



**AGENDA**  
**CITY COUNCIL MEETING**  
**AUGUST 3, 2021 @ 7:00 PM**

**5:00 P.M. – 7:00 PM**

**BUDGET WORKSHOP**

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, August 03, 2021, at 7:00 PM at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

The Council meeting will be open to the public and live streamed. The City of Parker will provide disposable face masks and hand sanitizer. If you feel uncomfortable attending the meeting in person, please send public comments to the City Secretary at [PGrey@parkertexas.us](mailto:PGrey@parkertexas.us) prior to 3:00 PM the day of the meeting.

**CALL TO ORDER – Roll Call and Determination of a Quorum**

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

**ITEMS OF COMMUNITY INTEREST**

- I. PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, AUGUST 11, 2021, 6 PM -VIRTUAL ONLY
- COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, AUGUST 18, 2021, 6 PM – CANCELED
- PROJECTED 2021 TAX RATE PLANNING CALENDAR - CHANGED
- NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 23, 2021, 10:00 AM – 2:00 PM, IN FRONT OF POLICE STATION

**CONSENT AGENDA** Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR JULY 20, 2021.
2. CONSIDERATION AND/OR POTENTIAL ACTION REGARDING THE REPLACEMENT OF SUBCOMMITTEE MEMBERS APPOINTED ON JULY 11, 2017, AND SUBSEQUENTLY UPDATED ON MAY 18, 2021, CONCERNING CITY CODE OF ORDINANCE REVIEW AND RECOMMENDATIONS.

## INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-673 SETTING A PROPOSED TAX RATE; AND APPROVING DATES, TIMES AND A LOCATION FOR TWO PUBLIC HEARINGS ON THE PROPOSED FY 2021-2022 BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2021-2022 BUDGET AND APPROVAL OF A TAX RATE.
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ADVERTISING REQUEST FOR QUALIFICATIONS (RFQS) FOR CERTIFIED PUBLIC ACCOUNTING FIRMS/AUDITORS.
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH ESTATES PHASE 5 PRELIMINARY PLAT.
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WHITESTONE ESTATES PHASE 5 AND 6 PRELIMINARY PLAT.
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2021-674 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL..
8. CONSIDERATION AND POTENTIAL ACTION REGARDING THE HIRING OF CONSULTANT TO PERFORM WATER AND SEWER RATE STUDY.

## ROUTINE ITEMS

### 9. FUTURE AGENDA ITEMS

#### UPDATE(S):

CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE [LYNCH/REED]

DRAINAGE

INFRASTRUCTURE

CODE BOOK [MEYER]

COMPREHENSIVE PLAN COMMITTEE [SLAUGHTER]

EMERGENCY COMMUNICATION COMMITTEE [ABRAHAM]

MUNICIPAL COMPLEX [PETTLE/COUNCIL]

LEGISLATIVE UPDATES [OLSON]

NEW RESIDENT PACKET [MEYER]

NEWSLETTER [MEYER]

NOISE COMMITTEE [OLSON]

NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) [OLSON]  
PUMP STATION [MACHADO]  
RISK AND RESILIENCE ANALYSIS AND EMERGENCY RESPONSE PLAN  
UPDATE [MACHADO/BIRKHOFF]  
SALES TAX [MEYER]  
SUBDIVISION(S) [MACHADO]  
THOROUGHFARE & OTHER MAPS UPDATE [MACHADO]

**EXECUTIVE SESSION START TO FINISH - Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.**

10. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE  
AUTHORITY CONTAINED IN:

- Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

11. RECONVENE REGULAR MEETING.

12. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE  
EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

13. ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before July 30, 2021, by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at [www.parkertexas.us](http://www.parkertexas.us).

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Date Notice Removed

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Patti Scott Grey  
City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: July 27, 2021
Exhibits:	<ul style="list-style-type: none"> <li>• <a href="#">Parks and Recreation Commission (P&amp;R) Tentative 2021 Calendar</a></li> <li>• <a href="#">Comprehensive Plan (COMP) Committee Tentative 2021 Calendar</a></li> <li>• <a href="#">Projected 2021 Tax Rate Planning Calendar</a></li> </ul>

### AGENDA SUBJECT

- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, AUGUST 11, 2021, 6 PM - **VIRTUAL ONLY**
- COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, AUGUST 18, 2021, 6 PM – **IN-PERSON AND VIRTUAL**
- PROJECTED 2021 TAX RATE PLANNING CALENDAR
- NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 23, 2021, 10:00 AM – 2:00 PM, IN FRONT OF POLICE STATION

### SUMMARY

Please review information provided.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	07/29/2021
Interim City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021





# 2021

## P&R – 2nd Wednesday, 6 PM

January 13, 2021

February 10, 2021

March 10, 2021

April 14, 2021

May 12, 2021

June 9, 2021 - Canceled

July 14, 2021

August 11, 2021

September 8, 2021

October 13, 2021

November 10, 2021

December 8, 2021

### JANUARY

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### FEBRUARY

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### APRIL

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# Parks and Recreation (P&R) Commission



# 2021

## COMP Committee – 3<sup>RD</sup> Wednesday, 6 PM

January 20, 2021

February 17, 2021

March 17, 2021

April 21, 2021 – May conflict with early voting

May 19, 2021

June 16, 2021 - canceled

July 21, 2021 - canceled

August 18, 2021

September 15, 2021

October 20, 2021 – May conflict with early voting

November 17, 2021

December 15, 2021

### JANUARY

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### AUGUST

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### SEPTEMBER

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### OCTOBER

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### NOVEMBER

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### DECEMBER

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# Comprehensive Plan (COMP) Committee

# CITY OF PARKER

## 2021 PLANNING CALENDAR

Meeting Date: 08/03/2021 Item i.



<u>May</u>	Mailing of "Notices of Appraised Value" by Chief Appraiser.
<u>April 30</u>	The Chief Appraiser prepares and certifies to the Tax Assessor an estimate of the taxable value.
<u>May 15</u>	Deadline for submitting Appraisal Records to ARB.
<u>July 20</u>	Deadline for ARB to approve Appraisal Records.
<u>July 25</u>	Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.
<u>August</u>	Certification of anticipated collection rate by Tax Assessor Collector.
<u>July 25 - Aug.</u>	Calculation of No-New-Revenue Tax Rate and Voter-Approval Tax Rates.
<u>July 25 - Aug.</u>	Submission of No-New-Revenue and Voter-Approval Tax Rates to governing body from Tax Office.
<u>August 7</u>	Central Appraisal District's deadline to mail Transparency Website Postcard.
<u>August 16</u>	Deadline to call an election.
<u>August 23</u>	Deadline to adopt a tax rate above the Voter-Approval Tax Rate.
<u>July 30</u>	72 Hour Notice for Meeting (Open Meetings Notice).
<u>August 3</u>	<p><b>Meeting of Governing Body to Discuss Tax Rates.</b></p> <p>If proposed tax rate will exceed the No-New Revenue or Voter-Approval Tax Rate (whichever is lower), take record vote and schedule Public Hearing on the Tax Rate.</p> <p>Document record vote for "Notice of Public Hearing" (See "Governing Body Vote" Tab).</p>
<u>August 23</u>	<p><b>Publish the "Notice of Public Hearing"</b></p> <ul style="list-style-type: none"> <li>- Notice must be published in newspaper at least <b>five (5) days</b> before Public Hearing.</li> <li>- Notice must be posted on the Transparency Website, <a href="http://www.CollinTaxes.org">www.CollinTaxes.org</a>, at least five (5) days before Public Hearing.</li> <li>- Notice must be posted prominently on the homepage of the entity's website at least seven (7) days before Public Hearing.</li> </ul>
<u>August 23</u>	<b>Post "Notice of Tax Rates"</b> prominently on the homepage of entity's website seven (7) days before Public Hearing.
<u>August 27</u>	72 Hour Notice for Meeting (Open Meetings Notice).
<u>August 31</u>	<p><b>Public Hearing</b> At least five (5) days after publication of "Notice of Public Hearing."</p> <p>Tax rate can be adopted at this meeting. If not adopted at this meeting, announce the date and time of the meeting to vote to be held within <b><u>seven (7) days of Public Hearing.</u></b></p>
<u>September 3</u>	72 Hour Notice for Public Hearing (Open Meetings Notice).
<u>September 7</u>	<p><b>Meeting to Vote on Tax Rate</b> if tax rate was not adopted at the previous Public Hearing.</p> <p>Meeting to vote can be no later than <b>seven (7) days</b> after Public Hearing on tax rate.</p> <p>If tax rate is not adopted at the Public Hearing, it must be adopted at this meeting.</p>
<u>Noon on September 15</u>	<b>Deadline to submit the signed Tax Rate Ordinance to the Collin County Tax Office.</b>



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: July 27, 2021
Exhibits:	<ul style="list-style-type: none"> <li><a href="#">Proposed Minutes</a></li> </ul>

### AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR JULY 20, 2021.

### SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at [PGrey@parkertexas.us](mailto:PGrey@parkertexas.us) prior to the City Council meeting.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	07/29/2021
City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021



**MINUTES**  
**CITY COUNCIL MEETING**  
**JULY 20, 2021**

**CALL TO ORDER – Roll Call and Determination of a Quorum**

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Lee Pettle called the meeting to order at 7:00 p.m. Mayor Pro Tem Cindy Meyer and Councilmembers Diana M. Abraham (present by phone until 8:15 PM), Terry Lynch, Jim Reed, and Michael Slaughter were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, Interim City Attorney Scott D. Levine, Public Works Director Gary Machado, City Engineer John Birkhoff, P.E., Fire Chief Mike Sheff, and Police Chief Richard Brooks

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: John Birkhoff led the pledge.

TEXAS PLEDGE: Richard Williams led the pledge.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments

**ITEMS OF COMMUNITY INTEREST**

- COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, JULY 21, 2021, 6 PM – CANCELED

Mayor Pettle confirmed with Comprehensive Plan (COMP) Committee Chair Michael Slaughter the July meeting is canceled. Mr. Slaughter said meetings would resume in August.

- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, AUGUST 11, 2021, 6 PM -VIRTUAL ONLY

The Mayor stated the (P&R) Commission meeting would be virtual, and the access code is or will be at the top of the agenda for that meeting on the City's website at [www.parkertexas.us](http://www.parkertexas.us) when that agenda becomes available.

- PROJECTED 2021 TAX RATE PLANNING CALENDAR – CHANGED

Mayor Pettle noted the Projected 2021 Tax Rate Planning Calendar is in the Council packet, so everyone has the projected dates. Budget and Tax Rate items are routinely handled July – September. Finance/Human Resources Director Grant Savage noted changes; said the City should have certified numbers by Thursday, July 22<sup>nd</sup>; a public hearing on Tuesday, August 31 and Tuesday, September 7 with the voting projected for Tuesday, September 7 as well.

**CONSENT AGENDA** Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR JUNE 15, 2021. [SCOTT GREY]
2. REPUBLIC WASTE MONTHLY REPORT(JUNE). [BERNAS]
3. DEPARTMENT REPORTS- BUILDING/CODE (JUNE), COURT(JUNE), FINANCE (monthly financials) (JUNE), POLICE(JUNE) AND WEBSITE(JUNE)

MOTION: Councilmember Slaughter moved to approve consent agenda items 1 and 3, removing item #2, Republic Waste June Monthly Report, for further discussion. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

## INDIVIDUAL CONSIDERATION ITEMS

2. REPUBLIC WASTE MONTHLY REPORT(JUNE). [BERNAS]

Councilmember Lynch voiced concern, regarding the reported service issues and their explanations. She inquired about City logs for comparison. City Administrator Olson will provide additional requested information to Council.

Mayor Pro Tem Meyer said service is slow.

MOTION: Councilmember Lynch moved to approve consent agenda item # 2 Republic Waste June Monthly Report. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-670, RATIFYING INTERIM CITY ATTORNEY. [PETTLE/OLSON]

MOTION: Councilmember Slaughter moved to

- approve the appointment of the Law Firm Banowsky & Levine, P.C. as Interim Municipal Attorney;
- approve, adopt, ratify and confirm the actions of the law firm Banowsky & Levine, P.C. taken pursuant to the authority granted herein, or having occurred prior to the date hereof and otherwise in accordance with this resolution; and
- agree the interim Municipal Attorney shall have all duties and powers of the City of Parker Municipal Attorney including, but not limited to, those duties listed in Section 30.30 of the Code of Ordinances of the City of Parker, Texas in accordance with Resolution No. 2021-670;

Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ADVERTISING REQUEST FOR QUALIFICATIONS (RFQS) FOR CITY ATTORNEY. [PETTLE/OLSON/SAVAGE]

Mayor Pettle reviewed the advertising/RFQ process and noted the responses are due by Friday, August 20, 2021, 4:00 PM Central Standard Time (CST) as shown on the RFQ.

MOTION: Councilmember Lynch moved to approve advertisement for City Attorney Legal Services RFQs. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-671 AWARDING THE 2021 ANNUAL MOWING CONTRACT. [MACHADO/OLSON/LEVINE/BANOWSKY]

Mayor Pettle said she received a request to change the order of the agenda. Council considered item #8.

Public Works Director Machado noted Yellowstone Landscape was the low bidder with a bid of \$55,039.38.

MOTION: Councilmember Lynch moved to approve Resolution No. 2021-671, awarding the 2021 annual mowing contract to Yellowstone Landscape for an amount not to exceed \$55,039.38. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-672, RATIFYING CENTRAL PUMP STATION/GROUND STORAGE RESERVOIR & NTMWD METER STATION CHANGE ORDER NO. 1. [OLSON/LEVINE/BANOWSKY/MACHADO]

City Engineer Birkhoff reviewed the project and Change Order No. 1 with Gracon Construction, Inc. for the construction of the Central Pump Station/Ground Storage Reservoir and North Texas Municipal Water District (NTMWD) Meter Station. Change Order No. 1 resulted in a credit to the City in the amount of \$3,169.38, and a change in the contract amount from an original contract amount of \$5,551,800.00 to a revised contract amount of \$5,548,630.62.

MOTION: Councilmember Slaughter moved to approve Resolution No. 2021-672 ratifying Central Pump Station/Ground Storage Reservoir and NTMWD Meter Station Change Order No. 1. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 803, REGARDING PERFORMANCE BONDS. [OLSON/LEVINE/BANOWSKY/MACHADO]

The City has encountered issues with developers completing required public improvements.

Public Works Director Machado indicated the passage of Ordinance No. 803, requiring performance bonds should help the City receive security and leverage.

Mayor Pettle requested pages 87b and 90b of the Council packet, which is the ordinance and code provided for the ordinance, be amended in (J) *Assurance For Completion And Maintenance.*, (4) *Security for Completion of Improvements.*, (a) 3.(b), to include "and City Engineer", as follows:



(b) *Estimated Cost and Security Approval* - Security shall be issued in the amount of one hundred and ten percent (110%) of the cost to construct and complete all required public improvements to the City's standards as estimated by the applicant's professional engineer, and as approved by the City Administrator and City Engineer. Security shall be subject to the review and approval of the City Attorney. The applicant shall reimburse the City for all related legal costs for review (this reimbursement shall be paid in full prior to filing of the final plat).

MOTION: Councilmember Slaughter moved to approve Ordinance No. 803, requiring Performance Bonds, amending (J) *Assurance For Completion And Maintenance.*, (4) *Security for Completion of Improvements.*, (a) 3.(b), to include "and City Engineer", as shown above. Mayor Pro Tem Meyer seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 804, ELECTING FOR THE CITY OF PARKER TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION. [OLSON/LEVINE/BANOWSKY/SAVAGE]

Texas Municipal Retirement System (TMRS) Senior Regional Manager Colin Davidson explained the Ordinance would make current service and prior service contributions to the city's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation, removing the decades old cap.

Finance/Human Resources Director Savage said the change is already reflected in the budget.

MOTION: Councilmember Abraham moved to approve Ordinance No. 804, electing for the City of Parker to make current service and prior service contributions to the City's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-671, AWARDING THE 2021 ANNUAL MOWING CONTRACT. [MACHADO/OLSON/LEVINE/BANOWSKY]

This item was reviewed and approved earlier.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-672, RATIFYING CENTRAL PUMP STATION/GROUND STORAGE RESERVOIR & NTMWD METER STATION CHANGE ORDER NO. 1. [OLSON/LEVINE/BANOWSKY/MACHADO]

This item was reviewed and approved earlier.



10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON EXCUSING COUNCIL MEMBER DIANA ABRAHAM'S ABSENCE FROM SCHEDULED COUNCIL MEETINGS ON 7/20, 8/3 AND 8/17 DUE TO MANDATED TRAVEL FOR WORK. [PETTLE/ LEVINE/BANOWSKY]

MOTION: Councilmember Reed moved to approve excusing Councilmember Abraham from regularly scheduled Council meetings 8/3 and 8/17, due to her mandated travel/work schedule, if needed. Councilmember can join the Council Meetings via telecommunications if/when possible. Councilmember Slaughter seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Councilmember Abraham abstained. Motion carried 4-0-1.

11. DISCUSSION, CONSIDERATION AND ANY APPROPRIATE ACTION ON THE MUNICIPAL COMPLEX. [LYNCH/REED]

Councilmember Reed reviewed a PowerPoint, updating information from the Municipal Complex Informational and Interactive meetings. (See Exhibit 1 – Lynch/Reed's PowerPoint, Parker Municipal Complex, dated July 20, 2021.)

Councilmembers Lynch and Reed requested the formation of a Municipal Complex Advisory Committee be added to the Future Agenda Items (FAI).

No action.

## ROUTINE ITEMS

12. FUTURE AGENDA ITEMS

UPDATE(S):

- CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE [LYNCH/REED]
  - DRAINAGE
  - INFRASTRUCTURE

Councilmember Lynch said City Engineer Birkhoff and Public Works Director Machado provided the CIP Committee with a detailed City Street inventory and a description of their condition. Mrs. Lynch noted there would be a CIP Committee meeting this Thursday, July 22, 2021, 3:30 – 5:00 PM to discuss the condition of City streets and other issues. The meeting is posted and open to public.

- CODE BOOK [MEYER]

Mayor Pro Tem Meyer said there is no update at this time.

- COMPREHENSIVE PLAN COMMITTEE [SLAUGHTER]

Councilmember Slaughter said there is no additional update at this time. (See earlier remarks.)

- EMERGENCY COMMUNICATION COMMITTEE [ABRAHAM]

Councilmember Abraham left the meeting. No update at this time.

- FACILITY [PETTLE/COUNCIL]

Please see update above.

- LEGISLATIVE UPDATES [OLSON]

City Administrator Olson said the Texas Senate has passed a property tax bill for school districts and he is gathering a list of legislation from this session.

- NEW RESIDENT PACKET [MEYER]

Mayor Pro Tem Meyer said there is no update at this time.

- NEWSLETTER [MEYER]

Mayor Pro Tem Meyer said there is no update at this time.

- NOISE COMMITTEE [OLSON]

City Administrator Olson reported no complaints filed.

- NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) [OLSON]

City Administrator Olson said he and Interim City Attorney Banowsky are currently working on a customer contract with NTMWD.

- PUMP STATION [MACHADO]

Public Works Director Machado indicated the Pump Station is on schedule. There were a few delays due to material shortages, but the station is on schedule to be open late October/early November. Mr. Machado also noted the current reflective roof is not the final, permanent roof for those bothered with its glare.

- RISK AND RESILIENCE ANALYSIS AND EMERGENCY RESPONSE PLAN UPDATE [MACHADO/BIRKHOFF]

Public Works Director Machado said the City of Parker met its requirements, regarding the Risk and Resilience Analysis and Emergency Response Plan, due to the U.S. Environmental Protection Agency (EPA) by June 30, 2021, and work is in progress on the Response Plan, due by December 31, 2021.

- SALES TAX [MEYER]

Mayor Pro Tem Meyer said there is no update at this time.

- SUBDIVISION(S) [MACHADO]

Public Works Director Machado said Parker Ranch Estates Phase 5 and Whitestone Estates phase 5 and 6 Preliminary Plats were scheduled for the Planning and Zoning (P&Z) Commission this Thursday, July 22, 2021, 7:00 PM and King's Crossing Phase 3 is in progress.

- THOROUGHFARE & OTHER MAPS UPDATE [MACHADO]

City Administrator Olson and Public Words Director Machado said work in is progress. The process is taking longer than anticipated as they are correcting and verifying information as they go, which requires reviewing past ordinances, etc.

Mayor Pettie asked if there were any items to be added to the future agenda.

The following items were suggested to be added to the Future Agenda Items (FAIs):

- 1) Formation of advisory committee on Municipal Complex [LYNCH/REED]

- 2) Water Rate Study Consultant w/referrals from Birkhoff [SLAUGHTER], and
- 3) Review of outside vendors/professions services contracts [SLAUGHTER].

Mayor Pettie asked if there were any additional items to be added to the future agenda. Hearing no requests, she encouraged everyone to email her any future requests. She noted the next regularly scheduled meeting would be Tuesday, August 3, 2021.

**EXECUTIVE SESSION** - Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

**13. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:**

- Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

Mayor Lee Pettie recessed the regular meeting to Executive Session at 8:51 p.m.

**14. RECONVENE REGULAR MEETING.**

Mayor Lee Pettie reconvened the meeting at 9:14 p.m.

**15. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.**

No action was taken.

**16. ADJOURN**

Mayor Lee Pettie adjourned the meeting at 9:15 p.m.

APPROVED:

\_\_\_\_\_  
Mayor Lee Pettie

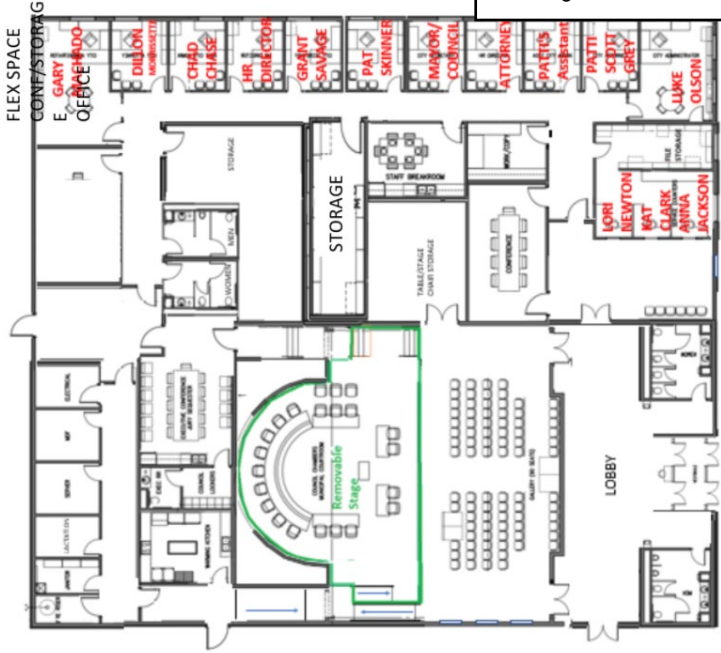
ATTESTED:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

Approved on the 3rd day  
of August, 2021.



# Parker Municipal Complex



Meeting Date: 08/03/2021 Item 1.

Exhibit 1



# Parker Municipal Complex

## Background

- Parker has Grown and the Current Facilities are Inadequate for the City's Needs
- Lots of Time has Been Spent to Review the Situation
- Unfortunately, the Previous Proposal (and Bond) was *not* Accepted by the Community

## Needs

- Pinpoint the Problem
- Evaluate the Current Condition
- Establish the Future State
- **Evaluate Options and Make Recommendations (in the past – one proposal)**
- **Develop Roadmap and Align with City Outlook (~8000 residents)**
- Initiate Construction Plan



# Parker Municipal Complex

A Number of Very Good Ideas Have Been Proposed Over the Past Two Months

Ideas are being Reviewed and the viability of Repurposing of the Current Facility

The Community is Getting Involved

However, We also need to utilize the **Specialized Skills** of our residents to Solidify the Proposals

- Needs Assessment  
(Although “NEEDS” documents have been drafted they have not been Verified)
- Architectural Input
- Engineering Evaluation/Confirmation
- Construction Experience
- Document Municipal Ordinance Compliances



# Parker Municipal Complex

We Realize Doing the Same Thing Will Not Result in a Different Outcome !

**This Project Needs more citizen involvement through a committee  
to make this project a success!**





## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: City Administrator Olson
Estimated Cost:	Date Prepared: July 28, 2021
Exhibits:	<ul style="list-style-type: none"> <li>• <a href="#"><u>JULY 11, 2017 CITY COUNCIL MEETING MINUTE EXCERPT</u></a></li> <li>• <a href="#"><u>MAY 18, 2021, CITY COUNCIL MEETING MINUTE EXCERPT</u></a></li> </ul>

### AGENDA SUBJECT

CONSIDERATION AND/OR POTENTIAL ACTION REGARDING THE REPLACEMENT OF SUBCOMMITTEE MEMBERS APPOINTED ON JULY 11, 2017, AND SUBSEQUENTLY UPDATED ON MAY 18, 2021, CONCERNING CITY CODE OF ORDINANCE REVIEW AND RECOMMENDATIONS.

### SUMMARY

The change Mayor Pettle and city staff is asking for is to change City Attorney Brandon Shelby to City Attorney. Mr. Shelby is no longer employed as City Attorney for the City of Parker. This is being asked to just have the position of City Attorney rather than an individual. The City of Parker currently has an Interim City Attorney, along with an RFQ for City Attorney services out. This will help streamline the process and keep the process of code review moving forward and subsequent actions to change attorneys name.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

#### Inter – Office Use

<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:		Date:	07/29/2021
Interim City Attorney:	<i>Scott D. Levine (Banowsky)</i>	Date:	07/29/2021 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021



**JULY 11, 2017 CITY COUNCIL MEETING MINUTE EXCERPT****3. DISCUSSION AND/OR DIRECTION ON REVIEW OF ALL ORDINANCES.  
[SHELBY]**

Brian Smith, 7228 Moss Ridge Circle, expressed concerns about the City's Code Enforcement, particularly in Moss Ridge Estates. Mr. Smith said he contacted his neighbor and reported numerous concerns in regard to his neighbor's property, 7234 Moss Ridge. He asked that the City Code be enforced and Moss Ridge Estates be monitored more closely.

Peggy Threadgill, 7233 Moss Ridge Road, said she agreed with her neighbor Brian Smith. Ms. Threadgill also asked that the City monitor and enforce the current City Code. Additionally, she asked City Council to consider the difference between acreage and residential subdivision properties with regard to the City Code of Ordinances.

Jim Threadgill, 7233 Moss Ridge Road, agreed with his wife, Peggy, and their neighbor Mr. Smith. He believes there are areas in Moss Ridge Estates that are in violation of the City Code of Ordinances, particularly addresses 7234 and 7252. Those properties were not being maintained. Mr. Threadgill reiterated the need for City Code enforcement in Moss Ridge Estates.

Annette Stone, 7266 Moss Ridge Road, agreed with the other Moss Ridge Estates residents and encouraged the City to continue monitoring code violations in Moss Ridge Estates.

Moss Ridge Estates residents indicated their concerns were not being acknowledged and to their knowledge residents, violating city code, were not even receiving letters to correct code issues. City Administrator Flanigan said he received approximately 40-50 possible code violations a week and he, his staff, and the city attorney were working diligently to resolve code violations they were made aware of in the City of Parker.

City Attorney Shelby said our city codes are enforced by Municipal Court. Certain procedures must be followed by City Staff. City Staff cannot trespass or violate the law to investigate possible code violations; however, City Staff may under proper circumstances obtain court orders to check private property. In regard to the City's Code of Ordinances, zoning code may be amended or revised, but public hearings are required. A regular review of the City's Code of Ordinances would be beneficial, as federal and state laws change among other factors. Mr. Shelby said if residents are trying to build a case, it would be helpful if they photographed alleged violations and reported those violations to the City. That would assist City Staff with enforcement.

Mayor Marshall said he asked City Administrator Flanigan to prepare a list of ordinances that require public hearings and have a more lengthy response time,

as well as other ordinances that can be handled more quickly. (See Exhibit 1 – List of requested ordinances, requiring public hearing and other ordinances.) The Mayor suggested forming a subcommittee consisting of himself, Councilmember Pettie, Councilmember Meyer, City Attorney Shelby and City Administrator Flanigan, to review the City Code of Ordinances to ensure compliance with state and federal laws, revising the Code for clarity, and editing for conflicts, and then return to City Council with recommendations.

MOTION: Councilmember Standridge moved to form a subcommittee consisting of Councilmember Pettie, Councilmember Meyer, City Administrator Flanigan and City Attorney Shelby to review the City's Code of Ordinances and return to City Council with recommendations. Councilmember Pettie seconded with Councilmembers Meyer, Pettie, Raney, and Standridge voting for the motion. Motion carried 4-0.

**MAY 18, 2021 CITY COUNCIL MEETING MINUTE EXCERPT****13. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 800, AMENDING ZONING REGULATIONS. [CITY CODE OF ORDINANCES, CHAPTER 156: ZONING REGULATIONS] [PETTLE/MACHADO/SHELBY]**

Mayor Pettle reviewed the lengthy process of reviewing the Zoning Regulations stating a City Council City Code of Ordinances Sub-Committee was formed July 11, 2017, (See Exhibit 5 – July 11, 2021 City Council Meeting Minute excerpt.).

MOTION: Councilmember Slaughter moved to

- table action on Ordinance No. 800, amending the Zoning Regulations;
- revise/update the Council Sub-Committee as follows, Mayor Lee Pettle, Mayor Pro Tem Cindy Meyer, City Attorney Brandon Shelby, and Public Works Director Gary Machado
- have the Council Sub-Committee meet with Planning and Zoning (P&Z) Commission's Sub-Committee to discuss/develop an agreed upon version with a red-lined comparison of changes with current City Code;
- have full City Council and full P&Z Commission meet and discuss proposed changes and produce a final agreed upon version;
- the final agreed upon version will then go to P&Z Commission for public hearing and final recommendation to City Council;
- City Council will have a public hearing, discuss and consider any Zoning Regulations amendment/revisions for possible approval.

Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey for Finance/HR Director Savage
Estimated Cost:	Date Prepared: July 27, 2021
Exhibits:	<ol style="list-style-type: none"> <li>1. <a href="#">Proposed Resolution</a></li> <li>2. <a href="#">FY 2021-2022 Proposed Tax Rate – Tuesday, August 3, 2021</a></li> <li>3. <a href="#">2021 Planning Calendar (Same as ITEMS OF COMMUNITY INTEREST)</a></li> <li>4. <a href="#">Collin County's Notice of Public Hearing</a></li> </ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-673 SETTING A PROPOSED TAX RATE; AND APPROVING DATES, TIMES AND A LOCATION FOR TWO PUBLIC HEARINGS ON THE PROPOSED FY 2021-2022 BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2021-2022 BUDGET AND APPROVAL OF A TAX RATE.

### SUMMARY

In compliance with Tax Code §26.06, public hearing(s) are required for the proposed tax rate. The first public hearing is scheduled for August 31 and the second public hearing is scheduled for September 7, if necessary, with final adoption planned for September 7.

A super majority quorum is required to adopt the tax rate on September 7.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Grant Savage</i>	Date:	07/29/2021
City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021

**RESOLUTION 2021-673**

*(2021 Preliminary Tax Rate and Public Hearing Schedule)*

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, SETTING A PROPOSED TAX RATE; AND APPROVING DATES, TIMES AND A LOCATION FOR TWO PUBLIC HEARINGS ON THE PROPOSED FY 2021-2022 BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2021-2022 BUDGET AND APPROVAL OF A TAX RATE.**

**WHEREAS**, the City of Parker is required to set a proposed ad valorem tax rate for 2021 and schedule two public hearings on the proposed budget and tax rate;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:**

**SECTION 1.** The City Council will hold a Public Hearing at 7:00 p.m. at Parker City Hall Council Chambers, 5700 E. Parker Road on August 31, 2021; and a second Public Hearing at 7:00 p.m. at Parker City Hall Council Chambers, 5700 E. Parker Road on September 7, 2021.

**SECTION 2.** The proposed ad valorem tax rate is \$0.\_\_\_\_\_ per hundred dollars valuation, to provide funding for the proposed budget for 2021-2022.

**SECTION 3.** The City Council will take action on the proposed budget and tax rate September 7, 2021, at 7:00 p.m. at 5700 E. Parker Road.

**SECTION 4.** This Resolution shall become effective upon its passage.

**APPROVED BY THE CITY OF PARKER, COLLIN COUNTY, TEXAS, THIS 3rd DAY OF AUGUST, 2021.**

APPROVED:

\_\_\_\_\_  
Lee Pettie, Mayor

ATTESTED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

\_\_\_\_\_  
Scott D. Levine, Interim City Attorney



# City Council Work Session FY 2021-2022 Proposed Tax Rate

Tuesday, August 3, 2021

Meeting Date: 08/03/2021 Item 3.

# FY 2021-2022 Proposed Tax Rate



Date	Budget Action
June	Department Heads Submit Budgets to Finance Manager
Tuesday, July 13	1st Budget Workshop
Tuesday, August 3	2nd Budget Workshop
Tuesday, August 3	Vote on Proposed Tax Rate - Regular Council Meeting
Friday, August 6	File Proposed Budget with City Secretary
Friday, August 6	Post Proposed Budget on City Website
Tuesday, August 31	1st Public Hearing on Proposed Tax Rate and Budget
Tuesday, September 7	2nd Public Hearing & Final Action on Tax Rate and Budget

Meeting Date: 08/03/2021 Item 3.

# FY 2021-2022 Proposed Tax Rate

## Senate Bill 2

- Passed by the Texas Legislature in 2019. Went into effect on January 1, 2020.
- Introduced new terminology
  - No-New-Revenue Tax Rate – Previously called the “effective tax rate”. This is the rate needed to raise the same amount of maintenance and operations property taxes on existing property as the previous year.
  - Voter-Approval Tax Rate – Previously called the “rollback tax rate” and was the rate necessary to raise precisely 8% more maintenance and operations tax revenue as the year before. SB 2 lowers the multiplier used in the rate calculation from 8% to 3.5%.



# FY 2021-2022 Proposed Tax Rate

## Senate Bill 2

- De minimis rate
  - New tax rate calculation designed to give smaller taxing units (cities with population below 30,000) flexibility to adopt a tax rate that generates \$500,000 more in property tax revenue than the previous year. Applying a 3.5% voter-approval rate in small communities restricts revenue growth to a nominal amount and the application of the lowered voter-approval rate created an unfair result for small towns.

# FY 2021-2022 Proposed Tax Rate

- Tax Rate Calculations

	2020	2021
No-New-Revenue Tax Rate	0.360198	0.349195
Voter-Approval Tax Rate (3.5%)	0.360515	0.360290
M&O Rate	0.329560	0.331870
Debt Tax Rate	0.036424	0.034114
De minimis Rate	0.394399	0.389999
Adopted Tax Rate	0.365984	

# FY 2021-2022 Proposed Tax Rate

- If proposed tax rate exceeds the “No-New Revenue” or “Voter-Approval Tax Rate”, a record vote is required and a Public Hearing on the Tax Rate scheduled.
- If the current tax rate of \$0.365984 is proposed, it would exceed both the “No-New Revenue” and the “Voter-Approval” tax rates. However, it falls below the “de minimis rate”.

# FY 2021-2022 Proposed Tax Rate

- Public Hearings on Tax Rate (if necessary)
  - These meetings will be held at City Hall on the following dates:
    - ✦ Tuesday, August 31 at 7:00
    - ✦ Tuesday, September 7 at 7:00



# Comments or Questions?

# CITY OF PARKER

## 2021 PLANNING CALENDAR

Meeting Date: 08/03/2021 Item 3.



<u>May</u>	Mailing of "Notices of Appraised Value" by Chief Appraiser.
<u>April 30</u>	The Chief Appraiser prepares and certifies to the Tax Assessor an estimate of the taxable value.
<u>May 15</u>	Deadline for submitting Appraisal Records to ARB.
<u>July 20</u>	Deadline for ARB to approve Appraisal Records.
<u>July 25</u>	Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.
<u>August</u>	Certification of anticipated collection rate by Tax Assessor Collector.
<u>July 25 - Aug.</u>	Calculation of No-New-Revenue Tax Rate and Voter-Approval Tax Rates.
<u>July 25 - Aug.</u>	Submission of No-New-Revenue and Voter-Approval Tax Rates to governing body from Tax Office.
<u>August 7</u>	Central Appraisal District's deadline to mail Transparency Website Postcard.
<u>August 16</u>	Deadline to call an election.
<u>August 23</u>	Deadline to adopt a tax rate above the Voter-Approval Tax Rate.
<u>July 30</u>	72 Hour Notice for Meeting (Open Meetings Notice).
<u>August 3</u>	<p><b>Meeting of Governing Body to Discuss Tax Rates.</b></p> <p>If proposed tax rate will exceed the No-New Revenue or Voter-Approval Tax Rate (whichever is lower), take record vote and schedule Public Hearing on the Tax Rate.</p> <p>Document record vote for "Notice of Public Hearing" (See "Governing Body Vote" Tab).</p>
<u>August 23</u>	<p><b>Publish the "Notice of Public Hearing"</b></p> <ul style="list-style-type: none"> <li>- Notice must be published in newspaper at least <b>five (5) days</b> before Public Hearing.</li> <li>- Notice must be posted on the Transparency Website, <a href="http://www.CollinTaxes.org">www.CollinTaxes.org</a>, at least five (5) days before Public Hearing.</li> <li>- Notice must be posted prominently on the homepage of the entity's website at least seven (7) days before Public Hearing.</li> </ul>
<u>August 23</u>	<b>Post "Notice of Tax Rates"</b> prominently on the homepage of entity's website seven (7) days before Public Hearing.
<u>August 27</u>	72 Hour Notice for Meeting (Open Meetings Notice).
<u>August 31</u>	<p><b>Public Hearing</b> At least five (5) days after publication of "Notice of Public Hearing."</p> <p>Tax rate can be adopted at this meeting. If not adopted at this meeting, announce the date and time of the meeting to vote to be held within <b><u>seven (7) days of Public Hearing.</u></b></p>
<u>September 3</u>	72 Hour Notice for Public Hearing (Open Meetings Notice).
<u>September 7</u>	<p><b>Meeting to Vote on Tax Rate</b> if tax rate was not adopted at the previous Public Hearing.</p> <p>Meeting to vote can be no later than <b>seven (7) days</b> after Public Hearing on tax rate.</p> <p>If tax rate is not adopted at the Public Hearing, it must be adopted at this meeting.</p>
<u>Noon on September 15</u>	<b>Deadline to submit the signed Tax Rate Ordinance to the Collin County Tax Office.</b>

# CITY OF PARKER

## INFORMATION NEEDED FOR THE PUBLICATION OF THE NOTICE OF PUBLIC HEARING

The "Notice of Public Hearing" must be published at least five days prior to the hearing or meeting to vote.

Proposed Tax Rate: M&O: \_\_\_\_\_  
 I&S: \_\_\_\_\_  
 TOTAL TAX RATE: \_\_\_\_\_

### PUBLIC HEARING WITH VOTE ON TAX RATE:

Date: 8/31/2021 Place: City Hall  
 Time: 7:00 PM Address: 5700 E. Parker Rd  
Parker, TX 75002

**OR**

### PUBLIC HEARING WITH SEPARATE MEETING TO VOTE:

Date: 8/31/2021 Place: City Hall  
 Time: 7:00 PM Address: 5700 E. Parker Rd  
Parker, TX 75002

*If the governing body does not vote on the proposed tax rate at the public hearing, the governing body shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate. Texas Property Tax Code, Section 26.06 (d)*

*Meeting to vote must be held **no later than the seventh day after the date of the public hearing.***

### **MEETING TO VOTE:**

Date: 9/7/2021 Place: City Hall  
 Time: 7:00 PM Address: 5700 E. Parker Rd  
Parker, TX 75002

*When scheduling the Public Hearing and meeting to vote, please keep in mind that the Tax Office must receive a copy of the Ordinance adopting the 2021 tax rate no later than **Noon on September 15, 2021**.*

Please complete the information on the "Governing Body Vote" tab along with the "Notice of Public Hearing" tab.

The Notice of Public Hearing must be posted on the homepage of the entity's website 7 days prior to the Public Hearing until the tax rate is adopted.

***Submission of this document confirms acknowledgement that the Tax Rate Calculation Worksheet is approved to be uploaded to the Transparency Website at [www.collintaxes.org](http://www.collintaxes.org).***

***It is the responsibility of the Taxing Unit to log into the Transparency Website to review and respond to the Tax Authority Feedback.***



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey for Finance/HR Director Savage
Estimated Cost:	Date Prepared: July 27, 2021
Exhibits:	<ul style="list-style-type: none"> <li><a href="#">Certified Public Accounting Firms/Auditors Selection RFQ</a></li> </ul>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ADVERTISING REQUEST FOR QUALIFICATIONS (RFQS) FOR CERTIFIED PUBLIC ACCOUNTING FIRMS/AUDITORS.

### SUMMARY

Please review information provided.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

#### Inter – Office Use

<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Grant Savage</i>	Date:	07/29/2021
Interim City Attorney:	<i>Scott D. Levine (Banowsky)</i>	Date:	07/29/2021 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021



## **City of Parker Municipal Budget Request for Qualifications**

The City of Parker is issuing this Request for Qualifications for certified public accounting firms who provide auditing services to general law cities within the state of Texas. Parker rotates its auditing services on a three to five year basis, although contracts with the auditing firms are executed on a yearly basis. The first term for the audit requested will be for the fiscal year ending September 30, 2021.

The City requests that the firm submitting their qualifications provide the following:

- a. A calendar of audit events, including the date of anticipated delivery of the auditor's opinion for the calendar year ending September 30, 2021.
- b. Names and qualifications of audit personnel anticipated to be on site at Parker City Hall.
- c. Anticipated charges for the services described below.

The City of Parker anticipates the auditor's services will include the following:

- a. The auditors will provide a written opinion as to the financial statements of the City of Parker or, in all material respects, in conformity with United States generally accepted accounting principles, as they relate to Government Auditing Standards.
- b. The auditors will provide a report that does not include an opinion on internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, non-compliance with which could have a material effect on the financial statements as required by Government Auditing Standards.
- c. Conditioned on adequate presentation of data by the City, the auditor will prepare a draft of the city's financial reports and related notes.
- d. The auditors will examine, on a test basis, evidence supporting the amounts and disclosures on the financial statements.
- e. The auditors will review the internal control measures of the City sufficiently to plan the audit in order to determine the nature, timing, and extent of the auditing procedures.

All responses to the Request for Qualifications should be sent to Grant Savage, Finance/HR Director, Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. Please provide the original and two copies of your response. All responses are due at Parker City Hall on or before July 30, 2021, at 10:00 AM. Questions may be faxed (972-442-2894) or emailed ([gsavage@parkertexas.us](mailto:gsavage@parkertexas.us)) to Grant Savage.



## Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Public Works
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:	Date Prepared: July 28, 2021
Exhibits:	<ol style="list-style-type: none"> <li>1. Craig M. Kerkhoff, P.E., C.F.M letter, July 19, 2021</li> <li>2. Development Application</li> <li>3. Waiver w/Fee receipt</li> <li>4. Preliminary Plat</li> </ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH ESTATES PHASE 5 PRELIMINARY PLAT.

### SUMMARY

Please review the information provided for Parker Ranch Estates Phase 5 Preliminary Plat, 37 Single Family Residential Lots and 2 common areas, Lots 1, 6-16, Block E; Lots 26, 27X, Block F, Lots 1-10, Block H, Lots 1-9, Block I; and Lots 1X, 2-6, Block J; being 85.736 acres situated in the James Bradley Survey, Abstract No. 89, City of Parker, Collin County, Texas.

Planning and Zoning (P&Z) Commission recommended approval 4-0 (Wright, Lozano, Leamy, and Crutcher).

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor	<i>Gary Machado</i>	Date:	07/1292020
Interim City Attorney:	<i>Scott D. Levine (Banowsky)</i>	Date:	07/29/221 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2020

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600      Dallas, Texas 75243      Fax (214) 461-8390      Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E.  
JOE R. CARTER, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.  
DEREK B. CHANEY, P.E.  
CRAIG M. KERKHOFF, P.E.

July 19, 2021

Mr. Gary Machado  
City Administrator  
City of Parker  
5700 E. Parker Rd.  
Parker, Texas 75002

Re: Parker Ranch Estates – Phase 5

Dear Mr. Machado:

As you requested, we have reviewed the Engineering Plans for the Parker Ranch Estates – Phase 5 development prepared by Westwood Professional Services, Inc.

Our review of the Engineering Plans is for general compliance with the City of Parker's development requirements and good engineering practice, and does not relieve the engineer of record of his responsibilities under the Texas Engineering Practice Act.

We offer no further comments for the plans submitted for Phase 5.

We are available to discuss our review comments further at your convenience.

Sincerely,



Craig M. Kerkhoff, P.E., C.F.M.



## DEVELOPMENT APPLICATION

### City of Parker, Texas

Proposed Name of Subdivision: PARKER RANCH PHASE 5

Plat Approval Requested      Filing Fee  
**\$800 + \$30/Ac x 85.736 Ac = \$3,372.08**

- ☒ Preliminary Plat      \$800.00 + \$30/acre  
☐ Site Plan      \$300.00 + \$25/acre  
☐ Replat/Amended      \$500.00 plus \$15/lot

- ☐ Final Plat      \$800.00 + \$30/acre  
☐ Minor Plat (5 acres or less)      \$500.00 + \$100/lot  
☐ Development Plat      \$300.00 + \$30/acre

Physical Location of Property: West of Chaparral Rd & Malone Rd.

(Address and General Location – Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bound description to application):  
West of Chaparral Rd & Malone Rd.

(Survey/Abstract No. and Tracts: or platted Subdivision Name with Lot/Block)

Acreage: 85.736 Ac      Existing # of Lots/Tracts: 37 Lots, 2 HOA      Existing Zoning: SFT Ord. 546  
(If a PD, include the Ordinance with application)

Property Owner's Name: First Texas Homes, Inc.

Phone Number: 214-613-3400

Applicant/Contact Person: Justin Zuniga

Title: \_\_\_\_\_

Company Name: First Texas Homes, Inc.

Street/Mailing Address: 500 Crescent Court, Suite 350

City: Dallas

State: TX

Zip: 75201

Phone: 214-613-3400

Fax: \_\_\_\_\_

Email Address: jzuniga@firsttexashomes.com

Engineering Company: Westwood Professional Services

Contact Person: Matthew Lee, P.E.

Title: Project Manager

Street/Mailing Address: 2740 Dallas Parkway, Suite 280

City: Plano

State: TX

Zip: 75093

Phone: 214-473-4640

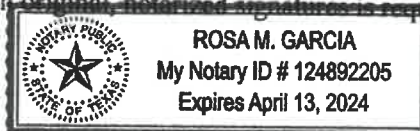
Fax: \_\_\_\_\_

Email Address: matthew.lee@westwoodps.com

**\*\* READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS      )(

COUNTY OF COLLIN      )(



BEFORE ME, a Notary Public, on this day personally appeared Justin Zuniga  
the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly  
authorized agent of the owner, (Proof must be attached, e.g. "Power of Attorney") for the purposes of this  
application; that all information submitted herein is true and correct. I understand that submitting this  
application does not constitute approval, and incomplete applications will result in delays and possible denial."

Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this 3<sup>rd</sup> day of November, 2020.

Notary Public in and for the State of Texas: Rosa M Garcia

Over

**WAIVER OF EXPEDITION**

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

APPLICANT:

  
(Signature)

Name: J. ZUNIGATitle: LAND DEPARTMENTPhone: 469.446.5135Address: 500 Crescent CourtSuite 350Dallas, TX 75201

Date: \_\_\_\_\_

CITY OF PARKER:

RECEIVED BY:

\_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

☒ Corporation; \_\_\_\_\_ Partnership;  
☐ Individual; or  
☐ Other (description)

**SUBMITTAL DEADLINES:** Twenty eight (28) days prior to the Planning and Zoning Commission Meeting Date. Planning and Zoning Commission meets the second and fourth Thursday of each month.

**SUBMISSIONS.** Failure to submit all materials (including three sets of bound engineering plans) to the City with this application will result in delays scheduling the agenda date. Submit twelve (12) FOLDED to 8 1/2" X 11" copies of 24" X 36" prints [1"=100' scale] + electronic version in .jpeg, .tiff, or .pdf format. Applicant is to submit a complete copy of this application and drawings to the City Engineer

**ALL APPLICATIONS MUST BE COMPLETE BEFORE THEY WILL BE PLACED ON A CITY AGENDA.** It is the applicant's responsibility to be familiar with and to comply with, all City submittal requirements in the Zoning and Subdivision Ordinance ([www.parkertexas.us](http://www.parkertexas.us)), and any separate submittal policies, requirements and/or checklists that may be obtained from City staff)

**NOTICE OF PUBLIC RECORDS:** The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e. copy) such documents.

**SUBMITTAL FEES:** All fees are due and payable at the time of application, except inspection, engineering and legal fees, which are due at the time of pre-Construction meeting with the City. No construction shall take place prior to the pre-construction meeting and submission of certified construction cost bid(s) by the contractor(s) and Owner. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been accomplished. Fees are non-refundable regardless of outcome of request.

**City Contact Information:**

**Public Workers Superintendent**  
**City of Parker, Texas**  
**5700 E. Parker Road \* Parker, Texas 75002**  
**Phone 972-442-6811 \* Fax 972-442-2894 \* [www.parkertexas.us](http://www.parkertexas.us)**

OFFICE USE ONLY This submittal meets the City of Parker's requirements per City ordinances for processing.

Signature \_\_\_\_\_

Title \_\_\_\_\_

OFFICIAL SUBMISSION DATE \_\_\_\_\_

Fees Paid \$ \_\_\_\_\_ Check # \_\_\_\_\_ From : \_\_\_\_\_

P&Z Agenda Date: \_\_\_\_\_ Action: \_\_\_\_\_ CC Agenda Date: \_\_\_\_\_ Action: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_ Date Approved: \_\_\_\_\_

Staff Comments forwarded to applicant on: \_\_\_\_\_ Revisions Due no later than: \_\_\_\_\_

Plans routed for review on \_\_\_\_\_, to: ☐ Public Works Director

☐ City Engineer

☐ Building Official

☐ Fire Department

Public Hearing Required: ☐ Yes ☐ No

Paper Notice \_\_\_\_\_ (date)

Written Notice \_\_\_\_\_ (date)

City of Parker \* 5700 E. Parker Road, Parker, Texas 75002 972-442-6811 Fax 972-442-2894 [www.parkertexas.us](http://www.parkertexas.us)

**SUBMITTAL REQUIREMENTS:**

Failure to submit all materials to the City with complete application will result in delays scheduling the agenda date.

- ☒ Five (5) FOLDED copies of drawing(s) 24" X 36" [1"=100' scale]
- ☒ Twelve (12) FOLDED 11 X 17
- ☒ Three (3) Complete Engineering Plans (if applicable)
- N/A ☐ Three (3) General Tree Survey
- ☒ Property Metes and Bounds on 8 ½ X 11 Sheet
- ☒ Proof of Ownership (Warranty Deed or Tax Certificate)
- ☒ Power of Attorney

The face of the plat shall show the following:

- ☒ Date of preparation
- ☒ Scale of plat
- ☒ North arrow
- ☒ Name and address of:
  - o Applicant
  - o Engineer or Surveyor responsible for preparation of plat
- ☒ Survey and abstract with tract designation
- ☒ Location of major and/or secondary thoroughfares located with or adjacent to the property.
- ☒ Location of existing or platted streets within and adjacent to the existing property
- ☒ Location of existing right-of-ways, utility and/or drainage easements.
- ☒ Vicinity map showing location of tracts by reference to existing streets or highways.
- ☒ Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision. The subdivision boundary shall be construed to include the part of adjacent boundary streets which were previously established by dedication or purchase from the tract being subdivided.
- ☒ Legal description of the property to be subdivided, and metes and bounds description of the subdivision perimeter.
- ☒ Primary control points or descriptions, and ties to such control points to which all dimensions, angels, bearings, block numbers and similar data shall be referred.
- ☒ Names of the owners of contiguous parcels of un-subdivided land, and names of contiguous subdivisions and the County Recorder's book and page number thereof, and the lot patterns of these subdivisions.
- ☒ Location of the city limits lines, the outer border of the City's extraterritorial jurisdiction and zoning district boundaries, if they traverse the subdivision, or form part of the boundary of the subdivision, or are contiguous to such boundary.
- ☒ If there is no adjacent subdivision, a map on a small scale shall be included with the preliminary plan, and oriented the same way, to show the nearest subdivision in each direction; it shall show how the streets, alleys, or highways in the subdivision submitted may connect with those in the nearest subdivision, if situated within two thousand (2,000) feet of the proposed subdivision.
- ☒ All other data required by the Zoning and Subdivision Ordinances, available for view at [www.parkertexas.us](http://www.parkertexas.us).





January 8, 2004

Development Services

City of Parker  
Betty McMenemy, City Administrator  
5700 E. Parker Rd.  
Parker, TX 75002

Dear Ms. McMenemy:

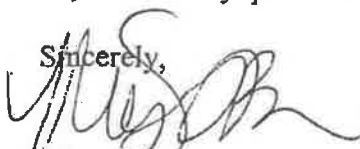
Please let this letter serve as a reminder that every subdivided plat of land that will utilize On-Site Sewage Facilities (OSSFs) for wastewater disposal (in the ETJ as well as within your City limits) **MUST** be signed off by Collin County Development Services, prior to gaining final approval, or the plat is invalid.

The TCEQ regulation section 285.4(c) states that, "Before the permit process for individual OSSFs can begin, persons proposing residential subdivisions, manufactured housing communities, multi-unit residential developments, business parks or other similar uses and using OSSFs for sewage disposal shall submit planning materials for these developments to the permitting authority." Collin County is the permitting authority for all unincorporated land, ETJ, and in certain city limits (through adoption of an interlocal agreement). "The planning materials shall be prepared by a professional engineer or professional sanitarian and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells, location of easements, and a complete report detailing the types of OSSFs to be considered, and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials. The permitting authority will either approve or deny the planning materials in writing within 45 days of receipt." Collin County charges a \$150.00 fee for subdivision plat review.

Please make sure that the on-site sewage facility review remains part of your city's platting workflow process, so that we can assure that our subdivisions are compliant with state regulations.

If you have any questions please call me at 972-548-5585.

Sincerely,

  
Misty Brown

Development Services Division Manager

825 N. McDonald St., Ste. 170, McKinney, Texas 75069 • [www.co.collin.tx.us](http://www.co.collin.tx.us)  
(972) 548-5585 • (972) 424-1460 Ext. 5585 (Metro) • (972) 548-5555 FAX





**Public Services & Operations**

December 9, 2004

Betty McMenamy, City Administrator  
City of Parker  
5700 E. Parker Rd  
Parker, TX 75002

Re: Request to be present at subdivision hearings.

Dear Mrs. McMenamy

This letter is to request that Collin County be informed of any upcoming preconstruction hearings regarding sub-divisions fronting county roads in your city. Collin County would like to have a representative present at these hearings. Please direct any correspondence to: James Lorange @ 972-548-3712 or [jlorance@co.collin.tx.us](mailto:jlorance@co.collin.tx.us) or Bobby Jones @ 972-548-3743 or [bjones@co.collin.tx.us](mailto:bjones@co.collin.tx.us).

Thanks,

Bobby Jones, Utility Construction Inspector

**First Texas Homes**

Meeting Date: 08/03/2021 Item 5.

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
11-04-20	PR5.PRELIM	PR5 PRELIM PLAT 37	3372.08	.00	3372.08
CHECK DATE	11-04-20	CHECK NUMBER	297621	TOTAL >	3372.08
				.00	3372.08

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

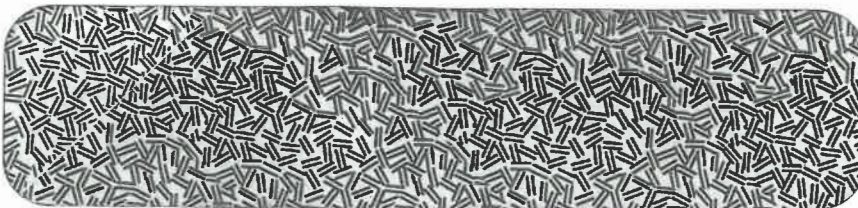
**First Texas Homes**500 Crescent Court #350  
Dallas, Texas 75201Frost Bank  
Dallas, Texas

DATE	CHECK NO.	AMOUNT
November 4, 2020	297621	\$*****3,372.08

Pay: \*\*\*\*\*Three thousand three hundred seventy-two dollars and 08 cents

PAY  
TO THE  
ORDER OF  
CITY OF PARKER

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

pick up  
Justin Z.



20200714001090270

07/14/2020 02:21:42 PM D1 1/6

Meeting Date: 08/03/2021 Item 5.

**AFTER RECORDING RETURN TO:**

City of Parker, Texas  
 5700 E. Parker Road  
 Parker, Texas 75002

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

**Effective Date:** 07/13 June 2, 2020

**Grantor:** First Texas Homes, Inc., a Texas corporation

**Grantor's Mailing Address:** 500 Crescent Court, Suite 350, Dallas, Texas 75201

**Grantee:** City of Parker, Texas

**Grantee's Mailing Address:** 5700 E. Parker Road, Parker, Texas 75002

**Consideration:** Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):** Being a 1.50 acre tract of land located in Parker, Collin County, Texas, as more particularly described on Exhibit A attached hereto and incorporated herein.

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:** Validly-existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the year 2020, and subsequent years; validly-existing utility easements created by the dedication deed or plat of the subdivision in which the Property is located; validly existing reservations or exceptions approved in writing by Grantee and described in Schedule B of the Owner Policy for Title Insurance issued to Grantee as part of this transaction; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or community property or survivorship rights, if any, of any spouse of Grantee; and any validly-existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d)

statutory water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold unto Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Grantor:

First Texas Homes, Inc.,  
a Texas corporation

By: \_\_\_\_\_

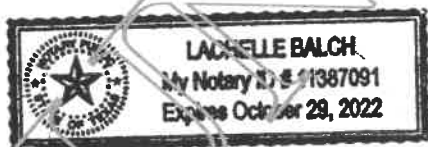
Name: Keith Hardesty

Title: Division President

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on April 30, 2020, by Keith Hardesty, Division President of First Texas Homes, Inc. a Texas corporation



Rachelle Balch  
Notary Public, State of Texas

**EXHIBIT A**

**LEGAL DESCRIPTION  
PARKER RANCH PHASE 5  
WATER TOWER SITE - 1.500 ACRE  
CITY OF PARKER, COLLIN COUNTY, TEXAS**

**BEING** a 1.500 acre tract of land situated in the James Bradley Survey, Abstract No. 89, City of Parker, Collin County, Texas, and being part of the 204.433 acre tract of land conveyed to First Texas Homes Inc. by deed of record in Instrument No. 20141229001413160 of the Official Public Records of Collin County, Texas, said 1.500 acre tract being more particularly described as follows:

**COMMENCING** at a 5/8" capped iron rod found in the southeasterly right-of-way line of Lynwood Drive, a 60-foot right-of-way; said point being at the northeast corner of Lot 25, Block F, Parker Ranch Estates Phase 3, an addition to the City of Parker, Collin County, Texas, according to the plat thereof recorded in Volume 2018, Page 222, of the Official Public Records of Collin County, Texas;

**THENCE** South 21 degrees 22 minutes 41 seconds East, along the northeast line of said Lot 25, Block F, a distance of 298.59 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" set at the TRUE POINT-OF-BEGINNING;

**THENCE** departing the said northeast line of Lot 25, Block F, over and across said 204.433 acre tract, the following courses and distances:

North 71 degrees 56 minutes 02 seconds East, a distance of 279.92 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" set at the beginning of a non-tangent curve to the left;

Along said non-tangent curve to the right having a radius of 1,000.00 feet, and an arc length of 232.53 feet (chord bears South 07 degrees 55 minutes 16 seconds East, 232.01 feet) to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" set at the end of said curve;

South 01 degrees 15 minutes 34 seconds East, a distance of 63.92 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" set for corner in the south line of said 204.433 acre tract and being in the north line of a 150.38 acre tract of land conveyed to Donihoo Farms, LTD. by deed of record in Instrument No. 20150630000791540 of the Official Public Records of Collin County, Texas; said point being South 89 degrees 16 minutes 29 seconds West, a distance of 322.13 feet from a 1/2" capped iron rod found at the southwest corner of a 1.5 acre tract of land conveyed to the City of Parker, by deed of record in Instrument No. 20141218001376850, of said Official Public Records;

**THENCE** South 89 degrees 16 minutes 29 seconds West, along the said south line of the 204.433 acre tract and the said north line of the 150.38 acre tract, a distance of 217.45 feet to a 5/8" capped iron rod found for corner at the southeast corner of said Lot 25, Block F;

## EXHIBIT A

**THENCE** North 21 degrees 22 minutes 41 seconds West, departing the said south line of the 204.433 acre tract and the said north line of the 150.38 acre tract, along said northeast line of Lot 25, Block F, a distance of 225.14 feet to the **POINT-OF-BEGINNING**, containing 65,340 square feet or 1.500 acres of land.

**BEARINGS FOR THIS DESCRIPTION CITED ARE BASED ON GRID NORTH STATE PLANE COORDINATES OF THE TEXAS COORDINATE SYSTEM NAD83 (COR96) TEXAS NORTH CENTRAL ZONE (4202), NAVD88.**

Date: March 13, 2020

R. Groysman  
Roman L. Groysman  
Registered Professional Land Surveyor  
Texas Registration No. 5864



UNOFFICIAL





UNOFFICIAL

Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
07/14/2020 02:21:42 PM  
\$46.00 DKITZMILLER  
20200714001090270



*Stacey Kemp*



1403106-MCCB

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

### SPECIAL WARRANTY DEED

THE STATE OF TEXAS    §  
                                       §  
 COUNTY OF COLLIN     §

THIS SPECIAL WARRANTY DEED (this "Deed") is made as of December 19, 2014, by GRAHAM MORTGAGE CORPORATION ("Grantor"), to FIRST TEXAS HOMES, INC. ("Grantee"), whose address is 500 Crescent Court, Suite 350, Dallas, Texas 75201.

1. Conveyance and Warranty of Title.

Grantor GRANTS, SELLS, and CONVEYS to Grantee, subject to the Permitted Exceptions (as defined below), all of the real property more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with (i) the improvements thereon and all of Grantor's rights to appurtenances, easements, adjacent streets and alleys, strips, and gores, (ii) all of Grantor's right, title and interest in and to any personal property located thereon, and (iii) all of Grantor's right, title and interest in and to any warranties, guaranties and other intangible property related to such real property (collectively, the "Property").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions together with all and singular the rights and appurtenances thereto in anywise belonging, to Grantee, its successors and assigns, forever; and Grantor binds itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

2. Permitted Exceptions.

This Deed is made, and is accepted by Grantee, subject to the restrictions, easements, covenants and encumbrances described on Exhibit B attached hereto and incorporated herein by reference for all purposes (the "Permitted Exceptions").

3. "AS-IS"

EXCEPT AS EXPRESSLY SET FORTH IN THAT CERTAIN CONTRACT OF COMMERCIAL SALE BY AND BETWEEN GRANTOR AND GRANTEE DATED EFFECTIVE JULY 30, 2014 (THE "CONTRACT") AND THE DOCUMENTS DELIVERED AT CLOSING, IT IS UNDERSTOOD AND AGREED THAT GRANTOR IS NOT MAKING AND HAS NOT, AT ANY TIME, MADE ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING BUT NOT LIMITED TO WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE (OTHER THAN GRANTOR'S WARRANTY OF TITLE TO BE SET FORTH HEREIN), ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITION, UTILITIES, OPERATING HISTORY OR PROJECTIONS, VALUATION, GOVERNMENTAL APPROVALS, THE COMPLIANCE OF THE PROPERTY WITH GOVERNMENTAL LAWS, THE TRUTH, ACCURACY OR COMPLETENESS OF THE ITEMS DELIVERED TO GRANTEE UNDER THE CONTRACT, OR OF ANY OTHER INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR TO GRANTEE, OR ANY OTHER MATTER OR THING REGARDING THE PROPERTY. EXCEPT AS EXPRESSLY SET FORTH IN THE CONTRACT AND THE DOCUMENTS DELIVERED AT CLOSING, GRANTEE ACKNOWLEDGES AND AGREES THAT UPON CLOSING, GRANTOR SHALL SELL AND CONVEY TO GRANTEE AND GRANTEE SHALL ACCEPT THE PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS." GRANTEE WILL NOT RELY ON, AND GRANTOR IS NOT LIABLE FOR OR BOUND BY ANY OTHER EXPRESS OR IMPLIED WARRANTIES, GUARANTIES, STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY OR RELATING THERETO, MADE OR FURNISHED BY GRANTOR OR ANY REAL ESTATE BROKER OR AGENT REPRESENTING OR PURPORTING TO REPRESENT GRANTOR TO WHOMEVER MADE OR GIVEN, DIRECTLY OR INDIRECTLY, VERBALLY, ORALLY OR IN WRITING. GRANTEE REPRESENTS TO GRANTOR THAT GRANTEE HAS CONDUCTED SUCH INVESTIGATIONS OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AS GRANTEE DEEMS NECESSARY TO SATISFY ITSELF AS TO THE CONDITION OF THE PROPERTY AND THE EXISTENCE OR NONEXISTENCE OF CURATIVE ACTIONS TO BE TAKEN WITH RESPECT TO ANY HAZARDOUS OR TOXIC SUBSTANCES ON OR DISCHARGED FROM THE PROPERTY, AND WILL RELY SOLELY UPON SAME AND NOT UPON ANY INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR OR ITS AGENTS OR EMPLOYEES WITH RESPECT THERETO, EXCEPT AS EXPRESSLY SET FORTH IN THE CONTRACT OR IN ANY DOCUMENTS DELIVERED AT CLOSING.

[signature page follows]

EXECUTED as of the date of acknowledgement below, but made to be effective as of the date first written above.

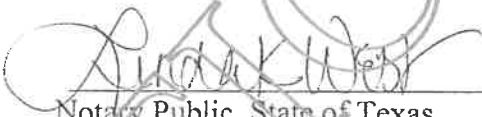
**GRANTOR:**

**GRAHAM MORTGAGE CORPORATION,**  
a Texas corporation

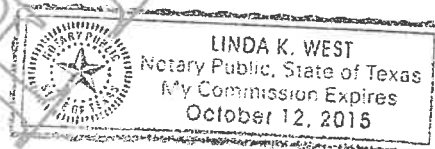
By:   
Name: Dean Castelano, President  
Title: \_\_\_\_\_

STATE OF TEXAS           §  
                                     §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on December 18, 2014, by Dean Castelano, President, the \_\_\_\_\_ of Graham Mortgage Corporation, a Texas corporation, on behalf of said corporation.

  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_



**EXHIBIT "A"**

Being a 205.9329 acre tract of land situated in the J.S. Bradley Survey, Abstract No. 89 and the J. Snider Survey, Abstract No. 848, in the City of Parker, Collin County, Texas and being a part of a 319.021 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 2010080300798510, Official Public Records, Collin County, Texas and a part of a Remainder of a 105.992 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 20101116001248230, Official Public Records, Collin County, Texas, said 205.9329 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** at the northwest corner of a tract of land conveyed as Tract 1 to Allen Independent School District by deed recorded in Instrument No. 20090521000619350, Deed Records, Collin County, Texas from which a 1/2 inch iron rod with red plastic cap stamped "TIPTON" bears South 21° 35' 20" West, a distance of 0.68 feet, same being on the common northeast corner of the remainder of said Graham 105.992 acre tract on the south line of Bethany Ridge Estates III, Phase A, an addition to the City of Allen according to the plat recorded in Cabinet J, Page 800, Plat Records, Collin County, Texas;

**THENCE** South 00° 23' 20" East, along the west line of said Allen Independent School District tract and the common east line of said remainder tract, a distance of 1320.95 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD" found for the southwest corner of said Allen Independent School District tract and the common southeast corner of said remainder tract, same being on the north line of said 319.021 acre tract;

**THENCE** North 89° 16' 48" East, along the north line of said 319.021 acre tract and the common south line of said Allen Independent School District tract, a distance of 1815.00 feet to an "X" Cut in concrete found for the northeast corner of said 319.021 acre tract, same being on Malone Road (a 30 foot Right-of-Way) as recorded in Volume 4214, Page 1763 and Volume 4244, Page 3622, Deed Records Collin County, Texas;

**THENCE** along the east line of said 319.021 acre tract, the following courses and distances:

South 00° 23' 13" East, a distance of 1661.24 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 00° 16' 51" West, a distance of 959.31 feet to a 1/2 inch iron rod with yellow plastic cap found for the southeast corner of said 319.021 acre tract;

**THENCE** South 89° 16' 29" West, along the south line of said 319.021 acre tract and the common north line of Parker Estates Associates, on addition to the City of Allen according to the plat recorded in Volume 1901, Page 390, Plat Records, Collin County, Texas, a distance of 2787.53 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner in the north line of said Parker Estates Addition and the common northeast corner of Sycamore Estates, an addition to the City of Allen, according to the plat recorded in Volume 11, Page 59, Plat Records, Collin County, Texas;

**THENCE** along the west line of said Remainder tract, the following courses and distances:

North 09° 56' 50" West, a distance of 880.07 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 80° 03' 10" East, a distance of 330.55 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 09° 56' 50" West a distance of 846.92 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner and the beginning of a tangent curve to the right having a central angle of 09° 13' 31", a radius of 1340.30 feet and a long chord that bears North 05° 20' 05" West, a distance of 215.57 feet;

Along said tangent curve to the right, an arc distance of 215.81 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 00° 43' 19" West, a distance of 670.83 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 89° 16' 41" West, a distance of 907.44 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 00° 41' 20" West, a distance of 275.00 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

North 77° 25' 43" West, a distance of 213.14 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 89° 16' 41" West, a distance of 36.07 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner and being in the east line of a tract of land conveyed Kimberly Bolin by deed recorded in County Clerk's File No. 20070717000986660, Deed Records, Collin County, Texas;

North 00° 44' 50" West, a distance of 294.19 feet to a 1/2 inch iron rod found for the northeast corner of a 1.137 acre tract of land conveyed to Elizabeth Bolin by deed recorded in County Clerk's File No. 20070717000986670, Deed Records, Collin County, Texas;

North 89° 16' 40" East, a distance of 1491.20 feet to a bent 1/2 inch iron rod found for the southeast corner of a tract of land conveyed to Allen Independent School District by deed recorded in Volume 3914, Page 1347, Deed Records, Collin County, Texas;

**THENCE** North 00° 42' 53" West along the west line of said 105.992 acre tract and the common east line of said Allen Independent School District tract, a distance of 679.95 feet to a 1/2 inch iron rod with cap stamped "CORWIN" found for the northwest corner of said 105.992 acre tract;

THENCE North 89° 16' 33" East along the north line of said 105.992 acre tract and the common south line of said Bethany Ridge Estates III Phase A, a distance of 634.16 feet the POINT OF BEGINNING and containing 8,970,435 square feet or 205.9329 acres more or less.

**SAVE AND EXCEPT:**

Being a 1.500 acre tract of land situated in the J.S. Bradley Survey, Abstract No. 89, in the City of Parker, Collin County, Texas and being a part of a 319.021 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 2010080300798510, Official Public Records, Collin County, Texas, a part of the Remainder of a 105.992 acre tract of land conveyed to Graham Mortgage Corporation by deed recorded in Instrument No. 20101116001248230, Official Public Records, Collin County, Texas, said 1.500 acre tract being more particularly described by metes and bounds as follows:

COMMENCING, at a 1/2 inch capped iron rod found for the southeast corner of said 319.021 acre tract, the southwest corner of Easy Acres Addition, an addition to the City of Parker, Texas, recorded in Volume 6, Page 87, Deed Records Collin County, Texas, situated in the D. Hearn Survey, Abstract No. 427, the northwest corner of Parker Estates, an Addition to the City of Parker, Texas, recorded in Volume 10, Page 28, Plat Records Collin County, Texas, situated in the G. Gunnell Survey, Abstract No. 350, and the northeast corner of Parker Estates Associates recorded in Volume 1901, Page 930, Plat Records Collin County, Texas;

THENCE South 89 Degrees 16 Minutes 29 Seconds West, along the common north line of said Parker Estates Associates tract and the south line of said 319.021 acre tract, a distance of 397.76 feet to the Point of Beginning a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

THENCE South 89 Degrees 16 Minutes 29 Seconds West, along the common north line of said Parker Estates Associates tract and the south line of said 319.021 acre tract, a distance of 216.00 feet to a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

THENCE departing said common line, and over and across said 319.021 acre tract the following courses and distances;

North 00 Degrees 43 Minutes 31 Seconds West, a distance of 302.50 feet to a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

North 89 Degrees 16 Minutes 29 Seconds East, a distance of 216.00 feet to a 5/8 inch capped iron rod stamped "Westwood PS" set for corner;

THENCE South 00 Degrees 43 Minutes 31 Seconds East, a distance of 302.50 feet to the POINT OF BEGINNING and containing 65,340 square feet or 1.500 acres more or less.

**Exhibit B**

- (1) Easement executed by S. S. Ballew to American Telephone and Telegraph Company, dated December 18, 1928, filed December 19, 1928, recorded in Volume 274, Page 101, of the Deed Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (2) Easement executed by Emma Jean Haggard Hall to Pecan Orchard Water Supply Corporation, filed October 13, 1965, recorded in Volume 662, Page 195, of the Deed Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (3) Easement executed by Luther Bolin to Pecan Orchard Water Supply Corporation, dated September 30, 1965, filed October 13, 1965, recorded in Volume 662, Page 198, of the Deed Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (4) Easement executed by Emma Jean Haggard Hall, Trustee, to North Texas Municipal Water District, dated November 22, 1985, filed May 14, 1986, recorded in Volume 2366, Page 867, of the Real Property Records of Collin County, Texas, as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (5) Easement awarded to North Texas Municipal Water District in Judgment entered under Cause No. 219-490-85, filed June 11, 1986, recorded in Volume 2386, Page 541, of the Real Property Records of Collin County, Texas, as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (6) Easement executed by Graham Mortgage Corporation to North Texas Municipal Water District, dated April 23, 2014, filed April 25, 2014, recorded under Instrument No. 20140425000401090, of the Real Property Records of Collin County, Texas, as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (7) Terms, conditions and provisions of unrecorded Farming Lease by and between Graham Mortgage Corporation (Landlord) and Bill Donihoo (Tenant), dated March 2, 2011, as evidenced by Special Warranty Deed filed January 2, 2014, recorded under Instrument No. 20140102000004300, of the Real Property Records of Collin County, Texas, as noted on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939.
- (8) Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument filed October 23, 1952, in Volume 460, Page 454, of the Deed Records of Collin County, Texas.
- (9) Terms and conditions of that certain unrecorded Farming Lease by and between Graham Mortgage Corporation (Landlord) and Gerald Lewis (Tenant).

(10) The following as shown on survey dated May 14, 2014, prepared by Harry L. Dickens, R.P.L.S. No. 5939:

1. That portion of subject property lying within the right of way of Bozeman/Malone Road on the Easterly property line, and within the right of way of Cheyenne Drive along a portion of the North property line.
2. Rights, if any, of third parties with respect to well located near an internal westerly property line.

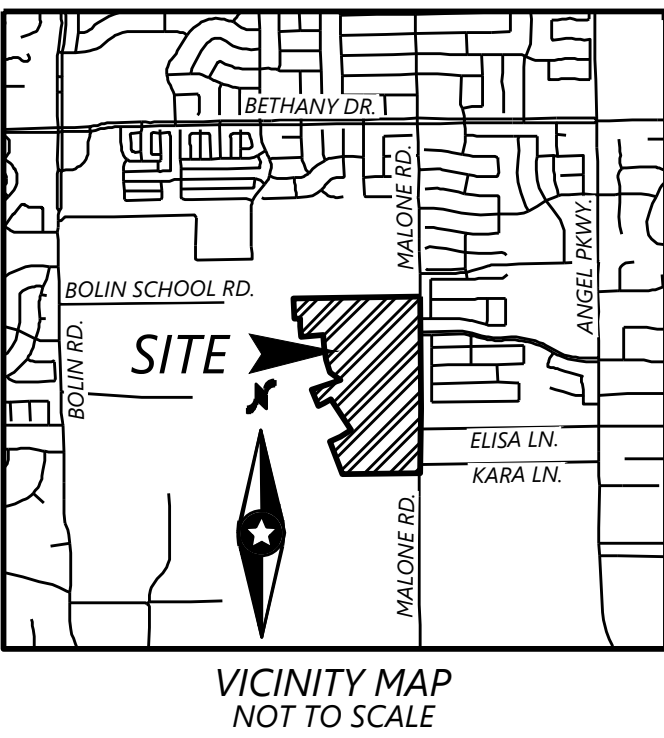
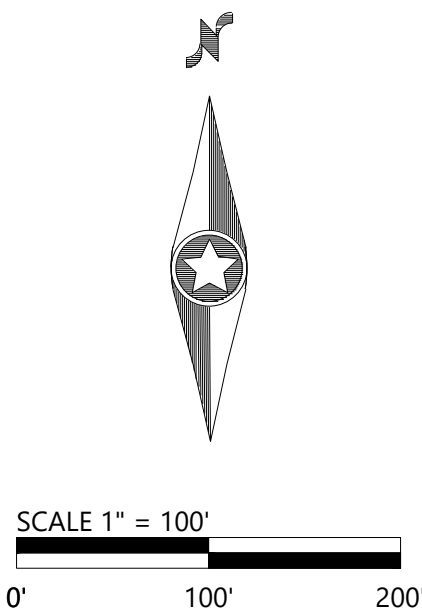
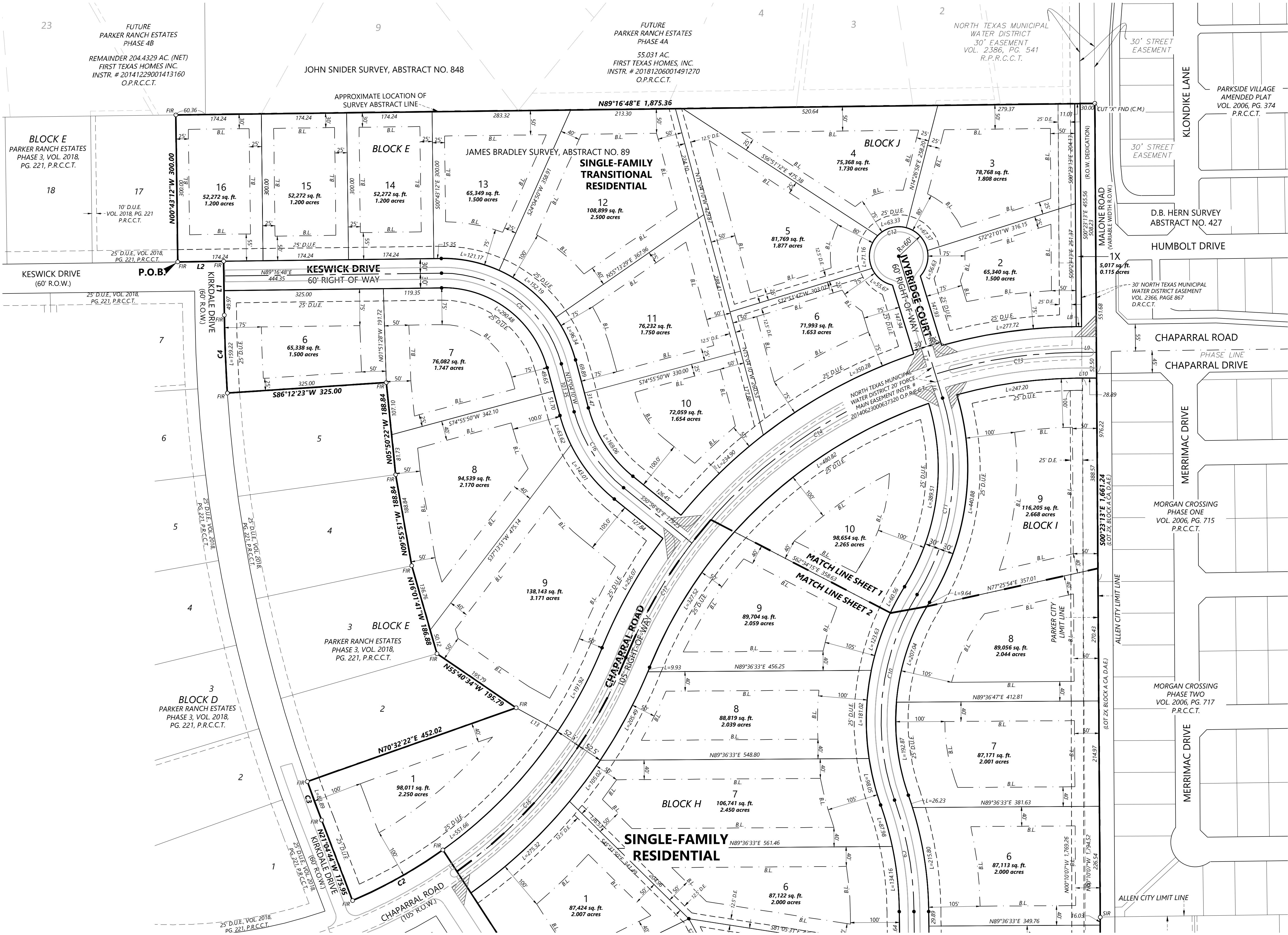
UNOFFICIAL



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
12/29/2014 02:59:40 PM  
\$50.00 CJAMAL  
20141229001413160

*Stacey Kemp*





Line Table		
Line #	Length	Direction
L1	109.97	N00°43'20"W
L2	93.72	S89°16'48"W
L3	64.32	S01°15'34"E
L4	16.17	S33°06'01"E
L5	127.16	S77°47'30"W
L6	50.91	N17°08'13"W
L7	251.97	N17°08'13"W
L8	10.84	N89°36'41"E
L9	40.84	N89°36'41"E
L10	40.84	N89°36'41"E
L11	16.77	S33°06'01"E
L12	16.77	S33°06'01"E
L13	97.56	S61°10'03"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	348.59	1496.06	013°21'01"	N 61°56'49" E	347.80
C2	211.50	947.50	012°47'23"	S 60°43'25" W	211.06
C3	83.89	2970.00	001°37'06"	N 20°16'11" W	83.88
C4	159.22	2970.00	003°04'17"	S 02°15'29" E	159.20
C5	330.09	250.00	075°39'01"	N 52°53'41" W	306.63
C6	579.35	1042.50	031°50'27"	N 17°10'48" W	571.92
C7	92.79	300.00	017°43'16"	S 86°39'08" W	92.42
C8	502.15	300.00	095°54'14"	N 47°33'39" E	445.55
C9	232.10	700.00	018°59'52"	N 09°53'20" W	231.04
C10	436.40	487.50	051°17'25"	S 06°15'27" W	421.98
C11	417.25	487.50	049°02'23"	N 07°22'58" E	404.63
C12	314.16	60.00	300°00'00"	S 72°51'47" W	60.00
C13	292.55	1000.00	016°45'43"	S 81°13'51" W	291.51
C14	671.12	1000.00	038°27'08"	S 53°37'25" W	658.60
C15	563.92	1000.00	032°18'37"	N 38°18'31" E	556.47
C16	187.84	300.00	035°52'33"	S 33°00'27" E	184.79
C17	213.70	1000.00	012°14'38"	S 28°16'32" W	213.29

PRELIMINARY PLAT  
OF  
PARKER RANCH ESTATES  
PHASE 5

LOTS 1, 6-16, BLOCK E; LOTS 26, 27X, BLOCK F;  
LOTS 1-10, BLOCK H, LOTS 1-9, BLOCK I;  
AND LOTS 1X, 2-6, BLOCK J;

37 RESIDENTIAL LOTS AND 2 COMMON AREAS  
85.736 ACRES

OUT OF THE  
JAMES BRADLEY SURVEY, ABSTRACT NO. 89,  
IN THE  
CITY OF PARKER, COLLIN COUNTY TEXAS

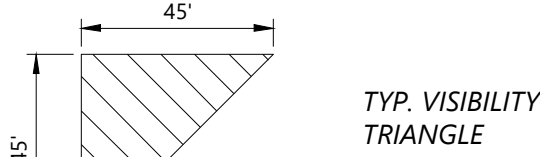
OWNER  
FIRST TEXAS HOMES, INC.  
500 CRESCENT COURT, SUITE 350  
DALLAS, TX 75201

OWNER  
CITY OF PARKER  
5700 E PARKER ROAD  
PARKER, TX 75002

SURVEYOR'S NOTES

1. Basis of bearing is the final plat of Parker Ranch Phase 1, as recorded in Volume 2016, Page 548, O.P.R.C.C.T.
2. All exterior corners set are monumented with a 5/8" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS". All interior corners set are monumented with a 1/2" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS".
3. Selling a portion of this addition by metes and bounds is a violation of city subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
4. According to the Flood Insurance Rate Map (Firm) Community Panel No. 48085C0385.1, Dated June, 2 2009, the subject tract does not appear to be within the 100 Year Floodplain.

LEGEND	
D.R.C.C.T.	DEED RECORDS COLLIN COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS COLLIN COUNTY, TEXAS
INSTR. #	INSTRUMENT NUMBER
AC.	ACRE
D.U.E.	DRAINAGE & UTILITY EASEMENT
R.O.W.	RIGHT-OF-WAY
VOLUME, PAGE	BUILDING LINE
B.L.	5/8" CAPPED IRON ROD FOUND WITH YELLOW CAP
FIR	STAMPED "WESTWOOD PS"
CIRF	IRON ROD FOUND WITH YELLOW CAP
•	POINT OF TANGENCY / POINT OF CURVATURE
SIR	5/8" CAPPED IRON ROD SET WITH YELLOW CAP
	STAMPED "WESTWOOD PS"
P.O.B.	PLACE OF BEGINNING
OSF	ON-SITE SEWER FACILITY
D.E.	DRAINAGE EASEMENT



ENGINEER/SURVEYOR

**Westwood**

Phone (214) 473-4640 2740 Dallas Parkway, Suite 280  
Toll Free (888) 937-5150 Plano, TX 75093

westwoodps.com

Westwood Professional Services, Inc.

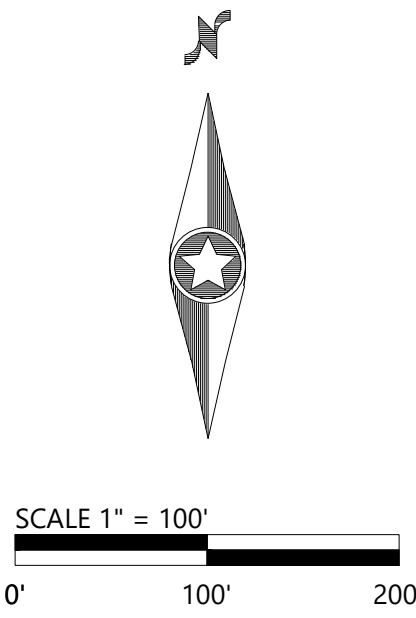
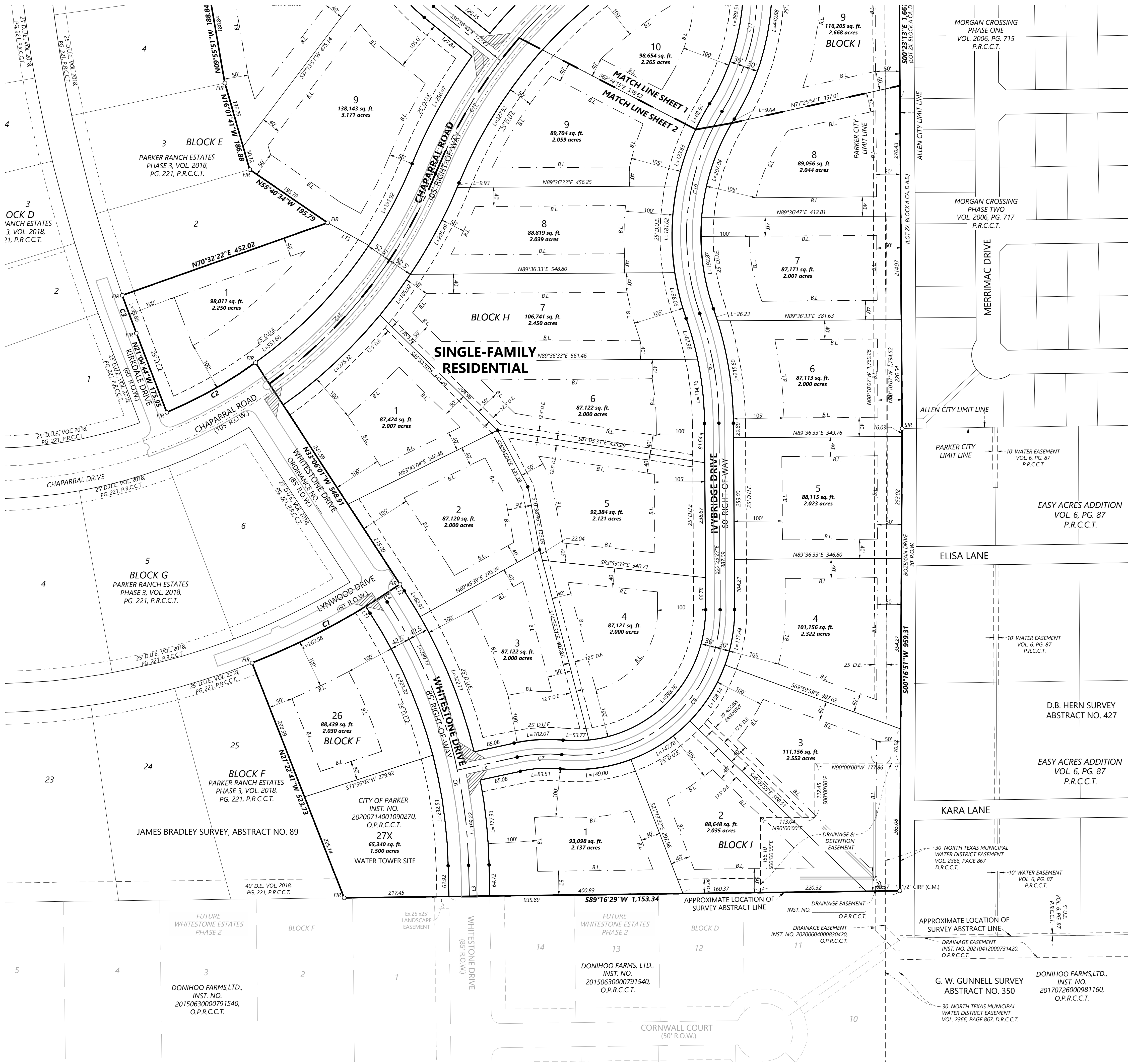
TBPE Firm Reg. No. 11756

TBPLS Firm Reg. No. 10074301

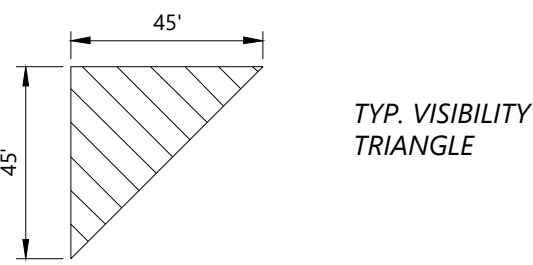
THIS PLAT FILED IN CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_ P.R.C.C.T.

85.736 ACRES APRIL 23, 2021 Job No. 0006535.20 PARKER RANCH ESTATES, PHASE 5

N:\0006535.20\1 Project Data\Draw\Survey\0006535.20 Parker Ranch Phase 5 prelim plat-sight triangle.dwg



- SURVEYOR'S NOTES
1. Basis of bearing is the final plat of Parker Ranch Phase 1, as recorded in Volume 2016, Page 548, O.P.R.C.C.T.
  2. All exterior corners set are monumented with a 5/8" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS". All interior corners set are monumented with a 1/2" diameter iron rod with yellow plastic cap stamped "WESTWOOD PS".
  3. Selling a portion of this addition by metes and bounds is a violation of city subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
  4. According to the Flood Insurance Rate Map (Firm) Community Panel No. 48085C0385 J, Dated June, 2 2009, the subject tract does not appear to be within the 100 Year Floodplain.



LEGEND	
D.R.C.C.T.	DEED RECORDS COLLIN COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS COLLIN COUNTY, TEXAS
INSTR. #	INSTRUMENT NUMBER
AC	ACRE
D.U.E.	DRAINAGE & UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
VOL. PG.	VOLUME, PAGE
B.L.	BUILDING LINE
FIR	5/8" CAPPED IRON ROD FOUND WITH YELLOW CAP STAMPED "WESTWOOD PS"
CIRF	IRON ROD FOUND WITH YELLOW CAP
SIR	POINT OF TANGENCY / POINT OF CURVATURE
P.O.B.	5/8" CAPPED IRON ROD SET WITH YELLOW CAP STAMPED "WESTWOOD PS"
OSSE	PLACE OF BEGINNING
D.E.	ON-SITE SEWER FACILITY
	DRAINAGE EASEMENT

PRELIMINARY PLAT  
OF  
**PARKER RANCH ESTATES  
PHASE 5**  
LOTS 1, 6-16, BLOCK E; LOTS 26, 27X, BLOCK F;  
LOTS 1-10, BLOCK H, LOTS 1-9, BLOCK I;  
AND LOTS 1X, 2-6, BLOCK J;  
37 RESIDENTIAL LOTS AND 2 COMMON AREAS  
85.736 ACRES  
OUT OF THE  
JAMES BRADLEY SURVEY, ABSTRACT NO. 89,  
IN THE  
CITY OF PARKER, COLLIN COUNTY TEXAS  
OWNER  
FIRST TEXAS HOMES, INC.  
500 CRESCENT COURT, SUITE 350  
DALLAS, TX 75201  
OWNER  
CITY OF PARKER  
5700 E PARKER ROAD  
PARKER, TX 75002  
ENGINEER/SURVEYOR

**Westwood**  
Westwood Professional Services, Inc.  
Phone (214) 473-4640 2740 Dallas Parkway, Suite 280  
Toll Free (888) 937-5150 Plano, TX 75093  
westwoodsps.com

TBPE Firm Reg. No. 11756  
TBPLS Firm Reg. No. 10074301

THIS PLAT FILED IN CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_ P.R.C.C.T.

85.736 ACRES APRIL 23, 2021 Job No. 0006535.20 PARKER RANCH ESTATES, PHASE 5



OWNER'S CERTIFICATE  
STATE OF TEXAS            )  
COUNTY OF COLLIN        )

**WHEREAS** First Texas Homes, Inc. and the City of Parker are the sole owners of an 85.736 acre tract of land situated in the James Bradley Survey, Abstract No. 89, City of Parker, Collin County, Texas, and being a part of the 205.9329 acre tract of land conveyed to First Texas Homes, Inc. by deed of record in Instrument No. 20141229001413160, of the Official Public Records of Collin County, Texas, and being all of a 1.5 acre tract of land conveyed to the City of Parker, by deed of record in Instrument No. 20200714001090270, of the Official Public Records of Collin County, Texas; said 85.736 acre tract being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found for corner in the north right-of-way line of Keswick Drive, a 60-foot right-of-way, at the southeast corner of Lot 17, Block E, of Parker Ranch Estates Phase 3, an addition to the City of Parker, Collin County, Texas, according to the plat thereof recorded in Volume 2018, Page 221, of the Plat Records of Collin County, Texas;

**THENCE** North 00 degrees 43 minutes 12 seconds West, along the east line of said Lot 17, Block E, a distance of 300.00 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the northeast corner of said Lot 17, Block E;

**THENCE** North 89 degrees 16 minutes 48 seconds East, at a distance of 60.36 feet passing a re-entrant corner of said 205.9329 acre tract and the southwest corner of a 55.031 acre tract of land conveyed to First Texas Homes, Inc., by deed of record in Instrument No. 20181206001491270, of said Official Public Records, continuing along a common line between the said 205.9329 acre tract and the said 55.031 acre tract, a distance of 1,875.36 feet to a cut "X" in concrete found at the southeast corner of said 55.03 acre tract and the easterly northeast corner of said 205.9329 acre tract; said point being in the west right-of-way line of Malone Road, a variable width right-of-way;

**THENCE** South 00 degrees 23 minutes 13 seconds East, departing the said common line between the 205.9329 acre tract and the 55.031 acre tract, along the said west line of Malone Road, continuing along the west line of said Lot 2X, Block A, at a distance of 551.68 feet passing the southwest corner of the south terminus of said Malone Road, and the northwest corner of Lot 2X, Block A, of Morgan Crossing Phase One, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Volume 2006, Page 715, of said Plat Records, at a distance of 976.22 feet passing the southwest corner of said Lot 2X, Block A, of Morgan Crossing Phase One, Lot 2X, Block A, of Morgan Crossing Phase Two, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Volume 2006, Page 717, of said Plat Records, continuing along the west line of the said Lot 2X, Block A, Morgan Crossing Phase Two, in all a total distance of 1,661.24 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" set at the southwest corner of said Lot 2X, Block A, Morgan Crossing Phase Two, said point being the northwest corner of the north terminus of Bozeman Drive, a 30-foot right-of-way;

**THENCE** South 00 degrees 16 minutes 51 seconds West, along the west right-of-way line of Bozeman Road, a distance of 959.31 feet to a 1/2" iron rod with a yellow plastic cap found at the southwest corner of the south terminus of said Bozeman Drive; said point being the northeast corner of a tract of land conveyed to Donihoo Farms, Ltd., by deed of record in Instrument No. 20150630000791540, of said Official Public Records and the southeast corner of said 205.9329 acre tract;

**THENCE** South 89 degrees 16 minutes 29 seconds West, along the common line between the said 205.9329 acre tract and the said Donihoo Farms, Ltd. tract, at a distance of 935.89 feet passing the southeast corner of said City of Parker tract, continuing along the common line between said City of Parker tract and said Donihoo Farms, Ltd. tract, in all a total distance of 1,153.34 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the southwest corner of said City of Parker tract and the southeast corner of Lot 25, Block F, of said Parker Ranch Estates Phase 3;

**THENCE** North 21 degrees 22 minutes 41 seconds West, departing the said common line between Donihoo Farms, Ltd. and City of Parker tract, along the common line between the said Lot 25, Block F, and the said City of Parker tract, at a distance of 225.14 feet passing the northwest corner of said City of Parker tract, continuing along the east line of said Lot 25, Block F, in all a total distance of 523.73 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the northeast corner of said Lot 25, Block F; said point being in the southerly right-of-way line of Linwood Drive, a 60-foot right-of-way, and a non-tangent curve to the right;

**THENCE** along the easterly line of said Parker Ranch Estates Phase 3, the following courses and distances:

Along said southerly line of Linwood Drive non-tangent curve to the left having a central angle of 13 degrees 21 minutes 01 second, a radius of 1,496.06 feet, and an arc length of 348.59 feet (chord bears North 61 degrees 56 minutes 49 seconds East, 347.80 feet) to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the intersection of the said southerly line Linwood Drive and the northeast right-of-way line of Wellbridge Drive, an 85-foot right-of-way;

North 33 degrees 06 minutes 01 second West, departing the said southerly line of Linwood Drive, along the northeast right-of-way line of said Wellbridge Drive, a distance of 548.91 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the intersection of the said northeast line of Wellbridge Drive, and the northwest right-of-way line of Chaparral Road, a 105-foot right-of-way; said point being the beginning of a non-tangent curve to the right;

Departing said northeast line of Wellbridge Drive, along said northwest line of Chaparral Road and said non-tangent curve to the right having a central angle of 12 degrees 47 minutes 23 seconds, a radius of 947.50 feet, and an arc length of 211.50 feet (chord bears South 60 degrees 43 minutes 25 seconds West, 211.06 feet) to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the intersection of the said northwest line of Chaparral Road and the northeast right-of-way line of Kirkdale Drive, a 60-foot right-of-way;

North 21 degrees 04 minutes 44 seconds West, departing the said northwest line of Chaparral Drive, along the said northeast line of Kirkdale Drive, a distance of 175.95 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found;

Along said Kirkdale Drive and said tangent curve to the right having a central angle of 01 degrees 37 minutes 06 seconds, a radius of 2,970.00 feet, and an arc length of 83.89 feet (chord bears North 20 degrees 16 minutes 11 seconds West, 83.88 feet) to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the south corner of Lot 2, Block E, of said Parker Ranch Phase 3;

North 70 degrees 32 minutes 22 seconds East, departing the said northeast line of Kirkdale Drive, a distance of 452.02 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the east corner of said Lot 2, Block E;

North 55 degrees 40 minutes 34 seconds West, a distance of 195.79 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the northeast corner of said Lot 2 Block E and the southeast corner of Lot 3, of said Block E;

North 16 degrees 01 minute 41 seconds West, a distance of 186.88 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the northeast corner of said Lot 3, Block E and the southeast corner of Lot 4, of said Block E;

North 09 degrees 55 minutes 51 seconds West, a distance of 188.84 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the northeast corner of said Lot 4, Block E, and the southeast corner of Lot 5, of said Block E;

North 05 degrees 50 minutes 22 seconds West, a distance of 188.84 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the northeast corner of said Lot 5, Block E;

South 86 degrees 12 minutes 23 seconds West, a distance of 325.00 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the southwest corner of said Lot 5, Block E; said point being in the said East line of Kirkdale Drive; said point being in a non-tangent curve to the right;

Along said east line of Kirkdale Drive and said non-tangent curve to the right having a central angle of 03 degrees 04 minutes 17 seconds, a radius of 2,970.00 feet, and an arc length of 159.22 feet (chord bears North 02 degrees 15 minutes 29 seconds West, 159.20 feet) to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the end of said curve;

North 00 degrees 43 minutes 20 seconds West, continuing along said east line of Kirkdale Drive, a distance of 109.97 feet to a 5/8" iron rod with a yellow plastic cap stamped "WESTWOOD PS" found at the intersection of the said east line of Kirkdale Drive, and the said north line of Keswick Drive;

North 89 degrees 16 minutes 48 seconds West, departing the said east line of Kirkdale Drive, a distance of 93.72 feet to the

**POINT-OF-BEGINNING**, containing **3,734,650 square feet or 85.736 acres of land.**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, FIRST TEXAS HOMES, INC. and the City of Parker, acting herein by and through its duly authorized officer, do hereby adopt this plat designating the herein above described property as PARKER RANCH ESTATES PHASE 5 an addition to the City of Parker, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Parker and all public utilities desiring to use or using same. All and any public utility and the City of Parker shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in anyway endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Parker and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems, without the necessity, at any time or procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Parker, Texas.

WITNESS MY HAND AT \_\_\_\_\_, TEXAS this the \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF PARKER FIRST TEXAS HOMES, INC.

By: \_\_\_\_\_ By: KEITH HARDESTY

THE STATE OF TEXAS        )  
COUNTY OF DALLAS        )

BEFORE ME, the undersigned authority, on this day personally appeared Keith Hardesty, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said FIRST TEXAS HOMES, INC., and that he executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This \_\_\_\_ day of \_\_\_\_\_, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THE STATE OF TEXAS        )  
COUNTY OF COLLIN        )

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said City of Parker, and that he executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This \_\_\_\_ day of \_\_\_\_\_, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: I, Jason B. Armstrong, Registered Professional Land Surveyor for Westwood, PS, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made in August, 2021, under my direction and supervision, and further certify that all corners are as shown thereon, and that said plat has been prepared in accordance with the platting rules and regulations of the City of Parker, Texas.

Date: This the \_\_\_\_ day of \_\_\_\_\_, 2021.

Jason B. Armstrong  
Registered Professional Land Surveyor No. 5557

THE STATE OF TEXAS        )  
COUNTY OF COLLIN        )

BEFORE ME, the undersigned authority, on this day personally appeared Jason B. Armstrong, whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WESTWOOD, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RECOMMENDED FOR APPROVAL

Chairman, Planning and Zoning Commission  
City of Parker, Texas

Date

APPROVED AND ACCEPTED

Mayor, City of Parker, Texas

Date

The undersigned, the City Secretary of the City of Parker, hereby certifies that the foregoing Preliminary map or plat of PARKER RANCH ESTATES PHASE 5 a subdivision or addition to the City of Parker was submitted to the City Council on this \_\_\_\_ day of \_\_\_\_\_, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the approval thereof by signing his name herein above subscribed.

WITNESS my hand this \_\_\_\_ day of \_\_\_\_\_, 2021.

City Secretary  
City of Parker, Texas

HEALTH DEPARTMENT CERTIFICATION:

I hereby certify that the on-site sewage facilities described on this plat conform to the applicable OSSF laws of the State of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

REGISTERED SANITARIAN OR DESIGNATED REPRESENTATIVE  
COLLIN COUNTY DEVELOPMENT SERVICES

Lot Table																	
Lot #	Total Area (Ac.)	Lot #	Buildable Area(Ac.)	Lot #	Total Area (Ac.)	Lot #	Buildable Area(Ac.)	Lot #	Total Area (Ac.)	Lot #	Buildable Area(Ac.)	Lot #	Total Area (Ac.)	Lot #	Buildable Area(Ac.)	Lot #	Total Area (Ac.)
Lot 1 Block E	2.250	Lot 1 Block E	0.417	Lot 26 Block F	2.030	Lot 26 Block F	0.527	Lot 1 Block H	2.007	Lot 1 Block H	0.557	Lot 1 Block I	2.137	Lot 1 Block I	0.573	Lot 2 Block J	1.500
Lot 6 Block E	1.500	Lot 6 Block E	0.461					Lot 2 Block H	2.000	Lot 2 Block H	0.733	Lot 2 Block I	2.035	Lot 2 Block I	0.783	Lot 3 Block J	1.808
Lot 7 Block E	1.747	Lot 7 Block E	0.669					Lot 3 Block H	2.000	Lot 3 Block H	0.495	Lot 3 Block I	2.552	Lot 3 Block I	1.187	Lot 4 Block J	1.730
Lot 8 Block E	2.170	Lot 8 Block E	0.930					Lot 4 Block H	2.000	Lot 4 Block H	0.638	Lot 4 Block I	2.322	Lot 4 Block I	0.966	Lot 5 Block J	1.877
Lot 9 Block E	3.171	Lot 9 Block E	1.498					Lot 5 Block H	2.121	Lot 5 Block H	0.807	Lot 5 Block I	2.023	Lot 5 Block I	0.787	Lot 6 Block J	1.653
Lot 10 Block E	1.654	Lot 10 Block E	0.541					Lot 6 Block H	2.000	Lot 6 Block H	0.684	Lot 6 Block I	2.000	Lot 6 Block I	0.751		
Lot 11 Block E	1.750	Lot 11 Block E	0.868					Lot 7 Block H	2.450	Lot 7 Block H	0.995	Lot 7 Block I	2.001	Lot 7 Block I	0.794		
Lot 12 Block E	2.500	Lot 12 Block E	1.206					Lot 8 Block H	2.039	Lot 8 Block H	0.766	Lot 8 Block I	2.044	Lot 8 Block I	0.795		
Lot 13 Block E	1.500	Lot 13 Block E	0.697					Lot 9 Block H	2.059	Lot 9 Block H	0.869	Lot 9 Block I	2.668	Lot 9 Block I	0.758		
Lot 14 Block E	1.200	Lot 14 Block E	0.613					Lot 10 Block H	2.265	Lot 10 Block H	0.427						
Lot 15 Block E	1.200	Lot 15 Block E	0.627														
Lot 16 Block E	1.200	Lot 16 Block E	0.613														

ENGINEER/SURVEYOR  
**Westwood**  
Phone (214) 473-4640 2740 Dallas Parkway, Suite 280  
Toll Free (888) 937-5150 Plano, TX 75093  
westwoodps.com  
Westwood Professional Services, Inc.  
TBPE Firm Reg. No. 11756  
TBPLS Firm Reg. No. 10074301

PRELIMINARY PLAT  
OF  
PARKER RANCH ESTATES  
PHASE 5  
LOTS 1, 6-16, BLOCK E; LOTS 26, 27X, BLOCK F;  
LOTS 1-10, BLOCK H, LOTS 1-9, BLOCK I;  
AND LOTS 1X, 2-6, BLOCK J;  
37 RESIDENTIAL LOTS AND 2 COMMON AREAS  
85.736 ACRES  
OUT OF THE  
JAMES BRADLEY SURVEY, ABSTRACT NO. 89,  
IN THE  
CITY OF PARKER, COLLIN COUNTY TEXAS  
OWNER  
FIRST TEXAS HOMES, INC.  
500 CRESCENT COURT, SUITE 350  
DALLAS, TX 75201  
OWNER  
CITY OF PARKER  
5700 E PARKER ROAD  
PARKER, TX 75002



## Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Public Works
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:	Date Prepared: July 28, 2021
Exhibits:	<ol style="list-style-type: none"> <li>1. Craig M. Kerkhoff, P.E., C.F.M letter, July 19, 2021</li> <li>2. Development Application</li> <li>3. Waiver w/Fee receipt</li> <li>4. Preliminary Plat</li> </ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WHITESTONE ESTATES PHASE 5 & 6 PRELIMINARY PLAT.

### SUMMARY

Please review the information provided for Whitestone Estates Phase 5 & 6 Preliminary Plat, 93 Single Family Residential Lots, 2 Common Area Lots, an addition to the City of Parker Part of 344 acre tract of land; being 176.210 acres situated in the George W. Gunnell Survey, Abstract No. 350, City of Parker, Collin County, Texas.

Planning and Zoning (P&Z) Commission recommended approval 4-0 (Wright, Lozano, Leamy, and Crutcher).

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor	<i>Gary Machado</i>	Date:	07/12/2020
Interim City Attorney:	<i>Scott D. Levine (Banowsky)</i>	Date:	07/29/2021 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2020

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E.  
JOE R. CARTER, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.  
DEREK B. CHANEY, P.E.  
CRAIG M. KERKHOFF, P.E.

July 19, 2021

Mr. Gary Machado  
City of Parker  
5700 E. Parker Rd.  
Parker, Texas 75002

Re: Whitestone Estates Phases 5 & 6  
Engineering Plans

Dear Mr. Machado:

As you requested, we have reviewed the Preliminary Plat & Engineering Plans for the Whitestone Estates – Phases 5 & 6 development prepared by Dowdy Anderson & Associates.

Our review of the Engineering Plans is for general compliance with the City of Parker's development requirements and good engineering practice, and does not relieve the engineer of record of his responsibilities under the Texas Engineering Practice Act. Listed below are our review comments.

**Overall Comments**

1. Include a landscape plan, trail system plan and tree survey in the plan set.
  - a. *Response letter indicates that a landscape plan and trail system plan are in the design process. An aerator in the retention pond will be included in the landscape plan. Response letter indicates that a 6-foot trail is now shown on the south side of Belvedere Drive. City to verify acceptance of the proposed trail system and landscape plans.*
2. A LOMR will be required to be approved by FEMA prior to the acceptance of public improvements by the City.
  - a. *Response letter states that the LOMR will be submitted at the completion of the grading activities. Prior to the LOMR submittal, we recommend the resubmittal of the flood study as a pond that was shown within the flood study is not being constructed with this plan set. Response letter states that the pond not being constructed was conceptual only and will be removed with the LOMR submittal to the City for review.*

**Paving Details Comments**

3. Provide an elevation certificate (signed/sealed) by an RPLS for each monument and "X".
  - a. *Response letter states this will be completed after construction of public improvements.*

**Paving Plans Comments**

4. Still have some areas where drainage channels intersect at a hard angle at a headwall. Erosion issues will occur at these locations. Angle the headwall or revise the grading.
  - a. *Concrete aprons have been added to the areas around the headwalls to address erosion issues. With recent experience on post-construction walk throughs in other developments in Parker, slopes and grades around the intersections/culverts have been an increased area of concern. We recommend cross-sections at the culverts at intersections be submitted prior to the pre-con as an extra measure of due diligence in these areas.*

We are available to discuss further at your convenience.

Sincerely,



Craig M. Kerkhoff, P.E., C.F.M.



## DEVELOPMENT APPLICATION

### City of Parker, Texas

Date Received

Proposed Name of Subdivision: Whitestone Estates Phase 5-6

Plat Approval Requested

Filing Fee

Filing Fee

X Preliminary Plat \$800.00 + \$30/acre  
☐ Site Plan \$300.00 + \$25/acre  
☐ Replat/Amended \$500.00 plus \$15/lot

☐ Final Plat \$800.00 + \$30/acre  
☐ Minor Plat (5 acres or less) \$500.00 + \$100/lot  
☐ Development Plat \$300.00 + \$30/acre

**Physical Location of Property:** East 700' of Whitestone Drive along Belvedere Drive (2500' North of Parker Road and Dublin Intersection) (Address and General Location – Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bound description to application):

(Survey/Abstract No. and Tracts: or platted Subdivision Name with Lot/Block)

Acreage: 176.210 AC Existing # of Lots/Tracts: 2 Tracts Existing ORD. 726 (4/21/2015)  
 If a PD, include the Ordinance with application)

Property Owner's Name: Donihoo Farms, LTD.Phone Number: 214-368-0238Applicant/Contact Person: Stephen L. SallmanTitle: ManagerCompany Name: Donihoo Farms, LTD.Street/Mailing Address: 4040 N Central Expressway, Suite 850 City: Dallas State: Texas Zip: 75204Phone: 214-368-0238 Fax: 214-368-0812 Email Address: ssallman@warnergroup.comEngineering Company: Dowdey Anderson & Associates.Contact Person: Thomas MossTitle: Project ManagerStreet/Mailing Address: 5225 Village Creek Dr., Suite 200 City: Plano State: Texas Zip: 75093Phone: 972-931-0694 Fax: 972-941-8401 Email Address: tmoss@daa-civil.com

**\*\* READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

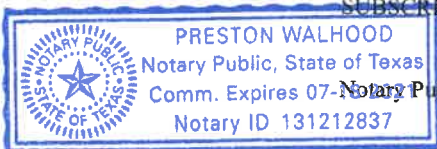
STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, a Notary Public, on this day personally appeared Stephen L. Sallman, Manager of Donihoo Farms, Ltd. the undersigned applicant, who, under oath, stated the following:

"I hereby certify that I am the owner, or duly authorized agent of the owner, (~~Proof must be attached, e.g., "Power of Attorney"~~) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

*Stephen L. Sallman* Mgr.  
 Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this 21st day of October, 2020

Notary Public, State of Texas  
 Comm. Expires 07-2021  
 Notary ID 131212837

Notary Public in and for the State of Texas:

*Preston Walhood*

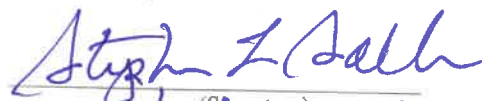
Over

City of Parker \* 5700 E. Parker Road, Parker, Texas 75002 972-442-6811 Fax 972-442-2894 www.parkertexas.us

# WAIVER OF EXPEDITION

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

APPLICANT:

  
 (Signature)  
 Name: Stephen L. Sallman  
 Title: Manager  
 Phone: 214-3680238  
 Address: 4040 N. Central Expy  
Suite 850  
Dallas TX 75204  
 Date: 10/21/20

CITY OF PARKER:  
RECEIVED BY:

(Signature)  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

\_\_\_\_\_ Corporation; ☒ Partnership;  
 \_\_\_\_\_ Individual; or  
 \_\_\_\_\_ Other (description)



**SUBMITTAL REQUIREMENTS:**

Failure to submit all materials to the City with complete application will result in delays scheduling the agenda date.

- ☒ Five (5) FOLDED copies of drawing(s) 24" X 36" [1"=100' scale]
- ☒ Twelve (12) FOLDED 11 X 17
- ☒ Three (3) Complete Engineering Plans (if applicable)
- ☒ Three (3) General Tree Survey
- ☒ Property Metes and Bounds on 8 ½ X 11 Sheet
- ☒ Proof of Ownership (Warranty Deed or Tax Certificate)
- ☒ Power of Attorney

The face of the plat shall show the following:

- ☒ Date of preparation
- ☒ Scale of plat
- ☒ North arrow
- ☒ Name and address of:
  - ☒ Applicant
  - ☒ Engineer or Surveyor responsible for preparation of plat
- ☒ Survey and abstract with tract designation
- ☒ Location of major and/or secondary thoroughfares located with or adjacent to the property.
- ☒ Location of existing or platted streets within and adjacent to the existing property
- ☒ Location of existing right-of-ways, utility and/or drainage easements.
- ☒ Vicinity map showing location of tracts by reference to existing streets or highways.
- ☒ Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision. The subdivision boundary shall be construed to include the part of adjacent boundary streets which were previously established by dedication or purchase from the tract being subdivided.
- ☒ Legal description of the property to be subdivided, and metes and bounds description of the subdivision perimeter.
- ☒ Primary control points or descriptions, and ties to such control points to which all dimensions, angels, bearings, block numbers and similar data shall be referred.
- ☒ Names of the owners of contiguous parcels of un-subdivided land, and names of contiguous subdivisions and the County Recorder's book and page number thereof, and the lot patterns of these subdivisions.
- ☒ Location of the city limits lines, the outer border of the City's extraterritorial jurisdiction and zoning district boundaries, if they traverse the subdivision, or form part of the boundary of the subdivision, or are contiguous to such boundary.
- ☒ If there is no adjacent subdivision, a map on a small scale shall be included with the preliminary plan, and oriented the same way, to show the nearest subdivision in each direction; it shall show how the streets, alleys, or highways in the subdivision submitted may connect with those in the nearest subdivision, if situated within two thousand (2,000) feet of the proposed subdivision.
- ☒ All other data required by the Zoning and Subdivision Ordinances, available for view at [www.parkertexas.us](http://www.parkertexas.us).



**DOWDEY, ANDERSON  
& ASSOCIATES, INC.**  
CIVIL ENGINEERS

Meeting Date: 08/03/2021 Item 6.

5225 Village Creek Drive, Suite 200  
Plano, Texas 75093  
Phone 972-931-0694 Fax 972-931-9538

# TRANSMITTAL

<b>To:</b>	Community Development	<b>From:</b>	Jennifer Martinson ~ <i>For Gabriel Novak, P.E.</i>
<b>Co:</b>	City of Parker	<b>Date:</b>	November 2, 2020
<b>Address:</b>	5700 E. Parker Rd. Parker, Texas 75002	<b>CC:</b>	File
<b>Phone:</b>	972-442-6811	<b>Via:</b>	<i>Hand Delivery</i>
<b>Re:</b>	<b>Whitestone Estates Phase Five</b> <b><i>Pre-Plat &amp; Engineering Plans 1<sup>st</sup> Sub.</i></b>	<b>Job #:</b>	14038-05

Please find the following items of the above-referenced project:

- 1 ~ Signed & Notarized Application & Checklist
- 5 ~ 24x36 folded copies of the Preliminary Plat
- 12 ~ 11x17 folded copies of the Preliminary Plat
- 3 ~ 24x36 sets of the Engineering Plans
- 1 ~ 8 ½ x 11 copy of the Metes & Bounds
- 2 ~ Special Warranty Deeds
- 1 ~ Ck # 1476 for \$6,110.00 (based on 177 rounded acres)

If you have any questions or comments, please contact Gabe Novak.

Thank you,

Jennifer Martinson  
[jmartinson@daa-civil.com](mailto:jmartinson@daa-civil.com)

Received by: \_\_\_\_\_

Date received: \_\_\_\_\_

1476

FROST  
www.frostbank.com

**DONIHOO FARMS, LTD.**  
4925 GREENVILLE AVE  
SUITE #1020  
DALLAS, TX 75206  
PH. (214)368-0238

30-9/1140 96  
CHECK AMOUNT

10/22/2020

PAY TO THE  
ORDER OF City of Parker

\$ \*\*6,110.00

Six Thousand One Hundred Ten and 00/100\*\*\*\*\* DOLLARS

City of Parker  
5700 E. Parker Road  
Parker, Texas 75002

MEMO

Prelim Plat Fee

Photo Safe Deposit®  
Details on Back.



**DONIHOO FARMS, LTD.**

City of Parker  
CONST DRAW-PH 5/6

1476

10/22/2020

Prelim Plat Fee  
(177 Ac x \$30/lot + \$800)  
Invoice #102120

6,110.00

DonFarms-Const (Fro Prelim Plat Fee

6,110.00

**LEGAL DESCRIPTION**  
**176.210 ACRES**

**BEING** a tract of land situated in the GEORGE W. GUNNELL SURVEY, ABSTRACT 350, Collin County, Texas, and the HEIRS OF DANIEL B. HEARN SURVEY, ABSTRACT 427, and being all of that tract of land conveyed in Deed to Donihoo Farms, Ltd., according to the document of record filed in Document Number 20170726000981160, Official Public Records, Collin County, Texas, and being part of that tract of land conveyed in Deed to Donihoo Farms, Ltd., according to the document of record filed in Document Number 20150630000791540, Official Public Records, Collin County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found in the east line of Lot 3, Block A, WHITESTONE ESTATES, PHASE 1, an Addition to the City of Parker, Collin County, Texas, according to the Plat of record filed in Cabinet 2017, Slide 187, Official Public Records, Collin County, Texas, for the common southwest corner of said Donihoo Farms, Ltd., recorded in Document Number 20170726000981160, and the northwest corner of that tract of land conveyed in Deed to Vijay K. Bhimani and Anu V. Bhimani, according to the document of record filed in Document Number 20070925001326000, Official Public Records, Collin County, Texas;

**THENCE** With the common west line of said Donihoo Farms, Ltd. tracts, and the east line of said WHITESTONE ESTATES, PHASE 1 Addition, the following courses and distances:

N 00° 08' 09" W, a distance of 725.79 feet to a 1/2" iron rod with a yellow cap stamped "PRECISE LAND SURVEYING" found;

N 00° 11' 11" W, a distance of 1,062.19 feet to a 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" found;

S 68° 38' 49" W, a distance of 159.38 to a 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" found;

N 21° 21' 11" W, a distance of 269.01 to a 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" found;

S 78° 06' 01" W, a distance of 71.85 to a 5/8" iron rod with a yellow cap stamped "WESTWOOD PS" found for the common west corner of said Donihoo Farms, Ltd. tract and the southeast corner of Lot 3, Block D, WHITESTONE ESTATES, PHASE 2, an Addition to the City of Parker, Collin County, Texas, according to the document of record filed in Document Number 20200914010003510, Official Public Records, Collin County, Texas;

**THENCE** N 20° 47' 14" W, a distance of 401.94 to a 1/2" iron rod with a cap stamped "ONEAL 6570" found in the south line of Lot 8, Block D, of said WHITESTONE ESTATES, PHASE 2 Addition, for the northwest corner of said Donihoo Farms, Ltd., recorded in Document Number 20150630000791540;

**THENCE** N 89° 13' 56" E, with the common north line of said Donihoo Farms, Ltd. tract and the south line of said WHITESTONE ESTATES, PHASE 2 Addition, a distance of 475.57 to a 1/2" iron rod with a cap stamped "ONEAL 6570" found in the west line of said Donihoo Farms, Ltd., recorded in Document Number 20170726000981160, for the common northeast corner of said of said Donihoo Farms, Ltd., recorded in Document Number 20150630000791540, and the southeast corner of Lot 9, Block D, of said WHITESTONE ESTATES, PHASE 2 Addition;

**THENCE** N 00° 11' 11" E, with said west line, a distance of 489.70 to a 1/2" iron rod set for the common northwest corner of said Donihoo Farms, Ltd., recorded in Document Number 20170726000981160, and the southwest corner of EASY ACRES ADDITION, an Addition to the City of Parker, Collin County, Texas, according to the Plat of Record filed in Volume 6, Page 87, Map Records, Collin County, Texas;

**THENCE** N 89° 10' 33" E, with the common north line of said Donihoo Farms, Ltd. tract and the south line of said EASY ACRES ADDITION, a distance of 2,626.04 feet to a 1/2" iron rod set in the west line of Farm to Market Road 2551 a 90' right-of-way, for the common northeast corner of said Donihoo Farms, Ltd. tract and the southeast corner of Lot 1, Block A, of said EASY ACRES ADDITION;

**THENCE** With the common east line of said Donihoo Farms, Ltd. tract, and the west line of F.M. 2551, the following courses and distances:

S 00° 19' 10" E, a distance of 1,664.15 feet to a 1/2" iron rod found at the beginning of a curve to the left, having a central angle of 12° 17' 09", a radius of 1,954.86 feet and a chord bearing and distance of S 06° 27' 45" E, 418.38 feet;

With said curve to the left, an arc distance of 419.18 feet to a 1/2" iron rod set;

S 00° 12' 06" E, passing at a distance of 511.38 feet, a 1/2" iron rod set for the northwest corner of the tract of land conveyed to T.R Bowen and wife, Tressie Lee Bowen, according to the document of record filed in Document Number 1995-0023383, Official Public Records, Collin County, Texas, and continuing in all for a total distance of 748.18 feet to a 1/2" iron rod with a yellow cap stamped "JE SMITH 3700" found for the common southeast corner of said Donihoo Farms, Ltd. tract and the an interior ell corner of said T.R Bowen and wife, Tressie Lee Bowen tract;

**THENCE** S 88° 59' 37" W, with the south line of said Donihoo Farms, Ltd. tract, a distance of 2,676.59 feet to the **POINT OF BEGINNING**, and containing 176.210 acres of land, more or less.

20150630000791540 06/30/2015 09:20:37 AM D1 1/7

**SPECIAL WARRANTY DEED**  
 15/ITC/ 1424445 A-COM/CCT with Vendor's Lien

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

STATE OF TEXAS

§

COUNTY OF COLLIN

§

§

Date:

June 25, 2015

Grantor:

Travis Parker Associates, Ltd.,  
a Texas limited partnership

Grantor's Address:

3801 North Capital of Texas Highway  
Suite E-240-206  
Austin, Texas 78746-1482

Grantee:

Donihoo Farms, Ltd.,  
a Texas limited partnership

Grantee's Address:

4925 Greenville Avenue, Suite 1020  
Dallas, Texas 75206

Lender:

Frost Bank

Lender's Address:

P. O. Box 1600  
San Antonio, Texas 78296

Consideration:

TEN DOLLARS (\$10.00) cash and other good and  
valuable consideration, together with the further  
consideration of the execution and delivery by Grantee of  
the Note to Lender, further identified below.

Real Property  
 (including any improvements)  
 [the "Property" herein]:

All that certain tract or parcel of land being 150.38 acres,  
 more or less, lying and being situated in the City of Parker,  
 Collin County, Texas, a part of the THOMAS ESTES  
 SURVEY, ABSTRACT No. 298, and being and including  
 all that same land conveyed to Parker Estates Associates as  
 evidenced by a deed recorded in Volume 1901, Page 930,  
 of the Collin County Land Records, said tract or parcel of  
 land is described in Exhibit "A" attached hereto.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 1



**Reservations From Conveyance & Warranty:**

None.

**Exceptions to Conveyance & Warranty:**

Post-Closing Agreement between Grantor and Grantee, dated of even date herewith, as evidenced by Memorandum of Post-Closing Agreement between Grantor and Grantee recorded in the Collin County Land Records in Collin County, Texas. The Post-Closing Agreement is expressly superior to (a) the Vendor's Lien reserved herein, and (ii) any lien or encumbrance that Grantee may grant on the Property.

Grantee is taking the Property "AS-IS" with any and all latent and patent defects. There is no warranty by Grantor that the Property is fit for a particular purpose. Grantee acknowledges that it is not relying upon the accuracy or completeness of any representation, brochure, rendering, promise, statement, or other assertion or information with respect to the Property made or furnished by or on behalf of, or otherwise attributed to, Grantor or any of its agents, employees, or representatives, any and all such reliance being hereby expressly and unequivocally disclaimed, but is relying solely and exclusively upon its own experience and its independent judgment, evaluation, and examination of the Property. Grantee further unequivocally disclaims (i) the existence of any duty to disclose on the part of Grantor or any of its agents, employees, or representatives and (ii) any reliance by Grantee on the silence or any alleged non-disclosure of Grantor or any of its agents, employees, or representatives. Grantee takes the Property under the express understanding that there are no express or implied warranties (except for limited warranties of title set forth in the conveyance section below). Grantee expressly acknowledges that no promise or agreement which is not herein expressed has been made to it and hereby disclaims any reliance upon any such alleged promise or agreement. This provision was freely negotiated and played an important part in the bargaining process for the Property. Grantee has agreed to disclaim reliance on Grantor and to accept the Property "as-is" with full awareness that the Property's prior uses or other matters could affect its condition, value, suitability, or fitness; and by acceptance of this deed, Grantee confirms that Grantee is hereby assuming all risk associated therewith. Grantee understands that the disclaimers of reliance and other provisions contained herein could limit any legal recourse or remedy Grantee otherwise might have.

In addition, this conveyance is subject to those matters set forth on **Exhibit "B"** attached hereto and incorporated herein.

**Vendor's Lien:**

It is expressly agreed that a VENDOR'S LIEN in the amount of the "Purchase Price" plus the "Tract 1 Lot Bonus" (each as defined in that certain Agreement of Purchase and Sale between Grantor, as seller, and Grantee, as buyer, dated effective as of October 16, 2014, as amended) (the "Vendor's Lien"), as well as the superior title in and to the Property, is retained against the Property, premises, and improvements until the below-described Note and all interest thereon are fully paid according to the face, tenor, effect, and reading thereof, when this Deed shall become absolute.

**Assignment of Vendor's Lien (3rd-Party Lender Financing):**

Lender, at the instance and request of Grantee, advanced and paid in cash to Grantor that portion of the purchase price of the Property as is evidenced by a portion of a note (the "Note") of even date herewith that is in the principal amount of \$6,500,000.00 in partial consideration for the purchase of the Property; THEREFORE, the Vendor's Lien, together with the superior title to the Property, is retained herein for the benefit of Lender and both are hereby TRANSFERRED and ASSIGNED to Lender.

**Deed of Trust:**

In order to secure the payment of the Note, Grantee has executed and delivered a Deed of Trust conveying title to Dan J. Guarino, Trustee, for the benefit of Lender.

**Ad Valorem Taxes:**

Ad valorem taxes for the Property for the current year having been prorated between Grantor and Grantee, payment thereof, is assumed by Grantee. Notwithstanding the foregoing, all Rollback and Supplemental Taxes against the Property, for periods before or after the date of this Deed, shall be paid by Grantee (except that if any Rollback and Supplemental Taxes on the Property were triggered before the date of this Deed by acts of Grantor, they shall be paid by Grantor). As used herein, the term "Rollback and Supplemental Taxes" shall mean any assessments or taxes that may be levied or assessed against the Property by a governmental authority for periods prior to or after the date of this Deed resulting from a change in use or ownership of the Property, or a waiver, lapse, or denial of any special tax exemption for the Property.

**Conveyance:**

Grantor, for the consideration and subject to the Reservations From Conveyance and Warranty and Exceptions to Conveyance and Warranty set forth above, GRANTS, SELLS, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, TO HAVE AND HOLD it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, if the claim is by, through or under Grantor, but not otherwise, except as to the Reservations From Conveyance and Warranty and Exceptions to Conveyance and Warranty set forth above.

**Terms:**

When the context requires, singular nouns and pronouns include the plural; and masculine forms include the feminine.

*[Signature page follows]*



GRANTOR:

Travis Parker Associates, Ltd.,  
a Texas limited partnership

By its General Partner:  
Travis Ridge Investments, LLC,  
a Texas limited liability company.

By: [Signature]  
C. Michael Bowen, Sr., Managing Member

NOTARY ACKNOWLEDGMENT

Colorado  
STATE OF ~~TEXAS~~ §  
COUNTY OF Eagle §

This instrument was acknowledged before me on June 24, 2015, by C. Michael Bowen, Sr., as Managing Member of Travis Ridge Investments, LLC, a Texas limited liability company, the General Partner of Travis Parker Associates, Ltd., a Texas limited partnership, on behalf of said limited partnership.

**DAVID M. STEWART-SHEAFFER**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19994012137  
MY COMMISSION EXPIRES MAY 5, 2019

[Signature]  
Notary Public in and for the State of Texas COLORADO

After Recording, Please Return to:  
Donihoo Farms, Ltd.,  
4925 Greenville Avenue, Suite 1020  
Dallas, Texas 75206  
Attn: Stephen L. Sallman

**EXHIBIT "A"**  
**Legal Description of Property**

**J.E. SMITH**  
**TEXAS LICENSED SURVEY FIRM No. 101060-00**  
**5269 HWY 377 South, Aubrey, Texas 76227**  
**jesmith@cebridge.net**  
**(940) 365-9289**

150.38 ACRE TRACT

W.O. 4069W-14

All that certain tract or parcel of land lying and being situated in the City of Parker, Collin County, Texas, a part of the THOMAS ESTES SURVEY, ABSTRACT NO. 298, and being and including all that same land conveyed to Parker Estates Associates as evidenced by a deed recorded in Volume 1901, page 930 of the Collin County Land Records said tract or parcel of land is herein described as follows; to wit:

BEGINNING at an one-half inch iron rod set (with yellow cap marked "J.E. SMITH 3700" and herein after called an one-half inch iron rod set) for the northeast corner of the said THOMAS ESTES SURVEY, said corner being on the west line of EASY ACRES ADDITION, an addition to Collin County according to the plat thereof recording in Volume 6, page 87 of the Collin County Map Records, said corner also being the southeast corner of a tract described in a deed to Graham Mortgage Corporation as recorded under Clerk's Document No. 20100803000798510;

THENCE with east line of the THOMAS ESTES SURVEY and along an old road, south 01 degrees 18 minutes 21 seconds west 97.68 feet to an one-half inch iron rod found (with cap marked "Precise") for the southwest corner of said EASY ACRES ADDITION and the southeast corner hereof;

THENCE continuing along east line of the THOMAS ESTES SURVEY and with the old road, south 00 degrees 50 minutes 03 seconds west 2111.50 feet to an one-half inch iron rod found (with cap marked "Precise") for the southeast corner hereof, said corner being the northeast corner of a tract described in a deed to Geneva Partners LTD. recorded in Volume 5874, page 2850 of the Collin County Deed Records;

THENCE north ~~89 degrees 36 minutes~~ 13 seconds west at 2715.56 feet passing the northeast corner of a record 3.00 acre tract (described in a deed recorded in Volume 3873, page 413 of the Collin County Land Records) and in all a total distance of 2855.13 feet to an one-half inch iron rod set for the southeast corner of SYCAMORE ESTATES SUBDIVISION (an addition to the City of Parker, according to the plat thereof recorded in Volume 11, page 59 of the Collin County Map Records), said corner being the southwest corner hereof;

THENCE along the east line of said SYCAMORE ESTATES SUBDIVISION, north 01 degrees 42 minutes 07 seconds east 344.20 feet to an one-half inch iron rod found for a re-entrant corner hereof, said corner being the northeast corner of Lot 3, Block A of said SUBDIVISION;

THENCE north 89 degrees 57 minutes 13 seconds west 132.47 feet to an one-half inch iron rod found at the southeast termination corner of Sycamore Lane for ell corner hereof, said corner being a re-entrant corner of said SYCAMORE ESTATES SUBDIVISION;

THENCE continuing with the east line of said SYCAMORE ESTATES SUBDIVISION, north 00 degrees 12 minutes 26 seconds east 1857.59 feet to an one-half inch iron rod set for the northwest corner hereof, said corner being the northeast corner of Lot 7, Block B of said SUBDIVISION;

THENCE south 89 degrees 44 minutes 41 seconds east passing the southeast corner of a tract described in a deed of RVW Sunchase LP described in a deed recorded under Clerk's Document No. 201409160001004670 and in all a total distance of 3003.58 feet to the Place of BEGINNING and containing 150.38 acres of land.

UNOFFICIAL

EXHIBIT "B"  
List of Permitted Exceptions

1. Restrictive Covenants contained in Volume 10, Page 28, Plat Records, Collin County, Texas.
2. Water pipeline easement to Pecan Orchard Water Supply recorded in Volume 913, Page 536, Real Property Records, Collin County, Texas, and as shown on the survey prepared by James E. Smith, II, dated October 29, 2014.
3. Water pipeline easement to Pecan Orchard Water Supply recorded in Volume 923, Page 229, Real Property Records, Collin County, Texas, and as shown on the survey prepared by James E. Smith, II, dated October 29, 2014.
4. Waste water transmission facilities easement to North Texas Municipal Water District recorded in Volume 2366, Page 864, Real Property Records, Collin County, Texas, and as shown on the survey prepared by James E. Smith, II, dated October 29, 2014.
5. Ingress and egress rights, if any, associated with roadbed along the east property line of Property as shown on the survey prepared by James E. Smith, II, dated October 29, 2014.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 7



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
06/30/2015 09:20:37 AM  
\$46.00 BVINCENT  
20150630000791540

*Stacey Kemp*

20170726000981160 07/26/2017 09:00:16 AM D1 1/8

**SPECIAL WARRANTY DEED****with Vendor's Lien** 15/ITC/1715886 -COM/LMB

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

STATE OF TEXAS

§

COUNTY OF COLLIN

§

§

Date: July 25, 2017

Grantor: Travis Parker Associates, Ltd., a Texas limited partnership,  
formerly known as Parker Estates Associates, a Texas  
general partnership

Grantor's Address: 3801 North Capital of Texas Highway  
Suite E-240-206  
Austin, Texas 78746-1482

Grantee: Donihoo Farms, Ltd.,  
a Texas limited partnership

Grantee's Address: 4925 Greenville Avenue, Suite 1020  
Dallas, Texas 75206

Lender: Travis Parker Associates, Ltd.,  
a Texas limited partnership

Lender's Address: 3801 North Capital of Texas Highway  
Suite E-240-206  
Austin, Texas 78746-1482

Consideration: TEN DOLLARS (\$10.00) cash and other good and  
valuable consideration, together with the further  
consideration of the execution and delivery by Grantee of  
the Note to Lender, further identified below.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 1



Real Property  
(including any improvements)  
[the "Property" herein]:

All that certain tract or parcel of land being 171.91 acres, more or less, lying and being situated in the City of Parker, Collin County, Texas, a part of the G.W. GUNNELL SURVEY, ABSTRACT No. 350, and being that same land conveyed to Parker Estates Associates by deed recorded in Volume 1909, Page 915, of the Collin County Land Records, said tract or parcel of land designated PARKER ESTATES according to the plat thereof recorded in Cabinet 10, Page 28 of the Collin County Map Records, said tract or parcel of land is described in Exhibit "A" attached hereto.

Reservations From Conveyance & Warranty:

None.

Exceptions to Conveyance & Warranty:

Grantee is taking the Property "AS-IS" with any and all latent and patent defects. There is no warranty by Grantor that the Property is fit for a particular purpose. Grantee acknowledges that it is not relying upon the accuracy or completeness of any representation, brochure, rendering, promise, statement, or other assertion or information with respect to the Property made or furnished by or on behalf of, or otherwise attributed to, Grantor or any of its agents, employees, or representatives, any and all such reliance being hereby expressly and unequivocally disclaimed, but is relying solely and exclusively upon its own experience and its independent judgment, evaluation, and examination of the Property. Grantee further unequivocally disclaims (i) the existence of any duty to disclose on the part of Grantor or any of its agents, employees, or representatives and (ii) any reliance by Grantee on the silence or any alleged non-disclosure of Grantor or any of its agents, employees, or representatives. Grantee takes the Property under the express understanding that there are no express or implied warranties (except for limited warranties of title set forth in the conveyance section below). Grantee expressly acknowledges that no promise or agreement which is not herein expressed has been made to it and hereby disclaims any reliance upon any such alleged promise or agreement. This provision was freely negotiated and played an important part in the bargaining process for the Property. Grantee has agreed to disclaim reliance on Grantor and to accept the Property "as-is" with full awareness that the Property's prior uses or other matters could affect its condition, value, suitability, or fitness; and by acceptance of this Deed, Grantee confirms that Grantee is hereby assuming all risk associated therewith. Grantee understands that the disclaimers of reliance and other provisions contained herein could limit any legal recourse or remedy Grantee otherwise might have.

In addition, this conveyance is subject to those matters set forth on Exhibit "B" attached hereto and incorporated herein.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 2

Vendor's Lien:

It is expressly agreed that a VENDOR'S LIEN, as well as the superior title in and to the Property, is retained against the Property, premises, and improvements until the below-described Note and all interest thereon are fully paid according to the face, tenor, effect, and reading thereof, when this Deed shall become absolute.

Seller Financing:

Grantee executed a note (the "Note") of even date herewith that is in the principal amount of \$2,474,792.20 for a portion of the purchase price of the Property; THEREFORE, the Vendor's Lien, together with the superior title to the Property, is retained herein for the benefit of Grantor.

Deed of Trust:

In order to secure the payment of the Note, Grantee has executed and delivered a Deed of Trust conveying title to Patrick E. Hudson, Trustee, for the benefit of Lender.

Ad Valorem Taxes:

Ad valorem taxes for the Property for the current year having been prorated between Grantor and Grantee, payment thereof, is assumed by Grantee. Notwithstanding the foregoing, all Rollback and Supplemental Taxes against the Property, for periods before or after the date of this Deed, shall be paid by Grantee (except that if any Rollback and Supplemental Taxes on the Property were triggered before the date of this Deed by acts of Grantor, they shall be paid by Grantor). As used herein, the term "Rollback and Supplemental Taxes" shall mean any assessments or taxes that may be levied or assessed against the Property by a governmental authority for periods prior to or after the date of this Deed resulting from a change in use or ownership of the Property, or a waiver, lapse, or denial of any special tax exemption for the Property.

Conveyance:

Grantor, for the consideration and subject to the Reservations From Conveyance and Warranty and Exceptions to Conveyance and Warranty set forth above, GRANTS, SELLS, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, TO HAVE AND HOLD it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, if the claim is by, through, or under Grantor, but not otherwise, except as to the Reservations From Conveyance and Warranty and Exceptions to Conveyance and Warranty set forth above.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 3

Terms:

When the context requires, singular nouns and pronouns include the plural; and masculine forms include the feminine.

GRANTOR:

Travis Parker Associates, Ltd.,  
a Texas limited partnership

By: Travis Ridge Investments, LLC,  
a Texas limited liability company,  
its General Partner

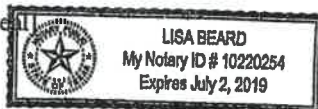
By:   
C. Michael Bowen, Sr., Managing Member

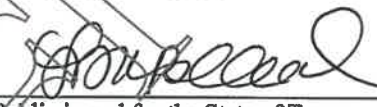
NOTARY ACKNOWLEDGMENT

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

This instrument was acknowledged before me on July 24, 2017, by C. Michael Bowen, Sr., as Managing Member of Travis Ridge Investments, LLC, a Texas limited liability company, the General Partner of Travis Parker Associates, Ltd., a Texas limited partnership, on behalf of said entities.

[Notary seal]



  
Notary Public in and for the State of Texas

After Recording, Please Return to:  
Donihoo Farms, Ltd.  
Attention: Stephen L. Sallman  
4925 Greenville Avenue, Suite 1020  
Dallas, Texas 75206

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 4



**EXHIBIT "A"****LEGAL DESCRIPTION OF PROPERTY**

**J.E. SMITH**  
**TEXAS LICENSED SURVEY FIRM No. 101060-00**  
**5269 HWY 377 South, Aubrey, Texas 76227**  
**jesmith@cebridge.net**  
**(940) 365-9289**

**171.91 ACRE TRACT**

W.O.4069E-14

All that certain tract or parcel of land lying and being situated in the City of Parker, Collin County, Texas, a part of the G.W. GUNNELL SURVEY, ABSTRACT No. 350, and being that same land conveyed to Parker Estates Associates by deed recorded in Volume 1909, page 915 of the Collin County Land Records, said tract or parcel of land being designated PARKER ESTATES according to the plat thereof recorded in Cabinet 10, Page 28 of the Collin County Map Records, said tract or parcel of land is herein described as follows: to wit:

BEGINNING at a 3/4 inch iron rod set on the west right-of-way line of F.M. Highway No. 2551 at the southeast corner of EASY ACRES ADDITION, an addition to Collin County according to the plat thereof recorded in Volume 6, page 87 of the Collin County Map Records, said corner being the northeast corner of the premises herein described;

THENCE along the west right-of-way line of said F.M. Highway No. 2551, south 00 degrees 41 minutes 57 seconds west 1664.10 feet to an one-half inch iron rod set (with cap marked "J.E. SMITH 3700" herein after called one-half inch iron rod set) at a point of curvature;

THENCE continuing with the west right-of-way line of said F.M. Highway along a curve to the left subtended by an angle of 12 degrees 17 minutes 20 seconds and a radius 1,954.86 feet (having a chord that bears south 05 degrees 26 minutes 43 seconds east 418.48 feet) an arc length of 419.28 to an one-half inch iron rod set on the east line of said GUNNELL SURVEY;

THENCE leaving the right-of-way of said Highway and along the east line of the G.W. GUNNELL SURVEY, south 00 degrees 48 minutes 47 seconds west passing the northwest corner of a 9.723 acre tract described in a deed recorded under Clerk's Document No. 95-0023382 and in all a total distance of 748.16 feet to an one-half inch iron rod set for the southeast corner hereof;

THENCE south 89 degrees 59 minutes 09 seconds west at 40.7 feet passing a 3/4 inch iron rod found at northeast corner of a tract described in a deed to Vijay K. Bhimani as recorded under Clerk's Document No. 20070925001326000, and in all a total distance of 2676.56 feet to an one-half inch iron rod set on the west line of the GUNNELL SURVEY for southwest corner hereof, said corner being the northwest corner of said Bhimani tract;

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 5

THENCE with the west line of GUNNELL SURVEY (common with the east line of the THOMAS ESTES SURVEY, ABSTRACT NO. 298) and along an old road, north 00 degrees 51 minutes 49 seconds east 725.80 feet to an one-half inch iron rod found at the northeast corner of a tract conveyed to Geneva Partners LTD described in a deed recorded in Volume 5874, page 2850 of the Collin County Deed Records, said corner being the southeast corner of a tract described in a deed to Parker Estates Associates recorded in Volume 1901, page 930 of the Collin County Land Records;

THENCE continuing with said old road and the west line of the G.W. GUNNELL SURVEY, north 00 degrees 50 minutes 03 second east 2111.50 feet to an one-half inch iron rod found (with cap marked "PERCISE") at the southwest corner of EASY ACRES ADDITION for the northwest corner hereof;

THENCE south 89 degrees 48 minutes 14 second east a distance of 2626.11 feet to the Place BEGINNING and containing 171.91 acres of land.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 6

**EXHIBIT "B"****LIST OF PERMITTED EXCEPTIONS**

1. Restrictive covenants contained in Volume 10, Page 28, Plat Records, Collin County, Texas.
2. Building setback lines and/or easements as set forth in instrument recorded in Volume 10, Page 28, Map Records, Collin County, Texas.
3. Easement:  
Recorded: Volume 911, Page 89, Real Property Records, Collin County, Texas  
To: Pecan Orchard Water District  
Purpose: Water line
4. Easement:  
Recorded: Volume 4437, Page 2547, Real Property Records, Collin County, Texas  
To: City of Parker  
Purpose: Utility lines and/or pipes and drainage pipes and/or ditches
5. Easement:  
Recorded: Volume 5069, Page 31, Real Property Records, Collin County, Texas  
To: City of Parker  
Purpose: Utility lines and/or pipes and drainage pipes and/or ditches
6. Easement:  
Recorded: Volume 5069, Page 37, Real Property Records, Collin County, Texas  
To: City of Parker  
Purpose: Utility lines and/or pipes and drainage pipes and/or ditches
7. Easement:  
Recorded: Volume 5069, Page 41, Real Property Records, Collin County, Texas  
To: City of Parker  
Purpose: Utility lines and/or pipes and drainage pipes and/or ditches
8. Easement:  
Recorded: Volume 5069, Page 47, Real Property Records, Collin County, Texas  
To: City of Parker  
Purpose: Utility lines and/or pipes and drainage pipes and/or ditches
9. Terms, conditions, and provisions contained in Easement Agreement for Drainage Facilities:  
Recorded: Clerk's File Number 20160120000064580, Official Public Records, Collin County, Texas  
Parties: Travis Parker Associates, Ltd. and Donihoo Farms, Ltd.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

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10. Terms, conditions, and provisions contained in Easement Agreement for Water Facilities:  
Recorded: Clerk's File Number 20160825001124170, Official Public Records, Collin  
County, Texas  
Parties: Travis Parker Associates, Ltd. and City of Parker

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

PAGE 8



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
07/26/2017 09:00:16 AM  
\$54.00 CJAMAL  
20170726000981160

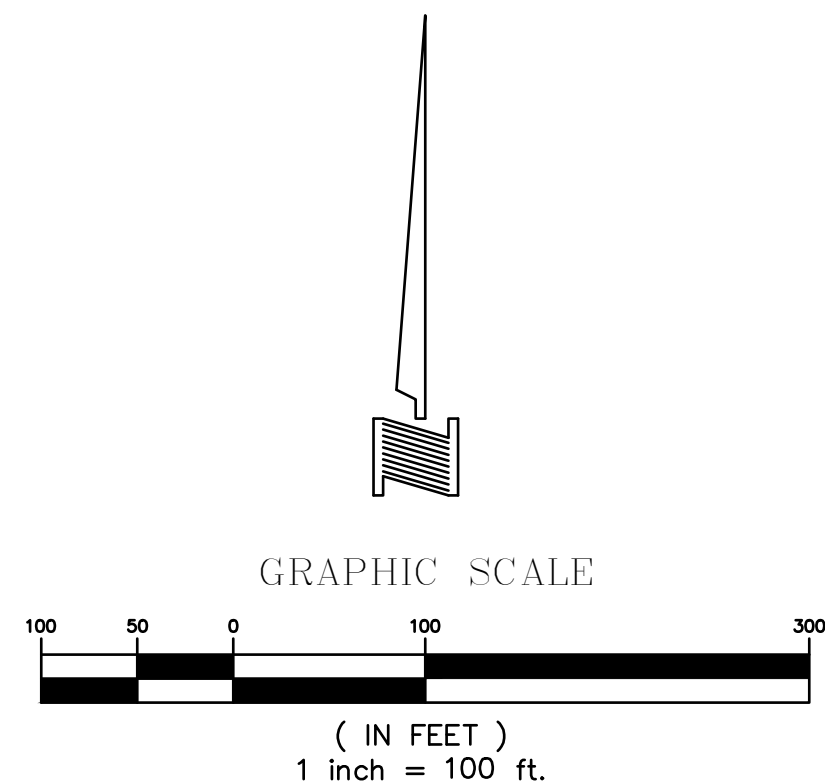
*Stacey Kemp*





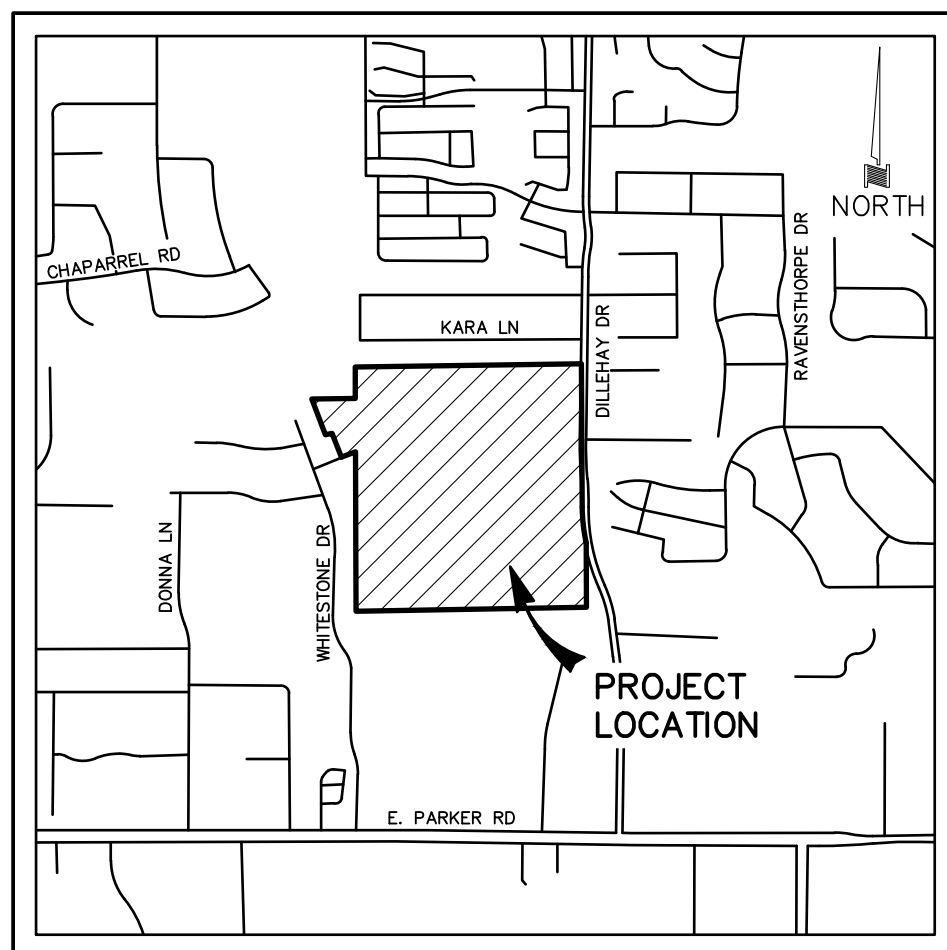
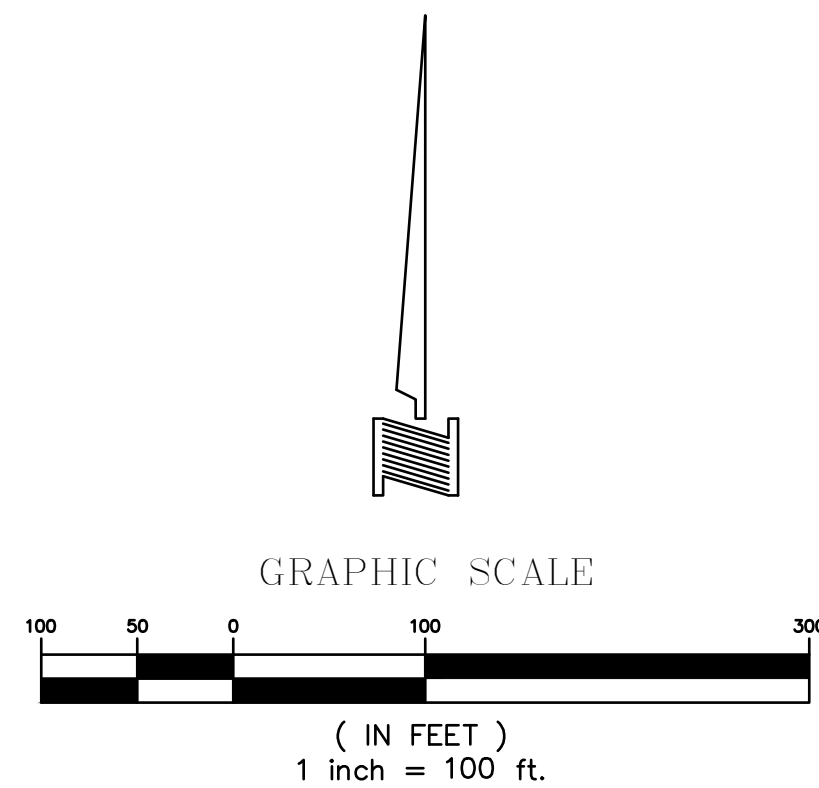
## 1 OF 3

- 
- STREET
- 25'
- ROW
- 25'
- STREET
- ROW
- TYPICAL 25'X25' VISIBILITY EASEMENT
- N.T.S.



LOCATION MAP  
NOT TO SCALE



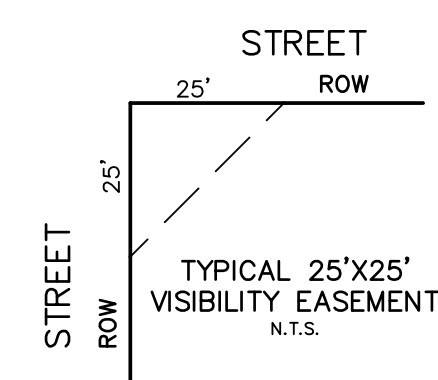
LOCATION MAP  
NOT TO SCALE**NOTES**

- DEVELOPER TO INSTALL ALL SIDEWALKS ALONG R.O.W. FRONTAGE OF HOA LOTS.
- ALL DEVELOPMENT WILL COMPLY WITH ALL ZONING & SUBDIVISION ORDINANCE REQUIREMENTS.
- COMMON AREA LOTS SHALL BE DEDICATED AS LANDSCAPING, TRAILS, PEDESTRIAN ACCESS EASEMENTS. PORTIONS OF THESE LOT SHALL BE DRAINAGE EASEMENTS ALONG THE EASTERN FLOODPLAIN LINE AS NOTED, TO BE OWNED & MAINTAINED BY THE HOA.
- SELLING A PORTION OF THIS ADDITION BY METES & BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW & IS SUBJECT TO A FINE & WITHHOLDING OF UTILITIES & BUILDING PERMITS.
- BASIS OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS NORTH CENTRAL ZONE, (4202).
- ALL LOT CORNERS SHALL BE MONUMENTED WITH A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "DAA", UNLESS OTHERWISE NOTED.
- "X" CUTS SET IN CONCRETE STREET PAVING AT ALL INTERSECTIONS & POINTS OF CURVATURE.
- ALL FENCING ADJACENT TO PARKS & COMMON AREA/OPEN SPACE LOTS SHALL BE ORNAMENTAL METAL.
- 15,008 ACRES (653,766 SF) OF STREET RIGHT-OF-WAY IS BEING DEDICATED BY FEE SIMPLE TO THE CITY OF PARKER.
- REFERENCE THE APPROVED MASTER DRAINAGE STUDY OF MAXWELL CREEK FOR WHITESTONE ESTATES PREPARED BY DAA, DATED JULY 2020, FOR FLOODPLAIN DATA.
- EXISTING SURFACE DATA SHOT BY DAA FIELD SURVEY COMPLETED IN OCTOBER 2020.

VIJAY K. BHIMANI AND  
ANU V. BHIMANI  
DOC. # 20070925001326000  
O.P.R.C.C.T.

**LEGEND**

- BL = BUILDING SETBACK LINE
- R.O.W. = RIGHT OF WAY
- SSE = SANITARY SEWER EASEMENT
- WE = WATER EASEMENT
- DE = DRAINAGE EASEMENT
- SWE = SIDEWALK EASEMENT
- VAM = VISIBILITY, ACCESS, & MAINTENANCE EASEMENT
- HOA = HOME OWNERS ASSOCIATION
- IRF = IRON ROD FOUND
- DUE = DRAINAGE & UTILITY EASEMENT
- WME = WALL & WALL MAINTENANCE EASEMENT
- 10'x10' = 10'x10' UTILITY EASEMENT
- CM = CONTROL MONUMENT
- M.R.C.C.T. = MAP RECORDS, COLLIN COUNTY, TEXAS
- D.R.C.C.T. = DEED RECORDS, COLLIN COUNTY, TEXAS
- O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
- 1/2" = 1/2" IRON ROD FOUND W/YELLOW PLASTIC CAP STAMPED "DAA" UNLESS OTHERWISE NOTED
- 1/2" = 1/2" IRON ROD SET
- DN = DENOTES STREET NAME CHANGE
- DN = DENOTES FRONT OF LOT
- KL = KEY LOT
- EA = EASEMENT TO BE ABANDONED BY THIS PLAT



93 RESIDENTIAL LOTS  
2 COMMON AREA LOTS  
175.894 ACRES  
**PRELIMINARY PLAT  
WHITESTONE ESTATES  
PHASES 5 & 6**  
AN ADDITION TO THE CITY OF PARKER  
PART OF 344 ACRE TRACT OF LAND IN THE  
GEORGE W GUNNELL SURVEY,  
ABSTRACT NO. 350,  
IN THE  
CITY OF PARKER  
COLLIN COUNTY, TEXAS  
JULY 2021 SCALE: 1"=100'  
OWNER/DEVELOPER  
DONIHOO FARMS, LTD.  
4040 N. CENTRAL EXPRESSWAY, SUITE 850  
DALLAS, TX, 75204  
PH: (214) 368-0238



ENGINEER  
**DOWDEY, ANDERSON & ASSOCIATES, INC.**  
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694  
STATE REGISTRATION NUMBER: F-399

OWNER’S CERTIFICATE AND DEDICATION

STATE OF TEXAS       §  
COUNTY OF COLLIN   §

BEING a tract of land situated in the HEIRS OF THOMAS ESTES SURVEY, ABSTRACT 298, GEORGE W. GUNNELL SURVEY, ABSTRACT 350, Collin County, Texas, and the HEIRS OF DANIEL B. HEARN SURVEY, ABSTRACT 427, and being all of that tract of land conveyed in Deed to Donihoo Farms, Ltd., according to the document of record filed in Document Number 20150630000791540, Official Public Records, Collin County, Texas, and being part of that tract of land conveyed in Deed to Donihoo Farms, Ltd., according to the document of record filed in Document Number 20170726000981160, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2"iron rod found in the east line of Lot 3, Block A, WHITESTONE ESTATES, PHASE 1, an Addition to the City of Parker, Collin County, Texas, according to the Plat of record filed in Cabinet 2017, Slide 187, Official Public Records, Collin County, Texas, for the common southwest corner of said Donihoo Farms, Ltd. tract, (Document Number 20170726000981160), and the northwest corner of that tract of land conveyed in Deed to Vijay K. Bhimani and Anu V. Bhimani, according to the document of record filed in Document Number 20070925001326000, Official Public Records, Collin County, Texas;

THENCE N 00° 08' 09" W, with the common west line of said Donihoo Farms, Ltd. tract (Document Number 20170726000981160), a distance of 725.79 feet to a 1/2" iron rod with a yellow cap stamped 'PRECISE LAND SURVEYING'found in the east line of Lot 7, Block A of said Addition;

THENCE N 00° 11' 11" W, continuing with said common line, a distance of 1,062.19 feet to a 5/8"iron rod with a yellow cap stamped 'WESTWOOD PS'found for the southeast corner of said Donihoo Farms, Ltd. tract (Document Number 20150630000791540);

THENCE S 68° 38' 49" W, with the south line of said Donihoo Farms, Ltd. tract and the north line of Belvedere Drive, a 50' right-of-way, a distance of 159.38 feet to a 1/2"iron rod set for the southeast corner of Lot 2, Block D of said Addition;

THENCE With the common west line of said Donihoo Farms, Ltd. tract and the east line of said Addition, the following courses and distances:

N 21° 21' 11" W, a distance of 269.01 feet to a 1/2"iron rod set for the northeast corner of said Lot 2;

S 78° 06' 01" W, a distance of 71.85 feet to a 1/2"iron rod set for the southeast corner of Lot 3, Block D of said Addition;

N 20° 47' 14" W, a distance of 401.94 feet to a 1/2" iron rod set in the south line of Lot 8, Block D, WHITESTONE ESTATES, PHASE 2, an Addition to the City of Parker, Collin County, Texas, according to the Plat of record filed in Document Number 20200914010003510, Official Public records, Collin County, Texas, for the common northwest corner of said Donihoo Farms, Ltd. tract and the northeast corner of Lot 5, Block D of said WHITESTONE ESTATES, PHASE 1 Addition;

THENCE N 89° 13' 56" E, with the common north line of said Donihoo Farms, Ltd. tract and the south line of said WHITESTONE ESTATES, PHASE 2 Addition, a distance of 475.57 feet to a 1/2" iron rod set in the west line of said Donihoo Farms, Ltd. tract, (Document Number 20170726000981160), for the common northeast corner of said of said Donihoo Farms, Ltd. tract, (Document Number 20150630000791540), and the southeast corner of Lot 9, Block D, of said WHITESTONE ESTATES, PHASE 2 Addition;

THENCE N 00° 11' 11" E, with the common west line of said Donihoo Farms, Ltd. tract, (Document Number 20170726000981160), and the east line of said WHITESTONE ESTATES, PHASE 2 Addition, a distance of 489.70 feet to a 1/2" iron rod set for the common northwest corner of said Donihoo Farms, Ltd. tract and the southwest corner of EASY ACRES ADDITION, an Addition to the City of Parker, Collin County, Texas, according to the Plat of record filed in Volume 6, Page 87, Map Records, Collin County, Texas;

THENCE N 89° 10' 33" E, with the common north line of said Donihoo Farms, Ltd. tract and the south line of said EASY ACRES ADDITION, a distance of 2,619.58 feet to a 1/2" iron rod set in the west line of Farm to Market Road 2551 (F.M. 2551), a 90' right-of-way, for the northeast corner of said Donihoo Farms, Ltd. tract;

THENCE With the common east line of said Donihoo Farms, Ltd. tract and the west line of said F.M. 2551, the following courses and distances:

S 00° 19' 47" E, a distance of 25.31 feet to a 1/2" iron rod set;

S 02° 05' 20" E, a distance of 236.37 feet to a 1/2" iron rod set;

S 00° 19' 42" E, a distance of 542.35 feet to a 1/2" iron rod set at the beginning of a curve to the left, having a central angle of 10° 03' 06", a radius of 1,060.04 feet and a chord bearing and distance of S 05° 21' 15" E, 185.73 feet;

With said curve to the left, an arc distance of 185.97 feet to a 1/2" iron rod set;

S 00° 19' 10" E, a distance of 675.26 feet to a 1/2" iron rod found at the beginning of a curve to the left, having a central angle of 12° 17' 09", a radius of 1,954.86 feet and a chord bearing and distance of S 06° 27' 45" E, 418.38 feet;

With said curve to the left, an arc distance of 419.18 feet to a 1/2" iron rod set;

THENCE S 00° 12' 06" E, continuing with the east line of said Donihoo Farms, Ltd. tract, a distance of 748.18 feet to a 1/2" iron rod with a yellow cap stamped 'J.E. SMITH 3700'found for the common southeast corner of said Donihoo Farms, Ltd. tract and an interior ell corner of that tract of land conveyed in Deed to T.R Bowen and wife, Tressie Lee Bowen, according to the document of record filed in Document Number 1995--0023383, Official Public Records, Collin County, Texas;

THENCE S 88° 59' 37" W, with the south line of said Donihoo Farms, Ltd. tract, a distance of 2,676.59 feet to the POINT OF BEGINNING, and containing 175.894 acres of land, more or less.

LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
15	A	55948	1.28
16	A	44000	1.01
17	A	44000	1.01
18	A	44000	1.01
19	A	44000	1.01
20	A	44000	1.01
21	A	44012	1.01
22	A	44035	1.01
23	A	54305	1.25
24	A	74062	1.70
25	A	43815	1.01
26	A	43684	1.00
27	A	43911	1.01
28	A	43721	1.00
29	A	43786	1.01
30	A	43821	1.01
31	A	43974	1.01
32	A	43979	1.01
33	A	44000	1.01
34	A	44000	1.01

LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
35	A	44000	1.01
36	A	44000	1.01

LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
15	D	60900	1.40
16	D	69647	1.60
17	D	67016	1.54
18	D	66510	1.53
19	D	51701	1.19
20	D	52518	1.21
21	D	53592	1.23
22	D	54077	1.24
23	D	53963	1.24
24	D	53250	1.22
25	D	57588	1.32
26	D	85549	1.96
27	D	65474	1.50
28	D	53804	1.24
29	D	67589	1.55

LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
1	H	50789	1.17
2	H	46570	1.07
3	H	45401	1.04
4	H	44668	1.03
5	H	44390	1.02
6	H	44565	1.02
7	H	45194	1.04
8	H	46216	1.06
9	H	48448	1.11
10	H	55593	1.28
11	H	51330	1.18
12	H	51330	1.18
13	H	51330	1.18
14	H	51330	1.18
15	H	51330	1.18
17	H	67609	1.55

HOA LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
1X	A	1761298	40.43
2X	D	512225	11.76

LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
2	I	47794	1.10
3	I	48177	1.11
4	I	54063	1.24
5	I	55294	1.27
6	I	52396	1.20
7	I	55472	1.27
8	I	54582	1.25
9	I	55112	1.27
10	I	45818	1.05
11	I	47190	1.08
14	I	47190	1.08
15	I	45818	1.05
16	I	58716	1.35
17	I	56230	1.29
18	I	58237	1.34
19	I	50446	1.16
20	I	44364	1.02
21	I	48322	1.11
22	I	47903	1.10
23	I	45818	1.05

LOT AREA TABLE			
LOT	BLOCK	AREA (SF)	AREA (AC)
24	I	47190	1.08
27	I	47190	1.08
28	I	45818	1.05
29	I	53376	1.23
30	I	51451	1.18
31	I	50644	1.16
32	I	55692	1.28
33	I	56228	1.29
34	I	49260	1.13
35	I	48155	1.11
36	I	48083	1.10
37	I	45379	1.04
38	I	46836	1.08
39	I	44636	1.02

ROADWAY CURVE TABLE					
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	92°54'34"	250.00'	263.03'	405.39'	N46°16'07"E 362.42'
C2	6°39'10"	9000.00'	523.09'	1045.01'	N89°23'49"E 1044.42'
C3	103°03'13"	250.00'	314.59'	449.66'	N42°24'10"W 391.45'
C4	15°31'26"	500.00'	68.15'	135.47'	N01°21'44"E 135.06'
C5	26°45'48"	500.00'	118.95'	233.55'	N19°46'53"W 231.44'
C6	32°09'24"	500.00'	144.11'	280.62'	N17°05'05"W 276.95'
C7	90°49'13"	50.00'	50.72'	79.26'	N44°24'13"E 71.21'
C8	3°03'27"	1000.00'	26.69'	53.36'	S88°39'27"E 53.36'
C9	6°06'55"	9000.00'	480.74'	960.56'	N89°48'49"E 960.11'
C10	3°03'27"	1000.00'	26.69'	53.36'	N88°17°06"E 53.36'
C11	90°00'00"	50.00'	50.00'	78.54'	N45°11'11"W 70.71'
C12	36°31'39"	250.00'	82.50'	159.38'	N18°27°00"W 156.70'
C13	36°31'39"	250.00'	82.50'	159.38'	N18°27°00"W 156.70'
C14	17°17'41"	300.00'	45.62'	90.55'	N60°00'00"E 90.21'
C15	37°53'02"	300.00'	102.96'	198.36'	N70°17'41"E 194.77'
C16	26°44'07"	1000.00'	237.64'	466.62'	N75°52'08"E 462.40'
C17	26°40'12"	988.50'	234.31'	460.13'	N75°50'11"E 455.98'
C18	6°12'49"	250.00'	13.57'	27.11'	S86°42'25"W 27.10'
C19	15°13'59"	250.00'	33.43'	66.47'	S82°11'50"W 66.27'

LOT CURVE TABLE					
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C22	96°55'26"	50.00'	56.44'	84.58'	S78°35'39"E 74.85'

OWNERS CERTIFICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT DONIHOO FARMS, LTD., acting herein by and through its duly authorized officer, does hereby adopt this preliminary plat designating the herein above described property as WHITESTONE ESTATES PHASES 5 & 6, an addition to the City of Parker, Texas, and does hereby dedicate in fee simple, to the public use forever, the streets, alleys and public areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Parker and all public utilities desiring to use or using same. All and any public utility and the City of Parker shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in anyway endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Parker and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems, without the necessity, at any time or procuring the permission of anyone.

This preliminary plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Parker, Texas

WITNESS, my hand this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

For: DONIHOO FARMS, LTD., a Texas limited partnership  
By: DF Advisors, LLC, its general partner

By: Stephen L. Sallman, Manager

STATE OF TEXAS   §  
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary public in and for the State of Texas, on this day personally appeared Stephen L. Sallman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under me and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires On:

HEALTH DEPARTMENT CERTIFICATE

I hereby certify that the on-site sewage facilities described on this plat conform to the applicable OSSF laws of the State of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

REGISTERED SANITARIAN OR DESIGNATED REPRESENTATIVE  
COLLIN COUNTY DEVELOPMENT SERVICES

SURVEYOR’S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, JESUS J. LAJARA, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Parker.

**"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED, VIEWED, OR RELIED UPON AS A FINAL SURVEY DOCUMENT" (RELEASE DATE: 10/14/2020)**

JESUS J. LAJARA  
Registered Professional Land Surveyor  
No. 6378

STATE OF TEXAS   §  
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary public in and for the State of Texas, on this day personally appeared JESUS J. LAJARA, Registered Professional Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under me and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires On:

CITY APPROVAL CERTIFICATE

Recommended for Approval:

Chairman, Planning and Zoning Commission  
City of Parker, Texas

Date

Approved and Accepted:

Mayor, City of Parker, Texas

Date

The undersigned, the City Secretary of the City of Parker, hereby certifies that the foregoing preliminary plat of Whitestone Estates, Phase 5 & 6, a subdivision or addition to the City of Parker was submitted to the City Council on this \_\_\_\_ day of \_\_\_\_\_, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the mayor to note the approval thereof by signing his name herein above subscribed,

Witness by hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Secretary  
City of Parker, Texas

Date

93 RESIDENTIAL LOTS  
2 COMMON AREA LOTS  
175.894 ACRES  
PRELIMINARY PLAT  
WHITESTONE ESTATES  
PHASES 5 & 6  
AN ADDITION TO THE CITY OF PARKER  
PART OF 344 ACRE TRACT OF LAND IN THE  
GEORGE W GUNNELL SURVEY,  
ABSTRACT NO. 350,  
IN THE  
CITY OF PARKER  
COLLIN COUNTY, TEXAS  
JULY 2021 SCALE: --  
OWNER/DEVELOPER  
DONIHOO FARMS, LTD.  
4040 N. CENTRAL EXPRESSWAY, SUITE 850  
DALLAS, TX, 75204  
PH: (214) 368--0238



ENGINEER  
DOWDEY, ANDERSON & ASSOCIATES, INC.  
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694  
STATE REGISTRATION NUMBER: F-399





## Council Agenda Item

Budget Account Code:	Enter Text Here	Meeting Date:	See above.
Budgeted Amount:	Enter Text Here	Department/ Requestor:	Council
Fund Balance-before expenditure:	Enter Text Here	Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:	Enter Text Here	Date Prepared:	July 21, 2021
Exhibits:	<ol style="list-style-type: none"> <li>1. <a href="#">Proposed Resolution (with attachment)</a></li> <li>2. <a href="#">Model Staff Report (with attachment)</a></li> </ol>		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2021-674 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL..

### SUMMARY

This resolution would approve a negotiated settlement between the ATMOS Cities Steering Committee (ACSC) and ATMOS Energy Corporation, Mid-TEX Division regarding the company's 2020 rate review mechanism.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	07/29/2021
Interim City Attorney:	<i>Scott D. Levine</i>	Date:	07/29/2021 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021



**RESOLUTION NO. 2021-674**  
*(2021 ATMOS MID-TEX RRM SETTLEMENT)*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

WHEREAS, the City of Parker, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process

instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2021, Atmos Mid-Tex filed its 2021 RRM rate request with ACSC Cities based on a test year ending December 31, 2020; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2021 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$22.78 million applicable to ACSC Cities with an Effective Date of December 1, 2021; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the two month delayed Effective Date from October 1 to December 1 will save ACSC ratepayers approximately \$3.8 million off new rates imposed by the attached tariffs (Exhibit A); and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B); and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability prepared by Atmos Mid-Tex (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

**Section 1.** That the findings set forth in this Resolution are hereby in all things approved.

**Section 2.** That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$22.78 million for ACSC Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2021 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

**Section 3.** That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

**Section 4.** That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually

an additional \$22.78 million from customers in ACSC Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

**Section 5.** That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

**Section 6.** That subject to any future settlement or decision regarding the balance of Excess Deferred Income Tax to be refunded to ratepayers, the amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

**Section 7.** That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2021 RRM filing.

**Section 8.** That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

**Section 9.** That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 10.** That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

**Section 11.** That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates

authorized by attached tariffs to be effective for bills rendered on or after December 1, 2021.

**Section 12.** That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**DULY PASSED AND APPROVED** by the City Council of the City of Parker, Collin County, Texas, by a vote of     to    , on this the 3<sup>rd</sup> day of August, 2021.

APPROVED:  
CITY OF PARKER

\_\_\_\_\_  
Lee Pettie, Mayor

ATTEST:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott D. Levine, Interim City Attorney

**Exhibit A**  
**to 2021 RRM Resolution or Ordinance**

**Mid-Tex Tariffs**  
**Effective December 1, 2021**

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

**RRC Tariff No:**

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

**Application**

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 20.85 per month
Rider CEE Surcharge	\$ 0.05 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 20.90 per month</b>
Commodity Charge – All <u>Ccf</u>	\$0.27979 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2021.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

**RRC Tariff No:**

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE: Page</b>

**Application**

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 56.50 per month
Rider CEE Surcharge	\$ 0.01 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 56.51 per month</b>
Commodity Charge – All Ccf	\$ 0.12263 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2021.



**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

**RRC Tariff No:**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

**Application**

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,054.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4330 per MMBtu
Next 3,500 MMBtu	\$ 0.3171 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0680 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

**RRC Tariff No:**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

**RRC Tariff No:**

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

**Application**

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,054.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4330 per MMBtu
Next 3,500 MMBtu	\$ 0.3171 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0680 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Imbalance Fees**

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

**RRC Tariff No:**

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

$i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf

$R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.

$HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class

$NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

$ADD$  = billing cycle actual heating degree days.

$BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2021</b>	<b>PAGE:</b>

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	11.88	0.1459	85.39	0.6996
Austin	10.34	0.1452	194.82	0.9398
Dallas	15.21	0.1915	148.19	1.0986
Waco	10.63	0.1373	130.39	0.7436
Wichita Falls	12.63	0.1398	109.17	0.5803

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [atmosenergy.com/mtx-wna](http://atmosenergy.com/mtx-wna), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**Exhibit B**  
**to 2021 RRM Resolution or Ordinance**

**Mid-Tex**  
**2021 Benchmark for Pensions**  
**and Retiree Benefits**



**ATMOS ENERGY CORP., MID-TEX DIVISION**  
**PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL**  
**TEST YEAR ENDING DECEMBER 31, 2020**

Line No.	Description (a)	Shared Services (b)		Post-Employment Benefit Plan (c)		Pension Account Plan (d)		Mid-Tex Direct Supplemental Executive Benefit Plan (e)		Post-Employment Benefit Plan (f)		Adjustment Total (g)
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	
1	Proposed Benefits Benchmark - Fiscal Year 2021 Willis Towers Watson											
2	Report as adjusted (1) (2) (3)	\$ 2,917,949	\$ 4,908,358	\$ 5,447,063	\$ 6,600,073	\$ 5,447,063	\$ 6,600,073	\$ 293,818	\$ 6,600,073	\$ 5,447,063	\$ 6,600,073	
3	Allocation to Mid-Tex	43.68%	43.68%	76.11%	76.11%	76.11%	76.11%	100.00%	76.11%	76.11%	76.11%	
4	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)											
5	O&M and Capital Allocation Factor	\$ 1,274,655	\$ 2,144,130	\$ 4,145,546	\$ 5,023,057	\$ 4,145,546	\$ 5,023,057	\$ 293,818	\$ 5,023,057	\$ 4,145,546	\$ 5,023,057	
6	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	
7		\$ 1,274,655	\$ 2,144,130	\$ 4,145,546	\$ 5,023,057	\$ 4,145,546	\$ 5,023,057	\$ 293,818	\$ 5,023,057	\$ 4,145,546	\$ 5,023,057	\$ 12,881,205
8	Summary of Costs to Approve (1):											
9		75.07%	75.07%	38.66%	38.66%	38.66%	38.66%	11.00%	38.66%	38.66%	38.66%	
10	O&M Expense Factor (WP_F-2.3, Ln 2)											
11		75.07%	75.07%	38.66%	38.66%	38.66%	38.66%	11.00%	38.66%	38.66%	38.66%	
12												
13	Total Pension Account Plan	\$ 956,873	\$ 1,609,582	\$ 1,602,484	\$ 2,559,357	\$ 1,602,484	\$ 2,559,357	\$ 32,322	\$ 2,559,357	\$ 1,602,484	\$ 2,559,357	\$ 2,559,357
14	Total Post-Employment Benefit Plan											\$ 3,551,272
15	Total Supplemental Executive Benefit Plan											\$ 32,322
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 956,873	\$ 1,609,582	\$ 1,602,484	\$ 2,559,357	\$ 1,602,484	\$ 2,559,357	\$ 32,322	\$ 2,559,357	\$ 1,602,484	\$ 2,559,357	\$ 6,142,952
17												

**Notes:**

- Studies not applicable to Mid-Tex or Shared Services are omitted.
- Mid-Tex is proposing that the Fiscal Year 2021 Willis Towers Watson actuarial amounts shown on WP\_F-2.3 and WP\_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The benchmark amount approved by the RRM Cities for future periods includes only the expense amount. The amount attributable to capital is recorded to utility plant through the overhead process as described in the CAM.
- SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.

**Exhibit C**  
**to 2021 RRM Resolution or Ordinance**

**Mid-Tex 2021 Schedule for**  
**Amortization for Regulatory Liability**

**ATMOS ENERGY CORP., MID-TEX DIVISION**  
**RATE BASE ADJUSTMENTS**  
**TEST YEAR ENDING DECEMBER 31, 2020**  
**AMORTIZATION OF REGULATORY LIABILITY**

Line No.	Year Ended Dec. 31	Beginning Protected Balance	Protected Amortization	Ending Protected Balance	Beginning Unprotected Balance	Unprotected Amortization	Ending Unprotected Balance	Total Protected & Unprotected Amortization	Total Protected & Unprotected Balance
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
1	2017 (3)	\$ -	\$ -	\$ (51,477,654)	\$ -	\$ -	\$ 343,746,535	\$ -	\$ 292,268,881
2	2018	(51,477,654)	494,977	(50,982,677)	343,746,535	(3,513,868)	340,232,667	(3,018,891)	289,249,991
3	2019	(50,982,677)	1,979,910	(49,002,767)	340,232,667	(14,057,872)	326,174,795	(12,077,963)	277,172,028
4	2020	(49,002,767)	1,979,910	(47,022,857)	326,174,795	(13,988,908)	312,185,886	(12,008,999)	265,163,029
5	2021	(47,022,857)	3,464,842	(43,558,015)	312,185,886	(26,390,127)	285,795,760	(22,925,284)	242,237,745
6	2022	(43,558,015)	1,979,910	(41,578,105)	285,795,760	(60,167,528)	225,628,231	(58,187,619)	184,050,126
7	2023	(41,578,105)	1,979,910	(39,598,195)	225,628,231	(60,167,528)	165,460,703	(58,187,619)	125,862,508
8	2024	(39,598,195)	1,979,910	(37,618,286)	165,460,703	(60,167,528)	105,293,175	(58,187,619)	67,674,889
9	2025	(37,618,286)	1,979,910	(35,638,376)	105,293,175	(60,167,528)	45,125,646	(58,187,619)	9,487,270
10	2026	(35,638,376)	1,979,910	(33,658,466)	45,125,646	(45,125,646)	(0)	(43,145,737)	(33,658,466)
11	2027	(33,658,466)	1,979,910	(31,678,556)	(0)	0		1,979,910	(31,678,556)
12	2028	(31,678,556)	1,979,910	(29,698,647)	-	-		1,979,910	(29,698,647)
13	2029	(29,698,647)	1,979,910	(27,718,737)	-	-		1,979,910	(27,718,737)
14	2030	(27,718,737)	1,979,910	(25,738,827)	-	-		1,979,910	(25,738,827)
15	2031	(25,738,827)	1,979,910	(23,758,917)	-	-		1,979,910	(23,758,917)
16	2032	(23,758,917)	1,979,910	(21,779,007)	-	-		1,979,910	(21,779,007)
17	2033	(21,779,007)	1,979,910	(19,799,098)	-	-		1,979,910	(19,799,098)
18	2034	(19,799,098)	1,979,910	(17,819,188)	-	-		1,979,910	(17,819,188)
19	2035	(17,819,188)	1,979,910	(15,839,278)	-	-		1,979,910	(15,839,278)
20	2036	(15,839,278)	1,979,910	(13,859,368)	-	-		1,979,910	(13,859,368)
21	2037	(13,859,368)	1,979,910	(11,879,459)	-	-		1,979,910	(11,879,459)
22	2038	(11,879,459)	1,979,910	(9,899,549)	-	-		1,979,910	(9,899,549)
23	2039	(9,899,549)	1,979,910	(7,919,639)	-	-		1,979,910	(7,919,639)
24	2040	(7,919,639)	1,979,910	(5,939,729)	-	-		1,979,910	(5,939,729)
25	2041	(5,939,729)	1,979,910	(3,959,820)	-	-		1,979,910	(3,959,820)
26	2042	(3,959,820)	1,979,910	(1,979,910)	-	-		1,979,910	(1,979,910)
27	2043	(1,979,910)	1,979,910	0	-	-		1,979,910	0
28									
29	Revenue Related Tax Factor				See WP_F-5.1			6.79%	
30	Revenue Related Taxes on Annual Amortization				Amortization * Tax Factor		\$	3,949,355	
31	Amortization Including Revenue Related Taxes				Amortization + Taxes		\$	62,136,973	
32									

## Notes:

1. The annual amortization of the protected balance is a 26 year recovery period based on the Reverse South Georgia Method. The annual amortization of the unprotected balance is 5 years.
2. The Regulatory Liability is recorded to FERC Accounts 253 and 242, Sub Account 27909.
3. This is the final Mid-Tex liability balance filing the Fiscal Year 2018 tax return.

July 21, 2021

## **MODEL STAFF REPORT FOR RESOLUTION OR ORDINANCE**

### **BACKGROUND AND SUMMARY**

The City, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2021, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2020, entitled it to additional system-wide revenues of \$43.4 million.

Application of the standards set forth in ACSC’s RRM Tariff reduces the Company’s request to \$40.5 million, \$29.3 million of which would be applicable to ACSC members. ACSC’s consultants concluded that the system-wide deficiency under the RRM regime should be \$22.34 million instead of the claimed \$40.5 million. The amount of the \$22.34 million deficiency applicable to ACSC members would be \$16.8 million.

After the Company reviewed ACSC’s consultants’ report, ACSC’s Executive Committee and the Company negotiated a settlement whereby the Company would receive an increase of \$22.78 million from ACSC Cities, but with a two-month delay in the Effective Date until December 1, 2021. This should save ACSC cities approximately \$3.8 million.

The Executive Committee recommends a settlement at \$22.78 million. The Effective Date for new rates is December 1, 2021. ACSC members should take action approving the Resolution before October 1, 2021.

### **PROOF OF REVENUES**

Atmos generated proof that the rate tariffs attached to the Resolution will generate \$22.78 million in additional revenues from ACSC Cities. That proof is attached as Attachment 1 to this Staff Report. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

### **BILL IMPACT**

The impact of the settlement on average residential rates is an increase of \$1.28 on a monthly basis, or 2.2 percent. The increase for average commercial usage will be \$4.03 or 1.61 percent. A bill impact comparison is attached as Attachment 2.

### **SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS**

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

### **RRM SAVINGS OVER GRIP**

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on December 1, 2021, ACSC residents will maintain an economic monthly advantage over GRIP and DARR rates. See Attachment 3.

**EXPLANATION OF “BE IT RESOLVED” PARAGRAPHS:**

1. This section approves all findings in the Resolution.
2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section makes it clear that Cities may challenge future costs associated with gas leaks like the explosion in North Dallas or the evacuation in Georgetown.
4. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional \$22.78 million from ACSC Cities.
5. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.
6. This section approves an exhibit to be used in future rate cases or RRM filings regarding recovery of regulatory liabilities, such as excess deferred income taxes.
7. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Resolution approving new rate tariffs.
8. This section repeals any resolution or ordinance that is inconsistent with the Resolution.
9. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

10. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.
11. This section provides for an effective date upon passage. December 1, 2021 represents a two month delay in the Effective Date established by the RRM tariff.
12. This section directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for ACSC.

## CONCLUSION

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover \$43.4 million in additional system-wide revenues, the RRM settlement at \$22.78 million for ACSC Cities reflects substantial savings to ACSC Cities. Settlement at \$22.78 million (plus \$3.8 of additional savings due to the two-month delay) is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members urges all ACSC members to pass the Resolution before October 1, 2021. New rates become effective December 1, 2021.



**Attachment 1 to  
Model Staff Report**

**2021 RRM**

**Proof of Revenues**

**ATMOS ENERGY CORP., MID-TEX DIVISION**  
**RRM CITIES RATE REVIEW MECHANISM**  
**PROOF OF REVENUES - RRM CITIES**  
**TEST YEAR ENDING DECEMBER 31, 2020**

Line No.	Customer Class (a)	Current (b)	Proposed (c)	Bills (d)	Ccf/MmBtu (e)	Current Revenues (f)	Proposed Revenues (g)	Increase (h)
<b>1</b>	<b>Residential</b>							
2	Customer Charge	\$	20.25	\$	13,861,632	\$	280,698,048	\$
3	Consumption Charge		0.26651			167,181,199	175,511,717	\$
4	Revenue Related Taxes		0.27979		627,298,034	30,398,805	31,528,717	\$
5	Total Class Revenue					\$ 478,278,052	\$ 496,055,461	\$ 17,777,409
<b>6</b>	<b>Commercial</b>							
7	Customer Charge	\$	54.50	\$	1,094,352	\$	59,642,184	\$
8	Consumption Charge		0.11728			42,672,431	44,619,033	\$
9	Revenue Related Taxes		0.12263		363,850,875	6,944,376	7,225,051	\$
10	Total Class Revenue					\$ 109,258,991	\$ 113,674,972	\$ 4,415,981
<b>11</b>	<b>Industrial &amp; Transportation</b>							
12	Customer Charge	\$	1,014.50	\$	7,056	\$	7,158,312	\$
13	Consumption Charge Tier 1		0.4157			3,109,328	3,238,728	\$
14	Consumption Charge Tier 2		0.3044			2,521,298	2,626,490	\$
15	Consumption Charge Tier 3		0.0653		13,018,926	850,136	885,287	\$
16	Revenue Related Taxes		0.0680			925,722	963,306	\$
17	Total Class Revenue					\$ 14,564,796	\$ 15,156,127	\$ 591,331
<b>18</b>	<b>Total Excluding Other Revenue</b>					\$ 602,101,840	\$ 624,886,561	\$ 22,784,721
<b>19</b>	<b>Revenue Related Tax Factor</b>		6.7873%					\$ 21,336,550

**Attachment 2  
to 2021 RRM Staff Report**

**Bill Impact**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
AVERAGE BILL COMPARISON - BASE RATES  
TEST YEAR ENDING DECEMBER 31, 2020**

Line No.	Rate R @ 45.2 Ccf					Current	Proposed	Change
1	Customer charge					\$ 20.25		
2	Consumption charge					12.05		
3	Rider GCR Part A					7.23		
4	Rider GCR Part B					15.06		
5	Subtotal					\$ 54.59		
6	Rider FF & Rider TAX					3.71		
7	Total					\$ 58.30		
8								
9								
10	Customer charge						\$ 20.85	
11	Consumption charge						12.65	
12	Rider GCR Part A						7.23	
13	Rider GCR Part B						15.06	
14	Subtotal					\$ 55.79		
15	Rider FF & Rider TAX					3.79		1.28
16	Total					\$ 59.58	\$	2.20%
17								
18								
19	Rate C @ 332.5 Ccf					Current	Proposed	Change
20	Customer charge					\$ 54.50		
21	Consumption charge					38.99		
22	Rider GCR Part A					53.20		
23	Rider GCR Part B					87.51		
24	Subtotal					\$ 234.20		
25	Rider FF & Rider TAX					15.90		
26	Total					\$ 250.10		
27								
28	Customer charge						\$ 56.50	
29	Consumption charge						40.77	
30	Rider GCR Part A						53.20	
31	Rider GCR Part B						87.51	
32	Subtotal					\$ 237.98		
33	Rider FF & Rider TAX					16.15		4.03
34	Total					\$ 254.13	\$	1.61%
35								

119

**Attachment 3  
to 2021 RRM Staff Report**

**RRM Monthly Savings Over GRIP and DARR Rates**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
RESIDENTIAL AVERAGE BILL COMPARISON  
(EXCLUDING GAS COSTS)**

	<b>ACSC Settled</b>	<b>DARR Settled</b>	<b>ATM Filing</b>	<b>ENVIRONS Filing</b>
Customer Charge	\$20.85	\$23.80	\$27.68	\$25.90
Monthly Ccf [1]	45.2	52.7	45.2	45.2
Consumption Charge	\$0.27979	\$0.19526	\$0.14846	\$0.18653
Average Monthly Bill	\$33.50	\$34.09	\$34.39	\$34.33
		<b>-\$0.60</b>	<b>-\$0.89</b>	<b>-\$0.83</b>

[1] Recognizes that average normal usage for Dallas residential customers is greater than Mid-Tex average.



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: City Administrator Olson
Estimated Cost:	Date Prepared: July 29, 2021
Exhibits:	<ul style="list-style-type: none"> <li>Contract with Willdan Financial.</li> </ul>

### AGENDA SUBJECT

CONSIDERATION AND POTENTIAL ACTION REGARDING THE HIRING OF CONSULTANT TO PERFORM WATER AND SEWER RATE STUDY.

### SUMMARY

At the July 20, 2021 City Council meeting Councilman Slaughter asked for an agenda item concerning the hiring of a consultant to perform a water/sewer rate analysis for the City of Parker. He asked we receive a recommendation from City Engineer John Birkhoff. In speaking with John Birkhoff, he recommended Dan Jackson with Willdan Financial Services who performed the City of Parkers last water/sewer rate analysis in 2015/2016. The current water/sewer rate study is up, and we need to put together a new five-year water/sewer rate structure.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:		Date:	07/29/2021
Interim City Attorney:	<i>Scott D. Levine (Banowsky)</i>	Date:	07/29/221 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021



July 22 2021

Mr. Luke Olson  
City Administrator  
City of Parker  
5700 E. Parker Rd  
Parker, Texas 75002

**Re: Letter Agreement to Provide Water Rate Update**

Dear Mr. Olson:

Willdan Financial Services ("Willdan") is pleased to present the following scope of services and budget to assist the City of Parker in providing an update of our water long-term financial plan and rate recommendations. Our last such study was completed for the City in 2016, and resulted in the successful implementation of a long-term rate plan. We are an economic and financial consulting firm, with offices in Plano, Texas and throughout the United States. Our principal clients are national, state and local governments. Our firm contains professionals with decades of experience in water and wastewater utility operations and economic/financial management.

As Vice President of Willdan, I will manage and have primary responsibility for preparing this study for the City. I will be assisted by Mr. Dennis Goral.

## Scope of Services

We want to ensure that our scope of services is responsive to the City's needs. We will work with the City to tailor our proposed scope based on input prior to approval of this letter agreement, and as needed during the course of the project.

### Task 1: Rate Comparison

**Description:** We will provide a detailed analysis and comparison of the City's current and proposed rates to the state average as well as to other surrounding communities.

### Task 2: Acquire and Analyze Data for Analysis

**Description:** The project team will work with City staff to acquire the data required for the study. This will include customer and volume data, budgets, operating expenses, capital improvement plans and debt service schedules. We will thoroughly analyze all acquired data to ensure that it meets the requirements for our study and will follow up with City staff as necessary.

### **Task 3: Update Rate Model**

**Description:** The project team will use acquired current budget, volume and CIP data to update its previously-prepared ten-year water cost of service forecast model. The model will identify current and forecast operating expenses, capital outlays and debt service for the period FY 2022 – FY 2031. The model adheres to AWWA ratemaking standards to ensure that the cost of service for each customer class is just, reasonable and accurate. The project team will also install a dashboard onto the model for ease of use by the project team and the client.

The model will contain modules that will allow for the calculation of overall cost of service for the water utility and the cost of service by designated customer class.

### **Task 4: Prepare Alternative Rate Plans and PowerPoint Summary**

**Description:** Based on the findings and results from prior tasks, the project team will prepare several alternative water proposed rate structures for the City Council to consider. Each alternative will enable the City to recover sufficient revenues to fund operating and capital costs. The project team will prepare additional scenarios should the staff or council so choose in determining which is the most just and reasonable. The City will summarize its findings into a PowerPoint presentation.

### **Task 5: Meetings**

**Description:** The project team will conduct the following meetings:

- a) *One meeting with City staff to review preliminary results*
- b) *One workshop with the City Council to discuss our findings and recommendations*
- c) *One final Council meeting at which the preferred rate plan is to be decided upon by the Council.*

## **Budget**

Willdan will perform the tasks described in the Scope of Services section for the ***lump sum fee of \$15,000.***

#### **Note:**

- Telephone conference calls are not considered meetings and are not limited by our proposal.
- Additional services, including attending additional meetings, may be authorized by the City and will require an additional fee.
- We will bill the City monthly based on percent of the task completion.

## **Additional Services**

Additional services may be authorized by the City and will be billed at our then-current hourly overhead consulting rates. Our current hourly rates are:



Willdan Financial Services	
Hourly Rate Schedule	
Group Manager	\$250
Managing Principal	\$240
Principal Consultant	\$210
Senior Project Manager	\$185
Project Manager	\$165
Senior Project Analyst	\$135
Senior Analyst	\$125
Analyst	\$110
Analyst Assistant	\$100

## Authorization

If the terms of this engagement are acceptable, please sign where indicated and email this letter back to me and to our contracts supervisor:

Ms. Joanie Reynolds  
Willdan Financial Services  
27368 Via Industria, Suite 200  
Temecula, California 92590  
Ph. (800) 755-6864; fax (951) 587-3510  
E-mail: [jreynolds@willdan.com](mailto:jreynolds@willdan.com)

We appreciate this opportunity to serve the City of Parker. If you have any questions regarding the proposed services, please contact me directly at (972) 378-6588 or via email at [djackson@willdan.com](mailto:djackson@willdan.com).

Sincerely,

## Willdan Financial Services



Dan V. Jackson, Vice President

July 29 2021  
Date

## City of Parker

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**ATTACHMENT 1 TO LETTER AGREEMENT****TERMS AND CONDITIONS**

The Letter Agreement between the City of Parker ("Client") and Willdan Financial Services ("WFS") is subject to these Terms and Conditions (collectively, this "Agreement").

1. Additional Services. Additional services shall be performed by WFS only upon Client's request evidenced by a written addendum executed by both parties.
2. Compensation. WFS shall submit monthly statements for services. Payments shall be due and payable within 30 days of invoice and if not timely paid shall bear interest at the rate of 1.5% per month.
3. Termination. Either party may terminate this Agreement at any time upon 30 days' written notice. In the event of early termination, WFS shall be paid for services performed prior to the effective date of termination.
4. Data Provided by Client. WFS shall rely upon data provided by Client without independent verification of accuracy. WFS shall not be responsible for any errors resulting from its use of inaccurate data provided by Client.
5. Indemnification. Each Party shall indemnify the other from claims resulting from their respective negligence or other wrongful conduct or the negligence or other wrongful conduct of their respective officers, agents or employees.
6. Insurance. WFS shall maintain the following insurance:
  - a. Workers' Compensation and Employer's Liability Insurance as prescribed by applicable law.
  - b. Commercial General Liability Insurance, with limits not be less than \$1,000,000 per occurrence and general aggregate.
  - c. Commercial Automobile Liability with limits not less than \$1,000,000 per occurrence.
  - d. Professional Liability with limits not be less than \$1,000,000 per claim and annual aggregate.
  - e. All policies except Professional Liability and Workers Compensation shall include Client as an additional insured and be primary with respect to any insurance carried by WFS. All policies shall include a waiver of subrogation in favor of Client.
  - f. WFS shall provide Client with certificates of insurance evidencing compliance with the above insurance requirements prior to commencing it services.
7. Miscellaneous.
  - a. Titles used in this Agreement are for general reference and are not a part of the Agreement.
  - b. This Agreement shall be interpreted as though prepared by both parties.
  - c. Any provision of this Agreement held to violate any law shall be deemed void, and all remaining provisions shall continue in full force and effect.
  - d. This Agreement shall be interpreted under the laws of the State of Texas.
  - e. This Agreement comprises a final and complete repository of the understandings between the parties and supersedes all prior or contemporary communications, representations or agreements, whether oral or written, relating to the subject matter of this Agreement.
  - f. Any notices given pursuant to this agreement shall be effective on the third business day after posting by first class mail, postage prepaid, to the address appearing immediately after the signatures below.
  - g. WFS shall not be liable for damages resulting from the actions or inactions of governmental agencies including, but not limited to, permit processing or environmental impact reports.
  - h. WFS's waiver of any term, condition, or covenant, or breach of any term, condition, or covenant, shall not constitute the waiver of any subsequent breach of any other term, condition or covenant.
  - i. WFS shall not responsible for the performance of services by third parties not retained by WFS.



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:	Date Prepared: July 29, 2021
Exhibits:	<ul style="list-style-type: none"> <li>• <a href="#">Future Agenda Items</a></li> </ul>

### AGENDA SUBJECT

#### FUTURE AGENDA ITEMS

##### UPDATE(S):

- CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE [LYNCH/REED]
  - DRAINAGE
  - INFRASTRUCTURE
- CODE BOOK [MEYER]
- COMPREHENSIVE PLAN COMMITTEE [SLAUGHTER]
- EMERGENCY COMMUNICATION COMMITTEE [ABRAHAM]
- MUNICIPAL COMPLEX [PETTLE/COUNCIL]
- LEGISLATIVE UPDATES [OLSON]
- NEW RESIDENT PACKET [MEYER]
- NEWSLETTER [MEYER]
- NOISE COMMITTEE [OLSON]
- NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) [OLSON]
- PUMP STATION [MACHADO]
- RISK AND RESILIENCE ANALYSIS AND EMERGENCY RESPONSE PLAN UPDATE [MACHADO/BIRKHOFF]
- SALES TAX [MEYER]
- SUBDIVISION(S) [MACHADO]
- THOROUGHFARE & OTHER MAPS UPDATE [MACHADO]

### SUMMARY

Please review information provided.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	07/29/2021
Interim City Attorney:	<i>Scott D. Levine</i>	Date:	07/29/2021 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	07/30/2021

**CITY COUNCIL  
FUTURE AGENDA ITEMS**

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
<b>2021</b>			
TBD	International Building Codes	Machado	2018 0920 PWD GM working on update
TBD	Annual Codification Supplement	C'Sec	Last update 2019 0604 CC Mtg
Feb(Mar), May, Aug, Nov	Fire Department Quarterly Report	Sheff/Miller/Flowers	2nd Qtr 2021 0817 CC Agenda
Feb(Mar), May, Aug, Nov	Investment Quarterly Report	Savage	2nd Qtr 2021 0817 CC Agenda
August 3, 2021	<b>Council Committee Updates</b>	Council	2021 0602 All Committee Updates on each CC Agenda - Update as needed
	Capital Improvement Program (CIP) Committee (Includes Drainage & Infrastructure)	Lynch/Reed	Last Update 2021 0112; 2021 0518; 0615
	Code Book	Meyer	Added 2021 0610 via email
	Comprehensive Plan Committee	Olson/Slaughter	Last Update 2021 0112; 0406; 0601
	Emergency Communication Committee	Abraham	Last Update 2021 0112; 2021 0302
	Municipal Complex	Council	2021 0105 Community Meeting; 2021 0601; Tile change 2021 0727
	Legislative Updates	Olson	CM TL Request
	New Resident Packet	Meyer	Added 2021 0610 via email
	Newsletter	Meyer	Added 2021 0610 via email
	Noise Committee	Olson/?	Last Update 2021 0119
	North Texas Municipal Water District (NTMWD)	Olson	Last Update 2021 0112; 0518; 0615
	Pump Station	Machado	Last Update 2021 0112; 0316; 0518; 0706
	Sales Tax (As directed by CM Cindy Meyer)	Meyer	Last Update 2021 0112; 0119 Possibly Feb/Mar: Postponed until after 5/1 GE; 0601
TBD	Strategic Plan - Looking for Members - (As directed	Lynch	Last Update 2021 0112; 2021 xxxx (Suspended)
	Subdivisions	Machado	Added 2021 0520 by MLP
	Thoroughfare & other maps	Olson/Machado	2021 0524 MLP

**CITY COUNCIL  
FUTURE AGENDA ITEMS**

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
Tentatively - 2021 0817	<b>Double Check</b> - addressed - Ordinance - No 2 staff can sign checks	City Attorney	2021 0520 MLP email
Tentatively - 2021 0817	ETJ	Slaughter	Added 2021 0520 by MLP
Tentatively - 2021 0817	Social Media	Pettle	Workshop - Short/Long Term
Tentatively - 2021 0817	Solid Waste Rates - Republic	Olson/Bernas	Look @ contract - 0216 Res2016-503 WasteCollectionDisposalAgmt1; MLP moved to Aug - 2021 0407
	<b>Before 2021 1001</b> Republic Contract	City Attorney	Written notice before 2021 1001 - See Res. 2016-503
TBA	Review of outside vendors/professional services contracts	Slaughter	2021 0720 added
TBA	Water Rate Analysis	Savage/Machado	0810 Ord739 2016 Water Rate Amendments for 2016-2020
TBA	Oncor & Frontie Franchise (All?)		2021 06015 added
TBA	NTRTC - Become a member	City Attorney	Added 2021 0526 CC WS
TBA	Advertise for Bids 2020-2021 Annual Road Maintenance Project	Machado/Birkhoff /Scott Grey	Advertised last in May, 2020
TBA	Advertise for Bids for water line or other projects	Machado/Birkhoff /Scott Grey	
Aug/Sept	The DMN - Office Newspaper	Scott Grey	0915 Res2020-642 Designating Official Newspaper - Exp. 9/30/2021
Aug/Sept	P&R Annual Review	Pettle/City Attorney	2020 0909 CC Mtg
<b>T</b> Aug 3, 2021	Set P.H. Budget/Trax Rate 2021-2020	Savage/Scott Grey	0804 Res. No. 2020-636
<b>T</b> Aug/Sept	Ord. adopting 2021-2022 Budget Amendments	Savage/Scott Grey	
<b>T</b> Aug 31, 2021	1st Public Hearing	Savage/Scott Grey	
<b>T</b> Sept 7, 2021	2nd P.H. &Ord. adopting the 2021 Tax Rate	Savage/Scott Grey	
<b>T</b> Sept 7, 2021	Ord. adopting the 2021-2022 budget	Savage/Scott Grey	
Aug/Sept, 2021	Collin County Central Appraisal District (CCCAD) Parker Nomination		Res. No. 2019-616
Aug/Sept, 2021	Animal Shelter - one year/automatically		Res. No. 2019-617;2021 0720 MLP added
<del>Aug/Sept, 2021</del>	<del>Jail Services Agreement</del>	<del>Brooks</del>	<del>Res. No. 2019-618; Res. No. 2021-668</del>
Aug/Sept, 2021	Civic Plus Contract?	Pettle	
Aug/Sept, 2021	Review Car Policy - Res. No. 2013-406	Meyer	Res. No. 2013-406
Aug/Sept, 2021	Computer Policy	Meyer	
Aug/Sept, 2021	Discussion of possible Fire Fundraiser		
Tentatively - 2021 0907	Zoning Regs - P.H. & Ord. No. 800 approval - Update	Pettle	2021 0518 CC - Tabled

**CITY COUNCIL  
FUTURE AGENDA ITEMS**

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
Oct, 2021	Consider Tax Freeze for those over 65	Grant/City Attorney	2019 0820 CC - Lou Zettler; 2021 0317 mv'd to 10/2021
Oct, 2021	Depository Agreements	Savage	2021 0720 MLP email; 2021 0720 F/HR GS moved to Oct
Nov, 2021	Appointments - P&Z; ZBA; P&R;		Res. No. 2020-652, 635, 654
Nov, 2021	Policy Changes, e.g. Investment		Res. No. 2020-651
Dec, 2021	Risk and Resilience Analysis and Emergency Response Plan		Response Plan, due by December 31, 2021