

City of Plano – June 2019 – Ordinances and Resolutions

Ordinance No. 2019-6-1: To amend the existing Building Inspections Department Fee Schedule to comply with state law; repealing all previous Fee Schedules and charges for services listed in the Building Inspections Department Fee Schedule and providing a repealer clause, a severability clause, and an effective date.

Resolution No. 2019-6-2(R): To canvass the election returns of the Runoff Election of June 8, 2019, for the election of one Member of Council to Place No. 5 and one Member of Council to Place No. 7; all for a term of four years; declaring the results; and resolving other matters on the subject.

Resolution No. 2019-6-3(R): To certify that the City is eligible to receive financial assistance under the Collin County Parks and Open Space Project Funding Assistance Program; certifying that the City's matching share is readily available; designating the Director of Parks and Recreation as being responsible for acting for and on behalf of the City of Plano; certifying that the Legacy Trail at Means Drive to Penelope Lane project has been dedicated for public park and recreational purposes; and providing an effective date.

Ordinance No. 2019-6-4: To approve the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, the City of Carrollton, and the Town of Hebron, Texas; authorizing the City Manager to execute the agreement on behalf of the City of Plano; and providing an effective date.

Ordinance No. 2019-6-5: To adopt and enact Supplement Number 128 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.

Ordinance 2019-6-6 (Zoning Case 2019-006): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 18.5 acres of land located at the southwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-40-Commercial Employment; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

Ordinance No. 2019-6-7: To amend Article XII, Park and Recreation Fee, Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas by amending Sections 16-262, 16-263, 16-264, 16-266, 16-268, 16-269, 16-270, 16-271, 16-272, 16-273; to update fees and make other changes to the Park and Recreation Fee Ordinance; and providing a penalty clause, a repealer clause, a severability clause, a publication clause and an effective date.

ORDINANCE NO. 2019-6-1

An Ordinance of the City of Plano, Texas, amending the existing Building Inspections Department Fee Schedule to comply with state law; repealing all previous Fee Schedules and charges for services listed in the Building Inspections Department Fee Schedule and providing a repealer clause, a severability clause, and an effective date.

WHEREAS, on April 22, 2019, by Ordinance No. 2019-4-9, the City Council of the City of Plano, Texas amended the current Building Inspection Department Fee Schedule; and

WHEREAS, State Legislature adopted HB 852, which impacts the methodology for some building inspection fees: and

WHEREAS, the City Council recognizes that adjustments to fees are necessary to comply with the legislation and are in the interest of the health, safety and general welfare of the residents of the City of Plano; and

WHEREAS, the City Council is of the opinion that a revised Building Inspections Department Fee Schedule ("Fee Schedule") should be adopted, and the City Council has been presented a proposed Fee Schedule, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Fee Schedule, the City Council is of the opinion that the Fee Schedule should be adopted and approved, that all previous fee schedules and charges for services listed in the Fee Schedule attached hereto should be repealed in all respects, and that a copy of the amended Fee Schedule should be on file with and made available to the public at the Building Inspections Department.

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

Section I. Ordinance No. 2019-4-9, duly passed and approved by the City Council of the City of Plano on April 22, 2019, is hereby repealed in its entirety.

Section II. The amended Fee Schedule shall be on file with and made available to the public at the Building Inspections Department.

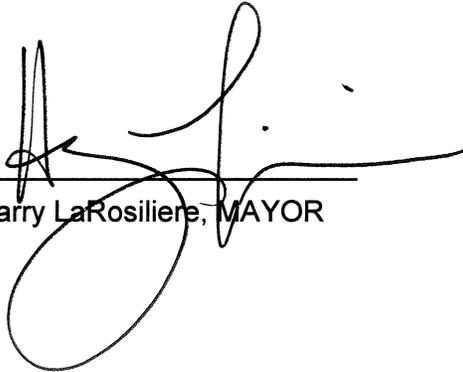
Section III. All provisions of the Ordinance of the City of Plano in conflict with the provisions of previous Resolutions are hereby repealed, and all other provisions of previous Resolutions of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision, or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

ORDINANCE NO. 2019-6-1

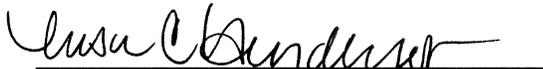
Section V. The fees in this Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this, the 10th day of June, 2019.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

EXHIBIT "A"
CITY OF PLANO – BUILDING INSPECTIONS DEPARTMENT
FEE SCHEDULE

(Fees as required shall be based on valuation utilizing Table 1)

Table 1

\$1 to \$500	\$24
\$501 to \$2000	\$24 for the first \$500.00 plus \$3.00 per each additional \$100.00 or fraction thereof, up to and including \$2,000.00
\$2,001 to \$25,000	\$130 for the first \$2,000.00 plus \$9.99 per each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00
\$25,001 to \$50,000	\$360 for the first \$25,000.00 plus \$8.13 per each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00
\$50,001 to \$100,000	\$563 for the first \$50,000.00 plus \$4.54 per each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00
\$100,001 to \$500,000	\$790 for the first \$100,000 plus \$3.43 per each additional \$1,000.00 or fraction thereof, up to and including \$500,000.00
\$500,001 and over	\$5.25 per \$1,000.00 valuation

When calculating fees, be sure to round the multiplier to the nearest dollar. Be mindful that calculations are to a "fraction thereof".

ACCESS CONTROL	Valuation of project fee per Table 1
ACCESSORY STRUCTURE (<400 sq.ft.)	75.00
ADDENDUM OR PLAN REDRAW (1 hr. minimum)	40.00/hr.
ANTENNA	75.00
AFTER HOURS INSPECTIONS/ SATURDAYS Inspections outside of normal business hours	120.00
APPEAL BOARDS	
Board of Adjustment	
Residential (Homestead) Encroachments on homes built prior to May 1987	75.00
Residential (Homestead) Build after 1987	150.00
Commercial/Residential	265.00
Residential (Homestead) (Reasonable Accommodations)	150.00
Commercial/Residential (Reasonable Accommodations)	265.00
Commercial Signs	265.00
Building Standards Commission	
Residential (Homestead)	50.00
Commercial/Residential	265.00
Residential (Homestead) (Reasonable Accommodations)	150.00
Commercial/Residential (Reasonable Accommodations)	265.00
AWNING	75.00
BANNER/PROMOTIONAL PERMIT	100.00
CARPORT (SEE ACCESSORY STRUCTURE)	
CERTIFICATE OF OCCUPANCY (Fee assessed only in cases of Reoccupancy without construction)	100.00
Clean and Show House-Lights	75.00
Multi-Family Complex	75.00 per building
COMMERCIAL BUILDING PERMIT (New, Addition, Alteration, Remodel or Interior Finish) Separate building permit fees for fire, mechanical, electrical, plumbing and water meters are required.	
Foundation Only Permit	An additional 25% of

Exhibit "A" to Ordinance No. 2019-6-1

(all permit fees must be paid prior to issuing foundation only permit)

Building Permit		building permit fee maximum \$2500.00
COOLING TOWERS		Valuation of project fee per Table 1
DEMOLITION PERMIT - RESIDENTIAL		100.00
DUMPSTER ENCLOSURE		100.00
BUILDING (ELECTRICAL) COMMERCIAL INSPECTIONS (Calculated by Square footage)		
New Installations and Full Remodel/Alterations:		
<i>Square footage of Building Floor Area</i>		
0-3000 sq. ft.		70.00
3001-10,000 sq. ft.		90.00
10,001-100,000 sq. ft.		110.00
Over 100,000 sq. ft.		130.00
EXPRESS PERMITS		100.00 per \$1000.00 Valuation (building Permit only) 100.00 Minimum
FENCE/RETAINING WALL		75.00
Residential Permit Fee	65.00	
Day Laborer Fee	10.00	
Commercial Permit Fee	110.00	120.00
Day Laborer Fee	10.00	
FLAGPOLE		75.00
FOUNDATION PERMIT		100.00
FOUNTAIN		100.00
IN-HOME DAYCARE (ANNUAL FEE)		60.00
LAWN IRRIGATION SYSTEMS (per back flow device)		
Residential Permit Fee	165.00	175.00
Day Laborer Fee	10.00	

Exhibit "A" to Ordinance No. 2019-6-1

Commercial Permit Fee	250.00	260.00
Day Laborer Fee	10.00	

BUILDING (MECHANICAL AND/OR PLUMBING) COMMERCIAL INSPECTIONS

0-3000 sq. ft.	70.00
3001-10,000 sq. ft.	90.00
10,001-100,000 sq.ft.	110.00
Over 100,000 sq. ft.	130.00

MOBILE HOME HOOKUPS

Plumbing (Gas Hookups)	50.00
Electrical hookups	50.00

MOVING PERMITS

Any building in transit through the City of Plano 50.00

Any building originating or terminating within the City limits of Plano. In addition, electrical, mechanical, plumbing and building permits will be required for structures terminating within the City. 100.00

Note: Applicants shall deposit a bond in the sum of \$10,000 before a permit is issued and a valid certificate of insurance in force in the amount of \$100,000 per person for bodily injuries including death and not less than \$300,000 for bodily injuries including death to all persons on account of one accident; and \$100,000 per accident for property damage.

MULTI-FAMILY RESIDENTIAL

Building Permit		.65 / Sq.Ft.
	plus (+)	
Plan Review		90.00
	plus (+)	

(See Building Mechanical, Electrical, and/or Plumbing Commercial Inspections Calculated by Square footage)

OUTDOOR FIREPLACE 50.00

PHOTOVOLTAIC (Residential) 150.00

PLAN REVIEW DEPOSIT 65% of building permit fee
(Fee is applied to the total permit fee and is non-refundable)

PLUMBING CERTIFICATE (Service Inspection) 75.00

PLUMBING PERMIT (See Mechanical Permit Fee)

REGISTRATION OF CONTRACTORS (ANNUAL REGISTRATION FEE)

General Contractor	100.00
Irrigation Contractor	100.00
Mechanical Contractor	100.00
Sign Contractor	100.00
Solid Waste Disposal Contractor	20.00
(for each additional identification tag)	10.00
Annual Renewal Fee	10.00
(per vehicle identification tag)	

REINSPECTION FEES:

(Must be paid before scheduling any final inspections)

First Re-inspection Fee	50.00
Second Re-inspection Fee	75.00
Third Re-inspection Fee	100.00
Additional Re-inspection Fee	125.00
After Hours and Saturday Inspections	120.00
Same Day Inspection (Per Trade)	75.00

REPRINT OR LOST PERMIT 20.00

RE-ROOF RESIDENTIAL 75.00

RESIDENTIAL (Addition, Alteration, Backyard Cottage)

Minimum fee	40.00
Building Permit (if applicable)	.48 / Sq.Ft.
	plus (+)
Plan Review	45.00
	plus (+)
BLD - Electrical (if applicable)	
Per square foot	.01
Minimum Fee	45.00
	plus (+)
BLD - Plumbing (if applicable)	
Per square foot	.01
Minimum Fee	45.00
	plus (+)
BLD - Mechanical (if applicable)	
Per square foot	.01

Exhibit "A" to Ordinance No. 2019-6-1

Minimum Fee		45.00
NEW SINGLE FAMILY RESIDENCE		
Cost per square foot (under roof)		.48 / Sq.Ft.
	plus (+)	
Plan Review Fee		80.00
Plumbing Certificate		75.00
Duplex		
Cost per square foot		.48 / Sq. Ft.
	plus (+)	
Plan Review		90.00
Plumbing Certificate		150.00
SATELLITE DISH		
		75.00
SIDEWALK OR APPROACH IN RIGHT OF WAY		
(New or replacement)		75.00
SIGNS		
Non-illuminated Sign		150.00
Illuminated Sign		200.00
SIMPLE TRADE PERMITS (MEP) each		
Residential		65.00
Commercial w/o plans		100.00
Commercial w/ plans		125.00
SPAS (IN GROUND)		
		150.00
Permit Fee	140.00	
Day Laborer Fee	10.00	
SPAS (PORTABLE)		
		50.00
SWIMMING POOL (IN GROUND)		
		300.00
Permit Fee	290.00	
Day Laborer Fee	10.00	
SWIMMING POOL (ABOVE GROUND)		
		55.00
Permit Fee	45.00	
Day Laborer Fee	10.00	
SWIMMING POOL/SPA COMBINATION		
		\$300.00
Permit Fee	290.00	
Day Laborer Fee	10.00	

TEMPORARY SALES/SEASONAL	40.00
TEMPORARY C.O.	100.00
	Plus additional 100.00 for each trade
TENT	100.00
TRAILER PERMIT Residential, Commercial, Construction, Sales, Leasing Trailer, without MEP	100.00
WATER ESTIMATE FEE (IF APPLICABLE)	40.00
WATER WELLS	200.00
WINDOWS	\$40.00
	plus (+)
Additional for each window element (Maximum \$100.00)	\$10.00
XEROGRAPHIC COPIES	
Standard up to 8 ½ x 14(per copy/per side) *	.10
Paper Copy 11 x 17 (per copy) *	.25
* No charge if less than \$1.00 fee	

RESOLUTION NO. 2019-6-2(R)

A Resolution of the City of Plano, Texas, canvassing the election returns of the Runoff Election of June 8, 2019, for the election of one Member of Council to Place No. 5 and one Member of Council to Place No. 7; all for a term of four years; declaring the results; and resolving other matters on the subject.

WHEREAS, for the purpose of electing one member of Council, Place No. 5 and one member of Council, Place No. 7; all for a four (4) year term of office on the Plano City Council, the City Council called a Runoff Election to be held on June 8, 2019, by Ordinance No. 2019-5-4, adopted on May 13, 2019; and

WHEREAS, the City Council met on June 18, 2019, and canvassed the election returns of the above-mentioned election; and

WHEREAS, it was found that the persons herein named received the stated number of votes for said term of office on the Plano City Council:

MEMBER OF COUNCIL, PLACE NO. 5

Shelby Williams 11,082

Ron Kelley 9,723

MEMBER OF COUNCIL, PLACE NO. 7

Ann Bacchus 9,330

Lily Bao 12,262

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

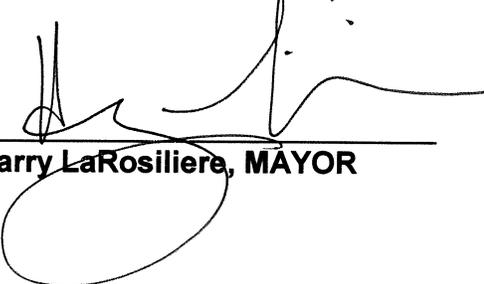
Section I. That in the Runoff Election held on June 8, 2019, for Member of Council, Place No. 5, Shelby Williams received a majority of all votes cast for such place; and for Member of Council, Place No. 7, Lily Bao received a majority of all votes cast for such place.

Section II. Shelby Williams is hereby declared to be elected Council Member for Place No. 5; and Lily Bao is hereby declared to be elected Council Member for Place No. 7.

RESOLUTION NO. 2019-6-2(R)

Section III. The City Council hereby finds and determines, as a result of this Canvass, that a total of 21,740 persons voted in the Runoff Election held on June 8, 2019.

DULY PASSED AND APPROVED THIS THE 18th DAY OF JUNE, 2019.



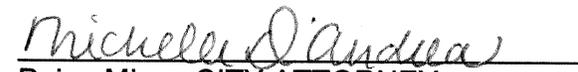
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

Approved as to form:



For: Paige Mims, CITY ATTORNEY

RESOLUTION NO. 2019-6-3(R)

A Resolution of the City of Plano, Texas, certifying that the City is eligible to receive financial assistance under the Collin County Parks and Open Space Project Funding Assistance Program; certifying that the City's matching share is readily available; designating the Director of Parks and Recreation as being responsible for acting for and on behalf of the City of Plano; certifying that the Legacy Trail at Means Drive to Penelope Lane project has been dedicated for public park and recreational purposes; and providing an effective date.

WHEREAS, the Collin County voters approved a bond referendum for the purpose of allowing Cities within Collin County to participate in the Collin County Parks and Open Space Matching Grant Program ("the Program"); and

WHEREAS, the City of Plano is fully eligible to receive financial assistance under the Program; and

WHEREAS, the City of Plano intends to submit a parks and open space project application for the Legacy Trail at Means Drive to Penelope Lane project to Collin County prior to the July 8, 2019 deadline; and

WHEREAS, the Program will award funding in October 2019 for parks and open space projects through the Collin County Parks and Open Space Project Funding Assistance Program Call for Projects; and

WHEREAS, the City of Plano desires to authorize an official to represent and act for the City of Plano in dealing with the Collin County Commissioners Court concerning the program.

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

Section I. The City of Plano supports the Legacy Trail at Means Drive to Penelope Lane project as applied for in the 2019 Parks and Open Space Project Funding Assistance Program Call for Projects application.

Section II. The City of Plano hereby certifies that the City is eligible to receive financial assistance under the Program.

Section III. The City of Plano hereby certifies that the matching share for this application is readily available at this time.

Section IV. The City Council of the City of Plano hereby authorizes and directs its Director of Parks and Recreation to act for the City of Plano in dealing with and to make application for financial assistance from the Collin County Commissioner's Court for the purpose of participating in the Program, and the Director of Parks and Recreation is hereby officially designated as the representative in this regard.

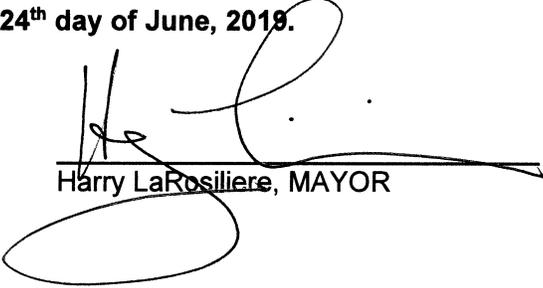
Section V. The City of Plano understands and acknowledges that all awarded funding is provided on a reimbursement basis.

RESOLUTION NO. 2019-6-3(R)

Section VI. The City of Plano hereby certifies that the Legacy Trail at Means Drive to Penelope Lane has been dedicated for public park and recreational purposes.

Section VII. This resolution shall be effective immediately upon its passage.

DULY PASSED AND APPROVED the 24th day of June, 2019.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2019-6-4

An Ordinance of the City of Plano, Texas approving the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, the City of Carrollton, and the Town of Hebron, Texas; authorizing the City Manager or his authorized designee to execute the Agreement on behalf of the City of Plano; and providing an effective date.

WHEREAS, the City Council has been presented a proposed Boundary Adjustment Agreement between the City of Plano, the City of Carrollton, and the Town of Hebron, Texas adjusting boundaries for certain tracts of land located along Marsh Lane, Hebron Parkway, Park Boulevard and Plano Parkway, in the manner described in and attached hereto as Exhibits A, B, and C, and incorporated herein by reference in the attached Boundary Adjustment Agreement (hereinafter called "Agreement"); and

WHEREAS, to avoid future confusion regarding the municipal responsibilities, the cities of Plano and Carrollton and the Town of Hebron have agreed it is in the best interest of the three cities to adjust the boundary separating the cities and now wish to move the city boundaries in accordance with the attached Exhibits A, B, and C; and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager, or his authorized designee, shall be authorized to execute it on behalf of the City of Plano.

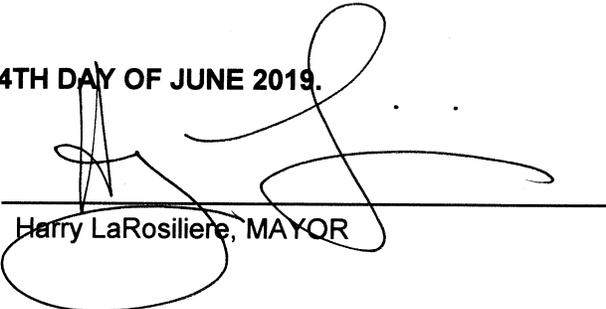
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager, or his authorized designee, is hereby authorized to execute the Agreement and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the Agreement.

Section III. This Ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED THIS THE 24TH DAY OF JUNE 2019.



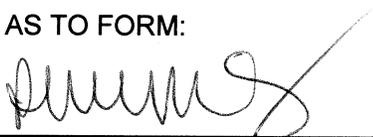
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

BOUNDARY ADJUSTMENT AGREEMENT

THIS AGREEMENT is made and entered into by and between the **CITY OF PLANO, TEXAS**, hereinafter referred to as "Plano" the **TOWN OF HEBRON**, hereinafter referred to as "Hebron" and the **CITY OF CARROLLTON, TEXAS**, hereinafter referred to as "Carrollton."

WHEREAS, the city limits of Plano, Hebron and Carrollton are in part contiguous with each other in locations that create confusion regarding the administration of municipal services; and

WHEREAS, Plano, Hebron and Carrollton are adjacent municipalities which desire to make mutually agreeable changes in their boundaries; and

WHEREAS, Section 43.031 of the Texas Government Code authorizes adjacent cities to enter into mutually agreeable boundary changes in areas that are less than 1,000 feet in width; and

WHEREAS, Plano, Hebron and Carrollton agree that it is in the best interests of the cities to adjust the city boundaries so all travel lanes of a given section of the affected arterial roadways are located within the jurisdiction of either Plano or Carrollton; and

WHEREAS, the configuration of the adjusted boundaries will provide Hebron with a contiguous strip annexed into their jurisdiction, located parallel and just inside the right of way of adjacent section of Hebron Parkway and Marsh Lane; and

WHEREAS, Hebron's strip will cross Hebron Parkway at the west right-of-way line of Midway Road and will cross Marsh Lane approximately 850 feet south of Plano Parkway; and

WHEREAS, representatives of Plano, Hebron and Carrollton agree to relocate their ultimate boundaries as described herein.

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, and promises expressed herein, Plano, Hebron and Carrollton agree as follows:

SECTION I.
Statement of Intent

It is the intent of Plano, Hebron and Carrollton to modify their respective ultimate boundaries to the locations described in the preamble of this agreement and in the manner described in, attached to, and made a part of this Agreement as Exhibit "A." Each city, by its official action approving this Agreement, agrees to take the necessary steps to accomplish the objective of the Agreement, so that the resulting boundaries between them will be as described and depicted in Exhibit "A."

SECTION II.
Relinquishment of Territory

To accomplish the objective set forth in Section I above, Plano does hereby grant, relinquish, and apportion unto Carrollton land that is less than 1,000 feet in width and contained within the right-of-way of Marsh Lane and Hebron Parkway. Plano does hereby grant, relinquish, and apportion unto Hebron land that is less than 1,000 feet in width and contained within the right-of-way of Marsh Lane and Hebron Parkway. Carrollton does hereby grant, relinquish, and apportion unto Plano land that is less than 1,000

feet in width and contained within the right-of-way of Marsh Lane. Carrollton does hereby grant, relinquish, and apportion unto Hebron land that is less than 1,000 feet in width and contained within the right-of-way of Marsh Lane. Hebron does hereby grant, relinquish, and apportion unto Plano land that is less than 1,000 feet in width and contained within the right-of-way of Marsh Lane. Hebron does hereby grant, relinquish, and apportion unto Carrollton land that is less than 1,000 feet in width and contained within the right-of-way of Marsh Lane. Hebron does hereby grant, relinquish, and apportion unto Carrollton land that is less than 1,000 feet in width and contained within the right-of-way of Hebron Parkway. All as more specifically described and depicted in Exhibits "A – C (includes A1-3, B1-3 and C1-3)."

SECTION III.

Waiver of Extraterritorial Jurisdiction

Plano, Hebron and Carrollton do hereby waive extraterritorial jurisdiction located within the rights-of-way of Marsh Lane and Hebron Parkway, as depicted on Exhibit "A." It is expressly agreed and understood that this waiver shall operate only in favor of the parties to this agreement, and shall not constitute a waiver of any right, including extraterritorial jurisdiction rights, which either party may be able to assert against any other municipality.

SECTION IV.

Infrastructure and Traffic Control

Plano, Hebron and Carrollton will each be responsible for the construction, reconstruction and maintenance of the infrastructure located within its respective territory. Such responsibility will include but will not be limited to: maintenance and reconstruction of roadways and sidewalks; maintenance and placement of signage and pavement markings; illumination of roadways; and irrigation, landscaping, maintenance and mowing of median areas.

Water mains and sewer mains, and appurtenances, located within the affected areas will continue to be owned by the municipality that currently operates those facilities. A city that accepts new territory that includes an existing water main and or an existing sewer main within its new territory, will allow those utilities, and appurtenances, to remain in the current location and to be maintained and reconstructed, as necessary to provide continued service.

Operation and maintenance of the existing traffic signal at the intersection of Hebron Parkway and Marsh Lane will continue to be the responsibility of Carrollton. Operation and maintenance of the traffic signal at the intersection of Park Boulevard and Midway Road will be the responsibility of Plano.

The name of the east-west roadway bordering Plano, Carrollton and Hebron will be known as Hebron Parkway to the west of Midway Road and will be known as Park Boulevard to the east of Midway Road.

Staff for the cities will coordinate the speed limit for the section of Marsh Lane between Plano Parkway and Hebron Parkway.

SECTION V.

Immunity and Defenses

It is expressly understood and agreed that, in the execution of this Agreement, no party waives, nor shall be deemed hereby to have waived, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this

Agreement, the parties do not create any obligations, express or implied, other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

SECTION VI.
Severability

Should any provision of this Agreement be declared void by a court of competent jurisdiction, the remaining provisions of this Agreement shall remain in full force and effect.

SECTION VII.
Execution of Agreement

This Agreement shall be effective upon the execution by the duly authorized officials of the respective parties pursuant to approving resolutions or ordinances of the governing body of the respective units of local government that are a party to this Agreement. This Agreement may be executed in multiple counterpart originals by the respective parties to this Agreement.

CITY OF PLANO, TEXAS

Date: _____

BY: Bruce D. Glasscock, CITY MANAGER

APPROVED AS TO FORM

Paige Mims, CITY ATTORNEY

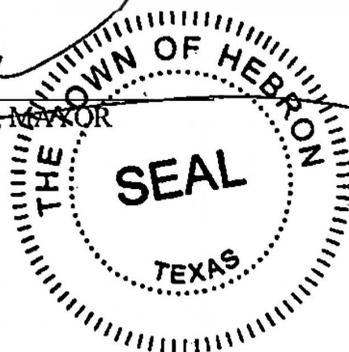
TOWN OF HEBRON, TEXAS

Date: 6-3-19

BY: Kelly Clem, MAYOR

APPROVED AS TO FORM

Richard L. Dillard, III, TOWN ATTORNEY



CITY OF CARROLLTON, TEXAS

Date: _____

BY: Erin Rinehart, CITY MANAGER

APPROVED AS TO FORM

Susan Keller, ASSISTANT CITY ATTORNEY

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

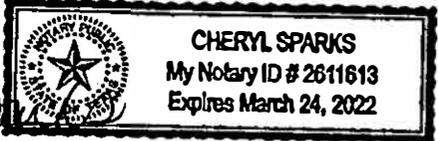
This instrument was acknowledged before me on the ___ day of _____, 2019 by **BRUCE D. GLASSCOCK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF Denton §

This instrument was acknowledged before me on the 3rd day of June, 2019 by **KELLY CLEM**, Town Mayor of the **TOWN OF HEBRON, TEXAS**, a general-law municipal corporation, on behalf of said corporation.

Cheryl Sparks
Notary Public, State of Texas



Boundary Adjustment Agreement to Ordinance No. 2019-6-4

STATE OF TEXAS

§
§
§

COUNTY OF _____

This instrument was acknowledged before me on the ___ day of _____, 2019 by **ERIN RINEHART**, City Manager of the **CITY OF CARROLLTON, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

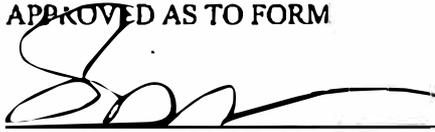
Notary Public, State of Texas

CITY OF CARROLLTON, TEXAS

Date: 5/23/19.

BY: 
Erin Rinehart, CITY MANAGER

APPROVED AS TO FORM


Susan Keller, ASSISTANT CITY ATTORNEY

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____, 2019 by **BRUCE D. GLASSCOCK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

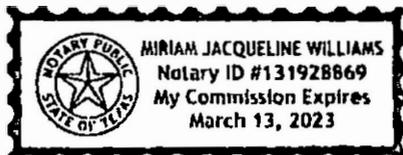
STATE OF TEXAS §
 §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ___ day of _____, 2019 by **KELLY CLEM**, Town Mayor of the **TOWN OF HEBRON, TEXAS**, a general-law municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF Dallas §

This instrument was acknowledged before me on the 23 day of May, 2019 by **ERIN RINEHART**, City Manager of the **CITY OF CARROLLTON, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.





Notary Public, State of Texas

Exhibit "A" to Boundary Adjustment Agreement

**EXHIBIT A-1
ANNEXATION
The Town of Hebron, Denton County, Texas
Approximately 1.063 Acres**

THIS DOCUMENT WAS PREPARED FOR USE BY THE TOWN OF HEBRON IN DENTON COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING approximately 1.063 acres of land lying partially in the John M. Myers Survey, Abstract No. 882, and partially in the John Smith Survey, Abstract No. 1226, situated in Denton County, Texas, and being more particularly described as follows:

BEGINNING at the common northeast corner of Lot 64, Block A, of the Shops at Prestonwood Phase 2B, an addition to the City of Carrollton, Denton County, Texas, according to the plat thereof recorded in Document No. 2018-57, of the Plat Records of Denton County, Texas (P.R.D.C.T.), and the southeast corner of Lot 2, Block A, of Plano/544 Business Park Addition, an addition to the City of Plano, Denton County, Texas, according to the plat thereof recorded in Cabinet N, Page 207, P.R.D.C.T., said point also being on the existing west Right-of-Way (R.O.W.) line of Marsh Lane (110 foot wide R.O.W.) and a south line of that certain called 45.380 acre City Limit parcel to the City of Plano as described in Ordinance No. 80-4-18, approved April 14, 1980;

THENCE South 89 degrees 37 minutes 56 seconds East, departing said west R.O.W. line and traveling across said Marsh Lane, along a south line of said Ordinance No. 80-4-18, passing at a distance of 111.54 feet to a point in the east R.O.W. line of said Marsh Lane, and continuing for a total distance of 121.56 feet to a point at the beginning of a curve to the left, with the radius point being situated South 79 degrees 58 minutes 16 seconds East, at a distance of 1,572.02 feet;

THENCE in a Southerly direction, being parallel to and a perpendicular distance of 10.0 feet east of said east R.O.W. line of Marsh Lane, the following six (6) courses and distances:

- 1) Southerly, with said curve to the left, through a central angle of 09 degrees 31 minutes 26 seconds, having a radius of 1,572.02 feet, a chord bearing South 05 degrees 16 minutes 00 seconds West, a chord distance of 261.01 feet, and an arc distance of 261.31 feet to the end of said curve;
- 2) South 00 degrees 29 minutes 49 seconds West, a distance of 182.29 feet to the beginning of a non-tangent curve to the right, with the radius point being situated North 89 degrees 02 minutes 56 seconds West at a distance of 5,747.32 feet;
- 3) Southwesterly, with said curve to the right, through a central angle of 01 degrees 34 minutes 55 seconds, having a radius of 5,747.32 feet, a chord bearing South 01 degrees 44 minutes 32 seconds West, a chord distance of 158.68 feet, and an arc distance of 158.68 feet to the end of said curve;
- 4) South 02 degrees 31 minutes 51 seconds West, a distance of 761.98 feet to a point;
- 5) South 01 degrees 16 minutes 56 seconds East, a distance of 150.38 feet to a point;
- 6) South 02 degrees 31 minutes 51 seconds West, a distance of 196.14 feet to a point;

Exhibit "A" to Boundary Adjustment Agreement

THENCE South 42 degrees 57 minutes 30 seconds East, transitioning from said Marsh Lane to E. Hebron Parkway (F.M. 544 – a variable width R.O.W.), a distance of 19.91 feet to a point;

THENCE in an Easterly direction, being parallel to and a perpendicular distance of 10.0 feet north of the north R.O.W. line of said E. Hebron Parkway (FM 544), the following ten (10) courses and distances:

- 1) South 87 degrees 18 minutes 53 seconds East, a distance of 166.70 feet to a point;
- 2) South 83 degrees 30 minutes 02 seconds East, a distance of 150.33 feet to a point;
- 3) South 87 degrees 18 minutes 53 seconds East, a distance of 582.17 feet to a point;
- 4) North 02 degrees 41 minutes 07 seconds East, a distance of 10.00 feet to a point;
- 5) South 87 degrees 18 minutes 53 seconds East, a distance of 260.75 feet to a point;
- 6) South 84 degrees 23 minutes 23 seconds East, a distance of 148.64 feet to a point;
- 7) South 88 degrees 39 minutes 19 seconds East, a distance of 198.20 feet to a point;
- 8) North 46 degrees 20 minutes 41 seconds East, a distance of 7.07 feet to a point;
- 9) South 88 degrees 39 minutes 19 seconds East, a distance of 174.46 feet to a point;
- 10) South 82 degrees 57 minutes 32 seconds East, a distance of 50.38 feet to a point;

THENCE South 88 degrees 39 minutes 19 seconds East, extending beyond said R.O.W. line and into Midway Road, a distance of 925.66 feet to a point in the projected west R.O.W. line of said Midway Road (extending to the north);

THENCE SOUTH, traveling across said R.O.W. of E. Hebron Parkway (FM 544), along said projected west R.O.W. line of Midway Road, a distance of 114.38 feet to a point within the R.O.W. for E. Hebron Parkway (FM 544) and in a curving northerly line of that certain called 188 acre City Limit parcel to the City of Carrollton as described in Ordinance No. 750, approved April 17, 1978, and being in a non-tangent curve to the right, with the radius point being situated North 06 degrees 59 minutes 03 seconds West at 1,009.90 feet;

THENCE in a Westerly direction, continuing within said R.O.W. of E. Hebron Parkway (FM 544), along said non-tangent curve to the right, through a central angle of 00 degrees 34 minutes 16 seconds, having a radius of 1,009.90 feet, a chord bearing South 83 degrees 18 minutes 06 seconds West, a chord distance of 10.07 feet, and an arc distance of 10.07 feet to the end of said curve;

THENCE NORTH, departing the northerly line of said Ordinance No. 750, traveling across said R.O.W. for E. Hebron Parkway (FM 544), being parallel to and a perpendicular distance of 10.0 feet west of the aforementioned projected west R.O.W. line of Midway Road, a distance of 105.79 feet to a point;

THENCE in a Westerly direction, departing said Midway Road, continuing within said R.O.W. of E. Hebron Parkway (FM 544), and then along the south R.O.W. line of said E. Hebron Parkway (FM 544), the following eleven (11) courses and distances:

- 1) North 88 degrees 39 minutes 19 seconds West, a distance of 916.38 feet to a point;

Exhibit "A" to Boundary Adjustment Agreement

- 2) North 82 degrees 57 minutes 32 seconds West, a distance of 50.38 feet to a point;
- 3) North 88 degrees 39 minutes 19 seconds West, a distance of 169.82 feet to a point;
- 4) South 46 degrees 20 minutes 41 seconds West, a distance of 7.07 feet to a point;
- 5) North 88 degrees 39 minutes 19 seconds West, a distance of 202.71 feet to a point;
- 6) North 84 degrees 23 minutes 23 seconds West, a distance of 148.76 feet to a point;
- 7) North 87 degrees 18 minutes 53 seconds West, a distance of 250.49 feet to a point;
- 8) South 02 degrees 41 minutes 07 seconds West, a distance of 10.00 feet to a point;
- 9) North 87 degrees 18 minutes 53 seconds West, a distance of 592.51 feet to a point;
- 10) North 83 degrees 30 minutes 02 seconds West, a distance of 150.33 feet to a point;
- 11) North 87 degrees 18 minutes 53 seconds West, a distance of 170.44 feet to a point;

THENCE North 42 degrees 57 minutes 30 seconds West, along the transitional R.O.W. line from said E. Hebron Parkway (F.M. 544) to said Marsh Lane, a distance of 28.18 feet to an angle point in the aforementioned east R.O.W. line of Marsh Lane;

THENCE in a northerly direction, along said east R.O.W. line of Marsh Lane, the following six (6) courses and distances:

- 1) North 02 degrees 31 minutes 51 seconds East, a distance of 200.00 feet to a point;
- 2) North 01 degrees 16 minutes 56 seconds West, a distance of 150.38 feet to a point;
- 3) North 02 degrees 31 minutes 51 seconds East, a distance of 762.31 feet to the beginning of a non-tangent curve to the left, with the radius point being situated North 87 degrees 28 minutes 00 seconds West at 5,735.67 feet;
- 4) Northerly, along said non-tangent curve to the left, through a central angle of 01 degrees 34 minutes 57 seconds, having a radius of 5,735.67 feet, a chord bearing North 01 degrees 44 minutes 32 seconds East, a chord distance of 158.40 feet, and an arc distance of 158.41 feet to the end of said curve;
- 5) North 00 degrees 29 minutes 49 seconds East, a distance of 182.21 feet to the beginning of a non-tangent curve to the right, with the radius point being situated South 89 degrees 29 minutes 43 seconds East at 1,582.02 feet;
- 6) Northeasterly, along said non-tangent curve to the right, through a central angle of 09 degrees 05 minutes 43 seconds, having a radius of 1,582.02 feet, a chord bearing North 05 degrees 03 minutes 09 seconds East, a chord distance of 250.87 feet, and an arc distance of 251.13 feet to a point;

THENCE North 89 degrees 39 minutes 57 seconds West, departing said east R.O.W. line and traveling across said Marsh Lane, being parallel to and a perpendicular distance of 10.00 feet south of the south line of said Ordinance No. 80-4-18, a distance of 111.32 feet to a point on the west R.O.W. line of said Marsh Lane; said point being at the

Exhibit "A" to Boundary Adjustment Agreement

beginning of a non-tangent curve to the right, with the radius point being situated South 81 degrees 00 minutes 41 seconds East at 1,692.02 feet;

THENCE Northeasterly, along the west R.O.W. line of said Marsh Lane, along said non-tangent curve to the right, through a central angle of 00 degrees 20 minutes 42 seconds, having a radius of 1,692.02 feet, a chord bearing North 09 degrees 09 minutes 40 seconds East, a chord distance of 10.18 feet, and an arc distance of 10.18 feet to the POINT OF BEGINNING and containing approximately 1.063 acres (0.0017 square miles) of land, more or less.

EXHIBIT A-2
CARROLLTON BOUNDARY LINE
Denton County, Texas

THIS DOCUMENT WAS PREPARED FOR USE BY THE CITY OF CARROLLTON IN DENTON COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING a line segment to designate the limits between the City of Carrollton and the Town of Hebron, lying partially in the John M. Myers Survey, Abstract No. 882, and partially in the John Smith Survey, Abstract No. 1226, situated in Denton County, Texas, and being more particularly described as follows:

BEGINNING at a point landing within the Right-of-Way (R.O.W.) of E. Hebron Parkway (FM 544 – variable width R.O.W.), being at the intersection of the projected west R.O.W. line of Midway Road with the curving northerly line of that certain called 188 acre City Limit parcel to the City of Carrollton as described in Ordinance No. 750, approved April 17, 1978, and being in a non-tangent curve to the right, with the radius point being situated North 06 degrees 59 minutes 03 seconds West at 1,009.90 feet;

THENCE in a Westerly direction, continuing within said R.O.W. of E. Hebron Parkway (FM 544), along said non-tangent curve to the right, through a central angle of 00 degrees 34 minutes 16 seconds, having a radius of 1,009.90 feet, a chord bearing South 83 degrees 18 minutes 06 seconds West, a chord distance of 10.07 feet, and an arc distance of 10.07 feet to the end of said curve;

THENCE NORTH, departing the northerly line of said Ordinance No. 750, traveling across said R.O.W. for E. Hebron Parkway (FM 544), being parallel to and a perpendicular distance of 10.0 feet west of the aforementioned projected west R.O.W. line of Midway Road, a distance of 105.79 feet to a point;

THENCE in a Westerly direction, departing said Midway Road, continuing within said R.O.W. of E. Hebron Parkway (FM 544), and then along the south R.O.W. line of said E. Hebron Parkway (FM 544), the following eleven (11) courses and distances:

- 1) North 88 degrees 39 minutes 19 seconds West, a distance of 916.38 feet to a point;
- 2) North 82 degrees 57 minutes 32 seconds West, a distance of 50.38 feet to a point;
- 3) North 88 degrees 39 minutes 19 seconds West, a distance of 169.82 feet to a point;
- 4) South 46 degrees 20 minutes 41 seconds West, a distance of 7.07 feet to a point;
- 5) North 88 degrees 39 minutes 19 seconds West, a distance of 202.71 feet to a point;
- 6) North 84 degrees 23 minutes 23 seconds West, a distance of 148.76 feet to a point;
- 7) North 87 degrees 18 minutes 53 seconds West, a distance of 250.49 feet to a point;
- 8) South 02 degrees 41 minutes 07 seconds West, a distance of 10.00 feet to a point;

Exhibit "A" to Boundary Adjustment Agreement

- 9) North 87 degrees 18 minutes 53 seconds West, a distance of 592.51 feet to a point;
- 10) North 83 degrees 30 minutes 02 seconds West, a distance of 150.33 feet to a point;
- 11) North 87 degrees 18 minutes 53 seconds West, a distance of 170.44 feet to a point;

THENCE North 42 degrees 57 minutes 30 seconds West, along the transitional R.O.W. line from said E. Hebron Parkway (F.M. 544) to Marsh Lane (variable width R.O.W.), a distance of 28.18 feet to an angle point in the aforementioned east R.O.W. line of Marsh Lane;

THENCE in a northerly direction, along said east R.O.W. line of Marsh Lane, the following six (6) courses and distances:

- 1) North 02 degrees 31 minutes 51 seconds East, a distance of 200.00 feet to a point;
- 2) North 01 degrees 16 minutes 56 seconds West, a distance of 150.38 feet to a point;
- 3) North 02 degrees 31 minutes 51 seconds East, a distance of 762.31 feet to the beginning of a non-tangent curve to the left, with the radius point being situated North 87 degrees 28 minutes 00 seconds West at 5,735.67 feet;
- 4) Northerly, along said non-tangent curve to the left, through a central angle of 01 degrees 34 minutes 57 seconds, having a radius of 5,735.67 feet, a chord bearing North 01 degrees 44 minutes 32 seconds East, a chord distance of 158.40 feet, and an arc distance of 158.41 feet to the end of said curve;
- 5) North 00 degrees 29 minutes 49 seconds East, a distance of 182.21 feet to the beginning of a non-tangent curve to the right, with the radius point being situated South 89 degrees 29 minutes 43 seconds East at 1,582.02 feet;
- 6) Northeasterly, along said non-tangent curve to the right, through a central angle of 09 degrees 05 minutes 43 seconds, having a radius of 1,582.02 feet, a chord bearing North 05 degrees 03 minutes 09 seconds East at 250.87 feet, and an arc distance of 251.13 feet to a point;

THENCE North 89 degrees 39 minutes 57 seconds West, departing said east R.O.W. line and traveling across said Marsh Lane, being parallel to and perpendicular distance of 10.00 feet south of the south line of said Ordinance No. 80-4-18, a distance of 111.32 feet to a point on the west R.O.W. line of Marsh Lane and the End Point of this description.

EXHIBIT A-3
PLANO BOUNDARY LINE
Denton County, Texas

THIS DOCUMENT WAS PREPARED FOR USE BY THE CITY OF PLANO IN DENTON COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING a line segment to designate the limits between the City of Plano and the Town of Hebron located in the John M. Myers Survey, Abstract No. 882, and the John Smith Survey, Abstract No. 1226, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the common northeast corner of Lot 64, Block A, of the Shops at Prestonwood Phase 2B, an addition to the City of Carrollton, Denton County, Texas, according to the plat thereof recorded in Document No. 2018-57, of the Plat Records of Denton County, Texas (P.R.D.C.T.), and the southeast corner of Lot 2, Block A, of Plano/544 Business Park Addition, an addition to the City of Plano, Denton County, Texas, according to the plat thereof recorded in Cabinet N, Page 207, P.R.D.C.T., said point also being on the existing west Right-of-Way (R.O.W.) line of Marsh Lane (110 foot wide R.O.W.) and a south line of that certain called 45.380 acre City Limit parcel to the City of Plano as described in Ordinance No. 80-4-18, approved April 14, 1980;

THENCE South 89 degrees 37 minutes 56 seconds East, departing said west R.O.W. line and traveling across said Marsh Lane, along a south line of said Ordinance No. 80-4-18, passing at a distance of 111.54 feet to a point in the east R.O.W. line of said Marsh Lane, and continuing for a total distance of 121.56 feet to a point at the beginning of a curve to the left, with the radius point being situated South 79 degrees 58 minutes 16 seconds East, at a distance of 1,572.02 feet;

THENCE in a Southerly direction, being parallel to and a perpendicular distance of 10.0 feet east of said east R.O.W. line of Marsh Lane, the following six (6) courses and distances:

- 1) Southerly, with said curve to the left, through a central angle of 09 degrees 31 minutes 26 seconds, having a radius of 1,572.02 feet, a chord bearing South 05 degrees 16 minutes 00 seconds West, a chord distance of 261.01 feet, and an arc distance of 261.31 feet to the end of said curve;
- 2) South 00 degrees 29 minutes 49 seconds West, a distance of 182.29 feet to the beginning of a non-tangent curve to the right, with the radius point being situated North 89 degrees 02 minutes 56 seconds West at a distance of 5,747.32 feet;
- 3) Southwesterly, with said curve to the right, through a central angle of 01 degrees 34 minutes 55 seconds, having a radius of 5,747.32 feet, a chord bearing South 01 degrees 44 minutes 32 seconds West, a chord distance of 158.68 feet, and an arc distance of 158.68 feet to the end of said curve;
- 4) South 02 degrees 31 minutes 51 seconds West, a distance of 761.98 feet to a point;
- 5) South 01 degrees 16 minutes 56 seconds East, a distance of 150.38 feet to a point;
- 6) South 02 degrees 31 minutes 51 seconds West, a distance of 196.14 feet to a point;

Exhibit "A" to Boundary Adjustment Agreement

THENCE South 42 degrees 57 minutes 30 seconds East, transitioning from said Marsh Lane to E. Hebron Parkway (F.M. 544 – variable width R.O.W.), a distance of 19.91 feet to a point;

THENCE in an Easterly direction, being parallel to and a perpendicular distance of 10.0 feet north of the north R.O.W. line of said E. Hebron Parkway (FM 544), the following ten (10) courses and distances:

- 1) South 87 degrees 18 minutes 53 seconds East, a distance of 166.70 feet to a point;
- 2) South 83 degrees 30 minutes 02 seconds East, a distance of 150.33 feet to a point;
- 3) South 87 degrees 18 minutes 53 seconds East, a distance of 582.17 feet to a point;
- 4) North 02 degrees 41 minutes 07 seconds East, a distance of 10.00 feet to a point;
- 5) South 87 degrees 18 minutes 53 seconds East, a distance of 260.75 feet to a point;
- 6) South 84 degrees 23 minutes 23 seconds East, a distance of 148.64 feet to a point;
- 7) South 88 degrees 39 minutes 19 seconds East, a distance of 198.20 feet to a point;
- 8) North 46 degrees 20 minutes 41 seconds East, a distance of 7.07 feet to a point;
- 9) South 88 degrees 39 minutes 19 seconds East, a distance of 174.46 feet to a point;
- 10) South 82 degrees 57 minutes 32 seconds East, a distance of 50.38 feet to a point;

THENCE South 88 degrees 39 minutes 19 seconds East, extending beyond said R.O.W. line and into Midway Road, a distance of 925.66 feet to a point in the projected west R.O.W. line of said Midway Road (extending to the north);

THENCE SOUTH, traveling across said R.O.W. for E. Hebron Parkway (FM 544), along said projected west R.O.W. line of Midway Road, a distance of 104.38 feet to a point at the southwest corner of City of Plano Ordinance No. 2013-8-14, approved August 26, 2013 and being within the R.O.W. for E. Hebron Parkway (FM 544) and being 10.0 north of the curving northerly line of that certain called 188 acre City Limit parcel to the City of Carrollton as described in Ordinance No. 750, approved April 17, 1978 and the End Point of this description.

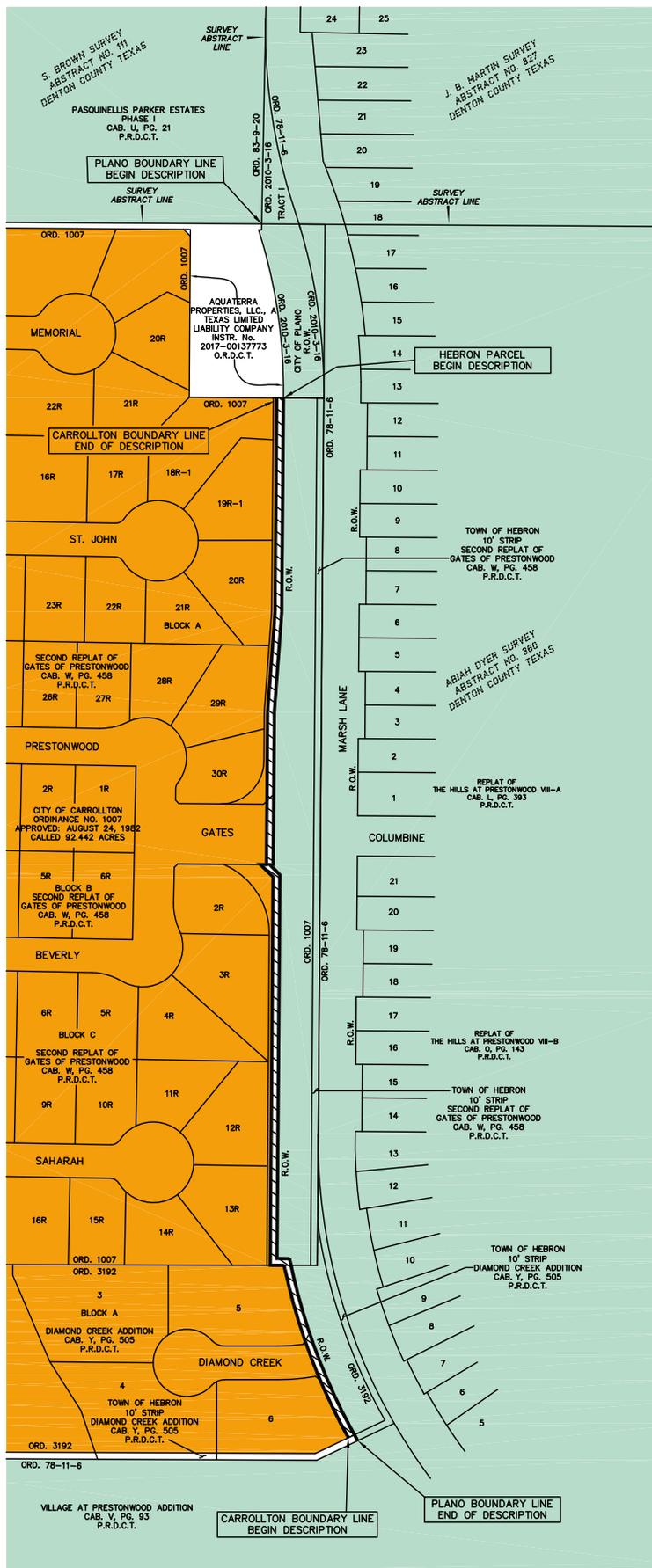
EXHIBIT "B"

LEGEND



NOT TO SCALE

- = CITY OF PLANO
- = CITY OF CARROLLTON
- = TOWN OF HEBRON
- = HEBRON DESCRIPTION



LOCATION MAP



1820 Regal Row, Suite 150, Dallas, Texas 75235 | 214.747.3733
 TEXAS REGISTERED ENGINEERING FIRM F-1741
 TBPLS 10194115

JULY, 2018 SHEET 1 OF 1
 Project No. 1600742

Exhibit "B" to Boundary Adjustment Agreement

EXHIBIT B-1 ANNEXATION The Town of Hebron, Denton County, Texas Approximately 0.365 Acres

THIS DOCUMENT WAS PREPARED FOR USE BY THE TOWN OF HEBRON IN DENTON COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING approximately 0.365 acres of land lying in the Abiah Dyer Survey, Abstract No. 360, situated in Denton County, Texas, and being more particularly described as follows:

BEGINNING at the southeast corner of a called 0.731 acre tract of land as described in a Special Warranty Deed to AquaTerra Properties, LLC, a Texas limited liability company, as recorded in Document No. 2017-00137773, of the Official Records of Denton County, Texas (O.R.D.C.T.), same being on the westerly line of City of Plano Ordinance No. 2010-3-16, Tract 2, same being on the westerly Right of Way (R.O.W.) line of Marsh Lane (a variable width R.O.W.);

THENCE in a southerly direction, along the west R.O.W. line of said Marsh Lane, the following eight (8) courses and distances:

- 1) South 00 degrees 25 minutes 17 seconds West, a distance of 318.37 feet to a point;
- 2) South 04 degrees 14 minutes 08 seconds West, a distance of 150.33 feet to a point;
- 3) South 00 degrees 25 minutes 17 seconds West, a distance of 226.66 feet to a point;
- 4) North 89 degrees 34 minutes 43 seconds West, a distance of 4.98 feet to a point;
- 5) South 44 degrees 32 minutes 24 seconds East, a distance of 21.20 feet to a point;
- 6) South 00 degrees 25 minutes 17 seconds West, a distance of 571.60 feet to a point;
- 7) South 89 degrees 49 minutes 36 seconds East, a distance of 18.76 feet to the beginning of a non-tangent curve to the left, with the radius point being situated North 78 degrees 39 minutes 55 seconds East at a distance of 910.00 feet;
- 8) Southeasterly, with said curve to the left, through a central angle of 17 degrees 39 minutes 26 seconds, having a radius of 910.00 feet, a chord bearing South 20 degrees 09 minutes 48 seconds East, a chord distance of 279.33 feet, with an arc distance of 280.44 feet to the intersection of the north line of a 10 foot annexation line to the Town of Hebron as shown on Lot 6, Block A, Diamond Creek Addition, an addition to the City of Carrollton, Texas, according to the plat thereof recorded in Cabinet Y, Page 505 of the Plat Records of Denton County, Texas (P.R.D.C.T.);

THENCE South 64 degrees 26 minutes 03 seconds West, departing the westerly R.O.W. line of said Marsh Lane and along the north line of said Town of Hebron annexation line, a distance of 10.02 feet to the beginning of a

Exhibit "B" to Boundary Adjustment Agreement

non-tangent curve to the right, with the radius point being situated North 61 degrees 02 minutes 43 seconds East at a distance of 920.00 feet;

THENCE in a northerly direction, being parallel to and a perpendicular distance of 10.0 feet west of said west R.O.W. line of Marsh Lane, the following eight (8) courses and distances:

- 1) Northwesterly, with said non-tangent curve to the right, through a central angle of 17 degrees 06 minutes 39 seconds, having a radius of 920.00 feet, a chord bearing North 20 degrees 23 minutes 58 seconds West, a chord distance of 273.73 feet, and an arc distance of 274.75 feet to the end of said curve;
- 2) North 89 degrees 49 minutes 36 seconds West, a distance of 20.67 feet to a point;
- 3) North 00 degrees 25 minutes 17 seconds East, a distance of 577.51 feet to a point;
- 4) North 44 degrees 32 minutes 24 seconds West, a distance of 27.05 feet to a point;
- 5) South 89 degrees 34 minutes 43 seconds East, a distance of 9.11 feet to a point;
- 6) North 00 degrees 25 minutes 17 seconds East, a distance of 226.99 feet to a point;
- 7) North 04 degrees 14 minutes 08 seconds East, a distance of 150.33 feet to a point;
- 8) North 00 degrees 25 minutes 17 seconds East, a distance of 318.04 feet to a point on the southerly line of the aforementioned AquaTerra Properties tract;

THENCE South 89 degrees 35 minutes 24 seconds East, along the south line of said AquaTerra Properties tract, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing approximately 0.365 acres (0.0006 square miles) of land, more or less.

EXHIBIT B-2
CARROLLTON BOUNDARY LINE
Denton County, Texas

THIS DOCUMENT WAS PREPARED FOR USE BY THE CITY OF CARROLLTON IN DENTON COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING a line segment to designate the limits between the City of Carrollton and the Town of Hebron, located in the Abiah Dyer Survey, Abstract No. 360, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a point on the north line of a 10 foot Town of Hebron annexation line shown on Lot 6, Block A, Diamond Creek Addition, an addition to the City of Carrollton, Texas, according to the plat thereof recorded in Cabinet Y, Page 505 of the Plat Records of Denton County, Texas (P.R.D.C.T.), that is approximately 10.00 feet southwesterly of its intersection with the west Right of Way (R.O.W.) line of Marsh Lane (a variable width R.O.W.), same being the beginning of a non-tangent curve to the right, with the radius point being situated North 61 degrees 02 minutes 43 seconds East at 920.00 feet;

THENCE in a northerly direction, being parallel to and a perpendicular distance of 10.0 feet west of the west Right of Way (R.O.W.) line of Marsh Lane (a variable width R.O.W.), the following eight (8) courses and distances:

- 1) Northwesterly, with said non-tangent curve to the right, through a central angle of 17 degrees 06 minutes 39 seconds, having a radius of 920.00 feet, a chord bearing North 20 degrees 23 minutes 58 seconds West, a chord distance of 273.73, an arc distance of 274.75 feet to the end of said curve;
- 2) North 89 degrees 49 minutes 36 seconds West, a distance of 20.67 feet to a point;
- 3) North 00 degrees 25 minutes 17 seconds East, a distance of 577.51 feet to a point;
- 4) North 44 degrees 32 minutes 24 seconds West, a distance of 27.05 feet to a point;
- 5) South 89 degrees 34 minutes 43 seconds East, a distance of 9.11 feet to a point;
- 6) North 00 degrees 25 minutes 17 seconds East, a distance of 226.99 feet to a point;
- 7) North 04 degrees 14 minutes 08 seconds East, a distance of 150.33 feet to a point;
- 8) North 00 degrees 25 minutes 17 seconds East, a distance of 318.04 feet to a point on the south line of a called 0.731 acre tract of land as described in a Special Warranty Deed to AquaTerra Properties, LLC, a Texas limited liability company, as recorded in Document No. 2017-00137773, of the Official Records of Denton County, Texas (O.R.D.C.T.), the end point of this description.

EXHIBIT B-3
PLANO BOUNDARY LINE
Denton County, Texas

THIS DOCUMENT WAS PREPARED FOR USE BY THE CITY OF PLANO IN DENTON COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING a line segment to designate the limits between the City of Plano and the Town of Hebron located in the Abiah Dyer Survey, Abstract No. 360, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the most northerly northeast corner of a called 0.731 acre tract of land as described in a Special Warranty Deed to AquaTerra Properties, LLC, a Texas limited liability company, as recorded in Document No. 2017-00137773, of the Official Records of Denton County, Texas (O.R.D.C.T.), same being on the approximate north line of said Dyer Survey, same being the most westerly northwest corner of City of Plano Ordinance No. 2010-3-16, Tract 2 and the southwest corner of said Ordinance, Tract 1, same being the southeast corner of City of Plano Ordinance No. 83-9-20, and also being on the westerly Right of Way (R.O.W.) line of Marsh Lane (a variable width R.O.W.);

THENCE in a southerly direction, along the west R.O.W. line of said Marsh Lane, the following eleven (11) courses and distances:

- 1) South 01 degrees 06 minutes 44 seconds West, a distance of 8.80 feet to a point;
- 2) North 89 degrees 34 minutes 15 seconds West, a distance of 4.30 feet to the beginning of a non-tangent curve to the right, with the radius point being situated South 72 degrees 25 minutes 52 seconds West at a distance of 790.00 feet;
- 3) Southeasterly, with said curve to the right, through a central angle of 17 degrees 59 minutes 29 seconds, having a radius of 790.00 feet, a chord bearing South 08 degrees 34 minutes 23 seconds East, a chord distance of 247.05 feet, and an arc distance of 248.07 feet to the end of said curve;
- 4) South 00 degrees 25 minutes 17 seconds West, a distance of 324.36 feet to a point;
- 5) South 04 degrees 14 minutes 08 seconds West, a distance of 150.33 feet to a point;
- 6) South 00 degrees 25 minutes 17 seconds West, a distance of 226.66 feet to a point;
- 7) North 89 degrees 34 minutes 43 seconds West, a distance of 4.98 feet to a point;
- 8) South 44 degrees 32 minutes 24 seconds East, a distance of 21.20 feet to a point;
- 9) South 00 degrees 25 minutes 17 seconds West, a distance of 571.60 feet to a point;

Exhibit "B" to Boundary Adjustment Agreement

- 10) South 89 degrees 49 minutes 36 seconds East, a distance of 18.76 feet to the beginning of a non-tangent curve to the left, with the radius point being situated North 78 degrees 39 minutes 55 seconds East at a distance of 910.00 feet;
- 11) Southeasterly, with said curve to the left, through a central angle of 18 degrees 17 minutes 18 seconds, having a radius of 910.00 feet, a chord bearing South 20 degrees 28 minutes 44 seconds East, a chord distance of 289.23 feet, and an arc distance of 290.46 feet to a point on the south line of said Diamond Creek Addition, the end point of this description.

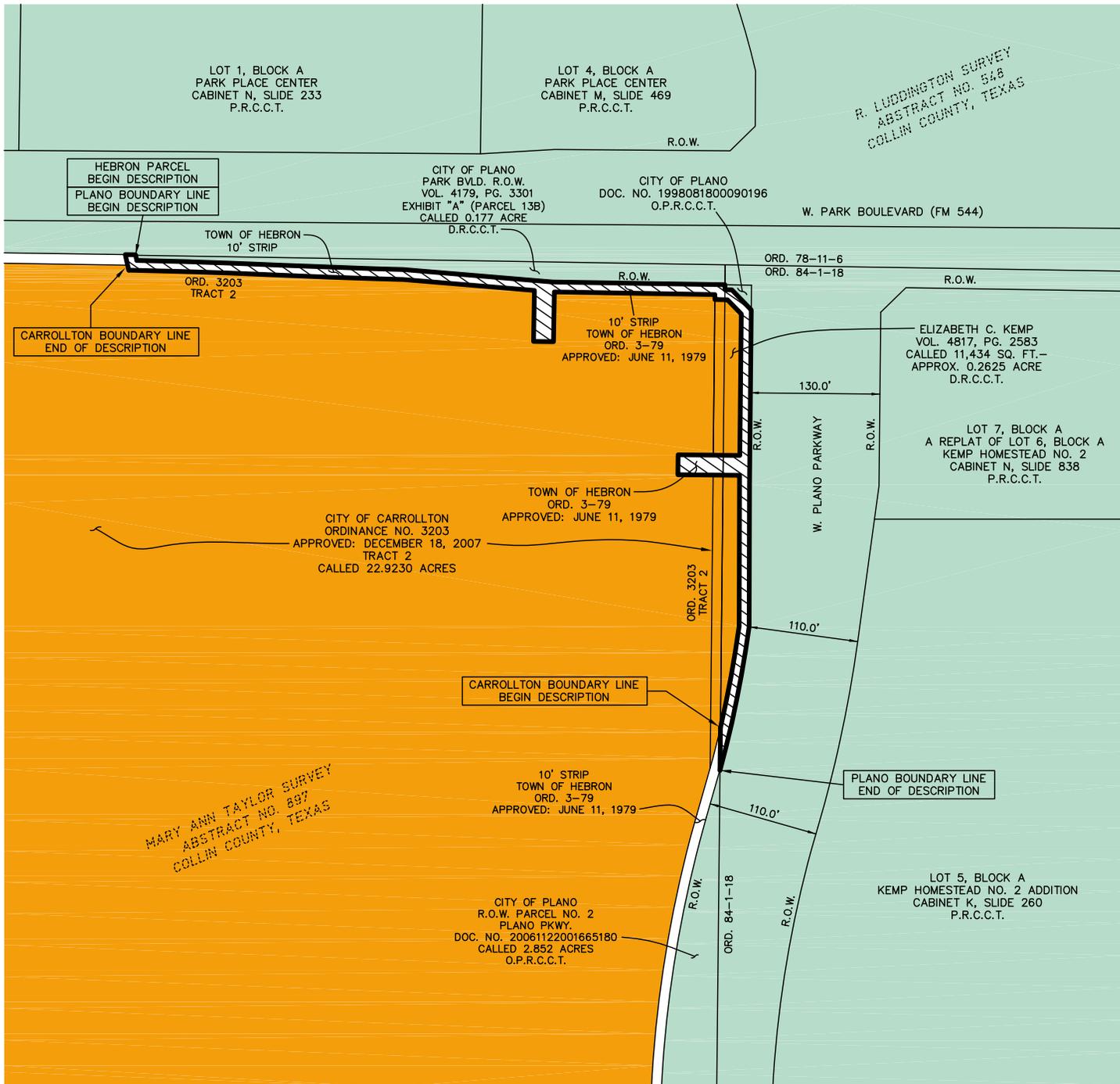
EXHIBIT "C"



NOT TO SCALE

LEGEND

- = CITY OF PLANO
- = CITY OF CARROLLTON
- = TOWN OF HEBRON
- = HEBRON DESCRIPTION



LOCATION MAP



1820 Regal Row, Suite 150, Dallas, Texas 75235 | 214.747.3733
 TEXAS REGISTERED ENGINEERING FIRM F-1741
 TBPLS 10194115

MARCH, 2018 SHEET 1 OF 1
 PROJECT No. 1600742

**EXHIBIT C-1
ANNEXATION
The Town of Hebron, Collin County, Texas
Approximately 0.300 Acres**

THIS DOCUMENT WAS PREPARED FOR USE BY THE TOWN OF HEBRON IN COLLIN COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING approximately 0.300 acres of land situated in the Mary Ann Taylor Survey, Abstract No. 897, Collin County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the south line of City of Plano Ordinance No. 78-11-6, Exhibit "A", approved November 13, 1978 and the north line of the Town of Hebron, with the south Right of Way (R.O.W.) line of W. Park Boulevard (a variable width R.O.W.), said intersection being approximately 683.40 feet west of the centerline of W. Plano Parkway (130 foot wide R.O.W.);

THENCE easterly along the south R.O.W. line of said W. Park Boulevard, the following eight (8) courses and distances:

- 1) South 12 degrees 45 minutes 11 seconds East, a distance of 5.84 feet to a point at the beginning of a non-tangent curve to the right, having a radius point that bears South 01 degrees 13 minutes 33 seconds West a distance of 5,971.50 feet
- 2) Easterly, along said curve to the right, through a central angle of 01 degrees 22 minutes 47 seconds, having a radius of 5,971.50 feet, a chord bearing of South 88 degrees 05 minutes 04 seconds East, a chord distance of 143.81 feet, and an arc distance of 143.81 feet to the point of reverse curvature of a curve to the left, having a radius point that bears North 02 degrees 36 minutes 20 seconds East a distance of 6,028.98 feet;
- 3) Easterly, along said curve to the left, through a central angle of 00 degrees 55 minutes 33 seconds, having a radius of 6,028.98 feet, a chord bearing of South 87 degrees 51 minutes 26 seconds East, a chord distance of 97.41 feet, and an arc distance of 97.41 feet to the end of said curve;
- 4) South 88 degrees 18 minutes 53 seconds East, a distance of 26.93 feet to a point;
- 5) South 85 degrees 15 minutes 18 seconds East, a distance of 150.45 feet to a point;
- 6) South 89 degrees 04 minutes 04 seconds East, a distance of 172.47 feet to a point;
- 7) South 00 degrees 34 minutes 59 seconds West, a distance of 4.97 feet to a point;
- 8) South 89 degrees 02 minutes 44 seconds East, a distance of 6.88 feet to a point;

THENCE South 44 degrees 02 minutes 44 seconds East, transitioning from the south R.O.W. line of said W. Park Boulevard to the west R.O.W. line of the aforementioned W. Plano Parkway, a distance of 28.08 feet to a point;

Exhibit "C" to Boundary Adjustment Agreement

THENCE southerly, along the west R.O.W. line of said W. Plano Parkway, the following three (3) courses and distances:

- 1) South 00 degrees 34 minutes 59 seconds West, a distance of 166.25 feet to a point;
- 2) South 00 degrees 09 minutes 24 seconds West, a distance of 151.52 feet to the beginning of a non-tangent curve to the right, having a radius point that bears North 82 degrees 16 minutes 52 seconds West a distance of 1,145.00 feet;
- 3) Southerly, along said curve to the right, through a central angle of 07 degrees 23 minutes 24 seconds, having a radius of 1,145.00 feet, a chord bearing of South 11 degrees 24 minutes 50 seconds West, a chord distance of 147.58 feet, and an arc distance of 147.68 feet to the end of said curve, same being the intersection of the east line of said Town of Hebron city limits and the west line of City of Plano Ordinance No. 84-1-18;

THENCE North 00 degrees 35 minutes 09 seconds East, departing the west R.O.W. line of said W. Plano Parkway, a distance of 42.91 feet to the beginning of a non-tangent curve to the left, having a radius point that bears North 76 degrees 59 minutes 18 seconds West, a distance of 1,135.00 feet;

THENCE northerly, being parallel to and a perpendicular distance of 10.0 feet west of the west R.O.W. line of said W. Plano Parkway, the following two (2) courses and distances:

- 1) Northeasterly, along said curve to the left, through a central angle of 05 degrees 15 minutes 33 seconds, having a radius of 1,135.00 feet, a chord bearing of North 10 degrees 22 minutes 55 seconds East, a chord distance of 104.15 feet, and an arc distance of 104.18 feet to the end of said curve;
- 2) North 00 degrees 09 minutes 24 seconds East, a distance of 150.87 feet to a point;

THENCE North 89 degrees 25 minutes 01 seconds West, a distance of 61.90 feet to a point;

THENCE North 00 degrees 34 minutes 59 seconds East, a distance of 20.00 feet to a point;

THENCE South 89 degrees 25 minutes 01 seconds East, a distance of 61.90 feet to a point;

THENCE North 00 degrees 34 minutes 59 seconds East, being parallel to and a perpendicular distance of 10.0 feet west of the west R.O.W. line of said W. Plano Parkway, a distance of 142.20 feet to a point;

THENCE North 44 degrees 02 minutes 44 seconds West, being parallel to and a perpendicular distance of 10.0 feet southwest of the transition from the west R.O.W. line of said W. Plano Parkway to the south R.O.W. line of the aforementioned W. Park Boulevard, a distance of 19.83 feet to a point;

THENCE westerly, being parallel to and a perpendicular distance of 10.0 feet to the south of the south R.O.W. line of W. Park Boulevard, the following three (3) courses and distances:

1. North 89 degrees 02 minutes 44 seconds West, a distance of 12.67 feet to a point;
2. North 00 degrees 34 minutes 59 seconds East, a distance of 4.96 feet to a point;
3. North 89 degrees 04 minutes 04 seconds West, a distance of 161.17 feet to a point;

Exhibit "C" to Boundary Adjustment Agreement

THENCE South 00 degrees 55 minutes 56 seconds West, a distance of 50.00 feet to a point;

THENCE North 89 degrees 04 minutes 04 seconds West, a distance of 20.00 feet to a point;

THENCE North 00 degrees 55 minutes 56 seconds East, a distance of 51.22 feet to a point;

THENCE westerly, being parallel to and a perpendicular distance of 10.0 feet south of the south R.O.W. line of said W. Park Boulevard, the following four (4) courses and distances:

1. North 85 degrees 15 minutes 18 seconds West, a distance of 132.17 feet to a point;
2. North 88 degrees 18 minutes 53 seconds West, a distance of 26.66 feet to the beginning of a curve to the right, having a radius point that bears North 01 degrees 40 minutes 47 seconds East a distance of 6,038.50 feet;
3. Westerly, along said curve to the right, through a central angle of 00 degrees 55 minutes 33 seconds, having a radius of 6,038.50 feet, a chord bearing of North 87 degrees 51 minutes 26 seconds West, a chord distance of 97.57 feet, and an arc distance of 97.58 feet to the point of reverse curvature of a curve to the left, having a radius point that bears South 02 degrees 36 minutes 20 seconds West, a distance of 5,961.50 feet;
4. Westerly, along said curve to the left, through a central angle of 01 degrees 27 minutes 18 seconds, having a radius of 5,961.50 feet, a chord bearing of North 88 degrees 07 minutes 19 seconds West, a chord distance of 151.38 feet, and an arc distance of 151.38 feet to the end of said curve;

THENCE North 12 degrees 45 minutes 11 seconds West, a distance of 16.07 feet to a point on the aforesaid south R.O.W. line of W. Park Boulevard;

THENCE South 89 degrees 12 minutes 02 seconds East, along the south R.O.W. line of said W. Park Boulevard, a distance of 10.29 feet to the **POINT OF BEGINNING** and containing 0.300 acres (0.0005 square miles) of land, more or less.

EXHIBIT C-2
CARROLLTON BOUNDARY LINE
Collin County, Texas

THIS DOCUMENT WAS PREPARED FOR USE BY THE CITY OF CARROLLTON IN COLLIN COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING a line segment to designate the limits between the City of Carrollton and the Town of Hebron, situated in the Mary Ann Taylor Survey, Abstract No. 897, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a point being approximately 43.00 feet in a northerly direction from the intersection of the west line of City of Plano Ordinance No. 84-1-18 and the west Right of Way (R.O.W.) line of W. Plano Parkway (a variable width R.O.W.), and being the beginning of a non-tangent curve to the left, having a radius point that bears North 76 degrees 59 minutes 18 seconds West, a distance of 1,135.00 feet;

THENCE in a northerly direction, being parallel to and a perpendicular distance of 10.0 feet west of the west Right of Way (R.O.W.) line of W. Plano Parkway the following two (2) courses and distances:

1. along said non-tangent curve to the left, through a central angle of 05 degrees 15 minutes 33 seconds, having a radius of 1,135.00 feet, a chord bearing of North 10 degrees 22 minutes 55 seconds East, a chord distance of 104.15 feet, and an arc distance of 104.18 feet to a point at the end of said curve;
2. North 00 degrees 09 minutes 24 seconds East, a distance of 150.87 feet to a point;

THENCE North 89 degrees 25 minutes 01 seconds West, a distance of 61.90 feet to a point;

THENCE North 00 degrees 34 minutes 59 seconds East, a distance of 20.00 feet to a point;

THENCE South 89 degrees 25 minutes 01 seconds East, a distance of 61.90 feet to a point being parallel to and a perpendicular distance of 10.0 feet west of the west Right of Way (R.O.W.) line of the aforesaid W. Plano Parkway;

THENCE North 00 degrees 34 minutes 59 seconds East, being parallel to and a perpendicular distance of 10.0 feet west of the west Right of Way (R.O.W.) line of said W. Plano Parkway, a distance of 142.20 feet to a point;

THENCE North 44 degrees 02 minutes 44 seconds West, being parallel to and a perpendicular distance of 10.0 feet southwest of the transition from the west R.O.W. line of said W. Plano Parkway to the south R.O.W. line of the aforementioned W. Park Boulevard, a distance of 19.83 feet to a point

THENCE in a westerly direction, being parallel to and a perpendicular distance of 10.0 feet south of the south Right of Way (R.O.W.) line of W. Park Boulevard the following three (3) courses and distances:

1. North 89 degrees 02 minutes 44 seconds West, a distance of 12.67 feet to a point;
2. North 00 degrees 34 minutes 59 seconds East, a distance of 4.96 feet to a point;
3. North 89 degrees 04 minutes 04 seconds West, a distance of 161.17 feet to a point;

Exhibit "C" to Boundary Adjustment Agreement

THENCE South 00 degrees 55 minutes 56 seconds West, a distance of 50.00 feet to a point;

THENCE North 89 degrees 04 minutes 04 seconds West, a distance of 20.00 feet to a point;

THENCE North 00 degrees 55 minutes 56 seconds East, a distance of 51.22 feet to a point being parallel to and a perpendicular distance of 10.0 feet south of the south Right of Way (R.O.W.) line of said W. Park Boulevard;

THENCE in a westerly direction, being parallel to and a perpendicular distance of 10.0 feet south of the south Right of Way (R.O.W.) line of W. Park Boulevard the following five (5) courses and distances:

1. North 85 degrees 15 minutes 18 seconds West, a distance of 132.17 feet to a point;
2. North 88 degrees 18 minutes 53 seconds West, a distance of 26.66 feet to a point at the beginning of curve to the right, having a radius point that bears North 01 degrees 40 minutes 47 seconds East, a distance of 6,038.50 feet;
3. Northwesterly along said curve to the right, through a central angle of 00 degrees 55 minutes 33 seconds, having a radius of 6,038.50 feet, a chord bearing of North 87 degrees 51 minutes 26 seconds West, a chord distance of 97.57 feet, and an arc distance of 97.58 feet to a point at the beginning of a curve to the left, having a radius point that bears South 02 degrees 36 minutes 20 seconds West, a distance of 5,961.50 feet;
4. Northwesterly along said curve to the left, through a central angle of 01 degrees 27 minutes 18 seconds, having a radius of 5,961.50 feet, a chord bearing of North 88 degrees 07 minutes 19 seconds West, a chord distance of 151.38 feet, and an arc distance of 151.38 feet to a point at the end of said curve;
5. North 12 degrees 45 minutes 11 seconds West, a distance of 16.07 feet to a point on the southerly R.O.W. line of the aforementioned W. Park Boulevard, the end point of this description.

EXHIBIT C-3
PLANO BOUNDARY LINE
Collin County, Texas

THIS DOCUMENT WAS PREPARED FOR USE BY THE CITY OF PLANO IN COLLIN COUNTY, TEXAS, AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

BEING a line segment to designate the limits between the City of Plano and the Town of Hebron, situated in the Mary Ann Taylor Survey, Abstract No. 897, Collin County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the south line of City of Plano Ordinance No. 78-11-6, Exhibit "A", approved November 13, 1978 and the north line of the Town of Hebron, with the south Right of Way (R.O.W.) line of W. Park Boulevard (a variable width R.O.W.), said intersection being approximately 683.40 feet west of the centerline of W. Plano Parkway (130 foot wide R.O.W.);

THENCE easterly along the south R.O.W. line of W. Park Boulevard, the following eight (8) courses and distances:

- 1) South 12 degrees 45 minutes 11 seconds East, a distance of 5.84 feet to a point at the beginning of a non-tangent curve to the right, having a radius point that bears South 01 degrees 13 minutes 33 seconds West a distance of 5,971.50 feet
- 2) Southeasterly, along said non-tangent curve to the right, through a central angle of 01 degrees 22 minutes 47 seconds, having a radius of 5,971.50 feet, a chord bearing of South 88 degrees 05 minutes 04 seconds East, a chord distance of 143.80 feet, and an arc distance of 143.81 feet to the end of said curve and the beginning of a curve to the left, having a radius point that bears North 02 degrees 36 minutes 20 seconds East a distance of 6,028.98 feet;
- 3) Southeasterly, along said curve to the left, through a central angle of 00 degrees 55 minutes 33 seconds, having a radius of 6028.98 feet, a chord bearing of South 87 degrees 51 minutes 26 seconds East, a chord distance of 97.41 feet, and an arc distance of 97.42 feet to the end of said curve;
- 4) South 88 degrees 18 minutes 53 seconds East, a distance of 26.93 feet to a point;
- 5) South 85 degrees 15 minutes 18 seconds East, a distance of 150.45 feet to a point;
- 6) South 89 degrees 04 minutes 04 seconds East, a distance of 172.47 feet to a point;
- 7) South 00 degrees 34 minutes 59 seconds West, a distance of 4.97 feet to a point;
- 8) South 89 degrees 02 minutes 44 seconds East, a distance of 6.88 feet to a point;

THENCE South 44 degrees 02 minutes 44 seconds East, transitioning from the south R.O.W. line of said W. Park Boulevard to the west R.O.W. line of W. Plano Parkway (a variable width R.O.W.), a distance of 28.08 feet to a point;

Exhibit "C" to Boundary Adjustment Agreement

THENCE southerly, along the west R.O.W. line of W. Plano Parkway, the following three (3) courses and distances:

- 1) South 00 degrees 34 minutes 59 seconds West, a distance of 166.25 feet to a point;
- 2) South 00 degrees 09 minutes 24 seconds West, a distance of 151.52 feet to the beginning of a non-tangent curve to the right, having a radius point that bears North 82 degrees 16 minutes 52 seconds West a distance of 1,145.00 feet;
- 3) Southwesterly, along said non-tangent curve to the right, through a central angle of 07 degrees 23 minutes 24 seconds, having a radius of 1145.00 feet, a chord bearing of South 11 degrees 24 minutes 50 seconds West, a chord distance of 147.58 feet, and an arc distance of 147.68 feet to the end point of this description.

ORDINANCE NO. 2019-6-5

An Ordinance of the City of Plano, Texas adopting and enacting Supplement Number 128 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.

WHEREAS, the City Council of the City of Plano, Texas adopted a new Code of Ordinances upon adoption of Ordinance No. 87-3-14, on March 9, 1987; and

WHEREAS, Sections V and VI of Ordinance No. 87-3-14 provide for amendment to said Code of Ordinances; and

WHEREAS, the Code of Ordinances of the City of Plano, Texas has been revised by previous amendments duly passed as individual ordinances by the City Council and such amendments are reflected on Supplement Number 128; and

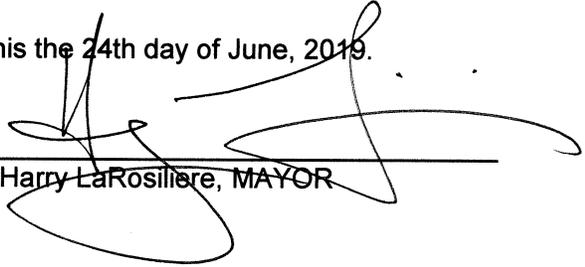
WHEREAS, the City Council wishes to adopt the ordinance codification version appearing in Supplement Number 128 of the Plano Code of Ordinances in order for the printed Code form to be considered identical to the original ordinance and to eliminate any confusion or differences in the format of the original ordinance.

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

Section I. The City Council hereby adopts the printed Code form of the ordinances contained in Supplement Number 128 as prepared by the codifier.

Section II. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 24th day of June, 2019.



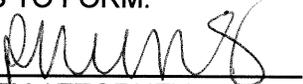
Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2019-6-6

Zoning Case 2019-006

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 18.5 acres of land out of the Henry Cook Survey, Abstract No. 183, located at the southwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-40-Commercial Employment; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 24th day of June 2019, for the purpose of considering rezoning 18.5 acres of land out of the Henry Cook Survey, Abstract No. 183, located at the southwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-40-Commercial Employment; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 24th day of June 2019; and

WHEREAS, the City Council is of the opinion and finds that such rezoning would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 18.5 acres of land out of the Henry Cook Survey, Abstract No. 183, located at the southwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-40-Commercial Employment, said property being described in the legal description on Exhibit A attached hereto.

Section II. The change in Section I is granted subject to the following:

The permitted uses and standards shall be in accordance with the Commercial Employment (CE) zoning district unless otherwise specified herein.

Restrictions:

1. Minimum front yard setback: 40 feet

ORDINANCE NO. 2019-6-6

2. Lot coverage may increase from 40% to 50% on any individual lot as long as the total Planned Development district area does not exceed 40% coverage. This requirement must be demonstrated by including the existing and planned coverage for each lot within the Planned Development district on all site plans.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

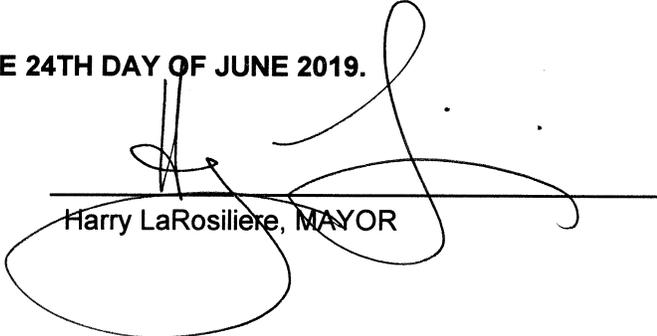
Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 24TH DAY OF JUNE 2019.



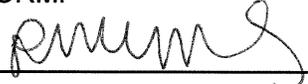
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

Zoning Case 2019-006

BEING a tract of land situated in the Henry Cook Survey, Abstract No.183, City of Plano, Collin County, Texas and being all of a called 16.0258 acre tract of land described in a deed to Diodes Incorporated, recorded in Instrument No. 20080701000802860, Official Public Records of Collin County, Texas, and being a portion of Legacy Drive, a variable width right of way, according to the plat recorded in Cabinet C, Page 774, Map Records of Collin County, Texas and Communications Parkway, a variable width right of way, according to the plat recorded in Cabinet M, Page 30, Map Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of said 16.0258 acre tract, common to the northeast corner of Lot 1, Block A, according to the Final Plat of Ericsson Village Lot 1, Block A, as recorded in Instrument No. 200812020100004190, Map Records of Collin County, Texas, common to a point on the southerly right of way line of said Legacy Drive;

THENCE North 00°33'02" West, a distance of 62.53 feet to a point in the centerline of said Legacy Drive and at the beginning of a non-tangent curve to the left having a central angle of 2°39'15", a radius of 2050.00 feet, a chord bearing and distance of South 89°18'56" East, 94.95 feet;

THENCE along the centerline of said Legacy Drive and in a southeasterly direction, with said curve to the left, an arc distance of 94.96 feet to a point for corner;

THENCE North 89°21'27" East, continuing along said centerline of Legacy Drive, a distance of 829.23 feet to a point in the centerline of said Legacy Drive and said Communications Parkway;

THENCE South 00°43'46" East, departing said centerline of Legacy Drive and along the centerline of said Communications Parkway, a distance of 906.07 feet to a point for corner;

THENCE South 89°16'13" West, departing said centerline of Communications Parkway, passing at a distance of 60.50 feet, the southeast corner of said 16.0258 acre tract, common to the northeast corner Lot 3, Block A, according to the Replat of Ericsson Village Addition Lots 2R and 3, Block, as recorded in Instrument No. 20150623010002250, Map Records of Collin County, Texas, and continuing along the same bearing a total distance of 904.12 feet to the southwest corner of said 16.0258 acre tract, same being the northwest corner of said Lot 3, Block A, common to a point on the easterly line of said Lot 1, Block A;

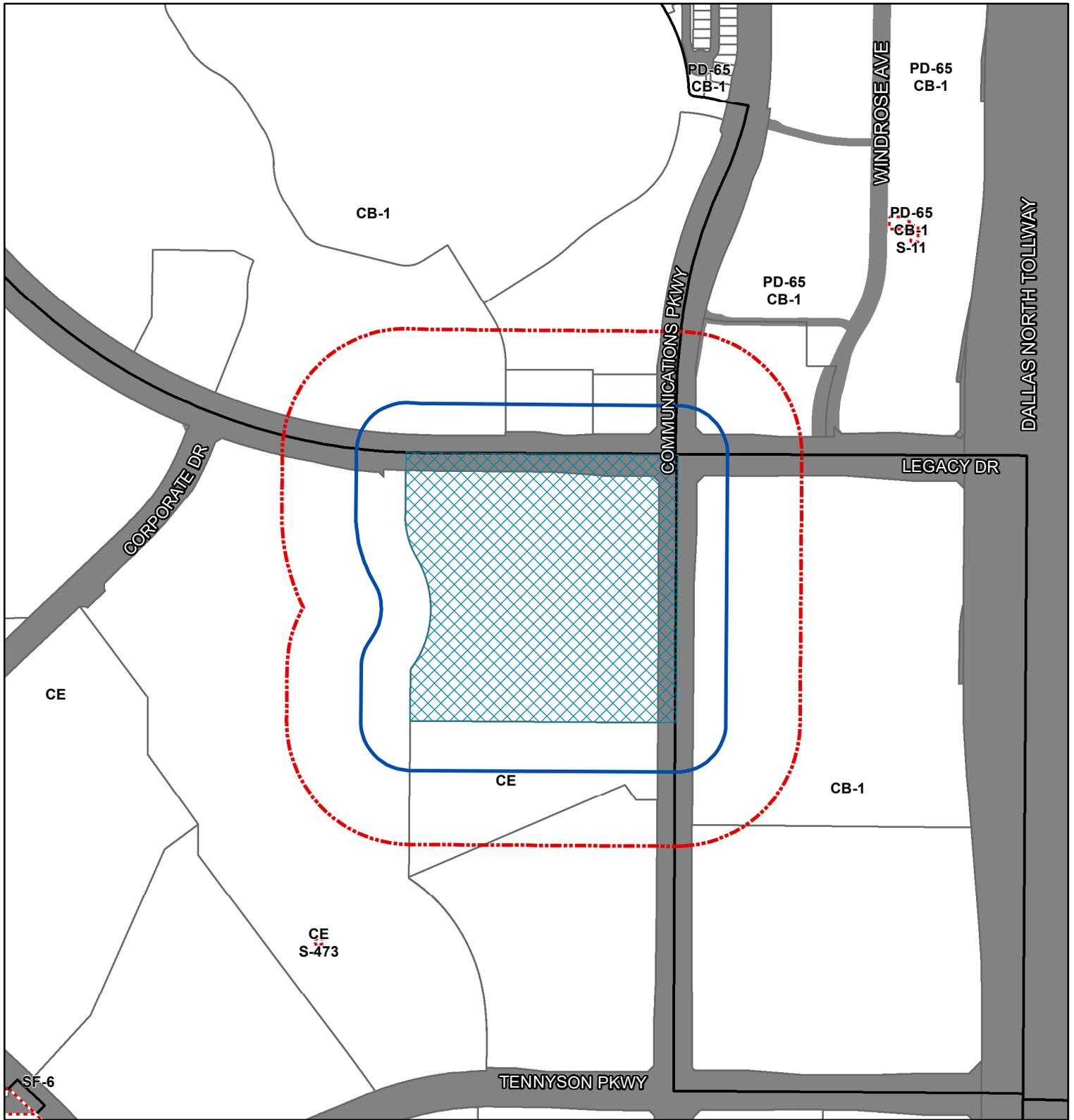
THENCE along the easterly line of said Lot 1, Block A and the westerly line of said 16.0258 acre tract, the following courses and distances:

North 00°33'02" West, a distance of 177.85 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 68°03'13", a radius of 335.00 feet, a chord bearing and distance of North 02°10'50" East, 374.92 feet;

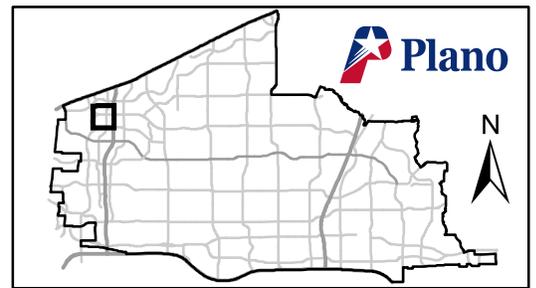
In a northeasterly direction, with said curve to the left, an arc distance of 397.90 feet to a point at the beginning of a reverse curve to the right having a central angle of 31°17'44", a radius of 280.00 feet, a chord bearing and distance of North 16°11'54" West, 151.05 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 152.94 feet to a point for corner;

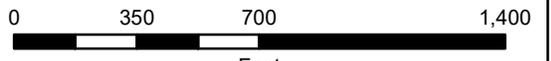
North 00°33'02" West, a distance of 149.28 feet to the **POINT OF BEGINNING** and **CONTAINING** 18.523 acres (806,862 square feet) of land, more or less.



Zoning Case: 2019-006
 Existing Zoning: Commercial Employment (CE)
 Proposed Zoning: Planned Development-Commercial Employment (PD-CE)



- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Zoning Boundary Change/SUP
- City Limits
- Zoning Boundary
- Specific Use Permit
- Streets



ORDINANCE NO. 2019-6-7

An Ordinance of the City of Plano, Texas amending Article XII, Park and Recreation Fee, Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas by amending Sections 16-262, 16-263, 16-264, 16-266, 16-268, 16-269, 16-270, 16-271, 16-272, 16-273; to update fees and make other changes to the Park and Recreation Fee Ordinance; and providing a penalty clause, a repealer clause, a severability clause, a publication clause and an effective date.

WHEREAS, on October 25, 1993 the City of Plano the City Council of the City of Plano, Texas adopted Ordinance No. 93-10-35, creating a Park and Recreation Fee to provide for the acquisition of land and construction of improvements for neighborhood and linear parks within the City; and

WHEREAS, the City of Plano amended Ordinance No. 93-10-35 on September 12, 1994 pursuant to Ordinance No. 94-9-18, and further amended on August 25, 1997 pursuant to Ordinance No. 97-8-29, and further amended on June 25, 2018 pursuant to Ordinance No. 2018-6-8; and

WHEREAS, the Park and Recreation Fee Ordinance is codified in the City of Plano Code of Ordinances Chapter 16, at Article XII; and

WHEREAS, the City hired a third-party appraiser to determine current property values of representative parcels in the City of Plano; and

WHEREAS, the City conducted a study to determine the current cost to develop neighborhood and linear parks, and hired a third party to review methodology; and

WHEREAS, the City Council finds it is in the public interest to amend Sections 16-262, 16-263, 16-264, 16-266, 16-268, 16-269, 16-270, 16-271, 16-272, 16-273 of the Code of Ordinances to correct and update verbiage and adjust the amount of fees collected in service areas for the purpose of acquiring land for and developing neighborhood and linear park facilities.

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

Section I. Sections 16-262, 16-263, 16-264, 16-266, 16-268, 16-269, 16-270, 16-271, 16-272, 16-273 of Article XII, Plano Park and Recreation Fee, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano are hereby amended to read as follows:

“Section 16-262. Purpose and Imposition of Park Fee

A parks and recreation fee (“park fee”) is hereby imposed on residential development for the purpose of assuring that linear and neighborhood park facilities are available and adequate to meet the needs created by such development while maintaining current and

ORDINANCE NO. 2019-6-7

proposed park and recreation standards pursuant to the Parks, Recreation, Trails & Open Space Master Plan. The park fee is imposed in conjunction with and in addition to subdivision regulations requiring the dedication of neighborhood and linear park land and the construction of neighborhood and linear park improvements for which contributions the property owner shall be reimbursed from proceeds of park fees imposed. The park fee shall be imposed by the city on all residential development, and all fees collected shall be used solely and exclusively for the purpose of acquisition and development of park facilities reasonably attributable to residential dwelling units charged the park fee.

Section 16-263. Definitions

For purposes of this article only, the terms that follow shall have the meanings set forth herein. Terms not herein defined shall have those meanings given them by other provisions of the Code of the City of Plano.

1. Applicant. The property owner or duly designated agent of the property owner of land for which approval of a building permit has been requested for residential development.
2. Building. Any enclosed residential structure designed or intended for the support, enclosure, shelter or protection of persons.
3. Building permit. The permit required for new residential construction and/or additions to buildings pursuant to the Code of City of Plano.
4. City. The City of Plano, Texas.
5. City Council. The City Council of Plano, Texas.
6. Development. Any activity that requires the securing of building permit for residential uses.
7. Dwelling. Any building, or portion thereof, designed exclusively for residential occupancy and containing one (1) or more dwelling units.
8. Dwelling Unit. One (1) or more rooms arranged, designed or used as separate living quarters for an individual family, which contains kitchen facilities (only one (1) per dwelling unit permitted), including at least a stove or cooking device and permanently installed sink, plus bathroom facilities.
9. Linear Park. Public land and associated improvements to be used primarily for passive recreation and connecting residential neighborhoods to one another and to public facilities and services, as specified in the park master plan.

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10. Neighborhood Park. Public land, with associated improvements, typically from seven and one-half (7.5) to ten (10) acres in size, and providing both active and passive recreational opportunities for neighborhood residents, as specified in the park master plan.

11. Park Board. The Park and Recreation Planning Board or its successor.

12. Park Facilities. Land and/or facilities used or to be used as a neighborhood or linear park, regardless of location, including both the acquisition of such land, the construction of improvements thereon and the expenditure of funds incidental thereto, including but not necessarily limited to planning, engineering and design of the park and improvements, utility relocation, provision of improvements, provision of pedestrian and vehicular access thereto and purchase of equipment, the need for which are attributable to new residential development.

13. Park Improvements Program. The adopted Community Investment Program, as may be amended from time to time, which identifies those park facilities and their costs, for a period of at least five (5) years, which are to be financed in whole or in part through the imposition of park fees pursuant to this article. The Program shall contain only those facilities which are anticipated to be acquired or developed within the period covered by the Program.

14. Park Master Plan. The official adopted Parks, Recreation, Trails & Open Space Master Plan for the City of Plano and amendments thereto.

15. Property. A legally described parcel of land capable of development pursuant to applicable city ordinances and regulations.

16. Property Owners. Any person, group of persons, firm or firms, corporation or corporations, or any other entity have a proprietary interest in the land on which a building permit has been requested.

17. Residential Development. The development of any property for a dwelling or dwellings, other than motels, hotels, shelter used temporarily for transients and other similar uses, as indicated by an application for a building permit.

18. Zoning Ordinance. The Zoning Ordinance of the City of Plano and including all duly adopted amendments thereto.

Section 16-264. Applicability of Park Fee.

A. This Article shall be uniformly applicable to residential development of property in the City which is or will be served by park facilities as herein defined. This Article does not apply to activities involving the replacement, reconstruction, remodeling,

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rehabilitation or other improvements to an existing residential structure, or to the rebuilding of a damaged structure or to permits required for backyard cottages or accessory uses.

B. For the purposes of this Article, property is “served by” park facilities when funds collected for such facilities have been constructed in accordance with the Park Master Plan and Park Improvements Program within ten (10) years from the date of collection within the service area in which the property is located.

Section 16-266. Service Areas, Park Improvements Plan and Park Fees.

A. There are hereby established fourteen (14) services areas for park facilities, each of which is designated on the map attached hereto as Exhibit “A” and incorporated herein by reference. Service Area Boundaries may be amended from time to time by ordinance or resolution.

B. The City shall adopt a Park Improvements Program, which identifies the park facilities and their costs, which are to be financed in whole or in part through the imposition of park fees. Park fees may only be spent for park facilities identified in such Program. The Park Improvement Program shall be reviewed and updated as part of the City’s annual budget.

C. The park fee for each service area shall be uniform and shall be determined by dividing the total anticipated costs, including land value and all development costs, of all neighborhood and linear park facilities set forth in the Master Plan by the total population to be served by such facilities. Park fees shall be separately calculated for single-family dwelling units and for multi-family dwelling units, by multiplying the per capita costs of neighborhood and linear park facilities by the number of persons expected to reside within each type of dwelling unit.

D. There is hereby established a park fee for single-family dwelling units in the amount of two thousand sixty five dollars and forty three cents (\$2,065.43), and a park fee for multi-family dwelling units in the amount of one thousand four hundred forty two and sixty six cents (\$1,442.66). The park fees herein established may be amended by ordinance or resolution of the City Council from time to time.

Section 16-268. Use of Park Fee Funds.

A. Park fees collected for each service area pursuant to this article must be used for at least one of the following purposes:

- (1) To repay developers for contributions of land or park improvements pursuant to Section 16-271 hereof;
- (2) To acquire and develop neighborhood and linear park facilities for the service area.

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- (3) To reimburse the City for prior acquisition and development of such park facilities; or
- (4) To make refunds pursuant to Section 16-270.

B. Park fees collected shall not be used to maintain, repair or operate the existing park system, nor to finance park and recreation activities other than park facilities as herein defined.

C. Nothing in this article shall prevent the City from issuing and utilizing general obligation bonds, revenue bonds, revenue certificates or other certificates of indebtedness as are within the authority of the City in such manner and subject to such limitations as may be provided by law in furtherance of the financing and provision of park facilities as set forth in the park master plan. Park fees paid pursuant to this article, however shall be used for park facilities acquisition and development as defined herein.

Section 16-269. Accounting Procedures.

A. The City shall establish a separate, interest bearing account into which all park fees collected shall be deposited. Funds collected within each service area designated in Exhibit "A" shall be earmarked for expenditure solely for the purposes set forth in Section 16-268 (A).

B. The City shall establish a separate account know as a "Park Fee Program" into which fees used to reimburse the City for prior expenditures for acquisition and development of park facilities are to be deposited upon transfer from service area park fee accounts. Disbursements from the Program shall be utilized solely and exclusively either to reimburse developers who have made contributions to neighborhood and linear park facilities pursuant to Section 16-271 of this Article, or for the purpose of acquiring and developing such facilities.

C. Interest earned on park fees shall be used solely for acquisition and development of neighborhood and linear park facilities or pursuant to 16-268 (a) (4).

D. The City shall establish adequate financial and accounting controls to ensure that park fees disbursed are utilized solely for the purposes and intent of this Article; provided, however, that funds shall be expended within a reasonable period of time, not to exceed ten (10) years from the date park fees are collected.

E. The City shall maintain and keep financial records for park fees, which shall show the source and disbursement of all fees collected in or expended from each service area.

F. The city may supplement the park service area accounts from any available funds. In the event the City discounts park fees due it shall cause to be deposited a sum in the amount of the discount in the account for the park service area in which the fee was collected.

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Section 16-270. Refunds.

A. The current owner of property on which a park fee has been paid may apply for a refund of such fee if:

(1) The property on which a park fee has been paid has not been served by park facilities, as provided in Section 16-204 (B);

(2) The building permit for a residential development, pursuant to which a park fee has expired without substantial completion

(3) Fewer dwelling units are constructed than authorized by a building permit.

B. Only the current owner of property may petition for a refund. A petition for refund may be filed within one (1) year of the event giving rise to the right to claim a refund.

C. The petition for refund must be submitted to the City Manager on a form provided by the City for such purpose. The petition must contain: a certified copy of the latest recorded deed for the subject property; current legal description; the date of payment of the park fee; and a statement of the reasons for which a refund is sought.

D. A refund shall be due under Subsection 16-270 (a)(1) only if the City Manager determines that the total park fee collected for the service area for a period of ten (10) years from the date of collection of the park fee for the development for which a refund is being sought exceeds the total expenditures from the Park Fee Account for the service area for the same period (“excess amount”). The refund amount shall be the development’s pro rata share of the excess of fees collected over expenditures, together with interest earned on such amount for the period. The City may periodically compute the difference between expenditures and fees collected for purposes of reviewing refund requests under this subsection. After the expiration of at least one (1) year after refunds are due under this subsection, the City Council may, after notice by publication in the section of a local newspaper reserved for legal notices, and after a public hearing, vote to apply any unclaimed excess amounts to the acquisition or construction of capital facilities which will benefit the area in which the excess amount was collected. When the City Council votes to apply the excess amounts, the right to refund of the applied excess amounts shall be extinguished.

E. Within one (1) month of the date of receipt of a petition for refund, the City Manager must provide the petitioner, in writing, with a decision on the refund request. The decision must include the reasons for the decision. If a refund is due the petitioner, the City Manager shall notify the City’s Accounting Department and request that a refund payment be made to petitioner.

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F. Petitioner may appeal the determination of the City Manager to the City Council, pursuant to the process in Section 16-273 with the City Council replacing the City Manager as the decision-maker.

Section 16-271. Reimbursement of developer contributions.

A. The city shall reimburse a developer for the reasonable costs of any neighborhood or linear park land which has been dedicated to and accepted by the city for park facilities, or the reasonable costs of park improvements constructed and accepted by the city, pursuant to a reimbursement contract, subject to guidelines established by the city. For multifamily development projects and for complete phases of a single-family subdivision plat, the developer may elect to apply the entire amount to be reimbursed under this section as a credit against park fees due for the development; provided that the application of the credit does not result in a partial fee for any dwelling unit, in accordance with guidelines established by the city.

B. The amount of the reimbursement shall be based upon standards promulgated by the city, which may be adopted as administrative guidelines. The city shall retain sole discretion to determine whether to accept proposed contributions of park land or park improvements, and the timing and extent of park improvements to be accepted by the city.

C. An applicant shall propose dedication of park land or the construction of park improvements in conjunction with the subdivision platting process or in conjunction with a development agreement. Development agreements implemented pursuant to this subsection shall require City Council approval. The city shall determine the amount of reimbursement due in accordance with the standards referenced in subsection (b). In the event that the applicant is dissatisfied with the city's determination of the amount of reimbursement, he may at his own expense seek an appraisal to be performed by a qualified appraiser acceptable to the city. The city council shall compare the appraisal with the standards established by the city and shall determine the amount to be the subject of the reimbursement contract.

D. The city may promulgate additional rules for execution of reimbursement contracts pursuant to this section by administrative guidelines.

E. In determining the disbursements to be made from the park fee service area and recoupment funds established in section 16-269, the city shall give priority, wherever practicable, to outstanding reimbursement contracts. In any event, reimbursement contracts involving contribution to park land together with the costs of minimum park improvements required to be made as a condition of subdivision approval, shall be fully repaid within five (5) years, and reimbursement contracts for all other park improvements shall be fully repaid within ten (10) years, of the date of execution.

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Section 16-272. Procedures for Updating Park Fees.

A. At least every five (5) years, the Director shall prepare a report to the City Council on park fees. In preparation of such report, the following information shall be reviewed:

(1) A statement summarizing park fees collected and disbursed during the year;

(2) A statement summarizing park facilities acquisition and development and the status thereof for the preceding year;

(3) A statement summarizing the administration and enforcement of park fees; and

(4) A statement and recommendation from the Park Board on any and all aspects of the Park and Recreation Fee and City park needs.

B. The report shall make recommendations, if appropriate, on amendments to the Article, changes in the administration or enforcement of the Article, changes in the park fee rates, changes in the Park Improvements Plan and changes to the Park Master Plan.

C. Based upon the report, and such other factors as the City Council deems relevant and applicable, the City Council may amend the Park and Recreation Fee Article, including but not limited to exhibits and fee schedules. If the City Council fails to take such action, the park fee rates then in effect shall remain in effect. Nothing herein precludes the City Council or limits its discretion to amend the Park and Recreation Fee Articles at such other times as may be deemed necessary.

D. In the review process, the City Council may take into consideration, among others, the following factors: inflation as measured by changes in an appropriate land and construction cost index used by the City; improvement cost increases as measured by actual experience during the year; changes in the design, engineering, location or other elements of proposed park facilities; revisions to the Park Master Plan; changes to the Park Improvements Plan; and changes in the projected mix and/or intensity of residential developments in the City.

Section 16-273. Appeals, Variances, and Exceptions.

A. The property owner or applicant may appeal the following to the City Manager:

(1) The applicability of the park fee;

ORDINANCE NO. 2019-6-7

- (2) The amount of the fee due;
- (3) The amount of a reimbursement contract pursuant to Section 16-271.

The burden of proof is on the appellant to demonstrate that the park fee is not applicable; or the amount of the fee, credit, or reimbursement was either:

- (1) Not calculated according to the applicable schedule of fees; or
- (2) Not established pursuant to the guidelines established for determining such amounts; or
- (3) The fair market value of land or improvements is such that the basis for the fee is not valid.

The appellant must file a notice of appeal with the City Manager within thirty (30) days following the original written determination. If the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the City Attorney in an amount equal to the park fee due as calculated by the City, the development application shall be processed. The filing of an appeal shall not stay the collection of the fee due, unless a bond or other sufficient surety has been filed.

B. The City Council may grant a variance from any requirements of this Article, upon written request by a property owner subject to the Article, following a public hearing, and only upon a finding that a strict application of such requirement would result in a substantial hardship which is not common to similarly situated property owners.”

Section II. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

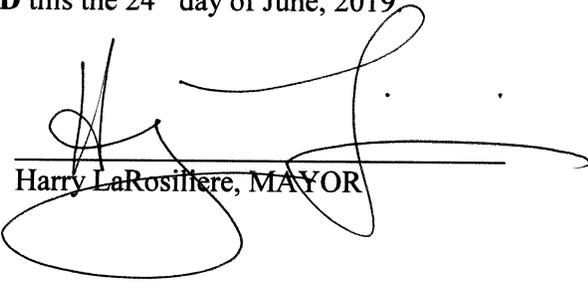
Section III. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section IV. All provisions of the ordinance of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section V. This Ordinance shall become effective immediately upon its passage and publication as provided by law.

ORDINANCE NO. 2019-6-7

DULY PASSED AND APPROVED this the 24th day of June, 2019



Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

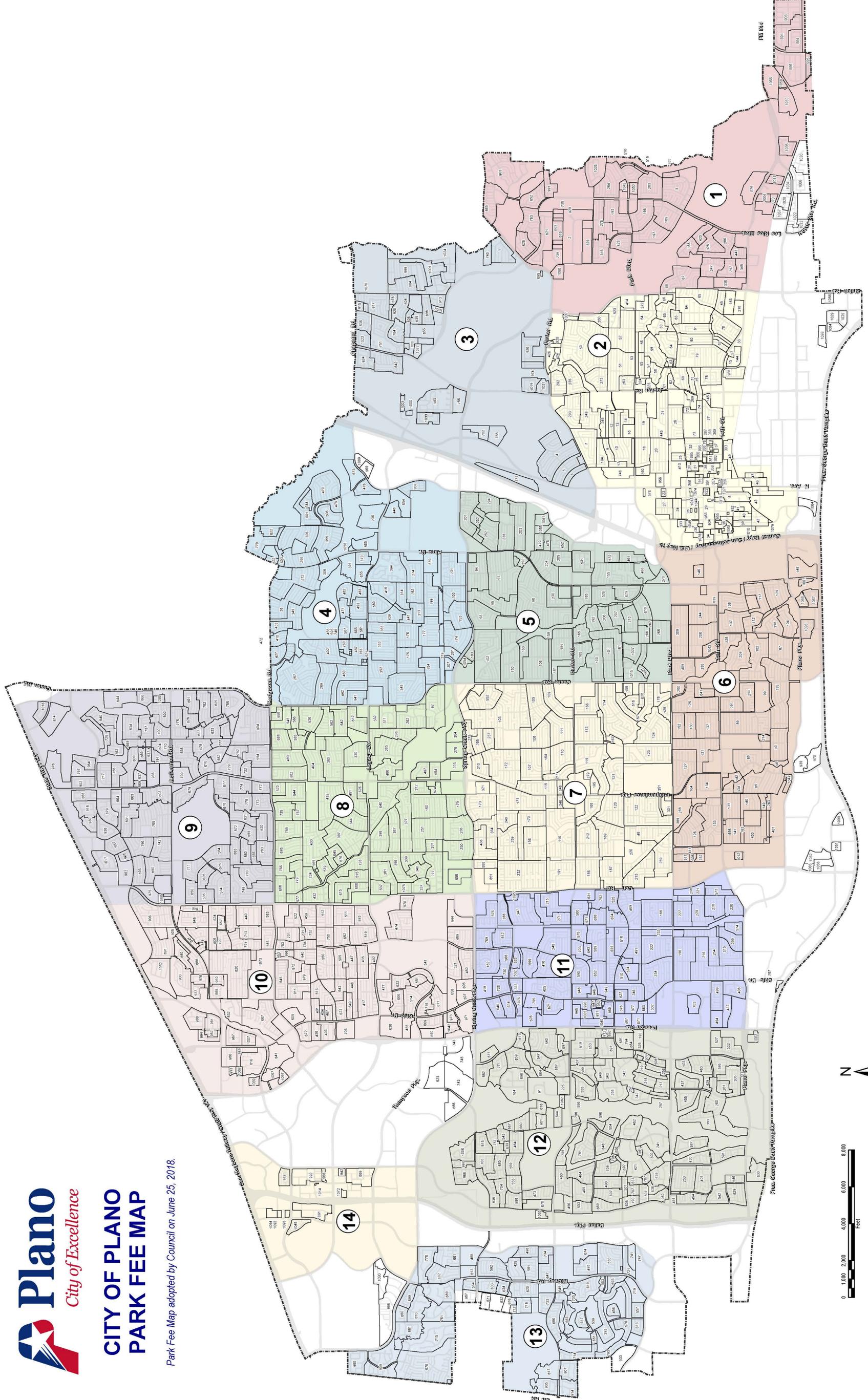


Paige Mims, CITY ATTORNEY



CITY OF PLANO PARK FEE MAP

Park Fee Map adopted by Council on June 25, 2018.



Date: July, 2018
Source: City of Plano, Parks Division

The Park Fee boundaries are subject to change.