AGENDA
SEPTEMBER 5, 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 August 15, 2023 meeting.

   B. Approve Resolution No. **2023-09-01** approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2023 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the Negotiated Settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the ACSC's legal counsel.

   C. Approve Resolution No. **2023-09-02** approving and authorizing the execution of Contract Amendment No. Seventeen (17) to extend the interlocal agreement with Collin County for animal control and animal shelter 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. **2023-09-03** approving and authorizing the execution of sanitary sewer easements granted from Grand Heritage Homeowners Association and 78 Commercial East L.P. to the City of Lavon in the 78 Commercial East Addition east of Grand Heritage Boulevard; and providing an effective date.

   E. Ratify interpretation of the definition of Fire Area as provided in Ordinance No. **2018-09-06**, that adopted the 2018 International Fire Code, 2018 edition, Section 2 (c) Local Amendments, Chapter 2, Section 202 General Definitions allowing for the type of construction material, anticipated type of occupancy, and installation of plumbing fixtures for a project at 701 S. SH 78.

   F. Approve Ordinance No. **2023-09-01** amending Article 11.02.032 School Zones of the City of Lavon Code of Ordinances; providing for repealing, savings and severability clauses; providing for publication; and providing for an effective date.

   G. Approve Resolution No. **2023-09-04** approving and authorizing the execution of Change Orders to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities

Expansion (CIP-9) Construction Project for Change Orders: No. 005 Roll Off Pad for $484.00 and No. 006 Engineering Fees not to exceed $1,841.26; and providing an effective date.

H. Approve Resolution No. **2023-09-05** approving and authorizing execution of the First Amendment to the Interlocal Cooperation Agreement for Jail Services with the City of Wylie; and providing for an effective date.

6. ITEMS FOR CONSIDERATION

A. Public Hearing to review the City's program performance including the actual use of Community Development Block Grant (CDBG) funds expended under Texas Department of Agriculture Contract CDV21-0092.

B. Discussion and action regarding the preliminary plat of the SMI Addition at 875 S. SH 78 consisting of 5.4545 acres out of the William H. Moore Survey, A-638, northeast of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, TX (CCAD Property ID 2614354).

C. Discussion and action regarding the site plan and landscape plan for Starbucks on Lot 2, Block A of the SB Lavon Addition (also referred to as SMI Addition) on 0.895 acres of land, at 875 S. SH 78 generally northeast of the intersection of Burleson and SH 78, Lavon, Collin County, TX (CCAD Property ID 2614354).

D. Discussion and action regarding the site plan and landscape plan for the Cottages at Elevon on Lot 1, Block B of the Elevon West Commercial Addition, Phase 2, on 22.8 acres of land, west of the intersection of Elevon Parkway and Villas Drive, south of Bently Farms and Lakeridge Meadows, Lavon, Collin County, TX (CCAD Property ID 2868715).

E. Discussion and action regarding the final plat of the Elevon Section 1, Phase 2C Addition consisting of 123 residential lots and 7 common area space tracts on 30.903 acres of land, situated in the Samuel M. Rainer Survey, A-740, north of the intersection of Dove Haven Way and Inspiration Grove in the extraterritorial jurisdiction of Lavon, Collin County, TX (CCAD Property ID 2855710).

F. Discussion and action regarding the final plat of the Elevon, Section 1, Phase 3 Addition consisting of 175 residential lots, 1 school lot, and 8 open space lots on 79.184 acres of land situated in the Samuel M. Rainer Survey, A-740, east of the intersection of Inspiration Grove and Hart Leaf Lane in the extraterritorial jurisdiction of Lavon, Collin County, TX (CCAD Property ID 2829214).

G. Discussion and action regarding the final plat of the Elevon, Section 2, Phase 2E Addition consisting of 263 residential lots and 4 open space lots on 56.659 acres of land situated in the Samuel M. Rainer Survey, A-740, northeast of the intersection of Elevon Parkway and Dewy Lake Place, Lavon, Collin County, TX (CCAD Property IDs 2850234 and 2850237).

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

I. Discussion and action regarding Resolution No. **2023-09-06** approving and authorizing the execution of sanitary sewer easements, pedestrian access easements, and drainage easements granted from MA Land Holdings, L.L.C. and 78 Straddle L.P. to the City of Lavon related to Elevon Parkway, Elevon East Commercial area, and Elevon West Commercial Addition; and providing an effective date.

J. Discussion and action regarding acceptance of the public infrastructure for the Elevon Parkway Addition.

K. Discussion and action regarding Resolution No. **2023-09-07** declaring that the City Council has completed an annual review of the Investment Policy of the City; adopting changes to the Investment Policy; providing a repealing clause; providing a severability clause; and providing for an effective date.

L. Discussion and action regarding Ordinance No. **2023-09-02** establishing residency regulations for registered sex offenders; prohibiting sex offenders from residing within 1,500 feet of a child safety zone; providing a savings and repealer clause; providing a severability clause; providing a penalty clause, and an effective date.

M. Discussion and action regarding Ordinance No. **2023-09-03** amending Ordinance No. **2023-08-07**, that approved and adopted a budget for the City for the fiscal year October 1, 2023 through September 30, 2024 to amend adopted revenues and expenditures of the Lavon Economic Development Corporation Fund budget; and declaring an effective date.

7. EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Subchapter D, the City Council may recess into Executive Session (closed meeting) pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.

8. RECONVENE INTO REGULAR SESSION

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

9. SET FUTURE MEETINGS AND AGENDA

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

September 19, 2023 – Regular Meeting

October 3, 2023 – Cancel meeting for National Night Out

10. 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 on or before 6:00 PM on September 1, 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.

Lavon City Hall will provide reasonable accommodations for persons attending meetings. Please contact the City Secretary at 972-843-4220 no later than 48 hours prior to a meeting if you require special assistance | WiFi: Select Guest Portal

MINUTES
AUGUST 15, 2023
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING

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

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:32 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND POLICE CHIEF MIKE JONES DELIVERED THE INVOCATION**.
3. **ITEMS OF INTEREST/COMMUNICATIONS**
   - Candidate Filing period for Mayor and Council Places 2 & 4 is open until August 21, 2023, at 5p.m.
   - National Night Out- Tuesday, October 3, 2023
   - Fall Festival and Trick or Treat Street- Saturday, October 21, 2023, from 5pm-7pm.
4. **CITIZENS COMMENTS**

   There were no citizen comments.
5. **PROCLAMATIONS**

   Mayor Sanson and the City Council presented proclamations for National Preparedness Month and Hunger Action Month, including the 2023 NTFB Peanut Butter Drive.
6. **CONSENT AGENDA**
   - **A. Approve the minutes of the August 1, 2023, meeting.**
   - **B. Approve Ordinance No. 2023-08-02 calling a General Election for the purpose of electing the Mayor and two (2) council Members, one (1) for Place 2 and one (1) for Place 4 to be held jointly with other political subdivisions and administered by the Collin County Elections Administrator on Tuesday, November 7, 2023, and providing for an Effective Date.**
   - **C. Approve Resolution No. 2023-08-09 approving and authorizing the execution of a contract with the Collin County Elections Administrator for Election Services related to the City's November 7, 2023 General Election.**
   - **D. Approve Ordinance No. 2023-08-03 approving the 2023 Annual Service Plan Update and Assessment Rolls for the Heritage Public Improvement District No. 1 (Residential); and providing an effective date.**
   - **E. Approve Ordinance No. 2023-08-04 approving the 2023 Annual Service Plan Update and Assessment Rolls for the LakePointe Public Improvement District; and providing an effective date.**
   - **F. Approve Ordinance No. 2023-08-05 approving the 2023 Annual Service Plan Update and Assessment Rolls for the Elevon Public Improvement District; and providing an effective date.**
   - **G. Receive Quarterly Investment Report.**

MOTION: APPROVE THE CONSENT AGENDA.
MOTION MADE: DILL
SECONDED: HEDGE
APPROVED: UNANIMOUS

7. ITEMS FOR CONSIDERATION

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

City Manager Kim Dobbs presented information regarding the public infrastructure for the Elevon, Section 2, Phase 2C Addition. City Engineer, Mark Hill, Freeman Millican, Inc., provided details and answered questions regarding the project. Eddie Kittle, Greenburg Partners, provided a timeline for the completion of sidewalks.

MOTION: APPROVE AND ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE ELEVON, SECTION 2, PHASE 2C ADDITION SUBJECT TO CITY ENGINEER APPROVAL.
MOTION MADE: WRIGHT
SECONDED: KELL
APPROVED: UNANIMOUS

B. Discussion, and action regarding Resolution No. 2023-08-10 approving and authorizing the execution of a utility easements granted from the City of Lavon to Oncor related to the Elevon Parkway West Addition and wastewater system facilities; and providing an effective date.

Ms. Dobbs provided information regarding the easement necessary to provide power to the sanitary sewer lift station and Lavon North wastewater treatment plant.

MOTION: APPROVE RESOLUTION NO. 2023-08-10 APPROVING AND AUTHORIZING THE EXECUTION OF A UTILITY EASEMENTS GRANTED FROM THE CITY OF LAVON TO ONCOR RELATED TO THE ELEVON PARKWAY WEST ADDITION AND WASTEWATER SYSTEM FACILITIES; AND PROVIDING AN EFFECTIVE DATE SUBJECT TO CITY ENGINEER AND CITY ATTORNEY APPROVAL.
MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS

C. Discussion, and action regarding the Compensation Study, Step Plans, and Pay Range Plan prepared by DC Municipal Consulting.

Ms. Dobbs provided information regarding the Compensation study.

MOTION: APPROVE AND IMPLEMENT STEP PLANS AND PAY RANGE PLANS AS PREPARED BY DC MUNICIPAL CONSULTING.
MOTION MADE: KELL
SECONDED: COOK
APPROVED: UNANIMOUS

8. 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 2023-24. The City Council reviewed preliminary departmental requests and future Capital Improvements Plan (CIP) project rankings.

9. BUDGET AND TAX RATE ITEMS FOR CONSIDERATION

A. Discussion and action regarding Ordinance No. 2023-08-06 amending Ordinance No. 2022-09-02, that approved and adopted a budget for the City for the fiscal year October 1, 2022, through

September 30, 2023, to amend adopted revenues and expenditures of the budget; and declaring an effective date.

Ms. Dobbs provided detailed information regarding the amendment to the 2022-23 FY budget.

MOTION: APPROVE ORDINANCE NO. 2023-08-06 AMENDING ORDINANCE NO. 2022-09-02, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.
MOTION MADE: WRIGHT
SECONDED: HEDGE
APPROVED: UNANIMOUS

B. Public hearing, discussion and action regarding the 2023 proposed tax rate of 0.420000 per $100 valuation, which represents an increase in the property tax rate which is effectively a 8.57% increase.

PRESENTATION of the tax rate.

Ms. Dobbs presented the proposed tax rate that the City Council directed be used for the Fiscal Year 2023-24 Annual Budget. The proposed total tax rate of $0.420000 per hundred dollars appraised valuation, a 31.31% increase of the current 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. The total proposed tax rate is comprised of $0.242876 cents for maintenance and operations (M&O) and $0.123253 cents for interest and sinking (I&S) for debt service.

PUBLIC HEARING to receive comments regarding the tax rate.

Mayor Sanson opened the public hearing at 7:18 p.m. and invited comments and feedback regarding the proposed tax rate. There being no comments, Mayor Sanson closed the public hearing at 7:18 p.m.

Discussion and action regarding the proposed tax rate.

Ms. Dobbs noted that pursuant to state law the proposed tax rate would be considered after consideration of the Annual Budget.

C. Public hearing, discussion, and action regarding the proposed 2023-24 Annual Budget.

PRESENTATION of the proposed Annual Budget

Ms. Dobbs recapped budget work sessions and assumptions for the proposed FY 2023-24 budget. Mayor Sanson acknowledged the state law provision for a record vote on the budget.

PUBLIC HEARING to receive comments regarding the proposed Annual Budget.

Mayor Sanson opened the public hearing at 7:19 p.m. and invited comments for or against the proposed budget. There being no comments, Mayor Sanson closed the public hearing at 7:20 p.m.

Discussion and action regarding the request and accompanying Ordinance.

Ms. Dobbs reviewed the budget highlights and tax rate information.

MOTION: APPROVE THE PROPOSED 2023-24 ANNUAL BUDGET AND ACCOMPANYING ORDINANCE NO. 2023-08-04 APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; AND PROVIDING AN EFFECTIVE DATE.
MOTION MADE: DILL
SECONDED: KELL
The City Secretary called roll for the vote:
PLACE 1- JOHN KELL FOR

	PLACE 2- MIKE COOK	FOR
	PLACE 3- KAY WRIGHT	FOR
	PLACE 4- TED DILL	FOR
	PLACE 5- LINDSEY HEDGE	FOR

APPROVED: UNANIMOUS

D. Discussion and action regarding Ordinance No. 2023-08-05 to ratify the property tax increase that is reflected in the Annual Budget for Fiscal Year 2023-24; and providing for an effective date.

Ms. Dobbs explained that the Collin County Tax Assessor Collector's Office determined that the proposed tax rate of 0.42000 will raise more taxes for maintenance and operations that last year's tax rate and that Section 102.007 of the Texas Local Government Code requires a separate vote of the City Council to ratify the property tax increase reflected in the budget.

MOTION: APPROVE ORDINANCE NO. 2023-08-05 TO RATIFY THE PROPERTY TAX INCREASE THAT IS REFLECTED IN THE ANNUAL BUDGET FOR FISCAL YEAR 2023-24; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS

E. Discussion and action regarding the proposed tax rate Ordinance No. 2023-08-09 setting the tax rate for the 2023 Tax Year at total rate of $0.420000 per $100 of property valuation; levying taxes for the use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024 on all property within the corporate limits of the City of Lavon, Texas; providing a sinking fund for the retirement of the bonded obligations of the City; apportioning each levy for the specific purpose and providing for collection of all annual taxes provided by state law; providing for due and delinquent dates together with penalties and interest; and providing a severability clause and an effective date.

Ms. Dobbs noted that the Fiscal Year 2023-24 Annual Budget had been prepared using a tax rate of 0.420000% per hundred dollars appraised valuation, that is greater than the no new revenue tax rate and less than the voter approval tax rate. The total tax rate is comprised of $0.242876 cents for maintenance and operations (M&O) and $0.123253 cents for interest and sinking (I&S) for debt service.

MOTION: I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF 0.420000, WHICH IS EFFECTIVELY A 8.57 PERCENT INCREASE IN THE TAX RATE AND I FURTHER MOVE THAT ORDINANCE NO. 2023-08-09 BE APPROVED SETTING THE TAX RATE FOR THE 2023 TAX YEAR AT TOTAL RATE OF $0.420000 PER $100 OF PROPERTY VALUATION; LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024 ON ALL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED OBLIGATIONS OF THE CITY; APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE AND PROVIDING FOR COLLECTION OF ALL ANNUAL TAXES PROVIDED BY STATE LAW; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

MOTION MADE: KELL
SECONDED: HEDGE
The City Secretary called roll for the vote:

	PLACE 1- JOHN KELL	FOR
	PLACE 2- MIKE COOK	FOR
	PLACE 3- KAY WRIGHT	FOR
	PLACE 4- TED DILL	FOR
	PLACE 5- LINDSEY HEDGE	FOR

APPROVED: UNANIMOUS

F. Public hearing, discussion, and action regarding a Fee Schedule for Fiscal Year 2023-2024.

Presentation of the proposed Fee Schedule.

Ms. Dobbs provided information regarding proposed Fee Schedule.

PUBLIC HEARING to receive comments regarding the proposed Fee Schedule.

Mayor Sanson opened the public hearing at 7:27 p.m. and invited comments for or against the proposed fee schedule. There being no comments, Mayor Sanson closed the public hearing at 7:28 p.m.

Discussion and action regarding Ordinance No. 2023-08-10 approving and adopting a Fee Schedule for the Fiscal Year October 1, 2023, through September 30, 2024; and providing an effective date.

MOTION: APPROVE ORDINANCE NO. 2032-08-10 APPROVING AND ADOPTING A FEE SCHEDULE FOR THE FISCAL YEAR OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; AND PROVIDING AN EFFECTIVE DATE.
MOTION MADE: COOK
SECONDED: DILL
APPROVED: UNANIMOUS

G. Public hearing, discussion, and action regarding a Five-Year Capital Improvements Plan (CIP) for Fiscal Years 2024-2028

Presentation of the CIP.

Ms. Dobbs, Patricia Parks, Parks Reconciliation Services, and City Engineer, Mark Hill, Freeman Millican, Inc. provided information regarding the proposed CIP plan projects and funding.

PUBLIC HEARING to receive comments regarding the CIP.

Mayor Sanson opened the public hearing at 7:30 p.m. and invited comments for or against the proposed Capital Improvements Plan (CIP). There being no comments, Mayor Sanson closed the public hearing at 7:31 p.m.

Discussion and action regarding Ordinance No. 2023-08-11 approving a Five-Year Capital Improvements Plan for Fiscal Years 2024 to 2028.

MOTION: APPROVE ORDINANCE NO. 2023-08-11 APPROVING A FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2024-2028.
MOTION MADE: DILL
SECONDED: COOK
APPROVED: UNANIMOUS

H. Discussion and action regarding a resolution directing the publication of notice of intention to issue certificates of obligation of the City of Lavon; and providing for an effective date.

Jason Hughes, Hilltop Securities, presented details regarding the steps to obtain funding for proposed capital projects including the notice of intention (NOI) for Certificates of Obligation.

MOTION: APPROVE RESOLUTION NO. 2023-08-11 DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION OF THE CITY OF LAVON; AND PROVIDING FOR AN EFFECTIVE DATE.
MOTION MADE: WRIGHT
SECONDED: DILL
APPROVED: UNANIMOUS

10. DEPARTMENT REPORTS

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

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

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

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

11. EXECUTIVE SESSION

At 8:14 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the Mayor recessed the regular meeting 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.

12. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 8:45 p.m. and stated that no action was taken in executive session.

13. SET FUTURE MEETINGS AND AGENDA

September 5, 2023 – Regular Meeting

September 19, 2023 – Regular Meeting

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:45 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 5th day of September 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 - B**

Items:

CONSENT AGENDA

Approve Resolution No. **2023-09-01** approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2023 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the Negotiated Settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the ACSC's legal counsel.

BACKGROUND AND SUMMARY

The City of Lavon, along with 181 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about March 31, 2023, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2022, entitled it to additional system-wide revenues of $165.9 million.

Application of the standards set forth in ACSC's RRM Tariff reduces the Company's request to $156.1 million, $113.8 million of which would be applicable to ACSC members. After reviewing the filing and conducting discovery, ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be $130.9 million instead of the claimed $156.1 million.

After several settlement meetings, the parties have agreed to settle the case for $142 million. This is a reduction of $23.9 million to the Company's initial request. This includes payment of ACSC's expenses. The

settlement also includes an additional $19.5 million for the securitization regulatory asset expenses related to Winter Storm Uri. This was previously approved by the Texas Legislature and Railroad Commission. The Effective Date for new rates is October 1, 2023. ACSC members should take action approving the Resolution/Ordinance before September 30, 2023.

RATE TARIFFS

Atmos generated rate tariffs attached to the Resolution/Ordinance will generate $142 million in additional revenues. Atmos also prepared a Proof of Revenues supporting the settlement figures. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

BILL IMPACT

The impact of the settlement on average residential rates is an increase of $6.47 on a monthly basis, or 7.31%. The increase for average commercial usage will be $24.72 or 5.19%. Atmos provided bill impact comparisons containing these figures.

SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

RRM SAVINGS OVER GRIP

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on October 1, 2023, ACSC residents will maintain an economic monthly advantage over GRIP and DARR rates.

Comparison to Other Mid-Tex Rates (Residential)

	Average Bill	Compared to RRM Cities
RRM Cities:	$42.62	-
DARR:	$42.55	($0.07)
ATM Cities:	$44.39	$1.77
Environs:	$44.27	$1.65

Note: ATM Cities and Environs rates are as-filed. Also note that DARR uses a test year ending in September rather than December.

Staff Notes:

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover $165.9 million in additional system-

wide revenues, the RRM settlement at $142 million for ACSC members reflects substantial savings to ACSC cities. Settlement at $142 million is fair and reasonable.

The ACSC Executive Committee consisting of city employees of 18 ACSC members urges all ACSC members to pass the Resolution/Ordinance before September 30, 2023.

New rates become effective October 1, 2023.

Attachments: 1) Proposed Resolution
2) Supporting information

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-01

ACSC NEGOTIATED SETTLEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

WHEREAS, the City of Lavon, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of similarly-situated cities served by Atmos Mid-Tex ("ACSC Cities") that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by ACSC Cities as a

substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 1, 2023, Atmos Mid-Tex filed its 2023 RRM rate request with ACSC Cities based on a test year ending December 31, 2022; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2023 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of $142 million on a system-wide basis with an Effective Date of October 1, 2023; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications; and

WHEREAS, the RRM Tariff includes Securitization Interest Regulatory Asset amount of $19.5 million;

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

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of $142 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2023 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional $142 on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2023 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after September 30, 2023.

Section 11. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 5th DAY OF SEPTEMBER 2023.

_____
Mayor

ATTEST:

_____
City Secretary

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**R – RESIDENTIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 22.25 per month
Rider CEE Surcharge	$ 0.05 per month[1]
Total Customer Charge	$ 22.30 per month
Commodity Charge – All Ccf	$0.48567 per Ccf [2]

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

[1]Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.
[2]The commodity charge includes the base rate amount of $0.46724 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of $0.01843 per Ccf until recovered.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**C – COMMERCIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 72.00 per month
Rider CEE Surcharge	($ 0.02) per month[1]
Total Customer Charge	$ 71.98 per month
Commodity Charge – All Ccf	$ 0.18280 per Ccf [2]

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Presumption of Plant Protection Level
For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at *mdtx.plantprotection*@atmosenergy.com.

[1] Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.
[2]The commodity charge includes the base rate amount of $0.16437 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of $0.01843 per Ccf until recovered.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 200 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 200 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.7484 per MMBtu[1]
Next 3,500 MMBtu	$ 0.5963 per MMBtu[1]
All MMBtu over 5,000 MMBtu	$ 0.2693 per MMBtu[1]

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees

[1] The tiered commodity charges include the base rate amounts of $0.5684, $0.4163, and $0.0893 per MMBtu, respectively, plus Securitization Regulatory Asset amounts related to financing costs in the amount of $0.1800 per MMBtu until recovered.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Presumption of Plant Protection Level
For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at *mdtx.plantprotection*@atmosenergy.com.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**T – TRANSPORTATION**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.5684 per MMBtu
Next 3,500 MMBtu	$ 0.4163 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0893 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees
All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees
Customer shall pay Company the greater of (i) $0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**T – TRANSPORTATION**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
A transportation agreement is required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf

R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.

HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

Bl_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the jth customer in ith rate schedule is computed as:

$WNA_i = WNAF_i \times q_{ij}$

Where q_{ij} is the relevant sales quantity for the jth customer in ith rate schedule.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Base Use/Heat Use Factors

	Residential		Commercial	
Weather Station	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Abilene	9.51	0.1415	88.91	0.7010
Austin	8.87	0.1213	213.30	0.7986
Dallas	12.54	0.2007	185.00	0.9984
Waco	8.81	0.1325	125.26	0.7313
Wichita Falls	10.36	0.1379	122.10	0.6083

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description								Current	Proposed	Change Amount	Change Percent
	(a)								(b)	(c)	(d)	(e)
1	**Rate R @ 43.6 Ccf**											
2	Customer charge								$ 21.55			
3	Consumption charge	43.6		CCF	X	$	0.36223	=	15.79			
4	Rider GCR Part A	43.6		CCF	X	$	0.63625	=	27.74			
5	Rider GCR Part B	43.6		CCF	X	$	0.41732	=	18.20			
6	Subtotal								$ 83.28			
7	Rider FF & Rider TAX		$	83.28	X		0.06237	=	5.19			
8	Total								$ 88.47			
9												
10	Customer charge									$ 22.25		
11	Consumption charge	43.6		CCF	X	$	0.48567	=		21.18		
12	Rider GCR Part A	43.6		CCF	X	$	0.63625	=		27.74		
13	Rider GCR Part B	43.6		CCF	X	$	0.41732	=		18.20		
14	Subtotal									$ 89.37		
15	Rider FF & Rider TAX		$	89.37	X		0.06237	=		5.57		
16	Total									$ 94.94	$ 6.47	7.31%
17												

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description							Current	Proposed	Change Amount	Change Percent
	(a)							(b)	(c)	(d)	(e)
18	**Rate C @ 356.6 Ccf**										
19	Customer charge							$ 63.50			
20	Consumption charge	356.6	CCF	X	$	0.14137	=	50.41			
21	Rider GCR Part A	356.6	CCF	X	$	0.63625	=	226.86			
22	Rider GCR Part B	356.6	CCF	X	$	0.30202	=	107.69			
23	Subtotal							$ 448.46			
24	Rider FF & Rider TAX		$ 448.46	X		0.06237	=	27.97			
25	Total							$ 476.43			
26											
27	Customer charge								$ 72.00		
28	Consumption charge	356.6	CCF	X	$	0.18280	=		65.18		
29	Rider GCR Part A	356.6	CCF	X	$	0.63625	=		226.86		
30	Rider GCR Part B	356.6	CCF	X	$	0.30202	=		107.69		
31	Subtotal								$ 471.73		
32	Rider FF & Rider TAX		$ 471.73	X		0.06237	=		29.42		
33	Total								$ 501.15	$ 24.72	5.19%
34											

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description							Current	Proposed	Change Amount	Change Percent
	(a)							(b)	(c)	(d)	(e)
35	**Rate I @ 1720 MMBTU**										
36	Customer charge							$ 1,204.50			
37	Consumption charge	1,500	MMBTU	X	$	0.4939	=	740.85			
38	Consumption charge	220	MMBTU	X	$	0.3617	=	79.64			
39	Consumption charge	0	MMBTU	X	$	0.0776	=	-			
40	Rider GCR Part A	1,720	MMBTU	X	$	6.2134	=	10,688.12			
41	Rider GCR Part B	1,720	MMBTU	X	$	0.6267	=	1,078.08			
42	Subtotal							$ 13,791.19			
43	Rider FF & Rider TAX		$13,791.19	X		0.06237	=	860.17			
44	Total							$ 14,651.36			
45											
46	Customer charge								$ 1,382.00		
47	Consumption charge	1,500	MMBTU	X	$	0.7484	=		1,122.62		
48	Consumption charge	220	MMBTU	X	$	0.5963	=		131.30		
49	Consumption charge	0	MMBTU	X	$	0.2693	=		-		
50	Rider GCR Part A	1,720	MMBTU	X	$	6.2134	=		10,688.12		
51	Rider GCR Part B	1,720	MMBTU	X	$	0.6267	=		1,078.08		
52	Subtotal								$ 14,402.12		
53	Rider FF & Rider TAX		$14,402.12	X		0.06237	=		898.28		
54	Total								$ 15,300.40	$ 649.04	4.43%
55											

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description							Current	Proposed	Change Amount	Change Percent
	(a)							(b)	(c)	(d)	(e)
56	**Rate T @ 4720 MMBTU**										
57	Customer charge							$ 1,204.50			
58	Consumption charge	1,500	MMBTU	X	$	0.4939	=	740.85			
59	Consumption charge	3,220	MMBTU	X	$	0.3617	=	1,164.50			
60	Consumption charge	0	MMBTU	X	$	0.0776	=	-			
61	Rider GCR Part B	4,720	MMBTU	X	$	0.6267	=	2,957.85			
62	Subtotal							$ 6,067.70			
63	Rider FF & Rider TAX		$ 6,067.70	X		0.06237	=	378.45			
64	Total							$ 6,446.15			
65											
66	Customer charge								$ 1,382.00		
67	Consumption charge	1,500	MMBTU	X	$	0.5684	=		852.60		
68	Consumption charge	3,220	MMBTU	X	$	0.4163	=		1,340.29		
69	Consumption charge	0	MMBTU	X	$	0.0893	=		-		
70	Rider GCR Part B	4,720	MMBTU	X	$	0.6267	=		2,957.85		
71	Subtotal								$ 6,532.74		
72	Rider FF & Rider TAX		$ 6,532.74	X		0.06237	=		407.45		
73	Total								$ 6,940.19	$ 494.04	7.66%

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2023 Willis Towers Watson Report as adjusted (1) (2) (3)	$ 1,434,339	$ (518,336)	$ 2,336,419	$ (2,678,818)	$ 267,917	
2	Allocation Factor	44.92%	44.92%	78.74%	78.74%	100.00%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	$ 644,336	$ (232,848)	$ 1,839,667	$ (2,109,267)	$ 267,917	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4)	$ 644,336	$ (232,848)	$ 1,839,667	$ (2,109,267)	$ 267,917	$ 409,804
6							
7	O&M Expense Factor (WP_F-2.3, Ln 2)	78.60%	78.60%	39.63%	39.63%	11.00%	
8							
9	Summary of Costs to Approve (1):						
10	Total Pension Account Plan	$ 506,464		$ 729,006			$ 1,235,469
11	Total Post-Employment Benefit Plan		$ (183,024)		$ (835,840)		(1,018,864)
12	Total Supplemental Executive Benefit Plan					$ 29,471	29,471
13	Total (Ln 10 + Ln 11 + Ln 12)	$ 506,464	$ (183,024)	$ 729,006	$ (835,840)	$ 29,471	$ 246,076

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 - C**

Items:

CONSENT AGENDA

Approve Resolution No. **2023-09-02** approving and authorizing the execution of Contract Amendment No. Seventeen (17) to extend the interlocal agreement with Collin County for animal control and animal shelter services for a one (1) year period from October 1, 2023 to September 30, 2024; and providing for an effective date.

Background:

In 2006, the City entered into an Interlocal Agreement with Collin County for Animal Control and Animal Shelter Services. Each year, the City Council has extended the term of the Agreement as provided for in the original document. The proposed extension is Contract Amendment Seventeen (17).

Financial Consideration:

The total annual contract amount is $6,250.00, which is the same as in this past nine years. The allocation of the payment is $3,100.00 for animal shelter services and $3,150.00 for animal control services. The City's annual budget includes funding for this contract.

Staff Notes:

Approval is recommended.

Attachments: 1) Resolution and Proposed Amendment
2) FY 2024 Billing Worksheets

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-02

Interlocal Agreement for Animal Control and Animal Shelter Services

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENT NO. SEVENTEEN (17) TO EXTEND THE INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR ANIMAL CONTROL AND ANIMAL SHELTER SERVICES FOR A ONE (1) YEAR PERIOD FROM OCTOBER 1, 2023, TO SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council entered into an Interlocal Agreement with Collin County for the provision of animal control and animal shelter services in 2006; and

WHEREAS, the term of the original Interlocal Agreement and the term of each subsequent amendment is one (1) year with a provision for renewal; and

WHEREAS, the City Council finds it is in the best interests of the City of Lavon to continue the partnership and desires for Collin County to continue to provide animal control and animal shelter services.

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

SECTION 1. That the City Council does hereby approve and authorize the execution of Contract Amendment No. Seventeen (17) to Extend the Interlocal Agreement with Collin County for Animal Control and Animal Shelter Services, which is attached hereto and labeled "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 5th day of September 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-02

EXHIBIT A

Contract Amendment No. Seventeen (17)
to Extend the Interlocal Agreement with Collin County
for Animal Control and Animal Shelter Services

Contract Modification Document

Office of the Purchasing Agent
Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
972-548-4165

Vendor: City of Lavon
P.O. Box 340
Lavon, TX 75166

Contract No. 10107-09
Contract: Interlocal Agreement for Animal Control and Animal Shelter Services

YOU ARE DIRECTED TO MAKE THE FOLLOWING MODIFICATION TO THIS CONTRACT

Item #1 Extend agreement for a one year period as provided in section 5.0 of the contract documents. Agreement shall be in effect from October 1, 2023, through September 30, 2024, at the rate below.

Item #2 Total Amount for fiscal year 2024: $6,250.00 Shelter: $3,100 and Control: $3,150

Except as provided herein, all terms and conditions of the contract remain in full force and effect and may only be modified in writing signed by both parties.

Amendment No.17 has been accepted and authorized on _____ by authority of the Collin County Commissioners Court by Court Order No._____ effective on _____.

ACCEPTED BY:

SIGNATURE

(Print Name)

TITLE:

DATE:

SIGNATURE

Michelle Charnoski, NIGP-CPP, CPPB
(Print Name)

TITLE: Purchasing Agent

DATE:

HISTORICAL INFORMATION

Awarded by Court Order No. 2006-878-09-26

Amendment	No. 16	Court Order No.	2022-1011-09-29	Summary	Renewal
Amendment	No. 17	Court Order No.		Summary	Agreement extended and fees updated.

FY 2024 Animal Control Billing Worksheet

Larger Entities / Original Entities

	% of Charges	FY24 Budgeted M&O and Per.	FY24 Capital Contribution**	FY24 Total Cost before Adjust.	Less Smaller Entities	Less Adjustments for FY22 Budget vs. Actual	FY24 Total Billed
Anna	8.51%	$ 58,956	$ 1,702	$ 60,658	$ 3,071	$ 405	**$ 57,182**
Celina	5.36%	$ 37,160	$ 1,073	$ 38,233	$ 1,936	$ 255	**$ 36,042**
Fairview	9.39%	$ 65,031	$ 1,877	$ 66,908	$ 3,387	$ 447	**$ 63,074**
Melissa	4.74%	$ 32,873	$ 949	$ 33,822	$ 1,712	$ 226	**$ 31,884**
Princeton	6.60%	$ 45,736	$ 1,320	$ 47,056	$ 2,382	$ 314	**$ 44,360**
Prosper	9.64%	$ 66,817	$ 1,929	$ 68,746	$ 3,480	$ 459	**$ 64,807**
Collin County	55.75%	$ 386,254	$ 11,150	$ 397,404	$ 20,119	$ 2,653	**$ 374,632**
Totals	**100%**	**$ 692,827**	**$ 20,000**	**$ 712,827**	**$ 36,088**	**$ 4,758**	**$ 671,981**

***Yearly Capital Charge Covers Any/All Equipment Replacement Costs*

Total cost before adjustments is calculated by taking the adopted operating budget for the upcoming year and adding $20,000 for Capital Contribuitons. To get the total billed amount subtract the flat contract amounts for the smaller entities and entities added at a later time and subtract out the adjustments from the last closed fiscal year to true up the expeditures. See below the adjustment calculation.

FY24 Billing Breakout	
Total Billed:	$ 692,827
Smaller Entities:	$ 36,088
Total +/- back	**$ 656,739**

Adjust. for FY22 Budget vs. Actual	
FY21 Billed	$ 608,563
FY21 Actual	$ 603,805
Total +/- back	**$ 4,758**

Smaller Entities / Added Later

	% of Charges	FY24 Budgeted M&O and Per.	FY24 Capital Contribution**	FY24 Total Cost before Adjust.	Less Smaller Entities	Less Adjustments for FY22 Budget vs. Actual	FY24 Total Billed
Lavon				$ 3,150			**$ 3,150**
Lucas				$ 19,030			**$ 19,030**
Nevada				$ 1,575			**$ 1,575**
Weston				$ 2,500			**$ 2,500**
Blue Meadow MUD No. 1				$ 2,000			**$ 2,000**
North Collin County MUD No. 1				$ 2,000			**$ 2,000**
Van Alstyne MUD No. 3				$ 2,000			**$ 2,000**
Magnolia Pointe MUD No. 1				$ 2,000			**$ 2,000**
Van Alstyne MUD No. 2				$ 1,833			**$ 1,833**
				$ 36,088			**$ 36,088**

Grand Total:	**$ 708,069**

Grand Total is the total billed amount for the larger and smaller entities combined.

FY 2024 Animal Shelter Billing Worksheet

Larger Entities / Original Entities

	% of Charges	FY24 Budgeted M&O and Per.	FY24 Capital Contribution**	FY24 Total Cost before Adjust.	Less FY22 Fees Collected	Less Adjustments for FY22 Budget vs. Actual	FY24 Total Billed
Anna	2.47%	$ 32,218	$ 1,481	$ 33,699	$ 1,548	$ 305	**$ 31,846**
Celina	1.56%	$ 20,307	$ 933	$ 21,241	$ 976	$ 192	**$ 20,073**
Fairview	2.72%	$ 35,538	$ 1,634	$ 37,171	$ 1,708	$ 336	**$ 35,127**
Farmersville	1.00%	$ 13,083	$ 601	$ 13,684	$ 629	$ 124	**$ 12,931**
Frisco	32.03%	$ 418,057	$ 19,216	$ 437,273	$ 20,091	$ 3,955	**$ 413,226**
McKinney	37.97%	$ 495,576	$ 22,779	$ 518,355	$ 23,817	$ 4,689	**$ 489,850**
Melissa	1.38%	$ 17,964	$ 826	$ 18,790	$ 863	$ 170	**$ 17,757**
Princeton	1.91%	$ 24,994	$ 1,149	$ 26,142	$ 1,201	$ 236	**$ 24,705**
Prosper	2.80%	$ 36,514	$ 1,678	$ 38,192	$ 1,755	$ 345	**$ 36,092**
Collin County	16.17%	$ 211,079	$ 9,702	$ 220,781	$ 10,144	$ 1,997	**$ 208,640**
TOTAL	**100%**	**$ 1,305,329**	**$ 60,000**	**$ 1,365,329**	**$ 62,732**	**$ 12,350**	**$ 1,290,247**

FY24 Billing Breakout	
Total Billed:	$ 1,337,282
Smaller Entities:	$ 31,953
TOTAL for Original:	**$ 1,305,329**

Adjust for FY22 Budget vs. Actual	
FY22 Billed:	$ 1,170,129
FY22 Actual:	$ 1,157,779
FY22 Difference:	$ 12,350
Diff w/ Cap Return	**$ 12,350**

In FY 2022 Capital Expenditures totaled $135,779.63 which exceeds the original funds of $60,000 Capital Contribution. No funds will be returned in FY 2024.

Smaller Entities / Added Later

	% of Charges	FY24 Budgeted M&O and Per.	FY24 Capital Contribution**	FY24 Total Cost before Adjust.	Less FY22 Fees Collected	Less Adjustments for FY22 Budget vs. Actual	FY24 Total Billed
Lavon				$ 3,100			**$ 3,100**
Lucas				$ 14,970			**$ 14,970**
Nevada				$ 1,550			**$ 1,550**
Weston				$ 2,500			**$ 2,500**
Blue Meadow MUD No. 1				$ 2,000			**$ 2,000**
North Collin County MUD No. 1				$ 2,000			**$ 2,000**
Van Alstyne MUD No. 3				$ 2,000			**$ 2,000**
Magnolia Pointe MUD No. 1				$ 2,000			**$ 2,000**
Van Alstyne MUD No. 2				$ 1,833			**$ 1,833**
TOTAL				**$ 31,953**			**$ 31,953**

Grand Total: $ 1,322,200

Grand Total is the total billed amount for the larger and smaller entities combined.

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 - D**

Item:

CONSENT AGENDA

Approve Resolution No. **2023-09-03** approving and authorizing the execution of sanitary sewer easements granted from Grand Heritage Homeowners Association and 78 Commercial East L.P. to the City of Lavon in the 78 Commercial East Addition east of Grand Heritage Boulevard; and providing an effective date.

Background:

The owner of the commercial property north of and adjacent to SH 78 south of Grand Heritage Club is constructing sanitary sewer infrastructure to serve the property.

The proposed alignment of the infrastructure requires certain sanitary sewer easements necessary to extend service.

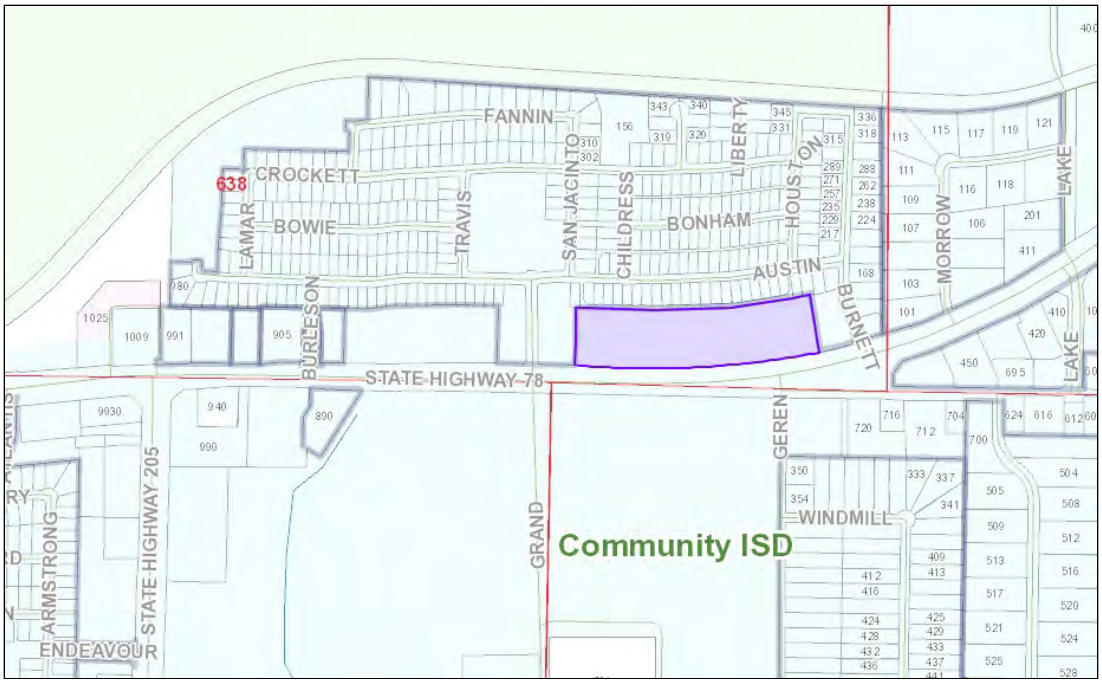
Financial Implication:

There is no associated cost or implication.

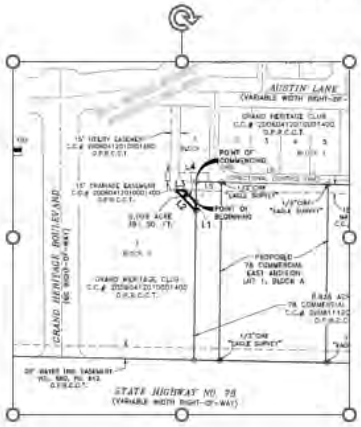
Staff Notes:

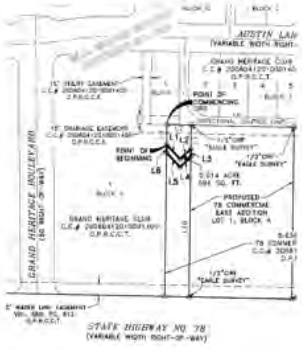
The City Engineer and City Attorney have reviewed the easements and approval is recommended.

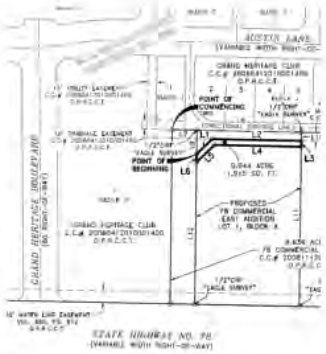
Attachments:
1) Location Exhibit
2) Proposed Resolution and Easements

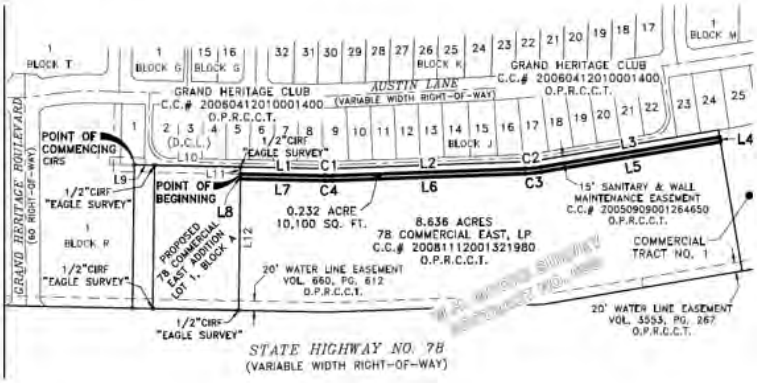


78 Commercial East Sanitary Sewer Easements









CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-03

Sanitary Sewer Easements – 78 Commercial East

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON APPROVING AND AUTHORIZING THE EXECUTION OF SANITARY SEWER EASEMENTS GRANTED FROM GRAND HERITAGE HOMEOWNERS ASSOCIATION AND 78 COMMERCIAL EAST L.P. TO THE CITY OF LAVON IN THE 78 COMMERCIAL EAST ADDITION EAST OF GRAND HERITAGE BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, because of phasing of the property's development and infrastructure installation, dedicated sanitary sewer easements are necessary to serve the property and the associated wastewater system facilities; 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 grant the utility easement provided herein.

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 City Council hereby authorizes and directs, on behalf of the City Council of Lavon, Texas, the execution of sanitary sewer easements granted from Grand Heritage Homeowners Association and 78 Commercial East L.P. to the City of Lavon in the 78 Commercial East Addition east of Grand Heritage Boulevard; a copy 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 5th day of September 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-03

EXHIBIT A

Sanitary Sewer Easements

PERMANENT SANITARY SEWER EASEMENT

STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF COLLIN §

That LAVON GRAND HERITAGE HOMEOWNERS ASSOCIATION, INC, of the County of Collin and State of Texas (GRANTOR), in consideration of the sum of Ten Dollars ($10.00) to me in hand paid, the receipt of which is hereby acknowledged, and in consideration of the special benefits to be derived by my property; by these presents do GRANT and CONVEY unto the City of Lavon (GRANTEE), a municipal corporation, a non-exclusive, irrevocable 15-foot wide permanent sanitary sewer easement under, in and along the hereinafter described property for the purpose of constructing, maintaining, operating, repairing, replacing, and removing an underground sanitary sewer line(s) and associated appurtenances (collectively, the FACILITIES) on the property described in **Exhibit A** and shown on **Exhibit B** hereto (EASEMENT PROPERTY).

To have and to hold the above described easement unto the Grantee, and Grantee's successors and assigns forever, for the purposes hereinbefore provided, and Grantee and Grantee's successors and assigns shall have the right to go upon the Easement Property for the purposes hereinbefore provided. All expenses in the construction and maintenance of the Facilities shall be at the expense of the Grantee and in the construction of the Facilities, should Grantee find it needful to remove any improvements now on the Easement Property on the date of this easement, such removal and the replacing of same shall be wholly at the cost of the Grantee.

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. Notwithstanding any provision herein to the contrary, Grantor shall have the right to construct improvements (not including buildings), or dedicate and grant public or private easements, under, over, and across the Easement Property only with the Grantee's permission, which shall not be unreasonably withheld, and so long as such particular use does not unreasonably interfere with or prevent Grantee's use of the Easement Property for the easement purpose provided herein. Grantee shall have the right 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, operation, repair, replacement, or removal of the Facilities without the necessity, at any time, of procuring the permission of anyone. Landscaping (trees and shrubs) shall not be placed within five (5) feet of the pipeline and/or manholes. The Grantee is not responsible for loss of landscaping due to construction, maintenance, operation, repair, replacement, or removal of the facilities. In the event that landscaping is within the Easement Property and must be removed, the Grantee shall be required to install sod within the disturbed area.

This conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, and outstanding mineral interests and royalty interests, if any, 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 Property, and Grantee accepts the physical condition of the Easement Property in its "AS IS" condition.

Grantor binds Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND the title to the easement in Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the easement or any part of the easement.

In Testimony Whereof, witness my hand, this the 30 day of August, 2023.

ACKNOWLEDGED AND AGREED TO BY:

GRANTOR:

LAVON GRAND HERITAGE HOMEOWNERS ASSOCIATION, INC,
a Texas Corporation

By: _____
Name: Joe Serpette
President

STATE OF TEXAS §
§
COUNTY OF Collin §

Before me, a Notary Public in and for Collin County, Texas, on this day personally appeared Joe Serpette, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that (he) (she) executed the same for the purposed and consideration therein expressed.

Given under my hand and seal of office this 30 day of August, 2023.

_____
Notary Public, State of Texas

DIANE CUELLAR
Notary ID #129802212
My Commission Expires
May 27, 2026

GRANTEE:

City of Lavon,
a Texas municipal corporation

By: _____
Vicki Sanson, Mayor

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2023, by VICKI SANSON, on behalf of CITY OF LAVON, a Texas municipal corporation, as its Mayor.

_____
Notary Public, State of Texas

Exhibit A
Legal Description

EXHIBIT "A"
0.011 ACRE
SEWER FACILITY EASEMENT

BEING A 0.011 ACRE TRACT OF LAND SITUATED IN THE W.H. MOORE SURVEY, ABSTRACT NO. 638, IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS AND BEING A PART OF LOT 1, BLOCK R OF GRAND HERITAGE CLUB, AN ADDITION TO THE CITY OF LAVON, AS RECORDED IN COUNTY CLERK'S FILE NO. 20060412010001400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS. SAID 0.011 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTHWEST CORNER OF AN 8.636 ACRE TRACT OF LAND CONVEYED TO 78 COMMERCIAL EAST, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 20081112001321980, OFFICAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS AND A NORTHEAST CORNER OF SAID LOT 1, BLOCK R, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHWEST CORNER OF PROPOSED LOT 1, BLOCK A OF 78 COMMERCIAL EAST ADDITION BEARS SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 42.56 FEET AND THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A BEARS SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 222.57 FEET;

THENCE, SOUTH 00 DEGREES 42 MINUTES 27 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK R AND THE WEST LINE OF SAID 8.636 ACRE TRACT, A DISTANCE OF 28.03 FEET TO THE **POINT OF BEGINNING**;

THENCE, SOUTH 00 DEGREES 42 MINUTES 27 SECONDS WEST, CONTINUING ALONG SAID EAST LINE OF LOT 1, BLOCK R AND SAID WEST LINE OF 8.636 ACRE TRACT, A DISTANCE OF 21.30 FEET TO A POINT FOR CORNER;

THENCE, OVER AND ACROSS SAID LOT 1, BLOCK R, THE FOLLOWING COURSES AND DISTANCES:

> NORTH 43 DEGREES 39 MINUTES 20 SECONDS WEST, A DISTANCE OF 48.39 FEET TO A POINT FOR CORNER ON THE SOUTH LINE OF A 15' UTILITY EASEMENT, AS RECORDED IN COUNTY CLERK'S FILE NO. 20060412010001400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, ALONG SAID SOUTH LINE OF 15' UTILITY EASEMENT, A DISTANCE OF 21.11 FEET TO A POINT FOR CORNER;

SOUTH 43 DEGREES 24 MINUTES 28 SECONDS EAST, A DISTANCE OF 18.29 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 0.011 ACRES, OR 498 SQUARE FEET OF LAND.

A PARCEL PLAT OF EQUAL DATE HEREWITH ACCOMPANIES THIS PROPERTY DESCRIPTION.

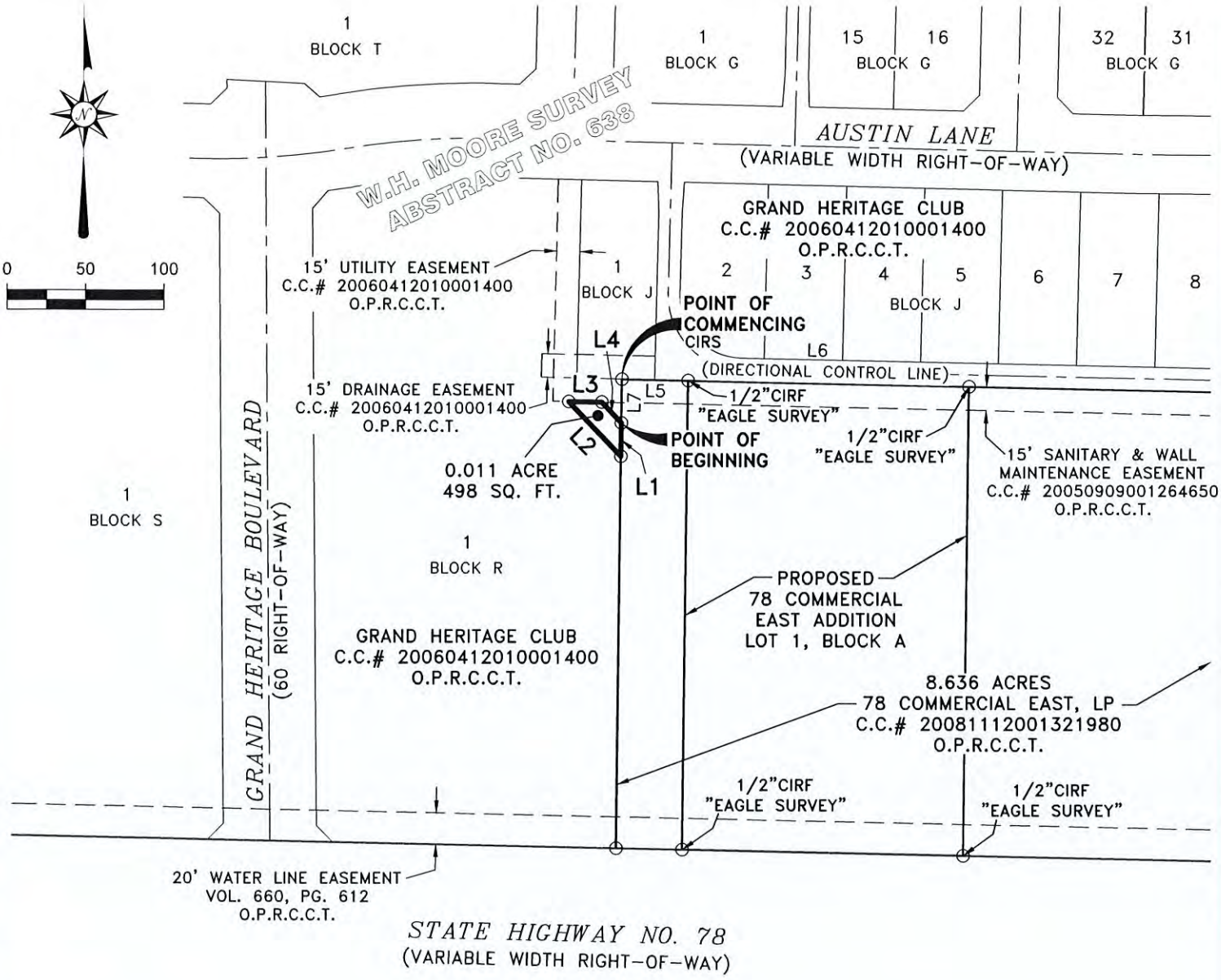
Michael J. Baitup

Michael J. Baitup, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 4574
LJA Surveying, Inc.
6060 North Central Expressway, Suite 400
Dallas, Texas 75206
469-484-0778
TBPELS Firm No. 10194382

August 29, 2023



Exhibit B
Depiction



LINE	BEARING	DISTANCE
L1	S00°42'27"W	21.30'
L2	N43°39'20"W	48.39'
L3	S88°50'11"E	21.11'
L4	S43°24'28"E	18.29'
L5	S88°50'11"E	42.56'
L6	S88°50'11"E	222.57'
L7	S00°42'27"W	28.03'

LEGEND

CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
CIRF	IRON ROD WITH PLASTIC CAP FOUND
C.C.#	COUNTY CLERK'S NUMBER
VOL., PG.	VOLUME, PAGE
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
MICHAEL J. BAITUP
4574
PROFESSIONAL
LAND SURVEYOR

Michael J. Baitup

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011)EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982)

S:\NTX-LAND\0022\200 SURVEY\280 Easements\0022EX40R.dwg 8/29/2023

PAGE 3 OF 3

DATE:	08/29/23
DRWN BY:	S.C.O.
CHKD BY:	M.J.B.
PROJ NO.	0022

EXHIBIT "A"
0.011 ACRE
SEWER FACILITY EASEMENT
IN THE
W.H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS

LJA Surveying, Inc.
6060 North Central Expressway Suite 400
Dallas, Texas 75206
Phone 469.621.0710
T.B.P.E.L.S. Firm No. 10194382

PERMANENT SANITARY SEWER EASEMENT

STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF COLLIN §

That 78 Commercial East, LP, a Texas limited partnership (GRANTOR), in consideration of the sum of Ten Dollars ($10.00) to me in hand paid, the receipt of which is hereby acknowledged, and in consideration of the special benefits to be derived by my property; by these presents do GRANT and CONVEY unto the City of Lavon (GRANTEE), a municipal corporation, a non-exclusive, irrevocable 15-foot wide permanent sanitary sewer easement under, in and along the hereinafter described property for the purpose of constructing, maintaining, operating, repairing, replacing, and removing an underground sanitary sewer line(s) and associated appurtenances (collectively, the FACILITIES) on the property described in **Exhibit A** and shown on **Exhibit B** hereto (EASEMENT PROPERTY).

To have and to hold the above described easement unto the Grantee, and Grantee's successors and assigns forever, for the purposes hereinbefore provided, and Grantee and Grantee's successors and assigns shall have the right to go upon the Easement Property for the purposes hereinbefore provided. All expenses in the construction and maintenance of the Facilities shall be at the expense of the Grantee and in the construction of the Facilities, should Grantee find it needful to remove any improvements now on the Easement Property on the date of this easement, such removal and the replacing of same shall be wholly at the cost of the Grantee.

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. Notwithstanding any provision herein to the contrary, Grantor shall have the right to construct improvements (not including buildings), or dedicate and grant public or private easements, under, over, and across the Easement Property only with the Grantee's permission, which shall not be unreasonably withheld, and so long as such particular use does not unreasonably interfere with or prevent Grantee's use of the Easement Property for the easement purpose provided herein. Grantee shall have the right 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, operation, repair, replacement, or removal of the Facilities without the necessity, at any time, of procuring the permission of anyone. Landscaping (trees and shrubs) shall not be placed within five (5) feet of the pipeline and/or manholes. The Grantee is not responsible for loss of landscaping due to construction, maintenance, operation, repair, replacement, or removal of the facilities. In the event that landscaping is within the Easement Property and must be removed, the Grantee shall be required to install sod within the disturbed area.

This conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, and outstanding mineral interests and royalty interests, if any, 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 Property, and Grantee accepts the physical condition of the Easement Property in its "AS IS" condition.

Grantor binds Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND the title to the easement in Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the easement or any part of the easement.

In Testimony Whereof, witness my hand, this the 29th day of August, 2023.

ACKNOWLEDGED AND AGREED TO BY:

GRANTOR:

78 Commercial East, LP,
a Texas Limited Partnership

By: Hunt Land Holdings, LLC,
General Partner

By: _____
Name: Carter W. Hunt
Vice President

STATE OF TEXAS §
§
COUNTY OF Dallas §

Before me, a Notary Public in and for Dallas County, Texas, on this day personally appeared Carter W. Hunt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that (he) (she) executed the same for the purposed and consideration therein expressed.

Given under my hand and seal of office this 29 day of August, 2023.

_____
Notary Public, State of Texas

ASHLEY GRANT
Notary Public, State of Texas
Comm. Expires 05-30-2026
Notary ID 12983680-0

GRANTEE:

City of Lavon,
a Texas municipal corporation

By: _____
Vicki Sanson, Mayor

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2023, by VICKI SANSON, on behalf of CITY OF LAVON, a Texas municipal corporation, as its Mayor.

_____
Notary Public, State of Texas

Exhibit A
Legal Description

EXHIBIT "A"
0.066 ACRE
SEWER FACILITY EASEMENT

BEING A 0.066 ACRE TRACT OF LAND SITUATED IN THE W.H. MOORE SURVEY, ABSTRACT NO. 638, IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS AND BEING A PART OF AN 8.636 ACRE TRACT OF LAND CONVEYED TO 78 COMMERCIAL EAST, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 20081112001321980, OFFICAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS. SAID 0.066 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTHWEST CORNER OF SAID 8.636 ACRE TRACT AND A NORTHEAST CORNER OF LOT 1, BLOCK R OF GRAND HERITAGE CLUB, AN ADDITION TO THE CITY OF LAVON, AS RECORDED IN COUNTY CLERK'S FILE NO. 20060412010001400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHEAST CORNER OF PROPOSED LOT 1, BLOCK A OF 78 COMMERCIAL EAST ADDITION BEARS SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 222.57 FEET;

THENCE, SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID 8.636 ACRE TRACT AND THE SOUTH LINE OF SAID GRAND HERITAGE CLUB, A DISTANCE OF 42.56 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1, BLOCK A;

THENCE, SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, OVER AND ACROSS SAID 8.636 ACRE TRACT AND ALONG THE WEST LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 34.24 FEET TO THE **POINT OF BEGINNING**;

THENCE, CONTINUING OVER AND ACROSS SAID 8.636 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

> NORTH 46 DEGREES 15 MINUTES 06 SECONDS EAST, OVER AND ACROSS SAID LOT 1, BLOCK A, A DISTANCE OF 34.33 FEET TO A POINT FOR CORNER;

SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, CONTINUING OVER AND ACROSS SAID LOT 1, BLOCK A, A DISTANCE OF 155.51 FEET TO A POINT FOR CORNER ON THE EAST LINE OF SAID LOT 1, BLOCK A, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A, BEARS NORTH 00 DEGREES 42 MINUTES 58 SECONDS EAST, A DISTANCE OF 9.97 FEET;

SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, ALONG SAID EAST LINE OF LOT 1, BLOCK A, A DISTANCE OF 15.00 FEET TO A POINT FOR CORNER, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A, BEARS SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, A DISTANCE OF 275.02 FEET;

NORTH 88 DEGREES 50 MINUTES 11 SECONDS WEST, A DISTANCE OF 149.42 FEET TO A POINT FOR CORNER;

SOUTH 46 DEGREES 15 MINUTES 06 SECONDS WEST, A DISTANCE OF 42.85 FEET TO A POINT FOR CORNER ON THE SAID WEST LINE OF LOT 1, BLOCK A, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A, BEARS SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, A DISTANCE OF 244.73 FEET;

THENCE, NORTH 00 DEGREES 42 MINUTES 58 SECONDS EAST, CONTINUING OVER AND ACROSS SAID 8.636 ACRE TRACT AND ALONG SAID WEST LINE OF LOT 1, BLOCK A, A DISTANCE OF 21.02 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 0.066 ACRES, OR 2,866 SQUARE FEET OF LAND.

A PARCEL PLAT OF EQUAL DATE HEREWITH ACCOMPANIES THIS PROPERTY DESCRIPTION.

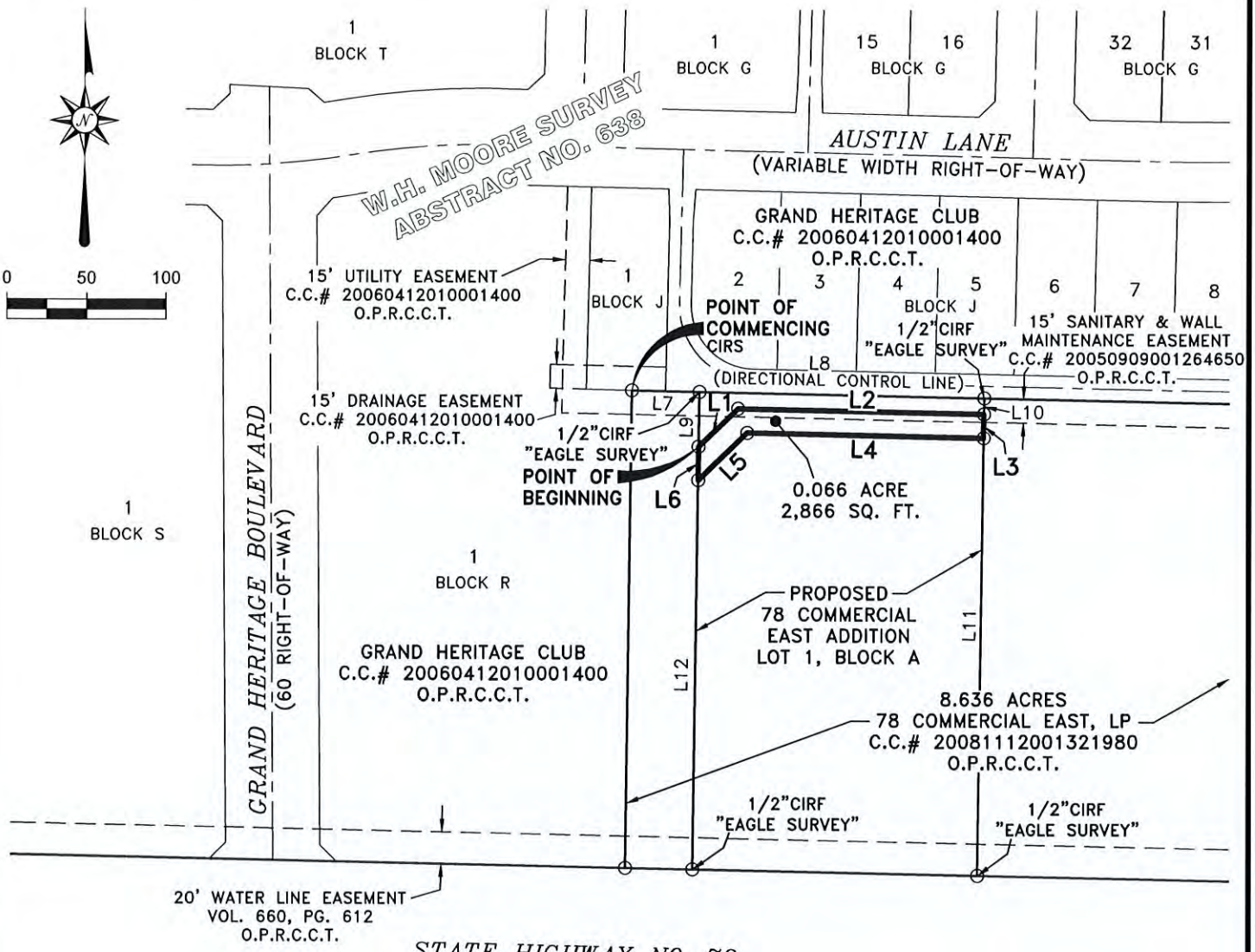
Michael J. Baitup

Michael J. Baitup, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 4574
LJA Surveying, Inc.
6060 North Central Expressway, Suite 400
Dallas, Texas 75206
469-484-0778
TBPELS Firm No. 10194382

August 29, 2023



Exhibit B
Depiction



LINE	BEARING	DISTANCE
L1	N46°15'06"E	34.33'
L2	S88°50'11"E	155.51'
L3	S00°42'58"W	15.00'
L4	N88°50'11"W	149.42'
L5	S46°15'06"W	42.85'
L6	N00°42'58"E	21.02'
L7	S88°50'11"E	42.56'
L8	S88°49'46"E	222.57'
L9	S00°42'58"W	34.24'
L10	N00°42'58"E	9.97'
L11	S00°42'58"W	275.02'
L12	S00°42'58"W	244.73'

LEGEND

CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
CIRF	IRON ROD WITH PLASTIC CAP FOUND
C.C.#	COUNTY CLERK'S NUMBER
VOL., PG.	VOLUME, PAGE
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
MICHAEL J. BAITUP
4574
PROFESSIONAL
LAND SURVEYOR

Michael J. Baitup

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011)EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982)

S:\NTX-LAND\0022\200 SURVEY\200 Easements\0022EX42R.dwg 8/29/2023

PAGE 3 OF 3

DATE:	08/29/23
DRWN BY:	S.C.O.
CHKD BY:	M.J.B.
PROJ NO.	0022

EXHIBIT "A"
0.066 ACRE
SEWER FACILITY EASEMENT
IN THE
W.H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS

LJA Surveying, Inc.
6060 North Central Expressway
Suite 400
Dallas, Texas 75206
Phone 469.621.0710
T.B.P.E.L.S. Firm No. 10194382

PERMANENT SANITARY SEWER EASEMENT

STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF COLLIN §

That 78 Commercial East, LP, a Texas limited partnership (GRANTOR), in consideration of the sum of Ten Dollars ($10.00) to me in hand paid, the receipt of which is hereby acknowledged, and in consideration of the special benefits to be derived by my property; by these presents do GRANT and CONVEY unto the City of Lavon (GRANTEE), a municipal corporation, a non-exclusive, irrevocable 15-foot wide permanent sanitary sewer easement under, in and along the hereinafter described property for the purpose of constructing, maintaining, operating, repairing, replacing, and removing an underground sanitary sewer line(s) and associated appurtenances (collectively, the FACILITIES) on the property described in **Exhibit A** and shown on **Exhibit B** hereto (EASEMENT PROPERTY).

To have and to hold the above described easement unto the Grantee, and Grantee's successors and assigns forever, for the purposes hereinbefore provided, and Grantee and Grantee's successors and assigns shall have the right to go upon the Easement Property for the purposes hereinbefore provided. All expenses in the construction and maintenance of the Facilities shall be at the expense of the Grantee and in the construction of the Facilities, should Grantee find it needful to remove any improvements now on the Easement Property on the date of this easement, such removal and the replacing of same shall be wholly at the cost of the Grantee.

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. Notwithstanding any provision herein to the contrary, Grantor shall have the right to construct improvements (not including buildings), or dedicate and grant public or private easements, under, over, and across the Easement Property only with the Grantee's permission, which shall not be unreasonably withheld, and so long as such particular use does not unreasonably interfere with or prevent Grantee's use of the Easement Property for the easement purpose provided herein. Grantee shall have the right 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, operation, repair, replacement, or removal of the Facilities without the necessity, at any time, of procuring the permission of anyone. Landscaping (trees and shrubs) shall not be placed within five (5) feet of the pipeline and/or manholes. The Grantee is not responsible for loss of landscaping due to construction, maintenance, operation, repair, replacement, or removal of the facilities. In the event that landscaping is within the Easement Property and must be removed, the Grantee shall be required to install sod within the disturbed area.

This conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, and outstanding mineral interests and royalty interests, if any, 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 Property, and Grantee accepts the physical condition of the Easement Property in its "AS IS" condition.

Grantor binds Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND the title to the easement in Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the easement or any part of the easement.

In Testimony Whereof, witness my hand, this the 29th day of August, 2023.

ACKNOWLEDGED AND AGREED TO BY:

GRANTOR:

78 Commercial East, LP,
a Texas Limited Partnership

By: Hunt Land Holdings, LLC,
General Partner

By: _____
Name: Carter W. Hunt
Vice President

STATE OF TEXAS §
§
COUNTY OF Dallas §

Before me, a Notary Public in and for Dallas County, Texas, on this day personally appeared Carter W. Hunt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that (he) (she) executed the same for the purposed and consideration therein expressed.

Given under my hand and seal of office this 29 day of August, 2023.

_____
Notary Public, State of Texas

ASHLEY GRANT
Notary Public, State of Texas
Comm. Expires 05-30-2026
Notary ID 12983680-0

GRANTEE:

City of Lavon,
a Texas municipal corporation

By: _____
Vicki Sanson, Mayor

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2023, by VICKI SANSON, on behalf of CITY OF LAVON, a Texas municipal corporation, as its Mayor.

_____
Notary Public, State of Texas

Exhibit A
Legal Description

EXHIBIT "A"
0.021 ACRE
SEWER FACILITY EASEMENT

BEING A 0.021 ACRE TRACT OF LAND SITUATED IN THE W.H. MOORE SURVEY, ABSTRACT NO. 638, IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS AND BEING A PART OF AN 8.636 ACRE TRACT OF LAND CONVEYED TO 78 COMMERCIAL EAST, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 20081112001321980, OFFICAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS. SAID 0.021 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTHWEST CORNER OF SAID 8.636 ACRE TRACT AND A NORTHEAST CORNER OF LOT 1, BLOCK R OF GRAND HERITAGE CLUB, AN ADDITION TO THE CITY OF LAVON, AS RECORDED IN COUNTY CLERK'S FILE NO. 20060412010001400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHWEST CORNER OF PROPOSED LOT 1, BLOCK A OF 78 COMMERCIAL EAST ADDITION BEARS SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 42.56 FEET AND THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A BEARS SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 222.57 FEET;

THENCE, SOUTH 00 DEGREES 42 MINUTES 27 SECONDS WEST, ALONG THE WEST LINE OF SAID 8.636 ACRE TRACT AND THE EAST LINE OF SAID LOT 1, BLOCK R, A DISTANCE OF 28.03 FEET TO THE **POINT OF BEGINNING**;

THENCE, OVER AND ACROSS SAID 8.636 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

> SOUTH 43 DEGREES 24 MINUTES 28 SECONDS EAST, A DISTANCE OF 34.48 FEET TO A POINT FOR CORNER;
>
> NORTH 46 DEGREES 15 MINUTES 06 SECONDS EAST, A DISTANCE OF 25.99 FEET TO A POINT FOR CORNER ON THE WEST LINE OF AFORESAID LOT 1, BLOCK A, FROM WHICH A 1/2 INCH IRON WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1, BLOCK A, BEARS NORTH 00 DEGREES 42 MINUTES 58 SECONDS EAST, A DISTANCE OF 34.24 FEET;

SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, ALONG SAID WEST LINE OF LOT 1, BLOCK A, A DISTANCE OF 21.02 FEET TO A POINT FOR CORNER, FROM WHICH A 1/2 INCH IRON WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A, BEARS SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, A DISTANCE OF 244.73 FEET;

SOUTH 46 DEGREES 15 MINUTES 06 SECONDS WEST, A DISTANCE OF 26.04 FEET TO A POINT FOR CORNER;

NORTH 43 DEGREES 39 MINUTES 20 SECONDS WEST, A DISTANCE OF 34.27 FEET TO A POINT FOR CORNER ON THE AFORESAID WEST LINE OF 8.636 ACRE TRACT AND AFORESAID EAST LINE OF LOT 1, BLOCK R;

THENCE, NORTH 00 DEGREES 42 MINUTES 27 SECONDS EAST, ALONG SAID WEST LINE OF 8.636 ACRE TRACT AND SAID EAST LINE OF LOT 1, BLOCK R, A DISTANCE OF 21.30 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 0.021 ACRES, OR 898 SQUARE FEET OF LAND.

A PARCEL PLAT OF EQUAL DATE HEREWITH ACCOMPANIES THIS PROPERTY DESCRIPTION.

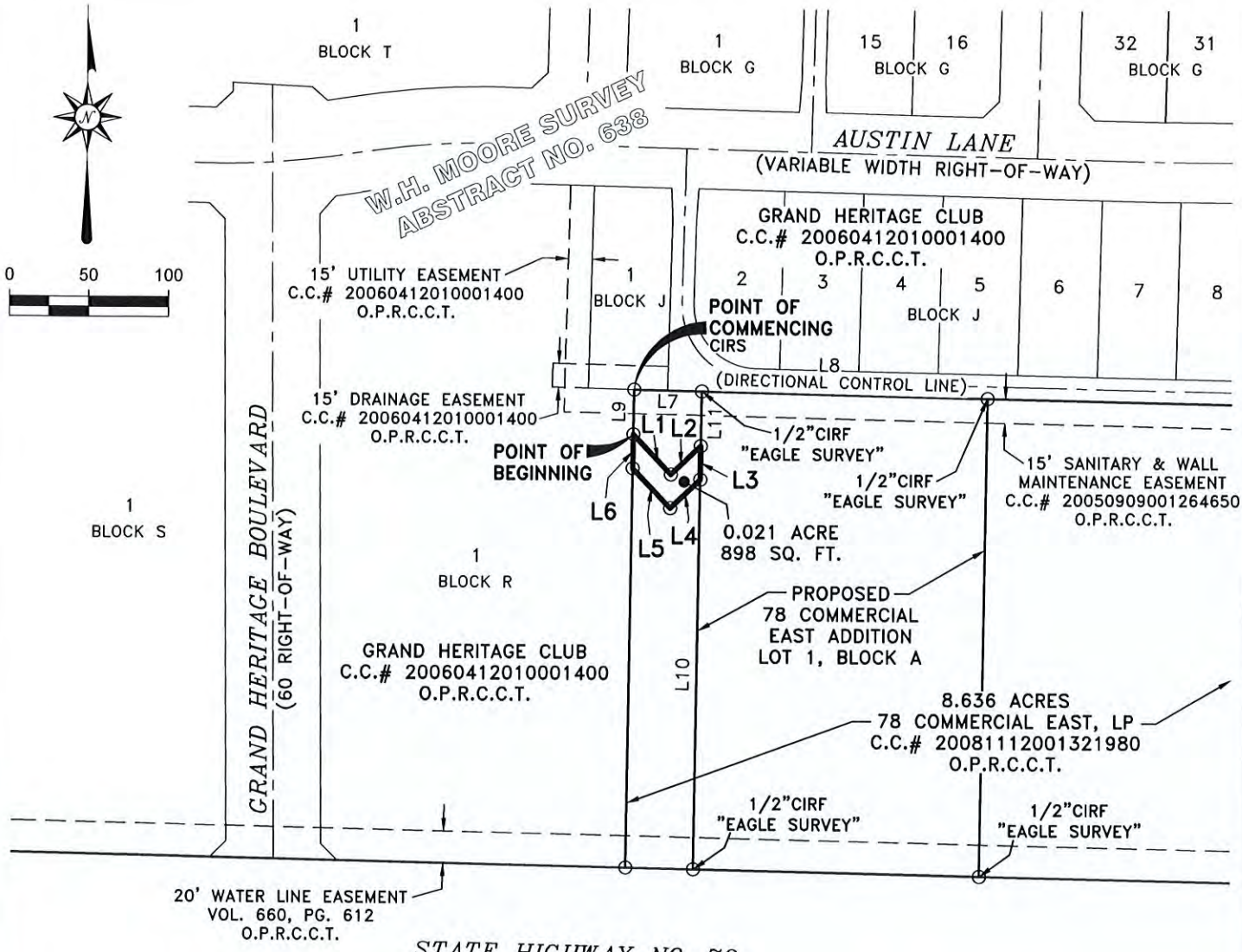
Michael J. Baitup

Michael J. Baitup, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 4574
LJA Surveying, Inc.
6060 North Central Expressway, Suite 400
Dallas, Texas 75206
469-484-0778
TBPELS Firm No. 10194382

August 29, 2023



Exhibit B
Depiction



LINE	BEARING	DISTANCE
L1	S43°24'28"E	34.48'
L2	N46°15'06"E	25.99'
L3	S00°42'58"W	21.02'
L4	S46°15'06"W	26.04'
L5	N43°39'20"W	34.27'
L6	N00°42'27"E	21.30'
L7	S88°50'11"E	42.56'
L8	S88°50'11"E	222.57'
L9	S00°42'27"W	28.03'
L10	S00°42'58"W	244.73'
L11	N00°42'58"E	34.24'

LEGEND

CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
CIRF	IRON ROD WITH PLASTIC CAP FOUND
C.C.#	COUNTY CLERK'S NUMBER
VOL., PG.	VOLUME, PAGE
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
MICHAEL J. BAITUP
4574
PROFESSIONAL
LAND SURVEYOR

Michael J. Baitup

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011)EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982)

S:\NTX-LAND\0022\200 SURVEY\280 Easements\0022EX41R.dwg 8/29/2023

PAGE 3 OF 3

DATE:	08/29/23
DRWN BY:	S.C.O.
CHKD BY:	M.J.B.
PROJ NO.	0022

EXHIBIT "A"
0.021 ACRE
SEWER FACILITY EASEMENT
IN THE
W.H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS

LJA Surveying, Inc.
6060 North Central Expressway
Suite 400
Dallas, Texas 75206
Phone 469.621.0710
T.B.P.E.L.S. Firm No. 10194382

PERMANENT SANITARY SEWER EASEMENT

STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF COLLIN §

That 78 Commercial East, LP, a Texas limited partnership (GRANTOR), in consideration of the sum of Ten Dollars ($10.00) to me in hand paid, the receipt of which is hereby acknowledged, and in consideration of the special benefits to be derived by my property; by these presents do GRANT and CONVEY unto the City of Lavon (GRANTEE), a municipal corporation, a non-exclusive, irrevocable 15-foot wide permanent sanitary sewer easement under, in and along the hereinafter described property for the purpose of constructing, maintaining, operating, repairing, replacing, and removing an underground sanitary sewer line(s) and associated appurtenances (collectively, the FACILITIES) on the property described in **Exhibit A** and shown on **Exhibit B** hereto (EASEMENT PROPERTY).

To have and to hold the above described easement unto the Grantee, and Grantee's successors and assigns forever, for the purposes hereinbefore provided, and Grantee and Grantee's successors and assigns shall have the right to go upon the Easement Property for the purposes hereinbefore provided. All expenses in the construction and maintenance of the Facilities shall be at the expense of the Grantee and in the construction of the Facilities, should Grantee find it needful to remove any improvements now on the Easement Property on the date of this easement, such removal and the replacing of same shall be wholly at the cost of the Grantee.

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. Notwithstanding any provision herein to the contrary, Grantor shall have the right to construct improvements (not including buildings), or dedicate and grant public or private easements, under, over, and across the Easement Property only with the Grantee's permission, which shall not be unreasonably withheld, and so long as such particular use does not unreasonably interfere with or prevent Grantee's use of the Easement Property for the easement purpose provided herein. Grantee shall have the right 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, operation, repair, replacement, or removal of the Facilities without the necessity, at any time, of procuring the permission of anyone. Landscaping (trees and shrubs) shall not be placed within five (5) feet of the pipeline and/or manholes. The Grantee is not responsible for loss of landscaping due to construction, maintenance, operation, repair, replacement, or removal of the facilities. In the event that landscaping is within the Easement Property and must be removed, the Grantee shall be required to install sod within the disturbed area.

This conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, and outstanding mineral interests and royalty interests, if any, 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 Property, and Grantee accepts the physical condition of the Easement Property in its "AS IS" condition.

Grantor binds Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND the title to the easement in Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the easement or any part of the easement.

In Testimony Whereof, witness my hand, this the 29th day of August, 2023.

ACKNOWLEDGED AND AGREED TO BY:

GRANTOR:

78 Commercial East, LP,
a Texas Limited Partnership

By: Hunt Land Holdings, LLC,
General Partner

By: _____
Name: Carter W. Hunt
Vice President

STATE OF TEXAS §
§
COUNTY OF Dallas §

Before me, a Notary Public in and for Dallas County, Texas, on this day personally appeared Carter W. Hunt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that (he) (she) executed the same for the purposed and consideration therein expressed.

Given under my hand and seal of office this 29 day of August, 2023.

_____
Notary Public, State of Texas

ASHLEY GRANT
Notary Public, State of Texas
Comm. Expires 05-30-2026
Notary ID 12983680-0

GRANTEE:

City of Lavon,
a Texas municipal corporation

By: _____
Vicki Sanson, Mayor

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2023, by VICKI SANSON, on behalf of CITY OF LAVON, a Texas municipal corporation, as its Mayor.

_____
Notary Public, State of Texas

Exhibit A
Legal Description

EXHIBIT "A"
0.348 ACRE
SEWER FACILITY EASEMENT

BEING A 0.348 ACRE TRACT OF LAND SITUATED IN THE W.H. MOORE SURVEY, ABSTRACT NO. 638, IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS AND BEING A PART OF AN 8.636 ACRE TRACT OF LAND CONVEYED TO 78 COMMERCIAL EAST, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 20081112001321980, OFFICAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS. SAID 0.348 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTHWEST CORNER OF SAID 8.636 ACRE TRACT AND A NORTHEAST CORNER OF LOT 1, BLOCK R OF GRAND HERITAGE CLUB, AN ADDITION TO THE CITY OF LAVON, AS RECORDED IN COUNTY CLERK'S FILE NO. 20060412010001400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

THENCE, SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID 8.636 ACRE TRACT AND THE SOUTH LINE OF SAID GRAND HERITAGE CLUB, PASSING AT A DISTANCE OF 42.56 FEET A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHWEST CORNER OF PROPOSED LOT 1, BLOCK A OF 78 COMMERCIAL EAST ADDITION, CONTINUING ALONG THE NORTH LINE OF SAID LOT 1, BLOCK A, IN ALL A TOTAL DISTANCE OF 222.57 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A;

THENCE, SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, OVER AND ACROSS SAID 8.636 ACRE TRACT AND ALONG THE EAST LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 9.97 FEET TO THE **POINT OF BEGINNING**;

THENCE, CONTINUING OVER AND ACROSS SAID 8.636 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

> SOUTH 88 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 177.89 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 14 MINUTES 40 SECONDS, A RADIUS OF 260.00 FEET AND A LONG CHORD THAT BEARS NORTH 89 DEGREES 32 MINUTES 29 SECONDS EAST, A DISTANCE OF 14.72 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 14.72 FEET TO A POINT FOR CORNER;

NORTH 87 DEGREES 55 MINUTES 09 SECONDS EAST, A DISTANCE OF 402.04 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 07 DEGREES 26 MINUTES 16 SECONDS, A RADIUS OF 260.00 FEET AND A LONG CHORD THAT BEARS NORTH 84 DEGREES 12 MINUTES 01 SECONDS EAST, A DISTANCE OF 33.73 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 33.75 FEET TO A POINT FOR CORNER;

NORTH 80 DEGREES 28 MINUTES 51 SECONDS EAST, A DISTANCE OF 379.80 FEET TO A POINT FOR CORNER ON THE EAST LINE OF SAID 8.636 ACRE TRACT AND THE WEST LINE OF COMMERCIAL TRACT NO. 1 OF AFORESAID GRAND HERITAGE CLUB ADDITION;

THENCE, SOUTH 09 DEGREES 31 MINUTES 09 SECONDS EAST, ALONG SAID EAST LINE OF 8.636 ACRE TRACT AND SAID WEST LINE OF COMMERCIAL TRACT NO. 1, A DISTANCE OF 15.00 FEET TO A POINT FOR CORNER;

THENCE, OVER AND ACROSS SAID 8.636 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 80 DEGREES 28 MINUTES 51 SECONDS WEST, A DISTANCE OF 379.80 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07 DEGREES 26 MINUTES 16 SECONDS, A RADIUS OF 275.00 FEET AND A LONG CHORD THAT BEARS SOUTH 84 DEGREES 12 MINUTES 01 SECONDS WEST, A DISTANCE OF 35.67 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 35.70 FEET TO A POINT FOR CORNER;

SOUTH 87 DEGREES 55 MINUTES 09 SECONDS WEST, A DISTANCE OF 402.04 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 14 MINUTES 40 SECONDS, A RADIUS OF 275.00 FEET AND A LONG CHORD THAT BEARS SOUTH 89 DEGREES 32 MINUTES 29 SECONDS WEST, A DISTANCE OF 15.57 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 15.57 FEET TO A POINT FOR CORNER;

NORTH 88 DEGREES 50 MINUTES 11 SECONDS WEST, A DISTANCE OF 177.78 FEET TO A POINT FOR CORNER ON THE AFORESAID EAST LINE OF LOT 1, BLOCK A, FROM WHICH A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "EAGLE SURVEY" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A, BEARS SOUTH 00 DEGREES 42 MINUTES 58 SECONDS WEST, A DISTANCE OF 275.02 FEET;

THENCE, NORTH 00 DEGREES 42 MINUTES 58 SECONDS EAST, CONTINUING OVER AND ACROSS SAID 8.636 ACRE TRACT AND ALONG SAID EAST LINE OF LOT 1, BLOCK A, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 0.348 ACRES, OR 15,143 SQUARE FEET OF LAND.

A PARCEL PLAT OF EQUAL DATE HEREWITH ACCOMPANIES THIS PROPERTY DESCRIPTION.

Michael J. Baitup

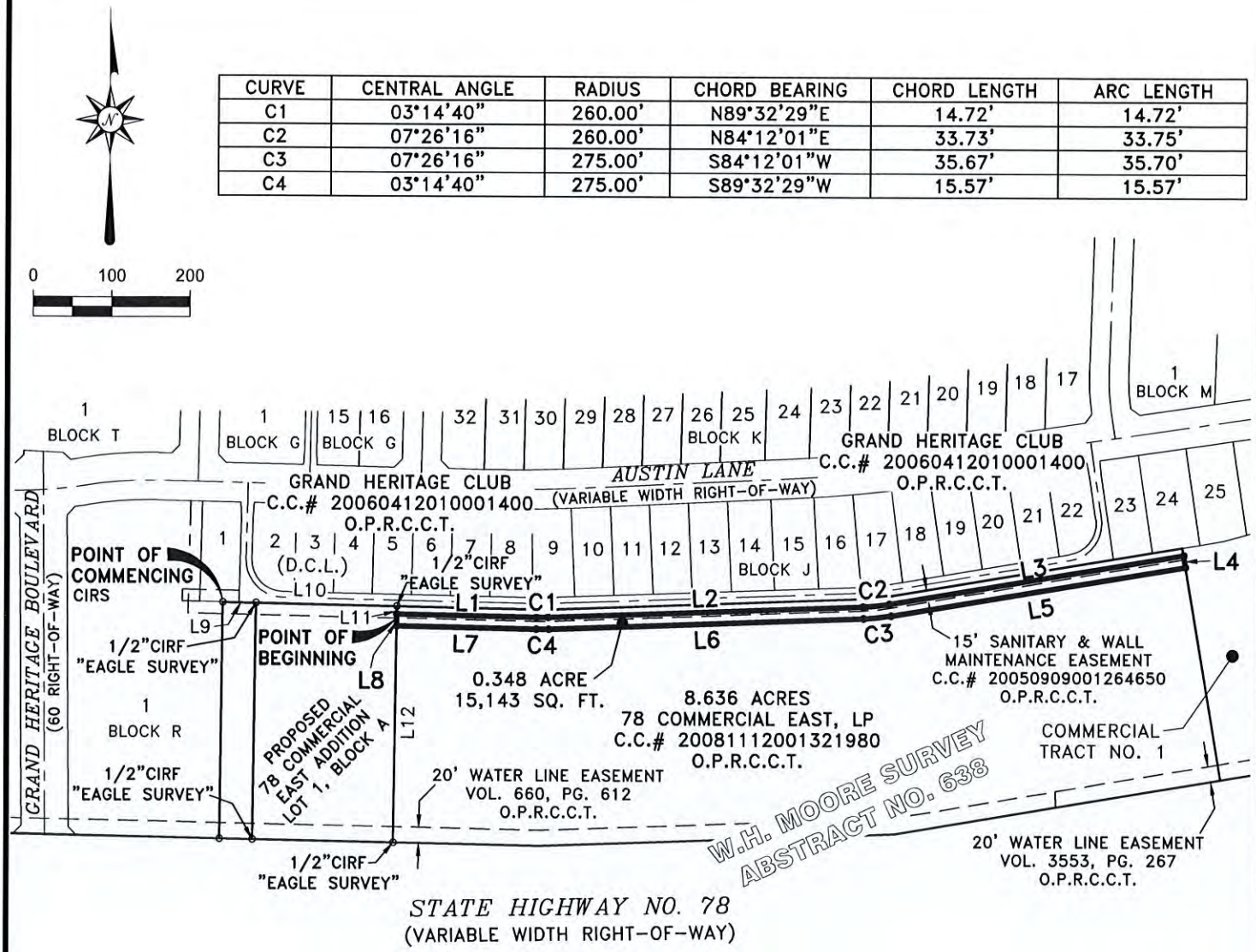
Michael J. Baitup, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 4574
LJA Surveying, Inc.
6060 North Central Expressway, Suite 400
Dallas, Texas 75206
469-484-0778
TBPELS Firm No. 10194382

August 29, 2023



Exhibit B
Depiction

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	03°14'40"	260.00'	N89°32'29"E	14.72'	14.72'
C2	07°26'16"	260.00'	N84°12'01"E	33.73'	33.75'
C3	07°26'16"	275.00'	S84°12'01"W	35.67'	35.70'
C4	03°14'40"	275.00'	S89°32'29"W	15.57'	15.57'



LINE	BEARING	DISTANCE
L1	S88°50'11"E	177.89'
L2	N87°55'09"E	402.04'
L3	N80°28'51"E	379.80'
L4	S09°31'09"E	15.00'
L5	S80°28'51"W	379.80'
L6	S87°55'09"W	402.04'
L7	N88°50'11"W	177.78'
L8	N00°42'58"E	15.00'
L9	S88°50'11"E	42.56'
L10	S88°50'11"E	222.57'
L11	S00°42'58"W	9.97'
L12	S00°42'58"W	275.02'

LEGEND

CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
CIRF	IRON ROD WITH PLASTIC CAP FOUND
C.C.#	COUNTY CLERK'S NUMBER
VOL., PG.	VOLUME, PAGE
D.C.L.	DIRECTIONAL CONTROL LINE
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
MICHAEL J. BAITUP
4574
PROFESSIONAL
LAND SURVEYOR

Michael J. Baitup

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011)EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982)

S:\NTX-LAND\0022\200 SURVEY\280 Easements\0022EX43R.dwg 8/29/2023

PAGE 4 OF 4

DATE:	08/29/23
DRWN BY:	S.C.O.
CHKD BY:	M.J.B.
PROJ NO.	0022

EXHIBIT "A"
0.348 ACRE
SEWER FACILITY EASEMENT
IN THE
W.H. MOORE SURVEY, ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS

LJA Surveying, Inc.
6060 North Central Expressway
Suite 400
Dallas, Texas 75206
Phone 469.621.0710
T.B.P.E.L.S. Firm No. 10194382

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 – E**

Item:

CONSENT AGENDA

Ratify interpretation of the definition of Fire Area as provided in Ordinance No. **2018-09-06**, that adopted the International Fire Code, 2018 edition, Section 2 (c) Local Amendments, Chapter 2, Section 202 General Definitions allowing for the type of construction material, anticipated type of occupancy, and installation of plumbing fixtures for a project at 701 S. SH 78.

Background:

On September 18, 2012, the City Council approved Ordinance No. **2018-09-06** adopting the International Fire Code, 2018 edition and specific local amendments. The current Fire Marshal identified a local amendment that is somewhat unusual regarding the Fire Area relating to the threshold requirement for sprinkler systems in new construction. Generally, the adopted amendments are written such that the Fire Area cannot exceed 6,000 square feet and a Fire Area is normally an area that is surrounded by fire walls, but the local amendment in Ordinance No. **2018-09-06** basically provides that a Fire Area is whatever is under one roof.

The Fire Marshal observed that the strict application of the amendment to the review of the construction plans for the proposed project at 701 S. SH 78 may not be appropriate and that the legislative intent, a practice used by judges, lawyers, and other court officials to determine the goals of the city council at the time of an ordinance's passage may be proper in this instance for several reasons. First, the building is to be constructed of masonry block, of which firewalls are typically constructed, immediately providing an element of fire resistance. Second, the building is heavily plumbed with water pipes from above and any fire would likely be self-extinguished or at minimum kept in check. Finally, the building, which is not intended to be a normally occupied structure, is not near to any other structures, posing an extremely low risk of fire spread. A strict construction of the amendment essentially excludes one of the oldest and time tested means of preventing fire spread, which is compartmentalizing the building into manageable sizes to prevent the spread to other areas.

Staff Notes:

The city staff have been working on preparing updates for all the building codes adopted five years ago, including the International Fire Code. The International Code Council recommends updating the building codes every 3-5 years. With the City Council's approval, the Fire Marshal may be granted the discretion to interpret and apply the local amendment in a manner consistent with best fire safety practices. Approval is recommended.

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 – F**

Item:

CONSENT AGENDA

Approve Ordinance No. **2023-09-01** amending Article 11.02.032 School Zones of the City of Lavon Code of Ordinances; providing for repealing, savings and severability clauses; providing for publication; and providing for an effective date.

Background:

Community Independent School District (CISD) requested that a school zone for the new Dodson Elementary School be established on Rosewood Drive. The speed limit during prescribed times in a school zone is 20 miles per hour.

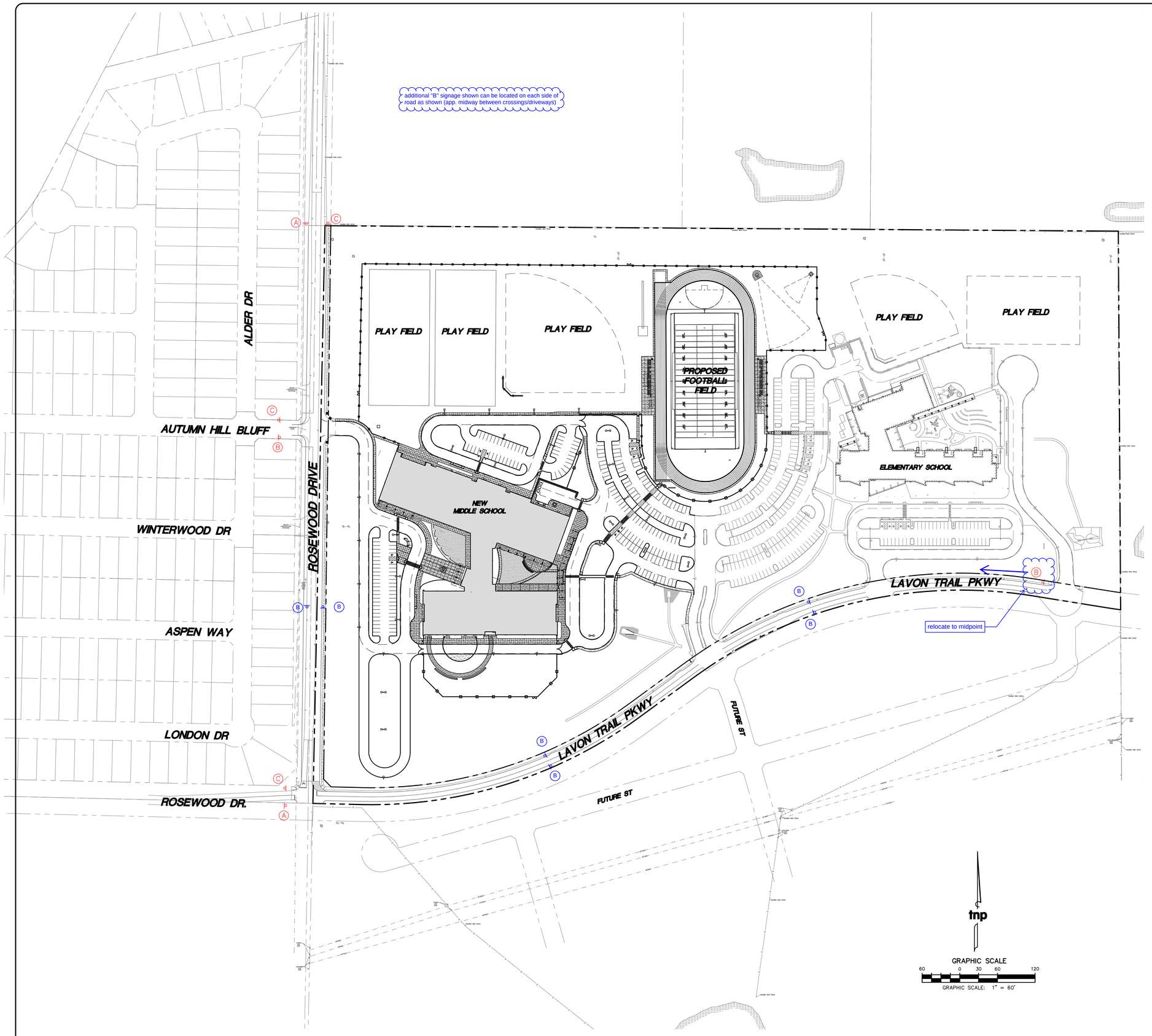
Financial Implication:

There is none.

Staff Notes:

The Police Chief prepared the proposed ordinance and approval is recommended.

Attachments: 1) Location Exhibit
2) Proposed Ordinance





S5–1 (24X48)
S7–1T (24X18)

A



S4–3P (24"x8") W/
R2–1 (24"x30"),
S4–1P (24"x10"),
& S7–1T (24"x18")

B



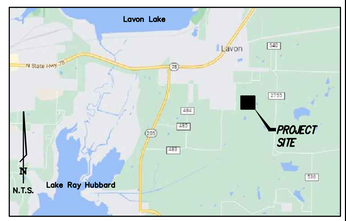
S5–3
24"x30"

C

NOTES:

1. ALL SIGNS SHALL BE MOUNTED ON 2⅜" GALVANIZED STEEL POSTS AND INSTALLED PER THE SIGN POST DETAIL.
2. ALL SIGNS SHALL BE INSTALLED AT LEAST 2' FROM THE BACK OF CURB MEASURED FROM THE EDGE OF THE SIGN.
3. ALL SCHOOL ZONE FLASHING BEACON ASSEMBLIES SHALL BE SOLAR POWERED.
4. SCHOOL WARNING SIGNS, INCLUDING THE "SCHOOL" PORTION OF THE SCHOOL SPEED LIMIT (S5–1) SIGN AND INCLUDING ANY SUPPLEMENTAL PLAQUES USED IN ASSOCIATION WITH THESE WARNING SIGNS, SHALL HAVE A FLUORESCENT YELLOW–GREEN BACKGROUND WITH A BLACK LEGEND AND BORDER.
5. ALL SCHOOL ZONE TIMES SHALL BE COORDINATED WITH SCHOOL DISTRICT PERSONNEL.
6. ALL TRAFFIC SIGNS SHALL COMPLY WITH THE LATEST EDITION OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

CONTRACTOR SHALL COORDINATE & OBTAIN ALL NECESSARY PERMITS FOR IMPROVEMENTS WITHIN PUBLIC ROW.



LOCATION MAP
NOT TO SCALE

tnp

GRAPHIC SCALE
60 0 30 60 120
GRAPHIC SCALE: 1" = 60'

tnp
teague nall & perkins
5237 N. Riverside Drive, Suite 100
Fort Worth, Texas 76137
817.336.5773 ph 817.336.2813 fx
TBPE Registration No. F-230
www.tnpinc.com

COMMUNITY ISD
DODSON ES & COMMUNITY TRAILS MS
SCHOOL ZONE EXHIBIT

Lavon, Texas

revisions

director	proj. eng.
MSW	PCV
designer	drawn by
PCV	PCV

issue date
FEBRUARY 2023

project no.
COM22356

EXH 1
SCHOOL ZONE EXHIBIT

sheet no.
EXH 1

CITY OF LAVON, TEXAS

ORDINANCE NO. 2023-09-01

Amend Article 11.02.032 of the Code of Ordinances – School Zones

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ARTICLE 11.02.032 SCHOOL ZONES; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Lavon ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Lavon, Texas ("Lavon") to amend Lavon's Code of Ordinances in Chapter 11 to refine the regulations for School Zones as set forth herein; and

WHEREAS, the City Council has authority under state law to adopt the regulations herein.

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

SECTION 1. RECITALS

The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

SECTION 2. School Zones

Article 11.02.032 "School Zones" of the Code of Ordinances is hereby amended as follows

1. Retitle (b) NeSmith Elementary school zone established as “(b) School Zones Established”

2. Insert “(b)(I) NeSmith Elementary school zone” before (b)(1)

3. Insert “(b)(II) Dodson Elementary school zone” before (b)(3)
   (1) The city council hereby establishes the Dodson Elementary school zone.
   (2) The following streets shall define the boundaries of the Dodson Elementary school zone:
      (A) Rosewood Drive from Lavon Trails Parkway to five hundred and fifty feet (550') north of Autumn Hill Bluff in both the north and south bound lanes;
      (B) Lavon Trails Parkway from one hundred fifty feet (150') west of Rosewood Drive to the eastern City Limits on Lavon Trails Parkway, in both the east and west bound lanes; and
      (C) Autumn Hill Bluff from one hundred fifty feet (150') west of Rosewood Drive to the eastern edge of Lavon Trails Parkway, in both the east and west bound lanes;

SECTION 3. Effective Date

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION 4. Proper Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code and as required by Chapter 52 of the Texas Local Government Code.

SECTION 5. Severability

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

SECTION 6. Repealer

The provisions of this Ordinance shall be cumulative of all other ordinances, or parts of ordinances, and resolutions, or parts of resolutions governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances, or parts of ordinances, or resolutions, or parts of resolutions, inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent.

PASSED AND APPROVED by the City Council of the City of Lavon, Texas this 5th day of September, 2023.

_____

Vicki Sanson
Mayor

ATTEST:

_____

Rae Norton
City Secretary

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 - G**

Item:

CONSENT AGENDA

Approve Resolution No. **2023-09-04** approving and authorizing the execution of Change Orders to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project for Change Order No. 005 Roll Off Pad for $484.00 and Change Order No. 006 Engineering Fees not to exceed for $1,841.26; 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.

The proposed Change Orders presented for City Council consideration are:

CR-005: Roll Off Pad – to revise the paving specifications for the ADA parking on the south side of the Public Works Building to also accommodate a container pad for a garbage container.

CR-006: Engineered and stamped shop drawings.

Financial Implications:

Funding is available in the funds designated for capital improvements.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Resolution and Change Orders

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-04

Change Orders No. 5 and No. 6 – 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 ORDERS TO THE CONSTRUCTION CONTRACT WITH MART, INC. FOR THE CITY OF LAVON FIRE DEPARTMENT AND PUBLIC WORKS FACILITIES EXPANSION (CIP-9) CONSTRUCTION PROJECT FOR CHANGE ORDER NO. 005 ROLL OFF PAD FOR $484.00 AND CHANGE ORDER NO. 006 ENGINEERING FEES NOT TO EXCEED $1841.26; 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, the City Council has considered and determined that the change orders to the 2023 contract are 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 orders to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project for Change Order No. 005 Roll Off Pad for $484.00 and Change Order No. 006 Engineering Fees not to exceed $1,841.26, 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. 2023-09-04

EXHIBIT A

Change Order CR-005

Change Order CR-006

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.: 5
DATE: 7/6/2023
PROJECT: CITY OF LAVON FIRE & PUBLIC WORKS
PROJECT NO.: 20230313

This is a CR for the additional material needed to change the Handycap paring space to a roll off pad.

A	**GENERAL CONTRACTOR TOTAL COST**		$ -	
B	**GENERAL CONTRACTOR OVERHEAD AND PROFIT**	10%	$ -	
	SUBTOTAL			$0.00
C	**SUBCONTRACTOR TOTAL COSTS**		$ 440.00	
D	**OVERHEAD AND PROFIT ON SUBCONTRACTOR COST (GC only)**	10%	$ 44.00	
	SUBTOTAL			$ 484.00
E	**BOND**	**0.00%**	$ -	
F	**INSURANCE**	**0.00%**	$ -	
G	**PAYROLL TAXES**			
	SUBTOTAL			$ -

TOTAL REQUEST FOR PROPOSAL COST	$ 484.00
TIME EXTENSION IN DAYS (FOR THIS CHANGE)	0

Mart Inc. — **7/6/2023**

Contractor — **Date**

Signature Chad Martin - Project Manager

Architect — **Date**

Signature Maurice Thames, AIA

Owner Rep — **Date**

Signature

Contractor Detail — REQUEST FOR PROPOSAL COST DETAIL

DATE: **07/06/2023**

Mart Inc.

To
Address

EIKON CONSULTING GROUP
ATTN: DWAYNE MCNEIL
6513 WINDCREST DR #150

RFP NO.: CR-005
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							
	We will furnish all labor, equipment, and materials to convert the	1	1	$ 440.00		$ 440.00	$ -	$ 440.00
	ADA parking on the south side of the Public Works Building from 6"					$ -	$ -	$ -
	paving with #4 rebar spaced at 18" on center, into an 8" paving					$ -	$ -	$ -
	with #4 rebar spaced at 12" on center dumpster Pad for CWD 30ft					$ -	$ -	$ -
	dumpster.					$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -

D|V|S|ON 3 CONCRETE COMPANY

CHANGE ORDER REQUEST

Date:	**06/29/23**	**COR Request Number:**	**01**
Job Number:	**0048**	**Customer Reference Number:**	**RFI 12**
Project:	**LAVON FIRE STATION & PUBLIC WORKS**		
General Contractor:	**MART, INC.**		
Subject:	**ROLL OFF PAD**		

DESCRIPTION

We will furnish all labor, equipment, and materials to convert the ADA parking on the south side of the Public Works Building from 6" paving with #4 rebar spaced at 18" on center, into an 8" paving with #4 rebar spaced at 12" on center dumpster pad for the CWD 30-foot dumpster.

COST SUMMARY

Labor:	**0.00**		
Tie Steel:	**21.60**		
Tools & Safety:	**0.62**		
Equipment:	**0.00**		
Concrete:	**270.00**		
Rebar:	**90.72**		
Forms & Accessories:	**0.00**		
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**
	382.94	**15%**	**$ 440.00**

Description					
	Item	Unit	Qty	Rate	Total
0	Labors	hr	0	31.92	0.00
0	Operators	hr	0	33.32	0.00
0	Finishers	hr	0	38.52	0.00
0	Supervisor	hr	0	50.00	0.00
					0.00
1	Tie Steel	lb	108	0.20	**21.60**
1	Safety / Small Tools	hr	1	1.00	**0.62**
0	Pickup or Flatbed	hr	0	17.50	0.00
0	Excavator	hr	0	125.00	0.00
0	Skid Loader	hr	0	125.00	0.00
0	Hand Held Equipment	hr	0	12.50	0.00
					0.00
1	Concrete	cy	1.5	180.00	270.00
0	Short Load Fee	ls	1	250.00	0.00
0	Standby Time	hr	1	175.00	0.00
					270.00
1	Rebar	lb	108	0.840	**90.72**
0	Forms & Accessories	ls	1	0.00	**0.00**
0	Sawcut	sf	1	0.75	**0.00**
0	Pump or Shuttle	cy	1	25.00	**0.00**
0	Sand or Aggregates	cy	1	30.00	**0.00**
0	Vapor Barrier	sf	1	0.27	**0.00**
0	Void Cartons	sf	1	13.50	**0.00**
0	Haul-off or Washout	ls	1	300.00	**0.00**
0	Driller	ls	1	2,500.00	**0.00**
0	Other	ls	8	0.00	**0.00**
0	Other	ls	8	0.00	**0.00**
				Item Total	**382.94**

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.: CR - 006
DATE: 7/26/2023
PROJECT: CITY OF LAVON FIRE & PUBLIC WORKS
PROJECT NO.: 20230313

THIS IS A CHANGE REQUEST FOR THE REQUESTED ENGINEERING STAMPED DRAWINGS AND SEAL.

A	**GENERAL CONTRACTOR TOTAL COST**		$ -	
B	**GENERAL CONTRACTOR OVERHEAD AND PROFIT**	10%	$ -	
	SUBTOTAL			$0.00
C	**SUBCONTRACTOR TOTAL COSTS**		$ 1,500.00	
D	**OVERHEAD AND PROFIT ON SUBCONTRACTOR COST (GC only)**	10%	$ 150.00	
	SUBTOTAL			$ 1,650.00
E	**BOND**	**1.50%**	$ 24.75	
F	**INSURANCE**	**1.50%**	$ 24.75	
G	**PAYROLL TAXES**			
	SUBTOTAL			$ 49.50
	TOTAL REQUEST FOR PROPOSAL COST			$ 1,699.50
	TIME EXTENSION IN DAYS (FOR THIS CHANGE)			**0**

Mart Inc. — **7/26/2023**

Contractor — **Date**

Signature Chad Martin - Project Manager

Architect — **Date**

Signature Maurice Thames, AIA

Owner Rep — **Date**

Signature

Contractor Detail — REQUEST FOR PROPOSAL COST DETAIL

DATE: **7/26/2023**

Mart Inc.

To
Address

EIKON CONSULTING GROUP
ATTN: DWAYNE MCNEIL
6513 WINDCREST DR #150

RFP NO.: CR - 006
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							
	DESIGNED, STAMPED AND SEALED SHOP DRAWINGS PER		1	$ 3,000.00		$ 3,000.00	$ -	$ 3,000.00
	ARCHITECTS REQUEST.					$ -	$ -	$ -
	GC WILL COVER THIS AMOUNT		1	$ (1,500.00)		$ (1,500.00)	$ -	$ (1,500.00)
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
	SUBCONTRACTOR TOTAL							**$ 1,500.00**
	GENERAL CONTRACTOR COSTS							
								$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
						$ -	$ -	$ -
	Project Mangement Time	hr	0	$ -	$ 72.54	$ -	$ -	$ -
	Project Foreman Time	hr	0		$ 52.58	$ -	$ -	$ -
	GENERAL CONTRACTOR TOTAL							**$ -**
						TOTAL COST		**$ 1,500.00**

RIDGE BUILDING SOLUTIONS
PO BOX 2158
Lindale, TX 75771
+1 9032161407
dylan@ridgebuildingsolutions.com
ridgebuildings.com

Estimate 22126

ADDRESS
Chad Martin
Mart, Inc

DATE	TOTAL
07/14/2023	$3,000.00

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
07/14/2023				
Drafting	PEMB Field Weld up Buildings - Structural steel drawings only - 30 x 25 x 12 office addition - tie into existing - include reactions in plan set - design calcs separate document - no design review of existing building - assumed to be sufficient to support new receiver attaching to endwall	750	1.00	750.00
Drafting	PEMB Field Weld up Buildings - Structural steel drawings only - 30 x 40 x 12 tractor shed- include reactions in plans - design calcs separate document - design reactions will require baseplates - piers may be required by engineer -	1,200	1.00	1,200.00
Engineering Review & Stamp	Engineer review and stamp drawing plan set	2	525.00	1,050.00

We greatly appreciate the opportunity! Feel free to reach out with any questions!

SUBTOTAL	3,000.00
TAX	0.00
TOTAL	$3,000.00

THANK YOU.

Accepted By

Accepted Date

CITY OF LAVON FIRE STATION & PUBLIC WORKS - CHANGE REQUEST LOG					
					Owner Contingency Status (Original $44,820.00)
Change Request #	DATE	Description	Amount	Status	
001	---	Change Request was Voided	$ -	Void	$ 44,820.00
002	6/19/2023	Gas line	$ 2,649.59	Approved	$ 42,170.41
003	6/19/2023	Hose Bibs	$ 2,263.31	Approved	$ 39,907.10
004	6/19/2023	New water line - Fire Station	$ 6,390.68	Approved	$ 33,516.42
005	7/6/2023	Roll off pad	$ 484.00	Approved	$ 33,032.42
006	7/17/2023	Engineering Fee	$ 1,841.26	Approved	$ 31,191.16
007					
008					
009					
010					
011					
012					
013					
014					
015					
016					
017					
018					
019		COR-007	$ 8,737.26	Police	
020		COR-009	$ 70,994.40	Police	

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 5 - H**

Item:

CONSENT AGENDA

Approve Resolution No. **2023-09-05** approving and authorizing execution of the First Amendment to the Interlocal Cooperation Agreement for Jail Services with the City of Wylie; and providing for an effective date.

Background:

In addition to the interlocal agreement with Collin County, the City has contracted with the City of Wylie for jail services since 2021. Although not specifically quantified, the City has experienced a significant amount of savings in terms of officer time and general efficiency using the Wylie jail over having to transport prisoners to the jail at Collin County.

The amendment clarifies the billing process to better align with current billing practices.

Financial Consideration:

Funding for the services will continue to be provided in the Annual Operating Budget.

Staff Notes:

Approval is recommended.

Attachments: Resolution and proposed Agreement

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-05

First Amendment - ILA City of Wylie Jail Services

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF WYLIE, TEXAS FOR THE PROVISION OF JAIL SERVICES; AND PROVIDING 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 City of Wylie have the authority to enter into this Agreement under the Act; and

WHEREAS, the City of Lavon approved an Interlocal Cooperation Agreement with the City of Wylie for the provision of jail services in December 2021 and both cities desire to amend the Agreement; and

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

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

SECTION 1. The First Amendment to the Interlocal Cooperation Agreement by and between the City of Lavon and the City of Wylie attached hereto as Exhibit "A" is hereby approved, and execution is hereby authorized.

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 5th day of September 2023.

_____
Vicki Sanson
Mayor

ATTEST:

_____
Rae Norton
City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-05

EXHIBIT A

First Amendment to Interlocal Cooperation Agreement for Jail Services

This First Amendment to Interlocal Cooperation Agreement ("First Amendment") is entered into by and between the City of Lavon, Texas, a Home-Rule municipality ("Lavon") and the City of Wylie, Texas, a Home-Rule municipality ("Wylie"). Wylie and Agency are at times each referred to herein as a "party" or collectively as the "parties."

RECITALS:

1. The parties entered into that certain Interlocal Cooperation Agreement dated January 12, 2022, which is incorporated herein by reference for all purposes ("Original Agreement"), and together with this First Amendment, (the "Agreement"), wherein Agency contracted with Wylie to obtain jail services from Wylie at the Wylie Jail for the handling, processing, housing and detention of persons arrested by the Lavon Police Department.

2. The parties desire to amend the Original Agreement as set forth in this First Amendment and to otherwise agree as set forth herein.

NOW, THEREFORE, in consideration of the foregoing and on the terms and conditions hereinafter set forth, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Section 1: Amendment to Original Agreement, Section 3.01 (Jail Fees):

Section 3.01 (Jail Fees) of the Original Agreement is hereby amended to read as follows:

"3.01 Jail Fees

Agency shall pay to Wylie a fee for each detainee processed into the Wylie Jail and delivered by Agency regardless of the detainee's length of stay ("Detainee Fee"). The amount of the Detainee Fee shall be established by administrative order of the Wylie City Manager on an annual basis for each ensuing fiscal year based upon the projected costs of services; provided, however, the initial Detainee Fee shall be one hundred twenty-five dollars ($125.00) per detainee for the first 24 hour period in custody. Each additional 24-hour period will constitute a separate day and an additional one hundred twenty-five dollars ($125) per detainee will be charged until changed by administrative order of the Wylie City Manager as provided herein. Any increase or change in the amount of the Detainee Fee or other costs of services shall be effective on the forty-fifth (45th) day after Wylie provides written notice thereof to Agency ("Notice of Fee Increase") unless Wylie receives written notice to terminate this Agreement from Agency prior to the expiration of such forty-five (45) day period."

Section 2: Defined Terms

Any term not defined herein shall be deemed to have the same meaning ascribed to it under the Original Agreement.

Section 3: Ratification

The parties hereby ratify and confirm all of the terms, provisions, covenants and conditions of the Original Agreement and acknowledge and agree that the Original Agreement remains in full force and effect, except as amended in this First Amendment.

Section 4: Controlling Agreement

To the extent that any provision contained herein conflicts with the Original Agreement, the provision contained herein shall supersede such conflicting provisions contained in the Original Agreement.

Section 5: Entire Agreement/First Amendment

This First Amendment and the Original Agreement contain the entire agreement of the parties with respect to the matters contained herein. This First Amendment may not be modified or terminated except upon the provisions hereof or by the mutual written agreement of the parties hereto.

Section 6: Authority to Execute

The individuals executing this First Amendment on behalf of the respective parties below represent to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing this First Amendment to do so for and on behalf of the party for which his or her signature appears, that there are no other parties or entities required to execute this First Amendment in order for the same to be an authorized and binding agreement on the party for whom the individual is signing this First Amendment and that each individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the Effective Date.

Section 7: Counterparts

This First Amendment may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes, and all such counterparts shall, collectively, constitute one First Amendment. An electronic mail or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other party.

IN WITNESS WHEREOF, the parties have executed this First Amendment and caused this First Amendment to be effective when all the parties have signed it. The date this First Amendment is signed by the last party to sign it (as indicated by the date associated with that party's signature below) will be deemed the effective date of this First Amendment.

City of Wylie, Texas

By: _____ Date: _____
Print Name: Brent Parker
Title: City Manager

Agency: City of Lavon, Texas

By: _____ Date: _____
Print Name: Vicki Sanson
Title: Mayor

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - A**

Item:

Public Hearing to review the City's program performance including the actual use of Community Development Block Grant (CDBG) funds expended under Texas Department of Agriculture Contract CDV21-0092.

Background:

In 2021, the City of Lavon applied for and was awarded a grant with the Texas Department of Agriculture - Texas Community Development Block Grant (TxCDBG) program. The project identified for the grant application was a paving project in the vicinity of Forder Court, School Road, and Boyd Court.

The maximum amount of the grant was awarded in the amount of $350,000. The City committed matching funds of 15% or $52,500 for total project funding of $402,500. The project budget included $317,500 for construction, $40,000 for engineering and $45,000 for grant administration. When the project bids were received, the construction costs exceeded the budget and the scope of the project was reduced accordingly.

The Forder Court improvement construction project, identified as CIP-30 in the approved capital improvements plan (CIP), involved paving Forder Court in asphalt from Main Street (Business 78) to 336 Forder Court. On January 17, 2023, the City Council awarded the bid and approved a construction contract for the Forder Court (CIP-30) Construction Project to GRod Construction Company in the amount of $538,187.00. On July 18, 2023, the City Council accepted the improvements.

At the conclusion of the process, the grant program requirements require that a public hearing be conducted to review the City's performance. Notice of the Public Hearing was published in the newspaper, posted on the City's website and posted on the City's bulletin board at City Hall.

Financial Implications:

There is none.

Staff Notes:

No action is required after the public hearing is conducted.

Attachments: 1) Public Hearing Notice
2) Project Location Map



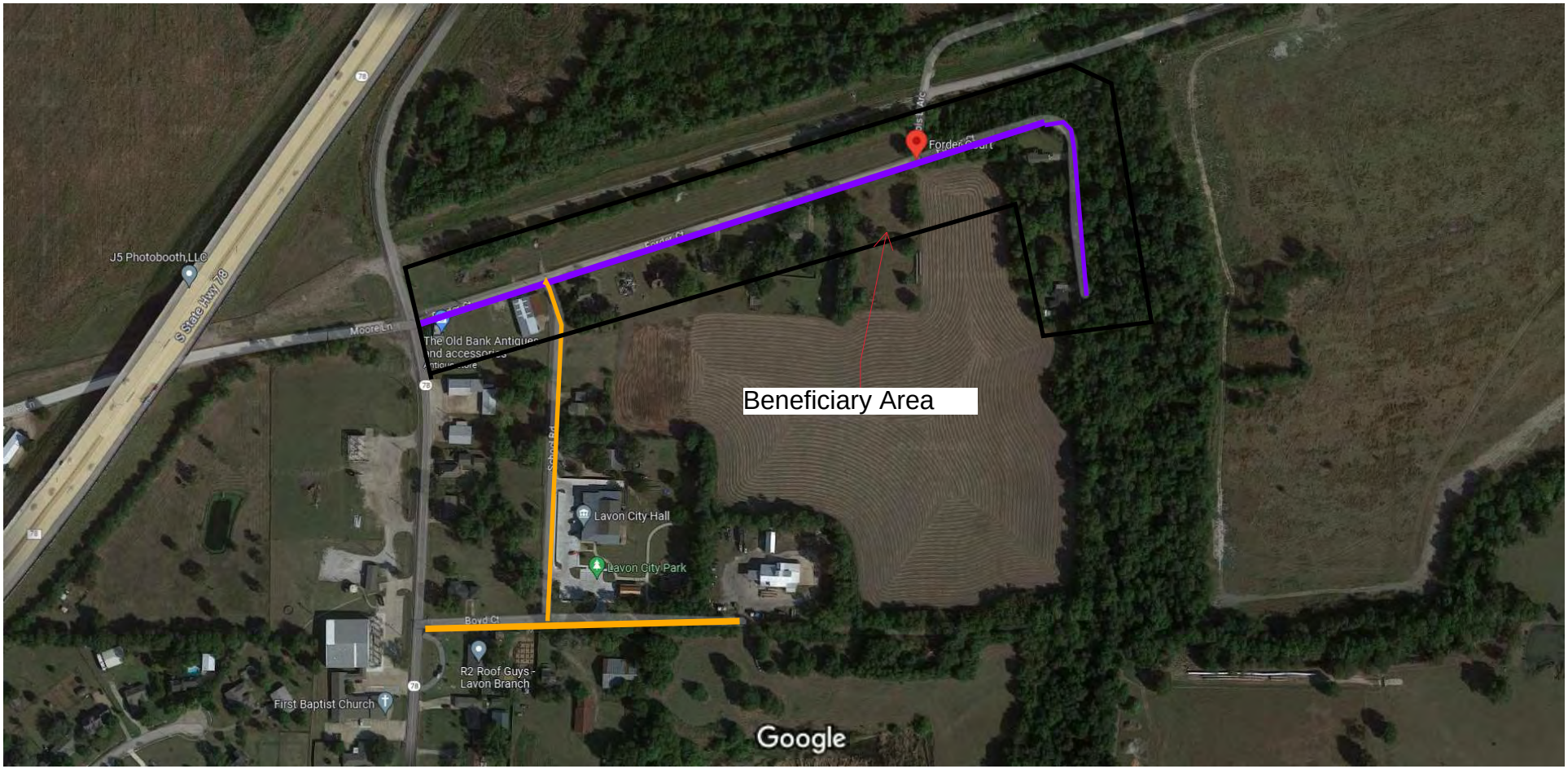
CITY OF LAVON
TEXAS DEPARTMENT OF AGRICULTURE
COMMUNITY DEVELOPMENT BLOCK GRANT
PUBLIC HEARING NOTICE

The City will conduct a public hearing at 6:30 p.m. on Tuesday, September 5, 2023 at City Hall located at 120 School Road, Lavon, Texas concerning the closeout of its grant funded through the Texas Department of Agriculture. This hearing will be held to review the City's program performance including the actual use of Community Development Block Grant funds expended under contract CDV21-0092. Persons with disabilities that wish to attend this meeting should contact City Hall to arrange for such assistance. Individuals who require auxiliary aids or services for this meeting should contact City Hall at least two days before the meeting so that appropriate arrangements can be made. For further information, contact Kim Dobbs, City Manager, at (972) 843-4220. *Para residentes necesitados de interpretes, favor de comunicarse con la municipalidad antes de las audiencia publica.*

Google Maps

Forder Ct

CDV21-0092 Amendment 1



Imagery ©2023 Google, Imagery ©2023 CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 200 ft

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 – B**

Item:

Discussion and action regarding the preliminary plat of the SMI Addition at 875 S. SH 78 consisting of 5.4545 acres out of the William H. Moore Survey, A-638, northeast of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, TX (CCAD Property ID 2614354).

Application Information

Owner(s): 78 Commercial West, LP

Applicant: Eagle Surveying

Location: 875 S. SH 78, east of property northeast of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, TX;

Description: Approximately 5.4545 acres out of the William H. Moore Survey, A-638, City of Lavon, Collin County, Texas, (CCAD Parcel ID 2614354)

Current Zoning: Planned Development

Request: Preliminary Plat

Request Details

The applicant is seeking approval of the preliminary plat of a commercially zoned area in the vicinity of 875 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.

***Code Excerpts*:**

TEXAS LOCAL GOVERNMENT CODE
§ 212.004. PLAT REQUIRED

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.

The property is zoned Planned Development (PD). The preliminary plat is prepared in conformance with the zoning requirements and the Future Land Use Plan.

Water
The development is located within the certificated area of the Bear Creek Special Utility District (BCSUD). A conceptual water plan has been submitted and reviewed.

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

Roads
No roads are proposed for construction within the project. Access is from a cross access easement across the Taco Bell property to connect to Burleson Drive. A preliminary access plan for the adjacent property and traffic estimates have been provided and reviewed.

Parks and Trails
The site will contain appropriate pedestrian connections.

Floodplain and Drainage
The conceptual drainage plans have been reviewed by the city engineer.

The application and plans generally satisfy the criteria for approval.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE PRELIMINARY PLAT OF THE SB LAVON ADDITION (ALSO REFERRED TO AS SMI ADDITION) AT 875 S. SH 78 CONSISTING OF 5.4545 ACRES OUT OF THE WILLIAM H. MOORE SURVEY, A-638, NORTHEAST OF THE INTERSECTION OF SH 78 AND BURLESON DR., LAVON, COLLIN COUNTY, TX SUBJECT TO CITY ENGINEER'S APPROVAL.
MOTION MADE: NABORS
SECONDED: COX
APPROVED: UNANIMOUS

Staff Notes:

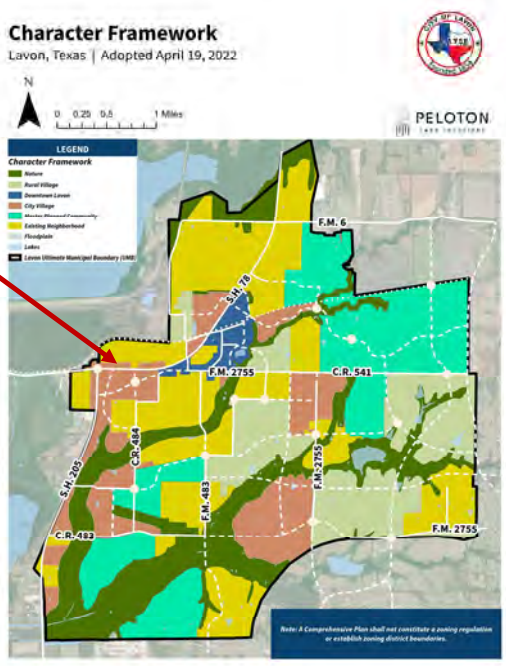
The proposed site plan was reviewed by the city engineer, planning consultant, and staff development review committee (DRC). The applicant has been cooperative and is working with the City team to resolve any outstanding questions.

Approval of the preliminary plat is recommended subject to the city engineer's approval.

Attachments:
1. Location Exhibits
2. Application and preliminary plat
3. Engineer correspondence

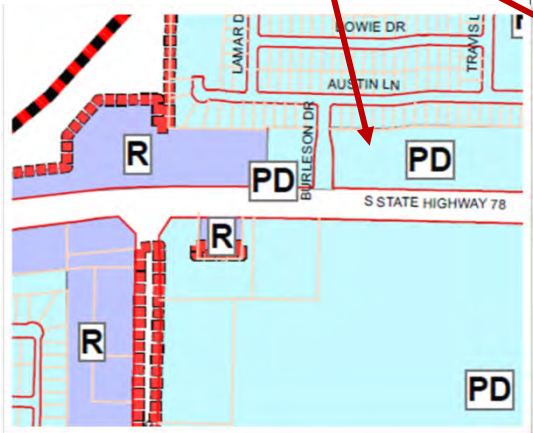
Future Land Use Plan

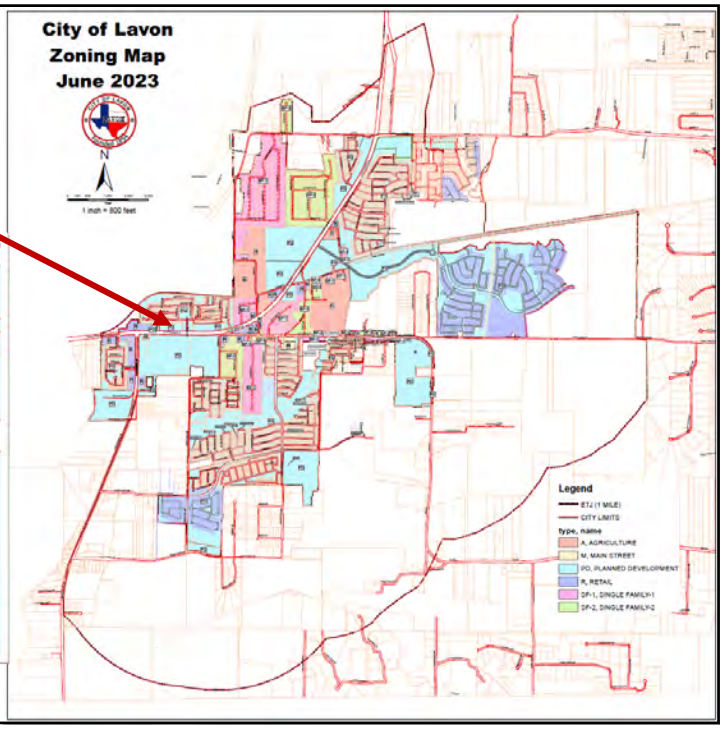




51

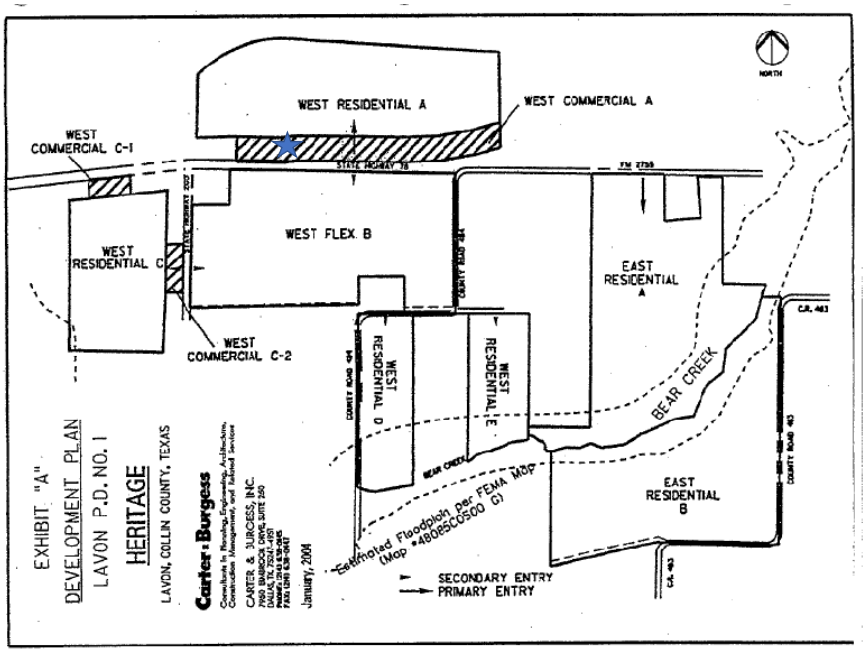
Zoning Map





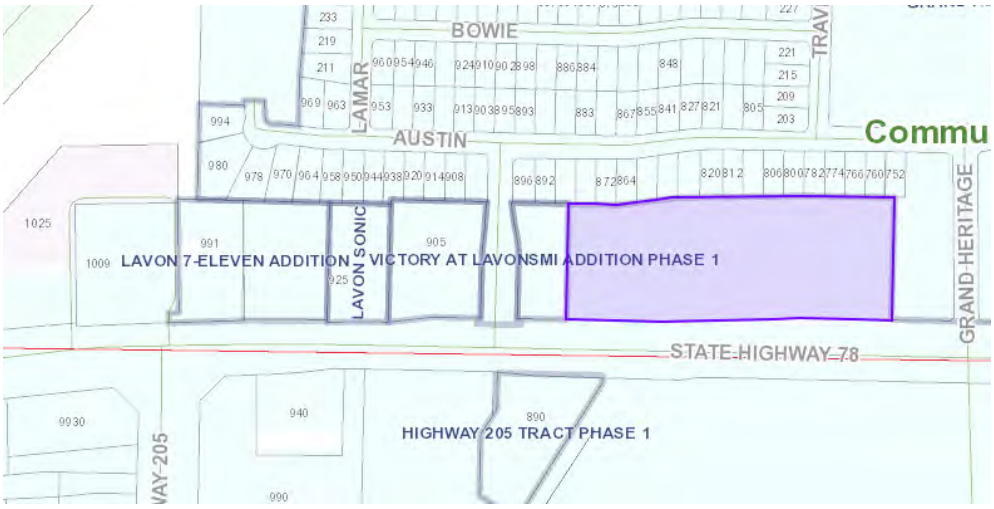
52

Grand Heritage PD Development Plan



53

Location Exhibit SMI Addition



54

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, LP
Address: 222 S. Elm Street, Suite 200	Address: ~~1601 Elm Street~~ 2101 Cedar Springs Rd. Suite 600
City/State/Zip: Denton, TX 76201	City/State/Zip: Dallas, TX 75201
Phone #: 940-222-3009 Fax #:	Phone # 214-880-8411 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		6/2/2023

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.

Authorization of Representation

Date: June 2, 2023

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, 78 Commercial West, LP, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize Graco Real Estate development, Inc 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 2nd day of June, 2023.

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.

Declaration of Ownership

Date: June 2, 2023

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, 78 Commercial West, 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

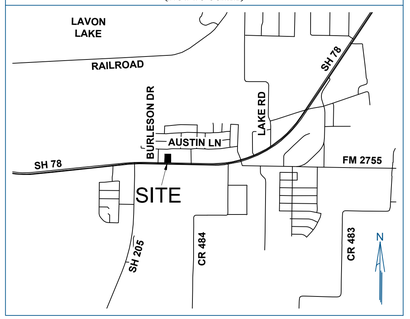
Before me, the undersigned authority, appeared Carter W Hunt,
on this the 2nd day of June, 2023.

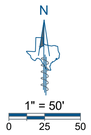
JANET BRACKENRIDGE
Notary Public, State of Texas
Comm. Expires 09-25-2024
Notary ID 578658-0

Janet Brackenridge

Notary Public in and for Dallas County, Texas

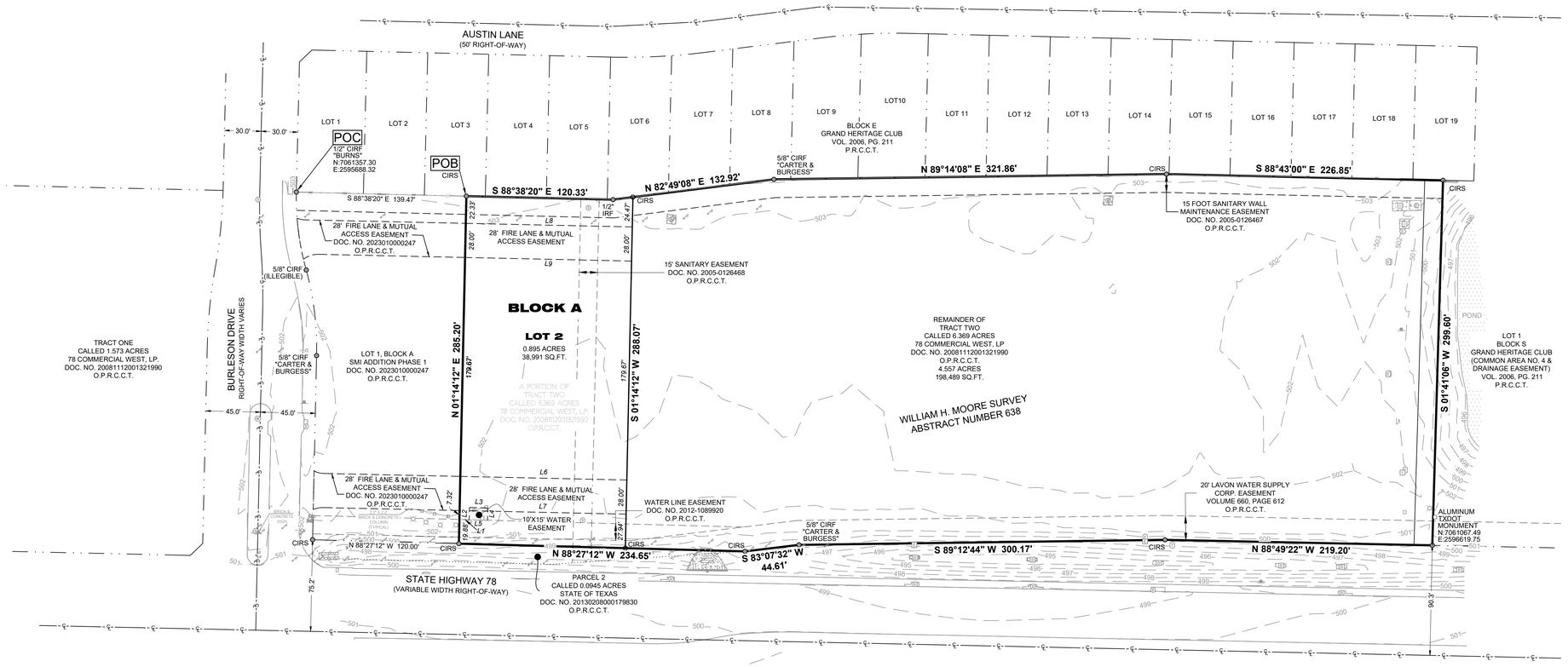
VICINITY MAP
(NOT TO SCALE)





LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 82°49'08" E	16.38'
L2	S 88°45'48" E	116.54'
L3	N 88°45'48" W	116.54'
L4	N 88°29'14" E	115.71'
L5	N 88°29'14" E	136.70'
L6	S 88°27'35" E	8.04'
L7	N 01°32'25" E	10.00'
L8	S 88°27'35" E	15.00'
L9	S 01°32'25" W	10.00'
L10	N 88°27'35" W	15.00'

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	20.37'	61.58'	18°57'14"	N 81°45'35" E	20.28'
C2	32.38'	20.00'	92°44'59"	S 45°08'17" E	28.95'
C3	31.42'	20.00'	90°00'00"	N 46°14'12" E	28.28'



LEGEND

Sign	IRF	Iron Rod Found
Light	CIRS	Capped Iron Rod Set
Electric Box	CIRF	Capped Iron Rod Found
Electric Meter	P.R.T.C.T.	Plat Records, Collin County, Texas
Electric Transformer	O.P.R.C.C.T.	Official Public Records, Collin County, Texas
Electric Utility Mark		Subject Tract
Electric Manhole		Tract / Lot Line
Gas Utility Mark		Wire Fence
Cable Utility Mark		Wood Fence
Water Valve		Guardrail
Fire Hydrant		Water Easement
Irrigation Control Valve		Sewer Easement
Drainage Inlet		Wall & Sewer Easement
Storm Drain Manhole		
Sanitary Sewer Manhole		
Telecommunications Utility Mark		

GENERAL NOTES

1. The purpose of this plat is to create 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 & 480130 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) Texas North Central Zone 4202.
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.

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 WEST, LP is the owner of a 5.452 acre tract or parcel of land situated in the WILLIAM H. MOORE SURVEY, ABSTRACT NUMBER 638, in the City of Lavon, Collin County, Texas, and being a portion of a called 6.369 acre tract designated as "Tract Two" in the Correction Warranty Deed to 78 Commercial West, LP, recorded in Document Number 20081112001321990, of the Official Public Records of Collin County, Texas.

COMMENCING, at a 1/2" iron rod with plastic cap stamped "BURNS" found in the east right-of-way line of Burleson Drive (a variable width right-of-way), at the southwest corner of Lot 1, Block E, Grand Heritage Club, a subdivision of record in Volume 2006, Page 211, of the Plat Records of Collin County, Texas, and the northwest corner of Lot 1, Block A of SMI Addition Phase 1, a subdivision of record in Document Number 20230100000247 of the Official Public Records of Collin County, Texas;

THENCE, S88°38'20"E, along the South line of said Grand Heritage Club, being the common North line of said Lot 1, a distance of 139.47 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set for the **POINT OF BEGINNING**, being the northeast corner of said Lot 1;

THENCE, along the South line of said Grand Heritage Club, being the common North line of said 6.369 acre tract of land, the following four (4) courses and distances:

S88°38'20"E, a distance of 120.33 feet to a 1/2" iron rod found;

N82°49'08"E, a distance of 132.92 feet to a 5/8" iron rod with yellow plastic cap stamped "CARTER & BURGESS" found;

N89°14'08"E, a distance of 321.86 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

S88°43'00"E, a distance of 226.85 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being a West corner of Lot 1, Block S of said Grand Heritage Club and the Northeast corner of said 6.369 acre tract;

THENCE, S01°41'06"W, along the West line of Lot 1, Block S of said Grand Heritage Club, being the common East line of said 6.369 acre tract, a distance of 299.60 feet to an aluminum monument stamped "TXDOT" found in the North right-of-way line of State Highway 78 (variable width right-of-way), being the Southwest corner of Lot 1, Block S of said Grand Heritage Club and the Southeast corner of said 6.369 acre tract;

THENCE, along the North right-of-way line of said State Highway 78, being the common South line of said 6.369 acre tract, the following four (4) courses and distances:

N88°49'22"W, a distance of 219.20 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

S89°12'44"W, a distance of 300.17 feet to a 5/8" iron rod with yellow plastic cap stamped "CARTER & BURGESS" found;

S83°07'32"W, a distance of 44.61 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the east corner of a called 0.0945 acre tract referenced as Parcel 2, conveyed to the State of Texas by Deed recorded in 20130208000179830 of the Official Public Records of Collin County, Texas;

N88°27'12"W, a distance of 234.65 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the Southeast corner of Lot 1, Block A of said SMI Addition, from which a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set bears N88°27'12"W, a distance of 120.00 feet, being the Southwest corner of Lot 1, Block A of said SMI Addition;

THENCE, N01°14'12"E, along the East line of Lot 1, Block A of said SMI Addition, a distance of 285.20 feet to the POINT OF BEGINNING, containing 5.452 acres or 237,480 square feet, more or less.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **78 COMMERCIAL WEST, LP**, do hereby adopt this Preliminary Plat, designating herein described property as **SMI ADDITION, LOT 2, 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 Preliminary 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 WEST, 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

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

PRELIMINARY PLAT
SMI ADDITION
LOT 2, BLOCK A

5.452 ACRES

BEING A PORTION OF A CALLED 6.369 ACRE TRACT OF LAND (TRACT TWO) RECORDED IN DOCUMENT NUMBER 20081112001321990, O.P.R.C.C.T. SITUATED IN THE WILLIAM H. MOORE SURVEY, ABSTRACT NO. 638 CITY OF LAVON, COLLIN COUNTY, TEXAS

JOB NUMBER
2304.031-03
DATE
08/18/2023
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

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

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

DEVELOPER
GRACO Real Estate Development, Inc.
5307 W. Loop 289, Suite 302
Lubbock, TX 79414

ENGINEER
AMD Engineering, LLC
Contact: Will Stephens
6515 68th Street, Suite 300
Lubbock, TX 79424
(806) 771-5976

August 22, 2023

City of Lavon Planning and Engineering Departments
120 School Road
Lavon, TX 75166
(972) 843-4220

Re: Site Plan Review Comments – Quick Service Drive-Thru Restaurant
"Starbucks Shell Building" – 875 S. State Hwy 78

Plan Number: #23-000737

City of Lavon,

We are providing our responses to your comments on our Site Plan Review Packet for our proposed Starbucks Shell Building development located at 875 S. State Hwy 78, which were provided to us on August 18, 2023. Below are all of your comments to said project and our subsequent responses can be found in red.

Peloton Land Solutions – Preliminary Plat, Site Plan, and Landscape Plan Comments

1. *Revise the Preliminary Plat to include the entire parent tract (including to the east) with associated features meeting the standards contained in the Code of Ordinances (ex. lot and block designation, easements, preliminary engineering, TIA, etc.).*

   The preliminary plat will be revised and re-submitted per your request. A TIA exhibit, engineering exhibit, and drainage exhibit were submitted with the Taco Bell Development to our west and given that we are not deviating from said submittals, new engineering exhibits will not be submitted at this time.

2. *Revise the Preliminary Plat to include all existing easements on the subject property and adjacent to it, with associated filing information.*

   The preliminary plat will be revised and re-submitted per your request.

3. *Revise the Site Plan to lightly shade and label all proposed fire lanes and mutual access easements, and unshade any pavement not proposed for fire lane for clarification on locations and striping.*

   A revised site plan will be submitted before City Council that will included the changes mentioned above.

4. *Revise the Site Plan to provide stacking clarification (from point of order) for a minimum of six spaces outside any fire lanes and the circulation plan for entering the drive through.*

   A revised site plan will be re-submitted before the City Council hearing date that will add information regarding stacking and access per your request.

5. *Revise the Site Plan to label the height and materials of the proposed dumpster enclosure.*

   This information will be added to the revised site plan submittal.

6. *Revise the Site Plan to remove any indications of proposed detached signage (other than directional). Signs will be reviewed and considered with a Sign Permit.*

   These callouts will be adjusted to read "for reference only, refer to sign permit plans for more information".

7. *Revise the Site Plan to provide the height of the proposed structure.*

   Information regarding the building height will be added to the site plan per your request.

8. *Staff recommends providing a minimum of one four-inch caliper, eight-foot height tree along every 25 linear feet (or portion thereof) of public street frontage along SH 78, within the 10-foot landscape buffer.*

   While we will not be able to plant large trees within the landscape buffer along SH 78 due to the existing water line easement, underground water line and numerous underground communication lines, we will ensure some sort of vertical shrubbery is planted here. A revised landscape plan showing our intentions will be re-submitted in the coming weeks.

9. *Revise the Landscape Plan to provide the minimum plantings within the 20-foot landscape buffer required along northern property line (one canopy tree for each 30 linear feet or portion thereof of adjacent exposure—not clustered). Alternate landscape plantings can be considered by the City Engineer due to potential utility conflicts but must have approval.*

   There is an existing 15' wide sanitary sewer line easement, multiple different underground sewer lines, as well as an underground electric line located within the 20' landscape buffer along the northern property line. We will attempt to place trees here per your request, but an alternative may be used due to the

existing utilities and easements present. A revised landscape plan will be re-submitted showing our intentions for further communication.

10. *Staff recommends providing a canopy tree at the terminus of each parking row.*

    Our client/Starbucks is discussing providing these trees per your request.

11. *For any interior or exterior art or architectural features, please consider the site's proximity to Lake Lavon and take inspiration by incorporating water imagery, features, or other lake-oriented destination theming.*

    This request has been forwarded to the architect for consideration.

12. *Please consider providing a solid cover and fans for the outdoor dining/seating area for usability in the Texas heat and other weather elements.*

    The outdoor seating area will include fans.

13. *FYI: The subject property is zoned Planned Development (PD) per Ordinance No. 2023-08-01 (West Commercial A Tract).*

    Noted.

14. *FYI: The subject property is unplatted. After approval of a compliant Preliminary Plat, a generally conforming subsequent Final Plat for the subject property will be required prior to the issuance of a Building Permit.*

    Noted.

15. *FYI – The Site Plan must be approved by the City Council, upon recommendation by the Planning and Zoning Commission.*

    Noted.

Freeman - Millican – General Revision Comments

1. *The development consists of 1 lot.*

   This is correct.

2. *The property is zoned Planned Development – Commercial, PD-C.*

   This is correct.

3. *Water service is by BCSUD.*

   Noted.

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

   Noted.

5. *City Planning may have additional comments.*

   Noted.

6. *Several sheets are blank and appear to be "place holders" for final plans. Subsequently, this review is general in nature for preliminary plan purposes.*

   This is correct, this was a 50% submittal.

Freeman - Millican – Preliminary Plat Comments

7. *This area has been preliminary platted as SMI Addition. This property should be SMI Addition, Lot 2, Block A.*

   This will be adjusted per your request.

8. *A bearing differs between the drawing and written description.*

   The surveyor has been made aware of this comment and a subsequent change can be expected.

9. *Minimum fire lane radius is 30'.*

   Noted.

10. *References to Minor Plat in the Owners Certificate should be modified.*

    The surveyor has been made aware of this comment and a subsequent change can be expected

Freeman - Millican – Preliminary Plan Comments

11. *The property should be SMI Addition, Lot 2, Block A.*

    All callouts referencing the plat name will be adjusted per your request.

12. *Missing data should be provided.*

    This was a 50% "Preliminary Review Set" – all missing data will be updated for the final permit set.

13. *Sheet C-1 – The latest version of the Lavon Standard Details should be used.*

    The latest version of the Lavon Standard Details will be used.

14. *On the north edge of the fire lane a rectangle is shown. This should be identified.*

    This is a concrete landing for landscape drainage, a callout/detail will be added for the final permit set.

15. *Sheet C-2 – A note states that sidewalks are subject to change. Sidewalk changes will require City of Lavon approval.*

    This callout will be changed per your request.

16. *Sheet C-3 – Several of the proposed contours are not shown to connect to existing.*

    The surface model will be updated per your request.

17. *Sheet C-3- Engineer to verify grading at northeast corner of property.*

    The proposed surface model will be verified per your request.

18. *Sheet C-3 – A copy of the referenced geotechnical report should be provided to the City for its records.*

    This will be provided at permitting.

19. *Sheet C-6 – The plan sheet should be completed. No erosion control is shown.*

    This was a 50% "Preliminary Review Set" – all missing data will be updated for the final permit set.

20. *Sheet C-8 – Water service is provided by Bear Creek SUD. All details, notes, etc. shall conform to BCSUD requirements.*

    This sheet will be revised per your request.

21. *Sheet C-11 – Several references do not appear to be correct.*

This was a 50% "Preliminary Review Set" – all missing data will be updated for the final permit set.

22. *Sheet C-11 – References to City of McKinney should be corrected.*

    These callouts will be adjusted.

23. *Sheet C-11 – Pavement for the dumpster area shall extend a minimum of 10 feet in front of the enclosure.*

    This area of pavement will be increased per your request.

24. *Sheet C-11 – The pavement connection on the east property line refence exiting pavement. This is incorrect. A header should be installed for future extension.*

    You are correct – this will be revised.

25. *City of Lavon Standard Details should be used for this project. Project specific details are permissible as long as they do not conflict with City Standards.*

    Noted – all details will be checked to ensure they are in conformance with the City of Lavon's Standards.

If for any reason you need any more information or have any questions at all, please do not hesitate to reach out to me.

Sincerely,

Will Stephens, P.E.

CITY OF LAVON

P.O. Box 340 120 School Road
Lavon, TX 75166
(972) 843-4220
www.cityoflavon.com

August 18, 2023

Will Stephens
AMD Engineering
6515 68th St.
Lubbock, TX 79424
Via email: wstephens@amdeng.com

Erick Nolasco
Eagle Surveying, LLC
222 S. Elm St., Ste. 200
Denton, TX 76201
Via email: Erick@eaglesurveying.com

RE: Starbucks Site Plan, Landscape Plan and Preliminary Plat

Please find attached planning and engineering review comments on the site plan, landscape plan, and preliminary plat submitted for the Starbucks project.

The items are scheduled for presentation to and consideration by the Planning and Zoning Commission at their August 22, 2023 meeting.

If there are questions or anything further needed, please let me know.

Thank you,

Kim Dobbs
City Manager

Attachments

C: Abra Nusser abra.nusser@pelotonland.com
Mark Hill mdhill@fmi-dallas.com

PELOTON
LAND SOLUTIONS
a Westwood company

STARBUCKS – GRAND HERITAGE

PRELIMINARY PLAT + SITE PLAN/LANDSCAPE PLAN

Planning and Design Comments for August 2, 2023, Submittal

AUGUST 18, 2023

Kim Dobbs
City Manager, City of Lavon
Via email delivery to: kdobbs@lavontx.gov

1. Revise the Preliminary Plat to include the entire parent tract (including to the east) with associated features meeting the standards contained in the Code of Ordinances (ex. lot and block designation, easements, preliminary engineering, TIA, etc.).
2. Revise the Preliminary Plat to include all existing easements on the subject property and adjacent to it, with associated filing information.
3. Revise the Site Plan to lightly shade and label all proposed fire lanes and mutual access easements, and unshade any pavement not proposed for fire lane for clarification on locations and striping.
4. Revise the Site Plan to provide stacking clarification (from point of order) for a minimum of six spaces outside any fire lanes and the circulation plan for entering the drive through.
5. Revise the Site Plan to label the height and materials of the proposed dumpster enclosure.
6. Revise the Site Plan to remove any indications of proposed detached signage (other than directional). Signs will be reviewed and considered with a Sign Permit.
7. Revise the Site Plan to provide the height of the proposed structure.
8. Staff recommends providing a minimum of one four-inch caliper, eight-foot height tree along every 25 linear feet (or portion thereof) of public street frontage along SH 78, within the 10-foot landscape buffer.
9. Revise the Landscape Plan to provide the minimum plantings within the 20-foot landscape buffer required along northern property line (one canopy tree for each 30 linear feet or portion thereof of adjacent exposure—not clustered). Alternate landscape plantings can be considered by the City Engineer due to potential utility conflicts but must have approval.
10. Staff recommends providing a canopy tree at the terminus of each parking row.
11. For any interior or exterior art or architectural features, please consider the site's proximity to Lake Lavon and take inspiration by incorporating water imagery, features, or other lake-oriented destination theming.
12. Please consider providing a solid cover and fans for the outdoor dining/seating area for usability in the Texas heat and other weather elements.
13. FYI: The subject property is zoned Planned Development (PD) per Ordinance No. 2023-08-01 (West Commercial A Tract).

14. FYI: The subject property is unplatted. After approval of a compliant Preliminary Plat, a generally conforming subsequent Final Plat for the subject property will be required prior to the issuance of a Building Permit.
15. FYI – The Site Plan must be approved by the City Council, upon recommendation by the Planning and Zoning Commission.

Prepared by:



Abra R. Nusser, AICP
Lavon City Planner
Peloton Land Solutions, a Westwood Company
Abra.Nusser@PelotonLand.com
Cell: 972.339.8186
For: City of Lavon, Texas

August 18, 2023

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

Re: SMI Addition (Starbucks) - 1 Lot, 0.895 Acres
Preliminary Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the Preliminary Plat dated May 24, 2023, as prepared by Eagle Surveying, and Preliminary Civil Plans dated August 2, 2023 as prepared by AMD Engineering, LLC, for the above referenced property. The property is located east of Taco Bell (Lot 1, Block A), south of Grand Heritage Club and north of SH 78. Our comments are as follows:

General

1. The development consists of 1 lot.

2. The property is zoned Planned Development – Commercial, PD-C.

3. Water service is by BCSUD.

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

5. City Planning may have additional comments.

6. Several sheets are blank and appear to be “place holders” for final plans. Subsequently, this review is general in nature for preliminary plan purposes.

PRELIMINARY PLAT

7. This area has been preliminary platted as SMI Addition. This property should be SMI Addition, Lot 2, Block A.

8. A bearing differs between the drawing and written description.

9. Minimum fire lane radius is 30’.

10. References to Minor Plat in the Owners Certificate should be modified.

PRELIMINARY PLANS

11. The property should be SMI Addition, Lot 2, Block A.

12. Missing data should be provided.

13. Sheet C-1 – The latest version of the Lavon Standard Details should be used.

14. On the north edge of the fire lane a rectangle is shown. This should be identified.

15. Sheet C-2 – A note states that sidewalks are subject to change. Sidewalk changes will require City of Lavon approval.

16. Sheet C-3 – Several of the proposed contours are not shown to connect to existing.

17. Sheet C-3- Engineer to verify grading at northeast corner of property.

18. Sheet C-3 – A copy of the referenced geotechnical report should be provided to the City for its records.

19. Sheet C-6 – The plan sheet should be completed. No erosion control is shown.

20. Sheet C-8 – Water service is provided by Bear Creek SUD. All details, notes, etc. shall conform to BCSUD requirements.

21. Sheet C-11 – Several references do not appear to be correct.

22. Sheet C-11 – References to City of McKinney should be corrected.

23. Sheet C-11 – Pavement for the dumpster area shall extend a minimum of 10 feet in front of the enclosure.

24. Sheet C-11 – The pavement connection on the east property line refence exiting pavement. This is incorrect. A header should be installed for future extension.

25. City of Lavon Standard Details should be used for this project. Project specific details are permissible as long as they do not conflict with City Standards.

This concludes our review of the above-referenced Preliminary Plat and Preliminary Plans. A copy of sheets, 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

Cc: David Carter, Mike Jones, Danny Anthony

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 – C**

Item:

Discussion and action regarding the site plan and landscape plan for Starbucks on Lot 2, Block A of the SMI Addition, Phase 2 on 0.895 acres of land, at 875 S. SH 78 generally northeast of the intersection of Burleson and SH 78, Lavon, Collin County, TX (CCAD Property ID 2614354).

Background:

Application Information

Owner(s): 78 Commercial West, LP

Applicant: Will Stephens, PE

Location: 875 S. SH 78, northeast of the intersection of SH 78 and Burleson Dr.

Description: Lot 2, Block A of the SB Lavon Addition (also referred to as SMI Addition), 0.895 acres, Lavon, Collin County, TX; CCAD Property ID 2614354

Current Zoning: Planned Development (PD)

Request: Site Plan and Landscape Plan

Request Details

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 will be developed in accordance with Ordinance No. **2004-09-05**, as amended. The site is situated on 0.895 acres in the Commercial Planning Area area of the PD and is subject to Commercial Planning Area requirements.

The applicant is seeking approval of the Site Plan and Landscape Plan for a Starbucks with inside and outside seating and a drive through. 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.

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. The site plan and landscape plan are prepared in conformance with the zoning requirements.

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

Access: There is presently access via a cross access easement across the Taco Bell property to connect to Burleson Drive. Access will be provided to the east of the subject property via cross access easements.

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 STARBUCKS ON LOT 2, BLOCK A OF THE SMI ADDITION ON 0.895 ACRES OF LAND, AT 875 S. SH 78 GENERALLY NORTHEAST OF THE INTERSECTION OF BURLESON AND SH 78, LAVON, COLLIN COUNTY, TX SUBJECT TO CITY STAFF AND CONSULTANTS' APPROVAL.

MOTION MADE: NABORS
SECONDED: TIEGS
APPROVED: UNANIMOUS

Staff Notes:

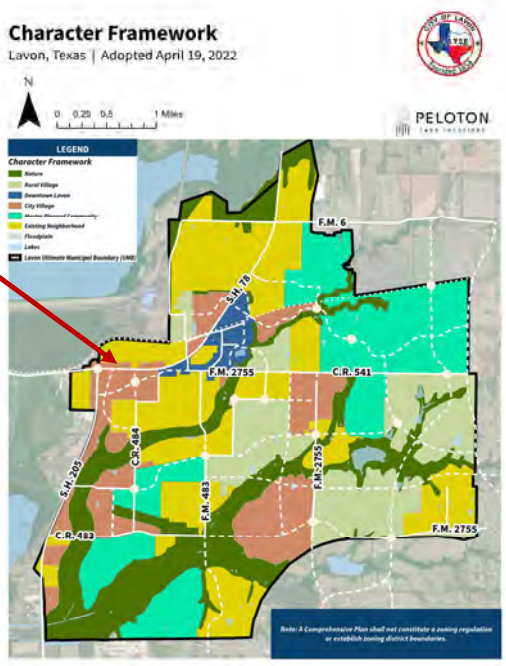
The proposed site plan was reviewed by the city engineer, planning consultant, and staff development review committee (DRC). The site plan consideration does not include explicit approval of signs. Approval of the site plan and landscape plan is recommended.

Attachments:

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

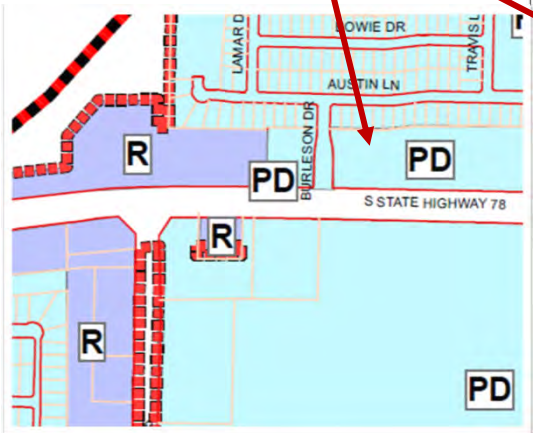
Future Land Use Plan

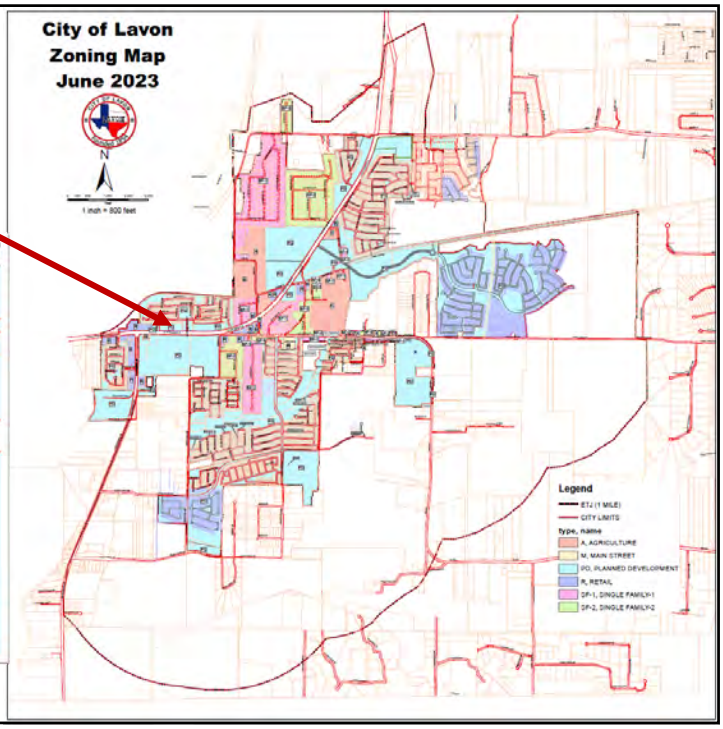




57

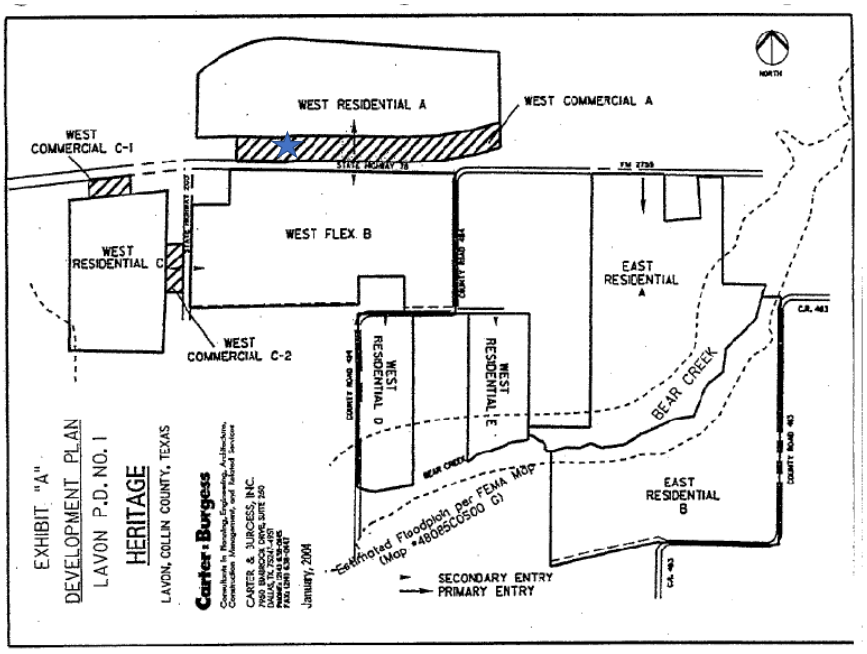
Zoning Map





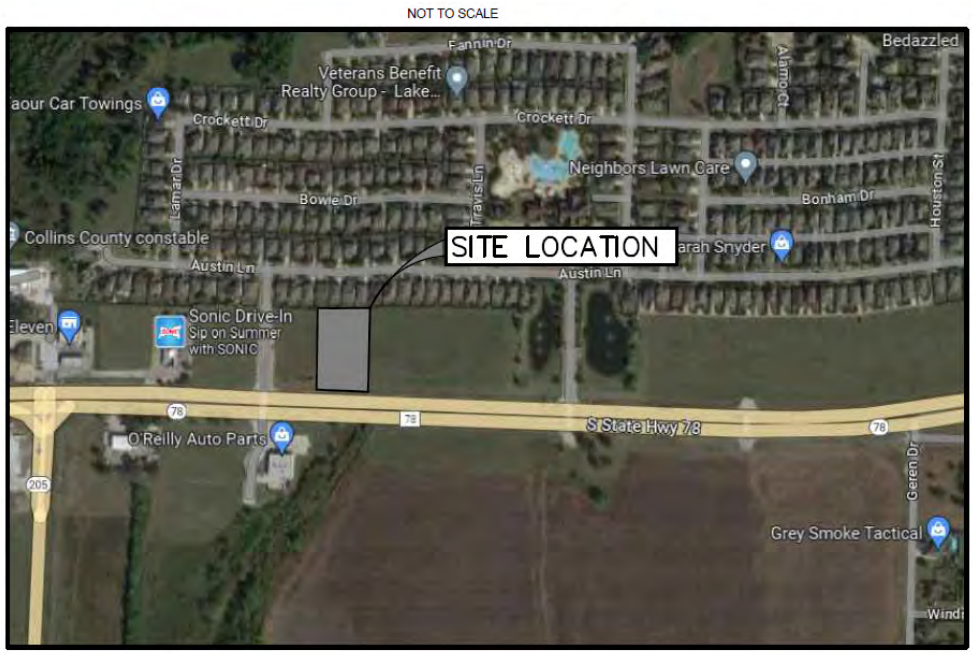
58

Grand Heritage PD Development Plan



59

Location Exhibit Starbucks



60

CITY OF LAVON
SITE PLAN APPLICATION

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

APPLICATION INFORMATION

Name: Will Stephens, P.E., CFM

Address: 6515 68th St, Suite 300, Lubbock, TX 79424

Telephone Number: 806-771-5976

Email Address: wstephens@amdeng.com

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

Currently Unplatted - William H. Moore Survey Abst. No. 638. A pre- and final plat have been submitted under the name: **SV Lavon Addition, Lot 2, Block A**

SUBDIVISION NAME: (*approved plat is prerequisite*)

SB Lavon Addition

ZONING: PD-C, Commercial

LEGAL OWNER OF PROPERTY INVOLVED: 78 Commercial West, LP

If Applicant is NOT the Owner, Relationship to Owner: Owner Representative/ Civil Engineer - Project Manager

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

Signature: _____ 8/2/2023
Owner / Authorized Agent — Date

Printed Name: Will Stephens, P.E., CFM
Owner / Authorized Agent

Title: Civil Engineer - Project Manager

Company: AMD Engineering, LLC

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	

NOTES AND LEGEND:

- – EXISTING ASPHALT
- – EXISTING CONCRETE
- – PROPOSED CONCRETE SIDEWALK
- – PROPOSED CONCRETE PAVEMENT FOR FIRE LANE
- – PROPOSED CROSS–ACCESS EASEMENT LOCATION
- – PROPOSED LANDSCAPE AREA
- – PROPOSED EDGE OF BUILDING
- – PROPOSED FIRE LANE STRIPING
- – TYPICAL HANDICAP PARKING, ADA SIGN SHALL COORDINATE WITH PARKING STALL TYPE.
- (13) – PARKING COUNT INCLUDING ACCESSIBLE SPACES
- (HS) – PROPOSED STANDARD ADA SIGN, SEE SITE DETAILS.
- (VS) – PROPOSED VAN ACCESSIBLE ADA SIGN, SEE SITE DETAILS.
- (CR) – PROPOSED CURB RAMP, SEE SITE DETAILS
- (WS) – PROPOSED WHEEL STOP, SEE SITE DETAILS
- (DC) – PROPOSED 3' DRAINAGE CHANNEL, SEE SITE DETAILS
- (DL) – PROPOSED DUMPSTER LOCATION. SEE ARCH. PLANS FOR SCREENING DETAILS.
- (MS) – MOBILE ORDER SPACES, SEE ARCHITECTURAL PLANS
- (B) – NON–ILLUMINATED BOLLARDS, SEE ARCHITECTURAL PLANS
- (RP) – LEVEL SPREAD OF STONE RIPRAP, MINIMUM 8" THICK. DO NOT USE BROKEN CONCRETE. CONTRACTOR SHALL PLACE FILTER FABRIC UNDER THE RIPRAP.

R – RADIUS
Δ – INTERIOR ANGLE
L – ARC LENGTH

ALL DIMENSIONS ARE MEASURED TO BACK OF CURB UNLESS OTHERWISE NOTED. REFER TO FINAL PLAT FOR COMPLETE PLAT DIMENSIONAL INFORMATION.

SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.

ALL CONSTRUCTION OF PUBLIC IMPROVEMENTS SHALL BE IN ACCORDANCE WITH LATEST STANDARD CITY OF LAVON ENGINEERING DEPARTMENT REQUIREMENTS AND SPECIFICATIONS.

PRIOR TO ANY CONSTRUCTION THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE CONTRACT DOCUMENTS AND SPECIFICATIONS, THE PLAN INCLUDING ALL NOTES, AND ANY OTHER APPLICABLE STANDARDS AND SPECIFICATIONS RELEVANT TO THE PROPER COMPLETION OF THE WORK SPECIFIED. FAILURE ON THE PART OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL STANDARDS OR SPECIFICATIONS PERTAINING TO THIS WORK SHALL IN NO WAY RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR PERFORMING THE WORK IN ACCORDANCE WITH ALL SUCH APPLICABLE STANDARDS AND SPECIFICATIONS. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES OF CONSTRUCTION AND ANY SAFETY PRECAUTION PROGRAMS RELATING IN ANY WAY TO THE CONDITIONS OF THE PREMISES.

THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE, INFORMATION, AND THE LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL–INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATIONS OF ALL UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGES. THE CONTRACTOR SHALL REPAIR ANY DAMAGES TO EXISTING UTILITIES IMMEDIATELY AND AT NO ADDITIONAL COST TO THE OWNER OR ENGINEER. PLANS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR WITH NO ADDITIONAL COMPENSATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING UTILITY COMPANIES HAVING PROPERTY IN THE AREA OF CONSTRUCTION A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT. ALL MANHOLES, CLEAN OUTS AND VALVE BOXES MUST BE ADJUSTED TO THE PROPER LINE AND GRADE BY THE CONTRACTOR PRIOR TO AND AFTER THE PLACING OF PERMANENT PAVING.

EXISTING IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO; FENCES, GATES, GROUND SURFACES, UTILITY PIPELINES AND DRAINAGE STRUCTURES WHICH ARE REMOVED OR ALTERED TO PERMIT INSTALLATION OF THE WORK, SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE, IN THE SAME LOCATION AND IN CONDITION EQUAL TO OR BETTER THAN FOUND.

AT ALL TIMES THAT WORK IS PROGRESSING, THE CONTRACTOR SHALL HAVE A DESIGNATED COMPETENT PERSON ON–SITE WHO SHALL BE RESPONSIBLE FOR SUPERVISING THE WORK AND WHOSE DUTY IT WILL BE TO PERFORM REQUIRED SAFETY INSPECTIONS AND TO DIRECT ALL REQUIRED CONSTRUCTION SAFETY ACTIVITIES.

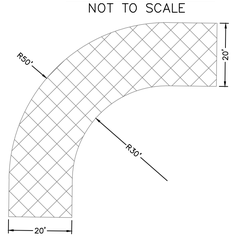
CONTRACTOR SHALL VERIFY BUILDING DIMENSIONS WITH ARCHITECTURAL AND STRUCTURAL PLANS PRIOR TO COMMENCING CONSTRUCTION.

SITE DATA TABLE

EXISTING ZONING	PD – PLANNED DEVELOPMENT DISTRICT (ORD.2004–09–05)
PROPOSED USE	SINGLE STORY DRIVE–THRU RESTAURANT
BUILDING AREA	±2,690 SQUARE FEET (INCLUDING 670 SQ. FT. PATIO)
IMPERVIOUS AREA	±11,250 SQUARE FEET
PARKING REQUIRED	1 SPACE PER 150 SQ. FT. OF GROSS FLOOR AREA = 18 SPACES
PARKING PROVIDED	32 SPACES PROVIDED (INCLUDING 2 ADA SPACES)
SITE ADDRESS	875 S. ST HWY 78, LAVON, TX 75166
SUBDIVISION NAME	SMI ADDITION
TRACT	LOT 2, BLOCK A
LOT SIZE	±0.895 ACRES (38,991 SQUARE FEET)
LANDSCAPE PROVIDED	LANDSCAPE PROVIDED = ±11,250 SQUARE FEET=28% LANDSCAPING PROVIDED

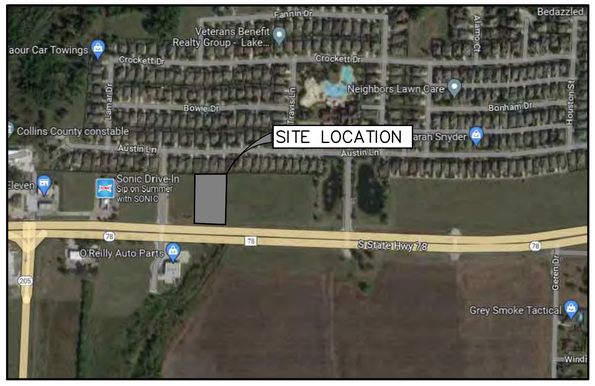
FIRE TRUCK TURNING RADIUS DIAGRAM

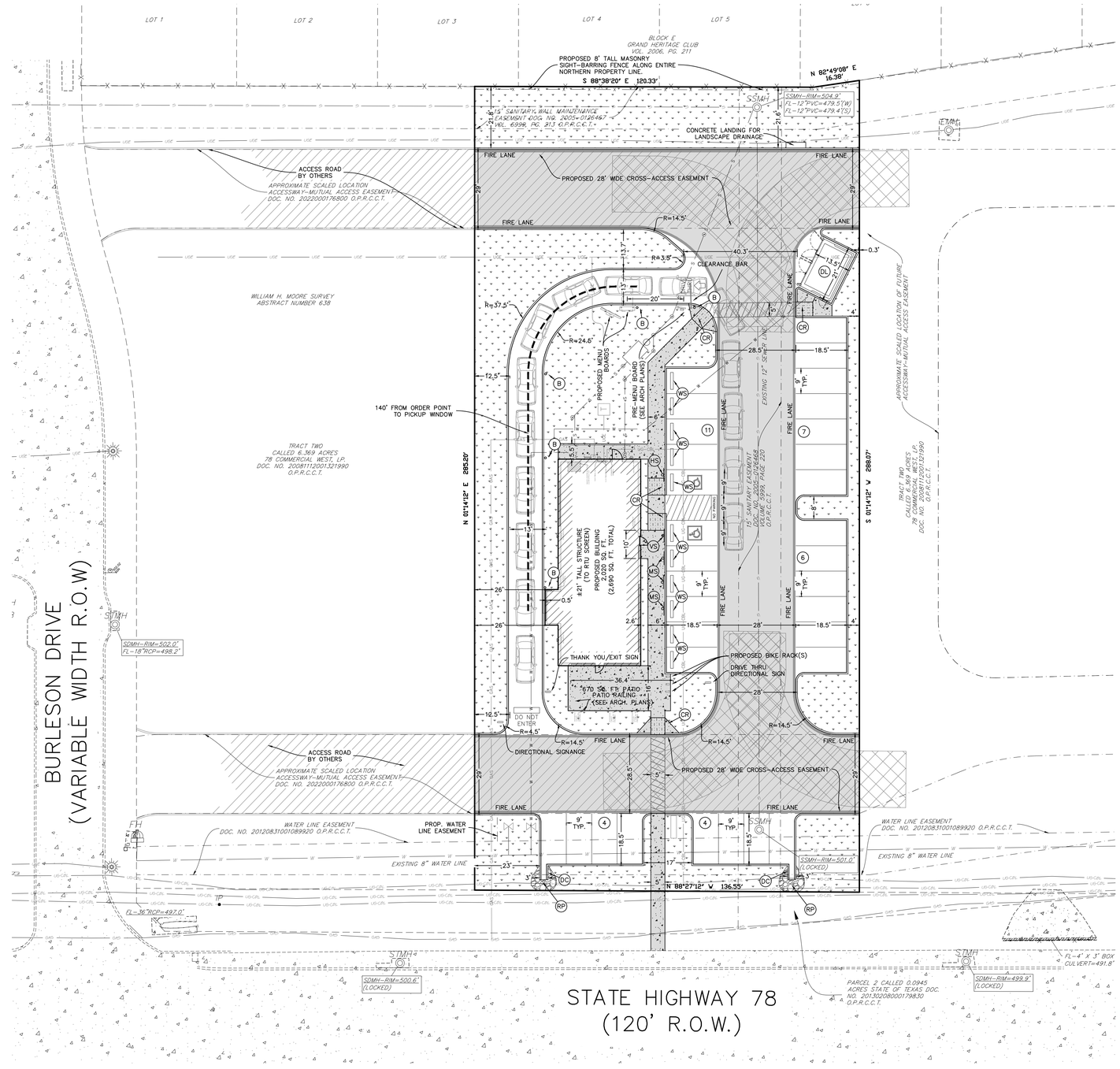
NOT TO SCALE



VICINITY MAP

NOT TO SCALE





REFER TO THE LANDSCAPE PLANS FOR ALL NON–PAVED SURFACES.
ALL SIDEWALKS SHOWN ARE SCHEMATIC IN NATURE AND SUBJECT TO CHANGE.

REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATION OF DRIVE THRU EQUIPMENT, BOLLARDS, BIKE RACKS AND SCREENING FENCE.

NOTE: BUILDING OUTLINE SHOWN IS EDGE OF SLAB. CONTRACTOR SHALL VERIFY BUILDING DIMENSIONS WITH ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION

X BM#X – XXXX
ELEVATION: XXXX (NAVD 88)

X BM#X – XXXX
ELEVATION: XXXX (NAVD 88)

N
W E
S
SCALE: 1" = 20'
0 10' 20' 40'

DIAL BEFORE YOU DIG!
UTILITIES ARE APPROXIMATE. CONTRACTOR SHALL CALL DIG TESS (1–800–DIG–TESS) 48 HOURS PRIOR TO CONSTRUCTION.

CIVIL ENGINEERING
LAND SURVEYING
AMD Engineering, LLC
6515 68th Street, Suite 300
Lubbock, TX 79424
Phone: 806-771-5976
Fax: 806-771-7625
TBPE Reg. # F-9197
Accuracy - Efficiency - Integrity

STARBUCKS SHELL BUILDING
(SMI ADDITION, LOT 2, BLOCK A)
AN ADDITION LOCATED IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS

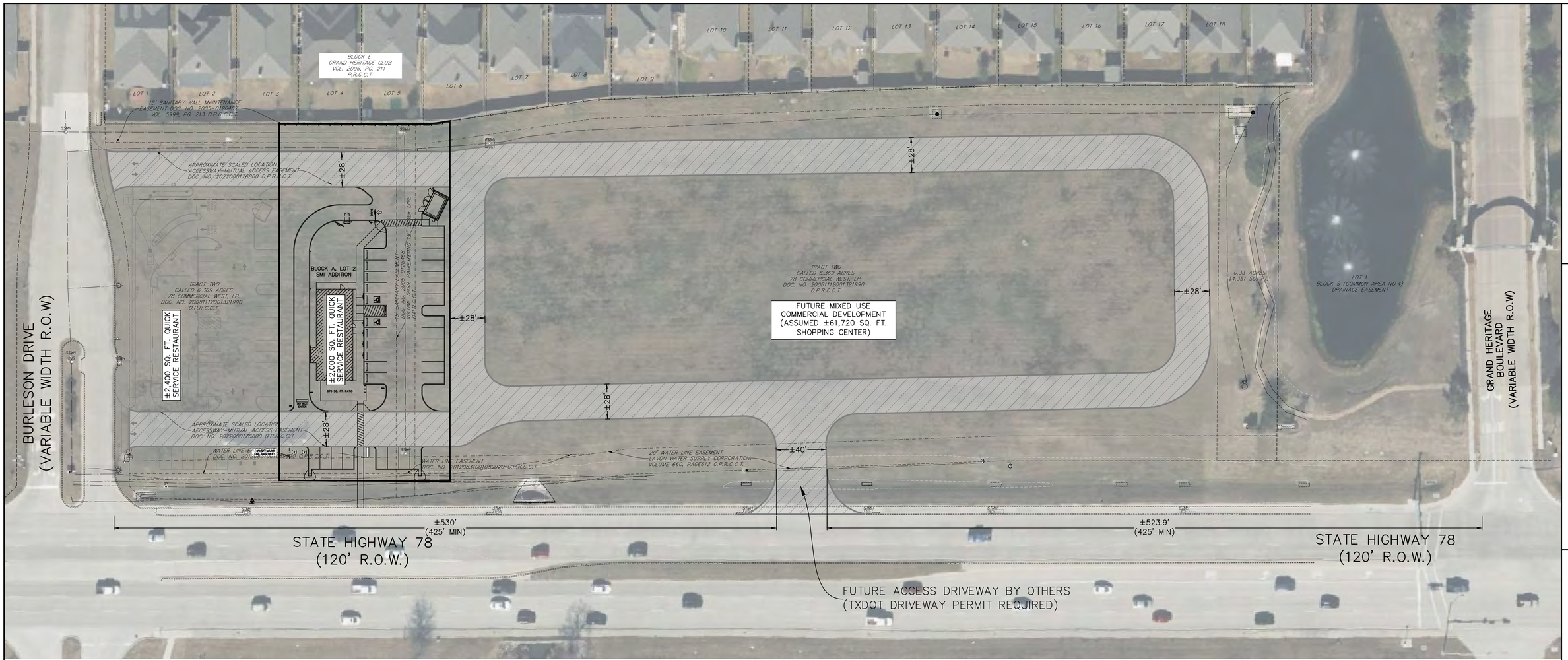
THIS DOCUMENT IS RELEASED FOR REVIEW PURPOSES ONLY UNDER THE AUTHORITY OF WILL R. STEPHENS, P.E. No. 144832 ON 9/01/2023. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

DATE	REVISIONS

DRAWN BY: CLW
CHECKED BY: WRS
JOB No. 23CC1.10

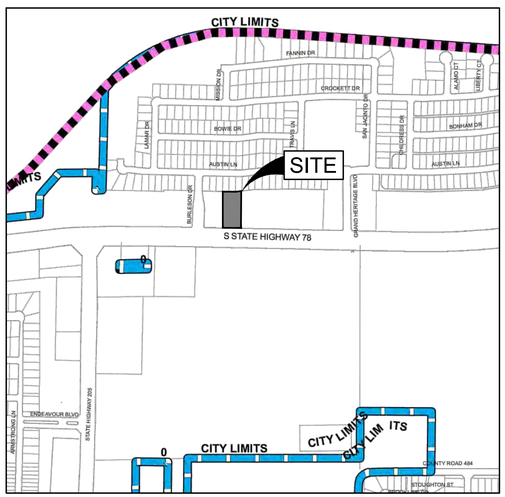
SITE PLAN EXHIBIT

SP-1



VICINITY MAP

NOT TO SCALE



PROPOSED TRIP GENERATION TABLE

LAND USE	ITE CODE	BUILDING SQUARE FOOTAGE	RATE/1000 SF GFA				PEAK HOUR TRIPS (PHT)			
		(SF GFA)	WEEKDAY AM	WEEKDAY PM	SATURDAY	SUNDAY	WEEKDAY AM	WEEKDAY PM	SATURDAY	SUNDAY
FAST FOOD RESTAURANT WITH DRIVE THRU	934	**2475.00**	40.19	32.67	54.86	55.15	**99**	**81**	**136**	**136**
COFFEE/DONUT SHOP WITH DRIVE-THRU	937	**2000.00**	88.99	43.38	87.7	-	**178**	**87**	**175**	-
SHOPPING CENTER	820	**61720.00**	0.94	3.81	4.5	2.79	**58**	**235**	**278**	**172**

NOTE: PEAK HOUR TRIP RATES SHOWN ABOVE ARE BASED ON THE 10TH EDITION OF ITE TRIP GENERATION MANUAL

NOTES AND LEGEND:

– PROPOSED CROSS–ACCESS EASEMENT ALIGNMENT

– PROPOSED FIRE LANE STRIPING

THIS EXHIBIT IS SCHEMATIC IN NATURE AND IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

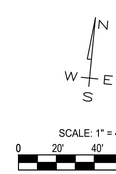
ACCESS EASEMENT SHOWN IS SCHEMATIC IN NATURE AND IS SUBJECT TO CHANGE. REFER TO FILED PLATS FOR THIS AREA FOR FINAL EASEMENT ALIGNMENTS.

DEVELOPER INFORMATION

DEVELOPER: GRACO REAL ESTATE DEVELOPMENT, INC.
DEVELOPER ADDRESS: 5307 W LOOP 289, SUITE 302, LUBBOCK, TX 79414
DEVELOPER PHONE NUMBER: (806) 745-9718
PRIMARY CONTACT: TYLER PARR - DIRECTOR OF CONSTRUCTION

ENGINEER:

ENGINEER: AMD ENGINEERING, LLC
DEVELOPER ADDRESS: 6515 68TH STREET, SUITE 300, LUBBOCK, TX 79424
DEVELOPER PHONE NUMBER: (806) 771-5976
PRIMARY CONTACT: WILL STEPHENS, P.E.,CFM - PROJECT MANAGER



DIAL BEFORE YOU DIG!
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CIVIL ENGINEERING
LAND PLANNING
AMD Engineering, LLC
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Phone: 806-771-5976
Fax: 806-771-7625
TBPE Reg. # F-9197
Accuracy - Efficiency - Integrity

PRELIMINARY PLAT EXHIBIT
SMI ADDITION, LOT 2, BLOCK A

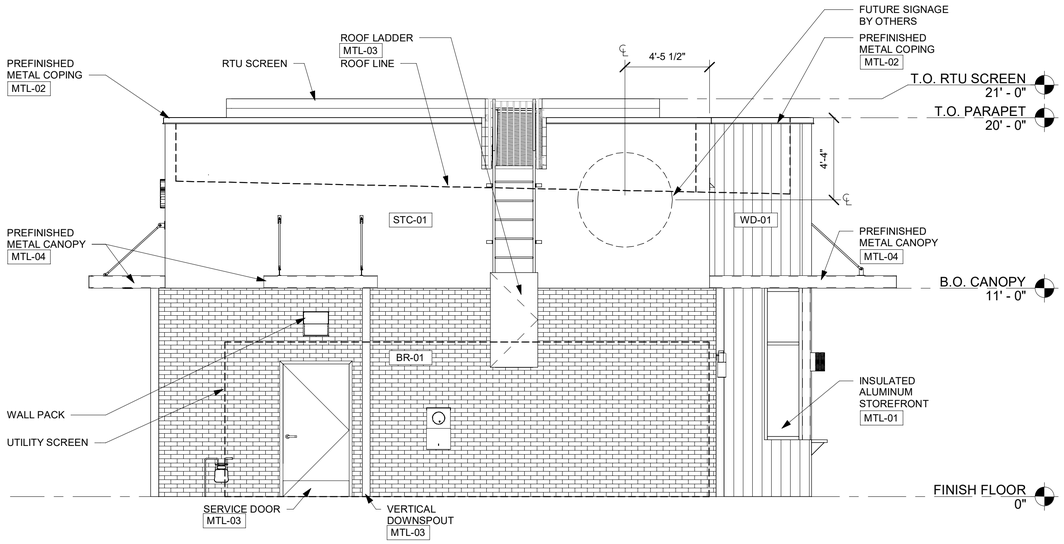
AN ADDITION LOCATED IN THE CITY OF LAVON,
COLLIN COUNTY, TEXAS

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No.	DATE	REVISIONS	DRAWN BY: CHECKED BY: JOB No. 230305	CLW WRS

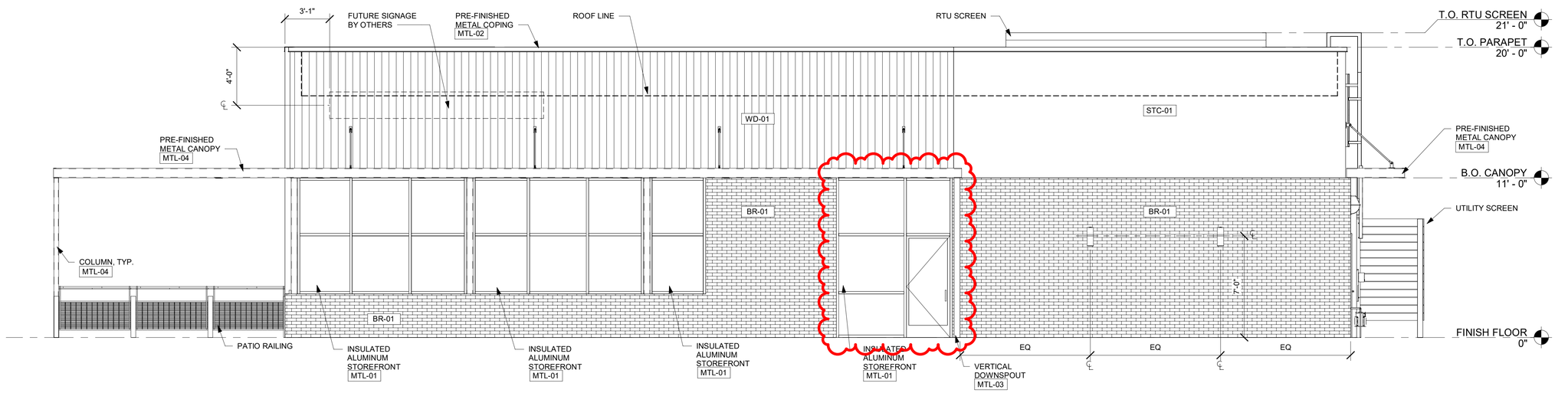
TRAFFIC COUNT & ACCESS EXHIBIT FOR THE SMI ADDITION PRELIMINARY PLAT

EX-2



2 NORTH - ELEVATION

Scale: 1/4" = 1'-0"



1 EAST - ELEVATION

Scale: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE

	DESCRIPTION	MANUFACTURER	FINISH	COLOR	NOTES
BR-01	BRICK VENEER	MUTUAL MATERIALS 888-688-8250 OR EQUAL TO MATCH	RUNNING BOND, SM100 GRAY COLORED MORTAR	PEWTER MISSION	-
STC-01	EIFS	DRYVIT 732-276-0404	SANDBLAST TEXTURE	COLOR TO MATCH SW7030 - ANEW GRAY	3 COAT STUCCO SYSTEM
WD-01	WOOD CLADDING (@FACADE & UNDERSIDE OF CANOPY)	IDENTITY WOOD PRODUCTS 770-704-7140	SANDBLAST TEXTURE	1200 - PRETZEL MEDIUM BROWN W/ DARK GLAZE 1/16" REVEAL	SEALED FACE AND BACK 5/8" THICK x 1/4" WIDE ALUMINUM TRIM POWDER COATED TO MATCH CLADDING
MTL-01	METAL	LOCALLY SOURCED	ANODIZED	MT0028 FLAT BLACK	STOREFRONT
MTL-02	METAL	LOCALLY SOURCED	PRE-FINISHED	MT0028 FLAT BLACK	COPING, METAL DECK, SCREEN
MTL-03	METAL	LOCALLY SOURCED	PAINT	MT0028 FLAT BLACK	ROOF LADDER, SCUPPERS, DOWNSPOUT, SERVICE DOOR & FRAMES
MTL-04	METAL	LOCALLY SOURCED	POWDERCOAT	MT0028 FLAT BLACK	ALL STEEL/METAL COMPONENTS OF AWNINGS/CANOPIES/SHADE STRUCTURES

FOR REFERENCE ONLY- NOT INTENDED FOR CONSTRUCTION USE

ARCHITECT OF RECORD

ROGUE ARCHITECTS

513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102
(817) 820-0433

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK. DO NOT SCALE DRAWINGS.

GC TO VERIFY FULL SCOPE OF WORK WITH LANDLORD WORK LETTER PRIOR TO BID. NO CHANGE ORDERS SHALL BE AUTHORIZED UPON GC'S FAILURE TO FULLY UNDERSTAND THE SCOPE OF WORK.

SD SET - 07/18/2023

GRACO
REAL ESTATE DEVELOPMENT, INC.

5307 W. LOOP 289
SUITE 302

PROJECT NAME: STARBUCKS SHELL BUILDING

PROJECT ADDRESS: S. STATE HWY 78 LAVON, TX 75166

PROJECT #: 23-0134

ISSUE DATE: 05/25/2023
PRODUCTION DESIGNER: S. CLARK
CHECKED BY: T. GRANDORF
CASE #: STARBUCKS

REVISION SCHEDULE

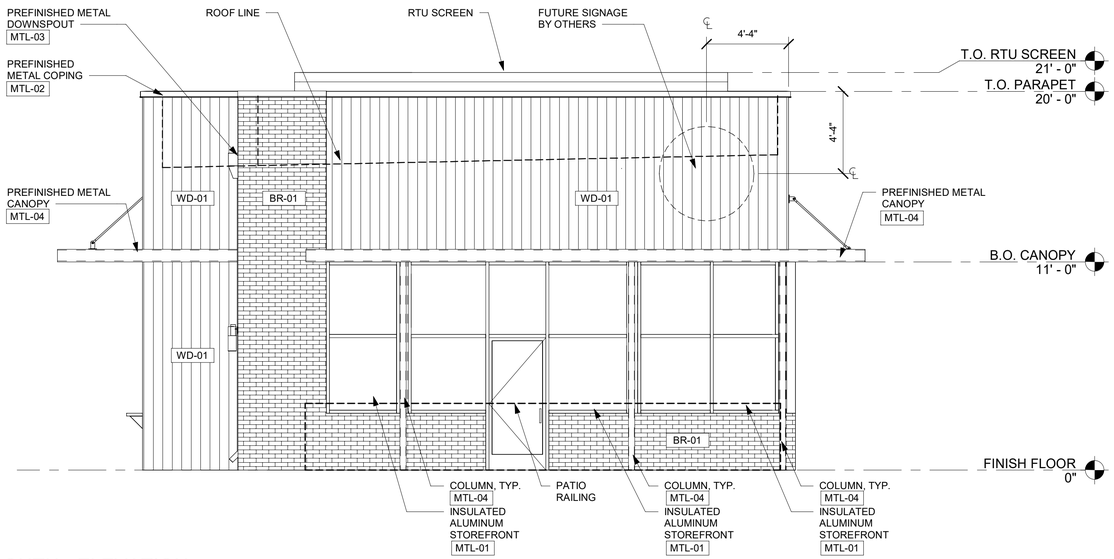
REV	DATE	BY	DESCRIPTION
1	07/18/23		SD REVISIONS

SHEET TITLE: EXTERIOR ELEVATIONS

SCALE: AS SHOWN

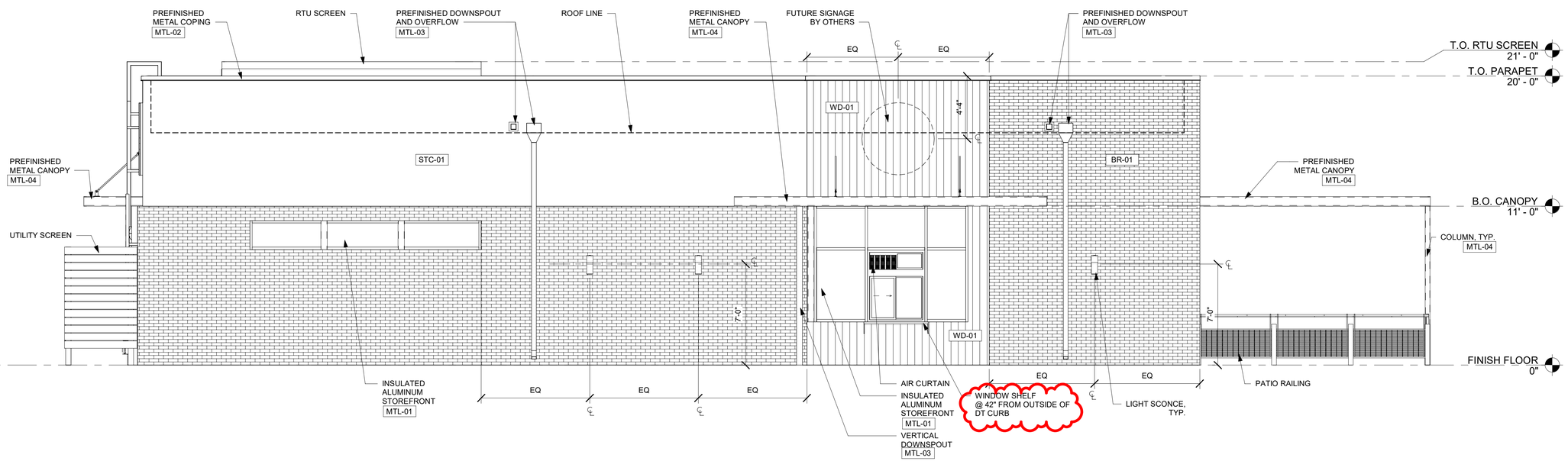
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7/18/2023 3:13:13 PM R:\Projects\Misc Shells\23-0134 Starbucks Shell - S. State Hwy 78 Lavon, TX\DRAWINGS\23-0134 Starbucks Shell - S. State Hwy 78.rvt



2 SOUTH - ELEVATION

Scale: 1/4" = 1'-0"



1 WEST - ELEVATION

Scale: 1/4" = 1'-0"

0 2' 4' 8'

Scale: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE

	DESCRIPTION	MANUFACTURER	FINISH	COLOR	NOTES
BR-01	BRICK VENEER	MUTUAL MATERIALS 888-688-8250 OR EQUAL TO MATCH	RUNNING BOND, SM100 GRAY COLORED MORTAR	PEWTER MISSION	-
STC-01	EIFS	DRYVIT 732-276-0404	SANDBLAST TEXTURE	COLOR TO MATCH SW7030 - ANEW GRAY	3 COAT STUCCO SYSTEM
WD-01	WOOD CLADDING (@FACADE & UNDERSIDE OF CANOPY)	IDENTITY WOOD PRODUCTS 770-704-7140	SANDBLAST TEXTURE	1200 - PRETZEL MEDIUM BROWN W/ DARK GLAZE 1/16" REVEAL	SEALED FACE AND BACK 5/8" THICK x 1/4" WIDE ALUMINUM TRIM POWDER COATED TO MATCH CLADDING
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MTL-03	METAL	LOCALLY SOURCED	PAINT	MT0028 FLAT BLACK	ROOF LADDER, SCUPPERS, DOWNSPOUT, SERVICE DOOR & FRAMES
MTL-04	METAL	LOCALLY SOURCED	POWDERCOAT	MT0028 FLAT BLACK	ALL STEEL/METAL COMPONENTS OF AWNINGS/CANOPIES/SHADE STRUCTURES

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ARCHITECT OF RECORD

ROGUE ARCHITECTS

513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102
(817) 820-0433

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK. DO NOT SCALE DRAWINGS.

GC TO VERIFY FULL SCOPE OF WORK WITH LANDLORD WORK LETTER PRIOR TO BID. NO CHANGE ORDERS SHALL BE AUTHORIZED UPON GC'S FAILURE TO FULLY UNDERSTAND THE SCOPE OF WORK.

SD SET - 07/18/2023

GRACO
REAL ESTATE DEVELOPMENT, INC.

5307 W. LOOP 289
SUITE 302

PROJECT NAME:
STARBUCKS
SHELL BUILDING

PROJECT ADDRESS:
S. STATE HWY 78
LAVON, TX 75166

PROJECT #: 23-0134

ISSUE DATE: 05/25/2023
PRODUCTION DESIGNER: S. CLARK
CHECKED BY: T. GRANDORF
CASE #: STARBUCKS

REVISION SCHEDULE

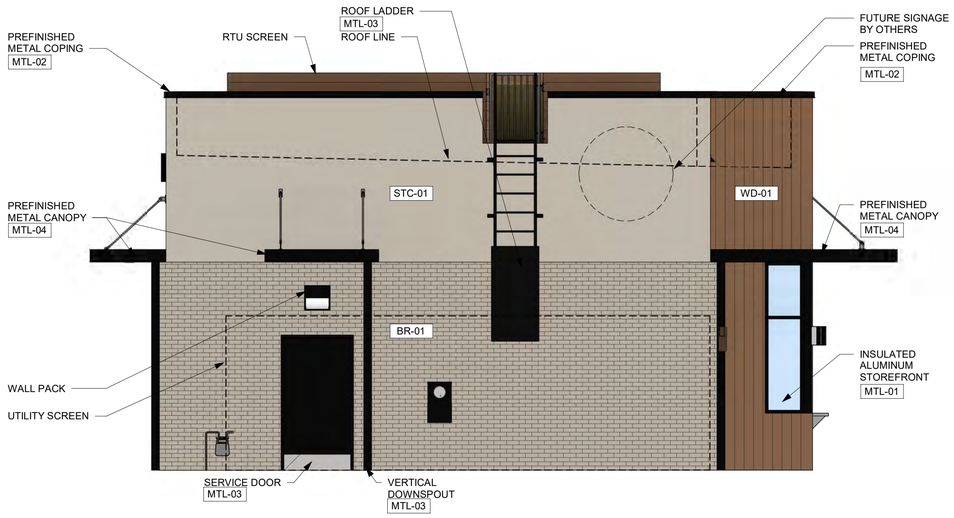
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1	07/18/23		SD REVISIONS

SHEET TITLE:
EXTERIOR ELEVATIONS

SCALE: AS SHOWN

SHEET NUMBER:
SD-2.2

7/18/2023 3:13:13 PM R:\Projects\Misc Shells\23-0134 Starbucks Shell - S. State Hwy 78 Lavon, TX\DRAWINGS\23-0134 Starbucks Shell - S. State Hwy 78.rvt

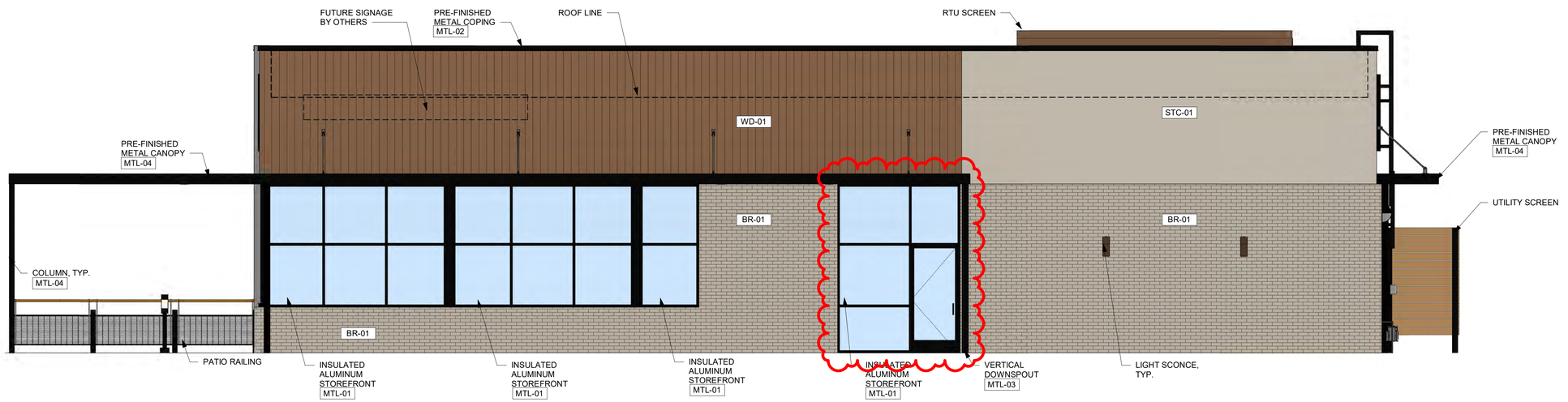


2 NORTH - COLORED ELEVATION

Scale: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE

	DESCRIPTION	MANUFACTURER	FINISH	COLOR	NOTES
BR-01	BRICK VENEER	MUTUAL MATERIALS 888-688-8250 OR EQUAL TO MATCH	RUNNING BOND, SM100 GRAY COLORED MORTAR	PEWTER MISSION	-
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WD-01	WOOD CLADDING (@FACADE & UNDERSIDE OF CANOPY)	IDENTITY WOOD PRODUCTS 770-704-7140	SANDBLAST TEXTURE	1200 - PRETZEL MEDIUM BROWN W/ DARK GLAZE 1/16" REVEAL	SEALED FACE AND BACK 5/8" THICK x 1/4" WIDE ALUMINUM TRIM POWDER COATED TO MATCH CLADDING
MTL-01	METAL	LOCALLY SOURCED	ANODIZED	MT0028 FLAT BLACK	STOREFRONT
MTL-02	METAL	LOCALLY SOURCED	PRE-FINISHED	MT0028 FLAT BLACK	COPING, METAL DECK, SCREEN
MTL-03	METAL	LOCALLY SOURCED	PAINT	MT0028 FLAT BLACK	ROOF LADDER, SCUPPERS, DOWNSPOUT, SERVICE DOOR & FRAMES
MTL-04	METAL	LOCALLY SOURCED	POWDERCOAT	MT0028 FLAT BLACK	ALL STEEL/METAL COMPONENTS OF AWNINGS/CANOPIES/SHADE STRUCTURES



1 EAST - COLORED ELEVATION

Scale: 1/4" = 1'-0"

0 2' 4' 8'

Scale: 1/4" = 1'-0"

FOR REFERENCE ONLY- NOT INTENDED FOR CONSTRUCTION USE

ARCHITECT OF RECORD

ROGUE ARCHITECTS

513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102
(817) 820-0433

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK. DO NOT SCALE DRAWINGS.

GC TO VERIFY FULL SCOPE OF WORK WITH LANDLORD WORK LETTER PRIOR TO BID. NO CHANGE ORDERS SHALL BE AUTHORIZED UPON GC'S FAILURE TO FULLY UNDERSTAND THE SCOPE OF WORK.

SD SET - 07/18/2023

GRACO
REAL ESTATE DEVELOPMENT, INC.

5307 W. LOOP 289
SUITE 302

PROJECT NAME: STARBUCKS SHELL BUILDING

PROJECT ADDRESS: S. STATE HWY 78 LAVON, TX 75166

PROJECT #: 23-0134

ISSUE DATE: 05/25/2023
PRODUCTION DESIGNER: S. CLARK
CHECKED BY: T. GRANDORF
CASE #: STARBUCKS

REVISION SCHEDULE

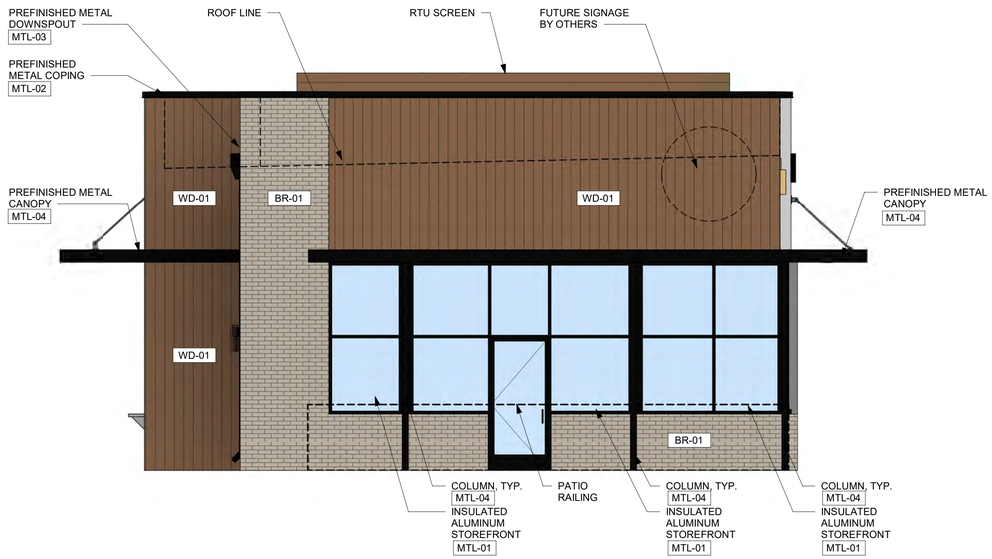
REV	DATE	BY	DESCRIPTION
1	07/18/23		SD REVISIONS

SHEET TITLE:
COLORED EXTERIOR ELEVATIONS

SCALE: AS SHOWN

SHEET NUMBER:
SD-2.3

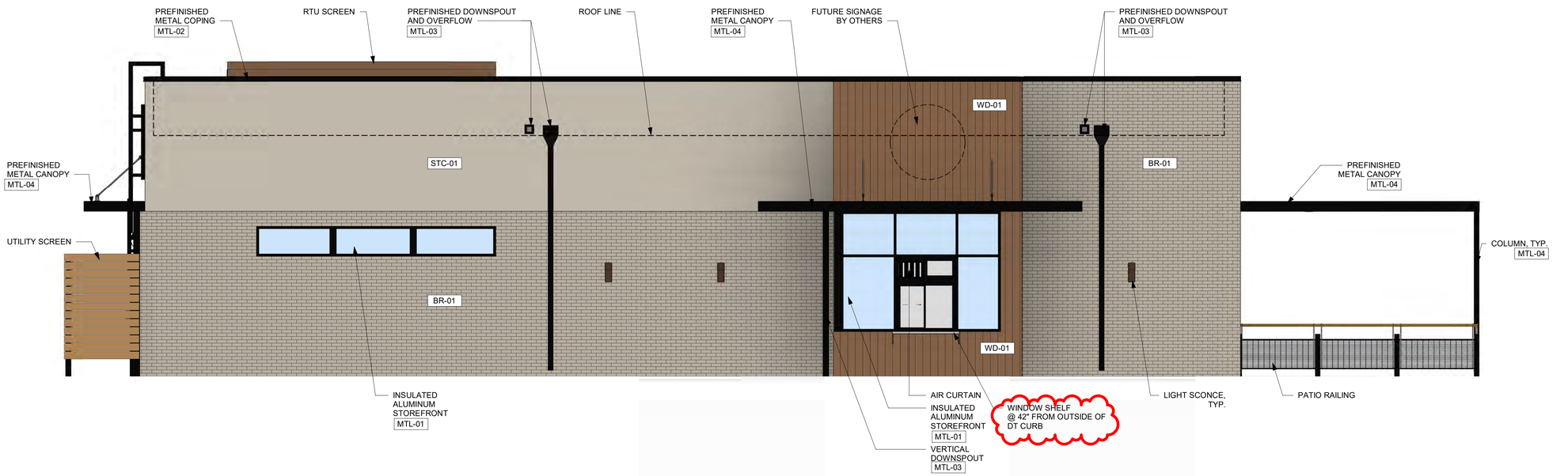
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2 SOUTH - COLORED ELEVATION

Scale: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE					
	DESCRIPTION	MANUFACTURER	FINISH	COLOR	NOTES
BR-01	BRICK VENEER	MUTUAL MATERIALS 888-688-8250 OR EQUAL TO MATCH	RUNNING BOND, SM100 GRAY COLORED MORTAR	PEWTER MISSION	-
STC-01	EIFS	DRYVIT 732-276-0404	SANDBLAST TEXTURE	COLOR TO MATCH SW7030 - ANEW GRAY	3 COAT STUCCO SYSTEM
WD-01	WOOD CLADDING (@FACADE & UNDERSIDE OF CANOPY)	IDENTITY WOOD PRODUCTS 770-704-7140	SANDBLAST TEXTURE	1200 - PRETZEL MEDIUM BROWN W/ DARK GLAZE 1/16" REVEAL	SEALED FACE AND BACK 5/8" THICK x 1/4" WIDE ALUMINUM TRIM POWDER COATED TO MATCH CLADDING
MTL-01	METAL	LOCALLY SOURCED	ANODIZED	MT0028 FLAT BLACK	STOREFRONT
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MTL-03	METAL	LOCALLY SOURCED	PAINT	MT0028 FLAT BLACK	ROOF LADDER, SCUPPERS, DOWNSPOUT, SERVICE DOOR & FRAMES
MTL-04	METAL	LOCALLY SOURCED	POWDERCOAT	MT0028 FLAT BLACK	ALL STEEL/METAL COMPONENTS OF AWNINGS/CANOPIES/SHADE STRUCTURES



1 WEST - COLORED ELEVATION

Scale: 1/4" = 1'-0"

0 2' 4' 8'

Scale: 1/4" = 1'-0"

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ARCHITECT OF RECORD

ROGUE ARCHITECTS

513 MAIN STREET, SUITE 300
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SD SET - 07/18/2023

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5307 W. LOOP 289
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PROJECT NAME: STARBUCKS SHELL BUILDING

PROJECT ADDRESS: S. STATE HWY 78 LAVON, TX 75166

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CHECKED BY: T. GRANDORF
CASE #: STARBUCKS

REVISION SCHEDULE

REV	DATE	BY	DESCRIPTION
1	07/18/23		SD REVISIONS

SHEET TITLE: COLORED EXTERIOR ELEVATIONS

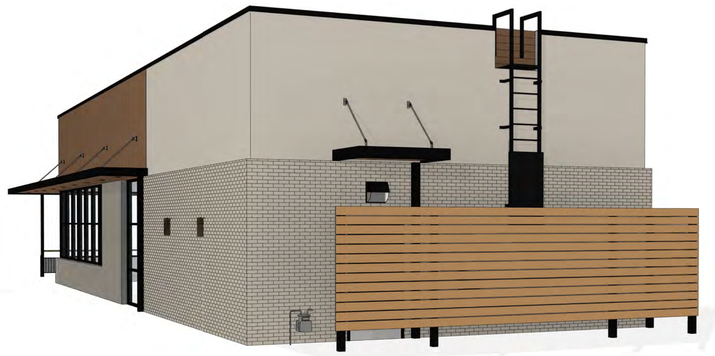
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3 3D ELEVATION @ SOUTH
Scale:



4 3D ELEVATION @ NORTH
Scale:

FINISH SAMPLES

WD-01	1200-PRETZEL MEDIUM BROWN W/ DARK BROWN GLAZE
STC-01	SW 7030 243-C2 'ANEW GRAY'
MT-01, MT-02, MTL-03, MTL-04	FLAT BLACK
BR-01	PEWTER MISSION RUNNING BOND



1 3D ELEVATION @ EAST
Scale:



2 3D ELEVATION @ WEST
Scale:

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ARCHITECT OF RECORD

ROGUE ARCHITECTS
513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102
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GRACO
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5307 W. LOOP 289
SUITE 302

PROJECT NAME: STARBUCKS SHELL BUILDING

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PRODUCTION DESIGNER: S. CLARK
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CASE #: STARBUCKS

REVISION SCHEDULE

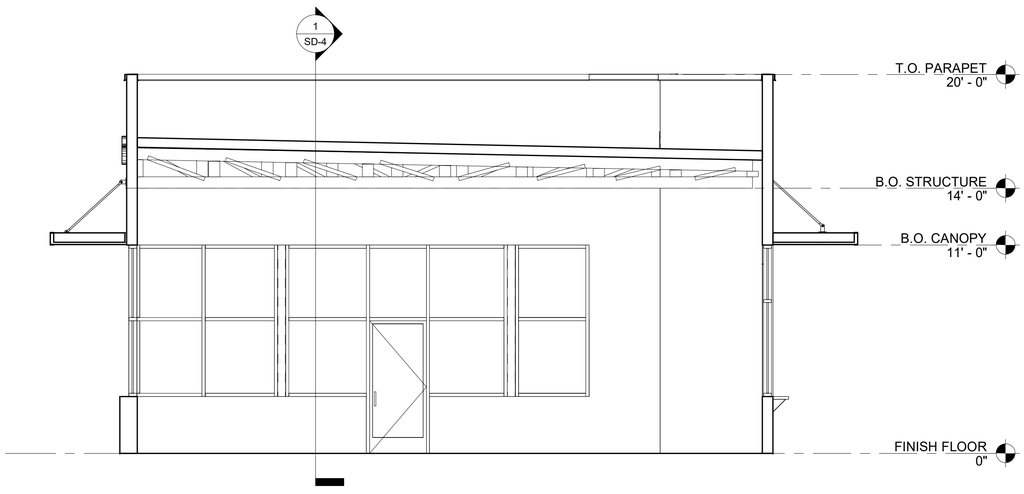
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SHEET TITLE:
3-D ELEVATIONS

SCALE: AS SHOWN

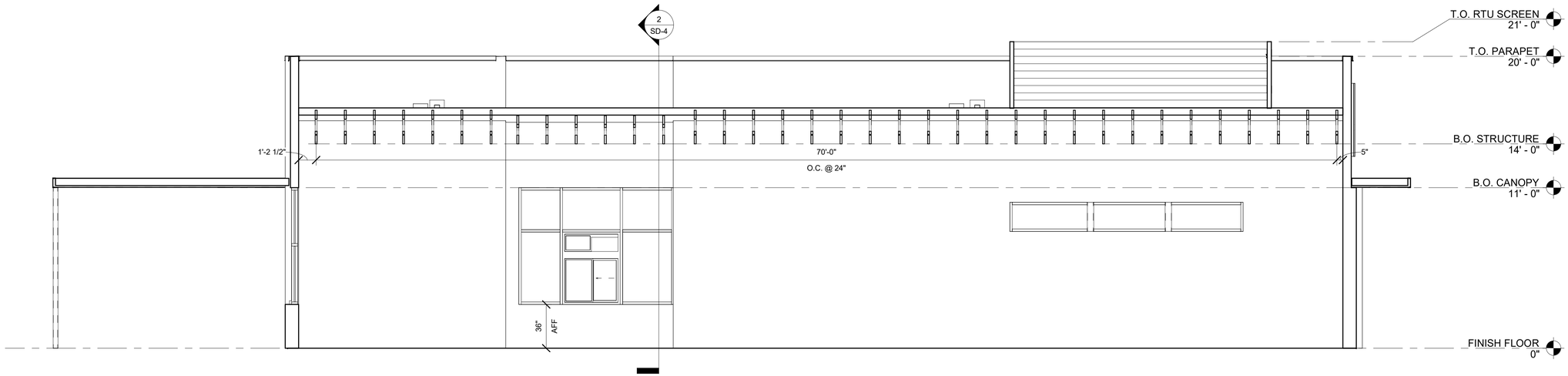
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SD-3

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2 LATITUDINAL SECTION

Scale: 1/4" = 1'-0"



1 LONGITUDINAL SECTION

Scale: 1/4" = 1'-0"

0 2' 4' 8'

Scale: 1/4" = 1'-0"

FOR REFERENCE ONLY- NOT INTENDED FOR CONSTRUCTION USE

ARCHITECT OF RECORD

ROGUE ARCHITECTS

513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102
(817) 820-0433

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SD SET - 07/18/2023

GRACO
REAL ESTATE DEVELOPMENT, INC.

5307 W. LOOP 289
SUITE 302

PROJECT NAME:
STARBUCKS
SHELL BUILDING

PROJECT ADDRESS:
S. STATE HWY 78
LAVON, TX 75166

PROJECT #:	23-0134
ISSUE DATE:	05/25/2023
PRODUCTION DESIGNER:	S. CLARK
CHECKED BY:	T. GRANDORF
CASE #:	STARBUCKS

REVISION SCHEDULE

REV	DATE	BY	DESCRIPTION

SHEET TITLE:
BUILDING SECTIONS

SCALE: AS SHOWN

SHEET NUMBER:
SD-4

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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: Will Stephens, P.E., CFM

Address: 6515 68th St, Suite 300, Lubbock, TX 79424

Telephone Number: 806-771-5976

Email Address: wstephens@amdeng.com

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

Currently Unplatted - William H. Moore Survey Abst. No. 638. A pre- and final plat have been submitted under the name: **SV Lavon Addition, Lot 2, Block A**

SUBDIVISION NAME: (*approved plat is prerequisite*)

SB Lavon Addition

ZONING: PD-C, Commercial

LEGAL OWNER OF PROPERTY INVOLVED: 78 Commercial West, LP

If Applicant is NOT the Owner, Relationship to Owner: Owner Representative/ Civil Engineer - Project Manager

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

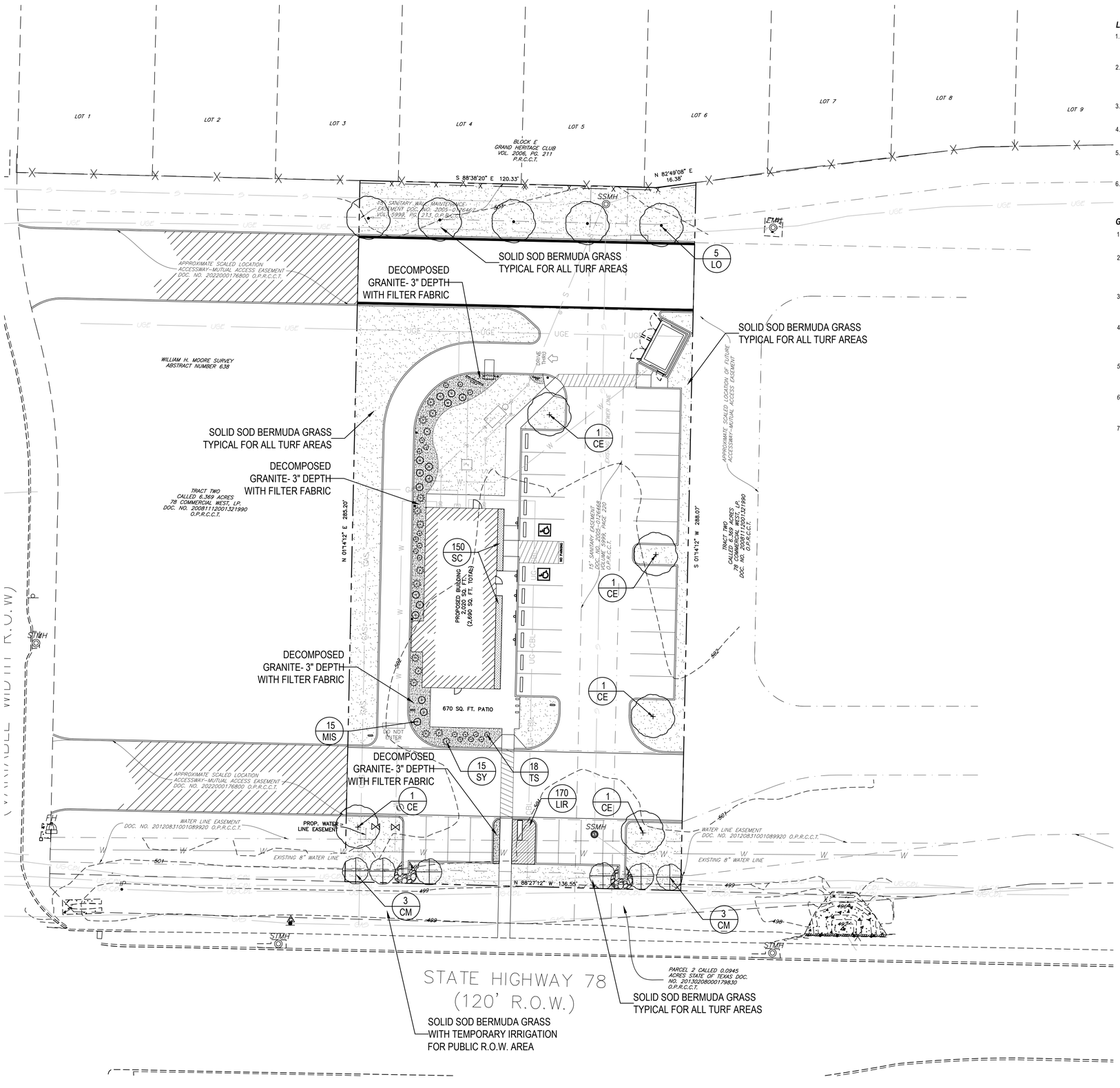
Signature: _____ 8/2/2023
Owner / Authorized Agent — Date

Printed Name: Will Stephens, P.E., CFM
Owner / Authorized Agent
Title: Civil Engineer - Project Manager

Company: AMD Engineering, LLC

City Office Use Only:

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



LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
4. CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
5. ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
6. ALL LAWN AREAS TO BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.

GENERAL LAWN NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION, KNOWN AS BOTTOM AND SOIL, FREE FROM LUMPS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
5. *ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.*
6. *ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION*
7. CONTRACTOR SHALL PROVIDE (1") ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

SOLID SOD NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
5. PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
6. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
7. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
8. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
9. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER-SEEDED WITH WINTER RYEGRASS, AT A RATE OF (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LANDSCAPE TABULATIONS

TOTAL LANDSCAPE:
8% OF THE SITE TO BE LANDSCAPED.
AREA: 38,990.80 S.F.

REQUIRED	PROVIDED
7,798.2 S.F. (20%)	12,695.3 S.F. (33%)

PERIMETER LANDSCAPE:
MINIMUM OF ONE (1) TREE, 3" CAL., PER 25' L.F. OF STREET FRONTAGE WITHIN 10' LANDSCAPE BUFFER
STREET:
S.H. 78:
137'

REQUIRED	PROVIDED
6 TREES	6 TREES

PERIMETER LANDSCAPING:
MINIMUM ONE (1) CANOPY TREE PER 30 L.F. OF THE PERIMETER LENGTH AND 20' LANDSCAPE BUFFER.
NORTH:
137'

REQUIRED	PROVIDED
5 TREES	5 TREES

2% OF THE PARKING LOT TO BE LANDSCAPED.
AREA: 18,259 S.F.

REQUIRED	PROVIDED
565 S.F. (2%)	1,665 S.F. (9.1%)

PLANT MATERIAL SCHEDULE

TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
TREES					
CE	5	Cedar Elm	*Ulmus crassifolia*	3" cal.	B&B or container, 12' ht., 4' spread, 5' clear straight trunk
LO	5	Live Oak	*Quercus virginiana*	3" cal.	container, 12' ht., 4' spread, 5' clear straight trunk
CM	6	Crepe Myrtle	*Lagerstroema indica*	3" cal.	container, 8' ht., 5' spread, 3 trunks
SHRUBS					
SY	15	Soft Leaf Yucca	*Yucca recurvifolia*	3 gal.	container, 20" ht., 20" spread
MIS	15	Adagio Maiden Grass	*Miscanthus sinensis 'Adagio'*	3 gal.	container full, well rooted
TS	18	Compact Texas Sage	*Leucophyllum frutescens ' Compacta'*	3 gal.	container 20" ht., 20" spread
GROUNDCOVERS					
LIR	220	Liriope- Super Blue	*Liriope muscari 'Super Blue'*	4" pots	container full, well rooted, 12" o.c.
SC	150	Seasonal Color		4" pots	selection by owners, 12" o.c.
		Bermudagrass '419'	*Cynodon dactylon '419'*		solid sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

MATERIAL LEGEND

- LIRIOPE
- SEASONAL COLOR
- SOLID SOD BERMUDA GRASS
- DECOMPOSED GRANITE 3" DEPTH WITH FILTER FABRIC

01 LANDSCAPE PLAN
SCALE 1"=20'-0"
0 10 20 40

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1782 W. McDERMOTT DR.
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT
CHRIS TRONTAGNO
2042
STATE OF TEXAS
08.29.2023

STARBUCKS

BURLESON ROAD / STATE HWY 78
CITY OF LAVON, TEXAS

ISSUE:
FOR APPROVAL 08.01.2023
CITY COMMENTS 08.29.2023

DATE:
08.29.2023

SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:
L.1

August 22, 2023

City of Lavon Planning and Engineering Departments
120 School Road
Lavon, TX 75166
(972) 843-4220

Re: Site Plan Review Comments – Quick Service Drive-Thru Restaurant
"Starbucks Shell Building" – 875 S. State Hwy 78

Plan Number: #23-000737

City of Lavon,

We are providing our responses to your comments on our Site Plan Review Packet for our proposed Starbucks Shell Building development located at 875 S. State Hwy 78, which were provided to us on August 18, 2023. Below are all of your comments to said project and our subsequent responses can be found in red.

Peloton Land Solutions – Preliminary Plat, Site Plan, and Landscape Plan Comments

1. *Revise the Preliminary Plat to include the entire parent tract (including to the east) with associated features meeting the standards contained in the Code of Ordinances (ex. lot and block designation, easements, preliminary engineering, TIA, etc.).*

   The preliminary plat will be revised and re-submitted per your request. A TIA exhibit, engineering exhibit, and drainage exhibit were submitted with the Taco Bell Development to our west and given that we are not deviating from said submittals, new engineering exhibits will not be submitted at this time.

2. *Revise the Preliminary Plat to include all existing easements on the subject property and adjacent to it, with associated filing information.*

   The preliminary plat will be revised and re-submitted per your request.

3. *Revise the Site Plan to lightly shade and label all proposed fire lanes and mutual access easements, and unshade any pavement not proposed for fire lane for clarification on locations and striping.*

   A revised site plan will be submitted before City Council that will included the changes mentioned above.

6515 68th Street, Suite 300
Lubbock, Texas 79424

TBPE Reg. # F-9197
www.amdeng.com

Office: (806) 771-5976
Fax: (806) 771-7625

4. *Revise the Site Plan to provide stacking clarification (from point of order) for a minimum of six spaces outside any fire lanes and the circulation plan for entering the drive through.*

   A revised site plan will be re-submitted before the City Council hearing date that will add information regarding stacking and access per your request.

5. *Revise the Site Plan to label the height and materials of the proposed dumpster enclosure.*

   This information will be added to the revised site plan submittal.

6. *Revise the Site Plan to remove any indications of proposed detached signage (other than directional). Signs will be reviewed and considered with a Sign Permit.*

   These callouts will be adjusted to read "for reference only, refer to sign permit plans for more information".

7. *Revise the Site Plan to provide the height of the proposed structure.*

   Information regarding the building height will be added to the site plan per your request.

8. *Staff recommends providing a minimum of one four-inch caliper, eight-foot height tree along every 25 linear feet (or portion thereof) of public street frontage along SH 78, within the 10-foot landscape buffer.*

   While we will not be able to plant large trees within the landscape buffer along SH 78 due to the existing water line easement, underground water line and numerous underground communication lines, we will ensure some sort of vertical shrubbery is planted here. A revised landscape plan showing our intentions will be re-submitted in the coming weeks.

9. *Revise the Landscape Plan to provide the minimum plantings within the 20-foot landscape buffer required along northern property line (one canopy tree for each 30 linear feet or portion thereof of adjacent exposure—not clustered). Alternate landscape plantings can be considered by the City Engineer due to potential utility conflicts but must have approval.*

   There is an existing 15' wide sanitary sewer line easement, multiple different underground sewer lines, as well as an underground electric line located within the 20' landscape buffer along the northern property line. We will attempt to place trees here per your request, but an alternative may be used due to the

existing utilities and easements present. A revised landscape plan will be re-submitted showing our intentions for further communication.

10. *Staff recommends providing a canopy tree at the terminus of each parking row.*

    Our client/Starbucks is discussing providing these trees per your request.

11. *For any interior or exterior art or architectural features, please consider the site's proximity to Lake Lavon and take inspiration by incorporating water imagery, features, or other lake-oriented destination theming.*

    This request has been forwarded to the architect for consideration.

12. *Please consider providing a solid cover and fans for the outdoor dining/seating area for usability in the Texas heat and other weather elements.*

    The outdoor seating area will include fans.

13. *FYI: The subject property is zoned Planned Development (PD) per Ordinance No. 2023-08-01 (West Commercial A Tract).*

    Noted.

14. *FYI: The subject property is unplatted. After approval of a compliant Preliminary Plat, a generally conforming subsequent Final Plat for the subject property will be required prior to the issuance of a Building Permit.*

    Noted.

15. *FYI – The Site Plan must be approved by the City Council, upon recommendation by the Planning and Zoning Commission.*

    Noted.

Freeman - Millican – General Revision Comments

1. *The development consists of 1 lot.*

   This is correct.

2. *The property is zoned Planned Development – Commercial, PD-C.*

   This is correct.

3. *Water service is by BCSUD.*

   Noted.

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

   Noted.

5. *City Planning may have additional comments.*

   Noted.

6. *Several sheets are blank and appear to be "place holders" for final plans. Subsequently, this review is general in nature for preliminary plan purposes.*

   This is correct, this was a 50% submittal.

Freeman - Millican – Preliminary Plat Comments

7. *This area has been preliminary platted as SMI Addition. This property should be SMI Addition, Lot 2, Block A.*

   This will be adjusted per your request.

8. *A bearing differs between the drawing and written description.*

   The surveyor has been made aware of this comment and a subsequent change can be expected.

9. *Minimum fire lane radius is 30'.*

   Noted.

10. *References to Minor Plat in the Owners Certificate should be modified.*

    The surveyor has been made aware of this comment and a subsequent change can be expected

Freeman - Millican – Preliminary Plan Comments

11. *The property should be SMI Addition, Lot 2, Block A.*

    All callouts referencing the plat name will be adjusted per your request.

12. *Missing data should be provided.*

    This was a 50% "Preliminary Review Set" – all missing data will be updated for the final permit set.

13. *Sheet C-1 – The latest version of the Lavon Standard Details should be used.*

    The latest version of the Lavon Standard Details will be used.

14. *On the north edge of the fire lane a rectangle is shown. This should be identified.*

    This is a concrete landing for landscape drainage, a callout/detail will be added for the final permit set.

15. *Sheet C-2 – A note states that sidewalks are subject to change. Sidewalk changes will require City of Lavon approval.*

    This callout will be changed per your request.

16. *Sheet C-3 – Several of the proposed contours are not shown to connect to existing.*

    The surface model will be updated per your request.

17. *Sheet C-3- Engineer to verify grading at northeast corner of property.*

    The proposed surface model will be verified per your request.

18. *Sheet C-3 – A copy of the referenced geotechnical report should be provided to the City for its records.*

    This will be provided at permitting.

19. *Sheet C-6 – The plan sheet should be completed. No erosion control is shown.*

    This was a 50% "Preliminary Review Set" – all missing data will be updated for the final permit set.

20. *Sheet C-8 – Water service is provided by Bear Creek SUD. All details, notes, etc. shall conform to BCSUD requirements.*

    This sheet will be revised per your request.

21. *Sheet C-11 – Several references do not appear to be correct.*

This was a 50% "Preliminary Review Set" – all missing data will be updated for the final permit set.

22. *Sheet C-11 – References to City of McKinney should be corrected.*

    These callouts will be adjusted.

23. *Sheet C-11 – Pavement for the dumpster area shall extend a minimum of 10 feet in front of the enclosure.*

    This area of pavement will be increased per your request.

24. *Sheet C-11 – The pavement connection on the east property line refence exiting pavement. This is incorrect. A header should be installed for future extension.*

    You are correct – this will be revised.

25. *City of Lavon Standard Details should be used for this project. Project specific details are permissible as long as they do not conflict with City Standards.*

    Noted – all details will be checked to ensure they are in conformance with the City of Lavon's Standards.

If for any reason you need any more information or have any questions at all, please do not hesitate to reach out to me.

Sincerely,

Will Stephens, P.E.

CITY OF LAVON

P.O. Box 340 120 School Road
Lavon, TX 75166
(972) 843-4220
www.cityoflavon.com

August 18, 2023

Will Stephens
AMD Engineering
6515 68th St.
Lubbock, TX 79424
Via email: wstephens@amdeng.com

Erick Nolasco
Eagle Surveying, LLC
222 S. Elm St., Ste. 200
Denton, TX 76201
Via email: Erick@eaglesurveying.com

RE: Starbucks Site Plan, Landscape Plan and Preliminary Plat

Please find attached planning and engineering review comments on the site plan, landscape plan, and preliminary plat submitted for the Starbucks project.

The items are scheduled for presentation to and consideration by the Planning and Zoning Commission at their August 22, 2023 meeting.

If there are questions or anything further needed, please let me know.

Thank you,

Kim Dobbs
City Manager

Attachments

C: Abra Nusser abra.nusser@pelotonland.com
Mark Hill mdhill@fmi-dallas.com

PELOTON
LAND SOLUTIONS
a Westwood company

STARBUCKS – GRAND HERITAGE

PRELIMINARY PLAT + SITE PLAN/LANDSCAPE PLAN

Planning and Design Comments for August 2, 2023, Submittal

AUGUST 18, 2023

Kim Dobbs
City Manager, City of Lavon
Via email delivery to: kdobbs@lavontx.gov

1. Revise the Preliminary Plat to include the entire parent tract (including to the east) with associated features meeting the standards contained in the Code of Ordinances (ex. lot and block designation, easements, preliminary engineering, TIA, etc.).
2. Revise the Preliminary Plat to include all existing easements on the subject property and adjacent to it, with associated filing information.
3. Revise the Site Plan to lightly shade and label all proposed fire lanes and mutual access easements, and unshade any pavement not proposed for fire lane for clarification on locations and striping.
4. Revise the Site Plan to provide stacking clarification (from point of order) for a minimum of six spaces outside any fire lanes and the circulation plan for entering the drive through.
5. Revise the Site Plan to label the height and materials of the proposed dumpster enclosure.
6. Revise the Site Plan to remove any indications of proposed detached signage (other than directional). Signs will be reviewed and considered with a Sign Permit.
7. Revise the Site Plan to provide the height of the proposed structure.
8. Staff recommends providing a minimum of one four-inch caliper, eight-foot height tree along every 25 linear feet (or portion thereof) of public street frontage along SH 78, within the 10-foot landscape buffer.
9. Revise the Landscape Plan to provide the minimum plantings within the 20-foot landscape buffer required along northern property line (one canopy tree for each 30 linear feet or portion thereof of adjacent exposure—not clustered). Alternate landscape plantings can be considered by the City Engineer due to potential utility conflicts but must have approval.
10. Staff recommends providing a canopy tree at the terminus of each parking row.
11. For any interior or exterior art or architectural features, please consider the site's proximity to Lake Lavon and take inspiration by incorporating water imagery, features, or other lake-oriented destination theming.
12. Please consider providing a solid cover and fans for the outdoor dining/seating area for usability in the Texas heat and other weather elements.
13. FYI: The subject property is zoned Planned Development (PD) per Ordinance No. 2023-08-01 (West Commercial A Tract).

14. FYI: The subject property is unplatted. After approval of a compliant Preliminary Plat, a generally conforming subsequent Final Plat for the subject property will be required prior to the issuance of a Building Permit.
15. FYI – The Site Plan must be approved by the City Council, upon recommendation by the Planning and Zoning Commission.

Prepared by:



Abra R. Nusser, AICP
Lavon City Planner
Peloton Land Solutions, a Westwood Company
Abra.Nusser@PelotonLand.com
Cell: 972.339.8186
For: City of Lavon, Texas

August 18, 2023

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

Re: SMI Addition (Starbucks) - 1 Lot, 0.895 Acres
Preliminary Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the Preliminary Plat dated May 24, 2023, as prepared by Eagle Surveying, and Preliminary Civil Plans dated August 2, 2023 as prepared by AMD Engineering, LLC, for the above referenced property. The property is located east of Taco Bell (Lot 1, Block A), south of Grand Heritage Club and north of SH 78. Our comments are as follows:

General

1. The development consists of 1 lot.

2. The property is zoned Planned Development – Commercial, PD-C.

3. Water service is by BCSUD.

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

5. City Planning may have additional comments.

6. Several sheets are blank and appear to be “place holders” for final plans. Subsequently, this review is general in nature for preliminary plan purposes.

PRELIMINARY PLAT

7. This area has been preliminary platted as SMI Addition. This property should be SMI Addition, Lot 2, Block A.

8. A bearing differs between the drawing and written description.

9. Minimum fire lane radius is 30’.

10. References to Minor Plat in the Owners Certificate should be modified.

PRELIMINARY PLANS

11. The property should be SMI Addition, Lot 2, Block A.

12. Missing data should be provided.

13. Sheet C-1 – The latest version of the Lavon Standard Details should be used.

14. On the north edge of the fire lane a rectangle is shown. This should be identified.

15. Sheet C-2 – A note states that sidewalks are subject to change. Sidewalk changes will require City of Lavon approval.

16. Sheet C-3 – Several of the proposed contours are not shown to connect to existing.

17. Sheet C-3- Engineer to verify grading at northeast corner of property.

18. Sheet C-3 – A copy of the referenced geotechnical report should be provided to the City for its records.

19. Sheet C-6 – The plan sheet should be completed. No erosion control is shown.

20. Sheet C-8 – Water service is provided by Bear Creek SUD. All details, notes, etc. shall conform to BCSUD requirements.

21. Sheet C-11 – Several references do not appear to be correct.

22. Sheet C-11 – References to City of McKinney should be corrected.

23. Sheet C-11 – Pavement for the dumpster area shall extend a minimum of 10 feet in front of the enclosure.

24. Sheet C-11 – The pavement connection on the east property line refence exiting pavement. This is incorrect. A header should be installed for future extension.

25. City of Lavon Standard Details should be used for this project. Project specific details are permissible as long as they do not conflict with City Standards.

This concludes our review of the above-referenced Preliminary Plat and Preliminary Plans. A copy of sheets, 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

Cc: David Carter, Mike Jones, Danny Anthony

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 – D**

Item:

Discussion and action regarding the site plan and landscape plan for the Cottages at Elevon on Lot 1, Block B of the Elevon West Commercial Addition, Phase 2, on 22.8 acres of land, west of the intersection of Elevon Parkway and Villas Drive, south of Bently Farms and Lakeridge Meadows, Lavon, Collin County, TX (CCAD Property ID 2868715).

Background:

Application Information

Owner(s): MA Land Holdings LLC

Applicant: Kimley-Horn

Location: West of SH 78, north of Villas Drive, south of Bently Farms and Lakeridge Meadows

Description: Lot 1, Block B, Elevon West Commercial Addition, Phase 2
Lavon, Collin County, TX; CCAD Property ID 2868715

Current Zoning: Planned Development (PD)

Request: Site Plan and Landscape Plan

Request Details

The subject property is part of the Elevon Planned Development (PD) established by Ordinance No. **2022-10-03** that was adopted in 2022. The site is situated on approximately 22.8 acres in the West Commercial area of the PD and subject to Multi-Family and Commercial Zoning requirements for Land Use Parcel 1. The applicant proposes to construct 268 units on a single lot with various amenities and security features, consistent with the density allowance in the PD.

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. The site plan and landscape plan are prepared in conformance with the zoning requirements.

Platting: A final plat will be required.

Access: Access will be taken from Villas Drive with two points of ingress and egress. There is no direct access to SH 78. 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 applicant has proposed a screening option that is desirable and will require a slight modification to the PD, which has been requested. The Landscape Plan complies with the zoning regulations.

The application and plans satisfy the criteria for approval.

Planning and Zoning Commission Report:

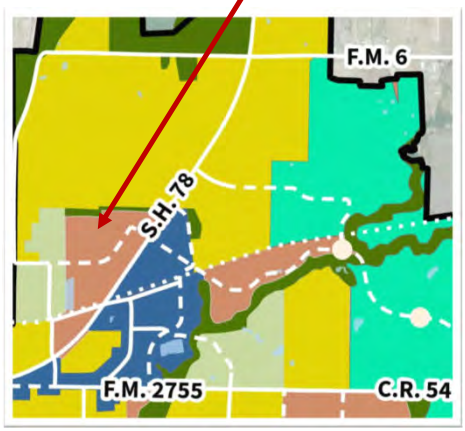
MOTION: RECOMMEND APPROVAL OF THE SITE PLAN AND LANDSCAPE PLAN FOR THE COTTAGES AT ELEVON ON LOT 1, BLOCK B OF THE ELEVON WEST COMMERCIAL ADDITION, PHASE 2, ON 22.8 ACRES OF LAND, WEST OF THE INTERSECTION OF ELEVON PARKWAY AND VILLAS DRIVE, SOUTH OF BENTLY FARMS AND LAKERIDGE MEADOWS, LAVON, COLLIN COUNTY, TX SUBJECT TO CITY STAFF RESOLVING ANY OUTSTANDING COMMENTS.
MOTION MADE: TIEGS
SECONDED: NABORS
APPROVED: UNANIMOUS

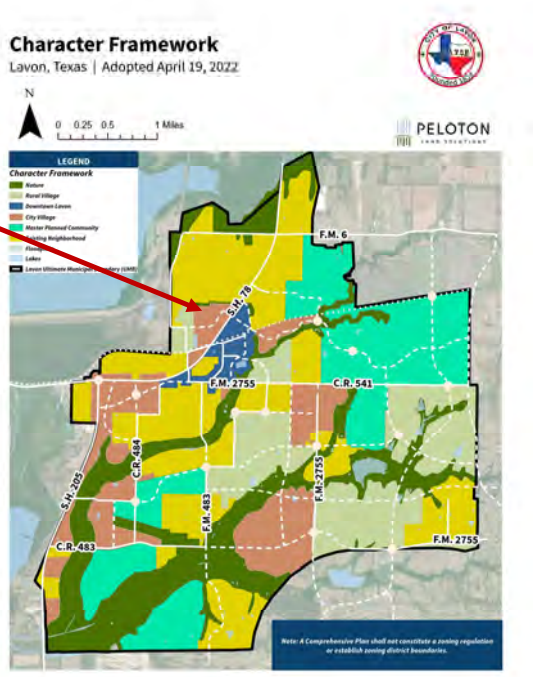
Staff Notes:

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 signage. Approval of the site plan and landscape plan is recommended.

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

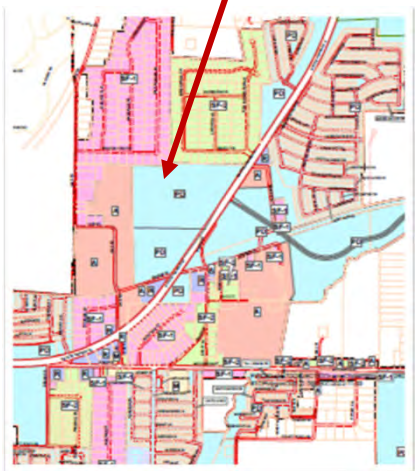
Future Land Use Plan

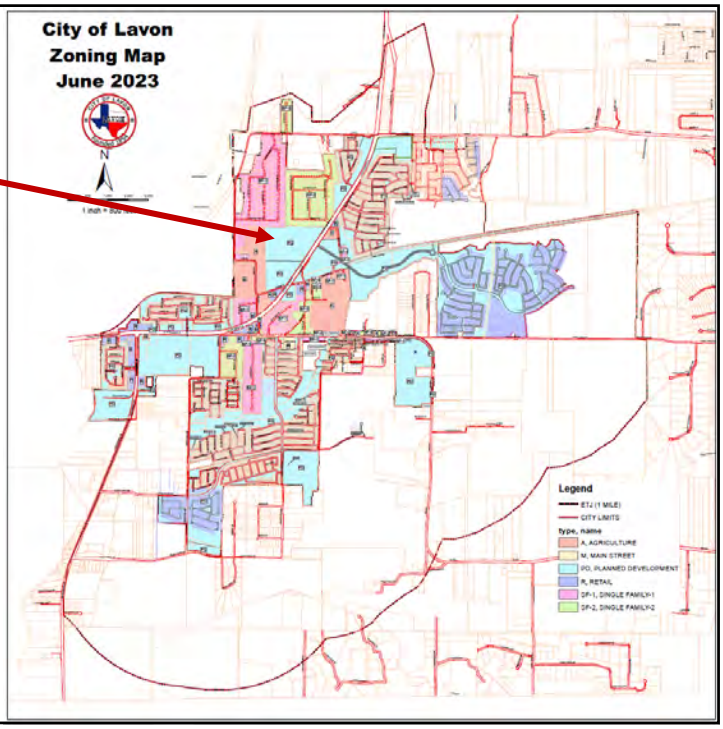




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Zoning Map





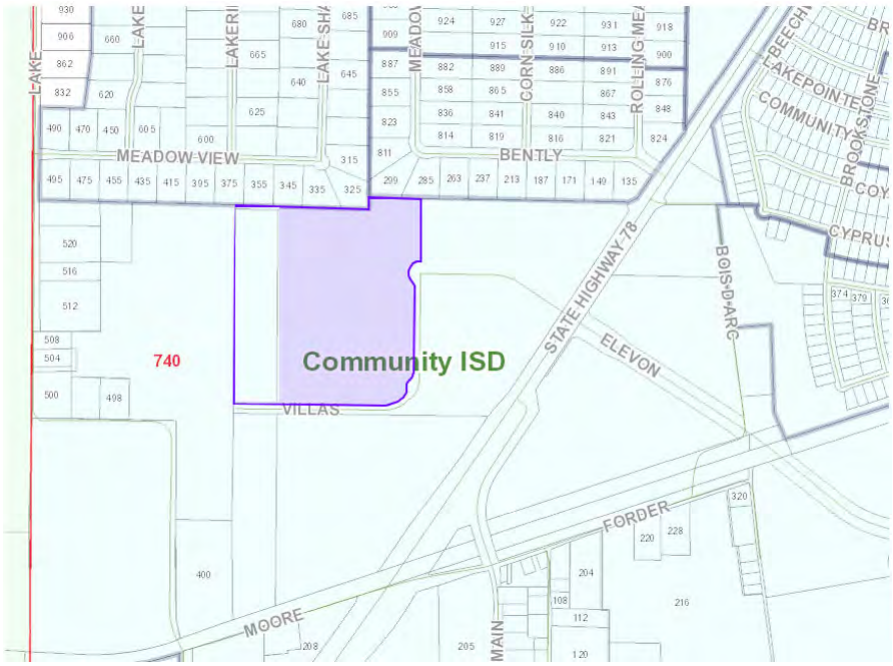
32

Elevon West Commercial, Cottages at Elevon Location Exhibit



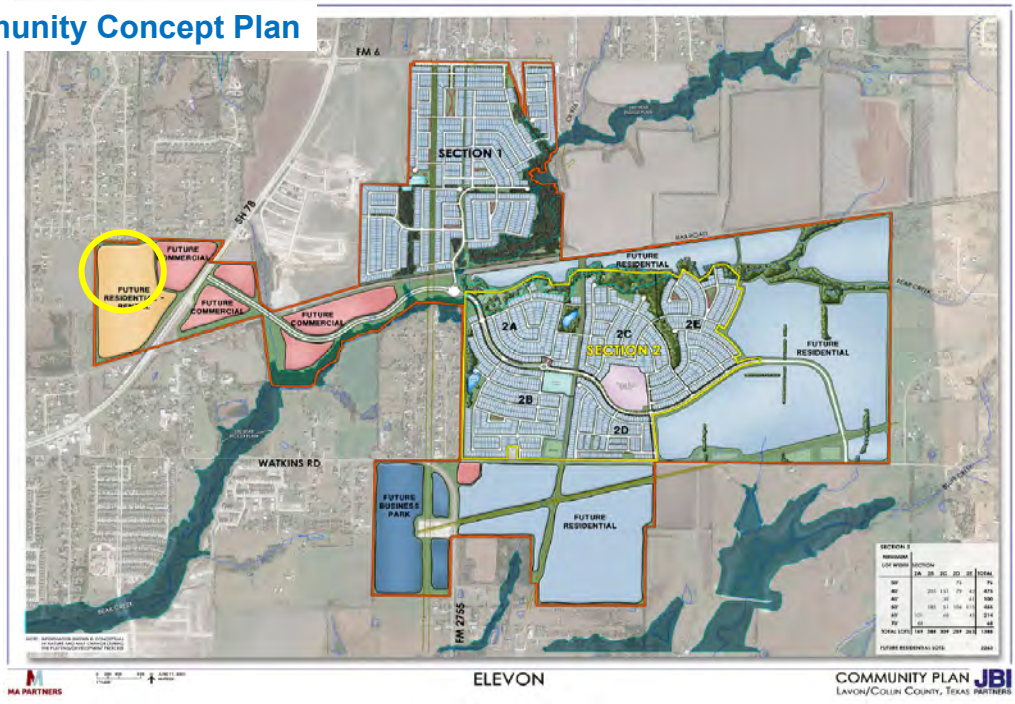
33

Elevon West Commercial, Cottages at Elevon Location Exhibit



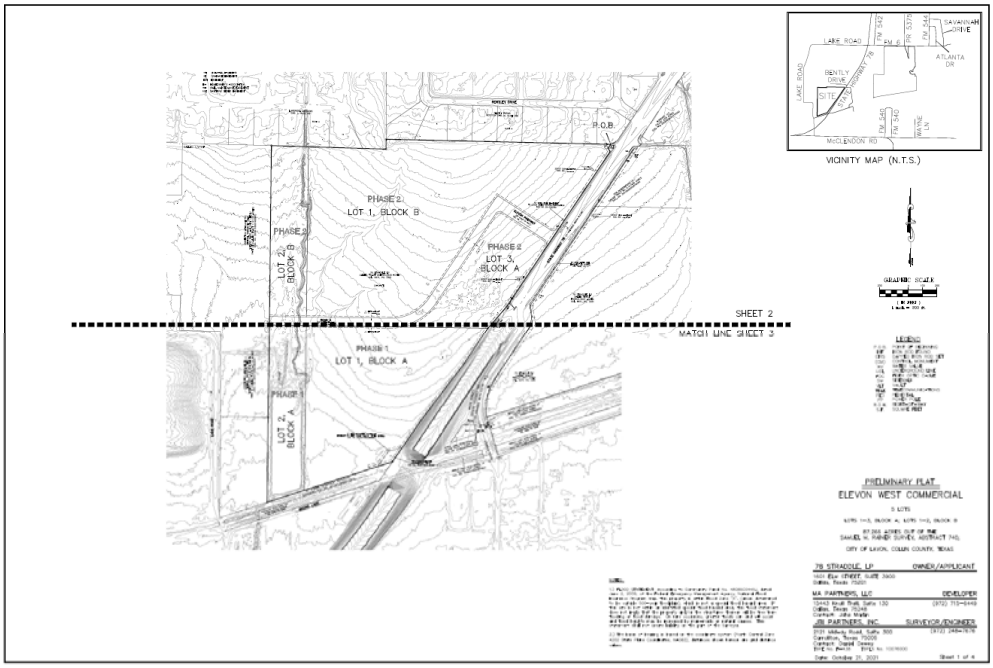
34

Elevon Community Concept Plan



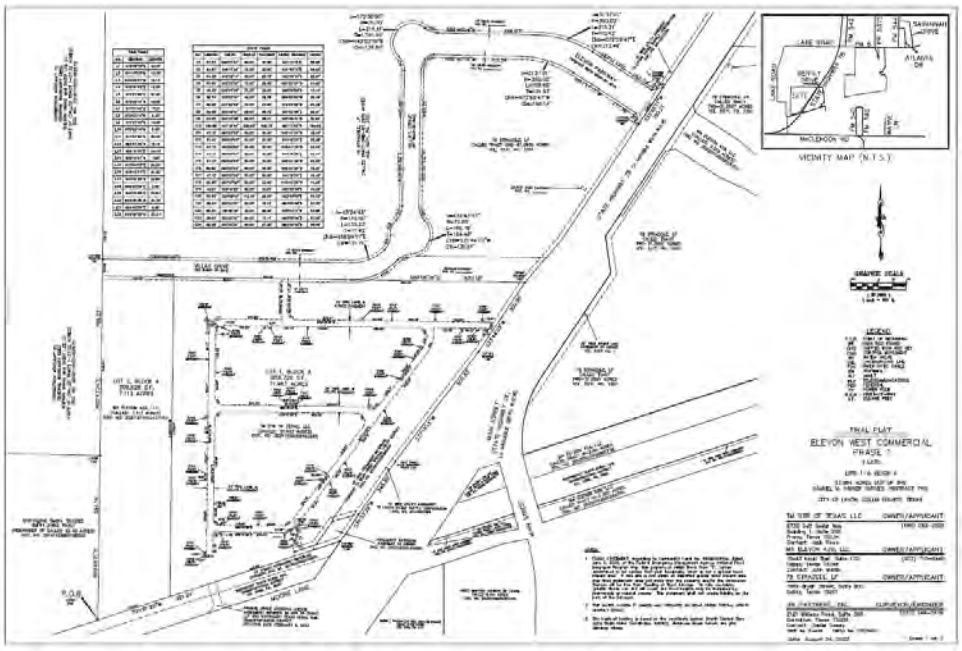
35

Elevon West Commercial Preliminary Plat



36

Elevon West Commercial, Phase 1 Final Plat



37

CITY OF LAVON
SITE PLAN APPLICATION

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

APPLICATION INFORMATION

Name: Cole M. Eckeberger (Engineer)

Address: 400 N. Oklahoma Dr. Suite 105 Celina, TX 75009

Telephone Number: (972) 704-1177

Email Address: Cole.Eckeberger@kimley-horn.com

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

22.777 Ac Tract in Samuel M Rainer Survey, Abstract 740 (Portion of 29.863 Acres).

SUBDIVISION NAME: (*approved plat is prerequisite*) Cottages at Elevon

ZONING: PD – ORDINACE NO. 2022-10-03

LEGAL OWNER OF PROPERTY INVOLVED: MA Land Holdings LLC

If Applicant is NOT the Owner, Relationship to Owner: Engineer for party under contract to purchase tract.

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

Signature: John Marlin 7-7-2023 Date

Owner / Authorized Agent

Printed Name:

Owner / Authorized Agent
Title: John Marlin

Company: MA Land Holdings, LLC

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	

Cottages at Elevon Contact Information

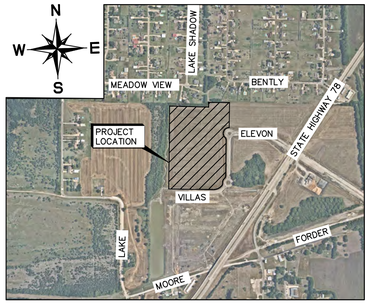
Owner:
Entity: Ma Land Holdings LLC
Address: 2121 Midway Rd Ste 240, Carrollton TX 75006
Contact Name: John Marlin
Contact Email: jmarlin@madev.com
Contact Phone: 972-897-2924

Developer:
Entity: ONM Living
Address: 1038 Texan Trail Grapevine TX 76051
Contact Name: Rob McClain
Contact Email: rob.mcclain@jabezdevelopment.com
Contact Phone: 972-754-2948

Engineer:
Entity: Kimley-Horn Associates
Address: 400 N. Oklahoma Dr. Suite 105 Celina Tx 75009
Contact Name: Cole M. Eckeberger, PE
Contact Email: Cole.Eckeberger@kimley-horn.com
Contact Phone: 972-704-1177

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

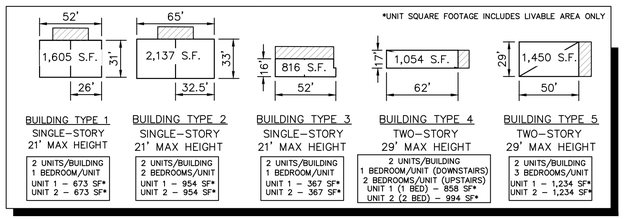
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DWG NAME: K:\DFL_CIVIL\063195\7-ONM ELEVON\CAD\PRELIMINARY\PLANSHEETS\S1 SITE PLAN.DWG [Site Plan (1 of 2)]
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VICINITY MAP
SCALE: 1" = 1,000'

BUILDING TYPE

*UNIT SQUARE FOOTAGE INCLUDES LIVABLE AREA ONLY



BUILDING TYPE 1	BUILDING TYPE 2	BUILDING TYPE 3	BUILDING TYPE 4	BUILDING TYPE 5
SINGLE–STORY 21' MAX HEIGHT	SINGLE–STORY 21' MAX HEIGHT	SINGLE–STORY 21' MAX HEIGHT	TWO–STORY 29' MAX HEIGHT	TWO–STORY 29' MAX HEIGHT
2 UNITS/BUILDING 1 BEDROOM/UNIT UNIT 1 – 673 SF* UNIT 2 – 673 SF*	2 UNITS/BUILDING 2 BEDROOMS/UNIT UNIT 1 – 954 SF* UNIT 2 – 954 SF*	2 UNITS/BUILDING 1 BEDROOM/UNIT UNIT 1 – 367 SF* UNIT 2 – 367 SF*	2 UNITS/BUILDING 1 BEDROOM/UNIT (DOWNSTAIRS) 2 BEDROOMS/UNIT (UPSTAIRS) UNIT 1 (1 BED) – 858 SF* UNIT 2 (2 BED) – 994 SF*	2 UNITS/BUILDING 3 BEDROOMS/UNIT UNIT 1 – 1,234 SF* UNIT 2 – 1,234 SF*

GENERAL SITE DATA	
Zoning	PD - Ordinance No. 2022-10-03
Lot Area* (Square feet & acres, includes dedication)	22.8 AC 993,168 SF
Building Footprint Area (Square feet)	
-Unit Type 1	1,605 SF
-Unit Type 2	2,137 SF
-Unit Type 3	816 SF
-Unit Type 4	1,054 SF
-Unit Type 5	1,450 SF
-Leasing Center	5,671 SF
Total Building Area (Square feet)	201,390 SF
-Unit Type 1	59,385 SF
-Unit Type 2	55,562 SF
-Unit Type 3	4,080 SF
-Unit Type 4	50,592 SF
-Unit Type 5	26,100 SF
-Leasing Center	5,671 SF
Building Height (Feet- distance to tallest building element)	
-Unit Type 1	1- Story/ 21' Max
-Unit Type 2	1- Story/ 21' Max
-Unit Type 3	1- Story/ 21' Max
-Unit Type 4	2- Story/ 29' Max
-Unit Type 5	2- Story/ 29' Max
-Leasing Center	1- Story/ 21' Max
Lot Coverage (Percent- Total Building Area/Total Lot Area)	20%
Impervious Surface - Pavement (Square feet)	211,425 SF
Impervious Surface - Sidewalk (Square feet)	61,929 SF
Lot Coverage by Impervious Surfaces (Percent- (Total Building Area+Pavement Area+Sidewalk Area)/Total Lot Area)	48%
Landscape Area (Excluding Backyard Landscaping)	431,244 SF

*Development assumes one lot for the entire development

REQUIRED PARKING			
# Bdrm	# Units	Pkg/Unit	Req. Pkg
1 bdrm	132	1.75	231.0
2 bdrm	100	2.00	200.0
3 bdrm	36	2.50	90.0
	268		**521.0**

PROVIDED PARKING		
PARKING TYPE	# Spaces	Mix
Surface	307	58.7%
Covered	136	26.0%
Garage	80	15.3%
Accessible*	11	2.1%
Total	**523**	

*Included in Surface Parking Total

UNIT COUNT AND MIX			
Unit Type	Bedrooms in a Unit	Units	Actual %
Type 1	1	74	28%
Type 2	2	52	19%
Type 3	1	10	4%
Type 4 **	1,2	96	36%
Type 5 **	3	36	13%
Total		**268**	**100%**

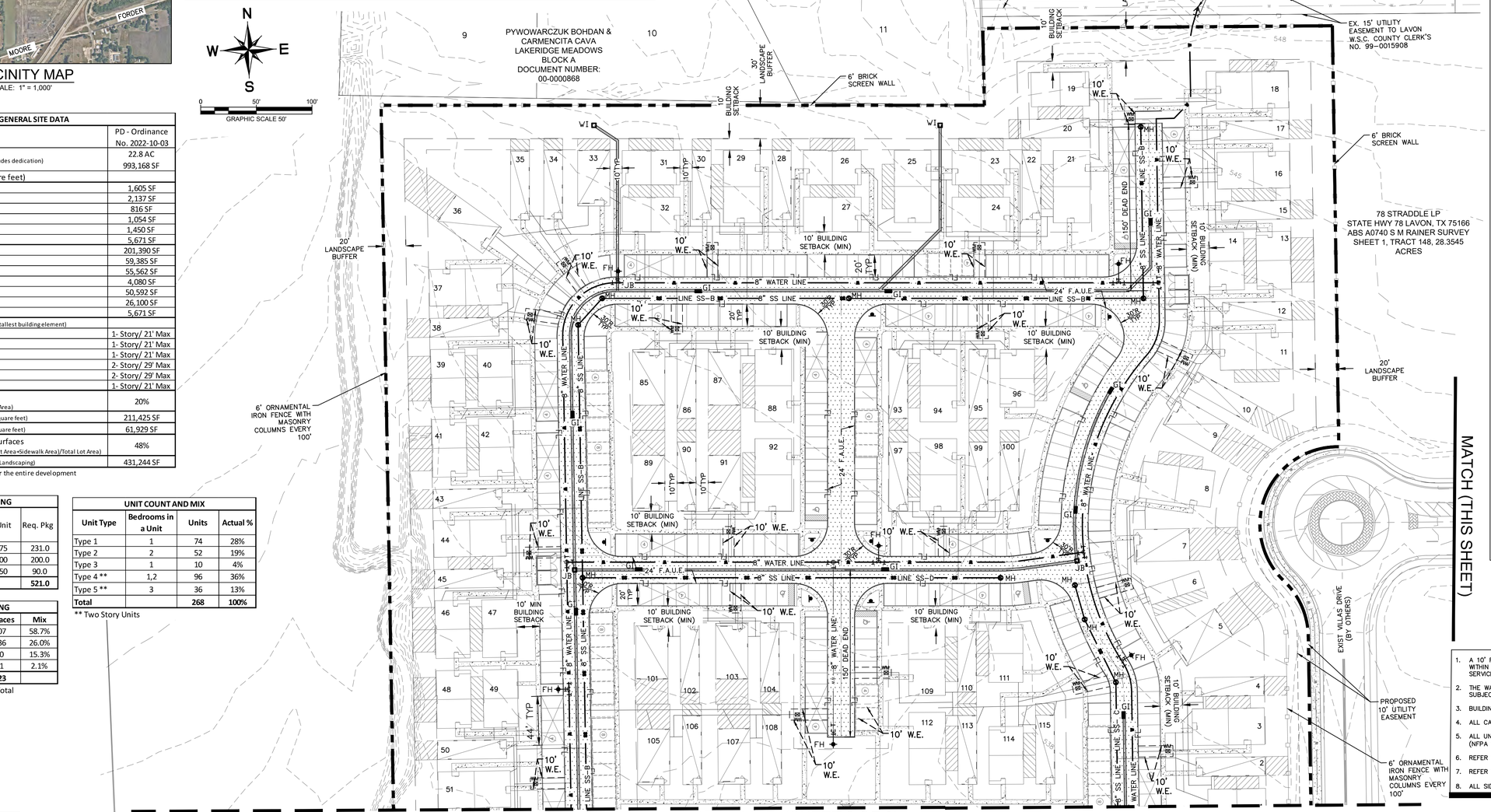
** Two Story Units

MH	MANHOLE
GI	GRATE INLET
JB	JUNCTION BOX
WI	WYE INLET
FH	FIRE HYDRANT
CI	CURB INLET
HW	HEADWALL

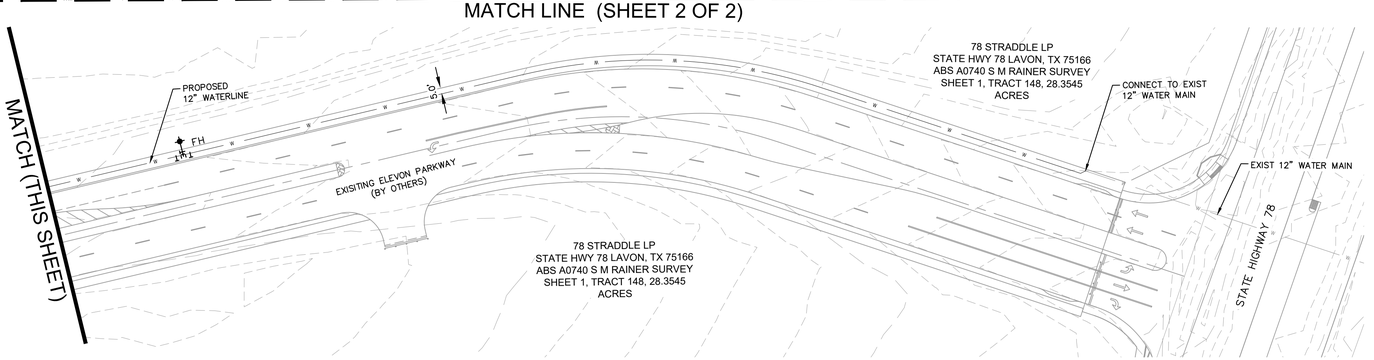
NOTE: DEVELOPMENT ASSUMES ONE LOT FOR THE ENTIRE DEVELOPMENT

ONE SINGLE LOT TOTALING:
993,168 SQUARE FEET
22.8 ACRES

N W E S
0 50' 100'
GRAPHIC SCALE 50'



MATCH LINE (SHEET 2 OF 2)



LEGEND

- PROPERTY LINE
- PROPOSED FIRE HYDRANT
- WM — PROPOSED WATER METER
- OHP — EXISTING OVERHEAD POWER LINE
- W — EXISTING WATER LINE
- SS — EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE
- EXISTING POWER POLE
- EXISTING FIRE HYDRANT
- AC PAD
- ENTRANCE GATE
- UNIT TYPE 1 — SINGLE STORY 2 BEDROOM UNIT
- UNIT TYPE 2 — SINGLE STORY 4 BEDROOM UNIT
- UNIT TYPE 3 — SINGLE STORY 2 BEDROOM UNIT
- UNIT TYPE 4 — TWO STORY 3 BEDROOM UNIT
- UNIT TYPE 5 — TWO STORY 6 BEDROOM UNIT
- (4) — ENCLOSED PARKING (GARAGE) WITH NUMBER OF SPACES (NO PUBLIC UTILITIES NOR EASEMENTS SHALL BE LOCATED UNDERNEATH THESE AREAS)
- (4) — COVERED PARKING (CARPORT) WITH NUMBER OF SPACES (NO PUBLIC UTILITIES NOR EASEMENTS SHALL BE LOCATED UNDERNEATH THESE AREAS)
- DUMPSTER ENCLOSURE (TO BE SCREENED IN ACCORDANCE WITH CITY STANDARDS AND APPROVED PD FOR PROJECT)
- PROPOSED PRIVATE (CONCRETE) FIRE LANE
- PROPOSED SCREENING
- STANDARD TYPE 2 BARRIER FREE RAMP TO BE BUILT BY DEVELOPER PER TXDOT PED-18
- STANDARD TYPE 7 BARRIER FREE RAMP TO BE BUILT BY DEVELOPER PER TXDOT PED-18
- F.A.U.E — FIRE ACCESS UTILITY EASEMENT
- (4) — PROPOSED PARKING COUNT
- STOP SIGN LOCATION
- 1 — BUILDING NUMBER

SITE PLAN GENERAL NOTES:

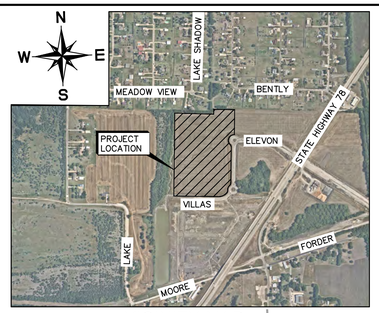
1. A 10' FRANCHISE UTILITY EASEMENT SHALL BE DEDICATED ALONG THE BACK OF CURB WITHIN THE PROPOSED DEVELOPMENT AS REQUIRED TO PROVIDE FRANCHISE UTILITY SERVICE TO THE PROPOSED DEVELOPMENT.
2. THE WATER,SEWER AND STORM SEWER LOCATIONS SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE BASED ON DETAILED CIVIL DESIGN.
3. BUILDING SEPARATION SHOWN FROM EAVE TO EAVE.
4. ALL CARPORTS AND OPEN PARKING SPACES SHALL HAVE A WHEEL STOP.
5. ALL UNITS TO BE SPRINKLED WITH APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM (NFPA 13, 13R, OR 13D SPRINKLERS AS APPROVED AT TIME OF CONSTRUCTION).
6. REFER TO OPEN SPACE PLAN FOR OPEN SPACE RESERVE DETAILS.
7. REFER TO LANDSCAPE PLAN FOR LANDSCAPE DETAILS
8. ALL SIDEWALK TO BE 4' UNLESS STATED OTHERWISE..

SITE PLAN (1 OF 2)
FOR
COTTAGES AT ELEVON

1 LOT
BEING 22.8 ACRES
OUT OF THE
S M RAINER SURVEY, ABSTRACT NO. A0740
IN THE
CITY OF LAVON, COLLIN COUNTY, TEXAS

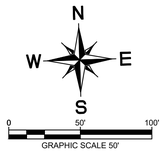
OWNER:	DEVELOPER:	ENGINEER/SURVEYOR:
Ma Land Holdings LLC 2121 Midway Rd Ste 240 Carrollton, TX 75006	ONM Living 1038 Texan Trail Grapevine, TX 76051 Tel: (972) 754-2948 Contact: Rob McClain	Kimley»Horn 400 N. Oklahoma Dr. Suite 105 Celina, TX 75009 Tel: (469) 501-2200 Contact: COLE M. ECKEBERGER, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.	
MAL	MIU	CME	AS SHOWN	AUGUST 2023	063219517	S-1



VICINITY MAP

SCALE: 1" = 1,000'



SITE PLAN GENERAL NOTES:

1. A 10' FRANCHISE UTILITY EASEMENT SHALL BE DEDICATED ALONG THE BACK OF CURB WITHIN THE PROPOSED DEVELOPMENT AS REQUIRED TO PROVIDE FRANCHISE UTILITY SERVICE TO THE PROPOSED DEVELOPMENT.
2. THE WATER,SEWER AND STORM SEWER LOCATIONS SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE BASED ON DETAILED CIVIL DESIGN.
3. BUILDING SEPARATION SHOWN FROM EAVE TO EAVE.
4. ALL CARPORTS AND OPEN PARKING SPACES SHALL HAVE A WHEEL STOP.
5. ALL UNITS TO BE SPRINKLED WITH APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM (NFPA 13, 13R, OR 13D SPRINKLERS AS APPROVED AT TIME OF CONSTRUCTION).
6. REFER TO OPEN SPACE PLAN FOR OPEN SPACE RESERVE DETAILS.
7. REFER TO LANDSCAPE PLAN FOR LANDSCAPE DETAILS
8. ALL SIDEWALK TO BE 4' UNLESS STATED OTHERWISE..

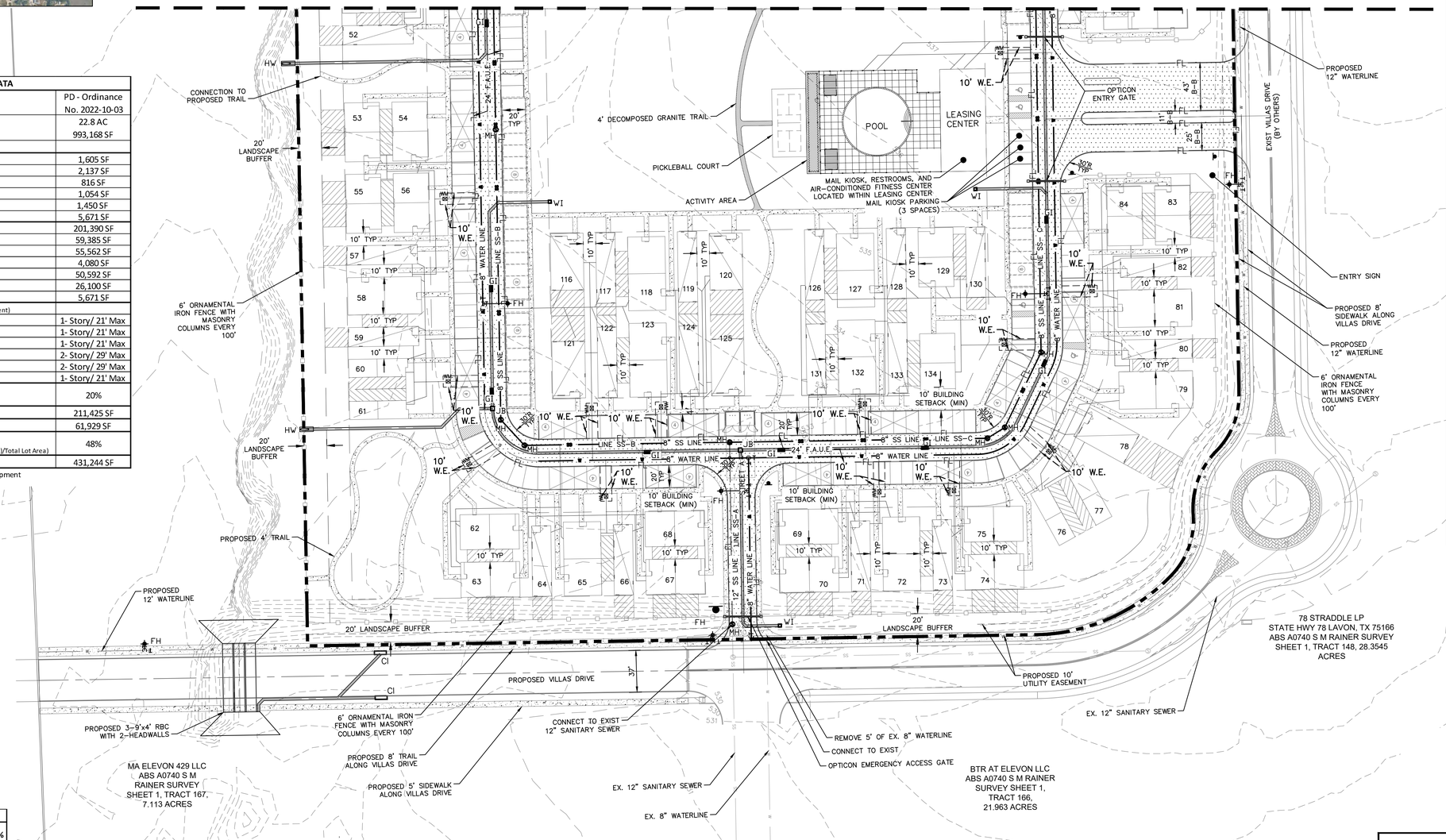
LEGEND

- PROPERTY LINE
- PROPOSED FIRE HYDRANT
- WM — PROPOSED WATER METER
- OHP — EXISTING OVERHEAD POWER LINE
- W — EXISTING WATER LINE
- SS — EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE
- EXISTING POWER POLE
- EXISTING FIRE HYDRANT
- AC PAD
- ENTRANCE GATE
- UNIT TYPE 1 SINGLE STORY 2 BEDROOM UNIT
- UNIT TYPE 2 SINGLE STORY 4 BEDROOM UNIT
- UNIT TYPE 3 SINGLE STORY 2 BEDROOM UNIT
- UNIT TYPE 4 TWO STORY 3 BEDROOM UNIT
- UNIT TYPE 5 TWO STORY 6 BEDROOM UNIT
- (4) — ENCLOSED PARKING (GARAGE) WITH NUMBER OF SPACES (NO PUBLIC UTILITIES NOR EASEMENTS SHALL BE LOCATED UNDERNEATH THESE AREAS)
- (4) — COVERED PARKING (CARPORT) WITH NUMBER OF SPACES (NO PUBLIC UTILITIES NOR EASEMENTS SHALL BE LOCATED UNDERNEATH THESE AREAS)
- DUMPSTER ENCLOSURE (TO BE SCREENED IN ACCORDANCE WITH CITY STANDARDS AND APPROVED PD FOR PROJECT)
- PROPOSED PRIVATE (CONCRETE) FIRE LANE
- PROPOSED SCREENING
- STANDARD TYPE 2 BARRIER FREE RAMP TO BE BUILT BY DEVELOPER PER TXDOT PED-18
- STANDARD TYPE 7 BARRIER FREE RAMP TO BE BUILT BY DEVELOPER PER TXDOT PED-18
- F.A.U.E — FIRE ACCESS UTILITY EASEMENT
- (4) — PROPOSED PARKING COUNT
- STOP SIGN LOCATION
- 1 — BUILDING NUMBER

GENERAL SITE DATA	
Zoning	PD - Ordinance No. 2022-10-03
Lot Area* (Square feet & acres, includes dedication)	22.8 AC 993,168 SF
Building Footprint Area (Square feet)	
-Unit Type 1	1,605 SF
-Unit Type 2	2,137 SF
-Unit Type 3	816 SF
-Unit Type 4	1,054 SF
-Unit Type 5	1,450 SF
-Leasing Center	5,671 SF
Total Building Area (Square feet)	201,390 SF
-Unit Type 1	59,385 SF
-Unit Type 2	55,562 SF
-Unit Type 3	4,080 SF
-Unit Type 4	50,592 SF
-Unit Type 5	26,100 SF
-Leasing Center	5,671 SF
Building Height (Feet-distance to tallest building element)	
-Unit Type 1	1- Story/ 21' Max
-Unit Type 2	1- Story/ 21' Max
-Unit Type 3	1- Story/ 21' Max
-Unit Type 4	2- Story/ 29' Max
-Unit Type 5	2- Story/ 29' Max
-Leasing Center	1- Story/ 21' Max
Lot Coverage (Percent- Total Building Area/Total Lot Area)	20%
Impervious Surface - Pavement (Square feet)	211,425 SF
Impervious Surface - Sidewalk (Square feet)	61,929 SF
Lot Coverage by Impervious Surfaces (Percent-(Total Building Area+Pavement Area+Sidewalk Area)/Total Lot Area)	48%
Landscape Area (Excluding Backyard Landscaping)	431,244 SF

*Development assumes one lot for the entire development

MATCH LINE SEE (SHEET 1 OF 2)



NOTE: DEVELOPMENT ASSUMES ONE LOT FOR THE ENTIRE DEVELOPMENT

ONE SINGLE LOT TOTALING:
993,168 SQUARE FEET
22.8 ACRES

UNIT COUNT AND MIX			
Unit Type	Bedrooms in a Unit	Units	Actual %
Type 1	1	74	28%
Type 2	2	52	19%
Type 3	1	10	4%
Type 4 **	1,2	96	36%
Type 5 **	3	36	13%
Total		**268**	**100%**

** Two Story Units

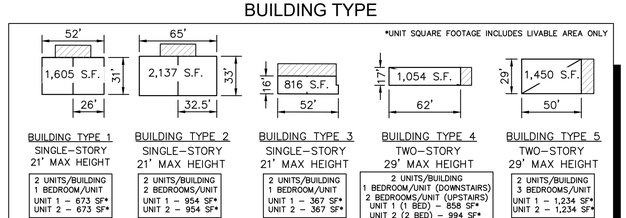
REQUIRED PARKING			
# Bdrm	# Units	Pkg/Unit	Req. Pkg
1 bdrm	132	1.75	231.0
2 bdrm	100	2.00	200.0
3 bdrm	36	2.50	90.0
	268		**521.0**

PROVIDED PARKING		
PARKING TYPE	# Spaces	Mix
Surface	307	58.7%
Covered	136	26.0%
Garage	80	15.3%
Accessible*	11	2.1%
Total	**523**	

*Included in Surface Parking Total

BUILDING TYPE

*UNIT SQUARE FOOTAGE INCLUDES LIVABLE AREA ONLY



BUILDING TYPE 1	BUILDING TYPE 2	BUILDING TYPE 3	BUILDING TYPE 4	BUILDING TYPE 5
SINGLE-STORY 21' MAX HEIGHT	SINGLE-STORY 21' MAX HEIGHT	SINGLE-STORY 21' MAX HEIGHT	TWO-STORY 29' MAX HEIGHT	TWO-STORY 29' MAX HEIGHT
2 UNITS/BUILDING 1 BEDROOM/UNIT UNIT 1 – 673 SF* UNIT 2 – 673 SF*	2 UNITS/BUILDING 2 BEDROOMS/UNIT UNIT 1 – 954 SF* UNIT 2 – 954 SF*	2 UNITS/BUILDING 1 BEDROOM/UNIT UNIT 1 – 367 SF* UNIT 2 – 367 SF*	2 UNITS/BUILDING 1 BEDROOM/UNIT (DOWNSTAIRS) 2 BEDROOMS/UNIT (UPSTAIRS) UNIT 1 (1 BED) – 858 SF* UNIT 2 (2 BED) – 994 SF*	2 UNITS/BUILDING 3 BEDROOMS/UNIT UNIT 1 – 1,234 SF* UNIT 2 – 1,234 SF*

MH	MANHOLE
GI	GRATE INLET
JB	JUNCTION BOX
WI	WYE INLET
FH	FIRE HYDRANT
CI	CURB INLET
HW	HEADWALL

SITE PLAN (2 OF 2)

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Tel: (972) 754-2948
Contact: Rob McClain

ENGINEER/SURVEYOR:
Kimley»Horn
400 N. Oklahoma Dr. Suite 105
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Tel: (469) 501-2200
Contact: COLE M. ECKEBERGER, P.E.

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1



3



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4



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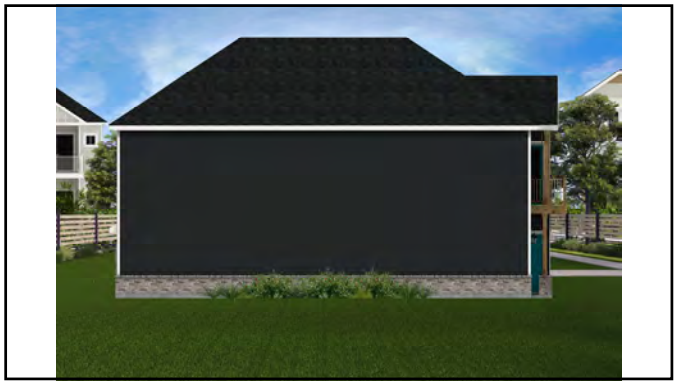
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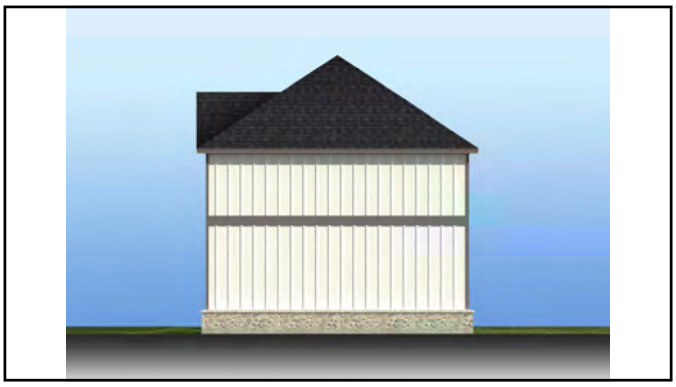
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49



51



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52

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: Cole M. Eckeberger (Engineer)

Address: 400 N. Oklahoma Dr. Suite 105 Celina, TX 75009

Telephone Number: (972) 704-1177

Email Address: Cole.Eckeberger@kimley-horn.com

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

22.777 Ac Tract in Samuel M Rainer Survey, Abstract 740 (Portion of 29.863 Acres)

SUBDIVISION NAME: (*approved plat is prerequisite*) Cottages at Elevon

ZONING: PD-Ordinance No. 2022-10-03

LEGAL OWNER OF PROPERTY INVOLVED: MA Land Holdings LLC

If Applicant is NOT the Owner, Relationship to Owner: Engineer for party under contract

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

Signature: _____ _____
Owner / Authorized Agent Date

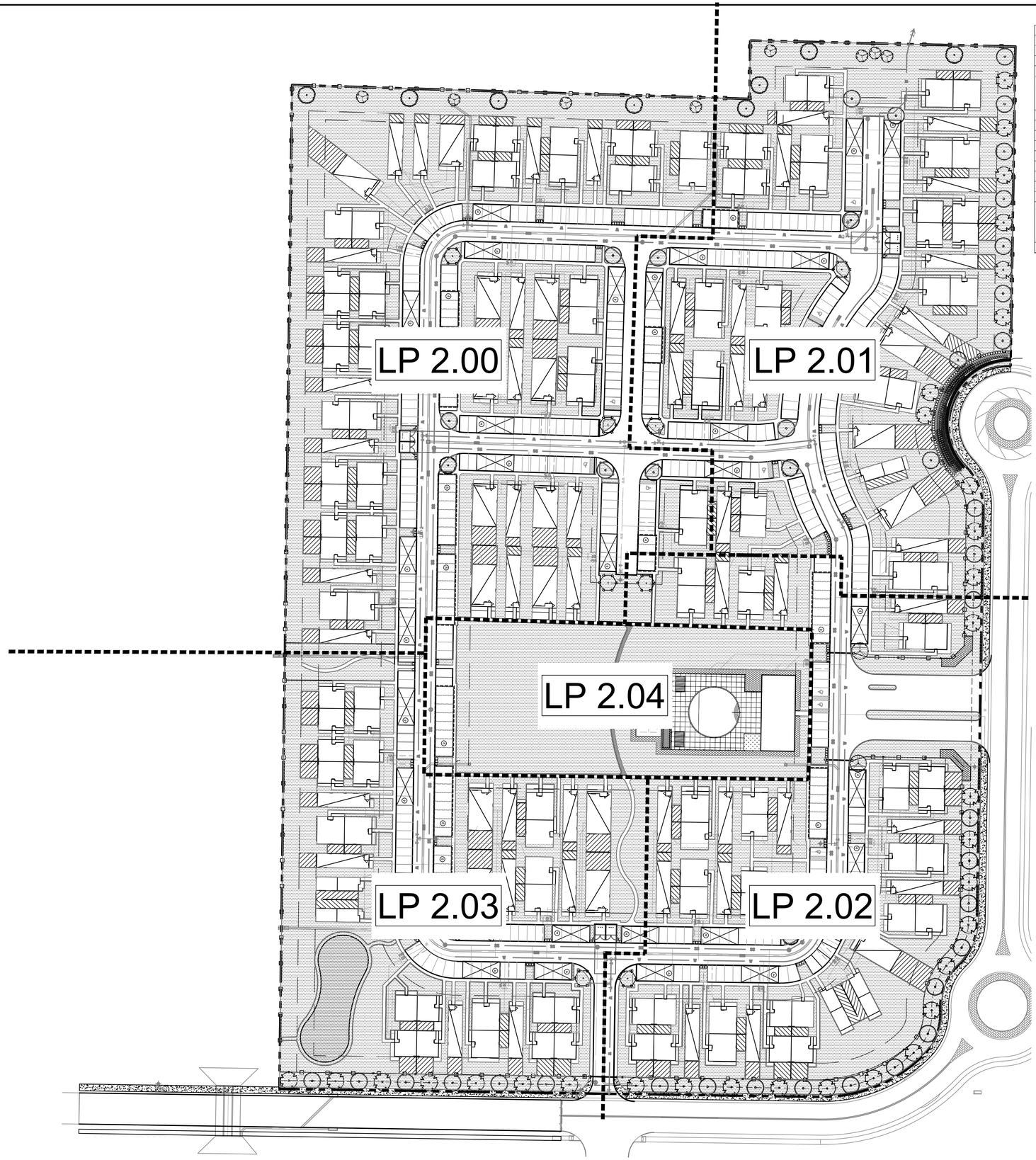
Printed Name: _____
Owner / Authorized Agent

Title: _____

Company: _____

City Office Use Only:

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



Landscape Requirements per Ordinance No. 2022-10-03				
		Required		Provided
Buffer				
North Buffer (Per Ord. Section 1.3.7.1.3)				
A minimum 30-foot-wide landscape buffer shall be provided along the northern boundary of Land Use Parcel 1. A mix of shade and ornamental trees shall be planted within the required buffer. Trees shall be planted (1) / 60 LF.		925 lf / 60 = 16 trees		8 canopy trees, 8 ornamental trees
East Buffer (Per Ord. Section 1.1.6)				
(1) canopy tree / 30 LF of buffer		1,077 lf / 30 = 36 trees		36 trees
South Buffer (Per Ord. Section 1.1.6)				
(1) canopy tree / 30 LF of buffer		761 lf / 30 = 26 trees		26 trees
Open Space				
Per Ordinance Section 1.2.4				
All MF developments require a minimum of 20% of the gross acerage as open space with a minimum of 10% of the gross acerage being useable open space *22.77 acres x .10 = 2.27 acres*		2.27 acres (useable)		2.35 acres (useable)
22.77 acres x .20 = 4.55 acres		4.55 (gross)		9.61 acres (gross)

PLANT SCHEDULE

TREES	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING
	Cedar Elm / Ulmus crassifolia	3" cal	12`-14`	
	Chinkapin Oak / Quercus muehlenbergii	3" cal	12`-14`	
	Lacebark Elm / Ulmus parvifolia	3" cal	12`-14`	
	Live Oak Tree / Quercus virginana	3" cal	12`-14`	
	Red Maple / Acer rubrum	3" cal	12`-14`	

FLOWERING TREES	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING
	Yaupon Holly / Ilex vomitoria	45 Gal.	8`-10`	

SHRUBS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING
	Autumn Sage / Salvia greggii	3 gal	18" h X 18" w	30" OC
	Blue Grama / Bouteloua gracilis `Blonde Ambition`	3 gal	18" h X 18" w	24" OC
	Green Cloud Texas Ranger / Leucophyllum frutescens `Green Cloud` TM	5 gal	24" h x 24" w	36" OC
	Pink Muhly Grass / Muhlenbergia capillaris	3 gal	24" h x 18" w	30" OC
	Russian Sage / Perovskia atriplicifolia	3 gal	18" h X 18" w	30" OC
	White Muhly Grass / Muhlenbergia capillaris `White Cloud`	3 gal	24" h x 18" w	30" OC

SHRUB AREAS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	SPACING
	Shrubs/ Groundcover	3 gal	Varies	Varies	30" o.c.

GROUND COVERS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING
	Big Blue Lilyturf / Liriope muscari `Big Blue`	1 gal	12" h x 12" w	18" o.c.
	Bermuda Grass			

NORTH

GRAPHIC SCALE IN FEET
0 30 60 120

LANDSCAPE PLAN

FOR

ELEVON

1 LOT
BEING 22.8 ACRES
OUT OF THE
S M RAINER SURVEY, ABSTRACT NO. A0740
IN THE
CITY OF LAVON, COLLIN COUNTY, TEXAS

OWNER:
Ma Land Holdings LLC
2121 Midway Rd Suite 240
Carrollton, TX 75006

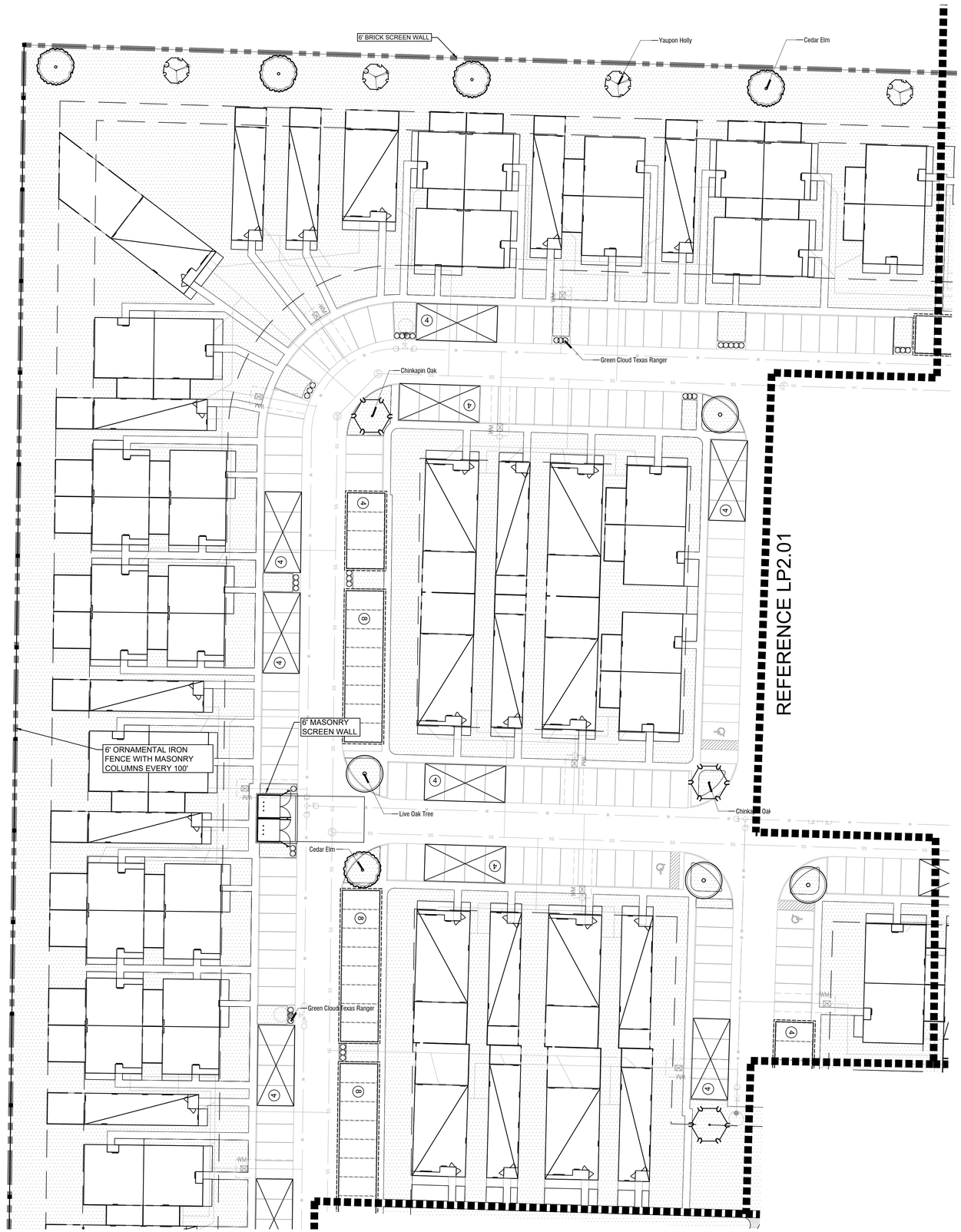
DEVELOPER:
ONM Living
1038 Texan Trail
Grapevine, TX 76051
Tel: (817) 614-9049
Contact: Rob McClain

LANDSCAPE ARCHITECT:
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260 E Davis Street, Suite 100
McKinney, TX 75069
Tel: (469) 287-5196
Contact: Marie Robirds, PLA

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.	
KRR	KRR	MER	AS SHOWN	JULY 2023	063219517	LP 1.00

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LANDSCAPE ENLARGEMENT

FOR

ELEVON

1 LOT

BEING 22.8 ACRES

OUT OF THE

S M RAINER SURVEY, ABSTRACT NO. A0740

IN THE

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Ma Land Holdings LLC 2121 Midway Rd Suite 240 Carrollton, TX 75006	ONM Living 1038 Texan Trail Grapevine, TX 76051 Tel: (817) 614-9049 Contact: Rob McClain	Kimley»Horn 260 E Davis Street, Suite 100 McKinney, TX 75069 Tel: (469) 287-5196 Contact: Marie Robirds, PLA

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.	LP 2.00
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REFERENCE LP 2.00

6' BRICK SCREEN WALL

Red Maple

Live Oak Tree

6' MASONRY SCREEN WALL

6' BRICK SCREEN WALL

Green Cloud Texas Ranger

Chinkapin Oak

Green Cloud Texas Ranger

Green Cloud Texas Ranger
White Muhly Grass
Autumn Sage
Big Blue Lilyturf

ELEVON PARKWAY

Chinkapin Oak

Green Cloud Texas Ranger

Pink Muhly Grass
Russian Sage

6' ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS EVERY 100'

REFERENCE LP 2.02

NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

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REFERENCE LP 2.01

REFERENCE LP 2.04

REFERENCE LP 2.03

ARTIFICIAL TURF

Lacebark Elm
Green Cloud Texas Ranger

Shrubs/ Groundcover

Shrubs/ Groundcover

PROPOSED ENTRY SIGN LOCATION

Red Maple

Live Oak Tree

6' ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS EVERY 100'

Green Cloud Texas Ranger

Cedar Elm

6' ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS EVERY 100'

Red Maple

Live Oak Tree

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REFERENCE LP 2.00

REFERENCE LP 2.04

REFERENCE LP 2.03

6' ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS EVERY 100'

6' MASONRY SCREEN WALL

Green Cloud Texas Ranger

Green Cloud Texas Ranger

6' ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS EVERY 100'

VILLAS DRIVE

NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

LANDSCAPE ENLARGEMENT

FOR

ELEVON

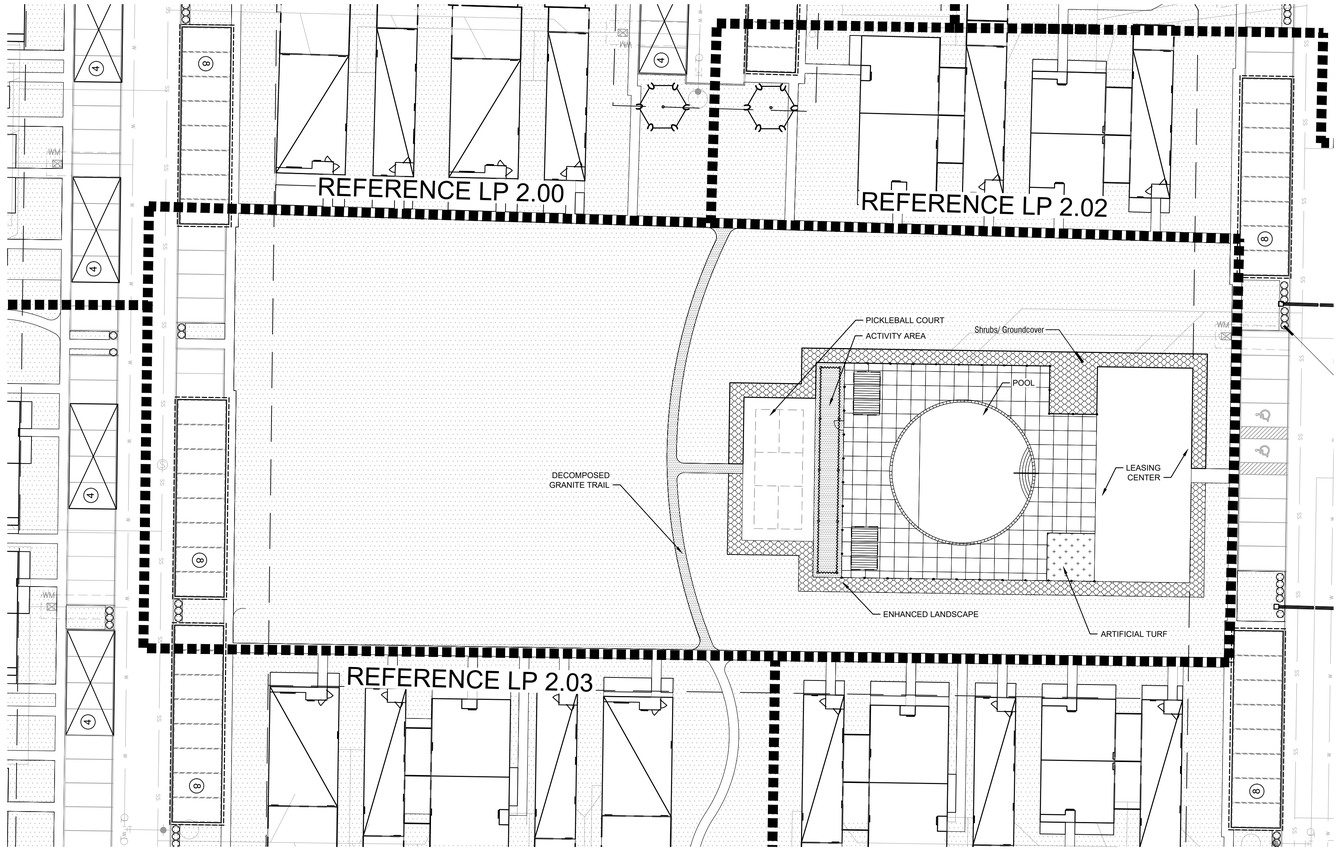
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NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

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FOR

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PLOTTED BY: ROBIRDS, MARIE 8/31/2023 1:01 PM
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LAST SAVED: 8/31/2023 2:59 PM

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Kimley»Horn

August 31, 2023

Kim Dobbs, City Manager
120 School Road
Lavon, TX 75166

Re: ***Cottages at Elevon***
Amendment to Planned Development for Cottages at Elevon
Collin County, Texas

Dear Kim,

On behalf of our client ONM Living, we respectively request an amendment to the Planned Development for Cottages at Elevon. More specifically, we would like to amend the fencing requirement noted in section 1.1.3. of Compatibility Screening within the General standards.

Along the west, south, and east side of the cottage area, excluding the shared boundary with the future commercial tract in the northeast corner, in lieu of the tubular steel or wrought iron fencing with masonry columns every 20' on center, we are proposing masonry columns spaced at a maximum one hundred foot (100') on center. Fencing to be tubular steel or wrought iron with a maximum height of six feet (6') as shown on the attached fencing exhibit.

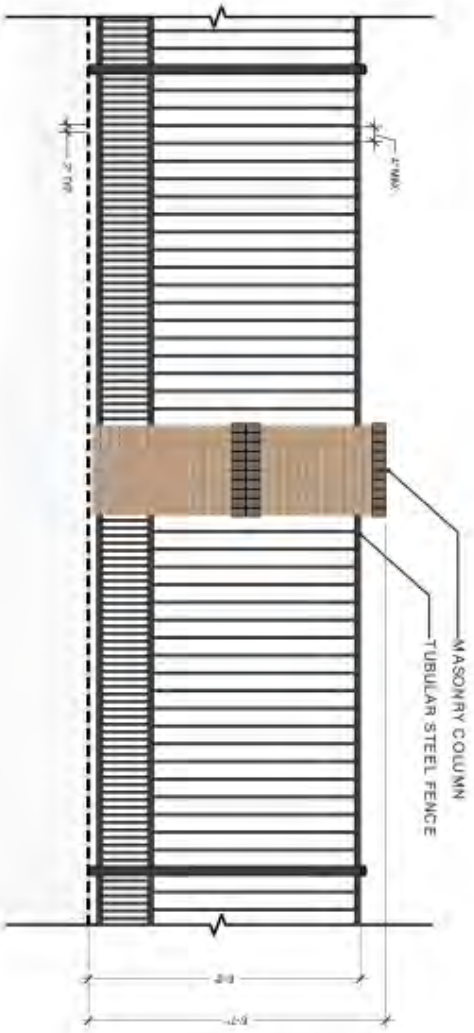
If you are in agreeance to this request, we would like this to be presented for approval at the next Planning and Zoning meeting. Please contact me at (972-704-1177) or cole.eckeberger@kimley-horn.com should you have any questions or need any additional information.

Sincerely,

Cole Eckeberger, PE
Project Manager

TUBULAR STEEL FENCE WITH MASONRY COLUMN

COTTAGES AT ELEVON



FENCING EXHIBIT Kimley»Horn

Kimley»Horn

August 29, 2023

Kim Dobbs, City Manager
120 School Road
Lavon, TX 75166

Re: ***Cottages At Elevon – Site Plan and Landscape Plan***
Response Letter to 1st Site Plan Comments
Collin County, Texas

Dear Kim:

This letter is in response to the comments received on 08/18/23 for the Site Plan submittal dated 07/12/23. The following items have been addressed as per the referenced review:

Planning and Design Comments (Provided by Peloton Land Solutions)

1. Architectural features of the proposed structures appear to be non-compliant with the Development Agreement and governing PD. Please clarify proposed compliance with the minimum architectural standards for multi-family uses, including (but not limited to) with PD Section 1.3.1 and 1.3.17.1.10.

    - **Per coordination between Rob McClain (Developer) and Abra Nusser (Peloton): the multi-family architectural features in Section 1.3.2.8. of the PD are categorically for large building/garden style multi-family, therefore we are not confirming to all standards. Everything with the exception of roof material on the garages can be conformed to. Carports have metal roofing, but the garages will look like the residential buildings with shingled roofing.**

      This is a list of articulation features we intend to comply with on our buildings:

        i. **A base course or plinth course; banding, moldings, or stringcourses; quoin; oriels; cornices; arches; brackets; keystones; dormers; louvers as part of the exterior wall construction.**

        ii. **Balconies**

        iii. **Bay windows**

        iv. **Double entry door(s)**

        v. **Covered Entry(ies)**

        vi. **Front porch of at least 50 square feet**

        vii. **Installation of two (2) coach lights**

viii. **Shutters**

ix. **Columns**

x. **Other wood accents**

2. There appear to be discrepancies in the information provided on the Site Data Table. Please clarify the proposed lot coverage.

   - **Site Data Table was updated to show the following:**

Lot Coverage (Percent- Total Building Area/Total Lot Area)	20%
Impervious Surface - Pavement (Square feet)	211,425 SF
Impervious Surface - Sidewalk (Square feet)	61,929 SF
Lot Coverage by Impervious Surfaces (Percent- (Total Building Area+Pavement Area+Sidewalk Area)/Total Lot Area)	48%

3. Revise the Site Plan to provide, label, and callout the required amenity center and associated required features.

   - **Plans revised as requested. Pool, Leasing Center, Activity Area, Pickleball Court, Fitness Center, and Mail Kiosk are now called out in the Site Plan and the amenities shown are in compliance with the PD.**

4. Provide and label a mail kiosk with associated minimum parking.

   - **Plans revised as requested. Mail Kiosk called out and (3) dedicated parking spaces for the Mail Kiosk are shown. Required spaces are in compliance with the PD.**

5. Please confirm that all buildings have a minimum 10-foot separation, clear of overhangs, fences, or other obstructions, as required by the governing PD.

   - **Plans verified. All buildings maintain a minimum of 10-foot separation (dimensions shown measure from wall-to-wall not eave-to-eave).**

6. Revise the Site Plan to provide width callouts of the proposed trails and sidewalks.

   - **Plans revised as requested. Proposed sidewalks and trail widths are called out in plan view and a note has been added to the Site Plan General Notes for further clarification.**

7. Revise the Site Plan and Landscape Plan to provide a minimum 30-foot radius for all fire lanes.

   - **Plans revised as requested. All radius along the firelane have been updated from 25-foot to 30-foot.**

8. According to the Landscape Plan Tabulations, less than 20 percent of the gross acreage is designated as open space, and no associated common area lots have been labeled or detailed. Please clarify and detail proposed compliance with the minimum open space requirement and provide/label associated, required features on the landscape plan accordingly (with associated proposed area calculations).

    - **Plans revised as requested. An Open Space Plan has been provided with this submittal. Open Space and Open Space Reserve areas meet or exceed minimum requirements of the PD.**

Open Space Data		
Total Site Area	22.8	Acres
Area of Open Space Provided	9.61	Acres
Area of Open Space Required (20%)	**4.56 Acres**	
% of Open Space Provided	**42%**	
Area of Open Space Reserve Provided	2.35	Acres
Area of Open Space Reserve Required (10%)	**2.28 Acres**	
% of Open Space Reserve Provided	**10%**	

9. Revise the Landscape Plan to provide and label the proposed height and materials of all dumpster enclosures.

    - **Plans revised as requested. "6' Masonry Screening Wall" label added to all dumpster enclosures.**

10. Revise the Landscape Plan to provide and label the height and materials of all required fencing along each property line (PD Section 1.3.17.1.9.).

    - **Plans revised as requested. All required fencing along the property lines have been labelled per the PD.**

11. Revise the Landscape Plan to provide an irrigated landscape island, containing one canopy tree, at the terminus of every parking row. For other landscape islands, provide and label other plantings in compliance with the PD.

    - **Plans revised as requested. A canopy tree has been provided at each terminus of every parking row, all other landscape islands show/label proposed landscaping in compliance with the PD.**

12. FYI: The subject property is Preliminary Platted by an associated Final Plat.

    - **Noted.**

13. FYI: The Site Plan and Landscape Plan must be approved by the City Council, upon recommendation of the Planning and Zoning Commission.

    - **Noted.**

Site Plan Comments (Provided by Freeman Millican, Inc.)

1. Water service is by BCSUD.

    - **Noted.**

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

    - **Noted.**

3. City Planning may have additional comments.

    - **Noted.**

4. All sanitary sewer will be private.

    - **Noted.**

5. The existing sanitary sewer line at the south end is a 12" line. In addition, the existing manhole callout and connection point does not exist as shown.

    - **Plans revised as requested. Existing sewer line updated from 8" to 12". The callout for the existing manhole was removed and replaced with "Connect to Exist 12" Sanitary Sewer".**

6. Minimum fire lane radius is 30'.

    - **Plans revised as requested. All radius along the firelane have been updated from 25-foot to 30-foot.**

7. Fire Marshal shall verify if a turn around is required at the end of the fire lane in the northeast corner of the development.

    - **The City Engineer has measured a rough length of the dead-end to be 148', Kimley-Horn has verified that that the dead-end is exactly 150'. No turn-around required.**

8. Several units in the southern area do not appear to be close enough to a fire lane for a 150' hose lay length.

    - **Plans revised as requested. All buildings on this project are to be equipped with fire protection devices. A hose lay exhibit has been provided to prove that all buildings are within 200' of the fire lane.**

9. Entry gates to be supplied with Opticom device for emergency access.

    - **Plans revised as requested. Knox Box revised to Option Emergency Access Gate.**

10. A detention pond and extension of Villas Drive is shown.

    - **Yes, we are proposing to extend Villas Drive towards the western end of the property line and we're currently coordinating with the engineer on the southern build-to-rent property to confirm existing/proposed flows to determine the required area for detention. The required area for detention will be finalized with the Construction Plans.**

Please contact me at (972-704-1177) or cole.eckeberger@kimley-horn.com should you have any questions or need any additional information.

Sincerely,

Cole Eckeberger, PE
Project Manager

CITY OF LAVON

P.O. Box 340 120 School Road
Lavon, TX 75166
(972) 843-4220
www.cityoflavon.com

August 18, 2023

Cole Eckeberger
400 N. Oklahoma Dr., Ste. 105
Celina, TX 75009
Via email: Cole.Eckeberger@kimley-horn.com

RE: Cottages at Elevon Site Plan and Landscape Plan

Please find attached planning and engineering review comments on the site plan and landscape plan submitted for the Cottages at Elevon project.

The site plan and landscape plan are scheduled for presentation to and consideration by the Planning and Zoning Commission at their August 22, 2023 meeting.

If there are questions or anything further needed, please let me know.

Thank you,

Kim Dobbs
City Manager

Attachments

C: Lori Lusk Lori.Lusk@kimley-horn.com
Rob McClain rob.mcclain@jabezdevelopment.com
Abra Nusser abra.nusser@pelotonland.com
Mark Hill mdhill@fmi-dallas.com

PELOTON
LAND SOLUTIONS
a Westwood company

COTTAGES AT ELEVON

SITE PLAN + LANDSCAPE PLAN

Planning and Design Comments

AUGUST 18, 2023

Kim Dobbs
City Manager, City of Lavon
Via email delivery to: kdobbs@lavontx.gov

/, Architectural features of the proposed structures appear to be non-compliant with the Development Agreement and governing PD. Please clarify proposed compliance with the minimum architectural standards for multi-family uses, including (but not limited to) with PD Section 1.3.1 and 1.3.17.1.10.

0, There appear to be discrepancies in the information provided on the Site Data Table. Please clarify the proposed lot coverage.

1, Revise the Site Plan to provide, label, and callout the required amenity center and associated required features.

2, Provide and label a mail kiosk with associated minimum parking.

3, Please confirm that all buildings have a minimum 10-foot separation, clear of overhangs, fences, or other obstructions, as required by the governing PD.

4, Revise the Site Plan to provide width callouts of the proposed trails and sidewalks.

5, Revise the Site Plan and Landscape Plan to provide a minimum 30-foot radius for all fire lanes.

6, According to the Landscape Plan Tabulations, less than 20 percent of the gross acreage is designated as open space, and no associated common area lots have been labeled or detailed. Please clarify and detail proposed compliance with the minimum open space requirement and provide/label associated, required features on the landscape plan accordingly (with associated proposed area calculations).

7, Revise the Landscape Plan to provide and label the proposed height and materials of all dumpster enclosures.

/., Revise the Landscape Plan to provide and label the height and materials of all required

fencing along each property line (PD Section 1.3.17.1.9.).

//, Revise the Landscape Plan to provide an irrigated landscape island, containing one canopy tree, at the terminus of every parking row. For other landscape islands, provide and label other plantings in compliance with the PD.

/0, FYI: The subject property is Preliminary Platted ito by an associated Final Plat.

/1, FYI: The Site Plan and Landscape Plan must be approved by the City Council, upon recommendation of the Planning and Zoning Commission.

Prepared by:

Abra R. Nusser, AICP
Lavon City Planner
Peloton Land Solutions, a Westwood Company
Abra.Nusser@PelotonLand.com
Cell: 972.339.8186
For City of Lavon, Texas

August 18, 2023

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

Re: Cottages at Elevon
Site Plan Review

Dear Ms. Dobbs:

As requested, we have reviewed the Site Plan dated July 12, 2023, as prepared by Kimley-Horn, for the above referenced property. The property is located north of the Villas at Elevon, south of Lakeridge Meadows and Bently Farms and west of Villas Drive. Our comments are as follows:

1. Water service is by BCSUD.

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

3. City Planning may have additional comments.

4. All sanitary sewer will be private.

5. Th existing sanitary sewer line at the south end is a 12” line. In addition, the existing manhole callout and connection point does not exist as shown.

6. Minimum fire lane radius is 30’

7. Fire Marshal should verify if a turn around is required at the end of the fire lane in the northeast corner of the development.

8. Several units in the southern area do not appear to be close enough to a fire lane for a 150’ hose lay length.

9. Entry gates to be supplied with Opticom device for emergency access.

10. A detention pond and extension of Villas Drive is shown.

This concludes our review of the above-referenced Site Plan. A copy of sheets, 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

Cc: David Carter, Mike Jones, Danny Anthony

F:\17024 - LAV General Servies\9 - Review\Elevon\West Commercial - Cottages\Cottages at Elevon - Site Plan - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - E**

Item:

Discussion and action regarding the final plat of the Elevon Section 1, Phase 2C Addition consisting of 123 residential lots and 7 common area space tracts on 30.903 acres of land, situated in the Samuel M. Rainer Survey, A-740, north of the intersection of Dove Haven Way and Inspiration Grove in the extraterritorial jurisdiction of Lavon, Collin County, TX (CCAD Property ID 2855710).

Application Information

Owner(s):	D.R. Horton – DFW East Division
Applicant:	JBI Partners
Location:	North of the intersection of Dove Haven Way and Inspiration Grove
Description:	30.903 acres of land, situated in the Samuel M. Rainer Survey, A-740, Collin County, Texas (CCAD Prop ID 2855710)
Current Zoning:	None Applicable – in the Extraterritorial Jurisdiction (ETJ)
Request:	Final Plat

Request Details

The City of Lavon has authority for the review and approval of the plats of property in the City's ETJ pursuant to an agreement with Collin County. There are no zoning regulations in the ETJ with which the plat is required to comply. The final plat conforms to the Future Land Use Plan that was in effect on the date of original application and to the approved preliminary plat. The applicant is seeking approval of a final plat for Elevon, Section 1, Phase 2C consisting of 123 residential lots and 7 open space tracts on approximately 30.903 acres.

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 – 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.

On June 2, 2020, the City Council approved the preliminary plat of the Abston Hills Addition, subsequently named Elevon, consisting of 435 residential lots and 18 HOA open space lots on 113.72 acres. The final plat substantially conforms to the approved preliminary plat. On November 17, 2020, the City of Lavon City Council approved a wastewater service and development agreement to provide retail wastewater service to the addition. The development will provide for the construction of public infrastructure systems for water, sanitary sewer, open space, and trails. Additionally, the developer will construct sidewalks in the locations where sidewalks will not be constructed with new home construction.

A Traffic Impact Analysis (TIA) has been prepared and reviewed. Improvements will be constructed as prescribed by the TIA and as approved by the city engineer. The development will provide for the extension of public infrastructure systems for water, sanitary sewer and trails.

The addition will obtain police services from Collin County and fire and emergency medical services by agreement from the Lavon Fire Department.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE ELEVON SECTION 1, PHASE 2C ADDITION CONSISTING OF 123 RESIDENTIAL LOTS AND 7 COMMON AREA SPACE TRACTS ON 30.903 ACRES OF LAND, SITUATED IN THE SAMUEL M. RAINER SURVEY, A-740, NORTH OF THE INTERSECTION OF DOVE HAVEN WAY AND INSPIRATION GROVE IN THE EXTRATERRITORIAL JURISDICTION OF LAVON, COLLIN COUNTY, TX SUBJECT TO THE CITY ENGINEER'S APPROVAL OF CIVIL PLANS.

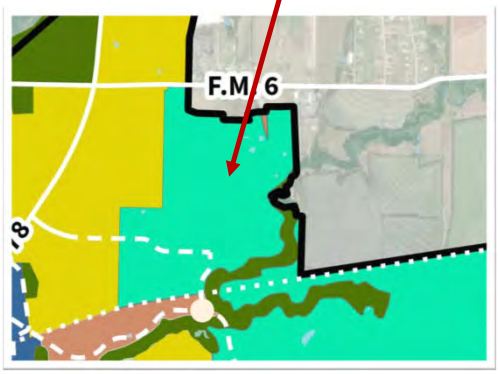
MOTION MADE: NABORS
SECONDED: COX
APPROVED: UNANIMOUS

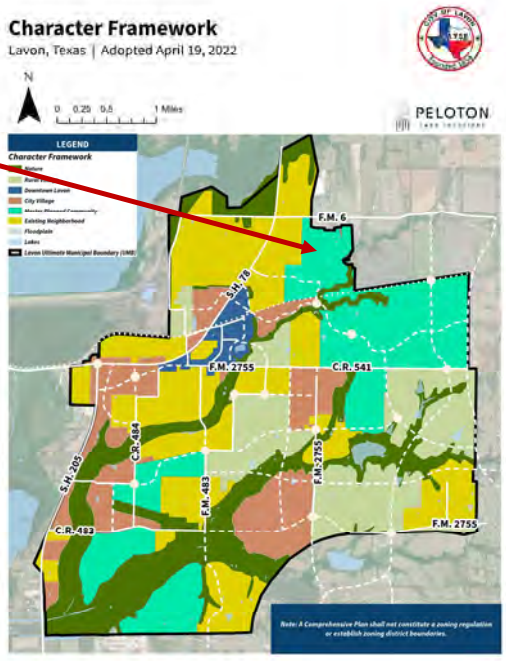
Staff Notes:

The proposed final plat and construction plans were reviewed by the staff development review committee and the City Engineer. The final plat meets the technical requirements and complies with the subdivision regulations. Approval is recommended subject to satisfaction of the City Engineer's approval of the civil engineering plans.

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

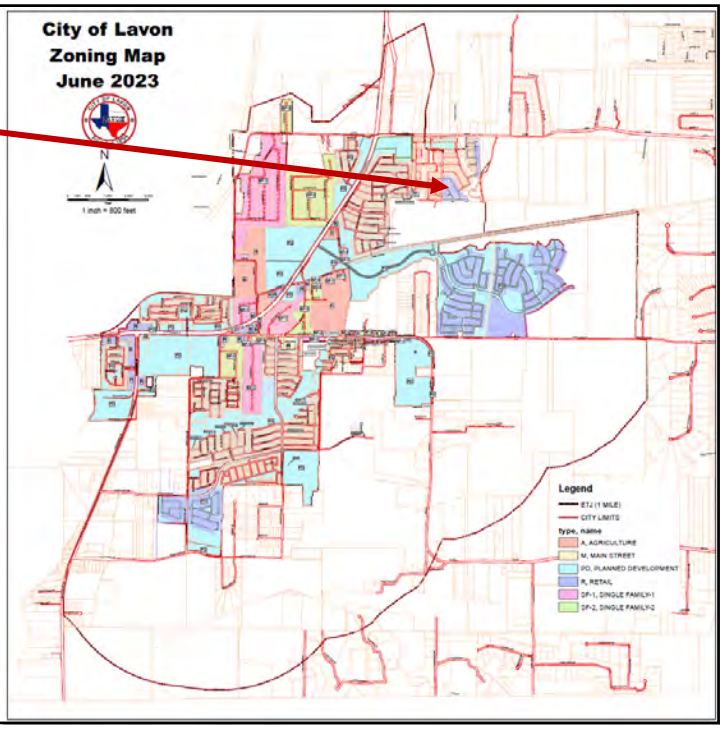
Future Land Use Plan





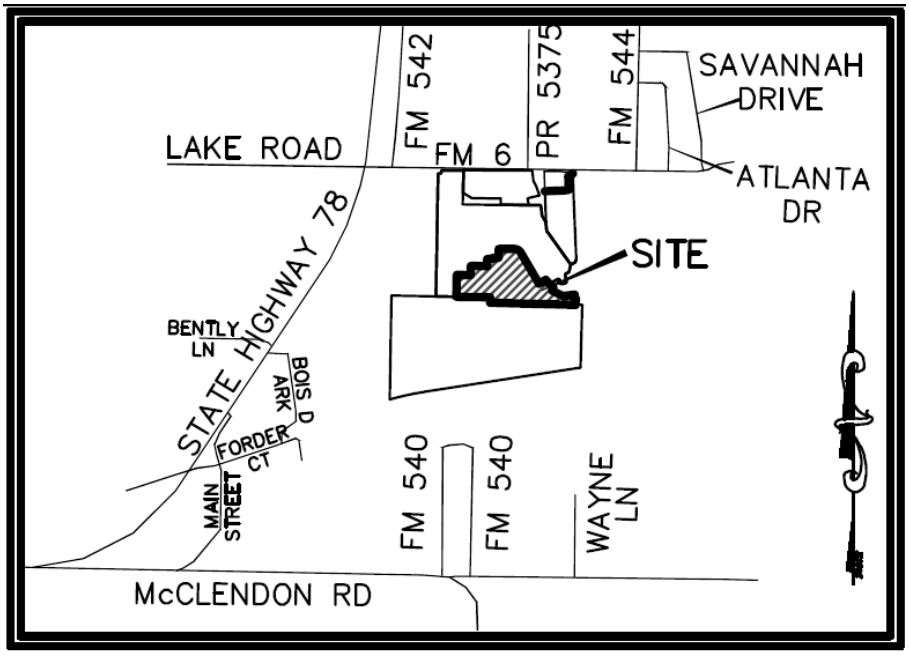
4

Zoning Map



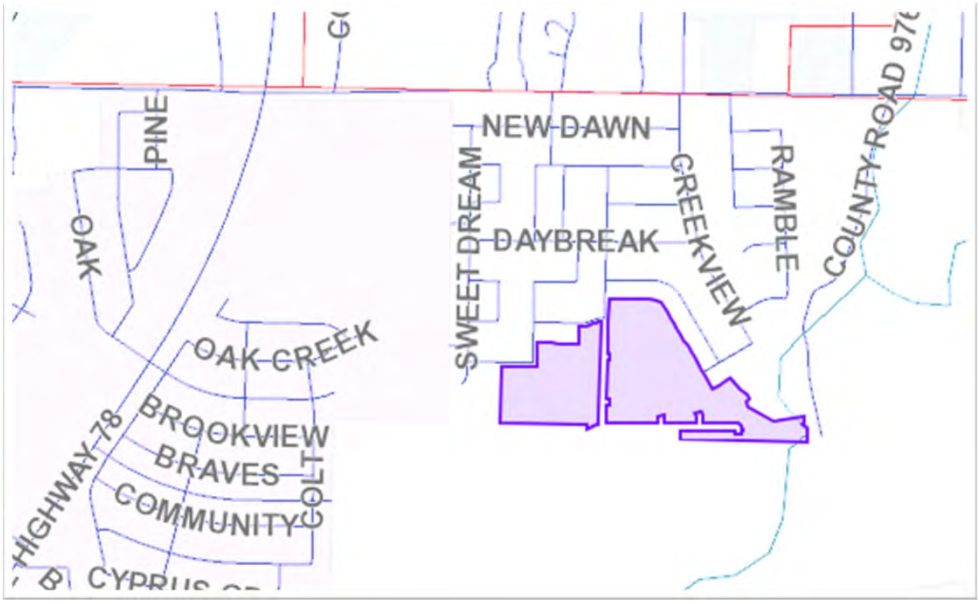
5

Elevon, Section 1 Phase 2C Location Exhibit



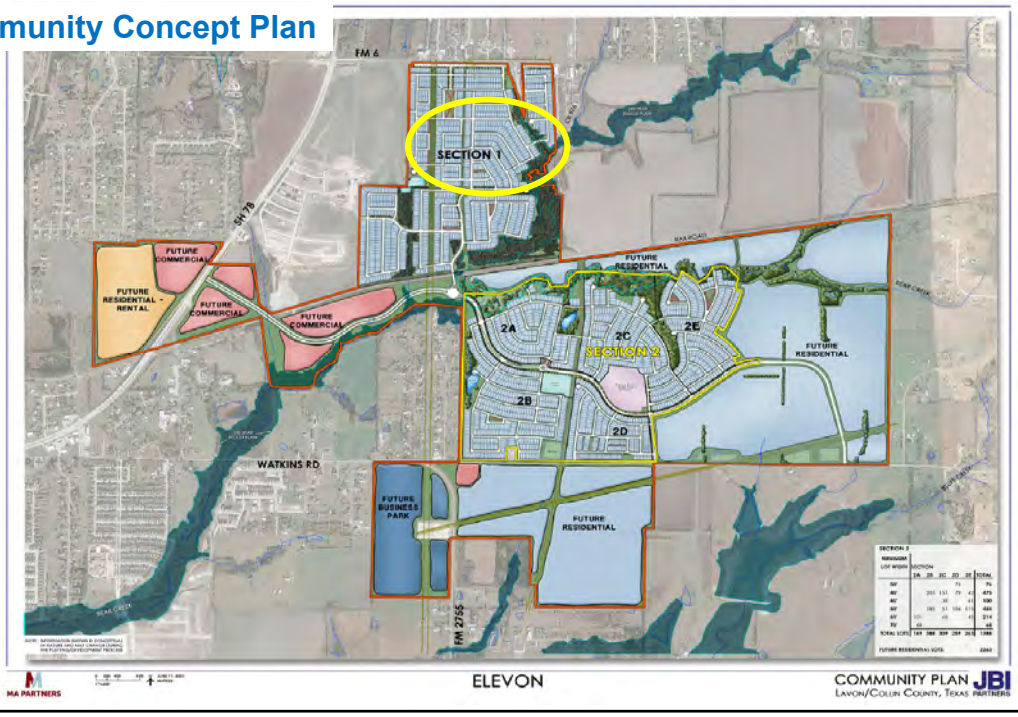
6

Elevon, Section 1 Phase 2C Location Exhibit



7

Elevon Community Concept Plan



8

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: JBI PARTNERS	Name: D.R. Horton - DFW East Division
Address: 2121 Midway Road, Suite 300	Address: 4306 Miller Road, Suite A
City/State/Zip: Carrollton/TX/75006	City/State/Zip: Rowlett/TX/75088
Phone #: 972.738.0243 Fax #:	Phone # 214.607.4244 Fax #
Authorized Person: Daniel Dewey, P.E.	Authorized Person: David L. Booth

Type of Submission	Date
☐ Preliminary Plat	
☒ Final Plat (Elevon Section 1, Phase 2C)	1/27/2023
☐ Re-Submittal	
☒ Construction Plans (Elevon Section 1, Phase 2C)	1/27/2023
☐ 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) (Via MyGov)
- ☒ (one) PDF construction plans (can be included on plat CD) (Via MyGov)

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.
Daniel Dewey		01-27-2023

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:

RECEIVED
APR 2 2023
CITY OF LAVON

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: 4/24/23

To the City of Lavon
Collin County, Texas

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

D. J. Booth AVP
Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

Before me, the undersigned authority, appeared David Booth,
on this the 24th day of April, 2023.

Karen Williams

KAREN WILLIAMS
Notary ID #125159758
My Commission Expires
February 7, 2025

(Notary Seal)

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.

Declaration of Ownership

Date: 4/24/23

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, D.R. Horton - Texas, Ltd, 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.

D.R. Booth AVP
Signature (Owner)

Signature (Owner)

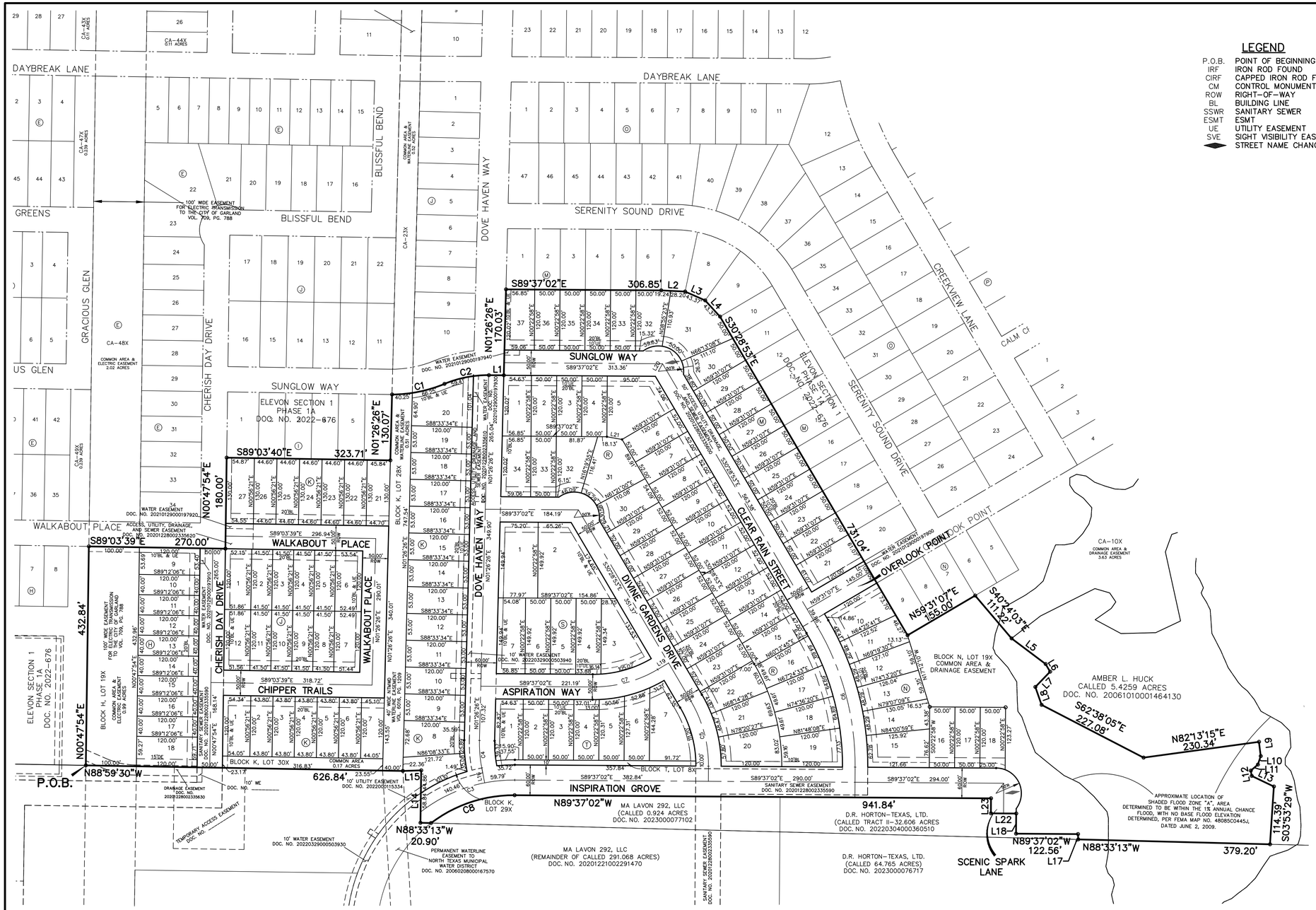
Signature (Owner)

The State of Texas
County of Dallas

Before me, the undersigned authority, appeared David Booth,
on this the 24th day of April, 2023.

(Notary seal)
KAREN WILLIAMS
Notary ID #125155758
My Commission Expires
February 7, 2025

Karen Williams
Notary Public in and for Dallas County, Texas



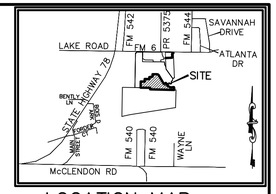
LEGEND

P.O.B.	POINT OF BEGINNING
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
ROW	RIGHT-OF-WAY
BL	BUILDING LINE
SSWR	SANITARY SEWER
ESMT	ESMT
UE	UTILITY EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.



LOCATION MAP (N.T.S.)

LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE		
BLOCK-LOT	SQUARE FEET	ACRES	BLOCK-LOT	SQUARE FEET	ACRES	BLOCK-LOT	SQUARE FEET	ACRES
BNDY-4	1,346,114	30.903	K-22	5,798	0.133	R-10	6,240	0.143
H-9	6,426	0.148	K-23	5,798	0.133	R-11	6,240	0.143
H-10	4,800	0.110	K-24	5,798	0.133	R-12	6,240	0.143
H-11	4,800	0.110	K-25	5,798	0.133	R-13	6,240	0.143
H-12	4,800	0.110	K-26	5,798	0.133	R-14	6,240	0.143
H-13	4,800	0.110	K-27	7,112	0.163	R-15	6,301	0.145
H-14	4,800	0.110	K-28X	29,804	0.684	R-16	6,858	0.157
H-15	4,800	0.110	K-29	5,595	0.128	R-17	6,858	0.157
H-16	4,800	0.110	K-31X	7,403	0.170	R-18	6,858	0.157
H-17	4,800	0.110	M-21	7,329	0.168	R-19	8,177	0.188
H-18	7,138	0.164	M-22	6,000	0.138	R-20	8,449	0.194
H-19X	43,290	0.994	M-23	6,000	0.138	R-21	7,086	0.163
J-1	6,241	0.143	M-24	6,000	0.138	R-22	6,960	0.160
J-2	4,980	0.114	M-25	6,000	0.138	R-23	6,240	0.143
J-3	4,980	0.114	M-26	6,000	0.138	R-24	6,240	0.143
J-4	4,980	0.114	M-27	6,000	0.138	R-25	6,240	0.143
J-5	4,980	0.114	M-28	6,000	0.138	R-26	6,240	0.143
J-6	6,361	0.146	M-29	6,000	0.138	R-27	6,240	0.143
J-7	6,235	0.143	M-30	6,694	0.154	R-28	6,240	0.143
J-8	4,980	0.114	M-31	12,132	0.279	R-29	6,240	0.143
J-9	4,980	0.114	M-32	6,962	0.160	R-30	6,531	0.150
J-10	4,980	0.114	M-33	6,000	0.138	R-31	10,224	0.235
J-11	4,980	0.114	M-34	6,000	0.138	R-32	7,443	0.171
J-12	6,205	0.142	M-35	6,000	0.138	R-33	6,000	0.138
K-1	6,503	0.149	M-36	6,000	0.138	R-34	6,955	0.160
K-2	5,256	0.121	M-37	6,955	0.160	S-1	11,481	0.264
K-3	5,256	0.121	N-10	8,259	0.190	S-2	16,500	0.379
K-4	5,256	0.121	N-11	6,738	0.155	S-3	9,537	0.219
K-5	5,256	0.121	N-12	6,772	0.155	S-4	7,493	0.172
K-6	5,256	0.121	N-13	6,859	0.157	S-5	7,496	0.172
K-7	5,349	0.123	N-14	6,964	0.160	S-6	7,496	0.172
K-8	8,065	0.185	N-15	8,569	0.197	S-7	8,315	0.191
K-9	6,360	0.146	N-16	6,000	0.138	T-1	6,676	0.153
K-10	6,360	0.146	N-17	6,000	0.138	T-2	6,000	0.138
K-11	6,360	0.146	N-18	6,019	0.138	T-3	6,000	0.138
K-12	6,360	0.146	N-19X	142,981	3.282	T-4	6,001	0.138
K-13	6,360	0.146	R-1	6,689	0.154	T-5	6,151	0.141
K-14	6,360	0.146	R-2	6,000	0.138	T-6	6,745	0.155
K-15	6,360	0.146	R-3	6,000	0.138	T-7	10,648	0.244
K-16	6,360	0.146	R-4	6,000	0.138	T-8X	3,944	0.091
K-17	6,360	0.146	R-5	12,187	0.280			
K-18	6,360	0.146	R-6	6,240	0.143			
K-19	6,360	0.146	R-7	6,240	0.143			
K-20	9,969	0.229	R-8	6,240	0.143			
K-21	5,885	0.135	R-9	6,240	0.143			

LINE TABLE		
NO.	BEARING	LENGTH
L1	S89°37'02"E	29.54'
L2	S87°05'09"E	47.44'
L3	S66°14'03"E	43.37'
L4	S42°23'56"E	43.37'
L5	S52°59'11"E	84.24'
L6	S30°27'47"E	17.64'
L7	S44°08'21"W	41.98'
L8	S19°11'15"E	37.35'
L9	S07°09'59"E	28.36'

LINE TABLE		
NO.	BEARING	LENGTH
L10	S18°38'31"W	17.70'
L11	S49°36'17"W	18.40'
L12	S09°41'48"E	10.66'
L13	S64°26'44"E	48.64'
L14	N00°48'02"E	103.71'
L15	S88°09'24"W	36.34'
L16	N11°02'07"W	30.12'
L17	S02°36'30"E	10.53'
L18	N00°22'58"E	39.86'

LINE TABLE		
NO.	BEARING	LENGTH
L19	N59°31'07"E	25.00'
L20	N29°57'03"E	17.25'
L21	N79°54'16"W	30.43'
L22	N89°37'02"W	50.00'
L23	N00°22'58"E	29.63'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	106.50'	022°11'24"	275.00'	53.93'	N78°33'24"E	105.84'
C2	90.01'	022°55'16"	225.00'	45.62'	N78°55'20"E	89.41'
C3	200.25'	038°14'39"	300.00'	104.01'	S71°15'39"W	196.55'
C4	54.44'	012°28'34"	250.00'	27.33'	S04°47'51"E	54.33'
C5	134.67'	030°51'52"	250.00'	69.01'	N15°02'57"W	133.05'
C6	290.89'	030°51'52"	540.00'	149.07'	N15°02'57"W	287.39'
C7	134.67'	030°51'52"	250.00'	69.01'	N74°57'03"E	133.05'
C8	177.47'	037°39'37"	270.00'	92.07'	S71°33'10"W	174.29'

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. SURVEY ABSTRACT LINES SHOWN HEREON ARE APPROXIMATE.
4. CITY ETJ LINES SHOWN HEREON ARE APPROXIMATE.
5. ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY.
6. ALL CORNERS ARE ONE-HALF INCH IRON ROD WITH YELLOW CAP STAMPED "JBI" SET UNLESS OTHERWISE NOTED.
7. THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BCSUD).
8. THE SANITARY SEWER SYSTEM IS OWNED AND OPERATED BY THE CITY OF LAVON AND ALL RIGHT-OF-WAY IS DEDICATED SANITARY SEWER EASEMENT TO THE CITY OF LAVON.
9. THE STREETS AND DRAINAGE SYSTEM IS OWNED AND OPERATED BY THE ELEVON MUNICIPAL UTILITY DISTRICT 1-A.

FINAL PLAT

ELEVON SECTION 1, PHASE 2C

123 RESIDENTIAL LOTS
6 COMMON AREAS
129 TOTAL

BEING 30.903 ACRES OUT OF
THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

D.R. HORTON-TEXAS, LTD — OWNER/DEVELOPER
4306 Miller Road, Suite A
Rowlett, Texas 75008
(214) 607-4244
(817) 928-6139 FAX

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
(972)248-7676
Contact: Daniel Dewey, P.E.
TBPE No. F-438 TBPLS No. 10076000

July 14, 2023

Drawing: H:\Projects\WA7031-Abston Hills Section 1\Phase 2\Surveying\dwg\WA7031-Lavon-pt (phase 2C).dwg Saved By: dbell Save Time: 7/14/2023 11:15 AM Plotted by: dbell Plot Date: 7/17/2023 10:09 AM

OWNER'S CERTIFICATE §

STATE OF TEXAS §

COUNTY OF COLLIN §

WHEREAS D.R. HORTON–TEXAS, LTD is the owner of 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 Tract II–32.606 acre tract of land described in deed to D.R. HORTON–TEXAS, LTD as recorded in Document Number 20220304000360510, 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 southwest corner of said 32.606 acre tract, said point also being at the most southerly southeast corner of that called 98.843 acre tract of land described in deed to D.R. HORTON–TEXAS, LTD, as recorded in Document Number 20201221002299650, Official Public Records of Collin County, Texas;

THENCE along the common line of said 32.606 acre tract and said 98.843 acre tract as follows:
North 00 degrees 47 minutes 54 seconds East, 432.84 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 89 degrees 03 minutes 39 seconds East, 270.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 00 degrees 47 minutes 54 seconds East, 180.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 89 degrees 03 minutes 40 seconds East, 323.71 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 01 degrees 26 minutes 26 seconds East, 130.07 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northeasterly, 106.50 feet along a curve to the left having a central angle of 22 degrees 11 minutes 24 seconds, a radius of 275.00 feet, a tangent of 53.93 feet and whose chord bears North 78 degrees 33 minutes 24 seconds East, 105.84 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northeasterly, 90.01 feet along a curve to the right having a central angle of 22 degrees 55 minutes 16 seconds, a radius of 225.00 feet, a tangent of 45.62 feet and whose chord bears North 78 degrees 55 minutes 20 seconds East, 89.41 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 89 degrees 37 minutes 02 seconds East, 29.54 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 01 degrees 26 minutes 26 seconds East, 170.03 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 89 degrees 37 minutes 02 seconds East, 306.85 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 87 degrees 05 minutes 09 seconds East, 47.44 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 66 degrees 14 minutes 03 seconds East, 43.37 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 42 degrees 23 minutes 56 seconds East, 43.37 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 30 degrees 28 minutes 53 seconds East, 731.04 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 59 degrees 31 minutes 07 seconds East, 155.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 40 degrees 24 minutes 03 seconds East, 111.22 feet to a point for corner, said point being in the west line of that called 5.4259 acre tract of land described in deed to Amber L. Huck as recorded in Document Number 20061010001464130, Official Public Records of Collin County, Texas, said point also being in the approximate centerline of the creek;

THENCE along the common line of said 32.606 acre tract and said 5.4259 acre tract and the approximate centerline of the creek as follows:
South 52 degrees 59 minutes 11 seconds East, 84.24 feet to a point for corner;
South 30 degrees 27 minutes 47 seconds East, 17.64 feet to a point for corner;
South 44 degrees 08 minutes 21 seconds West, 41.98 feet to a point for corner;
South 19 degrees 11 minutes 15 seconds East, 37.35 feet to a point for corner;
South 62 degrees 38 minutes 05 seconds East, 227.08 feet to a point for corner;
North 82 degrees 13 minutes 15 seconds East, 230.34 feet to a point for corner;
South 07 degrees 09 minutes 59 seconds East, 28.36 feet to a point for corner;
South 18 degrees 38 minutes 31 seconds West, 17.70 feet to a point for corner;
South 49 degrees 36 minutes 17 seconds West, 18.40 feet to a point for corner;
South 09 degrees 41 minutes 48 seconds East, 10.66 feet to a point for corner;
South 64 degrees 26 minutes 44 seconds East, 48.64 feet to a point for corner;
South 03 degrees 53 minutes 29 seconds West, 114.39 feet to a point for corner, said point being at the southeast corner of said 32.606 acre tract, said point also being the most southerly southwest corner of said 5.4259 acre tract;

THENCE North 88 degrees 33 minutes 13 seconds West, 379.20 feet along the south line of said 32.606 acre tract to a one–half inch iron rod with yellow cap stamped "JBI" set corner;

THENCE South 02 degrees 36 minutes 30 seconds East, 10.53 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 37 minutes 02 seconds West, 122.56 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 00 degrees 22 minutes 58 seconds East, 39.86 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 37 minutes 02 seconds West, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 00 degrees 22 minutes 58 seconds East, 29.63 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 37 minutes 02 seconds West, 941.84 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 177.47 feet along a curve to the left, having a central angle of 37 degrees 39 minutes 37 seconds, a radius of 270.00 feet, a tangent of 92.07 feet and whose chord bears South 71 degrees 33 minutes 10 seconds West, 174.29 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 32.606 acre tract;

THENCE along the south line of said 32.606 acre tract as follows:
North 88 degrees 33 minutes 13 seconds West, 20.90 feet to a one–half inch iron rod found for corner;
North 00 degrees 48 minutes 02 seconds East, 103.71 feet to a one–half inch iron rod found for corner;
South 88 degrees 09 minutes 24 seconds West, 36.34 feet to a one–half inch iron rod with cap stamped "5129" found for corner;
North 88 degrees 59 minutes 30 seconds West, 626.84 feet to the POINT OF BEGINNING and containing 1,346,114 square feet or 30.903 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 D.R. HORTON–TEXAS, LTD, acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON, PHASE 2C**, an addition to the Collin County, Texas, and does hereby dedicate to Elevon Municipal Utility District No. 1–A, in fee simple, the streets and public use areas shown hereon, and does hereby dedicate the easements shown hereon for the purposes indicated to exclusive use forever of The District, 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. At the discretion of The District and subject to it's written approval, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to The District use thereof. Any public utility given the right by The District to use said easements 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. Any public utility shall at all times have the right of ingress and egress to and from and upon any 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 procuring the permission of anyone. I do hereby bind myself, my successors and assigns to forever warrant and defend all and singular the above described streets, easements and rights unto The District against every person whomsoever comes lawfully claiming or to claim the same or any part thereof. This property is located within The City of Lavon Extra–Territorial Jurisdiction. This plat approval is subject to all the platting ordinances, rules and regulations of the City of Lavon ETJ, Collin County, Texas.

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 Elevon Municipal Utility District No. 1–A, City of Lavon, or BCSUD, forever for purposes indicated on this plat.
3. The Elevon Municipal Utility District No. 1–A, 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 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 as being subordinate to the public and Elevon Municipal Utility District No. 1–A, City of Lavon, and BCSUD.
5. The Elevon Municipal Utility District No. 1–A, 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 Elevon Municipal Utility District No. 1–A, 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 D.R. HORTON–TEXAS, LTD, 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, Texas.

WITNESS MY HAND THIS _____ DAY OF _____, 2023.

BY: _____
David L. Booth,
Land Aquisition Development Manager

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 _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she 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 _____, 2023.

_____
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's ETJ.

Dated this the _____ day of _____, 2023.

"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 DALLAS §

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.

2Given under my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

"PRELIMINARY PLAN FOR REVIEW PURPOSES ONLY"

"Not Approved"

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

"Recommended For Approval"

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

"Approved For Preparation of Final Plat"

_____ _____
Mayor Date
City of Lavon,
Collin County, 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 SECTION 1, PHASE 2C

123 RESIDENTIAL LOTS
6 COMMON AREAS
129 TOTAL

BEING 30.903 ACRES OUT OF
THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

D.R. HORTON–TEXAS, LTD — **OWNER/DEVELOPER**
4306 Miller Road, Suite A
Rowlett, Texas 75008
(214) 607–4244
(817) 928–6139 FAX

JBI PARTNERS, INC. — **SURVEYOR/ENGINEER**
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact: Daniel Dewey, P.E.
(972)248–7676
TBPE No. F–438 TBPLS No. 10076000

July 14, 2023

Drawing: H:\Projects\WAT031–Abston Hills Section 1\Phase 2\Surveying\dwg\xWAT031–Lavon–pt (phase 2C).dwg Saved By: dbell Save Time: 7/14/2023 11:15 AM Plotted by: dbell Plot Date: 7/17/2023 10:09 AM

STATE OF TEXAS
CALLED PARCEL 2 – 2.2158 ACRES
DOC. NO. 20120103000002660

STATE OF TEXAS
CALLED PARCEL 4–0.0810 ACRES
DOC. NO. 20120802000949370

F.M. No. 6
(VARIABLE WIDTH R.O.W.)

LDC LAVON, LLC
CALLED 200.9089 ACRES
DOC. NO. 20180821001049570

PETRO HUNT, L.L.C.
CALLED 1.00 ACRES
DOC. NO. 20070208
000183260

PART OF
PETRO HUNT, L.L.C.
CALLED 59.757 ACRES
DOC. NO. 2007020
8000183240

PART OF
PETRO HUNT, L.L.C.
CALLED 91.270 ACRES
DOC. NO. 20070208000183250

ABIGAIL NCHEKWUBE
CALLED 3.475 ACRES
DOC. NO. 20110519000516100

PART OF
PETRO HUNT, L.L.C.
CALLED 91.270 ACRES
DOC. NO. 20070208000183250

T.S. MILLER
CALLED 1.00 ACRES
VOL. 5835, PG. 742

T.S. MILLER
CALLED 1.00 ACRES
VOL. 5836, PG. 1382

CITY OF LAVON ETJ

CITY OF NEVADA ETJ

PHASE 1
145 LOTS

PHASE 1
145 LOTS

PHASE 2
200 LOTS

PHASE 3
56 LOTS

LAKEPOINTE
(PRELIMINARY PLAT PENDING)

100 YEAR FLOODPLAIN PER STUDY PREPARED BY HYDROLINK ENGINEERING DATED 01/31/2020

PETRO HUNT, L.L.C.
CALLED 140.22 ACRES
DOC. NO. 20070208000186500

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.

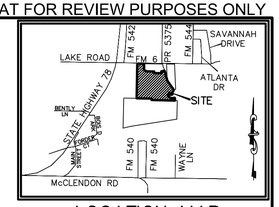
CHRISTOPHER ANTHONY PAGE, AND LAURA DENISE GOODSON
CALLED TRACT 1–66.336 ACRES
DOC NO. 20121228001650310

AMBER L. HUCK
CALLED 5.4259 ACRES
DOC. NO. 20061010001464130

BANK SITE ACQUISTION CORPORATION
CALLED TRACT 1–41.79 ACRES
DOC NO. 200602210 00229620

LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	APPROXIMATE CITY ETJ LIMITS LINE
	PRELIMINARY PHASE LINE
	100 YR PRE–FULLY DEVELOPED
	100 YR POST–FULLY DEVELOPED



LOCATION MAP
(N.T.S.)

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

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 FARM–TO–MARKET ROAD NO. 6.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) CITY ETJ LINES SHOWN HEREON ARE APPROXIMATE.

6.) PHASE LINES SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE.

7.) PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

8.) ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY.

9.) ALL CORNERS ARE ONE–HALF INCH IRON ROD WITH YELLOW CAP STAMPED "JBI" SET UNLESS OTHERWISE NOTED.

OVERALL

PRELIMINARY PLAT

ABSTON HILLS

435 RESIDENTIAL LOTS
18 HOA OPEN SPACE LOTS
453 TOTAL LOTS

BEING 113.172 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA PARTNERS, LLC — DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715–6449

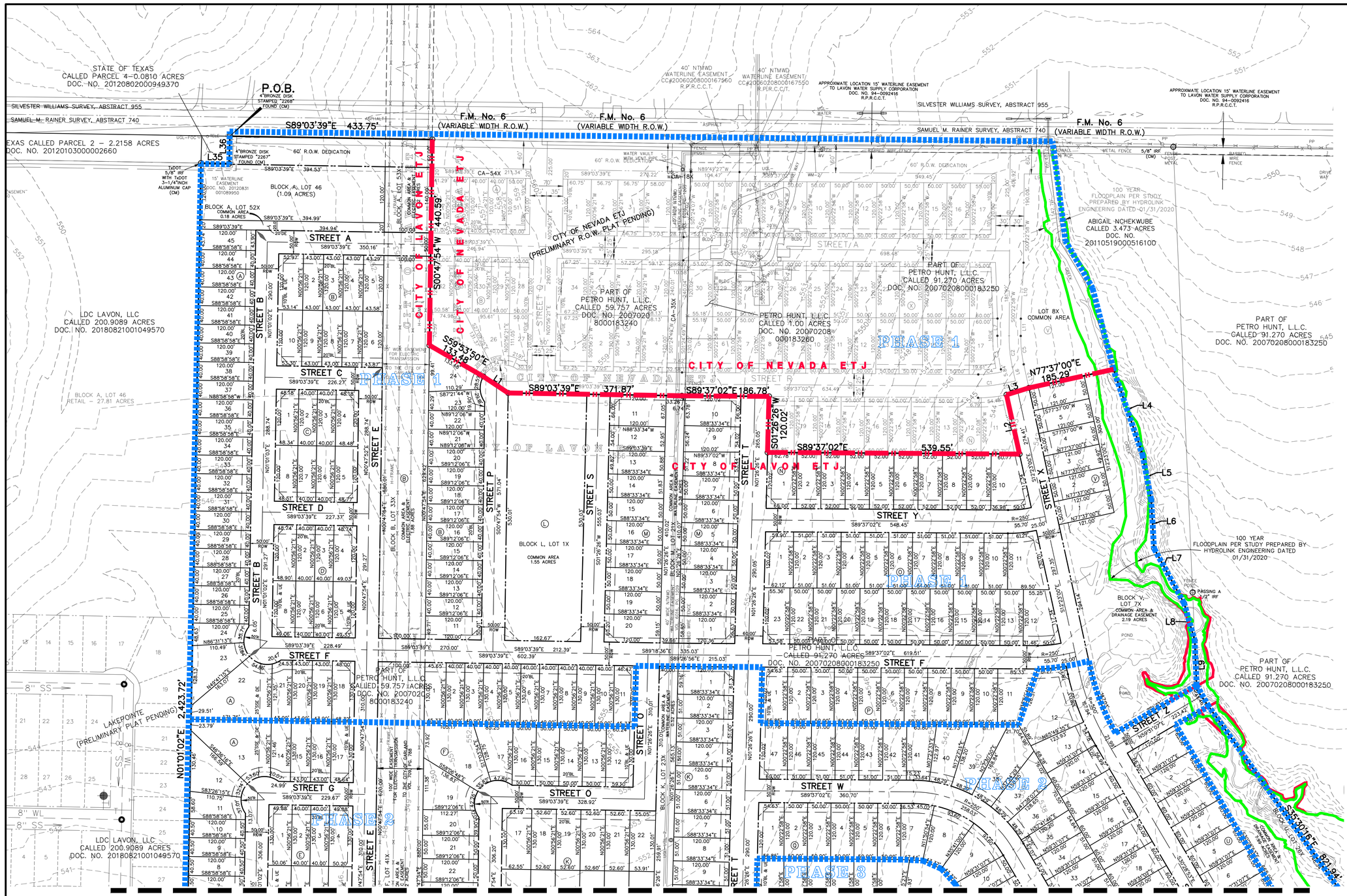
PETRO HUNT, LLC — CURRENT OWNER
2101 Cedar Springs Rd, Suite 600
Dallas, Texas 75201
Contact: Alan Bain
(214) 880–8595

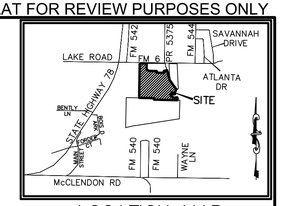
JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact: Chris Wall, P.E.
TBPE No. F–438 TBPLS No. 10076000
(972)248–7676

May 14, 2020

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PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY





LOCATION MAP
(N.T.S.)

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	APPROXIMATE CITY ETJ LIMITS LINE
	PRELIMINARY PHASE LINE
	100 YR PRE-FULLY DEVELOPED
	100 YR POST-FULLY DEVELOPED

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S56°26'13"E	63.74'	L10	S13°40'08"W	140.66'	L19	N34°38'33"E	15.62'	L28	S07°09'59"E	28.36'
L2	N12°23'00"W	130.01'	L11	S50°37'28"W	45.99'	L20	N34°10'25"W	21.67'	L29	S18°38'31"W	17.70'
L3	N72°53'50"E	50.17'	L12	S71°57'04"W	34.90'	L21	N73°54'50"W	30.35'	L30	S49°36'17"W	18.40'
L4	S18°55'42"E	191.15'	L13	S20°01'50"W	36.90'	L22	S63°18'21"W	120.38'	L31	S09°41'48"E	10.66'
L5	S10°46'45"E	100.88'	L14	S12°25'05"E	139.70'	L23	S52°12'16"W	72.38'	L32	S64°26'44"E	48.64'
L6	S03°21'08"E	103.53'	L15	S64°44'52"W	54.45'	L24	S52°59'11"E	84.24'	L33	N00°48'02"E	103.71'
L7	S28°39'16"E	134.82'	L16	S88°41'32"W	68.56'	L25	S30°27'47"E	17.64'	L34	S88°09'24"W	36.34'
L8	S15°48'45"E	82.31'	L17	N61°53'18"W	57.94'	L26	S44°08'21"W	41.98'	L35	S89°03'08"E	60.52'
L9	S02°28'36"E	105.71'	L18	N55°09'41"E	38.90'	L27	S19°11'15"E	37.35'	L36	N01°03'03"E	58.65'

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 FARM-TO-MARKET ROAD NO. 6.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) CITY ETJ LINES SHOWN HEREON ARE APPROXIMATE.

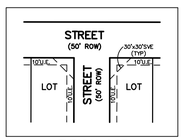
NOTES (CONT'D.)

6.) PHASE LINES SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE.

7.) PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

8.) ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY

9.) ALL CORNERS ARE ONE-HALF INCH IRON ROD WITH YELLOW CAP STAMPED "JBI" SET UNLESS OTHERWISE NOTED.



TYPICAL LOT
EASEMENT DETAIL
NTS

PRELIMINARY PLAT

ABSTON HILLS

435 RESIDENTIAL LOTS
18 HOA OPEN SPACE LOTS
453 TOTAL LOTS

BEING 113.172 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA PARTNERS, LLC — DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715-6449

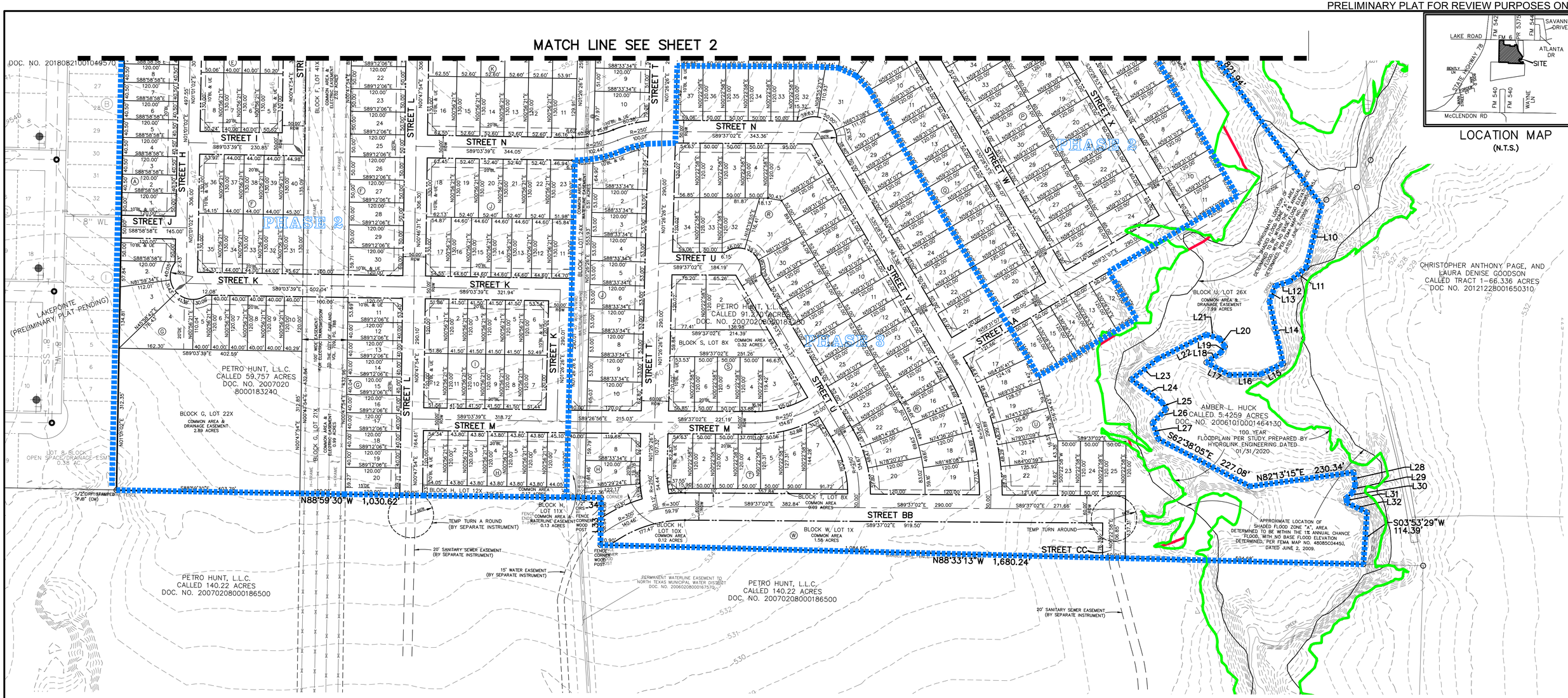
PETRO HUNT, LLC — CURRENT OWNER
2101 Cedar Springs Rd, Suite 600
Dallas, Texas 75201
Contact: Alan Bain
(214) 880-8595

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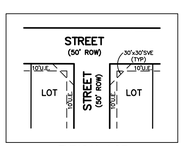
May 14, 2020

PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY

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LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
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TYPICAL LOT
EASEMENT DETAIL
NTS

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LEGEND

P.O.B.	POINT OF BEGINNING
IPF	IRON PIPE FOUND
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	STREET NAME CHANGE
	APPROXIMATE CITY ETJ LIMITS LINE
	PRELIMINARY PHASE LINE
	100 YR PRE-FULLY DEVELOPED
	100 YR POST-FULLY DEVELOPED

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

PRELIMINARY PLAT

ABSTON HILLS

435 RESIDENTIAL LOTS
18 HOA OPEN SPACE LOTS
453 TOTAL LOTS

BEING 113.172 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA PARTNERS, LLC — DEVELOPER
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Dallas, Texas 75248
(972) 715-6449
Contact: John Marlin

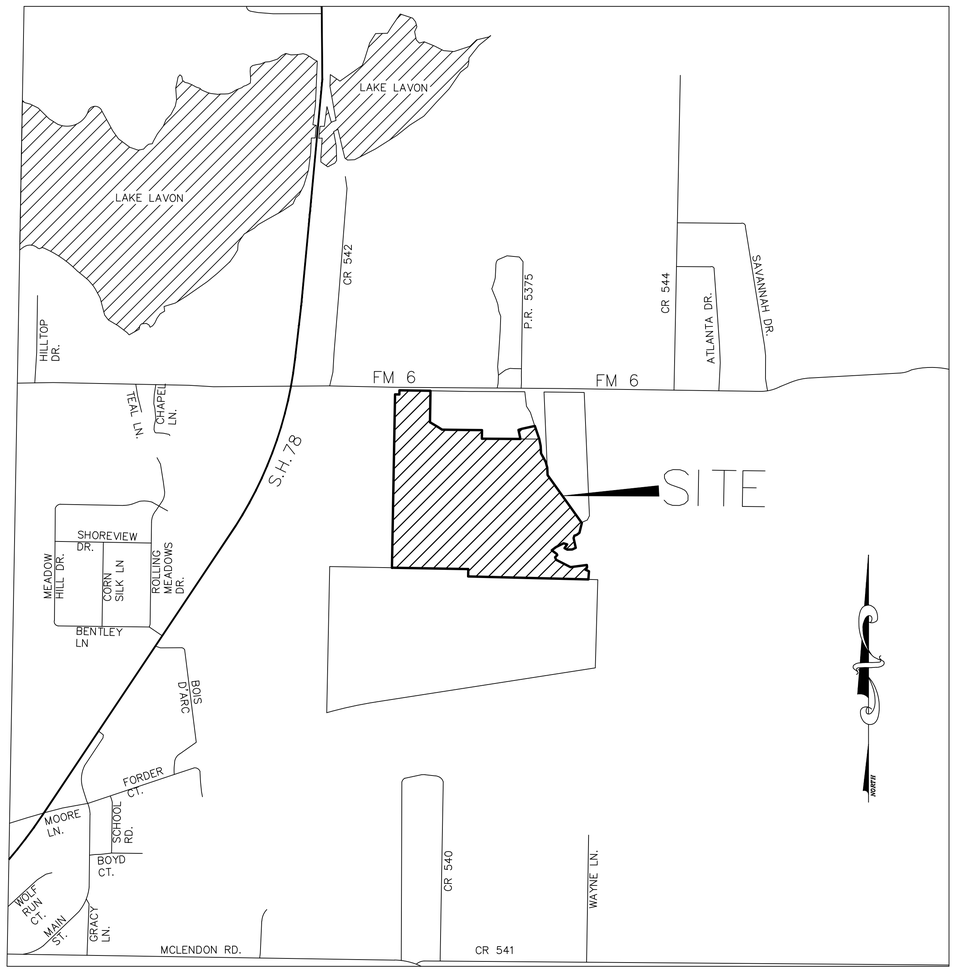
PETRO HUNT, LLC — CURRENT OWNER
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TBPE No. F-438 TBPLS No. 10076000

May 14, 2020 Sheet 3 of 5

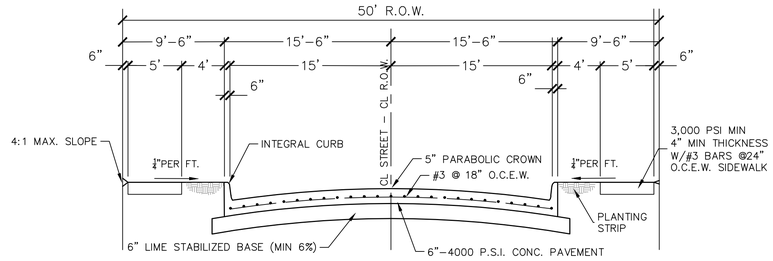
PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY

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LOCATION MAP

1"=1000'



TYPICAL SECTION – LOCAL 31' STREET (50' ROW) – RESIDENTIAL

PRELIMINARY PLAT

ABSTON HILLS

435 RESIDENTIAL LOTS
18 HOA OPEN SPACE LOTS
453 TOTAL LOTS

BEING 113.172 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA PARTNERS, LLC — **DEVELOPER**
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
(972) 715-6449
Contact: John Marlin

PETRO HUNT, LLC — **CURRENT OWNER**
2101 Cedar Springs Rd, Suite 600
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May 14, 2020 Sheet 4 of 5

Drawing: H:\Projects\MAT031-Abston Hills Section 1-SF Design\Phase 1\Surveying\dwg\xMAT031-ppt.dwg Saved By: psnider Save Time: 5/14/2020 1:52 PM Plotted by: psnider Plot Date: 5/14/2020 2:04 PM

PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY

OWNER'S CERTIFICATE§

STATE OF TEXAS§

COUNTY OF COLLIN§

WHEREAS Petro Hunt, LLC is the owner of a parcel of land located in the City of Lavon ETJ, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 59.757 acre tract of land described in deed to Petro Hunt, L.L.C., as recorded in Document Number 20070208000183240, Official Public Records of Collin County, Texas, and also being a part of that called 91.270 acre tract of land described in deed to Petro Hunt, L.L.C., as recorded in Document Number 20070208000183250, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a 4 inch bronze disk stamped "2268" found in the north line of said 59.757 acre tract, said point being the northeast corner of that called parcel 4 – 0.0810 acre tract of land described in deed to the State of Texas as recorded in Document Number 20120802000949370, Official Public Records of Collin County, Texas, said point also being in the south right–of–way line of Farm–to–Market Road Number 6 (a variable width right–of–way);

THENCE South 89 degrees 03 minutes 39 seconds East, 433.75 feet along the south right–of–way line of Farm–to–Market Road Number 6 to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 47 minutes 54 seconds West, 440.59 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 59 degrees 53 minutes 50 seconds East, 133.48 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 56 degrees 26 minutes 13 seconds East, 63.74 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 03 minutes 39 seconds East, 371.87 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 37 minutes 02 seconds East, 186.78 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 01 degrees 26 minutes 26 seconds West, 120.02 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 37 minutes 02 seconds East, 539.55 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 12 degrees 23 minutes 00 seconds West, 130.01 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 72 degrees 53 minutes 50 seconds East, 50.17 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 77 degrees 37 minutes 00 seconds East, 185.29 feet to point for corner in a creek, said point being in the east line of said 91.270 acre tract, said point also being in the west line of that called 3.473 acre tract of land described in deed to Abigail Nchekwube as recorded in Document Number 20110519000516100, Official Public Records of Collin County, Texas;

THENCE along the east line of said 91.270 acre tract and the west line of said 3.473 acre tract and along the approximate centerline of the creek as follows:
South 18 degrees 55 minutes 42 seconds East, 191.15 feet to a point for corner;
South 10 degrees 46 minutes 45 seconds East, 100.88 feet to a point for corner;
South 03 degrees 21 minutes 08 seconds East, 103.53 feet to a point for corner;
South 28 degrees 39 minutes 16 seconds East, 134.82 feet to a point for corner;
South 15 degrees 48 minutes 45 seconds East, 82.31 feet to a point for corner, said point being the south corner of said 3.473 acre tract;

THENCE South 02 degrees 28 minutes 36 seconds East, 105.71 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 35 degrees 30 minutes 16 seconds East, 821.94 feet to a one–half inch iron rod found for corner in the east line of said 91.270 acre tract, said point being in the west line of that called 5.4259 acre tract of land described in deed to Amber L. Huck as recorded in Document Number 20061010001464130, Official Public Records of Collin County, Texas, said point also being in the approximate centerline of the creek;

THENCE along the common line of said 91.270 acre tract and said 5.4259 acre tract and the approximate centerline of the creek as follows:
South 13 degrees 40 minutes 08 seconds West, 140.66 feet to a point for corner;
South 50 degrees 37 minutes 28 seconds West, 45.99 feet to a point for corner;
South 71 degrees 57 minutes 04 seconds West, 34.90 feet to a point for corner;
South 20 degrees 01 minutes 50 seconds West, 36.90 feet to a point for corner;
South 12 degrees 25 minutes 05 seconds East, 139.70 feet to a point for corner;
South 64 degrees 44 minutes 52 seconds West, 54.45 feet to a point for corner;
South 88 degrees 41 minutes 32 seconds West, 68.56 feet to a point for corner;
North 61 degrees 53 minutes 18 seconds West, 57.94 feet to a point for corner;
North 55 degrees 09 minutes 41 seconds East, 38.90 feet to a point for corner;
North 34 degrees 38 minutes 33 seconds East, 15.62 feet to a point for corner;
North 34 degrees 10 minutes 25 seconds West, 21.67 feet to a point for corner;
North 73 degrees 54 minutes 50 seconds West, 30.35 feet to a point for corner;
South 63 degrees 18 minutes 21 seconds West, 120.38 feet to a point for corner;
South 52 degrees 12 minutes 16 seconds West, 72.38 feet to a point for corner;
South 52 degrees 59 minutes 11 seconds East, 84.24 feet to a point for corner;
South 30 degrees 27 minutes 47 seconds East, 17.64 feet to a point for corner;
South 44 degrees 08 minutes 21 seconds West, 41.98 feet to a point for corner;
South 19 degrees 11 minutes 15 seconds East, 37.35 feet to a point for corner;
South 62 degrees 38 minutes 05 seconds East, 227.08 feet to a point for corner;
North 82 degrees 13 minutes 15 seconds East, 230.34 feet to a point for corner;
South 07 degrees 09 minutes 59 seconds East, 28.36 feet to a point for corner;
South 18 degrees 38 minutes 31 seconds West, 17.70 feet to a point for corner;
South 49 degrees 36 minutes 17 seconds West, 18.40 feet to a point for corner;
South 09 degrees 41 minutes 48 seconds East, 10.66 feet to a point for corner;
South 64 degrees 26 minutes 44 seconds East, 48.64 feet to a point for corner;
South 03 degrees 53 minutes 29 seconds West, 114.39 feet to a point for corner, said point being the southeast corner of said 91.270 acre tract, said point being in the north line of that called 140.22 acre tract as described in deed to Petro Hunt, L.L.C. as recorded in Document Number 20070208000186500, Official Public Records of Collin County, Texas , said point also being the most southerly southwest corner of said 5.4259 acre tract;

THENCE along the north line of said 140.22 acre tract as follows:
North 88 degrees 33 minutes 13 seconds West, 1,680.24 feet to a wood post found at the southwest corner of said 91.270 acre tract;
North 00 degrees 48 minutes 02 seconds East, 103.71 feet to a fence corner post found in the west line of said 59.757 acre tract;
South 88 degrees 09 minutes 24 seconds West, 36.34 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
North 88 degrees 59 minutes 30 seconds West, 1,030.62 feet to a one–half inch iron rod with cap stamped "PJB" found at the southwest corner of said 59.757 acre tract, said point being in the east line of that called 200.9089 acre tract as described in deed to LDC Lavon, L.L.C., as recorded in Document Number 20180821001049570, Official Public Records of Collin County, Texas;

THENCE North 01 degrees 01 minutes 02 seconds East, 2,423.72 feet along the west line of said 59.757 acre tract and along the east line of said 200.9089 acre tract to a five–eighths inch iron rod with a TxDOT three and one quarter inch aluminum cap found for corner, said point being the southwest corner of said 0.0810 acre tract;

THENCE along the south and east line of said 0.0810 acre tract as follows:
South 89 degrees 03 minutes 08 seconds East, 60.52 feet to a 4 inch bronze disk stamped "2267" found for corner;
North 01 degrees 03 minutes 03 seconds East, 58.65 feet to the POINT OF BEGINNING and containing 4,929,767 square feet or 113.172 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83).

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That PETRO HUNT, LLC, acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ABSTON HILLS**, an addition to the City of Lavon ETJ, 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 County of Collin, use thereof. The County of Collin 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 County of Collin, 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.

That PETRO HUNT, 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 and Collin County, Texas.

WITNESS MY HAND THIS _____ DAY OF _____, 2020.

BY: PETRO HUNT, LLC

BY: _____
Alan Bain, Vice–President
authotized Agent for PETRO HUNT, LLC

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 _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she 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 _____, 2020.

_____
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's ETJ.

Dated this the _____ day of _____, 2020.

"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 _____, 2020.

_____
Notary Public in and for the State of Texas

ROSA M. GARCIA
Notary ID 124892205
Expires April 13, 2024

"PRELIMINARY PLAN FOR REVIEW PURPOSES ONLY"

"Recommended For Approval"

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

"Approved For Preparation of Final Plat"

_____ _____
Mayor Date
City of Lavon,
Collin County, Texas

PRELIMINARY PLAT

ABSTON HILLS

435 RESIDENTIAL LOTS
18 HOA OPEN SPACE LOTS
453 TOTAL LOTS

BEING 113.172 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA PARTNERS, LLC — DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715–6449

PETRO HUNT, LLC — CURRENT OWNER
2101 Cedar Springs Rd, Suite 600
Dallas, Texas 75201
Contact: Alan Bain
(214) 880–8595

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact: Chris Wall, P.E.
TBPE No. F–438 TBPLS No. 10076000
(972)248–7676

May 14, 2020

PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY

Drawing: H:\Projects\MAT031–Abston Hills Section 1–SF Design\Phase 1\Surveying\dwg\xMAT031–ppt.dwg Saved By: psnider Save Time: 5/14/2020 1:52 PM Plotted by: psnider Plot Date: 5/14/2020 2:03 PM

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

August 17, 2023

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

Re: Elevon Section 1, Phase 2C, 123 Lots, 6 HOA open space, 30.903 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Engineering Plan sheets (1.11 & 6.01) dated August 16, 2023 as prepared by JBI Partners, Inc. for the above referenced property. The property is generally located south of Elevon Section 1, Phase 1A. The property is within the City's ETJ and is part of Elevon MUD #1-A.

All previous comments have been satisfactorily addressed.

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

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.

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, Daniel Dewey, P.E.

F:\17024 - LAV General Servies\9 - Review\Elevon\Phase 2C\Sect 1 Ph 2C - Final Plat - Rev 2.docx

August 16th, 2023

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

Re: Elevon Section 1, Phase 2C, 123 Lots, 6 HOA open space, 30.903 Acres
Final Plat

Dear Ms. Dobbs

JBI Partners received your comments via email form on August 9th, 2023 from Mark Hill at Freeman-Millican, Inc. for the second submittal review of the Elevon Phase 2C final plat and engineering plans. We have addressed the comments and are resubmitting the engineering plans for review and approval.
Below is a summary of how each comment is addressed.

Engineering Plans

4. Sheets 1.11 & 6.01 – A note should be added that states that "Water Valves shall not be located within any curb ramp, including ramp, landing and side flares" or similar. The Engineer should verify and modify as necessary any valves that do not meet this requirement.
   The note regarding the water valves locations has been added to the water plan and sidewalk plan. Our water plans show all proposed valves outside of the ramps. We will need to verify that the location of existing valves on the 12" BCSUD water main that was installed along Dove Haven Way to provide water connection to Elevon Section 2, will not be an issue with any of the future ramps. We will have our survey crew locate the existing valves ahead of time in order to notify the Phase 2C contractors of any issues with the ramps.

   We have provided with this submittal the updated corresponding sheets (1.11 and 6.01). We are working on printing an updated full set so that all sheets match the signature date of these revised sheets. We will have this set ready to share with the City prior to any pre-con meetings. We are also working on preparing Early Grading Sets of just the paving profiles, grading and erosion control and would like to schedule an early grading pre-construction meeting with the City.

If you have any questions, or require additional information regarding this submittal, please contact me at (972) 738-0243.

Thank you,

Daniel Dewey
Daniel Dewey, PE
JBI Partners, Inc.

August 8, 2023

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

Re: Elevon Section 1, Phase 2C, 123 Lots, 6 HOA open space, 30.903 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated July 14, 2023 and revised Engineering Plans dated July 11, 2023 as prepared by JBI Partners, Inc. for the above referenced property. The property is generally located south of Elevon Section 1, Phase 1A. The property is within the City's ETJ and is part of Elevon MUD #1-A. Our comments are as follows:

General

1. The total acreage has changed from 32.606 Acres to 30.903 Acres due to a modification of the common line between Phase 2C and Phase 3. There is one less HOA Open Space tract bringing the total lots to 129. The deleted open space area is now part of the new school site included in Section 1, Phase 3 (Lot 34X, Block M).

2. The Plat states that all right-of-way is a dedicated sanitary sewer easement to accommodate the City owned and maintained sanitary sewer within the area.

Final Plat

3. All comments have been satisfactorily addressed.

Engineering Plans

4. Sheets 1.11 & 6.01 – A note should be added that states that "Water Valves shall not be located within any curb ramp, including ramp, landing and side flares" or similar. The Engineer should verify and modify as necessary any valves that do not meet this requirement.

This concludes our review of the above-referenced revised Final Plat and Engineering Plans. **We recommend APPROVAL of the Final Plat and Engineering Plans, subject to the comment above.**

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.

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, Daniel Dewey, P.E.

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July 20th, 2023

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

Re: Elevon Section 1, Phase 2C, 123 Lots, 7 HOA open space, 32.606 Acres
Final Plat

Dear Ms. Dobbs

JBI Partners received your comments via email form on May 17, 2023 from Mark Hill at Freeman-Millican, Inc. for the first submittal review of the Elevon Phase 2C final plat and engineering plans. We have addressed the comments and are resubmitting the final plat and engineering plans for review and approval.
Below is a summary of how each comment is addressed.

Final Plat

1. There is a bearing that does not match between the drawing and written description.
   The bearing label in the drawing has been corrected.

2. The survey name in the title block is misspelled.
   The survey name has been corrected in the title blocks.

3. The temporary turnaround easement is needed at the south end of Cherish Day Drive (See plan sheet 1.06)
   A temporary turnaround easement by separate instrument is now shown in the plat.

4. We recommend that the leader identifying the NTMWD easement be moved so as not to cause confusion with the 10' water easement.
   The easement leaders have been updated.

5. The Preliminary Plat for Phase 3, dated February 9, 2023, shows Allay Drive continuing through Phase 3 (Clear Rain St) and Divine Gardens Drive not extending into Phase 3. This should be verified and this Phase 2C Plat be adjusted as necessary (including street names).
   The street name Allay Drive has been eliminated and Phase 2C now matches the Phase 3 final plat street name of Clear Rain Street. Prior to the layout changes from the addition of the Community ISD school site, these two streets did not connect through therefore had different names. The final plats and engineering plans in both Phases have been adjusted accordingly. The Phase 3 final plat and engineering plans are also being submitted for review.

6. All sanitary sewer will need to be located within a sanitary sewer easement.
   A note stating that all right-of-way is a dedicated sanitary sewer easement to the City of Lavon has been added to the final plat.

Engineering Plans

7. Sheets 1.03, 1.08 & 1.09 (and associated sheets) – The Preliminary Plat for Phase 3, dated February 9, 2023, shows Allay Drive continuing through Phase 3 (Clear Rain Str) and Divine Gardens Drive not extending into Phase 3. The street should be adjusted as necessary.
   The street name Allay Drive has been eliminated and Phase 2C now matches the Phase 3 final plat street name of Clear Rain Street. The final plats and engineering plans in both Phases have been adjusted accordingly. Both phases will be built by the same contractor at the same time.

8. Sheet 1.09 – The radius should be 48' at the end of Inspiration Grove.
   The layout has changed and the cul-de-sac that this comment refers to has been adjusted to a knuckle, the street will now connect to Phase 3. The road name Inspiration Court has been updated to Inspiration Grove.

9. Sheet 3.02 – Crushed concrete is not allowed on construction entrance. Add note stating that crushed concrete is not allowed.
   A note has been added to the erosion control details sheet.

10. Sheet 5.03 & 5.05 – Rip-rap should be dimensioned and rip-rap size shown.
    All rock riprap is now dimensioned, and size/quantity is now called out.

11. Sheet 5.04 has been omitted from this review set.
    Sheet 5.04 was missed in the full 1st submittal set, it is now included in this submittal.

12. Sheet 9.03 – An incorrect sheet reference is provided for the ramp details.
    The sheet number referenced has been corrected.

If you have any questions, or require additional information regarding this submittal, please contact me at (972) 738-0243.

Thank you,

Daniel Dewey

Daniel Dewey, PE
JBI Partners, Inc.

May 17, 2023

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

Re: Elevon Section 1, Phase 2C, 123 Lots, 7 HOA open space, 32.606 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the Final Plat dated February 6, 2023 and Engineering Plans dated February 10, 2023 as prepared by JBI Partners, Inc. for the above referenced property. The property is generally located south of Elevon Section 1, Phase 1A. The property is within the City's ETJ and is part of Elevon MUD #1-A. Our comments are as follows:

Final Plat

1. There is a bearing that does not match between the drawing and written description.

2. The survey name in the title block is misspelled.

3. The temporary turnaround easement is needed at the south end of Cherish Day Drive (See Plan Sheet 1.06).

4. We recommend that the leader identifying the NTMWD easement be moved so as not to cause confusion with the 10' water easement.

5. The Preliminary Plat for Phase 3, dated February 9. 2023, shows Allay Drive continuing through Phase 3 (Clear Rain St) and Divine Gardens Drive not extending into Phase 3. This should be verified and this Phase 2C Plat be adjusted as necessary (including street names).

6. All sanitary sewer will need to be located within a sanitary sewer easement.

Engineering Plans

7. Sheets 1.03, 1.08 & 1.09 (and associated sheets) – The Preliminary Plat for Phase 3, dated February 9. 2023, shows Allay Drive continuing through Phase 3 (Clear Rain St) and Divine Gardens Drive not extending into Phase 3. The sheet should be adjusted as necessary.

8. Sheet 1.09 – The radius should be 48' at the end of Inspiration Grove.

9. Sheet 3.02- Crushed concrete is not allowed on construction entrance. Add note stating that crushed concrete is not allowed.

10. Sheet 5.03 & 5.05 – Rip -rap should be dimensioned and rip-rap size shown.

11. Sheet 5.04 has been omitted from this review set.

12. Sheet 9.03 – An incorrect sheet refence is provided for the ramp details.

This concludes our review of the above-referenced Final Plat and Engineering Plans. A copy of the Final Plat and Engineering Plans, 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.

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, Daniel Dewey, P.E.

F:\17024 - LAV General Servies\9 - Review\Elevon\Phase 2C\Sect 1 Ph 2C - Final Plat - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - F**

Item:

Discussion and action regarding the final plat of the Elevon, Section 1, Phase 3 Addition consisting of 175 residential lots, 1 school lot, and 8 open space lots on 79.184 acres of land situated in the Samuel M. Rainer Survey, A-740, east of the intersection of Inspiration Grove and Hart Leaf Lane in the extraterritorial jurisdiction of Lavon, Collin County, TX (CCAD Property ID 2829214).

Application Information

Owner(s):	D.R. Horton – DFW East Division MA Lavon 292, L.L.C.
Applicant:	JBI Partners
Location:	East of the intersection of Inspiration Grove and Hart Leaf Lane
Description:	79.184 acres of land, situated in the Samuel M. Rainer Survey, A-740, Collin County, Texas (CCAD Prop ID 2829214)
Current Zoning:	None Applicable – in the Extraterritorial Jurisdiction (ETJ)
Request:	Final Plat

Request Details

The City of Lavon has authority for the review and approval of the plats of property in the City's ETJ pursuant to an agreement with Collin County. There are no zoning regulations in the ETJ with which the plat is required to comply. The final plat conforms to the Future Land Use Plan that was in effect on the date of original application and to the approved preliminary plat. The applicant is seeking approval of a final plat for Elevon, Section 1, Phase 3 consisting of 175 residential lots, I school lot for a planned elementary school, and 8 open space lots on approximately 79.184 acres.

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 – 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.

On August 3, 2021, the City Council approved the preliminary plat of the Elevon Addition, Section 1-Phases 3 and 4 consisting of 472 single-family residential lots and 13 open space lots on 139.067 acres of land. On July 18, 2023, the City Council approved a revision of the preliminary plat to provide for a school site. The final plat conforms to the approved revised preliminary plat. On November 17, 2020, the City of Lavon City Council approved a wastewater service and development agreement to provide retail wastewater service to the addition. The development will provide for the construction of public infrastructure systems for water, sanitary sewer, open space, and trails. Additionally, the developer will construct sidewalks in the locations where sidewalks will not be constructed with new home construction.

A Traffic Impact Analysis (TIA) has been prepared and reviewed. Improvements will be constructed as prescribed by the TIA and as approved by the city engineer. The development will provide for the extension of public infrastructure systems for water, sanitary sewer, and trails.

The addition will obtain police services from Collin County and fire and emergency medical services by agreement from the Lavon Fire Department.

Planning and Zoning Commission Report:

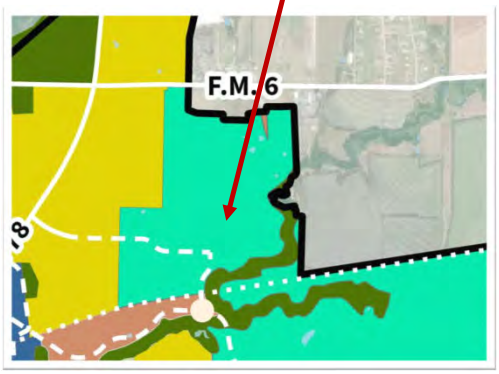
MOTION: RECOMMEND APPROVAL OF THE ELEVON, SECTION 1, PHASE 3 ADDITION CONSISTING OF 175 RESIDENTIAL LOTS, 1 SCHOOL LOT, AND 8 OPEN SPACE LOTS ON 79.184 ACRES OF LAND SITUATED IN THE SAMUEL M. RAINER SURVEY, A-740, EAST OF THE INTERSECTION OF INSPIRATION GROVE AND HART LEAF LANE IN THE EXTRATERRITORIAL JURISDICTION OF LAVON, COLLIN COUNTY, TX SUBJECT TO THE CITY ENGINEER'S APPROVAL.
MOTION MADE: NABORS
SECONDED: TIEGS
APPROVED: UNANIMOUS

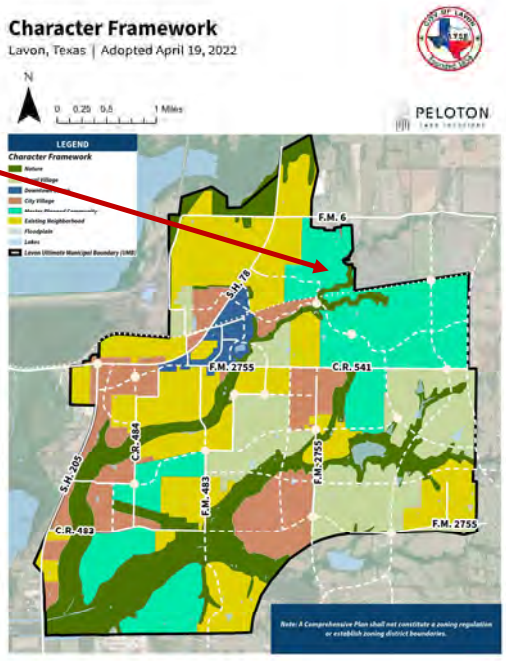
Staff Notes:

The proposed final plat and construction plans were reviewed by the staff development review committee and the City Engineer. The final plat meets the technical requirements and complies with the subdivision regulations. Approval is recommended subject to satisfaction of the City Engineer's approval of the civil engineering plans.

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

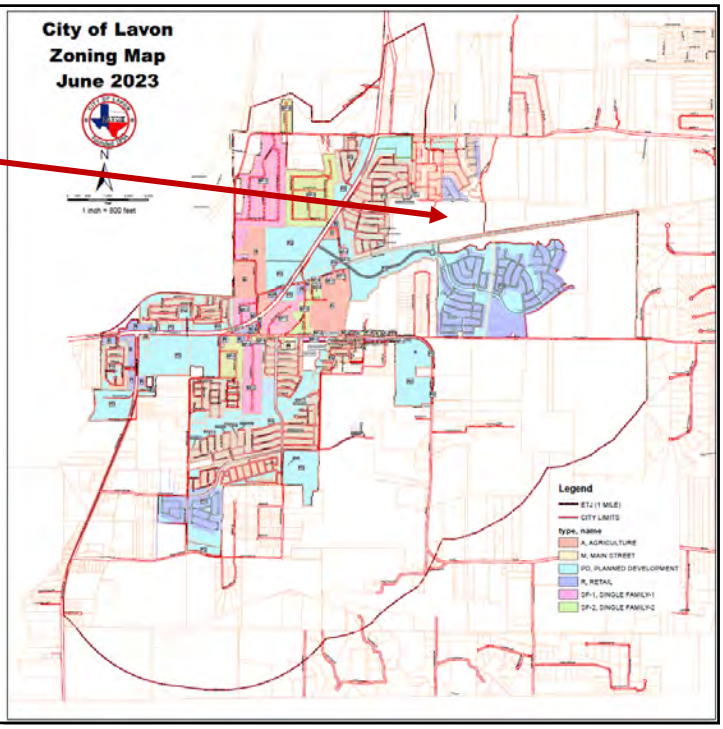
Future Land Use Plan





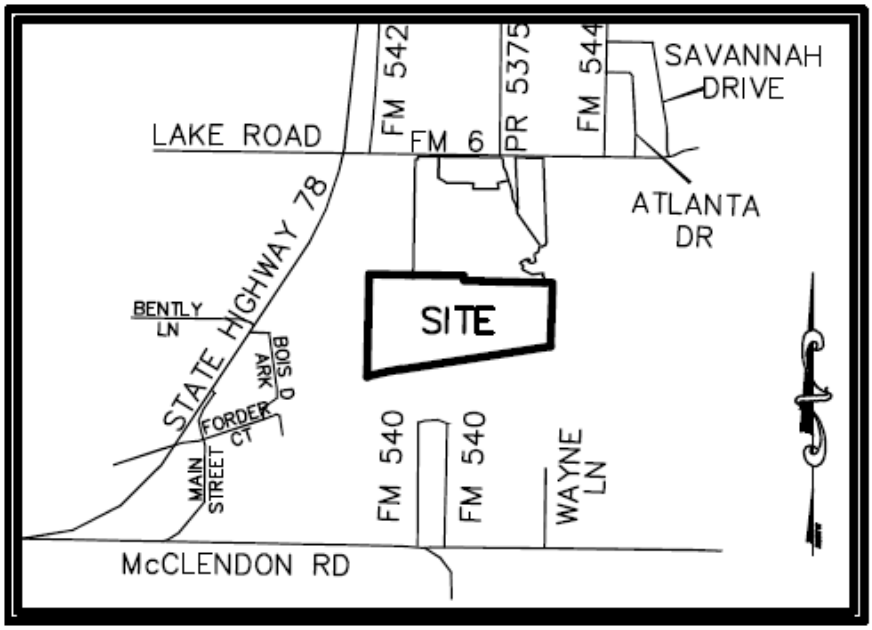
12

Zoning Map



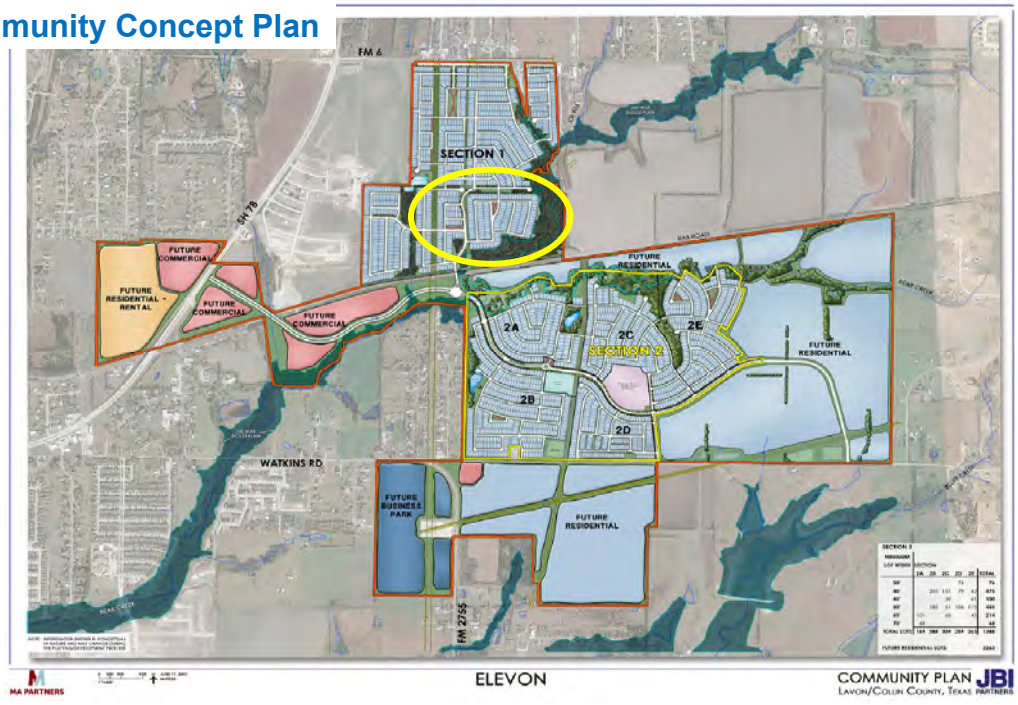
13

Elevon, Section 1 Phase 3 Location Exhibit



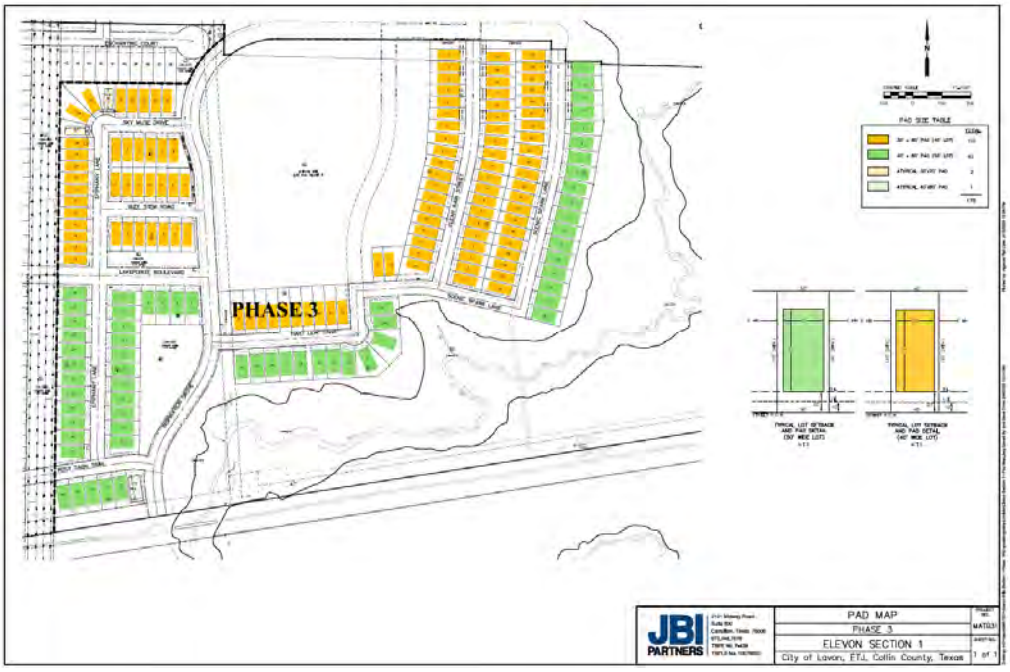
14

Elevon Community Concept Plan



15

Elevon, Section 1 Phase 3 Pad Map with School Site



16

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: JBI PARTNERS	Name: D.R. Horton - DFW East Division
Address: 2121 Midway Road, Suite 300	Address: 4306 Miller Road, Suite A
City/State/Zip: Carrollton/TX/75006	City/State/Zip: Rowlett/TX/75088
Phone #: 972.738.0243 Fax #:	Phone # 214.607.4244 Fax #
Authorized Person: Daniel Dewey, P.E.	Authorized Person: David L. Booth

Type of Submission	Date
☐ Preliminary Plat	
☒ Final Plat (Elevon Section 1, Phase 3)	7/5/2023
☐ Re-Submittal	
☒ Construction Plans (Elevon Section 1, Phase 3)	7/5/2023
☐ 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) (Via MyGov)
- ☒ (one) PDF construction plans (can be included on plat CD) (Via MyGov)

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:
Daniel Dewey		07-05-2023

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.

Authorization of Representation

Date: 7/7/23

To the City of Lavon
Collin County, Texas

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

D L Booth AVP DR Horton – Texas Ltd
Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

Before me, the undersigned authority, appeared David Booth,
on this the 7th day of July, 2023.

(notary seal)

Karen Williams
Notary Public in and for Dallas County, Texas

KAREN WILLIAMS
Notary ID #125155758
My Commission Expires
February 7, 2025

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: 7/7/23

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, DR Horton - Texas Ltd, 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.

D W Booth AVP DR Horton - Texas Ltd
Signature (Owner)

Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

Before me, the undersigned authority, appeared David Booth,
on this the 7th day of July, 2023.

KAREN WILLIAMS (Notary Seal)
Notary ID #125155758
My Commission Expires
February 7, 2025

Karen Williams

Notary Public in and for Dallas County, Texas

TO: City of Lavon

I desire to extend the 30-day period set out in the Texas Local Government Code Section 212.009 for plat approval.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL. (a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section 212.0101, the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

The City did not request or require this waiver. The Applicant submits it voluntarily and acknowledges the City is in compliance with Section 212.0097.

Sec. 212.0097. APPROVAL PROCEDURE: WAIVER PROHIBITED. A municipal authority responsible for approving plats or the governing body of a municipality may not request or require an applicant to waive a deadline or other approval procedure under this subchapter.

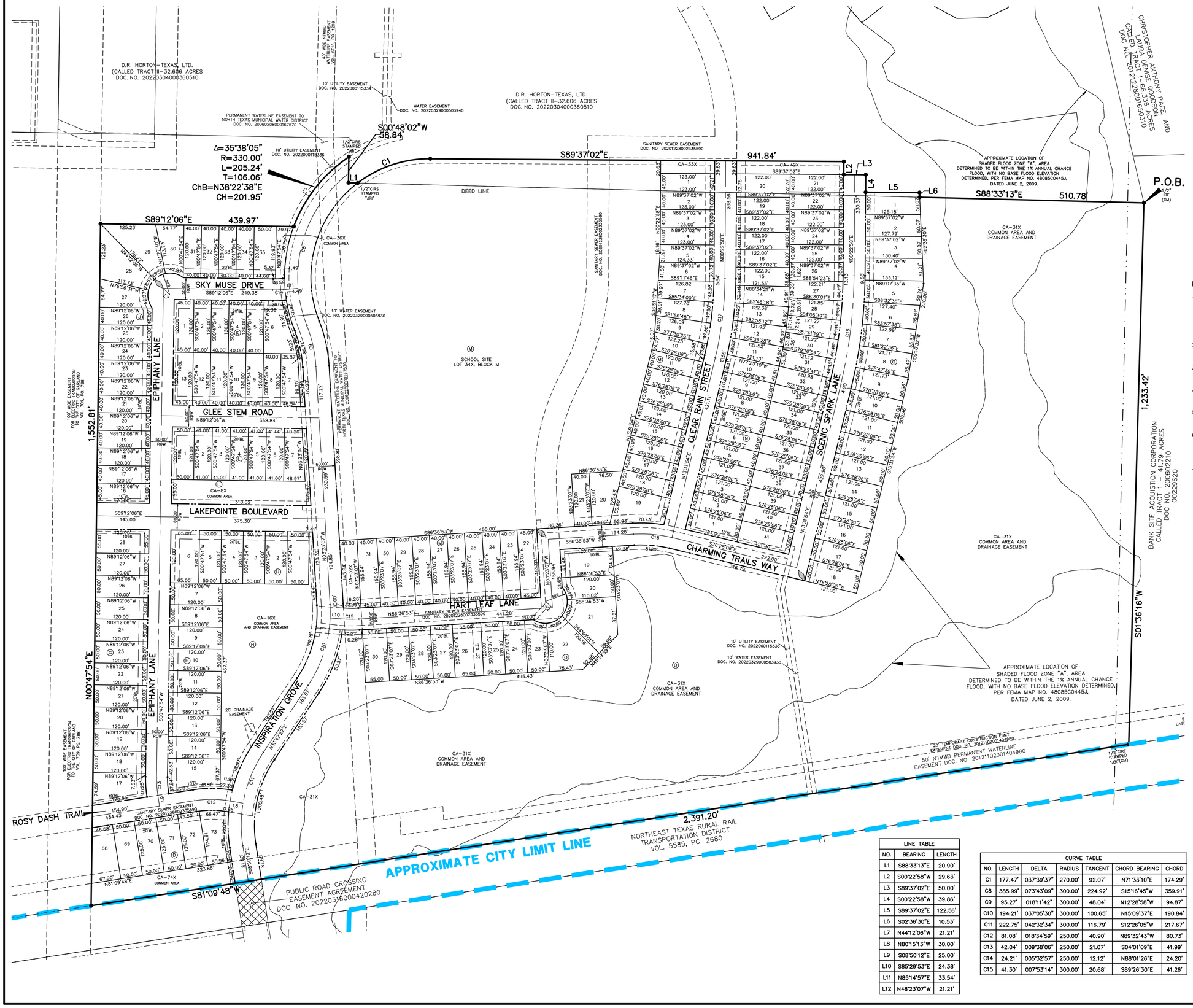
Application: Elevon Section 1, Phase 3

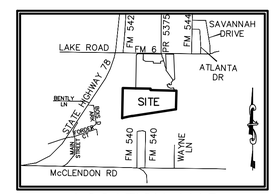
Signed: J. Scott AVP DR Horton-Texas Ltd

Date: 7/7/23

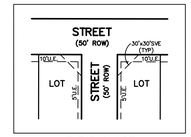
Received: _____

Date: _____





LOCATION MAP
(N.T.S.)



TYPICAL LOT
EASEMENT DETAIL
NTS

LEGEND

P.O.B.	POINT OF BEGINNING
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
ROW	RIGHT-OF-WAY
BL	BUILDING LINE
SSWR	SANITARY SEWER
WME	WALL MAINTENANCE ESMT.
ESMT	ESMT
UE	UTILITY EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
MFF	MINIMUM FINISHED FLOOR
	STREET NAME CHANGE

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. ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY
4. ALL CORNERS ARE ONE-HALF INCH IRON ROD WITH YELLOW CAP STAMPED "JBI" SET UNLESS OTHERWISE NOTED.
5. THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BCSUD).
6. RETAINING WALLS ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNER. RETAINING WALLS ARE TO BE CONSTRUCTED ON THE LOT OF THE HIGH SIDE. RETAINING WALLS BELOW A HOA SCREEN WALL WILL BE OWNED AND MAINTAINED BY THE HOA.
7. THE SANITARY SEWER SYSTEM IS OWNED AND OPERATED BY THE CITY OF LAVON AND ALL RIGHT-OF-WAY IS DEDICATED SANITARY SEWER EASEMENT TO THE CITY OF LAVON.

NTMWD NOTES:

THE NTMWD EASEMENT RESTRICTS CONSTRUCTION OF PERMANENT STRUCTURES SUCH AS FOUNDATIONS, WALLS, POOLS AND PERMANENT STORAGE BUILDINGS. ITEMS SUCH AS DRIVEWAYS, FENCES/ POSTS NO DEEPER THAN TWO FEET BELOW ORIGINAL GROUND, SPINKLER SYSTEMS AND NORMAL LANDSCAPING PLANS/ (NO TREES) THAT ENCROACH ON THE NTMWD EASEMENTS ARE ALLOWED. HOWEVER, THE NTMWD ASSUMES NO RESPONSIBILITY FOR DAMAGES RESULTING FROM THE NEED TO REPAIR OR MAINTAIN THE NTMWD PIPELINES. FUTHER, ANY COST FOR REPAIR FOR DAMAGE TO THE PIPELINES RESULTING FROM CONSTRUCTION BY THE DEVELOPER, CONTRACTOR OR OWNER WILL BE THE RESPONSIBILITY OF THE DEVELOPER, CONTRACTOR OR OWNER.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S88°33'13"E	20.90'
L2	S00°22'58"W	29.63'
L3	S89°37'02"E	50.00'
L4	S00°22'58"W	39.86'
L5	S89°37'02"E	122.56'
L6	S02°36'30"E	10.53'
L7	N44°12'06"W	21.21'
L8	N80°15'13"W	30.00'
L9	S08°50'12"E	25.00'
L10	S85°29'53"E	24.38'
L11	N85°14'57"E	33.54'
L12	N48°23'07"W	21.21'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	177.47'	037°39'37"	270.00'	92.07'	N71°33'10"E	174.29'
C8	385.99'	073°43'09"	300.00'	224.92'	S15°16'45"W	359.91'
C9	95.27'	018°11'42"	300.00'	48.04'	N12°28'58"W	94.87'
C10	194.21'	037°05'30"	300.00'	100.65'	N15°09'37"E	190.84'
C11	222.75'	042°32'34"	300.00'	116.79'	S12°26'05"W	217.67'
C12	81.08'	018°34'59"	250.00'	40.90'	N89°32'43"W	80.73'
C13	42.04'	009°38'06"	250.00'	21.07'	S04°01'09"E	41.99'
C14	24.21'	005°32'57"	250.00'	12.12'	N88°01'26"E	24.20'
C15	41.30'	007°53'14"	300.00'	20.68'	S89°26'30"E	41.26'

FINAL PLAT
ELEVON SECTION 1
PHASE 3

175 RESIDENTIAL LOTS, 1 SCHOOL LOT, &
8 OPEN SPACE LOTS
184 TOTAL LOTS

PART OF ELEVON MUNICIPAL UTILITY DISTRICT NO. 1A

BEING 79.184 ACRES OUT OF
THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740,
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC — OWNER
2121 Midway Road, Suite 240
Carrollton, Texas 75006
(972) 715-5449

D.R. HORTON—TEXAS, LTD — OWNER/DEVELOPER
4306 Miller Road, Suite A
Rowlett, Texas 75008
(214) 607-4244
(817) 928-6139 FAX

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 16, 2023

Drawing: H:\Projects\MAT031-Abston Hills Section 1\Phase 3 & 4\Surveying\dwg\MAT031-pf(phase 3).dwg Saved By: dbell Save Time: 8/16/2023 3:08 PM
Plotted by: dbell Plot Date: 8/16/2023 3:54 PM

LEGAL DESCRIPTION

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, being all of that called 64.765 acre tract of land described in deed to D.R. HORTON–TEXAS, LTD. as recorded in Document Number 20230000076717, Official Public Records of Collin County, Texas, being all of that called 0.924 acre tract of land described in deed to MA LAVON 292, LLC, as recorded in Document Number 20230000077102, Official Public Records of Collin County, Texas, being a part of that called 291.068 acre tract of land described in deed to MA Lavon 292, LLC as recorded in Document Number 20201221002291470, Official Public Records of Collin County, Texas, and also being a part of that called Tract II–32.606 acre tract of land described in deed to D.R. HORTON–TEXAS, LTD., as recorded in Document Number 20220304000360510, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one–half inch iron rod found for corner at the northeast corner of said 64.765 acre tract of land, said point also being in the west line of that called Tract 1–41.79 acres described in deed to Bank Site Acquisition Corporation as recorded in Document Number 20060221000229620, Official Public Records of Collin County, Texas;

THENCE South 01 degrees 36 minutes 16 seconds West, 1,233.42 feet along the east line of said 64.765 acre tract and along the west line of said Tract 1–41.79 acre tract to a one–half inch iron rod with cap stamped "JBI" found at the southeast corner of said 64.765 acre tract, said point being the southeast corner of that 50 foot wide permanent waterline easement to North Texas Municipal Water District as recorded Document Number 20121102001404980, 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 81 degrees 09 minutes 48 seconds West, 2,391.20 feet along the south line of said 64.765 acre tract and along the south line of said 50 foot wide permanent waterline easement and along the north right–of–way line of said Northeast Texas Rural Rail Transportation District to a one–half inch iron rod with yellow cap stamped "JBI" found at the southwest corner of said 64.765 acre tract, said point also being in the east line of a 100 foot wide electric transmission easement to the City of Garland, as recorded in Volume 709, Page 791, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 47 minutes 54 seconds East, 1,552.81 feet along the west line of said 64.765 acre tract and along the east line of said 100 foot wide electric easement to a one–half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said 64.765 acre tract;

THENCE along the north line of said 64.765 acre tract as follows:
South 89 degrees 12 minutes 06 seconds East, 439.97 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northeasterly, 205.24 feet along a curve to the right having a central angle of 35 degrees 38 minutes 05 seconds, a radius of 330.00 feet, a tangent of 106.06 feet and whose chord bears North 38 degrees 22 minutes 38 seconds East, 201.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner in the south line of said 32.606 acre tract;

THENCE along the common line of said 64.765 acre tract and said 32.606 acre tract as follows:
South 00 degrees 48 minutes 02 seconds West, 58.84 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 88 degrees 33 minutes 13 seconds East, 20.90 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the west corner of said 0.924 acre tract;

THENCE Northeasterly along the north line of said 0.924 acre tract, 177.47 feet along a curve to the right, having a central angle of 37 degrees 39 minutes 37 seconds, a radius of 270.00 feet, a tangent of 92.07 feet and whose chord bears North 71 degrees 33 minutes 10 seconds East, 174.29 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE South 89 degrees 37 minutes 02 seconds East, 941.84 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 22 minutes 58 seconds West, 29.63 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 37 minutes 02 seconds East, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 22 minutes 58 seconds West, 39.86 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 37 minutes 02 seconds East, 122.56 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 02 degrees 36 minutes 30 seconds East, 10.53 feet to a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 64.765 acre tract, said point being in the south line of said 32.606 acre tract;

THENCE South 88 degrees 33 minutes 13 seconds East 510.78 feet along the north line of said 64.765 acre tract to the POINT OF BEGINNING and containing 3,449,249 square feet or 79.184 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.

LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES
D–68	7,161	0.164	J–21	4,800	0.110	M–3	4,920	0.113	N–9	4,840	0.111	O–7	6,427	0.148
D–69	6,250	0.143	J–22	4,800	0.110	M–4	4,920	0.113	N–10	4,922	0.113	O–8	6,392	0.147
D–70	6,250	0.143	J–23	4,800	0.110	M–5	4,934	0.113	N–11	5,081	0.117	O–9	6,351	0.146
D–71	6,250	0.143	J–24	4,800	0.110	M–6	5,261	0.121	N–16	4,880	0.112	O–10	6,050	0.139
D–72	6,250	0.143	J–25	4,800	0.110	M–7	5,607	0.129	N–17	4,880	0.112	O–11	6,050	0.139
D–73	7,102	0.163	J–26	4,800	0.110	M–8	5,578	0.128	N–18	4,880	0.112	O–12	6,050	0.139
D–74X	16,405	0.377	J–27	5,910	0.136	M–9	5,319	0.122	N–19	4,880	0.112	O–13	6,050	0.139
G–17	7,789	0.179	J–28	9,304	0.214	M–10	5,027	0.115	N–20	6,436	0.148	O–14	6,050	0.139
G–18	6,000	0.138	J–29	9,304	0.214	M–11	4,800	0.110	N–21	4,880	0.112	O–15	6,050	0.139
G–19	6,000	0.138	J–30	5,910	0.136	M–12	4,800	0.110	N–27	5,120	0.118	O–16	6,050	0.139
G–20	6,000	0.138	J–31	4,800	0.110	M–13	4,800	0.110	N–28	5,086	0.117	O–17	6,050	0.139
G–21	6,000	0.138	J–32	4,800	0.110	M–14	4,800	0.110	N–29	5,080	0.117	O–18	6,050	0.139
G–22	6,000	0.138	J–33	4,800	0.110	M–15	4,800	0.110	N–30	5,080	0.117	O–19	7,738	0.178
G–23	6,000	0.138	J–34	4,800	0.110	M–16	4,800	0.110	N–31	5,079	0.117	O–20	5,810	0.133
G–24	6,000	0.138	J–35	6,000	0.138	M–17	4,800	0.110	N–32	5,087	0.117	O–21	10,892	0.250
G–25	6,000	0.138	J–36X	3,166	0.073	M–18	4,800	0.110	N–33	4,840	0.111	O–22	9,765	0.224
G–26	6,000	0.138	K–1	5,400	0.124	M–19	8,749	0.201	N–34	4,840	0.111	O–23	5,796	0.133
G–27	6,000	0.138	K–2	4,800	0.110	M–20	6,990	0.160	N–35	4,840	0.111	O–24	6,000	0.138
G–28	6,600	0.152	K–3	4,800	0.110	M–21	4,800	0.110	N–36	4,840	0.111	O–25	6,000	0.138
H–1	7,743	0.178	K–4	4,800	0.110	M–22	7,017	0.161	N–37	4,840	0.111	O–26	7,800	0.179
H–2	6,750	0.155	K–5	4,800	0.110	M–23	6,238	0.143	N–38	4,840	0.111	O–27	6,000	0.138
H–3	6,750	0.155	K–6	6,917	0.159	M–24	6,238	0.143	N–39	4,840	0.111	O–28	6,000	0.138
H–4	6,750	0.155	K–7	5,038	0.116	M–25	6,238	0.143	N–40	4,840	0.111	O–29	6,000	0.138
H–5	8,400	0.193	K–8	4,800	0.110	M–26	6,238	0.143	N–41	6,050	0.139	O–30	6,600	0.152
H–6	6,000	0.138	K–9	4,800	0.110	M–27	6,238	0.143	N–42X	7,230	0.166	O–31X	1,350,211	30.997
H–7	6,000	0.138	K–10	4,800	0.110	M–28	6,238	0.143	N–70	4,880	0.112			
H–8	6,000	0.138	K–11	4,800	0.110	M–29	6,238	0.143	N–76	4,880	0.112			
H–9	6,000	0.138	K–12	4,800	0.110	M–30	6,238	0.143	N–78	4,880	0.112			
H–10	6,000	0.138	K–13	5,400	0.124	M–31	7,017	0.161	N–84	4,880	0.112			
H–11	6,000	0.138	K–14X	2,471	0.057	M–32X	6,215	0.143	N–85	5,216	0.120			
H–12	6,000	0.138	L–1	6,000	0.138	M–33X	3,645	0.084	N–90	5,237	0.120			
H–13	6,000	0.138	L–2	4,920	0.113	M–34X	594,148	13.640	N–91	5,226	0.120			
H–14	6,000	0.138	L–3	4,920	0.113	N–1	6,050	0.139	N–92	5,139	0.118			
H–15	8,569	0.197	L–4	4,920	0.113	N–2	4,840	0.111	N–98	5,237	0.120			
H–16X	64,104	1.472	L–5	4,920	0.113	N–3	4,840	0.111	O–1	6,193	0.142			
J–16	5,400	0.124	L–6	4,920	0.113	N–4	4,840	0.111	O–2	6,324	0.145			
J–17	4,800	0.110	L–7	5,350	0.123	N–5	4,840	0.111	O–3	6,455	0.148			
J–18	4,800	0.110	L–8X	18,584	0.427	N–6	4,840	0.111	O–4	6,661	0.153			
J–19	4,800	0.110	M–1	5,192	0.119	N–7	4,840	0.111	O–5	6,915	0.159			
J–20	4,800	0.110	M–2	4,920	0.113	N–8	4,840	0.111	O–6	6,601	0.152			

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That D.R. HORTON–TEXAS, LTD. and MA LAVON 292, LLC, acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON, PHASE 2C,** an addition to the Collin County, Texas, and does hereby dedicate to Elevon Municipal Utility District No. 1–A, in fee simple, the streets and public use areas shown hereon, and does hereby dedicate the easements shown hereon for the purposes indicated to exclusive use forever of The District, 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. At the discretion of The District and subject to it's written approval, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to The District use thereof. Any public utility given the right by The District to use said easements 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. Any public utility shall at all times have the right of ingress and egress to and from and upon any 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 procuring the permission of anyone. I do hereby bind myself, my successors and assigns to forever warrant and defend all and singular the above described streets, easements and rights unto The District against every person whomsoever comes lawfully claiming or to claim the same or any part thereof. This property is located within The City of Lavon Extra–Territorial Jurisdiction. This plat approval is subject to all the platting ordinances, rules and regulations of the City of Lavon ETJ, Collin County, Texas.

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 Elevon Municipal Utility District No. 1–A, City of Lavon, or BCSUD, forever for purposes indicated on this plat.
3. The Elevon Municipal Utility District No. 1–A, 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 and Elevon Municipal Utility District No. 1–A, City of Lavon, and BCSUD.
5. The Elevon Municipal Utility District No. 1–A, 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 Elevon Municipal Utility District No. 1–A, 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 D.R. HORTON–TEXAS, LTD and 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, Texas.

WITNESS MY HAND THIS _____ DAY OF _____, 2022.

BY: D.R. HORTON–TEXAS, LTD.

BY: _____
David L. Booth,
Land Aquisition Development Manager

STATE OF TEXAS §

COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared David L. Booth, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she 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 _____, 2023.

_____
Notary Signature

WITNESS MY HAND THIS _____ DAY OF _____, 2023.

BY: MA LAVON 292, LLC

BY: _____
John Marlin
an Authorized Agent for MA LAVON 292, LLC

STATE OF TEXAS §

COUNTY OF DALLAS §

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/she 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 _____, 2023.

_____
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's ETJ.

Dated this the _____ day of _____, 2023.

"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
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

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 _____, 2023.

_____
Notary Public in and for the State of Texas

"Recommended For Approval"

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

"Approved For Preparation of Final Plat"

_____ _____
Mayor Date
City of Lavon,
Collin County, 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 SECTION 1
PHASE 3

175 RESIDENTIAL LOTS, 1 SCHOOL LOT, &
8 OPEN SPACE LOTS
184 TOTAL LOTS

PART OF ELEVON MUNICIPAL UTILITY DISTRICT NO. 1A

BEING 79.184 ACRES OUT OF
THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740,
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC — **OWNER**
2121 Midway Road, Suite 240
Carrollton, Texas 75006
(972) 715–5449

D.R. HORTON–TEXAS, LTD — **OWNER/DEVELOPER**
4306 Miller Road, Suite A
Rowlett, Texas 75008
(214) 607–4244
(817) 928–6139 FAX

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 16, 2023

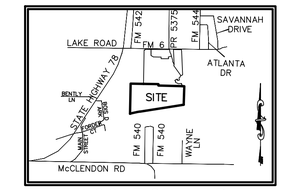
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PHASE 4
PHASE 3
P.O.B.
FIREFLY TRAIL
SUNRAY DRIVE
LAKEPOINTE BOULEVARD
ENCHANTING COURT
SKY MUSE DRIVE
GLEE STEM ROAD
GOLDEN TREK ROAD
DUNE DANCER DRIVE
SECOND SPARK LANE
HART LEAF LANE
STARRY SKY WAY
HONEY SPIRIT ROAD
PARADISE PARK LANE
EUPHONY LANE
REPARTEE GROVE
ROSY DASH TRAIL
SALVIA LANE
PARAMOUNT PASSAGE
CHARMING GARDEN
ASPIRATION WAY
SUNGLOW WAY
WALKABOUT PLACE
HAPPY PACE DRIVE
GRACIOUS GLEN
SWEET DREAM WAY
CHERISH JOY DRIVE
ADVENTURE PLACE
INSPIRATION COURT
ELEVON PHASE 1A (FINAL PLAT PENDING)
ELEVON PHASE 2 (PRELIMINARY PLAT APPROVED)
LAKEPOINTE (PRELIMINARY PLAT PENDING)
LDC LAVON, LLC CALLED 200.9089 ACRES DOC. NO.:20180821000548570
D.R. HORTON-TEXAS, LTD CALLED 89.843 ACRES DOC. NO. 20201221002299650
MA LAVON 292, LLC PART OF CALLED 291.068 ACRES DOC. NO. 20201221002291470
INSPIRA MA LAVON 292, LLC PART OF CALLED 291.068 ACRES DOC. NO.:20201221002291470
AMBER L HUCK CALLED 5.4259 ACRES DOC. NO. 20061107001464130
CHRISTOPHER ANTHONY PAGE, AND LAURA DENISE GOODSON CALLED TRACT 1-66.336 ACRES DOC NO. 20121228001650310
MA LAVON 291, LLC PART OF CALLED 291.068 ACRES DOC. NO. 20210225000259970
BANK SITE ACQUISITION CORPORATION CALLED TRACT 1- 41.79 ACRES DOC NO. 20050221000229620
LAKEPOINTE PHASE VOL. 2020, PG. 486, O.P.R.C.C.T.
LOT 1 BLOCK A OPEN SPACE 13.8 AC.
LOT 1X BLOCK J OPEN SPACE 7.5 AC.
LOT 1 BLOCK K 89 OPEN SPACE 11 AC.
LOT 1 BLOCK K OPEN SPACE 0.38 ACRES
BLOCK K, LOT 1XX
BLOCK K, LOT 1YY
BLOCK K, LOT 1ZZ
BLOCK K, LOT 1AA
BLOCK K, LOT 1BB
BLOCK K, LOT 1CC
BLOCK K, LOT 1DD
BLOCK K, LOT 1EE
BLOCK K, LOT 1FF
BLOCK K, LOT 1GG
BLOCK K, LOT 1HH
BLOCK K, LOT 1II
BLOCK K, LOT 1JJ
BLOCK K, LOT 1KK
BLOCK K, LOT 1LL
BLOCK K, LOT 1MM
BLOCK K, LOT 1NN
BLOCK K, LOT 1OO
BLOCK K, LOT 1PP
BLOCK K, LOT 1QQ
BLOCK K, LOT 1RR
BLOCK K, LOT 1SS
BLOCK K, LOT 1TT
BLOCK K, LOT 1UU
BLOCK K, LOT 1VV
BLOCK K, LOT 1WW



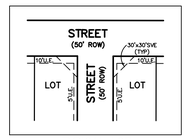
LEGEND

P.O.B.	POINT OF BEGINNING
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
ROW	RIGHT-OF-WAY
BL	BUILDING LINE
SSWR	SANITARY SEWER
WME	WALL MAINTENANCE ESMT.
ESMT	ESMT
UE	UTILITY EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
MFF	MINIMUM FINISHED FLOOR
	STREET NAME CHANGE
	100 YR PRE-FULLY DEVELOPED
	100 YR POST-FULLY DEVELOPED



LOCATION MAP
(N.T.S.)

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1 inch = 100 ft.



TYPICAL LOT
EASEMENT DETAIL
NTS

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 FARM-TO-MARKET ROAD NO. 6 VIA PHASE 1B FINAL PLAT.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) CITY ETJ LINES SHOWN HEREON PER BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITIES OF LAVON AND NEVADA DATED MAY 5TH, 2020.

6.) ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY

7.) ALL CORNERS ARE ONE-HALF INCH IRON ROD WITH YELLOW CAP STAMPED "JBI" SET UNLESS OTHERWISE NOTED.

8.) THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BCSUD).

9.) 3' WALL MAINTENANCE EASEMENT IS DEDICATED TO THE HOMEOWNER'S ASSOCIATION OF ELEVON FOR BENEFIT OF THE ADJACENT HOMEOWNER FOR MAINTENANCE ALONG THE COMMON FENCE LINE OF ELEVON AND LAKEPOINTE ADDITION.

NTMWD NOTES:

THE NTMWD EASEMENT RESTRICTS CONSTRUCTION OF PERMANENT STRUCTURES SUCH AS FOUNDATIONS, WALLS, POOLS AND PERMANENT STORAGE BUILDINGS. ITEMS SUCH AS DRIVEWAYS, FENCES/ POSTS NO DEEPER THAN TWO FEET BELOW ORIGINAL GROUND, SPINKLER SYSTEMS AND NORMAL LANDSCAPING PLANS/ (NO TREES) THAT ENCROACH ON THE NTMWD EASEMENTS ARE ALLOWED. HOWEVER, THE NTMWD ASSUMES NO RESPONSIBILITY FOR DAMAGES RESULTING FROM THE NEED TO REPAIR OR MAINTAIN THE NTMWD PIPELINES. FUTHER, ANY COST FOR REPAIR FOR DAMAGE TO THE PIPELINES RESULTING FROM CONSTRUCTION BY THE DEVELOPER, CONTRACTOR OR OWNER WILL BE THE RESPONSIBILITY OF THE DEVELOPER, CONTRACTOR OR OWNER.

PRELIMINARY PLAT

ELEVON
PHASES 3 AND 4

472 RESIDENTIAL LOTS
13 OPEN SPACE LOTS
485 TOTAL LOTS
PART OF ABSTON HILLS
MUNICIPAL UTILITY DISTRICT NO. 1A

BEING 139.067 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC — OWNER
15443 Knoll Trail Drive, Suite 130
Dallas, TX 75248
(972) 715-5449

D.R. HORTON-TEXAS, LTD — APPLICANT/DEVELOPER
4306 Miller Road, Suite A
Rowlett, Texas 75008
(214) 607-4244
(817) 928-6139 FAX

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact
TBPE No. F-438 TBPLS No. 10076000
(972) 248-7676

Date: June 28, 2021

Plotted by: mgarcia Plot Date: 6/28/2021 9:37 AM
Drawing: H:\Projects\MA7031-Abston Hills Section 1\Phase 3 & 4\Surveying\dwg\MA7031-pp(phases 3 and 4).dwg Saved By: mgarcia Save Time: 6/25/2021 4:48 PM



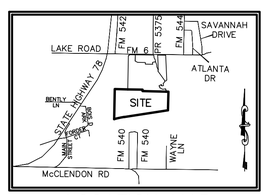
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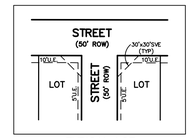
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.



LOCATION MAP
(N.T.S.)



TYPICAL LOT
EASEMENT DETAIL
NTS

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Carrollton, Texas 75006
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TBPE No. F-438 TBPLS No. 10076000
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Date: June 28, 2021

Sheet 3 of 5

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LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES
A–1	5,625	0.129	B–15	4,800	0.110	D–22	6,127	0.141	D–62	4,800	0.110	E–29	6,000	0.138	F–28	4,800	0.110	G–24	6,000	0.138	J–5	6,000	0.138	J–45	5,000	0.115	M–20	6,000	0.138	O–7	6,766	0.155	Q–3	6,000	0.138
A–2	5,000	0.115	B–16	4,800	0.110	D–23	9,994	0.229	D–63	5,151	0.118	E–30	6,000	0.138	F–29	4,800	0.110	G–25	6,000	0.138	J–6	6,000	0.138	K–1	5,400	0.124	M–21	6,000	0.138	O–8	6,601	0.152	Q–4	6,000	0.138
A–3	5,000	0.115	B–17	4,800	0.110	D–24	17,607	0.404	D–64	8,570	0.197	E–31	6,000	0.138	F–30	4,800	0.110	G–26	6,000	0.138	J–7	6,000	0.138	K–2	4,800	0.110	M–22	6,000	0.138	O–9	6,601	0.152	Q–5	6,000	0.138
A–4	5,000	0.115	B–18	4,800	0.110	D–25	8,685	0.199	D–65	6,560	0.151	E–32	6,000	0.138	F–31	4,800	0.110	G–27	6,000	0.138	J–8	6,000	0.138	K–3	4,800	0.110	M–23	6,000	0.138	O–10	7,898	0.181	Q–6	6,000	0.138
A–5	5,000	0.115	B–19	4,800	0.110	D–26	6,408	0.147	D–66	4,987	0.114	E–33	6,000	0.138	F–32	4,800	0.110	G–28	6,600	0.152	J–9	6,000	0.138	K–4	4,800	0.110	M–24	6,000	0.138	O–11	7,111	0.163	Q–7	6,000	0.138
A–6	5,000	0.115	B–20	4,800	0.110	D–27	6,417	0.147	D–67	6,326	0.145	E–34	6,000	0.138	F–33	4,800	0.110	H–1	7,743	0.178	J–10	6,000	0.138	K–5	4,800	0.110	M–25	6,602	0.152	O–12	6,441	0.148	Q–8	6,000	0.138
A–7	5,000	0.115	B–21	4,800	0.110	D–28	6,417	0.147	D–68	7,161	0.164	E–35	6,000	0.138	F–34	4,800	0.110	H–2	6,750	0.155	J–11	6,000	0.138	K–6	6,917	0.159	N–1	7,680	0.176	O–13	6,520	0.150	Q–9	6,000	0.138
A–8	5,000	0.115	B–22	6,000	0.138	D–29	6,417	0.147	D–69	6,250	0.143	E–36	6,000	0.138	F–35	4,800	0.110	H–3	6,750	0.155	J–12	6,000	0.138	K–7	5,038	0.116	N–2	6,120	0.140	O–14	6,109	0.140	Q–10	6,000	0.138
A–9	5,000	0.115	C–1	6,000	0.138	D–30	6,417	0.147	D–70	6,250	0.143	E–37	6,000	0.138	F–36	4,800	0.110	H–4	6,750	0.155	J–13	6,000	0.138	K–8	4,800	0.110	N–3	6,120	0.140	O–15	6,173	0.142	Q–11	8,487	0.195
A–10	5,000	0.115	C–2	4,800	0.110	D–31	6,417	0.147	D–71	6,250	0.143	E–38	6,000	0.138	F–37	4,800	0.110	H–5	8,400	0.193	J–14	6,000	0.138	K–9	4,800	0.110	N–4	6,120	0.140	O–16	6,264	0.144	Q–12	14,067	0.323
A–11	6,235	0.143	C–3	4,800	0.110	D–32	6,417	0.147	D–72	6,250	0.143	E–39	6,000	0.138	F–38	4,800	0.110	H–6	6,000	0.138	J–15	6,600	0.152	K–10	4,800	0.110	N–5	6,120	0.140	O–17	6,378	0.146	Q–13	10,677	0.245
A–12	9,936	0.228	C–4	4,800	0.110	D–33	6,417	0.147	D–73	7,102	0.163	E–40	6,000	0.138	F–39	4,800	0.110	H–7	6,000	0.138	J–16	5,400	0.124	K–11	4,800	0.110	N–6	6,120	0.140	O–18	6,492	0.149	Q–14	8,114	0.186
A–13	9,936	0.228	C–5	4,800	0.110	D–34	5,320	0.122	E–1	7,800	0.179	E–41	7,800	0.179	F–40	4,800	0.110	H–8	6,000	0.138	J–17	4,800	0.110	K–12	4,800	0.110	N–7	6,120	0.140	O–19	6,606	0.152	Q–15	7,653	0.176
A–14	6,232	0.143	C–6	4,800	0.110	D–35	4,800	0.110	E–2	6,000	0.138	F–1	10,801	0.248	F–41	5,516	0.127	H–9	6,000	0.138	J–18	4,800	0.110	K–13	5,400	0.124	N–8	6,120	0.140	O–20	6,720	0.154	Q–16	7,557	0.173
A–15	5,062	0.116	C–7	4,800	0.110	D–36	4,800	0.110	E–3	6,000	0.138	F–2	5,456	0.125	F–42	5,920	0.136	H–10	6,000	0.138	J–19	4,800	0.110	L–1	6,000	0.138	N–9	6,120	0.140	O–21	8,130	0.187	Q–17	7,323	0.168
A–16	5,063	0.116	C–8	4,831	0.111	D–37	4,800	0.110	E–4	6,000	0.138	F–3	4,800	0.110	F–43	6,791	0.156	H–11	6,000	0.138	J–20	4,800	0.110	L–2	4,920	0.113	N–10	6,120	0.140	P–1	7,260	0.167	Q–18	7,548	0.173
A–17	5,062	0.116	C–9	5,018	0.115	D–38	4,800	0.110	E–5	6,000	0.138	F–4	4,800	0.110	F–44	12,083	0.277	H–12	6,000	0.138	J–21	4,800	0.110	L–3	4,920	0.113	N–11	6,120	0.140	P–2	6,413	0.147	Q–19	7,563	0.174
A–18	5,063	0.116	C–10	5,401	0.124	D–39	4,800	0.110	E–6	6,000	0.138	F–5	4,800	0.110	G–1	5,400	0.124	H–13	6,000	0.138	J–22	4,800	0.110	L–4	4,920	0.113	N–12	6,120	0.140	P–3	6,413	0.147	Q–20	7,563	0.174
A–19	5,063	0.116	C–11	6,762	0.155	D–40	4,800	0.110	E–7	6,000	0.138	F–6	4,800	0.110	G–2	4,800	0.110	H–14	6,000	0.138	J–23	4,800	0.110	L–5	4,920	0.113	N–13	6,120	0.140	P–4	6,413	0.147	Q–21	7,563	0.174
A–20	5,062	0.116	D–1	6,875	0.158	D–41	4,800	0.110	E–8	6,000	0.138	F–7	4,800	0.110	G–3	4,800	0.110	H–15	8,569	0.197	J–24	4,800	0.110	L–6	4,920	0.113	N–14	8,897	0.204	P–5	6,413	0.147	Q–22	7,563	0.174
A–21	5,063	0.116	D–2	6,250	0.143	D–42	4,800	0.110	E–9	6,000	0.138	F–8	4,800	0.110	G–4	4,800	0.110	I–1	7,200	0.165	J–25	4,800	0.110	L–7	5,394	0.124	N–15	7,949	0.182	P–6	6,413	0.147	Q–23	7,563	0.174
A–22	5,062	0.116	D–3	6,250	0.143	D–43	4,800	0.110	E–10	6,000	0.138	F–9	4,800	0.110	G–5	4,800	0.110	I–2	6,000	0.138	J–26	4,800	0.110	M–1	6,000	0.138	N–16	6,120	0.140	P–7	6,413	0.147	Q–24	7,563	0.174
A–23	5,063	0.116	D–4	6,250	0.143	D–44	4,800	0.110	E–11	6,000	0.138	F–10	4,800	0.110	G–6	4,800	0.110	I–3	6,000	0.138	J–27	5,910	0.136	M–2	6,000	0.138	N–17	6,120	0.140	P–8	6,555	0.150	Q–25	8,400	0.193
A–24	5,063	0.116	D–5	6,250	0.143	D–45	4,800	0.110	E–12	6,000	0.138	F–11	4,800	0.110	G–7	4,800	0.110	I–4	6,000	0.138	J–28	9,304	0.214	M–3	6,000	0.138	N–18	6,120	0.140	P–9	6,705	0.154	Q–26	10,028	0.230
A–25	5,063	0.116	D–6	6,250	0.143	D–46	4,800	0.110	E–13	6,000	0.138	F–12	4,800	0.110	G–8	4,800	0.110	I–5	6,000	0.138	J–29	9,304	0.214	M–4	6,000	0.138	N–19	6,120	0.140	P–10	6,705	0.154	Q–27	12,399	0.285
A–26	5,566	0.128	D–7	6,250	0.143	D–47	4,800	0.110	E–14	6,000	0.138	F–13	4,800	0.110	G–9	4,800	0.110	I–6	6,000	0.138	J–30	5,910	0.136	M–5	6,000	0.138	N–20	6,120	0.140	P–11	7,584	0.174	Q–28	9,774	0.224
B–1	5,996	0.138	D–8	6,250	0.143	D–48	4,800	0.110	E–15	6,000	0.138	F–14	4,800	0.110	G–10	4,800	0.110	I–7	6,000	0.138	J–31	4,800	0.110	M–6	6,000	0.138	N–21	6,120	0.140	P–12	7,593	0.174	Q–29	7,200	0.165
B–2	4,802	0.110	D–9	6,250	0.143	D–49	4,800	0.110	E–16	6,000	0.138	F–15	4,800	0.110	G–11	4,800	0.110	I–8	6,000	0.138	J–32	4,800	0.110	M–7	6,000	0.138	N–22	6,120	0.140	P–13	6,448	0.148	Q–30	7,200	0.165
B–3	4,803	0.110	D–10	6,250	0.143	D–50	5,843	0.134	E–17	6,000	0.138	F–16	4,800	0.110	G–12	4,800	0.110	I–9	6,000	0.138	J–33	4,800	0.110	M–8	6,000	0.138	N–23	6,120	0.140	P–14	6,446	0.148	Q–31	7,200	0.165
B–4	4,804	0.110	D–11	6,250	0.143	D–51	8,494	0.195	E–18	6,000	0.138	F–17	4,800	0.110	G–13	4,800	0.110	I–10	6,000	0.138	J–34	4,800	0.110	M–9	6,000	0.138	N–24	6,120	0.140	P–15	6,444	0.148	Q–32	7,200	0.165
B–5	4,805	0.110	D–12	6,250	0.143	D–52	4,800	0.110	E–19	6,000	0.138	F–18	4,800	0.110	G–14	4,800	0.110	I–11	6,000	0.138	J–35	6,000	0.138	M–10	6,000	0.138	N–25	6,120	0.140	P–16	6,301	0.145	Q–33	7,200	0.165
B–6	4,806	0.110	D–13	6,250	0.143	D–53	4,800	0.110	E–20	6,000	0.138	F–19	4,800	0.110	G–15	4,800	0.110	I–12	6,000	0.138	J–36	5,000	0.115	M–11	6,000	0.138	N–26	6,120	0.140	P–17	6,050	0.139	Q–34	7,800	0.179
B–7	4,807	0.110	D–14	6,250	0.143	D–54	4,800	0.110	E–21	8,433	0.194	F–20	4,800	0.110	G–16	6,210	0.143	I–13	6,000	0.138	J–37	5,000	0.115	M–12	6,000	0.138	N–27	6,120	0.140	P–18	6,050	0.139			
B–8	4,808	0.110	D–15	6,250	0.143	D–55	4,800	0.110	E–22	11,122	0.255	F–21	4,800	0.110	G–17	7,789	0.179	I–14	6,000	0.138	J–38	5,000	0.115	M–13	6,000	0.138	N–28	7,680	0.176	P–19	6,050	0.139			
B–9	4,809	0.110	D–16	6,250	0.143	D–56	4,800	0.110	E–23	6,000	0.138	F–22	4,800	0.110	G–18	6,000	0.138	I–15	6,000	0.138	J–39	5,000	0.115	M–14	6,000	0.138	O–1	9,806	0.225	P–20	6,050	0.139			
B–10	4,810	0.110	D–17	6,250	0.143	D–57	4,800	0.110	E–24	6,000	0.138	F–23	4,800	0.110	G–19	6,000	0.138	I–16	6,000	0.138	J–40	5,000	0.115	M–15	6,975	0.160	O–2	7,421	0.170	P–21	6,050	0.139			
B–11	6,018	0.138	D–18	6,250	0.143	D–58	4,800	0.110	E–25	6,000	0.138	F–24	6,942	0.159	G–20	6,000	0.138	J–1	6,600	0.152	J–41	5,000	0.115	M–16	9,807	0.225	O–3	7,874	0.181	P–22	6,050	0.139			
B–12	6,000	0.138	D–19	6,250	0.143	D–59	4,800	0.110	E–26	6,000	0.138	F–25	8,774	0.201	G–21	6,000	0.138	J–2	6,000	0.138	J–42	5,000	0.115	M–17	9,807	0.225	O–4	8,011	0.184	P–23	7,260	0.167			
B–13	4,800	0.110	D–20	6,250	0.143	D–60	4,800	0.110	E–27	6,000	0.138	F–26	4,800	0.110	G–22	6,000	0.138	J–3	6,000	0.138	J–43	5,000	0.115	M–18	6,308	0.145	O–5	7,855	0.180	Q–1	7,202	0.165			
B–14	4,800	0.110	D–21	6,250	0.143	D–61	4,800	0.110	E–28	6,000	0.138	F–27	4,800	0.110	G–23	6,000	0.138	J–4	6,000	0.138	J–44	5,000	0.115	M–19	6,000	0.138	O–6	7,241	0.166	Q–2	6,000	0.138			

CURVE TABLE						CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD	NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	508.88'	004°52'34"	5979.58'	254.59'	S78°43'31"W	508.72'	C18	243.33'	027°53'01"	500.00'	124.12'	N14°19'29"E	240.94'
C2	51.98'	011°54'47"	250.00'	26.08'	S04°47'44"E	51.89'	C19	276.21'	031°39'07"	500.00'	141.73'	S12°26'26"W	272.72'
C3	128.77'	029°30'44"	250.00'	65.85'	N15°55'02"E	127.35'	C20	13.31'	152°28'22"	5.00'	20.41'	S79°37'19"E	9.71'
C4	278.87'	053°15'34"	300.00'	150.42'	N62°12'33"W	268.93'	C21	14.18'	000°30'55"	1576.31'	7.09'	N01°44'59"E	14.18'
C5	280.76'	053°37'19"	300.00'	151.61'	S62°23'26"E	270.63'	C23	142.86'	163°42'14"	50.00'	349.22'	S46°08'35"W	98.99'
C6	141.42'	032°24'36"	250.00'	72.66'	S17°21'58"W	139.54'	C24	152.26'	025°17'01"	345.03'	77.39'	N76°11'50"W	151.02'
C7	385.99'	073°43'09"	300.00'	224.92'	S15°16'45"W	359.91'	C25	155.58'	178°17'01"	50.00'	3337.69'	S51°06'39"E	99.99'
C8	95.27'	018°11'42"	300.00'	48.04'	N12°28'58"W	94.87'	C26	18.75'	021°29'07"	50.00'	9.49'	N24°57'58"W	18.64'
C9	194.21'	037°05'30"	300.00'	100.65'	N15°09'37"E	190.84'	C27	638.96'	006°16'48"	5829.58'	319.80'	S77°30'05"W	638.64'
C10	222.75'	042°32'34"	300.00'	116.79'	S12°26'05"W	217.67'	C30	309.04'	307°56'31"	57.50'	28.08'	N08°34'58"E	50.47'
C11	81.08'	018°34'59"	250.00'	40.90'	N89°32'43"W	80.73'	C31	151.30'	173°22'30"	50.00'	863.87'	S49°01'09"E	99.83'
C12	42.04'	009°38'06"	250.00'	21.07'	S04°01'09"E	41.99'	C32	134.17'	153°44'32"	50.00'	214.37'	N41°09'44"E	97.39'
C13	24.21'	005°32'57"	250.00'	12.12'	N88°01'26"E	24.20'	C33	142.89'	163°44'23"	50.00'	350.00'	S45°47'54"W	98.99'
C14	41.30'	007°53'14"	300.00'	20.68'	S89°26'30"E	41.26'	C34	142.89'	163°44'23"	50.00'	350.00'	N41°36'53"E	98.99'
C15	88.58'	016°55'01"	300.00'	44.61'	N84°55'37"W	88.26'	C35	143.20'	164°05'29"	50.00'	357.84'	N44°26'29"W	99.04'
C16	248.76'	013°08'55"	1084.00'	124.93'	N06°57'26"E	248.22'	C36	146.18'	167°30'29"	50.00'	456.85'	S43°29'55"W	99.41'
C17	181.75'	013°08'55"	792.00'	91.28'	N06°57'26"E	181.35'							

LINE TABLE		
NO.	BEARING	LENGTH
L1	N10°45'07"W	25.01'
L2	N30°40'24"E	30.00'
L3	S33°34'16"W	30.00'
L4	S00°47'54"W	54.64'
L5	N80°15'13"W	30.00'
L6	S08°50'12"E	25.00'
L7	N85°14'57"E	33.54'
L8	S85°29'53"E	24.38'
L9	N00°22'58"E	25.00'
L10	N80°15'13"W	0.95'
L11	S00°47'54"W	10.52'

LINE TABLE		
NO.	BEARING	LENGTH
L12	S00°47'54"W	7.53'
L14	N86°36'53"E	25.00'
L15	N03°23'07"W	15.94'
L16	N89°37'02"W	14.22'
L17	S03°23'07"E	19.78'
L18	N80°15'13"W	0.95'
L19	N00°47'54"E	7.00'
L20	S88°33'13"E	9.14'
L21	N35°43'55"W	41.56'
L22	N85°14'57"E	4.49'

PRELIMINARY PLAT

ELEVON
PHASES 3 AND 4

472 RESIDENTIAL LOTS
13 OPEN SPACE LOTS
485 TOTAL LOTS
PART OF ABSTON HILLS
MUNICIPAL UTILITY DISTRICT NO. 1A

BEING 139.067 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

MA LAVON 292, LLC — OWNER
15443 Knoll Trail Drive, Suite 130
Dallas, TX 75248
(972) 715–5449

D.R. HORTON–TEXAS, LTD — APPLICANT/DEVELOPER
4306 Miller Road, Suite A
Rowlett, Texas 75008
(214) 607–4244
(817) 928–6139 FAX

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact
(972) 248–7676
TBPE No. F–438 TBPLS No. 10076000

Date: June 28, 2021

Sheet 4 of 5

Drawing: H:\Projects\MAT031–Abston Hills Section 1\Phase 3 & 4\Surveying\dwg\XMAT031–ppt(phases 3 and 4).dwg Saved By: mgarcia Save Time: 6/25/2021 4:48 PM
Plotted by: mgarcia Plot Date: 6/28/2021 9:38 AM

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 291.068 acre tract of land described in deed to MA Lavon 292, LLC as recorded in Document Number 20201221002291470, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one–half inch iron rod found with yellow cap stamped "JBI" found at the southwest corner of said 291.068 acre tract, said point being the southeast corner of that called 200.9089 acre tract of land described in deed to LDC Lavon, LLC as recorded in Document Number 20180821001049570, 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 along the common lines of said 291.068 acre tract and said 200.9089 acre tract as follows:
North 01 degrees 09 minutes 40 seconds East, 2043.46 to a one–half inch iron rod found for corner;
South 88 degrees 52 minutes 29 seconds East, 870.70 feet to a one–half inch iron rod with cap stamped "PJB" found for corner, said point also being the most southerly southwest corner of that called 98.843 acre tract of land described in deed to D.R. Horton – Texas, LTD. as recorded in Document Number 20201221002299650, Official Public Records of Collin County, Texas;

THENCE South 88 degrees 59 minutes 30 seconds East, at 403.79 feet passing a one–half inch iron rod found with yellow cap stamped "JBI" found at the most southerly southeast corner of said 98.843 acre tract, in all a total distance of 1,030.62 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 09 minutes 24 seconds East, 36.34 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 48 minutes 02 seconds West, 103.71 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 88 degrees 33 minutes 13 seconds East, 1,811.81 feet to a one–half inch iron rod found for corner, said point being in the east line of said 291.068 acre tract, said point being the southeast corner of that called 5.4259 acre tract of land described in deed to Amber L. Huck as recorded in Document Number 20061010001464130, Official Public Records of Collin County, Texas, said point also being in the west line of that called Tract 1–41.79 acres described in deed to Bank Site Acquisition Corporation as recorded in Document Number 20060221000229620, Official Public Records of Collin County, Texas;

THENCE South 01 degrees 36 minutes 16 seconds West, 1233.42 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 291.068 acre tract, said point being the southwest corner of said 41.79 acre tract, said point also being in the north right–of–way line of said Northeast Texas Rural Rail Transportation District;

THENCE along the south line of said 291.068 acre tract and along the north right–of–way line of said Northeast Texas Rural Rail Transportation District as follows:
South 81 degrees 09 minutes 48 seconds West, 3106.16 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southwesterly, 701.23 feet along a curve to the left having a central angle of 06 degrees 57 minutes 06 seconds, a radius of 5779.58 feet, a tangent of 351.04 feet, and whose chord bears South 77 degrees 41 minutes 15 seconds West, 700.80 feet to the POINT OF BEGINNING and containing 6,081,286 square feet or 139.067 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83).

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That MA LAVON 292, LLC, acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON, PHASE 3 AND 4,** an addition to the City of Lavon ETJ, Collin County, Texas, and does hereby dedicate to Abston Hills Municipal Utility District No. 1–A, in fee simple, the streets and public use areas shown hereon, and does hereby dedicate the easements shown hereon for the purposes indicated to exclusive use forever of The District, 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. At the discretion of The District and subject to it's written approval, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to The District use thereof. Any public utility given the right by The District to use said easements 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. Any public utility shall at all times have the right of ingress and egress to and from and upon any 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 procuring the permission of anyone. I do hereby bind myself, my successors and assigns to forever warrant and defend all and singular the above described streets, easements and rights unto The District against every person whomsoever comes lawfully claiming or to claim the same or any part thereof. This property is located within The City of Lavon Extra–Territorial Jurisdiction. This plat approval is subject to all the platting ordinances, rules and regulations of the City of Lavon ETJ, Collin County, Texas.

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 Abston Hills Municipal Utility District No. 1–A, City of Lavon, or BCSUD, forever for purposes indicated on this plat.
3. The Abston Hills Municipal Utility District No. 1–A, 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 and Abston Hills Municipal Utility District No. 1–A, City of Lavon, and BCSUD.
5. The Abston Hills Municipal Utility District No. 1–A, 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 Abston Hills Municipal Utility District No. 1–A, 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 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, Texas.

WITNESS MY HAND THIS _____ DAY OF _____, 2021.

BY: _____
John Marlin
an Authorized Agent for MA LAVON 292, LLC

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 _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she 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 _____, 2021.

_____
Notary Signature

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's ETJ.

Dated this the _____ day of _____, 2021.

"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
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

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 _____, 2021.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC
STATE OF TEXAS
ROSA M. GARCIA
Notary ID 124892205
Expires April 13, 2024

"Recommended For Approval"

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

"Approved For Preparation of Final Plat"

_____ _____
Mayor Date
City of Lavon,
Collin County, Texas

PRELIMINARY PLAT
ELEVON
PHASES 3 AND 4

472 RESIDENTIAL LOTS
13 OPEN SPACE LOTS
485 TOTAL LOTS
PART OF ABSTON HILLS
MUNICIPAL UTILITY DISTRICT NO. 1A

BEING 139.067 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,
CITY OF LAVON ETJ,
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MA LAVON 292, LLC — **OWNER**
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JBI PARTNERS, INC. — **SURVEYOR/ENGINEER**
2121 Midway Road, Suite 300
Carrollton, Texas 75006
Contact
(972) 248–7676
TBPE No. F–438 TBPLS No. 10076000

Date: June 28, 2021

Plotted by: mgarcia Plot Date: 6/28/2021 9:38 AM
Save Time: 6/25/2021 4:48 PM
Drawing: H:\Projects\MAT031–Abston Hills Section 1\Phase 3 & 4\Surveying\dwg\XMAT031–pp1(phases 3 and 4).dwg Saved By: mgarcia

August 17, 2023

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

Re: Elevon Section 1, Phase 3, 175 Lots, 1 School Lot, 8 HOA open space, 79.184 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated August 16, 2023 as prepared by JBI Partners, Inc. for the above referenced property. Revised Engineering Plans have not been provided for review. The property is generally located south of Elevon Section 1, Phase 2C and east of Phase 4. The property is within the City's ETJ and is part of Elevon MUD #1-A. Our comments are as follows:

Final Plat

1. All comments have been satisfactorily addressed.

This concludes our review of the above-referenced revised Final Plat. We recommend APPROVAL of the Final Plat by the P&Z subject to Engineers review of the revised Engineering Plans.

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.

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, Daniel Dewey, P.E.

F:\17024 - LAV General Servies\9 - Review\Elevon\Phase 3-4\Phase 3\Sect 1 Ph 3 - Final Plat - Rev 1.docx

August 16th, 2023

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

Re: Elevon Section 1, Phase 3, 175 Lots, 1 School Lot, 8 HOA open space, 79.184 Acres Final Plat

Dear Ms. Dobbs

JBI Partners received your comments via email form on August 10, 2023 from Mark Hill at Freeman-Millican, Inc. for the first submittal review of the Elevon Phase 3 final plat and engineering plans. We have addressed the comments and are resubmitting the final plat for review and approval. We are continuing to work on the engineering comments and will be submitting the civil plans along with the updated creek flood study in the coming days.
Below is a summary of how each of the final plat comments were addressed.

Final Plat

1. We recommend a street name change for the east-west section of Scenic Spark Lane since there are 2 lots on this street that are not connected to the remainder of the lots.
   We have replaced the street name with Charming Trails Way.

2. A street name change symbol should be shown at the end of Hart Leaf Lane.
   The street name change symbol is now shown.

3. Sanitary sewer easements should be provided for all sanitary sewer lines.
   Note #7 has been added to the plat stating that all right-of-way is dedicated sanitary sewer easement to the City of Lavon.

4. Several of the notes provided do not appear to be applicable.
   The notes have been revised. Some of the notes were previously shown on the preliminary plat and are no longer applicable so we have removed them.

5. The lot count in the title block does not appear to be correct.
   The lot count has been corrected.

6. The floodplain limits in the drawing do not match those shown in the Legend.
   The floodplain limits that were previously shown at the bottom of the page were for the creek in Section 2 and therefore have been removed from this plat. We are working on finalizing the creek flood study for this phase and will be adding the pre and post floodplain limits to the plat once the study has been completed. The H&H group working on updating the study has confirmed that they will have it completed by next week.

7. Curve data differs between the drawing (table) and the written description.
   The curve data in the written description has been corrected.

8. The Dedication Statement references Abston Hills MUD 1A. The title block refences Elevon MUD 1A. This should be corrected.
   The dedication statement has been corrected to Elevon Municipal Utility District No. 1-A.

9. A note should be added regarding the responsibility of repair and maintenance of retaining walls.
   Note #6 has been added to sheet 1 detailing the responsibilities regarding the ownership and maintenance of retaining walls.

If you have any questions, or require additional information regarding this submittal, please contact me at (972) 738-0243.

Thank you,

Daniel Dewey
Daniel Dewey, PE
JBI Partners, Inc.

August 10, 2023

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

Re: Elevon Section 1, Phase 3, 175 Lots, 1 School Lot, 8 HOA open space, 79.184 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the Final Plat and Engineering Plans dated July 14, 2023 and revised storm sewer plans dated August 9, 2023 as prepared by JBI Partners, Inc. for the above referenced property. The property is generally located south of Elevon Section 1, Phase 2C and east of Phase 4. The property is within the City's ETJ and is part of Elevon MUD #1-A. Our comments are as follows:

Final Plat

1. We recommend a street name change for the east-we3st section of Scenic Spark Lane since there are 2 lots on this street that are not connected to the remainder of the lots.

2. A street name change symbol should be shown at the end of Hart Leaf Lane.

3. Sanitary sewer easements should be provided for all sanitary sewer lines.

4. Several of the notes provided do not appear to be applicable.

5. The lot count in the title block does not appear to be correct.

6. The flood plain limits in the drawing do not match those shown in the Legend.

7. Curve data differs between the drawing (table) and the written description.

8. The Dedication Statement references Abston Hills MUD 1A. The title block refences Elevon MUD 1A. This should be corrected.

9. A note should be added regarding the responsibility of repair and maintenance of retaining walls.

CIVIL PLANS

10. Sheets 1.01 & 1.02 – A "Future 8' Trail" is identified. Please indicate when this will be constructed.

11. Sheet 1.01 – The street crosses the existing NTMWD water easement and pipeline. A copy of the NTMWD easement/Approval should be provided to the City for its records.

12. Sheet 1.04 – Recommend changing street name (see Plat comment above).

13. Sheet 1.12 – Rosy Dash Trail should extend to the property line/Phase 3 limits.

14. Sheets 1.13, 1.14, 6.01 & 6.02 – A note should be added that states that “Water Valves shall not be located within any curb ramp, including ramp, landing and side flares” or similar. The Engineer should verify and modify as necessary any valves that do not meet this requirement.

15. Sheet 2.07 – Note 3 should include repair and maintenance responsibility of retaining walls.

16. Drainage – An updated flood study is to be provided to reflect current grading and flows for this area.

17. Drainage – A post check was performed and a couple of discrepancies between the calculations and drawings has been observed. This should be corrected. Attached sheets should not be construed as a comprehensive markup.

18. Drainage – 100-year flood elevations should be shown at all outfalls. The HGL should be shown for all pipelines.

19. Sheet 7.00 – A detail should be provided for the service connections to the existing sanitary sewer.

20. Sanitary Sewer Sheets – A note should be added to stating “All drop manhole connections shall be internal drops and shall conform to City of Lavon standard Detail 4, Sheet DS-SS1”.

21. Sanitary Sewer Sheets – All drop connection notes should include “INTERNAL”.

22. Sheet 8.01 – The mail boxes shown in the legend are not shown in the drawing. A note should be added that a light will be located at each mail box location and drawings should correspond.

This concludes our review of the above-referenced Final Plat and Engineering Plans. A copy of the Final Plat and Engineering Plans, 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.

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, Daniel Dewey, P.E.

F:\17024 - LAV General Servies\9 - Review\Elevon\Phase 3-4\Phase 3\Sect 1 Ph 3 - Final Plat - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - G**

Item:

Discussion and action regarding the final plat of the Elevon, Section 2, Phase 2E Addition consisting of 263 residential lots and 4 open space lots on 56.659 acres of land situated in the Samuel M. Rainer Survey, A-740, northeast of the intersection of Elevon Parkway and Dewy Lake Place, Lavon, Collin County, TX (CCAD Property IDs 2850234 and 2850237).

Application Information

Owner(s): GRBK Edgewood LLC
UMH Development LLC

Applicant: JBI Partners

Location: Northeast of the intersection of Elevon Parkway and Dewy Lake Place.

Description: A 56.659-acre tract of land in the Samuel M. Rainer Survey, Abstract No. 740, Lavon, Collin County, TX, (CCAD Property IDs 2850234 and 2850237).

Current Zoning: Planned Development – PD

Request: Final Plat

Request Details

The applicant is seeking approval of a final plat of the Elevon Addition, Section 2, Phase 2E, a residential section of a mixed use planned development. The proposed addition consists of 263 residential lots and 4 open space tracts on 56.659 acres.

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 – 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.

On September 7, 2021, the City Council approved the preliminary plat of the Elevon Addition, Section 2, Phases 2A-2E consisting of 1,389 residential lots and 37 HOA open space lots on 377.258 acres of land. At such time the development was situated in the extraterritorial jurisdiction of the city and was subject to an approved development agreement. On February 15, 2022, the City Council approved the voluntary annexation of the 377.258 acres and approved a Planned Development Zoning District for the Elevon, Section 2, Phases 2A-2E property.

The final plat conforms to the approved zoning and preliminary plat.

The proposed development takes access from CR 541 and from future Elevon Parkway that is to be constructed concurrently with the addition. Elevon Parkway will connect to SH 78 and to Noble Grove which will connect to CR 541. A Traffic Impact Analysis (TIA) has been prepared and improvements will be constructed as prescribed by the TIA and as approved by the city engineer.

The development will provide for the extension of public infrastructure systems for water, sanitary sewer, and trails. The development agreement outlines specific public infrastructure requirements related to the development and the proposed engineering plans are consistent with the development agreement obligations.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE ELEVON, SECTION 2, PHASE 2E ADDITION CONSISTING OF 263 RESIDENTIAL LOTS AND 4 OPEN SPACE LOTS ON 56.659 ACRES OF LAND SITUATED IN THE SAMUEL M. RAINER SURVEY, A-740, NORTHEAST OF THE INTERSECTION OF ELEVON PARKWAY AND DEWY LAKE PLACE, LAVON, COLLIN COUNTY, TX SUBJECT TO THE CITY ENGINEER'S APPROVAL.
MOTION MADE: NABORS
SECONDED: JACOBS
APPROVED: UNANIMOUS

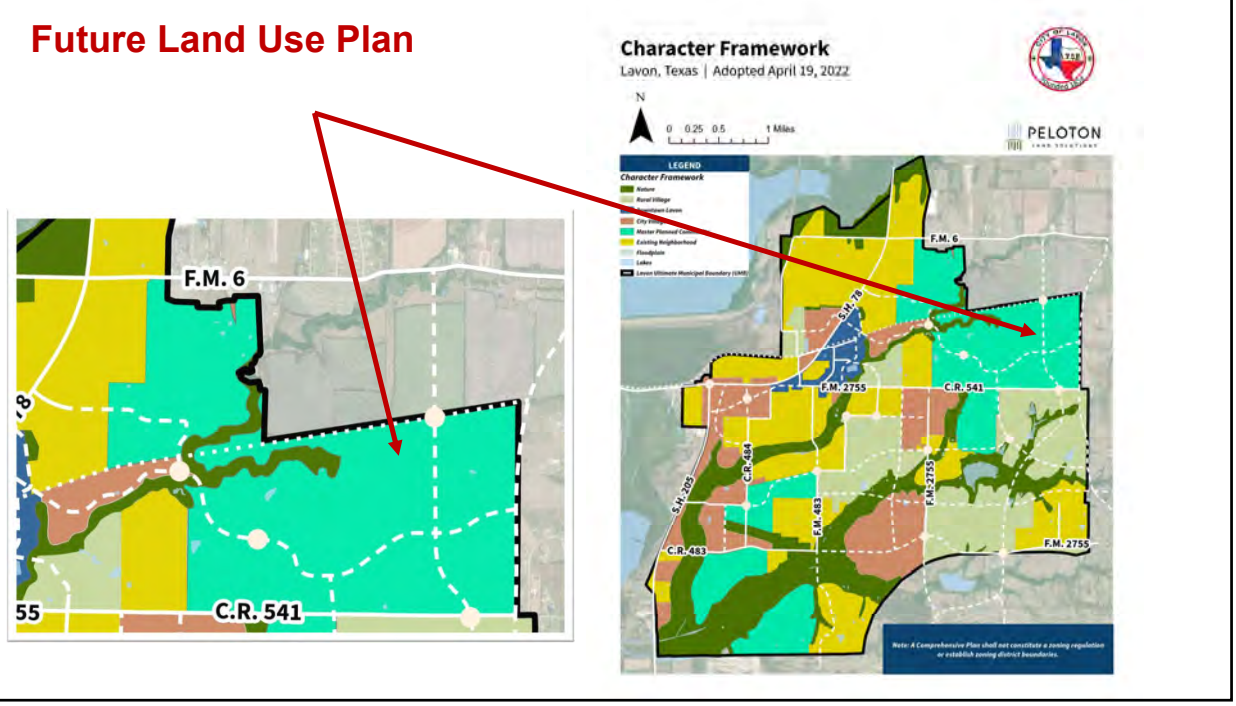
Staff Notes:

The proposed final plat and construction plans were reviewed by the staff development review committee and the City Engineer. The final plat generally meets the technical requirements and complies with the zoning and subdivision regulations.

Approval is recommended subject to satisfaction of the City Engineer's final approval and compliance with the items noted in the City Engineer's August 17, 2023 letter.

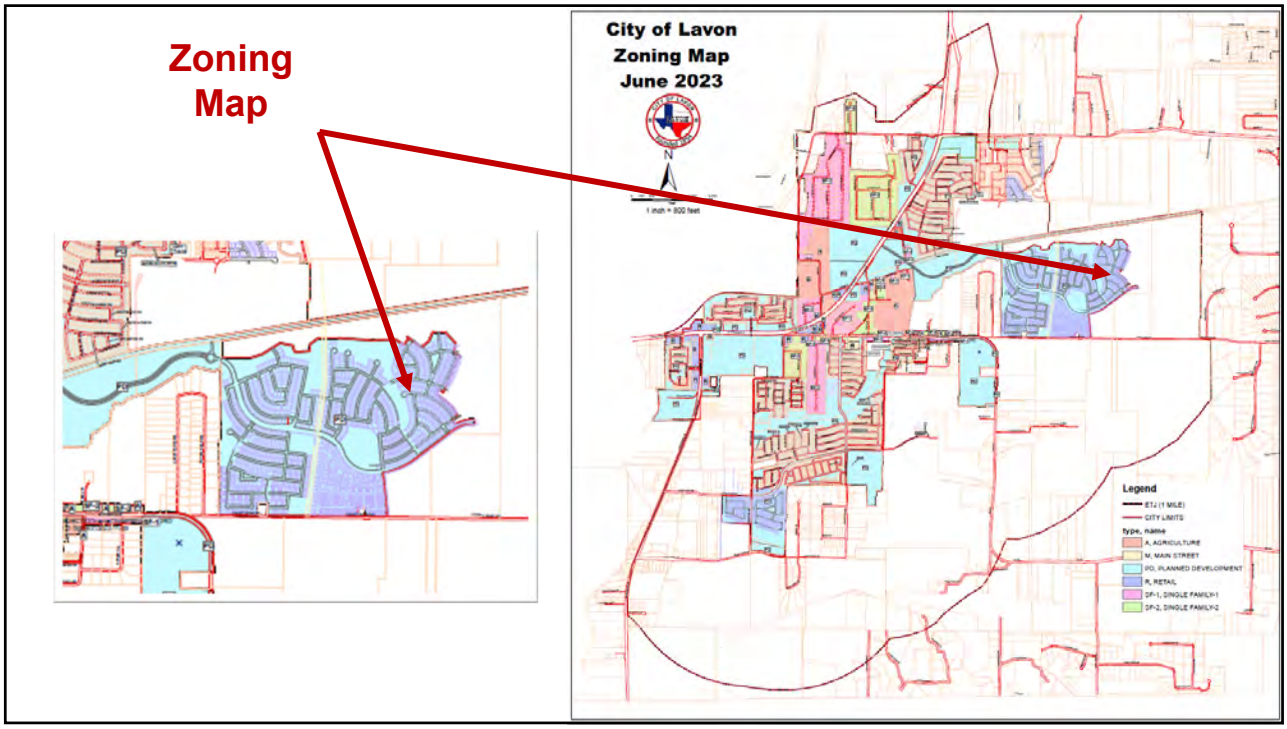
Attachments:
1. Location Exhibits
2. Application and Final Plat
3. Engineer Correspondence

Future Land Use Plan



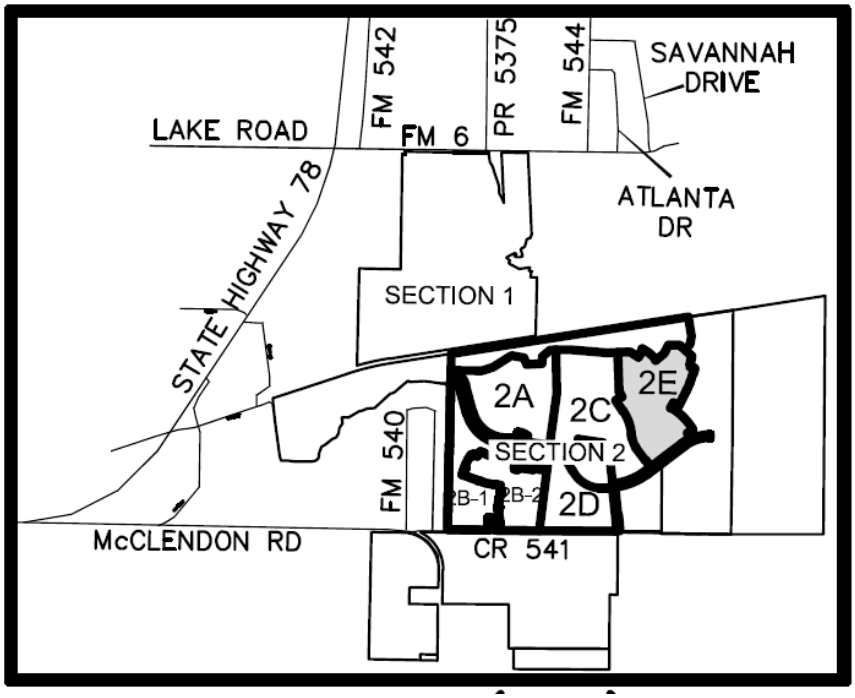
20

Zoning Map



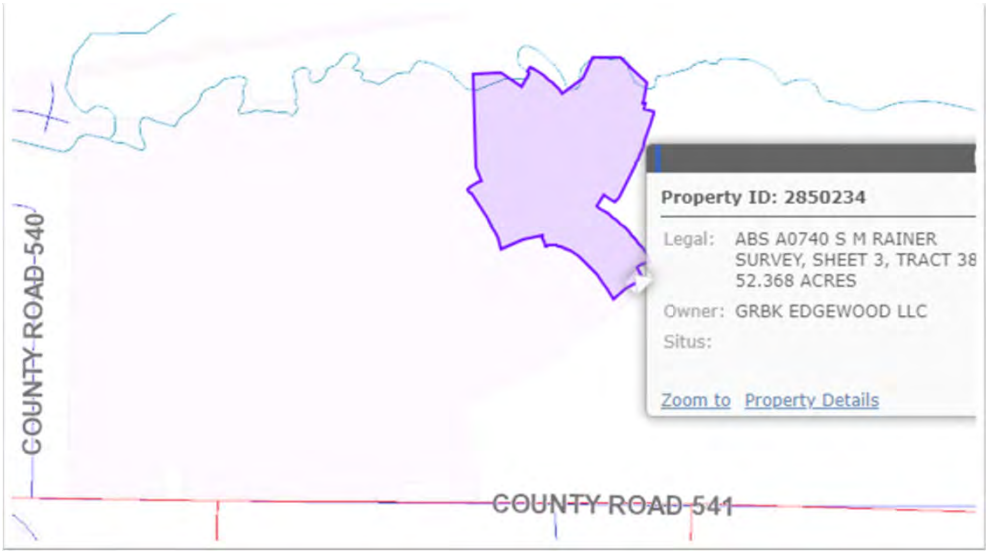
21

Elevon, Section 2 Phase 2E Location Exhibit



22

Elevon, Section 2 Phase 2E Location Exhibit



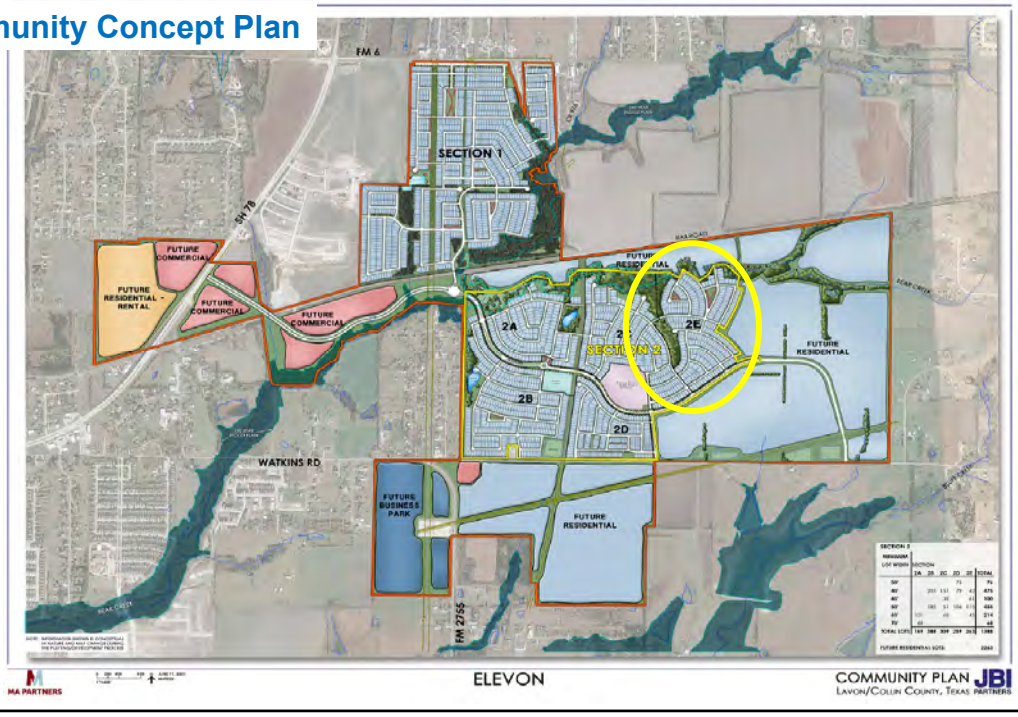
23

Elevon, Section 2 Phase 2E Location Exhibit



24

Elevon Community Concept Plan



25

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:	JBI PARTNERS	Name:	GRBK EDGEWOOD LLC
Address:	2121 Midway Road, Suite 300	Address:	2805 Dallas Parkway, Suite 400
City/State/Zip:	Carrollton/TX/75007	City/State/Zip:	Plano/TX/75093
Phone #:	972.738.0243	Phone #	469-573-6755
Fax #:		Fax #	
Authorized Person:	Daniel Dewey, P.E.	Authorized Person:	Brian Hunnicutt

Type of Submission	Date
☐ Preliminary Plat	
☒ Final Plat (Elevon Section 2, Phase 2E)	
☐ Re-Submittal	
☒ Construction Plans (Elevon Section 2, Phase 2E)	
☐ 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) (Via MyGov)
- ☒ (one) PDF construction plans (can be included on plat CD) (Via MyGov)

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:
Daniel Dewey		05-15-23

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.

Authorization of Representation

Date: 5.11.23

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, Brian Hunnicutt, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize JBI PARTNERS 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 Brian Hunnicutt,
on this the 11 day of May, 2023.

KRISTY LYN CHANDLER
Notary ID #129770238
My Commission Expires
April 1, 2026
(Notary Seal)

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.

Declaration of Ownership

Date: 5.11.23

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, Brian Hunnicutt, 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 Collin

Before me, the undersigned authority, appeared Brian Hunnicutt,
on this the 11 day of May, 2023

(notary seal)

KRISTY LYN CHANDLER
Notary ID #129770238
My Commission Expires
April 1, 2026

Notary Public in and for Collin County, Texas

TO: City of Lavon

I desire to extend the 30-day period set out in the Texas Local Government Code Section 212.009 for plat approval.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL. (a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section 212.0101, the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

The City did not request or require this waiver. The Applicant submits it voluntarily and acknowledges the City is in compliance with Section 212.0097.

Sec. 212.0097. APPROVAL PROCEDURE: WAIVER PROHIBITED. A municipal authority responsible for approving plats or the governing body of a municipality may not request or require an applicant to waive a deadline or other approval procedure under this subchapter.

Application: Elevon Section 2, Phase 2E

Signed: _____

Date: 5.11.23

Received: _____

Date: _____

LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	100 YR PRE-FULLY DEVELOPED

CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	31.96'	002°42'45"	675.00'	15.98'	S74°24'18"W	31.95'
C2	122.12'	005°07'33"	1365.00'	61.10'	N56°52'18"W	122.08'
C3	118.08'	006°19'23"	1070.00'	59.10'	S67°30'37"W	118.02'
C4	488.35'	034°58'31"	800.00'	252.05'	S82°45'55"W	480.80'
C5	106.42'	007°37'18"	800.00'	53.29'	S03°47'55"E	106.34'
C6	74.59'	008°32'51"	500.00'	37.37'	N14°31'37"E	74.52'
C7	174.50'	007°45'02"	1290.00'	87.39'	N22°40'33"E	174.37'
C8	822.88'	033°55'08"	1390.00'	423.89'	N71°16'05"W	810.91'
C9	228.75'	018°43'26"	700.00'	115.41'	S82°24'38"W	227.74'
C10	577.67'	064°53'54"	510.00'	324.27'	N24°52'21"W	547.28'
C11	275.91'	019°45'37"	800.00'	139.34'	S22°47'54"W	274.54'
C12	163.73'	009°28'32"	990.00'	82.05'	S88°10'57"W	163.54'
C13	85.45'	016°19'08"	300.00'	43.01'	N84°45'39"E	85.16'
C14	135.27'	007°45'02"	1000.00'	67.74'	N22°40'33"E	135.17'
C15	115.24'	026°24'36"	250.00'	58.66'	N05°35'44"E	114.22'
C16	366.78'	025°56'39"	810.00'	186.59'	N50°03'28"W	363.65'
C17	196.16'	037°27'48"	300.00'	101.73'	N81°45'41"W	192.68'
C18	384.45'	055°04'06"	400.00'	208.53'	N25°22'49"E	369.82'
C19	268.33'	043°55'33"	350.00'	141.15'	N59°02'55"W	261.80'
C20	189.28'	010°50'41"	1000.00'	94.92'	N07°34'34"W	188.99'
C21	164.98'	018°54'20"	500.00'	83.25'	S03°32'45"E	164.23'
C22	981.86'	051°08'31"	1100.00'	526.35'	N62°39'24"W	949.58'
C23	339.36'	017°45'26"	1095.00'	171.05'	S61°47'35"W	338.01'
C24	28.26'	154°12'11"	10.50'	45.85'	S76°20'50"E	20.47'
C25	1139.21'	081°35'24"	800.00'	690.42'	N22°41'16"W	1045.37'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N52°54'52"E	27.50'
L2	N37°05'08"W	50.00'
L3	S52°54'52"W	32.50'
L4	N52°54'52"E	56.45'
L5	N37°05'08"W	50.00'
L6	S52°54'52"W	56.45'
L7	N52°22'27"E	71.03'
L8	N42°16'27"E	57.61'
L9	N29°18'06"E	57.61'
L10	N16°19'44"E	57.61'
L11	N03°22'36"E	57.79'
L12	N02°13'13"W	59.87'
L13	N04°52'17"W	59.29'
L14	N08°50'44"W	59.29'
L15	N12°24'54"W	59.96'
L16	N12°11'37"W	71.80'
L17	N06°18'41"W	78.36'
L18	N00°39'12"E	78.36'
L19	N05°39'30"E	71.04'
L20	N88°13'39"W	19.41'
L21	N15°22'05"E	55.91'
L22	N18°41'20"E	55.91'
L23	N22°04'45"E	55.91'
L24	N25°28'10"E	55.91'
L25	N28°51'35"E	55.91'
L26	N31°37'00"E	35.02'

LINE TABLE		
NO.	BEARING	LENGTH
L27	N32°40'43"E	69.39'
L28	S57°19'17"E	120.00'
L29	N15°53'22"W	13.34'
L30	N63°02'13"W	12.06'
L31	N26°31'02"E	50.00'
L32	S79°44'49"E	15.14'
L33	S10°15'11"W	50.00'
L34	S79°44'49"E	91.32'
L35	S10°15'11"W	24.19'
L36	S11°36'37"W	30.55'
L37	S15°16'59"W	51.07'
L38	S17°59'18"W	14.58'
L39	S19°49'03"W	50.93'
L40	S21°41'34"W	42.99'
L41	S23°24'34"W	42.99'
L42	S25°07'34"W	42.99'
L43	S26°16'04"W	14.20'
L44	S35°41'29"W	50.00'
L45	S30°33'56"W	120.15'
L46	S60°06'27"E	9.84'
L47	S57°51'21"E	48.93'
L48	S55°35'59"E	48.93'
L49	S53°34'53"E	48.93'
L50	S51°29'01"E	48.94'
L51	S49°23'06"E	48.96'
L52	S47°17'09"E	48.98'

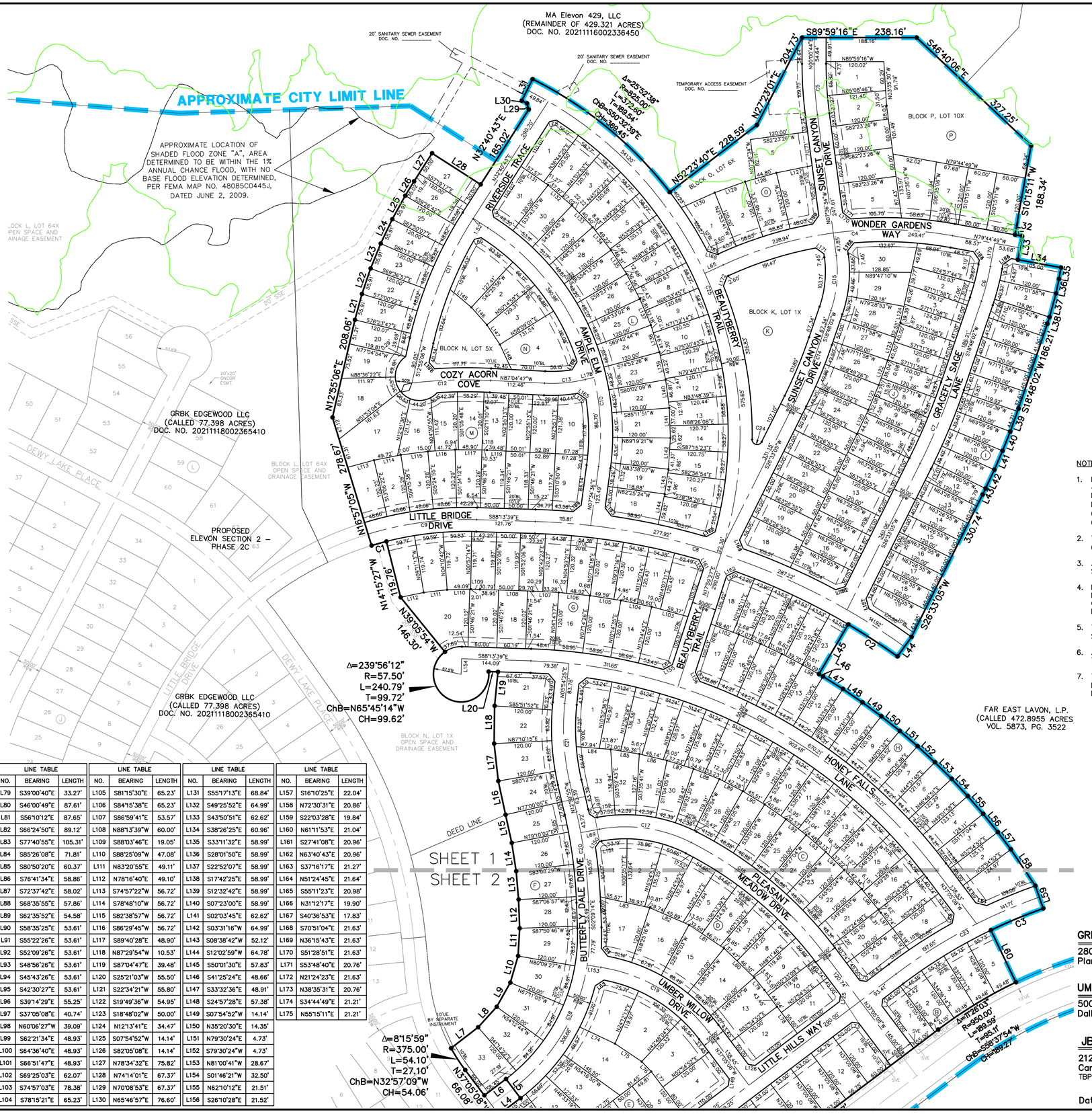
LINE TABLE		
NO.	BEARING	LENGTH
L53	S45°11'07"E	49.01'
L54	S43°05'01"E	49.04'
L55	S40°58'50"E	49.08'
L56	S38°53'17"E	48.54'
L57	S36°52'59"E	45.00'
L58	S33°57'44"E	91.25'
L59	S19°19'42"E	50.00'
L60	S25°39'05"E	120.00'
L61	S76°11'18"E	23.28'
L62	N12°07'44"E	19.60'
L63	N56°30'36"E	21.89'
L64	S37°55'03"E	22.11'
L65	N65°16'40"E	42.22'
L66	N76°16'45"E	13.97'
L67	S12°38'53"E	14.06'
L68	N77°26'53"E	14.20'
L69	S79°30'24"W	39.42'
L70	S82°05'08"E	14.14'
L71	S56°19'41"E	14.35'
L72	S07°54'52"W	14.14'
L73	S82°05'08"E	14.14'
L74	N64°50'19"W	80.93'
L75	S56°05'24"E	67.02'
L76	N43°46'51"W	28.77'
L77	S37°05'08"E	40.00'
L78	S37°05'08"E	70.00'

LINE TABLE		
NO.	BEARING	LENGTH
L79	S39°00'40"E	33.27'
L80	S46°00'49"E	87.61'
L81	S56°10'12"E	87.65'
L82	S66°24'50"E	89.12'
L83	S77°40'55"E	105.31'
L84	S85°26'08"E	71.81'
L85	S80°50'20"E	60.37'
L86	S76°41'34"E	58.86'
L87	S72°37'42"E	58.02'
L88	S68°35'55"E	57.86'
L89	S62°35'52"E	54.58'
L90	S58°35'25"E	53.61'
L91	S55°22'26"E	53.61'
L92	S52°09'26"E	53.61'
L93	S48°56'26"E	53.61'
L94	S45°43'26"E	53.61'
L95	S42°30'27"E	53.61'
L96	S39°14'29"E	55.25'
L97	S37°05'08"E	40.74'
L98	N60°06'27"W	39.09'
L99	S62°21'34"E	48.93'
L100	S64°36'40"E	48.93'
L101	S66°51'47"E	48.93'
L102	S69°25'03"E	62.07'
L103	S74°57'03"E	78.38'
L104	S78°15'21"E	65.23'

LINE TABLE		
NO.	BEARING	LENGTH
L105	S81°15'30"E	65.23'
L106	S84°15'38"E	65.23'
L107	S86°59'41"E	53.57'
L108	N88°13'39"W	60.00'
L109	S88°03'46"E	19.05'
L110	S88°25'09"W	47.08'
L111	N83°20'55"E	49.11'
L112	N78°16'40"E	49.10'
L113	S74°57'22"W	56.72'
L114	S78°48'10"W	56.72'
L115	S82°38'57"W	56.72'
L116	S86°29'45"W	56.72'
L117	S89°40'28"E	48.90'
L118	N87°29'54"W	10.53'
L119	S87°04'47"E	39.48'
L120	S25°21'03"W	55.50'
L121	S22°34'21"W	55.80'
L122	S19°49'36"W	54.95'
L123	S18°48'02"W	50.00'
L124	N12°13'41"E	34.47'
L125	S07°54'52"W	14.14'
L126	S82°05'08"E	14.14'
L127	N78°34'32"E	75.82'
L128	N74°14'01"E	67.37'
L129	N70°08'53"E	67.37'
L130	N65°46'57"E	76.60'

LINE TABLE		
NO.	BEARING	LENGTH
L131	S55°17'13"E	68.84'
L132	S49°25'52"E	64.99'
L133	S43°50'51"E	62.62'
L134	S38°26'25"E	60.96'
L135	S33°11'32"E	58.99'
L136	S28°01'50"E	58.99'
L137	S22°52'07"E	58.99'
L138	S17°42'25"E	58.99'
L139	S12°32'42"E	58.99'
L140	S07°23'00"E	58.99'
L141	S02°03'45"E	62.62'
L142	S03°31'16"W	64.99'
L143	S08°38'42"W	52.12'
L144	S12°02'59"W	64.78'
L145	S50°01'30"E	57.83'
L146	S41°25'24"E	48.66'
L147	S33°32'36"E	48.91'
L148	S24°57'28"E	57.38'
L149	S07°54'52"W	14.14'
L150	N35°20'30"E	14.35'
L151	N79°30'24"E	4.73'
L152	S79°30'24"W	4.73'
L153	N81°00'41"W	28.67'
L154	S01°46'21"W	32.50'
L155	N62°10'12"E	21.51'
L156	S26°10'28"E	21.52'

LINE TABLE		
NO.	BEARING	LENGTH
L157	S16°10'25"E	22.04'
L158	N72°30'31"E	20.86'
L159	S22°03'28"E	19.84'
L160	N61°11'53"E	21.04'
L161	S27°41'08"E	20.96'
L162	N63°40'43"E	20.96'
L163	S37°16'17"E	21.27'
L164	N51°24'45"E	21.64'
L165	S55°11'23"E	20.98'
L166	N31°12'17"E	19.90'
L167	S40°36'53"E	17.83'
L168	S70°51'04"E	21.63'
L169	N36°15'43"E	21.63'
L170	S51°28'51"E	21.63'
L171	S53°48'40"E	20.76'
L172	N21°24'23"E	21.63'
L173	N38°35'31"E	20.76'
L174	S34°44'49"E	21.21'
L175	N55°15'11"E	21.21'



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. ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY
4. RETAINING WALLS ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNER. RETAINING WALLS ARE TO BE CONSTRUCTED ON THE LOT OF THE HIGH SIDE. RETAINING WALLS BELOW A HOA SCREEN WALL WILL BE OWNED AND MAINTAINED BY THE HOA
5. THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BCSUD).
6. ALL STREET SIGNS AND POST WILL BE OWNED AND MAINTAINED BY THE HOA.
7. THE FOLLOWING LOT IS TO BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION: BLOCK K, LOT 1X; BLOCK N, LOT 5X; BLOCK O, LOT 6X; BLOCK P, LOT 10X.

FINAL PLAT

ELEVON SECTION 2 PHASE 2E

263 RESIDENTIAL LOTS
4 HOA OPEN SPACE LOTS
267 TOTAL LOTS

BEING 56.659 ACRES OUT OF THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON, COLLIN COUNTY, TEXAS

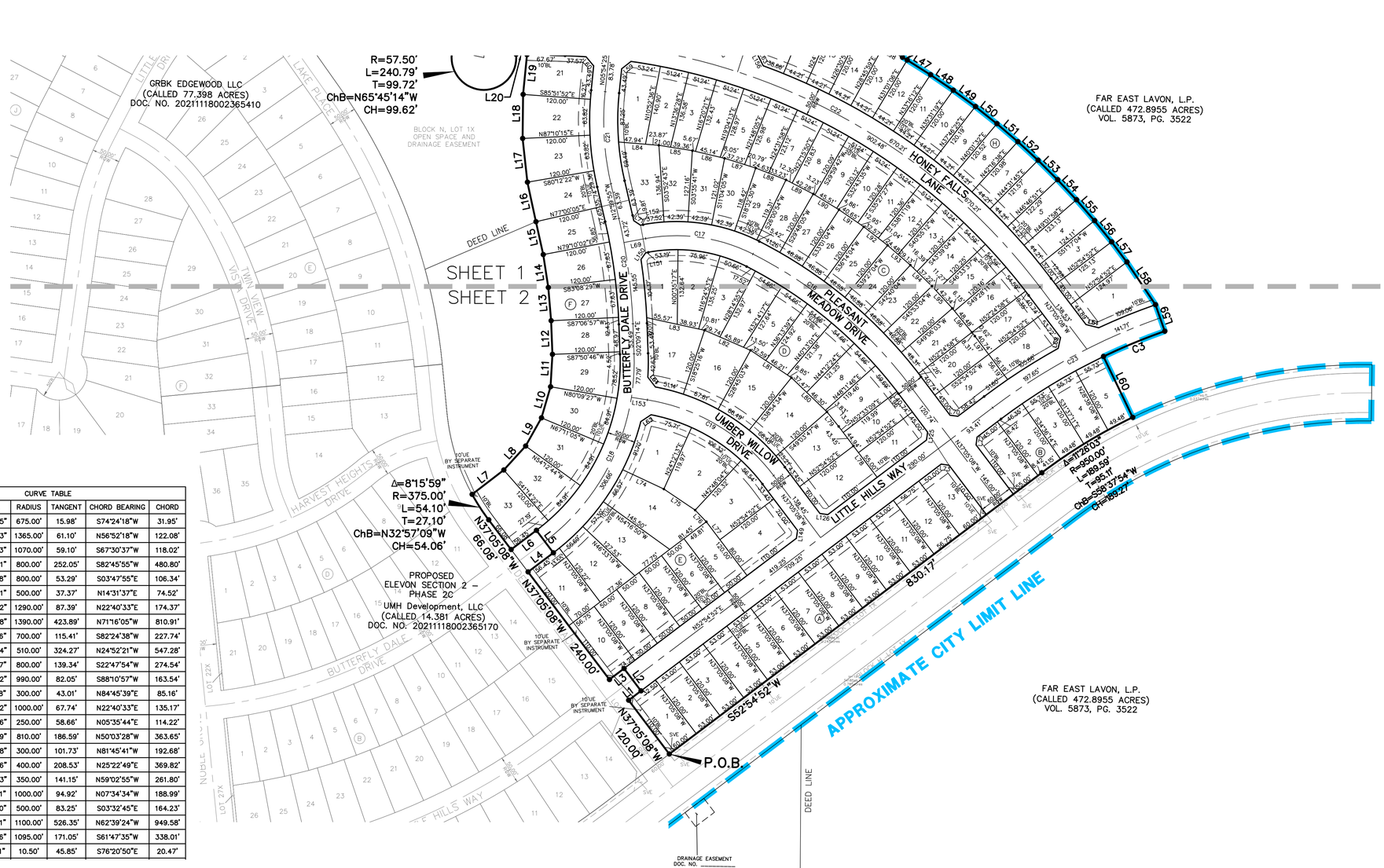
GRBK EDGEWOOD LLC — OWNER/DEVELOPER
2805 Dallas Parkway, Suite 400
Plano, Texas 75093
(469) 573-6755

UMH Development, LLC — OWNER/DEVELOPER
5001 LBJ Freeway, Suite 450
Dallas, Texas 75244
(972) 231-8200

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 03, 2023

Plotted by: mgarcia Plot Date: 8/11/2023 12:12 PM
Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\MAT029-PH2E-PT.dwg Saved By: mgarcia Save Time: 8/10/2023 4:11 PM





VICINITY MAP (N.T.S.)

NORTH

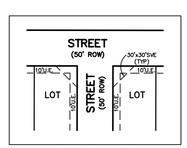
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	31.96'	002°42'45"	675.00'	15.98'	S74°24'18"W	31.95'
C2	122.12'	005°07'33"	1365.00'	61.10'	N56°52'18"W	122.08'
C3	118.08'	006°19'23"	1070.00'	59.10'	S67°30'37"W	118.02'
C4	488.35'	034°58'31"	800.00'	252.05'	S82°45'55"W	480.80'
C5	106.42'	007°37'18"	800.00'	53.29'	S03°47'55"E	106.34'
C6	74.59'	008°32'51"	500.00'	37.37'	N14°31'37"E	74.52'
C7	174.50'	007°45'02"	1290.00'	87.39'	N22°40'33"E	174.37'
C8	822.88'	033°55'08"	1390.00'	423.89'	N71°16'05"W	810.91'
C9	228.75'	018°43'26"	700.00'	115.41'	S82°24'38"W	227.74'
C10	577.67'	064°53'54"	510.00'	324.27'	N24°52'21"W	547.28'
C11	275.91'	019°45'37"	800.00'	139.34'	S22°47'54"W	274.54'
C12	163.73'	009°28'32"	990.00'	82.05'	S88°10'57"W	163.54'
C13	85.45'	016°19'08"	300.00'	43.01'	N84°45'39"E	85.16'
C14	135.27'	007°45'02"	1000.00'	67.74'	N22°40'33"E	135.17'
C15	115.24'	026°24'36"	250.00'	58.66'	N05°35'44"E	114.22'
C16	366.78'	025°56'39"	810.00'	186.59'	N50°03'28"W	363.65'
C17	196.16'	037°27'48"	300.00'	101.73'	N81°45'41"W	192.68'
C18	384.45'	055°04'06"	400.00'	208.53'	N25°22'49"E	369.82'
C19	268.33'	043°55'33"	350.00'	141.15'	N59°02'55"W	261.80'
C20	189.28'	010°50'41"	1000.00'	94.92'	N07°34'34"W	188.99'
C21	164.98'	018°54'20"	500.00'	83.25'	S03°32'45"E	164.23'
C22	981.86'	051°08'31"	1100.00'	526.35'	N62°39'24"W	949.58'
C23	339.36'	017°45'26"	1095.00'	171.05'	S61°47'35"W	338.01'
C24	28.26'	154°12'11"	10.50'	45.85'	S76°20'50"E	20.47'

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	N52°54'52"E	27.50'	L27	N32°40'43"E	69.39'	L53	S45°11'07"E	49.01'	L79	S39°00'40"E	33.27'	L105	S81°15'30"E	65.23'	L131	S55°17'13"E	68.84'	L157	S16°10'25"E	22.04'
L2	N37°05'08"W	50.00'	L28	S57°19'17"E	120.00'	L54	S43°05'01"E	49.04'	L80	S46°00'49"E	87.61'	L106	S84°15'38"E	65.23'	L132	S49°25'52"E	64.99'	L158	N72°30'31"E	20.86'
L3	S52°54'52"W	32.50'	L29	N15°53'22"W	13.34'	L55	S40°58'50"E	49.08'	L81	S56°10'12"E	87.65'	L107	S86°59'41"E	53.57'	L133	S43°50'51"E	62.62'	L159	S22°03'28"E	19.84'
L4	N52°54'52"E	56.45'	L30	N63°02'13"W	12.06'	L56	S38°53'17"E	48.54'	L82	S66°24'50"E	89.12'	L108	N88°13'39"W	60.00'	L134	S38°26'25"E	60.96'	L160	N61°11'53"E	21.04'
L5	N37°05'08"W	50.00'	L31	N26°31'02"E	50.00'	L57	S36°52'59"E	45.00'	L83	S77°40'55"E	105.31'	L109	S88°03'46"E	19.05'	L135	S33°11'32"E	58.99'	L161	S27°41'08"E	20.96'
L6	S52°54'52"W	56.45'	L32	S79°44'49"E	15.14'	L58	S33°57'44"E	91.25'	L84	S85°26'08"E	71.81'	L110	S88°25'09"W	47.08'	L136	S28°01'50"E	58.99'	L162	N63°40'43"E	20.96'
L7	N52°22'27"E	71.03'	L33	S10°15'11"W	50.00'	L59	S19°19'42"E	50.00'	L85	S80°50'20"E	60.37'	L111	N83°20'55"E	49.11'	L137	S22°52'07"E	58.99'	L163	S37°16'17"E	21.27'
L8	N42°16'27"E	57.61'	L34	S79°44'49"E	91.32'	L60	S25°39'05"E	120.00'	L86	S76°41'34"E	58.86'	L112	N78°16'40"E	49.10'	L138	S17°42'25"E	58.99'	L164	N51°24'45"E	21.64'
L9	N29°18'06"E	57.61'	L35	S10°15'11"W	24.19'	L61	S76°11'18"E	23.28'	L87	S72°37'42"E	58.02'	L113	S74°57'22"W	56.72'	L139	S12°32'42"E	58.99'	L165	S55°11'23"E	20.98'
L10	N16°19'44"E	57.61'	L36	S11°36'37"W	30.55'	L62	N12°07'44"E	19.60'	L88	S68°35'55"E	57.86'	L114	S78°48'10"W	56.72'	L140	S07°23'00"E	58.99'	L166	N31°12'17"E	19.90'
L11	N03°22'36"E	57.79'	L37	S15°16'59"W	51.07'	L63	N56°30'36"E	21.89'	L89	S62°35'52"E	54.58'	L115	S82°38'57"W	56.72'	L141	S02°03'45"E	62.62'	L167	S40°36'53"E	17.83'
L12	N02°13'13"W	59.87'	L38	S17°59'18"W	14.58'	L64	S37°55'03"E	22.11'	L90	S58°35'25"E	53.61'	L116	S86°29'45"W	56.72'	L142	S03°31'16"W	64.99'	L168	S70°51'04"E	21.63'
L13	N04°52'17"W	59.29'	L39	S19°49'03"W	50.93'	L65	N65°16'40"E	42.22'	L91	S55°22'26"E	53.61'	L117	S89°40'28"E	48.90'	L143	S08°38'42"W	52.12'	L169	N36°15'43"E	21.63'
L14	N08°50'44"W	59.29'	L40	S21°41'34"W	42.99'	L66	N76°16'45"E	13.97'	L92	S52°09'26"E	53.61'	L118	N87°29'54"W	10.53'	L144	S12°02'59"W	64.78'	L170	S51°28'51"E	21.63'
L15	N12°24'54"W	59.96'	L41	S23°24'34"W	42.99'	L67	S12°38'53"E	14.06'	L93	S48°56'26"E	53.61'	L119	S87°04'47"E	39.48'	L145	S50°01'30"E	57.83'	L171	S53°48'40"E	20.76'
L16	N12°11'37"W	71.80'	L42	S25°07'34"W	42.99'	L68	N77°26'53"E	14.20'	L94	S45°43'26"E	53.61'	L120	S25°21'03"W	55.50'	L146	S41°25'24"E	48.66'	L172	N21°24'23"E	21.63'
L17	N06°18'41"W	78.36'	L43	S26°16'04"W	14.20'	L69	S79°30'24"W	39.42'	L95	S42°30'27"E	53.61'	L121	S22°34'21"W	55.80'	L147	S33°32'36"E	48.91'	L173	N38°35'31"E	20.76'
L18	N00°39'12"E	78.36'	L44	S35°41'29"W	50.00'	L70	S82°05'08"E	14.14'	L96	S39°14'29"E	55.25'	L122	S19°49'36"W	54.95'	L148	S24°57'28"E	57.38'	L174	S34°44'49"E	21.21'
L19	N05°39'30"E	71.04'	L45	S30°33'56"W	120.15'	L71	S56°19'41"E	14.35'	L97	S37°05'08"E	40.74'	L123	S18°48'02"W	50.00'	L149	S07°54'52"W	14.14'	L175	N55°15'11"E	21.21'
L20	N88°13'39"W	19.41'	L46	S60°06'27"E	9.84'	L72	S07°54'52"W	14.14'	L98	N60°06'27"W	39.09'	L124	N12°13'41"E	34.47'	L150	N35°20'30"E	14.35'			
L21	N15°22'05"E	55.91'	L47	S57°51'21"E	48.93'	L73	S82°05'08"E	14.14'	L99	S62°21'34"E	48.93'	L125	S07°54'52"W	14.14'	L151	N79°30'24"E	4.73'			
L22	N18°41'20"E	55.91'	L48	S55°35'59"E	48.93'	L74	N64°50'19"W	80.93'	L100	S64°36'40"E	48.93'	L126	S82°05'08"E	14.14'	L152	S79°30'24"W	4.73'			
L23	N22°04'45"E	55.91'	L49	S53°34'53"E	48.93'	L75	S56°05'24"E	67.02'	L101	S66°51'47"E	48.93'	L127	N78°34'32"E	75.82'	L153	N81°00'41"W	28.67'			
L24	N25°28'10"E	55.91'	L50	S51°29'01"E	48.94'	L76	N43°46'51"W	28.77'	L102	S69°25'03"E	62.07'	L128	N74°14'01"E	67.37'	L154	S01°46'21"W	32.50'			
L25	N28°51'35"E	55.91'	L51	S49°23'06"E	48.96'	L77	S37°05'08"E	40.00'	L103	S74°57'03"E	78.38'	L129	N70°08'53"E	67.37'	L155	N62°10'12"E	21.51'			
L26	N31°37'00"E	35.02'	L52	S47°17'09"E	48.98'	L78	S37°05'08"E	70.00'	L104	S78°15'21"E	65.23'	L130	N65°46'57"E	76.60'	L156	S26°10'28"E	21.52'			



TYPICAL LOT
EASEMENT DETAIL
NTS

LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	100 YR PRE-FULLY DEVELOPED

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. ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY
4. RETAINING WALLS ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNER. RETAINING WALLS ARE TO BE CONSTRUCTED ON THE LOT OF THE HIGH SIDE. RETAINING WALLS BELOW A HOA SCREEN WALL WILL BE OWNED AND MAINTAINED BY THE HOA
5. THE WATER SYSTEM IS OWNED AND OPERATED BY BEAR CREEK SPECIAL UTILITY DISTRICT (BCSUD).
6. ALL STREET SIGNS AND POST WILL BE OWNED AND MAINTAINED BY THE HOA.
7. THE FOLLOWING LOT IS TO BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION: BLOCK K, LOT 1X; BLOCK N, LOT 5X; BLOCK O, LOT 6X; BLOCK P, LOT 10X.

FINAL PLAT

ELEVON SECTION 2 PHASE 2E

263 RESIDENTIAL LOTS
4 HOA OPEN SPACE LOTS
267 TOTAL LOTS

BEING 56.659 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

GRBK EDGEWOOD LLC — OWNER/DEVELOPER
2805 Dallas Parkway, Suite 400
Plano, Texas 75093
(469) 573-6755

UMH Development, LLC — OWNER/DEVELOPER
5001 LBJ Freeway, Suite 450
Dallas, Texas 75244
(972) 231-8200

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
TBPE No. F-438 TBPLS No. 10076000
(972) 248-7676

Date: AUGUST 03, 2023

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\XMAT029-PH2E-PT.dwg Saved By: mgarcia Save Time: 8/10/2023 4:10 PM
Plotted by: mgarcia Plot Date: 8/10/2023 4:11 PM

LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES
A–1	7,200	0.165
A–2	6,360	0.146
A–3	6,360	0.146
A–4	6,360	0.146
A–5	6,360	0.146
A–6	6,360	0.146
A–7	6,360	0.146
A–8	6,360	0.146
A–9	6,360	0.146
A–10	6,360	0.146
A–11	6,360	0.146
A–12	6,810	0.156
A–13	7,150	0.164
B–1	6,550	0.150
B–2	6,260	0.144
B–3	6,312	0.145
B–4	6,313	0.145
B–5	6,313	0.145
C–1	8,551	0.196
C–2	6,639	0.152
C–3	6,461	0.148
C–4	6,298	0.145
C–5	6,142	0.141
C–6	6,003	0.138
C–7	5,883	0.135
C–8	5,830	0.134
C–9	5,819	0.134
C–10	5,818	0.134
C–11	5,817	0.134
C–12	5,816	0.134
C–13	5,817	0.134
C–14	6,197	0.142
C–15	6,197	0.142
C–16	6,278	0.144
C–17	5,948	0.137
C–18	7,223	0.166
C–19	6,570	0.151
C–20	5,823	0.134
C–21	6,199	0.142
C–22	6,016	0.138
C–23	6,016	0.138
C–24	6,016	0.138
C–25	6,016	0.138
C–26	6,016	0.138
C–27	6,016	0.138

LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES
C–28	6,043	0.139
C–29	5,924	0.136
C–30	5,973	0.137
C–31	6,227	0.143
C–32	6,695	0.154
C–33	9,018	0.207
D–1	9,827	0.226
D–2	9,292	0.213
D–3	9,141	0.210
D–4	9,137	0.210
D–5	8,716	0.200
D–6	8,350	0.192
D–7	6,550	0.150
D–8	5,438	0.125
D–9	6,598	0.151
D–10	6,087	0.140
D–11	6,102	0.140
D–12	6,216	0.143
D–13	6,320	0.145
D–14	6,544	0.150
D–15	7,285	0.167
D–16	7,732	0.178
D–17	7,388	0.170
E–1	9,497	0.218
E–2	10,554	0.242
E–3	9,540	0.219
E–4	9,550	0.219
E–5	6,000	0.138
E–6	6,000	0.138
E–7	6,000	0.138
E–8	6,000	0.138
E–9	6,000	0.138
E–10	6,810	0.156
E–11	8,401	0.193
E–12	8,219	0.189
E–13	9,009	0.207
E–14	12,479	0.286
F–21	8,679	0.199
F–22	8,471	0.194
F–23	8,471	0.194
F–24	8,191	0.188
F–25	7,480	0.172
F–26	7,637	0.175
F–27	7,637	0.175
F–28	7,278	0.167

LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES
F–29	8,518	0.196
F–30	8,621	0.198
F–31	8,621	0.198
F–32	8,621	0.198
F–33	9,465	0.217
G–1	6,534	0.150
G–2	6,526	0.150
G–3	6,538	0.150
G–4	6,086	0.140
G–5	5,995	0.138
G–6	6,107	0.140
G–7	6,249	0.143
G–8	6,255	0.144
G–9	6,255	0.144
G–10	6,252	0.144
G–11	6,252	0.144
G–12	7,528	0.173
G–13	8,666	0.199
G–14	7,433	0.171
G–15	7,433	0.171
G–16	7,433	0.171
G–17	7,495	0.172
G–18	7,204	0.165
G–19	7,210	0.166
G–20	12,073	0.277
H–1	9,035	0.207
H–2	5,627	0.129
H–3	5,821	0.134
H–4	5,758	0.132
H–5	5,713	0.131
H–6	5,675	0.130
H–7	5,643	0.130
H–8	5,617	0.129
H–9	5,598	0.129
H–10	5,585	0.128
H–11	5,581	0.128
H–12	5,581	0.128
H–13	5,581	0.128
H–14	5,581	0.128
H–15	5,581	0.128
H–16	5,581	0.128
H–17	6,816	0.156
H–18	6,303	0.145
H–19	4,965	0.114
H–20	4,999	0.115

LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES
H–21	5,000	0.115
H–22	5,001	0.115
H–23	5,001	0.115
I–1	6,112	0.140
I–2	5,481	0.126
I–3	4,900	0.112
I–4	4,980	0.114
I–5	4,800	0.110
I–6	4,800	0.110
I–7	5,236	0.120
I–8	5,126	0.118
I–9	4,939	0.113
I–10	4,939	0.113
I–11	4,939	0.113
I–12	4,847	0.111
I–13	4,800	0.110
I–14	4,800	0.110
I–15	4,800	0.110
I–16	4,800	0.110
I–17	4,800	0.110
I–18	4,800	0.110
I–19	6,613	0.152
J–1	7,572	0.174
J–2	5,768	0.132
J–3	5,073	0.116
J–4	5,008	0.115
J–5	4,800	0.110
J–6	4,800	0.110
J–7	4,974	0.114
J–8	5,015	0.115
J–9	5,016	0.115
J–10	5,686	0.131
J–11	5,400	0.124
J–12	5,400	0.124
J–13	5,400	0.124
J–14	5,400	0.124
J–15	5,018	0.115
J–16	4,800	0.110
J–17	5,939	0.136
J–18	7,671	0.176
J–19	6,000	0.138
J–20	6,000	0.138
J–21	6,000	0.138
J–22	6,000	0.138
J–23	6,000	0.138

LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES
J–24	6,324	0.145
J–25	6,334	0.145
J–26	6,284	0.144
J–27	6,000	0.138
J–28	7,005	0.161
J–29	7,473	0.172
J–30	8,521	0.196
K–1	47,711	1.095
L–1	7,412	0.170
L–2	6,476	0.149
L–3	6,473	0.149
L–4	6,475	0.149
L–5	6,478	0.149
L–6	6,474	0.149
L–7	6,472	0.149
L–8	6,471	0.149
L–9	6,471	0.149
L–10	6,473	0.149
L–11	6,476	0.149
L–12	6,441	0.148
L–13	6,507	0.149
L–14	6,473	0.149
L–15	6,477	0.149
L–16	6,468	0.148
L–17	7,342	0.169
L–18	7,055	0.162
L–19	6,069	0.139
L–20	7,052	0.162
L–21	6,798	0.156
L–22	6,406	0.147
L–23	6,406	0.147
L–24	6,406	0.147
L–25	6,406	0.147
L–26	6,406	0.147
L–27	6,406	0.147
L–28	6,619	0.152
L–29	6,798	0.156
L–30	7,052	0.162
L–31	7,539	0.173
M–1	6,318	0.145
M–2	6,319	0.145
M–3	6,319	0.145
M–4	6,320	0.145
M–5	6,279	0.144
M–6	5,991	0.138

LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES
M–7	5,942	0.136
M–8	6,065	0.139
M–9	7,356	0.169
M–10	7,960	0.183
M–11	6,360	0.146
M–12	6,001	0.138
M–13	6,094	0.140
M–14	6,299	0.145
M–15	6,219	0.143
M–16	6,682	0.153
M–17	12,809	0.294
M–18	10,364	0.238
M–19	6,546	0.150
M–20	6,059	0.139
M–21	6,270	0.144
M–22	6,269	0.144
M–23	6,269	0.144
M–24	6,269	0.144
M–25	6,269	0.144
M–26	6,260	0.144
M–27	6,000	0.138
N–1	9,753	0.224
N–2	7,397	0.170
N–3	7,570	0.174
N–4	12,881	0.296
N–5X	16,568	0.380
O–1	7,767	0.178
O–2	7,546	0.173
O–3	7,546	0.173
O–4	8,182	0.188
O–5	9,041	0.208
O–6X	23,472	0.539
P–1	7,927	0.182
P–2	7,517	0.173
P–3	7,200	0.165
P–4	7,200	0.165
P–5	9,454	0.217
P–6	9,393	0.216
P–7	7,690	0.177
P–8	7,200	0.165
P–9	7,200	0.165
P–10X	58,900	1.352

FINAL PLAT

ELEVON SECTION 2 PHASE 2E

263 RESIDENTIAL LOTS
4 HOA OPEN SPACE LOTS
267 TOTAL LOTS

BEING 56.659 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

GRBK EDGEWOOD LLC — OWNER/DEVELOPER
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2121 Midway Road, Suite 300
Carrollton, Texas 75006
(972) 248–7676
TBPE No. F–438 TBPLS No. 10076000

Date: AUGUST 03, 2023

Plotted by: mgarcia Plot Date: 8/10/2023 3:59 PM
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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 part of that called 65.340 acre tract of land described in deed to GRBK EDGEWOOD LLC as recorded in Document Number 20211118002365420, Official Public Records of Collin County, Texas, and also part of that called 12.972 acre tract of land described in deed to UMH Development, LLC as recorded in Document Number 20211118002365180, 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 south corner of said 12.972 acre tract;

THENCE North 37 degrees 05 minutes 08 seconds West, 120.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 52 degrees 54 minutes 52 seconds East, 27.50 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 37 degrees 05 minutes 08 seconds West, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 32.50 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 37 degrees 05 minutes 08 seconds West, 240.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 52 degrees 54 minutes 52 seconds East, 56.45 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 37 degrees 05 minutes 08 seconds West, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 56.45 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 37 degrees 05 minutes 08 seconds West, 66.08 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Northwesterly, 54.10 feet along a curve to the right, having a central angle of 08 degrees 15 minutes 59 seconds, a radius of 375.00 feet, a tangent of 27.10 feet and whose chord bears North 32 degrees 57 minutes 09 seconds West, 54.06 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 52 degrees 22 minutes 27 seconds East, 71.03 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 42 degrees 16 minutes 27 seconds East, 57.61 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 29 degrees 18 minutes 06 seconds East, 57.61 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 16 degrees 19 minutes 44 seconds East, 57.61 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 03 degrees 22 minutes 36 seconds East, 57.79 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 02 degrees 13 minutes 13 seconds West, 59.87 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 04 degrees 52 minutes 17 seconds West, 59.29 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 08 degrees 50 minutes 44 seconds West, 59.29 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 12 degrees 24 minutes 54 seconds West, 59.96 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 12 degrees 11 minutes 37 seconds West, 71.80 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 06 degrees 18 minutes 41 seconds West, 78.36 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 00 degrees 39 minutes 12 seconds East, 78.36 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
THENCE North 05 degrees 39 minutes 30 seconds East, 71.04 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 88 degrees 13 minutes 39 seconds West, 19.41 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Northwesterly, 240.79 feet along a curve to the right, having a central angle of 239 degrees 56 minutes 12 seconds, a radius of 57.50 feet, a tangent of 99.72 feet and whose chord bears North 65 degrees 45 minutes 14 seconds West, 99.62 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 39 degrees 05 minutes 54 seconds West, 146.30 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 14 degrees 15 minutes 27 seconds West, 119.76 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Southwesterly, 31.96 feet along a curve to the left, having a central angle of 02 degrees 42 minutes 45 seconds, a radius of 675.00 feet, a tangent of 15.98 feet and whose chord bears South 74 degrees 24 minutes 18 seconds West, 31.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 14 degrees 15 minutes 27 seconds West, 119.76 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Southwesterly, 31.96 feet along a curve to the left, having a central angle of 02 degrees 42 minutes 45 seconds, a radius of 675.00 feet, a tangent of 15.98 feet and whose chord bears South 74 degrees 24 minutes 18 seconds West, 31.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 16 degrees 57 minutes 05 seconds West, 278.67 feet to a to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 12 degrees 55 minutes 06 seconds East, 208.06 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 15 degrees 22 minutes 05 seconds East, 55.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 18 degrees 41 minutes 20 seconds East, 55.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 22 degrees 04 minutes 45 seconds East, 55.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 25 degrees 28 minutes 10 seconds East, 55.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 28 degrees 51 minutes 35 seconds East, 55.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 31 degrees 37 minutes 00 seconds East, 35.02 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 32 degrees 40 minutes 43 seconds East, 69.39 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE South 57 degrees 19 minutes 17 seconds East, 120.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 32 degrees 40 minutes 43 seconds East, 185.02 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner in the north line of said 65.340 acre tract;

THENCE along the north line of said 65.340 acre tract as follows:
North 15 degrees 53 minutes 22 seconds West, 13.34 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
North 63 degrees 02 minutes 13 seconds West, 12.06 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
North 26 degrees 31 minutes 02 seconds East, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Southeasterly, 372.60 feet along a curve to the right having a central angle of 25 degrees 52 minutes 38 seconds, a radius of 825.00 feet, a tangent of 189.54 feet and whose chord bears South 50 degrees 32 minutes 39 seconds East, 369.45 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
North 52 degrees 23 minutes 40 seconds East, 228.59 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
North 27 degrees 23 minutes 01 seconds East, 204.73 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 89 degrees 59 minutes 16 seconds East, 238.16 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 46 degrees 40 minutes 06 seconds East, 327.25 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 65.340 acre tract;

THENCE along the east line of said 65.340 acre tract as follows:
South 10 degrees 15 minutes 11 seconds West, 188.34 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 79 degrees 44 minutes 49 seconds East, 15.14 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 10 degrees 15 minutes 11 seconds West, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 79 degrees 44 minutes 49 seconds East, 91.32 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 10 degrees 15 minutes 11 seconds West, 24.19 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 11 degrees 36 minutes 37 seconds West, 30.55 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 15 degrees 16 minutes 59 seconds West, 51.07 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 17 degrees 59 minutes 18 seconds West, 14.58 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 18 degrees 48 minutes 02 seconds West, 186.21 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 19 degrees 49 minutes 03 seconds West, 50.93 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 21 degrees 41 minutes 34 seconds West, 42.99 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 23 degrees 24 minutes 34 seconds West, 42.99 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 25 degrees 07 minutes 34 seconds West, 42.99 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 26 degrees 16 minutes 04 seconds West, 14.20 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 26 degrees 33 minutes 05 seconds West, 330.74 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 35 degrees 41 minutes 29 seconds West, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Northwesterly, 122.12 feet along a curve to the left having a central angle of 05 degrees 07 minutes 33 seconds, a radius of 1,365.00 feet, a tangent of 61.10 feet, and whose chord bears North 56 degrees 52 minutes 18 seconds West, 122.08 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 30 degrees 33 minutes 56 seconds West, 120.15 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 60 degrees 06 minutes 27 seconds East, 9.84 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 57 degrees 51 minutes 21 seconds East, 48.93 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 55 degrees 35 minutes 59 seconds East, 48.93 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 53 degrees 34 minutes 53 seconds East, 48.93 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 51 degrees 29 minutes 01 seconds East, 48.94 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 49 degrees 23 minutes 06 seconds East, 48.96 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 47 degrees 17 minutes 09 seconds East, 48.98 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 45 degrees 11 minutes 07 seconds East, 49.01 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 43 degrees 05 minutes 01 seconds East, 49.04 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 40 degrees 58 minutes 50 seconds East, 49.08 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 38 degrees 53 minutes 17 seconds East, 48.54 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 36 degrees 52 minutes 59 seconds East, 45.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 33 degrees 57 minutes 44 seconds East, 91.25 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner
South 19 degrees 19 minutes 42 seconds East, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Southwesterly, 118.08 feet along a curve to the left having a central angle of 06 degrees 19 minutes 23 seconds, a radius of 1,070.00 feet, a tangent of 59.10 feet and whose chord bears South 67 degrees 30 minutes 37 seconds West, 118.02 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 25 degrees 39 minutes 05 seconds East, 120.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 65.340 acre tract;

THENCE Southwesterly, 189.59 feet along a curve to the left having a central angle of 11 degrees 26 minutes 03 seconds, a radius of 950.00 feet, a tangent of 95.11 feet and whose chord bears South 58 degrees 37 minutes 54 seconds West, 189.27 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 830.17 feet to the POING OF BEGINNING and containing 2,468,083 square feet or 56.659 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 GRBK EDGEWOOD LLC and UMH Development, LLC, acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON PHASES 2E,** 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.

GRBK EDGEWOOD LLC and UMH Development, 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 _____, 2023.

GRBK EDGEWOOD LLC,
a Texas limited liability company

By: _____
Bobby Samuel, Vice 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 Bobby Samuel, 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 _____, 2023.

_____
Notary Signature

WITNESS MY HAND THIS _____ DAY OF _____, 2023.

UMH Development, LLC,
a Texas limited liability company

By: _____

Name: _____

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 _____, 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 _____, 2023.

_____
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 _____, 2023.

"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 _____, 2023.

_____
Notary Public in and for the State of Texas

"Recommended For Approval"

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

"Approved For Preparation of Final Plat"

_____ _____
Mayor Date
City of Lavon,
Collin County, Texas

FINAL PLAT
ELEVON SECTION 2 PHASE 2E

263 RESIDENTIAL LOTS
4 HOA OPEN SPACE LOTS
267 TOTAL LOTS

BEING 56.659 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

GRBK EDGEWOOD LLC — OWNER/DEVELOPER
2805 Dallas Parkway, Suite 400
Plano, Texas 75093
(469) 573–6755

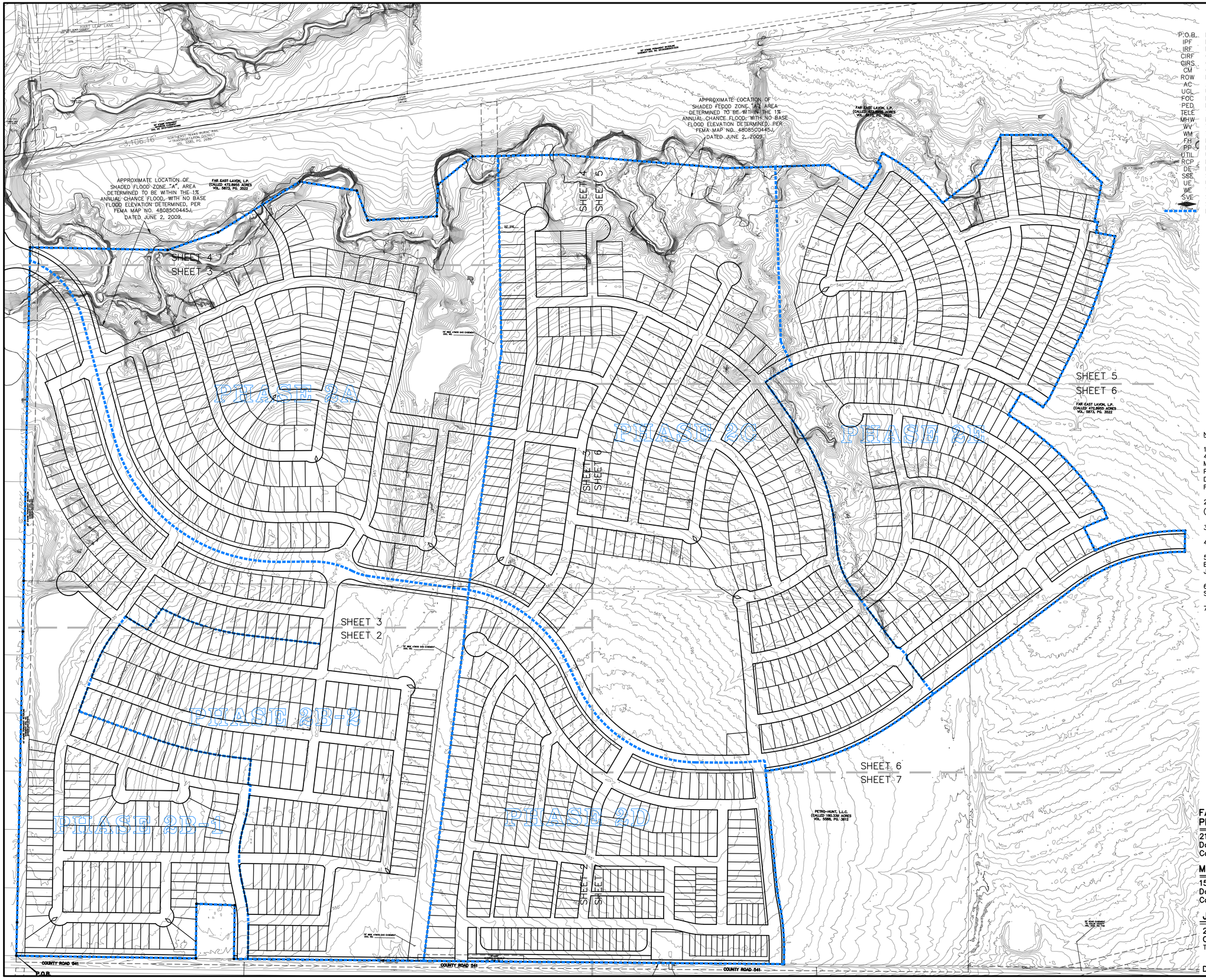
UMH Development, LLC — OWNER/DEVELOPER
5001 LBJ Freeway, Suite 450
Dallas, Texas 75244
(972) 231–8200

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 03, 2023

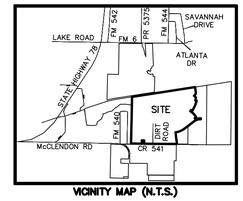
Sheet 4 of 4

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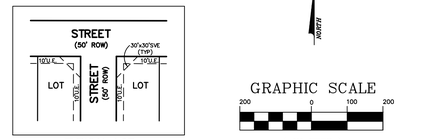


LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	PRELIMINARY PHASE LINE



VICINITY MAP (N.T.S.)



TYPICAL LOT EASEMENT DETAIL
NTS

NORTH

GRAPHIC SCALE
200 0 100 200
(IN FEET)
1 inch = 200 ft.

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 COUNTY ROAD NO. 541.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

6.) ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY

7.) PHASE LINES SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE.

PRELIMINARY PLAT

ELEVON SECTION 2
PHASES 2A-2E

1,389 RESIDENTIAL LOTS
37 HOA OPEN SPACE LOTS
1,426 TOTAL LOTS

BEING 377.258 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

FAR EAST LAVON, LP & PETRO-HUNT, LLC — CURRENT OWNER
2101 Cedar Springs Road, Suite 600
Dallas, Texas 75201
Contact: Alan Bain
(214)880-8400

MA PARTNERS, LLC — FUTURE OWNER/DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715-6449

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
TBPE No. F-438 TBPLS No. 10076000
(972) 248-7676

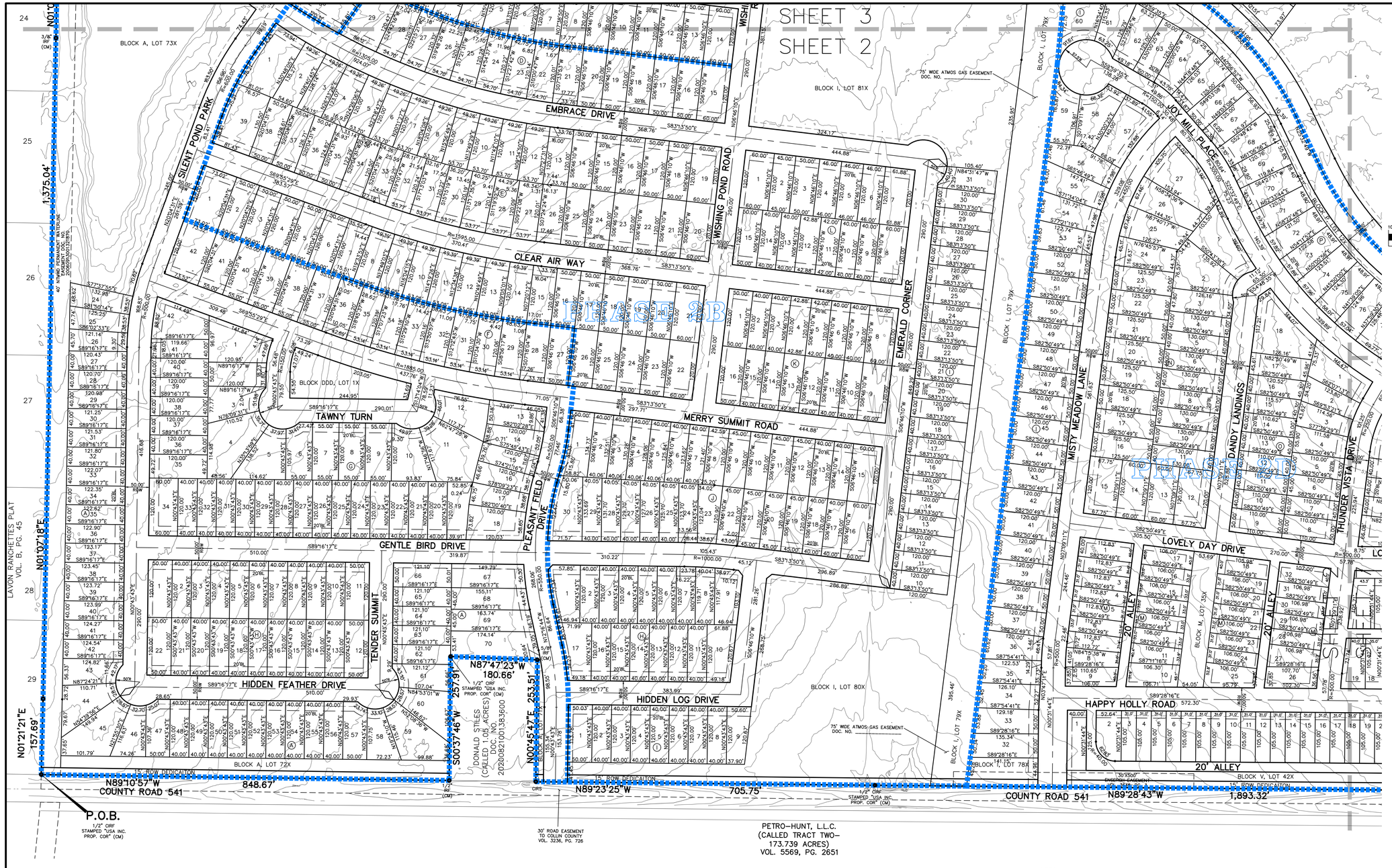
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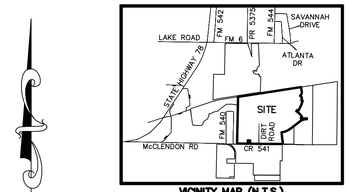
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SHEET 3
SHEET 2





VICINITY MAP (N.T.S.)

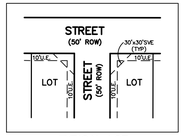
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	PRELIMINARY PHASE LINE



TYPICAL LOT EASEMENT DETAIL
NTS

NOTES:

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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 COUNTY ROAD NO. 541.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

6.) ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY

7.) PHASE LINES SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE.

PRELIMINARY PLAT

ELEVON SECTION 2 PHASES 2A-2E

1,389 RESIDENTIAL LOTS
37 HOA OPEN SPACE LOTS
1,426 TOTAL LOTS

BEING 377.258 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

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COLLIN COUNTY, TEXAS

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Contact: Alan Bain
(214)880-8400

MA PARTNERS, LLC — FUTURE OWNER/DEVELOPER
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Dallas, Texas 75248
Contact: John Marlin
(972) 715-6449

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
TBPE No. F-438 TBPLS No. 10076000
(972) 248-7676

Date: August 6, 2021

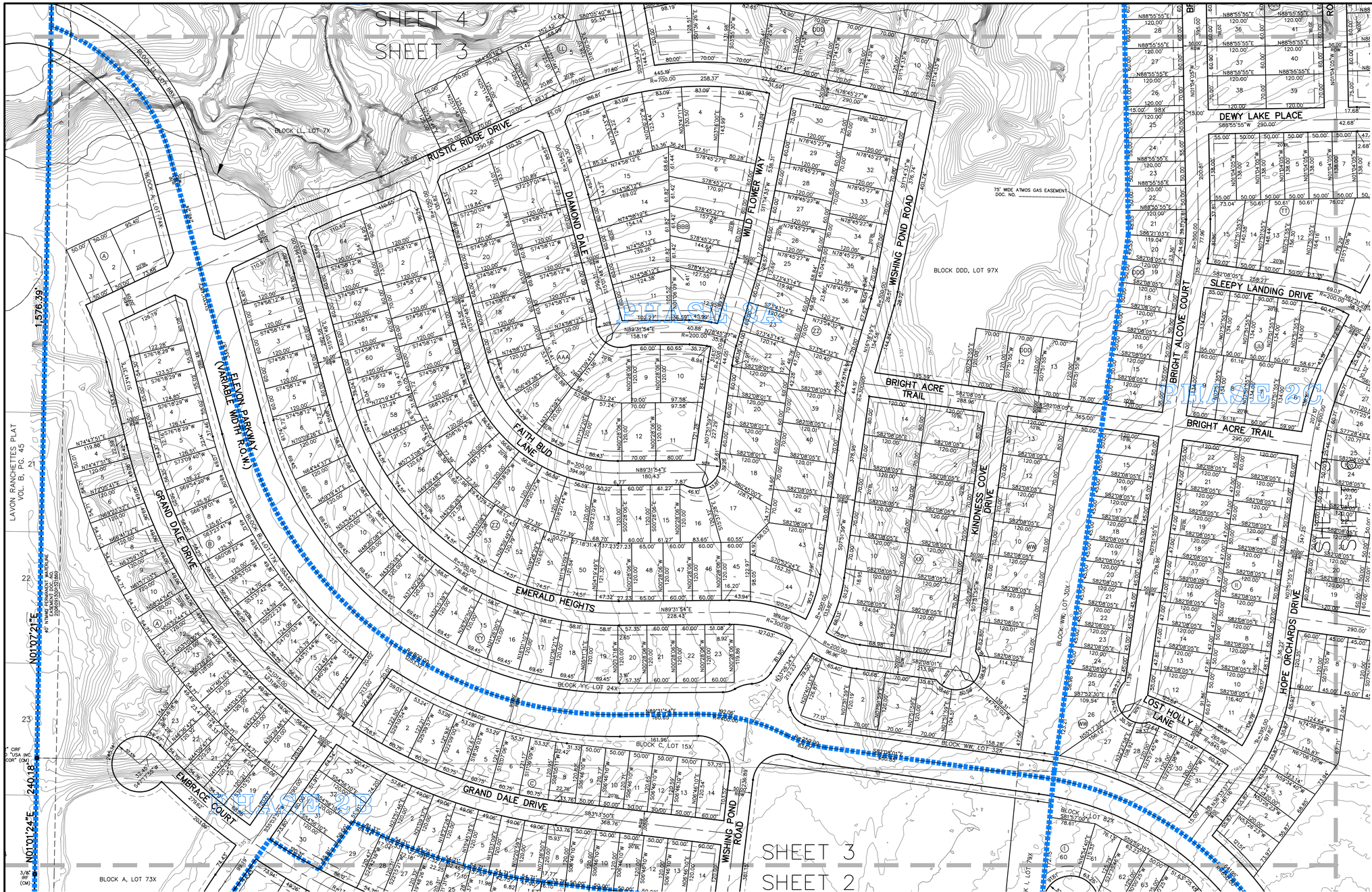
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SHEET 4

SHEET 3





VICINITY MAP (N.T.S.)

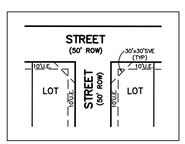
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

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
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AC	ACRES
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FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
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DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	PRELIMINARY PHASE LINE



TYPICAL LOT
EASEMENT DETAIL
NTS

NOTES:

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PRELIMINARY PLAT

ELEVON SECTION 2
PHASES 2A-2E

1,389 RESIDENTIAL LOTS
37 HOA OPEN SPACE LOTS
1,426 TOTAL LOTS

BEING 377.258 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

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Contact: John Marlin
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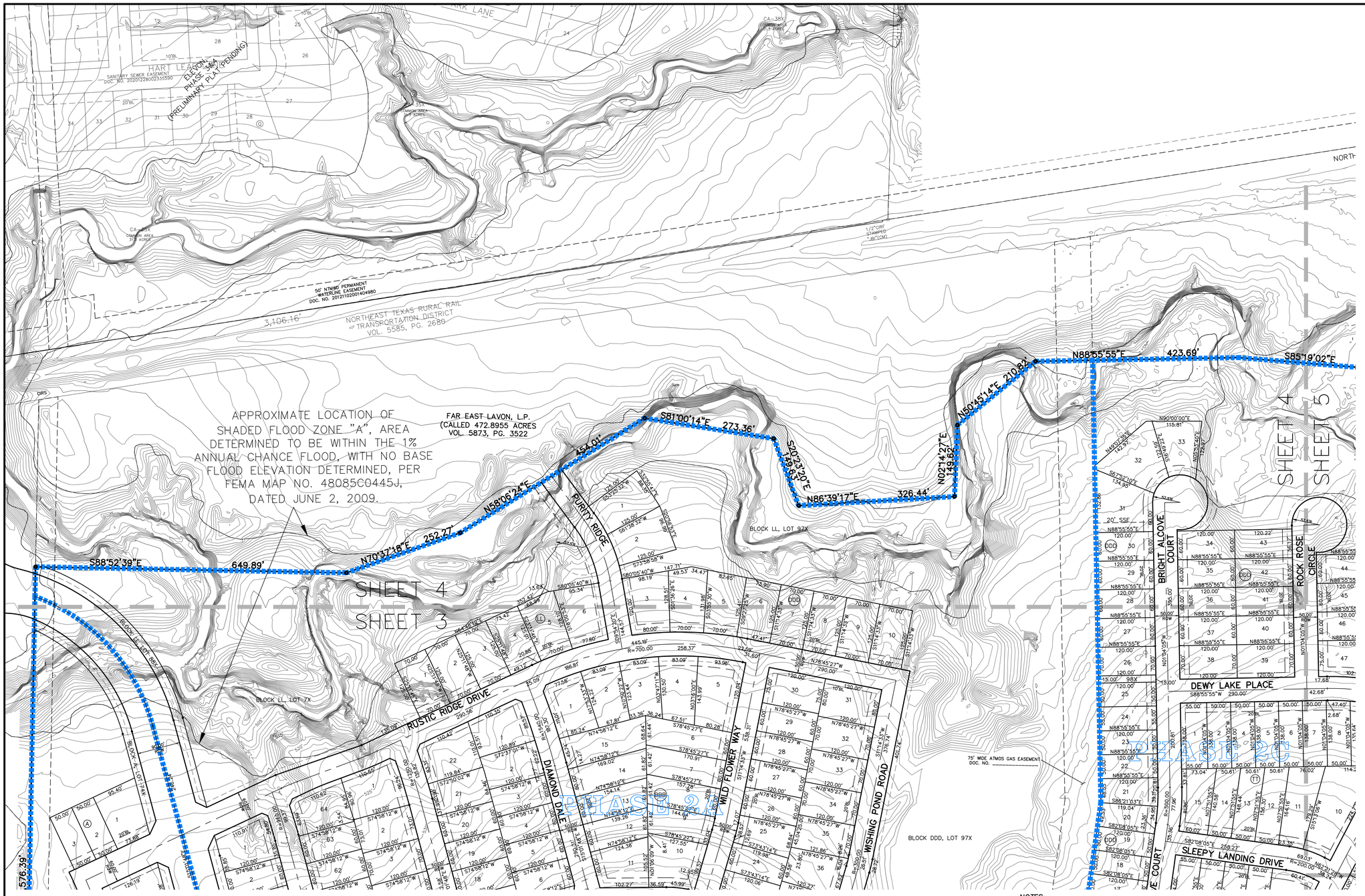
JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
TBPE No. F-438 TBPLS No. 10076000
(972) 248-7676

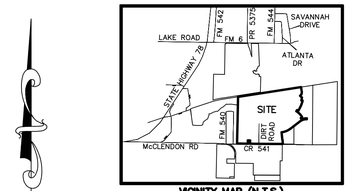
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Sheet 3 of 9

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VICINITY MAP (N.T.S.)

NORTH

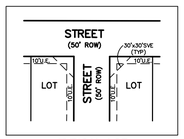
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

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
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PED	PEDESTAL
TELE	TELECOMMUNICATIONS
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SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
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	STREET NAME CHANGE
	PRELIMINARY PHASE LINE



TYPICAL LOT
EASEMENT DETAIL
NTS

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.

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PRELIMINARY PLAT

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PHASES 2A–2E

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37 HOA OPEN SPACE LOTS
1,426 TOTAL LOTS

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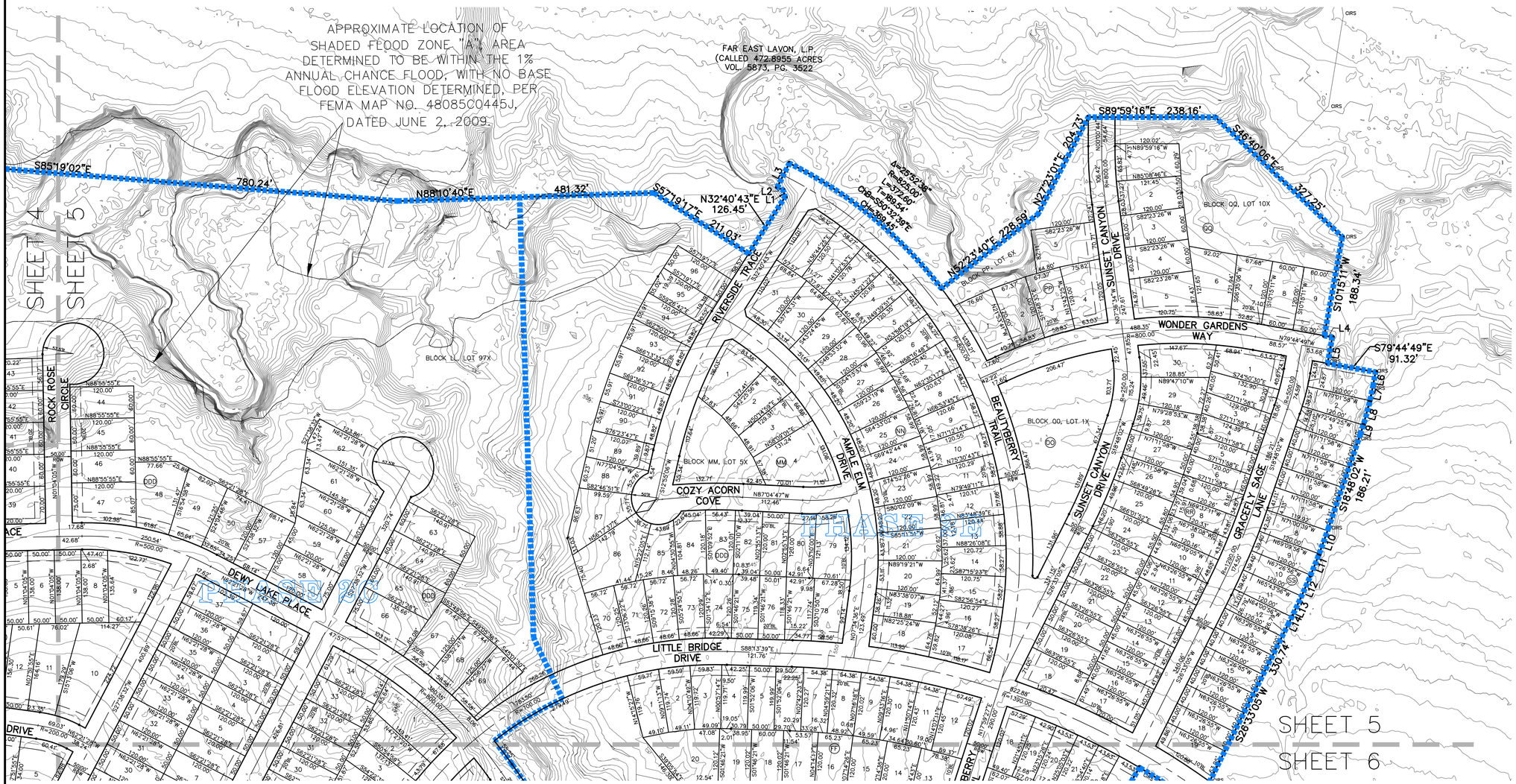
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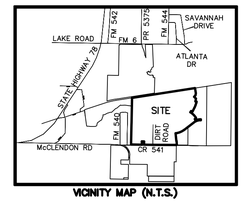
Date: August 6, 2021

Sheet 4 of 9

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VICINITY MAP (N.T.S.)

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

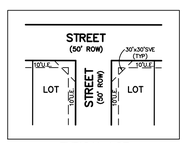
LEGEND

P.O.B.	POINT OF BEGINNING
IPF	IRON PIPE FOUND
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CIRF	CAPPED IRON ROD FOUND
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PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE
	PRELIMINARY PHASE LINE

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
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L24	S45°11'07"E	49.01'
L25	S43°05'01"E	49.04'
L26	S40°58'50"E	49.08'
L27	S38°53'17"E	48.54'
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L29	S33°57'44"E	91.25'
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L31	S25°39'05"E	120.00'
L32	S00°52'14"W	100.00'
L33	S00°31'57"W	66.59'



TYPICAL LOT
EASEMENT DETAIL
NTS

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.

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3.) THE SUBJECT TRACT HAS FRONTAGE TO COUNTY ROAD NO. 541.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

6.) ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY

7.) PHASE LINES SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE.

PRELIMINARY PLAT

ELEVON SECTION 2
PHASES 2A–2E

1,389 RESIDENTIAL LOTS
37 HOA OPEN SPACE LOTS
1,426 TOTAL LOTS

BEING 377.258 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

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Contact: Alan Bain
(214)880–8400

MA PARTNERS, LLC — FUTURE OWNER/DEVELOPER
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TBPE No. F–438 TBPLS No. 10076000
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Date: August 6, 2021

Sheet 5 of 9

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SHEET 5

SHEET 6

SHEET 6

SHEET 7

FAR EAST LAVON, L.P.
(CALLED 472.8955 ACRES
VOL. 5873, PG. 3522

BLOCK FF, LOT 34X

BLOCK HH, LOT 38

BLOCK Q, LOT 15X

BLOCK W, LOT 16X

BLOCK X, LOT 4X

N84°22'59"E
95.16'
WATER TOWER SITE
LOT 39, BLOCK HH

PHASE 2A

PHASE 2B

PHASE 2C

PHASE 2D

PHASE 2E

PEBBLE WEND DRIVE

IVORY BROOK COVE DRIVE

LITTLE BRIDGE DRIVE

DEWY LAKE PLACE

TWIN VIEW VISTA DRIVE

HARVEST HEIGHTS DRIVE

BUTTERFLY DALE DRIVE

NOBLE GROVE

BEAUTYBERRY TRAIL

HONEY FALLS LANE

PLEASANT MEADOW DRIVE

UMBER WILLOW DRIVE

LITTLE HILLS WAY

ELEVON PARKWAY
(VARIABLE WIDTH R.O.W.)

S52°54'52"W
981.17'

C1: Δ=30°02'09" R=1400.00' L=735.92' T=375.60' CHB=S67°55'57"W CH=725.54'

C2: Δ=26°31'19" R=950.00' L=439.75' T=223.89' CHB=N77°36'35"E CH=435.83'

C3: Δ=37°57'22" R=850.00' L=563.09' T=292.31' CHB=S71°53'33"W CH=552.85'

SAVANNAH DRIVE
LAKE ROAD
FM 542
FM 6
PR 3375
FM 544
ATLANTA DR
STATE HIGHWAY 78
SITE
FARM TO MARKET ROAD
FM 3456
McCLENDON RD
CR 541

VICINITY MAP (N.T.S.)

NORTH

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1 inch = 100 ft.

LEGEND

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
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3.) THE SUBJECT TRACT HAS FRONTAGE TO COUNTY ROAD NO. 541.

4.) SURVEY ASTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5.) PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

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STREET
(50' ROW)
30'x30'SVE (TYP)
100'x100' LOT
STREET (50' ROW)
100'x100' LOT

TYPICAL LOT
EASEMENT DETAIL
NTS

PRELIMINARY PLAT

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37 HOA OPEN SPACE LOTS
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Date: August 6, 2021

Sheet 6 of 9

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LOT SIZE SUMMARY

PHASE 2A (LOTS 1 AND 2 ON STREET X ARE NOT COUNTED IN LOT COUNT.)	LOT SIZE	PAD SIZE	NUMBER OF LOTS
	60' x 120'	50' x 75'	92
	70' x 120'	60' x 80'	76
TOTAL			168

PHASE 2B–1	LOT SIZE	PAD SIZE	NUMBER OF LOTS
	40' x 120'	30' x 80'	101
	50' x 120'	40' x 80'	97
TOTAL			198

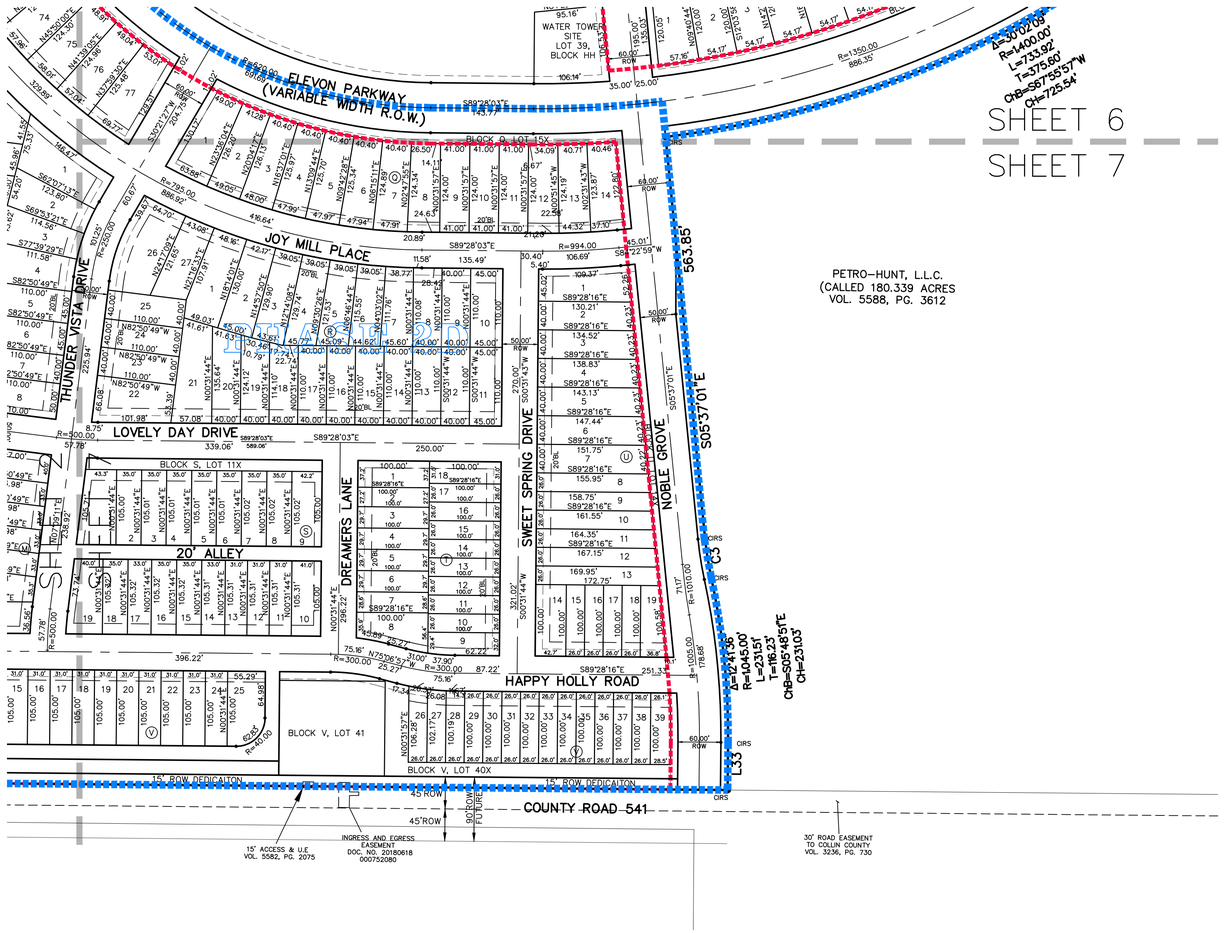
PHASE 2B–2	LOT SIZE	PAD SIZE	NUMBER OF LOTS
	40' x 120'	30' x 80'	101
	50' x 120'	40' x 80'	88
TOTAL			189

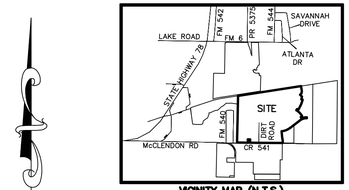
PHASE 2C	LOT SIZE	PAD SIZE	NUMBER OF LOTS
	MIN. WIDTH 40'	30' x 80'	39
	MIN. WIDTH 45'	35' x 80'	68
	MIN. WIDTH 50'	40' x 80'	152
	MIN. WIDTH 60'	50' x 80'	51
TOTAL			310

PHASE 2D	LOT SIZE	PAD SIZE	NUMBER OF LOTS
	50' x 120'	40' x 75'	63
	40' x 130'	30' x 95'	22
	40' x 124'	30' x 90'	16
	40' x 110'	30' x 75'	37
	31' x 105'	21' x 85'	37
	33' x 105'	23' x 85'	12
	35' x 105'	25' x 85'	28
	26' x 100'	21' x 60'	44
TOTAL			259

PHASE 2E	LOT SIZE	PAD SIZE	NUMBER OF LOTS
	MIN. WIDTH 40'	30' x 80'	42
	MIN. WIDTH 45'	35' x 80'	61
	MIN. WIDTH 50'	40' x 80'	115
	MIN. WIDTH 60'	50' x 80'	45
TOTAL			263

PROJECT TOTAL 1,387





VICINITY MAP (N.T.S.)

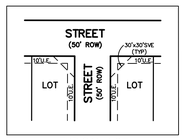
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

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PRELIMINARY PLAT

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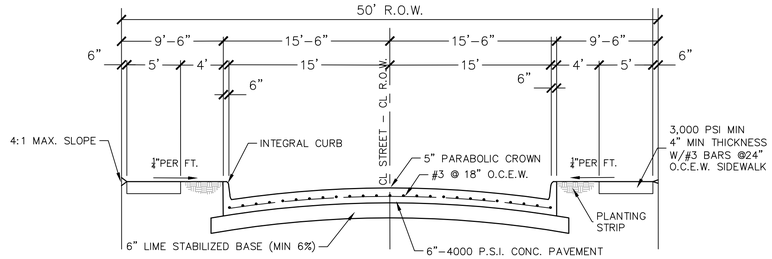
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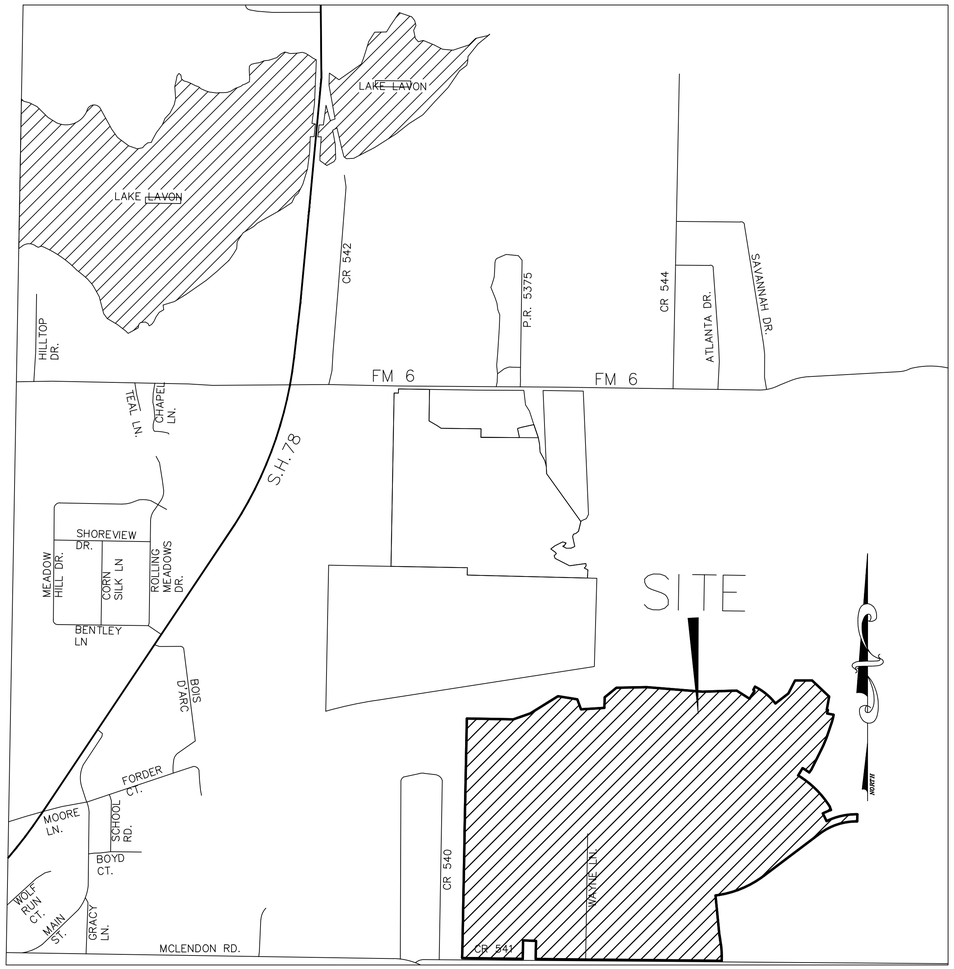
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TYPICAL SECTION – LOCAL 31' STREET (50' ROW) – RESIDENTIAL



LOCATION MAP

1"=1000'

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Date: August 6, 2021

Plotted by: mgarcia Plot Date: 8/6/2021 3:58 PM
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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 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, and also being a part of that called 180.339 acre tract of land described in deed to Petro-Hunt, L.L.C. as recorded in Volume 5588, Page 3612, 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. PROP. COR" found at the southwest corner of said 180.339 acre tract, said point being the southeast corner of Lot 29, Lavon Ranchettes Plat, an Addition to Collin County as recorded in Volume B, Page 45, Official Public Records of Collin County, Texas, said point also being in the north right-of-way line of County Road 541;

THENCE along the west line of said 180.339 acre tract and along the east line of said Lavon Ranchettes Addition as follows:
North 01 degrees 21 minutes 21 seconds East, 157.69 feet to a one-half inch iron rod found for corner;
North 01 degrees 07 minutes 18 seconds East, 1,375.04 feet to a three-eighths inch iron rod found for corner;
North 01 degrees 01 minutes 24 seconds East, 240.18 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the northwest corner of said 180.339 acre tract, said point also being in the south line of said 472.8955 acre tract;

THENCE 01 degrees 07 minutes 21 seconds East, at 1,306.98 feet passing the northeast corner of said Lavon Ranchettes Addition, in all a total distance of 1,576.39 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 88 degrees 52 minutes 39 seconds East, 649.89 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 70 degrees 37 minutes 18 seconds East, 252..27 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 58 degrees 06 minutes 24 seconds East, 454.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 81 degrees 00 minutes 14 seconds East, 273.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 20 degrees 23 minutes 20 seconds East, 149.63 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 86 degrees 39 minutes 17 seconds East, 326.44 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 02 degrees 14 minutes 27 seconds East, 149.62 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 50 degrees 45 minutes 14 seconds East, 210.82 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 55 minutes 55 seconds East, 423.69 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 85 degrees 19 minutes 02 seconds East, 780.24 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 10 minutes 40 seconds East, 481.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 19 minutes 17 seconds East, 211.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 32 degrees 40 minutes 43 seconds East, 126.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 15 degrees 53 minutes 22 seconds West, 13.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 63 degrees 02 minutes 13 seconds West, 12.06 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 26 degrees 31 minutes 02 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 372.60 feet along a curve to the left having a central angle of 25 degrees 52 minutes 38 seconds, a radius of 825.00 feet, a tangent of 189.54 feet and whose chord bears South 50 degrees 32 minutes 39 seconds East, 369.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 52 degrees 23 minutes 40 seconds Eat, 228.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 27 degrees 23 minutes 01 seconds East, 204.73 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 59 minutes 16 seconds East, 238.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 46 degrees 40 minutes 06 seconds East, 327.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 188.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 15.14 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 91.32 feet to a one-half inch iron rod with yellow cap set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 24.19 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 24.19 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 11 degrees 36 minutes 37 seconds West, 30.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 15 04 minutes 19 seconds West, 47.37 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 17 degrees 59 minutes 18 seconds West, 18.28 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 18 degrees 48 minutes 02 seconds West, 186.21 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 49 minutes 03 seconds West, 50.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 21 degrees 41 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 23 degrees 24 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 07 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 16 minutes 04 seconds West, 14.20 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 33 minutes 05 seconds West, 330.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 35 degrees 41 minutes 29 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 122.12 feet along a curve to the left having a central angle of 05 degrees 07 minutes 33 seconds, a radius of 1,365.00 feet, a tangent of 61.10 feet, and whose chord bears North 56 degrees 52 minutes 18 seconds West, 122.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 30 degrees 33 minutes 56 seconds West, 120.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 60 degrees 06 minutes 27 seconds East, 9.84 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 51 minutes 21 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 55 degrees 35 minutes 59 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 53 degrees 34 minutes 53 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 51 degrees 29 minutes 01 seconds East, 48.94 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 49 degrees 23 minutes 06 seconds East, 48.96 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 47 degrees 17 minutes 09 seconds East, 48.98 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 45 degrees 11 minutes 07 seconds East, 49.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 43 degrees 05 minutes 01 seconds East, 49.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 40 degrees 58 minutes 50 seconds East, 49.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 38 degrees 53 minutes 17 seconds East, 48.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 36 degrees 52 minutes 59 seconds East, 45.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 33 degrees 57 minutes 44 seconds East, 91.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 19 minutes 42 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 118.08 feet along a curve to the left having a central angle of 06 degrees 19 minutes 23 seconds, a radius of 1,070.00 feet, a tangent of 59.10 feet, and whose chord bears South 67 degrees 30 minutes 37 seconds West, 118.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 39 minutes 05 seconds East, 120.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 439.75 feet along a curve to the right having a central angle of 26 degrees 31 minutes 19 seconds, a radius of 950.00 feet, a tangent of 223.89 feet, and whose chord bears North 77 degrees 36 minutes 35 seconds East, 435.83 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 52 minutes 14 seconds West, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 563.09 feet along a curve to the left having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 850.00 feet, a tangent of 292.31 feet, and whose chord bears South 71 degrees 53 minutes 33 seconds West, 552.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 981.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 733.92 feet along a curve to the right having a central angle of 30 degrees 02 minutes 09 seconds, a radius of 1,400.00 feet, a tangent of 375.60 feet, and whose chord bears South 67 degrees 55 minutes 57 seconds West, 725.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 05 degrees 37 minutes 01 seconds East, 563.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 55.96 feet along a curve to the left having a central angle of 06 degrees 32 minutes 37 seconds, a radius of 490.00 feet, a tangent of 28.01 feet, and whose chord bears South 08 degrees 53 minutes 20 seconds East, 55.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 231.51 feet along a curve to the right having a central angle of 12 degrees 41 minutes 36 seconds, a radius of 1,045.00 feet, a tangent of 116.23 feet, and whose chord bears South 05 degrees 48 minutes 51 seconds East, 231.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 57 seconds West, 66.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 as follows:
North 89 degrees 28 minutes 43 seconds West, 1,893.32 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;
North 89 degrees 23 minutes 25 seconds West, 705.75 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point also being the southeast corner of that called 1.05 acre tract of land described in deed to Donald Stiles as recorded in Document Number 20200821001383600, Official Public Records of Collin County, Texas;

THENCE along the common lines of said 180.339 acre tract and said 1.05 acre tract as follows:
North 00 degrees 45 minutes 47 seconds East, 253.51 feet to a five-eighths inch iron rod found for corner;
North 87 degrees 47 minutes 23 seconds West, 180.66 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;
South 00 degrees 37 minutes 46 seconds West, 257.91 feet to a one-half inch iron rod found at the southwest corner of said 1.05 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 10 minutes 57 seconds West, 848.67 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to the POINT OF BEGINNING and containing 16,433,351 square feet or 377.258 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 PETRO-HUNT, L.L.C. and FAR EAST LAVON, LP, acting herein by and through its duly-authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON PHASES 2A-2E**, an addition to the City of Lavon ETJ, 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 ETJ use thereof. The City of Lavon ETJ 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 ETJ 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.

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 ETJ.

WITNESS MY HAND THIS _____ DAY OF _____, 2021.

PETRO-HUNT, L.L.C.,
a Texas limited liability company

By: _____
Alan Bain, Vice President

FAR EAST LAVON, LP,
a Texas limited partnership,

By: Pitman Investments, LLC,
a Texas limited liability company,
its general partner

By: _____
Alan Bain, Vice 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 Alan Bain, 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 _____, 2021.

_____
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's ETJ.

Dated this the _____ day of _____, 2021.

"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 _____, 2021.

_____
Notary Public in and for the State of Texas

"Recommended For Approval"

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

"Approved For Preparation of Final Plat"

_____ _____
Mayor Date
City of Lavon,
Collin County, Texas

PRELIMINARY PLAT

ELEVON SECTION 2
PHASES 2A-2E

1,389 RESIDENTIAL LOTS
37 HOA OPEN SPACE LOTS
1,426 TOTAL LOTS

BEING 377.258 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

FAR EAST LAVON, LP &
PETRO-HUNT, LLC — CURRENT OWNER
2101 Cedar Springs Road, Suite 600
Dallas, Texas 75201
Contact: Alan Bain
(214)880-8400

MA PARTNERS, LLC — FUTURE OWNER/DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715-6449

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
TBPE No. F-438 TBPLS No. 10076000
(972) 248-7676

Date: August 6, 2021

Plotted by: mgarcia Plot Date: 8/6/2021 3:59 PM
Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\XMAT029-PPT.dwg Saved By: ddewey Save Time: 8/5/2021 5:54 PM

August 17, 2023

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

Re: Elevon Section 2, Elevon Phase 2E, 267 Lots, 56.659 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated August 3, 2023 and revised Engineering Plans dated August 10, 2023 as prepared by JBI Partners, Inc. for the above referenced property. The property is generally located east of Elevon Section 2, Phase 2C and north of Elevon Parkway, and south of Bear Creek. Comments are based upon the Development Agreement (Resolution 2021-09-07). Our comments are as follows:

GENERAL

1. The northern areas appear to be within the existing floodplain. The Engineer is working on floodplain modifications and, upon completion will modify Plat and Engineering Plans to reflect final calculated flood plain limits and elevations. Per the Engineer:

   Nick Grieco, the engineer doing the CLOMR and LOMR, has spoken with FEMA and it was decided that we could hold off on submitting the LOMR that affects the couple of lots in Phase 2A until we get the grading done in Phase 2E and submit a single LOMR and thus avoid doing an additional CLOMR and LOMR for Phase 2E. We will be attempting to get a LOMR-F for the lots in Phase 2A, if KHovnanian needs to sell any of the affected lots. We have let them know that they do have lots affected by the floodplain and are aware a LOMR is being done. Thus, it is best for us to get 2E graded as quickly as possible.

   The pre 100-yr floodplain is shown which is the post floodplain line from the Phase 2A-2D improvements. We are working with our H&H group for an updated model of the creek and will be adding the post 100-yr floodplain line to the plat once the model has been finalized.

2. The extension of Elevon Parkway from Section 2C is NOT included in this project. This is to be constructed by the Major Infrastructure Developer. Elevon Parkway has been platted separately.

Final Plat

3. See floodplain comment above.

Engineering Plans

4. See floodplain comment above.

5. Sheets 1.17, 1.18, 6.00, 6.01 – A note should be added that states that “Water Valves shall not be located within any curb ramp, including ramp, landing and side flares” or

similar. The Engineer should verify and modify as necessary any valves that do not meet this requirement.

6. Sheet 3.03 – The Stabilized Construction Exit detail should be updated to show the length is a minimum of 50’ per the City Standards since lots are greater than 150’ from the street.

7. Sheet 5.04 – The storm carryover flows have been identified via tables and intersection details. The intersection detail provided does not appear to show depth of flow. If the depth of flow is 5”, then this is excessive and unsafe for driving and enlarging or relocating inlet A14-C should be considered.

8. Sheets 7.09, 7.10, 7.11 – Sheets with internal drop manholes should include a note stating “All drop connections shall be internal drops and shall conform to City of Lavon Standard Details 4, Sheet DS-SS1”.

9. Sheet 7.10 – Add “INTERNAL” to drop manhole at 1+00 Line SS-E8.

This concludes our review of the above referenced revised Final Plat and revised Engineering Plans. A copy of the Engineering Plans sheets, with markups, is attached for your convenience. These sheets should be considered typical in nature and NOT be considered a comprehensive markup set. **We recommend APPROVAL of the Final Plat by P&Z subject to the floodplain modification noted above.**

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.

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, Daniel Dewey, P.E.

F:\17024 - LAV General Servies\9 - Review\Elevon\Section 2\Phase 2E\Sect 2 Ph 2E - Final Plat - Rev 1.docx

JBI PARTNERS

August 11th, 2023

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

Re: Elevon Section 2, Elevon Phase 2E, 267 Lots, 56.659 Acres
Final Plat

Dear Ms. Dobbs

JBI Partners received your comments via email form on July 11th, 2023 from Mark Hill at Freeman-Millican, Inc. for the first submittal review of the Elevon Section 2, Phase 2E final plat and construction plans. We have addressed the comments and are resubmitting the revised plans for review and approval. Below is a summary of how each comment is addressed.

GENERAL

1. This TIA provided for Section 2 includes this area.

2. The northern areas appear to be within the existing floodplain. There is extensive grading within this area. It does not appear that the CLOMR request for Elevon Section 2 accounts for the modifications within the existing floodplain. The Flood study, and resulting CLOMR request, should be modified to account for the proposed modifications to remove several lots from the floodplain.
   Nick Grieco, the engineer doing the CLOMR and LOMR, has spoken with FEMA and it was decided that we could hold off on submitting the LOMR that affects the couple of lots in Phase 2A until we get the grading done in Phase 2E and submit a single LOMR and thus avoid doing an additional CLOMR and LOMR for Phase 2E. We will be attempting to get a LOMR-F for the lots in Phase 2A, if KHovnanian needs to sell any of the affected lots. We have let them know that they do have lots affected by the floodplain and are aware a LOMR is being done. Thus, it is best for us to get 2E graded as quickly as possible.

3. Water service is by Nevada SUD.
   Nevada SUD has approved the water plans.

4. The extension of Elevon Parkway from Section 2C is included in this project. Elevon Parkway has been platted separately.

Final Plat

1. Sunset Canyon Drive includes a temporary turnaround that extends beyond the plat boundary. An easement will need to be provided.
   An easement by separate instrument is now shown in the plat for the temporary turnaround.

2. The blue dashed line should be clearly identified on Sheet 1.
   The City limits line is now labeled.

3. The Surveyor should verify that the green line is pre- or post- development.
   The pre 100-yr floodplain is shown which is the post floodplain line from the Phase 2A-2D improvements. We are working with our H&H group for an updated model of the creek and will be adding the post 100-yr floodplain line to the plat once the model has been finalized.

4. The intersection of Beautyberry Trail and Sunset Canyon Drive includes sidewalk/curb outside of the ROW. An easement should be provided.
   The right-of-way C24 curve has been adjusted and the sidewalk and pavement are now within the roads right-of-way.

5. A note should be added to identify all "X" lots are to be owned and maintained by the HOA.
   Note #7 has been added stating which lots are to be owned and maintained by the HOA.

6. A note should be added regarding responsibility of retaining wall maintenance.
   Note #4 has been added for retaining wall maintenance responsibilities.

7. A row of data is missing in the line tables.
   The table has been adjusted to show all rows.

Engineering Plans

1. Sheets 1.01 & 1.04 – This area is within the floodplain (per Plat). The floodplain limits should be shown.
   The pre-floodplain line is shown and labeled. We are working with our H&H group for an updated model of the creek and will be adding the post 100-yr floodplain line to the plat once the model has been finalized.

2. Sheet 1.01 – There is a section of sidewalk on the north end of Riverside Trace that is not clear about who is responsible for construction. This should be clarified.
   A label has been added to show this sidewalk falls within the Phase 2E developer's responsibility. The sidewalk plan (sheets 1.17 and 1.18) provides an overall view of the sidewalks and trails to be built with this phase.

3. Sheet 1.04 – The temporary turnaround extends beyond the platted boundary. An easement will be required.
   A temporary turnaround easement has been added.

4. Sheet 1.04 – Sunset Canyon Drive should extend to the platted boundary.
   Sunset Canyon Drive will be extended with the future phase due to the creek crossing. The street is currently ending just past the last 2E lot and then the grading transitions down to the creek. The next phase will build the culvert and headwalls needed at the creek crossing with the continuation of the road.

5. Sheet 1.06 – the sidewalk and curb line are shown to be outside the ROW. An easement or ROW adjustment should be provided.
   The plat right-of-way has been adjusted and the sidewalks and pavement are now shown within the roads right-of-way.

6. Sheet 1.14 – Little Hills Way should extend to the property line.
   Little Hills Way and Little Bridge Drive have been extended to the property line. Utility services for the future lots have now been added due to the extension of the pavement.

7. Sheet 1.15 – Elevon Parkway should extend to property line.
   Elevon Parkway final plat was done with the major infrastructure improvements of the initial phases (2A-2D). It is included in the 2E submittal for reference only. We showed the pavement extending over to the last lot on 2E and would prefer to avoid extending the road further east until future lots are developed. This is to avoid building screening walls, sidewalks and landscaping where future construction will occur.

8. Sheets 2.08 & 2.09 – Grading is shown within the determined floodplain per the CLOMR request.
   The grading shown for 2E will be incorporated into the LOMR. We are in the process of modeling modifications to the creek to mitigate high velocities that exist in the pre-project condition. The creek modifications will not affect the current grading of the lots, but will be isolated to the open space area containing the creek.

9. Sheet 2.08 – There appears to be 3 sets of contours shown.
   The contours in this area have been checked. The proposed and existing surfaces are both shown and there are also easements in that area.

10. Sheets 2.08 & 2.09 – Proposed contours should connect to existing contours at some point and not just end.
    The grading at the creek has been cleaned up. Proposed contours are now shown to tie in with existing.

11. All grading outside the platted boundary will require an easement or written permission form the adjacent property owner.
    We are working with the Elevon master developer who will provide written permission for the activities outside of the phase 2E platted boundary.

12. Erosion control outside the platted boundary will require an easement or written permission from the adjacent property owner.
    We are working with the Elevon master developer who will provide written permission for the activities outside of the phase 2E platted boundary.

13. Sheet 3.03 – The Stabilized Construction Exit detail should be updated to NOT allow crushed or recycled concrete per the City Standards.
    A note has been added stating that crushed or recycled concrete is not allowed at the construction entrance.

14. Sheet 3.03 – The Stabilized Construction Exit detail should be updated to show the length is a minimum of 30’ or 50’ per the City Standards.
    Length of construction entrance is now specified.

15. Sheet 4.05 – Carryovers greater than 1 cfs should be shown in the plan views.
    Inlet carryover flow tables have been provided for all storm sheets.

16. In intersections where flow is greater than 1.0 cfs, the depth of flow should be shown.
    Intersections details are now provided for the streets with greater than 1.0 cfs crossing the intersection.

17. Sheets 5.06 & 5.11 – The 100-yr flood elevation should be shown at the outfall.
    We are working with our H&H group for an updated model of the creek and will be updating the 100-year water surface elevation on the storm profiles and the drainage calculations once the model is finalized. We have currently designed the storm with a starting HGL of top of pipe or pre-100-yr water surface elevation, whichever is greater.

18. Sheets 5.11 & 5.12 – The matchline sheet number is not correct.
    The matchline text has been corrected.

19. Sheet 7.04 – There are several notes that show question marks instead of data.
    The labels have been adjusted.

20. Sheet 7.04 – An easement should be provide for the sewer lines outside the platted boundary.
    A sanitary sewer easement by separate instrument is now shown.

21. Sanitary sewer shall be SDR 26 (all sheets).
    All sanitary profiles have been checked to make sure all pipe labels call for SDR-26.

22. Sheet 7.10 – Manholes near floodplain may be required to be sealed. The 100-year water elevation should be shown.
    The sanitary sewer manhole outside of the floodplain is now shown to include gator wrap exterior coating or equal and watertight frame and cover. We will add the 100-year water surface elevation when we finalize the latest creek model.

If you have any questions, or require additional information regarding this submittal, please contact me at (972) 738-0243.

Thank you,

Daniel Dewey

Daniel Dewey, PE
JBI Partners, Inc.

July 11, 2023

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

Re: Elevon Section 2, Elevon Phase 2E, 267 Lots, 56.659 Acres
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the Final Plat dated February May 15, 2023 and Engineering Plans dated May 19, 2023 as prepared by JBI Partners, Inc. for the above referenced property. The property is generally located east of Elevon Section 2, Phase 2C and north of Elevon Parkway, and south of Bear Creek. Comments are based upon the Development Agreement (Resolution 2021-09-07). Our comments are as follows:

GENERAL

1. This TIA provided for Section 2 includes this area.

2. The northern areas appear to be within the existing floodplain. There is extensive grading within this area. It does not appear that the CLOMR request for Elevon Section 2 accounts for the modifications within the existing floodplain. The Flood study, and resulting CLOMR request, should be modified to account for the proposed modifications to remove several lots from the floodplain.

3. Water service is by Nevada SUD.

4. The extension of Elevon Parkway from Section 2C is included in this project. Elevon Parkway has been platted separately.

Final Plat

5. Sunset Canyon Drive includes a temporary turnaround that extends beyond the plat boundary. An easement will need to be provided.

6. The blue dashed line should be clearly identified on Sheet 1.

7. The Surveyor should verify that the green line is pre- or post- development.

8. The intersection of Beautyberry Trail and Sunset Canyon Drive includes sidewalk/curb outside of the ROW. An easement should be provided.

9. A note should be added to identify all “X” lots are to be owned and maintained by the HOA.

10. A note should be added regarding responsibility of retaining wall maintenance.

11. A row of data is missing in the line tables.

Engineering Plans

12. Sheets 1.01 & 1.04 – This area is within the floodplain (per Plat). The floodplain limits should be shown.

13. Sheet 1.01 – There is a section of sidewalk on the north end of Riverside Trace that is not clear about who is responsible for construction. This should be clarified.

14. Sheet 1.04 – The temporary turnaround extends beyond the platted boundary. An easement will be required.

15. Sheet 1.04 – Sunset Canyon Drive should extend to the platted boundary.

16. Sheet 1.06 – the sidewalk and curb line are shown to be outside the ROW. An easement or ROW adjustment should be provided.

17. Sheet 1.14 – Little Hills Way should extend to the property line.

18. Sheet 1.15 – Elevon Parkway should extend to property line.

19. Sheets 2.08 & 2.09 – Grading is shown within the determined floodplain per the CLOMR request.

20. Sheet 2.08 – There appears to be 3 sets of contours shown.

21. Sheets 2.08 & 2.09 – Proposed contours should connect to existing contours at some point and not just end.

22. All grading outside the platted boundary will require an easement or written permission form the adjacent property owner.

23. Erosion control outside the platted boundary will require an easement or written permission from the adjacent property owner.

24. Sheet 3.03 – The Stabilized Construction Exit detail should be updated to NOT allow crushed or recycled concrete per the City Standards.

25. Sheet 3.03 – The Stabilized Construction Exit detail should be updated to show the length is a minimum of 30’ or 50’ per the City Standards.

26. Sheet 4.05 – Carryovers greater than 1 cfs should be shown in the plan views.

27. In intersections where flow is greater than 1.0 cfs, the depth of flow should be shown.

28. Sheets 5.06 & 5.11 – The 100-yr flood elevation should be shown at the outfall.

29. Sheets 5.11 & 5.12 – The matchline sheet number is not correct.

30. Sheet 7.04 – There are several notes that show question marks instead of data.

31. Sheet 7.04 – An easement should be provide for the sewer lines outside the platted boundary.

32. Sanitary sewer shall be SDR 26 (all sheets).

33. Sheet 7.10 – Manholes near floodplain may be required to be sealed. The 100-year water elevation should be shown.

This concludes our review of the above referenced Final Plat and Engineering Plans. A copy of the Final Plat and Engineering Plans, 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.

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, Daniel Dewey, P.E.

F:\17024 - LAV General Servies\9 - Review\Elevon\Section 2\Phase 2E\Sect 2 Ph 2E - Final Plat - Rev 0.docx

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 – H**

Item:

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

Background:

The developer of the Elevon, Section 2, Phase 2D Addition recently completed construction of the public infrastructure improvements. The Code of Ordinances provides that prior to recording a final plat the City Council will accept the dedication of the public infrastructure.

Code Excerpt
City of Lavon Code of Ordinances
Article 9.02 Subdivision Ordinance
Section 9.02.006 Record Drawings (as-built plans)

Prior to the acceptance of the subdivision and within thirty (30) days of the completion of the subdivision, the engineer for the developer shall submit to the City a complete set of reproducible construction drawings twenty-four by thirty-six inches (24" x 36") of the paving, drainage, water and sanitary sewer improvements with all changes made in the plans during construction and containing on each sheet and [an] "As Built" stamp bearing the signature of the engineer and the date.

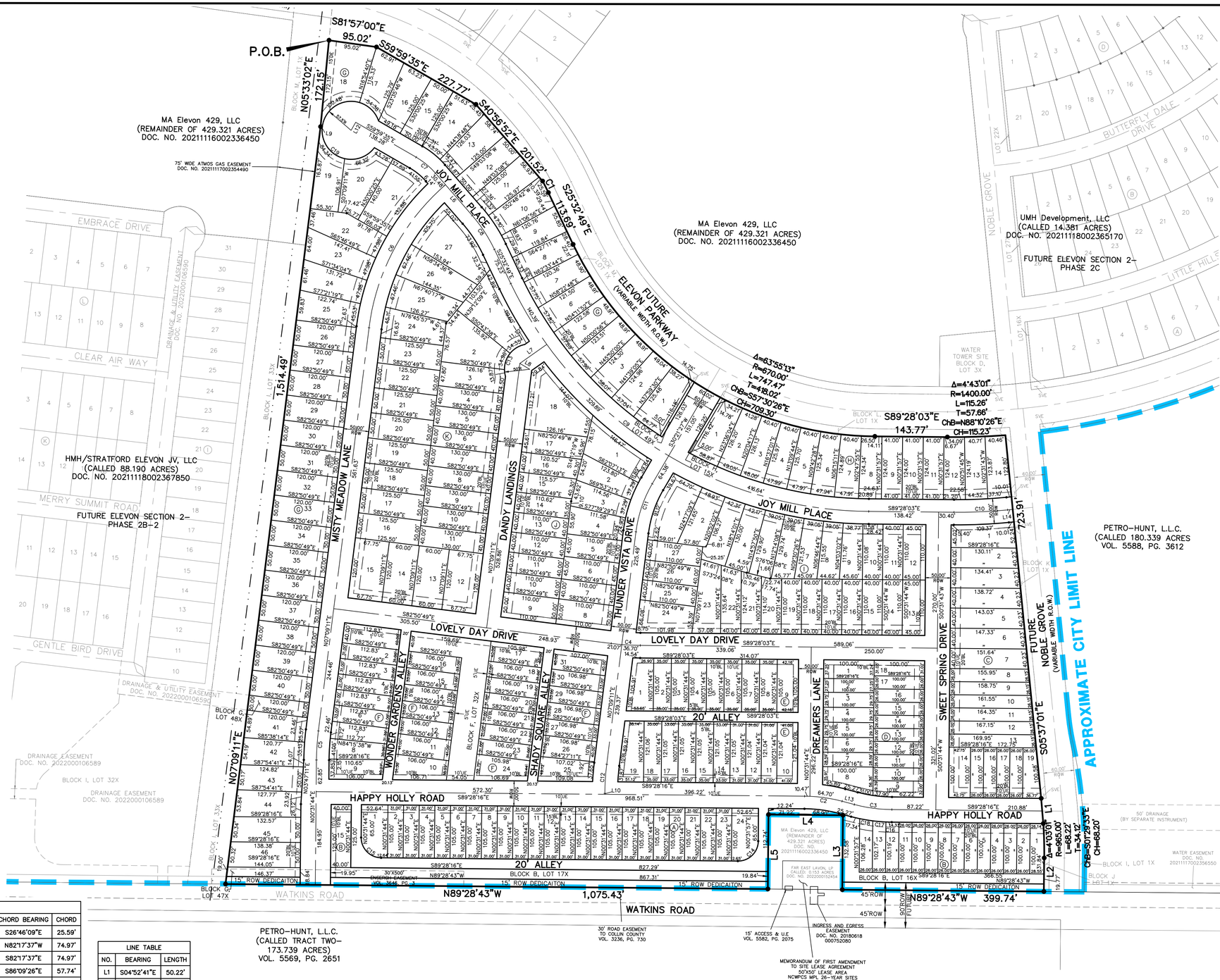
Within ten (10) days of the receipt of the "record drawings," the City Engineer shall make a recommendation for acceptance or non-acceptance of the subdivision to the City Council and a determination of review cost and the receipt of the required maintenance bond.

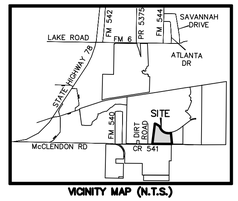
No final acceptance of the subdivision will be made by the City Council until these requirements have been made to the satisfaction of the City.

Staff Notes:

Acceptance of the dedication of infrastructure is recommended per the City Engineer's letter.

Attachments: 1) Final Plat
2) City Engineer Letter





VICINITY MAP (N.T.S.)

NORTH

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

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
UGL	UNDERGROUND LINE
FOC	FIBER OPTIC CABLE
PED	PEDESTAL
TELE	TELECOMMUNICATIONS
MHW	MANHOLE WATER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLES
UTIL	UTILITY
RCP	REINFORCED CONCRETE PIPE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SVE	SIGHT VISIBILITY EASEMENT
	STREET NAME CHANGE

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 "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (500–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 WATKINS ROAD.

4. SURVEY ABSTRACT LINES SHOWN HEREON ARE APPROXIMATE.

5. PROPOSED LOTS SHOWN WITHIN THE EXISTING PONDS TO BE DEEMED BUILDABLE UPON APPROVAL FROM THE APPROPRIATE AUTHORITY HAVING JURISDICTION.

6. ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY

7. RETAINING WALLS ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNER. RETAINING WALLS ARE TO BE CONSTRUCTED ON THE LOT OF THE HIGH SIDE. RETAINING WALLS BELOW A HOA SCREEN WALL WILL BE OWNED AND MAINTAINED BY THE HOA.

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	25.59'	002°26'39"	600.00'	12.80'	S26°46'09"E	25.59'
C2	75.17'	014°21'20"	300.00'	37.78'	N82°17'37"W	74.97'
C3	75.16'	014°21'19"	300.00'	37.78'	S82°17'37"E	74.97'
C4	57.78'	006°37'14"	500.00'	28.92'	S86°09'26"E	57.74'
C5	57.81'	006°37'28"	500.00'	28.94'	S03°50'27"W	57.78'
C6	329.08'	041°53'57"	450.00'	172.29'	S28°06'10"W	321.79'
C7	49.86'	019°02'43"	150.00'	25.16'	N50°28'13"W	49.63'
C8	80.64'	015°24'02"	300.00'	40.56'	N33°14'50"W	80.39'
C9	886.92'	063°55'13"	795.00'	496.00'	S57°30'26"E	841.63'
C10	106.69'	006°08'59"	994.00'	53.39'	N87°27'28"E	106.64'
C11	101.25'	023°12'16"	250.00'	51.33'	S18°45'19"W	100.56'
C12	57.78'	006°37'14"	500.00'	28.92'	S03°50'34"W	57.74'
C13	83.18'	095°18'47"	50.00'	54.87'	S30°58'53"W	73.91'
C14	62.83'	089°59'47"	40.00'	40.00'	N45°31'50"E	56.57'
C15	62.83'	090°00'00"	40.00'	40.00'	S44°28'16"E	56.57'
C16	11.67'	002°03'29"	325.00'	5.84'	S88°26'32"E	11.67'
C17	26.08'	005°01'56"	296.98'	13.05'	S85°06'51"E	26.08'
C18	26.33'	004°38'30"	325.00'	13.17'	S80°29'39"E	26.32'
C19	305.52'	304°26'07"	57.50'	30.29'	S08°52'46"W	53.60'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S04°52'41"E	50.22'
L2	S00°31'57"W	66.61'
L3	N00°31'17"E	147.58'
L4	N89°28'43"W	147.58'
L5	S00°31'17"W	147.58'
L6	S40°56'52"E	111.23'
L7	S54°48'35"W	65.30'
L8	S59°01'07"E	22.67'
L9	S81°05'16"E	3.41'
L10	N00°31'57"E	1.99'
L11	S82°50'49"E	72.71'
L12	N30°00'25"E	18.34'
L13	N75°06'57"W	25.27'
L14	S84°22'59"W	10.01'

FINAL PLAT

ELEVON SECTION 2 PHASE 2D

258 RESIDENTIAL LOTS
7 HOA OPEN SPACE LOTS
265 TOTAL LOTS

BEING 40.661 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

QUALICO DEVELOPMENTS (U.S.), INC. — OWNER/DEVELOPER
14400 The Lakes Blvd., Bldg C, Suite 200 (204) 233–2451
Austin, Texas 78660

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300 (972) 248–7676
Carrollton, Texas 75006
TBPE No. F–438 TBPLS No. 10076000

Date: August 14, 2023

Sheet 1 of 2

Plotted by: dbell Plot Date: 8/14/2023 10:04 AM
Drawing: H:\Projects\MAT029–Elevon Section 2\Surveying\dwg\XMAT029–PH2D–PT.dwg Saved By: dbell Save Time: 8/14/2023 9:59 AM

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 all of that called 40.661 acre tract of land described in deed to QUALICO DEVELOPMENTS (U.S.), INC., as recorded in Document Number 20211118002365440, 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 northwest corner of said 40.661 acre tract of land;

THENCE along the north line of said 40.661 acre tract as follows:
South 81 degrees 57 minutes 00 seconds East, 95.02 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 59 degrees 59 minutes 35 seconds East, 227.77 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 40 degrees 56 minutes 52 seconds East, 201.52 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 25.59 feet along a curve to the right having a central angle of 02 degrees 26 minutes 39 seconds, a radius of 600.00 feet, a tangent of 12.80 feet and whose chord bears South 26 degrees 46 minutes 09 seconds East, 25.59 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 25 degrees 32 minutes 49 seconds East, 113.69 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 747.47 feet along a curve to the left having a central angle of 63 degrees 55 minutes 13 seconds, a radius of 670.00 feet, a tangent of 418.02 feet and whose chord bears South 57 degrees 30 minutes 26 seconds East, 709.30 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 89 degrees 28 minutes 03 seconds East, 143.77 feet to a one–half inch iron rod with yellow caps stamped "JBI" found for corner;
Northeasterly, 115.26 feet along a curve to the left having a central angle of 04 degrees 43 minutes 01 seconds, a radius of 1,400.00 feet, a tangent of 57.66 feet and whose chord bears North 88 degrees 10 minutes 26 seconds East, 115.23 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 40.661 acre tract;

THENCE along the east line of said 40.661 acre tract as follows:
South 05 degrees 37 minutes 01 seconds East, 723.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 04 degrees 52 minutes 41 seconds East, 50.22 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 68.22 feet along a curve to the right having a central angle of 04 degrees 03 minutes 01 seconds, a radius of 965.00 feet, a tangent of 34.12 feet and whose chord bears South 01 degrees 29 minutes 33 seconds East, 68.20 feet to a one–half inch iron with yellow cap stamped "JBI" found for corner;
South 00 degrees 31 minutes 57 seconds West, 66.61 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 40.661 acre tract, said point also being in the north right–of–way line of County Road 541;

THENCE along the south line of said 40.661 acre tract as follows:
North 89 degrees 28 minutes 43 seconds West, 399.74 feet along the north right–of–way line of County Road 541 to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 00 degrees 31 minutes 17 seconds East, 147.58 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 89 degrees 28 minutes 43 seconds West, 147.58 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 00 degrees 31 minutes 17 seconds West, 147.58 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the north right–of–way line of County Road 541;
North 89 degrees 28 minutes 43 seconds West, 1,075.43 feet along the north right–of–way line of County Road 541 to a one–half inch iron rod with yellow cap stamped "JBI" found at the southwest corner of said 40.661 acre tract, said point also being at the southeast corner of that called 88.190 acre tract of land described in deed to HMH/STRATFORD ELEVON JV, LLC, as recorded in Document Number 20211118002367850, Official Public Records of Collin, County Texas;

THENCE North 07 degrees 09 minutes 11 seconds East, 1,514.49 feet along the west line of said 40.661 acre tract and along the east line of said 88.190 acre tract to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 05 degrees 33 minutes 02 seconds East, 172.15 feet to the POINT OF BEGINNING and containing 1,771,212 square feet or 40.661 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 QUALICO DEVELOPMENTS (U.S.), INC., acting herein by and through its duly–authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON SECTION 2, PHASE 2D**, 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.

QUALICO DEVELOPMENTS (U.S.), INC., 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 _____, 2023.

QUALICO DEVELOPMENTS (U.S.), INC.,
a Delaware corporation

By: _____

Name: _____

Title: _____

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 _____, 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 _____, 2023.

_____
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 _____, 2023.

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

_____
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 _____, 2023.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
DEREK BELL
Notary ID 133608256
Expires February 23, 2026

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 Elevon Section 2, Phase 2D 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, 2023.

_____

City Secretary, City of Lavon, Texas

LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE		
BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES	BLOCK–LOT	SQUARE FEET	ACRES
A–1	5,184	0.119	B–7	2,600	0.060	D–1	3,724	0.085	E–13	3,752	0.086	F–24	4,939	0.113	G–22	7,753	0.178	H–3	5,571	0.128	I–19	4,400	0.101	K–3	6,184	0.142
A–2	3,255	0.075	B–8	2,600	0.060	D–2	2,725	0.063	E–14	3,995	0.092	F–25	4,769	0.109	G–23	7,644	0.175	H–4	5,561	0.128	I–20	4,435	0.102	K–4	5,200	0.119
A–3	3,255	0.075	B–9	2,600	0.060	D–3	2,975	0.068	E–15	4,237	0.097	F–26	4,441	0.102	G–24	6,890	0.158	H–5	5,546	0.127	I–21	4,756	0.109	K–5	5,200	0.119
A–4	3,255	0.075	B–10	2,600	0.060	D–4	2,975	0.068	E–16	4,237	0.097	F–27	3,531	0.081	G–25	6,521	0.150	H–6	5,527	0.127	I–22	5,195	0.119	K–6	5,200	0.119
A–5	3,255	0.075	B–11	2,600	0.060	D–5	2,975	0.068	E–17	3,995	0.092	F–28	3,531	0.081	G–26	6,000	0.138	H–7	5,502	0.126	I–23	6,911	0.159	K–7	5,200	0.119
A–6	3,255	0.075	B–12	2,601	0.060	D–6	2,975	0.068	E–18	4,237	0.097	F–29	3,531	0.081	G–27	6,000	0.138	H–8	5,344	0.123	I–24	6,575	0.151	K–8	5,200	0.119
A–7	3,255	0.075	B–13	2,627	0.060	D–7	2,859	0.066	E–19	5,457	0.125	F–30	3,531	0.081	G–28	6,000	0.138	H–9	5,084	0.117	I–25	4,400	0.101	K–9	5,200	0.119
A–8	3,255	0.075	B–14	2,706	0.062	D–8	4,569	0.105	F–1	4,513	0.104	F–31	4,280	0.098	G–29	6,000	0.138	H–10	5,084	0.117	I–26	4,400	0.101	K–10	5,200	0.119
A–9	3,255	0.075	B–15	5,000	0.115	D–9	3,167	0.073	F–2	3,498	0.080	F–32X	19,373	0.445	G–30	6,000	0.138	H–11	5,084	0.117	I–27	4,400	0.101	K–11	5,200	0.119
A–10	3,255	0.075	B–16X	13,104	0.301	D–10	2,600	0.060	F–3	3,498	0.080	G–1	7,040	0.162	G–31	6,000	0.138	H–12	5,245	0.120	I–29	5,948	0.137	K–12	8,130	0.187
A–11	3,255	0.075	B–17X	17,253	0.396	D–11	2,600	0.060	F–4	3,498	0.080	G–2	6,642	0.152	G–32	6,000	0.138	H–13	5,275	0.121	J–1	8,127	0.187	K–13	7,200	0.165
A–12	3,255	0.075	C–1	6,027	0.138	D–12	2,600	0.060	F–5	3,498	0.080	G–3	6,663	0.153	G–33	6,000	0.138	H–14	5,402	0.124	J–2	5,373	0.123	K–14	7,200	0.165
A–13	3,255	0.075	C–2	5,290	0.121	D–13	2,600	0.060	F–6	3,723	0.085	G–4	6,620	0.152	G–34	6,000	0.138	H–15X	679	0.016	J–3	5,076	0.117	K–15	8,130	0.187
A–14	3,255	0.075	C–3	5,463	0.125	D–14	2,600	0.060	F–7	3,699	0.085	G–5	6,571	0.151	G–35	6,000	0.138	I–1	8,821	0.202	J–4	5,609	0.129	K–16	6,275	0.144
A–15	3,255	0.075	C–4	5,635	0.129	D–15	2,600	0.060	F–8	4,024	0.092	G–6	6,514	0.150	G–36	6,000	0.138	I–3	6,029	0.138	J–5	4,950	0.114	K–17	6,275	0.144
A–16	3,255	0.075	C–5	5,807	0.133	D–16	2,600	0.060	F–9	4,333	0.099	G–7	6,450	0.148	G–37	6,000	0.138	I–4	5,957	0.137	J–6	4,950	0.114	K–18	6,275	0.144
A–17	3,255	0.075	C–6	5,979	0.137	D–17	2,600	0.060	F–10	4,785	0.110	G–8	6,302	0.145	G–38	6,000	0.138	I–5	5,471	0.126	J–7	4,400	0.101	K–19	6,275	0.144
A–18	3,255	0.075	C–7	6,152	0.141	D–18	3,102	0.071	F–11	4,346	0.100	G–9	6,286	0.144	G–39	6,000	0.138	I–6	5,273	0.121	J–8	5,500	0.126	K–20	6,275	0.144
A–19	3,255	0.075	C–8	4,091	0.094	E–1	4,994	0.115	F–12	3,498	0.080	G–10	6,946	0.159	G–40	6,000	0.138	I–7	4,955	0.114	J–9	5,500	0.126	K–21	6,275	0.144
A–20	3,255	0.075	C–9	4,164	0.096	E–2	3,675	0.084	F–13	3,498	0.080	G–11	6,608	0.152	G–41	6,242	0.143	I–8	4,738	0.109	J–10	4,400	0.101	K–22	6,275	0.144
A–21	3,255	0.075	C–10	4,237	0.097	E–3	3,675	0.084	F–14	3,498	0.080	G–12	6,250	0.143	G–42	6,337	0.145	I–9	4,670	0.107	J–11	4,400	0.101	K–23	6,275	0.144
A–22	3,255	0.075	C–11	4,309	0.099	E–4	3,675	0.084	F–15	3,498	0.080	G–13	6,698	0.154	G–43	6,312	0.145	I–10	4,400	0.101	J–12	4,400	0.101	K–24	6,899	0.158
A–23	3,255	0.075	C–12	4,382	0.101	E–5	3,675	0.084	F–16	3,498	0.080	G–14	7,707	0.177	G–44	6,722	0.154	I–11	4,400	0.101	J–13	4,400	0.101	K–25	7,709	0.177
A–24	5,185	0.119	C–13	4,455	0.102	E–6	3,675	0.084	F–17	4,239	0.097	G–15	6,250	0.143	G–45	6,774	0.156	I–12	4,950	0.114	J–14	4,402	0.101	K–26	8,323	0.191
B–1	2,800	0.064	C–14	4,275	0.098	E–7	3,675	0.084	F–18	3,285	0.075	G–16	7,025	0.161	G–46	7,064	0.162	I–13	4,950	0.114	J–15	4,524	0.104	K–27	12,090	0.278
B–2	2,600	0.060	C–15	2,600	0.060	E–8	3,675	0.084	F–19	3,285	0.075	G–17	6,398	0.147	G–47X	2,738	0.063	I–14	4,400	0.101	J–16	4,722	0.108			
B–3	2,600	0.060	C–16	2,600	0.060	E–9	4,427	0.102	F–20	3,285	0.075	G–18	10,469	0.240	G–48X	3,600	0.083	I–15	4,400	0.101	J–17	5,625	0.129			
B–4	2,600	0.060	C–17	2,600	0.060	E–10	4,963	0.114	F–21	3,285	0.075	G–19	6,800	0.156	G–49X	678	0.016	I–16	4,400	0.101	J–18	12,315	0.283			
B–5	2,600	0.060	C–18	2,600	0.060	E–11	3,752	0.086	F–22	3,285	0.075	G–20	8,595	0.197	H–1	6,442	0.148	I–17	4,400	0.101	K–1	10,249	0.235			
B–6	2,600	0.060	C–19	3,138	0.072	E–12	3,752	0.086	F–23	3,285	0.075	G–21	10,069	0.231	H–2	5,698	0.131	I–18	4,400	0.101	K–2	9,491	0.218			

FINAL PLAT
ELEVON SECTION 2
PHASE 2D

258 RESIDENTIAL LOTS
7 HOA OPEN SPACE LOTS
265 TOTAL LOTS

BEING 40.661 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

QUALICO DEVELOPMENTS (U.S.), INC. **OWNER/DEVELOPER**
14400 The Lakes Blvd., Bldg C, Suite 200 (204) 233–2451
Austin, Texas 78660

JBI PARTNERS, INC. **SURVEYOR/ENGINEER**
2121 Midway Road, Suite 300 (972) 248–7676
Carrollton, Texas 75006
TBPE No. F–438 TBPLS No. 10076000

Date: August 14, 2023

Plotted by: dbell Plot Date: 8/14/2023 10:04 AM
Drawing: H:\Projects\MAT029–Elevon Section 2\Surveying\dwg\XMAT029–PH2D–PT.dwg Saved By: dbell Save Time: 8/14/2023 9:59 AM

September 1, 2023

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

Re: Elevon Section 2, Phase 2D
Final Acceptance

Dear Ms. Dobbs:

On Tuesday, August 8, 2023, a final walkthrough of the Development was conducted with representatives of the Developer, Contractor, Development Engineer, City Inspector and City Engineer. A “punch list” was created to identify items that required completion prior to final acceptance.

All punch list items have been satisfactorily addressed.

All Maintenance bonds have been provided.

A copy of Nevada SUD acceptance has been provided (see attached).

A copy of Record Drawings has been provided.

A copy of recommended approval from the design engineer for retaining walls has been provided (see attached).

Attached is a letter from the Developer that identifies some remaining items to complete, namely landscape, hardscape and perimeter fencing. These are to be completed by mid-September.

We recommend acceptance of Elevon Section 2, Phase 2D.

The 2-year Maintenance Warranty period will commence upon acceptance of the Development.

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, Matt Policano

F:\17024 - LAV General Servies\9 - Review\Elevon\Section 2\Phase 2D\Elevon Ph 2, Sec 2D - Final Acceptance.docx

July 5, 2023

K-CON
Utility Services
Evan Jones – owner
405 Power House St
Suite 503
McKinney, TX 75071
(972) 954 - 1423
evan@kconservices.com

RE: "Acceptance Letter"

K-CON Utility Services,

This letter is to certify that:

Nevada Special Utility District has inspected and approved the "Improvement to Public Water" project hereby known as Elevon Section 2 Phase 2D. Therefore, Nevada Special Utility District accepts and takes ownership of the said waterline.

The above-mentioned waterline improvement project is located on the north side of County Road 541 east of FM 540 in Lavon Texas located in Collin County. The said waterlines are located within the certificated service area (CCN # 12175) of Nevada Special Utility District.

As per Nevada Special Utility District guidelines, this "acceptance" letter is specific in nature to the stated section of Elevon Section 2 Phase 2D listed above. This letter can be forwarded to the appropriate officials as may be necessary for the city/ developer/ contractor to complete their agreements/ requirements.

If there are any questions or concerns, please let me know.

Sincerely,

Johnny Rudisill

Johnny Rudisill
General Manager

2121 Midway Road, Suite 240
Carrollton, Texas 75006
August 22, 2023

Via Email:

Kim Dobbs
City Manager, City of Lavon
120 School Road
P.O. Box 340
Lavon, Texas 75166
kdobbs@lavontx.gov

RE: Elevon 2D Approval

Kim,

Per the request of the City engineer, and as part of City acceptance for Elevon Section 2, Phase 2D, please allow this letter to serve as an update on the timing of the muse lots fire lane, perimeter screening and landscaping improvements. The paved fire lane required along the frontage of the muse lots has been installed. The perimeter screening wall/fence is under construction and on schedule to be completed by mid-September. Construction of the hardscape improvements is scheduled to begin this week. The irrigation and landscape improvements will be installed immediately thereafter.

Respectfully,

Ryan Burton

Cc: Mark Hill, mdhill@fmi-dallas.com

ENGINEERING, INC.
Civil Engineers

August 4, 2023

Building Inspection Department
120 School Road
Lavon, TX 75166.
Tel: 972-853-0855

To whom it may concern:

Re: Collin County Lavon Elevon Blvd Phase 2D

Date of Inspection: August 2, 2023

This letter will certify that the representative of our firm has inspected the retaining walls at the above reference property. At the time of inspection, the walls are complete. Based on our site observation, and information provided by the client, this wall has been constructed and conforms to project plans and specifications.

This inspection is limited in scope to the field comparison of the on-site plans to the dimensions of measurable aspects of the installation at the time of inspection. No forensic testing or certification of the soil compaction or moisture content is implied by this inspection.

Please contact me if you have any questions at dhrecht@dhr-eng.com or 214-725-5500.

Sincerely,

David H. Recht

STATE OF TEXAS
DAVID H. RECHT
91962
LICENSED
PROFESSIONAL ENGINEER

DAVID H RECHT
Registered Professional Engineer Texas 91962
DHR Engineering, Inc
DHR 23013

511 E JOHN CARPENTER FWY, SUITE 500 IRVING, TEXAS 75062
TEL. (972) 717.0100: FAX (972) 717.0111
EMAIL: SERVICE@DHR-ENG.COM: WEBSITE: WWW.DHR-ENG.COM

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - I**

Item:

Discussion and action regarding Resolution No. **2023-09-06** approving and authorizing the execution of sanitary sewer easements, pedestrian access easements, and drainage easements granted from MA Land Holdings, L.L.C. and 78 Straddle L.P. to the City of Lavon related to Elevon Parkway, Elevon East Commercial area, and Elevon West Commercial Addition; and providing an effective date.

Background:

Typically, public infrastructure, drainage facilities, and access are accommodated when a project is platted. The scale and complexity of the Elevon project required phasing that is somewhat uncommon.

The master developer MA Partners is constructing Elevon Parkway, the major thoroughfare through the westerns and eastern commercial areas of Elevon. The properties abutting Elevon Parkways are generally being developed by others. As a result, interim easements are required for the present and efficient development of the property.

If appropriate, the easements may be permanent. Alternatively, some easements may be replaced by dedications when the property develops and plats are prepared.

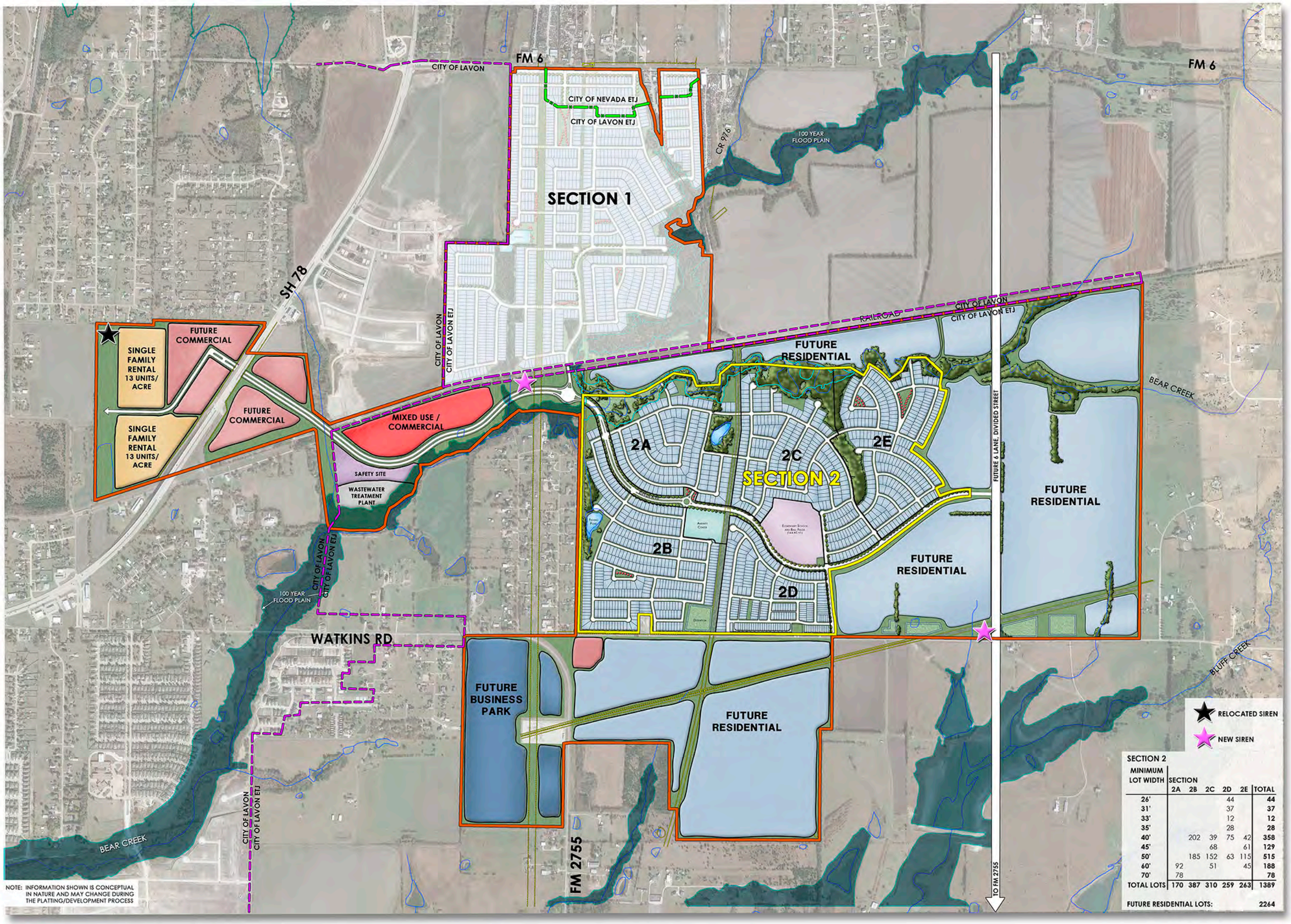
Financial Implication:

There is no associated cost or implication.

Staff Notes:

The City Engineer and City Attorney have reviewed the easements. Approval is recommended.

Attachments: 1) Location Exhibits
2) Proposed Resolution and Easements



SECTION 2

MINIMUM LOT WIDTH	SECTION 2A	2B	2C	2D	2E	TOTAL
26'				44		44
31'				37		37
33'				12		12
35'				28		28
40'		202	39	75	42	358
45'			68		61	129
50'		185	152	63	115	515
60'	92		51		45	188
70'	78					78
TOTAL LOTS	170	387	310	259	263	1389

FUTURE RESIDENTIAL LOTS: 2264

NOTE: INFORMATION SHOWN IS CONCEPTUAL IN NATURE AND MAY CHANGE DURING THE PLATTING/DEVELOPMENT PROCESS

MA PARTNERS

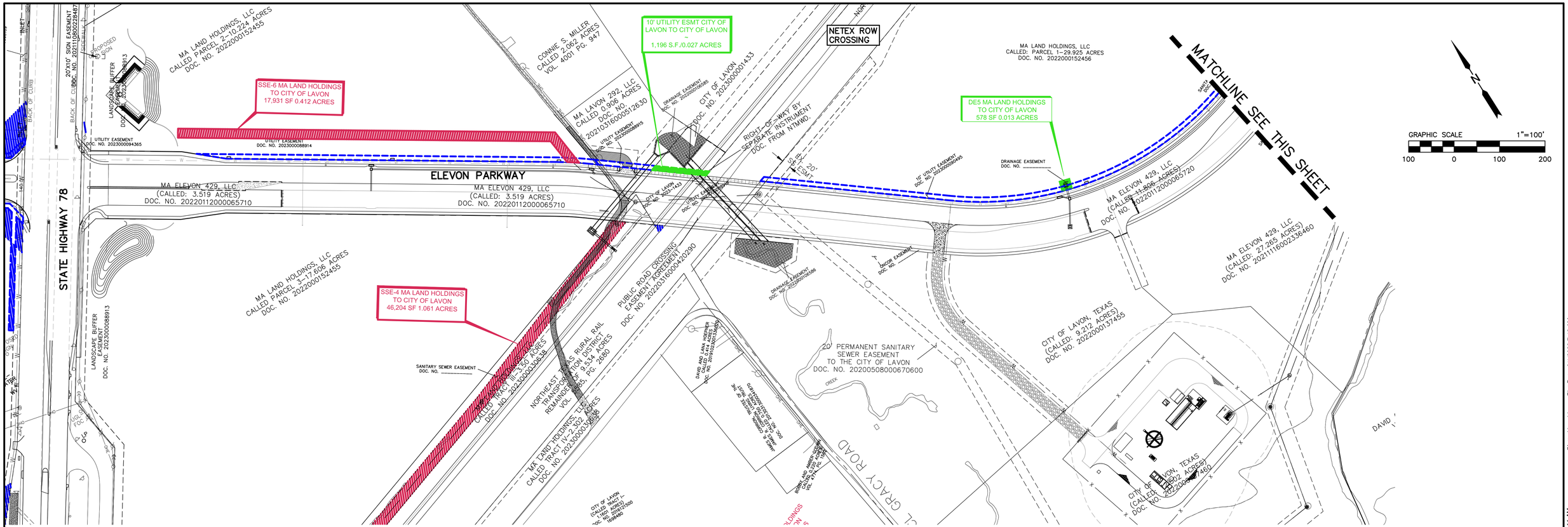
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SEP 13, 2021
MAT028

ELEVON

CONCEPT PLAN
LAVON/COLLIN COUNTY, TEXAS

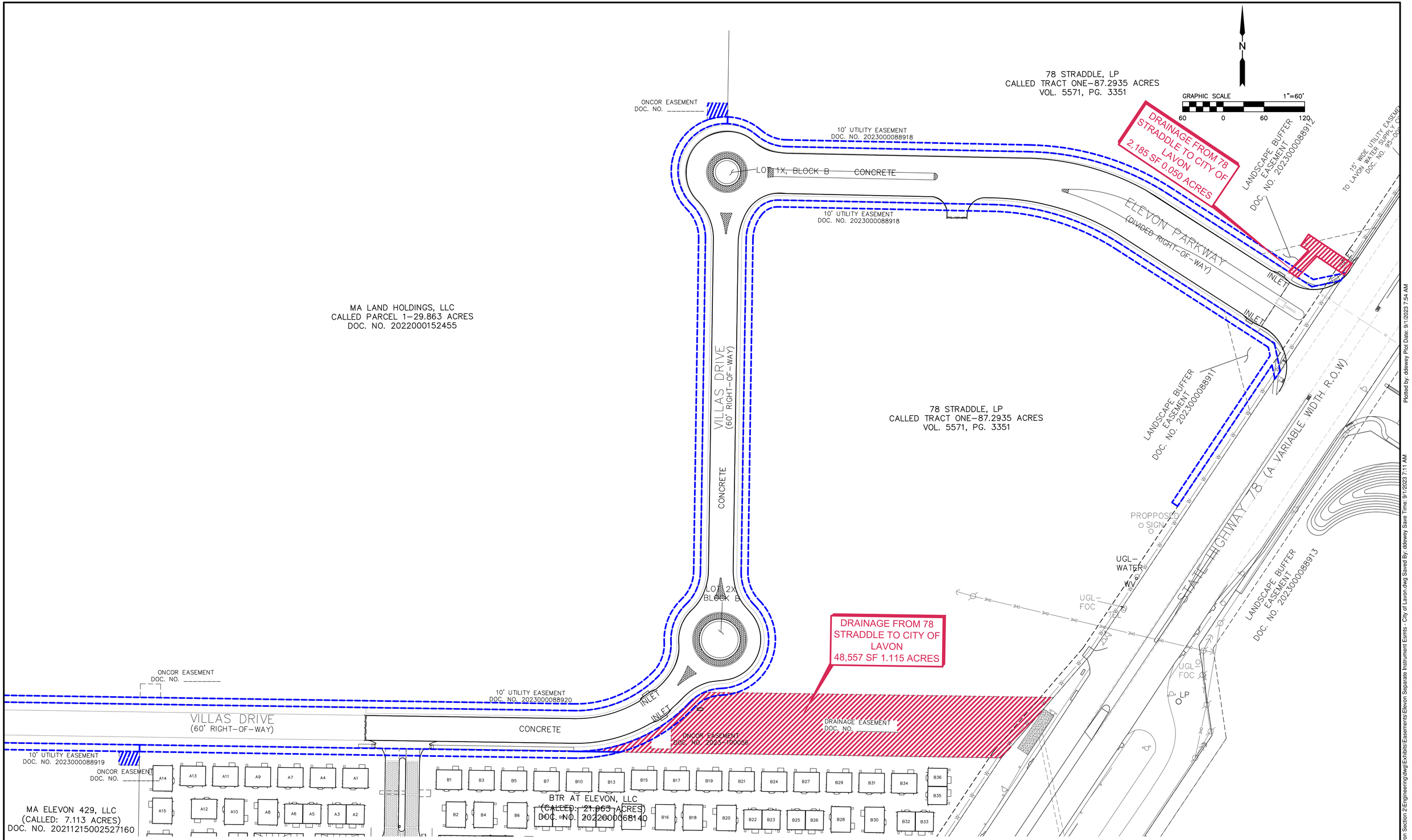
JBI PARTNERS



JBI PARTNERS	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000
SEPARATE INSTRUMENT EASEMENTS	PROJECT NO. MAT029
KEY MAP	
ELEVON EAST COMMERCIAL	SHEET NO. 1 of 2
CITY OF LAVON, COLLIN COUNTY, TEXAS	

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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

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CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-06

Pedestrian Access, Drainage and Sewer Easements - Elevon Parkway

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON APPROVING AND AUTHORIZING THE EXECUTION OF SANITARY SEWER EASEMENTS, PEDESTRIAN ACCESS EASEMENTS, AND DRAINAGE EASEMENTS GRANTED FROM MA LAND HOLDINGS, L.L.C. AND 78 STRADDLE L.P. TO THE CITY OF LAVON RELATED TO ELEVON PARKWAY, ELEVON EAST COMMERCIAL AREA, AND ELEVON WEST COMMERCIAL ADDITION; 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 Pedestrian Access, Drainage and Sewer 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 sanitary sewer easements, pedestrian access easements, and drainage easements granted from MA Land Holdings, L.L.C. and 78 Straddle L.P. to the City of Lavon related to Elevon Parkway, Elevon East Commercial area, and Elevon West Commercial 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 sanitary sewer easements, pedestrian access easements, and drainage easements granted from MA Land Holdings, L.L.C. and 78 Straddle L.P. to the City of Lavon related to Elevon Parkway, Elevon East Commercial area, and Elevon West Commercial Addition; and providing an effective date; 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 5th day of September 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-06

EXHIBIT A

Pedestrian Access Easements

Drainage Easements

Sewer Easements

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

PEDESTRIAN ACCESS 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 pedestrian access facilities (the "Facilities") in, on, under, over and across the following described property:

> BEING 8,605 square feet or 0.198 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
PEDESTRIAN ACCESS 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 2–1.207 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;

BEGINNING at a one–half inch iron rod with yellow cap stamped "JBI" found ot 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 in the south right–of–way line of Northeast Texas Rural Roil 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, 15.61 along the north line of said 1.207 acre tract and along the south right–of–way line of Northeast Texas Rural Rail Transportation District to a point for corner;

THENCE South 08 degrees 50 minutes 12 seconds East, 248.51 feet to a point for corner;

THENCE South 54 degrees 13 minutes 33 seconds East, 152.80 feet to a point for 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 os recorded in Document Number 20211116002336450, Official Public Records of Collin County, Texas;

THENCE South 01 degrees 07 minutes 21 seconds West, 2.74 feet along the east line of 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 at the southeast corner of said 1.207 acre tract, said point being in the northeast line of said 11.806 acre tract;

THENCE along the west line of said 1.207 acre tract and along the northeast 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 8,605 square feet or 0.198 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.

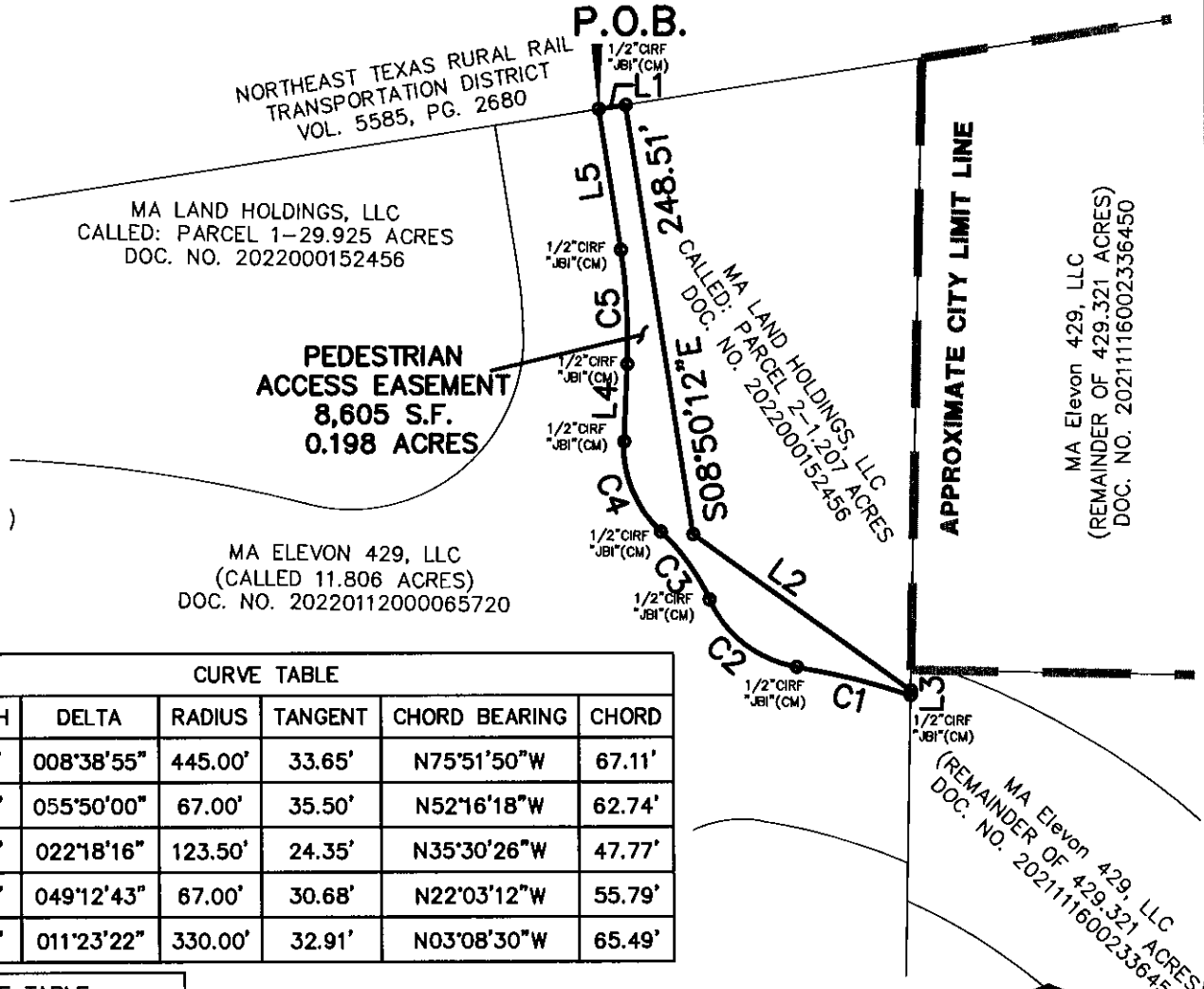
	DATE	DRAWN	PROJECT	JBI PARTNERS
	04/27/2023	RV	MAT029	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
PEDESTRIAN ACCESS 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

1"=100'



CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	67.17'	008°38'55"	445.00'	33.65'	N75°51'50"W	67.11'
C2	65.29'	055°50'00"	67.00'	35.50'	N52°16'18"W	62.74'
C3	48.08'	022°18'16"	123.50'	24.35'	N35°30'26"W	47.77'
C4	57.55'	049°12'43"	67.00'	30.68'	N22°03'12"W	55.79'
C5	65.60'	011°23'22"	330.00'	32.91'	N03°08'30"W	65.49'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N81°09'48"E	15.61'
L2	S54°13'33"E	152.80'
L3	S01°07'21"W	2.74'
L4	N02°33'10"E	44.11'
L5	N08°50'13"W	81.36'

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

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\ESMT-PED-ACC.dwg Saved By: dbell Save Time: 5/1/2023 1:13 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

DRAINAGE 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 drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING a 48,557 square feet or 1.115 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 20th day of July, 2023.

78 STRADDLE, LP
a Texas limited partnership

By: Pitman Investments, LLC,
a Texas limited liability
company, its general partner

By: _____

Name: J. M. MASON

Title: Treasurer

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged on this the 20th day of July, 2023, by J. M. Mason, 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.

ASHLEY GRANT
Notary Public, State of Texas
Comm. Expires 05-30-2026
Notary ID 12983680-0

SEAL

Ashley Grant
Notary Public, State of Texas

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
DRAINAGE 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 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 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 North 33 degrees 44 minutes 03 seconds East, 300.00 feet along the west right–of–way of said State Highway 78 to 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 the POINT OF BEGINNING;

THENCE North 89 degrees 08 minutes 28 seconds West, 630.18 feet along the north line of said 21.963 acre tract to a point or corner;

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, 26.89 feet along a curve to the right, having a central angle of 22 degrees 29 minutes 21 seconds, a radius of 68.50 feet, a tangent of 13.62 feet and whose chord bears North 54 degrees 46 minutes 29 seconds East, 26.71 feet to a point for corner;

THENCCE South 89 degrees 09 minutes 10 seconds East, 514.98 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;

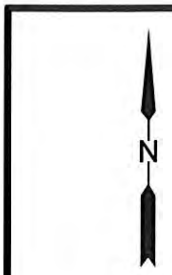
THENCE South 40 degrees 52 minutes 06 seconds West, 117.43 feet along the east line of said 87.2935 acre tract and along the west right–of–way line of said State Highway 78 to the POINT OF BEGINNING and containing 48,557 square feet or 1.115 acres of land.

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	JBI PARTNERS
	05/01/2023	RV	TMR011 ESMT DE–1	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–DE.dwg Saved By: dbell Save Time: 4/28/2023 3:11 PM

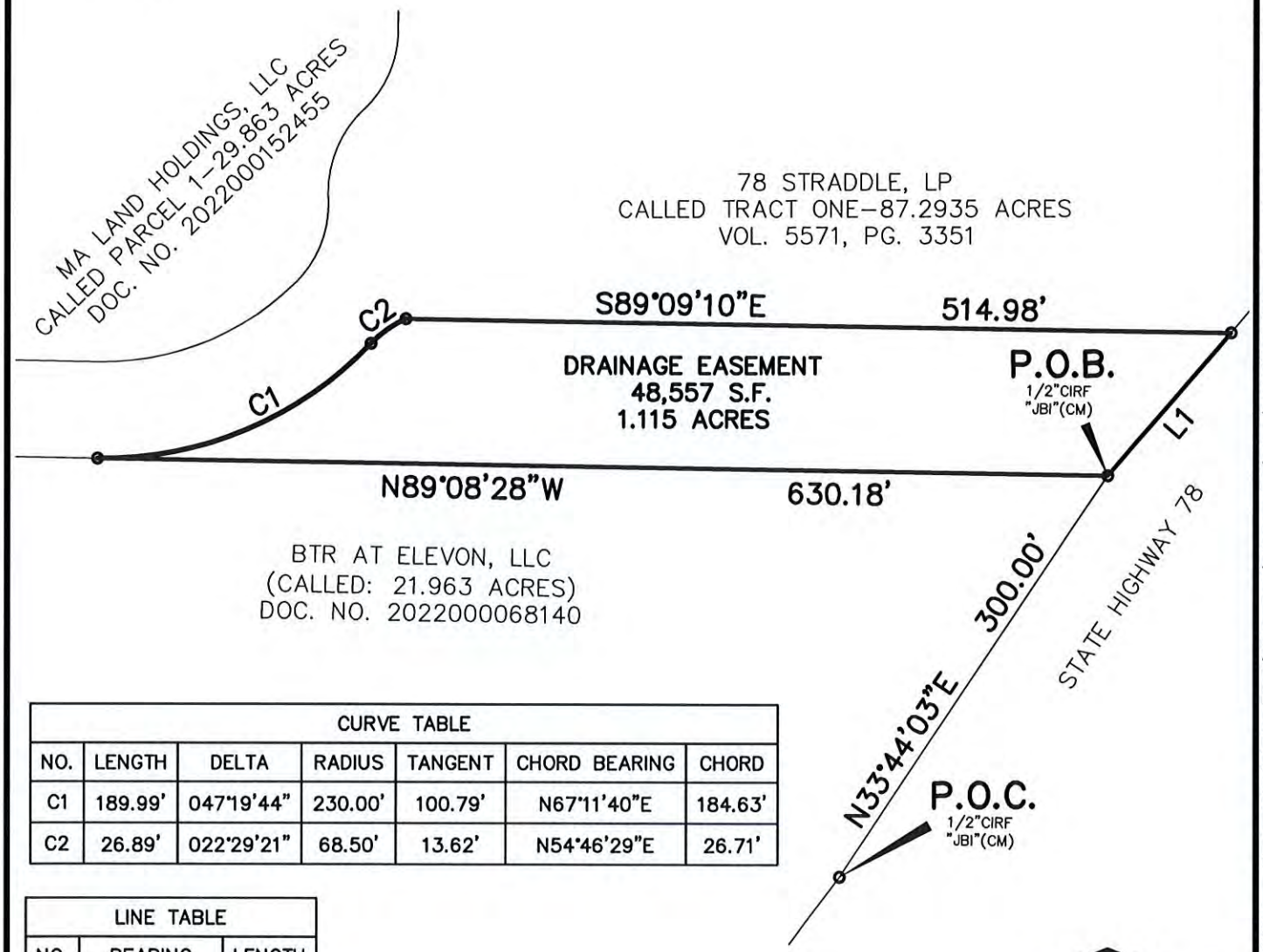
EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2



1"=100'

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	189.99'	047°19'44"	230.00'	100.79'	N67°11'40"E	184.63'
C2	26.89'	022°29'21"	68.50'	13.62'	N54°46'29"E	26.71'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S40°52'06"W	117.43'

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 ESMT DE-1

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-DE.dwg Saved By: dbell Save Time: 4/28/2023 3:11 PM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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DRAINAGE 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 drainage pipes and structures (the "Facilities") in, on, under, over and across the following described property:

BEING a 2,185 square feet or 0.050 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 20th day of July, 2023.

78 STRADDLE, LP
a Texas limited partnership

By: Pitman Investments, LLC,
a Texas limited liability
company, its general partner

By: _____

Name: J.M. MASON

Title: Treasurer

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged on this the 20th day of July, 2023, by J. M. Mason, 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.

ASHLEY GRANT
Notary Public, State of Texas
Comm. Expires 05-30-2026
Notary ID 12983680-0

SEAL

Ashley Grant
Notary Public, State of Texas

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
DRAINAGE 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 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 at 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 east line of said 87.2935 acre tract and along the west right–of–way line of said State Highway 78 as follows:
North 40 degrees 52 minutes 06 seconds East, 201.55 feet to a "X" set in concrete;
North 33 degrees 45 minutes 11 seconds East, 673.17 feet to the POINT OF BEGINNING;

THENCE North 56 degrees 05 minutes 16 seconds West, 49.15 feet to a point for corner;

THENCE South 42 degrees 45 minutes 33 seconds West, 42.29 feet to a point for corner;

THENCE North 57 degrees 11 minutes 17 seconds West, 15.23 feet to a point for corner;

THENCE North 42 degrees 45 minutes 33 seconds East, 42.58 feet to a point for corner;

THENCE North 56 degrees 05 minutes 16 seconds West, 13.14 feet to a point for corner;

THENCE North 33 degrees 54 minutes 44 seconds East, 20.00 feet to a point for corner;

THENCE South 56 degrees 05 minutes 16 seconds East, 77.42 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;

THENCE South 33 degrees 45 minutes 11 seconds West, 20.00 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 the POINT OF BEGINNING and containing 2,185 square feet or 0.050 acres of land.

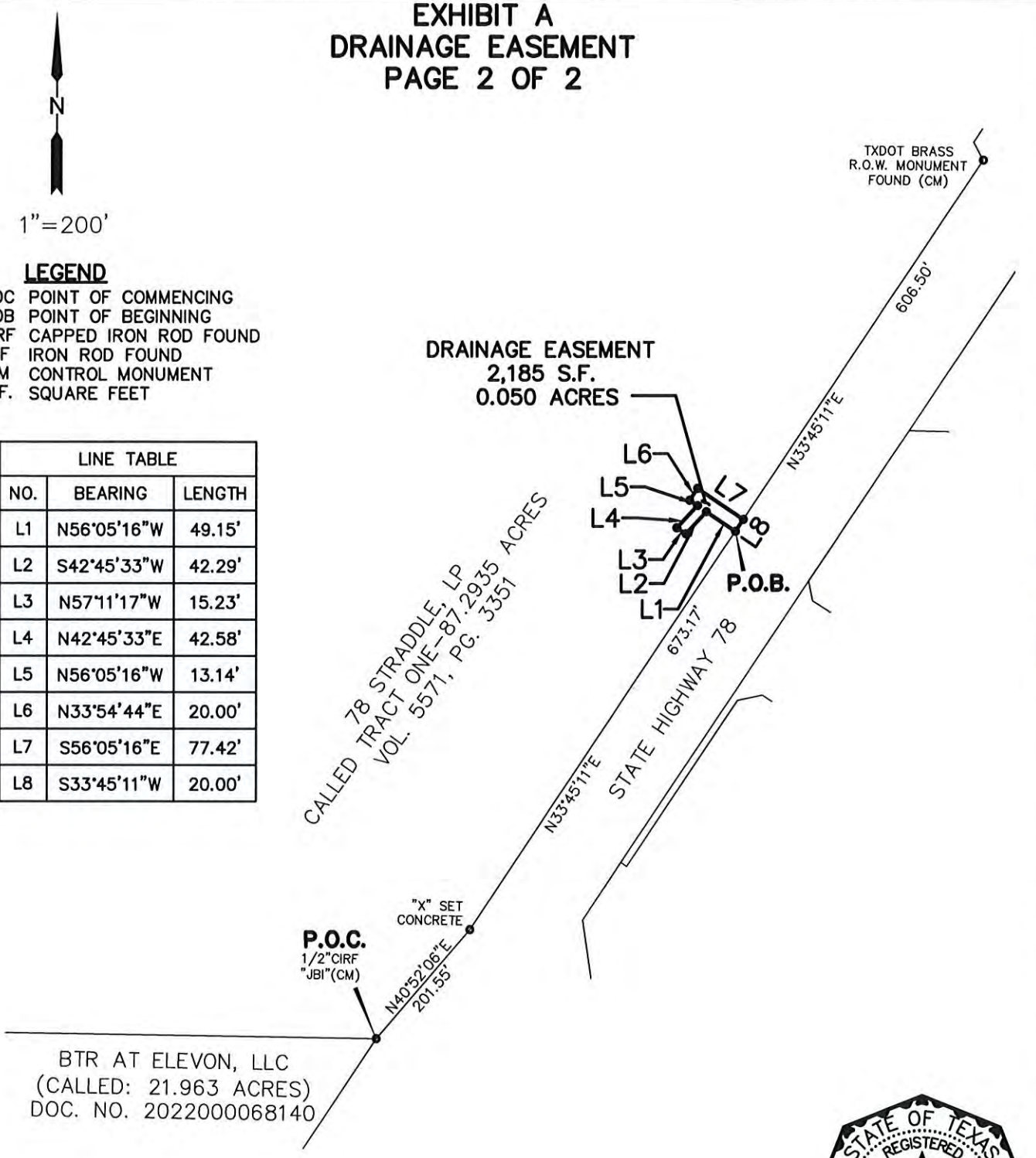
BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	
	05/01/2023	RV	TMR011 ESMT DE–2	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-DE2.dwg Saved By: dbell Save Time: 4/28/2023 11:19 AM

EXHIBIT A
DRAINAGE 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

LINE TABLE		
NO.	BEARING	LENGTH
L1	N56°05'16"W	49.15'
L2	S42°45'33"W	42.29'
L3	N57°11'17"W	15.23'
L4	N42°45'33"E	42.58'
L5	N56°05'16"W	13.14'
L6	N33°54'44"E	20.00'
L7	S56°05'16"E	77.42'
L8	S33°45'11"W	20.00'

Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
MAY 01, 2023

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

SCALE:	DATE	DRAWN	PROJECT
1" = 200'	05/01/2023	RV	TMR011 ESMT DE-2

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-DE2.dwg Saved By: dbell Save Time: 4/28/2023 11:19 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 2,796 square feet or 0.064 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
25' WIDE DRAINAGE 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 2–1.207 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;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the west line 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;

THENCE Southeasterly along the common line of said 1.207 acre tract and said 11.806 acre tract, 28.77 feet following a curve to the right, having a central angle of 04 degrees 59 minutes 40 seconds, a radius of 330.00 feet, a tangent of 14.39 feet and whose chord bears South 06 degrees 20 minutes 20 seconds East, 28.76 feet to the POINT OF BEGINNING;

THENCE North 89 degrees 11 minutes 51 seconds East, 112.19 feet to a point for corner;

THENCE South 00 degrees 48 minutes 09 seconds East, 25.00 feet to a point for corner;

THENCE South 89 degrees 11 minutes 51 seconds West, 111.81 feet to a point for corner in the west line of said 1.207 acre tract, said point being in the north line of said 11.806 acre tract, from which said point bears Southwesterly along the common line of said 1.207 acre tract and said 11.806 acre tract, 11.82 feet following a curve to the right, having a central angle of 02 degrees 03 minutes 10 seconds, a radius of 330.00 feet, a tangent of 5.91 feet and whose chord bears South 01 degrees 31 minutes 36 seconds West, 11.82 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE Northwesterly along the common line of said 1.207 acre tract and said 11.806 acre tract, 25.01 feet following a curve to the left, having a central angle of 04 degrees 20 minutes 32 seconds, a radius of 330.00 feet, a tangent of 12.51 feet and whose chord bears North 01 degrees 40 minutes 15 seconds West, 25.00 feet to the POINT OF BEGINNING and containing 2,796 square feet or 0.064 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–10	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

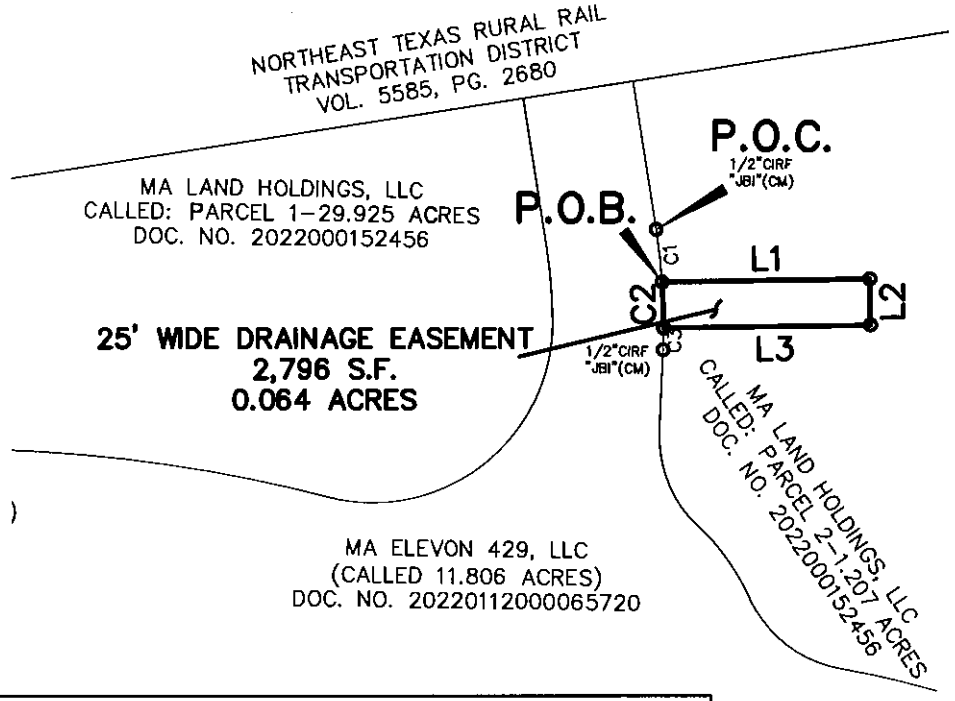
EXHIBIT A
25' WIDE DRAINAGE EASEMENT
PAGE 2 OF 2

N

1"=100'

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	28.77'	004°59'40"	330.00'	14.39'	S06°20'20"E	28.76'
C2	25.01'	004°20'32"	330.00'	12.51'	N01°40'15"W	25.00'
C3	11.82'	002°03'10"	330.00'	5.91'	S01°31'36"W	11.82'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°11'51"E	112.19'
L2	S00°48'09"E	25.00'
L3	S89°11'51"W	111.81'

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 ESMT DE-10

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-DE10.dwg Saved By: dbell Save Time: 4/27/2023 10:59 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

DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 21,987 square feet or 0.505 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 10.472 acre tract, said point being in the south 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;

THENCE Southwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 310.64 feet following a curve to the left, having a central angle of 25 degrees 47 minutes 42 seconds, a radius of 690.00 feet, a tangent of 158.00 feet and whose chord bears South 74 degrees 25 minutes 17 seconds West, 308.03 feet to the POINT OF BEGINNING;

THENCE South 29 degrees 03 minutes 19 seconds East, 152.94 feet to a point for corner in the south line of said 10.472 acre tract;

THENCE South 52 degrees 46 minutes 55 seconds West, 132.76 feet along the south line of said 10.472 acre tract to a point for corner

THENCE North 34 degrees 04 minutes 38 seconds West, 158.43 feet to 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 southwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 51.65 feet following a curve to the left, having a central angle of 04 degrees 17 minutes 19 seconds, a radius of 690.00 feet, a tangent of 25.84 feet and whose chord bears South 47 degrees 14 minutes 14 seconds West, 51.64 feet to a one–half inch iron rod with cap stamped "USA IN" found for corner;

THENCE Northeasterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 146.23 feet following a curve to the right, having a central angle of 12 degrees 08 minutes 32 seconds, a radius of 690.00 feet, a tangent of 73.39 feet and whose chord bears North 55 degrees 27 minutes 09 seconds East, 145.95 feet to the POINT OF BEGINNING and containing 21,987 square feet or 0.505 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–11	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2

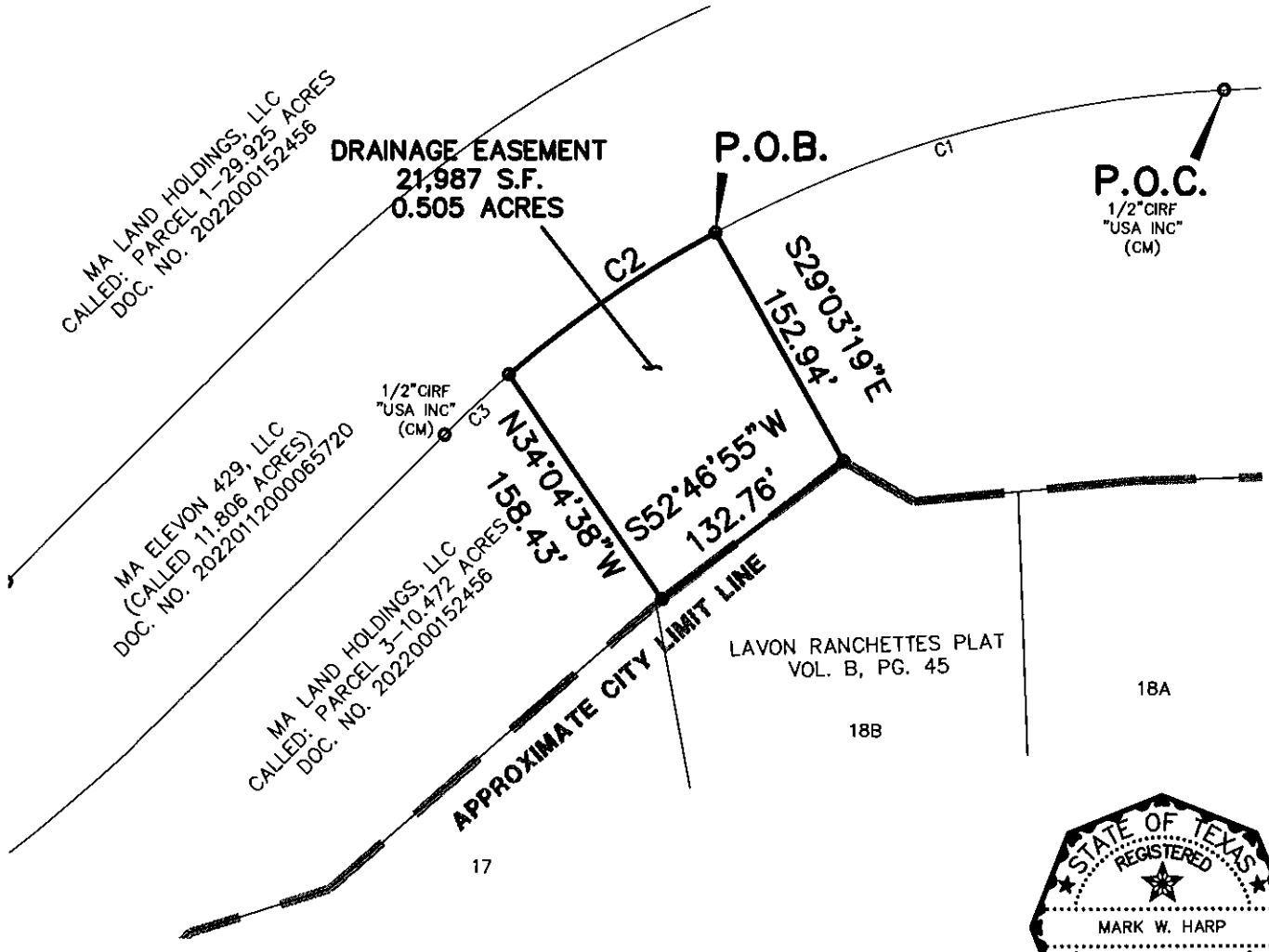
CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	310.64'	025°47'42"	690.00'	158.00'	S74°25'17"W	308.03'
C2	146.23'	012°08'32"	690.00'	73.39'	N55°27'09"E	145.95'
C3	51.65'	004°17'19"	690.00'	25.84'	S47°14'14"W	51.64'

N

1"=100'

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
APRIL 27, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 100'	04/27/2023	RV	MAT029 ESMT DE-11

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-DE11.dwg Saved By: dbell Save Time: 4/27/2023 7:56 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 26,924 square feet or 0.618 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the south line 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;

THENCE northeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 97.66 feet following a curve to the right, having a central angle of 06 degrees 54 minutes 29 seconds, a radius of 810.00 feet, a tangent of 48.89 feet and whose chord bears North 48 degrees 32 minutes 49 seconds East, 97.60 feet to the POINT OF BEGINNING;

THENCE North 37 degrees 59 minutes 57 seconds West, 37.90 feet to a point for corner;

THENCE North 08 degrees 58 minutes 53 seconds West, 189.47 feet to a point for corner in the north line of said 29.925 acre tract, said point 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 81 degrees 09 minutes 48 seconds East, 136.74 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 08 degrees 50 minutes 12 seconds East, 127.95 feet to a point for corner;

THENCE South 27 degrees 53 minutes 11 seconds East, 38.39 feet to a point for corner in the south line of said 29.925 acre tract, said point being in the north line of said 11.806 acre tract, from which said point bears northeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 356.33 feet following a curve to the right, having a central angle of 25 degrees 12 minutes 19 seconds, a radius of 810.00 feet, a tangent of 181.10 feet and whose chord bears North 74 degrees 42 minutes 58 seconds East, 353.47 feet to a one–half inch iron rad with cap stamped "USA INC" found for corner;

THENCE Southwesterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 142.96 feet following a curve to the left, having a central angle of 10 degrees 06 minutes 45 seconds, a radius of 810.00 feet, a tangent of 71.67 feet and whose chord bears South 57 degrees 03 minutes 26 seconds West, 142.78 feet to the POINT OF BEGINNING and containing 26,924 square feet or 0.618 acres of land.

BASIS OF BEARING:
The basis of beoring is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–8	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

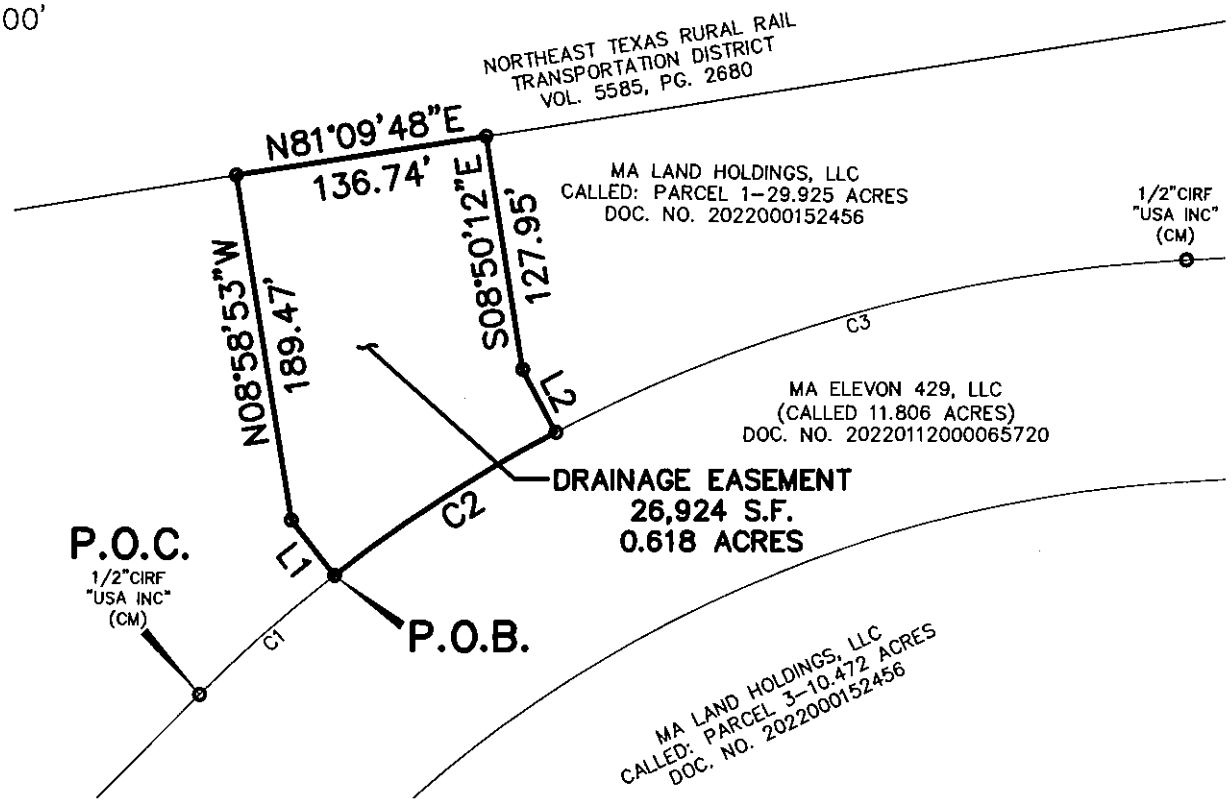
EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2

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

N

1"=100'



CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	97.66'	006°54'29"	810.00'	48.89'	N48°32'49"E	97.60'
C2	142.96'	010°06'45"	810.00'	71.67'	S57°03'26"W	142.78'
C3	356.33'	025°12'19"	810.00'	181.10'	N74°42'58"E	353.47'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N37°59'57"W	37.90'
L2	S27°53'11"E	38.39'

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 ESMT DE-8

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-DE8.dwg Saved By: dbell Save Time: 4/27/2023 7:58 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 495 square feet or 0.011 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.

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[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the south line 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;

THENCE along the common line of said 29.925 acre tract and said 11.806 acre tract as follows:

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;

Northeasterly, 36.06 feet along a curve to the right, having a central angle of 02 degrees 33 minutes 04 seconds, a radius of 810.00 feet, a tangent of 18.04 feet and whose chord bears North 88 degrees 35 minutes 40 seconds East, 36.06 feet to a point for corner;

THENCE North 01 degrees 48 minutes 56 seconds East, 20.09 feet to a point for corner;

THENCE South 88 degrees 11 minutes 04 seconds East, 25.00 feet to a point for corner;

THENCE South 01 degrees 48 minutes 56 seconds West, 19.63 feet to a point far corner in the south line of said 29.925 acre tract, said point being in the north line of said 11.806 acre tract;

THENCE Northwesterly, 25.01 feet along a curve to the left, having a central angle of 01 degrees 46 minutes 08 seconds, a radius af 810.00 feet, a tangent of 12.50 feet and whose chord bears North 89 degrees 14 minutes 45 seconds West, 25.00 feet to the POINT OF BEGINNING and containing 495 square feet or 0.011 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–9	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

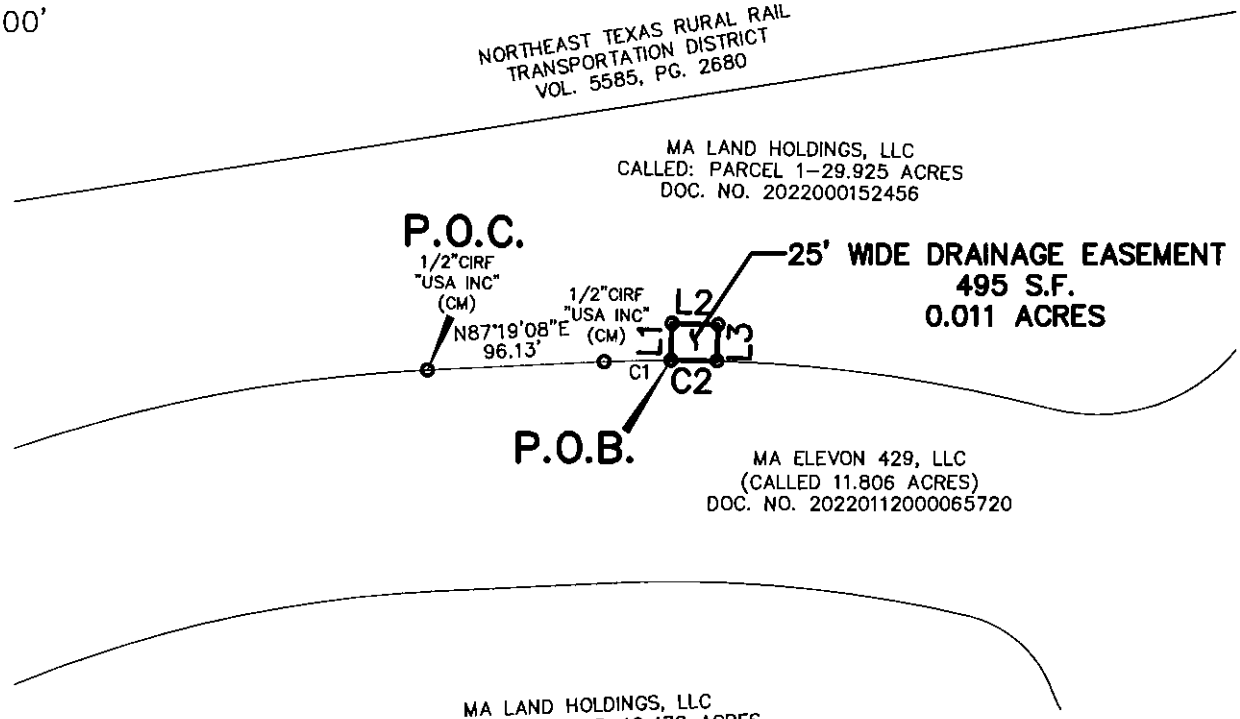
EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2

N

1"=100'

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	36.06'	002°33'04"	810.00'	18.04'	N88°35'40"E	36.06'
C2	25.01'	001°46'08"	810.00'	12.50'	N89°14'45"W	25.00'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N01°48'56"E	20.09'
L2	S88°11'04"E	25.00'
L3	S01°48'56"W	19.63'

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 ESMT DE-9

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-DE9.dwg Saved By: dbell Save Time: 4/27/2023 7:56 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

DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 532 square feet or 0.012 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the south line 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;

THENCE northeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 338.30 feet following a curve to the right, having a central angle of 23 degrees 55 minutes 46 seconds, a radius of 810.00 feet, a tangent of 171.65 feet and whose chord bears North 64 degrees 51 minutes 53 seconds East, 335.84 feet to the POINT OF BEGINNING;

THENCE North 12 degrees 17 minutes 27 seconds West, 21.35 feet to a point for corner;

THENCE North 77 degrees 42 minutes 33 seconds East, 25.00 feet to a point for corner;

THENCE South 12 degrees 17 minutes 27 seconds East, 21.35 feet to a point for corner in the south line of said 29.925 acre tract, said point being in the north line of said 11.806 acre tract, from which said point bears Northeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 12.48 feet following a curve to the right, having a central angle of 00 degrees 52 minutes 58 seconds, a radius of 810.00 feet, a tangent of 6.24 feet and whose chord bears North 79 degrees 02 minutes 21 seconds East, 12.48 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

THENCE southwesterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 25.00 feet following a curve to the left, having a central angle of 01 degrees 46 minutes 06 seconds, a radius of 810.00 feet, a tangent of 12.50 feet and whose chord bears South 77 degrees 42 minutes 49 seconds West, 25.00 feet to the POINT OF BEGINNING and containing 532 square feet or 0.012 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–7	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2



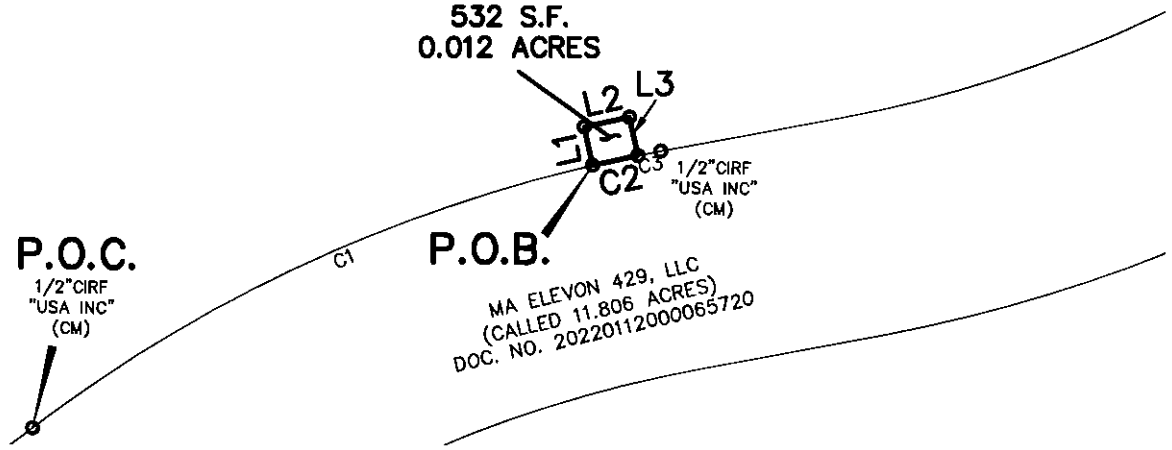
1"=100'

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

MA LAND HOLDINGS, LLC
CALLED: PARCEL 1-29.925 ACRES
DOC. NO. 2022000152456

25' WIDE DRAINAGE EASEMENT
532 S.F.
0.012 ACRES



MA LAND HOLDINGS, LLC
CALLED: PARCEL 3-10.472 ACRES
DOC. NO. 2022000152456

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	338.30'	023°55'46"	810.00'	171.65'	N64°51'53"E	335.84'
C2	25.00'	001°46'06"	810.00'	12.50'	S77°42'49"W	25.00'
C3	12.48'	000°52'58"	810.00'	6.24'	N79°02'21"E	12.48'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N12°17'27"W	21.35'
L2	N77°42'33"E	25.00'
L3	S12°17'27"E	21.35'

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 ESMT DE-7

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-DE7.dwg Saved By: dbell Save Time: 4/27/2023 7:58 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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DRAINAGE EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

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> BEING 578 square feet or 0.013 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.

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[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
25' WIDE DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the south line 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;

THENCE Southeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 249.34 feet along a curve to the left, having a central angle of 20 degrees 42 minutes 15 seconds, a radius of 690.00 feet, a tangent of 126.04 feet and whose chord bears South 62 degrees 16 minutes 58 seconds East, 247.98 feet to a point for corner;

THENCE North 16 degrees 19 minutes 38 seconds East, 23.05 feet to a point for corner;

THENCE South 73 degrees 40 minutes 22 seconds East, 25.00 feet to a point for corner;

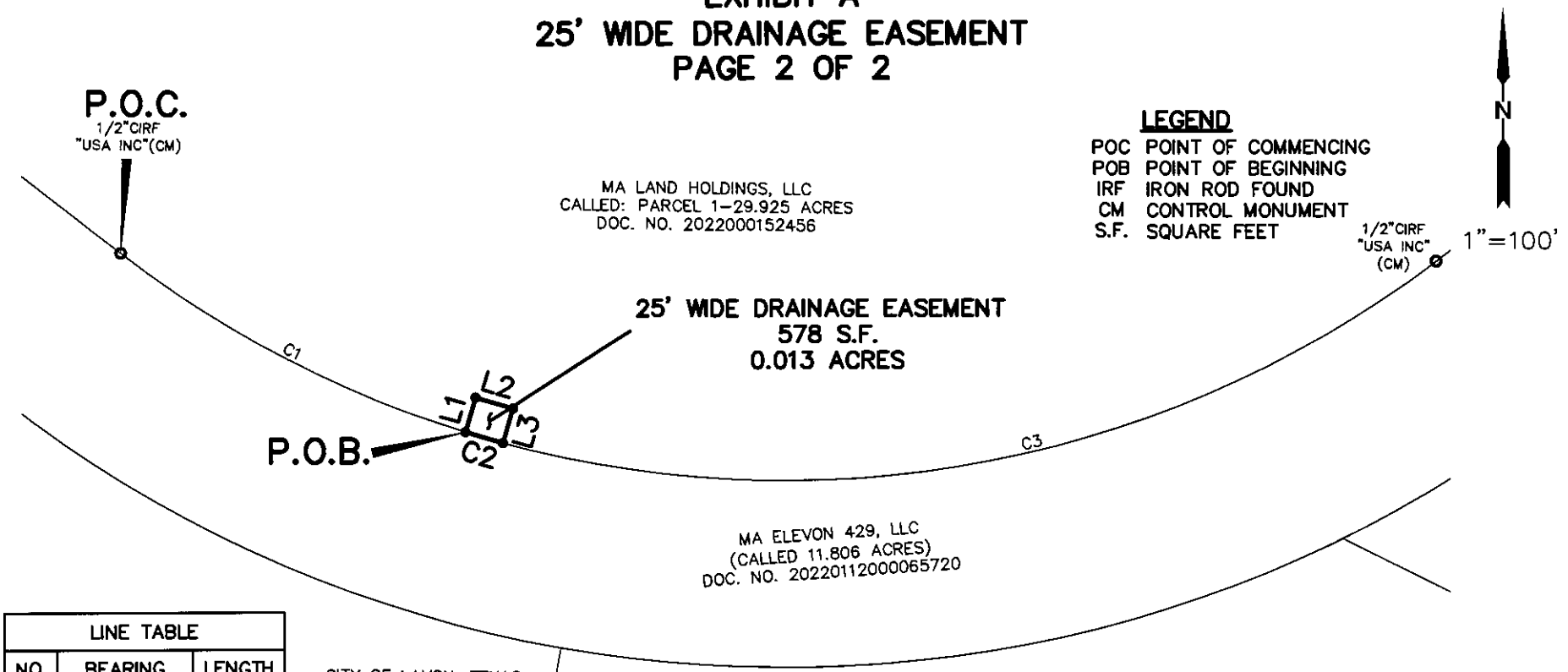
THENCE South 16 degrees 19 minutes 38 seconds West, 23.05 feet to a point for corner in the south line of said 29.925 acre tract, said point being in the north line of said 11.806 acre tract, from which said point bears Northeasterly, 630.91 feet along the common line of said 29.925 acre tract and said 11.806 acre tract, following a curve to the left, having a central angle of 52 degrees 23 minutes 21 seconds, a radius of 690.00 feet and whose chord bears North 79 degrees 05 minutes 40 seconds East, 609.16 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Northwesterly, 25.00 feet along the common line of said 29.925 acre tract and said 11.806 acre tract, following a curve to the right, having a central angle of 02 degrees 04 minutes 34 seconds, a radius of 690.00 feet, a tangent of 12.50 feet and whose chord bears North 73 degrees 40 minutes 22 seconds West, 25.00 feet to the POINT OF BEGINNING and containing 578 square feet or 0.013 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–5	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
25' WIDE DRAINAGE EASEMENT
PAGE 2 OF 2



LINE TABLE		
NO.	BEARING	LENGTH
L1	N16°19'38"E	23.05'
L2	S73°40'22"E	25.00'
L3	S16°19'38"W	23.05'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	249.34'	020°42'15"	690.00'	126.04'	S62°16'58"E	247.98'
C2	25.00'	002°04'34"	690.00'	12.50'	N73°40'22"W	25.00'
C3	630.91'	052°23'21"	690.00'	339.44'	N79°05'40"E	609.16'

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 ESMT-DE5

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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DRAINAGE EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

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> BEING 582 square feet or 0.013 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").

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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

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[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

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MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the south line 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;

THENCE along the common line of said 29.925 acre tract and said 11.806 acre tract as follows:

South 52 degrees 53 minutes 59 seconds West, 193.16 feet to the POINT OF BEGINNING;

South 52 degrees 53 minutes 59 seconds West, 6.17 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

Southwesterly, 18.83 feet along a curve to the right, having a central angle of 01 degrees 33 minutes 50 seconds, a radius of 690.00 feet, a tangent of 9.42 feet and whose chord bears South 53 degrees 40 minutes 54 seconds West, 18.83 feet to a point for corner;

THENCE North 36 degrees 34 minutes 27 seconds West, 23.19 feet to a point for corner;

THENCE North 53 degrees 25 minutes 33 seconds East, 25.00 feet to a point for corner;

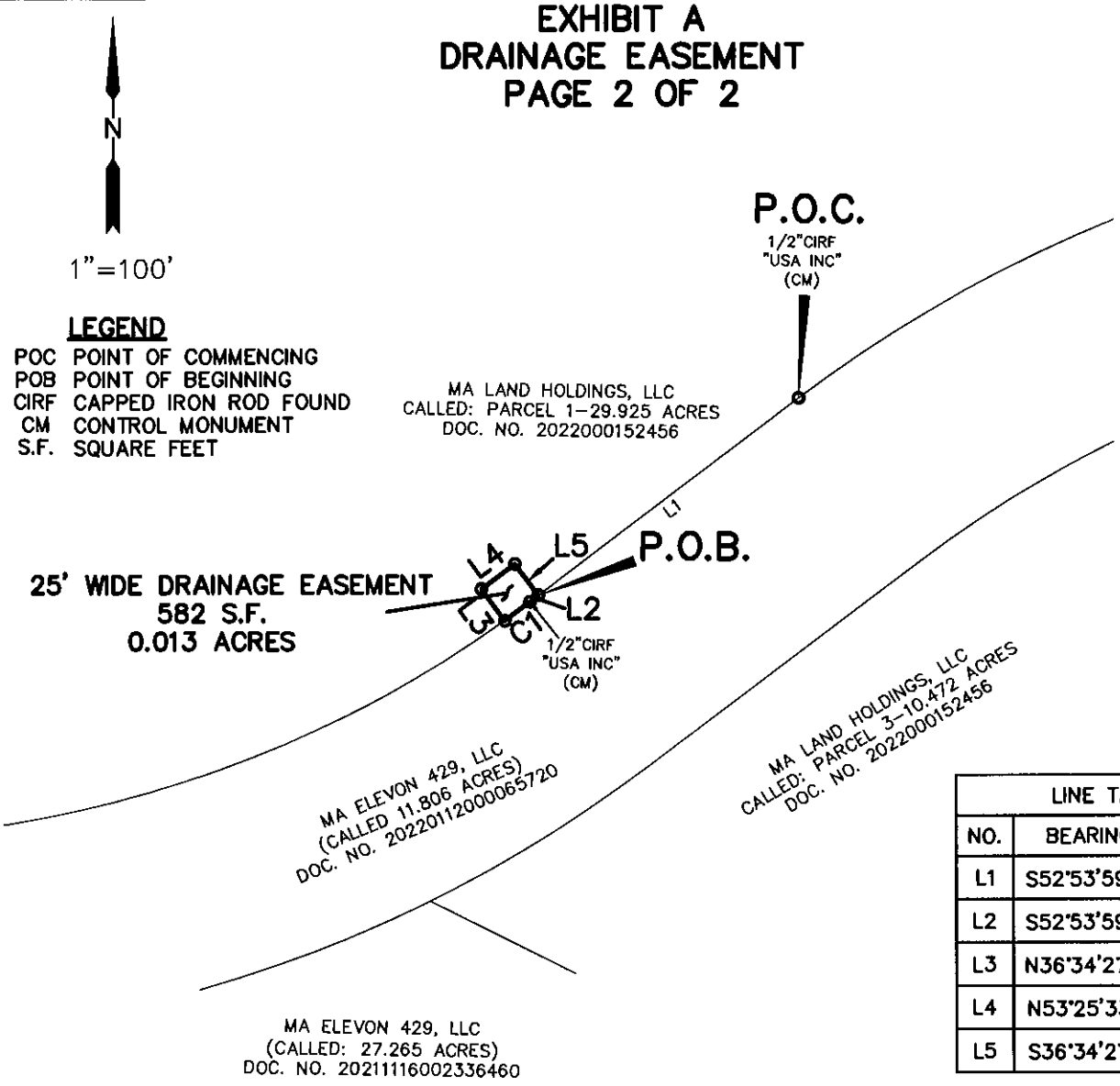
THENCE South 36 degrees 34 minutes 27 seconds East, 23.21 feet to the POINT OF BEGINNING and containing 582 square feet or 0.013 acres of land.

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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–6	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2



LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
S.F.	SQUARE FEET

LINE TABLE		
NO.	BEARING	LENGTH
L1	S52°53'59"W	193.16'
L2	S52°53'59"W	6.17'
L3	N36°34'27"W	23.19'
L4	N53°25'33"E	25.00'
L5	S36°34'27"E	23.21'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	18.83'	001°33'50"	690.00'	9.42'	S53°40'54"W	18.83'

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 ESMT DE-6

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-DE6.dwg Saved By: dbell Save Time: 4/27/2023 7:55 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

DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 2,994 square feet or 0.069 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 10.472 acre tract, said point being in the south 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;

THENCE Southwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 8.77 feet following a curve to the left, having a central angle of 00 degrees 43 minutes 42 seconds, a radius of 690.00 feet, a tangent of 4.39 feet and whose chord bears South 79 degrees 06 minutes 59 seconds West, 8.77 feet to the POINT OF BEGINNING;

THENCE South 12 degrees 17 minutes 27 seconds East, 81.87 feet to a point for corner;

THENCE South 65 degrees 55 minutes 40 seconds West, 35.75 feet to a point for corner;

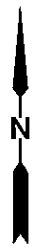
THENCE North 12 degrees 17 minutes 27 seconds West, 88.92 feet to a point for corner in the north line of said 10.472 acre tract, said point being in the south line of said 11.806 acre tract, from which said point bears southwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 276.33 feet along a curve to the left, having a central angle of 22 degrees 56 minutes 45 seconds, a radius of 690.00 feet, a tangent of 140.04 feet and whose chord bears South 64 degrees 22 minutes 22 seconds West, 274.49 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Northeasterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 35.00 feet along a curve to the right, having a central angle of 02 degrees 54 minutes 24 seconds, a radius of 690.00 feet, a tangent of 17.51 feet and whose chord bears North 77 degrees 17 minutes 57 seconds East, 35.00 feet to the POINT OF BEGINNING and containing 2,994 square feet or 0.069 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–12	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2



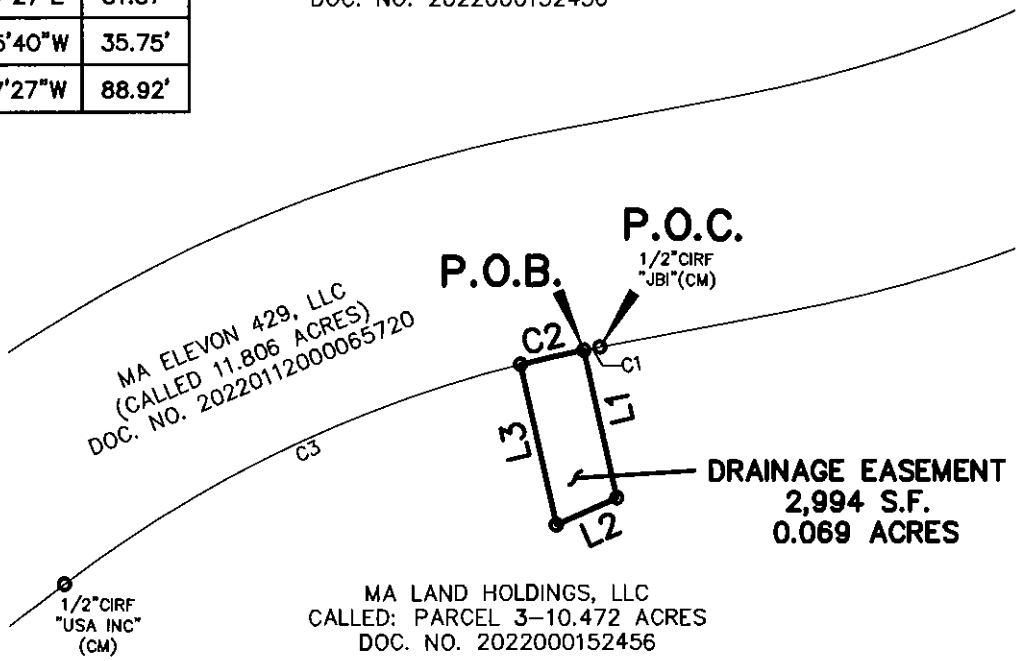
1"=100'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	8.77'	000°43'42"	690.00'	4.39'	S79°06'59"W	8.77'
C2	35.00'	002°54'24"	690.00'	17.51'	N77°17'57"E	35.00'
C3	276.33'	022°56'45"	690.00'	140.04'	S64°22'22"W	274.49'

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	S12°17'27"E	81.87'
L2	S65°55'40"W	35.75'
L3	N12°17'27"W	88.92'



STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

MARK W. HARP, R.P.L.S. NO. 6425
APRIL 27, 2023

SCALE:	DATE	DRAWN	PROJECT
1" = 100'	04/27/2023	RV	MAT029 ESMT DE-12

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-DE12.dwg Saved By: dbell Save Time: 4/27/2023 7:57 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

DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 3,532 square feet or 0.081 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 10.472 acre tract, said point being in the south 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;

THENCE South 52 degrees 53 minutes 59 seconds West, 181.76 feet along the common line of said 10.472 acre tract and said 11.806 acre tract to the POINT OF BEGINNING;

THENCE South 08 degrees 25 minutes 33 seconds West, 17.68 feet to a point for corner;

THENCE South 36 degrees 34 minutes 27 seconds East, 54.44 feet to a point for corner;

THENCE South 08 degrees 25 minutes 33 seconds West, 79.07 feet to a point for corner in the south line of said 10.472 acre tract;

THENCE South 86 degrees 14 minutes 45 seconds West, 25.58 feet along the south line of said 10.472 acre tract to a point for corner;

THENCE North 08 degrees 25 minutes 33 seconds East, 74.11 feet to a point or corner;

THENCE North 36 degrees 34 minutes 27 seconds West, 56.48 feet to a point for corner in the north line of said 10.742 acre tract, said point being in the south line of said 11.806 acre tract;

THENCE along the common line of said 10.472 acre tract and said 11.806 acre tract as follows:

Northeasterly, 19.94 feet along a curve to the left, having a central angle of 01 degrees 24 minutes 37 seconds, a radius of 810.00 feet, a tangent of 9.97 feet and whose chord bears North 53 degrees 36 minutes 18 seconds East, 19.94 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

North 52 degrees 53 minutes 59 seconds East, 17.56 feet to the POINT OF BEGINNING and containing 3,532 square feet or 0.081 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT DE–13	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
DRAINAGE EASEMENT
PAGE 2 OF 2

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	19.94'	001°24'37"	810.00'	9.97'	N53°36'18"E	19.94'

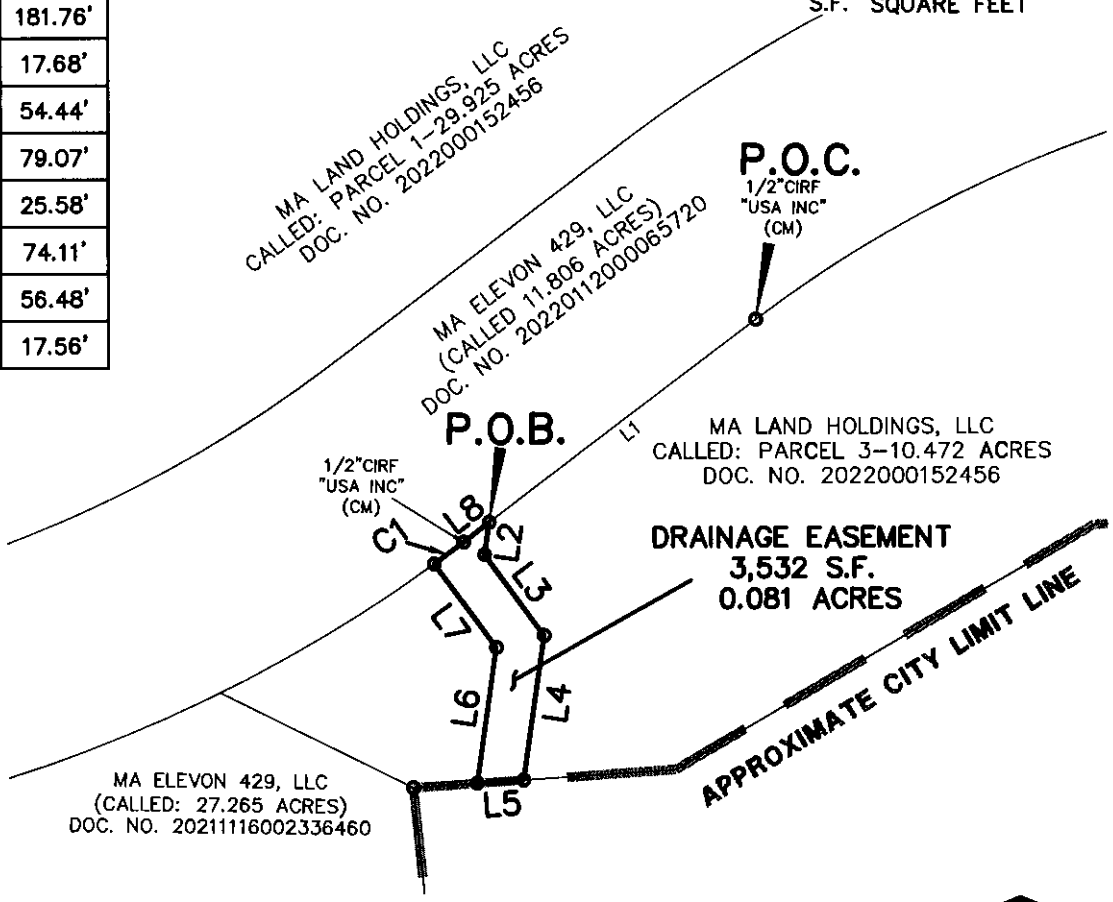
LINE TABLE		
NO.	BEARING	LENGTH
L1	S52°53'59"W	181.76'
L2	S08°25'33"W	17.68'
L3	S36°34'27"E	54.44'
L4	S08°25'33"W	79.07'
L5	S86°14'45"W	25.58'
L6	N08°25'33"E	74.11'
L7	N36°34'27"W	56.48'
L8	N52°53'59"E	17.56'

N

1"=100'

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
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 ESMT DE-13

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-DE13.dwg Saved By: dbell Save Time: 4/27/2023 10:57 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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DRAINAGE 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 storm drainage pipes and drainage structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 5,753 square feet or 0.132 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS

COUNTY OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
25' DRAINAGE 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the north line of said 10.472 acre tract, said point being in the south 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;

THENCE along the common line of said 10.472 acre tract and said 11.806 acre tract as follows:

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;

Northeasterly, 26.64 feet along a curve to the right, having a central angle of 02 degrees 12 minutes 45 seconds, a radius of 690.00 feet, a tangent of 13.32 feet and whose chord bears North 88 degrees 25 minutes 30 seconds East, 26.64 feet to the POINT OF BEGINNING;

Southeasterly, 25.01 feet along a curve to the right, having a central angle of 02 degrees 04 minutes 36 seconds, a radius of 690.00 feet, a tangent of 12.51 feet and whose chord bears South 89 degrees 25 minutes 49 seconds East, 25.01 feet to a point for corner;

THENCE South 01 degrees 48 minutes 56 seconds West, 231.48 feet to a point for corner in the south line of said 10.472 acre tract;

THENCE along the south line of said 10.472 acre tract as follows:

North 82 degrees 43 minutes 23 seconds West, 23.25 feet to a point for corner;

South 88 degrees 29 minutes 25 seconds West, 1.86 feet to a point for corner;

THENCE North 01 degrees 48 minutes 56 seconds East, 228.83 feet to the POINT OF BEGINNING and containing 5,753 square feet or 0.132 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	JBI PARTNERS
	04/27/2023	RV	MAT029	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
25' DRAINAGE EASEMENT
PAGE 2 OF 2

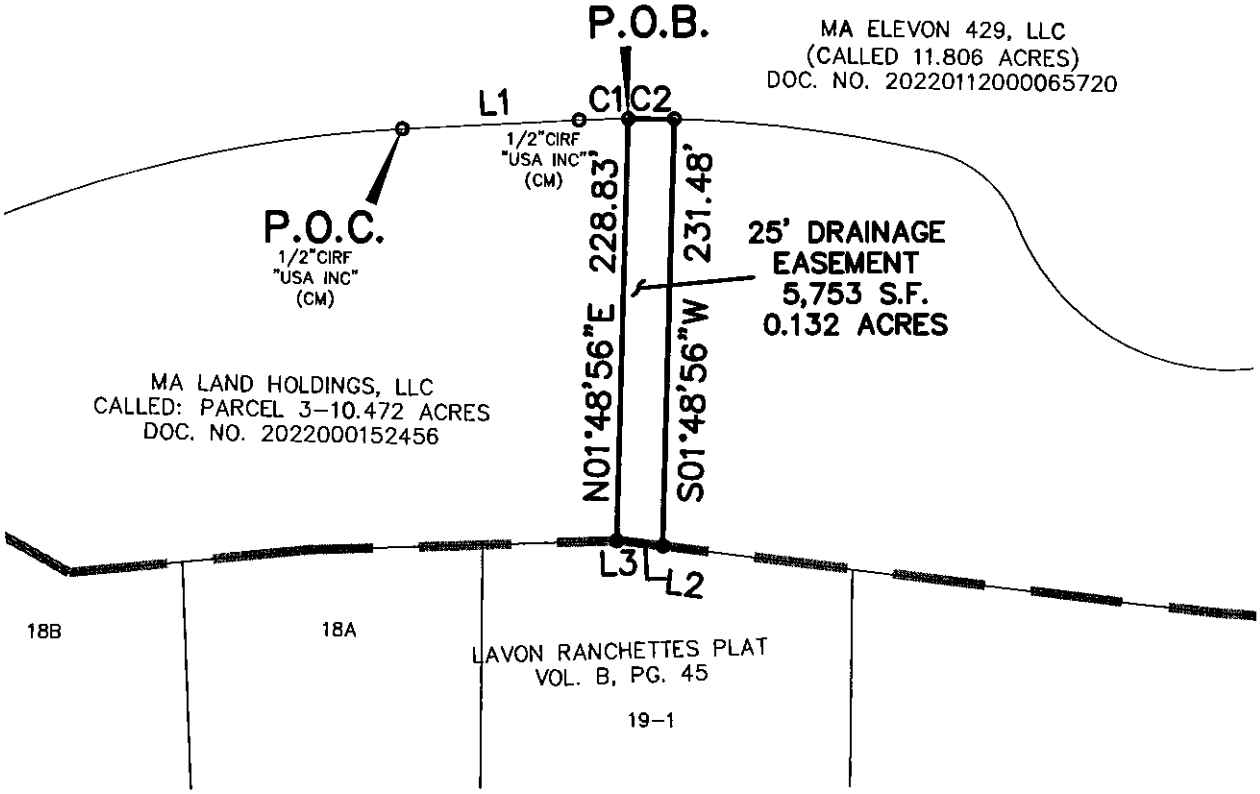
CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	26.64'	002°12'45"	690.00'	13.32'	N88°25'30"E	26.64'
C2	25.01'	002°04'36"	690.00'	12.51'	S89°25'49"E	25.01'

N

1"=100'

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	N87°19'08"E	96.13'
L2	N82°43'23"W	23.25'
L3	S88°29'25"W	1.86'

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

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\ESMT-DE14.dwg Saved By: dbell Save Time: 5/1/2023 2:22 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

SANITARY SEWER 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 sanitary sewer pipes and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 17,931 square feet or 0.412 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: manager

STATE OF TEXAS COUNTY

OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
20' WIDE SANITARY SEWER 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 HOLDING, LLC, as recorded in Dacument Number 2022000152455, Official Public Records of Collin County, Texas;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found at the south corner of said 10.224 acre tract, said point being in the northeast 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 in the west line of that called 0.906 acre tract of land described in deed to MA ELEVON 292, LLC as recorded in Document Number 20210316000512630, Official Public Records of Collin County, Texas;

THENCE along the common line of said 10.224 acre tract and 3.519 acre tract 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;
Northwesterly, 23.81 feet along a curve to the left, having a central angle of 01 degrees 41 minutes 02 seconds, a radius of 810.00 feet, a tangent of 11.90 feet and whose chord bears North 52 degrees 46 minutes 21 seconds West, 23.81 feet to the POINT OF BEGINNING of this tract of land;
Northwesterly, 26.74 feet along a curve to the left, having a central angle of 01 degrees 53 minutes 29 seconds, a radius of 810.00 feet, a tangent of 13.37 feet and whose chord bears North 54 degrees 33 minutes 37 seconds West, 26.74 feet to a point for corner;

THENCE North 06 degrees 08 minutes 28 seconds West, 58.32 feet to a point for corner;

THENCE North 57 degrees 10 minutes 38 seconds West, 819.92 feet to a point for corner;

THENCE North 32 degrees 49 minutes 22 seconds East, 20.00 feet to a point for corner;

THENCE South 57 degrees 10 minutes 38 seconds Eost, 829.47 feet to a point for corner;

THENCE South 06 degrees 08 minutes 28 seconds East, 85.61 feet to the POINT OF BEGINNING and containing 17,931 square feet or 0.412 acres of land.

BASIS OF BEARING:
The basis of bearing is based on the coordinote system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.



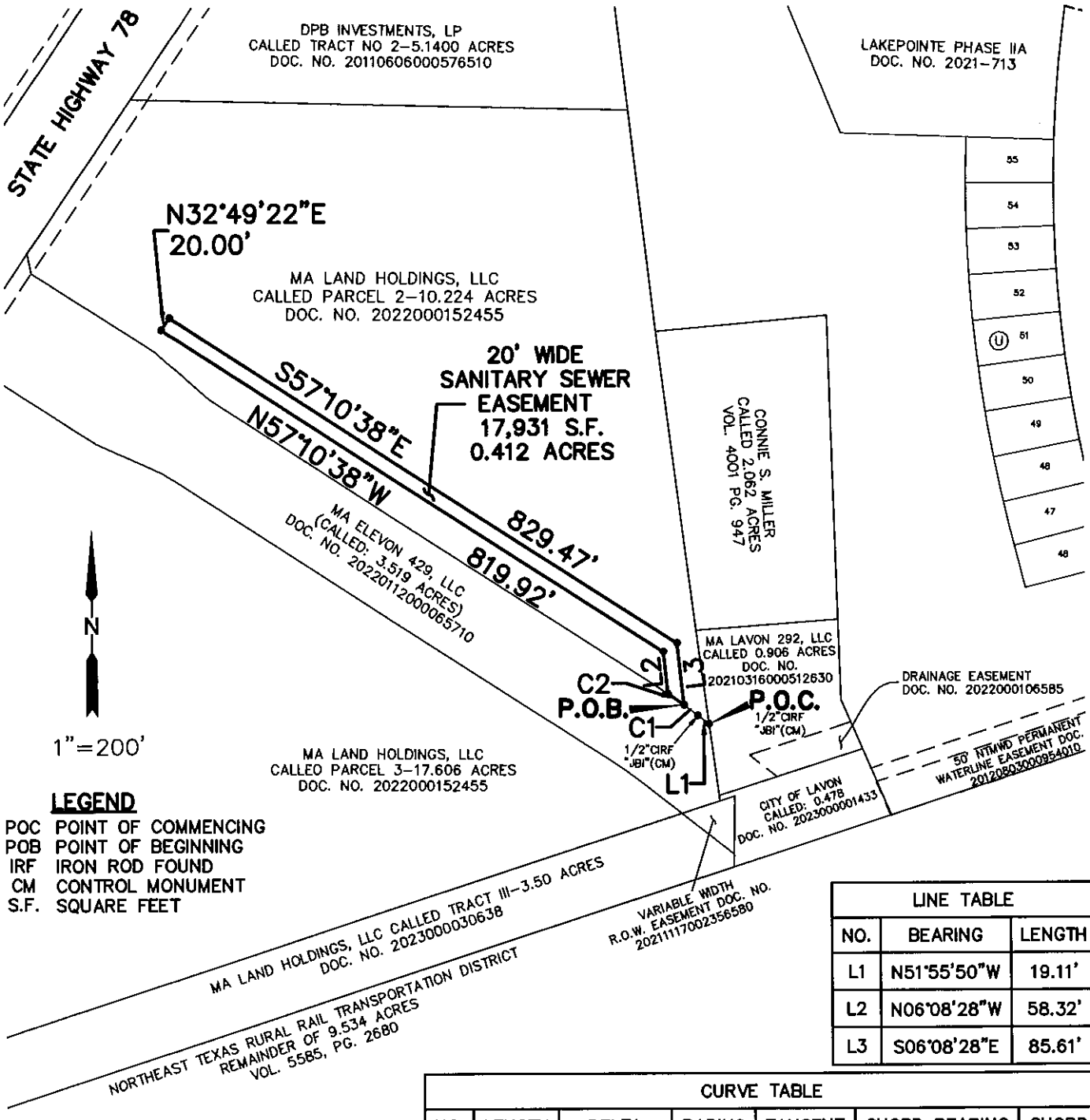
Mark W. Harp

MARK W. HARP, R.P.L.S. NO. 6425
July 05, 2023

	DATE	DRAWN	PROJECT	JBI PARTNERS
	07/05/2023	JME	mat029 ESMT SSE–6	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

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EXHIBIT A
20' WIDE SANITARY SEWER EASEMENT
PAGE 2 OF 2



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	N51°55'50"W	19.11'
L2	N06°08'28"W	58.32'
L3	S06°08'28"E	85.61'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	23.81'	001°41'02"	810.00'	11.90'	N52°46'21"W	23.81'
C2	26.74'	001°53'29"	810.00'	13.37'	N54°33'37"W	26.74'

	DATE	DRAWN	PROJECT	
	07/05/2023	JME	mat029 ESMT SSE-6	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-SSE6.dwg Saved By: jestrada Save Time: 7/3/2023 8:07 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

SANITARY SEWER 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 sanitary sewer pipes and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 46,204 square feet or 1.061 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS COUNTY

OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
25' WIDE SANITARY SEWER EASEMENT
PAGE 2 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 3–17.606 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 a part of that called Tract III–3.50 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 2023000030638, Official Public Records of Collin County, Texas and being further described as follow:

COMMENCING at a 3.5 inch monument set in concrete found inn the west line of said 17.606 acre tract, said point being in the east line of State Highway 78, a variable width right–of–way;

THENCE South 33 degrees 44 minutes 25 seconds West, 399.75 feet along the west line of said 17.606 acre tract and along the east right–of–way line of said State Highway 78 to the POINT OF BEGINNING;

THENCE South 56 degrees 57 minutes 04 seconds East, 44.94 feet to a point for corner;

THENCE South 20 degrees 36 minutes 28 seconds West, 92.87 feet to a point for corner;

THENCE Southwesterly, 167.03 feet along a curve to the left, having a central angle of 13 degrees 55 minutes 14 seconds, a radius of 687.50 feet, a tangent of 83.93 feet and whose chord bears South 13 degrees 38 minutes 52 seconds West, 166.62 feet to a point for corner;

THENCE North 71 degrees 57 minutes 09 seconds East, 777.42 feet to a point for corner;

THENCE North 69 degrees 39 minutes 23 seconds East, 489.80 feet to a point for corner in the northeast line of said 17.606 acre tract, said point being in the southwest 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;

THENCE South 51 degrees 55 minutes 50 seconds East, 29.35 feet to a point for corner;

THENCE South 69 degrees 39 minutes 23 seconds West, 505.68 feet to a point for corner;

THENCE South 71 degrees 57 minutes 09 seconds West, 777.92 feet to a point for corner;

THENCE Southwesterly, 289.26 feet along a curve to the right, having a central angle of 23 degrees 15 minutes 40 seconds, a radius of 712.50 feet, a tangent of 146.65 feet and whose chord bears South 83 degrees 34 minutes 58 seconds West, 287.28 feet to a point for corner;

THENCE Northeasterly, 199.21 feet along a curve to the right, having a central angle of 16 degrees 01 minutes 11 seconds, a radius of 712.50 feet, a tangent of 100.26 feet and whose chord bears North 12 degrees 35 minutes 53 seconds East, 198.57 feet to a point for corner;

THENCE North 20 degrees 36 minutes 28 seconds East, 72.78 feet to a point for corner;

THENCE North 56 degrees 57 minutes 04 seconds West, 25.16 feet to a point for corner in the west line of said 17.606 acre tract of land, said point being in the east right–of–woy line of said State Highway 78, from which said point bears South 33 degrees 44 minutes 25 seconds West, 46.98 feet along the west line of said 17.606 acre tract and along the east right–of–way line of said State Highway 78 to a 3.5 inch monument set in concrete found for corner;
THENCE North 33 degrees 44 minutes 25 seconds East, 25.00 feet along the west line of said 17.606 acre tract and along the east right–of–way line of said State Highway 78 to the POINT OF BEGINNING and containing 46,204 acres of land or 1.061 acres of land.

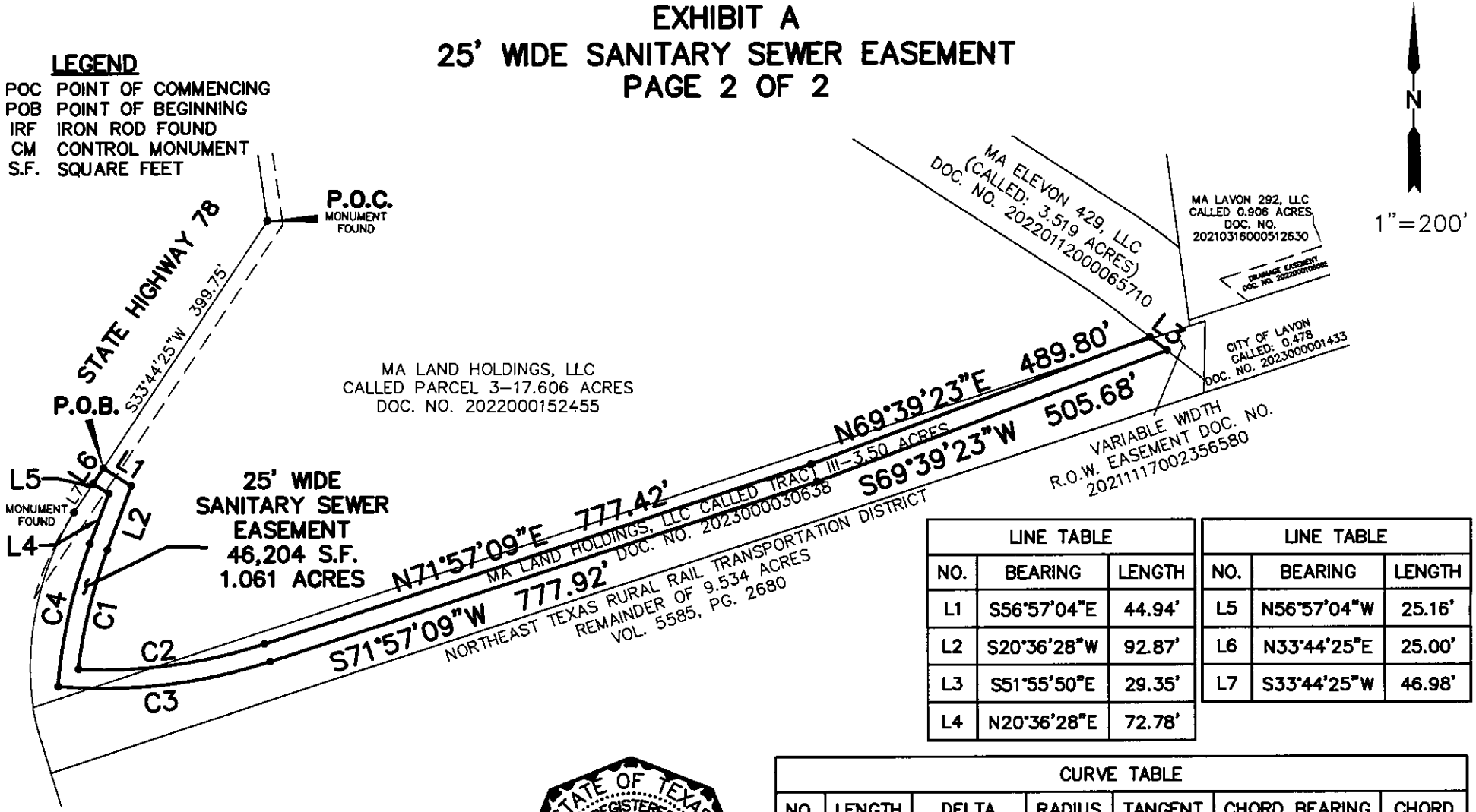
BASIS OF BEARING:
The basis of bearing is bosed on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	JBI PARTNERS
	04/27/2023	rv	mat029 ESMT SSE–4	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
25' WIDE SANITARY SEWER EASEMENT
PAGE 2 OF 2

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	S56°57'04"E	44.94'
L2	S20°36'28"W	92.87'
L3	S51°55'50"E	29.35'
L4	N20°36'28"E	72.78'

LINE TABLE		
NO.	BEARING	LENGTH
L5	N56°57'04"W	25.16'
L6	N33°44'25"E	25.00'
L7	S33°44'25"W	46.98'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	167.03'	013°55'14"	687.50'	83.93'	S13°38'52"W	166.62'
C2	253.92'	021°09'42"	687.50'	128.42'	N82°32'00"E	252.48'
C3	289.26'	023°15'40"	712.50'	146.65'	S83°34'58"W	287.28'
C4	199.21'	016°01'11"	712.50'	100.26'	N12°35'53"E	198.57'

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	rv	mat029 ESMT SSE-4

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

383

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

SANITARY SEWER 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 sanitary sewer pipes and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 296 square feet or 0.007 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: manager

STATE OF TEXAS COUNTY
OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
SANITARY SEWER 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 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;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 10.472 acre tract, said point being in the south 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;

THENCE along the common line of said 10.472 acre tract and said 11.806 acre tract as follows:

South 52 degrees 53 minutes 59 seconds West, 199.32 to a one–half inch iron rod with cap stamped "USA INC" found for corner;

Southwesterly, 126.71 feet along a curve to the right, having a central angle of 08 degrees 57 minutes 47 seconds, a radius of 810.00 feet, a tangent of 63.49 feet and whose chord bears South 57 degrees 22 minutes 53 seconds West, 126.58 feet to the POINT OF BEGINNING;

THENCE South 22 degrees 03 minutes 24 seconds East, 15.87 feet to a point for corner;

THENCE South 65 degrees 55 minutes 40 seconds West, 15.25 feet to a point for corner;

THENCE South 13 degrees 45 minutes 52 seconds West, 0.67 feet to a point for corner in the west line of said 10.472 acre tract, said point being in the east line 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;

THENCE North 63 degrees 40 minutes 56 seconds West, 6.57 feet along the common line of said 10.472 acre tract and said 27.265 acre tract to a point for corner;

THENCE North 22 degrees 03 minutes 24 seconds West, 10.15 feet to 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;

THENCE Northeasterly, 20.09 feet along the common line of said 10.472 acre tract and along said 11.806 acre tract, following a curve to the left, having a central angle of 01 degrees 25 minutes 16 seconds, a radius of 810.00 feet, a tangent of 10.04 feet and whose chord bears North 62 degrees 34 minutes 24 seconds East, 20.09 feet to the POINT OF BEGINNING and containing 296 square feet or 0.007 acres of lond.

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
SANITARY SEWER EASEMENT
PAGE 2 OF 2

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	126.71'	008°57'47"	810.00'	63.49'	S57°22'53"W	126.58'
C2	20.09'	001°25'16"	810.00'	10.04'	N62°34'24"E	20.09'

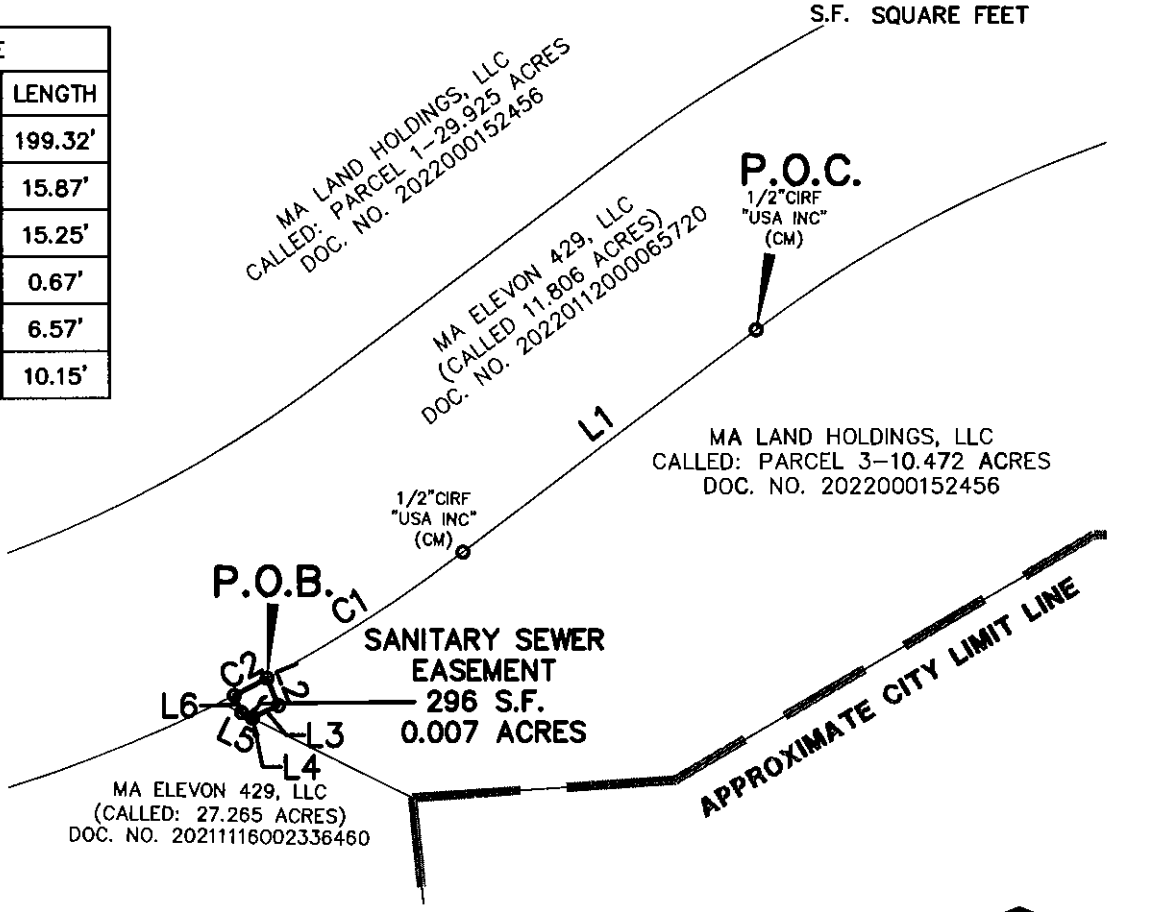
LINE TABLE		
NO.	BEARING	LENGTH
L1	S52°53'59"W	199.32'
L2	S22°03'24"E	15.87'
L3	S65°55'40"W	15.25'
L4	S13°45'52"W	0.67'
L5	N63°40'56"W	6.57'
L6	N22°03'24"W	10.15'

N

1"=100'

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
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

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\ESMT-SSE5.dwg Saved By: dbell Save Time: 5/1/2023 2:16 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

SANITARY SEWER 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 sanitary sewer pipes and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 636 square feet or 0.015 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS COUNTY
OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
SANITARY SEWER 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 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;

COMMENCING at a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of said 10.472 acre tract, said point being in the south 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;

THENCE Southwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 250.01 feet along a curve to the right, having a central angle of 17 degrees 41 minutes 05 seconds, a radius of 810.00 feet, a tangent of 126.01 feet and whose chord bears South 53 degrees 56 minutes 07 seconds West, 249.02 feet to the POINT OF BEGINNING;

THENCE South 23 degrees 23 minutes 40 seconds East, 29.60 feet to a point for corner;

THENCE South 65 degrees 55 minutes 40 seconds West, 8.31 feet to a point for corner;

THENCE North 23 degrees 23 minutes 40 seconds West, 32.53 feet to 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 Southwesterly along the common line of said 10.472 acre tract and said 11.806 acre tract, 216.11 feet along a curve to the right, having a central angle of 15 degrees 17 minutes 11 seconds, a radius of 810.00 feet, a tangent of 108.70 feet and whose chord bears South 71 degrees 50 minutes 15 seconds West, 215.47 to a one–half inch iron rod with cap stamped "JBI" found for corner;

THENCE Northeasterly 20.03 feet along a curve to the left, having a central angle of 01 degrees 25 minutes 01 seconds, a radius of 810.00 feet, a tangent of 10.02 feet and whose chord bears North 63 degrees 29 minutes 09 seconds East, 20.03 feet to the POINT OF BEGINNING and containing 636 square feet or 0.015 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT SSE–3	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
SANITARY SEWER EASEMENT
PAGE 2 OF 2

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	250.01'	017°41'05"	810.00'	126.01'	S53°56'07"W	249.02'
C2	20.03'	001°25'01"	810.00'	10.02'	N63°29'09"E	20.03'
C3	216.11'	015°17'11"	810.00'	108.70'	S71°50'15"W	215.47'

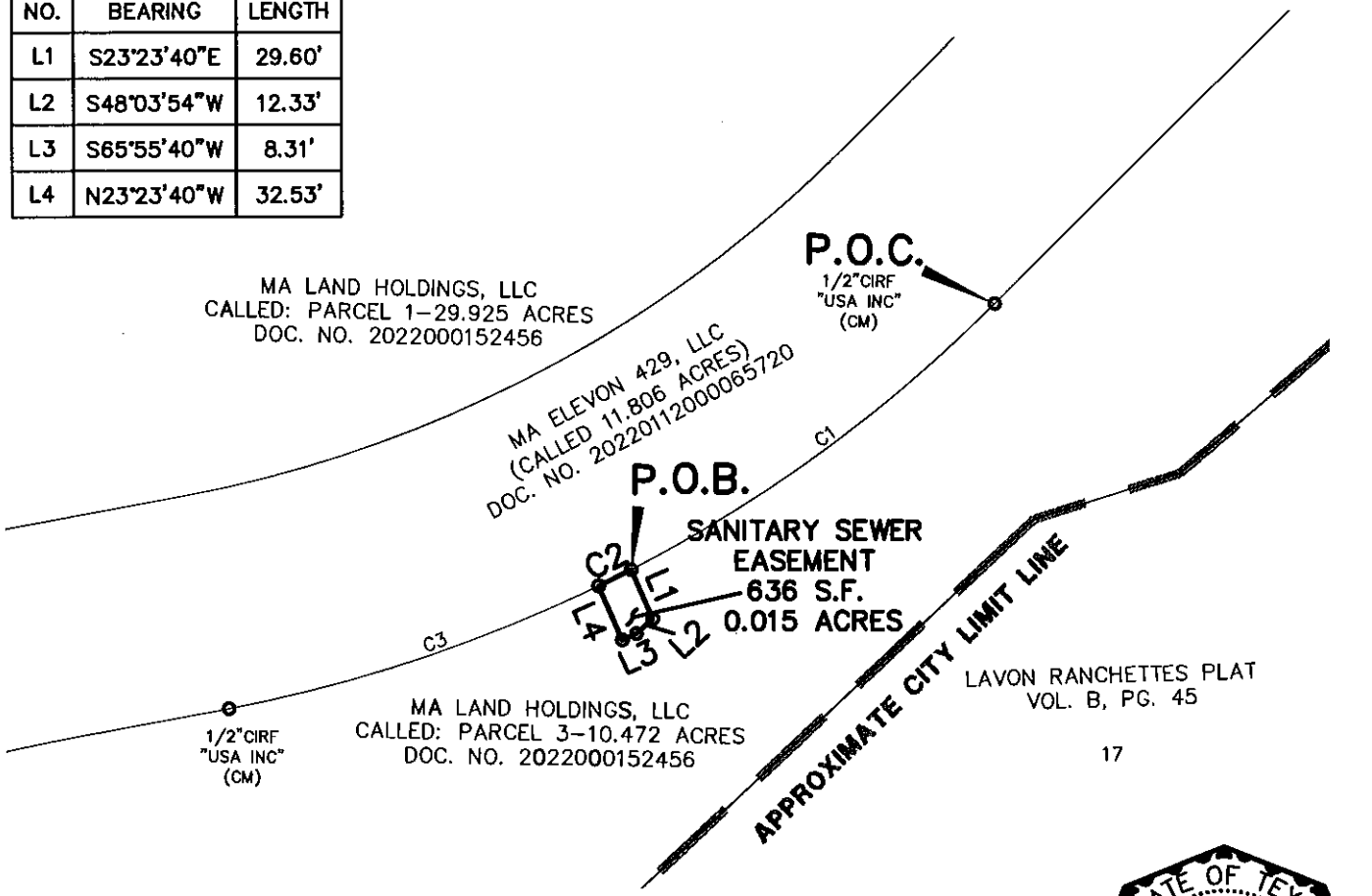
LINE TABLE		
NO.	BEARING	LENGTH
L1	S23°23'40"E	29.60'
L2	S48°03'54"W	12.33'
L3	S65°55'40"W	8.31'
L4	N23°23'40"W	32.53'

N

1"=100'

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
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 ESMT DE-11

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-SSE3.dwg Saved By: dbell Save Time: 4/27/2023 7:56 AM

AFTER RECORDING, RETURN TO:

Attention: Kim Dobbs
City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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SANITARY SEWER 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 sanitary sewer pipes and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 741 square feet or 0.017 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 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS COUNTY
OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
SANITARY SEWER 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the south line 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;

THENCE along the common line of said 29.925 acre tract and said 11.806 acre tract as follows:

Southwesterly 204.94 feet along a curve to the right, having a central angle of 17 degrees 01 minutes 04 seconds, a radius of 690.00 feet, a tangent of 103.23 feet and whose chord bears South 53 degrees 36 minutes 06 seconds East, 204.19 feet to the POINT OF BEGINNING;

Southwesterly 20.04 feet along a curve to the right, having a central angle of 01 degrees 39 minutes 51 seconds, a radius of 590.00 feet, a tangent of 10.02 feet and whose chord bears South 62 degrees 56 minutes 33 seconds West, 20.04 feet to a point for corner, from which said point bears southwesterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 189.14 feet along a curve to the right, having a central angle of 15 degrees 42 minutes 22 seconds, a radius of 690.00 feet, a tangent of 95.17 feet and whose chord bears South 71 degrees 37 minutes 40 seconds West, 188.55 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

THENCE North 23 degrees 23 minutes 40 seconds West, 37.63 feet to a point for corner;

THENCE North 66 degrees 36 minutes 20 seconds East, 20.00 feet to a point for corner;

THENCE South 23 degrees 23 minutes 40 seconds East, 36.35 feet to the POINT OF BEGINNING and containing 741 square feet or 0.017 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	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT SSE–2	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

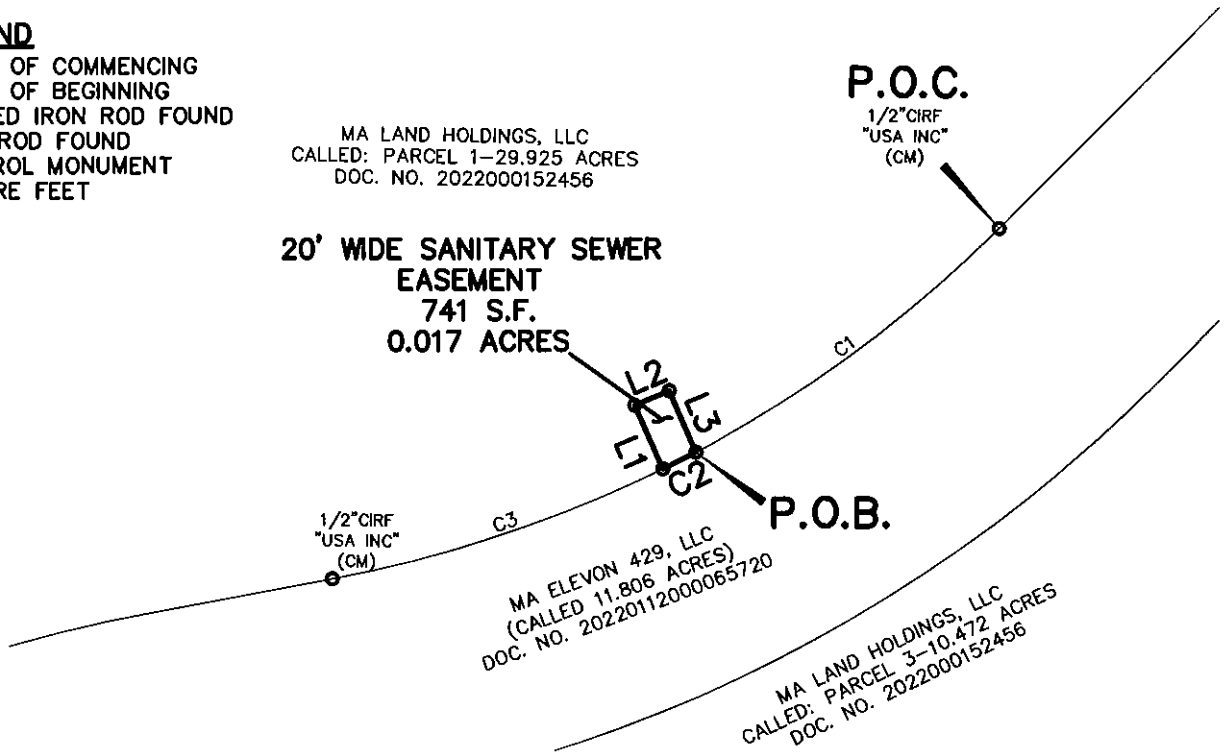
EXHIBIT A
SANITARY SEWER EASEMENT
PAGE 2 OF 2

N

1"=100'

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	204.94'	017°01'04"	690.00'	103.23'	S53°36'06"W	204.19'
C2	20.04'	001°39'51"	690.00'	10.02'	S62°56'33"W	20.04'
C3	189.14'	015°42'22"	690.00'	95.17'	S71°37'40"W	188.55'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N23°23'40"W	37.63'
L2	N66°36'20"E	20.00'
L3	S23°23'40"E	36.35'

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 ESMT SSE-2

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-SSE2.dwg Saved By: dbell Save Time: 4/27/2023 7:56 AM

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City Manager
City of Lavon
120 School Road
Lavon, Texas 75166

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SANITARY SEWER 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 sanitary sewer pipes and structures (the "Facilities") in, on, under, over and across the following described property:

> BEING 1,285 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.

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[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Executed on the dates set forth below, to be effective as of the 24th day of July, 2023.

MA LAND HOLDINGS, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company,
its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS COUNTY
OF ~~COLLIN~~ Dallas

This instrument was acknowledged on this the 25 day of July, 2023, by Allen Jones, 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.

ZACHARY GAULDIN
Notary Public, State of Texas
Comm. Expires 05-21-2024
Notary ID 132490204

_____
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
SANITARY SEWER 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 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;

COMMENCING at a one–half inch iron rod with cap stamped "USA INC" found in the sauth line 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;

THENCE Southeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 789.98 feet along a curve to the left, having a central angle of 65 degrees 35 minutes 53 seconds, a radius of 690.00 feet, a tangent of 444.66 feet and whose chord bears South 84 degrees 43 minutes 47 seconds East, 747.54 feet to the POINT OF BEGINNING;

THENCE North 22 degrees 03 minutes 24 seconds West, 65.30 feet to a point for corner;

THENCE North 67 degrees 56 minutes 36 seconds East, 20.00 feet to a point for corner;

THENCE South 22 degrees 03 minutes 24 seconds East, 63.09 feet to a point for corner in the south line of said 29.925 acre tract, said point being in the north line of said 11.806 acre tract, from which said point bears Northeasterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 95.14 feet along a curve to the left, having a central angle of 07 degrees 54 minutes 02 seconds, a radius of 690.00 feet, a tangent of 47.65 feet and whose chord bears North 56 degrees 51 minutes 00 seconds East, 95.07 feet to a one–half inch iron rod with cap stamped "USA INC" found for corner;

THENCE Southwesterly along the common line of said 29.925 acre tract and said 11.806 acre tract, 20.12 feet along a curve to the right, having a central angle of 01 degrees 40 minutes 15 seconds, a radius of 690.00 feet, a tangent of 10.06 feet and whose chord bears North 56 degrees 51 minutes 00 seconds East, 95.07 feet to the POINT OF BEGINNING and containing 1,285 square feet or 0.029 acres of land.

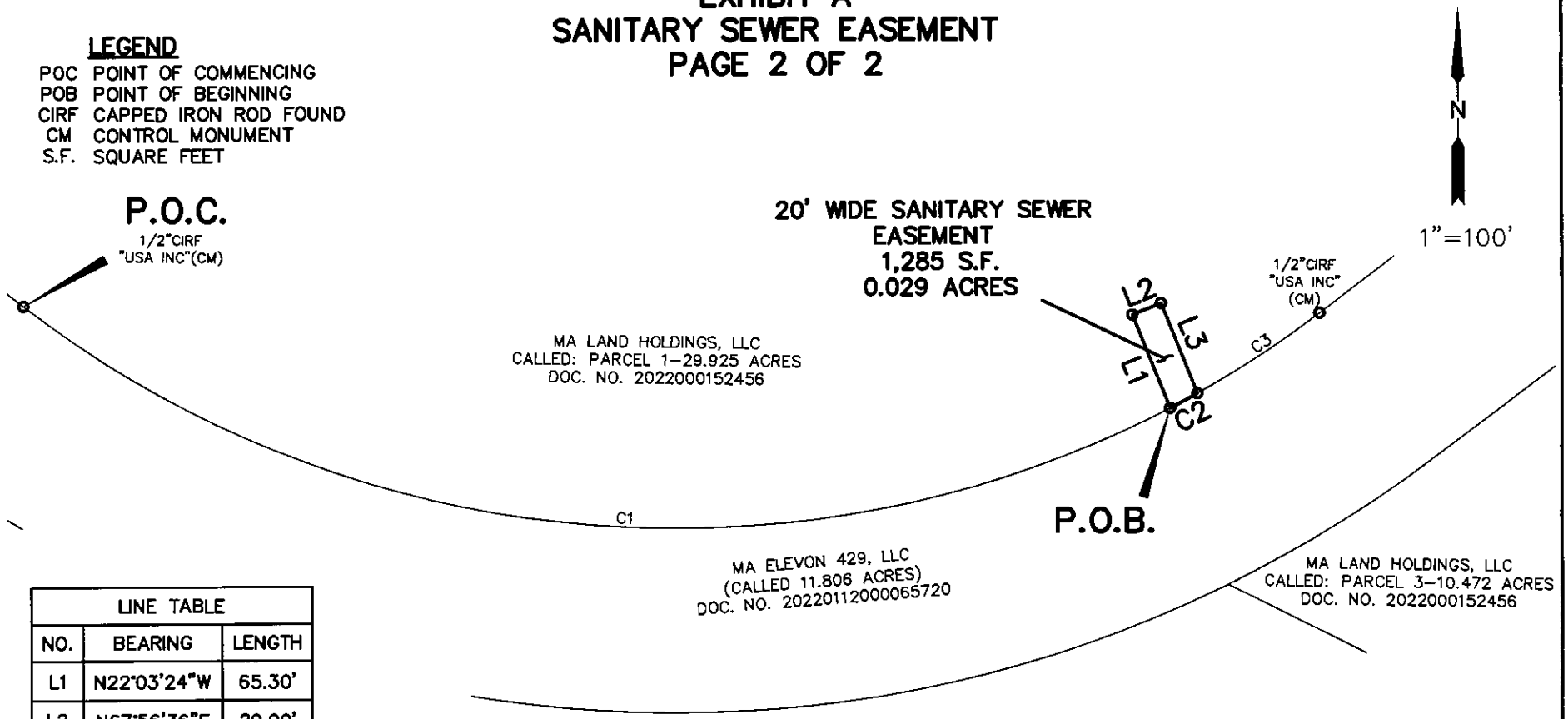
BASIS OF BEARING:
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

	DATE	DRAWN	PROJECT	JBI PARTNERS
	04/27/2023	RV	MAT029 ESMT SSE–1	2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000

EXHIBIT A
SANITARY SEWER EASEMENT
PAGE 2 OF 2

LEGEND

POC POINT OF COMMENCING
POB POINT OF BEGINNING
CIRF CAPPED IRON ROD FOUND
CM CONTROL MONUMENT
S.F. SQUARE FEET



LINE TABLE		
NO.	BEARING	LENGTH
L1	N22°03'24"W	65.30'
L2	N67°56'36"E	20.00'
L3	S22°03'24"E	63.09'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	789.98'	065°35'53"	690.00'	444.66'	S84°43'47"E	747.54'
C2	20.12'	001°40'15"	690.00'	10.06'	S61°38'09"W	20.12'
C3	95.14'	007°54'02"	690.00'	47.65'	N56°51'00"E	95.07'

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 ESMT SSE-1

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: September 5, 2023 **ITEM: 6 – J**

Item:

Discussion and action regarding acceptance of the public infrastructure for the Elevon Parkway Addition.

Background:

The developer of the Elevon Parkway Addition recently completed construction of the public infrastructure improvements. The Code of Ordinances provides that prior to recording a final plat the City Council will accept the dedication of the public infrastructure.

Code Excerpt
City of Lavon Code of Ordinances
Article 9.02 Subdivision Ordinance
Section 9.02.006 Record Drawings (as-built plans)

Prior to the acceptance of the subdivision and within thirty (30) days of the completion of the subdivision, the engineer for the developer shall submit to the City a complete set of reproducible construction drawings twenty-four by thirty-six inches (24" x 36") of the paving, drainage, water and sanitary sewer improvements with all changes made in the plans during construction and containing on each sheet and [an] "As Built" stamp bearing the signature of the engineer and the date.

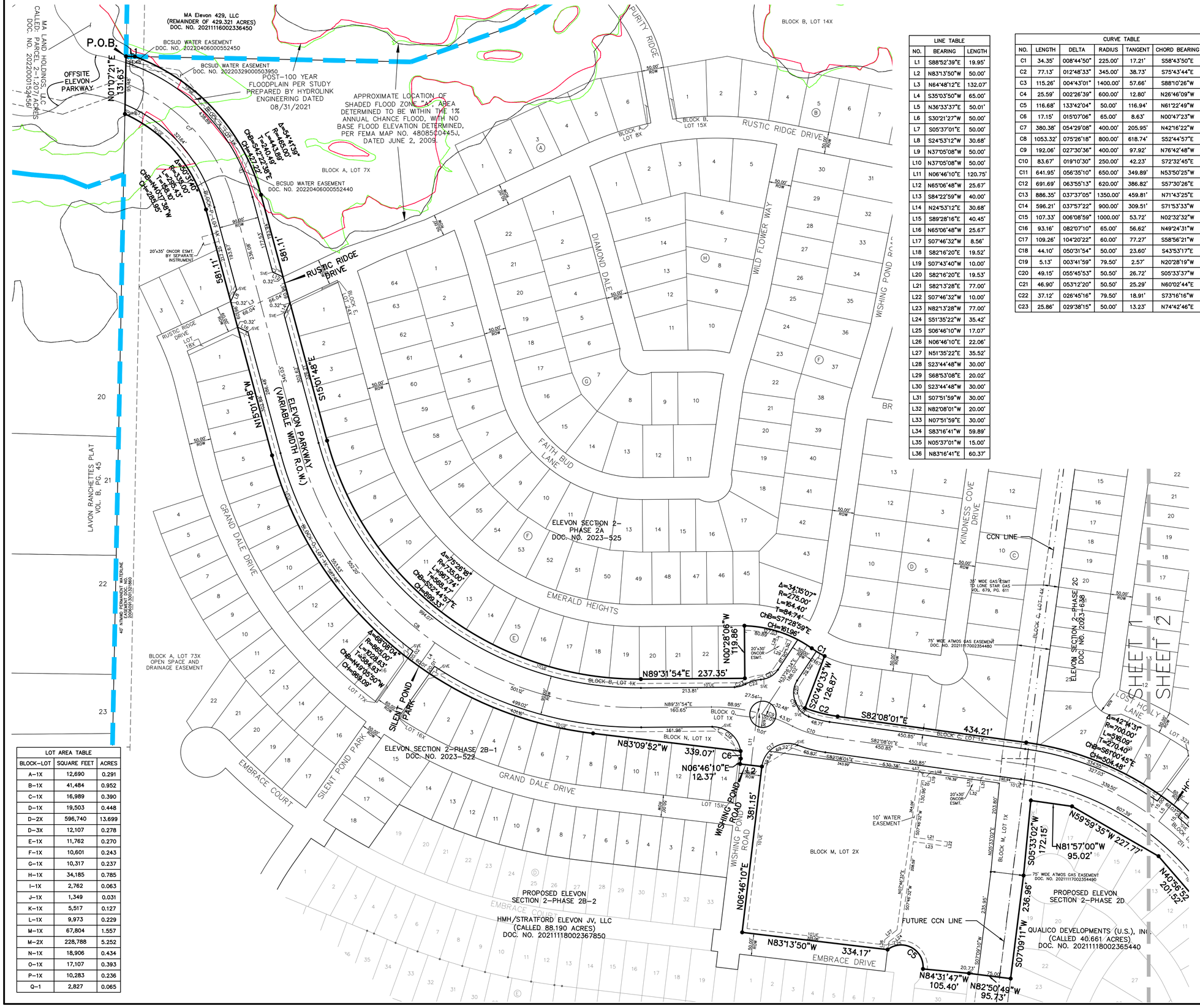
Within ten (10) days of the receipt of the "record drawings," the City Engineer shall make a recommendation for acceptance or non-acceptance of the subdivision to the City Council and a determination of review cost and the receipt of the required maintenance bond.

No final acceptance of the subdivision will be made by the City Council until these requirements have been made to the satisfaction of the City.

Staff Notes:

Acceptance of the dedication of infrastructure is recommended per the City Engineer's letter.

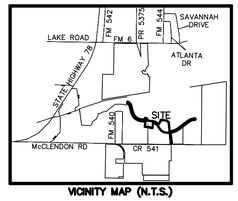
Attachments: 1) Final Plat
2) City Engineer Letter



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L2	N83°13'50"W	50.00'
L3	N64°48'12"E	132.07'
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L5	N36°33'37"E	50.01'
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L19	S07°43'40"W	10.00'
L20	S82°16'20"E	19.53'
L21	S82°13'28"E	77.00'
L22	S07°46'32"W	10.00'
L23	N82°13'28"W	77.00'
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L25	S06°46'10"W	17.07'
L26	N06°46'10"E	22.06'
L27	N51°35'22"E	35.52'
L28	S23°44'48"W	30.00'
L29	S68°53'08"E	20.02'
L30	S23°44'48"W	30.00'
L31	S07°51'59"W	30.00'
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L34	S83°16'41"W	59.89'
L35	N05°37'01"W	15.00'
L36	N83°16'41"E	60.37'

CURVE TABLE						
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C3	115.26'	004°43'01"	1400.00'	57.66'	S88°10'26"W	115.23'
C4	25.59'	002°26'39"	600.00'	12.80'	N26°46'09"W	25.59'
C5	116.68'	133°42'04"	50.00'	116.94'	N61°22'49"W	91.95'
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C17	109.26'	104°20'22"	60.00'	77.27'	S58°56'21"W	94.78'
C18	44.10'	050°31'54"	50.00'	23.60'	S43°53'17"E	42.68'
C19	5.13'	003°41'59"	79.50'	2.57'	N20°28'19"W	5.13'
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C21	46.90'	053°12'20"	50.50'	25.29'	N60°02'44"E	45.23'
C22	37.12'	026°45'16"	79.50'	18.91'	S73°16'16"W	36.79'
C23	25.86'	029°38'15"	50.00'	13.23'	N74°42'46"E	25.58'

LOT AREA TABLE		
BLOCK-LOT	SQUARE FEET	ACRES
A-1X	12,690	0.291
B-1X	41,484	0.952
C-1X	16,989	0.390
D-1X	19,503	0.448
D-2X	596,740	13.699
D-3X	12,107	0.278
E-1X	11,762	0.270
F-1X	10,601	0.243
G-1X	10,317	0.237
H-1X	34,185	0.785
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K-1X	5,517	0.127
L-1X	9,973	0.229
M-1X	67,804	1.557
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N-1X	18,906	0.434
O-1X	17,107	0.393
P-1X	10,283	0.236
Q-1	2,827	0.065



VICINITY MAP (N.T.S.)

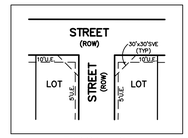
GRAPHIC SCALE

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
CCN	CERTIFICATE OF CONVENIENCE AND NECESSITY
	PRE-PROJECT 100-YR FLOODPLAIN
	POST-PROJECT 100-YR FLOODPLAIN
	APPROXIMATE CITY LIMIT



TYPICAL LOT
EASEMENT DETAIL
NTS

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).
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FINAL PLAT
ELEVON PARKWAY

20 LOTS

BEING 40.033 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

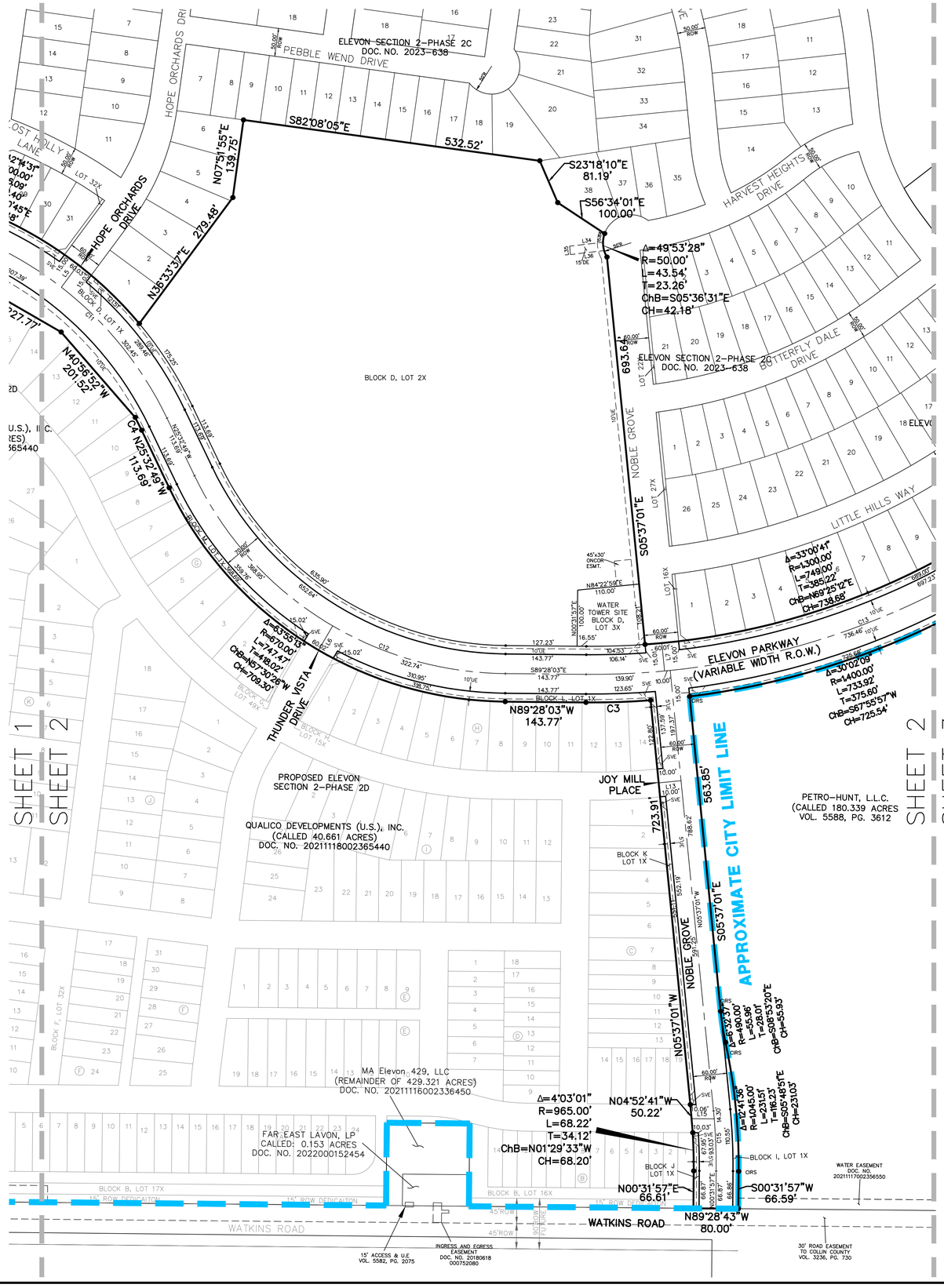
CITY OF LAVON,
COLLIN COUNTY, TEXAS

MA Elevon 429, LLC — OWNER/DEVELOPER
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 29, 2022

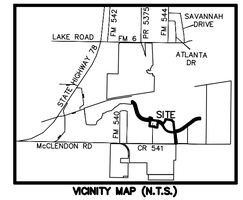
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Q-1	2,827	0.065



VICINITY MAP (N.T.S.)

NORTH

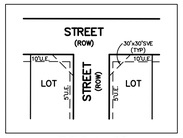
GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

LEGEND

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P.O.B.	POINT OF BEGINNING
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	PRE-PROJECT 100-YR FLOODPLAIN
	POST-PROJECT 100-YR FLOODPLAIN
	APPROXIMATE CITY LIMIT



TYPICAL LOT
EASEMENT DETAIL
NTS

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ELEVON PARKWAY

20 LOTS

BEING 40.033 ACRES OUT OF
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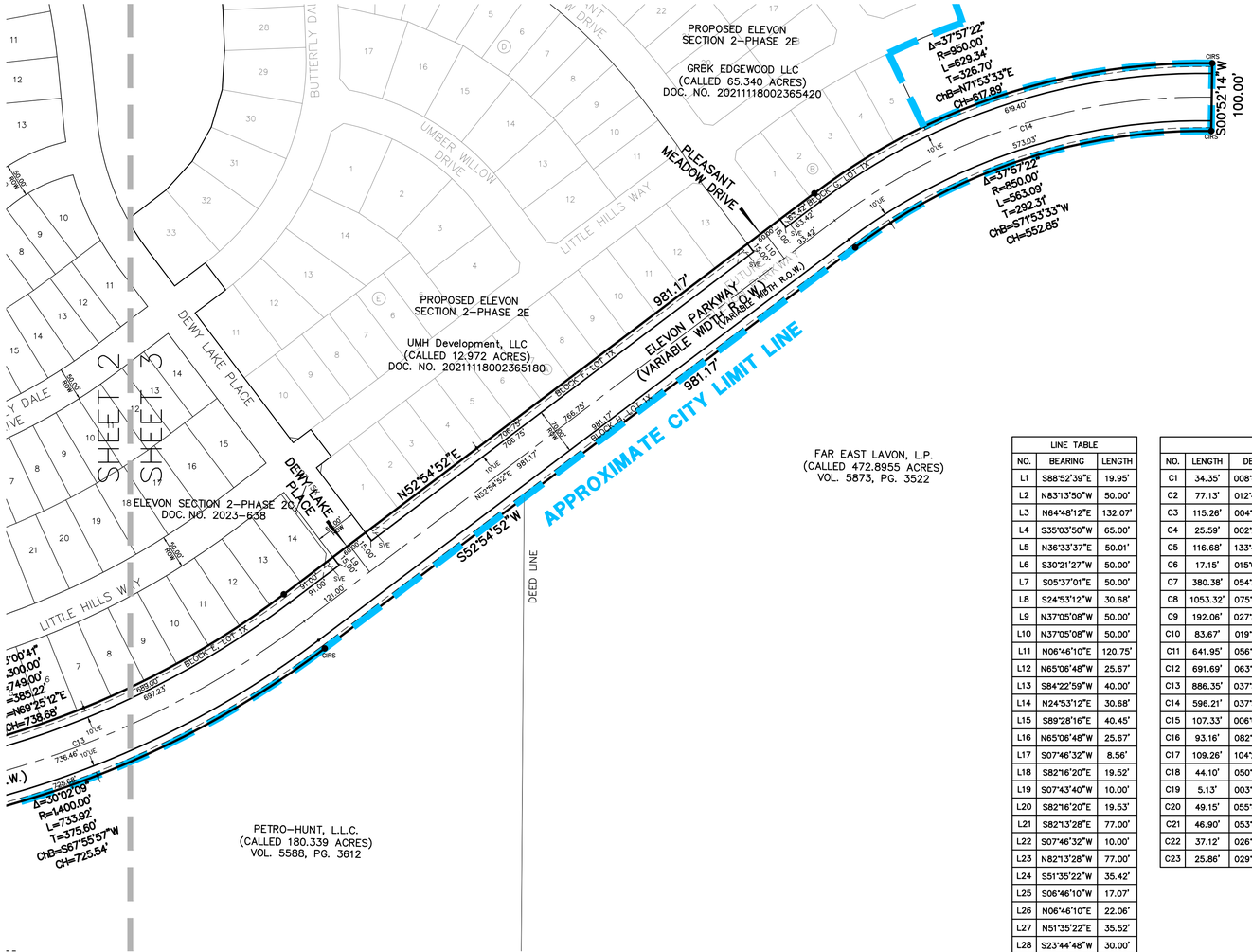
CITY OF LAVON,
COLLIN COUNTY, TEXAS

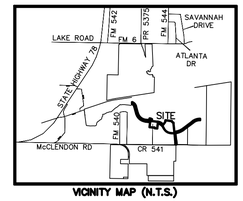
MA Elevon 429, LLC — OWNER/DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
(972) 715-6449
Contact: John Marlin

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 29, 2022

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\XMAT029-ELEVON PARKWAY-PT.dwg Saved By: dbell Save Time: 8/29/2023 3:31 PM Plotted by: dbell Plot Date: 8/30/2023 8:25 AM





VICINITY MAP (N.T.S.)

NORTH

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.

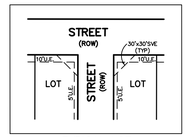
LEGEND

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
	PRE-PROJECT 100-YR FLOODPLAIN
	POST-PROJECT 100-YR FLOODPLAIN
	APPROXIMATE CITY LIMIT

LINE TABLE		
NO.	BEARING	LENGTH
L1	S88°52'39"E	19.95'
L2	N83°13'50"W	50.00'
L3	N64°48'12"E	132.07'
L4	S35°03'50"W	65.00'
L5	N36°33'37"E	50.01'
L6	S30°21'27"W	50.00'
L7	S05°37'01"E	50.00'
L8	S24°53'12"W	30.68'
L9	N37°05'08"W	50.00'
L10	N37°05'08"W	50.00'
L11	N06°46'10"E	120.75'
L12	N65°06'48"W	25.67'
L13	S84°22'59"W	40.00'
L14	N24°53'12"E	30.68'
L15	S89°28'16"E	40.45'
L16	N65°06'48"W	25.67'
L17	S07°46'32"W	8.56'
L18	S82°16'20"E	19.52'
L19	S07°43'40"W	10.00'
L20	S82°16'20"E	19.53'
L21	S82°13'28"E	77.00'
L22	S07°46'32"W	10.00'
L23	N82°13'28"W	77.00'
L24	S51°35'22"W	35.42'
L25	S06°46'10"W	17.07'
L26	N06°46'10"E	22.06'
L27	N51°35'22"E	35.52'
L28	S23°44'48"W	30.00'
L29	S68°53'08"E	20.02'
L30	S23°44'48"W	30.00'
L31	S07°51'59"W	30.00'
L32	N82°08'01"W	20.00'
L33	N07°51'59"E	30.00'
L34	S83°16'41"W	59.89'
L35	N05°37'01"W	15.00'
L36	N83°16'41"E	60.37'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	34.35'	008°44'50"	225.00'	17.21'	S58°43'50"E	34.32'
C2	77.13'	012°48'33"	345.00'	38.73'	S75°43'44"E	76.97'
C3	115.26'	004°43'01"	1400.00'	57.66'	S88°10'26"W	115.23'
C4	25.59'	002°26'39"	600.00'	12.80'	N26°46'09"W	25.59'
C5	116.68'	133°42'04"	50.00'	116.94'	N61°22'49"W	91.95'
C6	17.15'	015°07'06"	65.00'	8.63'	N00°47'23"W	17.10'
C7	380.38'	054°29'08"	400.00'	205.95'	N42°16'22"W	366.21'
C8	1053.32'	075°26'18"	800.00'	618.74'	S52°44'57"E	978.87'
C9	192.06'	027°30'36"	400.00'	97.92'	N76°42'48"W	190.22'
C10	83.67'	019°10'30"	250.00'	42.23'	S72°32'45"E	83.28'
C11	641.95'	056°35'10"	650.00'	349.89'	N53°50'25"W	616.18'
C12	691.69'	063°55'13"	620.00'	386.82'	S57°30'26"E	656.37'
C13	886.35'	037°37'05"	1350.00'	459.81'	N71°43'25"E	870.52'
C14	596.21'	037°57'22"	900.00'	309.51'	S71°53'33"W	585.37'
C15	107.33'	006°08'59"	1000.00'	53.72'	N02°32'32"W	107.28'
C16	93.16'	082°07'10"	65.00'	56.62'	N49°24'31"W	85.39'
C17	109.26'	104°20'22"	60.00'	77.27'	S58°56'21"W	94.78'
C18	44.10'	050°31'54"	50.00'	23.60'	S43°53'17"E	42.68'
C19	5.13'	003°41'59"	79.50'	2.57'	N20°28'19"W	5.13'
C20	49.15'	055°45'53"	50.50'	26.72'	S05°33'37"W	47.23'
C21	46.90'	053°12'20"	50.50'	25.29'	N60°02'44"E	45.23'
C22	37.12'	026°45'16"	79.50'	18.91'	S73°16'16"W	36.79'
C23	25.86'	029°38'15"	50.00'	13.23'	N74°42'46"E	25.58'

LOT AREA TABLE		
BLOCK-LOT	SQUARE FEET	ACRES
A-1X	12,690	0.291
B-1X	41,484	0.952
C-1X	16,989	0.390
D-1X	19,503	0.448
D-2X	596,740	13.699
D-3X	12,107	0.278
E-1X	11,762	0.270
F-1X	10,601	0.243
G-1X	10,317	0.237
H-1X	34,185	0.785
I-1X	2,762	0.063
J-1X	1,349	0.031
K-1X	5,517	0.127
L-1X	9,973	0.229
M-1X	67,804	1.557
M-2X	228,788	5.252
N-1X	18,906	0.434
O-1X	17,107	0.393
P-1X	10,283	0.236
Q-1	2,827	0.065



TYPICAL LOT
EASEMENT DETAIL
NTS

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. ALL LOTS SHOWN HEREON LIE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY
4. ALL STREET SIGNS AND POST WILL BE OWNED AND MAINTAINED BY THE HOA

FINAL PLAT
ELEVON PARKWAY

20 LOTS

BEING 40.033 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

MA Elevon 429, LLC — OWNER/DEVELOPER
15443 Knoll Trail, Suite 130
Dallas, Texas 75248
Contact: John Marlin
(972) 715-6449

JBI PARTNERS, INC. — SURVEYOR/ENGINEER
2121 Midway Road, Suite 300
Carrollton, Texas 75006
TBPE No. F-438 TBPLS No. 10076000
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Date: August 29, 2022

Drawing: H:\Projects\MAT029-Elevon Section 2\Surveying\dwg\XMAT029-ELEVON PARKWAY-PT.dwg Saved By: dbell Save Time: 8/29/2023 3:31 PM Plotted by: dbell Plot Date: 8/30/2023 8:25 AM

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 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, and being further described as follows:

BEGINNING at a one–half inch iron rod with yellow cap stamped "JBI" set in the west line of said 429.321 acre tract, said point being in the east line 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;

THENCE South 88 degrees 52 minutes 39 seconds East, 19.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of Lot 7X, Block A, Elevon Section 2–Phase 2A, an addition to Collin County as recorded in Document Number 2023–525, Official Public Records of Collin County, Texas;

THENCE along the south line of said Elevon Section 2–Phase 2A as follows:
Southeasterly, 443.89 feet along a curve to the right having a central angle of 54 degrees 41 minutes 39 seconds, a radius of 465.00 feet, a tangent of 240.49 feet and whose chord bears South 42 degrees 22 minutes 38 seconds East, 427.22 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 15 degrees 01 minutes 48 seconds East, 581.11 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 967.74 feet along a curve to the left having a central angle of 75 degrees 26 minutes 18 seconds, a radius of 735.00 feet, a tangent of 568.47 feet and whose chord bears South 52 degrees 44 minutes 57 seconds East, 899.33 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 89 degrees 31 minutes 54 seconds East, 237.35 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 00 degrees 28 minutes 06 seconds West, 119.86 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 164.40 feet along a curve to the right having a central angle of 34 degrees 15 minutes 07 seconds, a radius of 275.00 feet, a tangent of 84.74 feet and whose chord bears South 71 degrees 28 minutes 59 seconds East, 161.96 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 34.35 feet along a curve to the left having a central angle of 08 degrees 44 minutes 50 seconds, a radius of 225.00 feet, a tangent of 17.21 feet and whose chord bears South 58 degrees 43 minutes 50 seconds East, 34.32 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 20 degrees 40 minutes 33 seconds West, 126.87 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 77.13 feet along a curve to the left having a central angle of 12 degrees 48 minutes 33 seconds, a radius of 345.00 feet, a tangent of 38.73 feet and whose chord bears South 75 degrees 43 minutes 44 seconds East, 76.97 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 82 degrees 08 minutes 01 seconds East, 434.21 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 516.09 feet along a curve to the right having a central angle of 42 degrees 14 minutes 31 seconds, a radius of 700.00 feet, a tangent of 270.40 feet and whose chord bears South 61 degrees 00 minutes 45 seconds East, 504.48 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner in the south line of Elevon Section 2–Phase 2C, an addition to Collin County, as recorded in Document Number 2023–638, Official Public Records of Collin County, Texas;

THENCE along the south line of said Elevon Section 2–Phase 2C as follows:
North 36 degrees 33 minutes 37 seconds East, 279.48 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 07 degrees 51 minutes 55 seconds East, 139.75 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 82 degrees 08 minutes 05 seconds East, 532.52 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner
South 23 degrees 18 minutes 10 seconds East, 81.19 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 56 degrees 34 minutes 01 seconds East, 100.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Southeasterly, 43.54 feet along a curve to the left having a central angle of 49 degrees 53 minutes 28 seconds, a radius of 50.00 feet, a tangent of 23.26 feet and whose chord bears South 05 degrees 36 minutes 31 seconds East, 42.18 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 05 degrees 37 minutes 01 seconds East, 693.64 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northeasterly, 749.00 feet along a curve to the left having a central angle of 33 degrees 00 minutes 41 seconds, a radius of 1,300.00 feet, a tangent of 385.22 feet and whose chord bears North 69 degrees 25 minutes 12 seconds East, 738.68 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 52 degrees 54 minutes 52 seconds East, 981.17 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner in the south line of that called 65.340 acre tract of land described in deed to GRBK EDGEWOOD LLC, as recorded in Document Number 20211118002365420, Official Public Records of Collin County, Texas;

THENCE Northeasterly along the south line of said 65.340 acre tract, 629.34 feet along a curve to the right having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 950.00 feet, a tangent of 326.70 feet and whose chord bears North 71 degrees 53 minutes 33 seconds East, 617.89 feet to a one–half inch iron rod with yellow cap stamped "JBI" found in the east line of said 429.321 acre tract;

THENCE along the east line of said 429.321 acre tract as follows:
South 00 degrees 52 minutes 14 seconds East, 100.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Southwesterly, 563.09 feet along a curve to the left having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 850.00 feet, a tangent of 292.31 feet and whose chord bears South 71 degrees 53 minutes 33 seconds West, 552.85 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 52 degrees 54 minutes 52 seconds West, 981.17 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Southwesterly, 733.92 feet along a curve to the right having a central angle of 30 degrees 02 minutes 09 seconds, a radius of 1,400.00 feet, a tangent of 375.60 feet and whose chord bears South 67 degrees 55 minutes 57 seconds West, 725.54 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 05 degrees 37 minutes 01 seconds East, 563.85 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Southeasterly, 55.96 feet along a curve to the left having a central angle of 06 degrees 32 minutes 37 seconds, a radius of 490.00 feet, a tangent of 28.01 feet and whose chord bears South 08 degrees 53 minutes 20 seconds East, 55.93 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
Southeasterly, 231.51 feet along a curve to the right having a central angle of 12 degrees 41 minutes 36 seconds, a radius of 1,045.00 feet, a tangent of 116.23 feet and whose chord bears South 05 degrees 48 minutes 51 seconds East, 231.03 feet to a one–half inch iron rod with yellow cap stamped "JBI" set for corner;
South 00 degrees 31 minutes 57 seconds West, 66.59 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the most southerly east corner of said 429.321 acre tract, said point also being in the north right–of–way line of Watkins Road;

THENCE North 89 degrees 28 minutes 43 seconds West, 80.00 feet along the north right–of–way line of said County Road 541 to a one–half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of that called 40.661 acre tract of land described in deed to QUALICO DEVELOPMENTS (U.S.), INC., as recorded in Document Number 20211118002365440, Official Public Records of Collin County, Texas;

THENCE along the east line of said 40.661 acre tract as follows:
North 00 degrees 31 minutes 57 seconds East, 66.61 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 68.22 feet along a curve to the left having a central angle of 04 degrees 03 minutes 01 seconds, a radius of 965.00 feet, a tangent of 34.12 feet and whose chord bears North 01 degrees 29 minutes 33 seconds West, 68.20 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 04 degrees 52 minutes 41 seconds West, 50.22 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 05 degrees 37 minutes 01 seconds West, 723.91 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northeast corner of said 40.661 acre tract;

THENCE along the north line of said 40.661 acre tract as follows:
Southwesterly, 115.26 feet along a curve to the right having a central angle of 04 degrees 43 minutes 01 seconds, a radius of 1,400.00 feet, a tangent of 57.66 feet and whose chord bears South 88 degrees 10 minutes 26 seconds West, 115.23 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 89 degrees 28 minutes 03 seconds West, 143.77 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 747.47 feet along a curve to the right having a central angle of 63 degrees 55 minutes 13 seconds, a radius of 670.00 feet, a tangent of 418.02 feet and whose chord bears North 57 degrees 30 minutes 26 seconds West, 709.30 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 25 degrees 32 minutes 49 seconds West, 113.69 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 25.59 feet along a curve to the left having a central angle of 02 degrees 26 minutes 39 seconds, a radius of 600.00 feet, a tangent of 12.80 feet and whose chord bears North 26 degrees 46 minutes 09 seconds West, 25.59 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 40 degrees 56 minutes 52 seconds West, 201.52 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 59 degrees 59 minutes 35 seconds West, 227.77 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 81 degrees 57 minutes 00 seconds West, 95.02 feet to a one–half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said 40.661 acre tract;

THENCE along the west line of said 40.661 acre tract as follows:
South 05 degrees 33 minutes 02 seconds West, 172.15 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
South 07 degrees 09 minutes 11 seconds West, 236.96 feet to a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of that called 88.190 acre tract of land described in deed to HMH/STRATFORD ELEVON JV, LLC, as recorded in Document Number 20211118002367850, Official Public Records of Collin County, Texas;

THENCE along the north line of said 88.190 acre tract as follows:
North 82 degrees 50 minutes 49 seconds West, 95.73 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 84 degrees 31 minutes 47 seconds West, 105.40 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 116.68 feet along a curve to the left having a central angle of 133 degrees 42 minutes 04 seconds, a radius of 50.00 feet, a tangent of 116.94 feet and whose chord bears North 61 degrees 22 minutes 49 seconds West, 91.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found in the north line of Elevon Section 2–Phase 2B–1, an addition to Collin County as recorded in Document Number 2023–522, Official Public Records of Collin County, Texas;

THENCE along the north line of said Elevon Section 2–Phase 2B–1 as follows:
North 83 degrees 13 minutes 50 seconds West, 334.17 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 06 degrees 46 minutes 10 seconds East, 381.15 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 83 degrees 13 minutes 50 seconds West, 50.00 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 06 degrees 46 minutes 10 seconds East, 12.37 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 17.15 feet along a curve to the left having a central angle of 15 degrees 07 minutes 06 seconds, a radius of 65.00 feet, a tangent of 8.63 feet and whose chord bears North 00 degrees 47 minutes 23 seconds West, 17.10 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 83 degrees 09 minutes 52 seconds West, 339.07 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 1,028.63 feet along a curve to the right having a central angle of 68 degrees 08 minutes 04 seconds, a radius of 865.00 feet, a tangent of 584.93 feet and whose chord bears North 49 degrees 05 minutes 50 seconds West, 969.09 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
North 15 degrees 01 minutes 48 seconds West, 581.11 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner;
Northwesterly, 295.43 feet along a curve to the left having a central angle of 50 degrees 31 minutes 41 seconds, a radius of 335.00 feet, a tangent of 158.10 feet and whose chord bears North 40 degrees 17 minutes 38 seconds West, 285.95 feet to a one–half inch iron rod with yellow cap stamped "JBI" found for corner in the west line of said 429.321 acre tract;

THENCE North 01 degrees 07 minutes 21 seconds East, 131.63 feet along the west line of said 429.321 acre tract to the POINT OF BEGINNING and containing 1,743,853 square feet or 40.033 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 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**, 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.

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 _____, 2023.

MA Elevon 429, LLC,
a Texas limited liability company

By: MA Partners, LLC,
a Texas limited liability company, its Manager

By: _____

Name: Allen Jones

Title: Manager

STATE OF TEXAS §

COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared Allen Jones, 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 _____, 2023.

_____
Notary Signature

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 30th day of August, 2023.

_____
Mark W. Harp, R.P.L.S. No. 6425

STATE OF TEXAS
REGISTERED
MARK W. HARP
6425
PROFESSIONAL
LAND SURVEYOR

STATE OF TEXAS §

COUNTY OF DALLAS §

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 30th day of August, 2023.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC
STATE OF TEXAS
DEREK BELL
Notary ID 133608256
Expires February 23, 2026

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 Elevon Parkway 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

FINAL PLAT
ELEVON PARKWAY

20 LOTS

BEING 40.033 ACRES OUT OF
THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740,

CITY OF LAVON,
COLLIN COUNTY, TEXAS

MA Elevon 429, LLC — **OWNER/DEVELOPER**
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 29, 2022

Sheet 4 of 4

Drawing: H:\Projects\MAT029–Elevon Section 2\Surveying\dwg\XMAT029–ELEVON PARKWAY–PT.dwg Saved By: dbell Save Time: 8/29/2023 3:31 PM Plotted by: dbell Plot Date: 8/30/2023 8:25 AM

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

September 1, 2023

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

Re: Elevon Section 2, Elevon Parkway
Final Acceptance

Dear Ms. Dobbs:

On Friday, August 25, 2023, a final walkthrough of the Development was conducted with representatives of the Developer, Contractor, Development Engineer, City Inspector and City Engineer. A “punch list” was created to identify items that required completion prior to final acceptance.

All critical punch list items have been satisfactorily addressed. A few additional items are still in progress, to be completed soon. The Developer is providing a letter identifying a timeline for any remaining items to be completed.

All Maintenance bonds have been provided.

The new bridge and associated paving acceptance is being deferred until a later date. Elevon Parkway will be barricaded at Rustic Ridge until the bridge is accepted. We recommend that the barricades remain in place until acceptance of Elevon Parkway West (from bridge to SH 78).

Record Drawings are to be provided.

We recommend acceptance of Elevon Section 2, Elevon Parkway, subject to final completion of punch list items.

The 2-year Maintenance Warranty period will commence upon acceptance of the Development.

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, Matt Policano

F:\17024 - LAV General Servies\9 - Review\Elevon\Section 2\Elevon Parkway\Elevon Ph 2, Elevon Parkway - Final Acceptance.docx

2121 Midway Road, Suite 240
Carrollton, Texas 75006
September 1, 2023

Via Email:

Mark D. Hill, P.E.
Freeman-Millican, Inc.
Tx. Eng. Firm 2827
9330 Lyndon B Johnson Fwy, Suite 1225
Dallas, Texas 75243
(214) 503-0555 ext. 115
mdhill@fmi-dallas.com

RE: Elevon Section 2 Master Infrastructure Approval

Mark,

Per your request, and as part of City acceptance for the Elevon Section 2 Master Infrastructure, please allow this letter to serve as the developer update on the timing of the installation of sidewalks/ramps along Elevon Parkway, completion of bridge improvements and power to the residential homes within Elevon Section 2. All sidewalks and handicap-accessible ramps along Elevon Parkway will be completed within 60 days of the date of this letter. The bridge improvements will be completed within 75 days of the date of this letter. Regarding power, Oncor has provided the following update:

Offsite: All of the underground civil construction has been completed, the wire has been pulled in and the cable has been terminated and tested. The cable testing has passed and it is being commissioned so that the switchgears can be energized, which is anticipated to occur by September 8th.

Onsite:

- Phase 2A, ONCOR is working on pulling in and terminating (1) run of conductor into the switchgear and that is scheduled to be completed by September 8th.
- Phase 2B-1, this phase is ready to be energized once the switchgears are energized.
- Phase 2C – ONCOR is still pulling wire and terminating which should be completed by September 15th to energize the subdivision.
- Phase 2D - ONCOR is still pulling wire and terminating which should be completed by September 15th to energize the subdivision.

Respectfully,

Ryan Burton

Cc: Kim Dobbs, kdobbs@lavontx.gov

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - K**

Item:

Discussion and action regarding Resolution No. **2023-09-07** declaring that the City Council has completed an annual review of the Investment Policy of the City; adopting changes to the Investment Policy; providing a repealing clause; providing a severability clause; and providing for an effective date.

Background:

A requirement of Chapter 2256 of the Texas Government Code, commonly known as the Public Funds Investment Act (PFIA), and the City's Investment Policy is that the Investment Policy be presented annually to the governing body for review and adoption in a formal action.

The City last reviewed and adopted the Investment Policy in July 2022.

Code Excerpt

TEXAS GOVERNMENT CODE
Sec. 2256.005. INVESTMENT POLICIES; INVESTMENT STRATEGIES; INVESTMENT OFFICER.

(e) The governing body of an investing entity shall review its investment policy and investment strategies not less than annually. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

The Investment Policy sets out that the administration of the City's funds and the investment of those funds shall be handled as its highest public trust. The Investment Policy maintains the City's investment priorities, listed in order of priority:

1. Safety
2. Liquidity
3. Diversification
4. Yield

Staff Notes:

Approval is recommended.

Attachments: Proposed Resolution and Investment Policy

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-07

Investment Policy – Annual Review

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS DECLARING THAT THE CITY COUNCIL HAS COMPLETED AN ANNUAL REVIEW OF THE INVESTMENT POLICY OF THE CITY; ADOPTING CHANGES TO THE INVESTMENT POLICY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Public Funds Investment Act, Chapter 2256, Texas Government Code, the City Council has adopted an Investment Policy; and

WHEREAS, Section 2256.005, Tex. Gov't Code requires the City Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and recording any changes made to either the investment policies or investment strategies.

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

SECTION 1. That the City Council of the City of Lavon has completed an annual review of the investment policies and investment strategies of the City.

SECTION 2. That the City of Lavon Investment Policy attached hereto as Exhibit "A" and incorporated herein is hereby approved and adopted, as amended, to govern the investment of City funds.

SECTION 3. That all previous versions of the Investment Policy of the City of Lavon are hereby repealed.

SECTION 4. That the List of Financial Institutions and Broker/Dealers attached hereto as Exhibit "B" is hereby approved.

SECTION 5. That the City Manager and Accounting Administrator shall be designated as the Investment Officers and are authorized to engage in investment transactions, deposit, withdraw, wire funds for investments, transfer, and manage funds on behalf of the City.

SECTION 6. That should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Resolution or the Investment Policy adopted hereby be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution and investment Policy which shall remain in full force and effect.

SECTION 7. That this Resolution shall become effective immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 5th day of September 2023.

_____
Vicki Sanson
Mayor

ATTEST:

_____
Rae Norton
City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-07

EXHIBIT A

INVESTMENT POLICY

CITY OF LAVON, TEXAS

INVESTMENT POLICY

Reviewed and Approved:
September 5, 2023

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CITY OF LAVON, TX
INVESTMENT POLICY

1. Policy Statement
This investment policy (Policy) is created to set forth specific investment policy and strategy guidelines for the City of Lavon, Texas (City) in order to achieve the primary goals of safety and liquidity, and the secondary goals of diversification and yield.

It is the intent of the City to be in compliance with local and state law. The Public Funds Investment Act (PFIA), Chapter 2256, Texas Government Code, specifies the investment parameters for the investment of public funds in Texas. The Public Funds Collateral Act (PFCA), Chapter 2257, Texas Government Code, specifies collateral requirements for deposits of all public funds. The Interlocal Cooperation Act, Chapter 791, Texas Government Code, authorizes local governments in Texas to participate in a Texas investment pool established thereunder.

2. Scope [PFIA 2256.005(d)]
This Policy governs the investment of all financial assets of the City. This includes the available financial assets of all funds, with the exception of any funds required by law or existing contract to be kept segregated and managed separately.

3. General Objectives and Strategies [PFIA 2256.005(b)(2-4), 2256.005(c), 2256.021]
All funds shall be managed and invested with four primary objectives, listed in order of their priority: safety, liquidity, diversification and yield. These objectives encompass the following:

a. **Safety** - Safety of principal is the foremost objective of the investment program. Investments shall be made in a manner that seeks to ensure the preservation of capital in the overall portfolio.
b. **Liquidity** - The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated. Because all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in shares of money market funds or local government investment pools that offer same-day liquidity, or held in a fully-collateralized savings account.
c. **Diversification** - The City's portfolio will include diversification by maturity and by investment type.
d. **Yield** - The City's investment portfolio shall be designed with the objective of attaining a reasonable market yield throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

All investments will be reviewed for the suitability of the investment to the financial requirements of the entity, and for the marketability of the investment if the need arises to liquidate the investment before maturity.

Investments purchased prior to this Policy's revision that do not meet the revised requirements of this Policy are not required to be liquidated. The Investment Officers shall monitor each investment's status to determine whether it is in the best interest of the City to hold or liquidate the investment.

The City will practice competitive bidding orally, by telephone, electronically, or in any combination of these methods when purchasing an investment to help strengthen the investment process. All investments, other than the placement of funds in Investment Pools or Certificates of Deposit, will be competitively bid and placed with providers offering the best value to the City. The City reserves the right to reject the most financially favorable bid if it is potentially disruptive to its investment strategy.

4. Standard of Care: The Prudent Person Standard [PFIA 2256.006]
The standard of prudence to be used by investment officials shall be the Prudent Person Standard and shall be applied in the context of managing an overall portfolio. This standard states that, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

Limitation of Personal Liability - Investment Officers acting in accordance with the Investment Policy and exercising due diligence, shall be relieved of personal liability in the management of the portfolio, provided that deviations from expectations for a specific security's credit risk or market price change are reported in a timely manner and that appropriate action is taken to control adverse developments.

5. Investment Officers [PFIA 2256.005(f)]
The City Manager and the Accounting Administrator are authorized to administer the investment activities of the City and, as such, are designated as Investment Officers for the purposes of this policy.

The City Council may designate additional qualified employees as Investment Officers to be responsible for the administration of the City's investment activities. The designation of additional Investment Officers shall be by resolution.

Authority as Investment Officer is effective until rescinded by the City or termination of employment.

6. Standard of Ethics [PFIA 2256.005(i)]
Designated Investment Officers shall act as custodians of the public trust and avoid any transaction that might involve a conflict of interest, the appearance of a conflict of interest, or any activity that might otherwise discourage public confidence. Investment Officers shall refrain from personal business activity that could conflict with proper execution of the investment program or that could impair their ability to make impartial investment decisions.

All Investment Officers shall file with the City Council and with the Texas Ethics Commission a statement disclosing any personal business relationship with an entity seeking to sell investments to the City or any relationship within the second degree by affinity or consanguinity to an individual seeking to sell investments to the City.

7. Investment Training [PFIA 2256.008(e)}
At the City's expense, the Investment Officers shall receive periodic training in investments in order to ensure the quality and capability of investment management in compliance with the PFIA.

In accordance with the PFIA, the investment officer shall:

a. not later than the first anniversary of the date the officer takes office or assumes the officer's duties, attend a training session of at least 10 hours of instruction relating to investment responsibilities in accordance with the PFIA; and
b. attend at least 10 hours of additional investment training within each 2-year period after the first year.

The investment training session shall be provided by an independent source approved by the City. For purposes of this policy, an independent source from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor, other than a business organization with whom the City may engage in an investment transaction.

8. Authorized Financial Dealers and Institutions [PFIA 2256.025, 2256.005 (k-l)]
The City will maintain a list of financial institutions and/or broker/dealers which are authorized to provide investment services. This list will be reviewed at least annually and updated as needed by the Investment Officers, acting as the City's Investment Committee. Time and demand deposits shall be made in qualified public depositories under a written agreement with the City.

All financial institutions, broker/dealers and pools who desire to provide investment services will be required to receive the Investment Policy and to supply the City with the appropriate credentials, as determined by the Investment Officer, to qualify as an approved service provider. The firm will be required to return a signed copy of the Certification Form certifying that the Policy has been received.

9. Safekeeping and Custody [PFIA 2256.005]
The City shall contract with a bank or banks for the safekeeping of securities owned by the City as a part of its investment portfolio. The designated Safekeeping Agent will be responsible for the processing of individual security trades, safekeeping of securities owned by the City, and monthly reporting. A safekeeping receipt shall evidence all securities held by the Safekeeping Agent on behalf of the City.

The purchase of individual securities shall be executed on a delivery-versus-payment (DVP) basis through the City's Safekeeping Agent. The DVP method prevents the City's funds from being released until the City has received, through the Safekeeping Agent, the securities purchased. DVP is not required on investments placed with local government investment pools.

10. Investments – Authorized and Acceptable [PFIA 2256.009, 2256.010, 2256.014, 2256.016]

a. Obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks, and excluding mortgage-backed securities.
b. Direct obligations of the State of Texas, or its agencies and instrumentalities.
c. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC) or by the explicit full faith and credit of the United States.
d. Obligations of state, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.
e. Bonds issued, assumed, or guaranteed by the State of Israel.
f. Interest-bearing banking deposits that are guaranteed or insured by the FDIC or the National Credit Union Share Insurance Fund or their successors.
g. Interest-bearing banking deposits that are invested through a broker or with a depository institution, either of which have their main or branch office in the State of Texas. The broker or depository institution must be on the list of qualified brokers that is adopted annually by the City Council. The broker or depository institution must invest so that the full amount of the principal and accrued interest of the banking deposits are insured by the United States or its instrumentalities. The banking deposits must be held in a custodial account by a depository institution selected from the City-adopted list, or by a custodian meeting the requirements of the PFCA, or by a clearing broker dealer registered with the Securities and Exchange Commission (SEC) and operating under SEC Rule 15c3-3.
h. Certificates of Deposit which are fully FDIC insured or collateralized from a depository institution doing business in the State of Texas and under the terms of a written depository agreement with that bank, not to exceed five (5) years to stated maturity.
In addition, separate CDs issued by depositories wherever located, bundled together into a single investment with the full amount of principal and interest of each CD federally insured, may be

purchased through a selected depository institution with its main office or branch office in Texas. This depository shall act as the custodian for the various certificates on behalf of the City.

i. No-load Money Market Mutual Funds that are registered with and regulated by the SEC, comply with SEC Rule 2a-7, and are rated AAA or its equivalent by at least one nationally recognized rating service.
The City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund.

j. Texas Local Government Investment Pools defined to meet the requirements of the PFIA. An investment pool that is created to function as a money market mutual fund must mark its portfolio to market daily, and to the extent reasonably possible, stabilize at a constant $1 net asset value, when rounded to two decimal places. A Public Funds Investment Pool must be continuously rated no lower than AAA or AAAm or an equivalent rating by at least one nationally recognized rating service.

13. Collateralization [PFCA 2257.023; PFIA 2256.009]

Consistent with the requirements of state law, the City requires all bank and savings bank deposits to be federally insured or collateralized with eligible securities. Financial institutions serving as City depositories will be required to execute a Depository Agreement with the City. The safekeeping portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy or closing. The City must approve all securities pledged.

a. **Collateral Levels.** In order to anticipate market changes and provide a level of security for all City funds, the collateralization level in all City Depositories will be no less than 102 percent of the total of all City funds held in each Depository each day. The securities constituting the pledge shall be valued at the lower of par or market value.

b. **Safekeeping.** Securities pledged as collateral should always be held in safekeeping by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be provided to the City for all securities pledged.

c. **Reporting.** The City's Depositories shall provide a report of securities pledged at the end of each month or at any reasonable time requested by the City. The report should reflect information adequate for the City to monitor pledging levels.

d. **Substitutions and Reductions.** Any substitutions of collateral securities or reductions in the total par value of the pledged portfolio may only be made with prior written authorization of the City. In the case of a reduction, the Depository must provide a written document stating in effect that collateral will be available in the future when needed to meet normal City depository balances throughout the contract period.

e. **Securities**. The City may accept the following securities as collateral for bank deposits;
   1) Obligations, including letters of credit, of the United States or its agencies and instrumentalities, excluding mortgage-backed securities.
   2) Direct obligations of states, counties, cities, school, and other political subdivisions, with a remaining maturity of twenty (20) years or less. Bonds must be, and must remain, investment quality: that is, with a rating of at least "A" or its equivalent.

14. Diversification [PFIA 2256.005]

Diversification of investment instruments shall be utilized to avoid incurring unreasonable risks resulting from over-concentration of investments in a specific maturity, a specific issue, or a specific class of securities. Diversification of the portfolio considers diversification by maturity dates and diversification by investment instrument.

a. Diversification by Maturities:
   1) Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than three (3) years from the date of purchase.

2) Maturity scheduling shall be managed by the Investment Officer so that maturities of investments shall be timed to coincide with projected cash flow needs.
3) Investment maturities for debt service interest and sinking funds and/or other types of reserve funds, whose use is never anticipated, may not exceed three (3) years.
4) The entire City portfolio, including funds at the City's depository bank, shall comprise one pooled fund group, and the maximum average dollar-weighted maturity allowed based on the stated maturity date for the portfolio is two hundred seventy (270) days.

b. Diversification by Investment instrument:

	Percentage of Portfolio (Maximum)
Individual Financial Institution, fully collateralized	100%
U.S. Treasury Obligations	90%
U.S. Government Agency Securities and Instrumentalities of Government-Sponsored Corporations	80%
Local Government Investment Pools, as authorized by PFIA	75%
Certificates of Deposit, fully collateralized	50%
No-Load Money Market Mutual Funds, SEC-regulated	10%

15. Performance [PFIA 2256.005(b)(3)]
The City's investment portfolio shall be designed to obtain a market rate of return on investments consistent with risk constraints and expected cash flow of the City. The benchmark for performance that is appropriate for the City's cash flow cycle will be TexSTAR (a local government investment pool).

16. Reporting [PFIA 2256.023]
The City Manager, as an Investment Officer, shall provide to the City Council quarterly investment reports which provide a clear picture of the status of the current investment portfolio and conform to the requirements of the PFIA.
The report will be prepared jointly by all involved in the investment activity and be signed by all Investment Officers.
Prices used for the calculation of market values shall be obtained from an independent source.

17. Strategy Review [PFIA 2256.023(d)]
The City's independent auditors shall review the City's investment activities annually as part of the annual audit process. The review shall ascertain compliance of the City's investment activities with the Investment Policy and Investment Strategies. Any irregularities shall be reported to the City Council as prescribed by the audit engagement agreement.

18. Internal Control [PFIA 2256.005(m)]
The City Manager shall establish a system of written internal controls, which shall be reviewed annually by independent auditors. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions. The internal controls are to be reviewed annually in conjunction with an external independent audit.

19. Investment Policy Adoption and Amendment [PFIA 2256.005(e)]
The City’s Investment Policy shall be adopted by resolution annually by the City Council. The City’s investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City.

BROKER/DEALER CERTIFICATION FORM

As required by Texas Government Code 2256.005(k)

City of Lavon, Texas _____ **(the City)**

_____ **(the Firm)**

I, as a registered principal or authorized representative for the Firm hereby certify that I and the broker covering this account have received the Investment Policy of the City.

We acknowledge that the Firm does not boycott Israel, and will not boycott Israel while actively investing on behalf of the City of Lavon, Texas. [Texas Government Code, Title 10, Subtitle F, Chapter 2270]

Signature _____

Name: _____

Title: _____

Firm Name: _____

Date: _____

Independent Training Sources

American Institute of Certified Public Accountants (AICPA)
North Central Texas Council of Governments (NCTCOG)
Government Finance Officers' Association (GFOA)
Government Finance Officers' Association of Texas (GFOAT)
Government Treasurers' Organization of Texas (GTOT)
Texas Municipal League (TML)
University of North Texas Center for Public Management
Virtual Education Systems, Inc. (www.virtuallearningconcepts.com)

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-09-07

EXHIBIT B

BROKER/DEALERS AND FINANCIAL INSTITUTIONS

Exhibit B

LIST OF FINANCIAL INSTITUTIONS AND/OR BROKER/DEALERS
Approved as of 9/5/2023

Banks and Financial Institutions:
Independent Financial
CDARS–Certificate of Deposit Account Registry Service (currently managed by Independent Financial)
Wilmington Trust

Texas Public Funds Investment Pools:
LOGIC
TexSTAR
TexPool
TexPool Prime

Broker/Dealers:
none

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - L**

Item:

Discussion and action regarding Ordinance No. **2023-09-02** establishing residency regulations for registered sex offenders; prohibiting sex offenders from residing within 1,500 feet of a child safety zone; providing a savings and repealer clause; providing a severability clause; providing a penalty clause, and an effective date.

Background:

When the citizens of Lavon approved the Home Rule Charter, the City, as a home rule municipality, became eligible to consider more stringent requirements than contained in existing law.

Although case law in other states may provide for a 2,000 foot buffer, precedent exists in applicable case law in Texas to support a buffer zone of 1,500 feet.

The distance is measured from property line to property line.

Financial Consideration:

None is anticipated.

Staff Notes:

The City Attorney prepared the ordinance with the support of the Police Department. Approval is recommended.

Attachments: Proposed Ordinance No. **2023-09-02**

CITY OF LAVON, TEXAS

ORDINANCE NO. 2023-09-02

Establish Sex Offender Residency Regulations

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, ESTABLISHING RESIDENCY REGULATIONS FOR REGISTERED SEX OFFENDERS; PROHIBITING SEX OFFENDERS FROM RESIDING WITHIN 1,500 FEET OF A CHILD SAFETY ZONE; PROVIDING A SAVINGS AND REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Lavon (the "City") is a home rule municipality created in accordance with the laws of the State of Texas and governed by its Charter; and

WHEREAS, City Council of the City (the "City Council") desires to protect the health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City finds that sex offenders are a serious threat to public safety, especially those who commit their crimes against children; and

WHEREAS, the City finds that establishing an Ordinance to restrict the location of sex offender residences will provide increased protection for children gathering in the City; and

WHEREAS, the City finds that application of this Ordinance does not unduly restrict the ability of the regulated persons to live and reside within the City; and

WHEREAS, certain states have established a child safety zone of 2,000 feet and courts have upheld that distance as a reasonable restriction (see *Weems v. Little Rock Police Department*, 453 F.3d 1010 (8th Cir. 2006), cert. denied, 127 S. Ct. 2128 (Arkansas law); *Doe v. Miller*, 405 F.3d 700 (8th Cir. 2005), cert. denied, 546 U.S. 1034 (Iowa law); and

WHEREAS, the City finds that placing restrictions on the locations where sex offenders may reside will protect the health, safety, and welfare of its citizens.

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

SECTION 1. All the above matters stated herein are found to be true and correct factual findings of the City Council, and are incorporated herein by reference as if copied in their entirety.

SECTION 2. The City of Lavon Code of Ordinances Chapter 8 "Offenses and Additional Provisions", Article 8.09 "Sex Offender Residency" is hereby adopted to be read in its entirety as follows:

ARTICLE 8.09 SEX OFFENDER RESIDENCY

§ 8.09.001 Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Child safety zone means premises where children commonly gather. The term includes a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility, as those terms are defined in V.T.C.A., Health and Safety Code § 481.134. Such premises may be located within the Lavon city limits, the Lavon extraterritorial jurisdiction, or within the municipal boundary or extraterritorial jurisdiction of any other municipality or county.

Minor means a person younger than 17 years of age.

Permanent residence means a place where a person abides, lodges, or resides for 14 or more consecutive days.

Registered Sex Offender/Sex Offender means an individual who is required to register as a sex offender under Chapter 62, Code of Criminal Procedure.

Temporary residence means a place where a person abides, lodges, or resides for 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where a person routinely abides, resides, or lodges for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

§ 8.09.002 Offenses.

It is unlawful for a sex offender to have a permanent residence or temporary residence within 1,500 feet of a child safety zone. For the purposes of this article, planted street medians are not public parks.

§ 8.09.003 Evidentiary matters; measurements.

(a) It shall be prima facie evidence that this article applies to a person if that person's record appears on the Texas Department of Public Safety's sex offender database and the database indicates that the victim was a minor as defined herein.

(b) For the purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described herein above, or, in the case of multiple residences on one property, measuring from the nearest property line of the premises to the nearest property line of the premises where children commonly gather, as described herein.

(c) A map depicting the prohibited areas shall be maintained by the city. Said map will be available to the public for inspection in the city secretary's office and at the Lavon police department.

§ 8.09.004 Culpable mental state not required.

Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this article.

§ 8.09.005 Affirmative defenses.

It is an affirmative defense to prosecution that any of the following conditions apply:

(1) The person required to register on the database established the permanent or temporary residence and has complied with all of the sex offender registration laws of the state prior to the date of the adoption of the ordinance from which this article is derived;

(2) The person required to register on the database was a minor when he committed the offense requiring such registration and was not convicted as an adult;

(3) The person required to register on the database is a minor;

(4) The premises where child safety zone is located, as specified herein, within 1,500 feet of the permanent or temporary residence of the person required to register on the database was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state; or

(5) A sex offender may apply to the city council for an exemption from this article. The procedures governing this procedure shall be on file with the office of the city secretary.

§ 8.09.006 Penalty.

A violation of any provisions of this article shall be deemed to be a misdemeanor and, upon conviction of such violation, shall be punishable by a fine as provided in section 1.01.009 of the City of Lavon Code of Ordinances. Each day on which the provisions of this article are violated shall constitute a separate offense.

SECTION 3. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. Penalty. A violation of any provisions of this article shall be deemed to be a misdemeanor and, upon conviction of such violation, shall be punishable by a fine as provided in section 1.01.009 of the City of Lavon Code of Ordinances. Each day on which the provisions of this article are violated shall constitute a separate offense.

SECTION 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication, as the law and Charter in such case may provide.

PASSED AND APPROVED by the City Council of the City of Lavon, Texas this 5th day of September 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON
Agenda Brief

MEETING: September 5, 2023 **ITEM: 6 - M**

Item:

Discussion and action regarding Ordinance No. **2023-09-03** amending Ordinance No. **2023-08-07**, that approved and adopted a budget for the City for the fiscal year October 1, 2023 through September 30, 2024 to amend adopted revenues and expenditures of the Lavon Economic Development Corporation Fund budget; and declaring an effective date.

Background:

The annual budget is approved at the fund level and the proposed amendment maintains revenues and expenditures within the approved fund levels.

The Board of Directors of the Lavon Economic Development Corporation (LEDC) approved the budget amendment at their August meeting.

The proposed amendment:

- Provides for a reallocation of funds from Additional Infrastructure Projects to Community Development.

For purposes of transparency, the amendment does not include adjustments for revenues and expenditures that are simply over or under budgeted levels.

Financial Implications:

The proposed amendment represents and allocates funding appropriately.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Ordinance

CITY OF LAVON, TEXAS

ORDINANCE NO. 2023-09-03

Budget Amendment #1 - Fiscal Year 2023-2024 LEDC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING ORDINANCE NO. 2023-08-07, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024 TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET TO RECONCILE THE TRANSITION TO AN UPDATED CHART OF ACCOUNTS; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas has adopted and approved a budget of the expenditures and revenues of all City Departments, Divisions and Offices for the Fiscal Year 2023-24; and

WHEREAS, pursuant to the Home Rule Charter of the City, the laws of the State of Texas and Section 102.010 of the Local Government Code, the City Council has determined that it will be beneficial and advantageous to the citizens of Lavon to amend the City's 2023-24 fiscal year budget, as amended and as set forth herein for municipal purposes; and

WHEREAS, the City Council upon full consideration of the matter, has determined that the amendment to the budget hereinafter set forth is proper and should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:

Section 1. That the chart of accounts, revenues and appropriations as designated for the payment of expenses for the operation of the City government, hereinafter itemized by a true and correct copy of the Budget Document hereto attached as **Exhibit A,** are hereby approved.

Section 2. That the expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance, unless otherwise authorized by a duly enacted ordinance of the City, said budget document being on file for public inspection in the office of the City Secretary.

Section 3. That the necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

Section 4. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 5th day of September 2023.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

ORDINANCE NO. 2023-09-03

EXHIBIT A

LAVON ECONOMIC DEVELOPMENT CORPORATION				ADOPTED 2021-22	Amendment	Adopted Budget 22-23	Amendments	Approved 2023-2024	Amendment of August '23
LEDC REVENUE									
	Beginning Resources								
2-1		Starting Balance Carryover		190,000		150,000	163,649.59	100,000	
2-11		TEXSTAR Fund		30,300		131,000		350,000	
2-12		LOGIC Fund		110,200		110,600		116,000	
		Total Beginnning Resources		330,500		391,600		566,000	
	General Revenues								
2-2			Sales & Use Tax	205,000		250,000		325,000	
2-5			City grant/credits/donations	500					
2-___			Proceeds - Project Main Street Note	0					
		Total General Revenue		205,500		250,000			
Total Revenue, Carryover and Investments				536,000		641,600		891,000	
LEDC EXPENDITURES									
	Debt Service								
7-2			Lavon Business Park Sewer Project	0					
8-0			Main Street Debt Reserve Fund	23,080		23,080		23,080	
8-1a			Main Street Debt Quarterly Payment	24,479		24,479		24,479	
		Total Debt Service		47,559		47,559		47,559	
	Operations								
		General Operations							
3-1a			Email Software/Archiving	5,000		6,000		6,000	
3-1b			Misc - Dues, Ads, Cell Svc	2,500		3,000		3,000	
3-1c-2			Office Supplies (formerly 5-2)	1,500		1,800		1,800	
3-1d			Meeting Expenses	2,500		2,500		2,000	
2-1e			Training	2,500		2,500		2,000	
3-g			Document Printing	3,500		3,000		3,000	
3-1f			Office Support Services	2,500		2,500		2,500	
3-1h			Office Rent	6,000		6,000		6,000	
3-1i			Web Site Updates (formerly 6-5)	3,000		4,500		6,000	
		Total General Operations		29,000		31,800		32,300	
		Consulting							
4-1			Other	5,000		5,000		8,000	
4-2			Web site and tech consulting	5,850		7,000		6,000	
4-2a			IT Services	1,500		2,500		3,500	
4-3			City Attorney	4,000		6,000		10,000	
4-4			Economic Dev Consulting	45,000		48,600		50,544	
		Total Consulting		61,350		69,100		78,044	
		Equipment							
5-1			Computers	5,000		6,500		6,500	
5-2			Office Supplies	0		0			
5-2a			Other Computer Equipment	1,000		1,000		1,000	
		Total Equipment		6,000		7,500		7,500	
		Total Operations		96,350		108,400		117,844	
		Promotional							
6-1			General Brochure, Printing,Trade Shows	5,000	12,000	12,000		20,000	
6-2			Promo Carryover	12,000		17,500	15,000	12,000	
6-3			Aerial Map & Brochure	4,500	500	7,500	8,000	10,000	
6-4			Advertising	4,000		4,000	6,000	10,000	
6-5			Web Site & updates	0		0			
6-6			Video Development	6,000		7,500		20,000	
		Total Promotional		39,000	39,000	48,500		72,000	
		Capital Projects							
7-3			Incentives	72,229		75,000		213,597	
7-4			Additional Infrastructure Projects	200,592		212,141		240,000	140,000
7-5			Community Development						100,000
7-6			Project Main Street	80,271		100,000		150,000	
7-7			Transfer to Reserve	0		50,000		50,000	
			Total Capital Projects	353,092		437,141		653,597	653,597
Total Expenditures				**536,001**		641,600		891,000	891,000