

City of OVILLE City Council

*Rachel Huber, Place One
Dean Oberg, Place Two*

*Richard Dormier, Mayor
Doug Hunt Place Four, Mayor Pro Tem*

*David Griffin, Place Three
Michael Myers, Place Five*

105 S. Cockrell Hill Road, Ovilla, TX 75154

Tuesday, December 7, 2021

4:30 P.M.

Council Chamber Room

SPECIAL MEETING AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Tuesday, December 7, 2021**, at **4:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

I. CALL TO ORDER

- Invocation – *led by PL3 David Griffin*
- US. Pledge of Allegiance and TX Pledge *led by PL2 Dean Oberg*

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

- None

III. CITIZENS COMMENTS

The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the agenda may be referred to Staff for research and possible future action.

IV. CONSENT AGENDA

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration on the regular agenda during this meeting.

- None

V. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on an amended final plat request, filed by Massey Shaw to amend the final plat of Bryson Manor Phase 3. The amended final plat is 74.401-acres of land in the J.R Billingsley Survey, Abstract Number 80, an addition to the City of Ovilla, Ellis County Texas.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on a request from Mr. Massey Shaw for council approval to waive the plat amendment fees as outlined in Appendix A, Fee Schedule, Section A8.004 (4) Subdivision fees of the Code of Ordinances of the City of Ovilla.

EXECUTIVE SESSION

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

VI. REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF

City of Ovilla City Council

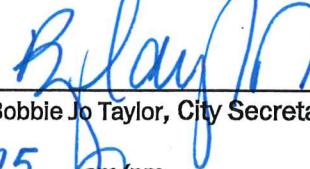
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Dean Oberg, Place Two

Richard Dormier, Mayor
Doug Hunt Place Four, Mayor Pro Tem

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Michael Myers, Place Five

VII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the December 7, 2021, Special Meeting Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofovilla.org, on the 2nd day of December 2021 prior to 4:30 p.m., in compliance with Chapter 551, Texas Government Code.


Bobbie Jo Taylor, City Secretary



DATE OF POSTING: 12/2/21 TIME: 9:25 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

A recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCIÓN 30.06 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCIÓN 30.07 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE.

AGENDA ITEM REPORT Item 1

Meeting Date: December 07, 2021

Discussion Action

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Accountant

Public Works Staff

Attachments:

1. Application document
2. Final Plat Amendment

Agenda Item / Topic:

ITEM 1. DISCUSSION/ACTION – Consideration of and action on an amended final plat request, filed by Massey Shaw to amend the final plat of Bryson Manor Phase 3. The amended final plat is 74.401-acres of land in the J.R. Billingsley Survey, Abstract Number 80, an addition to the City of Ovilla, Ellis County Texas.

Discussion / Justification:

FINAL PLAT AMENDMENT

SUBDIVISION NAME: BRYSON MANOR 3

AUTHORIZED AGENT OF RECORD: Massey Shaw

ENGINEER: Michael Westfall

DATE OF COMPLETENESS/FILED: November 29, 2021

LOCATION: Shiloh and Bryson Roads

UTILITIES: City Sewer / Sardis Water

ZONING: R-15

PROPOSED LAND USE: Residential Subdivision (111 residential lots)

MAJOR THOROUGHFARE: Highway 664 Ovilla Road

APPLICANT'S PROPOSAL/BACKGROUND/HISTORY

Case PZ19-12 was recommended by the Planning and Zoning Commission to the Ovilla City Council for approval in December 2019. In October 2020, the plat was returned to Council with required street name revisions recommended by Fire Chief Kennedy (per 911). The final plat of Bryson Manor 3 was filed in in Ellis County in January 2021.

Construction Manager Randall Bailey revealed that Axis Surveying did not include easements on the original plat of Bryson Manor. The Developer added the easements to the subsequent versions of the plat which led to the final plat filed with Ellis County to show incorrect easements. The Amended Final Plat will correct the previous version that was filed with the County.

Sec. 212.016(a)(6) of the Local Government Code allows for the amendment of a plat.

Recommendation / Staff Comments:

Options/Recommendation: Staff recommends approval of the Amended Final Plat of Bryson Manor Phase 3.

Sample Motion(s):

I move to deny/approve an amended final plat request, filed by Massey Shaw to amend the final plat of Bryson Manor Phase 3 as presented.

CITY OF OVILLA
APPLICATION FOR AMENDED PLAT



Amended Plat

Applicant Massey Shaw Phone 214 803 4939

Mailing Address 6255 woodland dr.

Applicant's explanation/need for amendment: eliminate utility easements between lots

Engineer or Land Planner Michael Westfall Phone 214 846 9397

Mailing Address _____

Location of Property Shiloh Bryson

City Limits Extraterritorial Jurisdiction (ETJ)

Subdivision Name Bryson Manor

Area in Subdivision: 74.40 Total Acres 111 Number of Lots 16000 ^{50ft} Average Lot Size

Fee Due City for Application \$ _____ calculated as follows:

Plat Amendment

\$ 400 Application Fee

\$ 50 per lot X 111 total number of lots, plus = 5550

\$ 50 per acre X 74 each acre not designated as a subdivision lot (not to include streets) = 3700

- Plus 100% of engineering costs associated with review in excess of amount paid in initial fees.

Plat vacation: \$275.00

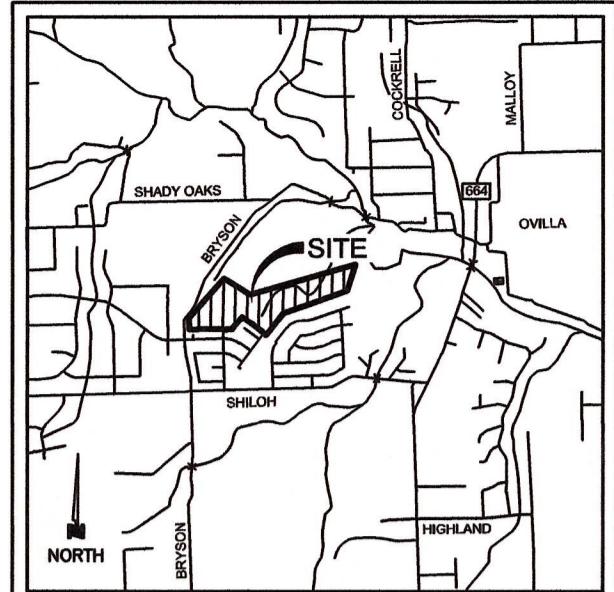
APPLICANT PRINT NAME: Massey Shaw

APPLICANT SIGN NAME: Massey Shaw

OWNER/AUTHORIZED AGENT OWNER/AUTHORIZED AGENT

Received on _____ Official Filing Date _____ Paid _____

City of Ovilla
105 S. Cockrell Hill Road
Ovilla, TX 75154
972.617.7262
FAX: 972.515.3221



VICINITY MAP
LEGEND

O.P.R.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
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DENOTES STREET NAME CHANGE

PETER H. BUSCHANG
AND JOYCE H. BUSCHANG
VOLUME 2513, PAGE 282
D.R.E.C.T.

DAVID GLENN DICKSON
INSTRUMENT NO. 1720895
O.P.R.C.T.

MOUNT AUBURN, LLC
INSTRUMENT NO. 1513252
O.P.R.C.T.

NORMAN EUGENE BYERS
VOLUME 2309, PAGE 573
D.R.E.C.T.

L.T. HICHLIFFE
VOLUME 634, PAGE 644
D.R.E.C.T.

SHEET 2

SHILOH FOREST PHASE 2
CABINET H, SLIDE 335
P.R.E.C.T.

BRYSON MANOR PHASE ONE
CABINET I, SLIDE 514
P.R.E.C.T.

SHEET 3

BRYSON MANOR PHASE ONE
CABINET I, SLIDE 514
P.R.E.C.T.

SHEET 4

OVILLA PARC
CABINET G, SLIDE 218
P.R.E.C.T.

NOTES:

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2. ALL LOT CORNERS SHALL BE MONUMENTED WITH A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" UNLESS OTHERWISE NOTED.

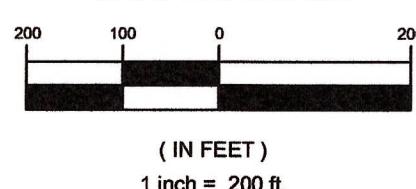
3. DEVELOPMENT IS SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

4. SELLING A PORTION OF ANY LOT WITHIN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITY SERVICES AND BUILDING PERMITS.

FLOOD STATEMENT:

THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADDED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48139C0050F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY OF THE INFORMATION PROVIDED BY FEMA AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

GRAPHIC SCALE



THE PURPOSE OF THIS AMENDING PLAT IS TO REMOVE THE SIDE YARD UTILITY EASEMENTS.

**AMENDED FINAL PLAT
BRYSON MANOR
PHASE 3**

111 RESIDENTIAL LOTS ~ 2 HOA LOTS

74.401 ACRES

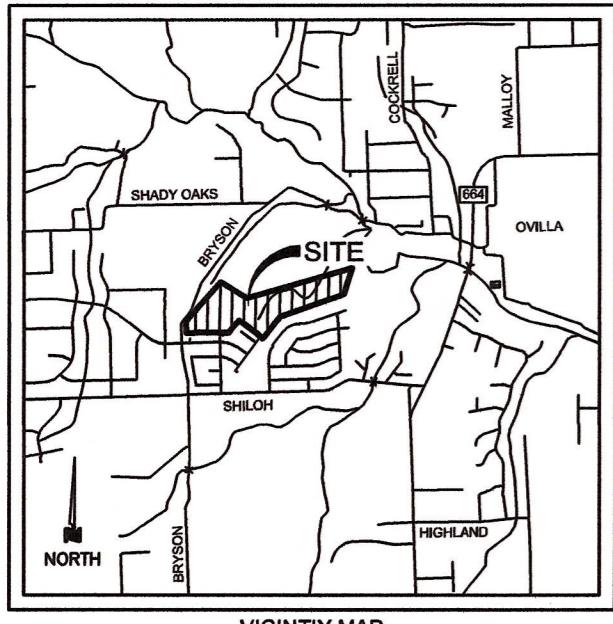
J.R. BILLINGSLEY SURVEY, ABSTRACT NUMBER 80
AN ADDITION TO THE CITY OF OVILLE
ELLIS COUNTY, TEXAS

SEPTEMBER, 2019

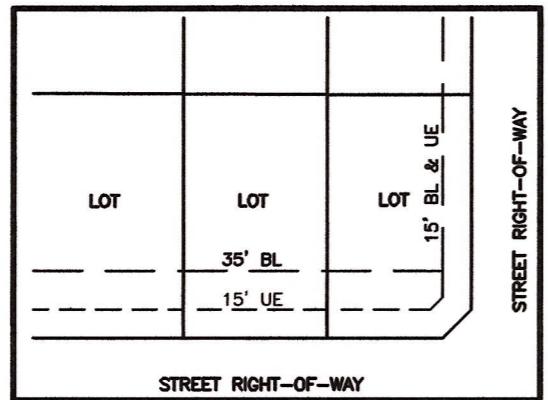
SCALE: 1"=200'

OWNER
SHAW DEVELOPMENT GROUP, LLC
6255 WOODLAND DRIVE
DALLAS, TX 75230

SURVEYOR



TYPICAL LOT DETAIL



O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
 D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
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 MAC NAIL SET FOR CORNER
 IRF IRON ROD FOUND
 UE UTILITY EASEMENT
 DE DRAINAGE EASEMENT
 SSE SANITARY SEWER EASEMENT
 DENOTES STREET NAME CHANGE



GRAPHIC SCALE
 (IN FEET)
 1 inch = 100 ft.

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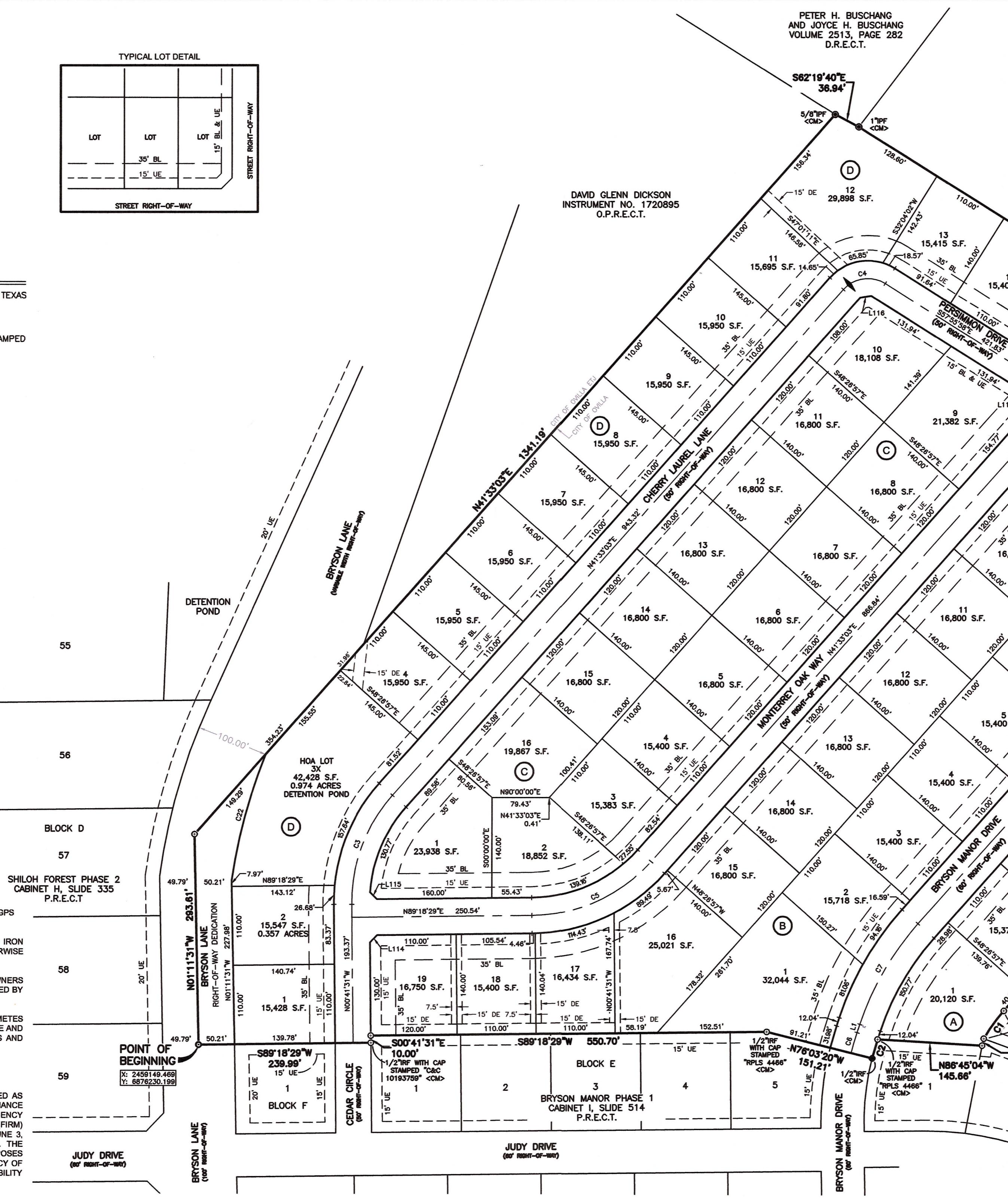
REVISED: 21/11/22

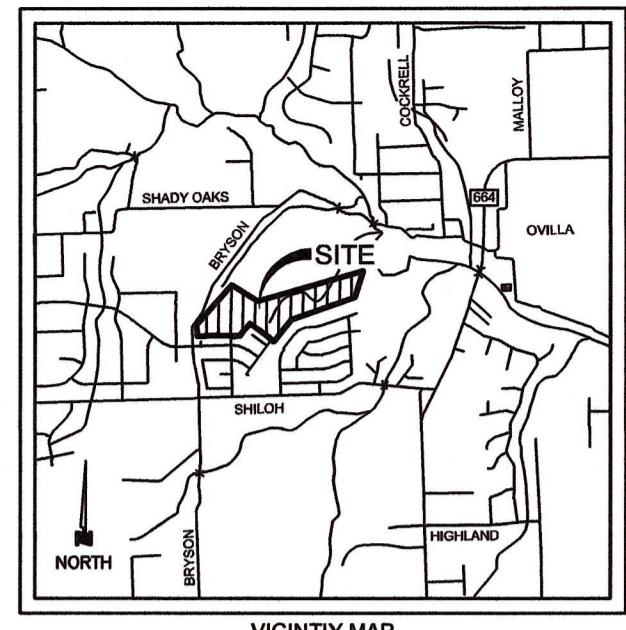
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 D.R.E.C.T.

DAVID GLENN DICKSON
 INSTRUMENT NO. 1720895
 O.P.R.E.C.T.

S62°19'40"E
 36.94'5/8"PF
 <CM>1"PF
 <CM>

MATCHLINE SEE SHEET 3



VICINITY MAP
LEGEND

O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
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GRAPHIC SCALE
100 50 0 100
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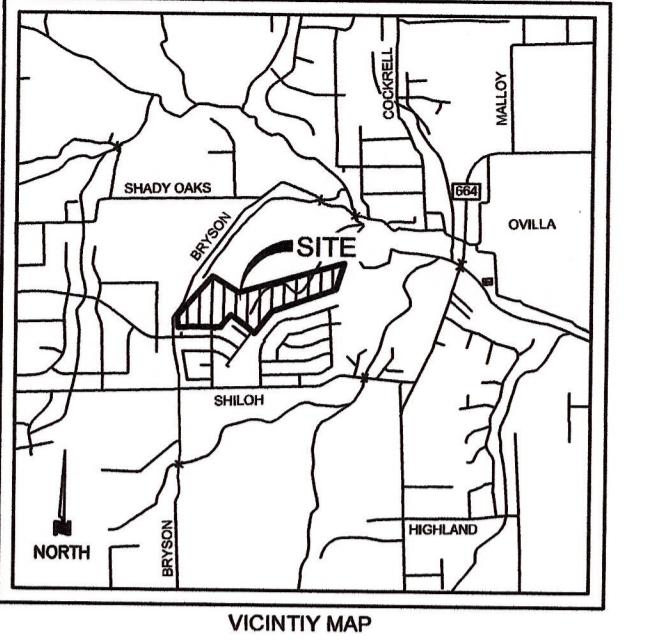
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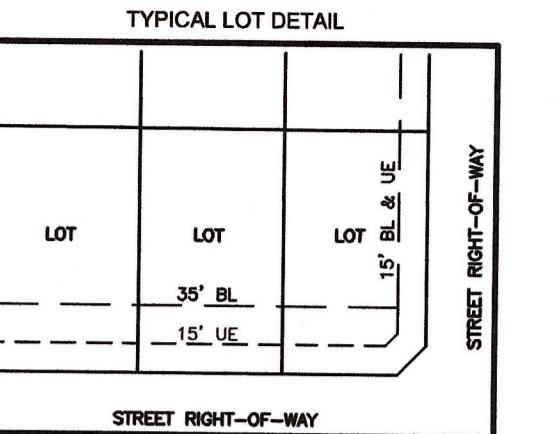




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MATCHLINE SEE SHEET 3



MOUNT AUBURN, LLC
INSTRUMENT NO. 1513252
O.P.R.C.T.

20' SANITARY
SEWER EASEMENT
VOLUME 2309, PAGE 573
VOLUME 2778, PAGE 1133
P.R.E.C.T.

NORMAN EUGENE BYERS
VOLUME 2309, PAGE 573
D.R.E.C.T.

X: 2463368.076
Y: 6877889.166

L.T. HICHLIFFE
VOLUME 634, PAGE 644
D.R.E.C.T.

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J.R. BILLINGSLEY SURVEY, ABSTRACT NUMBER 80
AN ADDITION TO THE CITY OF OVILLA
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SEPTEMBER, 2019

SCALE: 1"=100'

OWNER

SHAW DEVELOPMENT GROUP, LLC
6255 WOODLAND DRIVE
DALLAS, TX 75230

SURVEYOR


 P.O. BOX 575 | WAXAHACHIE, TEXAS 75168
 214.903.8200 | TBPELS FIRM NO. 10194367
 INFO@AXIS-SURVEY.COM

AXIS SURVEYING, LLC

BRYSON MANOR PHASE 3

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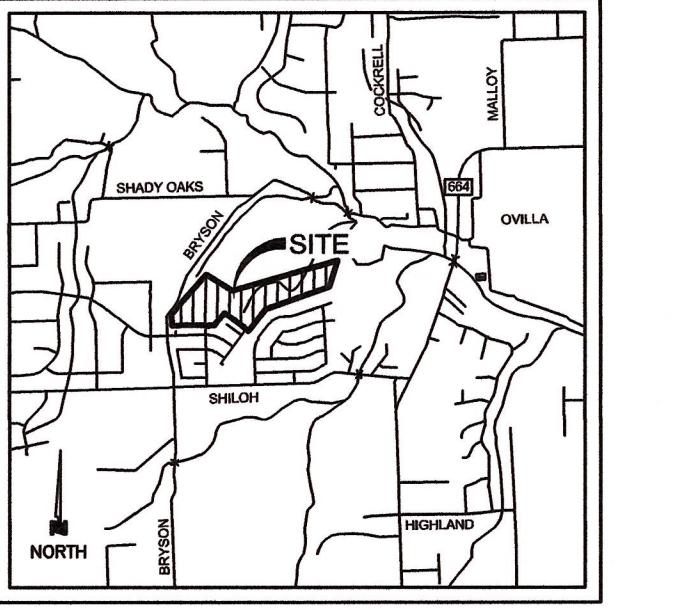
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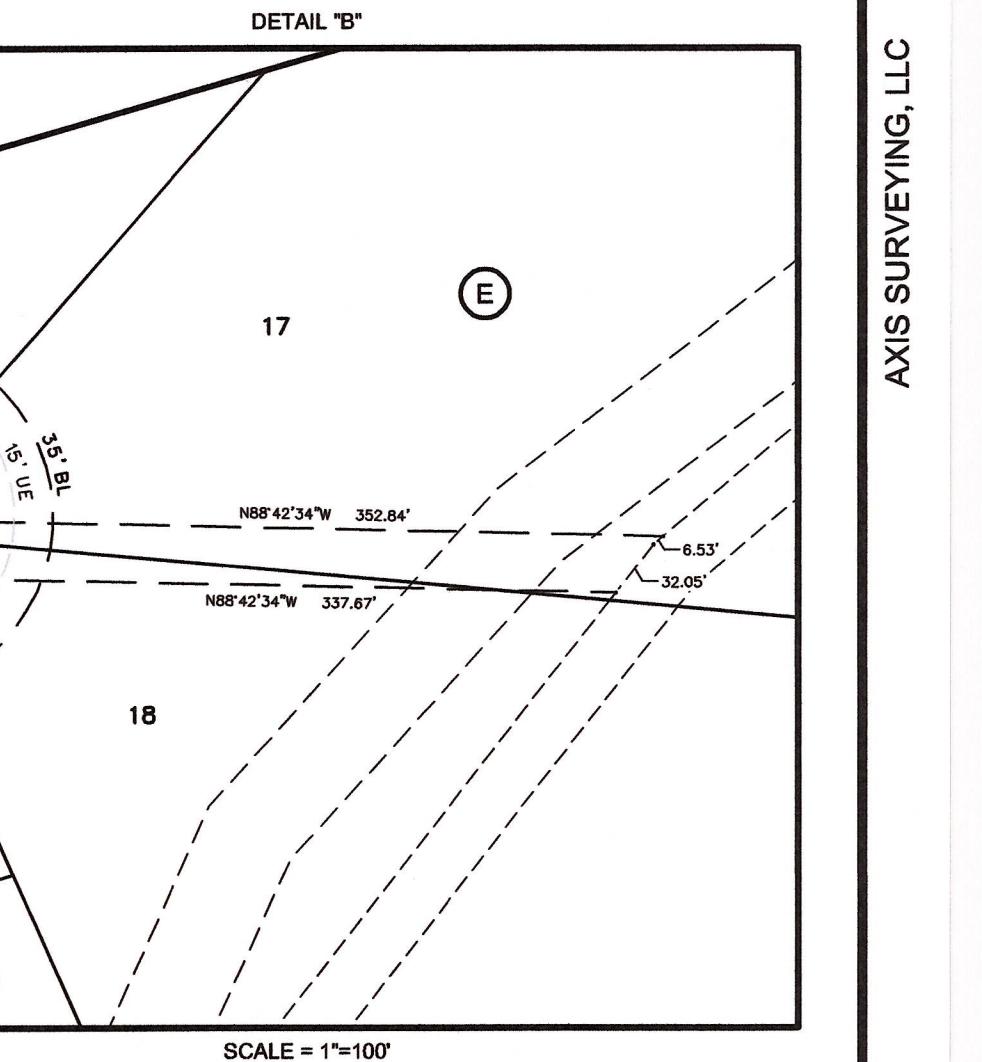
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REVISED: 21/11/22

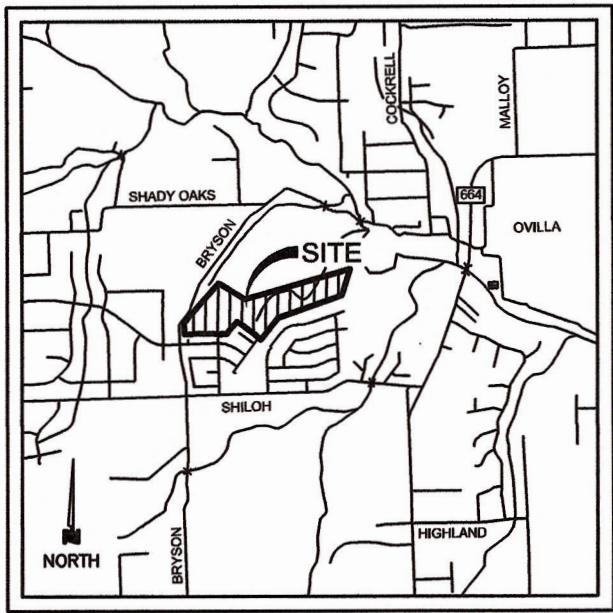
CURVE TABLE					
NUMBER	DELTA ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	11°39'39"	235.00'	47.83'	S35°42'39"W	47.74'
C2	4°15'40"	370.00'	27.52'	S16°04'29"W	27.51'
C3	42°14'34"	225.00'	165.89'	S20°25'46"W	162.16'
C4	80°30'59"	45.50'	63.94'	S81°48'32"W	58.81'
C5	47°45'26"	225.00'	187.54'	N65°25'46"E	182.16'
C6	4°15'38"	400.03'	29.75'	S16°04'25"W	29.74'
C7	23°20'48"	400.00'	162.99'	S29°52'39"W	161.87'
C8	20°11'30"	450.00'	158.58'	N31°27'18"E	157.76'
C9	13°40'48"	450.00'	107.44'	N14°31'09"E	107.19'
C10	29°27'18"	450.00'	231.34'	N88°36'42"E	228.80'
C11	90°00'00"	45.50'	71.47'	N07°53'50"W	64.35'
C12	36°46'52"	250.00'	160.49'	S34°30'24"E	157.75'
C13	10°26'36"	500.00'	91.14'	N10°53'40"W	91.01'
C14	42°24'22"	70.50'	52.18'	N15°53'59"E	51.00'
C15	2°37'23"	420.00'	19.23'	N43°20'53"E	19.23'
C16	7°40'58"	420.00'	56.32'	N48°30'03"E	56.27'
C17	12°59'08"	295.01'	66.86'	N58°50'06"E	66.72'
C18	5°06'40"	295.01'	26.32'	N67°53'00"E	26.31'
C19	5°44'19"	275.00'	27.54'	S67°34'12"W	27.53'
C20	12°26'27"	275.00'	59.71'	S58°28'49"W	59.59'
C21	36°46'52"	75.00'	48.15'	N34°30'24"W	47.32'
C22	13°49'44"	760.00'	183.43'	N15°01'41"E	182.99'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S18°12'14"W	12.04'
L2	N07°40'45"E	42.79'
L3	S16°06'58"E	27.06'
L4	S05°40'22"E	13.74'
L5	N37°06'10"E	26.27'
L6	N52°20'31"E	236.68'
L7	N70°26'24"E	83.99'
L8	N70°26'24"E	8.08'
L9	N73°08'13"E	101.94'
L10	N73°08'13"E	4.32'
L11	N70°26'24"E	105.87'
L12	N70°26'24"E	8.24'
L13	N03°56'57"E	4.10'
L14	S86°03'03"E	145.58'
L15	S86°03'03"E	167.78'
L16	S03°56'57"W	4.09'
L17	N70°26'24"E	33.04'
L18	N70°26'24"E	267.91'
L19	N51°55'45"W	3.15'
L20	N37°59'49"E	17.85'
L21	N37°59'49"E	59.30'
L22	N37°59'49"E	387.13'
L23	N37°59'49"E	37.31'
L24	N50°04'07"E	175.65'
L25	N06°51'34"E	240.71'
L26	N73°53'02"E	32.58'
L27	S06°51'34"W	265.31'
L28	S50°04'07"W	184.36'
L29	S37°59'49"W	14.84'
L30	S37°59'49"W	422.41'
L31	S37°59'49"W	32.06'
L32	S37°59'49"W	29.12'
L33	N52°00'11"W	3.15'
L34	S70°26'24"W	283.57'
L35	S70°26'24"W	38.80'
L36	S03°56'57"W	4.09'
L37	N86°03'03"W	156.82'
L38	N86°03'03"W	155.83'
L39	N16°06'58"W	4.04'
L40	S70°26'24"W	105.14'
L41	S73°08'13"W	5.06'
L42	S73°08'13"W	101.20'
L43	S70°26'24"W	8.82'
L44	S70°26'24"W	82.78'
L45	S52°20'31"W	236.29'
L46	S42°43'36"W	22.42'
L47	S42°43'36"W	100.84'
L48	S42°43'36"W	20.26'
L49	S72°34'56"E	37.72'
L50	S23°58'08"E	40.00'
L51	N61°16'29"E	69.79'
L52	N72°51'38"E	28.54'
L53	N72°51'38"E	42.61'
L54	N83°56'10"E	68.45'
L55	N83°56'10"E	111.71'
L56	N83°56'10"E	98.18'
L57	S74°12'07"E	15.70'
L58	S74°12'07"E	87.95'
L59	S89°26'45"E	74.86'
L60	S89°26'45"E	6.37'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L61	S84°35'26"E	189.33'
L62	S84°35'26"E	16.67'
L63	N70°27'17"E	134.57'
L64	N52°39'32"E	78.60'
L65	N52°39'32"E	26.08'
L66	N24°20'56"E	89.70'
L67	N24°20'56"E	144.45'
L68	N42°18'54"E	157.05'
L69	N42°18'54"E	66.40'
L70	N52°46'51"E	206.66'
L71	N06°16'12"E	181.32'
L72	S06°16'12"W	223.40'
L73	S52°46'51"W	223.57'
L74	S42°18'54"W	24.05'
L75	S42°18'54"W	186.92'
L76	S24°20'56"W	181.06'
L77	S24°20'56"W	57.79'
L78	S52°39'32"W	3.36'
L79	S52°39'32"W	121.76'
L80	S70°27'17"W	153.46'
L81	N84°35'26"W	23.27'
L82	N84°35'26"W	201.51'
L83	N84°35'26"W	11.04'
L84	N89°26'45"W	85.80'
L85	N74°12'07"W	63.50'
L86	N74°12'07"W	37.19'
L87	S83°56'10"W	79.66'
L88	S83°56'10"W	111.71'
L89	S83°56'10"W	72.46'
L90	S72°51'38"W	36.66'
L91	S72°51'38"W	22.57'
L92	S61°16'29"W	64.72'
L93	N62°41'32"E	14.14'
L94	S32°20'36"E	13.00'
L95	S43°35'10"W	17.27'
L96	S75°49'06"E	17.27'
L97	N28°53'02"E	14.14'
L98	N39°22'12"W	2.07'
L99	N39°22'12"W	15.49'
L100	S21°00'56"W	5.40'
L101	S21°00'56"W	11.54'
L102	S61°06'58"E	14.14'
L103	N16°06'58"W	2.06'
L104	N28°28'56"E	14.04'
L105	N07°53'50"W	14.14'
L106	S84°19'36"W	14.68'
L107	N05°38'04"W	8.31'
L108	S61°57'52"W	15.85'
L109	S61°26'41"E	14.27'
L110	S07°53'50"E	14.14'
L111	S82°06'10"W	14.14'
L112	N22°59'06"W	13.15'
L113	S81°48'32"W	15.26'
L114	S44°18'29"W	14.14'
L115	N43°51'40"W	13.76'
L116	N81°48'32"E	15.26'
L117	S08°11'28"E	12.92'



OWNER'S CERTIFICATE AND DEDICATION

VICINITY MAP
LEGEND

O.P.R.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS

<CM> CONTROL MONUMENT
◎ 5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 5674" (UNLESS OTHERWISE NOTED)
◎ MAG NAIL SET FOR CORNER
IRF IRON ROD FOUND
UE UTILITY EASEMENT
DE DRAINAGE EASEMENT
SSE SANITARY SEWER EASEMENT
DENOTES STREET NAME CHANGE

STATE OF TEXAS §
COUNTY OF ELLIS §
WHEREAS, SHAW DEVELOPMENT GROUP, LLC IS THE OWNER OF A TRACT OF LAND LOCATED IN THE J.R. BILLINGSLEY SURVEY, ABSTRACT NO. 80, OVILLE, ELLIS COUNTY, TEXAS AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO SHAW DEVELOPMENT GROUP, LLC, RECORDED IN VOLUME 2778, PAGE 1148, DEED RECORDS, ELLIS COUNTY, TEXAS (D.R.E.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL SET FOR CORNER IN BRYSON LANE AND THE COMMON LINE OF SAID SHAW DEVELOPMENT TRACT AND SHILOH FOREST PHASE 2, AN ADDITION TO ELLIS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET H, SLIDE 335, PLAT RECORDS, ELLIS COUNTY, TEXAS (P.R.E.C.T.) AT THE NORTHWEST CORNER OF BRYSON MANOR PHASE 1, AN ADDITION TO THE CITY OF OVILLE, ELLIS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET I, SLIDE 514, P.R.E.C.T.;

THENCE NORTH 01°11'31" WEST, ALONG SAID COMMON LINE, A DISTANCE OF 293.61 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

THENCE NORTH 41°33'03" EAST, CONTINUING ALONG SAID COMMON LINE, PASSING THE MOST EASTERLY SOUTHEAST CORNER OF SAID SHILOH FOREST ADDITION AT A DISTANCE OF 354.23 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 1,341.19 FEET TO A 5/8-INCH IRON PIPE FOUND AT THE NORTH COMMON CORNER OF SAID SHAW DEVELOPMENT TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO DAVID GLEN DICKSON, RECORDED IN INSTRUMENT NUMBER 1720895, OFFICIAL, PUBLIC RECORDS, ELLIS COUNTY, TEXAS (O.P.R.E.C.T.);

THENCE SOUTH 62°19'40" EAST, A DISTANCE OF 36.94 FEET TO A 1-INCH IRON PIPE FOUND AT THE SOUTHWEST COMMON CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO PETER H. BUSCHANG AND JOYCE H. BUSCHANG, RECORDED IN VOLUME 2513, PAGE 282, D.R.E.C.T. AND A TRACT OF LAND DESCRIBED IN DEED TO MOUNT AUBURN, LLC, RECORDED IN INSTRUMENT NO. 1513252, O.P.R.E.C.T.;

THENCE SOUTH 57°55'58" EAST, ALONG THE COMMON LINE OF SAID SHAW DEVELOPMENT TRACT AND SAID MOUNT AUBURN TRACT, A DISTANCE OF 741.54 FEET TO A 5/8-INCH IRON ROD FOR CORNER;

THENCE NORTH 73°53'02" EAST, CONTINUING ALONG THE COMMON LINE OF SAID SHAW DEVELOPMENT TRACT AND SAID MOUNT AUBURN TRACT, A DISTANCE OF 2,783.71 FEET TO A 1/2-INCH IRON ROD FOUND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO L.T. HICHLIFFE, RECORDED IN VOLUME 634, PAGE 844, D.R.E.C.T. AT THE EAST COMMON CORNER OF SAID SHAW DEVELOPMENT TRACT AND SAID MOUNT AUBURN TRACT;

THENCE SOUTH 17°51'34" WEST, ALONG THE COMMON LINE OF SAID SHAW DEVELOPMENT TRACT AND SAID HICHLIFFE TRACT, A DISTANCE OF 698.18 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTH CORNER OF OVILLE PARC, AN ADDITION TO THE CITY OF OVILLE, ELLIS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET G, SLIDE 218, P.R.E.C.T.;

THENCE SOUTH 70°27'17" WEST, ALONG THE COMMON LINE OF SAID SHAW DEVELOPMENT TRACT AND SAID OVILLE PARC, A DISTANCE OF 1,704.15 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

THENCE SOUTH 37°14'26" WEST, CONTINUING ALONG THE COMMON LINE OF SAID SHAW DEVELOPMENT TRACT AND SAID OVILLE PARC, A DISTANCE OF 718.59 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND AT THE EAST CORNER OF SAID BRYSON MANOR PHASE 1;

THENCE WESTERLY, ALONG THE NORTHERLY LINE OF SAID BRYSON MANOR PHASE 1 THE FOLLOWING TWELVE (12) COURSES AND DISTANCES:

NORTH 52°53'50" WEST, A DISTANCE OF 150.58 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER;

NORTH 44°19'17" WEST, A DISTANCE OF 50.57 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER;

NORTH 52°53'50" WEST, A DISTANCE OF 563.39 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER;

SOUTH 41°32'29" WEST, A DISTANCE OF 360.01 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°39'39", A RADIUS OF 235.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 35°42'39" WEST, 47.74 FEET;

SOUTHWESTERLY, ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 47.83 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER;

SOUTH 13°13'29" WEST, A DISTANCE OF 10.00 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°45'04" WEST, A DISTANCE OF 145.66 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°15'40", A RADIUS OF 370.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 16°04'29" WEST, 27.51 FEET;

SOUTHERLY, ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 27.52 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

NORTH 76°03'20" WEST, A DISTANCE OF 151.21 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 4466" FOUND FOR CORNER;

SOUTH 89°18'29" WEST, A DISTANCE OF 550.70 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

SOUTH 00°41'31" EAST, A DISTANCE OF 10.00 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "C&C 10193759" FOUND FOR CORNER;

SOUTH 89°18'29" WEST, A DISTANCE OF 239.99 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,240,909 SQUARE FEET OR 74.401 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT SHAW DEVELOPMENT GROUP, LLC ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICER, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS BRYSON MANOR PHASE 3, AN ADDITION TO THE CITY OF OVILLE, TEXAS, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS SHOWN THEREON, THE EASEMENTS, AS SHOWN, ARE HEREBY DEDICATED AND RESERVED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND THE CITY OF OVILLE'S USE THEREOF. THE CITY OF OVILLE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF OVILLE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM ANYONE.

NO HOUSE, DWELLING UNIT OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER UNTIL:

1. SUCH TIME AS THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH REQUIREMENTS OF THE PLATTING ORDINANCE OF THE CITY OF OVILLE REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET AND/OR STREETS WHICH THE PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLATION OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, ALL UTILITIES, DRAINAGE STRUCTURES, AND STORM SEWERS AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS AND STANDARDS OF THE CITY OF OVILLE AND SUCH IMPROVEMENTS HAVE BEEN INSPECTED BY THE CITY OF OVILLE AND ACCEPTED FOR TITLE, USE AND MAINTENANCE, OR

2. UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY ENGINEER, AS COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATE, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE IMPROVEMENTS ITSELF. INTEREST ON THE ESCROW DEPOSIT SHALL BE ACCUMULATED IN THE ACCOUNT AND MAY BE USED AS NEEDED TO COVER INCREASES IN CONSTRUCTION COSTS AND ANY SURPLUS RESULTING AT COMPLETION SHALL BE REFUNDED TO THE DEVELOPER AND/OR OWNER. SUCH DEPOSIT MAY BE USED BY THE DEVELOPER AND/OR OWNER AS A PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY, SUPPORTED BY EVIDENCE OF WORK COMPLETED, OR

3. UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITHIN THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL.

4. THE REQUIREMENTS WITH RESPECT TO STREET, DRAINAGE AND UTILITY IMPROVEMENTS ARE MADE TO INSURE THE INSTALLATION OF SUCH STREET IMPROVEMENTS AND TO GIVE NOTICE TO EACH PROSPECTIVE OWNER OF LOTS IN THIS SUBDIVISION THAT NO HOUSE OR BUILDING CAN BE CONSTRUCTED ON ANY LOT IN THIS SUBDIVISION UNTIL SAID STREET IMPROVEMENTS ARE ACTUALLY MADE OR PROVIDED FOR ON THE ENTIRE BLOCK ON THE STREET AND/OR STREETS ON WHICH THE PROPERTY ABUTS AS DESCRIBED HEREIN.

THE PURPOSE OF THIS AMENDING PLAT IS TO REMOVE THE SIDE YARD UTILITY EASEMENTS.

NOTES:

1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4202 AS DERIVED FROM GPS OBSERVATIONS.

2. ALL LOT CORNERS SHALL BE MONUMENTED WITH A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" UNLESS OTHERWISE NOTED.

3. DEVELOPMENT IS SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

4. SELLING A PORTION OF ANY LOT WITHIN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITY SERVICES AND BUILDING PERMITS.

FLOOD STATEMENT:

THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48139C0050F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY OF THE INFORMATION PROVIDED BY FEMA AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF OVILLE, TEXAS.

WITNESS, MY HAND, THIS THE 29th DAY OF November, 2021.

BY:

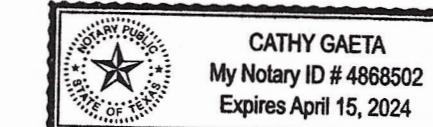
MOHAMMAD SHAHKARAMI - PRESIDENT
SHAW DEVELOPMENT GROUP, LLC

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MOHAMMAD SHAHKARAMI KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 29th DAY OF November, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



KNOW ALL MEN BY THESE PRESENTS:

THAT I, SEAN SHROPSHIRE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF OVILLE.

SEAN SHROPSHIRE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5674



APPROVED BY THE PLANNING AND ZONING COMMISSION OF OVILLE, TEXAS, ON THE _____ DAY OF _____, 2021

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

APPROVED BY THE CITY COUNCIL OF OVILLE, TEXAS, ON THE _____ DAY OF _____, 2021

MAYOR

CITY SECRETARY

AMENDED FINAL PLAT BRYSON MANOR PHASE 3

111 RESIDENTIAL LOTS ~ 2 HOA LOTS
74.401 ACRES
J.R. BILLINGSLEY SURVEY, ABSTRACT NUMBER 80
AN ADDITION TO THE CITY OF OVILLE
ELLIS COUNTY, TEXAS

SEPTEMBER, 2019

SCALE: 1"=100'

OWNER
SHAW DEVELOPMENT GROUP, LLC
6255 WOODLAND DRIVE
DALLAS, TX 75230

SURVEYOR



AGENDA ITEM REPORT Item 2

Meeting Date: December 07, 2021

Discussion Action

Submitted By: Staff

Reviewed By: City Manager

Department: Administration

Budgeted Expense: YES NO N/A

City Secretary

City Attorney

Accountant

Public Works Staff

Attachments:

None

Agenda Item / Topic:

ITEM 1. DISCUSSION/ACTION – Consideration of and action on a request from Mr. Massey Shaw for council approval to waive the plat amendment fees as outlined in Appendix A, Fee Schedule, Section A8.004 (4) Subdivision fees of the Code of Ordinances of the City of Ovilla.

Discussion / Justification:

CONSIDERATION OF FEE WAIVER

SUBDIVISION NAME: BRYSON MANOR 3

AUTHORIZED AGENT OF RECORD: Massey Shaw

ENGINEER: Michael Westfall

DATE OF COMPLETENESS/FILED: November 29, 2021

LOCATION: Shiloh and Bryson Roads

UTILITIES: City Sewer / Sardis Water

ZONING: R-15

PROPOSED LAND USE: Residential Subdivision (111 residential lots)

MAJOR THOROUGHFARE: Highway 664 Ovilla Road

APPLICANT'S PROPOSAL/BACKGROUND/HISTORY

Fees for Bryson Manor 3 were paid with the first recording of the Plat. The Plat will need to be refiled with the County upon approval by the City Council. Axis Surveying did not include easements on the original plat and therefore an amended plat is required before permits can be issued. The Development is requesting that the city waive the fees associated with the filing. The total amount due is \$5950.00. City Staff did not collect payment as the request to waive fees had been submitted by the developer.

Recommendation / Staff Comments:

Options/Recommendation: N/A

Sample Motion(s):

I move to deny/approve waiving the plat amendment fees as outlined in Appendix A, Fee Schedule, Section A8.004 (4) Subdivision fees of the Code of Ordinances of the City of Ovilla.

I move to waive ___% of the plat amendment fees as outlined in Appendix A, Fee Schedule, Section A8.004 (4) Subdivision fees of the Code of Ordinances of the City of Ovilla.