



PLANNING AND ZONING COMMISSION

CITY OF CORINTH, TEXAS

3300 CORINTH PARKWAY, CORINTH, TEXAS

REGULAR SESSION MEETING

MONDAY, MARCH 27, 2017 – 7:00 P.M.

City of Corinth ♦ 3300 Corinth Parkway ♦ Corinth, Texas 76208
940-498-3260 ♦ 940-498-3266 Fax ♦ www.cityofcorinth.com
Bill Heidemann, Mayor



*** PUBLIC NOTICE ***

**NOTICE OF THE CITY OF CORINTH
PLANNING AND ZONING COMMISSION REGULAR SESSION
MONDAY, MARCH 27, 2017 7:00 P.M.
CITY HALL – 3300 CORINTH PARKWAY**

CALL TO ORDER, INVOCATION

CONSENT AGENDA ITEM

1. Consider and act on Minutes from the February 27, 2017 Planning and Zoning Commission Regular Session.

PUBLIC HEARING / BUSINESS AGENDA ITEM

2. TO HEAR PUBLIC OPINION REGARDING THE FINAL REPLAT OF SWISHER 35-E ADDITION, LOTS X-2R, 6R, 7R, AND 8R, BLOCK A, ON 5.108 ACRES AND BEING A REPLAT OF SWISHER 35-E ADDITION, LOTS X-2, 6, 7, AND 8, BLOCK A, AS SHOWN ON THE PLAT RECORDED AS DOCUMENT NO. 2017-67 PRDCT IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at on the northeast corner of IH 35E and Swisher Road.)
 - 2a. Consider and act on the Final Replat of Swisher 35-E Addition Lots X-2R, 6R, 7R, and 8R, Block A, on 5.108 acres and being a replat of Swisher 35-E Addition, Lots X-2, 6, 7, and 8, Block A, as shown on the plat recorded as Document No. 2017-67 PRDCT in the City of Corinth, Denton County, Texas.

EXECUTIVE SESSION

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed session for the purpose of seeking confidential legal advice of the City Attorney on any Agenda Item listed herein.

As a majority of Council Members of the City of Corinth may attend the above described meeting, this notice is given in accordance with Chapter 551 of the Texas Government Code. No official action will be taken by the City Council at this meeting.

ADJOURN REGULAR SESSION

Posted this 23rd day of March, 2017 before 5:00 p.m. on the bulletin board at Corinth City Hall.

Nathan Abato
Planning and Zoning Commission
Planning and Development Coordinator
City of Corinth, Texas.

Corinth City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 940.498-3200 or FAX 940.498-7505 for more information.

BRALE IS NOT AVAILABLE

CONSENT AGENDA ITEM #1

Planning and Zoning Commission Regular Session
March 27, 2017

CONSENT AGENDA ITEM

1. Consider and act on Minutes from the February 27, 2017 Planning and Zoning Commission Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Consider and act on Minutes from the February 27, 2017 Planning and Zoning Commission Regular Session.

FINANCIAL SUMMARY

Source of funding:

RECOMMENDATION

ATTACHMENTS / SUPPORTING DOCUMENTS

Copy of the minutes.

Submitted By: Nathan Abato, Planning and Development Department

Finance Review: NA
Legal Review: NA

**STATE OF TEXAS
COUNTY OF DENTON
CITY OF CORINTH**

On this 27th day of February, 2017, The Planning and Zoning Commission of the City of Corinth, Texas, met in a Regular Session at Corinth City Hall, located at 3300 Corinth Parkway, Corinth, TX. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members, to wit:

Members Present:

Brian Rush
Bruce Hanson
Marc Powell
Breien Velde
Chuck Mills

Members Absent:

Dwayne Zinn

CALL TO ORDER

The Regular Session Meeting of the Planning & Zoning Commission of the City of Corinth, Texas, was called to order by Brian Rush at 7:00 p.m.

INVOCATION

Mr. Powell delivered the invocation.

CONSENT AGENDA

1. Consider and act on Minutes from the January 23, 2017 Planning and Zoning Commission and City and the Capital Improvements Advisory Committee Regular Session.

MOTION made by Mr. Hanson to approve the consent agenda.

SECONDED by Mr. Zinn.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
Noes: none
Absent: Dwayne Zinn

MOTION TO APPROVE CARRIES

PUBLIC HEARING:

2. TO HEAR PUBLIC OPINION REGARDING A REPLAT OF PINNELL SUBDIVISION LOT 1R-1R AND LOT 1R-2R, BLOCK 1, BEING A REPLAT OF ALL OF LOTS 1R-1AND 1R-2, BLOCK 1, PINNELL SUBDIVISION AS RECORDED IN DOC # 2016-56 P.R.D.C.T. BEING 7.71 ACRES OF LAND SITUATED IN THE H.H. SWISHER SURVEY, COUNTY ABSTRACT 1220 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located at 3501 FM 2181.

Mr. Fred Gibbs gave a brief presentation on the replat request. This is the last step of the project, the Commission previously approved their site plan request.

Mr. Charlie Kearns, with Eikon Consulting, reiterated what Mr. Gibbs said.

Public Hearing opened at 7:03 PM.

Public Hearing closed at 7:03 PM.

- 2a.** Consider and act on a replat of Pinnell Subdivision Lot 1R-1R and Lot 1R-2R, Block 1, being a replat of all of Lots 1R-1 and 1R-2, Block 1, Pinnell Subdivision as recorded in Doc # 2016-56 P.R.D.C.T. being 7.71 acres of land situated in the H. H. Swisher Survey, County Abstract 1220 in the City of Corinth, Denton County, Texas.

Mr. Hanson asked what the staff comments are. Mr. Gibbs said the need for additional title block for the other property owner. This replat covers not just the City owned property, but, also the piece where the Coserv antenna is located. He said there is also a need to tweak one of the easements regarding a water line.

Mr. Hanson asked if the plats in front of the Commission will need to be changed. Mr. Gibbs answered yes, there will be a revision to the plat prior to filing.

MOTION made by Mr. Hanson to approve the replat as requested, subject to staff comments.

SECONDED by Mr. Powell.

5-0. All in favor.

Ayes:	Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
Noes:	none
Absent:	Dwayne Zinn

MOTION TO APPROVE CARRIES

BUSINESS ITEM:

- 3.** Consider and act on the site plan for Swisher/35 Retail on property legally described as Swisher 35-E Addition, Lot 4, Block A zoned C-2, Commercial in the City of Corinth, Denton County, Texas. This property is located north of Swisher and south of Burl.

Ms. Barbara Cubbage gave a brief presentation on the site plan request. It is for a mini retail strip. She said they have complied with all of the Unified Development Code (UDC) requirements—no variances will be requested.

Ms. Amy Sumners, with GSO Architects, gave a brief presentation of the site plan request. The building will sit on a one acre lot and will be approximately 6,300 square feet in size. Brick, stone, and stucco will be used on the outside of the building.

MOTION made by Mr. Hanson to recommend approval of the site plan as presented.

SECONDED by Mr. Velde.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
 Noes: none
 Absent: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

4. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Engineering Standards Manual of the Unified Development Code (UDC) to allow an off-site, open drainage channel for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

Mr. Gibbs gave a brief presentation of the waiver request. The adjacent property has agreed to allow the easement on their property for the open drainage channel. The property owners' association (POA) of the Millennium development will be responsible for the maintenance of the channel.

Mr. Rush asked if the POA requirement of maintenance on an adjacent property is enforceable. Mr. Gibbs said the offsite easement will be granted to the Millennium owner and the POA will cover all open space and easements, including this one.

Mr. Hanson asked if we are to assume the calculations for the estimated runoff of under 200 CFMs is correct. Mr. Gibbs answered yes. Mr. Hanson also asked by staff is in support of the variance request. Mr. Gibbs said that with an enclosed system, the adjacent property owner would have to rip it all out when they decide to develop to facilitate their drainage.

Mr. Hanson asked if the easement exists now. Mr. Gibb said it will be drafted in the future and filed at the County.

Mr. Robert Dollak, with G&A Consultants, gave a brief presentation of the first variance request. He said there will be about 60 CFS during a 100 year storm. Mr. Dollak said the adjacent property owners say the current conditions under a rain event cause severe flooding. He said this would allow them to enjoy their property even more.

Mr. Chuck Mills asked if there will be work done on their property to ensure they do not suffer damage from the new drainage. Mr. Dollak answered that this will alleviate their drainage problems because there will no longer be 24 acres of drainage coming across their property.

Mr. Hanson asked if the elevations are completed or will be in the future. Mr. Dollak distinguished between what is existing and which lines are proposed on his presentation slide. He said this will be done during phase one of the project.

Mr. Hanson asked if the agreement has been finalized. Mr. Dollak said it is contingent on City approval.

Mr. Gibbs requested that if the Commission votes to recommend approval, do so at the contingency of staff comments.

MOTION made by Mr. Hanson to recommend approval with the condition that the applicant or the owner maintain such offsite easement and any other staff comments.

SECONDED by Mr. Powell.

Mr. Hanson said it seems the variance request makes sense due to avoiding the need to tear up the pipes at a later date.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
 Noes: none
 Absent: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

5. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the minimum required local street width and no sidewalk as required on Dobbs Road for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

Mr. Gibbs gave a brief presentation of the variance request. He noted that the current Thoroughfare Plan proposes a connection of Lake Sharon and Dobbs Road connect under an overpass. He said this particular section of Dobbs Road is not on the Thoroughfare Plan. The minimum standard is a 30 foot wide road and a sidewalk. The applicant is requesting to not build a sidewalk, and construct two 12 foot lanes in lieu of two 15 foot lanes—and to keep the current bar ditch system in place. He also spoke about the applicant’s traffic impact analysis (TIA)—the report says the proposed lane width is adequate to handle the development’s traffic.

Mr. Hanson asked what the current width of Dobbs is. Mr. Gibbs answered 38 feet. The actual width of the pavement is between 18 and 20 feet.

Mr. Velde asked how the Americans With Disabilities Act (ADA) will figure into the issue of the developer not building a sidewalk. Mr. Gibbs said the City will not have an issue with it because there is not one there now and there is no connectivity to it.

Mr. Hanson asked what will be done for access for the two properties to the south when the loop road is completed. Mr. Dollak said there will be some sort of access that is provided to the tract—there are a few different options to choose from.

Mr. Hanson asked if staff has comments on this waiver. Mr. Gibbs said, if the Commission approves, that it be done on condition that the TIA be updated as the site develops.

MOTION made by Mr. Hanson to recommend approval of the waiver request subject to the TIA be updated as the site develops, and subject to future staff comments during this development process.

SECONDED by Mr. Velde.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills

Noes: none
Absent: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

6. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the required street right-of-way dedication of the existing Dobbs Road for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

Mr. Gibbs gave a brief presentation on the waiver request—the applicant is requesting that they keep the existing right-of-way with no additional dedication for this phase.

Mr. Hanson asked for specific wording staff wants for the motion. Mr. Gibbs said the same as before with the TIA would suffice.

MOTION made by Mr. Powell to accept a reduction in the 50 foot right-of-way to what is existing there with the acknowledgement that the TIA future use may dictate a wider street, and any other staff recommendations.

SECONDED by Mr. Velde.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
Noes: none
Absent: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

7. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Engineering Standards Manual out of the City's Unified Development Code (UDC) to allow a reduction in the required paving thickness on Dobbs Road for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

Mr. Gibbs gave a brief presentation on the variance request and went over the minimum standards for the street thickness for local streets—six inch thick, 3,600 pounds per square inch (PSI) concrete section. The applicant is requesting to do a four inch asphalt section in lieu of the concrete.

Mr. Hanson asked what the current thickness of the road is. Mr. Gibbs said maybe it is two inches. He also asked if the City Engineer is okay with four inches of asphalt to support the expected traffic. Mr. Brownlee said he expects it to hold up over time. The drainage design is similar to what is there now, and that they would maintain that as well.

Mr. Mills said he has built tracks for a many years and has always used six inches, because four inches would not last very long. **Mr. Brownlee** said it will last better than what is there now and will last for a number of years. He said he thinks four inches is good enough. **Mr. Mills** said it depends on what is running on it. **Mr. Brownlee** said roads are designed and planned for cars. **Mr. Mills** asked where the construction traffic will come in from. **Mr. Brownlee** said he thinks they would come in off of the frontage road.

Mr. Gibbs said the owner has increased the bonding from two to three years.

Mr. Hanson asked if this needs to be subject to the TIA. **Mr. Gibbs** said to go ahead and do it to make sure it is clear.

MOTION made by **Mr. Hanson** to recommend approval of the major subdivision waiver for the road thickness subject to the TIA being redone as the site develops, and future staff comments.

SECONDED by **Mr. Powell**.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
 Noes: none
 Absent: Dwayne Zinn

MOTION TO RECOMMEND APPROVAL CARRIES

8. Consider and act on Lots 1, 2, and 1X, Block A of the Millennium Place Preliminary Plat for the Millennium Subdivision being 24.197 acres situated on the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

Mr. Gibbs gave a brief presentation on the plat request. He said there are a couple of minor comments that the developer is still working on.

Mr. Hanson asked about the comments. **Mr. Gibbs** talked about the water line easement and the need to get some line locates to ensure placement accuracy. And, mentioned the offsite easement and the need to be reviewed by the City Attorney—and some other minor clean up.

MOTION made by **Mr. Hanson** to approve the preliminary plat, as listed, subject to the major subdivision waivers previously discussed being approved by the City Council, and subject to the offsite easement, and subject to any further staff comments.

SECONDED by **Mr. Powell**.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
 Noes: none
 Absent: Dwayne Zinn

MOTION TO APPROVE CARRIES

- 9. Consider and act on Lots 1, 2, and 1X, Block A of the Millennium Place Final Plat for the Millennium Subdivision being 24.197 acres situated on the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

Mr. Gibbs said this is the final plat, more detailed construction documents. And as each site develops within the 24 acres, the commission will see this again.

MOTION made by Mr. Hanson to approve the final plat, as presented, subject to the major subdivision waivers previously discussed being approved by the City Council, and subject to the offsite easement, and subject to any further staff comments.

5-0. All in favor.

Ayes: Brian Rush, Bruce Hanson, Breien Velde, Marc Powell, Chuck Mills
 Noes: none
 Absent: Dwayne Zinn

MOTION TO APPROVE CARRIES

ADJOURN

Meeting adjourned at 8:15 PM.

MINUTES APPROVED THIS _____ DAY OF _____, 2017.

 Brian Rush, Planning and Zoning Commission Chairman

 Nathan Abato, Planning and Zoning Commission Secretary

PUBLIC HEARING / BUSINESS ITEM #2 & 2a.

Planning and Zoning Commission Regular Session March 27, 2017

AGENDA ITEM

2. PUBLIC HEARING: TO HEAR PUBLIC OPINION REGARDING THE FINAL REPLAT OF SWISHER 35-E ADDITION, LOTS X-2R, 6R, 7R, AND 8R, BLOCK A, ON 5.108 ACRES AND BEING A REPLAT OF SWISHER 35-E ADDITION, LOTS X-2, 6, 7, AND 8, BLOCK A, AS SHOWN ON THE PLAT RECORDED AS DOCUMENT NO. 2017-67 PRDCT IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located at on the northeast corner of IH 35E and Swisher Road.)

2a. BUSINESS: Consider and act on the Final Replat of Swisher 35-E Addition Lots X-2R, 6R, 7R, and 8R, Block A, on 5.108 acres and being a replat of Swisher 35-E Addition, Lots X-2, 6, 7, and 8, Block A, as shown on the plat recorded as Document No. 2017-67 PRDCT in the City of Corinth, Denton County, Texas.

APPROVAL PROCESS

A Public Hearing will be held during the Planning and Zoning Commission meeting. The Planning and Zoning Commission will take final action on the replat.

AGENDA ITEM DESCRIPTION

Originally this site was the home of Executive Mobile Home Park; development of the Swisher-35 Addition began with a conveyance plat approved in October 2005 to allow for the sale of the property. The final plat with construction plans was approved in June 2007 allowing for the development of the Comfort Inn located on Lot 3 by City Council. In September 2016 a replat was processed subdividing Lot 1 and creating buildable Lots 4-10. Three additional lots were created for detention for Swisher 35E Addition; all were approved by the Planning and Zoning Commission. In concurrence with the replat an amending plat was administratively approved that reconfigured Lots 1, 2 and 4-10.

At this time, the developer is proposing a Final Replat for Swisher 35-E Addition Lots 6R, 7R, 8R, and X-2R, Block A. The replat was necessary to move the detention (X-2R) which in turn required the reconfiguration of Lots 6R, 7R, and 8R.

ZONING

Zoning on this site is C-2, Commercial.

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION

The Comprehensive Plan Future Land Use Map designates this area as Commercial.

FINANCIAL SUMMARY

Source of Funding: No funding is required.

STAFF RECOMMENDATION

Staff recommends approval of the Replat.

ATTACHMENTS / SUPPORTING DOCUMENTS

Current Plat and Proposed Plat

Submitted By: Barbara Cabbage, Planning and Development Manager
Department: Planning and Development

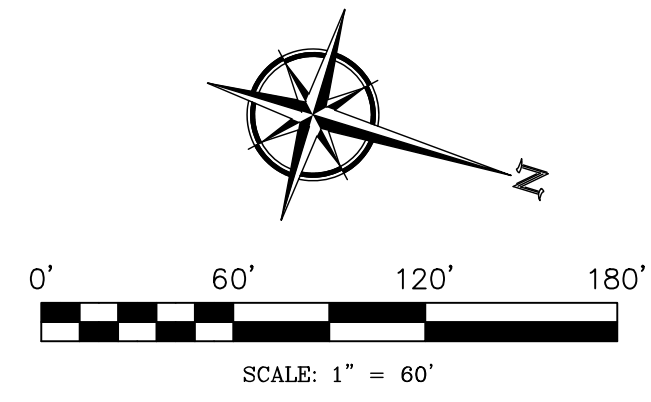
Finance Review: Yes NA Legal Review: Yes NA

Director Review and Approval:

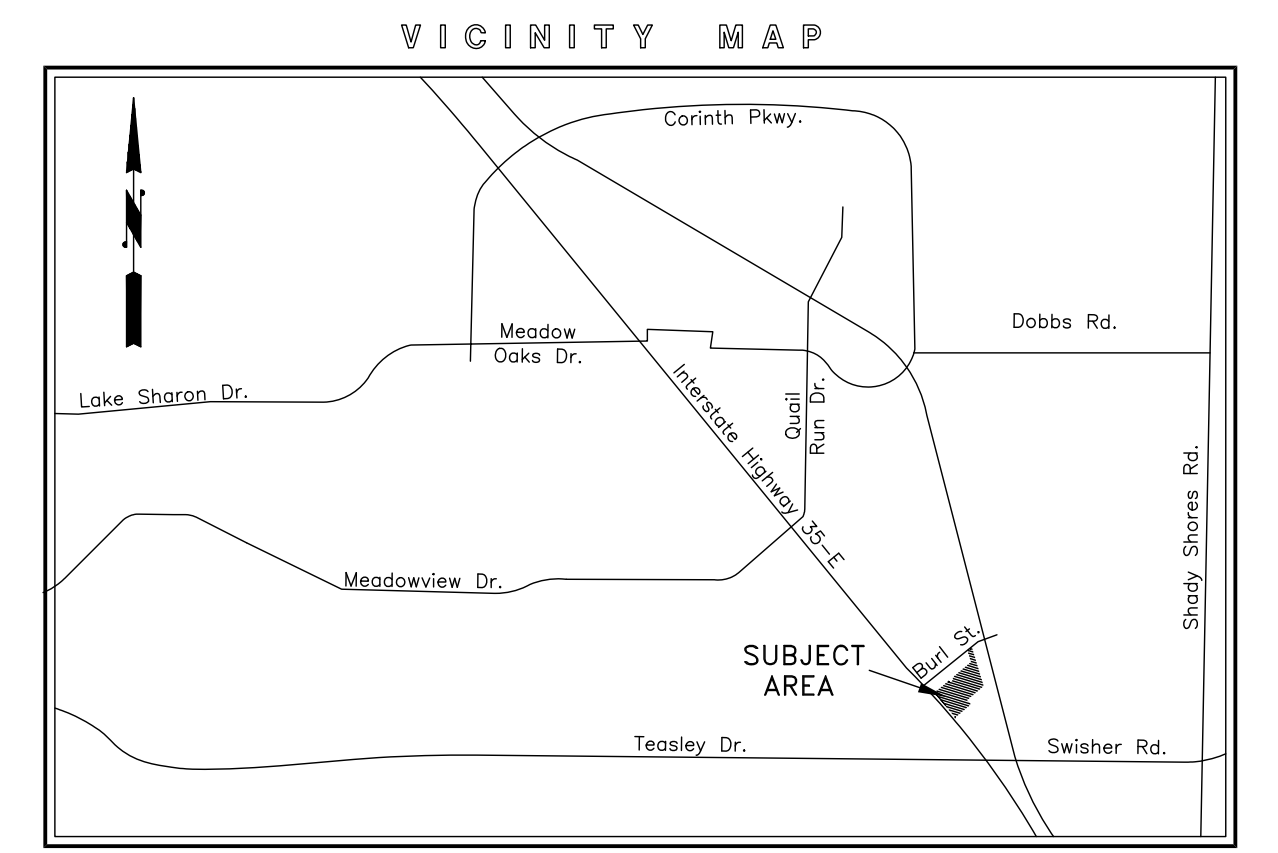


Swisher 35E Retail REPLAT LOCATION MAP





INTERSTATE HIGHWAY 35-E
(VARIABLE WIDTH RIGHT-OF-WAY)

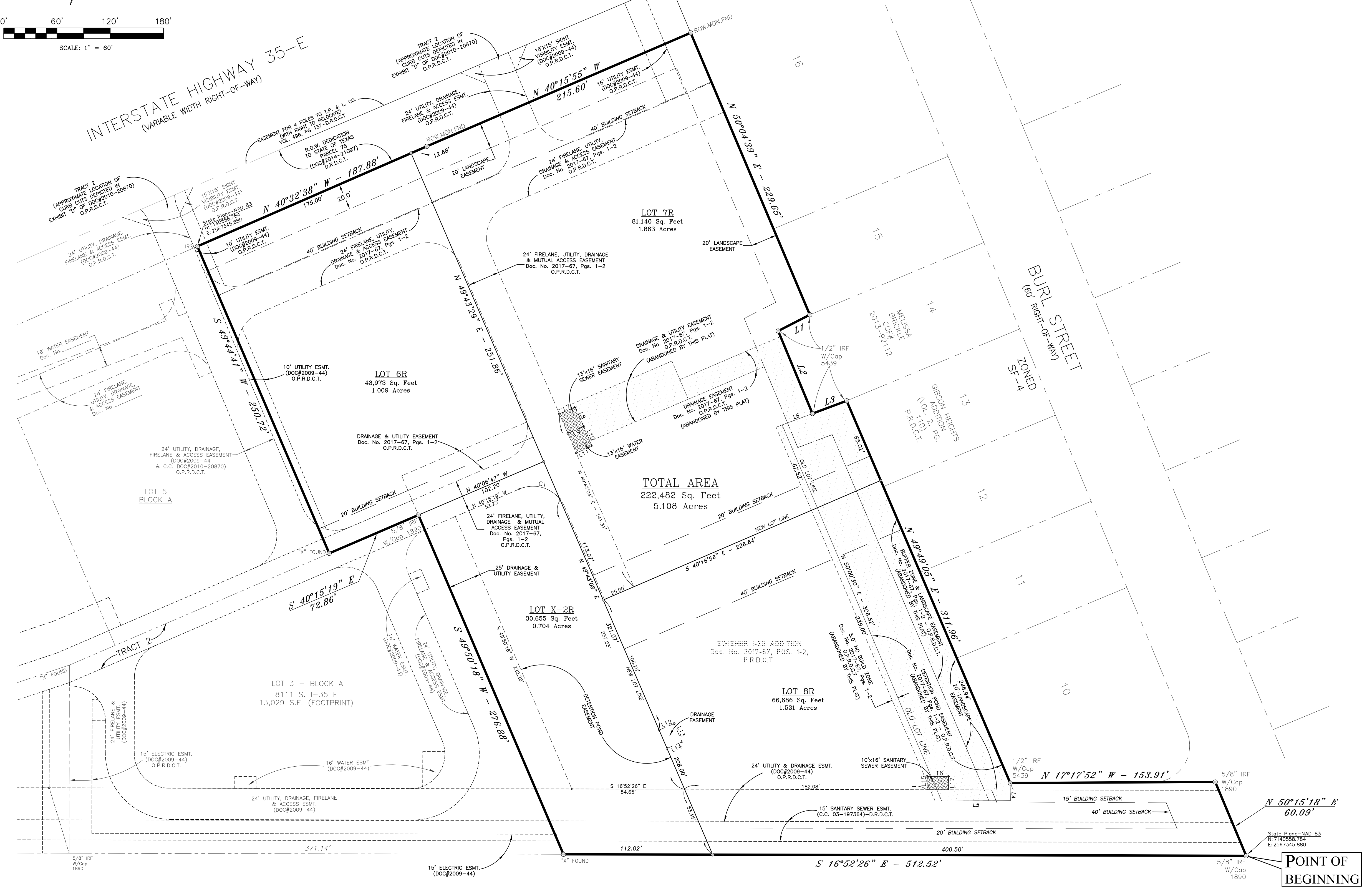


CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	74°01'56"	26.00'	33.59'	N 03°14'31" W	31.30'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 44°09'17" E	26.69'
L2	N 50°15'18" E	67.17'
L3	N 37°30'09" W	27.41'
L4	N 72°32'22" E	13.20'
L5	S 17°20'01" E	51.58'
L6	N 37°31'14" W	24.28'
L7	N 40°15'32" W	13.00'
L8	N 49°23'04" E	16.00'
L9	S 40°15'32" E	13.00'
L10	N 49°44'28" E	16.00'
L11	S 40°15'32" E	12.99'
L12	N 40°11'30" W	12.30'
L13	N 49°48'25" E	15.00'
L14	S 40°11'30" E	12.30'
L15	S 73°07'34" W	10.00'
L16	N 16°52'26" W	16.00'
L17	N 73°07'34" E	10.00'



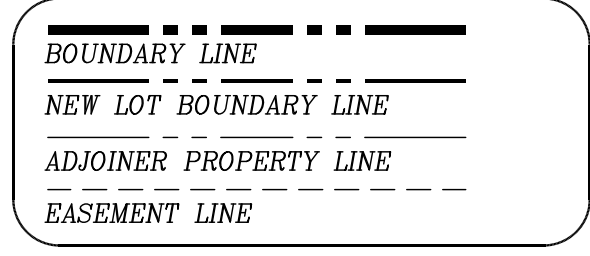
TOTAL AREA
222,482 Sq. Feet
5.108 Acres

FINAL REPLAT

**SWISHER 35-E ADDITION
LOTS X-2R, 6R, 7R & 8R, BLOCK A
222,482 SF, 5.108 ACRES**

**SITUATED IN THE
H.H. SWISHER SURVEY, ABSTRACT No. 1220
CITY OF CORINTH
DENTON COUNTY, TEXAS**

LEGEND



ABBREVIATIONS

- Vol. = Volume
- Pg. = Page
- Doc. # = Document Number
- D.R.D.C.T. = Deed Records, Denton County, Texas
- P.R.D.C.T. = Plat Records, Denton County, Texas
- O.R.D.C.T. = Official Records, Denton County, Texas
- O.P.R.D.C.T. = Official Plat Records, Denton County, Texas
- IRS = 1/2" Iron Rod Set with cap stamped "RPLS 4701" (Unless otherwise noted)
- CM = Controlling Monument

ENGINEER
CROSS ENGINEERING CONSULTANTS, INC.
131 S. Tennessee Street
McKinney, Texas
972-562-4409
JHake@crossengineering.biz

OWNER LOTS X-2R, 6R, 7R & 8R
SWISHER @ I-35 CORINTH, LP
10210 N. Central Expressway
Suite 300
Dallas, Texas 75231
972-385-4136

SURVEYOR
RINGLEY & ASSOCIATES
701 S. Tennessee Street
McKinney, Texas
972-542-1266
lhr@ringley.com

RINGLEY & ASSOCIATES, INC.
SURVEYING • MAPPING • PLANNING
701 S. Tennessee - McKinney, Texas 75099
(972) 542-1266
Texas Firm Registration No. 10061300

Date	Job	Title
02/14/17	16052	16052-RP2.DWG

Scale: 1" = 60'
Drawn by: Mark Hank
Checked by: L. R. Ringley
Sheet: 1 of 2

OWNER'S CERTIFICATE
STATE OF TEXAS)
COUNTY OF DENTON)

WE, the undersigned, owner of the land shown on this plat within the area described by metes and bounds as follows:

BEING 5.108 acres of land situated in the City of Corinth, in the H.H. Swisher Survey, Abstract No. 1220 of Denton County, Texas and being all of Lots X-2R, 6R, 7R and 8R, Block A of SWISHER I-35 ADDITION, an addition to the City of Corinth, according to the Amending Plat thereof, recorded in Document No. _____, Plat Records of Denton County, Texas (P.R.D.C.T.) and being more particularly described by metes & bounds as follows:
BEGINNING at a 5/8 inch iron rod, topped with a plastic cap, stamped "RPLS 1890" (hereinafter referred to as "with cap"), found for the most northerly northeast corner of the above described Lot 8R, Block A, at the intersection of the south right-of-way line of Burl Street (60' wide R.O.W.) and the west line of a 100' wide right-of-way deed to the City of Denton, recorded in Document No. 93-R0058485, Deed Records, Denton County, Texas (D.R.D.C.T.);
THENCE: South 16 deg. 52 min. 26 sec. East (Reference Bearing), along the common line of said Lot 8R and X-2R, Block A and said City of Denton right-of-way, a distance of 512.52 feet to an "X" found in concrete for the southeast corner of said Lot X-2R, block A and also being the northeast corner of Lot 3, Block A of the Swisher I-35 Addition, an addition to the City of Corinth, according to the Final Plat thereof, recorded in Document 2009-44, P.R.D.C.T.;

THENCE: South 49 deg. 50 min. 18 sec. West, along the common line of said Lots X-2R and 3, Block A, a distance of 276.88 feet to a 5/8 inch iron rod, with cap, found for the northwest corner of said Lot 3, Block A and the southwest corner of said Lot X-2R, Block A and said point being on the east line of the above mentioned Lot 6R, Block A;

THENCE: South 40 deg. 15 min. 19 sec. East, along the common line of said Lots 6R and 3, Block A, a distance of 72.86 feet to an "X" found in concrete for the southeast corner of said Lot 6R, Block A and the northeast corner of Lot 5, Block A of said Amending Plat;

THENCE: South 49 deg. 44 min. 41 sec. West, along the common line of said Lots 6R and 5, Block A, a distance of 250.72 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", found for the southwest corner of said Lot 6R and the northwest corner of said Lot 5, Block A on the easterly right-of-way line of Interstate Highway 35-E (variable width R.O.W.) and same being the easterly line of that certain called 0.8157 acre tract of land described as Parcel 75 in a deed to the State of Texas, recorded in Document No. 2014-21097, D.R.C.C.T.;

THENCE: North 40 deg. 32 min. 38 sec. West, along the westerly line of said Lot 6R, Block A and the easterly right-of-way line of Interstate Highway 35-E and the easterly line of said Parcel 75, a distance of 187.88 feet to a Texas Department of Transportation concrete monument with an aluminum disk (hereinafter referred to as "TxDOT Monument"), found for corner;

THENCE: North 40 deg. 15 min. 55 sec. West, continuing along the easterly lines of said Interstate Highway 35-E and Parcel 75 and the westerly line of the above mentioned Lot 7R, Block A, a distance of 215.60 feet to a 5/8 inch iron rod, topped with an aluminum TxDOT disk found on the north side of a screening wall, for the northwest corner of said Lot 7R, Block A, and said point also being on the south line of Gibson Heights Addition, an addition to the City of Corinth, according to the plat thereof, recorded in Volume 2, Page 110, P.R.D.C.T. and being the northeast corner of said Parcel 75;

THENCE: Departing from said highway, along the common line of said Lot 7R, Block A and said Gibson Heights Addition as follows:

North 50 deg. 04 min. 39 sec. East, a distance of 229.65 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;

South 44 deg. 09 min. 17 sec. East, a distance of 26.69 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;

North 50 deg. 27 min. 36 sec. East, a distance of 67.12 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;

North 37 deg. 30 min. 09 sec. West, a distance of 27.41 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for corner;

North 49 deg. 49 min. 05 sec. East, a distance of 311.96 feet to a 1/2 inch iron rod with RPLS 5439 cap, found for the southeast corner of said Gibson Heights Addition and same being an inside ell corner for said Lot 8R, Block A;

THENCE: North 17 deg. 17 min. 52 sec. West, continuing along the common line of said Lot 8R, Block A and Gibson Heights Addition, a distance of 153.91 feet to a 5/8 inch iron rod, with cap, found for the most northerly northwest corner of said Lot 8R, Block A, on the south right-of-way line of the above mentioned Burl Street;

THENCE: North 50 deg. 15 min. 18 sec. East, along the common line of said Lot 8R, Block A and said Burl Street, a distance of 60.09 feet to the POINT OF BEGINNING and containing 222,482 square feet or 5.108 acres of land, and designated herein as the SWISHER 35-E ADDITION to the City of Corinth, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.

Owner of Lots X-2R, 6R, 7R & 8R, Block A

Swisher @ I-35 Corinth, LP
Swisher @ I-35 Corinth, LLC, its General Partner

Date: _____

Julian Hawes, Jr.,
Vice President of
General Partnership

STATE OF TEXAS)
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Julian Hawes, Jr.**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this _____ day of _____, 2017.

Notary Public, State of Texas

My Commission Expires: _____

LIENHOLDER'S RATIFICATION OF PLAT DEDICATION

STATE OF TEXAS)
COUNTY OF DENTON)

Whereas, INDEPENDENT BANK, a Texas State Bank, acting by and through the undersigned, its duly authorized agent, is the lienholder of the property described hereon, does hereby ratify all dedications and provisions of this plat as shown.

Lienholder: Independent Bank, A Texas State Bank

By: Wesley Guinn
Senior Vice President

Date: _____

STATE OF TEXAS)
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Wesley Guinn**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she Senior Vice President of Independent Bank, A Texas State Bank, and that he is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this _____ day of _____, 2017.

Notary Public, State of Texas

Type or Print Notary's Name

My Commission Expires: _____

CONSTRUCTION AND MAINTENANCE STATEMENT

DEVELOPER WILL DESIGN, CONSTRUCT, OPERATE, USE AND MAINTAIN THE FOLLOWING:

- PRIVATE WATER STORAGE FACILITY (DETENTION AND RETENTION PONDS) AND ASSOCIATED PRIVATE DRAINAGE EASEMENTS,
- PRIVATE ACCESS EASEMENTS AND ASSOCIATED IMPROVEMENTS,
- PRIVATE STORM WATER DRAINAGE SYSTEMS AND ASSOCIATED PRIVATE EASEMENTS,
- STORM WATER TREATMENT FACILITY OR IDENTIFIED BEST MANAGEMENT PRACTICES FOR STORM WATER QUALITY AND ASSOCIATED EASEMENTS

(COLLECTIVELY HEREINAFTER REFERRED TO AS "IMPROVEMENTS"). THE CITY OF CORINTH IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF THE IMPROVEMENTS DEVELOPED AND CONSTRUCTED BY DEVELOPER OR ITS PREDECESSORS OR SUCCESSORS. THE DEVELOPER'S MAINTENANCE RESPONSIBILITY INCLUDES, BUT IS NOT LIMITED TO, CONSTRUCTION AND MAINTENANCE IN ACCORDANCE WITH APPROVED DESIGNED SLOPE, GRADE, CONTOUR, AND VOLUME, INCLUDING ANY STRUCTURES, FREQUENT MOWING AND ROUTINE MAINTENANCE, REMOVAL OF DEBRIS, AND REPAIR OF EROSION. NO FACILITIES WILL BE ALLOWED WITHIN THE IMPROVEMENTS AREAS WITHOUT THE ADVANCE WRITTEN PERMISSION OF THE DIRECTOR OF PUBLIC WORKS.

DEVELOPER WILL INDEMNIFY, DEFEND, AN HOLD HARMLESS THE CITY OF CORINTH, ITS OFFICERS, EMPLOYEES, AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY, OR EXPENSE AND ATTORNEY'S FEES FOR ANY AND ALL DAMAGES, ACCIDENTS, CASUALTIES, OCCURRENCES, OR CLAIMS WHICH ARISE OUT OF OR RESULT FROM THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, CONDITION OR USE OF THE IMPROVEMENTS, INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST OF ALL OR PART OF THE PROPERTY, INCLUDING ANY PROPERTY OWNERS ASSOCIATION, TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE IMPROVEMENTS. THE COVENANTS SHALL INCLUDE THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID IMPROVEMENTS. IF THE PROPERTY IS FURTHER SUBDIVIDED, DEVELOPER SHALL IMPOSE THESE COVENANTS UPON ALL LOTS ABUTTING, ADJACENT OR SERVED BY THE IMPROVEMENTS. ALL OF THE ABOVE OBLIGATIONS SHALL BE COVENANTS RUNNING WITH THE LAND. ACCESS TO THE IMPROVEMENTS IS GRANTED TO THE CITY FOR ANY PURPOSE RELATED TO THE EXERCISE OF GOVERNMENTAL SERVICES OR FUNCTIONS, INCLUDING BUT NOT LIMITED TO, FIRE AND POLICE PROTECTION, INSPECTION AND CODE ENFORCEMENT.

DEVELOPER/OWNER SIGNATURE

By: _____

Its: _____

OWNER'S STATEMENT FOR FIRE LANE EASEMENT

The undersigned covenants and agrees that they shall construct upon the fire lane easements, as dedicated and shown hereon, a fire lane in accordance with the Fire Code and City standards and that they shall maintain the same in a state of good repair at all times in accordance with City Ordinance. The fire lane easement shall be kept free of obstructions in accordance with the City Ordinance. The maintenance of pavement in accordance to City Ordinance of the fire lane easements is the responsibility of the owner. The owner shall identify the fire lane in accordance with City Ordinance. The Chief of Police or his/her duly authorized representative is hereby authorized to cause such fire lane and utility easements to be maintained free and unobstructed at all times for fire department and emergency use

Owner (Printed Name): _____

Owner (Signature): _____

Date: _____

SURVEYOR'S CERTIFICATE

I, Lawrence H. Ringley, Registered Public Surveyor, hereby certify that I have prepared this plat from an actual on-the-ground survey of the land and the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Corinth, Texas.

Lawrence H. Ringley
State of Texas, No. 4701

STATE OF TEXAS)
COUNTY OF COLLIN)

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, this day personally appeared **Lawrence H. Ringley**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2017.

Notary Public, State of Texas

My Commission Expires: _____

FINAL REPLAT

**SWISHER 35-E ADDITION
LOTS X-2R, 6R, 7R & 8R, BLOCK A
222,482 SF, 5.108 ACRES**

**SITUATED IN THE
H.H. SWISHER SURVEY, ABSTRACT No. 1220
CITY OF CORINTH
DENTON COUNTY, TEXAS**

 RINGLEY & ASSOCIATES, INC. SURVEYING • MAPPING • PLANNING 701 S. Tennessee - McKinney, Texas 75069 (972) 542-1266			
Texas Firm Registration No. 10061300			
Date	Job	Title	
02/14/17	16052	16052-RP2.DWG	
Scale	Drawn by	Checked by	Sheet
N.T.S.	Mark Hank	L. H. Ringley	2 of 2

ENGINEER
CROSS ENGINEERING CONSULTANTS, INC.
131 S. Tennessee Street
McKinney, Texas
972-562-4409
JHake@crossengineering.biz

OWNER LOTS X-2R, 6R, 7R & 8R
SWISHER @ I-35 CORINTH, LP
10210 N. Central Expressway
Suite 300
Dallas, Texas 75231
972-385-4136

SURVEYOR
RINGLEY & ASSOCIATES
701 S. Tennessee Street
McKinney, Texas
972-542-1266
lhr@ringley.com