

**REGULAR MEETING OF THE
CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
APRIL 18, 2022
6:30 PM**

AGENDA

The City Council of the City of Alvarado will meet in a Regular Called Session on April 18, 2022 at 6:30 p.m. in the Council Chambers at City Hall for the following agenda items.

CALL TO ORDER - Roll Call

INVOCATION

PROCLAMATION

1. Autism Awareness Proclamation (Mayor Wheat)

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT:

This is an opportunity for citizens to address the City Council on any matter. The presiding officer may ask for the citizen to hold his or her comment on an agenda item until that agenda item is reached. The City Council has no obligation to respond in any matter to comments or questions from the public. Any response from a member of the City Council to comments related to items not on the agenda is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for future City Council meeting.

CITY MANAGER'S REPORT:

CONSENT AGENDA:

2. Minutes from the Regular Called Meeting held on March 21, 2022.
3. Minutes from the Special Called Meeting held on April 4, 2022.

NEW BUSINESS:

4. Public Hearing and consideration and action regarding an ordinance of the City of Alvarado, Texas, annexing by voluntary petition approximately 352.471 acres in Johnson County, Texas, situated generally East of the N. Cummings Drive and County Road 508 intersection and East of County Road 607, into the corporate limits of the City of Alvarado, Texas; identifying the City Council's findings of fact in support of the annexation; amending the official map and boundaries of the city; granting all inhabitants of the annexed property all rights and privileges of

Regular City Council Meeting Agenda

April 18, 2022

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other citizens and binding all inhabitants by all of the acts, ordinances, resolutions, and regulations of the City of Alvarado, Texas.

5. Public Hearing and consideration and action regarding a resolution of the City Council of the City of Alvarado, Texas adding land to the Lone Oak Public Improvement District. (DeBuff)
6. Development presentation from Agave Homes. (DeBuff)
7. Consideration and action regarding a development agreement between the City of Alvarado and History Maker homes. (DeBuff)
8. Consideration and action regarding an ordinance amending Section 38.255 of the Alvarado Code of Ordinances, prohibiting on-street parking on the entire northeast side of the 200 block of S. 3rd Street. (Dwiggin)

EXECUTIVE SESSION:

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, executive session may be held under one or more of Sections 551.071, 551.073, 551.074, 551.076, 551.087, 413.183(f) and 418.106 (d) & (e), either at the end of the regular session or at any time during the meeting on any item on the agenda if a need arises for the City Council to seek advice from the City Attorney or otherwise convene in closed session as permitted by such sections of the Open Meetings Act. The City Council may take action on any agenda item listed for executive session upon reconvening in open session. Please refer to the agenda for the items posted. a. 551.071. Consultation with Attorney. The City Council may convene into Executive Session to conduct a private consultation with its Attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items: 1. Any posted item on the agenda.

COUNCIL COMMENTS:

Pursuant to LGC Section 551.0415, City Council Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest may include, but not necessarily limited to any of the following:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or

sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and

- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

ADJOURNMENT

ACCESSIBILITY STATEMENT

The Alvarado City Hall and Council Chamber are wheelchair accessible. The exit and parking ramps are located in the front of the building. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817-790-3351, FAX: 817-783-7925, e-mail: wallsb@cityofalvarado.org Please call at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

NON-DISCRIMINATION STATEMENT

The City of Alvarado does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services.

I, the undersigned authority do hereby certify that the above Agenda was posted on the bulletin board in the City Hall of the City of Alvarado, Texas, a place convenient and readily accessible to the general public at all times and said Agenda was posted on April 14, 2022 at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Debbie Thomas, TRMC
City Secretary

PROCLAMATION

Honoring Autism Awareness and Acceptance Month, for it is essential to create a community where everyone is welcome through the promotion of inclusion and acceptance of the special needs community in Alvarado, Texas and beyond.

WHEREAS, Autism Spectrum Disorder or otherwise known as ASD is a condition related to brain development in four areas: speech/language, behavior, social skills and sensory skills.

WHEREAS, Autism is one of the fastest growing developmental disorders in the United States; and

WHEREAS, Autism is not an intellectual disability but ignorance and failure to accept other is; and

WHEREAS, Autism will affect more children this year than Diabetes, HIV/Aids, and Cancer; and

WHEREAS, Autism now affects 1 in 68 children. Boys are nearly five times more likely than girls to be diagnosed; and

WHEREAS, Autism is no longer needed to be cured but rather understood through awareness and acceptance; and

WHEREAS, Autism is a unique opportunity for the City of Alvarado to create a promising practice model for other cities to follow as seen in Friendship Park; and

WHEREAS, in recognition to the children, adults and families living with autism spectrum disorder and their caregivers, teachers, specialists, medical professionals and others we see you and we welcome you and appreciate the contributions to our community and choosing Alvarado as home; and

NOW, THEREFORE, The City Council of the City of Alvarado, the staff, and the more than 5,000 citizens, and countless businesses of Alvarado, does hereby recognize Autism Spectrum Disorder as a unique opportunity to learn, grow, educate, and support the autism community.

IN WITNESS WHEREOF, I have set my hand and caused the seal of this City to be affixed this 18th day of April 2022.

Jacob Wheat
Mayor of Alvarado, Texas

REGULAR MEETING OF THE CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
MARCH 21, 2022
6:30 PM

MINUTES

CALL TO ORDER - Roll Call

The City Council of the City of Alvarado, Texas met in Regular Called Session on Monday, March 21, 2022 at 6:30 p.m. in the Council Chambers at City Hall. The following were present for roll call:

Jacob Wheat	*	Mayor
Beverly Short	*	Councilperson
Cherry Bryant	*	Councilperson
Scott Arthur	*	Councilperson
Kevin Thomas	*	Councilperson
Lydia Moon	*	Mayor Pro Tem

Absent:

Michael Bennett	*	Councilperson
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Paul DeBuff	*	City Manager
Debbie Thomas	*	City Secretary
Teddy May	*	Police Chief
Richard Van Winkle	*	Fire Chief
Emile Moline	*	Planning/EDC Director

INVOCATION

Mayor Jacob Wheat called this meeting to order at 6:40 p.m. Councilperson Scott Arthur gave the invocation.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT:

This is an opportunity for citizens to address the City Council on any matter. The presiding officer may ask for the citizen to hold his or her comment on an agenda item until that agenda item is reached. The City Council has no obligation to respond in any matter to comments or questions from the public. Any response from a member of the City Council to comments related to items not on the agenda is limited to a

statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for future City Council meeting.

There were no citizen comments at this meeting.

CITY MANAGER'S REPORT:

Paul DeBuff, City Manager, addressed the council regarding the opening of the Sunflower Lane road repair bids were being opened tomorrow. The City's new website is up and running. We hope to schedule Fire Chief interviews for late April. There will be an Economic Development training open to the public at 1:00 p.m., March 23, 2022 in the Council Chambers. Everyone is invited to attend.

CONSENT AGENDA:

Motion was made by Councilperson Cherry Bryant, duly seconded by Mayor Pro Tem Lydia Moon, to approve the consent agenda as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

1. Minutes from the Regular Called Meeting held on February 21 2022.
2. Minutes from the Special Called Meeting March 7, 2022.

NEW BUSINESS:

3. Public Hearing and consideration and action regarding an ordinance of the City of Alvarado, Texas, amending Chapter 42 of the city code, as amended, the Comprehensive Zoning Ordinance of the City of Alvarado, by adding a permitted specific use for outdoor storage for building materials and hardware stores.

Mayor Jacob Wheat opened this public hearing at 6:45 p.m. Emile Moline explained to the council that this would allow outside storage for hardware stores and retail businesses in the CBD district. Greg LaFountain addressed the council telling them this would definitely help with the outside mulch storage at his store. Mayor Jacob Wheat then closed the public hearing at 6:52 p.m. Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Beverly Short to approve the ordinance as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

4. Consideration and action regarding a request for a final plat on property known as a tract of land situated in the John Dixon Survey, Abstract Number 214 and the John Ross Survey, Abstract Number 737, City of Alvarado, Johnson County, Texas and being called a 41.23 acre tract of land.

Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Beverly Short, to approve the plat as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

5. Consideration and action regarding a resolution of the City of Alvarado, Texas, accepting the petition for annexation of 352.471 acres of land, more or less, located in the extraterritorial jurisdiction of the City of Alvarado in Johnson

County, Texas; setting an annexation schedule, providing for open meetings and other related matters.

Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Scott Arthur to approve the resolution as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

6. Consideration and action regarding approval of the Senior Citizen and Community Center rental application.

Motion was made by Councilperson Cherry Bryant, duly seconded by Councilperson Kevin Thomas, to approve the application as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

7. Consideration and action regarding certification for candidates that are unopposed for election to office for the election scheduled for May 7, 2022.

This item was skipped and will be placed on the Special Meeting to be held on April 4, 2022 agenda.

8. Consideration and action regarding cancellation of the election scheduled to be held on May 7 2022, for Mayor and Councilpersons in Wards I, II and III.

This item was skipped and will be placed on the Special Meeting to be held on April 4, 2022 agenda.

9. Consideration and action regarding a resolution of the City Council of the City of Alvarado , Texas accepting for filing a landowner petition for the addition of land to a Public Improvement District and calling a public hearing.

Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Cherry Bryant, to approve the resolution as presented and call for a public hearing. This motion supported five votes in approval and zero votes opposed. Motion carried.

10. Consideration and action regarding a development agreement between the City of Alvarado, Texas and 215/67/Alvarado LLC.

After a presentation by Lennar Homes, motion was made by Councilperson Kevin Thomas, duly seconded by Councilperson Cherry Bryant, to approve the development agreement as presented. This motion supported five votes in approval and zero votes opposed. Motion carried

EXECUTIVE SESSION:

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, executive session may be held under one or more of Sections 551.071, 551.073, 551.074, 551.076, 551.087, 413.183(f) and 418.106 (d) & (e), either at the end of the regular session or at any time during the meeting on any item on the agenda if a need arises for the City Council to seek advice from the City Attorney or otherwise convene in closed session as permitted by such sections of the Open Meetings Act. The City Council may take action on any agenda item listed for executive session upon reconvening in open session. Please refer to the agenda for the items posted. a. 551.071. Consultation with Attorney. The City Council may convene into Executive Session to conduct a private consultation with its Attorney on

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March 21, 2022

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any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items: 1. Any posted item on the agenda.

There was not an Executive Session held at this meeting.

COUNCIL COMMENTS:

Pursuant to LGC Section 551.0415, City Council Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest may include, but not necessarily limited to any of the following:

- Expressions of thanks, congratulations, or condolence;
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- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Mayor Jacob Wheat addressed the council regarding a candidate forum to be held in Burleson, Texas. Emile Moline invited everyone to attend the Economic Development Training that will be held on March 23, 2022 at 1 P.M. in the Council Chambers at city hall.

ADJOURNMENT

Mayor Jacob Wheat then adjourned this regular called meeting of the Allvarado City Council at 7:29 p.m. Passed and approved this the _____ day of _____, 2022.

Jacob Wheat, Mayor

Attest:

Debbie Thomas, City Secretary

SPECIAL MEETING OF THE CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
APRIL 4, 2022
6:30 PM

MINUTES

CALL TO ORDER -Roll Call

The City Council of the City of Alvarado, Texas met in Special Called Session on Monday, April 4, 2022 at 6:30 p.m. in the Council Chambers at City Hall. The following were present for roll call:

Jacob Wheat	*	Mayor
Cherry Bryant	*	Councilperson
Scott Arthur	*	Councilperson
Kevin Thomas	*	Councilperson
Lydia Moon	*	Mayor Pro Tem

Absent:

Beverly Short	*	Councilperson
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Paul DeBuff	*	City Manager
Debbie Thomas	*	City Secretary
Teddy May	*	Police Chief
Richard VanWinkle	*	Fire Chief
Emile Moline	*	Planning/EDC Department
Michael Dwiggin	*	Public Works Director

INVOCATION

Mayor Jacob Wheat called this meeting to order at 6:30 p.m. Councilperson Kevin Thomas gave the invocation.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT:

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Jameye Jones informed the Council of three events happening this weekend

beginning with Autism Awareness from 10 -2 at Friendship Park, Parkway Park. Compassionate Care Coalition at the Old Settlers Reunion and Shepherd Valley Church Easter Experience from 12 -2 at the church.

NEW BUSINESS:

1. Consideration and action regarding proposal for Lakeview Drive Parking. (DeBuff)
Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Michael Bennett, to approve the proposal as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

2. Consideration and action regarding Parks of Alvarado Phase 2 and 3 final plat. (Moline)

Emile Moline, Planning Director, explained to the council that this plat had been approved by the Planning and Zoning Commission. Motion was made by Councilperson Kevin Thomas, duly seconded by Councilperson Scott Arthur, to approve the plat as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

3. Consideration and action regarding fireworks deposit payment to Pyro Shows of Texas, Inc. (DeBuff)

Paul DeBuff, City Manager, addressed the council in reference to the fireworks display for the Fourth of July. He stated that the total cost is \$15,000.00. This is a down payment for these fireworks. Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Michael Bennett, to approve the expenditure as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

4. Consideration and action regarding cancellation of municipal elections for Mayor and City Council. (Thomas)

Debbie Thomas, City Secretary explained to the council that the Special and Regular elections will be canceled due to all candidates are unopposed. The Mayor's election will also be canceled due to the withdrawal of the opposing candidate. Motion was made by Councilperson Michael Bennett, duly seconded by Mayor Pro Tem Lydia Moon, to cancel as elections as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

5. Consideration and action regarding awarding of bid for reconstruction of Sunflower Lane to McClendon Construction. (Dwiggins)

Michael Dwiggins, Public Works Director addressed the council in reference to the bids that were received for the reconstruction of Sunflower Lane. Staff and engineers recommend award of bid to McClendon Construction for Alternate A of concrete pavement instead of asphalt in the amount of \$553,120.00. Motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Michael Bennett, to approve the award of bid to McClendon Construction in the amount of \$553,120.00 for concrete pavement. This motion supported five votes in approval and zero votes opposed. Motion carried.

6. Consideration and action regarding the acceptance of a \$50,000.00 fee in lieu of parkland dedication from Bloomfield Development, for the development of Sunset Ridge. (DeBuff)

Paul DeBuff, City Manager, addressed the council in reference to accepting \$50,000.00 payment from Bloomfield Homes in lieu of a park in the Sunset Ridge Addition. After discussion, motion was made by Mayor Pro Tem Lydia Moon, duly seconded by Councilperson Kevin Thomas, to accept the \$50,000.00 in lieu of a park in the Sunset Ridge Addition. This motion supported five votes in approval and zero votes opposed. Motion carried.

7. Consideration and action regarding delegating authority to the City Manager, or his designee, to implement the Construction Manager at Risk Method for the Wastewater Treatment Plant Expansion Project as allowed under the Texas Government Code Chapter 2269, Subchapter F and take any action authorized or required without further action of the City Council, provided all supporting statutory findings have been made by the City Manager or his designee except that execution of the final construction contract will require the subsequent approval of the City Council. (DeBuff)

After discussion, motion was made by Councilperson Kevin Thomas, duly seconded by Councilperson Michael Bennett, to accept this item as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

8. Consideration and action regarding the request for rezoning for property known as a tract of land in the John Dixon Survey, Abstract Number 214, and the Ira Glaze Survey, Abstract Number 313, Alvarado, Johnson County, Texas from an "A" (Agriculture) to a "PD" (Planned Development) zoning district. (Moline)

After discussion, motion was made by Councilperson Michael Bennett, duly seconded by Mayor Pro Tem Lydia Moon, to accept the rezoning as presented. This motion supported five votes in approval and zero votes opposed. Motion passed.

9. Consideration and action regarding lease agreement between Joe Hardee and Prairielands Public Facility Corporation.

This item was skipped.

EXECUTIVE SESSION:

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene in closed session to deliberate regarding the following matters: a. 551.071 Consultation with Attorney. The City Council may convene in Executive Session to conduct a private consultation with its Attorney on any legally posted agenda item, when the City Council seeks the advice of its Attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provision of Chapter 551, including the following.

There was not an Executive Session at this meeting.

COUNCIL COMMENTS:

Pursuant to LGC Section 551.0415, City Council Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest may include, but not necessarily limited to any of the following:

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- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

There were no council comments at this meeting.

ADJOURNMENT

Mayor Jacob Wheat then adjourned this Special Called Meeting of the Alvarado City Council at 7:00 p.m.

Passed and approved this the _____ day of _____, 2022.

Jacob Wheat, Mayor

Attest:

Debbie Thomas, City Secretary

CITY OF ALVARADO, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, ANNEXING BY VOLUNTARY PETITION APPROXIMATELY 352.471 ACRES IN JOHNSON COUNTY, TEXAS, SITUATED GENERALLY EAST OF THE N. CUMMINGS DRIVE AND COUNTY ROAD 508 INTERSECTION AND EAST OF COUNTY ROAD 607, INTO THE CORPORATE LIMITS OF THE CITY OF ALVARADO, TEXAS; IDENTIFYING THE CITY COUNCIL'S FINDINGS OF FACT IN SUPPORT OF THE ANNEXATION; AMENDING THE OFFICIAL MAP AND BOUNDARIES OF THE CITY; GRANTING ALL INHABITANTS OF THE ANNEXED PROPERTY ALL RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF ALVARADO, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas ("City"), is a general law municipality with all the rights and privileges attendant thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code, "Authority to Annex Area on Request of Owners," authorizes a municipality to "annex an area if each owner of land in the area requests the annexation"; and

WHEREAS, on or about February 19, 2022, ALVARADO 429 PARTNERS, LLC, a Texas limited liability company, and GRBK EDGEWOOD LLC, a Texas limited liability company (collectively, the "Landowner") submitted to the City its Voluntary Petition for Annexation of an Area Within the Extraterritorial Jurisdiction of the City of Alvarado, Texas ("Petition for Voluntary Annexation"), said area consisting of approximately 352.471 acres in Johnson County, Texas, situated generally **east of the N. Cummings Drive and County Road 508 Intersection and east of County Road 607** ("Property"), as more particularly described by metes and bounds and depicted in the attached **Exhibit A**; and

WHEREAS, the Property is adjacent to the corporate limits of the City of Alvarado and is located entirely within the extraterritorial jurisdiction of the City; and

WHEREAS, the Landowner has represented to the City in its Petition for Voluntary Annexation that it is the sole landowner of the Property and that the Property has no residents; and

WHEREAS, the City wishes to annex the Property, and has duly accepted and considered the Petition for Voluntary Annexation; and

WHEREAS, the City Council of the City of Alvarado, Texas ("City Council"), in compliance with the laws of the State of Texas and the ordinances of the City, has given the requisite notices by publication and otherwise, and has held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in, and situated in and in the vicinity of, the Property; and

WHEREAS, the City Council has determined that ALVARADO 429 PARTNERS, LLC and GRBK EDGEWOOD LLC are the sole landowners of the Property and that the Property has no residents; and

WHEREAS, the City Council has determined that the Petition for Voluntary Annexation is otherwise consistent with the requirements of Texas law and the City's ordinances, and that this annexation, among other important criteria considered relevant by the City Council, promotes the health, safety, and general welfare of the City and the safe, orderly, efficient, and healthful development of the City; and

WHEREAS, the City Council finds that the annexation of the Property is consistent with the goals and objectives of the City's Comprehensive Plan; and

WHEREAS, the service plan as previously entered into by the Landowner and the City and set forth in the executed Amended and Restated Development Agreement dated October 18, 2021 provides for the extension of full municipal services to the area to be annexed; and

WHEREAS, the City Council deems it to be in the best interest of the City to annex the Property into the City.

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

SECTION 1. All of the above recitals are found to be true and correct legislative and factual findings of the City Council of the City of Alvarado, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The Property described by metes and bounds and depicted in the attached **Exhibit A** is hereby annexed into the City of Alvarado, Johnson County, Texas, and made an integral part hereof, and the municipal boundaries of the City are extended to include the Property within the corporate limits of the City.

SECTION 3. Upon being annexed into the City, the zoning on the Property shall be "A – Agricultural" until such time as the zoning may be changed to another permanent zoning district.

SECTION 4. The official map and boundaries of the City of Alvarado are hereby amended and revised to include the area annexed, and to reflect the expansion of the City's extraterritorial jurisdiction resulting from such annexation,

SECTION 5. A service plan prepared in accordance with applicable provisions of state law pertaining to annexation, was previously entered into on October 18, 2021 and is incorporated herein for all intents and purposes.

SECTION 6. The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Alvarado, Texas, and are hereby bound by all acts, ordinances, and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

SECTION 7. The City Secretary is hereby instructed to include this Ordinance in the records of the City; to have maps prepared depicting the new municipal boundaries and extraterritorial jurisdiction; and to file a certified copy of this Ordinance with the County Clerk of Johnson County, Texas.

SECTION 8. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is declared illegal, invalid, or unconstitutional, or if any portion of the Property cannot be annexed by the City, such event shall not affect the validity of the remaining sections, paragraphs, sentences, clauses, phrases, or words of this Ordinance or their application to the remaining portion of the Property.

SECTION 9. This Ordinance is effective immediately and the annexation achieved herein shall be final and complete upon the adoption of this Ordinance on the date set forth below.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

Jacob Wheat, Mayor

ATTEST:

Debbie Thomas, City Secretary

EXHIBIT A
Legal Description and Map of the Property

BEING a 352.471 acre tract of land situated in the **JAMES B. CONGER SURVEY, ABSTRACT NO. 150, GEORGE S. McINTOSH SURVEY, ABSTRACT NO. 625, JAMES NICHOLSON SURVEY, ABSTRACT NO. 1079**, in the City of Alvarado, Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and Lot 3, Block 1, SR20 Addition, an addition in the City of Alvarado, Johnson County, Texas, according to the plat thereof recorded in Volume 10, Page 742, Plat Records, Johnson County, Texas, said point being in the west right-of-way line of County Road 607;

THENCE N 89°12'10" W, along the common line of said Robinson tract, and said Lot 3, Block 1, a distance of 2585.01 feet to a 1/2 inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and said Lot 3, Block 1;

THENCE S 05°36'42" W, along the common line of said Robinson tract, and said Lot 3, Block 1, passing the common corner of said Lot 3, Block 1, and Lot 2, Block 1, of said SR20 Addition, and continuing a total distance of 1565.44 feet to a 1/2 inch iron rod with cap stamped "FORT WORTH SURVEYING" found for the common corner of said Robinson tract, and said Lot 2, Block 1;

THENCE S 89°51'19" E, along the common line of said Robinson tract, and said Lot 2, Block 1, a distance of 76.81 feet to a 1/2 inch iron rod found for the common corner of said Robinson tract, and said Lot 2, Block 1;

THENCE S 00°06'33" W, along the common line of said Robinson tract, and said Lot 2, Block 1, a distance of 90.02 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, said Lot 2, Block 1, and a tract of land described in a deed to Dixie Partners 8, LLC, recorded in Document Number 2018-04925, Deed Records, Johnson County, Texas;

THENCE S 88°54'58" W, along the common line of said Robinson tract, and said Dixie Partners 8, LLC tract, passing a 1/2 inch iron rod found at a distance of 4.08 feet, and continuing a total distance of 2602.59 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and said Dixie Partners 8, LLC tract, said point being in the east line of a tract of land described in a deed to Alvarado ISD, recorded in Volume 2691, Page 258, Deed Records, Johnson County, Texas;

THENCE N 00°37'20" W, along the common line of said Robinson tract, and said Alvarado ISD tract, a distance of 1672.90 feet to a 2 inch iron pipe found for the common corner of said Robinson tract, Alvarado ISD tract, and a tract of land described in a deed to Robert Lee Franklin, recorded in Volume 1085, Page 578, Deed Records, Tarrant County, Texas;

Ordinance No. _____

THENCE N 00°19'20" E, along the common line of said Robinson tract, and said Franklin tract, a distance of 955.48 feet to point for corner;

THENCE S 89°38'40" E, 223.25 feet to a point for corner;

THENCE Northeasterly, 1,997.66 feet along a curve to the right having a central angle of 43°22'08", a radius of 2,639.15 feet, a tangent of 1,049.42 feet and whose chord bears N 42°42'11" E, 1,950.31 feet to a point for corner;

THENCE S 29°22'14" E, 427.15 feet to a point for corner;

THENCE N 60°23'20" E, 1,267.08 feet to a point for corner;

THENCE Southeasterly, 1,188.71 feet along a curve to the right having a central angle of 25°48'24", a radius of 2,639.15 feet, a tangent of 604.61 feet and whose chord bears S 73°23'53" E, 1,178.68 feet to a point for corner;

THENCE Northeasterly, 481.79 feet along a curve to the right having a central angle of 10°33'00", a radius of 2,616.53 feet, a tangent of 1241.58 feet and whose chord bears N 64°13'36" E, 481.11 feet to a point for corner;

THENCE S 04°30'31" W, 740.93 feet to a point for corner;

THENCE S 88°42'17" E, along the common line of said Robinson tract, and said Alegria tract, a distance of 904.65 feet to a 5/8 inch iron rod found for the common corner of said Robinson tract, and said Alegria tract;

THENCE S 00°19'40" E, along the common line of said Robinson tract, and said Alegria tract, passing a 5/8 inch iron rod found for an interior corner of said Alegria tract, said point being in the right-of-way line of said County Road 607, at a distance of 26.31 feet, and continuing along the east line of said Robinson tract, and along the west right-of-way line of said County Road 607, a total distance of 1765.89 feet to the **POINT OF BEGINNING** and containing 15,353,640 square feet or 352.471 acres of land more or less.



CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS
JOHNSON COUNTY
CITY OF ALVARADO

We, the undersigned officers of the City of Alvarado (the "City"), hereby certify as follows:

1. The Council convened in a regular meeting on April 18, 2022, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of said Council, to wit:

Jacob Wheat, Mayor

Lydia Moon, Mayor Pro Tem

Michael Bennett, Councilmember

Beverly Short, Councilmember

Cherry Bryant, Councilmember

Scott Arthur, Councilmember

Kevin Thomas, Councilmember

and all of said persons were present, except _____, thus constituting a quorum. Whereupon, among other business the following was transacted at said meeting: a written

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS,
ADDING LAND TO THE LONE OAK PUBLIC IMPROVEMENT DISTRICT

was duly introduced for the consideration of said Council. It was then duly moved and seconded that said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried, with all members of said Council shown present above voting "Aye," except as noted below:

NAYS: _ ABSTENTIONS: _

2. A true, full, and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in said Council's minutes of said meeting; the above and foregoing paragraph is a true, full, and correct excerpt from said Council's minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said Council as indicated therein; that each of the officers and members of said Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given all as required by the Texas Government Code, Chapter 551.

3. The City Council has approved and hereby approves the Resolution; and the Mayor and City Secretary hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED ON APRIL 18, 2022.

Debbie Thomas

Jacob Wheat

(CITY SEAL)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, ADDING LAND TO THE LONE OAK PUBLIC IMPROVEMENT DISTRICT (April 18, 2022)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, ADDING LAND TO THE LONE OAK PUBLIC IMPROVEMENT DISTRICT

WHEREAS, Chapter 372 of the Texas Local Government Code (the "*Act*") authorizes the creation of public improvement districts; and

WHEREAS, the City has previously created Lone Oak Public Improvement District (the "*District*") pursuant to a resolution approved on October 18, 2021 (the "*Creation Resolution*");

WHEREAS, the owners certain real property (the "*Additional Land*") delivered to the City of Alvarado, Texas a petition (the "*Petition*") requesting the addition of such Additional Land to the District; and

WHEREAS, the boundaries of the Additional Land to the District are described in Exhibit A attached hereto, with such Additional Land being located within the extraterritorial jurisdiction of the City; and

WHEREAS, after providing all notices required by the Act, the City, on April 18 2022, conducted a public hearing pursuant to Section 372.012 of the Act on the advisability of the addition of lands and the Authorized Improvements (as such term is defined herein) and services for the addition of lands as described in the Petition; and

WHEREAS, the City Council adjourned and closed the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS:

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct.

SECTION 2: The Petition submitted to the City was filed with the City Secretary and complies with Subchapter A of the Act.

SECTION 3. Pursuant to the requirements of the Act, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on April 18, 2022, hereby finds and declares:

(a) **Advisability of the Proposed Improvements.** It is advisable to add the Additional Land to the District to provide the Authorized Improvements (as defined herein) and services to the Additional Land as described in the Petition and this Resolution. The Authorized Improvements are necessary to serve the Additional Land, will promote the interests of the City and will confer a special benefit on the District, including the Additional Land.

(b) **General Nature of the Improvements.** The general nature of the proposed Authorized Improvements to be provided in and to the Additional Land include the design, acquisition and construction of those improvements for which the District was created and identified in the Creation Resolution (the "Initial Improvements") consisting of (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District and (ix) payment of costs associated with developing and financing the public improvements listed above, as well as the costs of issuance, reserve funds, capitalized interest or credit enhancement of bonds issued for the purposes described above (the "*Additional Improvements*" and, together with the Initial Improvements, the "*Authorized Improvements*").

(c) **Estimated Cost of the Authorized Improvements.** The estimated cost to design, acquire and construct the Additional Improvements benefitting the Property, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District is \$42,000,000 including the Initial Improvements.

(d) **Boundaries.** The Additional Land compromises approximately 76.93 acres and shall be added to the District's original boundaries of approximately 352.471 acres. The revised boundaries of the District are set forth in Exhibit B, attached hereto.

(e) **Proposed Method of Assessment.** The City shall levy assessments on each lot or tract within the Additional Land, in a manner and using an assessment methodology that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including accrued and unpaid interest), or in annual installments (including interest). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed in whole or in part by the assessment, and must continue for a period necessary to retire the indebtedness on those Authorized Improvements (including interest). A report will be prepared showing the special benefit accruing to property in the Additional Land and how the costs of the

Authorized Improvements are assessed to property on the basis of special benefit.

(f) Apportionment of Cost between the City and the District. All of the costs of the Additional Improvements will be paid from assessments levied on properties within the Additional Land or bonds to be issued by the City, which bonds will be repaid from the assessments levied on properties within the Additional Land and from other sources of funds, if any, available to the City. All assessments levied or to be levied on a property within the Additional Land shall be apportioned the basis of the special benefit accruing to such property relating to the Additional Improvements.

(g) Management of the District. The District, including the Additional Land, shall continue to be managed by the City or with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

(h) Advisory Body. The District, including the Additional Land, shall continue to be managed without the creation of an advisory body.

SECTION 4. The Additional Land is hereby added to the boundaries of the District under the Act in accordance with the findings as to the advisability of the Authorized Improvements and addition of the Additional Land contained in this Resolution.

SECTION 5. The City's staff is directed to give notice of the authorization for the addition of the Additional Land to the District and the revised boundaries of the District by filing a copy of this Resolution with the Johnson County Clerk not later than the seventh day after the date of the adoption of this Resolution. Such authorization shall take effect and the Additional Land shall become a part of the District and assume the rights and obligations accruing by inclusion thereto effective upon the publication of such notice. The District, including the Additional Land, shall exist until dissolved or terminated as provided by law.

SECTION 6. This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, THIS 18th DAY OF APRIL, 2022.

Mayor

ATTEST:

City Secretary

[CITY SEAL]

Exhibit A

Additional Land Boundaries

LEGAL DESCRIPTION

BEING a 4.201 acre tract of land situated in the James B. Conger Survey, Abstract Number 150, in Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows: BEGINNING at a point in the north line of said Robinson tract, said point also being in the

approximate centerline of County Road 508,

THENCE North 60 degrees 07 minutes 21 seconds East, 269.38 feet to a point for corner;

THENCE Southwesterly, 1,309.79 feet along a curve to the right having a central angle of 28 degrees 46 minutes 51 seconds, a radius of 2,607.48 feet, a tangent of 669.02 feet and whose chord bears South 03 degrees 24 minutes 12 seconds West, 1,296.07 feet to a point for corner;

THENCE North 00 degrees 19 minutes 20 seconds East, 414.74 feet to a point for corner;

THENCE North 12 degrees 02 minutes 50 seconds West, 761.63 feet to the POINT OF

BEGINNING and containing 183,015 square feet or 4.201 acres of land.

LEGAL DESCRIPTION

BEING a 47.131 acre tract of land situated in the James B. Conger Survey, Abstract Number 150, and the George S. McIntosh Survey, Abstract Number 625 in Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of said Robinson tract, said point also being in the approximate centerline of County Road 508,

THENCE South 29 degrees 22 minutes 14 seconds East, 1,302.98 feet along the north line of said Robinson tract to a point for corner;

THENCE Southwesterly, 1,997.66 feet along a curve to the left having a central angle of 43 degrees 22 minutes 08 seconds, a radius of 2,639.15 feet, a tangent of 1,049.42 feet and whose chord bears South 42 degrees 42 minutes 11 seconds West, 1,950.31 feet to a point for corner;

THENCE North 89 degrees 38 minutes 40 seconds West, 223.25 feet to a point for corner in the west line of said Robinson tract;

THENCE North 00 degrees 19 minutes 20 seconds East, 799.35 feet along the west line of said Robinson tract to a point for corner;

THENCE Northeasterly, 1,309.79 feet along a curve to the left having a central angle of 28 degrees 46 minutes 51 seconds, a radius of 2,607.48 feet, a tangent of 669.02 feet and whose chord bears North 03 degrees 24 minutes 12 seconds East, 1,296.07 feet to a point for corner in the north line of said Robinson tract;

THENCE North 60 degrees 07 minutes 21 seconds East, 951.98 feet along the north line of said Robinson tract to the POINT OF BEGINNING and containing 2,053,031 square feet or 47.131 acres of land.

LEGAL DESCRIPTION

BEING a 25.598 acre tract of land situated in the James B. Conger Survey, Abstract Number 150 and the James Nicholson Survey, Abstract Number 1079, Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the common corner of said Robinson tract and Block 1, Sage Meadows, an addition in the City of Alvarado, Johnson County, Texas, according to the plat thereof recorded in Cabinet B, Slide 279, Plat Records, Johnson County, Texas;

THENCE South 04 degrees 15 minutes 09 seconds West, 647.86 feet along the common line of said Robinson tract, and said Block 1 to a point for the common corner of said Robinson tract, and said Block 1;

THENCE North 86 degrees 29 minutes 36 seconds West, 257.82 feet along the common line of said Robinson tract, and said Block 1 to a point for the common corner of said Robinson tract, and said Block 1;

THENCE South 04 degrees 30 minutes 31 seconds West, 584.70 feet along the common line of said Robinson tract to a point for corner;

THENCE Southwesterly, 481.79 feet along a curve to the left having a central angle of 10 degrees 33 minutes 00 seconds, a radius of 2,616.53 feet, a tangent of 241.58 feet and whose chord bears South 64 degrees 13 minutes 36 seconds West, 481.11 feet to a point for corner;

THENCE Northwesterly, 1,188.71 feet along a curve to the left having a central angle of 25 degrees 48 minutes 24 seconds, a radius of 2,639.15 feet, a tangent of 604.61 feet and whose chord bears North 73 degrees 23 minutes 53 seconds West, 1,178.68 feet to a point for corner in the north line of said Robinson tract;

THENCE along the north line of said Robinson tract as follows:

North 60 degrees 23 minutes 20 seconds East, 616.28 feet to a point for corner;

North 60 degrees 27 minutes 35 seconds East, 1,584.29 feet to the POINT OF

BEGINNING and containing 1,115,047 square feet or 25.598 acres of land.

Exhibit B

District Land Boundaries

South 88 degrees 41 minutes 56 seconds East, 1,632.57 feet along the approximate centerline of C.R. 400 to a "pk" nail found for corner, said point being the northwest corner of that called Tract 2 – 3.629 acres described in deed to Fair Parkway, L.P. as recorded in Document Number 20170802001028720 and in later described in correction deed Document Number 20171005001338340, Official Public Records of Collin County, Texas;

South 00 degrees 30 minutes 13 seconds East, 486.41 feet to a five-eighths inch iron rod found for corner, said point being the southwest corner of said 3.629 acre tract;

North 89 degrees 35 minutes 20 seconds East, 320.80 feet to a five-eighths inch iron rod found for corner, said point being the southeast corner of said 3.629 acre tract;

North 01 degrees 18 minutes 04 seconds East, 476.45 to a point for corner, said point being the northeast corner of said 3.629 acre tract, said point also being in the approximate centerline of C.R. 400;

South 88 degrees 40 minutes 36 seconds East, 120.00 feet along the approximate centerline of C.R. 400 to a "pk" nail found for corner, said point being the northwest that called Tract 1 – 3.020 acres described in deed to Fair Parkway, L.P. as recorded in Document Number 20170802001028720 and in later described in correction deed Document Number 20171005001338340, Official Public Records of Collin County, Texas;

South 01 degrees 18 minutes 04 seconds West, 396.40 feet to a five-eighths inch iron rod found for corner, said point being the southwest corner of said 3.020 acre tract;

North 89 degrees 29 minutes 08 seconds East, 340.72 feet to a five-eighths inch iron rod found for corner, said point being the southeast corner of said 3.020 acre tract;

North 00 degrees 30 minutes 52 seconds West, 396.48 to a "pk" nail found for corner, said point being the northeast corner of said 3.020 acre tract, said point also being in the approximate centerline of C.R. 400;

THENCE along the approximate centerline of C.R. 400 as follows:

Northeasterly, 212.88 feet along a curve to the left having a central angle of 08 degrees 07 minutes 54 seconds, a radius of 1,500.00 feet, a tangent of 106.62 feet, whose chord bears North 80 degrees 22 minutes 34 seconds East, 212.71 feet to a point for corner;

North 76 degrees 18 minutes 38 seconds East, 373.82 feet to a point for corner;

Northeasterly, 172.18 feet along a curve to the right having a central angle of 14 degrees 05 minutes 36 seconds, a radius of 700.00 feet, a tangent of 86.53 feet, and whose chord bears North 83 degrees 21 minutes 26 seconds East, 171.75 feet to a point for corner;

South 89 degrees 35 minutes 45 seconds East, 1,660.84 feet to the POINT OF BEGINNING and containing 7,763,588 square feet or 178.228 acres of land.

Being a parcel of land located in the City of Alvarado, Johnson County Texas, a part of the Hardin Wright Survey, Abstract Number 957, and also being part of that called 10.00 acre tract described in deed to The City of Alvarado, Texas as recorded in Document Number 20191015001296900, Official Public Records of Johnson County, Texas, and being further described as follows:

COMMENCING at a five-eighths inch iron rod with cap stamped "BGT" found for corner, said point being the southwest corner of said 10.00 acre tract, said point being the northwest corner of that called 177.029 acre tract of land described in deed to D.R. Horton - Texas, LTD. recorded in Document Number 20191018001313040, Official Public Records of Johnson County, Texas, said point also being in the east line of that called 109.96 acre tract of land described in deed to AJE Group, LLC as recorded in Document Number 20170927001295150, Official Public Records of Johnson County, Texas;

THENCE North 89 degrees 30 minutes 53 seconds East, 41.42 feet along the south line of said 10.00 acre tract and north line of said 177.029 acre tract to a one-half inch iron rod with yellow cap stamped "JBI" set at the POINT OF BEGINNING;

THENCE Northeasterly 504.25 feet along a curve to the right having a central angle of 24 degrees 04 minutes 35 seconds, a radius of 1,200.00 feet, a tangent of 255.9 feet, and whose chord bears North 29 degrees 20 minutes 28 seconds East, 500.55 feet to a point for corner, said point being in the north line of said 10.00 acre tract and west line of that called 178.954 acre tract of land described in deed to D.R. Horton - Texas, LTD as recorded in Document Number 20170530000689080, Official Public Records of Johnson County, Texas

THENCE North 89 degrees 29 minutes 31 seconds East, 605.58 feet to a one-half inch capped iron rod stamped "GEER" found at the most easterly north corner of said 10.00 acre tract, said point also being in the west line of said 178.954 acre tract;

THENCE South 01 degrees 22 minutes 34 seconds East, 434.54 feet to a one-half inch iron rod with cap stamped "GEER" found for corner, point being the southeast corner of said 10.00 acre tract, said point being in south line of said 178.954 acre tract and in the north line of said 177.029 acre tract;

THENCE South 89 degrees 30 minutes 53 seconds West, 861.30 feet along the south line of said 10.00 acre tract and north line of said 177.029 tract to the POINT OF BEGINNING and containing 327,393 square feet or 7.516 acres.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (north central zone 4202 state plane coordinates, nad83), distances shown hereon are grid distance values.

LEGAL DESCRIPTION

BEING a 4.201 acre tract of land situated in the James B. Conger Survey, Abstract Number 150, in Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of said Robinson tract, said point also being in the approximate centerline of County Road 508,

THENCE North 60 degrees 07 minutes 21 seconds East, 269.38 feet to a point for corner;

THENCE Southwesterly, 1,309.79 feet along a curve to the right having a central angle of 28 degrees 46 minutes 51 seconds, a radius of 2,607.48 feet, a tangent of 669.02 feet and whose chord bears South 03 degrees 24 minutes 12 seconds West, 1,296.07 feet to a point for corner;

THENCE North 00 degrees 19 minutes 20 seconds East, 414.74 feet to a point for corner;

THENCE North 12 degrees 02 minutes 50 seconds West, 761.63 feet to the POINT OF BEGINNING and containing 183,015 square feet or 4.201 acres of land.

LEGAL DESCRIPTION

BEING a 25.598 acre tract of land situated in the James B. Conger Survey, Abstract Number 150 and the James Nicholson Survey, Abstract Number 1079, Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the common corner of said Robinson tract and Block 1, Sage Meadows, an addition in the City of Alvarado, Johnson County, Texas, according to the plat thereof recorded in Cabinet B, Slide 279, Plat Records, Johnson County, Texas;

THENCE South 04 degrees 15 minutes 09seconds West, 647.86 feet along the common line of said Robinson tract, and said Block 1 to a point for the common corner of said Robinson tract, and said Block 1;

THENCE North 86 degrees 29 minutes 36 seconds West, 257.82 feet along the common line of said Robinson tract, and said Block 1 to a point for the common corner of said Robinson tract, and said Block 1;

THENCE South 04 degrees 30 minutes 31 seconds West, 584.70 feet along the common line of said Robinson tract to a point for corner;

THENCE Southwesterly, 481.79 feet along a curve to the left having a central angle of 10 degrees 33 minutes 00 seconds, a radius of 2,616.53 feet, a tangent of 241.58 feet and whose chord bears South 64 degrees 13 minutes 36 seconds West, 481.11 feet to a point for corner;

THENCE Northwesterly, 1,188.71 feet along a curve to the left having a central angle of 25 degrees 48 minutes 24 seconds, a radius of 2,639.15 feet, a tangent of 604.61 feet and whose chord bears North 73 degrees 23 minutes 53 seconds West, 1,178.68 feet to a point for corner in the north line of said Robinson tract;

THENCE along the north line of said Robinson tract as follows:

North 60 degrees 23 minutes 20 seconds East, 616.28 feet to a point for corner;

North 60 degrees 27 minutes 35 seconds East, 1,584.29 feet to the POINT OF BEGINNING and containing 1,115,047 square feet or 25.598 acres of land.

LEGAL DESCRIPTION

BEING a 47.131 acre tract of land situated in the James B. Conger Survey, Abstract Number 150, and the George S. McIntosh Survey, Abstract Number 625 in Johnson County, Texas, being a part of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019-09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of said Robinson tract, said point also being in the approximate centerline of County Road 508,

THENCE South 29 degrees 22 minutes 14 seconds East, 1,302.98 feet along the north line of said Robinson tract to a point for corner;

THENCE Southwesterly, 1,997.66 feet along a curve to the left having a central angle of 43 degrees 22 minutes 08 seconds, a radius of 2,639.15 feet, a tangent of 1,049.42 feet and whose chord bears South 42 degrees 42 minutes 11 seconds West, 1,950.31 feet to a point for corner;

THENCE North 89 degrees 38 minutes 40 seconds West, 223.25 feet to a point for corner in the west line of said Robinson tract;

THENCE North 00 degrees 19 minutes 20 seconds East, 799.35 feet along the west line of said Robinson tract to a point for corner;

THENCE Northeasterly, 1,309.79 feet along a curve to the left having a central angle of 28 degrees 46 minutes 51 seconds, a radius of 2,607.48 feet, a tangent of 669.02 feet and whose chord bears North 03 degrees 24 minutes 12 seconds East, 1,296.07 feet to a point for corner in the north line of said Robinson tract;

THENCE North 60 degrees 07 minutes 21 seconds East, 951.98 feet along the north line of said Robinson tract to the POINT OF

ORDINANCE NO. ____

AN ORDINANCE AMENDING SECTION 38-255 OF THE ALVARADO CODE OF ORDINANCES, PROHIBITING ON-STREET PARKING ON THE ENTIRE NORTHEAST SIDE OF THE 200 BLOCK OF S. 3RD STREET; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas is a Type A general-law municipality located in Johnson County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council has previously enacted regulations prohibiting on-street parking along certain streets within the City; and

WHEREAS, the City Council desires to amend said regulations to include the area on the entire northeast side of the 200 block of S. 3rd Street;

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

Section 1: That Section 38-255 of the Alvarado Code of Ordinances be amended to add a new subsection (12), which shall read as follows:

"(12) The entire northeast side of the 200 block of S. 3rd St."

Section 2: This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 3: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

- Section 4: Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than two hundred dollars (\$200.00). Each day that a violation is permitted to exist shall constitute a separate offense.
- Section 5: The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this ordinance as required by Section 52.011 of the Local Government Code.
- Section 6: This ordinance shall be in full force and effect from and after its passage and publication as required by law,

AND SO, IT IS ORDAINED.

Passed on the 18th day of April 2022, by a vote of ____ to ____.

CITY OF ALVARADO

By: _____

Jacob Wheat, Mayor

ATTEST:

Debbie Thomas, City Secretary

