

## ORDINANCE NO. O-2019-28

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "AG", AGRICULTURAL DISTRICT AND "R-1A", SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-1A", SINGLE-FAMILY RESIDENTIAL DISTRICT, "R-1B", SINGLE-FAMILY RESIDENTIAL DISTRICT, "R-1D", SINGLE-FAMILY ATTACHED/DETACHED RESIDENTIAL DISTRICT, "PXR", PLANNED MIXED RESIDENTIAL DISTRICT WITH WRITTEN NARRATIVE, "PMF", PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT WITH WRITTEN NARRATIVE, "C-1", LIGHT COMMERCIAL DISTRICT, AND "PMXD-1", PLANNED MIXED USE DISTRICT WITH WRITTEN NARRATIVE ON APPROXIMATELY 293.74 ACRES OF LAND LOCATED GENERALLY BETWEEN OLD JACKSONVILLE HIGHWAY AND WALJIM ROAD FROM WEST TO EAST, AND BETWEEN DUELING OAKS AND WEST CUMBERLAND ROAD FROM NORTH TO SOUTH (TRACTS 5A, 5B, 5C, 5D, 10, AND 11A OF ABST. A0562 M LONG, TRACTS 7B, 7C OF ABST. A0794 T PRICE, TRACTS 18A, 18A.1, 18B AND 18B.1 OF ABST. A0443 J HOPE); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

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

**PART 1:** That the following zone change is hereby approved as follows:

### **I. APPLICATION PD18-033**

That the following described property, which has heretofore been zoned "AG", Agricultural District and "R-1A", Single-Family Residential District shall hereafter bear the zoning classification of "R-1A", Single-Family Residential District, "R-1B", Single-Family Residential District, "R-1D", Single-Family Attached/Detached Residential District, "PXR", Planned Mixed Residential District with written narrative, "PMF", Planned Multi-Family Residential District with written narrative, "C-1", Light Commercial District, and "PMXD-1", Planned Mixed Use District with written narrative, to wit:

Approximately 293.74 acres of land (which is the remainder of the original 318.69 acres less the 24.95 acres excepted out by City Council) located generally between Old Jacksonville Highway and Waljim Road from west to east, and between Dueling Oaks

and West Cumberland Road from north to south (Tracts 5A, 5B, 5C, 5D, 10, and 11A of Abst. A0562 M Long, Tracts 7B, 7C of Abst. A0794 T Price, Tracts 18A, 18A.1, 18B and 18B.1 of Abst. A0443 J Hope), in accordance with Exhibit "A" and as described by Exhibits "B" and "C" **"excepting the 24.95 acre tract identified as tract 4B in Exhibit C"**, all attached hereto and incorporated herein.

**PART 2:** That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the Future Land Use Guide to reflect Single-Family and Single-Family Attached Medium/High Density ("R-1D" and "PXR" areas) and Mixed-Use Center ("PMF", "C-1", and "PMXD-1" areas).

**PART 3:** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

**PART 4:** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be April 26<sup>th</sup>, 2019.

**PASSED AND APPROVED** this the 24<sup>th</sup> day of April A.D., 2019.

  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY

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WRITTEN NARRATIVES  
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Zoning areas and Planned District Narrative – Genecov Properties

All regulations and uses per the Tyler UDC except where noted below.

**Tract 8 - PMXD-1 Planned Mixed-Use District**

PMXD-1

Uses – All C-1, RPO and Residential

Setbacks – Front – 10'

Sides – 5' / 10' Street

Rear – 10'

Minimum 10' between structure

Maximum Lot Coverage – 60%

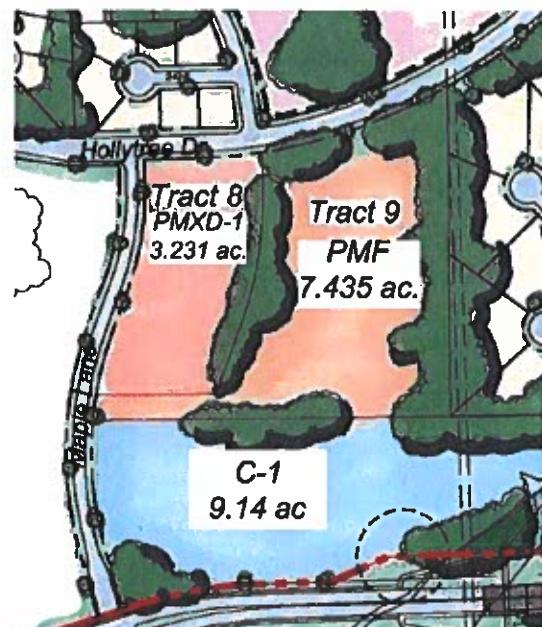
Maximum Height – 3 story / 45'

Minimum Lot Frontage – 25'

Parking and Landscaping to meet

City of Tyler UDC standards

Signage to be consistent with C-1 regulations



**Tract 9 - PMF Planned Multi-family**

PMF

Uses – Attached / Detached Single Family and Multi-family Residential except for Crises Center, Halfway House and Rescue Mission/Home as defined by the UDC.

Setbacks – 15' from exterior zoning district boundary

Minimum 10' between attached / detached single family structures

Minimum 15' between multi-family structures

Maximum Height – 2 story / 40'

Density – 15 units per acre max

Maximum Lot Coverage – 60%

Parking, Landscaping and Signage per City of Tyler UDC

25' landscape buffer along Hollytree Drive (driveway access permitted)

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**WRITTEN NARRATIVES**  
**2 OF 2**

**Tract 2 - PMF Planned Multi-family**

**PMF**

**Uses – Attached / Detached Single Family and Multi-family Residential**

**Setbacks – 15' from exterior zoning district boundary**

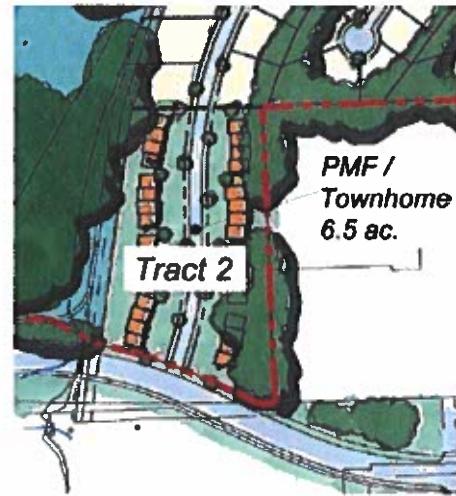
**Minimum 10' between attached / detached single family structures**

**Minimum 15' between multi-family structures**

**Maximum Height – 3 story / 45'**

**Maximum Lot Coverage – 60%**

**Parking, Landscaping and Signage per City of Tyler UDC**



**Tracts 5 & 6 - PXR Planned Mixed Residential**

**PXR**

**Uses – Attached / Detached Single Family**

**Maximum Height – 2.5 story / 42'**

**Minimum lot size – 2,700 sf**

**Setbacks (attached) – Front – 20'**

**Sides – 0' Interior / 12' street**

**Rear – 15'**

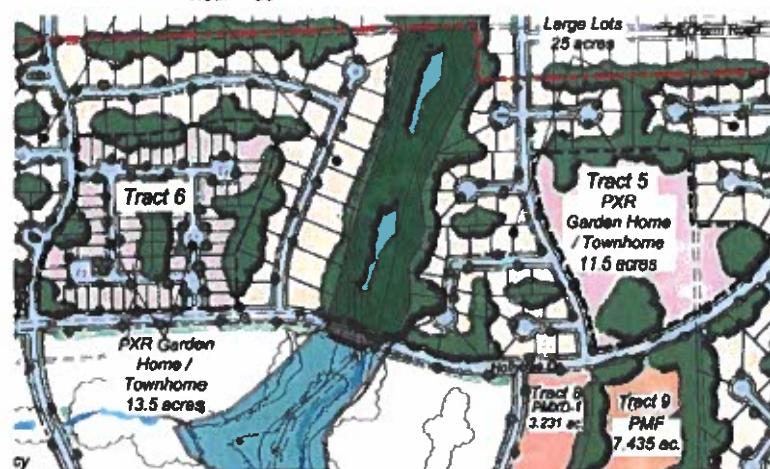
**15' between structures**

**Maximum six (6) attached units in a single row**

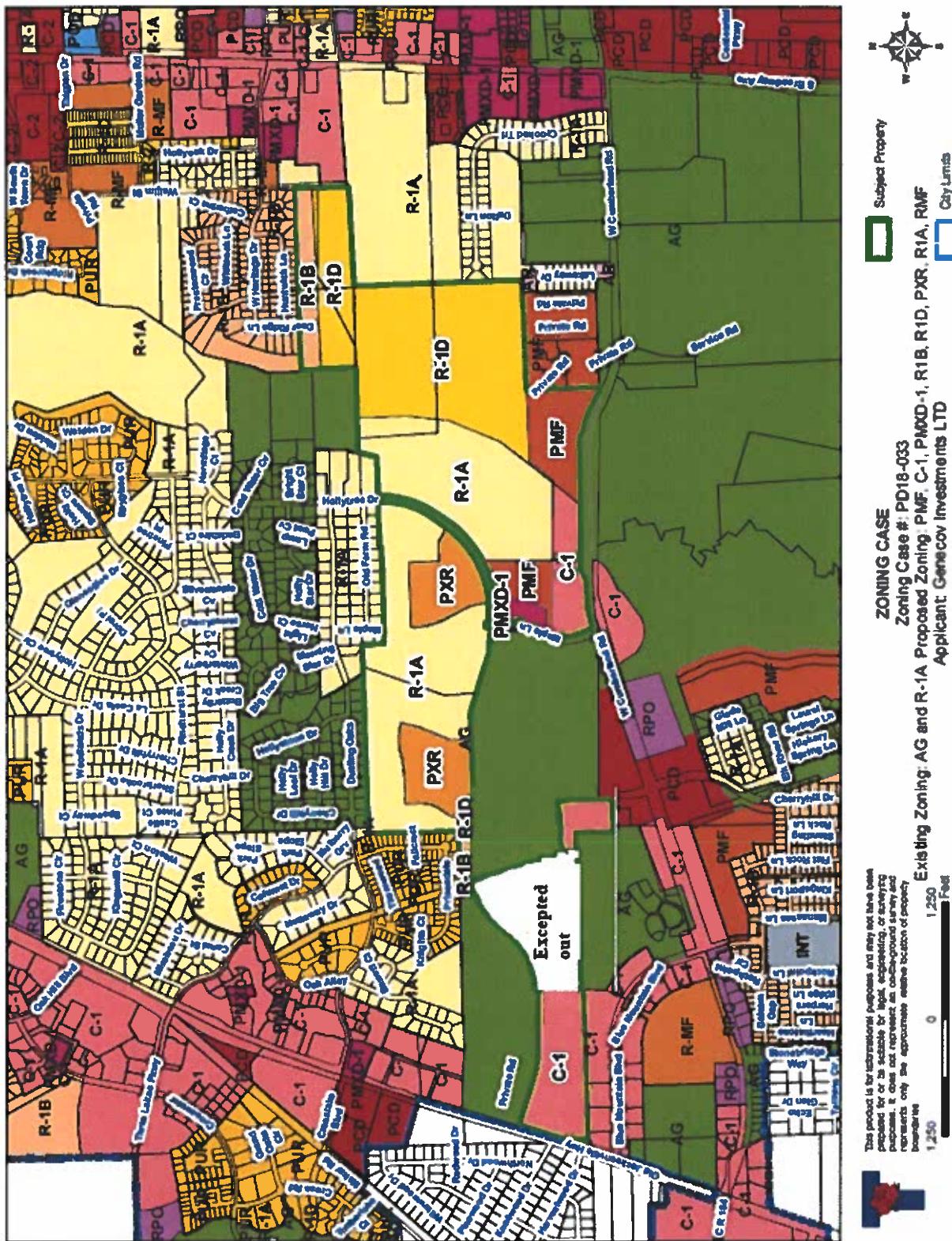
**Setbacks (detached) – Front – 20'**

**Sides – 5' Interior / 12' street**

**Rear – 15'**



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EXHIBIT "B"  
PROPOSED ZONING MAP



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**EXHIBIT "C"**  
**METES AND BOUNDS DESCRIPTIONS**  
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- *Surveying*
- *Mapping*
- *Planning*

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**EXHIBIT "A"**  
**PARCEL 1, R1B**  
**90.974-Acre Tract**

Being a 90.974-acre tract of land situated in the John Hope Survey, Abstract No. 443 and the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 90.974-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1" iron rod found for the Southeast corner of Lot 11, N.C.B. 1606-G of Holly Heights, Unit 5 as evidenced by a Final Plat thereof recorded in Cabinet E, Slide 203-D of the Plat Records of Smith County, Texas, (P.R.S.C.T.), said 1" iron rod found being in the North boundary line of said Mary M. Long Survey and said 434.2- acre tract and the South boundary line of said John Hope Survey;

Thence North 03 degrees 03 minutes 26 seconds West, a distance of 554.80 feet along the East boundary line of said Lot 11 to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the East boundary line of Lot 22, N.C.B. 1604 of Holly Star as evidenced by a Final Plat thereof recorded in Cabinet D, Slide 216-D, P.R.S.C.T., same being the Southwest corner of Prestonwood, Unit 5 as evidenced by a Final Plat thereof recorded in Cabinet D, Slide 185-C, P.R.S.C.T.;

Thence North 87 degrees 49 minutes 12 seconds East, a distance of 1980.68 feet along the North boundary line of said 434.2-acre tract and the South boundary line of said Prestonwood, Unit 5 and the South boundary line of Prestonwood, Unit 4 to 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found for the Northeast corner of said 434.2-acre tract, in the East boundary line of said John Hope Survey, and the West boundary line of the Robert Tombs Survey, Abstract No. 987;

Thence South 01 degree 56 minutes 36 seconds East, a distance of 300.37 feet along the East boundary line of said 434.2-acre tract and said John Hope Survey and the West boundary line of said Robert Tombs Survey to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687";

Thence South 01 degree 56 minutes 01 second East, a distance of 286.29 feet continuing along the East boundary line of said 434.2-acre tract and John Hope Survey and the West boundary line of said Robert Tombs Survey to a 1/2" iron rod found for an exterior corner in the East boundary line of said Hope Survey and an interior corner in the West boundary line of said Tombs Survey, said iron rod found also being in the North boundary line of a called 45.8388-acre tract to Durwood Cemetery Service Co. described in a Deed as being part of a called 50-acre tract from W. E. Hale to T. L. Wright recorded in Volume 358, Page 620 of the Deed Records of Smith County, Texas, (D.R.S.C.T.);

Thence South 88 degrees 30 minutes 25 seconds West, a distance of 1101.14 feet along an upper South boundary line of said 434.2-acre tract and the South boundary line of said John Hope Survey and the North boundary line of said 45.8388-acre tract and said Robert Tombs Survey to a 1/2" iron rod found with plastic cap stamped "MSM" for an interior corner in the East boundary line of said 434.2-acre tract

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**METES AND BOUNDS DESCRIPTIONS**  
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and the Northeast corner of said Mary M. Long Survey, the Northwest corner of said 45.8388-acre tract, and an exterior corner in the West boundary line of said Tombs Survey;

Thence South 01 degree 50 minutes 10 seconds East, a distance of 763.74 feet along the East boundary line of said 434.2-acre tract and said Mary M. Long Survey and the West boundary line of said 45.8388-acre tract and said Robert Tombs Survey to a 1-1/2" iron pipe found;

Thence South 02 degrees 02 minutes 18 seconds East, a distance of 115.50 feet continuing along the East boundary line of said 434.2-acre tract and said Mary M. Long Survey and the West boundary line of said 45.8388-acre tract and said Robert Tombs Survey to a bent sucker rod found for the Southwest corner of said 45.8388-acre tract and the Northwest corner of Lot 54, N.C.B. 1546-I of Cumberland Place West, Unit 1 as evidenced by and Amended Plat thereof recorded in Cabinet E, Slide 271-B of the Plat Records of Smith County, Texas, P.R.S.C.T.;

Thence South 02 degrees 05 minutes 01 second East, a distance of 955.22 feet along the East boundary line of said 434.2-acre tract and said Mary M. Long Survey and the West boundary line of said Cumberland Place West, Unit 1 and said Robert Tombs Survey to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" for an exterior corner in the East boundary line of said 434.2-acre tract, also being in the North boundary line of Lot 2-A, N.C.B. 1546-D of Cumberland Park as evidenced by a First Amendment Plat thereof recorded in Cabinet E, Slide 161-D, P.R.S.C.T.;

Thence South 87 degrees 55 minutes 56 seconds West, along a South boundary line of said 434.2-acre tract and the North boundary line of said Lot 2-A, Lot 1-D and Lot 1-C, N.C.B. 1546-H, Hamilton Commons as evidenced by a 1<sup>st</sup> Amendment Plat thereof recorded in Cabinet E, Slide 227-D, P.R.S.C.T., at a distance of 1177.36 feet, passing a 1" square iron bolt found for the Northwest corner of said Lot 1-C, at an interior ell corner in the East boundary line of said 434.2-acre tract and continuing along said course for a total distance of 1965.07 feet to a point for corner;

Thence North 38 degrees 11 minutes 30 seconds East, a distance of 394.68 feet to a point for corner;

Thence North 22 degrees 28 minutes 54 seconds East, a distance of 591.74 feet to a point for corner;

Thence North 06 degrees 31 minutes 14 seconds East, a distance of 436.03 feet to a point for corner;

Thence North 01 degree 56 minutes 49 seconds West, a distance of 582.02 feet to a point for corner in the South boundary line of aforementioned Lot 11 of Holly Heights, Unit 5 and said John Hope Survey and the North boundary line of said Mary M. Long Survey;

Thence North 88 degrees 03 minutes 11 seconds East, a distance of 532.00 feet to the place of beginning, containing 90.974 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 April, 2016.

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GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.



Kevin L. Kilgore, R.P.L.S. 4687



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- Surveying
- Mapping
- Planning

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EXHIBIT "A"  
PARCEL 2, PMF  
14.449-Acre Tract

Being a 14.449-acre tract of land situated in the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 14.449-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1" square iron bolt found for the Northwest corner of said Lot 1-C, N.C.B. 1546-H of Hamilton Commons as evidenced by a 1<sup>st</sup> Amendment Plat thereof recorded in Cabinet E, Slide 227-D, of the Plat Records of Smith County, Texas, (P.R.S.C.T.), same being an interior ell corner in the East boundary line of said 434.2-acre tract;

Thence South 02 degrees 25 minutes 58 seconds East, a distance of 789.92 feet along the East boundary line of said 434.2-acre tract and the West boundary line of said Lot 1-C to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" for the Southeast corner of said 434.2-acre tract and the Southwest corner of said Lot 1-C;

Thence South 87 degrees 37 minutes 47 seconds West, a distance of 38.38 feet along the South boundary line of said 434.2-acre tract to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the North right-of-way line of West Cumberland Road;

Thence North 65 degrees 00 minutes 26 seconds West, a distance of 173.81 feet along the North right-of-way line of West Cumberland Road, same being the South boundary line of said 434.2-acre tract to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687";

Thence continuing along the North right-of-way line of said West Cumberland Road and the South boundary line of said 434.2-acre tract and along a curve to the left with a delta angle of 15 degrees 27 minutes 07 seconds, a radius of 1052.50 feet, an arc length of 283.84 feet, a chord bearing of North 72 degrees 43 minutes 59 seconds West, and a chord length of 282.98 feet to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687";

Thence North 62 degrees 50 minutes 36 seconds West, a distance of 154.49 feet continuing along the North right-of-way line of said West Cumberland Road and South boundary line of said 434.2-acre tract to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687";

Thence South 88 degrees 00 minutes 37 seconds West, a distance of 655.90 feet to a point for corner;

Thence North 38 degrees 11 minutes 30 seconds East, a distance of 708.96 feet to a point for corner;

Thence North 87 degrees 55 minutes 56 seconds East, a distance of 787.71 feet to the place of beginning, containing 14.449 acres of land.

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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 April, 2016.

GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.



Kevin L. Kilgore, R.P.L.S. 4687



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**EXHIBIT "C"**  
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- Surveying
- Mapping
- Planning

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**EXHIBIT "A"**  
**PARCEL 3, R1A**  
**52.309-Acre Tract**

**Being a 52.309-acre tract of land situated in the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 52.309-acre tract of land being more completely described by metes and bounds as follows:**

**Beginning at a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the East right-of-way line of Hollytree Drive, (variable width right-of-way) as evidenced by a Final Plat of Hollytree South, Unit 1, Right-of-Way Dedication recorded in Cabinet F, Slide 33-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.) same being the Southwest corner of a called 0.193-acre tract, described in a Deed from Genecov Investments, Ltd. & Sam Roosth, Trustee to Jim and Dottie Hairston Family Partnership, LP recorded Smith County Clerk's File No. 2013-R00022068, O.P.R.S.C.T.;**

**Thence North 88 degrees 12 minutes 08 seconds East, a distance of 419.51 feet along the South boundary line of said 0.193-acre tract to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" for the Southeast corner of same;**

**Thence North 04 degrees 05 minutes 06 seconds East, a distance of 64.09 feet along the East boundary line of said 0.193-acre tract and the East boundary line of Lot 9, N.C.B. 1606-G of Holly Heights, Unit 5 as evidenced by a Final Plat thereof recorded in Cabinet E, Slide 203-D, P.R.S.C.T. to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687";**

**Thence North 12 degrees 52 minutes 18 seconds East, a distance of 169.63 feet continuing along said East boundary line of Lot 9 and along the East boundary line of Lot 10, N.C.B. 1606-G, of said Holly Heights, Unit 5 to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the North boundary line of aforementioned Mary M. Long Survey and 434.2-acre tract and the South boundary line of the John Hope Survey, Abstract No. 443 and Lot 11, N.C.B. 1606-G, Holly Heights, Unit 5;**

**Thence North 88 degrees 03 minutes 01 second East, a distance of 379.25 feet along said North and South boundary lines to a point for corner;**

**Thence South 01 degree 56 minutes 49 seconds East, a distance of 582.02 feet to a point for corner;**

**Thence South 06 degrees 31 minutes 14 seconds West, a distance of 436.03 feet to a point for corner;**

**Thence South 22 degrees 28 minutes 54 seconds West, a distance of 591.74 feet to a point for corner;**

**Thence South 38 degrees 11 minutes 30 seconds West, a distance of 1103.64 feet to a point for corner in the North right-of-way line of West Cumberland Road and the South boundary line of said 434.2-acre tract;**

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Thence South 88 degrees 00 minutes 37 seconds West, a distance of 547.99 feet continuing along the North right-of-way line of said West Cumberland Road and the South boundary line of said 434.2-acre tract to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence North 02 degrees 03 minutes 05 seconds West, a distance of 1077.18 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found in the South right-of-way line of aforementioned Hollytree Drive;

Thence along said South right-of-way line of Hollytree Drive and a curve to the left with a delta angle of 27 degrees 47 minutes 58 seconds, a radius of 1185.00 feet, an arc length of 574.95 feet, a chord bearing of North 47 degrees 16 minutes 09 seconds East, for a chord length of 569.33 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence North 33 degrees 22 minutes 10 seconds East, a distance of 188.73 feet continuing along the Southeast right-of-way line of Hollytree Drive to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence along the East right-of-way line of Hollytree Drive and a curve to the left with a delta angle of 35 degrees 08 minutes 47 seconds, a radius of 985.00 feet, an arc length of 604.22 feet, a chord bearing of North 15 degrees 47 minutes 47 seconds East, for a chord length of 594.79 feet to the place of beginning, containing 52.309 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 April, 2016.

**GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.**



Kevin L. Kilgore, R.P.L.S. 4687



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EXHIBIT "A"  
PARCEL 4, R1A  
61.734-Acre Tract

Being a 61.734-acre tract of land situated in the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 61.734-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1/2" iron rod found in the North boundary line of said 434.2-acre tract for the Southwest corner of Lot 1, N.C.B. 1570-M as evidenced by a Corrected Final Plat of Bishops Gate at Oak Hollow Unit 1 recorded in Cabinet E, Slide 32-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.), said iron rod found also being the Northwest corner of said Mary M. Long Survey and being an interior ell corner in the East boundary line of the Thomas Price Survey, Abstract No. 794;

Thence North 87 degrees 59 minutes 15 seconds East, a distance of 2034.43 feet along the South boundary line of said Lot 1 of Bishops Gate at Oak Hollow Unit 1, the South boundary line of Holly Heights, Unit 4 as evidenced by a Corrected Final Plat thereof recorded in Cabinet D, Slide 346-B, P.R.S.C.T., the South boundary line of Holly Heights, Unit 9 as evidenced by a Final Plat thereof recorded in Cabinet F, Slide 25-D, P.R.S.C.T., said Thomas Price Survey, and John Hope Survey, Abstract No. 443, and the North boundary line of said Mary M. Long Survey to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" at an interior ell corner in the South boundary line of said Holly Heights, Unit 9;

Thence South 01 degree 52 minutes 52 seconds East, a distance of 230.00 feet along a Southerly West boundary line of Holly Heights, Unit 9 and the West boundary line of a called 0.702-acre tract described in a Deed from Genecov Investments, Ltd. & Sam Roosth to Jim & Dottie Hairston Family Partnership, LP recorded under Smith County Clerk's File No. 2013-R00022068, O.P.R.S.C.T. to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found for the Southwest corner of same;

Thence North 88 degrees 12 minutes 08 seconds East, a distance of 1529.86 feet along the South boundary line of said 0.702-acre tract to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found in the West right-of-way line of Hollytree Drive, (variable width right-of-way) as evidenced by a Final Plat of Hollytree South, Unit 1, Right-of-Way Dedication recorded in Cabinet F, Slide 33-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.) same being the Southeast corner of a said 0.702-acre tract;

Thence along said West right-of-way line of Hollytree Drive and a curve to the right with a delta angle of 35 degrees 08 minutes 30 seconds, a radius of 915.00 feet, an arc length of 561.20 feet, a chord bearing of South 15 degrees 46 minutes 51 seconds West, for a chord length of 552.45 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence South 33 degrees 22 minutes 10 seconds West, a distance of 188.73 feet continuing along said West right-of-way line of said Hollytree Drive to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

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Thence continuing along said West right-of-way line of Hollytree Drive and along a curve to the right with a delta angle of 01 degree 58 minutes 53 seconds, a radius of 1115.00 feet, an arc length of 38.56 feet, a chord bearing of South 34 degrees 21 minutes 37 seconds West, for a chord length of 38.56 feet to a point for corner;

Thence North 59 degrees 45 minutes 51 seconds West, a distance of 163.15 feet to a point for corner;

Thence South 88 degrees 16 minutes 56 seconds West, a distance of 203.02 feet to a point for corner;

Thence North 02 degrees 16 minutes 52 seconds West, a distance of 320.25 feet to a point for corner;

Thence South 88 degrees 12 minutes 08 seconds West, a distance of 705.90 feet to a point for corner;

Thence South 01 degree 01 minute 30 seconds East, a distance of 39.78 feet to a point for corner;

Thence along a curve to the left with a delta angle of 25 degrees 27 minutes 53 seconds, a radius of 833.11 feet, an arc length of 370.27 feet, a chord bearing of South 14 degrees 45 minutes 15 seconds East, for a chord length of 367.23 feet to a point for corner;

Thence South 28 degrees 38 minutes 30 seconds East, a distance of 145.32 feet to a point for corner;

Thence along a curve to the right with a delta angle of 20 degrees 31 minutes 00 seconds, a radius of 641.81 feet, an arc length of 229.82 feet, a chord bearing of South 20 degrees 46 minutes 55 seconds East, for a chord length of 228.60 feet to a point for corner;

Thence South 07 degrees 50 minutes 37 seconds East, a distance of 100.98 feet to a point for corner in the North right-of-way line of aforesaid Hollytree Drive;

Thence North 87 degrees 31 minutes 36 seconds West, a distance of 69.31 feet along said North right-of-way line of Hollytree Drive to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence South 88 degrees 07 minutes 09 seconds West, a distance of 115.36 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence along a curve to the right with a delta angle of 90 degrees 06 minutes 11 seconds, a radius of 30.00 feet, an arc length of 47.18 feet, a chord bearing of North 46 degrees 49 minutes 46 seconds West, and a chord length of 42.46 feet to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the East right-of-way line of Maple Lane per aforementioned Final Plat of Hollytree South, Unit 1, Right-of-Way Dedication recorded in Cabinet F, Slide 33-A, P.R.S.C.T.;

Thence South 88 degrees 13 minutes 20 seconds West, a distance of 60.00 feet to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the West right-of-way line of Maple Lane;

Thence South 01 degree 46 minutes 40 seconds East, a distance of 10.22 feet along said West right-of-way line of Maple Lane to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687";

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Thence along a curve to the right with a delta angle of 89 degrees 53 minutes 49 seconds, a radius of 30.00 feet, an arc length of 47.07 feet, a chord bearing of South 43 degrees 10 minutes 14 seconds West, and a chord length of 42.39 feet to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the North right-of-way line of Hollytree Drive;

Thence South 88 degrees 07 minutes 09 seconds West, a distance of 10.25 feet along said North right-of-way line of Hollytree Drive to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the North right-of-way line of Hollytree Drive;

Thence South 01 degree 52 minutes 51 seconds East, a distance of 35.00 feet to a 1/2" iron rod found with plastic cap stamped "K.L.K. #4687" in the proposed centerline of Hollytree Drive;

Thence South 88 degrees 07 minutes 09 seconds West, a distance of 94.86 feet along said proposed centerline of Hollytree Drive to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence continuing along said proposed centerline of Hollytree Drive and along a curve to the right with a delta angle of 20 degrees 25 minutes 45 seconds, a radius of 700.00 feet, an arc length of 249.59 feet, a chord bearing of North 81 degrees 39 minutes 59 seconds West, for a chord length of 248.27 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence North 71 degrees 27 minutes 06 seconds West, a distance of 456.40 feet continuing along said proposed centerline of Hollytree Drive to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence continuing along said proposed centerline of Hollytree Drive and along a curve to the left with a delta angle of 20 degrees 57 minutes 01 second, a radius of 700.00 feet, an arc length of 255.96 feet, a chord bearing of North 81 degrees 55 minutes 37 seconds West, for a chord length of 254.53 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence South 87 degrees 35 minutes 53 seconds West, a distance of 116.64 feet continuing along said proposed centerline of Hollytree Drive to a point for corner;

Thence North 01 degree 08 minutes 55 seconds West, a distance of 256.20 feet to a point for corner;

Thence North 22 degrees 44 minutes 00 seconds East, a distance of 345.08 feet to a point for corner;

Thence North 13 degrees 00 minutes 52 seconds East, a distance of 216.29 feet to a point for corner;

Thence along a curve to the left with a delta angle of 29 degrees 05 minutes 12 seconds, a radius of 705.70 feet, an arc length of 358.25 feet, a chord bearing of North 89 degrees 49 minutes 42 seconds West, for a chord length of 354.42 feet to a point for corner;

Thence along a reverse curve to the right with a delta angle of 14 degrees 51 minutes 11 seconds, a radius of 977.60 feet, an arc length of 253.43 feet, a chord bearing of South 81 degrees 04 minutes 10 seconds West, for a chord length of 252.72 feet to a point for corner;

Thence South 88 degrees 41 minutes 50 seconds West, a distance of 270.59 feet to a point for corner;

Thence South 00 degrees 55 minutes 59 seconds East, a distance of 187.39 feet to a point for corner;

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Thence along a curve to the right with a delta angle of 34 degrees 00 minutes 16 seconds, a radius of 300.00 feet, an arc length of 178.05 feet, a chord bearing of South 16 degrees 04 minutes 09 seconds West, for a chord length of 175.45 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence South 33 degrees 04 minutes 17 seconds West, a distance of 111.74 feet to a point for corner;

Thence along a curve to the left with a delta angle of 24 degrees 36 minutes 57 seconds, a radius of 300.00 feet, an arc length of 128.89 feet, a chord bearing of South 20 degrees 45 minutes 49 seconds West, for a chord length of 127.90 feet to a point for corner;

Thence South 88 degrees 08 minutes 19 seconds West, a distance of 158.39 feet to a 1/2" iron rod found for the Southeast corner of Lots 20 and 19, N.C.B. 1570-M of Bishops Gate at Oak Hollow Unit 3 as evidenced by a Final Plat thereof recorded in Cabinet E, Slide 257-C, P.R.S.C.T., said iron rod found also being in an East boundary line of said Thomas Price Survey and the West boundary line of said Mary M. Long Survey;

Thence North 01 degree 38 minutes 50 seconds West, a distance of 968.79 feet along the upper West boundary line of said 434.2-acre tract and the West boundary line of said Mary M. Long Survey and the East boundary line of Bishops Gate at Oak Hollow, Unit 3, First Amendment Bishops Gate at Oak Hollow Unit 2 as evidence by a Plat thereof recorded in Cabinet E, Slide 210-B, P.R.S.C.T. and Bishops Gate at Oak Hollow Unit 2 as evidenced by a Final Plat thereof recorded in Cabinet E, Slide 136-A, P.R.S.C.T., and said Thomas Price Survey to the place of beginning, containing 61.734 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 April, 2016.

GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.



Kevin L. Kilgore, R.P.L.S. 4687



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- Surveying
- Mapping
- Planning

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EXHIBIT "A"  
PARCEL 5, GH  
13.022-Acre Tract

Being a 13.022-acre tract of land situated in the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 13.022-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a point for corner from which a 1/2" iron rod found in the North boundary line of said 434.2-acre tract for the Southwest corner of Lot 1, N.C.B. 1570-M as evidenced by a Corrected Final Plat of Bishops Gate at Oak Hollow Unit 1 recorded in Cabinet E, Slide 32-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.), also being the Northwest corner of said Mary M. Long Survey and being an interior ell corner in the East boundary line of the Thomas Price Survey, Abstract No. 794, bears North 78 degrees 24 minutes 49 seconds West, a distance of 2278.26 feet;

Thence North 88 degrees 12 minutes 08 seconds East, a distance of 705.90 feet to a point for corner;

Thence South 02 degrees 16 minutes 52 seconds East, a distance of 320.25 feet to a point for corner;

Thence North 88 degrees 16 minutes 56 seconds East, a distance of 203.02 feet to a point for corner;

Thence South 59 degrees 45 minutes 51 seconds East, a distance of 163.15 feet to a point for corner in the North right-of-way line of Hollytree Drive, (variable width right-of-way) as evidenced by a Final Plat of Hollytree South, Unit 1, Right-of-Way Dedication recorded in Cabinet F, Slide 33-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.);

Thence along said North right-of-way line of Hollytree Drive and a curve to the right with a delta angle of 48 degrees 17 minutes 18 seconds, a radius of 1115.00 feet, an arc length of 939.71 feet, a chord bearing of South 59 degrees 29 minutes 42 seconds West, for a chord length of 912.15 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence North 87 degrees 31 minutes 36 seconds West, a distance of 17.53 feet continuing with said North right-of-way line to a point for corner;

Thence North 07 degrees 50 minutes 37 seconds West, a distance of 100.98 feet to a point for corner;

Thence along a curve to the left with a delta angle of 20 degrees 31 minutes 00 seconds, a radius of 641.81 feet, an arc length of 229.82 feet, a chord bearing of North 20 degrees 46 minutes 55 seconds West, for a chord length of 228.60 feet to a point for corner;

Thence North 28 degrees 38 minutes 30 seconds West, a distance of 145.32 feet to a point for corner;

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Thence along a curve to the right with a delta angle of 25 degrees 27 minutes 53 seconds, a radius of 833.11 feet, an arc length of 370.27 feet, a chord bearing of North 14 degrees 45 minutes 15 seconds West, for a chord length of 367.23 feet to a point for corner;

Thence North 01 degree 01 minute 30 seconds West, a distance of 39.78 feet to the place of beginning, containing 13.022 acres of land.

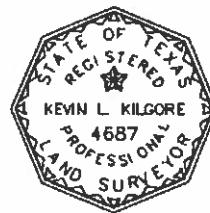
Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone, NAD 83, (feet), based on the 1993 adjustment of the NAD 83 System. The Control Monument is TJC1-Tyler, Leica Geosystems Smartnet of North America.

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 April, 2016.

GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.



Kevin L. Kilgore, R.P.L.S. 4687



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EXHIBIT "A"  
PARCEL 6, GH  
15.005-Acre Tract

Being a 15.005-acre tract of land situated in the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 15.005-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a point for corner from which a 1/2" iron rod found in the North boundary line of said 434.2-acre tract for the Southwest corner of Lot 1, N.C.B. 1570-M as evidenced by a Corrected Final Plat of Bishops Gate at Oak Hollow Unit 1 recorded in Cabinet E, Slide 32-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.), also being the Northwest corner of said Mary M. Long Survey and being an interior ell corner in the East boundary line of the Thomas Price Survey, Abstract No. 794, bears North 40 degrees 37 minutes 11 seconds West, a distance of 519.15 feet;

Thence North 88 degrees 41 minutes 50 seconds East, a distance of 270.59 feet to a point for corner;

Thence along a curve to the left with a delta angle of 14 degrees 51 minutes 11 seconds, a radius of 977.60 feet, an arc length of 253.43 feet, a chord bearing of North 81 degrees 04 minutes 10 seconds East, for a chord length of 252.72 feet to a point for corner;

Thence along a reverse curve to the right with a delta angle of 29 degrees 05 minutes 12 seconds, a radius of 705.70 feet, an arc length of 358.25 feet, a chord bearing of South 89 degrees 49 minutes 42 seconds East, for a chord length of 354.42 feet to a point for corner;

Thence South 13 degrees 00 minutes 52 seconds West, a distance of 216.29 feet to a point for corner;

Thence South 22 degrees 44 minutes 00 seconds West, a distance of 345.08 feet to a point for corner;

Thence South 01 degree 08 minutes 55 seconds East, a distance of 256.20 feet to a point for corner in the proposed centerline of Hollytree Drive;

Thence South 87 degrees 35 minutes 53 seconds West, a distance of 849.12 feet along said proposed centerline of Hollytree Drive to a point for corner;

Thence North 01 degree 34 minutes 32 seconds West, a distance of 154.94 feet to a point for corner;

Thence along a curve to the right with a delta angle of 34 degrees 38 minutes 49 seconds, a radius of 300.00 feet, an arc length of 181.41 feet, a chord bearing of North 15 degrees 44 minutes 52 seconds East, for a chord length of 178.66 feet to a point for corner;

Thence North 33 degrees 04 minutes 17 seconds East, a distance of 111.74 feet to a point for corner;

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**Thence along a curve to the left with a delta angle of 34 degrees 00 minutes 16 seconds, a radius of 300.00 feet, an arc length of 178.05 feet, a chord bearing of North 16 degrees 04 minutes 09 seconds East, for a chord length of 175.45 feet to a point for corner;**

**Thence North 00 degrees 55 minutes 59 seconds West, a distance of 187.39 feet to the place of beginning, containing 15.005 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 April, 2016.**

**GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.**



**Kevin L. Kilgore, R.P.L.S. 4687**



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EXHIBIT "A"  
PARCEL 7  
3.311-Acre Tract

Being a 3.311-acre tract of land situated in the Thomas Price Survey, Abstract No. 794 and the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roosth Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 3.311-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1/2" iron rod found for the Southeast corner of Lots 20 and 19, N.C.B. 1570-M of Bishops Gate at Oak Hollow Unit 3 as evidenced by a Final Plat thereof recorded in Cabinet E, Slide 257-C of the Plat Records of Smith County, Texas, (P.R.S.C.T.), said iron rod found also being on an East boundary line of said Thomas Price Survey and the West boundary line of said Mary M. Long Survey;

Thence North 88 degrees 08 minutes 19 seconds East, a distance of 158.39 feet to a point for corner;

Thence along a curve to the left with a delta angle of 10 degrees 01 minute 52 seconds, a radius of 300.00 feet, an arc length of 52.52 feet, a chord bearing of South 03 degrees 26 minutes 24 seconds West, for a chord length of 52.46 feet to a point for corner;

Thence South 01 degree 34 minutes 32 seconds East, a distance of 154.94 feet to a point for corner in the proposed centerline of Hollytree Drive;

Thence South 87 degrees 35 minutes 53 seconds West, a distance of 516.78 feet along said proposed centerline of Hollytree Drive to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found;

Thence along said proposed centerline of Hollytree Drive and a curve to the left with a delta angle of 08 degrees 25 minutes 02 seconds, a radius of 900.00 feet, an arc length of 132.22 feet, a chord bearing of South 83 degrees 23 minutes 22 seconds West, for a chord length of 132.10 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found in the centerline of a 100.00-foot wide easement to Texas Power & Light Company described in a Deed recorded in Volume 673, Page 166 of the Deed Records of Smith County, Texas, (D.R.S.C.T.);

Thence North 18 degrees 12 minutes 33 seconds West, a distance of 232.38 feet along the centerline of said Texas Power & Light Company easement to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found in the North boundary line of aforementioned 434.2-acre tract;

Thence North 88 degrees 08 minutes 19 seconds East, a distance of 561.04 feet along the North boundary line of said 434.2-acre tract and the South boundary line of aforementioned Bishops Gate at Oak Hollow, Unit 3 to the place of beginning, containing 3.311 acres of land.

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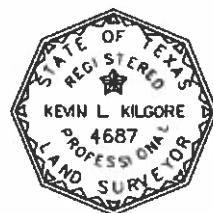
Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone, NAD 83, (feet), based on the 1993 adjustment of the NAD 83 System. The Control Monument is [TJC1-Tyler](#), Leica Geosystems Smartnet of North America.

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 April, 2016.

GIVEN UNDER MY HAND AND SEAL, This the 30th day of January, 2019.



Kevin L. Kilgore, R.P.L.S. 4687



ORDINANCE NO. O-2019-28  
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METES AND BOUNDS DESCRIPTIONS  
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EXHIBIT "A"  
TRACT 4A  
19.66-Acre Tract

Being a 19.66-acre tract of land situated in the Thomas Price Survey, Abstract No. 794, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roost Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 19.66-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1/2" iron rod found for the Southwest corner of said 434.2-acre tract in the East boundary line of a called 0.233-acre tract of land described in a Deed to Jimmy Ray McManus recorded in Volume 4893, Page 60, O.P.R.S.C.T. and the Don Thomas Quevado Survey, Abstract No. 18, Section No. 5, the West boundary line of said Thomas Price Survey, and the North boundary line of Lot 1, N.C.B. 1137-Q as evidenced by a Final Plat of Blue Mountain, Unit 1 at Cumberland Gap recorded in Cabinet D, Slide 312-A of the Plat Records of Smith County, Texas, (P.R.S.C.T.);

Thence North 01 degree 44 minutes 58 seconds West, a distance of 111.72 feet along the West boundary line of said 434.2-acre tract and the East boundary line of said 0.233-acre tract to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the East right-of-way line of Old Jacksonville Highway/Farm to Market Highway No. 2493, (variable width right-of-way);

Thence North 19 degrees 11 minutes 16 seconds East, a distance of 365.88 feet along the West boundary line of said 434.2-acre tract and said East right-of-way line of Old Jacksonville Highway/F. M. 2493 to a found Texas Department of Transportation Type II right-of-way monument, (brass disc in concrete flush with ground);

Thence North 12 degrees 10 minutes 58 seconds East, a distance of 259.00 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the proposed centerline of Hollytree Drive;

Thence South 73 degrees 28 minutes 27 seconds East, a distance of 491.31 feet along said proposed centerline of Hollytree Drive to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence along said proposed centerline of Hollytree Drive and a curve to the left with a delta angle of 18 degrees 14 minutes 42 seconds, a radius of 1285.00 feet, an arc length of 409.19 feet, a chord bearing of South 82 degrees 35 minutes 48 seconds East, and a chord length of 407.46 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

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**METES AND BOUNDS DESCRIPTIONS**  
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Thence North 88 degrees 16 minutes 50 seconds East, a distance of 587.11 feet continuing along said proposed centerline of Hollytree Drive to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence South 01 degree 51 minutes 41 seconds East, a distance of 486.50 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the South boundary line of said 434.2-acre tract and the North boundary line of Lot 1, N.C.B. 1137-R of Rose Lawn Addition Unit 1 At Cumberland Gap as evidenced by a Final Plat recorded in Cabinet D, Slide 318-B of the Plat Records of Smith County, Texas, (P.R.S.C.T.);

Thence South 88 degrees 16 minutes 50 seconds West, a distance of 1649.97 feet along the South boundary line of said 434.2-acre tract, the North boundary line of said Lot 1, and the North boundary line of aforementioned Blue Mountain Unit 1 At Cumberland Gap to the place of beginning containing 19.66 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 April, 2016.

**GIVEN UNDER MY HAND AND SEAL, This the 7th day of June, 2018.**



Kevin L. Kilgore, R.P.L.S. 4687



**ORDINANCE NO. O-2019-28**  
**EXHIBIT "C"**  
**METES AND BOUNDS DESCRIPTIONS**  
**This Tract Was Excepted From Zoning Approval**



- Surveying
- Mapping
- Planning

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**EXHIBIT "A"**  
**TRACT 4B**  
**24.95-Acre Tract**

**Being a 24.95-acre tract of land situated in the Thomas Price Survey, Abstract No. 794, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roost Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 24.95-acre tract of land being more completely described by metes and bounds as follows:**

Beginning at a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the South boundary line of said 434.2-acre tract and the North boundary line of Lot 1, N.C.B. 1137-R of Rose Lawn Addition Unit 1 At Cumberland Gap as evidenced by a Final Plat thereof recorded in Cabinet D, Slide 318-B of the Plat Records of Smith County, Texas, (P.R.S.C.T.), from which a 1/2" iron rod found for the Southwest corner of said 434.2-acre tract bears South 88 degrees 16 minutes 50 seconds West, a distance of 1649.97 feet;

Thence North 01 degree 51 minutes 41 seconds West, a distance of 486.50 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687 in the proposed centerline of Hollytree Drive, (variable width right of way);

Thence along said proposed centerline of Hollytree Drive and a curve to the left having a delta angle of 48 degrees 28 minutes 52 seconds, a radius of 900.00 feet, an arc length of 761.54 feet, a chord bearing of North 63 degrees 53 minutes 53 seconds East, and a chord length of 739.02 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence along a reverse curve to the right having a delta angle of 39 degrees 31 minutes 24 seconds, a radius of 900.00 feet, an arc length of 620.83 feet, a chord bearing of North 59 degrees 25 minutes 09 seconds East, and a chord length of 608.59 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. 4687" in the centerline of a 100.00-ft wide Texas Power & Light Company easement recorded in Volume 673, Page 166 of the Deed Records of Smith County, Texas, (D.H.S.C. I.);

Thence South 18 degrees 12 minutes 33 seconds East, a distance of 1131.91 feet along the centerline of said Texas Power & Light Company to a 1/2" iron set with plastic cap stamped "K.L.K. #4687 in the South boundary line of said 434.2-acre tract and the North boundary line of aforementioned Lot 1, N.C.B. 1137-R of Rose Lawn Addition Unit 1;

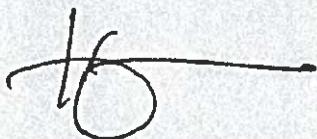
Thence South 88 degrees 16 minutes 50 seconds West, a distance of 1526.19 feet along said South boundary line and said North boundary line to the place of beginning containing 24.95 acres of land.

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METES AND BOUNDS DESCRIPTIONS  
**This Tract Was Excepted From Zoning Approval**

**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 April, 2016.**

**GIVEN UNDER MY HAND AND SEAL, This the 7th day of June, 2018.**



**Kevin L. Kilgore, R.P.L.S. 4687**



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EXHIBIT "A"  
TRACT 4C  
5.06-Acre Tract

Being a 5.06-acre tract of land situated in the Thomas Price Survey, Abstract No. 794 and the Mary M. Long Survey, Abstract No. 562, City of Tyler, Smith County, Texas, and being part of a called 434.2-acre tract of land described in a Deed from Roost Farm Rental, LLC to West Cumberland, LLC recorded under County Clerk's File No. 20170100029364 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 5.06-acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the South boundary line of said 434.2-acre tract and the North boundary line of Lot 1, N.C.B. 1137-R of Rose Lawn Addition Unit 1 At Cumberland Gap as evidenced by a Final Plat thereof recorded in Cabinet D, Slide 318-B of the Plat Records of Smith County, Texas, (P.R.S.C.T.), from which a 1/2" iron rod found for the Northeast corner of same in the East boundary line of said Thomas Price Survey and the West boundary line of said Mary M. Long Survey, bears North 88 degrees 16 minutes 50 seconds East, a distance of 171.20 feet, said iron rod found also being in the centerline of a 100.00-foot wide Texas Power & Light Company easement recorded in Volume 673, Page 166 of the Deed Records of Smith County, Texas, (D.R.S.C.T.);

Thence North 18 degrees 12 minutes 33 seconds West, a distance of 128.86 feet along the centerline of said Texas Power & Light Company easement to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 71 degrees 47 minutes 27 seconds East, a distance of 50.00 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 53 degrees 36 minutes 09 seconds East, a distance of 14.13 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 63 degrees 27 minutes 13 seconds East, a distance of 23.38 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 85 degrees 18 minutes 18 seconds East, a distance of 36.12 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 86 degrees 22 minutes 53 seconds East, a distance of 37.77 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

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Thence South 79 degrees 20 minutes 53 seconds East, a distance of 39.67 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687"CC;

Thence South 89 degrees 05 minutes 29 seconds East, a distance of 26.27 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 83 degrees 55 minutes 38 seconds East, a distance of 92.97 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 84 degrees 11 minutes 53 seconds East, a distance of 66.64 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 84 degrees 47 minutes 56 seconds East, a distance of 126.78 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687";

Thence North 88 degrees 10 minutes 51 seconds East, a distance of 54.70 feet to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the proposed centerline of Cherryhill Drive, (variable width right-of-way);

Thence South 01 degree 52 minutes 54 seconds East, a distance of 551.16 feet along said proposed centerline of Cherryhill Drive to a 1/2" iron rod set with plastic cap stamped "K.L.K. #4687" in the South boundary line of said 434.2-acre tract and the North boundary line of a called 8.651-acre Right-of-Way Acquisition tract described in a Deed from Tyler Blue Ridge, LLC to City of Tyler, Texas recorded under Smith County Clerk's File No. 2014-R00019453, O.P.R.S.C.T.;

Thence South 88 degrees 05 minutes 25 seconds West, a distance of 353.61 feet along the South boundary line of said 434.2-acre tract and the North boundary line of said 8.651-acre tract and a called 1.0-acre tract of land reserved as Graveyard by R. B. Long, Sr. described in a Deed recorded in Volume 31, Page 168 of the Deed Records of Smith County, Texas, (D.R.S.C.T.) to a 1/2" iron rod found for the Northwest corner of said 1.0-acre tract, same being in the East boundary line of Lot 1, N.C.B. 1137-R of Rose Lawn Addition, Unit 1 at Cumberland Gap as evidenced by a Final Plat thereof recorded in Cabinet D, Slide 318-B, P.R.S.C.T.;

Thence North 01 degree 44 minutes 50 seconds West, a distance of 383.71 feet along the East boundary line of said Lot 1 and a West boundary line of said 434.2-acre tract to a 1/2" iron rod found for the Northeast corner of said Lot 1;

Thence South 88 degrees 16 minutes 50 seconds West, a distance of 171.19 feet along the South boundary line of said 434.2-acre tract and the North boundary line of said Rose Lawn Addition, Unit 1 to the place of beginning containing 5.06 acres of land.

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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 April, 2016.

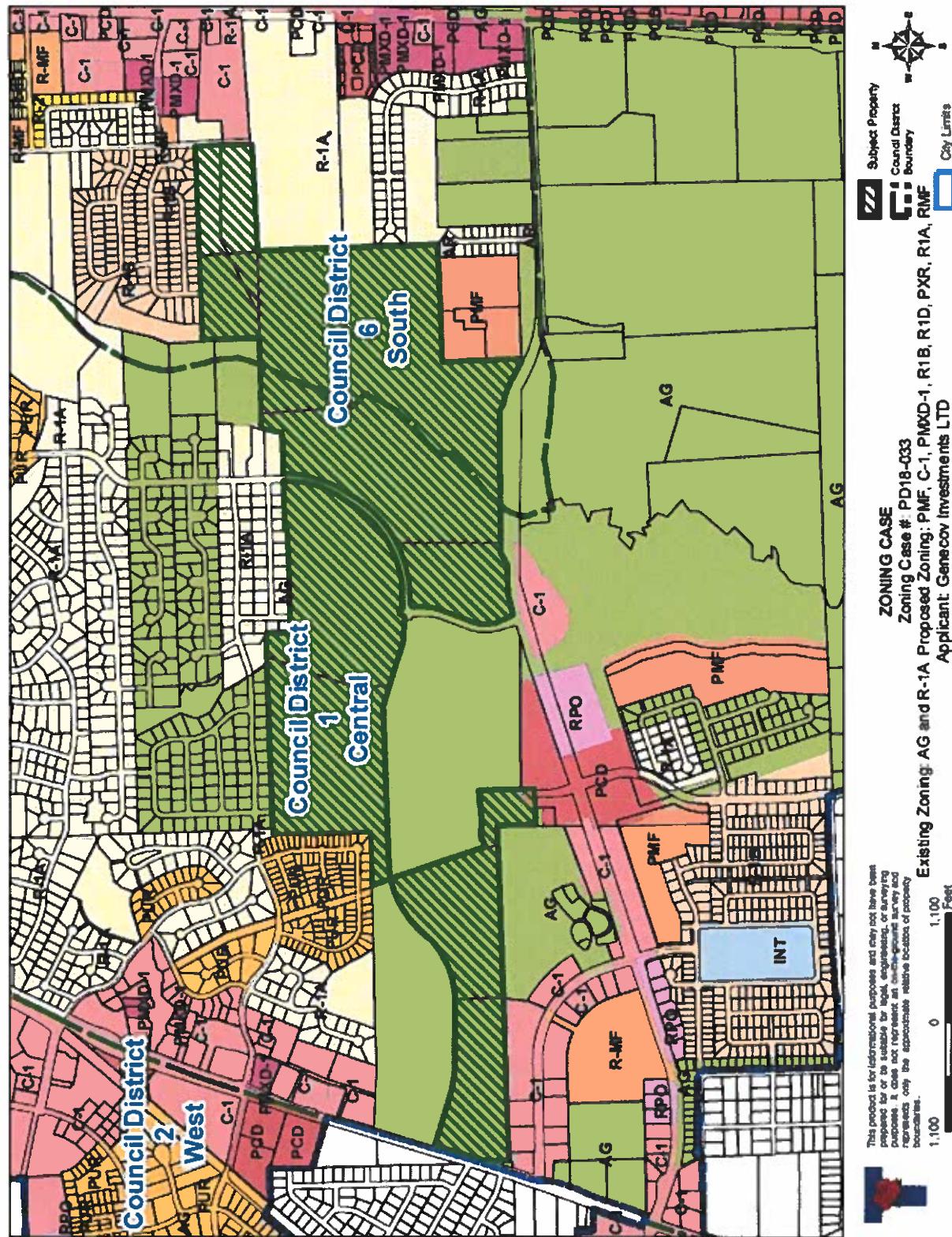
**GIVEN UNDER MY HAND AND SEAL, This the 7th day of June, 2018.**



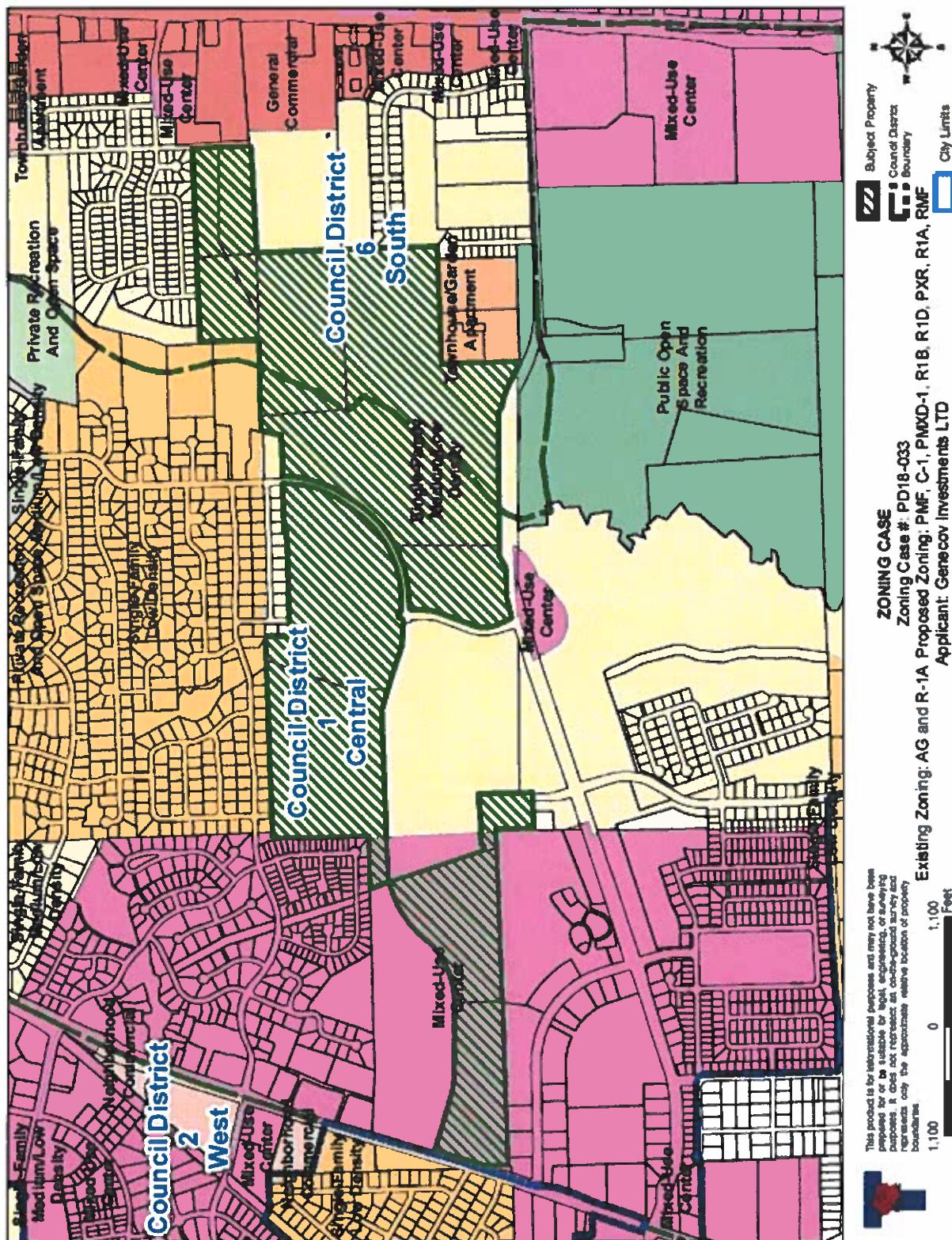
Kevin L. Kilgore, R.P.L.S. 4687



**ORDINANCE NO. O-2019-28  
EXHIBIT "D"  
LOCATION MAP**



**ORDINANCE NO. O-2019-28**  
**EXHIBIT "E"**  
**TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



**ORDINANCE NO. O-2019-28**  
**EXHIBIT "F"**  
**NOTIFICATION MAP**

