

ORDINANCE NO.2025-03-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 124.32 ACRE PROPERTY, LOCATED ON THE SOUTHEAST AND SOUTHWEST CORNER OF CUSTER ROAD AND FM 1461, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS AND ALLOW FOR MULTI-FAMILY RESIDENTIAL, COMMERCIAL, AND SINGLE-FAMILY RESIDENTIAL USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

**WHEREAS,** the City of McKinney has considered the rezoning of an approximately 124.32 acre property, Located on the Southeast and Southwest corner of Custer Road and FM 1461, which is more fully depicted on Exhibits "A", "B", "C" and "D" attached hereto, from "PD" – Planned Development District to "PD" - Planned Development District, generally to Modify the Development Standards and Allow for Multi-Family Residential, Commercial, and Single-Family Residential Uses; and,

**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 the change in zoning district should be made.

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


- Section 1. The zoning map is hereby amended so that an approximately 124.32 acre property, Located on the Southeast and Southwest corner of Custer Road and FM 1461, which is more fully depicted on Exhibits "A", "B", "C" and "D" attached hereto, from "PD" – Planned Development District to "PD" - Planned Development District, generally to Modify the Development Standards and Allow for Multi-Family Residential, Commercial, and Single-Family Residential Uses; and.
- Section 2. The subject property shall develop in accordance with Section 204X of the Unified Development Code ("PD" – Planned Development District), except as follows:
1. The subject property shall develop in accordance with attached Development Regulations. – Exhibit "D"
- Section 3. 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 are declared to be severable.
- Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, 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 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 6. 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 THE 18<sup>th</sup> DAY OF MARCH, 2025.**

CITY OF MCKINNEY, TEXAS



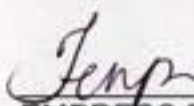
GEORGE C. FULLER

Mayor

GERÉ FELTUS

Mayor Pro Tem

CORRECTLY ENROLLED:



EMPRESS DRANE

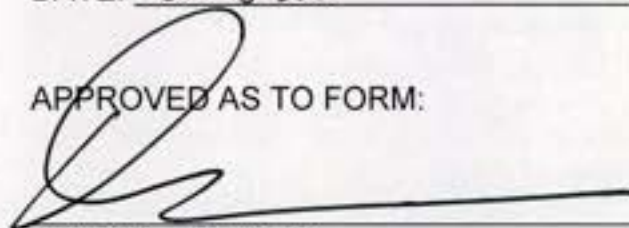
City Secretary

TENITRUS PARCHMAN

Deputy City Secretary

DATE: 03-18-25

APPROVED AS TO FORM:



MARK S. HOUSER

City Attorney

ALAN LATHROM

Assistant City Attorney

EXHIBIT A

Subject Property

FRONTIER

AG

P D

FM 1461

P D

TEXAS

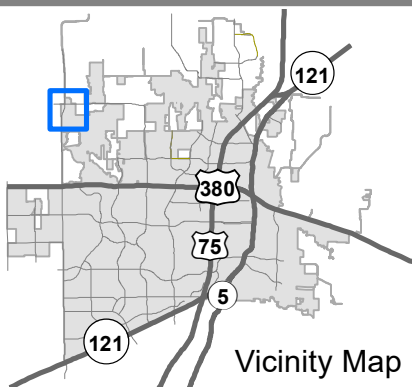
LAWRENCE

FOUR SEASONS

CHRISTIE FARMS

P D

P D



Vicinity Map

Location Map  
ZONE2024-0075

0 440 880 Feet



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.





## EXHIBIT B

### PROPERTY DESCRIPTION: TRACT 1

BEING SITUATED IN THE L. C. SEARCY SURVEY, ABSTRACT NUMBER 816 AND THE GEORGE HORN SURVEY, ABSTRACT NUMBER 412, AND BEING A PART OF A CALLED 134.44 ACRES OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HAGGARD RHEA MILLS, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20100610000588740, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHWEST END OF A CORNER CLIP AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD (F.M. 1478) (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF FRONTIER PARKWAY (F.M. 1461) (VARIABLE WIDTH RIGHT-OF-WAY) AND AT THE MOST WESTERN NORTHWEST CORNER OF SAID HAGGARD RHEA MILLS TRACT;

THENCE NORTH 45°10'16" EAST, A DISTANCE OF 64.94 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST END OF SAID CORNER CLIP, AT THE MOST WESTERN CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 47 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20180424000490140, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND AT THE MOST WESTERN CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 76, PART 1, IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2023000091009, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTIER PARKWAY AND WITH THE SOUTH LINE OF SAID PARCEL 76, PART 1, THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 84°54'26" EAST, A DISTANCE OF 219.09 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 89°50'47" EAST, A DISTANCE OF 363.26 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHWEST END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF CUSTER ROAD (F.M. 2478) (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTIER PARKWAY, AT THE SOUTHEAST CORNER OF SAID PARCEL 76, PART 1 AND IN THE WEST LINE OF SAID PARCEL 47;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CUSTER ROAD (F.M. 2478) THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 45°08'38" EAST, A DISTANCE OF 73.47 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHEAST END OF SAID CORNER CLIP;

SOUTH 00°08'06" EAST, A DISTANCE OF 173.98 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,098.00 FEET, A CENTRAL ANGLE OF 01°27'25", A CHORD BEARING OF SOUTH 00°51'49" EAST, AND A DISTANCE OF 27.92 FEET;

## EXHIBIT B

SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 27.92 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 01°35'31" EAST, A DISTANCE OF 104.09 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 00°08'03" EAST, A DISTANCE OF 127.03 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,430.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS SOUTH 14°56'10" WEST, A DISTANCE OF 743.62 FEET;

SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 752.26 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 30°00'24" WEST, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE NORTHEAST END OF A CORNER CLIP AT THE INTERSECTION OF SAID CUSTER ROAD WITH THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

### PROPERTY DESCRIPTION: TRACT 2

BEING SITUATED IN THE L. C. SEARCY SURVEY, ABSTRACT NUMBER 816 AND THE GEORGE HORN SURVEY, ABSTRACT NUMBER 412, AND BEING A PART OF A CALLED 134.44 ACRES OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HAGGARD RHEA MILLS, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20100610000588740, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

## EXHIBIT B

BEGINNING AT 5/8" IRON ROD SET FOR CORNER AT WEST END OF A CORNER CLIP IN EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD (F.M. 2478) (VARIABLE WIDTH RIGHT-OF-WAY), AT THE MOST WESTERN SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 47 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20180424000490140, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

NORTH 89°09'24" EAST, A DISTANCE OF 22.68 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 395.00 FEET, A CENTRAL ANGLE OF 14°43'43", AND A CHORD WHICH BEARS SOUTH 52°37'45" EAST, A DISTANCE OF 101.26 FEET;

SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 101.54 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 59°59'36" EAST, A DISTANCE OF 155.07 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 15°57'20" EAST, A DISTANCE OF 71.89 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE NORTHWEST RIGHT-OF-WAY LINE OF CUSTER ROAD AT THE BEGINNING OF A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,570.00 FEET, A CENTRAL ANGLE OF 16°02'42", AND A CHORD WHICH BEARS SOUTH 19°08'58" WEST, A DISTANCE OF 438.22 FEET;

THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE CURVING NORTHWEST RIGHT-OF-WAY LINE OF SAID CUSTER ROAD, AN ARC DISTANCE OF 439.66 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 53°47'17" WEST, A DISTANCE OF 72.44 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,065.00 FEET, A CENTRAL ANGLE OF 02°17'38", AND A CHORD WHICH BEARS NORTH 85°07'41" WEST, A DISTANCE OF 42.64 FEET;

THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 42.64 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,387.40 FEET, A CENTRAL ANGLE OF 03°31'23", AND A CHORD WHICH BEARS NORTH 2°31'38" WEST, A DISTANCE OF 85.30 FEET;

THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 85.31 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, A DISTANCE OF 575.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 106,256 SQUARE FEET OR 2.439 ACRES OF LAND.

## EXHIBIT B

### PROPERTY DESCRIPTION: TRACT 3

BEING SITUATED IN THE L. C. SEARCY SURVEY, ABSTRACT NUMBER 816, AND BEING A PART OF A CALLED 134.44 ACRES OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HAGGARD RHEA MILLS, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20100610000588740, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST CORNER OF A CORNER CLIP AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF F.M. 1478 (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF F.M. 1461 (VARIABLE WIDTH RIGHT-OF-WAY), AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 76, PART 2 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2023000091009, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING IN THE EAST LINE OF A TRACT OF LAND DESCRIBED AS PARCEL 74 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20180424000490140, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE NORTH 89°46'19" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461 AND THE SOUTH LINE OF SAID PARCEL PARCEL 76, PART 2, A DISTANCE OF 1,434.03 FEET TO A 5/8" IRON ROD FOUND WITH PINK CAP STAMPED "TXDOT" FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,075.00 FEET, A CENTRAL ANGLE OF 05°18'11", AND A CHORD WHICH BEARS NORTH 87°07'14" EAST, A DISTANCE OF 191.98 FEET;

THENCE NORTHEASTERLY ALONG THE CURVING SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461, AN ARC DISTANCE OF 192.05 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 84°28'08" EAST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461, A DISTANCE OF 110.40 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 86°44'18" EAST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461, A DISTANCE OF 176.02 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE SOUTHEAST CORNER OF SAID PARCEL 76, PART 2, AND AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 79, PART 1, IN JUDGMENT OF COURT IN ABSENCE OF OBJECTION IN FAVOR OF THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2022000144332, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 00°31'51" EAST ALONG THE EAST LINE OF SAID HAGGARD RHEA MILLS TRACT AND THE WEST LINE OF A TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HOLDINGS OF VSSSM, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20161215001701290, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, A DISTANCE OF 2,085.95 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE COMMON SOUTH CORNER THEREOF AND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN CORRECTION LIMITED GENERAL WARRANTY DEED TO

## EXHIBIT B

SEEING STARS, LTD. OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 20070907001252680, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 89°31'38" WEST ALONG THE SOUTH LINE OF SAID HAGGARD RHEA MILLS TRACT AND THE NORTH LINE OF SAID SEEING STARS TRACT, A DISTANCE OF 2,555.53 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AT THE SOUTHEAST CORNER OF SAID PARCEL 74 AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 42 IN AGREED JUDGMENT IN FAVOR OF THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20190820001009300, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,420.00 FEET, A CENTRAL ANGLE OF 20°23'58", AND A CHORD WHICH BEARS NORTH 19°48'25" EAST, A DISTANCE OF 502.91 FEET;

THENCE NORTHEASTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" EAST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 354.30 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 821.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 831.17 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER,

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 192.33 FEET, A CENTRAL ANGLE OF 13°41'08", AND A CHORD WHICH BEARS NORTH 6°42'31" EAST, A DISTANCE OF 45.83 FEET;

THENCE NORTHEASTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE 45.94 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 230.33 FEET, A CENTRAL ANGLE OF 13°41'08", AND A CHORD WHICH BEARS NORTH 06°42'31" EAST, A DISTANCE OF 54.89 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 55.02 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 141.04 FEET TO A 5/8" IRON ROD SET FOR CORNER;

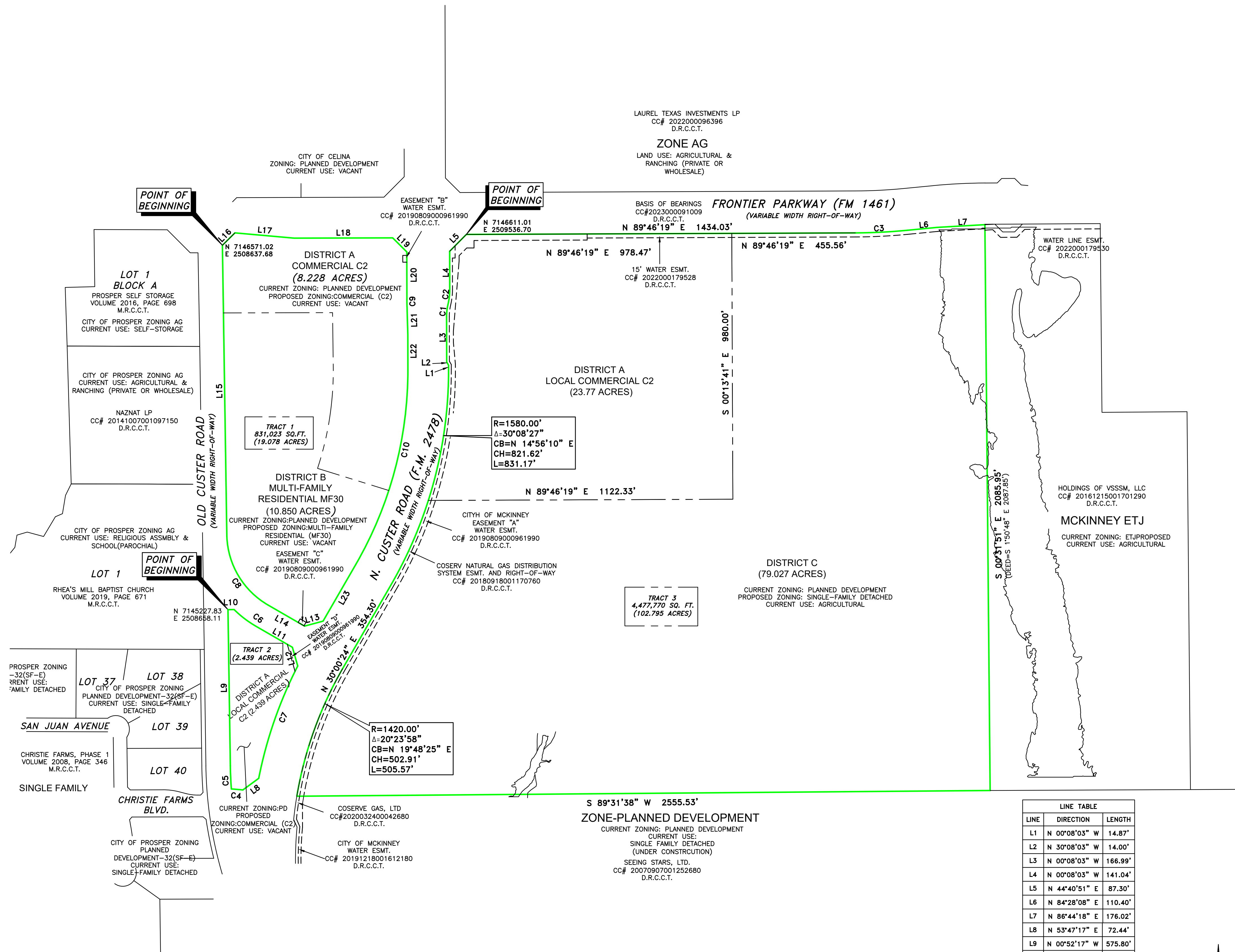


## EXHIBIT B

THENCE NORTH 44°40'51" EAST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 87.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,477,770 SQUARE FEET OR 102.795 ACRES OF LAND.

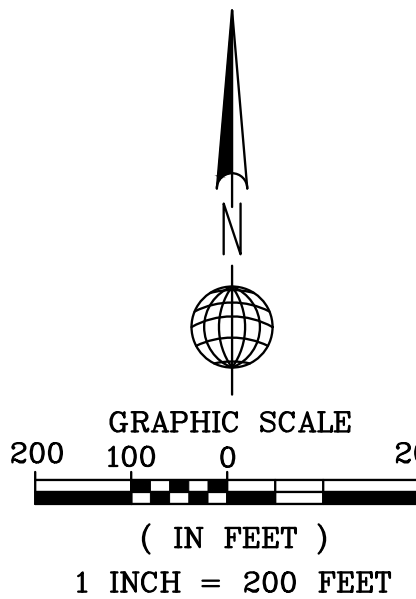


EXHIBIT C



Curve Table				
CURVE	RADIUS	CHORD BEARING	DELTA	CHORD LENGTH
C1	192.33'	N 06°42'31" E	13°41'08"	45.83'
C2	230.33'	N 06°42'31" E	13°41'08"	54.89'
C3	2075.00'	N 87°07'14" E	05°18'11"	191.98'
C4	1065.00'	N 85°07'41" W	2°17'38"	42.64'
C5	1387.40'	S 2°31'38" E	3°31'23"	85.30'
C6	395.00'	S 52°37'45" E	14°43'43"	101.26'
C7	1570.00'	S 19°08'58" W	16°02'42"	438.22'
C8	305.00'	S 31°02'32" E	57°54'08"	295.28'
C9	1098.00'	S 0°51'48" E	1°27'25"	27.92'
C10	1430.00'	N 14°56'11" E	30°08'27"	743.62'

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 00°08'03" W	14.87'
L2	N 30°08'03" W	14.00'
L3	N 00°08'03" W	166.99'
L4	N 00°08'03" W	141.04'
L5	N 44°40'51" E	87.30'
L6	N 84°28'08" E	110.40'
L7	N 86°44'18" E	176.02'
L8	N 53°47'17" E	72.44'
L9	N 00°52'17" W	575.80'
L10	S 89°09'24" W	22.68'
L11	N 59°59'36" W	155.07'
L12	N 15°57'20" W	71.89'
L13	N 75°00'24" E	70.71'
L14	S 59°59'36" E	154.83'
L15	N 00°52'17" W	1073.51'
L16	N 45°10'16" E	64.94'
L17	S 84°54'26" E	219.09'
L18	N 89°50'47" E	363.26'
L19	S 45°08'38" E	73.47'
L20	N 00°08'06" W	174.01'
L21	N 01°35'31" W	104.09'
L22	N 00°08'03" W	127.03'
L23	N 30°00'24" E	241.97'



PROPERTY DESCRIPTION: TRACT 1

BEING SITUATED IN THE L. C. SEARCY SURVEY, ABSTRACT NUMBER 816 AND THE GEORGE HORN SURVEY, ABSTRACT NUMBER 412, AND BEING A PART OF A CALLED 134.44 ACRES OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HAGGARD RHEA MILLS, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20100610000588740, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHWEST END OF A CORNER CLIP AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD (F.M. 1478) (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF FRONTIER PARKWAY (F.M. 1461) (VARIABLE WIDTH RIGHT-OF-WAY) AND AT THE MOST WESTERN NORTHWEST CORNER OF SAID HAGGARD RHEA MILLS TRACT;

THENCE NORTH 45°10'16" EAST, A DISTANCE OF 64.94 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST END OF SAID CORNER CLIP, AT THE MOST WESTERN CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 47 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20180424000490140, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND AT THE MOST WESTERN CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 76, PART 1, IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2023000091009, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTIER PARKWAY AND WITH THE SOUTH LINE OF SAID PARCEL 76, PART 1, THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 84°54'26" EAST, A DISTANCE OF 219.09 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 89°50'47" EAST, A DISTANCE OF 363.26 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF CUSTER ROAD (F.M. 2478) (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTIER PARKWAY, AT THE SOUTHEAST CORNER OF SAID PARCEL 76, PART 1 AND IN THE WEST LINE OF SAID PARCEL 47;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CUSTER ROAD (F.M. 2478) THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 45°08'38" EAST, A DISTANCE OF 73.47 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHEAST END OF SAID CORNER CLIP;

SOUTH 00°08'06" EAST, A DISTANCE OF 173.98 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,098.00 FEET, A CENTRAL ANGLE OF 01°27'25", A CHORD BEARING OF SOUTH 00°51'49" EAST, AND A DISTANCE OF 27.92 FEET;

SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 27.92 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 01°35'31" EAST, A DISTANCE OF 104.09 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 00°08'03" EAST, A DISTANCE OF 127.03 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,430.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS SOUTH 14°56'10" WEST, A DISTANCE OF 743.62 FEET;

SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 752.26 FEET TO A 5/8" IRON ROD SET FOR CORNER;

SOUTH 30°00'24" WEST, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST END OF A CORNER CLIP AT THE INTERSECTION OF SAID CUSTER ROAD WITH THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 743.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 743.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 743.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 743.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

PROPERTY DESCRIPTION: TRACT 3

BEING SITUATED IN THE L. C. SEARCY SURVEY, ABSTRACT NUMBER 816, AND BEING A PART OF A CALLED 134.44 ACRES OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HAGGARD RHEA MILLS, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20100610000588740, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST CORNER OF A CORNER CLIP AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF F.M. 1461 (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF F.M. 1461 (VARIABLE WIDTH RIGHT-OF-WAY), AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 76, PART 2 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2023000091009, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING IN THE EAST LINE OF A TRACT OF LAND DESCRIBED AS PARCEL 74 IN DEED TO THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20180424000490140, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE NORTH 89°48'19" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461 AND THE SOUTH LINE OF SAID PARCEL 76, PART 2, A DISTANCE OF 1,434.03 FEET TO A 5/8" IRON ROD FOUND WITH PINK CAP STAMPED "1200" FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,075.00 FEET, A CENTRAL ANGLE OF 05°18'11", AND A CHORD WHICH BEARS NORTH 87°07'14" EAST, A DISTANCE OF 191.98 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461, AN ARC DISTANCE OF 192.03 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 84°28'08" EAST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461, A DISTANCE OF 110.40 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 86°44'18" EAST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 1461, A DISTANCE OF 176.02 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER OF SAID PARCEL 76, PART 2, AND AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 79, PART 1, IN JUDGMENT OF COURT IN ABSENCE OF OBJECTION IN FAVOR OF THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2022000144332, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 07°31'51" EAST ALONG THE EAST LINE OF SAID HAGGARD RHEA MILLS TRACT AND THE WEST LINE OF A TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO HOLDINGS OF VSSM, LLC, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2016125001701290, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, A DISTANCE OF 2,085.95 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE COMMON SOUTH CORNER THEREOF AND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN CORRECTION UNITED GENERAL WARRANTY DEED TO SEEDING STARS, LTD. OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 20070907001252880, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 80°31'38" WEST ALONG THE SOUTH LINE OF SAID HAGGARD RHEA MILLS TRACT AND THE NORTH LINE OF SAID SEEDING STARS TRACT, A DISTANCE OF 2,555.53 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AT THE SOUTHEAST CORNER OF SAID PARCEL 74 AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL 42 IN AGREED JUDGMENT IN FAVOR OF THE STATE OF TEXAS, OF RECORD UNDER COUNTY CLERK'S INSTRUMENT NUMBER 2019090001009000, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,420.00 FEET, A CENTRAL ANGLE OF 20°23'58", AND A CHORD WHICH BEARS NORTH 12°48'25" EAST, A DISTANCE OF 502.91 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" EAST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 743.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" EAST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 57°54'08", AND A CHORD WHICH BEARS NORTH 31°02'32" WEST, A DISTANCE OF 295.28 FEET;

NORTHWESTERLY ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD, AN ARC DISTANCE OF 308.23 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD;

THENCE NORTH 00°52'17" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF OLD CUSTER ROAD, A DISTANCE OF 1,073.51 FEET TO THE POINT OF BEGINNING OF 831,023 SQUARE FEET OR 19,078 ACRES OF LAND.

NORTH 00°08'03" WEST, A DISTANCE OF 14.87 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 30°08'03" WEST, A DISTANCE OF 14.00 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00°08'03" WEST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 166.99 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,580.00 FEET, A CENTRAL ANGLE OF 30°08'27", AND A CHORD WHICH BEARS NORTH 14°56'10" EAST, A DISTANCE OF 743.62 FEET;

THENCE NORTHWESTERLY ALONG THE CURVING EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, AN ARC DISTANCE OF 505.57 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 30°00'24" EAST CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 2478, A DISTANCE OF 241.97 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID OLD CUSTER ROAD THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 75°00'24" WEST, A DISTANCE OF 70.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 59°59'36" WEST, A DISTANCE OF 154.83 FEET TO A 5/8"



## EXHIBIT D

### DEVELOPMENT REGULATIONS “Exhibit D”

The subject property (the “Property”) shall be zoned “PD” – Planned Development District. Use and development of the Property shall conform to the regulations contained herein. All provisions contained in the City’s Zoning Ordinance relating to development within the Property which are not in conflict with the provisions contained herein shall continue to apply to the development of the Property.

Districts. The Property shall be divided into three (3) Districts (collectively, the “Districts” and each separately, a “District”) as shown on the Zoning Exhibit (Exhibit C), which identifies the general geographic location of permitted land uses within the Property. Each district shall contain the approximate number of acres shown on the Zoning Exhibit.

Regulation Plan. A regulation plan (“Regulation Plan”) for the development of Districts A, B, and C is attached hereto as Exhibit E which depicts the general location of the Districts. The preliminary plat and site plan will generally conform to the Regulation Plan.

## EXHIBIT D

District A. The regulations set forth below shall apply to development within District A shown on the Zoning Exhibit.

Permitted Land Uses (All use-specific criteria from UDC still apply):

- Assisted Living Facility
- Agricultural and ranching, private or wholesale
- Animal care and services, indoor only
- Arts or cultural center
- Banks and financial services
- Car Wash
- Civic club or fraternal organization
- Clinic medical or dental
- College or university
- Commercial entertainment, indoor
- Community Garden
- Cottage industrial
- Country Club
- Day care center
- Dispatch office
- Electric vehicle charging facility
- Farmers' market, permanent
- Fuel sales, passenger vehicles
- Government facilities (city, excluding airport uses)
- Government or public facility (non-city)
- Greenhouse or plant nursery
- Gun range, indoor
- Gym or fitness studio
- Hospital
- Hotel or motel
- Microbrewery, distillery, winery, or cidery
- Office
- Parking garage or lot, paid or private
- Personal service
- Radio or TV broadcast station
- Reception or event center, indoor
- Recreation area, private
- Religious assembly
- Restaurant, brew pub
- Restaurant, carry out and delivery only
- Restaurant, dine-in
- Restaurant, drive-in or drive-through
- Retail sales
- School, business or trade
- School, public, private or parochial
- Food truck operation sites



## EXHIBIT D

- Telecommunication Structure, Low rise
- Telecommunication Structure, Stealth

### Uses Permitted with SUP:

- Independent Living
- Animal care and services, outdoor area
- Commercial entertainment, outdoor
- Funeral home or mortuary
- Reception or event center, outdoor
- Self-storage
- Utility substation
- Vehicle repair, minor
- Private club
- Telecommunication Structure, High Rise

### Permitted Accessory Uses:

- Caretaker's or watchman's quarters
- Electric vehicle charging station
- Helistop
- Outdoor Storage
- Food truck courts
- Donation collection container

### Temporary Uses:

- Construction field office
- Religious or philanthropic uses
- Seasonal sales
- Warming station

## EXHIBIT D

### District A Space Limits:

- Minimum Lot Area: 0
- Minimum Lot Width: 0
- Minimum Lot Depth: 0
- Minimum Front Yard Setback: 20 feet
- Minimum Rear Yard Setback: 0
- Minimum Side Yard Setback (interior lots): 0
- Minimum Side Yard Setback (corner lots): 0
- Maximum building height: 45 feet
- Building setbacks with Residential Adjacency: When a non-residential use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following building setbacks shall apply along the shared property lines(s):

<b>Building Stories</b>	<b>Setback (minimum)</b>
1 story	30 feet
2 stories	50 feet
3 or more stories	2 feet of setback for each foot of building height

## EXHIBIT D

District B. The regulations set forth below shall apply to development within District B shown on the Zoning Exhibit.

Permitted Land Uses (All use-specific criteria from UDC still apply):

- Multi-family, cottage
- Multi-family, traditional
- Independent living
- Assisted living facility
- Community care home
- Crisis support home
- Agricultural and ranching, private or wholesale
- Amenity center, neighborhood
- Arts or cultural center
- Civic club or fraternal organization
- College or university
- Community Garden
- Country club
- Government facilities (city, excluding airport uses)
- Hospital
- Parking garage or lot, paid or private
- Recreation area, private
- Religious assembly
- School, public, private, or parochial
- Food truck operation sites
- Telecommunication Structure, Low Rise
- Telecommunication Structure, Stealth

Uses Permitted with SUP:

- Commercial entertainment, outdoor
- Funeral home or mortuary
- Utility substation
- Food truck courts
- Telecommunication Structure, High Rise

Permitted Accessory Uses:

- Accessory building, detached
- Accessory structure
- Electric vehicle charging station
- Home occupation
- Swimming pool

## EXHIBIT D

### Temporary Uses:

- Construction field office
- Public storage container
- Religious or philanthropic uses
- Seasonal sales
- Warming station

### District B Space Limits:

- Minimum Lot Area: N/A
- Minimum Lot Width: 60 feet
- Minimum Lot Depth: 100 feet
- Minimum Front Yard Setback: 35 feet
- Minimum Rear Yard Setback: 20 feet
- Minimum Side Yard Setback (interior lots): 20 feet
- Minimum Side Yard Setback (corner lots): N/A
- Maximum Building Height: 55 feet
- Maximum Density: 30 dwelling units per gross acre
- Building setbacks with Residential Adjacency:

Building Stories	Setback (minimum)
1 story	30 feet
2 stories	50 feet
3 stories	2 feet of setback for each foot of building height
4 stories	3 feet of setback for each foot of building height



## EXHIBIT D

District C. The regulations set forth below shall apply to development within District C shown on the Zoning Exhibit.

- District C shall have a maximum of 300 dwelling units. Up to a maximum of 135 units may develop using the dimensional standards of the R5 zoning district (Table B in this document). The remainder of the District shall develop using the dimensional standards of the R8 district (Table A in this document).

Permitted Land Uses (All use-specific criteria from UDC still apply):

- Single-family detached
- Community care home
- Crisis support home
- Agricultural and ranching, private or wholesale
- Amenity center, neighborhood
- Community Garden
- Country club
- Government facilities (city, excluding airport uses)
- Recreation area, private
- Religious assembly
- School public, private, or parochial
- Telecommunication Structure, Low Rise
- Telecommunication Structure, Stealth

Uses Permitted with SUP:

- Arts or cultural center
- Utility substation
- Bed & breakfast

Permitted Accessory Uses:

- Accessory building, detached
- Accessory dwelling unit
- Accessory structure
- Electric vehicle charging station
- Home occupation
- Swimming pool

Temporary Uses:

- Batch plant (outdoor), temporary
- Construction field office
- Model home
- Public storage container
- Religious or philanthropic uses

## EXHIBIT D

- Seasonal sales
- Warming station

### District C Space Limits:

#### **Table A: R8 Dimensional Standards**

- Minimum Lot Area: 8,000 square feet
- Minimum Lot Width: 60 feet
- Minimum Lot Depth: 100 feet
- Minimum Front Yard Setback: 20 feet
- Minimum Rear Yard Setback: 15 feet
- Minimum Side Yard Setback (interior lots): 5 feet; setback may be reduced to zero feet, so long as, a minimum building separation of ten feet shall be maintained between buildings. If a zero-lot line product is to be constructed, this condition shall be applied on a block—by-block basis. The desired zero lot line side of each lot indented to accommodate such a residential product shall be indicated on a setback exhibit associated with an approved plat.
- Minimum Side Yard Setback (corner lots): 15 feet
- Maximum building height: 35 feet

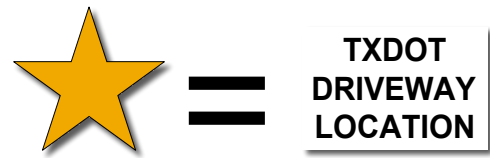
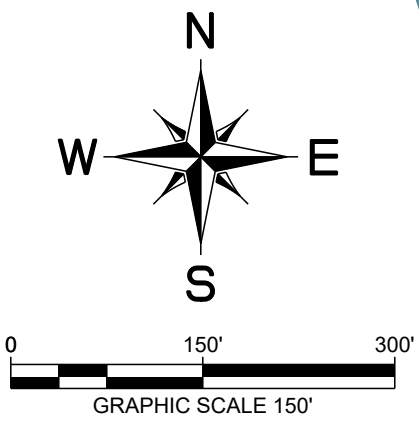
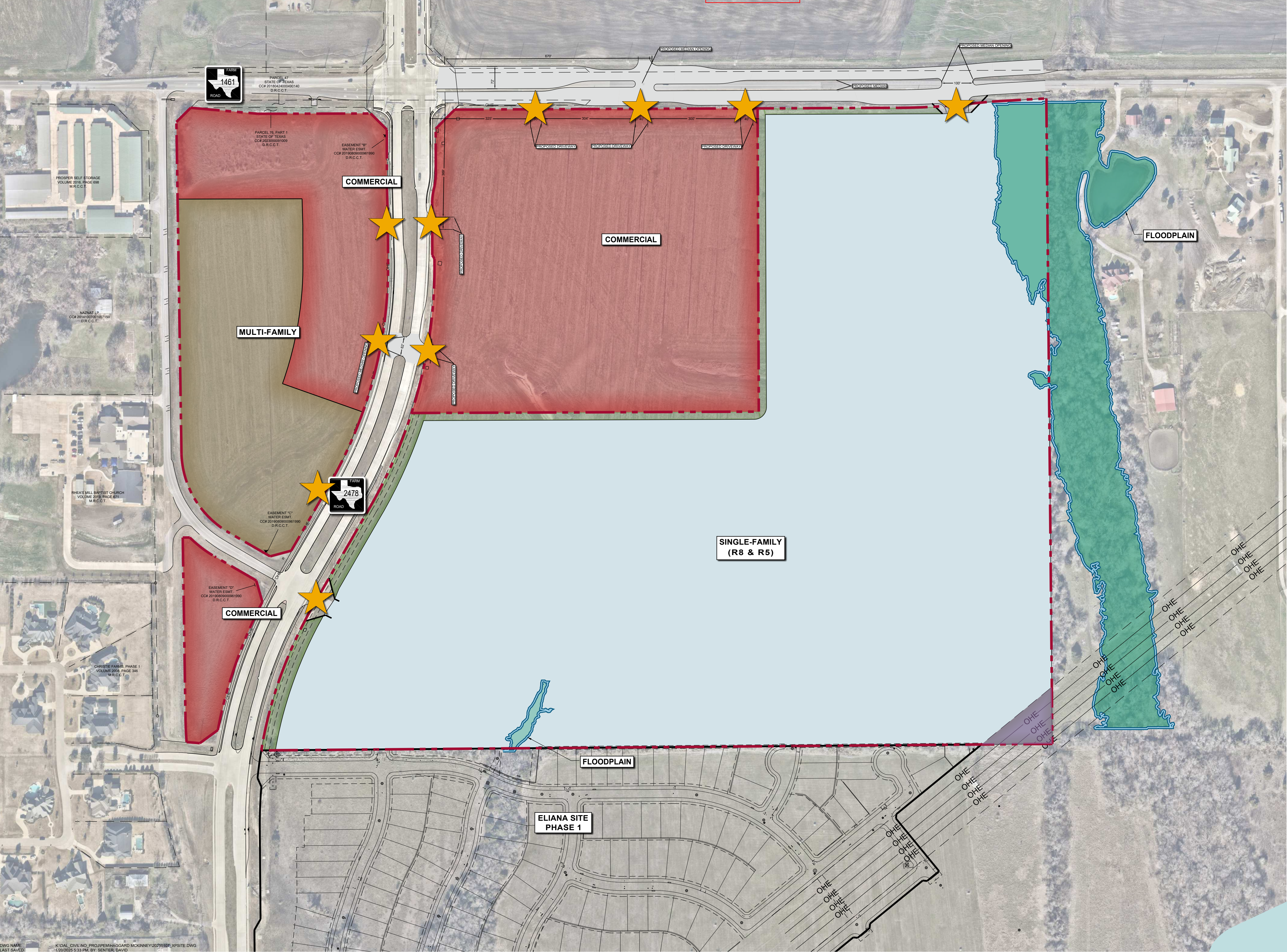
For side and rear yard setbacks, a minimum driveway length of 20 feet shall be provided from the garage door to the street or alley right-of-way lines, as required by the Engineering Design Manual. The driveway length may be reduced if a variance is granted by the Director of Engineering and the number of required spaces is provided in an offsite common area or approved on-street parking per table 2-38: Minimum Vehicle Parking and Stacking Requirements.

#### **Table B: R5 Dimensional Standards**

- Minimum Lot Area: 5,000 square feet
- Minimum Lot Width: 40 feet
  - Lots less than 50 feet in width shall be accessed via alleys abutting the rear of the lot, as required by the Engineering Design Manual
- Minimum Lot Depth: 80 feet
- Minimum Front Yard Setback: 20 feet
- Minimum Rear Yard Setback: 10 feet
- Minimum Side Yard Setback (interior lots): 5 feet; setback may be reduced to zero feet, so long as, a minimum building separation of ten feet shall be maintained between buildings. If a zero-lot line product is to be constructed, this condition shall be applied on a block—by-block basis. The desired zero lot line side of each lot indented to accommodate such a residential product shall be indicated on a setback exhibit associated with an approved plat.
- Minimum Side Yard Setback (corner lots): 15 feet
- Maximum building height: 35 feet
- For side and rear setback, a minimum driveway length of 20 feet shall be provided from the garage door to the street or alley right-of-way lines, as required by the Engineering Design Manual. The driveway length may be reduced if a variance is granted by the Director of Engineering and the number of required spaces is provided in an offsite common area or approved on-street parking per table 2-38: Minimum Vehicle Parking and Stacking Requirements.
- Maximum Lot Count: 135 lots



EXHIBIT D



Overall Land Use Acreage Summary

District A: Local Commercial C2	34.44
District B: Multi-Family Residential MF30	10.85
District C: Single-Family Detached (R8 & R5)	79.03
<b>Total</b>	<b>124.32</b>

NOTES:  
1. UP TO A MAXIMUM OF 135 LOTS MAY DEVELOP USING THE DIMENSIONAL STANDARDS OF THE R5 ZONING DISTRICT. THE REMAINDER OF THE DISTRICT SHALL DEVELOP USING THE DIMENSIONAL STANDARDS OF THE R8 DISTRICT.

NOTES:  
1. THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.  
2. FLOOD PLAN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.  
3. AERIAL IMAGE BY NEARMAP. COPYRIGHT 2025.

CONCEPT PLAN  
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McKinney**  
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**Kimley»Horn**

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