RESOLUTION NO. 16 - 16

A RESOLUTION RELATING TO A PROPERTY REPLAT AUTHORIZING MAYOR TO EXECUTE SAID RESOLUTION, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, GRANTING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNATE TO AUTHORIZE PROPERTY REPLAT, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING THIS RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 19th day of April 2016, at 6:00 p.m., a majority of council members being present and constituting a quorum, the following resolution was adopted:

WHEREAS, the owner of the property, has made a request for a Property Replat for the use of said premises being more particularly described in said request, as well as in the minutes of the City of Commerce, Texas, Planning and Zoning Commission meeting of April 5, 2016, and which minutes are attached hereto, marked Exhibit "A" and made a part hereof just as if copied herein verbatim; and

WHEREAS, the Planning and Zoning Commission of the City of Commerce, Texas, in accordance with Section 2.6, (styled replatting) of the Subdivision Ordinance of the City of Commerce, Texas, after conducting a public hearing on said request and all other prerequisites relating thereto, and after consideration of the grounds for the authorization of a property replat for the use of that premises described in said request, recommended to the City Council of the City of Commerce, Texas, that said request be approved, and that a Property Replat be authorized; and

WHEREAS, the City Council, after having reviewed the action of the Planning and Zoning Commission and this recommendation, as well as having complied with all prerequisites of the Subdivision Ordinance of the City of Commerce, Texas, relative to the authorization of property replat, deems it in the best interest and general welfare of the City of Commerce that said request for property replat, be granted and that property replat should be authorized for the owner of the property shown on map, attached hereto and marked Exhibit "B", as provided for in Section 2.6, (styled replatting) of the Subdivision Ordinance of the City of Commerce, Texas.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and she is hereby authorized to execute this Resolution, and the City Manager or his designate in accordance with this resolution be authorized and he is hereby approve property replat on such property described in said request.

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Resolution, and to attest to the signature of the City Manager to any instruments requisite to implementing this Resolution.

PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the 19th day of April 2016.

ATTEST: CITY OF COMMERCE, TEXAS

Becky Pattillo

Becky Pattillo, Acting City Secretary

(seal)

Richard Hill

Richard Hill, Mayor Pro Tem

APPROVED AS TO FORM:

Jay Garrett

Jay Garrett, City Attorney

I, Becky Pattillo, Acting City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution, and that the same has not been repealed and is in full force and effect.

(seal)

Becky Pattillo

Becky Pattillo, Acting City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 3rd day of May, 2016, to certify which witness my hand and seal of office.

(seal)

GREG RICHARDSON
Notary Public
STATE OF TEXAS
My Comm. Exp. 10-06-2018

NOTARY PUBLIC STATE OF TEXAS

Greg Richardson

Notary Public, State of Texas

plats/CEDCPropReplat.041916

MINUTES
PLANNING AND ZONING COMMISSION
April 5, 2016—5:30pm

Members Present: Chairman, Charles Elliott, Carolyn Trezvant, Henry Ross, Mike Roberts, Terry Harris, Michelle Martinez, Gary Thompson

Members Absent: None

Others Present: Interim Director of Community Development Mike Wiblin, Executive Director of the CEDC Bonnie Hunter, Property Owner Paul Dunham

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1. **Call to Order.**
   Chairman, Charles Elliott called the meeting to order at 5:30 p.m.

2. **Approval of Minutes**
   Carolyn Trezvant moved to approve the minutes from the March 1, 2016 Regular meeting, Member Henry Ross Seconded, Motion Passed.

3. **Public hearing and consideration on a Re-Plat Approval for land at the CEDC Industrial Park Block A, Lot 1.**
   Chairman, Charles Elliott opened the public hearing and asked CEDC Executive Director, Bonnie Hunter to explain what the board was hearing about at this meeting. Mrs. Hunter explained that this particular plot of land owner by the CEDC was being developed to facilitate a granite, and marble manufacture facility operated by KLZ Stone Supply Company. Mrs. Hunter gave commission members a general description of the property, and its location, and also the new streets that are to be added in the development with their names included. Mrs. Hunter explained that the city had received a grant of $750,000 dollars to help with the installation of infrastructure, and street construction, from the Texas Department of Agriculture, but it would not cover the entire cost. Hayter Engineering is responsible for putting the improvements out for bid, and will have the option to reject any bids that may come back way over cost, and put out for bid again if so needed. Mrs. Hunter also explained that drainage issues on the land would be corrected as needed. Mrs. Hunter then explained that this plot was designed to allow for expansion of the company, and that over time, if KLZ needed or wanted to expand there would be plenty of room to allow for such expansion. A question was asked by board member Terry Harris if this company was relocating, or starting from scratch. Mrs. Hunter answered by explaining that KLZ has a stone facility in Dallas on Zodiac, and also a tool sales facility on Commerce Street also in Dallas. Chairman Charles Elliott questioned if any residences were near this facility, and what types of chemicals may be used in this process. Staff member Mike Wiblin answered that there were no residences within the two hundred foot notification area, and that

water would be the main agent in the cutting process. Mrs. Hunter added that after the process of cutting the stone would be cured in closed ovens. Mrs. Hunter then presented some photos of the equipment used in the process of cutting and curing the stone.
Member Carolyn Trezvant made a motion to approve the re- plat, Member Henry Ross Seconded. It was approved by unanimous vote.

4. **Other Business.**
Chairman Charles Elliott brought up the idea of having a workshop session, or informal meeting in order to discuss ideas for changing regulations in the Corridor District Zoning within the city. Board members agreed and decided that the best time to have this meeting would be the first Tuesday in May. Staff member Wiblin agreed that he would send out information to board members regarding the meeting.

5. **Adjourn.**
Henry Ross moved to adjourn the meeting, Carolyn Trezvant seconded.
Adjourn 6:10p.m.

Chairman Charles Elliott

Mike Wiblin, Interim Director of Community Development

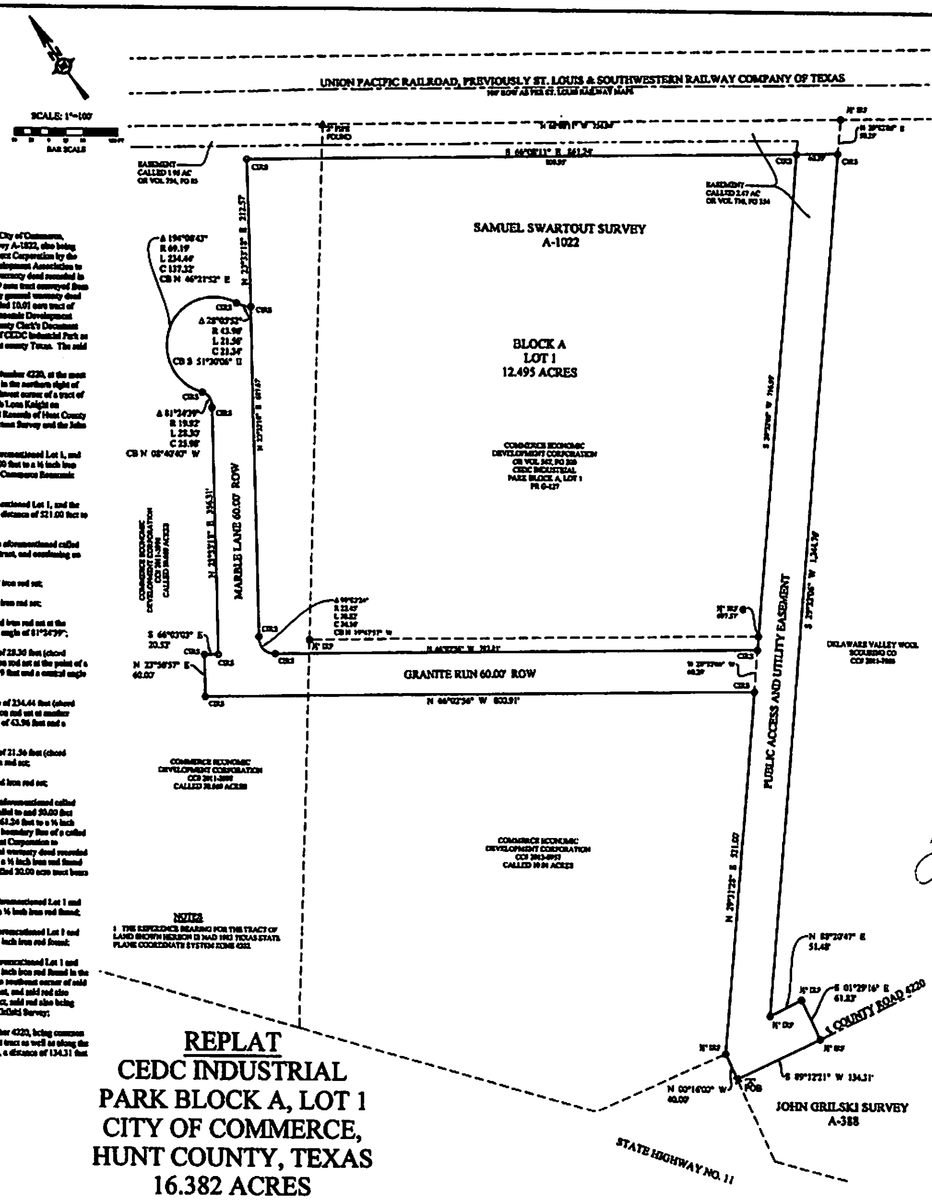
Date

LEGEND

X CHISELED IN CONCRETE
IRON ROD FOUND
CAPPED IRON ROD FOUND
3" PIPE FOUND
1/2" CAPPED IRON ROD SET
DEED RECORDS
PLAT RECORDS
OFFICIAL RECORD
POINT OF BEGINNING
COUNTY CLERK DOCUMENT
CENTERLINE
EXISTING PROPERTY LINE
EXISTING EASEMENT

SCALE: 1"=100'

BAR SCALE



METES & BOUNDS DESCRIPTION
16.382 Acres
City of Commerce
Hunt County, Texas
February 2016

...g 16.382 acres of land, situated within the corporate limits of the City of Commerce, ...of Hunt, State of Texas, being a part of the Samuel Swartout Survey A-1022, also being ...ous different tracts conveyed to Commerce Economic Development Corporation by the ...g deeds: a tract of land conveyed from Commerce Industrial Development Association to ...ce economic Development corporation on January 25, 1999 by warranty deed recorded in ...347 page 200 of the Deed Records of said county; a called 30.669 acre tract conveyed from ...to Commerce Economic Development Corp on April 19, 2011 by general warranty deed ...in Hunt County Clerk's Document number 2011-3990; and a called 10.01 acre tract of ...veyed from Jacoby Family Limited Partnership to Commerce Economic Development ...ion on July 19, 2013 by cash warranty deed recorded in Hunt County Clerk's Document 2013-8953, said 16.382 acres also being part of Lot 1, Block A of CEDC Industrial Park as ...e the plat recorded in Envelope G-127 of the Plat Records of Hunt county Texas. The said ...re tract fully described by metes and bounds as follows:

...ginning at an X found chiseled in the centerline of County Road Number 4220, at the most ...southwest corner of the aforementioned Lot 1, said X also being in the northern right of ...of State Highway Number 11, said X also being the current northwest corner of a tract of ...veyed from Ed Yarbro and wife Jessie Yarbro to Joe W. and wife Lona Knight on ...11, 1963 by deed recorded in volume 630, page 390 of the Deed Records of Hunt County ...id rod also being located in the common line of the Samuel Swartout Survey and the John ...survey;

...hence N 00°16'00" W, along the western boundary line of the aforementioned Lot 1, and ...ern right of way of State Highway Number 11, a distance of 40.00 feet to a ½ inch iron ...d at the southeast corner of the aforementioned called 10.01 acre Commerce Economic ...ment Corporation (hereafter called CEDC) tract;

...hence N 29°51'28" E, along the west boundary line of the aforementioned Lot 1, and the ...dary line of the aforementioned called 10.01 acre CEDC tract, a distance of 521.00 feet to ...capped iron rod set;

...hence N 66°02'56" W, crossing the common boundary line of the aforementioned called ...e CEDC tract and the aforementioned called 30.669 acre CEDC tract, and continuing on ...a distance of 808.91 feet to a ½ inch capped iron rod set;

...hence N 23°56'57" E, a distance of 60.00 feet to a ½ inch capped iron rod set;

...hence S 66°03'03" E, a distance of 20.52 feet to a ½ inch capped iron rod set;

...hence N 23°23'18" E, a distance of 336.31 feet to a ½ inch capped iron rod set at the ...g of a curve to the left having a radius of 19.92 feet and a central angle of 81°24'39";

...hence along the aforementioned curve to the left an arc distance of 28.30 feet (chord ...and distance of N 08°40'43" W, 25.98 feet) to a ½ inch capped iron rod set at the point of a ...g curve to the right, said curve to the right having a radius of 69.19 feet and a central angle ...°43";

...hence along the aforementioned curve to the right an arc distance of 234.44 feet (chord ...and distance of N 46°21'52" E, 137.32 feet) to a ½ inch capped iron rod set at another ...a reversing curve to the left, said curve to the left having a radius of 43.96 feet and a ...ngle of 28°03'52";

...hence along the aforementioned curve to the left an arc distance of 21.36 feet (chord ...and distance of S 51°30'08" E, 21.34 feet) to a ½ inch capped iron rod set;

...hence N 23°33'18" E, a distance of 212.57 feet to a ½ inch capped iron rod set;

...hence S 66°08'11" E, crossing the common boundary line of the aforementioned called ...ere CEDC tract and the aforementioned Lot 1, continuing on parallel to and 50.00 feet ...of the north boundary line of said Lot 1, for a total distance of 861.24 feet to a ½ inch ...ron rod set in the east boundary line of said Lot 1 and in the west boundary line of a called ...re tract of land conveyed from Commerce Economic Development Corporation to ...e Valley Wool Scouring Co on July 28, 2011 by correction special warranty deed recorded ...County Clerk's Document Number 2011-7966, and from said rod a ½ inch iron rod found ...rtheast corner of said Lot 1 and at the northwest corner of said called 20.00 acre tract bears ...'06" E, a distance of 50.25 feet;

...hence S 29°22'06" W, along the common boundary line of the aforementioned Lot 1 and ...mentioned called 20.00 acre tract, a distance of 1,244.76 feet to a ½ inch iron rod found;

...hence N 88°20'47" E, along the common boundary line of the aforementioned Lot 1 and ...mentioned called 20.00 acre tract, a distance of 51.48 feet to a ½ inch iron rod found;

...hence S 01°29'16" E, along the common boundary line of the aforementioned Lot 1 and ...mentioned called 20.00 acre tract, a distance of 61.83 feet to a ½ inch iron rod found in the ...e of County Road Number 4220, said rod being the most southern southeast corner of said ...the most southern southwest corner of said called 20.00 acre tract, and said rod also ...cated in the north boundary line of the aforementioned Knight tract, said rod also being ...the common line of the Samuel Swartout Survey and the John Grilski Survey;

...hence S 89°12'21" W, along the centerline of County Road Number 4220, being common ...line of the aforementioned Lot 1 and the aforementioned Knight tract as well as along the ...line of the Samuel Swartout Survey and the John Grilski Survey, a distance of 134.31 feet ...int of beginning and containing 16.382 acres of land.

NOTES

1. THE REFERENCE BEARING FOR THIS TRACT OF LAND SHOWN HEREON IS NAD 1983 TEXAS STATE PLANE COORDINATE SYSTEM ZONE 4202.

REPLAT
CEDC INDUSTRIAL PARK BLOCK A, LOT 1
CITY OF COMMERCE, HUNT COUNTY, TEXAS
16.382 ACRES

BAXTER ENGINEERING INCORPORATED

NEI # 285011

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF HUNT §

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

That Commerce Economic Development Corporation acting herein by and through its duly authorized officers, does hereby adopt this REPLAT designating the herein above described property as CEDC Industrial Park, Block A, Lot 1, an addition to the City of Commerce, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Commerce. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Commerce's use thereof. The City of Commerce and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Commerce and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Commerce, Texas.

WITNESS, my hand, this the ____ day of ________, 2016.

Authorized Signature or Owner

Printed Name and Title

STATE OF TEXAS §

COUNTY OF HUNT §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Dale Smith, President Commerce Economic Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of ________, 2016.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Kevin K. Whitley, Registered Professional Land Surveyor for the State of Texas, R.P.L.S. #5892, do hereby certify that the plat shown hereon represents an actual on-the-ground survey supervised by me, completed on February 10, 2016.

Kevin K. Whitley, R.P.L.S. #5892 — Date

STATE OF TEXAS REGISTERED KEVIN K. WHITLEY 5892 PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS §

COUNTY OF LAMAR §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Kevin K. Whitley, Surveyor, known to me to be the person whose name is subscribed to this plat.

Given under my hand and seal of office, this 4th day of April, 2016.

Notary Public in and for the State of Texas

MARCIE M DOVE
Notary Public, State of Texas
My Commission Expires
September 10, 2017

APPROVED: Director of Community Development and City Manager, City of Commerce, TX.

Director of Community Development — Date

Acting City Manager — Date

ATTEST: City Secretary, City of Commerce, TX.

City Secretary — Date