

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 14-2022**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM AGRICULTURE (AG) TO PLANNED DEVELOPMENT-RESIDENTIAL 5 (PD-22-01) FOR SINGLE-FAMILY RESIDENTIAL ON THREE (3) TRACTS OF LAND CONSISTING OF A COMBINED TOTAL OF APPROXIMATELY 238.79± DESCRIBED AS FOLLOWS: TRACT 1 DESCRIBED AS TRACT 2 IN THE ANDREW NAIL ABSTRACT 1070 CONSISTING OF APPROXIMATELY 115.63± ACRES COMMONLY REFERRED TO AS 1001 ALTO ROAD; TRACT 2 DESCRIBED AS TRACTS 18 AND 3 IN THE ANDREW NAIL ABSTRACT 1070 CONSISTING OF APPROXIMATELY 75.19± ACRES COMMONLY KNOWN AS 1755 E. MALLOY BRIDGE ROAD; AND, TRACT 3 DESCRIBED AS TRACT 1 IN THE ANDREW NAIL ABSTRACT 1070 CONSISTING OF APPROXIMATELY 47.97± ACRES COMMONLY KNOWN AS 1520 ALTO ROAD, ALL IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2022-08 (PD 22-01) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

**SECTION 1.** That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Agriculture (AG) to Planned Development- Residential 5 (PD-22-01) for single-family residential on Three (3) tracts of land consisting of a combined total of approximately 238.79± described as follows: Tract 1 described as Tract 2 in the Andrew Nail Abstract 1070 consisting of approximately 115.63± acres commonly referred to as 1001 Alto Road; Tract 2 described as Tracts 18 and 3 in the Andrew Nail Abstract 1070 consisting of approximately 75.19± acres commonly known as 1755 E. Malloy Bridge Road; and, Tract 3 described as Tract 1 in the Andrew Nail Abstract 1070 consisting of approximately 47.97± acres commonly known as 1520 Alto Road, all in the City of Seagoville, Dallas County, Texas, and all being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein.

**SECTION 2.** The property shall be developed and used in accordance with the City of Seagoville Code of Ordinances, including the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development shall be in accordance with the approved concept plan.
- B. The cottages, referred to as The Magnolia, shall be an over-55 community (exclusively for residents over 55 years of age) and shall be composed of **130** units.
- C. Area Regulations:
  1. Single Family Development:
    - Lot size shall be a minimum of 6,000 square feet;
    - Lot width shall be a minimum of 50 feet when measured along the front setback;
    - Lot length shall be a minimum of 120 feet depth;
    - Front yard shall be a minimum of 25 feet from rights-of-way line;
    - Side yard shall be a minimum of 5 feet, except corner lots which shall have a 20-foot side yard;
    - Each unit shall have a minimum 400 square foot 2-car garage; and
    - Rear yard shall have a minimum 5% of the total lot depth or a maximum of 10-feet.
  2. The Cottages (The Magnolia) Over -55 Community:
    - Front yard shall be a minimum of 18 feet from curb to front of unit;
    - There shall be a minimum of not less than 6-feet between buildings;
    - A maximum of 80% lot coverage, including accessory buildings, shall be permitted;
    - Guest parking shall have a minimum 400 square foot or 2-car garage;
    - Each unit shall have a minimum 400 square foot 2-car garage; and

- Rear yard shall be a minimum of 6 feet.
- D. Area of Dwelling:
1. Single Family Development:
    - 25% of the dwelling units shall be a minimum 1,600 square feet of living area;
    - 50% of the dwelling units shall be a minimum 1,700 square feet of living area;
    - and
    - 25% of the dwelling units shall be a minimum 1,800 square feet of living area.
  2. Cottages (The Magnolia) Over-55 Development:
    - 25% of the dwelling units shall be a minimum 1,400 square feet of living area;
    - 50% of the dwelling units shall be a minimum 1,500 square feet of living area;
    - and
    - 25% of the dwelling units shall be a minimum 1,600 square feet of living area.
- E. Structure height of each Single Family and Cottage structure shall not exceed 35-feet.
- F. Streets, Roadways and Sidewalks:
- A four-lane divided major arterial extending Lasater Road, that portion that runs the full length of the property abutting Lasater Road, shall be constructed (paved concrete, curb, and gutter).
1. Single Family Development:
    - All Collectors, major and minor, constructed on the site shall include 5-foot wide sidewalks along both sides of the pavement; and
    - All other streets to have 4-foot wide sidewalks on both sides.
  2. The Cottages (The Magnolia) Over- 55 Development:
    - Roadways shall be a minimum of 26-feet wide between curb faces; and
    - Minimum 4-foot wide sidewalks shall be required on both sides.
- G. Amenities, Open Space and Ponds:
- Major Amenity Center along with pool;
  - Playground;
  - Pickle Ball Court;
  - Community Gardens;
  - Dog Court; and
  - Major trail system – 8’ wide.
- H. A six foot (6’) solid masonry wall and columns constructed of brick, rock or a combination thereof shall be required along Alto and Lasater Road.
- I. All common areas and amenities shall be owned, operated, and maintained by a Home Owners Association.
- J. All signage shall comply with all City Codes unless otherwise provided in the development regulations.

**SECTION 3.** The property shall be developed and used only in accordance with the concept plan attached as Exhibit "B" and incorporated herein for all purposes, which is hereby approved.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

**SECTION 5.** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 7.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 8.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 16<sup>th</sup> day of May 2022.

APPROVED:

  
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DENNIS K. CHILDRESS, MAYOR

ATTEST:

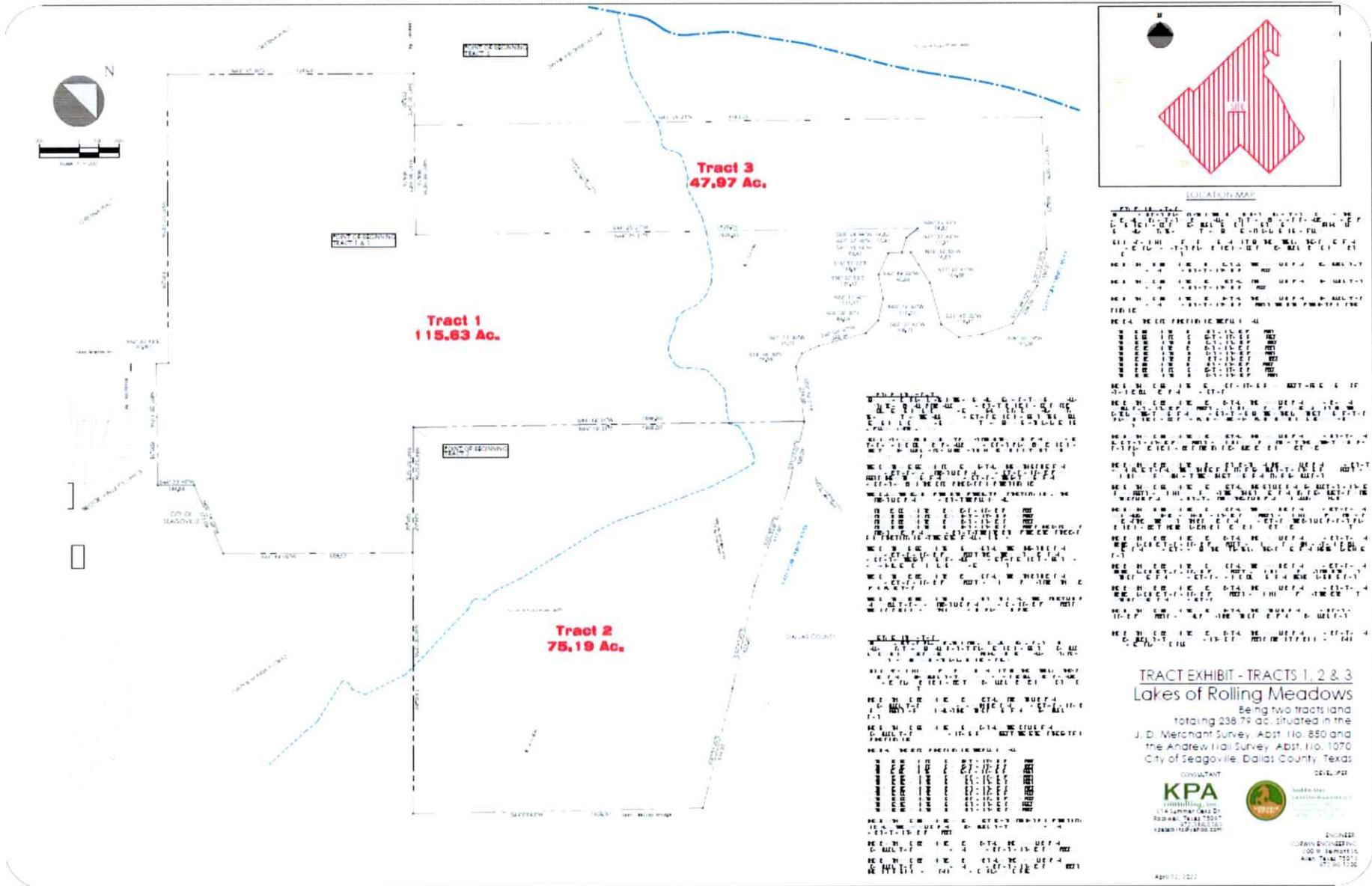
  
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KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA THOMAS, CITY ATTORNEY  
(051322vwtTM129608)

# EXHIBIT "A"



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**TRACT 1**

**BEING** 47.97 ACRE TRACT OF LAND SITUATED IN THE ANDREW NAIL SURVEY, ABSTRACT NUMBER 1070, DALLAS COUNTY, TX, AND BEING ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO 175 SEAGOVILLE LP, RECORDED IN DOCUMENT NUMBER 200900288154, OFFICIAL PUBLIC RECORD, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 1 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE SOUTHERLY SOUTHEAST CORNER OF SAID 175 SEAGOVILLE LP TRACT(200900288154) AND AN INNER ELL CORNER OF A CALLED 117.23 ACRES OF LAND DESCRIBED IN A DEED TO 175 SEAGOVILLE LP, RECORDED IN DOCUMENT NUMBER 20070272046 (O.P.R.D.C.T.);

**THENCE** NORTH 45 DEGREES 36 MINUTES 59 SECONDS WEST ALONG THE SOUTH LINE OF SAID , 75 SEAGOVILLE LP TRACT (200900288154) AND A NORTH LINE OF SAID 117.23 ACRE TRACT, A DISTANCE OF 569.15 FEET TO A FOUND 60d NAIL AT THE SOUTHWEST CORNER OF SAID 175 SEAGOVILLE LP TRACT(200900288154);

**THENCE** NORTH 44 DEGREES 25 MINUTES 21 SECONDS EAST ALONG THE WEST LINE OF SAID 175 SEAGOVILLE LP TRACT(200900288154), A DISTANCE OF 3183.23 FEET TO THE CENTER OF THE EAST FORK OF THE TRINITY RIVER;

**THENCE** ALONG THE CENTER OF THE TRINITY RIVER THE FOLLOWING CALLS:

SOUTH 47 DEGREES 01 MINUTES 55 SECONDS EAST, A DISTANCE OF 656.73 FEET;

SOUTH 30 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 190.27 FEET;

SOUTH 11 DEGREES 34 MINUTES 12 SECONDS EAST, A DISTANCE OF 224.09 FEET;

SOUTH 26 DEGREES 03 MINUTES 16 SECONDS WEST, A DISTANCE OF 161.88 FEET;

SOUTH 37 DEGREES 45 MINUTES 05 SECONDS WEST, A DISTANCE OF 118.41 FEET;

SOUTH 80 DEGREES 37 MINUTES 43 SECONDS WEST, A DISTANCE OF 109.71 FEET;

NORTH 60 DEGREES 15 MINUTES 53 SECONDS WEST, A DISTANCE OF 215.22 FEET;

NORTH 77 DEGREES 07 MINUTES 41 SECONDS WEST, A DISTANCE OF 104.88 FEET;

SOUTH 76 DEGREES 53 MINUTES 55 SECONDS WEST, A DISTANCE OF 74.63 FEET;

SOUTH 42 DEGREES 49 MINUTES 22 SECONDS WEST, A DISTANCE OF 45.58 FEET;

**THENCE** NORTH 27 DEGREES 37 MINUTES 46 SECONDS WEST DEPARTING THE EAST FORK OF THE TRINITY RIVER ALONG THE COMMON LINE OF SAID 175 SEAGOVILLE LP TRACT (200900288154) AND SAID 117.23 ACRE TRACT, A DISTANCE OF 77.91 FEET;

**THENCE** NORTH 06 DEGREES 24 MINUTES 44 SECONDS EAST ALONG THE COMMON LINE OF SAID 175 SEAGOVILLE LP TRACT (200900288154) AND SAID 117.23 ACRE TRACT, A DISTANCE OF 74.82 FEET;

**THENCE** SOUTH 44 DEGREES 25 MINUTES 21 SECONDS WEST, ALONG THE COMMON LINE OF SAID 175 SEAGOVILLE LP TRACT (200900288154) AND SAID 117.23 ACRE TRACT, A DISTANCE OF 2529.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 47.97 ACRES OF LAND MORE OF LESS.

## **TRACT 2**

**BEING** 75.19 ACRES OF LAND LOCATED IN THE ANDREW NALL SURVEY, ABSTRACT NUMBER 1070, DALLAS COUNTY, TEXAS, BEING ALL OF THE CALLED 65.1037 ACRE TRACT, DESCRIBED IN A DEED TO STEVE C. SORRELLS, RECORDED IN VOLUME 2001124, PAGE 07106 REAL PROPERTY RECORDS DALLAS COUNTY, TEXAS (R.P.R.D.C.T.) AND THE CALLED 10.0000 ACRE TRACT DESCRIBED IN A DEED TO STEVE SORRELL, RECORDED IN VOLUME 2001119, PAGE 05896 (R.P.R.D.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BY METES AND BOUNDS:

**BEGINNING** AT A WOOD FENCE CORNER POST FOUND AT THE WESTERN CORNER OF SAID 65.1037 ACRE TRACT AND AN INNER ELL CORNER OF A CALLED 117.23 ACRE TRACT OF LAND BEING DESCRIBED IN A DEED TO 175 SEAGOVILLE LP, A TEXAS LIMITED PARTNERSHIP, RECORDED IN INSTRUMENT NUMBER 20070272046, (R.P.R.D.C.T.);

**THENCE** NORTH 44 DEGREES 19 MINUTES 30 SECONDS EAST ALONG THE NORTHWEST LINE OF SAID 65.1037 ACRE TRACT AND A SOUTHEAST LINE OF SAID 117.23 ACRE TRACT, A DISTANCE OF 1966.50 FEET TO THE NORTH CORNER OF SAID 65.1037 ACRE TRACT AND THE EAST CORNER OF SAID 117.23 ACRE TRACT AND BEING IN THE CENTER OF THE EAST FORK OF THE TRINITY RIVER;

**THENCE** ALONG THE MEANDERS OF THE CENTER OF THE EAST FORK OF THE TRINITY RIVER AND THE NORTHEAST LINE OF SAID 65.1037 ACRE TRACT THE FOLLOWING CALLS:

SOUTH 31 DEGREES 15 MINUTES 37 SECONDS EAST, A DISTANCE OF 338.28 FEET;

SOUTH 25 DEGREES 46 MINUTES 20 SECONDS EAST, A DISTANCE OF 517.90 FEET;

SOUTH 32 DEGREES 41 MINUTES 20 SECONDS EAST, A DISTANCE OF 523.20 FEET;

SOUTH 30 DEGREES 51 MINUTES 20 SECONDS EAST, A DISTANCE OF 614.50 FEET TO THE EASTERN MOST SOUTHEAST CORNER OF SAID 65.1037 ACRE TRACT AT THE INTERSECTION OF THE CENTER OF THE EAST FORK OF THE TRINITY RIVER AT THE CENTER OF MALLOY BRIDGE ROAD;

**THENCE** SOUTH 44 DEGREES 03 MINUTES 40 SECONDS WEST ALONG THE SOUTHEAST LINE OF SAID 65.1037 ACRE TRACT, A DISTANCE OF 1459.00 FEET TO THE SOUTHERN MOST CORNER OF

SAID 10.0000 ACRE TRACT AND THE EAST CORNER OF A CALLED 51.644 ACRE TRACT DESCRIBED IN A DEED TO JUAN AND MARIA FLORES, RECORD IN VOLUME 96002, PAGE 751, (D.R.D.C.T.);

**THENCE** NORTH 45 DEGREES 00 MINUTES 13 SECONDS WEST ALONG THE SOUTHWEST LINE OF SAID 10.0000 ACRE TRACT, A DISTANCE OF 1300.89 FEET TO A 5/8" IRON ROD FOUND AT THE NORTH CORNER OF SAID FLORES TRACT;

**THENCE** NORTH 44 DEGREES 32 MINUTES 32 SECONDS WEST CONTINUING ALONG THE SOUTHWEST LINE OF SAID SORRELLS TRACT AND A NORTHEAST LINE OF SAID 117.23 ACRE, A DISTANCE OF 624.52 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 75.19 ACRES OF LAND MORE OF LESS

### **TRACT 3**

**BEING** 115.63 ACRE TRACT OF LAND SITUATED IN THE JOHN D. MERCHANT SURVEY, ABSTRACT NUMBER 850, AND THE ANDREW NAIL SURVEY, ABSTRACT NUMBER 1070, DALLAS COUNTY, TX, AND BEING A PART OF A CALLED 117.23 ACRES OF LAND DESCRIBED IN A DEED TO 175 SEAGOVILLE LP, RECORDED IN DOCUMENT NUMBER 20070272046, OFFICIAL PUBLIC RECORD, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 1 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE SOUTHERLY SOUTHEAST CORNER OF SAID 117.23 ACRES OF LAND AND A TRACT OF LAND DESCRIBED IN A DEED TO 175 SEAGOVILLE LP, RECORDED IN DOCUMENT NUMBER 200900288154 (O.P.R.D.C.T.),

**THENCE** NORTH 44 DEGREES 25 MINUTES 21 SECONDS EAST, ALONG THE COMMON LINE OF SAID 175 SEAGOVILLE LP TRACT (200900288154) AND SAID 117.23 ACRE TRACT, A DISTANCE OF 2529.00 FEET;

**THENCE** SOUTH 06 DEGREES 24 MINUTES 44 SECONDS WEST, ALONG THE COMMON LINE OF SAID 175 SEAGOVILLE LP TRACT (200900288154) AND SAID 117.23 ACRE TRACT, A DISTANCE OF 74.82 FEET;

**THENCE** SOUTH 27 DEGREES 37 MINUTES 46 SECONDS EAST, ALONG THE COMMON LINE OF SAID 175 SEAGOVILLE LP TRACT (200900288154) AND SAID 117.23 ACRE TRACT, A DISTANCE OF 77.91 FEET TO THE CENTER OF THE EAST FORK OF THE TRINITY RIVER;

**THENCE** ALONG THE CENTER OF THE TRINITY RIVER THE FOLLOWING CALLS:

SOUTH 41 DEGREES 15 MINUTES 19 SECONDS WEST, A DISTANCE OF 69.40 FEET;

SOUTH 19 DEGREES 57 MINUTES 22 SECONDS EAST, A DISTANCE OF 116.81 FEET;

SOUTH 56 DEGREES 02 MINUTES 53 SECONDS EAST, A DISTANCE OF 120.12 FEET;

SOUTH 32 DEGREES 11 MINUTES 40 SECONDS EAST, A DISTANCE OF 111.77 FEET;

SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 89.04 FEET;

SOUTH 30 DEGREES 03 MINUTES 57 SECONDS WEST, A DISTANCE OF 246.34 FEET;

SOUTH 21 DEGREES 11 MINUTES 35 SECONDS WEST, A DISTANCE OF 91.19 FEET;

SOUTH 19 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 75.35 FEET;

SOUTH 53 DEGREES 35 MINUTES 27 SECONDS EAST, A DISTANCE OF 274.85 FEET;

**THENCE** SOUTH 44 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 1966.50 FEET TO A FENCE CORNER POST FOUND AT AN INNER ELL CORNER OF SAID 117.23 ACRE TRACT;

**THENCE** SOUTH 44 DEGREES 32 MINUTES 32 SECONDS EAST ALONG THE COMMON LINE OF SAID 117.23 ACRE AND SAID SORRELLS TRACT, A DISTANCE OF 624.53 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE EASTERLY NORTHEAST CORNER OF SAID 117.23 ACRE TRACT, SAME BEING THE NORTHERLY NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO JUAN FLORES AND WIFE MARIA S. FLORES, RECORDED IN VOLUME 96002, PAGE 751 (O.P.R.D.C.T.);

**THENCE** SOUTH 44 DEGREES 49 MINUTES 09 SECONDS WEST ALONG THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID FLORES TRACT, A DISTANCE OF 958.52 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF SEAGOVILLE, RECORDED IN DOCUMENT NUMBER 201900305819 (O.P.R.D.C.T.);

**THENCE** NORTH 68 DEGREES 14 MINUTES 58 SECONDS WEST, DEPARTING SAID THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID FLORES TRACT ALONG THE NORTH LINE OF SAID CITY OF SEAGOVILLE TRACT, A DISTANCE OF 373.09 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP TO THE NORTHWEST CORNER OF SAID CITY OF SEAGOVILLE TRACT;

**THENCE** SOUTH 44 DEGREES 23 MINUTES 50 SECONDS WEST ALONG THE WEST LINE OF SAID SEAGOVILLE TRACT, A DISTANCE OF 184.68 FEET TO A 1/2 INCH IRON ROD FOUND, AT THE SOUTHWEST CORNER OF SAID CITY OF SEAGOVILLE TRACT ON THE SOUTHWEST LINE OF SAID 117.23 ACRE TRACT AND THE NORTHEAST LINE OF SAID BROOK VALLEY NO. 7 PHASE 1;

**THENCE** NORTH 45 DEGREES 28 MINUTES 11 SECONDS WEST ALONG THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID BROOK VALLEY NO. 7, PHASE 1, AND PHASE 2, A DISTANCE OF 605.76 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP FOR CORNER AT THE SOUTHERN MOST SOUTHWEST CORNER OF SAID 117.23 ACRE TRACT ON THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO SHEPHERD PLACE HOMES INC, RECORDED IN DOCUMENT NUMBER 202100093192 (O.P.R.D.C.T.);

**THENCE** NORTH 42 DEGREES 30 MINUTES 48 SECONDS EAST ALONG THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID SHEPHERD PLACE HOMES TRACT, A DISTANCE OF 61.80 FEET TO A 1/2" IRON ROD FOUND WITH CAP AT AN INNER ELL CORNER OF SAID 117.23

ACRE TRACT AND BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID SHEPHERD PLACE HOMES TRACT;

**THENCE** NORTH 45 DEGREES 01 MINUTES 19 SECONDS WEST ALONG THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID SHEPHERD PLACE HOMES TRACT, A DISTANCE OF 1439.28 FEET TO A 3/4 INCH IRON ROD FOUND AT THE WESTERN MOST SOUTHWEST CORNER OF SAID 117.23 ACRE TRACT AND AN INNER ELL CORNER OF SAID SHEPHERD PLACE HOMES TRACT;

**THENCE** NORTH 44 DEGREES 57 MINUTES 56 SECONDS EAST ALONG THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID SHEPHERD PLACE HOMES TRACT, A DISTANCE OF 1245.81 FEET TO A 1/2 INCH IRON ROD FOUND AT THE WESTERN MOST NORTHWEST CORNER OF SAID 117.23 ACRE TRACT;

**THENCE** SOUTH 45 DEGREES 35 MINUTES 24 SECONDS EAST ALONG THE NORTH LINE OF SAID 117.23 ACRE TRACT, A DISTANCE OF 233.52 FEET TO A 60D NAIL FOUND AT THE SOUTHWEST CORNER OF SAID 175 SEAGOVILLE LP TRACT (200900288154);

**THENCE** SOUTH 45 DEGREES 36 MINUTES 59 SECONDS EAST ALONG THE COMMON LINE OF SAID 117.23 ACRE TRACT AND SAID 175 SEAGOVILLE LP TRACT (200900288154), A DISTANCE OF 569.15 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 115.63 ACRES OF LAND MORE OF LESS.

