

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS
CONSENTING TO THE ADDITION OF CERTAIN LAND INTO LEGENDS RANCH
MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY.

WHEREAS, the City of Denton, Texas (the “City”) received a Petition for Consent to Addition of Land to a Municipal Utility District (the “Petition”) executed by Legends Ranch Development, LLC, a Texas limited liability company (the “Petitioner”), attached hereto as Exhibit “A;” and

WHEREAS, the Petition seeks to add that certain 45.782 acre tract of land described therein (the “Property”) to Legends Ranch Municipal Utility District of Denton County (the “District”), the same being located in the extraterritorial jurisdiction of the City; and

WHEREAS, Texas Local Government Code, Section 42.0425, provides that land within the extraterritorial jurisdiction of a city, town or village may not be added to the District without the written consent of such city, town or village; and

WHEREAS, the City Council of the City desires to give its consent to the addition of the Property to the District;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

Section 1. The facts set out in the preamble are true and correct and are incorporated herein for all purposes.

Section 2. Subject to the condition reflected in Section 4 of this Resolution, the City Council of the City hereby gives written consent, pursuant to Section 42.0425, Texas Local Government Code, to the addition of the Property to the District.

Section 3. The City Council of the City officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall and on the official website of the City in the manner and for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, and that this meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 4. If requested by the City, the City and Petitioner may execute a development agreement regarding the development of the property within the District, pursuant to Texas Loc. Gov’t Code Ch. 212.

Section 5. This Resolution take effect immediately from and after its passage and is accordingly so resolved.

The motion to approve this Resolution was made by _____ and seconded by _____, the Resolution was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Gerard Hudspeth, Mayor:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis, District 3:	_____	_____	_____	_____
Alison Maguire, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2022.

GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: Mack Reinwand Digitally signed by Mack Reinwand
Date: 2022.06.23 18:34:15 -05'00'

EXHIBIT "A"

PETITION FOR CONSENT TO ADDITION OF LAND
TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS §

COUNTY OF DENTON §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF DENTON,
TEXAS:

The undersigned, Legends Ranch Development, LLC, a Texas limited liability company (the "Owner"), acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Section 42.0425 of the Texas Local Government Code, respectfully petitions the City of Denton, Texas for its consent to the inclusion of land in the proposed Legends Ranch Municipal Utility District of Denton County (the "District"), and in support of this Petition would respectfully show the following:

I.

The approximately 45.782 acres sought to be added to the District (the "Tract") is described by metes and bounds in Exhibit "A," attached hereto and made a part hereof for all purposes.

II.

The Tract lies within Denton County, and not within the boundaries of any incorporated city or town. The Tracts lies within the exclusive extraterritorial jurisdiction of the City of Denton, Texas, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

The Owner is the holder of title to the Tract as shown by the Denton County Tax Rolls and conveyances of record. There are no lienholders on the Tract.

IV.

The general nature of the work to be done by and within the Tract at the present time is the construction, maintenance and operation of a waterworks system for residential and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction of roads and of such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is organized.

V.

There is a necessity for the improvements above described because the Tract is located within an area that is experiencing substantial and sustained residential and commercial growth, is urban in nature and is not supplied with adequate water, sanitary sewer and drainage facilities and roads. The health and welfare of the future inhabitants of the Tract requires the acquisition and installation of an adequate waterworks, sanitary sewer and storm drainage system and roads. The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tract within the District.

VI.

Said proposed improvements are practicable and feasible, in that the terrain of the Tract is of such a nature that a waterworks system and sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be rapidly developed for residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tract, and it is now estimated by the Owner, from such information as it has at this time, that the ultimate cost of the development contemplated will be approximately \$10,000,000.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Denton, Texas, adopt a resolution giving its written consent to the inclusion of the Tract in the District.

[SIGNATURES ON THE FOLLOWING PAGES]

RESPECTFULLY SUBMITTED, this 23rd day of June, 2022.

OWNER:

LEGENDS RANCH DEVELOPMENT, LLC,
a Texas limited liability company

By: 

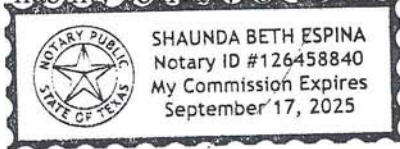
Name: Leonard S. Zak

Title: Manager

THE STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on this 23rd day of June 2022, by Leonard S. Zak, Manager of Legends Ranch Development, LLC, a Texas limited liability company on behalf of said limited liability company.



(NOTARY SEAL)


Notary Public in and for the State of Texas

EXHIBIT "A"

BEING a tract of land located in the M.E.P & P. RR. Co. Survey, Abstract No. 1470, City of Denton and City of Denton Extraterritorial Jurisdiction (E.T.J.), Denton County, Texas, part of a called 565.364 acre tract described in the deed to Legends Ranch Development, LLC, recorded in Instrument No. 2019-146384 of the Official Records of Denton County, Texas (O.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at an aluminum TxDOT right-of-way monument found on the northerly right of way line of U.S. Highway 380, same being on the east line of a called 30.470 acre tract of land described in the deed to Larry L. Bailey and spouse, Patricia L. Bailey, recorded in Volume 5409, Page 4755 of the Deed Records of Denton County, Texas (D.R.D.C.T.), same also being the southerly southwest corner of said 565.364 acre tract;

THENCE North 00°11'25" East, with the east line of said 30.470 acre tract and the southerly west line of said 565.364 acre tract, a distance of 1022.88 feet to a 2-inch pipe found in the south line of a called 43.92 acre tract described in the deed to Legends Ranch Development, LLC, recorded in Instrument No. 93-R0091889 O.R.D.C.T., for the northeast corner of said 30.470 acre tract and the southerly northwest corner of said 565.364 acre tract;

THENCE North 89°27'40" East, with the south line of said 43.92 acre tract and a southerly north line of said 565.364 acre tract, a distance of 852.55 feet to a point for corner;

THENCE departing the south line of said 43.92 acre tract and the southerly north line of said 565.364 acre tract, crossing said 565.364 acre tract, the following courses and distances:

South 60°36'12" East, a distance of 559.24 feet to a point for corner;

South 57°37'43" East, a distance of 396.06 feet to a point for corner;

South 47°09'34" East, a distance of 126.12 feet to a point for corner;

South 06°44'52" West, a distance of 226.96 feet to a point for corner;

South 83°20'39" East, a distance of 664.20 feet to a point for an interior corner of said 565.364 acre tract;

THENCE South 06°44'41" West, a distance of 372.46 feet to a point on the northerly right-of-way line of said U.S. Highway 380, same being the westerly southeast corner of said 565.364 acre tract;

THENCE along the northerly right-of-way lines of said U.S. Highway 380, with southerly lines of said 565.364 acre tract, the following courses and distances:

North 83°15'19" West, a distance of 314.23 feet to an aluminum TxDOT right-of-way monument found for corner;

South 86°13'36" West, a distance of 355.99 feet to a 1/2-inch iron rod with cap stamped "RPLS 4561" found for corner;

North 83°15'09" West, a distance of 1703.98 feet to the POINT OF BEGINNING and containing 45.782 acres (1,994,261 square feet) of land, more or less.

EXHIBIT "A"

M.E.P. & P. RR. Co. SURVEY,
ABSTRACT NO. 1470
CITY OF DENTON AND CITY OF DENTON E.T.J.
DENTON COUNTY, TEXAS

PRELIMINARY

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

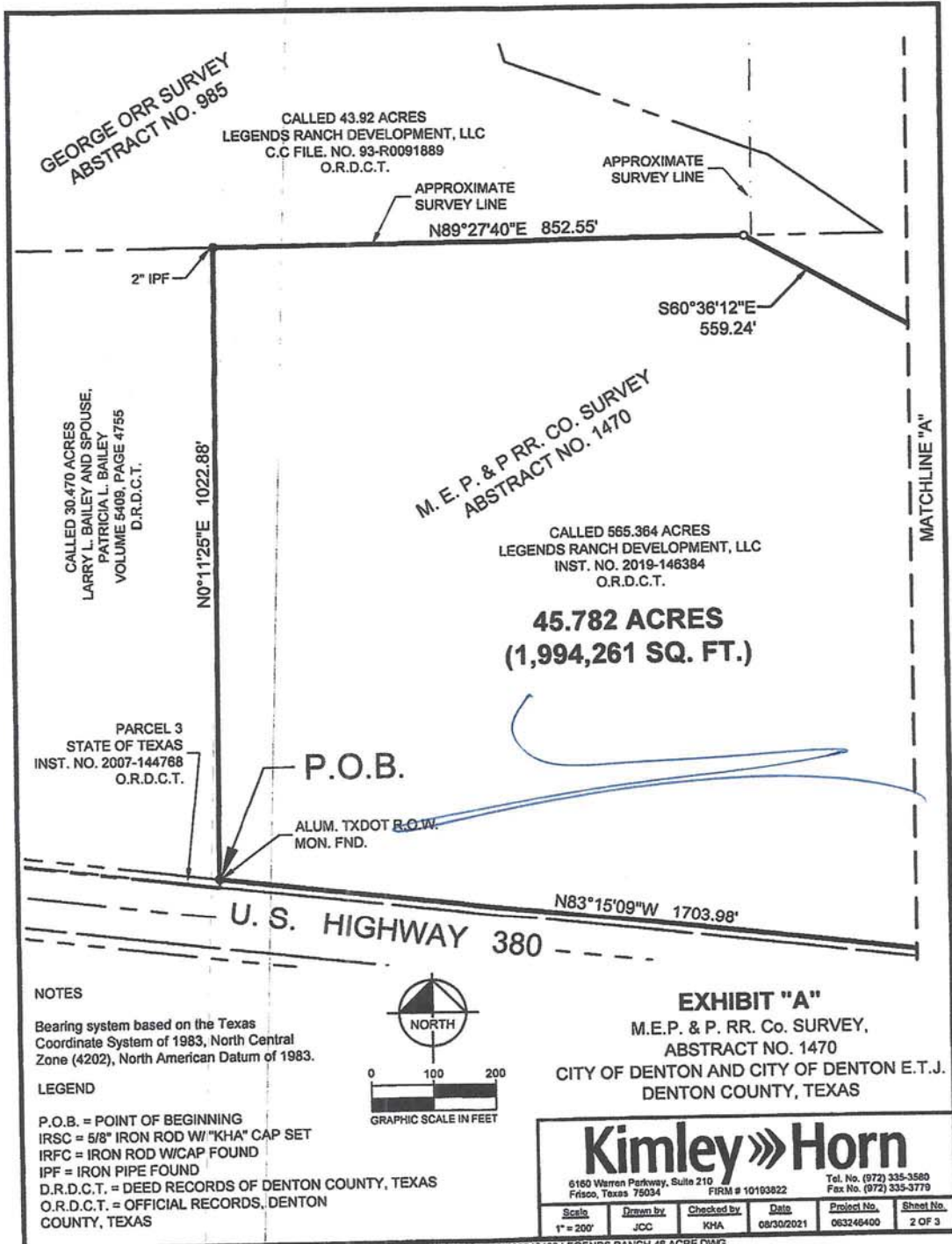
MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

Kimley»Horn

6160 Warren Parkway, Suite 210 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	08/30/2021	063248400	1 OF 3

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GEORGE ORR SURVEY
ABSTRACT NO. 985

CALLED 43.92 ACRES
LEGENDS RANCH DEVELOPMENT, LLC
C.C FILE. NO. 93-R0091889
O.R.D.C.T.

APPROXIMATE
SURVEY LINE

APPROXIMATE
SURVEY LINE

N89°27'40"E 852.55'

2" IPF

S60°36'12"E
559.24'

CALLLED 30.470 ACRES
LARRY L. BAILEY AND SPOUSE,
PATRICIA L. BAILEY
VOLUME 5409, PAGE 4755
D.R.D.C.T.

N0°11'25"E 1022.88'

M. E. P. & P. RR. CO. SURVEY
ABSTRACT NO. 1470

CALLLED 565.364 ACRES
LEGENDS RANCH DEVELOPMENT, LLC
INST. NO. 2019-146384
O.R.D.C.T.

45.782 ACRES
(1,994,261 SQ. FT.)

PARCEL 3
STATE OF TEXAS
INST. NO. 2007-144788
O.R.D.C.T.

P.O.B.

ALUM. TXDOT R.O.W.
MON. FND.

U. S. HIGHWAY 380

N83°15'09"W 1703.98'

MATCHLINE "A"

NOTES

Bearing system based on the Texas
Coordinate System of 1983, North Central
Zone (4202), North American Datum of 1983.

LEGEND

- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/"KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- IPF = IRON PIPE FOUND
- D.R.D.C.T. = DEED RECORDS OF DENTON COUNTY, TEXAS
- O.R.D.C.T. = OFFICIAL RECORDS, DENTON COUNTY, TEXAS

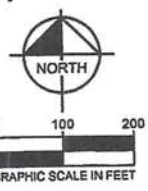


EXHIBIT "A"

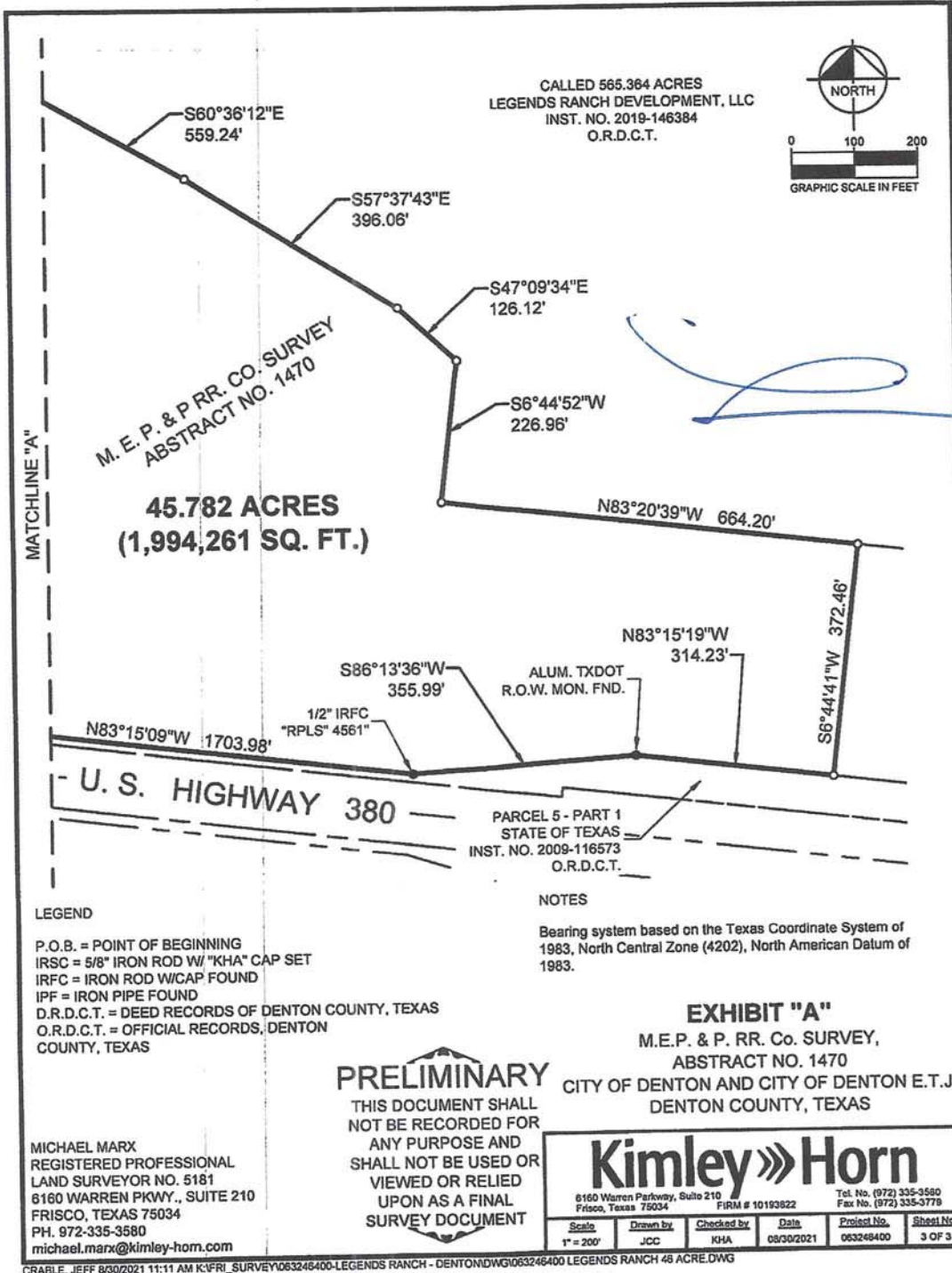
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CITY OF DENTON AND CITY OF DENTON E.T.J.
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Kimley»Horn

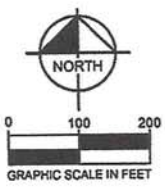
6160 Warren Parkway, Suite 210
Frisco, Texas 75034 FIRM # 10163822 Tel. No. (972) 335-3560
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 200'	JCC	KHA	08/30/2021	063246400	2 OF 3

CRABLE, JEFF 8/30/2021 11:11 AM K:\FRI_SURVEY\063246400-LEGENDS RANCH - DENTON\DWG\063246400 LEGENDS RANCH 46 ACRE.DWG



CALLED 565.364 ACRES
 LEGENDS RANCH DEVELOPMENT, LLC
 INST. NO. 2019-146384
 O.R.D.C.T.



45.782 ACRES
(1,994,261 SQ. FT.)

MATCHLINE "A"

M. E. P. & P. RR. CO. SURVEY
 ABSTRACT NO. 1470

U. S. HIGHWAY 380

PARCEL 5 - PART 1
 STATE OF TEXAS
 INST. NO. 2009-116573
 O.R.D.C.T.

ALUM. TXDOT
 R.O.W. MON. FND.

LEGEND

- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
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 DENTON COUNTY, TEXAS

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CRABLE, JEFF 8/30/2021 11:11 AM K\FRI_SURVEY063248400-LEGENDS RANCH - DENTON\DWG063248400 LEGENDS RANCH 48 ACRE.DWG