

TOWN OF TROPHY CLUB, TEXAS

ORDINANCE NO. 89-06

AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS AMENDING ORDINANCE NO. 87-23 OF THE TOWN, THE TOWN COMPREHENSIVE ZONING ORDINANCE, BY GRANTING A CHANGE IN ZONING ON A CERTAIN TRACT OF LAND IN TROPHY CLUB, TEXAS, BEING APPROXIMATELY 7.8181 ACRES OF LAND SITUATED IN THE W.H. PEA SURVEY, ABSTRACT NO. 1045, DENTON COUNTY, TEXAS, AS MORE FULLY DESCRIBED IN THE ATTACHED EXHIBIT "A", SAID CHANGE IN ZONING BEING FROM R-7.5 SINGLE FAMILY RESIDENTIAL DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT AS AUTHORIZED BY SECTION 16 OF ORDINANCE NO. 87-23 OF THE TOWN, FOR GARDEN APARTMENTS AND CONDOMINIUMS, IN ACCORDANCE WITH THE EXHIBITS ATTACHED HERETO, WITH THE SPECIFIC REQUIREMENTS CONTAINED IN THIS ORDINANCE, AND WITH A COMPREHENSIVE SITE PLAN; PROVIDING THAT THE ZONING MAP SHALL REFLECT PD, ~~PLANNED DEVELOPMENT DISTRICT NO. 7~~ FOR THE SUBJECT PROPERTY; PRESERVING ALL OTHER PARTS OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; DETERMINING THAT THE PUBLIC INTEREST AND GENERAL WELFARE DEMAND THE ZONING HEREIN MADE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, application was made to amend the official Zoning District Map of the Town of Trophy Club, Texas (the "Town"), by making application for same with the Planning and Zoning Commission of the Town, as required by state statutes and the Zoning Ordinance of the Town, and all the legal requirements, conditions and pre-requisites having been compiled with, the case having come before the Town Council of the Town of Trophy Club, Texas, after all legal notices, requirements, conditions and pre-requisites having been compiled with; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, at a public hearing called by the Town Council, did consider the following factors in making a determination as to whether these requested changes should be granted or denied; safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites;

safety from fire hazards and measures for fire control, protection of adjacent property from flood or water damages, noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood, location, lighting and types of signs and relation of signs to traffic control and adjacent property, street size and adequacy of width for traffic reasonable expected to be generated by the proposed use around the site and in the immediate neighborhood, adequacy of parking as determined by requirements of this ordinance for off-street parking facilities, location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust, effect on the promotion of health and the general welfare, effect on light and air, the effect on the over crowding of the land, the effect on the concentration of population, the effect on the transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, at a public hearing called by the Town Council, did consider the following factors in making a determination as to whether the requested changes should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the over crowding of the land, the effect on the concentration on population, the effect on the transportation; water, sewerage, schools, parks and other public facilities; and

WHEREAS, the Town Council has established conditions of and development standards for the operation, location, arrangement and construction of the use granted by this Ordinance, and which such conditions and development standards impose sufficient safeguards important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view and other undesirable or hazardous conditions; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, further considered among other things the character of the districts and their peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this Town; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, does find that there is a public necessity for the zoning changes, that the public demands them, that the public interest clearly requires the amendments, that the zoning changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, does find that the changes in zoning lessen the congestion in the streets, helps secure safety from fire, panic and other dangers; promotes the health and the general welfare; provides adequate light and air; prevents the over-crowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, has determined that there is a necessity and need for the changes in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximate to the tract of land requested for a change since the tract of land was originally classified and desires to make the use of the property conforming and not non-conforming and therefore feels that the respective changes in zoning classification for the tract of land are needed, are called for, and are in the best interest of the public at large, the citizens of the Town of Trophy Club, Texas, and helps promote the general health, safety and welfare of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS:

Section 1. That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That Ordinance No. 87-23 the Zoning Ordinance of the Town of Trophy Club, Texas, is hereby amended and changed in the following particulars, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases and words of said Zoning Ordinance are not amended, but remain intact and are hereby ratified, verified and affirmed:

- A. That the allowed use of a tract of land containing approximately 7.8181 acres and located in the W.H. Pea Survey, Abstract 1045, Denton County, Texas, and more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, which, in accordance with the Zoning Ordinance is presently zoned R-7.5 Single Family Residential District, is hereby changed to and shall be in accordance and conformity with and be zoned PD, Planned Development District for garden apartments and condominiums according to the standards and requirements set forth in Exhibits "B" attached hereto and incorporated herein for all purposes, and with the specific requirements contained in this Ordinance, and with the comprehensive site plan and plat of the development.

Section 3. That a comprehensive Site Plan, a true and correct copy of which is attached hereto as a part of Exhibit "B" and is incorporated herein, was submitted by the Owner and reviewed and approved by the Town Council upon the recommendation of the Planning and Zoning Commission.

Section 4. That the Developer and Owner has voluntarily agreed to submit, if and when the Property which is the subject of this ordinance is developed as condominiums, covenants and deed restrictions covering all of the said Property for review by and approval of the Planning and Zoning Commission and Town Council. In the event such deed covenants and restrictions are approved by the Town Council, they shall be attached to and become a part of this ordinance and filed of record in Denton County, Texas; provided, however, that such approval shall not constitute an amendment of this ordinance.

Section 5. That the development of the herein described property shall be developed in accordance with all PD, Planned Development District regulations as provided by the Comprehensive Zoning Ordinance, Ordinance No. 87-23, except as otherwise provided by this Ordinance.

Section 6. That in carrying out the development of the PD, Planned Development District, the development standards and conditions as set forth in Exhibit "B" shall be conditions precedent to the granting of any Certificate of Occupancy as required in the Comprehensive Zoning Ordinance, Ordinance No. 87-23.

Section 7. The Town Secretary is hereby directed to mark and indicate on the official Zoning District Map of the Town of Trophy Club, Texas, to reflect the zoning made herein.

Section 8. That in all other respects the use of the property hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the Town of Trophy Club, Texas, and with the site plan attached hereto as a part of Exhibit "B".

Section 9. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, drainage and surface water, parks and other commercial needs

and development of the community. They have been made with consideration of the reasonable suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

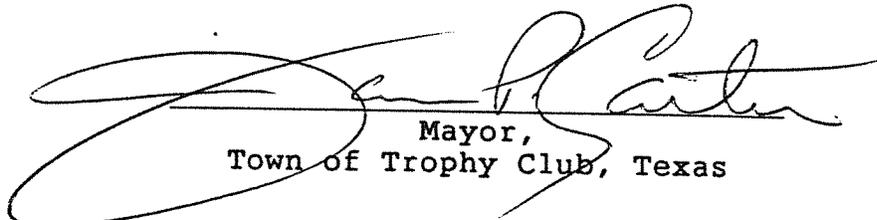
Section 10. This Ordinance shall be cumulative of all other ordinances of the Town of Trophy Club, Texas affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 11. That the term and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract of land described herein shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract of land described herein.

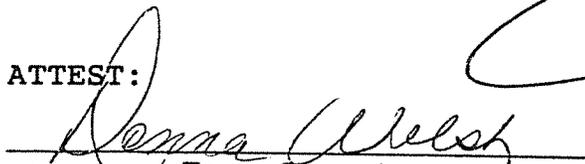
Section 12. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 13. That this Ordinance shall take effect from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Trophy Club, Texas this the 20th day of April, 1989.


Mayor,
Town of Trophy Club, Texas

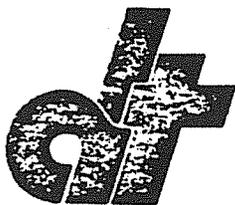
ATTEST:


Town Secretary
Town of Trophy Club, Texas

[SEAL]

APPROVED AS TO FORM:

Town Attorney
Town of Trophy Club, Texas



DON A TIPTON, INC.

CONSULTING ENGINEERS

6330 Belt Line Road Suite C Garland, Texas 75043 (214) 226-2967

THE PLANTATIONS AT TROPHY CLUB

FIELD NOTES

EXHIBIT "A"

BEING a tract of land located in the W. H. Pea Survey - Abstract No. 1045, of Denton County, Texas, said tract being a part of Trophy Club Plantation as platted, an addition to Denton County as recorded in Cabinet C, Page 393, of the Plat Records of Denton County Texas, and being more particularly described as follows;

BEGINNING at a point on the Northerly right-of-way line of State Highway 114 (a 100' R.O.W.) and the Southwest corner of said Trophy Club Plantation, a 1/2" iron pin found a corner, from which a Highway right-of-way marker bears S 48° 28' 00" E, a distance of 260.06 feet;

THENCE, N 13° 30' 06" E, a distance of 283.63 feet along the Westerly line of said Trophy Club Plantation addition, to the Southwest corner of Indian Creek Townhomes, an addition to Denton County Texas as filed in Cabinet C, Page 357, of the Plat Records of Denton County, Texas, a 1/2" iron pin set at corner;

THENCE, S 71° 13' 24" E, a distance of 670.86 feet along the Southerly line of said Indian Creek Townhomes, to the beginning of a tangent curve to the Left having a central angle of 13° 15' 58", a radius of 2205.26 feet and a chord bearing of S 77° 51' 23" E, a 1/2" iron pin set at corner;

THENCE, Continuing along the said Indian Creek Townhomes Southerly line and around the previously mentioned curve to the Left, a distance of 510.60 feet to the end of said curve and to a 1/2" iron pin set at the edge of the concrete alley pavement;

THENCE, S 18° 45' 00" W, along the Easterly line of said Trophy Club Plantation addition, and the Westerly line of The Greens of Trophy Club, an addition to Denton County, Texas, as recorded in Cabinet D, Page 4, of the Plat Records of Denton County, Texas, a distance of 344.65 feet to a point on the said State Highway No. 114 Northerly line, a 1/2" iron pin found at corner from which the corner of a building bears N 00° 10' 10" E, a distance of 63.99 feet;

THENCE, N 71° 03' 20" W, a distance of 1151.00 feet along the said State Highway No. 114 Northerly line to the PLACE OF BEGINNING and containing 340,556 square feet or 7.8181 acres of land.

EXHIBIT "B"

DEVELOPMENT STANDARDS

The development on the property described in Exhibit "A", consisting of approximately 7.8181 acres of land, shall be in accordance with the Site Plan of the development as required by the Comprehensive Zoning Ordinance, Ordinance No. 87-23, and shall be subject to the following Development Standards, conditions and requirements:

PURPOSE

The development is created to allow for Garden Apartment/Condominiums on 7.8181 acres located east of Trophy Club Drive, North of Highway 114, and South of the housing development known as Indian Creek Townhomes, in the Town of Trophy Club together with allowed incidental and accessory uses.

In the development of the property described in Exhibit "A", no land shall be used and no building shall be installed, erected for or other than as hereinafter provided:

A. Permitted Uses:

The following uses shall be permitted as principal uses:

1. Garden Apartments.
2. Condominiums, when utilized, will be allowed with submittal of deed restrictions for review by the Planning and Zoning Commission and Town Council. When approved, the deed restrictions shall be filed as and become a part of this ordinance.

B. Accessory Uses: The following uses shall be permitted as accessory uses to Garden Apartment/Condominium Dwelling Units:

1. Parking of automobiles in connection with the Garden Apartment/Condominium uses permitted in this district.
2. Cabana, pavilion or roofed area.
3. Swimming pool.
4. Signs subject to the provisions of the Town Sign Ordinance.
5. Screened garbage storage, as indicated on the approved Site Plan attached hereto.

6. Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed no later than seven (7) days after the completion or abandonment of construction work.
7. Utility distribution lines and facilities.

HEIGHT REGULATIONS

Building heights shall be restricted as follows and as the term "height" is defined in the Comprehensive Zoning Ordinance.

- A. Apartment/Condominiums: No building shall exceed thirty (30) feet or two (2) stories in height.

AREA REGULATIONS:

A. Minimum Setbacks:

1. Front Yard- As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.
2. Side Yard- As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.
3. Rear Yard- As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.
4. Buffered Area Regulations: As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

B. Size of Lot:

1. Lot area - As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.
2. Lot Width- As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.
3. Lot Depth- As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

C. Minimum Dwelling Size:

As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

D. Maximum Building Coverage:

As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

E. Minimum Open Space:

As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

F. Maximum Residential Density:

As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

BUILDING AND PARKING REGULATIONS:

As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

FENCES

As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

LANDSCAPING, LIGHTING, AND SIGNAGE

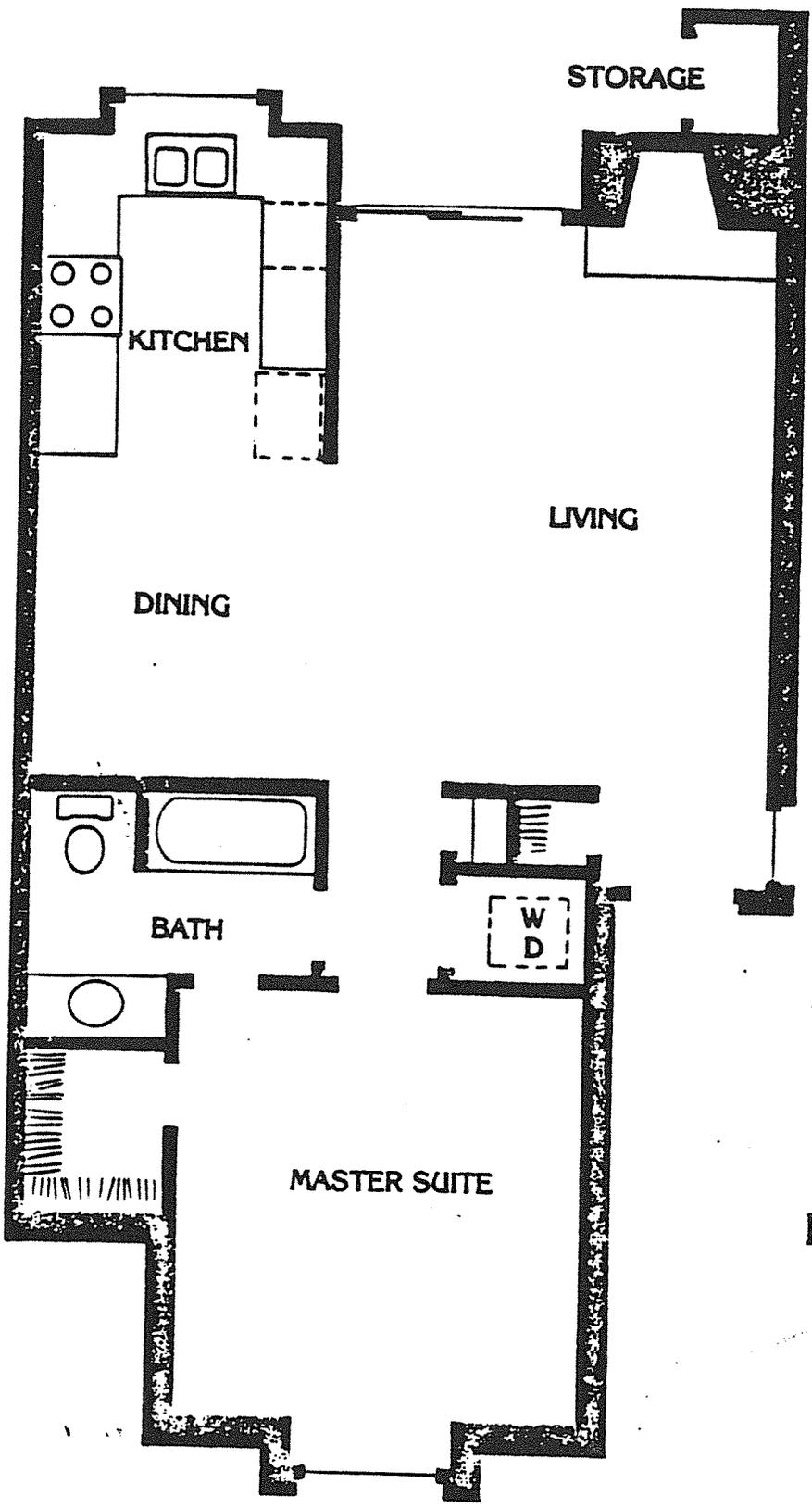
As identified by Exhibit "B", and based on existing conditions of the Plantation Garden Apartments/Condominiums.

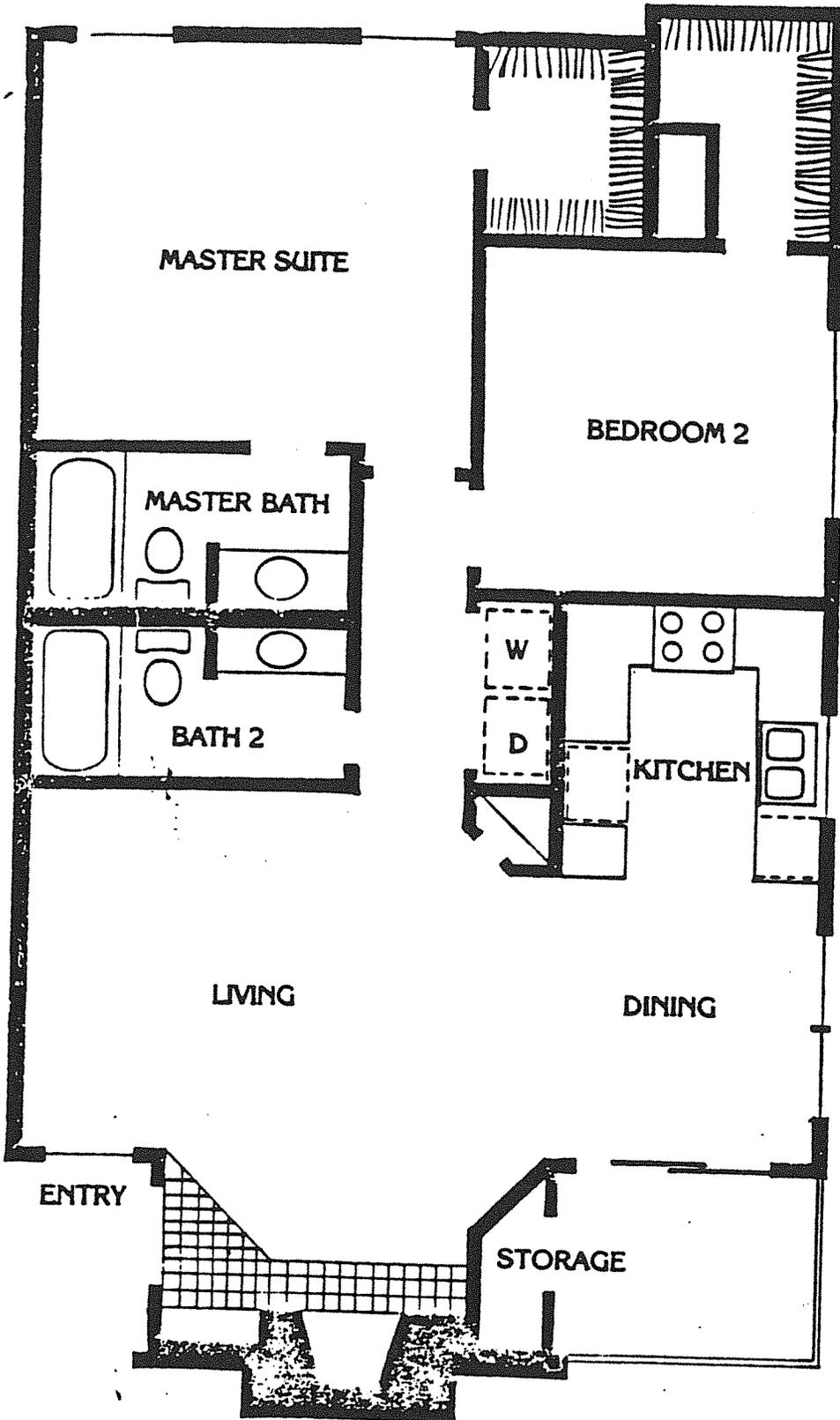
DEVELOPMENT SCHEDULE:

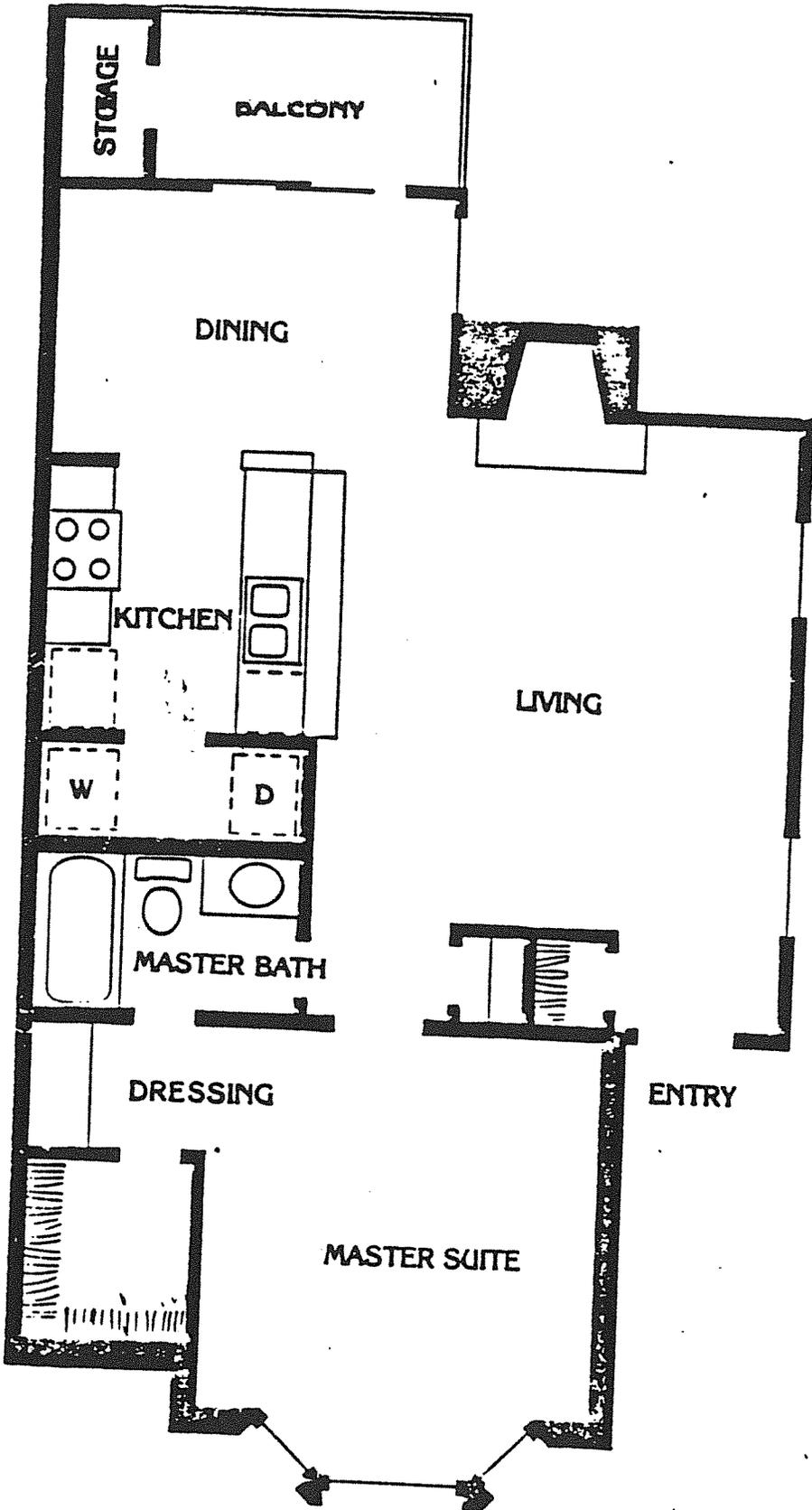
Not applicable (Existing Conditions).

PLATTING REQUIREMENT:

Not applicable (Existing Conditions).







PD. 7

ORIGINAL

THE PLANTATIONS AT TROPHY CLUB

A PLANNED DEVELOPMENT

7.8181 ACRES

TOWN of TROPHY CLUB

DENTON COUNTY, TEXAS

**THE PLANTATIONS AT TROPHY CLUB
ZONING APPLICATION**

Revised April 17, 1989

Prepared By:

DON A. TIPTON, INC.
6330 Belt Line Road, Suite "C"
Garland, Texas 75043
214-226-2967
Project No. 3266.bk/c

THE PLANTATIONS AT TROPHY CLUB

- I. INTRODUCTION
- II. FORMAL APPLICATION FORM
- III. ORDINANCE
- IV. EXHIBIT "A" - FIELD NOTES
- IV. EXHIBIT "B" - SITE PLAN

THE PLANTATIONS AT TROPHY CLUB

INTRODUCTION

This application pertains to an approximately 7.8 acre tract of land fronting on State Highway 114, approximately 1/2 mile east of Trophy Club Drive upon which is located the apartment complex known as The Plantations at Trophy Club, consisting of 34 buildings containing 135 residential rental units, together with related amenities. The Plantations was constructed in approximately 1983, prior to the incorporation of the Town of Trophy Club. When the Town of Trophy Club adopted its comprehensive zoning ordinance in 1987 (Ordinance No. 0 87-23), the property was designated as an "R-7.5" zoning district, such district being a zone designated to accommodate single family development on lots having a minimum of 7,500 square feet in area. Accordingly, operation of The Plantations as an apartment complex became a "non-conforming use," which use is permitted to continue, under the ordinance, subject to some limitations. The present owner is in bankruptcy, and the bankruptcy Trustee has contracted to sell the property. The purchaser desires to eliminate any uncertainty as to its ability to continue to operate the property as an apartment complex resulting from characterization of the property as a "non-conforming use" under the zoning ordinance. To that end, applicant desires to accomplish a rezoning of the property as a planned development ("PD")

district under the comprehensive zoning ordinance. Under the PD proposed hereunder, it is intended that the property would be subject to density, area, height and use limitations which would coincide with the presently existing improvements. Applicant believes that the existing "R-7.5" zoning classification is inappropriate and inconsistent with existing and contemplated uses of land adjacent to and in the vicinity of the property. The PD proposed in this application would facilitate efficient ownership, management and maintenance of the property as a first quality apartment or condominium project.

Buyer has received an extension to his contract in order to facilitate rezoning, which needs to be accomplished by May 5, 1989, or the contract will be terminated.

Town of Trophy Club

100 MUNICIPAL DRIVE TROPHY CLUB, TEXAS 76262
(817) 491-9693

APPLICATION FOR ZONING CHANGE
CASE NO. _____

PROPOSED AMENDMENT:

PRESENT ZONING R-7.5 PRESENT USE Developed Multi-Family/Garden Apts.
REQUESTED ZONING Garden Apts./ INTENDED USE Developed Multi-Family/Garden Apts.
Condominiums

LEGAL DESCRIPTION OF PROPERTY:

PLATTED PROPERTY: Lot N/A Section N/A Addition The Plantations at Trophy Club
UNPLATTED PROPERTY: Survey Name W. H. Pea, A- A-1045, Acres 7.8181

*Note: In property is not platted, attach metes and bounds description.

OWNERSHIP/APPLICANT INFORMATION:

Name of Owner/Applicant Assurance Capital Inc., C/O Don A. Tipton, Inc.
Address 6330 Belt Line Rd., Ste C, Garland, Tx 75043 Phone 214-226-2967



Signature of Applicant
PAT ATKINS
Executive Vice President
Don A. Tipton, Inc.

FOR TOWN USE

Submission of Application Fees:

\$ _____ Receipt No. _____ Date _____

<u>EVENTS</u>	<u>DATE</u>	<u>ACTION</u>	<u>REMARKS</u>
Preliminary Hearing - P & Z	_____	_____	_____
Public Hearing - P & Z	_____	_____	_____
Public Hearing - Council	_____	_____	_____
Ordinance - 1st Reading	_____	_____	_____
Ordinance - 2nd Reading	_____	_____	_____
Ordinance - 3rd Reading	_____	_____	_____
Effective Date After Publication	_____		

Recorded on Zoning Map _____

THE PLANTATIONS APARTMENTS

DEVELOPMENT STANDARDS

- A. Permitted uses will allow for the following:
- Garden Apartments
 - Condominiums, when utilized, will be allowed, with submittal of deed restrictions for review by the Town of Trophy Club. In addition, these deed restrictions will become part of the overall Planned Development.
- B. Screened garbage storage to be located on the Southwestern portion of the property and to be screened per the Town of Trophy Club requirements.
- C. Minimum Dwelling Size - 1 Bedroom 745 Square Feet
- 2 Bedroom 935 Square Feet
- D. Minimum Open Space: Landscape area consists of approximately 15% of the site being utilized as open space and landscape areas. All open space and landscape areas are irrigated and consist generally of the following plant material:
- Trees (2" - 8" Caliper): Hackberry, Cedar Elm, Cottonwood, Sweet Gum, Ash, Bradford Pear, Cherry Laurel, Japanese Black Pine.
 - Shrub & Ground Cover: Wax Leaf Ligustrum, Photenia, Pampa Grass, Asian Jasmine, Boxwood, Cleyeva, Banksia Rose, Varagated Privet, Juniper, Rotunda, and Sod.
- E. ALL CONDITIONS AND IMPROVEMENTS AS INDICATED ON THE SITE PLAN ARE EXISTING.

FIELD NOTES

BEING a tract of land located in the W. H. Pea Survey - Abstract No. 1045, of Denton County, Texas, said tract being a part of Trophy Club Plantation as platted, an addition to Denton County as recorded in Cabinet C, Page 393, of the Plat Records of Denton County Texas, and being more particularly described as follows;

BEGINNING at a point on the Northerly right-of-way line of State Highway 114 (a 100' R.O.W.) and the Southwest corner of said Trophy Club Plantation, a 1/2" iron pin found at corner, from which a Highway right-of-way marker bears S 48° 28' 00" E, a distance of 260.06 feet;

THENCE, N 13° 30' 06" E, a distance of 283.63 feet along the Westerly line of said Trophy Club Plantation addition, to the Southwest corner of Indian Creek Townhomes, an addition to Denton County Texas as filed in Cabinet C, Page 357, of the Plat Records of Denton County, Texas, a 1/2" iron pin set at corner;

THENCE, S 71° 13' 24" E, a distance of 670.86 feet along the Southerly line of said Indian Creek Townhomes, to the beginning of a tangent curve to the Left having a central angle of 13° 15' 58", a radius of 2205.26 feet and a chord bearing of S 77° 51' 23" E, a 1/2" iron pin set at corner;

THENCE, Continuing along the said Indian Creek Townhomes Southerly line and around the previously mentioned curve to the Left, a distance of 510.60 feet to the end of said curve and to a 1/2" iron pin set at the edge of the concrete alley pavement;

THENCE, S 18° 45' 00" W, along the Easterly line of said Trophy club Plantation addition, and the Westerly line of The Greens of Trophy Club, an addition to Denton County, Texas, as recorded in Cabinet D, Page 4, of the Plat Records of Denton County, Texas, a distance of 344.65 feet to a point on the said State Highway No. 114 Northerly line, a 1/2" iron pin found at corner from which the corner of a building bears N 00° 10' 10" E, a distance of 63.99 feet;

THENCE, N 71° 03' 20" W, a distance of 1151.00 feet along the said State Highway No. 114 Northerly line to the PLACE OF BEGINNING and containing 340,556 square feet or 7.8181 acres of land.

SURVEYORS DECLARATION

TO: LAWYERS TITLE INSURANCE CORPORATION, DABNEY PLANTATIONS JOINT VENTURE AND ASSURANCE CAPITAL, INC. or assigns, a Texas Corporation

DON A. TIPTON, INC., does hereby declare that the plat shown hereon accurately represents the results of an on-the-ground survey made under the direction and supervision of its Texas Registered Public Surveyor, and does hereby declare that (a) this plat of survey and the property description set forth hereon are true and correct and were prepared from an actual on-the-ground survey of the real property (the "Property") shown hereon; (b) all monuments shown hereon actually exist and the location, size and type of material thereof are correctly shown; (c) except as shown, there are no visible encroachments onto the Property or visible protrusions therefrom, there are no visible improvements on the Property, and there are no discrepancies, conflicts, shortages in area, or boundary line conflicts visible; (d) the size, location and type of visible improvements, if any, are as shown hereon, and all are located within the boundaries of the Property and set back from the Property lines the distance indicated; (e) the Property has access to and from a public roadway; (f) only those recorded easements furnished by Lawyers Title Insurance Corporation to Don A. Tipton, Inc. for this survey have been correctly platted hereon with applicable recording data, except as noted; and (g) the boundaries dimensions and other details shown hereon are true and correct.

EXECUTED this the 3 day of March, 1989.

DON A. TIPTON, INC.



Gregory A. McCall
GREGORY ALAN MCCALL
Registered Public Surveyor #4396

INDIAN CREEK DRIVE (80' ROW)

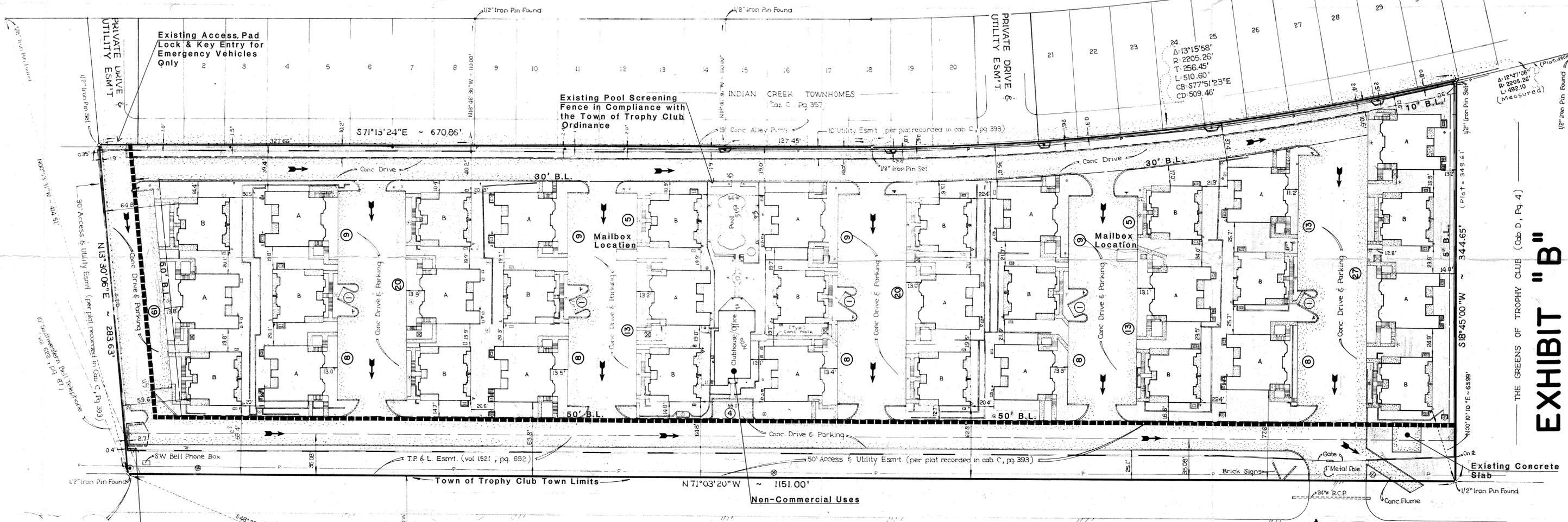


EXHIBIT "B"

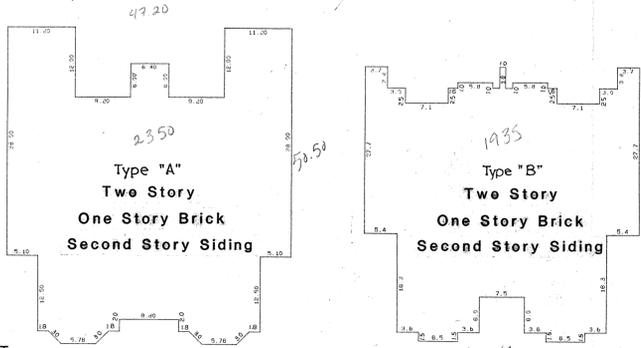
Place of Beginning
Dumpster to be Screened per Town of Trophy Club Requirements

- * Light Pole
- Sani Swr Cleanout
- Water Meter
- Power Pole
- SW Bell Manhole
- Sani Swr Manhole
- Metal Power Pole
- SW Bell Service Box
- Cable TV Box
- Fire Hydrant
- 2'x4' A.C. Pad
- 2'x2' A.C. Pad
- ⊠ Transformer Box
- ⊠ Landscape Timber Ret. Wall
- ⊠ Overhead Power Line
- ⊠ Metal Stairway
- ⊠ Brick Columns
- ⊠ Screening Fence
- Note:
Screening Fence Is 2'x2' Brick Columns w/ 13' Span Of Iron Fence Between Columns Along State Hwy 114, And Along Alley @ North E.
Screening Fence @ East & West E. Has 6' High Wood Fence Between Columns.

Land Use Data

Total Units	-	136
Total Buildings	-	34
Maximum Height	-	Two Stories
Total Parking	-	220 Spaces
Total Acres	-	7.8181

- REPRESENTS LANDSCAPE AREA & OPEN SPACE
- ➔ REPRESENTS DIRECTION OF DRAINAGE FLOW
- ▬▬▬▬ REPRESENTS LIMITS OF FIRE LANE & EMERGENCY ACCESS ESMT.



TROPHY CLUB PLANTATIONS SITE PLAN

IMPROVEMENT SURVEY

W. H. PEA SURVEY - ABSTRACT NO. 1045
TROPHY CLUB, DENTON COUNTY, TEXAS

DON A. TIPTON, INC. CONSULTING ENGINEERS
6330 Belt Line Road - Suite C - Garland, Texas 75043

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
d.a.t.	g.d.	feb., 1989	1" = 40'	d.b.	surveys	