

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, September 13, 2022 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Commission Members: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of August 23, 2022
- b. Minutes of the Planning and Zoning Commission briefing of August 23, 2022

5. ***Consider*** request by Christopher Walton, for a Plat of Cunningham Estates Phase 2, 109 single family residential lots and three (3) common area lots, being 153.126 acres, located southwest of the intersection of Old Maypearl Road and Cunningham Meadows Road, situated in the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183334 & 187067) – Owner: OLD MAYPEARL ROAD LLC. (SUB-64-2022) Staff: Zack King
6. Adjourn

The P&Z reserves the right to go into Executive Session on any posted item.

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4006 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

Planning and Zoning Commission
August 23, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 23, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Eleana Tuley, Senior Planner
Amber Villarreal, City Secretary
Chris Wright, Council Representative

1. **Call to Order**
2. **Invocation**

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of August 9, 2022
- b. Minutes of the Planning and Zoning Commission briefing of August 9, 2022

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. David Hudgins seconded, All Ayes.

5. **Continue Public Hearing on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022) Staff: Zack King**

Chairman Keeler announced the applicant requested to withdraw SUB-73-2022.

6. **Consider recommendation of SUB-73-2022**

Action:

No action taken.

- 7. **Consider a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-2022) Staff: Eleana Tuley**

Chairman Keeler announced the applicant requested to continue SUB-66-2022.

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-022) to the September 27, 2022 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.

- 8. **Public Hearing on a request by Espire Enterprises, LLC for a Replat of the Original Town of Waxahachie, lots 7, 8, 9C Block 51A, being 0.1251 acres, located at 100 Coats Street, situated in the AM Keen Survey, Abstract 596, an addition to the City of Waxahachie (Property ID 170885) – Owner: ESPIRE ENTERPRISES, LLC (SUB-59-2022) Staff: Eleana Tuley**

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to replat three existing lots (approximately 0.12 acres) into one lot for single-family use. The applicant is also requesting two variances regarding right-of-way dedication and minimum lot size. Ms. Tuley explained the applicant is requesting a variance not to dedicate 13’ of right-of-way. Staff is supportive of the request due to the challenge of obtaining the necessary right-of-way dedication from adjoining properties with existing homes in proximity to the road. The applicant is also requesting a variance to not comply with the minimum lot size required in the Infill Ordinance and staff is supportive of this request due to the site’s physical constraints. Ms. Tuley noted the replat conforms with subdivision requirements and staff recommends approval of the plat and variance requests.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-59-2022, Chairman Keeler closed the Public Hearing.

- 9. **Consider recommendation of SUB-59-2022**

Action:

Mr. Jim Phillips moved to approve a request by Espire Enterprises, LLC for a Replat of the Original Town of Waxahachie, lots 7, 8, 9C Block 51A, being 0.1251 acres, located at 100 Coats

(4a)

Street, situated in the AM Keen Survey, Abstract 596, an addition to the City of Waxahachie (Property ID 170885) – Owner: ESPIRE ENTERPRISES, LLC (SUB-59-2022) and approve both variance requests by the applicant. Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, Jim Phillips, David Hudgins, and Erik Test. Noe: Betty Square Coleman.

The motion carried.

10. Consider a request by Shawne Walker, for a Plat of Butcher Addition, 1 Residential Lot, being 3.123 acres, located at Butcher Rd., (Property ID 289912) – Owner: JORGE MONTES (SUB-61-2022) Staff: Ashlie Jones

Senior Planner Zack King presented the case noting the applicant is requesting to replat the subject property into one (1) lot for single-family residential use and staff recommends approval as presented. Mr. King explained the plat provides a 10.27' right-of-way dedication in conformance with the City of Waxahachie Thoroughfare Plan.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Shawne Walker, for a Plat of Butcher Addition, 1 Residential Lot, being 3.123 acres, located at Butcher Rd., (Property ID 289912) – Owner: JORGE MONTES (SUB-61-2022) as presented. Mr. Jim Phillips seconded, All Ayes.

11. Public Hearing on a request by Debbie Manning, Capitola Builders, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 195 Brookbend Drive (Property ID 208145) - Owner: HIGGINBOTHAM REVOCABLE TRUST (ZDC-79-2022) Staff: Ashlie Jones

Mr. King presented the case noting the applicant is requesting to construct a +700 sq. ft. (1,361 sq. ft.) accessory structure to the rear of a single-family residential lot and staff recommends approval per the following staff comments:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The concrete will be extended from the driveway to the accessory structure.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-79-2022, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of ZDC-79-2022

(4a)

Action:

Ms. Bonney Ramsey moved to approve a request by Debbie Manning, Capitola Builders, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 195 Brookbend Drive (Property ID 208145) - Owner: HIGGINBOTHAM REVOCABLE TRUST (ZDC-79-2022) per staff comments. Mr. Erik Test seconded, All Ayes.

- 13. Consider a request by Stan Lewis, for a Plat of Lewis Estates, 5 Residential Lots, being 5.897 acres, located on E. Haven Road, in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 190521,) – Owner: STANLEY LEWIS (SUB-58-2020) Staff: Ashlie Jones**

Mr. King presented the case noting the applicant is requesting to plat the subject property into five (5) lots for single-family residential use and staff recommends approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Stan Lewis, for a Plat of Lewis Estates, 5 Residential Lots, being 5.897 acres, located on E. Haven Road, in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 190521,) – Owner: STANLEY LEWIS (SUB-58-2020) as presented. Mr. David Hudgins seconded, All Ayes.

14. Adjourn

Ms. Tuley invited the public to visit waxahachieplan.com to learn more about the current process of updating the Waxahachie Comprehensive Plan. She announced the Comprehensive Plan Advisory Committee’s next meeting is tentatively scheduled for September 13, 2022.

There being no further business, the meeting adjourned at 7:14 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(4b)

Planning and Zoning Commission
August 23, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, August 23, 2022 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins

Member Absent: Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Eleana Tuley, Senior Planner
Amber Villarreal, City Secretary
Chris Wright, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Senior Planner Zack King reviewed the following cases:

- SUB-73-2022, the applicant requested to withdraw the case.
- SUB-61-2022, the applicant is requesting to replat the subject property into one (1) lot for single-family residential use and staff recommends approval as presented.
- ZDC-79-2022, the applicant is requesting to construct a +700 sq. ft. (1,361 sq. ft.) accessory structure to the rear of a single-family residential lot and staff recommends approval per staff comments.
- SUB-58-2020, the applicant is requesting to plat the subject property into five (5) lots for single-family residential use and staff recommends approval as presented.

Senior Planner Eleana Tuley reviewed the following cases:

- SUB-66-2022, the applicant is requesting to continue the case but did not specify a date. The Commission discussed continuing the case to the September 27, 2022 Planning and Zoning Commission meeting.
- SUB-59-2022, the applicant is requesting to replat three existing lots (approximately 0.12 acres) into one lot for single-family use. The applicant is also requesting two variances regarding right-of-way dedication and minimum lot size. Ms. Tuley explained the applicant is requesting a variance not to dedicate 13' of right-of-way. Staff is supportive of the request due to the challenge of obtaining the necessary right-of-way dedication from adjoining properties with existing homes in proximity to the road. The applicant is also

requesting a variance to not comply with the minimum lot size required in the Infill Ordinance and staff is supportive of this request due to the site's physical constraints.

Commissioner Betty Square Coleman expressed concern with staff supporting the variance requests and Ms. Tuley explained the right-of-way dedication would not be used unless the existing homes on adjacent properties were removed and relocated; therefore, staff supports the request not to provide right-of-way dedication to the City.

3. Adjourn

There being no further business, the meeting adjourned at 6:56 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5)

Planning & Zoning Department

Plat Staff Report

Case: SUB-64-2022



MEETING DATE(S)

Planning & Zoning Commission: September 13, 2022

CAPTION

Consider request by Christopher Walton, for a **Plat** of Cunningham Estates Phase 2, 109 single family residential lots and three (3) common area lots, being 153.126 acres, located southwest of the intersection of Old Maypearl Road and Cunningham Meadows Road, situated in the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183334 & 187067) – Owner: Old Maypearl Road LLC.

APPLICANT REQUEST

The applicant is requesting to plat the subject property into 109 single family residential lots and three (3) common area lots as part of phase 2 of the Cunningham Estates subdivision.

CASE INFORMATION

<i>Applicant:</i>	Christopher Walton, Engineering Concepts and Design LP
<i>Property Owner(s):</i>	Old Maypearl Road LLC
<i>Site Acreage:</i>	153.126 acres
<i>Number of Lots:</i>	112 lots
<i>Number of Dwelling Units:</i>	109 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available via Buena Vista-Bethel SUD and on-site wastewater services.

SUBJECT PROPERTY

<i>General Location:</i>	Southwest of the intersection of Old Maypearl Road and Cunningham Meadows Road.
<i>Parcel ID Number(s):</i>	183334 & 187067
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	The subject property is a portion of the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350.

Site Aerial:



PLANNING ANALYSIS

The applicant is proposing to plat the subject property into 109 single-family residential lots and three (3) common area lots as part of phase 2 of the Cunningham Estates subdivision. The proposed plat provides a 40' Right-of-Way (ROW) dedication along Old Maypearl Road, in alignment with the City of Waxahachie Thoroughfare Plan. Each of the proposed residential lots exceeds 1 acre in size and adheres to all Ellis County subdivision standards. All common area lots will be maintained by the subdivision's HOA. Adequate public facilities are available to the proposed lots via on-site septic systems and Buena Vista-Bethel SUD water lines.

The applicant has provided a Traffic Impact Analysis (TIA) with the proposed plat, as required by the City of Waxahachie Subdivision Ordinance. However, at the time of this report, the review of the TIA has not yet been completed. The TIA does not call for any internal changes to the layout of the subdivision; but once completed, may require improvements to Old Maypearl Road and Cunningham Meadows Road. As per Section 2.2 (4) of the Waxahachie Subdivision Ordinance, installing or meeting any and all requirements of the TIA will be required prior to recording the plat.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, per conditions:
 1. The applicant shall complete the review process of the TIA with City staff and shall install or meet any and all requirements of the TIA prior to the recordation of this plat.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department with one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Senior Planner

zking@waxahachie.com

Reviewed by:

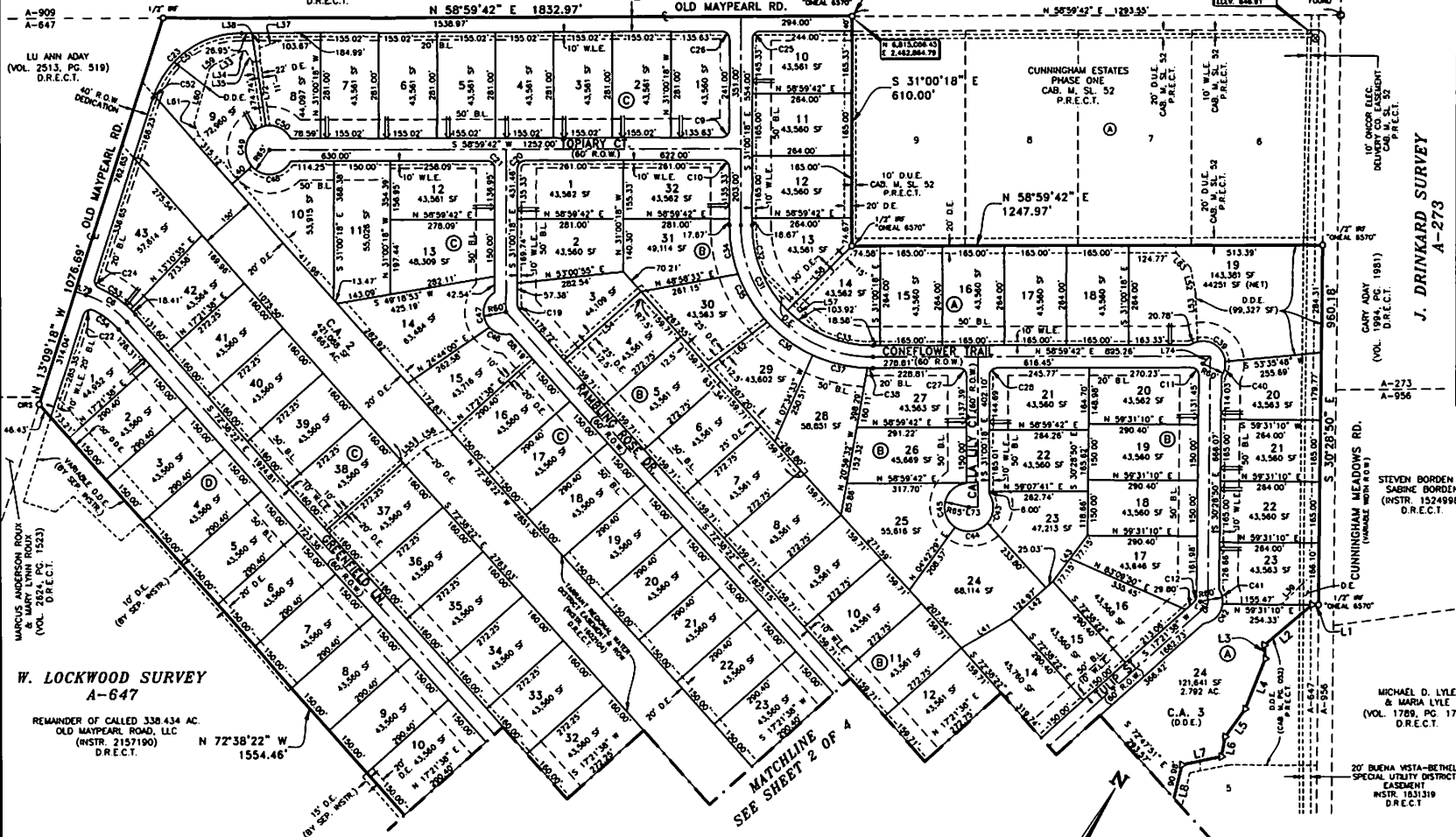
Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

**J. ROBERTS SURVEY
A-909**

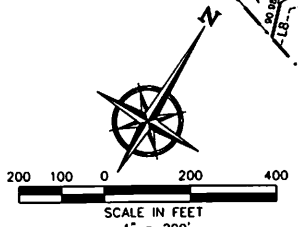
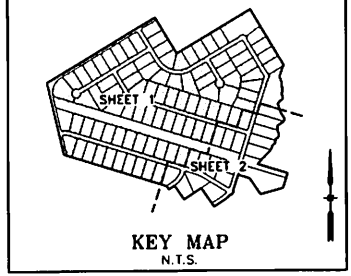
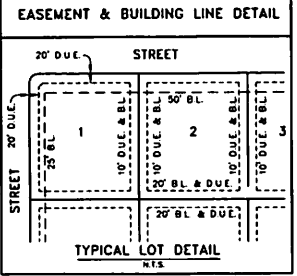
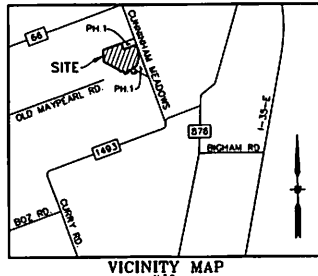
LU ANN ADAY
(VOL. 2513, PG. 519)
D.R.E.C.T.



LEGEND	
IRF	IRON ROD FOUND
○	1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6370" CORNER
△	POINT FOR CORNER
D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY TEXAS
BL	BUILDING LINE
C.A.	COMMON AREA LOT
U.E.	UTILITY EASEMENT
D.U.E.	DRAINAGE & UTILITY EASEMENT
D.D.E.	DRAINAGE & DETENTION EASEMENT
D.E.	DRAINAGE EASEMENT
T.A.E.	TEMPORARY ACCESS EASEMENT
W.L.E.	BUENA VISTA - BETHEL WATER LINE EASEMENT
↔	STREET NAME CHANGE
→	INDICATES FRONT OF LOT

**W. LOCKWOOD SURVEY
A-647**

REMAINDER OF CALLED 338.434 AC.
OLD MAYPEARL ROAD, LLC
(NSTR. 2157190)
D.R.E.C.T.



**PLAT
CUNNINGHAM ESTATES
PHASE TWO**

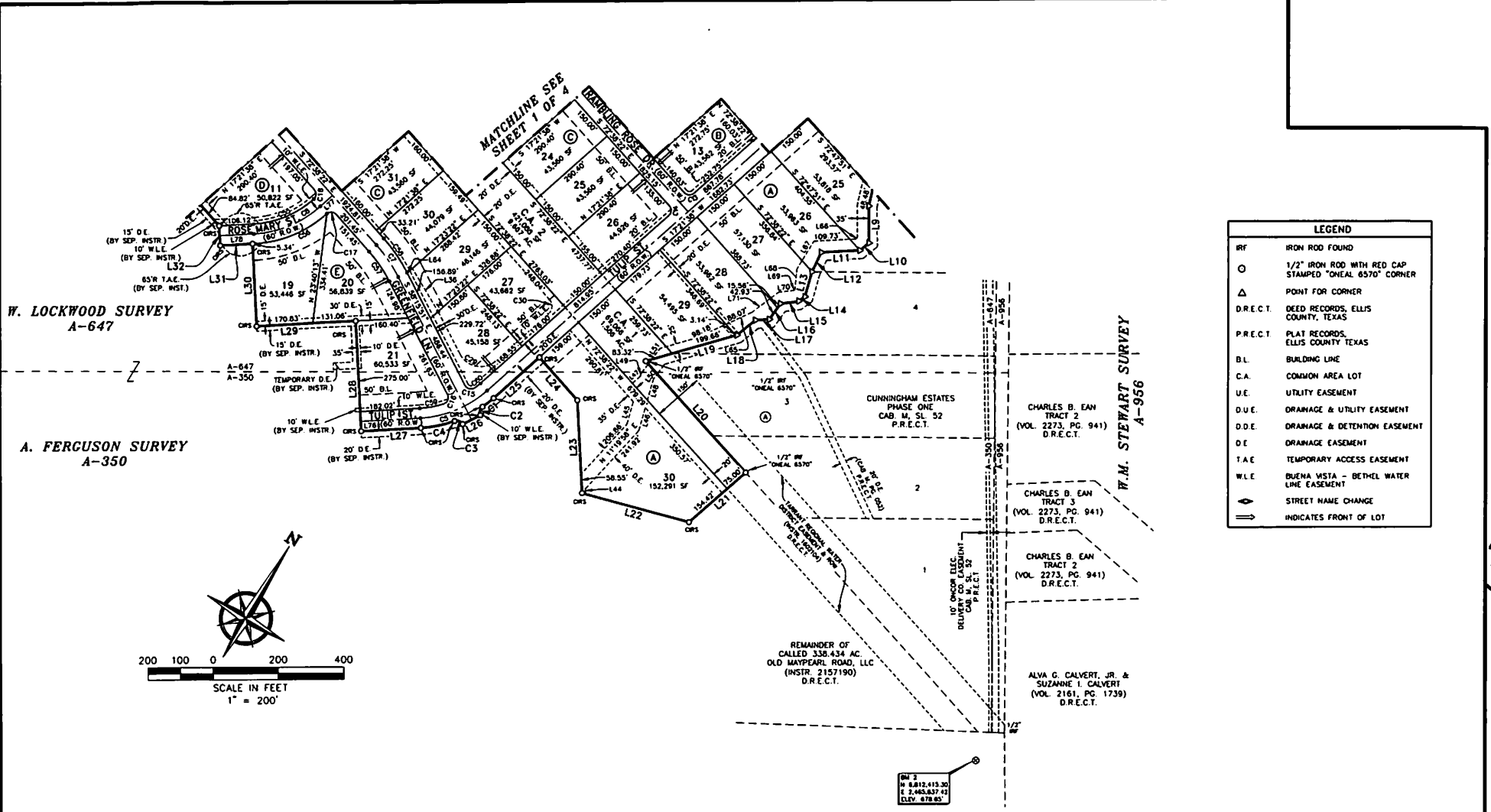
109 RESIDENTIAL LOT SUBDIVISION
3 COMMON AREA LOTS
ZONING: NOT ZONED (UNINCORPORATED LAND IN ETJ)
BEING 153.128 ACRES
SITUATED IN THE
W. LOCKWOOD SURVEY, ABST. NO. 647 &
A. FERGUSON SURVEY, ABST. NO. 350
CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WHODO CIRCLE, SUITE 200, WYLE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

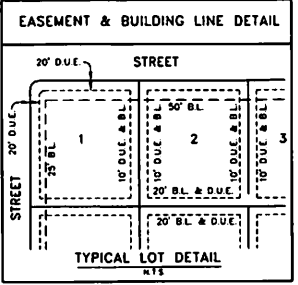
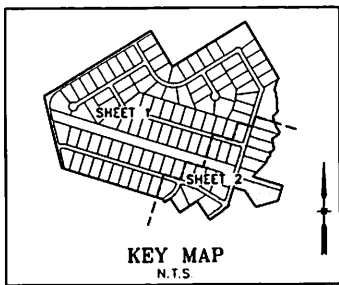
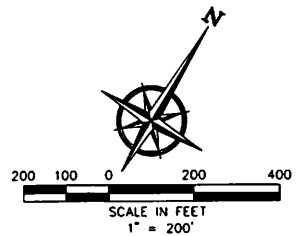
OWNER/DEVELOPER
OLD MAYPEARL ROAD, LLC
PO BOX 220, WAXAHACHIE, TX 75085
CONTACT: LANCE RUST 469-337-4627

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
205 WHODO CIRCLE, SUITE 100
WYLE, TX 75098
TBPLS Firm No. 10194132 JOB NO. 21053
daniel.oneal@oneal-surveying.com
(903) 804-2851

(5)



LEGEND	
IRF	IRON ROD FOUND
○	1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6370" CORNER
△	POINT FOR CORNER
D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY TEXAS
BL	BUILDING LINE
C.A.	COMMON AREA LOT
U.E.	UTILITY EASEMENT
D.U.E.	DRAINAGE & UTILITY EASEMENT
D.D.E.	DRAINAGE & DETENTION EASEMENT
D.E.	DRAINAGE EASEMENT
T.A.E.	TEMPORARY ACCESS EASEMENT
W.L.E.	WUENA VISTA - BETHEL WATER LINE EASEMENT
↔	STREET NAME CHANGE
—	INDICATES FRONT OF LOT



OWNER/DEVELOPER
OLD MAYPEARL ROAD, LLC
 PO BOX 220, MCKINNEY, TX 75065
 CONTACT: LANCE RUST 469-337-4627

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
 205 WINDCO CIRCLE, SUITE 100
 WYLLIE, TX 75098
 TPLS Firm No. 10194132 JOB NO. 21053
 doniel.oneal@oneal-surveys.com
 (903) 804-2891

PLAT
**CUNNINGHAM ESTATES
 PHASE TWO**

109 RESIDENTIAL LOT SUBDIVISION
 3 COMMON AREA LOTS
 ZONING: NOT ZONED (UNINCORPORATED LAND IN ETJ)
 BEING 153.126 ACRES
 SITUATED IN THE
**W. LOCKWOOD SURVEY, ABST. NO. 647 &
 A. FERGUSON SURVEY, ABST. NO. 350
 CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS**

ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 TEXAS FIRM REG. NO. 001148
 201 WINDCO CIRCLE, SUITE 200, WYLLIE TEXAS 75098
 (972) 941-8400 FAX (972) 941-8401

DATE: 8/26/2022 CASE NO. SUB-64-2022 SHEET 2 OF 4

(15)

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	6°48'53"	360.00'	21.43'	42.82'	S 20°46'05" W	42.79'
C2	82°17'50"	20.00'	17.48'	28.73'	S 16°58'24" E	26.32'
C3	82°36'45"	20.00'	17.57'	28.84'	S 80°36'12" W	26.40'
C4	16°45'55"	360.00'	53.05'	105.34'	S 47°40'47" W	104.98'
C5	38°42'06"	330.00'	115.89'	222.91'	N 36°42'41" E	218.69'
C6	30°30'56"	250.00'	68.19'	133.15'	N 87°53'50" W	131.58'
C7	1°42'23"1"	470.00'	59.27'	117.92'	N 65°27'06" W	117.61'
C8	38°42'05"	330.00'	115.89'	222.90'	N 36°42'41" E	218.69'
C9	90°00'00"	20.00'	20.00'	31.42'	N 13°59'42" E	28.28'
C10	90°00'00"	20.00'	20.00'	31.42'	N 76°00'18" W	28.28'
C11	90°31'28"	20.00'	20.18'	31.80'	N 75°44'34" W	28.41'
C12	47°50'28"	20.00'	8.67'	16.70'	N 06°33'36" W	16.22'
C13	90°00'00"	20.00'	20.00'	31.42'	N 62°21'38" E	28.28'
C14	90°00'00"	20.00'	20.00'	31.42'	N 27°38'22" W	28.28'
C15	100°02'07"	20.00'	23.85'	34.92'	N 71°43'08" E	30.65'
C16	100°13'52"	20.00'	23.93'	34.99'	N 08°08'55" W	30.69'
C17	90°00'00"	20.00'	20.00'	31.42'	S 62°21'38" W	28.28'
C18	90°00'00"	20.00'	20.00'	31.42'	N 27°38'22" W	28.28'
C19	41°38'04"	20.00'	7.80'	14.53'	S 51°49'20" E	14.22'
C20	90°00'00"	20.00'	20.00'	31.42'	S 13°59'42" W	28.28'
C21	90°00'00"	20.00'	20.00'	31.42'	N 76°00'18" W	28.28'
C22	98°33'33"	20.00'	23.24'	34.40'	S 36°07'28" W	30.32'
C23	72°09'00"	250.00'	182.14'	314.81'	S 27°55'12" W	294.42'
C24	84°15'39"	20.00'	18.09'	29.41'	S 55°17'07" E	26.83'
C25	89°59'37"	20.00'	20.00'	31.41'	S 13°59'31" W	28.28'
C26	90°00'23"	20.00'	20.00'	31.42'	N 76°00'29" W	28.29'
C27	90°00'00"	20.00'	20.00'	31.42'	N 76°00'18" W	28.28'
C28	90°00'00"	20.00'	20.00'	31.42'	S 13°59'42" W	28.28'
C29	104°22'31"	70.00'	90.20'	127.52'	N 89°32'54" E	110.60'
C30	90°00'00"	30.00'	30.00'	47.12'	N 27°38'22" W	42.43'
C31	90°00'00"	350.00'	350.00'	549.78'	S 76°00'18" E	494.97'
C32	44°58'55"	320.00'	132.49'	251.23'	S 53°29'45" E	244.82'
C33	45°01'05"	320.00'	132.61'	251.43'	N 81°30'15" E	245.01'
C34	19°57'09"	380.00'	66.84'	132.33'	N 40°58'53" W	131.66'
C35	22°37'00"	380.00'	75.99'	150.00'	N 62°15'57" W	149.03'
C36	22°37'00"	380.00'	75.99'	150.00'	N 84°52'57" W	149.03'
C37	22°37'00"	380.00'	75.99'	150.00'	S 72°30'02" W	149.03'
C38	2°11'50"	380.00'	7.29'	14.57'	S 60°05'37" W	14.57'
C39	118°09'32"	60.00'	100.17'	123.74'	N 84°31'02" E	102.95'
C40	39°28'49"	60.00'	21.53'	41.34'	S 16°39'48" E	40.53'
C41	39°33'47"	60.00'	21.58'	41.43'	S 44°15'23" E	40.61'
C42	75°23'34"	60.00'	46.37'	78.95'	S 13°15'17" W	73.38'
C43	74°49'51"	65.00'	49.72'	84.89'	S 27°38'39" E	78.99'
C44	83°36'14"	65.00'	58.12'	94.85'	S 51°34'23" W	86.65'
C45	140°11'36"	65.00'	179.53'	159.04'	N 16°31'42" W	122.23'
C46	59°01'19"	60.00'	33.96'	61.81'	S 76°52'18" W	59.11'
C47	102°36'45"	60.00'	74.91'	107.46'	N 22°18'40" W	93.66'
C48	110°52'45"	65.00'	94.36'	125.79'	S 51°55'16" W	107.06'
C49	122°43'39"	65.00'	119.04'	139.23'	N 11°16'32" W	114.10'
C50	71°25'14"	65.00'	46.72'	81.02'	N 85°47'54" E	75.88'
C51	70°21'27"	250.00'	176.22'	306.99'	S 23°48'59" W	288.06'
C52	1°47'33"	250.00'	3.91'	7.82'	S 12°15'31" E	7.82'
C53	21°00'34"	280.00'	51.92'	102.67'	S 86°54'40" E	102.10'
C54	21°53'42"	220.00'	42.55'	84.07'	N 83°35'13" W	83.56'
C55	38°42'06"	300.00'	105.36'	202.64'	N 36°42'41" E	198.81'
C56	38°42'05"	360.00'	126.43'	243.17'	S 36°42'41" W	238.57'
C57	1°42'23"1"	440.00'	55.49'	110.39'	N 65°27'06" W	110.10'
C58	1°42'23"1"	500.00'	63.06'	125.45'	S 85°27'06" E	125.12'
C59	1°40'23"6"	300.00'	36.95'	73.53'	N 49°02'26" E	73.35'
C60	4°06'20"	300.00'	10.75'	21.50'	N 19°24'48" E	21.49'

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 59°31'10" W	17.01'
L2	S 18°38'22" W	186.09'
L3	S 34°51'03" E	36.33'
L4	S 09°12'15" E	145.30'
L5	S 05°12'28" W	89.12'
L6	S 20°11'05" E	53.30'
L7	S 47°33'19" W	107.16'
L8	S 17°41'29" E	139.46'
L9	S 31°27'41" E	112.39'
L10	S 19°40'42" W	36.04'
L11	S 56°00'23" E	117.00'
L12	S 05°38'06" E	64.90'
L13	S 15°04'01" E	78.16'
L14	S 23°16'53" W	25.43'
L15	S 52°38'12" W	53.35'
L16	S 04°41'36" W	58.49'
L17	S 55°55'50" W	42.33'
L18	S 20°17'24" W	72.28'
L19	S 43°10'51" W	286.12'
L20	S 72°38'22" E	455.86'
L21	S 17°21'38" W	229.42'
L22	S 74°29'47" W	336.47'
L23	N 33°56'16" W	284.69'
L24	N 72°38'22" W	174.49'
L25	S 17°21'38" W	185.55'
L26	S 31°37'52" W	80.00'
L27	S 56°03'44" W	182.02'
L28	N 33°56'16" W	335.00'
L29	S 56°03'44" W	301.89'
L30	N 33°56'16" W	250.00'
L31	S 56°03'44" W	100.76'
L32	N 33°56'16" W	60.00'
L33	N 32°11'02" E	78.76'
L34	N 49°21'19" E	14.50'
L35	S 61°41'07" E	34.98'
L36	S 61°58'49" E	152.62'
L37	N 41°13'43" E	63.97'
L38	N 35°08'24" W	76.11'
L39	S 14°31'10" W	139.80'
L40	N 17°21'38" E	71.19'

LINE TABLE		
NO.	DIRECTION	DISTANCE
L41	N 28°29'41" E	152.84'
L42	S 17°21'38" W	150.00'
L43	N 05°42'33" E	154.31'
L44	N 33°56'16" W	15.49'
L45	N 15°25'37" W	70.99'
L46	N 15°25'37" W	72.58'
L47	N 17°21'24" E	32.73'
L48	N 15°25'37" W	66.60'
L49	N 15°25'37" W	9.45'
L50	N 05°57'21" E	19.39'
L51	N 05°57'21" E	41.33'
L52	N 42°12'06" W	67.06'
L53	N 33°30'08" W	130.70'
L54	S 17°21'38" W	272.75'
L55	S 17°21'38" W	76.47'
L56	N 34°04'50" E	76.78'
L57	S 73°34'16" E	122.47'
L58	S 14°01'09" W	240.80'
L59	N 18°10'02" E	16.63'
L60	N 15°36'17" W	151.21'
L61	N 53°23'48" W	32.44'
L62	S 22°01'15" W	196.20'
L63	S 75°35'35" E	55.26'
L64	N 58°15'51" W	2.06'
L65	N 34°08'16" E	166.24'
L66	N 19°40'42" E	7.81'
L67	N 00°21'48" E	97.56'
L68	N 25°27'43" W	63.34'
L69	N 23°16'53" E	4.09'
L70	N 52°38'12" E	46.28'
L71	N 22°09'33" E	99.71'
L72	S 39°54'43" E	249.80'
L73	S 58°59'42" W	23.85'
L74	S 14°15'26" W	28.41'
L75	S 83°26'24" W	21.88'
L76	S 56°03'44" W	182.02'
L77	S 17°21'38" W	50.00'
L78	S 56°03'44" W	106.12'
L79	N 76°50'42" E	30.00'

NOTES:

- Basis of bearing is the Texas Coordinate System, North Central Zone 4202, NAD83, per GPS elevations.
- A 1/2-inch iron rod with yellow cap stamped ONEAL 6570 will be set at all boundary corners, lot corners, points of curvature, points of tangency and angle points in public rights-of-way wherever possible unless otherwise shown or noted in this drawing after construction of this subdivision is complete.
- By graphical plotting, the parcel described hereon lies within Zone X (unshaded) as delineated on the Ellis County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 48139C0325F, dated June 3, 2013, as published by the Federal Emergency Management Agency. Zone X (unshaded) is defined as "Areas determined to be outside the 0.2% annual chance floodplain." The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by the Federal Emergency Management Agency or some other source. This statement shall not create liability on the part of the surveyor.
- Detention or a downstream assessment will be required at drainage outfall points.
- Neither Ellis County nor the City of Waxahachie shall be responsible for the maintenance of drainage easements or detention areas.
- The drainage facilities and detention facilities located within Drainage Easements (D.E.) and Drainage & Detention Easements will be maintained by the Homeowners Association.
- The drainage facilities located within Drainage & Utility Easements (D.U.E.) shall be maintained by the Lot Owner.
- Temporary Access Easements shall automatically become null and void upon recordation of a street right-of-way, street easement, or plat that extends the street adjacent to the temporary turnaround easement.
- The Common Area Lots will be owned and maintained by the Homeowners Association.

BENCHMARKS:

- BM 1
Southeast corner of concrete pad south of intersection of Cunningham Meadows Rd. and old Moypearl Road.
N 6,815,665.14
E 2,463,948.34
ELEV. 646.91'
- BM 2
Southeast corner of water vault on west side of Cunningham Meadows Road, about 3700' SE from the intersection of Cunningham Meadows Rd. and old Moypearl Road.
N 6,812,415.30
E 2,465,837.42
ELEV. 678.65'

PLAT
CUNNINGHAM ESTATES
PHASE TWO

109 RESIDENTIAL LOT SUBDIVISION
3 COMMON AREA LOTS
ZONING: NOT ZONED (UNINCORPORATED LAND IN ETJ)
BEING 153.126 ACRES
SITUATED IN THIS

**W. LOCKWOOD SURVEY, ABST. NO.647 &
A. FERGUSON SURVEY, ABST. NO. 350**
CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

OWNER/DEVELOPER
OLD MOYPEARL ROAD, LLC
PO BOX 230, WAXAHACHIE, TX 75085
CONTACT: LANCE RUST 409-337-4627

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
205 WINDCO CIRCLE, SUITE 100
WYLIE, TX 75098
TBPLS Firm No. 10194132 JOB NO. 21053
daniel.oneal@onealurveying.com
(903) 804-2691

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS STATE REG. NO. 001146
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 841-8400 FAX (972) 841-8401

(5)

OWNERS DEDICATION

WHEREAS, OLD MAYPEARL ROAD, LLC BEING THE OWNER OF 153.126 ACRES OF LAND SITUATED IN THE W. LOCKWOOD SURVEY, ABSTRACT NO. 647 AND IN THE A. FERGUSON SURVEY, ABSTRACT NO. 350, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 338.434 ACRE TRACT OF LAND DESCRIBED IN DEED TO OLD MAYPEARL ROAD, LLC, RECORDED IN INSTRUMENT NO. 2157190, DEED RECORDS OF ELLIS COUNTY, TEXAS (DRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND IN THE NORTH LINE OF THE ABOVE MENTIONED 338.434-ACRE TRACT, AT THE NORTHWEST CORNER OF CUNNINGHAM ESTATES, PHASE ONE, AN ADDITION TO ELLIS COUNTY, RECORDED IN CABINET M, SLIDE 52, PLAT RECORDS, ELLIS COUNTY, TEXAS (PRECI) FROM WHICH A MAG NAIL FOUND AT THE NORTH CORNER OF SAID 338.434 ACRE TRACT BEARS NORTH 58 DEGREES 59 MINUTES 42 SECONDS EAST, A DISTANCE OF 1293.55 FEET;

THENCE, OVER AND ACROSS SAID 338.434-ACRE TRACT, ALONG SAID CUNNINGHAM ESTATES, PHASE ONE, THE FOLLOWING TWENTY-THREE (23) COURSES AND DISTANCES:

- 1) SOUTH 31 DEGREES 00 MINUTES 18 SECONDS EAST, A DISTANCE OF 610.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;
2) NORTH 58 DEGREES 59 MINUTES 42 SECONDS EAST, A DISTANCE OF 1247.97 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;
3) SOUTH 30 DEGREES 28 MINUTES 50 SECONDS EAST, A DISTANCE OF 960.18 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;
4) SOUTH 59 DEGREES 31 MINUTES 10 SECONDS WEST, A DISTANCE OF 17.01 FEET;
5) SOUTH 18 DEGREES 38 MINUTES 22 SECONDS WEST, A DISTANCE OF 166.05 FEET;
6) SOUTH 34 DEGREES 51 MINUTES 03 SECONDS EAST, A DISTANCE OF 36.33 FEET;
7) SOUTH 09 DEGREES 12 MINUTES 15 SECONDS EAST, A DISTANCE OF 145.30 FEET;
8) SOUTH 05 DEGREES 12 MINUTES 28 SECONDS WEST, A DISTANCE OF 89.12 FEET;
9) SOUTH 20 DEGREES 11 MINUTES 05 SECONDS EAST, A DISTANCE OF 53.30 FEET;
10) SOUTH 47 DEGREES 33 MINUTES 19 SECONDS WEST, A DISTANCE OF 107.16 FEET;
11) SOUTH 17 DEGREES 41 MINUTES 29 SECONDS EAST, A DISTANCE OF 139.46 FEET;
12) SOUTH 31 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 112.39 FEET;
13) SOUTH 19 DEGREES 40 MINUTES 42 SECONDS WEST, A DISTANCE OF 36.04 FEET;
14) SOUTH 56 DEGREES 00 MINUTES 23 SECONDS WEST, A DISTANCE OF 117.00 FEET;
15) SOUTH 05 DEGREES 38 MINUTES 08 SECONDS EAST, A DISTANCE OF 64.90 FEET;
16) SOUTH 15 DEGREES 04 MINUTES 01 SECONDS EAST, A DISTANCE OF 78.16 FEET;
17) SOUTH 23 DEGREES 16 MINUTES 53 SECONDS WEST, A DISTANCE OF 25.43 FEET;
18) SOUTH 52 DEGREES 38 MINUTES 12 SECONDS WEST, A DISTANCE OF 53.35 FEET;
19) SOUTH 04 DEGREES 41 MINUTES 36 SECONDS WEST, A DISTANCE OF 58.49 FEET;
20) SOUTH 55 DEGREES 55 MINUTES 50 SECONDS WEST, A DISTANCE OF 42.33 FEET;
21) SOUTH 20 DEGREES 17 MINUTES 24 SECONDS WEST, A DISTANCE OF 72.28 FEET;
22) SOUTH 43 DEGREES 10 MINUTES 51 SECONDS WEST, A DISTANCE OF 286.12 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;
23) SOUTH 72 DEGREES 38 MINUTES 22 SECONDS EAST, A DISTANCE OF 455.86 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;

THENCE, DEPARTING SAID CUNNINGHAM ESTATES, PHASE ONE, CONTINUING OVER AND ACROSS SAID 338.434 ACRE TRACT, THE FOLLOWING SEVENTEEN (17) COURSES AND DISTANCES:

- 1) SOUTH 17 DEGREES 21 MINUTES 38 SECONDS WEST, A DISTANCE OF 229.42 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
2) SOUTH 74 DEGREES 29 MINUTES 47 SECONDS WEST, A DISTANCE OF 336.47 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
3) NORTH 33 DEGREES 56 MINUTES 16 SECONDS WEST, A DISTANCE OF 284.69 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
4) NORTH 72 DEGREES 38 MINUTES 22 SECONDS WEST, A DISTANCE OF 174.49 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
5) THENCE SOUTH 17 DEGREES 21 MINUTES 38 SECONDS WEST, A DISTANCE OF 185.55 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 360.00 FEET WHOSE CHORD BEARS SOUTH 20 DEGREES 46 MINUTES 05 SECONDS WEST, A DISTANCE OF 42.79 FEET;
6) SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 48 MINUTES 53 SECONDS, AN ARC DISTANCE OF 42.82 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE BEGINNING OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, WHOSE CHORD BEARS SOUTH 16 DEGREES 58 MINUTES 24 SECONDS EAST, A DISTANCE OF 26.32 FEET;
7) SOUTHEASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 82 DEGREES 17 MINUTES 50 SECONDS, AN ARC DISTANCE OF 28.73 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE END OF SAID CURVE;
8) THENCE SOUTH 31 DEGREES 37 MINUTES 52 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET WHOSE CHORD BEARS SOUTH 80 DEGREES 36 MINUTES 12 SECONDS WEST, A DISTANCE OF 26.40 FEET;
9) SOUTHWESTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 82 DEGREES 38 MINUTES 45 SECONDS, AN ARC DISTANCE OF 28.84 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 360.00 FEET WHOSE CHORD BEARS SOUTH 47 DEGREES 40 MINUTES 47 SECONDS WEST, A DISTANCE OF 104.96 FEET;
10) SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 45 MINUTES 55 SECONDS, AN ARC DISTANCE OF 105.34 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE END OF SAID CURVE;
11) SOUTH 56 DEGREES 03 MINUTES 44 SECONDS WEST, A DISTANCE OF 182.02 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
12) NORTH 33 DEGREES 56 MINUTES 16 SECONDS WEST, A DISTANCE OF 335.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
13) SOUTH 56 DEGREES 03 MINUTES 44 SECONDS WEST, A DISTANCE OF 301.89 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
14) NORTH 33 DEGREES 56 MINUTES 16 SECONDS WEST, A DISTANCE OF 250.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
15) SOUTH 56 DEGREES 03 MINUTES 44 SECONDS WEST, A DISTANCE OF 100.78 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
16) NORTH 33 DEGREES 56 MINUTES 16 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
17) NORTH 72 DEGREES 38 MINUTES 22 SECONDS WEST, A DISTANCE OF 1554.46 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET IN THE WEST LINE OF SAID 338.434-ACRE-TRACT;

THENCE NORTH 13 DEGREES 09 MINUTES 18 SECONDS WEST, ALONG THE WEST LINE OF SAID 338.434-ACRE TRACT, A DISTANCE OF 1078.69 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID 338.434-ACRE TRACT;

THENCE NORTH 58 DEGREES 59 MINUTES 42 SECONDS EAST, ALONG THE NORTH LINE OF SAID 338.434-ACRE TRACT, A DISTANCE OF 1832.97 TO THE POINT OF BEGINNING, AND CONTAINING 153.126 ACRES OF LAND, MORE OR LESS.

OWNERS CERTIFICATION

THAT OLD MAYPEARL ROAD, LLC, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS CUNNINGHAM ESTATES, PHASE TWO, AN ADDITION TO THE ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE OWNER DOES HEREBY CERTIFY THE FOLLOWING:

- 1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S USE THEREOF.
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.
8. ELLIS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE ELLIS COUNTY, TEXAS

WITNESS, MY HAND, THIS THE ___ DAY OF ___ 2022.

FOR: OLD MAYPEARL ROAD, LLC

BY: LANCE RUST, AGENT

COUNTY OF ELLIS
STATE OF TEXAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lance Rust, Agent of Old Maypearl Road, LLC, 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 my hand and seal of office, this ___ day of ___ 2022.

Notary Public in and for the State of Texas

My Commission Expires On:

SURVEYOR'S CERTIFICATE

This is to certify that I, Daniel Chase O'Neal, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; and that all lot corners, angle points, and points of curvature have been properly marked on the ground, and that this plat correctly represents that survey made under my supervision.

GIVEN UNDER MY HAND AND SEAL THIS THE ___ DAY OF ___ 2022.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. Released for review only.

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570



ON-SITE SEWAGE FACILITY STATEMENT

This plat has been approved by the Department of Development of Ellis County, Texas for on-site sewage disposal facilities and meets or exceeds the minimum requirements established by TCEQ and the Ellis County Septic Order, pending any and all information as may be required by the Ellis County Department of Development.

Department of Development Director

Approval Date

APPROVAL CERTIFICATE

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By: Chairperson Date

Attest Date

CERTIFICATE OF APPROVAL

STATE OF TEXAS
COUNTY OF ELLIS

Certificate of approval by the Commissioners' Court of Ellis County, Texas:
Approved this ___ day of ___ 2022.

Todd Little, County Judge Krystal Valdez, County Clerk

Randy Stinson, Commissioner, Precinct No. 1 Lane Grayson, Commissioner, Precinct No. 2

Paul Perry, Commissioner, Precinct No. 3 Kyle Butler, Commissioner, Precinct No. 4

PLAT
CUNNINGHAM ESTATES
PHASE TWO

109 RESIDENTIAL LOT SUBDIVISION
3 COMMON AREA LOTS
ZONING: NOT ZONED (UNINCORPORATED LAND IN ETJ)
BEING 153.126 ACRES
SITUATED IN THE
W. LOCKWOOD SURVEY, ABST. NO.647 &
A. FERGUSON SURVEY, ABST. NO. 350
CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLLIE, TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

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CE CHILDRESS ENGINEERS
ENGINEERS & CONSULTANTS

TEXAS REGISTERED ENGINEERING FIRM F-702

ROBERT T. CHILDRESS, JR., P.E. • BENJAMIN S. SHANKLIN, P.E. • ROBERT T. CHILDRESS III, P.E.

June 23, 2021

Mr. Joe Buchanan, Manager
Buena Vista-Bethel Special Utility District
312 S. Oak Branch Road
Waxahachie, Texas 75167

Re: Hydraulic Analysis for
Cunningham Estates
225 Lots
Near Node 21, 22 & 23
Map Sheet 13

Dear Mr. Buchanan,

In response to your request, we have examined the hydraulic capability of Buena Vista-Bethel SUD's water distribution system to provide the above referenced service. We understand that this includes two hundred twenty five (225) new standard meters to be served along Cunningham Meadows and Old Maypearl Road as shown on June 15, 2021 Preliminary Water Plan for Cunningham Estates as prepared by Christopher Walton with Engineering Concepts & Design.

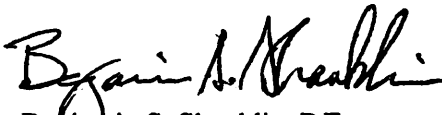
Our evaluation indicates that at this time the existing system can furnish the requested domestic service in conformity with Texas Commission on Environmental Quality standards for water distribution. The above referenced services can be furnished if a new 12" water main is connected to the existing 12" main near the northeast corner of the property at Node 23 and extended along Old Maypearl Road to Node 21 and is connected to the existing 12" main on Old Maypearl Road. 8" water mains will be required along the interior streets throughout the subdivision.

The 2008 Guide for Determination of Needed Fire Flow was used to establish the fire flow requirements for this addition. For this application, with structures greater than 30 feet apart, we are using 500 gpm fireflow requirement for a two (2) hour duration. A 1,200 gpm fire flow can be projected off of the proposed new 8" mains at this location. Please be advised that this hydraulic analysis is only good for six (6) months from the date of this letter.

If you have any questions concerning this matter, please call.

Very truly yours,

CHILDRESS ENGINEERS


Benjamin S. Shanklin, P.E.

cc: Wayne Pratt

(5)



PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Todd Wintters **Parcel ID #:** 183334 and 187067
Subdivision Name: Cunningham Estates

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD (972) 937-1212
Carroll Water Company (972) 617-0817
Mountain Peak SUD (972) 775-3765
Rockett SUD (972) 617-3524
Sardis-Lone Elm WSC (972) 775-8566
Nash Foreston WSC (972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>8 or 12</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Print Name of General Manager of water provider or Designee

BVBSUD

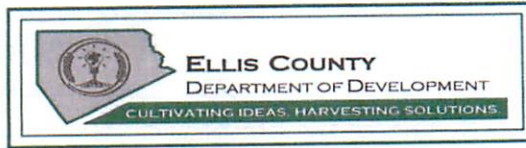
Name of water provider company

Signature of General Manager of water provider or Designee

Date

109 South Jackson Street
Waxahachie, TX 75165

Main Phone:
972-825-5200



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Department Website:
www.co.ellis.tx.us/dod
Department Email:
dod@co.ellis.tx.us

WATER UTILITY PROVIDER ENDORSEMENT

Ellis County requires new lots in subdivisions to have adequate water flow and pressure to comply with Texas Commission on Environmental Quality (TCEQ) and the latest adopted Fire Code. Subdivisions served by water providers will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest adopted Fire Code.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your plat application packet. If this letter is not submitted, it will be considered an incomplete application.

PROPERTY INFORMATION

Site Address/General Location: SW Corner of Old Maypearl Rd. and Cunningham Meadows Rd City/State: Waxahachie, TX ZIP: 75098
Legal Description: 153.126 ac, W. Lockwood Survey A-647 and A. Ferguson Survey A-350
Proposed Use of plat or development: Single-family Residential Subdivision Acres: 153.13 Lots: 109

APPLICANT/OWNER INFORMATION

Applicant/Agent Name: Todd Winters Company Name: Engineering Concepts and Design, L.P.
Mailing Address: 201 Windco Circle, Suite 200 City/State: Wylie, TX ZIP: 75098
Main Phone: (972) 941-8400 Email: todd@ecdip.com

TO BE COMPLETED BY THE WATER UTILITY PROVIDER

	YES	NO
1. I have reviewed a copy of the proposed plat/development.	<input checked="" type="radio"/>	<input type="radio"/>
2. The proposed plat/development falls within our CCN area.	<input checked="" type="radio"/>	<input type="radio"/>
3. Our water system can provide water flow and pressure for domestic service, per the latest adopted TCEQ regulations and requirements.	<input checked="" type="radio"/>	<input type="radio"/>
4. Our water system can provide the water flow and necessary minimum pressure for firefighting purposes, per established County regulations and Fire Code (<u>1200</u> gpm fire flow only).	<input checked="" type="radio"/>	<input type="radio"/>
5. The waterline size service the proposed plat/development is currently listed as <u>12</u> inches and located along <u>Old Maypearl Rd</u> Rd/Dr/Ln/St/Blvd, etc.	<input checked="" type="radio"/>	<input type="radio"/>
6. Are there plans to upsize or increase the existing water line mention in Question No. 5?	<input type="radio"/>	<input checked="" type="radio"/>

Joe Buchanan
Print Name of General Manager of Water Provider or Designee

Joe Buchanan
Signature of General Manager of Water Provider or Designee

Buena Vista-Bethel SUD
Name of Water Provider Company

6-21-2022
Date

CONTACT INFORMATION

Buena Vista-Bethel SUD	972-937-1212	Mountain Peak SUD	972-775-3765
Carroll Water Company	972-617-0817	Nash Forrester WSC	972-483-3039
Files Valley	254-689-2331	Rockett SUD	972-617-3524
Hill Co. Coop.	800-338-6425	Sardis Lone Elm WSC	972-775-8566
		South Ellis County WSC	972-483-6885
		South Garrett Water	972-875-5893