

APPLICATION

A. Requesting: (One Check per Application)

- ☒ General Zoning Change
☐ Special Use Permit (SUP) * Include fully dimensioned site plan
☐ SUP Renewal
☐ On-Site Zoning Inspection

B. Description & Location of Property:

1. Lot, Block and Addition (required): See Exhibit A
2. Property Address of Location (required): 2951 W Grande Blvd, Tyler, TX 75703

PRESENT ZONING	PROPOSED ZONING
CLASSIFICATION <u>AG</u>	CLASSIFICATION <u>C-2</u>
OVERLAY (IF APPLICABLE) _____	OVERLAY (IF APPLICABLE) _____
AREA (ACREAGE) <u>16.15</u>	AREA (ACREAGE) <u>16.15</u>
	DWELLING UNITS/ ACRE (if applicable) _____

C. Reason(s) for Request (please be specific):

Allow for the development of office/warehouse product that will require outdoor storage.

D. Statement Regarding Restrictive Covenants/Deed Restrictions

I have searched all applicable records and, to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in Part I(B) which would be in conflict with this rezoning request.

☒ None

☐ Copy Attached

AUTHORIZATION OF AGENT

- A. I (we), the undersigned, being owner(s) of the real property described above, do hereby authorize (please print name) Casey Hymer to act as our agent in the matter of this request. The term agent shall be construed to mean any lessee, developer, option holder, or authorized individual who is legally authorized to act in behalf of the owner(s) of said property. (Application must be signed by all owners of the subject property).

(Please print all but signature)

Owner(s) Name: Drake Equity Partners, LP
Address: 11621 CR 166
City, State, Zip: Tyler, TX 75703
Phone: (903)581-3737
Signature: Matthew K. Marshall
Matthew K. Marshall (Jan 25, 2024 15:41 CST)
Email: Operations@DrakeTexas.com

Owner(s) Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Signature: _____
Email: _____

Authorized Agent's Name: Casey Hymer
Address: 11621 CR 166
Phone: (903)581-3737

Signature: Casey Hymer
Casey Hymer (Jan 29, 2024 09:24 CST)
City, State, Zip: Tyler, TX 75703
Email: Casey@DrakeTexas.com

SUPPORTING INFORMATION

- A. PLEASE PROVIDE A MAP OF THE LOCATION TO BE REZONED

Exhibit A: Property Description

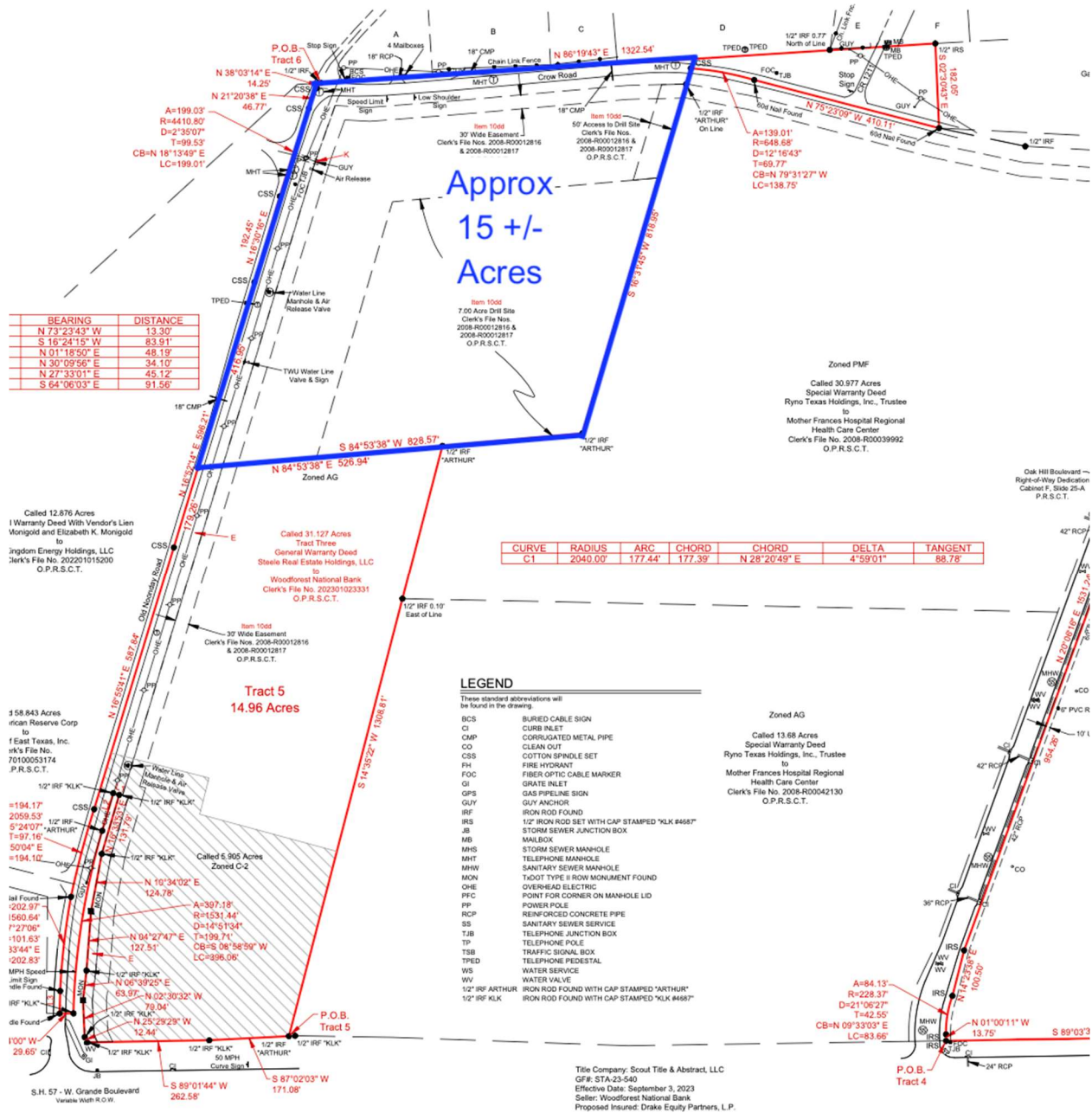


Exhibit "A"
Tract 6 – 16.15 Acres
Marshall University Survey, Abstract No. 624

Being a 16.15 acre tract of land situated in the Marshall University Survey, Abstract No. 624, City of Tyler, Smith County, Texas and being all of a called 31.127 acre tract described as Tract Three in a General Warranty Deed from Steele Real Estate Holdings, LLC to Woodforest National Bank recorded under Clerk's File No. 202301023331 of the Official Public Records of Smith County, Texas (O.P.R.S.C.T.), said 16.15 acre tract being more completely described as follows:

Beginning at a 1/2" iron rod found at the Northwest corner of said 31.127 acre tract and being on the South boundary line of a called 0.708 acre tract conveyed to Crow Towing Services, Inc. in Volume 2606, Page 321 of the Deed Records of Smith County, Texas 9D.R.S.C.T.) and being in the intersection of Old Noonday Road and Crow Road;

Thence North 86 degrees 19 minutes 43 seconds East, a distance of 1322.54 feet along the North boundary line of said 31.127 acre tract to a 1/2" iron rod set with plastic cap stamped "KLK #4687" at the Northeast corner of same and being on the South boundary line of a called 0.346 acre tract conveyed to Leticia Olguin et vir Alejandro Sanchez recorded under Clerk's File No. 2014 00034102 of said O.P.R.S.C.T. also being at the Northwest corner of a called 5.5 acre tract described in a General Warranty Deed from Gary David Baldwin, Phyllis Duke and Mary Baldwin to Charles Mark Gibson recorded in Volume 3893, Page 680 of said O.P.R.S.C.T.;

Thence South 02 degrees 30 minutes 43 seconds East, a distance of 182.05 feet along the East boundary line of said 31.127 acre tract and the West boundary line of said 5.5 acre tract to a 60d nail found at the Southwest corner of said 5.5 acre tract and being at an ell corner in the East boundary line of said 31.127 acre tract and also being on the North boundary line of a called 30.977 acre tract described in a Special Warranty Deed from Ryno Texas Holdings, Inc., Trustee to Mother Frances Hospital Regional Health Care Center recorded under Clerk's File No. 2008-R00039992 of said O.P.R.S.C.T. and near the centerline of said Crow Road;

Thence North 75 degrees 23 minutes 09 seconds West, a distance of 410.11 feet continuing along the East boundary line of said 31.127 acre tract, the North boundary line of said 30.997 acre tract and generally with the centerline of said Crow Road to a 60d nail found;

Thence continuing along the East boundary line of said 31.127 acre tract, the North boundary line of said 30.997 acre tract and generally with the centerline of said Crow Road and with a curve to the left with a delta angle of 12 degrees 16 minutes 43 seconds, a radius of 648.68 feet, an arc length of 139.01 feet, a chord bearing of North 79 degrees 31 minutes 27 seconds

West, for a chord length of 138.75 feet to a cotton spindle set at the Northwest corner of said 30.997 acre tract;

Thence South 16 degrees 31 minutes 45 seconds West, a distance of 818.95 feet along the West boundary line of said 30.997 acre tract and continuing along the East boundary line of said 31.127 acre tract to a 1/2" iron rod found with plastic cap stamped "ARTHUR";

Thence South 84 degrees 53 minutes 38 seconds West, a distance of 301.63 feet to a cotton spindle set on the West boundary line of said 31.127 acre tract and the East boundary line of a called 12.876 acre tract described in a Special Warranty Deed with Vendor's Lien from Philip Monigold and Elizabeth K. Monigold to Kingdom Energy Holdings, LLC recorded under Clerk's Fiel No. 202201015200 of said O.P.R.S.C.T. and being near the centerline of Old Noonday Road;

Thence North 16 degrees 52 minutes 14 seconds East, a distance of 416.95 feet continuing along the West boundary line of said 31.127 acre tract and generally with the centerline of said Old Noonday Road to a cotton spindle set;

Thence North 16 degrees 30 minutes 16 seconds East, a distance of 192.45 feet continuing along the West boundary line of said 31.127 acre tract and generally with the centerline of said Old Noonday Road to a cotton spindle set;

Thence continuing along the West boundary line of said 31.127 acre tract and generally with the centerline of said Old Noonday Road and with a curve to the right with a delta angle of 02 degrees 35 minutes 07 seconds, a radius of 4410.80 feet, an arc length of 199.03 feet, a chord bearing of North 18 degrees 13 minutes 49 seconds East, for a chord length of 199.01 feet to a cotton spindle set;

Thence North 21 degrees 20 minutes 38 seconds East, a distance of 46.77 feet continuing along the West boundary line of said 31.127 acre tract and generally with the centerline of said Old Noonday Road to a cotton spindle set;

Thence North 38 degrees 03 minutes 14 seconds East, a distance of 14.25 feet continuing along the West boundary line of said 31.127 acre tract and generally with the centerline of said Old Noonday Road to the **place of beginning**, containing 16.15 acres of land.

Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone NAD 83, (Feet) based on the 1993 adjustment of the NAD 83 System. The control monument is TJC1-Tyler, Leica Geosystems Smartnet of North America.

I, Kevin L. Kilgore, Registered Professional Land Surveyor No. 4687, Texas, do hereby certify that the above field note description was prepared from an actual on-the-ground survey made under my direction and supervision during the month of October, 2023.

GIVEN UNDER MY HAND AND SEAL, This the 23rd day of September, 2023.

A handwritten signature in black ink, consisting of a stylized 'K' followed by a horizontal line and a large loop.

Kevin L. Kilgore, R.P.L.S. 4687
202338 tract 6 fn.docx

