

RESOLUTION NO. 49-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SETTING DATES, TIMES AND PLACES FOR PUBLIC HEARINGS ON THE VOLUNTARY PETITION SUBMITTED BY D.R. HORTON – TEXAS, LTD, DIECIESEIS, LLC, AND CADG KAUFMAN 146, LLC, FOR THE PROPOSED ANNEXATION BY THE CITY OF MESQUITE OF APPROXIMATELY 121.2 ACRES LOCATED IN THE MESQUITE EXTRATERRITORIAL JURISDICTION, MARTHA MUSIC SURVEY, ABSTRACT NO. 312, KAUFMAN COUNTY, TEXAS, AT THE SOUTHEAST CORNER OF IH-20 AND FM 741; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS.

WHEREAS, D.R. Horton – Texas, LTD, Diecieseis, LLC, and CADG Kaufman 146, LLC, submitted a Voluntary Petition for the Annexation (“Petition”), dated August 23, 2018, of an area within the extraterritorial jurisdiction of the City of Mesquite, Texas.

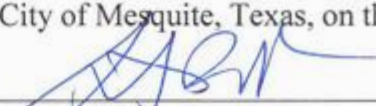
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That public hearings will be held by and before the City Council of the City of Mesquite, Texas, in connection with the Petition attached as Exhibit “1,” giving all interested persons the right to appear and be heard on the proposed annexation by the City of Mesquite, Texas, on the following dates for the property described in Exhibit “A” and shown in Exhibit “B” of the Petition, attached hereto as Exhibit “1” and included herein for all purposes:

- (a) On Monday, September 17, 2018, at 7:00 p.m., in the City Council Chamber, City Hall, 757 North Galloway Avenue, Mesquite, Texas; and
- (b) On Monday, October 1, 2018, at 7:00 p.m., in the City Council Chamber, City Hall, 757 North Galloway Avenue, Mesquite, Texas.


SECTION 2. That the City Secretary of the City of Mesquite, Texas, is hereby authorized and directed to cause notice of such public hearings to be published once in newspapers having general circulation in Mesquite, Dallas County, Texas, and Forney, Kaufman County, Texas, and posted on the Internet not more than 20 days nor less than 10 days prior to the date of each public hearing, in accordance with applicable law.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 4th day of September, 2018.



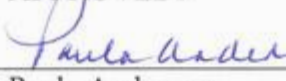
Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



Paula Anderson
Interim City Attorney

**VOLUNTARY PETITION FOR ANNEXATION
TO THE CITY OF MESQUITE, TEXAS**

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

This Voluntary Petition for the Annexation of an area within the extraterritorial jurisdiction of the CITY OF MESQUITE, TEXAS (the "City"), is submitted by D.R. HORTON – TEXAS, LTD., a Texas limited partnership ("DRHTL"); DIECIESEIS, LLC, a Texas limited liability company ("DLLC"); and CADG KAUFMAN 146, LLC, a Texas limited liability company ("CADG") (collectively, the "Landowners").

SECTION 1. DRHTL owns approximately 41.50 acres, DLLC owns approximately 69.47 acres, and CADG owns the remainder of the approximately 121.282 acres of real property (the "Property") located wholly within the extraterritorial jurisdiction (the "ETJ") of the City and not within the ETJ or corporate limits of any other town or city, which Property is described by metes and bounds on Exhibit A and depicted on Exhibit B, each attached hereto and made part hereof for all purposes.

SECTION 2. The City is a home-rule municipality of the State of Texas, located in Dallas County and Kaufman County.

SECTION 3. The Landowners hereby petition the City Council of the City to annex the Property into the corporate limits of the City pursuant to Section 43.0671 of the Texas Local Government Code, as amended.

SECTION 4. Pursuant to Section 43.0671 of the Texas Local Government Code, as amended, the City may annex an area if each owner of land in the area requests the annexation.

RESPECTFULLY SUBMITTED THIS 23 day of August, 2018.

RECEIVED

AUG 24 2018

**CITY OF MESQUITE
CITY SECRETARY**

LANDOWNERS:

D.R. HORTON – TEXAS, LTD.,

a Texas limited partnership

By: D.R. Horton, Inc.,
a Delaware corporation,
Its Authorized Agent

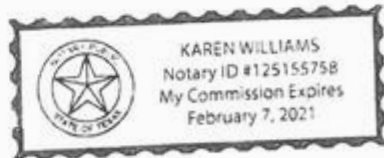
By: 
Name: David L. Booth
Title: Assistant Vice President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 23 day of August, 2018, by David L. Booth, as Assistant Vice President of D.R. Horton, Inc., a Delaware corporation, as authorized agent of D.R. Horton – Texas, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[SEAL]


Notary Public * State of Texas



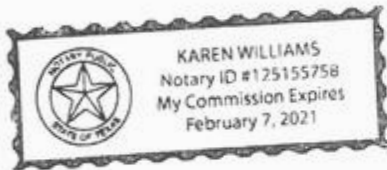
DIECIESEIS, LLC,
a Texas limited liability company

By: 
Name: Ryan Horton
Title: Manager

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 23 day of August, 2018, by Ryan Horton, as Manager of Diecieseis, LLC, a Texas limited liability company, on behalf of said limited liability company.

[SEAL]




Notary Public ★ State of Texas

CADG KAUFMAN 146, LLC,
a Texas limited liability company

By: CADG Holdings, LLC,
a Texas limited liability company,
Its Sole Member

By: MMM Ventures, LLC,
a Texas limited liability company,
Its Manager

By: 2M Ventures, LLC,
a Delaware limited liability company,
Its Manager

By: 
Name: Mehrdad Moayed
Its: Manager

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 23 day of August, 2018, by Mehrdad Moayed, as Manager of 2M Ventures, LLC, a Delaware limited liability company, as Manager of MMM Ventures, LLC, a Texas limited liability company, as Manager of CADG Holdings, LLC, a Texas limited liability company, as sole member of CADG Kaufman 146, LLC, a Texas limited liability company, on behalf of said limited liability company.

[SEAL]




Notary Public ★ State of Texas

EXHIBIT A

Metes and Bounds

121.282 ACRES

BEING that certain tract of land situated in the MARTHA MUSIC SURVEY, ABSTRACT NUMBER 312, in Kaufman County, Texas, and being part of that certain called 146.733 acre tract of land described in deed to CADG Kaufman 146, LLC, recorded in Volume 4363, Page 38, of the Deed Records of Kaufman County, Texas (DRKCT), and being more particularly described as follows:

BEGINNING at a 1 2 inch iron rod with cap marked "DAA" found at the southernmost corner of said CADG Kaufman 146, LLC tract, and being located on the northeasterly line of Lot 2X, Block 43, of Heartland Tract A, Phase 1B, an addition to Kaufman County, Texas according to the Amending Plat recorded in Cabinet 3, Slide 20, of the Plat Records of Kaufman County, Texas (PRKCT), said iron rod also being located at the beginning of a non-tangent curve to the left:

THENCE Northwesterly with said northeasterly line of Lot 2X and with said curve to the left which has a central angle of 21°32'00", a radius of 800.00 feet, a chord which bears North 34°55'09" West, a chord distance of 298.90 feet, for an arc distance of 300.66 feet to the end of said curve, a 1 2 inch iron rod with cap marked "DAA" found for corner:

THENCE North 45°41'09" West, continuing with the northeasterly line of Lot 2X, a distance of 397.34 feet to a 1 2 inch iron rod with cap marked "DAA" found for corner at the northernmost corner of said Lot 2X, Block 43, also being the northernmost corner of said Heartland Tract A, Phase 1B:

THENCE South 44°18'51" West, with the northwest line of said Lot 2X, Block 43, a distance of 10.00 feet to a 1 2 inch iron rod with cap marked "DAA" found for corner at the easternmost corner of Heartland Tract A Phase 2B, an addition to Kaufman County, Texas, according to the Final Plat recorded in Cabinet 3, Slide 100, PRKCT, said iron rod also being located on the northeasterly right-of-way line of Heartland Parkway (called 80 foot right-of-way at this point), according to said Final Plat of Heartland Tract A Phase 2B:

THENCE North 45°41'09" West, with said northeasterly right-of-way line of Heartland Parkway, a distance of 1324.03 feet to a 1 2 inch iron rod with cap marked "DAA" found for corner at the beginning of a tangent curve to the left:

THENCE Northwesterly, continuing with said northeasterly right-of-way line of Heartland Parkway, and with said curve having a central angle of 34°32'11", a radius of 790.00 feet, a chord which bears North 62°57'14" West, a chord distance of 469.01 feet, for an arc distance of 476.19 feet to the end of said curve, a 5 8 inch iron rod with cap marked "PETITT-RPLS 4087" found for corner, from which a 1 2 inch iron rod with cap marked "DAA" found is located northwesterly along said curve at an arc distance of 29.78 feet:

THENCE leaving said northeasterly right-of-way line of Heartland Parkway, and over and across said CADG Kaufman 146, LLC tract, the following courses to 5/8 inch iron rods with caps marked "PETITT-RPLS 4087" found for corners:

North 09°46'40" East, a distance of 165.00 feet;

South 78°15'28" East, a distance of 65.47 feet;

North 15°12'36" East, a distance of 235.81 feet;

North 42°35'50" East, a distance of 477.61 feet;

North 07°44'02" West, a distance of 285.71 feet;

South 86°42'10" West, a distance of 198.45 feet;

North 68°43'31" West, a distance of 145.05 feet;

And North 06°39'43" West, a distance of 222.01 feet, said iron rod being located on the north line of said CADG Kaufman 146, LLC tract;

THENCE North 83°20'17" East, with a north line of said CADG Kaufman 146, LLC tract, a distance of 210.14 feet to a 5/8 inch iron rod with cap marked "PETITT-RPLS 4087" set for corner;

THENCE North 88°27'43" East, with a north line of said CADG Kaufman 146, LLC tract, a distance of 474.11 feet to a 5/8 inch iron rod with cap marked "PETITT-RPLS 4087" set for corner;

THENCE South 84°18'07" East, with a north line of said CADG Kaufman 146, LLC tract, a distance of 951.32 feet to a 5/8 inch iron rod with cap marked "PETITT-RPLS 4087" set for corner;

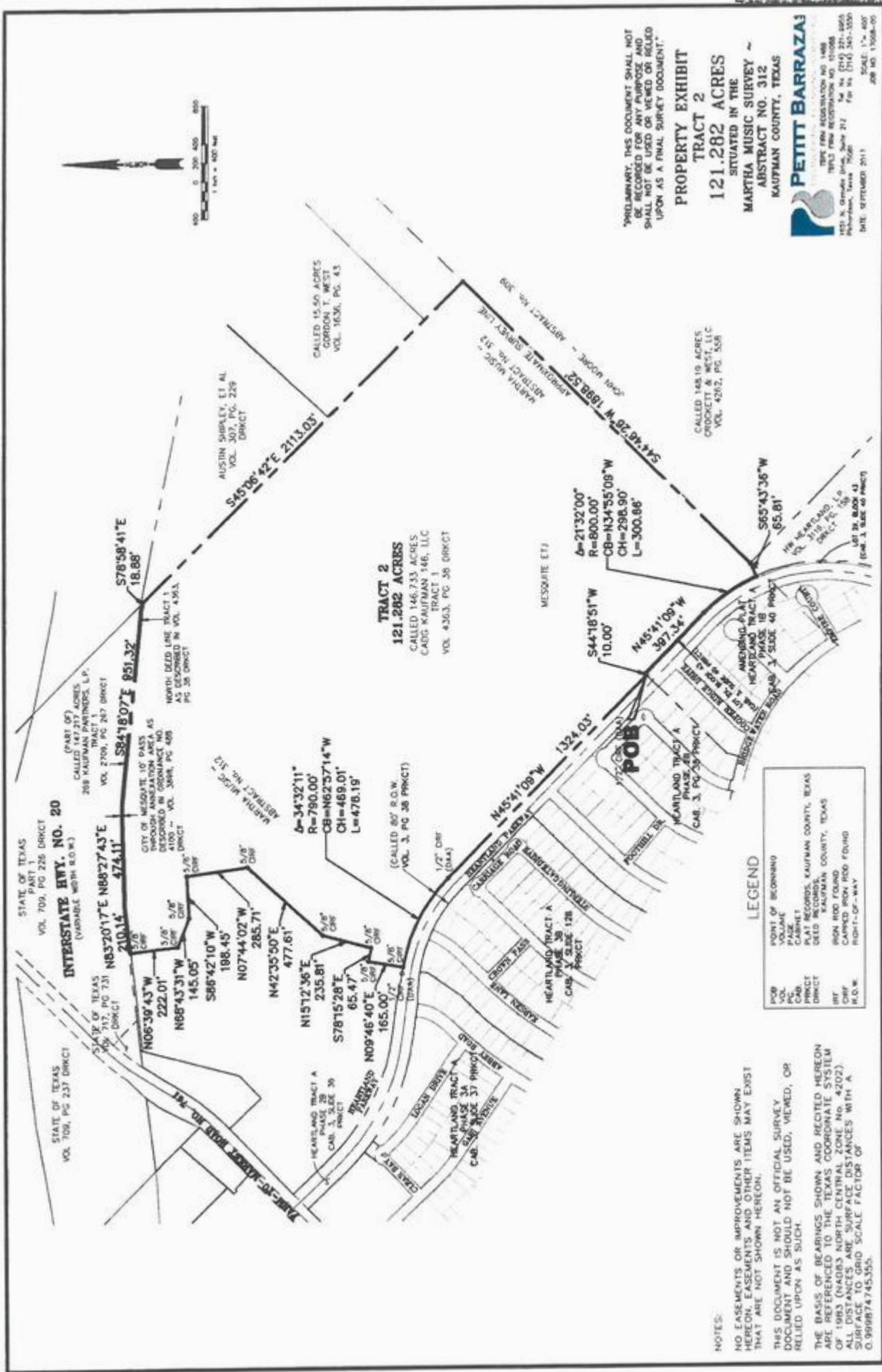
THENCE South 78°58'41" East, with a north line of said CADG Kaufman 146, LLC tract, a distance of 18.88 feet to a 5/8 inch iron rod with cap marked "PETITT-RPLS 4087" set for corner at a northeast corner of said CADG Kaufman 146, LLC tract;

THENCE South 45°06'42" East, with the northeasterly line of said CADG Kaufman 146, LLC tract, a distance of 2113.03 feet to a 3/4 inch iron pipe found at the easternmost corner of said CADG Kaufman County 146, LLC tract;

THENCE South 44°46'26" West, with a southeasterly line of said CADG Kaufman 146, LLC tract, a distance of 1898.52 feet to a 1/2 inch iron rod with cap marked "DAA" found for corner;

THENCE South 65°43'36" West, with a southeasterly line of said CADG Kaufman 146, LLC tract, a distance of 65.81 feet to the POINT OF BEGINNING of herein described tract, containing a calculated area of 121.282 acres of land.

EXHIBIT B
Property Depiction



PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

PROPERTY EXHIBIT
TRACT 2
121.282 ACRES
 SITUATED IN THE
MARTHA MUSIC SURVEY
ABSTRACT NO. 312
KAUFMAN COUNTY, TEXAS

PETITT BARRAZA
 LICENSED PROFESSIONAL SURVEYOR
 STATE OF TEXAS REGISTRATION NO. 1488
 1811 N. GARDNER
 HOUSTON, TEXAS 77058
 PHONE: 713.241.1000
 FAX: 713.241.1000
 DATE: SEPTEMBER 21, 2011
 SCALE: 1" = 400'
 JOB NO. 11008-00

LEGEND

POB	POINT OF BEGINNING
PL	PLAT
PC	PLAT CORNER
CB	CURVED BOUNDARY
DIR	DIRECTION
DIRCT	DIRECT
IND	INDIRECT
RT	RIGHT-OF-WAY
CH	CURVED HORIZONTAL
R.O.W.	RIGHT-OF-WAY

NOTES:
 NO EASEMENTS OR IMPROVEMENTS ARE SHOWN.
 THEREFORE, EASEMENTS AND OTHER ITEMS MAY EXIST THAT ARE NOT SHOWN HEREON.
 THIS DOCUMENT IS NOT AN OFFICIAL SURVEY DOCUMENT AND SHOULD NOT BE USED, VIEWED, OR RELIED UPON AS SUCH.
 THE BASIS OF BEARINGS SHOWN AND DISTANCES HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83 NORTH CENTRAL ZONE NO. 4202). ALL DISTANCES ARE SURFACE DISTANCES WITH A SURFACE TO GRID SCALE FACTOR OF 0.9998745355.

EXHIBIT B

