



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## Meeting Agenda

### City Council

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Monday, November 14, 2016

5:00 PM

Council Chambers

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#### REGULAR MEETING

1. **5:00 P.M. - CALL MEETING TO ORDER**

2. **RECESS INTO EXECUTIVE SESSION**

*Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.*

**A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Mineral Lease Agreement with Newark Core Barnett, LLC/GHA Barnett, LLC

Seek Advice of City Attorney Regarding the Pond Branch Design/Construction Contract

**B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

Deliberate the Purchase, Exchange, Lease, or Value of Easements and Real Property for the Mountain Creek Sanitary Sewer Interceptor Project

Discussion Regarding Possible Purchase of the Farr Best Theater

**C. Personnel Matters Pursuant to Section 551.074**

**D. Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087**

3. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

5. **INVOCATION**

6. **PLEDGE OF ALLEGIANCE**

7. **TEXAS PLEDGE**

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

8. **PROCLAMATION**

[16-2079](#) Municipal Court Week

**Attachments:** [Municipal Court Week 2016](#)

[16-2108](#) Small Business Saturday

**Attachments:** [Small Business Saturday 2016](#)

9. **PRESENTATION**

Texas Police Chief's Association Law Enforcement Recognition Program – Mansfield Police Department “Recognized Law Enforcement Agency” Award – Tracy Aaron, Mansfield Police Department

10. **CITIZEN COMMENTS**

*Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Once the business portion of the meeting begins, only comments related to public hearings will be heard. All comments are limited to 5 minutes. Please refrain from “personal criticisms.”*

*In order to be recognized during the “Citizen Comments” or during a Public Hearing (applicants included), please complete a blue or yellow “Appearance Card” located at the entry to the City Council Chamber and present it to the Assistant City Secretary prior to the start of the meeting.*

11. **COUNCIL ANNOUNCEMENTS**

12. **STAFF COMMENTS**

*In addition to matters specifically listed below, Staff comments may include updates on ongoing or proposed projects and address of posted agenda items.*

A. **City Manager Report or Authorized Representative**

## Current/Future Agenda Items

**13. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION****14. CONSENT AGENDA**

*All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff's recommendation.*

**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**

[16-2087](#) Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the City Manager and the Fire Department to Enter into an Interlocal Agreement with the City of Cedar Hill for the Cooperative Purchasing of Good, Products and/or Services

**Sponsors:** Clayton Chandler and Barry Bondurant

**Attachments:** [Resolution](#)

[16-2092](#) Resolution - A Resolution Approving an Amendment to the Contract for Design Services with Banister Engineering, LLC for the Antler Drive Extension Improvement Project for an Amount not to Exceed \$10,000.00 (MEDC)

**Sponsors:** Scott Welmaker and Clayton Chandler

**Attachments:** [RES Bannister Change order](#)

[16-2088](#) Request for Special Event Permit: MISD Toys for Tots

**Sponsors:** Joe Smolinski and The Applicant

**Attachments:** [MISD Toys for Tots SE App](#)

[Approvals & Comments](#)

[16-2109](#) Request for Special Event Permit: Meredith Hatch Foundation 5K & 1K

**Sponsors:** Joe Smolinski and The Applicant

**Attachments:** [The Meredith Hatch Foundation App](#)

[Approval & Comments](#)

[16-2097](#) Minutes - Approval of the October 24, 2016 Regular City Council Meeting Minutes

**Sponsors:** Shelly Lanners and Jeanne Heard

**Attachments:** [10-24-16 DRAFT Meeting Minutes](#)

**END OF CONSENT AGENDA**

**15. OLD BUSINESS**

- [16-1999](#) Ordinance - Third and Final Reading of an Ordinance Authorizing the Execution of a Gas Lease Agreement Between the City of Mansfield and GHA Barnett, LLC for City-Owned Property Located at 707 Pleasant Ridge Court  
*Sponsors:* Shelly Lanners  
*Attachments:* [Ordinance](#)  
[Location Map](#)
- [16-2048](#) Ordinance - Third and Final Reading on an Ordinance Approving a Specific Use Permit for Eating Place with Drive-Through Service on Approximately 1.1 Acres, Generally Located at the Southwest Corner of E. Broad Street and N. Holland Road; Muy Hamburger, LLC. (ZC#16-011)  
*Sponsors:* Joe Smolinski and Felix Wong  
*Attachments:* [Maps & Supporting Info.](#)  
[Ordinance](#)  
[16088\\_Wendy's Mansfield - 16.10.18](#)  
[Exhibits A-F](#)
- [16-2104](#) Consideration of a Request to Remove From the Table Agenda Item Number 16-2046, for the Continuation of a Public Hearing and First Reading on November 28, 2016, of an Ordinance for a Zoning Change from PR to SF-7.5/18, SF-9.6/20 and SF-12/22 on Approximately 187.85 Acres Generally Located West of Gertie Barrett Road and the End of Cancun Drive, North of Country Meadow Drive and Chimney Hill Circle; Alluvium Development (ZC#16-001)  
*Sponsors:* Joe Smolinski and Felix Wong

**16. PUBLIC HEARING AND FIRST READING**

- [16-2093](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to C-2, Community Business District on Approximately 30 Acres Generally Located at the Southeast Corner of East Debbie Lane and North Matlock Road; Reilly Brothers (ZC#16-015)  
*Sponsors:* Joe Smolinski and Felix Wong  
*Attachments:* [Maps & Supporting Information](#)  
[Ordinance](#)  
[Exhibit A](#)
- [16-2094](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District for the Property Located at 114 N. Main Street; City Staff (ZC#16-020)  
*Sponsors:* Joe Smolinski and Felix Wong

**Attachments:** [Maps and Supporting Information](#)  
[Ordinance](#)

[16-2096](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Specific Use Permit for Retail and Service Establishments Not Elsewhere Listed (Brewery) in the Existing Building at 117 N. Main Street; Dirty Job Brewing (ZC#16-019)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Ordinance](#)

[Exhibit](#)

[Maps & Supporting Info.](#)

[Citizen Letters](#)

## 17. **PUBLIC HEARING CONTINUATION AND SECOND READING**

[16-2095](#) Ordinance - Public Hearing Continuation and Reconsideration of Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District and C-2, Community Business District to PD for Single-Family Residential Development on Approximately 61.7 Acres Generally Located South of Harmon Road, Between SH 360 and the Future Extension of S. Matlock Road; Jabez Development LP (ZC#16-010)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Ordinance](#)

[Maps & Supporting Information](#)

[Exhibits A - C](#)

## 18. **NEW BUSINESS**

[16-2101](#) Presentation of Referendum Petition Received October 28, 2016; Action as Necessary or Appropriate

**Sponsors:** Shelly Lanners and Jeanne Heard

[16-2103](#) Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 26, 2016 to December 12, 2016

**Sponsors:** Shelly Lanners and Jeanne Heard

**Attachments:** [Procedural Rules of Council](#)

[16-2107](#) Resolution - A Resolution of the City of Mansfield, Texas Authorizing the Filing of Eminent Domain Proceedings for the Purpose of Obtaining Real Property and Easements for Use by the City for the Construction of Sanitary Sewer Line Improvements and Facilities to Serve Existing and New Development and for Other Public Purposes Permitted by Law

**Sponsors:** Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution & Exhibits](#)

**19. ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the November 14, 2016 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, mansfieldtexas.gov, on Thursday, November 10, 2016 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

\_\_\_\_\_  
Jeanne Heard, City Secretary

Approved as to form:

\_\_\_\_\_  
City Attorney

DATE OF POSTING: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



# CITY OF MANSFIELD

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## STAFF REPORT

File Number: 16-2079

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**Agenda Date:** 10/24/2016

**Version:** 1

**Status:** To Be Presented

**In Control:** City Council

**File Type:** Proclamation

**Agenda Number:**

**Title**

Municipal Court Week

**Requested Action**

n/a

**Recommendation**

n/a

**Description/History**

n/a

**Justification**

n/a

**Funding Source**

n/a

**Prepared By**

Belinda Willis, Communications & Marketing

**WHEREAS**, more people, citizens and non-citizens alike, come in personal contact with municipal courts than all other Texas courts combined, and

**WHEREAS**, public impression of the entire Texas judicial system is largely dependent upon the public's experience in municipal court, and

**WHEREAS**, municipal judges and court support personnel have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and conform to the standards set by the Canons of Judicial Conduct, and

**WHEREAS**, municipal courts serve as the local justice center for the enforcement of local ordinances and fine-only state offenses that protect the peace and dignity of our city, and

**WHEREAS**, municipal judges and clerks continually strive to improve the administration of justice through participation in judicial education programs, seminars, workshops and the annual meetings of their state and local professional organizations, and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Mansfield Municipal Court, its judges, clerks and support personnel for their critical role in preserving public safety, protecting the quality of life in Texas communities, and deterring future criminal behavior,

**NOW THEREFORE**, I David Cook, Mayor of the City of Mansfield, Texas, join with members of the City Council to proclaim November 7-11, 2016, as

### **MUNICIPAL COURT WEEK**

in Mansfield and encourage residents of our community to show their appreciation and gratitude to our municipal court staff for their invaluable contribution to our city and the outstanding services they provide to us each day.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the official seal of the city of Mansfield to be affixed this 24<sup>th</sup> day of October, 2016.



# CITY OF MANSFIELD

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## STAFF REPORT File Number: 16-2108

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**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** To Be Presented

**In Control:** City Council

**File Type:** Proclamation

**Agenda Number:**

**Title**

Small Business Saturday

**Requested Action**

n/a

**Recommendation**

n/a

**Description/History**

n/a

**Justification**

n/a

**Funding Source**

n/a

**Prepared By**

Belinda Willis, Director Communications & Marketing

**WHEREAS**, the more than 23 million small businesses in the U.S., a number that has increased 49 percent since 1982 and created more than eight million jobs since 1990; and,

**WHEREAS**, with small businesses generating 46 percent of the U.S. private gross domestic product, the successes of these entrepreneurs and businesses is critical to the country's overall economic health; and,

**WHEREAS**, Small Business Saturday is a national holiday held the Saturday after Thanksgiving and begun in 2010 by American Express to encourage consumers to support the small businesses in their communities; and,

**WHEREAS**, during 2015's Small Business Saturday, 95 million Americans shopped at small businesses across the country, spending more than \$16 billion, a 14 percent increase from the previous year; and

**WHEREAS**, Mansfield celebrates our city's small businesses and the impact they have on the success of our local economy and the unique contributions they make to our community;

**NOW, THEREFORE**, I, David Cook, Mayor of the City of Mansfield, Texas, join with the members of the City Council, to hereby proclaim Nov. 26, 2016, as

### **SMALL BUSINESS SATURDAY**

in Mansfield and ask all residents to support the small businesses in our city, not only on this day but throughout the year.

**IN WITNESS WHEREOF**, I have hereunto set my hand and cause the official seal of the City of Mansfield, Texas, to be affixed this 14<sup>th</sup> day of November, 2016.



# CITY OF MANSFIELD

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## STAFF REPORT

File Number: 16-2087

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the City Manager and the Fire Department to Enter into an Interlocal Agreement with the City of Cedar Hill for the Cooperative Purchasing of Good, Products and/or Services

**Requested Action**

Approval by the City Council authorizing the City Manager and the Fire Department to enter into an interlocal agreement with the City of Cedar Hill for the cooperative purchasing of good, products and/or services.

**Recommendation**

Staff recommends approval of the resolution.

**Description/History**

The City of Mansfield has maintained a cooperative purchasing agreement with the City of Cedar Hill for the purchasing of goods and services since 2008. In 2010, the City of Cedar Hill developed a bid process with Boundtree Medical Products to establish set pricing on emergency medical supplies. Mansfield Fire Rescue does purchase supplies from Boundtree medical and we would like to take advantage of the contracted bid pricing. The City of Cedar Hill has negotiated pricing for these services and has created an agreement for cooperative purchasing that we would like to renew our resolution/agreement on cooperative purchasing with Cedar Hill. This agreement will allow Mansfield Fire Rescue to purchase emergency medical supplies and other goods through this shared contract pricing.

**Justification**

For several years, we have been part of a cooperative purchasing agreement with other cities who have conducted the bid process to establish contract pricing. This agreement establishes set pricing and reduces the time spent researching and acquiring quotes

**Funding Source**

General Budget

**Prepared By**

Barry Bondurant, Fire Chief, Mansfield Fire Rescue



**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER AND THE FIRE DEPARTMENT TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF CEDAR HILL FOR THE PURPOSE OF COOPERATIVE PURCHASING OF GOODS, PRODUCTS AND/OR SERVICES.**

**Whereas**, the City of Cedar Hill and the City of Mansfield are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

**Whereas**, the governing officials of member cities, political subdivisions of the State of Texas, desire to secure for each member the benefits of cooperative purchasing of goods, products and/or services; and

**Whereas**, the City of Cedar Hill and the City of Mansfield wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which The City of Cedar Hill and City of Mansfield may purchase various goods and services commonly utilized by each party;

**Whereas**, participation in an interlocal agreement will be highly beneficial to the taxpayers of the City of Cedar Hill and the City of Mansfield through the anticipated savings to be realized and is of mutual concern to the contracting parties;

**Whereas**, the City of Cedar Hill and the City of Mansfield have current funds available to satisfy any fees owed pursuant to this Agreement.

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

**SECTION 1.**

The City of Mansfield, Texas does hereby agree to participate in an interlocal agreement for the purpose of cooperative purchasing of goods, products and/or services between member cities signatory to this agreement.

**SECTION 2.**

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

SECTION 3.

The City Council authorizes the City Manager to enter into an Interlocal Agreement with member cities for the purpose of cooperative purchasing of goods, products and/or services as provided in this agreement.

PASSED AND APPROVED this the 14th day of November, 2016.

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**David Cook, Mayor**

ATTEST:

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**Jeanne Heard, City Secretary**



# CITY OF MANSFIELD

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## STAFF REPORT

File Number: 16-2092

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution Approving an Amendment to the Contract for Design Services with Banister Engineering, LLC for the Antler Drive Extension Improvement Project for an Amount not to Exceed \$10,000.00 (MEDC)

**Requested Action**

Consider a Resolution approving an amendment to the contract for design services with Banister Engineering, LLC for the Antler Drive Extension Improvement Project for an amount not to exceed \$10,000.00.

**Recommendation**

The Engineering Staff recommends approval of the Resolution.

**Description/History**

The original design contract with Banister Engineering, LLC was approved on March 24, 2014 with Resolution 3000-14, to design paving, drainage, water and sewer for the Antler Drive Extension improvement project in the amount of \$106,000.00.

During the design of the Antler Dr. Project, the owners of the property east of Antler Dr. requested that we eliminate the open drainage channel design on their property and replace it with an underground storm water system. We informed the owners we would have to wait until the construction bids to determine if money was left in the construction budget.

Since construction bids came in less than the MEDC budget we determined we can incorporate an underground storm sewer system within the construction budget. A request was made by MEDC to have 540 feet open channel along the east side of Antler Dr. redesigned to an underground storm sewer system. This additional design will be incorporated into the existing construction of the Antler Dr. Project.

**Justification**

This additional design work is needed to accommodate the property owner's request.

**Funding Source**

MEDC

**Prepared By**

Gus Chavarria , CIP Project Manager, Engineering Department 817-276-4235

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT FOR DESIGN SERVICES WITH BANISTER ENGINEERING, LLC FOR THE ANTLER DRIVE EXTENSION IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$10,000.00**

**WHEREAS**, the City Council recognizes the need to proceed forward approving an amendment to the contract for design services with Banister Engineering, LLC for the Antler Drive Extension Project for the benefit of the citizens of the City of Mansfield; and,

**WHEREAS**, the City Staff has reviewed the proposed amendment to the contract for design services; and,

**WHEREAS**, the City Council has received the recommendation from Staff to authorize additional funding for the amendment to the contract with Banister Engineering, LLC for additional design services; and,

**WHEREAS**, it is necessary to authorize and secure funds from MEDC.

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

**SECTION 1.**

Additional funding is hereby authorized in an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00) and the City Manager is hereby authorized and directed to execute a contract amendment with Banister Engineering, LLC for the Antler Drive Extension Project.

PASSED AND APPROVED THIS THE 14<sup>th</sup> DAY OF NOVEMBER, 2016.

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**David L. Cook, Mayor**

ATTEST:

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**Jeanne Heard, City Secretary**



# CITY OF MANSFIELD

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## STAFF REPORT

File Number: 16-2088

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**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Special Event

**Agenda Number:**

**Title**

Request for Special Event Permit: MISD Toys for Tots

**Requested Action**

Approval of the Special Event Permit: MISD Toys for Tots

**Recommendation**

City staff has reviewed the application and recommends the same.

**Description/History**

This is an annual event

**Justification**

n/a

**Funding Source**

n/a

**Prepared By**

Lynn Brown, Code Compliance Coordinator  
817-728-3620

**Applicant:**

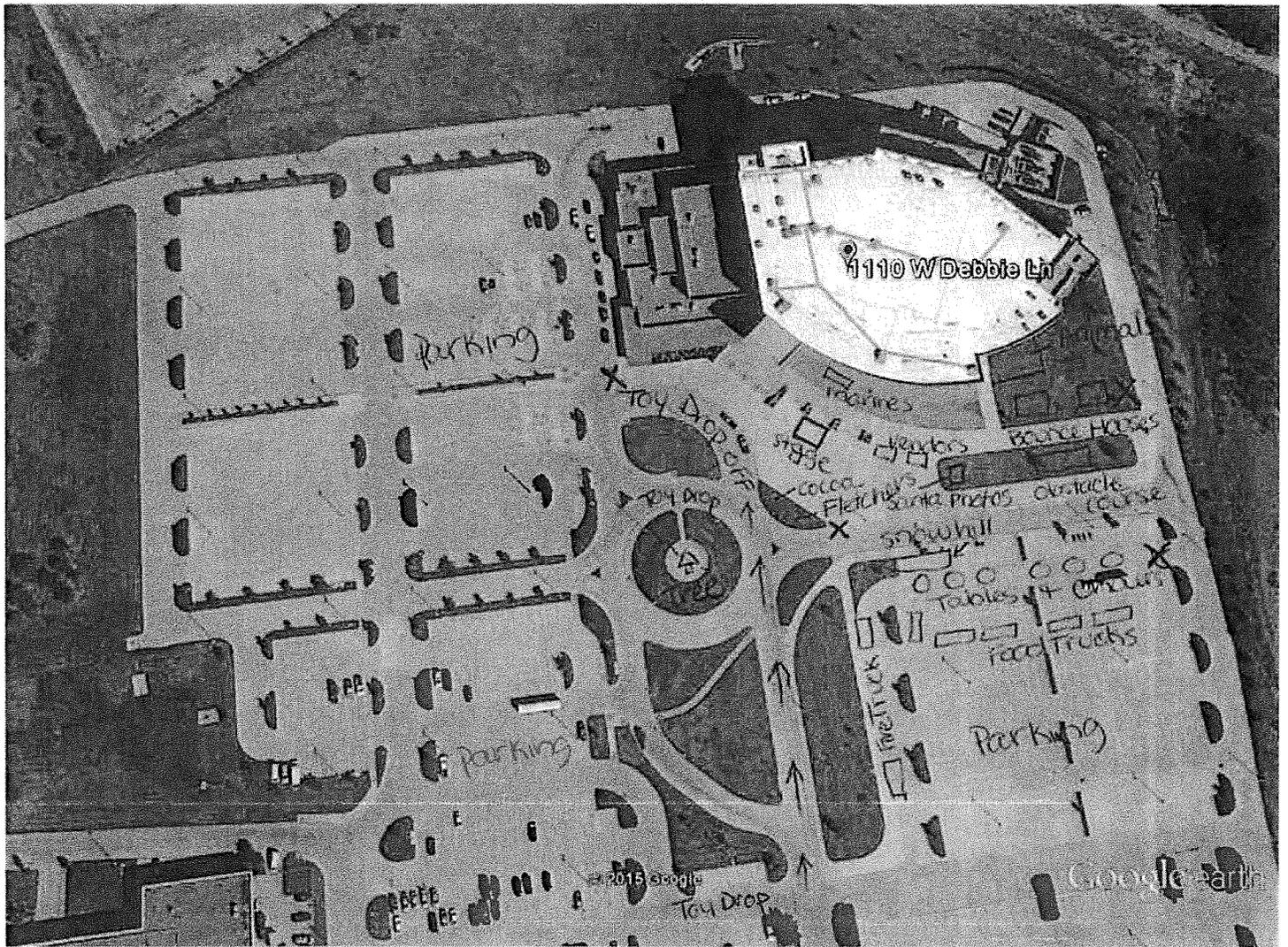
Jeanne Cassidy 817-299-1252

**Attachments:**

Application  
Site Plan  
Approvals & Comments

**Special Event Application**

Organization/Group: <u>Mansfield ISD</u>	Date: <u>10/18/16</u>
Applicant: <u>Center for the Performing Arts</u>	
Applicant's Address: <u>1110 W. Debbie Lane</u>	Phone No. <u>817-299-1230</u> <del>52</del>
*Will be called or emailed for more information needed and/or when the permit is ready for pick-up <u>Jeanne Cassidy</u>	Email: <u>jeannecassidy@mscdmail.org</u>
Address of Event: <u>1110 W. Debbie Lane</u>	
Description & Activities: <u>Toy drop site for Toys for Tots</u>	
Date of Event: <u>Wed, Dec 7, 2016</u>	Hours of Event: <u>5:00-10:30 pm</u>
Public Invited or Private Party? <u>Public event</u>	Estimated Number of Attendees <u>5,000</u>
Is the event in a Mansfield Park? <u>NO</u>	*If yes, Insurance is required
Do you plan to Temporarily Close a Public Street? <u>NO</u>	*If yes, Insurance is required
Is the event on Private Property other than your own? <u>NO</u>	*If yes, signed permission is required
Will there be any new or temporary electric lines installed? <u>NO</u>	
*If yes, a registered Electrician must obtain a permit. Indicate the line locations on the site plan.	
Will you be using generators? <u>Yes</u>	*If yes, show location on the site plan
Do you plan to have any Tents? <u>NO</u>	*If yes, a separate permit is required.
Do you plan to have any pop-up canopies? <u>Yes 10x10'</u>	
Do you plan to have any Promotional Signs? (banners, streamers, balloons) <u>No</u>	*If yes, a separate permit is required
City of Mansfield Assistance Requested: <u>-</u>	
Barricades/ Street Closure? <u>NO</u>	*If yes, show on site plan where you want to have barricades. A resident roster must be submitted for a block party.
Police/Traffic Control/Security? <u>Police for traffic help</u>	*If yes, attach an explanation and the name of the person you are working with
<p align="center"><b>Please Read and Include the Following Information With This Application</b></p> <ul style="list-style-type: none"> <li>For all outdoor activities, a site plan must be attached. One can be provided if requested. You need to show where all items will be located on the site plan.</li> <li>If Insurance is required, the City of Mansfield must be listed as "Additional Insured".</li> <li>All documents must be turned in at the same time. Please allow enough time for review and approval before the date of your event.</li> </ul>	
<b>Applicant's Printed Name:</b>	<b>Applicant's Signature:</b>
<u>Jeanne Cassidy</u>	<u>Jeanne Cassidy</u>



Google earth



X = generator

MISD Toys for Tots Drive

Wednesday, December 7, 2016

5:00 pm - 10:30 pm

- MISD Police will be present & assisting w/ parking & traffic flow
- we request additional help from Mansfield Police for traffic flow on Debbie Lane & 157.



**SPECIAL EVENT REVIEW APPROVALS & COMMENTS**

EVENT:	MISD Toys for Tots
DATE OF EVENTS:	Wednesday, December 7th
*ANDY BINZ (RECREATION)	Approved
Comments:	no
*Shirley Emerson (PLANNING)	Approved
Comments:	
Promotional Signs?	no
*DAVID BOSKI (STREETS)	Approved
Comments:	no
Street Closures?	no
*PAUL COKER (DEVELOPMENT SERVICES)	Approved
HOWARD REDFEARN (ENVIRONMENTAL)	Approved
Comments:	no
*ERIC PETERSON (FIRE)	Approved
Comments:	Fire will work with applicant as needed
*W. KYLE LANIER (POLICE)	Approved
Comments:	Sgt Waybourn will assist with traffic issues and Sgt. Sherwin will handle this event from a Community Resource stand point.
City Council Approval Required?	Yes
Agenda Date:	11/14/2016
Special Event Number	Legistar #16-2088
MISD Police Assisting	YES



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## STAFF REPORT

File Number: 16-2109

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**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** Consent

**In Control:** City Council

**File Type:** Special Event

**Agenda Number:**

**Title**

Request for Special Event Permit: Meredith Hatch Foundation 5K & 1K

**Requested Action**

Approval of the Special Event Permit for the Meredith Hatch Foundation 5K & 1K.

**Recommendation**

City staff has reviewed the application and recommends the same.

**Description/History**

This is an annual event.

**Justification**

N/A

**Funding Source**

N/A

**Prepared By**

Lynn Brown, Code Compliance Coordinator  
817-728-3620

**Applicant:**

Meghan Najera 512-565-2582

**Attachments:**

Application with Site Plan & Insurance Policy  
Approval & Comments



1200 East Broad Street, Mansfield, TX 76063  
 www.mansfieldtexas.gov Fax: 817-728-3639

**Special Event Application**

Organization/Group: <u>The Meredith Hatch Foundation</u>		Date: <u>11-8-16</u>
Applicant:		
Applicant's Address: <u>11009 Piccadilly Ct.</u>		Phone No. <u>512-565-2582</u>
*Will be called or emailed for more information needed and/or when the permit is ready for pick-up		Email: <u>meghan@run-far.com</u>
Address of Event:		
Description & Activities: <u>5k + 1k run</u>		
Date of Event: <u>Saturday November 19</u>		Hours of Event: <u>6am-10am</u>
Public Invited or Private Party? <u>Public</u>		Estimated Number of Attendees <u>1200</u>
Is the event in a Mansfield Park? <u>no</u>		*If yes, Insurance is required
Do you plan to Temporarily Close a Public Street? <u>yes</u>		*If yes, Insurance is required
Is the event on Private Property other than your own? <u>yes</u>		*If yes, signed permission is required
Will there be any new or temporary electric lines installed? <u>na</u>		
*If yes, a registered Electrician must obtain a permit. Indicate the line locations on the site plan.		
Will you be using generators? <u>na</u>		*If yes, show location on the site plan
Do you plan to have any Tents? <u>na</u>		*If yes, a separate permit is required.
Do you plan to have any pop-up canopies? <u>na</u>		
Do you plan to have any Promotional Signs? (banners, streamers, balloons) <u>na</u>		*If yes, a separate permit is required
City of Mansfield Assistance Requested:		
Barricades/ Street Closure? <u>yes</u>		*If yes, show on site plan where you want to have barricades. A resident roster must be submitted for a block party.
Police/Traffic Control/Security? <u>yes Traffic Laydown</u>		*If yes, attach an explanation and the name of the person you are working with
<p><b>Please Read and Include the Following Information With This Application</b></p> <ul style="list-style-type: none"> <li>• For all outdoor activities, a site plan must be attached. One can be provided if requested. You need to show where all items will be located on the site plan.</li> <li>• If Insurance is required, the City of Mansfield must be listed as "Additional Insured".</li> <li>• All documents must be turned in at the same time. Please allow enough time for review and approval before the date of your event.</li> </ul>		
Applicant's Printed Name:		Applicant's Signature:
<u>Meghan Najera</u>		<u>Meghan Najera</u>

## 2016- Miles for Meredith

- As noted the course is USA Track and Field Certified and will be coned as it was in 2014 and 2015. The traffic cones are reflective and Mansfield PD has been requested to assist with traffic control. Last year Mansfield PD provided 4 officers and worked in tandem with MISD Police. MISD takes care of opening the gate onto Cannon and onsite needs.
- Traffic cones will be dropped the morning of at or around 6am by RunFAR Racing Services, Inc. Knightsbridge gate will be opened and street available at 6am per Zane Arrott.
- As noted on the certified map and Inflatable arch which reads start and finish will be at the start/finish line and powered by school electricity. The same will be true for the small speaker system used for the national Anthem.
- All post race activities and food are free and will be hosted in the Mansfield High school lunch room.
- All certificates of insurance are provided through USA Track and Field and Essix.

PERMISSION TO USE PRIVATE PROPERTY FOR SPECIAL EVENT  
(Required if this is not your property or business location)

I, the undersigned, being the property owner or property management representative of the owner for the property described herein below, do grant

Estates of Knights Bridge  
(Person, group or business name)

permission to have their special event on said property.

Property address: ~~THE~~ Estates of Knights Bridge Piccadilly Ct

**Please check all that apply:**

- Entire Special Event, including all activities listed, are approved be held at this location.
- Approved for overflow parking and/or shuttle area to be held at this location.
- Approved to place promotional signage at this location, if the required permit is obtained. (I am aware this will use up one of the three (3) times a calendar year maximum for this location)
- Approved to place a Tent(s) and/or canopy for the event. (Note: a Tent requires a permit)
- Approved to place Bounce Houses, Petting Zoo, Children's Games and/or Kid's activities
- Misc. Approved: use of street (Piccadilly Ct)

RA N...  
Signature

HOA Knightsbridge  
Printed Name/ Job Title

1609 Piccadilly Ct  
Mailing Address

510-569-0165  
Contact Phone Number

PERMISSION TO USE PRIVATE PROPERTY FOR SPECIAL EVENT

(Required if this is not your property or business location)

I, the undersigned, being the property owner or property management representative of the owner for the property described herein below, do grant

Mansfield High School  
Person, group or business name)

permission to have their special event on said property.

Property address: 3101 E. Broad St.

**Please check all that apply:**

- Entire Special Event, including all activities listed, are approved be held at this location.
- Approved for overflow parking and/or shuttle area to be held at this location.
- Approved to place promotional signage at this location, if the required permit is obtained. (I am aware this will use up one of the three (3) times a calendar year maximum for this location)
- Approved to place a Tent(s) and/or canopy for the event. (Note: a Tent requires a permit)
- Approved to place Bounce Houses, Petting Zoo, Children's Games and/or Kid's activities
- Misc. Approved: \_\_\_\_\_

Mike Vopal

Signature

Mike Vopal Assistant Principal

Printed Name/ Job Title

MikeVopal@msdmail.org

Mailing Address

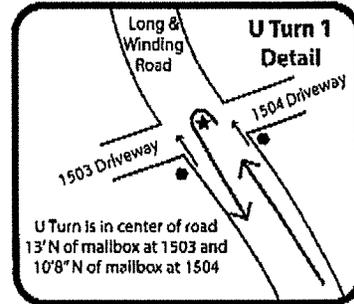
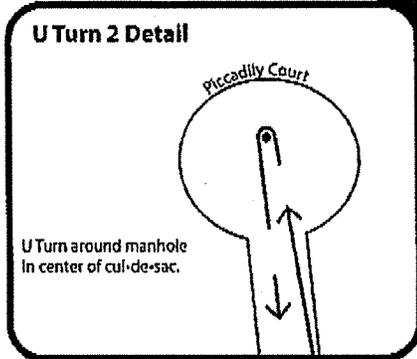
682-34-0167

Contact Phone Number

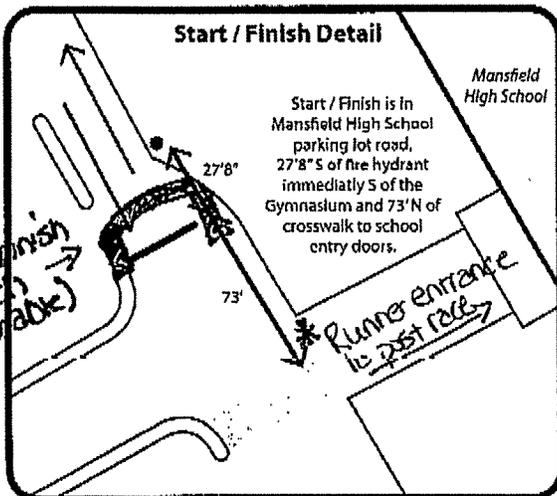
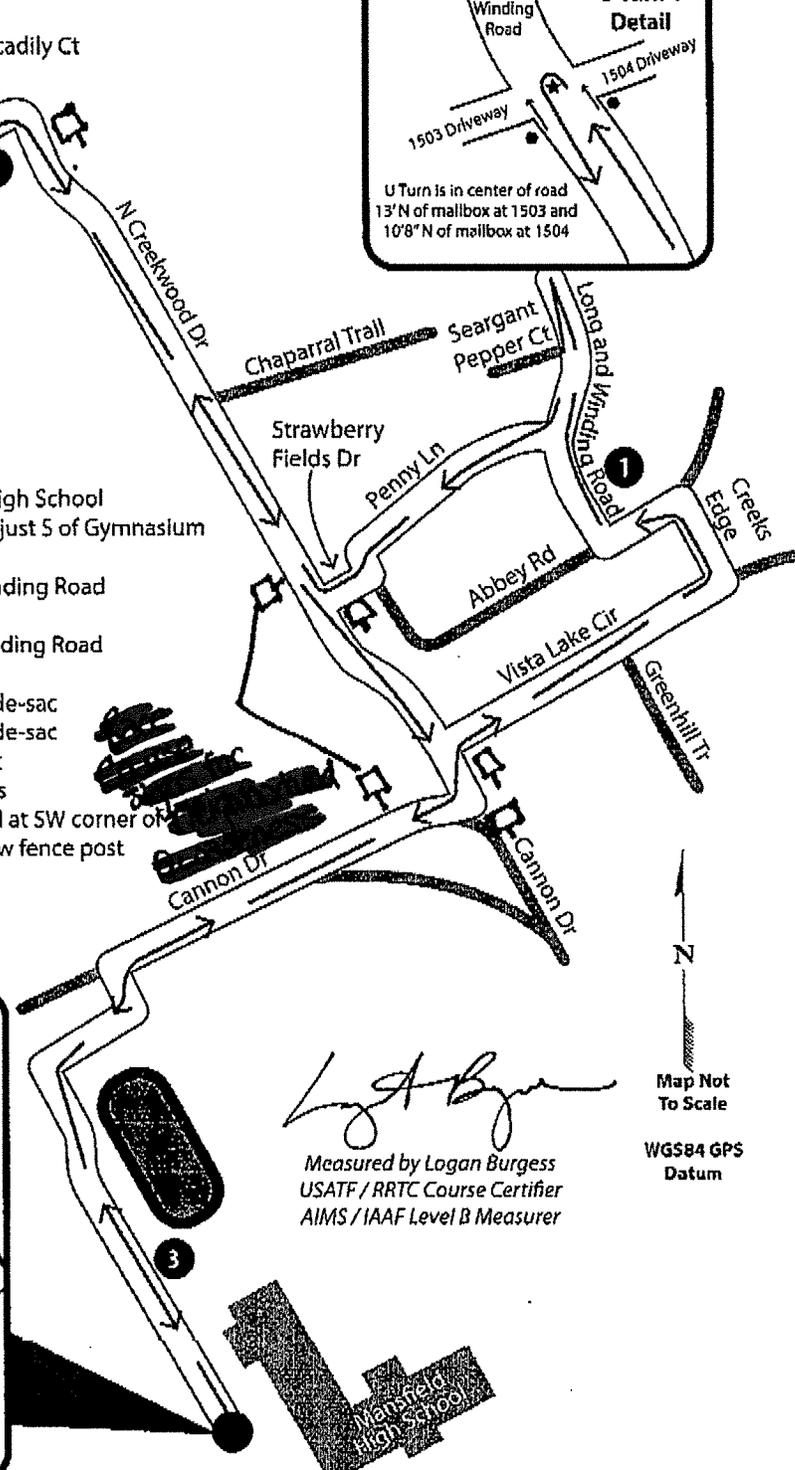


MILES FOR MEREDITH 5K

5 km - USATF Certification TX14057LAB - Mansfield, TX  
Effective 11.16.2014 to 12.31.2024  
Measured by Logan Burgess on 11.14.2014  
Map not to Scale - No Restrictions



- Start / Finish** - (N32 34 26.8 W97 05 30.6) - Mansfield High School Parking Lot Rd - 27'8" S of fire hydrant just S of Gymnasium and 73' N of crosswalk to entry
- Mile 1** - (N32 34 59.2 W97 05 18.1) - 1404 Long & Winding Road 19' N of mailbox at address
- U Turn 1** - (N32 35 05.0 W97 05 18.7) - 1503 Long & Winding Road 13' N of mailbox at address
- U Turn 2** - (N32 35 05.0 W97 05 18.7) - Piccadilly Ct turn around manhole in center of cul-de-sac
- Mile 2** - (N32 35 10.0 W97 05 39.0) - 1600 Piccadilly Ct even with sidewalk to house at address
- Mile 3** - (N32 34 31.9 W97 05 33.9) - Parking Lot Road at SW corner of Track / Football Field - even with yellow fence post



*Logan Burgess*

Measured by Logan Burgess  
USATF / RRTC Course Certifier  
AIMS / IAAF Level B Measurer

Map Not To Scale  
WGS84 GPS Datum

Start-finish area (inflatables)

Runner entrance to post race





# CERTIFICATE OF INSURANCE

DATE: 11/8/2016

CERTIFICATE NUMBER: 20161028479583

**AGENCY:**

ESIX 3 LLC  
d/b/a Entertainment & Sports Insurance eXperts (ESIX)  
d/b/a Entertainment and Sports Insurance Agency (California)  
2727 Paces Ferry Road, Building Two, Suite 1500  
Atlanta, GA 30339  
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**NAMED INSURED:**

USA Track & Field, Inc.                      The Meredith Hatch Foundation  
132 East Washington Street, Suite 800  
Indianapolis IN 46204

**INSURERS AFFORDING COVERAGE:**

INSURER A: Philadelphia Indemnity Ins. Co.  
INSURER B: Philadelphia Indemnity Ins. Co.

**EVENT INFORMATION:**

Miles for Meredith (11/19/2016 - 11/20/2016)

**POLICY/COVERAGE INFORMATION:**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	X Occurrence	PHPK1569618	11/1/2016 12:01 AM	11/1/2017 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$3,000,000
	X Participant Legal Liability				EACH OCCURRENCE \$1,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$3,000,000
B	UMBRELLA/EXCESS LIABILITY				
	X Occurrence	PHUB561340	11/1/2016 12:01 AM	11/1/2017 12:01 AM	EACH OCCURRENCE \$10,000,000
					AGGREGATE (Applies Per Event) \$10,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:**

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured as required by written contract or written agreement, but only for liability arising out of the negligence of the Named Insureds per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 00 01).

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

**CERTIFICATE HOLDER:**

Methodist Hospital of Dallas DBA Methodist Mansfield Medical Center  
1441 North Beckly Avenue  
Dallas TX 75203

**NOTICE OF CANCELLATION:**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**AUTHORIZED REPRESENTATIVE:**



# CERTIFICATE OF INSURANCE

DATE: 11/8/2016

CERTIFICATE NUMBER: 20161028479586

**AGENCY:**

ESIX 3 LLC  
d/b/a Entertainment & Sports Insurance eXperts (ESIX)  
d/b/a Entertainment and Sports Insurance Agency (California)  
2727 Paces Ferry Road, Building Two, Suite 1500  
Atlanta, GA 30339  
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**NAMED INSURED:**

USA Track & Field, Inc.                      The Meredith Hatch Foundation  
132 East Washington Street, Suite 800  
Indianapolis IN 46204

**INSURERS AFFORDING COVERAGE:**

INSURER A: Philadelphia Indemnity Ins. Co.  
INSURER B: Philadelphia Indemnity Ins. Co.

**EVENT INFORMATION:**

Miles for Meredith (11/19/2016 - 11/20/2016)

**POLICY/COVERAGE INFORMATION:**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHPK1569618	11/1/2016 12:01 AM	11/1/2017 12:01 AM	GENERAL AGGREGATE (Applies Per Event)                      \$3,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE                      \$1,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.)                      \$1,000,000
					MEDICAL EXPENSE (Any one person)                      EXCLUDED
					PERSONAL & ADV INJURY                      \$1,000,000
					PRODUCTS-COMP/OP AGG                      \$3,000,000
B	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHUB561340	11/1/2016 12:01 AM	11/1/2017 12:01 AM	EACH OCCURRENCE                      \$10,000,000
					AGGREGATE (Applies Per Event)                      \$10,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:**

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured as required by written contract or written agreement, but only for liability arising out of the negligence of the Named Insureds per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 00 01).

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

**CERTIFICATE HOLDER:**

RunFAR Racing Services, Inc  
1609 Piccadilly Ct  
Mansfield TX 76063

**NOTICE OF CANCELLATION:**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**AUTHORIZED REPRESENTATIVE:**

## AGREEMENT TO ASSIST AT SPECIAL EVENT

Special Event Name and Date: Miles 4 Meredith

**Name of Group Assisting:**

- Mansfield Police
- MISD Police
- Constable Office
- Other \_\_\_\_\_

**Please check all that apply:**

- We have an agreement to be Traffic Officers for this Special Event.
- We have an agreement to be Security Officers for this Special Event.
- Other: \_\_\_\_\_

\_\_\_\_\_  
Signature

Travis Waybourn

\_\_\_\_\_  
Printed Name/ Job Title

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Contact Phone Number

\_\_\_\_\_  
E-mail



**SPECIAL EVENT REVIEW APPROVALS & COMMENTS**

EVENT:	Meredith Hatch Foundation
DATE OF EVENTS:	Saturday, November 19th
*ANDY BINZ (RECREATION)	Approved
Comments:	no
Kerin Maguire	Approved
Comments:	no
Promotional Signs?	no
*DAVID BOSKI (STREETS)	Approved
Comments:	no
Street Closures?	no
*PAUL COKER (DEVELOPMENT SERVICES)	Approved
HOWARD REDFEARN (ENVIRONMENTAL)	Approved
Comments:	no
*ERIC PETERSON (FIRE)	Approved
Comments:	no
*W. KYLE LANIER (POLICE)	Approved
Comments:	
City Council Approval Required?	Yes
Agenda Date:	11/14/2016
Special Event Number	Legistar #16-2109
Police Assisting	YES



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2097

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**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** Approval of Minutes

**In Control:** City Council

**File Type:** Meeting Minutes

**Agenda Number:**

**Title**

Minutes - Approval of the October 24, 2016 Regular City Council Meeting Minutes

**Requested Action**

Action to be taken by the Council to approve the minutes.

**Recommendation**

Approval of minutes by the Council.

**Description/History**

The minutes of the October 24, 2016 Regular City Council meeting are in DRAFT form and will not become effective until approved by the Council at this meeting.

**Justification**

Permanent Record

**Funding Source**

N/A

**Prepared By**

Susana Marin, Assistant City Secretary, City Secretary's Office  
817-276-4203



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## Meeting Minutes - Draft

### City Council

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Monday, October 24, 2016

5:00 PM

Council Chambers

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#### REGULAR MEETING

##### **5:00 P.M. - CALL MEETING TO ORDER**

*Mayor Cook called the meeting to order at 5:00 p.m.*

**Absent** 1 - Wendy Burgess

**Present** 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

##### **RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:02 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:11 p.m. Mayor Cook adjourned executive session at 7:10 p.m.*

**Present** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

##### **Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding the Pond Branch Design/Construction Contract

Seek Advice of City Attorney Regarding Zoning Case ZC#16-001

Seek Advice of City Attorney Regarding Zoning Case ZC#16-010

##### **Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

Discussion Regarding Possible Purchase of the Farr Best Theater

##### **Personnel Matters Pursuant to Section 551.074**

**Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087**

**7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

*Mayor Cook reconvened into regular business session at 7:20 p.m.*

**INVOCATION**

*Hope Village Pastor Shane Whisler led the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Burgess led the Pledge of Allegiance.*

**TEXAS PLEDGE**

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

*Council Member Hoffman led the Texas Pledge.*

**PROCLAMATION**

**[16-2078](#)**

Arbor Day and Tree City USA Recognition

*Mayor Cook proclaimed November 4, 2016 as Arbor Day and presented a proclamation to Landscape Administrator Stevon Smith. Texas A&M Forest Service representative Courtney Blevins made brief comments.*

**[16-2079](#)**

Municipal Court Week

*Mayor Cook mentioned the Municipal Court Week proclamation would be presented at the meeting on November 14, 2016.*

**PRESENTATIONS**

Scenic City Certification Program - Presentation of Distinguished Gold Award to City Council; Presented by City Manager Clayton Chandler

*City Manager Clayton Chandler presented the Distinguished Gold Award to the City Council.*

National Association of Government Web Professionals 2016 Sponsor Award to Glenn McLelland, Web Master, Information Technology Department; Presented by City Manager Clayton Chandler

*Mayor Cook presented the National Association of Government Web Professionals Award to Web Master Glenn McLelland.*

3CMA Savvy Awards - Presentation to City Council; Presented by City Manager Clayton Chandler

Award of Excellence for Graphic Design to Rick Sales (3rd Nationally)

*Mayor Cook presented the Award of Excellence to Graphic Designer Rick Sales.*

Award of Excellence for Graphic Design - Mansfield 125 Logo to Rick Sales (3rd Nationally)

*Mayor Cook presented the Award of Excellence to Rick Sales.*

Award of Excellence for Graphic Design - History of Mansfield, Texas Coloring & Activity Book to Rick Sales (3rd Nationally)

*Mayor Cook presented the Award of Excellence to Rick Sales.*

Award of Excellence for Special Events - Mansfield 125 (3rd Nationally)

*Mayor Cook presented the Award of Excellence to Rick Sales.*

Silver Circle Award for Aerial Map by Economic Development to Scott Welmaker, Rick Sales

*Mayor Cook presented the Award of Excellence to Rick Sales.*

### **CITIZEN COMMENTS**

*Dave Goodwin - 904 Dayton - Mr. Goodwin spoke as a representative of Discover Historic Mansfield. He asked the Council to approve the Hotel/Motel fund reimbursement request for Third Thursdays and Painted Pianos.*

*Nelson Mitchell - 9001 Airport Freeway, North Richland Hills - Mr. Mitchell spoke on behalf of Jabez Development. Mr. Mitchell asked the Council to reconsider the previous motion regarding ZC#16-010. He updated the Council on some changes made by the developer.*

### **COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Haynes had no announcements.*

*Council Member Burgess reminded everyone that early voting had started and encouraged everyone to go vote.*

*Council Member Newsom had no announcements.*

*Mayor Pro Tem Broseh had no announcements.*

*Mayor Cook had no announcements.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

*There were no staff comments.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

*City Attorney Allen Taylor made brief comments and answered Council questions.*

**A motion was made by Council Member Burgess to allow reconsideration based on meaningful changes provided by the applicant on ZC#16-010. Seconded by Mayor Cook. The motion CARRIED by the following vote:**

**Aye:** 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 1 - Larry Broseh

**Abstain:** 0

**CONSENT AGENDA**

[16-2073](#)

Resolution - A Resolution Awarding a Construction Contract for Antler Dr. Paving, Drainage and Sewer Improvements to McClendon Construction Co., Inc.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$1,629,364.19 (MEDC and Utility Bond Fund)

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ANTLER DR. PAVING, DRAINAGE AND SEWER IMPROVEMENTS TO MCCLENDON CONSTRUCTION CO., INC.; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND APPROPRIATING FUNDS**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3300-16

[16-2075](#)

Resolution - A Resolution Authorizing a Contract with Trinity River Authority for Industrial Sampling and Analytical Services

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION AUTHORIZING A CONTRACT WITH THE TRINITY RIVER AUTHORITY FOR INDUSTRIAL SAMPLING, INSPECTIONS, AND ANALYTICAL SERVICES**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3301-16

[16-2080](#)

Resolution - Approve Resolution to Award a Contract for a Construction Manager at Risk to Pete Durant and Associates for the Construction of the Mansfield StarCenter Project for a Guaranteed Maximum Price in the Amount of \$13,129,749.00

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION AWARDED A CONSTRUCTION MANAGER AT RISK CONTRACT TO PETE DURANT & ASSOCIATES FOR CONSTRUCTION OF THE MANSFIELD STARCENTER USA PROJECT FOR A GUARANTEED MAXIMUM COST IN THE AMOUNT OF \$13,129,749.00**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3302-16

[16-2082](#)

Resolution - A Resolution Relating to the City's Notice of Intention to Issue City

of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION RELATING TO THE GIVING OF NOTICE OF INTENTION TO ISSUE CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION; AND APPROVING OTHER MATTERS RELATED THERETO**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3303-16

[16-2085](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing Payment to Crutchfield Coring and Concrete Cutting, Inc. for an Amount not to Exceed \$232,387.10; and Providing an Effective Date

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING PAYMENT TO CRUTCHFIELD CORING AND CONCRETE CUTTING, INC. FOR AN AMOUNT NOT TO EXCEED \$232,387.10; AND PROVIDING AN EFFECTIVE DATE**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3304-16

[16-2086](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing Payment to Reynolds Asphalt and Construction Company for an Amount not to Exceed \$383,332.18; and Providing an Effective Date

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING PAYMENT TO REYNOLDS ASPHALT AND CONSTRUCTION**

**COMPANY FOR AN AMOUNT NOT TO EXCEED \$383,332.15; AND PROVIDING AN EFFECTIVE DATE**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3305-16

16-2081

Approval of Discover Historic Mansfield's Reimbursement Request of Hotel/Motel 2015-2016 Funds

**A motion was made by Council Member Hoffman to approve this agenda item. Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

16-2064

Minutes - Approval of the October 10, 2016 Regular City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the October 10, 2016 Regular City Council Meeting Minutes as presented. Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**

16-2074

Resolution - A Resolution Approving Award of a Construction Contract Between Mansfield Park Facilities Development Corporation to Morales Construction Services, Inc. in the Amount of \$266,300 for the Construction of a Restroom Building at the Michael L. Skinner Sports Complex

*Council Member Hoffman removed this item from the consent agenda. Director of Parks and Community Services Matt Young answered Council questions. City Manager Clayton Chandler and Deputy City Manager Shelly Lanners answered Council questions.*

**A motion was made by Council Member Hoffman to table this agenda item**

until a study can be provided for a portable restroom solution. **Seconded by Council Member Newsom. The motion carried by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

### **END OF CONSENT AGENDA**

### **OLD BUSINESS**

#### **16-1999**

Ordinance - Second Reading of an Ordinance Authorizing the Execution of a Gas Lease Agreement Between the City of Mansfield and GHA Barnett, LLC for City-Owned Property Located at 707 Pleasant Ridge Court

**A motion was made by Council Member Hoffman to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD AUTHORIZING THE EXECUTION OF A GAS LEASE AGREEMENT BETWEEN THE CITY OF MANSFIELD AND GHA BARNETT, LLC FOR CITY-OWNED PROPERTY LOCATED AT 707 PLEASANT RIDGE COURT." Seconded by Mayor Pro Tem Broseh. The motion carried by the following vote:**

**Aye:** 6 - David Cook; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 1 - Stephen Lindsey

#### **16-2046**

Consideration of a Request to Withdraw the Application for Zoning Change from PR to SF-7.5/18, SF-9.6/20 and SF-12/22 on Approximately 187.85 Acres Generally Located West of Gertie Barrett Road and the End of Cancun Drive, North of Country Meadow Drive and Chimney Hill Circle; Alluvium Development (ZC#16-001)

*Denis Duchene - 420 Meadow Creek Drive - Mr. Duchene spoke about his opposition to this agenda item. He asked the Council to consider developing the property as a Planned Development.*

*Allen Taylor answered Council questions.*

**No action was taken by the Council.**

### **PUBLIC HEARING CONTINUATION AND SECOND READING**

#### **16-2048**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Specific Use Permit for Eating Place with Drive-Through Service on Approximately 1.1 Acres, Generally Located at the Southwest Corner of E. Broad Street and N. Holland Road; Muy Hamburger, LLC. (ZC#16-011)

*Linear Architecture representative Irma Reiner made brief comments and answered*

*Council questions. Belle Firma representative Kori Haug answered Council questions. Mayor Cook continued the public hearing through second reading at 8:19 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:19 p.m.*

**A motion was made by Mayor Pro Tem Broseh to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR EATING PLACE WITH DRIVE-THROUGH SERVICE ON THE HEREINAFTER DESCRIBED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Hoffman. The motion CARRIED by the following vote:**

**Aye:** 4 - Stephen Lindsey; Cory Hoffman; Larry Broseh and Darryl Haynes

**Nay:** 3 - David Cook; Wendy Burgess and Brent Newsom

**Abstain:** 0

## **NEW BUSINESS**

### **[16-1998](#)**

Resolution - A Resolution Authorizing the Contract of Sale for the Farr Best Theater and Authorizing the Supplemental Disbursement of Hotel Occupancy Tax Funds to the Mansfield Convention and Visitors Bureau to Purchase the Historic Farr Best Theatre and Make Aesthetic and Operational Improvements

*Shelly Lanners made brief comments and answered Council questions.*

**A motion was made by Council Member Newsom to approve the following resolution:**

**A RESOLUTION APPROVING A CONTRACT OF SALE AND A SUPPLEMENTAL DISBURSEMENT OF HOTEL OCCUPANCY TAX FUNDS FOR THE PURCHASE OF THE HISTORIC FARR BEST THEATER AND TO MAKE AESTHETIC AND OPERATIONAL IMPROVEMENTS**

**(Resolution in its entirety located in the City Secretary's Office)**

**Seconded by Mayor Pro Tem Broseh. The motion CARRIED by the following vote:**

**Aye:** 6 - David Cook; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 1 - Stephen Lindsey

Enactment No: RE-3306-16

## **ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 8:22 p.m. Seconded by Council Member Newsom. The motion CARRIED by the**

**following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

\_\_\_\_\_ David L. Cook, Mayor

ATTEST:

\_\_\_\_\_ Jeanne Heard, City Secretary



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-1999

**Agenda Date:** 11/14/2016

**Version:** 3

**Status:** Third and Final Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Third and Final Reading of an Ordinance Authorizing the Execution of a Gas Lease Agreement Between the City of Mansfield and GHA Barnett, LLC for City-Owned Property Located at 707 Pleasant Ridge Court

**Requested Action**

Approve Ordinance

**Recommendation**

Approve Ordinance

**Description/History**

The City advertised for bids for a mineral lease, no drill site, for City-owned property located at 707 Pleasant Ridge Court. The bids were opened on October 3, 2016. A map of the property is attached. The offer amount for royalty is 25% with a two-year primary term and \$1,000/AC bonus money from GHA Barnett, LLC.

**Justification**

This property was bid out as a "no-drill" site. GHA Barnett, LLC bid exceeds the initial bid requirements and the lease is still for a no-drill site. The mineral lease agreement has been approved by the city attorney.

**Funding Source**

N/A

**Prepared By**

Shelly Lanners, Deputy City Manager  
[shelly.lanners@mansfieldtexas.gov](mailto:shelly.lanners@mansfieldtexas.gov)  
817-276-4265

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD AUTHORIZING THE EXECUTION OF A GAS LEASE AGREEMENT BETWEEN THE CITY OF MANSFIELD AND GHA BARNETT, LLC FOR CITY-OWNED PROPERTY LOCATED AT 707 PLEASANT RIDGE COURT**

**WHEREAS**, the City bid out City-owned property for a mineral lease and “no-drill” site and bids were opened on October 3, 2016; and

**WHEREAS**, GHA Barnett, LLC desires to lease the minerals on a property owned by the City of Mansfield; and

**WHEREAS**, this property is described as 707 Pleasant Ridge Court; and

**WHEREAS**, the proposed lease shall contain a “no-drill, no-surface activity” restriction and the minerals shall be conveyed without warranty of title; and

**WHEREAS**, the City Council finds that it is in the best interest of the citizens of the City of Mansfield to execute a gas lease agreement between the City of Mansfield and GHA Barnett, LLC for the above-described property; and

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

**SECTION 1.**

That the City Manager or his designee is hereby authorized to execute a gas lease agreement between the City of Mansfield and GHA Barnett, LLC.

**SECTION 2.**

This Ordinance shall be cumulative of all provisions of all other Ordinances of the City of Mansfield, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**SECTION 3.**

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 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 could have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.**

This ordinance shall take effect immediately from and after its passage on third and final reading as the City Charter provides.

FIRST READING APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

SECOND READING APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
David Cook, Mayor

ATTEST:

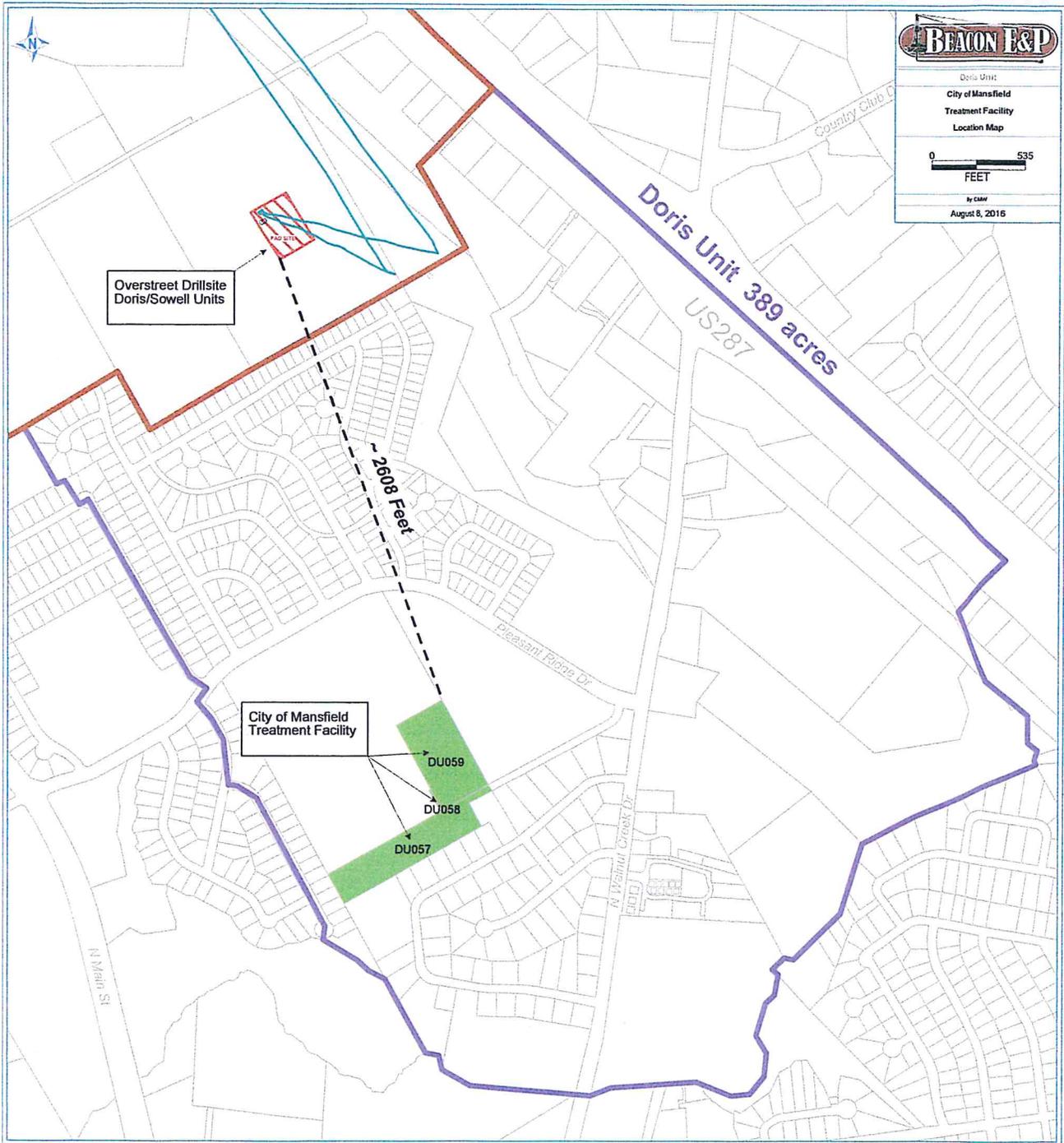
\_\_\_\_\_  
Jeanne Heard, City Secretary

EFFECTIVE: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY

# Location Map





# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2048

**Agenda Date:** 11/14/2016

**Version:** 3

**Status:** Third and Final Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Third and Final Reading on an Ordinance Approving a Specific Use Permit for Eating Place with Drive-Through Service on Approximately 1.1 Acres, Generally Located at the Southwest Corner of E. Broad Street and N. Holland Road; Muy Hamburger, LLC. (ZC#16-011)

**Requested Action**

To consider the subject zoning change request.

**Recommendation**

The Planning and Zoning Commission held a public hearing on September 6, 2016, and voted 5-0 to recommend approval. Commissioners Horn and Hudson were absent.

**Description/History**

The proposed SUP is for a Wendy's Restaurant with a drive-through window. The development will meet all the new requirements as well as existing architectural criteria. The building will be occupied by just a single tenant.

**Second Reading - October 24, 1016**

The applicant has revised the landscape plan (attached) to replace all of the under-story trees with canopy trees. The landscape architect has attempted to locate the trees as far from the existing water line and overhead utility lines as possible. The developer who is selling the lot to Wendy's will attend the meeting to explain that it is not economically feasible to bury the overhead utility lines.

**Prepared By**

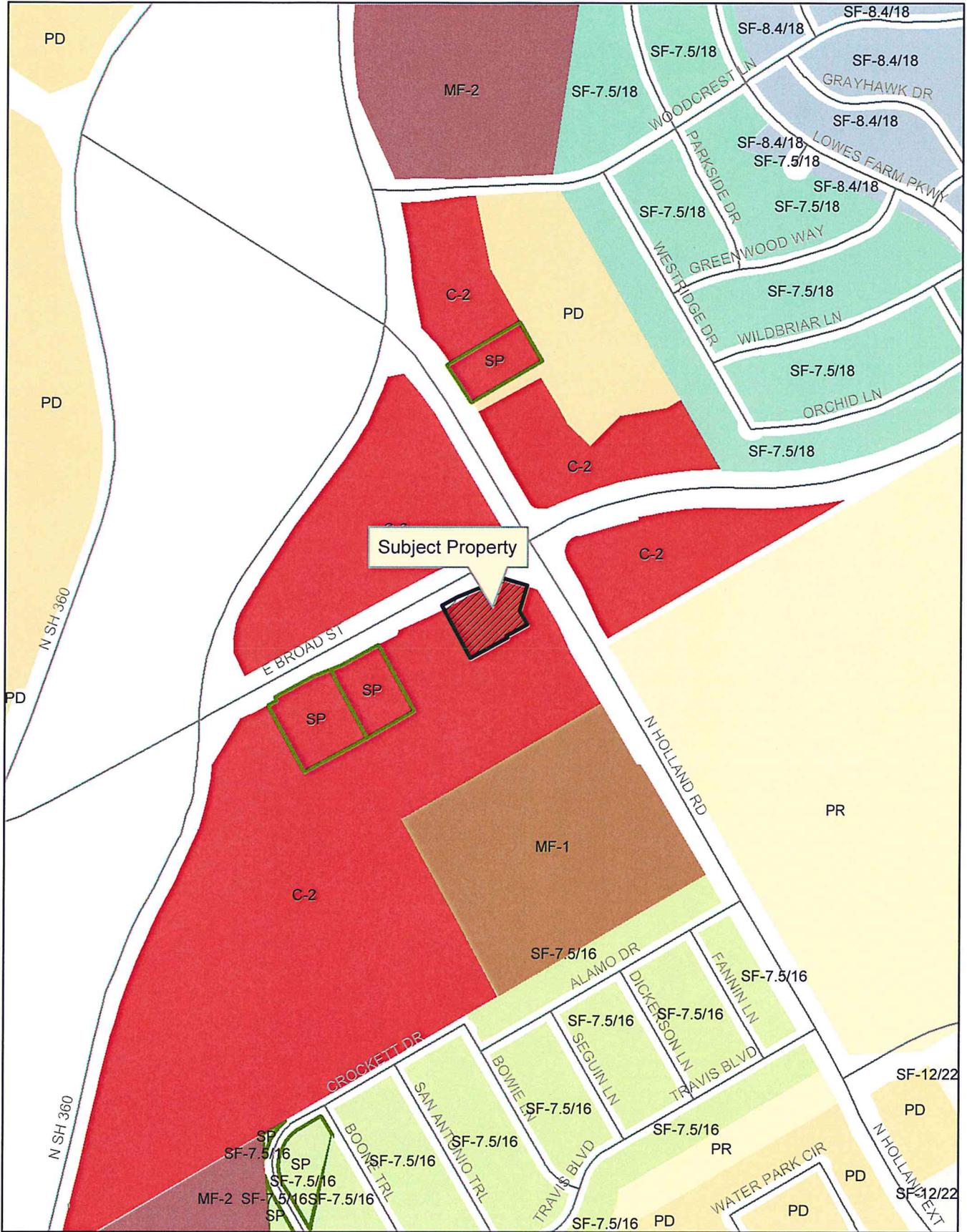
Felix Wong, Director of Planning  
817-276-4228



**ZC# 16-011**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

08/25/2016



Subject Property



**ZC# 16-011**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

08/25/2016

# Property Owner Notification for ZC# 16-011

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
			*** NO ADDRESS ***	*** NO CITY ***	* NO ZIP *
BACK, J SURVEY	A 126	HOLLAND CROSSING LP	8350 N CENTRAL EXPW # 1300	DALLAS, TX	75206
BACK, J SURVEY	A 126	KAIZEN REAL ESTATE INC	3405 SPECTRUM BLVD	RICHARDSON, TX	75082
CHILDREN'S COURTYARD	BLK 1	REALTEX VENTURES INC	4604 PARK SPRINGS BLVD STE 150	ARLINGTON, TX	76017
CVS MANSFIELD	BLK 1	3802 BROAD STREET LP	409 RIVER RD STE 1	CLIFTON, NJ	07014
MANSFIELD ISD ATHLETIC COMPLEX	BLK 1	MANSFIELD, ISD	605 E BROAD ST	MANSFIELD, TX	76063-1766

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR EATING PLACE WITH DRIVE-THROUGH SERVICE ON THE HEREINAFTER DESCRIBED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

**SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new specific use permit for Eating Place with Drive-Through Service, said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.**

That the use and development of the hereinabove described property shall be in accordance to the site plan shown on Exhibit "B" attached hereto and made a part hereof for all purposes.

**SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.**

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this Specific Use Permit.

**SECTION 5.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6.**

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DULY PASSED** on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**David L. Cook, Mayor**

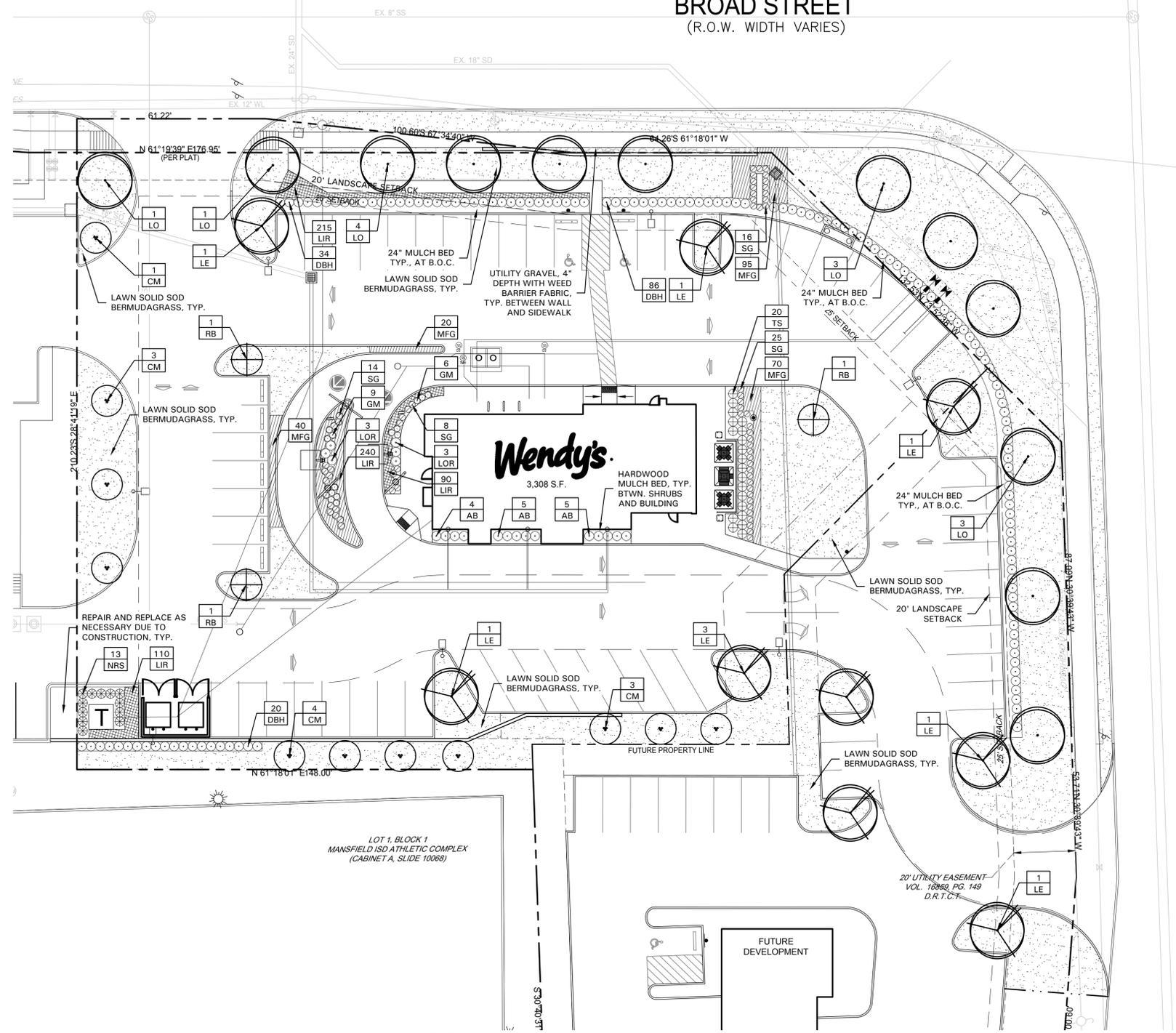
ATTEST:

\_\_\_\_\_  
**Jeanne Heard, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**

**BROAD STREET**  
(R.O.W. WIDTH VARIES)



**PLANT LIST**

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
<b>TREES</b>					
CM	<i>Lagerstroemia indica</i> 'Tuscarora'	Crepe Myrtle 'Tuscarora'	11	3" cal.	container grown, 3-5 trunk, min. 1" cal. Canes, no cross canes, 8' ht., 4' spread, matching
LE	<i>Ulmus parvifolia</i> 'Sempervirens'	Lacebark Elm	9	3.5" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
LO	<i>Quercus virginiana</i>	Live Oak	12	3.5" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
RB	<i>Cercis canadensis</i> 'Oklahoma'	Oklahoma Redbud	3	3" cal.	container grown, 8' ht. min, 4' spread min., matching
<b>SHRUBS/GROUND COVER</b>					
AB	<i>Abelia grandiflora</i> 'Edward Goucher'	Dwarf Abelia 'Edward Goucher'	14	5 gal.	container full, 20" ht., 36" o.c.
DBH	<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly	140	36" ht.	container full, 24" spread, 36" o.c.
GM	<i>Muhlenbergia capillaris</i>	Gulf Muhly	15	5 gal.	container full, 24" o.c.
LIR	<i>Liriope muscari</i> 'Big Blue'	Liriope 'Big Blue'	655	4" pots	container full top of container, 12" o.c.
LOR	<i>Loropetalum chinense</i> 'Purple Diamond'	Loropetalum 'Purple Diamond'	6	5 gal.	container full, 20" spread, 36" o.c.
MFG	<i>Nassella tenuissima</i>	Mexican Feathergrass	225	3 gal.	container full, 18" o.c.
NRS	<i>Ilex spp.</i> 'Nellie R. Stevens'	Nellie R. Stevens Holly	13	15 gal.	container full to base, 5' ht.
SG	<i>Salvia greggii</i> 'Red'	Salvia Greggii 'Red'	63	5 gal.	container full, 20" spread 24" o.c.
TS	<i>Leucophyllum frutescens</i> 'Green Cloud'	Texas Sage 'Green Cloud'	20	5 gal.	container full, 20" spread, 36" o.c.
	<i>Cynodon dactylon</i>	Common Bermudagrass			refer to notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.  
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.

**LANDSCAPE NOTES**

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

**MAINTENANCE NOTES**

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

**GENERAL LAWN NOTES**

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. 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.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

**SOLID SOD NOTES**

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE. FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LOCATION OF BUFFERYARD OR SETBACK	REQUIRED / PROVIDED	LENGTH	BUFFERYARD OR SETBACK WIDTH/TYPE	TREES	SCREENING WALL/DEVICE HEIGHT & MATERIAL
North	Required	133'	20' SETBACK	3	N/A
	Provided		20' SETBACK	3	
Northeast	Required	87'	20' SETBACK	2	N/A
	Provided		20' SETBACK	3	
South	Required	341'	BY10	7*	N/A
	Provided		BY10	7	
Southwest	Required	210'	BY10	4*	N/A
	Provided		BY10	4	
Northwest	Required	226'	20' SETBACK	6	N/A
	Provided		20' SETBACK	6	

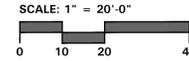
\*TREE PLANTINGS REDUCED BY 50% FOR C-2 ADJACENCY

	LOT SIZE	LANDSCAPE AREA (in sq. ft.)	% OF LANDSCAPE
Required	57,533	5,753	10%
Provided		19,650	34%

Other comments:

Total Parking Spaces	58
58/10 = 6 Required Trees	11 Trees Provided
# of Tree Islands Provided	11 Islands Provided

No more than 15 continuous spaces without tree island  
All parking lot areas shall be screened from view of public streets  
End caps include tree



- 4245 North Central Expy
- Suite 501
- Dallas, Texas 75205
- 214.865.7192 office

SITE NUMBER:	11883
BASE MODEL:	E2000
ASSET TYPE:	FRANCHISEE
CLASSIFICATION:	NEW BUILDING
OWNER:	MUY HAMBURGER
BASE VERSION:	2016
UPGRADE CLASSIFICATION:	
PROJECT YEAR:	2016
FURNITURE PACKAGE:	2016
DESIGN BULLETINS:	

*linear!*  
**Marc Brundige,**  
Architect  
8951 Cypress Waters Blvd., Suite 130  
Dallas, TX 75019  
Phone: 972.929.9226  
Fax: 972.929.9061

**MUY HAMBURGERS**  
17890 BLANCO ROAD, #401  
SAN ANTONIO, TEXAS  
78232  
PHONE: (210) 493-3505

**Wendy's**  
#11883  
3710 EAST BROAD STREET  
MANSFIELD, TX

REV. DATE	DESCRIPTION
08.26.16	CITY COMMENTS

ISSUE DATE: 08/31/16



10.18.16  
SHEET NAME  
**LANDSCAPE PLAN**  
SHEET NUMBER

**EXHIBIT**  
D

**CASE NO. ZC#16011**

**Property Description:**

Being a tract of land situated in the Jacob Back Survey, Abstract No. 126, City of Mansfield, Tarrant County, Texas, and being a portion of that certain tract of land as described to Holland Crossing, L.P., as recorded in Instrument No. D215284351, Official Public Records of Tarrant County, Texas (OPRTCT), said tract of land being more particularly described as follows:

**BEGINNING** at a 1/2-inch iron rod found with cap stamped "Pieser" for the northwest corner of the herein described tract, said point also being the northeast corner of that certain tract of land as described to Kaizen Real Estate, as recorded in Instrument No. D215284537, OPRTCT, lying in the southerly right-of-way line of Broad Street (a variable width right-of-way) described as Tract One in deed to City of Mansfield recorded in Instrument No. D205216851, OPRTCT;

**THENCE** along said southerly right-of-way following three (3) courses:

- 1) N 61°18'01" E, a distance of 61.22 feet to a 5/8-inch iron rod set with plastic cap stamped "Shield Engineering";
- 2) **THENCE** N 67°34'40" E, a distance of 100.60 feet to a 1/2-inch iron rod found with cap stamped "Coombs";
- 3) **THENCE** N 61°18'01" E, a distance of 64.26 feet to a 1/2-inch iron rod found with cap stamped "coombs" for the northerly corner of a corner clip at the intersection of said southerly right-of-way line and the westerly right-of-way line of Holland Road (a variable width right-of-way);

**THENCE** S 73°52'38" E, along said corner clip, a distance of 132.53 feet to a 1/2-inch iron rod found with cap stamped "Coombs" and the southerly corner of said corner clip;

**THENCE** along said westerly right-of-way the following three (3) courses:

- 1) S 30°39'43" E, a distance of 104.80 feet to a 1/2-inch iron rod found with cap stamped "Coombs";
- 2) **THENCE** S 24°23'04" E, a distance of 100.60 feet to a 1/2-inch iron rod found with cap stamped "Coombs";
- 3) **THENCE** S 30°39'43" E, a distance of 34.15 feet (rec. 34.93 feet) to a 1/2-inch iron rod with cap stamped "Coombs" for the southeast corner of said tract and the most easterly northeast corner of Lot 1, Block 1, Mansfield ISD Athletic Complex, an addition to the City Mansfield, Tarrant County, Texas, as recorded in Cabinet A, Slide 10068 of the Plat Records of Tarrant County Texas (PRTCT);

**THENCE** S 59°26'59" W, departing said westerly right-of-way, along the northerly boundary line of said Lot 1 the following three (3) courses:

- 1) S 59°26'59" W, a distance of 164.00 feet to a 1/2-inch iron rod found with cap stamped "Coombs";
- 2) **THENCE** N 30°40'31" W, a distance of 174.75 feet (rec. 175.00 feet) to a 5/8-inch iron rod set with plastic cap stamped "Shield Engineering";
- 3) **THENCE** S 61°18'01" W, a distance of 148.00 feet to a 1/2-inch iron rod found with cap stamped "Pieser" at the easterly corner of the aforementioned Kaizen tract;

**THENCE** N 28°41'19" W, departing said northerly boundary line, along said easterly line, at a distance of 199.26 feet passing a 1/2-inch iron rod found with cap stamped "Pieser" on line and continuing in all a total distance of 210.23 feet to the **POINT OF BEGINNING** and **CONTAINING** 89,843 square feet or 2.063 acres of land area, more or less.

To: Muy Hamburger, Holland Crossing, L.P.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 4, 5, 8, 9, 13, 16 AND 18 of Table A thereof. The fieldwork was completed on JUNE 3, 2016.

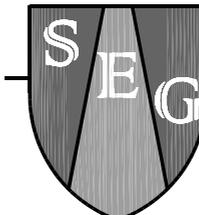
Date of Plat or Map: June 21, 2016

*Robert W. Bryan*  
ROBERT W. BRYAN, RPLS  
TEXAS REGISTRATION No. 5508



Case No. ZC#16011

ALTA/NSPS LAND TITLE SURVEY  
OF  
**2.063 ACRES OF LAND**  
SITUATED IN, JACOB BACK SURVEY  
ABSTRACT 126  
CITY OF MANSFIELD, TARRANT COUNTY, TEXAS

	<b>Shield Engineering Group, PLLC</b> Civil Engineering & Land Surveying TBPE F-11039 TBPLS 10193890 1600 West 7th Street, Ste 200 Fort Worth, Texas 76102 817.810.0696	<b>EXHIBIT A</b>
	DATE: JUNE 2016	DRAWN: ARS CHECKED: RWB

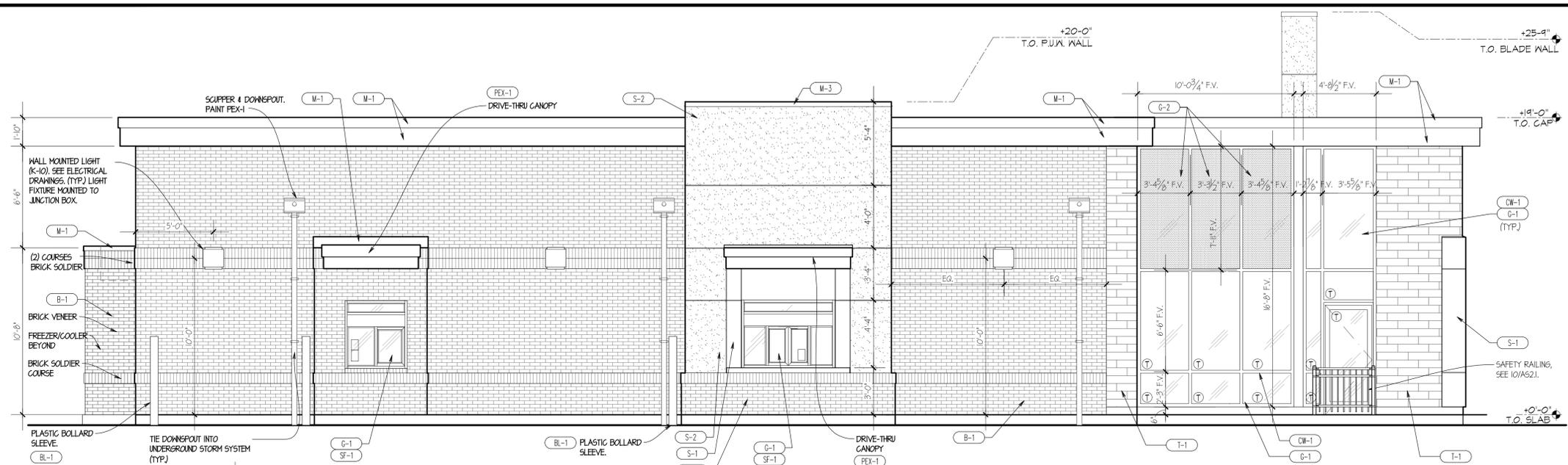


SITE NUMBER: 11883  
 BASE MODEL: E2000  
 ASSET TYPE: FRANCHISEE  
 CLASSIFICATION: NEW BUILDING  
 OWNER: MUY HAMBURGER  
 BASE VERSION: 2016  
 UPGRADE CLASSIFICATION:

PROJECT YEAR: 2016  
 FURNITURE PACKAGE: 2016  
 DESIGN BULLETINS:

**linear!**  
 Marc Brundige,  
 Architect  
 8351 Cypress Waters Blvd., Suite 130  
 Dallas, TX 75019  
 Phone: 972.929.9226  
 Fax: 972.929.9061

**MUY! HAMBURGERS**  
 17890 BLANCO ROAD, #401  
 SAN ANTONIO, TEXAS  
 78232  
 PHONE: (210) 493-3505



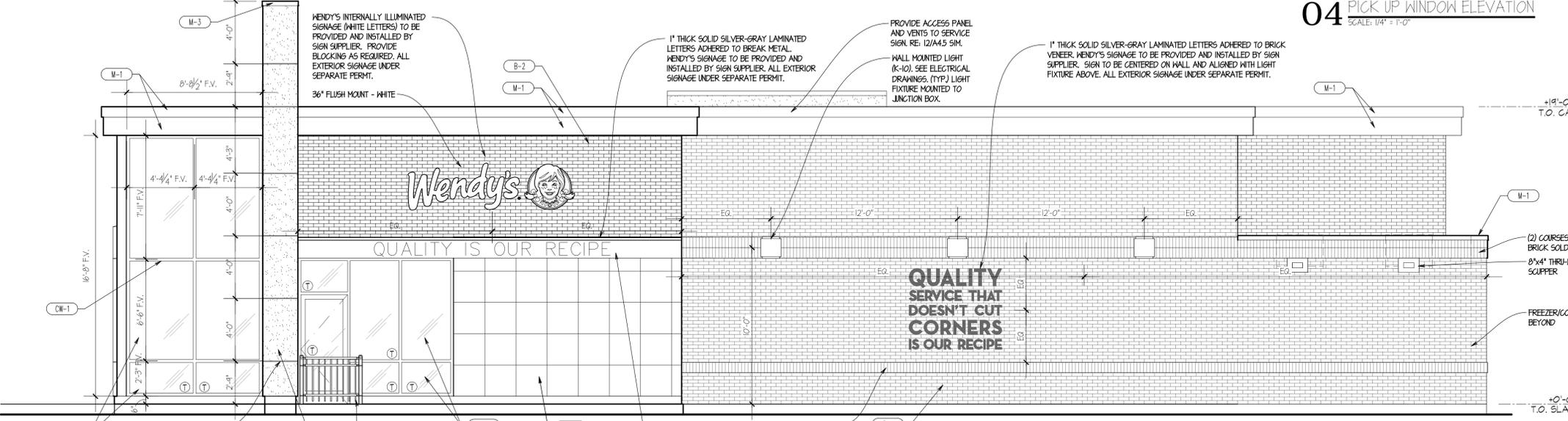
**04 PICK UP WINDOW ELEVATION**  
 SCALE: 1/4" = 1'-0"

**EXTERIOR MATERIALS CALCULATION**

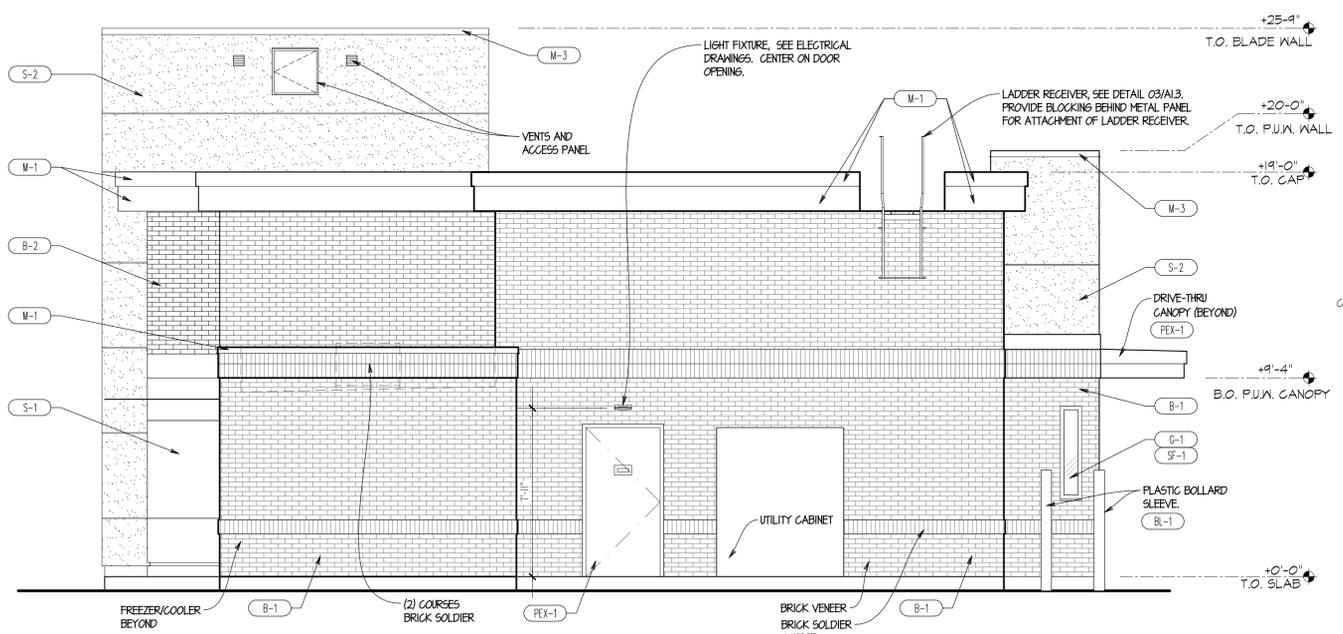
MATERIALS	ENTRY FACADE	FRONT FACADE	REAR FACADE	PJW FACADE				
TOTAL FACADE SF	1650 SF	492 SF	1007 SF	1673 SF				
DOORS & WINDOWS	251 SF	440 SF	21 SF	284 SF				
MATERIAL SUBTOTAL	1393 SF	100%	494 SF	100%	1304 SF	100%		
MASONRY	1181 SF	85%	106 SF	38%	687 SF	70%	1065 SF	77%
METAL	156 SF	11%	77 SF	16%	43 SF	10%	146 SF	10%
E.I.F.S.	56 SF	4%	231 SF	46%	191 SF	20%	187 SF	13%

**MASONRY CALCULATIONS**

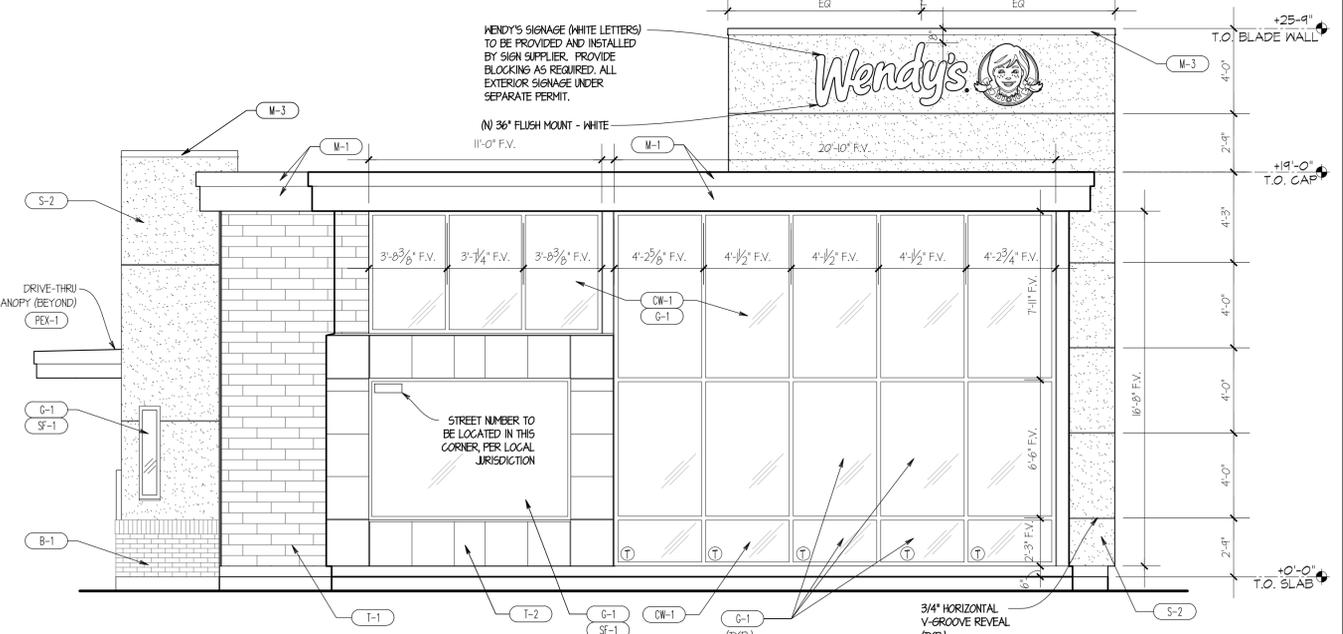
MATERIALS	ENTRY	FRONT	REAR	PJW	SUM OF ELEVATIONS
MATERIAL SUBTOTAL	1393 SF	494 SF	494 SF	1384 SF	1861 SF
MASONRY	1181 SF	106 SF	687 SF	1065 SF	3439 SF
					74%



**03 ENTRY ELEVATION**  
 SCALE: 1/4" = 1'-0"



**02 REAR ELEVATION**  
 SCALE: 1/4" = 1'-0"



**01 FRONT ELEVATION**  
 SCALE: 1/4" = 1'-0"

CASE NO. ZC #16.011

**Wendy's**  
 #11883  
 3710 EAST BROAD STREET  
 MANSFIELD, TX

REV.	DATE	DESCRIPTION

ISSUE DATE: 08/31/16  
 PROJECT NUMBER:  
 DRAWN BY:  
 CHECKED BY: IOR  
 SEAL:

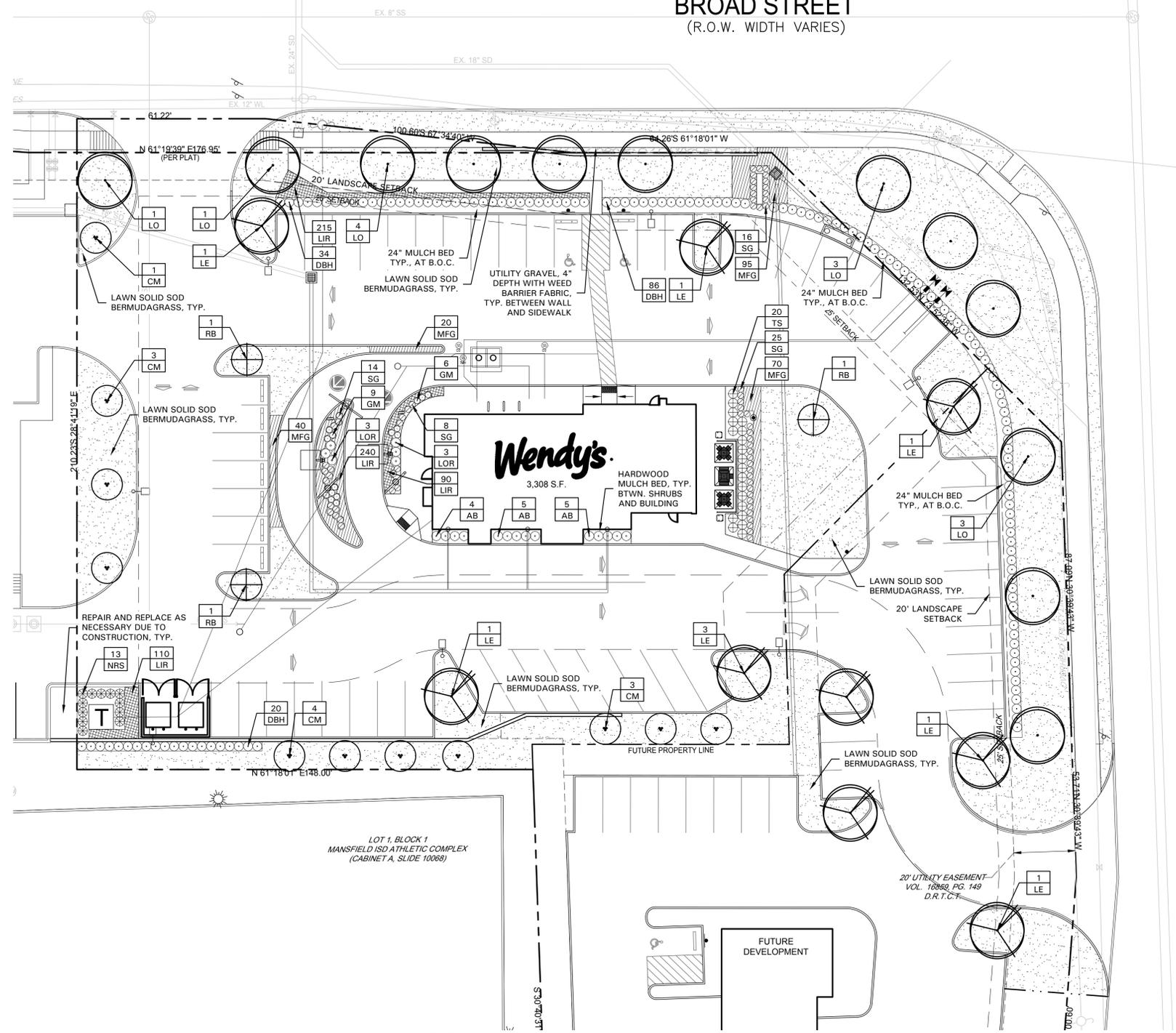
SHEET NAME:

EXHIBIT

**C**

02/26/2016, 4:18 PM P. WENDY'S 18.027 REV. M. 11883 TX.C.11883.DWG 1:12 E2000 A2 E.I.F.S. 11883.01.11

**BROAD STREET**  
(R.O.W. WIDTH VARIES)



**PLANT LIST**

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
<b>TREES</b>					
CM	<i>Lagerstroemia indica</i> 'Tuscarora'	Crepe Myrtle 'Tuscarora'	11	3" cal.	container grown, 3-5 trunk, min. 1" cal. Canes, no cross canes, 8' ht., 4' spread, matching
LE	<i>Ulmus parvifolia</i> 'Sempervirens'	Lacebark Elm	9	3.5" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
LO	<i>Quercus virginiana</i>	Live Oak	12	3.5" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
RB	<i>Cercis canadensis</i> 'Oklahoma'	Oklahoma Redbud	3	3" cal.	container grown, 8' ht. min, 4' spread min., matching
<b>SHRUBS/GROUND COVER</b>					
AB	<i>Abelia grandiflora</i> 'Edward Goucher'	Dwarf Abelia 'Edward Goucher'	14	5 gal.	container full, 20" ht., 36" o.c.
DBH	<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly	140	36" ht.	container full, 24" spread, 36" o.c.
GM	<i>Muhlenbergia capillaris</i>	Gulf Muhly	15	5 gal.	container full, 24" o.c.
LIR	<i>Liriope muscari</i> 'Big Blue'	Liriope 'Big Blue'	655	4" pots	container full top of container, 12" o.c.
LOR	<i>Loropetalum chinense</i> 'Purple Diamond'	Loropetalum 'Purple Diamond'	6	5 gal.	container full, 20" spread, 36" o.c.
MFG	<i>Nassella tenuissima</i>	Mexican Feathergrass	225	3 gal.	container full, 18" o.c.
NRS	<i>Ilex spp.</i> 'Nellie R. Stevens'	Nellie R. Stevens Holly	13	15 gal.	container full to base, 5' ht.
SG	<i>Salvia greggii</i> 'Red'	Salvia Greggii 'Red'	63	5 gal.	container full, 20" spread 24" o.c.
TS	<i>Leucophyllum frutescens</i> 'Green Cloud'	Texas Sage 'Green Cloud'	20	5 gal.	container full, 20" spread, 36" o.c.
	<i>Cynodon dactylon</i>	Common Bermudagrass			refer to notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.  
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.

**LANDSCAPE NOTES**

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

**MAINTENANCE NOTES**

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

**GENERAL LAWN NOTES**

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. 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.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

**SOLID SOD NOTES**

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE. FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

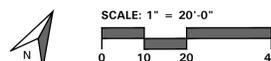
LOCATION OF BUFFERYARD OR SETBACK	REQUIRED / PROVIDED	LENGTH	BUFFERYARD OR SETBACK WIDTH/TYPE	TREES	SCREENING WALL/DEVICE HEIGHT & MATERIAL
North	Required	133'	20' SETBACK	3	N/A
	Provided		20' SETBACK	3	
Northeast	Required	87'	20' SETBACK	2	N/A
	Provided		20' SETBACK	3	
South	Required	341'	BY10	7*	N/A
	Provided		BY10	7	
Southwest	Required	210'	BY10	4*	N/A
	Provided		BY10	4	
Northwest	Required	226'	20' SETBACK	6	N/A
	Provided		20' SETBACK	6	

\*TREE PLANTINGS REDUCED BY 50% FOR C-2 ADJACENCY

	LOT SIZE	LANDSCAPE AREA (in sq. ft.)	% OF LANDSCAPE
Required	57,533	5,753	10%
Provided		19,650	34%

Other comments:

Total Parking Spaces	58
58/10 = 6 Required Trees	11 Trees Provided
# of Tree Islands Provided	11 Islands Provided
No more than 15 continuous spaces without tree island	
All parking lot areas shall be screened from view of public streets	
End caps include tree	



**CASE NO. ZC#16011**

- 4245 North Central Expy
- Suite 501
- Dallas, Texas 75205
- 214.865.7192 office

SITE NUMBER:	11883
BASE MODEL:	E2000
ASSET TYPE:	FRANCHISEE
CLASSIFICATION:	NEW BUILDING
OWNER:	MUY HAMBURGER
BASE VERSION:	2016
UPGRADE CLASSIFICATION:	

PROJECT YEAR:	2016
FURNITURE PACKAGE:	2016
DESIGN BULLETINS:	

*linear!*  
**Marc Brundige,**  
Architect  
8951 Cypress Waters Blvd., Suite 130  
Dallas, TX 75019  
Phone: 972.929.9226  
Fax: 972.929.9061

**MUYI HAMBURGERS**  
17890 BLANCO ROAD, #401  
SAN ANTONIO, TEXAS  
78232  
PHONE: (210) 493-3505

**Wendy's**  
#11883  
3710 EAST BROAD STREET  
MANSFIELD, TX

REV. DATE	DESCRIPTION
08.26.16	CITY COMMENTS

ISSUE DATE: **08/31/16**

PROJECT NUMBER:  
DRAWN BY: **AKS**  
CHECKED BY: **KAH**



SHEET NAME:  
**LANDSCAPE PLAN**

SHEET NUMBER:

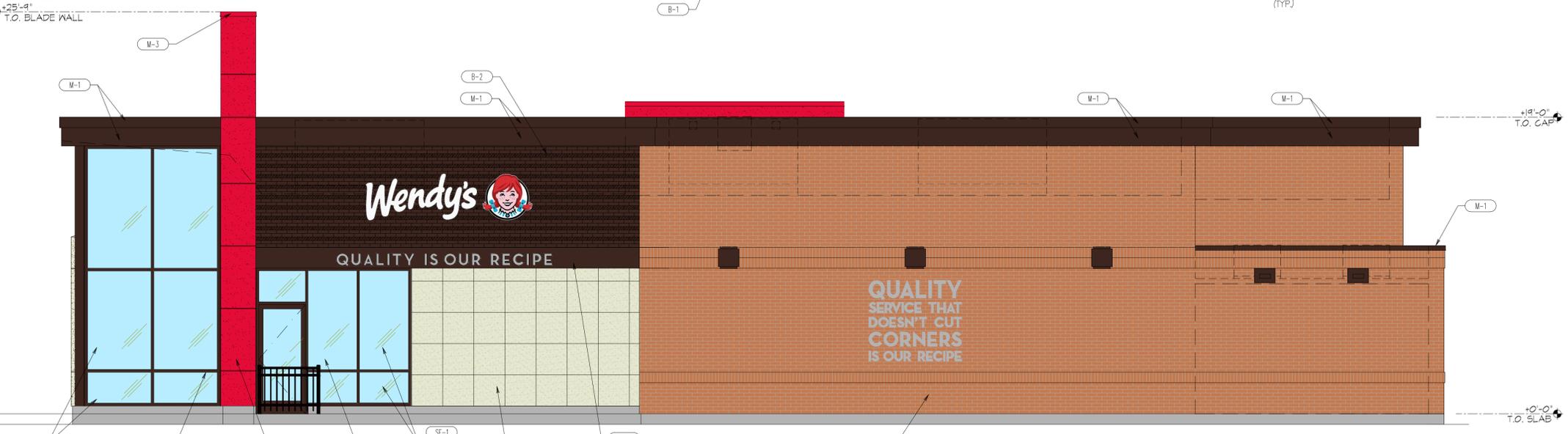
**EXHIBIT**  
**D**



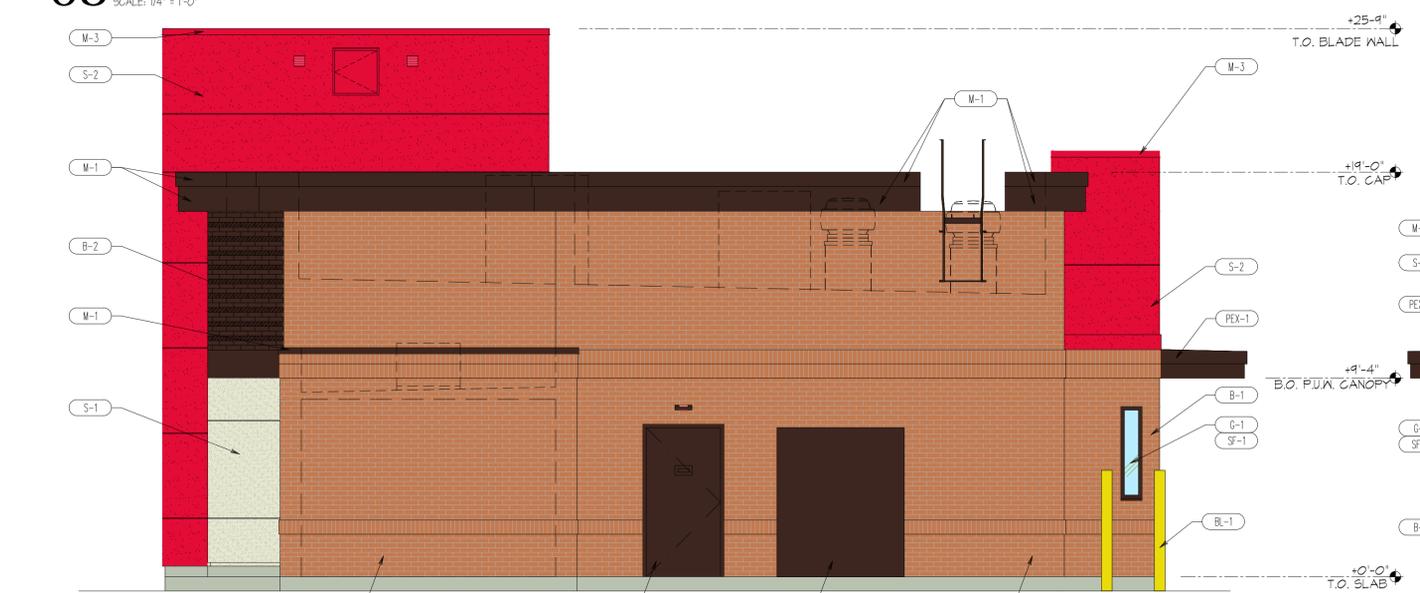
**04 PICK-UP WINDOW ELEVATION**  
SCALE: 1/4" = 1'-0"

**EXTERIOR FINISHES LEGEND**

- NOTE: REFER TO SHEET A6.1 FOR SPECIFICATIONS OF EXTERIOR MATERIALS AND FINISHES.
- (CW-1) CURTAIN WALL SYSTEM - DARK BRONZE
  - (B-1) BRICK - FIELD BRICK
  - (B-2) BRICK - DARK BRONZ
  - (BL-1) BOLLARD SLEEVE (RED)
  - (S-1) STUCCO - "WENDY'S GREY"
  - (S-2) STUCCO - "WENDY'S RED"
  - (G-1) 1" LOW-E INSULATED GLASS
  - (G-2) 1" INSULATED SPANDREL GLASS
  - (M-1) METAL TRIM AND BREAK METAL (DARK BRONZE)
  - (M-2) CORRUGATED METAL PANEL (DARK BRONZE)
  - (M-3) METAL COPING (RED)
  - (PEX-1) PAINT (COLOR: WENDY'S DARK BRONZE)
  - (PEX-2) PAINT (COLOR: WENDY'S EXTERIOR RED)
  - (PEX-5) PAINT (COLOR: SAFETY RED)
  - (PUW) PICKUP WINDOW - DARK BRONZE
  - (SF-1) ALUMINUM STOREFRONT SYSTEM - DARK BRONZE
  - (T-1) EXTERIOR TILE - WOOD GRAIN
  - (T-2) EXTERIOR TILE - WHITE



**03 ENTRY ELEVATION**  
SCALE: 1/4" = 1'-0"



**02 REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



**01 FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

CASE NO. ZC #16.011

SITE NUMBER:	11883
BASE MODEL:	E2000
ASSET TYPE:	FRANCHISEE
CLASSIFICATION:	NEW BUILDING
OWNER:	MUY HAMBURGER
BASE VERSION:	2016
UPGRADE CLASSIFICATION:	
PROJECT YEAR:	2016
FURNITURE PACKAGE:	2016
DESIGN BULLETINS:	

**linear!**  
Marc Brundige,  
Architect  
8951 Cypress Waters Blvd., Suite 130  
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**MUY! HAMBURGERS**  
17890 BLANCO ROAD, #401  
SAN ANTONIO, TEXAS  
78232  
PHONE: (210) 493-3505

**Wendy's**  
#11883  
3710 EAST BROAD STREET  
MANSFIELD, TX

REV.	DATE	DESCRIPTION

ISSUE DATE: 08/31/16  
PROJECT NUMBER:  
DRAWN BY:  
CHECKED BY: IOR  
SCALE:

SHEET NAME:  
**EXTERIOR ELEVATIONS**  
EXHIBIT  
**E**

7/26/2016 3:26 PM P. WENDY'S 18.027 MAY 11 11:18 TX C:\11883\11883.DWG 1:12 E2000 A2 E:\11883\11883.DWG 1:12





# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2104

---

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** New Business

**In Control:** City Council

**File Type:** Consideration Item

**Agenda Number:**

**Title**

Consideration of a Request to Remove From the Table Agenda Item Number 16-2046, for the Continuation of a Public Hearing and First Reading on November 28, 2016, of an Ordinance for a Zoning Change from PR to SF-7.5/18, SF-9.6/20 and SF-12/22 on Approximately 187.85 Acres Generally Located West of Gertie Barrett Road and the End of Cancun Drive, North of Country Meadow Drive and Chimney Hill Circle; Alluvium Development (ZC#16-001)

**Requested Action**

Consider the proposed request

**Prepared By**

Felix Wong, Director of Planning  
817-276-4228



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2093

---

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** First Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to C-2, Community Business District on Approximately 30 Acres Generally Located at the Southeast Corner of East Debbie Lane and North Matlock Road; Reilly Brothers (ZC#16-015)

**Requested Action**

To consider the subject zoning change request.

**Recommendation**

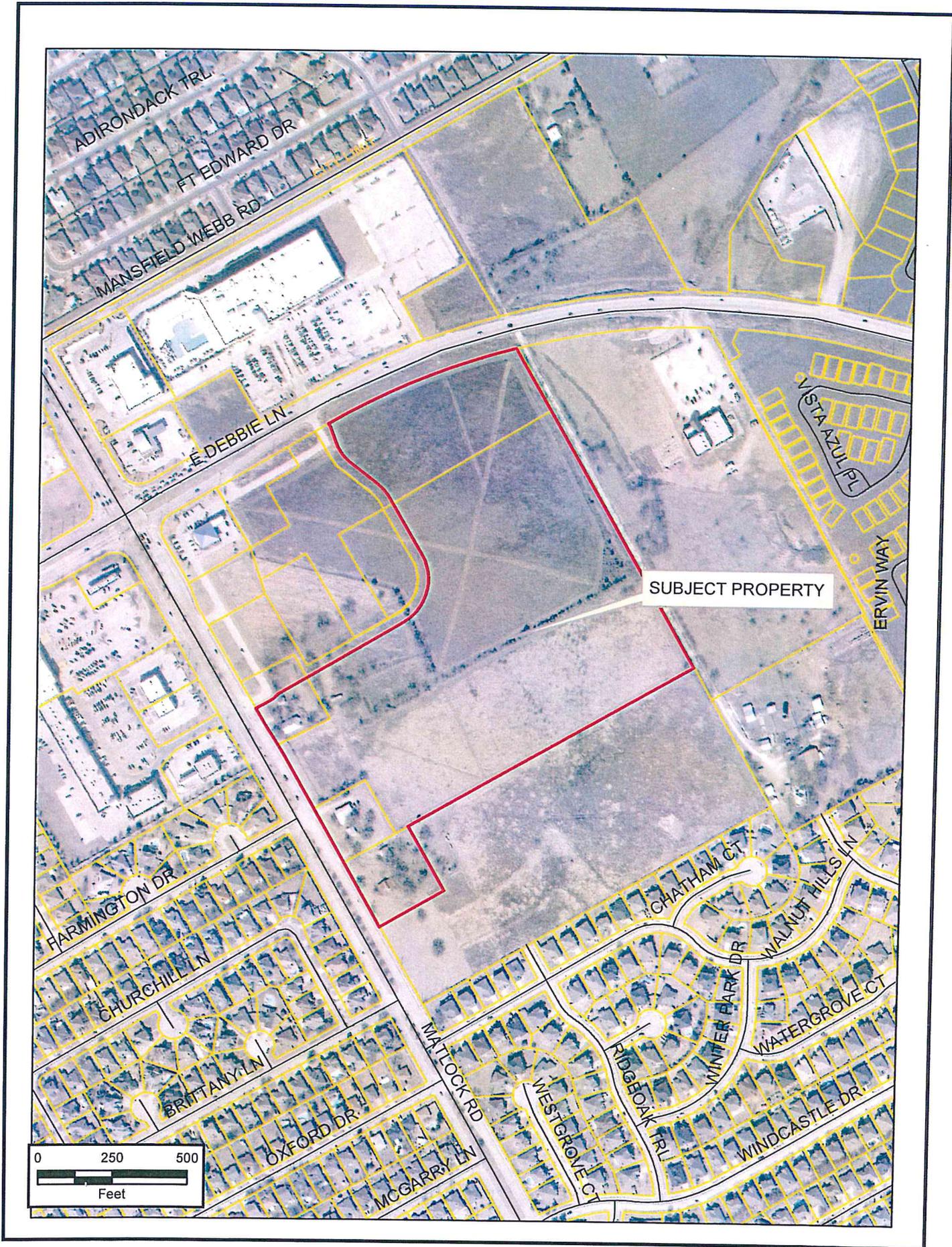
The Planning and Zoning Commission held a public hearing on 10/17/16 and recommended approval by a vote of 5-0. Chairman Wilshire and Commissioner Hudson were absent.

**Description/History**

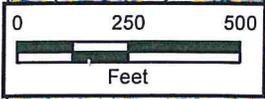
The applicant is requesting to rezone the property to C-2 and continue the commercial and shopping center uses that have been developed at the corners of Debbie Lane and Matlock Road.

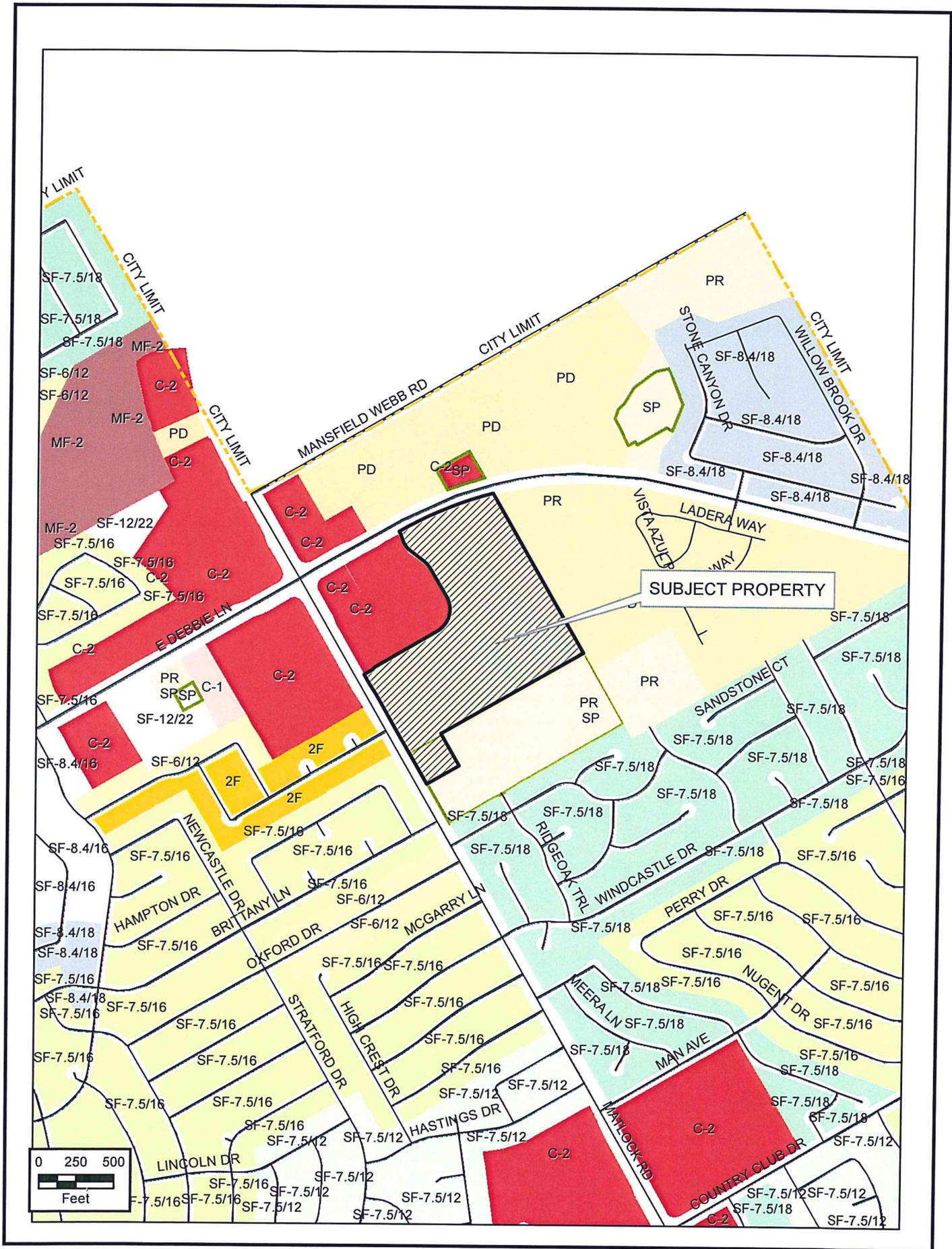
**Prepared By**

Felix Wong, Director of Planning  
817-276-4228



SUBJECT PROPERTY





# ZC# 16-015

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

09/28/2016

## Property Owner Notification for ZC# 16-015

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
CARLETON MANSFIELD MASTR CONDO COMMON AREA		T VILLAS DI LUCCA TX LLC	16600 DALLAS PKWY STE 300	DALLAS, TX	75248
COMMUNITY OF HOPE	BLK 1	SP COMMERCIAL REAL ESTATE LLC	5744 DUNRAVEN TRL	FORT WORTH, TX	76244
COMMUNITY OF HOPE	BLK 1	SP COMMERCIAL REAL ESTATE LLC	5744 DUNRAVEN TRL	FORT WORTH, TX	76244
COMMUNITY OF HOPE	BLK 1	COMMUNITY OF HOPE UMC INC	P.O. BOX 2078	MANSFIELD, TX	76063
FARMINGTON ESTATES	BLK 1	IRWIN, NORMAN A	15200 TRINITY BLVD	FORT WORTH, TX	76155-2707
FARMINGTON ESTATES	BLK 1	HACKSHAW, ALIMAYU LUMUMBA	1719 FARMINGTON DR	MANSFIELD, TX	76063-7913
FARMINGTON ESTATES	BLK 2	FIELDS, MICAH	1720 FARMINGTON DR	MANSFIELD, TX	76063-7912
FARMINGTON ESTATES	BLK 2	LOBAUGH, JERMAINE	1718 FARMINGTON DR	MANSFIELD, TX	76063-7912
GRIMSLEY, JAMES SURVEY	A 578	DEBLOCK LTD	4704 BARKRIDGE TR	FORT WORTH, TX	76109-3210
GRIMSLEY, JAMES SURVEY	A 578	ERVIN, FAYE D	1600 E DEBBIE LN	MANSFIELD, TX	76063
GRIMSLEY, JAMES SURVEY	A 578	HOLLAND, JAS FRANKLIN	2804 MATLOCK RD	MANSFIELD, TX	76063-5003
GRIMSLEY, JAMES SURVEY	A 578	HOLLAND, JAMES F	2804 MATLOCK RD	MANSFIELD, TX	76063-5003
GRIMSLEY, JAMES SURVEY	A 578	DEBLOCK LTD	4704 BARKRIDGE TR	FORT WORTH, TX	76109-3210
GRIMSLEY, JAMES SURVEY	A 578	WEATHERFORD, MORRETA ANN	4704 BARKRIDGE TR	FORT WORTH, TX	76109-3210
LIFETIME MANSFIELD	LOT 1	MANSFIELD PROJECT LLC	9255 TOWNE CENTRE DR STE 950	SAN DIEGO, CA	92121
LIFETIME MANSFIELD	LOT 2	LFT CLUB OPERATION CO INC	1551 E DEBBIE LN	MANSFIELD, TX	76063
WAL-MART NEIGHBORHOOD MKT ADDN	BLK 1	ALIBABA INVESTMENTS LLC	3300 MATLOCK RDG	ARLINGTON, TX	76015

## Property Owner Notification for ZC# 16-015

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
WAL-MART NEIGHBORHOOD MKT ADDN	BLK 1	BANK OF AMERICA TEXAS NA	101 N TYRON ST	CHARLOTTE, NC	28255
WAL-MART NEIGHBORHOOD MKT ADDN	BLK 1	WM 47 SOUTH LLC	8350 N CENTRAL EXPW STE 1750	DALLAS, TX	75206
WALNUT CREEK VALLEY ADDITION	BLK 46	CASTILLO, PAUL M	1645 CHURCHILL LN	MANSFIELD, TX	76063-7907
WALNUT CREEK VALLEY ADDITION	BLK 46	HP TEXAS I LLC	180 N STETSON AVE SUITE #3650	CHICAGO, IL	60601
WALNUT CREEK VALLEY ADDITION	BLK 46	TARBERT LLC	8665 E HARTFORD DR SUITE 200	SCOTTSDALE, AZ	85255
WALNUT CREEK VALLEY ADDITION	BLK 46	HELMICK, JOHNNY L	1651 CHURCHILL LN	MANSFIELD, TX	76063-7907
WALNUT CREEK VALLEY ADDITION	BLK 46	SCOTT, CLARENCE L	1653 CHURCHILL LN	MANSFIELD, TX	76063-7907
WALNUT CREEK VALLEY ADDITION	BLK 46	AMERICAN HOMES 4 RENT PROPERTI	30601 AGOURA RD SUITE 200	AGOURA HILLS, CA	91301
WALNUT CREEK VALLEY ADDITION	BLK 46	ADELEKE, KOLA	1657 CHURCHILL LN	MANSFIELD, TX	76063-7907
WEATHERFORD ADDITION	BLK 2	SJH MANSFIELD LLC	8000 WARREN BLDG 1 PKWY # 100	FRISCO, TX	75034-2230
WEATHERFORD ADDITION	BLK 2	SJH MANSFIELD LLC	8000 WARREN BLDG 1 PKWY # 100	FRISCO, TX	75034-2230

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO C-2 COMMUNITY BUSINESS DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

**SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of C-2, Community Business District Classification; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.**

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

**SECTION 4.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be

invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.**

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DULY PASSED** on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**David L. Cook, Mayor**

ATTEST:

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**Jeanne Heard, City Secretary**

APPROVED AS TO FORM AND LEGALITY

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**Allen Taylor, City Attorney**

**ZC#16-015**  
**EXHIBIT "A"**

LEGAL LAND DESCRIPTION:

BEING 30.420 acres (1,325,097 square feet) of land in the James Grimsley Survey, Abstract No. 578, City of Mansfield, Tarrant County, Texas; said 30.420 acres (1,325,097 square feet) of land being a portion of that certain tract of land described in a Warranty Deed to Weatherford Holland Family Partnership, L.P., as recorded in the following Instrument No.s D204209784, D204209785, and D204209786, Deed Records, Tarrant County, Texas (D.R.T.C.T.), now known as DEBLOCK, LTD. (hereinafter referred to as DEBLOCK tract), as recorded in Instrument No. D214077438, D.R.T.C.T.; said 30.420 acres (1,325,097 square feet) of land being a portion of that certain tract of land described in a Surface Deed without Warranty to Holland Family Farm Surface, LLC (hereinafter referred to as Holland Family Farm tract), as recorded in Instrument Number D215060717, D.R.T.C.T.; said 30.420 acres (1,325,097 square feet) being more particularly described, by metes and bounds, as follows:

**BEGINNING** at a three-fourth inch iron rod found for the Easterly corner of said Weatherford Holland tract, same being the Northerly corner of said Holland Family Farm tract, same also being the Southwesterly line of that certain tract of land described as Lot 1, Block 1, Community of Hope Addition (Lot 1, Block 1), an addition to the City of Mansfield, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 10362, Plat Records, Tarrant County, Texas (P.R.T.C.T.);

**THENCE** South 59 degrees 54 minutes 46 seconds West, departing the Southwesterly line of said Lot 1, Block 1 and with the common line between said DEBLOCK tract and said Holland Family Farm tract, a distance of 1098.20 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner;

**THENCE** South 30 degrees 05 minutes 14 seconds East, departing the Southeasterly line of said DEBLOCK tract and crossing said Holland Family Farm tract, a distance of 250.00 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner;

**THENCE** South 60 degrees 05 minutes 50 seconds West, continue crossing said Holland Family Farm tract, a distance of 250.00 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the existing Northeast right-of-way line of Matlock Road (variable width right-of-way), as recorded in Instrument Number D198163662, D.R.T.C.T.;

**THENCE** North 29 degrees 54 minutes 10 seconds West with the common line between the remainder of said Holland Family Farm tract and the existing Northeast right-of-way line of said Matlock Road, a distance of 458.83 feet to a five-eighths inch iron rod found for the most Westerly corner of said Holland Family Farm tract, same being the most Westerly Southwest corner of said DEBLOCK tract;

**THENCE** North 29 degrees 54 minutes 10 seconds West with the common line between the remainder of said DEBLOCK tract and the existing Northeast right-of-way line of said Matlock Road, a distance of 207.13 feet to a five-eighths inch iron rod found for the beginning of a curve to the left, whose long chord bears North 31 degrees 57 minutes 45 second West, a distance of 74.67 feet;

**THENCE** Northwesterly, continue with the common line between the remainder of said DEBLOCK tract and the existing Northeast right-of-way line of said Matlock Road and with said curve to the left having a radius of 1060.00 feet, through a central angle of 4 degrees 02 minutes 13 seconds, for an arc distance of 74.69 feet to a one-half inch iron rod with plastic cap found for the beginning of a curve to the right, whose long chord bears North 32 degrees 03 minutes 55 seconds West, a distance of 62.85 feet;

**THENCE** Northwesterly, continue with the common line between the remainder of said DEBLOCK tract and the existing Northeast right-of-way line of said Matlock Road and with said curve to the right having a radius of 939.99 feet, through a central angle of 3 degrees 49 minutes 54 seconds, for an arc distance of 62.86 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;

**THENCE** North 30 degrees 08 minutes 57 seconds West, continue with the common line between the remainder of said DEBLOCK tract and the existing Northeast right-of-way line of said Matlock Road, a distance of 48.59 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;

**THENCE** crossing the remainder of said DEBLOCK tract for the following **11** courses:

- 1.** North 59 degrees 17 minutes 13 seconds East, departing the existing Northeast right-of-way line of said Matlock Road, a distance of 65.48 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;
- 2.** North 44 degrees 17 minutes 13 seconds East, a distance of 23.18 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;
- 3.** North 59 degrees 17 minutes 13 seconds East, a distance of 485.47 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the beginning of a curve to the left, whose long chord bears North 14 degrees 17 minutes 13 seconds East, a distance of 237.59 feet;
- 4.** Northeasterly with said curve to the left having a radius of 168.00 feet, through a central angle of 90 degrees 00 minutes 00 seconds, for an arc distance of 263.89 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;
- 5.** North 30 degrees 42 minutes 47 seconds West, a distance of 220.07 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the beginning of a curve to the left, whose long chord bears North 41 degrees 37 minutes 42 seconds West, a distance of 63.62 feet;
- 6.** Northwesterly with said curve to the left having a radius of 168.00 feet, through a central angle of 21 degrees 49 minutes 50 seconds, for an arc

distance of 64.01 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;

**7.** North 52 degrees 32 minutes 37 seconds West, a distance of 119.38 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the beginning of a curve to the right, whose long chord bears North 41 degrees 37 minutes 42 seconds West, a distance of 49.99 feet;

**8.** Northwesterly with said curve to the right having a radius of 132.00 feet, through a central angle of 21 degrees 49 minutes 50 seconds, for an arc distance of 50.29 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;

**9.** North 30 degrees 42 minutes 47 seconds West, a distance of 15.12 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;

**10.** North 20 degrees 42 minutes 47 seconds West, a distance of 69.11 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for corner;

**11.** North 30 degrees 42 minutes 47 seconds West, a distance of 14.81 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the existing Southeasterly right-of-way line of Debbie Lane (120' right-of-way), as recorded in D202236726, D.R.T.C.T., same being the beginning of a non-tangent curve to the right, whose long chord bears North 67 degrees 19 minutes 15 seconds East, a distance of 677.42 feet;

**THENCE** Northeasterly with the common line between the remainder of said DEBLOCK tract and the existing Southeasterly right-of-way line of said Debbie Lane and with said non-tangent curve to the right having a radius of 2440.00 feet, through a central angle of 15 degrees 57 minutes 31 seconds, for an arc distance of 679.61 feet to a one-half inch iron rod found for the Northerly corner of the remainder of said DEBLOCK tract, same being the Northwesterly corner of the aforesaid Lot 1, Block 1;

**THENCE** South 30 degrees 03 minutes 44 seconds East with the common line between said DEBLOCK tract and said Lot 1, Block 1, a distance of 1237.34 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 30.420 acres (1,325,097 square feet) of land.



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2094

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**Agenda Date:** 11/14/2016

**Version:** 2

**Status:** First Reading

**In Control:** City Council

**File Type:** Ordinance

### **Title**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District for the Property Located at 114 N. Main Street; City Staff (ZC#16-020)

### **Requested Action**

To consider the subject zoning change request.

### **Recommendation**

The Historic Landmark Commission and Planning & Zoning Commission held public hearings on 10/25/16 & 11/7/16 and recommended approval.

### **Description/History**

Staff nominated the century old building currently occupied by the Mansfield Area Chamber of Commerce as a historic landmark. Historically known as the Big Daylight Store, the building was originally constructed in 1901. It is worthy of preservation due to the following:

- It is located near the Main Street historic block and the Historic Mansfield Tax Increment Reinvestment Zone
- It is representative of buildings of its era;
- It is associated with persons who contributed to the development of Mansfield; and
- The overall building architecture still retains some historic value despite alterations.

The Historic Landmark Overlay District will not change the underlying zoning. It will help preserve the historic character of these buildings and require the Historic Landmark Commission's approval for any future changes to ensure they are consistent with historic preservation guidelines.

### **Prepared By**

Felix Wong, Director of Planning  
817-276-4228



Subject Property

ELM ST

WALNUT ST

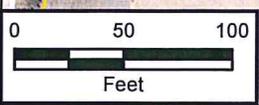
N MAIN ST

SMITH ST

W BROAD ST

E BROAD ST

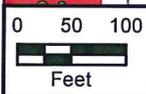
S MAIN ST



ZC# 16-020

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

10/12/2016



**ZC# 16-020**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

10/12/2016

## **HISTORIC BACKGROUND**

The historic background for this property is described in the Tarrant County Historic Resources Survey and the records of the Mansfield Historic Society as follows:

### **114 N. Main Street – J.H. Wright’s Big Daylight Store (1901):**

“This commercial building was constructed for J.H. Wright in 1901 to house the general merchandise business he had established in 1884. Operating under the new name of ‘The Big Daylight Store,’ it was Mansfield’s leading retail business in the years prior to World War II. J.H. Wright played a central role in Mansfield’s development in the 19th and 20th centuries, until his death in 1942. This building is distinguished by its pressed metal front with stacked bands of simulated stone, floral frieze and garlanded cornice. In spite of a storefront remodeling, the building is one of the key contributors to the potential Main Street Historic District, and appears to be individually eligible for the National Register.”



## Property Owner Notification for ZC# 16-020

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 1	SWAIM, RICHARD E	435 FM 2258	VENUS, TX	76084-4728
MANSFIELD, CITY OF	BLK 1	128 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	SMITH, ROBERT A	126 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	124 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	WELCH, BRIAN C	916 FAIRWAY VIEW DR	MANSFIELD, TX	76063-3469
MANSFIELD, CITY OF	BLK 1	116 N MAIN ST LLC	PO BOX 553	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 1	MANSFIELD CHAMBER OF COMMERCE	114 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 1	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 1	AUSTIN, JNO R	1503 TULIP DR	ARLINGTON, TX	76013-5036
MANSFIELD, CITY OF	BLK 1	MANSFIELD HISTORICAL SOCIETY	PO BOX 304	MANSFIELD, TX	76063-0304
MANSFIELD, CITY OF	BLK 1	MCCLENDON, JIMMY R	27 FOREST DR	MANSFIELD, TX	76063-6615
MANSFIELD, CITY OF	BLK 1	SMITH, ROBERT A	126 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	AUSTIN, JNO R	1503 TULIP DR	ARLINGTON, TX	76013-5036
MANSFIELD, CITY OF	BLK 1	WELCH, BRIAN C	916 FAIRWAY VIEW DR	MANSFIELD, TX	76063-3469
MANSFIELD, CITY OF	BLK 1	MANSFIELD CHAMBER OF COMMERCE	114 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 12	C & C BUINESSS PROPERTIES	5880 NEWT PATTERSON RD	MANSFIELD, TX	76063-6152
MANSFIELD, CITY OF	BLK 12	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MANSFIELD, CITY OF	BLK 12	KING, WESLEY C	PO BOX 1462	MANSFIELD, TX	76063-1462

## Property Owner Notification for ZC# 16-020

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 12	KING, CORDELL EST	305 W OAK ST APT A	MANSFIELD, TX	76063-1646
MANSFIELD, CITY OF	BLK 12	ERNST REALTY INVESTMENT LLC	7 GLEN ABBEY CT	MANSFIELD, TX	76063-3851
MANSFIELD, CITY OF	BLK 12	SHAFFER, ANNA Y	107 E BROAD ST	MANSFIELD, TX	76063-1774
MANSFIELD, CITY OF	BLK 12	TURRUBIARTES, PRISCILIANO	7023 STETTER DR	ARLINGTON, TX	76001-6201
MANSFIELD, CITY OF	BLK 12	SHAFFER, ANNA Y	107 E BROAD ST	MANSFIELD, TX	76063-1774
MANSFIELD, CITY OF	BLK 12	C & C BUINESSS PROPERTIES	5880 NEWT PATTERSON RD	MANSFIELD, TX	76063-6152
MANSFIELD, CITY OF	BLK 12	ERNST REALTY INVESTMENT LLC	7 GLEN ABBEY CT	MANSFIELD, TX	76063-3851
MANSFIELD, CITY OF	BLK 12	KING, WESLEY C	PO BOX 1462	MANSFIELD, TX	76063-1462
MANSFIELD, CITY OF	BLK 12	KING, CORDELL EST	305 W OAK ST APT A	MANSFIELD, TX	76063-1646
MANSFIELD, CITY OF	BLK 2	RAMIREZ, MAURO Y	812 DORAL DR	MANSFIELD, TX	76063-2600
MANSFIELD, CITY OF	BLK 2	PATTERSON, JOHN	790 NEWT PATTERSON RD	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 2	119 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 2	ARB FAMILY L P	14 RED BLUFF CT	MANSFIELD, TX	76063-7704
MANSFIELD, CITY OF	BLK 2	DORSEY, TROY G	115 N MAIN ST	MANSFIELD, TX	76063-1723
MANSFIELD, CITY OF	BLK 2	PPNCHO LLC	2900 SERENITY CT	ARLINGTON, TX	76016
MANSFIELD, CITY OF	BLK 2	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 2	MORALES, CHARLES	5880 NEWT PATTERSON RD	MANSFIELD, TX	76063-6152
MANSFIELD, CITY OF	BLK 2	107 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 2	MARTIN, JOE R	PO BOX 91588	ARLINGTON, TX	76015-0088

## Property Owner Notification for ZC# 16-020

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 2	ERNST REALTY INVESTMENTS LLC	101 N MAIN ST STE 101	MANSFIELD, TX	76063-7712
MANSFIELD, CITY OF	BLK 2	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 2	RAMIREZ, MAURO Y	812 DORAL DR	MANSFIELD, TX	76063-2600
MANSFIELD, CITY OF	BLK 2	ARB FAMILY L P	14 RED BLUFF CT	MANSFIELD, TX	76063-7704
MANSFIELD, CITY OF	BLK 2	DORSEY, TROY G	115 N MAIN ST	MANSFIELD, TX	76063-1723
MANSFIELD, CITY OF	BLK 64	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 114 NORTH MAIN STREET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

**SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a Historic Landmark Overlay District Classification:

Lots 6 and 5D, Block 1, Original Town of Mansfield Addition, located at 114 North Main Street.

**SECTION 2.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.**

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

**SECTION 4.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity

of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.**

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**David L. Cook, Mayor**

ATTEST:

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**Jeanne Heard, City Secretary**

APPROVED AS TO FORM AND LEGALITY

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**Allen Taylor, City Attorney**



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2096

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** First Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Specific Use Permit for Retail and Service Establishments Not Elsewhere Listed (Brewery) in the Existing Building at 117 N. Main Street; Dirty Job Brewing (ZC#16-019)

**Requested Action**

To consider the subject zoning change request.

**Recommendation**

The Planning and Zoning Commission held a public hearing on 10/17/16 and voted by 5-0 to recommend approval with the condition that by-products like spent grains, yeasts, and dregs must be transported off-site in four days or less and not disposed of via a dumpster within the City and must not be stored outside of the building. Chairman Wilshire and Commissioner Hudson were absent.

**Description/History**

In recent years, micro-breweries and brewpubs have become popular. Many of them are located in downtown areas; e.g. Dallas Deep Ellum, Old Town Keller, Old Town Burleson, Uptown Fort Worth, Downtown Arlington and Downtown Grapevine.

The proposed brewery will be housed inside the existing building at 117 N. Main Street. As shown in the attached floor plan, part of the building will be used for the brewing operation and the remainder will have tables and chairs and be open to the general public. The proposed brewery may serve food or snacks, but no commercial kitchen is planned.

If the proposed land use is approved, Dirty Job Brewing will apply for a brewery permit from the TABC. Under state law, a brewery may wholesale/distribute its products and sell to customers for on-premise consumption only up to 5,000 barrels per year.

**Prepared By**

Felix Wong, Director of Planning  
817-276-4228

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A RETAIL AND SERVICE ESTABLISHMENTS NOT ELSEWHERE LISTED (BREWERY) ON THE HEREINAFTER DESCRIBED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

**SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new specific use permit for Retail and Service Establishments Not Elsewhere Listed (Brewery), said property being Lot 4B and 5A, Block 2 of the Original Town of Mansfield, addressed at 117 North Main Street, Mansfield, Texas.

**SECTION 2.**

That the use and development of the hereinabove described property shall be in accordance to the site plan shown on Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.**

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this Specific Use Permit.

**SECTION 5.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6.**

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DULY PASSED** on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**David L. Cook, Mayor**

ATTEST:

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**Jeanne Heard, City Secretary**

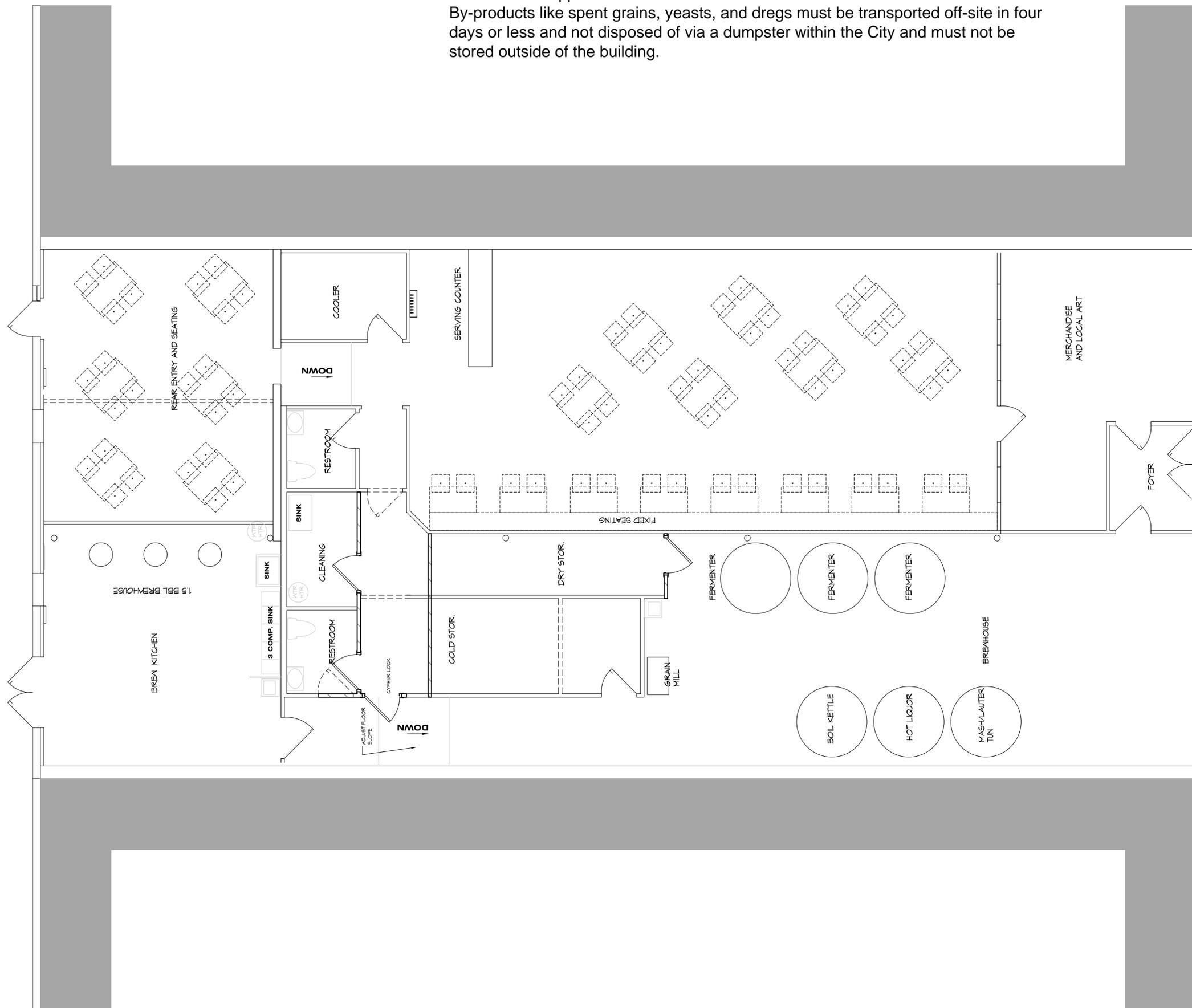
APPROVED AS TO FORM AND LEGALITY

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**Allen Taylor**, City Attorney

Conditions of Approval:

By-products like spent grains, yeasts, and dregs must be transported off-site in four days or less and not disposed of via a dumpster within the City and must not be stored outside of the building.



DIRTY JOB BREWING

DIRTY JOB BREWING

113 N. MAIN ST.  
LOT LOT BLOCK BLOCK  
SUBDIVISION  
MANSFIELD, TEXAS  
COUNTY

DATE: 09-13-16 PD1  
9-22-16 PD2  
10-5-16 PDS  
.....  
.....  
.....  
.....

117 NORTH MAIN STREET

SHEET Title:

FLOOR PLAN  
1/4" = 1'0"



214 N. WALNUT CREEK DR. MANSFIELD TEXAS 76063  
817.477.1324 METRO 817.477.3553 FAX

© COPYRIGHT 2010 NO. 10 DESIGN GROUP

SHEET No.:

A1-0



Subject Property



**MANSFIELD**  
TEXAS

**ZC# 16-019**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

08/25/2016



**ZC# 16-019**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

08/25/2016

## Property Owner Notification for ZC# 16-019

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 1	SWAIM, RICHARD E	435 FM 2258	VENUS, TX	76084-4728
MANSFIELD, CITY OF	BLK 1	128 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	SMITH, ROBERT A	126 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	124 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	WELCH, BRIAN C	916 FAIRWAY VIEW DR	MANSFIELD, TX	76063-3469
MANSFIELD, CITY OF	BLK 1	116 N MAIN ST LLC	*** NO ADDRESS ***	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 1	MANSFIELD CHAMBER OF COMMERCE	114 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 1	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 1	MCCLENDON, JIMMY R	27 FOREST DR	MANSFIELD, TX	76063-6615
MANSFIELD, CITY OF	BLK 1	SMITH, ROBERT A	126 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 1	WELCH, BRIAN C	916 FAIRWAY VIEW DR	MANSFIELD, TX	76063-3469
MANSFIELD, CITY OF	BLK 1	MANSFIELD CHAMBER OF COMMERCE	114 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 2	OPEN RANGE PROPERTIES LLC	1408 SOUTHERN HILLS DR	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 2	DANG, LOI UNG	121 FORT EDWARD DR	ARLINGTON, TX	76002-4493
MANSFIELD, CITY OF	BLK 2	SMITH, ROBERT A	126 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 2	RAMIREZ, MAURO Y	812 DORAL DR	MANSFIELD, TX	76063-2600
MANSFIELD, CITY OF	BLK 2	PATTERSON, JOHN	790 NEWT PATTERSON RD	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 2	119 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724

## Property Owner Notification for ZC# 16-019

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 2	ARB FAMILY L P	14 RED BLUFF CT	MANSFIELD, TX	76063-7704
MANSFIELD, CITY OF	BLK 2	DORSEY, TROY G	115 N MAIN ST	MANSFIELD, TX	76063-1723
MANSFIELD, CITY OF	BLK 2	PPNCHO LLC	2900 SERENITY CT	ARLINGTON, TX	76016
MANSFIELD, CITY OF	BLK 2	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 2	MORALES, CHARLES	5880 NEWT PATTERSON RD	MANSFIELD, TX	76063-6152
MANSFIELD, CITY OF	BLK 2	107 N MAIN ST LLC	128 N MAIN ST	MANSFIELD, TX	76063-1724
MANSFIELD, CITY OF	BLK 2	MARTIN, JOE R	PO BOX 91588	ARLINGTON, TX	76015-0088
MANSFIELD, CITY OF	BLK 2	PATTERSON, JOHN E	790 NEWT PATTERSON RD	MANSFIELD, TX	76063-6326
MANSFIELD, CITY OF	BLK 2	RAMIREZ, MAURO Y	812 DORAL DR	MANSFIELD, TX	76063-2600
MANSFIELD, CITY OF	BLK 2	ARB FAMILY L P	14 RED BLUFF CT	MANSFIELD, TX	76063-7704
MANSFIELD, CITY OF	BLK 2	DORSEY, TROY G	115 N MAIN ST	MANSFIELD, TX	76063-1723
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 3	RICHARDSON, MONTY E	7812 RETREAT BLVD	CLEBURNE, TX	76033-8942
MANSFIELD, CITY OF	BLK 3	WEST, SHANNON RAE	106 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	CRUZ, MIGUEL ANGEL	104 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MANSFIELD, CITY OF	BLK 3	LOMA, MARIA D	102 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
MANSFIELD, CITY OF	BLK 3	RICHARDSON, MONTY E	7812 RETREAT BLVD	CLEBURNE, TX	76033-8942

Property Owner Notification for ZC# 16-019

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
MANSFIELD, CITY OF	BLK 3	CRUZ, MIGUEL ANGEL	104 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	LOMA, MARIA D	102 N 1ST AVE	MANSFIELD, TX	76063-1602
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713
MANSFIELD, CITY OF	BLK 3	OPEN RANGE PROPERTIES	105 E OAK ST STE 202	MANSFIELD, TX	76063-7713



Lisa Sudbury <lisa.sudbury@mansfield-tx.gov>

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## Fwd: Dirty Job Brewing

1 message

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**Kerin Maguire** <kerin.maguire@mansfield-tx.gov>

Mon, Oct 17, 2016 at 6:24 PM

To: Lisa Sudbury <lisa.sudbury@mansfield-tx.gov>, Art Wright <art.wright@mansfield-tx.gov>, Delia Jones <delia.jones@mansfield-tx.gov>

----- Forwarded message -----

From: **Christine Wipperfurth** <chrwip@gmail.com>

Date: Monday, October 17, 2016

Subject: Dirty Job Brewing

To: [Kerin.maguire@mansfieldtxas.gov](mailto:Kerin.maguire@mansfieldtxas.gov)

To the planning and zoning committee - I am writing to support dirty job brewing's move to downtown Mansfield! The city could always use good local businesses and I especially think the event space would have a great impact on our city! Thanks so much for your consideration

--

Kerin Maguire

Planner

City of Mansfield

1200 East Broad Street

Mansfield, TX 76063

817.276.4287

[kerin.maguire@mansfield-tx.gov](mailto:kerin.maguire@mansfield-tx.gov)

**NOTICE:** This e-mail is solely for the purpose of providing information regarding the applicable regulations for your proposed development. Any information or exhibits presented by you to City Staff through this e-mail does not constitute a complete plan for development or an application for a permit.

This is notification that any information or exhibits presented by e-mail constitutes an incomplete application. As an incomplete application, no vested rights accrue to the proposed project solely on the basis of the information or exhibits presented by e-mail. The City reserves the right to amend its development regulations as deemed necessary for the best interest of its citizens without further notice.



Kerin Maguire <kerin.maguire@mansfield-tx.gov>

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## Say YES to Dirty Jobs Brewing Company

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**The Curbs** <sheriandgray@gmail.com>

Mon, Oct 17, 2016 at 3:33 PM

To: Kerin.maguire@mansfieldtexas.gov

Cc: david.cook@mansfieldtexas.gov, brent.newsom@mansfieldtexas.gov, stephen.lindsey@mansfieldtexas.gov, darryl.haynes@mansfieldtexas.gov, cory.hoffman@mansfieldtexas.gov, wendy.burgess@mansfieldtexas.gov, larry.broseh@mansfieldtexas.gov

I am writing in support OF Dirty Jobs Brewing!

Support Local, Shop Local

This company will be an asset to the revitalization of downtown.

**Sheri Curb**

817-266-3351



Kerin Maguire &lt;kerin.maguire@mansfield-tx.gov&gt;

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## P&Z Hearing for Dirty Job Brewing

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**Curtis Chambers** <curtisec@flash.net>

Mon, Oct 17, 2016 at 2:04 PM

Reply-To: Curtis Chambers <curtisec@flash.net>

To: Kerin.maguire@mansfieldtexas.gov

Cc: Felix Wong <felix.wong@mansfield-tx.gov>

As a property owner on N Main Street in historic downtown, I am glad to see the request to change zoning to allow Dirty Job Brewing to set up shop on N Main. And while I generally support their request to move into a building on N Main, I do have one issue that I'd like to see discussed at your meeting and addressed in any final agreement . . . Unfortunately I will be on the road travelling and cannot attend tonight's meeting- so I am requesting that you bring this topic up for discussion.

Breweries make great tasting beer, but they also produce something else; waste. More specifically, solid waste such as spent grains, yeasts, and dregs that can stink to high heaven if dumped in a trash can or dumpster and left to bake in the sun for a day or so. I have experienced this horrific odor first hand while performing my job as an EHS consultant for several breweries over the years. So I'd like to see some type of formal agreement and plan in place to ensure that such wastes are shipped off site for disposal in a timely manner and make certain they do not end up in the local shared dumpsters or any other outdoor trash receptacles located behind the buildings.

There are considerations about liquid waste too, but I assume city personnel associated with the City's sewer dept. are up to speed on the need to treat discharge water from the brewery . . . before it is discharged into the sewer lines, and will address that issue themselves.

I appreciate your consideration of my request, as will all the other future neighbors of the brewery who will probably have to live with (and file complaints about) a horrible odor if this issue is left unaddressed.

Curtis Chambers, MS-OSH, CSP  
OSHA Training Services Inc.  
1-877-771-6742 (tollfree)  
[oshatraining.com](http://oshatraining.com)



Kerin Maguire <kerin.maguire@mansfield-tx.gov>

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## Dirty job brewery

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**The Gold Dust Girls** <megan@golddustvintage.com>

Mon, Oct 17, 2016 at 12:40 PM

To: Kerin.maguire@mansfieldtexas.gov

Cc: Gary Grossman <grossmang@msn.com>, Rachel Grossman <rachel@golddustvintage.com>, Vicky Box <vicky.box@sbcglobal.net>, Emily Yeats Eardley <emilyyeatseardley@gmail.com>, Karen Yeats <karenyeatserdh@yahoo.com>

To the planning and zoning committee - I am writing to support dirty job brewing's move to downtown Mansfield! The city could always use good local businesses and I especially think the event space would have a great impact on our city! Thanks so much for your consideration

Please excuse any errors - the Gold Dust Girls are on the move!



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2095

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**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** Second Reading

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

**Title**

Ordinance - Public Hearing Continuation and Reconsideration of Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District and C-2, Community Business District to PD for Single-Family Residential Development on Approximately 61.7 Acres Generally Located South of Harmon Road, Between SH 360 and the Future Extension of S. Matlock Road; Jabez Development LP (ZC#16-010)

**Requested Action**

To consider the subject zoning change request.

**Recommendation**

The Planning and Zoning Commission held a public hearing on August 15, 2016 and voted 6-0 to recommend approval. Commissioner Polozola was absent.

**Description/History**

On October 10th, the motion to approve 2nd reading did not pass. Since then, the developer has revised the lot layout to delete the 40' wide lots and include some 75' wide lots.

**Prepared By**

Felix Wong, Director of Planning  
817-76-4228

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

**SECTION 1.**

That the Comprehensive Zoning Ordinance of the City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.**

That the use and development of the hereinabove described property shall be in accordance with the development plan shown on Exhibits "B" and "C", attached hereto and made a part hereof for all purposes.

**SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.**

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

**SECTION 5.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6.**

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Second reading approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

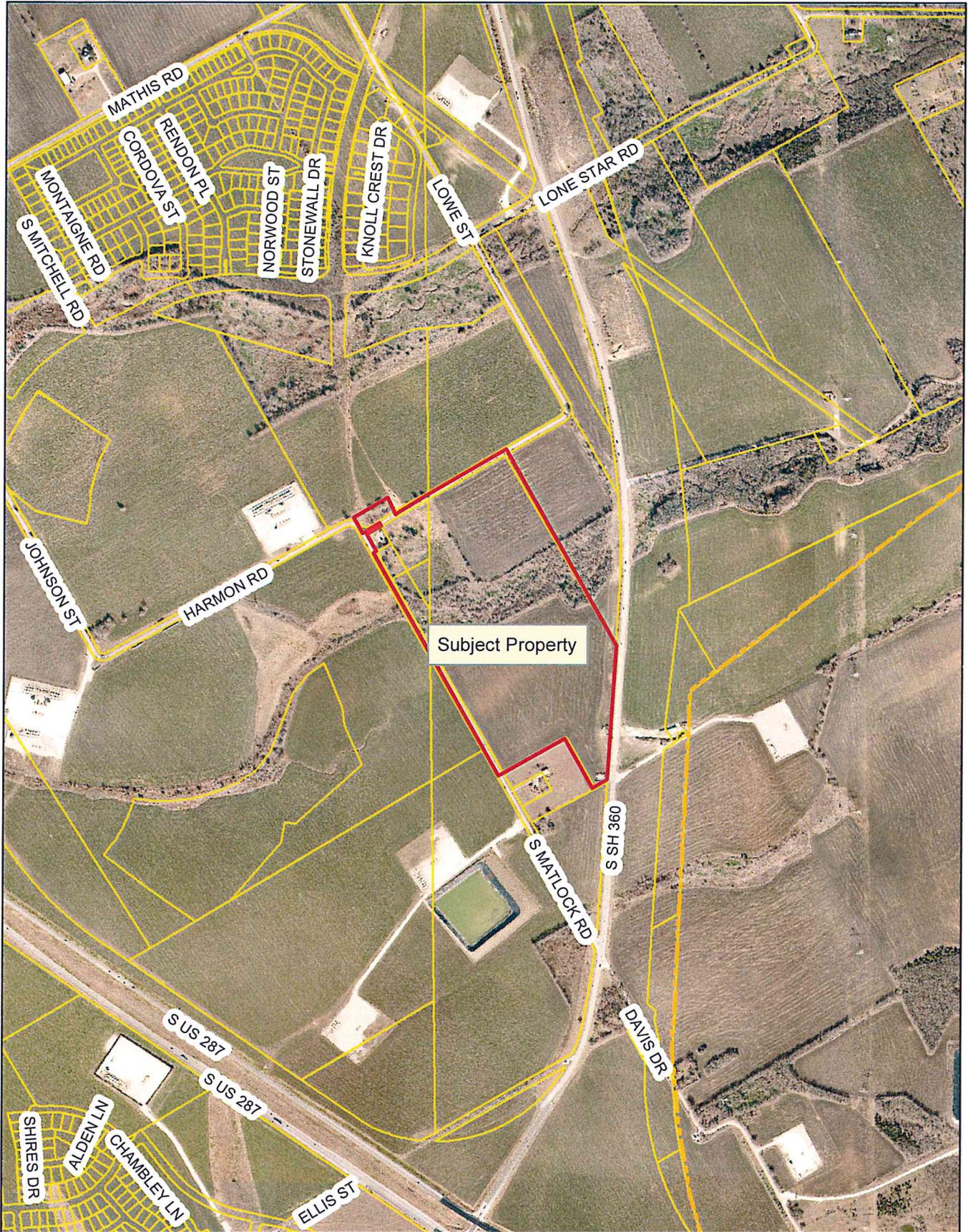
\_\_\_\_\_  
**David L. Cook, Mayor**

ATTEST:

\_\_\_\_\_  
**Jeanne Heard, City Secretary**

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Allen Taylor, City Attorney**



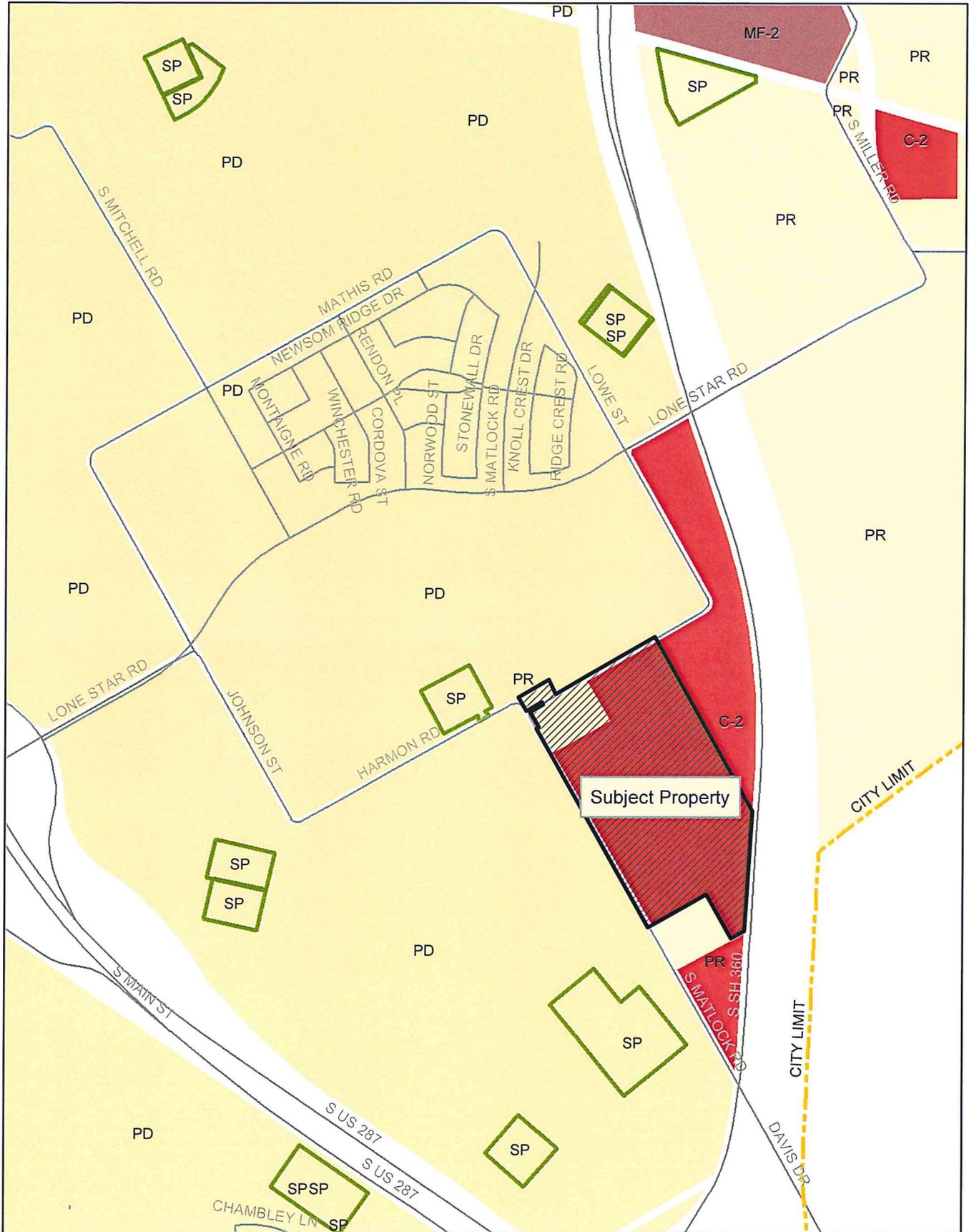
Subject Property



**ZC# 16-010**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

07/20/2016



**ZC# 16-010**

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07/20/2016

## Property Owner Notification for ZC# 16-010

<b>LEGAL DESC 1</b>	<b>LEGAL DESC 2</b>	<b>OWNER NAME</b>	<b>OWNER ADDRESS</b>	<b>CITY</b>	<b>ZIP</b>
1102 C VERA 8.5 ACRES		RUBY 07 SPMTGE LLC	6723 WEAVER RD	ROCKFORD, IL	61108
1102 C VERA,616 J LAWRENCE,135 S M BLAIR		TEXAS MIDSTREAM GAS SERVICES L	PO BOX 18162	OKLAHOMA CITY, OK	73118
135 616 S M BLAIR J LAWRENCE6.54 ACRES		AULD ROBERT M ETAL	5708 GEORGIAN CT	HALTOM CITY, TX	76117
135 S M BLAIR 67.028 ACRES		RUBY 07 SPMTGE LLC	6723 WEAVER RD	ROCKFORD, IL	61108
135 S M BLAIR;616 J LAWRENCE 1.0 ACRES		SWOFFORD ROGER D & LINDA D	2055 DAVIS DR	MIDLOTHIAN, TX	76065
135 S M BLAIR;616 J LAWRENCE 4.26 ACRES		SWOFFORD ROGER D & LINDA D	2055 DAVIS DR	MIDLOTHIAN, TX	76065
616 J LAWRENCE 14.4 ACRES		SUNBELT LAND INVESTMENTS LTD	2904 HIGHWAY 121	BEDFORD, TX	76021
935 L RUSSELL 38.5 ACRES		RUBY 07 SPMTGE LLC	6723 WEAVER RD	ROCKFORD, IL	61108
C VELA	TR 10	TEXAS MIDSTREAM GAS SERVICES L	P O BOX 18355	OKLAHOMA CITY, OK	73154-0355
C VELA	TR 10B	TEXAS MIDSTREAM GAS SERVICES L	P O BOX 18355	OKLAHOMA CITY, OK	73154-0355
C VELA	TR 10PT	TEXAS MIDSTREAM GAS SERVICES L	P O BOX 18355	OKLAHOMA CITY, OK	73154-0355
C VELA	TR 10PT	TEXAS MIDSTREAM GAS SERVICES L	P O BOX 18355	OKLAHOMA CITY, OK	73154-0355
C VELA	TR 10PT	TEXAS MIDSTREAM GAS SERVICES L	P O BOX 18355	OKLAHOMA CITY, OK	73154-0355
C VELA	TR 9	RUBY 07 SPMTGE LLC	6723 WEAVER RD STE 108	ROCKFORD, IL	61114-8021
HARMON ADDITION	BLK 1	TEXAS MIDSTREAM GAS SERVICES L	P O BOX 18355	OKLAHOMA CITY, OK	73154-0355
L RUSSELL	TR 1	RUBY 07 SPMTGE LLC	6723 WEAVER RD STE 108	ROCKFORD, IL	61114-8021

## EXHIBIT "A"

### MILL VALLEY LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the Joseph Lawrence Survey, Abstract No. 616, the Cresanto Vela Survey, Abstract No. 1102, and the Seth M. Blair Survey, Abstract No. 135, Ellis County, Texas, and the Cresanto Vela Survey, Abstract No. 851, Johnson County, Texas, being all of those certain called 33.83 acre Tract 1, Lot 1, Block 1 of Harmon Addition recorded in Volume 8, Page 868 of the Plat Records of Johnson County, Texas (PRJCT) as Tract 2, called 12.33 acre Tract 3, called 0.705 acre Tract 4, called 13.48 acre Tract 5, described in a deed from Mockingbird Midstream Gas Services, LLC to Texas Midstream Gas Services, LLC recorded in Volume 2679, Page 1026 of the Deed Records of Ellis County, Texas (DIRECT) and a deed from Trike Investors, LP to Texas Midstream Gas Services, LLC recorded in Volume 4310, Page 1 of the Deed Records of Johnson County, Texas (DRJCT), and being more completely described as follows, to-wit:

BEGINNING at a spike found for the most southerly corner of said Tract 3, the most westerly corner of a called 5.258 acre tract described in a deed to Roger D. Swofford, et al recorded in Volume 2612, Page 1329 (DIRECT), and being in the East line of a called 873.29 acre tract described in a deed to RUBY-07-SPMTGE, LLC recorded in Volume 2659, Page 1193 (DIRECT), said point being in Davis Drive (County Road No. 516)

THENCE North 29 deg. 27 min. 30 sec. West along the Southwest lines of said Tracts 3, 4, and 5 and an East line of said 873.29 acre tract, a distance of 1915.82 feet to a 1/2" iron rod found for the most westerly corner of said Tract 4;

THENCE North 59 deg. 32 min. 30 sec. East departing the East line of said 873.29 acre tract and continue along the Northwest line of said Tract 4, a distance of 25.00 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for the most southerly corner of said Lot 1, Block 1 of Harmon Addition, from which a 1/2" iron rod found for reference bears North 59 deg. 32 min. 30 sec. East - 4.97 feet ;

THENCE North 29 deg. 27 min. 30 sec. West departing the Northwest line of said Tract 4 and continue along the Southwest line of said Lot 1, Block 1, a distance of 145.47 feet to a 1/2" capped iron rod found stamped "GEODATA" for the most westerly corner of said Lot 1, Block 1;

THENCE North 59 deg. 32 min. 30 sec. East along the Northwest line of said Lot 1, Block 1, a distance of 123.71 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for the most northerly corner of same and being in the Southwest line of said Tract 5, from which a 1/2" iron rod found for reference bears South 28 deg. 44 min. 08 sec. West - 4.97 feet;

THENCE North 28 deg. 44 min. 08 sec. West along the Southwest line of said Tract 5, a distance of 25.01 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL" for the most northerly Northwest corner of same, being in the Southeast line of Tract 6 of said deed recorded in Volume 4310, Page 1 (DRJCT), and being in the centerline of Harmon Road, from which a

Railroad spike found for the most southerly corner of said Tract 6, in the East line of said 873.29 acre tract, and being at the intersection of Harmon Road and Davis Drive bears South 59 deg. 32 min. 30 sec. West – 149.03 feet;

THENCE North 60 deg. 42 min. 37 sec. East along the Northwest line of said Tract 5, the Southeast line of said Tract 6, and along the centerline of Harmon Road, a distance of 134.54 feet to a 5/8" iron rod found for the most easterly corner of said Tract 6 and an ell corner of said 873.29 acre tract;

THENCE North 58 deg. 58 min. 53 sec. East along the Northwest line of said Tract 5, the Southeast line of said 873.29 acre tract, and along the centerline of Harmon Road, a distance of 281.15 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL" for the most northerly corner of said Tract 5 and the most westerly corner of said Tract 1, from which a 1-3/4" iron pipe found for reference bears South 29 deg. 27 min. 30 sec. East - 17.01 feet;

THENCE North 59 deg. 52 min. 10 sec. East along the Northwest line of said Tract 1, the Southeast line of said 873.29 acre tract, and with the centerline of Harmon Road, a distance of 677.46 feet to P.K. nail set with washer stamped "GOODWIN & MARSHALL" for the most northerly corner of said Tract 1 and the most westerly corner of a called 15.21 acre tract described in a deed to Sunbelt Land Investments/360, Ltd. recorded in Volume 2746, Page 1136 (DIRECT);

THENCE South 29 deg. 26 min. 42 sec. East departing the Southeast line of said 873.29 acre tract and continue along the Northeast line of said Tract 1 and the Southwest line of said 15.21 acre tract, at 16.50 feet pass a 1-3/4" iron pipe found for reference, and continue a total distance of 1682.90 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for the most easterly corner of said Tract 1, the most southerly corner of said 15.21 acre tract, and being in the West right-of-way line of State Highway No. 360, from which a TXDOT brass monument bears North 03 deg. 39 min. 08 sec. East - 348.28 feet and a 1/2" iron rod found "bent" bears North 60 deg. 50 min. 53 sec. East - 0.78 feet;

THENCE South 03 deg. 39 min. 08 sec. West along the East line of said Tract 1 and said West right-of-way line, a distance of 1007.86 feet to a 1/2" iron rod found "bent" for the Southeast corner of said Tract 1;

THENCE South 59 deg. 42 min. 39 sec. West departing said West right-of-way line and continue along the South line of said Tract 1, a distance of 126.49 feet to a 1/2" iron rod found for the most southerly corner of said Tract 1 and the most easterly corner of said 5.258 acre tract;

THENCE North 29 deg. 27 min. 30 sec. West along the Southwest line of said Tract 1 and the Northeast line of said 5.258 acre tract, a distance of 424.83 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for the most northerly corner of said 5.258 acre tract, the most easterly corner of said Tract 3, from which a 1/2" iron rod found "bent" bears North 04 deg. 10 min. 40 sec. East - 0.69 feet;

THENCE South 60 deg. 32 min. 31 sec. West departing the Southwest line of said Tract 1 and continue along the Southeast line of said Tract 3, and the Northwest line of said 5.258 acre tract,

a distance of 564.60 feet to the POINT OF BEGINNING, containing 2,649,041 square feet or 60.814 acres of land, more or less.

Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.

**EXHIBIT “B”**

**MILL VALLEY PLANNED DEVELOPMENT STANDARDS**

**SECTION 1: DEVELOPMENT PLAN**

The proposed development will be in complete accordance with the provisions of the approved Planned Development District and that all Development Plans recorded hereunder shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.

The Mill Valley Planned Development (MVPD) shall apply to the 60.8 acre tract described in the legal description in Exhibit A. The MVPD shall have 3 distinct product lines as represented in Table 1 below. The maximum number of residential lots allowed within the MVPD is 196.

**SECTION 2: RESIDENTIAL PRODUCTS**

Mill Valley will have single-family detached residential lots as shown on the Development Plan on Exhibit C. The single-family residential lots will comply with the following requirements. All homes within Mill Valley will be constructed by Rendition Homes or a suitable equivalent.

<b>Product Types</b>	<b>Minimum Lot Area</b>	<b>Minimum Lot Width</b>	<b>Minimum Lot Depth</b>	<b>Minimum Attached Garage Door Facing Street Setback</b>	<b>Front Build-To Line</b>	<b>Minimum Side Yard Setback</b>	<b>Minimum Rear Yard Setback</b>	<b>Maximum Lot Coverage</b>	<b>Minimum Floor Area</b>
Manor	8,400 sf	75'	120'	23'	20'	7'	15'	45%	2,200 sf
Township	7,800 sf	65'	120'	23'	20'	7'	15'	45%	2,000 sf
Village	6,300 sf	55'	115'	23'	20'	7'	15'	45%	1,800 sf
All corner lots will have an increased 5' exterior side yard setback from the above required setback.									
Corner lots must be at least 10' wider than the minimum lot width.									

**Table 1 - Residential Product Table**

**SECTION 3: COMMUNITY DESIGN STANDARDS**

Residential development in Mill Valley must comply with the community design standards in Section 4600 of the Zoning Ordinance and any future amendments thereof.

## **SECTION 4: GENERAL CONDITIONS**

### **A. Landscaping:**

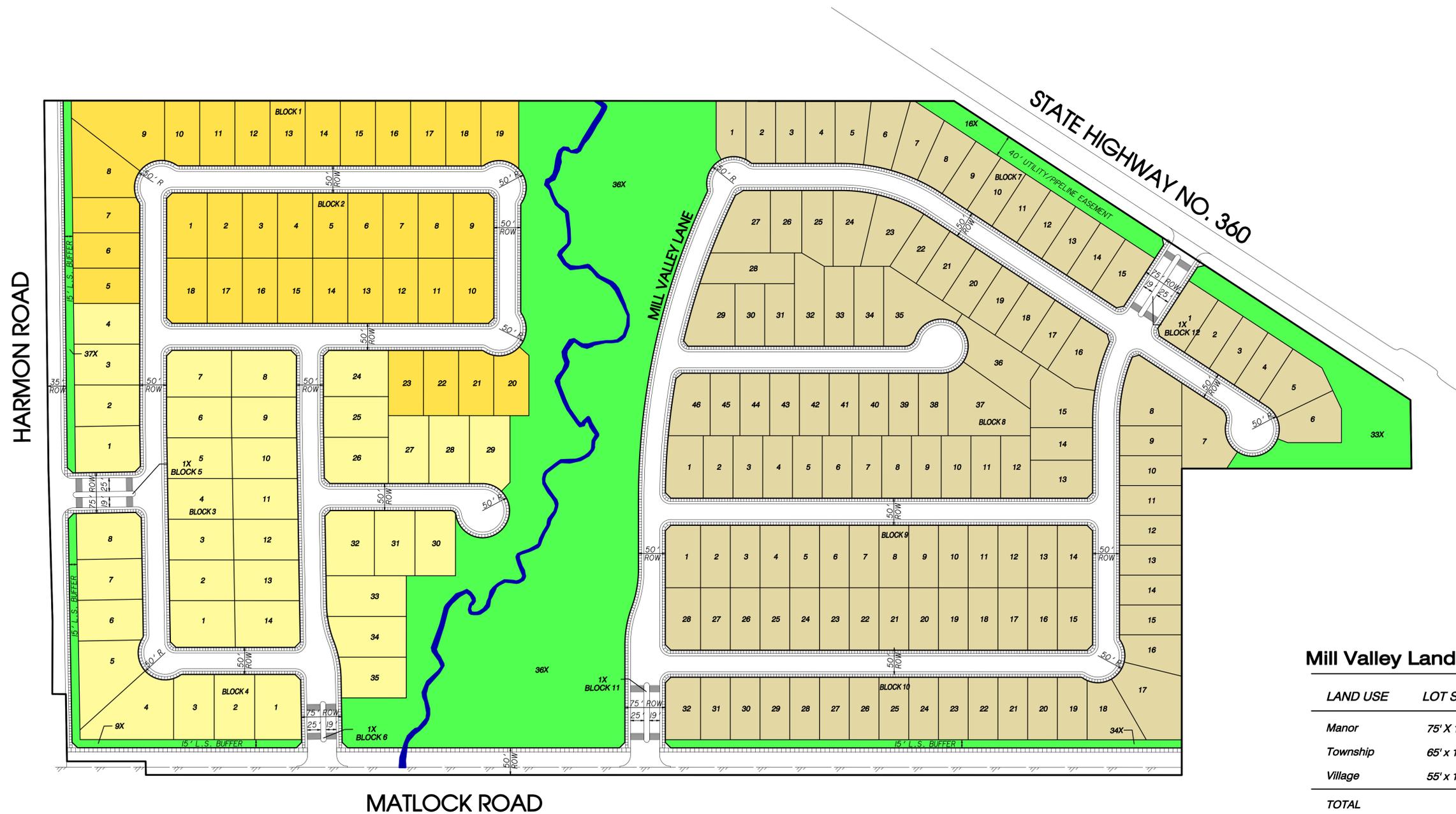
1. There will be a minimum of three trees required for each lot with a minimum three and one-half (3.5) inch caliper. Two trees must be planted in the front yard and one tree in the rear yard.
2. Street trees must be planted at the average rate of one (1) tree for every thirty (30) feet of street frontage. Where poor soil conditions or other factors require additional flexibility in planting, the Director of Planning or his designee may approve alternative spacing of trees, but not reduction in the number of required trees.

### **B. Perimeter Walls/ Screening:**

1. A minimum six (6) foot masonry screening wall must be provided along Matlock Road and State Highway 360 in accordance with Ordinance No. 1270.
2. A minimum six (6) foot screening device must be provided along Harmon Road in accordance with Ordinance No. 1270.

## **SECTION 7: HOMEOWNERS ASSOCIATION**

A mandatory homeowners association will be responsible for the maintenance of the masonry walls along Matlock Road and S.H. 360, and the screening device along Harmon Road, including the parkway between the screening wall or device and the street; the open space lots and medians; and the enhanced entryway features, including but not limited to, medians, landscaping, any non-standard pavement, and the enhanced masonry walls with signage.



**Mill Valley Land Use Summary**

LAND USE	LOT SIZE	LOTS	Lot Size %
Manor	75' X 120'	38	19.4%
Township	65' x 120'	37	18.9%
Village	55' x 115'	121	61.7%
<b>TOTAL</b>		<b>196</b>	<b>100.0%</b>
<b>TOTAL OPEN SPACE ACREAGE</b>		<b>11.3</b>	<b>18.5%</b>

**GOODWIN AND MARSHALL INC.**  
 CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS  
 2405 Mustang Drive, Grapevine, Texas 76051  
 (817) 329-4373



**EXHIBIT "C"**  
**DEVELOPMENT PLAN FOR**  
**MILL VALLEY**  
 City of Mansfield, Ellis & Johnson County, Texas  
 196 Lots  
 OCTOBER, 2016  
 Sheet 1 of 1

PD ZONING CASE NO. ZC#16-010

E:\10721 - H&M\Prelim\Prelim Layout 2016-10-21 BAC.dwg

# CONCEPTUAL OPEN SPACE MASTER PLAN

- A PLAY LAWN
- B PARK PAVILION
- C PLAYGROUND
- D PEDESTRIAN BRIDGE
- E FOREST LOOP TRAIL
- F ENTRY MONUMENTATION
- G WOODED PLAY AREA
- H STREET TREES



# MILL VALLEY

CITY OF MANSFIELD, ELLIS & JOHNSON COUNTY, TEXAS

NOVEMBER 2016



SCALE 1"=80'  
AT 24"x36"

# CONCEPTUAL OPEN SPACE MASTER PLAN



# MILL VALLEY

CITY OF MANSFIELD, ELLIS & JOHNSON COUNTY, TEXAS

NOVEMBER 2016



SCALE 1"=80'  
AT 24"x36"

# CONCEPTUAL SITE ENTRY AND WALL PLAN



## MILL VALLEY

CITY OF MANSFIELD, ELLIS & JOHNSON COUNTY, TEXAS

NOVEMBER 2016



SCALE 1"=80'  
AT 24"x36"

# CONCEPTUAL PEDESTRIAN PLAN



## MILL VALLEY

CITY OF MANSFIELD, ELLIS & JOHNSON COUNTY, TEXAS

NOVEMBER 2016

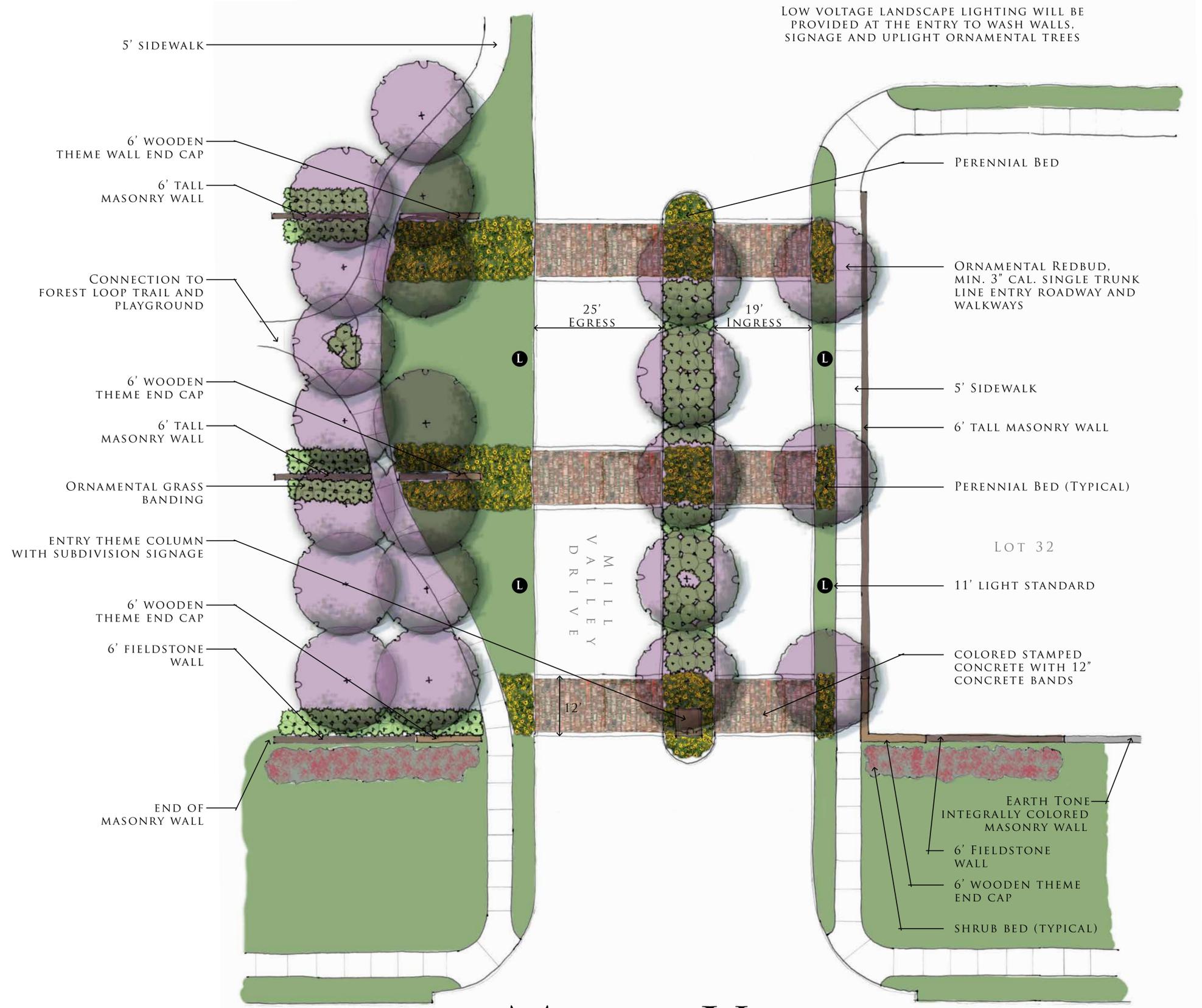


SCALE 1"=80'  
AT 24"x36"

# CONCEPTUAL ENTRY PLAN

# ENTRY MONUMENT - PLAN VIEW

LOW VOLTAGE LANDSCAPE LIGHTING WILL BE PROVIDED AT THE ENTRY TO WASH WALLS, SIGNAGE AND UPLIGHT ORNAMENTAL TREES



ENTRY ORNAMENTAL TREE - REDBUD (SPRING)



PERENNIAL BEDS - BLACK EYED SUSAN OR ALTERNATIVE



ORNAMENTAL GRASS MASSING - MISCANTHUS OR ALTERNATIVE



SHRUB BEDS - LITTLE PRINCESS CRAPE MYRTLE OR ALTERNATIVE



FIELDSTONE WALLS



WOODEN END CAP

DAVIS DRIVE

# MILL VALLEY

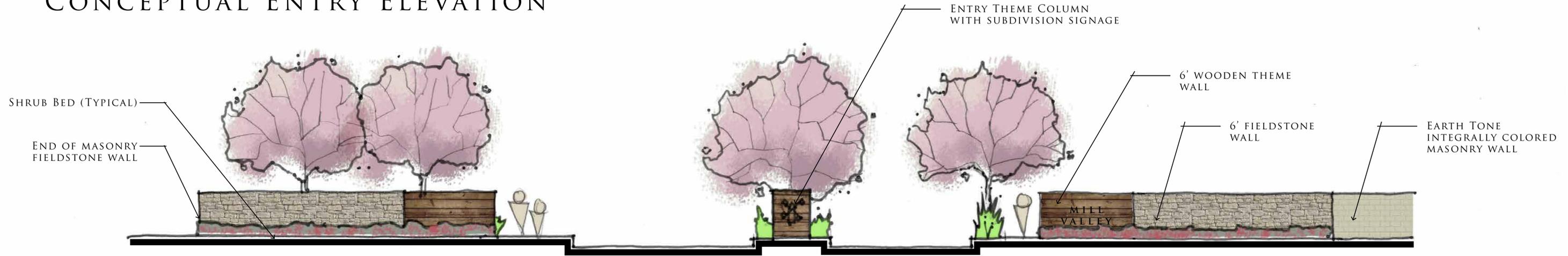
CITY OF MANSFIELD, ELLIS & JOHNSON COUNTY, TEXAS

NOVEMBER 2016

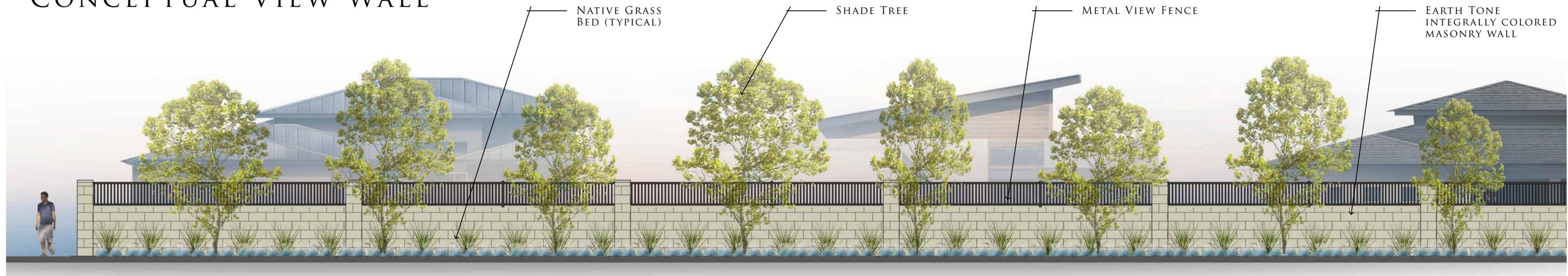


SCALE 1"=10'  
AT 24"x36"

# CONCEPTUAL ENTRY ELEVATION



# CONCEPTUAL VIEW WALL



# CONCEPTUAL SUBDIVISION WALL

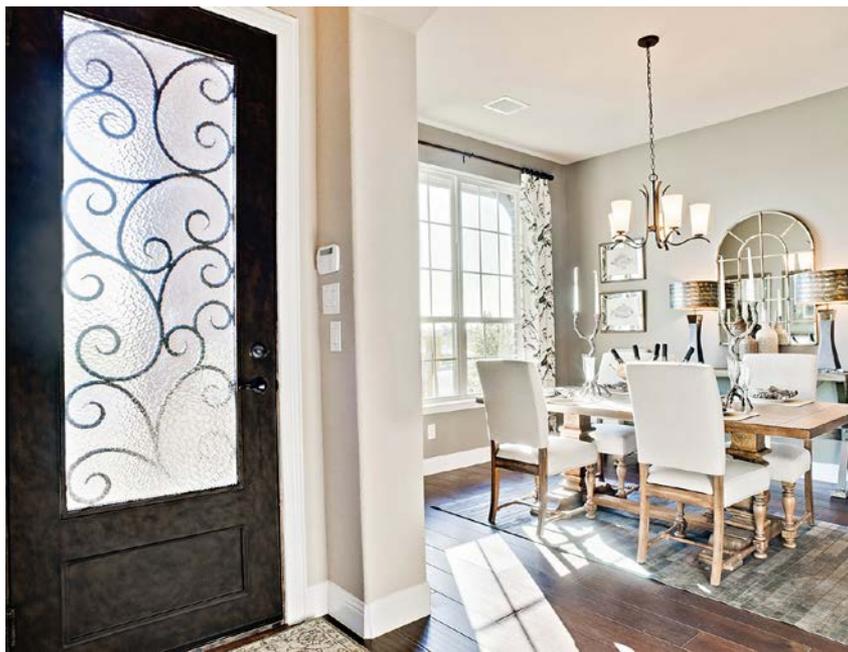


# MILL VALLEY

CITY OF MANSFIELD, ELLIS & JOHNSON COUNTY, TEXAS

NOVEMBER 2016









# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2101

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**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** New Business

**In Control:** City Council

**File Type:** Consideration Item

**Agenda Number:**

**Title**

Presentation of Referendum Petition Received October 28, 2016; Action as Necessary or Appropriate

**Requested Action**

N/A

**Recommendation**

N/A

**Description/History**

A referendum petition protesting the adoption of Ordinance No. 16-1915 adopted by the City Council on August 8, 2016 was filed with the City Secretary on October 28, 2016.

**Justification**

Pursuant to Article VII of the City Charter, the City Secretary is required to present the petition to the City Council at the next regular Council meeting.

**Funding Source**

N/A

**Prepared By**

Jeanne Heard, TRMC  
City Secretary  
(817) 276-4204



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2103

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** New Business

**In Control:** City Council

**File Type:** Discussion Item

**Agenda Number:**

**Title**

Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 26, 2016 to December 12, 2016

**Requested Action**

Consider the suspension of the Procedural Rules of Council as set out in Section 1.02 "General Rules", J "Suspension of Rules" and reschedule the regular scheduled Council meeting of December 26, 2016 to December 12, 2016.

**Recommendation**

Suspend the Procedural Rules of Council and reschedule the December 26, 2016 regular scheduled meeting to December 12, 2016.

**Description/History**

The second regular meeting in December 2016 will fall during the holiday season.

**Justification**

The December 26, 2016 Regular City Council meeting will occur during the holiday season; therefore, some city staff will be on vacation during the holiday.

Traditionally, the Council has voted to combine its two December meetings into one meeting in order to accommodate the holiday schedules and vacation of Council and staff.

**Funding Source**

N/A

**Prepared By**

Susana Marin, Asst. City Secretary, City Secretary's Office  
817-276-4203

- G. City Attorney: The City Attorney shall attend all meetings of the Council unless excused, by the City Manager and shall advise the Council on questions of law and procedures. The City Manager is required to ensure an attorney is present at all Council meetings.
- H. City Secretary: The City Secretary (or in City Secretary's absence the Assistant City Secretary) shall attend all meetings of the Council unless excused, by the City Manager who will ensure a person is appointed to take minutes and administer the role of the City Secretary) and shall keep the official minutes.
- I. Rules of Order: Unless in conflict with these rules, the latest version, Robert's Rules of Order Revised shall govern the proceedings of the Council in all cases.
- J. Suspension of Rules: Any provision of these rules not governed by the City Charter or State law may be temporarily suspended by a majority vote (four) of all members of the Council. The vote on any such suspension shall be taken and entered upon the records. If there is an objection to suspending the rules, a vote is required to proceed.
- K. Amendments to Rules: These rules may be permanently amended, or new rules may be adopted by a majority vote (four) of all members of the Council. Any such amendments shall be adopted and recorded by resolution.

### **Section 1.03 Meetings**

- A. Regular Meetings: The Council shall meet regularly on the second and fourth Monday of each month. The regular meetings of the Council shall be held in the Council Chambers of the City Hall unless otherwise established by Council. (*Amended 06-09-08*)
- B. Special Meetings: Special meetings may be held on the call of the Mayor or four (4) Council Members with no less than seventy-two (72) hours notice to each Council Member. Emergency meetings may be called by the Mayor or Mayor Pro Tem in the Mayor's absence, or four (4) members, after notice has been posted two (2) hours. All meetings shall be open to the public and public notice shall be given in compliance with Chapter 551, Texas Government Code.
- C. Recessed Meetings: Any meeting of the Council may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular scheduled meeting.
- D. Work Sessions: Work sessions may be held on the call of the Mayor or four (4) Council Members with no less than seventy-two (72) hours notice to each Council Member. The purpose is to research, analyze, and review any matter which requires special information and study. Such meetings shall be open to the public and notice thereof shall be given in compliance with Chapter 551, Texas Government Code.
- E. Executive Sessions: Participants to open and close executive sessions are limited strictly to Council Members, the City Manager, Assistant City Managers, Director of Business Services, and the City Attorneys. No other staff members, attorneys, board/committee members or individuals are allowed. At the request of Council, City Manager or City Attorney, individual(s) may be requested to attend to address or receive instruction for a specific executive session agenda item. That individual(s) is dismissed from executive session prior to addressing the next agenda item.



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## STAFF REPORT

File Number: 16-2107

**Agenda Date:** 11/14/2016

**Version:** 1

**Status:** New Business

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

**Title**

Resolution - A Resolution of the City of Mansfield, Texas Authorizing the Filing of Eminent Domain Proceedings for the Purpose of Obtaining Real Property and Easements for Use by the City for the Construction of Sanitary Sewer Line Improvements and Facilities to Serve Existing and New Development and for Other Public Purposes Permitted by Law

**Requested Action**

Consideration of the Resolution. The law requires that the vote to authorize the use of eminent domain to be a record vote. The motion used to adopt the resolution to initiate condemnation proceedings be made with the exact motion language as specified in the statute. The exact motion language to be read by a Council member is:

"Resolution No. RE-3307-16 addresses two separate properties. The first record vote applies to all units of property to be condemned under the Resolution. And the minutes shall reflect that the first record vote we take will apply to all units of property to be condemned under the Resolution.

I move that the City of Mansfield authorize the use of the power of eminent domain to acquire the following property: A Permanent Sanitary Sewer Easement and Temporary Construction Easement from Harper Cattle, LLC, out of the property generally located on the northwest side of Lakeview Drive and the southwest side of US 287, Grand Prairie, Ellis County, Texas, and said property interests being more particularly described in Exhibits A - B to Resolution No. RE-3307-16; and a Permanent Sanitary Sewer Easement, Permanent Access Easement, Permanent Drainage Easement, Permanent Utility Easement, two Temporary Construction Easements, and a Fee Title Acquisition from Robert C. Kilchenstein and Julia M. Kilchenstein, out of the property generally located on the south side of St. Paul Road and west of US 287, Grand Prairie, Ellis County, Texas, and said property interests being more particularly described in Exhibits C - H to Resolution No. RE-3307-16; for the construction and maintenance of sanitary sewer line improvements and facilities, and further move to approve Resolution No. RE-3307-16 as presented."

**Recommendation**

The Engineering Staff recommends the authorization of a condemnation action.

**Description/History**

The referenced easements and real property are for the purpose of constructing the off-site Mountain Creek Sewer Interceptor that will serve the Somerset Planned Development. The Sewer Line will also provide sewer service in the larger Mountain Creek basin in the southern region of Mansfield and its ETJ. These easements and real property have been appraised and attempts made to negotiate with the property owners by the developer and representatives from the City Attorney's office. Negotiations have not been successful and construction must

progress as soon as possible.

**Justification**

Negotiations have not been successful and construction must progress as soon as possible.

The Public Works Director will be in attendance at the meeting to answer Council's questions.

**Funding Source**

Utility Revenue Bond Fund

**Prepared By**

Bart VanAmburgh, P.E., Acting Director of Public Works, 817-276-4233

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING THE FILING OF EMINENT DOMAIN PROCEEDINGS FOR THE PURPOSE OF OBTAINING REAL PROPERTY AND EASEMENTS FOR USE BY THE CITY FOR THE CONSTRUCTION OF SANITARY SEWER LINE IMPROVEMENTS AND FACILITIES TO SERVE EXISTING AND NEW DEVELOPMENT AND FOR OTHER PUBLIC PURPOSES PERMITTED BY LAW.**

**WHEREAS**, the City of Mansfield is in the process of constructing sanitary sewer line improvements and facilities to serve existing and new development in connection with the Mountain Creek Sanitary Sewer Interceptor project (the "Project"); and

**WHEREAS**, in order to complete construction of the Project, it is necessary for the City to acquire certain real property and easements from property owners who own land across which the Project will be located; and

**WHEREAS**, the City and the property owners of the following two (2) properties have been unable to reach an agreement on the acquisition of the following needed easements and property:

1. **Harper Cattle, LLC – Northwest Side of Lakeview Drive, Southwest of US 287, Grand Prairie, Ellis County, Texas**  
2.272 acre Permanent Sanitary Sewer Easement (Exhibit A)  
2.986 acre Temporary Construction Easement (Exhibit B)
  
2. **Robert C. Kilchenstein and Julia M. Kilchenstein – South Side of St. Paul Road, West of US 287, Grand Prairie, Ellis County, Texas**  
2.427 Acre Permanent Sanitary Sewer Easement (Exhibit C)  
1.154 Acre Permanent Access Easement (Exhibit D)  
0.365 Acre Permanent Drainage Easement (Exhibit E)  
0.913 Acre Permanent Utility Easement (Exhibit F)  
Two (2) Temporary Construction Easements Totaling 5.101 acres (Exhibit G)  
0.0575 Acre Fee Title Acquisition (Exhibit H)

**WHEREAS**, the City Council finds and determines that the acquisition of the above easements and property for the Project constitutes a public use for a public purpose; and

**WHEREAS**, the City Council now deems it necessary to authorize the City Attorney to initiate condemnation proceedings in order to acquire the necessary easements and fee simple property.

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

**SECTION 1.**

The City Council of the City of Mansfield, Texas, hereby finds and determines that the recitals made in the preamble of this Resolution are true and correct, and incorporates such recitals herein.

**SECTION 2.**

The City Council hereby finds and determines that a public necessity exists for the construction of sanitary sewer line improvements and facilities to serve existing and new development in connection with the Mountain Creek Sanitary Sewer Interceptor project and that the acquisition of the above referenced easements and fee simple property, which are more particularly described in the attached Exhibits A, B, C, D, E, F, G, and H, which exhibits are incorporated herein by reference, are necessary for such purposes.

**SECTION 3.**

If the City's final offers made to the property owners are not accepted within the prescribed time periods, the City Attorney is hereby authorized to comply with the necessary legal prerequisites and to bring condemnation proceedings against the property owners, and any and all other parties having an interest in the above referenced property, for the purpose of acquiring such easements and fee simple property through the exercise of the City's power of eminent domain.

**SECTION 4.**

The City Council hereby finds and determines that the above described easements and fee simple property are needed so that the City of Mansfield can construct the sanitary sewer line improvements, which is a public purpose and is necessary to serve the public health, safety and welfare.

**SECTION 5.**

This Resolution shall take effect upon its adoption, and it is so Resolved.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

**ATTEST:**

---

City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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City Attorney

**EXHIBIT "A"**  
**SANITARY SEWER EASEMENT**  
**2.272 ACRES**  
**PAGE 1 OF 3**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403 and being a part of that called 196.759 acre tract of land described in Deed to Harper Cattle, LLC. recorded in Volume 2010, Page 1717, Deed Records Ellis County, Texas and being more particularly described as follows:

BEGINNING at a one-half inch iron rod found at the northeast corner of said 196.759 acre tract of land;

THENCE South 00 degrees 56 minutes 03 seconds East, 30.01 feet along the east line of said 196.759 acre tract of land to a point for corner;

THENCE North 89 degrees 41 minutes 39 seconds West, 254.19 feet to a point for corner;

THENCE North 89 degrees 52 minutes 39 seconds West, 317.03 feet to a point for corner;

THENCE South 89 degrees 57 minutes 28 seconds West, 1,703.79 feet to a point for corner;

THENCE North 00 degrees 35 minutes 16 seconds West, 591.11 feet to a point for corner;

THENCE North 88 degrees 26 minutes 07 seconds West, 462.15 feet to a point for corner;

THENCE North 89 degrees 04 minutes 23 seconds West, 11.58 feet to a point in the north line of said 196.759 acre tract of land;

THENCE North 70 degrees 48 minutes 11 seconds East, 84.99 feet along the north line of said 196.759 acre tract of land to a point for corner;

THENCE South 88 degrees 26 minutes 07 seconds East, 423.15 feet to a point in the north line of said 196.759 acre tract of land;

THENCE along the north line of said 196.759 acre tract of land as follows:

South 00 degrees 35 minutes 16 seconds East, 590.29 feet to a one-half inch iron rod found for corner;

North 89 degrees 57 minutes 28 seconds East, 1,674.12 feet to a one-half inch iron rod found for corner;

South 89 degrees 52 minutes 39 seconds East, 317.12 feet to a one-half inch iron rod found for corner;

South 89 degrees 41 minutes 39 seconds East, 253.58 feet to the POINT OF BEGINNING and containing 98,967 square feet or 2.272 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "A"**  
**SANITARY SEWER EASEMENT**  
**2.272 ACRES**  
**PAGE 2 OF 3**

**LEGEND**

- IRF **IRON ROD FOUND**
- POB **POINT OF BEGINNING**
- POC **POINT OF COMMENCING**

MILLER WILD HORSE ENTERPRISES,  
 INC.  
 VOL. 2802, PG. 991  
 D.R.E.C.T.  
 (CALLED: TRACT 2-49.09 AC.)

**U.S. HIGHWAY 287**  
 (VARIABLE WIDTH RIGHT-OF-WAY)

30' EASEMENT AND  
 RIGHT-OF-WAY  
 AGREEMENT  
 TEXAS MIDSTREAM  
 GAS SERVICES, L.L.C.  
 VOL. 2421, PG. 1522  
 D.R.E.C.T.

50'X50' VALVE  
 SITE EASEMENT  
 TEXAS MIDSTREAM GAS  
 SERVICES, L.L.C.  
 VOL. 2421, PG. 1522  
 D.R.E.C.T.

PROPOSED 30'  
 SANITARY SEWER  
 EASEMENT

**P.O.B.**  
 1/2" IRF

SHEET 3  
 SHEET 2

1674.12'

S89°52'39"E  
 317.12'

S89°41'39"E  
 253.58'

S00°56'03"E  
 30.01'

1703.79'

N89°52'39"W  
 317.03'

N89°41'39"W  
 254.19'

PROPOSED 40'  
 TEMPORARY  
 CONSTRUCTION  
 EASEMENT

25' PIPELINE  
 EASEMENT  
 TEXAS MIDSTREAM  
 GAS SERVICES, L.L.C.  
 VOL. 2404, PG. 1820  
 D.R.E.C.T.

BEALL CONCRETE ENTERPRISES,  
 LTD.  
 VOL. 2179, PG. 1153  
 D.R.E.C.T.  
 (CALLED: 17.500 AC.)

HARPER CATTLE, LLC  
 VOL. 2010, PG. 1717  
 D.R.E.C.T.  
 (CALLED: 196.759 AC.)

WILLIAM GARDNER SURVEY  
 ABSTRACT NO. 403 (ELLIS CO.)

JD ELLIS SURVEY  
 ABSTRACT NO. 1274 (ELLIS CO.)

WILLIAM GARDNER SURVEY  
 ABSTRACT NO. 403 (ELLIS CO.)

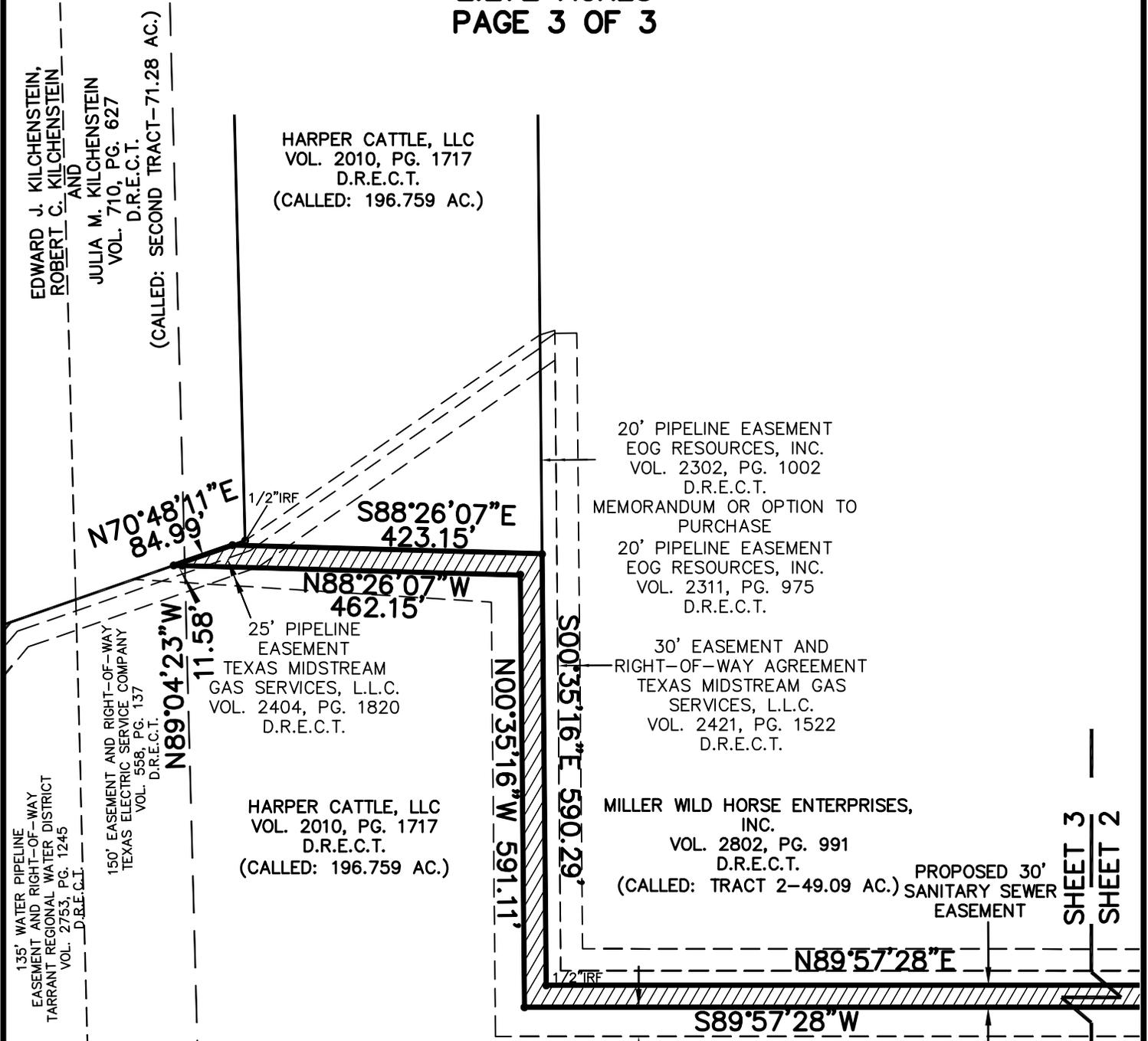
JOSEPH LAWRENCE SURVEY  
 ABSTRACT NO. 616 (ELLIS CO.)



SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "A"**

**SANITARY SEWER EASEMENT  
2.272 ACRES  
PAGE 3 OF 3**



**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

*E. S. Bacak*

EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
JUNE 22, 2016



SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438	

**EXHIBIT "B"**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**2.986 ACRES**  
**PAGE 1 OF 3**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403 and being a part of that called 196.759 acre tract of land described in Deed to Harper Cattle, LLC. recorded in Volume 2010, Page 1717, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the northeast corner of said 196.759 acre tract of land;

THENCE South 00 degrees 56 minutes 03 seconds East, 30.01 feet along the east line of said 196.759 acre tract of land to the POINT OF BEGINNING of this easement;

THENCE South 00 degrees 56 minutes 03 seconds East, 40.01 feet along the east line of said 196.759 acre tract of land to a point for corner;

THENCE North 89 degrees 41 minutes 39 seconds West, 255.05 feet to a point for corner;

THENCE North 89 degrees 52 minutes 39 seconds West, 316.84 feet to a point for corner;

THENCE South 89 degrees 57 minutes 28 seconds West, 1,743.35 feet to a point for corner;

THENCE North 00 degrees 35 minutes 16 seconds West, 594.08 feet to a point for corner;

THENCE North 86 degrees 23 minutes 09 seconds West, 489.51 feet to a point in the north line of said 196.759 acre tract of land;

THENCE North 70 degrees 48 minutes 11 seconds East, 57.82 feet along the north line of said 196.759 acre tract of land to a point for corner, to which a one-half inch iron rod found in the northerly line of said 196.759 acre tract of land bears North 70 degrees 48 minutes 11 seconds East, at 103.38 feet;

THENCE South 89 degrees 04 minutes 23 seconds East, 11.58 feet to a point for corner;

THENCE South 88 degrees 26 minutes 07 seconds East, 462.15 feet to a point for corner;

THENCE South 00 degrees 35 minutes 16 seconds East, 591.11 feet to a point for corner;

THENCE North 89 degrees 57 minutes 28 seconds East, 1,703.79 feet to a point for corner;

THENCE South 89 degrees 52 minutes 39 seconds East, 317.03 feet to a point for corner;

THENCE South 89 degrees 41 minutes 39 seconds East, 254.19 feet to the POINT OF BEGINNING and containing 130,054 square feet or 2.986 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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**EXHIBIT "B"**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**2.986 ACRES**  
**PAGE 2 OF 3**

**LEGEND**

- IRF **IRON ROD FOUND**
- POB **POINT OF BEGINNING**
- POC **POINT OF COMMENCING**

MILLER WILD HORSE ENTERPRISES,  
 INC.  
 VOL. 2802, PG. 991  
 D.R.E.C.T.  
 (CALLED: TRACT 2-49.09 AC.)

SHEET 3  
 SHEET 2

**U.S. HIGHWAY 287**  
 (VARIABLE WIDTH RIGHT-OF-WAY)

30' EASEMENT AND  
 RIGHT-OF-WAY  
 AGREEMENT  
 TEXAS MIDSTREAM  
 GAS SERVICES, L.L.C.  
 VOL. 2421, PG. 1522  
 D.R.E.C.T.

50'X50' VALVE  
 SITE EASEMENT  
 TEXAS MIDSTREAM GAS  
 SERVICES, L.L.C.  
 VOL. 2421, PG. 1522  
 D.R.E.C.T.

**P.O.C.**  
 1/2" IRF

S00°56'03"E  
 30.01'

S89°52'39"E  
 317.03'

S89°41'39"E  
 254.19'

**P.O.B.**  
 S00°56'03"E  
 40.01'

1703.79'

1743.35'

N89°52'39"W  
 316.84'

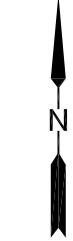
N89°41'39"W  
 255.05'

PROPOSED 40'  
 TEMPORARY  
 CONSTRUCTION  
 EASEMENT

25' PIPELINE  
 EASEMENT  
 TEXAS MIDSTREAM  
 GAS SERVICES, L.L.C.  
 VOL. 2404, PG. 1820  
 D.R.E.C.T.

BEALL CONCRETE ENTERPRISES,  
 LTD.  
 VOL. 2179, PG. 1153  
 D.R.E.C.T.  
 (CALLED: 17.500 AC.)

HARPER CATTLE, LLC  
 VOL. 2010, PG. 1717  
 D.R.E.C.T.  
 (CALLED: 196.759 AC.)



WILLIAM GARDNER SURVEY  
 ABSTRACT NO. 403 (ELLIS CO.)

JD ELLIS SURVEY  
 ABSTRACT NO. 1274 (ELLIS CO.)

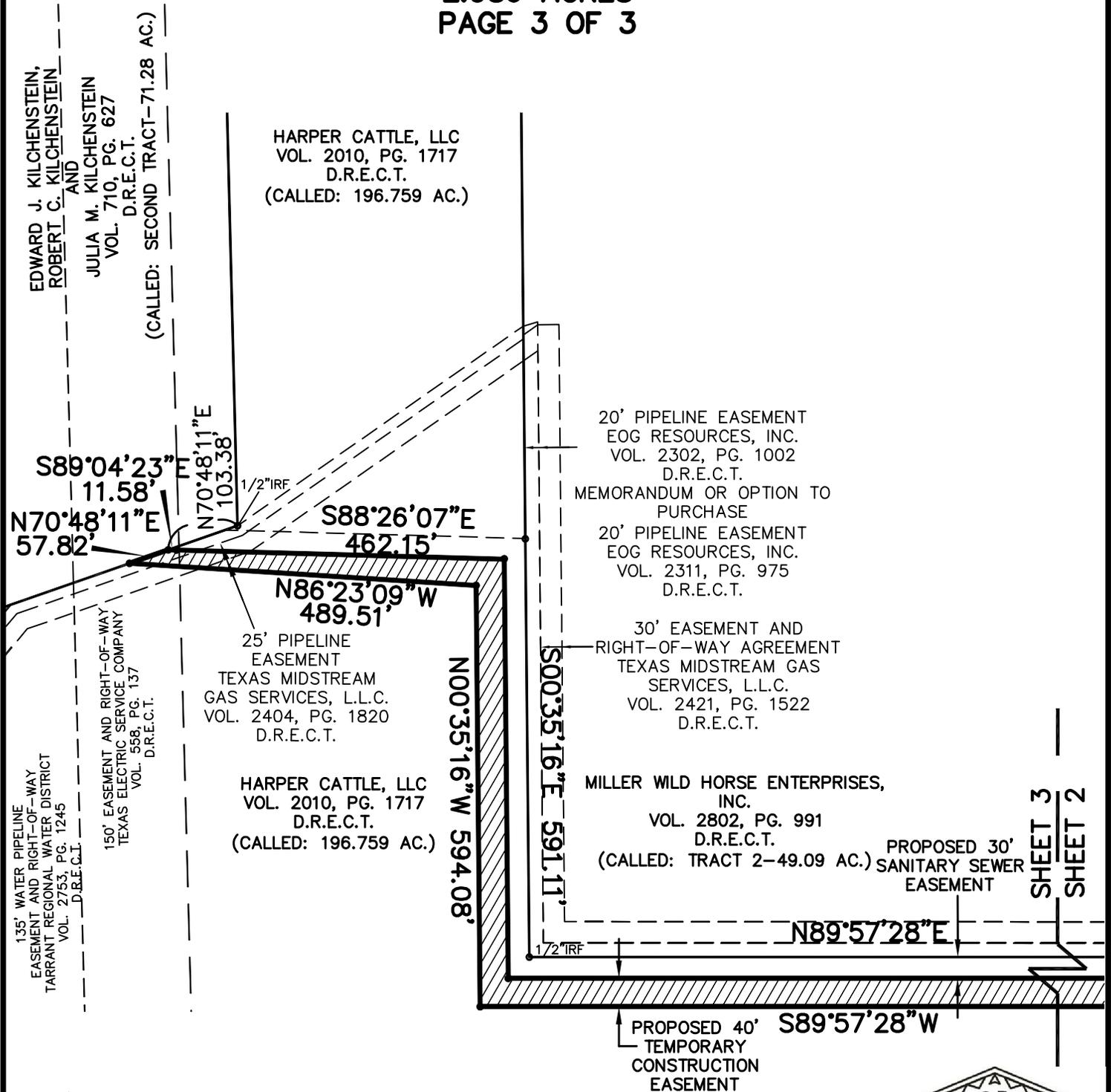
WILLIAM GARDNER SURVEY  
 ABSTRACT NO. 403 (ELLIS CO.)

JOSEPH LAWRENCE SURVEY  
 ABSTRACT NO. 616 (ELLIS CO.)

SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "B"**

**TEMPORARY CONSTRUCTION EASEMENT  
2.986 ACRES  
PAGE 3 OF 3**

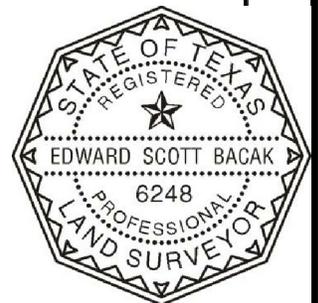


**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

*E. S. Bacak*

EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
JUNE 22, 2016



SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "C"**  
**SANITARY SEWER EASEMENT**  
**2.427 ACRES**  
**PAGE 1 OF 4**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way);

THENCE South 89 degrees 54 minutes 15 seconds East, 162.19 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 30.00 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 539.78 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 247.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 417.66 feet to a point for corner;

THENCE South 45 degrees 25 minutes 30 seconds East, 26.05 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 1,497.98 feet to a point for corner;

THENCE South 89 degrees 03 minutes 50 seconds East, 719.91 feet to a point for corner;

THENCE South 88 degrees 26 minutes 07 seconds East, 67.90 feet to a point in the northeasterly line of said 71.28 acre tract of land to which a one-half inch iron rod found for the southeast corner of said 71.28 acre tract of land bears North 70 degrees 48 minutes 11 seconds East, at 18.38 feet;

THENCE South 70 degrees 48 minutes 11 seconds West, 84.99 feet along the southerly line of said 71.28 acre tract of to a point for corner;

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "C"**  
**SANITARY SEWER EASEMENT**  
**2.427 ACRES**  
**PAGE 2 OF 4**

THENCE North 89 degrees 03 minutes 50 seconds West, 707.65 feet to a point for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 1,546.04 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 436.07 feet to a point for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 247.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 570.05 feet to the POINT OF BEGINNING and containing 105,706 square feet or 2.427 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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**EXHIBIT "C"**

**SANITARY SEWER EASEMENT  
2.427 ACRES  
PAGE 3 OF 4**

KNOX STREET PARTNERS NO. 10,  
LTD.  
VOL. 2826, PG. 915  
D.R.E.C.T.  
DOC. NO. 2015-6605  
D.R.J.C.T.  
(CALLED: 31.134 AC.)

ROBERT C. KILCHENSTEIN ETAL  
VOL. 1219, PG. 692  
D.R.E.C.T.  
VOL. 1940, PG. 560  
D.R.J.C.T.  
(CALLED: 107.91 AC.)

**LEGEND**

IRF IRON ROD FOUND  
POB POINT OF BEGINNING  
POC POINT OF COMMENCING

**P.O.C.**  
1/2" IRF  
S89°54'15"E 162.19'

**P.O.B.**  
S89°54'15"E 30.00'

BF HOWARD SURVEY  
ABSTRACT NO. 513 (ELLIS CO.)

**C.R. 511 / ST. PAUL ROAD**  
(UNRECORDED RIGHT-OF-WAY)

"MAG" NAIL SET APPROXIMATE SURVEY LINE  
WILLIAM GARDNER SURVEY  
ABSTRACT NO. 403 (ELLIS CO.)

ROBERT C. KILCHENSTEIN  
AND  
JULIA M. KILCHENSTEIN  
VOL. 710, PG. 623  
D.R.E.C.T.  
(CALLED: SECOND TRACT-71.28 AC.)

30' EASEMENT AND  
RIGHT-OF-WAY  
AGREEMENT  
TEXAS MIDSTREAM GAS  
SERVICES, L.L.C.  
VOL. 2454, PG. 1896  
D.R.E.C.T.  
30' PIPELINE  
EASEMENT  
EOG RESOURCES,  
INC.  
VOL. 3838, PG. 677  
D.R.J.C.T.

MCCALLY FAMILY REVOCABLE TRUST  
VOL. 2669, PG. 1356  
D.R.E.C.T.  
(CALLED: 49.74 ACRES)

N00°25'28"W 570.05'

S00°25'28"E 539.78'

N89°34'32"E 247.81'

S89°34'32"W 247.81'

N00°25'28"W 436.07'

S00°25'28"E 417.66'

PROPOSED 30'  
SANITARY SEWER  
EASEMENT

S45°25'30"E 26.05'

N89°34'47"E

PROPOSED  
TEMPORARY  
CONSTRUCTION  
EASEMENT

1497.98'

S89°34'47"W

1546.04'

PROPOSED  
TEMPORARY  
CONSTRUCTION  
EASEMENT

ROBERT C. KILCHENSTEIN  
AND  
JULIA M. KILCHENSTEIN  
VOL. 710, PG. 623  
D.R.E.C.T.  
(CALLED: FIRST TRACT-108 AC.)

SHEET 3  
SHEET 4



SCALE:  
1"=200'

DATE  
6-22-16

DRAWN  
ESB

PROJECT  
HPC098

16301 QUORUM DRIVE, SUITE 200B  
ADDISON, TEXAS 75001

TBPE No. F-438

TBPLS No. 10076000



**EXHIBIT "C"**  
**SANITARY SEWER EASEMENT**  
**2.427 ACRES**  
**PAGE 4 OF 4**

ROBERT C. KILCHENSTEIN  
 AND  
 JULIA M. KILCHENSTEIN  
 VOL. 710, PG. 623  
 D.R.E.C.T.

(CALLED: SECOND TRACT-71.28 AC.)

150' EASEMENT AND  
 RIGHT-OF-WAY  
 TEXAS ELECTRIC  
 SERVICE CO.  
 VOL. 558, PG. 133  
 D.R.E.C.T.

135' WATER PIPELINE  
 EASEMENT AND  
 RIGHT-OF-WAY  
 TARRANT REGIONAL  
 WATER DISTRICT  
 VOL. 2763, PG. 617  
 D.R.E.C.T.

(CEMETERY)  
 TRUSTEES MOUNTAIN  
 CREEK SCHOOL COMMUNITY  
 VOL. 27, PG. 266

HARPER CATTLE, LLC  
 VOL. 2010, PG. 1717  
 D.R.E.C.T.  
 (CALLED: 196.759 AC.)

SHEET 3  
 SHEET 4

PROPOSED  
 TEMPORARY  
 CONSTRUCTION  
 EASEMENT

S88°26'07"E  
 67.90'

S89°03'50"E 719.91'

1/2" IRF  
 S70°48'11"W  
 84.99'

PROPOSED 30'  
 SANITARY SEWER  
 EASEMENT  
 PROPOSED  
 TEMPORARY  
 CONSTRUCTION  
 EASEMENT

N89°03'50"W 707.65'

25' PIPELINE  
 EASEMENT  
 TEXAS MIDSTREAM  
 GAS SERVICES, L.L.C.  
 VOL. 2404, PG. 1820  
 D.R.E.C.T.

15' PIPELINE EASEMENT  
 EOG RESOURCES, INC.  
 VOL. 2323, PG. 2412  
 VOL. 2311, PG. 981  
 D.R.E.C.T.

HARPER CATTLE, LLC  
 VOL. 2010, PG. 1717  
 D.R.E.C.T.  
 (CALLED: 196.759 AC.)

HARPER CATTLE, LLC  
 VOL. 2010, PG. 1717  
 D.R.E.C.T.  
 (CALLED: 196.759 AC.)



**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

*ES Bacak*

EDWARD SCOTT BACAK  
 R.P.L.S. NO. 6248  
 Revised: August 25, 2016



SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "D"**  
**ACCESS EASEMENT**  
**1.154 ACRES**  
**PAGE 1 OF 3**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way), to which a one-half inch iron rod found at the northeast corner of said 71.28 acre tract of land bears South 89 degrees 54 minutes 15 seconds East, at 2,742.94 feet;

THENCE South 89 degrees 54 minutes 15 seconds East, 58.50 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 120.94 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 05 degrees 18 minutes 15 seconds West, 19.77 feet to a point for corner;

THENCE South 39 degrees 46 minutes 19 seconds West, 76.14 feet to a point for corner;

THENCE South 19 degrees 56 minutes 50 seconds West, 113.93 feet to a point for corner;

THENCE South 00 degrees 30 minutes 34 seconds East, 335.25 feet to a point for corner;

THENCE South 45 degrees 28 minutes 01 seconds East, 28.31 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 330.82 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 417.66 feet to a point for corner;

THENCE South 45 degrees 25 minutes 30 seconds East, 11.90 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 84.40 feet to a one-half inch iron rod with yellow cap stamped "JBI" set corner;

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	
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**EXHIBIT "D"**  
**ACCESS EASEMENT**  
**1.154 ACRES**  
**PAGE 2 OF 3**

THENCE South 00 degrees 25 minutes 14 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 122.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 426.08 feet to a point for corner;

THENCE North 45 degrees 25 minutes 28 seconds West, 28.28 feet to a point for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 330.77 feet to a point for corner;

THENCE North 00 degrees 30 minutes 34 seconds West, 390.62 feet to a point for corner;

THENCE North 19 degrees 56 minutes 50 seconds East, 99.42 feet to a point for corner;

THENCE North 14 degrees 29 minutes 51 seconds West, 63.47 feet to a point for corner;

THENCE North 37 degrees 28 minutes 14 seconds West, 32.08 feet to the POINT OF BEGINNING and containing 50,255 square feet or 1.154 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "D"**

**ACCESS EASEMENT  
1.154 ACRES  
PAGE 3 OF 3**

KNOX STREET PARTNERS NO. 10,  
LTD.

VOL. 2826, PG. 915

D.R.E.C.T.

DOC. NO. 2015-6605

D.R.J.C.T.

(CALLED: 31.134 AC.)

S89°54'15"E

58.50'

P.O.C.

1/2" IRF

P.O.B.

S89°54'15"E

120.94'

ROBERT C. KILCHENSTEIN ETAL

VOL. 1219, PG. 692

D.R.E.C.T.

VOL. 1940, PG. 560

D.R.J.C.T.

(CALLED: 107.91 AC.)

BF HOWARD SURVEY

ABSTRACT NO. 513 (ELLIS CO.)

**C.R. 511 / ST. PAUL ROAD**

(UNRECORDED RIGHT-OF-WAY)

**LEGEND**

IRF IRON ROD FOUND

POB POINT OF BEGINNING

POC POINT OF COMMENCING

"MAG" NAIL SET APPROXIMATE SURVEY LINE

WILLIAM GARDNER SURVEY  
ABSTRACT NO. 403 (ELLIS CO.)

ROBERT C. KILCHENSTEIN

AND

JULIA M. KILCHENSTEIN

VOL. 710, PG. 623

D.R.E.C.T.

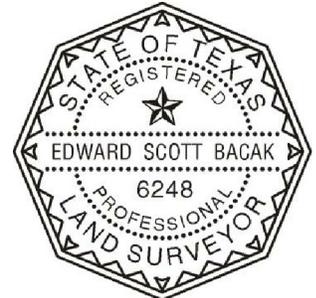
(CALLED: SECOND TRACT-71.28 AC.)

*ES Bacak*

EDWARD SCOTT BACAK

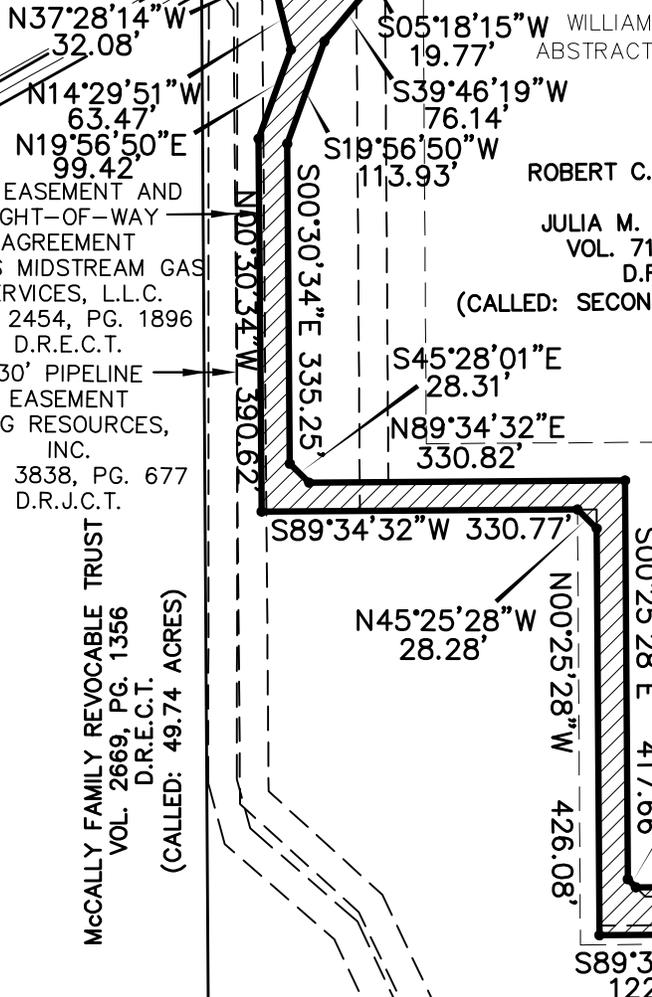
R.P.L.S. NO. 6248

Revised: September 8, 2016



30' EASEMENT AND  
RIGHT-OF-WAY  
AGREEMENT  
TEXAS MIDSTREAM GAS  
SERVICES, L.L.C.  
VOL. 2454, PG. 1896  
D.R.E.C.T.  
30' PIPELINE  
EASEMENT  
EOG RESOURCES,  
INC.  
VOL. 3838, PG. 677  
D.R.J.C.T.

McCally Family Revocable Trust  
VOL. 2669, PG. 1356  
D.R.E.C.T.  
(CALLED: 49.74 ACRES)



PROPOSED 30' SANITARY SEWER EASEMENT  
PROPOSED TEMPORARY CONSTRUCTION EASEMENT

METER STATION (2,500 S.F.)  
PROPOSED TEMPORARY CONSTRUCTION EASEMENT

ROBERT C. KILCHENSTEIN  
AND  
JULIA M. KILCHENSTEIN  
VOL. 710, PG. 623  
D.R.E.C.T.  
(CALLED: FIRST TRACT-108 AC.)

SCALE: 1"=200'	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "E"**  
**DRAINAGE EASEMENT**  
**0.365 ACRES**  
**PAGE 1 OF 2**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way), to which a one-half inch iron rod found at the northeast corner of said 71.28 acre tract of land bears South 89 degrees 54 minutes 15 seconds East, at 2,742.94 feet;

THENCE South 89 degrees 54 minutes 15 seconds East, 179.44 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 78.61 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 05 minutes 45 seconds West, 135.12 feet to a point for corner;

THENCE West, 154.94 feet to a point for corner;

THENCE North 19 degrees 56 minutes 50 seconds East, 48.63 feet to a point for corner;

THENCE North 39 degrees 46 minutes 19 seconds East, 90.89 feet to a point for corner;

THENCE North 05 degrees 18 minutes 15 seconds East, 19.77 feet to the POINT OF BEGINNING and containing 15,908 square feet or 0.365 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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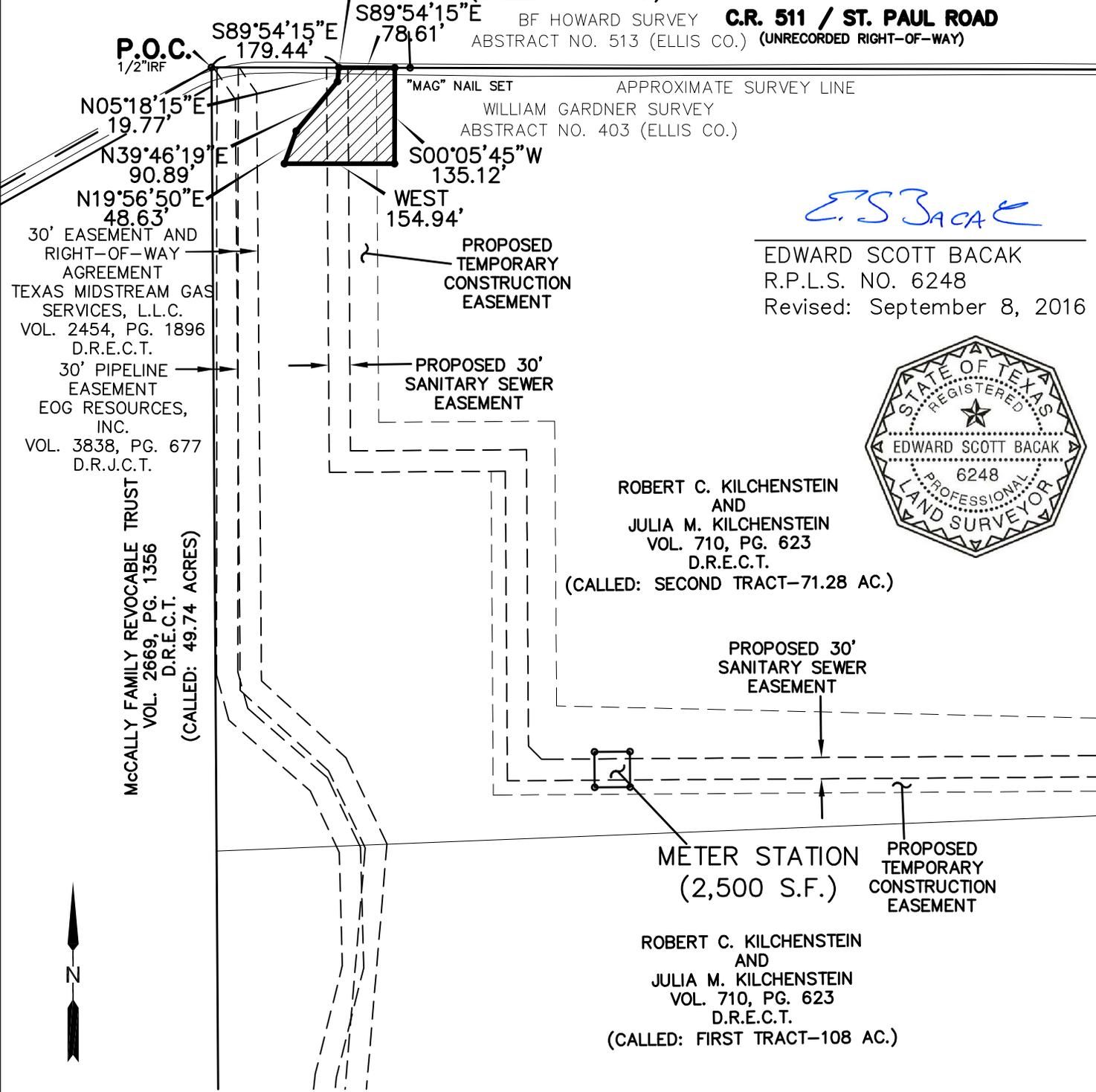
**EXHIBIT "E"**  
**DRAINAGE EASEMENT**  
**0.365 ACRES**  
**PAGE 2 OF 2**

KNOX STREET PARTNERS NO. 10,  
 LTD.  
 VOL. 2826, PG. 915  
 D.R.E.C.T.  
 DOC. NO. 2015-6605  
 D.R.J.C.T.  
 (CALLED: 31.134 AC.)

ROBERT C. KILCHENSTEIN ETAL  
 VOL. 1219, PG. 692  
 D.R.E.C.T.  
 VOL. 1940, PG. 560  
 D.R.J.C.T.  
 (CALLED: 107.91 AC.)

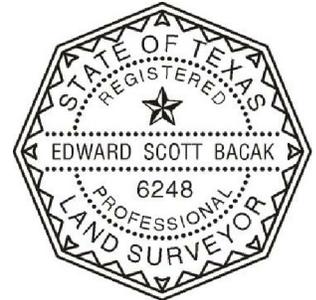
**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING



*ES Bacak*

EDWARD SCOTT BACAK  
 R.P.L.S. NO. 6248  
 Revised: September 8, 2016



ROBERT C. KILCHENSTEIN  
 AND  
 JULIA M. KILCHENSTEIN  
 VOL. 710, PG. 623  
 D.R.E.C.T.  
 (CALLED: SECOND TRACT-71.28 AC.)

ROBERT C. KILCHENSTEIN  
 AND  
 JULIA M. KILCHENSTEIN  
 VOL. 710, PG. 623  
 D.R.E.C.T.  
 (CALLED: FIRST TRACT-108 AC.)

SCALE: 1"=200'	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "F"**  
**UTILITY EASEMENT**  
**0.913 ACRES**  
**PAGE 1 OF 3**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way), to which a one-half inch iron rod found at the northeast corner of said 71.28 acre tract of land bears South 89 degrees 54 minutes 15 seconds East, at 2,742.94 feet;

THENCE South 89 degrees 54 minutes 15 seconds East, 192.20 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 30.00 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 509.50 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 247.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 426.08 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 112.82 feet to a point for corner;

THENCE South 00 degrees 25 minutes 14 seconds East, 30.00 feet to a point for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 134.40 feet to a point for corner;

THENCE North 45 degrees 25 minutes 30 seconds West, 11.90 feet to a point for corner;

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "F"**  
**UTILITY EASEMENT**  
**0.913 ACRES**  
**PAGE 2 OF 3**

THENCE North 00 degrees 25 minutes 28 seconds West, 417.66 feet to a point for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 247.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 539.78 feet to the POINT OF BEGINNING and containing 39,755 square feet or 0.913 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "F"**  
**UTILITY EASEMENT**  
**0.913 ACRES**  
**PAGE 3 OF 3**

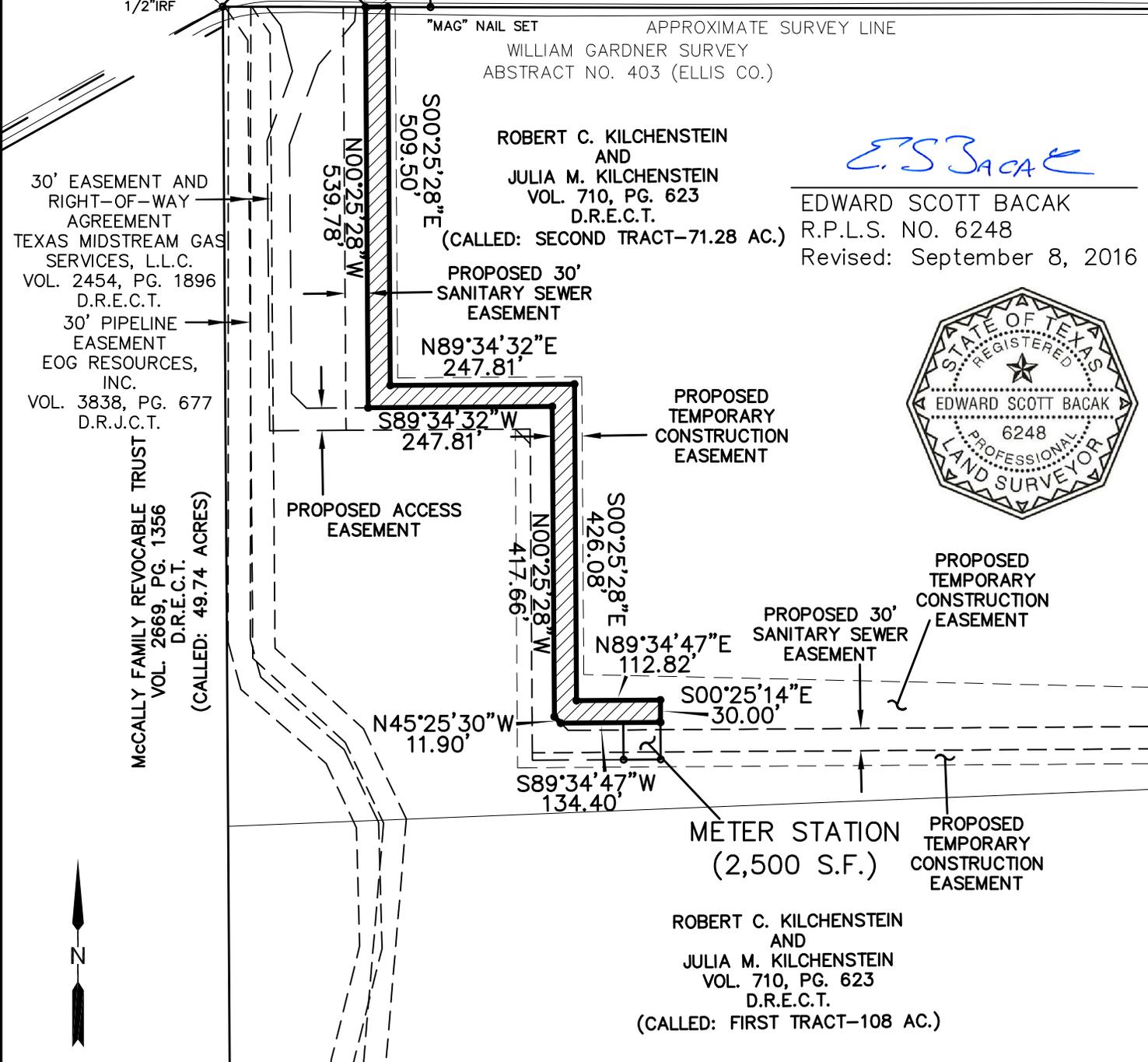
KNOX STREET PARTNERS NO. 10,  
 LTD.  
 VOL. 2826, PG. 915  
 D.R.E.C.T.  
 DOC. NO. 2015-6605  
 D.R.J.C.T.  
 (CALLED: 31.134 AC.)

ROBERT C. KILCHENSTEIN ETAL  
 VOL. 1219, PG. 692  
 D.R.E.C.T.  
 VOL. 1940, PG. 560  
 D.R.J.C.T.  
 (CALLED: 107.91 AC.)

**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

BF HOWARD SURVEY  
 ABSTRACT NO. 513 (ELLIS CO.) **C.R. 511 / ST. PAUL ROAD**  
 (UNRECORDED RIGHT-OF-WAY)



*ES Bacak*

EDWARD SCOTT BACAK  
 R.P.L.S. NO. 6248  
 Revised: September 8, 2016



ROBERT C. KILCHENSTEIN  
 AND  
 JULIA M. KILCHENSTEIN  
 VOL. 710, PG. 623  
 D.R.E.C.T.  
 (CALLED: FIRST TRACT-108 AC.)

SCALE: 1"=200'	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "G"**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**5.101 ACRES**  
**PAGE 1 OF 6**

LEGAL DESCRIPTION - TRACT 1

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way);

THENCE South 89 degrees 54 minutes 15 seconds East, 192.19 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 40.00 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 499.41 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 247.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 401.08 feet to a point for corner;

THENCE South 88 degrees 45 minutes 14 seconds East, 1,200.51 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 996.15 feet to a point for corner;

THENCE South 86 degrees 23 minutes 09 seconds East, 84.53 feet to a point in the east line of said 71.28 acre tract of land;

THENCE South 01 degrees 30 minutes 13 seconds East, 47.69 feet to a one-half inch iron rod found at the southeast corner of said 71.28 acre tract of land;

THENCE South 70 degrees 48 minutes 11 seconds West, 18.38 feet along the southerly line of said 71.28 acre tract of to a point for corner;

THENCE North 88 degrees 26 minutes 07 seconds West, 67.90 feet to a point for corner;

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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**EXHIBIT "G"**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**5.101 ACRES**  
**PAGE 2 OF 6**

THENCE North 89 degrees 03 minutes 50 seconds West, 719.91 feet to a point for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 1,497.98 feet to a point for corner;

THENCE North 45 degrees 25 minutes 30 seconds West, 26.05 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 417.66 feet to a point for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 247.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 539.78 feet to the POINT OF BEGINNING and containing 168,591 square feet or 3.870 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "G"**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**5.101 ACRES**  
**PAGE 3 OF 6**

LEGAL DESCRIPTION - TRACT 2

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way);

THENCE South 89 degrees 54 minutes 15 seconds East, 162.19 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 570.05 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 227.81 feet to the POINT OF BEGINNING of this easement;

THENCE North 89 degrees 34 minutes 32 seconds East, 20.00 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 436.07 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 1,546.04 feet to a point for corner;

THENCE South 89 degrees 03 minutes 50 seconds East, 707.65 feet to a point in the northeasterly line of said 71.28 acre tract of land to which a one-half inch iron rod found for the southeast corner of said 71.28 acre tract of land bears North 70 degrees 48 minutes 11 seconds East, at 103.38 feet;

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "G"**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**5.101 ACRES**  
**PAGE 4 OF 6**

THENCE South 70 degrees 48 minutes 11 seconds West, 57.82 feet along the southerly line of said 71.28 acre tract of to a point for corner;

THENCE North 89 degrees 04 minutes 22 seconds West, 653.12 feet to a point for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 1,565.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 456.07 feet to the POINT OF BEGINNING and containing 53,613 square feet or 1.231 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**EXHIBIT "G"**

**TEMPORARY CONSTRUCTION EASEMENT  
5.101 ACRES  
PAGE 5 OF 6**

KNOX STREET PARTNERS NO. 10,  
LTD.  
VOL. 2826, PG. 915 **P.O.B.**  
D.R.E.C.T. **TRACT 1**  
DOC. NO. 2015-6605  
D.R.J.C.T.  
(CALLED: 31.134 AC.)

ROBERT C. KILCHENSTEIN ETAL  
VOL. 1219, PG. 692  
D.R.E.C.T.  
VOL. 1940, PG. 560  
D.R.J.C.T.  
(CALLED: 107.91 AC.)

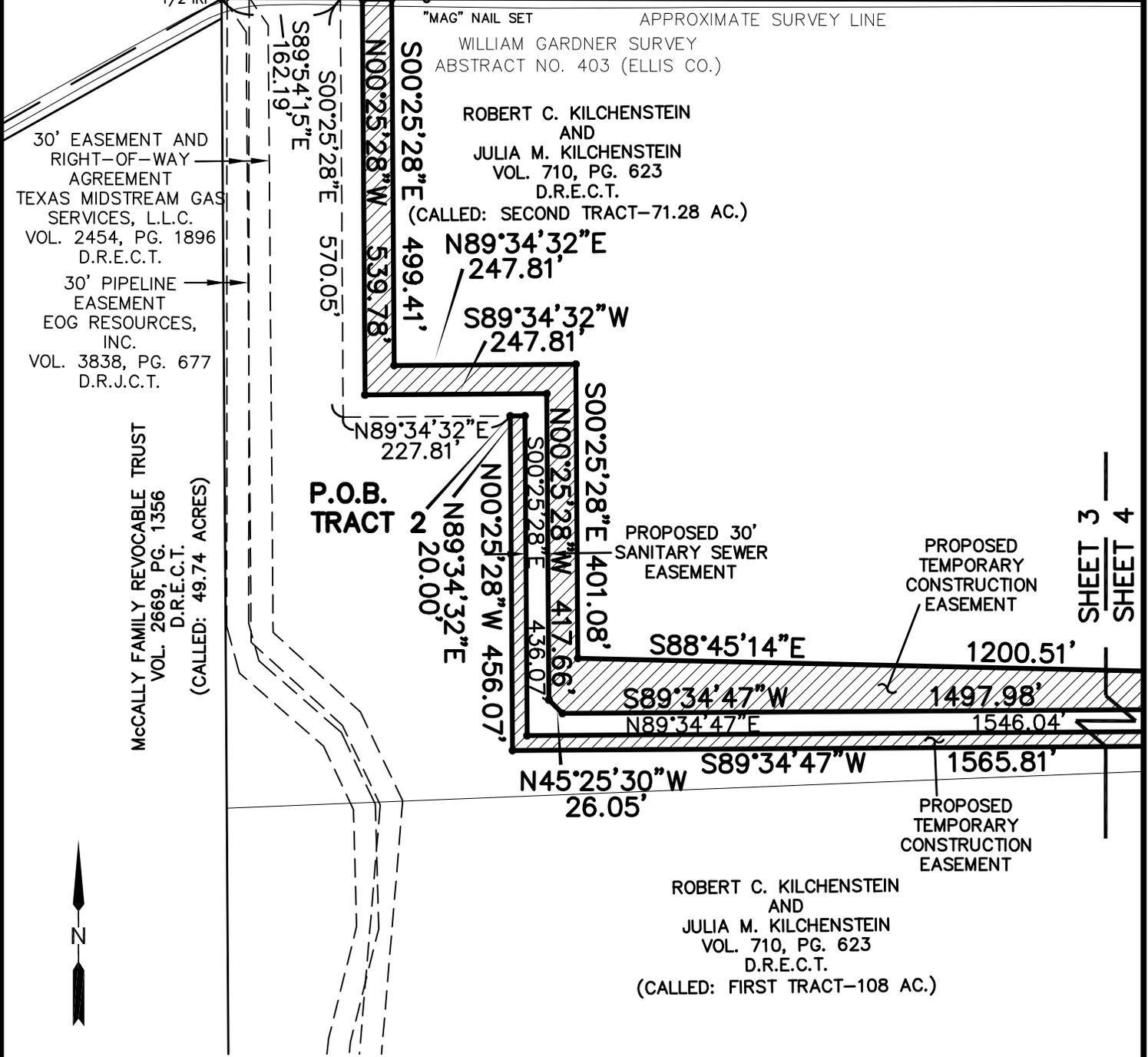
**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

**P.O.C. TRACT 1**  
**P.O.C. TRACT 2**  
1/2" IRF

BF HOWARD SURVEY  
ABSTRACT NO. 513 (ELLIS CO.)

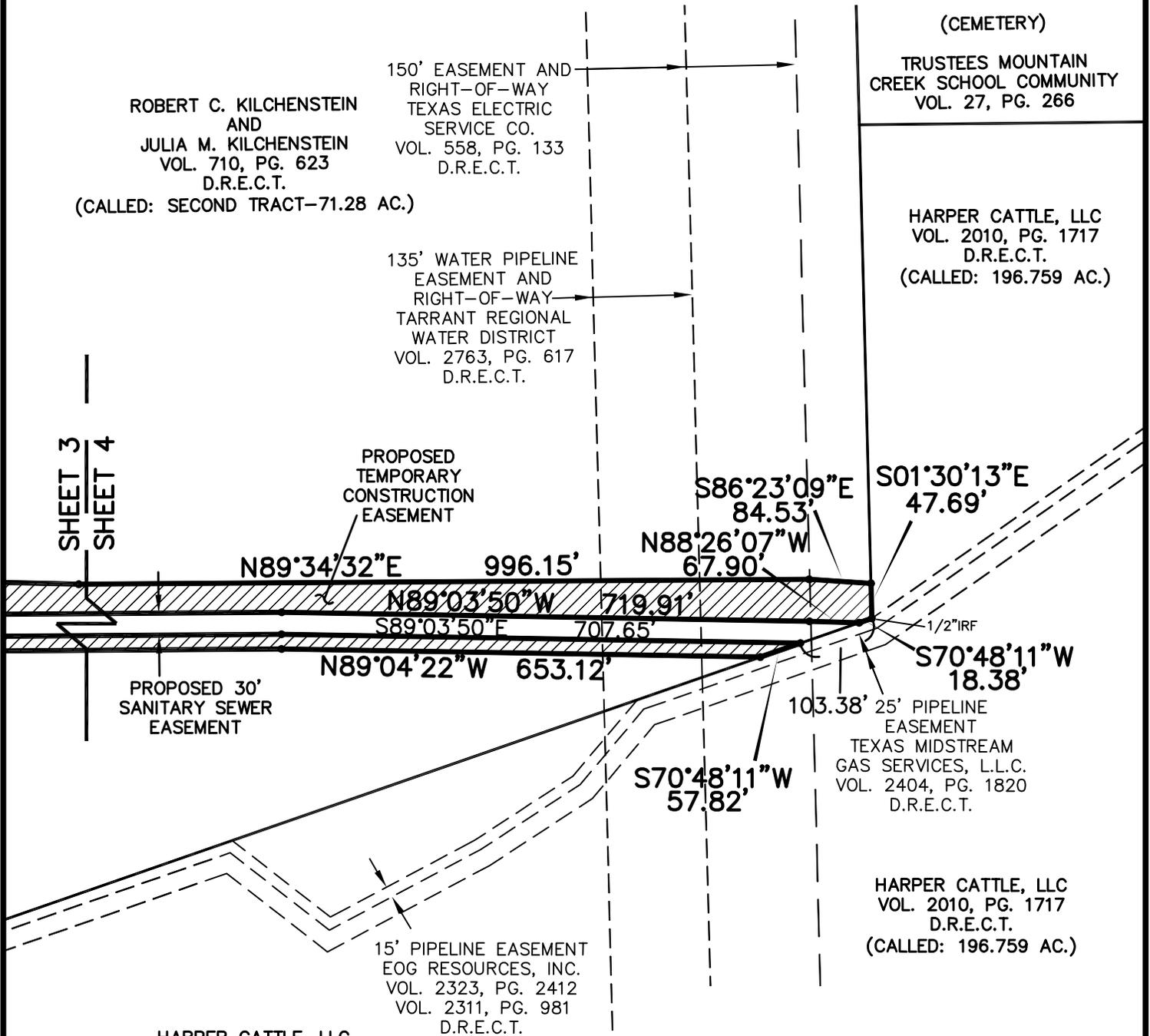
**C.R. 511 / ST. PAUL ROAD**  
(UNRECORDED RIGHT-OF-WAY)



SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	

**EXHIBIT "G"**

**TEMPORARY CONSTRUCTION EASEMENT  
5.101 ACRES  
PAGE 6 OF 6**



SHEET 3  
SHEET 4

PROPOSED 30'  
SANITARY SEWER  
EASEMENT

PROPOSED  
TEMPORARY  
CONSTRUCTION  
EASEMENT

15' PIPELINE EASEMENT  
EOG RESOURCES, INC.  
VOL. 2323, PG. 2412  
VOL. 2311, PG. 981  
D.R.E.C.T.

(CEMETERY)  
TRUSTEES MOUNTAIN  
CREEK SCHOOL COMMUNITY  
VOL. 27, PG. 266

HARPER CATTLE, LLC  
VOL. 2010, PG. 1717  
D.R.E.C.T.  
(CALLED: 196.759 AC.)

25' PIPELINE  
EASEMENT  
TEXAS MIDSTREAM  
GAS SERVICES, L.L.C.  
VOL. 2404, PG. 1820  
D.R.E.C.T.

HARPER CATTLE, LLC  
VOL. 2010, PG. 1717  
D.R.E.C.T.  
(CALLED: 196.759 AC.)

HARPER CATTLE, LLC  
VOL. 2010, PG. 1717  
D.R.E.C.T.  
(CALLED: 196.759 AC.)



**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

*ES BACAK*

EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
Revised: August 25, 2016



SCALE: 1"=200'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	<b>JB</b> PARTNERS
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**EXHIBIT "H"**  
**METER STATION**  
**0.057 ACRES**  
**PAGE 1 OF 2**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way);

THENCE South 89 degrees 54 minutes 15 seconds East, 162.19 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 570.05 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 247.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 436.07 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 122.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 14 seconds East, 10.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for the POINT OF BEGINNING of this tract of land;

THENCE North 00 degrees 25 minutes 14 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 50.00 to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 25 minutes 14 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 50.00 feet to the POINT OF BEGINNING and containing 2,500 square feet or 0.0575 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-24-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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**EXHIBIT "H"**

**METER STATION  
0.057 ACRES  
PAGE 2 OF 2**

**LEGEND**

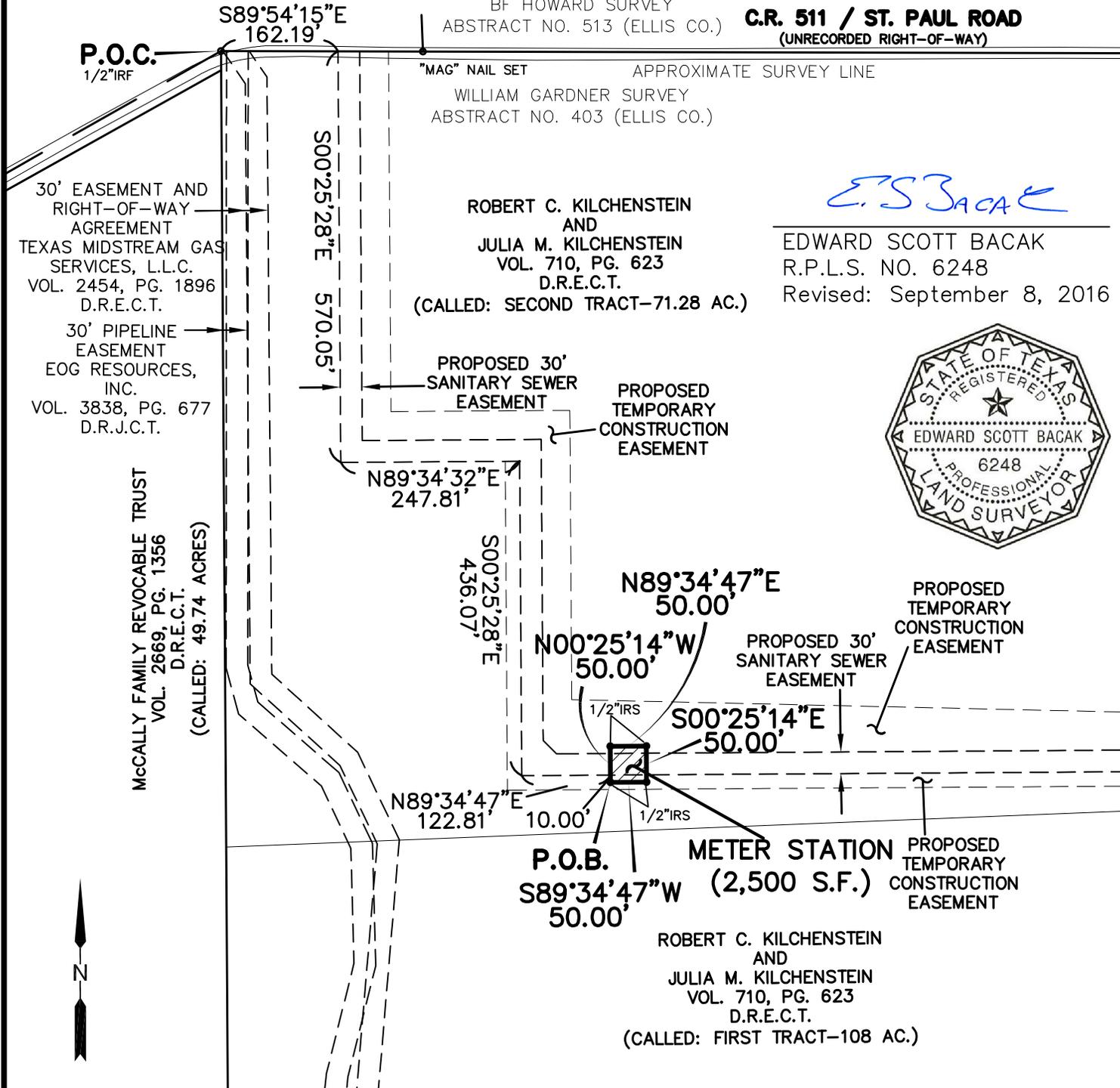
- IRS **ONE-HALF INCH IRON ROD SET WITH YELLOW CAP STAMPED "JBI"**
- IRF **IRON ROD FOUND**
- POB **POINT OF BEGINNING**
- POC **POINT OF COMMENCING**

KNOX STREET PARTNERS NO. 10,  
LTD.  
VOL. 2826, PG. 915  
D.R.E.C.T.  
DOC. NO. 2015-6605  
D.R.J.C.T.  
(CALLED: 31.134 AC.)

ROBERT C. KILCHENSTEIN ETAL  
VOL. 1219, PG. 692  
D.R.E.C.T.  
VOL. 1940, PG. 560  
D.R.J.C.T.  
(CALLED: 107.91 AC.)

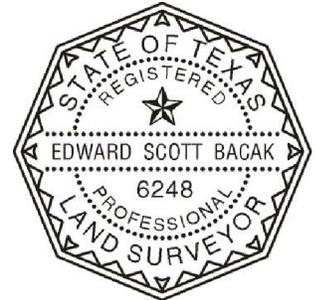
BF HOWARD SURVEY  
ABSTRACT NO. 513 (ELLIS CO.)

**C.R. 511 / ST. PAUL ROAD**  
(UNRECORDED RIGHT-OF-WAY)



*ES Bacak*

EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
Revised: September 8, 2016



MCCALLY FAMILY REVOCABLE TRUST  
VOL. 2669, PG. 1356  
D.R.E.C.T.  
(CALLED: 49.74 ACRES)

30' EASEMENT AND  
RIGHT-OF-WAY  
AGREEMENT  
TEXAS MIDSTREAM GAS  
SERVICES, L.L.C.  
VOL. 2454, PG. 1896  
D.R.E.C.T.  
30' PIPELINE  
EASEMENT  
EOG RESOURCES,  
INC.  
VOL. 3838, PG. 677  
D.R.J.C.T.

SCALE: 1"=200'	DATE 6-24-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438 TBPLS No. 10076000	