

CITY OF ROCKWALL

ORDINANCE NO. 02-52

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM "C", COMMERCIAL AND "HC", HEAVY COMMERCIAL, TO "PD-54", PLANNED DEVELOPMENT DISTRICT FOR LAND AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETOFORE AND MADE A PART HEREOF; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a zoning change from "C", Commercial and "HC", Heavy Commercial District to "PD-54", Planned Development No. 54 has been initiated by the City of Rockwall for the various tracts of land bounded by Mims Road and Ralph Hall Parkway and further described in the attached Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a zoning change "C", Commercial and "HC", Heavy Commercial District to "PD-54", Planned Development No. 54, for the various tracts of land described on Exhibit "A", attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "A" and said

property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area zoned “PD-54”, Planned Development District No. 54 as described within Exhibit “A” shall be limited to uses and requirements listed in **Section 2.3 (SF-10) Single-Family Residential District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23), with following additional conditions:

1. Maximum number of lots – 121 - average lot size no less than 11,792 square feet
2. Minimum square footage per dwelling unit – 2,000 sq. ft.
3. Maximum building coverage as a percentage of lot area – 40 percent
4. Minimum lot frontage on a public street – 70 feet
Minimum lot frontage on a cul-de-sac measured at the front building setback line – 60 feet
6. No front entry lots shall have garage doors that face the street.
7. An anti-monotony restriction shall not allow the same structure in terms of materials and elevation any closer than five (5) houses apart on either side of the street.
8. A minimum 75% masonry requirement shall apply to all exterior facades.
9. All common areas and dedicated landscape easements and open space areas shall be maintained by a Homeowner’s Association, including areas of landscaping in the public right-of-way along Ralph Hall Parkway and Mims Road has indicated on the preliminary plat.

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this

ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, 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 for this ordinance are declared to be severable.

Section 7. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, THIS 2nd DAY OF December, 2002.

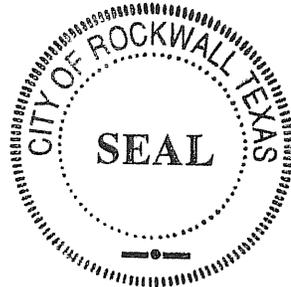
ATTEST:

Dorothy Brooks
Dorothy Brooks, City Secretary

Ken Jones
Ken Jones, Mayor

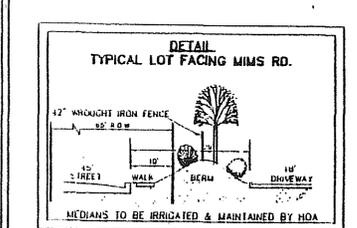
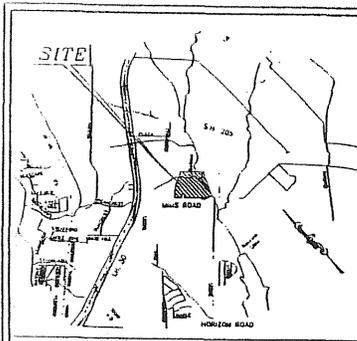
APPROVED AS TO FORM AND CONTECT:

Pete Eckert
Pete Eckert, City Attorney



1st Reading: November 18, 2002

2nd Reading: December 2, 2002



LEGAL DESCRIPTION

BEING A TRACT OF LAND SITUATED IN THE 10th NEIGHBORHOOD ZONING DISTRICT AND 14th CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF TRACT 100, 101 AND 102, TRACT 100 BEING THE REALTY OF AS RECORDED IN VOLUME 184, PAGE 153 OF THE PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEING, ALONG THE NORTHEAST LINE OF SAID ROAD, THE FOLLOWING:

NORTH 47°28'00" WEST, A DISTANCE OF 149.28 FEET TO A POINT;

NORTH 38°15'00" WEST, A DISTANCE OF 223.00 FEET TO A POINT;

NORTH 49°12'46" WEST, A DISTANCE OF 129.24 FEET TO A POINT AT THE WEST SOUTHWEST CORNER OF A CALLED A HOME TRACT AS CONVEYED TO BULLY PEOPLE;

THENCE, ALONG SAID PERMITS TRACT, THE FOLLOWING:

NORTH 47°15'00" EAST, LEAVING THE CORNER, A DISTANCE OF 310.83 FEET TO A POINT;

NORTH 49°12'46" WEST, A DISTANCE OF 208.48 FEET TO A POINT;

NORTH 47°15'00" EAST, A DISTANCE OF 208.48 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID ROAD, SAID CORNER BEING THE MOST WICKED CORNER OF SAID PERMITS TRACT;

THENCE, NORTH 49°12'46" WEST, ALONG SAID ROAD, A DISTANCE OF 122.88 FEET TO A POINT ON THE SOUTHWEST CORNER OF ROCKWALL PARKWAY (AS OF R.O.M.);

THENCE, ALONG ROCKWALL PARKWAY, THE FOLLOWING:

NORTH 47°15'00" EAST, A DISTANCE OF 28.33 FEET TO A POINT;

NORTH 49°12'46" WEST, A DISTANCE OF 18.93 FEET TO A POINT;

NORTH 30°53'30" WEST, A DISTANCE OF 20.00 FEET TO A POINT;

NORTH 47°15'00" EAST, A DISTANCE OF 20.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CURVE RADIUS OF 167.87', A BEARING OF 113°50' FEET, A CHORD DISTANCE OF 34.84 FEET THAT BEARS NORTH 27°30' EAST;

AROUND SAID CURVE, AN ARC DISTANCE OF 27.00 FEET TO A POINT;

NORTH 47°15'00" EAST, A DISTANCE OF 148.17 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CURVE RADIUS OF 167.87', A BEARING OF 113°50' FEET, A CHORD DISTANCE OF 34.84 FEET THAT BEARS NORTH 27°30' EAST;

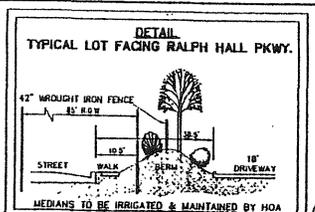
AROUND SAID CURVE, AN ARC DISTANCE OF 27.00 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID ROAD;

THENCE, SOUTH 47°15'00" WEST, ALONG SAID NORTHEAST LINE, A DISTANCE OF 152.38 FEET TO A POINT AT THE MOST EASTERLY CORNER OF SAID 84.18 AC. TRACT, ALSO BEING THE MOST NORTHEAST CORNER OF A CALLED A HOME TRACT AS CONVEYED TO BULLY PEOPLE (EXCEPT L.L.C. AS RECORDED IN VOLUME 184, PAGE 153 OF SAID PUBLIC RECORDS);

THENCE, SOUTH 24°24'30" WEST, A DISTANCE OF 148.18 FEET TO THE POINT OF BEGINNING AND CONTINUING SAID LINE, BEING OF LESS.

OWNER/DEVELOPER
PROVIDENT REALTY
17440 N. DALLAS PKWY, SUITE 230
DALLAS, TEXAS 75287
(972) 733-3398

ENGINEER/SURVEYOR
DOUGHPRATE & ASSOCIATES, INC.
2235 BUCCLE ROAD, #200
ROCKWALL, TEXAS 75087
(972) 771-0004



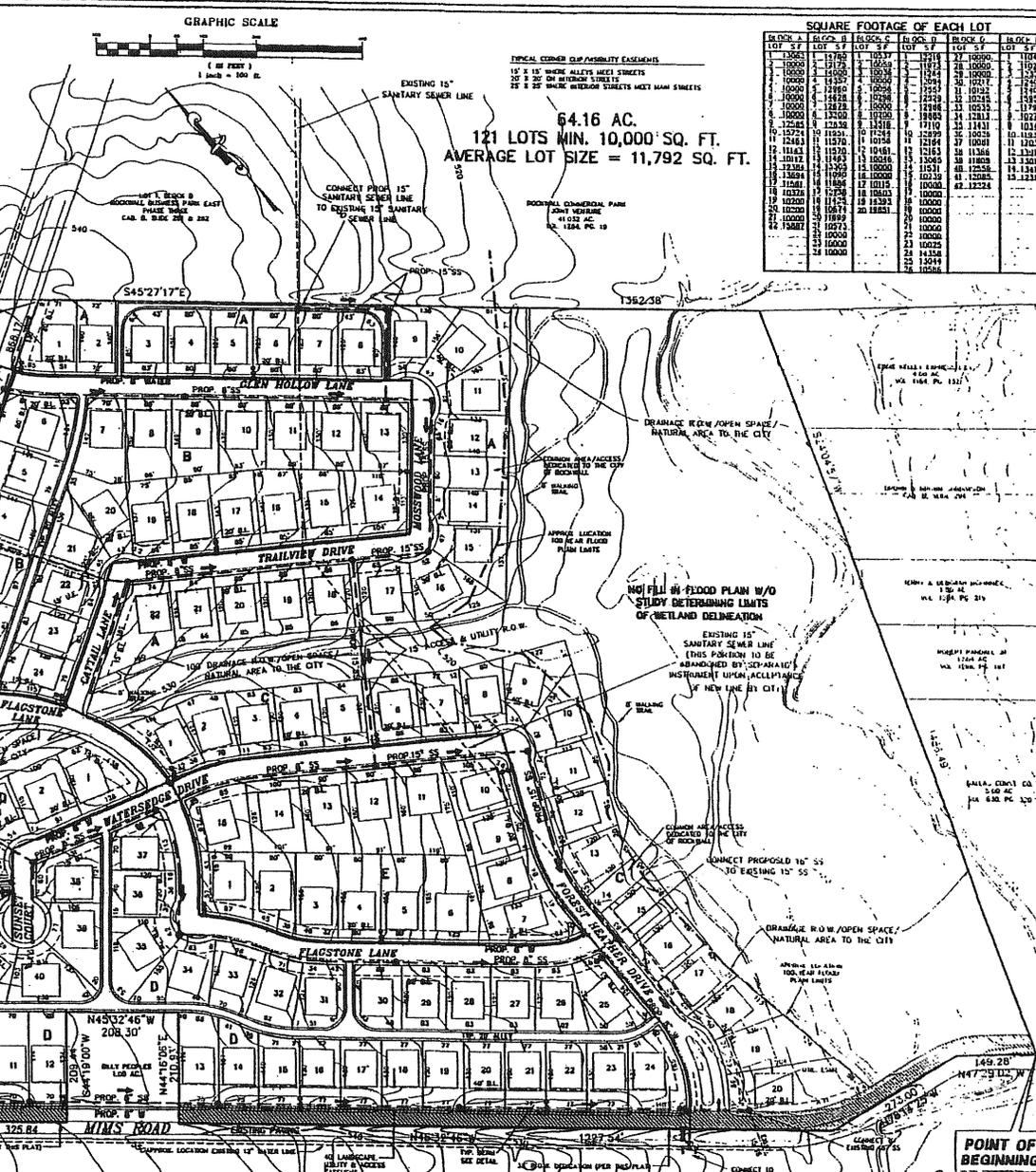
TURN LANES TO BE CONST. BY DEVELOPER

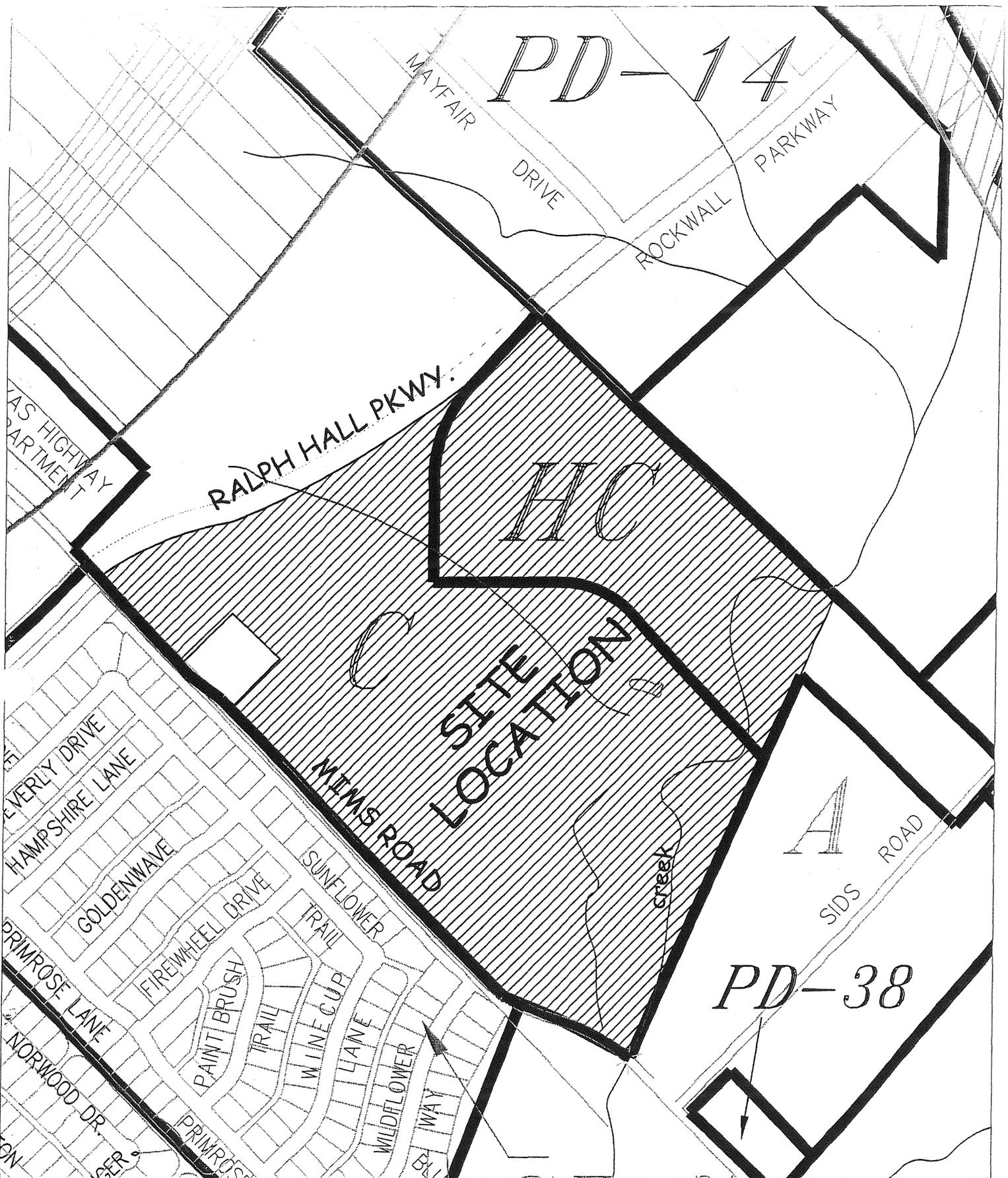
17.00 AC. COMMERCIAL

EXISTING PAVING. TURN LANES TO BE CONST. BY DEVELOPER

OWNER/DEVELOPER
PROVIDENT REALTY
17440 N. DALLAS PKWY, SUITE 230
DALLAS, TEXAS 75287
(972) 733-3398

ENGINEER/SURVEYOR
DOUGHPRATE & ASSOCIATES, INC.
2235 BUCCLE ROAD, #200
ROCKWALL, TEXAS 75087
(972) 771-0004





PZ-2002-103-PP
Flagstone Creek


1" = 400'

CITY OF ROCKWALL

ORDINANCE NO. 04-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM "PD-54", PLANNED DEVELOPMENT DISTRICT TO AMENDED "PD-54", PLANNED DEVELOPMENT DISTRICT FOR LAND AS DESCRIBED IN EXHIBIT "B" ATTACHED HERETOFORE AND MADE A PART HEREOF; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a zoning change from "PD-54, Planned Development District to amended "PD-54", Planned Development No. 54 has been request by Russell Phillips for the various tracts of land bounded by Mims Road and Ralph Hall Parkway and further described in the attached Exhibit "B" attached hereto and made a part hereof; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a zoning change from "PD-54", Planned Development District to amended "PD-54", Planned Development No. 54, for the various tracts of land described on Exhibit "B", attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached Exhibit "B" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "B" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area indicated as **Tract 1 on Exhibit "B"**, attached hereto, zoned "PD-54", Planned Development District No. 54 as described within Exhibit "B" shall be subject to the approved concept/preliminary plan, Exhibit "A", and shall be subject to the permitted uses of the **Section 2.3 (SF-10) Single-Family Residential District** of the City of Rockwall Comprehensive Zoning Ordinance as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, (Ordinance No. 83-23), with the following additional conditions and restrictions:

1. Minimum lot area – 10,000 square feet
2. Maximum number of single-family detached dwelling unit per lot – 1
3. Maximum number of lots – 87 - average lot size no less than 11,620 square feet
4. Minimum square footage per dwelling unit – 2,000 sq. ft.
5. Maximum building coverage as a percentage of lot area – 45 percent
6. Minimum lot frontage on a public street – 70 feet
7. Minimum lot frontage on a cul-de-sac measured at the front building setback line – 60 feet
8. Minimum lot depth – 100 feet
9. Minimum depth of front setback – 20 feet
10. Minimum depth of rear setback – 10 feet
11. Minimum width of side setback –
 - (a) Internal lot – 6 feet
 - (b) Abutting street – 15 feet
 - (c) Abutting an arterial – 20 feet
12. Minimum distance between separate buildings on the same lot or parcel of land - 10 feet
13. Minimum length of driveway pavement from public right-of-way for rear and side yard – 20 feet
14. Maximum height of structures – 36 feet
15. Minimum number of paved off-street parking spaces require for
 - (a) One single-family dwelling unit – 2 An enclosed garage shall not be considered in meeting the off-street parking requirements.
 - (b) All other uses (see Off-Street Parking, Article V)
16. No front entry lots shall have garage doors that face the street.
17. An anti-monotony restriction shall not allow the same structure in terms of materials and elevation any closer than five (5) houses apart on either side of the street.
18. A minimum 75% masonry requirement shall apply to all exterior facades.
19. All common areas and dedicated landscape easements and open space areas shall be maintained by a Homeowner's Association, including areas of landscaping in the public right-of-way along Ralph Hall Parkway and Mims Road has indicated on the preliminary plat.
20. A minimum 20 foot landscape buffer shall be required along Mims Road. The buffer shall include tree plantings at one per thirty feet from the City of Rockwall approved tree replacement list.

21. See Article VIII, Sections 8.1 to 8.7 for further clarification, and exception and modifications.

Section 4. That development in the area indicated as **Tract 2 on Exhibit "B"**, attached hereto, zoned "**PD-54**", Planned Development District No. 54 as described within Exhibit "B" shall be subject to the approved concept/preliminary plan, Exhibit "A", and be subject to the area requirements listed in **Section 2.12 Commercial District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23), as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with the following additional conditions and restrictions:

Permitted Uses:

1. Any retail businesses, excluding convenience stores with or without gasoline sales, personal services, professional service, or business service conducted within a completely enclosed building, except the following: lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing or storage.
2. Banks, including drive through facilities.
3. Office buildings and accessory uses.
4. Restaurants, including accessory outdoor seating, without drive-in or drive-through facilities.
5. Paved parking lots, not including commercial parking lots.
6. Institutional uses.
7. Municipally owned or controlled facilities, utilities, and uses.
8. Temporary on site construction offices limited to the period of construction and approved by the Building Official.
9. Temporary concrete batching plant limited to the period of construction upon approval of location and operation by the Building Official.

Conditional Uses:

1. Private club as an accessory to a general restaurant.
2. Building structures over 36 feet in height shall require a conditional use permit.

Required Conditions:

1. All proposed developments within Retail/Office tract shall be subject to future site plan review.

2. All proposed developments within the Retail/Office tract shall be subject to Architectural review by the Planning and Zoning Commission.
3. A minimum 20 foot landscape buffer shall be required along Ralph Hall Parkway and Mims Road. The buffer shall include a minimum tree planting of one tree per thirty feet from the City of Rockwall approved tree replacement list.
4. All facades of a building shall be constructed with the same material and all buildings shall meet the masonry requirements as set out in Section 14.1, Item 82, as amended, excluding concrete tilt wall and other masonry materials of similar characteristics. The use of standard concrete block shall be limited to 10% of any façade visible from adjacent right-of-way. The use of synthetic products (e.g. EIFS, Hardy Plank, or other materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes, exclusive of windows and doors. Furthermore, the use of said synthetic products shall be prohibited within eight feet of the finished floor elevation however, this area may include up to 30% hardy plank. Natural materials such as stone, cast stone and brick shall be used within the first eight feet of the building façade. A minimum of 20% stone or cast stone shall be required for all buildings.
5. All permanent free standing signs shall be monument signs not exceeding (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
6. In addition to the requirements of the outdoor lighting requirements (Ord. 97-33) no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
7. All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.

Section 5. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

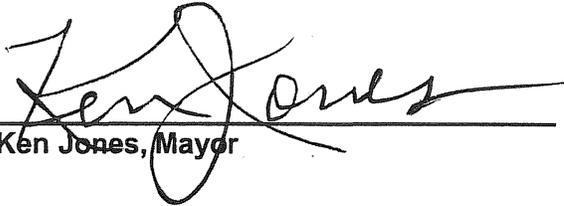
Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, 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 for this ordinance are declared to be severable.

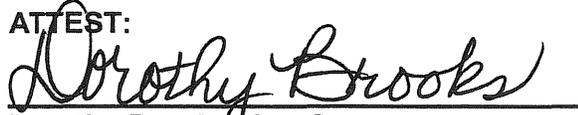
Section 8. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

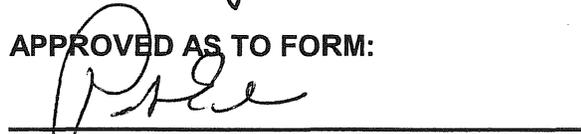
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of May, 2004.



Ken Jones, Mayor

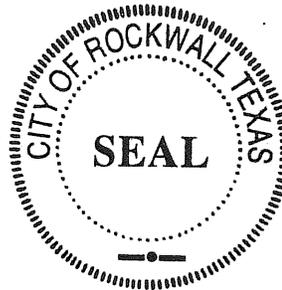
ATTEST:


Dorothy Brooks, City Secretary

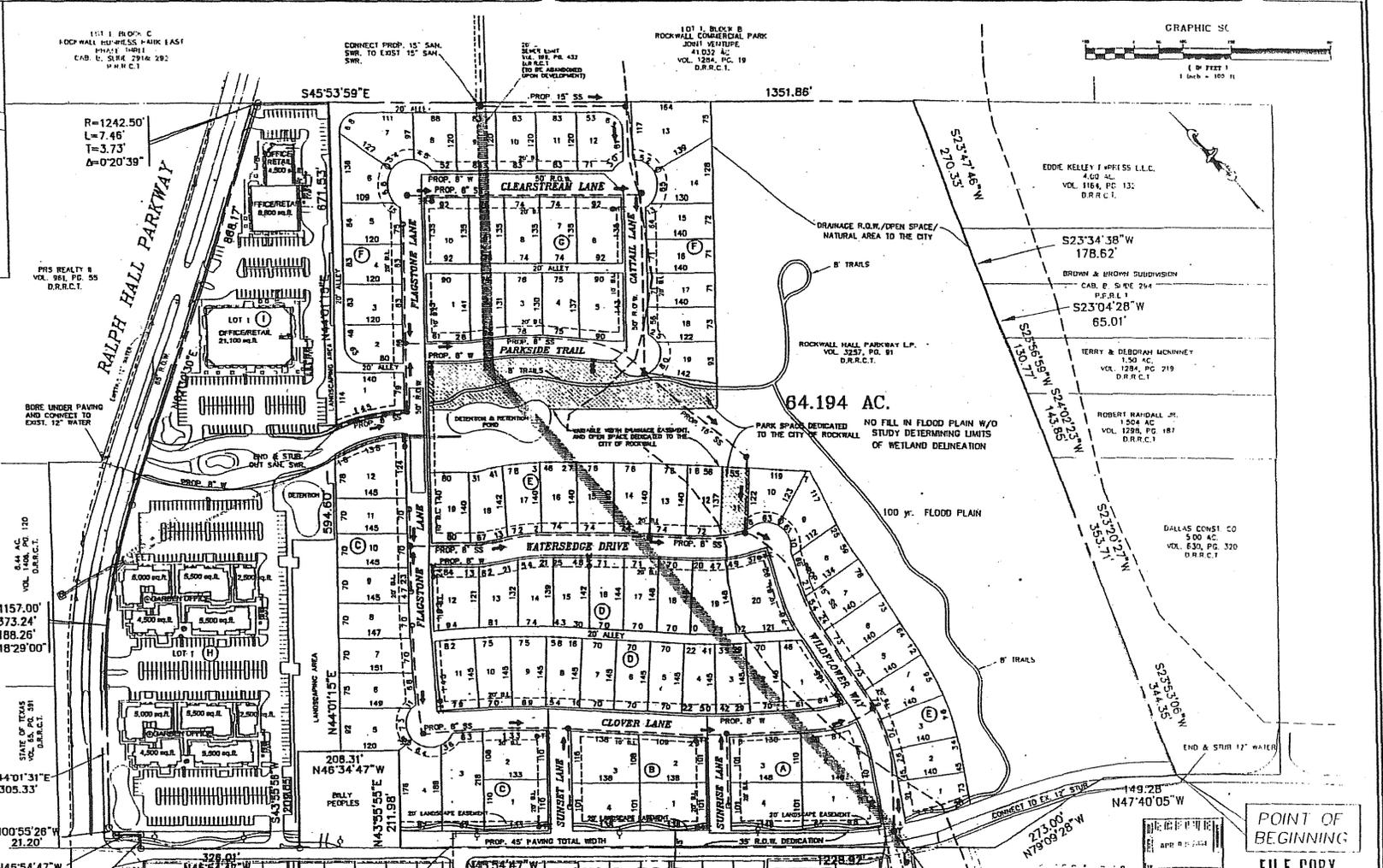
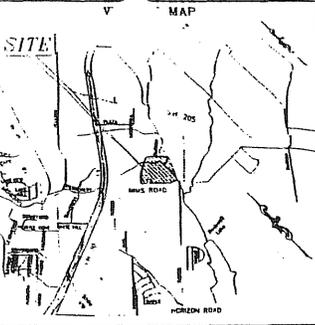
APPROVED AS TO FORM:


Pete Eckert, City Attorney

First Reading: April 19, 2004
Second Reading: May 3, 2004



Z2004-016: PD-54 Amendment



87 LOTS - AVG. LOT SIZE 11,465 S.F.
PARK LOT = LOT 11 BLK E 7167 S.F.

OWNER/DEVELOPER
ROCKWALL HALL PARKWAY, L.P.
81 HORIZON CT.
HEATH, TEXAS 76032

ENGINEER/SURVEYOR
DOUPHRATE & ASSOCIATES, INC.
2235 RIDGE ROAD, #200
ROCKWALL, TEXAS 75087
(972) 771-9004

TYPICAL CORNER CLIP/VISIBILITY EASEMENTS
15' x 15' WHERE ALLEYS MEET STREETS
20' x 20' ON INTERIOR STREETS
x 25' WHERE INTERIOR STREETS MEET MAIN STREETS
TYPICAL PAD SIZE - 30' x 60'

POINT OF BEGINNING
FILE COPY

PRELIMINARY PLAT & CONCEPT PLAN

FLAGSTONE CREEK ADDITION
87 RESIDENTIAL LOTS - 84.194 AC.
J.D.McFARLIN SURVEY, ABSTRACT NO. 145
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY: DOUPHRATE & ASSOCIATES, INC.
2235 RIDGE ROAD, ROCKWALL, TEXAS 75087
PHONE: (972) 771-9004 FAX: (972) 771-9000

SHEET 1 OF 1

MAP
SITE

101' 1.00' BLOCK C
100' WALL HALL-PRESS PARK EAST
FRONT 1/400'
E. SIDE 2914.282
P.H.C.1

CONNECT PROP. 15' SAN.
SWR. TO EXIST 15' SAN.
SWR.

101' 1.00' BLOCK B
ROCKWALL COMMERCIAL PARK
JOHN VENTURE
41032 A.C.
VOL. 1284, PG. 19
D.R.R.C.1.

R=1242.50'
L=7.46'
T=3.73'
A=0°20'39"

THIS REALTY IS
VOL. 358, PG. 25
D.R.R.C.1.

R=1157.00'
L=373.24'
T=188.26'
A=18°29'00"

N44°01'31"E
305.33'

N00°55'28"W
21.20'

N45°54'47"W
49.93'

N44°05'13"E
30.00'

64.194 AC.

NO FILL IN FLOOD PLAIN W/O
STUDY DETERMINING LIMITS
OF WEILAND DELINEATION

100 yr. FLOOD PLAN

CONNECT TO EX. 12' STUB
713.00'
N79°09'28"W

CONNECT TO EX. 12' STUB
N47°40'05"W

CONNECT TO EX. 15' SAN.
SWR. TO EXIST. WH

EDDIE KELLEY PRESS L.L.C.
4.00 AC.
VOL. 1168, PG. 132
D.R.R.C.1.

BROWN & BROWN SUBDIVISION
CAB. E. SIDE 214
P.F.R.1
S23°04'28"W
65.01'

TERRY & DEBORAH McKNIGHT
1.50 AC.
VOL. 1284, PG. 219
D.R.R.C.1.

ROBERT RANDALL, JR.
1.504 AC.
VOL. 1298, PG. 187
D.R.R.C.1.

DALLAS CONST CO
9.00 AC.
VOL. 630, PG. 320
D.R.R.C.1.

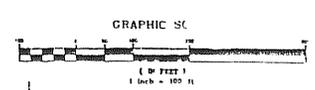
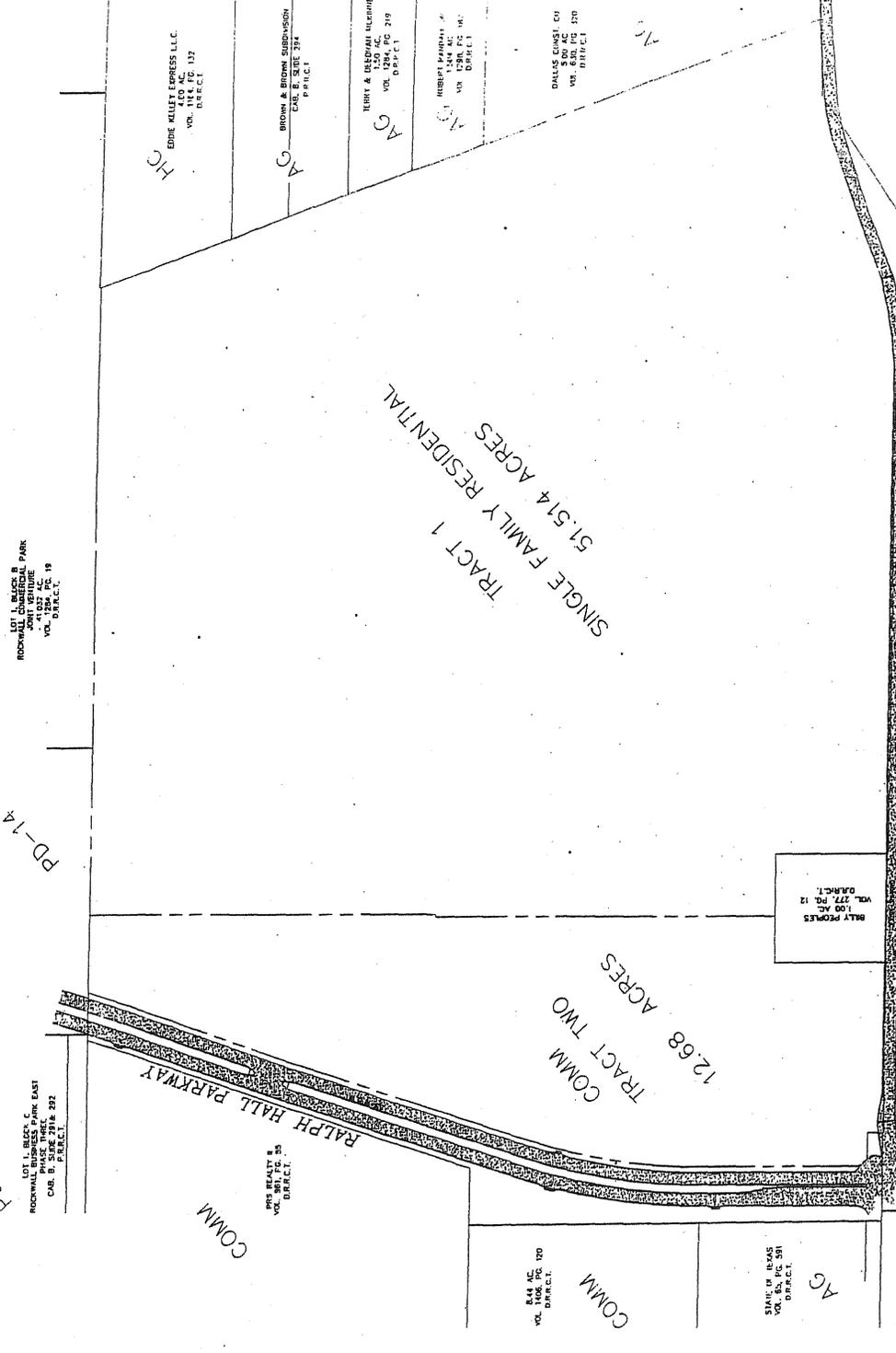


EXHIBIT "A"

EXHIBIT "B"

2008 RISE NO. 7 2008 NORMAL TEXAS ZONING DISTRICTS (REVISED) FROM FAL 10/17/11-10/08
 CITY OF ROCKWALL ROCKWALL COUNTY TEXAS
 J.D. McFARLIN SURVEY ABSTRACT NO. 145
 64.194 AC.
 ZONING EXHIBIT
 DOWNSHUTE
 WLD 7/10
 FEB 04/04
 DATE 04/04
 PROJECT 01020806-04-04

FILE COPY
 2008-016



LOT 1, BLOCK 8
 ROCKWALL COMMERCIAL PARK
 JOHN L. BECK CO
 VOL. 1284, PG. 19
 DISTRICT

LOT 1, BLOCK C
 ROCKWALL BUSINESS PARK EAST
 JOHN L. BECK CO
 CAS B, SIDE 201 & 202
 DISTRICT

EDDIE KILLEY EXPRESS L.L.C.
 410 AC.
 VOL. 1284, PG. 137
 DISTRICT

BROWN & BROWN SUBDIVISION
 CAS B, SIDE 204
 DISTRICT

TERRY & WENDY WILDFLOW
 VOL. 1284, PG. 219
 DISTRICT

HERBERT L. BROWN, JR.
 VOL. 1284, PG. 181
 DISTRICT

DALLAS CREDIT CO
 VOL. 500, PG. 270
 DISTRICT

RAY & PEOPLES
 VOL. 277, PG. 12
 DISTRICT

RAY & PEOPLES
 VOL. 277, PG. 12
 DISTRICT

STATE OF TEXAS
 VOL. 65, PG. 391
 DISTRICT

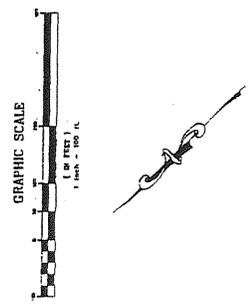
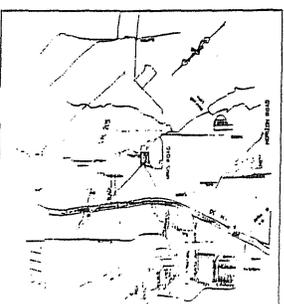


EXHIBIT "B"

TRACT I

LEGAL DESCRIPTION

51.514

BEING, A TRACT OF LAND SITUATED IN THE J.D. MCFARLAND SURVEY, ABSTRACT NO. 145, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF THAT 94.126 ACRE TRACT AS CONVEYED TO PRS REALTY II, LP, AS RECORDED IN VOLUME 961, PAGE 55 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2" IRON ROD FOUND ON THE NORTHEAST LINE OF MIMS ROAD AT THE MOST SOUTHERLY CORNER OF SAID 94.126 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF A TRACT AS CONVEYED TO DALLAS CONSTRUCTION COMPANY AS RECORDED IN VOLUME 630, PAGE 320 OF SAID DEED RECORDS;

THENCE, ALONG THE NORTHEAST LINE OF MIMS ROAD, THE FOLLOWING:

NORTH 47 DEGREES 40 MINUTES 05" WEST, A DISTANCE OF 149.28 FEET TO A 1/2" IRON ROD FOUND;

NORTH 79 DEGREES 09 MINUTES 28" WEST, A DISTANCE OF 273.00 FEET TO A 1/2" IRON ROD SET;

NORTH 45 DEGREES 54 MINUTES 47" WEST, A DISTANCE OF 1228.92 FEET TO AN "X" SET IN CONCRETE IN MIMS ROAD AT THE MOST SOUTHERLY LINE OF A CALLED 1.00 ACRE TRACT AS CONVEYED TO BILLY PEOPLES, RECORDED IN VOLUME 277, PAGE 12, OF SAID DEED RECORDS;

THENCE, AROUND SAID PEOPLES TRACT, THE FOLLOWING:

NORTH 43 DEGREES 55 MINUTES 55" EAST, LEAVING MIMS ROAD, A DISTANCE OF 211.98 FEET TO A 1/2" IRON ROD SET;

NORTH 46 DEGREES 34 MINUTES 47" WEST, A DISTANCE OF 119.65 FEET TO A TO A POINT;

THENCE NORTH 44 DEGREES 01 MINUTES 15 SECONDS EAST, LEAVING SAID PEOPLES TRACT, A DISTANCE OF 663.27 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL OF 0 DEGREES 56 MINUTES 39 SECONDS AND A RADIUS OF 340.00 FEET, WITH A CHORD BEARING OF SOUTH 72 DEGREES 48 MINUTES 07SECONDS EAST AND A CHORD DISTANCE OF 5.60 FEET;

AROUND SAID CURVE, AN ARC LENGTH OF 5.60 FEET TO THE END OF SAID CURVE;

THENCE NORTH 44 DEGREES OF MINUTES 15 SECONDS EAST , A DISTANCE OF 671.53 FEET TO A POINT ;

THENCE, SOUTH 45 DEGREES 53 MINUTES 59" EAST, ALONG SAID NORTHEAST LINE, A DISTANCE OF 1205.03 FEET TO A PIPE FOUND AT THE MOST EASTERLY CORNER OF SAID 94.126 ACRE TRACT, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF A CALLED 4.00 ACRE TRACT AS CONVEYED TO EDDIE KELLEY EXPRESS, L.L.C. AS RECORDED IN VOLUME 164, PAGE 132, OF SAID DEED RECORDS;

THENCE, SOUTH 23 DEGREES 49 MINUTES 47" WEST, A DISTANCE OF 270.05 FEET TO A 3/8" IRON ROD FOUND AT THE MOST WESTERLY CORNER OF SAID EDDIE KELLEY TRACT, SAME BEING THE MOST NORTHERLY CORNER OF BROWN AND BROWN SUBDIVISION, AN ADDITION TO THE CITY OF ROCKWALL AS RECORDED IN CABINET B, SLIDE 294, OF SAID PLAT RECORDS;

THENCE, ALONG THE NORTHWEST LINE OF SAID BROWN AND BROWN SUBDIVISION, THE FOLLOWING:

SOUTH 23 DEGREES 31 MINUTES 37" WEST, A DISTANCE OF 178.90 FEET TO A 1/2" IRON ROD FOUND;

SOUTH 23 DEGREES 04 MINUTES 28" WEST, A DISTANCE OF 65.01 FEET TO A 3/8" IRON ROD FOUND AT THE MOST WESTERLY CORNER OF SAID BROWN AND BROWN SUBDIVISION, SAME BEING THE MOST NORTHERLY CORNER OF A CALLED 1.50 ACRE TRACT AS CONVEYED TO TERRY AND DEBORAH MCKINNEY AS RECORDED IN VOLUME 1284, PAGE 219, OF SAID DEED RECORDS;

THENCE, SOUTH 23 DEGREES 56 MINUTES 59" WEST, A DISTANCE OF 130.77 FEET TO A 1/2" IRON ROD FOUND AT THE MOST WESTERLY CORNER OF SAID MCKINNEY TRACT, SAME BEING THE MOST NORTHERLY CORNER OF A CALLED 1.504 ACRE TRACT AS CONVEYED TO ROBERT RANDALL JR. AS RECORDED IN VOLUME 1298, PAGE 187 OF SAID DEED RECORDS;

THENCE, SOUTH 24 DEGREES 02 MINUTES 23" WEST, A DISTANCE OF 143.85 FEET TO A 1/2" IRON ROD FOUND AT THE MOST WESTERLY CORNER OF SAID RANDALL TRACT, SAME BEING THE MOST NORTHERLY CORNER OF A CALLED 5.00 ACRE TRACT AS CONVEYED TO DALLAS CONSTRUCTION COMPANY AS RECORDED IN VOLUME 630, PAGE 320, OF SAID DEED RECORDS;

THENCE, SOUTH 23 DEGREES 20 MINUTES 27" WEST, A DISTANCE OF 353.71 FEET TO A 3/8" IRON ROD FOUND;

THENCE, SOUTH 23 DEGREES 53 MINUTES 06" WEST, A DISTANCE OF 344.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 51.514 ACRES OF LAND.

EXHIBIT "B"

TRACT 2

LEGAL DESCRIPTION
TRACT 12.68 ACRE

BEING, A TRACT OF LAND SITUATED IN THE J.D. MCFARLAND SURVEY, ABSTRACT NO. 145, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF THAT 94.126 ACRE TRACT AS CONVEYED TO PRS REALTY II, LP, AS RECORDED IN VOLUME 961, PAGE 55 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID 94.126 ACRE TRACT, SAID POINT BEING THE WEST CORNER OF THE BILLY PEOPLES TRACT AS RECORDED IN VOLUME 277 PAGE 12, A POINT FOR CORNER;

THENCE, NORTH 45 DEGREES 54 MINUTES 47 SECONDS WEST , ALONG THE CENTER OF MIMS ROAD, A DISTANCE OF 326.01 FEET TO A POINT;

THENCE , NORTH 44 DEGREES 05 MINUTES 13 SECONDS EAST, LEAVING THE CENTER OF MIMS ROAD A DISTANCE OF 30.00 FEET TO A POINT;

THENCE, NORTH 45 DEGREES 54 MINUTES 47 SECONDS WEST, A DISTANCE OF 49.93 FEET TO A POINT;

THENCE, NORTH 00 DEGREES 55 MINUTES 26 SECONDS WEST, A DISTANCE OF 21.20 FEET TO A POINT ON THE SOUTH LINE OF RALPH HALL PARKWAY;

THENCE NORTH 44 DEGREES 01 MINUTES 31 SECONDS EAST, ALONG THE SOUTH LINE OF RALPH HALL PARKWAY, A DISTANCE OF 305.33 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 18 DEGREES 28 MINUTES 59 SECONDS AND A RADIUS OF 1157.00 FEET WITH A CHORD BEARING OF NORTH 53 DEGREES 16 MINUTES 01 SECONDS EAST, WITH A CHORD DISTANCE OF 371.62 FEET, A POINT;

AROUND SAID CURVE, AND ALONG THE SOUTH LINE OF RALPH HALL PARKWAY, AN ARC DISTANCE OF 373.24 FEET TO THE END OF SAID CURVE;

THENCE, NORTH 62 DEGREES 30 MINUTES 30 SECONDS EAST ALONG THE SOUTH LINE OF RALPH HALL PARKWAY, A DISTANCE OF 868.17 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 0 DEGREES 20 MINUTES 38 SECONDS AND A RADIUS OF 1242.50 WITH A CHORD BEARING OF NORTH 62 DEGREES 20 MINUTES 11 SECONDS AND A CHORD DISTANCE OF 7.46 FEET;

AROUND SAID CURVE , AN ARC LENGTH OF 7.46 FEET TO THE END OF SAID CURVE;

EXHIBIT "B"

TRACT 2 (cont.)

THENCE SOUTH 45 DEGREES 53 MINUTES 59 SECONDS EAST, LEAVING THE SOUTH LINE OF RALPH HALL PARKWAY, A DISTANCE OF 146.83 FEET TO A POINT;

THENCE, SOUTH 44 DEGREES 01 MINUTES 15 SECONDS WEST, A DISTANCE OF 671.53 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 0 DEGREES 56 MINUTES 39 SECONDS AND A RADIUS OF 340 FEET WITH A CHORD BEARING OF NORTH 17 DEGREES 40 MINUTES 13 SECONDS EAST AND A CHORD DISTANCE OF 5.60 FEET;

AROUND SAID CURVE AN ARC LENGTH OF 5.60 FEET ;

THENCE, SOUTH 44 DEGREES 01 MINUTES 15 SECONDS WEST, A DISTANCE OF 663.27 FEET TO A POINT ON THE NORTHEAST LINE OF SAID PEOPLES TRACT;

THENCE, NORTH 46 DEGREES 34 MINUTES 47 SECONDS WEST, A DISTANCE OF 88.66 FEET TO THE NORTH CORNER OF SAID PEOPLES TRACT;

THENCE, SOUTH 43 DEGREES 55 MINUTES 56 SECONDS WEST, ALONG THE NORTHWEST LINE OF SAID PEOPLES TRACT, A DISTANCE OF 209.55 FEET TO THE PLACE OF BEGINNING AND CONTAINING 12.68 ACRES OF LAND.