

CITY OF LAVON
ORDINANCE NO. 2022-02-08

Planned Development Zoning – Elevon, Section 2

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT FOR MIXED USES ON APPROXIMATELY 377 ACRES OF LAND, GENERALLY ON THE NORTH SIDE OF COUNTY ROAD 541 AND EAST OF THE LAVON RANCHETTES ADDITION, AND DESCRIBED AS PART OF THE 472.8955 ACRE TRACT IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” AND DEPICTED IN EXHIBIT “A”; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Lavon, Texas (hereinafter referred to as “City”) is a Type A General Law Municipality operating under the laws of the State of Texas; and

WHEREAS, the City Council of the City (the “City Council”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the “Zoning Ordinance”); and

WHEREAS, owners of the Property hereinafter defined have submitted an application to change the zoning from Agricultural (A) to Planned Development (PD) District, consisting of residential, elementary school and ball fields, amenity center, and parks/open space areas, on approximately 377 acres of land, generally located on the north side of County Road 541 and east of the Lavon Ranchettes Addition, and described as part of the 472.8955-acre tract in the Samuel M. Rainer Survey, Abstract No. 740, Collin County, Texas, located north of CR 541, east of Lavon Ranchettes, and south of the NETEX right of way in the Abston Hills MUD 1-B and 1-D, as more particularly described in **Exhibit “B”** and depicted in **Exhibit “A”** (the “Property”); and

WHEREAS, this proposed zoning change is in accordance with the adopted comprehensive plan of the City; and

WHEREAS, the Zoning Ordinance incorporates design standards and building materials standards that are differentially applicable to residential structures and non-residential buildings, and such standards substantially further the preservation of property values and the promotion of economic development within

the City, and establish the character of community development and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

WHEREAS, the Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a development project; and

WHEREAS, the City's policy in creating or amending a planned development district is to incorporate and enhance to the fullest extent feasible the design and building materials standards that are integral to the City's zoning regulations in all planned development districts; and

WHEREAS, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

WHEREAS, the owner and/or developer of the Property has consented in writing to the enforcement of the City's design and building materials standards within the planned development district and waived the statutory provisions in Chapter 3000, Texas Government Code; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted and that the Zoning Ordinance and official zoning map of the City (the "**Zoning Map**") should be amended.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lavon, Texas, as follows:

SECTION 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. Definitions. Definitions shall be those contained in the Zoning Ordinance, Division 3. "Definitions", as amended, unless specifically defined herein

SECTION 3. Zoning Amendment. The Zoning Ordinance is hereby amended to change the zoning of the Property to Planned Development – mixed use (PD-MU), subject to the following regulations, which exhibits are incorporated as if fully set forth herein, and all applicable City ordinances and regulations governing except as may be modified by this Ordinance:

Exhibit C:	Concept and Lot Type Plan
Exhibit D:	Development Standards
Exhibit E:	Parks/Open Space

SECTION 4. Zoning Map. The Zoning Map is hereby amended to reflect the established zoning classification designation made herein.

Section 5. Compliance Required. The Property shall be used only in the manner and for the purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

Section 6. Severability Clause. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.


Section 7. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

SECTION 9. Open Meeting. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

SECTION 10. Publication and Effective Date. That this Ordinance shall be in full force and effect immediately upon its adoption and its publication as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 15th day of February 2022.



Vicki Sanson, Mayor

ATTEST:



Rae Norton, City Secretary



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EXHIBIT A. LOCATION MAP

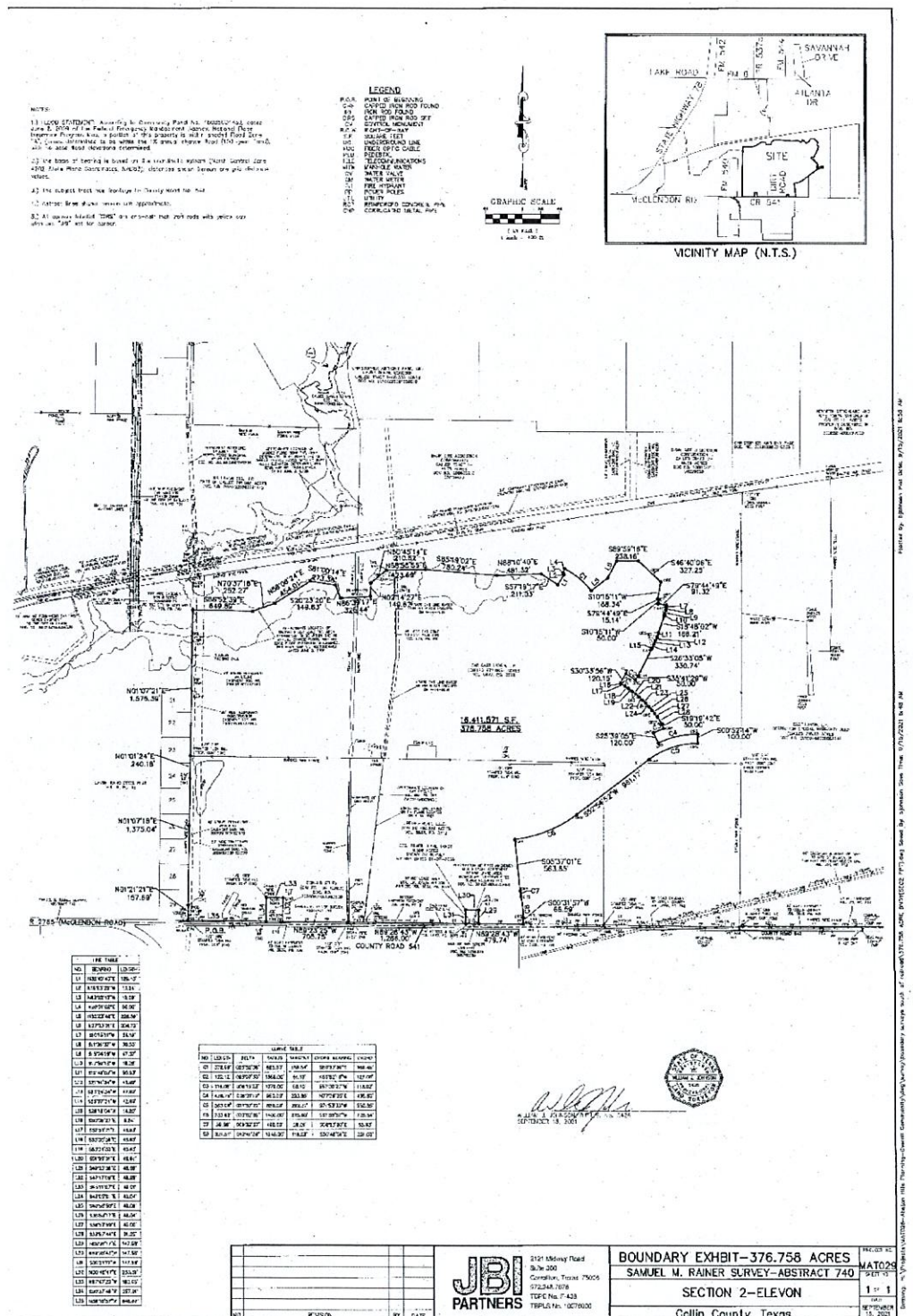


EXHIBIT B. LEGAL DESCRIPTION

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 472.8955 acre tract of land described in deed to Far East Lavon, L.P. as recorded in Volume 5873, Page 3522, Official Public Records of Collin County, Texas, and also being a part of that called 180.339 acre tract of land described in deed to Petro-Hunt, L.L.C. as recorded in Volume 5588, Page 3612, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the southwest corner of said 180.339 acre tract, said point being the southeast corner of Lot 29, Lavon Ranchettes Plat, an Addition to Collin County as recorded in Volume B, Page 45, Official Public Records of Collin County, Texas, said point also being in the north right-of-way line of County Road 541;

THENCE along the west line of said 180.339 acre tract and along the east line of said Lavon Ranchettes Addition as follows:

North 01 degrees 21 minutes 21 seconds East, 157.69 feet to a one-half inch iron rod found for corner;

North 01 degrees 07 minutes 18 seconds East, 1,375.04 feet to a three-eighths inch iron rod found for corner;

North 01 degrees 01 minutes 24 seconds East, 240.18 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the northwest corner of said 180.339 acre tract, said point also being in the south line of said 472.8955 acre tract;

THENCE 01 degrees 07 minutes 21 seconds East, at 1,306.98 feet passing the northeast corner of said Lavon Ranchettes Addition, in all a total distance of 1,576.39 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 88 degrees 52 minutes 39 seconds East, 649.89 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 70 degrees 37 minutes 18 seconds East, 252..27 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 58 degrees 06 minutes 24 seconds East, 454.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 81 degrees 00 minutes 14 seconds East, 273.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 20 degrees 23 minutes 20 seconds East, 149.63 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 86 degrees 39 minutes 17 seconds East, 326.44 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 02 degrees 14 minutes 27 seconds East, 149.62 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 50 degrees 45 minutes 14 seconds East, 210.82 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 55 minutes 55 seconds East, 423.69 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 85 degrees 19 minutes 02 seconds East, 780.24 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 10 minutes 40 seconds East, 481.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 19 minutes 17 seconds East, 211.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 32 degrees 40 minutes 43 seconds East, 126.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 15 degrees 53 minutes 22 seconds West, 13.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 63 degrees 02 minutes 13 seconds West, 12.06 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 26 degrees 31 minutes 02 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 372.60 feet along a curve to the right having a central angle of 25 degrees 52 minutes 38 seconds, a radius of 825.00 feet, a tangent of 189.54 feet and whose chord bears South 50 degrees 32 minutes 39 seconds East, 369.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 52 degrees 23 minutes 40 seconds East, 228.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 27 degrees 23 minutes 01 seconds East, 204.73 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 59 minutes 16 seconds East, 238.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 46 degrees 40 minutes 06 seconds East, 327.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 188.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 15.14 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 91.32 feet to a one-half inch iron rod with yellow cap set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 24.19 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 11 degrees 36 minutes 37 seconds West, 30.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 15 degrees 04 minutes 19 seconds West, 47.37 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 17 degrees 59 minutes 18 seconds West, 18.28 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 18 degrees 48 minutes 02 seconds West, 186.21 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 49 minutes 03 seconds West, 50.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 21 degrees 41 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 23 degrees 24 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 07 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 16 minutes 04 seconds West, 14.20 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 33 minutes 05 seconds West, 330.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 35 degrees 41 minutes 29 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 122.12 feet along a curve to the left having a central angle of 05 degrees 07 minutes 33 seconds, a radius of 1,365.00 feet, a tangent of 61.10 feet,

and whose chord bears North 56 degrees 52 minutes 18 seconds West, 122.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 30 degrees 33 minutes 56 seconds West, 120.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 60 degrees 06 minutes 27 seconds East, 9.84 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 51 minutes 21 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 55 degrees 35 minutes 59 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 53 degrees 34 minutes 53 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 51 degrees 29 minutes 01 seconds East, 48.94 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 49 degrees 23 minutes 06 seconds East, 48.96 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 47 degrees 17 minutes 09 seconds East, 48.98 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 45 degrees 11 minutes 07 seconds East, 49.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 43 degrees 05 minutes 01 seconds East, 49.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 40 degrees 58 minutes 50 seconds East, 49.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 38 degrees 53 minutes 17 seconds East, 48.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 36 degrees 52 minutes 59 seconds East, 45.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 33 degrees 57 minutes 44 seconds East, 91.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 19 minutes 42 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 118.08 feet along a curve to the left having a central angle of 06 degrees 19 minutes 23 seconds, a radius of 1,070.00 feet, a tangent of 59.10 feet,

and whose chord bears South 67 degrees 30 minutes 37 seconds West, 118.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 39 minutes 05 seconds East, 120.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 439.75 feet along a curve to the right having a central angle of 26 degrees 31 minutes 19 seconds, a radius of 950.00 feet, a tangent of 223.89 feet, and whose chord bears North 77 degrees 36 minutes 35 seconds East, 435.83 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 52 minutes 14 seconds West, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 563.09 feet along a curve to the left having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 850.00 feet, a tangent of 292.31 feet, and whose chord bears South 71 degrees 53 minutes 33 seconds West, 552.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 981.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 733.92 feet along a curve to the right having a central angle of 30 degrees 02 minutes 09 seconds, a radius of 1,400.00 feet, a tangent of 375.60 feet, and whose chord bears South 67 degrees 55 minutes 57 seconds West, 725.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 05 degrees 37 minutes 01 seconds East, 563.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 55.96 feet along a curve to the left having a central angle of 06 degrees 32 minutes 37 seconds, a radius of 490.00 feet, a tangent of 28.01 feet, and whose chord bears South 08 degrees 53 minutes 20 seconds East, 55.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 231.51 feet along a curve to the right having a central angle of 12 degrees 41 minutes 36 seconds, a radius of 1,045.00 feet, a tangent of 116.23 feet, and whose chord bears South 05 degrees 48 minutes 51 seconds East, 231.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 57 seconds West, 66.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 28 minutes 43 seconds West, 479.74 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to a point for corner;

THENCE North 00 degrees 31 minutes 17 seconds East, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 28 minutes 43 seconds West, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 17 seconds West, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 28 minutes 43 seconds West, 1,266.00 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;

THENCE North 89 degrees 23 minutes 25 seconds West, 705.75 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point also being the southeast corner of that called 1.05 acre tract of land described in deed to Donald Stiles as recorded in Document Number 20200821001383600, Official Public Records of Collin County, Texas;

THENCE along the common lines of said 180.339 acre tract and said 1.05 acre tract as follows:

North 00 degrees 45 minutes 47 seconds East, 253.51 feet to a five-eighths inch iron rod found for corner

North 87 degrees 47 minutes 23 seconds West, 180.66 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;

South 00 degrees 37 minutes 46 seconds West, 257.91 feet to a one-half inch iron rod found at the southwest corner of said 1.05 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 10 minutes 57 seconds West, 848.67 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to the POINT OF BEGINNING and containing 16,411,571 square feet or 376.758 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.

EXHIBIT C. CONCEPT AND LOT TYPE PLAN

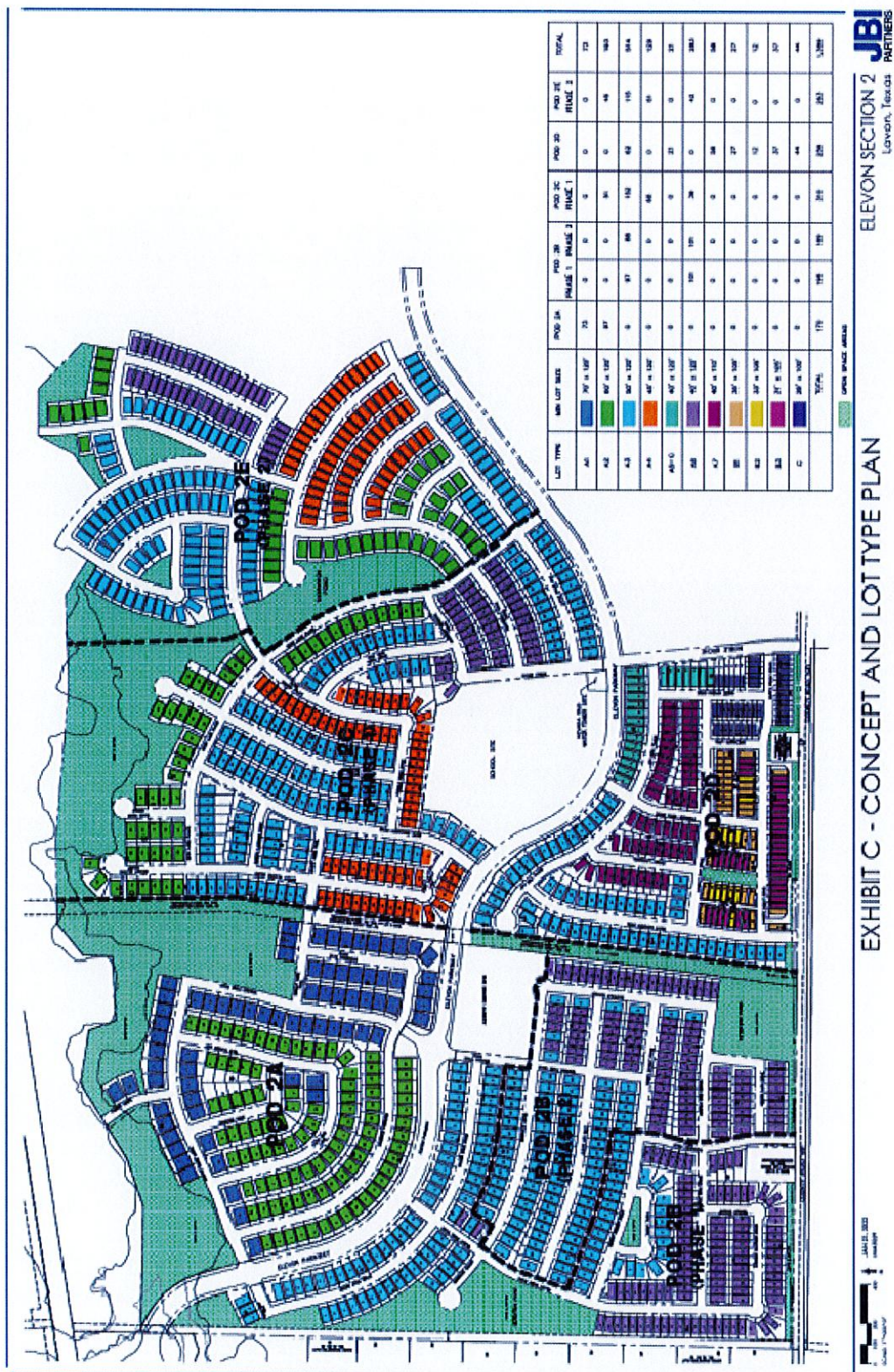


EXHIBIT D. DEVELOPMENT STANDARDS

D.1. DEFINITIONS

D.1.1. PROPERTY

Area of land described and detailed in *Exhibit A – Location Map*, *Exhibit B – Legal Description*, and *Exhibit C – Concept and Lot Type Plan*.

D.1.2. LOT COVERAGE

Percentage of area covered by impervious surface of structure foundations.

D.1.3. COURTYARD DETACHED DWELLING

Single family detached lot types required to have a portal and architectural wall which creates an outdoor living space between the main living area and the front entry element. The garage can either be attached or detached from the main living area, no more than 50 percent of the Courtyard Detached Dwellings can have an attached garage at any stage of permitting. Applicant shall provide this permitted garage percentage for the Property with each Courtyard Detached Dwelling permit application (or set of permit applications).

D.1.4. AMENITY CENTER

A site within the Property that shall include, at a minimum: air-conditioned space, swimming pool(s), and family lifestyle-oriented facilities.

D.2. CONFLICTS

In the event of a conflict between this Ordinance and any other City ordinance, rule, or regulation, including, but not limited to, the provisions of the City's Zoning Ordinance, this Ordinance shall control. In the event of a conflict between this Ordinance and the Development Agreement applicable to the Property, the Development Agreement shall control. Any amendments to the Development Agreement applicable to the Property that could conflict with this Ordinance shall be considered with an associated rezoning request to amend this Ordinance accordingly with all applicable procedural considerations as required by the Zoning Ordinance.

D.3. EXHIBITS

The Property shall generally conform with *Exhibit C – Concept and Lot Type Plan*, *Exhibit D – Development Standards*, and *Exhibit E – Parks/Open Space*.

D.4. RESIDENTIAL

The following regulations shall apply to tracts designated as Residential on *Exhibit C – Concept and Lot Type Plan*:

D.4.1. LOCATIONS AND TYPES

The locations of park/open space area shall be as generally depicted on *Exhibit C – Concept and Lot Type Plan* and as reflected in the following section (Lot Type Adjustments).

D.4.2. LOT TYPE ADJUSTMENTS

The following shall be permitted by Administrative Modification, upon submittal to the City Administrator or her designee and associated review, without a rezoning request (i.e. the change change(s) can be processed administratively by the City Administrator or her designee without consideration by the Planning and Zoning Commission and City Council):

- The number of lots per Lot Type shall be permitted to deviate within five percent of each Lot Type's total allocated in the *Lot Type Count Table* below.
- Lot Type adjustments that exceed the five percent threshold of change but that increase lot sizes and/or decrease the total number of lots within a particular Lot Type beyond five percent shall be permitted. Lot Types larger than Lot Type A1 (in minimum lot size, minimum lot width, and minimum lot depth) are permitted to be added under this Administrative Modification, with associated revised exhibits and the addition of associated standards, as long as all other compliance is achieved and maximum lot coverage is established at 50 percent for the new Lot Type(s).
- Any changes to Lot Types per this standard shall generally conform to the other standards and exhibits included herein and shall not adversely or substantially change or affect access, circulation, parks/open space, pedestrian or trail connections, amenities, and/or engineering related items as determined by the City Administrator or her designee. Any changes to Lot Types per this standard shall not increase the total number of residential lots originally approved (1,389).

A rezoning request will be required for consideration and any potential approval of Lot Type adjustments not meeting the aforementioned provisions. Appeals of decisions of this Administrative Modification standard shall be considered by rezoning request.

D.4.2.1. LOT TYPE COUNT TABLE

A1	A2	A3	A4	A5-C	A6	A7	B1	B2	B3	C
78	188	515	129	22	299	37	28	12	37	44
Lot Count Total: 1,389										

D.4.3. PERMITTED USES

The following uses are permitted, and any uses not listed are not permitted:

Single Family Detached Dwelling
Home-based Business within a SF Dwelling
Single Family Attached – Townhome
Courtyard Detached Dwelling
Duplex
Real Estate Model Home
Accessory Structure with Restrictions
SF Swimming Pool
SF Hobby Shed
SF Tennis Court
Temporary Concrete Batch Plant*
Temporary Buildings Incidental to Elevon's Infrastructure Construction**

**Temporary Concrete Batch Plants serving the Development are permitted, subject to City Engineer approval and conditions upon application, and must be removed once construction of the development is completed. Should the location be proposed to change, a new application shall be required.*

*** Temporary Buildings Incidental to Elevon's Infrastructure Construction, including temporary construction, development, and sales trailers, are permitted until the Elevon Development is completed, subject to City Engineer approval and conditions upon application, and must be removed once construction of the development is completed. Should the location be proposed to change, a new application shall be required.*

D.4.4. DIMENSIONAL STANDARDS

Tracts designated as Residential on *Exhibit C – Concept and Lot Type Plan* shall comply with the following Dimensional Standards:

Lot Type	A1	A2	A3	A4	A5-C	A6	A7
Total Lots	73	193	514	129	21	283	56
Minimum Lot Area	8,400 sf	7,200 sf	6,000 sf	5,400 sf	4,800 sf	4,800 sf	4,400 sf
Minimum Lot Width	70'	60'	50'	45'	40'	40'	40'
Minimum Lot Width of Corner Lots	70'	60'	50'	45'	40'	40'	40'
Minimum Lot Depth	120'	120'	120'	120'	120'	120'	110'
Minimum Dwelling Unit Area	1,100 sf	1,100 sf	1,100 sf	1,100 sf	1,100 sf	1,100 sf	1,100 sf
Minimum Front Yard Setback	10'	10'	10'	10'	10'	10'	10'
Minimum Side Yard Setback*	5'	5'	5'	5'	5'	5'	5'
Minimum Side Yard Corner	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street
Minimum Rear Yard Setback	10'	10'	10'	10'	8'	10'	10'
Maximum Lot Coverage	75%	75%	75%	75%	75%	75%	75%
Maximum Main Structure Height	40'	40'	40'	40'	40'	40'	40'
Maximum Accessory Structure Height	30'	30'	30'	30'	30'	30'	30'

**Air conditioning units and similar mechanical equipment, such as heat pumps, solar collecting equipment, or pool equipment may be installed within the residential side yard setback but shall not be installed within three feet of any side yard fencing, air conditioning unit/pad, or mechanical equipment of an adjacent home or structure.*

Lot Type	B1	B2	B3	C
Total Lots	28	12	37	44
Minimum Lot Area	3,675 sf	3,465 sf	3,255 sf	2,600 sf
Minimum Lot Width	35'	33'	31'	26'
Minimum Lot Width of Corner Lots	35'	33'	31'	26'
Minimum Lot Depth	105'	105'	105'	100'
Minimum Dwelling Unit Area	1,100 sf	1,100 sf	1,100 sf	1,100 sf
Minimum Front Yard Setback	10'	10'	10'	10'
Minimum Side Yard Setback*	5'	5'	5'	5'
Minimum Side Yard Corner	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street
Minimum Rear Yard Setback	3'	3'	3'	10'
Maximum Lot Coverage	75%	75%	75%	75%
Maximum Main Structure Height	40'	40'	40'	40'
Maximum Accessory Structure Height	30'	30'	30'	30'

**Air conditioning units and similar mechanical equipment, such as heat pumps, solar collecting equipment, or pool equipment may be installed within the residential side yard setback but shall not be installed within three feet of any side yard fencing, air conditioning unit/pad, or mechanical equipment of an adjacent home or structure.*

Where Standards are not specified, Residential tracts shall comply with the Zoning Ordinance as applicable.

D.4.5. DESIGN STANDARDS

Tracts designated as Residential on *Exhibit C – Concept and Lot Type Plan* (designated with the 11 colored and symbolized Lot Types) shall comply with the following Design Standards:

D.4.5.1. GARAGES

Garages may be front, side or rear facing.

For Courtyard Detached Dwellings (Lot Type A5-C):

- The garage can either be attached or detached from the main living area, but no more than 50 percent of the Courtyard Detached Dwellings shall have an attached garage at any stage of permitting. Developer shall provide this permitted garage percentage with each Courtyard Detached Dwelling permit application (or set of permit applications).
- Garage doors shall include one or more of the following: accent hardware, windows, wood or wood-like texture, or other architectural features.

D.4.5.2. ARCHITECTURE

Adjacent houses shall not have the same floor plans and elevations.

If the same or similar plans and elevations are used for two or more houses, then the following standards also apply:

(a) If such houses are on the same side or opposite side of the street, they shall not be within three lots of each other (i.e. a minimum of two intervening lots shall be between);

and

(b) If the houses have the same or similar floor plans but different elevations *and* are on the same side or opposite sides of the street, they shall not be within two lots of each other (i.e. a minimum of one intervening lot between).

D.4.5.3. FENCING

For Courtyard Detached Dwellings (Lot Type A5-C):

- Masonry columns are required at the front corners of the fence.
- The front fence shall be a six-foot privacy fence and shall match the architectural elements of the building façade.

D.5. ELEMENTARY SCHOOL & BALL FIELDS

The following regulations shall apply to the tract designated as "School Site" on *Exhibit C – Concept and Lot Type Plan*:

D.5.1. PERMITTED USES

The following use is permitted, and any uses not listed are not permitted:

Educational Facility - Public
Community Recreational Use
Public Parks and Playgrounds
Public Recreational Facilities

D.5.2. DIMENSIONAL STANDARDS

The tract designated as Elementary School & Ball Fields on *Exhibit C – Concept and Lot Type Plan* shall comply with the following Dimensional Standards:

Total Lots	1
Minimum Lot Area	10,000 sf
Minimum Lot Width	100'
Minimum Lot Depth	100'
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard Corner	25'
Minimum Rear Yard Setback	25'
Maximum Lot Coverage	75%
Maximum Main Structure Height	40'
Maximum Accessory Structure Height	40'

Where Standards are not specified, the Elementary & Ball Fields tract shall comply with the Zoning Ordinance as applicable.

D.6. AMENITY CENTER

The following regulations shall apply to the tract designated as "Amenity Center Site" on *Exhibit C – Concept and Lot Type Plan*:

D.6.1. PERMITTED USES

The following uses are permitted, and any uses not listed are not permitted:

Amenity Center
Bakery/confectionery Retail Establishment*
Community Recreational Use*
Community Swimming Pool*
Open Space Preserves*
Public and Private Parks and Playgrounds*
Public and Private Recreational Facilities*
Restaurant*
Retail Sales*
SF Swimming Pool*
SF Tennis Court*

**Permitted only when associated with/connected to an established Amenity Center as secondary use of tract.*

D.6.2. DIMENSIONAL STANDARDS

The tract designated as "Amenity Center Site" on *Exhibit C – Concept and Lot Type Plan* shall comply with the following Dimensional Standards:

Total Lots	1
Minimum Lot Area	2,600 sf
Minimum Lot Width	26'
Minimum Lot Width of Corner Lots	26'
Minimum Lot Depth	100'
Minimum Dwelling Unit Area	1,100 sf
Minimum Front Yard Setback	10'
Minimum Side Yard Setback	5'

Minimum Side Yard Corner	5'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	75%

Where Standards are not specified, the Amenity Center Site tract shall comply with the Zoning and Subdivision Ordinances as applicable.

D.7. PARK/OPEN SPACE

The following regulations shall apply to tracts designated as Open Space Areas on *Exhibit C – Concept and Lot Type Plan* and as further detailed on *Exhibit E – Parks/Open Space*:

D.7.1. LOCATIONS AND TYPES

The locations and types of parks/open space areas shall be as generally depicted on *Exhibit E – Parks/Open Space*.

D.7.2. PERMITTED USES

The following uses are permitted, and any uses not listed are not permitted:

SF Swimming Pool
SF Tennis Court
Community Recreational Use
Community Swimming Pool
Golf Course
Open Space Preserves
Public and Private Parks and Playgrounds
Public and Private Recreational Facilities

D.7.3. DIMENSIONAL STANDARDS

The following dimensional standards shall apply:

The minimum park/open space area for the Property shall be 60 acres. In order for the open space to be counted towards meeting the minimum requirement, each area must be at least 0.25 acres in size or contain natural features such as creeks, varied topography, or stands of trees, or contain recreational elements (i.e. hike & bike trail, etc.), as well as being readily accessible to the residents through sidewalks and with parking as applicable.

The three areas labeled "Pocket Park" on *Exhibit E – Parks/Open Space* shall be a minimum of .5 acres (1/2 an acre) and shall be the approximate size as stated on the Exhibit.

D.7.4. DESIGN

For each pocket park:

- Pocket parks shall have street frontage on at least two sides.
- A minimum five-foot sidewalk or trail shall be provided around the perimeter of each space, adjacent to streets. The sidewalk or trail should also meander through the pocket park as practicable.
- Shaded areas for seating shall be provided.
- Benches for seating shall be provided.

For each park/open space:

- Trails shall be provided per *Exhibit E – Parks/Open Space*.

Where Standards are not specified, Park/Open Space tracts shall comply with the Zoning and Subdivision Ordinances.

D.8. WATER TOWER

The following regulations shall apply to the tract designated as "Nevada SUD Water Tower Site" on *Exhibit C – Concept and Lot Type Plan*:

D.8.1. PERMITTED USE

The following use is permitted, and any use not listed is not permitted:

Wind energy, utility, or telecommunication tower (i.e. water tower)

D.8.2. DIMENSIONAL STANDARDS

The following dimensional standards shall apply:

Total Lots	1
Minimum Lot Area	10,000 sf
Minimum Lot Width	80'
Minimum Lot Depth	80'
Minimum Front Yard Setback	10'
Minimum Side Yard Setback	5'
Minimum Side Yard Corner	10'
Minimum Rear Yard Setback	5'
Maximum Lot Coverage	75%
Maximum Main Structure Height	200'

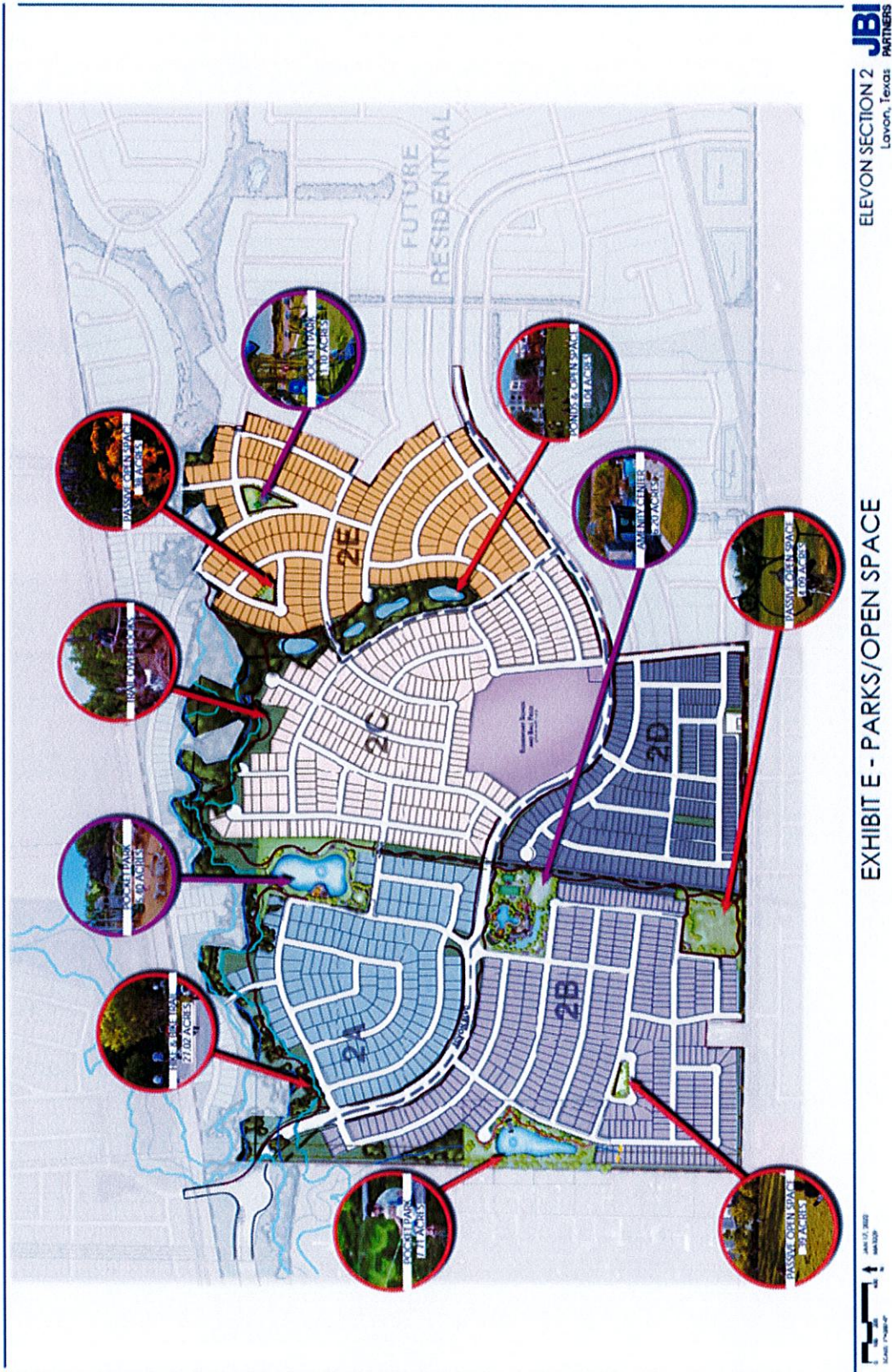
D.8.3. DESIGN

Aesthetically pleasing screening, consistent with the character of Elevon design and the Lake Connector Corridor, shall be provided around the Water Tower Site.

The screening shall be six feet tall and constructed with one or a combination of the following:

Brick, stone, board-on-board cedar fencing. Board-on-board cedar fencing shall not comprise more than 50 percent of screening materials.

EXHIBIT E. PARKS/OPEN SPACE



JBI
PARTNERS

ELEVON SECTION 2
LAVON, TEXAS

EXHIBIT E - PARKS/OPEN SPACE

0 100 FEET
N
JBI PARTNERS

After Recording Return To:

Land Use and Development Department
City of Lavon
120 School Road
P.O. Box 340
Lavon, TX 75166

**PLANNED DEVELOPMENT DISTRICT
CONSENT FORM**

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.

Introduction: As an applicant for a new Planned Development District, or an amendment of an existing PDD, you are aware that the City's zoning regulations specify design elements and construction goals for both residential and non-residential zoning proposed planned developments. The City has determined that such elements of a planned development greatly further the long-term viability of the project, the economic development of surrounding areas, the preservation of property values, and the architectural standards of the community. These standards thus are an important factor in the consideration of whether the departure from standard zoning district standards in a planned development represents an enhancement of the City. Because of recent changes in state law, however, that affect the City's capacity to employ and enforce architectural standards and building material regulations for development and construction, it is necessary to promulgate the following form. ***It is intended that your consent be observed by you and subsequent purchasers and that the attached covenants shall run with the land.***

Instructions: You have received this form because you have submitted a rezoning application for either creation or amendment of a Planned Development District. The signature of the property owner(s) and his or her designated representative (the developer) should both be affixed to this form only if you are in agreement with the statements that appear below. If you choose to sign this form, it should be returned to the City's Planning Department for recordation at least two (2) weeks before the date of the public hearing by the Planning & Zoning Commission so that staff can include whether or not you have consented in the staff report/agenda materials.

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CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, _____, Owner of _____ acres of the property that is described in **Exhibit A** hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Lavon, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property (such design and construction standards hereinafter referred to as the "Regulations"). I agree that the Regulations are covenants that touch and concern the land and that it is my intent that such terms, provisions, covenants, and agreements contained within the Regulations shall run with the land and shall be binding upon the parties identified below, their successors and assigns, and all subsequent owners of the Property.

Owner

Date: _____

STATE OF TEXAS §

§

COUNTY OF _____ §

5

This instrument was acknowledged before me on the ____ day of _____, 20__ by _____.

Notary Public, State of Texas

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Notary Public, State of Texas

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 472.8955 acre tract of land described in deed to Far East Lavon, L.P. as recorded in Volume 5873, Page 3522, Official Public Records of Collin County, Texas, and also being a part of that called 180.339 acre tract of land described in deed to Petro-Hunt, L.L.C. as recorded in Volume 5588, Page 3612, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the southwest corner of said 180.339 acre tract, said point being the southeast corner of Lot 29, Lavon Ranchettes Plat, an Addition to Collin County as recorded in Volume B, Page 45, Official Public Records of Collin County, Texas, said point also being in the north right-of-way line of County Road 541;

THENCE along the west line of said 180.339 acre tract and along the east line of said Lavon Ranchettes Addition as follows: North 01 degrees 21 minutes 21 seconds East, 157.69 feet to a one-half inch iron rod found for corner; North 01 degrees 07 minutes 18 seconds East, 1,375.04 feet to a three-eighths inch iron rod found for corner; North 01 degrees 01 minutes 24 seconds East, 240.18 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the northwest corner of said 180.339 acre tract, said point also being in the south line of said 472.8955 acre tract;

THENCE 01 degrees 07 minutes 21 seconds East, at 1,306.98 feet passing the northeast corner of said Lavon Ranchettes Addition, in all a total distance of 1,576.39 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 88 degrees 52 minutes 39 seconds East, 649.89 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 70 degrees 37 minutes 18 seconds East, 252..27 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 58 degrees 06 minutes 24 seconds East, 454.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 81 degrees 00 minutes 14 seconds East, 273.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 20 degrees 23 minutes 20 seconds East, 149.63 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 86 degrees 39 minutes 17 seconds East, 326.44 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 02 degrees 14 minutes 27 seconds East, 149.62 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 50 degrees 45 minutes 14 seconds East, 210.82 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 55 minutes 55 seconds East, 423.69 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 85 degrees 19 minutes 02 seconds East, 780.24 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 10 minutes 40 seconds East, 481.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 19 minutes 17 seconds East, 211.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 32 degrees 40 minutes 43 seconds East, 126.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 15 degrees 53 minutes 22 seconds West, 13.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 63 degrees 02 minutes 13 seconds West, 12.06 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 26 degrees 31 minutes 02 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 372.60 feet along a curve to the right having a central angle of 25 degrees 52 minutes 38 seconds, a radius of 825.00 feet, a tangent of 189.54 feet and whose chord bears South 50 degrees 32 minutes 39 seconds East, 369.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 52 degrees 23 minutes 40 seconds East, 228.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 27 degrees 23 minutes 01 seconds East, 204.73 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 59 minutes 16 seconds East, 238.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 46 degrees 40 minutes 06 seconds East, 327.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 188.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 15.14 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 91.32 feet to a one-half inch iron rod with yellow cap set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 24.19 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 11 degrees 36 minutes 37 seconds West, 30.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 15 degrees 04 minutes 19 seconds West, 47.37 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 17 degrees 59 minutes 18 seconds West, 18.28 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 18 degrees 48 minutes 02 seconds West, 186.21 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 49 minutes 03 seconds West, 50.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 21 degrees 41 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 23 degrees 24 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 07 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 16 minutes 04 seconds West, 14.20 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 33 minutes 05 seconds West, 330.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 35 degrees 41 minutes 29 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 122.12 feet along a curve to the left having a central angle of 05 degrees 07 minutes 33 seconds, a radius of 1,365.00 feet, a tangent of 61.10 feet, and whose chord bears North 56 degrees 52 minutes 18 seconds West, 122.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 30 degrees 33 minutes 56 seconds West, 120.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 60 degrees 06 minutes 27 seconds East, 9.84 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 51 minutes 21 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 55 degrees 35 minutes 59 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 53 degrees 34 minutes 53 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 51 degrees 29 minutes 01 seconds East, 48.94 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 49 degrees 23 minutes 06 seconds East, 48.96 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 47 degrees 17 minutes 09 seconds East, 48.98 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 45 degrees 11 minutes 07 seconds East, 49.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 43 degrees 05 minutes 01 seconds East, 49.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 40 degrees 58 minutes 50 seconds East, 49.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 38 degrees 53 minutes 17 seconds East, 48.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 36 degrees 52 minutes 59 seconds East, 45.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 33 degrees 57 minutes 44 seconds East, 91.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 19 minutes 42 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 118.08 feet along a curve to the left having a central angle of 06 degrees 19 minutes 23 seconds, a radius of 1,070.00 feet, a tangent of 59.10 feet, and whose chord bears South 67 degrees 30 minutes 37 seconds West, 118.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 39 minutes 05 seconds East, 120.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 439.75 feet along a curve to the right having a central angle of 26 degrees 31 minutes 19 seconds, a radius of 950.00 feet, a tangent of 223.89 feet, and whose chord bears North 77 degrees 36 minutes 35 seconds East, 435.83 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 52 minutes 14 seconds West, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 563.09 feet along a curve to the left having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 850.00 feet, a tangent of 292.31 feet, and whose chord bears South 71 degrees 53 minutes 33 seconds West, 552.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 981.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 733.92 feet along a curve to the right having a central angle of 30 degrees 02 minutes 09 seconds, a radius of 1,400.00 feet, a tangent of 375.60 feet, and whose chord bears South 67 degrees 55 minutes 57 seconds West, 725.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 05 degrees 37 minutes 01 seconds East, 563.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 55.96 feet along a curve to the left having a central angle of 06 degrees 32 minutes 37 seconds, a radius of 490.00 feet, a tangent of 28.01 feet, and whose chord bears South 08 degrees 53 minutes 20 seconds East, 55.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 231.51 feet along a curve to the right having a central angle of 12 degrees 41 minutes 36 seconds, a radius of 1,045.00 feet, a tangent of 116.23 feet, and whose chord bears South 05 degrees 48 minutes 51 seconds East, 231.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 57 seconds West, 66.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 28 minutes 43 seconds West, 479.74 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to a point for corner;

THENCE North 00 degrees 31 minutes 17 seconds East, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 28 minutes 43 seconds West, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 17 seconds West, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 28 minutes 43 seconds West, 1,266.00 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;

THENCE North 89 degrees 23 minutes 25 seconds West, 705.75 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point also being the southeast corner of that called 1.05 acre tract of land described in deed to Donald Stiles as recorded in Document Number 20200821001383600, Official Public Records of Collin County, Texas;

THENCE along the common lines of said 180.339 acre tract and said 1.05 acre tract as follows:

North 00 degrees 45 minutes 47 seconds East, 253.51 feet to a five-eighths inch iron rod found for corner

North 87 degrees 47 minutes 23 seconds West, 180.66 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;

South 00 degrees 37 minutes 46 seconds West, 257.91 feet to a one-half inch iron rod found at the southwest corner of said 1.05 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 10 minutes 57 seconds West, 848.67 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to the POINT OF BEGINNING and containing 16,411,571 square feet or 376.758 acres of land.

After Recording Return To:

Land Use and Development Department
City of Lavon
120 School Road
P.O. Box 340
Lavon, TX 75166

**PLANNED DEVELOPMENT DISTRICT
CONSENT FORM**

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.

Introduction: As an applicant for a new Planned Development District, or an amendment of an existing PDD, you are aware that the City's zoning regulations specify design elements and construction goals for both residential and non-residential zoning proposed planned developments. The City has determined that such elements of a planned development greatly further the long-term viability of the project, the economic development of surrounding areas, the preservation of property values, and the architectural standards of the community. These standards thus are an important factor in the consideration of whether the departure from standard zoning district standards in a planned development represents an enhancement of the City. Because of recent changes in state law, however, that affect the City's capacity to employ and enforce architectural standards and building material regulations for development and construction, it is necessary to promulgate the following form. ***It is intended that your consent be observed by you and subsequent purchasers and that the attached covenants shall run with the land.***

Instructions: You have received this form because you have submitted a rezoning application for either creation or amendment of a Planned Development District. The signature of the property owner(s) should be affixed to this form only if you are in agreement with the statements that appear below. If you choose to sign this form, it should be returned to the City's Planning Department for recordation at least two (2) weeks before the date of the public hearing by the Planning & Zoning Commission so that staff can include whether or not you have consented in the staff report/agenda materials.

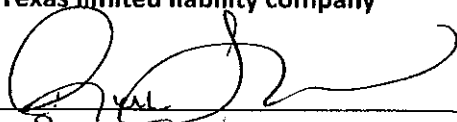
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CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, K. Hovnanian DFW Elevon, LLC, Owner of 65.135 acres of the property that is described in **Exhibit A** hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Lavon, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property (such design and construction standards hereinafter referred to as the "Regulations"). I agree that the Regulations are covenants that touch and concern the land and that it is my intent that such terms, provisions, covenants, and agreements contained within the Regulations shall run with the land and shall be binding upon the parties identified below, their successors and assigns, and all subsequent owners of the Property.

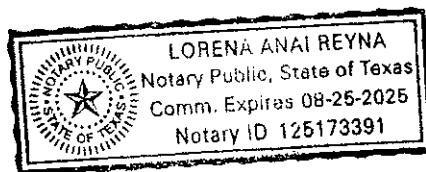
K. HOVNANIAN DFW ELEVON, LLC,
a Texas limited liability company


By: Rick Trotter
Its: Director, President
Date: _____

STATE OF TEXAS §
 §
COUNTY OF Collin §

This instrument was acknowledged before me on the 14th day of Feb, 2022 by
Rick Trotter.


Notary Public, State of Texas




CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, HMH/Stratford Elevon JV, LLC, Owner of 88.19 acres of the property that is described in **Exhibit A** hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Lavon, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property (such design and construction standards hereinafter referred to as the "Regulations"). I agree that the Regulations are covenants that touch and concern the land and that it is my intent that such terms, provisions, covenants, and agreements contained within the Regulations shall run with the land and shall be binding upon the parties identified below, their successors and assigns, and all subsequent owners of the Property.

HMH/STRATFORD ELEVON JV, LLC,
a Texas limited liability company



By: Darrel Amen

Its: Officer

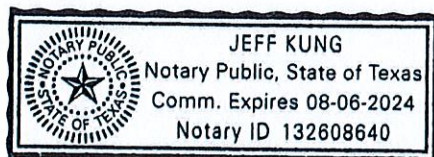
Date: 2/14/22


STATE OF TEXAS §

§

COUNTY OF Tarrant §

This instrument was acknowledged before me on the 14th day of February, 2022 by Darrel Amen.




Notary Public, State of Texas

CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, GRBK Edgewood, LLC, Owner of 115.385 acres of the property that is described in Exhibit A hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Lavon, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property (such design and construction standards hereinafter referred to as the "Regulations"). I agree that the Regulations are covenants that touch and concern the land and that it is my intent that such terms, provisions, covenants, and agreements contained within the Regulations shall run with the land and shall be binding upon the parties identified below, their successors and assigns, and all subsequent owners of the Property.

GRBK EDGEWOOD, LLC,
a Texas limited liability company



By: BOBBY SAMUEL

Its: VICE PRESIDENT

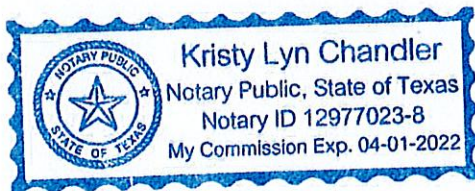
Date: 2/14/2022

STATE OF TEXAS §

§

COUNTY OF Collin §

This instrument was acknowledged before me on the 14 day of February, 2022 by
Bobby Samuel.



Notary Public, State of Texas

CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, UMH Development, LLC, Owner of 27.353 acres of the property that is described in Exhibit A hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Lavon, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property (such design and construction standards hereinafter referred to as the "Regulations"). I agree that the Regulations are covenants that touch and concern the land and that it is my intent that such terms, provisions, covenants, and agreements contained within the Regulations shall run with the land and shall be binding upon the parties identified below, their successors and assigns, and all subsequent owners of the Property.

UMH DEVELOPMENT, LLC,
a Texas limited liability company

By: [Signature]
Its: MANAGER
Date: 2/14/22

STATE OF TEXAS §
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COUNTY OF Dallas §

This instrument was acknowledged before me on the 14th day of February, 2022 by Dennis Pitt.



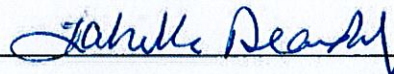
Maria Fanny Almanza
Notary Public, State of Texas

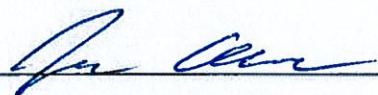
CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, Qualico Developments (U.S.), Inc., Owner of 40.661 acres of the property that is described in **Exhibit A** hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Lavon, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property (such design and construction standards hereinafter referred to as the "Regulations"). I agree that the Regulations are covenants that touch and concern the land and that it is my intent that such terms, provisions, covenants, and agreements contained within the Regulations shall run with the land and shall be binding upon the parties identified below, their successors and assigns, and all subsequent owners of the Property.

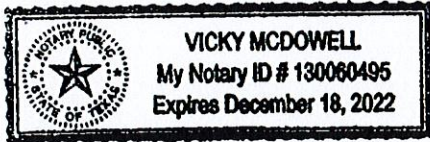
QUALICO DEVELOPMENTS (U.S.), INC.,
a Delaware corporation

By: 
Its: LaNelle Deardorf - Vice President
Date: 2/14/22

By: 
Its: Joe Albers - Assistant Secretary
Date: 2/14/22

STATE OF TEXAS §
COUNTY OF Travis §

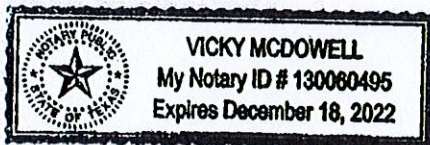
This instrument was acknowledged before me on the 14th day of February, 2022 by
Lanelle Deardorf, Vice President



Vicky McDowell
Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF Travis §

This instrument was acknowledged before me on the 14th day of February, 2022 by
Joe Albers, Asst Secretary



Vicky McDowell
Notary Public, State of Texas

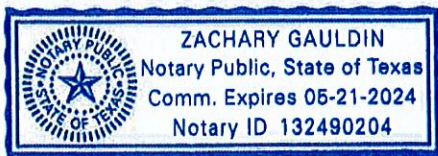
EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

**MA ELEVON 429, LLC,
a Texas limited liability company**

By: [Signature]
Its: Manager
Date: 2/14/2022

STATE OF TEXAS \$
COUNTY OF Dallas \$

This instrument was acknowledged before me on the 14th day of February, 2022 by Allen Jones.




Notary Public, State of Texas

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 472.8955 acre tract of land described in deed to Far East Lavon, L.P. as recorded in Volume 5873, Page 3522, Official Public Records of Collin County, Texas, and also being a part of that called 180.339 acre tract of land described in deed to Petro-Hunt, L.L.C. as recorded in Volume 5588, Page 3612, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the southwest corner of said 180.339 acre tract, said point being the southeast corner of Lot 29, Lavon Ranchettes Plat, an Addition to Collin County as recorded in Volume B, Page 45, Official Public Records of Collin County, Texas, said point also being in the north right-of-way line of County Road 541;

THENCE along the west line of said 180.339 acre tract and along the east line of said Lavon Ranchettes Addition as follows: North 01 degrees 21 minutes 21 seconds East, 157.69 feet to a one-half inch iron rod found for corner; North 01 degrees 07 minutes 18 seconds East, 1,375.04 feet to a three-eighths inch iron rod found for corner; North 01 degrees 01 minutes 24 seconds East, 240.18 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found at the northwest corner of said 180.339 acre tract, said point also being in the south line of said 472.8955 acre tract;

THENCE 01 degrees 07 minutes 21 seconds East, at 1,306.98 feet passing the northeast corner of said Lavon Ranchettes Addition, in all a total distance of 1,576.39 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 88 degrees 52 minutes 39 seconds East, 649.89 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 70 degrees 37 minutes 18 seconds East, 252..27 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 58 degrees 06 minutes 24 seconds East, 454.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 81 degrees 00 minutes 14 seconds East, 273.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 20 degrees 23 minutes 20 seconds East, 149.63 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 86 degrees 39 minutes 17 seconds East, 326.44 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 02 degrees 14 minutes 27 seconds East, 149.62 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 50 degrees 45 minutes 14 seconds East, 210.82 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 55 minutes 55 seconds East, 423.69 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 85 degrees 19 minutes 02 seconds East, 780.24 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 88 degrees 10 minutes 40 seconds East, 481.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 19 minutes 17 seconds East, 211.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 32 degrees 40 minutes 43 seconds East, 126.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 15 degrees 53 minutes 22 seconds West, 13.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 63 degrees 02 minutes 13 seconds West, 12.06 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 26 degrees 31 minutes 02 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 372.60 feet along a curve to the right having a central angle of 25 degrees 52 minutes 38 seconds, a radius of 825.00 feet, a tangent of 189.54 feet and whose chord bears South 50 degrees 32 minutes 39 seconds East, 369.45 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 52 degrees 23 minutes 40 seconds East, 228.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 27 degrees 23 minutes 01 seconds East, 204.73 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 59 minutes 16 seconds East, 238.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 46 degrees 40 minutes 06 seconds East, 327.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 188.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 15.14 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 79 degrees 44 minutes 49 seconds East, 91.32 feet to a one-half inch iron rod with yellow cap set for corner;

THENCE South 10 degrees 15 minutes 11 seconds West, 24.19 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 11 degrees 36 minutes 37 seconds West, 30.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 15 degrees 04 minutes 19 seconds West, 47.37 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 17 degrees 59 minutes 18 seconds West, 18.28 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 18 degrees 48 minutes 02 seconds West, 186.21 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 49 minutes 03 seconds West, 50.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 21 degrees 41 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 23 degrees 24 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 07 minutes 34 seconds West, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 16 minutes 04 seconds West, 14.20 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 26 degrees 33 minutes 05 seconds West, 330.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 35 degrees 41 minutes 29 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northwesterly, 122.12 feet along a curve to the left having a central angle of 05 degrees 07 minutes 33 seconds, a radius of 1,365.00 feet, a tangent of 61.10 feet, and whose chord bears North 56 degrees 52 minutes 18 seconds West, 122.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 30 degrees 33 minutes 56 seconds West, 120.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 60 degrees 06 minutes 27 seconds East, 9.84 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 57 degrees 51 minutes 21 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 55 degrees 35 minutes 59 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 53 degrees 34 minutes 53 seconds East, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 51 degrees 29 minutes 01 seconds East, 48.94 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 49 degrees 23 minutes 06 seconds East, 48.96 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 47 degrees 17 minutes 09 seconds East, 48.98 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 45 degrees 11 minutes 07 seconds East, 49.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 43 degrees 05 minutes 01 seconds East, 49.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 40 degrees 58 minutes 50 seconds East, 49.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 38 degrees 53 minutes 17 seconds East, 48.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 36 degrees 52 minutes 59 seconds East, 45.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 33 degrees 57 minutes 44 seconds East, 91.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 19 degrees 19 minutes 42 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 118.08 feet along a curve to the left having a central angle of 06 degrees 19 minutes 23 seconds, a radius of 1,070.00 feet, a tangent of 59.10 feet, and whose chord bears South 67 degrees 30 minutes 37 seconds West, 118.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 25 degrees 39 minutes 05 seconds East, 120.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Northeasterly, 439.75 feet along a curve to the right having a central angle of 26 degrees 31 minutes 19 seconds, a radius of 950.00 feet, a tangent of 223.89 feet, and whose chord bears North 77 degrees 36 minutes 35 seconds East, 435.83 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 52 minutes 14 seconds West, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 563.09 feet along a curve to the left having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 850.00 feet, a tangent of 292.31 feet, and whose chord bears South 71 degrees 53 minutes 33 seconds West, 552.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 52 degrees 54 minutes 52 seconds West, 981.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 733.92 feet along a curve to the right having a central angle of 30 degrees 02 minutes 09 seconds, a radius of 1,400.00 feet, a tangent of 375.60 feet, and whose chord bears South 67 degrees 55 minutes 57 seconds West, 725.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 05 degrees 37 minutes 01 seconds East, 563.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 55.96 feet along a curve to the left having a central angle of 06 degrees 32 minutes 37 seconds, a radius of 490.00 feet, a tangent of 28.01 feet, and whose chord bears South 08 degrees 53 minutes 20 seconds East, 55.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 231.51 feet along a curve to the right having a central angle of 12 degrees 41 minutes 36 seconds, a radius of 1,045.00 feet, a tangent of 116.23 feet, and whose chord bears South 05 degrees 48 minutes 51 seconds East, 231.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 57 seconds West, 66.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 28 minutes 43 seconds West, 479.74 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to a point for corner;

THENCE North 00 degrees 31 minutes 17 seconds East, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 28 minutes 43 seconds West, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 31 minutes 17 seconds West, 147.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the south line of said 180.339 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 28 minutes 43 seconds West, 1,266.00 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;

THENCE North 89 degrees 23 minutes 25 seconds West, 705.75 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point also being the southeast corner of that called 1.05 acre tract of land described in deed to Donald Stiles as recorded in Document Number 20200821001383600, Official Public Records of Collin County, Texas;

THENCE along the common lines of said 180.339 acre tract and said 1.05 acre tract as follows:

North 00 degrees 45 minutes 47 seconds East, 253.51 feet to a five-eighths inch iron rod found for corner

North 87 degrees 47 minutes 23 seconds West, 180.66 feet to a one-half inch iron rod with cap stamped "USA INC. PROP. COR" found for corner;

South 00 degrees 37 minutes 46 seconds West, 257.91 feet to a one-half inch iron rod found at the southwest corner of said 1.05 acre tract, said point also being in the north right-of-way line of County Road 541;

THENCE North 89 degrees 10 minutes 57 seconds West, 848.67 feet along the south line of said 180.339 acre tract and along the north right-of-way line of County Road 541 to the POINT OF BEGINNING and containing 16,411,571 square feet or 376.758 acres of land.