAL COST TO THE OWNER.
N. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
   a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY), ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
   b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
   c. SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESODDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOWED.

GUARANTEE:

A. TREES, SHRUBS, GROUNDCVOER SHALL BE GUARANTEED (IN WRITING) FOR A 12 MONTH PERIOD (90 DAYS FOR ANNUAL PLANTING OR AT THE END OF THE SEASONAL COLOR GROWING SEASON, WHICHEVER COMES SOONER) AFTER FINAL ACCEPTANCE. THE CONTRACTOR SHALL REPLACE ALL DEAD MATERIALS AS SOON AS WEATHER PERMITS AND UPON NOTIFICATION OF THE OWNER.
B. PLANTS INCLUDING TREES, WHICH HAVE PARTIALLY DIED SO THAT SHAPE, SIZE OR SYMMETRY HAVE BEEN DAMAGED SHALL BE CONSIDERED SUBJECT TO REPLACEMENT, IN SUCH CASES, THE OPINION OF THE OWNER SHALL BE FINAL.
C. PLANTS USED FOR REPLACEMENT SHALL BE OF THE SAME SIZE AND KIND AS THOSE ORIGINALLY PLANTED OR SPECIFIED. ALL WORK INCLUDING MATERIALS, LABOR AND EQUIPMENT USED IN REPLACEMENTS SHALL CARRY A 12 MONTH GUARANTEE. ANY DAMAGE INCLUDING RUTS IN LAWN OR BED AREAS INCURRED AS A RESULT OF MAKING REPLACEMENTS SHALL BE IMMEDIATELY REPAIRED.
D. WHEN PLANT REPLACEMENTS ARE MADE, PLANTS, SOIL MIX, FERTILIZER AND MULCH ARE TO BE UTILIZED AS ORIGINALLY SPECIFIED AND RE-INSPECTED FOR FULL COMPLIANCE WITH THE CONTRACT REQUIREMENTS. ALL REPLACEMENTS ARE INCLUDED UNDER "WORK" OF THIS SECTION.
E. THE OWNER AGREES THAT FOR THE ONE YEAR WARRANTY PERIOD TO BE EFFECTIVE, HE WILL WATER PLANTS AT LEAST TWICE A WEEK DURING DRY PERIODS.
F. THE ABOVE GUARANTEE SHALL NOT APPLY WHERE PLANTS DIE AFTER ACCEPTANCE BECAUSE OF DAMAGE DUE TO ACTS OF GOD, VANDALISM, INSECTS, DISEASE, INJURY BY HUMANS, MACHINES, THEFT OR NEGLIGENCE BY OWNER.
G. ACCEPTANCE FOR ALL LANDSCAPE WORK SHALL BE GIVEN AFTER FINAL INSPECTION BY THE OWNER PROVIDED THE JOB IS IN A COMPLETE, UNDAMAGED CONDITION AND THERE IS A STAND OF GRASS IN ALL LAWN AREAS. AT THAT TIME, THE OWNER WILL ASSUME MAINTENANCE ON THE ACCEPTED WORK.

1.9 QUALITY ASSURANCE

A. COMPLY WITH ALL FEDERAL, STATE, COUNTY AND LOCAL REGULATIONS GOVERNING LANDSCAPE MATERIALS AND WORK.
B. EMPLOY PERSONNEL EXPERIENCED AND FAMILIAR WITH THE REQUIRED WORK AND SUPERVISION BY A FOREMAN.
C. MAKE CONTACT WITH SUPPLIERS IMMEDIATELY UPON OBTAINING NOTICE OF CONTRACT ACCEPTANCE TO SELECT AND BOOK MATERIALS.
D. DEVELOP A PROGRAM OF MAINTENANCE (PRUNING AND FERTILIZATION) WHICH WILL ENSURE THE PURCHASED MATERIALS WILL MEET AND/OR EXCEED PROJECT SPECIFICATIONS.
E. DO NOT MAKE PLANT MATERIAL SUBSTITUTIONS. IF THE LANDSCAPE MATERIAL SPECIFIED IS NOT READILY AVAILABLE, SUBMIT PROOF TO LANDSCAPE ARCHITECT ALONG WITH THE PROPOSED MATERIAL TO BE USED IN LIEU OF THE SPECIFIED PLANT.
F. AT THE TIME BIDS ARE SUBMITTED, THE CONTRACTOR IS ASSUMED TO HAVE LOCATED THE MATERIALS NECESSARY TO COMPLETE THE JOB AS SPECIFIED.
G. OWNER'S REPRESENTATIVE SHALL INSPECT ALL PLANT MATERIAL AND RETAINS THE RIGHT TO INSPECT MATERIALS UPON ARRIVAL TO THE SITE AND DURING INSTALLATION. THE OWNERS REPRESENTATIVE MAY ALSO REJECT ANY MATERIALS HE/SHE FEELS TO BE UNSATISFACTORY OR DEFECTIVE DURING THE WORK PROCESS. ALL PLANTS DAMAGED IN TRANSIT OR AT THE JOB SITE SHALL BE REJECTED.

1.10 PRODUCT DELIVERY, STORAGE AND HANDLING

A. PREPARATION
   1. BALLED AND BURLAPPED B&B PLANTS); DIG AND PREPARE SHIPMENT IN A MANNER THAT WILL NOT DAMAGE ROOTS, BRANCHES, SHAPE AND FUTURE DEVELOPMENT.
   2. CONTAINER GROWN PLANTS: DELIVER PLANTS IN RIGID CONTAINER TO HOLD BALL SHAPE AND PROTECT ROOT MASS.
B. DELIVERY
   1. DELIVER PACKAGED MATERIALS IN SEALED CONTAINERS SHOWING WEIGHT, ANALYSIS AND NAME OF MANUFACTURER. PROTECT MATERIALS FROM DETERIORATION DURING DELIVERY AND WHILE STORED ON SITE.
   2. DELIVER ONLY PLANT MATERIALS THAT CAN BE PLANTED IN ONE DAY UNLESS ADEQUATE STORAGE AND WATERING FACILITIES ARE AVAILABLE ON SITE
   3. PROTECT ROOT BALLS BY HEELING IN WITH SAWDUST OR OTHER APPROVED MOISTURE RETAINING MATERIAL IF NOT PLANTED WITHIN 24 HOURS OF DELIVERY.
   4. PROTECT PLANTS DURING DELIVERY TO PREVENT DAMAGE TO ROOT BALL OR DESICCATION OF LEAVES.
   5. KEEP PLANTS MOIST AT ALL TIMES. COVER ALL MATERIALS DURING TRANSPORT.
   6. NOTIFY OWNERS REPRESENTATIVE OF DELIVERY 72 HOURS PRIOR TO DELIVERY OF PLANT MATERIAL AT JOB SITE.
   7. REMOVE REJECTED PLANT MATERIAL IMMEDIATELY FROM JOB SITE.
   8. TO AVOID DAMAGE OR STRESS, DO NOT LIFT, MOVE, ADJUST TO PLUMB, OR OTHERWISE MANIPULATE PLANTS BY TRUNK OR STEMS.

PART 2 - PRODUCTS

2.1 PLANT MATERIALS

A. GENERAL: WELL FORMED NO. 1 GRADE OR BETTER NURSERY GROWN STOCK. LISTED PLANT HEIGHTS ARE FROM TOPS OF FOOT BALLS TO NOMINAL TOPS OF PLANTS. PLANT SPREAD REFERS TO NOMINAL OUTER WIDTH OF THE PLANT NOT THE OUTER LEAF TIPS. PLANTS SHALL BE INDIVIDUALLY APPROVED BY THE OWNERS REPRESENTATIVE AND THEIR DECISION AS TO THEIR ACCEPTABILITY SHALL BE FINAL.
B. QUANTITIES: THE DRAWINGS AND SPECIFICATIONS ARE COMPLIMENTARY. ANYTHING CALLED FOR ON ONE AND NOT THE OTHER IS AS BINDING AS IF SHOWN AND CALLED FOR ON BOTH. THE PLANT SCHEDULE IS AN AID TO BIDDERS ONLY. CONFIRM ALL QUANTITIES ON PLAN.
C. QUANTITIES AND SIZE: PLANT MATERIALS SHALL CONFORM TO THE SIZE GIVEN ON THE PLAN AND SHALL BE HEALTHY, WELL SHAPED, FULL BRANCHED AND WELL ROOTED. SYMMETRY IS ALSO IMPERATIVE. PLANTS SHALL BE FREE FROM INSECTS, INJURY, DISEASE, BROKEN BRANCHES, DISFIGUREMENTS, INSECT EGGS AND ARE TO BE OF SPECIMEN QUALITY
D. APPROVAL: ALL PLANTS WHICH ARE FOUND UNSUITABLE IN GROWTH OR ARE UNHEALTHY, BADLY SHAPED OR UNDERSIZED WILL BE REJECTED BY THE OWNERS REPRESENTATIVE EITHER BEFORE OR AFTER PLANTING AND SHALL BE REMOVED AT THE EXPENSE OF THE LANDSCAPE CONTRACTOR AND REPLACED WITH ACCEPTABLE SPECIMENS.
E. TREES SHALL BE HEALTHY, FULL BRANCHED, WELL SHAPED AND SHALL MEET THE MINIMUM REQUIREMENTS AS SPECIFIED ON THE PLANT SCHEDULE. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE IF POSSIBLE, AND WITH SIMILAR CLIMACTIC CONDITIONS.
F. PRUNING: ALL PRUNING OF TREES AND SHRUBS SHALL BE EXECUTED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER, PRIOR TO FINAL ACCEPTANCE.
G. PLANTS SHALL CONFORM TO THE MEASUREMENTS SPECIFIED, EXCEPT THE PLANTS LARGER THAN THOSE SPECIFIED MAY BE USED. USE OF LARGER PLANTS SHALL NOT INCREASE THE CONTRACT PRICE.
H. WHERE MATERIALS ARE PLANTED IN MASSES, PROVIDE PLANTS OF UNIFORM SIZE.
I. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED, FIBROUS ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
J. ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING
K. TREE TRUNKS TO BE STURDY, EXHIBIT HARDENED SYSTEMS AND VIGOROUS AND FIBROUS ROOT SYSTEMS, NOT ROOT OR POT BOUND.
L. TREES WITH DAMAGED OR CROOKED LEADERS, BARK ABRASIONS, SUNSCALD, DISFIGURING KNOTS, OR INSECT DAMAGE WILL BE REJECTED.
M. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER
N. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL.
O. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.
P. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE COMPOSITION OF THE SOD.

2.2 SOIL PREPARATION MATERIALS

A. SANDY LOAM:
   1. FRIABLE, FERTILE, DARK, LOAMY SOIL, FREE OF CLAY LUMPS, SUBSOIL, STONES AND OTHER EXTRANEOUS MATERIAL AND REASONABLY FREE OF WEEDS AND FOREIGN GRASSES. LOAM CONTAINING DALLASGRASS OR NUTGRASS SHALL BE REJECTED.
   2. PHYSICAL PROPERTIES AS FOLLOWS:
      a. CLAY – BETWEEN 7-27%
      b. SILT – BETWEEN 15-25%
      c. SAND – LESS THAN 52%
   3. ORGANIC MATTER SHALL BE 3%-10% OF TOTAL DRY WEIGHT.
   4. IF REQUESTED, LANDSCAPE CONTRACTOR SHALL PROVIDE A CERTIFIED SOIL ANALYSIS CONDUCTED BY AN APPROVED SOIL TESTING LABORATORY VERIFYING THAT SANDY LOAM MEETS THE ABOVE REQUIREMENTS.
B. ORGANIC MATERIAL: COMPOST WITH A MIXTURE OF 80% VEGETATIVE MATTER AND 20% ANIMAL WASTE. INGREDIENTS SHOULD BE A MIX OF COURSE AND FINE TEXTURED MATERIAL.
C. PREMIXED BEDDING SOIL AS SUPPLIED BY VITAL EARTH RESOURCES, GLADEWATER, TEXAS; PROFESSIONAL BEDDING SOIL AS SUPPLIED BY LIVING EARTH TECHNOLOGY, DALLAS, TEXAS OR ACID GRO MUNICIPAL MIX AS SUPPLIED BY SOIL BUILDING SYSTEMS, DALLAS, TEXAS OR APPROVED EQUAL.
D. SHARP SAND: SHARP SAND MUST BE FREE OF SEEDS, SOIL PARTICLES AND WEEDS.
E. MULCH: DOUBLE SHREDDED HARDWOOD MULCH, PARTIALLY DECOMPOSED, DARK BROWN.
F. ORGANIC FERTILIZER: FERTILAID, SUSTANE, OR GREEN SENSE OR EQUAL AS RECOMMENDED FOR REQUIRED APPLICATIONS. FERTILIZER SHALL BE DELIVERED TO THE SITE IN ORIGINAL UNOPENED CONTAINERS, EACH BEARING THE MANUFACTURER'S GUARANTEED STATEMENT OF ANALYSIS.
G. COMMERCIAL FERTILIZER: 10-20-10 OR SIMILAR ANALYSIS. NITROGEN SOURCE TO BE A MINIMUM 50% SLOW RELEASE ORGANIC NITROGEN (SCU OR UF) WITH A MINIMUM 8% SULFUR AND 4% IRON, PLUS MICRONUTRIENTS.
H. PEAT: COMMERCIAL SPHAGNUM PEAT MOSS OR PARTIALLY DECOMPOSED SHREDDED PINE BARK OR OTHER APPROVED ORGANIC MATERIAL.

2.3 MISCELLANEOUS MATERIALS

A. STEEL EDGING - SHALL BE 3/16" X 4" X 16" DARK GREEN LANDSCAPE EDGING. DURAEDGE STEEL OR APPROVED EQUAL.
B. TREE STAKING - TREE STAKING SOLUTIONS OR APPROVED SUBSTITUTE; REFER TO DETAILS.
C. FILTER FABRIC - MIRAFI 1405 BY MIRAFI INC. OR APPROVED SUBSTITUTE. AVAILABLE AT LONE STAR PRODUCTS, INC. (469-523-0444)
D. SAND - UNIFORMLY GRADED, WASHED, CLEAN, BANK RUN SAND.
E. GRAVEL: WASHED NATIVE PEA GRAVEL, GRADED 1" TO 1.5"
F. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

PART 3 - EXECUTION

3.1 PREPARATION

A. LANDSCAPE CONTRACTOR TO INSPECT ALL EXISTING CONDITIONS AND REPORT ANY DEFICIENCIES TO THE OWNER.
B. ALL PLANTING AREAS SHALL BE CONDITIONED AS FOLLOWS:
   1. PREPARE NEW PLANTING BEDS BY SCRAPING AWAY EXISTING GRASS AND WEEDS AS NECESSARY. TILL EXISTING SOIL TO A DEPTH OF SIX (6") INCHES PRIOR TO PLACING COMPOST AND FERTILIZER. APPLY FERTILIZER AS PER MANUFACTURER'S RECOMMENDATIONS. ADD SIX (6") INCHES OF COMPOST AND TILL INTO A DEPTH OF SIX (6") INCHES OF SPECIFIED MULCH (SETTLED THICKNESS).
   2. BACKFILL FOR TREE PITS SHALL BE AS FOLLOWS: USE EXISTING TOP SOIL ON SITE (USE IMPORTED TOPSOIL AS NEEDED) FREE FROM LARGE CLUMPS, ROCKS, DEBRIS, CALICHE, SUBSOILS, ETC., PLACED IN NINE (9") INCH LAYERS AND WATERED IN THOROUGHLY.
C. GRASS AREAS:
   1. BLOCKS OF SOD SHOULD BE LAID JOINT TO JOINT (STAGGERED JOINTS) AFTER FERTILIZING THE GROUND FIRST. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE. THE JOINTS BETWEEN THE BLOCKS OF SOD SHOULD BE FILLED WITH TOPSOIL WHERE THEY ARE GAPED OPEN, THEN WATERED THOROUGHLY.

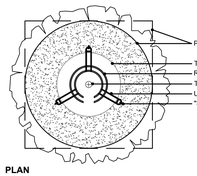
3.2 INSTALLATION

A. MAINTENANCE OF PLANT MATERIALS SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS DELIVERED TO THE SITE AND SHALL CONTINUE UNTIL ALL CONSTRUCTION HAS BEEN SATISFACTORILY ACCOMPLISHED.
B. PLANT MATERIALS SHALL BE DELIVERED TO THE SITE ONLY AFTER THE BEDS ARE PREPARED AND AREAS ARE READY FOR PLANTING. ALL SHIPMENTS OF NURSERY MATERIALS SHALL BE THOROUGHLY PROTECTED FROM THE WINDS DURING TRANSIT. ALL PLANTS WHICH CANNOT BE PLANTED AT ONCE, AFTER DELIVERY TO THE SITE, SHALL BE WELL PROTECTED AGAINST THE POSSIBILITY OF DRYING BY WIND AND BALLS OF EARTH OF B & B PLANTS SHALL BE KEPT COVERED WITH SOIL OR OTHER ACCEPTABLE MATERIAL. ALL PLANTS REMAIN THE PROPERTY OF THE CONTRACTOR UNTIL FINAL ACCEPTANCE.
C. POSITION THE TREES AND SHRUBS IN THEIR INTENDED LOCATION AS PER PLAN.
D. NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE FOR INSPECTION AND APPROVAL OF ALL POSITIONING OF PLANT MATERIALS.
E. EXCAVATE PITS WITH VERTICAL SIDES AND HORIZONTAL BOTTOM. TREE PITS SHALL BE LARGE ENOUGH TO PERMIT HANDLING AND PLANTING WITHOUT INJURY TO BALLS OF EARTH OR ROOTS AND SHALL BE OF SUCH DEPTH THAT,WHEN PLANTED AND SETTLED, THE CROWN OF THE PLANT SHALL BEAR THE SAME RELATIONSHIP TO THE FINISH GRADE AS IT DID TO SOIL SURFACE IN ORIGINAL PLACE OF GROWTH. THE SIDES OF THE HOLE SHOULD BE ROUGH AND JAGGED, NEVER SLICK OR GLAZED.
F. SHRUB AND TREE PITS SHALL BE NO LESS THAN TWENTY-FOUR (24") INCHES WIDER THAN THE LATERAL DIMENSION OF THE EARTH BALL AND SIX (6") INCHES DEEPER THAN IT'S VERTICAL DIMENSION. REMOVE AND HAUL FROM SITE ALL ROCKS AND STONES OVER THREE-QUARTER (¾") INCH IN DIAMETER. PLANTS SHOULD BE THOROUGHLY MOIST BEFORE REMOVING CONTAINERS.
G. PERCOLATION TEST: FILL THE HOLE WITH WATER. IF THE WATER LEVEL DOES NOT PERCOLATE WITHIN 24 HOURS, THE TREE NEEDS TO MOVE TO ANOTHER LOCATION OR HAVE DRAINAGE ADDED. INSTALL A PVC STAND PIPE PER TREE IF THE PERCOLATION TEST FAILS.
H. BACKFILL ONLY WITH 5 PARTS EXISTING SOIL OR SANDY LOAM AND 1 PART BED PREPARATION. WHEN THE HOLE IS DUG IN SOLID ROCK, TOPSOIL FROM THE SAME AREA SHOULD NOT BE USED. CAREFULLY SETTLE BY WATERING TO PREVENT AIR POCKETS. REMOVE THE BURLAP FROM THE TOP ½ OF THE BALL AS WELL AS ALL NYLON, PLASTIC STRING AND WIRE. CONTAINER TREES WILL USUALLY BE ROOT BOUND, IF SO FOLLOW STANDARD NURSERY PRACTICE OF 'ROOT SCORING'.
I. DO NOT WRAP TREES.
J. DO NOT OVER PRUNE.
K. REMOVE NURSERY TAGS AND STAKES FROM ALL PLANTS
L. REMOVE BOTTOM OF PLANT BOXES PRIOR TO PLACING PLANTS. REMOVE SIDES AFTER PLACEMENT AND PARTIAL BACKFILL
M. REMOVE UPPER THIRD OF BURLAP FROM BALLED AND BURLAPPED TREES AFTER PLACEMENT.
N. PLACE PLANT UPRIGHT AND PLUMB IN CENTER OF HOLE. ORIENT PLANTS FOR BEST APPEARANCE.
O. MULCH THE TOP OF THE BALL. DO NOT PLANT GRASS ALL THE WAY TO THE TRUNK OF THE TREE. LEAVE THE AREA ABOVE THE TOP OF THE BALL AND MULCH WITH AT LEAST TWO (2") INCHES OF SPECIFIED MULCH.
P. ALL PLANT BEDS AND TREES TO BE MULCHED WITH A MINIMUM SETTLED THICKNESS OF TWO (2") INCHES OVER THE ENTIRE BED OR PIT.
Q. OBSTRUCTION BELOW GROUND: IN THE EVENT THAT ROCK, OR UNDERGROUND CONSTRUCTION WORK OR OBSTRUCTIONS ARE ENCOUNTERED IN ANY PLANT PIT EXCAVATION WORK TO BE DONE UNDER THIS SECTION, ALTERNATE LOCATIONS MAY BE SELECTED BY THE OWNER. WHERE LOCATIONS CANNOT BE CHANGED, THE OBSTRUCTIONS SHALL BE REMOVED TO A DEPTH OF NOT LESS THAN THREE (3') FEET BELOW GRADE AND NO LESS THAN SIX (6") INCHES BELOW THE BOTTOM OF BALL WHEN PLANT IS PROPERLY SET AT THE REQUIRED GRADE. THE WORK OF THIS SECTION SHALL INCLUDE THE REMOVAL FROM THE SITE OF SUCH ROCK OR UNDERGROUND OBSTRUCTIONS ENCOUNTERED AT THE COST OF THE LANDSCAPE CONTRACTOR.
R. TREES AND LARGE SHRUBS SHALL BE STAKED AS SITE CONDITIONS REQUIRE. POSITION STAKES TO SECURE TREES AGAINST SEASONAL PREVAILING WINDS.
S. PRUNING AND MULCHING: PRUNING SHALL BE DIRECTED BY THE LANDSCAPE ARCHITECT AND SHALL BE PRUNED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE FOLLOWING FINE PRUNING, CLASS I PRUNING STANDARDS PROVIDED BY THE NATIONAL ARBORIST ASSOCIATION.
   1. DEAD WOOD, SUCKERS, BROKEN AND BADLY BRUISED BRANCHES SHALL BE REMOVED. GENERAL TIPPING OF THE BRANCHES IS NOT PERMITTED. DO NOT CUT TERMINAL BRANCHES..
   2. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.
   3. IMMEDIATELY AFTER PLANTING OPERATIONS ARE COMPLETED, ALL TREE PITS SHALL BE COVERED WITH A LAYER OF ORGANIC MATERIAL TWO (2") INCHES IN DEPTH. THIS LIMIT OF THE ORGANIC MATERIAL FOR TREES SHALL BE THE DIAMETER OF THE PLANT PIT.
Q. STEEL EDGE INSTALLATION: EDGE SHALL BE ALIGNED AS INDICATED ON PLANS. STAKE OUT LIMITS OF STEEL CURBING AND OBTAIN OWNERS APPROVAL PRIOR TO INSTALLATION.
   1. ALL STEEL CURBING SHALL BE FREE OF KINKS AND ABRUPT BENDS.
   2. TOP OF EDGING SHALL BE ½" MAXIMUM HEIGHT ABOVE FINAL FINISHED GRADE.
   3. STAKES ARE TO BE INSTALLED ON THE PLANTING BED SIDE OF THE CURBING, AS OPPOSED TO THE GRASS SIDE.
   4. DO NOT INSTALL STEEL EDGING ALONG SIDEWALKS OR CURBS.
   5. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE EDGING MEETS SIDEWALKS OR CURBS.

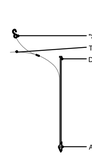
3.3 CLEANUP AND ACCEPTANCE

A. CLEANUP: DURING THE WORK, THE PREMISES SHALL BE KEPT NEAT AND ORDERLY AT ALL TIMES. STORAGE AREAS FOR ALL MATERIALS SHALL BE SO ORGANIZED SO THAT THEY, TOO, ARE NEAT AND ORDERLY. ALL TRASH AND DEBRIS SHALL BE REMOVED FROM THE SITE AS WORK PROGRESSES. KEEP PAVED AREAS CLEAN BY SWEEPING OR HOSING THEM AT END OF EACH WORK DAY.
B. REPAIR RUTS, HOLES AND SCARES IN GROUND SURFACES.
C. ENSURE THAT WORK IS COMPLETE AND PLANT MATERIALS ARE IN VIGOROUS AND HEALTHY GROWING CONDITION.
D. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
E. WHEN/IF THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
F. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.

END OF SECTION



PLAN

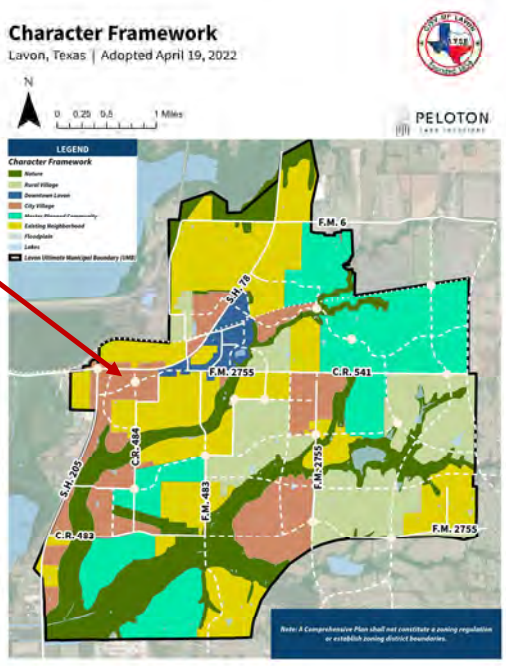


DETAIL A

ROOT ANCHOR ITEM	ROOT BALL & CONTAINER SIZE	ANCHOR INSTALLATION DEPTH	QUANTITY & ANCHOR SIZE
15-BG	10 / 15 Gallon or 17" root ball	12" - 18" Minimum Depth	3 - V88 Anchors
30-BG	20 / 30 Gallon or 22" root ball	18 - 24" Minimum Depth	3 - V88 Anchors
45/65-BG	45 / 65 Gallon or 27-30" root ball	24 - 30" Minimum Depth	3 - V88 Anchors
100-BG	95 / 100 Gallon or 36" root ball	30 - 36" Minimum Depth	3 - V88 Anchors
150-BG	150 Gallon or 42" root ball	48" Minimum Depth

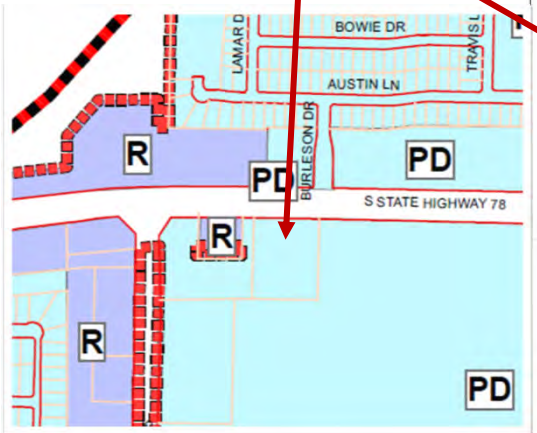
Future Land Use Plan

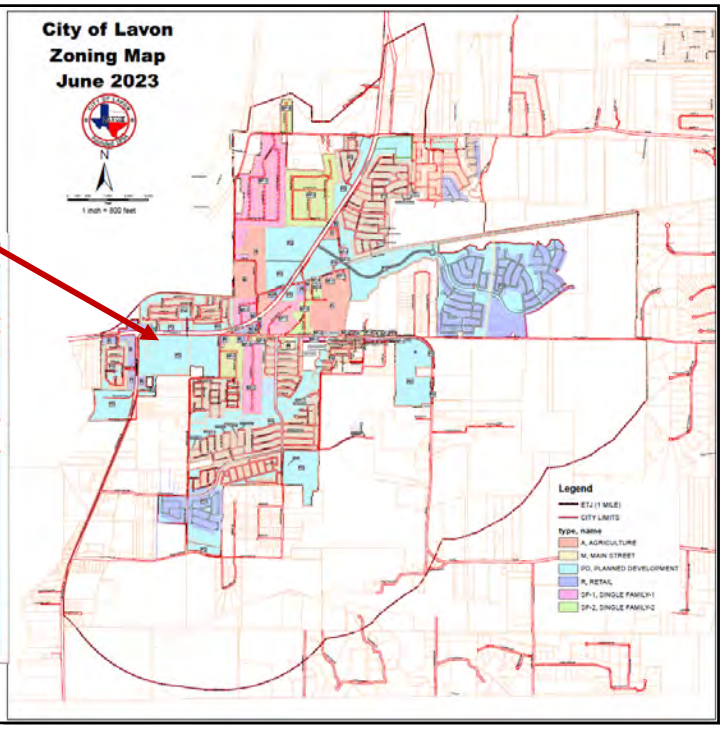




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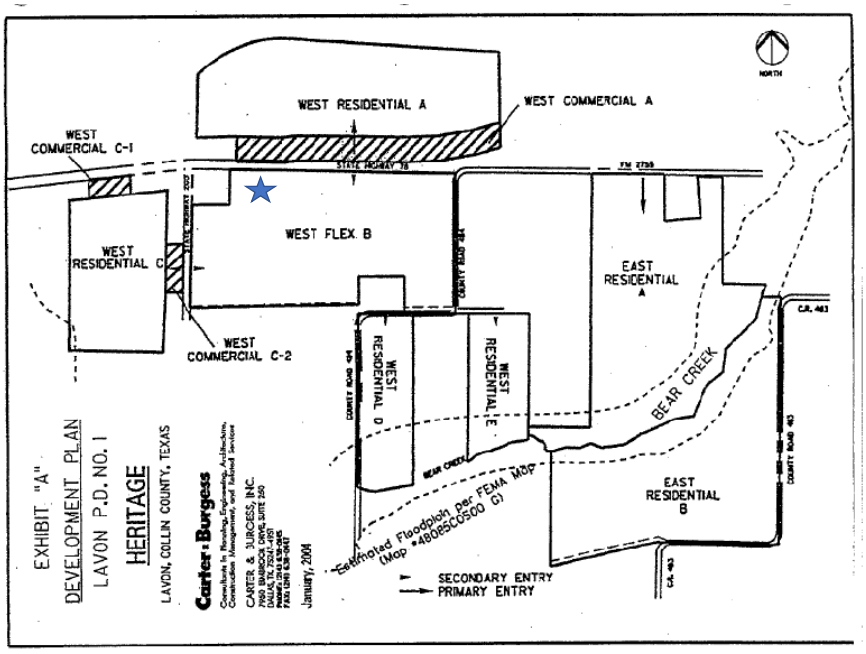
Zoning Map





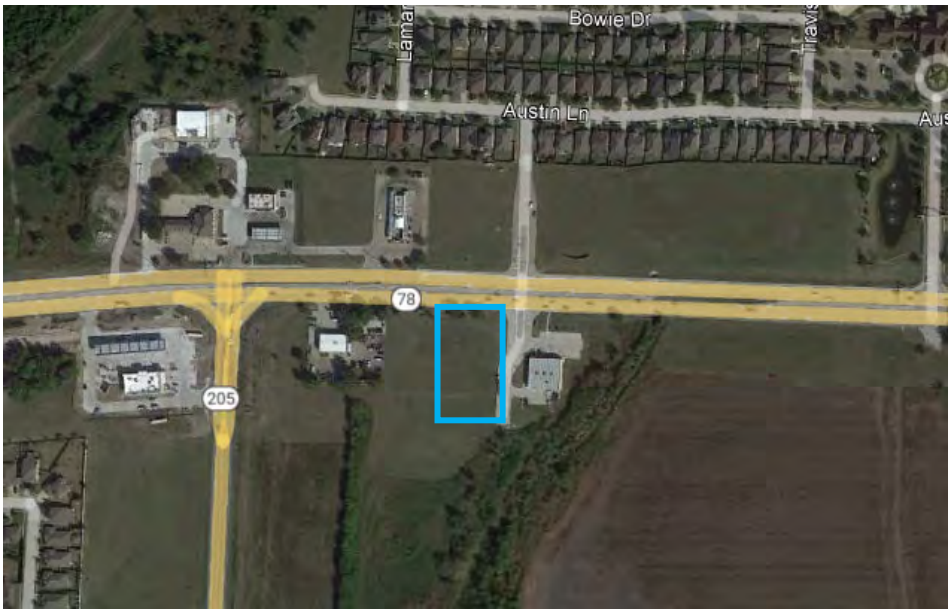
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Grand Heritage PD Development Plan



21

Location Exhibit Spec's



22

July 5, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Hwy 205 Tract, Phase 2 Lot 2 Block A (Spec's) - 1 Lot, 2.555 Acres
Site Plan Review

Dear Ms. Dobbs:

As requested, Peloton Land Solutions and FMI have reviewed the Site Plan and associated documents dated June 23, 2023, as prepared by Vasquez Engineering, LLC, for the above referenced property. The property is located within a portion of Lots 2 & 3, Block A per the Preliminary Plat for Highway 205 Tract, located south of SH 78 and west of Highway 205 Tract, Phase 1 (O'Riley's Auto). Our comments are as follows:

General

1. The development consists of 1 lot.

2. The property is zoned Planned Development.

3. Water service is by BCSUD. This review does not include water. Comment noted.

4. Wastewater service will be provided by the City of Lavon. The development will flow to the Bear Creek WWTP.

5. Traffic impacts for this area are included in the TIA prepared for Bear Creek Commercial Development, February 2023. The Highway 205 Tract is included in this study.

6. The new lot will require an update of the preliminary plat and final platting. Comment noted.

SITE PLAN

7. Turn analysis for entering and exiting delivery trucks has been provided. Trucks entering the site from the west along SH 78 will be using multiple lanes along SH 78 to turn into the existing access road to the site. Due to high traffic volumes on SH 78 during peak hours, allowable deliveries times may be necessary. The exiting trucks will require the existing median within the access road to be shortened. Comment noted.

8. The existing Variable Width Access Easement along the eastern property line should be extended south to the new south property line. Added to plan.

9. The existing sanitary sewer, and associated easement, along the north and east sides of the property are to be abandoned. A new sanitary sewer line will extend from L&D along the west and south side of the remainder of Lot 2 and then along the south side of this new lot to the existing sanitary sewer, with a new manhole connection. This will require offsite easements. This removes the sanitary sewer from the proposed landscape buffer. Comment noted.

10. A 24' access easement is being provided along the north, west and south drive areas of the site. A portion of this also includes the fire lane. Comment noted.

11. Fire lanes require a 30' minimum radius. Fire lanes revised to have 30' radii.

12. The building height should be provided in the Site Summary Table. Max. bldg height added.

This concludes our review of the above referenced Site Plan.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.

Mark D. Hill, P.E.
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony

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July 5, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

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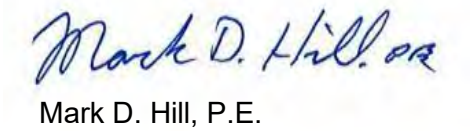
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FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony

F:\17024 - LAV General Servies\9 - Review\Specs\Hwy 205 Add - Specs - Site Plan - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 - E**

Item:

Discussion and action regarding the final plat (short-form) of the Lavon JP Office Addition, for 2 non-residential lots on 2.387 acres of land, situated in the W. H. Moore Survey, A-638 northwest of the intersection of SH 205 and SH 78, at 1025 S. SH 78, Lavon, Collin County, TX (CCAD Property ID 2632625).

Application Information

Owner(s): Collin County

Applicant: Collin County

Location: 1025 S. SH 78, north and west of the intersection of SH 78 and SH 205

Description: W. H. Moore Survey, A-0638, Tract 27, 2.39 acres
(CCAD Property ID 2632625)

Current Zoning: Retail

Request: Short-Form Final Plat

Request Details

The applicant is seeking approval of a final plat for the JP Office Addition, a tract of land presently developed with one commercial structure taking access from SH 78. The proposed addition subdivides the land into two lots, one being 1.0 acres in area and the other being 1.387 acres in area. The larger of which contains the existing structure.

Code Excerpts:

TEXAS LOCAL GOVERNMENT CODE
§ 212.004. PLAT REQUIRED

Sec. 212.004. PLAT REQUIRED. (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out

a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

Code Excerpts:

CITY OF LAVON CODE OF ORDINANCES

ARTICLE 9.02 SUBDIVISION ORDINANCE

Section 9.02.004 (d) Final Plat

After approval of the preliminary plat by the planning and zoning commission and City Council, a final plat, prepared by a registered public surveyor bearing his or her seal and the construction plans prepared by a registered professional civil engineer bearing his or her seal, shall be submitted to the planning and zoning commission.

Section 9.02.004 (e) Combination Preliminary and Final Plat.

(1) A subdivider may submit a short form plat by combining preliminary and final plats if the city determines that the proposed subdivision of land falls within the following criteria:
   (A) Shall not exceed five (5) acres;
   (B) Affects no more than three (3) lots;
   (C) Has frontage upon dedicated and improved streets;
   (D) Does not necessitate any appreciable alteration or extension of utility installations or streets;
   (E) Conforms in use, size, and shape to the lots in the vicinity;
   (F) The proposed subdivision and supporting documents are not otherwise in contravention with chapter 212 of the Texas Local Government Code; and
   (G) The owner of the property to be subdivided does not have more than one (1) plat approved under this subdivision ordinance during any twelve (12) month period.

(2) All design, engineering, improvements, submission documents and drawing information standards applicable to final plats shall be applicable to this short form plat.

(3) The short form plat shall be submitted for approval in accordance with the procedure established for a final plat approval.

The proposed plat satisfies the criteria for the short-form process and the final plat generally conforms with the Future Land Use Plan. The JP Office Addition does not contemplate the construction of additional public infrastructure and the existing right-of-way for SH 78 conforms to the Throughfare Plan requirements.

Water
The development is located within the certificated area of the Bear Creek Special Utility District (SUD).

Sanitary Sewer
The development will be served by the City of Lavon.

Roads
The development fronts and takes access from SH 78 and from a shared access easement from the signal at the intersection of SH 78 and SH 205.

Floodplain and Drainage
There are no anticipated floodplain or drainage implications related to the proposed Addition.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT (SHORT-FORM) OF THE LAVON JP OFFICE ADDITION, FOR 2 NON-RESIDENTIAL LOTS ON 2.387 ACRES OF LAND, SITUATED IN THE W. H. MOORE SURVEY, A-638 NORTHWEST OF THE INTERSECTION OF SH 205 AND SH 78, AT 1025 S. SH 78, LAVON, COLLIN COUNTY, TX, SUBJECT TO APPROVAL OF THE CITY ENGINEER.
MOTION MADE: TIEGS
SECONDED: COX
APPROVED: UNANIMOUS

Staff Notes:

The final plat meets the technical requirements and complies with the subdivision regulations. Approval is recommended.

Attachments: 1. Application and Final Plat
2. Location Exhibits
3. Engineer Correspondence

CITY OF LAVON

P.O. Box 340, School Rd. Lavon, TX 75166
Office 972-843-4220 – Inspection 972-853-0855

PLAT APPLICATION

Incomplete applications will not be accepted.

Company Making Submission	Property Owner
Name: Collin County	Name: Collin County
Address: 4600 Community Ave.	Address: 4600 Community Ave.
City/State/Zip: McKinney, TX 75071	City/State/Zip: McKinney, TX 75071
Phone #: 972-547-5340 Fax #: 972-547-5385	Phone # 972-547-5340 Fax # 972-547-5385
Authorized Person: Bill Burke	Authorized Person: Bill Burke

Type of Submission	Date
☐ Preliminary Plat	
☐ Final Plat	
☐ Re-Submittal	
☐ Construction Plans	
☐ Other	

Check List of Items Submitted

- ☐ (two) full size sets of plats (24x36)
- ☐ (two) full size construction sets (24x36)
- ☐ (one) half size sets of plats (11x17)
- ☐ (ten) half size sets of plats with final submission (11x17)
- ☐ (one) PDF plats (on separate CD's)
- ☐ (one) PDF construction plans (can be included on plat CD)

Application Fees

Preliminary Plat	Per Fee Schedule
Final Plat	Per Fee Schedule
Re-Plat	Per Fee Schedule
Public Infrastructure Inspection	Per Fee Schedule

C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required.

D* To complete the plat please sign up as a collaborator in the MyGov system https://public.mygov.us/lavon_tx request access to the City of Lavon. Make a new request for the plat and download these forms along with plans.

NOTICE TO APPLICANT: Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances and any other applicable ordinances of the City, regardless of information and/or plans submitted.

Authorized Representative (Printed Name)	Authorized Representative (Signature)	Date:
Bill Burke		7-12-23

To be completed by the City

In Takers Name:

In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:
☐ Accepted ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected

Comments:

CITY OF LAVON

P.O. Box 340 - 120 School Rd. - Lavon, TX 75166
Office 972-843-4220 - Fax 972-843-0397 - Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Declaration of Ownership

Date: July 12, 2023

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, Bill Burke, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, for the purpose of any future proposed request (s) relating to this property.

Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of _____

Before me, the undersigned authority, appeared Bill Burke,

on this the 12th day of July, 2023.

LISA G. BUNCH
Notary Public
STATE OF TEXAS
Notary ID # 12410853-5
My Comm. Exp. March 18, 2026

Lisa G. Bunch

Notary Public in and for Collin County, Texas

CITY OF LAVON

P.O. Box 340 – 120 School Rd. – Lavon, TX 75166
Office 972-843-4220 – Fax 972-843-0397 – Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Authorization of Representation

Date: July 12, 2023

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, Bill Burke, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize Bill Burke to represent me (us) and my (our) interests in the property described in the attached exhibits (s) for the expressed purpose of this request.

Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of Collin

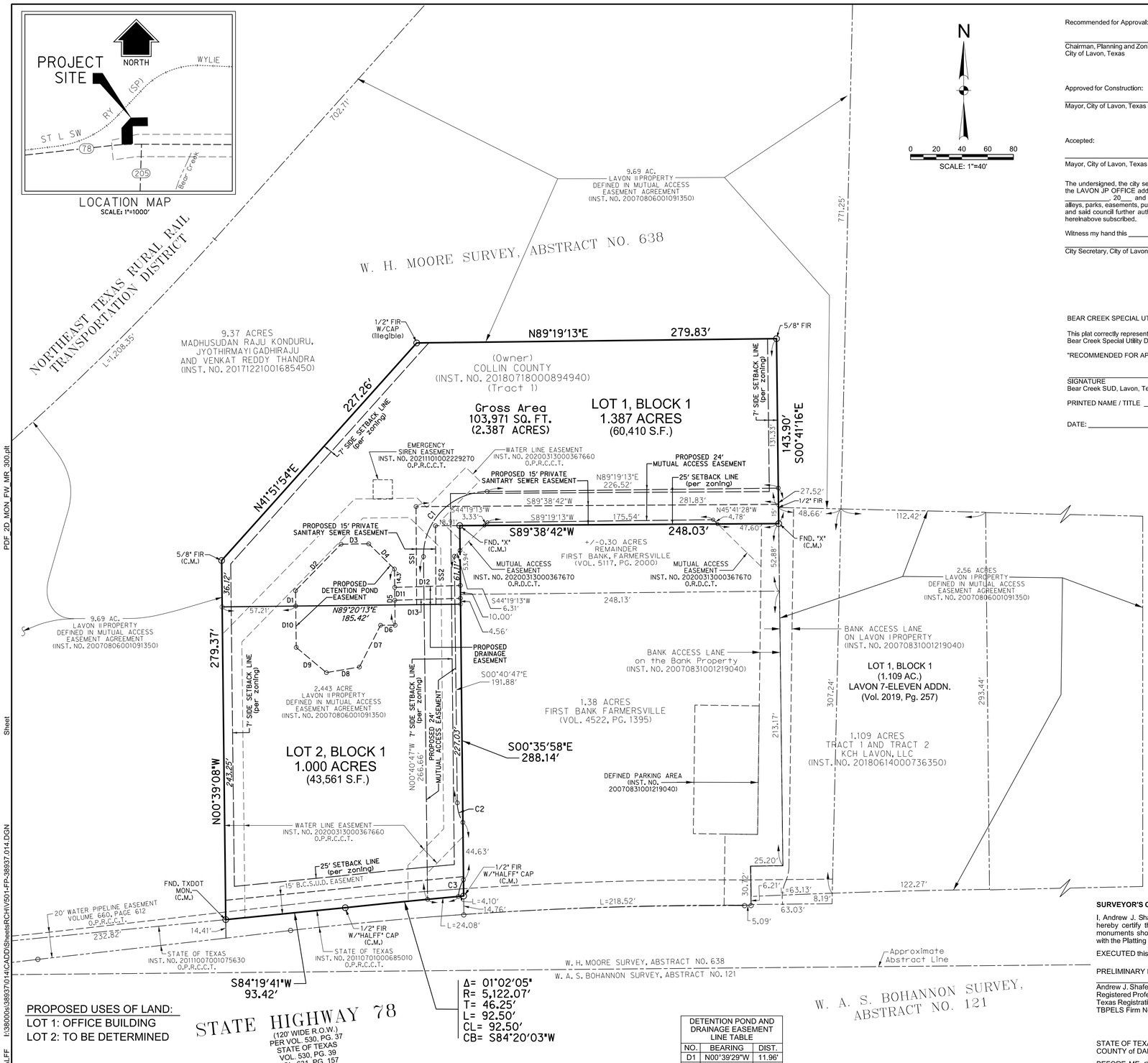
Before me, the undersigned authority, appeared Bill Burke,

on this the 12th day of July, 2023.

Lisa G. Bunch
Notary Public in and for Collin County, Texas

LISA G. BUNCH
Notary Public
STATE OF TEXAS
Notary ID # 12410853-5
My Comm. Exp. March 18, 2026

LOCATION MAP
SCALE: 1"=1000'



PROPOSED USES OF LAND:
LOT 1: OFFICE BUILDING
LOT 2: TO BE DETERMINED

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/CAP	WITH CAP STAMPED "HALFF"
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
(C.M.)	CONTROLLING MONUMENT
P.R.C.C.T.	PLAT RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
B.C.S.U.D.	BEAR CREEK SPECIAL UTILITY DISTRICT EASEMENT

SANITARY SEWER EASEMENT LINE TABLE

NO.	BEARING	DIST.
SS1	N00°21'18"W	76.29'
SS2	S00°21'18"E	61.21'

MUTUAL ACCESS EASEMENT CURVE DATA TABLE

C1	C2	C3
Δ= 90°00'00"	Δ= 30°34'01"	Δ= 26°08'49"
R= 50.00'	R= 30.00'	R= 30.00'
T= 50.00'	T= 8.20'	T= 6.97'
L= 78.54'	L= 16.00'	L= 13.69'
CL= 70.71'	CL= 15.82'	CL= 13.57'
CB= N44°19'13"E	CB= S15°57'47"E	CB= S16°55'56"W

DETENTION POND AND DRAINAGE EASEMENT LINE TABLE

NO.	BEARING	DIST.
D1	N00°39'29"W	11.96'
D2	N44°20'52"E	50.61'
D3	N89°20'31"E	21.54'
D4	S45°39'29"E	27.98'
D5	S00°39'29"E	43.74'
D6	N90°00'00"W	11.34'
D7	S26°47'40"W	36.44'
D8	S80°26'42"W	26.05'
D9	N50°07'34"W	30.58'
D10	N00°39'29"W	32.14'
D11	N00°39'29"W	10.00'
D12	N88°19'05"E	51.11'
D13	S88°19'05"W	51.10'

SURVEYOR
HALFF ASSOCIATES, INC.
1201 NORTH BOWSER ROAD
RICHARDSON, TX 75081
CONTACT: ANDREW J. SHAFER
PHONE: (214)-346-6200
EMAIL: ashafer@halff.com

OWNER
COLLIN COUNTY
4600 COMMUNITY AVENUE
McKINNEY, TEXAS 75071
CONTACT: BILL BURKE
PHONE: (972)-547-5340
EMAIL: bburke@co.collin.tx.us

Recommended for Approval:

_____ Date: _____
Chairman, Planning and Zoning Commission
City of Lavon, Texas

Approved for Construction:

_____ Date: _____
Mayor, City of Lavon, Texas

Accepted:

_____ Date: _____
Mayor, City of Lavon, Texas

The undersigned, the city secretary of the City of Lavon, Texas, hereby certifies that the foregoing final plat of the LAVON JP OFFICE addition to the City of Lavon was submitted to the city council on the _____ day of _____, 20___ and the council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines as shown and set forth in and upon said plat and said council further authorized the mayor to note the acceptance thereof by signing his or her name as hereinabove subscribed.

Witness my hand this _____ day of _____, AD, 20___.

_____
City Secretary, City of Lavon, Texas

BEAR CREEK SPECIAL UTILITY DISTRICT APPROVAL CERTIFICATE

This plat correctly represents the required easements and certifications required by Bear Creek Special Utility District for this development.

"RECOMMENDED FOR APPROVAL"

_____
SIGNATURE
Bear Creek SUD, Lavon, Texas

PRINTED NAME / TITLE _____

DATE: _____

General Notes:

1. Basis of Bearings is Texas State Plane North American Datum of 1983 (2011) (Nad83), Texas North Central Zone (4202). All distances have been adjusted to surface using a combined scale factor of 1.00015271.
2. This property is shown to lie within Flood Zone "X" (unshaded) on the Flood Insurance Rate Map (FIRM) for Collin County, Texas and Incorporated Areas, Map Number 48085C0440J, Map Revised Date June 2, 2009. Flood Zone "X" (unshaded) is defined as "Areas determined to be outside the 0.2% annual chance floodplain."
3. All drainage and sanitary sewer facilities are private and shall be owned and maintained by the owner.

PRELIMINARY
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
Release date: 07/27/2023
Andrew J. Shafer
RPLS No. 5017
FOR REVIEW & COMMENT

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS COLLIN COUNTY, TEXAS is the owner of a tract of land situated in the W. H. Moore Survey, Abstract No. 638, in the City of Lavon, Collin County, Texas, and being all of that 2.39 acre tract of land described in Special Warranty Deed to Collin County, as recorded in Instrument Number 20180718000894940, Official Public Records, Collin County, Texas, (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a yellow plastic cap stamped "HALFF" (hereafter referred to as "with HALFF cap") found for the most southerly southeast corner of said 2.39 acre tract on the north right-of-way line of State Highway 78 (a variable width right-of-way), being the northeast corner of a called 0.0607 acre tract of land described in Deed to the State of Texas, as recorded in Instrument Number 20110701000685010, O.P.R.C.C.T., and being the beginning of a non-tangent curve to the left having a radius of 5,122.07 feet and whose chord bears South 84 degrees 20 minutes 03 seconds West, a distance of 92.50 feet;

THENCE Westerly, along said curve and said north right-of-way line, and along the north line of said 0.0607 acre tract, through a central angle of 01 degree 02 minutes 05 seconds, an arc distance of 92.50 feet to a 1/2-inch iron rod with HALFF cap found for the end of said curve;

THENCE South 84 degrees 19 minutes 41 seconds West, continuing along said north lines, a distance of 93.42 feet to an aluminum TxDot monument found for the northwest corner of said 0.0607 acre tract and the southwest corner of said 2.39 acre tract, and being the most southerly southeast corner of a called 9.372 acre tract of land described in Special Warranty Deed to Madhusudan Raju Konduru, et al, recorded in Instrument Number 20171221001685450, O.P.R.D.C.T.;

THENCE departing said north right-of-way line and along the common line between said 9.372 acre tract and said 2.39 acre tract the following calls:

North 00 degrees 39 minutes 08 seconds West, a distance of 279.37 feet to a 5/8-inch iron rod found for corner;

North 41 degrees 51 minutes 54 seconds East, a distance of 227.26 feet to a 1/2-inch iron rod with cap (illegible) found for corner;

North 89 degrees 19 minutes 13 seconds East, a distance of 279.83 feet to a 5/8-inch iron rod found for corner;

South 00 degrees 41 minutes 16 seconds East, passing at a distance of 131.33 feet a 1/2-inch iron rod found for the most northerly southwest corner of said 9.372 acre tract, same being the northwest corner of a called 1.109 acre tract described in Correction Deed to KCH Lavon, LLC, recorded in Instrument Number 20180614000736350, O.P.R.C.C.T., and continuing along the common line between said 2.39 acre tract and said 1.109 acre tract, in all a total distance of 143.90 feet to an "X" in concrete found for corner, being the most northerly southeast corner of said 2.39 acre tract and the northeast corner of the remainder of a tract of land described in deed to First Bank, Farmersville, as recorded in Volume 5117, Page 2000, O.P.R.C.C.T.;

THENCE South 89 degrees 38 minutes 42 seconds West, departing said common line and along a south line of said 2.39 acre tract and north line of said remainder tract, a distance of 248.03 feet to an "X" in concrete found for corner;

THENCE South 00 degrees 35 minutes 58 seconds East, along a easterly line of said 2.39 acre tract and westerly line of said remainder tract, passing at a distance of 53.94 feet the northwest corner of a called 1.38 acre tract described in Warranty Deed to First Bank, Farmersville, as recorded in Volume 4522, Page 1395, O.P.R.C.C.T., and continuing along the common easterly line of said 2.39 acre tract and west line of said 1.38 acre tract, in all a total distance of 288.14 feet to the **POINT OF BEGINNING AND CONTAINING** 103,971 square feet or 2.387 acres of land, more or less.

OWNERS DEDICATION

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That COLLIN COUNTY, TEXAS does hereby adopt this plat of Lavon JP Office, Lots 1 & 2, Block 1, an addition to the City of Lavon, Collin County, Texas, and do hereby dedicate to the public's use forever the rights-of-way and easements shown hereon.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb of pavement line.

1) All water system is owned and operated by Bear Creek Special Utility District (BCSUD) and all construction related to water service shall be done per BCSUD's specifications and general notes.
2) The easements and public use areas, as shown, are dedicated for the public use, including specifically for the City of Lavon or Bear Creek Special Utility District, forever for the purposes indicated on the plat.
3) The City of Lavon and Bear Creek Special Utility District are not responsible for replacing any improvements in, under or over any easements caused by maintenance or repair.
4) Utility easements may also be used for the mutual and accommodation of all public utilities desiring to use or using the same unless the easements limits the use to particular utilities, said use by public utilities as being subordinate to the public and City of Lavon and Bear Creek Special Utility District.
5) The City of Lavon, Bear Creek Special Utility District, and public utilities shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with construction, maintenance, or efficiency of their respective systems in the easements.
6) The City of Lavon, Bear Creek Special Utility District, and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, respective systems without the necessity at any time of procuring permission from anyone.
7) All modifications to this document shall be by means of plat and approved by the City of Lavon unless said modifications pertain to Bear Creek Special Utility District facilities, at which time Bear Creek Special Utility District shall also review and approve.

EXECUTED this _____ day of _____, 2023.

COLLIN COUNTY, TEXAS

By: _____
Name & Title

STATE OF TEXAS
COUNTY of COLLIN

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE on this the ____ day of _____, 2023.

_____
Notary Public in and for The State of Texas

My Commission Expires on: _____

SURVEYOR'S CERTIFICATE

I, Andrew J. Shafer, a Registered Professional Land Surveyor, licensed by the State of Texas, hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were property placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Lavon, Collin County, Texas.

EXECUTED this _____ day of _____, 2023.

PRELIMINARY FOR REVIEW ONLY, NOT TO BE RECORDED FOR ANY PURPOSE.

_____
Andrew J. Shafer
Registered Professional Land Surveyor
Texas Registration Number 5017
TBPELS Firm No. 10029600

STATE OF TEXAS
COUNTY of DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Andrew J. Shafer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE on this the ____ day of _____, 2023.

_____
Notary Public in and for The State of Texas

My Commission Expires on: _____

FINAL PLAT
OF
LAVON JP OFFICE ADDITION
LOTS 1 & 2, BLOCK 1
(2.387 ACRES)

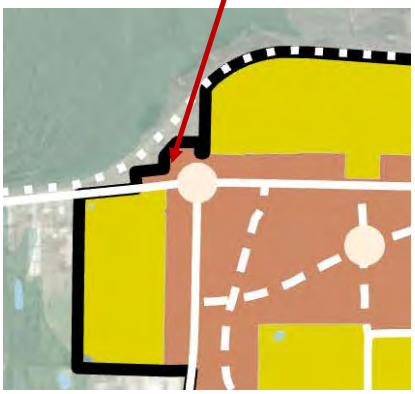
SITUATED IN THE
W. H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS
BY

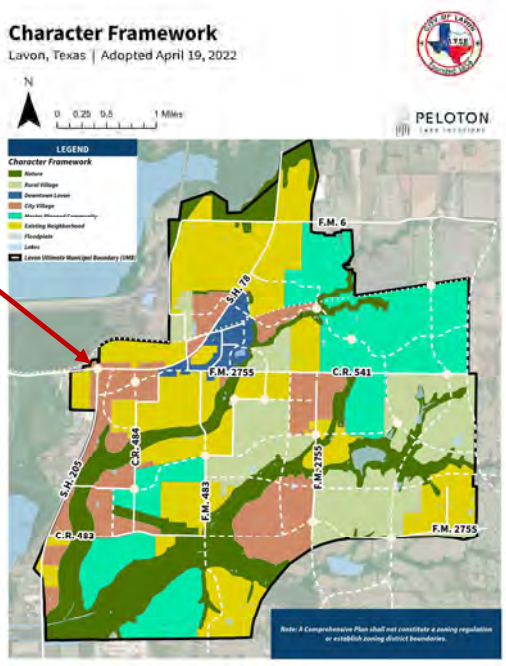
halff

TBPELS Firm No. 10029600
HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=40' (214)346-6200 AVO. 38937.014 JULY, 2023

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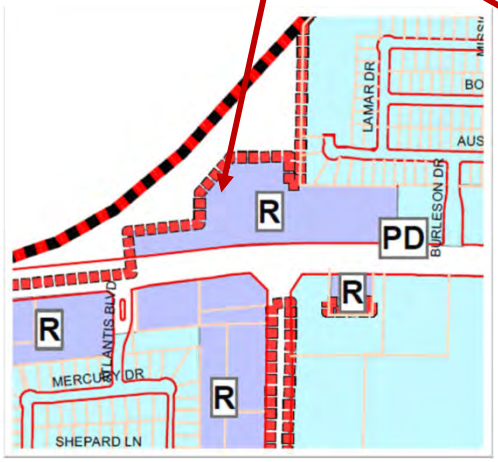
Future Land Use Plan

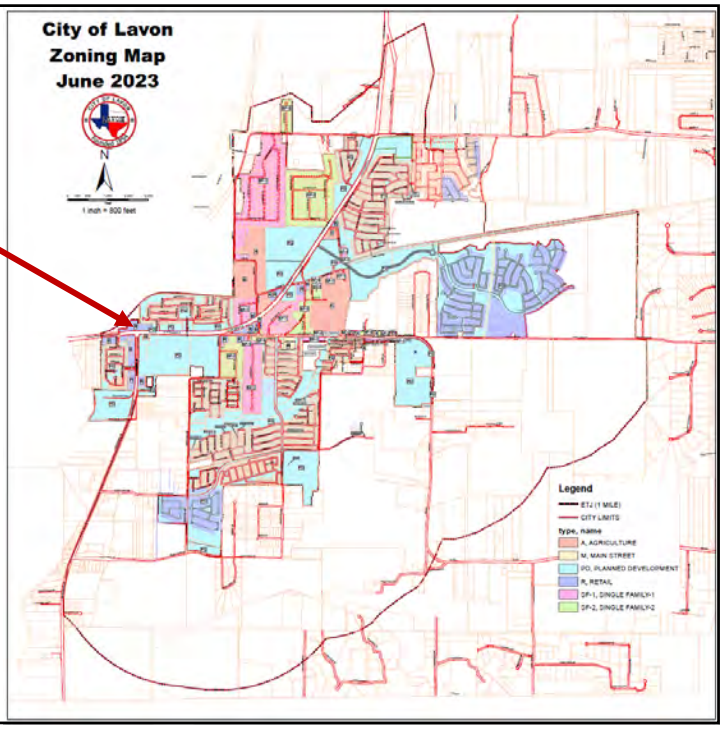




28

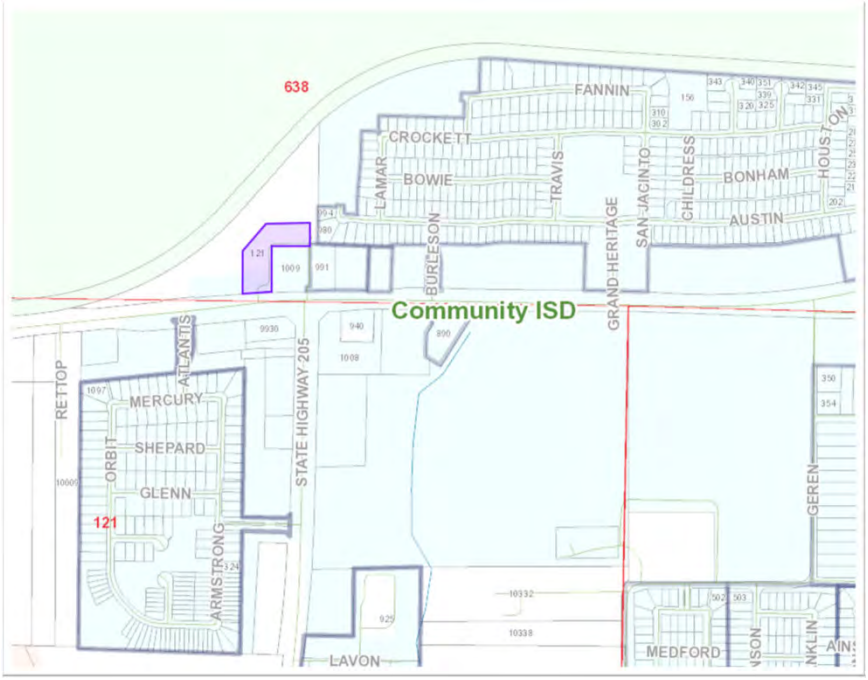
Zoning Map





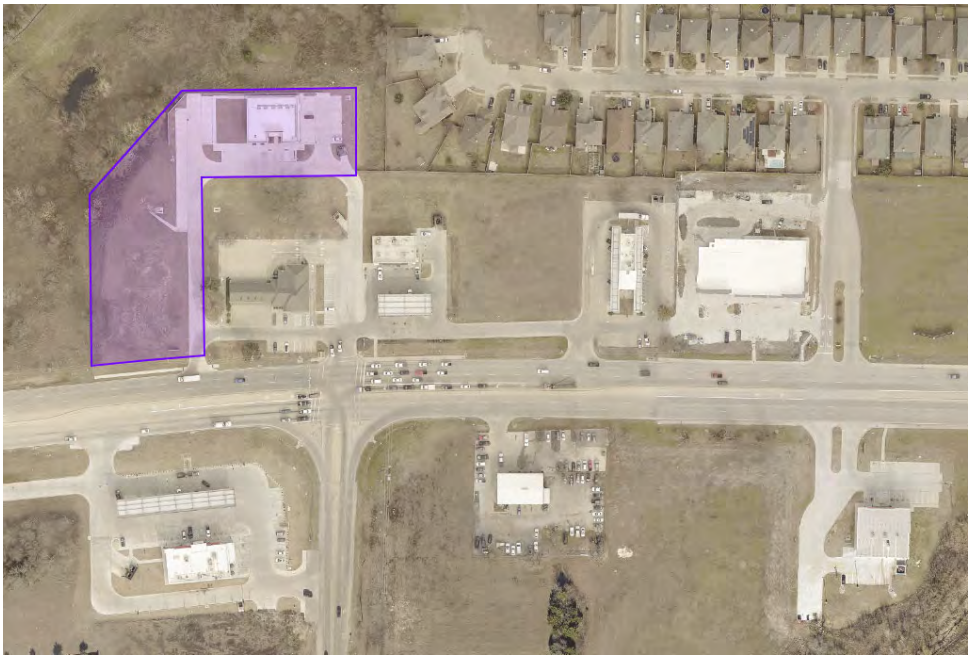
29

Location Exhibit
Collin County
JP Addition



30

Location Exhibit
Collin County
JP Addition



31

Location Exhibit
Collin County
JP Addition



32

July 28, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Lavon JP Office Addition - 2 Lots, 2.387 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated July 27, 2023, as prepared by Halff Associates, Inc. for the above referenced property. Lot 1 has been developed and Lot 2 is for future development. The property is located north and west of the First Bank Farmersville (Independent Bank) property.

All comments have been satisfactorily addressed.

This concludes our review of the above-referenced revised Final Plat. **We recommend APPROVAL of the Final Plat.**

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.

Mark D. Hill, P.E.
Consulting City Engineer

Attachment

Cc: David Carter, Mike Jones, Danny Anthony, Andrew J. Shafer, RPLS

F:\17024 - LAV General Servies\9 - Review\Collin County JP Office\PLAT\Lavon JP Office Addition - Final Plat - Rev 2.docx

From: Shafer, Andy
To: Kim Dobbs; Mark Hill
Cc: Bill Burke (bburke@co.collin.tx.us); Camille Reagan
Subject: Lavon JP Plat
Date: Thursday, July 27, 2023 1:16:07 PM
Attachments: V501-FP-38937.014 review 07-27-2023.pdf

All,

Please see attached our latest revised Plat of the Lavon JP site with the latest comments addressed.

- We have moved the lot line between proposed Lots 1 and 2, northerly about 20.8 feet in order to conform to the 1 acre minimum lot area requirement
- We have expanded the proposed detention pond easement to encompass the entire constructed pond area, so the easement now lies within both Lots 1 and 2.
- All dimensions for Lots and Easements on drawing and in Line Tables on the drawing have been modified accordingly
- We made a couple of other minor edits for clarity, such as adding the square footage to the areas of the two lots (previously we only showed the acreage).

This is the version of the Plat we would plan on signing, and circulating for signatures after P&Z. Please let us know if you see any further changes needed.

Thank you!

Andrew J. Shafer, RPLS
Survey QA Manager
TBPELS Firm No. 10029600

o (214) 346-6208
e aShafer@halff.com

We improve lives and communities
by turning ideas into reality.

halff

July 25, 2023

Mr. Mark D. Hill, P.E. (mdhill@fmi-dallas.com)
Consulting City Engineer, for Lavon, Texas

Re: Lavon JP Office Addition
Addressing Final Plat comments

Mr. Hill,

Halff has reviewed your comments and letter dated July 17, 2023, with respect to the referenced Plat. All comments have been addressed as requested and the Plat was resubmitted on July 19, 2023 for final City review and approval. Subsequent to the July 19 submittal two new comments were brought to our attention.

First, we inadvertently replaced the Owner's Certificate, which includes the Legal Description, with a second copy of the Owner's Dedication language. We have corrected that issue and are attaching with this letter an updated copy of the Plat with the Legal Description placed back on the drawing.

Second, we were informed that the south lot (Lot 2) does not meet the minimum 1-acre area requirement. We are currently looking at a couple of options to adjust the proposed lot line so that Lot 2 increases its area to 1.00 acres. Once adjusted we will submit the plat with the revised Lot Line for review prior to finalizing the Plat.

If you have any questions on the above, please feel free to contact me directly at 214-346-6208, or by email at ashafer@halff.com

Sincerely,
Halff

Andrew J. Shafer, RPLS

Attachment

Cc: Kim Dobbs, Bill Burke

July 21, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Lavon JP Office Addition - 2 Lots, 2.387 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated July 19, 2023, as prepared by HAlff Associates, Inc. for the above referenced property. Lot 1 has been developed and Lot 2 is for future development. The property is located north and awest of the First Bank Farmersville (Independent Bank) property. Our comments are as follows:

FINAL PLAT

1. The legal description has been replaced with a duplicate of the owners dedication statement.

This concludes our review of the above-referenced revised Final Plat. **We recommend APPROVAL of the Final Plat, subject to the resolution of the item above.** A copy with markups is attached for your convenience.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.

Mark D. Hill, P.E.
Consulting City Engineer

Attachment

Cc: David Carter, Mike Jones, Danny Anthony, Andrew J. Shafer, RPLS

F:\17024 - LAV General Servies\9 - Review\Collin County JP Office\PLAT\Lavon JP Office Addition - Final Plat - Rev 1.docx

July 17, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Lavon JP Office Addition - 2 Lots, 2.387 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the Final Plat dated July 14, 2023, as prepared by HAlff Associates, Inc. for the above referenced property. Lot 1 has been developed and Lot 2 is for future development. The property is located north and awest of the First Bank Farmersville (Independent Bank) property. Our comments are as follows:

FINAL PLAT

1. The surveyor firm registration number should be shown.

2. The Bear Creek SUD Signature Block should be included on the Plat.

3. Building setback lines should be shown on the Plat.

4. The three proposed easements should include more information including, but not limited to, bearings, distance, width, etc.

5. The proposed sanitary sewer easement should be identified as Proposed Private Sanitary Sewer Easement.

6. The Proposed Sanitary Sewer Easement should extend to Lot 2 for future sewer service.

7. The Proposed Access Easement should be identified as a Proposed Mutual Access Easement.

8. The Proposed Access Easement should include the common access point to the adjacent bank property.

9. The Proposed Access Easement should extend through Lot 1.

10. A Proposed Drainage Easement should be provided for the culvert from the adjacent bank property.

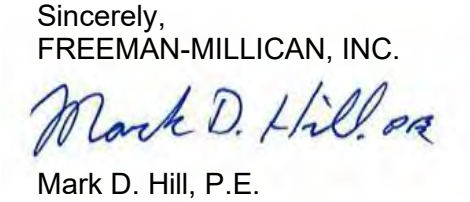
11. A note should be added that states – “All drainage and sanitary sewer facilities are private and shall be owned and maintained by the property owner”.

This concludes our review of the above-referenced Final Plat. A copy with markups is attached for your convenience.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.
Consulting City Engineer

Attachment

Cc: David Carter, Mike Jones, Danny Anthony, Andrew J. Shafer, RPLS

\\sapphire\primary\17024 - LAV General Servies\9 - Review\Collin County JP Office\PLAT\Lavon JP Office Addition - Final Plat - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 - F**

Item:

Discussion and action regarding the final plat of the 78 Commercial East Addition consisting of 1 non-residential lot on 1.24 acres situated in the W. H. Moore Survey, A-638 at 701 S. SH 78, northeast of the intersection of Grand Heritage Boulevard and SH 78, Lavon, Collin County, TX (CCAD Property ID 2614649).

Application Information

Owner(s): 78 Commercial East, LP

Applicant: Eagle Surveying

Location: 701 S. SH 78, northeast of the intersection of SH 78 and Grand Heritage Boulevard, Lavon, Collin County, TX;

Description: 1.24 acres, part of a of 8.64 acres out of the William H. Moore Survey, A-638, City of Lavon, Collin County, Texas, (CCAD Parcel ID 2614649

Current Zoning: Planned Development

Request: Final Plat

Request Details

The applicant is seeking approval of a final plat for the 78 Commercial East Addition, Block A, Lot 1, a commercial development. The final plat conforms to the approved preliminary plat.

Code Excerpts:

TEXAS LOCAL GOVERNMENT CODE
§ 212.004. PLAT REQUIRED

Sec. 212.004. PLAT REQUIRED. (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes

and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

Code Excerpts:

CITY OF LAVON – SUBDIVISION ORDINANCE

Section 4.04 FINAL PLAT

After approval of the preliminary plat by the planning and zoning commission and City Council, a final plat, prepared by a registered public surveyor bearing his or her seal and the construction plans prepared by a registered professional civil engineer bearing his or her seal, shall be submitted to the planning and zoning commission.

Background:

The property is located within the Commercial Planning Area of the Grand Heritage Planned Development Zoning District. On May 2, 2023, the City Council approved the preliminary plat of the 78 Commercial East Addition.

The final plat meets the technical requirements of and complies with the zoning and subdivision regulations.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE 78 COMMERCIAL EAST ADDITION CONSISTING OF 1 NON-RESIDENTIAL LOT ON 1.24 ACRES SITUATED IN THE W. H. MOORE SURVEY, A-638 AT 701 S. SH 78, NORTHEAST OF THE INTERSECTION OF GRAND HERITAGE BOULEVARD AND SH 78, LAVON, COLLIN COUNTY, TX., SUBJECT TO CITY ENGINEER APPROVAL.

MOTION MADE: NABORS
SECONDED: TIEGS
APPROVED: UNANIMOUS

Staff Notes:

The applicant met with the City staff development review committee and has cooperated with staff and city engineer review notes. Approval is recommended subject to the City Engineer's final approval of the civil plans.

Attachments:

1. Application and Final Plat
2. Location Exhibits
3. Engineer's correspondence

CITY OF LAVON

P.O. Box 340, School Rd. Lavon, TX 75166
Office 972-843-4220 – Inspection 972-853-0855

PLAT APPLICATION

Incomplete applications will not be accepted.

Company Making Submission	Property Owner
Name: Eagle Surveying, LLC	Name: 78 Commercial ~~West~~ EAST, LP
Address: 222 S. Elm Street, Suite 200	Address: ~~1601 Elm Street~~ 2101 CEDAR SPRINGS
City/State/Zip: Denton, TX 76201	City/State/Zip: Dallas, TX 75201
Phone #: 940-222-3009 Fax #:	Phone # 214-880-8434 Fax #
Authorized Person: Erick Nolasco	Authorized Person: CARTER W. HUNT

Type of Submission	Date
☐ Preliminary Plat	
☑ Final Plat	
☐ Re-Submittal	
☐ Construction Plans	
☐ Other	

Check List of Items Submitted

- ☐ (two) full size sets of plats (24x36)
- ☐ (two) full size construction sets (24x36)
- ☐ (one) half size sets of plats (11x17)
- ☐ (ten) half size sets of plats with final submission (11x17)
- ☐ (one) PDF plats (on separate CD's)
- ☐ (one) PDF construction plans (can be included on plat CD)

Pricing

Preliminary Plat: C* D*	Per Fee Schedule
Final Plat: C* D*	Per Fee Schedule
Re-Plat: C* D*	Per Fee Schedule
Public Infrastructure Inspection	Per Fee Schedule

C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required.

D* To complete the plat please sign up as a collaborator in the MyGov system https://public.mygov.us/lavon_tx request access to the City of Lavon. Make a new request for the plat and download these forms along with plans.

NOTICE TO APPLICANT: Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances and any other applicable ordinances of the City, regardless of information and/or plans submitted.

Authorized Representative (Printed Name)	Authorized Representative (Signature)	Date:
Carter W. Hunt		6/21/2023

To be completed by the City

In Takers Name:

In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:
☐ Accepted ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected

Comments:

CITY OF LAVON
P.O. Box 340 – 120 School Rd. – Lavon, TX 75166
Office 972-843-4220 – Fax 972-843-0397 – Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Declaration of Ownership

Date: 6/21/2023

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, 78 COMMERCIAL EAST, LP, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, for the purpose of any future proposed request (s) relating to this property.

Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

Before me, the undersigned authority, appeared Carter W. Hunt,
on this the 21st day of June, 2023.

(notary seal) JANET BRACKENRIDGE
Notary Public, State of Texas
Comm. Expires 09-25-2024
Notary ID 578658-0

Janet Brackenridge

Notary Public in and for Dallas County, Texas

CITY OF LAVON

P.O. Box 340 – 120 School Rd. – Lavon, TX 75166
Office 972-843-4220 – Fax 972-843-0397 – Inspection 972-853-0855
Email: leann.mcclendon@cityoflavon.org

PLAT APPLICATION

Please type or print clearly. Incomplete applications will not be accepted.

Authorization of Representation

Date: 6/21/2023

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, CARTER W. HUNT, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize EAGLE SURVEYING, LLC to represent me (us) and my (our) interests in the property described in the attached exhibits (s) for the expressed purpose of this request.

Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

Before me, the undersigned authority, appeared Carter W. Hunt,
on this the 21st day of June, 2023.

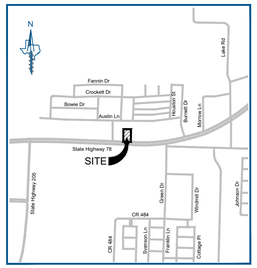
JANET BRACKENRIDGE
Notary Public, State of Texas
Comm. Expires 09-25-2024
Notary ID 578658-0

(Notary seal)

Janet Brackenridge

Notary Public in and for Dallas County, Texas

VICINITY MAP
NOT TO SCALE



CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	14.16'	250.00'	3°14'40"	N 89°33'00" E	14.15'
C2	32.45'	250.00'	7°26'16"	N 84°12'32" E	32.43'
C3	47.12'	30.00'	90°00'00"	N 45°42'58" E	42.43'
C4	47.12'	30.00'	89°59'29"	S 44°17'18" E	42.42'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 88°49'40" E	42.54'
L2	N 89°17'02" W	180.00'
L3	S 89°17'02" E	57.00'
L4	N 00°42'58" E	64.99'
L5	S 89°17'02" E	25.99'
L6	S 00°42'26" W	64.99'
L7	S 89°17'02" E	37.00'

GENERAL NOTES

1. The purpose of this plat is to create one (1) lot of record from an unplatted tract of land and to dedicate easements for site development.
2. This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated June 02, 2009 and is located in Community Number 481313 as shown on Map Number 48085C0440J.
3. The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTK Network - North American Datum of 1983 (Adjustment Realization 2011).
4. Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.
5. All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.

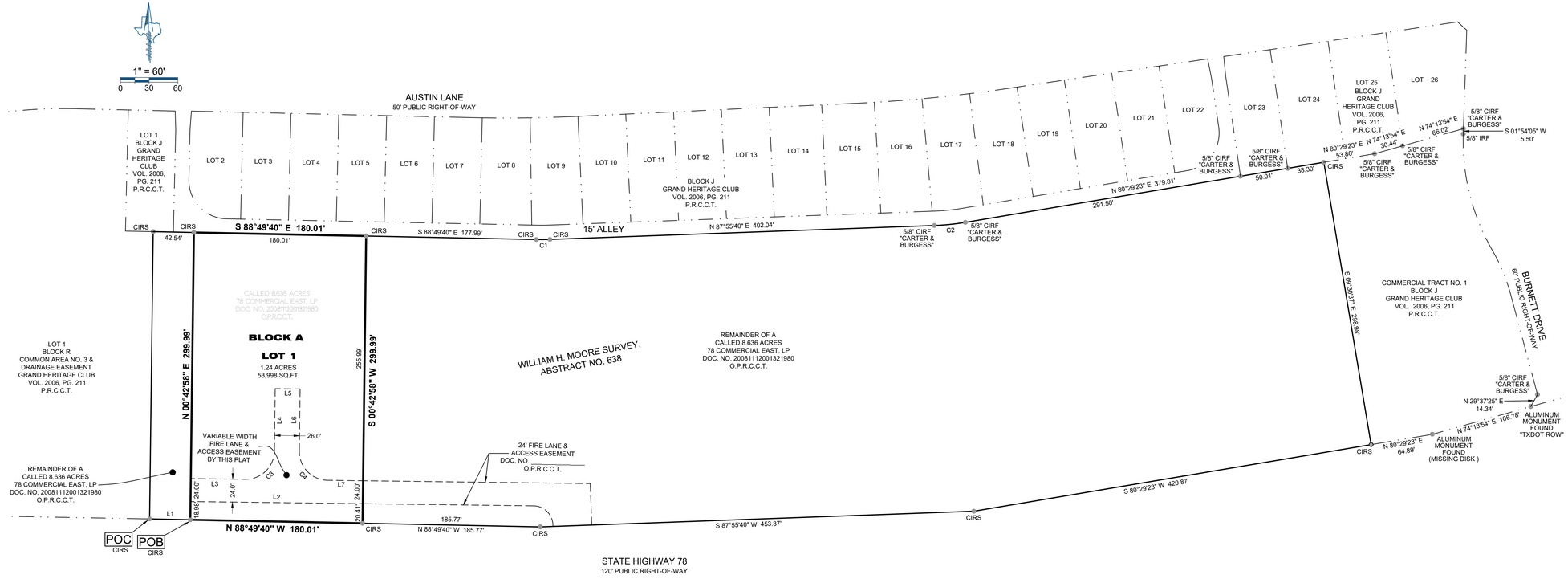
LEGEND

PG.	= PAGE
VOL.	= VOLUME
POB	= POINT OF BEGINNING
IRF	= IRON ROD FOUND
CIRS	= CAPPED IRON ROD SET
DOC. NO.	= DOCUMENT NUMBER
O.P.R.C.C.T.	= OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

N

1" = 60'

0 30 60



STATE HIGHWAY 78
120' PUBLIC RIGHT-OF-WAY

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS 78 COMMERCIAL EAST, LP is the owner of an 1.24 acre tract of land out of the William H. Moore Survey, Abstract No. 638, situated in the City of Lavon, Collin County, Texas, and being all of a portion of a called 8.636 acre tract of land conveyed to 78 Commercial East, LP by deed of record in Document Number 20081112001321980 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING, at a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the North right-of-way line of State Highway 78 (120-foot right-of-way), being the Southeast corner of Lot 1, Block R, Common Area No. 3 & Drainage Easement of Grand Heritage Club, a subdivision of record in Volume 2006, Page 211 of the Plat Records of Collin County, Texas and the Southwest corner of said 8.636 acre tract;

THENCE, S88°49'40"E, along the North right-of-way line of said State Highway 78, a distance of 42.54 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set for the **POINT OF BEGINNING**;

THENCE, N00°42'58"E, over and across said 8.636 acre tract of land, a distance of 299.99 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the south line of a 15' alley, Block J of Grand Heritage Club, a subdivision of record in Volume 2006, Page 211 of the Plat Records of Collin County, Texas;

THENCE, S88°49'40"E, along the South line of said 15' alley, being the common North line of said 8.636 acre tract, a distance of 180.01 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

THENCE, S00°42'58"W, over and across said 8.636 acre tract, a distance of 299.99 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the North right-of-way line of said State Highway 78;

THENCE, N88°49'40"W, along the North right-of-way line of said State Highway 78, being the common South line of said 8.636 acre tract, a distance of 180.01 feet to the **POINT OF BEGINNING**, containing 1.24 acres or 53,998 square feet, more or less.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **78 COMMERCIAL EAST, LP**, do hereby adopt this Preliminary plat, designating herein described property as **78 COMMERCIAL EAST ADDITION, LOT 1, BLOCK A,** an addition to the City of Lavon, Collin County, Texas, and does hereby dedicate in fee simple to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed in any Easements. Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Lavon's use thereof. The City of Lavon and public utility entities shall have the right to remove and keep removed improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Lavon and public utility entities shall at all times have full right for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone. This Minor plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Lavon, Texas.

WITNESS, my hand, this the _____ day of _____, 2023.

OWNER: **78 COMMERCIAL EAST, LP**

BY: _____
Signature

BY: _____
Printed Name / Title

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

BEAR CREEK SPECIAL UTILITY DISTRICT APPROVAL CERTIFICATE

This plat correctly represents the required easements and certifications required by Bear Creek Special Utility District (BCSUD) for this development.

"RECOMMENDED FOR APPROVAL"

_____
Signature
Bear Creek SUD, Lavon, Texas

NAME/TITLE: _____

DATE: _____

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF DENTON §

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Lavon, Collin County, Texas.

PRELIMINARY
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

_____ _____
Matthew Raabe, R.P.L.S. #6402 Date

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

Recommended for Approval:

_____ Date: _____
Chairman, Planning and Zoning Commission

Approved for Construction:

_____ Date: _____
Mayor, City of Lavon, Texas

Accepted:

_____ Date: _____
Mayor, City of Lavon, Texas

The undersigned, the city secretary of the City of Lavon, Texas, hereby certifies that the foregoing final plat of **78 COMMERCIAL EAST ADDITION, LOT 1, BLOCK A**, a subdivision or addition to the City of Lavon was submitted to the city council on the _____ day of _____, 20___ and the council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines as shown and set forth in and upon said plat and said council further authorized the mayor to note the acceptance thereof by signing his or her name as hereinabove subscribed.

Witness my hand this _____ day of _____, AD, 2023.

_____
City Secretary, City of Lavon, Texas

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
78 Commercial East, LP
1601 Elm Street
Dallas, TX 75201

JOB NUMBER	2211.016-05
DATE	07/18/2023
REVISION	-
DRAWN BY	EN

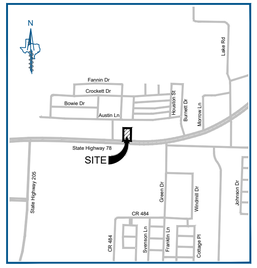
EAGLE SURVEYING
Eagle Surveying, LLC
222 South Elm Street
Suite 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

FINAL PLAT
78 COMMERCIAL EAST ADDITION
LOT 1, BLOCK A

1.24 ACRES

BEING A PORTION OF A CALLED 8.636 ACRE TRACT
OF LAND RECORDED IN
DOCUMENT NUMBER 20081112001321980, O.P.R.C.C.T.
SITUATED IN THE
WILLIAM H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS

VICINITY MAP
NOT TO SCALE



CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	14.16'	250.00'	3°14'40"	N 89°33'00" E	14.15'
C2	32.45'	250.00'	7°26'16"	N 84°12'32" E	32.43'
C3	31.58'	20.00'	90°27'22"	N 45°56'39" E	28.40'
C4	31.26'	20.00'	89°32'38"	S 44°03'21" E	28.17'

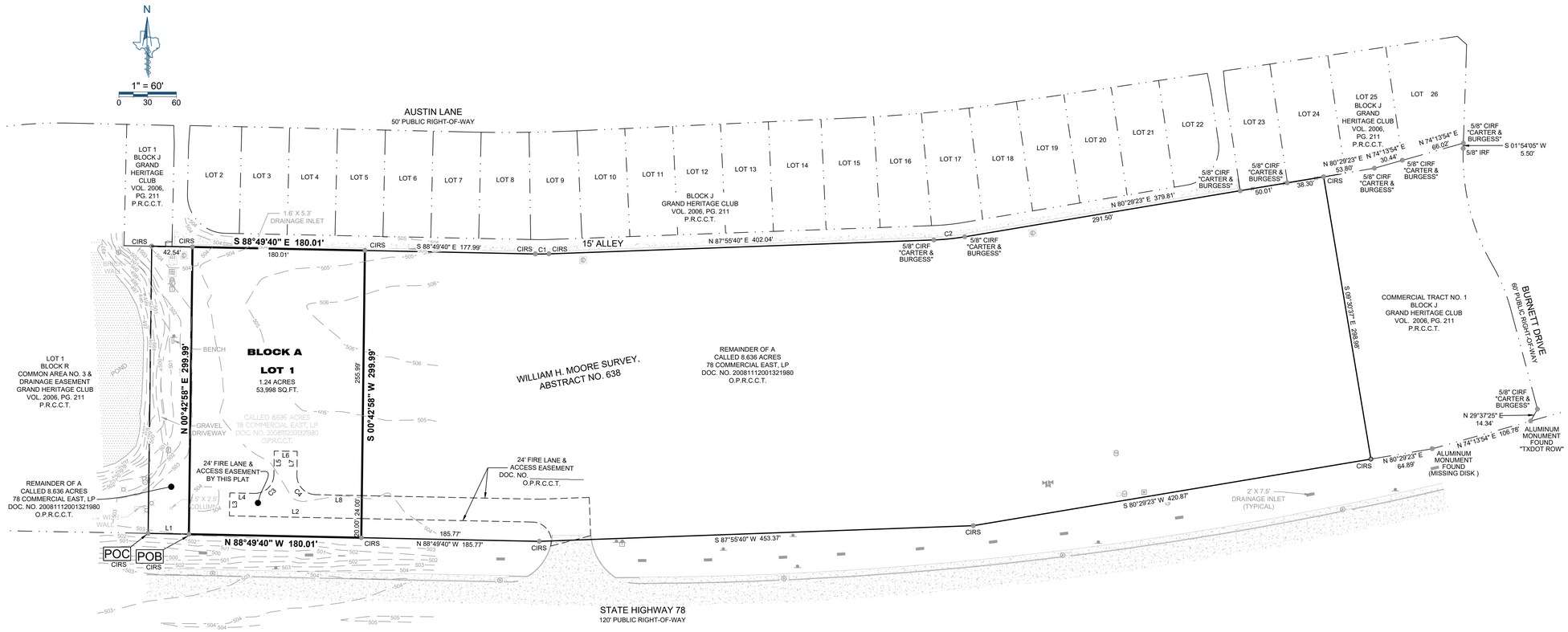
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 88°49'40" E	42.54'
L2	N 88°49'40" W	138.00'
L3	N 01°10'20" E	24.00'
L4	S 88°49'40" E	25.65'
L5	N 00°42'58" E	24.50'
L6	S 89°17'02" E	24.00'
L7	S 00°42'58" W	25.01'
L8	S 88°49'40" E	48.16'

GENERAL NOTES

1. The purpose of this plat is to create one (1) lot of record from an unplatted tract of land and to dedicate easements for site development.
2. This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated June 02, 2009 and is located in Community Number 481313 as shown on Map Number 48085C0440J.
3. The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTK Network - North American Datum of 1983 (Adjustment Realization 2011).
4. Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.
5. All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.

LEGEND

Sign	Wood Fence	Brick	
Trash Can	Edge of Gravel		
Light	Storm Drain Manhole	Concrete	
Electric Box	Boundary Monument		
Electric Meter		Water	
Electric Manhole	CIRS — Capped iron Rod Set		
Electric Transformer	TXDOT MON. — Texas Department of Transportation Monument	Drainage Inlet	
3" PVC	DOC. NO. — Document Number	P.R.C.C.T.	Plat Records, Collin County, Texas
Sanitary Manhole	POB — Point of Beginning	O.P.R.C.C.T.	Official Public Records, Collin County, Texas
Irrigation Control Valve	POC — Point of Commencement		



CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF DENTON §

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Lavon, Collin County, Texas.

PRELIMINARY
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

_____ _____
Matthew Raabe, R.P.L.S. #6402 Date

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

"Preliminary Plat for Review Purposes Only"

Recommended for Approval:

_____ Date: _____
Chairman, Planning and Zoning Commission

Approved for preparation of Final Plat:

_____ Date: _____
Mayor, City of Lavon, Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS 78 COMMERCIAL EAST, LP is the owner of an 1.24 acre tract of land out of the William H. Moore Survey, Abstract No. 638, situated in the City of Lavon, Collin County, Texas, and being all of a portion of a called 8.636 acre tract of land conveyed to 78 Commercial East, LP by deed of record in Document Number 20081112001321980 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING, at a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the North right-of-way line of State Highway 78 (120-foot right-of-way), being the Southeast corner of Lot 1, Block R, Common Area No. 3 & Drainage Easement of Grand Heritage Club, a subdivision of record in Volume 2006, Page 211 of the Plat Records of Collin County, Texas and the Southwest corner of said 8.636 acre tract;

THENCE, S88°49'40"E, along the North right-of-way line of said State Highway 78, a distance of 42.54 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set for the **POINT OF BEGINNING**;

THENCE, N00°42'58"E, over and across said 8.636 acre tract of land, a distance of 299.99 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the south line of a 15' alley, Block J of Grand Heritage Club, a subdivision of record in Volume 2006, Page 211 of the Plat Records of Collin County, Texas;

THENCE, S88°49'40"E, along the South line of said 15' alley, being the common North line of said 8.636 acre tract, a distance of 180.01 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

THENCE, S00°42'58"W, over and across said 8.636 acre tract, a distance of 299.99 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the North right-of-way line of said State Highway 78;

THENCE, N88°49'40"W, along the North right-of-way line of said State Highway 78, being the common South line of said 8.636 acre tract, a distance of 180.01 feet to the **POINT OF BEGINNING**, containing 1.24 acres or 53,998 square feet, more or less.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **78 COMMERCIAL EAST, LP**, do hereby adopt this Preliminary plat, designating herein described property as **78 COMMERCIAL EAST ADDITION, LOT 1, BLOCK A,** an addition to the City of Lavon, Collin County, Texas, and does hereby dedicate in fee simple to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed in any Easements. Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Lavon's use thereof. The City of Lavon and public utility entities shall have the right to remove and keep removed improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Lavon and public utility entities shall at all times have full right for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone. This Minor plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Lavon, Texas.

WITNESS, my hand, this the _____ day of _____, 2023.

OWNER: **78 COMMERCIAL EAST, LP**

BY: _____
Signature

BY: _____
Printed Name / Title

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
78 COMMERCIAL EAST ADDITION
LOT 1, BLOCK A

1.24 ACRES

BEING A PORTION OF A CALLED 8.636 ACRE TRACT
OF LAND RECORDED IN
DOCUMENT NUMBER 20081112001321980, O.P.R.C.C.T.
SITUATED IN THE
WILLIAM H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS

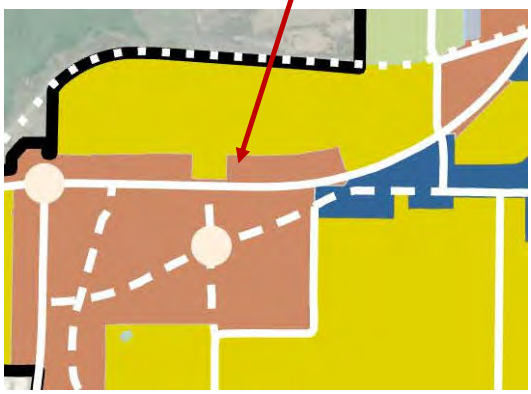
SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

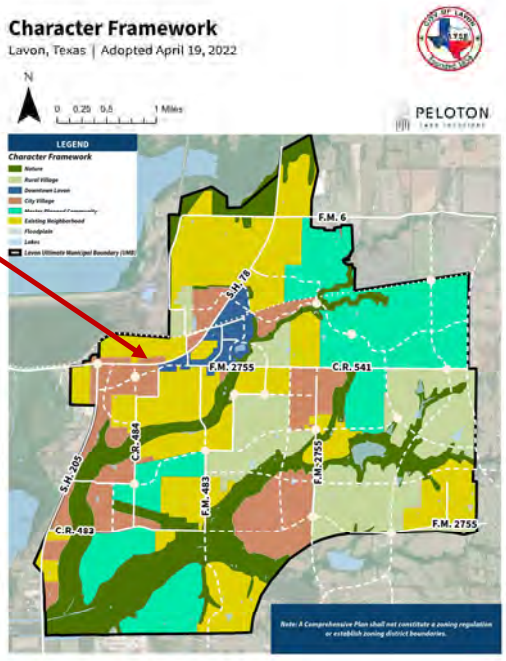
OWNER
78 Commercial East, LP
1601 Elm Street
Dallas, TX 75201

JOB NUMBER	2211.016-05
DATE	06/01/2023
REVISION	-
DRAWN BY	EN

Eagle Surveying, LLC
222 South Elm Street
Suite 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

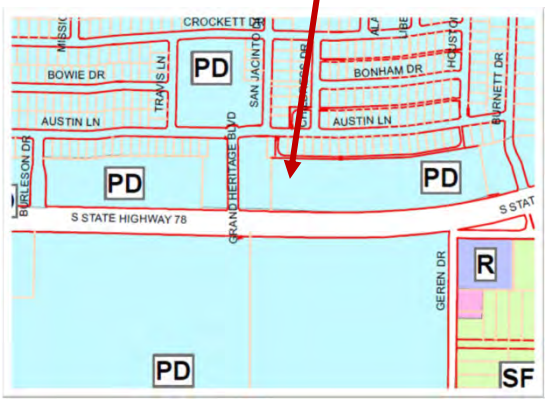
Future Land Use Plan

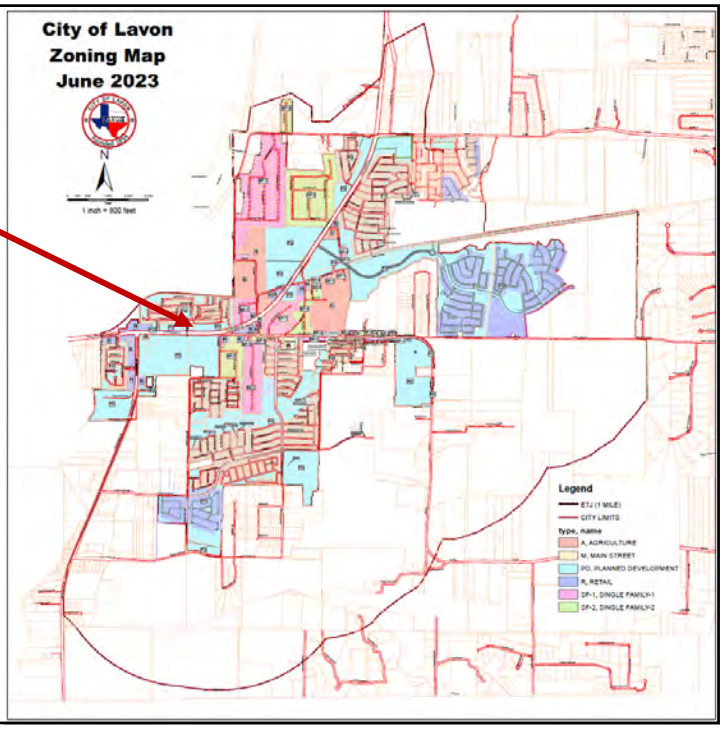




35

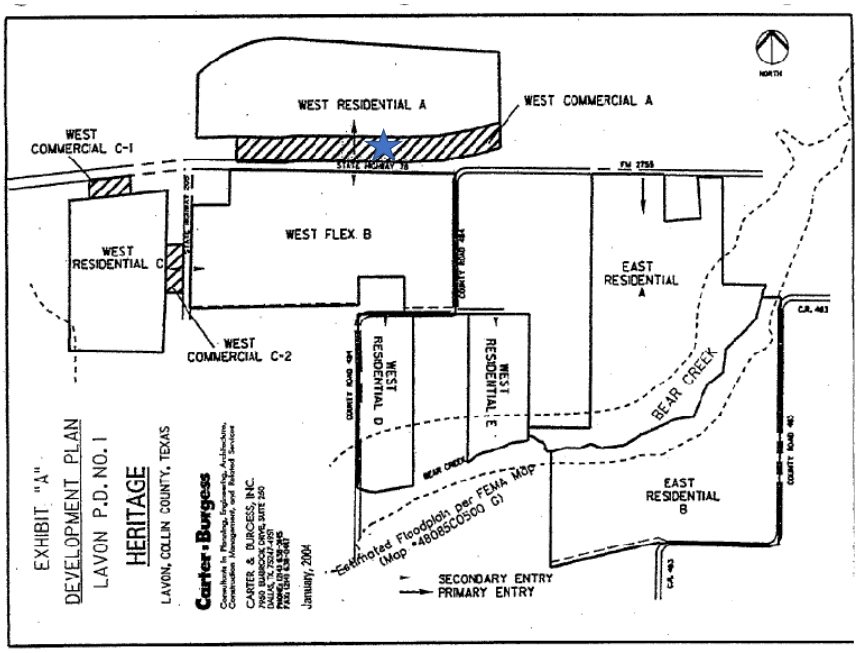
Zoning Map





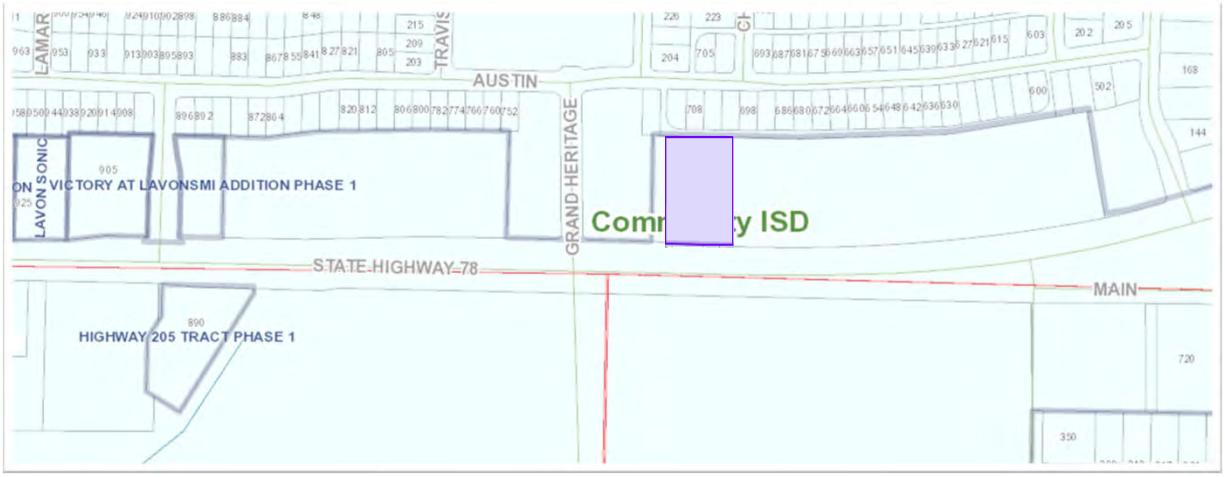
36

Grand Heritage PD Development Plan



37

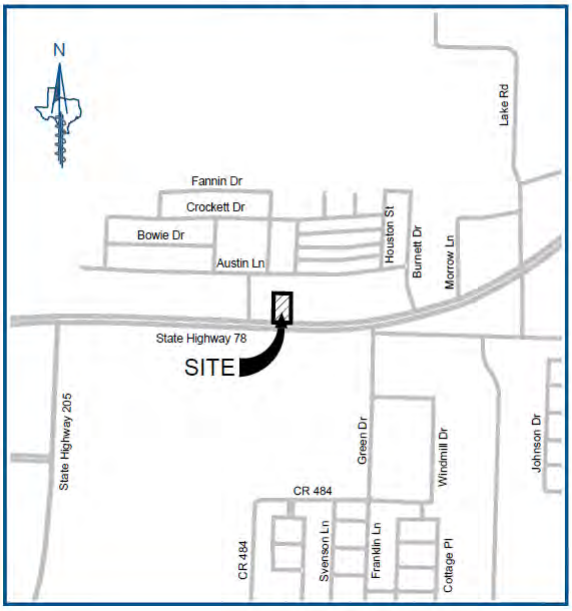
78 Commercial East Addition Location Exhibit

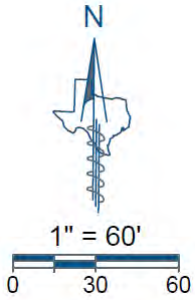


38

78 Commercial East Addition Location Exhibit

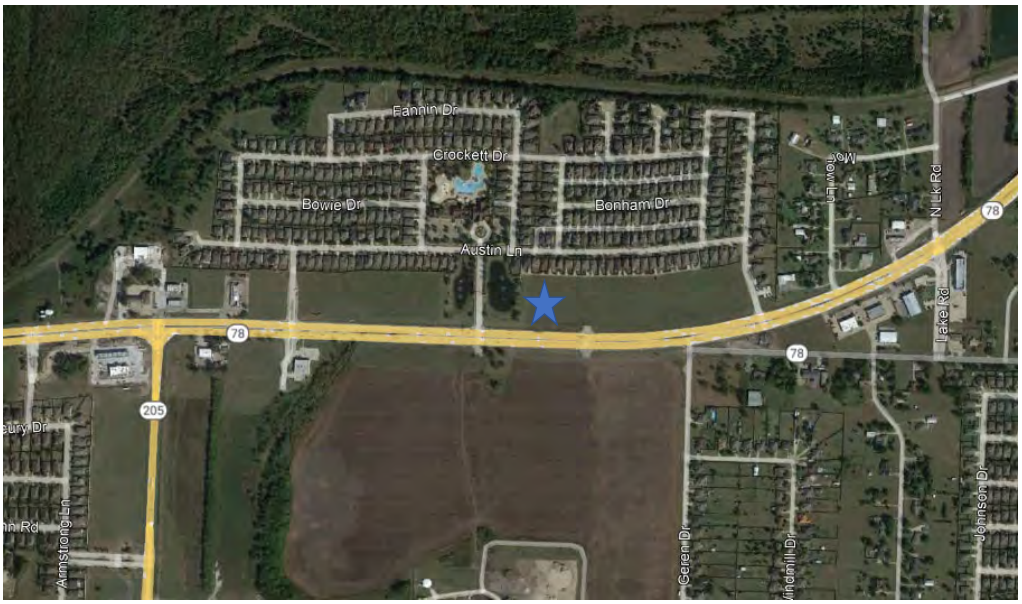
VICINITY MAP
NOT TO SCALE





39

78 Commercial East Addition Location Exhibit



40

July 27, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: 78 Commercial East Addition, Lot 1, Block A (Scrubbies) - 1 Lot, 8.64 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated July 18, 2023, as prepared by Eagle Surveying and revised Civil Plans dated July 24, 2023 as prepared by Salient Engineering Solutions, for the above referenced property. The property is located east of the northeast corner of Grand Heritage Drive and SH 78. Our comments are as follows:

FINAL PLAT

1. Drainage easements are required on the adjacent “Remainder” lot and Lot 1, Block R to accommodate the drainage from the northwest corner of the property. The ”Remainder” can be conveyed by Plat. Lot 1 Block R will require a separate instrument.

CIVIL PLANS

2. Sheet C1.0 – The latest version of the City Standards (Sheet DS-G1) should be used (2019-12-01).

3. Sheet C2.0 – The minimum fire lane radius at the SH 78 connection should be labeled.

4. Sheet C3.0 – A drainage easement will be required in the northwest corner to accommodate the stormwater discharge across the adjacent properties (sheet flow to point flow). These should be shown on the plan for reference (see note 1 above).

5. Sheet C3.0 – A TxDOT permit will be required for discharge into the SH 78 stormwater system. This permit application will be prepared by the Developer and provided to the City for submission to TxDOT.

6. Sheet C3.1 – A note should be added that crushed concrete is not allowed for construction entrance.

7. Sheet C4.0 – The “C” factor should be 0.8. If the Engineer would like to use the 0.70 (or other) then justification for the “C” factor should be provided.

8. Sheet C4.0 – Engineer to verify units provided for the discharges onto TxDOT property.

9. Sheet C6.0 – All sanitary sewer pipe to be SDR 26.

This concludes our review of the above-referenced revised Final Plat. **We recommend APPROVAL of the Final Plat subject to addressing the Civil Plan comments above.** Copies of the TxDOT permit and the offsite easements should be provided to the City for its records. Offsite easement information will be required to be placed on the Final Plat.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony

F:\17024 - LAV General Servies\9 - Review\Scrubbies (78 Commercial East)\78 Commercial East Addition Lot 1 Blk A (Scrubbies) - Final Plat - Rev 2.docx

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

July 21, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: 78 Commercial East Addition, Lot 1, Block A (Scrubbies) - 1 Lot, 8.64 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated July 18, 2023, as prepared by Eagle Surveying for the above referenced property. The property is located east of the northeast corner of Grand Heritage Drive and SH 78. Revised Civil Plans have not been provided for review.

All comments for the Final Plat have been satisfactorily addressed.

This concludes our review of the above-referenced revised Final Plat. **We recommend APPROVAL of the Final Plat by P&Z.** Civil Plans will be reviewed once received and will be required prior to providing a recommendation to City Council.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.

Mark D. Hill, P.E.
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony

F:\17024 - LAV General Servies\9 - Review\Scrubbies (78 Commercial East)\78 Commercial East Addition Lot 1 Blk A (Scrubbies) - Final Plat - Rev 1.docx

July 12, 2023

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: 78 Commercial East Addition, Lot 1, Block A (Scrubbies) - 1 Lot, 8.64 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the Final Plat dated June 1, 2023, as prepared by Eagle Surveying, and Civil Plans dated June 15, 2023 as prepared by Salient Engineering Solutions, LLC, for the above referenced property. The property is located east of the northeast corner of Grand Heritage Drive and SH 78. Our comments, along with comments from Peloton Land Solutions, are as follows:

FINAL PLAT

1. The development name in the signature Block should be 78 Commercial East Addition, Lot 1, Block A.

2. The western Remainder Tract requires access through Lot 1.

CIVIL PLANS

3. Sheets C1.0 & C7.0 – The latest version of the City Standards should be used (2019-12-01).

4. Sheet C2.0 – The reinforcement for the fire lane and dumpster loading pad shall be #4 bars to conform to City standards.

5. Sheet C2.0 – The subgrade thickness should be identified for the drive aisle in the legend.

6. Sheet C2.0 – Provide Fire Lane striping detail.

7. Sheet C2.0 – Add dimension of fire lane at west end.

8. Sheet C2.0 – It appears that the 150’ hose lay length to the northwest building area cannot be achieved with the current fire lane configuration.

9. Sheet C2.0 – The minimum fire lane radius is 30’.

10. Sheet C2.0 – Note 8 should be modified to exclude fire lanes.

11. Sheet C2.0 – Benchmark data has not been provided.

12. Sheet C3.0 – A drainage easement will be required in the northwest corner to accommodate the stormwater discharge across the adjacent properties (sheet flow to point flow).

13. Sheet C3.0 – A TxDOT permit will be required for discharge into the SH 78 stormwater system. This permit application will be prepared by the Developer and provided to the City for submission to TxDOT.

14. Sheet C3.0 – The rip-rap areas should be dimensioned to facilitate construction and verify sufficient rip-rap is being placed.

15. Sheet C3.1 – A note should be added that crushed concrete is not allowed for construction entrance.

16. Sheet C4.0 – The “C” factor should be 0.8.

17. Sheet C4.0 – Drainage Areas OS-1 and OS-2 in the table do not match the drawing.

18. Sheet C4.0 – Identify the curb inlet and grate inlet refenced in the table for OS-1 and OS-2.

19. Sheet C4.0 – Identify the discharge for each of the discharge locations to the SH 78 ROW. Verify rip-rap dimensions.

20. Sheet C6.0 – All sanitary sewer pipe to be SDR 26.

21. Sheet C6.0 – Add pipe labels to line SS-1.

This concludes our review of the above-referenced Final Plat and Civil Plans. A copy of sheets with markups is attached for your convenience. These sheets should be considered typical in nature and NOT be considered a comprehensive markup set.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.

Mark D. Hill, P.E.
Consulting City Engineer

Attachments

Cc: David Carter, Mike Jones, Danny Anthony

\\sapphire\primary\17024 - LAV General Servies\9 - Review\Scrubbies (78 Commercial East)\78 Commercial East Addition Lot 1 Blk A (Scrubbies) - Final Plat - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 – G**

Item:

Discussion and action regarding Resolution No. **2023-08-03** approving and authorizing the execution of Change Order No. 2 to the construction contract with Summit Solutions, Inc. for the City of Lavon -North Lift Station (CIP-38) Construction Project to add larger electrical manholes and additional conduit for more efficient phasing in future wastewater treatment plant control equipment in an amount not to exceed $58,800.00; and providing an effective date.

Background:

On November 1, 2022, the City Council awarded a contract to Summit Solutions, Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project. On February 7, 2023, Change Order No. 1 was approved to clarify terms of the contract.

During construction, the need to add larger electrical manholes and additional conduit for more efficient phasing in future wastewater treatment plant control equipment was discovered. The contractor has proposed to accomplish the additional work for $58,800.00.

Financial Implications:

Funding is available in the project construction budget and the work is anticipated to result in savings in the future.

Staff Notes:

The project engineer and city engineer have reviewed the change order and approval is recommended.

Attachments: Proposed Resolution and Change Order

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-03

Change Order No. 2 – Lavon North Lift Station (CIP-38)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH SUMMIT SOLUTIONS, INC. FOR THE CITY OF LAVON NORTH LIFT STATION (CIP-38) CONSTRUCTION PROJECT TO ADD LARGER ELECTRICAL MANHOLES AND ADDITIONAL CONDUIT FOR MORE EFFICIENT PHASING IN FUTURE WASTEWATER TREATMENT PLANT CONTROL EQUIPMENT IN AN AMOUNT NOT TO EXCEED $58,800.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council contracted with Summit Solutions, Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project on November 1, 2022; and

WHEREAS, the need to add larger electrical manholes and additional conduit for more efficient phasing in future wastewater treatment plant control equipment was discovered; and

WHEREAS, the City Council has considered and determined that a change order to the 2022 contract, as amended, is in the best interest of the general health, welfare, and safety of the citizens of Lavon.

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

SECTION 1. The City Council does hereby approve and authorize the execution of Change Order No. 2 to the construction contract with Summit Solutions, Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project to add larger electrical manholes and additional conduit for more efficient phasing in future wastewater treatment plant control equipment in an amount not to exceed $58,800.00, attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That this resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-03

EXHIBIT A

CHANGE ORDER NO. 2

Kimley»Horn

July 17, 2023

Ms. Kim Dobbs
City of Lavon
120 School Road
Lavon, Texas 75166

Re: Change Order No. 2
Lavon-North Lift Station
KHA No. 063227913

Dear Ms. Dobbs:

Attached please find Change Order No. 2 for the referenced project. The electrical contractor, H&H Electric, has proposed to replace the 2'x1' pull boxes on-site with two (2) concrete electrical manholes for easier access and phasing for the future wastewater treatment plant project. Additional conduit, to serve the future wastewater treatment plant control cabinets, is also proposed as the panels are to be housed in the same MCC building as the lift station panels.

Change Order No. 2 results in a change of $58,800.00 to the current contract amount. A summary of the original contract amount and change orders to date follows:

Original Contract Amount	Change Order Number	Change in Contract Amount	Revised Contract Amount
$1,965,000.00			
	1	$0.00	$1,965,000.00
	2	$58,800.00	$2,023,800.00
Net Change in Original Contract Amount through Change Orders: <2.99%>			

Please execute the attached and return a signed copy to Summit Solutions, Inc. and Kimley-Horn and Associates.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Christopher A. Connolly, P.E.

K:\FTW_Utilities\063227913-Elavon WWTP\CCA\Lift Station\CO\CO 2 - Electrical\CO NO. 2 Cover.doc

KIMLEY-HORN AND ASSOCIATES, INC.
260 E Davis Street, Suite 100
McKinney, TX 75069

Date: July 17, 2023

CHANGE OR EXTRA WORK ORDER NO. 2

PROJECT DESCRIPTION:	Lavon-North Lift Station
KHA Project No.:	063227913
OWNER:	City of Lavon
CONTRACTOR:	Summit Solutions, Inc.
ORIGINAL CONTRACT AMOUNT:	**$1,965,000.00**
REVISED CONTRACT AMOUNT PER	
CHANGE ORDER NO. 1:	**$0.00**
CHANGE ORDER NO. 2:	**$58,800.00**

CHANGE OR EXTRA WORK TO BE PERFORMED

Description of Item
Change Order 2 is intended to replace the 2'x1' pull boxes on-site with two (2) concrete electrical manholes for easier access and phasing for the future wastewater treatment plant project and to add additional conduit to serve the future wastewater treatment plant control cabinets.

Total Increase in Contract Amount:		$58,800.00
Total Decrease in Contract Amount:	0.00	
Net Increase in Contract Amount:		$58,800.00
Revised Contract Amount:		**$2,023,800.00**
Percent Change in Contract Amount:		**2.99%**
Net Increase/(Decrease) in Contract Time of Completion:		N/A
Revised Contract Time of Completion (Calendar Days):		365

Recommended by Kimley-Horn and Associates, Inc.

By 

Date 07/17/2023

Approved by Owners:
City of Lavon

By

Date

Accepted by Contractor

By

Date

Distribution
1-Owner, 1 – Contractor, 1 - KHA Office

Project: Lavon-North Lift Station	**RFI #**: RFI-009
Project No.: 063227913	**Date Sent**: 03/31/2023
Sender: Summit Solutions, Inc.	**Receiver**: Kimley-Horn
Copies To: Mark Hill, P.E. (Freeman-Milican, Inc) David Carter (City of Lavon) Matt Policano (City of Lavon) LeAnn McClendon (City of Lavon)	

Subject: MCC Building Foundation

Request:

Do you have a detail showing the distance from the electrical conduit to the edge of the concrete foundation?

Sender's Proposed Answer/Solution: .

THE PROPOSED ANSWER/SOLUTION IS, ☐ IS NOT, INCLUDED IN THE CONTRACT.

Receiver's Response:

Electrical equipment in the future MCC room (shown on detail 1 of sheet S-105) is offset 3 feet from the south edge of concrete and 1'-6" from the west edge of concrete. See attached revised electrical plan sheets reflecting the offset and associated conduit schedule.

The length from west edge of concrete to the future interior metal building wall is 19'-10".

Response By:	**Company**:	**Date**:
Christopher A. Connolly, P.E.	Kimley-Horn and Associates, Inc. Texas Registration No. F-928	04/26/2023

DISTRIBUTION:
Jack Treadwell (Summit Solution, Inc.)
Mark Hill, P.E. (Freeman-Milican, Inc)
David Carter (City of Lavon)
Matt Policano (City of Lavon)
LeAnn McClendon (City of Lavon)
Kimley-Horn Project File

ELECTRICAL SYMBOLS

SINGLE LINE DIAGRAMS

- AMMETER
- VOLTMETER
- METER
- KILOWATT HOUR METER
- AMMETER SWITCH
- VOLTMETER SWITCH
- GROUND FAULT PROTECTION
- CURRENT TRANSFORMER
- POTENTIAL TRANSFORMER
- POWER TRANSFORMER SEE NOTE 1.
- CONTROL TRANSFORMER SEE NOTE 2.
- DRAW OUT TYPE EQUIPMENT
- DRAW OUT TYPE HIGH VOLTAGE MOTOR STARTER
- PLUG-IN TYPE EQUIPMENT
- CIRCUIT BREAKER, 3 POLE UNLESS OTHERWISE INDICATED
- DISCONNECT SWITCH, 3 POLE UNLESS OTHERWISE INDICATED
- OIL FUSE CUTOUTS
- FUSE SEE NOTE 3.
- TRANSFER SWITCH, AUTOMATIC
- MAGNETIC MOTOR STARTER."1" INDICATES SIZE 1. RV INDICATES REDUCED VOLTAGE. 2S INDICATES 2 SPEED. R INDICATES REVERSING.
- MAGNETIC CONTACTOR
- CONDUIT NUMBER 12. SEE CONDUIT AND WIRING SCHEDULE FOR SIZES AND QUANTITIES OF CONDUIT AND WIRES.
- GROUND
- KIRK KEY INTERLOCKING OF EQUIPMENT
- EQUIPMENT FURNISHED, INSTALLED AND CONNECTED UNDER ANOTHER SECTION OF THE CONTRACT.
- PHASE FAILURE RELAY
- SURGE ARRESTER
- EXISTING MOTOR (HP SHOWN)
- NEW MOTOR (ESTIMATED HP SHOWN)
- FUTURE MOTOR (ESTIMATED HP SHOWN)
- MANHOLE
- EYS SEAL

NOTES: (ELECTRICAL SYMBOLS)

1. POWER TRANSFORMERS SHALL BE DRY TYPE 480-208Y/120 VOLTS, 3 PHASE 4 WIRE UNLESS OTHERWISE INDICATED.
2. CONTROL TRANSFORMER SHALL BE DRY TYPE 480-120 VOLTS 1 PHASE UNLESS OTHERWISE INDICATED. SEE CONTROL WIRING DIAGRAMS FOR USE OF 120 VOLT CONTROL CIRCUITS CONTROL TRANSFORMERS SHALL BE SIZED TO HANDLE THE LOADS OF ALL RELAYS, PILOT LIGHTS, ETC. CONNECTED THERE TO PLUS 50 VA EXTRA CAPACITY.
3. LOCATED IN OR ON MOTOR CONTROL CENTER UNLESS OTHERWISE INDICATED.

CONTROL WIRING DIAGRAMS

NORMALLY OPEN	NORMALLY CLOSED	DEVICE
		CONTACT
		LIMIT SWITCH
		LIMIT SWITCH HELD CLOSED
		LIMIT SWITCH HELD OPEN
		PRESSURE OR VACUUM SWITCH
		LIQUID LEVEL SWITCH
		TEMPERATURE ACTUATED SWITCH
		FLOW SWITCH (AIR, WATER, ETC.)
		PUSH BUTTON SINGLE CIRCUIT MOMENTARY CONTACT.
		PUSH BUTTON SINGLE CIRCUIT LOCK-OUT(LOCATED AT MOTOR UNLESS OTHERWISE NOTED)
		TIMED CONTACT- CONTACT ACTION RELAY ON ENERGIZATION.
		TIMED CONTACT- CONTACT ACTION RELAY ON DE-ENERGIZATION.
		ON-OFF SWITCH.
ESB		EMERGENCY STOP PUSH BUTTON (MAINTAINED CONTACT)
STOP	START	STOP -START PUSH-BUTTON STATION (MAINTAINED CONTACTS).
H		HAND-OFF-AUTO SELECTOR SWITCH SEE NOTE 3. (THREE POSITION).
O		
A		TWO POSITION SELECTOR SWITCH SEE NOTE 3.
R		PILOT LIGHT, Y=YELLOW, R=RED, A=AMBER, SEE NOTE 3. B=BLUE, W=WHITE, G=GREEN.
		BELL
		HORN OR SIREN
CR		CONTROL RELAY
M		STARTER COIL.
TDR		TIME DELAY RELAY. (0-30 SECONDS UNLESS OTHERWISE NOTED).
OL'S		MOTOR STARTER OVERLOAD RELAY CONTACTS
		CONTROL TRANSFORMER. SEE NOTES 2
		MANUAL MOTOR STARTER
		SOLENOID OPERATED CONTROL VALVE
1		120 VOLT, 1 PHASE, MOTOR (UNLESS OTHERWISE NOTED)
RTM		RUNNING TIME METER. (ELAPSED TIME METER)
		SPACE HEATERS. (LOCATED AT MOTOR UNLESS OTHERWISE NOTED).
		TERMINALS IN MOTOR CONTROL CENTER/MCP CONTACT OR DEVICE REMOTE FROM MOTOR CONTROL CENTER/MCP
		TERMINALS IN MOTOR CONTROL CENTER/MCP CONTACT IN MOTOR CONTROL CENTER FOR CONNECTION TO REMOTE DEVICE/MCP
		DEVICE SIGNAL OUTPUT
		DEVICE SIGNAL INPUT

PLANS

- CONDUIT RUN CONCEALED UNDER SLAB OR BELOW GRADE. (CONCEALED IN SLAB WHERE SO NOTED OR WHERE ALLOWED PER SPECIFICATIONS).
- CONDUIT RUN EXPOSED UNLESS OTHERWISE NOTED
- EXISTING CONDUIT RUN
- GROUND WIRE
- CONDUIT UP (OUT TOP OF EQUIPMENT)
- CONDUIT DOWN (OUT BOTTOM OF EQUIPMENT)
- CONDUIT STUBBED OUT AND CAPPED
- CONDUIT HOME RUN
- LIGHTING FIXTURE MOUNTED ON POLE OR POST OR ABOVE PLATFORM
- CEILING FAN
- CEILING MOUNTED LIGHTING FIXTURE
- BRACKET MOUNTED LIGHTING FIXTURE
- FLOODLIGHT
- FLUORESCENT LIGHTING FIXTURE
- POLE MOUNTED LIGHT FIXTURE
- EXIT LIGHT
- RECESSED INCANDESCENT OR MERCURY VAPOR LIGHTING FIXTURE
- LIGHTING FIXTURES CONNECTED TO EMERGENCY CIRCUITS
- A 1/100 — LIGHTING FIXTURE TYPE A, 100 WATTS, WITH 1 LAMP. SEE LIGHTING FIXTURE SCHEDULE
- $ — SINGLE POLE, SINGLE THROW TOGGLE SWITCH
- $2 — DOUBLE POLE, SINGLE THROW TOGGLE SWITCH
- $3 — THREE-WAY TOGGLE SWITCH
- $4 — FOUR-WAY TOGGLE SWITCH
- $M — MANUAL MOTOR STARTER

  (AT +48" OR AS NOTED)
- $a — OUTLETS SHOWN WITH SUBSCRIPT "a" ADJACENT TO THEM SHALL BE CONTROLLED BY S a
- DUPLEX CONVENIENCE RECEPTACLE AT +12" OR AS NOTED
- SINGLE CONVENIENCE RECEPTACLE AT +12" OR AS NOTED
- SPECIAL PURPOSE RECEPTACLE AT +12" OR AS NOTED, RATING AS INDICATED
- JUNCTION BOX, SIZE AS REQUIRED BY CODE
- THERMOSTAT OUTLET AT +54"
- CLOCK OUTLET AT +7'-6" OR AS NOTED
- TELEPHONE OUTLET AT +12" OR AS NOTED
- TELEPHONE FLOOR OUTLET
- HORN
- XX-### — CONTROL DEVICE
  PD = PRESSURE TRANSDUCER
  FS = FLOAT SWITCH
  L = LEVEL SWITCH
  V = CONTROL VALVE
- CONTROL STATION: PUSH-BUTTON STATION OR SELECTOR SWITCH. SEE CONTROL WIRING DIAGRAMS FOR REQUIREMENTS.
- M — EXISTING MOTOR
- M — NEW MOTOR
- M — FUTURE MOTOR
- GROUND WELL
- GROUND ROD
- DISCONNECT SWITCH. SEE SINGLE LINE DIAGRAM FOR SIZE.
- LIGHTING PANEL. SURFACE MOUNTED.
- SWITCHBOARD, DISTRIBUTION PANEL OR MOTOR CONTROL CENTER
- EQUIPMENT BY OTHERS
- 12 — CONDUIT NUMBER 12. SEE CONDUIT AND WIRING SCHEDULE FOR SIZES AND QUANTITIES OF CONDUIT AND WIRES.
- +12" — INDICATES HEIGHT FROM FINISHED FLOOR OR GRADE TO CENTERLINE OF DEVICE.
- 1 — INDICATES TO REFER TO NOTE (1) ON DRAWING
- W.P. — WEATHERPROOF. PROVIDE GASKETS AS REQUIRED
- C.O. — CONDUIT ONLY
- E — PULL BOX (SIZE AS REQUIRED)
- OUTPUT TERMINAL
- INPUT TERMINAL
- T — PROPOSED TRANSFORMER
- AUTOMATIC TRANSFER SWITCH (ATS)

ELECTRICAL ABBREVIATIONS

AMP AMPERE	GND GROUND	N.C. NORMALLY CLOSED
AL ALUMINUM	HP HORSEPOWER	NEC NATIONAL ELECTRICAL CODE
ATS AUTOMATIC TRANSFER SWITCH	HPS HIGH PRESSURE SODIUM	N.O. NORMALLY OPEN
AWG AMERICAN WIRE GAUGE	HZ HERTZ (CYCLES PER SECOND)	NO. NUMBER
BRK BREAKER	IC INTERRUPTING CAPACITY	PLC PROGRAMMABLE LOGIC CONTROLLER
CAT CATALOG	KV KILOVOLTS	PNL PANEL
CIRC. MIL CIRCULAR MILS (AWG)	LCL LONG CONTINUOUS LOAD	PR PAIR
C.O. CONDUIT ONLY	LED LIGHT EMITTING DIODE	PVC POLYVINYL CHLORIDE
CKT CIRCUIT	LTG LIGHTING	REC RECEPTACLE
CP CONTROL PANEL	MAX MAXIMUM	RGS RIGID GALVANIZED STEEL
DIA DIAMETER	MCC MOTOR CONTROL CENTER	SCE SOUTHERN CALIFORNIA EDISON
DWG DRAWING	MCP MAIN CONTROL PANEL	SCHED SCHEDULE
EA EACH	MCM THOUSAND CIRCULAR MIL (AWG)	SES SERVICE ENTRANCE SECTION
ELECT ELECTRICAL	MFR MANUFACTURER	SPECS SPECIFICATIONS
ELEV ELEVATION	MIN MINIMUM	SSS SOLID STATE STARTER
EXIST EXISTING	MIS MISCELLANEOUS	TEL TELEPHONE
FLA FULL LOAD AMPS	MPZ MINI POWER ZONE	TDR TIME DELAY RELAY
FUT FUTURE	MTG MOUNTING	TTB TELEPHONE TERMINAL BACKBOARD
GFCI GROUND FAULT CIRCUIT INTERRUPTER		TYP TYPICAL
		UCP UNIT CONTROL PANEL
		V VOLTS
		WP WEATHERPROOF
		XFMR TRANSFORMER

GENERAL ELECTRICAL REQUIREMENTS

1. THE COMPLETED INSTALLATION SHALL CONFORM TO ALL APPLICABLE FEDERAL, STATE AND LOCAL CODE ORDINANCES AND REGULATIONS. CONTRACTOR SHALL OBTAIN NECESSARY PERMITS AND INSPECTIONS REQUIRED BY THE AUTHORITIES HAVING JURISDICTION. ALL WORK SHALL BE DONE IN A NEAT, WORKMANLIKE, FINISHED AND SAFE MANNER, ACCORDING TO THE LATEST PUBLISHED N.E.C.A. STANDARDS OF INSTALLATION, UNDER COMPETENT SUPERVISION. INSTALL GROUNDING AS REQUIRED BY THE CODE(S).
2. VISIT THE SITE PRIOR TO BIDDING TO BECOME FAMILIAR WITH EXISTING CONDITIONS AND ALL OTHER FACTORS WHICH MAY AFFECT THE EXECUTION OF THIS WORK. INCLUDE ALL RELATED COSTS IN THE INITIAL BID PROPOSAL.
3. ALL MATERIALS SHALL BE NEW AND OF THE BEST QUALITY, MANUFACTURED IN ACCORDANCE WITH NEMA, ANSI, U.L. OR OTHER APPLICABLE STANDARDS. THE USE OF MANUFACTURER'S NAMES, MODELS, AND NUMBERS IS INTENDED TO ESTABLISH STYLE, QUALITY, APPEARANCE, USEFULNESS AND BID PRICE. PROPOSED SUBSTITUTIONS SHALL BE SUBMITTED IN WRITING AND REVIEWED BY THE ENGINEER BEFORE ORDERING.
4. PROTECT ALL ELECTRICAL MATERIAL AND EQUIPMENT INSTALLED AGAINST DAMAGE BY OTHER TRADES, WEATHER CONDITIONS OR ANY OTHER CAUSES. EQUIPMENT FOUND DAMAGED OR IN OTHER THAN NEW CONDITION WILL BE REJECTED AS DEFECTIVE.
5. LEAVE THE SITE CLEAN, REMOVE ALL DEBRIS, EMPTY CARTONS, TOOLS, CONDUIT, WIRE SCRAPS AND ALL MISCELLANEOUS SPARE EQUIPMENT AND MATERIALS USED IN THE WORK DURING CONSTRUCTION. ALL COMPONENTS SHALL BE FREE OF DUST, GRIT AND FOREIGN MATERIALS, LEFT AS NEW BEFORE FINAL ACCEPTANCE OF WORK.
6. CIRCUIT CONDUCTORS #2 AWG OR SMALLER TO BE COPPER TYPE "XHHW" FOR BELOW GRADE INSTALLATION OR COPPER TYPE THHN/THWN FOR ABOVE GRADE INSTALLATIONS. #1 AWG OR LARGER SHALL BE COPPER TYPE "XHHW-2" STRANDED COPPER. MINIMUM CONDUCTOR SIZE TO BE #12 AWG WITH #12 GND.
7. UNDERGROUND CONDUITS TO BE SCHEDULE 40 PVC. MINIMUM DEPTH 30", MINIMUM SIZE 1", UNLESS OTHERWISE SHOWN ON THE PLANS. CONDUITS AS SHOWN ARE FOR INFORMATION ONLY. EXACT CONDUIT ROUTING SHALL BE DETERMINED IN THE FIELD BY THE CONTRACTOR.
8. OUTDOOR CONDUITS EXPOSED TO BE GALVANIZED RIGID STEEL, MINIMUM SIZE 3/4", UNLESS OTHERWISE NOTED ON THE PLANS. GRS CONDUIT SHALL EXTEND BELOW GRADE TO THE FIRST ELBOW. ALL GRS CONDUIT EXPOSED TO EARTH SHALL BE HALF LAPPED WRAPPED IN SCOTCHRAP 50 10 MIL TAPE OR EQUAL. EXTEND WRAP TO A HEIGHT OF 12" ABOVE GRADE. INDOOR CONDUITS SHALL BE IMC OR EMT UNLESS OTHERWISE SHOWN ON PLAN.
9. ALL SAFETY SWITCHES AND OTHER DISTRIBUTION AND CONTROL ELECTRICAL EQUIPMENT SHALL BE U.L. LISTED AND RATED FOR HEAVY DUTY SERVICE.
10. ALL ELECTRICAL EQUIPMENT, CONDUIT, WIRING, BOXES, ETC. SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO ORDERING. THE SUBMITTALS SHALL BE NEATLY GROUPED AND ORGANIZED. PERTINENT INFORMATION SHALL BE HIGHLIGHTED, AND THE SPECIFIC PRODUCT SHALL BE IDENTIFIED. ALL SUBMITTALS SHALL BE COMPLETE, AND PRESENTED IN ONE PACKAGE. THE SUBMITTAL SHALL INCLUDE A COMPLETE LIST OF THE EQUIPMENT AND MATERIALS, INCLUDING THE MANUFACTURER'S NAME, PRODUCT SPECIFICATION, DESCRIPTIVE DATA, TECHNICAL LITERATURE, PERFORMANCE CHARTS, CATALOG CUTS, INSTALLATION INSTRUCTIONS, AND SPARE PART RECOMMENDATIONS FOR EACH DIFFERENT ITEM OF THE EQUIPMENT SPECIFIED.
11. IT IS THE OBLIGATION OF THE CONTRACTOR TO ORGANIZE HIS WORK, SO THAT A COMPLETE ELECTRICAL, INSTRUMENTATION, AND CONTROL SYSTEM FOR THE FACILITY WILL BE PROVIDED, AND WILL BE SUPPORTED BY ACCURATE SHOP AND RECORD DRAWINGS, AND O & M MANUALS.

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No.	Revision	By	Date

STATE OF TEXAS
ERICAN GUNCOR
138814
REGISTERED
PROFESSIONAL ENGINEER
Exp. Date 06/30/23

LAVON-NORTH LIFT STATION

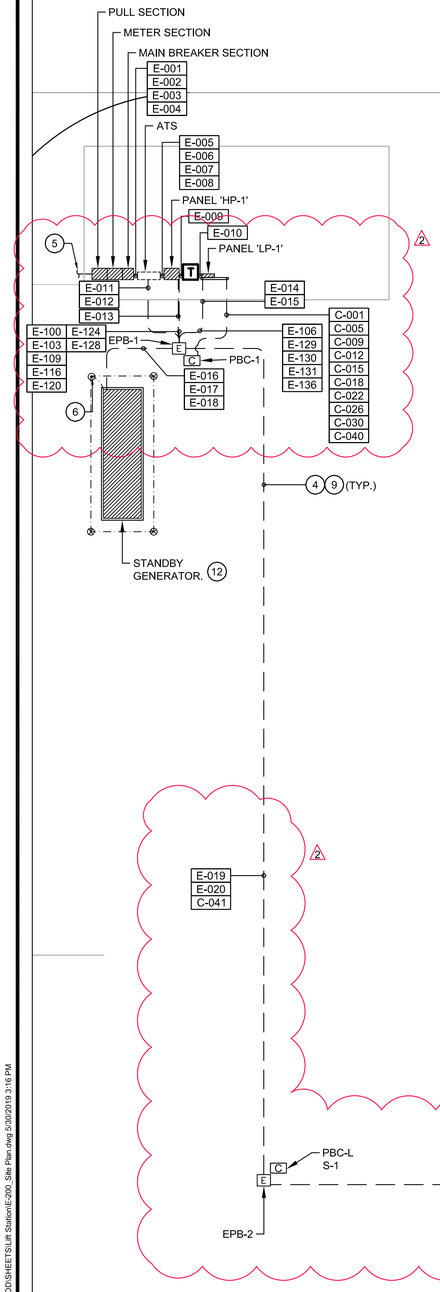
ELECTRICAL GENERAL NOTES AND LEGEND

DATE:	NOVEMBER 2022		
DESIGN:	YSH		
DRAWN:	YSH	CHECKED:	EG
KHA NO.:	063227913		

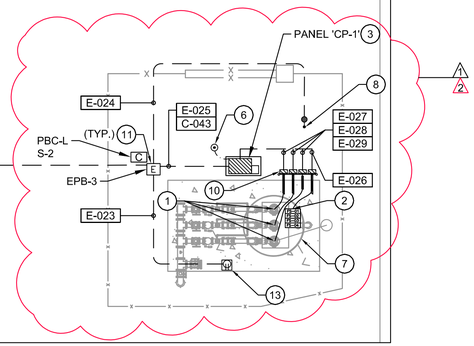
SHEET

E-100

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CONSTRUCTION NOTES

1. EXTEND PUMP MANUFACTURER CABLE FROM PUMP JUNCTION BOX BESIDE WET WELL. PROVIDE 3-2.5" GRS CONDUITS FROM JUNCTION BOX TO WELL PENETRATIONS. PROVIDE 2.5" ID CONDUIT PENETRATIONS IN WELL. PROVIDE WATERPROOF LINK SEAL FOR WELL PENETRATION. ROUTE MANUFACTURER CABLE TO EACH PUMP IN WELL.
2. EXTEND FLOAT SWITCH MANUFACTURER CABLE FROM FLOAT SWITCH JUNCTION BOX BESIDE WET WELL. PROVIDE 2" GRS CONDUIT FROM JUNCTION BOX TO WELL PENETRATION. PROVIDE WATERPROOF LINK SEAL FOR WELL PENETRATION. ROUTE 1 PAIR OF #16 AWG TO EACH LEVEL SWITCH IN WELL. KEEP SPARE IN JUNCTION BOX.
3. PAD MOUNTED CONTROL PANEL TO HAVE SUNSHIELD ON BACK OF PANEL AND FAN FOR INTERNAL VFD'S. PANEL TO FACE NORTH FOR LEAST SUN EXPOSURE.
4. SEE THIS SHEET DETAIL B FOR CONDUIT AND CONDUCTOR INFORMATION.
5. MAKE NEW SERVICE CONNECTION TO UTILITY TRANSFORMER PER UTILITY REQUIREMENTS. CONTRACTOR TO COORDINATE.
6. PROVIDE 3/4" X 10' GROUND ROD SHOWN IN DETAIL C, SHEET E-901.
7. PER 2016 NFPA 820 TABLE 4.2.2 ROW 16-A, THE WET WELL IS CLASS 1 DIV 1 GROUP D.
8. INSTALL LED LIGHT ON NEW POLE AND FOUNDATION PER DETAIL D ON SHEET E-901.
9. UNDERGROUND CONDUIT. BURIAL DETAIL SHOWN ON SHEET E-901 DETAIL A.
10. PROVIDE 4-12"X12"X6"D INSTRUMENTATION JUNCTION BOXES ON UNISTRUT RACK NEAR WETWELL. PUMP #1 JB, PUMP#2 JB, PUMP #3 JB, LEVEL SWITCH JB. PROVIDE EXPLOSION PROOF EYE SEAL FITTING AT BASE OF CABINET FOR ALL CONDUITS ENTERING WELL.
11. PROVIDE 2'X1' ELECTRICAL PULLBOX PER DETAIL E ON SHEET E-901.
12. LIFT STATION STANDBY GENERATOR WITH PAD. PAD TO EXTEND 6" OUTSIDE OF GENERATOR FOOTPRINT. SUBMIT PAD AND CONDUIT PENETRATION TO ENGINEER FOR APPROVAL. GENERATOR INTERCONNECTION SHOWN ON SHEET E-900.
13. INSTALL ABOVE GRADE RECEPTACLE PEDOC TWO GANG HINGE TOP WITH BASE OR EQUIVALENT WITH TWO (2)-DUPLEX GFCI TYPE RECEPTACLES.

A LIFT STATION ELECTRICAL PLAN
1" = 10'

GRAPHIC SCALE IN FEET
0 5 10 20

NORTH

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No.	Revision	By	Date
1	FIELD ORDER #1	JBD	1/25/2023
2	FIELD ORDER #2	JMJ	4/20/2023

STATE OF TEXAS
ERICH GUNCOR
138814
REGISTERED
PROFESSIONAL ENGINEER
Exp. Date 06/30/23

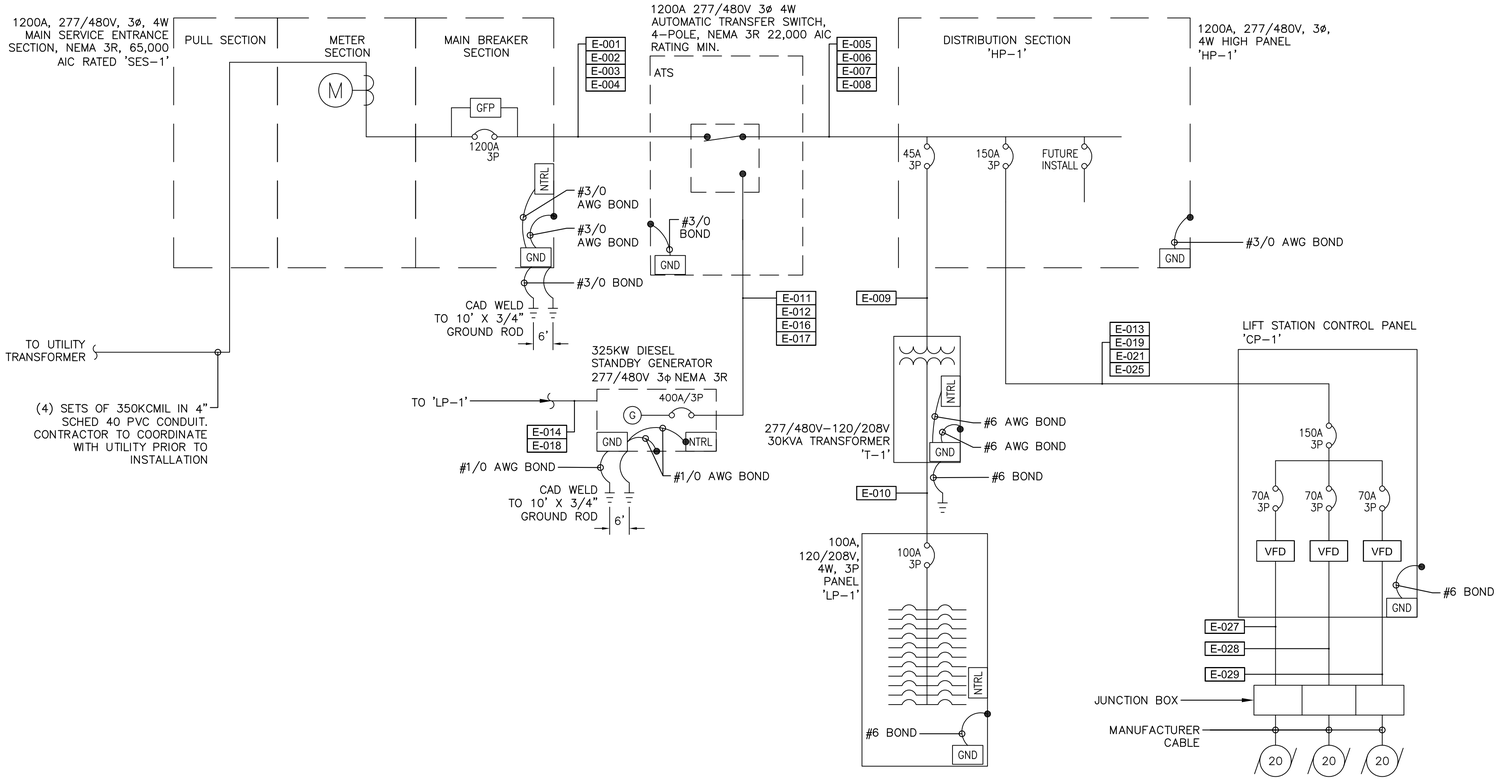
LAVON-NORTH
LIFT STATION

ELECTRICAL PLAN

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KHA NO.:	063227913

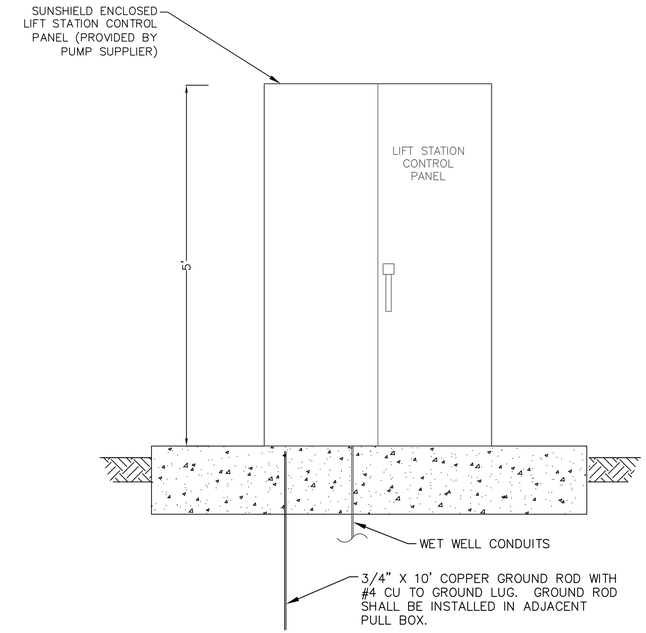
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A SINGLE LINE DIAGRAM

N.T.S.



B ELECTRICAL EQUIPMENT RACK

N.T.S.

PANEL: "HP-1"

VOLTAGE: 277/480 — PANEL BUS: 1200 AMPS
PHASE, WIRES: 3ø, 4W — MAIN: 1200 BREAKER
SCCR (AMPS): 65,000
SOURCE: SES-1

DESCRIPTION	KVA	CB	CKT	A	B	C	CKT	CB	KVA	DESCRIPTION
LIFT STATION CONTROL PANEL 'CP-1'	33.7	150/3	1	158			2	45/3	10.0	30KVA TRANSFORMER 'T-1'
	33.7		3		158		4		10.0	
	33.7		5			158	6		10.0	
SPACE			7	0			8			SPACE
SPACE			9		0		10			SPACE
SPACE			11			0	12			SPACE
SPACE			13	0			14			SPACE
SPACE			15		0		16			SPACE
SPACE			17			0	18			SPACE
SPACE			19	0			20			SPACE
SPACE			21		0		22			SPACE
SPACE			23			0	24			SPACE
SPACE			25	0			26			SPACE
SPACE			27		0		28			SPACE
SPACE			29			0	30			SPACE
SPACE			31	0			32			SPACE
SPACE			33		0		34			SPACE
SPACE			35			0	36			SPACE
SPACE			37	0			38			SPACE
SPACE			39		0		40			SPACE
SPACE			41			0	42			SPACE
		TOTALS		157.7	157.7	157.7	AMPS			

LOAD CALCULATIONS:
SUBTOTAL (KVA): 131
+25% PER NEC (KVA): 33
TOTAL (KVA): 164 @ 480V, 3Ø = 197.1 AMPS

C PANEL 'HP-1' SCHEDULE

N.A.

PANEL: "LP-1"

VOLTAGE: 120/208 — PANEL BUS: 100 AMPS
PHASE, WIRES: 3ø, 4W — MAIN: 100 BREAKER
SCCR (AMPS): 45,000
SOURCE: TRANSFORMER 'T-1'

DESCRIPTION	VA	CB	CKT	A	B	C	CKT	CB	VA	DESCRIPTION
SITE LIGHTING	200	20/1	1	10			2	20/1	1000	CP-1 FAN
GENERATOR BATTERY CHARGER	1200	20/1	3		10		4			SPARE
GENERATOR BLOCK HEATER	1200	20/1	5			10	6			SPARE
SPACE			7	0			8			SPACE
SPACE			9		0		10			SPACE
SPACE			11			0	12			SPACE
SPACE			13	0			14			SPACE
SPACE			15		0		16			SPACE
SPACE			17			0	18			SPACE
SPACE			19	0			20			SPACE
SPACE			21		0		22			SPACE
SPACE			23			0	24			SPACE
SPACE			25	0			26			SPACE
SPACE			27		0		28			SPACE
SPACE			29			0	30			SPACE
SPACE			31	0			32			SPACE
SPACE			33		0		34			SPACE
SPACE			35			0	36			SPACE
SPACE			37	0			38			SPACE
SPACE			39		0		40			SPACE
SPACE			41			0	42			SPACE
			TOTALS	10.0	10.0	10.0	AMPS			

LOAD CALCULATIONS:
SUBTOTAL (VA): 3600
+25% PER NEC (VA): 900
TOTAL (VA): 4500 @ 208V, 3Ø = 12.5 AMPS

D PANEL 'LP-1' SCHEDULE

N.A.

PHASE 1 - 0.25MGD

EQUIPMENT	QUANTITY	HP	VOLTAGE	AMP/MOTOR	*CONNECTED LOAD (A) AT 480V
LIFT STATION SUBMERSIBLE PUMP	3	20.0	480, 3PH	27	81
RAS/WAS PUMP	4	7.5	480, 3PH	11	44
AERATION/DIGESTER BLOWER	3	75.0	480, 3PH	96	288
DEWATERING EQUIPMENT MOTOR AGITATOR	1	0.75	480, 3PH	1.6	1.6
DEWATERING EQUIPMENT MOTOR					
PROGRESSIVE CAVITY PUMP	1	0.5	480, 3PH	1.1	1.1
FINE SCREEN MOTOR	1	2.0	480, 3PH	3.4	3.4
DISK FILTER DRIVE MOTOR	3	0.75	480, 3PH	1.6	4.8
DISK FILTER BACKWASH MOTOR	2	2.0	480, 3PH	3.4	6.8
CLARIFIER DRIVE MOTOR	1	3.0	480, 3PH	4.8	4.8
NPW	2	7.5	480, 3PH	11	22
LIGHTING	1	0.00	480, 3PH	2	2
25% OF LARGEST MOTOR	1	60.0	480, 3PH	24	6
TOTAL KVA					386.8
TOTAL AMPS (480V 3 Phase)					465.5
SERVICE AMPACITY					1200
SPARE AMPACITY					734.5

PHASE 2 - 0.45MGD

EQUIPMENT	QUANTITY	HP	VOLTAGE	AMP/MOTOR	*CONNECTED LOAD (A) AT 480V
AERATION/DIGESTER BLOWER	3	75.0	480, 3PH	96	288
POST-TERTIARY BLOWER	2	3.0	480, 3PH	4.8	9.6
DEWATERING EQUIPMENT MOTOR					
PROGRESSIVE CAVITY PUMP	1	0.5	480, 3PH	1.1	1.1
DEWATERING EQUIPMENT BACK MOTOR	1	7.5	480, 3PH	11	11
CLARIFIER DRIVE MOTOR	1	3.0	480, 3PH	4.8	4.8
LIGHTING	1	0.0	480, 3PH	2	2
25% OF LARGEST MOTOR	1	60.0	480, 3PH	24	6
TOTAL KVA					268.0
TOTAL AMPS (480V 3 Phase)					322.5
SERVICE AMPACITY					1200
SPARE AMPACITY					412.0

E FUTURE LOAD SUMMARY

N.A.

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STATE OF TEXAS — ERKAN GUNDOR — 138814 — REGISTERED PROFESSIONAL ENGINEER
Exp. Date 06/30/23

LAVON-NORTH LIFT STATION

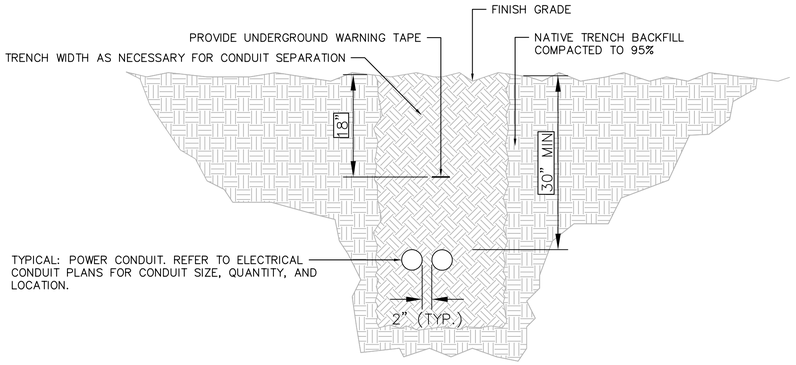
ELECTRICAL DETAILS I

DATE:	NOVEMBER 2022
DESIGN:	YSH
DRAWN:	YSH
CHECKED:	EG
KHA NO.:	063227913

SHEET

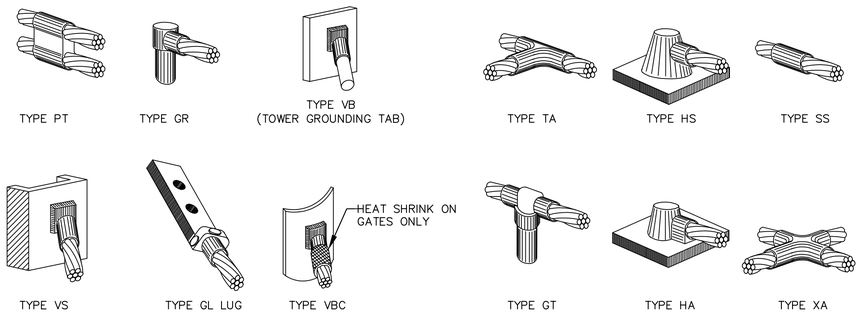
E-900

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A TRENCH DETAIL

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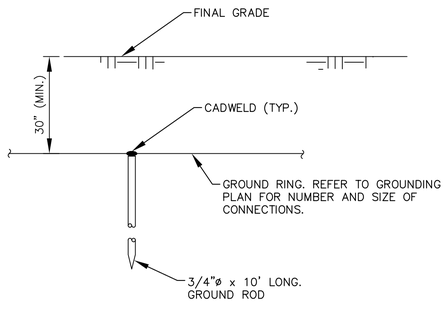


NOTES:

1. CADWELD "TYPES" SHOWN ABOVE ARE EXAMPLES. PROVIDE APPROPRIATE TYPES AS REQUIRED.

B TYPICAL CAD WELDS

N.T.S.

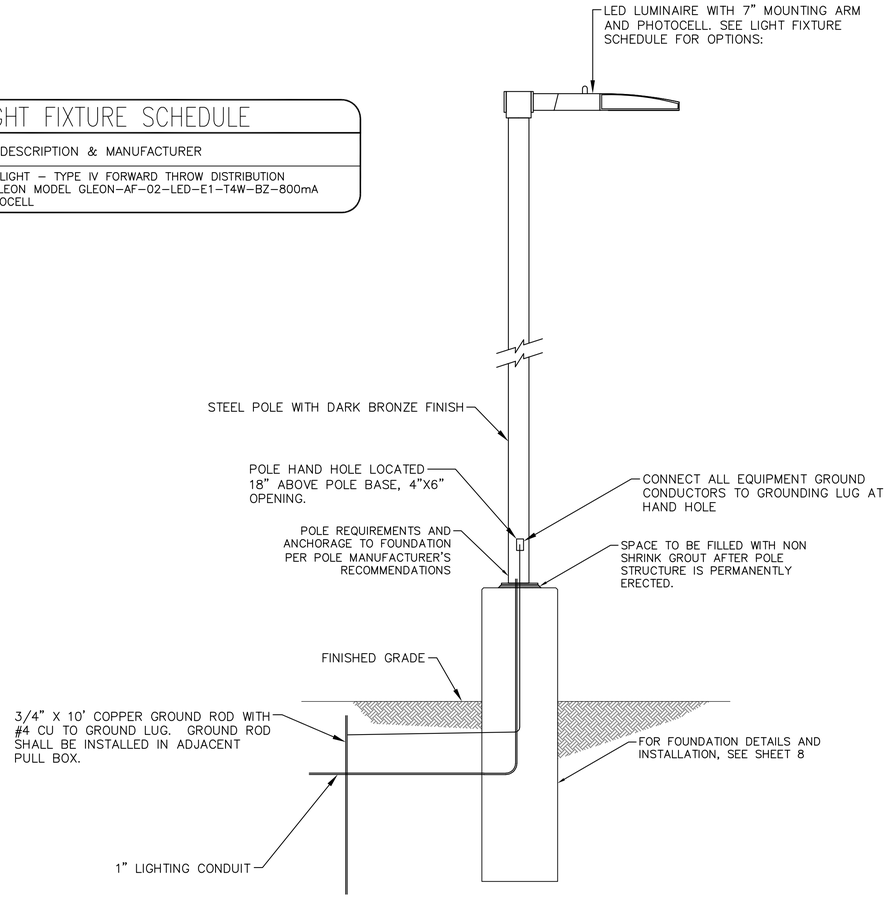


C GROUND ROD DETAIL

N.T.S.

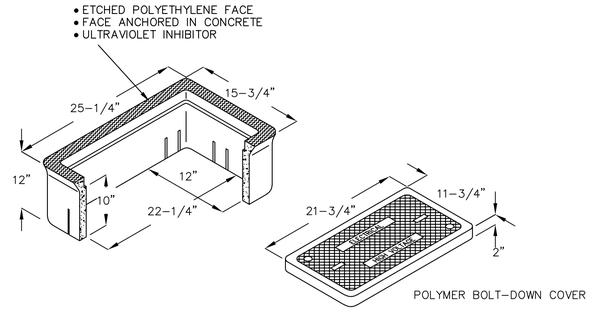
LIGHT FIXTURE SCHEDULE

	DESCRIPTION & MANUFACTURER
⊸	LED AREA LIGHT – TYPE IV FORWARD THROW DISTRIBUTION COOPER GLEON MODEL GLEON–AF–02–LED–E1–T4W–BZ–800mA WITH PHOTOCELL



D SITE LIGHT POLE DETAIL

N.T.S.



E ELECTRICAL PULLBOX DETAIL

N.T.S.

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STATE OF TEXAS
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Exp. Date 06/30/23

LAVON-NORTH LIFT STATION

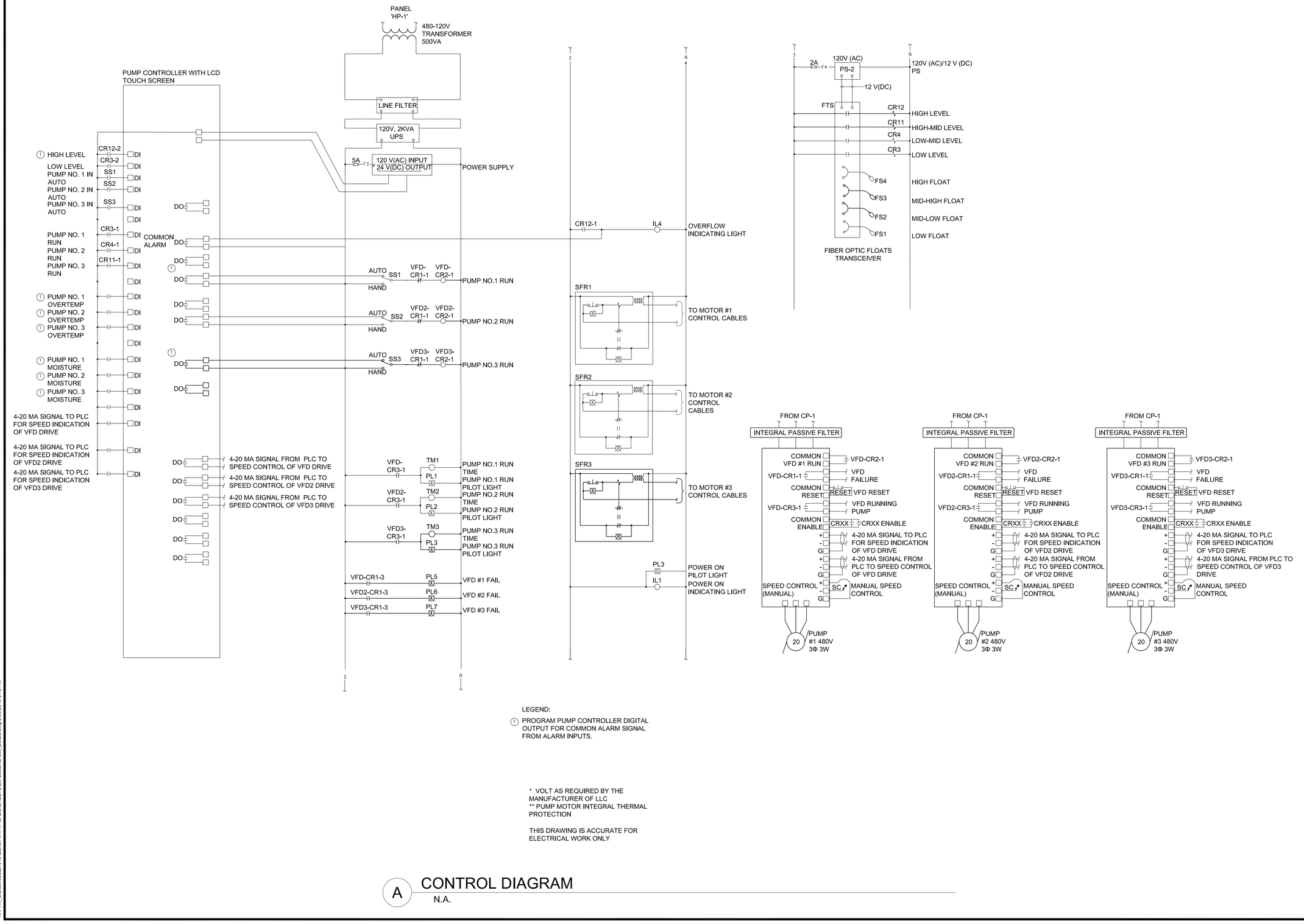
ELECTRICAL DETAILS II

DATE:	NOVEMBER 2022
DESIGN:	YSH
DRAWN:	YSH
CHECKED:	EG
KHA NO.:	063227913

SHEET

E-901

K:\FTW_Utilities\063227913-Elawon WWTP\CADD\SHEETS\Lift Station\E-300_Details.dwg 5/30/2019 3:16 PM



LEGEND:

(1) PROGRAM PUMP CONTROLLER DIGITAL OUTPUT FOR COMMON ALARM SIGNAL FROM ALARM INPUTS.

* VOLT AS REQUIRED BY THE MANUFACTURER OF LLC
** PUMP MOTOR INTEGRAL THERMAL PROTECTION

THIS DRAWING IS ACCURATE FOR ELECTRICAL WORK ONLY

A CONTROL DIAGRAM

N.A.

Kimley»Horn
801 Cherry St. Suite 1300, Unit 11 Ft. Worth, TX 76102 P: 817-335-6511
TBPE No: 928 F: 817-335-6570

No.	Revision	By	Date

STATE OF TEXAS
ERICKA GUNCOR
138814
REGISTERED
PROFESSIONAL ENGINEER
Exp. Date 06/30/23

LAVON-NORTH LIFT STATION

ELECTRICAL DETAILS III

DATE:	NOVEMBER 2022
DESIGN:	YSH
DRAWN:	YSH
CHECKED:	EG
KHA NO.:	063227913

SHEET

E-902

K:\FTW_Utilities\063227913-Elavon WWTP\CADD\SHEETS\Lift Station\E-300_Details.dwg 5/30/2019 3:16 PM

CONDUIT SCHEDULE						
CONDUIT TAG	CONDUIT QUANITTY	CONDUIT SIZE	FROM	TO	CONDUCTOR (EACH CONDUIT)	COMMENTS
E-001	1	3"	MAIN BREAKER	ATS	(4) 350KCMIL + (1) #3/0 GND	PARALLEL SET TO ATS
E-002	1	3"				
E-003	1	3"				
E-004	1	3"				
E-005	1	3"	ATS	PANEL 'HP-1'	(4) 350KCMIL + (1) #3/0 GND	PARALLEL SET TO PANEL 'HP-1'
E-006	1	3"				
E-007	1	3"				
E-008	1	3"				
E-009	1	2"	PANEL 'HP-1'	TRANSFORMER 'T-1'	(3) #6 AWG + (1) #10 GND	TRANSFORMER POWER
E-010	1	2"	TRANSFORMER 'T-1'	PANEL 'LP-1'	(4) #1 AWG + (1) #6 GND	PANEL 'LP-1' POWER
E-011	1	2.5"	ATS	EPB-1	(4) #3/0 AWG + (1) #3 GND	PARALLEL SET TO GENERATOR
E-012	1	2.5"				
E-013	1	2"	PANEL 'HP-1'	EPB-1	(4) #1/0 AWG + (1) #6 GND	CONTROL PANEL 'CP-1' POWER
E-014	1	2"	PANEL 'LP-1'	EPB-1	(4) #12 AWG + (1) # GND	GENERATOR BLOCK HEATER/RCPT.
E-015	1	2"			(4) #10 AWG + (1) #12 GND	ABOVE GRADE RCPT. PEDESTAL AND SITE LIGHTING
E-016	1	2.5"	EPB-1	GENERATOR	(4) #3/0 AWG + (1) #3 GND	PARALLEL SET TO GENERATOR
E-017	1	2.5"				
E-018	1	2"			(4) #12 AWG + (1) #12 GND	GENERATOR BLOCK HEATER/RCPT.
E-019	1	2"	EPB-1	EPB-2	(4) #1/0 AWG + (1) #6 GND	CONTROL PANEL 'CP-1' POWER
E-020	1	2"			(4) #10 AWG + (1) #12 GND	ABOVE GRADE RCPT. PEDESTAL AND SITE LIGHTING
E-021	1	2"	EPB-2	EPB-3	(4) #1/0 AWG + (1) #6 GND	CONTROL PANEL 'CP-1' POWER
E-022	1	2"			(4) #10 AWG + (1) #12 GND	ABOVE GRADE RCPT. PEDESTAL AND SITE LIGHTING
E-023	1	1"	EPB-3	ABOVE GRADE RCPT. PEDESTAL	(2) #12 AWG + (1) 12 GND	ABOVE GRADE RCPT. PEDESTAL
E-024	1	1"	EPB-3	SITE LIGHTING	(2) #12 AWG + (1) 12 GND	SITE LIGHTING
E-025	1	2"	EPB-3	CONTROL PANEL 'CP-1'	(4) #1/0 AWG + (1) #6 GND	CONTROL PANEL 'CP-1' POWER
E-026	1	2"	CONTROL PANEL 'CP-1'	WELL FLOAT SWITCH JUNCTION BOX	5-PR #16 AWG	FLOAT SWITCH CONNECTION
E-027	1	2"	CONTROL PANEL 'CP-1'	WELL PUMP JUNCTION BOX	(3) #4 AWG + (1) #8 GND	PUMP POWER
E-028	1	2"				
E-029	1	2"				
E-100	1	2"	PANEL 'HP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-103	1	2"	PANEL 'HP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-106	1	2"	PANEL 'LP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-109	1	3"	PANEL 'HP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-116	1	2"	PANEL 'HP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-120	1	2"	PANEL 'HP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-124	1	2"	PANEL 'HP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-128	1	2"	PANEL 'HP-1'	SITE LIGHTING	MULE TAPE	FUTURE INSTALL
E-129	1	2"	PANEL 'LP-1'	FLOW METER #1	MULE TAPE	FUTURE INSTALL
E-130	1	2"	PANEL 'LP-1'	FLOW METER #2	MULE TAPE	FUTURE INSTALL
E-131	1	2"	PANEL 'LP-1'	PBE-1	MULE TAPE	FUTURE INSTALL
E-136	1	2"	PANEL 'LP-1'	PBE-1	MULE TAPE	FUTURE INSTALL

A POWER CONDUIT AND CONDUCTOR SCHEDULE

N.A.

CONDUIT TAG	CONDUIT QUANITTY	CONDUIT SIZE	FROM	TO	CONDUCTOR (EACH CONDUIT)	COMMENTS
C-001	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-005	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-009	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-012	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-015	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-018	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-022	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-026	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-030	1	1"	PLC	PBC-1	MULE TAPE	FUTURE INSTALL
C-040	1	2"	PLC	PBC-1	8-PAIR #16 AWG	LS CONTROLS
C-041	1	2"	PBC-1	PBC-LS-1	8-PAIR #16 AWG	LS CONTROLS
C-042	1	2"	PBC-LS-1	PBC-LS-2	8-PAIR #16 AWG	LS CONTROLS
C-043	1	2"	PBC-LS-2	PBC-LS-2	8-PAIR #16 AWG	LS CONTROLS
C-044	1	2"	PBC-LS-2	CONTROL PANEL 'CP-1'	8-PAIR #16 AWG	LS CONTROLS

B COMMUNICATION CONDUIT AND CONDUCTOR SCHEDULE

N.A.

Kimley»Horn
801 Cherry St., Suite 1300, Unit 11 Ft. Worth, TX 76102 P: 817-335-6511
F: 817-335-6070
TBPE No: 928

No.	Revision	By	Date
2	FIELD ORDER #2	JMJ	4/20/2023

STATE OF TEXAS
ERKAN GUNGOR
138814
REGISTERED
PROFESSIONAL ENGINEER
Exp. Date 06/30/23

LAVON-NORTH LIFT STATION

ELECTRICAL DETAILS IV

DATE:	NOVEMBER 2022
DESIGN:	YSH
DRAWN:	YSH
CHECKED:	EG
KHA NO.:	063227913

SHEET

E-903

K:\FTW_Utilities\063227913-Elavon WWTP\CADD\SHEETS\Lift Station\E-300_Details.dwg 5/30/2019 3:16 PM

Project: Lavon-North Lift Station	**RFI #**: RFI-0014
Project No.: 063227913	**Date Sent**: 05/15/2023
Sender: Summit Solutions, Inc.	**Receiver**: Kimley-Horn
Copies To: Mark Hill, P.E. (Freeman-Milican, Inc) David Carter (City of Lavon) Matt Policano (City of Lavon) LeAnn McClendon (City of Lavon)	

Subject: Proposal 2023-2201

Request:

Please see attached Proposal 2023-2201 referencing electrical changes required in RFI No. 9 Response

Sender's Proposed Answer/Solution: .

THE PROPOSED ANSWER/SOLUTION IS, ☐ IS NOT, INCLUDED IN THE CONTRACT.

Receiver's Response:

Please provide detailed cost breakouts for "Option 1" and "Option 2", including credit for the originally shown 2'x1' pull boxes, for review and approval.

"Option 3" and "Option 4" are declined.

Response By:	**Company**:	**Date**:
Christopher A. Connolly, P.E.	Kimley-Horn and Associates, Inc. Texas Registration No. F-928	05/17/2023

DISTRIBUTION:
Jack Treadwell (Summit Solution, Inc.)
Mark Hill, P.E. (Freeman-Milican, Inc)
David Carter (City of Lavon)
Matt Policano (City of Lavon)
LeAnn McClendon (City of Lavon)
Kimley-Horn Project File

190 E. Stacy Road, #306-144
Allen, Texas 75002

Office: (214) 938-5424
Cell: (678) 283-7355

5/15/2023

Proposal 2023-2201

TO:
Kimley-Horn
ATTN: Chris Connolly
260 East Davis St. Suite 100
McKinney, Texas 75069
email: chris.connolly@kimley-horn.com

Phone: (469) 301-2580

RECAPITULATION

	D. REVISED ELECTRICAL PLAN SHEETS (PER RFI NO. 9 RESPONSE)				TBD
			TOTAL		TBD

5/15/2023

COST CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
D.	**REVISED ELECTRICAL PLAN SHEETS (PER RFI NO. 9 RESPONSE)**				
Option 1	Add Conduits for Future Expansions Add Conduits for Controls to Lift Station	LS	1	$44,800.00	$44,800.00
Option 2	Replace the 2'x1' Electrical Pull Boxes with 2 Concrete Precast Manholes 1-4x4 and 1-3x3	LS	1	$16,900.00	$16,900.00
Option 3	Repalce the 2'x1' Electrical Pull Boxes with 4 Concrete Precast Manholes 1-4x4 and 3-3x3	LS	1	$31,800.00	$31,800.00
Option 4	Replace the 2'x1' Electrical Pull Boxes with 6 Concrete Precast Manholes 1-4x4 and 5-3x3	LS	1	$46,800.00	$46,800.00

TOTAL TBD

SUMMIT SOLUTIONS INC.

190 E. Stacy Road, #306-144
Allen, Texas 75002

Office: (214) 938-5424
Cell: (678) 283-7355

7/3/2023

Revised Proposal 2023-2201

TO:
Kimley-Horn
ATTN: Chris Connolly
260 East Davis St. Suite 100
McKinney, Texas 75069
email: chris.connolly@kimley-horn.com

Phone: (469) 301-2580

RECAPITULATION

	D. REVISED ELECTRICAL PLAN SHEETS (PER RFI NO. 9 RESPONSE)				
	Option 1				$42,800.00
	Option 2				$16,000.00
			TOTAL		$58,800.00

7/3/2023

COST CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
D.	**REVISED ELECTRICAL PLAN SHEETS (PER RFI NO. 9 RESPONSE)**				
Option 1	Add Conduits for Future Expansions Add Conduits for Controls to Lift Station	LS	1	$42,800.00	$42,800.00
Option 2	Replace the 2'x1' Electrical Pull Boxes with 2 Concrete Precast Manholes 1-4x4 and 1-3x3	LS	1	$16,000.00	$16,000.00
				TOTAL	**$58,800.00**

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 – H**

Item:

Discussion and action regarding Resolution No. **2023-08-04** approving and authorizing the execution of Change Order No. 3 to the construction contract with Summit Solutions, Inc. for the City of Lavon -North Lift Station (CIP-38) Construction Project to add approximately 430 feet of gravel access road that was not included in the Elevon Parkway project to connect the lift station and wastewater treatment plant site to Elevon Parkway, in an amount not to exceed $64,844.75; and providing an effective date.

Background:

On November 1, 2022, the City Council awarded a contract to Summit Solutions, Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project. On February 7, 2023, Change Order No. 1 was approved to clarify terms of the contract.

Access from Elevon Parkway to the site was planned to be constructed with the wastewater treatment plant construction. During the course of construction, it has been determined that it would be beneficial to install the access drive to the Lift Station sooner than originally intended. The contractor has proposed to accomplish the additional work for $64,844.75.

Financial Implications:

Funding is available in the project construction budget and the work is anticipated to result in savings in the future.

Staff Notes:

The project engineer and city engineer have reviewed the change order and approval is recommended.

Attachments: Proposed Resolution and Change Order

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-04

Change Order No. 3 – Lavon North Lift Station (CIP-38)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 3 TO THE CONSTRUCTION CONTRACT WITH SUMMIT SOLUTIONS, INC. FOR THE CITY OF LAVON NORTH LIFT STATION (CIP-38) CONSTRUCTION PROJECT TO ADD APPROXIMATELY 430 FEET OF GRAVEL ACCESS ROAD THAT WAS NOT INCLUDED IN THE ELEVON PARKWAY PROJECT TO CONNECT THE LIFT STATION AND WASTEWATER TREATMENT PLANT SITE TO ELEVON PARKWAY, IN AN AMOUNT NOT TO EXCEED $64,844.75; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council contracted with Summit Solutions, Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project on November 1, 2022; and

WHEREAS, in the course of construction, it has been determined that it would be beneficial to install the access drive to the lift station now, earlier than originally planned to be installed to the wastewater treatment plant; and

WHEREAS, the City Council has considered and determined that a change order to the 2022 contract, as amended, is in the best interest of the general health, welfare, and safety of the citizens of Lavon.

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

SECTION 1. The City Council does hereby approve and authorize the execution of Change Order No. 3 to the construction contract with Summit Solutions, Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project to add approximately 430 feet of gravel access road that was not included in the Elevon Parkway project to connect the lift station and wastewater treatment plant site to Elevon Parkway, in an amount not to exceed $64,844.75, attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That this resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-04

EXHIBIT A

CHANGE ORDER NO. 3

Kimley»Horn

July 17, 2023

Ms. Kim Dobbs
City of Lavon
120 School Road
Lavon, Texas 75166

Re: Change Order No. 3
Lavon-North Lift Station
KHA No. 063227913

Dear Ms. Dobbs:

Attached please find Change Order No. 3 for the referenced project. The flexbase access drive up to the ROW of Elevon Pkwy was included in the Elevon Pkwy project plans. However, the full flexbase access road from the ROW to the WWTP property boundary was not included in the Elevon Pkwy project, as anticipated. Kimley-Horn recommends approval of the additional 12" flexbase access road from Elevon Pkwy ROW to the WWTP site with 15' of tree clearing on either side of the road for Oncor easement and water line easement access.

Change Order No. 3 results in a change of $64,844.75 to the current contract amount. A summary of the original contract amount and change orders to date follows:

Original Contract Amount	Change Order Number	Change in Contract Amount	Revised Contract Amount
$1,965,000.00			
	1	$0.00	$1,965,000.00
	2	$58,800.00	$2,023,800.00
	3	$64,844.75	$2,088,644.75
Net Change in Original Contract Amount through Change Orders: <6.29%>			

Please execute the attached and return a signed copy to Summit Solutions, Inc. and Kimley-Horn and Associates.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Christopher A. Connolly, P.E.

K:\FTW_Utilities\063227913-Elavon WWTP\CCA\Lift Station\CO\CO 3 - Additional Road\CO NO. 3 Cover.doc

KIMLEY-HORN AND ASSOCIATES, INC.
260 E Davis Street, Suite 100
McKinney, TX 75069

Date: July 17, 2023

CHANGE OR EXTRA WORK ORDER NO. 3

PROJECT DESCRIPTION:	Lavon-North Lift Station
KHA Project No.:	063227913
OWNER:	City of Lavon
CONTRACTOR:	Summit Solutions, Inc.
ORIGINAL CONTRACT AMOUNT:	**$1,965,000.00**
REVISED CONTRACT AMOUNT PER	
CHANGE ORDER NO. 1:	**$0.00**
CHANGE ORDER NO. 2:	**$58,800.00**
CHANGE ORDER NO. 3:	**$64,844.75**

CHANGE OR EXTRA WORK TO BE PERFORMED

Description of Item
Change Order 3 is intended to add additional 12" flexbase access road from Elevon Pkwy ROW to the WWTP site with 15' of tree clearing on either side of the road for Oncor easement and water line easement access.

Total Increase in Contract Amount:		$123,644.75
Total Decrease in Contract Amount:	0.00	
Net Increase in Contract Amount:		$123,644.75
Revised Contract Amount:		**$2,088,644.75**
Percent Change in Contract Amount:		**6.29%**
Net Increase/(Decrease) in Contract Time of Completion:		N/A
Revised Contract Time of Completion (Calendar Days):		365

Recommended by Kimley-Horn and Associates, Inc.

By _____

Date 07/17/2023

Approved by Owners:
City of Lavon

By _____

Date _____

Accepted by Contractor

By _____

Date _____

Distribution
1-Owner, 1 – Contractor, 1 - KHA Office



7/14/2023

190 E. Stacy Road, #306-144
Allen, Texas 75002

Office: (214) 938-5424
Cell: (678) 283-7355

Proposal 2023-2202

TO:
Kimley-Horn
ATTN: Chris Connolly
260 East Davis St. Suite 100
McKinney, Texas 75069
email: chris.connolly@kimley-horn.com

Phone: (469) 301-2580

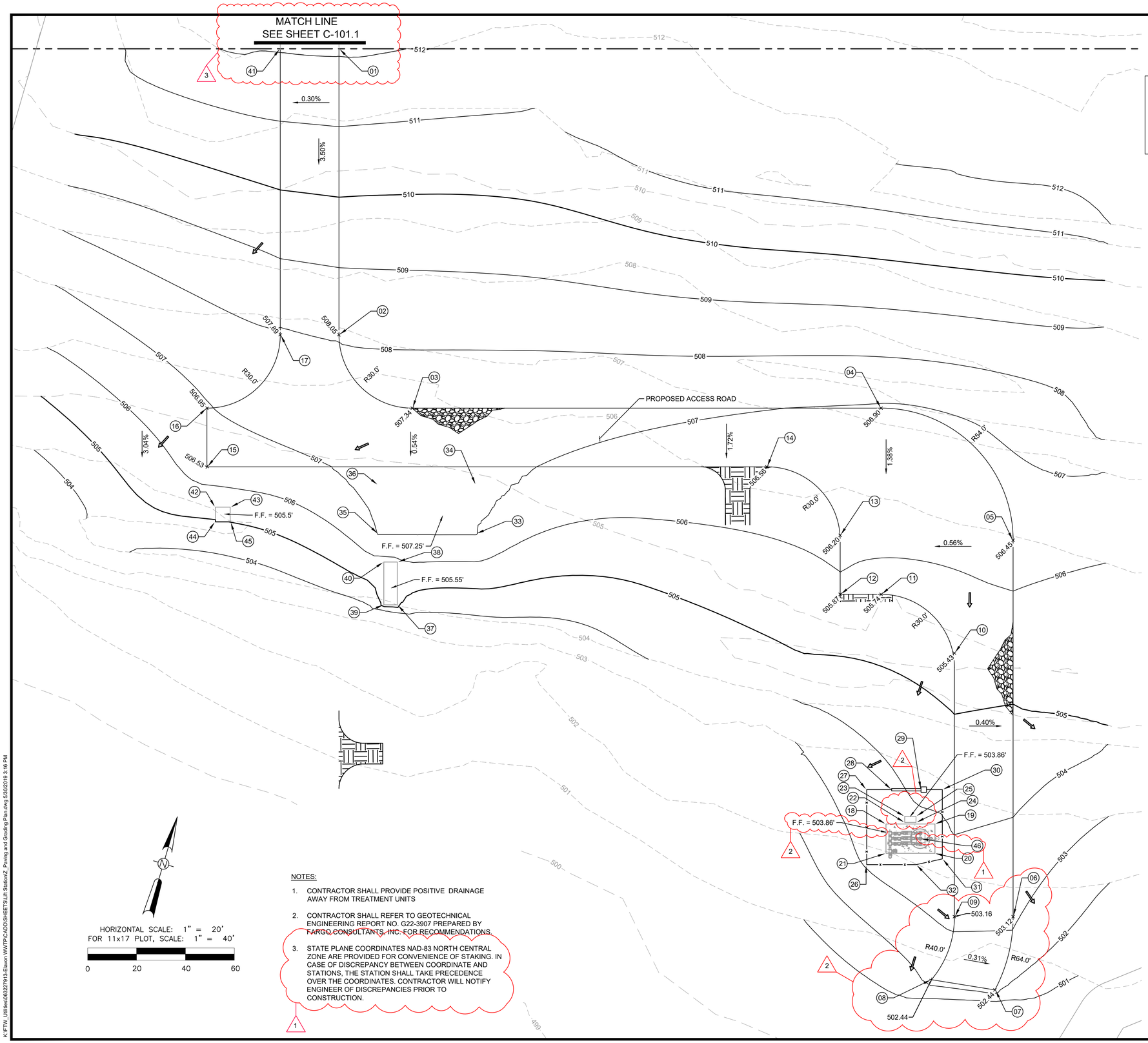
RECAPITULATION

	A. SITE WORK				**$64,844.75**
			TOTAL		**$64,844.75**

7/14/2023

COST CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
A.	**SITE WORK**				
1	Land Clearing (54' wide x 428' long) x 66.6%	SF	15393	$0.75	$11,544.75
2	Grading	LS	1	$15,000.00	$15,000.00
3	12" Flex Base Access Road	TON	666	$50.00	$33,300.00
4	Surveyor	LS	1	$2,500.00	$2,500.00
5	Soil Testing	LS	1	$2,500.00	$2,500.00
				TOTAL	**$64,844.75**

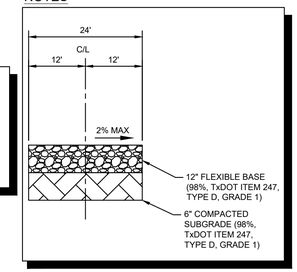
***** If this Proposal is approved by July 20, there will not be a remobilization fee. If approved after July 20, there will be a charge of $3,000.00 for remobilization.



LEGEND

- 508 — EXISTING CONTOUR
- 505 — PROP. CONTOURS
- 500.23 — PROPOSED GRADE OF TOP OF PAVEMENT
- DIRECTION OF FLOW

NOTES



ACCESS ROAD TYPICAL SECTION
N.T.S.

CONTROL POINT TABLE			
POINT #	NORTHING	EASTING	DESCRIPTION
01	7062925.3308	2603515.1754	PROPERTY LINE POINT
02	7062813.1629	2603548.3423	PC
03	7062792.9008	2603585.6175	PT
04	7062847.2762	2603769.5114	PC
05	7062810.8044	2603836.6069	PT
06	7062663.1670	2603880.2617	PC
07	7062632.3435	2603881.6206	END ACCESS ROAD
08	7062628.9900	2603855.5362	END ACCESS ROAD
09	7062656.3617	2603857.2468	PT
10	7062759.7438	2603826.6778	PC
11	7062774.2521	2603791.1038	PT
12	7062769.5053	2603775.0505	EOP
13	7062792.6637	2603768.2028	PC
14	7062811.0079	2603731.4947	PT
15	7062746.0673	2603511.8705	EOP
16	7062769.0824	2603505.0654	EOP
17	7062806.3576	2603525.3273	PT
18	7062684.7743	2603819.6506	CONCRETE PAD CORNER
19	7062690.3981	2603838.6699	CONCRETE PAD CORNER
20	7062678.8907	2603842.0725	CONCRETE PAD CORNER
21	7062673.2668	2603823.0532	CONCRETE PAD CORNER
22	7062687.5485	2603826.8291	CONCRETE PAD CORNER
23	7062689.9459	2603826.1202	CONCRETE PAD CORNER
24	7062688.8576	2603831.2562	CONCRETE PAD CORNER
25	7062691.2550	2603830.5473	CONCRETE PAD CORNER
26	7062666.5748	2603816.8042	FENCE
27	7062696.0246	2603808.0962	FENCE
28	7062698.9214	2603817.8929	FENCE GATE
29	7062702.3240	2603829.4004	FENCE GATE
30	7062704.7954	2603837.7586	FENCE
31	7062677.6205	2603845.7940	FENCE
32	7062672.3017	2603836.1724	FENCE
33	7062751.0524	2603625.1588	CONCRETE PAD CORNER
34	7062770.2315	2603619.4877	CONCRETE PAD CORNER
35	7062739.7103	2603586.8005	CONCRETE PAD CORNER
36	7062758.8894	2603581.1295	CONCRETE PAD CORNER
37	7062714.0287	2603602.5317	CONCRETE PAD CORNER
38	7062730.8104	2603597.5695	CONCRETE PAD CORNER
39	7062712.4691	2603597.2574	CONCRETE PAD CORNER
40	7062729.2509	2603592.2953	CONCRETE PAD CORNER
41	7062918.5255	2603492.1604	PROPERTY LINE POINT
42	7062731.2594	2603519.9061	CONCRETE PAD CORNER
43	7062732.9607	2603525.6598	CONCRETE PAD CORNER
44	7062725.4946	2603521.6014	CONCRETE PAD CORNER
45	7062727.2070	2603527.3612	CONCRETE PAD CORNER
46	7062682.9903	2603834.7773	CENTER OF WET WELL

HORIZONTAL SCALE: 1" = 20'
FOR 11x17 PLOT, SCALE: 1" = 40'
0 20 40 60

NOTES:

1. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM TREATMENT UNITS
2. CONTRACTOR SHALL REFER TO GEOTECHNICAL ENGINEERING REPORT NO. G22-3907 PREPARED BY FARGO CONSULTANTS, INC. FOR RECOMMENDATIONS.
3. STATE PLANE COORDINATES NAD-83 NORTH CENTRAL ZONE ARE PROVIDED FOR CONVENIENCE OF STAKING. IN CASE OF DISCREPANCY BETWEEN COORDINATE AND STATIONS, THE STATION SHALL TAKE PRECEDENCE OVER THE COORDINATES. CONTRACTOR WILL NOTIFY ENGINEER OF DISCREPANCIES PRIOR TO CONSTRUCTION.

Kimley»Horn
801 Cherry St. Suite 1300, Unit 11 Ft. Worth, TX 76102 P: 817-335-6511
TBPE No: 928 F: 817-335-5070

No.	Revision	By	Date
1	REQUEST FOR INFORMATION #2	JBD	11/18/2022
2	FIELD ORDER #1	FV	1/25/2023
3	CHANGE ORDER #3	INB	7/13/2023

STATE OF TEXAS
CHRISTOPHER A. CONNOLLY
136780
LICENSED PROFESSIONAL ENGINEER
7/13/2023

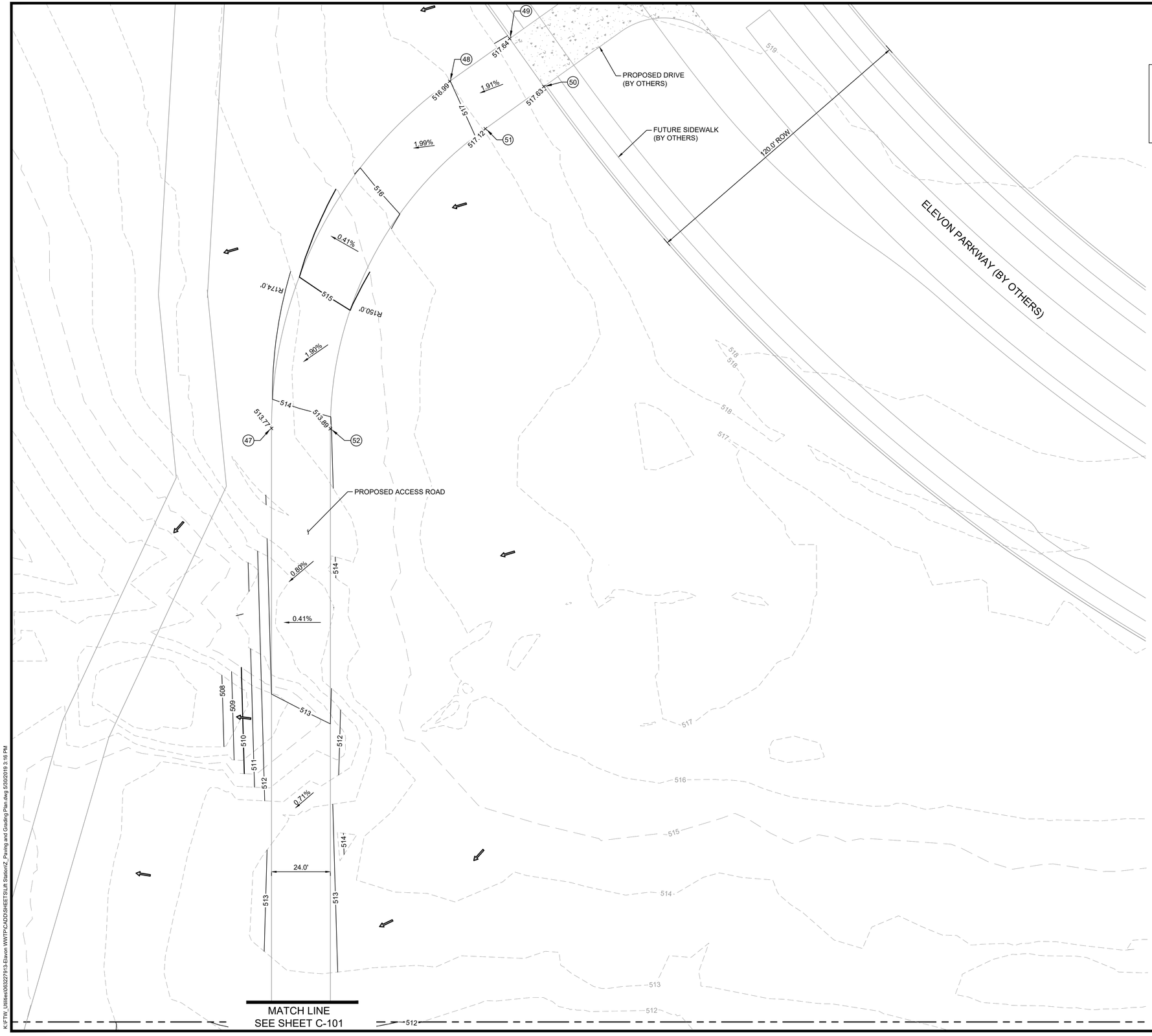
LAVON-NORTH LIFT STATION

PAVING AND GRADING PLAN

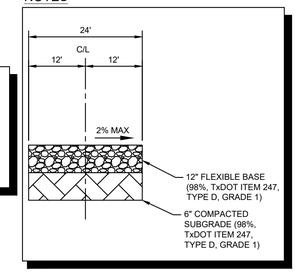
DATE:	NOVEMBER 2022
DESIGN:	CAC
DRAWN:	JBD
CHECKED:	KPK
KHA NO.:	063227913

SHEET
C-101

K:\FTW_Utilities\063227913-Elevon WWTP\CADD\SHEETS\Lift Station\Z_Paving and Grading Plan.dwg 5/30/2019 3:16 PM



NOTES



LEGEND

- 508 — EXISTING CONTOUR
- 505 — PROP. CONTOURS
- 500.23 PROPOSED GRADE OF TOP OF PAVEMENT
- DIRECTION OF FLOW

ACCESS ROAD TYPICAL SECTION
N.T.S.

HORIZONTAL SCALE: 1" = 20'
FOR 11x17 PLOT, SCALE: 1" = 40'

0 20 40 60

NOTES:

1. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM TREATMENT UNITS
2. CONTRACTOR SHALL REFER TO GEOTECHNICAL ENGINEERING REPORT NO. G22-3907 PREPARED BY FARGO CONSULTANTS, INC. FOR RECOMMENDATIONS.
3. STATE PLANE COORDINATES NAD-83 NORTH CENTRAL ZONE ARE PROVIDED FOR CONVENIENCE OF STAKING. IN CASE OF DISCREPANCY BETWEEN COORDINATE AND STATIONS, THE STATION SHALL TAKE PRECEDENCE OVER THE COORDINATES. CONTRACTOR WILL NOTIFY ENGINEER OF DISCREPANCIES PRIOR TO CONSTRUCTION.

1

CONTROL POINT TABLE			
POINT #	NORTHING	EASTING	DESCRIPTION
47	7063150.6004	2603423.5383	PC
48	7063306.8434	2603453.1101	PT
49	7063330.4632	2603471.6101	CONNECT TO ACCESS DRIVE
50	7063315.6644	2603490.5044	CONNECT TO ACCESS DRIVE
51	7063292.3897	2603472.5283	PC
52	7063157.1709	2603446.6227	PT

3

Kimley»Horn
801 Cherry St. Suite 1300, Unit 11 Ft. Worth, TX 76102 P: 817-335-6511
TBPE No: 928 F: 817-335-6570

No.	Revision	By	Date
1	REQUEST FOR INFORMATION #2	JBD	11/18/2022
2	FIELD ORDER #1	FV	1/25/2023
3	CHANGE ORDER #3	INB	7/13/2023

STATE OF TEXAS
CHRISTOPHER A. CONNOLLY
136780
LICENSED
PROFESSIONAL ENGINEER

LAVON-NORTH
LIFT STATION

PAVING AND GRADING PLAN

DATE:	NOVEMBER 2022
DESIGN:	CAC
DRAWN:	JBD
CHECKED:	KPK
KHA NO.:	063227913

SHEET

C-101.1

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CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 – I**

Item:

Discussion and action regarding Resolution No. **2023-08-05** approving and authorizing the execution of Change Order No. 4 to the construction contract with North Texas Contracting, Inc. for the City of Lavon Bently Farms, Phase 1 Paving and Storm Drain (CIP-24) Construction Project to reduce the original project scope and reduce the contract amount by $107,523.00; and providing an effective date.

Background:

On December 6, 2022, the City Council awarded a contract to North Texas Contracting, Inc. for the City of Lavon Bently Farms, Phase 1 Paving and Storm Drain (CIP-24) Construction Project in the amount of $1,645,022.00. Change Order No. 1 to adjust conflicting water lines was approved on April 4, 2023 in the amount of $85,548.00 and Change Order #2 was approved on April 18, 2023 for Oncor conduit relocation in the amount of $45,403.00.

On July 18, 2023, Change Order No. 3 was approved in an amount not to exceed $247,683.00 to replace damaged pipe and pavement north of the original project scope.

Recently, a conflict with Oncor facilities was discovered at the southern limits of the project and because correction of the conflict would increase the cost and extend the duration of construction, it is recommended that the project termination extents be shortened and adjustments authorized for geotechnical findings. The net effect of the proposed change order is to reduce the contract amount by $107,523.00.

Financial Implications:

The Change Order results in savings to the Phase 1 project and is not anticipated to increase costs for future phases.

Staff Notes:

The city engineer has reviewed the change order and approval is recommended.

Attachments: Proposed Resolution and Change Order

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-05

Change Order No. 4 – Bently Farms Ph 1 Paving and Storm Drain (CIP-24)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 4 TO THE CONSTRUCTION CONTRACT WITH NORTH TEXAS CONTRACTING, INC. FOR THE CITY OF LAVON BENTLY FARMS, PHASE 1 PAVING AND STORM DRAIN (CIP-24) CONSTRUCTION PROJECT TO REDUCE THE ORIGINAL PROJECT SCOPE AND REDUCE THE CONTRACT AMOUNT BY $107,523.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council contracted with North Texas Contracting, Inc. for the City of Lavon Bently Farms, Phase 1 Paving and Storm Drain (CIP-24) Construction Project on December 6, 2022; and

WHEREAS, in the course of construction, a conflict with Oncor facilities was discovered and because correction of the conflict would increase the cost and extend the duration of construction, it is recommended that the project termination extents be shortened and adjustments authorized for geotechnical findings; and

WHEREAS, the City Council has considered and determined that a change order to the 2022 contract, as amended, is in the best interest of the general health, welfare, and safety of the citizens of Lavon.

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

SECTION 1. The City Council does hereby approve and authorize the execution of Change Order No. 4 to the construction contract with North Texas Contracting, Inc. to reduce the original project scope, adjust for geotechnical findings, and reduce the contract amount by $107,523.00, attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That this resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-05

EXHIBIT A

CHANGE ORDER NO. 4

CHANGE ORDER No. 4

ENGINEER'S Project No.: **21028**
PROJECT: **Bently Farms, Phase 1 [CIP-24]**
CONTRACTOR: **NORTH TEXAS CONTRACTING, INC.**
ORIGINAL CONTRACT Amount: **$ 1,645,022.00** CONTRACT Date: December 6, 2022

TO: **NORTH TEXAS CONTRACTING, INC.**
CONTRACTOR

You are directed to make the changes noted below in the subject Contract:

City of Lavon
Owner

By:_____

Dated:_____

NATURE OF CHANGES:

1. Deduct scope of work – project termination extents shortened due to Oncor electric conflicts and project timeframe.
2. Increase pavement thickness to 6” in lieu of 5” as bid due to contractor geotechnical engineer findings of high plasticity of the existing soils.

(See attached)

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price:	$ 1,645,022.00
Change Order No. 1:	$ 85,548.00
Change Order No. 2:	$ 45,403.00
Change Order No. 3:	$ 198,599.00
Change Order No. 4:	$ (107,523.00)
New Contract Price:	$ 1,867,049.00
Percent Change:	13.50 %
Original Calendar Days:	160
Net Increase by Change Order 1:	7
Net Increase by Change Order 2:	7

Net Increase by Change Order 3:	12
Net Increase by Change Order 4:	0
Total New Calendar Days:	186

The Above Changes are Recommended for Approval:

Freeman-Millican, Inc.
Engineer

By: _____
J. Erin Magee, P.E.

Dated: 07/24/2023

North Texas Contracting, Inc.
Contractor

By: _____

Dated: 07/24/2023

NORTH TEXAS CONTRACTING, INC.

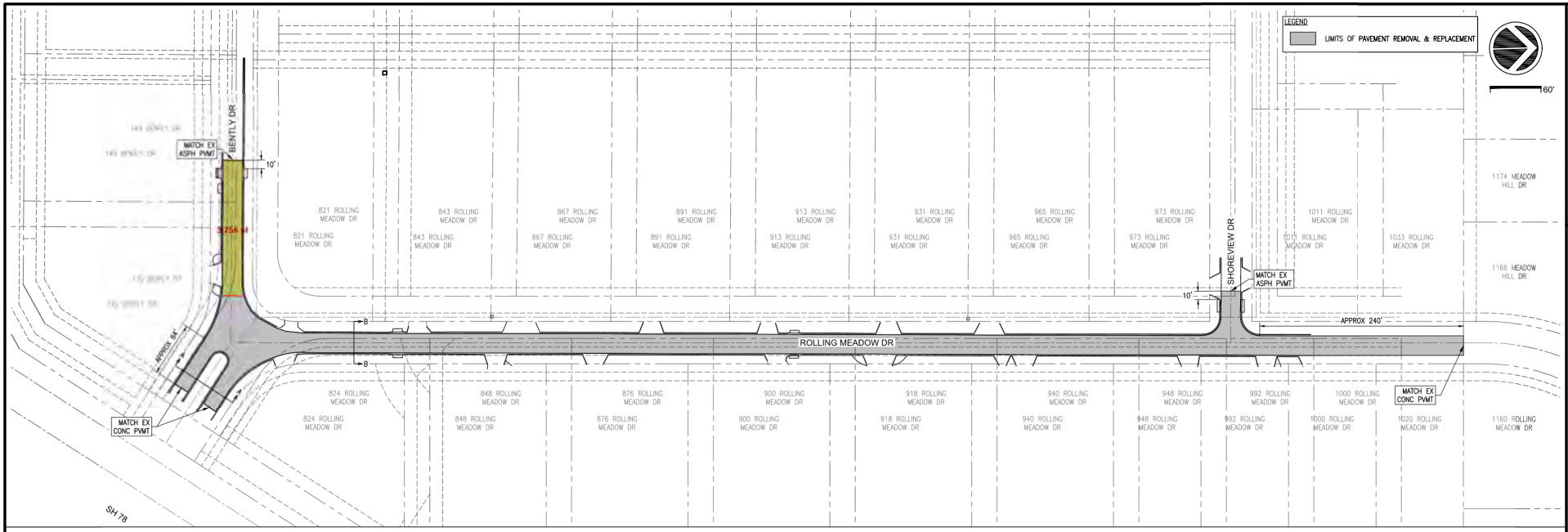
PROJECT:	**BENTLY FARMS PAVING & DRAINAGE PH1**
LOCATION:	**LAVON , TX 75116**
BID DATE:	**22-Nov-22**
CONTACT:	**CAMERON COLLIER**
EMAIL:	**CAMERONC@NTEXCON.COM**

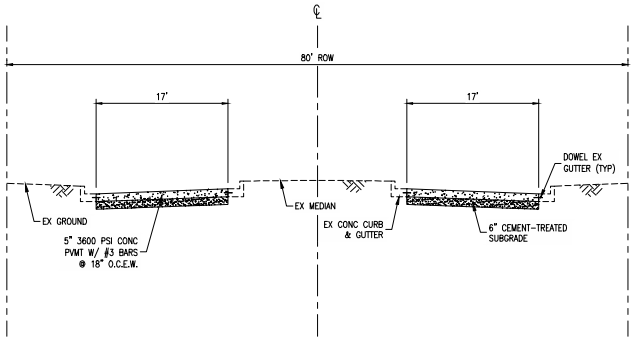
Item No.	Description	Qty	Unit	Bid Unit	Bid Amount
				0.00	0.00
PCO #06 - DEDUCT SCOPE OF WORK - PROJECT TERMINATION EXTENTS				0.00	0.00
				0.00	0.00
PIPE				0.00	0.00
P.2	REMOVE & DISPOSE OF EXIST. STORM PIPE	(247)	LF	43.00	-10,621.00
P.13	30" RCP STORM SEWER LINE	(210)	LF	234.00	-49,140.00
P.14	24" RCP STORM SEWER LINE	(18)	LF	219.00	-3,942.00
P.15	18" RCP STORM SEWER LINE	(20)	LF	197.00	-3,940.00
P.17	CNCT. PROPOSED STORM TO EXIST. CURB INLET	(2)	EA	365.00	-730.00
				0.00	0.00
PAVING				0.00	0.00
P.3	REMOVE / REPLACE CURB & GUTTER	(41)	LF	73.00	-2,993.00
P.5	ROADYWAY EXCAVATION WITH SUBGRADE	(140)	CY	37.00	-5,180.00
P.7	DOWEL PROPOSED PAVING TO EXIST. CURB	(320)	LF	1.00	-320.00
P.8	5" 3,600 PSI PAVING W/ #3 ON 18"	(418)	SY	64.00	-26,752.00
P.9	6" CEMENT TREATED SUBGRADE	(418)	SY	11.00	-4,598.00
				0.00	0.00
	TOTAL - DEDUCT SCOPE OF WORK	**-108,216.00**		0.00	0.00
				0.00	0.00
SUBGRADE				0.00	0.00
P.8	5" 3,600 PSI PAVING W/ #3 ON 18"	(4,950)	SY	87.00	-430,650.00
P. 8.1	6" 3,600 PSI PAVING W/ #3 ON 18"	4950	SY	95.59	473,170.50
P.9	6" CEMENT TREATED SUBGRADE	(4,950)	SY	15.00	-74,250.00
P. 9.1	8" SCARIFY & RECOMPACT SUBGRADE	4950	SY	6.55	32,422.50
				0.00	0.00
	TOTAL - 6" PAVEMENT W/ 8" SCARIFY & RECOMPACT SUBGRADE	**693.00**		0.00	0.00
				0.00	0.00
				0.00	0.00
TOTAL PCO #06 - DEDUCT SCOPE & SUBGRADE PREP MODIFICATIONS		**-107,523.00**		0.00	0.00

NORTH TEXAS CONTRACTING, INC.

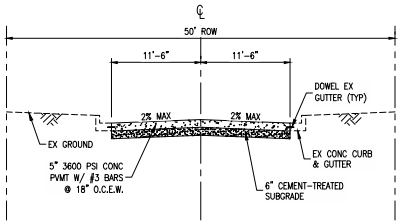
PROJECT:	**BENTLY FARMS PAVING & DRAINAGE PH1**
LOCATION:	**LAVON , TX 75116**
BID DATE:	**22-Nov-22**
CONTACT:	**CAMERON COLLIER**
EMAIL:	**CAMERONC@NTEXCON.COM**

Item No.	Description	Qty	Unit
NOTES			
1	CREDIT PROPOSAL BASED ON DEDUCTING UTILITY QUANTITIES FROM INTERSECT OF ONCOR CONFLICT NEAR ENTRANCE TO BENTLY FARMS.		
2	PAVING TO REMAIN THROUGH ENTRANCE & TERMINATE AT CURB RETURN ON BENTLY DRIVE.		
3	SUBGRADE WORK & PAVING REPLACEMENT DEDUCT QUANTITY BASED UPON INCLUDED PLAN SHEET MARKUP AS SUGGESTED IN PRELIM. EXPLORATORY DISCUSSION.		
4	DEDUCT PROPOSAL CONTINGENT UPON ACTUAL QUANTITIES INSTALLED OR DEDUCTED AS MEASURED IN FIELD.		
5	NTC TO RETAIN PROJECT OVERHEAD COSTS INCURRED THROUGH PROJECT.		
6	SUBGRADE WORK DEDUCT 6" CEMENT TREATMENT IN FULL IN FAVOR OF 8" DEPTH SCARIFY & RECOMPACT NATIVE SUBSTRATE. NO IMPORTED SUBGRADE MATERIAL INCLUDED.		
7	PAVING TO INCREASE THICKNESS TO 6" IN LIEU OF 5" AS BID.		





1 SECTION A-A
1 1/2" = 1'



2 SECTION B-B
1 1/2" = 1'

PAVING NOTES

1. CONTRACTOR TO REMOVE 6" MATERIAL AND PULVERIZE, MIX, AND COMPACT BASE WITHIN PROPOSED PAVING LIMITS.
2. CEMENT-TREATED SUBGRADE (4% CEMENT BY DRY WEIGHT) TXDOT ITEM 275. COMPACT TO 95% MAXIMUM DRY DENSITY USING TEX-113E AT MOISTURE CONTENT WITHIN -2% TO +2% OF THE OPTIMUM MOISTURE CONTENT.
3. FLY ASH MAY BE USED FOR CONCRETE PAVEMENT. FLY ASH CANNOT EXCEED 20% BY WEIGHT PER CUBIC YARD OF CONCRETE.
4. CEMENT CONTENT FOR STREETS SHALL BE A MINIMUM OF 6 SACKS FOR MACHINE-POURED AND 6.5 SACKS FOR HAND-POURED.
5. CONTRACTOR TO INSTALL STREET HEADER AT EXISTING PAVEMENT TIE-INS PER NCTCOG DETAIL 2070 (SEE SHT C-701).

No.	DATE	REVISION	BY

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
999 N. NORTH A. JOHNSON HWY, STE 120 SACHSE, TX 75048 PH 214.435.9000 TX REG ENGR FIRM F-3580

CITY OF LAVON
BENTLY FARMS PAVING & DRAINAGE, PHASE 1

PAVING PLAN

CONSTRUCTION

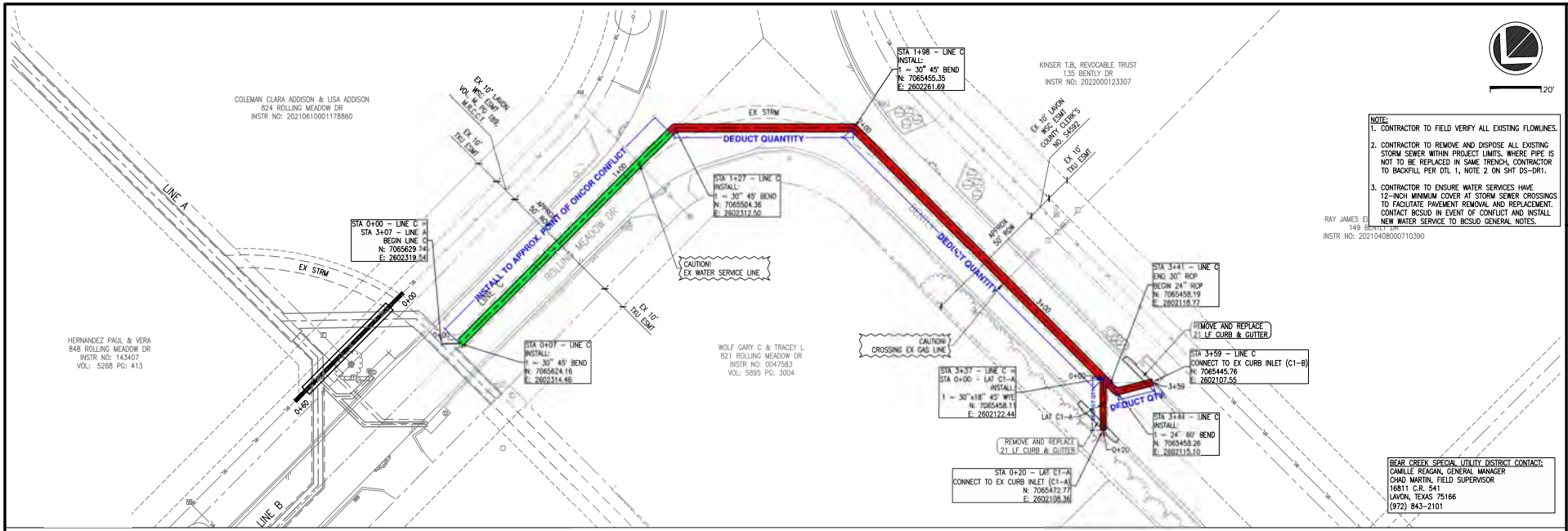
STATE OF TEXAS
JESSICA E. MAGEE
108731
LICENSED
PROFESSIONAL ENGINEER

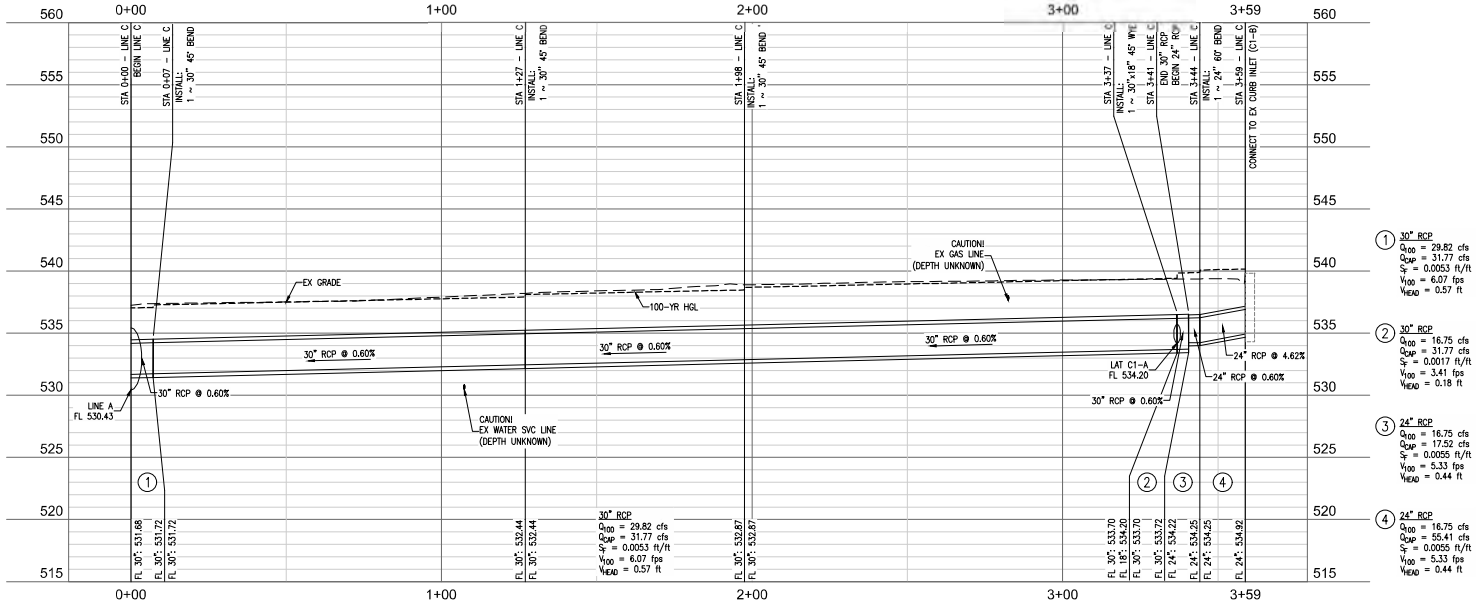
PROJECT No: 21028
DESIGNED: JEM
DRAWN: CLW
CHECKED: MDH

SHEET
C-101

SHEET 4 OF 14

F:\2128 - LAVON Bently Farms Phase 1 - CAD Files\Civil - Drawings\ - CAD Files 2128-PAVING.dwg, 4/9/2021 12:27:27 PM, cwisle





No.	DATE	REVISION	BY
.	.	.	.

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
TBPE: 10001A TBPAGDS: 10W EFC: 1226 3841 LAS TX 75013 PH: 214.473.4500 TX REG: 004178-10481

CITY OF LAVON
BENTLY FARMS PAVING & DRAINAGE, PHASE 1
LINE C - PLAN & PROFILE

CONSTRUCTION

STATE OF TEXAS
JESSICA E. MAGEE
108731
LICENSED PROFESSIONAL ENGINEER

PROJECT No: 21028
DESIGNED: JEM
DRAWN: CLW
CHECKED: MCH

SHEET
C-501

SHEET 10 OF 14

155

F:\2128 - LAVON Set 1 Farms Paving and Drainage\ - CAD Files\PSN\Set 2 - Bently VC - PSN (2023 Bently dwg).dwg, 7/12/23 3:55:1 PM, mthaler

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 - J**

Item:

Discussion and action regarding Resolution No. **2023-08-06** approving and authorizing the execution of Change Order No. 7 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $8,737.26 to replace a drainage flume to improve drainage at the Police Department; and providing an effective date.

Background:

On February 21, 2023, the City Council selected and authorized negotiation and award of a contract with Mart. Inc. for the Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project. The contract was approved for $1,494,000.00 and 238 calendar days.

On June 6, 2023, the City Council authorized the procurement of a modular building to be placed behind the Police Department to provide interim office space until such a time that a new Police Department facility is designed and constructed. The functionality of the Police Department building and the site in general will be improved by site improvements that include drainage repairs and a new parking area. The drainage repairs correct and improve issues relating to the existing structure.

Because Mart is on site, the city staff requested proposals to install the site improvements.

Financial Implications:

Funding is available in the funds designated for capital improvements.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Resolution and Change Order

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-06

Change Order No. 7 – Fire Department-Public Works Facilities (CIP-9)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING EXECUTION OF CHANGE ORDER NO. 7 TO THE CONSTRUCTION CONTRACT WITH MART, INC. FOR THE CITY OF LAVON FIRE DEPARTMENT AND PUBLIC WORKS FACILITIES EXPANSION (CIP-9) CONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED $8,737.26 TO REPLACE A DRAINAGE FLUME TO IMPROVE DRAINAGE AT THE POLICE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council contracted with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in March 2023; and

WHEREAS, on June 6, 2023, the City Council authorized the procurement of a modular building to be placed behind the Police Department to provide interim office space until such a time that a new Police Department facility is designed and constructed; and

WHEREAS, the functionality of the Police Department building and the site in general will be improved by site improvements that include drainage repairs and a new parking area; and

WHEREAS, the City Council has considered and determined that the change order to the 2023 contract is in the best interest of the general health, welfare, and safety of the citizens of Lavon.

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

SECTION 1. The City Council does hereby approve and authorize the execution of Change Order No. 7 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $8,737.26 to replace a drainage flume to improve drainage at the Police Department, attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That this resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-06

EXHIBIT A

CITY OF LAVON FIRE & PUBLIC WORKS

Mart Inc.

PROPOSED CHANGE ORDER REQUEST SUMMARY

TO:	EIKON CONSULTING GROUP	**PCO NO.:**	7
	ATTN: DWAYNE MCNEIL	**DATE:**	7/25/2023
	6513 WINDCREST DR #150	**PROJECT:**	CITY OF LAVON FIRE & PUBLIC WORKS
	PLANO, TX 75024	**PROJECT NO.:**	20230313
		Page 1 of 2	
ATTENTION:	DWAYNE MCNEIL	**Drainage Flume**	
CONTRACTOR:	MART, INC		

A	**GENERAL CONTRACTOR TOTAL COST**		$ 250.24		
B	**GENERAL CONTRACTOR OVERHEAD AND PROFIT**	15%	$ 37.54		
	SUBTOTAL				$287.78
C	**SUBCONTRACTOR TOTAL COSTS**		$ 7,450.00		
D	**OVERHEAD AND PROFIT ON SUBCONTRACTOR COST (GC only)**	10%	$ 745.00		
	SUBTOTAL				$ 8,195.00
E	**BOND**	**1.50%**	$ 127.24		
F	**INSURANCE**	**1.50%**	$ 127.24		
G	**PAYROLL TAXES**				
	SUBTOTAL				$ 254.48

TOTAL REQUEST FOR PROPOSAL COST	$ 8,737.26
TIME EXTENSION IN DAYS (FOR THIS CHANGE)	**0**

Mart Inc. — **7/25/2023**

Contractor — **Date**

Signature Chad Martin - Project Manager

Architect — **Date**

Signature

Owner Rep **Date**

Signature

Contractor Detail **REQUEST FOR PROPOSAL COST DETAIL**

DATE: **7/25/2023**

Mart Inc.

To
Address

EIKON CONSULTING GROUP
ATTN: DWAYNE MCNEIL
6513 WINDCREST DR #150

RFP NO.: 7
PROJECT: CITY OF LAVON FIRE & PUBLIC WORKS
Mart Job No. 20230313

ITEM	DESCRIPTION	UNIT	QUANTITY	MATERIAL UNIT COST	LABOR UNIT COST	MATERIAL COST	LABOR COST	TOTAL COST
	SUBCONTRACTOR COSTS							
	Demolish, Remove, and Dispose of Existing Flume and Excavate	1	1		$ 2,250.00	$ -	$ 2,250.00	$ 2,250.00
	for new Flume					$ -	$ -	$ -
	Concrete and forms	1	1	$ 3,828.65	$ 1,371.35	$ 3,828.65	$ 1,371.35	$ 5,200.00
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
				SUBCONTRACTOR TOTAL				**$ 7,450.00**
	GENERAL CONTRACTOR COSTS							
								$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
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						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
	Project Mangement Time	hr	2	$ -	$ 72.54	$ -	$ 145.08	$ 145.08
	Project Foreman Time	hr	2		$ 52.58	$ -	$ 105.16	$ 105.16
					GENERAL CONTRACTOR TOTAL			**$ 250.24**
						TOTAL COST		**$ 7,700.24**

D|V|S|ON 3 CONCRETE COMPANY

CHANGE ORDER REQUEST

Date:	**07/20/23**	**COR Request Number:**	**04**
Job Number:	**0048**	**Customer Reference Number:**	
Project:	**LAVON FIRE STATION & PUBLIC WORKS**		
General Contractor:	**MART, INC.**		
Subject:	**Patch Paving & New Flume**		

DESCRIPTION

After demo and haul off done by others, and subgrade is prepared to plus and minus .10' (balanced), We will furnish all labor, equipment, and materials to patch approx. 80 sf 6" paving and add approx. 115 lf 4' wide flume south of the existing Lavon Police Department building.

COST SUMMARY

Labor:	**1,192.48**		
Tie Steel:	**72.80**		
Tools & Safety:	**34.08**		
Equipment:	**240.00**		
Concrete:	**1,890.00**		
Rebar:	**305.76**		
Forms & Accessories:	**787.00**		
Sawcut:	**0.00**		
Pump:	**0.00**		
Aggregates:	**0.00**		
Vapor Barrier:	**0.00**		
Void Cartons:	**0.00**		
Haul-off or Washout:	**0.00**		
Driller:	**0.00**		
Other:	**0.00**		
Other:	**0.00**		**Total COR**
	4,522.12	**15%**	**$ 5,200.00**

From: Kevin Nelson
To: Chad Martin
Subject: RE: 20230313 - COL - Followup
Date: Tuesday, July 25, 2023 12:17:07 PM
Attachments: image001.png

Chad:
Below are the prices for the individual pricing items on the Lavon project. I will send a formal CO request later today.

PD Drainage Flume
1. Demolish, Remove, and Dispose of Existing Flume and Excavate for new Flume: $2,250.00

C-SP-Layout1
2. Grade for 716 Square Yards of New Paving per C-SP-Layout1 and Compact Subgrade: $5,250.00
3. Grade for Future Police Modular Building: $1,750.00.
3A. **Moisture Correction Under Future Police Modular Building if Required**$9,750.00.

ASI 005
4. Sawcut, Demolish, and Remove Existing Driveway in Front of Existing Fire Department: $5,850.00.
5. Over Excavate, Furnish and Install 6 Inches of Flex Base Under the Proposed New Paving in Front of Existing Fire Station: $7,218.00.

Please call or email with any questions.

Thank You,

Kevin Nelson 214.533.9167
L & K Construction and Development, Inc.
Site Grading - Excavation
P.O. Box 2198 • Wylie, TX 75098
(972) 496.2214 • Office
(972) 463.3892 • FAX
grading@verizon.net
www.l-kconstruction.com

From: Chad Martin [mailto:chad.martin@martgc.com]
Sent: Friday, July 21, 2023 7:45 AM
To: Kevin Nelson; Kaitlyn Jeffery
Subject: 20230313 - COL - Followup
Importance: High

Kevin –
Any word on the quote for the attached sheets? I would really like to use you guys since you are already a part of this project. Please let me know when I can expect quote.

Chad Martin
Project Manager

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 6 - K**

Item:

Discussion and action regarding Resolution No. **2023-08-07** approving and authorizing the execution of Change Order No. 9 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $70,994.40 to expand the original project scope to expand the concrete parking area to serve the police, fire, and public works facilities; and providing an effective date.

Background:

On February 21, 2023, the City Council selected and authorized negotiation and award of a contract with Mart. Inc. for the Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project. The contract was approved for $1,494,000.00 and 238 calendar days.

On June 6, 2023, the City Council authorized the procurement of a modular building to be placed behind the Police Department to provide interim office space until such a time that a new Police Department facility is designed and constructed. The functionality of the Police Department building and the site in general will be improved by site improvements that include drainage repairs and a new parking area.

The installation of an expanded concrete-paved parking area will serve the Police, Fire, and Public Works Departments and address the existing shortage of parking spaces.

Because Mart is on site, the city staff requested proposals to install the site improvements.

Financial Implications:

Funding is available in the funds designated for capital improvements.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Resolution and Change Order

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-07

Change Order No. 9 – Fire Department-Public Works Facilities (CIP-9)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING EXECUTION OF CHANGE ORDER NO. 9 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $70,994.40 to expand the original project scope to expand the concrete parking area to serve the police, fire, and public works facilities; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council contracted with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in March 2023; and

WHEREAS, on June 6, 2023, the City Council authorized the procurement of a modular building to be placed behind the Police Department to provide interim office space until such a time that a new Police Department facility is designed and constructed; and

WHEREAS, the functionality of the Police Department building and the site in general will be improved by site improvements that include drainage repairs and a new parking area; and

WHEREAS, the City Council has considered and determined that the change order to the 2023 contract is in the best interest of the general health, welfare, and safety of the citizens of Lavon.

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

SECTION 1. The City Council does hereby approve and authorize the execution of Change Order No. 9 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed $70,994.40 to expand the original project scope to expand the concrete parking area to serve the police, fire, and public works facilities, attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That this resolution shall take effect from and after the date of its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-07

EXHIBIT A

CITY OF LAVON FIRE & PUBLIC WORKS

Mart Inc.

PROPOSED CHANGE ORDER REQUEST SUMMARY

TO: EIKON CONSULTING GROUP
ATTN: DWAYNE MCNEIL
6513 WINDCREST DR #150
PLANO, TX 75024

ATTENTION: DWAYNE MCNEIL

CONTRACTOR: MART, INC

PCO NO.: 9
DATE: 7/25/2023
PROJECT: CITY OF LAVON FIRE & PUBLIC WORKS
PROJECT NO.: 20230313

New Parking

A	**GENERAL CONTRACTOR TOTAL COST**		$ 3,554.00	
B	**GENERAL CONTRACTOR OVERHEAD AND PROFIT**	15%	$ 533.10	
	SUBTOTAL			$4,087.10
C	**SUBCONTRACTOR TOTAL COSTS**		$ 58,945.00	
D	**OVERHEAD AND PROFIT ON SUBCONTRACTOR COST (GC only)**	10%	$ 5,894.50	
	SUBTOTAL			$ 64,839.50
E	**BOND**	**1.50%**	$ 1,033.90	
F	**INSURANCE**	**1.50%**	$ 1,033.90	
G	**PAYROLL TAXES**			
	SUBTOTAL			$ 2,067.80
TOTAL REQUEST FOR PROPOSAL COST				$ 70,994.40
TIME EXTENSION IN DAYS (FOR THIS CHANGE)				**0**

Mart Inc. — **7/25/2023**

Contractor — **Date**

Signature Chad Martin - Project Manager

Architect — **Date**

Signature

Owner Rep — **Date**

Signature

Contractor Detail **REQUEST FOR PROPOSAL COST DETAIL**

DATE: **7/25/2023**

Mart Inc.

To
Address

EIKON CONSULTING GROUP
ATTN: DWAYNE MCNEIL
6513 WINDCREST DR #150

RFP NO.: 9
PROJECT: CITY OF LAVON FIRE & PUBLIC WORKS
Mart Job No. 20230313

ITEM	DESCRIPTION	UNIT	QUANTITY	MATERIAL UNIT COST	LABOR UNIT COST	MATERIAL COST	LABOR COST	TOTAL COST
	SUBCONTRACTOR COSTS							
	grade 716 sqyrds of new paving per CSP lay out 1	1	1		$ 5,250.00	$ -	$ 5,250.00	$ 5,250.00
	Grade for future Police Modulare Building				$ -	$ -	$ -	$ -
	Wheel Stops ADA zones and ADA sign ADA Blueblock	1	1		$ 1,650.00	$ -	$ 1,650.00	$ 1,650.00
	concrete and forms	1	1	$ 46,097.57	$ 5,947.43	$ 46,097.57	$ 5,947.43	$ 52,045.00
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
					SUBCONTRACTOR TOTAL			**$ 58,945.00**
	GENERAL CONTRACTOR COSTS							
								$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
	Project Mangement Time	hr	20	$ -	$ 72.54	$ -	$ 1,450.80	$ 1,450.80
	Project Foreman Time	hr	40		$ 52.58	$ -	$ 2,103.20	$ 2,103.20
					GENERAL CONTRACTOR TOTAL			**$ 3,554.00**
						TOTAL COST		**$ 62,499.00**

D|V|S|ON 3 CONCRETE COMPANY

CHANGE ORDER REQUEST

Date:	**07/20/23**	**COR Request Number:**	**02**
Job Number:	**0048**	**Customer Reference Number:**	
Project:	**LAVON FIRE STATION & PUBLIC WORKS**		
General Contractor:	**MART, INC.**		
Subject:	**NEW PARKING AREA**		

DESCRIPTION

After demo and haul off done by others, and subgrade is prepared to plus and minus .10' (balanced), We will furnish all labor, equipment, and materials to add a new 716 square yard parking lot to the City of Lavon Fire Station, to the south of the Future Police Modular Building. We see no curb shown.

COST SUMMARY

Labor:	**5,171.68**		
Tie Steel:	**1,403.20**		
Tools & Safety:	**190.09**		
Equipment:	**1,105.00**		
Concrete:	**27,540.00**		
Rebar:	**5,893.44**		
Forms & Accessories:	**1,945.00**		
Sawcut:	**458.29**		
Pump:	**1,550.00**		
Aggregates:	**0.00**		
Vapor Barrier:	**0.00**		
Void Cartons:	**0.00**		
Haul-off or Washout:	**0.00**		
Driller:	**0.00**		
Other:	**0.00**		
Other:	**0.00**		**Total COR**
	45,256.70	**15%**	**$ 52,045.00**

From:	Kevin Nelson
To:	Chad Martin
Subject:	RE: 20230313 - COL - Followup
Date:	Tuesday, July 25, 2023 12:17:07 PM
Attachments:	image001.png

Chad:
Below are the prices for the individual pricing items on the Lavon project. I will send a formal CO request later today.

PD Drainage Flume
1. Demolish, Remove, and Dispose of Existing Flume and Excavate for new Flume: $2,250.00

C-SP-Layout1
2. Grade for 716 Square Yards of New Paving per C-SP-Layout1 and Compact Subgrade: $5,250.00
3. Grade for Future Police Modular Building: $1,750.00.
3A. **Moisture Correction Under Future Police Modular Building if Required**$9,750.00.

ASI 005
4. Sawcut, Demolish, and Remove Existing Driveway in Front of Existing Fire Department: $5,850.00.
5. Over Excavate, Furnish and Install 6 Inches of Flex Base Under the Proposed New Paving in Front of Existing Fire Station: $7,218.00.

Please call or email with any questions.

Thank You,

Kevin Nelson 214.533.9167
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From: Chad Martin [mailto:chad.martin@martgc.com]
Sent: Friday, July 21, 2023 7:45 AM
To: Kevin Nelson; Kaitlyn Jeffery
Subject: 20230313 - COL - Followup
Importance: High

Kevin –
Any word on the quote for the attached sheets? I would really like to use you guys since you are already a part of this project. Please let me know when I can expect quote.

Chad Martin
Project Manager

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: _6 - L__**

Item:

Discussion and action regarding Resolution No. **2023-08-08** approving and authorizing the execution of utility easements granted from MA Elevon 429, L.L.C., MA Land Holdings, L.L.C., 78 Straddle L.P., MA Lavon 292, L.L.C., BTR at Elevon, L.L.C. and the City of Lavon to the City of Lavon related to the Elevon Parkway West Addition and Elevon West Commercial Phase 1 Addition; and providing an effective date.

Background:

On September 6, 2022, the City Council approved the final plats of the Elevon Commercial West Addition and the Elevon Parkway West Addition. Typically, utility easements are dedicated with the plat, but because Elevon Parkway and Villas Drive, respectively located in the East and West Commercial areas of Elevon, are just being platted to the right of way, the proposed 10' utility easements (UEs) located outside of the road right of way are being done by separate instrument.

The UEs are necessary for Oncor to be able to proceed with their construction schedule which is in advance of the various recording of the property plats. Franchise utilities will be located in the UEs.

The UE from the City of Lavon granted to the City of Lavon dedicates the property as a UE.

A Key Map of the utility easements (UEs) is provided:

East Commercial:

#1 - 10'UE - MA Land Holdings Tract - 0.195 ac

#2 - 10'UE - MA Lavon 292 Tract - 0.029 ac

#3 - 10'UE - City of Lavon Tract - 0.027 ac

#4 - 10'UE - MA Land Holdings Tract - 0.890 ac

#5 - 10'UE - MA Land Holdings Tract - 0.097 ac

#6 - 10'UE - MA Land Holdings Tract - 0.010 ac

West Commercial:

#1 - 10' UE - 78 Straddle Tract - 0.222 ac and 0.476 ac

#2 - 10' UE - BTR Tract - 0.157 ac

#3 - 10' UE - MA Elevon 429 Tract - 0.059 ac

#4 - 10' UE - MA LAND HOLDINGS - 0.441 ac

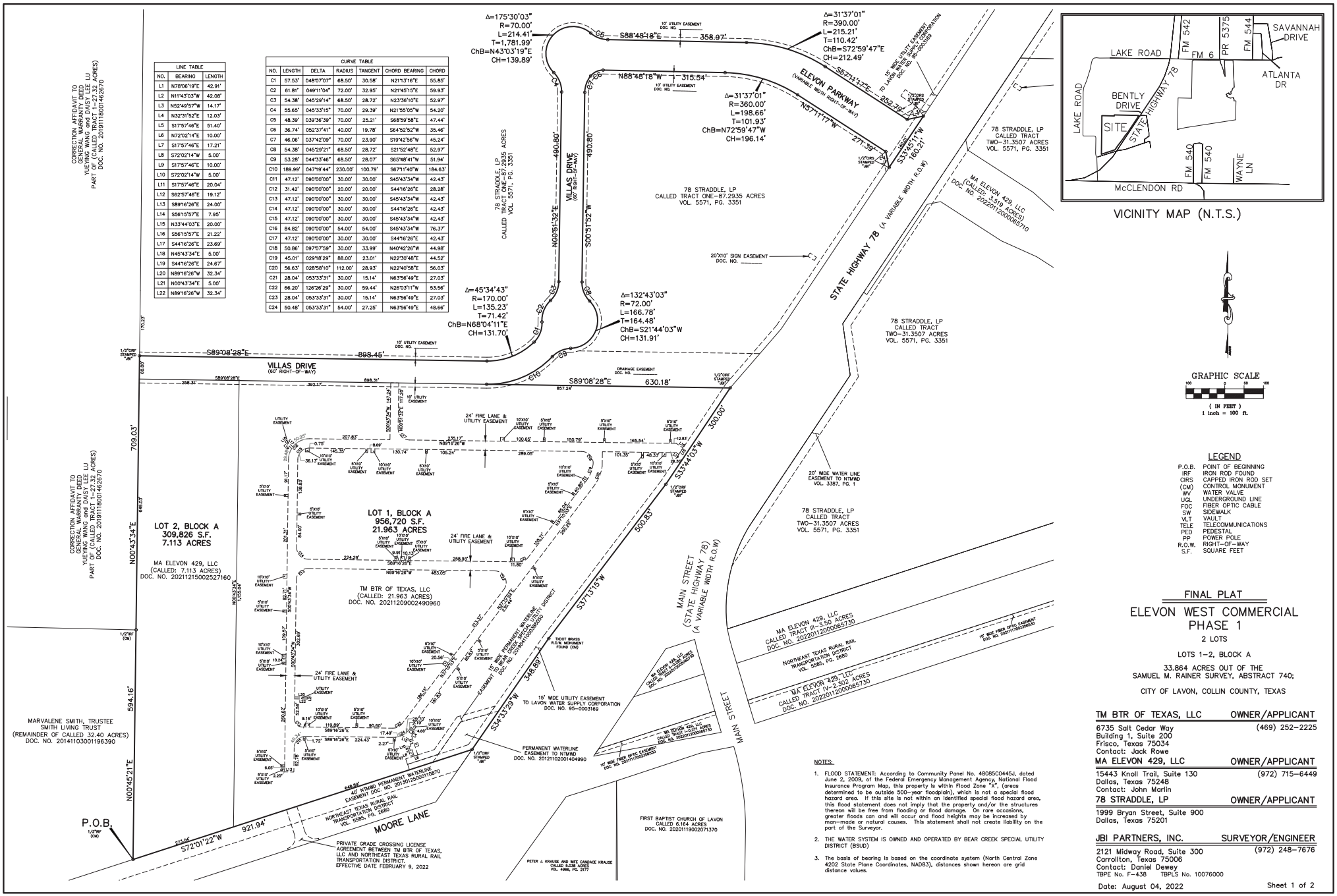
Financial Implication:

There is no associated cost or implication.

Staff Notes:

Approval subject to the city engineer's final review is recommended.

Attachments: 1) Proposed Resolution and Easements



FINAL PLAT
ELEVON WEST COMMERCIAL PHASE 1

2 LOTS

LOTS 1-2, BLOCK A

33.864 ACRES OUT OF THE
SAMUEL M. RAINER SURVEY, ABSTRACT 740;

CITY OF LAVON, COLLIN COUNTY, TEXAS

NOTES:

1. FLOOD STATEMENT: According to Community Panel No. 48085C0445J, dated June 2, 2009, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X", (areas determined to be outside 500-year floodplain), which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.
2. THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BSUD)
3. The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

TM BTR OF TEXAS, LLC — OWNER/APPLICANT
6735 Salt Cedar Way, Building 1, Suite 200
Frisco, Texas 75034
(469) 252-2225
Contact: Jack Rowe

MA ELEVON 429, LLC — OWNER/APPLICANT
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
(972) 715-6449
Contact: John Marlin

78 STRADDLE, LP — OWNER/APPLICANT
1999 Bryan Street, Suite 900
Dallas, Texas 75201

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
(972) 248-7676
Contact: Daniel Dewey
TBPE No. F-438 TBPLS No. 10076000

Date: August 04, 2022

Drawing: H:\Projects\TMR011 - Elevon Build to Rent\Phase 1\Surveying\dwg\XTMR011A-PH1-PT.dwg Saved By: ddewey Save Time: 8/2/2022 2:42 PM Plotted by: mgarcia Plot Date: 8/4/2022 6:08 PM

LEGAL DESCRIPTION

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called 21.963 acre tract of land described in deed to TM BTR OF TEXAS, LLC, as recorded in Document Number 20211209002490960, Official Public Records of Collin County, Texas, and being all of that called 7.113 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20211215002527160, Official Public Records of Collin County, Texas, and also being a part of that called Tract one–87.2935 acre tract of land described in deed to 78 Straddle, LP, as recorded in Volume 5571, Page 3351, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one–half inch iron rod found at the southwest corner of said 7.113 acre tract, said point being the southeast corner of that called 32.40 acre tract of land described in deed to Marvalene Smith, Trustee of Smith Living Trust as recorded in Document Number 20141103001196390, Official Public Records of Collin County, Texas, said point also being in the north line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE along the west line of said 7.113 tract as follows:
North 00 degrees 45 minutes 21 seconds East, 594.16 feet to a one–half inch iron rod found in the east line of said 32.40 acre tract, said point also being the southeast corner of that called Tract 1– 27.32 acre tract of land described in Correction Affidavit to General Warranty Deed to Yueying Wang and Daisy Lee Lu as recorded in Document Number 20191118001462670, Official Public Records of Collin County, Texas;
North 00 degrees 43 minutes 34 seconds East, at 649.03 feet along the east line of said 27.32 acre tract passing a one–half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said 7.113 acre tract, in all a distance of 709.03 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 08 minutes 28 seconds East, 898.45 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 135.23 feet along a curve to the left, having a central angle of 45 degrees 34 minutes 43 seconds, a radius of 170.00 feet, a tangent of 71.42 feet, and whose chord bears North 68 degrees 04 minutes 11 seconds East, 131.70 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 57.53 feet along a curve to the left, having a central angle of 48 degrees 07 minutes 07 seconds, a radius of 68.50 feet, a tangent of 30.58 feet, and whose chord bears North 21 degrees 13 minutes 16 seconds East, 55.85 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 61.81 feet along a curve to the right, having a central angle of 49 degrees 11 minutes 04 seconds, a radius of 72.00 feet, a tangent of 32.95 feet, and whose chord bears North 21 degrees 45 minutes 15 seconds East, 59.93 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 54.38 feet along a curve to the left, having a central angle of 45 degrees 29 minutes 14 seconds, a radius of 68.50 feet, a tangent of 28.72 feet, and whose chord bears North 23 degrees 36 minutes 10 seconds East, 52.97 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 00 degrees 51 minutes 32 seconds East, 490.80 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 55.65 feet along a curve to the left, having a central angle of 45 degrees 33 minutes 15 seconds, a radius of 70.00 feet, a tangent of 29.39 feet, and whose chord bears North 21 degrees 55 minutes 05 seconds West, 54.20 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 214.41 feet along a curve to the right, having a central angle of 175 degrees 30 minutes 03 seconds, a radius of 70.00 feet, a tangent of 1,781.99 feet, and whose chord bears North 43 degrees 03 minutes 19 seconds East, 139.89 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 48.39 feet along a curve to the left, having a central angle of 39 degrees 36 minutes 39 seconds, a radius of 70.00 feet, a tangent of 25.21 feet, and whose chord bears South 68 degrees 59 minutes 58 seconds East, 47.44 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 88 degrees 48 minutes 18 seconds East, 358.97 feet toa one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 215.21 feet along a curve to the right, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 390.00 feet, a tangent of 110.42 feet, and whose chord bears South 72 degrees 59 minutes 47 seconds East, 212.49 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 11 minutes 17 seconds East, 252.79 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 78 degrees 06 minutes 19 seconds East, 42.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 33 degrees 45 minutes 11 seconds West, 160.21 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 11 degrees 43 minutes 03 seconds West, 42.08 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 57 degrees 11 minutes 17 seconds West, 271.39 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 198.66 feet along a curve to the left, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 360.00 feet, a tangent of 101.93 feet, and whose chord bears North 72 degrees 59 minutes 47 seconds West, 196.14 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 48 minutes 18 seconds West, 315.54 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 36.74 feet along a curve to the left, having a central angle of 52 degrees 37 minutes 41 seconds, a radius of 40.00 feet, a tangent of 19.78 feet, and whose chord bears South 64 degrees 52 minutes 52 seconds West, 35.46 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 46.06 feet along a curve to the left, having a central angle of 37 degrees 42 minutes 09 seconds, a radius of 70.00 feet, a tangent of 23.90 feet, and whose chord bears South 19 degrees 42 minutes 56 seconds West, 45.24 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 51 minutes 52 seconds West, 490.80 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 54.38 feet along a curve to the left, having a central angle of 45 degrees 29 minutes 21 seconds, a radius of 68.50 feet, a tangent of 28.72 feet, and whose chord bears South 21 degrees 52 minutes 48 seconds East, 52.97 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 166.78 feet along a curve to the right, having a central angle of 132 degrees 43 minutes 03 seconds, a radius of 72.00 feet, a tangent of 164.48 feet and whose chord bears South 21 degrees 44 minutes 03 seconds West, 131.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 53.28 feet along a curve to the left, having a central angle of 44 degrees 33 minutes 46 seconds, a radius of 68.50 feet, a tangent of 28.07 feet, and whose chord bears South 65 degrees 48 minutes 41 seconds West, 51.94 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 189.99 feet along a curve to the right, having a central angle of 47 degrees 19 minutes 44 seconds, a radius of 230.00 feet, a tangent of 100.79 feet, and whose chord bears South 67 degrees 11 minute 40 seconds West, 184.63 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 08 minutes 28 seconds East, 630.18 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 21.963 acre tract;

THENCE along the east line of said 21.963 acre tract and along the west right–of–way line of State Highway 78 as follows:
South 33 degrees 44 minutes 03 seconds West, 300.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 37 degrees 13 minutes 15 seconds West, 500.83 feet to a TXDOT Brass Right–of–Way Monument found for corner;
South 34 degrees 33 minutes 29 seconds West, 348.89 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 21.963 acre tract, said point being the northeast corner of that 40 foot wide permanent waterline easement to North Texas Municipal Water District as recorded Document Number 20130125000110870, Official Public Records of Collin County, Texas, said point also being in the north right–of–way line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE South 72 degrees 01 minutes 22 seconds West, 921.94 feet along the north line of said 40 foot wide permanent waterline easement and along the north line of said Northeast Texas Rural Rail Transportation District to the POINT OF BEGINNING and containing 1,475,133 square feet or 33.864 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That **TM BTR OF TEXAS, LLC, MA ELEVON 429, LLC, AND 78 STRADDLE, LP** acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON WEST COMMERCIAL, PHASE 1**, an addition to the City of Lavon, Collin County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown hereon, and does hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the easements on said plat. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Lavon use thereof. The City of Lavon and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements and the City of Lavon or any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

TM BTR OF TEXAS, LLC, MA ELEVON 429, LLC, AND 78 STRADDLE, LP, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above–described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb of of pavement line.

1. All water system is owned and operated by Bear Creek Special Utility District (BCSUD) and all construction related to water service shall be done per BCSUD's specifications and general notes.
2. The easements and public use areas, as shown are dedicated for the public use, including specifically for the City of Lavon and BCSUD, forever for purposes indicated on this plat.
3. The City of Lavon and BCSUD are not responsible for replacing any improvements in, under or over any easements caused by maintenance or repair.
4. Utility easements may also be used for the mutual and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities as being subordinate to the public City of Lavon and BCSUD.
5. The City of Lavon, BCSUD, and public utilities shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with construction, maintenance, or efficiency of their respective systems in the easements.
6. The City of Lavon, BCSUD, and public utilities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, respective systems without the necessity at any time of procuring permission from anyone.
7. All modifications to this document shall be by means of plat and approved by the City of Lavon unless said modifications pertain to BCSUD facilities, at which time BCSUD shall also review and approve.

That TM BTR OF TEXAS, LLC, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above–described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

TM BTR OF TEXAS, LLC

By: _____
JACK ROWE
BTR LAND ENTITLEMENT & DEVELOPMENT DIRECTOR

STATE OF TEXAS §

COUNTY OF _____§

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared JACK ROWE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated..

Given under my hand and seal of office, this _____ day of _____, 2022.

_____
Notary Signature

That MA Elevon 429, LLC, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above–described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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

WITNESS MY HAND THIS _____ DAY OF _____, 2022.

MA Elevon 429, LLC,
a Texas limited liability company

By: _____
John Marlin

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared John Marlin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated..

Given under my hand and seal of office, this _____ day of _____, 2022.

_____
Notary Signature

That 78 STRADDLE, LP, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above–described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

78 STRADDLE, LP,
a Texas Limited Partnership,

By: Pitman Investments, LLC,
a Texas limited liability company,
its general partner

By: _____
Bruce W. Hunt
President

STATE OF TEXAS §

COUNTY OF _____§

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared Bruce W. Hunt, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated..

Given under my hand and seal of office, this _____ day of _____, 2022.

_____
Notary Signature

SURVEYOR'S CERTIFICATE §

KNOW ALL MEN BY THESE PRESENTS:

That I, Mark W. Harp, RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Lavon.

Dated this the _____ day of _____, 2022.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT."

_____
Mark W. Harp, R.P.L.S. No. 6425

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark W. Harp, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office this _____ day of _____, 2022.

_____
Notary Public in and for the State of Texas

Recommended for Approval:

_____

Date: _____

Chairman, Planning and Zoning Commission

City of Lavon, Texas

Approved for Construction:

_____

Date: _____

Mayor, City of Lavon, Texas

Accepted:

_____

Date: _____

Mayor, City of Lavon, Texas

The undersigned, the city secretary of the City of Lavon, Texas, hereby certifies that the foregoing final plat of the _____ subdivision or addition to the City of Lavon was submitted to the city council on the _____ day of _____, 20____ and the council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines as shown and set forth in and upon said plat and said council further authorized the mayor to note the acceptance thereof by signing his or her name as here in above subscribed.

Witness my hand this _____ day of _____, AD, 20____.

_____
City Secretary, City of Lavon, Texas

This plat correctly presents the required easements and certifications required by Bear Creek Special Utility District for this development.

BEAR CREEK SPECIAL UTILITY DISTRICT

NAME/TITLE: _____

Date: _____

FINAL PLAT
ELEVON WEST COMMERCIAL PHASE 1

2 LOTS

LOTS 1–2, BLOCK A

33.864 ACRES OUT OF THE
SAMUEL M. RAINER SURVEY, ABSTRACT 740;

CITY OF LAVON, COLLIN COUNTY, TEXAS

TM BTR OF TEXAS, LLC — OWNER/APPLICANT
6735 Salt Cedar Way, Building 1, Suite 200
Frisco, Texas 75034
Contact: Jack Rowe
(469) 252–2225

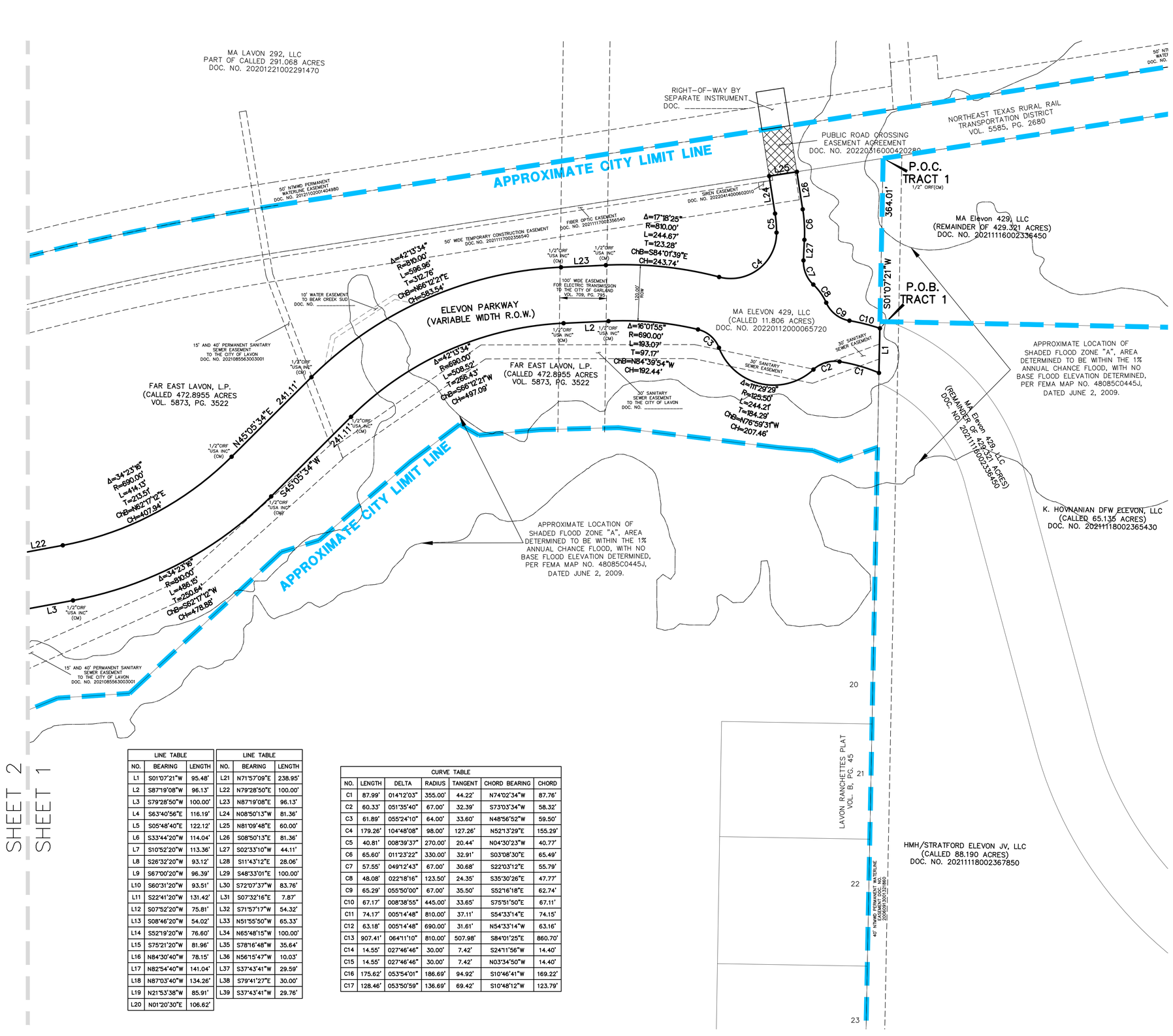
MA ELEVON 429, LLC — OWNER/APPLICANT
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715–6449

78 STRADDLE, LP — OWNER/APPLICANT
1999 Bryan Street, Suite 900
Dallas, Texas 75201

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact: Daniel Dewey
TBPE No. F–438 TBPLS No. 10076000
(972) 248–7676

Date: August 04, 2022

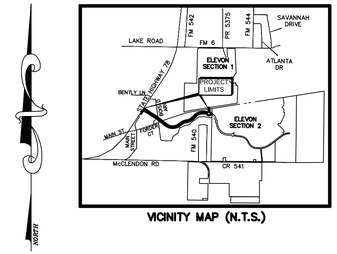
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LINE TABLE		
NO.	BEARING	LENGTH
L1	S01°07'21"W	95.48'
L2	S87°19'08"W	96.13'
L3	S79°28'50"W	100.00'
L4	S63°40'56"E	116.19'
L5	S05°48'40"E	122.12'
L6	S33°44'20"W	114.04'
L7	S10°52'20"W	113.36'
L8	S26°32'20"W	93.12'
L9	S67°00'20"W	96.39'
L10	S60°31'20"W	93.51'
L11	S22°41'20"W	131.42'
L12	S07°52'20"W	75.81'
L13	S08°46'20"W	54.02'
L14	S52°19'20"W	76.60'
L15	S75°21'20"W	81.96'
L16	N84°30'40"W	78.15'
L17	N82°54'40"W	141.04'
L18	N87°03'40"W	134.26'
L19	N21°53'38"W	85.91'
L20	N01°20'30"E	106.62'

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L25	N81°09'48"E	60.00'
L26	S08°50'13"E	81.36'
L27	S02°33'10"W	44.11'
L28	S11°43'12"E	28.06'
L29	S48°33'01"E	100.00'
L30	S72°07'37"W	83.76'
L31	S07°32'16"E	7.87'
L32	S71°57'17"W	54.32'
L33	N51°55'50"W	65.33'
L34	N65°48'15"W	100.00'
L35	S78°16'48"W	35.64'
L36	N56°15'47"W	10.03'
L37	S37°43'41"W	29.59'
L38	S79°41'27"E	30.00'
L39	S37°43'41"W	29.76'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	87.99'	014°12'03"	355.00'	44.22'	N74°02'34"W	87.76'
C2	60.33'	051°35'40"	67.00'	32.39'	S73°03'34"W	58.32'
C3	61.89'	055°24'10"	64.00'	33.60'	N48°56'52"W	59.50'
C4	179.26'	104°48'08"	98.00'	127.26'	N52°13'29"E	155.29'
C5	40.81'	008°39'37"	270.00'	20.44'	N04°30'23"W	40.77'
C6	65.60'	011°23'22"	330.00'	32.91'	S03°08'30"E	65.49'
C7	57.55'	049°12'43"	67.00'	30.68'	S22°03'12"E	55.79'
C8	48.08'	022°18'16"	123.50'	24.35'	S35°30'26"E	47.77'
C9	65.29'	055°50'00"	67.00'	35.50'	S52°16'18"E	62.74'
C10	67.17'	008°38'55"	445.00'	33.65'	S75°51'50"E	67.11'
C11	74.17'	005°14'48"	810.00'	37.11'	S54°33'14"E	74.15'
C12	63.18'	005°14'48"	690.00'	31.61'	N54°33'14"W	63.16'
C13	907.41'	064°11'10"	810.00'	507.98'	S84°01'25"E	860.70'
C14	14.55'	027°46'46"	30.00'	7.42'	S24°11'56"W	14.40'
C15	14.55'	027°46'46"	30.00'	7.42'	N03°34'50"W	14.40'
C16	175.62'	053°54'01"	186.69'	94.92'	S10°46'41"W	169.22'
C17	128.46'	053°50'59"	136.69'	69.42'	S10°48'12"W	123.79'



VICINITY MAP (N.T.S.)

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
CM	CONTROL MONUMENT
ROW	RIGHT-OF-WAY
AC	ACRES
UE	UTILITY EASEMENT
SVE	SIGHT VISIBILITY EASEMENT

NOTES:

1.) FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48085C0445J, DATED JUNE 2, 2009 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, A PORTION OF THIS PROPERTY IS WITHIN SHADED FLOOD ZONE "A", (AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), WITH NO BASE FLOOD ELEVATIONS DETERMINED.

2.) THE BASIS OF BEARING IS BASED ON THE COORDINATE SYSTEM (NORTH CENTRAL ZONE 4202 STATE PLANE COORDINATES, NAD83).

3.) THE SUBJECT TRACT HAS FRONTAGE TO STATE HIGHWAY 78.

4.) SURVEY ABSTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BCSUD).

FINAL PLAT
ELEVON PARKWAY WEST

BEING 2 TRACTS AND 3 LOTS TOTALING 42.557 ACRES OUT OF THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

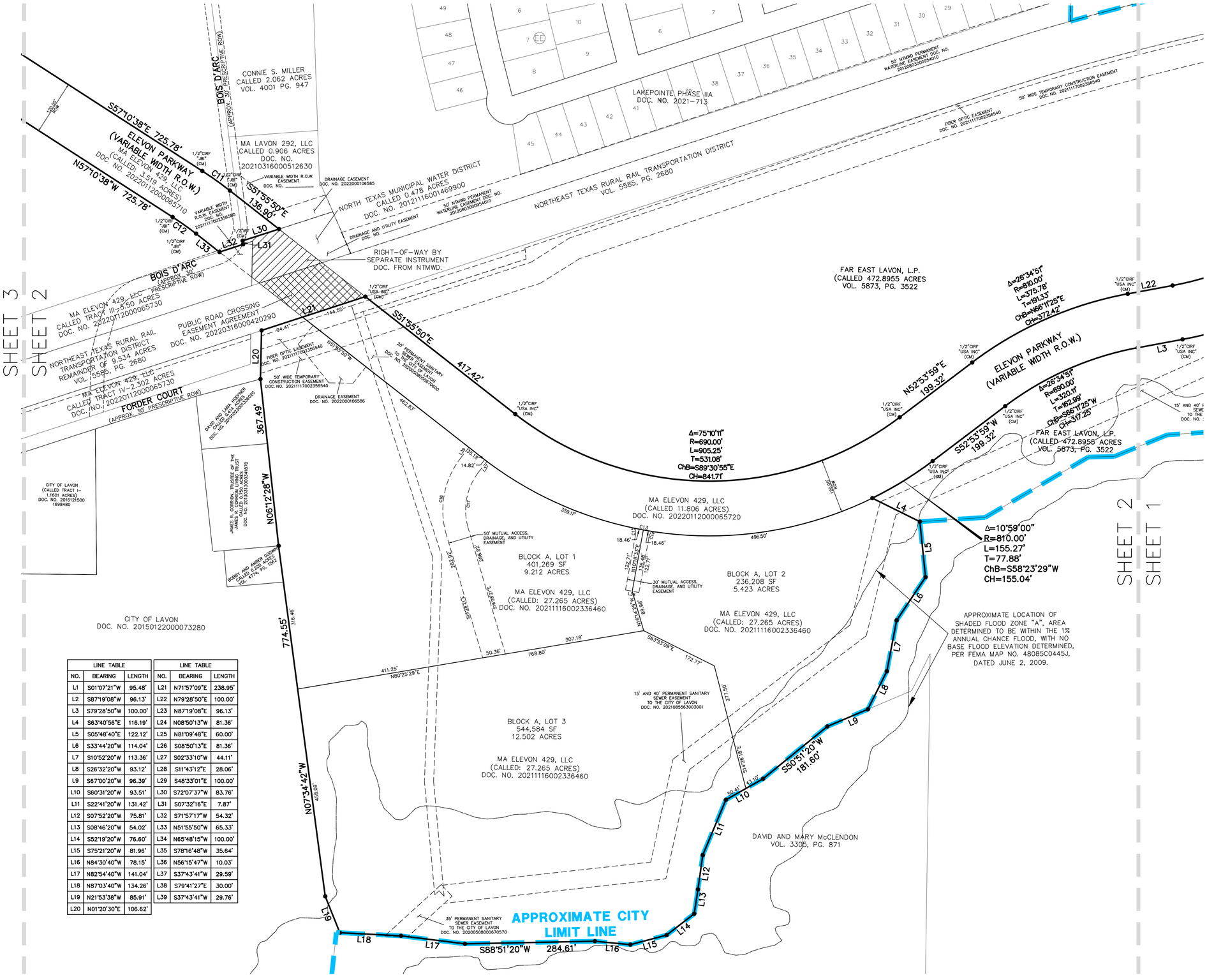
CITY OF LAVON,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC
MA ELEVON 429, LLC — CURRENT OWNER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
(972) 715-6449
Contact: John Marlin

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
(972) 248-7676
TBPE No. F-438 TBPLS No. 10076000

Date: August 18, 2022

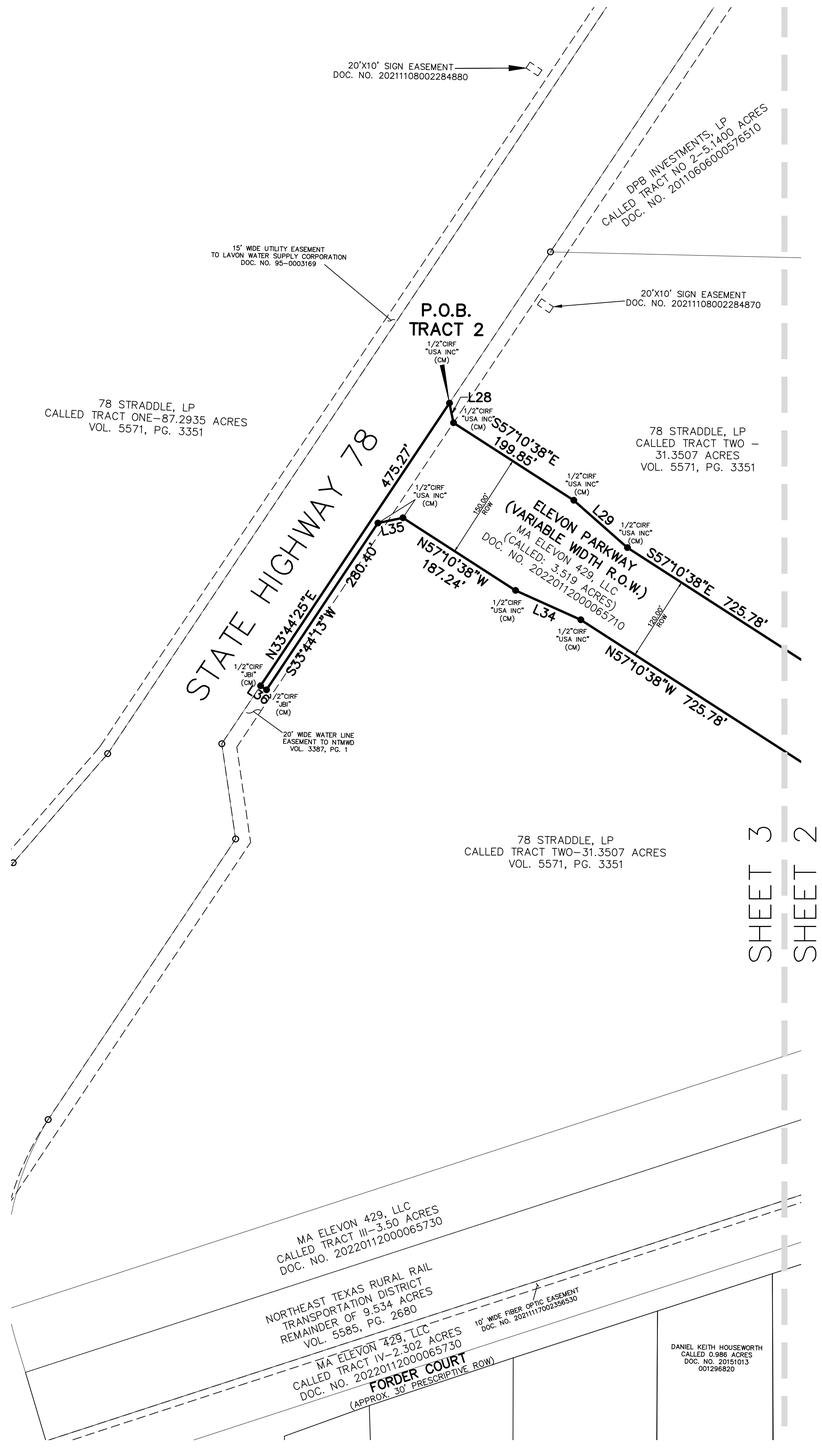
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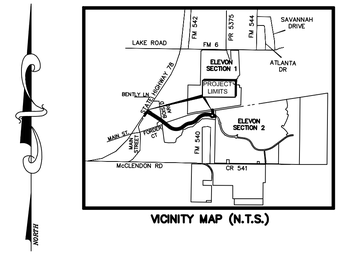

SHEET 3
SHEET 2
SHEET 2
SHEET 1
BOIS D'ARC (APPROX. 30' PRESCRIPTIVE ROW)
FORDER COURT (APPROX. 30' PRESCRIPTIVE ROW)
ELEVON PARKWAY (VARIABLE WIDTH R.O.W.)
S57°10'38"E 725.78'
N57°10'38"W 725.78'
S51°55'50"E 136.90'
S51°55'50"E 417.42'
N52°53'59"E 199.32'
S52°53'59"W 199.32'
N06°12'28"W 367.49'
N07°34'42"W 774.55'
S88°51'20"W 284.61'
S50°51'20"W 181.60'
Δ=75°10'11" R=690.00' L=905.25' T=531.08' ChB=S89°30'55"E CH=841.71'
Δ=26°34'51" R=810.00' L=375.78' T=191.33' ChB=N66°11'25"E CH=372.42'
Δ=26°34'51" R=690.00' L=320.11' T=162.99' ChB=S66°11'25"W CH=317.25'
Δ=10°59'00" R=810.00' L=155.27' T=77.88' ChB=S58°23'29"W CH=155.04'
CONNIE S. MILLER CALLED 2.062 ACRES VOL. 4001 PG. 947
MA LAVON 292, LLC CALLED 0.906 ACRES DOC. NO. 20210316000512630
MA ELEVON 429, LLC CALLED TRACT III-3.50 ACRES DOC. NO. 20220112000065730
MA ELEVON 429, LLC CALLED TRACT IV-2.302 ACRES DOC. NO./ 20220112000065730
MA ELEVON 429, LLC (CALLED 3.519 ACRES) DOC. NO. 20220112000065710
NORTHEAST TEXAS RURAL RAIL TRANSPORTATION DISTRICT REMAINDER OF 9.934 ACRES VOL. 5585, PG. 2680
NORTHEAST TEXAS RURAL RAIL TRANSPORTATION DISTRICT VOL. 5585, PG. 2680
NORTH TEXAS MUNICIPAL WATER DISTRICT CALLED 0.478 ACRES DOC. NO. 20121116001469900
LAKEPOINTE PHASE IIA DOC. NO. 2021-713
PUBLIC ROAD CROSSING EASEMENT AGREEMENT DOC. NO. 20220316000420290
RIGHT-OF-WAY BY SEPARATE INSTRUMENT DOC. FROM NTMWD.
FAR EAST LAVON, L.P. (CALLED 472.8955 ACRES VOL. 5873, PG. 3522
MA ELEVON 429, LLC (CALLED 11.806 ACRES) DOC. NO. 20220112000065720
BLOCK A, LOT 1 401,269 SF 9.212 ACRES
BLOCK A, LOT 2 236,208 SF 5.423 ACRES
BLOCK A, LOT 3 544,584 SF 12.502 ACRES
MA ELEVON 429, LLC (CALLED: 27.265 ACRES) DOC. NO. 20211116002336460
CITY OF LAVON (CALLED TRACT I- 1.160 ACRES) DOC. NO. 20161215001698480
CITY OF LAVON DOC. NO. 20150122000073280
DAVID AND LAVA HOERNER CALLED 9.414 ACRES DOC. NO. 20191205000356020
JAMES R. CORRION, TRUSTEE OF THE JAMES R. CORRION FAMILY TRUST CALLED 0.750 ACRES DOC. NO. 20130313000341870
BOBBY AND AMBER GODWIN CALLED 0.2750 ACRES VOL. 4774, PG. 2982
DAVID AND MARY McCLENDON VOL. 3305, PG. 871
APPROXIMATE CITY LIMIT LINE
APPROXIMATE LOCATION OF SHADED FLOOD ZONE "A", AREA DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOOD, WITH NO BASE FLOOD ELEVATION DETERMINED, PER FEMA MAP NO. 48085C0445J, DATED JUNE 2, 2009.
50' NTMWD PERMANENT WATERLINE EASEMENT DOC. NO. 20120905000954010
50' WIDE TEMPORARY CONSTRUCTION EASEMENT DOC. NO. 20211117002356540
FIBER OPTIC EASEMENT DOC. NO. 20211117002356540
DRAINAGE EASEMENT DOC. NO. 20220000106585
DRAINAGE AND UTILITY EASEMENT DOC. NO.
VARIABLE WIDTH R.O.W. EASEMENT DOC. NO. 20211117002356580
VARIABLE WIDTH R.O.W. EASEMENT DOC. NO.
DRAINAGE EASEMENT DOC. NO. 20220000106586
20' PERMANENT SANITARY SEWER EASEMENT TO THE CITY OF LAVON DOC. NO. 20200508000670560
50' WIDE TEMPORARY CONSTRUCTION EASEMENT DOC. NO. 20211117002356540
50' MUTUAL ACCESS, DRAINAGE, AND UTILITY EASEMENT
30' MUTUAL ACCESS, DRAINAGE, AND UTILITY EASEMENT
15' AND 40' PERMANENT SANITARY SEWER EASEMENT TO THE CITY OF LAVON DOC. NO. 20210805630003001
35' PERMANENT SANITARY SEWER EASEMENT TO THE CITY OF LAVON DOC. NO. 20200508000670570
1/2"CIRF "-B-" (CM)
1/2"CIRF "USA INC" (CM)
1/2"CIRF "-B" (CM)
1/2"CIRF "-B-" (CM)
1/2"CIRF "-B-" (CM)
1/2"CIRF "-B-

LINE TABLE		
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C11	74.17'	005°14'48"	810.00'	37.11'	S54°33'14"E	74.15'
C12	63.18'	005°14'48"	690.00'	31.61'	N54°33'14"W	63.16'
C13	907.41'	064°11'10"	810.00'	507.98'	S84°01'25"E	860.70'





VICINITY MAP (N.T.S.)

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
CM	CONTROL MONUMENT
ROW	RIGHT-OF-WAY
AC	ACRES
UE	UTILITY EASEMENT
SVE	SIGHT VISIBILITY EASEMENT

NOTES:

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ELEVON PARKWAY WEST

BEING 2 TRACTS AND 3 LOTS TOTALING 42.557 ACRES OUT OF THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC
MA ELEVON 429, LLC — CURRENT OWNER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248 — (972) 715-6449
Contact: John Marlin

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006 — (972) 248-7676
TBPE No. F-438 TBPLS No. 10076000

Date: August 18, 2022

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\XMAT029-ELEVON PARKWAY-WEST-PT.dwg Saved By: ddewey Save Time: 8/18/2022 3:39 PM Plotted by: mgarcia Plot Date: 8/18/2022 7:53 PM

LEGAL DESCRIPTION
(TRACT 1)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called 11.806 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20220112000065720, Official Public Records of Collin County, Texas, and also being a part of that called 27.265 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20211116002336460, Official Public Records of Collin County, Texas, and being further described as follows:

COMMENCING at a one-half inch iron rod with cap found at the northwest corner of that called 429.321 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20211116002336450, Official Public Records of Collin County, Texas;

THENCE along the west line of said 429.321 acre tract as follows:
South 01 degrees 07 minutes 21 seconds West, 364.01 feet to the POINT OF BEGINNING; South 01 degrees 07 minutes 21 seconds West, 95.48 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 87.99 feet along a curve to the left, having a central angle of 14 degrees 12 minutes 03 seconds, a radius of 355.00 feet, a tangent of 44.22 feet, and whose chord bears North 74 degrees 02 minutes 34 seconds West, 87.76 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 60.33 feet along a curve to the left, having a central angle of 51 degrees 35 minutes 40 seconds, a radius of 67.00 feet, a tangent of 32.39 feet, and whose chord bears South 73 degrees 03 minutes 34 seconds West, 58.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 244.21 feet along a curve to the right, having a central angle of 111 degrees 29 minutes 29 seconds, a radius of 125.50 feet, a tangent of 184.29 feet, and whose chord bears North 76 degrees 59 minutes 31 seconds West, 207.46 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 61.89 feet along a curve to the left, having a central angle of 55 degrees 24 minutes 10 seconds, a radius of 64.00 feet, a tangent of 33.60 feet, and whose chord bears North 48 degrees 56 minutes 52 seconds West, 59.50 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 193.07 feet along a curve to the left, having a central angle of 16 degrees 01 minutes 55 seconds, a radius of 690.00 feet, a tangent of 97.17 feet, and whose chord bears North 84 degrees 39 minutes 54 seconds West, 192.44 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 87 degrees 19 minutes 08 seconds West, 96.13 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Southwesterly, 508.52 feet along a curve to the left, having a central angle of 42 degrees 13 minutes 34 seconds, a radius of 690.00 feet, a tangent of 266.43 feet, and whose chord bears South 66 degrees 12 minutes 21 seconds West, 497.09 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 45 degrees 05 minutes 34 seconds West, 241.11 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Southwesterly, 486.15 feet along a curve to the right, having a central angle of 34 degrees 23 minutes 16 seconds, a radius of 810.00 feet, a tangent of 250.64 feet, and whose chord bears South 62 degrees 17 minutes 12 seconds West, 478.88 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 79 degrees 28 minutes 50 seconds West, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 320.11 feet along a curve to the left, having a central angle of 26 degrees 34 minutes 51 seconds, a radius of 690.00 feet, a tangent of 162.99 feet, and whose chord bears South 66 degrees 11 minutes 25 seconds West, 317.25 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 52 degrees 53 minutes 59 seconds West, 199.32 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Southwesterly, 155.27 feet along a curve to the right, having a central angle of 10 degrees 59 minutes 00 seconds, a radius of 810.00 feet, a tangent of 77.88 feet and whose chord bears South 58 degrees 23 minutes 29 seconds West, 155.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 27.265 acre tract;

THENCE along the southeasterly line of said 27.265 acre tract and along the approximate centerline of creek meanders as follows:
South 63 degrees 40 minutes 56 seconds East, 116.19 feet to a point for corner in the south line of that called 472.8955 acre tract of land described in deed to FAR EAST LAVON, L.P. as recorded in Volume 5873, Page 3522, Official Public Records of Collin County, Texas;
South 05 degrees 48 minutes 40 seconds East, 122.12 feet to a point for corner;
South 33 degrees 44 minutes 20 seconds West, 114.04 feet to a point for corner;
South 10 degrees 52 minutes 20 seconds West, 113.36 feet to a point for corner;
South 26 degrees 32 minutes 20 seconds West, 93.12 feet to a point for corner;
South 67 degrees 00 minutes 20 seconds West, 96.39 feet to a point for corner;
South 50 degrees 51 minutes 20 seconds West, 181.60 feet to a point for corner;
South 60 degrees 31 minutes 20 seconds West, 93.51 feet to a point for corner;
South 22 degrees 41 minutes 20 seconds West, 131.42 feet to a point for corner;
South 07 degrees 52 minutes 20 seconds West, 75.81 feet to a point for corner;
South 08 degrees 46 minutes 20 seconds West, 54.02 feet to a point for corner;
South 52 degrees 19 minutes 20 seconds West, 76.60 feet to a point for corner;
South 75 degrees 21 minutes 20 seconds West, 81.96 feet to a point for corner;
North 84 degrees 30 minutes 40 seconds West, 78.15 feet to a point for corner;
South 88 degrees 51 minutes 20 seconds West, 284.61 feet to a point for corner;
North 82 degrees 54 minutes 40 seconds West, 141.04 feet to a point for corner;
North 87 degrees 03 minutes 40 seconds West, 134.26 feet to a point for corner, said point being the southwest corner of said 27.265 acre tract;

THENCE along the west line of said 27.265 acre tract as follows:
North 21 degrees 53 minutes 38 seconds West, 85.91 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;
North 07 degrees 34 minutes 42 seconds West, 774.55 feet to a one-half inch iron rod found for corner;
North 06 degrees 12 minutes 28 seconds West, 367.49 feet to a one-half inch iron rod found for corner;
North 01 degrees 20 minutes 30 seconds East, 95.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner at the northwest corner of said 27.265 acre tract said point also being in the south right-of-way line of Northeast Texas Rural Rail Transportation District, as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE North 71 degrees 57 minutes 09 seconds East, 238.95 feet along said south right-of-way line to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 51 degrees 55 minutes 50 seconds East, 417.42 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Southeasterly, 905.25 feet along a curve to the left, having a central angle of 75 degrees 10 minutes 11 seconds, a radius of 690.00 feet, a tangent of 531.08 feet, and whose chord bears South 89 degrees 30 minutes 55 seconds East, 841.71 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 52 degrees 53 minutes 59 seconds East, 199.32 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Northeasterly, 375.78 feet along a curve to the right, having a central angle of 26 degrees 34 minutes 51 seconds, a radius of 810.00 feet, a tangent of 191.33 feet, and whose chord bears North 66 degrees 11 minutes 25 seconds East, 372.42 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 79 degrees 28 minutes 50 seconds East, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 414.13 feet along a curve to the left, having a central angle of 34 degrees 23 minutes 16 seconds, a radius of 690.00 feet, a tangent of 213.51 feet, and whose chord bears North 62 degrees 17 minutes 12 seconds East, 407.94 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 45 degrees 05 minutes 34 seconds East, 241.11 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Northeasterly, 596.96 feet along a curve to the right, having a central angle of 42 degrees 13 minutes 34 seconds, a radius of 810.00 feet, a tangent of 312.76 feet, and whose chord bears North 66 degrees 12 minutes 21 seconds East, 583.54 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 87 degrees 19 minutes 08 seconds East 96.13 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Southeasterly, 244.67 feet along a curve to the right, having a central angle of 17 degrees 18 minutes 25 seconds, a radius of 810.00 feet, a tangent of 123.28 feet, and whose chord bears South 84 degrees 01 minutes 39 seconds East, 243.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 179.26 feet along a curve to the left, having a central angle of 104 degrees 48 minutes 08 seconds, a radius of 98.00 feet, a tangent of 127.26 feet, and whose chord bears North 52 degrees 13 minutes 29 seconds East, 155.29 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 40.81 feet along a curve to the left, having a central angle of 08 degrees 39 minutes 37 seconds, a radius of 270.00 feet, a tangent of 20.44 feet, and whose chord bears North 04 degrees 30 minutes 23 seconds West, 40.77 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 08 degrees 50 minutes 13 seconds West, 81.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 81 degrees 09 minutes 48 seconds East, 60.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 08 degrees 50 minutes 13 seconds East, 81.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 65.60 feet along a curve to the right, having a central angle of 11 degrees 23 minutes 22 seconds, a radius of 330.00 feet, a tangent of 32.91 feet, and whose chord bears South 03 degrees 08 minutes 30 seconds East, 65.49 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 02 degrees 33 minutes 10 seconds West, 44.11 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 57.55 feet along a curve to the left, having a central angle of 49 degrees 12 minutes 43 seconds, a radius of 67.00 feet, a tangent of 30.68 feet, and whose chord bears South 22 degrees 03 minutes 12 seconds East, 55.79 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner; THENCE Southeasterly, 48.08 feet along a curve to the right, having a central angle of 22 degrees 18 minutes 16 seconds, a radius of 123.50 feet, a tangent of 24.35 and whose chord bears South 35 degrees 30 minutes 26 seconds East, 47.77 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 65.29 feet along a curve to the left, having a central angle of 55 degrees 50 minutes 00 seconds, a radius of 67.00 feet, a tangent of 35.50 feet, and whose chord bears South 52 degrees 16 minutes 18 seconds East, 62.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 67.17 feet along a curve to the right, having a central angle of 08 degrees 38 minutes 55 seconds, a radius of 445.00 feet, a tangent of 33.65 feet, and whose chord bears South 75 degrees 51 minutes 50 seconds East, 67.11 feet to the POINT OF BEGINNING and containing 1,696,355 square feet or 38.943 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

LEGAL DESCRIPTION
(TRACT 2)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called 3.519 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20220112000065710, Official Public Records of Collin County, Texas, a part of that called 0.906 acre tract of land described in deed to MA Lavon 292, LLC, as recorded in Document Number 20210316000512630, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "USA INC" found in the north corner of said 3.519 acre tract of land, said point also being in the east right-of-way line of State Highway 78, a variable width right-of-way;

THENCE South 11 degrees 43 minutes 12 seconds East, 28.06 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 57 degrees 10 minutes 38 seconds East, 199.85 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 48 degrees 33 minutes 01 seconds Eat, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 57 degrees 10 minutes 38 seconds East, 725.78 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 74.17 feet along a curve to the right, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 810.00 feet, a tangent of 37.11 feet, South 54 degrees 33 minutes 14 seconds East, 74.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE South 51 degrees 55 minutes 50 seconds East, 136.90 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 0.906 acre tract of land;

THENCE South 72 degrees 07 minutes 37 seconds West, 83.76 feet to a one-half inch iron rod found at the southwest corner of said 0.906 acre tract of land, said point being in the east line of said 3.519 acre tract;

THENCE South 07 degrees 32 minutes 16 seconds East, 7.87 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the southeast corner of said 3.519 acre tract, said point being in the north line that called Tract III-3.50 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20220112000065730, Official Public Records of Collin County, Texas;

THENCE South 71 degrees 57 minutes 17 seconds West, 54.32 feet along the north line of said Tract III to a one0half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 51 degrees 55 minutes 50 seconds West, 65.33 feet along to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Northwesterly, 63.18 feet along a curve to the left, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 690.00 feet, a tangent of 31.61 feet, and whose chord bears North 54 degrees 33 minutes 14 seconds West, 63.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 57 degrees 10 minutes 38 seconds West, 725.78 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 65 degrees 48 minutes 15 seconds West, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 57 degrees 10 minutes 38 seconds West, 187.24 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 78 degrees 16 minutes 48 seconds, 35.64 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE South 33 degrees 44 minutes 13 seconds West, 280.40 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 56 degrees 15 minutes 47 seconds West, 10.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" found in the said east right-of-way line;

THENCE North 33 degrees 44 minutes 25 seconds East, 475.27 feet to the POINT OF BEGINNING and containing 157,426 square feet or 3.614 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That **MA Lavon 292, LLC**, and **MA Elevon 429, LLC** acting herein by and through its duly-authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON PARKWAY WEST**, an addition to the City of Lavon, Collin County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown hereon, and does hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the easements on said plat. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Lavon use thereof. The City of Lavon and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements and the City of Lavon or any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb of of pavement line.

1. All water system is owned and operated by Bear Creek Special Utility District (BCSUD) and all construction related to water service shall be done per BCSUD's specifications and general notes.
2. The easements and public use areas, as shown are dedicated for the public use, including specifically for the City of Lavon, or BCSUD, forever for purposes indicated on this plat.
3. The City of Lavon and BCSUD are not responsible for replacing any improvements in, under or over any easements caused by maintenance or repair.
4. Utility easements may also be used for the mutual and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities as being subordinate to the public, City of Lavon and BCSUD.
5. The City of Lavon, BCSUD, and public utilities shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with construction, maintenance, or efficiency of their respective systems in the easements.
6. City of Lavon, BCSUD, and public utilities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, respective systems without the necessity at any time of procuring permission from anyone.
7. All modifications to this document shall be by means of plat and approved by the City of Lavon unless said modifications pertain to BCSUD facilities, at which time BCSUD shall also review and approve.

This plat correctly presents the required easements and certifications required by Bear Creek Special Utility District for this development.

BEAR CREEK SPECIAL UTILITY DISTRICT

NAME/TITLE: _____

Date: _____

SURVEYOR'S CERTIFICATE §

KNOW ALL MEN BY THESE PRESENTS:

That I, Mark W. Harp, RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Lavon.

Dated this the _____ day of _____, 2022.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT."

Mark W. Harp, R.P.L.S. No. 6425

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark W. Harp, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office this _____ day of _____, 2022.

_____
Notary Public in and for the State of Texas

Recommended for Approval:

_____

Date: _____

Chairman, Planning and Zoning Commission

City of Lavon, Texas

Approved for Construction:

_____

Date: _____

Mayor, City of Lavon, Texas

Accepted:

_____

Date: _____

Mayor, City of Lavon, Texas

The undersigned, the city secretary of the City of Lavon, Texas, hereby certifies that the foregoing final plat of the _____ subdivision or addition to the City of Lavon was submitted to the city council on the _____ day of _____, 20____ and the council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines as shown and set forth in and upon said plat and said council further authorized the mayor to note the acceptance thereof by signing his or her name as here in above subscribed.

Witness my hand this _____ day of _____, AD, 20____.

_____

City Secretary, City of Lavon, Texas

MA Lavon 292, LLC, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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

WITNESS MY HAND THIS _____ DAY OF _____, 2022.

MA Lavon 292, LLC,
a Texas limited liability company

By: _____
John Marlin

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared John Marlin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated..

Given under my hand and seal of office, this _____ day of _____, 2022.

_____
Notary Signature

MA Elevon 429, LLC, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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

WITNESS MY HAND THIS _____ DAY OF _____, 2022.

MA Elevon 429, LLC,
a Texas limited liability company

By: _____
John Marlin

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared John Marlin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated..

Given under my hand and seal of office, this _____ day of _____, 2022.

_____
Notary Signature

FINAL PLAT
ELEVON PARKWAY WEST

BEING 2 TRACTS AND 3 LOTS TOTALING 42.557 ACRES OUT OF THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC
MA ELEVON 429, LLC — **CURRENT OWNER**
15443 Knoll Trail, Suite 130
Dallas, Texas 75248 — (972) 715-6449
Contact: John Marlin

JBI PARTNERS, INC. — **SURVEYOR/ENGINEER**
2121 Midway Road, Suite 300
Carrollton, Texas 75006 — (972) 248-7676
TBPE No. F-438 TBPLS No. 10076000

Date: August 18, 2022

Plotted by: ddewey Plot Date: 8/18/2022 3:39 PM
Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\XMAT029-ELEVON PARKWAY-WEST-PT.dwg Saved By: ddewey Save Time: 8/18/2022 3:31 PM

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-08

Utility Easements related to the Elevon Commercial West and Elevon Parkway West Additions

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON APPROVING AND AUTHORIZING THE EXECUTION OF UTILITY EASEMENTS GRANTED FROM MA ELEVON 429, L.L.C., MA LAND HOLDINGS, L.L.C., 78 STRADDLE L.P., MA LAVON 292, L.L.C., BTR AT ELEVON, L.L.C. AND THE CITY OF LAVON TO THE CITY OF LAVON RELATED TO THE ELEVON PARKWAY WEST ADDITION AND ELEVON WEST COMMERCIAL PHASE 1 ADDITION; AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 6, 2022, the City Council approved the final plats of the Elevon Commercial West Addition and the Elevon Parkway West Addition; and

WHEREAS, as a result of the phasing of the development, dedicated utility easements are necessary to serve the property; and

WHEREAS, the City Council of the City of Lavon, Texas ("City") has determined that it is in the best interest of the citizens of the City for the City to approve specific utility easements granted from MA Elevon 429, L.L.C., MA Land Holdings, L.L.C., 78 Straddle L.P., MA Lavon 292, L.L.C., BTR at Elevon, L.L.C. and the City of Lavon to the City of Lavon related to the Elevon Parkway West Addition and Elevon West Commercial Phase 1 Addition.

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

SECTION 1: Recitals Incorporated. The findings recited above are incorporated as if fully set forth in the body of this Resolution.

SECTION 2: Authorization to Execute. The Mayor of the City is hereby authorized and directed, on behalf of the City Council of Lavon, Texas, to execute utility easements granted from MA Elevon 429, L.L.C., MA Land Holdings, L.L.C., 78 Straddle L.P., MA Lavon 292, L.L.C., BTR at Elevon, L.L.C. and the City of Lavon to the City of Lavon related to the Elevon Parkway West Addition and Elevon West Commercial Phase 1 Addition; copies of which are attached hereto as Exhibit "**A**".

SECTION 3: Effective Date. This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 1st day of August 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-08-08

EXHIBIT A

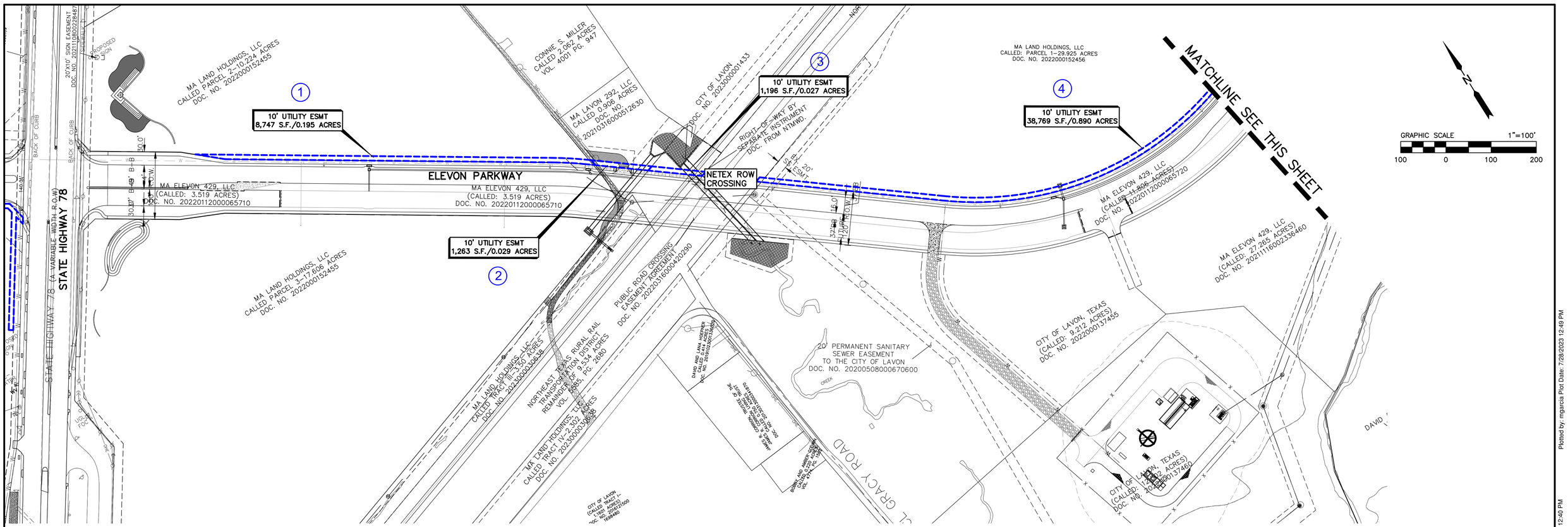
10’ Utility Easements

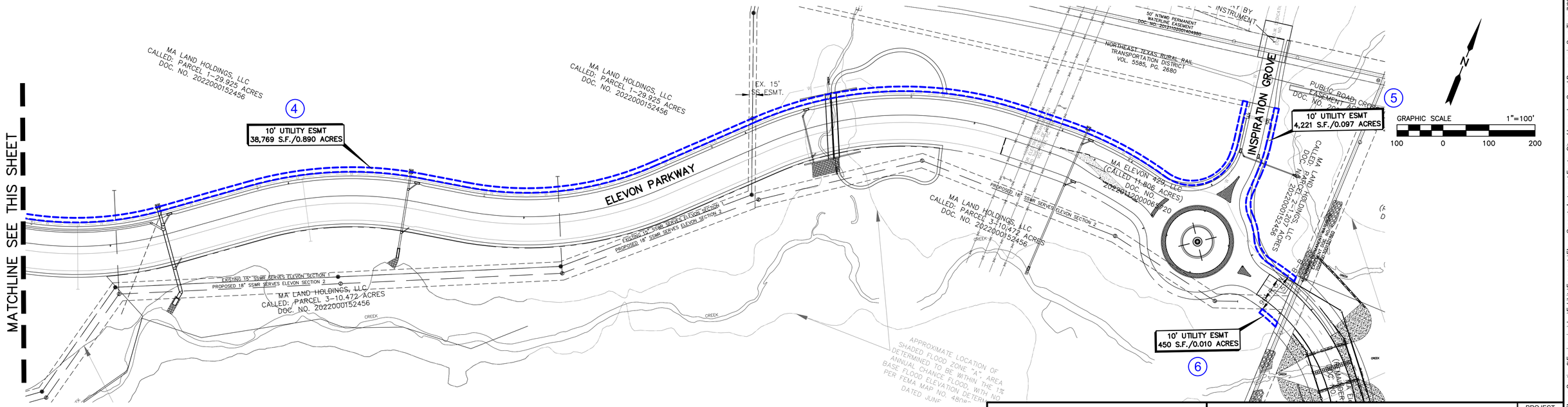
East Commercial:

#1 - 10'UE - MA Land Holdings Tract - 0.195 ac
#2 - 10'UE - MA Lavon 292 Tract - 0.029 ac
#3 - 10'UE - City of Lavon Tract - 0.027 ac
#4 - 10'UE - MA Land Holdings Tract - 0.890 ac
#5 - 10'UE - MA Land Holdings Tract - 0.097 ac
#6 - 10'UE - MA Land Holdings Tract - 0.010 ac

West Commercial:

#1 - 10' UE - 78 Straddle Tract - 0.222 ac and 0.476 ac
#2 - 10' UE - BTR Tract - 0.157 ac
#3 - 10' UE - MA Elevon 429 Tract - 0.059 ac
#4 - 10' UE - MA LAND HOLDINGS - 0.441 ac





JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

SEPARATE INSTRUMENT EASEMENTS

KEY MAP

ELEVON EAST COMMERCIAL

CITY OF LAVON, COLLIN COUNTY, TEXAS

PROJECT NO. MAT029

SHEET NO. 1 of 2

Plotted by: mgarcia Plot Date: 7/28/2023 12:49 PM
Drawing: H:\Projects\MAT029-Elevon Section 2\Engineering\dwg\Exhibits\Easements\Elevon Separate Instrument Esmts - City of Lavon.dwg Saved By: mgarcia Save Time: 7/28/2023 12:40 PM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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

UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **MA LAND HOLDINGS, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 8,747 square feet or 0.195 acres in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of

Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

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Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: _____

Title: _____

STATE OF TEXAS COUNTY

OF COLLIN

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of MA Land Holdings, LLC, a Texas limited liability company, general partner of MA Partners, LLC, a Texas limited liability company, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
UTILITY EASEMENT
PAGE 1 OF 2

LEGAL DESCRIPTION

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called Parcel 2–10.224 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 10.224 acre tract, said point being in the north line of that called 3.519 acre tract of land described in deed to MA ELEVON 429, LLC, as recorded in Document Number 20220112000065710, Official Public Records of Collin County, Texas, said point being in the west line of that called 0.906 acre tract of land described in deed to MA LAVON 292, LLC, Official Public Records of Collin County, Texas;

THENCE along the south line of said 10.224 acre tract of land and along the north line of said 3.519 acre tract of land as follows:

North 51 degrees 55 minutes 50 seconds West, 19.11 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

Northeasterly, 74.17 feet along a curve to the left, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 810.00 feet, a tangent of 37.11 feet and whose chord bears North 54 degrees 33 minutes 14 second West, 74.15 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

North 57 degrees 10 minutes 38 seconds West, 725.78 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

North 48 degrees 33 minutes 01 seconds West, 66.67 feet to a point for corner;

THENCE South 57 degrees 10 minutes 38 seconds East, 791.69 feet to a point for corner;

THENCE Southeasterly, 75.09 feet along a curve to the right, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 820.00 feet, a tangent of 37.57 feet and whose chord bears South 54 degrees 33 minutes 14 seconds East, 75.06 feet to a point for corner;

THENCE South 51 degrees 55 minutes 50 seconds East, 8.90 feet to a point for corner in the east line of said 10.224 acre tract;

THENCE South 07 degrees 32 minutes 16 seconds East, 14.29 feet along the east line of said 10.224 acre tract and along the west line of said 0.906 acre tract to the POINT OF BEGINNING and containing 8,747 square feet or 0.195 acres of land.

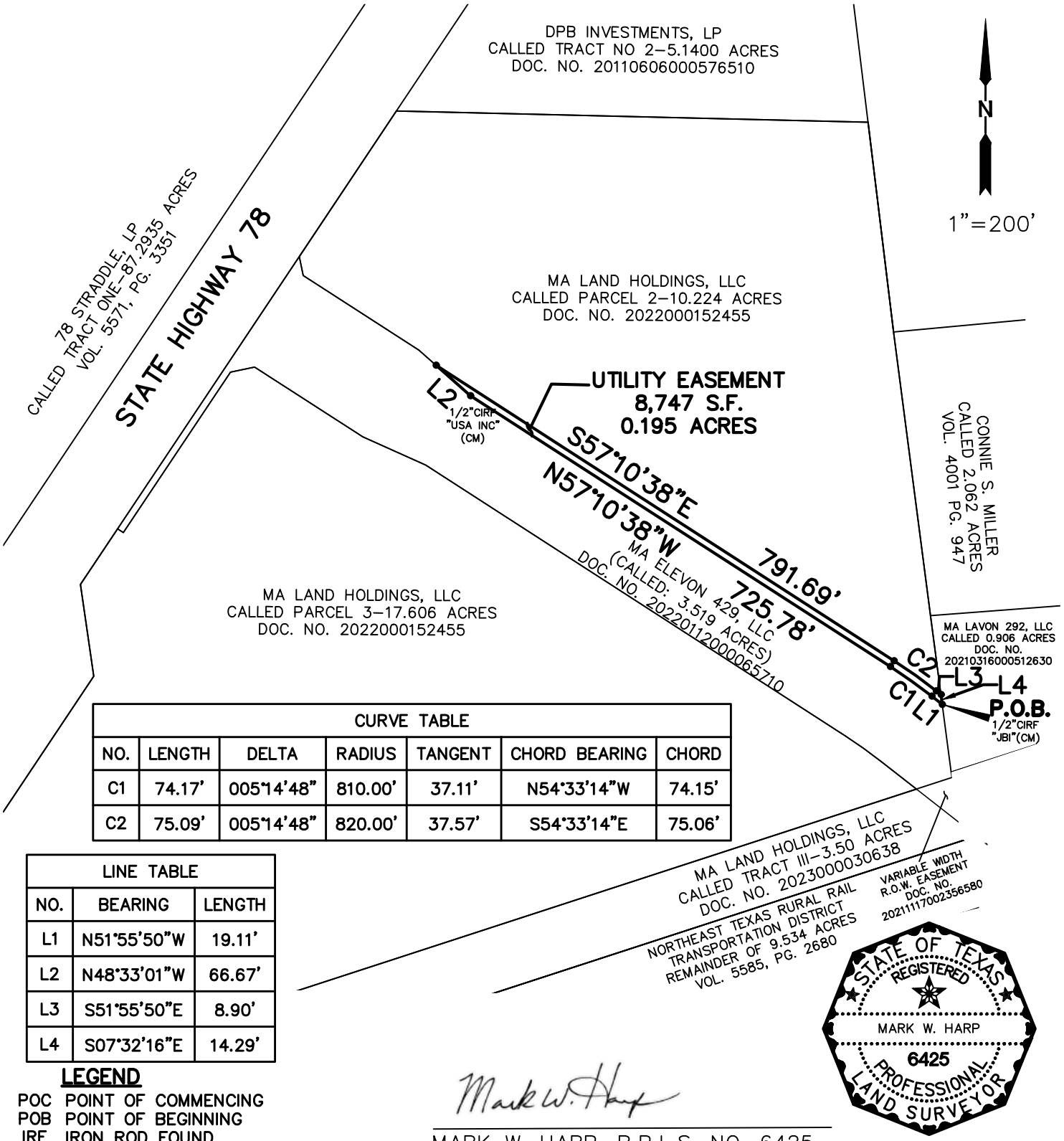
BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
UTILITY EASEMENT
PAGE 2 OF 2



CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	74.17'	005°14'48"	810.00'	37.11'	N54°33'14"W	74.15'
C2	75.09'	005°14'48"	820.00'	37.57'	S54°33'14"E	75.06'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N51°55'50"W	19.11'
L2	N48°33'01"W	66.67'
L3	S51°55'50"E	8.90'
L4	S07°32'16"E	14.29'

LEGEND

POC POINT OF COMMENCING
POB POINT OF BEGINNING
IRF IRON ROD FOUND
CM CONTROL MONUMENT
S.F. SQUARE FEET

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
April 27, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	04/27/2023	drb	mat029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **MA LAVON 292, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain franchise utility conduits and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 1,263 square feet or 0.029 acres in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein,

including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the

Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

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WITNESS THE GRANTOR'S HAND this _____ day of _____, 2023.

MA LAVON 292, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its sole Manager

By: _____
Allen Jones, Manager

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____ day of _____, 2023, by Allen Jones in the capacity stated herein.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 2

LEGAL DESCRIPTION

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 0.906 acre tract of land described in deed to MA LAVON 292, LLC, as recorded in Document Number 20210316000512630, Official Public Records of Collin County, Texas, and being further described as follows;

BEGINNING at a one–half inch iron rod with yellow cap stamped "JBI" found in the west line of said 0.906 acre tract, said point being in the east line of that called 3.519 acre tract of land described in deed to MA ELEVON 429, LLC, as recorded in Document Number 20220112000065710, Official Public Records of Collin County, Texas, said point also being the southeast corner of that called Parcel 2–10.224 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas;

THENCE North 07 degrees 32 minutes 16 seconds West, 14.29 feet along the west line of said 0.906 acre tract of land and along the east line of said 10.224 acre tract to a point for corner, from which said point bears North 07 degrees 32 minutes 16 seconds West, 115.84 feet along the west line of said 0.906 acre tract of land and along the east line of said 10.224 acre tract to a one–half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said 0.906 acre tract;

THENCE South 51 degrees 55 minutes 50 seconds East, 134.77 feet to a point for corner in the south line of said 0.906 acre tract, said point being in the north line of that called 0.478 acre tract of land described in deed to City of Lavon, as recorded in Document number 2023000001433, Official Public Records of Colling County, Texas;

THENCE South 72 degrees 07 minutes 37 seconds West, 12.07 feet along the common line of said 0.906 acre tract and said 0.478 acre tract to a point for corner;

THENCE North 51 degrees 55 minutes 50 second West, 117.79 feet to the POINT OF BEGINNING and containing 1,263 square feet or 0.029 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

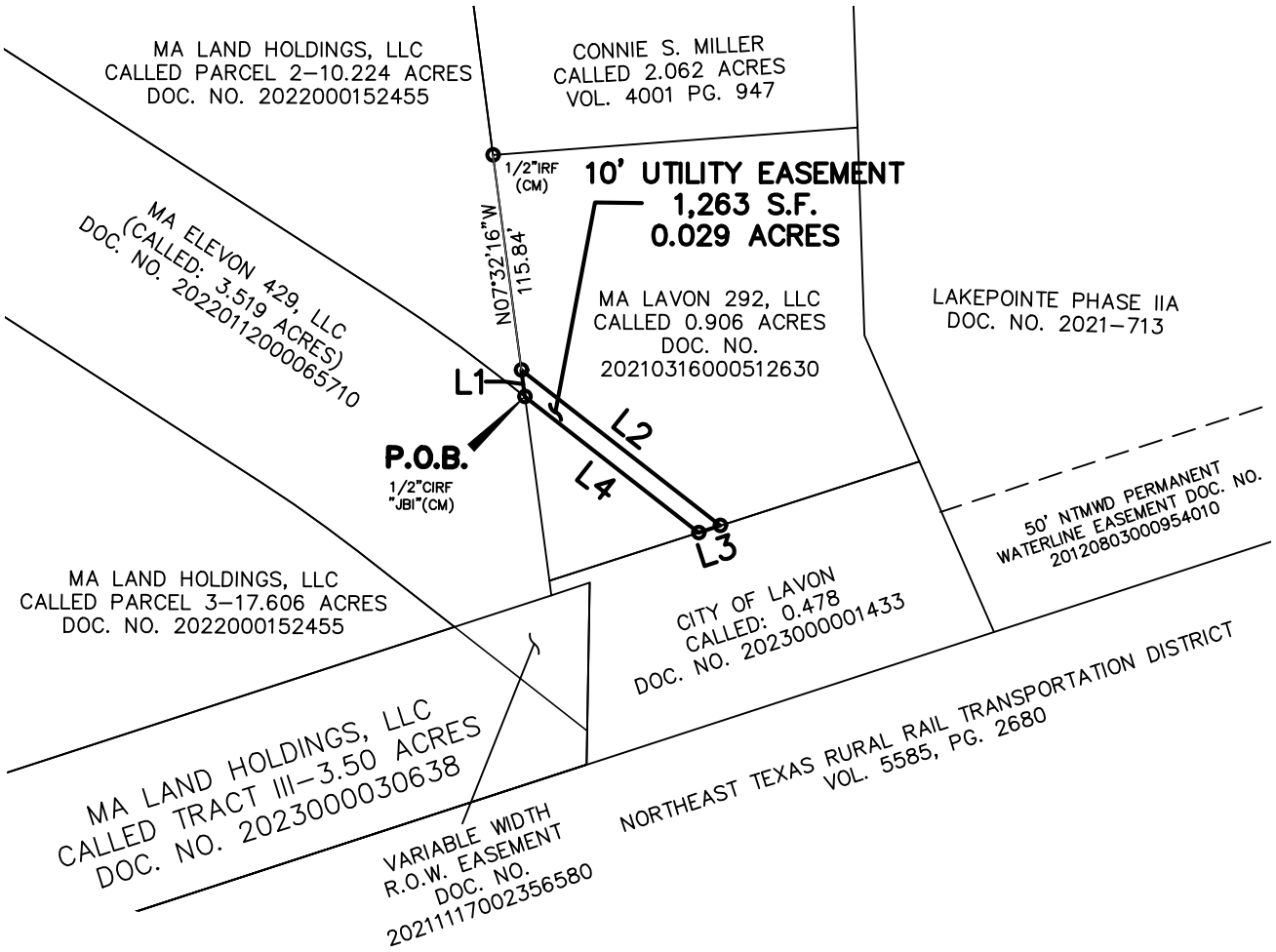
EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 2

N

1"=100'

LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET



LINE TABLE		
NO.	BEARING	LENGTH
L1	N07°32'16"W	14.29'
L2	S51°55'50"E	134.77'
L3	S72°07'37"W	12.07'
L4	N51°55'50"W	117.79'

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
April 27, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 100'	04/27/2023	RV	mat029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

Drawing: H:\Projects\MAT029–Elevon Section 2\Surveying\dwg\ESMT–ONCOR5.dwg Saved By: dbell Save Time: 5/17/2023 9:12 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain franchise utility conduits and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 1,196 square feet or 0.027 acres in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein,

including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the

Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the _____ day of _____, 2023.

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____ day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 2

LEGAL DESCRIPTION

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 0.478 acres tract of land described in deed to City of Lavon, as recorded in Document Number 2023000001433, Official Public Records of Collin County, Texas, and being further described as follows:

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 0.478 acre tract, said point being the southwest corner of that called 0.906 acre tract of land described in deed to MA LAVON 292, LLC, as recorded in Document Number 20210316000512630, Official Public Records of Collin County, Texas, said point being in the east line of that called 3.519 acre tract of land described in deed to MA ELEVON 429, LLC, as recorded in Document Number 20220112000065710, Official Public Records of Collin County, Texas, from which said point bears North 07 degrees 32 minutes 16 seconds West, 99.20 feet along the common line of said 0.906 acre tract of land and said 3.519 acre tract to a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of that called Parcel 2–10.224 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas;

THENCE along the north line of said 0.478 acre tract and along the south line of said 0.906 acre tract as follows:
North 72 degrees 07 minutes 37 seconds East 83.76 feet to the POINT OF BEGINNING;
North 72 degrees 07 minutes 37 seconds East, 12.07 feet to a point for corner;

THENCE South 51 degrees 55 minutes 50 seconds East, 119.57 feet to a point for corner in the south line of said 0.478 acre tract of land, said point being in the north right–of–way line of Northeast Texas Rural Rail Transportation District, as recorded in Volume 5585, Page 2680, Official Records of Collin County, Texas;

THENCE South 71 degrees 57 minutes 09 seconds West, 12.05 feet along the south line of said 0.478 acre tract of land and along the north right–of–way line of Northeast Texas Rural Rail Transportation District to a point for corner;

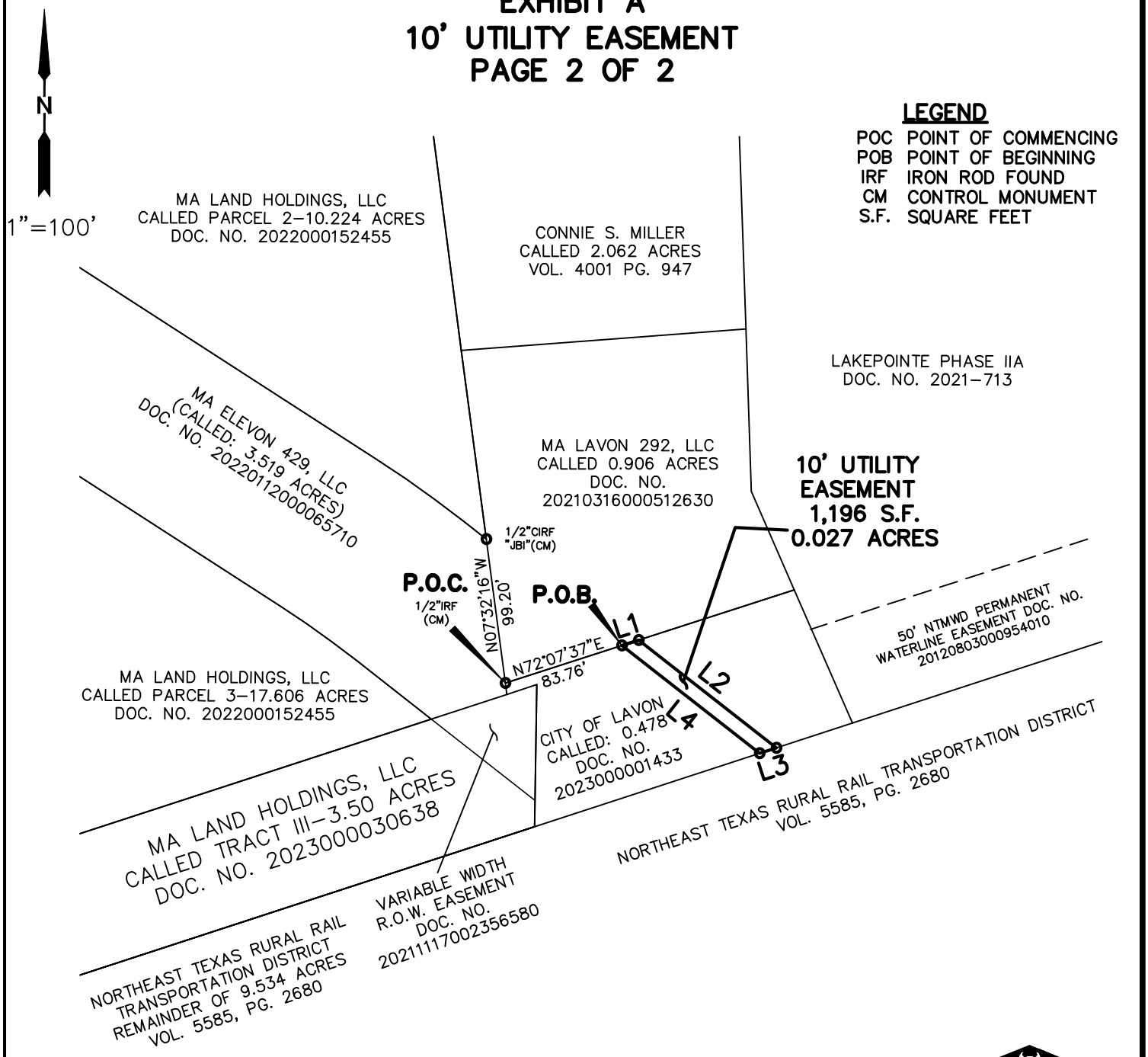
THENCE North 51 degrees 55 minutes 50 seconds West, 119.62 feet to the POINT OF BEGINNING and containing 1,196 square feet or 0.027 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 2



LINE TABLE		
NO.	BEARING	LENGTH
L1	N72°07'37"E	12.07'
L2	S51°55'50"E	119.57'
L3	S71°57'09"W	12.05'
L4	N51°55'50"W	119.62'

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
April 27, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 100'	04/27/2023	RV	mat029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

Drawing: H:\Projects\MAT029–Elevon Section 2\Surveying\dwg\ESMT–ONCOR6.dwg Saved By: dbell Save Time: 4/27/2023 10:43 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **MA LAND HOLDINGS, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 38,769 square feet or 0.890 acres in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of

Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

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Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: _____

Title: _____

STATE OF TEXAS COUNTY

OF COLLIN

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of MA Land Holdings, LLC, a Texas limited liability company, general partner of MA Partners, LLC, a Texas limited liability company, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 5

LEGAL DESCRIPTION

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called Parcel 1–29.925 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 2022000152456, Official Public Records of Collin County, Texas and being further described as follow:

BEGINNING at a one–half inch iron rod with cap stamped "USA INC" found at the west corner of said 29.925 acre tract, said point being in the north line of that called 11.806 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20220112000065720, Official Public Records of Collin County, Texas, said point also being the south right–of–way line of Northeast Texas Rural Rail Transportation District, as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE North 71 degrees 57 minutes 09 seconds East, 12.05 feet along the north line of said 29.925 acre tract and along the south right–of–way line of Northeast Texas Rural Rail Transportation District to a point for corner;

THENCE South 51 degrees 55 minutes 50 seconds East, 410.71 feet to a point for corner;

THENCE Southeasterly, 892.13 feet along a curve to the left, having a central angle of 75 degrees 10 minutes 11 seconds, a radius of 680.00 feet, a tangent of 523.38 feet and whose chord bears South 89 degrees 30 minutes 55 seconds East, 829.51 feet to a point for corner;

THENCE North 52 degrees 53 minutes 59 seconds East, 199.32 feet to a point for corner;

THENCE Northeasterly, 380.42 feet along a curve to the right, having a central angle of 26 degrees 34 minutes 51 seconds, a radius of 820.00 feet, a tangent of 193.70 feet and whose chord bears North 66 degrees 11 minutes 25 seconds East, 377.02 feet to a point for corner;

THENCE North 79 degrees 28 minutes 50 seconds East, 100.00 feet to a point for corner;

THENCE Northeasterly, 408.12 feet along a curve to the left, having a central angle of 34 degrees 23 minutes 16 seconds, a radius of 680.00 feet, a tangent of 210.42 feet and whose chord bears North 62 degrees 17 minutes 12 seconds East, 402.03 feet to a point for corner;

THENCE North 45 degrees 05 minutes 34 seconds East, 241.11 feet to a point for corner;

THENCE Northeasterly, 604.33 feet along a curve to the right, having a central angle of 42 degrees 13 minutes 34 seconds, a radius of 820.00, a tangent of 316.63 feet and whose chord bears North 66 degrees 12 minutes 21 seconds East, 590.74 feet to a point for corner;

THENCE North 87 degrees 19 minutes 08 seconds East, 96.13 feet to a point for corner;

THENCE Southeasterly, 247.69 feet along a curve to the right, having a central angle of 17 degrees 18 minutes 25 seconds, a radius of 820.00 feet, a tangent of 124.80 feet and whose chord bears South 84 degrees 01 minutes 39 seconds East, 246.75 feet to a point for corner;

THENCE Northeasterly, 160.96 feet along a curve to the left, having a central angle of 104 degrees 48 minutes 08 seconds, a radius of 88.00 feet, a tangent of 114.27 feet and whose chord bears North 52 degrees 13 minutes 29 seconds East, 139.45 feet to a point for corner;

THENCE Northwesterly, 39.30 feet along a curve to the left, having a central angle of 08 degrees 39 minutes 37 seconds, a radius of 260.00 feet, a tangent of 19.69 feet and whose chord bears North 04 degrees 30 minutes 23 seconds West, 39.26 feet to a point for corner;

Drawing: H:\Projects\MAT029–Elevon Section 2\Surveying\dwg\ESMT–ONCOR3.dwg Saved By: dbell Save Time: 5/17/2023 9:16 AM

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 5

THENCE North 08 degrees 50 minutes 13 seconds West, 81.36 feet to a point for corner in the north line of said 29.925 acre tract, said point being in the south line of Northeast Texas Rural Rail District;

THENCE North 81 degrees 09 minutes 47 seconds East, 10.00 feet along the north line of said 29.925 acre tract and along the south line of Northeast Texas Rural Rail District to a one-half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 29.925 acre tract, said point being in the north line of said 11.806 acre tract;

THENCE along the south and east line of said 29.925 acre tract and along the north line of said 11.806 acre tract as follows:

South 08 degrees 50 minutes 13 seconds East, 81.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southeasterly, 40.81 feet along a curve to the right, having a central angle of 08 degrees 39 minutes 37 seconds, a radius of 270.00 feet, a tangent of 20.44 feet and whose chord bears South 04 degrees 30 minutes 23 seconds East, 40.77 feet to a one-half inch iron rod with cap stamped "JBI" found for corner;

Southwesterly, 179.26 feet along a curve to the right, having a central angle of 104 degrees 48 minutes 08 seconds, a radius of 98.00 feet, a tangent of 127.26 feet and whose chord bears South 52 degrees 13 minutes 29 seconds West, 155.29 feet to a one-half inch iron rod with cap stamped "JBI" found for corner;

Northwesterly, 244.67 feet along a curve to the left, having a central angle of 17 degrees 18 minutes 25 seconds, a radius of 810.00 feet, a tangent of 123.28 feet and whose chord bears North 84 degrees 01 minutes 39 seconds West, 243.74 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 87 degrees 19 minutes 08 seconds West, 96.13 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

Southwesterly, 596.96 feet along a curve to the left, having a central angle of 42 degrees 13 minutes 34 seconds, a radius of 810.00 feet, a tangent of 312.76 feet and whose chord bears South 66 degrees 12 minutes 21 second West, 583.54 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 45 degrees 05 minutes 34 seconds West, 241.11 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

Southwesterly, 414.13 feet along a curve to the right, having a central angle of 34 degrees 23 minutes 16 seconds, a radius of 690.00 feet, a tangent of 213.51 feet and whose chord bears South 62 degrees 17 minutes 12 seconds West, 407.94 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 79 degrees 28 minutes 50 seconds West, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

Southwesterly, 375.78 feet along a curve to the left, having a central angle of 26 degrees 34 minutes 51 seconds, a radius of 810.00 feet, a tangent of 191.33 feet and whose chord bears South 66 degrees 11 minutes 25 seconds West, 372.42 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 52 degrees 53 minutes 59 seconds West, 199.32 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

Northwesterly, 905.25 feet along a curve to the right, having a central angle of 75 degrees 10 minutes 11 seconds, a radius of 690.00 feet, a tangent of 531.08 feet and whose chord bears North 89 degrees 30 minutes 55 seconds West, 841.71 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 51 degrees 55 minutes 50 seconds West, 417.42 feet to the POINT OF BEGINNING and containing 38,769 square feet or 0.890 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 3 OF 5

LINE TABLE		
NO.	BEARING	LENGTH
L1	N71°57'09"E	12.05'
L2	N79°28'50"E	100.00'
L3	N87°19'08"E	96.13'
L4	N08°50'13"W	81.36'
L5	N81°09'47"E	10.00'
L6	S08°50'13"E	81.36'
L7	S87°19'08"W	96.13'
L8	S79°28'50"W	100.00'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	892.13'	075°10'11"	680.00'	523.38'	S89°30'55"E	829.51'
C2	380.42'	026°34'51"	820.00'	193.70'	N66°11'25"E	377.02'
C3	408.12'	034°23'16"	680.00'	210.42'	N62°17'12"E	402.03'
C4	604.33'	042°13'34"	820.00'	316.63'	N66°12'21"E	590.74'
C5	247.69'	017°18'25"	820.00'	124.80'	S84°01'39"E	246.75'
C6	160.96'	104°48'08"	88.00'	114.27'	N52°13'29"E	139.45'
C7	39.30'	008°39'37"	260.00'	19.69'	N04°30'23"W	39.26'
C8	40.81'	008°39'37"	270.00'	20.44'	S04°30'23"E	40.77'
C9	179.26'	104°48'08"	98.00'	127.26'	S52°13'29"W	155.29'
C10	244.67'	017°18'25"	810.00'	123.28'	N84°01'39"W	243.74'
C11	596.96'	042°13'34"	810.00'	312.76'	S66°12'21"W	583.54'
C12	414.13'	034°23'16"	690.00'	213.51'	S62°17'12"W	407.94'
C13	375.78'	026°34'51"	810.00'	191.33'	S66°11'25"W	372.42'
C14	905.25'	075°10'11"	690.00'	531.08'	N89°30'55"W	841.71'



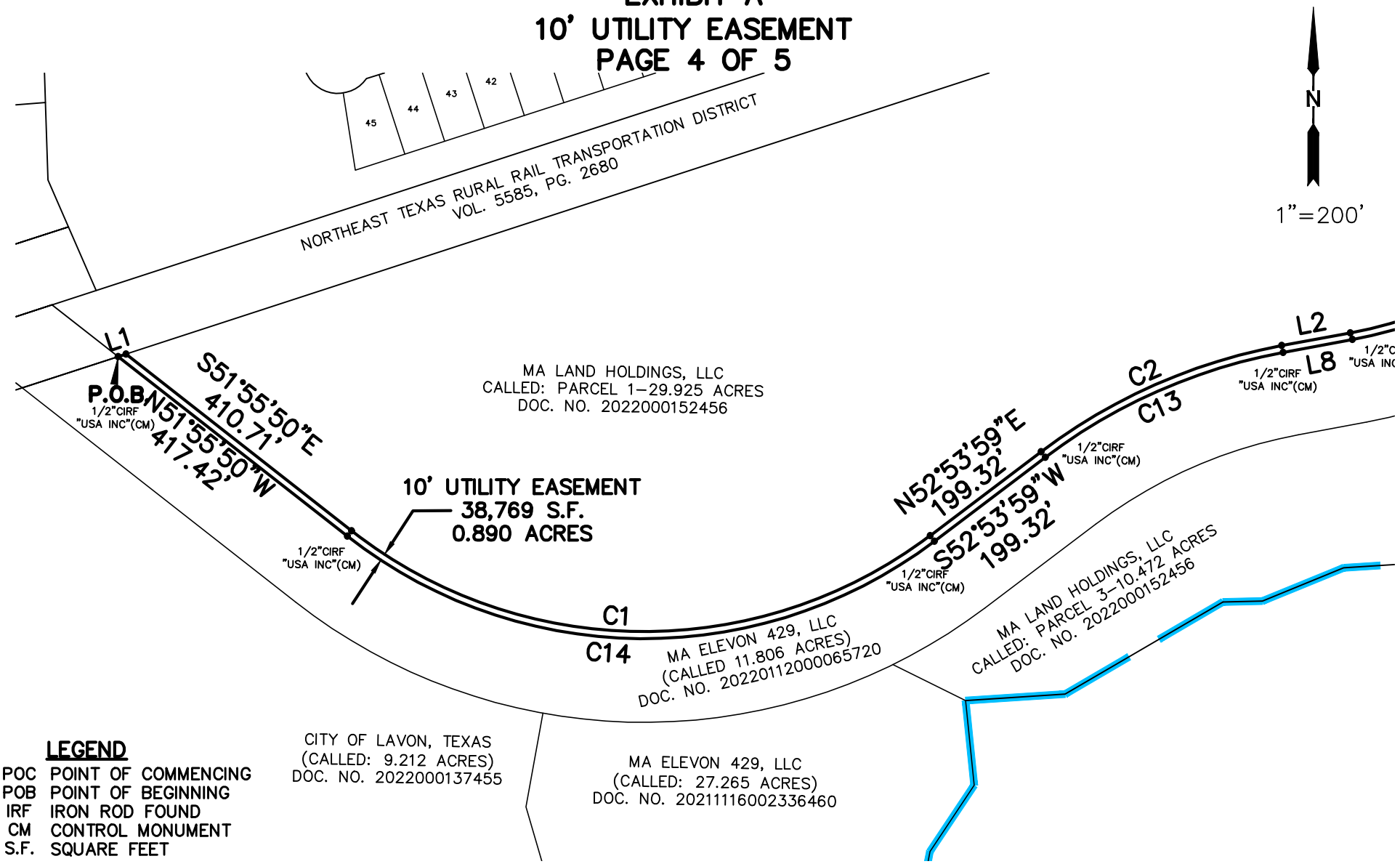
Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
April 27, 2023

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 4 OF 5



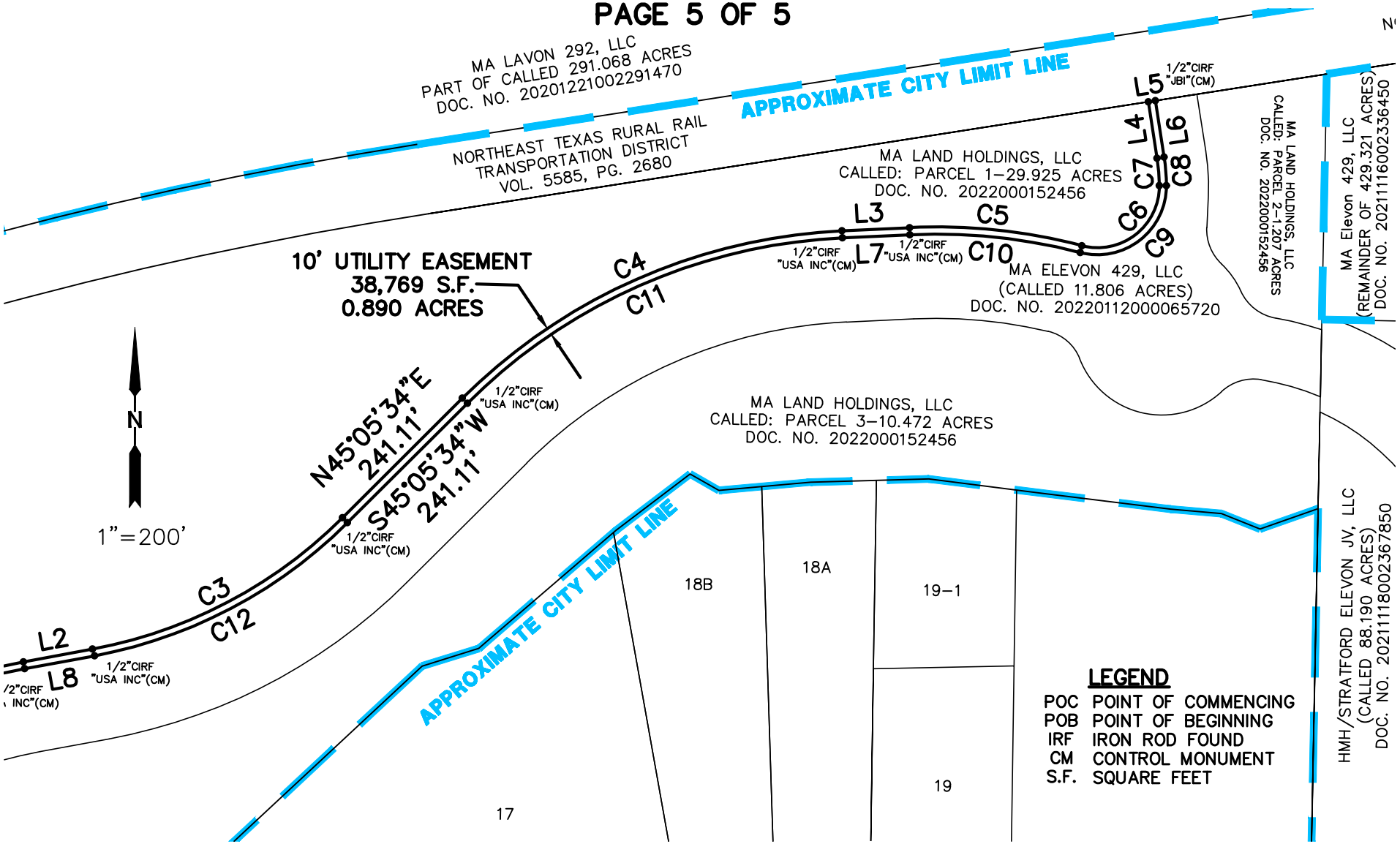
LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	04/27/2023	drb	mat029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 5 OF 5



LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	04/27/2023	drb	MAT029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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

UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **MA LAND HOLDINGS, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 4,221 square feet or 0.097 acres in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of

Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

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Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: _____

Title: _____

STATE OF TEXAS COUNTY

OF COLLIN

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of MA Land Holdings, LLC, a Texas limited liability company, general partner of MA Partners, LLC, a Texas limited liability company, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 3

LEGAL DESCRIPTION

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called Parcel 2–1.207 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 2022000152456, Official Public Records of Collin County, Texas and being further described as follow:

BEGINNING at a one–half inch iron rod with cap stamped "JBI" found for corner at the northwest corner of said 1.207 acre tract, said point being in the north line of that called 11.806 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20220112000065720, Official Public Records of Collin County, Texas, said point also being the south right–of–way line of Northeast Texas Rural Rail Transportation District, as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE North 81 degrees 09 minutes 48 seconds East, 10.00 feet along the north line of said 1.207 acre tract and along the south right–of–way line of Northeast Rural Rail Transportation District to a point for corner;

THENCE South 08 degrees 50 minutes 13 seconds East, 81.36 feet to a point for corner;

THENCE southeasterly, 67.59 feet along a curve to the right, having a central angle of 11 degrees 23 minutes 22 seconds, a radius od 340.00 feet, a tangent of 33.90 feet and whose chord bears South 03 degrees 08 minutes 30 seconds East, 67.47 feet to a point for corner;

THENCE South 02 degrees 33 minutes 10 seconds West, 44.11 feet to a point for corner;

THENCE Southeasterly, 48.96 feet along a curve to the left, having a central angle of 49 degrees 12 minutes 43 seconds, a radius of 57.00 feet, a tangent of 26.10 feet and whose chord bears South 22 degrees 03 minutes 12 seconds East, 47.47 feet to a point for corner;

THENCE Southeasterly, 51.97 feet along a curve to the right, having a central angle of 22 degrees 18 minutes 16 seconds, a radius of 133.50 feet, a tangent of 26.32 feet and whose chord bears South 35 degrees 30 minutes 26 seconds East, 51.64 feet to a point for corner;

THENCE Southeasterly, 55.55 feet along a curve to the left, having a central angle of 55 degrees 50 minutes 00 seconds, a radius of 57.00 feet, a tangent of 30.20 feet and whose chord bears South 52 degrees 16 minutes 18 seconds East, 53.37 feet;

THENCE Southeasterly, 65.56 feet along a curve to the right, having a central angle of 08 degrees 15 minutes 21 seconds, a radius of 455.00 feet, a tangent of 32.84 feet and whose chord bears South 76 degrees 03 minutes 37 seconds East, 65.51 feet to a point or corner in the east line of said 1.207 acre tract, said point being in the west line of that called 429.321 acre tract of land described in deed to MA Elevon 429, LLC, as recorded in Document Number 20211116002336450, Official Public Record of Collin County, Texas;

THENCE South 01 degrees 07 minutes 21 seconds West, 10.46 feet long the east line oof said 1.207 acre tract and along the west line of said 429.321 acre tract to a one–half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the north line of said 11.806 acre tract;

	DATE	DRAWN	PROJECT	
	04/27/2023	drb	mat029	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 3

THENCE along the common line of said 1.207 acre tract and along the north line of said 11.806 acre tract as follows:

Northwesterly, 67.17 feet along a curve to the left, having a central angle of 08 degrees 38 minutes 55 seconds, a radius of 445.00 feet, a tangent of 33.65 feet and whose chord bears North 75 degrees 51 minutes 50 seconds West, 67.11 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 65.29 feet along a curve to the right, having a central angle of 55 degrees 50 minutes 00 seconds, a radius of 67.00 feet, a tangent of 35.50 feet and whose chord bears North 52 degrees 16 minutes 18 seconds West, 62.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 48.08 feet along a curve to the left, having a central angle of 22 degrees 18 minutes 16 seconds, a radius of 123.50 feet, a tangent of 24.35 feet and whose chord bears North 35 degrees 30 minutes 26 seconds West, 47.77 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Northwesterly, 57.55 feet along a curve to the right, having a central angle of 49 degrees 12 minutes 43 seconds, a radius of 67.00 feet, a tangent of 30.68 feet and whose chord bears North 22 degrees 03 minutes 12 seconds West, 55.79 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 02 degrees 33 minutes 10 seconds East, 44.11 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Northwesterly, 65.60 feet along a curve to the left, having a central angle of 11 degrees 23 minutes 22 seconds, a radius of 330.00 feet, a tangent of 32.91 feet and whose chord bears North 03 degrees 08 minutes 30 seconds West, 65.49 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 08 degrees 50 minutes 13 seconds West, 81.36 feet to the POINT OF BEGINNING and containing 4,221 square feet or 0.097 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.



MARK W. HARP, R.P.L.S. NO. 6425
April 27, 2023

LINE TABLE		
NO.	BEARING	LENGTH
L1	N81°09'48"E	10.00'
L2	S08°50'13"E	81.36'
L3	S02°33'10"W	44.11'
L4	S01°07'21"W	10.46'
L5	N02°33'10"E	44.11'
L6	N08°50'13"W	81.36'

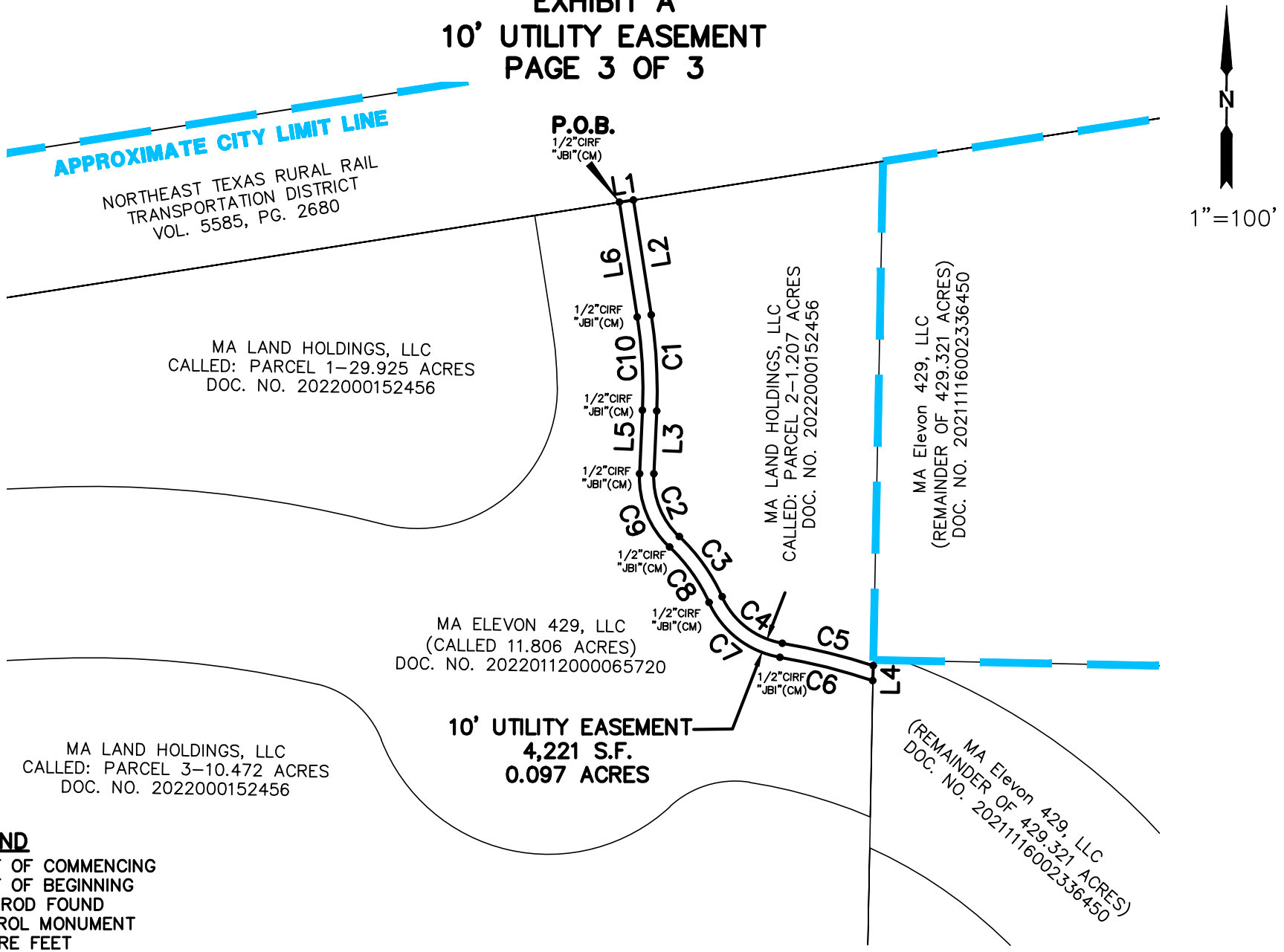
CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	67.59'	011°23'22"	340.00'	33.90'	S03°08'30"E	67.47'
C2	48.96'	049°12'43"	57.00'	26.10'	S22°03'12"E	47.47'
C3	51.97'	022°18'16"	133.50'	26.32'	S35°30'26"E	51.64'
C4	55.55'	055°50'00"	57.00'	30.20'	S52°16'18"E	53.37'
C5	65.56'	008°15'21"	455.00'	32.84'	S76°03'37"E	65.51'
C6	67.17'	008°38'55"	445.00'	33.65'	N75°51'50"W	67.11'
C7	65.29'	055°50'00"	67.00'	35.50'	N52°16'18"W	62.74'
C8	48.08'	022°18'16"	123.50'	24.35'	N35°30'26"W	47.77'
C9	57.55'	049°12'43"	67.00'	30.68'	N22°03'12"W	55.79'
C10	65.60'	011°23'22"	330.00'	32.91'	N03°08'30"W	65.49'

	DATE	DRAWN	PROJECT
	04/27/2023	drb	mat029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\ESMT-ONCOR4.dwg Saved By: dbell Save Time: 5/17/2023 9:18 AM

EXHIBIT A
10' UTILITY EASEMENT
PAGE 3 OF 3



LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET

SCALE:	DATE	DRAWN	PROJECT
1" = 100'	04/27/2023	drb	mat029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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

UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **MA LAND HOLDINGS, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 450 square feet or 0.010 acres in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of

Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: _____

Title: _____

STATE OF TEXAS COUNTY

OF COLLIN

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of MA Land Holdings, LLC, a Texas limited liability company, general partner of MA Partners, LLC, a Texas limited liability company, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 2

LEGAL DESCRIPTION

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that Parcel 3–10.472 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152456, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one–half inch iron rod with yellow cap stamped "JBI" found for corner at the northeast corner of said 10.472 acre tract, said point being in the south line of said 11.806 acre tract, said point being in the west line of that called 429.321 acre tract of land described in deed to MA ELEVON 429, LLC, as recorded in Document Number 20211116002336450, Official Public Records of Collin County, Texas;

THENCE South 01 degrees 07 minutes 21 seconds West, 10.81 feet along the east line of said 10.472 acre tract and along the west line of said 429.321 acre tract to a point for corner;

THENCE Northwesterly, 46.42 feet along a curve to the left, having a central angle of 07 degrees 42 minutes 33 seconds, a radius of 345.00 feet, a tangent of 23.24 feet and whose chord bears North 70 degrees 07 minutes 35 seconds West, 46.38 feet to a point for corner;

THENCE North 16 degrees 01 minutes 08 seconds East, 10.00 feet too a point for corner in the north line of said 10.472 acre tract, said point being in the south line of said 11.806 acre tract, from which said point bears Northwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 44.38 feet along a curve to the left, having a central angle of 07 degrees 09 minutes 44 seconds, a radius of 355.00 feet, a tangent of 22.22 feet and whose chord bears North 77 degrees 33 minutes 44 seconds West, 44.35 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Southeasterly, 43.61 feet along a curve to the right, having a central angle of 07 degrees 02 minutes 19 seconds, a radius of 355.00 feet, a tangent of 21.83 feet and whose chord bears South 70 degrees 27 minutes 42 seconds East, 43.58 feet to the POINT OF BEGINNING and containing 450 square feet or 0.010 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

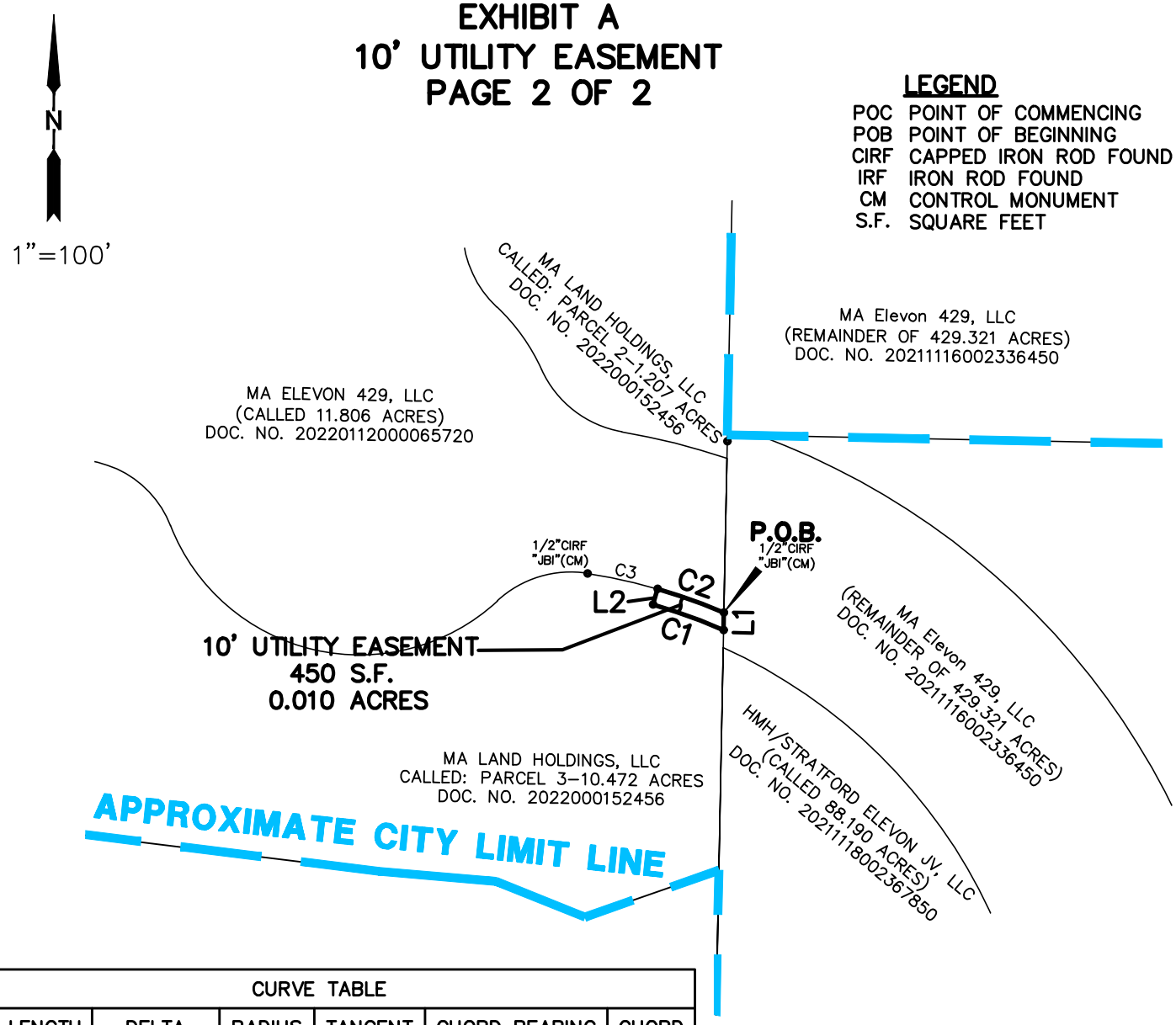
	DATE	DRAWN	PROJECT	
	04/27/2023	RV	MAT029	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 2

LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET



CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	46.42'	007°42'33"	345.00'	23.24'	N70°07'35"W	46.38'
C2	43.61'	007°02'19"	355.00'	21.83'	S70°27'42"E	43.58'
C3	44.38'	007°09'44"	355.00'	22.22'	N77°33'44"W	44.35'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S01°07'21"W	10.81'
L2	N16°01'08"E	10.00'

Mark W. Harp

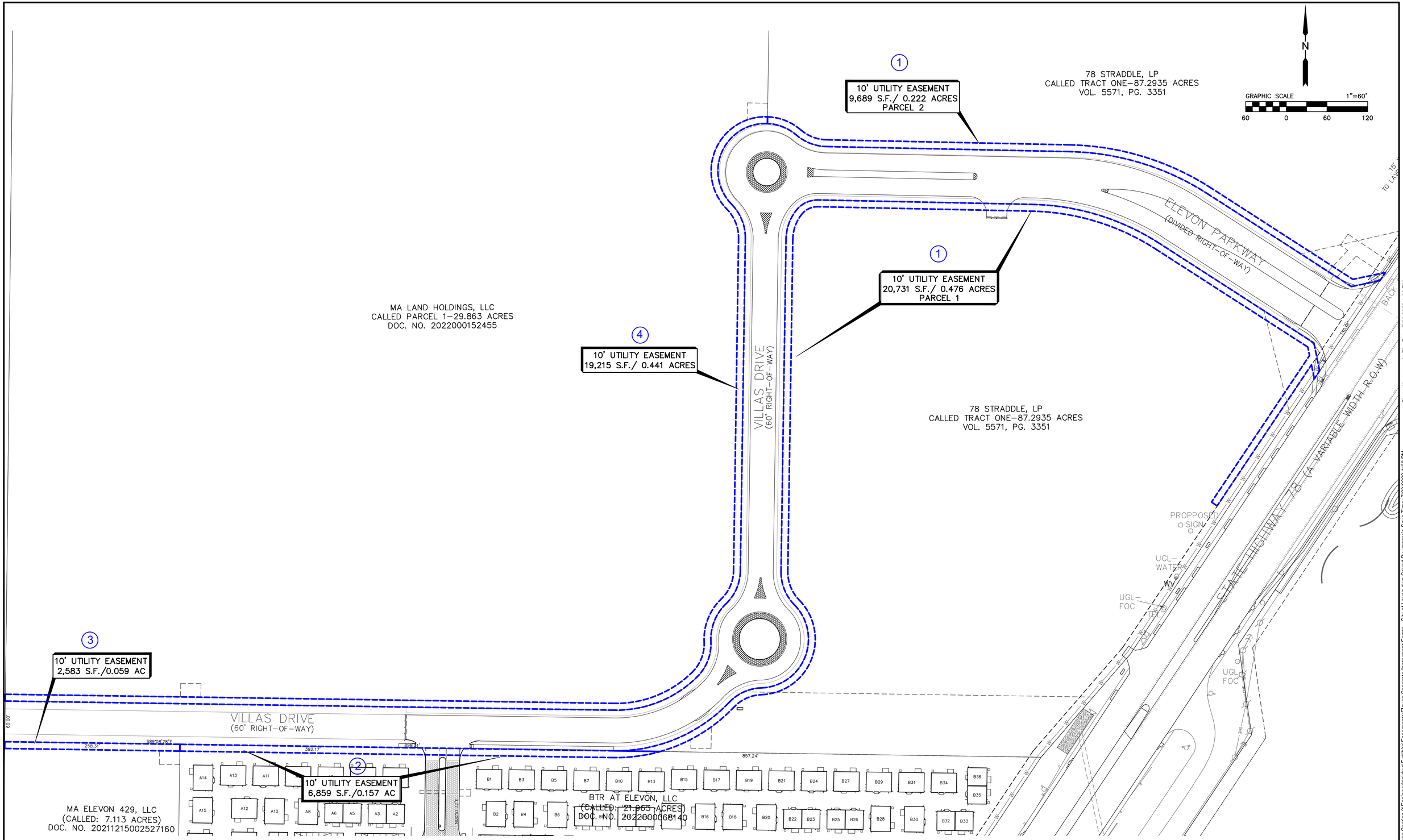
MARK W. HARP, R.P.L.S. NO. 6425
APRIL 27, 2023

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

SCALE:	DATE	DRAWN	PROJECT
1" = 100'	04/27/2023	RV	MAT029

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

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JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

SEPARATE INSTRUMENT EASEMENTS

KEY MAP

ELEVON WEST COMMERCIAL

CITY OF LAVON, COLLIN COUNTY, TEXAS

PROJECT NO. MAT029

SHEET NO. 2 of 2

Plotted by: mgarcia Plot Date: 7/28/2023 1:28 PM
Drawing: H:\Projects\MAT029-Elevon Section 2\Engineering\dwg\Exhibits\Easements\Elevon Separate Instrument Esmts - City of Lavon.dwg Saved By: mgarcia Save Time: 7/28/2023 1:28 PM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That, **78 STRADDLE, LP,** a Texas limited partnership ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

BEING a (i) 20,731 square feet or 0.476 acre tract and (ii) 9,689 square feet or 0.222 acres, in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (collectively, the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the

Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

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Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

78 STRADDLE, LP
a Texas limited partnership

By: Pitman Investments, LLC,
a Texas limited liability
company, its general partner

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of Pitman Investments, LLC, a Texas limited liability company, general partner of 78 STRADDLE, LP, a Texas limited partnership, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 6

LEGAL DESCRIPTION
(PARCEL 1)

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, being a part of that called Tract One–87.2935 acre tract of land described in deed to 78 STRADDLE, LP as recorded in Volume 5571, Page 3351, Official Public Records of Collin County, Texas and being further described as follows:

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the east line of said 87.2935 acre tract, said point being the northeast corner of that called 21.963 acre tract of land described in deed to BTR AT ELEVON, LLC, as recorded in Document Number 2022000068140, Official Public Records of Collin County, Texas, said point being in the west right–of–way line of State Highway 78, a variable width right–of–way;

THENCE along the north line of said 21.963 acre tract as follows:
North 89 degrees 08 minutes 28 seconds West, 561.62 feet to the POINT OF BEGINNING;
North 89 degrees 08 minutes 28 seconds West, 68.56 feet to a point for corner, from which said point bears North 89 degrees 08 minutes 28 seconds West, 640.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said 21.963 acre tract, said point being the northeast corner of that called 7.113 acre tract of land described in deed to MA ELEVON 429, LLC as recorded in Document Number 20211215002527160, Official Public Records of Collin County, Texas;

THENCE Northeasterly, 189.99 feet along a curve to the left, having a central angle of 47 degrees 19 minutes 44 seconds, a radius of 230.00 feet, a tangent of 100.79 feet and whose chord bears North 67 degrees 11 minutes 40 seconds East, 184.63 feet to a point for corner;

THENCE Northeasterly, 53.28 feet along a curve to the right, having a central angle of 44 degrees 33 minutes 46 seconds, a radius of 68.50 feet, a tangent of 28.07 feet and whose chord bears North 65 degrees 48 minutes 41 seconds East, 51.94 feet to a point for corner;

THENCE Northeasterly, 166.78 feet along a curve to the left, having a central angle of 132 degrees 43 minutes 03 seconds, a radius of 72.00 feet, a tangent of 164.48 feet and whose chord bears North 21 degrees 44 minutes 03 seconds East, 131.91 feet to a point for corner;

THENCE Northwesterly, 54.38 feet along a curve to the right, having a central angle of 45 degrees 29 minutes 21 seconds, a radius of 68.50 feet, a tangent of 28.72 feet and whose chord bears North 21 degrees 52 minutes 48 seconds West, 52.97 feet to a point for corner;

THENCE North 00 degrees 51 minutes 52 seconds East, 490.80 feet to a point for corner;

THENCE Northeasterly, 46.06 feet along a curve to the right, having a central angle of 37 degrees 42 minutes 09 seconds, a radius of 70.00 feet, a tangent of 23.90 feet and whose chord bears North 19 degrees 42 minutes 56 seconds East, 45.24 feet to a point for corner;

THENCE Northeasterly, 36.74 feet along a curve to the right, having a central angle of 52 degrees 37 minutes 41 seconds, a radius of 40.00 feet, a tangent of 19.78 feet and whose chord bears North 64 degrees 52 minutes 52 seconds East, 35.46 feet to a point for corner;

THENCE South 88 degrees 48 minutes 18 seconds East, 315.54 feet to a point for corner;

THENCE Southeasterly, 198.66 feet along a curve to the right, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 360.00 feet, a tangent of 101.93 feet and whose chord bears South 72 degrees 59 minutes 47 seconds East, 196.14 feet to a point for corner;

THENCE South 57 degrees 11 minutes 17 seconds East 271.39 feet to a point for corner;

THENCE South 11 degrees 43 minutes 03 seconds East, 42.08 feet to a point for corner in the east line of said 87.2935 acre tract, said point being in the west right–of–way line of said State Highway 78;

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	DATE	DRAWN	PROJECT	
	05/01/2023	RV	TMR011	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 6

THENCE South 33 degrees 45 minutes 11 seconds West, 14.03 feet along the east line of said 87.2935 acre tract and along the west right-of-way line of said State Highway 78 to a point for corner;

THENCE North 11 degrees 43 minutes 03 seconds West, 21.04 feet to a point for corner;

THENCE South 33 degrees 45 minutes 11 seconds West, 250.40 feet to a point for corner;

THENCE North 56 degrees 14 minutes 49 seconds West, 10.00 feet to a point for corner;

THENCE North 33 degrees 45 minutes 11 seconds East, 260.23 feet to a point for corner;

THENCE North 11 degrees 43 minutes 03 seconds West, 12.66 feet to a point for corner;

THENCE North 57 degrees 11 minutes 17 seconds West, 267.20 feet to a point for corner;

THENCE Northwesterly, 193.14 feet along a curve to the left, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 350.00, a tangent of 99.10 feet and whose chord bears North 72 degrees 59 minutes 47 seconds West, 190.70 feet to a point for corner;

THENCE North 88 degrees 48 minutes 18 seconds West, 315.54 feet to a point for corner;

THENCE Southwesterly, 27.56 feet along a curve to the left, having a central angle of 52 degrees 37 minutes 41 seconds, a radius of 30.00 feet, a tangent of 14.84 feet and whose chord bears South 64 degrees 52 minutes 52 seconds West, 38.77 feet to a point for corner;

THENCE Southwesterly, 39.48 feet along a curve to the left, having a central angle of 37 degrees 42 minutes 09 seconds, a radius of 60.00 feet, a tangent of 20.49 feet and whose chord bears South 19 degrees 42 minutes 56 seconds West, 26.60 feet to a point for corner;

THENCE South 00 degrees 51 minutes 52 seconds West, 490.80 feet to a point for corner;

THENCE Southeasterly, 46.45 feet along a curve to the left, having a central angle of 45 degrees 29 minutes 21 seconds, a radius of 58.50 feet, a tangent of 24.52 feet and whose chord bears South 21 degrees 52 minutes 48 seconds East, 45.23 feet to a point for corner;

THENCE Southwesterly, 189.94 feet along a curve to the right, having a central angle of 132 degrees 43 minutes 03 seconds, a radius of 82.00 feet, a tangent of 187.32 feet and whose chord bears South 21 degrees 44 minutes 03 seconds West 150.24 feet to a point for corner;

THENCE Southwesterly, 45.50 feet along a curve to the left, having a central angle of 44 degrees 33 minutes 46 seconds, a radius of 58.50 feet, a tangent of 23.97 feet and whose chord bears South 65 degrees 48 minutes 41 seconds West, 44.36 feet to a point for corner;

THENCE Southwesterly, 128.73 feet along a curve to the right, having a central angle of 30 degrees 43 minutes 52 seconds, a radius of 240.00 feet, a tangent of 65.95 feet and whose chord bears South 58 degrees 53 minutes 44 seconds West, 127.19 feet to the POINT OF BEGINNING and containing 20,731 square feet or 0.476 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

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	DATE	DRAWN	PROJECT	
	05/01/2023	RV	TMR011	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 3 OF 6

LEGAL DESCRIPTION
(PARCEL 2)

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, being a part of that called Tract One–87.2935 acre tract of land described in deed to 78 STRADDLE, LP as recorded in Volume 5571, Page 3351, Official Public Records of Collin County, Texas and being further described as follows:

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 87.2935 acre tract, said point being the northeast corner of that called Parcel 1–29.863 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas;

THENCE South 00 degrees 51 minutes 32 seconds West, 368.32 feet to the POINT OF BEGINNING;

THENCE Southeasterly, 53.79 feet along a curve to the right, having a central angle of 38 degrees 31 minutes 16 seconds, a radius of 80.00 feet, a tangent of 27.95 feet and whose chord bears South 68 degrees 27 minutes 17 seconds East, 52.78 feet to a point for corner;

THENCE Southeasterly, 41.48 feet along a curve to the left, having a central angle of 39 degrees 36 minutes 39 seconds, a radius of 60.00 feet, a tangent of 21.61 feet and whose chord bears South 68 degrees 59 minutes 58 seconds East, 40.66 feet to a point for corner;

THENCE South 88 degrees 48 minutes 18 seconds East, 358.97 feet to a point for corner;

THENCE Southeasterly, 220.73 feet along a curve to the right, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 400.00 feet, a tangent of 113.25 feet and whose chord bears South 72 degrees 59 minutes 47 seconds East, 217.94 feet to a point for corner;

THENCE South 57 degrees 11 minutes 17 seconds East, 248.68 feet to a point for corner;

THENCE North 78 degrees 06 minutes 19 seconds East, 49.03 feet to a point for corner in the east line of said 87.2935 acre tract, said point being in the west right–of–way line of State Highway 78, a variable width right–of–way;

THENCE South 33 degrees 45 minutes 11 seconds West, 14.30 feet along the east line of said 89.2935 acre tract and along the west right–of–way line of said State Highway 78 to a point for corner;

THENCE South 78 degrees 06 minutes 19 seconds West, 42.91 feet to a point for corner;

THENCE North 57 degrees 11 minutes 17 seconds West, 252.79 feet to a point for corner;

THENCE Northwesterly, 215.21 feet along a curve to the left, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 390.00 feet, a tangent of 110.42 feet and whose chord bears North 72 degrees 59 minutes 47 seconds West, 212.49 feet to a point for corner;

THENCE North 88 degrees 48 minutes 18 seconds West, 358.97 feet to a point for corner;

THENCE Northwesterly, 48.39 feet along a curve to the right, having a central angle of 39 degrees 36 minutes 39 seconds, a radius of 70.00 feet, a tangent of 25.21 feet and whose chord bears North 68 degrees 59 minutes 58 seconds West, 47.44 feet to a point for corner;

THENCE Northwesterly, 46.81 feet along a curve to the left, having a central angle of 38 degrees 19 minutes 03 seconds, a radius of 70.00 feet, a tangent of 24.32 feet and whose chord bears North 68 degrees 21 minutes 10 seconds West, 45.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner in the east line of said 29.863 acre tract;

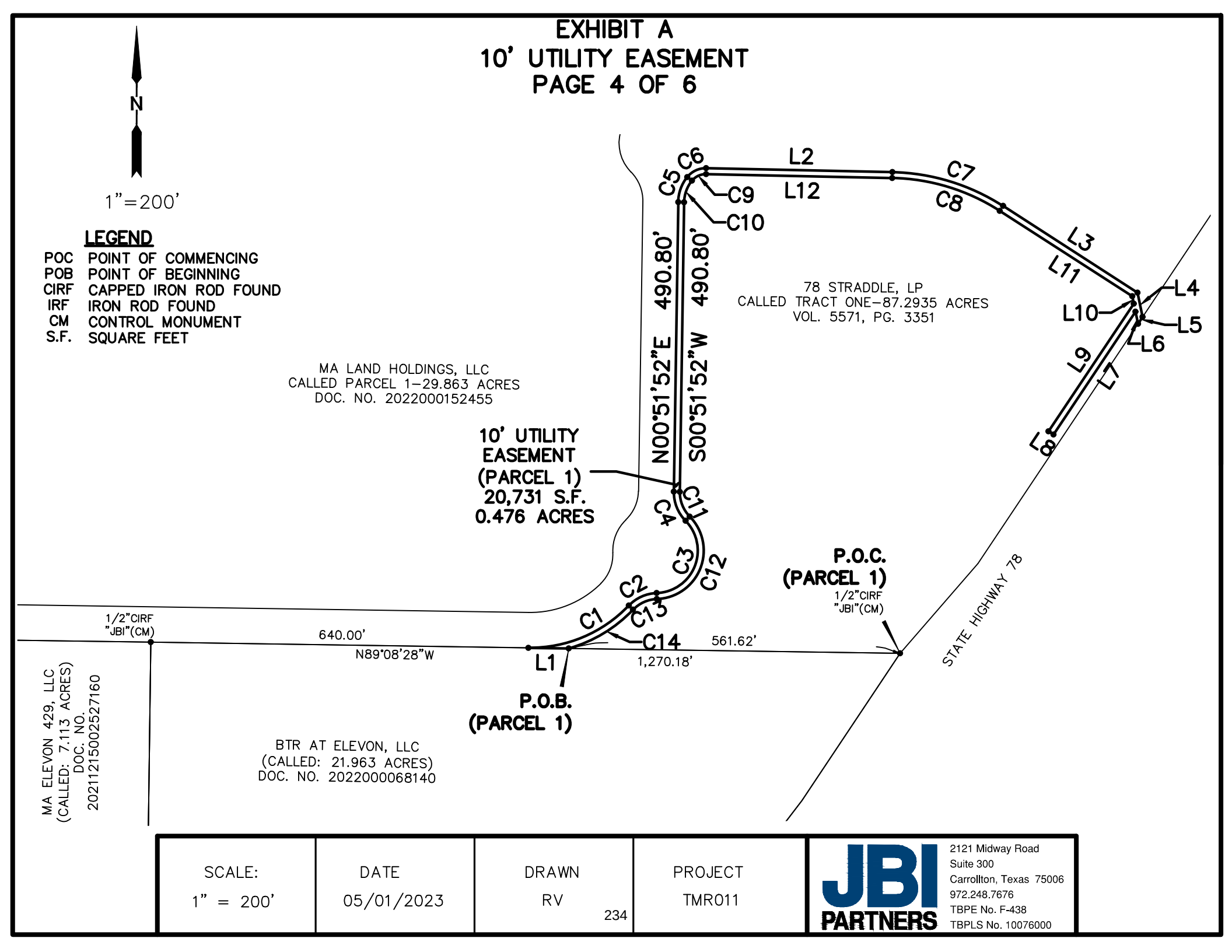
THENCE North 00 degrees 51 minutes 32 seconds East, 10.00 feet along the east line of said 29.863 acre tract to the POINT OF BEGINNING and containing 9,689 square feet or 0.222 acres of land.

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	DATE	DRAWN	PROJECT	
	05/01/2023	RV	TMR011	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 4 OF 6

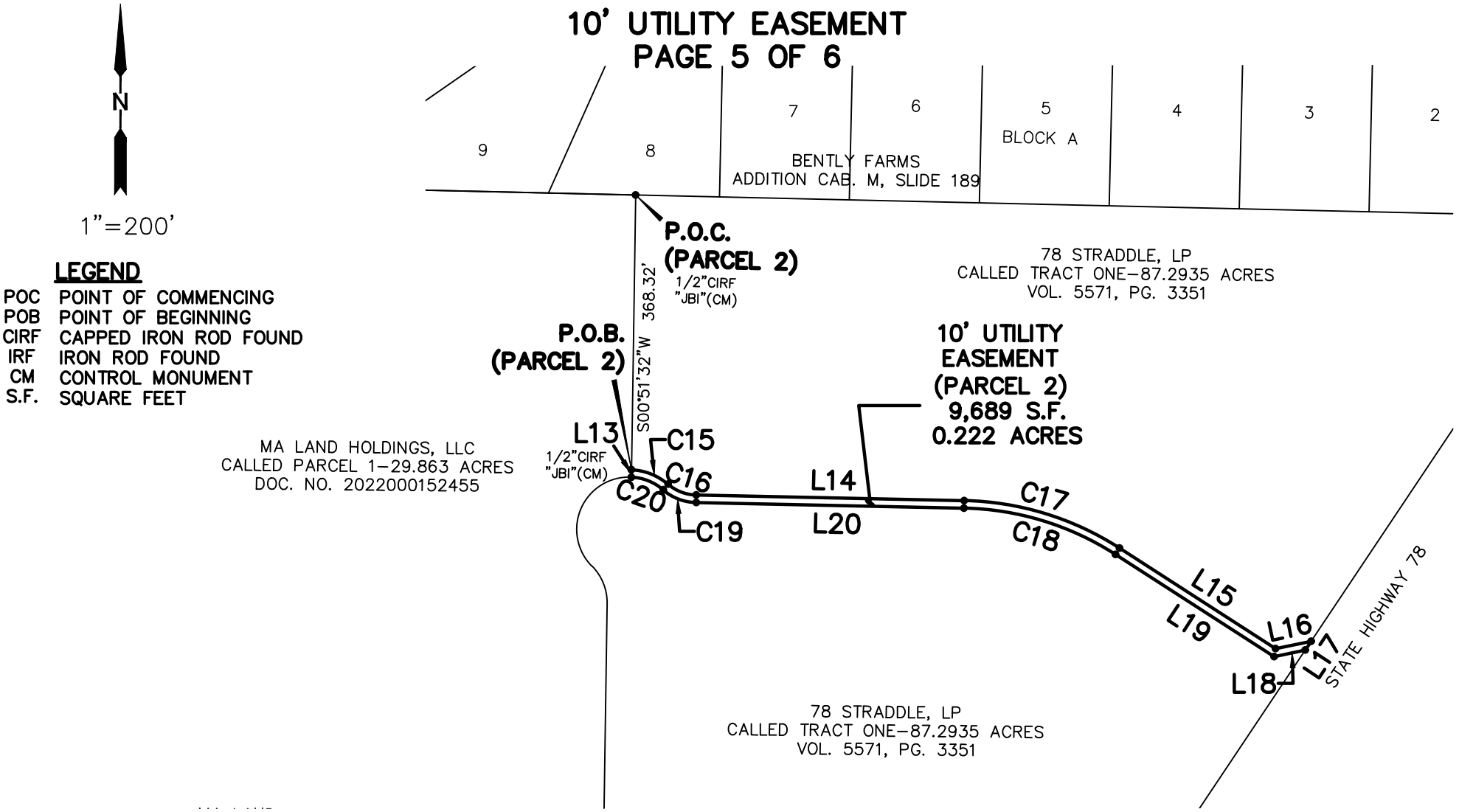


SCALE:	DATE	DRAWN	PROJECT
1" = 200'	05/01/2023	RV	TMR011

234

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 5 OF 6



LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	05/01/2023	RV	TMR011

235

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 6 OF 6

LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°08'28"W	68.56'
L2	S88°48'18"E	315.54'
L3	S57°11'17"E	271.39'
L4	S11°43'03"E	42.08'
L5	S33°45'11"W	14.03'
L6	N11°43'03"W	21.04'
L7	S33°45'11"W	250.40'
L8	N56°14'49"W	10.00'
L9	N33°45'11"E	260.23'
L10	N11°43'03"W	12.66'
L11	N57°11'17"W	267.20'
L12	N88°48'18"W	315.54'
L13	N00°51'32"E	10.00'
L14	S88°48'18"E	358.97'
L15	S57°11'17"E	248.68'
L16	N78°06'19"E	49.03'
L17	S33°45'11"W	14.30'
L18	S78°06'19"W	42.91'
L19	N57°11'17"W	252.79'
L20	N88°48'18"W	358.97'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	189.99'	047°19'44"	230.00'	100.79'	N67°11'40"E	184.63'
C2	53.28'	044°33'46"	68.50'	28.07'	N65°48'41"E	51.94'
C3	166.78'	132°43'03"	72.00'	164.48'	N21°44'03"E	131.91'
C4	54.38'	045°29'21"	68.50'	28.72'	N21°52'48"W	52.97'
C5	46.06'	037°42'09"	70.00'	23.90'	N19°42'56"E	45.24'
C6	36.74'	052°37'41"	40.00'	19.78'	N64°52'52"E	35.46'
C7	198.66'	031°37'01"	360.00'	101.93'	S72°59'47"E	196.14'
C8	193.14'	031°37'01"	350.00'	99.10'	N72°59'47"W	190.70'
C9	27.56'	052°37'41"	30.00'	14.84'	S64°52'52"W	26.60'
C10	39.48'	037°42'09"	60.00'	20.49'	S19°42'56"W	38.77'
C11	46.45'	045°29'21"	58.50'	24.52'	S21°52'48"E	45.23'
C12	189.94'	132°43'03"	82.00'	187.32'	S21°44'03"W	150.24'
C13	45.50'	044°33'46"	58.50'	23.97'	S65°48'41"W	44.36'
C14	128.73'	030°43'52"	240.00'	65.95'	S58°53'44"W	127.19'
C15	53.79'	038°31'16"	80.00'	27.95'	S68°27'17"E	52.78'
C16	41.48'	039°36'39"	60.00'	21.61'	S68°59'58"E	40.66'
C17	220.73'	031°37'01"	400.00'	113.25'	S72°59'47"E	217.94'
C18	215.21'	031°37'01"	390.00'	110.42'	N72°59'47"W	212.49'
C19	48.39'	039°36'39"	70.00'	25.21'	N68°59'58"W	47.44'
C20	46.81'	038°19'03"	70.00'	24.32'	N68°21'10"W	45.95'



Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
MAY 01, 2023

	DATE	DRAWN	PROJECT
	05/01/2023	RV	TMR011

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

Drawing: H:\Projects\TMR011 - Elevon Build to Rent\Phase 1\Surveying\dwg\ESMT-UE2.dwg Saved By: dbell Save Time: 5/1/2023 8:17 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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

UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That, **BTR AT ELEVON, LLC,** a Delaware limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

BEING a 6,859 square feet or 0.157 acre tract in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (collectively, the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the

Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

BTR AT ELEVON, LLC, a Delaware limited liability company

By: TMVP BTR T1L1, LLC, a Delaware limited liability company, its Sole Member

By: TMVP BTR T1, LLC, a Delaware limited liability company, its Sole Member

By: TMVP BTR Venture, LLC, a Delaware limited liability company, its Sole Member

By: TM BTR Venture, LLC, a Delaware limited liability company, its Manager

By: _____

Name: _____

Title: _____

STATE OF ARIZONA

COUNTY OF MARICOPA

This instrument was acknowledged on this the_____day of _____, 2023, by _____, whose identity was proven to me on the basis of satisfactory evidence to be the person he/she claims to be, and acknowledged before me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or entity or entities upon behalf of which the person acted, executed the instrument.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
UTILITY EASEMENT
PAGE 1 OF 2

LEGAL DESCRIPTION

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, being a part of that called 21.963 acre tract of land described in deed to BTR AT ELEVON, LLC, as recorded in Document Number 2022000068140, Official Public Records of Collin County, Texas and being further described as follows:

COMMENCING at a one-half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 21.963 acre tract, said point being in the east line of Tract one-87.2935 acre tract of land described in deed to 78 Straddle, LP, as recorded in Volume 5571, Page 3351, Official Public Records of Collin County, Texas, said point also being in the west right-of-way line of State Highway 78, a variable width right-of-way;

THENCE North 89 degrees 08 minutes 28 seconds West, 561.62 feet along the north line of said 21.963 acre tract to the POINT OF BEGINNING;

THENCE Southwesterly 69.52 feet along a curve to the right, having a central angle of 16 degrees 35 minutes 52 seconds, a radius of 240.00 feet, a tangent of 35.01 feet and whose chord bears South 82 degrees 33 minutes 36 seconds West, 69.28 feet to a point for corner;

THENCE North 89 degrees 08 minutes 28 seconds West, 639.98 feet to a point for corner in the west line of said 21.963 acre tract, said point being in the east line of that called 7.113 acre tract of land described in deed to MA ELEVON 429, LLC as recorded in Document Number 20211215002527160, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 51 minutes 32 seconds East, 10.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said 21.963 acre tract, said point being the northeast corner of said 7.113 acre tract;

THENCE South 89 degrees 08 minutes 28 seconds East, 708.53 feet along the north line of said 21.963 acre tract to the POINT OF BEGINNING and containing 6,859 square feet or 0.157 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

Drawing: H:\Projects\TMR011 - Elevon Build to Rent\Phase 1\Surveying\dwg\ESMT-UE3.dwg Saved By: dbell Save Time: 4/28/2023 3:12 PM

	DATE	DRAWN	PROJECT	
	05/01/2023	RV	TMR011	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

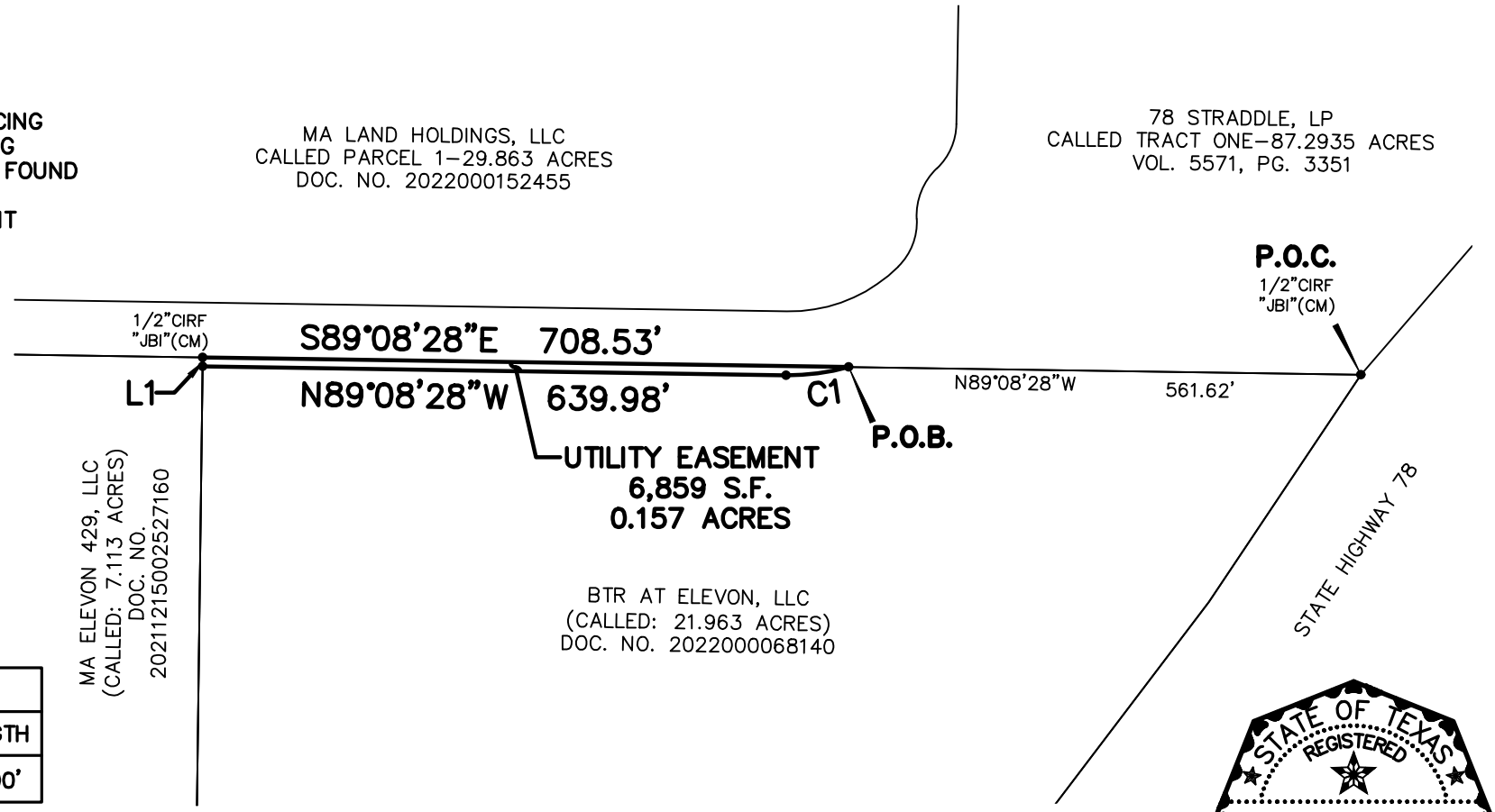
EXHIBIT A
UTILITY EASEMENT
PAGE 2 OF 2



1"=200'

LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET



LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°51'32"E	10.00'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	69.52'	016°35'52"	240.00'	35.01'	S82°33'36"W	69.28'

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
APRIL 27, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	05/01/2023	RV	TMR011
		243	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That, **MA ELEVON 429, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

BEING a 2,583 square feet or 0.059 acre tract in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (collectively, the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the

Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

MA ELEVON 429, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company, its Manager

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of MA Partners, LLC, a Texas limited liability company, general partner of MA Elevon 429, LLC, a Texas limited liability company, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 2

LEGAL DESCRIPTION

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, being a part of that called 7.113 acre tract of land described in deed to MA ELEVON 429, LLC as recorded in Document Number 20211215002527160, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 7.113 acre tract, said point being at the northwest corner of that called 21.963 acre tract of land described in deed to BTR AT ELEVON, LLC, as recorded in Document Number 2022000068140, Official Public Records of Collin County, Texas;

THENCE South 00 degrees 43 minutes 34 seconds West, 10.00 feet along the east line of said 7.113 acre tract and along the west line of said 21.963 acre tract to a point for corner;

THENCE North 89 degrees 08 minutes 28 seconds West, 258.31 feet to a point for corner in the west line of said 7.113 acre tract, said point being in the east line of that called Tract 1-27.32 acre tract of land described in deed to Yueying Wand and Daisy Lee Lu as recorded in Document Number 20191118001462670, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 43 minutes 34 seconds East, 10.00 feet along the west line of said 7.113 acre tract and along the east line of said 27.32 acre tract to a one-half inch iron rod with yellow caps stamped "JBI" found at the northwest corner of said 7.133 acre tract;

THENCE South 89 degrees 08 minutes 28 seconds East, 258.31 feet to the POINT OF BEGINNING and containing 2,583 square feet or 0.059 acres of land;

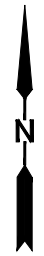
BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

Drawing: H:\Projects\TMR011 - Elevon Build to Rent\Phase 1\Surveying\dwg\ESMT-UE4.dwg Saved By: dbell Save Time: 4/28/2023 3:12 PM

	DATE	DRAWN	PROJECT	
	05/01/2023	RV	TMR011	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 2

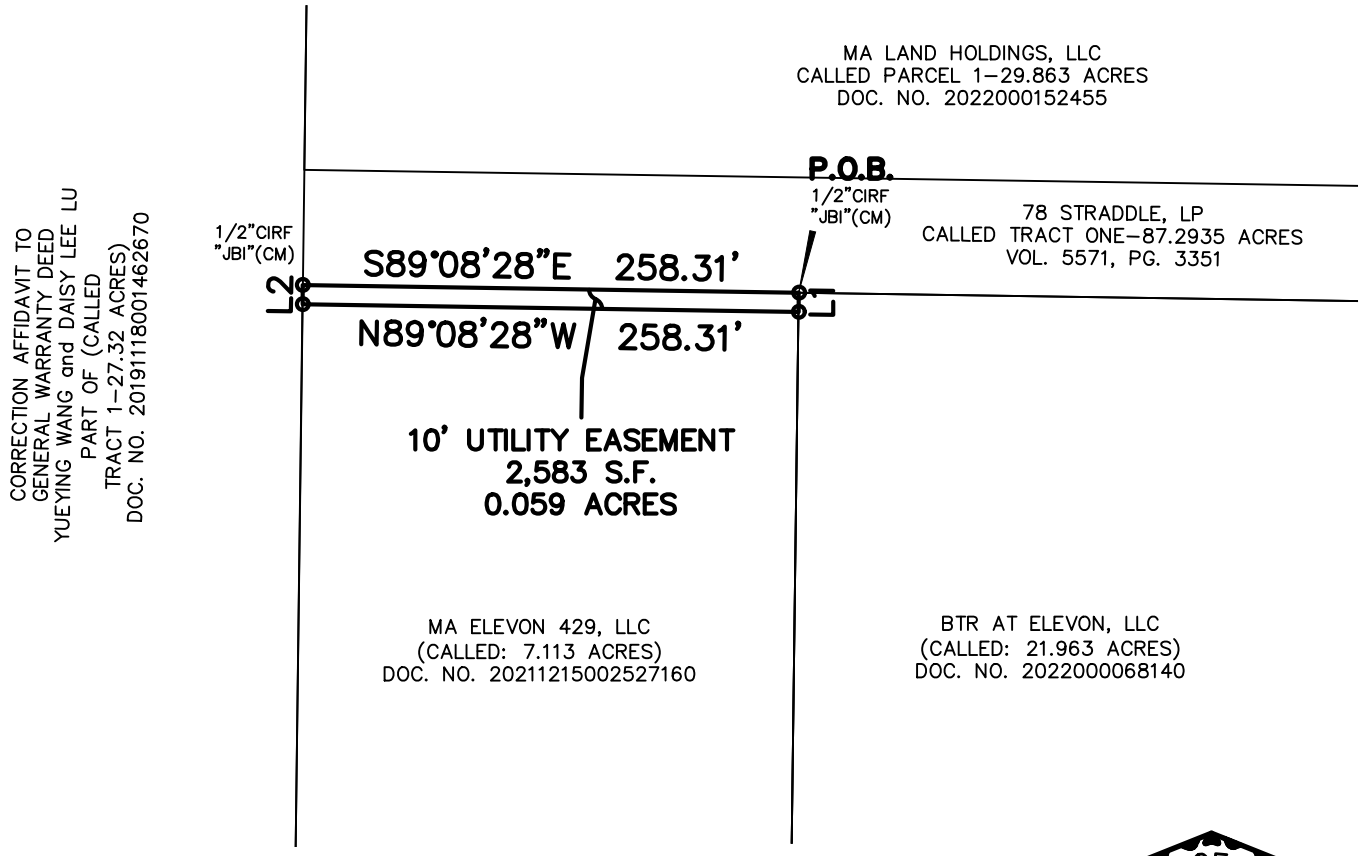


1"=100'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°43'34"W	10.00'
L2	N00°43'34"E	10.00'

LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET



Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
MAY 01, 2023



SCALE:	DATE	DRAWN	PROJECT
1" = 100'	05/01/2023	RV	TMR011

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

Drawing: H:\Projects\TMR011 - Elevon Build to Rent\Phase 1\Surveying\dwg\ESMT-UE4.dwg Saved By: dbell Save Time: 4/28/2023 3:12 PM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That, **MA LAND HOLDINGS, LLC,** a Texas limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by **CITY OF LAVON,** a Texas municipal corporation**,** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto Grantee a non-exclusive easement and right to construct, reconstruct and perpetually maintain utility pipes, conduits, and structures (the "Facilities") in, on, under, over and across the following described property:

BEING a 19,215 square feet or 0.441 acre tract in the Samuel M. Rainer Survey, Abstract No. 740, City of Lavon, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof (collectively, the "Easement Property").

The Easement Property may be used by Grantor for any purpose that does not unreasonably interfere with the Grantee's use and enjoyment of the easement granted herein, including, for parking, access and landscaping; provided however, Grantee shall have the right, at its sole expense, to remove and keep removed all or parts of any buildings, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or operation of the Facilities. All expenses in the construction, reconstruction, maintenance and/or repair of the Facilities shall be at the expense of the Grantee. During or immediately after any work or entry on the Easement Property, Grantee, at its sole expense, shall take all reasonable measures to restore the grounds and surface materials of the Easement Property to as close to the condition which existed prior to such operations as reasonably possible.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

There are no liens, attachments, or other encumbrances which will affect the title or right of the Grantor to convey this easement to the Grantee for the purposes as described herein. If such condition does exist, a signature with acknowledgment shall be included and made a part of this document conveying the rights and privileges contained herein, and subordinating any such lien or encumbrance to the easement granted herein.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself and Grantor’s heirs, executors, administrators, successors and assigns to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by, through, or under Grantor, but not otherwise; provided however, this conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, encumbrances, exceptions, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, and all other matters relating to the

Easement Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Collin County, Texas, or that may be apparent on the Easement Property. Grantor makes no representations or warranties, express or implied, concerning the physical condition of the Easement Tract, and Grantee accepts the physical condition of the Easement Tract in its "AS IS, WHERE IS, WITH ALL FAULTS" condition, and Grantee shall enter upon the Easement Tract at its own risk and Grantor disclaims any duty to warn Grantee of any risks of entry.

This document may be executed in one or more counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the_____ day of _____, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: Caruth TTL, LLC,
a Texas limited liability company,
its sole member

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the_____day of _____, 2023, by _____, of MA Land Holdings, LLC, a Texas limited liability company, general partner of Caruth TTL, LLC, a Texas limited liability company, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

SEAL

CITY OF LAVON,
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the _____day of _____, 2023, by _____, _____ of City of Lavon, a Texas municipal corporation, on behalf of said municipal corporation.

_____
Notary Public, State of Texas

SEAL

EXHIBIT A
10' UTILITY EASEMENT
PAGE 1 OF 3

LEGAL DESCRIPTION

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, being a part of that called Parcel 1–29.863 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one–half inch iron rod found at the southwest corner of said 29.863 acre tract, said point being in the east line of that called Tract 1–27.32 acre tract of land described deed to Yueying Wand and Daisy Lee Lu as recorded in Document Number 20191118001462670, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 43 minutes 34 seconds East, 10.00 feet along the west line of said 29.863 acre tract and along the east line of said 27.32 acre tract to a point for corner;

THENCE South 89 degrees 08 minutes 28 seconds East, 898.47 feet to a point for corner;

THENCE Northeasterly, 127.28 feet along a curve to the left, having a central angle of 45 degrees 34 minutes 43 seconds, a radius of 160.00 feet, a tangent of 67.22 feet and whose chord bears North 68 degrees 04 minutes 11 seconds East, 123.95 feet to a point for corner;

THENCE Northeasterly, 49.13 feet along a curve to the left, having a central angle of 48 degrees 07 minutes 07 seconds, a radius of 58.50 feet, a tangent of 26.12 feet and whose chord bears North 21 degrees 13 minutes 16 seconds East, 47.70 feet to a point for corner;

THENCE Northeasterly, 70.39 feet along a curve to the right, having a central angle of 49 degrees 11 minutes 04 seconds, a radius of 82.00 feet, a tangent of 37.53 feet and whose chord bears North 21 degrees 45 minutes 15 seconds East, 68.25 feet to a point for corner;

THENCE Northeasterly, 46.44 feet along a curve to the left, having a central angle of 45 degrees 29 minutes 14 seconds, a radius of 58.50 feet, a tangent of 24.52 feet and whose chord bears North 23 degrees 36 minutes 10 seconds East, 45.23 feet to a point for corner;

THENCE North 00 degrees 51 minutes 32 seconds East, 490.80 feet to a point for corner;

THENCE Northwesterly, 47.70 feet along a curve to the left, having a central angle of 45 degrees 33 minutes 15 seconds, a radius of 60.00 feet, a tangent of 25.19 feet and whose chord bears North 21 degrees 55 minutes 05 seconds West, 46.46 feet to a point for corner;

THENCE Northeasterly, 191.26 feet along a curve to the right, having a central angle of 136 degrees 58 minutes 47 seconds, a radius of 80.00 feet, a tangent of 202.99 feet and whose chord bears North 23 degrees 47 minutes 41 seconds East, 148.86 feet to a point for corner in the east line of said 29.863 acre tract;

Drawing: H:\Projects\TMR011 - Elevon Build to Rent\Phase 1\Surveying\dwg\ESMT-UE.dwg Saved By: dbell Save Time: 4/28/2023 3:12 PM

	DATE	DRAWN	PROJECT	
	04/26/2023	RV	TMR011	JBI PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 2 OF 3

THENCE along the east line of said 29.863 acre tract as follows:

South 00 degrees 51 minutes 32 seconds West, 10.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southwesterly, 167.60 feet along a curve to the left, having a central angle of 137 degrees 11 minutes 01 seconds, a radius of 70.00 feet, a tangent of 178.54 feet and whose chord bears South 23 degrees 53 minutes 48 seconds West, 130.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southeasterly, 55.65 feet along a curve to the right, having a central angle of 45 degrees 33 minutes 15 seconds, a radius of 70.00 feet, a tangent of 29.39 feet and whose chord bears South 21 degrees 55 minutes 05 seconds East, 54.20 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 00 degrees 51 minutes 32 seconds West, 490.80 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southwesterly, 54.38 feet along a curve to the right, having a central angle of 45 degrees 29 minutes 14 seconds, a radius of 68.50 feet, a tangent of 28.72 feet and whose chord bears South 23 degrees 36 minutes 10 seconds West, 52.97 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southwesterly, 61.81 feet along a curve to the left, having a central angle of 49 degrees 11 minutes 04 seconds, a radius of 72.00 feet, a tangent of 32.95 feet and whose chord bears South 21 degrees 45 minutes 15 seconds West, 59.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southwesterly, 57.53 feet along a curve to the right, having a central angle of 48 degrees 07 minutes 07 seconds, a radius of 68.50 feet, a tangent of 30.58 feet and whose chord bears South 21 degrees 13 minutes 16 seconds West, 55.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southwesterly, 135.23 feet along a curve to the right, having a central angle of 45 degrees 34 minutes 43 seconds, a radius of 170.00 feet, a tangent of 71.42 feet and whose chord bears South 68 degrees 04 minutes 11 seconds West, 131.70 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 89 degrees 08 minutes 28 seconds West, 898.45 feet to the POINT OF BEGINNING and containing 19,215 square feet or 0.441 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	127.28'	045°34'43"	160.00'	67.22'	N68°04'11"E	123.95'
C2	49.13'	048°07'07"	58.50'	26.12'	N21°13'16"E	47.70'
C3	70.39'	049°11'04"	82.00'	37.53'	N21°45'15"E	68.25'
C4	46.44'	045°29'14"	58.50'	24.52'	N23°36'10"E	45.23'
C5	47.70'	045°33'15"	60.00'	25.19'	N21°55'05"W	46.46'
C6	191.26'	136°58'47"	80.00'	202.99'	N23°47'41"E	148.86'
C7	167.60'	137°11'01"	70.00'	178.54'	S23°53'48"W	130.34'
C8	55.65'	045°33'15"	70.00'	29.39'	S21°55'05"E	54.20'
C9	54.38'	045°29'14"	68.50'	28.72'	S23°36'10"W	52.97'
C10	61.81'	049°11'04"	72.00'	32.95'	S21°45'15"W	59.93'
C11	57.53'	048°07'07"	68.50'	30.58'	S21°13'16"W	55.85'
C12	135.23'	045°34'43"	170.00'	71.42'	S68°04'11"W	131.70'

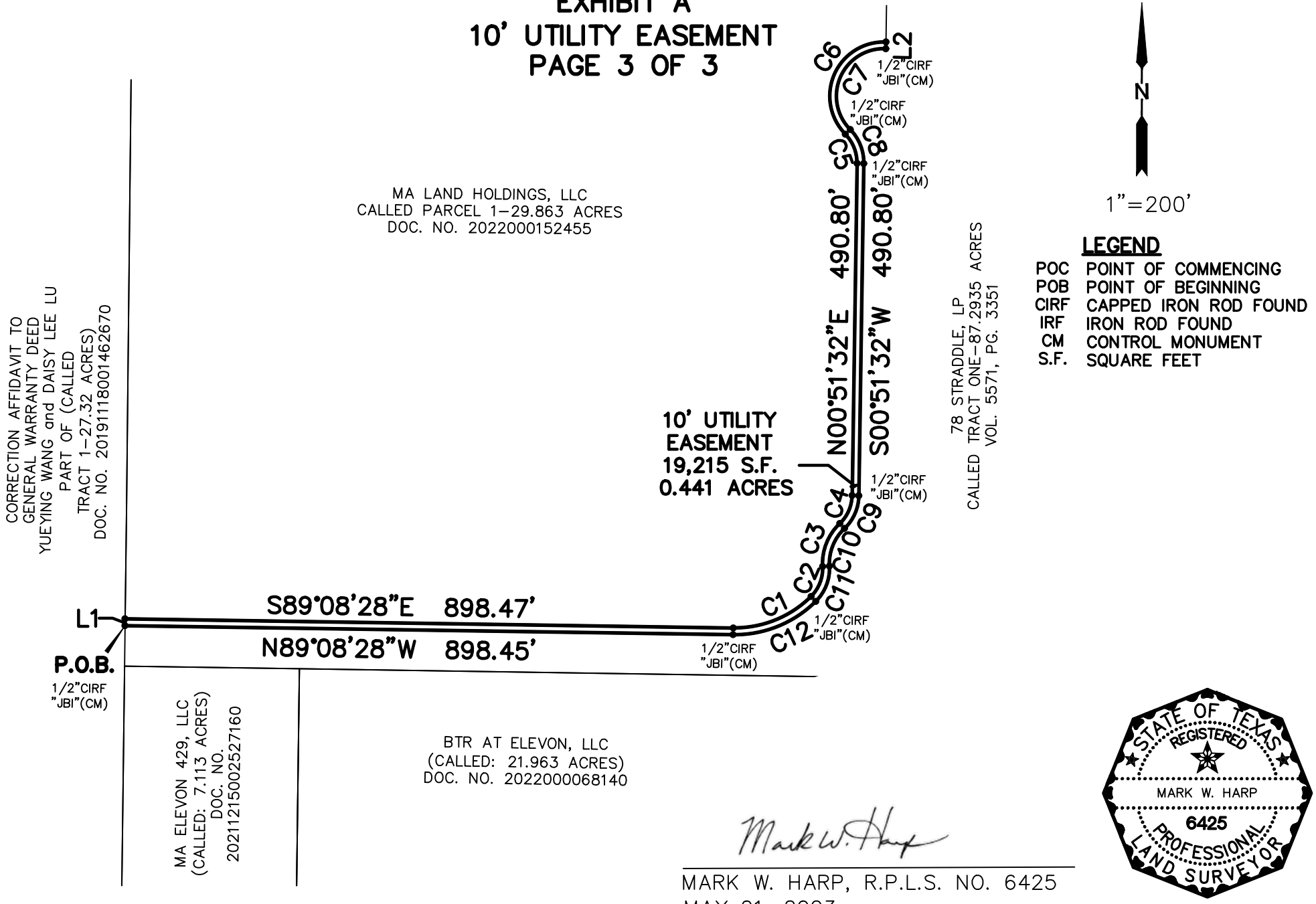
LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°43'34"E	10.00'
L2	S00°51'32"W	10.00'

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	DATE	DRAWN	PROJECT
	05/01/2023	RV	TMR011

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

EXHIBIT A
10' UTILITY EASEMENT
PAGE 3 OF 3



LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

MARK W. HARP, R.P.L.S. NO. 6425
MAY 01, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	05/01/2023	RV	TMR011

258

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 7**

Item:

BUDGET WORK SESSION

Discussion regarding the regulatory requirements, financial status for current fiscal year, budget calendar, anticipated commitments, departmental service levels and requests, tax rate, fee schedule, Capital Improvements Plan (CIP) updates, FY 2022-23 projections, and proposed revenues and expenditures for FY 2023-24.

Attachments: Tax Rate Calculation Worksheet

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: 8 – A**

Item:

Public hearing and discussion regarding the proposed Fiscal Year 2023-24 Annual Budget, Capital Improvements Plan, and Fee Schedule.

1) **PUBLIC HEARING** to receive comments regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule.
2) Discussion regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule.

Background:

Each year, the budget preparation process begins with the departments submitting a proposed budget that consists of an update of the prior year that is intended to provide for the same-level continuation of service delivery, equipment, and staffing levels. Additionally, the staff researches cost increases anticipated relating to the continuation of same-level services. Once the costs for same-level programming, mandated program costs and revenues are evaluated, the department directors provide proposed budget enhancements for their respective departments.

Over the past months, the City Council and staff conducted a series of open work sessions to develop the proposed FY 2023-24 Annual Budget. The direction provided by the City Council in the work sessions has been incorporated into the proposed budget. As discussed in the work sessions, the projected and proposed budget includes funding for the continuation of same-level services as well as funding for increased services and efficiencies:

- Two Police Patrol Sergeants
- Interim Police Department Office Space
- Secure Public Package Delivery Lockers
- Deployment of Opticom
- Three Fire Lieutenants
- Two Public Works Maintenance Workers
- Public Works Bobcat
- Expanded Special Events programming
- Plan and merit salary adjustments
- Enhanced IT and communications
- Replacement of three police vehicles
- Police Flock cameras
- Automated Speed Limit Message Board
- Reclassification of three Firefighter to Driver positions
- Code Enforcement demolitions
- Mower
- City Hall and City Hall Park improvements
- Property acquisitions
- Sidewalk Rehabilitation Program
- Road Maintenance Program

In addition to the same-level continuation if services, the above items were funded and services expanded within a proposed budget that is a balanced budget based on a tax rate that is slightly less than the FY 2022-2023 tax rate.

In accordance with Section 102.006 of the Texas Local Government Code, a public hearing is proposed to be scheduled for August 15, 2023 to receive input on the proposed budget and tax rate.

The general fund contains the resources and expenditures that encompass essentially all general City operations exclusive of utilities or enterprise functions. The ending position of the general fund budget more than accomplishes the City's stated policy of maintaining 25% fund balance in the general fund.

The utility fund budget contains a reimbursement of the general fund for the debt service payments for the wastewater treatment plant and sanitary sewer system expansion. Aside from system expansions, no programs or additional services are proposed in the utility fund.

No increases in utility fees are proposed, despite general inflation and increases in solid waste collection service and sanitary sewer treatment service charges to the City.

This is the first of two public hearings.

Staff Notes:

Please refer questions and requests for additional information to kdobbs@lavontx.gov.

CITY OF LAVON
Agenda Brief

MEETING: August 1, 2023 **ITEM: _8 – B__**

Item:

BUDGET AND TAX RATE ITEMS FOR CONSIDERATION

Discussion and action regarding the proposed tax rate and conduct a record vote to call a public hearing for Tuesday, August 15, 2023 at 6:30 p.m.

Background:

Pursuant to S.B. 2, the City Council is required to identify the proposed tax rate and call a public hearing by record vote.

The proposed tax rate is a reduction from the current rate and funds a budget that includes increased and expanded services. To adopt the proposed tax rate, an election is not automatically required, however may be petitioned.

Staff Notes:

The proposed tax rate is greater than the No New Revenue Tax Rate and the Voter Approval Tax Rate and less than the De Minimis Tax Rate.

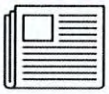
MOTION: I MOVE THAT THE PROPOSED MAXIMUM TAX RATE FOR FISCAL YEAR 2023-24 BE SET AT 0.42 PER $100 VALUATION AND THAT A PUBLIC HEARING TO RECEIVE INPUT REGARDING THE TAX RATE BE SCHEDULED FOR MONDAY, AUGUST 15, 2023 AT 6:30 P.M., WITH APPROPRIATE NOTICE OF SUCH HEARING TO BE PUBLISHED.

Attachments: Information relating to Truth in Taxation, the proposed tax rate and notice provisions provided in the budget documents

Notices, Hearings and Elections on Tax Rates

Tax Increases for all taxing units OTHER than School Districts, Small Taxing Units and Water Districts

Notice in Newspaper or Mail



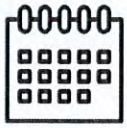
- Notice of public hearing required by Tax Code Section 26.05 – may not be held before the 5th day (not ISDs) after the chief appraiser of each CAD in which the taxing unit participates has delivered the notice by Section 26.04 (e-2) and complied with Section 26.17(f).

Public Hearing



- Governing body holds public hearing.
- Announces the date, time and place of vote (7th day deadline).

Meeting to Adopt Tax Rate



- Governing body holds meeting to adopt tax rate
- Must not be held later than the 7th day after the public hearing.

Tax Increases for School Districts, Small Taxing Units and Water Districts

School Districts

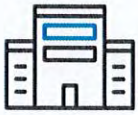
Education Code Section 44.004



- Publishes one notice the *Notice of Public Meeting to Discuss Budget and Proposed Tax Rate.*
- In local newspaper no later than 10 days or earlier than 30 days before the date of the public meeting

Small Taxing Units

Tax Code Section 26.052



- Small taxing unit tax rate of .50 cents or less raising $500,000 or less.
- Small notice in newspaper but also post on website homepage.

Water Districts

Water Code Section 49.107



- Publishes *Notice of Public Hearing on Tax Rate* and *Notice of Vote on Tax Rate.*
- Publish in newspaper or by mail.

NOTICE PUBLICATION REQUIREMENTS

Taxing Units	Newspaper	Internet
Cities and Counties	Any Section (except the section in which legal notices and classified ads appear)	✓
School Districts	Any Section	Not Required Under Tax Code Section 26.06(g)
Small Taxing Districts	Legal Section or by Mail	✓
Water Districts	Any Section	Not Required Under Water Code Section 49.107

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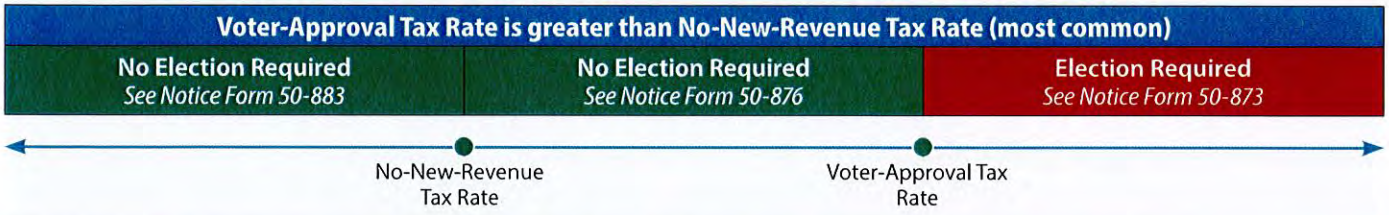
For more information, visit our website: **comptroller.texas.gov/taxes/property-tax**

Texas Comptroller of Public Accounts
Publication #98-1082 • October 2021

TAX RATE ELECTION REQUIREMENTS

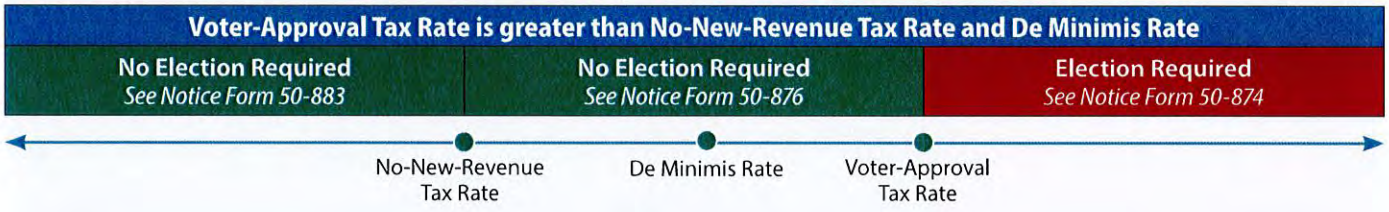
In most cases, if the governing body of a taxing unit adopts a tax rate that exceeds the voter-approval tax rate, it must hold an election for voters to approve the tax increase. There are scenarios in which the election is not required unless voters in the taxing unit petition for an election on the tax increase. **The graphics on this page and the next page describe these various scenarios.** Depending on where the adopted tax rate would be positioned on the line in relation to the no-new-revenue tax rate, voter-approval tax rate and de minimis rate (if applicable) indicates whether an election is required or if voters may petition for an election.

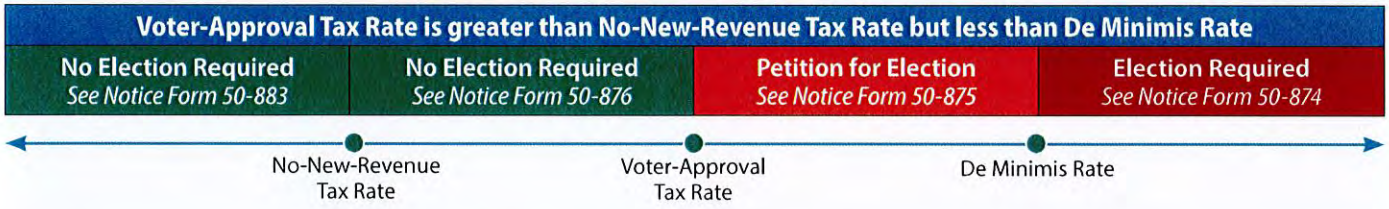
Cities, Counties and Taxing Units other than Special Taxing Units

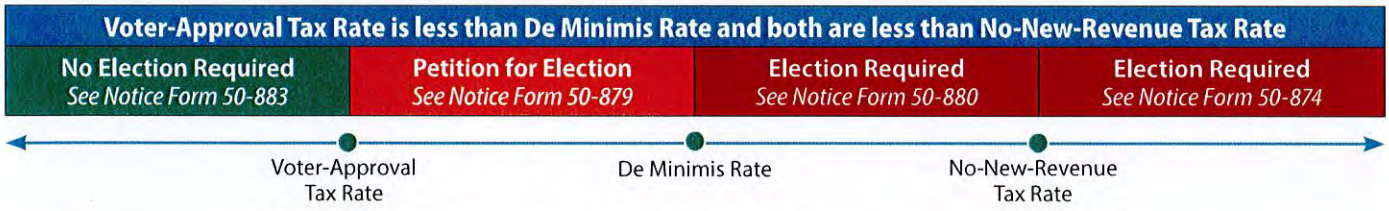


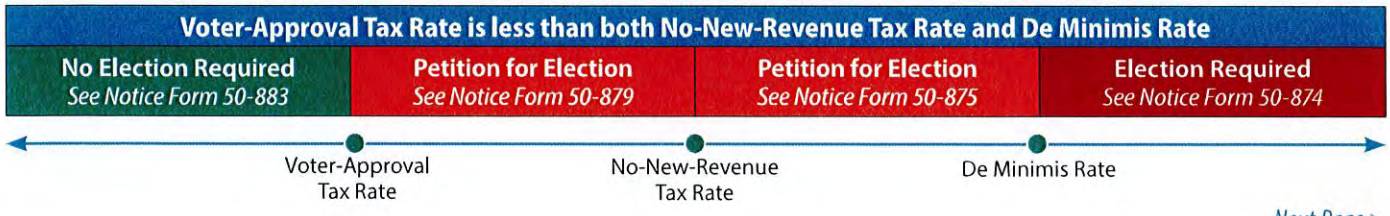


Most Cities and Counties with De Minimis Rate









Next Page >

TRUTH-IN-TAXATION

Visit the website of the **Texas Comptroller of Public Accounts** for information regarding the Tax Rate Adoption process at:

https://comptroller.texas.gov/taxes/property-tax/truth-in-taxation/

Taxes

Property Tax Assistance

TRUTH-IN-TAXATION: TAX RATE ADOPTION

Truth-in-taxation is a concept embodied in the Texas Constitution that requires local taxing units to make taxpayers aware of tax rate proposals and to afford taxpayers the opportunity to limit tax increases. [1] Property owners have the right to know about increases in their properties' appraised value and to be notified of the estimated taxes that could result from the new value. [2]

Creating a budget and adopting a property tax rate to support that budget are major functions of a taxing unit's governing body. This is accomplished by following truth-in-taxation requirements to ensure the public is informed of any increases. The type of taxing unit determines its applicable truth-in-taxation requirements.

If certain taxing units fail to comply with the hearing, notice or tax rate adopting process in good faith, a property owner in the taxing unit may seek an injunction to stop the taxing unit from sending tax bills until it convinces the district court that it has complied with the law. [3] A property owner must act to enjoin collections before the taxing unit delivers substantially all of its tax bills. [4] This injunction process does not apply to taxing units with low levies or water districts. [5]

By providing the following information, the Comptroller's office provides technical assistance and not legal advice. Taxing units should consult legal counsel for questions about the meaning of statutes, notice and hearing requirements and other matters that are unclear in the law.

Generally, the governing body must take the following actions:

+ Expand All

- Draft a Budget
- Calculate the Tax Rate
- Publish Notices
- Hold Public Hearings
- Adopt a Tax Rate
- Hold Automatic Elections to Approve Tax Rate, if Necessary

Resources

- Introducing a New TNT (PDF)
- Tax Rate Calculations and Worksheet
- Notice Requirements
- Hearing Requirements
- Elections to Approve Tax Rate
- Forms for Tax Rate Adoption
- Important Dates (PDF)
- Texas Constitution Provisions (PDF)
- Truth-in-Taxation FAQ
- Truth-in-Taxation Videos

TRUTH-IN-TAXATION TAX CODES

Information regarding Truth-In-Taxation can be found online at the Texas Comptroller of Public Accounts at **https://comptroller.texas.gov/taxes/property-tax/truth-in-taxation/**.

The **Voter-Approval** tax rate is the highest tax rate that the taxing unit may adopt without holding an election to seek voter approval of the rate.

The **De Minimis** rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise $500,000, and the current debt rate.

The **Anticipated Collection Rate** is the lower of the lowest actual collection rate of the taxing unit for any of the preceding three years. Tax Code 26.04 (b)

The following tax code information can be found in the **2019 Texas Property Tax Code:**

TAX RATES:

Tax Code 26.05(a): The governing body must adopt a tax rate before the later of September 30 or the 60th day after the date the certified appraisal roll is received by the taxing unit, except that the governing body must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the next uniform election date prescribed by Section 41.001, Election Code, that occurs in November of that year.

Tax Code 26.05(b): For a taxing unit **other than a school district**, the vote on the ordinance, resolution, or order setting a tax rate that exceeds the no-new revenue tax rate must be a record vote, and at least 60 percent of the members of the governing body must vote in favor of the ordinance, resolution, or order.

Tax Code 26.05(d): The governing body of a taxing unit **other than a school district** may not adopt a tax rate that exceeds the lower of the voter-approval tax rate or the no-new revenue tax rate calculated as provided by this chapter until the governing body has held a public hearing on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065.

Tax Code 26.05(f): Except as required by the law under which an obligation was created, the governing body may not apply any tax revenues generated by the Debt Rate for any purpose other than the retirement of debt.

The debt service component of the adopted tax rate must equal the calculated and published debt service rate that appeared in the Voter-Approval Tax Rate calculations.

Tax Code 26.07(b): If the governing body of a special taxing unit or a municipality with a population of 30,000 or more adopts a tax rate that exceeds the taxing unit's voter-approval tax rate, or the governing body of a taxing unit other than a special taxing unit or a municipality with a population of less than 30,000 regardless of whether it is a special taxing unit adopts a tax rate that exceeds the greater of the taxing unit's voter-approval tax rate or de minimis rate, the registered voters of the taxing unit at an election held for that purpose must determine whether to approve the adopted tax rate.

TRUTH-IN-TAXATION TAX CODES

NOTICE OF TAX RATES:

Requirements for posting the **"Notice of Tax Rates"** can be found in **Tax Code Section 26.04 (e).**

PUBLICATION OF THE NOTICE OF PROPOSED PROPERTY TAX RATE:

Tax Code 26.06(c): If the taxing unit publishes the notice in a newspaper, the taxing unit must also post the notice prominently on the home page of the Internet website of the taxing unit from the date the notice is first published until the public hearing is concluded.

PUBLIC HEARINGS:

Tax Code 26.06(a): A Public Hearing required by section 26.05 may not be held before the fifth day after the date the notice of the public hearing is given. The hearing must be on a weekday that is not a public holiday.

Tax Code 26.06(d): The governing body may vote on the proposed tax rate at the public hearing. If the governing body does not vote on the proposed tax rate at the public hearing, the governing body shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate.

Tax Code 26.06(e): A meeting to vote on the tax increase may not be held later than the seventh day after the date of the public hearing.

Tax Code 26.065(b): The taxing unit shall post notice of the public hearing prominently on the home page of the Internet website of the taxing unit continuously for at least seven days immediately before the public hearing on the proposed tax rate increase and at least seven
days immediately before the date of the vote proposing the increase in the tax rate.

Tex. Govt. Code 551.001 and 551.002: All Taxing Units must post notice of the meetings in compliance with the Texas Open Meetings Act. The meetings must be open to the public.

ADOPTION OF TAX RATE:

Tax Code 26.05(b)(1)-(2): Statements required in the Tax Rate Ordinance as well as on the homepage of the entity's website.

Tax Code 26.07(b): If the governing body of a special taxing unit or a municipality with a population of 30,000 or more adopts a tax rate that exceeds the taxing unit 's voter-approval tax rate, or the governing body of a taxing unit other than a special taxing unit or a municipality with a population of less than 30,000 regardless of whether it is a special taxing unit adopts a tax rate that exceeds the greater of the taxing unit 's voter-approval tax rate or de minimis rate, the registered voters of the taxing unit at an election held for that purpose must determine whether to approve the adopted tax rate. When increased expenditure of money by a taxing unit is necessary to respond to a disaster, including a tornado, hurricane, flood, wildfire, or other calamity, but not including a drought, that has impacted the taxing unit and the governor has declared any part of the area in which the taxing unit is located as a disaster area, an election is not required under this section to approve the tax rate adopted by the governing body for the year following the year in which the disaster occurs.

NEW POSTING REQUIREMENTS:

Please refer to **Tax Code 26.18** for new posting requirments of Tax Rate and Budget Information on the Taxing Units website.

POSTING OF TAX RATE AND BUDGET INFORMATION BY TAXING UNIT ON WEBSITE

TAX CODE SEC. 26.04 (e-5) AND SEC. 26.18

Tax Code Sec. 26.04 (e-5) *Effective January 1, 2021*

The governing body of a taxing unit shall include as an appendix to the taxing unit's budget for a fiscal year the tax rate calculation forms used by the designated office or employee of the taxing unit to calculate the no-new-revenue tax rate and the voter-approval tax rate of the taxing unit for the tax year in which the fiscal year begins.

Tax Code Sec. 26.18 *Effective January 1, 2020*

Each taxing unit shall maintain an Internet website or have access to a generally accessible Internet website that may be used for the purposes of this section. Each taxing unit shall post or cause to be posted on the Internet website the following information in a format prescribed by the Comptroller:

(1) the name of each member of the governing body of the taxing unit;

(2) the mailing address, e-mail address, and telephone number of the taxing unit;

(3) the official contact information for each member of the governing body of the taxing unit, if that information is different from the information described by Subdivision (2

(4) the taxing unit's budget for the preceding two years;

(5) the taxing unit's proposed or adopted budget for the current year;

(6) the change in the amount of the taxing unit's budget from the preceding year to the current year, by dollar and percentage;

(7) in the case of a taxing unit other than a school district, the amount of property tax revenue budgeted for maintenance and operations for:

(A) the preceding two years; and

(B) the current year;

(8) in the case of a taxing unit other than a school district, the amount of property tax revenue budgeted for debt service for:

(A) the preceding two years; and

(B) the current year;

(9) the tax rate for maintenance and operations adopted by the taxing unit for the preceding two years;

(10) in the case of a taxing unit other than a school district, the tax rate for debt service adopted by the taxing unit for the preceding two years;

(11) in the case of a school district, the interest and sinking fund tax rate adopted by the district for the preceding two years;

(12) the tax rate for maintenance and operations proposed by the taxing unit for the current year;

(13) in the case of a taxing unit other than a school district, the tax rate for debt service proposed by the taxing unit for the current year;

(14) in the case of a school district, the interest and sinking fund tax rate proposed by the district for the current year;

and

(15) the most recent financial audit of the taxing unit.

Added by Acts 2019, 86th Leg., R.S., Ch. 944 (S.B. 2), Sec. 57, eff. January 1, 2020.

CITY OF LAVON

2023 PLANNING CALENDAR

May	Mailing of "Notices of Appraised Value" by Chief Appraiser.
April 30	The Chief Appraiser prepares and certifies to the Tax Assessor an estimate of the taxable value.
May 15	Deadline for submitting Appraisal Records to ARB.
July 20	Deadline for ARB to approve Appraisal Records.
July 25	Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.
August	Certification of anticipated collection rate by Tax Assessor Collector.
July 25 - Aug.	Calculation of No-New-Revenue Tax Rate and Voter-Approval Tax Rates.
July 25 - Aug.	Submission of No-New-Revenue and Voter-Approval Tax Rates to governing body from Tax Office.
August 7	Central Appraisal District's deadline to mail Transparency Website Postcard.
August 21	Deadline to call an election.
August 28	Deadline to adopt a tax rate above the Voter-Approval Tax Rate.
07/28/23	72 Hour Notice for Meeting (Open Meetings Notice).
08/01/23	**Meeting of Governing Body to Discuss Tax Rates.** If proposed tax rate will exceed the No-New Revenue or Voter-Approval Tax Rate (whichever is lower), take record vote and schedule Public Hearing on the Tax Rate. Document record vote for "Notice of Public Hearing" (*See "Governing Body Vote" Tab*).
08/09/23	**Publish the "*Notice of Public Hearing*"** - Notice must be published in newspaper at least **five (5) days** before Public Hearing.
08/07/23	- Notice must be posted on the Transparency Website, *www.CollinTaxes.org*, at least five (5) days before Public Hearing.
08/07/23	- Notice must be posted prominently on the homepage of the entity's website at least seven (7) days before Public Hearing.
08/07/23	**Post "*Notice of Tax Rates*"** prominently on the homepage of entity's website seven (7) days before Public Hearing.
08/11/23	72 Hour Notice for Meeting (Open Meetings Notice).
08/15/23	**Public Hearing** At least five (5) days after publication of "Notice of Public Hearing." Tax rate can be adopted at this meeting. If not adopted at this meeting, announce the date and time of the meeting to vote to be held within **seven (7) days of Public Hearing.**
08/11/23	72 Hour Notice for Public Hearing (Open Meetings Notice).
08/15/23	**Meeting to Vote on Tax Rate** if tax rate was not adopted at the previous Public Hearing. Meeting to vote can be no later than **seven (7) days** after Public Hearing on tax rate. If tax rate is not adopted at the Public Hearing, it must be adopted at this meeting.
Noon on September 20	**Deadline to submit the signed Tax Rate Ordinance to the Collin County Tax Office.**

Deadlines When the Adopted Tax Rate Exceeds the Voter-Approval Rate[1]

These are absolute deadlines and assume the city waits until the last minute for each step. In most cases the city would be well-advised to act in advance of these dates. This memo will be updated with any relevant changes made by the 88th Legislature.

Saturday, July 22: Deadline to File Proposed Budget

This is the last day for the city's budget officer to file a proposed budget with the municipal clerk if the city plans to wait until August 22 to adopt the tax rate. TEX. LOC. GOV'T CODE § 102.005 (*before* the *30th day before the date the tax rate is adopted* – thus, if a city plans to adopt its tax rate before August 22, the proposed budget must be filed sooner).

> **Note - Budget Cover Page:** The proposed budget must contain a special cover page if the budget will raise more revenue from property taxes than the previous year. TEX. LOC. GOV'T CODE § 102.005(b). The city secretary must post the proposed budget on the city's website if the city maintains one. TEX. TAX CODE § 26.18(5). Additionally, the proposed budget must include a line item comparing expenditures in the proposed budget and actual expenditures in the preceding year for: (1) notices required to be published in the newspaper; and (2) directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action. TEX. LOC. GOV'T CODE § 140.0045.

Tuesday, July 25: Tax Rolls Due

Chief appraiser must deliver the certified appraisal roll or certified estimate of taxable value to assessor. TEX. TAX CODE § 26.01(a).

> **Note - Estimated Tax Values:** A chief appraiser may submit a certified estimate of taxable value in lieu of a certified appraisal roll if the appraisal review board for the appraisal district does not approve the appraisal records for the district by July 20. TEX. TAX CODE § 26.01(a-1). If the assessor receives a certified estimate of taxable values, the officer or employee designated by the city council must calculate the no-new-revenue tax rate and voter-approval tax rate using the estimate. *Id.* § 26.04(c-2).

Monday, August 7: Submit Tax Rates to City Council

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[1] If a city with a population of 30,000 or more chooses to adopt a tax rate that exceeds the voter approval rate, they are required to call an election for their residents to decide whether to approve the newly adopted rate at the November election date. This year that date is November 7, 2023. The dates in this calendar represent the last possible days cities can take the statutorily mandated steps required to adopt a budget and a tax rate in time to order the required election.

The designated officer or employee must submit the no-new-revenue and voter-approval tax rates to the city council by this date, or as soon thereafter as practicable. TEX. TAX CODE § 26.04(e). The designated officer or employee must post the calculated no-new-revenue tax rate and voter-approval tax rates, along with certain debt information, on the home page of the city's website in the form prescribed by the comptroller. *Id.*

Note – Comptroller Rate Calculation Forms: The designated officer or employee shall use the tax rate calculation forms prescribed by the comptroller in calculating the no-new-revenue and voter-approval tax rates. TEX. TAX CODE § 26.04(d-1). These rates may not be submitted to the city council, and the city council may not adopt a tax rate, until the designated officer or employee certifies on the tax rate calculation forms that the person has accurately calculated the tax rates and used values from the city's certified appraisal roll in performing the calculations. *Id.* § (d-2). As soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate for the city, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the city is located. *Id.* § 26.04(d-3).

Note – De Minimis Rate Calculation: A city with a population of less than 30,000 has an additional option with regard to a tax rate: the "de minimis" rate. Put simply, this is a rate that will impose an amount of taxes equal to $500,000 more than the previous year, while taking the debt rate into account. TEX. TAX CODE § 26.012(8-a). While there is no requirement that the designated officer or employee calculate the de minimis rate, the city will need to know this rate to take advantage of it. Cities are encouraged to communicate with their designated officer or employee in advance of this date to confirm the calculation of the de minimis rate.

Thursday, August 10: Deadline to Publish Notice of Budget Hearing in the Newspaper

This is the last day to publish notice of the budget hearing. TEX. LOC. GOV'T CODE § 102.0065 (not later than 10th day before the budget hearing). Note that the notice may not be published earlier than the 30th day before the hearing making July 21st the earliest date possible for publication for an August 20th budget hearing. The budget hearing notice must contain specific information about property tax increases. TEX. LOC. GOV'T CODE §102.0065(d).

Note – Required Notice Language: The budget hearing notice must contain specific information about property tax increases. TEX. LOC. GOV'T CODE §102.0065(d).

Monday, August 14: Proposed Tax Rate Approval

City council should hold a record vote approving a proposed tax rate. Although there is not a statutorily defined procedure for the city council to follow in determining the proposed tax rate, this date effectively serves as the deadline, as the required notices of the tax rate hearing include the proposed tax rate (see note below).

Monday, August 14: Internet and Television Notice of Tax Rate Hearing

Continuous internet and television notice of tax rate public hearing begins. TAX CODE § 26.065. The notice must be posted continuously for at least seven days immediately before the public hearing on the proposed tax rate increase and at least seven days immediately before the date of the vote proposing the increase in the tax rate. *Id.*

Note – Specific Content Requirements: For content of the Internet and television notice, see Sections 26.06(b-1), (b-2), and (b-3) of the Tax Code.

Note – Record Vote Required: The required notice of the tax rate hearing requires the names of all members of the governing body, showing how each voted on the proposed tax rate and indicating the absences, if any, during the vote on the proposed tax rate. TEX. TAX CODE §§ 26.06(c) and 26.061.

Note – Special Notice Provisions: The tax rate notice requirements for a city change when the de minimis rate exceeds the voter approval rate. TEX. TAX CODE § 26.063. Note that, in the unlikely event that a city with a population of less than 30,000 has a de minimis rate that does not exceed its voter-approval rate, these alternate notice provisions are not available to the city.

Note – Low Tax Levy Cities: A city that has a "low tax levy" under Tax Code § 26.052 (a city that levies under $500,000 in total property taxes and has a tax rate under $.50 per $100 of valuation) may choose to provide notice of its tax rate under that section instead of Sections 26.04(e) and 26.06. A "low tax levy" city that chooses to provide notice under Section 26.052 is not required to hold a public hearing on the tax rate; however, the city is required to provide mailed or published notice of the tax rate no later than seven days before the date the city adopts the tax rate. Tax Code § 26.052(c). If the city chooses to publish notice of the tax rate in the newspaper, the city must also provide public notice of its proposed tax rate by posting notice of the proposed tax rate, along with the information in Tax Code § 26.052(e), prominently on the home page of the city's website.

Wednesday, August 16: Notice of Tax Rate Hearing or Meeting to Adopt Tax Rate

This is the last day to publish notice of the tax rate hearing. TEX. TAX CODE § 26.06(a) (the public hearing may not be held before the fifth day after the date the notice of the public hearing is given).

Note - Notice Options: The notice may be delivered by mail to each property owner, or may be published in a newspaper. TEX. TAX CODE § 26.06(c). If the notice is published in the newspaper, the city must also post the notice prominently on the home page of the city's website from the date the notice is first published until the public hearing is concluded. *Id.* The notice must be in the form prescribed by Tax Code Section 26.06 or 26.061, and must include the table described in Tax Code Section 26.062.

Note – Election-Related Notice: A city adopting a rate triggering an automatic election or the right to petition for an election must modify the notice in accordance with Tax Code Section 26.063.

Sunday, August 20: Budget Hearing

This is the last day for hearing on budget. TEX. LOC. GOV'T CODE § 102.006(b) (hearing shall be before the date of the tax levy). Note that the hearing must be after the 15th day after the proposed budget is filed with the clerk.

Note – Action Required: The city must take some sort of action on the budget at conclusion of hearing. TEX. LOC. GOV'T CODE § 102.007. This action could be the adoption of the budget, or else a vote to postpone the final budget vote. It is generally accepted that the city need not adopt the budget at the end of the hearing.

Monday, August 21: Budget Adoption

The city should adopt the budget no later than this date. TEX. LOC. GOV'T CODE § 102.009 (city may only levy taxes in accordance with budget, and because levy cannot take place later than August 21 (see below), this is the effective deadline for property taxing cities).

Note – Separate Ratification Vote Requirement: The city council must take a separate ratification vote to adopt any budget that will raise total property tax revenue. TEX. LOC. GOV'T CODE § 102.007(c). The budget must contain a special cover page that includes: (a) a specific statement on whether the budget raises more, less, or the same amount of property tax revenue compared to the previous year's budget; (b) the record vote of each member of the city council by name voting on the adoption of the budget; (c) the city property tax rates for the preceding and current fiscal years, including the adopted rate, no-new-revenue tax rate, no-new-revenue maintenance and operations tax rate, voter-approval tax rate, and debt rate; and (d) the total amount of city debt obligations secured by property taxes. TEX. LOC. GOV'T CODE § 102.007(d). The adopted budget, including the cover page, must be posted on the city's website if the city has one. The city council shall include as an appendix to the city's budget for a fiscal year the tax rate calculation forms used by the designated officer or employee to calculate the city's no-new-revenue tax rate and the voter-approval tax rate for the tax year in which the fiscal year begins. TEX. TAX CODE § 26.04(e-5).

Monday, August 21: Tax Rate Adoption

The city must hold tax rate hearing and adopt a tax rate exceeding (1) the city's voter-approval tax rate; or (2) in certain cities with a population of less than 30,000, the greater of the city's voter-approval tax rate or de minimis tax rate no later than this date. TEX. TAX CODE § 26.05(a) (city council must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the November uniform election date; however, the city council must order the automatic election by no later than the 78th day before the November election date under Election Code Section 3.005(c), effectively making the deadline to adopt the tax rate the 78th day before the November uniform election date).

Note – Tax Rate Hearing: The hearing must be held on a weekday that is not a public holiday. TEX. TAX CODE § 26.06(a). The city council may vote on the proposed tax rate at the public hearing. If the city council does not vote on the proposed tax rate at the public hearing, the city council shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate, and that meeting may not be held later than the seventh day after the date of the public hearing. TEX. TAX CODE § 26.06(e). The city council must separately approve the maintenance and operations component and the debt service component of the tax rate. TEX. TAX CODE § 26.05(a).

Note – Rate Adoption Motion: The motion to adopt a tax rate that exceeds the no-new-revenue rate must be made precisely as follows: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate." If the tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council. TEX. TAX CODE § 26.05(b). Tax Code Section 26.05 contains several other precise requirements regarding notice in the tax rate ordinance itself that must be complied with if the city adopts a rate exceeding the no-new-revenue tax rate.

Note – Earliest Possible Date for Hearing: The city council may not hold its public hearing or public meeting to adopt a tax rate until the fifth day after the date the chief appraiser of each appraisal district in which the city participates has delivered its tax estimate notice under Tax Code Sec. 26.04(e-2) and made various types of tax rate information and the tax rate calculation forms available on to the public via the property tax database under Tax Code Sec. 26.17(f). TEX. TAX CODE. § 26.05(d-1).

Note – Failure to Adopt Tax Rate: The tax rate of a city that fails to adopt a tax rate before the statutory deadlines is limited to the lower of the voter-approval tax rate or the no-new-revenue tax rate. TEX. TAX CODE § 26.05(c).

Monday, August 21: Order Rate Approval Election

If the city adopts a rate exceeding the voter-approval tax rate or, in the case of certain cities with a population of less than 30,000, the greater of the voter-approval tax rate or the de minimis tax rate, the city must **order the automatic election** to approve the tax rate no later than the 78th day before the November uniform election date. TEX. ELEC. CODE § 3.005(c).

Note – Proposition Wording: At the election, the ballots shall be prepared to permit voting for or against the proposition: "Approving the ad valorem tax rate of $_____ per $100 valuation in (name of city) for the current year, a rate that is $_____ higher per $100 valuation than the voter-approval tax rate of (name of city), for the purpose of (description of purpose of increase). Last year, the ad valorem tax rate in (name of city) was $_____ per $100 valuation." The ballot proposition must include the adopted tax rate, the difference between the adopted tax rate and the voter-approval tax rate, and the city's tax rate for the preceding tax year in the appropriate places. TEX. TAX CODE § 26.07(c).

Monday, August 28: Rate Adoption Deadline in Certain Circumstances

A city with a population of less than 30,000 adopting a tax rate that exceeds the voter-approval tax rate but is lower than the de minimis tax rate must **adopt its tax rate** no later than this day. TEX. TAX CODE § 26.05(a) (city council must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the November uniform election date).

> **Note - Separate Votes for M&O and Debt Components:** The city council must separately approve the maintenance and operations component and the debt service component of the tax rate. TEX. TAX CODE § 26.05(a). The motion to adopt a tax rate that exceeds the no-new-revenue rate must be made precisely as follows: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate." If the tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council. TEX. TAX CODE § 26.05(b). Tax Code Section 26.05 contains several other precise requirements regarding notice in the tax rate ordinance itself that must be complied with if the city adopts a rate exceeding the no-new-revenue tax rate.

COLLIN CENTRAL APPRAISAL DISTRICT
2023 CERTIFIED ESTIMATE OF TAXABLE VALUE

TAXING ENTITY NAME	2022 CERTIFIED TAXABLE VALUE, SUPP # 15, MARCH 4, 2023	2023 NEW PROPERTY ESTIMATED TAXABLE VALUE	2023 NEW ANNEXATIONS ESTIMATED TAXABLE VALUE	2023 CERTIFIED ESTIMATE OF TAXABLE VALUE (ROUNDED), APRIL 24,2023	2023 ESTIMATED TAXABLE VALUE COMPARED TO 2022 SUPP # 15	2023 ESTIMATED TAXABLE VALUE CHANGE DUE TO NEW PROPERTY & ANNEXATIONS	2022 AVG MARKET VALUE OF HOMES, AS OF March 4, 2023, 2022 SUPP # 15	2023 AVG MARKET VALUE OF HOMES, AS OF 2023 NOTICES, 4-15-2023	2023 PRELIMINARY OVER-65 FREEZE TAXABLE LOSS, APRIL 24, 2023 PRELIMINARY TOTALS	2023 PRELIMINARY FREEZE ADJUSTED TAXABLE VALUE (ROUNDED), (Based on APRIL 24, 2023 Preliminary Totals)
CITIES & TOWNS										
CITY OF ALLEN	$18,156,945,270	$461,669,000	$0	**$19,880,000,000**	**9.49%**	2.54%	$505,007	$574,500	N/A	**N/A**
CITY OF ANNA	$2,470,971,302	$379,413,000	$0	**$3,000,000,000**	**21.41%**	15.35%	$327,685	$372,200	N/A	**N/A**
CITY OF BLUE RIDGE	$75,897,610	$1,684,000	$0	**$82,400,000**	**8.57%**	2.22%	$183,252	$194,300	N/A	**N/A**
CITY OF CARROLLTON	$145,394,334	$0	$0	**$152,000,000**	**4.54%**	0.00%	N/A	N/A	N/A	**N/A**
CITY OF CELINA	$3,821,588,156	$639,664,000	$65,764,809	**$4,670,000,000**	**22.20%**	18.46%	$539,659	$625,500	$360,427,419	**$4,300,000,000**
CITY OF DALLAS	$6,626,073,508	$24,064,000	$0	**$6,940,000,000**	**4.74%**	0.36%	$546,623	$632,400	N/A	**N/A**
TOWN OF FAIRVIEW	$2,608,605,073	$61,470,000	$0	**$2,840,000,000**	**8.87%**	2.36%	$728,192	$843,200	N/A	**N/A**
CITY OF FARMERSVILLE	$422,454,748	$2,668,000	$0	**$464,000,000**	**9.83%**	0.63%	$250,195	$283,200	N/A	**N/A**
CITY OF FRISCO	$26,097,234,118	$1,396,826,000	$0	**$28,530,000,000**	**9.32%**	5.35%	$639,171	$732,700	$32,876,310	**$28,490,000,000**
CITY OF GARLAND	$33,086,914	$50,000	$0	**$35,000,000**	**5.78%**	0.15%	$467,746	$540,800	N/A	**N/A**
CITY OF JOSEPHINE	$209,719,909	$21,825,000	$1,252,152	**$251,000,000**	**19.68%**	11.00%	$295,036	$334,900	$29,004,339	**$221,000,000**
CITY OF LAVON	$721,347,578	$135,773,000	$21,140,129	**$939,000,000**	**30.17%**	21.75%	$350,387	$396,800	$87,952,120	**$851,000,000**
LOWRY CROSSING	$221,423,620	$4,581,000	$0	**$245,000,000**	**10.65%**	2.07%	$378,144	$467,500	$53,507,059	**$191,000,000**
CITY OF LUCAS	$1,912,889,892	$94,377,000	$0	**$2,120,000,000**	**10.83%**	4.93%	$917,753	$1,025,900	$317,301,646	**$1,800,000,000**
CITY OF MCKINNEY	$31,999,088,076	$1,003,477,000	$1,079,791	**$35,130,000,000**	**9.78%**	3.14%	$495,166	$557,700	N/A	**N/A**
CITY OF MELISSA	$2,459,755,963	$414,438,000	$10,574,322	**$3,100,000,000**	**26.03%**	17.28%	$422,314	$490,800	N/A	**N/A**
CITY OF MURPHY	$3,081,356,037	$9,851,000	$0	**$3,350,000,000**	**8.72%**	0.32%	$528,216	$579,300	N/A	**N/A**
CITY OF NEVADA	$160,939,482	$8,068,000	$0	**$182,000,000**	**13.09%**	5.01%	$342,980	$367,600	N/A	**N/A**
TOWN OF NEW HOPE	$84,344,648	$35,000	$0	**$92,200,000**	**9.31%**	0.04%	$354,359	$421,300	N/A	**N/A**
CITY OF PARKER	$1,465,258,520	$71,293,000	$0	**$1,660,000,000**	**13.29%**	4.87%	$919,664	$1,066,800	N/A	**N/A**
CITY OF PLANO	$50,541,789,290	$730,035,000	$0	**$56,150,000,000**	**11.10%**	1.44%	$493,636	$560,300	$6,085,531,334	**$50,060,000,000**
CITY OF PRINCETON	$2,445,336,171	$384,721,000	$27,969,892	**$3,000,000,000**	**22.68%**	16.88%	$300,164	$341,400	$152,855,962	**$2,840,000,000**

2023 Tax Rate Calculation Worksheet
Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of Lavon	972-843-4220
Taxing Unit Name	Phone *(area code and number)*
120 School Rd., Lavon, TX 75166	http://cityoflavon.com
Taxing Unit's Address, City, State, ZIP Code	Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per $100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements.*

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet.*

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet		Amount/Rate
1.	**2022 total taxable value.** Enter the amount of 2022 taxable value on the 2022 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17).[1]		$ 720,549,073
2.	**2022 tax ceilings.** Counties, cities and junior college districts. Enter 2022 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step.[2]		$ 64,444,453
3.	**Preliminary 2022 adjusted taxable value.** Subtract Line 2 from Line 1.		$ 656,104,620
4.	**2022 total adopted tax rate.**		$ 0.430000 /$100
5.	**2022 taxable value lost because court appeals of ARB decisions reduced 2021 appraised value.**		
	A. Original 2022 ARB values:	$ 0	
	B. 2022 values resulting from final court decisions:	- $ 0	
	C. 2022 value loss. Subtract B from A.[3]		$ 0
6.	**2022 taxable value subject to an appeal under Chapter 42, as of July 25.**		
	A. 2022 ARB certified value:	$ 0	
	B. 2022 disputed value:	- $ 0	
	C. 2022 undisputed value. Subtract B from A.[4]		$ 0
7.	**2022 Chapter 42 related adjusted values.** Add Line 5C and Line 6C.		$ 0

[1] Tex. Tax Code §26.012(14)
[2] Tex. Tax Code §26.012(14)
[3] Tex. Tax Code §26.012(13)
[4] Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	**2022 taxable value, adjusted for actual and potential court-ordered adjustments.** Add Line 3 and Line 7.	$ 656,104,620
9.	**2022 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2022.** Enter the 2021 value of property in deannexed territory. [5]	$ 0
10.	**2022 taxable value lost because property first qualified for an exemption in 2023.** If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2023 does not create a new exemption or reduce taxable value. **A. Absolute exemptions.** Use 2022 market value: $ 701,023 **B. Partial exemptions.** 2023 exemption amount or 2023 percentage exemption times 2022 value: + $ 3,835,016 **C. Value loss.** Add A and B. [6]	$ 4,536,039
11.	**2022 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2023.** Use only properties that qualified in 2023 for the first time; do not use properties that qualified in 2022. **A. 2022 market value:** $ 0 **B. 2023 productivity or special appraised value:** - $ 0 **C. Value loss.** Subtract B from A. [7]	$ 0
12.	**Total adjustments for lost value.** Add Lines 9, 10C and 11C.	$ 4,536,039
13.	**2022 captured value of property in a TIF.** Enter the total value of 2022 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2022 taxes were deposited into the tax increment fund. [8] If the taxing unit has no captured appraised value in line 18D, enter 0.	$ 34,071
14.	**2022 total value.** Subtract Line 12 and Line 13 from Line 8.	$ 651,534,510
15.	**Adjusted 2022 total levy.** Multiply Line 4 by Line 14 and divide by $100.	$ 2,801,598
16.	**Taxes refunded for years preceding tax year 2022.** Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2022. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. [9]	$ 7,266
17.	**Adjusted 2022 levy with refunds and TIF adjustment.** Add Lines 15 and 16. [10]	$ 2,808,864
18.	**Total 2023 taxable value on the 2023 certified appraisal roll today.** This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. [11] **A. Certified values:** $ 971,568,844 **B. Counties:** Include railroad rolling stock values certified by the Comptroller's office: + $ **C. Pollution control and energy storage system exemption:** Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - $ 0 **D. Tax increment financing:** Deduct the 2023 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2023 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. [12] - $ 8,387,745 **E. Total 2023 value.** Add A and B, then subtract C and D.	$ 963,181,099

[5] Tex. Tax Code §26.012(15)
[6] Tex. Tax Code §26.012(15)
[7] Tex. Tax Code §26.012(15)
[8] Tex. Tax Code §26.03(c)
[9] Tex. Tax Code §26.012(13)
[10] Tex. Tax Code §26.012(13)
[11] Tex. Tax Code §26.012, 26.04(c-2)
[12] Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	**Total value of properties under protest or not included on certified appraisal roll.** [13] **A.** **2023 taxable value of properties under protest.** The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. [14] ..... $ 10,825,932 **B.** **2023 value of properties not under protest or included on certified appraisal roll.** The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. [15] ..... + $ 0 **C.** **Total value under protest or not certified.** Add A and B.	$ 10,825,932
20.	**2023 tax ceilings.** Counties, cities and junior colleges enter 2023 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step.[16]	$ 89,739,607
21.	**2023 total taxable value.** Add Lines 18E and 19C. Subtract Line 20. [17]	$ 884,267,424
22.	**Total 2023 taxable value of properties in territory annexed after Jan. 1, 2022.** Include both real and personal property. Enter the 2023 value of property in territory annexed. [18]	$ 21,443,577
23.	**Total 2023 taxable value of new improvements and new personal property located in new improvements.** New means the item was not on the appraisal roll in 2022. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2022 and be located in a new improvement. New improvements **do** include property on which a tax abatement agreement has expired for 2023. [19]	$ 136,742,353
24.	**Total adjustments to the 2023 taxable value.** Add Lines 22 and 23.	$ 158,185,930
25.	**Adjusted 2023 taxable value.** Subtract Line 24 from Line 21.	$ 726,081,494
26.	**2023 NNR tax rate.** Divide Line 17 by Line 25 and multiply by $100. [20]	$ 0.386852 /$100
27.	**COUNTIES ONLY.** Add together the NNR tax rates for each type of tax the county levies. The total is the 2023 county NNR tax rate. [21]	$ _____ /$100

SECTION 2: Voter Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	**2022 M&O tax rate.** Enter the 2022 M&O tax rate.	$ 0.268168 /$100
29.	**2022 taxable value, adjusted for actual and potential court-ordered adjustments.** Enter the amount in Line 8 of the *No-New-Revenue Tax Rate Worksheet.*	$ 656,104,620

[13] Tex. Tax Code §26.01(c) and (d)
[14] Tex. Tax Code §26.01(c)
[15] Tex. Tax Code §26.01(d)
[16] Tex. Tax Code §26.012(6)(B)
[17] Tex. Tax Code §26.012(6)
[18] Tex. Tax Code §26.012(17)
[19] Tex. Tax Code §26.012(17)
[20] Tex. Tax Code §26.04(c)
[21] Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	**Total 2022 M&O levy.** Multiply Line 28 by Line 29 and divide by $100	$ 1,759,462
31.	**Adjusted 2022 levy for calculating NNR M&O rate.**	
	A. M&O taxes refunded for years preceding tax year 2022. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. + $ 4,059	
	B. 2022 taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2023 captured appraised value in Line 18D, enter 0. – $ 41	
	C. 2022 transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. +/- $ 0	
	D. 2022 M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. $ 4,018	
	E. Add Line 30 to 31D.	$ 1,763,480
32.	**Adjusted 2023 taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*	$ 726,081,494
33.	**2023 NNR M&O rate (unadjusted).** Divide Line 31E by Line 32 and multiply by $100.	$ 0.242876 /$100
34.	**Rate adjustment for state criminal justice mandate.** [23] **If not applicable or less than zero, enter 0.**	
	A. 2023 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. $ 0	
	B. 2022 state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. – $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100. $ 0 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.	$ 0 /$100
35.	**Rate adjustment for indigent health care expenditures.** [24] **If not applicable or less than zero, enter 0.**	
	A. 2023 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose. $ 0	
	B. 2022 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state assistance received for the same purpose. – $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100. $ 0 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.	$ 0 /$100

[22] [Reserved for expansion]
[23] Tex. Tax Code §26.044
[24] Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	**Rate adjustment for county indigent defense compensation.** [25] **If not applicable or less than zero, enter 0.**	
	A. 2023 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose. $ 0	
	B. 2022 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state grants received by the county for the same purpose. $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100. $ 0 /$100	
	D. Multiply B by 0.05 and divide by Line 32 and multiply by $100. $ 0 /$100	
	E. Enter the lesser of C and D. If not applicable, enter 0.	$ 0 /$100
37.	**Rate adjustment for county hospital expenditures.** [26] **If not applicable or less than zero, enter 0.**	
	A. 2023 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. $ 0	
	B. 2022 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2021 and ending on June 30, 2022. $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100. $ 0 /$100	
	D. Multiply B by 0.08 and divide by Line 32 and multiply by $100. $ 0 /$100	
	E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	$ 0 /$100
38.	**Rate adjustment for defunding municipality.** This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.	
	A. Amount appropriated for public safety in 2022. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year $ 0	
	B. Expenditures for public safety in 2022. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100 $ 0 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.	$ 0 /$100
39.	**Adjusted 2023 NNR M&O rate.** Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	$ 0.242876 /$100
40.	**Adjustment for 2022 sales tax specifically to reduce property taxes.** Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2022 should complete this line. These entities will deduct the sales tax gain rate for 2023 in Section 3. Other taxing units, enter zero.	
	A. Enter the amount of additional sales tax collected and spent on M&O expenses in 2022, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent $ 0	
	B. Divide Line 40A by Line 32 and multiply by $100 $ 0 /$100	
	C. Add Line 40B to Line 39.	$ 0.242876 /$100
41.	**2023 voter-approval M&O rate.** Enter the rate as calculated by the appropriate scenario below. **Special Taxing Unit.** If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. **- or -** **Other Taxing Unit.** If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	$ 0.251376 /$100

[25] Tex. Tax Code §26.0442
[26] Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	***Disaster Line 41 (D41):* 2023 voter-approval M&O rate for taxing unit affected by disaster declaration.** If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. [27] If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	$ 0 /$100
42.	**Total 2023 debt to be paid with property taxes and additional sales tax revenue.** Debt means the interest and principal that will be paid on debts that: **(1)** are paid by property taxes, **(2)** are secured by property taxes, **(3)** are scheduled for payment over a period longer than one year, and **(4)** are not classified in the taxing unit's budget as M&O expenses. **A. Debt** also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. [28] Enter debt amount ... $ 1,106,050 **B.** Subtract **unencumbered fund amount** used to reduce total debt. ... – $ 0 **C.** Subtract **certified amount spent from sales tax to reduce debt** (enter zero if none) ... – $ 0 **D.** Subtract **amount paid** from other resources ... – $ 0 **E. Adjusted debt.** Subtract B, C and D from A.	$ 1,106,050
43.	**Certified 2022 excess debt collections.** Enter the amount certified by the collector. [29]	$ 16,161
44.	**Adjusted 2023 debt.** Subtract Line 43 from Line 42E.	$ 1,089,889
45.	**2023 anticipated collection rate.** **A.** Enter the 2023 anticipated collection rate certified by the collector. [30] ... 100.00 % **B.** Enter the 2022 actual collection rate. ... 104.77 % **C.** Enter the 2021 actual collection rate. ... 101.34 % **D.** Enter the 2020 actual collection rate. ... 99.98 % **E.** If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. [31]	100.00 %
46.	**2023 debt adjusted for collections.** Divide Line 44 by Line 45E.	$ 1,089,889
47.	**2023 total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 884,267,424
48.	**2023 debt rate.** Divide Line 46 by Line 47 and multiply by $100.	$ 0.123253 /$100
49.	**2023 voter-approval tax rate.** Add Lines 41 and 48.	$ 0.374629 /$100
D49.	***Disaster Line 49 (D49):* 2023 voter-approval tax rate for taxing unit affected by disaster declaration.** Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	$ /$100

[27] Tex. Tax Code §26.042(a)
[28] Tex. Tax Code §26.012(7)
[29] Tex. Tax Code §26.012(10) and 26.04(b)
[30] Tex. Tax Code §26.04(b)
[31] Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	**COUNTIES ONLY.** Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2023 county voter-approval tax rate.	$ 0 /$100

SECTION 3: NNR Tax Rate and Voter Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	**Taxable Sales.** For taxing units that adopted the sales tax in November 2022 or May 2023, enter the Comptroller's estimate of taxable sales for the previous four quarters. [32] Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2022, enter 0.	$ 0
52.	**Estimated sales tax revenue.** Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. [33] **Taxing units that adopted the sales tax in November 2022 or in May 2023.** Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. [34] **- or -** **Taxing units that adopted the sales tax before November 2022.** Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	$ 0
53.	**2023 total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet*.	$ 884,267,424
54.	**Sales tax adjustment rate.** Divide Line 52 by Line 53 and multiply by $100.	$ 0 /$100
55.	**2023 NNR tax rate, unadjusted for sales tax.** [35] Enter the rate from Line 26 or 27, as applicable, on the *No-New-Revenue Tax Rate Worksheet*.	$ 0.386852 /$100
56.	**2023 NNR tax rate, adjusted for sales tax.** **Taxing units that adopted the sales tax in November 2022 or in May 2023.** Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2022.	$ 0.386852 /$100
57.	**2023 voter-approval tax rate, unadjusted for sales tax.** [36] Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the *Voter-Approval Tax Rate Worksheet*.	$ 0.374629 /$100
58.	**2023 voter-approval tax rate, adjusted for sales tax.** Subtract Line 54 from Line 57.	$ 0.374629 /$100

SECTION 4: Voter Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	**Certified expenses from the Texas Commission on Environmental Quality (TCEQ).** Enter the amount certified in the determination letter from TCEQ. [37] The taxing unit shall provide its tax assessor-collector with a copy of the letter. [38]	$ 0
60.	**2023 total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet*.	$ 884,267,424
61.	**Additional rate for pollution control.** Divide Line 59 by Line 60 and multiply by $100.	$ 0 /$100
62.	**2023 voter-approval tax rate, adjusted for pollution control.** Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	$ 0.374629 /$100

[32] Tex. Tax Code §26.041(d)
[33] Tex. Tax Code §26.041(i)
[34] Tex. Tax Code §26.041(d)
[35] Tex. Tax Code §26.04(c)
[36] Tex. Tax Code §26.04(c)
[37] Tex. Tax Code §26.045(d)
[38] Tex. Tax Code §26.045(i)

SECTION 5: Voter Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate adjusted to remove the unused increment rate for the prior three years. [39] In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020; [40]
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a); [41] or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval. [42]

Individual components can be negative, but the overall rate would be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit. [43]

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	**Year 3 component.** Subtract the 2022 actual tax rate and the 2022 unused increment rate from the 2022 voter-approval tax rate. **A.** Voter-approval tax rate ..... $ 0.376825 /$100 As applicable: Line 49, Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control) **B.** Unused increment rate (Line 66). ..... $ 0.000653 /$100 **C.** Subtract B from A . ..... $ 0.376172 /$100 **D.** Adopted Tax Rate. ..... $ 0.430000 /$100 **E.** Subtract D from C. ..... $ -0.053828 /$100	
64.	**Year 2 component.** Subtract the 2021 actual tax rate and the 2021 unused increment rate from the 2021 voter-approval tax rate. **A.** Voter-approval tax rate ..... $ 0.479609 /$100 As applicable: Line 49, Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control) **B.** Unused increment rate (Line 66). ..... $ 0.000000 /$100 **C.** Subtract B from A . ..... $ 0.479609 /$100 **D.** Adopted Tax Rate. ..... $ 0.478956 /$100 **E.** Subtract D from C. ..... $ 0.000653 /$100	
65.	**Year 1 component.** Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate. **A.** Voter-approval tax rate ..... $ 0.478956 /$100 As applicable: Line 47, Line 50 (counties), Line 56 (taxing units with the additional sales tax) or Line 60 (taxing units with pollution control) **B.** Unused increment rate. ..... $ 0.000000 /$100 **C.** Subtract B from A . ..... $ 0.478956 /$100 **D.** Adopted Tax Rate. ..... $ 0.478956 /$100 **E.** Subtract D from C. ..... $ 0.000000 /$100	
66.	**2023 unused increment rate.** Add Lines 63E, 64E and 65E.	$ 0.000000 /$100
67.	**Total 2023 voter-approval tax rate, including the unused increment rate.** Add Line 66 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	$ 0.374629 /$100

[39] Tex. Tax Code §26.013(a)
[40] Tex. Tax Code §26.013(c)
[41] Tex. Tax Code §§26.0501(a) and (c)
[42] Tex. Local Gov't Code §120.007(d), effective Jan. 1, 2022
[43] Tex. Tax Code §26.063(a)(1)
[44] Tex. Tax Code §26.012(8-a)
[45] Tex. Tax Code §26.063(a)(1)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise $500,000, and the current debt rate for a taxing unit. [44]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [45]

Line	De Minimis Rate Worksheet	Amount/Rate
68.	**Adjusted 2023 NNR M&O tax rate.** Enter the rate from Line 39 of the *Voter-Approval Tax Rate Worksheet*	$ 0.242876 /$100
69.	**2023 total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 884,267,424
70.	**Rate necessary to impose $500,000 in taxes.** Divide $500,000 by Line 69 and multiply by $100.	$ 0.056543 /$100
71.	**2023 debt rate.** Enter the rate from Line 48 of the *Voter-Approval Tax Rate Worksheet.*	$ 0.123253 /$100
72.	**De minimis rate.** Add Lines 68, 70 and 71.	$ 0.422672 /$100

SECTION 7: Voter Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.[46]

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year. [47]

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
73.	**2022 adopted tax rate.** Enter the rate in Line 4 of the *No-New-Revenue Tax Rate Worksheet.*	$ 0.430000 /$100
74.	**Adjusted 2022 voter-approval tax rate.** Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2022 and the taxing unit calculated its 2022 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2022 worksheet due to a disaster, complete the applicable sections or lines of Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet. **- or -** If a disaster occurred prior to 2022 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2022, complete the separate *Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet* to recalculate the voter-approval tax rate the taxing unit would have calculated in 2022 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster. [48] Enter the final adjusted 2022 voter-approval tax rate from the worksheet. **- or -** If the taxing unit adopted a tax rate above the 2022 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	$ 0 /$100
75.	**Increase in 2022 tax rate due to disaster.** Subtract Line 74 from Line 73.	$ 0 /$100
76.	**Adjusted 2022 taxable value.** Enter the amount in Line 14 of the *No-New-Revenue Tax Rate Worksheet.*	$ 651,534,510
77.	**Emergency revenue.** Multiply Line 75 by Line 76 and divide by $100.	$ 0
78.	**Adjusted 2023 taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*	$ 726,081,494
79.	**Emergency revenue rate.** Divide Line 77 by Line 78 and multiply by $100. [49]	$ 0 /$100

[46] Tex. Tax Code §26.042(b)
[47] Tex. Tax Code §26.042(f)
[48] Tex. Tax Code §26.042(c)
[49] Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
80.	**2023 voter-approval tax rate, adjusted for emergency revenue.** Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	$ 0.374629 /$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. ..... $ 0.386852 /$100
As applicable, enter the 2023 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
Indicate the line number used: 26

Voter-approval tax rate ..... $ 0.374629 /$100
As applicable, enter the 2023 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue).
Indicate the line number used: 49

De minimis rate. ..... $ 0.422672 /$100
If applicable, enter the 2022 de minimis rate from Line 72.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code. [50]

print here

Printed Name of Taxing Unit Representative

sign here

Taxing Unit Representative Date

[50] Tex. Tax Code §§26.04(c-2) and (d-2)