CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, DECEMBER 16, 2019
5:00 P.M.

A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER SANDRA MELTON

A. 3. INVOCATION BY COUNCIL MEMBER SANDRA MELTON

A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 2, 2019

Citizen Requests

B. 1. CITIZEN REQUESTS

Public Hearing

C. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6272
Extending the Corporate Limits of Said City so as to Annex a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Service Plan

C. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6273
Accepting and Approving the Amended Project Plan and the Financing Plan for the Sherman Tax Increment Reinvestment Zone, Number Seven (#7); Providing for Findings of Fact

C. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6274
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Automobile Repair, Paint and Body Shop in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 2200 North U.S. Highway 75, being part of Lot 1, Block 2, Independence Square Addition, Section 3, containing 3.260 acres (Post Oak Liquidating Trust, Owners; KMS Retail Investments, LP, Developer; Luke Stainback, Representative; and Underwood Drafting and Surveying, Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed $2,000.00

C. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6275
Amending Chapter 2 of the Code of Ordinances, entitled "Animal Control", at Article 2.01, entitled "General Provisions", to Provide for a New Section 2.01.022 to be entitled "Prohibiting the Sale of Animals in Public Places"; Providing for a Penalty

C. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6276
Creating an Economic Development Subcommittee

Close Public Hearing and Consider Adoption of Ordinances

C. 6. ADOPTION OF ORDINANCES
Consider Adoption of Ordinance Numbers: 6272, 6273, 6274, 6275 and 6276

Consider Board/Commission Appointments

D. 1. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Economic Development Subcommittee (4)

Consent Agenda

E. 1. CONSENT AGENDA
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

F. 1. RESOLUTION NO. 6572
Authorizing the Acceptance of a Conveyance Document from The Munson Realty Company for the Conveyance and Acquisition of 0.5720 acres of land and 0.8070 acres of land, totaling 1.379 acres of land, more or less, in the Elizabeth Jones Survey, Abstract No. 625, being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes, property being located in the City of Sherman, County of Grayson, State of Texas

F. 2. RESOLUTION NO. 6573
Authorizing Execution of a Development Agreement with Bluestone Partners, LLC for the Construction of Public Facilities in Heritage Crossing, Phase 1, a 31.333-acre Development west of Heritage Parkway (F.M. 1417) and north of Washington Street in the City of Sherman

F. 3. ** RESOLUTION NO. 6574*
Authorizing Execution of an Encroachment Easement to Joseph Brown for the Installation of a Ten Foot Wide Asphalt Access Drive within the Unimproved Platted Public Right of Way shown as College Street, adjacent to Lot 8, Block K of the Washington Park Addition, Volume 1, Page 24, Plat Records, Grayson County, Texas, for Rear Entry Purposes for Lot No. 8, Block K of said Washington Park Addition in the City of Sherman, Grayson County, Texas, as shown in Exhibit "A", attached hereto and made a part hereof for all purposes

F. 4. RESOLUTION NO. 6575
Awarding a Bid to and Authorizing Execution of a Contract with Lynn Vessels Construction, LLC based on an Invitation to Bid for Construction of the Lamberth Road Drainage Improvements Project

Requests to Advertise

G. 1. ** REQUEST TO ADVERTISE*
Annual Supply of Chemicals

Change Orders

H. 1. **CHANGE ORDER NO. 1**
Lamberth Road Drainage Improvements Project; Lynn Vessels Construction, LLC; $747,180.72 decrease

H. 2. **CHANGE ORDER NO. 1**
Fallon Drive Water & Sewer Extension Phase I Project; Vessels Construction; $84,812.42 Increase

Other Business

I. 1. **** OTHER BUSINESS***
Final Plat Approval of McGraw-Martinek Addition, being 0.970 acres in the J. B. McAnair Survey, Abstract No. 763; Judy McGraw, Owner; and Preston Trail Land Surveying, Surveyor (531 East Lamar Street)

I. 2. **** OTHER BUSINESS***
Replat Approval of Block 43R, Lot 1, South Side Addition, being a Replat of all of Blocks 37, 38, 39 and Tracts 1, 3 and 4 of the Replat of South Side Addition; being a 13.60 acre tract in the Preston Kitchen Survey, Abstract No. 667, also being multiple tracts: Tract 1, being a 7.036 acre tract; Tract 3, being all of Blocks 38, 39 and a portion of Block 37 of the Replat of Blocks 4, 5, 6, 15, 16, 17, 29, 31, 40 and 41 of South Side Addition; and Tract 4, being a 0.888 acre tract, except a called 0.487 acre portion of Lots 7-12, Block 39; FRHP Lincolnshire, LLC, Owners; Camping World and Good Sam, Tenants; and CEI Engineering Associates, Inc., Civil Engineer and Surveyor (2005 South Sam Rayburn Freeway)

I. 3. **** OTHER BUSINESS***
Final Plat Approval of Oyail Estates in the City of Sherman's Extra Territorial Jurisdiction, being 4.905 acres in the Jeremiah M. McDaniel Survey, Abstract No. 774; D.J. Wortham Properties, LLC, Owners; and Helvey-Wagner Surveying, Surveyor (388 Bennett Road)

J. **MEDIA QUESTIONS**

Consider Board/Commission Appointments

K. 1. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**
(a) Planning and Zoning Commission Alternate Members (4)

L. **COUNCIL COMMENTS**

Executive Session

M. 1. **EXECUTIVE SESSION**
In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections:

Section 551.071	Consultation with City Attorney concerning Pending or Contemplated Litigation

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

Section 551.071	Consult with the City Attorney on a Matter in which the Duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter
Section 551.087	Deliberation Regarding Economic Development Negotiations: (a) Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

The Council reconvenes into General Session

N. 1. OPEN MEETING

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

O. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on December 13, 2019 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 13th day of December, 2019.
City of Sherman, Texas

_____
City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor	Deputy Mayor	Council Members	
David Plyler	Willie Steele	Willie Steele, Council-At-Large, PL #1	Josh Stevenson, Council – District #2
		Sandra Melton, Council-At-Large, PL #2	Pamela L. Howeth, Council – District #3
		Shawn C. Teamann, Council – District #1	Daron Holland, Council – District #4

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **A. 4.**

Meeting Date: 12/16/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 2, 2019

Attachments

December 2, 2019

STATE OF TEXAS §

December 2, 2019

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on December 2, 2019.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR WILLIE STEELE. COUNCIL MEMBERS HOLLAND, HOWETH, MELTON, STEVENSON, TEAMANN.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Shawn Teamann.

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of November 18, 2019. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Holland; All present voted AYE.
MOTION CARRIED.

CITIZEN'S REQUESTS

CITIZENS REQUESTS

There were no citizen's requests.

Mayor Plyler introduced Ordinance No. 6271 and called for a public hearing:

ORD 6271
CURFEW HOURS FOR MINORS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, READOPTING CHAPTER 8, ARTICLE 8.04, DIVISION 2 OF THE CODE OF ORDINANCES, ENTITLED "CURFEW HOURS FOR MINORS", WITH NO MODIFICATIONS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Zach Flores, Police Chief, said the curfew ordinance must be readopted every two years. No changes are proposed, and the hours remain the same, which are between 11:00 p.m. and 6:00 a.m. during the week and midnight and 6:00 a.m. on Friday and Saturday.

He said the standard practice is to give the minors a verbal warning and "send them on their way."

No citizens appeared before the City Council to discuss Ordinance No. 6271.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6271

ORD 6271 CURFEW HOURS FOR MINORS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, READOPTING CHAPTER 8, ARTICLE 8.04, DIVISION 2 OF THE CODE OF ORDINANCES, ENTITLED "CURFEW HOURS FOR MINORS", WITH NO MODIFICATIONS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Council Member Howeth said the students are the ones that really need to know, and she asked how the information about a curfew was disseminated to them.

Chief Flores said the standard practice is not to issue a citation until the student has been warned. A citation for a curfew violation is a "last resort."

Council Member Teamann said there are a lot of exceptions to the curfew rule. Chief Flores said they try to exercise a reasonable approach and there are a lot of defenses to prosecution.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6271, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA

CONSENT AGENDA

The Council reviewed the Consent Agenda. Mayor Plyler removed Agenda Item E-2, entitled "Other Business – Consider Calling a Special Meeting of the City Council for Tuesday, January 21, 2020, due to Conflict with a Federal Holiday" from the Consent Agenda, for consideration in its regular order of business.

Council Member Howeth moved to approve the Consent Agenda, with the exception of Item E-2, which will be considered in its regular order of business. Second by Council Member Stevenson. All present voted AYE.

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR TUESDAY, JANUARY 21, 2020, DUE TO CONFLICT WITH A FEDERAL HOLIDAY

SCHEDULE CALLED CITY COUNCIL MTG (JAN. 21, 2020)

Mayor Plyler removed Item E-2 from the Consent Agenda for consideration in its regular order of business.

Robby Hefton, City Manager, said the staff had proposed to schedule a Called Council Meeting for Tuesday, January 21, 2020, at 4:00 p.m., due to the conflict with a Federal holiday. Typically that would be the same day that the Planning and Zoning Commission meets.

However in January, the Commission will meet a week prior to that date on January 14, 2020. He asked for a motion to approve the Called Council Meeting on Tuesday, January 21, 2020, at 5:00 p.m.

ACTION TAKEN.

Motion by Deputy Mayor Steele to call a Special Meeting of the City Council for Tuesday, January 21, 2020, at 5:00 p.m., due to a conflict with a Federal holiday, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6570 ENCROACHMENT EASEMENT FOR DETACHED GARAGE (1515 E. NALL ST.)

RESOLUTION NO. 6570 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO DAVE REED FOR THE ENCROACHMENT OF A DETACHED GARAGE WITHIN THE PLATTED PUBLIC UTILITY EASEMENT RUNNING ALONG THE EAST SIDE OF LOT 1, BLOCK C OF REPLAT OF BLOCKS B AND C, HIGHLAND PARK ADDITION, LOCALLY KNOWN AS 1515 EAST NALL STREET IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO DAVID REED FOR THE ENCROACHMENT OF A DETACHED CARPORT WITHIN THE PLATTED PUBLIC UTILITY EASEMENT RUNNING ALONG THE EAST SIDE OF LOT 1, BLOCK C OF REPLAT OF BLOCKS B AND C, HIGHLAND PARK ADDITION, LOCALLY KNOWN AS 1515 EAST NALL STREET IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.
CONSENT AGENDA.

RES 6571 REPAIRS TO THE SPLASH

RESOLUTION NO. 6571 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOLID WATERSLIDE, LLC FOR RESURFACING, PAINTING, AND LEAK REPAIRS AT THE SPLASH IN FAIRVIEW PARK

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOLID WATERSLIDE, LLC FOR RESURFACING, PAINTING, AND LEAK REPAIRS AT THE SPLASH IN FAIRVIEW PARK.
CONSENT AGENDA.

OTHER BUSINESS

EXCELLENCE IN FINANCIAL REPORTING AWARD

RECOGNITION OF CITY OF SHERMAN AWARD: "CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING"

Mary Lawrence, Director of Finance, said each year, the City's Comprehensive Annual Financial Report is submitted to the Government Finance Officers Association.

For the 33rd consecutive year, the City has been awarded the Certificate of Achievement for Excellence in Financial Reporting, which is the highest form of recognition in the area of governmental accounting and financial reporting.

The CAFR represents a significant amount of work from the Finance Department, as well as the cooperation of other City departments. She recognized Tammy Davis, Controller, for her outstanding work putting the report together. She also recognized the City's auditor, Pattillo, Brown & Hill, LLP, who provided invaluable assistance.

MEDIA QUESTIONS

MEDIA QUESTIONS
There were no media questions.

COUNCIL COMMENTS

SALVATION ARMY FOOD TRUCK

SALVATION ARMY FOOD TRUCK
Council Member Melton said she works for the Salvation Army Food Truck and they filled almost three trucks with food items. One concern is that the Salvation Army doesn't have a fork lift to help load trucks.

If citizens would like to help purchase a forklift for the Salvation Army or if someone can lend them one to use, it would be wonderful.

LINK TO BIDS ON WEBSITE

LINK TO BIDS ON WEBSITE
Council Member Teamann asked if a link could be added on the home page of the City's website to make the bids more accessible to those viewing the website. Mr. Hefton said that could be added.

AWARD FOR FINANCIAL REPORTING

AWARD FOR FINANCIAL REPORTING
Council Member Holland congratulated Ms. Lawrence on a great job in obtaining the Certificate of Achievement for Excellence in Financial Reporting.

AWARD FOR FINANCIAL REPORTING

AWARD FOR FINANCIAL REPORTING
Council Member Stevenson reiterated that it was the 33rd time the City of Sherman has been awarded the Certificate of Achievement for Excellence in Financial Reporting. He said that makes Sherman very transparent, and transparency is very important to all the Council Members and staff.

ANNOUNCEMENTS

ANNOUNCEMENTS
Mayor Plyler announced the following:

- **A groundbreaking ceremony will be held on December 4, 2019 at 1:30 p.m., to celebrate the Highway 75 GAP Project, which starts next month. The event will be held on the southbound side of U.S. Highway 75 at Club House Way.**

- **Coffee With the Mayor will be held on December 6, 2019, at 8:00 a.m., at Nautilus Family Fitness.**

- **The Christmas Parade will be held downtown on December 7, 2019, starting at 6:00 p.m. The Snowflake Festival will be held prior to the Parade and the Tree Lighting will be held on the Square at 5:45 p.m.**

- **Caroling with the Canines! will be held on December 7, 2019, at 2:30 p.m., on the Courthouse Square. The Neblett Elementary School Choir will help the Sherman Animal Shelter sing their way to adoptions.**

EXECUTIVE SESSION

<u>EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)</u>
THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.071 --	**CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION**
SECTION 551.071 --	**CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER**
SECTION 551.074 --	**PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: GREATER TEXOMA UTILITY AUTHORITY BOARD OF DIRECTORS (2)**
SECTION 551.087 --	**DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:12 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:36 p.m. and reconvened in Open Meeting.

OPEN MEETING

OPEN MEETING

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS GREATER TEXOMA UTILITY AUTHORITY BOARD OF DIRECTORS (2)

GREATER TEXOMA UTILITY AUTHORITY BOARD OF DIRECTORS

ACTION TAKEN.

Motion by Council Member Stevenson to reappoint Donald Johnston and Matt Brown to the Greater Texoma Utility Authority Board of Directors for a term from December 31, 2019 to December 31, 2021. Second by Deputy Mayor Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:38 p.m.

MAYOR

CITY CLERK

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 1.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6272

Extending the Corporate Limits of Said City so as to Annex a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Service Plan

Issue:

To introduce, hold a public hearing, and consider adoption of the annexation ordinance that extends the City of Sherman's corporate limits so as to annex a 95.277 acre tract of land located south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive, adjacent to the Sherman city limits, and in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background:

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its November 4th meeting, the City Council approved the schedule for annexation of this property, which set the first and second public hearings for the November 18th regular Council meeting, and adoption of the Ordinance for this December 16th regular Council meeting. The first and second public hearings were held on November 18th, as scheduled, with no objections received.

This annexation was requested by the property owners.

Origination:

Letter requesting annexation by Chris and Claire Rehmet, subject Property Owners / Developers

Financial Consideration:

Once developed, the additional property taxes on the land raised from this annexation are estimated at about $350,000.00 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council introduce, hold the public hearing, and consider adoption of the ordinance for annexation of this 95.277 acre tract of land located south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive, in the ETJ.

Alternatives:

As directed by the City Council

Attachments

Ordinance No. 6272
Exhibit "A" - Legal Description
Exhibit "B" - Drawing
Municipal Service Plan
Request for Annexation
Annexation Scheduling Plan
Aerial Location Map

ORDINANCE NO. 6272

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX A 95.277 ACRE TRACT OF LAND LOCATED SOUTH OF U.S. HIGHWAY 82, WEST OF S.H. 289, AND EAST OF PRESTON CLUB DRIVE, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL SERVICE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 43 of the Texas Local Government Code and Article X, Section 12 of the City Charter of Sherman, Texas, an incorporated City, authorizes the annexation of territory, subject to the laws of this State; and

WHEREAS, the procedures proscribed in Chapter 43 of the Texas Local Government Code, the City Charter of the City of Sherman, Texas, and any other applicable laws have been duly followed with respect to the territory described in Section 1 of this Ordinance;

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

SECTION 1. That the limits of the City of Sherman, Texas, shall be extended so as to hereinafter include within the corporate limits of said City the tracts of land, being more particularly described in Exhibit "A" and shown in Exhibit "B".

SECTION 2. That the inhabitants thereof shall hereinafter be entitled to all the rights and privileges of other citizens of the City of Sherman and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

SECTION 3. That the Service Plan for the annexed area is adopted and attached as Exhibit "C" to this Ordinance and incorporated for all purposes.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: kate@helveywagnersurvey.net
TBPLS Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

FIELD NOTES
95.277 Acres

SITUATED in the County of Grayson, State of Texas, being a part of the Daniel Bickenback Survey, Abstract No. 128 and the McMullen and McGloin Survey Abstract No. 762, being a part of the 102.27 Acre tract of land conveyed by General Warranty Deed from Lee Charles Hudgins and Nancy Hudgins to Christopher Rehmet and Claire Rehmet on September 11, 2003 and recorded in Volume 3535, Page 296, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the South right-of-way line of U.S. Highway No. 82, the West line of the Henry Ritchey Survey, Abstract No. 1025 and the East line of said J. McMullen and McGloin Survey, at the Northeast corner of the 104.109 acre tract of land conveyed to UCD 82 / Hudgins, LP., recorded in Volume 3912, Page 943, said Official Public Records and the Northwest corner of both said Rehmet 102.27 ac. and the herein described tract;

THENCE South 04 deg. 21 min. 05 sec. East, with the West lines of both said Henry Ritchey Survey and Hudgins 104.109 ac. and the East lines of both said J. McMullen and McGloin Survey and Rehmet 102.27 ac. passing the Southeast corner of said J. McMullen and McGloin Survey and the most Northern Northeast corner of said Daniel Bickenback Survey, continuing on for a **TOTAL** distance of 2581.36 ft. to a point, at the Southwest corner of said Hudgins 104.109 ac., the Southwest corner of said Henry Ritchey Survey, the Northwest corner of both J.M. Thomas Survey, Abstract No. 1234 and the 5.3 acre tract of land conveyed to Dennis A. Stengel, recorded in Volume 2238, Page 418, Real Property Records, Grayson County, Texas and an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE South 03 deg. 48 min. 06 sec. East, with the West line of both said J.M. Thomas Survey and Stengel 5.3 ac. and the West line of both said Daniel Bickenback Survey and Rehmet 102.27 ac., passing the Southwest corner of said Stengel 5.3 ac. and continuing for a **TOTAL** distance of 473.06 ft. to a point in a North line of both Preston Run Road and Preston Club The Classics – Phase Three, recorded in Volume 19, Page 46, Plat Records, Grayson County, Texas, at the Southeast corner of the herein described tract;

THENCE Northerly and Westerly, over and across said Rehmet 102.27 ac., with the East and North lines of said Preston Club The Classics – Phase Three, the following calls and distances:

1. North 56 deg. 48 min. 35 sec. West, 49.61 ft. to a point, at the beginning of said curve;
2. Northwesterly, with a curve to the left having a Central Angle (Delta) of 8 deg. 44 min. 15 sec., a Radius of 205.00 ft. (Chord bears North 61 deg. 10 min. 33 sec. West, 31.23 ft.), an arc distance of 31.26 ft. to a point at the end of said curve, at the most Southerly Southeast corner of the herein described tract;
3. North 01 deg. 12 min. 25 sec. West, 157.26 ft. to a point at the Northeast corner of said Preston Club The Classics-Phase Three and an Ell corner of the herein described tract;
4. South 87 deg. 31 min. 54 sec. West, 224.00 ft. to an angle point;
5. South 79 deg. 01 min. 33 sec. West, 223.00 ft. to an angle point;
6. South 86 deg. 07 min. 16 sec. West, 431.90 ft. to a point in an East line of the Preston Club The Classics - Phase Two, recorded in Volume 14, Page 72, said Plat Records and a West line of said Rehmet 102.27 ac., at the most Northern Northwest corner of said Preston Club The Classics – Phase Three and the most Westerly Northwest corner of the herein described tract;

THENCE Northwesterly, with the East lines of said Preston Club The Classics – Phase Two and the West line of said Rehmet 102.27 ac., the following calls and distances:

1. Northwesterly, with a curve to the left having a Central Angle (Delta) of 26 deg. 00 min. 22 sec., a Radius of 781.94 ft. (Chord bears North 48 deg. 00 min. 58 sec. West, 351.88 ft.), an arc distance of 351.88 ft. to a point at the end of said curve;
2. North 61 deg. 04 min. 58 sec. West, 106.08 ft. to a point, at the beginning of curve;
3. Northwesterly, with a curve to the right having a Central Angle (Delta) of 31 deg. 21 min. 25 sec., a Radius of 553.73 ft. (Chord bears North 45 deg. 21 min. 14 sec. West, 299.28 ft.), an arc distance of 303.05 ft. to a point at the end of said curve;
4. North 29 deg. 30 min. 02 sec. West, 104.71 ft. to a point, at the beginning of curve;

5. Northwesterly, with a curve to the right having a Central Angle (Delta) of 08 deg. 42 min. 59 sec., a Radius of 722.08 ft. (Chord bears North 25 deg. 08 min. 32 sec. West, 109.74 ft.), an arc distance of 109.85 ft. to a point at the beginning of another curve;
6. Northwesterly, with a curve to the left having a Central Angle (Delta) of 22 deg. 04 min. 29 sec., a Radius of 1116.00 ft. (Chord bears North 31 deg. 49 min. 17 sec. West, 427.32 ft.), passing the Northeast corner of said Preston Club The Classics – Phase Two and continuing on for a **TOTAL** arc distance of 429.97 ft. to a point at the end of said curve;
7. North 42 deg. 51 min. 30 sec. West, passing the most Eastern Southeast corner of Block 2, said Preston Club The Classics – Phase Two and continuing on for a **TOTAL** distance of 259.22 ft. to a point, at the most Southerly corner of the Preston Club The Legends Subdivision, Phase Two, recorded in Volume 10, Page 31, said Plat Records and at an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE Northerly, with the East lines of said Preston Club The Legends Subdivision, Phase Two and the West lines of said Rehmet 102.27 ac., the following calls and distances:

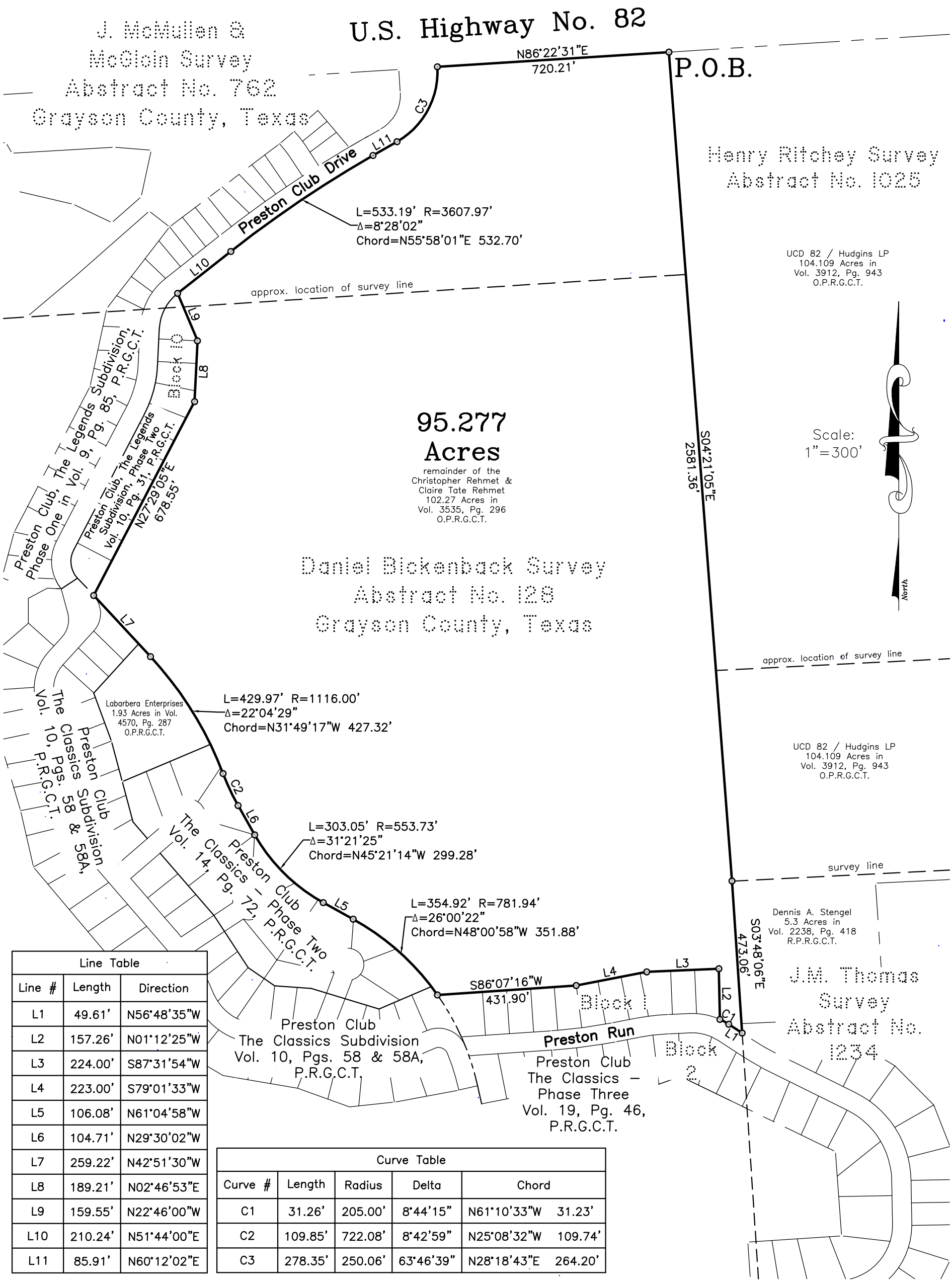
1. North 27 deg. 29 min. 05 sec. East, 678.55 ft. to an angle point;
2. North 02 deg. 46 min. 53 sec. East, 189.21 ft. to an angle point;
3. North 22 deg. 46 min. 00 sec. East, 159.55 ft. to a point in the East line of Preston Club Drive, at the most Northerly corner of said Preston Club The Legends, Phase Two and an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE Northeasterly, with the East line of said Preston Club Drive and the West lines of said Rehmet 102.27 ac., the following calls and distances:

1. North 51 deg. 44 min. 00 sec. East, 210.24 ft. to a point, at the beginning of a curve;
2. Northeasterly, with a curve to the right having a Central Angle (Delta) of 08 deg. 28 min. 02 sec., a Radius of 3607.97 ft. (Chord bears North 55 deg. 58 min. 01 sec. East, 532.70 ft.), an arc distance of 533.19 ft. to a point, at the end of said curve;
3. North 60 deg. 12 min. 02 sec. East, 85.91 ft. to a point, at the beginning of a curve;
4. Northeasterly, with a curve to the left having a Central Angle (Delta) of 63 deg. 46 min. 39 sec., a Radius of 250.06 ft. (Chord bears North 28 deg. 18 min. 43 sec. East, 264.20 ft.), an arc distance of 278.35 ft. to a point, in the South right-of-way line of said U.S. Highway No. 82, at the Northwest corner of both said Remhet 102.27 ac. and the herein described tract;

THENCE North 86 deg. 22 min. 31 sec. East, with the South right-of-way line of said U.S. Highway No. 82 and the North line of said Rehmet 102.27 ac., a distance of 720.21 ft. to the **PLACE OF BEGINNING** and containing **95.277 ACRES** of land.

Job No. CGS490819



Line Table		
Line #	Length	Direction
L1	49.61'	N56°48'35"W
L2	157.26'	N01°12'25"W
L3	224.00'	S87°31'54"W
L4	223.00'	S79°01'33"W
L5	106.08'	N61°04'58"W
L6	104.71'	N29°30'02"W
L7	259.22'	N42°51'30"W
L8	189.21'	N02°46'53"E
L9	159.55'	N22°46'00"W
L10	210.24'	N51°44'00"E
L11	85.91'	N60°12'02"E

Curve Table					
Curve #	Length	Radius	Delta	Chord	
C1	31.26'	205.00'	8°44'15"	N61°10'33"W	31.23'
C2	109.85'	722.08'	8°42'59"	N25°08'32"W	109.74'
C3	278.35'	250.06'	63°46'39"	N28°18'43"E	264.20'

Prepared for Annexation Purposes only

Helvey–Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463–6191 Fax: (903) 463–4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

S:\Land Projects R2\Tate–Remainder–Tract–Rezoning\Civil 3D\Remainder–tract.dwg Layout: 11x17–Portrait Plot Date Aug 21 19 Time: 2:52 PM

City of Sherman
Municipal Service Plan
95.277 Acres East of Preston Club

INTRODUCTION:

The annexation is the site of approximately 95.277 acres south of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon

annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. Area will be annexed as R-A on the effective date of the annexation ordinance.

WATER SERVICE: Water service will be provided to the area in accordance with the City's Developer's Ordinance.

SEWER SERVICE: Sewer service will be provided to the area in accordance with the City's Developer's Ordinance. No new service connections will be permitted until the current system has been upgraded to handle additional sewer capacity. Coordination with City Engineering Department required prior to development.

October 19, 2019

Ms. Amber Doan
City of Sherman
200 W. Mulberry Dr.
Sherman, TX 75090

RE: Annexation Request

Dear Ms. Doan:

Chris Rehmet and I (Claire Rehmet) own two parcels of land with frontage on US 82. They are immediately adjacent to the Sherman City Limits, which extends across the front of the properties. The GCAD IDs are Parcel 119095 and 119117. We would like both parcels to be annexed. A survey of both parcels is attached and labeled as "ATTACHMENT A". Additionally, we would like the portion of the property in the attached survey and legal description labeled as "ATTACHMENT B" to be **brought in with a zoning of C-1 (Retail business) district** due to the fact that it has frontage along US 82 and should be zoned as such. The remainder of the property can be brought in as SF-1 (Single Family Residential) district. We would like to have it annexed at this time to establish the zoning and perhaps market the property. We understand that the City of Sherman has water service available if desired and that sewer service will be available from the City of Sherman in the future.

If you have any questions or need any additional information, please contact my engineer, Clay Barnett, P.E., at (903) 870-6543.

Thanks,

Chris & Claire Rehmet

ANNEXATION SCHEDULING PLAN

Annexation of 95.277 acres of land adjacent to the city limits located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, being more specifically described as:
REHMET DEVELOPMENT

Wednesday, November 6, 2019……..	Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
Thursday, November 7, 2019……	Post notice on City's website, newspaper and City Hall for City Council's 1st and 2nd Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
Thursday, November 14, 2019……	Post notice of 1st and 2nd Public Hearing under the Open Meetings Act.
Monday, November 18, 2019…….	City Council's 1st and 2nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Thursday, December 12, 2019……	Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.*
Monday, December 16, 2019……	City Council Public Hearing for introduction and consideration of adoption of annexation ordinance.* (Regular Council Meeting)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

0 500 1,000 2,000 3,000 4,000 Feet

1 inch = 1,000 feet

N

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 2.**

Meeting Date: 12/16/2019

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6273

Accepting and Approving the Amended Project Plan and the Financing Plan for the Sherman Tax Increment Reinvestment Zone, Number Seven (#7); Providing for Findings of Fact

Issue:

To approve Sherman Tax Increment Reinvestment Zone, Number Seven (TIRZ #7) Amended Project and Financing Plans

Background:

The owner of the property to the east of TIRZ #7 petitioned the City for inclusion in the zone. On November 18, 2019, the City Council approved enlarging the boundaries of the zone to include the peitioned acreage. On December 5th, the Tax Increment Reinvestment Zone #7 Board approved this amendment to the Zone's project plan that includes the plans for the additional property. The amended plan calls for constructing about $10 million in public improvements to be financed by Certificates of Obligation expected to be issued in Fiscal Year 2021 and/or reserves. The City will contribute 50% of the M&O tax rate; and the County will contribute 50% of the tax rate allocated to its General Fund on the Zone's increment on the additional property. The original property included in TIRZ #7 is not affected by the amended plan. The attached plans provide more detail on the improvements and financing.

The amended plan takes effect on approval by the City Council.

Origination:

City Manager

Financial Consideration:

There is no financial consideration to passing this ordinance.

Staff Recommendation:

The staff recommends approving this ordinance.

Alternatives:

The City Council could deny this ordinance or direct that changes be made in the ordinance or to the project and financing plans.

Attachments

Ordinance No. 6273

Amended Project and Financing Plans for TIRZ #7

ORDINANCE NO. 6273

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING AND APPROVING THE AMENDED PROJECT PLAN AND THE FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7); PROVIDING FOR FINDINGS OF FACT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Council hereby finds and determines that the Board of Directors of the Sherman Tax Increment Reinvestment Zone, Number Seven (#7) presented to the City Council an Amended Project Plan and a Financing Plan for the Sherman Tax Increment Reinvestment Zone, Number Seven (#7), which the Board finds are feasible and conform to the City's Master Plan and recommends that the City Council accept and approve the Amended Project Plan and Financing Plan as presented, which are attached hereto.

SECTION 2. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY

Sherman
CLASSIC TOWN. BROAD HORIZON.

AMENDED

Project and Financing Plans

Tax Increment Reinvestment Zone #7

December 16, 2019

DRAFT

AMENDED PROJECT PLAN

TAX INCREMENT REINVESTMENT ZONE #7

The City of Sherman, Texas formed Tax Increment Reinvestment Zone (TIRZ) #7 by Ordinance 6081 on December 4, 2017. On December 18, 2017, TIRZ #7 Financing and Project Plans were approved by the City Council by Ordinance 6087. The City has been petitioned by the owner of the adjacent land on the east for inclusion in TIRZ #7.

DESCRIPTION

The original location of Tax Increment Reinvestment Zone #7 is on the southeast corner of Highway 75 and State Highway 1417. The base is the taxable value for the tax year 2018 of $0 and contains about 22.31 acres. The landowner of the tract of land adjoining the zone on the east has petitioned the City for inclusion in the zone. The City would like to encourage accelerated development on this tract of land which would benefit from the proposed public infrastructure improvements. The tract contains about 279 acres with a taxable value of $103,429. See Attachments A and B for a parcel list and map of the enlarged zone. Attachment E is a survey of the expansion.

ESTIMATED PROJECT COSTS

The original project plan called for infrastructure to be added to the site in order to attract commercial development. The publicly funded portion of the project, as proposed, has been completed at a cost of about $2.1 million.

The expansion area will include streets, sidewalks, lighting, water, sewer, drainage, landscaping, greenspace, and other related infrastructure improvements at an estimated cost of $5.4 million.

The plan also calls an incentive to be paid to the developer based on the public amenities in the Bel Air development and the net cash flow to the zone.

A convention center and public parking on the east side of the original tract that will be owned by the City is projected at a cost of about $10 million. The detailed estimated project costs and list of improvements will be part of a project and financing plan amendment when that information is available, estimated to be in about two years.

EXISTING USES AND CONDITIONS AND PROPOSED USES

The property contained within the original boundaries of TIRZ #7 is now partially developed with an entertainment venue and a convenience store/gas station. Additional sites are available for retail and restaurants. Zoning consists of Retail Business (C-1), General Commercial (C-2), with part of the property included in the Blalock Industrial Park.

The expansion tract is undeveloped. Prior to August of 2019, it was zoned M-1 with an agricultural exemption for property taxes. On August 5, 2019, the property was granted Planned Development status by the City Council to facilitate the planning, design and development of the property.

The expansion ("Bel Air") will be a mixed-use community. Bel Air will offer a mix of commercial and residential opportunities complimented by almost one-quarter of land area set aside as parks, open space or other amenities. Other features include tree-lined streets, wide sidewalks and a connected trail system. The sixty plus acres amenity center, open space and trails will be maintained by a Homeowners Association. Residential build-out includes about 148 acres with 3,110 mid-rise units, 1,294 single-family residential townhomes, and 698 traditional residential homes. Attachment I shows this layout. Build-out is expected to occur over a five to ten year period.

In addition to the Bel Air, a city-owned conference center and public parking facilities are planned on the eastern side of the original TIRZ #7 boundary to serve both the entertainment and restaurant venues on the west and Bel Air and its amenities to the east.

PROPOSED PLANNING AND ZONING CHANGES

No additional zone changes are planned. Any changes to codes, ordinances, or master plan as a result of the creation of the TIRZ will be made through the existing processes and procedures of the City.

ESTIMATED NON-PROJECT COSTS

Non-project costs within the TIRZ are those development costs not paid for by the TIRZ. The non-project costs include the costs of new private development estimated at about $20,000,000 in the first phase which includes an entertainment venue with movies, bowling and a restaurant, a convenience store/gas station and two additional free-standing restaurants. The second phase, a privately owned hotel, is expected to add another $8 million.

The expansion area containing Bel Air is expected to be valued at about $680,000,000 after full build-out.

RELOCATION OF DISPLACED PERSONS

No resident will be displaced by this zone.

DRAFT

FINANCING PLAN

TAX INCREMENT REINVESTMENT ZONE #7

The Financing Plan provides information on the projected monetary impact that the formation of the Tax Increment Reinvestment Zone (TIRZ) could have on the property included in the zone.

LIST OF IMPROVEMENTS

Following is an approximate list of quantities associated with the expansion to the previous 22.33 acre tract known as TIRZ #7, as shown by the Attachment J. Improvements will be bound on the north side by FM 1417, the west side by TIRZ #7, the east by the BNSF Railroad, and the south by a branch of the Choctaw Creek.

- All street estimates are based on 8" thick concrete curb and gutter streets on 6" lime-treated subgrade, be illuminated, landscaped, handicap accessible and with water, sewer and storm drain utilities where applicable. The new streets proposed are as follows:
    - Legacy Blvd. extension, from the existing Legacy Blvd. to the southeast approximately 2,600 feet in length. It shall be a 90' wide median-divided ROW. It will provide provisions for a water line outside of the two-each 22' wide travel lanes. The street section will include sidewalks. The proposed street will provide access to the interior of the development.
    - An unnamed urban single family (SF) street approximately 1,800 feet in length shall be on the eastern portion of this zone. It will connect to FM 1417 on the north and Legacy Blvd. on the south. It shall be a 64' wide urban-style street with 7' wide sidewalks. It will provide provisions for water and sewer utilities.
    - An unnamed urban multi-use / single family (MU-SF) street as an interior street connecting Legacy Blvd. to the unnamed urban street. It will be a 74' ROW approximately 1900 feet in length. The new street will contain handicap accessible sidewalks and provide provisions for water and sewer utilities.

- Additional water and sewer utilities will be installed under this phase. All water mains shall be C-900 DR-18 PVC in 10" and 12" sizes. Water systems will have fire hydrants located at no farther than 500-foot spacing and isolation gate valves for isolating each section of water line. Sewer lines will all be gravity sewer and have new 4' or 6' diameter manholes spaced no farther than 500 feet spacing. Sewer lines shall be 10", 12", and 15" diameter and be SDR-35 or SDR-26 as necessary depending on depth of line. Lines in low-laying areas may incorporate bolt-down lids as required.
    - Legacy Blvd. will have a new 12" water line approximately 2600 feet long. The water line will tie into an existing 24" water line by tapping sleeve and valve to the west. The water line to the east will connect to a 12" long along the unnamed urban street.
    - The unnamed urban street going north-south from FM 1417 will have a new 12" water line approximately 1800-feet long. The 12" water line will tie to the existing 24" line by tapping sleeve and valve at FM 1417. The other end will be looped to the south water line at Legacy Blvd. The new sewer line going north will be 800

feet of 12" and south about 2,050 of 15" respectively. The entire sewer line will consist of an estimated 7 manholes.
    - The unnamed urban street going east-west will have a new 10" water line approximately 1900-feet long. The sewer line will have about 950 feet of 15" and 1,200 feet of 10" and include 7 manholes.

- Storm Sewer lines are proposed to be incorporated into this proposed zone. All infrastructure storm drain lines shall be reinforced concrete pipe (RCP). Pipe diameters are sized relative to the expected flows to be encountered and range in size from 18-inch to 30-inch diameter pipe. A summary of each applicable portion is as follows:
    - The unnamed urban street going east-west will require approximately 6-inlet boxes with an estimated 80-linear feet of 18" RCP lines and 880-linear feet of 24" RCP.
    - The unnamed urban street running north-south from FM 1417 shall have approximately 6-inlet boxes with an estimated 160-linear feet of 18" RCP, 500-linear feet of 24", and 400-linear feet of 30" RCP.

ECONOMIC FEASIBILITY STUDY

The original TIRZ #7 plan called for debt issued that would be repaid using 75% of the M&O tax rate from the increment of the City of Sherman and 75% of the County's tax rate allocated to the general fund and/or reserves from the City.

For the project costs related to the expansion, it is feasible to issue bonds that would be repaid using 50% of the M&O tax rate from the increment of the City of Sherman and 50% of the County's tax rate allocated to the general fund and/or use reserves for those improvements.

The study finds that the plan is economically feasible.

No other taxing entities will participate.

ESTIMATED BONDED INDEBTEDNESS

The City funded the original project with an allocation of proceeds from the 2017 Certificates of Obligation of $2.4 million. Repayment will be made from incremental revenues generated by the zone, although security for the bonds is a pledge of ad valorem tax revenues of the City.

The improvements in the expansion area will be funded with available reserves and/or proceeds from Certificates of Obligation issued by the City. Repayment of any debt will be made from incremental revenues generated by the zone, although security for the bonds, if used, will be a pledge of ad valorem tax revenues of the City.

ESTIMATED TIMING OF COSTS

Costs related to debt service, if used, and construction is expected to begin in fiscal year 2020 (October 1, 2019 – September 30, 2020).

METHOD OF FINANCING/SOURCES OF REVENUE

Attachment G shows the sources of revenue at 75% of the M&O tax rate from the City of Sherman and 75% of the tax rate allocated to the general fund from Grayson County on the incremental value generated in the original zone and 50% of the M&O tax rate from the City of Sherman and 50% of the tax rate allocated to the general fund from Grayson County on the incremental value generated in the expansion. Interest income from the fund may also be used to pay debt service and other expenses of the zone.

CURRENT TOTAL ASSESSED VALUE OF REAL ESTATE IN THE ZONE

Attachment A shows the total current taxable assessed value of the real estate in the zone by tract.

ESTIMATED CAPTURED VALUE

Attachment H shows the estimated captured assessed value of the zone for each year of its projected existence.

DURATION

The Zone will terminate on the date that all project costs and project debt has been fully repaid. Additional debt on the expansion is expected to be issued in the next two years with a maturity of 25 years.

DRAFT

City of Sherman
Tax Increment Reinvestment Zone #7
PARCEL LIST
Attachment A

Parcel ID	Owner	Total Acreage	Assessed Value	Improvements Value	Exempt Property	Acreage in TIRZ	Taxable Value in TIRZ
125517	Sherman Economic Development	13.41	$ 292,070	$ -	292,070	13.41	$ -
125518	City of Sherman	7.41	542,196	785,000	1,327,196	7.41	-
125519	City of Sherman	1.49	163,560	250,000	413,560	1.49	-
Subtotal		22.31	997,826	1,035,000	2,032,826	22.31	$ -
EXPANSION PARCEL							
125515	Terra Perpetua LLC	245.83	31,569	-	-	245.83	31,569
125516	Sherman Economic Development	0.84	106,183	-	106,183	0.84	-
220351	Ruth Ellen Green	30.55	115,807	-	109,987	30.55	5,820
125513	Ruth Ellen Green	2.00	7,581	58,459	-	2.00	66,040
Subtotal		279.22	261,140	58,459	216,170	279	103,429
GRAND TOTAL		301.53	$ 1,258,966	$ 1,093,459	$ 2,248,996	301.53	$ 103,429

Sherman
ENGINEERING, DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

TIRZ #7 Expanded

1 inch = 1,500 feet

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

TIRZ 7

9

1 inch = 300 feet

City of Sherman
Tax Increment Reinvestment Zone #7
CONSTRUCTION COSTS
Attachment C

Phase I Project Costs		
General	$	100,000
Earthwork		140,000
Phase I From FM 1417 to US 75		426,000
Phase II Each side of public parking lot		732,000
Phase III Access road from US 75 to parking entrance		66,000
Phase IV From parking lot to Conference Center		360,000
Environmental Clean-up		251,000
Survey		3,000
Engineering		182,000
Total Estimated Phase I Project Costs	$	2,260,000
Expansion Project Costs - Bel Air		
Mobilization		400,000
Earthwork		140,000
8" 4,000-psi Concrete with #4 @ 24" ocew		1,516,089
6" Integral Curb & Gutter		106,800
Lime Stabilization		87,467
Lime (36#/SY – Est)		105,000
Sidewalks		543,180
Barrier Free Ramp		50,400
10-LF Recessed Curb Inlet		62,400
18" Class III RCP		16,500
24" Class III RCP		172,500
30" Class III RCP		54,000
12" C-900 PVC SDR 18 Pipe		180,000
10" C-900 PVC SDR 18 Pipe		66,500
24x12 Tapping Sleeve & Valve		10,400
12" Gate Valve		12,500
10" Gate Valve		4,600
6" Gate Valve		12,750
Fire Hydrant		67,500
Fittings		30,000
Water Line Testing		5,000
15" Sewer PVC		180,000
12" SDR 35 PVC		44,000
10" SDR 35 PVC		60,000
4' Diameter Manhole		56,000
Trench Safety		12,500
Sewer Line Testing		3,500
Lighting		234,000
Landscaping / Irrigation		250,000
Total Construction		4,483,586
Contingency 20%		896,717
Total Estimated Expansion Cost	$	5,380,303

City of Sherman
Tax Increment Reinvestment Zone #7
PROJECT COSTS
Attachment D

Fiscal Year	Capital Outlay	Debt Service Principal	Interest Expense	Debt Issuance Costs	Amenity Incentive	Total
2018	$ 1,895,572	$ -	$ -	$ 15,000	$ -	$ 1,910,572
2019	216,525	82,827	94,524	-	-	393,876
2020	-	87,465	90,383	-	-	177,848
2021	5,380,303	91,441	86,009	125,000	-	5,682,753
2022	-	234,719	270,437	-	-	505,157
2023	-	244,210	260,781	-	500,000	1,004,991
2024	-	254,533	250,723	-	500,000	1,005,256
2025	-	265,032	240,224	-	500,000	1,005,256
2026	-	275,713	229,278	-	500,000	1,004,991
2027	-	287,245	217,879	-	500,000	1,005,124
2028	-	298,309	207,212	-	500,000	1,005,521
2029	-	308,912	196,132	-	500,000	1,005,044
2030	-	319,061	185,983	-	500,000	1,005,044
2031	-	329,427	175,498	-	500,000	1,004,925
2032	-	340,678	164,495	-	500,000	1,005,173
2033	-	352,161	152,934	-	500,000	1,005,095
2034	-	364,547	140,795	-	500,000	1,005,342
2035	-	377,180	128,230	-	500,000	1,005,410
2036	-	390,070	115,029	-	500,000	1,005,099
2037	-	403,888	101,376	-	500,000	1,005,264
2038	-	240,399	87,240	-	-	327,640
2039	-	248,813	78,826	-	-	327,640
2040	-	257,522	70,118	-	-	327,640
2041	-	266,535	61,105	-	-	327,640
2042	-	275,864	51,776	-	-	327,640
2043	-	285,519	42,121	-	-	327,640
2044	-	295,512	32,127	-	-	327,640
2045	-	305,855	21,785	-	-	327,640
2046	-	316,560	11,080	-	-	327,640
2047	-	-	-	-	-	-
	$ 7,492,400	$ 7,800,000	$ 3,764,100	$ 140,000	$ 7,500,000	$ 26,696,499

UNDERWOOD
DRAFTING & SURVEYING, INC.

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Sherrod Dunman Survey, Abstract No. 329, and being the same tract of land described as 246.134 acres conveyed by Edward C. Greene, Trustee to Rolling Meadows Associates by deed dated September 28, 1984, recorded in Volume 1716, Page 384, Deed Records, Grayson County, Texas, Being a part of the 1.5698 acre tract of land conveyed to the City of Sherman By Johnson and Johnson, Recorded in Volume 1079, Page 392 of said Deed Records, Then being all of a 7.409 acre tract of land Conveyed to the City of Sherman, By the State of Texas, Recorded in Volume 4682, Page 624, Official Public Records, Grayson County, Texas and Being all of a 13.41 acre tract of land Conveyed to Sherman Economic Development Corporation, Recorded in Volume 5680, Page 685 of said Official Public Records, Grayson County Texas and Being all of a 30.55 Acre tract of land conveyed to Ruth Ellen Green, Recorded in Volume 3331, Page 760 of said Official Public records and being more particularly described by metes and bounds as follows:

Beginning at a point in the North Right-of-Way of F.M. Highway No. 1417 and the West Right-of-Way of the Southern Pacific Railroad;

Thence the following calls and distances with said West Right-of-Way of Southern Pacific Railroad:

South 06°41'02" West, a distance of 2153.79 feet to a point;
South 06°41'02" West, a distance of 2152.72 feet to a point;
North 83°18'58" West, a distance of 74.99 feet to a point;
South 06°41'02" West, a distance of 843.75 feet to a point;

Thence North 67°19'54" West, with the north line of a 82.032 acre tract of land conveyed to Sam H. Berry, Recorded in Volume 2298, Page 258, Real Property Records, Grayson County, Texas and the remainder of a 290.928 acre tract of land conveyed to Fisher Controls Company, Inc, Recorded in Volume 1349, Page 493 of said Official Public Records a distance of 1878.93 feet to a point;

Thence North 49°31'48" West, with said North line of said Fisher Controls Company, Inc and the east line of a 25.264 acre tract of land conveyed to Liberty Trust Company, Ltd, Recorded in Volume 5948, Page 836, of said Official Public Records a distance of 1553.48 feet to a point;

Thence North 14°46'12" West, with said East line of Liberty Trust Company Ltd, and the east line of a 12.166 acre tract of land, conveyed to Ramanujam K. Vangipuram, Recorded in Volume 5948, Page 638 of said Official Public Records a distance of 1146.57 feet to a point;

3404 INTERURBAN ROAD • DENISON, TEXAS 75021 • 903-465-2151 • FAX 903-465-2152

Thence North 74°28'45" East, with the South line of a 13.41 acre tract of land conveyed to the Sherman Economic Development Corporation, Recorded in Volume 5680, Page 685 of said Official Public Records a distance of 642.10 feet to a point;

Thence North 15°22'34" West, with the East line of said 13.41 acre tract of land, 620.17 feet to a point being the southeast corner of a 0.84 acre tract of land conveyed to Eric and Kelly Popp, Recorded in Volume 4809, Page 60 of said Official Public Records;

Thence South 75°03'55" West, with the South line of said Popp tract a distance of 104.99 feet to a point being the southwest corner of said Popp Tract;

Thence North 15°12'24" West, with the West line said Popp Tract a distance of 339.35 feet to a point in the South Right-of-Way of F.M. 1417;

Thence North 14°56'21" West, crossing F.M. 1417 a distance of 159.72 feet to a point in the North Right-of-Way of F.M. 1417;

Thence with said North Right-of-Way of F.M. 1417 the following calls and Distances:

North 75°03'39" East, a distance of 903.84 feet to a point;
North 80°46'17" East, a distance of 200.97 feet to a point;
North 75°03'39" East, a distance of 914.20 feet to a point;
North 74°41'09" East, a distance of 149.42 feet to a point;
North 74°18'39" East, a distance of 635.39 feet to a point;
North 67°28'05" East, a distance of 503.53 feet to a point;
North 74°18'39" East, a distance of 502.27 feet to the Point-of-Beginning and containing 292.379 acres (12736025 square feet)of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that the above legal description was prepared from an actual survey made on the ground and is true and correct to the best of my knowledge and belief.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
11/05/19

City of Sherman
Tax Increment Reinvestment Zone #7
FEASIBILITY STUDY - 5-year build-out
Attachment F

Fiscal Year	Original Captured Value	Expansion Captured Value	Total Captured Value	City Property Tax	County Property Tax	Debt Proceeds	Land Sale Proceeds/ Reserves	Interest Income/ Other	Total Inflow
2018	$ -	$ -	$ -	$ -	$ -	$ 2,400,000	$ -	$ 1,937	2,401,937
2019	-	-	-	-	-	-	-	7,124	7,124
2020	8,505,298	-	8,505,298	21,589	23,033	-	-	133,700	178,323
2021	15,000,000	-	15,000,000	38,075	40,622	5,400,000	1,000,000	1,700	6,480,397
2022	20,000,000	84,000,000	104,000,000	192,913	205,816		-	14,400	413,129
2023	30,000,000	184,000,000	214,000,000	387,518	413,438	-	-	5,000	805,956
2024	30,000,000	294,000,000	324,000,000	573,663	612,032	-	-	1,800	1,187,495
2025	30,000,000	392,000,000	422,000,000	739,500	788,962	-	-	4,700	1,533,162
2026	30,000,000	482,000,000	512,000,000	891,800	951,448	-	-	13,100	1,856,348
2027	30,000,000	558,000,000	588,000,000	1,020,409	1,088,659	-	-	26,800	2,135,868
2028	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	44,900	2,426,783
2029	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	67,600	2,449,483
2030	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	90,700	2,472,583
2031	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	114,200	2,496,083
2032	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	138,100	2,519,983
2033	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	162,300	2,544,183
2034	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	186,900	2,568,783
2035	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	211,900	2,593,783
2036	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	237,300	2,619,183
2037	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	263,200	2,645,083
2038	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	297,400	2,679,283
2039	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	335,000	2,716,883
2040	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	373,300	2,755,183
2041	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	412,100	2,793,983
2042	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	451,600	2,833,483
2043	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	491,700	2,873,583
2044	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	532,400	2,914,283
2045	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	573,800	2,955,683
2046	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	615,800	2,997,683
2047	30,000,000	636,000,000	666,000,000	1,152,402	1,229,481	-	-	658,500	3,040,383
				$ 26,913,503	$ 28,713,627	$ 7,800,000	$ 1,000,000	$ 6,468,961	$ 70,896,091

City of Sherman
Tax Increment Reinvestment Zone #7
FEASIBILITY STUDY - 5-year build-out (continued)
Attachment F (continued)

Fiscal Year	Capital Outlay	Debt Service	Amenity Incentive	Bond Issue Costs	Total Outflow	Net Cashflow	Cumulative Cash Position
2018	$ 1,895,572	$ -	-	$ 15,000	$ 1,910,572	$ 491,365	$ 491,365
2019	216,525	177,351	-	-	393,876	(386,752)	104,613
2020	-	177,848	-	-	177,848	475	105,088
2021	5,380,303	177,450	-	125,000	5,682,753	797,644	902,732
2022	-	505,156	500,000	-	1,005,156	(592,027)	310,705
2023	-	504,991	500,000	-	1,004,991	(199,035)	111,670
2024	-	505,256	500,000	-	1,005,256	182,239	293,909
2025	-	505,256	500,000	-	1,005,256	527,906	821,816
2026	-	504,991	500,000	-	1,004,991	851,358	1,673,173
2027	-	505,124	500,000	-	1,005,124	1,130,744	2,803,917
2028	-	505,521	500,000	-	1,005,521	1,421,262	4,225,179
2029	-	505,044	500,000	-	1,005,044	1,444,439	5,669,618
2030	-	505,044	500,000	-	1,005,044	1,467,539	7,137,157
2031	-	504,925	500,000	-	1,004,925	1,491,158	8,628,315
2032	-	505,173	500,000	-	1,005,173	1,514,810	10,143,125
2033	-	505,096	500,000	-	1,005,096	1,539,087	11,682,212
2034	-	505,342	500,000	-	1,005,342	1,563,441	13,245,652
2035	-	505,410	500,000	-	1,005,410	1,588,373	14,834,025
2036	-	505,099	500,000	-	1,005,099	1,614,084	16,448,109
2037	-	505,264	-	-	505,264	2,139,819	18,587,928
2038	-	327,640	-	-	327,640	2,351,643	20,939,571
2039	-	327,640	-	-	327,640	2,389,243	23,328,814
2040	-	327,640	-	-	327,640	2,427,543	25,756,356
2041	-	327,640	-	-	327,640	2,466,343	28,222,699
2042	-	327,640	-	-	327,640	2,505,843	30,728,542
2043	-	327,640	-	-	327,640	2,545,943	33,274,485
2044	-	327,640	-	-	327,640	2,586,643	35,861,128
2045	-	327,640	-	-	327,640	2,628,043	38,489,171
2046	-	327,640	-	-	327,640	2,670,043	41,159,213
2047	-	-	-	-	-	3,040,383	44,199,596
	$ 7,492,400	$ 11,564,096	$ 7,500,000	$ 140,000	$ 26,696,495		

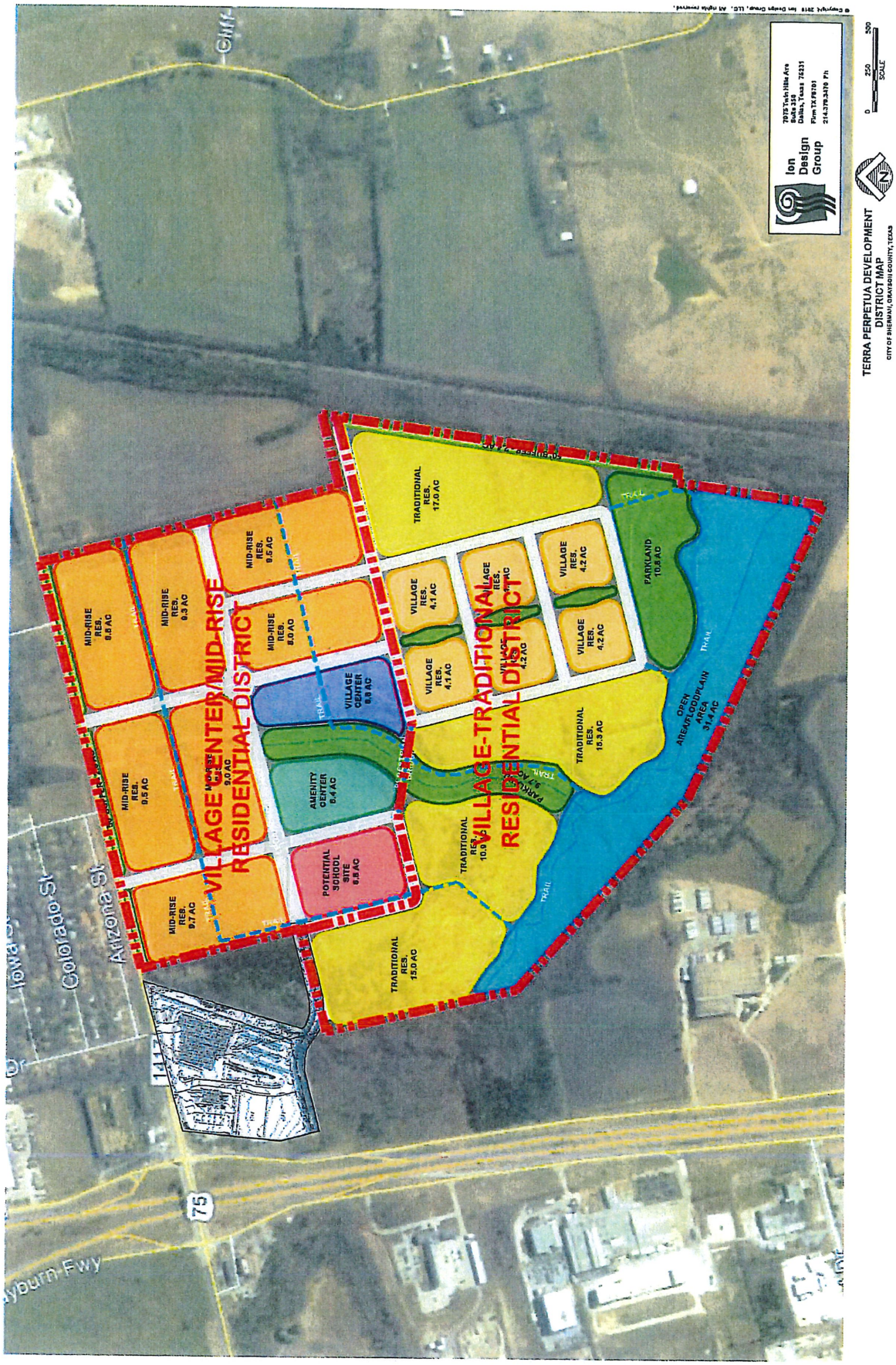
City of Sherman
Tax Increment Reinvestment Zone #7
PROJECT REVENUE
Attachment G

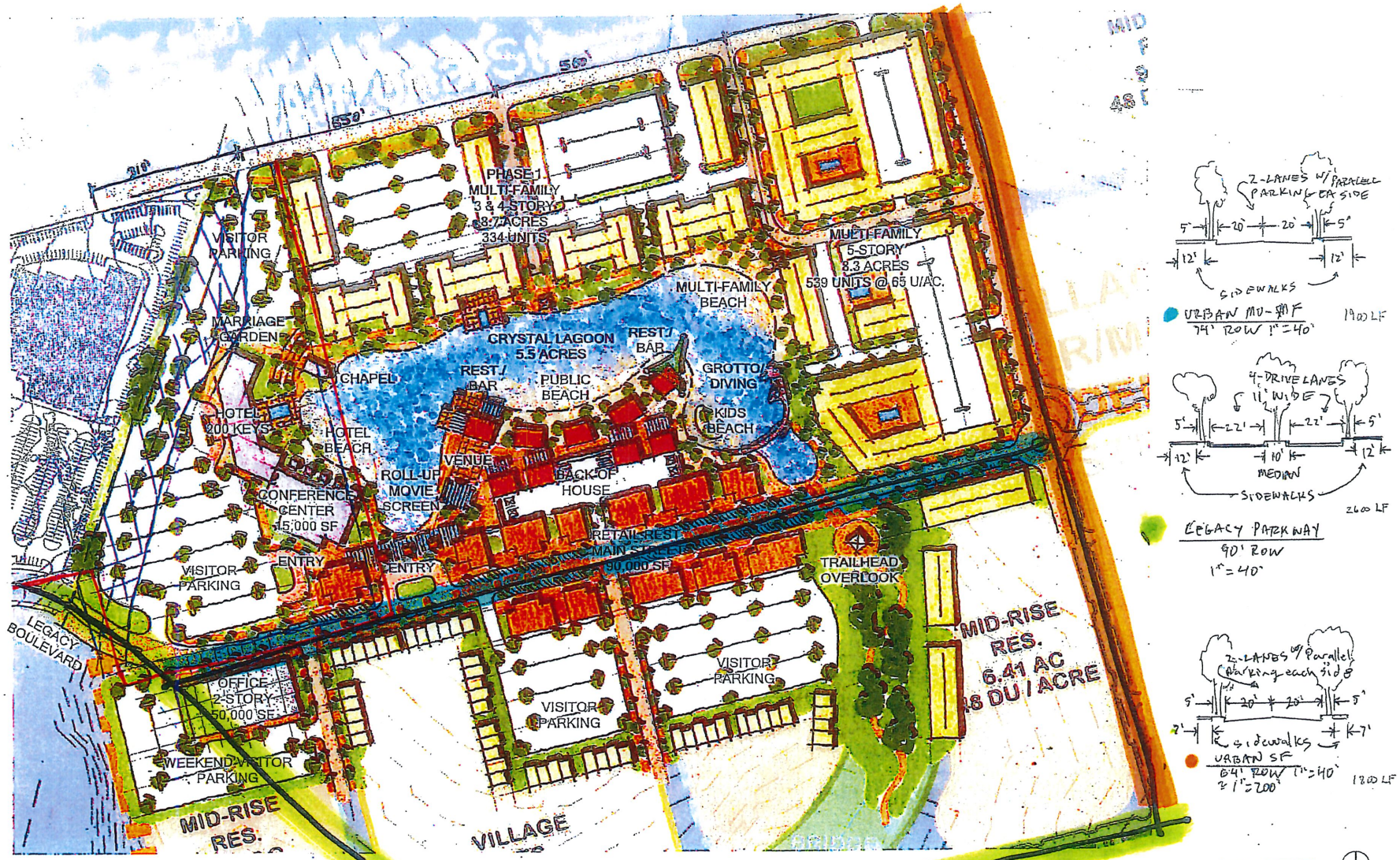
Fiscal Year	Captured Value	Taxes On Captured Value	Interest Income	Land Sale Proceeds	Total Revenue
2018	$ -	$ -	$ 1,937	$ -	$ 1,937
2019	-	-	7,124	-	7,124
2020	8,505,298	44,623	133,700	-	178,323
2021	15,000,000	78,697	1,700	1,000,000	1,080,397
2022	104,000,000	398,729	14,400	-	413,129
2023	214,000,000	800,956	13,000	-	813,956
2024	324,000,000	1,185,695	9,900	-	1,195,595
2025	422,000,000	1,528,462	13,000	-	1,541,462
2026	512,000,000	1,843,248	21,500	-	1,864,748
2027	588,000,000	2,109,068	35,300	-	2,144,368
2028	666,000,000	2,381,883	53,500	-	2,435,383
2029	666,000,000	2,381,883	76,400	-	2,458,283
2030	666,000,000	2,381,883	99,700	-	2,481,583
2031	666,000,000	2,381,883	123,300	-	2,505,183
2032	666,000,000	2,381,883	147,300	-	2,529,183
2033	666,000,000	2,381,883	171,700	-	2,553,583
2034	666,000,000	2,381,883	196,400	-	2,578,283
2035	666,000,000	2,381,883	221,600	-	2,603,483
2036	666,000,000	2,381,883	247,200	-	2,629,083
2037	666,000,000	2,381,883	273,200	-	2,655,083
2038	666,000,000	2,381,883	299,600	-	2,681,483
2039	666,000,000	2,381,883	337,200	-	2,719,083
2040	666,000,000	2,381,883	375,500	-	2,757,383
2041	666,000,000	2,381,883	414,400	-	2,796,283
2042	666,000,000	2,381,883	453,900	-	2,835,783
2043	666,000,000	2,381,883	494,000	-	2,875,883
2044	666,000,000	2,381,883	534,800	-	2,916,683
2045	666,000,000	2,381,883	576,200	-	2,958,083
2046	666,000,000	2,381,883	618,300	-	3,000,183
2047	666,000,000	2,381,883	661,000	-	3,042,883
		$ 55,627,130	$ 6,626,761	$ 1,000,000	$ 63,253,891

City of Sherman
Tax Increment Reinvestment Zone #7
ESTIMATED CAPTURED APPRAISED VALUE
Attachment H

Fiscal Year	Estimated Captured Value
2018	$ -
2019	-
2020	8,505,298
2021	15,000,000
2022	104,000,000
2023	214,000,000
2024	324,000,000
2025	422,000,000
2026	512,000,000
2027	588,000,000
2028	666,000,000
2029	666,000,000
2030	666,000,000
2031	666,000,000
2032	666,000,000
2033	666,000,000
2034	666,000,000
2035	666,000,000
2036	666,000,000
2037	666,000,000

Attachment I





CONCEPTUAL NEIGHBORHOOD CENTER PLAN "C"

Terra Perpetua Master Plan – Sherman, Texas

Job #: 19147.00
Date: 08/21/19
Drawn by: BEM

Scale: 1:200'
File Name: Sht_Site-3 11x17.psd
Not for regulatory approval, permitting, or construction

gff PLANNING
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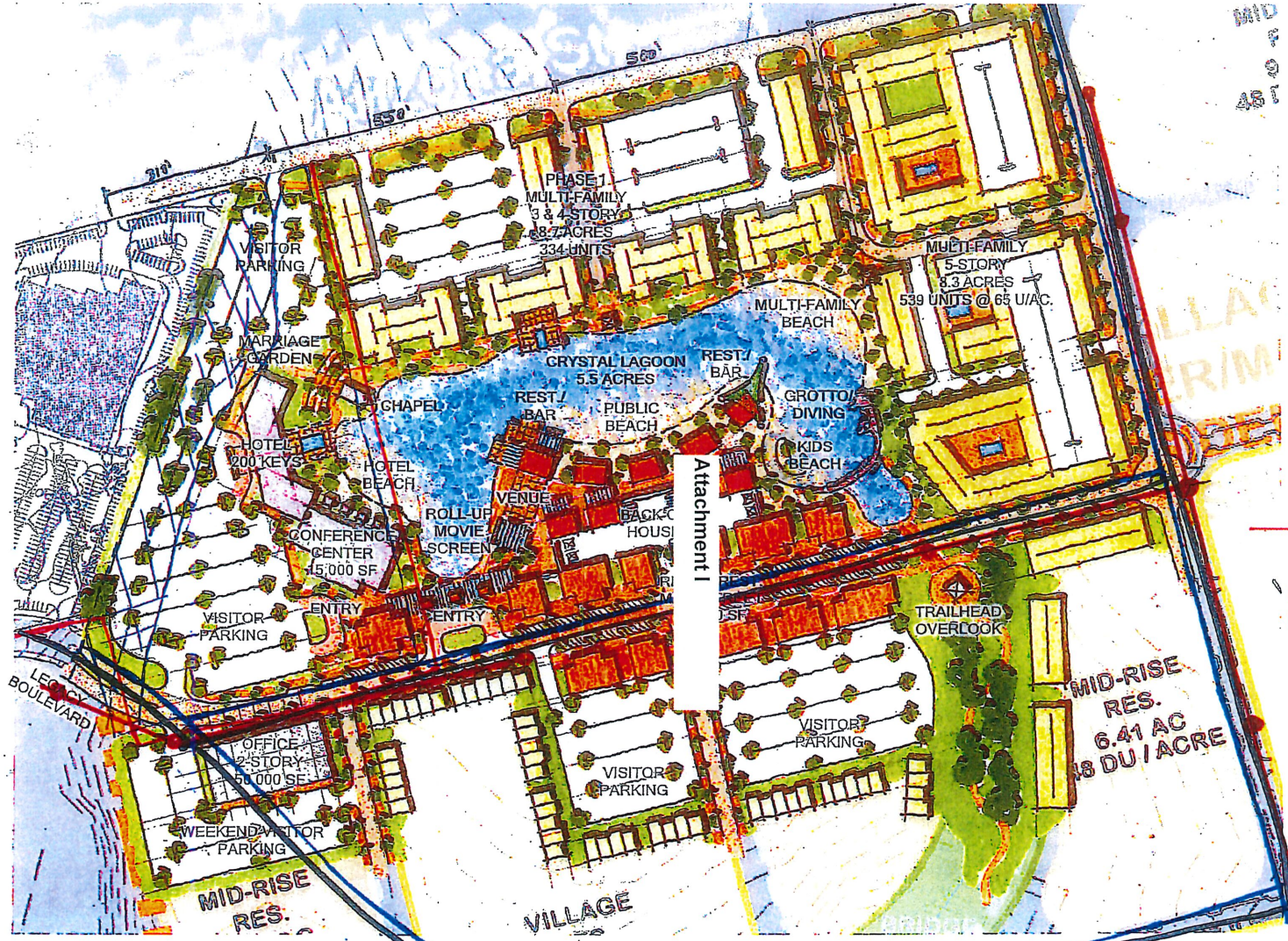
Attachment J



Sewer Lines
15" = 3,000 LF
12" = 800 LF
10" = 1,200 LF
MH = 14 each

Waterlines
12" C900 = 4500 LF
10" C900 = 1900 LF
FH = 15
12" GV = 7
10" GV = 2

2000 LF
3 MH's

CONCEPTUAL NEIGHBORHOOD CENTER PLAN "C"

Terra Perpetua Master Plan – Sherman, Texas

Job #: 19147.00
Date: 08/21/19
Drawn by: BEM

Scale: 1:200'
File Name: Sht_Site-3 11x17.psd
Not for regulatory approval, permitting, or construction

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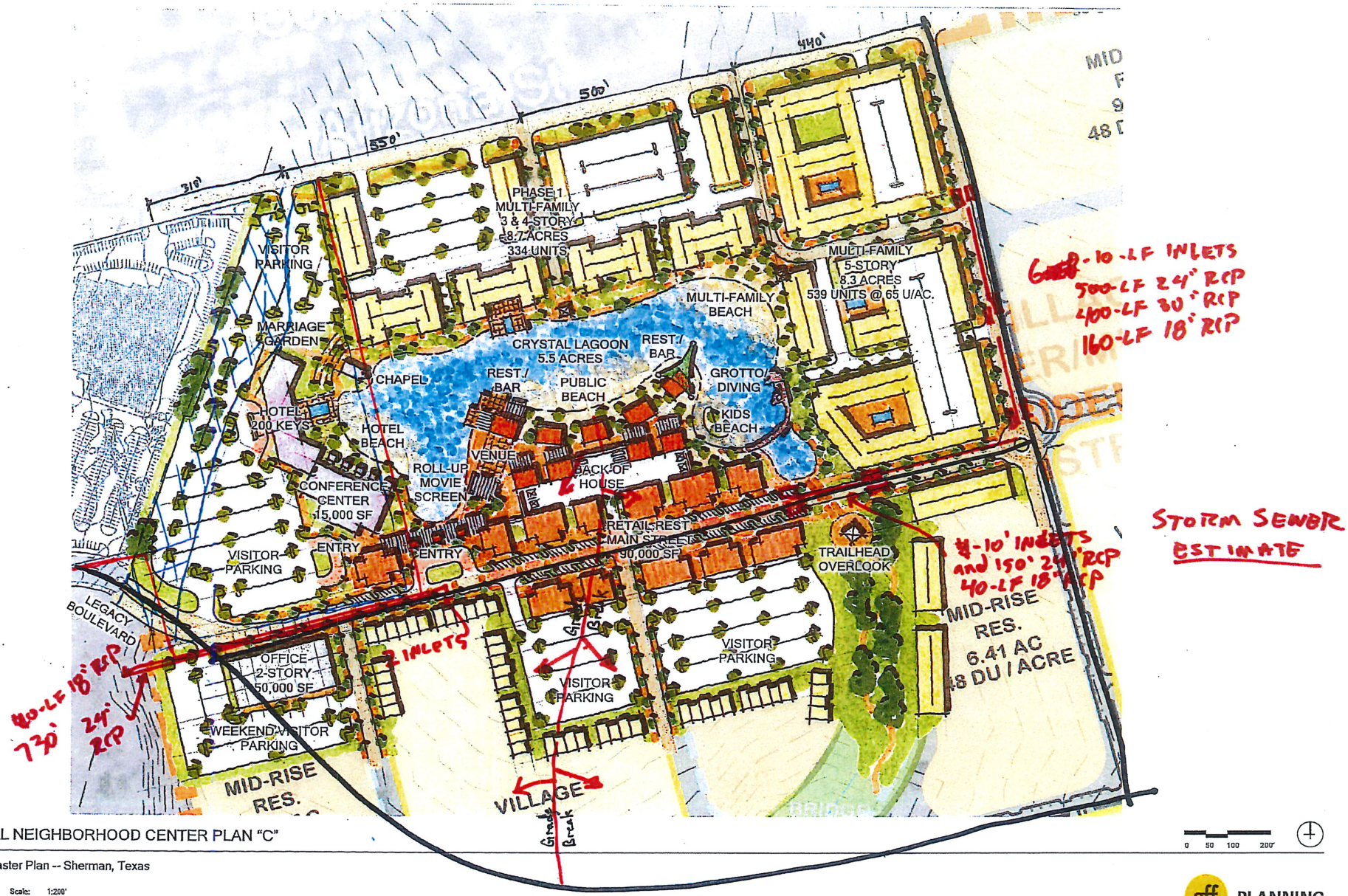
Attachment J-1



CONCEPTUAL NEIGHBORHOOD CENTER PLAN "C"

Terra Perpetua Master Plan -- Sherman, Texas

Job #: 19147.00
Date: 08/21/19
Drawn by: BEM

Scale: 1:200'
File Name: Sht_Site-3 11x17.psd
Not for regulatory approval, permitting, or construction

0 50 100 200'

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SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 3.**

Meeting Date: 12/16/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6274

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Automobile Repair, Paint and Body Shop in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 2200 North U.S. Highway 75, being part of Lot 1, Block 2, Independence Square Addition, Section 3, containing 3.260 acres (Post Oak Liquidating Trust, Owners; KMS Retail Investments, LP, Developer; Luke Stainback, Representative; and Underwood Drafting and Surveying, Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed $2,000.00

Issue:

To consider the request of Post Oak Liquidating Trust (Owners), KMS Retail Investments, LP (Developer), Luke Stainback (Representative), and Underwood Drafting and Surveying (Surveyor) concerning the property located at 2200 North U.S. Highway 75, being part of Lot 1, Block 2, Independence Square Addition, Section 3, containing 3.260 acres, for a Specific Use Permit to allow an automobile repair, paint and body shop in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District

Background:

The property is located at 2200 North U.S. Highway 75, between Taylor Street and Lamberth Road; the vacant property south of the Hoyte Dodge RAM, Chrysler, Jeep Dealership. The property is zoned a C-1 (Retail Business) District and is also located in the O-1 (75 & 82) Overlay District.

KMS Retail Investments, LP has the property under contract to develop the property for a Joe Hudson's Collision Center, an automotive repair and paint and body shop. They are one of the top five collision centers in the United States. They currently have over one hundred locations predominantly in the southeast. The proposed building will be approximately 16,900 square feet; the exterior will be stone, EFIS and metal R-panels. Parking will be provided for 80 cars. A creek runs on the north side of the property; and they were granted an exception to allow a natural screen on the north side of the property to screen the service bays from U.S. Highway 75. They plan to provide screening on the south and west sides with a fence and landscaping.

Origination:

Post Oak Liquidating Trust (Owners)
KMS Retail Investments, LP (Developer)
Luke Stainback (Representative)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 19, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and limiting dismantled, junk or inoperable vehicles, wrecked cars outside the building to the north side of the property behind screening and not visible from the roadway or adjacent properties and no tires or parts are allowed outside the building.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6274
Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Screening Site Plan
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6274

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN AUTOMOBILE REPAIR, PAINT AND BODY SHOP IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 2200 NORTH U.S. HIGHWAY 75, BEING PART OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION 3, CONTAINING 3.260 ACRES (POST OAK LIQUIDATING TRUST, OWNERS; KMS RETAIL INVESTMENTS, LP, DEVELOPER; LUKE STAINBACK, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Post Oak Liquidating Trust (Owners), KMS Retail Investments, LP (Developer), Luke Stainback (Representative) and Underwood Drafting and Surveying (Surveyor) are granted a Specific Use Permit to allow an automotive repair, paint and body shop concerning the property located at 2200 North U.S. Highway and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the same tract of land described as Lot 1, Block 2, of the Independence Square Addition Section 3 by Plat recorded in Volume I0, Page 11, Official Public Records, Grayson

County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a set ½" steel rod at the northeast corner of Lot 1, Block 2;

THENCE with the north line of said Lot 1 the following calls and distances:

North 75° 22' 09" East, a distance of 25.42 feet to a set ½" steel rod;
South 79° 26' 18" East, a distance of 102.49 feet to a set ½" steel rod;
South 37° 12' 58" East, a distance of 184.26 feet to a set ½"steel rod;
South 55° 12' 16" East, a distance of 68.39 feet to a set ½"steel rod;
South 72° 42' 24" East, a distance of 144.36 feet to a set ½" steel rod;

THENCE South 10° 38' 54" West, with the east line of said Lot 1 a distance of 250.00 feet to a set ½" steel rod;

THENCE over and across said Lot 1 the following calls and distances:

North 79° 21' 06" West, a distance of 382.84 feet to a set ½" steel rod;
North 14° 37' 51" West, a distance of 240.52 feet to a set ½" steel rod;

THENCE North 75° 22' 09" East, a distance of 97.00 feet to a set ½" steel rod;

THENCE North 14° 37' 51" West, a distance of 164.09 feet to the **POINT OF BEGINNING and containing 3.260 acres of land…….**

<u>SECTION 2</u>. That this specific use permit is granted on the following conditions:

<u>Zoning:</u>

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82 Overlay) District, the fence ordinance, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
5. Parking is permitted on paved surfaces only (concrete); a parking space is considered to be 9'x20'.
6. Service bays shall be screened from all thoroughfares.
7. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
8. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.

9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Violation of the conditions of the SUP will terminate the Specific Use Permit.
11. All requirements of the Floodplain Ordinance shall be followed.
12. Platting of the property is required.
13. Review the zoning and development ordinance for additional requirements.
14. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

15. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
16. Entrances/Exits off Highway 75 Service Road will be Right-in, Right-out only.
17. Replatting of the property is required. The portion of property within the floodplain shall be included in same lot as portion of property to be improved.
18. Privately owned and maintained detention in accordance with City criteria is required. Civil/Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
19. Water and sewer pro-rata will be due at the time of development.
20. All requirements of the Floodplain Ordinance should be followed.
21. Verify fire lane requirements with Fire Marshall.
22. The location of trash receptors must be approved by the Public Works Department.

Planning & Zoning Commission:

23. Limiting dismantled, junk or inoperable vehicles or wrecked cars outside the building to the north side of the property behind screening and not visible from the roadway or adjacent properties and no tires or parts are allowed outside the building.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

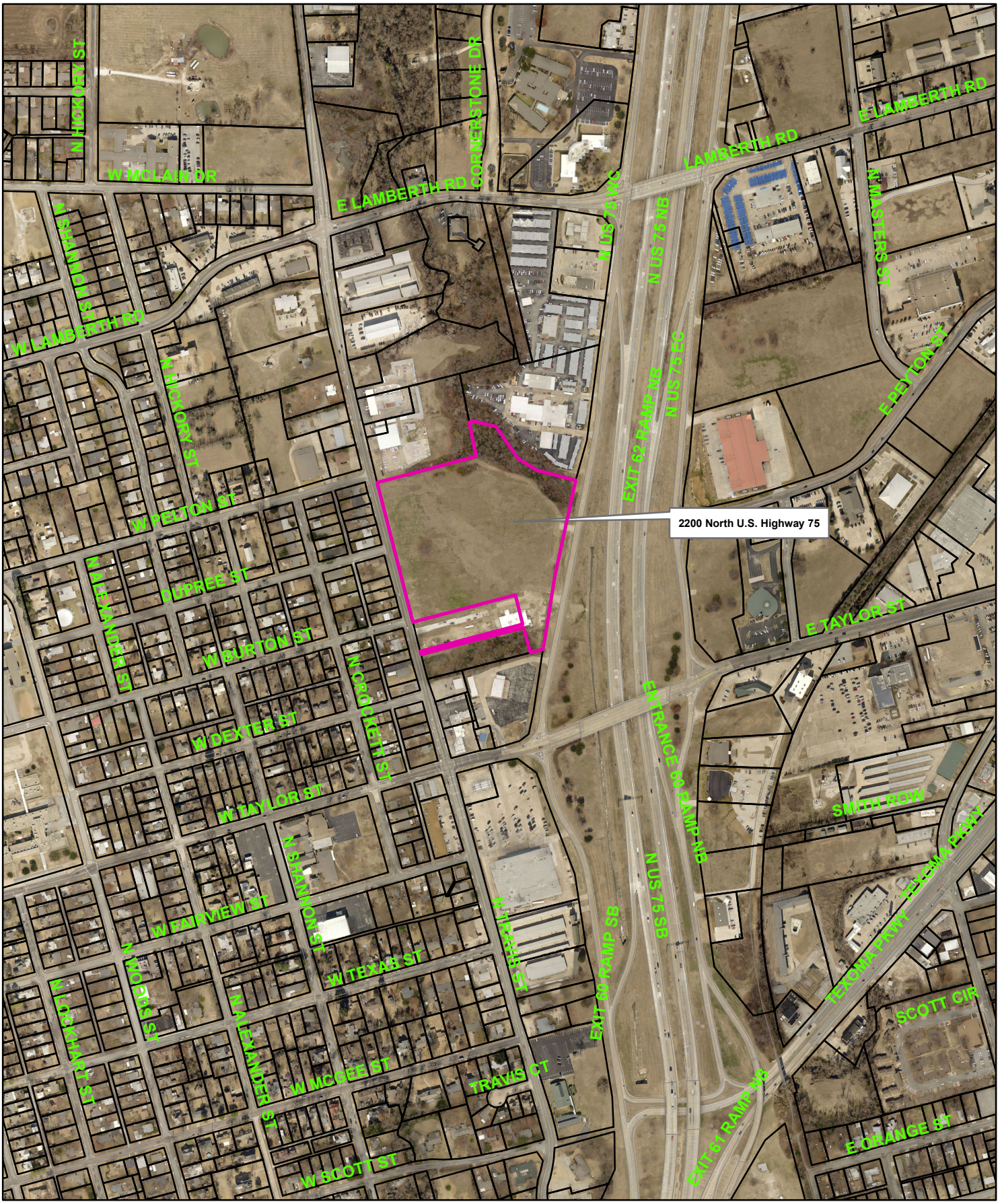
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY



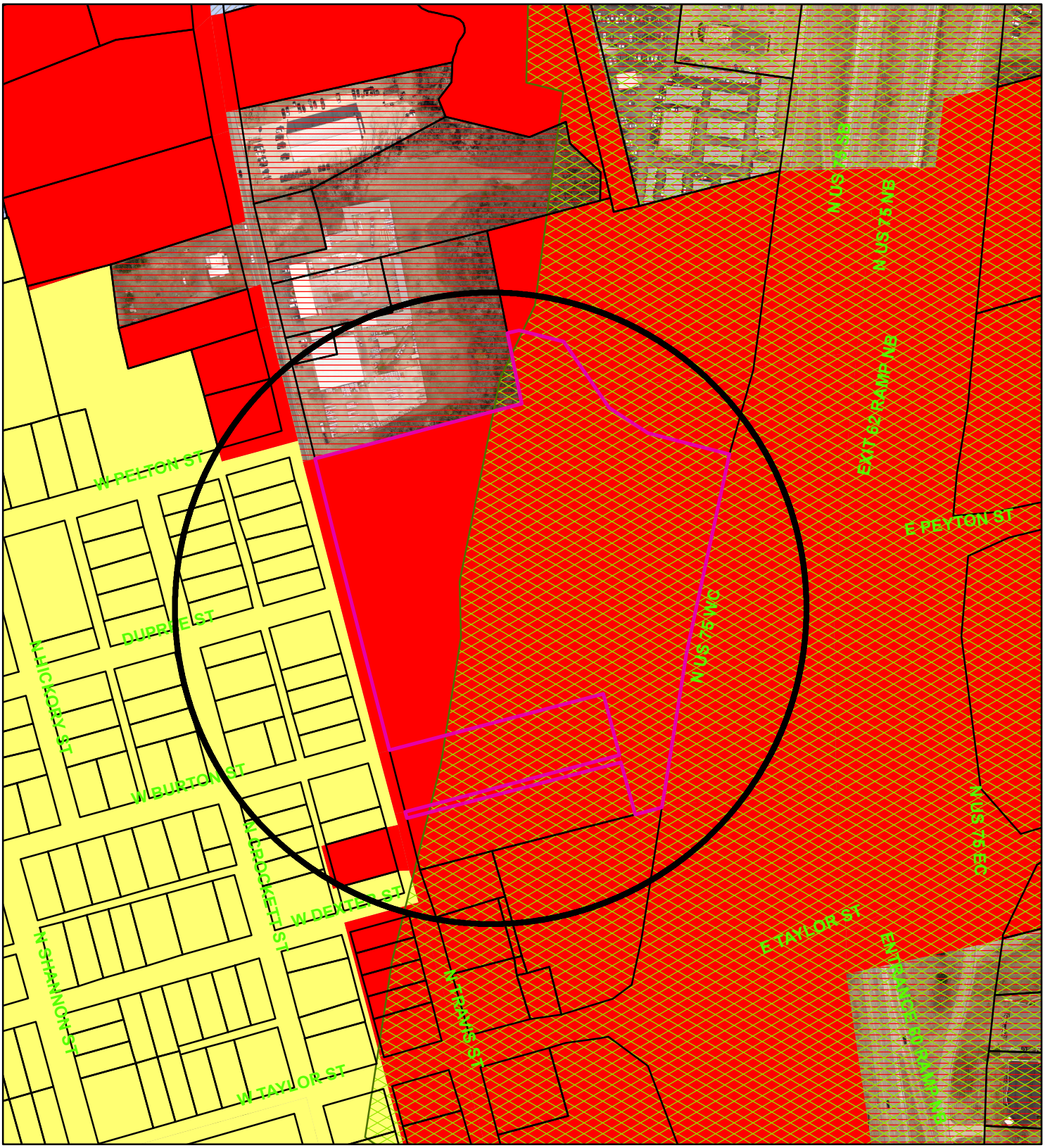
Sherman
CLASSIC TOWN. BROAD HORIZON.

2200 North U.S. Highway 75

NOT TO SCALE

1 in = 600 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 2200 North U.S. Highway 75

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

NOT TO SCALE

1 in = 300 ft

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2200 North Highway 75

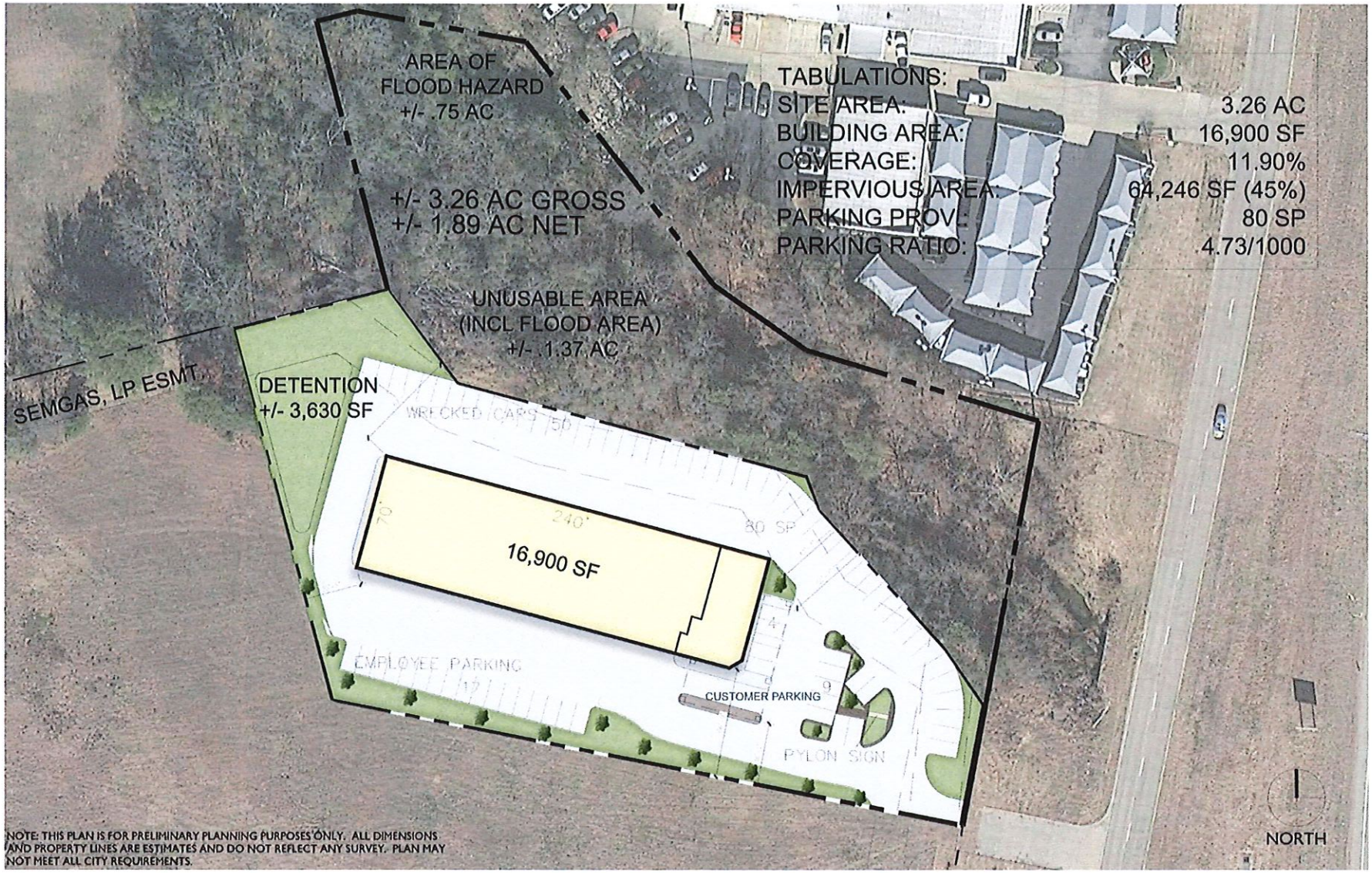
NOTE: THIS PLAN IS FOR PRELIMINARY PLANNING PURPOSES ONLY. ALL DIMENSIONS AND PROPERTY LINES ARE ESTIMATES AND DO NOT REFLECT ANY SURVEY. PLAN MAY NOT MEET ALL CITY REQUIREMENTS.

Hwy 75

STAINBACK / SHERMAN, TX

SITE PLAN

SCALE: 1" = 50'-0" JOB No.: 18021 DATE: 09.25.19

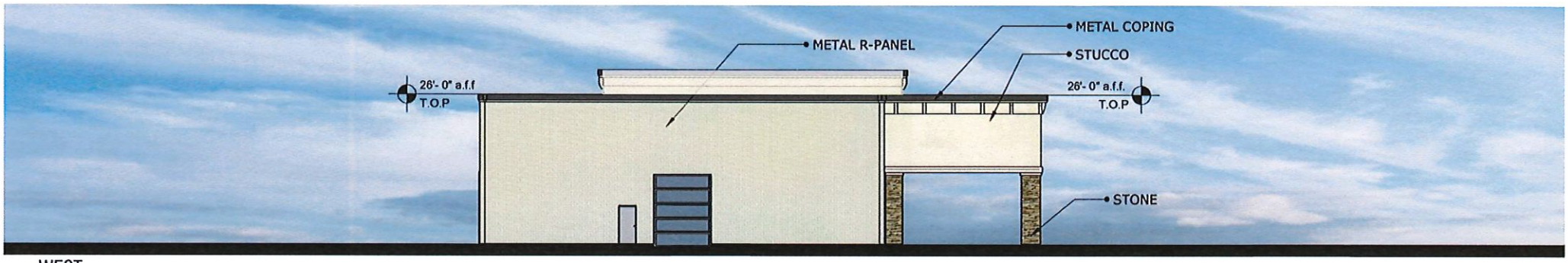


SITE PLAN

HWY 75 SHERMAN AND TRAVIS ST // STAINBACK

PERSPECTIVE
HWY 75 SHERMAN AND TRAVIS ST // STAINBACK

EAST

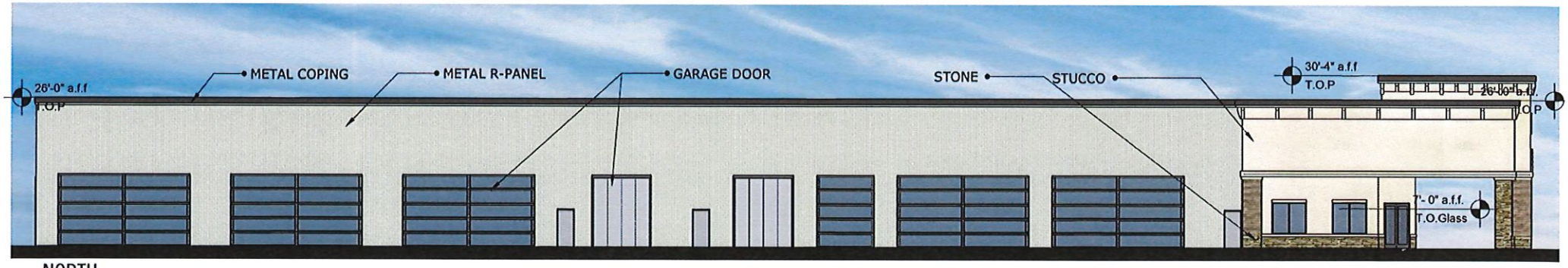


WEST

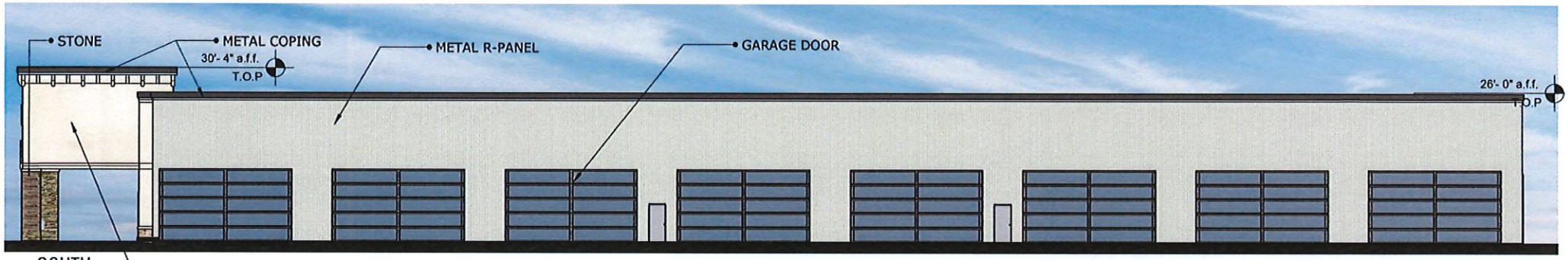
FAÇADE	Material					
	STONE	EIFS	METAL			FAÇADE TOTAL SF
NORTH	146	847	3,638			4,631
SOUTH	40	366	3,909			4,315
EAST	308	1,883	110			2,302
WEST	75	339	1,703			2,117
						TOTAL
SF of Materials	569	3,436	9,360			13,365
Percentage of Material	4%	26%	70%			100%

ELEVATIONS

HWY 75 SHERMAN AND TRAVIS ST // STAINBACK



NORTH

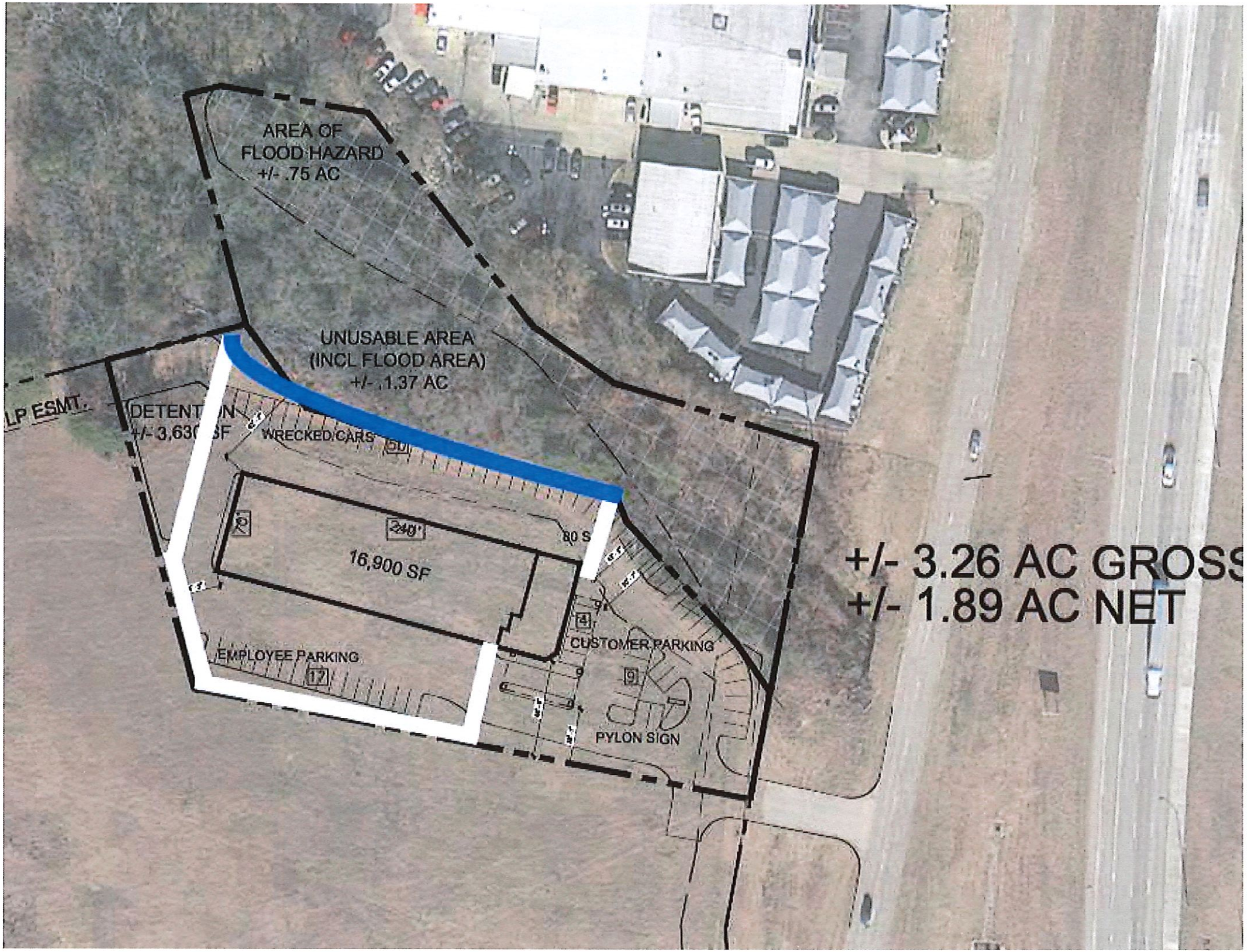


SOUTH

FAÇADE	Material					
	STONE	EIFS	METAL			FAÇADE TOTAL SF
NORTH	146	847	3,638			4,631
SOUTH	40	366	3,909			4,315
EAST	308	1,883	110			2,302
WEST	75	339	1,703			2,117
						TOTAL
SF of Materials	569	3,436	9,360			13,365
Percentage of Material	4%	26%	70%			100%

ELEVATIONS

HWY 75 SHERMAN AND TRAVIS ST // STAINBACK


AREA OF
FLOOD HAZARD
+/- .75 AC
UNUSABLE AREA
(INCL FLOOD AREA)
+/- 1.37 AC
LP ESMT.
DETENTION
+/- 3,630 SF
WRECKED CARS
50
240'
80 S
16,900 SF
EMPLOYEE PARKING
17
CUSTOMER PARKING
9
PYLON SIGN
+/- 3.26 AC GROSS
+/- 1.89 AC NET

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

November 12, 2019

Post Oak Liquidating Trust
4808 Park Vista Blvd.
Sherman, TX 75090

Underwood Drafting and Surveying
3404 Interurban Rd.
Denison, TX 75021

Luke Stainback
5622 Dyer St., Ste. 200
Dallas, TX 75206

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow an automotive repair, paint and body shop in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District for the property located at 2200 North U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 19, 2019 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82 Overlay) District, the fence ordinance, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
5. Parking is permitted on paved surfaces only (concrete); a parking space is considered to be 9'x20'.
6. Service bays shall be screened from all thoroughfares.
7. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
8. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Violation of the conditions of the SUP will terminate the Specific Use Permit.
11. All requirements of the Floodplain Ordinance shall be followed.
12. Platting of the property is required.
13. Review the zoning and development ordinance for additional requirements.
14. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

15. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.

16. Entrances/Exits off of Hwy. 75 Service Road will be Right-in, Right-out only.
17. Replatting of the property is required. The portion of property within the floodplain shall be included in same lot as portion of property to be improved.
18. Privately owned and maintained detention in accordance with City criteria is required. Civil/Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
19. Water and sewer pro-rata will be due at the time of development.
20. All requirements of the Floodplain Ordinance should be followed.
21. Verify fire lane requirements with Fire Marshall.
22. The location of trash receptors must be approved by the Public Works Department.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator
Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 7.

Meeting Date: 11/19/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman
Eric Elliott, Vice Chairman
Shawn Davis, Commissioner
David Downtain, Commissioner
Trish Wood, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner

Requested Action/Proposed Use:

2200 NORTH U.S. HIGHWAY 75

The request of Post Oak Liquidating Trust (Owners), KMS Retail Investments, LP (Developer), Luke Stainback (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 2200 North U.S. Highway 75, being part of Lot 1, Block 2, Independence Square Addition, Section 3, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 7, Subsection (13)(c) to allow a natural screen as a screening device on the north side of the property to screen the service bays from all thoroughfares in lieu of the required 4' privacy fence in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District.

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow an automotive repair, paint and body shop in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District.

Background:

The property is located at 2200 North U.S. Highway 75 between Taylor Street and Lamberth Road; the vacant property south of the Hoyte Dodge RAM, Chrysler, Jeep Dealership. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82) Overlay District. KMS Retail Investments, LP has the property under contract to develop the property for an automotive repair and paint and body shop. The proposed building will be approximately 16,900 square feet, the exterior will be stone, EFIS and metal R-panels. Parking will be provided for 80 cars. A creek runs on the north side of the property and they are requesting an exception to allow a natural screen on the north side of the property to screen the service bays from Highway 75. They plan to provide screening on the south and west sides with a fence.

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District

Origination:

Post Oak Liquidating Trust (Owners)
KMS Retail Investments, LP (Developer)
Luke Stainback (Representative)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

19

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Site plan for Screening
Photos Natural Screen
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 4.**

Meeting Date: 12/16/2019

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6275

Amending Chapter 2 of the Code of Ordinances, entitled "Animal Control", at Article 2.01, entitled "General Provisions", to Provide for a New Section 2.01.022 to be entitled "Prohibiting the Sale of Animals in Public Places"; Providing for a Penalty

Issue:

Amending the City's Animal Control code provisions to prohibit the sale of animals in public places

Background:

This ordinance prohibits a person for displaying or selling, trading, bartering, leasing, renting or giving away any animal in any public place, including a roadside, public right-of-way, commercial parking lot, garage sale, flea market, festival, park, community center, or outdoor public place. The ordinance exempts licensed, tax-exempt, non-profit organizations that provide humane sanctuary or shelter for abandoned or unwanted animals. The ordinance provides for seizure and impoundment of animals and provides for reclaiming fees. It also provides for a penalty.

Origination:

Council Member Sandra Melton
City Manager Robby Hefton
Animal Services Manager Ty Coleman

Financial Consideration:

There is no financial impact to be considered in adopting this ordinance.

Staff Recommendation:

It is recommended that the City Council adopt the ordinance.

Alternatives:

The Council could suggest further revisions to the Animal Control code.

Attachments

Ordinance No. 6275

ORDINANCE NO. 6275

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ANIMAL CONTROL", AT ARTICLE 2.01, ENTITLED "GENERAL PROVISIONS", TO PROVIDE FOR A NEW SECTION 2.01.022 TO BE ENTITED "PROHIBITING THE SALE OF ANIMALS IN PUBLIC PLACES"; PROVIDING FOR A PENALTY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Chapter 2, Article 2.01of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended to provide for a new Section 2.01.022, said section to read as follows:

Sec. 2.01.022 Prohibiting the sale of animals in public places

(a) It shall be unlawful for any person to display or sell, trade, barter, lease, rent, or give away, any animal on any roadside, public right-of-way, commercial parking lot, garage sale, flea market, festival, park, community center or outdoor public place that is generally accessible by the public, regardless of whether such access was authorized.

(b) It shall be unlawful for any manager, operator or property owner to allow the conduct described in subsection (a).

(c) This section shall not apply to any tax-exempt non-profit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals that have an active rescue group license.

(d) Any animal being sold, traded, bartered, leased, rented, or being given away on any roadside, public right-of-way, commercial parking lot, garage sale, flea market, festival, park, community center or outdoor public place shall be subject to seizure and impoundment at the discretion of the investigating animal services officer. Upon impoundment, a notice of violation will be provided to the animal owner. Animals impounded under this section may be reclaimed by the owner within five (5) days excluding the day of impoundment and any days the animal care services facility is not opened. Animals not reclaimed within this period shall thereafter become the property of the city and be subject to adoption, rescue, foster or humanely euthanized at the discretion of the department. Applicable impoundment fees for each animal reclaimed shall be paid.

(e) Any violation of any provision of this Chapter or any such ordinance shall be punishable by a fine not exceeding five hundred dollars ($500.00). (See Sec. 1.01.009 of this Code.)

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the General Zoning Ordinance of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 5.**

Meeting Date: 12/16/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6276
Creating an Economic Development Subcommittee

Issue:

The creation of an Economic Development Subcommittee to be comprised three members of the Sherman City Council and have City Staff representation as well

Background:

The Economic Development Subcommittee of the Sherman City Council will work with City staff and management to cultivate long-term plans and goals for the future economic development of Sherman. The subcommittee will review proposals from developers and help to draft incentive packages and development agreements prior to presentation to the entire City Council. City Staff recommends that the Committee be comprised of three Councilmembers, as well as having the City Manager and/or his designee be part of the Committee as well.

Origination:

Mayor and City Council Members
City Manager

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the Ordinance be approved and the Economic Development Subcommittee be created.

Alternatives:

No alternatives are recommended.

Attachments

Ordinance No. 6276

ORDINANCE NO. 6276

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CREATING AN ECONOMIC DEVELOPMENT SUBCOMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Council of the City of Sherman, Texas, does hereby create and establish an Economic Development Subcommittee to consider economic development matters that affect the City of Sherman.

SECTION 2. That the Subcommittee shall consist of the City Manager, or his designee, and no more than three (3) members of current Sherman City Council.

SECTION 3. That appointments to the Charter Review Commission shall be made by the Mayor.

SECTION 4. That the Subcommittee shall periodically or as requested present to the entire City Council body its recommendations on economic development matters that affect the City of Sherman.

SECTION 5. That members of the Subcommittee shall serve without compensation.

SECTION 6. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 6.**

Meeting Date: 12/16/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 6272, 6273, 6274, 6275 and 6276

Issue:

C. 1. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6272**
Extending the Corporate Limits of Said City so as to Annex a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Service Plan

C. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6273**
Accepting and Approving the Amended Project Plan and the Financing Plan for the Sherman Tax Increment Reinvestment Zone, Number Seven (#7); Providing for Findings of Fact

C. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6274**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Automobile Repair, Paint and Body Shop in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 2200 North U.S. Highway 75, being part of Lot 1, Block 2, Independence Square Addition, Section 3, containing 3.260 acres (Post Oak Liquidating Trust, Owners; KMS Retail Investments, LP, Developer; Luke Stainback, Representative; and Underwood Drafting and Surveying, Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed $2,000.00

C. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6275**
Amending Chapter 2 of the Code of Ordinances, entitled "Animal Control", at Article 2.01, entitled "General Provisions", to Provide for a New Section 2.01.022 to be entitled "Prohibiting the Sale of Animals in Public Places"; Providing for a Penalty

C. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6276**
Creating an Economic Development Subcommittee

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 1.**

Meeting Date: 12/16/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Economic Development Subcommittee (4)

Issue:

The appointment of the City Manager, or his designee, and three members of the Sherman City Council to serve on the Economic Development Subcommittee, being established in Ordinance No. 6276, also on this agenda.

Background:

The Economic Development Subcommittee of the Sherman City Council will work with City staff and management to cultivate long-term plans and goals for the future economic development of Sherman. The subcommittee will review proposals from developers and help to draft incentive packages and development agreements prior to presentation to the entire City Council.

Origination:

The appointments originated with the Sherman City Council and City Manager.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Economic Development Subcommittee.

Alternatives:

The alternative is to delay the appointment of members to this Council Subcommittee.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 1.**

Meeting Date: 12/16/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Issue:

F. 3. **** RESOLUTION NO. 6574***

Authorizing Execution of an Encroachment Easement to Joseph Brown for the Installation of a Ten Foot Wide Asphalt Access Drive within the Unimproved Platted Public Right of Way shown as College Street, adjacent to Lot 8, Block K of the Washington Park Addition, Volume 1, Page 24, Plat Records, Grayson County, Texas, for Rear Entry Purposes for Lot No. 8, Block K of said Washington Park Addition in the City of Sherman, Grayson County, Texas, as shown in Exhibit "A", attached hereto and made a part hereof for all purposes

G. 1. **** REQUEST TO ADVERTISE***

Annual Supply of Chemicals

I. 1. **** OTHER BUSINESS***

Final Plat Approval of McGraw-Martinek Addition, being 0.970 acres in the J. B. McAnair Survey, Abstract No. 763; Judy McGraw, Owner; and Preston Trail Land Surveying, Surveyor (531 East Lamar Street)

I. 2. **** OTHER BUSINESS***

Replat Approval of Block 43R, Lot 1, South Side Addition, being a Replat of all of Blocks 37, 38, 39 and Tracts 1, 3 and 4 of the Replat of South Side Addition; being a 13.60 acre tract in the Preston Kitchen Survey, Abstract No. 667, also being multiple tracts: Tract 1, being a 7.036 acre tract; Tract 3, being all of Blocks 38, 39 and a portion of Block 37 of the Replat of Blocks 4, 5, 6, 15, 16, 17, 29, 31, 40 and 41 of South Side Addition; and Tract 4, being a 0.888 acre tract, except a called 0.487 acre portion of Lots 7-12, Block 39; FRHP Lincolnshire, LLC, Owners; Camping World and Good Sam, Tenants; and CEI Engineering Associates, Inc., Civil Engineer and Surveyor (2005 South Sam Rayburn Freeway)

I. 3. **** OTHER BUSINESS***

Final Plat Approval of Oyail Estates in the City of Sherman's Extra Territorial Jurisdiction, being 4.905 acres in the Jeremiah M. McDaniel Survey, Abstract No. 774; D.J. Wortham Properties, LLC, Owners; and Helvey-Wagner Surveying, Surveyor (388 Bennett Road)

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 1.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6572

Authorizing the Acceptance of a Conveyance Document from The Munson Realty Company for the Conveyance and Acquisition of 0.5720 acres of land and 0.8070 acres of land, totaling 1.379 acres of land, more or less, in the Elizabeth Jones Survey, Abstract No. 625, being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes, property being located in the City of Sherman, County of Grayson, State of Texas

Issue:

Authorizing the acquisition of properties for Right of Way (ROW) purposes along F.M. 1417 at West Travis Street in the City of Sherman, Texas

Background:

Due to the new Sherman High School being constructed on the corner of West Travis Street and Moore Street, the expected influx of traffic in the area has deemed necessary a properly signalized intersection at the intersection of West Travis Street and F.M. 1417. Acquiring this Right of Way is necessary in order to improve the intersection to a signalized intersection. This signal will not only allow a more efficient and safer entrance into the new Sherman High School, but will also allow more efficient travel to and from the Crossroads Development to the east.

Origination:

Engineering Department

Financial Consideration:

The total acquisition costs of these portions of land is $200,000.00 as well as any closing costs, if closing costs are applied.

Staff Recommendation:

Staff recommends that the City Council approve the resolution to authorize the acquisition of the subject properties.

Alternatives:

As may be directed by City Council

Attachments

Resolution No. 6572

Exhibit A as shown in Resolution and Conveyance Document

Right-of-Way Dedication Deed

Aerial Location Map

RESOLUTION NO. 6572

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM THE MUNSON REALTY COMPANY FOR THE CONVEYANCE AND ACQUISITION OF 0.5720 ACRES OF LAND AND 0.8070 ACRES OF LAND, TOTALING 1.379 ACRES OF LAND, MORE OR LESS, IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to accept a Conveyance Document from The Munson Realty Company for the conveyance and acquisition of 0.5720 acres of land and 0.8070 acres of land, totaling 1.379 acres of land, more or less, in the Elizabeth Jones Survey, Abstract No. 625, being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes, property being located in the City of Sherman, County of Grayson, State of Texas.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY

COUNTY: Grayson
HIGHWAY: FM 1417
RCSJ: 2455-01-042
CCSJ: 2455-01-036
LIMITS: From 0.3 miles South of O.B. Groner Rd. to SH 56

November 14, 2019

Description for Parcel 1

BEING 0.5720 acres (24,917.7211 sq. ft.) of land situated in the Elizabeth Jones Survey, A-625, and being a part of the remainder of that certain called 200.50 acre tract or parcel of land described as Second Tract in a Warranty Deed with Vendor's Lien from Robert S. Davis and wife, Lyall Pickett Davis to The Munson Realty Company dated December 29, 1960, and recorded in Vol. 925 Pg. 261 in the Deed Records of Grayson County, Texas, said 0.5720 acres of land to be more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod found near the center of O.B. Groner Rd. in the North line of a part of the remainder of the aforementioned 200.5 acre tract for the Southwest corner of that certain called 70.15 acre tract or parcel of land described in a Special Warranty Deed from 4G Holdings Ltd. (as to a 44.8% interest in the Property), 3B Estates, Ltd. (as to a 44.8% interest in the property), and Gonzalez Properties No. 2, Ltd. (as to a 10.4% interest in the property) to A.R.C. STX Holdings, L.L.C. dated December 18, 2009, and recorded in Vol. 4740 Pg. 328 of the Official Public Records of Grayson County, Texas, and the Southeast corner of that certain called 220.14 acre tract or parcel of land described in a Warranty Deed from Bobbie Lou Gee and Robert S. Gee, as Trustees of the Bobbie Lou Gee Marital Trust, to Huy Quach and Charles Shao Wu dated June 3, 2002, and recorded in Vol. 3260 Pg. 62 of the Official Public Records of Grayson County, Texas;

THENCE North 73°46'31" East along the North line of part of the remainder of said 200.5 acre tract and the South line of the aforementioned 70.15 acre tract a distance of 1121.05 feet to a Railroad Spike set near the center of O.B. Groner Rd. in the proposed West right-of-way line of FM 1417 for the most Northern Northwest corner of the herein described tract, said point being the **POINT OF BEGINNING,** and being located 174.96 feet left of and at a right angle from the Existing Survey Baseline of FM 1417, hereinafter referred to as the "Survey Baseline", at Survey Baseline Station 131+38.91, and being located at the coordinates of 7269818.4230 feet North and 2534080.7719 feet East;

1. **THENCE** North 73°46'31" East along the North line of part of the remainder of said 200.5 acre tract and the South line of said 70.15 acre tract a distance of 66.03 feet to a point near the center of O.B. Groner Rd. in the existing West right-of-way line of FM 1417 for the most Southern Southeast corner of the aforementioned 70.15 acre tract and the Northeast corner of the herein described tract from which a ½" iron rod found bears South 73°46'31" West a distance of 1.87 feet, said point being 109.99 feet left of Survey Baseline station 131+27.09;

2. **THENCE** South 26°32'15" East along the existing West right-of-way line of FM 1417 a distance of 15.49 feet to a point for corner from which a TxDOT Type I right-of-way monument found bears South 15°53'56" East a distance of 1.93', said point being 110.00 feet left of Survey Baseline station 131+11.60;

COUNTY: Grayson
HIGHWAY: FM 1417
RCSJ: 2455-01-042
CCSJ: 2455-01-036
LIMITS: From 0.3 miles South of O.B. Groner Rd. to SH 56

Description for Parcel 1

3. **THENCE** South 43°58'25" East along the existing West right-of-way line of FM 1417 a distance of 166.87 feet to a point for corner from which a TxDOT Type I right-of-way monument found bears South 12°39'08" West a distance of 0.68 feet, said point being 60.00 feet left of Survey Baseline station 129+52.40;

4. **THENCE** South 26°32'15" East along the existing West right-of-way line of FM 1417 a distance of 1415.99 feet to a point in the proposed West right-of-way line of FM 1417 for the South corner of the herein described tract from which a TxDOT Type I right-of-way monument found bears South 04°43'18" East a distance of 1.22 feet, said point being 60.00 feet left of an equation point at Survey Baseline station 116+24.15 BK = 115+36.41 AH;

5. **THENCE** North 30°04'32" West along the proposed West right-of-way line of FM 1417 a distance of 246.14 feet to a 5/8" iron rod with a 3¼" aluminum TxDOT right-of-way disk** set, said point being 75.19 feet left of Survey Baseline station 117+82.08;

6. **THENCE** North 26°29'37" West along the proposed West right-of-way line of FM 1417, at 417.92 feet passing a 5/8" iron rod with 2" aluminum cap stamped "TX DEPT of Transportation - Property Corner" set, at 817.91 feet passing a 5/8" iron rod with 2" aluminum cap stamped "TX DEPT of Transportation - Property Corner" set, and continuing to a total distance of 1200.00 feet to a 5/8" iron rod with a 3¼" aluminum TxDOT right-of-way disk** set, said point being 74.27 feet left of Survey Baseline station 129+82.08;

7. **THENCE** North 62°38'42" West along the proposed West right-of-way line of FM 1417 a distance of 175.86 feet to a 5/8" iron rod with a 3¼" aluminum TxDOT right-of-way disk** set, said point being 177.90 feet left of Survey Baseline station 131+24.16;

8. **THENCE** North 15°15'52" West along the proposed West right-of-way line of FM 1417 a distance of 15.04 feet to the **PLACE OF BEGINNING, and containing 0.5720 acres (24,917.7211 sq. ft.) of land, more or less.**

COUNTY: Grayson
HIGHWAY: FM 1417
RCSJ: 2455-01-042
CCSJ: 2455-01-036
LIMITS: From 0.3 miles South of O.B. Groner Rd. to SH 56

November 14, 2019

Description for Parcel 1

Notes:

All coordinates and distances shown are surface measurements based on the Texas State Plane Coordinate System of 1983 (NAD 83 (2011)), North Central Zone, 4202, and can be converted to grid coordinates by dividing by a Surface Adjustment Factor of 1.000120.

**Monument described and set, may be replaced with TxDOT Type II right-of-way monument upon completion of construction under the supervision of a registered professional land surveyor, either employed or retained by TxDOT.

All referenced property descriptions, distances and areas were taken from deed records acquired from the Deed Records of Grayson County, Texas.

This property description is accompanied by a separate plat.

I, Tim H. Burks, Registered Professional Land Surveyor, do hereby certify that this boundary description and plat represent the results of a survey made on the ground by me, or under my supervision, in the months of April, 2018 and October, 2019.

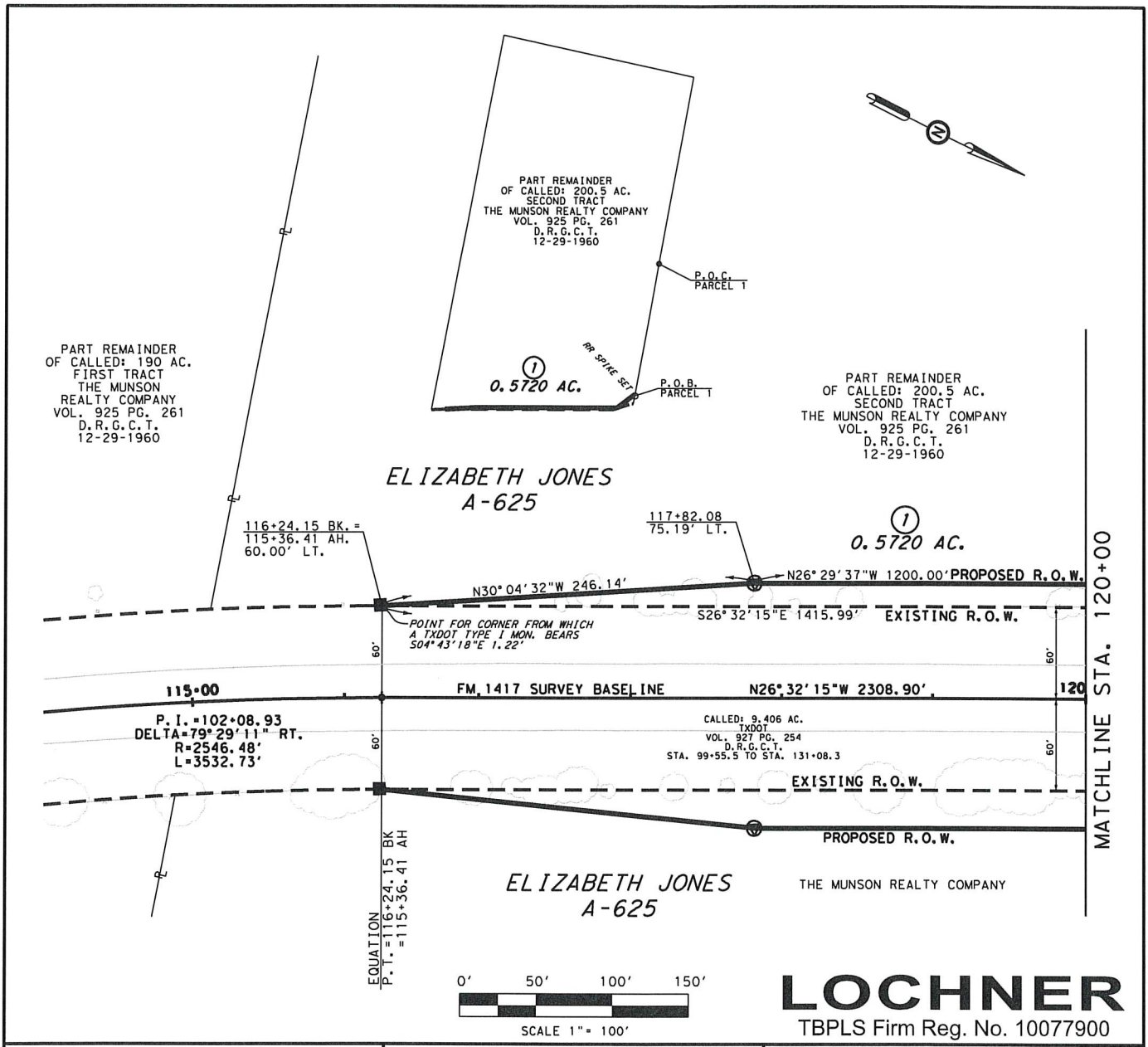
11-14-19

Tim H. Burks, R.P.L.S. Date
Texas Registration No. 5978
TBPLS Firm Reg. No. 10077900

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

H.W. Lochner, Inc.
5767 Eagles Nest Blvd.
Tyler, Texas 75703
903-581-7844

EXHIBIT "A"



LOCHNER
TBPLS Firm Reg. No. 10077900

LEGEND

(x)	PARCEL NUMBER
⊗	SET 5/8" IRON ROD WITH 3 1/4" ALUMINUM TXDOT ROW DISK**
▽	SET 5/8" IRON ROD WITH 2" ALUMINUM CAP STAMPED "TX DEPT OF TRANSPORTATION PROPERTY CORNER"
○	SET 1/2" IRON ROD WITH MAROON CAP STAMPED "LOCHNER"
■	FOUND TXDOT RIGHT-OF-WAY MONUMENT
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
R.O.W.	RIGHT-OF-WAY
⅊	PROPERTY LINE
℄	SURVEY/ABSTRACT LINE
⌐	FEE HOOK
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY, TEXAS
W.R.G.C.T.	WILL RECORDS GRAYSON COUNTY, TEXAS
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
— · · · —	SURVEY LINE
— — — —	EXISTING RIGHT OF WAY
═══	PROPOSED RIGHT OF WAY

I, TIM H. BURKS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS BOUNDARY DESCRIPTION AND PLAT REPRESENT THE RESULTS OF A SURVEY MADE ON THE GROUND BY ME, OR UNDER MY SUPERVISION, IN THE MONTHS OF APRIL, 2018 AND OCTOBER, 2019.

11-14-19

TIM H. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5978

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

PAGE 4 OF 6

NOTES:

ALL COORDINATES AND DISTANCES SHOWN ARE SURFACE MEASUREMENTS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (NAD 83 (2011)), NORTH CENTRAL ZONE, 4202, AND CAN BE CONVERTED TO GRID COORDINATES BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.000120.

**MONUMENT DESCRIBED AND SET, MAY BE REPLACED WITH TXDOT TYPE II RIGHT-OF-WAY MONUMENT UPON COMPLETION OF CONSTRUCTION UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

ALL REFERENCED PROPERTY, DISTANCES AND AREAS WERE TAKEN FROM DEED RECORDS ACQUIRED FROM THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

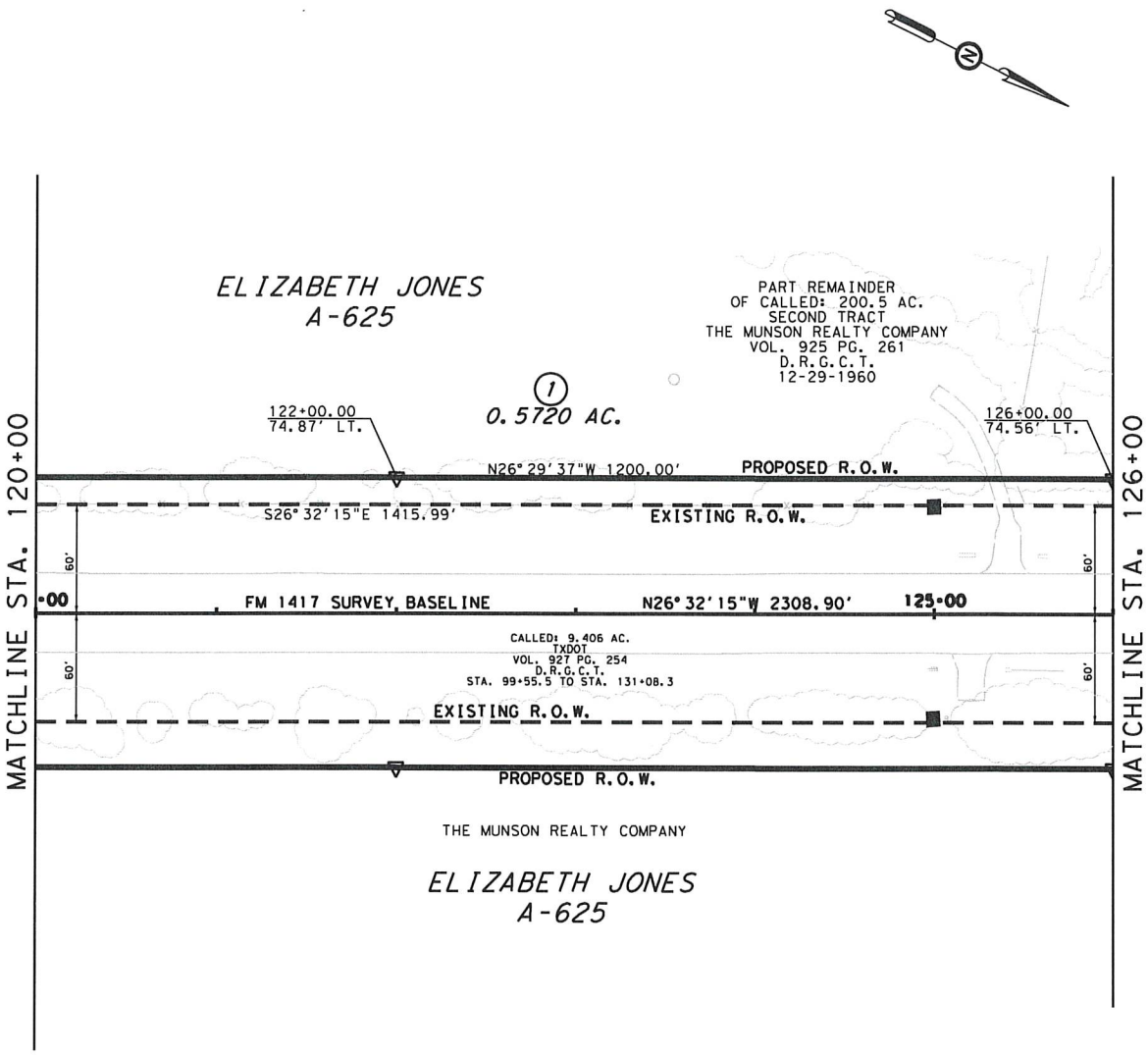
REMAINDER ACREAGE IS BY DEED CALL SUBTRACTION UNLESS OTHERWISE NOTED.

PARCEL NO. 1
THE MUNSON REALTY COMPANY

FM 1417
GRAYSON COUNTY, TEXAS
RCSJ: 2455-01-042
CCSJ: 2455-01-036

R.O.W. ACQUISITION = 0.5720 AC.
REMAINDER LT. = 113.2110 AC.

EXHIBIT "A"



0' 50' 100' 150'

SCALE 1" = 100'

LOCHNER

TBPLS Firm Reg. No. 10077900

LEGEND

(x)	PARCEL NUMBER
⊗	SET 5/8" IRON ROD WITH 3 1/4" ALUMINUM TXDOT ROW DISK**
▽	SET 5/8" IRON ROD WITH 2" ALUMINUM CAP STAMPED "TX DEPT OF TRANSPORTATION PROPERTY CORNER"
○	SET 1/2" IRON ROD WITH MAROON CAP STAMPED "LOCHNER"
■	FOUND TXDOT RIGHT-OF-WAY MONUMENT
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
R.O.W.	RIGHT-OF-WAY
⅊	PROPERTY LINE
⅊	SURVEY/ABSTRACT LINE
⅊	FEE HOOK
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY, TEXAS
W.R.G.C.T.	WILL RECORDS GRAYSON COUNTY, TEXAS
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
— · · · —	SURVEY LINE
— — — —	EXISTING RIGHT OF WAY
———	PROPOSED RIGHT OF WAY

I, TIM H. BURKS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS BOUNDARY DESCRIPTION AND PLAT REPRESENT THE RESULTS OF A SURVEY MADE ON THE GROUND BY ME, OR UNDER MY SUPERVISION, IN THE MONTHS OF APRIL, 2018 AND OCTOBER, 2019.

11-14-19

TIM H. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5978

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

PAGE 5 OF 6

NOTES:

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**MONUMENT DESCRIBED AND SET, MAY BE REPLACED WITH TXDOT TYPE II RIGHT-OF-WAY MONUMENT UPON COMPLETION OF CONSTRUCTION UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

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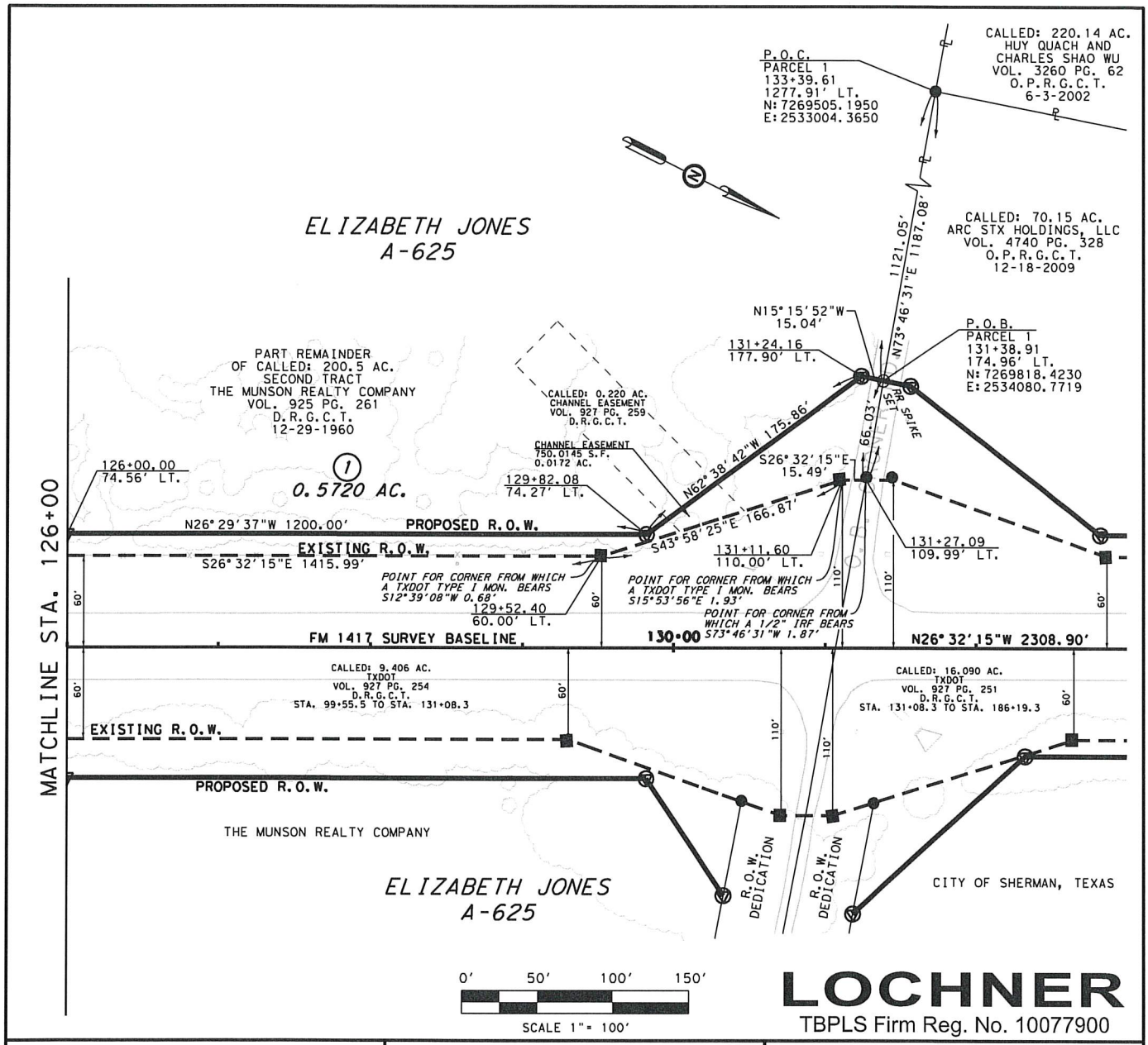
REMAINDER ACREAGE IS BY DEED CALL SUBTRACTION UNLESS OTHERWISE NOTED.

PARCEL NO. 1
THE MUNSON REALTY COMPANY

FM 1417
GRAYSON COUNTY, TEXAS
RCSJ: 2455-01-042
CCSJ: 2455-01-036

R.O.W. ACQUISITION = 0.5720 AC.
REMAINDER LT. = 113.2110 AC.

EXHIBIT "A"



LOCHNER
TBPLS Firm Reg. No. 10077900

LEGEND

(x)	PARCEL NUMBER
	SET 5/8" IRON ROD WITH 3 1/4" ALUMINUM TXDOT ROW DISK**
▽	SET 5/8" IRON ROD WITH 2" ALUMINUM CAP STAMPED "TX DEPT OF TRANSPORTATION PROPERTY CORNER"
○	SET 1/2" IRON ROD WITH MAROON CAP STAMPED "LOCHNER"
■	FOUND TXDOT RIGHT-OF-WAY MONUMENT
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
R.O.W.	RIGHT-OF-WAY
⅊	PROPERTY LINE
℄	SURVEY/ABSTRACT LINE
⅂	FEE HOOK
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY, TEXAS
W.R.G.C.T.	WILL RECORDS GRAYSON COUNTY, TEXAS
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
—·—·—	SURVEY LINE
— — —	EXISTING RIGHT OF WAY
———	PROPOSED RIGHT OF WAY

I, TIM H. BURKS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS BOUNDARY DESCRIPTION AND PLAT REPRESENT THE RESULTS OF A SURVEY MADE ON THE GROUND BY ME, OR UNDER MY SUPERVISION, IN THE MONTHS OF APRIL, 2018 AND OCTOBER, 2019.

11-14-19

TIM H. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5978

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

PAGE 6 OF 6

NOTES:

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REMAINDER ACREAGE IS BY DEED CALL SUBTRACTION UNLESS OTHERWISE NOTED.

PARCEL NO. 1
THE MUNSON REALTY COMPANY

FM 1417
GRAYSON COUNTY, TEXAS
RCSJ: 2455-01-042
CCSJ: 2455-01-036

R.O.W. ACQUISITION = 0.5720 AC.
REMAINDER LT. = 113.2110 AC.

COUNTY: Grayson
HIGHWAY: FM 1417
RCSJ: 2455-01-042
CCSJ: 2455-01-036
LIMITS: From 0.3 miles South of O.B. Groner Rd. to SH 56

Description for Parcel 2

BEING 0.8070 acres (35,152.6628 sq. ft.) of land situated in the Elizabeth Jones Survey, A-625, and being a part of the remainder of that certain called 200.50 acre tract or parcel of land described in a Warranty Deed with Vendor's Lien from Robert S. Davis and wife, Lyall Pickett Davis to The Munson Realty Company dated December 29, 1960, and recorded in Vol. 925 Pg. 261 in the Deed Records of Grayson County, Texas, said 0.8070 acres of land to be more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod with yellow cap stamped "BDD" found in the North line of a part of the remainder of the aforementioned 200.5 acre tract and the South line of that certain called 2.3644 acre tract or parcel of land described in a Right-of-Way Dedication deed from Munson Realty Company to the City of Sherman, Texas, dated January 16, 2017 and recorded in Vol. 5940 Pg. 279 of the Official Public Records of Grayson County, Texas;

THENCE South 74°17'13" West along the North line of part of the remainder of said 200.5 acre tract and the South line of the aforementioned 2.3644 acre tract a distance of 2131.02 feet to a 5/8" iron rod with a 3¼" aluminum TxDOT right-of-way disk** set in the proposed East right-of-way line of FM 1417 for the Northeast corner of the herein described tract, said point being the **POINT OF BEGINNING,** and being located 162.33 feet right of and at a right angle from the Existing Survey Baseline of FM 1417, hereinafter referred to as the "Survey Baseline", at Survey Baseline Station 130+33.08, and being located at the coordinates of 7269874.4336 feet North and 2534429.8087 feet East;

1. **THENCE** South 29°44'40" West along the proposed East right-of-way line of FM 1417 a distance of 92.09 feet to a 5/8" iron rod with a 3¼" aluminum TxDOT right-of-way disk** set, said point being 85.73 feet right of Survey Baseline station 129+81.96;

2. **THENCE** South 26°29'37" East along the proposed East right-of-way line of FM 1417, at 381.96 feet passing a 5/8" iron rod with 2" aluminum cap stamped "TX DEPT of Transportation - Property Corner" set, at 781.96 feet passing a 5/8" iron rod with 2" aluminum cap stamped "TX DEPT of Transportation - Property Corner" set, and continuing to a total distance of 1200.00 feet to a 5/8" iron rod with a 3¼" aluminum TxDOT right-of-way disk** set, said point being 84.81 feet right of Survey Baseline station 117+81.96;

3. **THENCE** South 20°46'05" East along the proposed East right-of-way line of FM 1417 a distance of 246.80 feet to a point in the existing East right-of-way line of FM 1417 for the South corner of the herein described tract from which a TxDOT Type I right-of-way monument found bears South 09°43'00" East a distance of 1.36 feet, said point being 60.00 feet right of an equation point at Survey Baseline station 116+24.15 BK = 115+36.41 AH;

COUNTY: Grayson
HIGHWAY: FM 1417
RCSJ: 2455-01-042
CCSJ: 2455-01-036
LIMITS: From 0.3 miles South of O.B. Groner Rd. to SH 56

Description for Parcel 2

4. **THENCE** North 26°32'15" West along the existing East right-of-way line of FM 1417 a distance of 1393.79 feet to a point for corner from which a TxDOT Type I right-of-way monument found bears South 71°00'25" East a distance of 1.38 feet, said point being 60.00 feet right of Survey Baseline station 129+30.20;

5. **THENCE** North 06°59'13" West along the existing East right-of-way line of FM 1417 a distance of 121.67 feet to a point in the North line of part of the remainder of said 200.5 acre tract, for the Southeast corner of said 2.3644 acre tract and the Northwest corner of the herein described tract from which a ½" iron rod found bears South 74°17'13" West a distance of 0.48', said point being 100.72 feet right of Survey Baseline station 130+44.86;

6. **THENCE** North 74°17'13" East along the North line of a part of the remainder of the aforementioned 200.5 acre tract and the South line of said 2.3644 acre tract a distance of 62.73 feet to the **PLACE OF BEGINNING, and containing 0.8070 acres (35,152.6628 sq. ft.) of land, more or less.**

COUNTY: Grayson
HIGHWAY: FM 1417
RCSJ: 2455-01-042
CCSJ: 2455-01-036
LIMITS: From 0.3 miles South of O.B. Groner Rd. to SH 56

November 14, 2019

Description for Parcel 2

Notes:

All coordinates and distances shown are surface measurements based on the Texas State Plane Coordinate System of 1983 (NAD 83 (2011)), North Central Zone, 4202, and can be converted to grid coordinates by dividing by a Surface Adjustment Factor of 1.000120.

**Monument described and set, may be replaced with TxDOT Type II right-of-way monument upon completion of construction under the supervision of a registered professional land surveyor, either employed or retained by TxDOT.

All referenced property descriptions, distances and areas were taken from deed records acquired from the Deed Records of Grayson County, Texas.

This property description is accompanied by a separate plat.

I, Tim H. Burks, Registered Professional Land Surveyor, do hereby certify that this boundary description and plat represent the results of a survey made on the ground by me, or under my supervision, in the months of April, 2018 and October, 2019.

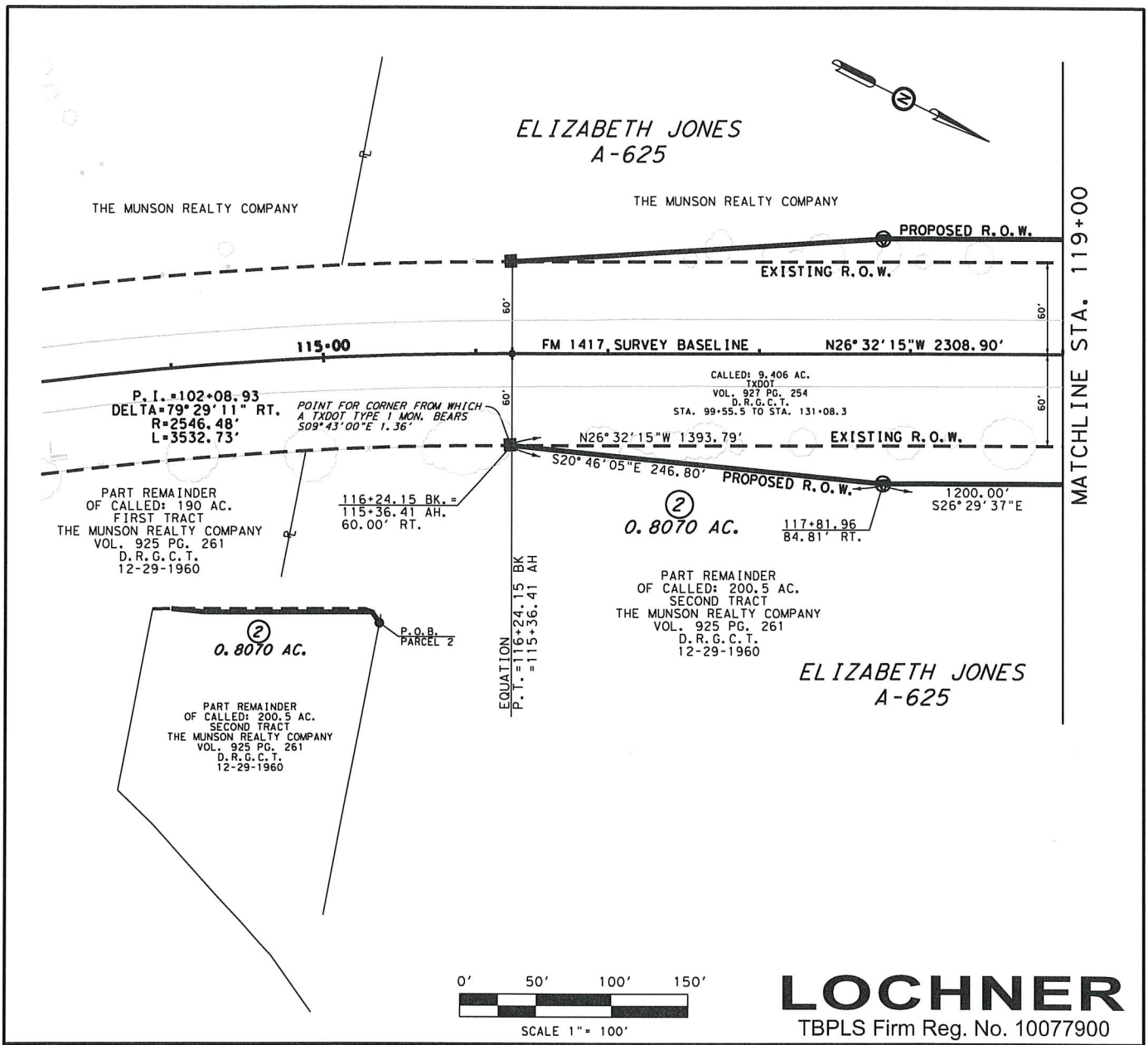
11-14-19

Tim H. Burks, R.P.L.S. Date
Texas Registration No. 5978
TBPLS Firm Reg. No. 10077900

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

H.W. Lochner, Inc.
5767 Eagles Nest Blvd.
Tyler, Texas 75703
903-581-7844

EXHIBIT "A"



LOCHNER
TBPLS Firm Reg. No. 10077900

LEGEND

(X)	PARCEL NUMBER
	SET 5/8" IRON ROD WITH 3 1/4" ALUMINUM TXDOT ROW DISK**
▽	SET 5/8" IRON ROD WITH 2" ALUMINUM CAP STAMPED "TX DEPT OF TRANSPORTATION PROPERTY CORNER"
○	SET 1/2" IRON ROD WITH MAROON CAP STAMPED "LOCHNER"
■	FOUND TXDOT RIGHT-OF-WAY MONUMENT
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
R.O.W.	RIGHT-OF-WAY
⅊	PROPERTY LINE
⅊	SURVEY/ABSTRACT LINE
⊢	FEE HOOK
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY, TEXAS
W.R.G.C.T.	WILL RECORDS GRAYSON COUNTY, TEXAS
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
— · · · —	SURVEY LINE
— — — —	EXISTING RIGHT OF WAY
———	PROPOSED RIGHT OF WAY

I, TIM H. BURKS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS BOUNDARY DESCRIPTION AND PLAT REPRESENT THE RESULTS OF A SURVEY MADE ON THE GROUND BY ME, OR UNDER MY SUPERVISION, IN THE MONTHS OF APRIL, 2018 AND OCTOBER, 2019.

11-14-19

TIM H. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5978

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

NOTES:

ALL COORDINATES AND DISTANCES SHOWN ARE SURFACE MEASUREMENTS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (NAD 83 (2011)), NORTH CENTRAL ZONE, 4202, AND CAN BE CONVERTED TO GRID COORDINATES BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.000120.

**MONUMENT DESCRIBED AND SET, MAY BE REPLACED WITH TXDOT TYPE II RIGHT-OF-WAY MONUMENT UPON COMPLETION OF CONSTRUCTION UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

ALL REFERENCED PROPERTY, DISTANCES AND AREAS WERE TAKEN FROM DEED RECORDS ACQUIRED FROM THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

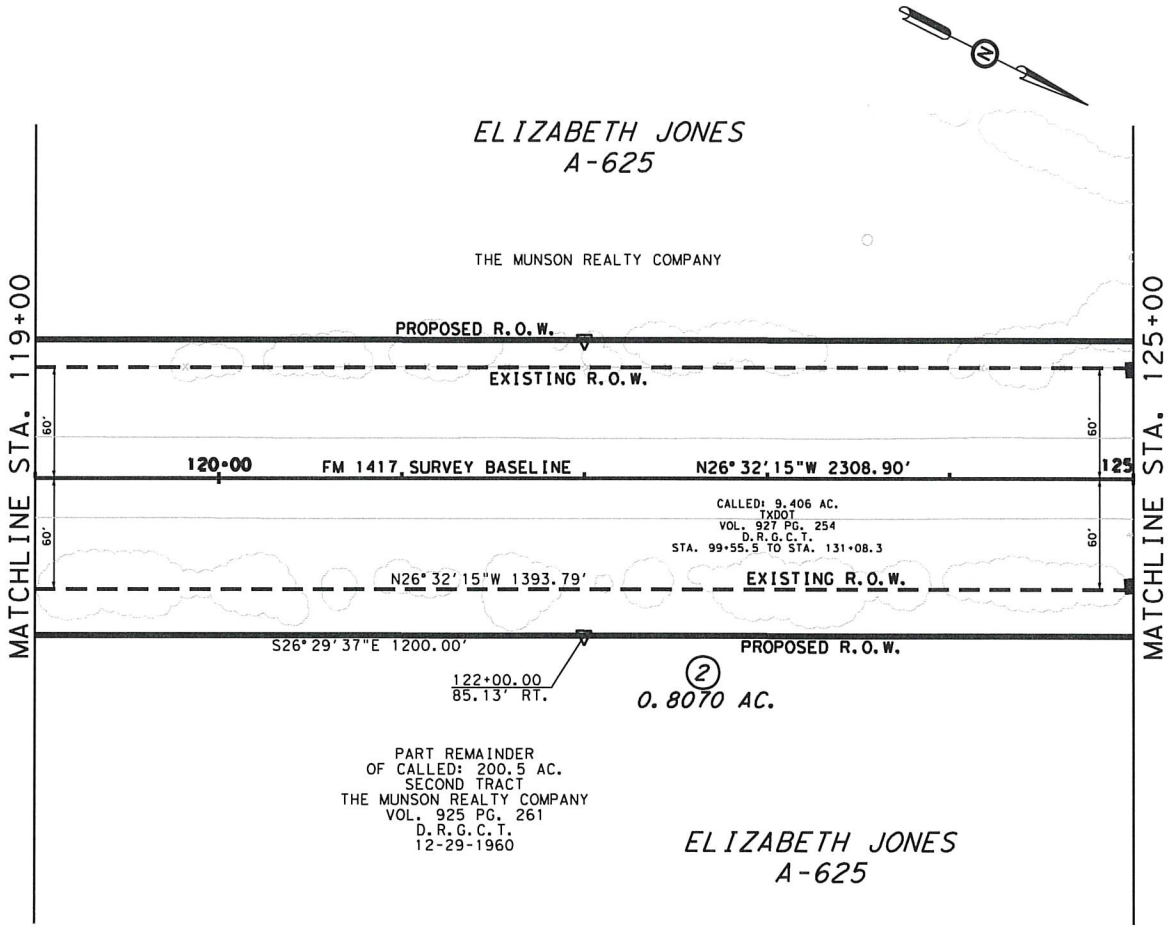
REMAINDER ACREAGE IS BY DEED CALL SUBTRACTION UNLESS OTHERWISE NOTED.

PARCEL NO. 2
THE MUNSON REALTY COMPANY

FM 1417
GRAYSON COUNTY, TEXAS
RCSJ: 2455-01-042
CCSJ: 2455-01-036

R.O.W. ACQUISITION = 0.8070 AC.
REMAINDER RT. = 79.0213 AC.

EXHIBIT "A"



0' 50' 100' 150'

SCALE 1" = 100'

LOCHNER

TBPLS Firm Reg. No. 10077900

LEGEND

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R.O.W.	RIGHT-OF-WAY
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	FEE HOOK
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS GRAYSON COUNTY, TEXAS
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W.R.G.C.T.	WILL RECORDS GRAYSON COUNTY, TEXAS
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
	SURVEY LINE
	EXISTING RIGHT OF WAY
	PROPOSED RIGHT OF WAY

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11-14-19

TIM H. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5978

STATE OF TEXAS
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THE MUNSON REALTY COMPANY

FM 1417
GRAYSON COUNTY, TEXAS
RCSJ: 2455-01-042
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R.O.W. ACQUISITION = 0.8070 AC.
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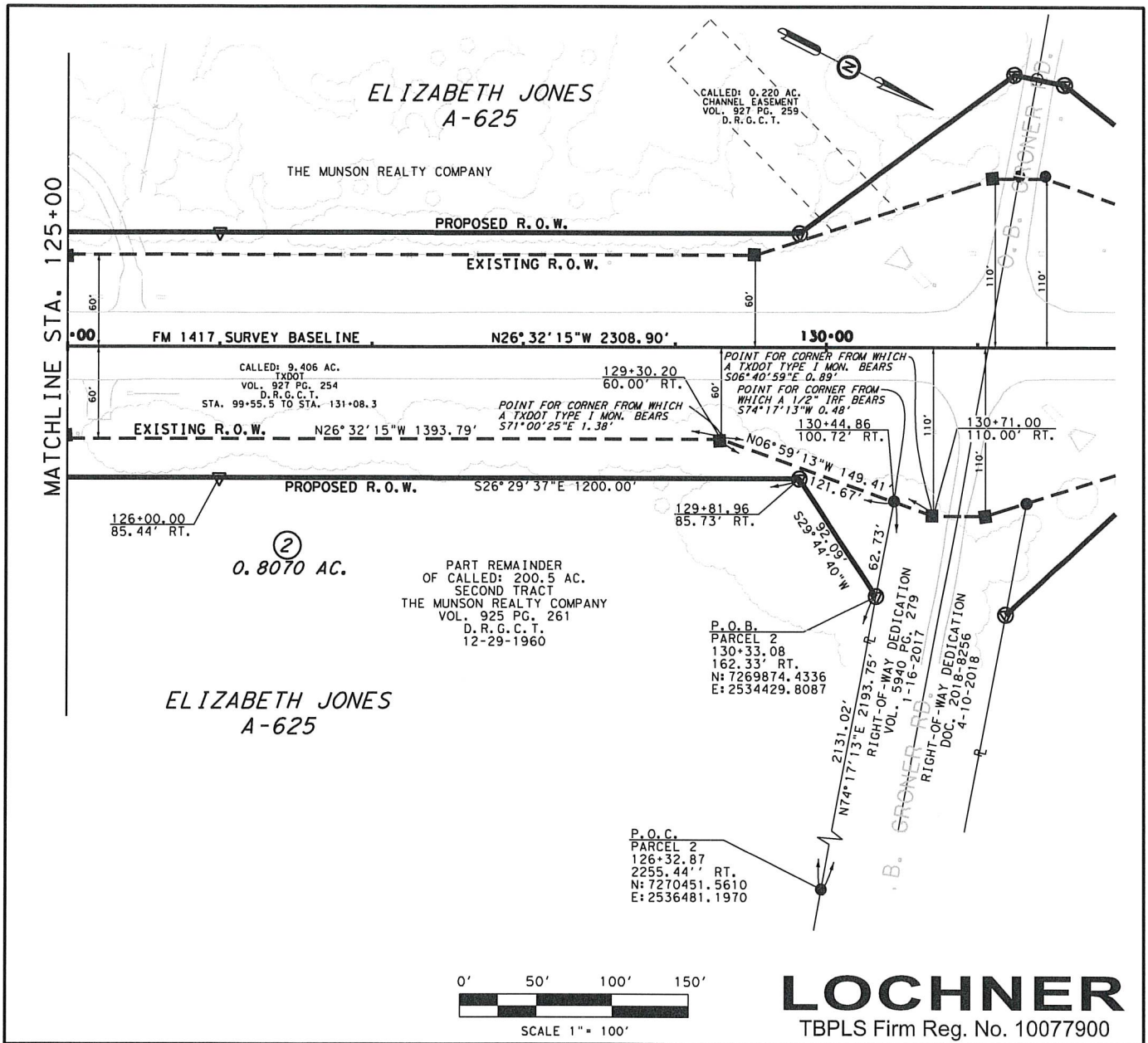
PAGE 5 OF 6

EXHIBIT "A"



LOCHNER
TBPLS Firm Reg. No. 10077900

LEGEND

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	EXISTING RIGHT OF WAY
	PROPOSED RIGHT OF WAY

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11-14-19

TIM H. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5978

STATE OF TEXAS
REGISTERED
TIM H. BURKS
5978
PROFESSIONAL
LAND SURVEYOR

PAGE 6 OF 6

NOTES:

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PARCEL NO. 2
THE MUNSON REALTY COMPANY

FM 1417
GRAYSON COUNTY, TEXAS
RCSJ: 2455-01-042
CCSJ: 2455-01-036

R.O.W. ACQUISITION = 0.8070 AC.
REMAINDER RT. = 79.0213 AC.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

Right-of-Way Dedication Deed

Date:

Grantor: **THE MUNSON REALTY COMPANY**, a Texas corporation

Grantor's Mailing Address: 305 W. Woodard, Denison, TX 75020

Grantee: CITY OF SHERMAN, TEXAS

Grantee's Mailing Address: P.O. Box 1106
Sherman, TX 75091

Consideration: For and in consideration of One Dollar ($1.00) and other valuable consideration paid by the Grantee

Property: Being approximately 0.5720 acres (Parcel 1) and approximately 0.8070 acres (Parcel 2), more or less, in the Elizabeth Jones Survey, Abstract No. 625, and being more particularly described on the attached Exhibit "A"

Reservations from Conveyance: Grantor specifically reserves from this dedication all its rights, title and interest in all oil, gas and other minerals in and under the Property.

Exceptions to Conveyance and Warranty: This Deed is being given subject to all existing easements and other matters of record affecting the Property.

Grantor, for the Consideration expressed and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty grants, sells and conveys to Grantee the Property described in Exhibit "A", to have and to hold it to Grantee and Grantee's successors and assigns forever.

Grantor binds Grantor and Grantor's successors to warrant and forever defend the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise,

subject to subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTOR:

THE MUNSON REALTY COMPANY, a Texas corporation

By: _____
Merry Munson Wyatt, President

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GRAYSON §

This instrument was acknowledged before me on _____, 2019, by Merry Munson Wyatt, the President of **The Munson Realty Company**, a Texas corporation, on behalf of said corporation.

_____
Notary Public, State of Texas

_____
Typed or Printed Name of Notary
Notary Number: _____
Notary's commission expires: _____

ACCEPTED:

GRANTEE:

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

BY: _____
LINDA ASHBY, CITY CLERK

STATE OF TEXAS §
§
COUNTY OF GRAYSON §

This instrument was acknowledged before me on _____, 2019, by David Plyer, Mayor of the **City of Sherman, Texas**, on behalf of said city.

_____
Notary Public, State of Texas

_____
Typed or Printed Name of Notary
Notary Number: _____
Notary's commission expires: _____

STATE OF TEXAS §
§
COUNTY OF GRAYSON §

This instrument was acknowledged before me on _____, 2019, by Linda Ashby, City Clerk of the **City of Sherman, Texas**, on behalf of said city.

_____
Notary Public, State of Texas

_____
Typed or Printed Name of Notary
Notary Number: _____
Notary's commission expires: _____

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON SHELBY, CITY ATTORNEY

STATE OF TEXAS §
§
COUNTY OF GRAYSON §

This instrument was acknowledged before me on _____, 2019, by Brandon Shelby, City Attorney for the **City of Sherman, Texas**, on behalf of said city.

_____
Notary Public, State of Texas

_____
Typed or Printed Name of Notary
Notary Number: _____
Notary's commission expires: _____

AFTER RECORDING, RETURN TO
City of Sherman
Office of the City Attorney
P. O. Box 1106
Sherman, TX 75091-1106

0 405 810 1,620 2,430 3,240 Feet

1 inch = 800 feet

N

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 2.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6573

Authorizing Execution of a Development Agreement with Bluestone Partners, LLC for the Construction of Public Facilities in Heritage Crossing, Phase 1, a 31.333-acre Development west of Heritage Parkway (F.M. 1417) and north of Washington Street in the City of Sherman

Issue:

The construction of public facilities in Heritage Crossing, Phase 1, a 31.333-acre development west of Heritage Parkway (F.M. 1417) and north of Washington Street in the City of Sherman

Background:

Bluestone Partners, LLC proposes to construct a 31.333-acre development west of Heritage Parkway (F.M. 1417) and north of Washington Street, which includes the construction of storm water, water mains, sanitary sewer mains and public roads. This development also includes the extension of McGee Street, which is shown as a Minor Arterial on the Grayson County Thoroughfare Plan. This extension of McGee Street was designed by the City of Sherman. Bluestone Partners, LLC used the McGee Street alignment to develop their subdivision and will be dedicating all needed right of way by plat. In order to continue to coordinate both projects, this agreement allows the developer to construct both projects at the same time. The City of Sherman will reimburse all costs associated with the extension of McGee Street. Both projects will be inspected by the City of Sherman to insure City standards are met.

Origination:

Engineering Department

Financial Consideration:

The development fee to be paid by the developer for testing of public infrastructure within Heritage Crossing will be $19,217.00. As McGee Street is on the City of Sherman's Future Thoroughfare Plan, the City agrees to reimburse Developer up to $1,560,000.00 for actual project construction expenses of McGee Street. Funding has been appropriated for this project in the fiscal year 2020 budget.

Staff Recommendation:

Staff recommends approval and execution of the Development Agreement.

Alternatives:

As directed by City Council

Attachments

Resolution No. 6573

Development Agreement - Heritage Crossing, Phase 1

Proposed Plat

Total Project Estimate

Aerial Location Map

RESOLUTION NO. 6573

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BLUESTONE PARTNERS, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN HERITAGE CROSSING, PHASE 1, A 31.333-ACRE DEVELOPMENT WEST OF HERITAGE PARKWAY (F.M. 1417) AND NORTH OF WASHINGTON STREET IN THE CITY OF SHERMAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Development Agreement with Bluestone Partners, LLC for the construction of streets, storm drainage, water main and sanitary sewer main improvements in Heritage Crossing, Phase 1, a 31.333-acre development west of Heritage Parkway (F.M. 1417) and north of Washington Street in the City of Sherman, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY

STATE OF TEXAS §
§
COUNTY OF GRAYSON §

DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND BLUESTONE PARTNERS, LLC

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the last date signed below (the "Effective Date"), by and among the City of Sherman ("City"), a municipal corporation organized under the laws of the State of Texas, and Bluestone Partners, LLC, a Texas limited liability company ("Developer").

WITNESSETH:

WHEREAS, City recognizes the importance of its continued role in local economic development; and

WHEREAS, Developer is developing a portion of the City and making improvements to the City; and

WHEREAS, Developer owns or controls lands located in Sherman, Texas, and described to the City by the Developer as Heritage Crossing Development and attached hereto and made a part hereof as if fully set out in this paragraph as Exhibit "A" and hereinafter referred to as the "Property", and Developer intends to develop the Property by constructing improvements thereon; and

WHEREAS, the Developer desires that the City accept the dedication of the streets, utilities, and other improvements as reflected on the plans and specifications to be submitted by the Developer as a part of the public facilities of the City, as indicated in Paragraph 2 of Article I; and

WHEREAS, the CITY is willing to provide, in accordance with the provisions of this Agreement and the prevailing state and local laws, City services to the Property and thereafter operate applicable facilities so that the occupants of the improvements on the Property will receive City services;

NOW, THEREFORE, in consideration of the mutual covenants and obligations herein, the parties agree as follows:

ARTICLE I.
SPECIFIC CONTRACT PROVISIONS

1. **Assurance of Title:** At the time of execution of this Agreement, the Developer agrees to deliver to City a copy of a Title Insurance Policy, or an opinion of title from a qualified attorney-at-law addressed to the City in a form and substance satisfactory to City with respect to the Property, which opinion shall include a current report on the status of the

title, setting out the name of the legal title holders, the outstanding mortgages, taxes, liens and covenants. The provisions of this paragraph are for the purpose of evidencing Developer's legal right to grant the exclusive rights of service contained in this Agreement.

2. **Assurance of Accuracy of Documents:** Developer has caused or will cause the subdivision plat of the Property (the "plat") and all plans and specifications (the "plans") for the streets, utilities and other improvements to be developed on the Property (collectively the "Project") as part of the public facilities of the City, to be prepared by a Registered Professional Engineer and that Plat and Plans accurately depict such subdivision and the improvements comprising the Project. Developer understands that the City will rely on the accuracy of the Plat and Plans in making its determination as to whether the documents comply with all City ordinances, state and federal law.

3. **Development Documents:** Any and all Plats, Plans, and orders of the City Planning and Zoning Commission and the City Council, made in connection with the approval of the Development depicted on the Plat (hereinafter the "Development") shall be deemed confirmed, ratified, and agreed upon by both parties and attached hereto as Exhibit "B". Developer agrees to comply with such orders and Ordinance No. 2684, and any amendments as of the date of the execution of the contract, as applicable to the Development; and all of the work of the Project will be done under the supervision of the City Engineer (as defined in Paragraph 8 of this Article) to City standards, and in accordance with applicable City regulations. The Plat, Plans, orders of the City Planning and Zoning Commission, and the City Council and Ordinance No. 2684 (hereinafter collectively referred to as the "Development Documents") are incorporated into this Agreement as a part thereof for all purposes.

4. **Delivery of Improvements:** The Developer will pay for and deliver to the City free and clear of all liens and costs, all of the improvements provided in the Development Documents.

5. **Performance Bond:** No work shall be performed within the Development until the Developer presents to the City Manager a satisfactory Performance Bond and a Payment Bond, as provided by Chapter 2253 of the Texas Government Code, from the Contractor in favor of the Developer and the City, unless Developer can show good cause to the City Manager as to why this requirement should be waived. If found to be necessary, such bond shall be made for 100% of the contract price for all streets and utilities and public works to be installed in the Development, and shall be in a form containing all other provisions set forth in Chapter 2253 of the Texas Government Code, including, but not limited to, Section 2253.021 of that Chapter.

6. **Phased Development:** The Parties understand and agree that the Development contemplated by this agreement shall be completed in phases as designated by the developer and approved by the City Manager. The Parties agree that this agreement and its terms apply to any singular Phase of the Development singularly and equally to the Development in its entirety.

7. **Availability of Public Facilities:** No public facilities will be made available to any lot within any segment of this Development until the work on each segment is performed and approved as agreed upon in this Agreement.

8. **Registered Civil Engineer:** All of the plans and specifications for the improvements herein mentioned in the Development Documents, shall be prepared by a Registered Professional Civil Engineer, and all of the improvements shall be built under the supervision of such engineer, and the engineer shall certify to the City that, as each segment is built, such segment as built is true and correct in accordance with the plans and specifications, and that the same was built under his supervision, and the certificate shall be signed and sealed by such engineer. All of the expense of such engineering shall be paid for by the Developer.

9. **City Engineer:** Before work is begun on any improvement, the City Engineer shall designate a person, hereinafter identified as "City Engineer," who shall be notified and arrangements made for inspection by the City Engineer at such stages of construction as required by him, and no improvement constructed underground shall be covered by the Developer until inspected by the City Engineer and approved by him. At any time any construction is contrary to the plans and specifications, the City Engineer shall be, and is, empowered to stop construction and require correct construction and installation at the Developer's risk and without liability to the City.

10. **Coordination of Work:** The work will be coordinated between the City and the Developer so that the utilities will be in place before the permanent improvements are installed.

11. **Utility Arrangements:** The Developer will make its own arrangements with gas, electric, and telephone service providers for extensions of their utilities, and upon complying with this Agreement, the City utilities will be furnished.

12. **Fees:** Other fees normally charged by the City for building permits, water taps, service connections, and similar fees will be paid as required to the City by the Developer.

13. **Guarantee or Maintenance Bond:**

    A. If, within one year after the acceptance, defects should appear in the materials or workmanship, the Developer shall have such defects promptly repaired at its own expense, and shall leave the work as intended by the plans and specifications. This guarantee will apply to all parts of the work which have been accepted by the City.

    B. Instead of the Guarantee set for in subparagraph (A) of this paragraph, Developer may provide a Maintenance Bond to the City at the time of final acceptance of the improvements by the City Engineer. The Bond shall name the City as an obligee under the bond and the bond shall provide a one (1) year guarantee on all the improvements contained in the Development Documents.

14. **WAIVER OF RIGHTS UNDER STATE LAW:**

A. Developer understands that, pursuant to Section 212.904 of the Texas Local Government Code, the developer is entitled to an apportionment of the municipal infrastructure cost and that such apportionment must be done by a professional engineer. Developer hereby agrees that any land or property it donates to the City, as reflected on the Final Plat, is roughly proportionate to the need for such land. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development of the Property and its needs related thereto. BY MY SIGNATURE ON THIS AGREEMENT, DEVELOPER HEREBY FREELY, KNOWINGLY AND VOLUNTARILY WAIVES ITS RIGHTS UNDER SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE, OR ANY OTHER RELATED CLAIMS. DEVELOPER AGREES THAT THE DEVELOPER'S AGREEMENT MAY PROCEED WITHOUT THE REQUIREMENTS IMPOSED ON THE CITY UNDER SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE, EXCEPT DEVELOPER SPECIFICALLY RESERVES ITS RIGHT TO APPEAL THE APPORTIONMENT IN ACCORDANCE WITH SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.

B. BOTH DEVELOPER AND THE CITY FURTHER AGREE TO WAIVE AND RELEASE ALL CLAIMS ONE MAY HAVE AGAINST THE OTHER RELATED TO ANY AND ALL ROUGH PROPORTIONALITY AND INDIVIDUAL DETERMINATION REQUIREMENTS MANDATED BY *DOLAN V. TOWN OF TIGARD,* 512 U.S. 374 (1994), AND ITS PROGENY, AND WELL AS ANY OTHER REQUIREMENTS OF A NEXUS BETWEEN THE DEVELOPMENT CONDITIONS AND THE PROJECTED IMPACT OF THE FOREGOING, INCLUDING ALL DEDICATIONS OF LAND, PARKLAND, AND ANY INFRASTRUCTURE REFERENCED HEREIN. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.

15. **Other Provisions:**

A. Upon Completion of any phase of the Development, one electronic copy and one set of reproducible "Record" drawings will be supplied to the City.

B. Upon Completion of any phase of the Development, the City agrees to reimburse to the Developer all documented actual costs for construction and installation of

McGee Street Extension as dedicated to the City up to 30% of the total construction cost of the Heritage Crossing Development. McGee Street design plans include "City of Sherman McGee Street Plans" by Kimley Horn and "McGee Street Storm Sewer Plans" by Winkelman and Associates. Estimated reimbursement cost for McGee Street is One Million Five Hundred and Sixty Thousand Dollars ($1,560,000.00) Project management costs shall be reimbursed at no more than three percent (3%) of the documented, actual project costs.

C. City agrees to waive all engineering plan review, inspection, and testing fees associated specifically to McGee Street and the Development, with the exception of the costs as defined in sec. 15 D.

D. The Developer shall pay to the City the sum of $19,217.00, the cost estimated by D & S Engineering Labs for "construction materials testing services". Any unused portion of the estimated fee shall be refunded to the developer after acceptance of the project by the City.

E. Developer agrees that the development, as set forth in the Contract Documents, will comply with all federal, state and local laws relating to the discharge of storm water upon completion of the development.

F. Developer and City agree that any and all goods and services relative to infrastructure dedicated to the City are exempt from state and local sales tax in accordance with Texas Tax Code §§151.309 and 151.311.

G. Developer will submit on or before the tenth (10) day of each month after which construction services are performed under this Agreement a request for payment of that portion of the Development Costs and Fee attributable to the construction services performed during the immediately preceding month. Developer's payment request shall be accompanied by such lien waivers and supporting documentation as agreed upon between the parties. Payment of the applicable portion of the Developer's Fee shall be made by the City within thirty (30) calendar days after receipt of a proper request for payment for construction services performed.

ARTICLE II.
GENERAL CONTRACT PROVISIONS

1. **Force Majeure.** If the performance of any of the parties hereto is delayed by reason of war, civil commotion, acts of God, inclement weather, unanticipated subsurface conditions, fire or other casualty, court injunction or any circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such design or construction requirement shall be extended for a period

of time equal to the period such party was delayed. The terms above shall not apply to extend the time permitted for any payment obligations set forth in this Agreement.

2. **INDEMNIFICATION AND HOLD HARMLESS.** TO THE MAXIMUM EXTENT PERMITTED BY LAW, DEVELOPER OBLIGATES ITSELF TO THE CITY TO FULLY AND UNCONDITIONALLY PROTECT, INDEMNIFY AND DEFEND THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, AND HOLD IT HARMLESS FROM AND AGAINST ANY AND ALL COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITY FOR INJURIES TO PROPERTY, INJURIES TO PERSONS (INCLUDING DEVELOPERS EMPLOYEES), INCLUDING DEATH, AND FROM ANY OTHER COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITIES OF ANY AND EVERY NATURE WHATSOEVER ARISING IN ANY MANNER, DIRECTLY OR INDIRECTLY, OUT OF OR IN CONNECTION HEREWITH, REGARDLESS OF CAUSE OR OF THE SOLE, JOINT, COMPARATIVE OR CONCURRENT NEGLIGENCE OR GROSS NEGLIGENCE OF DEVELOPER, ITS OFFICERS, AGENTS OR EMPLOYEES. THIS INDEMNIFICATION AND SAVE HARMLESS SHALL APPLY TO ANY IMPUTED OR ACTUAL JOINT ENTERPRISE LIABILITY. **THIS INDEMNITY DOES NOT WAIVE ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND DOES NOT WAIVE ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW.**

3. **Authority to Bind**. Each general partner or member executing this Agreement on behalf the Developer represents that, by executing this Agreement in such capacity, it acts within the scope of its authority and does not exceed the bounds of its authority to act to bind such party regarding the obligations and assurances contained in this Agreement. City represents that the execution of this Agreement as provided below has been duly authorized by the City Council as provided in the Approval Resolution.

4. **Events of Default**. A default shall exist if either party fails to perform or observe any material covenant contained in this Agreement. The non-defaulting party shall immediately notify the defaulting party in writing upon becoming aware of any change in the existence of any condition or event which would constitute a default or, with the giving of notice or passage of time, or both, would constitute a default under this Agreement. Such notice shall specify the nature and the period of existence thereof and what action, if any, the notifying party requires or proposes to require with respect to curing the default.

5. **Remedies Available to City**. If a default by Developer shall occur and continue, after thirty (30) days' notice to cure default, City may, at its option, pursue any and all remedies it may be entitled to, at law or in equity, in accordance with Texas law and including using the Performance Bond to complete the work, without the necessity of further notice to or demand upon Developer. City shall not, however, have the right to exercise such remedies for so long as Developer proceeds in good faith and with due diligence to remedy and correct the default, provided that Developer has commenced to cure such default within thirty (30) days following notice, pursues such cure with reasonable diligence and completes such cure within one hundred eighty (180) days.

6. **No Waiver of Defenses.** Nothing in this Agreement shall be construed or intended to waive any defenses available to the City, including, but not limited to, governmental immunity.

7. **Venue and Governing Law**. This Agreement is performable in Grayson County, Texas and venue of any action arising out of this Agreement shall be exclusively in Grayson County. This Agreement shall be governed and construed in accordance with the laws of the State of Texas.

8. **Notices**. Any notice required by this Agreement shall be deemed to be properly served (i) three (3) days following deposit if deposited in the U.S. mail by certified letter, return receipt requested; (ii) on the next business day if sent by nationally recognized overnight delivery service; or (iii) upon receipt if transmitted by facsimile or electronic transmission, addressed to the recipient at the recipient's address shown below, subject to the right of either party to designate a different address by notice given in the manner just described.

CITY: City of Sherman, Texas
DESIGNEE: Robby Hefton
ADDRESS: 220 W. Mulberry Street
Sherman, TX 75090
PHONE: 903-892-7200
FAX: 903-892-7355
EMAIL: _____

DEVELOPER: Bluestone Partners, LLC
DESIGNEE: Lincoln Golike
ADDRESS: 4708 N FM 1417
Sherman, TX 75092
PHONE: 903-813-1415
FAX: _____
EMAIL: lincoln@bluestone.ws

9. **Legal Construction.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

10. **Counterparts.** This Agreement may be executed in any number of counterparts, which may be transmitted originally or electronically, each of which shall be deemed an original and constitute one and the same instrument.

11. **Captions.** The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

12. **Successors and Assigns.** The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto, provided, however, this Agreement shall not be assigned by Developer without prior written approval by the City Manager of the City, which approval shall not be unreasonably withheld or delayed. City may assign or delegate any of its rights or obligations under this Agreement but the same shall not constitute a novation.

13. **Entire Agreement.** This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.

14. **Interpretation of Agreement.** This is negotiated Agreement. If any part of this Agreement is in dispute, the parties stipulate that the Agreement shall not be construed more favorably for either party.

IN WITNESS WHEREOF, parties have caused this Agreement to be executed in duplicate this _____ day of November 2019, with an original to each party.

Developer: **BLUESTONE PARTNERS, LLC**

BY: _____
NAME: Lincoln Golike
TITLE: Vice President/COO

ATTEST: **BY:** _____
NAME: Bryan H Blagg
TITLE: Development Manager

CITY: **CITY OF SHERMAN**

BY: _____
NAME: Robby Hefton
TITLE: City Manager

ATTEST: **BY:** _____
NAME: Linda Ashby
TITLE: City Clerk

APPROVAL RECOMMENDED:

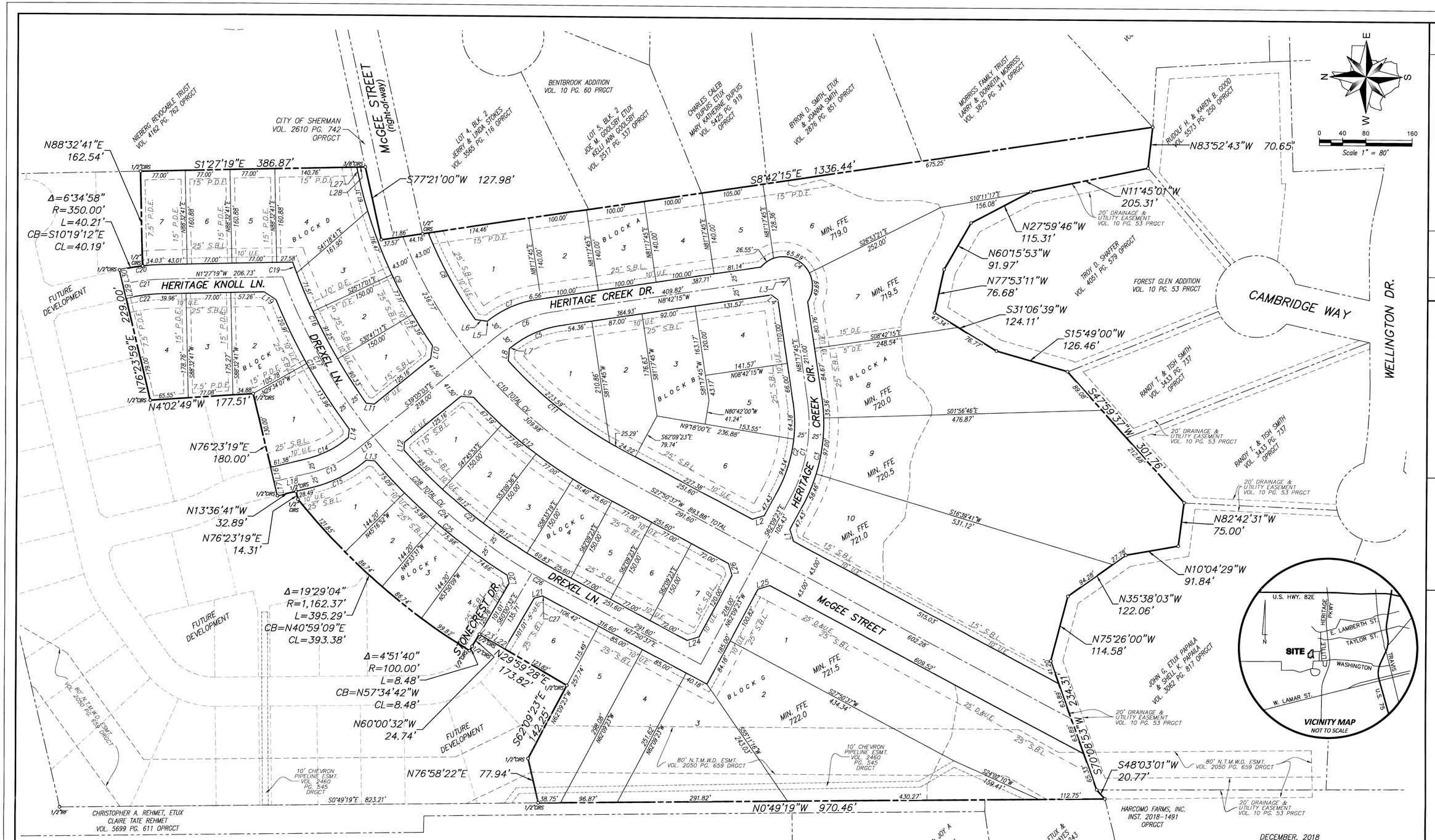
_____

Clint Philpott, P.E. / Director Engineering

APPROVED AS TO FORM:

_____

Brandon S. Shelby, City Attorney



ABBREVIATION LEGEND

ABBR.	DEFINITION
AC	ACRES
CIRF	IRON ROD FOUND WITH CAP
CIRS	1/2 " IRON ROD SET WITH RED PLASTIC CAP STAMPED "WAI 5714"
IRF	IRON ROD FOUND
SQ. FT.	SQUARE FEET
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
VOL. – PG.	VOLUME – PAGE

SEE SHEET 2 OF 2 FOR LINE AND CURVE NUMBER TABLES

DECEMBER, 2018

HERITAGE CROSSING PHASE 1

31.333 ACRES
FIELDING BACON SURVEY ABST. NO. 120
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

OWNER:
SAPPHIRE GROUP, LLC
2913 OVERLAND TRAIL
STE 100
SHERMAN, TEXAS 75092

DEVELOPER:
BLUESTONE PARTNERS, LLC
4708 N. F.M. RD. 1417
SHERMAN, TEXAS 75092
CONTACT: KYLE BOOTHE
PH: 903-813-1415

SURVEYOR:
WINKELMANN & ASSOCIATES, INC.
6750 HILLCREST PLAZA DRIVE
SUITE 325
DALLAS, TEXAS 75230
CONTACT: LEONARD J. LUEKER, RPLS
PH: 972-490-7090 Ext. 211

No.	DATE	REVISION	APPROV.

LAST SAVED BY: DPLUMK December 21, 2018

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325
DALLAS, TEXAS 75230 (972) 490-7090
Texas Engineering Registration No. 89 (972) 490-7099 FAX
Texas Surveying Registration No. 10088600
COPYRIGHT © 2018, Winkelmann & Associates, Inc.

PRE-FINAL PLAT

HERITAGE CROSSING ~ PHASE 1

BLUESTONE PARTNERS, LLC
SHERMAN, TEXAS

77801.00

G:\77801\01\SURVEY\Plats\77801 FP.dwg

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS Sapphire Group, LLC is the owner of a tract of land situated in the Fielding Bacon Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a portion of a tract described in deed to Sapphire Group, LLC, per deed recorded in Inst. 2018-6962 Official Public Records of Grayson County, Texas (OPRGCT) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron with red plastic cap stamped "WAI" set for corner on the west line of said Sapphire tract, said point also being on the east line of a called 20.00 acre tract described in deed to Christopher B. Rehmet and Claire Tate Rehmet as recorded in Volume 5699 Page 612 OPRGCT, said point being South 00 deg 49 min 19 sec East, a distance of 823.21 feet from a 1/2 inch iron rod found for the northwest corner of said Sapphire tract, said northwest corner also being an interior ell corner of said Rehmet tract

THENCE departing said Sapphire west line and said Rehmet east line, over across said Sapphire tract the following courses and distances:

North 76 deg 58 min 22 sec East, for a distance of 77.94 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

South 62 deg 09 min 23 sec East, for a distance of 142.25 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 29 deg 59 min 28 sec East, for a distance of 173.82 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 60 deg 00 min 32 sec West, for a distance of 24.74 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner and for the beginning of a circular curve to the right having a central angle of 04 deg 51 min 40 sec, a radius of 100.00 feet, and chord which bears North 57 deg 34 min 42 Sec West for a distance of 8.48 feet;

And along said circular curve to the right for an arc distance of 8.48 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner and for the beginning of circular curve to the right having a central angle of 19 deg 29 min 40 sec, a radius of 1,162.37 feet, and chord which bears North 40 deg 59 min 09 Sec East for a distance of 393.38 feet;

And along said circular curve to the right for an arc distance of 395.29 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 76 deg 23 min 19 sec East, for a distance of 14.31 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 13 deg 36 min 41 sec West, for a distance of 32.89 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 76 deg 23 min 19 sec East, for a distance of 180.00 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 04 deg 02 min 49 sec West, for a distance of 177.51 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 76 deg 23 min 59 sec East, for a distance of 229.00 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner and for the beginning of a circular curve to the right having a central angle of 06 deg 34 min 58 sec, a radius of 350.00 feet, and chord which bears South 10 deg 19 min 12 Sec East for a distance of 40.19 feet;

And along said circular curve to the right for an arc distance of 40.21 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner;

North 88 deg 32 min 41 sec East, for a distance of 162.54 feet to a 1/2 iron rod with red plastic cap stamped "WAI" set for corner on the east line of said Sapphire tract and on the west line of a 2.601 acre tract described in deed to the Nieberg Revocable Trust as recorded in Volume 4162 Page 762 OPRGCT;

THENCE South 01 deg 27 min 19 sec East, along the west line of said Nieberg tract, for a distance of 779.70 feet to a 3/8 inch iron rod found at the southwest corner of said Nieberg tract, said point being in the north right-of-way line of McGee Street as described in deed to the City of Sherman as recorded in Volume 2610 Page 742 OPRGCT;

THENCE South 77 deg 21 min 00 sec West, along the north right-of-way line of said McGee Street, for a distance of 127.98 feet to a point for corner at the northwest corner of said City of Sherman tract;

THENCE South 08 deg 42 min 15 sec East, along the west line of said City of Sherman tract, passing at 71.86 feet a 1/2 inch iron rod found at the northwest corner of Lot 4 Block 2 of the Bentbrook Addition, an addition to the City of Sherman per plat recorded in Volume 10, Page 60 Plat Records Grayson County, Texas (PRGCT), and continuing along the west line of said Benbrook Addition, for a total distance of 1,336.44 feet to a point for corner on the north line of Forest Glen Addition, an addition to the City of Sherman per plat recorded in Volume 10 Page 53 PRGCT;

THENCE continuing westerly along the northerly lines of said Forest Glen Addition as follows:

North 83 deg 52 min 43 sec West, for a distance of 70.65 feet to a point for corner;

North 11 deg 45 min 01 sec West, for a distance of 205.31 feet to a point for corner;

North 27 deg 59 min 46 sec West, for a distance of 115.31 feet to a point for corner;

North 60 deg 15 min 53 sec West, for a distance of 91.97 feet to a point for corner;

North 77 deg 53 min 11 sec West, for a distance of 76.68 feet to a point for corner;

South 31 deg 06 min 39 sec West, for a distance of 124.11 feet to a point for corner;

South 15 deg 49 min 00 sec West, for a distance of 126.46 feet to a point for corner;

South 47 deg 59 min 37 sec West, for a distance of 301.76 feet to a point for corner;

North 82 deg 42 min 31 sec West, for a distance of 75.00 feet to a point for corner;

North 10 deg 04 min 29 sec West, for a distance of 91.84 feet to a point for corner;

North 35 deg 38 min 03 sec West, for a distance of 122.06 feet to a point for corner;

North 75 deg 26 min 00 sec West, for a distance of 114.58 feet to a point for corner;

South 70 deg 08 min 53 sec West, for a distance of 234.31 feet to a point for corner, said point being the northwest corner of said Forest Glen Addition and the northeast corner of a 5 acre Fourth tract of land conveyed to Harcomo Farms, inc. by deed recorded in Instrument No. 2018-1491 OPRGCT;

THENCE South 48 deg 03 min 01 sec West, along the north line of said 5 acre tract, for a distance of 20.77 feet to a point for corner at the southeast corner of a 6.8 acre tract of land conveyed to Clint A. Hayes, etux and Sunni M. Hayes by deed recorded in Volume 4944 Page 243 OPRGCT;

THENCE North 00 deg 49 min 19 sec West along the east line of said Hayes tract, passing the northeast corner of said Hayes tract, and the southeast corner of said Rehmet 20.0 acre tract, and continuing along the east line of said Rehmet 20.0 acre tract, for a distance of 970.46 feet to the POINT OF BEGINNING and containing 31.333 acres or 1,364,857 s.f. of land.

OWNER'S DEDICATION

THAT SAPPHIRE GROUP, LLC acting herein by and thru their duly authorized officers, do hereby certify and adopt this plat designating the herein above property as HERITAGE CROSSING PHASE 1, an addition to the City of Sherman, and do hereby dedicate to the public use forever, the streets and alleys shown hereon. The above owner's do hereby certify to the following:

1. The streets and alleys are dedicated for street and alley purposes as noted.

2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.

3. The easements and public use areas, as shown, are dedicated for the public use forever and for the purposes indicated on this plat.

4. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved by the City of Sherman.

5. The City of Sherman is not responsible for replacing any improvements damaged in, under, or over any easements caused by maintenance or repair.

6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using same unless the easement limits the use to particular utilities. Said use by public utilities being subordinate to the Public's and the City of Sherman's use thereof.

7. The City of Sherman and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, tress, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of heir respective systems within the easements.

8. The City of Sherman and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all of parts of their respective systems without the necessity at any time or procuring permission from anyone.

9. All modifications to this documents shall be by means of plat and must be approved by the City of Sherman.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF SHERMAN, TEXAS.

WITNESS, MY HAND, THIS THE ____ DAY OF _____, 201__.

SAPPHIRE GROUP, LLC

BY:_____

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY

APPEARED _____, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 201__.

_____

NOTARY PUBLIC, STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

THAT I Leonard J. Lueker, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

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

_____ _____ date: _____

Leonard J. Lueker, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration # 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090

Before me, the undersigned, a notary public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations herein expressed and in the capacity therein stated.

Given under my hand and seal of office this the ____ day of _____, 2016.

_____

Notary public, State of Texas

Certificate of approval by the City Planning and Zoning Commission:

Approved this __ day of _____, 201__,

By the City Planning and Zoning Commission of the City of Sherman, Texas.

_____

Chairman Secretary

Certificate of Acceptance by the City Council:

Accepted by the City Council of the City of Sherman:

_____

Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of HERITAGE CROSSING PHASE 1, an addition to the City of Sherman was submitted to the City Council on the _____ day of_____, 201__, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements, and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the mayor to note the acceptance thereof by signing his name as hereinabove

Subscribed

Witness my hand this __ day of _____, A.D. 201__.

_____

City Clerk, City of Sherman, Texas

Notice: selling a portion of this Addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permit.

CURVE TABLE					
No.	Delta	Radius	Length	CH. B	CH. L
C1	36°32'52"	275.00'	175.42'	S80°25'49"E	172.46'
C2	36°32'52"	250.00'	159.47'	S80°25'49"E	156.78'
C3	36°32'52"	300.00'	191.36'	S80°25'49"E	188.14'
C4	172°49'09"	50.00'	150.81'	N36°17'45"E	99.80'
C5	30°22'48"	175.00'	92.79'	S23°53'39"E	91.71'
C6	30°22'48"	200.00'	106.05'	N23°53'39"W	104.81'
C7	30°22'48"	175.00'	92.79'	N23°53'39"W	91.71'
C8	13°17'03"	732.00'	169.71'	N61°04'51"E	169.33'
C9	22°17'07"	818.00'	318.16'	N66°01'02"E	316.16'
C10	40°38'45"	775.00'	549.79'	S48°09'59"W	538.33'
C11	19°32'58"	732.00'	249.76'	N37°37'06"E	248.55'
C12	19°06'49"	818.00'	272.88'	N37°24'01"E	271.62'
C13	25°28'22"	200.00'	88.92'	N26°20'52"W	88.19'
C14	25°28'22"	175.00'	77.80'	N26°20'52"W	77.16'
C15	25°28'22"	225.00'	100.03'	S26°20'52"E	99.21'
C16	16°09'40"	968.00'	273.04'	S62°02'44"W	272.13'
C17	18°10'01"	993.00'	314.85'	S59°59'58"W	313.53'
C18	14°21'15"	1018.00'	255.04'	S60°03'47"W	254.37'
C19	1°10'33"	968.00'	19.87'	N69°32'17"E	19.87'
C20	12°09'22"	350.00'	74.26'	N7°32'00"W	74.12'
C21	12°09'22"	325.00'	68.95'	N7°32'00"W	68.82'
C22	12°09'22"	300.00'	63.65'	N7°32'00"W	63.53'
C23	20°01'24"	968.00'	338.29'	S37°51'19"W	336.57'
C24	20°55'30"	993.00'	362.65'	N40°27'13"E	360.64'
C25	16°59'06"	1018.00'	301.78'	S40°27'13"W	300.67'
C26	2°08'51"	993.00'	37.22'	S28°55'02"W	37.22'
C27	0°10'39"	1018.00'	3.15'	S27°55'56"W	3.15'
C28	41°14'21"	993.00'	714.72'	N48°27'47"E	699.39'

Line Table		
Line #	Direction	Length
L1	N72°50'37"E	21.21'
L2	N17°09'23"W	21.21'
L3	N53°42'15"W	17.68'
L4	N36°17'45"E	14.14'
L5	S39°05'03"E	1.19'
L6	N7°23'02"E	20.66'
L7	N39°05'03"W	4.67'
L8	N85°33'07"W	20.66'
L9	N4°11'57"E	21.84'
L10	S82°22'02"E	21.84'
L11	N7°17'33"E	13.80'
L12	S85°27'38"E	13.80'
L13	S5°04'18"W	14.35'
L14	N83°14'23"W	14.35'
L15	S39°05'03"E	40.55'

Line Table		
Line #	Direction	Length
L16	S76°23'19"W	25.00'
L17	S76°23'19"W	25.00'
L18	N13°36'41"W	61.38'
L19	N33°06'13"E	24.71'
L20	S75°50'07"W	14.35'
L21	S15°51'12"E	14.35'
L22	S29°59'28"W	25.00'
L23	S29°59'28"W	25.00'
L24	N17°09'23"W	21.21'
L25	S17°09'23"E	21.21'
L26	S72°50'37"W	21.21'
L27	N77°10'37"E	16.84'
L28	N1°27'19"W	15.11'
L29	S76°23'19"W	25.00'
L30	S76°23'19"W	25.00'

DECEMBER, 2018

HERITAGE CROSSING PHASE 1

31.333 ACRES
FIELDING BACON SURVEY ABST. NO. 120
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

OWNER:
SAPPHIRE GROUP, LLC
2913 OVERLAND TRAIL
STE 100
SHERMAN, TEXAS 75092

DEVELOPER:
BLUESTONE PARTNERS, LLC
4708 N. F.M. RD. 1417
SHERMAN, TEXAS 75092
CONTACT: KYLE BOOTHE
PH: 903-813-1415

SURVEYOR:
WINKELMANN & ASSOCIATES, INC.
6750 HILLCREST PLAZA DRIVE
SUITE 325
DALLAS, TEXAS 75230
CONTACT: LEONARD J. LUEKER, RPLS
PH: 972-490-7090 Ext. 211

No.	DATE	REVISION	APPROV.

LAST SAVED BY: DPLUNK December 21, 2018

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325
DALLAS, TEXAS 75230
(972) 490-7090 (972) 490-7099 FAX
Texas Engineering Registration No. 69
Texas Surveying Registration No. 10088600
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PRE-FINAL PLAT

HERITAGE CROSSING ~ PHASE 1
BLUESTONE PARTNERS, LLC
SHERMAN, TEXAS

7260.00

G:\7260\01 SURVEY\Plats\7260.1 FP.dwg

Heritage Crossing Complete Project

Bluestone Partners, LLC

Grading					
Item NO.	**Description**	**Unit**	**Qty**	**Unit Cost**	**Cost**
G1	Clearing/Grubbing/Tree Removal	AC	23.70	$ 4,000.00	$ 94,800.00
G2	Site Grading (To Balance + Trench Spoils)	CY	75,000.00	$ 5.00	$ 375,000.00
				Sub-Total	**$ 469,800.00**

Paving	**Description**	**Unit**	**QTY**	**Unit Cost**	**Cost**
P1	6" 3600 PSI CONC. #4 BARS 18" OCEW	SY	17,636.00	$60.50	$1,066,978.00
P2	6" LIME STABILIIZED SUBGRADE	SY	19,048.00	$4.00	$76,192.00
P3	LIME (37lb/sy)	TON	352.50	$181.50	$63,978.75
P4	CONC. PAVERS IN ENTRANCE MEDIAN	SY	136.00	$120.00	$16,320.00
P4	Conc. Drive Approach to pipeline Esmts	EA	2.00	$2,000.00	$4,000.00
P5	4 FT. WIDE DEVELOPER SIDEWALK	SF	84.00	$5.50	$462.00
P6	ADA RAMP	EA	10.00	$2,500.00	$25,000.00
P7	4" PVC ELECTRICAL SLEEVE	LF	900.00	$22.00	$19,800.00
P8	CONN TO EXIST. STREET HEADERS AT McGEE	LF	256.00	$16.50	$4,224.00
	Sidewalks ADDED Per REVised Drawings	SF	992.00	$5.50	$5,456.00
P9	STD. CITY BARRICADE	LF	213.00	$100.00	$21,300.00
P10				**Sub-Total**	**$1,303,710.75**

DRAINAGE & STORM SEWER

ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT COST	COST
D1	18" RCP	LF	1,054.00	$58.00	$61,132.00
D2	21" RCP	LF	458.50	$65.00	$29,802.50
D3	24" RCP	LF	267.00	$75.00	$20,025.00
D4	27" RCP	LF	309.00	$84.00	$25,956.00
D5	30" RCP	LF	62.00	$90.00	$5,580.00
D6	33" RCP	LF	165.00	$110.00	$18,150.00
D7	42" RCP	LF	146.00	$160.00	$23,360.00
D8	48" RCP	LF	1,155.00	$185.00	$213,675.00
D9	60" RCP	LF	30.00	$350.00	$10,500.00
D10	18" TEMP. PLUG	EA	1.00	$150.00	$150.00
D11	24" TEMP. PLUG	EA	1.00	$200.00	$200.00
D12	21" TYPE "B" HEADWALL	EA	1.00	$2,100.00	$2,100.00
D13	27" TYPE "B" HEADWALL	EA	1.00	$2,700.00	$2,700.00
D14	33" TYPE "B" HEADWALL	EA	1.00	$3,300.00	$3,300.00
D15	60" TYPE "A" HEADWALL SKEWED	EA	1.00	$6,500.00	$6,500.00
D16	6'x6' JUNCTION BOX	EA	1.00	$12,500.00	$12,500.00
D17	8' CURB INLET	EA	6.00	$3,750.00	$22,500.00
D18	10' CURB INLET	EA	31.00	$4,250.00	$131,750.00
D19	CONNECT TO 24" RCP STUB FROM McGEE ST.	EA	2.00	$1,500.00	$3,000.00
D20	CONNECT TO 42" RCP STUB FROM McGEE ST.	EA	1.00	$1,500.00	$1,500.00
D21	CONNECT TO 48" RCP STUB FROM McGEE ST.	EA	3.00	$3,500.00	$10,500.00
D22	2 FT. CONC. OVERFLOW FLUME	SF	300.00	$15.00	$4,500.00
D23	CONCRETE RIP RAP	SY	297.00	$95.00	$28,215.00
D24	TRENCH SAFETY	LF	3,646.50	$1.00	$3,646.50
D25	T.V. STORM PIPE	LF	3,646.50	$1.25	$4,558.13
D6	42"Type "B" HEADWALL	EA	1.00	$4,000.00	$4,000.00
D8	3'x3' DROP INLET	EA	1.00	$2,500.00	$2,500.00
D9	Connect to 18" RCP	EA	1.00	$1,000.00	$1,000.00
D12	Remove 18" Plug	EA	1.00	$1.00	$1.00
D13	Remove 24" Plug	EA	1.00	$1.00	$1.00
				SUB-TOTAL	**$653,302.13**

McGEE ST. DRAINAGE & STORM SEWER BY CITY

ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT COST	COST
MD1	18" RCP	LF	433.00	$58.00	$25,114.00
MD2	24" RCP	LF	236.00	$75.00	$17,700.00
MD3	42" RCP	LF	270.00	$160.00	$43,200.00
MD4	48" RCP	LF	116.00	$185.00	$21,460.00
MD5	48" TYPE "B" HEADWALL	EA	1.00	$4,500.00	$4,500.00
MD6	4'x4' JUNCTION BOX	EA	1.00	$9,500.00	$9,500.00
MD7	5'x5' JUNCTION BOX	EA	1.00	$11,500.00	$11,500.00
MD8	10' CURB INLET	EA	2.00	$4,250.00	$8,500.00
MD9	20' CURB INLET	EA	2.00	$9,000.00	$18,000.00
MD10	CONCRETE RIP RAP	SY	60.00	$95.00	$5,700.00
MD11	GRADE TO DRAIN	LF	280.00	$25.00	$7,000.00
MD12	TRENCH SAFETY	LF	1,055.00	$1.00	$1,055.00
MD13	T.V. STORM PIPE	LF	1,055.00	$1.25	$1,318.75
				SUB-TOTAL	**$174,547.75**

WATER

ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT COST	COST
W1	8" PVC	LF	5,122.00	$33.00	$169,026.00
W2	8" GATE VALVE	EA	21.00	$1,500.00	$31,500.00
W3	FITTINGS	TON	10.50	$2,750.00	$28,875.00
W4	3/4" WATER SERVICE - DOMESTIC - WITH METER BOX	EA	78.00	$1,500.00	$117,000.00
W5	FIRE HYDRANT ASSEMBLY WITH 6" LEAD & 6" GATE VALVE	EA	6.00	$5,500.00	$33,000.00
W6	CONNECT TO EXIST. WATER FROM McGEE ST.	EA	4.00	$1,000.00	$4,000.00
W7	CONNECT TO EXIST. WATER IN NORWOOD DR.	EA	1.00	$1,000.00	$1,000.00
W8	TRENCH SAFETY	LF	5,122.00	$1.00	$5,122.00
W9	TESTING	LF	5,122.00	$2.00	$10,244.00
				SUB-TOTAL	**$399,767.00**

SANITARY SEWER

ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT COST	COST
S1	8" PVC SEWER - SDR-26	LF	5,168.00	$33.00	$170,544.00
S2	4" SERVICE LATERALS W/CLEANOUTS	EA	79.00	$950.00	$75,050.00
S3	STD. 4' DIA. MANHOLE	EA	25.00	$5,000.00	$125,000.00
S4	CONNECT TO EXISTING MANHOLE	EA	2.00	$2,500.00	$5,000.00
S5	AERIAL CREEK CROSSING COMPLETE	LS	1.00	$150,000.00	$150,000.00

S6	TV INSPECTION & TESTING	LS	5,168.00	$1.25	$6,460.00
S7	TRENCH SAFETY	LF	5,168.00	$1.00	$5,168.00
				SUB-TOTAL	**$537,222.00**

EROSION CONTROL

ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT COST	COST
E1	SILT FENCE	LS	5,100.00	$2.00	$10,200.00
E2	INLET PROTECTION	EA	38.00	$300.00	$11,400.00
E3	CONSTRUCTION ENTRANCE	EA	2.00	$2,500.00	$5,000.00
E4	ROCK CHECK DAM	EA	5.00	$500.00	$2,500.00
E5	MATTING ALONG PARKWAYS	SY	6,800.00	$10.00	$68,000.00
E6	TREE PROTECTION	LS	2.00	$7,500.00	$15,000.00
				SUB-TOTAL	**$112,100.00**

MISC.

ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT COST	COST
M1	STREET LIGHT WITH BASE COMPLETE	EA	11.00	$10,000.00	$110,000.00
M2	STREET NAME SIGNS COMPLETE IN PLACE	EA	14.00	$1,250.00	$17,500.00
M3	PAVEMENT MARKINGS	LS	1.00	$1,000.00	$1,000.00
M4	TRAFFIC SIGNS COMPLETE IN PLACE	EA	6.00	$1,000.00	$6,000.00
M	SITE SURVEY	EA	1.00	$20,000.00	$20,000.00
				SUB-TOTAL	**$154,500.00**

McGee Street Base Bid Street Improvements

Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost
P01	MOBILIZATION	1	LS	$ 25,000.00	$25,000.00
P02	EXCAVATION (ROADWAY)	4,470	CY	$ 4.00	$17,880.00
P03	EMBANKMENT	1,440	CY	$ 4.00	$5,760.00
P04	LIME TRT (6")	8,411	SY	$ 3.00	$25,233.00
P05	LIME (@ 33LB/SY)	139	TON	$ 181.00	$25,159.00
P06	STREET HEADER	208	LF	$ 18.00	$3,744.00
P07	ASPHALT TO CONCRETE STREET HEADER	19	LF	$ 15.00	$285.00
P08	CONC PAVEMENT (CONT REINF) 8"	7,850	SY	$ 85.00	$667,250.00
P09	EROSION CONTROL	1	LS	$ 15,000.00	$15,000.00
P10	BARRICADES, SIGNS, AND TRAFFIC HANDLING	1	LS	$ 10,000.00	$10,000.00
P11	4" REINFORCED CONCRETE SIDEWALK	1,205	SY	$ 54.00	$65,070.00
P12	CURB RAMP	6	EA	$ 1,200.00	$7,200.00
P13	REFL PAV MRK TY I (W) 24" (SLD) 90 MIL	96	LF	$ 8.00	$768.00
P14	REFL PAV MRK TY I (Y) 4" (SLD) 90 MIL	4,427	LF	$ 1.25	$5,533.75
P15	FURNISH AND INSTALL SIGN AND SIGN POST ASSEMBLY	6	EA	$ 650.00	$3,900.00
P16	PEDESTRIAN RAIL	100	LF	$ 100.00	$10,000.00
P17	INTEGRAL RETAINING WALL (1.5' - 3.5') (CUT SCENARIO)	30	SY	$ 180.00	$5,400.00
P18	RETAINING WALL (TxDOT)	2,457	SF	$ 30.00	$73,710.00
				STREET IMPROVEMENTS SUBTOTAL	**$966,900**
BASE BID - DRAINAGE					
D01	TRENCH EXCAVATION PROTECTION (STORM SYSTEM)	421	LF	$ 3.00	$1,263.00
D02	RIPRAP (TYPE R)	9	SY	$ 175.00	$1,575.00
D03	RC PIPE (CL III)(18 IN)	214	LF	$ 60.00	$12,840.00
D04	5'x3' REINFORCED CONCRETE BOX (COMPLETE)	114	LF	$ 475.00	$54,150.00
D05	4'x2' REINFORCED CONCRETE BOX (COMPLETE)	61	LF	$ 450.00	$27,450.00
D06	15' STANDARD CURB INLET (COMPLETE)	2	EA	$ 8,000.00	$16,000.00
D07	WINGWALL (PW) (HW=3.5 FT)	1	EA	$ 6,000.00	$6,000.00
D08	TXDOT SW-0 WITH SET (TY I)(P)	2	EA	$ 12,000.00	$24,000.00
				DRAINAGE SUBTOTAL	**$143,300**
BASE BID - WATER SYSTEM					
W01	8" PVC PIPE (AWWA, C900, DR-18)	197	LF	$ 33.00	$6,501.00
W02	12" PVC PIPE (AWWA, C900, DR-18)	2,360	LF	$ 40.00	$94,400.00
W03	DUCTILE IRON WATER FITTINGS W/ RESTRAIN	2	TON	$ 7,500.00	$15,000.00
W04	CONNECT TO EXISTING WATER LINE	5	EA	$ 1,200.00	$6,000.00
W05	8" GATE VALVE	5	EA	$ 2,000.00	$10,000.00
W06	12" GATE VALVE	8	EA	$ 3,000.00	$24,000.00
W07	FIRE HYDRANT ASSEMBLY (INCLUDES LEAD/ 6" GATE VAL	6	EA	$ 5,000.00	$30,000.00
W08	CONCRETE ENCASEMENT	20	LF	$ 25.00	$500.00
W09	TRENCH EXCAVATION PROTECTION (WATER SYSTEM)	2,557	LF	$ 1.00	$2,557.00
				WATER SUBTOTAL	**$189,000**
BASE BID - LANDSCAPE					
LA1	FURNISHING AND PLACING TOPSOIL (4")	2,395	SY	$ 2.00	$4,790.00
LA2	BLOCK SOD (ROLL MIN. 36" WIDE)	2,395	SY	$ 4.00	$9,580.00
LA3	HYDROMULCH	2,220	SY	$ 1.50	$3,330.00
				LANDSCAPE SUBTOTAL	**$17,700**

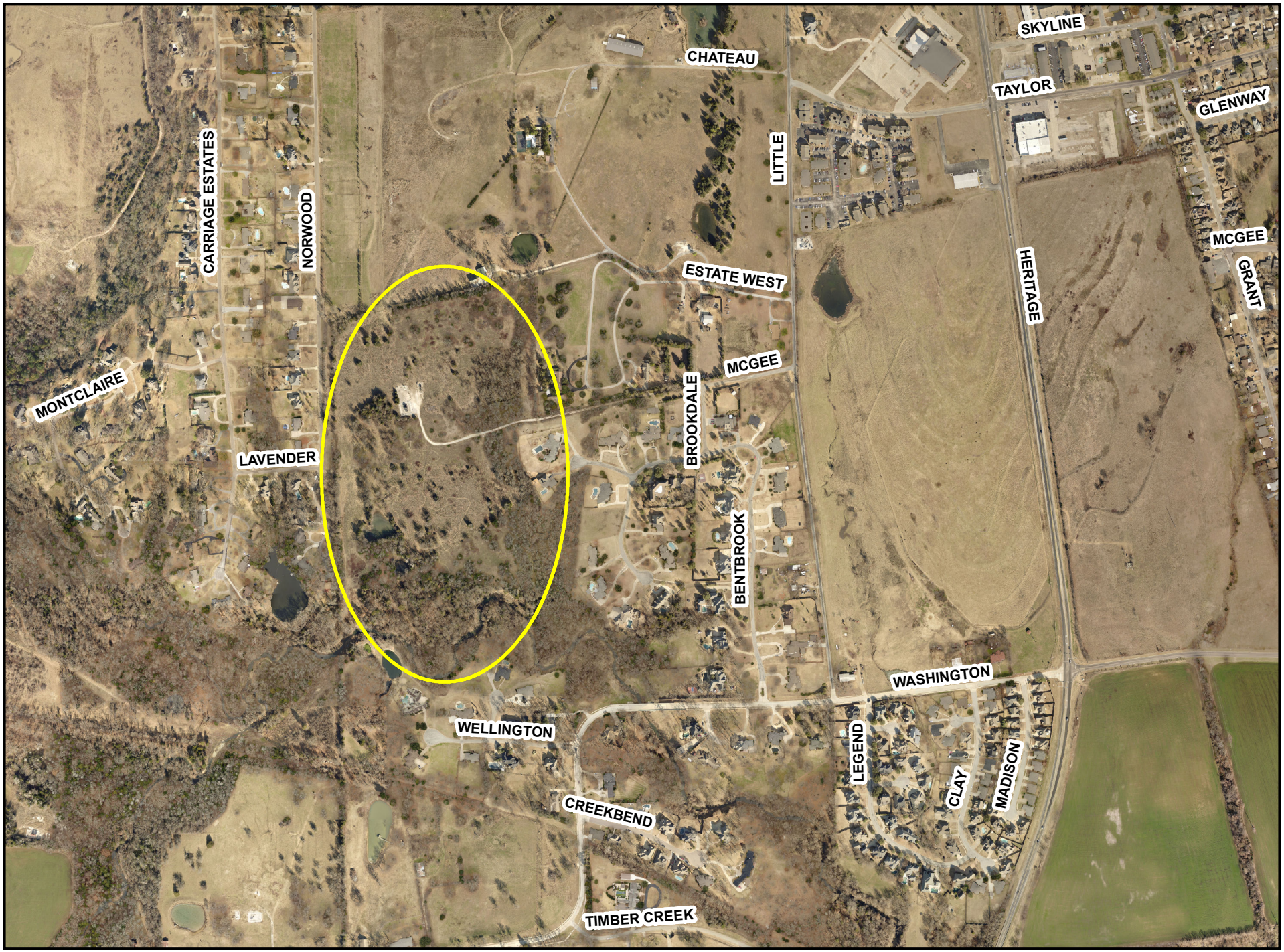
Cost Subtotal:	$1,316,900
Const. Conting. 5% (+/-)	$65,845
Total:	**$1,382,745**

DEVELOPER CONSTRUCTION COST SUMMARY

Grading	**$469,800.00**
Paving	**$1,303,710.75**
Drainage & Storm Sewer	**$653,302.13**
Water	**$399,767.00**
Sanitary Sewer	**$537,222.00**
Erosion Control	**$112,100.00**
Misc.	**$154,500.00**
SUB Total	**$3,630,401.88**
Contingencies (10%)	**$363,040.19**
HERITAGE CROSSING SUBDIVISION TOTAL	**$3,993,442.06**
McGee St	**$1,382,745.00**
McGee St. Drainage & Storm Sewer	**$174,547.75**
TOTAL PROJECT	**$5,550,734.81**

Total Developer	**$3,993,442.06**
Total City	**$1,557,292.75**

28% of total project



0 355 710 1,420 2,130 2,840 Feet

1 inch = 700 feet

N

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 3.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6574***

Authorizing Execution of an Encroachment Easement to Joseph Brown for the Installation of a Ten Foot Wide Asphalt Access Drive within the Unimproved Platted Public Right of Way shown as College Street, adjacent to Lot 8, Block K of the Washington Park Addition, Volume 1, Page 24, Plat Records, Grayson County, Texas, for Rear Entry Purposes for Lot No. 8, Block K of said Washington Park Addition in the City of Sherman, Grayson County, Texas, as shown in Exhibit "A", attached hereto and made a part hereof for all purposes

Issue:

To consider granting an encroachment easement into the platted public right of way shown as College Street, adjacent to Lot 8, Block K of the Washington Park Addition in the City of Sherman, Grayson County, Texas

Background:

The residence at 914 North Grant includes a detached garage off of the unimproved right of way being College Street. Past residents have utilized the unimproved College Street to access said detached garage. Mr. Joseph Brown, owner, would like to install a ten foot wide asphalt drive within the unimproved College Street to access the detached garage. This improvement will be removed at the expense of Mr. Brown if said College Street should ever extend.

Origination:

Joseph Brown, property owner

Financial Consideration:

Installation and maintenance of the ten foot wide paved access drive will be the financial responsibility of the Developer and any successors and/or assigns.

Staff Recommendation:

City staff has no objections to the proposed encroachment; and it is recommended that the encroachment be granted.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6574

Encroachment Easement

Exhibit A as noted in both Resolution and Encroachment Agreement

Washington Park Addition Plat

Aerial Location Map

RESOLUTION NO. 6574

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO JOSEPH BROWN FOR THE INSTALLATION OF A TEN FOOT WIDE ASPHALT ACCESS DRIVE WITHIN THE UNIMPROVED PLATTED PUBLIC RIGHT OF WAY SHOWN AS COLLEGE STREET, ADJACENT TO LOT 8, BLOCK K OF THE WASHINGTON PARK ADDITION, VOLUME 1, PAGE 24, PLAT RECORDS, GRAYSON COUNTY, TEXAS, FOR REAR ENTRY PURPOSES FOR LOT NO. 8, BLOCK K OF SAID WASHINGTON PARK ADDITION IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an encroachment easement to Joseph Brown for the installation of a ten foot wide asphalt access drive within the unimproved platted public right of way adjacent to Lot 8, Block K of the Washington Park Addition, Volume 1, Page 24, Plat Records of Grayson County, Texas, for rear entry purposes for Lot No. 8, Block K of said Washington Park Addition in the City of Sherman, Grayson County, Texas, as shown on the sketch marked Exhibit "A", attached hereto and incorporated herein for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

ENCROACHMENT EASEMENT

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

That the **CITY OF SHERMAN,** a municipal corporation of the State of Texas, hereinafter called "GRANTOR," in consideration of ONE DOLLAR AND NO CENTS ($1.00) and other good and valuable consideration to it, in hand paid, hereby grants to **JOSEPH BROWN** of Sherman, Texas, hereinafter called "GRANTEE," an encroachment easement to install a ten foot wide asphalt access drive within a platted unimproved right of way being College Street, adjacent to Lot 8, Block K of Washington Park Addition, in the City of Sherman, as shown on the Exhibit "A," attached hereto and incorporated herein for all purposes. Said encroachment easement shall be inferior, subordinate, and subject to the GRANTOR'S rights herein.

This instrument shall be construed as conveying an encroachment easement to GRANTEE, its heirs, successors and assigns, for the limited purpose of allowing a permanent residence within the herein described encroachment area. GRANTEE agrees that all maintenance of the residence shall be the responsibility of the GRANTEE without cost, fees or expense to GRANTOR.

That GRANTEE shall fully and completely indemnify and hold harmless the GRANTOR and any franchise utilities utilizing said easement from any and all damages, actions, suits, claims, demands, liabilities, executions and judgments, whether liquidated or unliquidated, absolute or contingent, direct or indirect, at law or in equity, together with attorney fees which may occur in any manner by reason of any manner, fact, or thing arising from this conveyance and use of the area.

In the event it becomes necessary for the GRANTOR or any public utility to utilize the encroachment area for the purpose of installing new utilities, removing or repairing any public utilities located therein, GRANTEE hereby releases GRANTOR and any public utility from any and all claims for damages, costs or expenses, and shall include, but specifically not be limited to, the cost of repair, relocation, or removal of structure and loss of use of such area.

TO HAVE AND TO HOLD the above described encroachment easement unto the said GRANTEE, its heirs, successors and assigns, until the use of such encroachment is no longer necessary.

EXECUTED this the _____ day of _____, 2019.

CITY:

CITY OF SHERMAN, a Texas home-rule municipal corporation

BY: _____

Robby Hefton,

City Manager

Approved as to Form and Content:

By: _____

Brandon Shelby,

City Attorney

OWNER:

JOSEPH BROWN, homeowner

BY: _____

Joseph Brown,

Homeowner

Attest: _____

Linda Ashby,

City Clerk

STATE OF TEXAS §

§

COUNTY OF GRAYSON §

THIS INSTRUMENT was subscribed, sworn to and acknowledged before me on _____, 2019, by Robby Hefton, City Manager of the **CITY OF SHERMAN**, a Texas home-rule municipal corporation, on behalf of said corporation.

_____

Notary Public, State of Texas

Printed Name of Notary: _____

My Commissions Expires: _____

STATE OF TEXAS §

§

COUNTY OF GRAYSON §

THIS INSTRUMENT was subscribed, sworn to and acknowledged before me on _____, 2019, by **JOSEPH BROWN**, individually, to be the person whose name is subscribed to the forgoing instrument and who acknowledged to me that he executed the same for the purposes and consideration expressed therein.

_____

Notary Public, State of Texas

Printed Name of Notary: _____

My Commissions Expires: _____

914 N. Grant
Remodel

Parking plan

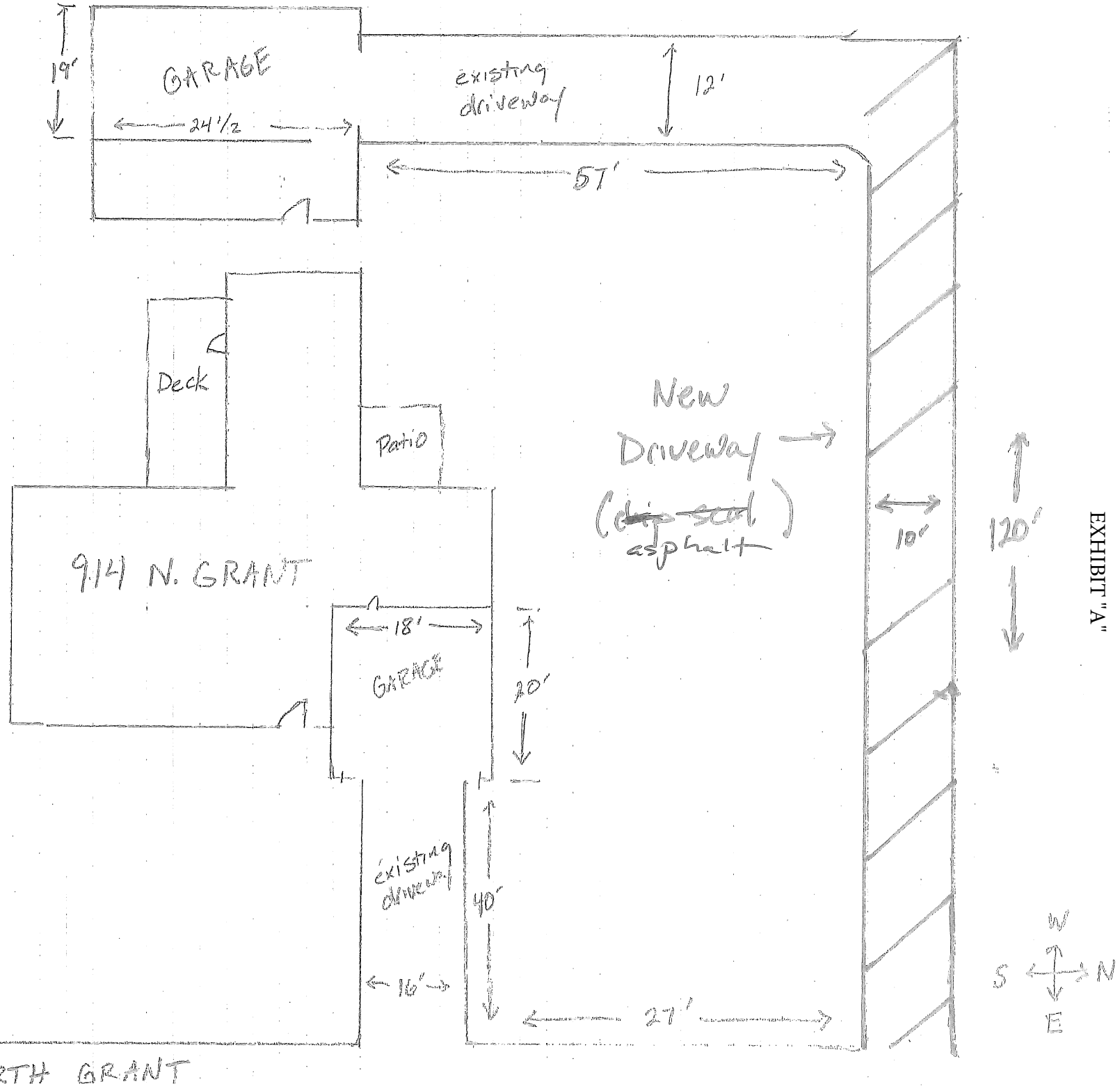


EXHIBIT "A"

THIS PLAT EXAMINED AND RECOMMENDED FOR APPROVAL OF THE CITY COMMISSION OF THE CITY OF SHERMAN.

DATE: _____ CITY ENGINEER

DATE: Tom Dennis CITY MANAGER

DATE: 1-1- Jackie Kinney CHAIRMAN-PLANNING COMM.

THIS PLAT IS THIS DAY ACCEPTED BY THE CITY COMMISSION OF THE CITY OF SHERMAN, TEXAS, BY ORDINANCE PASSED IN REGULAR MEETING OF THE CITY COMMISSION OF SHERMAN, TEXAS.

ATTEST:

DATE: 8-19-55 _____ CITY CLERK

DATE: _____ MAYOR OF SHERMAN

SCALE: 1" = 60.0'

WASHINGTON PARK

AN ADDITION TO THE CITY OF SHERMAN TEXAS

62.81 AC.

SITUATED IN GRAYSON COUNTY IN THE J.B. McANAIR SURVEY AND BEING A PART OF A 200 ACRE TRACT CONVEYED BY NANCY E. DUNN TO L.O. BLANTON JR. BY DEED RECORDED IN VOL. 520, PAGE 454 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

10137

914 N. Grant

0 100 200 400 600 800 Feet

1 inch = 200 feet

N

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 4.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6575

Awarding a Bid to and Authorizing Execution of a Contract with Lynn Vessels Construction, LLC based on an Invitation to Bid for Construction of the Lamberth Road Drainage Improvements Project

Issue:

To consider awarding a bid to and authorizing execution of a contract with Lynn Vessels Construction, LLC of Sherman, Texas, based on an invitation to bid, for construction of the Lamberth Road Drainage Improvements Project

Background:

This project will increase capacity of the east fork crossing of Post Oak Creek to handle a one hundred-year event. Currently the road has flooding issues and would be overtopped in a ten-year event. The existing ten foot (10') diameter culvert is being replaced with four 12' x 12' box culverts; and the road in that area is being raised four feet (4'). This project will also replace the asphalt street with 1,100 linear feet of concrete between U.S. Highway 75 and North Travis Street.

Four (4) bidders responded to the request for bids. The low bid in the amount of $2,288,933.74 was submitted by Lynn Vessels Construction, LLC of Sherman, Texas. A bid tabulation is attached.

Origination:

Engineering Department

Financial Consideration:

This project is funded through the Stormwater Utility Fund Program budget.

Staff Recommendation:

It is recommended that the bid be awarded for construction of the Lamberth Road Drainage Improvements Project to Lynn Vessels Construction, LLC in the amount of $2,288,933.74. It is also recommended that the City Manager be authorized to execute the required contract documents.

Alternatives:

As may be directed by City Council

Attachments

Resolution No. 6575
Contract Agreement
Bid Tabulation
Aerial Location Map

RESOLUTION NO. 6575

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE LAMBERTH ROAD DRAINAGE IMPROVEMENTS PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Lynn Vessels Construction, LLC of Sherman, Texas, be and is hereby awarded the bid and the City of Sherman hereby approves the contract with Lynn Vessels Construction, LLC in the amount of Two Million Two Hundred Eighty-Eight Thousand Nine Hundred Thirty-Three Dollars and Seventy-Four Cents ($2,288,933.74) for construction of the Lamberth Road Drainage Improvements Project; and that the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract with Lynn Vessels Construction, LLC for the aforementioned project, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

CONTRACT AGREEMENT

STATE OF TEXAS

COUNTY OF GRAYSON

THIS AGREEMENT is made and entered into this 16 day of December 2019, by and between the City of Sherman, of the County of Grayson and State of Texas, acting through its City Manager, thereunto duly authorized so to do, Party of the First Part, hereinafter termed the OWNER, and Lynn Vessels Construction, LLC of the City of Sherman, County of Grayson, State of Texas, Party of the Second Part, hereinafter termed CONTRACTOR.

WITNESSETH: That for and in consideration of the payment and agreement hereinafter mentioned, to be made and performed by the OWNER, the said CONTRACTOR hereby agrees with the said OWNER to commence and complete construction of certain improvements as follows:

Lamberth Road Drainage Improvements

and all extra work in connection therewith, under the terms as stated in the General and Specific Conditions of the AGREEMENT; and at his own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the said construction, in accordance with the conditions and prices stated in the Proposal attached hereto and in accordance with the Advertisement for Bids, Instructions to Bidders, General Provisions, Special Provisions, Plans, and other drawings and printed or written explanatory matter thereof, and the Technical Specifications and Addenda thereto, as prepared by the OWNER, each of which has been identified by the endorsement of the CONTRACTOR and the OWNER thereon, together with the CONTRACTOR's written Proposal and the General Provisions, all of which are made a part hereof and collectively evidence and constitute the entire AGREEMENT.

Notice to Proceed

The CONTRACTOR hereby agrees to commence work within ten (10) calendar days after the date of written notice to do so shall have been given to him, to complete the work within Two Hundred Forty **(240)** calendar days, after he commences work, subject to such extensions of time as are provided by the General Provisions.

The OWNER agrees to pay the CONTRACTOR Two Million, Two Hundred Eighty-Eight Thousand, Nine Hundred Thirty-Three Dollars and Seventy-Four Cents ($2,288,933.74) in current funds for the performance of the Contract in accordance with the Proposal submitted thereof, subject to additions and deductions, as provided in the General Provisions, and to make payments of account thereof as provided therein.

IN WITNESS WHEREOF, the parties of these presents have executed this AGREEMENT in the year and day first above written.

CITY OF SHERMAN, TEXAS (OWNER) **ATTEST:**

By:_____ By:_____

Robby Hefton, City Manager Linda Ashby, City Clerk

By:_____ By:_____

(CONTRACTOR) ATTEST:

The following to be executed if the CONTRACTOR is a corporation:

I,_____certify that I am the secretary of the corporation named as CONTRACTOR herein; that_____, who signed this Contract on behalf of the CONTRACTOR is the_____(official title) of said corporation; that said Contract was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Signed: _____

Corporate Seal

Bid Tabulation
Project: Lamberth Road Drainage Improvements
Owner: City of Sherman
Number: 2019-17
Public Works Project # 3045
Date: Thursday, October 3, 2019

Item	Estimated Quantity		Description	Lynn Vessels Construction, LLC Unit Price	Lynn Vessels Construction, LLC Total Price	Ed Bell Construction Unit Price	Ed Bell Construction Total Price	Joe Funk Construction Unit Price	Joe Funk Construction Total Price	Atkins Bros Construction Unit Price	Atkins Bros Construction Total Price
			Schedule 1: Site Preparation, Demolition & Project Wide								
1.01	1	LS	For MOBILIZATION (MAXIMUM 5% OF BASE BID), complete in place	$98,292.00	$98,292.00	$88,000.00	$88,000.00	$189,800.00	$189,800.00	$20,000.00	$20,000.00
1.02	1	EA	For PROJECT SIGN, complete in place	$900.00	$900.00	$600.00	$600.00	$1,625.00	$1,625.00	$1,000.00	$1,000.00
1.03	1	LS	For TRAFFIC CONTROL, complete in place	$15,600.00	$15,600.00	$72,000.00	$72,000.00	$24,375.00	$24,375.00	$10,000.00	$10,000.00
1.04	2	ACRE	For PREPARING RIGHT OF WAY, complete in place	$6,330.00	$12,660.00	$31,500.00	$63,000.00	$13,015.02	$26,030.04	$2,000.00	$4,000.00
1.05	57	EA	For REMOVE TREE 6” OR LARGER, complete in place	$480.00	$27,360.00	$550.00	$31,350.00	$1,560.00	$88,920.00	$2,000.00	$114,000.00
1.06	1	LS	For STORM WATER POLLUTION PREVENTION PLAN, complete in place	$5,514.00	$5,514.00	$12,000.00	$12,000.00	$3,250.00	$3,250.00	$20,000.00	$20,000.00
1.07	320	LF	For SEDIMENT CONTROL FENCE (INSTALL/ MAINTAIN/ REMOVE), complete in place	$2.40	$768.00	$2.75	$880.00	$7.80	$2,496.00	$40.00	$12,800.00
1.08	3	EA	For STABILIZED CONSTRUCTION ENTRANCE/EXIT (INSTALL/ MAINTAIN/ REMOVE), complete in place	$1,800.00	$5,400.00	$2,475.00	$7,425.00	$3,900.00	$11,700.00	$5,000.00	$15,000.00
1.09	110	LF	For ROCK FILTER CHECK DAM (INSTALL/ MAINTAIN/ REMOVE), complete in place	$30.00	$3,300.00	$66.00	$7,260.00	$455.00	$50,050.00	$200.00	$22,000.00
1.10	600	LF	For TRENCH EXCAVATION PROTECTION, complete in place	$2.40	$1,440.00	$4.14	$2,484.00	$6.50	$3,900.00	$2.00	$1,200.00
1.11	73	LF	For REMOVE AND DISPOSE OF GABION WALL, complete in place	$39.60	$2,890.80	$104.49	$7,627.77	$275.02	$20,076.46	$100.00	$7,300.00
1.12	140	LF	For REMOVE AND DISPOSE OF CONCRETE OR MASONRY WALL, complete in place	$102.00	$14,280.00	$54.48	$7,627.20	$242.52	$33,952.80	$100.00	$14,000.00
1.13	120	LF	For REMOVE AND DISPOSE OF REINFORCED CONCRETE PIPE OR CORRUGATED METAL PIPE, complete in place	$30.00	$3,600.00	$36.96	$4,435.20	$242.52	$29,102.40	$100.00	$12,000.00
1.14	4,260	SY	For REMOVE PAVEMENT AND CONCRETE RIPRAPS, SIDEWALKS AND FLATWORK, complete in place	$9.72	$41,407.20	$7.16	$30,501.60	$30.62	$130,441.20	$50.00	$213,000.00
1.15	1	LS	For REMOVE AND DISPOSE OF 120-INCH CMP CULVERT, complete in place	$7,200.00	$7,200.00	$3,813.88	$3,813.88	$14,950.00	$14,950.00	$20,000.00	$20,000.00
1.16	1	LS	For REMOVE AND DISPOSE OF TRIPLE 36-INCH RCP CULVERT, complete in place	$9,600.00	$9,600.00	$3,813.88	$3,813.88	$12,350.00	$12,350.00	$15,000.00	$15,000.00
			Schedule 1: Site Preparation, Demolition & Project Wide Subtotal	**$250,212.00**		**$342,818.53**		**$643,018.90**		**$501,300.00**	
			Schedule 2: Channel/Drainage/Grading/Roadway Improvements								
2.01	2700	CY	For EARTHWORK - CUT & FILL WITHIN SITE, complete in place	$15.00	$40,500.00	$20.28	$54,756.00	$60.52	$163,404.00	$40.00	$108,000.00
2.02	350	CY	For EARTHWORK - HAUL OFF EXCESS SOIL, complete in place	$22.20	$7,770.00	$23.14	$8,099.00	$47.52	$16,632.00	$40.00	$14,000.00
2.03	3950	SY	For TOPSOIL (6"), complete in place	$7.89	$31,165.50	$6.00	$23,700.00	$13.00	$51,350.00	$50.00	$197,500.00
2.04	1900	SY	For ESTABLISH GRASS BY BERMUDA BLOCK SODDING, complete in place	$7.20	$13,680.00	$5.00	$9,500.00	$9.10	$17,290.00	$35.00	$66,500.00
2.05	1,600	SY	For ESTABLISH GRASS BY BERMUDA BLOCK SODDING (SECURED BY STAPLES), complete in place	$7.20	$11,520.00	$8.00	$12,800.00	$11.70	$18,720.00	$36.00	$57,600.00
2.06	500	SY	For SOIL RETENTION BLANKET, complete in place	$3.00	$1,500.00	$3.15	$1,575.00	$71.50	$35,750.00	$30.00	$15,000.00
2.07	500	SY	For ESTABLISH GRASS BY HYDROMULCH SEEDING, complete in place	$7.20	$3,600.00	$5.00	$2,500.00	$6.50	$3,250.00	$10.00	$5,000.00
2.08	1	CY	For PVC-COATED GABION BASKET WITH GEOTEXTILE FABRIC, complete in place	$2,100.00	$2,100.00	$427.00	$427.00	$650.00	$650.00	$1,200.00	$1,200.00
2.09	92	SY	For CONCRETE CHANNEL LINING, complete in place	$193.59	$17,810.28	$210.00	$19,320.00	$242.52	$22,311.84	$300.00	$27,600.00
2.10	67	LF	For REINFORCED CONCRETE PIPE (CL III) (18”), complete in place	$67.92	$4,550.64	$95.00	$6,365.00	$112.52	$7,538.84	$150.00	$10,050.00
2.11	90	LF	For REINFORCED CONCRETE PIPE (CL III) (24”), complete in place	$89.52	$8,056.80	$105.00	$9,450.00	$138.52	$12,466.80	$200.00	$18,000.00
2.12	67	LF	For REINFORCED CONCRETE PIPE (CL III) (36”), complete in place	$149.28	$10,001.76	$175.00	$11,725.00	$288.02	$19,297.34	$300.00	$20,100.00

2.13	192	LF	For FOUR-BARREL 12'X12' CONCRETE BOX CULVERT, complete in place	$1,681.54	$322,855.68	$2,011.50	$386,208.00	$5,865.02	$1,126,083.84	$8,000.00	$1,536,000.00
2.14	94	LF	For TWO-BARREL 8'X7' CONCRETE BOX CULVERT, complete in place	$1,156.05	$108,668.70	$881.34	$82,845.96	$2,225.02	$209,151.88	$2,500.00	$235,000.00
2.15	1	LS	For PARALLEL WINGWALL "A", complete in place	$260,397.60	$260,397.60	$214,000.00	$214,000.00	$62,400.00	$62,400.00	$10,000.00	$10,000.00
2.16	1	LS	For PARALLEL WINGWALL "C", complete in place	$55,590.00	$55,590.00	$35,000.00	$35,000.00	$19,825.00	$19,825.00	$15,000.00	$15,000.00
2.17	1	LS	For MODULAR CONCRETE RETAINING WALL "2", complete in place	$48,067.20	$48,067.20	$73,500.00	$73,500.00	$45,500.00	$45,500.00	$15,000.00	$15,000.00
2.18	1	LS	For MODULAR CONCRETE RETAINING WALL "3", complete in place	$48,067.20	$48,067.20	$73,500.00	$73,500.00	$52,000.00	$52,000.00	$27,000.00	$27,000.00
2.19	192	LF	For TRAFFIC AND PEDESTRIAN COMBINATION RAIL, complete in place	$138.74	$26,638.08	$166.76	$32,017.92	$120.90	$23,212.80	$110.00	$21,120.00
2.20	4000	SY	For CEM-LIME™ SUBGRADE TREATMENT , complete in place	$4.20	$16,800.00	$4.00	$16,000.00	$24.70	$98,800.00	$70.00	$280,000.00
2.21	50	TON	For CEM-LIME™ MATERIALS , complete in place	$210.00	$10,500.00	$420.00	$21,000.00	$260.00	$13,000.00	$130.00	$6,500.00
2.22	170	CY	For FLEXIBLE BASE, complete in place	$72.71	$12,360.70	$111.00	$18,870.00	$45.50	$7,735.00	$90.00	$15,300.00
2.23	3800	SY	For 8-INCH REINFORCED CONCRETE PAVEMENT, complete in place	$57.25	$217,550.00	$80.00	$304,000.00	$97.50	$370,500.00	$150.00	$570,000.00
2.24	1910	LF	For 6-INCH MONOLITHIC CONCRETE CURB, complete in place	$5.71	$10,906.10	$3.00	$5,730.00	$23.40	$44,694.00	$40.00	$76,400.00
2.25	660	SY	For 4-INCH CONCRETE SIDEWALK , complete in place	$54.24	$35,798.40	$63.00	$41,580.00	$71.50	$47,190.00	$45.00	$29,700.00
2.26	200	SY	For CONCRETE DRIVEWAY , complete in place	$52.45	$10,490.00	$120.00	$24,000.00	$97.50	$19,500.00	$70.00	$14,000.00
2.27	1	LS	For PAVEMENT MARKINGS , complete in place	$3,900.00	$3,900.00	$4,000.00	$4,000.00	$19,175.00	$19,175.00	$7,500.00	$7,500.00
2.28	10	EA	For TRAFFIC SIGNS , complete in place	$600.00	$6,000.00	$500.00	$5,000.00	$845.00	$8,450.00	$1,200.00	$12,000.00
2.29	120	SF	For SIDEWALK WALL, complete in place	$25.62	$3,074.40	$90.00	$10,800.00	$52.00	$6,240.00	$10.00	$1,200.00
2.30	1	EA	For INLET (CURB) (6'), complete in place	$3,414.00	$3,414.00	$7,500.00	$7,500.00	$7,150.00	$7,150.00	$8,000.00	$8,000.00
2.31	3	EA	For INLET (CURB) (8'), complete in place	$4,386.00	$13,158.00	$8,750.00	$26,250.00	$9,750.00	$29,250.00	$9,000.00	$27,000.00
2.32	2	EA	For INLET (CURB) (RECESSED) (10'), complete in place	$4,536.00	$9,072.00	$10,000.00	$20,000.00	$12,350.00	$24,700.00	$12,000.00	$24,000.00
			Schedule 2: Channel/Drainage/Grading/Roadway Improvements Subtotal	**$1,375,563.04**		**$1,562,018.88**		**$2,603,218.34**		**$3,471,270.00**	
			Schedule 3: Water & Sanitary Sewer Improvements								
3.01	220	LF	For REMOVE OR ABANDON SANITARY SEWER PIPE, complete in place	$30.00	$6,600.00	$16.50	$3,630.00	$23.40	$5,148.00	$20.00	$4,400.00
3.02	1	EA	For REMOVE SANITARY SEWER MANHOLE, complete in place	$1,500.00	$1,500.00	$1,650.00	$1,650.00	$1,950.00	$1,950.00	$2,000.00	$2,000.00
3.03	125	LF	For 8-INCH SANITARY SEWER PVC (SDR 26) PIPE, complete in place	$97.98	$12,247.50	$110.00	$13,750.00	$73.52	$9,190.00	$110.00	$13,750.00
3.04	1	EA	For STANDARD 4 FEET DIA. SANITARY SEWER MH, complete in place	$4,755.60	$4,755.60	$8,800.00	$8,800.00	$7,410.00	$7,410.00	$7,000.00	$7,000.00
3.05	1	EA	For SEALED 4 FEET DIA. SANITARY SEWER MH, complete in place	$4,716.00	$4,716.00	$11,000.00	$11,000.00	$5,200.00	$5,200.00	$8,500.00	$8,500.00
3.06	245	LF	For REMOVE WATER PIPE , complete in place	$30.00	$7,350.00	$16.50	$4,042.50	$41.02	$10,049.90	$20.00	$4,900.00
3.07	255	LF	For 8-INCH C-900 DR-18 PVC WATER PIPE, complete in place	$102.00	$26,010.00	$110.00	$28,050.00	$73.52	$18,747.60	$95.00	$24,225.00
3.08	3	EA	For 8-INCH GATE VALVE, complete in place	$1,460.00	$4,380.00	$2,750.00	$8,250.00	$2,860.00	$8,580.00	$2,000.00	$6,000.00
3.09	5	EA	For ADJUST SANITARY SEWER MANHOLE TO FINISHED GRADE, complete in place	$558.00	$2,790.00	$2,750.00	$13,750.00	$747.50	$3,737.50	$600.00	$3,000.00
3.10	7	EA	For ADJUST WATER METER BOX OR VALVE BOX TO FINISHED GRADE, complete in place	$246.00	$1,722.00	$550.00	$3,850.00	$325.00	$2,275.00	$500.00	$3,500.00
			Schedule 3: Water & Sanitary Sewer Improvements Subtotal	**$72,071.10**		**$96,772.50**		**$72,288.00**		**$77,275.00**	
			Schedule 4: Bid Option 1 Improvements								
4.01	250	CY	For EARTHWORK - CUT & FILL WITHIN SITE, complete in place	$15.00	$3,750.00	$15.89	$3,972.50	$45.50	$11,375.00	$40.00	$10,000.00
4.02	1500	CY	For EARTHWORK - HAUL OFF EXCESS SOIL, complete in place	$22.20	$33,300.00	$14.12	$21,180.00	$32.50	$48,750.00	$40.00	$60,000.00
4.03	650	SY	For TOPSOIL (6"), complete in place	$7.89	$5,128.50	$4.75	$3,087.50	$13.00	$8,450.00	$30.00	$19,500.00
4.04	150	SY	For ESTABLISH GRASS BY BERMUDA BLOCK SODDING, complete in place	$7.20	$1,080.00	$8.09	$1,213.50	$9.10	$1,365.00	$20.00	$3,000.00
4.05	500	SY	For ESTABLISH GRASS BY BERMUDA BLOCK SODDING (SECURED BY STAPLES), complete in place	$7.20	$3,600.00	$9.25	$4,625.00	$11.70	$5,850.00	$20.00	$10,000.00
4.06	900	SY	For 24" THICK DRY ROCK RIPRAP, 18" GRADATION WITH GRAVEL BASE AND FILTER FABRIC, complete in place	$108.13	$97,317.00	$125.64	$113,076.00	$227.50	$204,750.00	$170.00	$153,000.00

4.07	1	LS	For PARALLEL WINGWALL "B" OPTION 1, complete in place	$260,280.00	$260,280.00	$124,005.67	$124,005.67	$51,805.00	$51,805.00	$10,000.00	$10,000.00
4.08	1	LS	For PARALLEL WINGWALL "D" OPTION 1, complete in place	$165,163.20	$165,163.20	$72,804.96	$72,804.96	$34,905.00	$34,905.00	$12,000.00	$12,000.00
4.09	1	LS	For CONCRETE RETAINING WALL "1" OPTION 1, complete in place	$79,824.00	$79,824.00	$113,078.65	$113,078.65	$34,450.00	$34,450.00	$50,000.00	$50,000.00
4.10	1	LS	For CONCRETE RETAINING WALL "4" OPTION 1, complete in place	$63,220.80	$63,220.80	$71,825.92	$71,825.92	$35,750.00	$35,750.00	$60,000.00	$60,000.00
4.11	247	LF	For TRAFFIC AND PEDESTRIAN COMBINATION RAIL, complete in place	$138.74	$34,268.78	$166.63	$41,157.61	$113.10	$27,935.70	$130.00	$32,110.00
			Schedule 4: Bid Option 1 Improvements Subtotal	**$746,932.28**		**$570,027.31**		**$465,385.70**		**$419,610.00**	
			BASE BID + BID OPTION 1 (ITEMS 1.01 TO 4.11)	**$2,444,778.42**		**2,571,637.22**		**3,783,910.94**		**4,469,455.00**	
			Schedule 5: Bid Option 2 Improvements								
5.01	470	CY	For EARTHWORK - CUT & FILL WITHIN SITE, complete in place	$15.00	$7,050.00	$13.16	$6,185.20	$45.50	$21,385.00	$40.00	$18,800.00
5.02	930	CY	For EARTHWORK - HAUL OFF EXCESS SOIL, complete in place	$22.20	$20,646.00	$14.23	$13,233.90	$32.50	$30,225.00	$40.00	$37,200.00
5.03	525	SY	For TOPSOIL (6"), complete in place	$7.89	$4,142.25	$5.89	$3,092.25	$13.00	$6,825.00	$30.00	$15,750.00
5.04	525	SY	For ESTABLISH GRASS BY BERMUDA BLOCK SODDING, complete in place	$7.20	$3,780.00	$8.09	$4,247.25	$9.10	$4,777.50	$20.00	$10,500.00
5.05	690	SY	For 24" THICK DRY ROCK RIPRAP, 18" GRADATION WITH GRAVEL BASE AND FILTER FABRIC, complete in place	$7.20	$4,968.00	$125.64	$86,691.60	$227.50	$156,975.00	$120.00	$82,800.00
5.06	55	SY	For 24" THICK GROUTED ROCK RIPRAP, 18" GRADATION WITH GRAVEL BASE AND FILTER FABRIC, complete in place	$108.13	$5,947.15	$232.62	$12,794.10	$260.00	$14,300.00	$200.00	$11,000.00
5.07	1	LS	For PARALLEL WINGWALL "B" OPTION 2, complete in place	$196,542.00	$196,542.00	$111,867.72	$111,867.72	$23,400.00	$23,400.00	$10,000.00	$10,000.00
5.08	1	LS	For PARALLEL WINGWALL "D" OPTION 2, complete in place	$56,370.00	$56,370.00	$30,769.11	$30,769.11	$36,400.00	$36,400.00	$15,000.00	$15,000.00
5.09	1	LS	For MODULAR CONCRETE RETAINING WALL "1" OPTION 2, complete in place	$85,429.41	$85,429.41	$92,190.19	$92,190.19	$80,600.00	$80,600.00	$20,000.00	$20,000.00
5.10	1	LS	For MODULAR CONCRETE RETAINING WALL "4" OPTION 2, complete in place	$91,823.18	$91,823.18	$80,480.69	$80,480.69	$93,600.00	$93,600.00	$30,000.00	$30,000.00
5.11	1	LS	For MODULAR CONCRETE RETAINING WALL "5" OPTION 2, complete in place	$91,636.25	$91,636.25	$71,117.52	$71,117.52	$97,500.00	$97,500.00	$40,000.00	$40,000.00
5.12	164	LF	For TRAFFIC AND PEDESTRIAN COMBINATION RAIL, complete in place	$138.74	$22,753.36	$166.89	$27,369.96	$97.50	$15,990.00	$120.00	$19,680.00
			Schedule 5: Bid Option 2 Improvements Subtotal	**$591,087.60**		**$540,039.49**		**$581,977.50**		**$310,730.00**	
			BASE BID + BID OPTION 2 (ITEMS 1.01 TO 3.01 AND ITEMS 5.01 TO 5.12)	**$2,288,933.74**		**$2,541,649.40**		**$3,900,502.74**			

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

Lamberth Road Drainage Improvements Project

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 1.**

Meeting Date: 12/16/2019

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

**** REQUEST TO ADVERTISE***

Annual Supply of Chemicals

Issue:

Approval of a request to advertise for the annual supply of chemicals for the calendar year 2020

Background:

Annually, the City requests public bids or renews the contract, if able, for the supply of our industrial chemical purchases. These chemicals are for use at the Water Treatment Plant and the Wastewater Treatment Plant.

Origination:

Utilities Administration

Financial Consideration:

Funds for the purchase of chemicals are included in the recently approved budget for fiscal year 2019-2020. Advertising costs are estimated to be about $200.00.

Staff Recommendation:

It is recommended that the City Council approve the advertising related to the purchase of the annual supply of chemicals.

Alternatives:

As may be directed by the City Council

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **H. 1.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

CHANGE ORDER NO. 1

Lamberth Road Drainage Improvements Project; Lynn Vessels Construction, LLC; $747,180.72 decrease

Issue:

To consider the approval of Change Order No. 1 with Lynn Vessels Construction, LLC for the Lamberth Road Drainage Improvements Project

Background:

Change Order No. 1 will adjust the project quantities for the Lamberth Road Drainage Improvements Project. Once the project bids were received, design changes were created to decrease the scope and cost of the project. Design changes included splitting the project into two phases. Adding a second phase to the project allows for the removal of the east creek crossing, which resulted in the cost savings of $747,180.72. This decrease does fall within the budgeted amount in the Stormwater Utility Fund; and Phase II will be added to a future improvement schedule.

Origination:

Engineering Department

Financial Consideration:

The change order results in a $747,180.72 decrease in the contract amount, yielding a final contract price of $1,541,753.02

Staff Recommendation:

It is recommended the Change Order No. 1 for the Lamberth Road Drainage Improvements Project be approved

Alternatives:

As may be directed by the City Council

Attachments

Change Order
Project Map
Aerial Location Map

Change Order

No. 1 (One)

Date of Issuance: December 10, 2019

Project: Lamberth Post Oak Drainage Improvements	Project No.: PW #3045 Bid No.: 2019-17
Owner: City of Sherman	Date of Contract: TBD
Contractor: Lynn Vessels Construction	

The Contract Documents are modified as follows upon execution of this Change Order:

See attached Change Order #1 spreadsheet (2-pages)

Justification:

Adjustment to project to bring within Owner construction budget

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: $2,288,933.74	Original Contract Times: Substantial completion days: 240 Substantial completion date: TBD
Increase from previously approved Change Orders No. 0 to No. 0: $0	Increase from previously approved Change Orders No. 0 to No. 0: Substantial completion days: : 0 Substantial completion date: TBD
Contract Price prior to this Change Order: $2,288,933.74	Contract Times prior to this Change Order: Substantial completion days: : 240 Substantial completion date: TBD
Decrease of this Change Order: $747,180.72	Decrease of this Change Order: Substantial completion days: 60 Substantial completion date: TBD
Contract Price incorporating this Change Order: $1,541,753.02	Contract Times with all approved Change Orders: Substantial completion days: : 180 Substantial completion date: TBD

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____	By: _____	By: _____
Engineer (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____

City of Sherman, TX
Change Order #1
Lynn Vessels Construction
LAMBERTH ROAD DRAINAGE IMPROVEMENTS
COS# 3045; Bid Number 2019-17

ITEM NO.	ITEM DESCRIPTION	UNIT	Contractor Unit Price	Change Order #1 Quantity	Change Order #1 Item Cost
BASE BID - BID SCHEDULE 1: SITE PREPARATION, DEMOLITION AND PROJECT-WIDE					
1.01	MOBILIZATION (MAXIMUM 5% OF BASE BID)	LS	$ 98,292.00	0.880	$ 86,496.96
1.02	PROJECT SIGN	EA	$ 900.00	1	$ 900.00
1.03	TRAFFIC CONTROL	LS	$ 15,600.00	0.75	$ 11,700.00
1.04	PREPARING RIGHT OF WAY	ACRE	$ 6,330.00	1.45	$ 9,178.50
1.05	REMOVE TREE 6” OR LARGER	EA	$ 480.00	47	$ 22,560.00
1.06	STORM WATER POLLUTION PREVENTION PLAN	LS	$ 5,514.00	0.8	$ 4,411.20
1.07	SEDIMENT CONTROL FENCE (INSTALL/ MAINTAIN/ REMOVE)	LF	$ 2.40	320	$ 768.00
1.08	STABILIZED CONSTRUCTION ENTRANCE/EXIT (INSTALL/ MAINTAIN/ REMOVE)	EA	$ 1,800.00	2	$ 3,600.00
1.09	ROCK FILTER CHECK DAM (INSTALL/ MAINTAIN/ REMOVE)	LF	$ 30.00	55	$ 1,650.00
1.10	TRENCH EXCAVATION PROTECTION	LF	$ 2.40	521	$ 1,250.40
1.11	REMOVE AND DISPOSE OF GABION WALL	LF	$ 39.60	14	$ 554.40
1.12	REMOVE AND DISPOSE OF CONCRETE OR MASONRY WALL	LF	$ 102.00	80	$ 8,160.00
1.13	REMOVE AND DISPOSE OF REINFORCED CONCRETE PIPE OR CORRUGATED METAL PIPE	LF	$ 30.00	120	$ 3,600.00
1.14	REMOVE PAVEMENT AND CONCRETE RIPRAPS, SIDEWALKS AND FLATWORK	SY	$ 9.72	2710	$ 26,341.20
1.15	REMOVE AND DISPOSE OF 120-INCH CMP CULVERT	LS	$ 7,200.00	1	$ 7,200.00
1.16	REMOVE AND DISPOSE OF TRIPLE 36-INCH RCP CULVERT	LS	$ 9,600.00		$ -
BASE BID - BID SCHEDULE 1: SITE PREPARATION, DEMOLITION AND PROJECT-WIDE					**$ 188,370.66**

BASE BID - BID SCHEDULE 2: CHANNEL/DRAINAGE/GRADING/ROADWAY IMPROVEMENTS					
2.01	EARTHWORK - CUT & FILL WITHIN SITE	CY	$ 15.00	2200	$ 33,000.00
2.02	EARTHWORK - HAUL OFF EXCESS SOIL	CY	$ 22.20	350	$ 7,770.00
2.03	TOPSOIL (6")	SY	$ 7.89	3150	$ 24,853.50
2.04	ESTABLISH GRASS BY BERMUDA BLOCK SODDING	SY	$ 7.20	1100	$ 7,920.00
2.05	ESTABLISH GRASS BY BERMUDA BLOCK SODDING (SECURED BY STAPLES)	SY	$ 7.20	1600	$ 11,520.00
2.06	SOIL RETENTION BLANKET	SY	$ 3.00	500	$ 1,500.00
2.07	ESTABLISH GRASS BY HYDROMULCH SEEDING	SY	$ 7.20	500	$ 3,600.00
2.08	PVC-COATED GABION BASKET WITH GEOTEXTILE FABRIC	CY	$ 2,100.00		$ -
2.09	CONCRETE CHANNEL LINING	SY	$ 193.59		$ -
2.10	REINFORCED CONCRETE PIPE (CL III) (18”)	LF	$ 67.92	67	$ 4,550.64
2.11	REINFORCED CONCRETE PIPE (CL III) (24”)	LF	$ 89.52	90	$ 8,056.80
2.12	REINFORCED CONCRETE PIPE (CL III) (36”)	LF	$ 149.28	67	$ 10,001.76
2.13	FOUR-BARREL 12’X12’ CONCRETE BOX CULVERT	LF	$ 1,681.54	192	$ 322,855.68
2.14	TWO-BARREL 8’X7’ CONCRETE BOX CULVERT	LF	$ 1,156.05		$ -
2.15	PARALLEL WINGWALL "A"	LS	$ 260,397.60	1	$ 260,397.60
2.16	PARALLEL WINGWALL "C"	LS	$ 55,590.00		$ -
2.17	MODULAR CONCRETE RETAINING WALL "2"	LS	$ 48,067.20		$ -
2.18	MODULAR CONCRETE RETAINING WALL "3"	LS	$ 48,067.20		$ -
2.19	TRAFFIC AND PEDESTRIAN COMBINATION RAIL	LF	$ 138.74	161	$ 22,337.14
2.20	CEM-LIME™ SUBGRADE TREATMENT	SY	$ 4.20	2500	$ 10,500.00
2.21	CEM-LIME™ MATERIALS	TON	$ 210.00	30	$ 6,300.00
2.22	FLEXIBLE BASE	CY	$ 72.71	100	$ 7,271.00
2.23	8-INCH REINFORCED CONCRETE PAVEMENT	SY	$ 59.25	2370	$ 140,422.50
2.24	6-INCH MONOLITHIC CONCRETE CURB	LF	$ 5.85	1254	$ 7,335.90
2.25	4-INCH CONCRETE SIDEWALK	SY	$ 54.24	510	$ 27,662.40
2.26	CONCRETE DRIVEWAY	SY	$ 55.78	165	$ 9,203.70
2.27	PAVEMENT MARKINGS	LS	$ 2,513.00	0.5	$ 1,256.50
2.28	TRAFFIC SIGNS	EA	$ 600.00	5	$ 3,000.00
2.29	SIDEWALK WALL	SF	$ 25.62	120	$ 3,074.40
2.30	INLET (CURB) (6')	EA	$ 3,414.00	1	$ 3,414.00
2.31	INLET (CURB) (8')	EA	$ 4,386.00	1	$ 4,386.00
2.32	INLET (CURB) (RECESSED) (10')	EA	$ 4,536.00	2	$ 9,072.00
BASE BID - BID SCHEDULE 2: CHANNEL/DRAINAGE/GRADING/ROADWAY IMPROVEMENTS					**$ 951,261.52**

ITEM NO.	ITEM DESCRIPTION	UNIT	Contractor Unit Price	Change Order #1 Quantity	Change Order #1 Item Cost
BASE BID - BID SCHEDULE 3: WATER AND SANITARY SEWER IMPROVEMENTS					
3.01	REMOVE OR ABANDON SANITARY SEWER PIPE	LF	$ 30.00	220.00	$ 6,600.00
3.02	REMOVE SANITARY SEWER MANHOLE	EA	$ 1,500.00	1.00	$ 1,500.00
3.03	8-INCH SANITARY SEWER PVC (SDR 26) PIPE	LF	$ 97.98	125.00	$ 12,247.50
3.04	STANDARD 4 FEET DIA. SANITARY SEWER MH	EA	$ 4,755.60	1.00	$ 4,755.60
3.05	SEALED 4 FEET DIA. SANITARY SEWER MH	EA	$ 4,716.00	1.00	$ 4,716.00
3.06	REMOVE WATER PIPE	LF	$ 30.00	171.00	$ 5,130.00
3.07	8-INCH C-900 DR-18 PVC WATER PIPE	LF	$ 102.00	175.00	$ 17,850.00
3.08	8-INCH GATE VALVE	EA	$ 1,460.00	2.00	$ 2,920.00
3.09	ADJUST SANITARY SEWER MANHOLE TO FINISHED GRADE	EA	$ 558.00	3.00	$ 1,674.00
3.10	ADJUST WATER METER BOX OR VALVE BOX TO FINISHED GRADE	EA	$ 246.00	5.00	$ 1,230.00
	BASE BID - BID SCHEDULE 3: WATER AND SANITARY SEWER IMPROVEMENTS				**$ 58,623.10**

BID OPTION 2 - BID SCHEDULE 5					
5.01	EARTHWORK - CUT & FILL WITHIN SITE	CY	$ 15.00	175	$ 2,625.00
5.02	EARTHWORK - HAUL OFF EXCESS SOIL	CY	$ 22.20	930	$ 20,646.00
5.03	TOPSOIL (6")	SY	$ 7.89	245	$ 1,933.05
5.04	ESTABLISH GRASS BY BERMUDA BLOCK SODDING	SY	$ 7.20	245	$ 1,764.00
5.05	24” THICK DRY ROCK RIPRAP, 18" GRADATION WITH GRAVEL BASE AND FILTER FABRIC	SY	$ 7.20	458	$ 3,297.60
5.06	24” THICK GROUTED ROCK RIPRAP, 18" GRADATION WITH GRAVEL BASE AND FILTER FABRIC	SY	$ 108.13	55	$ 5,947.15
5.07	PARALLEL WINGWALL "B" OPTION 2	LS	$ 196,542.00	1	$ 196,542.00
5.08	PARALLEL WINGWALL "D" OPTION 2	LS	$ 56,370.00		$ -
5.09	MODULAR CONCRETE RETAINING WALL "1" OPTION 2	LS	$ 92,568.00	1	$ 92,568.00
5.10	MODULAR CONCRETE RETAINING WALL "4" OPTION 2	LS	$ 91,823.18		$ -
5.11	MODULAR CONCRETE RETAINING WALL "5" OPTION 2	LS	$ 91,636.25		$ -
5.12	TRAFFIC AND PEDESTRIAN COMBINATION RAIL	LF	$ 138.74	131	$ 18,174.94
	BID OPTION 2 - BID SCHEDULE 5				**$ 343,497.74**

BASE BID + BID OPTION 2	
BID SCHEDULES (1, 2, 3, & 5) TOTAL	**$ 1,541,753.02**

SURVEY CONTROL POINTS			
PT. NO.	NORTHING	EASTING	DESCRIPTION
100	7293679.25	2542936.16	SIRTP4
101	7293647.15	2542610.68	SIRTP4
102	7293703.01	2542339.10	SIRTP4
103	7293529.45	2541909.33	SXTP

CITY BENCHMARKS					
PT. NO.	NORTHING	EASTING	ELEV. (MEASURED)	ELEV. (PUBLISHED)	DESCRIPTION
MON 103	7291201.63	2548639.96	792.76	792.68	CITY OF SHERMAN FOUND MONUMENT
MON 104	7288717.09	2545051.86	744.18	744.04	CITY OF SHERMAN FOUND MONUMENT

N

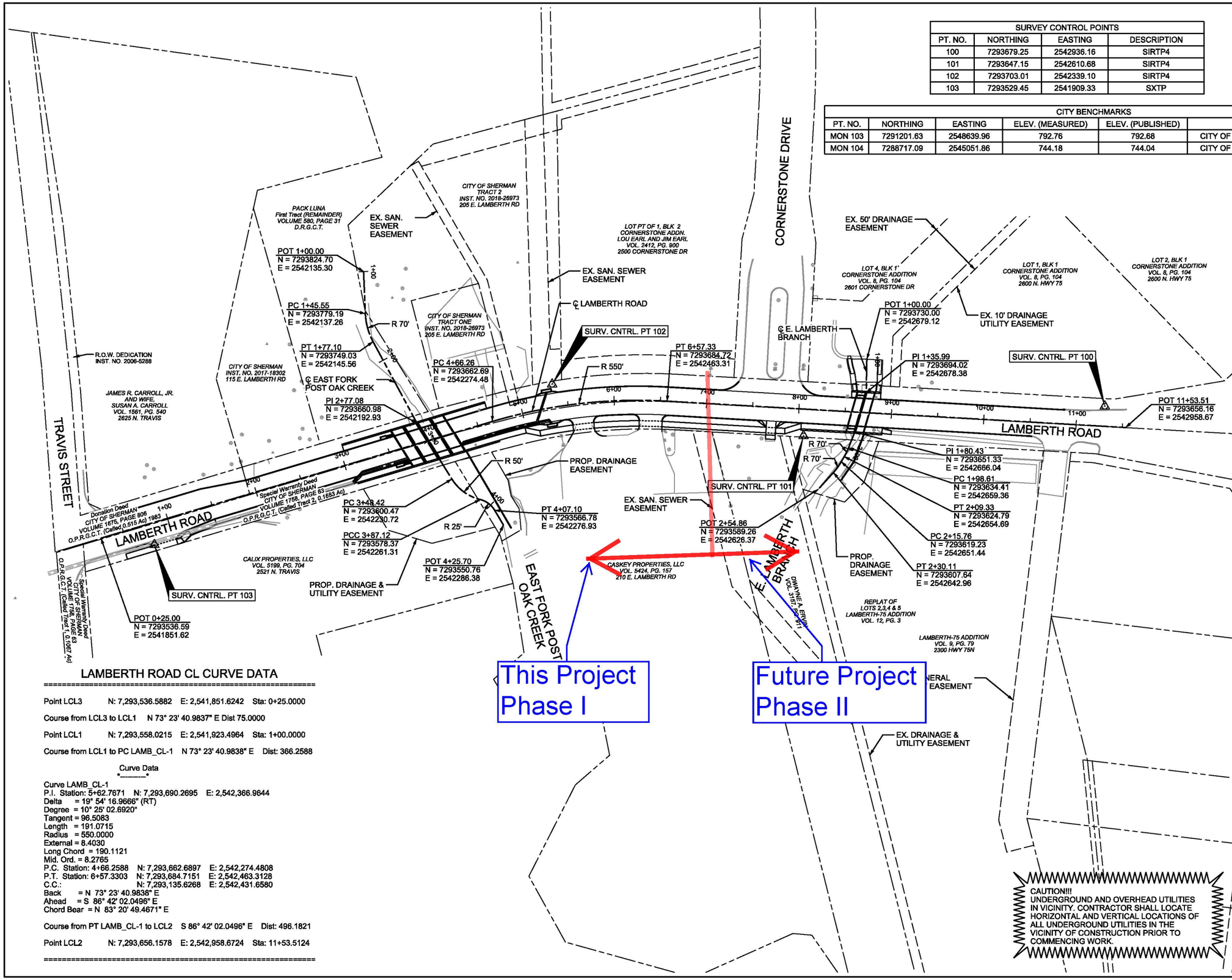
0 25 50 75 100
HORIZONTAL SCALE IN FEET

LEGEND:

SIRTP4	1/2-INCH SET IRON ROD TRAVERSE POINT
SXTP	SET "X" CUT TRAVERSE POINT
	PROP. ROADWAY ℄
	PROPERTY LINE
	EX. EASEMENT
SURV. CNTRL. PT XX	SURVEY CONTROL POINT

NOTES:

1. ALL COORDINATES ARE SURFACE COORDINATE LOCATIONS. GRAYSON COUNTY SCALE FACTOR OF 1.00012 BEING USED FOR GRID TO SURFACE CONVERSION.



LAMBERTH ROAD CL CURVE DATA

Point LCL3 N: 7,293,536.5882 E: 2,541,851.6242 Sta: 0+25.0000

Course from LCL3 to LCL1 N 73° 23' 40.9837" E Dist 75.0000

Point LCL1 N: 7,293,558.0215 E: 2,541,923.4964 Sta: 1+00.0000

Course from LCL1 to PC LAMB_CL-1 N 73° 23' 40.9838" E Dist: 366.2588

Curve Data

Curve LAMB_CL-1
P.I. Station: 5+62.7671 N: 7,293,690.2695 E: 2,542,366.9644
Delta = 19° 54' 16.9666" (RT)
Degree = 10° 25' 02.6920"
Tangent = 96.5083
Length = 191.0715
Radius = 550.0000
External = 8.4030
Long Chord = 190.1121
Mid. Ord. = 8.2765
P.C. Station: 4+66.2588 N: 7,293,662.6897 E: 2,542,274.4808
P.T. Station: 6+57.3303 N: 7,293,684.7151 E: 2,542,463.3128
C.C.: N: 7,293,135.6268 E: 2,542,431.6580
Back = N 73° 23' 40.9838" E
Ahead = S 86° 42' 02.0496" E
Chord Bear = N 83° 20' 49.4671" E

Course from PT LAMB_CL-1 to LCL2 S 86° 42' 02.0496" E Dist: 496.1821

Point LCL2 N: 7,293,656.1578 E: 2,542,958.6724 Sta: 11+53.5124

CAUTION!!!
UNDERGROUND AND OVERHEAD UTILITIES IN VICINITY. CONTRACTOR SHALL LOCATE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UNDERGROUND UTILITIES IN THE VICINITY OF CONSTRUCTION PRIOR TO COMMENCING WORK.

NO.	DATE	REVISION DESCRIPTION

HALFF
1201 NORTH BOWSER ROAD, RICHARDSON, TEXAS 75081 (214) 346-6200 (TEL)
TBPE REGISTRATION NO. 312

STATE OF TEXAS
BOGUMIL NOSEK
87010
LICENSED PROFESSIONAL ENGINEER
7/01/2019

PROJECT LAYOUT AND SURVEY CONTROL

LAMBERTH ROAD DRAINAGE IMPROVEMENTS
CITY OF SHERMAN, TEXAS

DESIGN	DRAWN	DATE	SCALE	AVO	SHEET
HALFF	HALFF	JULY 2019	AS NOTED	33985	SHEET 4 OF 52

DATE: 7/1/2019
TIME: 3:15:15 PM
USER: al02601
FILE NAME: I:\33000s\33985\001\CADD\Sheets\003-PPLAY-33985.dgn

PENTABLE: HALFF_MON_PENTABLE.TBL
SCALE: 1:59.9995
RLOD: RLOD_TYPE_2D_MON_MW_MR_300.pit

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

Lamberth Road Drainage Improvements Project

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **H. 2.**

Meeting Date: 12/16/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

CHANGE ORDER NO. 1

Fallon Drive Water & Sewer Extension Phase I Project; Vessels Construction; $84,812.42 Increase

Issue:

To consider the approval of Change Order No. 1 with Vessels Construction for the Fallon Drive Water & Sewer Extension Phase I Project

Background:

During the design of this project, it was revealed that the developer had a very aggressive schedule in order to open business in early 2020. In order to help keep the projects on schedule, we moved part of the paving, water and sewer into separate contracts. The first 100 feet of the street was going to be constructed by the developer on an advanced timeline. The overall project was bid out and awarded to Vessels Construction. After the contract was awarded, staff received itemized costs from the developer to pave the first 100 feet of Fallon Drive. The developer's prices were significantly higher than Vessels Construction's. In order to save money, Vessels Construction will be completing both contracts. Change Order No.1 will adjust the project quantities for the Fallon Drive Water & Sewer Extension Phase I Project to include the entire street extension. Note that we also worked with Vessels to insure the developer schedule is met.

Origination:

Engineering Department

Financial Consideration:

The change order results in an $84,812.42 increase in the contract amount, yielding a contract price of $826,067.54.

Staff Recommendation:

It is recommended the Change Order No. 1 for the Fallon Drive Water & Sewer Extension Phase I Project be approved.

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 1

Project Phases

Aerial Location Map

Change Order

No. 1 (One)

Date of Issuance: December 3, 2019

Project: Fallon Drive Water & Sewer Extension Phase I	Project No.: PW #3060 Bid No.: 2019-21
Owner: City of Sherman	Date of Contract: September 16, 2019
Contractor: Vessels Construction	

The Contract Documents are modified as follows upon execution of this Change Order:

See attached spreadsheet

Justification:

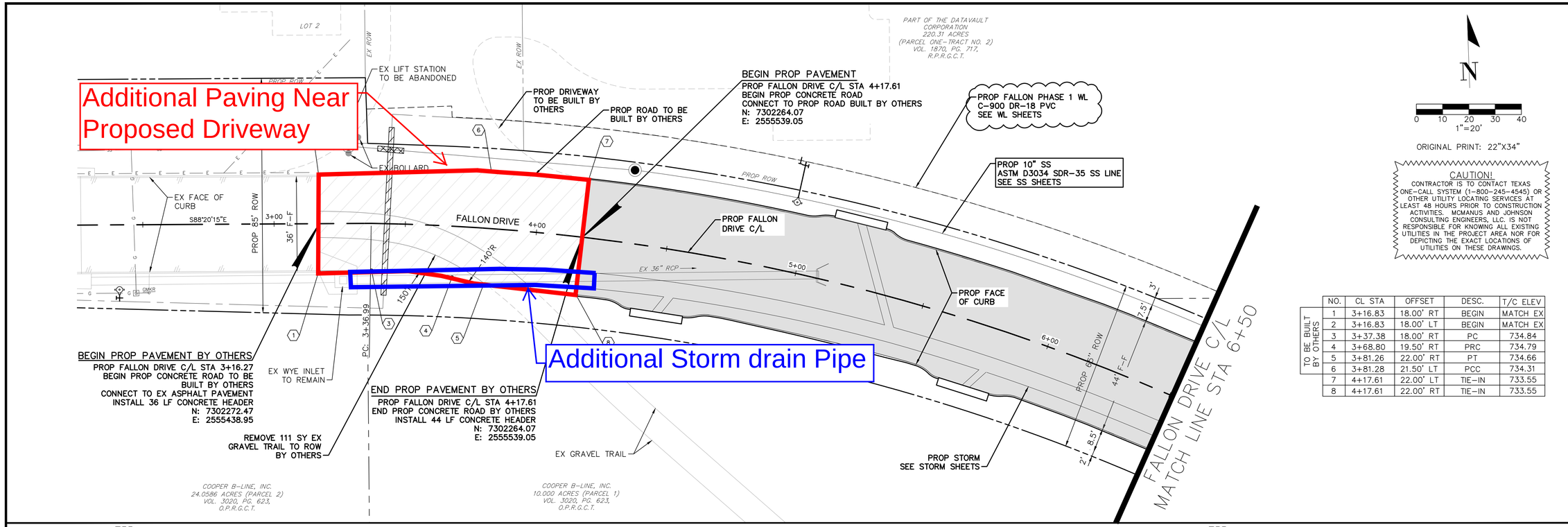
Adjustment for quantities to minimize construction time

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: $741,254.12	Original Contract Times: Substantial completion days: 170 Substantial completion date: April 23, 2020
Increase from previously approved Change Orders No. 0 to No. 0: $0	Increase from previously approved Change Orders No. 0 to No. 0: Substantial completion days: : 0 Substantial completion date: April 23, 2020
Contract Price prior to this Change Order: $741,255.12	Contract Times prior to this Change Order: Substantial completion days: : 170 Substantial completion date: April 23, 2020
Increase of this Change Order: $84,812.42	Increase of this Change Order: Substantial completion days: 15 Substantial completion date: May 8, 2020
Contract Price incorporating this Change $826,067.54	Contract Times with all approved Change Orders: Substantial completion days: : 185 Substantial completion date: May 8, 2020

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____	By: _____	By: [signature] Pres.
Engineer (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Date: _____	Date: _____	Date: 12-3-19

Project: Fallon Drive Water & Sewer Extension Phase I: Change Order #1
Owner: City of Sherman
Number: 2019-21
Public Works Project # 3060
Date: 12/3/2019

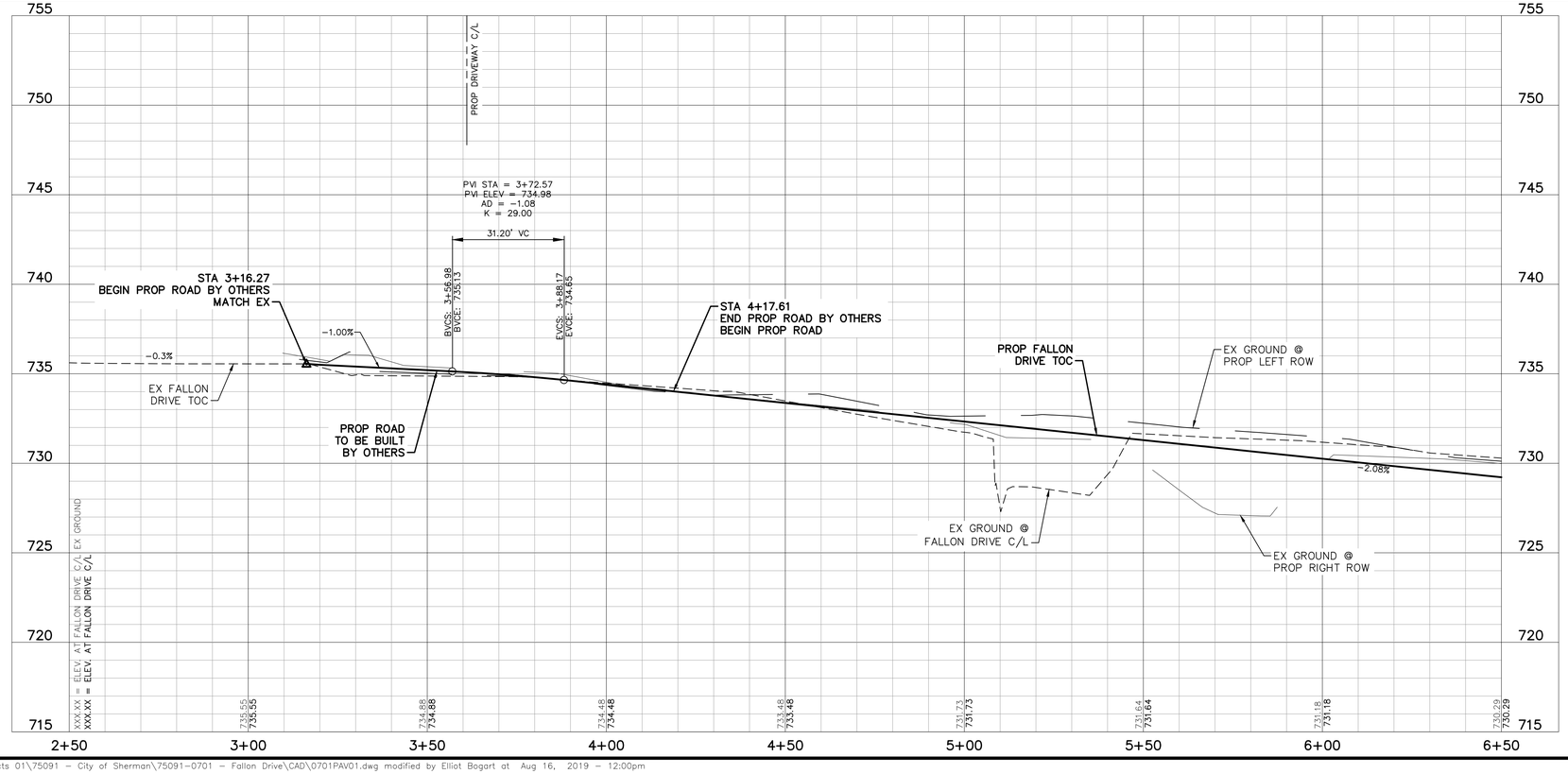
Item	Description	Change Order #1		Unit Price	Total Price
1	Mobilization	0.1033	LS	$ 23,168.00	$ 2,393.00
3	Field Control (Construction Staking)	0.1787	LS	$ 8,613.00	$ 1,539.00
5	Lime Stabilization	555.33	SY	$ 13.47	$ 7,480.30
6	Lime (36#/SY)	16.94	TN	$ 172.00	$ 2,913.68
7	8" 4,000 PSI Concrete	506.70	SY	$ 68.60	$ 34,759.62
8	6" Integral Curb	200	LF	$ 1.69	$ 338.00
9	Street Header	45	LF	$ 12.00	$ 540.00
13	12" AWWA C-900 DR-18 PVC Waterline	159	LF	$ 34.17	$ 5,433.03
14	Ductile Iron Fittings	-0.43	TN	$ 4,999.00	$ (2,149.57)
17	12" Gate Valve	-2	EA	$ 2,427.17	$ (4,854.34)
31	60" Class III RCP	120.30	LF	$ 317.60	$ 38,207.28
41	18" Steel Encasement, 0.375 WT, by open cut	-94	LF	$ 90.57	$ (8,513.58)
CO-1	Remove Existing 36" RCP Storm pipe	177.0	LF	$ 38.00	$ 6,726.00
					$ 84,812.42



ORIGINAL PRINT: 22"X34"

CAUTION!
CONTRACTOR IS TO CONTACT TEXAS ONE-CALL SYSTEM (1-800-245-4545) OR OTHER UTILITY LOCATING SERVICES AT LEAST 48 HOURS PRIOR TO CONSTRUCTION ACTIVITIES. MCMANUS AND JOHNSON CONSULTING ENGINEERS, LLC. IS NOT RESPONSIBLE FOR KNOWING ALL EXISTING UTILITIES IN THE PROJECT AREA NOR FOR DEPICTING THE EXACT LOCATIONS OF UTILITIES ON THESE DRAWINGS.

	NO.	CL STA	OFFSET	DESC.	T/C ELEV
TO BE BUILT BY OTHERS	1	3+16.83	18.00' RT	BEGIN	MATCH EX
	2	3+16.83	18.00' LT	BEGIN	MATCH EX
	3	3+37.38	18.00' RT	PC	734.84
	4	3+68.80	19.50' RT	PRC	734.79
	5	3+81.26	22.00' RT	PT	734.66
	6	3+81.28	21.50' LT	PCC	734.31
	7	4+17.61	22.00' LT	TIE-IN	733.55
	8	4+17.61	22.00' RT	TIE-IN	733.55



0 4 8
VERT: 1"=4'
0 10 20 40 80
HORIZ: 1"=20'

NOTES:

1. DIMENSIONS ARE FROM FACE OF CURB.
2. CONTRACTOR SHALL MAINTAIN WATER AND SANITARY SEWER SERVICE TO ALL CUSTOMERS DURING CONSTRUCTION.
3. CONTRACTOR SHALL PROTECT EXISTING PROPERTY INCLUDING, BUT NOT LIMITED TO TREES, FENCES, MAILBOXES, CULVERTS, INLETS, SIGNS, POWER POLES, PAVING, LANDSCAPE, IRRIGATION, WALLS AND BUILDINGS. IF DAMAGED, RESTORE TO LIKE OR BETTER CONDITION. NO SEPARATE PAY ITEM.
4. CONTRACTOR SHALL VERIFY DEPTH AND LOCATION OF EXISTING UTILITIES AND NOTIFY THE CITY OF ANY CONFLICTS.
5. ACCESS TO DRIVEWAYS AND BUSINESSES IS TO BE MAINTAINED AT ALL TIMES.
6. CONTRACTOR TO REMOVE AND RE-INSTALL EX MAILBOXES AS NEEDED TO EQUAL OR BETTER CONDITION. NO SEPARATE PAY ITEM.
7. GAS TO BE RELOCATED BY OTHERS AS NEEDED. CONTRACTOR TO NOTIFY CITY OF ANY CONFLICTS.
8. SEE CONTROL SHEET FOR FALLON DRIVE C/L CURVE DATA.

NO.	REVISION	BY	DATE

STATE OF TEXAS
LEONARD W. McMANUS
68023
LICENSED PROFESSIONAL ENGINEER
8-15-2019
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY LEONARD W. MCMANUS, P.E. NO. 68023 ON 8-15-2019.

FALLON DRIVE PAVING START TO STA 6+50

City of Sherman, Texas
FALLON DRIVE WATER AND SEWER EXTENSION

Sherman
CLASSIC TOWN. BROAD HORIZON.

Scale: 1"=20'
Date: 08/15/2019
Designed By: TLP
Drawn By: MHE
Checked By: LWM
File: 0701PAV01.DWG
Project No.: 75091-0701

McMANUS & JOHNSON
CONSULTING ENGINEERS, LLC
912 W. Van Alstyne Pkwy |
Van Alstyne, TX 75495
TBPE Firm No. 15276

SHEET
C1.01

\\Driley_wks\mjce projects 01\75091 - City of Sherman\75091-0701 - Fallon Drive\CAD\0701PAV01.dwg modified by Elliot Bogart at Aug 16, 2019 - 12:00pm

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

Fallon Drive Water & Sewer Extension Phase I

1 inch = 578 feet

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I. 1.**

Meeting Date: 12/16/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat Approval of McGraw-Martinek Addition, being 0.970 acres in the J. B. McAnair Survey, Abstract No. 763; Judy McGraw, Owner; and Preston Trail Land Surveying, Surveyor (531 East Lamar Street)

Issue:

To consider Final Plat Approval of McGraw-Martinek Addition, being 0.970 acres in the J. B. McAnair Survey, Abstract No. 763; Judy McGraw, Owner; and Preston Trail Land Surveying, Surveyor; located at 531 East Lamar Street

Background:

The property is located at 531 East Lamar Street; the northwest corner of Lamar and Broughton Streets. The property is zoned an M-1 (Heavy Manufacturing) District. The owner would like to plat the property into two lots to sell one of the lots.

Origination:

Judy McGraw (Owner)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the August 20, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat - McGraw-Martinek Addition
Staff Review Letter
P&Z Communication

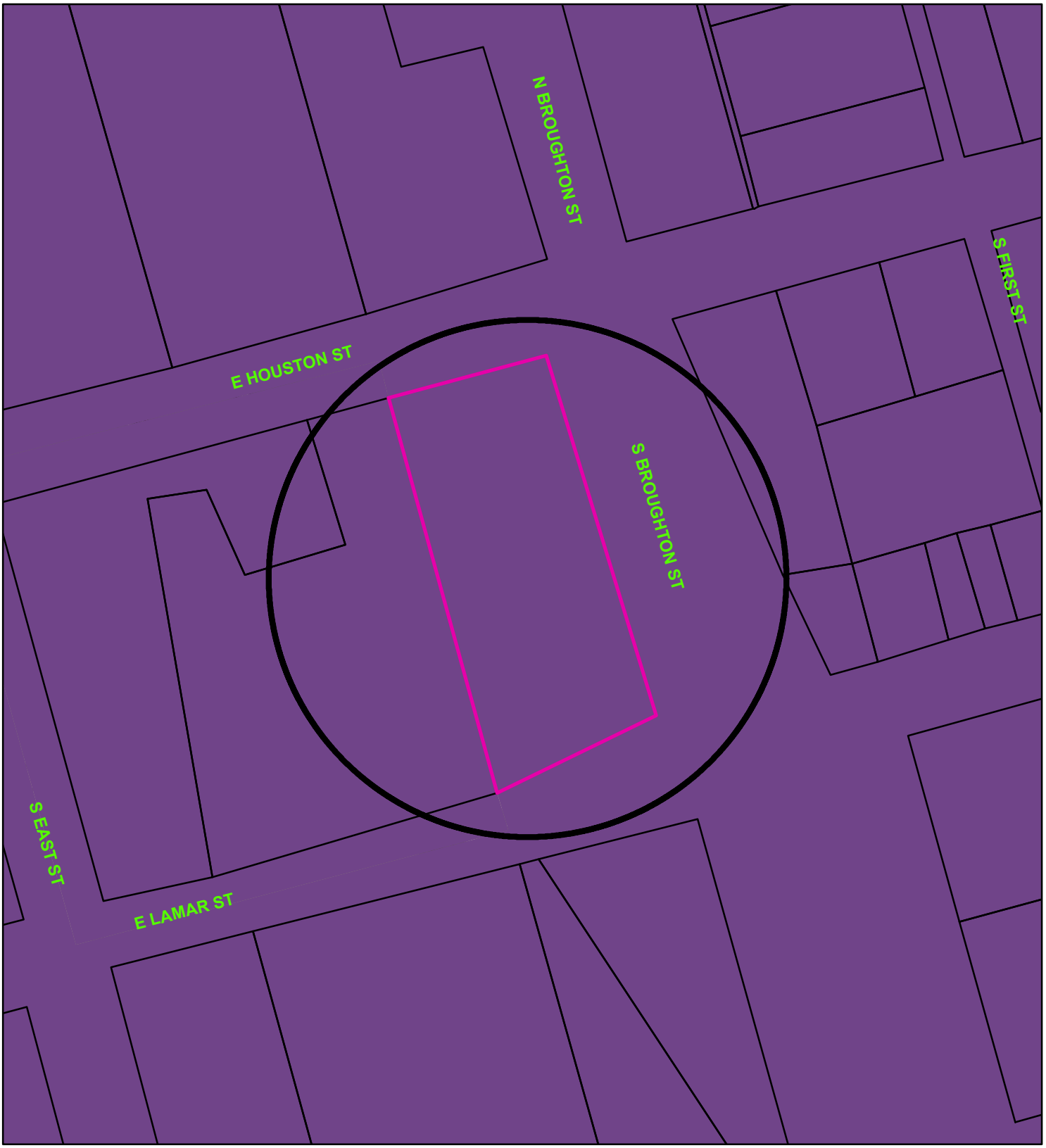
Sherman
CLASSIC TOWN. BROAD HORIZON.

531 East Lamar Street

NOT TO SCALE

1 in = 400 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 531 East Lamar Street

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

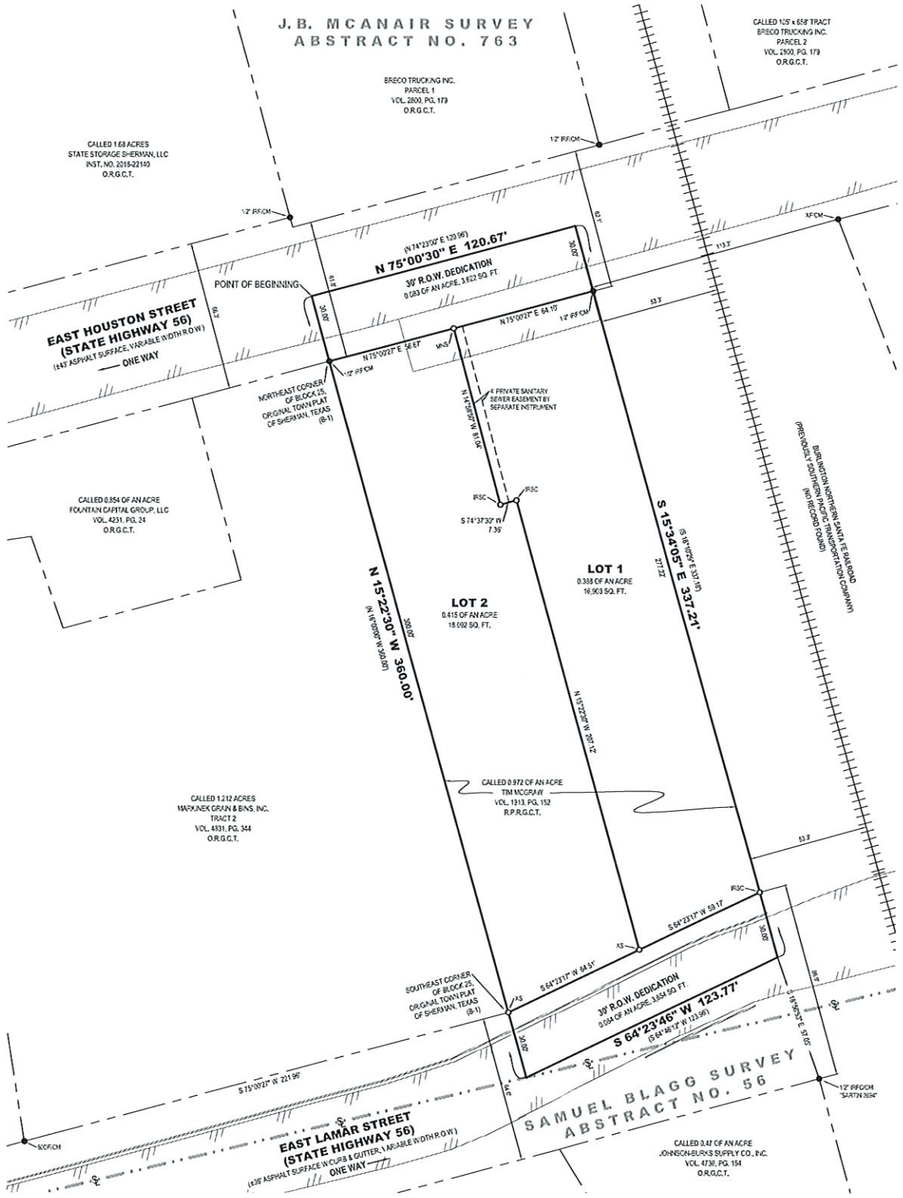
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

NOT TO SCALE

1 in = 100 ft

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



GRAPHIC SCALE IN FEET

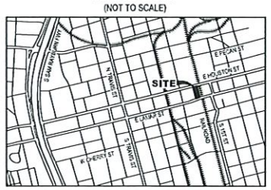
All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

LEGEND

●	FOUND MONUMENT
O	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET
MNS	MAG NAIL SET W/ "PRESTON TRAIL, RPLS 6585" ALUMINUM WASHER SET
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
60DF	60D NAIL FOUND
XF	"X" SCRIBED IN CONCRETE FOUND
XS	"X" SCRIBED IN CONCRETE SET
CM	CONTROLLING MONUMENT
( )	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NO.
	BOUNDARY LINE
	ADJOINER LINE
	ABSTRACT LINE APPROXIMATE
	EASEMENT
	ASPHALT

FLOOD STATEMENT:
I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

VICINITY MAP
(NOT TO SCALE)



PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
Judy McGraw
P.O. Box 2045
Sherman, TX 75091-2045
Ph: 903-816-0975

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-786-6029

FINAL PLAT
MCGRAW - MARTINEK ADDITION
0.970 OF AN ACRE
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontrailandsurveying.com
903-786-6029

TBPLS Firm No. 10194075	Drawn by: ENH	Scale: 1"=30'	Project No. TB-0434
	Checked by: CRN	Date: 10/22/2019	Sheet No. 1 of 2

STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS JUDY MCGRAW is the owner of all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a re-tracement survey of a called 0.972 of an acre tract of land described in the deed to Tim McGraw, recorded in Volume 1913, Page 152, Real Property Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of said 0.972 acre tract, at a point at or near the centerline of East Houston Street (State Highway 56);

THENCE North 75°00'30" East, with the northerly line of said 0.972 acre tract, and in said East Houston Street, a distance of 120.67 feet to the northeast corner of said 0.972 acre tract, and at the intersection of East Houston Street and the westerly right-of-way line of the Burlington Northern Santa Fe Railroad (previously Southern Pacific Transportation Company) (no record found);

THENCE South 15°34'05" East, with the easterly line of said 0.972 acre tract, and with the westerly right-of-way line of said Burlington Northern Santa Fe Railroad, passing en route at a distance of 30.00 feet a 1/2-inch iron rod found for witness on the southerly side of said East Houston Street, and continuing on said course a total distance of 337.21 feet to the southeast corner of said 0.972 acre tract, a point at or near the center of East Lamar Street (State Highway 56);

THENCE South 64°23'46" West, with the southerly line of said 0.972 acre tract, and in said East Lamar Street, a distance of 123.77 feet to the southwest corner of said 0.972 acre tract;

THENCE North 15°22'30" West, with the westerly line of said 0.972 acre tract, passing en route at a distance of 30.00 feet, an "X" scribed in concrete set for the southeast corner of a called 1.212 acre tract of land described as Tract 2 in the deed to Martinek Grain and Bins, Inc., recorded in Volume 4831, Page 344, Official Records of Grayson County, Texas, common to the southeast corner of Block 25 of the Original Town Plat of the City of Sherman, Texas, according to the plat thereof recorded in Volume B, Page 1, Deed Records of Grayson County, Texas, and continuing on said course and passing en route at a distance of 330.00 feet a 1/2-inch iron rod found for the northeast corner of said 1.212 acre tract, common to the northeast corner of said Block 25, and continuing on said course a total distance of 360.00 feet to the POINT OF BEGINNING and enclosing 0.970 of an acre (42,271 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **JUDY MCGRAW**, does hereby adopt this plat designating the hereinbefore described property as **MCGRAW - MARTINEK ADDITION**, an Addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

By: _____
Judy McGraw

STATE OF TEXAS §
COUNTY OF GRAYSON §

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

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **MCGRAW - MARTINEK ADDITION** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20____, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION
CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____ _____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
Judy McGraw
P.O. Box 2045
Sherman, TX 75091-2045
Ph: 903-816-0975

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-786-6029

FINAL PLAT
MCGRAW - MARTINEK ADDITION
0.970 OF AN ACRE
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontrailandsurveying.com
903-786-6029

TBPLS Firm No. 10194075	Drawn by: ENH	Scale: 1"=30'	Project No. TB-0434
	Checked by: CRN	Date: 10/22/2019	Sheet No. 2 of 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 11, 2019

Judy McGraw
P.O. Box 2045
Sherman, TX 75091-2045

Preston Trail Land Surveying, LLC
83493 N. State Highway 289, Suite No. 5
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat for McGraw-Martinek Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 19, 2019 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with $0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Show recording information for Private Sanitary Sewer Easement on plat.
6. Shared access agreement required for drive approaches. Location and instrument information of said access agreement shall be shown on plat.
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. <u>CAD file must be submitted digitally at time of final approval</u>.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,

Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal
Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 10.

Meeting Date: 11/19/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman
Eric Elliott, Vice Chairman
Shawn Davis, Commissioner
David Downtain, Commissioner
Trish Wood, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner

Requested Action/Proposed Use:

* **531 EAST LAMAR STREET**

The request of Judy McGraw (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 531 East Lamar Street, being 0.970 acres in the J. B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Final Plat approval of McGraw-Martinek Addition

Background:

The property is located at 531 East Lamar Street; the northwest corner of Lamar and Broughton Streets. The property is zoned an M-1 (Heavy Manufacturing) District. The owner would like to plat the property into two lots to sell one of the lots.

Adjacent Zoning:

M-2 (Heavy Manufacturing) District

Origination:

Judy McGraw (Owner)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:
Not required.

Objections Received:
0

Attachments

Location Map
Zoning Map
Final Plat - McGraw-Martinek Addition
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I. 2.**

Meeting Date: 12/16/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Replat Approval of Block 43R, Lot 1, South Side Addition, being a Replat of all of Blocks 37, 38, 39 and Tracts 1, 3 and 4 of the Replat of South Side Addition; being a 13.60 acre tract in the Preston Kitchen Survey, Abstract No. 667, also being multiple tracts: Tract 1, being a 7.036 acre tract; Tract 3, being all of Blocks 38, 39 and a portion of Block 37 of the Replat of Blocks 4, 5, 6, 15, 16, 17, 29, 31, 40 and 41 of South Side Addition; and Tract 4, being a 0.888 acre tract, except a called 0.487 acre portion of Lots 7-12, Block 39; FRHP Lincolnshire, LLC, Owners; Camping World and Good Sam, Tenants; and CEI Engineering Associates, Inc., Civil Engineer and Surveyor (2005 South Sam Rayburn Freeway)

Issue:

To consider Replat Approval of of Block 43R, Lot 1, South Side Addition, being a Replat of all of Blocks 37, 38, 39 and Tracts 1, 3 and 4 of the Replat of South Side Addition, being a 13.60 acre tract in the Preston Kitchen Survey, Abstract No. 667, also being multiple tracts: Tract 1, being a 7.036 acre tract; Tract 3, being all of Blocks 38, 39 and a portion of Block 37 of the Replat of Blocks 4, 5, 6, 15, 16, 17, 29, 31, 40 and 41 of South Side Addition; and Tract 4, being a 0.888 acre tract, except a called 0.487 acre portion of Lots 7-12, Block 39 located at 2005 South Sam Rayburn Freeway

Background:

The property is located at 2005 South Sam Rayburn Freeway. between Wilson Avenue and F.M. 1417; Camping World and Good Sam are the tenants. The property is zoned a C-1 (Retail Business) District and M-1 (Light Manufacturing) District and is also located in the O-1.2 (Sam Rayburn) Overlay District. The owners would like to replat the property into one lot for commercial development.

Origination:

FRHP Lincolnshire, LLC (Owners)
Camping World and Good Sam (Tenants)
CEI Engineering Associates, Inc. (Civil Engineer and Surveyor)

Financial Consideration:

None

Staff Recommendation:

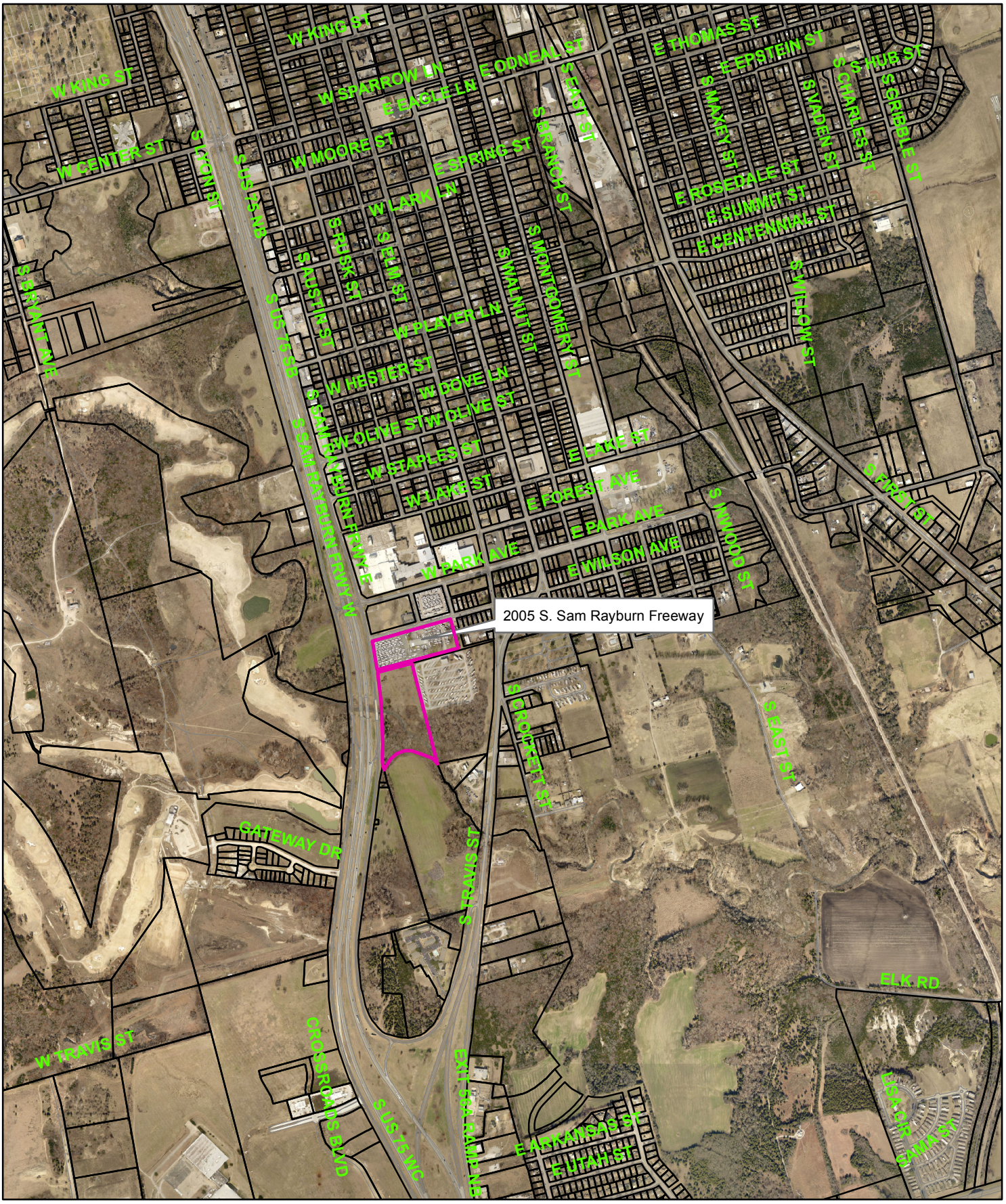
At the November 19, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Replat
Staff Review Letter
P&Z Communication



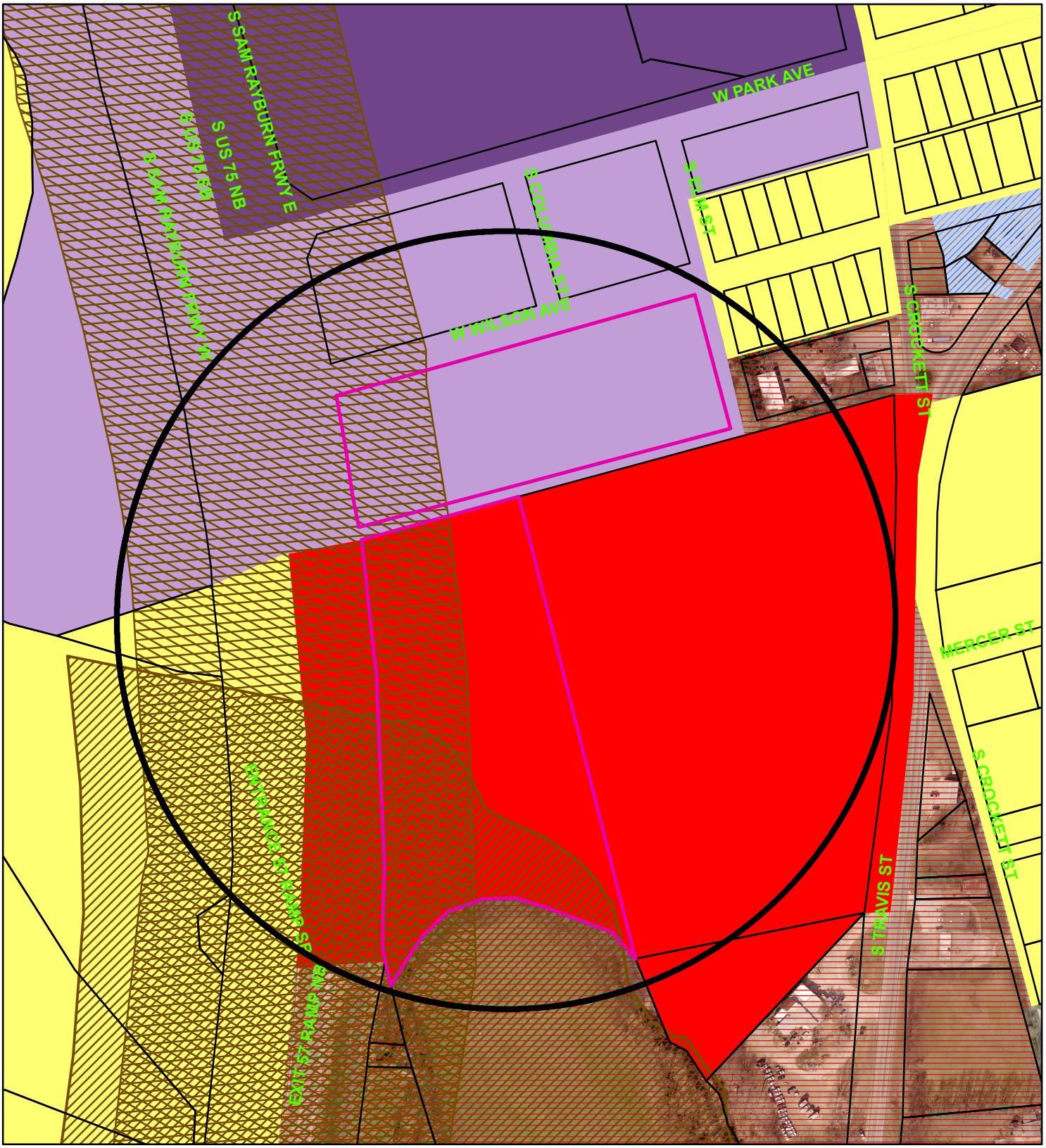
Sherman
CLASSIC TOWN. BROAD HORIZON.

2005 South Sam Rayburn Freeway

NOT TO SCALE

1 in = 1,323 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 2005 South Sam Rayburn Freeway

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

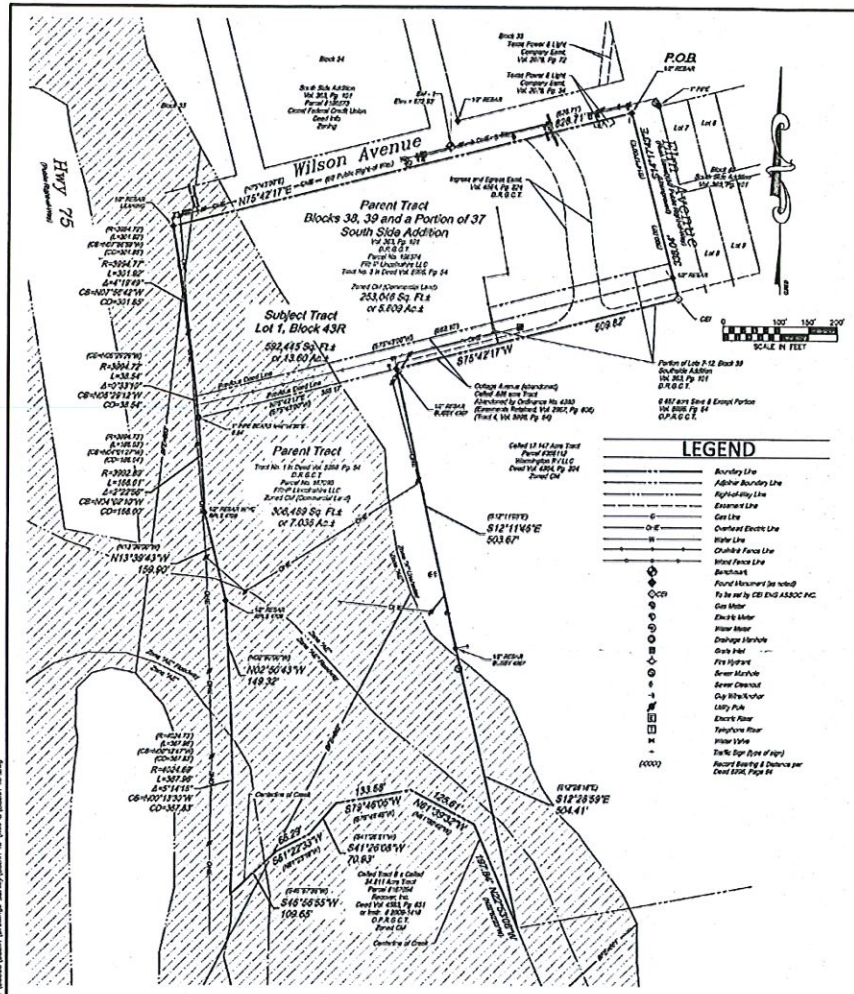
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

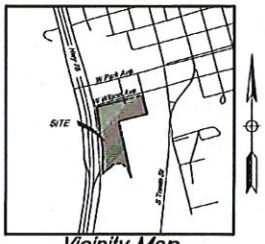
Sherman
CLASSIC TOWN. BROAD HORIZON.

NOT TO SCALE

1 in = 300 ft

City of Sherman, Texas
Developmental Services Department





Vicinity Map
Not to Scale
Latitude: 33.6124°N
Longitude: -96.608°W

Property Description

BEING a 13.60-acre tract of land situated in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, also being multiple tracts granted to FRHP Lincolnshire, LLC, as recorded in Special Warranty Deed, Volume 6358, Page 94, Official Public Records of Grayson County, Texas (O.P.R.G.C.T.), and multiple tracts are referred to as follows:

Tract No. 1, being a called 7.035-acre tract, being a portion of a called 25.313-acre tract recorded in Vol. 2215, Pg. 475 Real Property Records of Grayson County, Texas (R.P.R.G.C.T.);

Tract No. 2, being all of Blocks 38, 39 and a portion of Block 37 as shown on the map entitled "the Plat of Block No. 4, 5, 6, 11, 12, 13, 31, 32, 33 and 37 of South Side Addition to the City of Sherman, by the Sherman Manufacturing Co." as recorded in Vol. 363, Pg. 101, Deed Records of Grayson County, Texas (D.R.G.C.T.), being a called 1.939-acre tract, being a called for 0.429-acre portion of Lots 7-12 of said Block 38;

Tract No. 4, being a called 0.156-acre tract, except a called for 0.037-acre portion of Lots 7-12 of said Block 38;

More particularly described by metes and bounds based on the fieldwork that was completed on August 31, 2018 from an actual on the ground survey of the herein described tract, it was performed by CEI Engineering Associates, INC., under the supervision of James Barnett, R.P.L.S. 6039, with the Basis of Bearings being established by NAD83, State Plane Coordinates, Texas North Central Zone, using the RTK Trimble cors network.

BEGINNING at a 1/2-inch Rebar found for the northeast corner of aforementioned Tract No. 1, also being the northeast corner of herein described tract, also being the corner where the south Right-of-Way (R.O.W.) line of Wilson Avenue, a 80-foot Public R.O.W. and the West R.O.W. line of Elm Avenue (Public Street), a 50-foot Public R.O.W. (abandoned) intersect;

THENCE South 14°15'57" East, 300.20' feet passing a found 1/2-inch Rebar, continuing for a total distance of 1,139.18 feet to a point for corner being the Southeast corner of a called 0.437-acre tract and a portion of a called 1.939-acre tract conveyed to William R. Lee by deeds recorded in volume 2061, page 908 and volume 4184, page 858, D.R.G.C.T., also being a point on the north line of a called 17.147-acre tract, granted to Washington PV, LLC, recorded in Vol. 4884, Pg. 304, O.R.G.C.T.;

THENCE with said north line, South 75°42'17" West, 628.62 feet to a 1/2-inch Rebar "Bailey 4367" being the northwest corner of said 17.147-acre tract, also being the previous northeast corner of aforementioned Tract No. 1;

THENCE leaving said north line, with the east line of said 17.147-acre tract, South 14°11'45" East, 503.67 feet to a 1/2-inch Rebar "Bailey 4367";

THENCE continuing with said west line, South 12°26'59" East, 504.41 feet to a point in the center of Post Oak Creek, also being the southwest corner of said 17.147-acre tract, also being the northeast corner of a tract granted to Harvey Timothy III, et al., recorded in Vol. 2014, Pg. 472, O.P.R.G.C.T., also being the northwest corner of a called 0.429-acre tract granted to Recovery, Inc., recorded in Vol. 4333, Pg. 811, O.P.R.G.C.T., also being the previous southeast corner of aforementioned Tract No. 1, also being the southeast corner of herein described tract;

THENCE in a northerly direction with said R.O.W. line the following six courses:

1. North 22°32'06" West, 187.94 feet;
2. North 01°37'32" West, 126.11 feet;
3. South 78°46'25" West, 133.68 feet;
4. South 41°26'08" West, 70.83 feet;
5. South 81°39'37" West, 60.29 feet;
6. South 46°56'55" West, 109.65 feet to a point on a curve to the left having a radius of 1,024.68 feet and a central angle of 01°14'56" and having a chord which bears North 06°12'07" West, and a chord distance of 36.43 feet, being on the East R.O.W. line of U.S. Highway No. 75, being the northwest corner of said 0.429-acre tract, also being the southwest corner of said Tract No. 1, also being the southwest corner of herein described tract;

THENCE in a northerly direction with said R.O.W. line the following six courses:

1. Along said curve to the left an arc distance of 36.43 feet to a point;
2. North 05°34'37" West, 149.32 feet to a found 1/2-inch Rebar "RPLS 4367";
3. North 13°39'43" West, 158.90 feet to a found 1/2-inch Rebar with yellow cap "RPLS 4367", being the start of a curve to the left having a radius of 3602.83 feet and a central angle of 01°23'35" and having a chord which bears North 14°06'18" West, and a chord distance of 146.96 feet;
4. Along said curve to the left an arc distance of 146.97 feet to a point, being the start of a curve to the left having a radius of 3,964.79 feet and a central angle of 02°33'10" and having a chord which bears North 01°29'42" West, and a chord distance of 36.34 feet, from which a found 1/2-inch pipe bears North 44°14'20" East, 0.54 feet;
5. Along said curve to the left an arc distance of 36.34 feet to a point, being the start of a curve to the left having a radius of 3,964.79 feet and a central angle of 01°18'42" and having a chord which bears North 00°06'42" West, and a chord distance of 90.93 feet;
6. Along said curve to the left an arc distance of 90.93 feet to a found 1/2-inch Rebar, being the southwest corner of aforementioned Wilson Avenue R.O.W., also being the previous northwest corner of aforementioned Tract No. 1, also being the northwest corner of herein described tract;

THENCE leaving said west R.O.W. line, with said south R.O.W. line, North 75°42'17" East, 628.71 feet to the POINT OF BEGINNING containing 592,445 square feet or 13.60 acres more or less.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT FRHP LINCOLNSHIRE LLC, being the owner of the hereinabove described property hereby adopt this plat designating said property as Final Plat of _____ an addition to Grayson County, Texas, and does hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times, have the right of ingress and egress to, from and upon the said easement strips for the purposes of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules, regulations and resolutions of Grayson County, Texas.

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

Owner / Owner
Parcel # 196570 & # 187290 FRHP Lincolnshire LLC 550 Parkway Dr. Ste 270 Lincolnshire, IL 60069

By: _____

Name: _____

Title: _____

State of Texas
County of Grayson

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

Given under my hand and seal of office, this the _____ day of _____, 2018.

Notary Public in and for the State of _____

My commission expires: _____

Engineer/Surveyor
CEI Engineering Associates, Inc. 2100 SW Regency Parkway, Suite 2 Bentonville, AR 72712 Phone: (479) 273-9470 Fax (479) 271-0539 Engineering Contact: David Tipton Surveyor: James Barnett

GENERAL NOTES

1. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
2. This plat represents a Replat of Blocks 37, 38, and 39 of the parcels recorded in Volume 363, Pages 101-102 D.R.G.C.T. and Tracts 1, 3, and 4 survey of the parcel recorded in Special Warranty Deed Volume 6358, Page 94, D.R.G.C.T.
3. The surveyor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
4. Basis of Bearings: NAD83, State Plane, Texas North Central Zone, established using a WGS network RTK observation. This observation was compared to an OPUS solution for accuracy.
5. Basis of Elevation: NAVD88, established using a WGS network RTK observation. This observation was compared to an OPUS solution for accuracy.
6. This survey is valid only if the drawing includes the seal and signature of the surveyor.
7. This survey meets current Texas Standards of Practice for Property Boundary Surveys and Plats.
8. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
9. Subsurface and environmental conditions were not examined nor considered a part of this survey.
10. The locations of underground utilities as shown hereon are based on above ground structures as were visible at the time of survey and/or from record drawings provided to the surveyor. The location of underground utilities structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
11. Underground utilities were located by visible above ground markings as marked by utility locators and shown hereon as located by CEI Engineering Associates, Inc. survey field crews. All utility locations shown hereon are approximate. All utilities may not have been marked/located by the appropriate locators. No once-call ticket has taken place as of the date to determine the exact location of existing underground utilities shown on this survey.
12. The contractor is advised to contact the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a service penalty for not making this call. Not all utility companies are members of the One Call Systems. Therefore the contractor is advised to contact all non-members as well as the One Call System.
13. By scaled map location and graphical plotting only. This property is located in Zone "X" Unshaded which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Grayson County, Texas.
    Map Number: 48181C0425F
    Map Revised: September 26, 2010

    By scaled map location and graphical plotting only. A portion of this property is located within Flood Zone "AE" as determined by the National Flood Insurance Program which is subject to inundation by the 1% annual chance flood (100-year flood) shown on the Flood Insurance Rate Map for Grayson County, Texas.
    Map Number: 48181C0425F
    Map Revised: September 26, 2010

COUNTY COMMISSIONERS APPROVAL

STATE OF TEXAS
COUNTY OF GRAYSON

KNOW ALL MEN BY THESE PRESENTS:

I, _____, County Judge of Grayson County, Texas do hereby certify that this final plat, with field notes hereon, having been fully presented to the Commissioners Court of Grayson County, Texas and by the said Court duly considered, was on this day approved and the plat is authorized to be registered and recorded in the proper records of the County Clerk of Grayson County, Texas.

_____ _____
County Judge Grayson County, Texas Date

COUNTY CLERK'S APPROVAL

CERTIFICATE OF COMPLIANCE

The undersigned, the County Clerk of Grayson County, Texas, does hereby certify that on the _____ day of _____, 20___, the Grayson County Commissioners Court by appropriate minute order did find the final plat of _____ to be in compliance with applicable state and county subdivision regulations and did approve the same for filing in the plat records of Grayson County, Texas.

Certified this ____ day of _____, 20___.

_____
County Clerk Grayson County, Texas

ACCEPTANCE OF DEDICATION OF ANY PUBLIC WAYS

CERTIFICATE OF ACCEPTANCE OF DEDICATION

The undersigned, the County Clerk of Grayson County, Texas, does hereby certify that on the _____ day of _____, 20___, that all the owners of real property described above did execute and deliver unto the Grayson County Commissioners Court their dedication of all streets, alleys, parks, easements, and other public areas to the public, a copy of which is affixed to the face of this plat, and the Grayson County Commissioners Court did by appropriate minute order accept the dedication of all streets, alleys, parks, easements and other public areas on behalf of the public. Certified this _____ day of _____, 20___.

_____
County Clerk Grayson County, Texas

KNOW ALL MEN BY THESE PRESENTS:

That I, James Barnett, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown were properly placed, under my personal supervision, in accordance with the subdivision regulations of Grayson County, Texas.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document".

_____ _____
James Barnett, TX R.P.L.S. No. 6039 Date

State of Texas
County of Grayson

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

Given under my hand and seal of office, this the _____ day of _____, 2018.

Notary Public in and for the State of _____

My commission expires: _____

Final Plat of Block 43R, Lot 1, South Side Addition

Being a Re-Plat of all of Blocks 37, 38, 39 and Tracts 1, 3 and 4 of the Re-Plat of South Side Addition

An Addition to the City of Sherman, Grayson County, Texas out of the Preston Kitchen Survey, Abstract No. 667, as recorded in Volume 363, Page 101-102, D.R.G.C.T.

Two Non-Residential Tracts / 13.60 acres

Plat Preparation Date: December, 2018

Case No. _____

CEI Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
3100 SW REGENCY PKWY BENTONVILLE, AR 72712 (479) 273-9470 CORPORATE OFFICE TBPLS FIRM #10011500
8350 LBJ FREEWAY DALLAS, TX 75251 (972) 690-9777 DALLAS OFFICE TBPLS FIRM #10193834

© CEI ENGINEERING ASSOCIATES, INC.

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 11, 2019

FRHP Lincolnshire, LLC
250 Parkway Dr., Ste. 270
Lincolnshire, IL 60069

CEI Engineering Associates, Inc.
3108 SW Regency Parkway, Suite 2
Bentonville, AR 72758

Dear Applicants,

The request for approval of the Final Plat for Block 43R, Lot 1, South Side Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 19, 2019 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with $0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. Drive approaches off of Hwy. 75/Sam Rayburn Freeway Service Road must be approved by City of Sherman and TxDOT and meet City and TxDOT standards.
5. The width of the right-of-way and pavement for streets shall be shown on the plat.
6. Remove utility locations from plat. Only utility easements shall be shown.
7. Only proposed/current property lines should be shown on plat.
8. Include previously abandoned Elm Street Right of Way in proposed lot. City Ordinance No. 6082, Instrument No. 2017-29238, OPRGCT.
9. Show Utility Easement on plat for 6" Sewer line. Dedicate 20' Utility Easement if none of record.
10. City Signature Block required; coordinate with Engineering Department for layout.
11. Remove note of "Two Non-Residential Tracts / 13.60 acres" from plat.
12. All requirements of the Floodplain Ordinance should be followed.
13. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
14. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for

approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,

Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal
Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 11/19/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman
Eric Elliott, Vice Chairman
Shawn Davis, Commissioner
David Downtain, Commissioner
Trish Wood, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner

Requested Action/Proposed Use:

* **2005 SOUTH SAM RAYBURN FREEWAY**

The request of FRHP Lincolnshire, LLC (Owners), Camping World and Good Sam (Tenants) and CEI Engineering Associates, Inc. (Civil Engineer and Surveyor) concerning the property located at 2005 South Sam Rayburn Freeway, being a 13.60 tract in the Preston Kitchen Survey, Abstract No. 667, also being multiple tracts: Tract 1, being a 7.036 acre tract; Tract 3, being all of Blocks 38, 39 and a portion of Block 37 of the Replat of Blocks 4, 5, 6, 15, 16, 17, 29, 31, 40 and 41 of South Side Addition; and Tract 4, being a 0.888 acre tract, except a called 0.487 acre portion of Lots 7-12, Block 39, as follows:

Planning and Zoning Commission

Final Plat Approval of Block 43R, Lot 1, South Side Addition, being a Replat of all of Blocks 37, 38, 39 and Tracts 1, 3 and 4 of the Replat of South Side Addition

Background:

The property is located at 2005 South Sam Rayburn Freeway between Wilson Avenue and FM 1417; Camping World and Good Sam are the tenants. The property is zoned a C-1 (Retail Business) District and M-1 (Light Manufacturing) District and also located in the O-1.2 (Sam Rayburn) Overlay District. The owner would like to Replat the property into one lot for commercial development.

Adjacent Zoning:

R-1 (One Family Residential) District
C-1 (Retail Business) District
C-2 (General Commercial) District
M-1 (Light Manufacturing) District

Origination:

FRHP Lincolnshire, LLC (Owners)
Camping World and Good Sam (Tenants)
CEI Engineering Associates, Inc. (Civil Engineer and Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map
Zoning Map
Replat
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I. 3.**

Meeting Date: 12/16/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat Approval of Oyail Estates in the City of Sherman's Extra Territorial Jurisdiction, being 4.905 acres in the Jeremiah M. McDaniel Survey, Abstract No. 774; D.J. Wortham Properties, LLC, Owners; and Helvey-Wagner Surveying, Surveyor (388 Bennett Road)

Issue:

To consider Final Plat approval of Oyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ), being 4.905 acres in the Jeremiah M. McDaniel Survey, Abstract No. 774 located at 388 Bennett Road

Background:

The property is located at 388 Bennett Road in the City of Sherman's ETJ. The owners would like to plat the property into one lot.

Origination:

D.J. Wortham Properties, LLC (Owners)
Helvey-Wagner Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

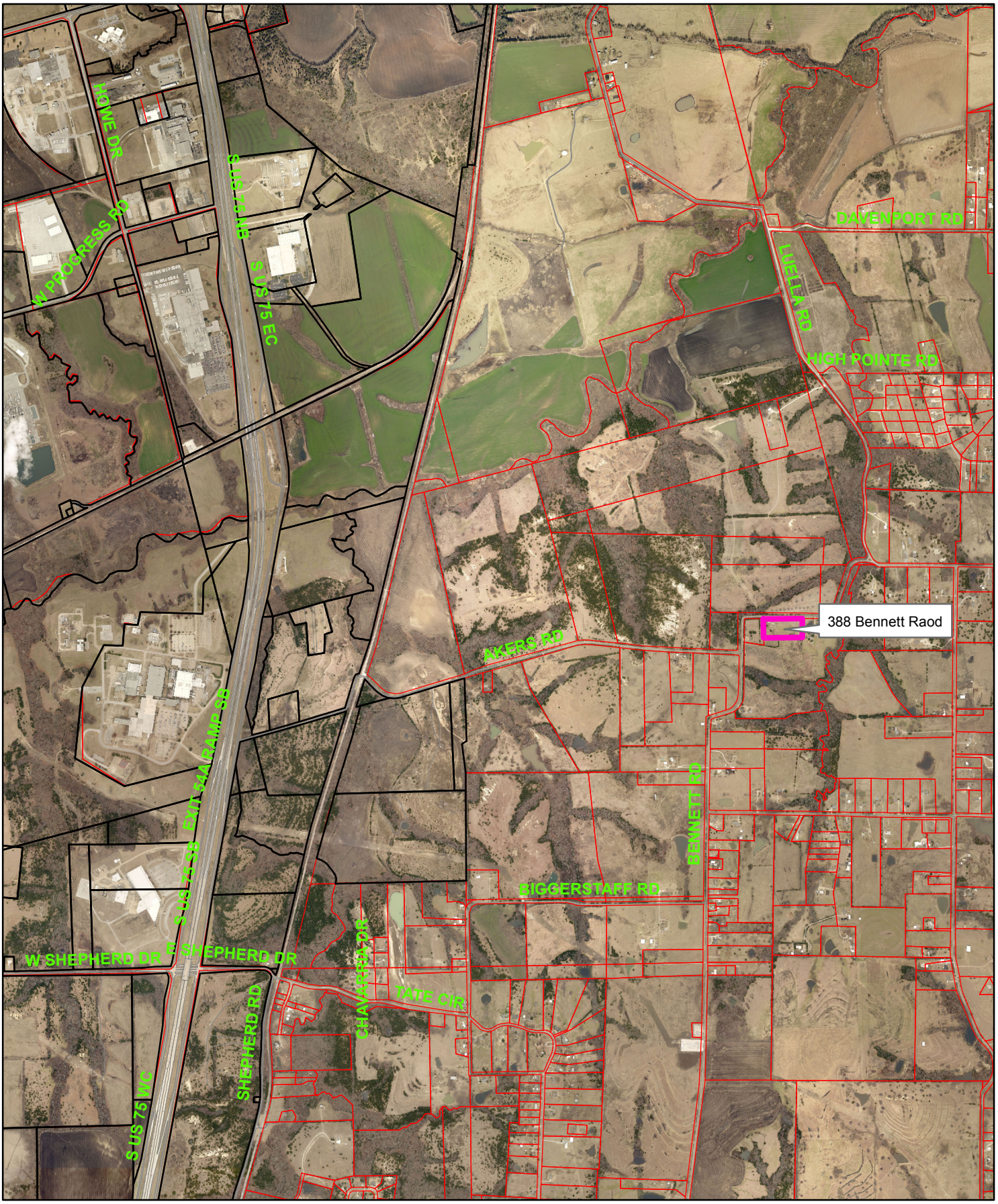
At the November 19, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Final Plat - Oyail Estates
Staff Review Letter
P&Z Communication



Sherman
CLASSIC TOWN. BROAD HORIZON.

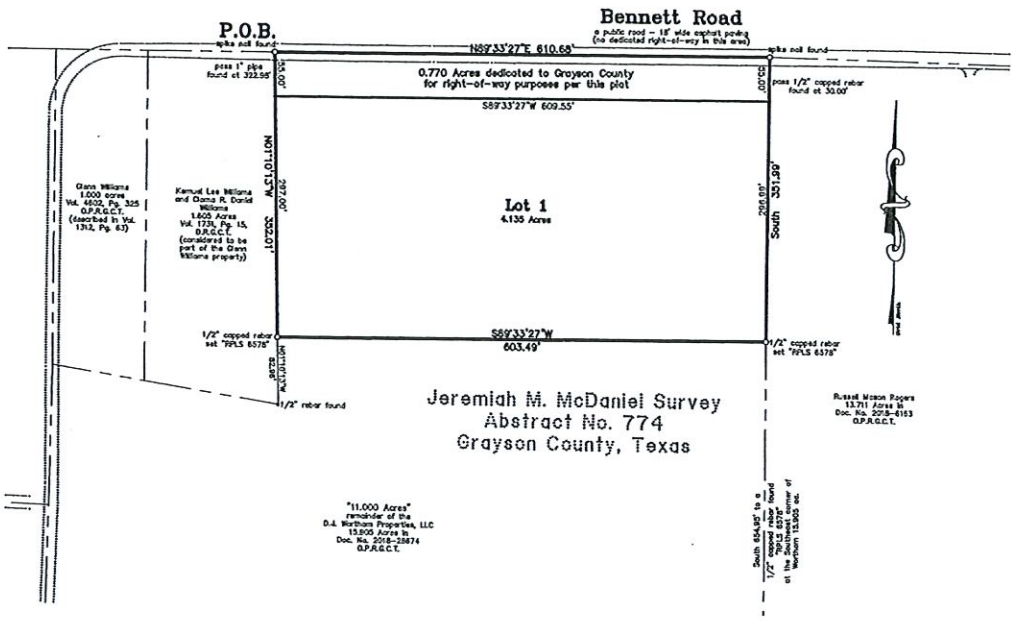
388 Bennett Road (ETJ)

NOT TO SCALE

1 in = 2,000 ft

City of Sherman, Texas
Developmental Services Department

Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System.



Oyail Estates
to
Grayson County, Texas
4.905 Acres
in the
Jeremiah M. McDaniel Survey
Abstract No. 774

Owner:
D.J. Wortham Properties, LLC
1240 Whitaker Road
Van Alstyne, Texas 75495

General Notes:

1. Water Supply to be provided by Luella Water Supply.
2. Sewer service to be provided by on-site sewage facility approved by Grayson County.
3. Electrical service is provided by Oncor Electrical Delivery Co..
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. Grayson County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0405 F, Revised Date: September 29, 2010.
8. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
10. Proposed land use of subject property is for residential purposes.

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6191 Fax: (903) 463-4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

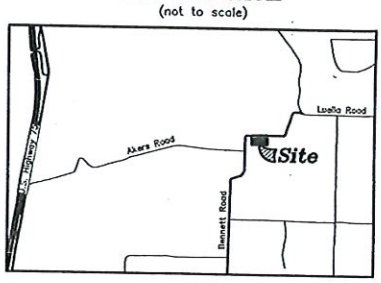
Job No. CGH541019

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

Site Location
(not to scale)



:\Land Projects R2\264-bennet-rd-hoes\dwg\PlatLdwg Layout: Plat Plot Date Oct 21 19 Time: 11:00 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 11, 2019

D.J. Wortham Properties, LLC
1240 Whitaker Road
Van Alstyne, TX 75495

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Final Plat for Oyail Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 19, 2019 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with $0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
6. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,

Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal
Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 8.

Meeting Date: 11/19/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman
Eric Elliott, Vice Chairman
Shawn Davis, Commissioner
David Downtain, Commissioner
Trish Wood, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner

Requested Action/Proposed Use:

* **388 BENNETT ROAD (ETJ)**

The request of D.J. Wortham Properties, LLC (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 388 Bennett Road, being 4.905 acres in the Jeremiah M. McDaniel Survey, Abstract No. 774, as follows:

Planning and Zoning Commission

Final Plat approval of Qyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ)

Background:

The property is located at 388 Bennett Road in the City of Sherman's Extra Territorial Jurisdiction. The owner would like to plat the property into one lot.

Adjacent Zoning:

Outside City

Origination:

D.J. Wortham Properties, LLC (Owners)
Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

Not a part of the Master Plan

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map
Final Plat - Oyail Estates
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **K. 1.**

Meeting Date: 12/16/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Planning and Zoning Commission Alternate Members (4)

Issue:

The Planning and Zoning Commission is in need of alternate members.

Background:

The Planning and Zoning Commission makes recommendations to the City Council concerning requests in the areas of public improvements, civic improvements, city planning; opening, widening and changing the streets; routing of public utilities; controlling and regulation of traffic upon public streets; and hears requests for exceptions or changes to the zoning ordinance.

At the November 5, 2019 Special Municipal Election, the City Charter was amended to reduce the membership of the Planning and Zoning Commission to seven members. The Commission is now in need of alternate members to help assure there will be quorum at every meeting.

Origination:

The appointments originated with the Planning and Zoning Commission.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider the appointment of up to four alternate members to the Planning and Zoning Commission.

Alternatives:

No alternatives are recommended.

Attachments

Roster with Alternates

MEMBERSHIP ROSTER

PLANNING & ZONING BOARD

LENGTH OF TERMS:THREE YEARS
City Charter Art. VII, Sec. 1-Two Term Limit

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Downtain	1	A 5/2/2017 R 5/2/2019	5/2/2019 5/3/3022	1 2	
Eric Elliott	1	A 6/17/2014 R 6/17/2017	6/17/2017 6/17/2020	1 2	
Shawn Davis	1	A 11/18/2014 R 11/18/2017	11/18/2017 11/18/2020	1 2	
Leigh Ann Sims	4	A 2/21/2018	2/21/2021	1	
Clay Mahone Chairman	4	A 9/22/2015 R 9/22/2018	9/22/2018 9/22/2021	1 2	
Paul Manley	1	A 12/18/2018	12/18/2021	1	
Trish Wood	4	A 5/2/2017 R 5/2/2019	5/2/2019 5/2/2022	1 2	

Alternate Members

Darren Tankersley
Brad Morgan
Sean Vanderveer
Jason Bethel

SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 12/16/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2019 Council Calendar

2020 Council Calendar

2019

JANUARY						
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1/21/2019	Martin Luther King, Jr. Day/Called City Council Meeting on 1/22/2019
2/27/2019	Called Council Meeting - Training Session for Council Members
4/26/2019	Called Budget Planning Meeting in Council Chambers
6/13/2019	Called Budget Workshop at Schulman's MBG in Sherman
6/14/2019	Called Budget Workshop at Schulman's MBG in Sherman - Cancelled
9/2/2019	Labor Day/Called City Council Meeting on 09/03/2019
9/10/2019	Called Joint Meeting with SEDCO Board in Council Chambers

2020

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1/20/2020	Martin Luther King, Jr. Day/Called City Council Meeting on 1/21/2020
9/7/2020	Labor Day/Called City Council Meeting on 9/8/2020