

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PRINCETON (ADOPTED ON OR ABOUT MARCH 23, 1998) SO THAT TWO (2) TRACTS OF LAND, APPROXIMATELY 313-ACRES AND 857-ACRES IN SIZE, IN THE DAVID CHERRY SURVEY, ABSTRACT NO. 166, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED NORTH OF U.S. HIGHWAY 380 AND WEST OF F.M. 75, MAY BE RE-ZONED AS SPECIFIED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, West Princeton Heights Development, L.P. submitted a re-zoning application, dated May 25, 1999, concerning two tracts of land in the David Cherry Survey, Abstract No. 166, Collin County, Texas, such properties being more particularly described in this ordinance;

WHEREAS, after due notice of the requested re-zoning as required by law and the required public hearing held before the City Council of the City of Princeton, Texas on July 13, 1999;

WHEREAS, in accordance with Section 36.4.5 of the Zoning Ordinance of the City, the City Council finds that the uses permitted by the proposed changes will be appropriate both in the immediate areas concerned and in their relationship to the general area and the City as a whole;

WHEREAS, the City Council finds that the proposed changes are consistent with the promotion of the public health, safety, and general welfare of the citizens of the City; and

WHEREAS, the City Council finds that West Princeton Heights Development L.P.'s May 25, 1999 re-zoning application should be granted as specified below,

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

Section 1. The parcels described below shall be re-zoned as follows:

- a. an approximately 19.16-acre tract, more particularly described in Exhibit A, shall be zoned "Retail;"
- b. an approximately 273-acre tract, more particularly described in Exhibit B, shall be zoned "SF-2;" and

- c. an approximately 20.54-acre tract, more particularly described in Exhibit C, shall be zoned "Multi-Family."

Section 2. The following special development regulations shall apply to the 273-acre tract described in Exhibit B: Lots in this SF-2 zone will be allowed 50-foot minimum widths and 5-foot side yards and these lots will be permitted to be 50-feet by 100-feet with 15-foot rear setbacks and 20-foot front setbacks.

Section 3. The parcels described below shall be re-zoned as follows:

- a. 523-acres, more particularly described in Exhibit D, shall be zoned SF-2;
- b. 231-acres, more particularly described in Exhibit E, shall be zoned SF-1;
- c. 78.2 acres, more particularly described in Exhibit F, shall be zoned SF-E;
- d. 5.05 acres, more particularly described in Exhibit G, shall be zoned "Neighborhood Commercial;" and
- e. 19.1-acres, more particularly described in Exhibit H, shall be zoned "Retail."

Section 4. The following special development regulations shall apply within the property described in Exhibits A through H: The operation of a temporary concrete batch plant will be permitted somewhere within the boundaries of these tracts for the duration of construction activities on these tracts. The location of the batch plant shall be subject to approval by the City.

The batch plant will be used for the production of concrete by the applicant and/or builders associated with the construction of homes within the tracts described in Exhibits A-H only, and the batch plant will not be used to produce concrete or any other items for outside sales.

The batch plant shall be operated in accordance with all applicable federal, state, county, municipal or other laws, rules, and regulations.

Section 5. If any section, subsection, paragraph, sentence, phrase or clause of this ordinance shall be declared invalid for any reason whatsoever by any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this ordinance. These provisions shall remain in full force and effect, and to this end, the provisions of this ordinance are declared to be severable.

Section 6. It shall be unlawful for any individual, person or entity, to develop the properties described in this ordinance, or any portions thereof, in any manner other than is authorized by this ordinance. Upon conviction for a violation of this ordinance, the guilty party shall be fined any sum not exceeding \$2,000.00 for each day that any violation of this ordinance shall continue.

Each day an offense continues shall be considered a separate offense. These penalty provisions shall not prevent an action on behalf of the City to enjoin any violation or threatened violation of the terms of this ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 7. The caption of this ordinance shall be published one time in the official newspaper of the City.

Section 8. The ordinance shall become effective upon publication.

DULY PASSED AND APPROVED by the City Council of the City of Princeton, Texas on this 11 day of August, 1999.

Hon. Kathy Davis
MAYOR KATHY DAVIS
City of Princeton, Texas

ATTEST:

Vickie Self
VICKIE SELF
City Secretary
City of Princeton, Texas

APPROVED AS TO FORM:

Michael L. Scanlon 8/10/99
MICHAEL L. SCANLON

Bickerstaff, Heath, Smiley, Pollan,
Keever & McDaniel, L.L.P.
3000 Bank One Center
1717 Main Street
Dallas, Texas 75201-4335
Telephone: 214-753-0207
Facsimile: 214-753-0200

CITY ATTORNEYS FOR
THE CITY OF PRINCETON

**ZONING DESCRIPTION - RETAIL
17.66 NET ACRES
COLLIN COUNTY, TEXAS**

Being 17.66 acres of land situated in the David Cherry Survey, Abstract No. 166, Collin County, Texas, and being part a re-survey of part of the 458.316 acre TRACT TWO described in a deed from Bank One Texas, N.A. to Sportman 1500 Farmers dated October 4, 1993, recorded in Document No. 93-0031958 of the Collin County Land Records, and being more particularly described as follows:

BEGINNING at the Southwest corner of said 458.316 acre tract, said point being in the north right-of-way line of U.S. Highway No. 360 (a variable width right-of-way);

THENCE North $05^{\circ}22'31''$ East, departing the north line of said highway and along the west line of said 458.316 acre tract, a distance of 534.06 feet to point for corner;

THENCE South $84^{\circ}37'29''$ East, departing the west line of said 458.316 acre tract, a distance of 494.39 feet to a point for corner, said point being at the beginning of a non-tangent curve to the right having a radius of 500.00 feet and a chord that bears $N41^{\circ}33'04''$ East a distance of 239.54 feet;

THENCE in a northeasterly direction along said curve to the right through a central angle of $27^{\circ}43'06''$, an arc distance of 241.89 feet to point for corner;

THENCE North $55^{\circ}44'37''$ East, a distance of 193.72 feet to a point for corner;

THENCE South $34^{\circ}15'23''$ East, a distance of 544.49 feet to a point for corner, said point being at the beginning of a curve to the right having a radius of 530.00 feet and a chord that bears $S18^{\circ}53'31''$ East a distance of 280.86 feet;

THENCE in a southeasterly direction along said curve to the right through a central angle of $30^{\circ}43'44''$, an arc distance 284.25 feet to point for corner;

THENCE South $03^{\circ}31'39''$ East, a distance of 194.64 feet to a point for corner in the south line of said 458.316 acre tract;

THENCE South $86^{\circ}18'02''$ West, along the south line of said 458.316 acre tract, a distance of 658.12 feet to a point for corner on the north right-of-way of said highway;

THENCE North $84^{\circ}10'46''$ West, along the south line of said 458.316 acre tract and the north line of said highway a distance of 240.34 feet to a point for corner;

THENCE North $67^{\circ}32'32''$ West, continuing along the north line of said highway and the south line of said 458.316 acre tract, a distance of 406.67 feet the **POINT OF BEGINNING** and **CONTAINING** 19.16 acres of land less 1.50 acres of proposed street right-of-way leaving a net of 17.66 acres of land more or less.

EXHIBIT

A

**ZONING DESCRIPTION - SF-2
273.13 NET ACRES
COLLIN COUNTY, TEXAS**

Being 273.13 net acres of land situated in the David Cherry Survey, Abstract No. 166, Collin County, Texas, and being part a re-survey of part of the 458.316 acre TRACT TWO described in a deed from Bank One Texas, N.A. to Sportsman 1500 Partners dated October 4, 1993, recorded in Document No. 95-031958 of the Collin County Land Records, and being more particularly described as follows;

BEGINNING at the northwest corner of said 458.316 acre tract, said point being on the south right-of-way line of Monte Carlo Boulevard (County Road 407, variable width right-of-way);

THENCE North 89°18'58" East, along the south right-of-way line of said Monte Carlo, a distance of 1324.14 feet to a 1/2-inch iron rod set for corner;

THENCE South 88°34'56" East, continuing along the south right-of-way line of said Monte Carlo, a distance of 244.31 feet to a 5/8-inch iron rod found for corner;

THENCE North 00°03'34" West, continuing along the south right-of-way line of said Monte Carlo, a distance of 24.52 feet to point for corner;

THENCE South 88°28'20" East, continuing along the south right-of-way line of said Monte Carlo, a distance of 655.01 feet to a point for corner;

THENCE South 89°26'25" East, continuing along the south right-of-way line of said Monte Carlo, a distance of 1671.65 feet to a point for corner;

THENCE South 88°48'26" East, continuing along the south right-of-way line of said Monte Carlo, a distance of 571.46 feet to a point for corner;

THENCE South 89°01'55" East, continuing along the south right-of-way line of said Monte Carlo, a distance of 392.60 feet to a point for corner said point being the northeast corner of said 458.316 acre tract;

THENCE South 00°52'00" East, leaving the south line of said Monte Carlo and along the east line of said 458.316 acre tract, a distance of 730.27 feet to a point for corner;

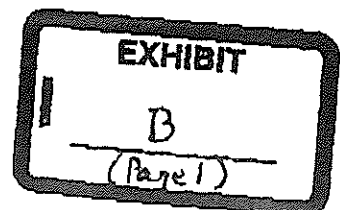
THENCE South 00°59'19" East, continuing, along the east line of said 458.316 acre tract, a distance of 2395.33 feet to a point for corner, said point being the southeast corner of said 458.316 acre tract;

THENCE South 86°39'21" West, leaving the east line of said 458.316 acre tract, a distance of 1111.22 feet to a point for corner, said point being the southeast corner of the Carl Ray Copeland tract;

THENCE North 00°48'59" West, leaving the south line of said 458.316 acre tract and along the east line of said Copeland tract, a distance of 1576.21 feet to a point for corner, said point being the northeast corner of said Copeland tract;

THENCE South 89°20'06" West, along the north line of said Copeland tract, a distance of 1682.04 feet to a point for corner, said point being the northwest corner of said Copeland tract;

THENCE South 00°36'34" East, leaving the north line of said Copeland tract and along the west line of said Copeland tract, a distance of 1443.74 feet to a point for corner;



THENCE South 89°23'26" West, leaving the west line of said Copeland tract, a distance of 26.52 feet to a point for corner, said point being the beginning of a curve to the right having a radius of 500.00 feet and a chord that bears North 71°18'51" West a distance of 330.43 feet;

THENCE in a northwesterly direction along said curve to the right through a central angle of 38°35'25", an arc distance of 336.76 feet to a point for corner;

THENCE North 52°01'09" West, a distance of 174.78 feet to a point for corner, said point being the beginning of a curve to the right having a radius of 700.00 feet and a chord that bears North 40°41'07" West a distance of 275.13 feet;

THENCE in a northwesterly direction along said curve to the right through a central angle of 22°40'03", an arc distance of 276.93 feet to a point for corner;

THENCE North 29°21'06" West, a distance 50.16 feet to a point for corner, said point being the beginning of a curve to the left having a radius of 200.00 feet and a chord that bears North 44°55'07" West a distance of 107.35 feet;

THENCE in a northwesterly direction along said curve to the right through a central angle of 31°08'03", an arc distance of 108.68 feet to a point for corner;

THENCE North 60°29'09" West, a distance 380.90 feet to a point for corner;

THENCE North 36°28'52" West, a distance 122.32 feet to a point for corner;

THENCE North 34°15'23" West, a distance 32.77 feet to a point for corner;

THENCE South 35°44'37" West, a distance 651.42 feet to a point for corner, said point being the beginning of a curve to the left having a radius of 500.00 feet and a chord that bears South 41°53'04" West a distance of 239.54 feet;

THENCE in a southwesterly direction along said curve to the left through a central angle of 27°43'06" an arc distance of 241.89 feet to a point for corner;

THENCE North 84°37'29" West, a distance 494.39 feet to a point for corner, said point being in the east line of said 458.316 acre tract;

THENCE North 05°22'31" East, a distance 2751.35 feet to the POINT OF BEGINNING and CONTAINING 280.67 acres of land less A 7.54 School Site leaving a net of 273.13 acres of land more or less.

EXHIBIT

B

(Page 2)

**ZONING DESCRIPTION – MULTI-FAMILY
19.53 NET ACRES
COLLIN COUNTY, TEXAS**

Being 19.53 net acres of land situated in the David Cherry Survey, Abstract No. 166, Collin County, Texas, and being part a re-survey of part of the 458.316 acre TRACT TWO described in a deed from Bank One Texas, N.A. to Sportaman 1500 Partners dated October 4, 1993, recorded in Document No. 95-0031958 of the Collin County Land Records, and being more particularly described as follows;

BEGINNING at an inner ell corner of said 458.316 acre tract, said point the southwest corner of the Carl Ray Copeland tract as recorded in Volume 669, Page 773, Collin County Land Records and being in the center of County Road No. 978, the south line of said Cherry survey;

THENCE South $86^{\circ}18'02''$ West, along the south line of said 458.316 acre tract and of said survey, a distance of 1153.54 feet to point for corner;

THENCE North $03^{\circ}31'39''$ West, departing the south line of said 458.316 acre tract and said survey, a distance of 194.64 feet to a point for corner, said point being at the beginning of curve to the left having a radius of 530.00 feet and a chord that bears North $18^{\circ}53'31''$ West a distance of 280.86 feet;

THENCE in a northwesterly direction along said curve to the left through a central angle of $30^{\circ}43'44''$, an arc distance of 284.25 feet to point for corner;

THENCE North $34^{\circ}15'23''$ West, a distance of 544.49 feet to a point for corner;

THENCE North $55^{\circ}44'37''$ East, a distance of 457.70 feet to a point for corner;

THENCE South $34^{\circ}15'23''$ East, a distance of 32.77 feet to a point for corner;

THENCE South $36^{\circ}28'52''$ East, a distance of 122.32 feet to a point for corner;

THENCE South $60^{\circ}29'09''$ East, a distance of 380.90 feet to a point for corner, said point being at the beginning of a curve to the right having a radius of 200.00 feet and a chord that bears South $44^{\circ}55'07''$ East a distance of 107.33 feet;

THENCE in a southeasterly direction along said curve to the right through a central angle of $31^{\circ}08'03''$, an arc distance 108.68 feet to point for corner;

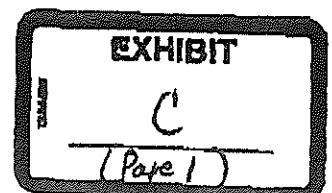
THENCE South $29^{\circ}21'06''$ East, a distance of 50.16 feet to a point for corner, said point being at the beginning of a curve to the left having a radius of 700.00 feet and a chord that bears South $40^{\circ}41'07''$ East a distance of 275.13 feet;

THENCE in a southeasterly direction along said curve to the left through a central angle of $22^{\circ}40'03''$, an arc distance 276.93 feet to point for corner;

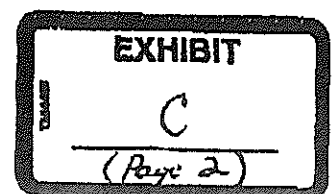
THENCE South $52^{\circ}01'09''$ East, a distance of 174.78 feet to a point for corner, said point being at the beginning of a curve to the left having a radius of 500.00 feet and a chord that bears South $71^{\circ}18'51''$ East a distance of 330.43 feet;

THENCE in a southeasterly direction along said curve to the left through a central angle of $38^{\circ}35'25''$, an arc distance 336.76 feet to point for corner;

THENCE North $89^{\circ}23'26''$ East, a distance of 26.52 feet to a point for corner, said point being in the west line of said Copeland tract;



THENCE South 00°36'34" East, along the west line of said Copeland tract, a distance of 238.66 feet the
POINT OF BEGINNING and CONTAINING 20.54 acres of land less 1.01 acres of proposed street right-
of-way leaving a net of 19.53 acres of land more or less.



ZONING DESCRIPTION - SF-2
523.43 ACRES
COLLIN COUNTY, TEXAS

Being 523.43 Acres situated in the David Cherry Survey, Abstract No. 188, Collin County, Texas, and being a resurvey of part of the 1023.224 acre TRACT ONE described in a deed from Bank One, Texas, N. A., to Sportsman 1500 Partners dated October 4, 1999, recorded in Document No. 95-0031858 of the Collin County Land Records, being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner at the southwest corner of said 1023.224 acre tract and being on the north Right-of-Way line of Old State Hwy. No. 24 (County Road 407), said point being the southeast corner of the Scottish Rite Hospital Land Tract as described by deed recorded in Volume 239, Page 272, Collin County Land Records;

THENCE North $00^{\circ}08'24''$ West, along the east line of said Scottish Rite tract, the west line of said 1023.224 acre tract and along an apparently abandoned road a distance of 2400.92 feet to a point for corner, said point being the east, southeast corner of Ragon Estates as recorded in Volume J, Page 532, Collin County Land Records;

THENCE North $00^{\circ}03'09''$ West, along the east line of said Ragon Estates and the west line of said 1023.24 acre tract, a distance of 589.25 feet to a point for corner, said point being the northeast corner of said Ragon Estates and an ell corner of said 1023.224 acre tract;

THENCE South $89^{\circ}54'28''$ West, along the north line of said Ragon Estates and the south line of said 1023.224 acre tract, a distance of 2469.66 feet to a point at the northwest corner of said Ragon Estates and the northeast corner of a 155.352 acre tract referenced in Volume 2277, Page 631;

THENCE South $89^{\circ}31'02''$ West, along the north line of said 155.352 acre tract, the south line of said 1023.224 acre tract and the evidence of an old fence line, a distance of 1650.36 feet to a point for corner, said point being the southwest corner of said 1023.224 acre tract and being in the east line of the Harold Bixler Land;

THENCE Northerly with the east line of said Bixler tract and the west line of said 1023.224 acre tract as follows;

North $00^{\circ}37'01''$ West, a distance of 169.03 feet to a point for corner;

North $00^{\circ}11'00''$ West, a distance of 842.86 feet to a point for corner;

North $00^{\circ}01'10''$ East, a distance of 311.00 feet to a point for corner, said point being the northeast corner of said Bixler tract and an ell corner of said 1023.224 acre tract;

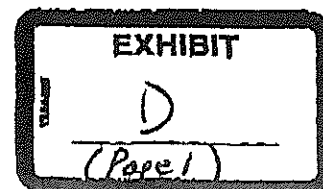
THENCE Westerly with the north line of said Bixler tract and the south line of said 1023.224 acre tract as follows;

North $89^{\circ}54'13''$ West, a distance of 578.19 feet to a point for corner;

North $88^{\circ}52'00''$ West, a distance of 335.70 feet to a point for corner;

North $89^{\circ}21'28''$ West, a distance of 240.80 feet to a point for corner, said point being the west southwest corner of said 1023.244 acre tract and an ell corner of said Bixler tract;

THENCE Northerly with the west line of said 1023.244 acre tract, the east line of said Bixler tract and with a fence as follows:



North 00°26'55" West, a distance of 358.28 feet to a point for corner;
North 01°03'00" West, a distance of 626.70 feet to a point for corner;
North 01°12'00" West, a distance of 245.10 feet to a point for corner;
North 01°07'58" East, a distance of 101.88 feet to a point for corner, said point being the northwest corner of said 1023.224 acre tract and in the south line of the 141 acre Billy Tate tract, as yet un-recorded;

THENCE North 89°59'21" East, with the north line of said 1023.224 acre tract and the south line of said Tate tract, a distance of 725.66 feet to a point for corner, said point being the southeast corner of said Tate tract and the west southwest corner of the Plano Bank and Trust tract as recorded in County Clerk's No. 92-0052977, Collin County Land Records;

THENCE North 88°31'23" East, with the north line of said 1023.224 acre tract and the south line of said Plano Bank tract, a distance of 552.21 feet to a point for corner, said point being an oil corner of said 1023.224 acre tract and said Plano Bank tract;

THENCE South 00°55'40" East, with an east line of said 1023.224 acre tract a distance of 103.58 feet to an oil corner of said 1023.224 acre tract, said point being the south, southwest corner of said Plano Bank tract;

THENCE Easterly, with the north line of said 1023.224 acre tract and the south line of said Plano Bank tract and with a fence as follows:

South 89°08'36" East, a distance of 86.83 feet to a point for corner;
North 89°30'55" East, a distance of 627.96 feet to a point for corner;
North 89°48'13" East, a distance of 755.25 feet to a point for corner;
South 89°29'49" East a distance of 1067.01 feet to a point for corner;
North 89°40'21" East, a distance of 896.02 feet to a point for corner;

THENCE South 28°29'25" East, leaving the north line of said 1023.224 acre tract and the south line of said Plano Bank tract, a distance of 392.48 feet to a point for corner;

THENCE South 67°47'55" East, a distance of 363.24 feet to a point for corner;

THENCE South 40°08'34" East, a distance of 1034.77 feet to a point for corner;

THENCE South 45°49'10" East, a distance of 1476.42 feet to a point for corner;

THENCE South 63°11'18" East, a distance of 560.25 feet to a point for corner;

THENCE South 44°23'41" East, a distance of 1240.90 feet to a point for corner;

THENCE South 12°19'30" East, a distance of 1184.20 feet to a point for corner;

THENCE South 20°38'41" East, a distance of 985.84 feet to a point for corner, said point being in the north line of said Old State Hwy. No. 24;

THENCE South 89°18'43" West, along the north line of said Old State Hwy. No. 24 a distance of 1330.88 feet to a point for corner;

THENCE South 89°20'00" West, along the north line of said Old State Hwy. No. 24 a distance of 89.27 feet to a point for corner

EXHIBIT

D

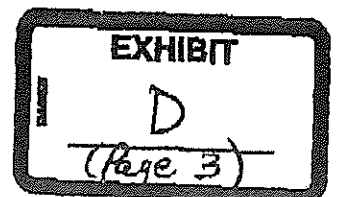
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THENCE South $89^{\circ}23'05''$ West, along the north line of said Old State Hwy. No. 24 a distance of 776.54 feet to a point for corner;

THENCE North $88^{\circ}50'32''$ West, along the north line of said Old State Hwy. No. 24 a distance of 861.28 feet to a point for corner;

THENCE North $89^{\circ}34'16''$ West, along the north line of said Old State Hwy. No. 24 a distance of 418.44 feet to a point for corner;

THENCE North $83^{\circ}35'25''$ West, along the north line of said Old State Hwy. No. 24 a distance of 17.44 feet to the POINT OF BEGINNING and containing 523.43 acres of land more or less.



**ZONING DESCRIPTION SF-1
231.00 ACRES
COLLIN COUNTY, TEXAS**

Being 231.00 Acres situated in the David Cherry Survey, Abstract No. 166, Collin County, Texas, and being a resurvey of part of the 1023.224 acre TRACT ONE described in a deed from Bank One, Texas, N. A., to Sportsman 1500 Partners dated October 4, 1993, recorded in Document No. 95-0031958 of the Collin County Land Records, being more particularly described by metes and bounds as follows:

BEGINNING at the north, northwest corner of said 1023.224 acre tract and being the northeast corner of the Plano Bank and Trust tract as recorded in County Clerk's No. 92-0052877, Collin County Land Records, said point being in the center of County Road 406 (an apparent 20 Foot Right-of-Way);

THENCE North 89°46'05" East, along the north line of said 1023.224 acre tract and the centerline of said county road a distance of 2284.92 feet to a point for corner;

THENCE South 25°09'49" East, leaving the north line of said 1023.224 acre tract and the centerline of said county road a distance of 672.79 feet to a point for corner;

THENCE South 07°44'57" East, a distance of 1954.10 feet to a point for corner;

THENCE South 12°22'50" West, a distance of 1019.07 feet to a point for corner;

THENCE South 14°43'50" West, a distance of 1126.88 feet to a point for corner;

THENCE North 44°23'41" West, a distance of 252.78 feet to a point for corner;

THENCE North 63°11'16" West, a distance of 580.25 feet to a point for corner;

THENCE North 45°49'10" West, a distance of 1476.42 feet to a point for corner;

THENCE North 40°06'34" West, a distance of 1034.77 feet to a point for corner;

THENCE North 57°47'55" West, a distance of 363.24 feet to a point for corner;

THENCE North 28°29'26" West, a distance of 392.48 feet to a point for corner said point being in the south line of said Plano Bank tract and the north line of said 1023.224 acre tract;

THENCE North 89°40'21" East, along the south line of said Plano Bank tract and the north line of said 1023.224 acre tract a distance of 574.49 feet to a point for corner, said point being the southeast corner of said Plano Bank tract;

THENCE North 00°13'15" West, with the east line of said Plano Bank tract and the west line of said 1023.224 acre tract a distance of 1825.47 feet to the POINT OF BEGINNING and containing 231.00 acres of land more or less.



**ZONING DESCRIPTION SF-E
78.20 ACRES
COLLIN COUNTY, TEXAS**

Being 861.55 Acres situated in the David Cherry Survey, Abstract No. 166, Collin County, Texas, and being a resurvey of part of the 1023.224 acre TRACT ONE described in a deed from Bank One, Texas, N. A., to Sportsman 1500 Partners dated October 4, 1993, recorded in Document No. 95-0031966 of the Collin County Land Records, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the west right-of-way line of Farm Road No. 75, the east line of said 1023.224 acre tract, said point being South $13^{\circ}19'24''$ East, a distance of 518.82 feet from the intersection of the south right-of-way line of County Road 406 with the west right-of-way line of said Farm Road 75;

THENCE South $08^{\circ}58'47''$ East, along the east line of said 1023.224 acre tract and the west line of said farm road, a distance of 776.86 feet to a point for corner, said point being the beginning of a curve to the left having a radius of 5772.31 feet and a chord which bears South $08^{\circ}58'09''$ East a distance of 400.86 feet;

THENCE Southeasterly along said curve to the left and said east and west lines, through a central angle of $03^{\circ}58'48''$, an arc distance of 400.86 feet to a point for corner;

THENCE South $11^{\circ}04'38''$ East, continuing along said east and west lines, a distance of 2575.23 feet to a point for corner;

THENCE South $10^{\circ}25'48''$ East, continuing along said east and west lines a distance of 1768.42 feet to a point for corner;

THENCE South $79^{\circ}34'44''$ West, leaving said west right-of-way and said east line a distance of 693.02 feet to a point for corner;

THENCE North $12^{\circ}19'30''$ West, a distance of 742.68 feet to a point for corner;

THENCE North $44^{\circ}23'41''$ West, a distance of 869.44 feet to a point for corner;

THENCE North $14^{\circ}43'50''$ East, a distance of 1032.76 feet to a point for corner;

THENCE North $12^{\circ}22'50''$ East, a distance of 917.59 feet to a point for corner;

THENCE North $07^{\circ}44'57''$ West, a distance of 2248.93 feet to a point for corner;

THENCE North $25^{\circ}09'49''$ West, a distance of 96.47 feet to a point for corner;

THENCE North $89^{\circ}47'33''$ East, a distance of 361.48 feet to the POINT OF BEGINNING and containing 78.20 acres of land more or less.

EXHIBIT

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**ZONING DESCRIPTION - NEIGHBORHOOD COMMERCIAL
5.05 ACRES
COLLIN COUNTY, TEXAS**

Being 5.05 Acres situated in the David Cherry Survey, Abstract No. 168, Collin County, Texas, and being a resurvey of part of the 1023.224 acre TRACT ONE described in a deed from Bank One, Texas, N. A., to Sportsman 1500 Partners dated October 4, 1993, recorded in Document No. 85-0031958 of the Collin County Land Records, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the west right-of-way line of Farm Road 75 with the south right-of-way line of County Road 408 (an apparent 20 Foot Right-of-Way), said point being the northeast corner of said 1023.224 acre tract;

THENCE South $10^{\circ}54'00''$ East, with the east line of said 1023.224 acre tract and the west right-of-way line of said farm road a distance of 20.25 feet to a point for corner;

THENCE South $50^{\circ}12'16''$ East, continuing along said east and west lines a distance of 45.98 feet to a point for corner;

THENCE South $10^{\circ}41'00''$ East, continuing along said east and west lines a distance of 328.81 feet to a point for corner, said point being the beginning of a curve to the right having a radius of 1854.88 feet and a chord which bears South $08^{\circ}38'47''$ East a distance of 109.58 feet;

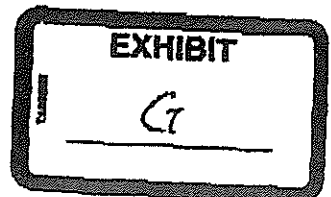
THENCE Southwesterly, along said curve to the right through a central angle of $03^{\circ}22'00''$, an arc distance of 109.58 feet to a point for corner;

THENCE South $06^{\circ}58'47''$ East, continuing along said east and west lines a distance of 24.34 feet to a point for corner;

THENCE South $89^{\circ}47'33''$ West, leaving said east and west lines a distance of 381.46 feet to a point for corner;

THENCE North $25^{\circ}09'49''$ West, a distance of 557.14 feet to a point for corner;

THENCE North $89^{\circ}46'06''$ East, a distance of 478.79 feet to the **POINT OF BEGINNING** and containing 5.05 acres of land more or less.



**ZONING DESCRIPTION - RETAIL
19.16 ACRES
COLLIN COUNTY, TEXAS**

Being 19.16 Acres situated in the David Cherry Survey, Abstract No. 166, Collin County, Texas, and being a resurvey of part of the 1023.224 acre TRACT ONE described in a deed from Bank One, Texas, N. A., to Sportsman 1600 Partners dated October 4, 1993, recorded in Document No. 95-0031958 of the Collin County Land Records, being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner at the south, southeast corner of said 1023.224 acre tract and being at the intersection of the north Right-of-Way line of Old State Hwy. No. 24 (County Road 407) where same flares out to the west Right-of-Way line of Farm Road No. 75;

THENCE South $84^{\circ}23'32''$ West, with the north line of said R.O.W. and the south line of said 1023.224 acre tract a distance of 317.30 feet to a point for corner;

THENCE South $89^{\circ}18'43''$ West, along the north line of said R.O.W. and the south line of said 1023.224 acre tract a distance of 157.57 feet to a point for corner

THENCE North $20^{\circ}38'41''$ West, leaving the north line of said R.O.W. and the south line of said 1023.224 acre tract a distance of 985.84 feet to a point for corner

THENCE North $12^{\circ}19'30''$ West, a distance of 421.52 feet to a point for corner;

THENCE North $79^{\circ}34'44''$ East, a distance of 693.02 feet to a point for corner, said point being in the west right-of-way line of said farm road 75;

THENCE South $10^{\circ}25'48''$ East, along the west line of said farm road 75, a distance of 659.26 feet to a point for corner, said point being at the northeast corner of the Texas-New Mexico Power Co. 1.00 acre tract as recorded in Volume 2707, Page 444, Collin County Land Records;

THENCE North $89^{\circ}30'05''$ West, with the north line of said 1.00 acre tract a distance of 190.63 feet to a point at the northwest corner of said 1.00 acre tract;

THENCE South $00^{\circ}08'22''$ East, with the west line of said 1.00 acre tract a distance of 207.93 feet to a point at the southwest corner of said 1.00 acre tract;

THENCE South $89^{\circ}48'48''$ East, with the south line of said 1.00 acre tract a distance of 227.08 feet to a point at the southeast corner of said 1.00 acre tract and being in the east line of said 1023.224 acre tract and the west right-of-way line of said farm road;

THENCE South $10^{\circ}13'12''$ East, with the east line of said 1023.224 acre tract and the west line of said farm road a distance of 550.26 feet to a point at the east, southeast corner of said 1023.224 acre tract;

THENCE South $39^{\circ}28'59''$ West, with the east line of said 1023.224 acre tract and the west line of said farm road a distance of 38.73 feet to the POINT OF BEGINNING and containing 19.16 acres of land more or less.

