

ORDINANCE NO. 2024-835

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS AMENDING THE ZONING ORDINANCE, ORDINANCE NO. 2001-64, AS AMENDED; CHANGING THE ZONING MAP DISTRICT CLASSIFICATION OF CERTAIN PROPERTY GENERALLY LOCATIONED EAST OF NORTH JOE WILSON ROAD AND SOUTH OF NORTH HIGHWAY 67 AND LEGALLY DESCRIBED 28.691-ACRES OF LAND IN THE AMOS M. JAMES SURVEY, ABSTRACT NO. 690, CEDAR HILL, DALLAS COUNTY, TEXAS, FROM “LR” (LOCAL RETAIL) DISTRICT AND “SF-10” (SINGLE-FAMILY RESIDENTIAL – 10,000 SQUARE-FOOT LOT MINIMUM) DISTRICT TO THE “PD” (PLANNED DEVELOPMENT) DISTRICT; INCORPORATING A CONCEPT PLAN AND CONCEPT BUIDING ELEVATIONS; ESTABLISHING SPECIFIC DEVELOPMENT AND DESIGN STANDARDS; ADOPTING DEVELOPMENT STANDARDS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND PROVIDING FOR PUBLICATION.

WHEREAS, the owner of the Property, as defined in Section 1 below, duly filed a request with the City of Cedar Hill, Texas (the “City”), for a change in zoning classification from the “SF-10” (Single Family Residential – 10,000 square foot lot size minimum) District to the “PD” (Planned Development) District, and was assigned case no. PD-622-2024; and

WHEREAS, the City Council of the City (the “City Council”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, on July 24, 2001, City Council adopted Ordinance No. 2001-71, amending ordinance No. 2001-64, being Chapter 23, entitled “Zoning Ordinance” of the Code of Ordinances of the City (the “City’s Zoning Ordinance”) to incorporate land use and building materials standards that are differentially applicable to residential and non-residential structures; and

WHEREAS, such standards substantially further the preservation of property values and the promotion of economic development within the City; and

WHEREAS, such standards also establish the character of community development and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

WHEREAS, the City's Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a development project; and

WHEREAS, the City's policy in creating or amending a planned development district is to incorporate and fully enhance feasible design and building materials standards that are integral to the City's character and zoning regulations in all planned development districts; and

WHEREAS, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

WHEREAS, the owner and/or developer who applied for and requested the planned development district established by this Ordinance has agreed that the development of the Property warrants the architectural and building material standards contained in this Ordinance; and

WHEREAS, the zoning classification of the Property and the surrounding area are shown on **Exhibit "A"**, attached hereto and incorporated as if fully set forth herein; and

WHEREAS, the proposed Planned Development District (herein "PD District") is accompanied by a Concept Plan that depicts the proposed development, which is shown on **Exhibit "C"**; and

WHEREAS, the requested "PD" District aligns with some of the objectives identified within the Comprehensive Plan; and

WHEREAS, the City caused notice of the required public hearings regarding the zoning change to this Ordinance to be published in the Focus Daily News on September 1, 2024, and mailed notice to property owners within 200 feet of the Property; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing and accepted comments regarding the zoning change of this Ordinance on September 17, 2024; and

WHEREAS, following its public hearing, the Planning and Zoning Commission forwarded its report and recommendation regarding this zoning change to the City Council; and

WHEREAS, the City Council, after conducting a public hearing on October 8, 2024, found the proposed amendment to be in the best interests of the City of Cedar Hill.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1 – PROPERTY DESCRIPTION. This ordinance applies solely to approximately 28.691-acres legally described as a part of the Amos M James Survey, Abstract No. 690, Cedar Hill, Dallas County Texas, as more particularly described in **Exhibit “B”** – Property Legal Description and shown on **Exhibit “C”** – Concept Plan, which is attached hereto and incorporated by reference herein as if fully set forth.

SECTION 2 – CHANGE IN ZONING DISTRICT CLASSIFICATION. The zoning district classification for the property described in Section 1 hereby is changed from “LR” (Local Retail) District and “SF-10” (Single-Family – 10,000 square-foot lot minimum) to “PD” (Planned Development) District. The official zoning map for the city shall be changed to reflect this change in zoning district classification.

SECTION 3 – APPLICABILITY OF STANDARDS. The Property shall be subject to the regulations set forth in this Ordinance plus all applicable City Ordinances and regulations including, but not limited to, the City’s Zoning Ordinance, as the above may subsequently be amended.

SECTION 4 – PURPOSE AND INTENT. The purpose and intent of this Planned Development District is to allow an “auto and truck dealer (primarily new/used)” by right in accordance with: (a) the development standards as herein provided; (b) Concept Plan – **Exhibit “C”**; and (c) Concept Building Elevations – **Exhibit “D”**.

SECTION 5 – CONCEPT PLAN. Development of this property shall be consistent with the Concept Plan – **Exhibit “C”** and the following accompanying document: (c) Concept Building Elevations – **Exhibit “D”**. Any significant change in the information provided on those exhibits and/or to the development standards as herein provided shall require an amendment to the “PD” District in the same manner that it was created.

SECTION 6 – ADMINISTRATION

- A. Applicability; Conflicts. In the event of a conflict between this PD Ordinance, the City of Cedar Hill Zoning Ordinance (the “Zoning Ordinance”), and any other City ordinance imposing zoning regulations, this PD Ordinance shall control. In the event of a conflict between the Concept Plan, the Zoning Ordinance, and any other City ordinance imposing zoning regulations, the Concept Plan shall control. In the event of a conflict between this PD Ordinance and the Concept Plan, this PD Ordinance shall control.
- B. Concept Plan. Development of the Property shall generally comply with the Concept Plan attached as **Exhibit “C”** (the “Concept Plan”), as it may be

amended in accordance with this section and Section 10. Any change to the Concept Plan must be submitted to the Zoning Administrator to ensure it is in compliance with this section and/or Section 10, and the amended Concept Plan will become a part of the permanent file maintained by the Zoning Administrator for this PD. A PD Site Plan is required to ensure the PD development standards are met.

1. Phasing – The Property is planned to be developed in 1 phase.
2. Substantial Conformance; Staff approval of amendments to the Concept Plan and the Concept Building Elevations (collectively, the “PD Plans”); PD Site Plan; and permits.
 - i. The Zoning Administrator may approve amendments to the Concept Plan, PD Plans, PD Site Plan, building permits and other permits subsequent to approval of the Concept Plan if they substantially comply with the Concept Plan and the Development Standards herein.
 - ii. An amendment or change to the Concept Plan, PD Plans, PD Site Plan and/or a permit that “substantially comply” with the Concept Plan, PD Plans and these Development Standards shall be required if:
 1. Significantly alter the basic relationship of the proposed use to the adjacent uses;
 2. Change the uses approved;
 3. Increase the number of lots;
 4. Increase the number of buildings;
 5. Increase the height allowed pursuant to Section 9;
 6. Increase the lot coverage allowed pursuant to Section 9;
 7. Increase the on-site parking spaces pursuant to Section 9;
 8. Significantly change traffic patterns for perimeter streets along the boundaries of the Property.

9. Significantly alter the design and design standards established with this PD pursuant to Section 9.
- iii. The Zoning Administrator will only approve an amendment to the Concept Plan, PD Plans, PD Site Plan, or a permit that substantially complies with the Concept Plan and these Development Standards. The applicant may appeal the decision to deny an amendment to the Concept Plan or PD Site Plan to the City's Planning and Zoning Commission and may appeal the decision of the City's Planning and Zoning Commission to the City Council.
- iv. For any amendments that do not substantially comply with the Concept Plan and/or these Development Standards, the applicant may apply for a revision to the PD Ordinance, Concept Plan, and/or PD Plans in the same manner as the original approval.

SECTION 7 — DEFINITIONS. The definitions in Section 5.8 of the City's Zoning Ordinance shall be applicable to the Property in this Planned Development District with the exception of those terms defined in this Section.

- A. Impervious Lot Coverage Area – shall be defined as the area covered by all buildings and pavement areas such parking lots, vehicular maneuvering areas and sidewalks.
- B. Evergreen trees – shall have foliage that remains green and functional throughout the year, such as a conifer shaped as a cone with foliage to the ground. Trees utilized to count towards street yard trees must be a minimum of 6 feet tall at the time of planting and reach a minimum of 20 feet tall and 20 feet wide at maturity. See the Appendix E – Approved Plant List in the Zoning Ordinance for a list of species.
- C. Zoning Administrator means the Director of Planning or his/her designee.

SECTION 8 — AUTHORIZED LAND USES. The only land use that shall be permitted on the property is as follows:

- A. One (1) "auto, truck, trailer dealer (primary new/used)"

SECTION 9 — DEVELOPMENT STANDARDS.

The primary development and land use standards for this project will be based upon the standards outlined in this document. The Property shall be developed in accordance with the standards applicable to the “LR” District, except as amended or otherwise set forth in this PD Ordinance.

A. Structure Standards

1. Maximum impervious lot coverage — 82 percent.
2. Maximum height of 2-stories, up to 35 feet

B. Maximum off-street parking

1. Customer parking – 1 per 500 square feet of GFA
2. Inventory, Employee and Service parking – 1 per 1,000 square feet of GSA
3. Pre-owned and/or used inventory shall not be located within the “No Pre-owned and/or Used Inventory Area” as shown on the Concept Plan.

C. Construction and Design Standards — The following minimum design and construction standards shall apply within the Property in this Planned Development District. At minimum, the development shall incorporate the following standards:

1. Building Elevation Submittal.
 - i. The building elevations for all sides of the building shall be submitted with the PD Site Plan application submittal.
 - ii. All required elevations shall include sufficient detail to allow the Zoning Administrator to evaluate whether the general style and architecture of the development within the concept plan meet the requirements of this ordinance and shall include, but not be limited to, identification of all exterior building materials, proposed color palette, general dimensions and the percentages of all exterior materials used per wall surface area.
 - iii. The PD Consent Form shall be fully executed and submitted with the PD Site Plan Submittal.
2. Exterior Building Materials.
 - i. A consent form shall be executed prior to the adoption of this ordinance, that formalizes the applicant’s willingness to volunteer the exterior building materials as described in Section 9.C.4 below.
 - ii. Front Elevation Wall Surface Area
 1. A minimum of 80 percent masonry on front wall surface area (calculation shall exclude area covered by windows and doors) is required.

2. A maximum of 25 percent of accent material, such as, but not limited to the Anthracite Grey Panel, Harvest Trail Bamboo Panel and/or the Aluminum Composite Panel, Wood and/or materials that simulate wood features, or similar, as shown on the **Exhibit "D"** is required.
3. A minimum of two (2) building materials, one of which must be brick or stone, excluding windows and doors, is required.

iii. Side and Rear Wall Elevation Surface Areas.

1. A minimum of 80 percent masonry on side and rear elevations (calculation shall exclude area covered by windows and doors) is required.
2. The primary material on the front façade of the building shall continue on both sides and rear of the building to match the materials, color and general architectural style of the front wall surface area.
3. Section 5.7.3 (Exterior Building Materials) of the Zoning Ordinance does not apply to the development of the Property. The remainder of Section 5.7 of the Zoning Ordinance does apply to development of the Property.
4. The Planning and Zoning Commission and City Council shall consider the alternative building elevations during consideration of the PD site plan application. Approval shall be determined by confirming that the alternative building elevations propose a superior design where the building material and the composition of the architectural style blends with the natural environment that aligns with Cedar Hill. This may be accomplished by utilizing materials that simulate nature, such as increasing the stone and wood material.

D. Landscape Requirements.

1. A full detailed Landscape Plan is required with the PD Site Plan application submittal.
2. Enhancement along highway frontage.
 - i. A minimum 50-foot landscape setback is required along the highway frontage and/or street frontage.
 - ii. Of the required street yard trees per Section 5.2.4 of the Zoning Ordinance, a minimum of one (1) large shade and/or street trees per 50 linear feet of highway and/or street frontage is required with the 50-foot landscape setback. Trees shall be a minimum of four (4) caliper-inch at the time of planting. All other street yard trees may be located within

the off-street parking areas located within the street yard area.

- iii. A minimum of one (1) ornamental tree per 50 linear feet of highway and/or street frontage is required within the 50-foot landscape setback. Trees shall be a minimum of two (2) caliper-inch, single-trunk (straight).
- iv. A minimum of one (1) evergreen tree is required per 100 feet of highway and/or street frontage.
- v. Trees may be planted in clusters within the 50-foot landscape setback to create a natural appearance.
- vi. All trees shall be planted a minimum of 20 feet from the existing power lines and power poles.
- vii. A mixture of evergreen shrubs, deciduous shrubs and ornamental grasses shall be installed around the front and side perimeter of the parking lot, provided that the plant arrangement provides a continuous 100 percent all-year round screening of the parking lot that will reach a minimum of three (3) feet. Deciduous shrubs and ornamental grasses do not provide continuous all-year-round screening and shall only be used when evergreen shrubs are located behind said plant material. Shrubs shall be a minimum of five (5) gallons and ornamental grasses a minimum of one (1) gallon at the time of planting.
- viii. **Entrance Enhancement:** A mixture of plant materials (shade and ornamental trees; shrubs, ornamental grasses and seasonal color) shall be utilized to defined place of arrival along the main entrance.

3. Enhancements along proximity to building.

- i. A minimum 15-foot landscape area for approximately 40% of the front elevation as shown on the **Exhibit “C”**.
- ii. One group of three (3) ornamental trees and/or small evergreen trees, with a canopy of no greater than 15-feet, per 60 linear feet with no less than three (3) groups total.
- iii. A mixture of evergreen shrubs, deciduous shrubs and ornamental grasses grouping of no less than 20 linear feet long, with a minimum of three (3) groups total.

4. Off-street parking areas.

- i. A minimum 10-foot wide (planting area) by 20-foot long (front of curb to front of curb) landscape island required no more than every 12 parking spaces per parking bay area; with one (1) large shade tree.

When there is a double row parking bay area, the landscape island shall extend to 40 feet long; with two (2) large shade trees.

- ii. There shall be no parking bay area without a 10-foot wide (planting area) by 20-foot long (front of curb to front of curb) landscape island at the end caps.
- 5. A minimum 50-foot conservation buffer shall be required along the rear of the Property. No grading and no tree removal allowed within the 50-foot conservation buffer.
- 6. Section 5.2.4(a)(5), Section 5.2.4(b) and Section 5.2.4(c) of the Zoning Ordinance does not apply to the development of the Property. The remainder of Section 5.2 of the Zoning Ordinance does apply to the development of the Property.
- 7. In the event of a conflict between the Zoning Ordinance, the Concept Plan and the landscape requirements in this section, this section shall control.

E. Tree Preservation and Mitigation Plan.

- 1. Detailed tree survey, tree preservation and mitigation plan shall be submitted with the PD Site Plan application.

F. Screening, Retaining Walls, Screening Walls and Fences

- 1. Detailed plans for the walls and fences shall be submitted with the PD Site Plan application.
- 2. All garage bays located in the front of the building shall be screened from highway and street frontages.
- 3. An 8-foot-tall masonry wall shall be required along the rear side, at the edge of the parking lots with a minimum off-set of 2 feet. A continuous concrete footing/mow strip shall be required along the entire length of the screening wall.
- 4. All retaining walls shall be stone material.
- 5. All fencing and/or gates, excluding the pipe rail fence along the highway frontage and/or the perimeter parking areas, shall be of wrought iron or tubular steel fence material.
- 6. All pipe rail fencing along the highway frontage and/or along the perimeter parking areas, shall be a maximum of 1-foot, 6-inches tall and must be screened from highway and street view by 3-foot tall evergreen shrubs.
- 7. Section 5.3 of the Zoning Ordinance does not apply to the development of the Property.

8. The Planning and Zoning Commission and City Council may approve alternative screening during consideration of the PD site plan application or as part of a separate approval if it finds that the alternative proposes an adequate buffer.
9. In the event of a conflict between the Zoning Ordinance, the Concept Plan and this section, this section shall control.

G. Site Lighting.

1. A detailed Photometric Plan is required with the PD Site Plan application.
2. Section 5.6 of the Zoning Ordinance applies. Lighting shall be scaled appropriately to not interfere with adjacent residential subdivision.

SECTION 11 – CONFLICTS. This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Cedar Hill, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance.

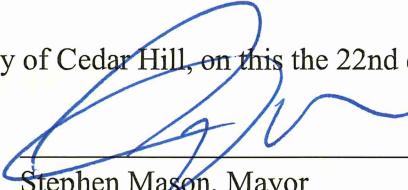
SECTION 12 – SEVERABILITY. The terms and provisions of this ordinance shall be deemed to be severable and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Ordinance.

SECTION 13 – EFFECTIVE DATE. Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Cedar Hill, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law.

SECTION 14 – PENALTY. Any person, firm, entity, or corporation who violates any provision of this Ordinance or the City's Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction, therefore shall be fined in a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 15 – PUBLICATION. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED AND APPROVED by the City Council, the City of Cedar Hill, on this the 22nd day of October, 2024.



Stephen Mason, Mayor

ATTEST:



Belinda Berg
City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr.
City Attorney

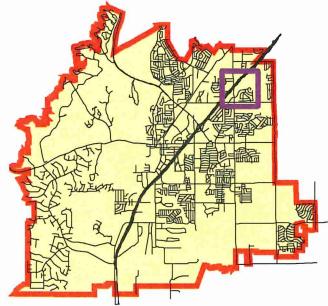
City of Cedar Hill



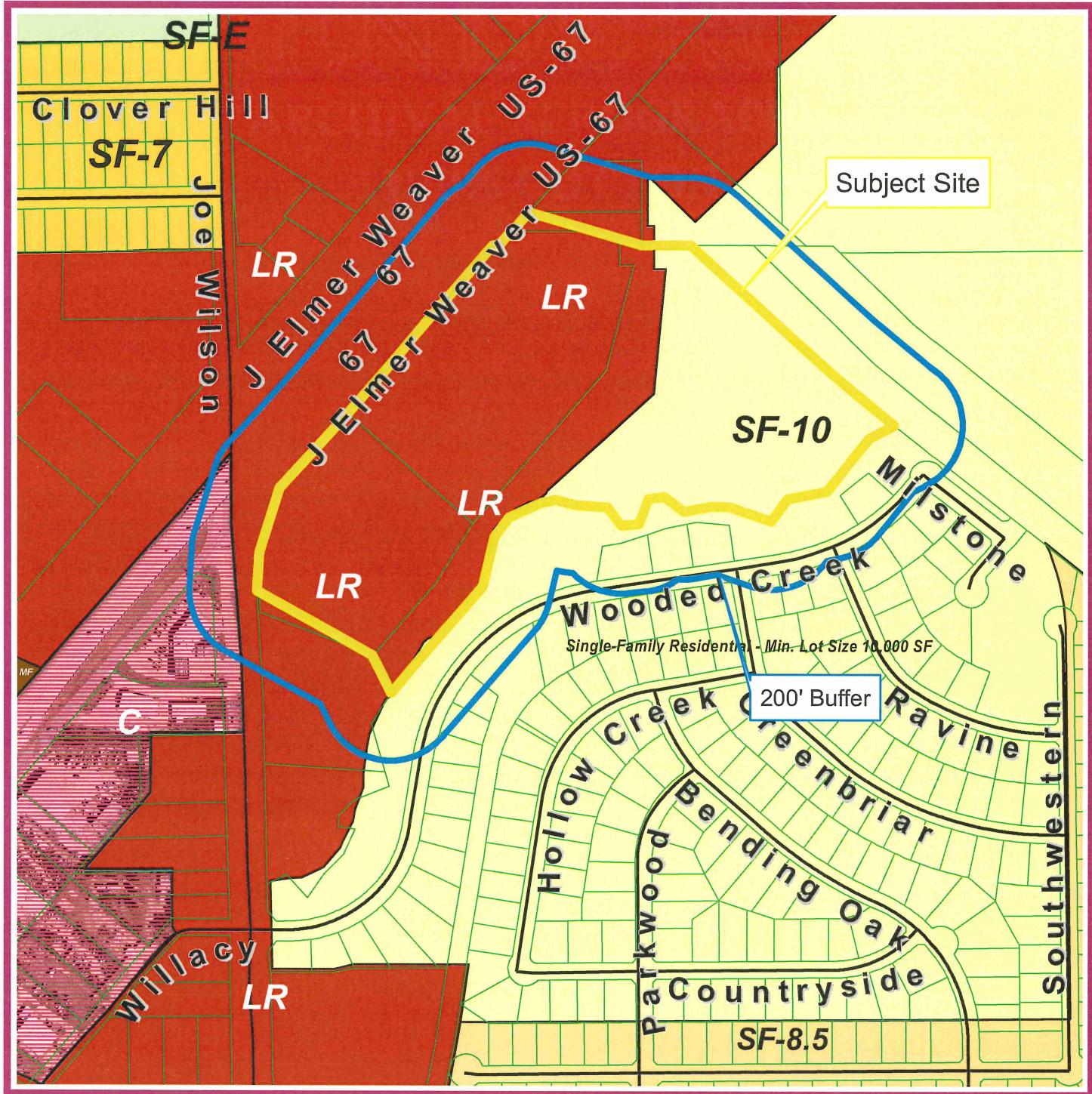
1 inch = 410 feet

0 250 Feet

Case PD-622-2024



Map Printed - August 2024
Cedar Hill Planning Department



LEGAL DESCRIPTION

BEING all of that certain tract of land situated in the Amos M. James Survey, Abstract No. 690, in Dallas County, Texas, and being all of those certain called "TRACT 1", "TRACT 2" and "TRACT 3", of three tracts of land described in a deed to Benda Ranch LLC, a Texas limited liability company, as recorded in Document No. 202000103014, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described in totality as follows:

BEGINNING at a capped iron rod found for the northernmost corner of the herein described tract, same being the northernmost corner of said Benda Ranch LLC, TRACT 3, same being the southwest corner of that certain called "TRACT II" of two tracts of land described in a deed to C.A.R. Complete Auto Repair, Inc., as recorded in Volume 99206, Page 4415, O.P.R.D.C.T., same being the west corner of a tract of land described in a deed to Paul G. Stroud, as recorded in Volume 2002198, Page 7632, O.P.R.D.C.T.; same being in the southeast line of U.S. Highway 67;

THENCE South 73 degrees 19 minutes 34 seconds East, with the line common to said Benda Ranch LLC, TRACT 3 and Stroud tract, passing at a distance of 199.92 feet a capped 1/2 inch iron rod found for a north corner of said Benda Ranch LLC, TRACT 2, continuing on said course and common line, passing at a distance of 277.51 feet a capped 1/2 inch iron rod found for the westernmost northwest corner of said Benda Ranch LLC, TRACT 1, continuing on said course and common line for a total distance of 344.27 feet to a 5/8 inch iron rod found for corner, same being the southwest corner of that certain called "TRACT I" of said two C.A.R. Complete Auto Repair, Inc. tracts;

THENCE South 89 degrees 17 minutes 23 seconds East, with the line common to said Benda Ranch LLC, TRACT 1 and C.A.R. Complete Auto Repair, Inc. TRACT I, a distance of 144.35 feet to a 1/2 inch iron rod found for corner, same being a westerly corner of a tract of land described in a deed to Texas Power & Light Company, as recorded in Volume 52, Page 1259, O.P.R.D.C.T.;

THENCE South 47 degrees 15 minutes 06 seconds East, with the line common to said Benda Ranch LLC, TRACT 1 and Texas Power & Light Company tracts, a distance of 562.32 feet to a 1/2 inch iron rod found for corner;

THENCE South 51 degrees 15 minutes 06 seconds East, continuing with said common line, a distance of 238.91 feet to a point in Stewart Branch, same being in the north line of Lot 1, Block J of Wooded Creek Estates, Phase 2, an Addition to the City of Cedar Hill, Dallas County, Texas, according to the Plat thereof recorded in Document No. 200503568931, of the Map Records of Dallas County, Texas;

THENCE with the line common to said Benda Ranch LLC, TRACT 1 and Block J, and generally along and with said Stewart Branch, the following nineteen (19) courses and distances:

- 1) South 62 degrees 43 minutes 28 seconds West, 82.87 feet to a point for corner;
- 2) South 39 degrees 15 minutes 25 seconds West, 200.62 feet to a point for corner;
- 3) South 79 degrees 10 minutes 11 seconds West, 116.44 feet to a point for corner;
- 4) South 37 degrees 08 minutes 50 seconds West, 81.77 feet to a point for corner;
- 5) North 70 degrees 20 minutes 42 seconds West, 130.42 feet to a point for corner;
- 6) North 88 degrees 17 minutes 48 seconds West, 52.21 feet to a point for corner;
- 7) South 80 degrees 28 minutes 34 seconds West, 81.77 feet to a point for corner;
- 8) North 53 degrees 09 minutes 07 seconds West, 72.21 feet to a point for corner;

- 9) South 81 degrees 58 minutes 17 seconds West, 47.66 feet to a point for corner;
- 10) South 21 degrees 42 minutes 50 seconds West, 78.33 feet to a point for corner;
- 11) South 85 degrees 03 minutes 59 seconds West, 52.57 feet to a point for corner;
- 12) North 36 degrees 32 minutes 25 seconds West, 67.43 feet to a point for corner;
- 13) North 85 degrees 13 minutes 25 seconds West, 97.71 feet to a point for corner;
- 14) North 74 degrees 33 minutes 17 seconds West, 56.35 feet to a point for corner;
- 15) South 78 degrees 30 minutes 29 seconds West, 43.60 feet to a point for corner;
- 16) South 65 degrees 40 minutes 22 seconds West, 102.79 feet to a point for corner;
- 17) South 37 degrees 34 minutes 48 seconds West, 72.19 feet to a point for corner;
- 18) South 13 degrees 50 minutes 51 seconds West, 149.38 feet to a point for corner;
- 19) South 41 degrees 16 minutes 26 seconds West, 413.26 feet to a point for corner in the east line of a tract of land described in a deed to William Alan Davis, as recorded in Volume 85163, Page 2576, O.P.R.D.C.T.;

THENCE North 27 degrees 34 minutes 37 seconds West, with the line common to said Benda Ranch LLC, TRACT 1 and Davis tracts, a distance of 119.56 feet to a 1 inch iron pipe found for corner, same being the southernmost corner of said Benda Ranch LLC, TRACT 2;

THENCE North 60 degrees 28 minutes 08 West, with the line common to said Benda Ranch LLC, TRACT 2 and Davis tracts, a distance of 390.28 feet to a capped 1/2 inch iron rod found for corner in the east line of Joe Wilson Road

THENCE with the line common to said Benda Ranch LLC, TRACT 2 and Joe Wilson Road, the following three (3) courses and distances:

- 1) North 04 degrees 21 minutes 52 seconds West, a distance of 46.46 feet to an 'X' found in concrete for the beginning of a non-tangent curve to the right with a radius of 1104.53 feet being subtended by a chord that bears North 02 degrees 50 minutes 31 seconds West, a distance of 67.40 feet;
- 2) with said curve to the right, through a delta angle of 03 degrees 29 minutes 49 seconds, an arc length of 67.41 feet to an 'X' found in concrete for corner;
- 3) North 01 degree 24 minutes 35 seconds West, a distance of 22.80 feet to a 1/2 inch iron rod found for the southern end of a corner clip line in the southeasterly line of said U.S. Highway 67;

THENCE with the line common to said Benda Ranch LLC, TRACT 2 and U.S. Highway 67, the following six (6) courses and distances:

- 1) North 19 degrees 58 minutes 18 seconds East, a distance of 136.94 feet to a capped 1/2 inch iron rod found for corner;
- 2) North 41 degrees 41 minutes 40 seconds East, a distance of 343.81 feet to a 1/2 inch iron rod found for corner;
- 3) North 41 degrees 24 minutes 15 seconds East, a distance of 656.32 feet to a concrete monument found for corner;

4) South 89 degrees 39 minutes 33 seconds East, a distance of 19.08 feet to a 5/8 inch iron rod found for corner;

5) North 41 degrees 07 minutes 39 seconds East, a distance of 52.48 feet to a capped 1/2 inch iron rod found for corner;

6) North 84 degrees 54 minutes 34 seconds East, a distance of 1.45 feet to a capped 1/2 inch iron rod found for the southwest corner of said Benda Ranch LLC, TRACT 1;

THENCE North 42 degrees 48 minutes 02 seconds East, with the line common to said Benda Ranch LLC, TRACT 1 and U.S. Highway 67, a distance of 75.57 feet to the POINT OF BEGINNING and containing a total of 28.691 acres of land, more or less.

NOTE: The company is prohibited from insuring the area or the quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes, and does not override Item 2 of Schedule "B" hereof.

CONCEPTUAL
ELEVATIONS

FREEDOM
CHRYSLER DODGE RAM PLUS JEEP

U.S. HIGHWAY 67
CEDAR HILL, TX 75104



