



**LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS
VIA TELEPHONE CONFERENCE
TOWN COUNCIL MEETING
JANUARY 14, 2021 7:00 P.M.**

NOTICE IS HEREBY GIVEN Pursuant to section 551.127 of the Texas Government Code, and in conjunction with the guidance and provisions provided by the Governor of Texas in the declaration of disaster and subsequent executive orders altering certain Open Meetings Act requirements and banning gatherings of more than 10 people, the Town Council of the Town of Lakewood Village will conduct the meeting scheduled at the date and time above at Lakewood Village Town hall, 100 Highridge Drive by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be **no in-person public access** for the agenda items at the location described above and less than a quorum may be physically present at the location.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at lakewoodvillagetx.us. The public toll-free dial-in number to participate in the telephonic meeting is hosted through ZOOM. The dial in number is: 346-248-7799. You will be prompted to enter the meeting ID number: 883 5134 1155, and you will be prompted to enter the passcode: 033281.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. **Persons wishing to speak before the Council must notify the Town Secretary via email, linda@lakewoodvillagetx.us, no later than 6:30 p.m. on the date of the scheduled meeting. The email must include your name, full address, and the agenda item on which you wish to speak.** A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. PLEDGE TO THE FLAG:

B. VISITOR/CITIZENS FORUM: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. The council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

C. PUBLIC HEARING – A public hearing is scheduled to receive a report, hold a discussion, conduct public hearing on an Ordinance annexing property, as requested by the owner, presently located within the extraterritorial jurisdiction of Lakewood Village, Texas; providing for amending of the Official Town Map; providing for municipal services; requiring the filing of the Ordinance with the county clerk; prescribing for effect on territory/area, granting as appropriate to all the inhabitants of the property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the Lakewood Village, Texas; and providing for other matters related thereto for the following property of A0339A C.C. Dickson, Tr 2A, 14.9108 acres, and A0339A C.C. Dickson, Tr 2A (1), 0.164 acres.

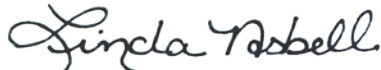
D. PUBLIC HEARING – A public hearing is scheduled to provide an opportunity for citizen comment on a proposed zoning change to property generally located to the north of Lakecrest Drive to Highridge Drive and to the east of Lakecrest Drive and Eldorado Parkway.

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR AGENDA
JANUARY 14, 2021**

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- E. PUBLIC HEARING:** A public hearing is scheduled to provide an opportunity for citizen comment on the petition filed by The Sanctuary Texas, LLC requesting the creation of Public Improvement District 1
- F. CONSENT AGENDA:** All the items on the Consent Agenda are considered to be self-explanatory and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests an item be removed from the Consent Agenda.
1. Minutes of December 10, 2020 Council Meeting (Asbell)
 2. Replat 530 Highridge Drive (Asbell)
 3. Repealing Resolution 19-03 Accepting a Petition to Create Public Improvement District No. 1 (Asbell)
- G. REGULAR AGENDA:**
1. Consideration of Ordinance annexing approximately 16.3 acres generally identified as A0339A C.C. Dickson, Tr 2A, 14.9108 acres, and A0339A C.C. Dickson, Tr 2A (1), 0.164 acres (Vargus)
 2. Discussion of Concrete Roads (Vargus)
 3. Town Finance Update (Vargus)
 4. Discussion of Town Hall Improvements (Vargus)
- H. EXECUTIVE SESSION:** – In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following:
1. § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards; and
 2. § 551.071(1), Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Patterson Professional Services.
 3. § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field, Project Slade Rock, and Project Boy Scout; and
 4. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field, Project Slade Rock, and Project Boy Scout.
- I. RECONVENE:** Reconvene into regular session
- J. ADJOURNMENT**

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 6:08 p.m. on Monday, January 11, 2020.



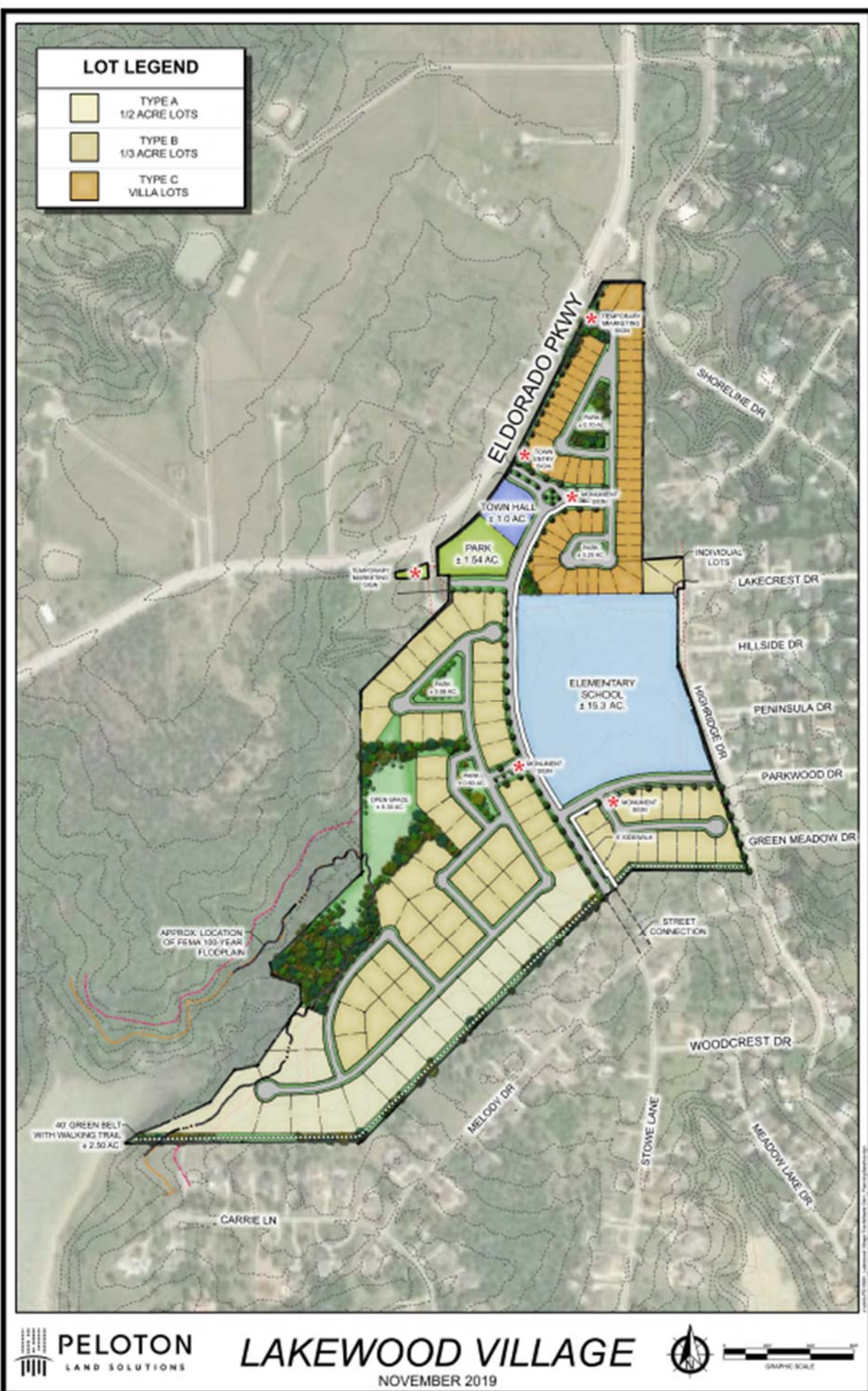
Linda Asbell, TRMC, CMC, Town Secretary



The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 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) and 551.087 (Economic Development), 418.183 (Homeland Security)

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more board members of the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD board.



LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

DECEMBER 10, 2020

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary
Tad Dunn, Deputy Town Attorney (via teleconference)

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 7:00 p.m. on Thursday, December 10, 2020 in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

Mayor Vargus led the Pledge of Allegiance

VISITOR/CITIZENS FORUM:

(Agenda Item B)

No one requested to speak

PUBLIC HEARING:

(Agenda Item C)

A public hearing was held to provide an opportunity for citizens to comment on the requested annexation of A0339A C.C. Dickson, Tr 2A, 14.9108 acres, and A0339A C.C. Dickson, Tr 2A (1), 0.164 acres.

No one requested to speak.

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MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:02 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item D)

1. Minutes of September 10, 2020 Council Meeting (Asbell)
2. Minutes of November 12, 2020 Council Meeting (Asbell)
3. Reappointment of Presiding Judge Bertrand (Asbell)

MOTION: Upon a motion made by Councilman Bissonnette and seconded by Councilwoman Lepley, council voted five (5) “ayes”, no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item E)

Consideration of Variance for 820 Carrie Lane, Front Facing Garage (Asbell)

(Agenda Item E.1)

Mayor Vargus reported this is a new construction with a side entry three vehicle garage. The owner would like to construct an additional garage with a front facing door.

MOTION: Upon a motion made by Councilwoman Lepley seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the variance as requested for a front facing garage. *The motion carried.*

Consideration of Variance for 327 Peninsula Drive, Front Facing Garage (Asbell)

(Agenda Item E.2)

Mayor Vargus reported this lot is approximately seventy feet wide, the owner originally submitted a side entry garage but was unable to meet the side yard setbacks. Due to the small size of the lot a variance for front facing garage is required.

MOTION: Upon a motion made by Councilman Bissonnette seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the variance as requested for a front facing garage. *The motion carried.*

**Presentation of Audit of 2019-2020 Fiscal
Year, Mr. Wayne Nabors, Nabors CPA
Services (Vargus)**

(Agenda Item E.3)

Mayor Vargus reported on the additional work required by Mr. Nabors to track the new concrete road project. Mr. Nabors reported that the leadership in the town has done an excellent job in managing the large project and with the reporting and tracking projects like this require. Mr. Nabors stated the financial statements are the responsibility of the town leadership, his responsibility is to verify the financial statements adhere to governmental accounting standards and to express an opinion as to accuracy based on generally accepted accounting standards. Mr. Nabors reported the financial statements reflect fairly in all material respects the financial position of the town. Mr. Nabors stated the town has received a “clean” audit for the thirteen year in a row.

Mr. Nabors reviewed the balance sheet. The town has a 177% reserve balance which is well above the recommended 25% minimum. Mr. Nabors reported the town is in a very strong cash position. The General Fund has a debt ratio of 95/1, the minimum recommended ratio is 1/1. The town is in a very strong debt position. General Fund revenues were up approximately 20% and expenses were up approximately 10%. Mayor Vargus reported on the cash on hand to cover utility deposits held by the town.

Mr. Nabors reviewed his governance letter to the town. The audit reviews segregation of duties, file retention, policy compliance, cash management, compliance with previous audit recommendations, if the auditor had any disagreements with management during the audit, and compliance with requests made during the audit. Mr. Nabors reported all aspects reviewed were in compliance with requirements and the town management fully participated in the audit. Documents were well organized and readily available.

Mr. Nabors stated the Town of Lakewood Village is a top example when compared to the other municipalities of the same or even larger size. Mr. Nabors reported that the town of Lakewood Village was at one point, prior to 2007, un-auditable due to non-compliance and lack of financial records. In 2007 Mayor Vargus reviewed the financial records and prepared a comprehensive annual financial report which put the town in a position to receive an audit and the town has been receiving clean audits every year since that year. There was some discussion about COVID relief funds and special audits.

MOTION: Upon a motion made by Councilwoman Lepley seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to accept the audit report. *The motion carried.*

Mayor Vargus reviewed the cash flow in the Utility Fund. Mayor Vargus reported on the importance of cash flow because major projects are self-funded and covered by reserve funds.

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Mayor Vargus reviewed the projects and operating cash flow over the previous three years. Most municipalities will sell bonds or take out a loan to cover the cost of project. Utility fund operating cash flow in 2017 was \$60,512, operating cash flow in 2020 is \$220,085.

Discussion of Concrete Roads (Vargus)

(Agenda Item E.4)

Mayor Vargus reported concrete was poured on portions of Highridge and portions of Carrie will be poured tomorrow depending on weather. There was some discussion about the construction schedule and milling on Melody Lane. Road construction is currently approximately one month ahead of schedule. There was some discussion about the electric line being lowered on Carrie Lane tomorrow.

Mayor Vargus reviewed the changed orders on the project. Funds expended to date and costs outstanding were reviewed. The current cash gap is approximately \$400,000, however the town currently has approximately \$900,000 cash in the bank excluding tax money.

**Consideration of COVID Operations Policy
(Vargus)**

(Agenda Item E.5)

Mayor Vargus reported that Denton County notifies the town when an address has a COVID positive test result. Recently the town was notified of a COVID positive address and a few days later an application for a building permit was made by that address. The town cannot send a building inspector into a house with a known positive case. This situation necessitated the adoption of a policy to protect staff. No inspections will be made on a property with a positive case for 21 days from the date of notification. Residents can reduce the 21-day moratorium by providing negative test results for every member in the household. Council expressed support for the policy.

MOTION: *No motion was made*

**Consideration of Resolution Accepting an
Annexation Petition (Asbell)**

(Agenda Item E.6)

Town Secretary Asbell reviewed the resolution and reported the petition was received from the Little Elm Independent School District for annexation of their property on Eldorado. The resolution formalizes the timeline for the public hearing and mailing of notices.

MOTION: Upon a motion made by Mayor Pro-Tem West seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the resolution accepting the annexation petition. *The motion carried.*

**Review of Lakewood Village Investment
Policy (Vargus)**

(Agenda Item E.7)

Mayor Vargus reviewed the current investment policy and reported on the requirement to review the investment policy. Mayor Vargus reported town funds are yielding 1.02% at Point Bank and TexPool is currently yielding 0.13%. In March Mayor Vargus moved funds out of TexPool in anticipation of declining short-term rates.

**Discussion of Rocky Point Water
System/Last Resorts Water System (Vargus)**

(Agenda Item E.8)

Mayor Vargus reported on the status of water service to the Last Resorts water system customers. There was some discussion of Texas Commission on Environmental Quality boil water notice for the Last Resort water system for a pressure problem in June. There was some discussion about a water main break in the Last Resort water system caused by pressure against the one-inch PVC pipe which the previous operator installed as a water main. Town Secretary Asbell reported on the status of the data migration to set up the Last Resorts customers in Rocky Point water billing system. The Last Resorts water meters will be read on December 15, 2020 and billed on January 15, 2020.

Discussion of Nuisance Ordinance (Vargus)

(Agenda Item E.9)

Mayor Vargus reported that Town Attorney Messer is preparing a nuisance ordinance. The draft should be available for review at the January meeting. There was some discussion about the status of an open records request made to Denton County regarding a nuisance violation that occurred in town.

EXECUTIVE SESSION:

(Agenda Item F)

At 8:12 p.m. Mayor Vargus recessed into executive session in accordance with

- (1) § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards;
- (2) § 551.071(1) Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V.

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- Patterson Professional Services;
- (3) § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field; and Project Slade Rock; and
- (4) § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, and Sanctuary at Sunset Cove, Project Left Field; and Project Slade Rock.

RECONVENE:

(Agenda Item G)

Mayor Vargus reconvened the regular session at 9:19 p.m. No action was taken.

ADJOURNMENT

(Agenda Item H)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem Vargus council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:20 p.m. on Thursday December 10, 2020. The motion carried.

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These minutes approved by the Lakewood Village Town Council on the 14th day of January 2021.

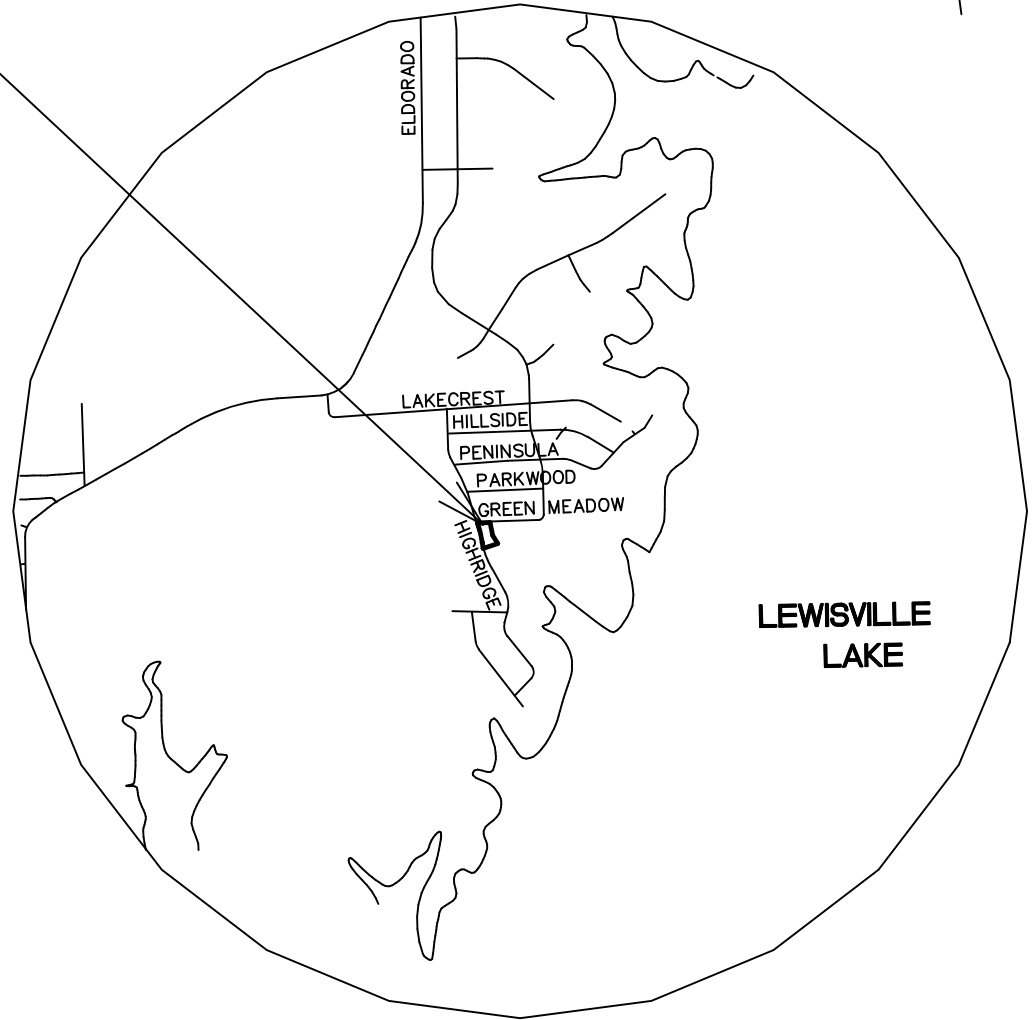
APPROVED:

Darrell West
MAYOR PRO-TEM

ATTEST:

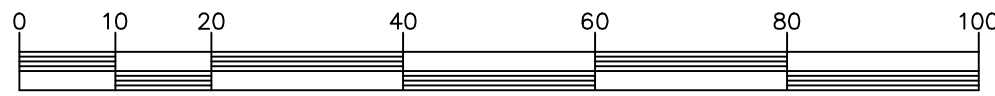
Linda Asbell, TRMC, CMC
TOWN SECRETARY

PROJECT LOCATION



VICINITY MAP
SCALE 1" = 2000'

GRAPHIC SCALE



- NOTES:
- PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THEREFORE, THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE PROPERTY NOT SHOWN HEREON.
 - Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.

LEGEND
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
F.I.R. = FOUND IRON ROD
S.I.R. = SET CAPPED 1/2" RPLS 4561 IRON ROD
P.U.E. = PUBLIC UTILITY EASEMENT
P.A.E. = PUBLIC ACCESS EASEMENT
U.E. = UTILITY EASEMENT
W.E. = WATER EASEMENT

FINAL AMENDING PLAT
LOT 1-A, BLOCK N OF
LAKEWOOD VILLAGE, THIRD SECTION
AMENDING LOTS 1 AND 2, BLOCK N OF
LAKEWOOD VILLAGE, THIRD SECTION
BEING 0.743 ACRE IN THE W. LOFTIN SURVEY A-750
CITY OF LAKEWOOD VILLAGE, DENTON COUNTY, TEXAS

4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
FAX (940) 387-9784
LANDMARK SURVEYORS, L.L.C.
TX FIRM REGISTRATION NO. 10098600
DRAWN BY: BTH SCALE: 1"=20' DATE: 04 DECEMBER, 2020 JOB NO: 205514

OWNER/DEVELOPER
MICHAEL NEAL
SARA NEAL
530 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TX 75068

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

CERTIFICATE OF APPROVAL

This plat has been submitted to and considered by the Planning and Zoning Commission of the Town of Lakewood Village, Texas, and is hereby approved by such Commission.

Dated this _____ day of _____ A. D. 2021
By the Planning and Zoning Commission, Town of Lakewood Village

Chairperson, Planning and Zoning Commission

ATTEST

Town Secretary

CERTIFICATE OF APPROVAL

By the Town Council, City of Lakewood Village

Dated this _____ day of _____ A. D. 2021

Mayor, Town of Lakewood Village

ATTESTED

Town Secretary

CERTIFICATE OF SURVEYOR

I, the undersigned, a registered professional land surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Jerald D. Yensan
Registered Professional Land Surveyor No. 4561

STATE OF TEXAS
COUNTY OF DENTON; WHEREAS WE, Michael W. Neal and Sara K. Neal, are the owners of that certain lot, tract, or parcel of land situated in the William Loftin Survey Abstract Number 705 in the Town of Lakewood Village, Denton County, Texas, being all of Lots 1 and 2, Block N, Lakewood Village Third Section, an addition to the Town of Lakewood Village, Denton County, Texas according to the plat thereof recorded in Volume 7, Page 59, Plat Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a capped iron rod marked RPLS 4561 set for corner in the south line of Green Meadow Drive, a public roadway having a right-of-way of 60.0 feet, and in the east line of Highridge Drive, a public roadway having a right-of-way of 60.0 feet, said point being the northwest corner of said Lot 1;

THENCE N 87° 27' 21" E, 130.00 feet with said south line of said Green Meadow Drive to a capped iron rod marked RPLS 4561 set for corner, said point being the northwest corner of that certain tract of land conveyed by deed from Tuong Huu Le and Golden Gate Investments, LLC to Tuong Huu Le and Golden Gate Investments LLC and Sheale Enterprises, LP recorded under Document Number 2017-156277, Real Property Records, Denton County, Texas;

THENCE S 12° 06' 21" E, 136.37 feet with the west line of said Tuong Huu Le and Golden Gate Investments and Sheale Enterprises tract to a point in water for corner;

THENCE S 31° 12' 35" E, 99.23 feet with said west line of said Tuong Huu Le and Golden Gate Investments and Sheale Enterprises tract to a point in water for corner, said point being the northeast corner of Lot 3 in said Block N of said Lakewood Village Third Section;

THENCE S 71° 13' 06" W, 160.64 feet with the north line of said Lot 3 to an iron rod found for corner in said east line of said Highridge Drive;

THENCE N 07° 50' 38" W, 60.00 feet with said east line of said Highridge Drive to a capped iron rod marked RPLS 4561 set for corner;

THENCE along the arc of a curve to the left having a central angle of 11° 15' 00", a radius of 1045.32 feet, an arc length of 205.25 feet whose chord bears N 13° 28' 09" W, 204.92 feet with said east line of said Highridge Drive to a capped iron rod marked RPLS 4561 set for corner;

THENCE N 19° 05' 39" W, 5.75 feet with said east line of said Highridge Drive to the PLACE OF BEGINNING and containing 0.743 acre of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT We, the aforesaid do hereby adopt this plat designating the herein above tract as LOT 1-A, BLOCK N, LAKEWOOD VILLAGE THIRD SECTION, amending Lots 1 and 2, Block N, Lakewood Village Third Section, an addition to the City of Lakewood Village, Denton County, Texas, and do hereby dedicate to the public use forever all utility easements, drainage easements, and streets as shown hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction, maintenance, or efficiency of its respective system on the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at anytime of procuring the permission of anyone.
WITNESS MY HAND this _____ day of _____, 2021

Michael W. Neal

STATE OF TEXAS
COUNTY OF DENTON:
This instrument was acknowledged before me on _____, 2021 by Michael W. Neal.

NOTARY PUBLIC
STATE OF TEXAS

WITNESS MY HAND this _____ day of _____, 2021

Sara K. Neal

STATE OF TEXAS
COUNTY OF DENTON:
This instrument was acknowledged before me on _____, 2021 by Sara K. Neal

NOTARY PUBLIC
STATE OF TEXAS

RESOLUTION NO. 20-01

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, REPEALING RESOLUTION 19-03; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas ("Town Council") approved Resolution 19-03 on November 14, 2019 which resolution accepted a petition to create Public Improvement District No. 1; and

WHEREAS, the Town has subsequently not adopted a resolution creating Public Improvement District No. 1; and

WHEREAS, because no Public Improvement District No. 1 has been created, pursuant to Chapter 372 of the Texas Local Government Code, the Town now wishes to repeal Resolution 19-03.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:

SECTION 1: FINDINGS INCORPORATED. The findings set forth above are true and correct and are incorporated into this Resolution as if fully set forth herein.

SECTION 2: REPEAL OF RESOLUTION 19-03. The Town hereby repeals Resolution 19-03.

SECTION 3: EFFECTIVE DATE: This Resolution shall take effect immediately upon and after its passage as provided by law.

CONSIDERED, PASSED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, at a regular meeting on this 14th day of January 2021.

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell, TRMC, CMC
Town Secretary

**TOWN OF LAKEWOOD VILLAGE, TEXAS
ORDINANCE NO. 2021-01**

LITTLE ELM ISD PROPERTY C-3 ANNEXATION

AN ORDINANCE OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, TO WIT: BEING AN APPROXIMATELY 16.3 ACRE TRACT OF LAND, DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AND GRAPHICALLY DEPICTED IN EXHIBIT “A”, SUCH TRACT IS LOCATED IN THE C.C. DICKSON SURVEY, ABSTRACT NO. A0339A, TRACT 2A AND ALL ADJACENT RIGHTS-OF-WAY; PROVIDING FOR INCORPORATION OF PREMISES, AMENDING OF THE OFFICIAL TOWN MAP, AND ACKNOWLEDGING A SERVICE PLAN; REQUIRING THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING AS APPROPRIATE TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS; PROVIDING CUMULATIVE REPEALER, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lakewood Village is a municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas (the “Town”); and

WHEREAS, following receipt of a request in the form of a Voluntary Annexation Petition from each owner (the “Owners”) of the Property (defined below) requesting annexation, public hearings were conducted in accordance with Section 43.0673 of the Texas Local Government Code, on November 12, 2020, December 10, 2020, and January 14, 2021, in the Lakewood Village Town Hall located at 100 Highridge Drive in the Town of Lakewood Village, to consider the annexation of the property being more particularly described and depicted in Exhibit “A”, attached hereto and incorporated as if fully set forth herein (the “Property”); and

WHEREAS, any and all required written notices and offers were timely sent to all property owners and others entitled to same; and

WHEREAS, the notice of the January 14, 2021 public hearings was published in The Denton Record Chronicle, a newspaper of general circulation within the Town of Lakewood Village, Texas, on the 30th day of December 2020, such date being not more than twenty (20) days nor less than ten (10) days prior to each public hearing; and

WHEREAS, all required statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been accomplished, including posting on the Town’s internet website;

and

WHEREAS, the Town Council of the Town of Lakewood Village, Texas has determined that the Property is located in the extraterritorial jurisdiction of the Town of Lakewood Village, Texas; and

WHEREAS, the Town Council of the Town of Lakewood Village, Texas has investigated into, has determined and officially finds that no part of the Property is within the extraterritorial jurisdiction of any other incorporated Town or town; and

WHEREAS, to the extent that this Ordinance would cause an unincorporated area to be entirely surrounded by the Town of Lakewood Village's limits, the Town Council has found - and incorporates herein its finding - that surrounding the area is in the public interest; and

WHEREAS, the Owners and the Town have entered into a written agreement, with a ten (10) year term, regarding services to be provided for the Property prior to the effective date of annexation of the Property, the substantive body of which is attached hereto as Exhibit "B", attached hereto and incorporated as if fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2
OFFICIAL TOWN MAP AMENDED

1. The official map and boundaries of the Town are hereby amended so as to include the Property and any and all adjacent rights-of-way, and that such territory shall be and is hereby annexed into the corporate limits of the Town.
2. The Mayor is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the Town to add the territory hereby annexed as required by law.

SECTION 3
ANNEXATION OF AREA

The Property, and any and all adjacent rights-of-way, is hereby annexed into the Town, and that the boundary limits of the Town be and the same are hereby extended to include the Property and any and all adjacent rights-of-way within the town limits of the Town, and the same shall hereafter be included within the territorial limits of the Town, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the Town and they shall be bound by the acts, ordinances, resolutions, and regulations of the Town.

SECTION 4
FILING OF ORDINANCE REQUIRED

The Town Secretary shall file or cause to be filed a certified copy of this Ordinance in the office of the County Clerk of each county in which all or a portion of the Property and any and all adjacent rights-of-way is located, and any other necessary agencies.

SECTION 5
EFFECT ON TERRITORY

From and after the passage of this Ordinance, the Property and any and all adjacent rights-of-way shall be a part of the Town of Lakewood Village, Texas, and subject to the service agreement referenced in the above Premises incorporated by Section 1 of this Ordinance. The inhabitants thereof shall be entitled to all of the rights, privileges and immunities as all other citizens of the Town of Lakewood Village, Texas, and shall be bound by all of the Ordinances and regulations enacted pursuant to and in conformity with the general laws of the State of Texas.

SECTION 6
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 7
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the Town Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect. The Town Council hereby declares that if there is an error in any call or description in Exhibit "A" preventing any portion of the Property and any and all adjacent rights-of-way from being annexed, the Town Council would have annexed all remaining area having correct calls or descriptions and or would have corrected the call or description to include the entire intended area in this annexation.

SECTION 8
ENGROSSMENT AND ENROLLMENT

The Town Secretary of the Town of Lakewood Village is hereby directed to engross and enroll this Ordinance by copying the Caption in the minutes of the Town Council of the Town of

Lakewood Village and by filing this Ordinance in the Ordinance records of the Town.

SECTION 9
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas
this the 14th day of January, 2021.

Dr. Mark E. Vargus
MAYOR

ATTESTED:

Linda Asbell, TRMC, CMC
Town Secretary



Exhibit "A"
Property Legal Description and Depiction
Including and any and all adjacent rights-of-way

LEGAL DESCRIPTION (Tract 1)

SITUATED in the Christopher C. Dickson Survey, Abstract No. 339 of Denton County, Texas and being part of that certain called 16.964 acre tract (including public right-of-way) of land described in a Special Warranty Deed from the Town of Little Elm, Texas to Little Elm Independent School District, recorded in Document No. 97-0046698, Deed Records, Denton County, Texas (D.R.D.C.T.) and being all of that certain called 0.11 acre tract described in a Special Warranty Deed from Denton County, Texas to Little Elm Independent School District, recorded in Document No. 2009-41502, D.R.D.C.T. and being more particularly described by metes & bounds as follows:

BEGINNING at a 3/8 inch iron rod found at the southeast corner of the above described 16.964 acre tract and the southwest corner of Block 1 of Sunrise Bay At Lake Lewisville, an addition to Denton County, Texas, according to the plat thereof, recorded in Cabinet L, Page 224, Plat Records, Denton County, Texas (P.R.D.C.T.) and said beginning point also being on the north line of that certain called 77.89 acre tract of land described in a deed to Sam Hill Venture, recorded in Document No. 2004-39575, D.R.D.C.T.;

THENCE: South 86 deg. 56 min. 31 sec. West, along the common line of said 16.964 acre tract and said 77.89 acre tract, a distance of 499.50 feet to a 5/8 inch iron rod found for corner;

THENCE: South 01 deg. 25 min. 12 sec. East, continuing along said common line, a distance of 40.19 feet to a 1/2 inch iron rod found for corner;

THENCE: South 88 deg. 50 min. 03 sec. West, continuing along said common line, at 391.40 feet, passing a 1/2 inch iron rod found for the northwest corner of said 77.89 acre tract and same being the northeast corner of that certain called 19.249 acre tract of land described in a deed to Philip L. Hancock and wife, Lynn A. Hancock and Stephen R. Dunneane, recorded in Document No. 2006-47468, D.R.D.C.T., and continuing for a total distance of 437.11 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the most southerly southwest corner of this tract on the east right-of-way line of Lakecrest Drive (a public road, dedicated to Denton County, Texas, Document No. 2008-86546, D.R.D.C.T.) and said point also being the most northerly northeast corner of that certain 60 foot wide public right-of-way dedication conveyed to the City of Lakewood Village (First Tract), recorded in Volume 960, Page 824, D.R.D.C.T.;

THENCE: North 03 deg. 11 min. 05 sec. West, along the east right-of-way line of said Lakecrest Drive, at 100.18 feet, passing the south corner of the above described 0.11 acre tract and continuing for a total distance of 122.44 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found at the beginning of a curve to the right, having a radius of 10.00 feet, a central angle of 59 deg. 40 min. 14 sec. and a chord that bears North 26 deg. 49 min. 03 sec. East - 9.95 feet;

THENCE: Along the westerly line of said 0.11 acre tract and with said curve to the right, an arc distance of 10.41 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner on the southwesterly right-of-way line of W. Eldorado Parkway (a variable width public right-of-way) and said point being the beginning of a non-tangent curve to the left, having a radius of 1,006.60 feet, a central angle of 15 deg. 31 min. 48 sec. and a chord that bears North 48 deg. 58 min. 05 sec. East - 272.00 feet;

THENCE: Along the common line of said 0.11 acre tract and said W. Eldorado Parkway, an arc distance of 272.83 feet to 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the northern corner of said 0.11 acre tract and said point being the beginning of a non-tangent curve to the left having a radius of 590.00 feet, a central angle of 05 deg. 29 min. 04 sec. and a chord that bears North 27 deg. 19 min. 12 sec. East - 56.45 feet;

THENCE: Continuing along the southeasterly right-of-way line of said W. Eldorado Parkway and with said curve to the left, an arc distance of 56.48 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the southeast corner of that certain called 0.587 acre tract of land described in a deed from Little Elm Independent School District to Denton County, Texas, recorded in Document No. 98-0028098, D.R.D.C.T. and said point being the beginning of another non-tangent curve to the left, having a radius of 994.93 feet, a central angle of 11 deg. 58 min. 18 sec. and a chord that bears North 31 deg. 51 min. 40 sec. East - 206.93 feet;

THENCE: Continuing along the common line of said W. Eldorado Parkway and said 0.587 acre tract, an arc distance of 207.30 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner at the end of said curve;

THENCE: North 25 deg. 55 min. 10 sec. East, a distance of 927.87 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found on the north line of said 16.964 acre tract and on the south line of that certain tract of land described in a deed to the Town of Little Elm (Little Elm Sunrise Bay Water Plant), recorded in Document No. 1995-0078024, D.R.D.C.T.;

THENCE: North 89 deg. 17 min. 47 sec. East, departing from said W. Eldorado Parkway, along the common line of said 16.964 acre tract and said Town of Little Elm tract, a distance of 175.42 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set in a landscaped area, next to a stone screening fence, for the northeast corner of said 16.964 acre tract and the southeast corner of said Town of Little Elm tract and said point being on the west line of the above described Block 1 of Sunrise Bay At Lake Lewisville;

THENCE: South 00 deg. 42 min. 14 sec. East, along the common line of said 16.964 acre tract and Block 1, a distance of 1,296.79 feet to the POINT OF BEGINNING and containing 706,074 square feet or 16.209 acres of land.

LEGAL DESCRIPTION (Tract 2)

SITUATED in the Christopher C. Dickson Survey, Abstract No. 339 of Denton County, Texas and being part of that certain called 18.964 acre tract (including public right-of-way) of land described in a Special Warranty Deed from the Town of Little Elm, Texas to Little Elm Independent School District, recorded in Document No. 97-0046888, Deed Records, Denton County, Texas (D.R.D.C.T.) and being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the most westerly southwest corner of the above described 18.964 acre tract, on the north line of that certain called 19.429 acre tract of land described in a deed to Philip L. Hancock and wife, Lynn A. Hancock and Stephen R. Dumasine, recorded in Document No. 2006-47468, D.R.D.C.T.;

THENCE: North 06 deg. 55 min. 00 sec. West, along the most westerly west line of said 18.964 acre tract, a distance of 29.39 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found on the southern right-of-way line of W. Eldorado Parkway (a variable width public right-of-way) for the most westerly northwest corner of said 18.964 acre tract and said point being in a non-tangent curve to the left, having a radius of 614.90 feet, a central angle of 14 deg. 41 min. 56 sec. and a chord that bears North 73 deg. 25 min. 24 sec. East - 157.32 feet;

THENCE: Along the common line of said 18.964 acre tract and said W. Eldorado Parkway, an arc distance of 157.75 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner on the west right-of-way line of Lakecrest Drive (a public road, dedicated to Denton County, Texas, Document No. 2006-86546, D.R.D.C.T.);

THENCE: South 03 deg. 03 min. 13 sec. East, departing from said W. Eldorado Parkway, along the west right-of-way line of said Lakecrest Drive, a distance of 70.34 feet to a 1/2 inch iron rod found for the southwest corner of said Lakecrest Drive tract, on the south line of said 18.964 acre tract and the north line of the above described 19.429 acre Hancock tract and said point also being the most northerly northwest corner of that certain 60 foot wide public right-of-way dedication conveyed to the City of Lakewood Village (First Tract), recorded in Volume 960, Page 824, D.R.D.C.T.;

THENCE: South 88 deg. 35 min. 35 sec. West, departing from said Lakecrest Drive, along the common line of said 18.964 acre tract and said 19.429 acre Hancock tract, a distance of 150.01 feet to the POINT OF BEGINNING and containing 7,035 square feet or 0.162 acres of land.

Including all county road right-of-way adjacent thereto.

Exhibit "B"

MUNICIPAL SERVICES AGREEMENT

BETWEEN THE TOWN OF LAKEWOOD VILLAGE, TEXAS AND THE LITTLE ELM INDEPENDENT SCHOOL DISTRICT

This Municipal Services Agreement ("Agreement") is entered into on the 18th day of November, 2020, by and between the Town of Lakewood Village, Texas, a general law municipality of the State of Texas ("Town"), and the Little Elm Independent School District, a public school district and political subdivision of the State of Texas ("Owner").

WHEREAS Texas Local Government Code Section 43.0671 permits the Town to annex an area if each owner of land in an area requests the annexation; and

WHEREAS where the Town elects to annex such an area, the Town is required to enter into a written agreement with the property owner that sets forth the town services to be provided for the property on or after the effective date of annexation; and

WHEREAS Owner owns two certain parcels of land situated in Denton County, Texas, which consist of approximately 16.209 acres (Tract 1) and 0.162 acres (Tract 2) in the Christopher C. Dickson Survey, Abstract No. A-339, located in the Town's extraterritorial jurisdiction, such property being more particularly described and set forth in Exhibit A, attached and incorporated herein by reference ("Property"); and

WHEREAS Owner has filed a written request with the Town for full-purpose annexation of the Property; and

WHEREAS Town and Owner desire to set out the Town services to be provided for the Property on or after the effective date of the annexation; and

WHEREAS the annexation of the Property is subject to approval by the Town Council of the Town.

NOW, THEREFORE, in exchange for the mutual covenants, conditions, and promises contained herein, Town and Owner agree as follows:

1. PROPERTY. This agreement is only applicable to the Property, which is the subject of the annexation request as described in Exhibit A.
2. INTENT. It is intent of the Town that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law.
3. MUNICIPAL SERVICES.
 - a. Commencing on the effective date of annexation, the Town will provide the municipal services set forth below. As used in this Agreement, "providing

services” includes having services provided by any method or means by which the Town may extend municipal services to any other area of the Town, including the Town’s infrastructure extension policies and developer or property owner participation shall be in accordance with applicable town ordinances, rules, regulations, and policies.

- i. FIRE AND EMERGENCY MEDICAL SERVICES. The Town’s Fire Department will provide fire protection and emergency medical services.
 - ii. PLANNING, ZONING, AND BUILDING. The Town’s Building Department will provide planning, land development, land use, and building review and inspection services in accordance with all applicable laws, rules, and regulations.
 - iii. STREETS. The Town’s Public Works Department will maintain the public streets over which the Town has jurisdiction.
 - iv. WATER AND WASTEWATER. Once connected to the Town’s water and/or sanitary sewer mains, the water and sanitary sewer service will be provided by the Town at rates established by Town ordinances for such service.
 - v. SOLID WASTE SERVICES. The Town will provide solid waste collection services in accordance with existing Town contracts.
 - vi. CODE COMPLIANCE. The Town will provide education, enforcement, and abatement relating to code violations within the Property.
 - b. It is understood and agreed that the Town is not required to provide a service that is not included in this Agreement.
 - c. Owner understands and acknowledges that the Town departments listed may change names or be reorganized by the Town Council. Any reference to a specific department also includes any subsequent Town department that will provide the same or similar services.
4. AUTHORITY. Town and Owner represent that they have full power, authority, and legal right to execute, deliver, and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the annexation is within the sole jurisdiction and subject to the approval of the Town Council. Nothing in this Agreement guarantees favorable decisions by the Town Council.
 5. SEVERABILITY. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or unenforceability will not affect the validity of any other part, term, or provision, and the

rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.

6. AGREEMENT BINDS SUCCESSORS AND RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property and is binding on the owner and his successors and assigns.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Parties hereto have executed this agreement in multiple copies, each of equal dignity, on this the 14 day of November, 2020.

LITTLE ELM INDEPENDENT SCHOOL DISTRICT,
A Texas independent school district

By: [Signature]
Printed Name: Daniel Gallagher
Title: Superintendent

SEAL]

STATE OF TEXAS
COUNTY OF DENTON

Before me the undersigned notary public appeared Daniel Gallagher, on behalf of Little Elm Independent School District, a Texas independent school district, for the consideration therein expressed.

[Signature]
Notary Public for the State of Texas



TOWN OF LAKEWOOD VILLAGE
A Texas Type-A General Law Municipality

By: Dr. Mark E. Vargus
Mayor

[SEAL]

STATE OF TEXAS
COUNTY OF DENTON



Before me the undersigned notary public appeared Dr. Mark E. Vargus, Mayor, on behalf of the Town of Lakewood Village, a Texas Municipality, for the consideration therein expressed.

Linda Asbell, TRMC, CMC
Town Administrator/Town Secretary
Notary Public for the State of Texas

[SEAL]



EXHIBIT A
DESCRIPTION OF LITTLE ELM INDEPENDENT SCHOOL DISTRICT PROPERTY

LEGAL DESCRIPTION (Tract 1)

SITUATED in the Christopher C. Dickson Survey, Abstract No. 339 of Denton County, Texas and being part of that certain called 16.964 acre tract (including public right-of-way) of land described in a Special Warranty Deed from the Town of Little Elm, Texas to Little Elm Independent School District, recorded in Document No. 97-0046698, Deed Records, Denton County, Texas (D.R.D.C.V.) and being all of that certain called 0.11 acre tract described in a Special Warranty Deed from Denton County, Texas to Little Elm Independent School District, recorded in Document No. 2009-41502, D.R.D.C.T. and being more particularly described by metes & bounds as follows:

BEGINNING at a 3/8 inch iron rod found at the southeast corner of the above described 16.964 acre tract and the southwest corner of Block 1 of Sunrise Bay At Lake Lewisville, an addition to Denton County, Texas, according to the plat thereof, recorded in Cabinet 1, Page 224, Plat Records, Denton County, Texas (P.R.D.C.T.) and said beginning point also being on the north line of that certain called 77.89 acre tract of land described in a deed to Sam Hill Venture, recorded in Document No. 2004-38975, D.R.D.C.V.;

THENCE: South 86 deg. 56 min. 31 sec. West, along the common line of said 16.964 acre tract and said 77.89 acre tract, a distance of 499.50 feet to a 5/8 inch iron rod found for corner;

THENCE: South 01 deg. 25 min. 12 sec. East, continuing along said common line, a distance of 40.19 feet to a 1/2 inch iron rod found for corner;

THENCE: South 68 deg. 50 min. 03 sec. West, continuing along said common line, at 391.40 feet, passing a 1/2 inch iron rod found for the northwest corner of said 77.89 acre tract and same being the northeast corner of that certain called 19.249 acre tract of land described in a deed to Philip L. Hancock and wife, Lynn A. Hancock and Stephen E. Dumaine, recorded in Document No. 2006-47466, D.R.D.C.T., and continuing for a total distance of 437.11 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the most southerly southwest corner of this tract on the east right-of-way line of Lakewood Drive (a public road, dedicated to Denton County, Texas, Document No. 2006-65546, D.R.D.C.T.) and said point also being the most northerly northeast corner of that certain 60 foot wide public right-of-way dedication conveyed to the City of Lakewood Village (First Tract), recorded in Volume 960, Page 824, D.R.D.C.T.;

THENCE: North 03 deg. 11 min. 05 sec. West, along the east right-of-way line of said Lakewood Drive, at 100.16 feet, passing the south corner of the above described 0.11 acre tract and continuing for a total distance of 122.44 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found at the beginning of a curve to the right, having a radius of 10.05 feet, a central angle of 89 deg. 40 min. 14 sec. and a chord that bears North 86 deg. 49 min. 03 sec. East - 9.95 feet;

THENCE: Along the westerly line of said 0.11 acre tract and with said curve to the right, an arc distance of 10.41 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner on the southwesterly right-of-way line of W. Eldorado Parkway (a variable width public right-of-way) and said point being the beginning of a non-tangent curve to the left, having a radius of 1,006.60 feet, a central angle of 16 deg. 31 min. 46 sec. and a chord that bears North 48 deg. 56 min. 05 sec. East - 272.00 feet;

THENCE: Along the common line of said 0.11 acre tract and said W. Eldorado Parkway, an arc distance of 272.83 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the northern corner of said 0.11 acre tract and said point being the beginning of a non-tangent curve to the left, having a radius of 890.00 feet, a central angle of 05 deg. 29 min. 04 sec. and a chord that bears North 27 deg. 19 min. 12 sec. East - 56.45 feet;

THENCE: Continuing along the southeasterly right-of-way line of said W. Eldorado Parkway and with said curve to the left, an arc distance of 56.45 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the southeast corner of that certain called 0.587 acre tract of land described in a deed from Little Elm Independent School District to Denton County, Texas, recorded in Document No. 98-0066096, D.R.D.C.T. and said point being the beginning of another non-tangent curve to the left, having a radius of 994.93 feet, a central angle of 11 deg. 56 min. 16 sec. and a chord that bears North 31 deg. 51 min. 40 sec. East - 206.93 feet;

THENCE: Continuing along the common line of said W. Eldorado Parkway and said 0.587 acre tract, an arc distance of 207.30 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner at the end of said curve;

THENCE: North 25 deg. 55 min. 10 sec. East, a distance of 927.87 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found on the north line of said 16.964 acre tract and on the south line of that certain tract of land described in a deed to the Town of Little Elm (Little Elm Sunrise Bay Water Plant), recorded in Document No. 1995-0078024, D.R.D.C.T.;

THENCE: North 69 deg. 17 min. 47 sec. East, departing from said W. Eldorado Parkway, along the common line of said 16.964 acre tract and said Town of Little Elm tract, a distance of 175.42 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set in a landscaped area, next to a stone screaming fence, for the northeast corner of said 16.964 acre tract and the southeast corner of said Town of Little Elm tract and said point being on the west line of the above described Block 1 of Sunrise Bay At Lake Lewisville;

THENCE: South 00 deg. 42 min. 14 sec. East, along the common line of said 16.964 acre tract and Block 1, a distance of 1,298.79 feet to the POINT OF BEGINNING and containing 706,074 square feet or 16.209 acres of land.

LEGAL DESCRIPTION (Tract 2)

SITUATED in the Christopher C. Dickson Survey, Abstract No. 339 of Denton County, Texas and being part of that certain called 18.984 acre tract (including public right-of-way) of land described in a Special Warranty Deed from the Town of Little Elm, Texas to Little Elm Independent School District, recorded in Document No. 97-0048898, Deed Records, Denton County, Texas (D.R.D.C.T.) and being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the most westerly southwest corner of the above described 18.984 acre tract, on the north line of that certain called 19.429 acre tract of land described in a deed to Philip I. Hancock and wife, Lynn A. Hancock and Stephen R. Dumasine, recorded in Document No. 2006-47468, D.R.D.C.T.;

THENCE: North 08 deg. 55 min. 00 sec. West, along the most westerly west line of said 18.984 acre tract, a distance of 29.39 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found on the southern right-of-way line of W. Eldorado Parkway (a variable width public right-of-way) for the most westerly northwest corner of said 18.984 acre tract and said point being in a non-tangent curve to the left, having a radius of 814.90 feet, a central angle of 14 deg. 41 min. 56 sec. and a chord that bears North 73 deg. 23 min. 24 sec. East - 157.32 feet;

THENCE: Along the common line of said 18.984 acre tract and said W. Eldorado Parkway, an arc distance of 167.75 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner on the west right-of-way line of Lakewood Drive (a public road, dedicated to Denton County, Texas, Document No. 2006-66546, D.R.D.C.T.);

THENCE: South 03 deg. 03 min. 13 sec. East, departing from said W. Eldorado Parkway, along the west right-of-way line of said Lakewood Drive, a distance of 70.34 feet to a 1/2 inch iron rod found for the southwest corner of said Lakewood Drive tract, on the south line of said 18.984 acre tract and the north line of the above described 19.429 acre Hancock tract and said point also being the most northerly northwest corner of that certain 60 foot wide public right-of-way dedication conveyed to the City of Lakewood Village (First Tract), recorded in Volume 960, Page 824, D.R.D.C.T.;

THENCE: South 68 deg. 35 min. 35 sec. West, departing from said Lakewood Drive, along the common line of said 18.984 acre tract and said 19.429 acre Hancock tract, a distance of 150.01 feet to the POINT OF BEGINNING and containing 7,035 square feet or 0.162 acres of land.



Town Limits & ETJ

