



## AGENDA

City of Lucas  
**City Council Regular Meeting**  
**April 7, 2016**  
**7:00 PM**  
City Hall – Council Chambers  
665 Country Club Road – Lucas, Texas

Notice is hereby given that a City of Lucas Regular City Council Meeting will be held on Thursday, April 7, 2016 at 7:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas, 75002-7651 at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

### Call to Order

- Roll Call
- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

### Citizen Input

The Citizens' Input portion of the agenda is an opportunity for the public to address the City Council on any subject. By completing a "Request to Speak" form and submitting it to the City Secretary, citizens have an opportunity to speak at the City Council meeting. However, in accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions but may refer items to City Staff for research and possible inclusion on a future agenda.

#### 1. Citizen Input (Mayor Jim Olk)

### Community Interest

Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

#### 2. Community Interest

Presentation of Proclamation to the Blacksheep Motorcycle Club declaring the month of May as Motorcycle Awareness Month. (Mayor Jim Olk)

### **Consent Agenda**

All items listed under the consent agenda are considered routine and are recommend to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

3. Consider approval of the minutes of the March 17, 2016 City Council meeting. (City Secretary Stacy Henderson)

### **Public Hearings**

4. Consider adopting Ordinance 2016-04-00835 amending the City's Code of Ordinances, Section 14.01.004, Subsection B, Definitions creating a new definition for Nursing Home Facility. (Development Services Director Joe Hilbourn)
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct Public Hearing
  - C. Take Action

### **Regular Agenda**

5. Consider the request by James Roberts on behalf of Logan Ford Ranch Estates for preliminary plat approval, being a replat of Lot 1 of Ford's Cattle Ranch totaling 69.019 acres with Phase 1 consisting of 11 lots, containing 31.897 acres with one remaining lot of 37.122 acres. The property is located at the northeast corner of East Winningkoff Road and Welborn Lane. (Development Services Director Joe Hilbourn)
6. Consider adopting Ordinance 2016-04-00836 amending the Code of Ordinances, Chapter 3, Section 3.01.011 Construction Site Maintenance to provide regulations for roll-off containers used on construction sites. (Development Services Director Joe Hilbourn)
7. Consider calling a special City Council meeting for the purpose of canvassing the May 7, 2016 election results. (City Secretary Stacy Henderson)

### **Executive Session**

The City Council may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

8. Executive Session: An Executive Session is not scheduled for this meeting.
9. Adjournment.

### **Certification**

*I hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at [www.lucastexas.us](http://www.lucastexas.us) on or before 5:00 p.m. on April 1, 2016.*

\_\_\_\_\_  
*Stacy Henderson, City Secretary*

*In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to Stacy Henderson at 972.912.1211 or by email at [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) at least 48 hours prior to the meeting.*



# City of Lucas City Council Agenda Request April 7, 2016

Item No. 01

**Requester:** Mayor Jim Olk

**Agenda Item:**

Citizen Input

**Background Information:**

NA

**Attachments/Supporting Documentation:**

NA

**Budget/Financial Impact:**

NA

**Recommendation:**

NA

**Motion:**

NA



# City of Lucas Council Agenda Request April 7, 2016

**Requester:** Mayor Jim Olk

**Agenda Item:**

**Items of Community Interest:**

Presentation of Proclamation to the Blacksheep Motorcycle Club declaring the month of May as Motorcycle Awareness Month.

**Background Information:**

NA

**Attachments/Supporting Documentation:**

NA

**Budget/Financial Impact:**

NA

**Recommendation:**

NA

**Motion:**

NA



# *Proclamation*

## *of the City of Lucas*

*WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and*

*WHEREAS, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers; and*

*WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, though a comprehensive approach to motorcycle safety; and*

*WHEREAS, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and*

*WHEREAS, all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve;*

*NOW, THEREFORE I, Jim Olk, Mayor of the City of Lucas do hereby proclaim the month of May, 2016 as*

## *Motorcycle Safety and Awareness Month*

Given under my hand and seal of office this 7<sup>th</sup> day of April, 2016.

*SIGNED:*

*ATTEST:*

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*Jim Olk  
Mayor*

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*Stacy Henderson  
City Secretary*



# City of Lucas Council Agenda Request April 7, 2016

**Requester:** City Secretary Stacy Henderson

**Agenda Item:**

**Consent Agenda:**

3. Consider approval of the minutes of the March 17, 2016 City Council meeting.

**Background Information:**

NA

**Attachments/Supporting Documentation:**

1. Minutes of the March 17, 2016 City Council meeting

**Budget/Financial Impact:**

NA

**Recommendation:**

Approve the Consent Agenda as presented.

**Motion:**

I make a motion to approve/deny the consent agenda as presented.



**City of Lucas  
City Council Meeting  
March 17, 2016  
7:00 PM**

**City Hall - 665 Country Club Road – Lucas Texas**

## **Minutes**

### **Call to Order**

Mayor Olk called the meeting to order at 7:00 p.m.

**Council Members Present:**

Mayor Jim Olk  
Mayor Pro Tem Kathleen Peele  
Councilmember Wayne Millsap  
Councilmember Tim Baney  
Councilmember Steve Duke  
Councilmember Philip Lawrence  
Councilmember Debbie Fisher (*arrived at 7:05pm*)

**Staff Present:**

City Manager Joni Clarke  
City Secretary Stacy Henderson  
Development Services Director Joe Hilbourn  
Finance Director Liz Exum

**Staff Absent:**

City Attorney Joe Gorfida

Mayor Olk determined that a quorum was present. Everyone was reminded to turn off or silence their cell phones and the City Council recited the Pledge of Allegiance.

### **Citizen Input**

**1. Citizen Input**

Tommy Tolson, 1855 Crestland Drive, Lucas expressed his appreciation to the City Council for the Blondy Jhune bridge project criteria that was recently approved and further discussed the need for road maintenance and repair on existing streets within the City.

### **Community Interest**

**2. Community Interest Items.**

Mayor Olk announced that Keep Lucas Beautiful was hosting a clean-up event on April 2, 2016 at 9:00 a.m. at City Hall and encouraged others to participate.

### **Consent Agenda**

**3. Consider approval of the minutes of the March 3, 2016 City Council meeting.**

- 4. Consider approving Resolution R2016-03-00447 of the City of Lucas, Texas opposing a limited access roadway described as a north-south corridor west of Lavon and providing an effective date.**

***MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Millsap to approve the Consent Agenda as presented. The motion passed unanimously by a 7 to 0 vote.*

<b>Regular Agenda</b>
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- 5. Consider approving the City of Lucas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014-2015 presented by BrooksCardiel, PLLC.**

Anthony Cardiel with BrooksCardiel, PLLC presented the findings from the City of Lucas Comprehensive Annual Financial Report stating the City had received an unmodified status which was the best rating possible. Mr. Cardiel also discussed the City's revenues, expenses and internal controls in place.

***MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Fisher to approve the Comprehensive Annual Financial Report for Fiscal Year 2014-2015. The motion passed unanimously by a 7 to 0 vote.*

- 6. Consider appointments to the Friends of the Lucas Fire-Rescue Board to serve for one to two year terms.**

Mayor Olk asked that the citizens that had applied to the Friends of the Lucas Fire-Rescue Board come forward and introduce themselves to the City Council.

The following citizens came forward and discussed their business background, volunteer experience and reasons for wanting to be considered for the open board member positions:

Kathleen LoSapio, 650 Scarlett Drive, Lucas  
Jim Smith, 700 Scarlett, Lucas  
Paul Rathgeb, 10 Rollingwood Drive, Lucas  
Larry Abston, 4 Estates Road, Lucas  
Linda Abston, 4 Estates Road, Lucas

***MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to appoint Paul Rathgeb for a two year term to the Friends of the Lucas Fire-Rescue Board. The motion passed unanimously by a 7 to 0 vote.*

***MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to appoint Grant Gulickson for a two year term to the Friends of the Lucas Fire-Rescue Board. The motion passed unanimously by a 7 to 0 vote.*



**MOTION:** *A motion was made by Councilmember Fisher, seconded by Councilmember Baney to appoint Kathleen Losapio for a one year term to the Friends of the Lucas Fire-Rescue Board. The motion passed unanimously by a 7 to 0 vote.*

**MOTION:** *A motion was made by Councilmember Lawrence to appoint Jim Smith for a one year term to the Friends of the Lucas Fire-Rescue Board. The motion failed for lack of a second.*

**MOTION:** *A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to appoint Linda Abston for a one year term to the Friends of the Lucas Fire-Rescue Board. The motion passed unanimously by a 7 to 0 vote.*

Councilmember Millsap noted that a Friends of the Lucas Fire-Rescue Board meeting would be scheduled within the next 30 days.

**7. Consider an appointment to the Board of Adjustment for a vacant board member position.**

The City Council promoted Alternate Member 1 Adam Sussman to a Regular voting member and promoted Alternate Member 2 Tommy Tolson to the position of Alternate Member 1. Thereby leaving an Alternate 2 position vacant.

The City Council conducted interviews in November 2015 for vacant Board of Adjustment member positions at that time. The City Council was in agreement to appoint an applicant that was interviewed during that time.

**MOTION:** *A motion was made by Councilmember Baney, seconded by Mayor Olk to appoint Robin Ahmadi to the Board of Adjustment Alternate 2 position for a two year term. The motion passed unanimously by a 7 to 0 vote.*

**8. Discuss and provide direction to staff regarding the City's Code of Ordinances, Section 3.04.004 Construction Site Maintenance to create a time frame that roll off containers (dumpsters) may be on a construction site, consider making roll off containers part of a franchise agreement for solid waste disposal, or consider registering contractors to provide solid waste collection throughout the city with a required fee schedule for the service.**

Development Services Director Joe Hilbourn gave a presentation discussing concerns with the amount of time that dumpsters remain on construction sites and current code requirements related to the number of days a dumpster may be placed on site before construction begins. Mr. Hilbourn also discussed the use of franchise agreements where the City would contract with one company that supplies all dumpsters for residential and commercial projects.

The City Council discussed rates associated with franchise agreements and the concern with larger trucks tearing up the roadways. The City Council was not in favor of taking part in a franchise agreement for dumpsters.

The City Council directed staff to amend the Code of Ordinances changing the amount of time in which dumpsters could be located on site before construction begins from 10 days to 21 days and prepare standards that also addressed the appearance of dumpsters.

**Executive Session**

The City Council may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

**9. Executive Session.**

There was no Executive Session for this meeting.

**10. Adjournment.**

***MOTION:** A motion was made by Mayor Olk, seconded by Councilmember Lawrence to adjourn the meeting at 7:58p.m. The motion passed unanimously by a 7 to 0 vote.*

APPROVED:

ATTEST:

\_\_\_\_\_  
Jim Olk, Mayor

\_\_\_\_\_  
Stacy Henderson, City Secretary



## City of Lucas Planning and Zoning Agenda Request April 07, 2016

**Requester:** Development Services Director Joe Hilbourn

### **Agenda Item:**

Consider adopting Ordinance 2016-04-00835 amending the City's Code of Ordinances, Section 14.01.004, Subsection B, Definitions creating a new definition for Nursing Home Facility.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

### **Background Information:**

To better clarify the meaning of Nursing Home, a new definition is being proposed titled Nursing Home Facility. This definition will replace the term retirement home/nursing home and will include assisted living centers and long term care facilities. The proposed definition reads as follows:

*Nursing Home Facility (also termed skilled nursing facility, convalescent home, assisted living or long term care facility). A facility providing primarily in-patient health care, personal care or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision and such facilities comply with the required state licensing, if any.*

### **Attachments/Supporting Documentation:**

1. Ordinance 2016-04-00835
2. Public Notice

### **Budget/Financial Impact:**

N/A

### **Recommendation from Planning and Zoning Commission:**

The Planning and Zoning Commission, by unanimous vote, recommended to create a new definition for Nursing Home Facility as defined above.

### **Motion:**

I make a motion to approve/deny adopting Ordinance 2016-04-00835 amending the City's Code of Ordinances, Section 14.01.004, Subsection B, Definitions creating a new definition for Nursing Home Facility.



**ORDINANCE # 2016-04-00835**  
**[ORDINANCE AMENDING CODE OF ORDINANCE**  
**CHAPTER 14 “ZONING”]**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 TITLED “ZONING” BY AMENDING ARTICLE 14.01 TITLED “GENERAL PROVISIONS” BY AMENDING DIVISION 1 TITLED “GENERALLY” BY AMENDING SECTION 14.01.004 TITLED “DEFINITIONS” BY AMENDING SUBSECTION (b) BY ADDING A NEW DEFINITION FOR “NURSING HOME FACILITY”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Lucas, Texas and the City Council of the City of Lucas, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Lucas, Texas is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

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

**Section 1.** The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 titled “Zoning” by amending Article 14.01 titled “General Provisions” by amending Division 1 titled “Generally” by amending Section 14.04.004(b) titled “Definitions”, to read as follows:

**“CHAPTER 14**

**ZONING**

**ARTICLE 14.01 GENERAL PROVISIONS**

**Division 1. Generally**

...

**Section 14.01.004 Definitions**

...

(b) Definitions.

...

*Nonconforming.* A building, structure, or use of land lawfully occupied at the time of the effective date of this chapter or amendments thereto, and which does not conform to the use of the regulations of the district in which it is situated.

*Noxious matter.* A material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being or comfort of humans.

*Nursing home facility (also termed skilled nursing facility, convalescent home, assisted living or long term care facility).* A facility providing primarily in-patient health care, personal care or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision and such facilities comply with the required state licensing, if any.

*Occupancy.* The use or intended use of the land or building by proprietors or tenants.

*Office, general business or professional.* An establishment providing administrative, business, executive, management or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a permitted use.

...”

**Section 2.** That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

**Section 3.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**Section 4.** That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**Section 5.** That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS,  
COLLIN COUNTY, TEXAS, ON THIS 7<sup>th</sup> DAY OF APRIL 2016.**

APPROVED:

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Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

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Joseph J. Gorfida, Jr., City Attorney  
(02-22-16/75654)

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Stacy Henderson, City Secretary



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas (the "City"), will conduct a public hearing on Thursday, March 10, 2016 at 7:00 p.m. and City Council will conduct a second public hearing on Thursday, April 7, 2016 at 7:00 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider changes to the City's Code of Ordinances more particularly described as follows:

A definition for retirement homes: *Nursing home facility (also termed skilled nursing facility, convalescent home, assisted living or long term care facility.* A facility providing primarily in-patient health care, personal care or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision and such facilities comply with the required state licensing, if any.

Those wishing to speak FOR or AGAINST the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, Attention: City Secretary, 665 Country Club Road, Lucas, Texas 75002, email [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us), or Fax 972-727-0091 and it will be presented at the Hearing. If you have any questions about the above hearing you may contact [jhilbourn@lucastexas.us](mailto:jhilbourn@lucastexas.us).



**City of Lucas  
City Council Agenda Request  
April 07, 2016**

**Requester:** Development Services Director Joe Hilbourn

**Agenda Item:**

Consider the request by James Roberts on behalf of Logan Ford Ranch Estates for preliminary plat approval, being a replat of Lot 1 of Ford's Cattle Ranch totaling 69.019 acres with Phase 1 consisting of 11 lots, containing 31.897 acres with one remaining lot of 37.122 acres. The property is located at the northeast corner of East Winningkoff Road and Welborn Lane.

**Background Information:**

This property is currently zoned R-2 and has an approved Development Agreement that gives consideration to lot frontage on two of the lots. There are very few improvements proposed with this development except for road repairs called out in the approved Development Agreement. There are two existing ponds that will be used for detention and all roads and water mains are in place so the improvements will consist of running lateral water services to each lot, and electric utilities. The proposed preliminary plat conforms to all the City's rules and regulations.

**Attachments/Supporting Documentation:**

1. Proposed plat
2. Water plan
3. Electric plan
4. Area map

**Budget/Financial Impact:**

N/A

**Recommendation from Planning and Zoning Commission:**

The Planning and Zoning Commission, by unanimous vote, recommended to approve the preliminary plat for Fords Cattle Ranch as proposed.

**Motion:**

I make a motion to approve/deny the request by James Roberts on behalf of Logan Ford Ranch Estates for preliminary plat approval for Phase 1, being a replat of Lot 1 of Ford's Cattle Ranch totaling 69.019 acres for the property located at the northeast corner of East Winningkoff Road and Welborn Lane.

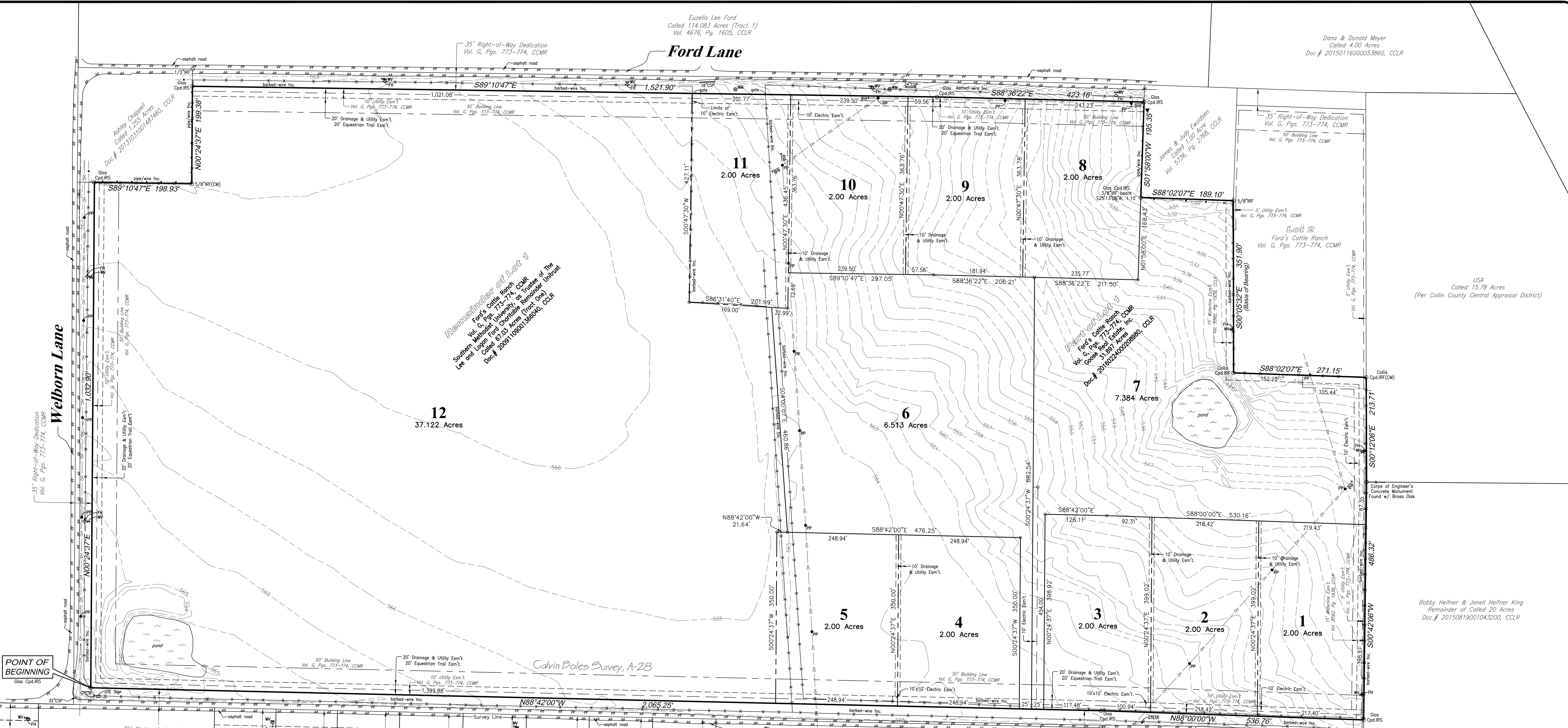


Euzella Lee Ford  
Called 114.083 Acres (Tract 1)  
Vol. 4676, Pg. 1605, CCLR

Dana & Donald Meyer  
Called 4.00 Acres  
Doc. # 20150116000053860, CCLR

North Texas Municipal Water District  
Called 117.850 Acres  
(Per Collin County Central Appraisal District)

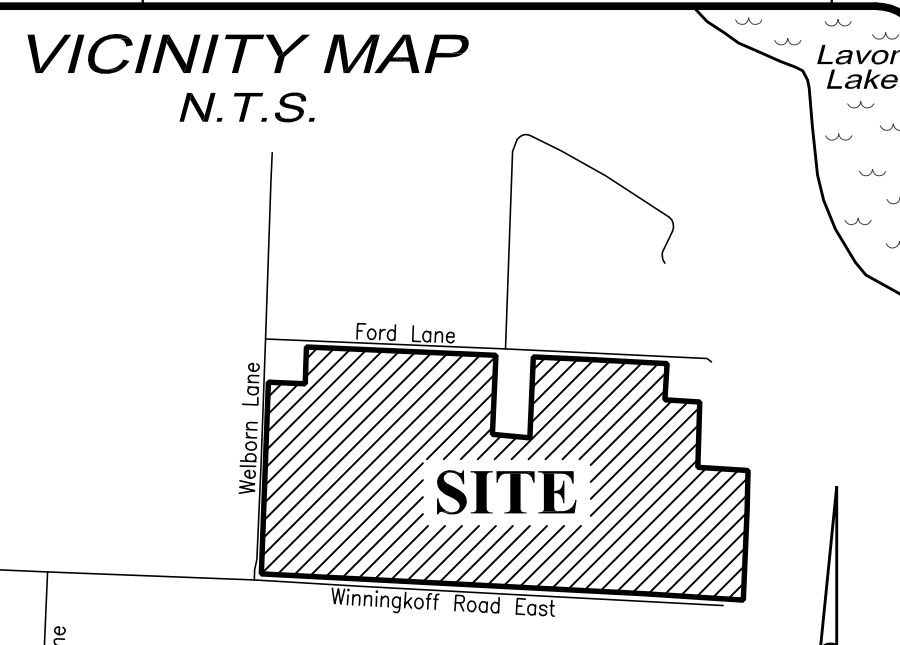
USA  
Called 15.78 Acres  
(Per Collin County Central Appraisal District)



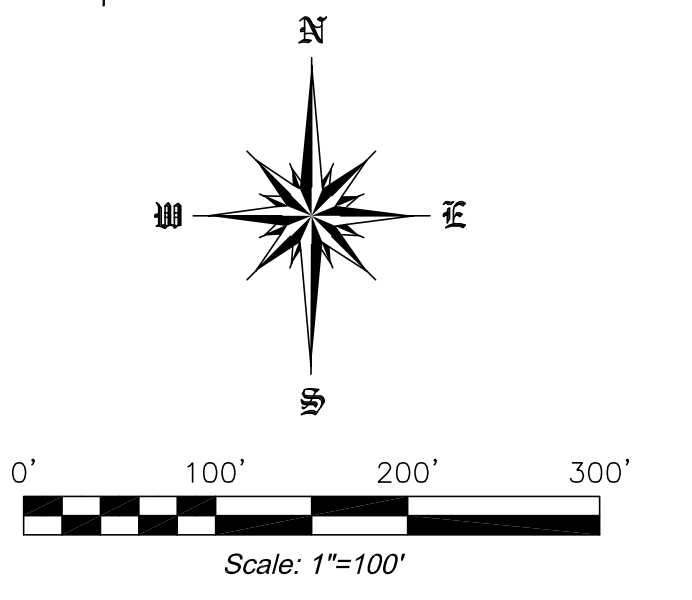
POINT OF BEGINNING

Calvin Boles Survey, A-28

T. James Survey, A-477  
**East Winnickoff Road**



- NOTES**
- 1) This survey has been performed with the benefit of Title Commitment GF No. CTCF24-8061241500278a-JP issued on November 19, 2015.
  - 2) Subject property is affected by any and all notes, details, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
  - 3) Source bearing is based on an east line (as noted) of Lot 1 of Ford's Cattle Ranch, an addition to the City of Lucas as recorded in Volume G, Pages 773-774 of the Collin County Map Records.
  - 4) No part of the subject property lies within a Special Flood Hazard Area inundated by 100-year flood per Map Number 4808500410 J of the F.E.M.A. Flood Insurance Rate Maps for Collin County, Texas and Incorporated Areas, dated June 2, 2009 (Zone X). This statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor. The surveyor makes no representation as to the accuracy of said FIRMs.
  - 5) Lots shall be developed in accordance with the Conceptual Site Plan attached hereto as Exhibit "B" and in accordance with the City of Lucas Development Regulations and other applicable City Ordinances in effect at the time the preliminary plat is filed and approved by the City Council. Lots 6 & 7 shall not be subdivided.



**Legend**

Glas Cpld IRS	Glas Capped Iron Rod Set	• IRP	Power Pole
CCLR	Collin County Map Records	OTER	OTE Telephone Riser
CCLR	Collin County Land Records	CSP	Corrugated Steel Pipe
RF	Iron Rod Found	—	Edge of Asphalt
CM	Controlling Monument	—	Overhead Lines
WM	Water Meter	—	Barbed-Wire Fence
WV	Water Valve	—	Pipe & Wire Fence
FH	Fire Hydrant	—	Guy

**Owner (Lot 12):**  
Southern Methodist University, as  
Trustee of The Lee and Logan Ford  
Charitable Remainder Unitrust  
PO Box 750132  
Dallas, TX 75275-0132  
( )  
Attn: \_\_\_\_\_

**Owner (Lots 1-11):**  
Goose Reed Estate, Inc.  
1200 Kempton Park Ln  
Fairview, TX 75069  
(614) 306-4246  
Attn: James Roberts  
roberts.james321@gmail.com

**Surveyor:**  
Glas Land Surveying  
2114 FM 1563  
Wolfe City, TX 75496  
(903) 496-2084  
Attn: John Glas  
john@glaslandsurveying.com

Revised: 2/26/2016  
Drawings\2016\AC00466\_REVISED.dwg

**Glas Land Surveying**  
2114 FM 1563, Wolfe City, Texas 75496  
Office: (903) 496-2084 Fax: (469) 547-0826  
www.glaslandsurveying.com  
TBPLS Firm No. 10193970

**Preliminary Plat of  
Lots 1-12, Block A  
Logan Ford Ranch, Phase 1  
being a Replat of Lot 1 of Ford's Cattle Ranch  
as Recorded in Volume G, Pages 773-774, CCLR**  
Total Acres - 69.019 Acres  
Zoning: R-2  
Phase 1: 11 Lots (31.897 Acres)  
Calvin Boles Survey, Abstract No. 28  
City of Lucas, Collin County, Texas  
February 15, 2016  
Sheet 1 of 2

Bobby Heifner & Janell Heifner King  
Remainder of Called 20 Acres  
Doc. # 20150819001043200, CCLR

Southern Methodist University, as  
Trustee of The Lee and Logan Ford  
Charitable Remainder Unitrust  
Called 58.698 Acres (Tract Two)  
Doc. # 20091109001366040, CCLR

Bobby Heifner  
Called 20 Acres  
Doc. # 20150819001043200, CCLR

Jannell Heifner King  
Called 20 Acres  
Doc. # 20150819001043200, CCLR

Bobby Heifner  
Called 20 Acres (Tract 1)  
Vol. 4168, Pg. 585, CCLR

Lot 28B, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28A, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28C, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28D, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28E, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28F, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28G, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28H, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28I, Block A  
Vol. 2012, Pg. 31, CCLR

Lot 28J, Block A  
Vol. 2012, Pg. 31, CCLR

OWNER'S DEDICATION AND ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS Southern Methodist University, as Trustee of the Lee and Logan Ford Charitable Remainder Unitrust and Goose Real Estate, Inc. are the owners of a tract of land situated in the State of Texas, County of Collin, and City of Lucas, being part of the Calvin Boles Survey, Abstract No. 28, and being all of Lot 1 of Ford's Cattle Ranch as recorded in Volume G, Pages 773-774 of the Collin County Map Records, being the remainder of a called 67.03 acre tract (Tract One) as recorded under Document No. 20091109001366040 of the Collin County Land Records and all of a 31.897 acre tract as recorded under Document No. 20160224000209890 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a Glas capped iron rod set at the intersection of the east right-of-way line of Welborn Lane with the north right-of-way line of East Winningkoff Road marking the southwest corner of Lot 1, the southwest corner of said 67.03 acre tract, and the southwest corner of said premises;

THENCE with the east right-of-way line of Welborn Lane, the west line of Lot 1, the west line of said 67.03 acre tract, and the west line of said premises, North 00°24'37" East, 1,032.90 feet to a Glas capped iron rod set marking the most westerly northwest corner of Lot 1, the most westerly northwest corner of said 67.03 acre tract, the most westerly northwest corner of said premises, and being in the south line of a called 1.255 acre tract as recorded under Document No. 20131031001487460 of the Collin County Land Records;

THENCE with a north line of Lot 1, a north line of said 67.03 acre tract, a north line of said premises, and the south line of said 1.255 acre tract, South 89°10'47" East, 198.93 feet to a 5/8-inch iron rod found marking an interior ell-corner of Lot 1, an interior ell-corner of said 67.03 acre tract, an interior ell-corner of said premises, and the southeast corner of said 1.255 acre tract;

THENCE with a west line of Lot 1, a west line of said 67.03 acre tract, a west line of said premises, and the east line of said 1.255 acre tract, North 00°24'37" East, 199.38 feet to a Glas capped iron rod set in the south right-of-way line of Ford Lane marking the most northerly northwest corner of Lot 1, the most northerly northwest corner of said 67.03 acre tract, and the most northerly northwest corner of said premises;

THENCE with the south right-of-way line of Ford Lane, the north line of Lot 1, the north line of said 67.03 acre tract, the north line of said 31.897 acre tract, and the north line of said premises, South 89°10'47" East, 1,521.90 feet to a Glas capped iron rod set and South 88°36'22" East, 423.16 feet to a Glas capped iron rod set marking the northeast corner of Lot 1, the northeast corner of said 31.897 acre tract, the northeast corner of said premises, and being in the west line of a called 1.00 acre tract as recorded in Volume 5736, Page 2768 of the Collin County Land Records;

THENCE with an east line of Lot 1, an east line of said 31.897 acre tract, an east line of said premises, and the west line of said 1.00 acre tract, South 01°58'00" West, 195.35 feet to a Glas capped iron rod set marking an interior ell-corner of Lot 1, an interior ell-corner of said 67.03 acre tract, an interior ell-corner of said premises, and the southwest corner of said 1.00 acre tract, from which a 3/8-inch iron rod found bears South 25°13'09" West, 1.10 feet;

THENCE with a north line of Lot 1, a north line of said 31.897 acre tract, a north line of said premises, and the south line of said 1.00 acre tract, South 88°02'07" East, 189.10 feet to a 5/8-inch iron rod found marking a northeast corner of Lot 1, a northeast corner of said 31.897 acre tract, a northeast corner of said premises, the southeast corner of said 1.00 acre tract, and being in the west line of Lot 2 of said addition;

THENCE with an east line of Lot 1, an east line of said 31.897 acre tract, an east line of said premises, and the west line of said Lot 2, South 00°05'32" East, 351.90 feet to a Collis capped iron rod found marking an interior ell-corner of Lot 1, an interior ell-corner of said 31.897 acre tract, an interior ell-corner of said premises, and the southwest corner of said Lot 2;

THENCE with a north line of Lot 1, a north line of said 31.897 acre tract, a north line of said premises, and the south line of said Lot 2, South 88°02'07" East, 271.15 feet to a Collis capped iron rod found marking the most easterly northeast corner of Lot 1, the most easterly northeast corner of said 31.897 acre tract, the most easterly northeast corner of said premises, the southeast corner of said Lot 2, and being in the west line of a called 15.78 acre USA tract (per Collin County Central Appraisal District);

THENCE with the east line of Lot 1, the east line of said 31.897 acre tract, the east line of said premises, partway with the west line of said USA tract, and partway with the west line of the remainder of a called 20 acre tract as recorded under Document No. 20150819001043200 of the Collin County Land Records as follows:

South 00°12'06" East, 213.71 feet to a Corps of Engineer's concrete monument found with brass disk marking the southwest corner of said USA tract and the northwest corner of said remainder of a called 20 acre tract;

South 00°42'06" West, 486.32 feet to a Glas capped iron rod set in the north right-of-way line of East Winningkoff Road marking the southeast corner of Lot 1, the southeast corner of said 31.897 acre tract, and the southeast corner of said premises;

THENCE with the north right-of-way line of East Winningkoff Road, the south line of Lot 1, the south line of said 31.897 acre tract, the south line of said 67.03 acre tract, and the south line of said premises, North 88°00'00" West, 536.76 feet and North 88°42'00" West, 2,065.25 feet to the point of beginning and containing 69.019 acres of land.

OSSF NOTES

- All lots must utilize alternative type On-Site Sewage Facilities.
Must maintain state-mandated setback of all On-Site Sewage Facility components from any/all easements and drainage areas, water distribution lines, sharp breaks and/or creeks/rivers/ponds, etc. (Per State regulations).
Due to the presence of a large pond of Lot 12/A, a pre-planning meeting with a Professional Engineer/Registered Sanitarian and Development Services is recommended prior to individual lot development on Lot 12/A.
Tree removal and/or grading for OSSF may be required on individual lots.
Individual site evaluations and OSSF design plans (meeting all State and County requirements) must be submitted to an approved by Collin County for each lot prior to construction of any OSSF system.
There are no water wells noted in this subdivision and no water wells are allowed without prior approval from Collin County Development Services.

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 Sanitation or Designated Representative
Collin County Development Services

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That WE, Southern Methodist University, as Trustee of the Lee and Logan Ford Charitable Remainder Unitrust and Goose Real Estate, Inc., the Owners, do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as Preliminary Plat of Lots 1-12, Block A of Logan Ford Ranch, an addition to the City of Lucas, and do hereby dedicate to the City of Lucas use forever the streets, alleys, right-of-way, and easements shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use, or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. Additionally, we certify that we are the sole owners of the dedicated property and that no other's interest are attached to this property unless otherwise indicated on the required Mortgage Holder Certification that is included on this plat.

Furthermore, as the owner of the property described herein, and in consideration of establishing the subdivision described herein, we agree to the following:

- Every owner of fee simple title to every individual lot within the subdivision shall be a member of the homeowners' association.
The homeowners' association shall have the authority to collect membership fees.
As applicable as it pertains to condition shown herein, the homeowners' association shall be responsible for the maintenance of all common areas, screening walls, landscaped areas, private streets and alleys.
The homeowners' association shall grant the City the right of access to any areas to abate any nuisances on such areas, and attach a lien upon each individual lot for the prorated costs of abatement.
The homeowners' association shall indemnify and hold the City of Lucas harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise, including attorney fees and costs of suit, in connection with the maintenance of common areas by the City of Lucas.

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

James Roberts, \_\_\_\_\_
of Goose Real Estate, Inc.
(Lots 1-11)

\_\_\_\_\_, Representative for
Southern Methodist University, as Trustee
of the Lee and Logan Ford Charitable
Remainder Unitrust (Lot 12)

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared James Roberts, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public in and for
the State of Texas

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public in and for
the State of Texas

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF HUNT §

KNOW ALL MEN BY THESE PRESENTS:

That I, John Glas, do hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Lucas Planning and Zoning Commission.



John Glas
R.P.L.S. No. 6081

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF HUNT §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John Glas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public in and for
The State of Texas

CITY APPROVAL CERTIFICATE

This plat is hereby approved by the Planning and Zoning Commission of the City of Lucas.

Chairman, Planning and Zoning Commission Date

ATTEST:

Signature Date

Print Name & Title

The Director of Public Works of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Lucas Development Code and with engineering construction standards and processes adopted by the City of Lucas, Texas as to which his approval is required.

Director of Public Works Date

The Director of Planning and Community Development hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances, or as may have been amended or modified, as allowed, by the Planning and Zoning Commission as to which his/her approval is required.

Director of Planning and Community Developemnt Date

Preliminary Plat of
Lots 1-12, Block A
Logan Ford Ranch, Phase 1
being a Replat of Lot 1 of Ford's Cattle Ranch
as Recorded in Volume G, Pages 773-774, CCMR
Total Acres - 69.019 Acres
Zoning: R-2
Phase 1: 11 Lots (31.897 Acres)
Calvin Boles Survey, Abstract No. 28
City of Lucas, Collin County, Texas
February 15, 2016
Sheet 2 of 2

Revised: 2/26/2016
Drawings\2016\AC00466\_REVISED.dwg

Owner (Lot 12):
Southern Methodist University, as
Trustee of The Lee and Logan Ford
Charitable Remainder Unitrust
PO Box 750132
Dallas, Tx 75275-0132
(\_\_\_\_) \_\_\_\_-\_\_\_\_
Attn: \_\_\_\_\_

Owner (Lots 1-11):
Goose Real Estate, Inc.
1200 Kempton Park Ln
Fairview, Tx 75069
(614) 306-4246
Attn: John Glas
john@glaslandsurveying.com

Surveyor:
Glas Land Surveying
2114 FM 1563
Wolfe City, Tx 75496
(903) 496-2084
Attn: John Glas
john@glaslandsurveying.com

Glas Land Surveying
2114 FM 1563, Wolfe City, Texas 75496
Office: (903) 496-2084 Fax: (469) 547-0826
www.glaslandsurveying.com
TBPLS Firm No. 10193970

North Texas Municipal Water District  
Called 17,884.0 Acres  
(Per Collin County Central Appraisal District)

Euzella Lee Ford  
Called 114.083 Acres (Tract 1)  
Vol. 4676, Pg. 1605, CCLR

Dana & Donald Meyer  
Called 4.00 Acres  
Doc.# 20150116000053860, CCLR

Welborn Lane

Ford Lane

East Winningkoff Road

POINT OF BEGINNING

12  
37.122 Acres

11  
2.00 Acres

10  
2.00 Acres

9  
2.00 Acres

8  
2.00 Acres

5  
2.00 Acres

4  
2.00 Acres

3  
2.00 Acres

2  
2.00 Acres

1  
2.00 Acres

7  
7.384 Acres

6  
6.513 Acres

Lot 2  
Ford's Cattle Ranch  
Vol. G, Pgs. 773-774, CCMR

USA  
Called 15.78 Acres  
(Per Collin County Central Appraisal District)

Bobby Heifner & Janell Heifner King  
Remainder of Called 20 Acres  
Doc.# 20091109001043200, CCLR

Richard & Catherine Rhodes  
Called 4.00 Acres  
Vol. 5437, Pg. 1376, CCLR

Raba Molsinger  
Doc.# 20080602000656180, CCLR

Aubrey & Linda Smith  
Called 3.00 Acres  
Doc.# 2008070700030780, CCLR

John & Avis Moses  
Called 3.593 Acres (Tract One)  
Doc.# 20080714001027250, CCLR

Jerral & Francis Lemons  
Called 3.593 Acres  
Vol. 1751, Pg. 6, CCLR

Lot 1, Blk 6, A  
Hyatt Addition  
Vol. 1, Pg. 8, CCMR

Lot 1, Blk 6, A  
Vol. 1, Pg. 164, CCMR

Lot 1, Blk 6, A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR

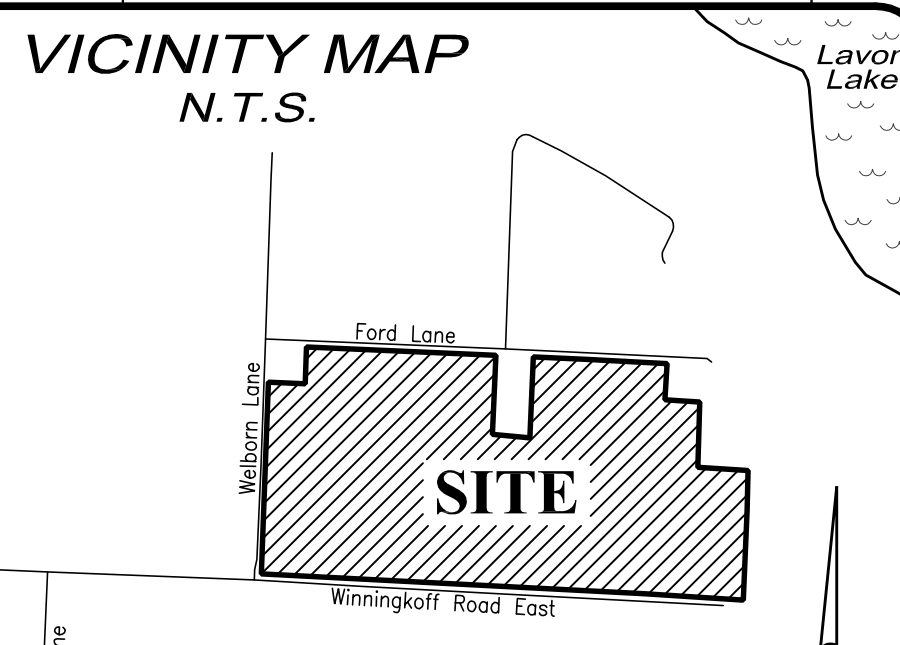
Lot 2, Blk 6, A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR

Bobby Heifner  
Called 4.00 Acres (Tract 2)  
Vol. 2030, Pg. 635, CCLR

Janell Heifner King  
Called 20 Acres  
Doc.# 20150819001043200, CCLR

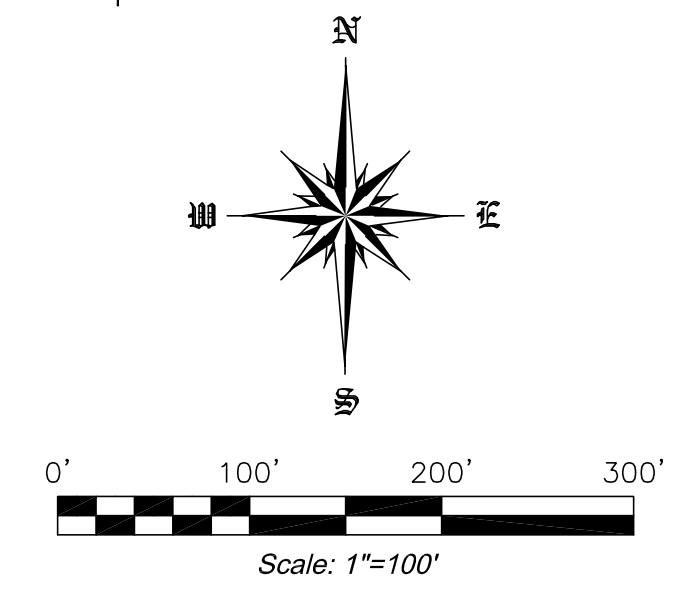
Bobby Heifner  
Called 20 Acres  
Doc.# 20150819001043200, CCLR

Southern Methodist University, as  
Trustees of The Lee and Logan Ford  
Charitable Remainder Unitrust  
Called 58.698 Acres (Tract Two)  
Doc.# 20091109001366040, CCLR



NOTES

- 1) This survey was performed with the benefit of Title Commitment GF No. CTCF24-8061241500278a-JP issued on November 19, 2015.
- 2) Subject property is affected by any and all notes, details, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
- 3) Source bearing is based on an east line (as noted) of Lot 1 of Ford's Cattle Ranch, an addition to the City of Lucas as recorded in Volume G, Pages 773-774 of the Collin County Map Records.
- 4) No part of the subject property lies within a Special Flood Hazard Area inundated by 100-year flood per Map Number 48085C0410 J of the F.E.M.A. Flood Insurance Rate Maps for Collin County, Texas and Incorporated Areas, dated June 2, 2009 (Zone X). This statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor. The surveyor makes no representation as to the accuracy of said FIRM.
- 5) CONTRACTOR TO VERIFY ALL EXISTING UNDERGROUND UTILITIES BEFORE EXCAVATING OR INSTALLING ANY NEW UNDERGROUND UTILITIES!



**Legend**

Glas Cpl.RS	Glas Capped Iron Rod Set	•	IP	Power Pole
CCLR	Collin County Map Records	○	OTM	OTE Telephone Riser
CCLR	Collin County Land Records	□	CSP	Corrugated Steel Pipe
RF	Iron Rod Found	—	—	Edge of Asphalt
CM	Controlling Monument	—	—	Overhead Lines
WM	Water Meter	—	—	Barbed-Wire Fence
WV	Water Valve	—	—	Pipe & Wire Fence
FH	Fire Hydrant	—	—	Guy

Owner (Lot 12):  
Southern Methodist University, as  
Trustees of The Lee and Logan Ford  
Charitable Remainder Unitrust  
PO Box 750132  
Dallas, Tx 75275-0132  
Attn: \_\_\_\_\_

Owner (Lots 1-11):  
Goose Real Estate, Inc.  
1200 Kempton Park Ln  
Fairview, Tx 75069  
(614) 306-4246  
Attn: James Roberts  
roberts.james321@gmail.com

Surveyor:  
Glas Land Surveying  
2114 FM 1563  
Wolfe City, Tx 75496  
(903) 496-2084  
Attn: John Glas  
john@glaslandsurveying.com

Revised: 2/26/2016  
Drawings\2016\AC00466\_REVISED.dwg

**Glas Land Surveying**  
2114 FM 1563, Wolfe City, Texas 75496  
Office: (903) 496-2084 Fax: (469) 547-0826  
www.glaslandsurveying.com  
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Welborn Lane

Ford Lane

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Doc.# 20150116000053860, CCLR

USA  
Called 15.78 Acres  
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Bobby Heifner & Janell Heifner King  
Remainder of Called 20 Acres  
Doc.# 20150819001043200, CCLR

Southern Methodist University, as  
Trustee of The Lee and Logan Ford  
Charitable Remainder Unitrust  
Called 58,698 Acres (Tract Two)  
Doc.# 20091109001366040, CCLR

POINT OF BEGINNING

J. Thompson Survey, A-893  
T. James Survey, A-477

Richard & Catherine Rhodes  
Called 4.00 Acres  
Vol. 5437, Pg. 1376, CCLR

Reba Molsinger  
Doc.# 20080602000656180, CCLR

Melody & Linda Smith  
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Doc.# 20060707000307802, CCLR

John & Alice Messer  
Called 3,593 Acres (Tract One)  
Doc.# 20080714001027250, CCLR

Jerral & Francis Lemons  
Called 3,593 Acres  
Vol. 1751, Pg. 6, CCLR

Lot 1, Block A  
Hyatt Addition  
Vol. P, Pg. 6, CCMR

Lot 1, Block A  
Leaper Addition  
Vol. N, Pg. 164, CCMR

Lot 1, Block A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR

Lot 1, Block A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR

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Vol. 2012, Pg. 31, CCMR

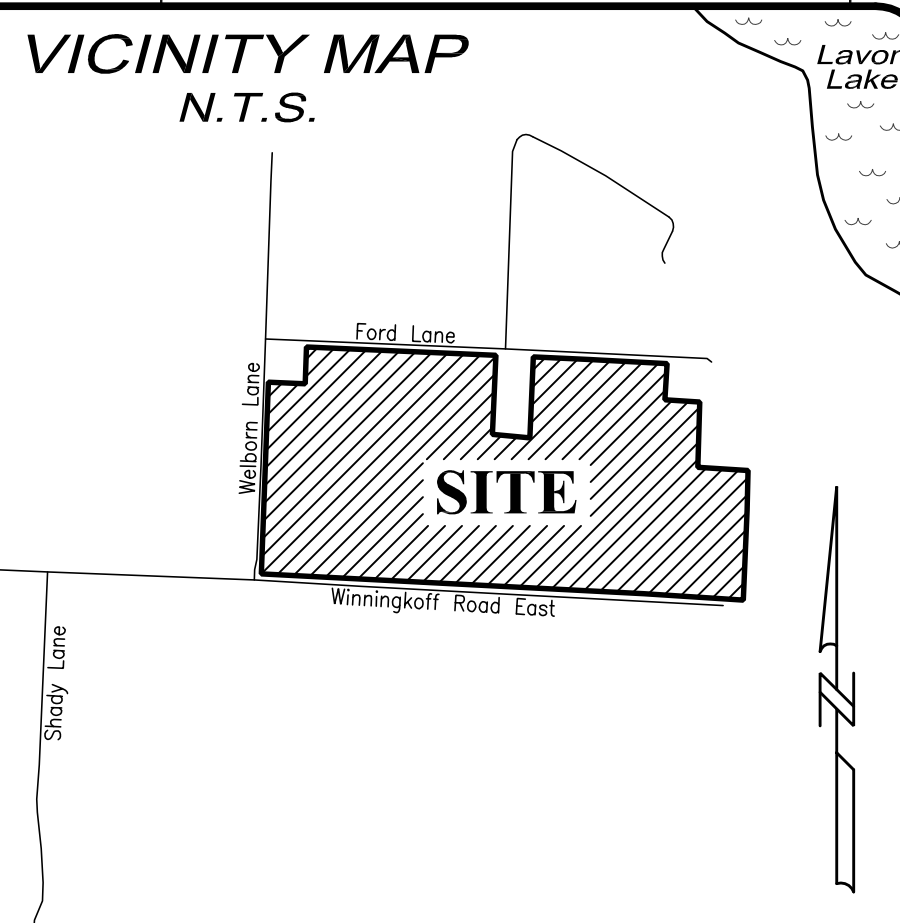
Lot 1, Block A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR

Lot 1, Block A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR

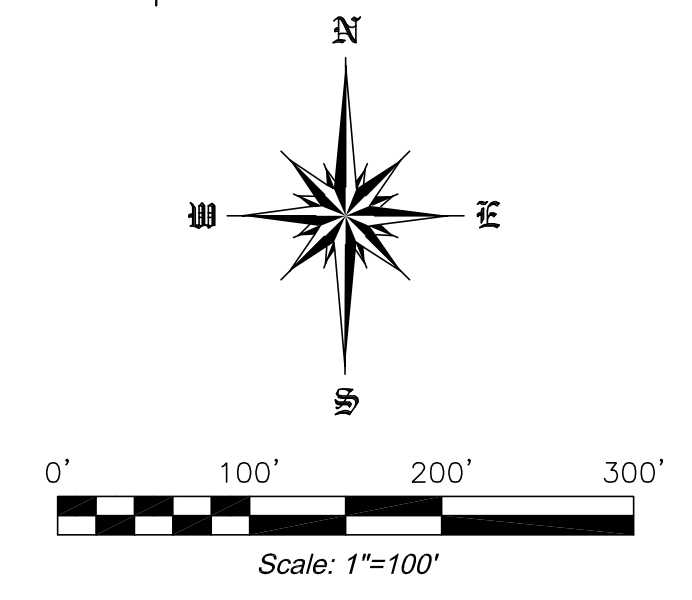
Lot 1, Block A  
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Lot 1, Block A  
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Lot 1, Block A  
The Soto Brothers Addition  
Vol. 2012, Pg. 31, CCMR



- NOTES
- This survey has been performed with the benefit of Title Commitment GF No. CTCF24-8061241500278a-JP issued on November 19, 2015.
  - Subject property is affected by any and all notes, details, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
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  - CONTRACTOR TO VERIFY ALL EXISTING UNDERGROUND UTILITIES BEFORE EXCAVATING OR INSTALLING ANY NEW UNDERGROUND UTILITIES!



Legend

Glas Cpd.IRS	Glas Capped Iron Rod Set	•	PP	Power Pole
CCMR	Collin County Map Records	○	OTR	OTE Telephone Riser
CCLR	Collin County Land Records	□	CSP	Corrugated Steel Pipe
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FH	Fire Hydrant	—	—	Pipe & Wire Fence
		—	—	Guy

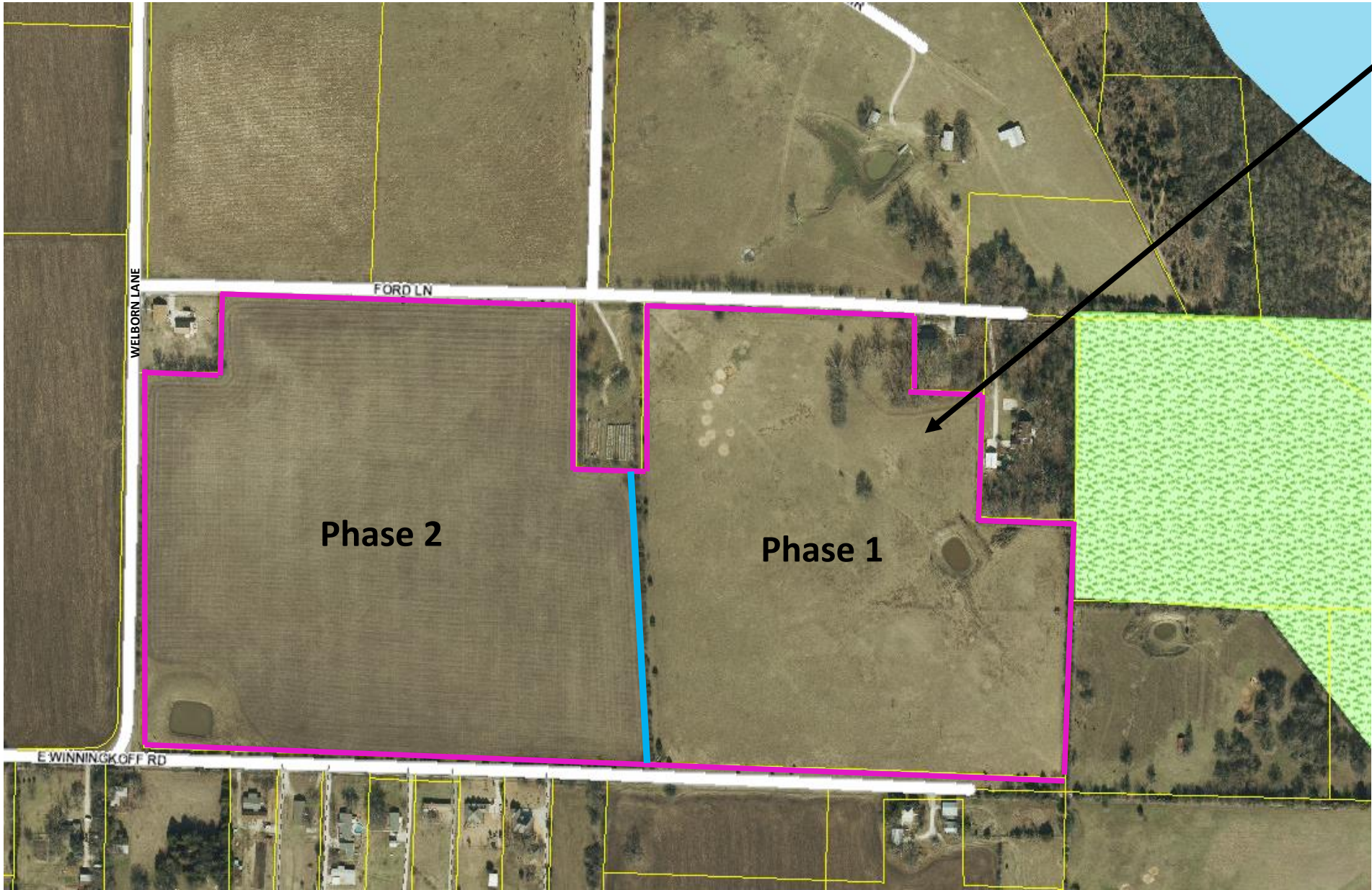
Owner (Lot 12):  
Southern Methodist University, as  
Trustee of The Lee and Logan Ford  
Charitable Remainder Unitrust  
PO Box 750132  
Dallas, TX 75275-0132  
( )  
Attn: \_\_\_\_\_

Owner (Lots 1-11):  
Goose Reed Estate, Inc.  
1200 Kempton Park Ln  
Fairview, TX 75069  
(614) 306-4246  
Attn: James Roberts  
roberts.james321@gmail.com

Surveyor:  
Glas Land Surveying  
2114 FM 1563  
Wolfe City, TX 75496  
(903) 496-2084  
Attn: John Glas  
john@glaslandsurveying.com

Revised: 2/26/2016  
Drawings\2016\AC00466\_REVISED.dwg

**Glas Land Surveying**  
2114 FM 1563, Wolfe City, Texas 75496  
Office: (903) 496-2084 Fax: (469) 547-0826  
www.glaslandsurveying.com  
TBPLS Firm No. 10193970



**FORD CATTLE RANCH**



**City of Lucas  
City Council Agenda Request  
April 07, 2016**

**Requester: Development Services Director Joe Hilbourn**

**Agenda Item:**

Consider adopting Ordinance 2016-04-00836 amending the Code of Ordinances, Chapter 3, Section 3.01.011 Construction Site Maintenance to provide regulations for roll-off containers used on construction sites.

**Background Information:**

To address concerns related to roll-off containers remaining on site when construction has been halted or commenced, Staff is proposing to amend the Code of Ordinances by adding the following requirements:

1. Roll-off containers may be delivered 21 days in advance of the start of construction;
2. Roll-off containers must be removed from the construction site if work is abandoned for greater than ten business days;
3. Roll-off containers must be free from graffiti and in reasonable condition.

The existing Code of Ordinances reads as follows:

**Sec. 3.01.011 Construction site maintenance**

(a) As a condition of receiving a permit for construction under this article, the owner and/or contractor shall place and maintain a minimum 20-cubic yard covered commercial roll-off container during the construction on the site subject of such permit. Prior to final inspection and/or issuance of a certificate of occupancy, such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws.

(b) The city council may by resolution establish such fee as it deems appropriate for the placement and/or maintenance of any roll-off container under this article.

The proposed changes to the Code of Ordinances are highlighted below:

**Sec. 3.01.011 Construction site maintenance**

(a) As a condition of receiving a permit for construction under this article, the owner and/or contractor shall place and maintain a minimum 20-cubic yard covered commercial roll-off container **free from graffiti and in reasonable condition** during the construction on the site subject of such permit. **The roll off container may be set a maximum of twenty one days prior to the start of construction and must be removed** prior to final inspection and/or issuance of a certificate of occupancy, such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws. **If for any reason construction is abandoned or stopped for a period greater than ten business days such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws.**



**City of Lucas  
City Council Agenda Request  
April 07, 2016**

**Requester: Development Services Director Joe Hilbourn**

(b) The city council may by resolution establish such fee as it deems appropriate for the placement and/or maintenance of any roll-off container under this article.

**Attachments/Supporting Documentation:**

1. Ordinance 2016-04-00836

**Budget/Financial Impact:**

N/A

**Recommendation:**

N/A.

**Motion:**

I make a motion to approve/deny adopting Ordinance 2016-04-00836 amending the Code of Ordinances, Chapter 3, Section 3.01.011 Construction Site Maintenance providing regulations for roll-off containers used on construction sites as outlined in the referenced ordinance.



**ORDINANCE 2016-04-00836  
[AMENDING CODE OF ORDINANCE CHAPTER 3]**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 3 TITLED “BUILDING REGULATIONS” BY AMENDING ARTICLE 3.01 TITLED “GENERAL PROVISIONS” BY ADDING A NEW SECTION 3.01.11 TITLED “CONSTRUCTION SITE MAINTENANCE” TO PROVIDE REGULATIONS FOR ROLL-OFF CONTAINERS USED ON CONSTRUCTION SITES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, THAT:**

**Section 1.** The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 3 titled “Building Regulations” by amending Article 3.01 titled “General Provisions” by adding a new section 3.01.11 titled “Construction Site Maintenance”, to read as follows:

**“CHAPTER 3**

**BUILDING REGULATIONS**

**ARTICLE 3.01 GENERAL PROVISIONS**

...

**Sec. 3.01.011 Construction site maintenance**

(a) As a condition of receiving a permit for construction under this article, the owner and/or contractor shall place and maintain a minimum 20-cubic yard covered commercial roll-off container free from graffiti and in reasonable condition during the construction on the site subject of such permit. The roll off container may be set a maximum of twenty-one (21) days prior to the start of construction, and must be removed prior to final inspection and/or issuance of a certificate of occupancy. Such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws. If, for any reason, construction is abandoned or stopped for a period greater than ten (10) business days, such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws.

(b) The city council may by resolution establish such fee as it deems appropriate for the placement and/or maintenance of any roll-off container under this article.”



**Section 2.** All ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

**Section 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**Section 4.** An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

**Section 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for the in the City of Lucas Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**Section 6.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS 7<sup>th</sup> DAY OF APRIL 2016.**

APPROVED:

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Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

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Joseph J. Gorfida, Jr., City Attorney  
(03-28-2016/76167)

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Stacy Henderson, City Secretary



# City of Lucas Council Agenda Request April 7, 2016

Item No. 07

**Requester:** City Secretary Stacy Henderson

## **Agenda Item:**

Consider calling a special City Council meeting for the purpose of canvassing the May 7, 2016 election results.

## **Background Information:**

The time frame in which to canvass the results from the May 7, 2016 election is May 10 through May 18. However, the last day to receive ballots from outside the United States is May 12. In order to account for all votes during the election, it is recommended that the City Council hold their special meeting to canvass the election results either Monday, May 16 or Tuesday, May 17 at 8:00 a.m. or a time that is convenient for the City Council members present.

Texas Election Code, Section 67.004(a) states that for the purpose of canvassing a city election, only two members of the City Council are needed to constitute a quorum and conduct the special meeting.

## **Attachments/Supporting Documentation:**

NA

## **Budget/Financial Impact:**

NA

## **Recommendation:**

City Staff recommends calling a Special Meeting to canvass the election on either May 16 or May 17 at 8:00 a.m.

## **Motion:**

I move to approve/deny calling a special City Council meeting for \_\_\_\_\_, 2016 at \_\_\_\_\_ a.m./p.m. for the purpose of canvassing the May 7, 2016 election results.



# City of Lucas Council Agenda Request April 7, 2016

Item No. 08

**Requester:** Mayor Jim Olk

**Agenda Item:**

Executive Session: An Executive Session is not scheduled for this meeting.

**Background Information:**

NA

**Attachments/Supporting Documentation:**

NA

**Budget/Financial Impact:**

NA

**Recommendation:**

NA

**Motion:**

NA