



AGENDA

COUNCIL MEETING

Tuesday, April 5, 2022

7:00PM at City Hall

1. Call to Order and Declaration of Quorum

Time: _____

2. Invocation

3. Pledge of Allegiance to the United States of America

4. Public comment

Citizens are invited to address the City Council with public comments. Comments regarding items for which notice has not been given will be limited to three minutes, prior to discussion of agenda items, and Council responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item. An intentional act intended to disrupt a Government meeting is prohibited.

5. Approval of previous meeting's minutes, or notes.

a. March 15, 2022 MINUTES

6. Reports:

a. City Secretary Report - Caldwell Park Volunteers contact Bryan Caldwell or City.

b. City Clerk Report

c. Financial Report - CPA will send the March report in time for 05/03/22 Council meeting.

d. Mayor Pro Tem Report

e. Mayor's Report/Status

f. NVFD Report (1st meeting of every month)

7. Business Session:

- a. Discuss/Take Action: Hold first Public Hearing on Strategic Partnership Agreement with Elevon Municipal Utility District No. 1.

NOTE: *No action is needed, just holding the hearing.*

- b. Discuss/Take Action: Cline Howell Addition Replat - 18448 and 18444 FM 543 ETJ Replat. Requesting to re-plat the current 3.1710 acres into one, 1.462-acre lot, and one 1.704-acre lot.

8. Future Agenda Items

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Mayor to add an agenda item for a future meeting.

9. Executive Session - Time: _____

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed. Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

10. Regular Session: Reconvene from Executive Session - Time: _____

11. If required, act on items reviewed in Executive Session.

12. Adjournment / Closing - Time: _____

I, Misty Hooker, City Clerk, certify that the Agenda of the City of Nevada Council Regular Meeting to be held on **April 5, 2022**, was posted at City Hall on **April 1, 2022**.

NOTE: The City of Nevada, Texas, City Council meets regularly on the first and third Tuesday of each month at 7:00 P.M. The Council adheres to the printed Agenda for official action. Any individuals desiring official action on a matter should submit a request for the item to be considered for inclusion on a future Agenda to the office of the City Secretary no later than fourteen (14) days prior to the Council Meeting.

6. f. NVFD Report

Nevada Volunteer Fire Department

Nevada, TX

This report was generated on 4/1/2022 1:53:16 PM



Incident Statistics

Zone(s): All Zones | Start Date: 03/01/2022 | End Date: 03/31/2022

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		29	
FIRE		20	
TOTAL		49	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
BRSH1	0	0	5
E1	0	0	3
TOTAL	0	0	8
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
TOTAL			
MUTUAL AID			
Aid Type		Total	
Aid Given		5	
Aid Received		12	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
10		20.41	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Station 1	0:09:40	0:10:07	
AVERAGE FOR ALL CALLS		0:09:45	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Station 1	0:04:52	0:03:29	
AVERAGE FOR ALL CALLS		0:04:24	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Nevada Volunteer Fire Department		39:33	

Only Reviewed Incidents included. EMS for Incident counts includes only 300 to 399 Incident Types. All other incident types are counted as FIRE. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.

7. a. Public Hearing: Elevon Strategic
Partnership Agreement
Resolution No. 22-03

RESOLUTION NO. 22-03

A RESOLUTION SETTING A PUBLIC HEARING UNDER SEC. 43.0751 OF THE TEXAS LOCAL GOVERNMENT CODE TO CONSIDER A STRATEGIC PARTNERSHIP AGREEMENT WITH ELEVEN MUNICIPAL UTILITY DISTRICT NO. 1-A OF COLLIN COUNTY; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF NEVADA, TEXAS REGARDING THE PUBLIC HEARING; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Nevada, Texas (the "City"), is authorized under Section 43.0751 of the Texas Local Government Code (the "Code"), to enter into a strategic partnership agreement with a conservation and reclamation district within its extraterritorial jurisdiction; and

WHEREAS, the City Council of Nevada (the "City Council") will hold a public hearing in accordance with Section 43.0751(d) of the Code regarding a proposed Strategic Partnership Agreement by and between the City and Eleven Municipal Utility District No. 1-A of Collin County (the "District"); and

WHEREAS, in order to hold a public hearing regarding a proposed strategic partnership agreement, notice must be given in a newspaper of general circulation in the municipality and in the district at least once on or after the 20th day before each hearing date; and

WHEREAS, the newspaper notice must contain the information required for notice as provided for in Section 43.0751(d) of the Code; and

WHEREAS, the City Council has determined to hold a public hearing on April 5, 2022, and April 19, 2022, regarding the proposed Strategic Partnership Agreement by and between the City and the District; and

WHEREAS, the City Council finds that the passage of this Resolution is in the best interest of the citizens of the City.

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

SECTION 1. All of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein.

SECTION 2. That a public hearings are hereby called for April 5, 2022, and April 19, 2022, at City Hall, 424 E. FM 6, Nevada, Texas 75173, for the purpose of hearing public testimony with respect to the approval of the proposed Strategic Partnership Agreement, and that any interested person may appear and provide testimony and comment on the advisability of the Strategic Partnership Agreement. Upon the conclusion of the public hearing, the City Council will consider the adoption of a resolution approving the Strategic Partnership Agreement by and between the City and the District.

SECTION 3. That attached hereto as Exhibit A is the proposed Strategic Partnership Agreement and attached hereto as Exhibit B is a form of the Notice of Public Hearing (the "Notice"), the form and substance of which is hereby adopted and approved.

SECTION 4. That the City Secretary is hereby authorized and directed to cause said Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the municipality and the district at least once on or after the 20th day before each hearing date.

SECTION 5. That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 6. That this Resolution shall take effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED on this MARCH 1st, 2022.



CITY OF NEVADA, TEXAS

By: [Signature]
Mayor

ATTEST:

[Signature]
City Secretary

EXHIBIT A
PROPOSED STRATEGIC PARTNERSHIP AGREEMENT

[attached]

EXHIBIT B
NOTICE OF PUBLIC HEARING

CITY OF NEVADA
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of Nevada (the "City Council") on the 5th day of April, 2022, at 7:00 p.m., and 19th day of April, 2022, at 7:00 p.m., at 424 E. FM 6, Nevada, Texas 75173. The public hearing will be held to consider a proposed Strategic Partnership Agreement ("Agreement") for limited purpose annexation by the City of Nevada of a certain tract of land located within Elevon Municipal Utility District No. 1-A of Collin County pursuant to the provisions of Chapter 43.0751 of the Texas Local Government Code, as amended.

WHEREAS, the Agreement provides for the limited purpose annexation by the Town of that certain tract of land detailed above for the lawful purpose of collecting Sales and Use Tax Revenues. A metes and bounds description and map depicting the location of such tract of land along with the proposed Agreement can be viewed at the District's administrative offices located at 2728 N. Harwood Street, Suite 500, Dallas, Texas 75201.

All written or oral objections will be considered at the public hearing.

7. a. Public Hearing: Consenting to
Addition of Elevon MUD
Resolution No. 22-04

RESOLUTION NO. 22-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA, TEXAS, CONSENTING TO THE ADDITION OF 22.585 ACRES OF LAND BY ELEVN MUNICIPAL UTILITY DISTRICT NO. 1-A OF COLLIN COUNTY; PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

WHEREAS, pursuant to applicable law, MA LAVON 292, LLC, and D.R. HOTON – TEXAS, LTD (the “Owners”) have each petitioned the City of Nevada for consent to the addition of approximately 22.585 acres of land (the “Property”) to the boundaries of Elevon Municipal Utility District No. 1-A of Collin County, which by Order of the Texas Commission on Environmental Quality dated February 23, 2022, changed its name from Abston Hills Municipal Utility District No. 1-A (the “District”); and

WHEREAS, the Property is located within the extraterritorial jurisdiction of the City of Nevada; and

WHEREAS, Section 42.0425 of the Texas Local Government Code provides that a political subdivision such as the District may not add land that is located in the extraterritorial jurisdiction of a municipality unless the governing body of the municipality gives its written consent by ordinance or resolution; and

WHEREAS, the Owners have provided the City of Nevada with a copy of Owners’ petitions for the addition of the Property to the District and requested that the City provide a consent resolution evidencing the City’s consent to such addition of the Property to the District; and

WHEREAS, the City Council finds that it is in the public interest to grant consent to the addition of the Property to the District, taking into consideration the public health, safety and general welfare;

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

Section 1. The City of Nevada hereby consents to the addition of the Property to the District in accordance with Owners’ petitions to the District for such addition. A copy of Owners’ petitions, including the legal description of the Property, is attached hereto and incorporated herein by reference as Exhibit “A” and Exhibit “B”.

Section 2. The consent of the City to the addition of the Property to the District does not in any way release the Property or any portion of the Property from the extraterritorial jurisdiction of the City.

Section 3. The terms and provisions of this Resolution shall be deemed to be severable and if the validity of any section, subsection, sentence, clause, or phrase of this Resolution should be

declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Resolution.

Section 4. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED by the City Council of the City of Nevada, Texas on the 15th
day of MARCH, 2022.


_____, Mayor

ATTEST:

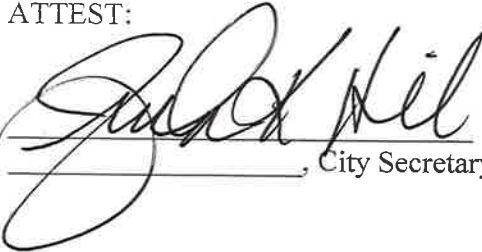

_____, City Secretary

EXHIBIT A

**PETITION TO THE DISTRICT AND LEGAL DESCRIPTION OF THE PROPERTY
BY MA LAVON 292, LLC**

[SEE ATTACHED]

PETITION FOR CONSENT TO INCLUDE ADDITIONAL LAND
INTO ELEVON MUNICIPAL UTILITY DISTRICT NO. 1-A F/K/A ABSTON HILLS
MUNICIPAL UTILITY DISTRICT NO. 1-A

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

TO THE HONORABLE MAYOR AND
CITY COUNCIL OF THE CITY OF NEVADA, TEXAS:

MA LAVON 292, LLC, a Texas limited liability company, being the holder of title to all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Collin County, Texas ("Landowner"), and Elevon Municipal Utility District No. 1-A f/k/a Abston Hills Municipal Utility District No. 1-A ("District") (Landowner and District hereinafter called "Petitioner"), acting pursuant to the provisions of the Section 42.045, Texas Local Government Code, as amended, respectfully petition for consent to include additional land in a fresh water supply district. In support of this petition, Petitioner shows as follows:

I.

The District, to which the land hereinafter described is sought to be annexed, exists under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Constitution of Texas, and Chapters 49 and 54, Texas Water Code, as amended. Landowner is the sole owner and holder of fee simple title to the land sought to be annexed to the District, as indicated by the tax rolls of the central appraisal district of Collin County, Texas.

II.

The land sought to be added to the District contains approximately 4.307 acres of land, more or less, as described in Exhibit "A", attached hereto and incorporated herein by reference, and lies wholly within Collin County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Section 42.001, Local Government Code, as amended, said area is within the extraterritorial jurisdiction of the City of Nevada and is not within such jurisdiction of any other city. All of the territory to be annexed may properly be annexed to the District.

III.

The general nature of the work proposed to be done in the area sought to be annexed shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

- (1) provide a water supply for municipal, domestic and commercial purposes;

- (2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state;
- (3) gather, conduct, divert and control local storm water or other harmful excesses of water in the area; and
- (4) the construction, operation and maintenance of roads serving the District.

IV.

The area of the District is urban in nature, is within the growing environs of the Cities of Nevada and Lavon, and is in close proximity to populous and developed sections of Collin County. There is a necessity for the improvements described above because the land sought to be added to the District is not supplied with adequate water, sanitary sewer, drainage or road facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the District, the land sought to be added to the District, and of the territories adjacent thereto require the installation and acquisition of adequate water, sanitary sewer, drainage and road facilities for the land sought to be added to the District.

V.

A public necessity exists for the addition of said lands to the District to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water, sanitary sewer, drainage and road facilities.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Nevada give its consent to the annexation of the aforesaid land into said District.

[Remainder of Page Intentionally Blank]

IN WITNESS WHEREFORE, Petitioner has executed this Petition on this the ____ day
of _____, 2022.

Landowner

MA LAVON 292, LLC
a Texas limited liability company

By: MA Partners, LLC
its Sole Manager

By: _____
Name: John Marlin
Title: Manager

THE STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by John Marlin, Manager of MA Partners, LLC, Sole Manager of MA Lavon 292, LLC, on behalf of said company.

Notary Public in and for the State of Texas

(NOTARY SEAL)

"LIENHOLDER"

PMB LENDER 18010, LLC
a Texas limited liability company

By: _____
Name: Matt Mildren
Title: Manager

THE STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Matt Mildren, Manager of PMB Lender 18010, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that s/he executed the same as the act and deed of such corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____,
2022.

Notary Public in and for the State of Texas

(NOTARY SEAL)

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION
MUD 1A – (TRACT 2 ANNEXATION)

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 291.068 acre tract of land described in deed to MA LAVON 292, LLC as recorded in Document Number 20201221002291470, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a five-eighths inch iron rod found at the northeast corner of said 291.068 acre tract, said point being the northwest corner of that called 4.00 acre tract of land described in deed to T.S. Miller as recorded in Volume 5835, Page 742, Official Public Records of Collin County, Texas, said point also being in the south right-of-way line of Farm-to-Market Road Number 6 (a variable width right-of-way);

THENCE South 02 degrees 26 minutes 34 seconds East, 124.56 feet along the common line of said 291.068 acre tract and said 4.00 acre tract to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 53 degrees 55 minutes 29 seconds West, 142.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 61.52 feet along a curve to the right having a central angle of 70 degrees 30 minutes 08 seconds, a radius of 50.00 feet, a tangent of 35.34 feet and whose chord bears South 00 degrees 49 minutes 27 seconds, 57.72 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 02 degrees 26 minutes 34 seconds East, 91.94 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 87 degrees 33 minutes 26 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 02 degrees 26 minutes 34 seconds East, 8.06 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 87 degrees 33 minutes 26 seconds West, 390.91 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 02 degrees 28 minutes 36 seconds West, 391.97 feet to a five-eighths inch iron rod found for corner in the north line of said 291.06 acre tract, said point being the northeast

corner of said 3.473 acre tract, said point also being in the south right-of-way line of Farm-to-Market Road Number 6;

THENCE South 89 degrees 17 minutes 03 seconds East, 561.99 feet along the north line of said 291.068 acre tract and along the south right-of-way line of Farm-to-Market Road Number 6 to the POINT OF BEGINNING and containing 187,633 square feet or 4.307 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

EXHIBIT B

**PETITION TO THE DISTRICT AND LEGAL DESCRIPTION OF THE PROPERTY
BY D.R. HORTON – TEXAS, LTD**

[SEE ATTACHED]

PETITION FOR CONSENT TO INCLUDE ADDITIONAL LAND
INTO ELEVEN MUNICIPAL UTILITY DISTRICT NO. 1-A OF COLLIN COUNTY
F/K/A ABSTON HILLS MUNICIPAL UTILITY DISTRICT NO. 1-A OF COLLIN
COUNTY

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

TO THE HONORABLE MAYOR AND
CITY COUNCIL OF THE CITY OF NEVADA, TEXAS:

D.R. HORTON – TEXAS, LTD., a Texas limited partnership, being the holder of title to all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Collin County, Texas (“Landowner”), and Eleven Municipal Utility District No 1-A of Collin County f/k/a Abston Hills Municipal Utility District No. 1-A (“District”) (Landowner and District hereinafter called “Petitioner”), acting pursuant to the provisions of the Section 42.045, Texas Local Government Code, as amended, respectfully petition for consent to include additional land in a fresh water supply district. In support of this petition, Petitioner shows as follows:

I.

The District, to which the land hereinafter described is sought to be annexed, exists under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Constitution of Texas, and Chapters 49 and 54, Texas Water Code, as amended. Landowner is the sole owner and holder of fee simple title to the land sought to be annexed to the District, as indicated by the tax rolls of the central appraisal district of Collin County, Texas.

II.

The land sought to be added to the District contains approximately 18.278 acres of land, more or less, as described in Exhibit “A”, attached hereto and incorporated herein by reference, and lies wholly within Collin County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Section 42.001, Local Government Code, as amended, said area is within the extraterritorial jurisdiction of the City of Nevada and is not within such jurisdiction of any other city. All of the territory to be annexed may properly be annexed to the District.

III.

The general nature of the work proposed to be done in the area sought to be annexed shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

- (1) provide a water supply for municipal, domestic and commercial purposes;
- (2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state;
- (3) gather, conduct, divert and control local storm water or other harmful excesses of water in the area; and
- (4) the construction, operation and maintenance of roads serving the District.

IV.

The area of the District is urban in nature, is within the growing environs of the Cities of Nevada and Lavon, and is in close proximity to populous and developed sections of Collin County. There is a necessity for the improvements described above because the land sought to be added to the District is not supplied with adequate water, sanitary sewer, drainage or road facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the District, the land sought to be added to the District, and of the territories adjacent thereto require the installation and acquisition of adequate water, sanitary sewer, drainage and road facilities for the land sought to be added to the District.

V.

A public necessity exists for the addition of said lands to the District to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water, sanitary sewer, drainage and road facilities.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Nevada give its consent to the annexation of the aforesaid land into said District.

[Remainder of Page Intentionally Blank]

IN WITNESS WHEREFORE, Petitioner has executed this Petition on this the 3rd day of December, 2021.

Landowner

D.R. HORTON – TEXAS, LTD.
a Texas limited partnership

By: D.R. Horton, Inc.,
its authorized agent

By: [Signature]

Name: David Booth

Title: Asst VP

THE STATE OF TEXAS §

COUNTY OF Dallas §

This instrument was acknowledged before me on December 3, 2021, by David Booth Asst VP of D.R. Horton, Inc., authorized agent of D.R. Horton – Texas, Ltd., on behalf of said limited partnership.

[Signature]

Notary Public in and for the State of Texas

(NOTARY SEAL)

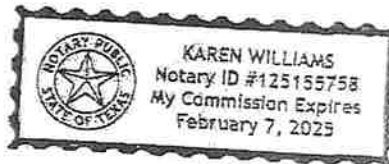


EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION

MUD 1A – (TRACT 1 ANNEXATION)

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 98.843 acre tract of land described in deed to D.R. Horton - Texas, LTD, as recorded in Document Number 20201221002299650, Official Public Records of Collin County, Texas and being further described as follows:

COMMENCING at a 4 inch bronze disk stamped "2268" found at the most northerly northwest corner of said 98.843 acre tract, said point being the northeast corner of that called Parcel 4 - 0.0810 acre tract of land described in deed to the State of Texas as recorded in Document Number 20120802000949370, Official Public Records of Collin County, Texas, said point also being in the south right-of-way line of Farm-to-Market Road Number 6 (a variable width right-of-way);

THENCE along the north line of said 98.843 acre tract and along the south right-of-way line of Farm-to-Market Road Number 6 as follows:

South 89 degrees 03 minutes 39 seconds East, 433.75 feet to the POINT OF BEGINNING;

South 89 degrees 03 minutes 39 seconds East, 554.39 feet to a three-quarter inch iron pipe found for corner;

South 89 degrees 41 minutes 27 seconds East, 104.13 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 89 degrees 37 minutes 02 seconds East, 659.76 feet to a point at the northeast corner of said 98.843 acre tract, said point also being the northwest corner of that called 3.473 acre tract of land described in deed to Abigail Nchekwube as recorded in Document Number 20110519000516100, said point also being in the approximate centerline of a creek;

THENCE along the common line of said 98.843 acre tract and said 3.473 acre tract and along the approximate centerline of the creek as follows:

South 06 degrees 49 minutes 51 seconds East, 203.18 feet to a point for corner;

South 31 degrees 53 minutes 26 seconds East, 102.39 feet to a point for corner;

South 18 degrees 08 minutes 00 seconds East, 191.20 feet to a point for corner;

South 18 degrees 55 minutes 42 seconds East, 8.20 feet to a point for corner;

THENCE South 77 degrees 37 minutes 00 seconds West, 185.29 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 72 degrees 53 minutes 50 seconds West, 50.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 12 degrees 23 minutes 00 seconds East, 130.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 37 minutes 02 seconds, 539.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 01 degrees 26 minutes 26 seconds East, 120.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 37 minutes 02 seconds West, 186.78 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 03 minutes 39 seconds West, 371.87 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 56 degrees 26 minutes 13 seconds West, 63.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 59 degrees 53 minutes 50 seconds West, 133.48 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 00 degrees 47 minutes 54 seconds East, 440.59 feet to the POINT OF BEGINNING and containing 796,175 square feet or 18.278 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."