

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT APPROXIMATELY 6162.132 ACRES OF LAND IN THE MEREDAY ASHLOCK, G.S. BACCUS, GEORGE CRUTCHFIELD, E. T. BERRY, JOHN W. COX, J. FIZER, G.A. FOOTE, J.M. FELAND, J.R. GRAY, GEORGE HERNDON, HENRY JOHNSON, GEORGE MCGARRAH, J.M. McREYNOLDS, JERRY MAGNER, J.J. NAUGLE, T.H. SEARCH, S.B. SEARCH, LEONARD SEARCY, CHRISTOPHER SEARCH, GALLITON SEARCY, S.W. SULLIVAN, HENRY SLACK, GEORGE WHITE, I.C. WILLIAMS, E. WHITLEY, B.P. WORLEY AND A.S. YOUNG SURVEYS, LOCATED GENERALLY BETWEEN U.S. HWY. 380, COIT ROAD, COUNTY ROAD 117 (ELDORADO PARKWAY) AND HERNDON BRANCH ARE ZONED PLANNED DEVELOPMENT; ADOPTING PLANNED DEVELOPMENT REGULATIONS FOR THE DEVELOPMENT OF SUCH TRACT; ADOPTING THE PLANNED DEVELOPMENT ZONING/THOROUGHFARE PLAN AND THE USES SHOWN THEREON; PROVIDING FOR NO VESTED INTEREST IN THE PLANNED DEVELOPMENT REGULATIONS OR ZONING/THOROUGHFARE PLAN; PROVIDING FOR AMENDMENT OF THE PLANNED DEVELOPMENT REGULATIONS AND ZONING/THOROUGHFARE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owners of approximately 6162.132 acres of land located in the Mereday Ashlock, G.S. Baccus, George Crutchfield, E. T. Berry, John W. Cox, J. Fizer, G.A. Foote, J.M. Feland, J.R. Gray, George Herndon, Henry Johnson, George McGarrah, J.M. McReynolds, Jerry Magner, J.J. Naugle, T.H. Search, S.B. Search, Leonard Search, Christopher Search, Galliton Search, S.W. Sullivan, Henry Slack, George White, I.C. Williams, E. Whitley, B.P. Worley and A.S. Young Surveys, located generally between U.S. Hwy. 380, Coit Road, County Road 117 (Eldorado Parkway) and Herndon Branch, in the City of McKinney, Collin County, Texas, have petitioned the City of McKinney to zone such parcel of land "Planned Development" as provided for in Ordinance No. 1270 of the City of McKinney, a complete legal description of such property being attached hereto and marked Exhibit "A", and made a part hereof for all purposes; and

WHEREAS, at the time of the filing for such rezoning, such owners also prepared a Planned Development Zoning and Thoroughfare Plan showing the proposed Planning Areas for such tract and the proposed Planned Development Regulations as provided for in Ordinance No. 1270 attached hereto and marked Exhibit "B" with said Zoning and Thoroughfare incorporated therein.

WHEREAS, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that such zoning change should be made and that the hereinafter referenced Zoning and Thoroughfare Plan and Planned Development Regulations should be adopted.

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

SECTION I: That the real estate more fully described in the attached Exhibit "A" is hereby zoned Planned Development.

SECTION II: That the Zoning and Thoroughfare Plan incorporated in the Regulations attached hereto as Exhibit "B", showing the approximate land uses for said Planned Development, is hereby adopted for the following Principal Permitted Uses, as defined in the Planned Development Regulations, and shown on the Zoning and Thoroughfare Plan.

- A. Low Density Residential
  - SF-1
  - SF-2
  - SF-3
- B. Medium Density Residential
- C. High Density Residential
- D. Retail
- E. Office
- F. Light Manufacturing
- G. Schools

- H. Parks
- I. Lakes
- J. Golf Course
- K. Open Space

SECTION III: That the Planned Development Regulations, attached hereto and marked Exhibit "C", are hereby adopted as the regulations covering the development, and all development within this Planned Development shall be according to these Planned Development Regulations and the Planned Development Zoning and Thoroughfare Plan including, but not limited to all permitted uses, accessory uses, conditional and excluded uses, shown in the Regulations.

SECTION IV: That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Regulations, the Zoning and Thoroughfare Plan, or any Ordinance appended to or referenced in the Planned Development Regulations. This Ordinance, the Zoning and Thoroughfare Plan, the Planned Development Regulations and any and all ordinances referenced therein may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

SECTION V: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance or declared to be severable.

SECTION VI: It shall be unlawful for any person, firm or corporation to develop this tract, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefor, shall be fined any sum not exceeding \$200.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any

violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

SECTION VII: The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED by the City Council of the City of McKinney, Texas, on this the 21<sup>st</sup> day of January, 1986.

CORRECTLY ENROLLED:

Jennifer G. Cravens  
Jennifer G. Cravens  
City Secretary

## DESCRIPTION 4223.39 Acres of Land

SITUATED in Collin County, Texas, in the Mereday Ashlock Survey, Abstract No. 20, the Mereday Ashlock Survey, Abstract No. 21, the G.S. Baccus Survey, Abstract No. 119, the George Crutchfield Survey, Abstract No. 204, the J. Fizer Survey, Abstract No. 302, the G.A. Foote Survey, Abstract No. 311, the J.M. Feland Survey, Abstract No. 322, the J. R. Gray Survey, Abstract No. 343, the J. A. Gray Survey, Abstract No. 344, the Henry Johnson Survey, Abstract No. 482, the George McGarrah Survey, Abstract No. 573, the J.M. McReynolds Survey, Abstract No. 578, the Jerry Magner Survey, Abstract No. 623, the Jerry Magner Survey, Abstract No. 624, the J.J. Naugle Survey, Abstract No. 662, the T.H. Searcy Survey, Abstract No. 817, the S.B. Searcy Survey, Abstract No. 818, the Leonard Searcy Survey, Abstract No. 829, the Christopher Searcy Survey, Abstract No. 830, the Galliton Searcy Survey, Abstract No. 831, the I.C. Williamson Survey, Abstract No. 946, the E. Whitley Survey, Abstract No. 989, the B.P. Worley Survey, Abstract No. 995, and the A.S. Young Survey, Abstract No. 1037, being a resurvey of several tracts of land listed as follows:

the 1376.00 acres of land described in a deed from United States Trust Company of New York, Trustee, to Gulf-Bruton Venture No. 1, dated January 16, 1973, recorded in Volume 850, Page 619, hereinafter referred to as TRACT .01;

the 168.607 acres of land described in a deed from Irene T. Gafney, et al, to Gulf National Land Corporation, dated December 6, 1979, recorded in Volume 1212, Page 262, hereinafter referred to as TRACT .12;

the 45.269 acres of land described in a deed from Willard Horn to Gulf National Land Corporation, dated April 21, 1980, recorded in Volume 1257, Page 177, hereinafter referred to as TRACT .17;

the 160.138 acres of land described in a deed from Collin County National Bank, McKimney, Texas, Executor, to Gulf National Land Corporation, dated May 30, 1980, recorded in Volume 1268, Page 311, hereinafter referred to as TRACT .18;

the 242.478 acres of land described in a deed from Nancie E. Sneed, et al to Gulf National Land Corporation, dated August 21, 1980, recorded in Volume 1296, Page 579, hereinafter referred to as TRACT .20;

the 288.181 acres of land described in a deed from Charles Patterson Dowell, et al, to Gulf National Land Corporation, dated January 7, 1982, recorded in Volume 1464, Page 615, hereinafter referred to as TRACT .22-1;

the 60.00 acres of land described in a deed from Charles Patterson Dowell, et al, to Gulf National Land Corporation, dated December 4, 1981, recorded in Volume 1454, Page 872, hereinafter referred to as TRACT .22-2;

the 324.268 acres of land described in a deed from Patrick F. Deprez, Trustee and Ben B. West, Trustee, to Gulf National Land Corporation, dated April 22, 1981, recorded in Volume 1382, Page 256, hereinafter referred to as TRACT .23;

the 108.681 acres of land described in a deed from Paula Stringer, et al, to Gulf National Land Corporation, dated January 6, 1982, recorded in Volume 1464, Page 610, hereinafter referred to as TRACT .25;

the 141.548 acres of land described in a deed from William Dayton Bass and wife, Mildred Fay Bass, to Gulf National Land Corporation, dated June 3, 1982, recorded in Volume 1516, Page 610, hereinafter referred to as TRACT .26;

the 82.172 acres of land described in a deed from Palm Harbor Homes, Inc., Trustee, to Gulf National Land Corporation, dated April 29, 1983, recorded in Volume 1646, Page 148, hereinafter referred to as TRACT .31;

the 88.356 acres of land described in a deed from Fred McKimney, Guardian of the Estate of Morgan Brian Aynesworth, III, a minor, to Gulf National Land Corporation, dated June 10, 1983, recorded in Volume 1671, Page 191, hereinafter referred to as TRACT .32;

the 119.229 acres of land described in a deed from Charles Bass McKissick, Trustee for Tri-Collin Joint Venture, to Gulf National Land Corporation, dated July 1, 1983, recorded in Volume 1687, Page 151; hereinafter referred to as TRACT .35;

the 109.017 acres of land described in a deed from Jack Walter Jones, et al, to

Gulf National Land Corporation, dated August 9, 1983, recorded in Volume 1711, Page 571, hereinafter referred to as TRACT .37;

the 102.142 acres of land described in a deed from Wallace E. Horn and wife, Edith E. Horn, to Gulf National Land Corporation, dated September 1, 1983, recorded in Volume 1727, Page 704, hereinafter referred to as TRACT .38;

the 46.708 acres of land described in a deed from Martha P. Meaders, Trustee of the Hester Trust, to Gulf National Land Corporation, dated September 23, 1983, recorded in Volume 1742, Page 555, hereinafter referred to as TRACT .39;

the 91.2727 acres of land described in a deed from B.J. Sharp to Gulf National Land Corporation, dated February 8, 1984, recorded in Volume 1825, Page 510, hereinafter referred to as TRACT .40;

the 269.26 acres of land described in a deed from Robert S. Folsom to Gulf National Land Corporation, dated May 29, 1984, recorded in Volume 1903, Page 400, hereinafter referred to as TRACT .41;

the 77.006 acres of land described in a deed from Patrick F. Deprez and John K. Yorston, Co-Trustees, to Gulf National Land Corporation, dated June 25, 1984, recorded in Volume 1922, Page 399, hereinafter referred to as TRACT .42;

the 53.509 acres of land described in a deed from Dabney Joint Venture No. XIII to Gulf National Land Corporation, dated July 9, 1984, recorded in Volume 1934, Page 780, hereinafter referred to as TRACT .43;

the 84.396 acres of land described in a deed from Aaron Booker and wife, Mary Ann Booker, to Gulf National Land Corporation, dated October 22, 1984, recorded in Volume 2004, Page 359, hereinafter referred to as TRACT .44;

and, a part of the 178.4354 acres of land described in a deed from Germany Investment Company to Gulf National Land Corporation, dated April 18, 1983, recorded in Volume 1640, Page 920, hereinafter referred to as TRACT .30;

all deeds of the Collin County Land Records, being described by metes and bounds as follows:

BEGINNING at a 3/4 inch square iron bar found beside a bois d'arc stake, at the northeast corner of said Henry Johnson Survey, the northwest corner of said J. R. Gray Survey, in the south line of said S.B. Searcy Survey, at the southeast corner of said 178.4354 acre TRACT .30, in the north line of said 1376.00 acre TRACT .01, at the southwest corner of a 36 acre tract (reference Volume 218, Page 245);

THENCE South 89° 28' 17" East with the north line of said 1376.00 acre TRACT .01, the south line of said 36 acre tract, and approximately with an old fence, passing a north-south rock road (County Road No. 158) at 1470 feet and continuing, passing a 5/8" diameter concrete reinforcing steel rod driven flush with the ground surface and capped with a red plastic cap stamped on the top with GEER SURV. (hereinafter referred to as a "5/8 rod") set at 2077.19 feet and continuing in all 2127.19 feet to a point in the center of Grays branch at the southeast corner of said 36 acre tract and an ell corner of said 1376.00 acre TRACT .01; said old fence being on the center line of an old east-west abandoned lane;

THENCE generally in a Northerly and an Easterly direction with the center of said Grays branch, an east line of said 36 acre tract, and a west line and north line of said 1376.00 acre TRACT .01, as follows:

North 8° 33' 43" East, 116.13 feet; North 20° 29' 45" East, 62.20 feet;  
 North 3° 25' 19" East, 36.03 feet; North 53° 39' 05" East, 76.96 feet;  
 North 67° 34' 24" East, 87.77 feet; North 52° 48' 30" East, 203.39 feet;  
 North 28° 25' 28" East, 43.81 feet; North 15° 42' 57" West, 129.59 feet;  
 North 32° 05' 28" West, 63.77 feet; North 12° 22' 07" West, 57.07 feet;  
 North 0° 27' 44" East, 65.34 feet; North 19° 49' 16" East, 30.74 feet;  
 North 38° 05' 02" East, 55.32 feet; North 68° 30' 43" East, 42.26 feet;  
 North 17° 35' 21" East, 19.12 feet; North 15° 59' 20" East, 65.78 feet;  
 North 28° 24' 15" East, 102.18 feet; North 49° 25' 45" East, 139.52 feet;  
 North 68° 36' 44" East, 55.04 feet; South 88° 59' 45" East, 11.20 feet;  
 South 80° 02' 04" East, 52.91 feet; South 88° 37' 43" East, 23.42 feet;  
 South 59° 47' 52" East, 20.18 feet; North 82° 44' 08" East, 159.95 feet;  
 South 78° 17' 54" East, 55.77 feet; South 56° 15' 49" East, 68.33 feet;  
 South 50° 36' 36" East, 148.13 feet to a point in said branch at the extension of an old fence to the southwest;

THENCE generally in a Southerly direction with an east line of said 1376.00 acre TRACT .01 and with an old fence and hedge row as follows:

South 15° 14' 29" West, passing a "5/8 rod" by a post at 22.14 feet and continuing in all 79.76 feet to a "5/8 rod" at a bend in said fence;

South 1° 16' 07" West, 89.67 feet to a nail set on the east side of a 12 inch Hackberry tree;

South 7° 58' 38" East, 126.06 feet; South 0° 25' 06" West, 94.01 feet;

South 3° 18' 11" West, 81.82 feet; South 20° 54' 57" West, 92.09 feet;

South 37° 04' 43" West, 451.95 feet; South 30° 48' 59" West, 20.65 feet;

South 19° 22' 32" West, 18.27 feet; South 0° 40' 21" East, 20.55 feet;

South 22° 13' 33" East, 10.20 feet to a "5/8 rod" on the west side of a double 12 inch Elm tree, at an ell corner of said 1376.00 acre TRACT .01;

THENCE North 89° 58' 38" East with the north line of said 1376.00 acre TRACT .01 and approximately with an old fence, 786.70 feet to a "5/8 rod" set on the north side of a large corner post at the east, northeast corner of said 1376.00 acre TRACT .01, at the northwest corner of a 90 acre tract (reference Volume 201, Page 614) for a corner;

THENCE South 1° 33' 32" West with the east line of said 1376.00 acre TRACT .01, the west line of said 90 acre tract, and approximately with an old fence, passing an east-west rock road (County Road No. 120) (Rock Hill Road) at approximately 1690 feet and continuing in all 2664.32 feet to a "5/8 rod" set beside a corner post at the east, southeast corner of said 1376.00 acre TRACT .01, the southwest corner of said 90 acre tract, and in the north line of said 108.681 acre TRACT .25 for a corner;

THENCE North 89° 47' 19" East, 812.73 feet with a north line of said 108.681 acre TRACT .25, the south line of said 90 acre tract, and with an established fence and hedge row to a "5/8 rod" set beside a corner post at the north, northeast corner of said 108.681 acre TRACT .25, at the northwest corner of a 36.04 acre tract (reference Volume 332, Page 432), in the south line of said 90 acre tract for a corner;

THENCE South 0° 01' 51" West, 1322.67 feet with an east line of said 108.681 acre TRACT .25, the west line of said 36.04 acre tract, and with an established fence and hedge row to a "5/8 rod" set in the north side of a 24" Hackberry tree at an ell corner of said 108.681 acre TRACT .25, at the southwest corner of said 36.04 acre tract for a corner;

THENCE South 88° 47' 42" East, 212.56 feet with a north line of said 108.681 acre TRACT .25, the south line of said 36.04 acre tract, and with an established fence and hedge row to a "5/8 rod" set at a northeast corner of said 108.681 acre TRACT .25, in the south line of said 36.04 acre tract, at the northwest corner of said 109.017 acre TRACT .37 for a corner;

THENCE North 89° 38' 06" East, 3409.29 feet with the north line of said 109.017 acre TRACT .37 and approximately with a fence and hedge row to a "5/8 rod" set in the center of a north-south rock road (County Road No. 156), at the northeast corner of said 109.017 acre TRACT .37 and the southeast corner of a 31.05 acre tract (reference Volume 1791, Page 65), in the west line of a 221.674 acre tract (reference Volume 1845, Page 464) for a corner;

THENCE South 0° 05' West, 1386.25 feet with the east line of said 109.017 acre TRACT .37, the west line of said 221.674 acre tract, the east line of said 53.509 acre TRACT .43 and with said County Road No. 156 to a "5/8 rod" set in the center of said road, in the east line of said 53.509 acre TRACT .43, at the northwest corner of said 141.548 acre TRACT .26 and the southwest corner of said 221.674 acre tract for a corner;

THENCE North 89° 09' 51" East, 1315.40 feet with the north line of said 141.548 acre TRACT .26, the south line of said 221.674 acre tract and with an established fence and hedge row to a "5/8 rod" set beside a corner post at the northeast corner of said 141.548 acre TRACT .26, in the south line of said 221.674 acre tract, at the northwest corner of a 334.97 acre THIRD TRACT (reference Volume 607, Page 271) for a corner;

THENCE Southerly with the east line of said 141.548 acre TRACT .26 and with an established fence and hedge row as follows:

South 00° 02' 10" West, 1440.35 feet;

South 00° 13' 26" East, 451.96 feet;

South 00° 37' East, 425.14 feet;

THENCE South 0° 41' 29" East, 1605.02 feet, crisscrossing the meanders of Herndon Branch and through a wooded area, with the west line of said 334.97 acre tract to a "5/8 rod" set at the north corner of a 21.071 acre tract (reference Volume 1783, Page 305), on the east bank of Herndon Branch for a corner;

THENCE generally in a Southwesterly direction with the south line of said 141.548 acre TRACT .26, a north line of said 21.071 acre tract and with the center of said branch as follows:

South 14° 41' 40" West, 12.22 feet; South 50° 41' 44" West, 67.35 feet;

South 4° 12' 02" West, 71.49 feet; South 39° 40' 32" West, 92.41 feet;

South 22° 19' 54" West, 62.10 feet; South 86° 48' 42" West, 85.38 feet;  
South 8° 34' 15" East, 69.73 feet; North 71° 20' 07" West, 41.14 feet;  
South 26° 31' 14" West, 52.69 feet; South 10° 13' 51" West, 50.88 feet;  
South 8° 53' 30" West, 69.28 feet; South 45° 46' 07" West, 24.81 feet;  
North 80° 02' 47" West, 50.03 feet; South 75° 34' 08" West, 44.87 feet;  
South 44° 26' 50" West, 28.08 feet; South 76° 29' 39" West, 41.15 feet;  
North 87° 01' 06" West, 46.67 feet; South 50° 42' 21" West, 20.16 feet;  
South 18° 19' 53" West, 35.51 feet; South 88° 11' 38" West, 25.51 feet;  
North 77° 49' 42" West, 27.06 feet; South 52° 38' 42" West, 41.32 feet;  
South 5° 39' 37" West, 35.58 feet; South 40° 48' 33" East, 66.99 feet;  
South 1° 06' 21" East, 37.26 feet; South 67° 05' 06" West, 15.54 feet;  
North 60° 47' 59" West, 65.10 feet; North 84° 10' 42" West, 14.29 feet;  
South 55° 26' 24" West, 40.87 feet; South 32° 18' 42" East, 20.34 feet;  
South 54° 56' 18" East, 38.35 feet; South 31° 08' 45" East, 24.88 feet;  
South 46° 55' 41" West, 27.62 feet; South 81° 42' 25" West, 56.92 feet;  
South 41° 21' 32" West, 26.56 feet; South 25° 13' 56" West, 36.47 feet;  
South 15° 43' 18" West, 30.10 feet; South 6° 16' 46" East, 31.90 feet;  
South 78° 03' 13" West, 26.88 feet; North 56° 28' 34" West, 30.41 feet;  
South 75° 41' 28" West, 63.89 feet; South 28° 20' 27" West, 16.53 feet;  
South 38° 42' East, 29.25 feet; South 47° 22' 54" East, 52.94 feet;  
South 16° 42' 49" West, 18.70 feet; South 58° 46' 29" West, 19.98 feet;  
South 74° 34' 12" West, 26.49 feet; South 68° 00' 49" West, 56.97 feet;  
South 12° 45' 51" West, 12.00 feet; South 23° 53' 06" East, 15.48 feet;  
South 56° 26' 52" East, 40.41 feet; South 19° 16' East, 31.00 feet;  
South 21° 01' 45" West, 19.31 feet; South 73° 08' 41" West, 131.07 feet;  
South 37° 57' 54" West, 49.44 feet; South 28° 14' 33" East, 90.92 feet;  
South 73° 42' 47" West, 48.71 feet; North 77° 59' 42" West, 69.31 feet;  
South 22° 19' 08" West, 49.18 feet; South 1° 39' 58" West, 32.41 feet;  
South 76° 42' 56" West, 30.22 feet; North 65° 58' 09" West, 68.63 feet;  
North 87° 47' 25" West, 48.21 feet; South 17° 45' 24" West, 26.62 feet;  
South 41° 13' 39" East, 18.12 feet; South 0° 13' 32" West, 45.67 to a point  
in the center of said branch for a corner;

THENCE West, 42.00 feet with the south line of said 141.548 acre TRACT .26 and  
a north line of said 21.071 acre tract to a steel fence post set beside an existing  
iron pin at the southwest corner of said 141.548 acre TRACT .26, the west, northwest  
corner of said 21.071 acre tract, in the east line of said 91.2727 acre TRACT .40  
for a corner;

THENCE South 0° 09' 05" West, 127.99 feet with the east line of said 91.2727 acre  
TRACT .40 and the west line of said 21.071 acre tract to a "5/8 rod" set at the  
southeast corner of said 91.2727 acre TRACT .40, the southwest corner of said 21.071  
acre tract, in the center of an east-west rock road (County Road No. 117) (Foncine  
Road) for a corner;

THENCE Westerly with the south line of said 91.2727 acre TRACT .40, and the center  
of said Foncine Road as follows:

North 78° 52' 07" West, 511.56 feet; North 81° 10' 55" West, 143.49 feet;  
North 87° 34' 07" West, 198.51 feet; North 89° 34' 39" West, 606.60 feet to  
a "5/8 rod" set at the southwest corner of said 91.2727 acre TRACT .40, the  
southeast corner of a 55.333 acre SECOND TRACT (reference Volume 480, Page  
468), in the center of said Foncine Road for a corner;

THENCE Northerly with the west line of said 91.2727 acre TRACT .40, the east line  
of said 55.333 acre SECOND TRACT, and with an established fence as follows:

North 0° 39' 07" West, 522.02 feet; North 0° 47' 07" West, 458.13 feet;  
North 0° 57' 07" West, 572.12 feet; North 0° 47' 07" West, 568.51 feet;  
North 0° 39' 07" West, 579.68 feet to a "5/8 rod" set beside a corner post  
at the northwest corner of said 91.2727 acre TRACT .40, the northeast corner  
of said 55.333 acre SECOND TRACT, in the south line of said 46.708 acre TRACT  
.39 for a corner;

THENCE Westerly with the north line of said 55.333 acre SECOND TRACT, the north  
line of a 60.537 acre FIRST TRACT (reference Volume 480, Page 468), the south line  
of said 46.708 acre TRACT .39, the south line of said 60.00 acre TRACT .22-2, a south  
line of said 288.181 acre TRACT .22-1 and with an established fence and hedge row  
as follows:

North 89° 36' 07" West, 118.26 feet; North 89° 20' 40" West, 64.88 feet;  
North 89° 33' 37" West, 327.86 feet; North 89° 42' 37" West, 899.38 feet;  
South 89° 39' 53" West, 455.10 feet to a "5/8 rod" set beside a corner post  
at the ell corner of said 288.181 acre TRACT .22-1, at the northwest corner  
of said 60.537 acre FIRST TRACT for a corner;

THENCE Southerly with an east line of said 288.181 acre TRACT .22-1, the west line  
of said 60.537 acre FIRST TRACT and with an established fence as follows:

South 0° 00' 07" East, 291.42 feet; South 0° 18' 37" East, 381.41 feet;



South 0° 02' 37" East, 1058.10 feet; South 0° 10' 07" East, 968.42 feet to a "5/8 rod" set at the south, southeast corner of said 60.537 acre FIRST TRACT in the north line of a 102.048 acre tract (reference Volume 1804, Page 734), in the center of said Foncine Road for a corner;

THENCE North 88° 58' 28" West, 2019.03 feet with a south line of said 288.181 acre TRACT .22-1, the north line of said 102.048 acre tract, the north line of an 80 acre tract (reference Volume 46, Page 588) and with the center of said Foncine Road to a "5/8 rod" set at the southwest corner of said 288.181 acre TRACT .22-1, the southeast corner of a 238.96 acre tract (reference PARCEL V, Volume 526, Page 512), in the center of said Foncine Road for a corner;

THENCE North 0° 09' 29" West, 3901.45 feet with the west line of said 288.181 acre TRACT .22-1 and the east line of said 238.96 acre tract to a "5/8 rod" set in the west line of said 288.181 acre TRACT .22-1, at the northeast corner of said 238.96 acre tract and the southeast corner of said 84.396 acre TRACT .44 for a corner;

THENCE Westerly with the south line of said 84.396 acre TRACT .44, the north line of said 238.96 acre tract and with an established fence and hedge row as follows:

North 89° 14' West, 243.49 feet; North 88° 37' West, 363.94 feet;

North 89° 56' West, 381.27 feet; North 88° 55' West, 333.65 feet;

North 83° 23' West, 122.86 feet; North 84° 59' West, 120.46 feet;

North 89° 31' West, 311.78 feet; North 89° 59' West, 768.26 feet to a "5/8 rod" set beside a corner post at the southwest corner of said 84.396 acre TRACT .44, the northwest corner of said 238.96 acre tract, in an east line of said 1376.00 acre TRACT .01 for a corner;

THENCE South 0° 14' 50" East, 1271.35 feet with the west line of said 238.96 acre tract and an east line of said 1376.00 acre TRACT .01 to a "5/8 rod" set beside a corner post at the south, southeast corner of said 1376.00 acre TRACT .01, in the west line of said 238.96 acre tract, at the northeast corner of said 102.142 acre TRACT .38;

THENCE South 0° 11' 47" East, 2654.72 feet with the west line of said 238.96 acre tract, the east line of said 102.142 acre TRACT .38 and with an established fence and hedge row to a "5/8 rod" set at the southwest corner of said 238.96 acre tract, the southeast corner of said 102.142 acre TRACT .38, in the center of said Foncine Road for a corner;

THENCE South 89° 51' 48" West, 1513.34 feet with the south line of said 102.142 acre TRACT .38 and with the center of said Foncine Road to a "5/8 rod" set at the south, southwest corner of said 102.142 acre TRACT .38, in the center of said Foncine Road for a corner;

THENCE North 0° 11' 14" West, passing an iron pin set beside a corner post at 30.5 feet, continuing with a fence to a second iron pin set beside a corner post at 387.6 feet, leaving said fence and continuing in all 1618.60 feet to a "5/8 rod" set at the ell corner of said 102.142 acre TRACT .38 for a corner;

THENCE South 89° 51' 48" West, 401.00 feet to a "5/8 rod" set at the west, southwest corner of said 102.142 acre TRACT .38 for a corner;

THENCE South 0° 00' 12" West, passing an existing iron pin at 1593.3 feet and continuing in all 1618.60 feet to a "5/8 rod" set in the center of said Foncine Road and in the north line of a 20.555 acre tract (reference Volume 1962, Page 420) for a corner;

THENCE South 89° 51' 48" West, 744.67 feet with the center of said Foncine Road and with the north line of said 20.555 acre tract to a "5/8 rod" set at the northwest corner of said 20.555 acre tract, in the center of said Foncine Road, at the junction of a rock road (County Road No. 154) from the south for a corner;

THENCE South 0° 01' 46" West, 2720.15 feet with the east line of said 324.268 acre TRACT .23 and with the center of said County Road No. 154 to a "5/8 rod" set at the southeast corner of said 324.268 acre TRACT .23, at the northeast corner of a 49.836 acre tract (reference Volume 1826, Page 437), in the center of said County Road No. 154 for a corner;

THENCE Westerly with the south line of said 324.268 acre TRACT .23 as follows:

South 89° 46' 46" West, with an established fence and hedge row for 278 feet, passing an existing iron pin at the northwest corner of said 49.836 acre tract at 2952.80 feet and continuing approximately with an established fence and hedge row in all 3734.33 feet to a "5/8 rod" set beside a post for an angle point;

North 89° 37' 24" West, 1515.65 feet approximately with said established fence and hedge row to a "5/8 rod" set at the southwest corner of said 324.268 acre TRACT .23, in the east Right-of-Way line of Farm Road No. 2478 for a corner;

THENCE Northerly with a west line of said 324.268 acre TRACT .23 and with said east Right-of-Way line as follows:

North 0° 12' 41" East, 1360.60 feet to a "5/8 rod" set for an angle point;

North 0° 33' 42" West, 939.15 feet to a "5/8 rod" set at a northwest corner of said 324.268 acre TRACT .23, the southwest corner of a 1.96 acre tract

(reference Volume 785, Page 378), in said east Right-of-Way line for a corner;  
 THENCE North 88° 55' 01" East, 281.81 feet with a north line of said 324.268 acre TRACT .23 and the south line of said 1.96 acre tract and approximately with an established fence to a "5/8 rod" set near a corner post at the ell corner of said 324.268 acre TRACT .23, at the southeast corner of said 1.96 acre tract for a corner;

THENCE Northerly with the east line of said 1.96 acre tract and a west line of said 324.268 acre TRACT .23 and approximately with an established fence as follows:

North 28° 24' 18" West, 136.71 feet to a "5/8 rod" set;

North 2° 26' 19" West, 266.05 feet to a "5/8 rod" set at the northeast corner of said 1.96 acre tract, in the south line of said 119.229 acre TRACT .35 at the north, northwest corner of said 324.268 acre TRACT .23, in the center of said Foncine Road for a corner;

THENCE South 89° 50' 14" West, 176.33 feet with the north line of said 1.96 acre tract, the south line of said 119.229 acre TRACT .35 and with the center of said Foncine Road to a "5/8 rod" set at the north, northwest corner of said 1.96 acre tract, the south, southwest corner of said 119.229 acre TRACT .35, in the center of said Foncine Road, in the east Right-of-Way line of said Farm Road No. 2478 for a corner;

THENCE Northerly with the west line of said 119.229 acre TRACT .35 and with said east Right-of-Way line as follows:

North 0° 44' 36" East, 30.00 feet to a "5/8 rod" set;

North 44° 44' 54" West, 42.06 feet to a "5/8 rod" set;

North 0° 44' 37" East, 1943.25 feet to a "5/8 rod" set at the northwest corner of said 119.229 acre TRACT .35, in said east Right-of-Way line, at the southwest corner of a 3.029 acre tract (reference Volume 655, Page 574) for a corner;

THENCE North 89° 48' 20" East, 1926.24 feet with the north line of said 119.229 acre TRACT .35, with the south line of said 3.029 acre tract, the south line of a 26.201 acre tract (reference Volume 741, Page 666), and approximately with a fence to a "5/8 rod" set beside a corner post at the southeast corner of said 26.201 acre tract, in the north line of said 119.229 acre TRACT .35, at the south, southwest corner of said 82.172 acre TRACT .31 for a corner;

THENCE North 0° 12' 51" West, 661.72 feet with a west line of said 82.172 acre TRACT .31, the east line of said 26.201 acre tract, and with a fence to a "5/8 rod" set beside a corner post at the ell corner of said 82.172 acre TRACT .31 and the northeast corner of said 26.201 acre tract for a corner;

THENCE South 89° 44' 08" West, 1926.34 feet with a south line of said 82.172 acre TRACT .31, the north line of said 26.201 acre tract, and with a fence to a "5/8 rod" set at the west, southwest corner of said 82.172 acre TRACT .31, the northwest corner of said 26.201 acre tract, in the east Right-of-Way line of said Farm Road No. 2478 for a corner;

THENCE North 1° 40' 23" West, 2636.04 feet with a west line of said 82.172 acre TRACT .31, the west line of said 88.356 acre TRACT .32, and with said east Right-of-Way line to a "5/8 rod" set at the west, northwest corner of said 88.356 acre TRACT .32, in said east Right-of-Way line;

THENCE North 44° 08' 36" East, 41.82 feet with a west line of said 88.356 acre TRACT .32 and with said east Right-of-Way line to a "5/8 rod" set by a wooden Right-of-Way marker in said east Right-of-Way line;

THENCE North 1° 40' 23" West, 17.50 feet with a west line of said 88.356 acre TRACT .32 and with said east Right-of-Way line to a "5/8 rod" set in said east Right-of-Way line, in the center of an east-west dirt road (County Road No. 119) (Ashlock Lane), at the north, northwest corner of said 88.356 acre TRACT .32 and the south, southwest corner of said 242.478 acre TRACT .20;

THENCE Northerly with the west line of said 242.478 acre TRACT .20 and with said east Right-of-Way line as follows:

North 0° 21' 35" West, 17.50 feet to a "5/8 rod" set;

North 45° 11' 12" West, 42.56 feet to a "5/8 rod" set for reference 3.0 feet east of the property corner occupied by telephone cable junction box;

North 0° 21' 35" West, 3912.48 feet to a "5/8 rod" set at a northwest corner of said 242.478 acre TRACT .20, the southwest corner of a 74.759 acre tract (reference Volume 1065, Page 200), in said east Right-of-Way line for a corner;

THENCE Easterly with the north line of said 242.478 acre TRACT .20, the south line of said 74.759 acre tract and with an established fence and hedge row as follows:

North 89° 38' 43" East, 1299.85 feet to a "5/8 rod" set beside a corner post at the ell corner of said 242.478 acre TRACT .20, at the south, southeast corner of said 74.759 acre tract for a corner;

North 0° 22' 36" West, 51.88 feet to a "5/8 rod" set beside a corner post at the north, northwest corner of said 242.478 acre TRACT .20, at an ell corner of said 74.759 acre tract for a corner;

North 89° 10' 33" East, 1343.79 feet to a "5/8 rod" set at the northeast corner of said 242.478 acre TRACT .20, at a southeast corner of said 74.759 acre

tract, in the west line of said 1376.00 acre TRACT .01, in the center of a north-south dirt road (County Road No. 118) (Foote Lane) for a corner;

THENCE North  $0^{\circ} 20' 39''$  West, 1299.22 feet with the east line of said 74.759 acre tract, the west line of said 1376.00 acre TRACT .01 and with the center of said County Road No. 118 to a "5/8 rod" set at the northwest corner of said 1376.00 acre TRACT .01, the northeast corner of said 74.759 acre tract, in the south line of a 110.149 acre tract (reference Volume 1142, Page 602), at the junction of said County Road No. 118 with an east-west rock road (County Road No. 120) (Rock Hill Road) for a corner;

THENCE North  $89^{\circ} 44' 13''$  East, 1797.38 feet with the north line of said 1376.00 acre TRACT .01, the south line of said 110.149 acre tract, and approximately with the center of said Rock Hill Road to a "5/8 rod" set at the northwest corner of the Foote Baptist Church Tract (reference Volume 156, Page 4) and a northeast corner of said 1376.00 acre TRACT .01, in the center of said Rock Hill Road, in the south line of said 110.149 acre tract for a corner;

THENCE South  $2^{\circ} 58' 40''$  West with the west line of said Church Tract, an east line of said 1376.00 acre TRACT .01, and with a fence, passing a "5/8 rod" on the north side of a corner post at 29.33 feet and continuing in all 239.31 feet to a "5/8 rod" set on the south side of a cross-tie corner post at the southwest corner of said Church Tract and an ell corner of said 1376.00 acre TRACT .01 for a corner;

THENCE South  $87^{\circ} 39' 22''$  East, 329.60 feet with the south line of said Church Tract, a north line of said 1376.00 acre TRACT .01, and with a fence to a "5/8 rod" set by a nail found on the east side of a cross-tie corner post at the southeast corner of said Church Tract and an ell corner of said 1376.00 acre TRACT .01 for a corner;

THENCE North  $3^{\circ} 42' 52''$  East with the east line of said Church Tract, a west line of said 1376.00 acre TRACT .01, and approximately 1 foot west of a chain link fence, passing a "5/8 rod" on the north side of a cross-tie corner post at 204.43 feet and continuing in all 254.53 feet to a "5/8 rod" set at the northeast corner of said Church Tract, a northwest corner of said 1376.00 acre TRACT .01, in the south line of said 110.149 acre tract, in the center of said Rock Hill Road for a corner;

THENCE North  $89^{\circ} 44' 46''$  East, 555.23 feet with the north line of said 1376.00 acre TRACT .01, the south line of said 110.149 acre tract, and with the center of said Rock Hill Road to a "5/8 rod" found by an 1/2 inch rebar found at the southeast corner of said 110.149 acre tract, in the north line of said 1376.00 acre TRACT .01, at the southwest corner of said 77.006 acre TRACT .42, in the center of said Rock Hill Road, at the extension of a rock road (County Road No. 157) from the north for a corner;

THENCE North  $0^{\circ} 59' 22''$  West, 1330.81 feet with the west line of said 77.006 acre TRACT .42, the east line of said 110.149 acre tract, and with the center of said County Road No. 157 to a "5/8 rod" set at the northeast corner of said 110.149 acre tract, in the west line of said 77.006 acre TRACT .42, in the center of said County Road No. 157;

THENCE North  $0^{\circ} 12' 38''$  West, 1324.36 feet with the west line of said 77.006 acre TRACT .42, a west line of said 178.4354 acre TRACT .30, the east line of a 104.199 acre tract (reference Volume 862, Page 338), and with the center of said County Road No. 157 to a "5/8 rod" set at the northeast corner of said 104.199 acre tract, the west, northwest corner of said 178.4354 acre TRACT .30, in the south line of said 269.26 acre TRACT .41, at the junction of said County Road No. 120 with an east-west dirt road (County Road No. 121) for a corner;

THENCE South  $89^{\circ} 55' 25''$  West, 2643.09 feet with the north line of said 104.199 acre tract, the south line of said 269.26 acre TRACT .41 and the center of said County Road No. 121 to a "5/8 rod" set at the southwest corner of said 269.26 acre TRACT .41, in the north line of said 104.199 acre tract, at the southeast corner of said 168.607 acre TRACT .12 and at the extension of said County Road No. 121 from the east and west for an angle point;

THENCE South  $89^{\circ} 22' 33''$  West, 2631.56 feet with the south line of said 168.607 acre TRACT .12 and with the center of said County Road No. 121 to a "5/8 rod" set at the south, southwest corner of said 168.607 acre TRACT .12, in the center of said County Road No. 121, in the east Right-of-Way line of said Farm Road No. 2478 for a corner;

THENCE Northerly with the west line of said 168.607 acre TRACT .12 and with said east Right-of-Way line as follows:

North  $0^{\circ} 00' 07''$  West, 18.71 feet to a "5/8 rod" set;

North  $44^{\circ} 34' 11''$  West, 42.25 feet to a "5/8 rod" set;

North  $0^{\circ} 00' 06''$  West, 2587.64 feet to a "5/8 rod" set at a northwest corner of said 168.607 acre TRACT .12, in said east Right-of-Way line, in the south Right-of-Way line of State Highway No. 380 for an angle point;

THENCE North  $47^{\circ} 19' 05''$  East, 162.58 feet to a hole star drilled in top of a concrete Right-of-Way marker at the north, northwest corner of said 168.607 acre TRACT .12, in said south Right-of-Way line for a corner;

THENCE North 86° 34' East, 2299.43 feet with a north line of said 168.607 acre TRACT .12 and with said south Right-of-Way line to a "5/8 rod" set by a wooden Right-of-Way marker in said south Right-of-Way line for an angle point;

THENCE South 79° 21' 16" East, 103.08 feet with a north line of said 168.607 acre TRACT .12 and said south Right-of-Way line to a "5/8 rod" set by a wooden Right-of-Way marker in a north line of said 168.607 acre TRACT .12, in said south Right-of-Way line for an angle point;

THENCE North 86° 34' 01" East, 27.20 feet with a north line of said 168.607 acre TRACT .12 and said south Right-of-Way line to a "5/8 rod" set at a northeast corner of said 168.607 acre TRACT .12, at the northwest corner of a 1.0 acre tract (reference Volume 415, Page 61) for a corner;

THENCE South 0° 29' 33" East, 513.84 feet with an east line of said 168.607 acre TRACT .12, the west line of said 1.0 acre tract and with a fence to a "5/8 rod" set beside a corner post at an ell corner of said 168.607 acre TRACT .12, at the southwest corner of said 1.0 acre tract for a corner;

THENCE North 86° 58' 17" East, 87.69 feet with a north line of said 168.607 acre TRACT .12, the south line of said 1.0 acre tract and with a fence to a "5/8 rod" set near a corner post at a northeast corner of said 168.607 acre TRACT .12, the southeast corner of said 1.0 acre tract, in the west line of said 269.26 acre TRACT .41 for a corner;

THENCE North 0° 19' 18" West, 514.55 feet with the east line of said 1.0 acre tract, the west line of said 269.26 acre TRACT .41, and with an established fence to a "5/8 rod" set at the northeast corner of said 1.0 acre tract, the northwest corner of said 269.26 acre TRACT .41, in the south Right-of-Way line of said State Highway No. 380 for a corner;

THENCE Easterly with the north line of said 269.26 acre TRACT .41 and with said south Right-of-Way line as follows:

North 86° 34' East, 741.66 feet to a concrete Right-of-Way marker at the beginning of a curve to the right, from which the radius center bears South 3° 26' East, 5644.58 feet;

With said curve to the right, an arc of 277.49 feet around a central angle of 2° 49' to a "5/8 rod" set at the point of tangency of said curve;

North 89° 23' East, 2257.09 feet to a "5/8 rod" set by a wooden Right-of-Way marker for an angle point;

North 86° 47' 27" East, 100.12 feet to a "5/8 rod" set for an angle point;

North 89° 23' East, 673.11 feet to an "x" chiseled in top of a concrete Right-of-Way marker for an angle point;

South 46° 27' 06" East, 144.04 feet to a "5/8 rod" set at a northeast corner of said 269.26 acre TRACT .41, at a northwest corner of said 178.4354 acre TRACT .30, in said south Right-of-Way line, in the center of said County Road No. 121 from the south for a corner; same being hereby designated as POINT "A";

THENCE Easterly with the north line of said 178.4354 acre TRACT .30 and with said south Right-of-Way line as follows:

North 44° 04' 22" East, 137.91 feet to an "x" chiseled in top of a concrete Right-of-Way marker at a point on a curve to the right, from which the radius center bears South 1° 00' 49" West, 5649.58 feet;

With said curve to the right, an arc of 637.93 feet around a central angle of 6° 28' 11" to a "5/8 rod" set at the point of tangency of said curve;

South 82° 31' East, 276.51 feet to a nail set in top of a wooden Right-of-Way marker for an angle point;

North 86° 39' 29" East, 102.24 feet to a nail set in top of a wooden Right-of-Way marker for an angle point;

South 82° 31' East, 665.66 feet to a 1/2" steel rod protruding from a broken concrete Right-of-Way marker at a northeast corner of said 178.4354 acre TRACT .30, in said south Right-of-Way line, at the northwest corner of a 0.27 acre 2nd Tract of TRACT NO. 2 conveyed to the State of Texas (reference Volume 313, Page 295) for a corner;

THENCE South 23° 51' West, 379.72 feet with an east line of said 178.4354 acre TRACT .30 and with the west line of said 0.27 acre 2nd Tract to a "5/8 rod" set at the southwest corner of said 0.27 acre 2nd Tract, in the north line of a 1.43 acre 1st Tract of said TRACT NO. 2 (reference Volume 313, Page 295);

THENCE around said 1.43 acre tract as follows:

North 44° 39' West, 67.63 feet to a concrete Right-of-Way marker;

South 45° 21' West, 250.00 feet to a concrete Right-of-Way marker;

South 44° 39' East, 250.00 feet to a concrete Right-of-Way marker;

North 45° 21' East, 250.00 feet to a concrete Right-of-Way marker;

North 44° 39' West, 150.20 feet to a "5/8 rod" set at the southeast corner of said 0.27 acre 2nd Tract;

THENCE North 23° 51' 02" East, 400.30 feet with the east line of said 0.27 acre

2nd Tract to a "5/8 rod" set by a broken concrete Right-of-Way marker at the northeast corner of said 0.27 acre 2nd Tract, in the south Right-of-Way line of U.S. Highway No. 380, at a northwest corner of said 178.4354 acre TRACT .30;

THENCE Easterly with the north line of said 178.4354 acre TRACT .30 and with the south Right-of-Way line of U.S. Highway No. 380 as follows:

South 82° 31' East, 201.87 feet to a nail set in top of a wooden Right-of-Way marker;

South 69° 02' 47" East, 158.43 feet to a "5/8 rod" set in the south Right-of-Way line of U.S. Highway No. 380 and the north line of said 178.4354 acre TRACT .30, at the northeast corner of a 0.19 acre TRACT NO. 1 (reference Volume 313, Page 295);

THENCE North 89° 47' 35" West, 160.40 feet with the north line of said 0.19 acre tract to a "5/8 rod" set at the northwest corner of said 0.19 acre tract for a corner;

THENCE South 0° 12' 25" West, 40.00 feet with the west line of said 0.19 acre tract to a "5/8 rod" set at the southwest corner of said 0.19 acre tract for a corner;

THENCE South 89° 47' 35" East, 266.00 feet with the south line of said 0.19 acre tract to a "5/8 rod" set on the east side of a concrete Right-of-Way marker at the southeast corner of said 0.19 acre tract, the northeast corner of said 178.4354 acre TRACT .30, at the northwest corner of a 60.781 acre tract (reference Volume 1119, Page 61) for a corner;

THENCE South 0° 14' 51" East, 878.88 feet with the east line of said 178.4354 acre TRACT .30, the west line of said 60.781 acre tract, and approximately with an established fence and hedge row to a "5/8 rod" set at the east, southeast corner of said 178.4354 acre TRACT .30 for a corner;

THENCE North 89° 40' 27" West, 1266.02 feet with a south line of said 178.4354 acre TRACT .30 and approximately with an established fence and hedge row to a "5/8 rod" set on the north side of a stub post on the south bank of a small branch, at an ell corner of said 178.4354 acre TRACT .30 for a corner;

THENCE South 0° 03' 35" West, 1786.23 feet with an east line of said 178.4354 acre TRACT .30 and approximately with an established fence and hedge row to a "5/8 rod" set beside a corner post at an ell corner of said 178.4354 acre TRACT .30 for a corner;

THENCE South 89° 47' 52" East, 184.53 feet with a north line of said 178.4354 acre TRACT .30 to a "5/8 rod" set beside a post at a northeast corner of said 178.4354 acre TRACT .30 for a corner;

THENCE Southerly with an east line of said 178.4354 acre TRACT .30 as follows:

South 1° 06' 22" East, 398.43 feet to a "5/8 rod" set on the north side of a small branch for an angle point;

South 1° 01' 37" East, 466.80 feet approximately with the evidence of a fence and hedge row to a one inch square iron found for an angle point;

South 0° 30' 13" West, 1779.29 feet approximately with an established fence to the PLACE OF BEGINNING and containing 4229.588 acres of land;

**LESS AND EXCEPT** 6.048 acres of land described as follows:

COMMENCING at POINT "A" so designated hereinbefore; THENCE South, 184.16 feet with the east line of said 269.26 acre TRACT .41, the west line of said 178.4354 acre TRACT .30 and with the center of a rock road (County Road No. 121) to a "5/8 rod" set in said line and road, at the northeast corner of the 6.048 acres of land described in a deed from James Monroe Wolf, Jr., to Melvin Leon Honea and wife, Maudie Lea Honea, dated July 6, 1978, recorded in Volume 1120, Page 118 of the Collin County Land Records for a PLACE OF BEGINNING;

THENCE South 0° 06' 57" West, 930.99 feet with the east line of said 6.048 acre tract and approximately with the center line of said road to a "5/8 rod" set by an iron pin found at the southeast corner of said 6.048 acre tract, in the center of said road for a corner;

THENCE North 87° 56' 17" West, 285.59 feet with the south line of said 6.048 acre tract and approximately with a fence to a "5/8 rod" set by an iron pin found at the southwest corner of said 6.048 acre tract for a corner;

THENCE North 0° 09' 40" East, 917.42 feet with the west line of said 6.048 acre tract and approximately with a fence to a "5/8 rod" set beside a corner post at the northwest corner of said 6.048 acre tract for a corner;

THENCE North 89° 20' 09" East with an old fence and hedge row and with the north line of said 6.048 acre tract, 284.72 feet to the PLACE OF BEGINNING and containing 6.048 acres of land;

AND, LESS AND EXCEPT 0.15 acre of land out of said 168.607 acre TRACT .12 conveyed to the State of Texas in TRACT NO. 2 of Volume 313, Page 301 of the Collin County Land Records;

leaving an acreage of 4223.39 acres of land.

## DESCRIPTION 1297.235 Acres of Land

SITUATED in Collin County, Texas, in the F.M. Ashlock Survey, Abstract No. 6, the E.T. Berry Survey, Abstract No. 43, the G.S. Baccus Survey, Abstract No. 119, the John W. Cox Survey, Abstract No. 160, the S.W. Sullivan Survey, Abstract No. 809, the Henry Slack Survey, Abstract No. 840, the George White Survey, Abstract No. 1034, and the A.S. Young Survey, Abstract No. 1037, being a resurvey of several tracts of land listed as follows:

the 229.994 acres of land described in a deed from Lucy Field Belknap to Gulf National Land Corporation, dated August 9, 1978, recorded in Volume 1126, Page 507, hereinafter referred to as TRACT .03;

the 58.546 acres of land described in a deed from Tidal Transmission Company to Gulf National Land Corporation, dated March 15, 1979, recorded in Volume 1328, Page 420, hereinafter referred to as TRACT .05;

the 112.320 acres of land described in a deed from Wanda Louise Sanders, Executrix, to Gulf National Land Corporation, dated July 16, 1979, recorded in Volume 1184, Page 505, hereinafter referred to as TRACT .07;

the 50.2260 acres of land described in a deed from Sam Chesney, Jr. and wife, Lucille Chesney, to Gulf National Land Corporation, dated October 18, 1979, recorded in Volume 1202, Page 547, hereinafter referred to as TRACT .08;

the 60.587 acres of land described in a deed from Eisenhower Medical Center to Gulf National Land Corporation, dated July 31, 1979, recorded in Volume 1207, Page 53, hereinafter referred to as TRACT .09;

the 59.686 acres of land described in a deed from Jesuit College Preparatory School of Dallas, Inc. to Gulf National Land Corporation, dated November 6, 1979, recorded in Volume 1207, Page 56, hereinafter referred to as TRACT .10;

the 92.6730 acres of land described in a deed from Mary Blanche Smith to Gulf National Land Corporation, dated November 20, 1979, recorded in Volume 1210, Page 39, hereinafter referred to as TRACT .13;

the 191.612 acres of land described in a deed from Coit North Joint Venture to Gulf National Land Corporation, dated August 21, 1980, recorded in Volume 1294, Page 728, hereinafter referred to as TRACT .19;

the 75.3411 acres of land described in a deed from Donald R. Polan, Trustee, to Gulf National Land Corporation, dated September 22, 1981, recorded in Volume 1433, Page 474, hereinafter referred to as TRACT .24;

the 15.756 acres of land described in a deed from Stuart Ronald Stone to Gulf National Land Corporation, dated August 25, 1982, recorded in Volume 1546, Page 182, hereinafter referred to as TRACT .27-1;

the 15.756 acres of land described in a deed from Lawrence E. Sayah to Gulf National Land Corporation, dated August 25, 1982, recorded in Volume 1546, Page 523, hereinafter referred to as TRACT .27-2;

the 15.756 acres of land described in a deed from Frederic Fischer to Gulf National Land Corporation, dated August 25, 1982, recorded in Volume 1546, Page 190, hereinafter referred to as TRACT .27-3;

the 15.756 acres of land described in a deed from Elwyn Lee Donovitz to Gulf National Land Corporation, dated August 25, 1982, recorded in Volume 1546, Page 174, hereinafter referred to as TRACT .27-4;

the 40 acres of land described in a deed from Daniel (Bud) Moore, et al, to Gulf National Land Corporation, dated March 17, 1983, recorded in Volume 1624, Page 368, hereinafter referred to as TRACT .28;

the 9.919 acres of land described in a deed from George A. Field, et al, to Gulf National Land Corporation, dated April 15, 1983, recorded in Volume 1639, Page 730, hereinafter referred to as TRACT .29;

the 38.632 acres of land described in a deed from Danny D. Christie to Gulf National Land Corporation, dated June 17, 1983, recorded in Volume 1678, Page 807, hereinafter referred to as TRACT .33;

the 38.632 acres of land described in a deed from John Sandlin Christie to Gulf National Land Corporation, dated June 17, 1983, recorded in Volume 1678, Page 740, hereinafter referred to as TRACT .34;

the 159.566 acres of land described in a deed from Leonard Ford and wife, Lucille Ford, to Gulf National Land Corporation, dated July 8, 1983, recorded in Volume 1690, Page 351, hereinafter referred to as TRACT .36;

the 15.991 acres of land described in a deed from Scotty Mack Day, et al, to Gulf National Land Corporation, dated November 12, 1984, recorded in Volume 2015, Page 491, hereinafter referred to as TRACT .45;

all deeds of the Collin County Land Records, being described by metes and bounds as follows:

BEGINNING at a 5/8" diameter concrete reinforcing steel rod driven flush with the ground surface and capped with a red plastic cap stamped on the top with GEER SURV. (hereinafter referred to as a "5/8 rod") set at the northwest corner of said 60.587 acre TRACT .09, the southwest corner of a 305.25 acre tract (reference Volume 1021, Page 737), at the intersection of a dirt road from the south (County Road No. 71) and a rock road from the north (County Road No. 72) with an east-west rock road (County Road No. 25) (Rock Hill Road); same being the northwest corner of said Henry Slack Survey, the northeast corner of the J.H. Collins Survey, Abstract No. 219, the southeast corner of the W.G. Barnes Survey, Abstract No. 59, and the southwest corner of the William McCarty Survey, Abstract No. 575;

THENCE South 89° 19' 11" East, 1223.78 feet with the north line of said 60.587 acre TRACT .09, the north line of said 59.686 acre TRACT .10, the south line of said 305.25 acre tract and with the center of said Rock Hill Road to a "5/8 rod" set in the north line of said 59.686 acre TRACT .10, in the south line of said 305.25 acre tract, in the center of said Rock Hill Road;

THENCE North 89° 45' 21" East, 776.58 feet with the north line of said 59.686 acre TRACT .10, the south line of said 305.25 acre tract and the center of said Rock Hill Road to a "5/8 rod" set at the northeast corner of said 59.686 acre TRACT .10, in the south line of said 305.25 acre tract, at the northwest corner of a 38.632 acre tract (reference Volume 1678, Page 813), in the center of said Rock Hill Road for a corner;

THENCE South 0° 05' 37" West, 1778.80 feet with the east line of said 59.686 acre TRACT .10 and the west line of said 38.632 acre tract (reference Volume 1678, Page 813) to a "5/8 rod" set in said east line, at the southwest corner of said 38.632 acre tract (reference Volume 1678, Page 813) and the north, northwest corner of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) for a corner;

THENCE North 89° 45' 36" East, 945.78 feet with the south line of said 38.632 acre tract (reference Volume 1678, Page 813) and the north line of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) to a "5/8 rod" set at the southeast corner of said 38.632 acre tract (reference Volume 1678, Page 813), the north, northeast corner of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807), in the west line of said 92.6730 acre TRACT .13;

THENCE North 0° 06' 44" East, 1778.87 feet with the east line of said 38.632 acre tract (reference Volume 1678, Page 813), the west line of said 92.6730 acre TRACT .13 to a "5/8 rod" set at the northeast corner of said 38.632 acre tract (reference Volume 1678, Page 813), the northwest corner of said 92.6730 acre TRACT .13, in the south line of said 305.25 acre tract, in the center of said Rock Hill Road for a corner;

THENCE North 89° 45' 21" East, 2346.28 feet with the north line of said 92.6730 acre TRACT .13, the north line of said 50.2260 acre TRACT .08, the south line of said 305.25 acre tract, and with the center of said Rock Hill Road to a "5/8 rod" set at the northeast corner of said 50.2260 acre TRACT .08, the northwest corner of ROSE GARDEN ESTATES as recorded in Cabinet B, Sheet 143 of the Collin County Map & Plat Records, in the center of said Rock Hill Road for a corner;

THENCE South 0° 05' 50" East, 2653.25 with the east line of said 50.2260 acre TRACT .08 and the west line of said ROSE GARDEN ESTATES to a 3/4" star drill driven in solid rock at the southeast corner of said 50.2260 acre TRACT .08, the southwest corner of said ROSE GARDEN ESTATES, in the north line of

a 164.073 acre TRACT ONE (reference Volume 1503, Page 39) for a corner;

THENCE Westerly with the south line of said 50.2260 acre TRACT .08, the south line of said 92.6730 acre TRACT .13 and the north line of said 164.073 acre TRACT ONE and approximately with an old hedge row as follows:

South 89° 53' 41" West, 842.58 feet to an existing iron pin;

North 89° 54' 45" West, 1513.36 feet to a "5/8 rod" set by an existing iron pin near a corner post at the southwest corner of said 92.6730 acre TRACT .13, in the north line of said 164.073 acre TRACT ONE, at the southeast corner of a 3 acre tract (reference Volume 1010, Page 789) for a corner;

THENCE North 0° 06' 47" East, 361.50 feet with the west line of said 92.6730 acre TRACT .13, the east line of said 3 acre tract, and with a fence to a "5/8 rod" set near a fence post at the northeast corner of said 3 acre tract, in said west line, at the east, southeast corner of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) for a corner;

THENCE North 89° 59' 58" West, 361.51 feet with the north line of said 3 acre tract, a south line of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) and with a fence to a "5/8 rod" set near a corner post at the northwest corner of said 3 acre tract and an ell corner of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) for a corner;

THENCE South 0° 06' 44" West, 361.50 feet with the west line of said 3 acre tract, an east line of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) and with a fence to a "5/8 rod" set by a corner post at the southwest corner of said 3 acre tract and an ell corner of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) for a corner;

THENCE South 89° 00' 38" East, 63.76 feet with the south line of said 3 acre tract, a north line of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807) and with a fence to a "5/8 rod" set under said fence at the west, northeast corner of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807), in the south line of said 3 acre tract, at the northwest corner of said 164.073 acre TRACT ONE for a corner;

THENCE South 0° 26' 19" West, 2659.08 feet with an east line of said 38.632 acre TRACT .33 (reference Volume 1678, Page 807), the east line of said 38.632 acre TRACT .34 (reference Volume 1678, Page 740) and the west line of said 164.073 acre TRACT ONE to a "5/8 rod" set at the southeast corner of said 38.632 acre TRACT .34 (reference Volume 1678, Page 740), the southwest corner of said 164.073 acre TRACT ONE, in the north line of said 191.612 acre TRACT .19, in an east-west hedge row for a corner;

THENCE South 89° 36' 25" East, 569.25 feet with the north line of said 191.612 acre TRACT .19, the south line of said 164.073 acre TRACT ONE and with the evidence of an old established fence to an existing iron pin set by a stub corner post at the northeast corner of said 191.612 acre TRACT .19, the northwest corner of said 40 acre TRACT .28, in the south line of said 164.073 acre TRACT ONE;

THENCE North 89° 52' 53" East, 2134.85 feet with the north line of said 40 acre TRACT .28, the south line of said 164.073 acre TRACT ONE and with a hedge row to a "5/8 rod" set at the southwest corner of said 58.546 acre TRACT .05, the southeast corner of said 164.073 acre TRACT ONE, in the north line of said 40 acre TRACT .28, at the extension of a rock road from the east (County Road No. 115) for a corner;

THENCE Northerly with the east line of said 164.073 acre TRACT ONE and the west line of said 58.546 acre TRACT .05 as follows:

North 0° 09' 55" West, with a turn row for about 808 feet and continuing approximately with an established fence and hedge row, 1603.19 feet;

North 1° 18' 10" West, 1055.92 feet with a turn row to an existing 1-1/2" steel rod at the northeast corner of said 164.073 acre TRACT ONE, the northwest corner of said 58.546 acre TRACT .05, in the south line of said ROSE GARDEN ESTATES for a corner;

THENCE North 89° 24' 34" East, 1185.04 feet with the south line of said ROSE GARDEN ESTATES and the north line of said 58.546 acre TRACT .05 and said 15.991 acre TRACT .45 to a "5/8 rod" set by an existing nail and close to a steel fence post at the southeast corner of said ROSE GARDEN ESTATES, the southwest corner of said 229.994 acre TRACT .03, in the north line of said 15.991 acre TRACT .45 for a corner;

THENCE Northerly with the east line of said ROSE GARDEN ESTATES, the west line of said 229.994 acre TRACT .03, and with a hedge row and the evidence of an old fence as follows:

North 1° 00' 48" West, 190.80 feet to a point in said fence and hedge row;



North 0° 02' 33" West, 2457.20 feet to a "5/8 rod" set at the northeast corner of said ROSE GARDEN ESTATES, the northwest corner of said 229.994 acre TRACT .03, in the center of said Rock Hill Road for a corner;

THENCE North 89° 42' 29" East, 4076.78 feet with the north line of said 229.994 acre TRACT .03 and the center of said Rock Hill Road to a "5/8 rod" set at the north, northeast corner of said 229.994 acre TRACT .03, in the west Right-of-Way line of Farm Road No. 2478 for a corner;

THENCE Southerly with said west Right-of-Way line and with the east line of said 229.994 acre TRACT .03 as follows:

South 0° 21' 35" East, 25.41 feet to a "5/8 rod" set for an angle point;

South 45° 20' 05" East, 42.44 feet to a "5/8 rod" set at a northeast corner of said 229.994 acre TRACT .03, in said west Right-of-Way line for a corner;

THENCE Southerly with the east line of said 229.994 acre TRACT .03, the east line of said 159.566 acre TRACT .36, and with said west Right-of-Way line as follows:

South 0° 21' 35" East, 5217.09 feet to a "5/8 rod" set for an angle point;

South 44° 49' West, 42.29 feet to a "5/8 rod" set for an angle point;

South 0° 21' 35" East, 13.30 feet to a "5/8 rod" set at a southeast corner of said 159.566 acre TRACT .36, in said west Right-of-Way line, in the center of an east-west rock road (County Road No. 115) for a corner;

THENCE South 89° 51' 58" West, 2058.17 feet with the south line of said 159.566 acre TRACT .36 and with the center of said County Road No. 115 to a "5/8 rod" set at the east, southwest corner of said 159.566 acre TRACT .36, in the center of said County Road No. 115 for a corner;

THENCE North 0° 36' 14" West, 208.71 feet with a west line of said 159.566 acre TRACT .36 to a "5/8 rod" set at the ell corner of said 159.566 acre TRACT .36 for a corner;

THENCE South 89° 51' 57" West, 208.71 feet with a south line of said 159.566 acre TRACT .36 to a "5/8 rod" set at the west, southwest corner of said 159.566 acre TRACT .36, in the east line of said 15.756 acre TRACT .27-3 (reference Volume 1546, Page 190) for a corner;

THENCE South 0° 36' 24" East, 208.71 feet with the east line of said 15.756 acre TRACT .27-3 (reference Volume 1546, Page 190) to a "5/8 rod" set at the west, southeast corner of said 15.756 acre TRACT .27-3 (reference Volume 1546, Page 190), in the center of said County Road No. 115 for a corner;

THENCE Westerly with the south line of said 15.756 acre TRACT .27-3 (reference Volume 1546, Page 190), said 15.756 acre TRACT .27-1 (reference Volume 1546, Page 182), said 15.756 acre TRACT .27-4 (reference Volume 1546, Page 174), said 15.756 acre TRACT .27-2 (reference Volume 1546, Page 523), and with the center of said County Road No. 115 as follows:

South 89° 51' 57" West, 273.64 feet a "5/8 rod" set by an existing iron pin at the northeast corner of a 50.01 acre tract (reference Volume 1734, Page 19);

South 89° 43' West, 756.18 feet with the north line of said 50.01 acre tract to a "5/8 rod" set at the southwest corner of said 15.756 acre TRACT .27-2 (reference Volume 1546, Page 523), the southeast corner of a 45.360 acre tract (reference Volume 1012, Page 216), in the north line of said 50.01 acre tract, in the center of said County Road No. 115 for a corner;

THENCE North 0° 34' 48" West, 2665.85 feet with the west line of said 15.756 acre TRACT .27-2 (reference Volume 1546, Page 523) and the east line of said 45.360 acre tract to a "5/8 rod" set 2 feet south of an east-west fence at the northwest corner of said 15.756 acre TRACT .27-2 (reference Volume 1546, Page 523), the northeast corner of said 45.360 acre tract, in the south line of said 229.994 acre TRACT .03 for a corner;

THENCE South 89° 21' 50" West, 745.47 feet with the north line of said 45.360 acre tract, a south line of said 229.994 acre TRACT .03 and approximately with a fence to a "5/8 rod" set in said fence at the northwest corner of said 45.360 acre tract, the northeast corner of said 15.991 acre TRACT .45, in a south line of said 229.994 acre TRACT .03 for a corner;

THENCE South 0° 42' 17" East, 2661.30 feet with the east line of said 15.991 acre TRACT .45 and the west line of said 45.360 acre tract to a "5/8 rod" set by an existing iron pin at the southeast corner of said 15.991 acre TRACT .45, the southwest corner of said 45.360 acre tract, in the north line of said 50.01 acre tract, in the center of said County Road No. 115 for a corner;

THENCE South 89° 43' West, 154.04 feet with a south line of said 15.991 acre TRACT .45, a north line of said 50.01 acre tract and with the center of said County Road No. 115 to a "5/8 rod" set in said south line, at the northwest corner of said 50.01 acre tract, the north, northeast corner of said 112.320 acre TRACT .07, in the center of said County Road No. 115 for a corner;

THENCE South 0° 02' 21" West, 1320.27 feet with a turn row, with an east line of said 112.320 acre TRACT .07 and the west line of said 50.01 acre tract to a "5/8 rod" set by an existing iron pin at the ell corner of said 112.320 acre TRACT .07 and the southwest corner of said 50.01 acre tract for a corner;

THENCE North 89° 42' 48" East, 1649.79 feet with a turn row, with the south line of said 50.01 acre tract and a north line of said 112.320 acre TRACT .07 to a "5/8 rod" set by an existing iron pin at the southeast corner of said 50.01 acre tract, the east, northeast corner of said 112.320 acre TRACT .07, in the west line of RUSSWOOD ACRES as recorded in Cabinet A, Sheet 88 of the Collin County Map & Plat Records, in a north-south established fence and hedge row for a corner;

THENCE South 0° 14' 32" East, 19.19 feet with an east line of said 112.320 acre TRACT .07, the west line of said RUSSWOOD ACRES and with said established fence and hedge row to an existing iron pin at the southwest corner of said RUSSWOOD ACRES, the northwest corner of a 39.605 acre tract (reference Volume 704, Page 724), in said east line and established fence and hedge row for an angle point;

THENCE South 0° 03' 49" East, 658.08 feet with the west line of said 39.605 acre tract and with said east line and established fence and hedge row to an existing iron pin at the southwest corner of said 39.605 acre tract, the northwest corner of a 41.007 acre tract (reference Volume 708, Page 263), in said east line and established fence and hedge row for an angle point;

THENCE South 0° 03' 32" East, 680.52 feet with the west line of said 41.007 acre tract and with said east line and established fence and hedge row to a "5/8 rod" set by an existing iron pin at the southeast corner of said 112.320 acre TRACT .07, the southwest corner of said 41.007 acre tract, and the northeast corner of a 62.262 acre tract (reference Volume 1750, Page 834) for a corner;

THENCE South 89° 47' 01" West, 2643.41 feet with the south line of said 112.320 acre TRACT .07 to a "5/8 rod" set at the southwest corner of said 112.320 acre TRACT .07, in the east line of a 144.960 acre tract (reference Volume 585, Page 425), in the center of said County Road No. 115 for a corner;

THENCE North 0° 06' 04" East, 191.60 feet with the west line of said TRACT .37, the east line of said 144.960 acre tract and the center of said County Road No. 115 to a "5/8 rod" set by an existing iron pin at the northeast corner of said 144.960 acre tract, the southeast corner of said 75.3411 acre TRACT .24, in the west line of said 112.320 acre TRACT .07, in the center of said County Road No. 115 for a corner;

THENCE North 89° 34' 32" West with the south line of said 75.3411 acre TRACT .24, the north line of said 144.960 acre tract and with a turn row for about 1135 feet and continuing with an established fence and hedge row in all 2216.47 feet to a "5/8 rod" set 8.5 feet north of an old corner post at the southwest corner of said 75.3411 acre TRACT .24, the northwest corner of said 144.960 acre tract, in the east line of said 191.612 acre TRACT .19 for a corner;

THENCE South 0° 36' 32" West, 154.15 feet with an established fence and hedge row, with the east line of said 191.612 acre TRACT .19 and the west line of said 144.960 acre tract to a "5/8 rod" set on the west side of a tree at the southeast corner of said 191.612 acre TRACT .19, the northeast corner of a 191.168 acre tract (reference Volume 1804, Page 191), in the west line of said 144.960 acre tract for a corner;

THENCE North 89° 34' 50" West, 3200.54 feet with the south line of said 191.612 acre TRACT .19 and the north line of said 191.168 acre tract and across an open field to a "5/8 rod" set at the southwest corner of said 191.612 acre TRACT .19, the northwest corner of said 191.168 acre tract, in the center of said County Road No. 71 for a corner;

THENCE North 0° 02' 14" West, 2603.06 feet with the west line of said 191.612 acre TRACT .19 and the center of said County Road No. 71 to a "5/8 rod" set at the northwest corner of said 191.612 acre TRACT .19, the southwest corner of a 100.427 acre tract (reference Volume 1595, Page 242), in the center of said County Road No. 71 for a corner;

THENCE South 89° 46' 02" East, 1636.91 feet with the north line of said 191.612 acre TRACT .19, the south line of said 100.427 acre tract and with the evidence of an established fence and hedge row to a "5/8 rod" set in said established fence and hedge row at the southeast corner of said 100.427 acre tract, the southwest corner of said 38.632 acre TRACT .34, in the north line

of said 191.612 acre TRACT .19 for a corner;

THENCE North 0° 07' 25" East, 2669.50 feet with a turn row, with the east line of said 100.427 acre tract, the west line of said 38.632 acre TRACT .34 (reference Volume 1678, Page 740) and a west line of said 38.632 acres TRACT .33 (reference Volume 1678, Page 807) to an existing iron pin by a steel fence post at the northeast corner of said 100.427 acre tract, the west, northwest corner of said 38.632 acres TRACT .33 (reference Volume 1678, Page 807) and in the south line of said 59.686 acre TRACT .10 for a corner;

THENCE North 89° 07' 24" West, 1639.36 feet with a turn row, with the north line of said 100.427 acre tract, the south line of said 59.686 acre TRACT .10 and the south line of said 60.587 acre TRACT .09 to a "5/8 rod" set at the northwest corner of said 100.427 acre tract, the southwest corner of said 60.587 acre TRACT .09, in the center of said County Road No. 71 for a corner;

THENCE North 0° 14' 39" East, 2610.63 feet with the west line of said 60.587 acre TRACT .09 and the center of said County Road No. 71 to the PLACE OF BEGINNING and containing 1297.235 acres of land.

Witness my hand and seal of office this 10th day of June, 1954.

Notary Public for the State of Texas

My commission expires on the 10th day of June, 1956.

My office is at Dallas, Texas.

My office hours are from 9:00 a.m. to 5:00 p.m.

My office is open on Saturdays from 9:00 a.m. to 12:00 p.m.

My office is closed on Sundays and public holidays.

My office is located at 1234 Main Street, Dallas, Texas.

My office is a member of the State Bar of Texas.

My office is a member of the American Bar Association.

My office is a member of the Texas Bar Association.

My office is a member of the Dallas Bar Association.

My office is a member of the Tarrant County Bar Association.

My office is a member of the North Texas Bar Association.

My office is a member of the South Texas Bar Association.

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DESCRIPTION 87.856 Acres of Land

SITUATED in Collin County, Texas, in the Charles Carter Survey, Abstract No. 220 and the E.T. Berry Survey, Abstract No. 43, being a resurvey of the 87.886 acre tract described in a deed from Warren W. Sanders, et al to Gulf National Land Corporation, dated April 4, 1980, recorded in Volume 1251, Page 497 of the Collin County Land Records, being described by metes and bounds as follows:

BEGINNING at a 5/8" diameter concrete reinforcing steel rod driven flush with the ground surface and capped with a red plastic cap stamped on the top with GEER SURV. (hereinafter referred to as a "5/8 rod") set at the southwest corner of said 87.886 acre tract, in the center of an east-west rock road (County Road No. 25) (Rock Hill Road);

THENCE North 0° 19' 27" West, 2585.93 feet with a fence and with the west line of said 87.886 acre tract to a "5/8 rod" set beside a corner post at the southeast corner of RED BUD ESTATES as recorded in Cabinet C, Sheet 189 of the Collin County Map & Plat Records, in the west line of said 87.886 acre tract for an angle point;

THENCE North 0° 26' 14" West, 494.96 feet with the east line of said RED BUD ESTATES, the west line of said 87.886 acre tract and with an established fence and hedge row to an existing "5/8 rod" set beside a corner post at the northwest corner of said 87.886 acre tract, in the east line of said RED BUD ESTATES for a corner;

THENCE Easterly with the north line of said 87.886 acre tract and with an established fence and hedge row as follows:

South 89° 31' 58" East, 395.40 feet to an existing iron pin for an angle point;

North 89° 46' 49" East, 177.93 feet to an existing iron pin for an angle point;

South 89° 54' 22" East, 205.61 feet to an existing iron pin for an angle point;

South 89° 25' 07" East, 353.64 feet to a "5/8 rod" on the north side of a large corner post at the northeast corner of said 87.886 acre tract for a corner;

THENCE Southerly with an east line of said 87.886 acre tract and with an established fence and hedge row as follows:

South 1° 26' 54" East, 229.94 feet to an existing iron pin for an angle point;

South 1° 32' 20" East, 264.41 feet to a "5/8 rod" set beside a corner post at an ell corner of said 87.886 acre tract for a corner;

THENCE South 88° 59' 31" East, 258.87 feet with an established fence and with a north line of said 87.886 acre tract to a "5/8 rod" set beside a corner post at the east, northeast corner of said 87.886 acre tract for a corner;

THENCE South 1° 00' 48" West, 1413.52 feet with the east line of said 87.886 acre tract and approximately with a fence to a "5/8 rod" set beside a corner post at the east, southeast corner of said 87.886 acre tract for a corner;

THENCE North 89° 17' 13" West, 206.08 feet with a south line of said 87.886 acre tract and with a fence to a "5/8 rod" set beside a corner post at an ell corner of said 87.886 acre tract for a corner;

THENCE South 0° 04' 48" East, 950.73 feet with an east line of said 87.886 acre tract and with a fence to a "5/8 rod" set beside a corner post at a southeast corner of said 87.886 acre tract for a corner;

THENCE North 89° 58' 51" West, 208.72 feet with a south line of said 87.886 acre tract and approximately with a fence to a "5/8 rod" set beside a corner post at an ell corner of said 87.886 acre tract for a corner;

THENCE South 0° 03' West, 208.71 feet with an east line of said 87.886 acre tract and approximately with a fence to a "5/8 rod" set at the south, southeast corner of said 87.886 acre tract, in the center of said Rock Hill Road for a corner;

THENCE South 89° 39' 55" West with the south line of said 87.886 acre tract and with the center of said Rock Hill Road, 947.26 feet to the PLACE OF BEGINNING and containing 87.856 acres of land.

DESCRIPTION 141.548 Acres of Land

SITUATED in Collin County, Texas, in the E. Whitely Survey, Abstract No. 989, and being a resurvey of the 80 acre FIRST TRACT and the 57 acre SECOND TRACT described in a deed from High Bass, et al to William Dayton Bass, dated March 15, 1962 and recorded in Volume 595, Page 596 of the Collin County Deed Records, being described by metes and bounds as follows:

BEGINNING at an iron pin set in the center of a North-South gravel road at the extension of an established fence from the east, same being the Northwest corner of said 80 acre tract SECOND TRACT, the Northwest corner of said Whitely Survey;

THENCE Easterly with the North line of said 80 acre tract and said survey and with said established fence as follows:

North 89° 41' East 153.7 feet; North 89° 56' East 277.98 feet;  
South 89° 59' East 660.02 feet; North 88° 13' East 225.02 feet to an iron pin set beside a corner post at the northeast corner of said 80 acre tract for a corner;

THENCE Southerly with an established fence and with the East line of said 80 acre tract as follows:

South 0° 33' 36" West 1440.35 feet; South 0° 18' West 451.96 feet;  
South 0° 06' East 353.36 feet to an iron pin set;  
South 0° 07' West 196.54 feet to the center of a branch;

THENCE up the center of said branch with its meanders and with the east and south line of said 57 acre tract as follows:

South 64° 05' West 92.7 feet; South 4° 49' East 91.27 feet;  
South 32° 26' East 42.7 feet; South 54° 57' East 91.87 feet;  
South 3° 10' West 42.32 feet; South 21° 57' West 107.59 feet;  
South 19° 24' East 58.52 feet; South 57° 32' West 67.95 feet;  
South 34° 02' East 65.14 feet; South 11° 48' West 24.63 feet;  
South 49° 31' West 55.08 feet; South 40° 24' East 38.32 feet;  
South 61° 57' East 65.97 feet; South 24° 14' East 25.74 feet;  
South 74° 27' West 41.15 feet; South 10° 12' West 28.94 feet;  
South 44° 36' East 51.10 feet; South 4° 09' West 106.13 feet;  
South 12° 58' East 31.96 feet; South 34° 36' East 39.45 feet;  
South 35° 34' West 38.80 feet; South 82° 24' West 22.25 feet;  
South 49° 02' West 126.03 feet; South 69° 01' East 49.29 feet;  
South 24° 53' West 57.25 feet; South 20° 59' East 33.80 feet;  
South 0° 25' West 51.12 feet; South 2° 08' East 37.00 feet;  
South 34° 48' East 41.57 feet; South 88° 27' East 15.28 feet;  
South 82° 17' East 25.51 feet; South 36° 27' East 54.18 feet;  
South 13° 25' West 46.32 feet; South 33° 01' West 34.20 feet;  
South 14° 28' West 37.55 feet; South 60° 52' West 48.49 feet;  
South 22° 07' West 63.20 feet; South 53° 00' East 20.74 feet;  
North 85° 46' East 56.74 feet; South 11° 13' West 27.67 feet;  
South 66° 11' West 39.63 feet; South 22° 32' West 35.62 feet;  
South 4° 16' East 37.58 feet; South 23° 05' West 101.18 feet;  
South 51° 22' West 60.42 feet; South 87° 23' West 74.95 feet;  
South 19° 59' West 27.0 feet; South 16° 06' East 48.54 feet;  
North 69° 24' West 43.91 feet; South 27° 30' West 57.17 feet;  
South 10° 24' West 129.63 feet; South 71° 49' West 27.51 feet;  
North 72° 16' West 36.88 feet; South 77° 09' West 42.91 feet;  
South 44° 50' West 43.17 feet; North 89° 51' West 84.44 feet;  
South 35° 12' West 25.81 feet; South 15° 56' West 30.47 feet;  
North 80° 41' West 53.21 feet; South 45° 57' West 53.8 feet;  
South 10° 08' East 26.52 feet; South 42° 11' East 59.87 feet;  
South 0° 36' East 35.16 feet; South 49° 40' West 13.20 feet;  
North 62° 44' West 64.74 feet; South 89° 43' West 26.89 feet;  
South 47° 58' West 32.01 feet; South 32° 56' East 28.65 feet;  
South 64° 10' East 38.58 feet; South 1° 45' East 25.84 feet;  
South 62° 09' West 27.29 feet; South 84° 15' West 44.26 feet;  
South 47° 22' West 29.31 feet; South 23° 06' West 47.82 feet;  
South 9° 28' West 29.23 feet; South 28° 34' East 16.33 feet;  
South 52° 48' West 16.39 feet; South 83° 24' West 24.16 feet;  
North 45° 15' West 24.0 feet; South 76° 12' West 67.63 feet;  
South 28° 04' West 18.37 feet; South 45° 11' East 85.62 feet;  
South 31° 10' West 22.45 feet; South 69° 56' West 102.0 feet;  
South 7° 22' East 18.31 feet; South 46° 08' East 66.36 feet;  
South 7° 20' West 28.35 feet; South 78° 38' 33" West 78.66 feet;  
South 67° 15' West 57.31 feet; South 26° 01' West 25.09 feet;  
South 83° 53' West 17.64 feet; South 8° 16' West 24.24 feet;  
South 42° 45' East 62.15 feet; South 2° 34' East 31.42 feet;

South 80° 27' West 24.38 feet; South 89° 40' West 28.13 feet;  
North 74° 20' West 58.85 feet; South 43° 01' West 12.39 feet;  
South 18° 17' West 42.06 feet; South 2° 34' West 35.07 feet;  
South 73° 00' West 15.0 feet; North 67° 35' West 68.83 feet;  
North 86° 04' West 55.93 feet; South 30° 53' West 17.8 feet;  
South 30° 24' East 46.0 feet; South 64° 54' West 68.0 feet leaving  
said branch and going to an existing iron pin set at the intersection  
of the projection of the center of a gravel road from the North; same  
being the Southwest corner of said Whitely survey, and the Southwest  
corner of said 57 acre tract;

THENCE Northerly with the West line of said 57 acre tract, the 80 acre  
tract and the said Whitely survey and, with the center of a gravel road as  
follows:

North 0° 35' 30" East 297.6 feet; North 0° 36' 30" West 911.6 feet;  
North 0° 06' 30" East 1495.5 feet to an existing iron pin set;  
North 0° 37' 30" East 687.53 feet; North 0° 03' East 1300.0 feet;  
North 1° 33' East 652.05 feet to the PLACE OF BEGINNING and  
containing 141.548 acres of land.

SURVEYED AND CERTIFIED CORRECT ON THIS THE 16TH DAY OF MAY, 1982 A. D.

G. M. GREER, REGISTERED PUBLIC SURVEYOR, NO. 3258 .

TRACT 1:

Situated in Collin County, Texas in the George Herndon Survey Abstract No. 390 and being a resurvey and consolidation of a 52.237 acre tract described in a deed from Foncine Joint Venture No. 2 to Foncine Thirty Venture Limited recorded in Volume 1826 Page 420 of the Collin County Land Records and all of a 40.15 acre tract described in a deed from Foncine Joint Venture No. 2 to Foncine Thirty Joint Venture Limited recorded in Volume 1826 Page 434 of the Collin County Land Records and all of a 20.555 acre tract described in a deed from William Wallace Cashon Jr. to Foncine Frontage Joint Venture recorded in Volume 1962 Page 593 of the Collin County Land Records and being more fully described by metes and bounds as follows:

BEGINNING at an iron stake in the Northeast corner of the said 52.237 acre tract in the center line of Foncine Road and County Road #117.

THENCE North 89 deg 25 min 00 sec West, with North line of tract in center line of road 826.21 ft. to an iron stake at the Northwest corner of said tract. Same being the Northeast corner of the 20.55 acre tract.

THENCE North 89 deg 49 min 14 sec West, with the North line of the 20.555 acre tract and center line of Foncine Road a distance of 1275.02 ft. to an iron stake at the Northwest corner thereof. Said stake being at the intersection of Foncine Road and County Road #154.

THENCE South 0 deg 14 min 47 sec West, with the West line of the said 20.555 acre tract and center line of said road 698.63 ft. to an iron stake at the Southwest corner of the said tract.

THENCE South 89 deg 35 min 19 sec East, with South line of said tract 1278.86 ft. to an iron stake at the Southeast corner thereof. Same being the West line of the 52.237 acre tract.

THENCE South 0 deg 06 min 00 sec West, with West line of the 52.237 acre tract along and near an established fence a distance of 683.13 ft. to an iron stake. Said stake being the Northeast corner of the 40.15 acre tract.

THENCE North 89 deg 30 min 06 sec West, along the North line of the 40.15 acre tract 1282.55 ft. to an iron stake at the Northwest corner thereof. Said stake being in the center line of County Road #154.

THENCE South 0 deg 12 min 39 sec West, with West line of said tract and center line of road 1339.82 ft. to an iron stake.

THENCE South 0 deg 09 min 44 sec East, with West line of tract 20.47 ft. to an iron stake at the Southwest corner thereof.

THENCE South 89 deg 27 min 27 sec East, with the South line of said tract along and near a fence a distance of 1288.15 ft. to an iron stake at the Southeast corner thereof. Said stake also being the Southwest corner of the 52.237 acre tract.

THENCE South 89 deg 38 min 23 sec East, with the South line of said 52.237 acre tract along and near an established fence 830.19 ft. to an iron stake at the Southeast corner thereof.

THENCE North 0 deg 05 min 26 sec West, with the East line of said tract a distance of 2745.07 ft. to the place of beginning containing 112.931 acres of land, of which 2.369 acres lie within a public roadway, leaving a net acres of 110.562 acres of land.

TRACT 2:

Situated in Collin County, Texas in the J.J. Naugle Survey Abstract No. 662 and being a resurvey of all of a 49.836 acre tract as described in a deed from Foncine Joint Venture No. 2 to Foncine Thirty Limited recorded in Volume 1826 Page 437 of the Collin County Land Records and being more fully described as follows:

BEGINNING at an iron stake in the Northeast corner of the said tract in the center line of a County Road #154.

THENCE South 0 deg 09 min 44 sec East, with East line of tract 20.47 ft. to an iron stake.

THENCE South 0 deg 08 min 47 sec West, with East line of tract and center line of road 713.06 ft. to an iron stake found at the Southeast corner of said tract.

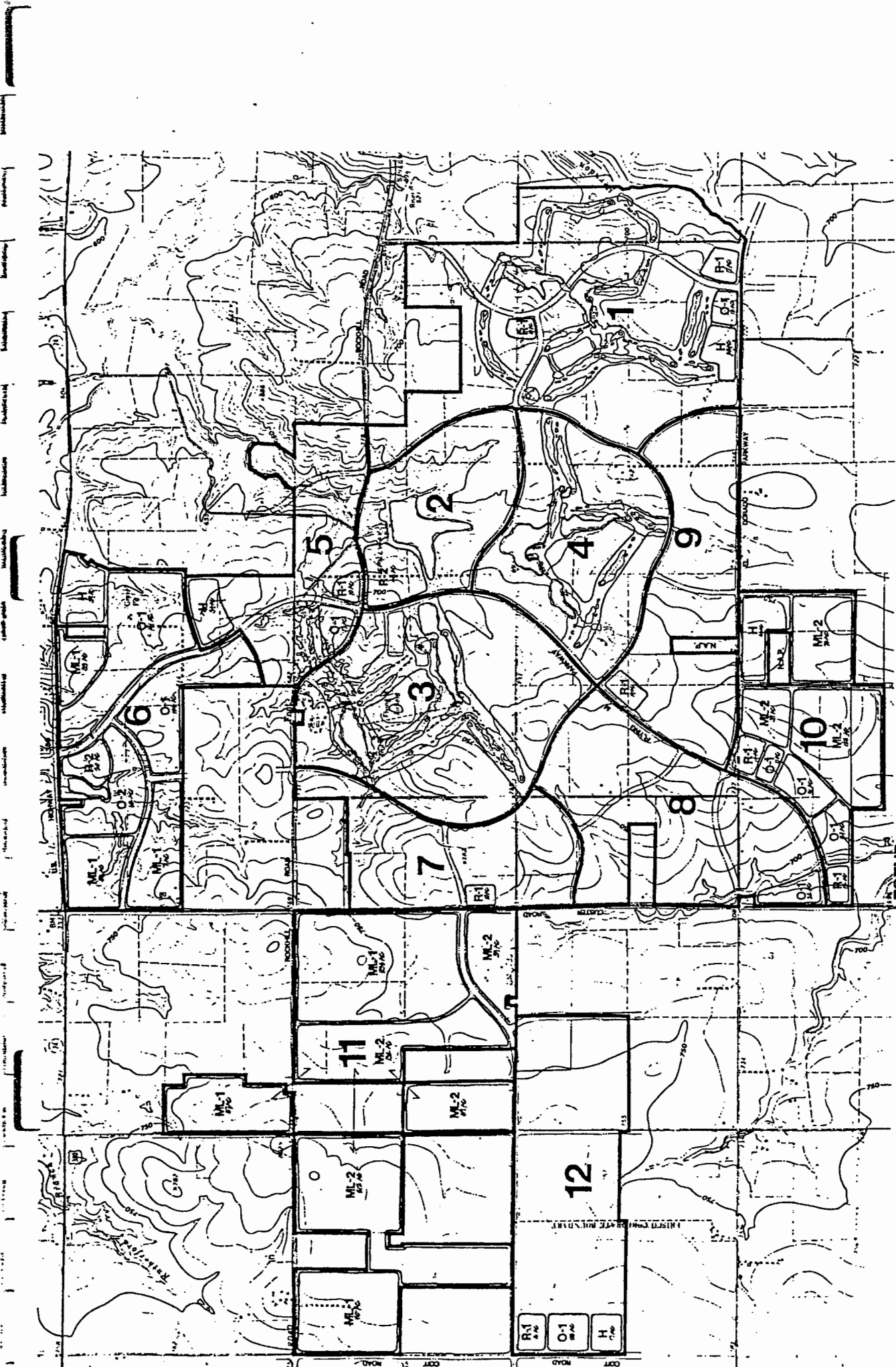
THENCE North 89 deg 56 min 15 sec West, with an established fence along South line of tract a distance of 2959.24 ft. to an iron stake at the Southwest corner thereof.

THENCE North 0 deg 26 min 27 sec East, with established fence line and hedge row along the West line of tract 734.70 ft. to an iron stake at the Northwest corner thereof.

THENCE South 89 deg 54 min 55 sec East, with an established tree line along North line of tract a distance of 2955.35 ft. to the place of beginning containing 49.839 acres of land, of which 0.336 acres lie with roadway, leaving a net acres of 49.503 acres of land.



EXHIBIT B



**LEGEND**  
 CONCEPTUAL LAND USE LOCATIONS

- PLANNING AREA BOUNDARY
- PLANNING AREA NUMBER 3
- GOLF COURSE
- THOROUGHFARES
- COUNTRY CLUB
- HIGH DENSITY RESIDENTIAL
- OFFICE
- LIGHT MANUFACTURING
- RETAIL

**ZONING AND THOROUGHFARE PLAN**  
**FLYING M RANCH**  
 RCS INVESTMENTS / GERALTAR SAVINGS ASSOCIATION

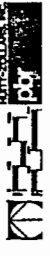


EXHIBIT C

1-21-86

FLYING M RANCH PLANNED DEVELOPMENT REGULATIONS  
ORDINANCE NUMBER 1621

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SECTION I  
PURPOSE AND INTENT

The purpose of this ordinance is to provide for the development of the Flying M Ranch Planned Development as a coordinated, comprehensive project in order to take advantage of the superior environment which results from large scale urban planning. This ordinance assures compliance with the spirit and intent of the Planned Development (PD) Ordinance, Section 3.20 of the City of McKinney Zoning Ordinance 1270, as amended. An objective of this ordinance is to be responsive to changing community needs and desires in order to function without the need for unnecessary time-consuming and costly amendments.

This ordinance combines provisions for the opportunity to propose innovative community design concepts and site planning, consistent with orderly development and protection of sensitive and natural resources, with provisions for a logical and timely sequence of community and governmental review and input.

This ordinance provides for a "multiple use concept". Provisions are made for the submittal and review of projects which may contain a mix of residential, commercial, industrial, recreational and open space uses in new and creative spatial relationships.

The objective of providing maximum opportunity for creative community design and site planning is accommodated by using the maximum number and type of dwelling units in each Planning Area as the primary control factor for residential development within the community. A diversity of uses, relationships, building heights, building masses, building quality, landscape, architecture, and open spaces is provided. Consistency with the provisions and intent of the City of McKinney Zoning Ordinance is ensured through the review process contained in the Implementation & Development Processing Procedures Section contained herein.

This ordinance is designed to encourage the effective use of the natural topography and open space by preserving many of the most prominent and distinctive features while blending the urban development into the natural topography through the use of sensitive site design and grading techniques.

This ordinance has as an objective the creation of a document which will result in the development of a balanced living environment, responsive to the social, economic and physical needs of the inhabitants of the Flying M Ranch Planned Development, City of McKinney, and surrounding areas. This document is also designed to implement the goals, policies and guidelines of the City.

## SECTION II

### IMPLEMENTATION & DEVELOPMENT PROCESSING PROCEDURES

#### A. INTRODUCTION

The Flying M Ranch Planned Development shall be implemented through subdivision and site plan review procedures.

These review procedures are used to accomplish the objective of providing a logical and timely sequence of community and governmental review and input. The purpose of the plat and site plan are to provide a method and procedure to analyze and evaluate the significant features within the Flying M Ranch Planned Development, to assure compliance with the provisions contained within these regulations, and to provide further policies, guidelines and standards for their development or preservations not included in this ordinance.

#### B. GENERAL DEVELOPMENT PLAN

Contemporaneously with the platting of the first tract within a Planning Area, a General Development Plan designating the specific locality of all land uses within said Planning Area will be submitted to the City for approval. Said General Development plan shall conform to the land uses and densities shown on the Zoning/Thoroughfare Plan and contained in the Statistical Summary. The General Development Plan shall delineate the proposed characteristics of the Planning Area in terms of specific zoning. In addition to the specific land uses, said Plan shall generally address the following:

1. Maximum number of dwelling units
2. Projected population
3. Maximum floor area ratio
4. Building height in non-residential districts
5. General layout of collector or secondary streets
6. Drainage ways
7. Water supply and wastewater trunk lines
8. Public and private open spaces and/or common areas

The General Development Plan shall serve as both a guide for future platting within the Planning Area and as a detailed zoning plan. If there is to be a property owners association governing the entire Planning Area, the covenants for this property owners association must be submitted to the City for review with the General Development Plan.

City approval shall include approval of the sequence of development and construction of phases of the Planning Area as can be reasonably determined. It may include such stipulations or conditions as the City deems necessary in order to accomplish the purposes of this ordinance and to protect the health, safety, and welfare of the community. An approved

General Development Plan may be amended by submitting to the City for approval a Revised General Development Plan in accordance with the provisions set forth in the preceding paragraph. The General Development Plan shall be submitted for review by the Planning Commission which shall forward its recommendation to the City Council for approval consideration.

#### C. CONCEPT PLAN

The purpose of a concept plan is to set forth the development objectives allowed under zoning criteria in a graphic or specific written manner. A Concept Plan shall act as a preliminary site plan for a Zoning Area. A Zoning Area shall be a tract of land or contiguous tracts of land under the same zoning district, such as a neighborhood of a particular housing type, a complex of apartments, a shopping center tract, a complex of office buildings, and an industrial or business park. The Concept Plan shall be submitted for review by the Planning Commission which shall forward its recommendation to the City Council for approval consideration. The Concept Plan shall address the following:

1. For zero lot line, duplex, fourplex, clusterhome or townhome
  - a. Setbacks (justification for reduction of setbacks)
  - b. Common area (indicating use and purpose)
  - c. Landscape character or concept in written or graphic format
  - d. Streetscape character
  - e. Location of parking
  - f. Vehicular and Pedestrian System (public or private)
2. For Multi-Family and Non-Residential
  - a. Location of points for ingress/egress
  - b. Vehicular and Pedestrian System (public or private)
  - c. Landscape and character or concept in written or graphic format
  - d. Common areas (indicating use and purpose)
  - e. Streetscape character
  - f. Building envelopes
  - g. Screening
  - h. Signage

- i. Parking
- j. Specific locations of all buildings over three stories in height
- k. In districts where mixed land uses are allowed, distribution, identification, and location of land uses.

#### D. SITE PLAN

An accurate drawing of one or more building sites or lots as set forth in Section 2.09 of the City of McKinney Zoning Ordinance or as such may be amended. Notice shall be given in accordance with Section II, Paragraph 8 of this ordinance.

#### E. LANDSCAPE PLAN

A landscape plan shall be submitted to the City staff for approval, detailing the name, quantity, spacing, size and caliper at time of planting as required by City Landscape Ordinance or Landscape Manual, but no less intensive than proposed on Concept Plan.

#### F. PLATTING

##### 1. Preliminary Platting

A Preliminary Plat, as prescribed in Article III, Section 3.03, Sub-Sections (2)-(9) of the City's Subdivision Code (Ordinance 1290), may be submitted for any portion of a Planning Area if a General Development Plan for the Planning Area has been submitted. The project data to be submitted in conjunction within a tentative plat application shall be as specified in the Subdivision Ordinance, except where it is in variance with the space limits and regulations specifically set forth herein. Notwithstanding anything in the Subdivision Ordinance to the contrary, lot frontage on a dedicated alley shall be deemed to satisfy street frontage requirements. Flag or key shaped lots are recognized with lot width to be measured at the building line. Greenbelt noted on the General Development Plan will be dedicated to the City of McKinney as Open Space during platting subject to acceptance by the City Council and will carry a flood plain designation, if applicable.

##### 2. Final Plat

Final Plats shall be submitted for all, or any portion of an approved preliminary plat as prescribed in Article III, Section 3.04 of the City's Subdivision Code (Ordinance 1290), unless otherwise herein stated.



### 3. Preliminary-Final Plats

A combination Preliminary-Final Plat may be submitted in accordance with Article III, Section 3.03, Sub-Section (10) of the City's Subdivision Code (Ordinance 1290).

### G. MISCELLANEOUS PROVISIONS

It is provided that the two (2) westerly most ML-1 tracts in Planning Area 6, comprising one hundred twenty-nine (129) acres, may be totally developed in R-1 uses. It is further agreed and understood that fifty-eight (58) additional acres of ML uses may be developed in R-1 uses at a floor area ratio of one to one (1:1), which are customarily considered to be of a service nature to office and manufacturing uses. These uses may occur on sites not greater than five (5) acres and shall be specified at time of General Development Plan, Concept Plan or Site Plan as may be appropriate.

### SECTION III

#### GENERAL PROVISIONS

1. A Zoning/Thoroughfare Plan for purposes of this ordinance shall show conceptual alignments of thoroughfares and general locations and delineations of Planning Areas within the Flying M Ranch Planned Development. This Zoning/Thoroughfare Plan shall be accompanied by a Statistical Summary (Zoning Plan Matrix A) which identifies Planning Areas and establishes land uses (in acres) and the maximum permitted number of dwelling units within each Planning Area.
2. Existing land uses within the Flying M Ranch Planned Development are considered as permitted uses within these PD regulations.
3. Terms used in this ordinance shall have the same definitions as given in the McKinney Zoning Ordinance unless otherwise defined herein. Parking structures shall not be included in calculating coverage or floor area in non-residential zoning districts.
4. Any details or issues not specifically covered by this ordinance shall be subject to the provisions of the McKinney Zoning Ordinance. Where conflicts between this ordinance and other ordinances occur, this ordinance shall control. Where conflicts within this ordinance occur, if any, the more restrictive provision shall control.
5. All Planning Areas which allow for residential uses shall be developed so as to not exceed the maximum number of dwelling units indicated for the Planning Area in the Statistical Summary.
6. This ordinance is adopted pursuant to the regulations contained in Section 3.20 of the McKinney Zoning Ordinance, as amended. It is specifically intended by such adoption that the development standards contained herein shall regulate all development within the Flying M Ranch Planned Development.
7. Planning Area Boundaries:
  - a. Except as otherwise indicated, dimensions are measured from center lines of streets.
  - b. Minor adjustments in the Planning Area boundaries resulting from final road alignments geotechnical or engineering refinements to the plats shall not require amendment of the Zoning/Thoroughfare Plan when such adjustments are consistent with the intent of these regulations, the City Zoning Ordinance, and the maximum number of dwelling units per Planning Area as shown on Matrix A and are generally proportional to the Planning Areas as

proposed at the time of ordinance approval. Such determinations shall be made in a manner consistent with provisions of the Implementation & Development Processing Procedures Section contained herein.

8. If an Application is made to amend this ordinance or a site plan approved pursuant to this ordinance for a specific tract of property located within the Flying M Ranch Planned Development, notice of said application shall be delivered only to owners of land located within two hundred (200) feet of said property.

SECTION IV  
RESIDENTIAL USE REGULATIONS

A. PURPOSE AND INTENT

The purpose of this ordinance is to regulate the planning and development of the residential uses in the Flying M Ranch Planned Development.

This ordinance provides for a wide variety of residential uses, and allows for community facilities, community services facilities and uses, and structures accessory to the main uses.

The ultimate control for residential development is the maximum number of dwelling units permitted in each residential category and subtotal as indicated on the Statistical Summary. All Planning Areas shall be developed consistent with the total dwelling units indicated in the Statistical Summary. The total dwelling unit maximum for the land use category within the Statistical Summary shall be as specified therein.

Space limits for residential and other projects shall be as described herein, and subject to the review procedures as specified in Implementation Section contained herein. After first occupancy of an individual dwelling unit, the space limits contained in this ordinance and any applicable plat or site plan shall apply to that dwelling unit and shall only be modified subject to the variance or rezoning procedures contained in the City of McKinney Zoning Ordinance.

B. LOW DENSITY RESIDENTIAL

1. Purpose and Intent

This classification of residential uses is designed for development of single-family detached residences and other residential projects consistent with the permitted density of this classification. The low density classification provides for a maximum density of seven (7) dwelling units per acre.

2. Districts

a. "SF-1" Single-family Residence District regulations.

- (1) Purpose: This zone is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life.

(2) Principal permitted uses:

- (a) Single-family detached dwellings.
- (b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college.
- (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.
- (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
- (e) Public and quasi-public buildings for cultural use.
- (f) Country clubs.
- (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
- (h) Parks and recreation areas.

(3) Permitted accessory uses:

- (a) Home occupations.
- (b) Private garage and parking areas.
- (c) Private swimming pools exclusively for the use of residents of the premises and their

nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.

(d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.

(4) Specific use permits: No specific use permits.

(5) Space limits:

(a) Minimum lot area: Seven thousand two hundred (7,200) square feet.

(b) Minimum width of lot: Sixty (60) feet.

(c) Minimum depth of lot: One Hundred (100) feet.

(d) Maximum height of building: Thirty-five (35) feet.

(e) Minimum front yard. Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.

(f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) unless adjacent to lake or other water body which would permit zero (0) setback.

(g) Minimum side yard: Ten percent (10%) of lot width.

(h) Minimum side yard on corner: Fifteen (15) feet.

(i) Maximum lot coverage: Sixty percent (60%).

(j) Maximum density: Four (4) dwelling units per acre.

(6) Miscellaneous provision:

Two (2) enclosed parking spaces shall be provided on each lot for each dwelling unit.

b. "SF-2" Single-family Residence District regulations.

(1) Purpose: This zone is designed to encourage a suitable family life.

(2) Principal permitted uses:

(a) Single-family detached dwellings.

(b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories, and other related living structures when located on the same site as the school or college.

(c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.

(d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.

(e) Public and quasi-public buildings for cultural use.

(f) Country clubs.

(g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.

(h) Parks and recreation areas.

(3) Permitted accessory uses:

(a) Home occupations.

- (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
  - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permits: No specific use permits.
- (5) Space limits:
- (a) Minimum lot area: Six thousand (6,000) square feet.
  - (b) Minimum width of lot: Fifty (50) feet.
  - (c) Minimum depth of lot: Ninety (90) feet.
  - (d) Maximum height of building: Thirty-five (35) feet.
  - (e) Minimum front yard: Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.
  - (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet if adjacent to private recreation open space unless adjacent to lake or other water body which would permit zero (0) setback.
  - (g) Minimum side yard: Ten percent (10%) of lot width.
  - (h) Minimum side yard on corner: Fifteen (15) feet.
  - (i) Maximum lot coverage: Sixty percent (60%).
  - (j) Maximum density: Four and one-half (4.5) dwelling units per acre.



(6) Miscellaneous provision:

Two (2) enclosed parking spaces shall be provided on each lot for each dwelling unit.

c. "SF-3" Single-Family Residence District regulations--Zero lot line homes.

(1) Purpose: To provide single family homes on lots of moderate size. Any development in this category which proposes common amenities, common grounds, or common cluster parking (privately owned) shall furnish to the City of McKinney, at the time of platting, evidence of establishment of a homeowners' association to ensure that the common grounds of the property are properly maintained. The City shall have the right to approve the provision of said homeowners' association before filing of either the plat or the association covenants. The City will have the right, but not the obligation, to enforce the terms of said homeowners' association.

(2) Principal permitted uses:

(a) Single-family detached dwellings.

(b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories, and other related living structures when located on the same site as the school or college.

(c) Churches, synagogues, chapels and similar places or religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.

(d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.

- (e) Public and quasi-public buildings for cultural use.
  - (f) Country clubs.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
  - (h) Parks and recreation areas.
- (3) Permitted accessory uses:
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
  - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permits: No specific use permits.
- (5) Space limits:
- (a) Minimum lot area: Four thousand (4,000) square feet.
  - (b) Minimum width of lot: Thirty-five (35) feet.
  - (c) Minimum depth of lot: Eighty (80) feet.
  - (d) Maximum height of building: Thirty-five (35) feet.
  - (e) Minimum front yard: Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.
  - (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding

accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet if adjacent to private recreational open space unless adjacent to lake or other water body which would permit zero (0) setback.

(g) Minimum side yard: Zero one side with ten (10) feet separation between buildings.

(h) Minimum side yard at corner: Fifteen (15) feet.

(i) Maximum lot coverage: Sixty percent (60%).

(j) Maximum density: Seven (7) dwelling units per acre.

(6) Miscellaneous provision:

Minimum of two and one-half (2.5) parking spaces shall be provided per unit with a minimum of two (2) parking spaces on each lot, one of which must be enclosed, and a minimum of one-half (.5) parking spaces off the lot. The off lot parking spaces may be provided in cluster parking areas or on the street if said street has a minimum paving width of thirty-six (36) feet and is approved by the City during concept plan or plat review and a minimum separation between driveway radius returns of twenty (20) feet.

(7) Concept Plan: A concept plan shall be submitted for approval prior to platting. No concept plan is required for development of tracts in accordance with SF-1 or SF-2 space limits.

C. MEDIUM DENSITY RESIDENTIAL

1. Purpose and Intent

This density classification is intended to permit development of a range of residential uses including attached and/or detached single-family and multiple family residences. The medium density classification permits a maximum density of eighteen (18) dwelling units per acre. No more than two hundred seventy-eight and one-half (278.5) acres will be developed in excess of fourteen (14) dwelling units per acre. Any development which contemplates the sale of medium density, single family dwelling units shall furnish to the City of McKinney at the time of platting evidence of establishment of a homeowners' association to insure that the common grounds of the property are properly maintained. Any

development in this category which proposes common amenities, common grounds, or common cluster parking (privately owned) shall furnish to the City of McKinney, at the time of platting, evidence of establishment of a homeowners' association to ensure that the common grounds of the property are properly maintained. The City shall have the right to approve the provision of said homeowners' association before filing of either the plat or the association covenants. The City will have the right, but not the obligation, to enforce the terms of said homeowners' association.

2. Districts

a. "SF-4" Single-Family Residence District regulations--Zero lot line homes.

- (1) Purpose: To provide single family homes on lots of moderate size.
- (2) Principal permitted uses:
  - (a) Single-family detached dwellings.
  - (b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories, and other related living structures when located on the same site as the school or college.
  - (c) Churches, synagogues, chapels and similar places or religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.
  - (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (e) Public and quasi-public buildings for cultural use.

- (f) Country clubs.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
  - (h) Parks and recreation areas.
- (3) Permitted accessory uses:
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
  - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permits: No specific use permits.
- (5) Space limits:
- (a) Minimum lot area: Two Thousand Eight Hundred (2,800) square feet.
  - (b) Minimum width of lot: Thirty (30) feet.
  - (c) Minimum depth of lot: Sixty-five (65) feet.
  - (d) Maximum height of building: Thirty-five (35) feet.
  - (e) Minimum front yard: Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.
  - (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet if adjacent to private recreation or open space unless adjacent to

lake or other water body which would permit zero (0) setback.

(g) Minimum side yard: Zero one side with ten (10) feet separation between buildings.

(h) Minimum side yard at corner: Fifteen (15) feet.

(i) Maximum lot coverage : Eighty percent (80%).

(j) Maximum density: Eleven (11) units per acre.

(6) Miscellaneous provision:

Minimum of two and one-half (2.5) parking spaces shall be provided per unit with a minimum of two (2) parking spaces on each lot, one of which must be enclosed, and a minimum of one-half (.5) parking spaces off the lot. The off lot parking spaces may be provided in cluster parking areas or on the street if said street has a minimum paving width of thirty-six (36) feet and is approved by the City during concept plan or plat review and a minimum separation between driveway radius returns of twenty (20) feet.

(7) Concept Plan: A concept plan shall be submitted for approval prior to platting. No concept plan is required for development of tracts in accordance with SF-1 and SF-2 space limits.

b. "SFA-1" Duplex Residence District regulations.

(1) Purpose: This zone is designed to provide suitable family life for one- and two-family dwelling areas on lots of moderate size.

(2) Principal permitted uses:

(a) Residential buildings containing not more than two (2) dwelling units.

(b) Single-family detached dwellings.

(c) Public, parochial and private schools and colleges offering courses of general instruction, and children's homes, any and each of which shall be located on sites of at least three (3) acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college.

- (d) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a permanent structure.
  - (e) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities, and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (f) Public and quasi-public buildings for cultural use.
  - (g) Country clubs.
  - (h) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
  - (i) Parks and recreation areas.
  - (j) Other uses allowed in the SF-4 zone.
- (3) Permitted Accessory uses:
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
  - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
  - (e) Uses allowed in the SF-4 zone.
- (4) Specific use permits:

- (a) Fraternity and sorority houses when directly associated with a college or university.
  - (b) Nonprofit community buildings and social welfare establishments other than those providing living accommodations.
- (5) Space limits:
- (a) Minimum lot area: Six thousand (6,000) square feet for a duplex.
  - (b) Minimum width of lot: Fifty (50) feet.
  - (c) Minimum depth of lot: Ninety (90) feet.
  - (d) Maximum height of building: Thirty-five (35) feet.
  - (e) Minimum front yard: Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.
  - (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet if adjacent to private recreation or open space unless adjacent to lake or other water body which would permit zero (0) setback.
  - (g) Minimum side yard: Ten percent (10%) of lot width.
  - (h) Minimum side yard at corner. Fifteen (15) feet.
  - (i) Maximum lot coverage: Sixty percent (60%).
  - (j) Maximum density: Ten (10) units per acre.
- (6) Miscellaneous provisions:
- (a) Minimum of two and one-half (2.5) parking spaces shall be provided per unit with a minimum of two (2) parking spaces on each lot, one of which must be enclosed, and a minimum of one-half (.5) parking spaces off the lot. The off lot parking spaces may be



provided in cluster parking areas or on the street if said street has a minimum paving width of thirty-six (36) feet and is approved by the City during concept plan or plat review and a minimum separation between driveway radius returns of twenty (20) feet.

(b) A duplex lot may be platted or replatted into two (2) fee simple tracts subject to all requirements of the City of McKinney relating to access, parking, and compliance with applicable building codes.

(c) Single-family detached residences shall be subject to the space limit provisions set forth in the "SF-3" district.

(7) Concept Plan: A concept plan shall be submitted for approval prior to platting. No concept plan is required for development of tracts in accordance with SF-1 or SF-2 space limits.

c. "SFA-2" General Residence District regulations.

(1) Purpose: This zone is designed to provide for a medium density residential environment allowing some latitude to the designers as to form but limiting the overall intensity of use of the land. Lot area requirements are modified to meet existing lot situations in a large part of the city.

(2) Principal permitted uses:

(a) Residential buildings containing not more than four (4) dwelling units.

(b) Single-family detached dwellings.

(c) Public, parochial and private schools and colleges offering courses of general instruction and children's homes any and each of which shall be located on sites of at least three (3) acres, and including convents, monasteries, dormitories and related living structures when located on the same site as the school or college.

(d) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a permanent structure.

- (e) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (f) Public and quasi-public buildings for cultural use.
  - (g) Country clubs.
  - (h) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises except as provided for as a permitted home occupation.
  - (i) Parks and recreation areas.
  - (j) Other uses allowed in the SFA-1 zone, in accordance with SFA-1 development standards.
- (3) Permitted accessory uses:
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
  - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
  - (e) Uses allowed in the SFA-1 zone.
- (4) Specific use permits:
- (a) Fraternity and sorority houses when directly associated with a college or university.

- (b) Buildings of nonprofit community organizations and social welfare establishments other than those providing living accommodations.
- (5) Space limits:
- (a) Minimum lot area: Four thousand (4,000) square feet for one unit; six thousand (6,000) square feet for two (2) units; two thousand five hundred (2,500) square feet per unit for three (3) or four (4) units.
  - (b) Minimum width of lot: Thirty-five (35) feet.
  - (c) Minimum depth of lot: Eighty (80) feet.
  - (d) Maximum height of building: Thirty-five (35) feet.
  - (e) Minimum front yard: Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality considerations.
  - (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet if adjacent to private recreation or open space unless adjacent to lake or other water body which would permit zero (0) setback.
  - (g) Minimum side yard: Ten percent (10%) of lot width, unless adjacent to lake or other water body which would permit zero (0) setback.
  - (h) Minimum side yard at corner: Fifteen (15) feet.
  - (i) Maximum lot coverage: Eighty percent (80%).
  - (j) Maximum density: Thirteen (13) units per acre.
- (6) Miscellaneous provisions:
- (a) Minimum of two and one-half (2.5) parking spaces shall be provided per unit with a minimum of two (2) parking spaces on each lot, one of which must be enclosed, and a

minimum of one-half (.5) parking spaces off the lot. The off lot parking spaces may be provided in cluster parking areas or on the street if said street has a minimum paving width of thirty-six (36) feet and is approved by the City during concept plan or plat review and a minimum separation between driveway radius returns of twenty (20) feet.

(b) Single family detached residences shall be subject to space limit provisions set forth in the "SF-3" district.

(c) An SFA-2 lot may be platted or replatted, for purpose of ownership, into fee simple tracts subject to all requirements of the City of McKinney relating to access, parking and compliance with applicable building codes.

(7) Concept Plan: A concept plan shall be submitted for approval prior to platting. No concept plan is required for development of tracts in accordance with SF-1 or SF-2 space limits.

d. "SFA-3" General Residence Townhome regulations.

(1) Purpose: This zone is designed to provide for a medium density residential environment of attached townhome units.

(2) Principal permitted uses:

(a) Residential buildings containing townhome units.

(b) Residential dwellings containing not more than four (4) dwelling units.

(c) Single-family detached dwellings.

(d) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories, and other related living structures when located on the same site as the school or college.

(e) Churches, synagogues, chapels and similar places or religious worship and instruction of a quiet nature when located in a substantial

structure and on a site of at least two (2) acres.

- (f) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (g) Public and quasi-public buildings for cultural use.
  - (h) Country clubs.
  - (i) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
  - (j) Parks and recreation areas.
- (3) Permitted accessory uses:
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
  - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permit:
- (a) Fraternity and sorority houses when directly associated with a college or university.

- (b) Buildings of nonprofit community organizations and social welfare establishments other than those providing living accommodations.

(5) Space limits:

- (a) Minimum lot area: Two thousand (2,000) square feet.
- (b) Minimum width of lot: Twenty (20) feet.
- (c) Minimum depth of lot: Eighty (80) feet.
- (d) Maximum height of building: Thirty-five (35) feet.
- (e) Minimum front yard: Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape.
- (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet if adjacent to private recreation or open space unless adjacent to lake or other water body which would permit zero (0) setback.
- (g) Minimum side yard: Fourteen (14) feet between ends of buildings, unless adjacent to open space, lake, golf course, or other amenity which would permit zero (0) setback.
- (h) Minimum side yard at corner: Fifteen (15) feet.
- (i) Maximum lot coverage: Eighty percent (80%).
- (j) Maximum density: Fourteen (14) units per acre.

(6) Miscellaneous provisions:

- (a) Site plan approval at the planning and zoning commission shall be required prior to development.
- (b) Single-family detached residences shall be subject to the space limit provisions set forth in the "SF-3" district.

- (c) Minimum of two and one-half (2.5) parking spaces shall be provided per unit with a minimum of two (2) parking spaces on each lot, one of which must be enclosed, and a minimum of one-half (.5) parking spaces off the lot. The off lot parking spaces may be provided in cluster parking areas or on the street if said street has a minimum paving width of thirty-six (36) feet and a minimum separation between driveway radius returns of twenty (20) feet.
  - (d) No structure containing attached townhome units shall exceed two hundred (200) feet in length.
- e. "MF-1" General Residence District regulations.
- (1) Purpose: This zone is designed to provide for moderately high density apartment development and other uses which have characteristics similar to those found in the operation of apartment houses.
  - (2) Principal permitted uses:
    - (a) Any principal permitted use allowed in the "SFA-3" zone, conforming to the rules and regulations of the "SFA-3" zone.
    - (b) Multiple dwellings conforming to the space limits of this zone.
    - (c) Hospitals and rest homes, nursing homes.
    - (d) Rooming houses and boardinghouses.
    - (e) Apartment hotels.
    - (f) Fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding concessions associated with the aforesaid which are operated as a business enterprise.
    - (g) Buildings of nonprofit community organizations and social welfare establishments.

- (3) Permitted accessory uses: Any permitted accessory use allowed in the "SFA-3" zone when established according to the rules and regulations of the "SFA-3" zone.
- (4) Space limits:
- (a) Minimum lot area: One thousand eight hundred (1,800) square feet per dwelling unit.
  - (b) Minimum zoning lot: Five thousand (5,000) square feet.
  - (c) Minimum width of lot: Fifty (50) feet.
  - (d) Minimum depth of lot: One hundred (100) feet.
  - (e) Maximum height of building: Fifty (50) feet.
  - (f) Minimum front yard: Twenty (20) feet.
  - (g) Minimum rear yard: Ten (10) feet except when adjacent to residential districts with a greater rear yard. In such case, the greater rear yard shall be required.
  - (h) Minimum side yard: Seven (7) feet.
  - (i) Minimum side yard at corner: Fifteen (15) feet.
  - (j) Maximum lot coverage: Eighty percent (80%).
  - (k) Maximum density: Eighteen (18) dwelling units per acre.
  - (l) Minimum building separation (measured to the main building excluding protrusions for fireplaces, stairwells, etc.) shall be defined on the site plan but shall not be less than:
    - (i) Ten (10) feet if one building has no opening in the closest adjacent wall.
    - (ii) Twenty (20) feet if both buildings have openings in the closest adjacent walls.
  - (m) Minimum separation between parking and building - ten (10) feet.



(5) Miscellaneous provisions:

- (a) Site plan approval at the planning and zoning commission shall be required prior to development.
- (b) One (1) parking space for each dwelling unit, plus one-half (.5) space for each bedroom in all dwelling units.
- (c) Single family detached residences shall be subject to the space limit provisions set forth in the "SF-3" district.

C. HIGH DENSITY RESIDENTIAL

1. Purpose and Intent

This residential classification is intended to permit development of townhouse and multiple family residences, and permits a maximum density of twenty-four (24) dwelling units per acre.

2. District - "MF-2" General Residence District regulations.

- (1) Purpose: This zone is designed to provide for moderately high density apartment development and other uses which have characteristics similar to those found in the operation of apartment houses.
- (2) Principal permitted uses:
  - (a) Any principal permitted use allowed in the "MF-1" zone, conforming to the rules and regulations of the "MF-1" zone.
  - (b) Multiple dwellings conforming to the space limits of this zone.
  - (c) Hospitals and rest homes, nursing homes.
  - (d) Rooming houses and boardinghouses.
  - (e) Apartment hotels.
  - (f) Fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding

concessions associated with the aforesaid which are operated as a business enterprise.

- (g) Buildings of nonprofit community organizations and social welfare establishments.
- (3) Permitted accessory uses: Any permitted accessory use allowed in the "SFA-3" zone when established according to the rules and regulations of the "SFA-3" zone.
- (4) Space limits:
- (a) Minimum lot area: One thousand five hundred (1,500) square feet per dwelling unit.
  - (b) Minimum zoning lot: Five thousand (5,000) square feet.
  - (c) Minimum width of lot: Fifty (50) feet.
  - (d) Minimum depth of lot: One hundred (100) feet.
  - (e) Maximum height of building: Fifty (50) feet.
  - (f) Minimum front yard: Twenty (20) feet.
  - (g) Minimum rear yard: Ten (10) feet except when adjacent to residential districts with a greater rear yard. In such case the greater rear yard shall be required.
  - (h) Minimum side yard: Seven (7) feet.
  - (i) Minimum side yard at corner: Fifteen (15) feet.
  - (j) Maximum lot coverage: Eighty percent (80%).
  - (k) Maximum density: Twenty-four (24) dwelling units per acre.
  - (l) Minimum building separation (measured to the main building excluding protrusions for fireplaces, stairwells, etc.) shall be as defined on the site plan but not less than:
    - (i) Ten (10) feet if one building has no opening in the closest adjacent wall.
    - (ii) Twenty (20) feet if both buildings have openings in the closest adjacent walls.

(m) Minimum separation between parking and building - ten (10) feet.

(5) Miscellaneous provisions:

- (a) Site plan approval at the planning and zoning commission shall be required prior to development.
- (b) One (1) parking space for each dwelling unit, plus one-half (.5) space for each bedroom in all dwelling units.
- (c) Single family detached residences shall be subject to the space limit provisions set forth in the "SF-4" district.

## SECTION V

### NON-RESIDENTIAL USE REGULATIONS

#### A. PURPOSE AND INTENT

The purpose of these provisions is to regulate the planning, design and development of all non-residential classifications within the Flying M Ranch Planned Development.

Uses in the Office Districts are intended to provide for office buildings with attendant retail and service uses intended primarily for occupants of such office buildings.

Uses in the Retail Districts are intended to provide a wide range of retail, office and service establishments.

Uses in the Light Manufacturing Districts are intended to provide a wide range of commercial and industrial uses, all of which shall be comparatively nuisance-free.

#### B. "O-1" OFFICE DISTRICT REGULATIONS

(1) Purpose: This district provides for office buildings with attendant retail and service uses intended primarily for occupants of such office buildings.

(2) Principal permitted uses:

- (a) Professional and administrative offices where services are provided only and no chattels or goods are offered for sale on the premises, including but not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, travel agents, and similar offices.
- (b) Business or commercial school, institutions of education, Government, and religious buildings.
- (c) Clinics, medical and dental.
- (d) Banks and other financial institutions.
- (e) Research or scientific laboratories of primarily office nature.

(3) Permitted accessory uses:

- (a) The incidental retail sale of food, beverages and other convenience items or services is permitted to the occupants, employees and guests, as long as the area dedicated to these accessory uses does not exceed five (5) percent of the

authorized floor area of the building in which the use is located.

- (b) Drive-in facilities for banks or financial institutions.
  - (c) Accessory buildings and uses customarily incident to any of the above uses, provided that such be not objectionable because of odor, smoke, dust, noise, vibration, or similar nuisance.
- (4) Specific use permits: Private Clubs.
- (5) Space limits:
- (a) Minimum lot area: None.
  - (b) Minimum width of lot: None.
  - (c) Minimum depth of lot: None.
  - (d) Maximum height of building: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed eight (8) stories, with a maximum height of one hundred twenty (120) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
  - (e) Minimum front yard: Twenty-five (25) feet
  - (f) Minimum rear yard: None, except twenty-five (25) feet required where abutting any district requiring a rear yard or where abutting golf course.
  - (g) Minimum side yard: None, except twenty-five (25) feet required where abutting any district requiring a side yard or where abutting golf course.
  - (h) Minimum side yard at corner: Twenty-five (25) feet.
  - (i) Maximum lot coverage: Fifty (50) percent.
  - (j) Maximum floor area ratio: One to one (1:1).
- (6) Miscellaneous provisions:
- (a) Concept plan approval at the planning and zoning commission and city council shall be required for tracts zoned O-1 if development is to be such that it would not be detailed on a single site plan.

- (b) Site plan approval at the planning and zoning commission and/or as provided in the city zoning ordinance, as amended, shall be required prior to development of any individual site within an O-1 District.
- (c) Parking:
  - (i) Business or professional offices, studios or bank: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent small cars.
  - (ii) Other uses: As required by McKinney Zoning Ordinance, as amended.
- (d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan.

### C. "O-2" OFFICE DISTRICT REGULATIONS

(1) Purpose: This district provides for office buildings with attendant retail and service uses intended primarily for occupants of such office buildings.

(2) Principal permitted uses:

- (a) Professional and administrative offices where services are provided only and no chattels or goods are offered for sale on the premises, including but not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, travel agents, and similar offices.
- (b) Business or commercial school, institutions of education, Government; and religious buildings.
- (c) Clinics, medical and dental.
- (d) Banks and other financial institutions.
- (e) Research or scientific laboratories of primarily office nature.

(3) Permitted accessory uses:

- (a) The incidental retail sale of food, beverages and other convenience items or services is permitted to the occupants, employees and guests, as long as the area dedicated to these accessory uses does not exceed five (5) percent of the authorized floor area.

- (b) Drive-in facilities for banks or financial institutions.
  - (c) Accessory buildings and uses customarily incident to any of the above uses, provided that such be not objectionable because of odor, smoke, dust, noise, vibration, or similar nuisance.
- (4) Specific use permits: Private Clubs.
- (5) Space limits:
- (a) Minimum lot area: None.
  - (b) Minimum width of lot: None.
  - (c) Minimum depth of lot: None.
  - (d) Maximum height of building: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed twenty (20) stories, with a maximum height of two hundred sixty (260) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
  - (e) Minimum front yard: Twenty-five (25) feet
  - (f) Minimum rear yard: None, except twenty-five (25) feet required where abutting any district requiring a rear yard.
  - (g) Minimum side yard: None, except fifteen (15) feet required where abutting any district requiring a side yard.
  - (h) Minimum side yard at corner: Twenty-five (25) feet.
  - (i) Maximum lot coverage: Fifty (50) percent.
  - (j) Maximum floor area ratio: One to one (1:1).
- (6) Miscellaneous provisions:
- (a) Concept plan approval at the planning and zoning commission and city council shall be required as set forth in this ordinance.
  - (b) Site plan approval at the planning and zoning commission shall be required prior to development of any individual site within an O-2 District.
  - (c) Parking:

- (i) Business or professional offices, studios or bank: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent small cars.
  - (ii) Other uses: As required by McKinney Zoning Ordinance, as amended.
- (d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan.

D. "R-1" RETAIL DISTRICT REGULATIONS

- (1) Purpose: This district provides for medium-intensity concentrations of shopping and related commercial activities.
- (2) Principal permitted uses:
  - (a) Any use permitted in district "BN."
  - (b) Banks and financial institutions.
  - (c) Funeral homes and mortuaries.
  - (d) Food stores.
  - (e) Business or commercial schools.
  - (f) Theater, indoor.
  - (g) Household appliance sales and repair.
  - (h) Automotive parts and tires sales, including indoor installations and minor repair, but not including repair garages, muffler or transmission shops, seat cover shops, or body repair shops.
  - (i) Greenhouses or plant nurseries with outside storage or display.
  - (j) Restaurants, drive-in type with outside sales window.
  - (k) Commercial amusements, indoor.
  - (l) Clothing, shoe, and department stores.
  - (m) Tennis or swim club.



- (n) Animal hospital or veterinary clinic for small animals, without outside runs.
  - (o) Offices
  - (p) Uses similar to the above mentioned permitted uses, provided activities conducted observe the requirements of all city ordinances.
- (3) Permitted accessory uses: Any permitted accessory use allowed in the "BN" zone under the conditions specified for that zone.
- (4) Specific use permits:
- (a) A specific use permit is required for the construction of a multifamily dwelling in the R-1 District.
  - (b) Private Clubs.
- (5) Space limits:
- (a) Minimum lot area: None.
  - (b) Minimum width of lot: None.
  - (c) Minimum depth of lot: None.
  - (d) Maximum height of building: Thirty-five (35) feet.
  - (e) Minimum front yard: Twenty-five (25) feet.
  - (f) Minimum rear yard: Twenty-five (25) feet when abutting any zone requiring a rear yard; none abutting business.
  - (g) Minimum side yard: Fifteen (15) feet when abutting any zone requiring a side yard; none abutting business.
  - (h) Minimum side yard at corner: Fifteen (15) feet.
  - (i) Maximum lot coverage: Fifty (50) percent.
  - (j) Maximum floor area ratio: Eight-tenths to one (.8:1).
- (6) Special provisions:
- (a) Concept plan approval shall be required at the planning and zoning commission and city council for tracts zoned R-1 if development is to be such that it would not be detailed on a single site plan.

- (b) Site plan approval at the planning and zoning commission and/or as provided in the city zoning ordinance, as amended, shall be required prior to development of any individual site within a R-1 District.
- (c) Office uses may not exceed fifty (50) percent of total floor area of an individual site within an R-1 District.
- (d) Parking:
  - (i) Business or professional office, studio or bank: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent small cars.
  - (ii) Retail store or professional service establishment: One (1) parking space for each two hundred (200) square feet of floor area or fraction thereof.
  - (iii) Multifamily dwelling: One (1) parking space for each dwelling unit, plus one-half (.5) space for each bedroom in all dwelling units.
  - (iv) Other uses: As required by McKinney Zoning Ordinance, as amended.

E. "R-2" RETAIL DISTRICT REGULATIONS.

- (1) Purpose: This district provides for medium-intensity concentrations of shopping and related commercial activities.
- (2) Principal permitted uses:
  - (a) Any use permitted in district "BN."
  - (b) Banks and financial institutions.
  - (c) Funeral homes and mortuaries.
  - (d) Food stores.
  - (e) Business or commercial schools.
  - (f) Theater, indoor.
  - (g) Household appliance sales and repair.
  - (h) Automotive parts and tires sales, including indoor installations and minor repair, but not including repair garages, muffler

or transmission shops, seat cover shops, or body repair shops.

- (i) Greenhouses or plant nurseries with outside storage or display.
  - (j) Restaurants, drive-in type with outside sales window.
  - (k) Commercial amusements, indoor.
  - (l) Clothing, shoe, and department stores.
  - (m) Tennis or swim club.
  - (n) Animal hospital or veterinary clinic for small animals, without outside runs.
  - (o) Offices
  - (p) Uses similar to the above mentioned permitted uses, provided activities conducted observe the requirements of all city ordinances.
- (3) Permitted accessory uses: Any permitted accessory use allowed in the "BN" zone under the conditions specified for that zone.
- (4) Specific use permits:
- (a) A specific use permit is required for the construction of a multifamily dwelling in the R-2 District.
  - (b) Private Clubs.
- (5) Space limits:
- (a) Minimum lot area: None.
  - (b) Minimum width of lot: None.
  - (c) Minimum depth of lot: None.
  - (d) Maximum height of building: Thirty-five (35) feet, except for office, hotel and/or high-rise multiple family uses which shall not exceed twenty (20) stories up to a maximum height of two hundred sixty (260) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc. An enclosed mall may exceed thirty-five (35) feet with site plan approval. No more than two (2) buildings in an R-2 District may exceed eight (8) stories.

- (e) Minimum front yard: Twenty-five (25) feet.
  - (f) Minimum rear yard: Twenty-five (25) feet when abutting any zone requiring a rear yard; none abutting business unless adjacent to lake or other water body which would permit zero (0) setback.
  - (g) Minimum side yard: Fifteen (15) feet when abutting any zone requiring a side yard; none abutting business.
  - (h) Minimum side yard at corner: Fifteen (15) feet.
  - (i) Maximum lot coverage: Fifty (50) percent.
  - (j) Maximum floor area ratio: Four to one (4:1) of which no more than three tenths to one (.3:1) is retail.
- (6) Special provisions:
- (a) Concept plan approval shall be required at the planning and zoning commission and the city council if the development is to be such as the entire zoning area is not detailed on a single site plan.
  - (b) Site plan approval at the planning and zoning commission shall be required prior to development of any individual site within a R-2 District. When the first concept or site plan in a R-2 District is submitted to the City, the applicant must designate areas on the balance of the R-2 District that may be developed in excess of one hundred twenty (120) feet.

F. "ML-1" LIGHT MANUFACTURING DISTRICT REGULATIONS.

- (1) Purpose: This zone provides for a wide range of commercial and industrial uses, all of which shall be comparatively nuisance-free. The zone specifically excludes residences on the theory that the mixture of residential uses, and public services and facilities for residences with those for industry is contrary to the purposes of these regulations irrespective of whether the industry is encroaching on a living area or a living area is encroaching on an industrial area.
- (2) Principal permitted uses:
  - (a) Any use allowed in the "BG" zone, except that all dwellings and other types of living accommodations shall be prohibited save that one quarters for a watchman or caretaker shall be permitted as an accessory use for any permitted use occupying more than twenty thousand (20,000) square feet of lot area.

- (b) Agriculture, including the raising of field crops, horticulture and animal husbandry.
- (c) See schedule of uses in ML District in McKinney Zoning Ordinance.
- (d) Any uses allowed in O-1 District or R-1 District.
- (e) Clinic.
- (f) College or University.
- (g) Hospital.
- (h) Hotel or motel.
- (i) Research, testing and development facility.
- (j) Helistop, in accordance with the McKinney Zoning Ordinance, but in no instance located nearer than three hundred (300) feet to the closest single-family zoning district.

(3) Specifically excluded uses:

The following uses are hereby declared incompatible with the purpose of the "ML" zone and are hereby expressly excluded;

- (a) Dwellings except caretakers' and watchmen's quarters as set forth herein.
- (b) Public, parochial and private schools, except trade schools and colleges.
- (c) Rest homes and other institutions for the housing or care of human beings.
- (d) Mobile home parks.
- (e) Any use not enumerated as permitted in this zone but which is specifically provided for in another zone or zones.
- (f) Water treatment plant.
- (g) Electrical generation plant.
- (h) Theater (outdoor).
- (i) Railroad freight station.
- (j) Railroad train truck.

- (k) Creamery, dairy products.
  - (l) Sanitary landfill.
  - (m) Feed lots.
  - (n) Hatchery, poultry, egg farm.
  - (o) Livestock auction.
  - (p) Flashing sign.
- (4) Permitted accessory uses:
- (a) Any accessory use normally appurtenant to a permitted use shall be allowed.
  - (b) Recreational uses which are temporary in nature and do not involve any appreciable amount of fixed construction and which will not interfere with the efficient functioning of the zone for its primary purpose of providing for manufacturing and heavy commercial establishments, may be allowed.
- (5) Space limits:
- (a) Minimum lot area for business or industry: Ten thousand (10,000) square feet.
  - (b) Minimum width of lot: Fifty (50) feet.
  - (c) Minimum depth of lot: None.
  - (d) Maximum building height: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed eight (8) stories, with a maximum height of one hundred twenty (120) feet plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
  - (e) Minimum front yard: Twenty-five (25) feet (at least 25% of the minimum front yard must be reserved for landscaping).
  - (f) Minimum rear yard: None.
  - (g) Minimum side yard: None.
  - (h) Minimum side yard at corner: Twenty (20) feet.
  - (i) Maximum lot coverage: Seventy-five (75) percent.

- (j) Maximum floor area ratio: One to one (1:1).
- (6) Specific Use Permit: Private Clubs.
- (7) Miscellaneous provisions:
  - (a) Concept plan approval shall be required at the planning and zoning commission and city council prior to platting.
  - (b) Site plan approval at the planning and zoning commission shall be required prior to development of any individual site within an ML-1 District.
  - (c) Parking:
    - (i) Business or professional offices, studios or bank: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent small cars.
    - (ii) Other uses: As required by McKinney Zoning Ordinance, as amended.
  - (d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan.

G. "ML-2" LIGHT MANUFACTURING DISTRICT REGULATIONS.

- (1) Purpose: This zone provides for a wide range of commercial and industrial uses, all of which shall be comparatively nuisance-free. The zone specifically excludes residences on the theory that the mixture of residential uses, and public services and facilities for residences with those for industry is contrary to the purposes of these regulations irrespective of whether the industry is encroaching on a living area or a living area is encroaching on an industrial area.
- (2) Principal permitted uses:
  - (a) Any use allowed in the "BG" zone, except that all dwellings and other types of living accommodations shall be prohibited save that one quarters for a watchman or caretaker shall be permitted as an accessory use for any permitted use occupying more than twenty thousand (20,000) square feet of lot area.
  - (b) Agriculture, including the raising of field crops, horticulture and animal husbandry.

- (c) See schedule of uses in ML District in McKinney Zoning Ordinance.
  - (d) Any uses allowed in O-1 District or R-1 District.
  - (e) Clinic.
  - (f) College or University.
  - (g) Hospital.
  - (h) Hotel or motel.
  - (i) Research, testing or development facility.
  - (j) Helistop, in accordance with the McKinney Zoning Ordinance, but in no instance located nearer than three hundred (300) feet to the closest single-family zoning district.
- (3) Specifically excluded uses: The following uses are hereby declared incompatible with the purpose of the "ML" zone and are hereby expressly excluded;
- (a) Dwellings except caretakers' and watchmen's quarters as set forth herein.
  - (b) Public, parochial and private schools, except trade schools and colleges.
  - (c) Rest homes and other institutions for the housing or care of human beings.
  - (d) Mobile home parks.
  - (e) Any use not enumerated as permitted in this zone but which is specifically provided for in another zone or zones.
  - (f) Water treatment plant.
  - (g) Electrical generation plant.
  - (h) Theater (outdoor).
  - (i) Railroad freight station.
  - (j) Railroad train track.
  - (k) Creamery, dairy products.
  - (l) Sanitary landfill.



- (m) Feed lots.
  - (n) Hatchery, poultry, egg farm.
  - (o) Livestock auction.
  - (p) Flashing sign.
- (4) Permitted accessory uses:
- (a) Any accessory use normally appurtenant to a permitted use shall be allowed.
  - (b) Recreational uses which are temporary in nature and do not involve any appreciable amount of fixed construction and which will not interfere with the efficient functioning of the zone for its primary purpose of providing for manufacturing and heavy commercial establishments, may be allowed.
- (5) Space limits:
- (a) Minimum lot area for business or industry: Three (3) acres.
  - (b) Minimum width of lot: One hundred fifty (150) feet.
  - (c) Minimum depth of lot: None.
  - (d) Maximum building height: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed eight (8) stories with a maximum height of one hundred twenty (120) feet plus a reasonable height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
  - (e) Minimum front yard: Twenty-five (25) feet, (of the minimum front yard must be reserved for at least 25% landscaping).
  - (f) Minimum rear yard: Ten (10) feet.
  - (g) Minimum side yard: Ten (10) feet.
  - (h) Minimum side yard at corner: Twenty (20) feet.
  - (i) Maximum lot coverage: Seventy-five (75) percent.
  - (j) Maximum floor area ratio: One to one (1:1).
- (6) Specific Use Permit: Private Clubs.
- (7) Miscellaneous provisions:

- (a) Concept plan approval shall be required at the planning and zoning commission and city council prior to platting.
- (b) Site plan approval at the planning and zoning commission shall be required prior to development of any individual site within an ML-2 District.
- (c) Parking:
  - (i) Business or professional offices, studios or bank: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent small cars.
  - (ii) Other uses: As required by McKinney Zoning Ordinance, as amended.
- (d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan.

SECTION VI  
SIGN REGULATIONS

A. PURPOSE AND INTENT

The purpose of this section is to establish standards for the uniform regulation of signs throughout the Flying M Ranch Planned Development. In addition to the following guidelines, all signs located within the Flying M Ranch Planned Development must comply with the requirements of and be approved by the Master Developer of the Flying M Ranch, Flying M Ranch Architectural Control Committee, or its designee. Evidence of approval of said sign by the Master Developer of the Flying M Ranch, by the Flying M Ranch Architectural Control Committee, or by its designee, must be submitted to the City of McKinney at the time of application for any sign permit. Applications for all outside signs shall be accompanied by scale drawings indicating the size, sign copy, colors, method and intensity of illumination, height, sign area, general location of all signs on the building site, and the approval of the Master Developer of the Flying M Ranch, the Flying M Ranch Architectural Control Committee, or its designee.

The intent of this section is to permit adequate signing for those uses which need them and to prevent unnecessary and unsightly signs which mar the beauty and disrupt the function of the community. Accordingly, portable, neon, flashing, moving character or inappropriately colored signs will not be permitted. The following regulations shall apply to all residential and nonresidential uses in the Flying M Ranch Planned Development unless the City of McKinney Sign Ordinance as subsequently adopted or amended is more restrictive, in which case the general City Ordinance shall govern.

B. USES PERMITTED

1. Freestanding signs.

- a. One (1) identification ground sign may be permitted in a nonresidential zoning district as accessory to a main use for each building site with a street frontage in excess of ninety-nine (99) feet. Where the building site abuts more than one (1) street, one (1) additional such identification sign is permitted on each additional street frontage that is in excess of ninety-nine (99) feet in length. In no case shall there be more than one (1) such sign on each street frontage for each building site. Freestanding signs shall not exceed a vertical height of twenty-five (25) feet, a horizontal length of twenty (20) feet, nor a total size of one hundred fifty (150) square feet.

- b. Temporary signs advertising the sale, lease or rental of the property upon which the sign is located. Such signs shall not exceed a vertical height of eight (8) feet, a horizontal length of ten (10) feet, nor a total area of thirty-two (32) square feet.
- c. Temporary signs denoting the architect, engineer or contractor placed on the premises where construction, repair or renovation is in progress. Such signs shall not exceed a vertical height of eight (8) feet, a horizontal length of eight (8) feet, nor a total area of thirty-two (32) square feet.
- d. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs or societies, cemeteries and other public or nonprofit institutions. Such signs shall not be erected in the public safety area nor exceed a height of ten (10) feet, width of eight (8) feet, nor a total area of twenty-four (24) square feet.
- e. Temporary signs advising of future construction on the site upon which the sign is located. Such signs shall not exceed a vertical height of eight (8) feet, a horizontal length of eight (8) feet, nor a total area of thirty-two (32) square feet.
- f. Community travel direction signs. Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total of fifty (50) square feet.
- g. Temporary onsite and offsite signs in connection with temporary sales offices and/or model homes sales offices. Such signs shall not exceed a vertical height of sixteen (16) feet, a horizontal length of eight (8) feet, nor a total area of one hundred (100) square feet.
- h. Community facility signs. Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total area of one hundred (100) square feet.
- i. Community identification signs. Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total area of one hundred (100) square feet.
- j. Community event bulletin board. Such signs shall not exceed a vertical height of ten (10) feet, nor a total area of fifty (50) square feet.
- k. Advertising signs. Billboards and other advertising signs, not specifically referenced herein, must comply with the McKinney Sign Ordinance, as amended.

2. Wall Signs.

- a. Business or identification wall signs shall be permitted for each business (multiple dealerships do not constitute separate business for purposes of applying this section), industrial or nonresidential use and shall not exceed one (1) square foot of sign area for each linear foot of frontage of the building, or portion thereof. The total aggregate sign area for such signs shall not exceed one hundred (100) square feet for each such use. If the building frontage of any such use is less than twenty-five (25) feet, only one sign, having a maximum area of twenty-five (25) square feet, shall be permitted for each such use.
- b. In multi-tenant buildings within light manufacturing parcels, each individual industry may have a wall sign over the entrance to identify the tenant. Said signs will be oriented toward the street, and shall not exceed one (1) square foot of sign area for each lineal foot of building frontage up to a maximum of twenty (20) square feet.

3. Automobile service station signs.

Signs for automobile service station sites must comply with the McKinney Sign Ordinance, as amended.

4. Inside Signs.

Signs located within malls, courts, arcades or other enclosed areas, where such signs are not visible from any point on the boundary of the premises, are permitted without limitation to size and number provided each has approval by the Master Developer of the Flying M Ranch, the Flying M Ranch Architectural Control Committee, or its designee.

SECTION VII  
LANDSCAPING REGULATIONS

A. PURPOSE AND INTENT:

The purpose of this section is to establish standards for the uniform regulation of landscaping within the public rights-of-way and the nonresidential and multiple family zoning districts of the Flying M Ranch Planned Development.

The intent of this section is to provide a unique identity to the development with roadways having naturally graded slopes and berms with planting of groundcover, shrubs, and trees in an informal nature, as shown in the accompanying Landscape Design Standards. A meandering hike and bike trail will occur in certain parkways.

B. LANDSCAPE PLAN:

1. Plan Considerations. Landscape plans will be prepared in accordance with the following guidelines:
  - (a) Automatic underground irrigation systems.
  - (b) Sightlines at driveway or street intersections.
  - (c) Preservation of existing trees to the extent possible.
  - (d) Access to public and private utility lines and easements.
  - (e) Recommended plant list.
  - (f) Any subsequently adopted Landscape Ordinance or Landscape Manual.
2. Rights-of-Way Landscaping Standards. In addition to the plan considerations previously discussed, the landscape plans for the Public Rights-of-Way will consider the following guidelines
  - (a) Roadway Medians. The landscape plan will provide a minimum of one (1) tree for each one hundred (100) linear feet of median with no more than one-half of the trees being ornamental in nature.
  - (b) Parkway. The landscape plan will provide a minimum of one (1) tree for each one hundred (100) linear feet of parkway with no more than one-half of the trees being ornamental in nature.

- (c) Entryways and intersections. The landscape plan will establish a sense of hierarchy through intensity of design elements and will establish design themes. The plan will include groundcover, shrubs, trees, special plantings, lighting, signage and special paving treatments.
3. Nonresidential and multiple family zoning district Landscaping Standards. In addition to the plan considerations previously discussed, the landscape plans for the nonresidential and multiple family zoning district will consider the following guidelines:
  - (a) Screening. See Section VIII herein.
  - (b) Loading Docks and Areas. See Section VIII herein.
  - (c) Trees. At least one (1) tree will be planted for each one thousand (1000) square feet of area between the building line and the street right of way.
  - (d) Yards. Except for parking areas, driveways and walkways, all yards and rights-of-way between the curb and property line shall be landscaped with ground covers, trees, shrubs or other landscaping materials.
  - (e) Parking Lots - As depicted on illustration of concept.
4. Plan Submittal:
  - (a) Public Rights-of-Way. A landscape plan will be submitted to the City for approval with the plat dedicating said rights-of-way for 4-lane and 6-lane divided thoroughfares. Median landscaping and construction of the hike and bike trail, where applicable, as developer responsibility, will be installed during roadway construction. Parkway landscaping will be installed prior to the issuance of Certificates of Occupancy for development on adjacent tracts.
  - (b) Nonresidential and multiple family zoning districts. A landscape plan, previously approved by the Master Developer of the Flying M Ranch, the Flying M Ranch Architectural Control Committee, on its designee, will be submitted to the City with the required site plans. Said landscaping will be installed prior to the issuance of Certificates of Occupancy for said developments.
5. Landscape Maintenance. All landscaping shall be maintained in accordance with approved landscape plans in a healthy condition per generally accepted standards or a City Landscape Manual. Such landscaping shall be maintained free of litter and vegetation not illustrated on the approved landscape plan.

6. Single Family Detached Acres. A typical subdivision streetscape supplemented by a typical front yard planting plan shall be submitted and approved for each subdivision at the time of concept plan or preliminary plat submittal, as appropriate.



## SECTION VIII

### SCREENING AND BUFFERING REGULATIONS

#### A. PURPOSE AND INTENT:

The purpose of this section is to establish standards for the uniform regulation of screening and buffering of land uses throughout the Flying M Ranch Planned Development.

The intent of this section is to encourage the most appropriate use of land and to conserve and protect the privacy and value of adjacent permitted uses. Regulations are prescribed for the location and type of various screening devices to be used in the various zoning districts.

#### B. SCREENING STANDARDS

Storage areas, incinerators, storage tanks, trucks based on the premises, loading docks, loading areas, roof objects (including fans, vents, cooling towers, skylights and all roof mounted equipment which rises above the roof line), trash containers and maintenance facilities, shall either be housed in closed buildings or otherwise screened from public view, considering such things as location (street side, rear or golf course side) and views from adjacent and nearby properties.

Where the side, rear or service side of a multiple family or non-residential zoning district is adjacent to any other residential district, screening not less than six (6) feet in height shall be erected separating the use from the adjacent residential district, said screening may be in accordance with any of the alternatives as set forth herein. No screening is required adjacent to a street except that screening six (6) feet in height shall be provided where the rear or service side of a non-residential use is adjacent to a public thoroughfare.

#### C. SCREENING ALTERNATIVES:

##### (1) Screening Alternate A

Screening Alternate A shall consist of a masonry or concrete wall to a minimum height of six (6) feet, unless otherwise specified in this ordinance, measured from the average grade of the nearest property line of the property adjacent to that on which the screening is required.

##### (2) Screening Alternate B

Screening Alternate B shall consist of a hedge row of evergreen shrubs of a variety which will normally grow to a height of the screening as specified in this ordinance. All plants shall have a minimum height at the time of planting of one-half (1/2) of the required screening height.

(3) Screening Alternate C

Screening Alternate C shall consist of a concrete or masonry wall as specified in Alternate A to a minimum height, as specified in this ordinance (measured from the average grade of the nearest property line of the property adjacent to that on which screening is required) and in trees. Such trees shall be a minimum of two (2) inches trunk diameter and shall be planted not more than thirty (30) feet on center.

(4) Screening Alternate D

Screening Alternate D shall consist of landscaped earthen berms to a minimum height as specified in this ordinance. Side slopes of berm shall have a minimum of three (3) feet of horizontal distance for each one (1) foot of height. Berms shall contain necessary drainage provisions as required by the City.

(5) Screening Alternate E

Screening Alternate E shall consist of any combination of Alternates A, B, C or D so as to provide screening to the required height.

D. BUFFERING:

(1) External

Where light manufacturing or office uses are adjacent to residential, agricultural or unzoned tracts at time of platting and are not separated by major thoroughfares, no building may be constructed within one hundred (100) feet of said residential, agricultural or unzoned tracts. No outside storage is allowed within the one hundred (100) foot setback and the first twenty-five (25) feet of said setback shall be a landscaped area with a screening six (6) feet in height. The thirty-five (35) foot building height limitation may be increased by one (1) foot for each one (1) foot the required setback is increased.

(2) Internal

In addition to the required screening described herein, the non-residential setback must be no less than that required on the adjacent tract. Notwithstanding anything contained herein to the contrary, there shall be a minimum setback of twenty (20) feet between different zoning classifications.

# FLYING M RANCH SITE DEVELOPMENT STANDARDS MATRIX B

ZONING CLASSIFICATION	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM SIDE YARD	MINIMUM CORNER-SIDE YARD	MAXIMUM LOT COVERAGE	MAXIMUM BUILDING HEIGHT	MAXIMUM DENSITY/ FLOOR AREA RATIO
SF-1	7200 SF	60'	100'	20'	20' (j)	10% of lot width	15'	60%	35'	4.0 DU/AC
SF-2	6000 SF	50'	90'	20'	20' (a)	10% of lot width	15'	60%	35'	4.5 DU/AC
SF-3	4000 SF	35'	80'	20'	20' (a)	0' one side, 10' between buildings	15'	60%	35'	7.0 DU/AC
SF-4	2800 SF	30'	65'	20'	20' (a)	0' one side, 10' between buildings	15'	80%	35'	11.0 DU/AC
SFA-1	6000 SF for duplex	50'	90'	20'	20' (a)	10% of lot width	15'	60%	35'	10.0 DU/AC
SFA-2	4000 SF - 1 unit 6000 SF - 2 units 2500 SF/unit - 3 or 4 units	35'	80'	20'	20' (a)	10% of lot width (j)	15'	80%	35'	13.0 DU/AC
SFA-3	2000 SF	20'	80'	20'	20' (a)	14' between ends of buildings (b)	15'	80%	35'	14.0 DU/AC
MF-1	1800 SF (c)	50'	100'	20'	10' (d)	7'	15'	80%	50'	18.0 DU/AC
MF-2	1500 SF (c)	50'	100'	20'	10' (d)	7'	15'	80%	50'	24.0 DU/AC
0-1	NONE	NONE	NONE	25'	0' (e)	0' (e)	25'	50%	120' (i)	1:1
0-2	NONE	NONE	NONE	25'	0' (e)	0' (f)	25'	50%	260' (i)	1:1
R-1	NONE	NONE	NONE	25'	0' (e)	0' (f)	15'	50%	35'	0.8:1
R-2	NONE	NONE	NONE	25'	0' (g)	0' (f)	15'	50%	35' (h)	4:1 (0.3:1 - Retail)
ML-1	10,000 SF	50'	NONE	25'	0'	0'	20'	75%	120' (i)	1:1
ML-2	3 AC	150'	NONE	25'	10'	10'	20'	75%	120' (i)	1:1

- (a) Setback may be 10' when adjacent to private recreation open space or 0' when adjacent to lake or water body.
- (b) Setback may be 0' when adjacent to open space, lake, golf course or other amenity.
- (c) Minimum zoning lot is 5000 SF.
- (d) When adjacent to residential district, the greater rear yard requirement of the two will prevail.
- (e) 25 feet required when abutting any district requiring a rear (side) yard, or where abutting a golf course.
- (f) 15 feet required when abutting any zone requiring a side yard; none abutting business.
- (g) 25 feet required when abutting any zone requiring a rear yard, none abutting business.
- (h) 0 feet when adjacent to lake or water body. Except office, hotel or high-rise multiple family may not exceed 260'; enclosed mall may exceed 35'. With site plan approval; no more than two buildings in an R-2 District may exceed eight stories.
- (i) Building height may not exceed 35' unless required yards are increased by one foot for each one foot of additional building height.
- (j) Setback may be 0' when adjacent to lake or water body.