

Zoning Application



- General Zoning Request
 - Standard Zoning or Rezoning
 - Planned Development
 - Site Plan - New or Amended
 - Planned Development Concept Plan - New or Amended
 - SUP
- PROPERTY INFORMATION

CITY OF HUTCHINS
 321 N. Main
 Hutchins, Texas 75141
 (972) 225-6121

FILE NO: _____

Address/Location: Multiple Addresses - See Attached	Existing Use: Vacant - Auto Salvage
Lot(s): Multiple Legal Descriptions - See Attached	Current Zoning: Highway Commercial (HC)- SUP Auto Storage Facility
# of Acres: 28.3	# of Lots: 5 total
	# of Units: N/A

APPLICANT INFORMATION

Name: John Gonzalez	Company: RTG Capital
Mailing Address: 8235 Douglas Ave., Suite 350	
City: Dallas	State: TX
	Zip: 75225
Phone: 214.578.1760	Email: jgonzalez@rtgcapital.com

OWNER INFORMATION

Name: Robert Gunby	Company: RTG Capital
Mailing Address: 8235 Douglas Ave. Suite 350	
City: Dallas	State: TX
	Zip: 75225
Phone:	Email:

Applications must be complete and have all supporting documents turned in no later than 2:00 pm on submittal day.

ZONING APPLICATION SUBMITTAL REQUIREMENTS

(See Fee Schedule For All Amounts)

- Concept Plan 24"x36", 4 copies (folded)
 - Site Plan / Concept Plan Checklist
 - Legal Description
 - Letter stating reason for request
 - CD of electronic version (pdf) of proposed plans
- Fee: \$750 _____

APPLICANT AUTHORIZATION:

- I will represent the application myself; or
- I authorize _____ (name of applicant) to represent this application on my behalf. The named applicant shall be the principal person for responding to all requests and to attend all meetings.

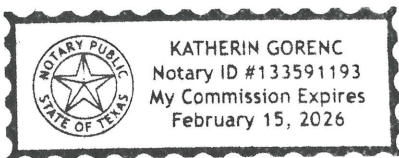
Owner's Signature: Robert T. Gunby Date: 12/19/25

STATE OF TEXAS

COUNTY OF: Dallas

BEFORE ME, a Notary Public, on this day personally appeared Robert T. Gunby the above signed, who, under oath, stated the following: "I hereby certify that I am the owner or authorized corporate representative for the purposes of this application; that all information submitted herein is true and accurate."

Subscribed and sworn to before me this 19th day of December, 2025.



Katherin Gorenc
Notary Public in and for the State of Texas

This application is not considered accepted by the City until the Building Official or his designee has signed below.

CITY OF HUTCHINS: Acknowledged By: _____ Date: _____

LKQ Addresses and Legal Description

1300 IH-45 – Highway Commercial

- 1: THOMAS FREEMAN ABST 453 PG 497
- 2: TR 18.2 **ACS 7.8516**
- 3:
- 4: VOL99182/1912 DD09081999 CO-DC

904 S IH-45 – Highway Commercial Zoning

- 1: WILLIAM GATLIN ABST 499 PG 811
- 2: TR 49 **ACS 10.4903**
- 3:
- 4: VOL2004035/03224 DD02112004 CO-DC
- 5: 0499811104900 2CU04998111

1310 S IH-45 - Highway Commercial Zoning

- 1: WILLIAM GATLIN ABST 499 PG 811
- 2: TR 48 **ACS 5.00**
- 3:
- 4: INT200600189049 DD04192006 CO-DC

Current Legal Description ¹

TRACT 2:

BEING A TRACT OF LAND SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 499, DALLAS COUNTY, TEXAS AND BEING A TRACT OF LAND CONVEYED TO T.S. MILLER, LTD., RECORDED IN VOLUME 98237, PAGE 5044, DEED RECORDS, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID MILLER TRACT, SAID POINT BEING ON THE NORTHEAST LINE OF S. INTERSTATE 45 (300' R.O.W.), SAID POINT BEING N 22°46'00" W 891.33 FT. FROM THE NORTHWEST CORNER OF MILTON TRUCK LINE ADDITION, AN ADDITION TO THE CITY OF HUTCHINS RECORDED IN VOLUME 93117, PAGE 1437, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE N 22°46'00" W, ALONG THE NORTHEAST LINE OF SAID S. INTERSTATE 45, A DISTANCE OF 490.64 FT. TO A 3/4 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID MILLER TRACT;

THENCE N 59°40'00" E, LEAVING THE NORTHEAST LINE OF SAID S. INTERSTATE 45 AND ALONG THE NORTH LINE OF SAID MILLER TRACT, A DISTANCE OF 910.50 FT. TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID MILLER TRACT;

THENCE S 27°48'00" E, ALONG THE EAST LINE OF SAID MILLER TRACT, A DISTANCE OF 494.49 FT. TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID MILLER TRACT;

THENCE S 60°07'33" W, ALONG THE SOUTH LINE OF SAID MILLER TRACT, A DISTANCE OF 953.28 FT. TO THE POINT OF BEGINNING AND CONTAINING 10.4903 ACRES (456, 956 SQ. FT.) OF LAND, MORE OR LESS.

TRACT 3:

BEING A TRACT OF 5.000 ACRES OF LAND IN THE WILLIAM GATLIN SURVEY ABST. NO. 499, DALLAS COUNTY, TEXAS, AND BEING PART OF A CERTAIN TRACT OF LAND AS DESCRIBED IN DEED TO T.F. CAMPBELL, RECORDED IN VOLUME L, PAGE 412 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS; AND SAID 5.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

¹ See Attached Survey to tie out legal descriptions and tract numbers. Subject will be re-platted subject to zoning change approval.

COMMENCING AT THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO T.F. CAMPBELL IN VOLUME O, PAGE 321, DEED RECORDS, DALLAS COUNTY, TEXAS, A FENCE CORNER;

THENCE NORTH 27 DEGREES 48 MINUTES WEST, ALONG THE NORTHEAST LINE OF SAID CAMPBELL TRACTS, 431.69 FEET, TO THE POINT OF BEGINNING OF THE 5.000 ACRE TRACT DESCRIBED HEREIN;

THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, 993.15 FEET TO A POINT IN THE NORTHEAST LINE OF U.S. HIGHWAY NO. 75;

THENCE NORTH 22 DEGREES 46 MINUTES 00 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID HIGHWAY, 223.27 FEET;

THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS EAST, 973.55 FEET TO THE NORTHEAST LINE OF SAID CAMPBELL TRACT;

THENCE SOUTH 27 DEGREES 48 MINUTES 00 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID CAMPBELL TRACT, 221.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.000 ACRES OF LAND.

TRACT 4:

BEING A TRACT OF LAND SITUATED IN THE THOMAS FREEMAN SURVEY, ABSTRACT NO. 453, AND THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 499, AND SAID TRACT OF LAND BEING A PART OF TRACTS 1 AND 3 IN A WARRANTY DEED CONVEYED TO J.R.

MARRIOTT AND B.O. MARRIOTT RECORDED IN VOLUME 85121, PAGE 5536, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON ROD WITH ALBERT HALFF CAP AT THE SOUTHWEST CORNER OF SAID TRACT 3, SAID POINT BEING NORTH 60 DEGREES 45 MINUTES 34 SECONDS EAST, 69.56 FEET FROM A FOUND 3/4 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF INTERSTATE HIGHWAY 45 (300 FOOT R.O.W.), SAID BEGINNING POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO D.R. TURNER, DATED 5/25/66, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 18 DEGREES 08 MINUTES 43 SECONDS WEST, (DEED-NORTH 18 DEGREES 52 MINUTES WEST), ALONG THE COMMON LINE OF SAID TRACT 3 AND SAID TURNER TRACT, A DISTANCE OF 188.28 FEET TO A POINT FOR CORNER IN THE CENTERLINE OF RAWLINS BRANCH;

THENCE ALONG THE CENTERLINE OF RAWLINS BRANCH THE FOLLOWING CALLS:

THENCE NORTH 80 DEGREES 50 MINUTES 15 SECONDS EAST, A DISTANCE OF 229.82 FEET TO A POINT FOR CORNER; THENCE NORTH 11 DEGREES 59 MINUTES 48 SECONDS EAST, A DISTANCE OF 136.39 FEET TO A POINT FOR CORNER; THENCE NORTH 16 DEGREES 44 MINUTES 04 SECONDS EAST, A DISTANCE OF 439.13 FEET TO A POINT FOR CORNER; THENCE NORTH 38 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 110.67 FEET TO A POINT FOR CORNER; THENCE NORTH 3 DEGREES 54 MINUTES 23 SECONDS WEST, A DISTANCE OF 41.11 FEET TO A POINT FOR CORNER; THENCE SOUTH 88 DEGREES 12 MINUTES 33 SECONDS EAST, A DISTANCE OF 91.86 FEET TO A POINT FOR CORNER; THENCE SOUTH 75 DEGREES 38 MINUTES 29 SECONDS EAST, A DISTANCE OF 146.23 FEET TO A POINT FOR CORNER;

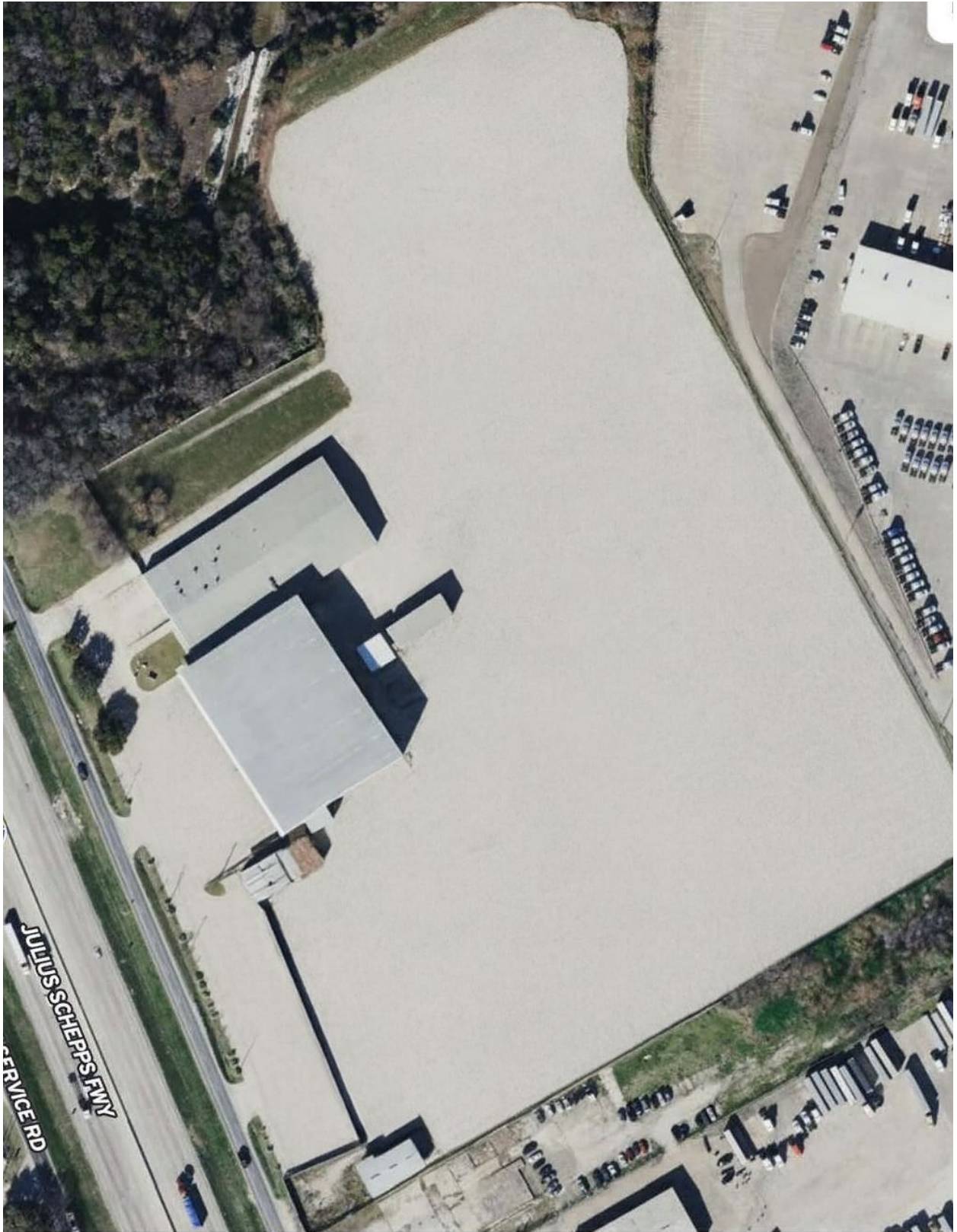
THENCE SOUTH 62 DEGREES 07 MINUTES 19 SECONDS EAST, A DISTANCE OF 167.88 FEET TO A POINT FOR CORNER ON A SOUTHEAST LINE OF SAID TRACT 1;

THENCE SOUTH 3 DEGREES 23 MINUTES 08 SECONDS WEST, (DEED-SOUTH 2 DEGREES 45 MINUTES WEST), LEAVING THE

CENTERLINE OF SAID RAWLINS BRANCH AND ALONG A SOUTHEAST LINE OF SAID TRACT 1, A DISTANCE OF 395.10 FEET TO A FOUND THREADED IRON ROD FOR THE SOUTHEAST CORNER OF SAID TRACT 1, SAID POINT ALSO BEING ON THE NORTHEAST LINE OF SAID MILLER TRACT;

THENCE SOUTH 62 DEGREES 44 MINUTES 54 SECONDS WEST, ALONG THE COMMON LINE OF SAID TRACTS 1 AND 3 WITH SAID MILLER TRACT, A DISTANCE OF 840.96 FEET (DEED-848.00 FEET), TO THE POINT OF BEGINNING AND CONTAINING 7.8516 ACRES (342,016 SQUARE FEET) OF LAND, MORE OR LESS.

Site Plan



Concept Plan



Aerial Photo (Surrounding Uses)



Zoning Request Letter

(Light Industrial with Outdoor Storage / Paving Waiver Request)

City of Hutchins
City Hall
Attn: Planning & Zoning Commission
321 N. Main Street
Hutchins, Texas 75141

RE: Former LKQ Site - 1300 IH-45 - Rezoning Application

To Whom It May Concern:

We respectfully submit this request for a zoning change to **Light Industrial (LI) with outdoor storage**, along with a **waiver of the full-site paving requirement**, for the subject property located within the City of Hutchins.

Project Summary

The LKQ Former Site currently consists of a ±87,000 square foot warehouse facility situated on 28.3 acres along Interstate 45 in Hutchins, TX, a strategic infill location with excellent access to I-20 and I-45. The asset includes two distinct areas: ±41,000 SF serviced by 7 grade-level doors and ±46,000 SF with 20 dock-high doors. With 40' clear height, secured perimeter fencing, a stabilized yard, and zoning that permits outside storage, **the property is well-suited for logistics, transportation, and industrial users**. The facility benefits from its interstate frontage and significant yard-to-building ratio. The location and site characteristics are ideal for tenants requiring both warehousing and large-format outdoor storage

The site has been **vacant for over a year** and currently represents an underutilized asset within an established industrial corridor. Our objective is to tenant the property with **low-impact, well-maintained light industrial users** that are compatible with the City's long-term land use goals while improving the appearance and functionality of the site.

Site Improvements & Commitments

We are committed to working collaboratively with the City, and we are willing to undertake the following improvements as part of this zoning request:

- Comprehensive **site cleanup and maintenance**
- **Exterior paint** and aesthetic upgrades where applicable
- **Landscaping enhancements** along visible frontages and boundaries
- Continued upkeep of the **existing paved frontage**, which already provides approximately **132 striped parking spaces** for employees and customers and access to 27 warehouse bays.

These improvements will materially enhance the site's visual quality and ensure it reflects positively on the surrounding area.

Intended Uses

Our focus is to attract **low-intensity, Light Industrial users** such as contractors, service-based industrial tenants, or suppliers—that may require **incidental outdoor storage** without generating excessive traffic, noise, or nuisance impacts.

Desired Uses include service-oriented contractors with limited outdoor material storage, operating primarily during normal business hours such as:

<ul style="list-style-type: none"> • Commercial fencing & gate systems • Architectural metal / railings • Precast architectural elements • Decorative concrete / masonry products • Shade structures & canopies • Roofing systems manufacturers • Commercial window & glazing suppliers • Curtain wall / façade subcontractors • Solar mounting systems (non-retail) • Architectural millwork shops • Truss or LVL component fabricators • Custom cabinetry shops (commercial) 	<ul style="list-style-type: none"> • Engineered wood products distributor • Electrical apprenticeship programs • Welding schools • HVAC training centers • Utility workforce training yards • Electrical co-op staging • Fiber maintenance yards • Water district service centers • Traffic signal maintenance facilities • Agricultural equipment • Compact construction equipment • Trailers for sale only (not storage) • Specialized vehicles (utility, service bodies)
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Specific Use Permits (SUP)s

The following SUPs are hereby requested to afford the property additional compatible uses to effectuate successful tenancy.

Category	Land Use	HC	LI	HI	Definitions	Current/Proposed Tenant/Owner
Transportation Uses	Motor Freight Company/Terminal*	S	S	P	A company using trucks or other heavy load vehicles to transport goods, equipment and similar products, or a premises where cargo is stored and where heavy load vehicles load and unload cargo, but excluding trucking as accessory to the primary use of the production or manufacture of goods or products. This term includes companies that move residential or commercial belongings and premises where such belongings are stored for any period of time.	The Frederick Companies (Trucking, Warehousing, and Industrial Storage Yards)
Commercial Uses	Heavy Machinery Sales/Storage*	S	S	P	A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.	
Commercial Uses	Truck Sales & Storage	S	S	P		
Industrial & Related Uses	Low Risk Industrial Manufacturing Not Wholly Enclosed Within a Building		S	S		
Industrial & Related Uses	Low Risk Industrial Manufacturing Wholly Enclosed Within a Building		S	P		

Outdoor Storage & Paving Waiver Request

The City has indicated a preference or potential ordinance requirement for **full-site concrete paving**. We believe that concrete paving will not help facilitate the desired uses, and moreover may inhibit the desired tenancy. We respectfully request a **variance or waiver** from this requirement for the portions of the site intended for outdoor storage.

The reasoning is practical and site-specific:

- The existing **crushed aggregate base is extremely compacted, stable, and in good condition**, and is better suited to the intended use.
- The outdoor storage areas are intended primarily for **material laydown**, not vehicle circulation or parking.
- Full concrete paving in these areas would be **functionally counterproductive**, as heavy materials and repeated loading activity would rapidly damage the pavement.
- Retaining aggregate in these areas allows flexibility for future tenants while avoiding unnecessary infrastructure costs that may provide no public benefit.
- Importantly, the **frontage and operational parking areas are already paved**, maintaining a clean and orderly appearance along public rights-of-way.

Use Clarifications

We want to be clear regarding intended uses:

- **No truck or trailer storage** is proposed as part of this zoning request.
- The City has expressed that it does not desire truck- or trailer-storage oriented businesses at this location, and we fully respect and align with that position.

Our focus is on **attractive, low-intensity Light Industrial users**—such as contractors, service-based industrial tenants, or suppliers—that may require **incidental outdoor storage** without generating excessive traffic, noise, or nuisance impacts.

Conclusion

This request represents a balanced approach: it **reactivates a long-vacant property**, improves site aesthetics, respects the City's policy direction, and allows practical flexibility for Light Industrial users without overbuilding or over-paving the site.

We believe the proposed zoning and paving waiver are **reasonable, context-sensitive, and in the City's best interest**, and we welcome continued dialogue with staff and the Commission to address any questions or conditions.

Thank you for your time and consideration.

Respectfully submitted,



John Gonzalez
RTG Capital
8235 Douglas Ave., Suite 350
Dallas, TX 75225
Ph: [214.578.1760](tel:214.578.1760)
Email: jgonzalez@rtgcapital.com

As-Built Survey

ITEMS CORRESPONDING TO SCHEDULE B-II

- 1 The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
- THE FOLLOWING AFFECTS TRACTS 1, 2 AND 3
Easement: Electric transmission and distribution
Recorded: 11/14/1933 in Volume 1817, Page 566, of the Deed Records, Dallas County, Texas.
Unable to determine location given provided document information.
- 2 Easement: Electric transmission and distribution
Recorded: 3/5/1935 in Volume 1873, Page 603, of the Deed Records, Dallas County, Texas.
Unable to determine location given provided document information.
- 1 Easement: Electric transmission and/or distribution
Recorded: 7/8/1948 in Volume 3001, Page 95, of the Deed Records, Dallas County, Texas.
Unable to determine location given provided document information.
- 1 Easement: Electric transmission and/or distribution
Recorded: 1/18/1949 in Volume 3081, Page 488, of the Deed Records, Dallas County, Texas.
Unable to determine location given provided document information.
- 1 Easement: Communication systems
Recorded: 5/10/1950 in Volume 3301, Page 309, of the Deed Records, Dallas County, Texas.
Not shown, blanket in nature; Unable to identify location of easement.
- 1 Easement: Communication systems
Recorded: 5/15/1950 in Volume 3304, Page 600, of the Deed Records, Dallas County, Texas.
Not shown, blanket in nature; Unable to identify location of easement.
- 1 ~~Easement: Communication systems
Recorded: 8/16/1950 in Volume 3360, Page 108, of the Deed Records, Dallas County, Texas.
Not shown, does not affect.~~
- 1 ~~Easement: Communication systems
Recorded: 8/16/1950 in Volume 3360, Page 110, of the Deed Records, Dallas County, Texas.
Not shown, does not affect.~~
- THE FOLLOWING AFFECTS TRACT 1 ONLY
Mineral and/or royalty interest
Recorded: 1/12/2012 in County Clerk's File No. 201200009798 of the Official Public Records of Dallas County, Texas.
Not shown, blanket in nature.
- THE FOLLOWING AFFECTS TRACT 3 ONLY
Easement: Overhead electric supply and communications lines
Recorded: 9/2/1992 in Volume 92172, Page 87, of the Real Property Records, Dallas County, Texas. **Shown hereon.**
- THE FOLLOWING AFFECTS TRACT 4 ONLY
~~Easement: Overhead electric supply and communications lines
Recorded: 10/10/1977 in Volume 77202, Page 754, of the Real Property Records, Dallas County, Texas.
Not shown, does not affect.~~
- 1 ~~Easement: Communication systems
Recorded: 10/10/1977 in Volume 77202, Page 771, of the Real Property Records, Dallas County, Texas.
Not shown, does not affect.~~
- 1 Terms, conditions, provisions and stipulations contained in the document entitled Affidavit to the Public evidencing an on-site wastewater treatment system or on-site sewage facility (OSSF), as recorded on 12/28/1999, in Volume 99256, Page 2475, Real Property Records, Dallas County, Texas. **Not shown, blanket in nature.**

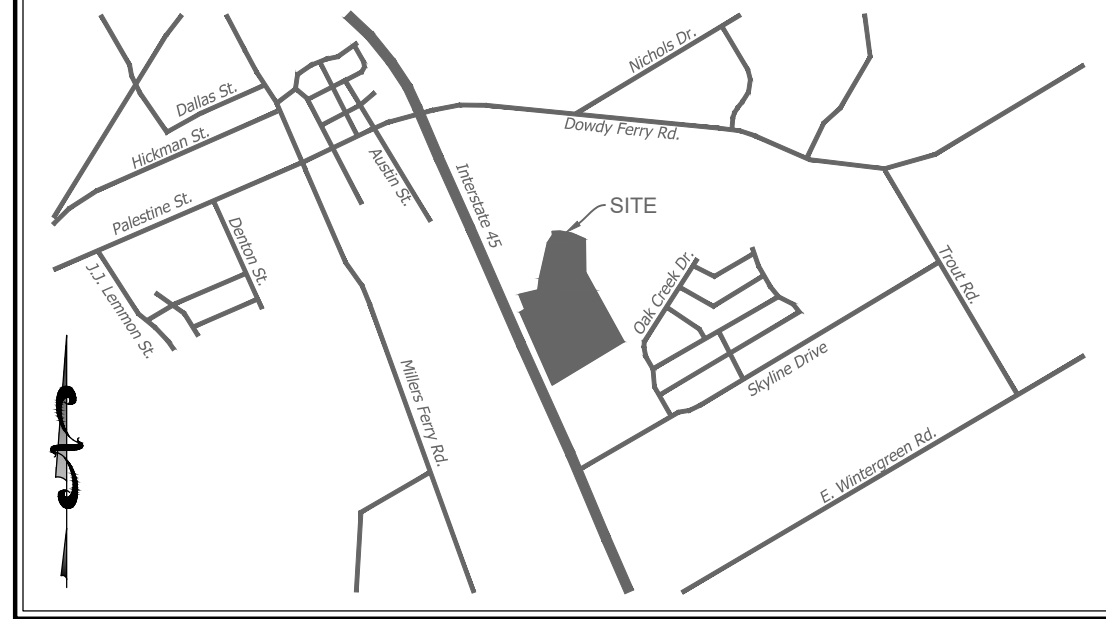
ZONING INFORMATION

Pursuant to Table A Items 6 (a) and 6 (b). Zoning data obtained from zoning report# 170554-1 dated: 02/21/24 prepared by The Planning and Zoning Resource Company, Sheri Klatt, 405-840-4344 x4424 S.Klatt@pzcr.com.

The current zoning classification for the property is Parcel 10180200 & 1049000 - "LI" Light Industrial; Parcel 10490200 & 10480000 - "HC" Highway Commercial; Parcel 10490100 - Unincorporated - No Zoning.

Item	Required	Conforming Y/N
FRONT SETBACK	LI: 50 FEET	YES
SIDE/REAR SETBACK	LI: 25 FEET	YES
BUILDING HEIGHT	LI: 3 stories/45 FEET; HC: 8 stories	YES
MINIMUM LOT AREA	LI: 20,000 SF; HC: 10,000 SF	YES
MINIMUM LOT WIDTH	LI: 100 FEET; HC: 80 FEET	YES
MAXIMUM LOT COVERAGE	LI: 65%; HC: 50%	YES
PARKING	1 per 500 SF (min. 5); 1 truck; 1 bay; 1 tow	YES

VICINITY MAP - NOT TO SCALE



UTILITY NOTE

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that utilities are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

MISCELLANEOUS NOTES

- MN1 Survey prepared by Golden Land Surveying, 4131 N.W. 122nd St., Suite 100, Oklahoma City, Oklahoma 73120, (405) 802-7883, troy@goldens.com.
- MN2 Pursuant to Table A Item 2, The address of 904, 1080, 1300 & 1310 S. Interstate 45 Service Road, Hutchins, Texas 75141 was posted on signage on the surveyed property.
- MN3 Pursuant to Table A Item 4, The surveyed property contains a total area of 1,233,670 Sq. Ft. or 28.3212 Acres, more or less.
- MN4 Only observable surface and above ground structures were located. No underground improvements, such as foundation footings, located. All dimensions shown are in feet and decimals thereof.
- MN5 The Property has direct access to S. Interstate 45 Service Road, being a dedicated public street.
- MN6 Pursuant to Table A Item 9, The total number of striped parking spaces on the subject property is 153, including 2 designated handicap spaces.
- MN7 Pursuant to Table A Items 10, There are no division or party walls with respect to adjoining properties.
- MN8 Pursuant to Table A Item 13, Adjoiner information shown hereon was obtained from the county's property appraiser web site.
- MN9 The surveyor was not provided with a specified street from the client pursuant to Table A Item 14. The intersection of S. Interstate 45 Service Road and Skyline Drive is located 1009' from the S/E corner of subject property.
- MN10 Pursuant to Table A Item 16, There is no observed evidence of current earth moving work, building construction or building additions.
- MN11 Pursuant to Table A Item 17, There are no proposed changes in street right of way lines, to the best of my knowledge. There is no observed evidence of recent street or sidewalk construction or repairs.
- MN12 Pursuant to Table A Item 18, Plottable easement or servitudes provided to the surveyor are shown hereon.
- MN13 At the time of the survey, there was no observed evidence of substantial areas of refuse.
- MN14 Ownership of fences, if any, was not determined under the scope of this survey.
- MN15 At the time of this survey, there was no observable evidence of site use as a burial ground or cemetery.
- MN16 The parcels are contiguous along their common boundary lines with no gaps, gores or strips.
- MN17 A assumed bearing of North 23° 51' 05" East as the Southwest line of the subject property per Texas State Plane Grid Texas North Central was used as the basis of bearing for this survey.
- MN18 All unit of measurements are US Survey feet (Ground).

LEGEND OF SYMBOLS & ABBREVIATIONS

- ☉ POWER POLE
- ☼ LIGHT POLE
- ⌒ GUY ANCHOR
- ⊞ ELECTRIC METER
- ⊞ ELECTRIC BOX
- ⊞ ELEC. TRANSFORMER
- ⊞ ELEC. MANHOLE
- ⊞ ELEC. PEDESTAL
- ⊞ ELEC. PULL BOX
- ⊞ SPOT LIGHT
- ⊞ SANITARY SEWER MANHOLE
- ⊞ SANITARY SEWER CLEANOUT
- ⊞ STORM SEWER MANHOLE
- ⊞ TELEPHONE MARKER
- ⊞ TELEPHONE RISER
- ⊞ TELEPHONE MANHOLE
- ⊞ TELEPHONE PULL BOX
- ⊞ CABLE TV PEDESTAL
- ⊞ CABLE TV MARKER
- ⊞ CABLE TV PULL BOX
- ⊞ FIBER OPTIC MARKER
- ⊞ IRRIGATION CONTROL VALVE
- ⊞ SPRINKLER HEAD
- ⊞ BOLLARD
- ⊞ FIRE DEPARTMENT CONNECT
- ⊞ PROPANE TANK
- W — WATER LINE
- G — GAS LINE
- SS — SANITARY SEWER LINE
- T — TELEPHONE LINE
- E — ELECTRIC LINE
- OHE — OVERHEAD POWERLINE
- X — BARBED WIRE FENCE
- I — IRON FENCE
- S.I.P.-SET IRON PIN
- F.I.P.-FOUND IRON PIN
- B.U.L.-BUILDING LIMIT LINE
- NOTE: ALL MONUMENTS SET ARE CAPPED 1/2" IRON PINS OR MAG NAILS WITH WADERS BOTH BEING STAMPED "D&E RPLS 6904" UNLESS NOTED OTHERWISE
- ⊞ GAS METER
- ⊞ GAS VALVE
- ⊞ GAS MARKER
- ⊞ OIL PIPELINE MARKER
- ⊞ SIGN
- ⊞ FIRE HYDRANT
- ⊞ WATER MANHOLE
- ⊞ WATER VALVE
- ⊞ WATER METER
- ⊞ DOWN SPOUT
- ⊞ AIR CONDITIONER
- ⊞ TRAFFIC SIGNAL
- ⊞ TRAFFIC SIGNAL BOX
- ⊞ PEDESTRIAN CROSSING SIGNAL
- ⊞ GREASE TRAP
- ⊞ MAIL BOX
- ⊞ FLAG POLE
- ⊞ SECTION CORNER
- ⊞ QUARTER CORNER
- ⊞ SET IRON PIN W/CAP
- ⊞ SET MAG NAIL W/WASHER
- ⊞ FOUND MONUMENT
- ⊞ RIGHT OF WAY MARKER
- ⊞ TREE
- ⊞ BUSH
- ⊞ YARD HYDRANT/SPICKET
- ⊞ BENCHMARK
- FO — FIBER OPTIC LINE
- — PROPERTY LINE
- — LOT LINE
- — EASEMENT LINE
- — SECTION LINE
- — CHAIN LINK FENCE
- — WOOD PANEL FENCE
- — GUARD RAIL
- CGMP-CORRUGATED METAL PIPE
- RCP-REINFORCED CONCRETE PIPE
- U/E-UTILITY EASEMENT

RECORD DESCRIPTION

TRACT 1:
BEING A TRACT OF 5.000 ACRES OF LAND IN THE WILLIAM GATLIN SURVEY ABST. NO. 499, DALLAS COUNTY, TEXAS, AND BEING PART OF A CERTAIN TRACT OF LAND AS DESCRIBED IN DEED TO T.F. CAMPBELL, RECORDED IN VOLUME L, PAGE 412 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND SAID 5.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO T.F. CAMPBELL RECORDED IN VOLUME O, PAGE 321, DEED RECORDS, DALLAS COUNTY, TEXAS, AN IRON ROD AT A FENCE CORNER; THENCE N 27° 48' 00" W, ALONG AN OLD FENCE AND HEDGE ON THE NORTHEAST LINES OF SAID CAMPBELL TRACTS, 653.35 FT. TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN;

THENCE S 60° 00' 00" W, 973.55 FT. TO A POINT IN THE NORTHEAST LINE OF US HIGHWAY NO. 75;

THENCE N 22° 46' 00" W, ALONG THE NORTHEAST LINE OF SAID HIGHWAY, 227.85 FT.;

THENCE N 60° 00' 00" E, 953.54 FT. TO A POINT IN THE NORTHEAST LINE OF SAID CAMPBELL TRACT, THENCE S 27° 48' 00" E, ALONG THE NORTHEAST LINE OF SAID CAMPBELL TRACT, 226.21 FT. TO THE POINT OF BEGINNING AND CONTAINING 5.000 ACRES OF LAND.

SAID PROPERTY ALSO BEING DESCRIBED AS FOLLOWS:
BEING A 5.00 ACRE TRACT OF LAND SITUATED IN THE WILLIAM GATLIN 1,476.13 ACRE SURVEY, ABSTRACT NO. 499, DALLAS COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO TOMMIE LOIS PHELPS, AS RECORDED IN INSTRUMENT NO. 201100189400, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 1/2-INCH IRON ROD AT THE WEST CORNER OF SAID PHELPS TRACT AND THE SOUTH CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LKQ AUTO PARTS OF NORTH TEXAS, L.P., AS RECORDED IN VOLUME 2004035, PAGE 3224, SAID DEED RECORDS, SAID IRON ROD BEING ON THE NORTHEAST LINE OF INTERSTATE 45 S.;

THENCE NORTH 60° 00' 00" EAST, A DISTANCE OF 953.54 FEET ALONG THE COMMON LINE OF SAID PHELPS AND LKQ TRACTS TO A POINT FROM WHICH A FOUND 1/2-INCH IRON ROD BEARS NORTH 81° 01' 12" EAST, A DISTANCE OF 0.64 OF ONE FOOT, SAID POINT BEING THE NORTH CORNER OF SAID PHELPS TRACT AND THE EAST CORNER OF SAID LKQ TRACT, AND BEING ON THE SOUTHWEST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO COVENANT TRANSPORT, INC., AS RECORDED IN VOLUME 2003078, PAGE 12512, SAID DEED RECORDS;

THENCE SOUTH 27° 48' 00" EAST, A DISTANCE OF 226.21 FEET ALONG THE COMMON LINE OF SAID PHELPS AND COVENANT TRANSPORT TRACTS TO A SET 1/2-INCH IRON ROD AT THE EAST CORNER OF SAID PHELPS TRACT AND THE NORTH CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LKQ AUTO PARTS OF NORTH TEXAS, L.P., AS RECORDED IN INSTRUMENT NO. 200600189049, SAID DEED RECORDS;

THENCE SOUTH 60° 00' 00" WEST, A DISTANCE OF 973.55 FEET ALONG THE COMMON LINE OF SAID PHELPS AND LKQ (200600189049) TRACTS TO A UTILITY POLE AT THE SOUTH CORNER OF SAID PHELPS TRACT AND THE WEST CORNER OF SAID LKQ TRACT (200600189049), SAID POLE BEING ON THE AFORESAID NORTHEAST LINE OF INTERSTATE 45 S.;

THENCE NORTH 22° 46' 00" WEST (BASIS OF BEARING FROM AFORESAID DEED 201100190400), A DISTANCE OF 227.85 FEET ALONG SAID NORTHEAST LINE TO THE POINT OF BEGINNING AND CONTAINING 217.797 SQUARE FEET OR 5.00 ACRES OF LAND.

TRACT 2:
BEING A TRACT OF LAND SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 499, DALLAS COUNTY, TEXAS AND BEING A TRACT OF LAND CONVEYED TO T. S. MILLER, LTD., RECORDED IN VOLUME 98237, PAGE 6044, DEED RECORDS, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID MILLER TRACT, SAID POINT BEING ON THE NORTHEAST LINE OF S. INTERSTATE 45 (300' R.O.W.), SAID POINT BEING N 22°46'00" W 891.33 FT. FROM THE NORTHWEST CORNER OF MILTON TRUCK LINE ADDITION, AN ADDITION TO THE CITY OF HUTCHINS RECORDED IN VOLUME 93117, PAGE 1437, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE N 22°46'00" W, ALONG THE NORTHEAST LINE OF SAID S. INTERSTATE 45, A DISTANCE OF 490.64 FT. TO A 3/4 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID MILLER TRACT.

THENCE N 89°40'00" E, LEAVING THE NORTHEAST LINE OF SAID S. INTERSTATE 45 AND ALONG THE NORTH LINE OF SAID MILLER TRACT, A DISTANCE OF 910.50 FT. TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID MILLER TRACT.

THENCE S 27°48'00" E, ALONG THE EAST LINE OF SAID MILLER TRACT, A DISTANCE OF 494.49 FT. TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID MILLER TRACT;

THENCE S 60°07'33" W, ALONG THE SOUTH LINE OF SAID MILLER TRACT, A DISTANCE OF 953.28 FT. TO THE POINT OF BEGINNING AND CONTAINING 10.4903 ACRES (456, 956 SQ. FT.) OF LAND, MORE OR LESS.

TRACT 3:
BEING A TRACT OF 5.000 ACRES OF LAND IN THE WILLIAM GATLIN SURVEY ABST. NO. 499, DALLAS COUNTY, TEXAS, AND BEING PART OF A CERTAIN TRACT OF LAND AS DESCRIBED IN DEED TO T.F. CAMPBELL, RECORDED IN VOLUME L, PAGE 412 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS; AND SAID 5.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO T.F. CAMPBELL IN VOLUME O, PAGE 321, DEED RECORDS, DALLAS COUNTY, TEXAS, A FENCE CORNER;

THENCE NORTH 27 DEGREES 48 MINUTES WEST, ALONG THE NORTHEAST LINE OF SAID CAMPBELL TRACTS, 431.69 FEET, TO THE POINT OF BEGINNING OF THE 5.000 ACRE TRACT DESCRIBED HEREIN;

THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, 993.15 FEET TO A POINT IN THE NORTHEAST LINE OF U.S. HIGHWAY NO. 75.

THENCE NORTH 22 DEGREES 46 MINUTES 00 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID HIGHWAY, 223.27 FEET;

THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS EAST, 973.55 FEET TO THE NORTHEAST LINE OF SAID CAMPBELL TRACT, 221.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.000 ACRES OF LAND.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

TRACT 4:
BEING A TRACT OF LAND SITUATED IN THE THOMAS FREEMAN SURVEY, ABSTRACT NO. 453, AND THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 499, AND SAID TRACT OF LAND BEING A PART OF TRACTS 1 AND 3 IN A WARRANTY DEED CONVEYED TO J.R. MARRIOTT AND B.O. MARRIOTT RECORDED IN VOLUME 85121, PAGE 5536, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON ROD WITH ALBERT HALFF CAP AT THE SOUTHWEST CORNER OF SAID TRACT 3, SAID POINT BEING NORTH 60 DEGREES 45 MINUTES 34 SECONDS EAST, 69.56 FEET FROM A FOUND 3/4 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF INTERSTATE HIGHWAY 45 (300 FOOT R.O.W.), SAID BEGINNING POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO D.R. TURNER, DATED 5/25/66, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 18 DEGREES 08 MINUTES 43 SECONDS WEST, (DEED-NORTH 18 DEGREES 52 MINUTES WEST), ALONG THE COMMON LINE OF SAID TRACT 3 AND SAID TURNER TRACT, A DISTANCE OF 188.28 FEET TO A POINT FOR CORNER IN THE CENTERLINE OF RAWLINS BRANCH;

THENCE ALONG THE CENTERLINE OF RAWLINS BRANCH THE FOLLOWING CALLS:
THENCE NORTH 80 DEGREES 50 MINUTES 15 SECONDS EAST, A DISTANCE OF 229.82 FEET TO A POINT FOR CORNER;
THENCE NORTH 11 DEGREES 59 MINUTES 48 SECONDS EAST, A DISTANCE OF 136.39 FEET TO A POINT FOR CORNER;
THENCE NORTH 16 DEGREES 44 MINUTES 04 SECONDS EAST, A DISTANCE OF 439.13 FEET TO A POINT FOR CORNER;
THENCE NORTH 38 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 110.67 FEET TO A POINT FOR CORNER;
THENCE NORTH 3 DEGREES 54 MINUTES 23 SECONDS WEST, A DISTANCE OF 41.11 FEET TO A POINT FOR CORNER;
THENCE SOUTH 88 DEGREES 12 MINUTES 33 SECONDS EAST, A DISTANCE OF 91.86 FEET TO A POINT FOR CORNER;
THENCE SOUTH 75 DEGREES 38 MINUTES 29 SECONDS EAST, A DISTANCE OF 146.23 FEET TO A POINT FOR CORNER;
THENCE SOUTH 62 DEGREES 07 MINUTES 19 SECONDS EAST, A DISTANCE OF 167.86 FEET TO A POINT FOR CORNER ON A SOUTHEAST LINE OF SAID TRACT 1;

THENCE SOUTH 3 DEGREES 23 MINUTES 08 SECONDS WEST, (DEED-SOUTH 2 DEGREES 45 MINUTES WEST), LEAVING THE CENTERLINE OF SAID RAWLINS BRANCH AND ALONG A SOUTHEAST LINE OF SAID TRACT 1, A DISTANCE OF 395.10 FEET TO A FOUND THREADED IRON ROD FOR THE SOUTHEAST CORNER OF SAID TRACT 1, SAID POINT ALSO BEING ON THE NORTHEAST LINE OF SAID MILLER TRACT;

THENCE SOUTH 62 DEGREES 44 MINUTES 54 SECONDS WEST, ALONG THE COMMON LINE OF SAID TRACTS 1 AND 3 WITH SAID MILLER TRACT, A DISTANCE OF 840.96 FEET (DEED-848.00 FEET), TO THE POINT OF BEGINNING AND CONTAINING 7.8516 ACRES (342,016 SQUARE FEET) OF LAND, MORE OR LESS.

The lands surveyed, shown and described hereon are the same lands as described in the Title Commitment provided by First American Title Insurance Company, Commitment No. 23-1550-TX, Dated November 21, 2023.

ALTA/NSPS LAND TITLE SURVEY

for
Alterra - Hutchins
NV5 Project No. 202304488-001

904, 1080, 1300 & 1310 S. Interstate 45 Service Road, Hutchins, TX 75141

Based upon Title Commitment No. 23-1550-TX
of First American Title Insurance Company
Bearing an effective date of November 21, 2023

Surveyor's Certification

To: First American Title Insurance Company; and Bock & Clark Corporation, an NV5 Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10, 13, 14, 16, 17, 18 and 19 of Table A thereof. The field work was completed on 2/6/2024.

This survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 3, Land Title Survey.

PRELIMINARY

Troy Dee
Registration No. 6904
In the State of Texas
Date of survey: February 8, 2024
Date of last revision: February 21, 2024
Network Project No. 202304488-001-RLS

Golden Job No: 241181



Bock & Clark Corporation
an NV5 Company

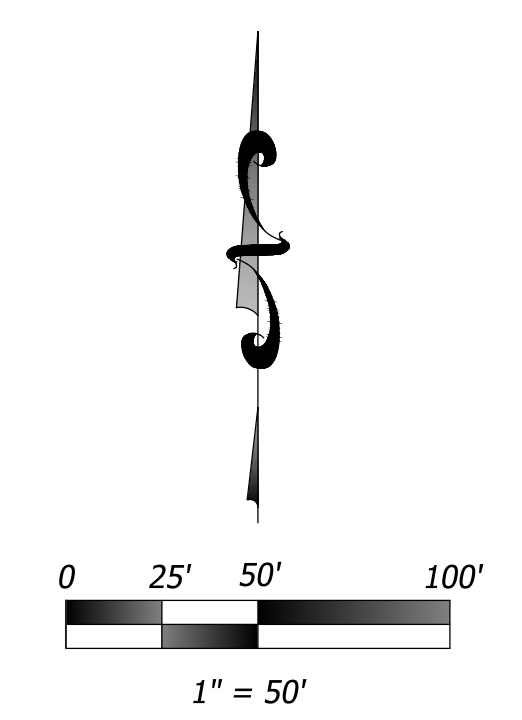
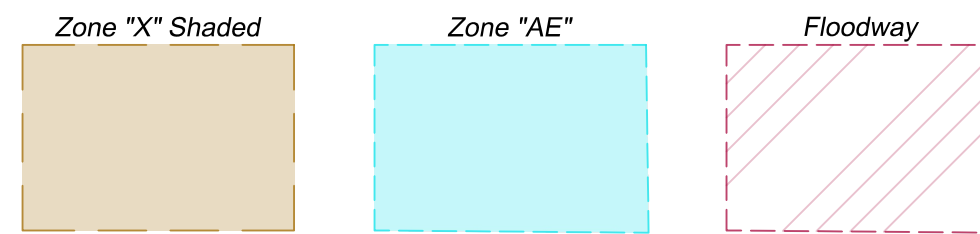


Transaction Services 1-800-SURVEYS (787-8397)
3550 W. Market Street, Suite 200, Akron, Ohio 44333
www.BockandClark.com mayhewelpyou@bockandclark.com www.NV5.com

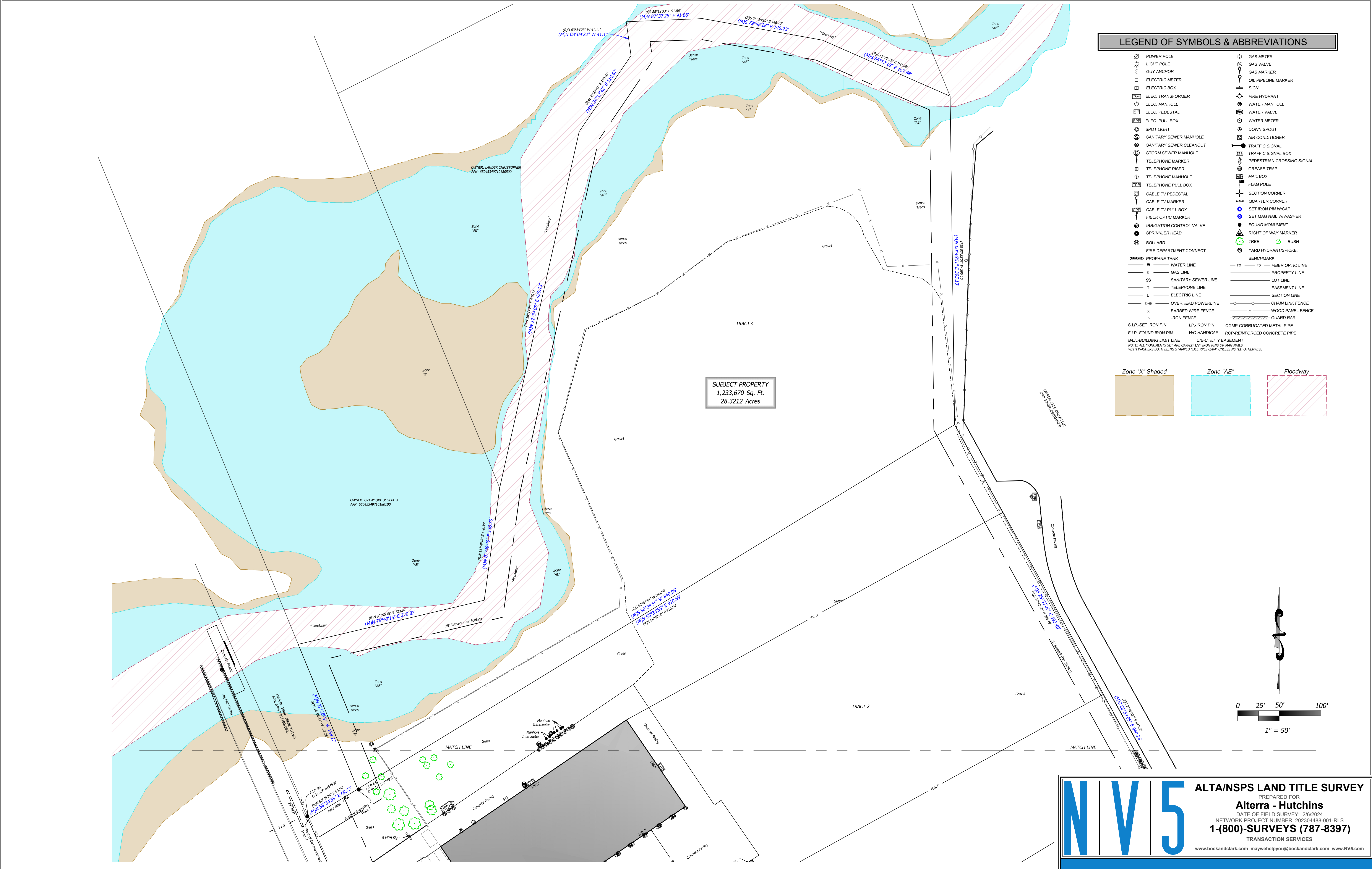
SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

LEGEND OF SYMBOLS & ABBREVIATIONS

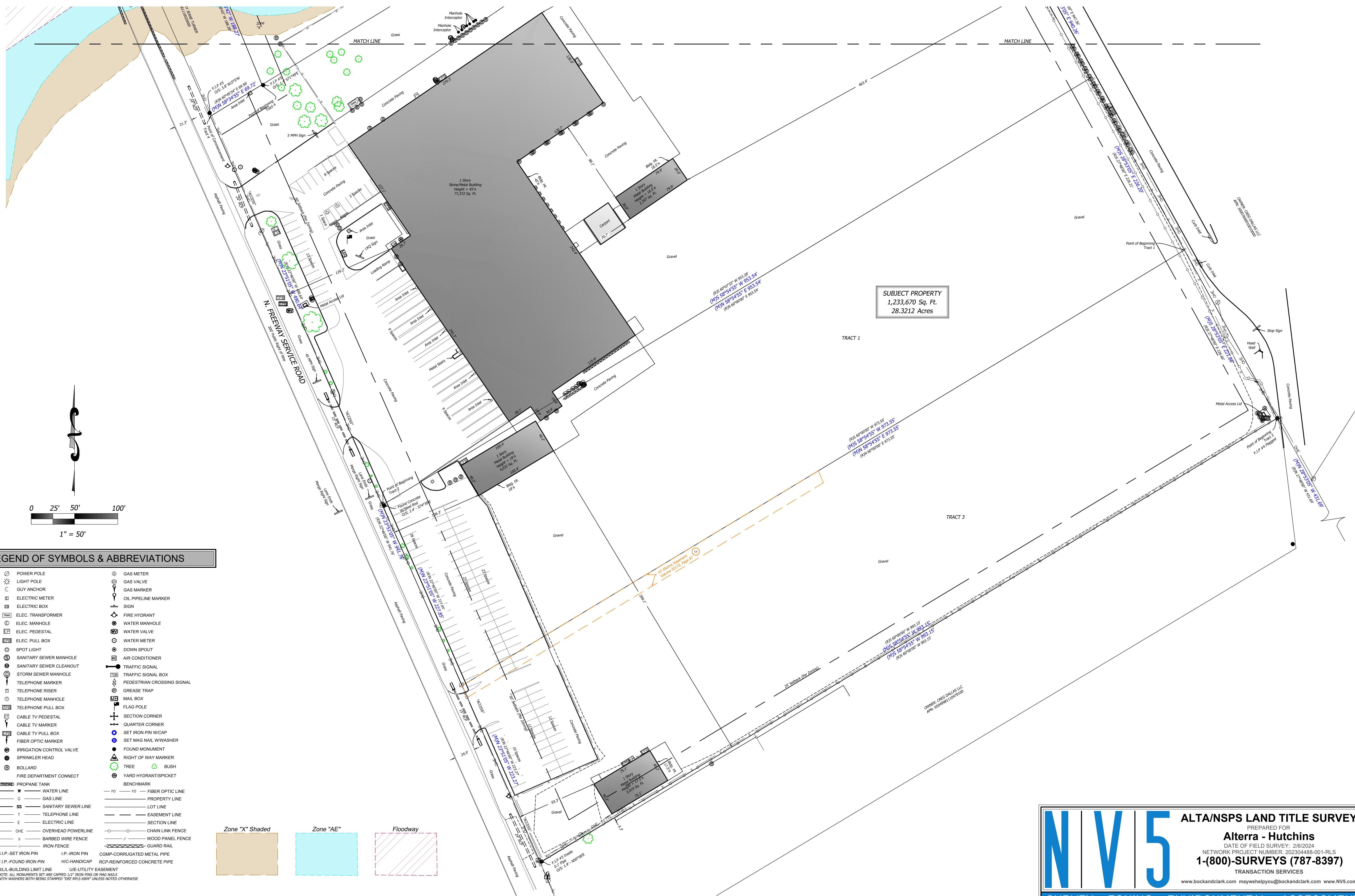
- | | |
|----------------------------|---------------------------------|
| ☉ POWER POLE | ⊗ GAS METER |
| ⊛ LIGHT POLE | ⊗ GAS VALVE |
| ⊙ GUY ANCHOR | ⊗ GAS MARKER |
| ⊞ ELECTRIC METER | ⊗ OIL PIPELINE MARKER |
| ⊞ ELECTRIC BOX | ⊗ SIGN |
| ⊞ ELEC. TRANSFORMER | ⊗ FIRE HYDRANT |
| ⊞ ELEC. MANHOLE | ⊗ WATER MANHOLE |
| ⊞ ELEC. PEDESTAL | ⊗ WATER VALVE |
| ⊞ ELEC. PULL BOX | ⊗ WATER METER |
| ⊞ SPOT LIGHT | ⊗ DOWN SPOUT |
| ⊞ SANITARY SEWER MANHOLE | ⊗ AIR CONDITIONER |
| ⊞ SANITARY SEWER CLEANOUT | ⊗ TRAFFIC SIGNAL |
| ⊞ STORM SEWER MANHOLE | ⊗ TRAFFIC SIGNAL BOX |
| ⊞ TELEPHONE MARKER | ⊗ PEDESTRIAN CROSSING SIGNAL |
| ⊞ TELEPHONE RISER | ⊗ GREASE TRAP |
| ⊞ TELEPHONE MANHOLE | ⊗ MAIL BOX |
| ⊞ TELEPHONE PULL BOX | ⊗ FLAG POLE |
| ⊞ CABLE TV PEDESTAL | ⊗ SECTION CORNER |
| ⊞ CABLE TV MARKER | ⊗ QUARTER CORNER |
| ⊞ CABLE TV PULL BOX | ⊗ SET IRON PIN W/CAP |
| ⊞ FIBER OPTIC MARKER | ⊗ SET MAG NAIL W/WASHER |
| ⊞ IRRIGATION CONTROL VALVE | ⊗ FOUND MONUMENT |
| ⊞ SPRINKLER HEAD | ⊗ RIGHT OF WAY MARKER |
| ⊞ BOLLARD | ⊗ TREE |
| ⊞ FIRE DEPARTMENT CONNECT | ⊗ BUSH |
| ⊞ PROPANE TANK | ⊗ YARD HYDRANT/SPICKET |
| ⊞ BENCHMARK | ⊗ BENCHMARK |
| W WATER LINE | FO FIBER OPTIC LINE |
| G GAS LINE | PL PROPERTY LINE |
| SS SANITARY SEWER LINE | LOT LINE |
| T TELEPHONE LINE | EASEMENT LINE |
| E ELECTRIC LINE | SECTION LINE |
| OHE OVERHEAD POWERLINE | CHAIN LINK FENCE |
| X BARBED WIRE FENCE | WOOD PANEL FENCE |
| IRON FENCE | GUARD RAIL |
| S.I.P.-SET IRON PIN | I.P.-IRON PIN |
| F.I.P.-FOUND IRON PIN | H.C.-HANDICAP |
| B.L.L.-BUILDING LIMIT LINE | R.C.P.-REINFORCED CONCRETE PIPE |
| L.I.E.-UTILITY EASEMENT | |
- NOTE: ALL MONUMENTS SET ARE CAPPED 1/2" IRON PINS OR MAG NAILS WITH WASHERS BOTH BEING STAMPED "DEE RPLS 6504" UNLESS NOTED OTHERWISE



SUBJECT PROPERTY
1,233,670 Sq. Ft.
28.3212 Acres

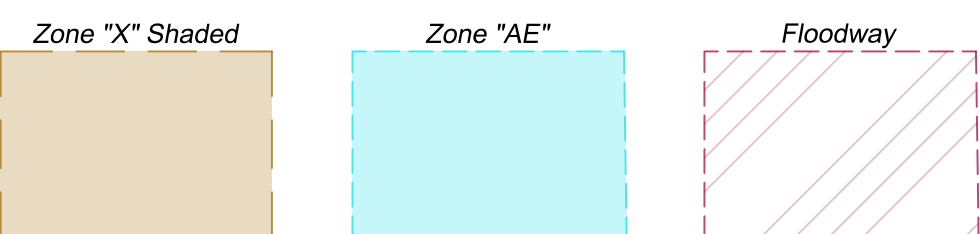


NV5 ALTA/NSPS LAND TITLE SURVEY
 PREPARED FOR
Alterra - Hutchins
 DATE OF FIELD SURVEY: 2/6/2024
 NETWORK PROJECT NUMBER: 202304488-001-RLS
1-(800)-SURVEYS (787-8397)
 TRANSACTION SERVICES
 www.bockandclark.com maywehelpyou@bockandclark.com www.NV5.com



LEGEND OF SYMBOLS & ABBREVIATIONS

- | | |
|----------------------------|--------------------------------|
| ⊙ POWER POLE | ⊙ GAS METER |
| ⊙ LIGHT POLE | ⊙ GAS VALVE |
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| — W — WATER LINE | — FO — FIBER OPTIC LINE |
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| — — IRON FENCE | — — GUARD RAIL |
| S.I.P. - SET IRON PIN | I.P. - IRON PIN |
| F.I.P. - FOUND IRON PIN | H.C. - HANDICAP |
| | CGMP - CORRUGATED METAL PIPE |
| | RCP - REINFORCED CONCRETE PIPE |
| B/L - BUILDING LIMIT LINE | U/E - UTILITY EASEMENT |
- NOTE: ALL MONUMENTS SET ARE CAPPED 1/2" IRON PINS OR IRON NAILS WITH WASHERS BOTH BEING STAMPED "D&S 6904" UNLESS NOTED OTHERWISE



NV5 ALTA/NSPS LAND TITLE SURVEY
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 www.bockandclark.com maywehelpyou@bockandclark.com www.NV5.com

**Former Site Specific Use Permit
(for reference only)**

ORDINANCE NO. 835

AN ORDINANCE OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF HUTCHINS, GRANTING A ZONING CHANGE FROM HC, HIGHWAY COMMERCIAL, TO HC, HIGHWAY COMMERCIAL WITH A SPECIFIC USE PERMIT FOR AUTO STORAGE, SUBJECT TO SPECIAL CONDITIONS, FOR THE TRACT OF LAND, CONSISTING OF 4.996 ACRES OF LAND LOCATED AT 1310 I-45 SOUTH IN HUTCHINS, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning Commission of the City of Hutchins and the governing body of the City of Hutchins, in compliance with state laws with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and all persons interested in and situated in the affected area and in the vicinity thereof, the governing body of the City of Hutchins is of the opinion that said zoning change should be granted and the Comprehensive Zoning Ordinance should be amended; Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Hutchins, Texas be, and the same is hereby amended by amending the Comprehensive Zoning Ordinance and Zoning Map of the City of Hutchins so as to grant a special use permit on property presently zoned HC, Highway Commercial District zoning classification to HC Highway Commercial with a special use permit for an Auto Storage Facility, subject to special conditions. The property is more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the special use permit for an Auto Storage Facility on property presently zoned HC Highway Commercial District zoning classification is granted subject to the following conditions and restrictions, to wit:

1. That the property owner shall construct and maintain in good condition a double slatted fence eight (8) feet in height around the outside boundary of the property.
2. That the Specific Use Permit granted herein is non-transferable and may be used only by the applicant, LKQ Auto Parts of North Texas, L.P.

SECTION 3. Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4 That all ordinances of the City of Hutchins in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City of Hutchins not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 5. That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Hutchins, as amended herein by the granting of the special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Hutchins, as heretofore amended and as amended hereby and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such case provides.

DULY PASSED by the City Council of the City of Hutchins, Texas, on the
18th day of December, 2006.

APPROVED:



MAYOR

APPROVED AS TO FORM:



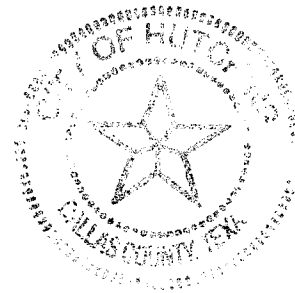
CITY ATTORNEY

(HLN/mew 11-01-06)(ORD1332)

DULY RECORDED:



CITY SECRETARY



LEGAL DESCRIPTION

Being a tract of land situated in the William Gatlin Survey, Abstract No. 499, City of Hutchins, Dallas County, Texas and being a tract of land conveyed by deed to KGG Enterprises, a Partnership, recorded in Volume 80245, Page 2588, Deed Records, Dallas County, Texas and being more particularly described as follows:

Beginning at a 3/8 inch iron rod found for the most westerly corner of said KGG tract, said point also being the most southerly corner of a tract of land conveyed to Ernest L. Phelps, recorded in Volume 82080, Page 37, Deed Records, Dallas County, Texas, said point also being on the northeast line of Interstate 45 (300' R.O.W.), said point also being S 22°41'13" E, 222.60 ft. from a 1/2 inch (slipk) iron rod found for the most southerly corner of a tract of land conveyed to LKQ Auto Parts of North Texas, LP, recorded in Volume 2004035, Page 3224, Deed Records, Dallas County, Texas;

THENCE N 60°07'33" E, leaving the northeast line of said Interstate 45 and along the common line of said KGG and Phelps tracts, a distance of 647.62 ft. to a 1/2 inch iron rod set for corner on a southwesterly line of a tract of land conveyed to Covenant Transport, Inc., recorded in Volume 2003078, Page 12512, Deed Records, Dallas County, Texas;

THENCE S 28°31'40" E, along the common line of said KGG and Covenant Transport tracts, a distance of 221.29 ft. to a 1/2 inch iron rod set for corner, same being the most northerly corner of a tract of land conveyed to Bestplate, Inc., said point bears S 50°07'33" W, 2.81 ft. from a found 1/2 inch iron rod;

THENCE S 60°07'33" W, along the common line of said KGG and Bestplate tracts, a distance of 993.67 ft. to a 1/2 inch iron rod set for corner on the northeast line of said Interstate 45;

THENCE N 22°42'20" W, along the northeast line of said Interstate 45, a distance of 222.97 ft. to the Point of Beginning and containing 4.996 acres (217, 612 Sq. Ft.) of land.

CERTIFICATION

This survey was performed in connection with the property described in GF No. 000427115 of Chicago Title Company. USE OF THIS SURVEY FOR ANY OTHER PARTIES SHALL BE AT THEIR RISK AND THE UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM. I, Danny B. Fugate, Registered Professional Land Surveyor, State of Texas, do certify to that this plat represents measurements performed upon the ground under my supervision, and indicates set back lines (if any), apparent easements or encumbrances that I have been made aware of in connection with this GF. No., and fences as they are visible on the ground, and that the visible improvements, if any, are wholly within the boundary lines of the property, and that there are no encroachments, protrusions, or overlapping of improvements except as shown hereon. This is a true and correct survey.

By: [Signature]
Registered Professional Land Surveyor No. 3671
State of Texas

DATE: 4-11-2006



1310 INTERSTATE 45

