



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice★ (940) 626-4629 fax

AGENDA

Planning and Zoning Commission Regular Meeting*

Tuesday, September 6, 2016, at 6:00 P.M.

City Hall Council Chamber

201 E. Walnut

Call to Order

ITEM 1: Consider and take appropriate action regarding approval of August 16, 2016, Planning and Zoning Commission Meeting Minutes.

Public Hearing Items:

ITEM 2: **RP2016-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2016-02—Harold Ballard's request, on behalf of Tiffany Leeann Woskowicz, to final plat Lots 1R, 2R & 3R, Block A, Fairview Estates East, being a replat of Lot 1, Block A, Fairview Estates East, in the Extraterritorial Jurisdiction (ETJ) of the City of Decatur, Wise County, Texas. *(Item previously tabled from the August 2, 2016 and August 16, 2016, Planning and Zoning Commission Meetings.)*

ITEM 3: **A2016-01** Commission to hear and consider and take action to make a recommendation to City Council regarding Annexation Petition and Application 2016-01—Daniel Cocanougher's request, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray to voluntarily annex (and subsequently update the land use map to commercial and zone to C-2 or Thoroughfare Business) approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) into the corporate limits of the City of Decatur, Texas. The property to be annexed is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur's southeastern extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

ITEM 4: **CP2016-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Comprehensive Plan Amendment Application 2016-02—Daniel Cocanougher's request, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray to update the land use map to a Commercial (COM) land use designation on approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) immediately upon annexation into the corporate limits of the City of Decatur, Texas. The property is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur's southeastern extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

ITEM 5: **ZC2016-04** Commission to hear and consider and take action to make a recommendation to City Council regarding Zoning Change Application 2016-04— Daniel Cocanougher’s request, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray to zone approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) to a Commercial Zoning Designation immediately upon annexation into the corporate limits of the City of Decatur, Texas. The property is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur’s southeastern extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

Non Public Hearing Items:

ITEM 6: New and/or future business items.
A. Joint Workshop reminder—September 12, 2016, at 5:00 p.m.

Adjournment

Prepared and posted this the 1st day of September, 2016, in accordance with Chapter 551, Texas Government Code.

Dedra Denée Ragland, AICP
Planning and Development Director

*NOTE: THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE **UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071.**

MINUTES

A special called meeting of the City of Decatur Planning and Zoning Commission was held at 6:00 p.m., Tuesday, August 16, 2016, in City Hall Council Chambers with the following in attendance:

MEMBERS PRESENT:

William D. Edwards, Chairman
 Cecil LeMond, Vice-Chairman
 Eileen Standridge
 Curtis Creswell
 Terry Berube
 Eddie Allen
 John Lainer

MEMBER ABSENT:

OTHERS PRESENT: Planning and Development Director Dedra Ragland, Legal Counsel Patricia Adams and Development Services Coordinator Codi Delcambre, representing the staff; and Craig Bull, Joe Hilliard, Thom Lambert and John Pimentel representing the applicants.

Chairman Edwards called the meeting to order at 6:00 p.m.

ITEM 1: Consider and take appropriate action regarding approval of August 2, 2016, Planning and Zoning Commission Meeting Minutes:

Commissioner Berube made a motion approve the Minutes for August 2, 2016. Commissioner Standridge seconded the motion. The motion passed 6-0.

ITEM 2: **RP2016-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2016-02—Harold Ballard’s request, on behalf of Tiffany Leeann Waskowicz, to final plat Lots 1R, 2R & 3R, Block A, Fairview Estates East, being a replat of Lot 1, Block A, Fairview Estates East, in the Extraterritorial Jurisdiction (ETJ) of the City of Decatur, Wise County, Texas. *(Table item to the August 16, 2016, Planning and Zoning Commission Meeting.) Staff is recommending that this item be tabled to the September 6, 2016, Planning and Zoning Commission meeting.*

Vice-Chairmand LeMond made a motion to table Replat Application 2016-02 to September 6, 2016, Planning and Zoning Commission Meeting. Commissioner Berube seconded the motion. The motion passed 6-0.

ITEM 3: **RP2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2016-03—QuikTrip’s request to final plat Lot 1, Block 1, QT 1853 Addition, being a replat of Lots 1 & 2, Block 41; Lots 1 & 2 Block 42; Lots 1 & 2, Block 61; Lot 1, Block 62; part of Lot 2, Block 62; part of Lots 1 & 2, Block 63; Lots 1 & 2, Block 64; all of Fields Street closed by Ord. 3-63; a portion of Collum Street closed by Ord. 3-63; a portion of S. Cowan Street closed by Ord. 3-63 and a portion Saunders Street closed by Ord. 2003-07-11, South Decatur Addition, being 5.4058 acres out of the A. J. Walker Survey, Abstract No. 860, and more commonly referred to as 710 W. Hale Street, City of Decatur, Wise County, Texas. *(Item previously tabled from the August 2, 2016, Planning and Zoning Commission Meeting.)*

Planning Director Ragland presented the staff report. Staff recommends approval.

Commissioner Allen made a motion to approve Replat Application 2016-03. Commissioner Strandbridge seconded the motion. The motion passed 6-0.

ITEM 4: **PP2015-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2015-02—Thom Lambert’s request on behalf of the Decatur Economic Development Corporation and the City of Decatur (“Property Owners”), to preliminary plat Lots 1&2, Block 1, Decatur Civic Center Addition, being 30.115 acres of land, more or less, located in the Joseph H. Moore Survey, Abstract No. 538, the George M. Vigil Survey, Abstract No. 857, and the John B. Williams Survey, Abstract No. 880, in Wise County, Texas; said tract being a portion of a tract of land described in Deed to the City of Decatur recorded in Vol. 712, p. 208, Real Records of Wise County, Texas; and as more completely described by metes and bounds on the plat exhibit in the staff report.

Planning Director Ragland presented the staff report. Staff recommends approval with conditions.

Commissioner Creswell made a motion to approve Preliminary Plat Application 2015-02 subject to all required easements being reflected on the plat before plat is presented to City Council for approval. Commissioner Lainer seconded the motion. The motion passed 6-0.

ITEM 5: **FP2015-07** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2015-07— Thom Lambert’s request on behalf of the Decatur Economic Development Corporation and the City of Decatur (“Property Owners”), to final plat Lots 1&2, Block 1, Decatur Civic Center Addition, being 30.115 acres of land, more or less, located in the Joseph H. Moore Survey, Abstract No. 538, the George M. Vigil Survey, Abstract No. 857, and the John B. Williams Survey, Abstract No. 880, in Wise County, Texas; said tract being a portion of a tract of land described in Deed to the City of Decatur recorded in Vol. 712, p. 208, Real Records of Wise County, Texas; and as more completely described by metes and bounds on the plat exhibit in the staff report.

Planning Director Ragland presented the staff report. Staff recommends approval with conditions.

Vice-Chairman LeMond made a motion to approve Final Plat Application 2015-07 subject to subject to all required easements being reflected on the plat before plat is presented to City Council for approval. Commissioner Berube seconded the motion. The motion passed 6-0.

ITEM 6: New and/or future business items.
A. September 12, 2016 Joint Workshop with City Council.

The meeting adjourned at 6:15 p.m.

William D. Edwards, Chairman

ATTEST:

Dedra Denée Ragland, Planning Director



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

STAFF REPORT

September 6, 2016 – City Council Meeting

TO: Planning & Zoning Commissioners **CASE:** RP2016-02
FROM: Dedra D. Ragland, AICP, Planning Director **APPLICANT:** Harold Ballard
DATE: August 31, 2016 **REQUEST:** Replat Application

Case Notes:

Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2016-02—Harold Ballard’s request, on behalf of Tiffany Leeann Woskowicz, to final plat Lots 1R, 2R & 3R, Block A, Fairview Estates East, being a replat of Lot 1, Block A, Fairview Estates East, in the Extraterritorial Jurisdiction (ETJ) of the City of Decatur, Wise County, Texas.

Legality:

This property can be legally platted in accordance with Section 212 of the *Texas Local Government Code*.

Issues:

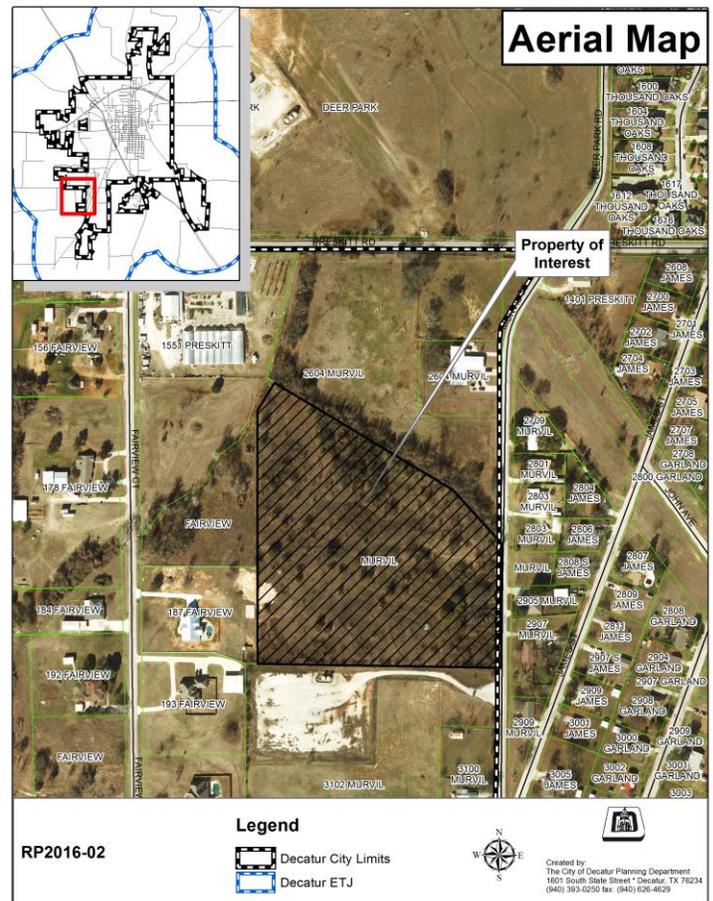
None.

Recommendation:

The plat meets the minimum requirements of the City of Decatur’s Zoning Ordinance, Subdivision Regulations and the Design Standards. However, the plat does not meet the County’s minimum subdivision requirements. Variances to the frontage and drainage requirements have been requested. Staff recommends conditional approval pending the Commissioners’ Court approval of the variance requests.

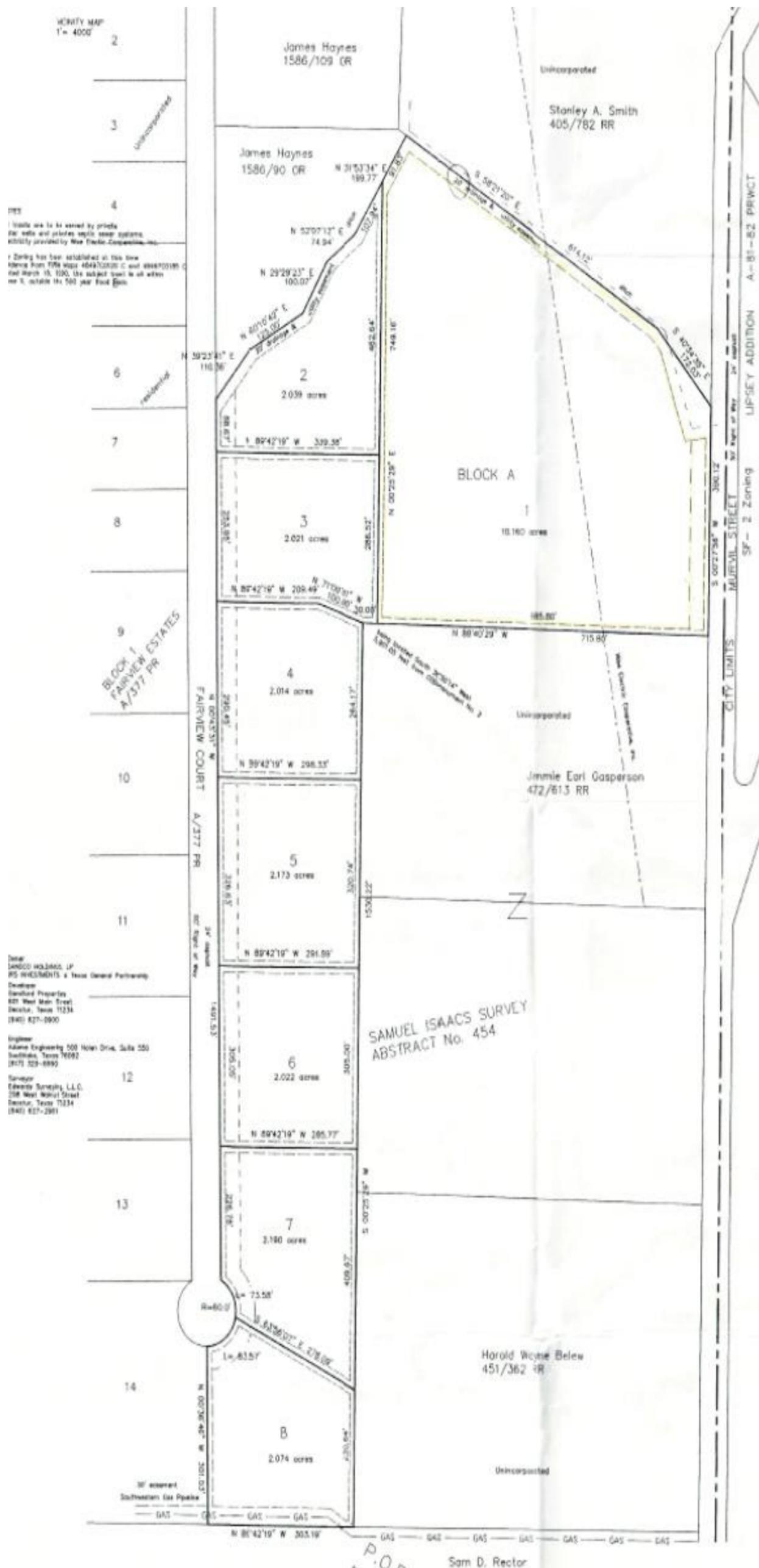
Attachment:

1. Final Plat Exhibit
2. Original Plat Exhibit



LOCATION MAP

ATTACHMENT 2
Original Plat Exhibit



STATE OF TEXAS
COUNTY OF WISE

OWNER'S ACKNOWLEDGMENT AND DECLARATION

I, THE UNDERSIGNED OWNER AND REPRESENTATIVE OF THE LAND SHOWN ON THIS PLAT WITH THE AREA DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Being of full legal mind and of sound mind and memory, do hereby certify that I am the owner of the land shown on this plat with the area described by metes and bounds as follows:

Beginning at an iron stake found for corner in the SMALL ISAACS SURVEY, ABSTRACT No. 454, Wise County, Texas, of the most easterly southeast corner of that tract called 32.49 acres more or less divided to James Hayes, et al. & W. T. Meador in Volume 399, Page 799, Real Records, 1st County, Texas, and part being of the southeast corner of that same tract as located to Harold Wayne Belew in Volume 451, Page 362, Real Records, Wise County, Texas, and both the north line of that certain tract as located to Sam D. Rector in Volume 280, Page 611, Real Records, Wise County, Texas;

Thence with the south line of said parcel tract and the north line of said Parcel tract, North 88°42'19" East 303.00 feet to an iron stake found for corner at the southwest corner of 14, FAIRVIEW ESTATES, a subdivision in Wise County, Texas, according to the plat recorded District A, Section 371, Plat Records, Wise County, Texas;

Thence with the east line of Lot 14, North 00°20'42" West 201.52 feet to an iron stake found for corner in the south line of Fair View Court, it is a curve to the left with a Radius of 86 feet;

Thence with the southerly line of Fair View Court and with a curve to the left with a Radius of 86 feet a length of 157.15 feet to an iron stake for corner;

Thence with the east line of Fair View Court, North 07°42'21" East 141.53 feet to a copper iron stake found for corner in a 2.021 acre;

Thence with the southerly line of said 2.021 acre, the following value:

North 29°23'41" East 112.00 feet to a copper iron stake found for corner;

North 87°10'40" East 125.00 feet to a copper iron stake found for corner;

North 29°23'25" East 100.00 feet to a copper iron stake found for corner;

North 87°07'10" East 74.84 feet to a copper iron stake found for corner;

and North 31°52'34" East 188.77 feet to a copper iron stake found for corner in the south of a certain tract as located to Stanley A. Smith in Volume 405, Page 782, Real Records, Wise County, Texas;

Thence with a fence line on the south line of said Smith tract, South 58°21'20" East 614.52 feet to an iron stake found for corner;

Thence with a fence line on the south line of said Smith tract, South 87°14'10" East 172.00 feet to an iron stake found for corner in the west line of Harold Road;

Thence with the west line of Harold Road, South 00°20'42" West 300.12 feet to an iron stake found for corner in the north line of a tract as located to Jimmie Earl Gasperson in Volume 472, Page 613, Real Records, Wise County, Texas;

Thence with the north line of said Gasperson tract, North 89°42'19" West 715.00 feet to an stake found for corner at the southeast corner of said Gasperson tract;

Thence with the east line of said Gasperson tract, South 00°20'42" West, joining the southerly corner of said Gasperson tract and the northeast corner of that certain tract as located to Harold Wayne Belew in Volume 451, Page 362, Real Records, Wise County, Texas, to an 1530.22 feet to the Point of Beginning, containing 24.695 acres of land, more or less;

and designated herein as Lots 1 thru 8, Block A, FAIRVIEW ESTATES EAST, a subdivision in Wise County, Texas, being in the extra-territorial jurisdiction of the City of Decatur, Wise County, Texas, and whose name is subscribed herein, hereby declare to the use of the public, favor of streets, alleys, parks, water courses, drains, easements, rights of way, and such other matters shown on this plat as correct and conforming thereto as required.

W.A. Smith
Date: 2-20-06

STATE OF TEXAS
COUNTY OF WISE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED W.A. Smith 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 purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 23RD DAY OF July 2006.

John A. Rice
Notary Public
Wise County, Texas



GENERAL EASEMENT RESTRICTION

NO CONSTRUCTION OR FILING WITHOUT THE WRITTEN APPROVAL OF THE CITY OF DECATUR. SHALL BE ALLOWED WITHIN A DRAINAGE BASIN, AND THEN ONLY AFTER DETAILED ENGINEERING PLANS AND TRENCH SHOWN THAT NO FLOODING WILL RESULT, THAT NO OBSTRUCTION OF THE NATURAL FLOW OF WATER WILL RESULT, AND SUBJECT TO ALL OWNERS OF PROPERTY INTERESTED BY SUCH CONSTRUCTION BECOMING A PARTY TO THE REQUEST WHERE CONSTRUCTION IS PERMITTED, ALL PROPOSED FLOOR ELEVATIONS SHALL BE A MINIMUM OF ONE (1) FOOT ABOVE THE 100-YEAR FLOOD ELEVATION.

UTILITY EASEMENTS RESTRICTION

ANY PUBLIC UTILITY, INCLUDING THE CITY OF DECATUR, SHALL HAVE THE RIGHT TO REMOVE ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER CROPS OR APPROPRIATIONS WHICH MAY INTERFERE OR OBSTRUCT WITH THE CONSTRUCTION, MAINTENANCE, OR OPERATION OF ITS RESPECTIVE SYSTEM ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT, AND ANY PUBLIC UTILITY INCLUDING THE CITY OF DECATUR, SHALL HAVE THE RIGHT AT ALL TIMES OF EMERGENCY AND EXTRESS TO AVOID FROM AND WITHIN THE EASEMENTS FOR THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, MAINTENANCE AND REPAIRS TO OR REMOVAL ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROVIDING THE PERMISSION OF ANYONE.

393316

Recorded for Filing in
Wise County
On Aug 25, 2006 at 08:08
By
Kiana Rich

CABINET C SERVE C-89
TAXCERTS: VOLUME 1721
PAGE 53

FINAL PLAT SHOWING

Lots 1 thru 8, Block A, FAIRVIEW ESTATES EAST, a subdivision in Wise County, Texas, being a 24.695 acre subdivision in the Extra-Territorial Jurisdiction of the City of Decatur, Wise County, Texas, and being part of that certain called 30.49 acre tract as located to James Hayes, et al. and W. T. Meador in Volume 399, Page 799, Real Records, Wise County, Texas.

STATE OF TEXAS
COUNTY OF WISE

CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACCURATE SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE DATE:

Samuel Isaacs
REGISTERED PROFESSIONAL LAND SURVEYOR

Drawn:
SANDCO HOLDINGS, LP
AS INVESTMENTS, a Texas General Partnership

Developer:
Sandstone Properties
601 West Main Street
Decatur, Texas 71234
(847) 827-0900

Engineer:
Adams Engineering 500 Nolan Drive, Suite 250
Southlake, Texas 76092
(817) 523-8890

Surveyor:
Edwards-Summit, L.L.C.
208 West Walnut Street
Decatur, Texas 71234
(847) 827-2981



STAFF REPORT

September 6, 2016 – City Council Meeting

TO: Planning and Zoning Commissioners **CASE:** A2016-01
FROM: Dedra D. Ragland, AICP, Planning Director **APPLICANT:** Daniel Cocanougher, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray

DATE: August 29, 2016 **REQUEST:** Voluntary Annexation Petition

Case Notes:

Commission to hear and consider both staff report and public comment on Voluntary Annexation Petition 2016-01—Daniel Cocanougher’s request, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray to voluntarily annex (and subsequently update the land use map to commercial and zone to C-2 or Thoroughfare Business) approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) into the corporate limits of the City of Decatur, Texas. The property to be annexed is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur’s southeastern extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

Legality:

According to the *Texas Local Government Code*, this property can be legally annexed (§43.028) given proper notice (§212.015.b), public hearings (§212.014.2), review and recommendation from the Planning & Zoning Commission (§212.006) and approval by City Council (§212.005).

Analysis:

Applicant: Daniel Cocanougher; Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray

- A voluntary annexation petition has been submitted for consideration by the City of Decatur. The proposed annexation includes approximately 168.8 acres of land and approximately 27 acres of US Hwy 81/287 in Decatur’s southeastern ETJ.

- The City has the opportunity to “assess on a case by case basis,” the annexation of areas in the ETJ when significant developments are proposed. The subject area to be annexed contains five tracts. The land use proposal includes retail/commercial uses.
- Thirty-five property owners within the City Limits and the ETJ and located within 200’ of the subject area were notified. Staff has received seven letters in support of annexation. (Refer to Attachment 2)
- The tracts located north of US Hwy 81/287 are currently the only tracts proposed for development. A commercial/retail center is proposed.

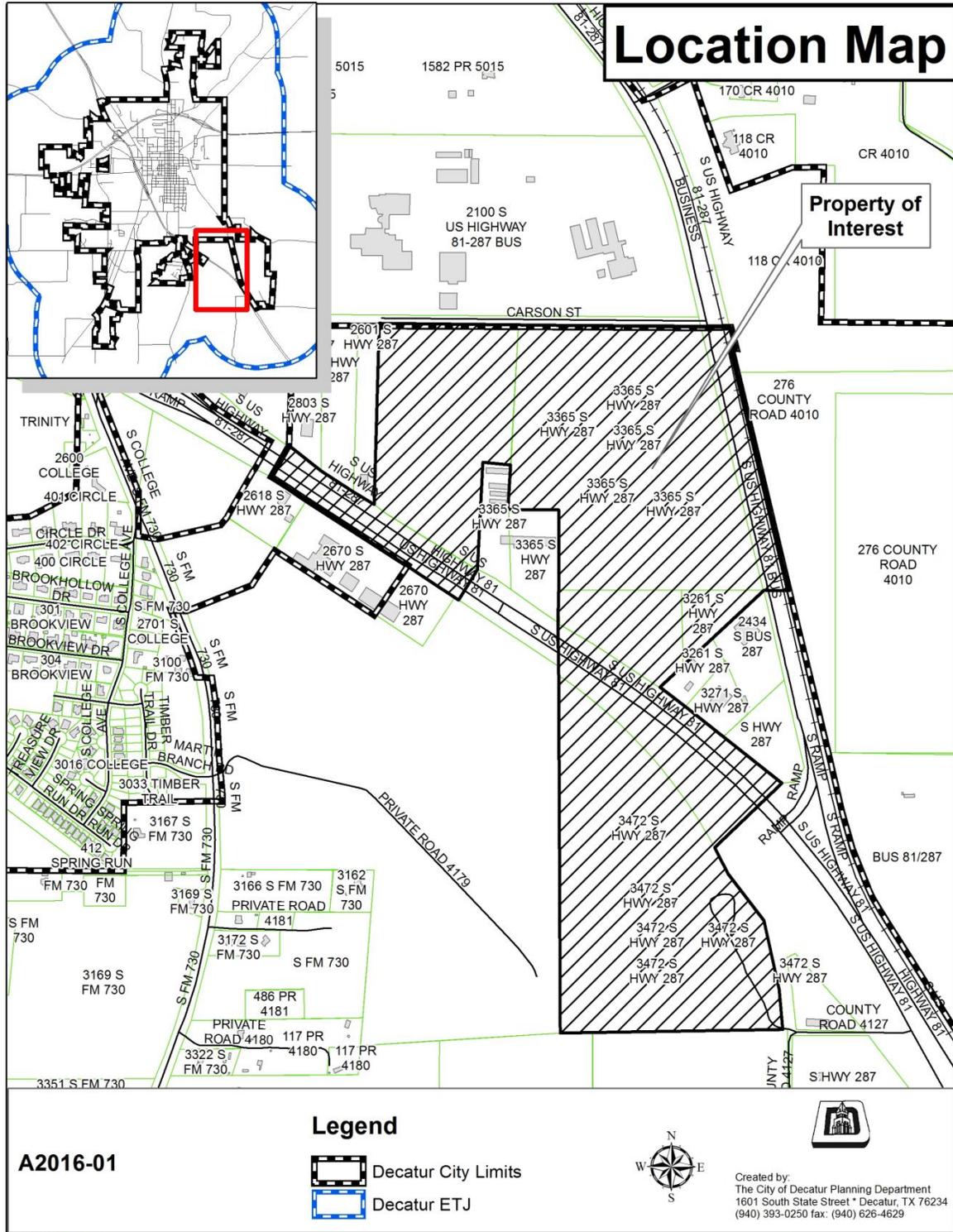
Recommendation:

Staff recommends approval.

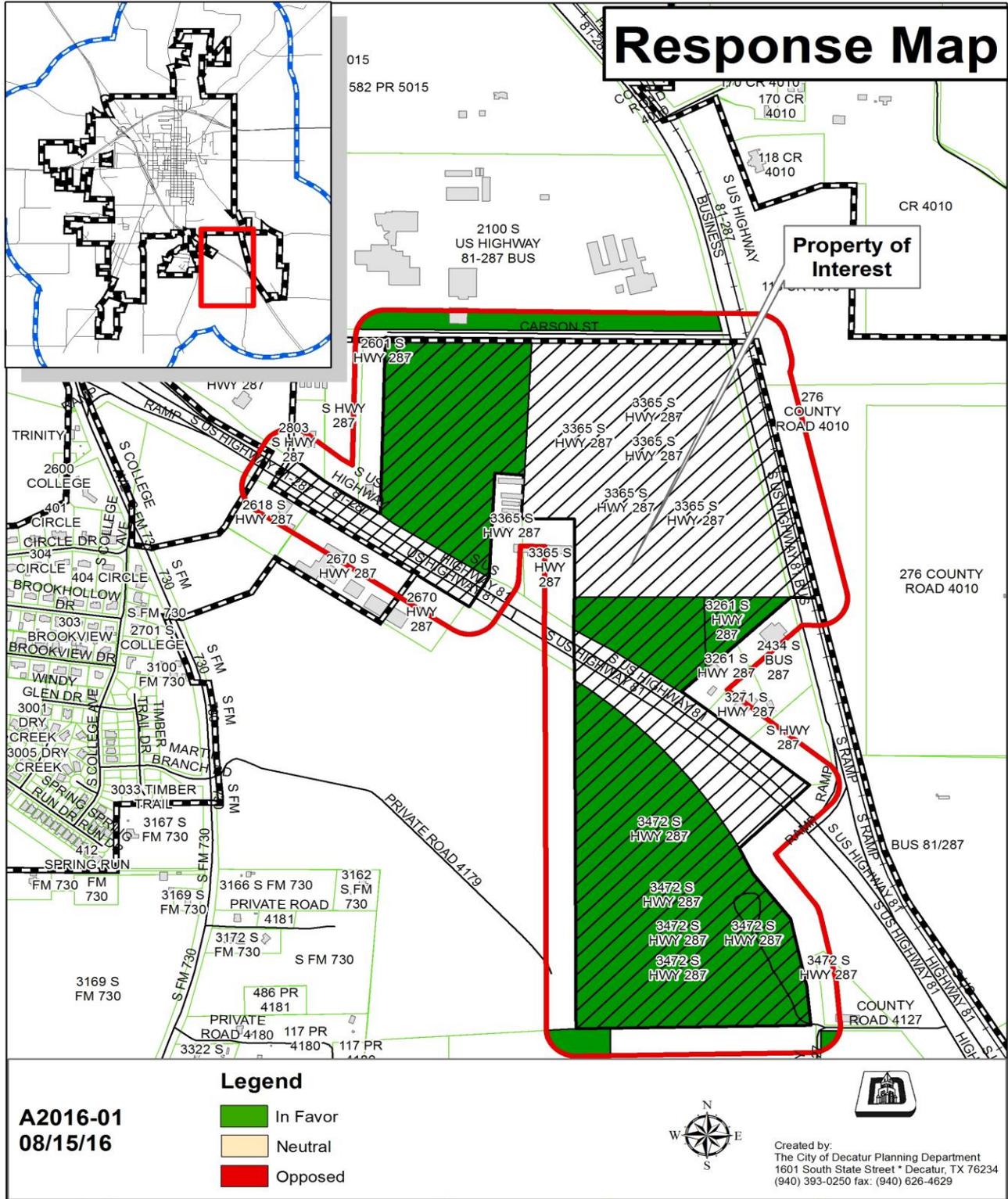
Attachments:

1. Location Map
2. 200’ Property Owner Notification Map
3. Property Owner Response Map
4. Schedule
5. Draft Service Analysis and Service Plan
6. Draft Annexation Ordinance

LOCATION MAP (A2016-01)



PROPERTY OWNER RESPONSE MAP



A2016-01

ANNEXATION SCHEDULE

Cocanougher Ranch

(Daniel Cocanougher, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue)

Monday, 08/08/16

City Council conducts first public hearing.

- Public notice must be no less than 10 days and no more than 20 days before public hearing.
 - *Annexation Study* prepared and available for public review.
 - *Service Plan* prepared and available for public review.

Monday, 08/22/16

City Council conducts second public hearing. (Special Called Meeting)

- Public notice must be no less than 10 days and no more than 20 days before public hearing.

Tuesday, 09/06/16

Planning and Zoning Commission public hearings – make a recommendation to City Council regarding the proposed annexation, the proposed comprehensive plan land use, and proposed zoning.

Monday, 09/12/16

City Council by a four-fifths vote institutes annexation proceedings.

First reading of annexation ordinance.

- Action must be more than 20 days after the second public hearing but less than 40 days from the first public hearing.

First reading of zoning ordinance.

First reading of comprehensive plan land use ordinance.

Wednesday, 09/14/16

Publish annexation ordinance caption.

Monday, 10/17/16

City Council by a four-fifths vote takes final action.

Second reading and adoption of the annexation ordinance. City Council considers approval of zoning request.

- Council action must be more than 30 days after publication of ordinance (if publication is required) and less than 90 days after council institutes annexation proceedings (adopts ordinance on 1st reading).

Second reading and adoption of zoning and comprehensive plan ordinance.

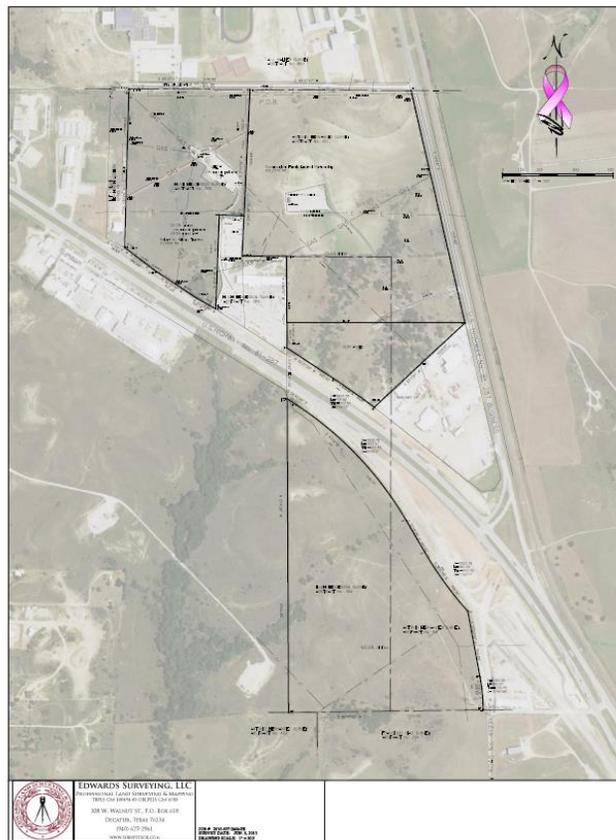
Annexations must be rigidly coordinated in conjunction with the City Council public hearing schedule due to specific timing mandates established by Texas State Law. The Texas Local Government Code requires that City Council institute annexation proceedings (1st Reading of the Ordinance) **more than 20 days after the second City Council public hearing but less than 40 days from the first City Council public hearing.**

Attachment 4
SERVICE AREA ANALYSIS
A2016-01
ANNEXATION SCHEDULE
Cocanougher Ranch

The Planning and Development Department has received a request for a voluntary annexation of: approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) into the corporate limits of the City of Decatur, Texas. The property to be annexed is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur's southeastern extraterritorial jurisdiction (ETJ).

Size. Approximately 168.8 acres (Four tracts):
Tract 1 Robert Wilson Trustee, 31.79 acres
Tract 2 Cocanougher Family Limited Partnership, 75.99 acres
Tract 3 12.85 acres
Tract 4 60.98 acres

Location. Generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur's southeastern extraterritorial jurisdiction (ETJ).



Proposed use. Land use proposed is commercial.

Proposed zoning. Proposed zoning is commercial.

The purpose of the service area analysis is to determine how the city would provide services to the area should it be annexed into the city. A service area analysis form is attached. Please provide the requested information and any other pertinent information. To determine the city's ability to provide services to the proposed area it is necessary to document:

- each department's existing capacity to provide an adequate level of service to the proposed area;
- additional personnel and capital equipment/facilities necessary to provide an adequate level of service to the proposed area; and
- cost of providing additional service.

Existing Conditions:

Proximity to existing arterial and collector roads. The property is immediately adjacent to US Hwy 81/287, Carson Drive and Business 81/287.

Existing land use: ETJ

Prominent natural features: None

Proximity to other service providers: Wise County Cooperative, Oncor, ATMOS, TxDOT, and DISD have been made aware of this proposed annexation request.

Thank you for your consideration of this request. Please submit any other information that you believe is pertinent to evaluate the provision of services to this area to Dedra Ragland and call 393-0250 if there are any questions.

Fire

1. Fire and Emergency Medical Services can be provided to the area by the City of Decatur Fire Department (first responder) located at 1701 S. State Street. **Fire and First Response EMS is provided by Decatur Fire Department.**
2. Estimated response time. **3-4 minutes**
3. Appropriate response time in the City. **3-5 minutes**
4. Is a new fire station approved in the CIP that could serve this area? **No.** If yes, what is the CIP program year? _____
5. Will a new fire station be requested in upcoming CIP proposals to serve this area? **No.** If yes, when should this station be operational? _____
6. Total estimated funding for equipment, employees and/or facilities needed to serve this area strictly based on annexation and proposed development. **None.**
7. Please comment on the cumulative impact of annexation and development. **The area is proximal to existing resources. We see no acute impact on our services.**

At what population level would another fire station facility be required? 10,000.

Is there an accepted facility/equipment to population ratio that can be used for planning purposes? **NA**

Is there an accepted fire fighter to population ratio that can be used for planning purposes? **NA**

Additional Comments: _____

Chief Mike Richardson
Person to contact if there are questions

07/19/2016
Date

Parks and Recreation

1. What neighborhood park and recreational facilities are currently serving this area or are capable of serving this area if annexed and/or developed (federal, state, or local)? **City owned, Harmon Park, is located within 2 mile driving distance of proposed annexed area. Harmon Park has a skate park, ball fields and playground areas.**

2. What projects and/or equipment will be needed to adequately serve this area if annexed and/or development based on the parks and recreation master plan or similar standards? **NONE**

Neighborhood Parks: _____ acres per 1,000 population.
_____ acres minimum size.
_____ cost per acre.

Recreation Center: _____ square feet per 1,000 population.
_____ square feet minimum size.
_____ cost per square foot.

Other facilities _____ per 1,000 population.
_____ square feet minimum size.
_____ cost per square foot.

3. How much additional funding will be needed for maintenance if additional park facilities are developed to serve this area? **NONE**
_____ cost per acre.
_____ cost per square foot.

4. How many additional personnel would be needed to properly serve this area if annexed and developed? **NONE**
_____ additional personnel per 1,000 population;
_____ additional personnel per 1,000 square feet of facility; or
_____ additional personnel per acre of park.
_____ cost per additional personnel

Additional Comments: _____

Greg Hall
Person to contact if there are questions

7/26/16
Date

Police

1. Estimated average response time for this area based on current department conditions:

| | |
|--------------|------------------|
| Priority | <u>3</u> minutes |
| Non-priority | <u>5</u> minutes |
| Average | <u>3</u> minutes |

2. Appropriate average response time in the city based on current department conditions:

| | |
|--------------|------------------|
| Priority | <u>3</u> minutes |
| Non-priority | <u>5</u> minutes |
| Average | <u>3</u> minutes |

3. If annexed and developed as proposed will additional personnel be needed as a specific result of this proposal? **No**. If yes, how many? What type? _____

4. Will additional equipment and funding be needed to serve this area? **No**. If yes, what type? _____

5. Will a police substation or other facility be needed to serve this area as a result of annexation and development? **No**. If yes, when should the new facilities be operational? _____

6. Please comment on the cumulative impact of annexation and development.

At what population level would another police facility be required? _____

Is there an accepted facility/equipment to population ratio that can be used for planning purposes? **3:1,000**

Is there an accepted officer to population ratio that can be used for planning purposes? **3:1,000**

Additional Comments:

Rex Hoskins
Person to contact if there are questions

07/21/16
Date

Library

1. Estimated additional funding needed strictly based on proposed annexation and development. **Based upon the proposed annexation and development, no additional funding will be needed at this time.**

2. Please comment on the cumulative impact of annexation and development. **As more annexation occurs, the library's service area and population will expand, causing an eventual need for expansion of staff and facilities as well as additional collection development funds. However, the current annexation does not present any immediate needs.**

3. At what population level would another library facility be required? **There are no mandated standards for population-to-facility size. However at a service level of approximately 25,000, a new facility would be advised.**

4. Is there an accepted circulation to population ratio that can be used for planning purposes? **The Texas Public Library Standards suggest the following circulation to population ratios for planning purposes:
Enhanced: 3.12 circulation per capita
Exemplary: 5.25 circulation per capita**

5. Is there an accepted employee to population ratio that can be used for planning purposes? **The Decatur Public Library uses an employee-to-usage, rather than employee-to-population ratio for planning purposes. It may be assumed that as the population increases so will library usage, but increase in personnel will be requested based upon actual library usage rather than population.**

6. If annexed, can anticipated service demands be met using existing materials, facilities, and personnel? **Yes, the anticipated service demands can be met using existing materials and facilities.**

If not, how many additional employees and what type of facilities and materials will be needed to provide services?

Additional Comments: _____

Pat Peters
Person to contact if there are questions

07/19/16
Date

Solid Waste

1. Is residential solid waste service available to the proposed area for annexation? **Yes, Progressive is contracted by the City. The City of Decatur bills those accounts.**

2. Is commercial solid waste service available to the proposed area for annexation? **Yes, Progressive is contracted by the City to provide commercial services. Commercial services include multifamily developments. These services are billed directly by Progressive.**

3. What is the estimated cost to provide this area with solid waste service? **The cost to the City is \$0, since proposal identifies commercial and residential uses. The cost to IESI to provide commercial services is dependent on dumpster size and frequency of pick-up.**
Equipment and Maintenance. **Will be assessed and determined by Progressive.**
Personnel. **Will be assessed and determined by Progressive.**

4. What is the typical revenue collected per:
Household. **\$16.91/month**
Commercial Business **\$ varies**

5. Will additional equipment be needed to serve this area if annexed or developed?
Type of Equipment. **Depends. Commercial service needs will be assessed and determined by Progressive**
Cost of Equipment. **Will be assessed and determined by Progressive.**

6. Will additional employees be needed to serve this area if annexed or developed?
Type of Employees. **Will be assessed and determined by Progressive.**
Number of Employees. **Will be assessed and determined by Progressive.**

7. Please comment on the cumulative impact of annexation and development.
At what population level would additional equipment be required? **Will be assessed and determined by Progressive.**
Is there an accepted equipment to population ratio that can be used for planning purposes? **Unknown**

Is there an accepted employee to population ratio that can be used for planning purposes? **Unknown**

Additional Comments:

Greg Hall

Person to contact if there are questions

7/26/16

Date

Water/Wastewater

1. What is the nearest City of Decatur water line? Carson Drive
Size of water line. 12-inch
Location of water line. Carson Drive
Distance from proposed annexation. Adjacent
2. What is the nearest City of Decatur sewer line? Carson Drive
Size of sewer line. 15-inch
Location of sewer line. Carson Drive
Distance from proposed annexation. Adjacent
3. According to the City of Decatur master plan what type of lines and facilities would be required for this area and when are those lines and facilities proposed for construction.

The Current master plan shows the following water and sewer lines in the area of annexation. As more information is available for proposed development actual line sizes and locations will be determined at that time.

| | Size | Year | Location |
|-------------|------------|-------------|------------------------|
| Water lines | <u>12"</u> | <u>2030</u> | <u>SE HWY 287</u> |
| Sewer lines | <u>15"</u> | <u>2030</u> | <u>W of Annexation</u> |

Are there any City of Decatur lines included in the proposed annexation, if yes please specify? **NO**. **Development will have to extend water/sewer utilities to project.**

4. Please comment on the cumulative impact of annexation and development.

At what population level would additional equipment be required?
Existing WWTP has capacity for approximately 1500 more PE, before planning expansion required by law. Downstream facilities should be adequate.

Is there an accepted equipment to population ratio that can be used for planning purposes? **NO**

Is there an accepted employee to population ratio that can be used for planning purposes? **NO**

Additional Comments: **Developer will be required to supply treated water and waste water needs. Possible construction of a waste water lift station may be required to serve certain areas of the annexation.**

Greg Hall
Person to contact if there are questions

7/26/16
Date

Engineering and Transportation

- 1. What existing roads, bridges and other transportation facilities will be impacted by this proposed annexation and development in terms of needed improvements or upgrades?

| <u>Name and location</u> | <u>Type of Improvement</u> | <u>Approximate Cost</u> |
|---------------------------|--------------------------------|-------------------------|
| Carson Drive/S HWY 81 Bus | Determined during design phase | Unknown at this time |

- 2. Are any of these improvements presently scheduled to be done at state or federal expense? **NO** If yes, please identify facility and anticipated date improvements will begin.
- 3. Please list any drainage improvements that may require local funding, and include estimated cost (if no specific improvements can be determined, please make general comments concerning drainage). **Drainage considerations will be made during project design. Developer will be responsible for construction of any improvements.**
- 4. Will additional equipment and facilities be needed as a specific result of this annexation and development? **NO**. If yes, what type of equipment or facility? _____

- 5. Please comment on the cumulative impact of annexation and development. **All impacts considered during project design and constructed at developer's expense.** _____

At what population level would additional equipment be required? **Equipment needs based on overall City needs analysis.**

Is there an accepted equipment to population ratio that can be used for planning purposes? **NO**

Is there an accepted employee to population ratio that can be used for planning purposes? **NO**

Additional Comments: **NONE**

Greg Hall
Person to contact if there are questions

7/26/16
Date

Decatur Independent School District

1. Education services are currently provided by: **Decatur ISD**

2. If annexed, can anticipated service demands be met using existing materials, facilities, and personnel? **Yes**

If not, how many additional employees and what type of facilities and materials will be needed to provide services? **N/A**

3. Estimate additional funding needed strictly based on proposed annexation and development. **None**

Will projected school taxes from this development provide that additional funding? **N/A**

4. Please comment on the cumulative impact of annexation and development. **The annexation will provide a positive impact on DISD.**

5. At what population level would other school facilities be required for the City of Decatur? **At the present it would require doubling the current population before additional DISD facilities were required.**

6. Is there an acceptable employee to population ratio that can be used for planning purposes? **Yes**

Additional Comments: _____

Rod Townsend
Person to contact if there are questions

8/3/2016
Date

EXHIBIT B
SERVICE PLAN
CITY OF DECATUR, TEXAS

SERVICE PLAN FOR ANNEXATION OF COCANOUGH RANCH
A2016-01

Upon annexation of the area identified above and as identified on Exhibit A, the City of Decatur will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

1. **Police Protection**

The City of Decatur, Texas and its Police Department will provide police protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed areas.

2. **Fire Protection and Emergency Medical Services**

The City of Decatur, Texas and its Fire Department will provide fire protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas. The Fire Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed areas.

The City of Decatur, Texas and its Fire Department will provide EMS services to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas. The Fire Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed areas.

3. **Maintenance of Water and Wastewater Facilities**

All water and wastewater facilities owned or maintained by the City of Decatur at the time of the proposed annexation shall continue to be maintained by the City of Decatur. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Decatur to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Decatur standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

4. **Solid Waste Collection**

Solid waste collection will be provided to citizens in the newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. The City may negotiate with annexed areas to allow continued services with an existing solid waste management provider. After the second anniversary of the annexation date, the City will impose fees and provide the service.

If areas with private roads and/or gates are arranged so that garbage may be collected without creating a safety hazard, the City, at its discretion, may collect the garbage provided proper

indemnification is received from the community association or individual property owners. The City will then impose fees and provide the service. Garbage collection locations shall be subject to the approval of the Sanitation Manager. In the event the City does not collect garbage within the areas with private roads and/or gates, residents of these areas will not be billed for service after the two-year date.

5. **Maintenance of Roads and Streets**

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association.

6. **Maintenance of Parks, Playgrounds, and Swimming Pools**

The City of Decatur, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. **Maintenance of any Publicly owned Facility, Building or Municipal Service**

The City of Decatur, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. **Other Services**

The City of Decatur, Texas finds and determines that such services as planning, code enforcement, animal control, library, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. **Police and Fire Protection and Solid Waste Collection**

The City of Decatur, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Decatur, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. **Water and Wastewater Facilities**

For the next 2 ½ years, the City of Decatur, Texas finds and determines that there is sufficient capacity for water and wastewater to provide services to the annexed areas pursuant to the City of Decatur extension policies.

3. **Roads and Streets**

The City of Decatur, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. **Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service**

The City of Decatur, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Decatur, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Decatur.

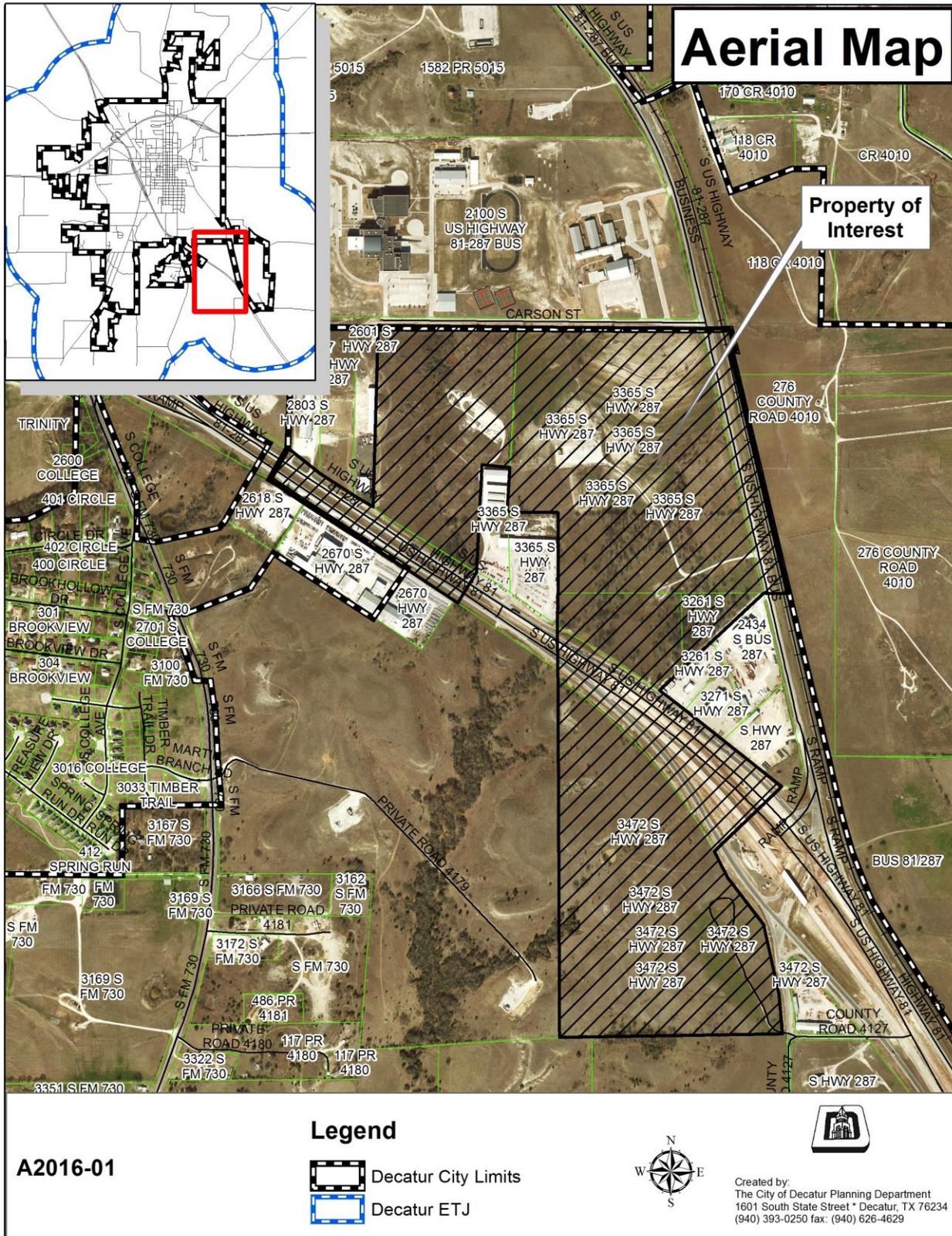
LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

EXHIBIT "A"



DRAFT ANNEXATION ORDINANCE

ORDINANCE NUMBER _____

AN ORDINANCE ANNEXING THAT CERTAIN PARCEL OF LAND CONSISTING OF APPROXIMATELY 168.8 ACRES OF LAND AND APPROXIMATELY 27 ACRES OF US HWY 81/287 WHERE RIGHTS-OF-WAY ABUT PROPERTY AND CITY LIMITS AS LEGALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF (THE "LAND") TO THE CITY OF DECATUR, WISE COUNTY WATER SUPPLY DISTRICT AND EXTENDING THE BOUNDARY LIMITS OF SAID AND WATER SUPPLY DISTRICT SO AS TO INCLUDE SAID LAND WITHIN THE CITY LIMITS, AND GRANTING TO SAID LAND AND TO ALL FUTURE INHABITANTS OF SAID LAND ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, a petition for annexation (the "Petition") has been duly signed and acknowledged by each and every person or entity having an interest in the surface of the Land (hereinafter, collectively, the "Petitioner").

WHEREAS, said Land is contiguous and adjacent to the City of Decatur, Texas, and is not more than one (1) mile in width, and

WHEREAS, said petition was presented to the City Council on the 8TH day of August 2016; and

WHEREAS, after hearing such Petition and the arguments for and against the same, the City Council has voted to grant such Petition and to annex said territory to the City of Decatur, Texas, and to the Wise County Water Supply District;

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

SECTION 1. That the land be and the same is hereby annexed to the City of Decatur, Wise County, Texas, and to the Wise County Water Supply District and within voting district 2, and that the boundary limits of the City of Decatur, Texas, be and the same shall hereafter be included within the territorial limits of the City of Decatur, Texas, and the same shall hereafter be included within the territorial limits of said City, and said Land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Decatur, Texas, and shall be bounded by the acts and ordinances of said City.

SECTION 2. The City Clerk is hereby directed to file with the County Clerk of Wise County, Texas, a certified copy of this ordinance.

SECTION 3. The Planning and Zoning Commission recommends that the Land be brought into the City limits.

SECTION 4. The Planning Director is hereby directed to correct the official City of Decatur city limits map to reflect the herein annexation.

SECTION 5. Upon zoning, in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Decatur Zoning Ordinance and all other applicable and pertinent ordinances of the City of Decatur, Texas.

SECTION 6. This ordinance shall be cumulative of all other ordinances of the City of Decatur and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7. This ordinance shall take effect on its final passage, and it is so ordained.

**ANNEXATION PRESENTED ON FIRST READING THIS 12TH DAY OF SEPTEMBER 2016.
PRESENTED ON SECOND READING AND APPROVED BY THE CITY COUNCIL OF THE
CITY OF DECATUR, TEXAS MEETING ON THE 17TH DAY OF OCTOBER 2016.**

APPROVED:

Martin Woodruff, MAYOR

ATTEST:

Diane Cockrell, TRMC, CITY SECRETARY

APPROVED AS TO CONTENT AND FORM:

Mason L. Woodruff, CITY ATTORNEY

TRACT 1:

Being five tracts of land out of the Hugh Henderson Survey, Abstract No. 369 and the Antonio Hernandez Survey, Abstract No. 401 and the, Wise County, Texas, said five tracts of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a capped iron stake set at the northwest of a tract of land as described in deed to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the north line of said Cocanougher tract and the south line of said City tract, same being the north line of the Antonio Hernandez Survey and the south line of the Hugh Henderson Survey, South $89^{\circ} 37' 47''$ East 1303.12 feet to a capped iron stake set for corner in the west right of way line of U.S. Highway No. 81-287 Business;

THENCE with fence line on the west right of way line U.S. Highway 81-287 Business, South $13^{\circ} 02' 04''$ East 1931.69 feet to a capped iron stake found for the north corner of a tract of land as deeded to Kenny Bryan in Volume 2332, Page 535, Official Records, Wise County, Texas;

THENCE with said fence line on the northwest line of said Bryan tract, South $47^{\circ} 01' 37''$ West passing the west line of the Antonio Hernandez Survey and the east line of the Hugh Henderson Survey, 1003.57 feet to a capped iron stake set the northeast right of way line of U.S. Highway No. 81-287;

THENCE with said fence line, with a curve to the left with a Radius of 5904.58 feet and a Length of 406.92 feet (Chord: North $54^{\circ} 39' 26''$ West 406.84 feet) to an iron stake set at the end of said curve;

THENCE with said fence line, North $56^{\circ} 37' 53''$ West 445.40 feet to a capped iron stake set for corner;

THENCE leaving said highway and with a fence line, North $00^{\circ} 24' 41''$ West 743.17 feet to wood post found for corner in the south line of Antonio Hernandez Survey and the north line of the Hugh Henderson Survey and being the northeast corner of a tract of land as deeded to Mickey McMaster in Volume 2198, Page 664, Official Records, Wise County, Texas;

THENCE with a fence line on the south line of the Antonio Hernandez Survey, the north line of the Hugh Henderson Survey and the north line of said McMaster tract, North $89^{\circ} 33' 14''$ West 359.40 feet to a wood post for corner in the southwest corner of the Antonio Hernandez Survey and an inside corner of the Hugh Henderson Survey;

THENCE with the west line of Antonio Hernandez Survey and the east line of Hugh Henderson Survey, North 02° 43' 19" East 325.67 feet to an iron stake set for a northeast corner of said McMaster tract;

THENCE with a north line of said McMaster tract, North 87° 45' 41" West 199.90 feet to an iron stake found for the northwest corner of said McMaster tract;

THENCE with the west line of McMaster tract, South 02° 14' 19" West 767.77 feet to a point for the southwest corner of said McMaster tract and being in the northeast right of way line of U.S. Highway No. 81-287;

THENCE with the southwest right of way of Cocanougher tract and the northeast right of way line of said highway the following calls:

North 60° 43' 49" West 166.76 feet to a point;

North 56° 30' 40" West 421.23 feet to a point;

North 61° 29' 14" West 16.83 feet to a point;

North 52° 25' 01" West 282.69 feet to a point to the southwest corner of said Cocanougher tract and the southeast corner of Lot 1, Block 1, Fernihough Addition a subdivision to the City of Decatur, according to the plat recorded in Cabinet D, Section 493, Plat Records, Wise County, Texas;

THENCE with the west line of said Cocanougher tract and the east line of Fernihough Addition, North 01° 31' 24" East 1288.63 feet to a capped iron stake found for the northwest corner of said Cocanougher tract and the northeast corner of Fernihough Addition and in the south line of said City tract, same being in the south line of the A.J. Walker Survey and the north line of the Hugh Henderson Survey;

THENCE with the north line of said Cocanougher tract and the south line of said City tract, same being the north line of the Hugh Henderson Survey and the south line of the A.J. Walker Survey, South 89° 37' 47" East 978.99 feet to the POINT OF BEGINNING, containing 107.78 acres of land, more or less.

TRACT 2:

BEGINNING at a wood post for corner in the southwest right of way line of U.S. Highway No. 81-287, said point being in the Hugh Henderson Survey, Abstract No. 369, and being located 1349.68 feet, South 02° 43' 19" West, 359.40 feet, South 89° 44' 14" East, 743.17 feet, South 00° 24' 14" East, and 411.20 feet South 00° 03' 53" East from the northwest of a tract of land as described in deed to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE along a fence line on the southwest right of way of U.S. Highway No. 81-287, the following calls:

South 56° 42' 39" East 86.60 feet to an iron stake set for corner at the beginning of a curve to the right with a Radius of 2828.79 feet;

With said curve to the right with a Radius of 2828.79 feet, crossing the east line of Hugh Henderson Survey and the west line of the Antonio Hernandez Survey, Abstract No. 401, in all, a Length of 1303.41 feet (Chord: South 43° 30' 39" East 1291.91 feet) to an iron stake set for corner at the end of said curve;

South 30° 18' 39" East 305.80 feet to an iron stake set for corner at the beginning of curve to the left with a Radius of 2900.79 feet; With curve to the left with a Radius of 2900.79 feet and a Length of 585.00 feet (Chord: South 36° 05' 18" East 584.01 feet) to a point for corner;

South 10° 34' 49" East 544.69 feet to an iron stake set for corner at the beginning of curve to the right with a Radius of 1382.56 feet;

THENCE with said curve to right with a Radius of 1382.56 feet and a Length of 260.20 (Chord: South 05° 21' 05" East 259.82 feet) to an iron stake set for corner at the end of said curve;

THENCE South 00° 18' 27" West 6.62 feet to an iron stake set for corner in the south line of the Antonio Hernandez Survey and the north line of the Francisco Diaz Survey, Abstract No. 254, also being in the north line of a tract of land as deeded to James L. Drought Trustee in Document# 201408742, Mineral Deed Records, Wise County, Texas;

THENCE leaving said highway and with a fence line on the south line of the Antonio Hernandez Survey, the north line of the Francisco Diaz Survey and the north line of said Drought tract, South 89° 16' 55" West, passing the southwest corner of the Antonio Hernandez Survey and the southeast corner of the Hugh Henderson Survey, passing the northwest corner of said Drought tract and the northeast corner of a tract of land as deeded to Paul R. Allgood 2001 Revocable Management Trust in Volume 2008, Page 511, Official Records, Wise County, Texas, passing the northwest corner of the Francisco Diaz Survey and the northeast corner of the Antonio Hernandez Survey, Abstract No. 402, Wise County, Texas, in all, 1573.70 feet to an iron stake set for the southeast corner of a tract of land as described in deed to Mattie Brown et vir, Tom W. Brown and Jennings C. Brown in Volume 88, Page 247, Deed Records, Wise County, Texas;

THENCE with said fence on the east line of said Brown tract, North 00° 14' 39" West 2540.90 feet to the POINT OF BEGINNING, containing 60.98 acres of land, more or less.

TRACT 3:

BEGINNING at point for the east corner of U.S. Highway No. 81-287, being in the south corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas, said point being further located 1024.01 feet South 02° 43' 19" West 199.40 South 87° 45' 41" East and 767.77 feet South 02° 14' 19" West from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in

the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE South 33° 30' 05" West 230.38 feet to a point for the south corner of said highway;

THENCE with the southwest right of way line of said highway, North 56° 29' 55" West passing the north corner of said Klement tract, in all, 1575.53 feet to a point for corner;

THENCE continuing with the southwest right of line of said highway, North 63° 09' 55" West 25.34 feet to a point for corner;

THENCE North 33° 30' 05" East 239.48 feet to a north corner of said highway and the southwest corner of a tract of land as deeded to Wanda Dixon in Volume 1020, Page 744 and Volume 1598, Page 335, Official Records, Wise County, Texas;

THENCE with the northeast right of way line of said highway the following calls:

South 54° 24' 59" East 584.40 feet to a point;

South 61° 29' 14" East 16.83 feet to a point;

South 63° 21' 50" East 167.50 feet to a point;

South 52° 25' 01" East 282.60 feet to a point;

South 56° 30' 40" East 421.23 feet to a point;

South 60° 43' 49" East 166.76 feet to the POINT OF BEGINNING, containing 8.25 acres of land, more or less.

TRACT 4:

BEGINNING at a point in a north corner of U.S. Highway No. 81-287, being in the east line of a tract of land as deeded to Mickey McMaster in Volume 2198, Page 664, Official Records, Wise County, Texas, said point being further located 1349.68 feet South 02° 43' 19" West, 359.40 feet South 89° 33' 14" East and 743.17 feet South 00° 24' 41" East from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the northeast right of way of said highway the following calls:

South 56° 37' 53" East 445.40 feet to a capped iron stake set at the beginning of a curve to the right with a Radius of 5904.58 feet;

THENCE with said curve to the right with a Radius of 5904.58 feet and a Length of 406.92 feet (Chord: South 54° 39' 26" East 406.84 feet) to a capped iron stake set for the west corner of a tract of

land as deeded to Kenny Bryan and wife, Gloria Bryan in Volume 959, Page 487, Official Records, Wise County, Texas at the beginning of a curve to the right;

THENCE with a curve to the right with a Radius of 5904.59 feet and a Length of 112.99 feet (Chord: South 52° 08' 05" East 112.90 feet) to the end of said curve;

THENCE with the northeast right of said highway line, South 51° 41' 52" East 990.00 feet to a point;

THENCE South 59° 41' 21" West 641.84 feet to a point for the south corner of said highway;

THENCE with the southwest right of way line of said highway the following calls:

North 30° 18' 39" West 106.03 feet to a capped iron stake set for corner at the beginning of a curve to the left; With said curve to the left with a Radius of 2828.79 feet, crossing the east line of Hugh Henderson Survey and the west line of the Antonio Hernandez Survey, Abstract No. 401, in all, a Length of 1303.41 feet (Chord: North 43° 30' 39" West 1291.91 feet) to an iron stake set for corner at the end of said curve;

THENCE along a fence line on the southwest right of way of U.S. Highway No. 81-287, North 56° 42' 39" West 86.60 feet to an iron stake set for corner;

THENCE North 00° 03' 55" West 411.20 feet to the POINT OF BEGINNING, containing 9.07 acres of land, more or less.

TRACT 5:

BEGINNING at the northwest corner of the tract herein described, said corner being further located 1303.12 feet South 89° 37' 47" East from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the north line of the tract herein described, South 89° 37' 47" East 205.60 feet to a point for the northeast corner of the tract herein described on the east right of way of Fort Worth & Denver Railroad BNSF;

THENCE with the east line of the tract herein described, South 13° 02' 04" East 1884.03 feet to a point for the southeast corner of the tract herein described;

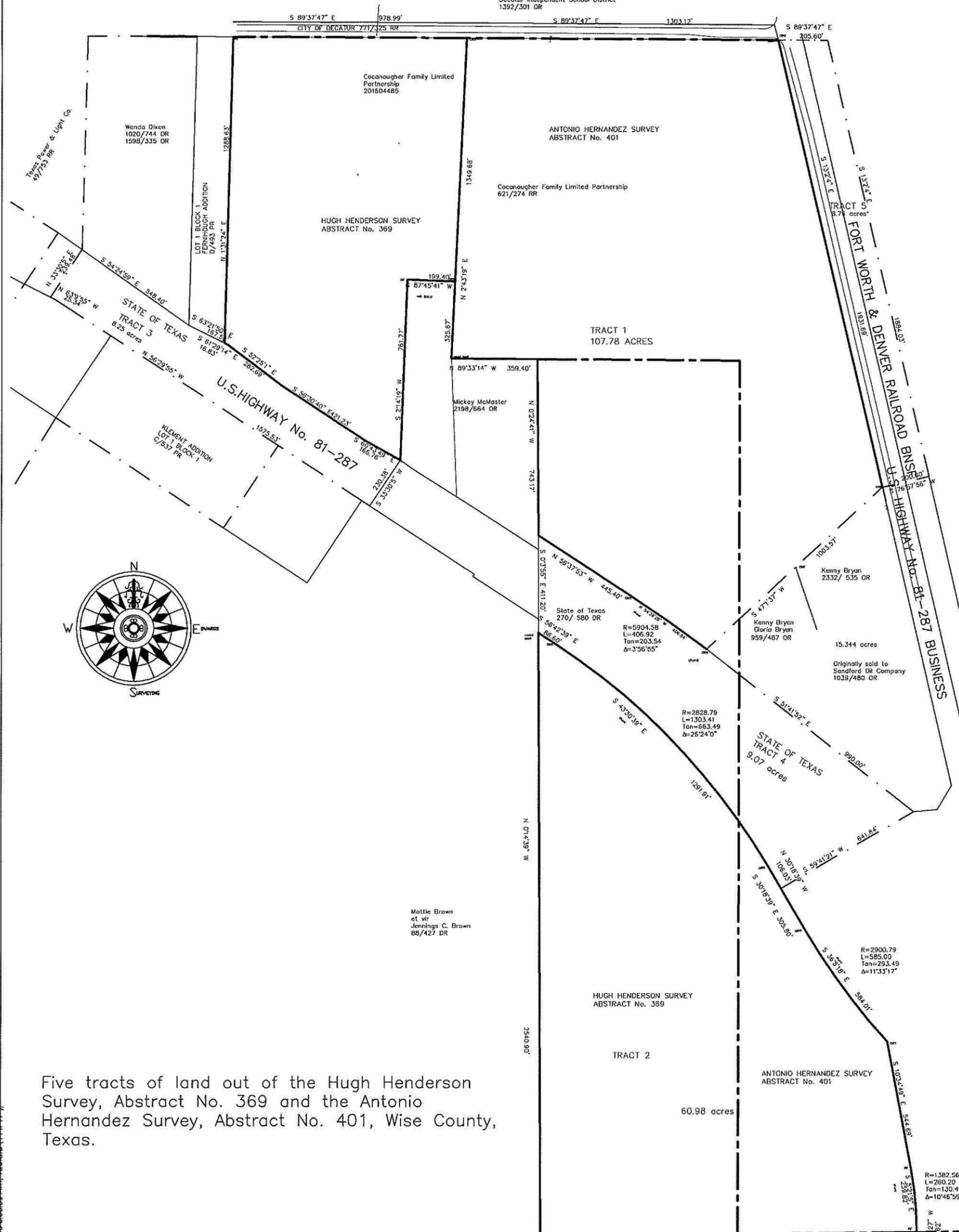
THENCE with the south line of the tract herein described, South 76° 57' 56" West 200.00 feet to a capped iron stake set for the north corner of a tract of land as deeded to Kenny Bryan in Volume 2332, Page 535, Official Records, Wise County, Texas and the east corner of said Cocanougher tract;

THENCE with the west line of the tract herein described and the east line of said Cocanougher tract, North 13° 02' 04" West 1931.69 feet to the POINT OF BEGINNING, containing 8.76 acres of land, more or less.

Bearing are based on the Texas Coordinate System, North Central Zone, NAD 83 Datum. The combined scale factor for this project is 0.99977223. Distances shown are based on ground measurements.

Tommy T. Edwards
Registered Professional Land Surveyor No. 1869

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83
 A.J. WALKER SURVEY DATUM. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.99977223. DISTANCES
 ABSTRACT No. 880 SHOWN ARE BASED ON GROUND MEASUREMENTS.
 Decatur Independent School District
 1392/301 DR



Five tracts of land out of the Hugh Henderson Survey, Abstract No. 369 and the Antonio Hernandez Survey, Abstract No. 401, Wise County, Texas.

This plat was prepared from documents and surveys and is compiled from that information. It is not a survey made on the ground by this firm.

1573.70'
 FRANCISCO DIAZ SURVEY
 ABSTRACT No. 254
 James L. Drought Trustee
 Mineral Deed
 2014/08/17
 JOB # 2016-120
 SURVEY DATE: August 8, 2016
 DRAWING SCALE: 1"=400'
 TEXAS CERT. AUTH. #100494-00
 OKLAHOMA CERT. AUTH. # 4780

1392/301 DR

AD No. 4127

PROFESSIONAL SURVEYORS SINCE 1975
EDWARDS SURVEYING, L.L.C.
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 TEXAS LICENSED STATE LAND SURVEYING
 CERTIFIED FEDERAL SURVEYING
 GEOSPATIAL SCIENCES
 P.O. BOX 618
 208 WEST WALNUT STREET
 DECATUR, WISE COUNTY, TEXAS 76234
 (940)-627-2961 OFFICE
 (940)-627-3951 FAX
 www.edwardsurveying.com



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 1:1 1975-2013 ESLLC copyright



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 627-4629 fax

STAFF REPORT

September 6, 2016 – Planning & Zoning Commission Meeting

TO: Planning & Zoning Commissioners **CASE:** CP2016-02
FROM: Dedra D. Ragland, AICP, Planning Director **APPLICANT:** Daniel Cocanougher, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray
DATE: August 29, 2016 **REQUEST:** Amend Long Range Master Plan Land Use from ETJ to Commercial Land Use

Case Notes:

Commission to hear and take action to make a recommendation to City Council regarding Comprehensive Plan Amendment Application 2016-02—Daniel Cocanougher’s request, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray to update the land use map to a Commercial (COM) land use designation on approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) immediately upon annexation into the corporate limits of the City of Decatur, Texas. The property is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287 where adjacent to the current city limits and to the tracts to be annexed in Decatur’s southeastern extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

Legality:

According to the Texas Local Government Code, the land use designation for this property can be legally amended given a public hearing (§213.003(a)(1)), review and recommendation from the Planning & Zoning Commission (§213.003(a)(1)), and approval by City Council (City Charter).

Analysis:

- Current land use map, amended in August 2006, does not identify the future land use in most of the ETJ. However, a joint workshop is scheduled for September 12 with the Planning and Zoning Commission and City Council to discuss extending the future land use designations into the ETJ and amending certain tracts inside the city limits to reflect more feasible and accurate development potential. Property currently has no zoning designation, but is also being proposed for a Commercial Zoning District designation.

Surrounding tracts’ land uses include:

- North: Public/Institutional (INS)
- South: Extraterritorial Jurisdiction (ETJ)
- East: Industrial (IND)

- West: Extraterritorial Jurisdiction (ETJ), Commercial (COM) and Office (OFC)
- Applicant is requesting amendment to allow for a zoning to Thoroughfare Business (C-2) zoning for the purpose of commercial development. This request is being processed concurrently with zoning change application A2016-01 and ZC2016-04. Approval of the annexation will need to occur. Approval of the comprehensive plan amendment must occur before the zoning change can be approved.

Surrounding tracts' zoning include:

- North: Thoroughfare Business (C-2)
- South: Extraterritorial Jurisdiction (ETJ)
- East: Light Industrial (LI)
- West: Thoroughfare Business (C-2) and Extraterritorial Jurisdiction (ETJ)
- Before any development may occur, applicant may have to plat property; and submit a site plan, and building permit and certificate of occupancy applications.
- Thirty-five property owners within the City Limits and the ETJ and located within 200' of the subject area were notified. Staff has received seven letters in support of annexation.

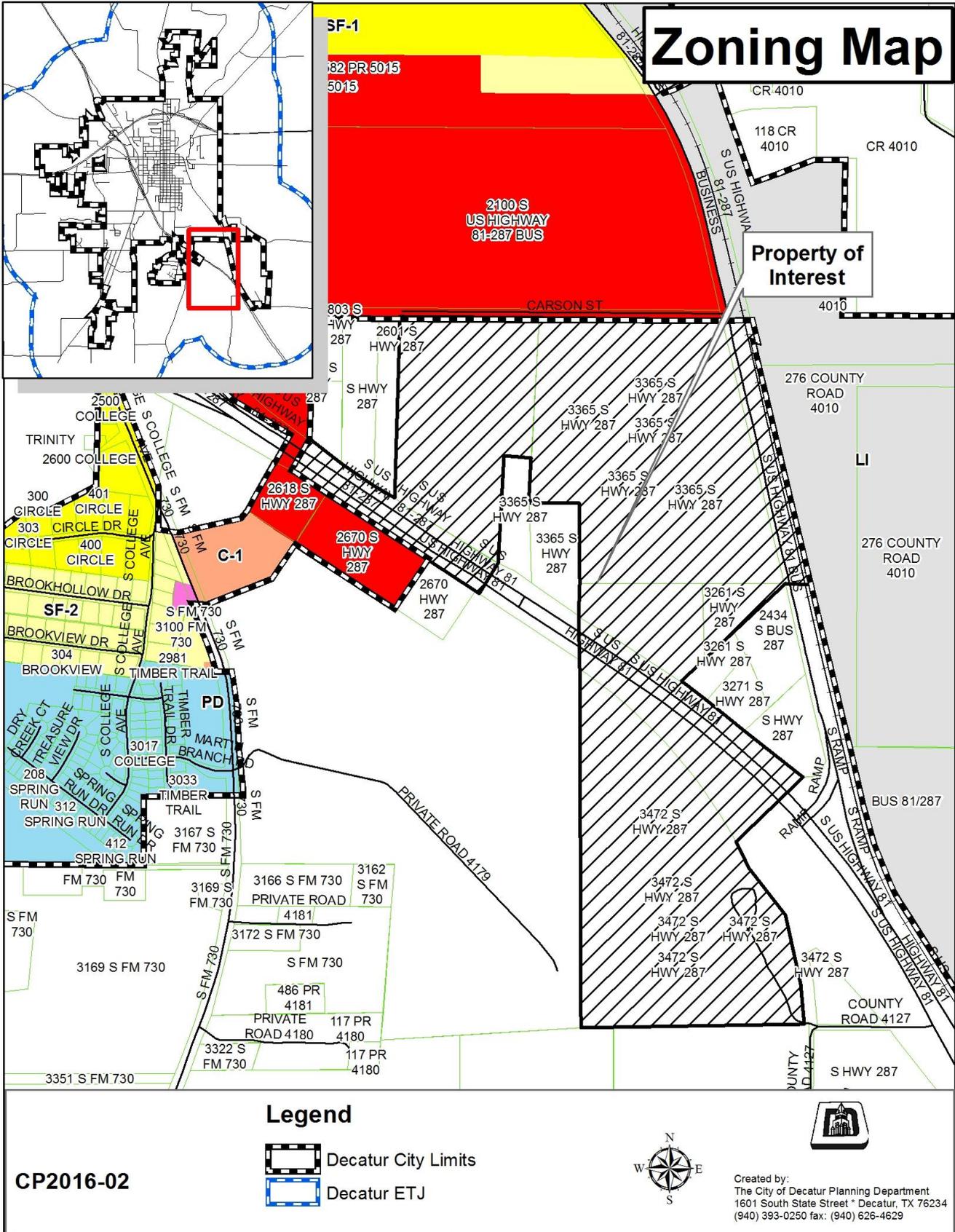
Recommendation:

Given that the subject site is located along two major thoroughfares (US Hwy. 81/287 and US Hwy. 81/287 BUS), staff recommends approval of the Comprehensive Plan Amendment.

Attachments:

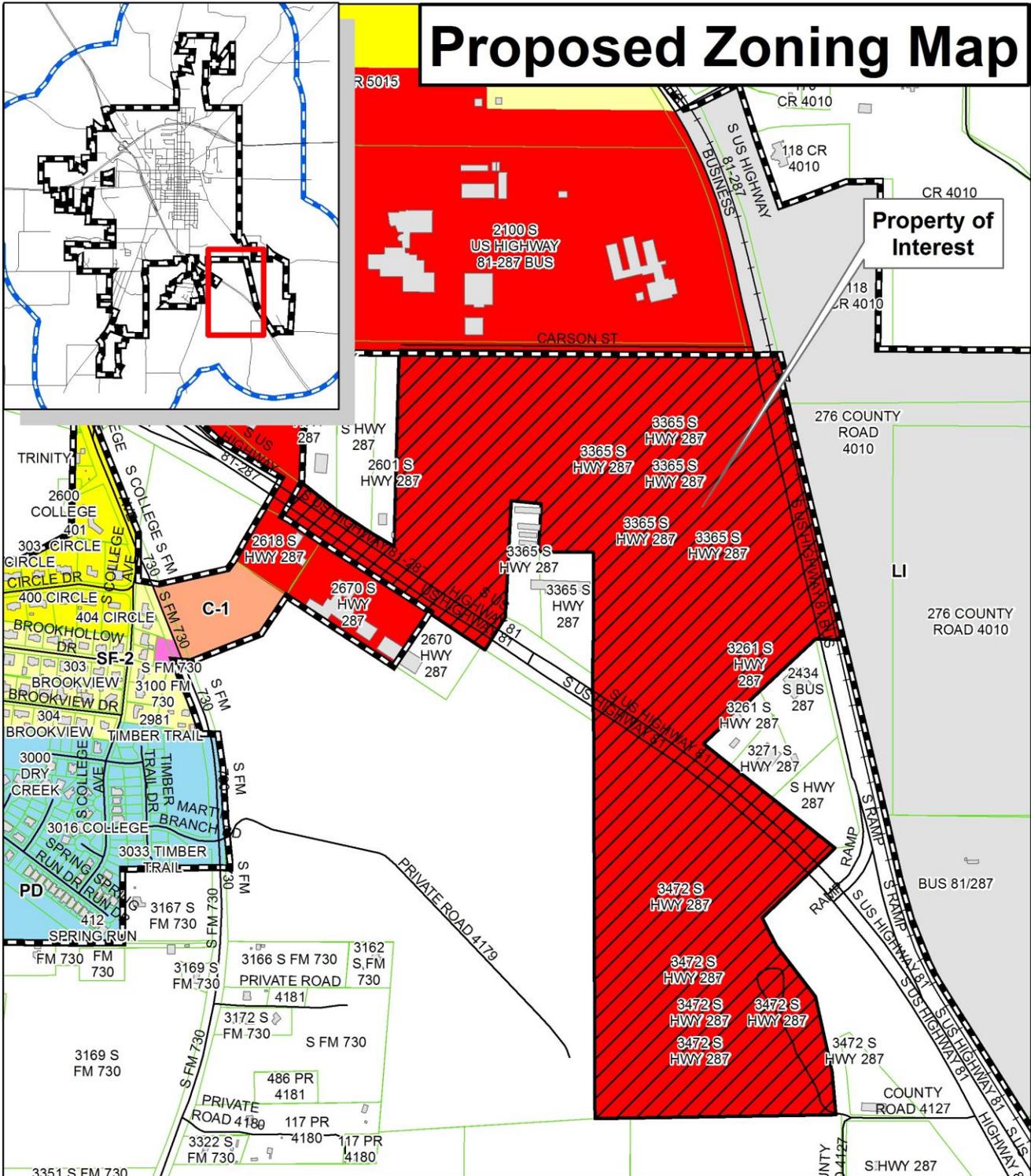
1. Location Map
2. Land Use Map (Existing)
3. Land Use Map (Proposed)
4. Zoning Map (Existing)
5. Zoning Map (Proposed)
6. 200' Property Owner Notification Map and Responses
7. Draft Ordinance

Attachment 4 Zoning Map (Existing)



Attachment 5
Zoning Map (Proposed)

Proposed Zoning Map



CP2016-02

Legend

-  Decatur City Limits
-  Decatur ETJ



Created by:
 The City of Decatur Planning Department
 1601 South State Street * Decatur, TX 76234
 (940) 393-0250 fax: (940) 626-4629

PROPERTY OWNER RESPONSE MAP

None to date

Attachment 7
Draft Ordinance

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL LAND USE MAP OF THE CITY OF DECATUR COMPREHENSIVE PLAN, GRANTING A LAND USE TO A COMMERCIAL (COM) LAND USE ON APPROXIMATELY 168.8 ACRES AND APPROXIMATELY 27 ACRES OF US HWY 81/287 (TXDOT RIGHT-OF-WAY) INTO THE CORPORATE LIMITS OF THE CITY OF DECATUR, TEXAS IMMEDIATELY UPON ANNEXATION. THE PROPERTY IS GENERALLY LOCATED NORTHWEST AND SOUTHWEST OF US HWY 81/287, SOUTH OF CARSON DRIVE AND WEST OF US HWY 81/287 BUSINESS, AND INCLUDING US HWY 81/287 WHERE ADJACENT TO THE CURRENT CITY LIMITS AND TO THE TRACTS TO BE ANNEXED IN DECATUR'S SOUTHEASTERN EXTRATERRITORIAL JURISDICTION (ETJ).

WHEREAS, a petition for annexation (the "Petition") has been duly signed and acknowledged by each and every person or entity having an interest in the surface of the Land, and

WHEREAS, the current land use for the tract of land illustrated in the attached Exhibit "A" is located in the ETJ and as such, has no land use designation; and

WHEREAS, application has been properly made to amend the Official land Use Map of the City of Decatur Comprehensive Plan, Decatur, Texas, requesting that the current land use of such property be changed to a commercial (COM) land use designation immediately upon annexation; and

WHEREAS, said application and petition have been properly heard by the Planning and Zoning Commission of the City of Decatur, Texas, as required by State statutes and the Comprehensive Plan Ordinance of said City; and

WHEREAS, said Planning and Zoning Commission has made recommendation that the land use classification and zoning classification as requested be APPROVED, and all legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of said City, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Decatur, Texas, at a called public hearing did consider all appropriate factors in determining whether to grant such request; and

WHEREAS, the City Council of the City of Decatur, Texas does find that the request is in the public interest and that the land use change does not unreasonably invade the rights of adjacent property owners;

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

SECTION 1. The Comprehensive Plan Ordinance of the City of Decatur, Texas, be, and the same is

hereby amended in that the use of the properties described upon the attached Exhibit "A" (which Exhibit is made a part hereof for all purposes) is hereby assigned a Commercial (COM) land use classification immediately upon annexation of said tracts.

SECTION 2. The Planning Director is hereby directed to correct the official land use map of the Comprehensive Plan of the City of Decatur, Texas, to reflect the herein land use.

SECTION 3. In all other respects, the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Decatur Comprehensive Plan Ordinance, Zoning Ordinance and all other applicable and pertinent ordinances of the City of Decatur, Texas.

SECTION 4. This ordinance shall be cumulative of all other ordinances of the City of Decatur and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 5. This ordinance shall take effect on its final passage, and it is so ordained.

PRESENTED ON FIRST READING THIS _____ DAY OF _____, 2016

PRESENTED ON SECOND READING AND APPROVED THIS _____ DAY OF _____,

2016 BY A VOTE OF ____ AYES, ____ NAYS, ____ ABSTENTIONS, AT A REGULAR

MEETING OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS.

APPROVED:

Martin B. Woodruff, MAYOR

ATTEST:

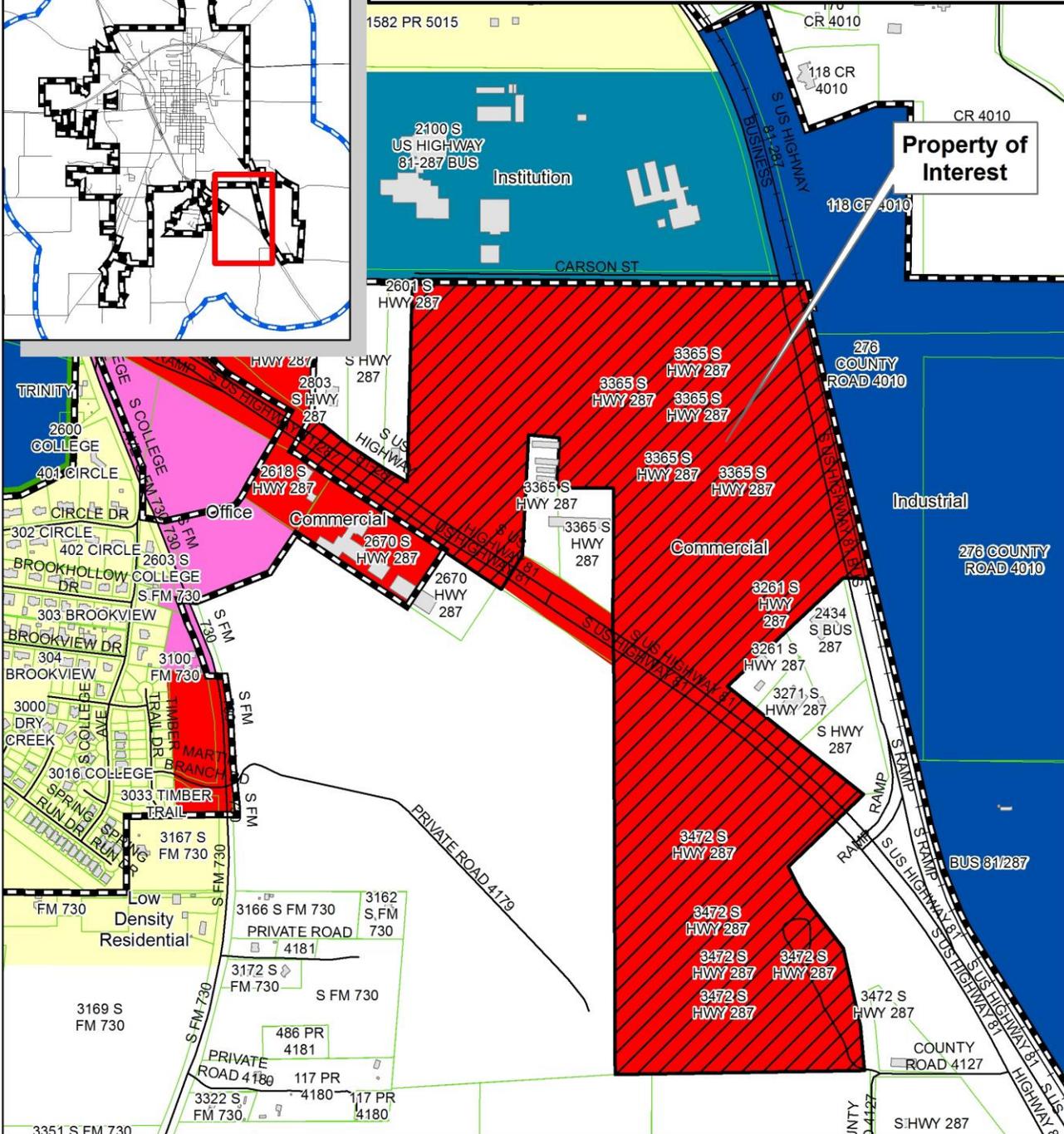
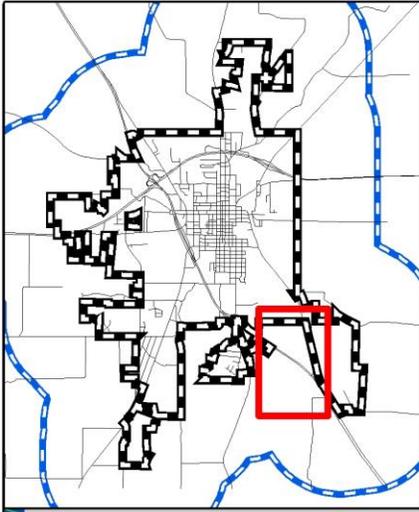
Diane Cockrell, TRMC, CITY SECRETARY

APPROVED AS TO CONTENT AND FORM:

Mason L. Woodruff, CITY ATTORNEY

EXHIBIT "A"

Proposed Land Use Map



CP2016-02

Legend

-  Decatur City Limits
-  Decatur ETJ



Created by:
 The City of Decatur Planning Department
 1601 South State Street • Decatur, TX 76234
 (940) 393-0250 fax: (940) 626-4629

TRACT 1:

Being five tracts of land out of the Hugh Henderson Survey, Abstract No. 369 and the Antonio Hernandez Survey, Abstract No. 401 and the, Wise County, Texas, said five tracts of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a capped iron stake set at the northwest of a tract of land as described in deed to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the north line of said Cocanougher tract and the south line of said City tract, same being the north line of the Antonio Hernandez Survey and the south line of the Hugh Henderson Survey, South 89° 37' 47" East 1303.12 feet to a capped iron stake set for corner in the west right of way line of U.S. Highway No. 81-287 Business;

THENCE with fence line on the west right of way line U.S. Highway 81-287 Business, South 13° 02' 04" East 1931.69 feet to a capped iron stake found for the north corner of a tract of land as deeded to Kenny Bryan in Volume 2332, Page 535, Official Records, Wise County, Texas;

THENCE with said fence line on the northwest line of said Bryan tract, South 47° 01' 37" West passing the west line of the Antonio Hernandez Survey and the east line of the Hugh Henderson Survey, 1003.57 feet to a capped iron stake set the northeast right of way line of U.S. Highway No. 81-287;

THENCE with said fence line, with a curve to the left with a Radius of 5904.58 feet and a Length of 406.92 feet (Chord: North 54° 39' 26" West 406.84 feet) to an iron stake set at the end of said curve;

THENCE with said fence line, North 56° 37' 53" West 445.40 feet to a capped iron stake set for corner;

THENCE leaving said highway and with a fence line, North 00° 24' 41" West 743.17 feet to wood post found for corner in the south line of Antonio Hernandez Survey and the north line of the Hugh Henderson Survey and being the northeast corner of a tract of land as deeded to Mickey McMaster in Volume 2198, Page 664, Official Records, Wise County, Texas;

THENCE with a fence line on the south line of the Antonio Hernandez Survey, the north line of the Hugh Henderson Survey and the north line of said McMaster tract, North 89° 33' 14" West 359.40 feet to a wood post for corner in the southwest corner of the Antonio Hernandez Survey and an inside corner of the Hugh Henderson Survey;

THENCE with the west line of Antonio Hernandez Survey and the east line of Hugh Henderson Survey, North 02° 43' 19" East 325.67 feet to an iron stake set for a northeast corner of said McMaster tract;

THENCE with a north line of said McMaster tract, North $87^{\circ} 45' 41''$ West 199.90 feet to an iron stake found for the northwest corner of said McMaster tract;

THENCE with the west line of McMaster tract, South $02^{\circ} 14' 19''$ West 767.77 feet to a point for the southwest corner of said McMaster tract and being in the northeast right of way line of U.S. Highway No. 81-287;

THENCE with the southwest right of way of Cocanougher tract and the northeast right of way line of said highway the following calls:

North $60^{\circ} 43' 49''$ West 166.76 feet to a point;

North $56^{\circ} 30' 40''$ West 421.23 feet to a point;

North $61^{\circ} 29' 14''$ West 16.83 feet to a point;

North $52^{\circ} 25' 01''$ West 282.69 feet to a point to the southwest corner of said Cocanougher tract and the southeast corner of Lot 1, Block 1, Fernihough Addition a subdivision to the City of Decatur, according to the plat recorded in Cabinet D, Section 493, Plat Records, Wise County, Texas;

THENCE with the west line of said Cocanougher tract and the east line of Fernihough Addition, North $01^{\circ} 31' 24''$ East 1288.63 feet to a capped iron stake found for the northwest corner of said Cocanougher tract and the northeast corner of Fernihough Addition and in the south line of said City tract, same being in the south line of the A.J. Walker Survey and the north line of the Hugh Henderson Survey;

THENCE with the north line of said Cocanougher tract and the south line of said City tract, same being the north line of the Hugh Henderson Survey and the south line of the A.J. Walker Survey, South $89^{\circ} 37' 47''$ East 978.99 feet to the POINT OF BEGINNING, containing 107.78 acres of land, more or less.

TRACT 2:

BEGINNING at a wood post for corner in the southwest right of way line of U.S. Highway No. 81-287, said point being in the Hugh Henderson Survey, Abstract No. 369, and being located 1349.68 feet, South $02^{\circ} 43' 19''$ West, 359.40 feet, South $89^{\circ} 44' 14''$ East, 743.17 feet, South $00^{\circ} 24' 14''$ East, and 411.20 feet South $00^{\circ} 03' 53''$ East from the northwest of a tract of land as described in deed to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE along a fence line on the southwest right of way of U.S. Highway No. 81-287, the following calls: South $56^{\circ} 42' 39''$ East 86.60 feet to an iron stake set for corner at the beginning of a curve to the right with a Radius of 2828.79 feet;

With said curve to the right with a Radius of 2828.79 feet, crossing the east line of Hugh Henderson Survey and the west line of the Antonio Hernandez Survey, Abstract No. 401, in all, a Length of 1303.41 feet (Chord: South $43^{\circ} 30' 39''$ East 1291.91 feet) to an iron stake set for corner at the end of said curve; South $30^{\circ} 18' 39''$ East 305.80 feet to an iron stake set for corner at the beginning of curve to the left with a Radius of 2900.79 feet;

With curve to the left with a Radius of 2900.79 feet and a Length of 585.00 feet (Chord: South 36° 05' 18" East 584.01 feet) to a point for corner;
South 10° 34' 49" East 544.69 feet to an iron stake set for corner at the beginning of curve to the right with a Radius of 1382.56 feet;

THENCE with said curve to right with a Radius of 1382.56 feet and a Length of 260.20 (Chord: South 05° 21' 05" East 259.82 feet) to an iron stake set for corner at the end of said curve;

THENCE South 00° 18' 27" West 6.62 feet to an iron stake set for corner in the south line of the Antonio Hernandez Survey and the north line of the Francisco Diaz Survey, Abstract No. 254, also being in the north line of a tract of land as deeded to James L. Drought Trustee in Document# 201408742, Mineral Deed Records, Wise County, Texas;

THENCE leaving said highway and with a fence line on the south line of the Antonio Hernandez Survey, the north line of the Francisco Diaz Survey and the north line of said Drought tract, South 89° 16' 55" West, passing the southwest corner of the Antonio Hernandez Survey and the southeast corner of the Hugh Henderson Survey, passing the northwest corner of said Drought tract and the northeast corner of a tract of land as deeded to Paul R. Allgood 2001 Revocable Management Trust in Volume 2008, Page 511, Official Records, Wise County, Texas, passing the northwest corner of the Francisco Diaz Survey and the northeast corner of the Antonio Hernandez Survey, Abstract No. 402, Wise County, Texas, in all, 1573.70 feet to an iron stake set for the southeast corner of a tract of land as described in deed to Mattie Brown et vir, Tom W. Brown and Jennings C. Brown in Volume 88, Page 247, Deed Records, Wise County, Texas;

THENCE with said fence on the east line of said Brown tract, North 00° 14' 39" West 2540.90 feet to the POINT OF BEGINNING, containing 60.98 acres of land, more or less.

TRACT 3:

BEGINNING at point for the east corner of U.S. Highway No. 81-287, being in the south corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas, said point being further located 1024.01 feet South 02° 43' 19" West 199.40 South 87° 45' 41" East and 767.77 feet South 02° 14' 19" West from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE South 33° 30' 05" West 230.38 feet to a point for the south corner of said highway;

THENCE with the southwest right of way line of said highway, North 56° 29' 55" West passing the north corner of said Klement tract, in all, 1575.53 feet to a point for corner;

THENCE continuing with the southwest right of line of said highway, North 63° 09' 55" West 25.34 feet to a point for corner;

THENCE North 33° 30' 05" East 239.48 feet to a north corner of said highway and the southwest corner of a tract of land as deeded to Wanda Dixon in Volume 1020, Page 744 and Volume 1598, Page 335, Official Records, Wise County, Texas;

THENCE with the northeast right of way line of said highway the following calls:

South 54° 24' 59" East 584.40 feet to a point;

South 61° 29' 14" East 16.83 feet to a point;

South 63° 21' 50" East 167.50 feet to a point;

South 52° 25' 01" East 282.60 feet to a point;

South 56° 30' 40" East 421.23 feet to a point;

South 60° 43' 49" East 166.76 feet to the POINT OF BEGINNING, containing 8.25 acres of land, more or less.

TRACT 4:

BEGINNING at a point in a north corner of U.S. Highway No. 81-287, being in the east line of a tract of land as deeded to Mickey McMaster in Volume 2198, Page 664, Official Records, Wise County, Texas, said point being further located 1349.68 feet South 02° 43' 19" West, 359.40 feet South 89° 33' 14" East and 743.17 feet South 00° 24' 41" East from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the northeast right of way of said highway the following calls:

South 56° 37' 53" East 445.40 feet to a capped iron stake set at the beginning of a curve to the right with a Radius of 5904.58 feet;

THENCE with said curve to the right with a Radius of 5904.58 feet and a Length of 406.92 feet (Chord: South 54° 39' 26" East 406.84 feet) to a capped iron stake set for the west corner of a tract of land as deeded to Kenny Bryan and wife, Gloria Bryan in Volume 959, Page 487, Official Records, Wise County, Texas at the beginning of a curve to the right;

THENCE with a curve to the right with a Radius of 5904.59 feet and a Length of 112.99 feet (Chord: South 52° 08' 05" East 112.90 feet) to the end of said curve;

THENCE with the northeast right of said highway line, South 51° 41' 52" East 990.00 feet to a point;

THENCE South 59° 41' 21" West 641.84 feet to a point for the south corner of said highway;

THENCE with the southwest right of way line of said highway the following calls:

North 30° 18' 39" West 106.03 feet to a capped iron stake set for corner at the beginning of a curve to the left;

With said curve to the left with a Radius of 2828.79 feet, crossing the east line of Hugh Henderson Survey and the west line of the Antonio Hernandez Survey, Abstract No. 401, in all, a Length of 1303.41 feet (Chord: North 43° 30' 39" West 1291.91 feet) to an iron stake set for corner at the end of said curve;

THENCE along a fence line on the southwest right of way of U.S. Highway No. 81-287, North 56° 42' 39" West 86.60 feet to an iron stake set for corner;

THENCE North 00° 03' 55" West 411.20 feet to the POINT OF BEGINNING, containing 9.07 acres of land, more or less.

TRACT 5:

BEGINNING at the northwest corner of the tract herein described, said corner being further located 1303.12 feet South 89° 37' 47" East from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the north line of the tract herein described, South 89° 37' 47" East 205.60 feet to a point for the northeast corner of the tract herein described on the east right of way of Fort Worth & Denver Railroad BNSF;

THENCE with the east line of the tract herein described, South 13° 02' 04" East 1884.03 feet to a point for the southeast corner of the tract herein described;

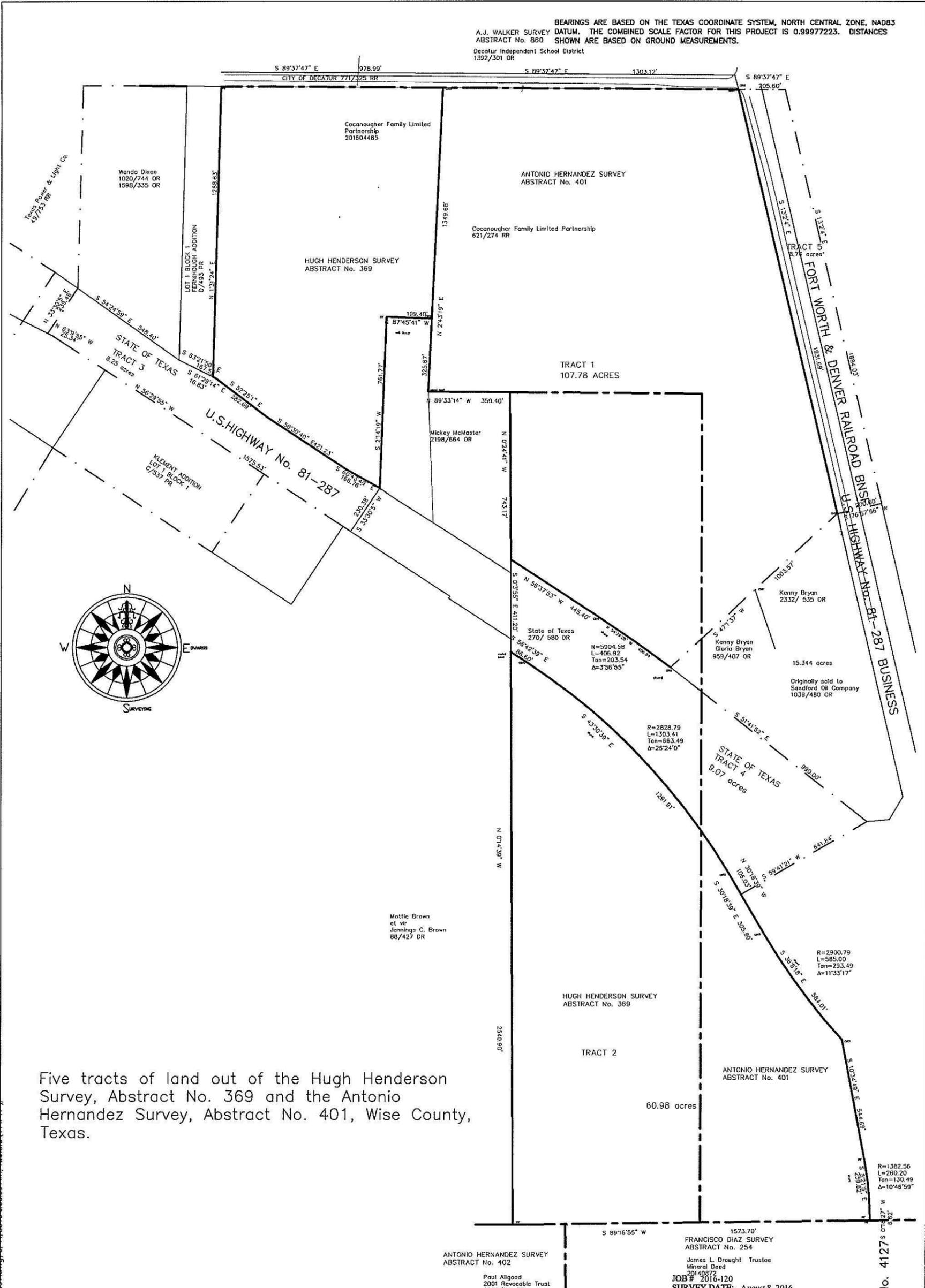
THENCE with the south line of the tract herein described, South 76° 57' 56" West 200.00 feet to a capped iron stake set for the north corner of a tract of land as deeded to Kenny Bryan in Volume 2332, Page 535, Official Records, Wise County, Texas and the east corner of said Cocanougher tract;

THENCE with the west line of the tract herein described and the east line of said Cocanougher tract, North 13° 02' 04" West 1931.69 feet to the POINT OF BEGINNING, containing 8.76 acres of land, more or less.

**Bearing are based on the Texas Coordinate System, North Central Zone, NAD 83 Datum.
The combined scale factor for this project is 0.99977223. Distances shown are based on ground measurements.**

Tommy T. Edwards
Registered Professional Land Surveyor No. 1869

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83
 A.J. WALKER SURVEY DATUM. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.99977223. DISTANCES
 ABSTRACT No. 860 SHOWN ARE BASED ON GROUND MEASUREMENTS.
 Decatur Independent School District
 1392/301 OR



Five tracts of land out of the Hugh Henderson Survey, Abstract No. 369 and the Antonio Hernandez Survey, Abstract No. 401, Wise County, Texas.

This plat was prepared from documents and surveys and is compiled from that information. It is not a survey made on the ground by this firm.

ANTONIO HERNANDEZ SURVEY ABSTRACT No. 402
 Paul Allgood
 2001 Revocable Trust
 2008/511 OR

FRANCISCO DIAZ SURVEY ABSTRACT No. 254
 James L. Drought Trustee
 Mineral Deed
 2014/0872

JOB # 2016-120
 SURVEY DATE: August 8, 2016
 DRAWING SCALE: 1"=400'
 TEXAS CERT. AUTH. #100494-00
 OKLAHOMA CERT. AUTH. # 4780

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STAFF REPORT

September 6, 2016 – Planning and Zoning Commission Meeting

TO: Planning and Zoning Commissioners

CASE: ZC2016-04

FROM: Dedra Ragland, AICP Planning Director

APPLICANT: Daniel Cocanougher, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray

DATE: September 6, 2016

REQUEST: Thoroughfare Business (C-2)

Case Notes:

Commission to hear staff report, public comment and take action to make a recommendation to City Council regarding Zoning Change Zoning Application 2016-04—Daniel Cocanougher’s request, on behalf of Cocanougher Family Management, LLC; Wise Asset Property Decatur, LTD; Darla Wooten; Allee Moulder; the Estate of Deborah Lynn Bridges; and Marie Sue Murray to zone approximately 168.8 acres and approximately 27 acres of US Hwy 81/287 (TxDOT Right-of-Way) abut the site to a Thoroughfare Business District (C2) Zoning District immediately upon annexation. The property to be zoned is generally located northwest and southwest of US Hwy 81/287, south of Carson Drive and west of US Hwy 81/287 Business, and including US Hwy 81/287.

Legality:

According to the *Texas Local Government Code*, this property can be legally rezoned given proper notice (§211.006(a) and 211.007(c)), public hearings (§211.006 (a)), review and recommendation from the Planning & Zoning Commission (§211.007 (b)) and approval by City Council (§211.007 (b)).

Analysis:

- Current land use map, amended in August 2006, does not identify the future land use in most of the ETJ. However, a joint workshop is scheduled for September 12, 2016, with the Planning and Zoning Commission and City Council to discuss extending the future land use designations into the ETJ and amending certain tracts inside the city limits to reflect more feasible and accurate development potential.

Surrounding tracts’ land uses include:

- North: Public/Institutional (INS)
 - South: Extraterritorial Jurisdiction (ETJ)
 - East: Industrial (IND)
 - West: Extraterritorial Jurisdiction (ETJ), Commercial (COM) and Office (OFC)
- Property currently has no zoning designation, but is also being proposed for a Commercial Zoning District designation.

Surrounding tracts' zoning include:

- North: Thoroughfare Business (C-2)
 - South: Extraterritorial Jurisdiction (ETJ)
 - East: Light Industrial (LI)
 - West: Thoroughfare Business (C-2) and Extraterritorial Jurisdiction (ETJ)
- Applicant is requesting a zoning to Thoroughfare Business (C-2) zoning for the purpose of commercial development. This request is being processed concurrently with zoning change application A2016-01 and CP2016-02. Approval of the annexation will need to occur. Approval of the comprehensive plan amendment must occur before the zoning change can be approved.
 - Thirty-five (35) property owners were notified. To date, staff has received no notices in favor, against or neutral to the request.
 - Before any development may occur, applicant may have to plat property; and submit a site plan, and building permit and certificate of occupancy applications.

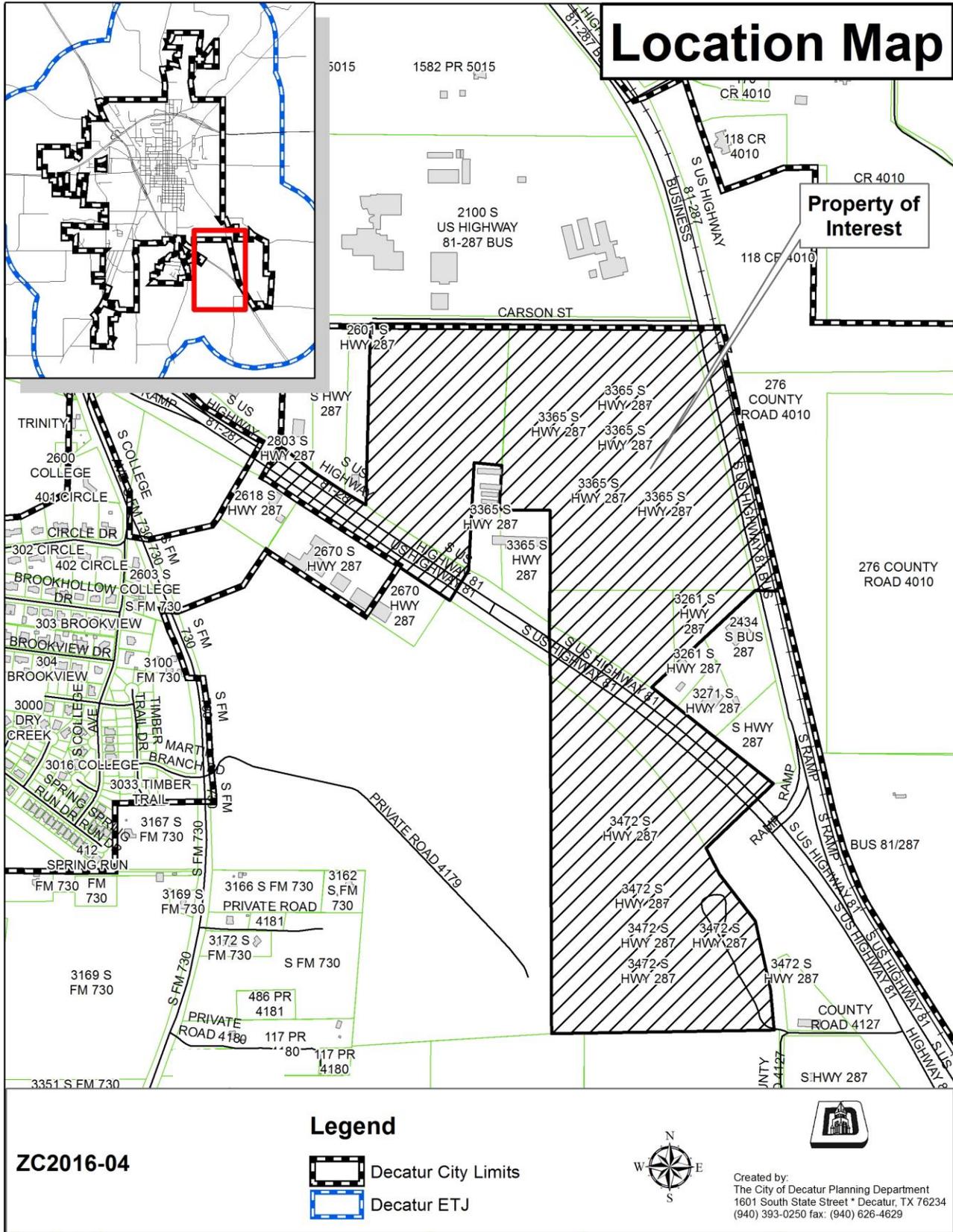
Recommendation:

Given that the subject site is located along two major thoroughfares (US Hwy. 81/287 and US Hwy. 81/287 BUS), staff recommends approval of the Thoroughfare Business (C2) zoning designation request.

Attachments:

1. Location Map
2. Existing Zoning Map
3. Proposed Zoning Map
4. Existing Land Use Map
5. Proposed Land Use Map
6. 200' Property Owner Notification
7. Draft Ordinance

LOCATION MAP



PROPERTY OWNER RESPONSE MAP

None to date

Draft Ordinance

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DECATUR, GRANTING ZONING TO A THOROUGHFARE BUSINESS (C-2) ZONING DISTRICT ON APPROXIMATELY 168.8 ACRES AND APPROXIMATELY 27 ACRES OF US HWY 81/287 (TXDOT RIGHT-OF-WAY) IMMEDIATELY UPON ANNEXATION INTO THE CORPORATE LIMITS OF THE CITY OF DECATUR, TEXAS. THE PROPERTY IS GENERALLY LOCATED NORTHWEST AND SOUTHWEST OF US HWY 81/287, SOUTH OF CARSON DRIVE AND WEST OF US HWY 81/287 BUSINESS, AND INCLUDING US HWY 81/287 WHERE ADJACENT TO THE CURRENT CITY LIMITS AND TO THE TRACTS TO BE ANNEXED IN DECATUR'S SOUTHEASTERN EXTRATERRITORIAL JURISDICTION (ETJ). A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IN EXHIBIT "A".

WHEREAS, a petition for annexation (the "Petition") has been duly signed and acknowledged by each and every person or entity having an interest in the surface of the Land, and

WHEREAS, an application for a Commercial (COM) land use designation immediately upon annexation has been duly submitted, and

WHEREAS, after hearing such annexation petition and land use application and the arguments for and against the same, the City Council has voted on October 17, 2016, to grant such Petition and to annex said territory to the City of Decatur, Texas, and to the Wise County Water Supply District, and

WHEREAS, application has been properly made to amend the Official Zoning Map of the City of Decatur, Texas, requesting that the current zoning of Tracts 1, 2, 3, 4 and 5 be Thoroughfare Business (C-2) Zoning illustrated and described in the attached Exhibit "A" and in conformance with the Commercial (COM) land use designation; and

WHEREAS, said petition and applications have been properly heard by the Planning and Zoning Commission of the City of Decatur, Texas, as required by State statutes and the Zoning Ordinance of said City; and

WHEREAS, said Planning and Zoning Commission has made recommendation that the land use designation and zoning classification as requested be APPROVED, and all legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of said City, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Decatur, Texas, at a called public hearing did consider all appropriate factors in determining whether to grant such request; and

WHEREAS, the City Council of the City of Decatur, Texas does find that the request is in the public interest and that the zoning classification does not unreasonably invade the rights of adjacent property owners;

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

SECTION 1. The Zoning Ordinance of the City of Decatur, Texas, be, and the same is hereby amended and changed in that the use of the properties described upon the attached Exhibit "A" (which Exhibit is made a part hereof for all purposes) is hereby assigned a Thoroughfare Business (C-2) zoning classification.

SECTION 2. The Planning Director is hereby directed to correct the official zoning map of the City of Decatur, Texas, to reflect the herein change in zoning.

SECTION 3. In all other respects, the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Decatur Zoning Ordinance and all other applicable and pertinent ordinances of the City of Decatur, Texas.

SECTION 4. This ordinance shall be cumulative of all other ordinances of the City of Decatur and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 5. This ordinance shall take effect on its final passage, and it is so ordained.

PRESENTED ON FIRST READING THIS _____ DAY OF _____, 2016

**PRESENTED ON SECOND READING AND APPROVED THIS _____ DAY OF _____,
2016 BY A VOTE OF ____ AYES, ____ NAYS, ____ ABSTENTIONS, AT A REGULAR
MEETING OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS.**

APPROVED:

Martin B. Woodruff, MAYOR

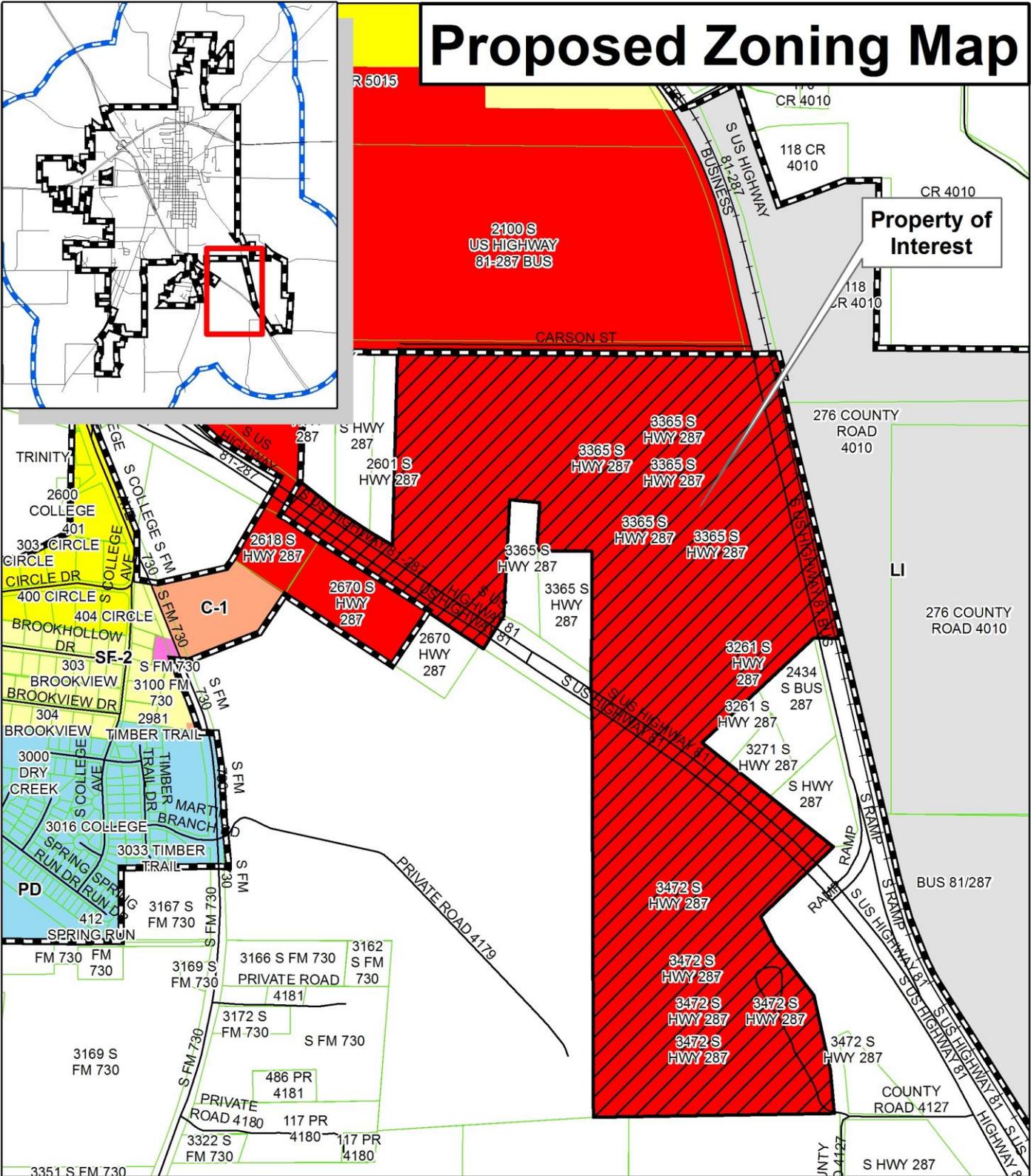
ATTEST:

Diane Cockrell, TRMC, CITY SECRETARY

APPROVED AS TO CONTENT AND FORM:

Mason L. Woodruff, CITY ATTORNEY

Proposed Zoning Map



ZC2016-04

Legend

-  Decatur City Limits
-  Decatur ETJ



Created by:
 The City of Decatur Planning Department
 1601 South State Street * Decatur, TX 76234
 (940) 393-0250 fax: (940) 626-4629

TRACT 1:

Being five tracts of land out of the Hugh Henderson Survey, Abstract No. 369 and the Antonio Hernandez Survey, Abstract No. 401 and the, Wise County, Texas, said five tracts of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a capped iron stake set at the northwest of a tract of land as described in deed to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the north line of said Cocanougher tract and the south line of said City tract, same being the north line of the Antonio Hernandez Survey and the south line of the Hugh Henderson Survey, South $89^{\circ} 37' 47''$ East 1303.12 feet to a capped iron stake set for corner in the west right of way line of U.S. Highway No. 81-287 Business;

THENCE with fence line on the west right of way line U.S. Highway 81-287 Business, South $13^{\circ} 02' 04''$ East 1931.69 feet to a capped iron stake found for the north corner of a tract of land as deeded to Kenny Bryan in Volume 2332, Page 535, Official Records, Wise County, Texas;

THENCE with said fence line on the northwest line of said Bryan tract, South $47^{\circ} 01' 37''$ West passing the west line of the Antonio Hernandez Survey and the east line of the Hugh Henderson Survey, 1003.57 feet to a capped iron stake set the northeast right of way line of U.S. Highway No. 81-287;

THENCE with said fence line, with a curve to the left with a Radius of 5904.58 feet and a Length of 406.92 feet (Chord: North $54^{\circ} 39' 26''$ West 406.84 feet) to an iron stake set at the end of said curve;

THENCE with said fence line, North $56^{\circ} 37' 53''$ West 445.40 feet to a capped iron stake set for corner;

THENCE leaving said highway and with a fence line, North $00^{\circ} 24' 41''$ West 743.17 feet to wood post found for corner in the south line of Antonio Hernandez Survey and the north line of the Hugh Henderson Survey and being the northeast corner of a tract of land as deeded to Mickey McMaster in Volume 2198, Page 664, Official Records, Wise County, Texas;

THENCE with a fence line on the south line of the Antonio Hernandez Survey, the north line of the Hugh Henderson Survey and the north line of said McMaster tract, North $89^{\circ} 33' 14''$ West 359.40 feet to a wood post for corner in the southwest corner of the Antonio Hernandez Survey and an inside corner of the Hugh Henderson Survey;

THENCE with the west line of Antonio Hernandez Survey and the east line of Hugh Henderson Survey, North $02^{\circ} 43' 19''$ East 325.67 feet to an iron stake set for a northeast corner of said McMaster tract;

THENCE with a north line of said McMaster tract, North $87^{\circ} 45' 41''$ West 199.90 feet to an iron stake found for the northwest corner of said McMaster tract;

THENCE with the west line of McMaster tract, South $02^{\circ} 14' 19''$ West 767.77 feet to a point for the southwest corner of said McMaster tract and being in the northeast right of way line of U.S. Highway No. 81-287;

THENCE with the southwest right of way of Cocanougher tract and the northeast right of way line of said highway the following calls:

North $60^{\circ} 43' 49''$ West 166.76 feet to a point;

North $56^{\circ} 30' 40''$ West 421.23 feet to a point;

North $61^{\circ} 29' 14''$ West 16.83 feet to a point;

North $52^{\circ} 25' 01''$ West 282.69 feet to a point to the southwest corner of said Cocanougher tract and the southeast corner of Lot 1, Block 1, Fernihough Addition a subdivision to the City of Decatur, according to the plat recorded in Cabinet D, Section 493, Plat Records, Wise County, Texas;

THENCE with the west line of said Cocanougher tract and the east line of Fernihough Addition, North $01^{\circ} 31' 24''$ East 1288.63 feet to a capped iron stake found for the northwest corner of said Cocanougher tract and the northeast corner of Fernihough Addition and in the south line of said City tract, same being in the south line of the A.J. Walker Survey and the north line of the Hugh Henderson Survey;

THENCE with the north line of said Cocanougher tract and the south line of said City tract, same being the north line of the Hugh Henderson Survey and the south line of the A.J. Walker Survey, South $89^{\circ} 37' 47''$ East 978.99 feet to the POINT OF BEGINNING, containing 107.78 acres of land, more or less.

TRACT 2:

BEGINNING at a wood post for corner in the southwest right of way line of U.S. Highway No. 81-287, said point being in the Hugh Henderson Survey, Abstract No. 369, and being located 1349.68 feet, South $02^{\circ} 43' 19''$ West, 359.40 feet, South $89^{\circ} 44' 14''$ East, 743.17 feet, South $00^{\circ} 24' 14''$ East, and 411.20 feet South $00^{\circ} 03' 53''$ East from the northwest of a tract of land as described in deed to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE along a fence line on the southwest right of way of U.S. Highway No. 81-287, the following calls: South $56^{\circ} 42' 39''$ East 86.60 feet to an iron stake set for corner at the beginning of a curve to the right with a Radius of 2828.79 feet;

With said curve to the right with a Radius of 2828.79 feet, crossing the east line of Hugh Henderson Survey and the west line of the Antonio Hernandez Survey, Abstract No. 401, in all, a Length of 1303.41 feet (Chord: South $43^{\circ} 30' 39''$ East 1291.91 feet) to an iron stake set for corner at the end of said curve; South $30^{\circ} 18' 39''$ East 305.80 feet to an iron stake set for corner at the beginning of curve to the left with a Radius of 2900.79 feet;

With curve to the left with a Radius of 2900.79 feet and a Length of 585.00 feet (Chord: South 36° 05' 18" East 584.01 feet) to a point for corner;
South 10° 34' 49" East 544.69 feet to an iron stake set for corner at the beginning of curve to the right with a Radius of 1382.56 feet;

THENCE with said curve to right with a Radius of 1382.56 feet and a Length of 260.20 (Chord: South 05° 21' 05" East 259.82 feet) to an iron stake set for corner at the end of said curve;

THENCE South 00° 18' 27" West 6.62 feet to an iron stake set for corner in the south line of the Antonio Hernandez Survey and the north line of the Francisco Diaz Survey, Abstract No. 254, also being in the north line of a tract of land as deeded to James L. Drought Trustee in Document# 201408742, Mineral Deed Records, Wise County, Texas;

THENCE leaving said highway and with a fence line on the south line of the Antonio Hernandez Survey, the north line of the Francisco Diaz Survey and the north line of said Drought tract, South 89° 16' 55" West, passing the southwest corner of the Antonio Hernandez Survey and the southeast corner of the Hugh Henderson Survey, passing the northwest corner of said Drought tract and the northeast corner of a tract of land as deeded to Paul R. Allgood 2001 Revocable Management Trust in Volume 2008, Page 511, Official Records, Wise County, Texas, passing the northwest corner of the Francisco Diaz Survey and the northeast corner of the Antonio Hernandez Survey, Abstract No. 402, Wise County, Texas, in all, 1573.70 feet to an iron stake set for the southeast corner of a tract of land as described in deed to Mattie Brown et vir, Tom W. Brown and Jennings C. Brown in Volume 88, Page 247, Deed Records, Wise County, Texas;

THENCE with said fence on the east line of said Brown tract, North 00° 14' 39" West 2540.90 feet to the POINT OF BEGINNING, containing 60.98 acres of land, more or less.

TRACT 3:

BEGINNING at point for the east corner of U.S. Highway No. 81-287, being in the south corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas, said point being further located 1024.01 feet South 02° 43' 19" West 199.40 South 87° 45' 41" East and 767.77 feet South 02° 14' 19" West from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE South 33° 30' 05" West 230.38 feet to a point for the south corner of said highway;

THENCE with the southwest right of way line of said highway, North 56° 29' 55" West passing the north corner of said Klement tract, in all, 1575.53 feet to a point for corner;

THENCE continuing with the southwest right of line of said highway, North 63° 09' 55" West 25.34 feet to a point for corner;

THENCE North 33° 30' 05" East 239.48 feet to a north corner of said highway and the southwest corner of a tract of land as deeded to Wanda Dixon in Volume 1020, Page 744 and Volume 1598, Page 335, Official Records, Wise County, Texas;

THENCE with the northeast right of way line of said highway the following calls:

South 54° 24' 59" East 584.40 feet to a point;

South 61° 29' 14" East 16.83 feet to a point;

South 63° 21' 50" East 167.50 feet to a point;

South 52° 25' 01" East 282.60 feet to a point;

South 56° 30' 40" East 421.23 feet to a point;

South 60° 43' 49" East 166.76 feet to the POINT OF BEGINNING, containing 8.25 acres of land, more or less.

TRACT 4:

BEGINNING at a point in a north corner of U.S. Highway No. 81-287, being in the east line of a tract of land as deeded to Mickey McMaster in Volume 2198, Page 664, Official Records, Wise County, Texas, said point being further located 1349.68 feet South 02° 43' 19" West, 359.40 feet South 89° 33' 14" East and 743.17 feet South 00° 24' 41" East from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the northeast right of way of said highway the following calls:

South 56° 37' 53" East 445.40 feet to a capped iron stake set at the beginning of a curve to the right with a Radius of 5904.58 feet;

THENCE with said curve to the right with a Radius of 5904.58 feet and a Length of 406.92 feet (Chord: South 54° 39' 26" East 406.84 feet) to a capped iron stake set for the west corner of a tract of land as deeded to Kenny Bryan and wife, Gloria Bryan in Volume 959, Page 487, Official Records, Wise County, Texas at the beginning of a curve to the right;

THENCE with a curve to the right with a Radius of 5904.59 feet and a Length of 112.99 feet (Chord: South 52° 08' 05" East 112.90 feet) to the end of said curve;

THENCE with the northeast right of said highway line, South 51° 41' 52" East 990.00 feet to a point;

THENCE South 59° 41' 21" West 641.84 feet to a point for the south corner of said highway;

THENCE with the southwest right of way line of said highway the following calls:

North 30° 18' 39" West 106.03 feet to a capped iron stake set for corner at the beginning of a curve to the left;

With said curve to the left with a Radius of 2828.79 feet, crossing the east line of Hugh Henderson Survey and the west line of the Antonio Hernandez Survey, Abstract No. 401, in all, a Length of 1303.41 feet (Chord: North 43° 30' 39" West 1291.91 feet) to an iron stake set for corner at the end of said curve;

THENCE along a fence line on the southwest right of way of U.S. Highway No. 81-287, North 56° 42' 39" West 86.60 feet to an iron stake set for corner;

THENCE North 00° 03' 55" West 411.20 feet to the POINT OF BEGINNING, containing 9.07 acres of land, more or less.

TRACT 5:

BEGINNING at the northwest corner of the tract herein described, said corner being further located 1303.12 feet South 89° 37' 47" East from the northwest corner of a tract of land as deeded to Glenn Cocanougher in Volume 164, Page 186, Deed Records, Wise County, Texas and the northeast corner of a tract of land as deeded to Cocanougher Family Limited Partnership in Instrument No. 201604485, Official Records, Wise County, Texas and being in the south line of a tract of land as deeded to City of Decatur in Volume 771, Page 325, Real Records, Wise County, Texas, same being the northeast corner of the Hugh Henderson Survey, Abstract No. 369, the northwest corner of the Antonio Hernandez Survey, Abstract No. 401 and in the south line of the A.J. Walker Survey, Abstract No. 860, Wise County, Texas;

THENCE with the north line of the tract herein described, South 89° 37' 47" East 205.60 feet to a point for the northeast corner of the tract herein described on the east right of way of Fort Worth & Denver Railroad BNSF;

THENCE with the east line of the tract herein described, South 13° 02' 04" East 1884.03 feet to a point for the southeast corner of the tract herein described;

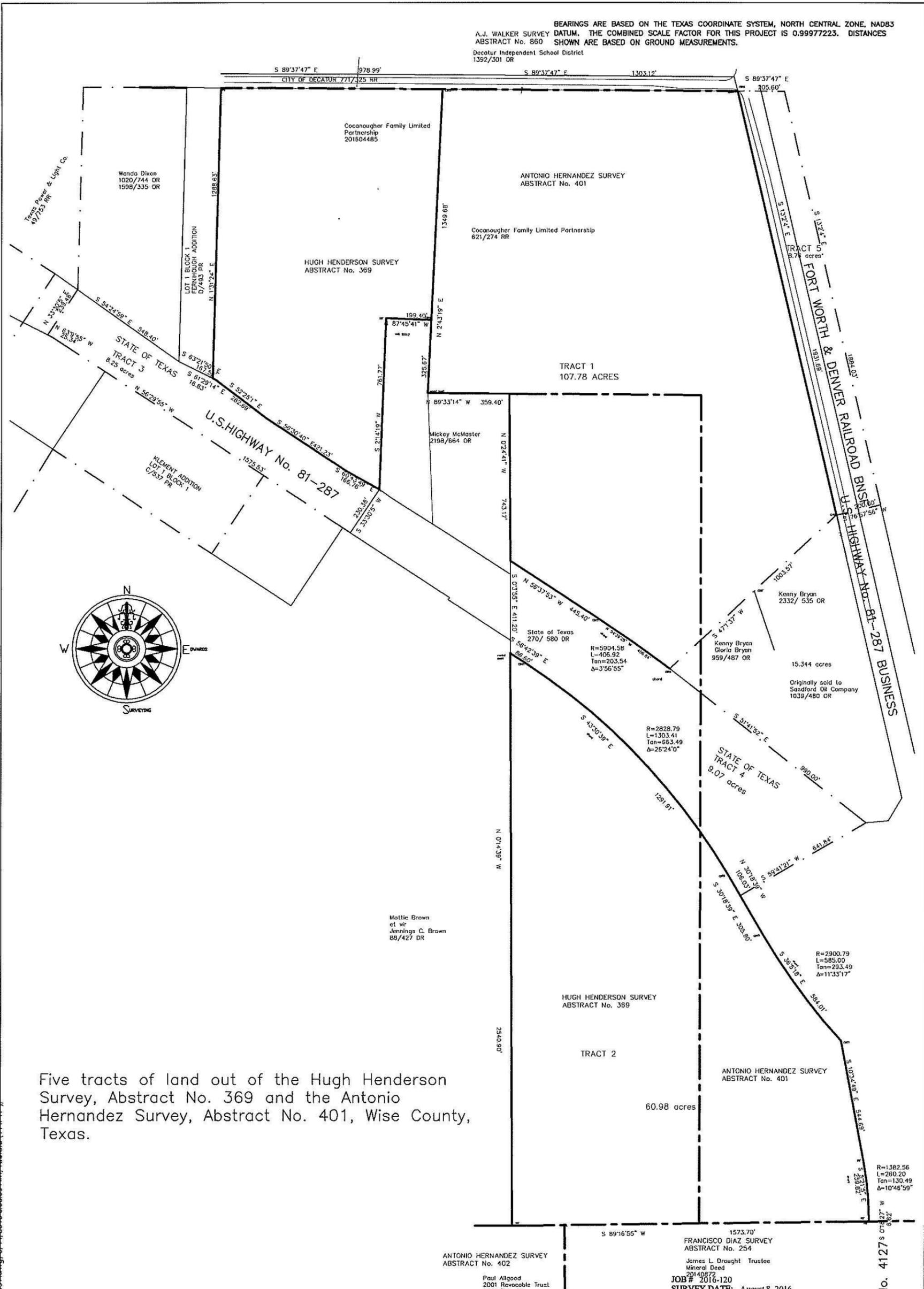
THENCE with the south line of the tract herein described, South 76° 57' 56" West 200.00 feet to a capped iron stake set for the north corner of a tract of land as deeded to Kenny Bryan in Volume 2332, Page 535, Official Records, Wise County, Texas and the east corner of said Cocanougher tract;

THENCE with the west line of the tract herein described and the east line of said Cocanougher tract, North 13° 02' 04" West 1931.69 feet to the POINT OF BEGINNING, containing 8.76 acres of land, more or less.

**Bearing are based on the Texas Coordinate System, North Central Zone, NAD 83 Datum.
The combined scale factor for this project is 0.99977223. Distances shown are based on ground measurements.**

Tommy T. Edwards
Registered Professional Land Surveyor No. 1869

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83
 A.J. WALKER SURVEY DATUM. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.9997223. DISTANCES
 ABSTRACT No. 860 SHOWN ARE BASED ON GROUND MEASUREMENTS.
 Decatur Independent School District
 1392/301 OR



Five tracts of land out of the Hugh Henderson Survey, Abstract No. 369 and the Antonio Hernandez Survey, Abstract No. 401, Wise County, Texas.

This plat was prepared from documents and surveys and is compiled from that information. It is not a survey made on the ground by this firm.

ANTONIO HERNANDEZ SURVEY ABSTRACT No. 402
 Paul Allgood
 2001 Revocable Trust
 2008/511 OR

FRANCISCO DIAZ SURVEY ABSTRACT No. 254
 James L. Drought Trustee
 Mineral Deed
 2014/0872

JOB # 2016-120
 SURVEY DATE: August 8, 2016
 DRAWING SCALE: 1" = 400'
 TEXAS CERT. AUTH. #100494-00
 OKLAHOMA CERT. AUTH. # 4780

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