

OWNER'S CERTIFICATE AND DEDICATION

State of Texas County of Denton §

described as follows:

WHEREAS, SMKMR REAL ESTATE HOLDINGS 2, LLC, is the owner of a tract of land situated in the L. Netherly Survey, Abstract No. 962, Denton County, Texas, being all of Block A, Lot 1R, PROSPER CENTER, an addition to Denton County, Texas, according to the plat thereof recorded in Document Number 2017-150, Official Public Records, Denton County, Texas, (O.P.R.D.C.T.) and as conveyed to SMKMR REAL ESTATE HOLDINGS 2, LLC, a Texas limited liability company, by Special Warranty Deed, recorded in Document Number 2017-37344, O.P.R.D.C.T., and being more particularly

BEGINNING at a 5/8 inch iron rod with cap stamped "KHA" (control monument (CM)) found, being the most westerly southern corner of said Block A, Lot 1R, being on the northeasterly right-of-way line of Westwood Drive (a variable width right-of-way);

THENCE North 49 degrees 20 minutes 59 seconds West, along the northeasterly right-of-way line of said Westwood Drive, a distance of 340.00 feet to a 5/8 inch iron rod with cap stamped "Traverse LS Prop Cor" set for corner, being the westerly corner of said Block A, Lot 1R, being the southerly corner of Block L, Lot 1, PARKS AT LEGACY PHASE IV, an addition to Denton County, Texas, according to the plat thereof recorded in Document Number 2020-178, O.P.R.D.C.T.;

THENCE North 40 degrees 39 minutes 01 seconds East, departing the northwesterly right-of-way of said Westwood Drive and along the common northerly line of said Block A, Lot 1R, and said Block L, Lot 1, a passing distance of 225.38 feet to the most southerly eastern corner of said Block L, Lot 1, and being a ell subdivision corner of said Parks at Legacy Phase IV Addition, and being a south corner of Block A, Lot 6, PROSPER CENTER, an addition to Denton County, Texas, according to the plat thereof recorded in Document Number 2018-243, O.P.R.D.C.T, having a total distance of 275.00 feet to a 1/2 inch iron rod (CM) found, being the northerly corner of said Block A, Lot 1R, same being an ell corner of said Block A, Lot 6;

THENCE South 49 degrees 20 minutes 59 seconds East, departing said corner and along the common northeasterly line of said Block A, Lot 1R and the southwesterly line of said Block A, Lot 6, a distance of 365.00 feet to a 1/2 inch iron rod (CM) found, being the easterly corner of said Block A, Lot 1R, and being in the northwesterly right-of-way of Legacy Drive (a variable width right-of-way);

THENCE South 40 degrees 39 minutes 01 seconds West, along the common southerly line of said Block A, Lot 1R and the northwesterly right-of-way line of said Legacy Drive, a distance of 250.00 feet to a 5/8 inch iron rod with cap stamped "Traverse LS Prop Cor" set for corner, being the most easterly southern corner of said Block A, Lot 1R;

THENCE South 85 degrees 39 minutes 01 seconds West, along the common southerly line of said Block A, Lot 1R, a distance of 35.36 feet to the POINT OF BEGINNING and containing 2.297 acres of land (100,063 square feet), more or less.

Printed Name and Title

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

THAT, **SMKMR REAL ESTATE HOLDINGS 2, LLC** acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as PROSPER CENTER, Block A, Lot 1R1, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. The **SMKMR REAL ESTATE HOLDINGS 2**, **LLC** does hereby certify the following:

WITNESS my hand, this _____ day of _____, 2023.

- 1. The streets and alleys are dedicated for street and alley purposes. 2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- 3. The easements and public use areas, as shown are dedicated for the public use forever for the purposes
- indicated on this plat. 4. No building, fences, trees, shrubs, or other improvements or growth shall be constructed or placed upon,
- over or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved by the Town of Prosper.
- 5. The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements
- caused by maintenance or repair. 6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by the public utilities
- being subordinate to the public's and Town of Prosper's use thereof. 7. The Town of Prosper and public utilities shall have the right to remove and keep removed all or part of any
- building, fences, trees, shrubs, or other improvements or growths which may in any was endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
- 8. The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
- 9. All modifications to this document shall be by means of plat and approved by the Town of Prosper.

This plat is approved subject to all platting ordinances, rules, regulations and resolutions of the City of Prosper, Texas

BY:

Authorized Signature

State Of Texas County Of Collin

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kartavya Patel, 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 purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of ___

Notary Public in and for the State of Texas

ACCESS EASEMENT

The undersigned covenants and agrees that the access easement(s) may be utilized by any person of the general public for ingress and egress to other real property, and for the purpose of general public vehicular use and access, and for the Fire Department, Police, and emergency use in along, upon, and across said premises, with the right and privilege at all time of the Town of Prosper, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon, and across said premises.

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of food repair at all times and keep the same free and clear of any structures, fenced trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

LANDSCAPE EASEMENT

The undersigned covenants and agrees that the landscape easement and restrictions herein set forth shall run with the land and be binding on the owner(s) of the property in this subdivision, their successors and assigns, and all parties claiming by, through and under them. In the event a Replat is requested on all or part of this property, the Town may require any similar or additional restrictions at its sole discretion. The sole responsibility for maintenance and replacement of landscape materials thereof shall be borne by any 'homeowners' association hereafter established for the owners of lots in this subdivision and/or the owner of the individual lots within this subdivision. Such maintenance and replacement shall be in conformance with the requirements, standards, and specifications of the Town of Prosper, as presently in effect or as may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law. This Landscape Easement shall be void of utilities and other elements unless otherwise approved on the plat

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, MARK ALLAN NACE, do hereby certify that i prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the subdivision ordinance of the City of Prosper, Texas.

PRELIMINARY, THIS SURVEY SHALL NOT BE RECORDED FOR ANY

PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A

FINAL SURVEY DOCUMENT

MARK ALLAN NACE Registered Professional Land Surveyor

Texas Registration No. 5539

STATE OF TEXAS COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared MARK ALLAN NACE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

Given under my hand and seal of office this ______ day of ______, 2023

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

Approved this day of _ , 2023 by the Planning & Zoning Commission of the Town of Prosper, Texas

Town Secretary

Engineering Department

Development Services Department

DEVAPP-23-0016 FINAL PLAT LOT 1R1, BLOCK A PROSPER CENTER

PER SPECIAL WARRANTY DEED RECORDED UNDER COUNTY CLERK NO. 2017-37344, O.P.R.C.C.T. 2.297 ACRES SITUATED IN THE

L. NETHERLY SURVEY, ABSTRACT NO. 962 AN ADDITION TO THE TOWN OF PROSPER, DENTON COUNTY, TEXAS

14200 Midway Road, Suite 130, Dallas, TX 75244 | T: 469.784.9321

W: TraverseLandSurveying.com | Texas Firm No. 10194631 Surveying | Construction Staking | Platting Proiect No.: TR-02-23 Date: March 1, 2023

2 of 2

OWNER/DEVELOPER Name: SMKMR REAL ESTATE HOLDINGS 2, LLC Name: Triangle Engineering, LLC Address: 1782 West McDermott Drive Allen, Texas, 75013 Contact Name: Kartavya Patel

Phone: 469-331-8566

ENGINEER Address: 1784 W. Mcdermott Drive, Suite 110 Allen, Texas, 75013 Contact Name: Kevin Patel

Phone: 469-331-8566

SURVEYOR Name: Traverse Land Surveying, LLC Address: 14200 Midway Road, Suite 130 Dallas, Texas, 75244 Contact Name: Mark Nace Phone: 469-784-9321