

## Samantha Pickett

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**Subject:** FW: 15-113Z. Vintage Place

**From:** Greg Griffin

**Sent:** Wednesday, June 17, 2015 7:09 PM

**To:** Samantha Pickett

**Cc:** Robert Sampsell

**Subject:** 15-113Z. Vintage Place

Dear Ms. Pickett:

I am a Chapel Hill resident whose property borders the portion of the proposed subdivision behind the church. I have several concerns:

With CH adding Phase 2 homes (in process of build-out) and the townhouse development on Rockhill/Graves/Wilson Creek beginning, has McKinney studied the impact on traffic from an additional 58 homes?

My property is about 3.5-4 feet below the grade of the new subdivision. With the new 2 story homes planned 15 feet from the property line, I have concerns about the current retaining wall's integrity, run-off issues and my property being impacted by the height of the proposed home(s).

We enjoy 2 mature trees planted approx. 6 feet from the property line on the former church property. They shade our property and provide a habitat for squirrels, cardinals and blue jays. We planned our landscaping keeping in mind the shade those trees provide. I would appreciate it if the City would prohibit the developer from destroying the trees.

We live in a PD of patio homes. Outside space is limited and privacy is a major concern. Our homes have been designed so that our neighbors cannot look out/down, into our private space. I am concerned that a new subdivision of 2 story homes bordering our yards would have a clear view into our private outdoor space and homes, depriving us of the enjoyment we now have. In my case, with my property below grade, the problem is worse.

The planned 6 foot white vinyl fencing is NOT consistent with the feel of the Historic District. It is loud and garish. Simply look at "Savannah" on 380 west of Prosper to see an example of what this developer has planned. Is this how you envision our Historic District?

My husband and I, like most of the CH residents, downsized to spend our retirement years here. Few neighborhoods like ours exist in this area. I hope you can appreciate that we are not trying to be difficult or fight progress, rather we are trying to live out our lives in a quiet, private community in a wonderful city. We lived in Southern California in the 1940s-1980s and saw how uncaring developers and hands-off planners contributed to the miserable mess they now find themselves in. I sincerely hope McKinney doesn't proceed down the same path.

I appreciate the consideration you will give these matters as you review the developer's proposal.

Kind regards,  
Maureen Griffin

832 Chapel Hill Lane

## **Samantha Pickett**

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**Subject:** FW: Tree preservation concerns 15-113Z

From: Francis Griffin  
Sent: Monday, June 15, 2015 4:48 PM  
To: Emily Braht  
Subject: Tree preservation concerns

Dear Ms. Braht:

I am a resident of Chapel Hill, a small community of patio homes bordering the Historic District, occupied primarily by residents over the age of 55. A tract bordering CH is being rezoned (15-113Z). Quite a few of us have concerns regarding water run-off issues, privacy and tree retention. I understand and wholly support the City's commitment to preserve trees and set an aesthetically pleasing standard for all new development. I joined the McKinney Garden Club when I moved here to assist in some of the projects intended to enrich the park experience for residents.

It is my understanding workers on the subject property recently informed a CH resident they were marking trees on the large tract for removal. I would like to speak with you and perhaps even meet with you to discuss the City's position on the existing trees. Specifically, the CH residents have an interest in trees bordering the property line which provide shade and other benefit to the CH residents (habitat for squirrels, birds ...). These trees will also provide some privacy, with two story construction being planned. Many of us landscaped our yards with the shade of those trees determining the turf and plant choices. In my case, I spent \$30,000.00, not a small investment for a retiree.

I look forward to discussing this matter with you.

Kind regards,

Maureen Griffin  
832 Chapel Hill Lane

"NO" to 15-113Z

**From:** Taxpaying Citizen Opponents of Planning Case No. 15-113Z Vintage Place

**Date:** January 13, 2016

**Subject:** Opposition to Planning Case No. 15-113Z Vintage Place

**To:** City of McKinney City Councilpersons, Planning & Zoning Commissioners, City Secretary (McKinney), City Attorney (McKinney)

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1. Please review the attached as it relates to the 15-113Z Vintage Place zoning change application. Regrettably, it is a lot to absorb, but the applicants have a long history of forming corporations and the relationships between the various entities are complex. This report was previously hand-delivered to City Council members in November and the City Attorney in December. However, there has been no acknowledgement or response from the City to date.
2. The developer's misrepresentations and embellishment of his experience are disconcerting and easily discoverable. He no doubt mis-read the Chapel Hill residents. We are not passive or gullible. We are current/past doctors, nurses, lawyers, engineers, business owners, bank executives ... virtually all areas of business are represented. We are active; involved in charitable causes throughout Collin County; network in social, sports, political, religious circles; participate in social media and we vote.
3. In addition to our concerns about the ability of this particular developer to successfully complete the project, the residents of Chapel Hill, almost entirely empty-nesters and seniors, are concerned about the potential development's impact upon their property values and their ability to enjoy their property. The developer met with the residents and advised that the homes will be two stories, so he can build 2500-4000 square foot homes on the maximum number of lots. Due to the elevation discrepancy between the land to be developed and the existing homes (8-10 feet in some areas), the new homes will virtually entomb the current zero lot line homes on Chapel Hill Lane and deprive those existing homeowners of the small amount of visual privacy and beauty they now enjoy. Some homeowners have installed therapeutic pools that will be in clear view of the proposed new homes. Residents on other streets have additional concerns related to traffic, drainage, trees.
4. When a recent meeting with residents did not go as the developer might have wanted, he scheduled meetings with individual homeowners — divide and conquer — preying upon their fears and making promises to overcome their individual objections, all in hopes of pacifying them long enough to get the re-zoning through without opposition. To some he promised lush, tall evergreen plantings to screen them. To others, veiled threats that should his project not proceed, Chapel Hill would have townhomes on the land, bringing a less desirable type of person living behind us, driving down our property value and making our community less safe. When pressed about the townhomes, as we are aware one of our current builders, Adolphus, was interested in the property, Developer Schell stated Adolphus planned

## "NO" to 15-113Z

to build "cracker boxes," "their plans were terrible, just terrible" and would erode our property values. Schell advised, "You don't know how lucky you are with me. Most builders wouldn't meet with you, they would just build what they want."

5. Consistent with all meetings was Schell's stated intent to absorb the land behind our homes (on average 3 feet), a part of Chapel Hill, but designated a HOA drainage easement. In exchange for our land, Schell intends to take down our existing rear 6 foot fence and install a 8 foot fence, generously giving us more privacy. Further, he kept insisting that his homes, with a projected sales price in the \$400-500,000 range, would raise our property value. By his own admission, his projected sales price would be equal to \$140 per square foot. Current new Chapel Homes exceed that price by \$20-30.00 per square foot. Moreover, it is questionable he could build homes of the quality he claims, with the cost of his lots double those of our current home builders, at \$140 square foot. Clearly, anyone who has even purchased a home is aware it is the price per square foot that is a major factor in appraisals/comps, and obtaining financing, so attempting to get the residents to focus on the sale price of much larger homes rather than the price per square foot, makes one question the experience of the developer or his intentions. We are a more sophisticated population than he gives us credit for.
6. We are advised the City has opted to forgo their policy – *Under the city's parkland dedication program developers must provide one acre for parks development for every 50 dwelling units. Such a mandate acts as a built-in buffer between density and natural serenity.* Based upon a review of the P&Z file to date, it appears the developer is paying a fee in lieu of including a park. With his lots anticipated to sell for \$100k each (developer's representation), this represents quite a savings for the developer, but does nothing to conform to the city's parkland dedication program. *Is this a municipal policy for the beautification of McKinney or a way to extract additional funds from developers?*
7. At a recent meeting with Chapel Hill residents, the developer suggested he leave an opening between Chapel Hill and Vintage Place so his residents could use Chapel Hill's parks and access the trail. When he met with firm resistance, he stated his intent to talk the City into deeding him a small parcel of City-owned land, near the entrance to his new development, to create a park for his residents. Seriously! A builder doesn't want to give up lots/\$ to build a park for his development, but expects the citizens of McKinney to "gift" him land for a park? *Unjust enrichment?*
8. Formal Written Zoning Change Protest petitions were signed by 93% of the 44 private homeowners within the 200 foot notification area and submitted to the City Secretary on November 28, 2015. We sincerely hope we can count on your NO vote.

### 3 ATTACHMENTS

1. Applicant's Vintage Place Business Interests
2. Applicant's Non-Vintage Place Business Interests
3. Applicant's Litigation History

## Report on 15-113Z Applicant

### 1. Initial Applicant (Schell)

Gary Schell dba SC&D, Inc.  
7033 Coverdale Drive, Plano Texas 75024  
214-533-8233

### 2. Initial Business Entity Making Application (Sc & D, Inc.)

- a. Sc & D, Inc. filed as a Domestic For-Profit Corporation in the State of Texas on Tuesday, January 21, 2003, and is approximately twelve years old, as recorded in documents filed with Texas Secretary of State. The filing is currently active as of the last data refresh which occurred on Wednesday, June 3, 2015.
- b. Gary Schell serves as the President and has interests in other corporate entities including Momentum Asset Management Group, LLC, Windsor Capital Group, LLC, Csfs Interests LLC Luxus Homes Inc. and Hallmark Equity Partners, LLC. Gary's past corporate affiliations include Gills Inc., Gary Schell Custom Homes, Inc. and two others.
- c. Linda Schell is the Director of Sc & D, Inc.. Linda's past corporate affiliations include Apropos Designs, Inc.
- d. The registered agent for the company is William T. Schell. Also known as a statutory or resident agent, the registered agent is responsible for receiving legal notifications regarding court summons, lawsuits, and other legal actions involving the corporate entity.
- e. At a recent meeting with Chapel Hill residents, Schell represented himself as the President Of "Urban Past," yet another entity he links to this project. No information could be found on Urban Past in an internet search.

### 3. Vintage Place Partners LLC: Current Business Entity

- a. It has recently been learned that Schell has formed Vintage Place Partners LLC (4/07/15) with Boone Nerren, introduced to Chapel Hill residents as "the money man" to develop this project. It was further represented that Nerren was a Principal in Sapien Capital LLC, a Texas corporation filed on February 24, 2015, who would be financing the development. An internet search revealed Boone Nerren sold advertising for Liberman Media in Arlington until 2010 and is currently the President of AMZ Equity Partners (see his Facebook page), a sole proprietorship run out of his home.
- b. A search of Nerren's name reveals quite a few current business connections, all appearing to be sole proprietorships in the Private Equity arena. Wikipedia describes Private Equity Real Estate Funds as

*"an asset class of equity and debt investments in property... Investments are typically made via private equity real estate fund, a collective investment scheme, which pools capital from investors... Private equity fund investment is for those who are able to risk losing significant amounts of money."*

## Report on 15-113Z Applicant

These funds are designed for ventures who cannot obtain traditional financing. Among those funds found linked to Boone Nerren to date:

- Realty Investment Opportunities LLC;
- Realty Investment II LLC;
- Mabank Enterprises;
- AMZ Equity Partners (see also this FB page);
- Zamtap Capital LLC;
- Texas Dst Capital LLC;
- AMZ – Gsc LLC;
- Windcrest MM LLC;
- Ranchito Sapient LLC;
- Windcrest Dev Group LLC;
- Holly Lakes MM LLC;
- Cdre Ventures LLC;
- Cd Realty Partners LLC;
- Ranchito Dallas Apts LLC;
- AMZ Windcrest Village LLC;
- Westlake Entrada LLC;
- Bella Vita Fund #1;
- Dakota Place Apartments.

It is interesting that several of Nerren's investment offerings are shown to have a business address of 14850 Montfort Drive, Suite 230 in Dallas – the address of Nathaniel Dodson, Attorney. At least 44 of such companies show this as their address. On April 23, 2015, Vintage Place Fund went public (seeking 1.2 million dollars to develop Vintage Place). For his services to this fund, Nerren and perhaps Schell, will each draw a salary of \$30,000 from investors' money. (See [www.sec.gov](http://www.sec.gov)). On [www.octafinance.com](http://www.octafinance.com), the offering for Vintage Place shows a photo of a large commercial construction site, not the 56 lot residential development.

#### 4. Schell's Business Address

- a. The business address, as reflected on the request for re-zoning, is his residence in the Denton County area of Plano. As revealed by a search of the Denton County CAD records, the home is owned by SER Texas LLC dba Hyperion Homes, a Chicago Illinois corporation. Hyperion is a real estate firm, active in several states. According to their web site:

*Hyperion Homes is a company designed to get displaced Texas Families back into homeownership. ... If you went through a foreclosure, short sale, or your credit score falls a little low of getting a traditional loan. This program may be good for you also if you are going through a divorce and don't want to purchase a home until the divorce is final, or maybe you have relocated to the area and not sure if you are staying long term. Then this program may be for you."*

## Report on 15-113Z Applicant

- b. Hyperion doesn't focus highly on your credit score; you will have to fill out an application and provide proof of employment and can pay the monthly lease. They do a credit check and a background check (you will not qualify if anyone over the age of 18 in your house hold has had a felony conviction).

### 5. Nerren's Business Address

Nerren operates out of his residence at 320 Beechwood Lane in Coppell, valued by the Dallas Central Appraisal District at \$420,590.

### 6. Financing of Vintage Place

- a. Inasmuch as it is apparent neither Schell nor Nerren have the liquidity to do this project on their own or through traditional financial channels, it appears the financing of Vintage Place is being provided by funds raised through Vintage Place Fund solicitation. Interestingly, an invoice in the P&Z zoning file reflects the "customer" as Momentum Asset Management. See this company's information in the next section.
- b. When challenged about the wisdom of building two story homes, 2500-4000 sq feet, for an aging down-sizing population, Schell advised the Chapel Hill residents he was "willing to gamble" on the project. He has reiterated that statement several times.
- c. Clearly, when you are using investment money from others, have no "skin in the game" yourself and are drawing management fees from the investment fund whether it is successful or not, you can gamble. The residents of Chapel Hill do not want to participate in Schell's gamble. Chapel Hill residents own their homes and can't recoup financially if Vintage Place drives down their property values. Schell and Nerren can walk away and wash their hands of McKinney – we cannot.

- 7. **Schell's Other Business Interests** are reported in Attachment 2.



## Schell's Other Business interests

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**SOURCES.** All information contained herein has been obtained through public, non-proprietary sources which include:

- a. Documents filed with the City of McKinney by the Applicant for re-zoning 15-113Z;
  - b. A resume posted online (<http://www.aecprofessional.com/resumedetails/2144/President.html>) seeking a "Project Management Position utilizing vast experience for the benefit and development of your companys [sic] real estate portfolio;" and
  - c. Related research on the public Internet.
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### 1. Adriatica

Despite an article cited by Schell, [www.bizjournals.com/dallas/stories/2005/07/18/story4.htm](http://www.bizjournals.com/dallas/stories/2005/07/18/story4.htm), George Fuller's office (972-540-5955) stated that although Adriatica negotiated with Schell initially, the talks "never went anywhere" and Schell never built in Adriatica. Mr. Fuller has been "with the project since day one."

At a recent meeting with Chapel Hill residents, Adriatica was one of two projects Schell offered as a bona fide of his ability to develop and build quality developments.

### 2. Harbor Light Villas

All web inquiries to Harbor Lights are routed to Don. Don (903-467-7449), who has been with Harbor Lights since its beginning 8 years ago, stated Schell was not the developer, has never built in their community to his knowledge and Don has never heard of Gary Schell.

### 3. Craig Ranch

- a. David Craig (214-232-0626) checked his records and stated that Gary Schell was a Project Manager with Innovative Custom Homes in 2009-2010 (see information below). Innovative Custom Homes was an approved builder at the time. They built some of the townhomes in the Craig Ranch development. When the economy took a downturn, Innovative went under. Craig Ranch has had no further dealings with Schell.
- b. At a recent meeting with Chapel Hill residents, Craig Ranch was one of two projects Schell offered as a bona fide of his ability to develop and build quality developments. He claimed to have worked side by side with David Craig, a statement David Craig was uncomfortable with.

### 4. Innovative Custom Homes

- a. The web page cited by Schell [www.ichomes.net](http://www.ichomes.net) directs to Integrity Care Residential Group Homes, not related to the home building industry. Further checking revealed Innovative Custom Homes Genpar LLC is a Texas Limited-Liability Company filed on July 16, 2004.
- b. The company's filing status is listed as Not In Good Standing and its File Number is 0800366363. The Registered Agent on file for this company is Tim Hagen and is located at 2200 One Galleria Tower 13355 Noel Road, Dallas, TX 75240. The company's principal address is 7549 Stonebrook Pkwy Apt 1010, Frisco, TX 75034-5491. The company has 1 principal on record. The principal is Larry Rochelle from McKinney TX.

## Schell's Other Business interests

Innovative Custom Homes Genpar LLC sued Gary Schell in Collin County on 9/2006, case #4160298506.

### 5. Schell Properties Personal Acquisitions

- a. Properties listed include:
  - 234 Unit Oakshire Apartments, Dallas, Texas; Construction/Management
  - 100 Unit The Willows Apartment, Arlington, Texas - Condo Conversion;
  - Eules-Bedford Tom Thumb Retail Center;
  - Various apartment project: [sic]
- b. A search of Dallas CAD records revealed NO property (residential, commercial, mineral or otherwise) in the name of Gary Schell. Giving Schell every benefit, a possible match might be Schell Investment Trust, who owns a SFR at 103 Thompson Drive, Richardson, valued at \$317,540.00.
- c. A search of Tarrant CAD records revealed NO property in the name of Gary Schell. A possible match might be Schell Family Trust with 2 SFRs valued at \$77,800.00 and \$214,600.00.
- d. A search of Denton County CAD revealed NO possible match.
- e. Collin County lists NOTHING in the name of Gary Schell and one property that could be a possibility – Schell Family Trust B, a commercial property at 1001 East 15th Avenue, Plano TX, valued at \$476,913.00, with Shirley Carter Schell as Independent Executor.

### 6. Sc&D (first time listed on resume) Verde Village, Frisco:

- a. Denton County Building Department stated Verde Village lies within the jurisdiction of the City of Frisco.
- b. A check of building permits in the City of Frisco for Verde Village in Frisco revealed two homes were built by Sc&D/Schell: 4398 Verde Lane, a 3414 sq ft SFR and 4445 Verde Lane, a 3956 sq ft SFR, both built in 2006-07.
- c. Schell is not reflected to be the developer of the project known as Verde Village. Verde Village homes are currently in the \$400-450k range. A contractor verification was on file with the City of Frisco. The address listed for Schell was 7237 Kasko Drive, Plano. That home was foreclosed by the lender on 5/22/09 for \$190,514. Assessed value was \$323,562.

### 7. Sc&D (second time listed)

Appears by the language used on the resume to be a small scale operation making repairs and securing foreclosed homes for the financial institutions after owner vacated.

### 8. Rayzor Ranch:

The web page directs you to Hodges & Associates (972-387-1000), an architecture firm in Dallas. The person handling Rayzor Ranch is Charles Hodges, who has proven difficult to contact.

### 9. Momentum Asset Management Group

- a. (This is also the "customer" reflected on the Dietz Engineering documents). Could not locate sec filing.

## Schell's Other Business interests

- b. Momentum Asset Management Group, LLC is a Texas Limited-Liability Company filed on January 19, 2012. The company's filing status is listed as Active and its File Number is 0801537994.
- c. The Registered Agent on file for this company is Thomas C. Washmon and is located at c/o Hajjar, Sutherland, Peters and Washmon, LLP 12 Austin, TX 78701. The company's principal address is 1205 Rio Grande St. % Hajjar Sutherland Austin, TX 78701-1709.
- d. The company has 2 principals on record. The principals are Gary Schell from Plano TX and Sacha Patin from Austin TX.
- e. From their web page:

*"Momentum Asset Management Group, LLC provides real estate note solutions for asset managers, investors, and equity fund specialists. Given our extensive experience, we offer direct expertise for each situation and transaction, whether you have individual property needs or large portfolio requirements.*

*Our services promote owner and tenant growth, increased property values, and community redevelopment. We are uniquely situated to provide dedicated asset management solutions and disposition services designed to advance effectiveness for real estate investors.*

### **Acquisition and Disposition Services**

*As a stable provider of acquisition and disposition solutions for the distressed real estate and mortgage note industry, we work directly with you, attending to the needs of our investors. By providing nationwide purchasing power and access to lender asset managers and trade desks, we are able to present a wide variety of real estate assets that will fit any investor's needs.*

*Whether your requirements are wholesale or retail, a single property or large portfolio, local or nationwide, we can customize a solution for you. If you're looking to acquire or dispose of residential or commercial real estate assets, contact Momentum to learn how we can help fulfill your requirements.*

### **Investment Opportunities**

*Momentum provides opportunities for investors looking for a secure income stream with diversification and a higher yield than what is currently being offered in the traditional marketplace. Momentum manages mortgage and real estate acquisition funds for investors who are looking to ensure capital preservation, minimize credit risk and diversify their portfolio.*

*Momentum has proven success of staying ahead of market conditions by developing a niche within the alternative investment community for investors who want to depend on safety, transparency, and dependable income.*

### **Diversification – Safety – High Yield Returns**

*Mortgage pool investments with Momentum achieve above average yields and open to individuals including those with a self-directed IRA or other retirement arrangements, trusts and corporations. Staying ahead of the mortgage meltdown, the banking industry, and the economy, Momentum has continued to provide steady returns for its investors.*

*With proven underwriting guidelines in our lending funds and our extensive sources for acquisition of discounted bulk loan and REO portfolios directly from lending institutions or investment funds, we have been able to achieve the consistent returns and preservation of capital that investors have come to expect from Momentum."*

- f. If the Dietz document filed with the City accurately reflects the "customer," Momentum's funds paid for the engineering report for this project. Schell is a fiduciary of Momentum, has directed investment funds to this project and is acting as the developer and builder of the project.
- g. At a recent meeting with Chapel Hill residents, Schell advised his development of 2 story homes ranging from 2500-4000sq. ft and priced from \$400k-500k would be marketed to empty nesters and seniors. When challenged by his audience composed of that demographic, Schell stated three times "I am willing to take that gamble."His willingness to gamble appears to be in opposition to the mission statements on Momentum's web page. (See Italics above)

## Schell's Other Business interests

### 10. Windsor Capital Group LLC

- a. Not a clue what their business is.
- b. Windsor Capital Group, LLC filed as a Domestic Limited Liability Company (LLC) in the state of Texas on Friday, February 17, 2012, and is approximately three years old, according to public records filed with Texas Secretary of State. The filing is currently active as of the last data refresh which occurred on Wednesday, June 3, 2015.
- c. **Key People**
  - (1) Suresh Gupta serves as the Member and has interests in other corporate entities including Omni Hotels, Inc., Park Square Enterprises, LLC and eleven more corporations. Suresh's past corporate affiliations include Orlando Gastroenterology Associates, PA.; Ambaji, Inc.; and twenty-two others.
  - (2) Gary Schell is the Member of Windsor Capital Group, LLC. Gary's additional corporate interests include Sc & D, Inc. located in Frisco, TX Gary's past corporate affiliations include Glls Inc., Gary Schell Custom Homes, Inc.
  - (3) The Member of Windsor Capital Group, LLC is Sacha Patin.
  - (4) The registered agent for the company is Thomas C. Washmon. Also known as a statutory or resident agent, the registered agent is responsible for receiving legal notifications regarding court summons, lawsuits, and other legal actions involving the corporate entity.
  - (5) The agent of service is the same as for Momentum
  - (6) When questioned about his involvement with this group at a meeting with Chapel Hill residents, Schell denied any knowledge of this entity.

### 11. Hallmark Equity Partners

- a. Not a clue what their business is.
- b. Hallmark Equity Partners, LLC filed as a Domestic Limited Liability Company (LLC) in the state of Texas on Thursday, July 26, 2012, and is approximately three years old, according to public records filed with Texas Secretary of State. The filing is currently active as of the last data refresh which occurred on Wednesday, June 3, 2015.
- c. Gary Schell serves as the Manager and has interests in other corporate entities including Sc & D, Inc., Windsor Capital Group, LLC , and Momentum Asset Management Group, LLC. Gary's past corporate affiliations include Glls Inc., Gary Schell Custom Homes, Inc. and two others.
- c. Varun Mittal is the Manager of Hallmark Equity Partners, LLC.
- d. Varun Mittal is also the registered agent for the company. Also known as a statutory or resident agent, the registered agent is responsible for receiving legal notifications regarding court summons, lawsuits, and other legal actions involving the corporate entity.

### 12. Apropos Designs Inc. INACTIVE

## Schell's Other Business interests

- a. Apropos Designs , Inc. filed as a Domestic For-Profit Corporation in the state of Texas and is no longer active. This corporate entity was filed approximately eleven years ago on Friday, April 23, 2004, as recorded in documents filed with Texas Secretary of State. There are a couple of officers known to have been associated with this organization.
- b. Linda Schell served as the Director and has interests in other corporate entities including Sc & D, Inc. located in Frisco, TX
- c. Gary Schell was the Vice President of Apropos Designs, Inc. Gary's additional corporate interests include Sc & D, Inc., Momentum Asset Management Group LLC, and two more corporations. Gary's past corporate affiliations include Glls Inc., Gary Schell Custom Homes, Inc., and Csfs Interests, LLC.
- d. Linda B. Schell is also the registered agent for the company. Also known as a statutory or resident agent, the registered agent is responsible for receiving legal notifications regarding court summons, lawsuits, and other legal actions involving the corporate entity.

### 13. Csfs Interests LLC INACTIVE

- a. Not a clue what their business was ...
- b. Csfs Interests, LLC filed as a Domestic Limited Liability Company (LLC) in the State of Texas and is no longer active. This corporate entity was filed approximately fourteen years ago on Thursday, November 29, 2001 , according to public records filed with Texas Secretary of State. There are a couple of officers known to have been associated with this organization. The company's filing status is listed as No Standing, Franchise Responsibility Ended and its File Number is 0800031665.
- c. Gary Schell served as the Director and has interests in other corporate entities including Sc & D, Inc., Momentum Asset Management Group, LLC and two more corporations. Gary's past corporate affiliations include Glls Inc., Gary Schell Custom Homes, Inc. , and Apropos Designs, Inc.
- d. James Crowther was the Director of Csfs Interests, LLC. James's additional corporate interests include Cns Holdings, LLC; J. Aviation, LLC. James' past corporate affiliations include Synchro Group, LLC .
- e. The Registered Agent on file for this company is James B. Crowther Jr and is located at 5612 Hillsborough, Plano, TX 75093. The company's principal address is 5612 Hillsborough Dr Plano, TX 75093-8504.
- f. The company has 3 principals on record. The principals are:
  - James B. Crowther from Plano TX,
  - James Edward Fariss from Flower Mound TX, and
  - James Edward Machok from Carrollton, TX.

### 14. Gary Schell Custom Homes Inc. INACTIVE

- a. Gary Schell Custom Homes, Inc. filed as a Domestic For-Profit Corporation in the state of Texas and is no longer active. This corporate entity was filed approximately twenty years ago on Wednesday, August 16, 1995 , according to public records filed with Texas Secretary of State. The company's filing status is listed as Not In Good Standing and its File Number is 0136633000.

## Schell's Other Business interests

### b. Key People

- (1) Gary Schell served as the President and has interests in other corporate entities including Sc & D, Inc., Momentum Asset Management Group, LLC and two more corporations. Gary's past corporate affiliations include Glls Inc., Csfs Interests, LLC , and Apropos Designs, Inc.
- (2) Gary L. Schell is also the registered agent for the company. Also known as a statutory or resident agent, the registered agent is responsible for receiving legal notifications regarding court summons, lawsuits, and other legal actions involving the corporate entity.
- (3) The Registered Agent on file for this company is Gary L. Schell and is located at 5150 Spanish Oaks Frisco, TX 75034. The company's principal address is Po Box 2027 Frisco, TX 75034-0035.
- (4) The company has 1 principal on record. The principal is Gary Schell from Dallas TX.

### 15. Gary Schell Custom Homes, Inc

- a. One website (<http://www.ehardhat.com/directory/home-security/TX/frisco/gary-schell-custom-homes-inc/1084032>) states:

*"Home security pros in Frisco, Collin county [sic]. Committed to offering prompt, superb quality service to all of our buyers, we execute local home security service every day. Gary Schell Custom Homes, Inc is locally managed and run. We service the Frisco area. It's always pricey to do home security upgrading, therefore why expend more than is required? It is not hard to find many skilled home security alarm redesigning contractors in Frisco, Collin county [sic] and it can be hard to determine which is the right one for use on your job.*

*Our customers will find us at 5243 Spicewood LN, Frisco. Selecting the perfect home security alarm redesigning company for your job could save you considerable time and money. Gary Schell Custom Homes, Inc: a recognized certified home security small business, fully licensed, bonded and insured, registered to perform home security work in the state of TX. Exactly what is our specialty? Our specialty: security alarms, home security alarm redesigning, home alarm remodeling and residential security alarm renovations.*

*Your full satisfaction is Gary Schell Custom Homes, Inc's main aim. Any time house owners opt to upgrade the look and feel of the house, most begin with home security issues."*

- b. There are 4 building permits for Gary Schell, under the name of Gary Schell Custom Homes, not Sc&D, in Starwood Village, Spanish Oaks. These are dated 1998-2001:
  - (1) 2001-06-22 - 5174 Brandywine Ln, Frisco, TX ;5933 ac, 8636 sq ft, SFR / 2 story  
Business on permit: Gary Schell Custom Homes | Type: Building | Parcel number: C2128159 | Fees: \$3,458 | Permit #: B01-1423
  - (2) 2000-06-09 - 5150 Spanish Oaks, Frisco, TX ;6270 ac, 7939 sq ft SFR / 2 story;  
Business on permit: Gary Schell Custom Homes, Inc | Type: Building | Parcel number: C2037475 | Fees: \$3,223 | Permit #: B00-1324. This home is shown as the address for service with documents filed with Texas re Gary Schell Custom Homes
  - (3) 1998-07-15 - 5246 Spanish Oaks, Frisco, TX;4922 ac, 5938 sq ft SFR / 2 story;  
Business on permit: Gary Schell Custom Homes | Type: Building | Parcel number: C2037465 | Fees: \$2,615 | Permit #: B98-1044.
  - (4) Also: 5243 Spicewood Lane, Frisco, TX. This home is shown as his place of business on [www.ehardhat.com/directory/home-security/TX/frisco/gary-schell-custom-homes-inc/1084032](http://www.ehardhat.com/directory/home-security/TX/frisco/gary-schell-custom-homes-inc/1084032)

## Schell's Other Business interests

### 16. Glls Inc.

- a. Glls Inc. filed as a Domestic For-Profit Corporation in the state of Texas and is no longer active. This corporate entity was filed approximately twenty-five years ago on Friday, May 11, 1990, as recorded in documents filed with Texas Secretary of State. The company's filing status is listed as Not In Good Standing and its File Number is 0115327700.
- b. Gary Schell served as the president and has interests in other corporate entities including Sc & D, Inc., Momentum Asset Management Group, LLC and two more corporations. Gary's past corporate affiliations include Gary Schell Custom Homes, Inc., Cfs Interests, LLC , and Apropos Designs, Inc.
- c. The Registered Agent on file for this company is Cyril David Kasmir and is located at 2001 Bryan Tower, Ste. 2700 Dallas, TX 75201.
- d. The company's principal address is Po Box 796816 Dallas, TX 75379-6816.

### 17. Lupus Homes Inc. INACTIVE

- a. Luxus Homes Inc is a Texas Corporation filed on April 4, 1990. The company's filing status is listed as Not In Good Standing and its File Number is 0114885600.
- b. The Registered Agent on file for this company is Cyril David Kasmir and is located at 2001 Bryan Tower, Ste. 2700, Dallas TX 75201.
- c. The company's principal address is Po Box 796816 Dallas, TX 75379-6816.

### 18. Schell Construction

- a. Gary Schell has a minimal page on Houzz.com as Schell Construction.
- b. The only other reference found on the Web ([http://www.citysearch.com/profile/47364527/plano\\_tx/schell\\_construction.html](http://www.citysearch.com/profile/47364527/plano_tx/schell_construction.html)) states as follows:

*"Categories: Metal Roofing Contractors*

*Roofing & Siding Services: Asphalt Shingle Installation, Flat Roof Installation, Install Composite Roofs, Install Slate Roofs, Metal Roof Repair, Roof Repair, Slate Roof Repair, Tile Roof Installation, Tile Roof Repair"*

### 19. Schell Ventures Inc. INACTIVE

- a. Schell Ventures Inc is a Texas Corporation filed on June 4, 1984. The company's filing status is listed as Not In Good Standing and its File Number is 0070740300.
- b. The Registered Agent on file for this company is Gary Schell and is located at 2001 Bryan Tower, Suite 2700 Dallas, TX 75201.
- c. The company's principal address is 5702 Bent Trail, Dallas, TX 75248-2707.

### 20. Town and Country Homes LLC INACTIVE

Couldn't locate any information

"NO" to 15-113Z

*Litigation: No representation is made regarding the nature or outcome of the litigation, rather it shows disputes and litigation between customers and Schell's various building ventures. Files are available in the respective courthouses.*

<b>Date</b>	<b>Case#</b>	<b>Litigants</b>
<b>COLLIN COUNTY</b>		
02/2010	219004672010	Allegiance Stone Oak v Gary & Linda Schell dba Apropose Design
09/2006	4160298506	Innovative Custom Homes Genpar v. Gary Schell
10/2005	040CV060001101	Steve Brown v. Gary Schell
06/2005	4010190105	Sharon Burpo v. Gary Schell
11/2003	004173303	North Texas Stone v, Gary Schell Custom Homes
08/2003	3800251103	Kurt Novey v. Gary Schell
08/2003	005109703	American Express v. Gary Schell
05/2003	3660138603	Wetco Enterprises v. Gary Schell Custom Homes
11/2001	3660244001	Peter & Stephanie Alba v. Gary Schell Custom Homes
01/2001	4010001801	Antonio & Rute deSouza v. Gary Schell Custom Homes
09/1999	001107299	Fenwick & Associates Realtors v. Gary Schell Custom Homes
04/1991	296-0049791	David and Shirley Lenz v. Town & Country Homes (Schell)
04/1990	002-C8990	Texas Door & trim v. Gary Schell Custom Homes
<b>DENTON COUNTY</b>		
02/1990	90300100211	Wayne & Marjorie Yarbrough v. Gary Schell, Schell Ventures Inc,
Town		& Country Homes
<b>DALLAS COUNTY</b>		
08/2003	DC0309377	Texas Door & Trim v Gary Schell Custom Homes
08/1992	DC0208148	Equitable Bank of Dallas v. Gary Schell
11/1990	DC9013679	Campbell Sanders v. Schell Ventures Inc.
11/1990	DC9013249	ane Pardue v. Schell Ventures Inc.
08/1990	DC9010078	Resolution Trust Corporation v. Schell Ventures Inc.
<b>TARRANT COUNTY</b>		
07/1995	19950634842	Neotek Inc. v Gary Schell
<b>LITIGATION involving wife, Linda Schell</b>		
<b>COLLIN COUNTY</b>		
10/2012	04JC1200650	Midland Funding v. Linda Schell
07/2010	04EV1001182	Legacy North v. Linda Schell (eviction)
06/2010	04EV1000956	Legacy North v. Linda Schell (eviction)
04/2010	04EV1000690	Legacy North v. Linda Schell (eviction)
03/2010	04EV1000500	Legacy North v. Linda Schell (eviction)
03/2010	04EV1000353	Legacy North v. Linda Schell (eviction)
02/2010	2190046729010	Allegiance Stone v. Linda Schell/Apropos Design
02/2010	04Evv1000191	Legacy North v. Linda Schell (eviction)
12/2009	04EV0903913	Legacy North v. Linda Schell (eviction)
01/2008	4160031808	CitiBank v. Linda Schell
09/2000	3800138500	Frisco ISD v. Linda Schell (taxes)