

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, DECLARING THE PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTIES FOR RIGHT-OF-WAY FOR THE CONSTRUCTION OF THE COIT ROAD (FIRST-FRONTIER) PROJECT; DETERMINING THE PUBLIC USE AND NECESSITY FOR SUCH ACQUISITIONS; AUTHORIZING THE ACQUISITION OF PROPERTY RIGHTS NECESSARY FOR SAID PROJECT; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE TOWN MANAGER OF THE TOWN OF PROSPER, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE TOWN MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS; AND AUTHORIZING THE TOWN ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS TO ACQUIRE THE PROPERTY IF PURCHASE NEGOTIATIONS ARE NOT SUCCESSFUL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Prosper, Texas (the "Town Council"), has determined that there exists a public necessity to acquire certain property interests for the construction of the Coit Road (First – Frontier) project, the location of which is generally set forth in the exhibits attached to this resolution; and

**WHEREAS**, the Town Council desires to acquire the property interests (collectively referred to as the "Property"), as more particularly described in the exhibits attached to this Resolution, for this governmental and public use in conjunction with the Town of Prosper's construction of the Coit Road (First – Frontier) project ("Project"); and

**WHEREAS**, the Town Council desires that the Town Manager, or his designee, take all necessary steps to acquire the Property for the Project including, but not limited to, the retention of appraisers, engineers, and other consultants and experts, and that the Town Attorney, or his designee, negotiate the purchase of the Property for the Project, and if unsuccessful in purchasing the Property for the Project, to institute condemnation proceedings to acquire the Property.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

### **SECTION 1**

All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Prosper, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

### **SECTION 2**

The Town Council hereby finds and determines that a public use and necessity exists for the Town of Prosper, Texas, to acquire the following Property for the Project, as more particularly described in the Exhibits referenced herein:

### **EXHIBIT DESCRIPTION / INTEREST TO BE ACQUIRED**

- 1 (Parcel 1) Approximately 0.891 acres of real property for right-of-way, situated generally in the Abiah Dyer Survey, Abstract Number 258, Collin County, Texas and being part of that certain tract of land described as recorded in Instrument Number 20150706000823550 of the Official Public Records of Collin County, Texas
- 2 (Parcel 2 and 3) Approximately 0.762 acres of real property for right-of-way, situated generally in the Elisha Chambers Survey, Abstract Number 179, Collin County, Texas and being part of that certain tract of land described as recorded in Instrument Number 20091211001487200 of the Official Public Records of Collin County, Texas
- 3 (Parcel 5) Approximately 0.520 acres of real property for right-of-way, situated generally in the Elisha Chambers Survey, Abstract Number 179, Collin County, Texas and being part of that certain tract of land described as recorded in Instrument Number 20120803000955070 of the Official Public Records of Collin County, Texas
- 4 (Parcel 6) Approximately 0.005 acres of real property for right-of-way, situated generally in the William H. Thomason Survey, Abstract Number 895, Collin County, Texas and being part of that certain tract of land described as recorded in Instrument Number 20180206000150930 of the Official Public Records of Collin County, Texas
- 5 (Parcel 7) Approximately 0.525 acres of real property for right-of-way, situated generally in the William H. Thomason Survey, Abstract Number 895, Collin County, Texas and being part of that certain tract of land described as recorded in Instrument Number 20061212001746620 of the Official Public Records of Collin County, Texas
- 6 (Parcel 8) Approximately 0.462 acres of real property for right-of-way, situated generally in the William H. Thomason Survey, Abstract Number 895, Collin County, Texas and being part of that certain tract of land described as recorded in Book 2172, Page 526 of the Land Records of Collin County, Texas

### **SECTION 3**

The Town Manager, or his designee, is authorized and directed to negotiate for and to acquire the Property for the Project, for the Town of Prosper, Texas, and to acquire said rights in compliance with State and Federal law. The Town Manager is specifically authorized and directed to do each and every act necessary to acquire the Property for the Project including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts, to retain and designate a qualified appraiser of the property interests to be acquired, as well as any other experts or consultants that he deems necessary for the acquisition process and, if necessary, to institute proceedings in eminent domain.

#### **SECTION 4**

The Town Manager, or any individual he may so designate, is appointed as negotiator for the acquisition of the Property for the Project, and, as such, the Town Manager is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference, subject to the availability of funds appropriated by the Town Council for such purpose. The Town Manager is specifically authorized to establish the just compensation for the acquisition of the Property. If the Town Manager or his designee determines that an agreement as to damages or compensation cannot be reached, then the Town Attorney or his designee is hereby authorized and directed to file or cause to be filed, against the owners and interested parties of the needed property interests, proceedings in eminent domain to acquire the Property for the Project.

#### **SECTION 5**

This Resolution is effective immediately upon its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, BY A VOTE OF \_\_\_ TO \_\_\_ ON THIS THE 10TH DAY OF OCTOBER 2023.**

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**David F. Bristol, Mayor**

**ATTEST:**

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**Michelle Lewis Sirianni, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Terrence S. Welch, Town Attorney**

## **EXHIBIT 1**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

**BEING a 0.891 acre** (38,803 square foot) tract of land located in the Abiah Dyer Survey, Abstract No. 258, Town of Prosper, Collin County, Texas, and being part of a 10.00 acre tract of land described in the General Warranty Deed to the R. L. White Living Trust recorded as Instrument No. 20150706000823550 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.). Said **0.891 acre** tract being more particularly bounded and described as follows:

COMMENCING at a 1/2 -inch iron rod found on the South right-of-way line of Frontier Road (variable width right of way), for the Northeast corner of said R. L. White Living Trust tract;

THENCE along the South right-of-way line of said Frontier Road and the Easterly North line of said R. L. White Living Trust tract, South 89°45'35" West a distance of 288.75 feet to a point for the Easterly Northwest corner of said R. L. White Living Trust tract;

THENCE continuing along the South right-of-way line of said Frontier Road and a North line of said R. L. White Living Trust, South 44°45'56" West a distance of 106.03 feet to a point for an interior corner of said R. L. White Living Trust tract;

THENCE continuing along the South right-of-way line of said Frontier Road and the Westerly North line of said R. L. White Living Trust tract, South 89°45'56" West a distance of 5.55 feet to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set for the **POINT OF BEGINNING** (N: 7,147,566.65, E: 2,498,532.94) and Northeast corner hereof;

THENCE across said R. L. White Living Trust tract, **South 00°55'04" East** a distance of **1022.26 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set on the South line of said R. L. White Living Trust tract and the North line of Lot 37, Block S of Gentle Creek Estates Phase Seven, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 20060905010003760 O.P.R.C.C.T., for the Southeast corner hereof;

THENCE along the South line of said R. L. White Living Trust tract and the North line of said Lot 37, **South 89°36'58" West** at a distance of 19.00 feet passing a point on the existing right-of-way line of Coit Road (variable width right of way), continuing with a North line of the existing right-of-way line of said Coit Road a total distance of **36.47 feet** to a point for the Southwest corner of said R. L. White Living Trust tract and the Southwest corner hereof;

THENCE along the West line of said R. L. White Living Trust tract and the existing East right-of-way line of said Coit Road, **North 01°05'05" West** a distance of **1022.39 feet** to a point on the South right-of-way line of said Frontier Road, for the Northwest corner of said R. L. White Living Trust tract and the Northwest corner hereof;

THENCE along the Westerly North line of said R. L. White Living Trust tract and the South right-of-way line of said Frontier Road, North 89°45'56" East a distance of 39.45 feet to the **POINT OF BEGINNING** and containing **0.891 acres** (38,803 square feet) of land, more or less.

## **EXHIBIT 1 (Continued)**


### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone, and are based on the North American Datum of 1983, 2011 Adjustment. All distances and coordinates shown are surface values and can be converted to grid values by dividing by a surface adjustment factor of 1.000152710.

All areas shown herein are calculated based on surface measurements. All distances are measured in US Survey Feet.

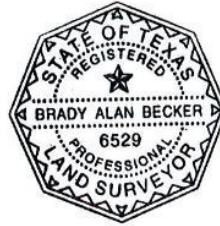
This description is accompanied by a survey plat which covers the identical parcel that is described herein, signed and sealed on even date herewith and is hereby made a part of this document.

I, Brady Alan Becker, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and plat represent an on-the-ground survey made under my supervision.

  
Brady Alan Becker  
Registered Professional Land Surveyor  
Texas Registration No. 6529

2020-02-06

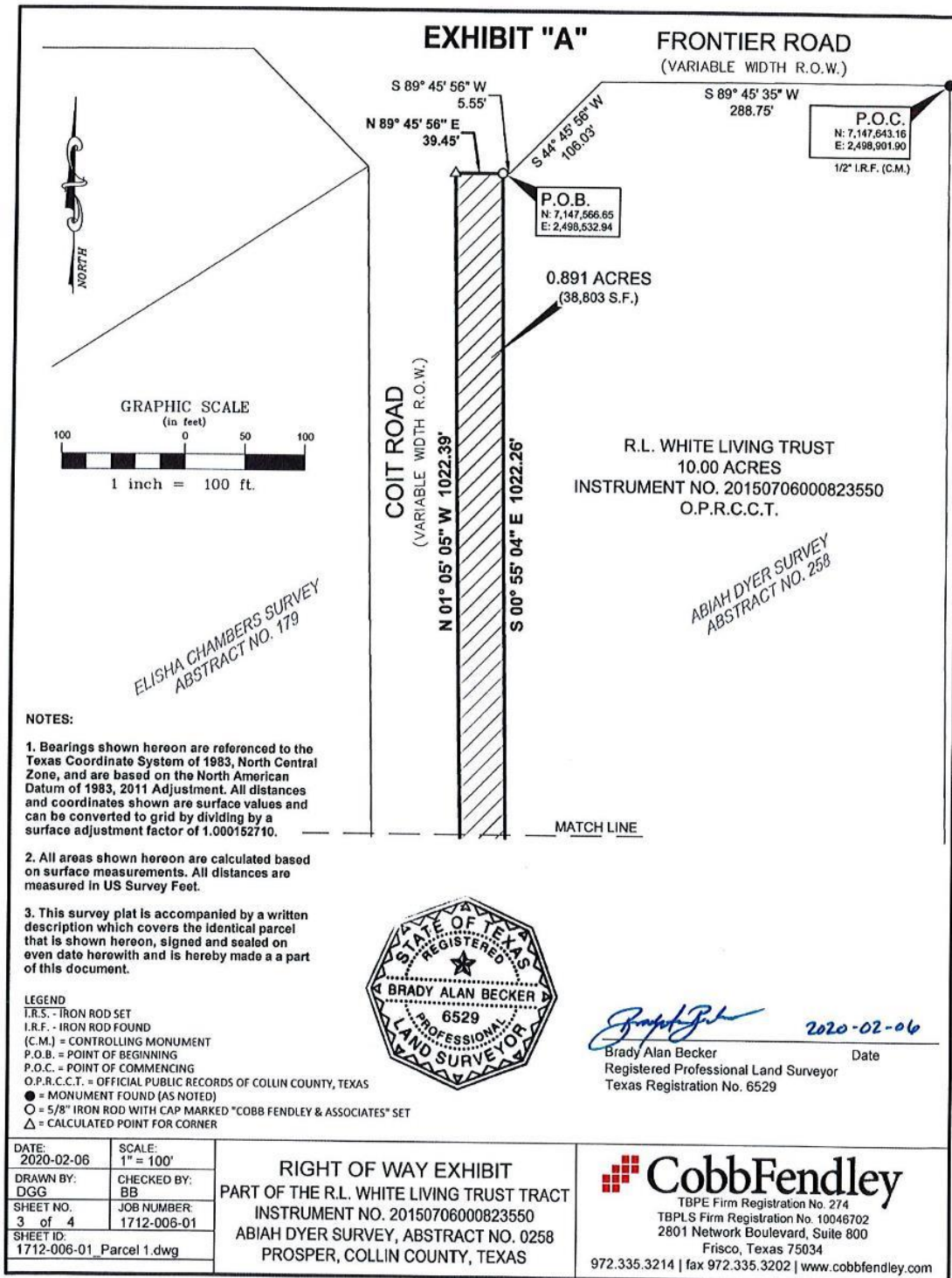
Date



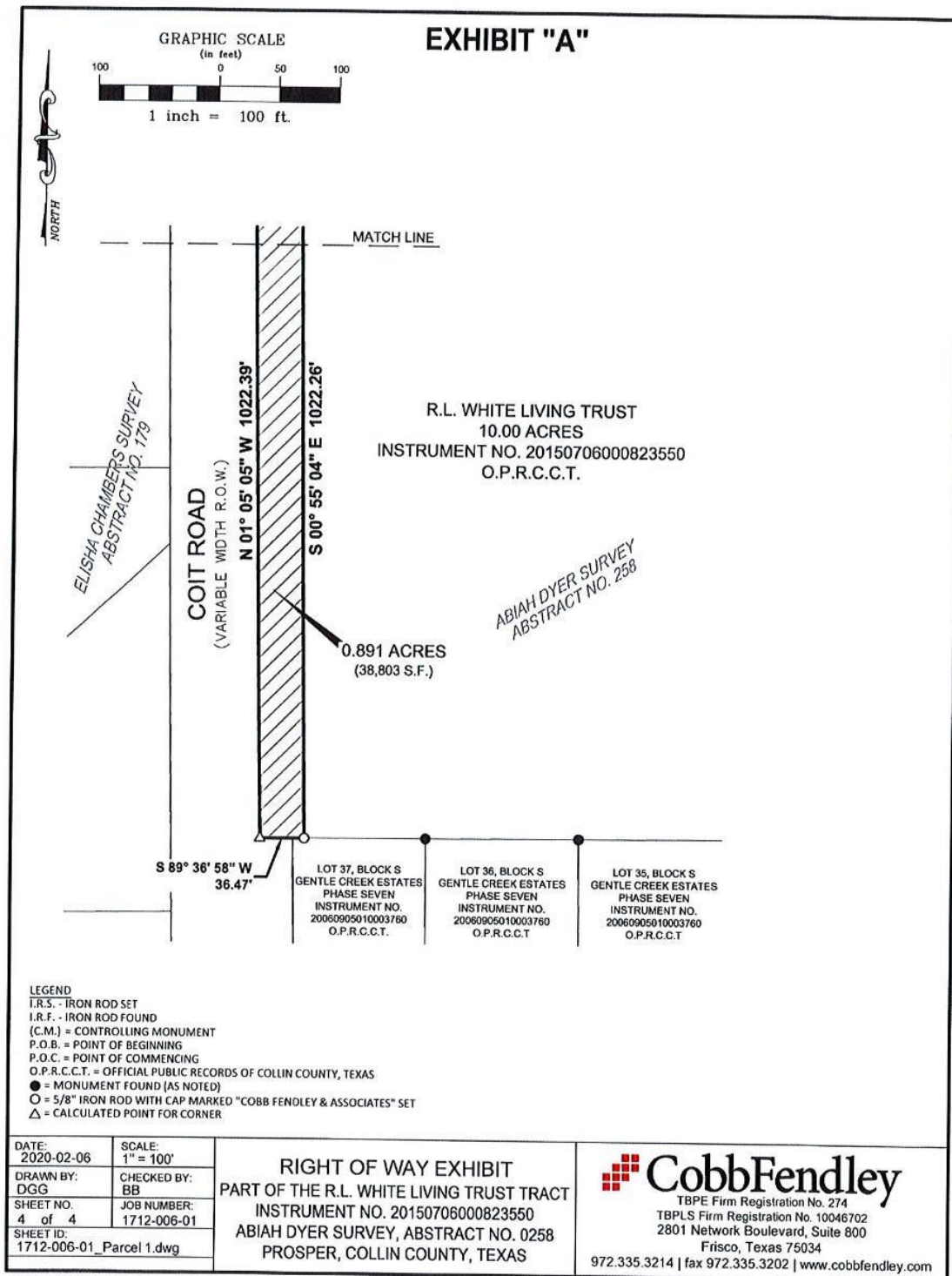
Cobb, Fendley & Associates, Inc.  
TBPLS Firm Registration No. 10046702  
2801 Network Boulevard, Suite 800  
Frisco, Texas 75034  
972.335.3214



# EXHIBIT 1 (Continued)



# EXHIBIT 1 (Continued)



## **EXHIBIT 2**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

**BEING** a 0.762 acre (33,174 square foot) tract of land located in the Elisha Chambers Survey, Abstract No. 179, Town of Prosper, Collin County, Texas and being part of an 11.300 acre Tract I (North Tract) and an 11.930 acre Tract II (South Tract) described in the General Warranty Deed (with Vendor's Lien) to 3 R's Wilson, LLC recorded as Instrument No. 20091211001487200 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.). Said 0.762 acre tract being more particularly described as follows:

**COMMENCING** at a 1/2-inch iron rod found on the existing West right-of-way line of Coit Road (variable width right of way), the South right-of-way line of Fair Oaks Lane (50-foot wide right of way), for the Northeast corner of Lot 18, Block D of Highland Meadows Phase Three, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 2003-0164532 O.P.R.C.C.T.;

**THENCE** along the existing West right-of-way line of said Coit Road and the East line of said Lot 18, South 00°53'53" East a distance of 334.08 feet to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set in the North line of said North Tract, for the Southeast corner of said Highland Meadows Phase Three and the **POINT OF BEGINNING** (N: 7,145,908.00', E: 2,498,448.97');

**THENCE** along the existing South right-of-way line of said Coit Road and the North line of said North Tract, North 89°30'01" East a distance of 50.00 feet to a point in the existing West right-of-way line of said Coit Road, for the Northeast corner of said North Tract;

**THENCE** along the existing West right-of-way line of said Coit Road and the East line of said North Tract, South 00°58'31" East at distance of 239.50 passing a point for the Northeast corner of said South Tract and the Southeast corner of said North Tract, continuing with the East line of said South Tract a total distance of 558.47 feet to a point in the existing North right-of-way line of said Coit Road, for the Southeast corner of said South tract;

**THENCE** along the South line of said South tract and the existing North right-of-way line of said Coit Road, South 86°46'48" West a distance of 59.58 feet to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set for the Southwest corner hereof; said iron rod set bears North 86°46'48" East a distance of 0.78 feet from the Northeast corner of Lot CA-2, Block C of Whispering Meadows, Phase 1, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 20080429010001650 O.P.R.C.C.T.;

**THENCE** across said South Tract, North 00°55'04" West at a distance of 318.21 feet passing a point in the South line of said North Tract and the North line of said South tract, continuing across said North tract a total distance of 561.29 feet to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set on the North line of said North tract and the South line of said Lot 18;

**THENCE** along the North line of said North Tract and the South line of said Lot 18, North 89°30'01" East a distance of 8.97 feet to the **POINT OF BEGINNING** and containing 0.762 acres (33,174 square feet) of land, more or less.

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Sheet 1 of 3



## **EXHIBIT 2 (Continued)**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone, and are based on the North American Datum of 1983, 2011 Adjustment. All distances and coordinates shown are surface values and can be converted to grid values by dividing by a surface adjustment factor of 1.000152710.

All areas shown herein are calculated based on surface measurements. All distances are measured in US Survey Feet.

This description is accompanied by a survey plat which covers the identical parcel that is described herein, signed and sealed on even date herewith and is hereby made a part of this document.

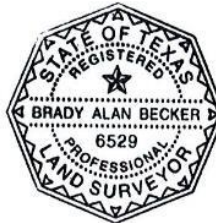
I, Brady Alan Becker, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and plat represent an on-the-ground survey made under my supervision.

  
Brady Alan Becker

Registered Professional Land Surveyor  
Texas Registration No. 6529

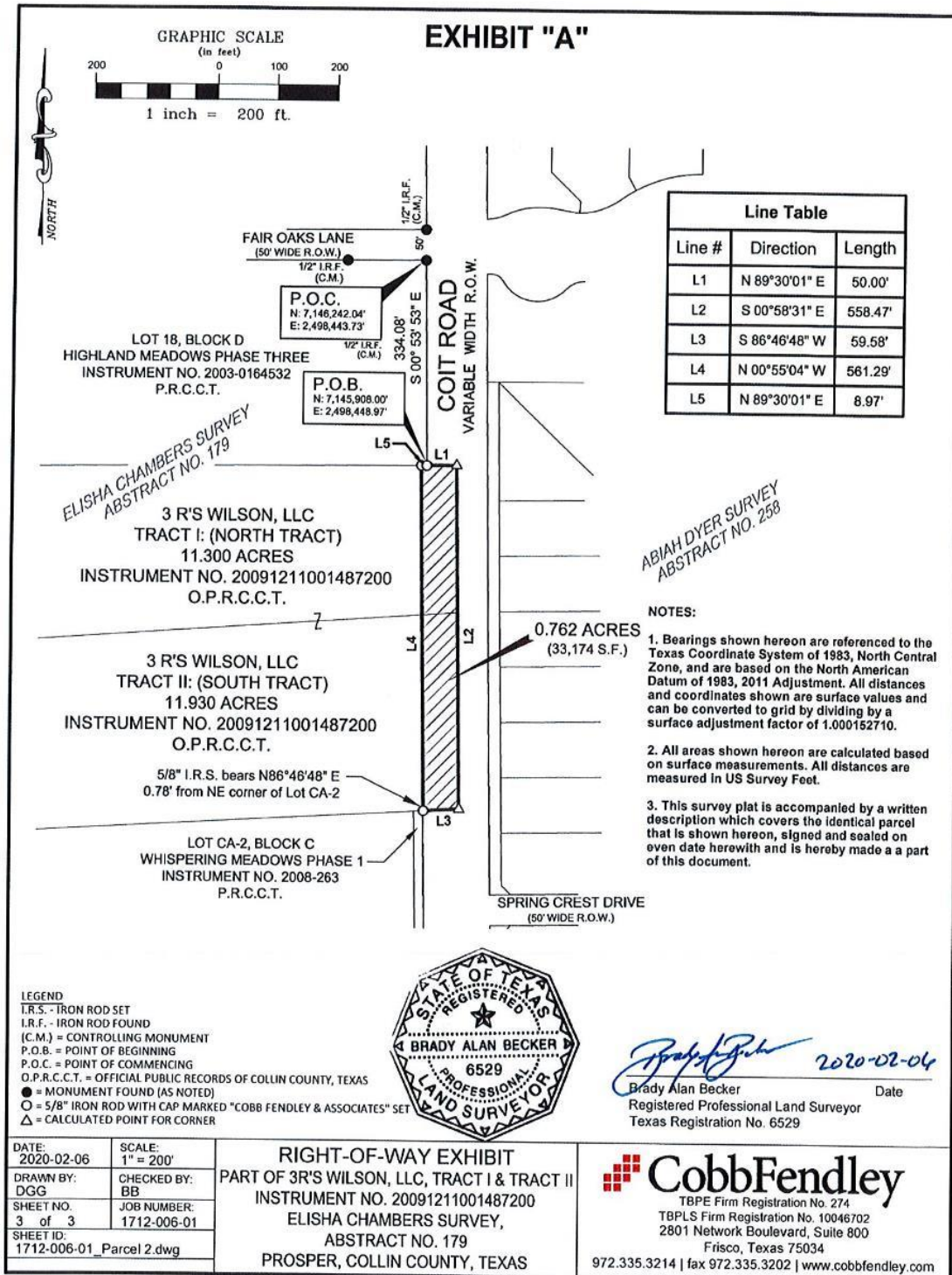
2020-02-04

Date



Cobb, Fendley & Associates, Inc.  
TBPLS Firm Registration No. 10046702  
2801 Network Boulevard, Suite 800  
Frisco, Texas 75034  
972.335.3214

# EXHIBIT 2 (Continued)



### **EXHIBIT 3**

#### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

**BEING a 0.520 acre** (22,648 square foot) tract of land located in the Elisha Chambers Survey, Abstract No. 179, Town of Prosper, Collin County, Texas, and being part of the remainder from a 10.00 acre tract of land described in the Special Warranty Deed to NW Coit Ten, L C recorded as Instrument No. 20120803000955070 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.). Said **0.520 acre** tract being more particularly bounded and described as follows:

COMMENCING at a 1/2-inch iron rod found for the Southwest corner of Lot 5, Block G of Whispering Meadows, Phase 2, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 20130723010002220 O.P.R.C.C.T., and on the North line of Lot 27, Block J of Falls of Prosper Phase 2, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 20190903010003810 O.P.R.C.C.T.;

THENCE along the South line of said Lot 5 and the South line of Lot CA-3 of Whispering Meadows, Phase 1, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 20080429010001650 O.P.R.C.C.T, and the North line of said Lot 27 and North line of Lot 28X, Block J of said Falls of Prosper Phase 2, South 89°25'59" East a distance of 230.26 feet to a point in the existing West right-of-way line of Coit Road (variable width right of way), for the Northeast corner of said Lot 28X;

THENCE along the East line of said Lot 28X and the existing West right-of-way line of Coit Road, South 00°36'03" East a distance of 342.29 feet to a 5/8-inch iron rod with cap marked "Cobb, Fendley & Associates" set for the Southeast corner of said Lot 28X, an interior corner of the existing West right-of-way line of Coit Road and the **POINT OF BEGINNING** (N: 7,143,191.97', E: 2,498,468.09') and Northwest corner hereof;

**THENCE** along the South line of the existing right-of-way line of Coit Road, **North 89°23'57"** East a distance of **70.47 feet** to a point in the East line of said 10.00 acre tract and the existing West right-of-way line of Coit Road, for the Northeast corner hereof;

**THENCE** along the East line of said 10.00 acre tract and the existing West right-of-way line of Coit Road, **South 00°36'02"** East a distance of **317.60 feet** to a point for the Southeast corner hereof;

**THENCE** along the existing North right-of-way line of Coit Road, **South 89°23'32"** West a distance of **72.14 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set for the Southwest corner hereof;

**THENCE** across said 10.00 acre tract, **North 00°17'56"** West a distance of **317.61 feet** to the **POINT OF BEGINNING** and containing **0.520 acres** (22,648 square feet) of land, more or less.



### **EXHIBIT 3 (Continued)**

#### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

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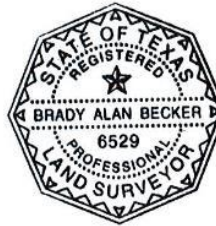
I, Brady Alan Becker, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and plat represent an on-the-ground survey made under my supervision.



Brady Alan Becker  
Registered Professional Land Surveyor  
Texas Registration No. 6529

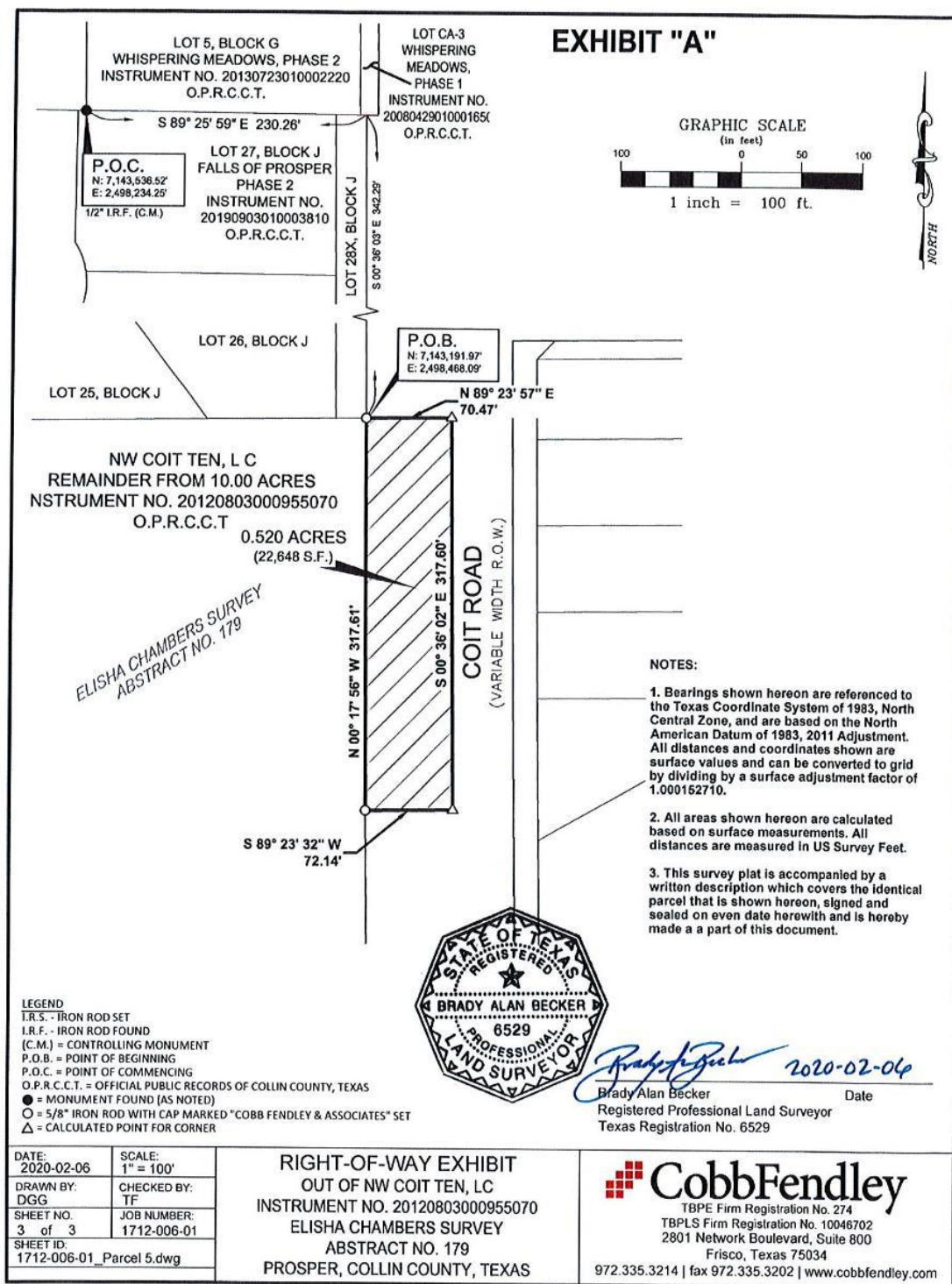
2020-02-06

Date



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972.335.3214

# EXHIBIT 3 (Continued)





## **EXHIBIT 4**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

**BEING a 0.005 acre** (213 square foot) tract located in the William H. Thomason Survey, Abstract No. 895, Town of Prosper, Collin County, Texas and being part of Lot 1-X, Block G of Estates at Greenspoint-Phase 2A, an addition to the Town of Prosper as shown the plat recorded as Instrument No. 20080319010001040 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), said Lot 1-X being conveyed in the deed to The Estates at Greenspoint Residential Association, Inc. recorded as Instrument No. 20180206000150930 O.P.R.C.C.T. Said **0.005 acre** tract being more particularly described as follows:

**COMMENCING** at a 1/2-inch iron rod found for the Southwest corner of Lot 10, Block G of said Estates at Greenspoint- Phase 2A;

**THENCE** along the Southwest line of said Lot 10, North 37°30'25" West a distance of 164.91 feet to a point on the South line of said Lot 1-X and the North line of a 25.029 acre tract described in the deed to Dauterman Family Irrevocable Trust recorded as Instrument No. 20061212001746620 O.P.R.C.C.T., for the Westerly Northwest corner of Lot 10, Block G of said Estates at Greenspoint Phase 2A;

**THENCE** along the South said Lot 1-X and the North line of said 25.029 acre tract, South 84°23'41" West a distance of 59.15 feet to a 5/8-inch iron rod with cap marked "Cobb, Fendley & Associates" set for the **POINT OF BEGINNING** (N: 7,139,094.21', E: 2,498,658.95') and Southeast corner hereof;

**THENCE** continuing along the South line of said Lot 1-X and the North line of said 25.029 acre tract, **South 84°23'41" West** a distance of **16.30 feet** to a point on the existing East right-of-way line of Coit Road (variable width right of way), for the Southwest corner of said Lot 1-X and the Southwest corner hereof;

**THENCE** along the existing East right-of-way line of said Coit Road and the West line of said Lot 1-X, **North 00°27'38" West** a distance of **10.04 feet** to a point on the existing South right-of-way line of said Greenspoint Lane (variable width right of way), for the Northwest corner of said Lot 1-X and the Northwest corner hereof;

**THENCE** along the South right-of-way line of said Greenspoint Lane and the North line of said Lot 1-X, **North 84°23'42" East** a distance of **26.34 feet** to a 5/8-inch iron rod with cap marked "Cobb, Fendley & Associates" set for the Northeast corner hereof;

**THENCE** across said Lot 1-X, **South 41°58'02" West** a distance of **14.82 feet** to the **POINT OF BEGINNING** and containing **0.005 acres** (213 square feet) of land, more or less.

## **EXHIBIT 4 (Continued)**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

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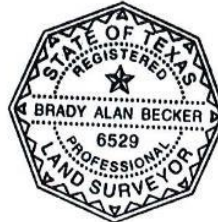
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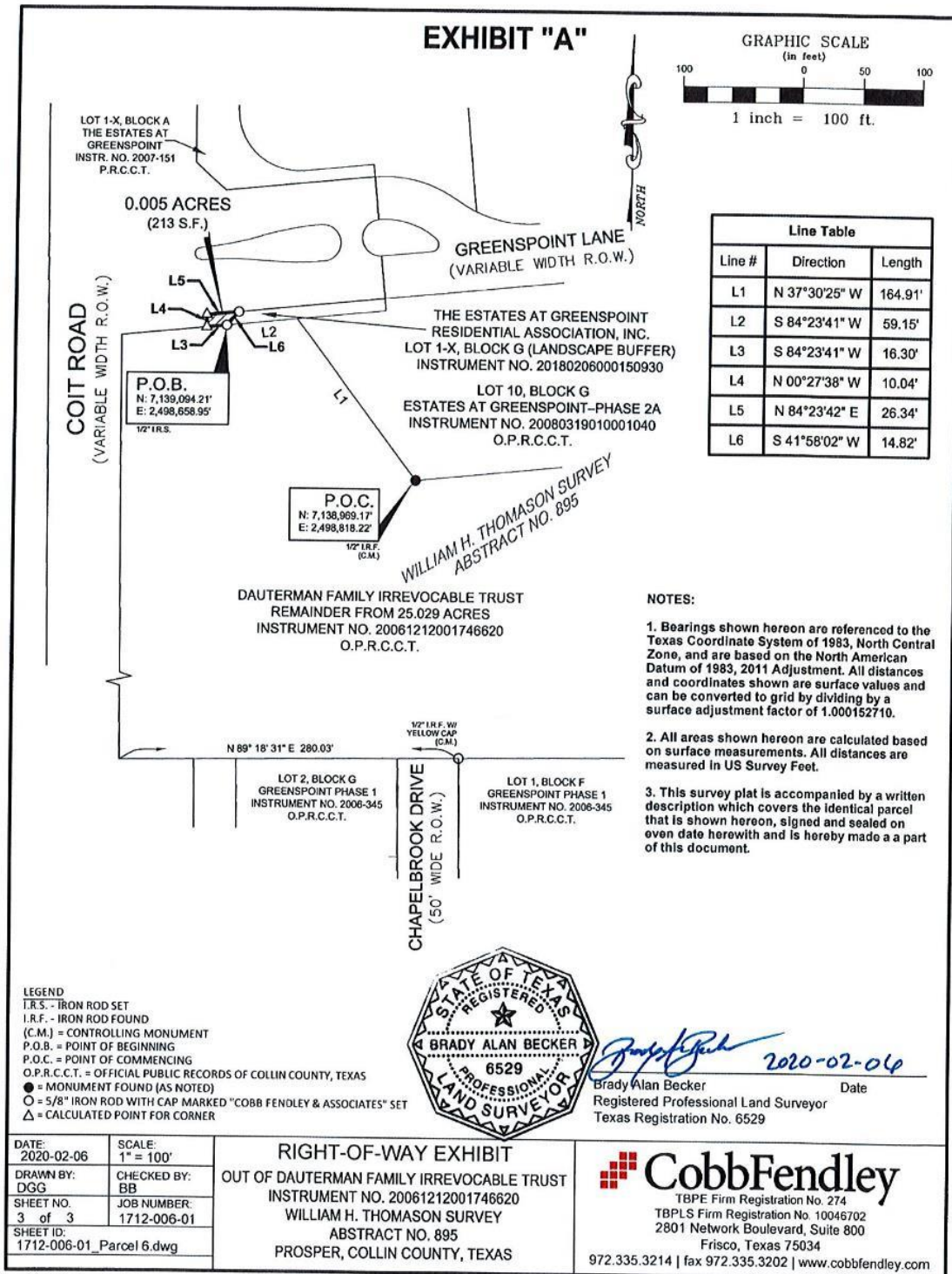
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Date



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TBPLS Firm Registration No. 10046702  
2801 Network Boulevard, Suite 800  
Frisco, Texas 75034  
972.335.3214

# EXHIBIT 4 (Continued)



## **EXHIBIT 5**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

**BEING** a **0.525 acre** (22,863 square foot) tract located in the William H. Thomason Survey, Abstract No. 895, Town of Prosper, Collin County, Texas and being part of the remainder from a 25.029 acre tract of land described in the Warranty Deed to Dauterman Family Irrevocable Trust recorded as Instrument No. 20061212001746620 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.). Said **0.525 acre** tract being more particularly described as follows:

**COMMENCING** at a 1/2-inch iron rod found within said 25.029 acre tract, for the Southwest corner of Lot 10, Block G of Estates at Greenspoint Phase 2A, and addition to the Town of Prosper as shown the plat recorded as Instrument No. 20080319010001040 O.P.R.C.C.T.;

**THENCE** across said 25.029 acre tract, along the Southwest line of said Lot 10, North 37° 30' 25" West a distance of 164.91 feet to a point on the South line of Lot 1-X, Block G of said Estates at Greenspoint Phase 2A, for the Northwest corner of said Lot 10;

**THENCE** along the South line of said Lot 1-X, South 84° 23' 41" West a distance of 59.15 feet to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set for the **POINT OF BEGINNING** (N: 7,139,094.21', E: 2,498,658.95') and Northeast corner hereof;

**THENCE** across said Dauterman Family Irrevocable Trust tract as follows:

- 1) **South 41° 58' 02" West** a distance of **22.58 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set;
- 2) **South 00° 27' 38" East** a distance of **74.93 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set;
- 3) **South 04° 42' 46" West** a distance of **121.99 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley & Associates" set;
- 4) **South 00° 27' 38" East** a distance of **144.73 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley and Associates" set on the South line of said Dauterman Family Irrevocable Trust tract and the North line of a 25.029 acre Tract Three described in the deed to Mary Ann Barlow Vowan recorded in Book 2172, Page 526 of the Land Records of Collin County, Texas (L.R.C.C.T.), for the Southeast corner hereof;

**THENCE** along the South line of said Dauterman Family Irrevocable Trust tract and the North line of said Mary Ann Barlow Vowan tract, **South 86° 17' 57" West** a distance of **59.51 feet** to a point on the existing East right-of-way line of Coit Road, for the Southwest corner of said Dauterman Family Irrevocable Trust tract, the Northwest corner of said Mary Ann Barlow Vowan tract and the Southwest corner hereof;

**THENCE** along the West line of said Dauterman Family Irrevocable Trust tract and the existing East right-of-way line of said Coit Road, **North 00° 29' 19" West** a distance of **353.46 feet** to a point for the Northwest corner of said Dauterman Family Irrevocable Trust tract and the Northwest corner hereof;

## **EXHIBIT 5 (Continued)**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**


**THENCE** along the North line of said Dauterman Family Irrevocable Trust tract, **North 84° 23' 41" East**, at a distance of 69.87 feet passing a point for the Southwest corner of said Lot 1-X, continuing with the South line of said Lot 1-X a total distance of **86.17 feet** to the **POINT OF BEGINNING** and containing **0.525 acres** (22,863 square feet) of land.

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All areas shown herein are calculated based on surface measurements. All distances are measured in US Survey Feet.

This description is accompanied by a survey plat which covers the identical parcel that is described herein, signed and sealed on even date herewith and is hereby made a part of this document.

I, Brady Alan Becker, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and plat represent an on-the-ground survey made under my supervision in February 2020.

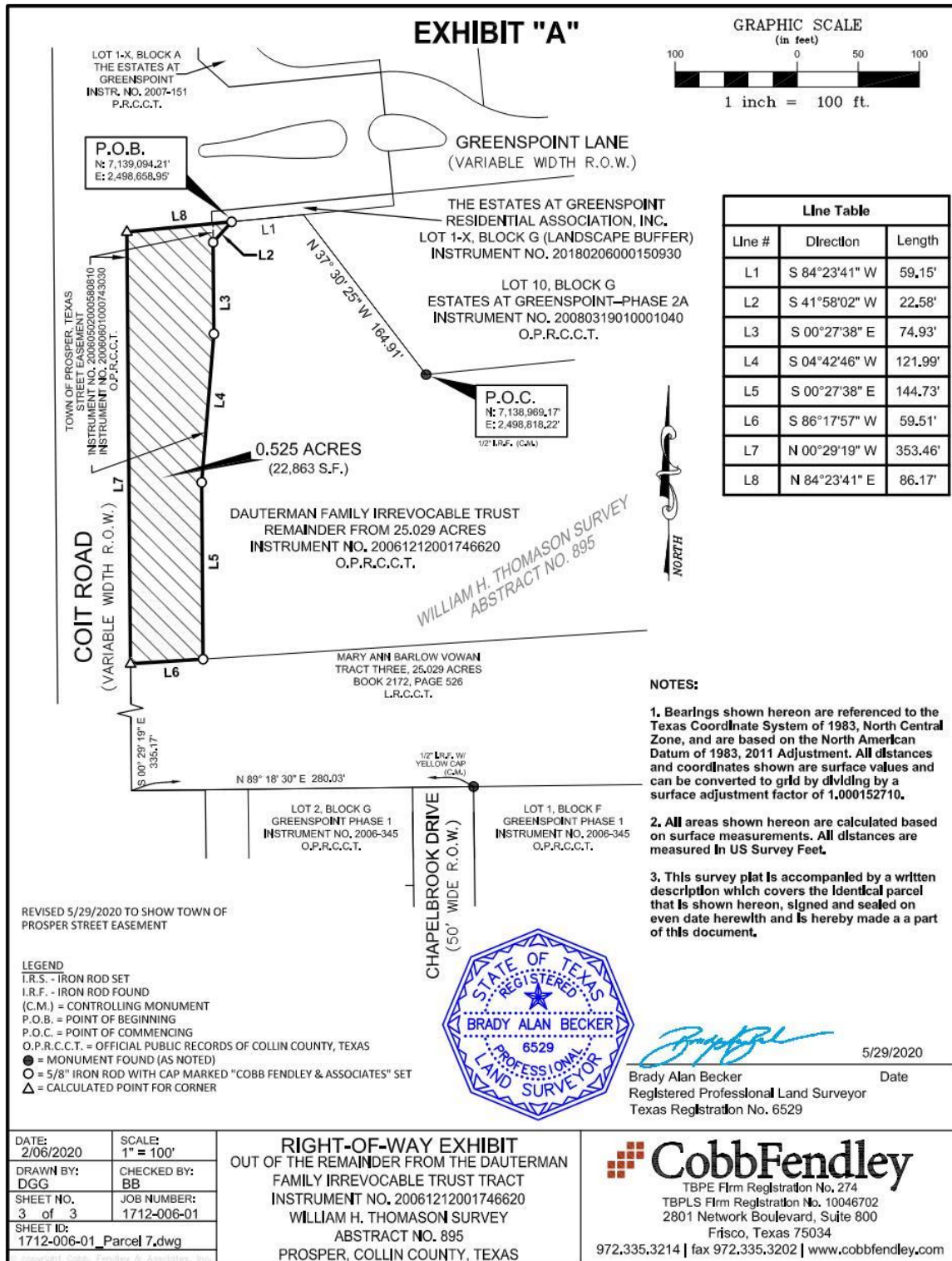
  
\_\_\_\_\_  
Brady Alan Becker                      Date  
Registered Professional Land Surveyor  
Texas Registration No. 6529



Cobb, Fendley & Associates, Inc.  
TBPELS Firm Registration No. 10046702  
2801 Network Boulevard, Suite 800  
Frisco, Texas 75034  
972.335.3214



# EXHIBIT 5 (Continued)



## **EXHIBIT 6**

### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

**BEING** a **0.462 acre** (20,140 square foot) tract located in the William H. Thomason Survey, Abstract No. 895, Town of Prosper, Collin County, Texas and being part of a 25.029 acre Tract Three described in the Partition Deed to Mary Ann Barlow Vowan as recorded in Book 2172, Page 526 of the Land Records of Collin County, Texas (L.R.C.C.T.). Said **0.462 acre** tract being more particularly bounded and described as follows:

**COMMENCING** at a 1/2-inch iron rod found for the Northeast corner of Chapelbrook Drive and the Northwest corner of Lot 1, Block F of Greenspoint-Phase 1, an addition to the Town of Prosper as shown on the plat recorded as Instrument No. 20060601010002310 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.);

**THENCE** along the North line of the right-of-way of Chapelbrook Drive and the North line of Lot 2 and Lot CA-1, Block G of said Greenspoint Phase 1, the South line of said Mary Ann Barlow Vowan tract, South 89°18'30" West 219.67 feet to a 5/8-inch iron rod with cap marked "Cobb Fendley and Associates" set for the **POINT OF BEGINNING** (N: 7,138,397.92', E: 2,498,639.42') and Southeast corner hereof;

**THENCE** continuing along the South line of said Mary Ann Barlow Vowan tract, **South 89° 18' 30" West** a distance of **60.36 feet** to a point on the existing East right-of-way line of Coit Road (variable width right of way), for the Southwest corner of said Mary Ann Barlow Vowan tract and the Southwest corner hereof;

**THENCE** along the West line of said Mary Ann Barlow Vowan tract and the existing East right-of-way line of Coit Road, **North 00° 29' 19" West** a distance of **335.17 feet** to a point for the Northwest corner of said Mary Ann Barlow Vowan tract, the Southwest corner of a 25.029 acre tract described in the deed to the Dauterman Family Irrevocable Trust recorded as Instrument No. 20061212001746620 O.P.R.C.C.T. and the Northwest corner hereof;

**THENCE** along the North line of said Mary Ann Barlow Vowan tract and the South line of said Dauterman Family Irrevocable Trust tract, **North 86° 17' 57" East** a distance of **59.51 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley and Associates" set for the Northeast corner hereof;

**THENCE** across said Mary Ann Barlow Vowan tract as follows:

- 1) **South 00° 27' 38" East** a distance of **48.34 feet** to a 5/8-inch iron rod with cap marked "Cobb Fendley and Associates" set;
- 2) **South 00° 40' 45" East** a distance of **289.95 feet** to the **POINT OF BEGINNING** and containing **0.462 acres** (20,140 square feet) of land, more or less.

## **EXHIBIT 6 (Continued)**


### **EXHIBIT "A" COIT ROAD RIGHT OF WAY**

Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone, and are based on the North American Datum of 1983, 2011 Adjustment. All distances and coordinates shown are surface values and can be converted to grid values by dividing by a surface adjustment factor of 1.000152710.

All areas shown herein are calculated based on surface measurements. All distances are measured in US Survey Feet.

This description is accompanied by a survey plat which covers the identical parcel that is described herein, signed and sealed on even date herewith and is hereby made a part of this document.

I, Brady Alan Becker, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and plat represent an on-the-ground survey made under my supervision in February 2020.

  
\_\_\_\_\_  
Brady Alan Becker                      Date  
Registered Professional Land Surveyor  
Texas Registration No. 6529



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**EXHIBIT 6 (Continued)**