



CASE COVER SHEET

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

MASTER PLAT
PRELIMINARY PLAT
FINAL PLAT
REPLAT
AMENDING OR MINOR PLAT
PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

SITE PLAN
AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

ZONING CHANGE
SPECIFIC USE PERMIT
PD DEVELOPMENT PLAN

OTHER APPLICATION

TREE REMOVAL
VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



July 18, 2024

TO: Dan Pence, *Assistant Executive Director*
Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

CC: Denny Janssen, *President*
Board of Directors for the Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) for the Abandonment of the Right-of-Way for Hail Drive

Mr. Pence,

I am writing to you on behalf of the City of Rockwall regarding the abandonment of the excess right-of-way at the end of Hail Drive, which is directly adjacent to property owned by the Rockwall Housing Development Corporation. As you may be aware, the City of Rockwall has identified several unimproved or underutilized City rights-of-way within our jurisdiction that provide limited to no public benefit. These rights-of-way have been maintained by the City for decades without plans for future improvement. In some cases, adjacent properties have constructed improvements within these rights-of-way, further complicating their potential use by the City.

On February 5, 2024, the City Council approved a motion to direct staff to proceed with the abandonment of these rights-of-way to the adjacent property owners. Following this action, the City has decided to abandon the excess right-of-way at the end of Hail Drive, and we are pleased to offer you the opportunity to acquire this land at no cost. The abandoned right-of-way encompasses the entire portion of Hail Drive southeast of the cul-de-sac. By acquiring this land, you will have the opportunity to expand your property and utilize it according to your needs and preferences. This offer aligns with the City of Rockwall's objective of promoting responsible land use and supporting efficient land utilization within our community.

In order to proceed with this transaction, I kindly request your cooperation in signing the attached Letter of Intent (LOI), acknowledging your acceptance of the abandoned right-of-way. Additionally, by signing this letter, you agree to allow the City of Rockwall to file a subdivision plat, which is necessary to accommodate the acquisition of the abandoned land, and you agree to maintain the acquired land. Please note that should you choose not to allow a subdivision plat to be filed after signing this Letter of Intent (LOI), you acknowledge your responsibility for reimbursing the City for any costs associated with the subdivision plat. If you decide not to acquire the abandoned land, please take note that other adjacent property owners will be given the opportunity to acquire the abandoned land.

Please review the attached map, which outlines the details of the abandonment and the terms and conditions of the Letter of Intent (LOI). Please provide all required information back to the Planning and Zoning Department of the City of Rockwall by no later than August 1, 2024 to proceed with the program. If you have any questions or require further clarification, please do not hesitate to contact me by phone at (972) 772-6441 or by email at rmiller@rockwall.com.

The City of Rockwall appreciates your cooperation and looks forward to working with you to finalize this transaction. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.



City of Rockwall



0 50 Feet
Date: 1/11/2024

RIGHT OF WAY ABANDONMENT

DATE: _____

TO:

Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

PROPERTY OWNER NAME(S):

Rockwall Housing Development Corporation

PROPERTY OWNER ADDRESS:

787 Hail Drive
Rockwall, TX 75032

PROPERTY ADDRESS:

(same)
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in *Exhibit 'A'* below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- *that will be prepared by and at the cost of the City of Rockwall* -- to facilitate the acquisition of the abandoned right-of-way as depicted in *Exhibit 'A'* below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in *Exhibit 'A'* and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: _____

DRJ

PROPERTY OWNER'S SIGNATURE: _____

Dennis R. Jausen
President, Board of Directors

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code grants a home-rule municipality the powers to vacate, abandon, or close a street or alleyway; and,

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, the City of Rockwall currently incurs costs annually associated with the maintenance (*i.e. mowing*) of the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- which is currently unimproved; and,

WHEREAS, the City Council of the City of Rockwall has determined that the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- is no longer needed for public purposes, and finds that it is in the best interest of the City to convey the alleyway to the adjacent and abutting property owners -- *in the manner depicted in this ordinance*; and,

WHEREAS, with proper notice to the public, a public hearing was held on February 3, 2025 at a meeting of the City Council of the City of Rockwall, during which all interested parties and citizens were allowed to appear and be heard; and,

WHEREAS, the City of Rockwall has determined that it is feasible and advantageous to abandon this City property subject to the terms and conditions set forth below.

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

SECTION 1. PROPERTY. The *Property* shall be as described and depicted in *Exhibit 'A'* of this ordinance, and shall be incorporated by reference herein.

SECTION 2. QUITCLAIM. Section 272.001(b) of the Texas Local Government Code allows the City the power to convey city-owned property at less than fair market value to the abutting property owners. The Mayor of the City of Rockwall or the City Manager, as the case may be, are authorized to quitclaim the *Property* described in *Section 1* hereof to the abutting property owner upon the approval of this ordinance.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described and depicted in *Exhibit 'A'* of this ordinance, and shall be construed only to that interest the governing body of the City may legally and lawfully

abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described portions of the right-of-way as depicted in *Exhibit 'A'* to the adjacent and abutting property owners.

SECTION 5. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in *Section 1* of this ordinance, and shall be construed only to that interest the governing body of the City of Rockwall may legally and lawfully abandon.

SECTION 6. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether record or not in the real property records of Rockwall County Texas.

SECTION 7. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Ordinance* are true and correct and incorporates them as findings of fact.

SECTION 8. SAVINGS CLAUSE. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 9. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This *Ordinance* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF FEBRUARY, 2025.

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

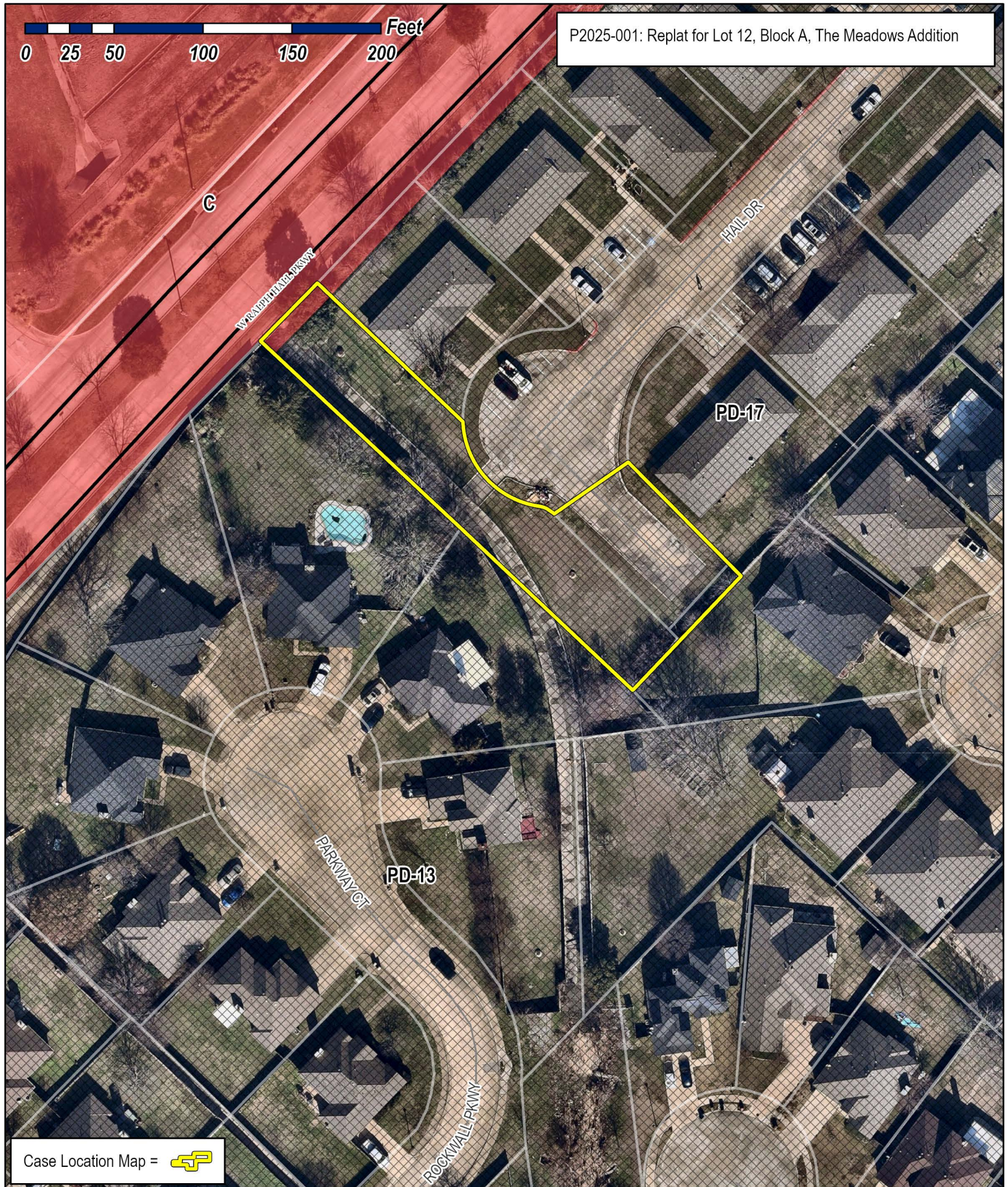
1st Reading: February 3, 2025

2nd Reading: February 18, 2025

DRAFT
ORDINANCE

Drawing: C:\Users\braddock\AppData\Local\Temp\AcPublish_10904\2024 12 19 RWL 24372 Meadows Final Plat.dwg at Dec 21, 2024-1:25pm by braddock





P2025-001: Replat for Lot 12, Block A, The Meadows Addition

Case Location Map = 

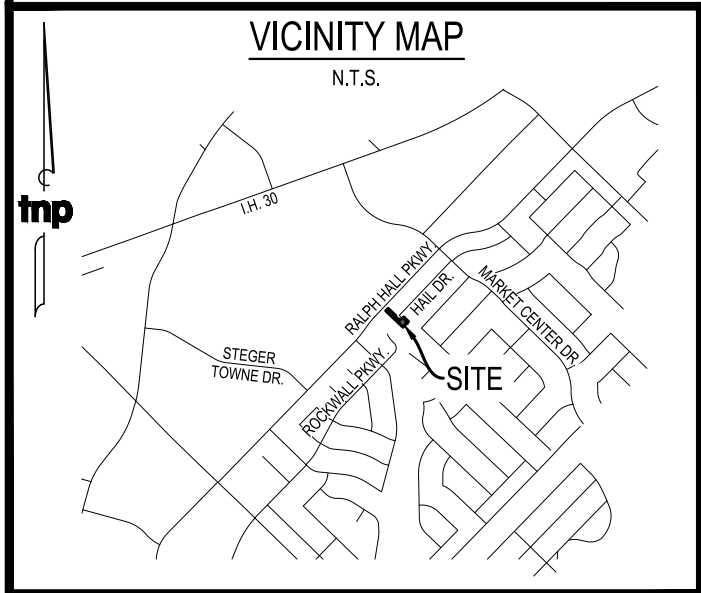


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





1. BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALL TERRA CENTRAL RTKNET CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.0000146135.
2. BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A" (AREA INUNDATED BY THE BASE FLOOD WITH NO BASE FLOOD ELEVATIONS DETERMINED). ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0040, DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

My Commission Expires:

OWNER
THE MEADOWS LIMITED
2255 Ridge Road
Rockwall, Texas 75087

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.
BRIAN J. MADDOX, R.P.L.S. NO. 5430

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



CASE NO.

TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com



July 18, 2024

TO: Dan Pence, *Assistant Executive Director*
Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

CC: Denny Janssen, *President*
Board of Directors for the Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) for the Abandonment of the Right-of-Way for Hail Drive

Mr. Pence,

I am writing to you on behalf of the City of Rockwall regarding the abandonment of the excess right-of-way at the end of Hail Drive, which is directly adjacent to property owned by the Rockwall Housing Development Corporation. As you may be aware, the City of Rockwall has identified several unimproved or underutilized City rights-of-way within our jurisdiction that provide limited to no public benefit. These rights-of-way have been maintained by the City for decades without plans for future improvement. In some cases, adjacent properties have constructed improvements within these rights-of-way, further complicating their potential use by the City.

On February 5, 2024, the City Council approved a motion to direct staff to proceed with the abandonment of these rights-of-way to the adjacent property owners. Following this action, the City has decided to abandon the excess right-of-way at the end of Hail Drive, and we are pleased to offer you the opportunity to acquire this land at no cost. The abandoned right-of-way encompasses the entire portion of Hail Drive southeast of the cul-de-sac. By acquiring this land, you will have the opportunity to expand your property and utilize it according to your needs and preferences. This offer aligns with the City of Rockwall's objective of promoting responsible land use and supporting efficient land utilization within our community.

In order to proceed with this transaction, I kindly request your cooperation in signing the attached Letter of Intent (LOI), acknowledging your acceptance of the abandoned right-of-way. Additionally, by signing this letter, you agree to allow the City of Rockwall to file a subdivision plat, which is necessary to accommodate the acquisition of the abandoned land, and you agree to maintain the acquired land. Please note that should you choose not to allow a subdivision plat to be filed after signing this Letter of Intent (LOI), you acknowledge your responsibility for reimbursing the City for any costs associated with the subdivision plat. If you decide not to acquire the abandoned land, please take note that other adjacent property owners will be given the opportunity to acquire the abandoned land.

Please review the attached map, which outlines the details of the abandonment and the terms and conditions of the Letter of Intent (LOI). Please provide all required information back to the Planning and Zoning Department of the City of Rockwall by no later than August 1, 2024 to proceed with the program. If you have any questions or require further clarification, please do not hesitate to contact me by phone at (972) 772-6441 or by email at rmiller@rockwall.com.

The City of Rockwall appreciates your cooperation and looks forward to working with you to finalize this transaction. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning



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City of
Rockwall



0 50 Feet
Date: 1/19/2024

RIGHT OF WAY
ABANDONMENT



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**City of
Rockwall**



0 50 Feet
Date: 1/11/2024

**RIGHT OF WAY
ABANDONMENT**

DATE: _____

TO:

Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

PROPERTY OWNER NAME(S):

Rockwall Housing Development Corporation

PROPERTY OWNER ADDRESS:

787 Hail Drive
Rockwall, TX 75032

PROPERTY ADDRESS:

(same)
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in *Exhibit 'A'* below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- *that will be prepared by and at the cost of the City of Rockwall* -- to facilitate the acquisition of the abandoned right-of-way as depicted in *Exhibit 'A'* below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in *Exhibit 'A'* and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: _____

DRJ

PROPERTY OWNER'S SIGNATURE: _____

Dennis R. Jausen
President, Board of Directors

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code grants a home-rule municipality the powers to vacate, abandon, or close a street or alleyway; and,

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, the City of Rockwall currently incurs costs annually associated with the maintenance (*i.e. mowing*) of the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- which is currently unimproved; and,

WHEREAS, the City Council of the City of Rockwall has determined that the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- is no longer needed for public purposes, and finds that it is in the best interest of the City to convey the alleyway to the adjacent and abutting property owners -- *in the manner depicted in this ordinance*; and,

WHEREAS, with proper notice to the public, a public hearing was held on February 3, 2025 at a meeting of the City Council of the City of Rockwall, during which all interested parties and citizens were allowed to appear and be heard; and,

WHEREAS, the City of Rockwall has determined that it is feasible and advantageous to abandon this City property subject to the terms and conditions set forth below.

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

SECTION 1. PROPERTY. The *Property* shall be as described and depicted in *Exhibit 'A'* of this ordinance, and shall be incorporated by reference herein.

SECTION 2. QUITCLAIM. Section 272.001(b) of the Texas Local Government Code allows the City the power to convey city-owned property at less than fair market value to the abutting property owners. The Mayor of the City of Rockwall or the City Manager, as the case may be, are authorized to quitclaim the *Property* described in *Section 1* hereof to the abutting property owner upon the approval of this ordinance.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described and depicted in *Exhibit 'A'* of this ordinance, and shall be construed only to that interest the governing body of the City may legally and lawfully

abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described portions of the right-of-way as depicted in *Exhibit 'A'* to the adjacent and abutting property owners.

SECTION 5. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in *Section 1* of this ordinance, and shall be construed only to that interest the governing body of the City of Rockwall may legally and lawfully abandon.

SECTION 6. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether record or not in the real property records of Rockwall County Texas.

SECTION 7. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Ordinance* are true and correct and incorporates them as findings of fact.

SECTION 8. SAVINGS CLAUSE. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 9. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This *Ordinance* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF FEBRUARY, 2025.

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 3, 2025

2nd Reading: February 18, 2025

DRAFT
ORDINANCE

Drawing: C:\Users\braddock\AppData\Local\Temp\AcPublish_10904\2024 12 19 RWL 24372 Meadows Final Plat.dwg at Dec 21, 2024-1:25pm by braddock





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

DATE: January 28, 2025

APPLICANT: Ryan Miller; *City of Rockwall*

CASE NUMBER: P2025-001; *Replat for Lot 12, Block A, The Meadows Addition*

SUMMARY

Consider a request by the City of Rockwall for the approval of a Replat for Lot 12, Block A, The Meadows Addition being a 0.306-acre tract of land identified as the Greenbelt & Utility Easement, Block A, Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-17), and generally located at the terminus of Hail Drive and take any action necessary.

PLAT INFORMATION

- ☑ Purpose. The City of Rockwall is requesting the approval of a Replat of a 0.306-acre parcel of land (*i.e. Greenbelt & Utility Easement, Block A, Meadows Addition*) for the purpose of abandoning a public right-of-way that extends from the terminus of Hail Drive to the rear yard of 153 Southwood Drive and incorporating the abandoned area into the adjacent property.
- ☑ Background. On February 5, 2024, the City Council approved a motion directing staff to proceed with a *Right-of-Way Abandonment Program* that would abandon certain unimproved rights-of-way in the City of Rockwall, deeding these lands to the adjacent property owners at no cost. The basis of this decision was in accordance with Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code, which grants a home-rule municipality the power to vacate, abandon, or close a street or alleyway; and, in accordance with Subsection 272.001(b) of the Texas Local Government Code, which provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the State, may be conveyed, sold or exchanged for less than fair market value with one (1) or more of the abutting property owners who owns the underlying fee. The right-of-way for Hail Drive was dedicated to the City of Rockwall in 1986 with The Meadows subdivision plat, and -- *at the time of dedication* -- the property to the south of Hail Drive was vacant. As part of the approval of this subdivision plat, the City required that Hail Drive extend to the vacant property to provide future access; however, when Lynden Park Estates, Phase 1A (*i.e. the property southeast of Hail Drive*) was established on June 10, 1997, no access was provided to the existing Hail Drive, and Hail Drive currently dead ends into the rear yard of the residential property at 153 Southwood Drive

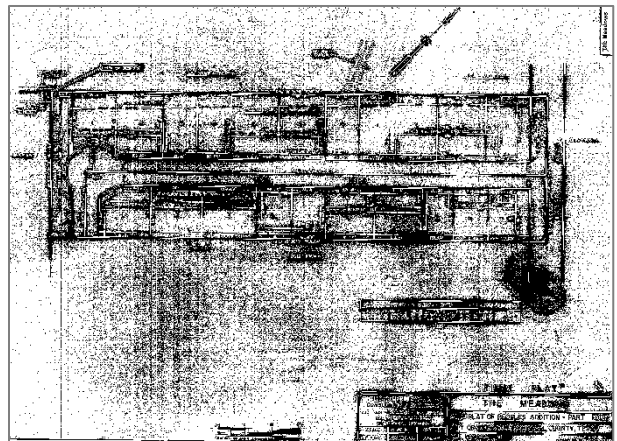


FIGURE 1. THE MEADOWS SUBDIVISION PLAT THAT WAS ADOPTED IN 1986



FIGURE 2. 2023 AERIAL IMAGE SHOWING THE IMPROVED RIGHT-OF-WAY TERMINATING INTO THE REAR YARD OF 153 SOUTHWOOD DRIVE

(see Figure 2). Since the access was never established this right-of-way is not necessary for the function of the Rockwall Housing Development Corporation or the adjacent residential subdivision. In accordance with the City Council's direction, staff began the process of abandoning this right-of-way on May 29, 2024 by sending the Rockwall Housing Development Corporation a *Letter of Intent* (see the attached *Letters of Intent*). Staff received a signed letter of intent from Dennis R. Janssen on July 19, 2024. Once this letter of intent was received, staff engaged with *Teague, Nall and Perkins, Inc.* to prepare a subdivision plat for the lot entitled *Greenbelt & Utility Easement, Block A, Meadows Addition* on The Meadows subdivision plat and the abandoned right-of-way.

- ☑ **Public Hearing.** In accordance with Subsection 272.001(b) of the Texas Local Government Code, the City Council will be required to hold a public hearing on February 3, 2025. In addition, staff advertised the public hearings in the Rockwall Herald Banner in the manner prescribed by Subsection 272.001(a).
- ☑ **Conformance to the Subdivision Ordinance.** The City's surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications, submittal requirements, and the execution of the attached ordinance and quitclaim deed. With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.
- ☑ **Conditional Approval.** Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the Replat for *Lot 12, Block A, The Meadows Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this Replat; and,
- (2) The Replat shall not be filed until after the second reading of the ordinance abandoning the right-of-way.
- (3) Any construction resulting from the approval of this Replat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PROJECT COMMENTS



CITY OF ROCKWALL
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7700

DATE: 1/15/2025

PROJECT NUMBER: P2025-001
PROJECT NAME: Final Plat for Lot 12, Block A, The Meadows
SITE ADDRESS/LOCATIONS: HAIL DR

CASE CAPTION: Consider a request by the City of Rockwall for the approval of a Replat for Lot 12, Block A, The Meadows Addition being a 0.306-acre tract of land identified as the Greenbelt & Utility Easement, Block A, Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-17), and generally located at the terminus of Hail Drive and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Angelica Guevara	01/15/2025	Approved w/ Comments

01/15/2025: P2025-001: Replat for Lot 12, Block A, The Meadows Addition

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Replat for Lot 12, Block A, The Meadows Addition being a 0.306-acre tract of land identified as the Greenbelt & Utility Easement, Block A, Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-17), and generally located at the terminus of Hail Drive.

I.2 For questions or comments concerning this case please contact Angelica Guevara in the Planning Department at (972) 772-6438 or email aguevara@rockwall.com.

M.3 For reference, include the case number (P2025-001) in the lower right-hand corner of all pages on future submittals.

M.4 Please correct the Title Block to the following:

FINAL PLAT
LOT 12, BLOCK A
THE MEADOWS ADDITION
BEING A REPLAT OF
THE GREENBELT & UTILITY EASEMENT,
BLOCK A, AND A PORTION OF HAIL DRIVE,
THE MEADOWS ADDITION
CONTAINING
A TOTAL OF
0.306-ACRES OR 13,351 SF
SITUATED IN THE
JAMES SMITH SURVEY, ABSTRACT NO. 200 & THE
E.P.G. CHISUM SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

M.5 Please provide and label two (2) state plane coordinates on the plat. (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances)

M.6 Please label the building line setback adjacent to the street (Hail Drive) on the plat. (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances)

M.7 Please label all existing and proposed easements relative to the site and include the type, width, and purpose. (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances)

M.8 Provide the correct format for the following General Notes (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances):

(1) Subdivider's Statement. Selling a portion of this addition by metes and bounds is unlawful and a violation of the Subdivision Ordinance of the City of Rockwall and Chapter 212, Municipal Regulation of Subdivisions and Property Development, of the Texas Local Government Code, and shall be subject to the City of Rockwall withholding utilities and building permits.

(2) Public Improvement Statement. It shall be the policy of the City of Rockwall to withhold issuing buildings permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a subdivision plat by the City of Rockwall does not constitute any representation, assurance or guarantee that any building within such subdivision plat shall be approved, authorized, or permit issued, nor shall such approval constitute any representation, assurance or guarantee by the City of Rockwall of the adequacy and availability for water and sanitary sewer for personal use and fire protection within such subdivision plat, as required under the Subdivision Ordinance of the City of Rockwall.

(3) Drainage and Detention Easements. The property owner shall be responsible for maintaining, repairing, and replacing and shall bear sole liability of all systems within the drainage and detention easements.

(4) Fire Lanes. All Fire Lanes will be constructed, maintained, repaired and replaced by the property owner. Fire Lanes shall be constructed in accordance with the approved Civil Engineering Plans for both on-site and off-site Fire Lane improvements.

M.9 Please provide the purpose of the plat under the General Notes section of the plat. (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances).

M.10 Please update the Owner's Certificate and Standard Plat Wording to be in conformance with the subdivision ordinance (i.e. Section 38-7(1)(A)(1)). (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances).

M.11 Please provide the following Surveyor's/Registered Engineer Signature Block. (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances)

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, [SURVEYOR'S NAME], do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

SURVEYOR SIGNATURE [OR] REGISTERED ENGINEER REGISTERED PUBLIC SURVEYOR NO. [OR]
PROFESSIONAL ENGINEER NO.

M.12 Please provide the following Signature Block. (Section 38-7, Subdivision and Platting Procedures, of the Municipal Code of Ordinances)

APPROVED: I hereby certify that the above and forgoing subdivision plat -- being an addition to the City of Rockwall, Texas -- was approved by the City Council of the City of Rockwall, Texas on the [DAY] day of [MONTH], [YEAR].

MAYOR OF THE CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION CHAIRMAN

CITY SECRETARY

CITY ENGINEER

I.13 Staff has identified the aforementioned items necessary to continue the submittal process. Please make all revisions and corrections and return to staff for a subsequent review prior to approval.

I.14 All meetings will be held in the Rockwall City Council Chambers at 385 S. Goliad Street at 6:00 PM. The meeting schedule for this case is as follows:

Planning and Zoning Meeting: January 28, 2025

City Council Meeting: February 3, 2025

I.15 Please note that a representative is required to be present for the meeting to answer any questions the Planning and Zoning Commission may have regarding your request. Once the Replat has been approved by the Planning and Zoning Commission and City Council, the case will be considered to be conditionally approved pending all of staff's comments from all City Departments and any applicable conditions of approval contained in staff's case memo are addressed prior to the subdivision plat being filed.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Angelica Guevara	01/08/2025	Needs Review

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Angelica Guevara	01/08/2025	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Angelica Guevara	01/08/2025	Approved

01/08/2025: No Comments.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	01/08/2025	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	01/08/2025	Approved

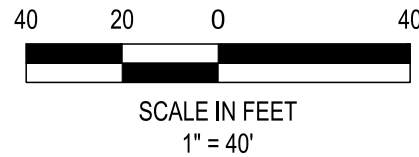
No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Angelica Guevara	01/08/2025	Approved

01/08/2025: No Comments.

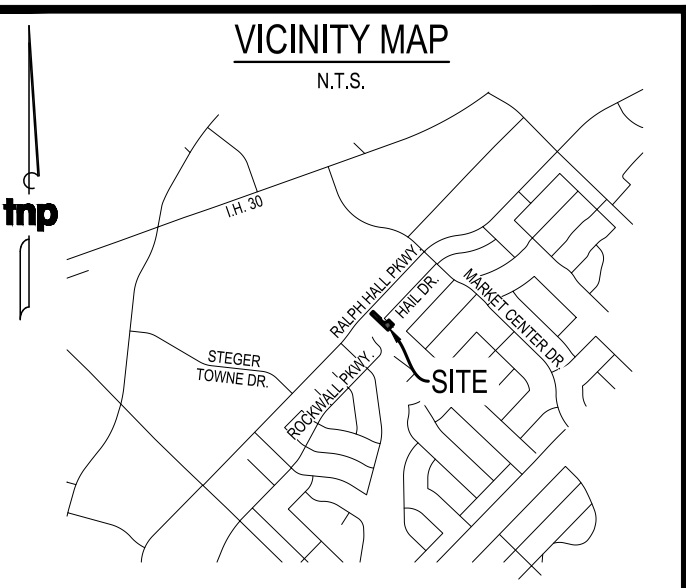
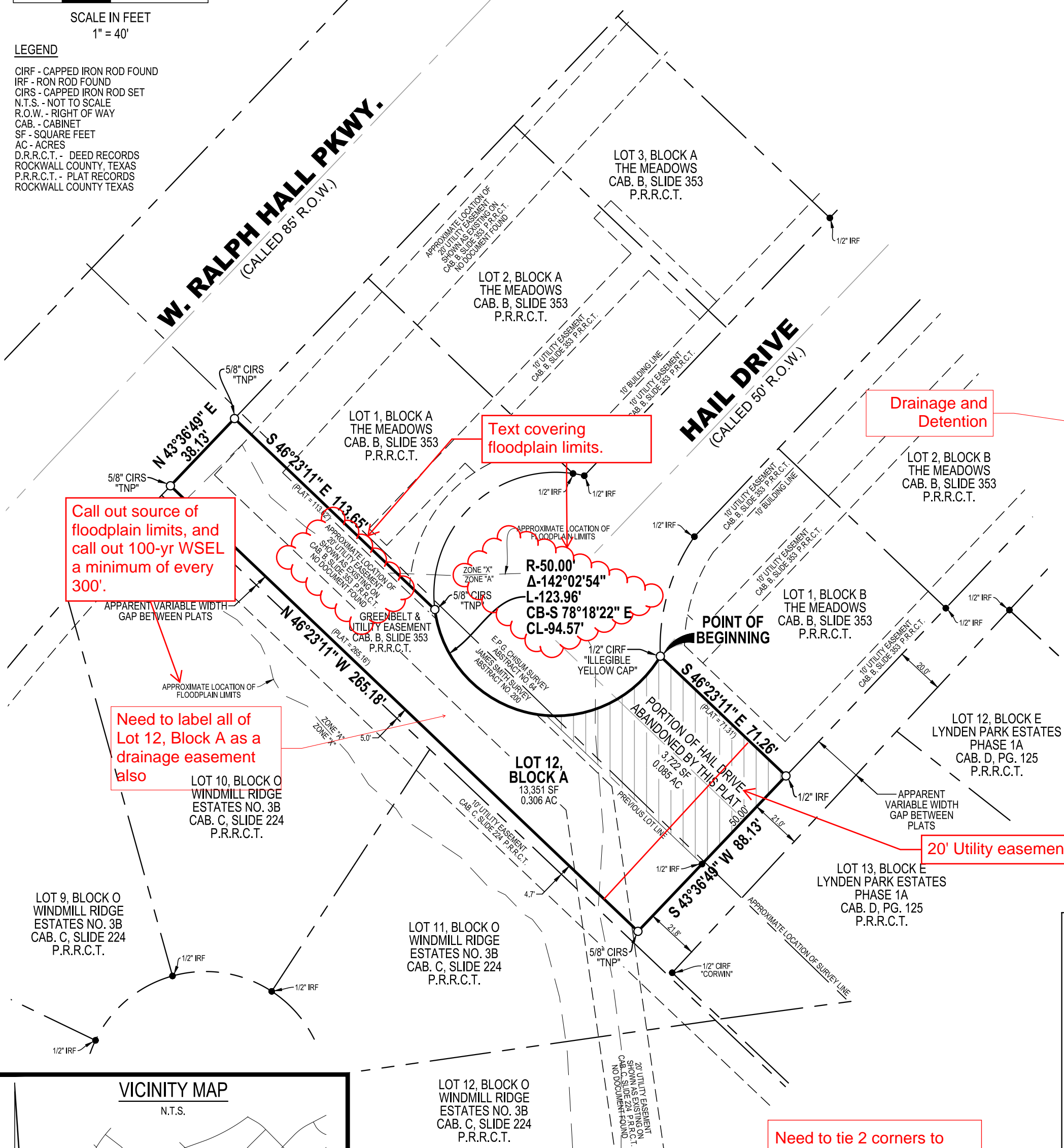
NOTES:

- BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALLTERRA CENTRAL RTKNET CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000146135.
- BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A" (AREA INUNDATED BY THE BASE FLOOD WITH NO BASE FLOOD ELEVATIONS DETERMINED.), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 4839700040L DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
- IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFOR ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.



LEGEND

CIRF - CAPPED IRON ROD FOUND
IRF - IRON ROD FOUND
CIRS - CAPPED IRON ROD SET
N.T.S. - NOT TO SCALE
R.O.W. - RIGHT OF WAY
CAB. - CABINET
SF - SQUARE FEET
AC - ACRES
D.R.R.C.T. - DEED RECORDS
R.O.W. - RIGHT OF WAY
P.R.R.C.T. - PLAT RECORDS
R.O.W. - RIGHT OF WAY



OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS)
COUNTY OF ROCKWALL)

We, the undersigned owners of the land shown on this plat, and designated herein as **LOT 12, BLOCK A, THE MEADOWS** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary 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 of the City of Rockwall.
- Drainage/Retention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

THE MEADOWS, LIMITED

Representative:

STATE OF TEXAS)
COUNTY OF ROCKWALL)

Before me, the undersigned authority, on this day personally appeared _____, 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 consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2024.

Notary Public in and for the State of Texas

Commission Expires:

RECOMMENDED FOR FINAL

Planning and Zoning Commission

APPROVED

I hereby certify that the above and

approved by the City Council of the

This approval shall be invalid unless Texas, within one hundred eighty

WITNESS OUR HANDS, this _____

Mayor, City of Rockwall

City Secretary

City Engineer

OWNER

THE MEADOWS LIMITED
2255 Ridge Road
Rockwall, Texas 75087

OWNERS CERTIFICATE

STATE OF TEXAS)
COUNTY OF ROCKWALL)

WHEREAS, The Meadows, Limited is the owner of a tract of land situated in the James Smith Survey, Abstract Number 200 and the E.P.G. Chisum Survey, Abstract Number 64 in the County of Rockwall, State of Texas, being all of the Greenbelt and Utility Easement, Block A and a portion of Hail Drive, (A called 50 feet wide right-of-way), as shown and dedicated by The Meadows, an addition to the City of Rockwall, Texas according to the Plat recorded in Cabinet B, Slide 353, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with illegible yellow cap found on the southeasterly line of said Hail Drive, same being the west corner of Lot 1, Block B of said Meadows addition;

THENCE South 46 degrees 23 minutes 11 seconds East along the southeasterly line of said Hail Drive and the southwest line of said Lot 1, Block B, a distance of 71.26 feet (Plat Distance 71.31 feet) to a 1/2 inch iron rod found on the southeast line of said Meadows Addition for the south corner of said Lot 1, Block B;

THENCE South 43 degrees 36 minutes 49 seconds West along the southeast line of said Meadows Addition passing a 1/2 inch iron rod found for the south corner of said Hail Drive, same being the east corner of said Greenbelt and Utility Easement, Block A, at a distance of 50.00 feet and continuing a total distance of 88.13 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the south corner of said Meadows Addition and the south corner of said Greenbelt and Utility Easement, Block A;

THENCE North 46 degrees 23 minutes 11 seconds West along the southwest line of said Meadows Addition, a distance of 265.18 feet (Plat Distance 265.16 feet) to a 5/8 inch iron rod with cap stamped "TNP" set on the southeast line of W. Ralph Hall Parkway (A called 85 feet wide right-of-way) for the west corner of said Meadows Addition, same being the west corner of said Greenbelt and Utility Easement, Block A;

THENCE North 43 degrees 36 minutes 49 seconds East along the southeast line of said W. Ralph Hall Drive, same being the northwest line of said Meadows Addition and the northwest line of said Greenbelt and Utility Easement, Block A, a distance of 38.13 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the north corner of said Greenbelt and Utility Easement, Block A, same being the west corner of Lot 1, Block A of said Meadows Addition;

THENCE South 46 degrees 23 minutes 11 seconds East departing the southeast line of said W. Ralph Hall Drive, and along the northeast line of said Greenbelt and Utility Easement, Block A, same being the southwest line of said Lot 1, Block A, a distance of 113.65 feet (Plat Distance 113.62 feet) to a 5/8 inch iron rod with cap stamped "TNP" set on the southwesterly line of said Hail Drive for the south corner of said Lot 1, Block A, same being a northerly corner of said Greenbelt and Utility Easement, Block A and at the beginning of a curve to the left;

THENCE with said curve to the left along the southwesterly line and the interior of said Hail Drive having a radius of 50.00 feet, a central angle of 142 degrees 02 minutes 54 seconds, an arc length of 123.96 feet, a chord bearing of South 78 degrees 18 minutes 22 seconds East, a distance of 94.57 feet to the POINT OF BEGINNING containing 13,351 square feet, or 0.306 of an acre of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

BY MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2024

THIS DOCUMENT SHALL NOT BE RECORDED
AND SHALL NOT BE USED OR VIEWED
AS A FINAL SURVEY DOCUMENT.

BRIAN J. MADDOX, R.P.L.S. NO. 5430

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

FINAL PLAT
THE MEADOWS
LOT 12, BLOCK A

BEING A REPLAT OF THE GREENBELT & UTILITY EASEMENT, BLOCK A,
AND A PORTION OF HAIL DRIVE THE MEADOWS
CONTAINING A TOTAL OF 0.306 ACRES

AND SITUATED IN THE JAMES SMITH SURVEY, ABSTRACT NO. 200
AND THE E.P.G. CHISUM SURVEY, ABSTRACT NO. 64
AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PROJECT INFORMATION

Project No.: RWL 24372
Date: December 20, 2024
Drawn By: JM
Scale: 1"=40'
SHEET 1 of 1

SURVEYOR

TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnppinc.com



CASE NO. _____



July 18, 2024

TO: Dan Pence, *Assistant Executive Director*
Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

CC: Denny Janssen, *President*
Board of Directors for the Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) for the Abandonment of the Right-of-Way for Hail Drive

Mr. Pence,

I am writing to you on behalf of the City of Rockwall regarding the abandonment of the excess right-of-way at the end of Hail Drive, which is directly adjacent to property owned by the Rockwall Housing Development Corporation. As you may be aware, the City of Rockwall has identified several unimproved or underutilized City rights-of-way within our jurisdiction that provide limited to no public benefit. These rights-of-way have been maintained by the City for decades without plans for future improvement. In some cases, adjacent properties have constructed improvements within these rights-of-way, further complicating their potential use by the City.

On February 5, 2024, the City Council approved a motion to direct staff to proceed with the abandonment of these rights-of-way to the adjacent property owners. Following this action, the City has decided to abandon the excess right-of-way at the end of Hail Drive, and we are pleased to offer you the opportunity to acquire this land at no cost. The abandoned right-of-way encompasses the entire portion of Hail Drive southeast of the cul-de-sac. By acquiring this land, you will have the opportunity to expand your property and utilize it according to your needs and preferences. This offer aligns with the City of Rockwall's objective of promoting responsible land use and supporting efficient land utilization within our community.

In order to proceed with this transaction, I kindly request your cooperation in signing the attached Letter of Intent (LOI), acknowledging your acceptance of the abandoned right-of-way. Additionally, by signing this letter, you agree to allow the City of Rockwall to file a subdivision plat, which is necessary to accommodate the acquisition of the abandoned land, and you agree to maintain the acquired land. Please note that should you choose not to allow a subdivision plat to be filed after signing this Letter of Intent (LOI), you acknowledge your responsibility for reimbursing the City for any costs associated with the subdivision plat. If you decide not to acquire the abandoned land, please take note that other adjacent property owners will be given the opportunity to acquire the abandoned land.

Please review the attached map, which outlines the details of the abandonment and the terms and conditions of the Letter of Intent (LOI). Please provide all required information back to the Planning and Zoning Department of the City of Rockwall by no later than August 1, 2024 to proceed with the program. If you have any questions or require further clarification, please do not hesitate to contact me by phone at (972) 772-6441 or by email at rmiller@rockwall.com.

The City of Rockwall appreciates your cooperation and looks forward to working with you to finalize this transaction. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.



City of
Rockwall



0 50 Feet
Date: 1/11/2024

RIGHT OF WAY
ABANDONMENT

DATE: _____

TO:

Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

PROPERTY OWNER NAME(S):

Rockwall Housing Development Corporation

PROPERTY OWNER ADDRESS:

787 Hail Drive
Rockwall, TX 75032

PROPERTY ADDRESS:

(same)
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in *Exhibit 'A'* below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- *that will be prepared by and at the cost of the City of Rockwall* -- to facilitate the acquisition of the abandoned right-of-way as depicted in *Exhibit 'A'* below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in *Exhibit 'A'* and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: _____

DRJ

PROPERTY OWNER'S SIGNATURE: _____

Dennis R. Jausen
President, Board of Directors

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code grants a home-rule municipality the powers to vacate, abandon, or close a street or alleyway; and,

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, the City of Rockwall currently incurs costs annually associated with the maintenance (*i.e. mowing*) of the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- which is currently unimproved; and,

WHEREAS, the City Council of the City of Rockwall has determined that the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- is no longer needed for public purposes, and finds that it is in the best interest of the City to convey the alleyway to the adjacent and abutting property owners -- *in the manner depicted in this ordinance*; and,

WHEREAS, with proper notice to the public, a public hearing was held on February 3, 2025 at a meeting of the City Council of the City of Rockwall, during which all interested parties and citizens were allowed to appear and be heard; and,

WHEREAS, the City of Rockwall has determined that it is feasible and advantageous to abandon this City property subject to the terms and conditions set forth below.

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

SECTION 1. PROPERTY. The *Property* shall be as described and depicted in *Exhibit 'A'* of this ordinance, and shall be incorporated by reference herein.

SECTION 2. QUITCLAIM. Section 272.001(b) of the Texas Local Government Code allows the City the power to convey city-owned property at less than fair market value to the abutting property owners. The Mayor of the City of Rockwall or the City Manager, as the case may be, are authorized to quitclaim the *Property* described in *Section 1* hereof to the abutting property owner upon the approval of this ordinance.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described and depicted in *Exhibit 'A'* of this ordinance, and shall be construed only to that interest the governing body of the City may legally and lawfully

abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described portions of the right-of-way as depicted in *Exhibit 'A'* to the adjacent and abutting property owners.

SECTION 5. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in *Section 1* of this ordinance, and shall be construed only to that interest the governing body of the City of Rockwall may legally and lawfully abandon.

SECTION 6. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether record or not in the real property records of Rockwall County Texas.

SECTION 7. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Ordinance* are true and correct and incorporates them as findings of fact.

SECTION 8. SAVINGS CLAUSE. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 9. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This *Ordinance* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF FEBRUARY, 2025.

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

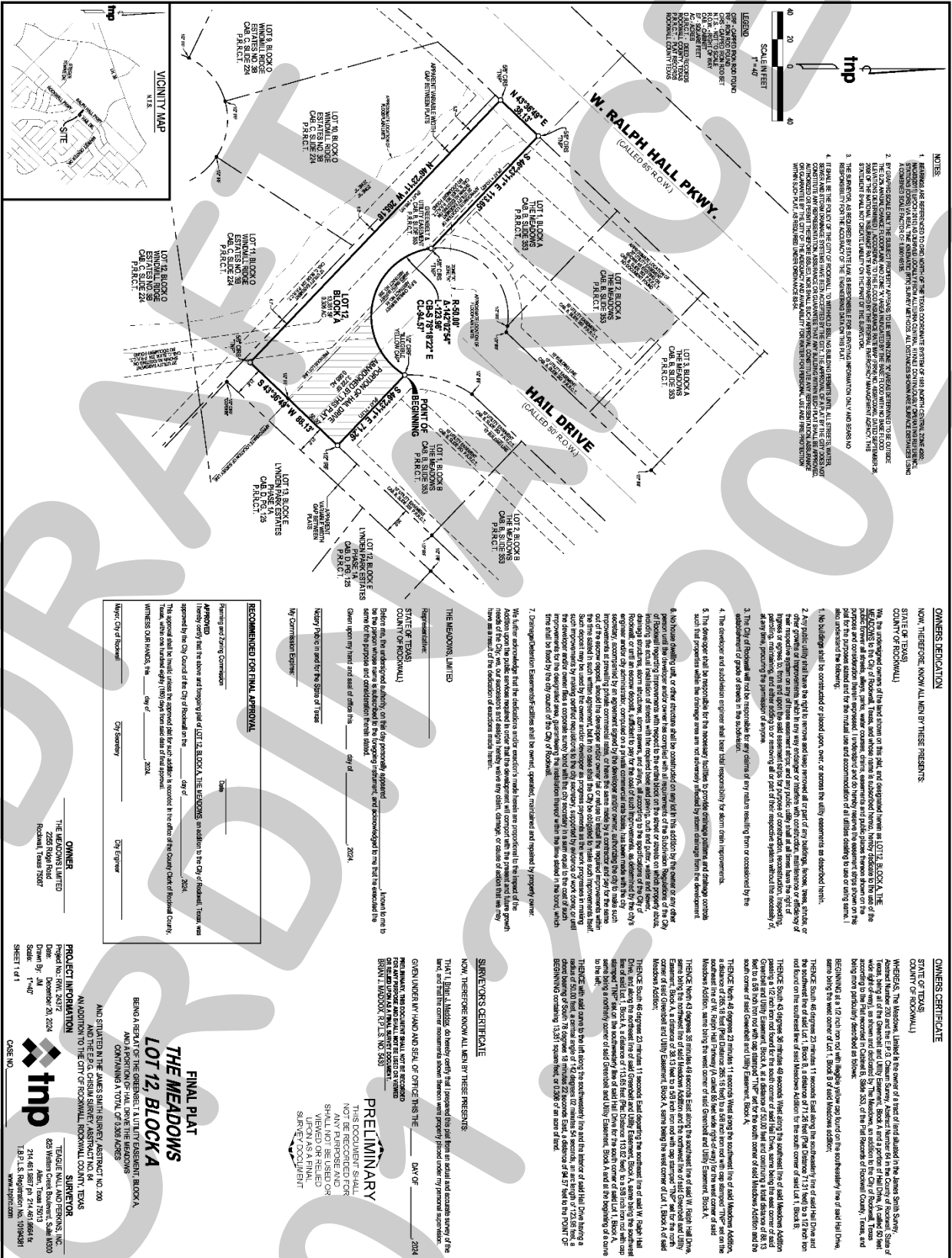
1st Reading: February 3, 2025

2nd Reading: February 18, 2025

DRAFT
ORDINANCE
01.28.2025

Exhibit 'A'
Abandonment and Conveyance of Right-of-
Way to the Adjacent and Abutting Property
Owners

Drawing: C:\Users\broaddus\OneDrive\Temp\Public\109402024_12 19 RW\34372 Meadows Final Plat.dwg at Dec 21, 2024 1:25pm by bbroaddus



QUITCLAIM

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: _____, 2025

Grantor: **CITY OF ROCKWALL,**
a Texas Municipal Corporation

Grantor's Mailing Address:

City of Rockwall
385 S. Goliad Street
Rockwall, Rockwall County, Texas 75087

Grantee: Dennis R. Janssen, *President of the Board of Directors*

Grantee's Mailing Address:

Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75087

Consideration: Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Property (including any improvements):

Being a **0.085-acre tract of land** situated in the James Smith Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; said **0.085-acre tract of land** being described as a portion of Lot 12, Block A, The Meadows Addition as depicted in *Exhibit 'A'* of this document, which is adding to the Greenbelt & Utility Easement, Block A, The Meadows that was established by *Cabinet B, Slide 353* of the Real Property Records of Rockwall County, Texas.

For the Consideration, Grantor quitclaims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's successors, and assigns forever. Neither Grantor nor Grantor's successors, or assigns will have, claim, or demand any right or title to the Property or any part of it.

When the context requires, singular nouns and pronouns include the plural.

CITY OF ROCKWALL,
a Texas municipal corporation

By: _____
Trace Johannesen, *Mayor*

ACKNOWLEDGMENT

STATE OF TEXAS

§
§
§

COUNTY OF ROCKWALL

Before me on this _____ day of _____, 2025 personally appeared, Mayor known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the City of Rockwall, a Texas municipal corporation, as its Mayor, for the purposes and consideration therein expressed.

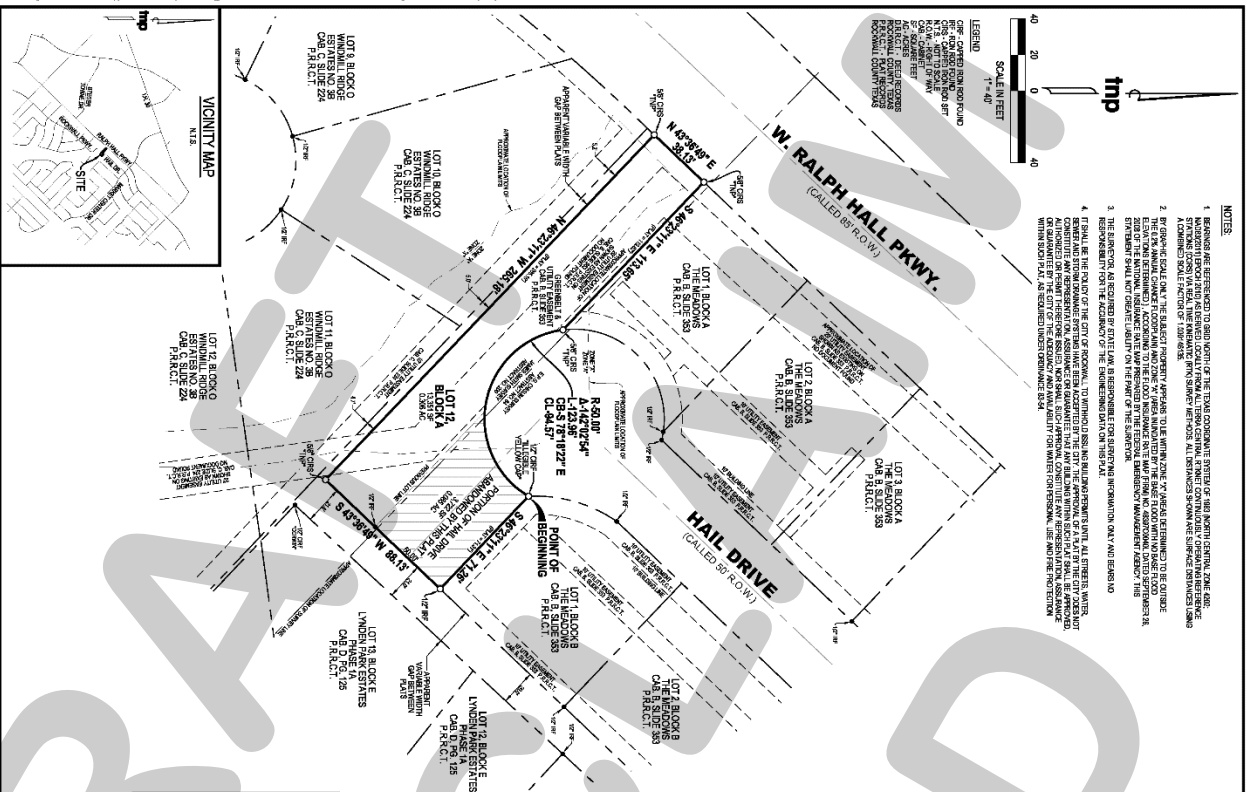
Notary Public, State of Texas

AFTER RECORDING PLEASE RETURN TO:

Ryan Miller, Director of Planning and Zoning
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

EXHIBIT "A"

Drawing: C:\Users\brmaddock\AppData\Local\Temp\AcPublish_10904\2024 12 19 RML 24372 Meadows Final Plat.dwg at Dec 21, 2024-1:25pm by brmaddock



NOTES:

1. PERSONS ARE REFERENCED TO EACH OTHER BY THE NAMES OF THE PERSONS, THE FIRST NAME, THE LAST NAME, AND THE INITIALS OF THE FIRST NAME. THE LAST NAME OF THE PERSONS SHALL BE THE LAST NAME OF THE PERSONS WHOSE NAMES ARE LISTED FIRST IN THE LIST OF PERSONS.
2. PERSONS SHALL BE REFERENCED TO EACH OTHER BY THE NAMES OF THE PERSONS, THE FIRST NAME, THE LAST NAME, AND THE INITIALS OF THE FIRST NAME. THE LAST NAME OF THE PERSONS SHALL BE THE LAST NAME OF THE PERSONS WHOSE NAMES ARE LISTED FIRST IN THE LIST OF PERSONS.
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OWNERS DEDICATION
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

[illegible]

OWNERS CERTIFICATE

[illegible]

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS

THAT I, Brian J. Meddox, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF
 PROBATE. THIS DOCUMENT SHALL NOT BE USED
 FOR ANY PURPOSE AND SHALL NOT BE USED OR
 RELIED UPON AS A FINAL SURVEY DOCUMENT.
 BRIAN J. MADDOX, R.P.L.S. NO. 5430

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

RECOMMENDED FOR FINAL APPROVAL

_____, Planning and Zoning Commission

Date _____

APPROVED

I, _____, Mayor of the City of Richmond, have read the above and foregoing plan of LOT 12, BLOCK A, THE MEDGONS, an addition to the City of Richmond, Texas, was approved by the City Council of the City of Richmond on the _____ day of _____, 2014.

It is agreed that the public notice required by Ordinance 1500 shall be posted in accordance with the rules of the County Clerk of Richmond, Texas, within ten (10) days from date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2014.

_____, City Engineer

_____, City Secretary

_____, City of Richmond

PROJECT INFORMATION
Project No. RM, 2432
Issued Date: December 20, 2024
Drawn By: JM
Scale: 1"=40'

IN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
AND SITUATED IN THE JAMES SMITH SURVEY, RASBURN TRACT NO. 201
AND THE ELMO CHESNUT SURVEY, ABSTRACT NO. 64

SURVEYOR
TEAGUE MALL AND PETERS, INC.,
625 Wilshire Creek Boulevard, Suite 1000
Allen, Texas 75013
214.461.0957 or 214.461.8684 tx
T.A.P.S. Registration No.109481
www.tmapc.com

CASE NO.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: February 3, 2025
APPLICANT: Ryan Miller; *City of Rockwall*
CASE NUMBER: P2025-001; *Replat for Lot 12, Block A, The Meadows Addition*

SUMMARY

Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of an ordinance abandoning public right-of-way and a Replat for Lot 12, Block A, The Meadows Addition being a 0.306-acre tract of land identified as the Greenbelt & Utility Easement, Block A, Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-17), and generally located at the terminus of Hail Drive and take any action necessary.

PLAT INFORMATION

- ☑ Purpose. The City of Rockwall is requesting the approval of a Replat of a 0.306-acre parcel of land (*i.e. Greenbelt & Utility Easement, Block A, Meadows Addition*) for the purpose of abandoning a public right-of-way that extends from the terminus of Hail Drive to the rear yard of 153 Southwood Drive and incorporating the abandoned area into the adjacent property.
- ☑ Background. On February 5, 2024, the City Council approved a motion directing staff to proceed with a *Right-of-Way Abandonment Program* that would abandon certain unimproved rights-of-way in the City of Rockwall, deeding these lands to the adjacent property owners at no cost. The basis of this decision was in accordance with Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code, which grants a home-rule municipality the power to vacate, abandon, or close a street or alleyway; and, in accordance with Subsection 272.001(b) of the Texas Local Government Code, which provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the State, may be conveyed, sold or exchanged for less than fair market value with one (1) or more of the abutting property owners who owns the underlying fee. The right-of-way for Hail Drive was dedicated to the City of Rockwall in 1986 with The Meadows subdivision plat, and -- *at the time of dedication* -- the property to the south of Hail Drive was vacant. As part of the approval of this subdivision plat, the City required that Hail Drive extend to the vacant property to provide future access; however, when Lynden Park Estates, Phase 1A (*i.e. the property southeast of Hail Drive*) was established on June 10, 1997, no access was provided to the existing Hail Drive, and Hail Drive currently

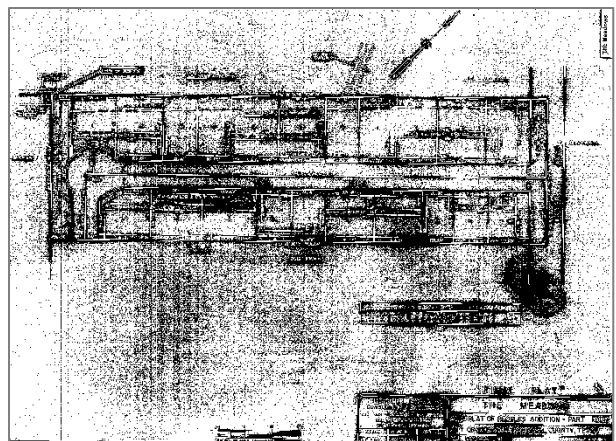


FIGURE 1. THE MEADOWS SUBDIVISION PLAT THAT WAS ADOPTED IN 1986

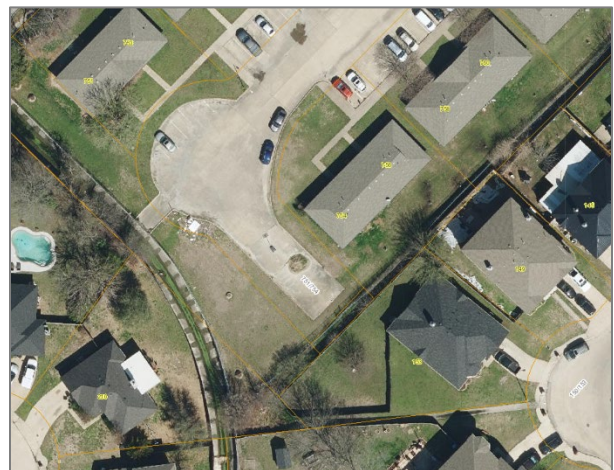


FIGURE 2. 2023 AERIAL IMAGE SHOWING THE IMPROVED RIGHT-OF-WAY TERMINATING INTO THE REAR YARD OF 153 SOUTHWOOD DRIVE

dead ends into the rear yard of the residential property at 153 Southwood Drive (see *Figure 2*). Since the access was never established this right-of-way is not necessary for the function of the Rockwall Housing Development Corporation or the adjacent residential subdivision. In accordance with the City Council's direction, staff began the process of abandoning this right-of-way on May 29, 2024 by sending the Rockwall Housing Development Corporation a *Letter of Intent* (see the attached *Letters of Intent*). Staff received a signed letter of intent from Dennis R. Janssen on July 19, 2024. Once this letter of intent was received, staff engaged with *Teague, Nall and Perkins, Inc.* to prepare a subdivision plat for the lot entitled *Greenbelt & Utility Easement, Block A, Meadows Addition* on The Meadows subdivision plat and the abandoned right-of-way.

- ☑ Public Hearing. In accordance with Subsection 272.001(b) of the Texas Local Government Code, the City Council will be required to hold a public hearing on February 3, 2025. In addition, staff advertised the public hearings in the Rockwall Herald Banner in the manner prescribed by Subsection 272.001(a).
- ☑ Conformance to the Subdivision Ordinance. The City's surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications, submittal requirements, and the execution of the attached ordinance and quitclaim deed. With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.
- ☑ Conditional Approval. Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

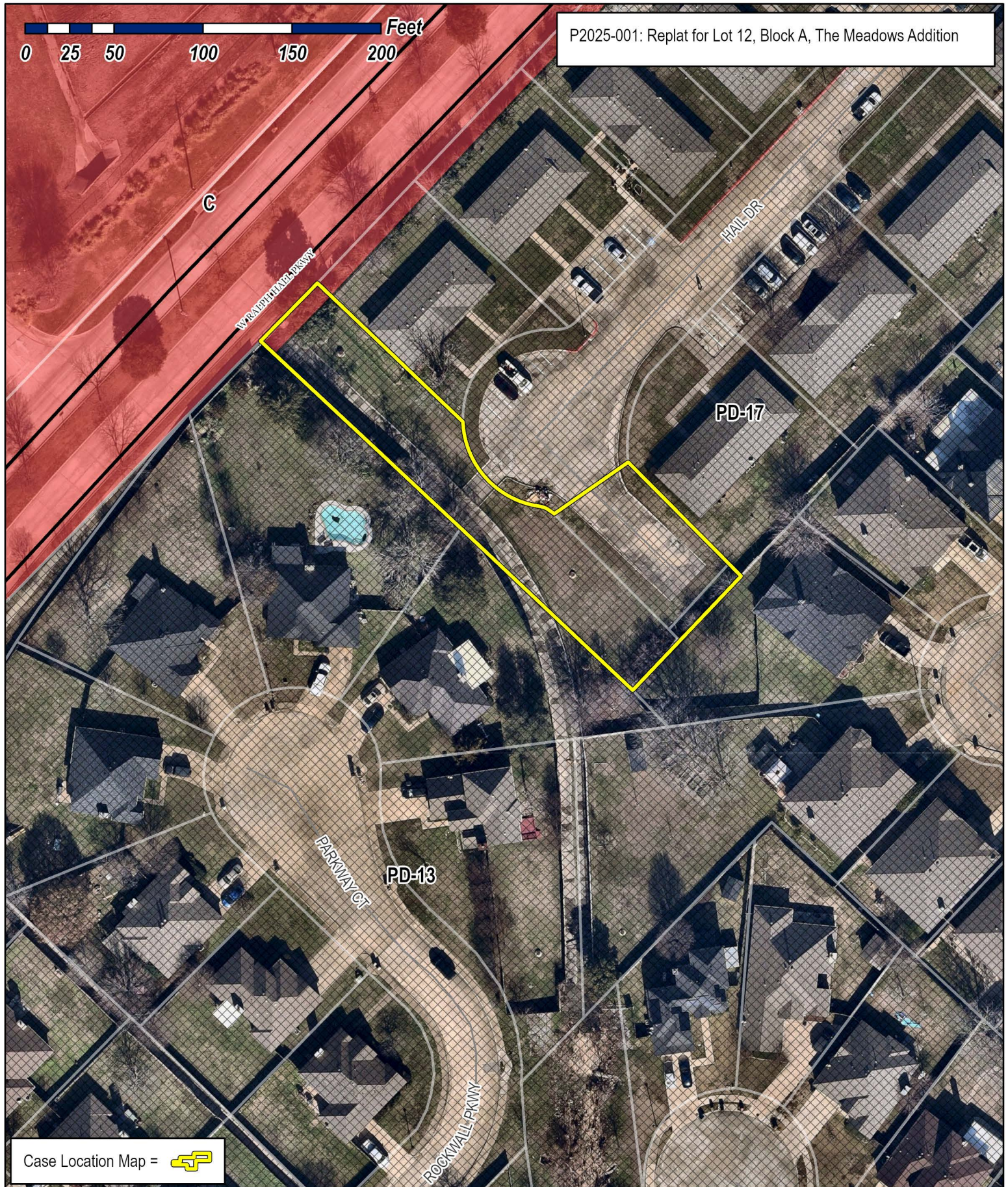
CONDITIONS OF APPROVAL

If the City Council chooses to approve the abandonment of public right-of-way and Replat for *Lot 12, Block A, The Meadows Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this Replat; and,
- (2) The Replat shall not be filed until after the second reading of the ordinance abandoning the right-of-way.
- (3) Any construction resulting from the approval of this Replat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 28, 2025, the Planning and Zoning Commission approved a motion to recommend approval of the Replat by a vote of 4-0, with Commissioner Hustings, Conway, and Thompson absent.



P2025-001: Replat for Lot 12, Block A, The Meadows Addition

Case Location Map = 

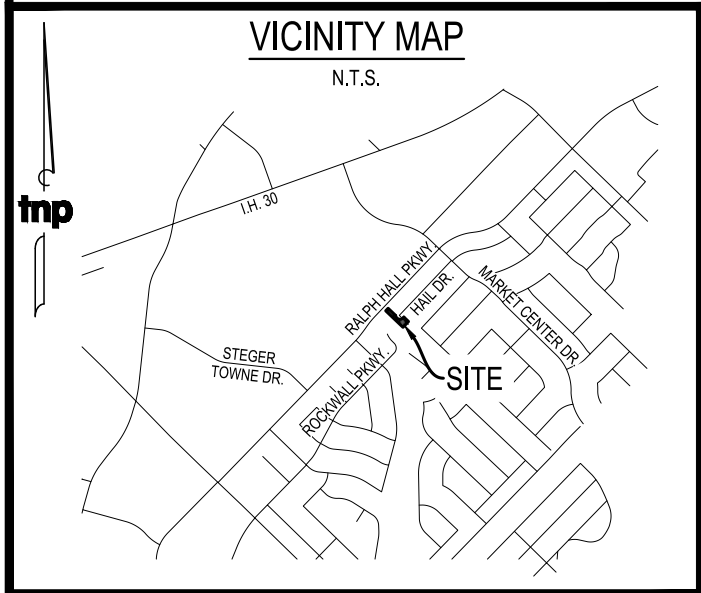


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





1. BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALL TERRA CENTRA RTKNET CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) USING REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000146135.
2. BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A" (AREA INUNDATED BY THE BASE FLOOD WITH NO BASE FLOOD ELEVATIONS DETERMINED)., ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0040 DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

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

TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com



July 18, 2024

TO: Dan Pence, *Assistant Executive Director*
Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

CC: Denny Janssen, *President*
Board of Directors for the Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75032

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) for the Abandonment of the Right-of-Way for Hail Drive

Mr. Pence,

I am writing to you on behalf of the City of Rockwall regarding the abandonment of the excess right-of-way at the end of Hail Drive, which is directly adjacent to property owned by the Rockwall Housing Development Corporation. As you may be aware, the City of Rockwall has identified several unimproved or underutilized City rights-of-way within our jurisdiction that provide limited to no public benefit. These rights-of-way have been maintained by the City for decades without plans for future improvement. In some cases, adjacent properties have constructed improvements within these rights-of-way, further complicating their potential use by the City.

On February 5, 2024, the City Council approved a motion to direct staff to proceed with the abandonment of these rights-of-way to the adjacent property owners. Following this action, the City has decided to abandon the excess right-of-way at the end of Hail Drive, and we are pleased to offer you the opportunity to acquire this land at no cost. The abandoned right-of-way encompasses the entire portion of Hail Drive southeast of the cul-de-sac. By acquiring this land, you will have the opportunity to expand your property and utilize it according to your needs and preferences. This offer aligns with the City of Rockwall's objective of promoting responsible land use and supporting efficient land utilization within our community.

In order to proceed with this transaction, I kindly request your cooperation in signing the attached Letter of Intent (LOI), acknowledging your acceptance of the abandoned right-of-way. Additionally, by signing this letter, you agree to allow the City of Rockwall to file a subdivision plat, which is necessary to accommodate the acquisition of the abandoned land, and you agree to maintain the acquired land. Please note that should you choose not to allow a subdivision plat to be filed after signing this Letter of Intent (LOI), you acknowledge your responsibility for reimbursing the City for any costs associated with the subdivision plat. If you decide not to acquire the abandoned land, please take note that other adjacent property owners will be given the opportunity to acquire the abandoned land.

Please review the attached map, which outlines the details of the abandonment and the terms and conditions of the Letter of Intent (LOI). Please provide all required information back to the Planning and Zoning Department of the City of Rockwall by no later than August 1, 2024 to proceed with the program. If you have any questions or require further clarification, please do not hesitate to contact me by phone at (972) 772-6441 or by email at rmiller@rockwall.com.

The City of Rockwall appreciates your cooperation and looks forward to working with you to finalize this transaction. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.



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**City of
Rockwall**



0 50 Feet
Date: 1/11/2024

**RIGHT OF WAY
ABANDONMENT**

DATE: _____

TO: _____

Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PROPERTY OWNER INFORMATION:

PROPERTY OWNER NAME(S):

Rockwall Housing Development Corporation

PROPERTY OWNER ADDRESS:

787 Hail Drive
Rockwall, TX 75032

PROPERTY ADDRESS:

(same)
Rockwall, Texas 75087

SUBJECT: Letter of Intent (LOI) to Accept Abandoned Right-of-Way

This Letter of Intent (LOI) is to express my understanding and acceptance of the City of Rockwall's offer to acquire the land directly adjacent to my property as outlined in *Exhibit 'A'* below. I (we) understand that by accepting this offer, I will have the opportunity to expand and utilize my property in accordance with my needs, preferences, and the requirements of the City of Rockwall. Furthermore, I acknowledge and agree to sign the subdivision plat -- *that will be prepared by and at the cost of the City of Rockwall* -- to facilitate the acquisition of the abandoned right-of-way as depicted in *Exhibit 'A'* below. I am fully aware of the implications of this agreement and acknowledge my responsibility for maintaining the land depicted in *Exhibit 'A'* and reimbursing the City for any costs associated with the subdivision plat in the event that I (we) fail to sign document when necessary to complete the abandonment.

EXHIBIT 'A': PROPOSED DIVISION OF ABANDONED RIGHT-OF-WAY



PROPERTY OWNER'S SIGNATURE: _____

DRJ

PROPERTY OWNER'S SIGNATURE: _____

Dennis R. Jausen
President, Board of Directors

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code grants a home-rule municipality the powers to vacate, abandon, or close a street or alleyway; and,

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, the City of Rockwall currently incurs costs annually associated with the maintenance (*i.e. mowing*) of the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- which is currently unimproved; and,

WHEREAS, the City Council of the City of Rockwall has determined that the dedicated public alleyway -- *described and depicted in Exhibit 'A' of this ordinance* -- is no longer needed for public purposes, and finds that it is in the best interest of the City to convey the alleyway to the adjacent and abutting property owners -- *in the manner depicted in this ordinance*; and,

WHEREAS, with proper notice to the public, a public hearing was held on February 3, 2025 at a meeting of the City Council of the City of Rockwall, during which all interested parties and citizens were allowed to appear and be heard; and,

WHEREAS, the City of Rockwall has determined that it is feasible and advantageous to abandon this City property subject to the terms and conditions set forth below.

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

SECTION 1. PROPERTY. The *Property* shall be as described and depicted in *Exhibit 'A'* of this ordinance, and shall be incorporated by reference herein.

SECTION 2. QUITCLAIM. Section 272.001(b) of the Texas Local Government Code allows the City the power to convey city-owned property at less than fair market value to the abutting property owners. The Mayor of the City of Rockwall or the City Manager, as the case may be, are authorized to quitclaim the *Property* described in *Section 1* hereof to the abutting property owner upon the approval of this ordinance.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described and depicted in *Exhibit 'A'* of this ordinance, and shall be construed only to that interest the governing body of the City may legally and lawfully

abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described portions of the right-of-way as depicted in *Exhibit 'A'* to the adjacent and abutting property owners.

SECTION 5. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in *Section 1* of this ordinance, and shall be construed only to that interest the governing body of the City of Rockwall may legally and lawfully abandon.

SECTION 6. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether record or not in the real property records of Rockwall County Texas.

SECTION 7. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Ordinance* are true and correct and incorporates them as findings of fact.

SECTION 8. SAVINGS CLAUSE. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 9. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This *Ordinance* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF FEBRUARY, 2025.

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 3, 2025

2nd Reading: February 18, 2025

DRAFT
ORDINANCE
02.03.2025

Drawing: C:\Users\braddock\AppData\Local\Temp\AcPublish_10904\2024 12 19 RWL 24372 Meadows Final Plat.dwg at Dec 21, 2024-1:25pm by braddock



QUITCLAIM

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: _____, 2025

Grantor: **CITY OF ROCKWALL,**
a Texas Municipal Corporation

Grantor's Mailing Address:

City of Rockwall
385 S. Goliad Street
Rockwall, Rockwall County, Texas 75087

Grantee: Dennis R. Janssen, *President of the Board of Directors*

Grantee's Mailing Address:

Rockwall Housing Development Corporation
787 Hail Drive
Rockwall, Texas 75087

Consideration: Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Property (including any improvements):

Being a **0.085-acre tract of land** situated in the James Smith Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; said **0.085-acre tract of land** being described as a portion of Lot 12, Block A, The Meadows Addition as depicted in *Exhibit 'A'* of this document, which is adding to the Greenbelt & Utility Easement, Block A, The Meadows that was established by *Cabinet B, Slide 353* of the Real Property Records of Rockwall County, Texas.

For the Consideration, Grantor quitclaims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's successors, and assigns forever. Neither Grantor nor Grantor's successors, or assigns will have, claim, or demand any right or title to the Property or any part of it.

When the context requires, singular nouns and pronouns include the plural.

CITY OF ROCKWALL,
a Texas municipal corporation

By: _____
Trace Johannesen, *Mayor*

ACKNOWLEDGMENT

STATE OF TEXAS

§
§
§

COUNTY OF ROCKWALL

Before me on this _____ day of _____, 2025 personally appeared, Mayor known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the City of Rockwall, a Texas municipal corporation, as its Mayor, for the purposes and consideration therein expressed.

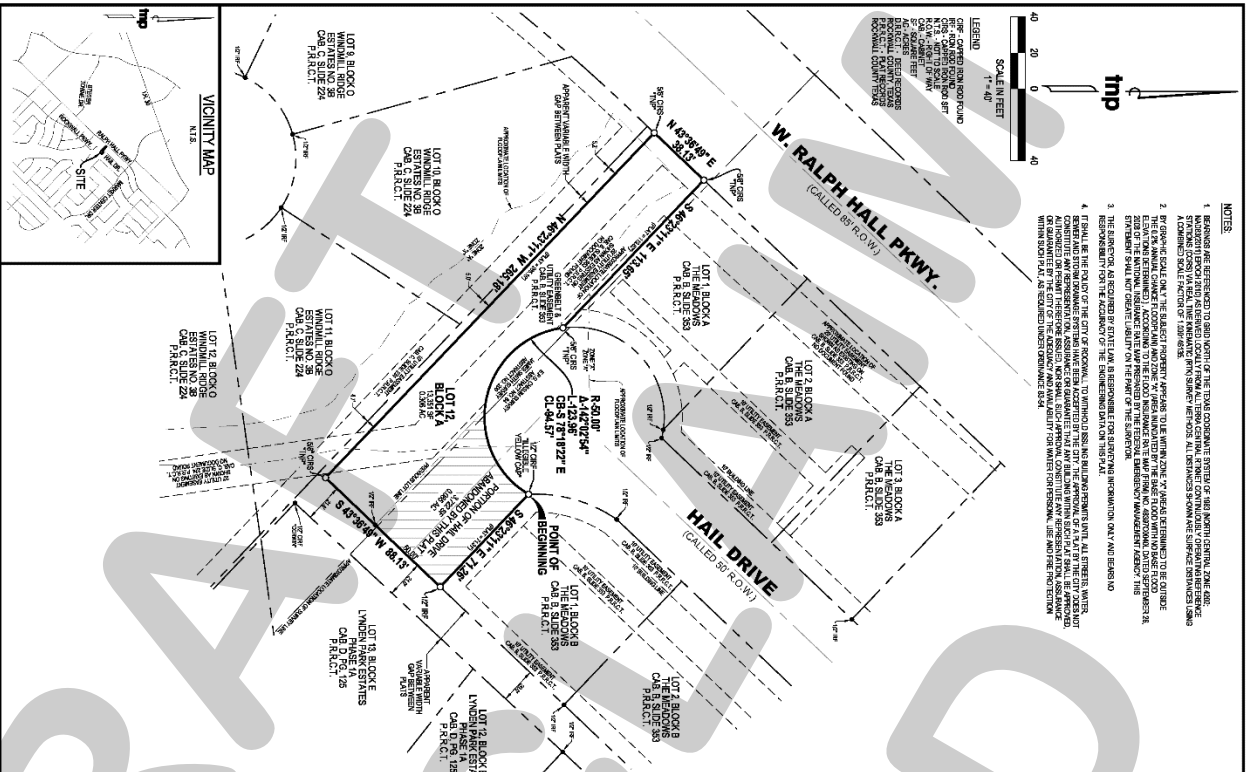
Notary Public, State of Texas

AFTER RECORDING PLEASE RETURN TO:

Ryan Miller, Director of Planning and Zoning
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

EXHIBIT "A"

Drawing: C:\Users\brmaddock\AppData\Local\Temp\AcPublish_10904\2024 12 19 RML 24372 Meadows Final Plat.dwg at Dec 21, 2024-1:25pm by brmaddock



NOTES:

[illegible]

OWNERS DEDICATION
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

[illegible]

OWNERS CERTIFICATE

[illegible]

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS

THAT I, Brian J. Medley, do hereby certify that I prepared this list from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2024.
 PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED
 FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED
 OR RELIED UPON AS A FINAL SURVIVY DOCUMENT.
 BRIAN J. MADDOX, R.P.L.S. NO. 5450

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

**FINAL PLAT
THE MEADOWS
LOT 12, BLOCK A**
BEING A REPLAT OF THE MEADOWS TRACT, LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 8

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