

Effective March 16, 2020, Governor Gregg Abbott authorized the temporary suspension of certain statutory provisions of the Texas Open Meetings Act. This Meeting of the Planning and Zoning Commission of the City of Midland is being held pursuant to such authorization and will limit face-to-face interactions for the purpose of slowing the spread of the Corona Virus (COVID19).

AGENDA FOR PLANNING AND ZONING
COMMISSION
May 04, 2020 – 3:30 PM
City Hall

Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, and via videoconference using the following information:

Videoconference Information

Join Zoom Meeting: <https://zoom.us/j/5025640077>
Meeting ID: 502 564 0077

One tap mobile:
+13462487799,,5025640077#
+16699006833,,5025640077#

Dial any of the following numbers:

+1 346 248 7799
+1 669 900 6833
+1 929 436 2866
+1 253 215 8782
+1 301 715 8592
+1 312 626 6799

Meeting ID: 502 564 0077

Find your local number: <https://zoom.us/u/adEOeT8q0P>

Public comment will be allowed in person, via the above conference call number above, or in the “Chat” function in the video conference option.

The Planning and Zoning Commission of the City of Midland shall meet at or following the above-specified time to consider the following:

Opening Item

1. Pledge of Allegiance

Announcements

Public Comment

2. Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

Consent Items

3. Consider a motion approving the following minutes:
 - a. Planning and Zoning Commission Meeting Minutes for April 20, 2020.
4. Consider a proposed Final Plat of Chase Five Addition, Section 2, being a re-plat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas. (Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction)
5. Consider a proposed Preliminary Plat of Bankhead Addition, Section 12, being a plat of a 1.098-acre tract of land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of W. Front Street, approximately 475 feet east of W. Wall Street. Council District 2)
6. Consider a proposed Final Plat of Legacy Addition, Section 10, being a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Mcpherson Lane, approximately 141-feet west of Bunker Hill Road. Council District 4)

Public Hearings

7. Hold a public hearing and consider a proposed Preliminary Plat of Johnson & Moran Addition, Section 7, being a residential replat of Lots 1 and 2, Block A-1, Resubdivision of Tracts A & The East Half of B, Johnson & Moran Addition, City and County of Midland Texas. (Generally located on the southwest corner of the intersection of West Cuthbert Avenue and North Garfield Street. Council District 3)

Miscellaneous

Cristina Odenborg Burns
 Planning Division Manager
 Department of Development Services

The City of Midland Planning and Zoning Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Planning Division at 432-685-7400 or write to us at P.O. Box 1152, Midland, Texas 79702, at least 48 hours in advance of the meeting.

PLANNING AND ZONING MINUTES
April 20, 2020
3:30 p.m.

The Planning and Zoning Commission convened in regular session in the Midland City Hall Council Chamber, 300 North Loraine, Midland, Texas, on, April 20, 2020.

Commissioners present: Josh Sparks, Dianne Williams, Warren Ivey, and Reggie Lawrence.

Alternate Commissioners present: Lucy Sisniega.

Commissioners absent: Kevin Wilton, Chase Gardaphe, and Karmen Bryant.

Staff members present: Planning Division Manager Cristina Odenborg Burns, Senior Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, and Administrative Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:30 p.m.

Opening Item

1. Pledge of Allegiance

Announcements

Public Comment

2. Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

Public comment was opened at 3:32 p.m. With no wishing to speak, public comment was closed at 3:33 p.m.

Consent Items

Commissioner Ivey requested to consider item 6 separately. Commissioner Lawrence moved to approve Consent Agenda items 3 through 5; seconded by Commissioner Sisniega.

The motion carried by the following vote: AYE: Sparks, Lawrence, Sisniega, Williams, and Ivey. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

3. Approved a motion approving the following minutes:
 - a. Planning & Zoning Commission Meeting Minutes for April 6, 2020.

4. Approved a proposed Final Plat of Lone Star Trails II, Section 3, being a plat of a 29.42-acre tract of land located in Section 7, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland Texas. (Generally located east of the intersection of Husk Street and Outlaw Court. Council District 1)
5. Approved a proposed Final Plat of Midland International Airport Industrial Park, Section 8, being a 21.156-acre replat of a 0.03-acre portion of Lot 1A, Block 1; a 0.03-acre portion of Lot 1A, Block 2; a 0.13-acre portion of Lot 2A, Block 2; and a 21.12-acre portion of Lot 1A, Block 13, including a Utility Easement, Railroad Spur, and Earhart Drive right-of-way, all out of Midland International Airport Industrial Park Addition, City and County of Midland, Texas. (Generally located on the east side of La Force Boulevard, approximately 1,148-feet south of Windecker Street. Council District 1)
6. Approved a reinstatement of an approved Preliminary Plat of Midland International Airport Industrial Park, Section 8, being a replat of Lot 1A and Lots 2 through 5, Block 1; Lots 1A and 2A, Block 2; a 23.21-acre portion of Lot 1A, Block 13; a 1.10-acre portion of Earhart street right-of-way adjacent to Lots 1A and 2A, Block 2; plus a 1.64-acre Utility Easement and Railroad Spur, Midland International Airport Industrial Park Addition; and a 13.04-acre tract of land out of Section 8, Block 40, T-2-S, T&P Railroad Company Survey; all located in the City and County of Midland, Texas. (Generally located northeast of the intersection of La Force Boulevard and W. State Highway 80. Council District 1).

Planner Taslima Khandaker gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Sparks asked for confirmation that nothing had been changed from the original application.

Planning Division Manager Cristina Odenborg Burns explained that only a portion of the preliminary plat had been approved in the previous item.

Commissioner Ivey moved to approve Consent Agenda item 6; seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Sparks, Lawrence, Sisniega, Williams, and Ivey. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

Public Hearings

7. Hold a public hearing and consider a request by Patrick Brown, for a zone change from AE, Agricultural Estate District, to PD, Planned Development District for a Housing Development on Lots 2 and 3, Block 1, Jaden Kate Addition, City and County of Midland, Texas. (Generally located on northwest corner of the intersection of N. Elkins Road and Arapahoe Road. Council District 1)

Planner Taslima Khandaker gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:43 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:45 p.m.

Commission Lawrence moved to approve a request by Patrick Brown, for a zone change from AE, Agricultural Estate District, to PD, Planned Development District for a Housing Development on Lots 2 and 3, Block 1, Jaden Kate Addition, City and County of Midland, Texas. (Generally located on northwest corner of the intersection of N. Elkins Road and Arapahoe Road. Council District 1); seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Sparks, Lawrence, Sisniega, Williams, and Ivey. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

8. Hold a public hearing and consider a request by Maverick Engineering for a zone change from PD, Planned District for an Office Center to PD, Planned Development District for a Housing Development on Lot 2A, Block 1, Corporate Plaza, Section 20, City and County of Midland, Texas. (Generally located on the north side of Corporate Drive, approximately 550-feet east of North Big Spring. Council District 2)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:49 p.m.

The representative, Andrew Mellen with Maverick Engineering, was present. Mr. Mellen explained how the ADA requirements are being met. Also present to answer questions was the applicant/owner Colby Denison.

Commissioner Lawrence and Commissioner Sparks asked for clarification on the storage and parking issues the commission had noted in the previous meeting.

Mr. Denison explained that the units are for senior living and 25% of the units are dual occupants with no children allowed. He went on to explain that less parking and storage is allowed for senior living facilities because the facility does provide transportation. He explained that each unit has its own storage, but they do offer separate units that can be rented for additional storage.

Commissioner Sparks asked what the screening process for seniors who are wanting to lease is. Mr. Denison explained that HUD will be doing the primary mortgage and screening for these units.

The public hearing was closed at 4:04 p.m.

Commissioner Williams moved to approve a request by Maverick Engineering for a zone change from PD, Planned District for an Office Center to PD, Planned Development District for a Housing Development on Lot 2A, Block 1, Corporate Plaza, Section 20, City and County of Midland, Texas. (Generally located on the north side of Corporate Drive, approximately 550-feet east of North Big Spring. Council District 2); seconded by Commissioner Sisniega.

Commissioner Ivey asked if the planning division had additional information that lead them to recommended approval. Planning Division Manager Cristina Odenborg Burns explained that typically a variance is considered for multi-family developments that offer affordable units or units to special age groups.

The motion carried by the following vote: AYE: Sparks, Lawrence, Sisniega, Williams, and Ivey. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

9. Hold a public hearing and consider a request by Jose Ramos for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 12, Block 30, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of S. Carver Street and E. Wall Street. Council District 2)

Planning Manager Cristina Odenborg Burns gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:08 p.m.

The applicant was not present.

The public hearing was closed at 4:09 p.m.

Commissioner Lawrence moved to approve a request by Jose Ramos for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 12, Block 30, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of S. Carver Street and E. Wall Street. Council District 2); seconded by Commissioner Williams.

Commissioner Sparks commented that changes should be made on the city's end to make it easier for builders to not have to go through a zone change to get these types of project done.

The motion carried by the following vote: AYE: Sparks, Lawrence, Sisniega, Williams, and Ivey. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

Miscellaneous

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:11 p.m.

Josh Sparks, Chairman

Date

Cristina Odenborg Burns, Planning Division Manager
Development Services Department

Date



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: May 4, 2020

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Consider a proposed Final Plat of Chase Five Addition, Section 2, being a re-plat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas. (Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, William H. Smith & Associates is proposing to re plat Lot 1, Block 1, Chase Five Addition, Midland County, Texas, into four (4) lots. The Preliminary Plat was approved at the December 2, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Code Compliance: (Approved)

Not in the City limits- no oil or gas jurisdiction.

Fire: (Approved)

No comments.

Building Code: (Approved)

ETJ, no jurisdiction.

Transportation: (Approved)

No objections to plat.

Engineering: (Approved)

ROW: ROW okay as shown.

PAVING: Deferral approved by City of Midland.

WATER: Deferral approved by City of Midland.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 1, 2019 - Fire hydrants shall be spaced no more than 400' apart, hydrant top or bonnet shall be color coded per NFPA (less than 500gpm RED, 500-999gpm YELLOW, 1000-1499gpm GREEN, Greater than 1500GPM BLUE)

PRO RATA: None.

SEWER: Deferral approved by City of Midland.

DRAINAGE: Drainage Study approved for platting.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Midland County:

Please see attached.

Planning:

Staff recommends approval subject to Condition A.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

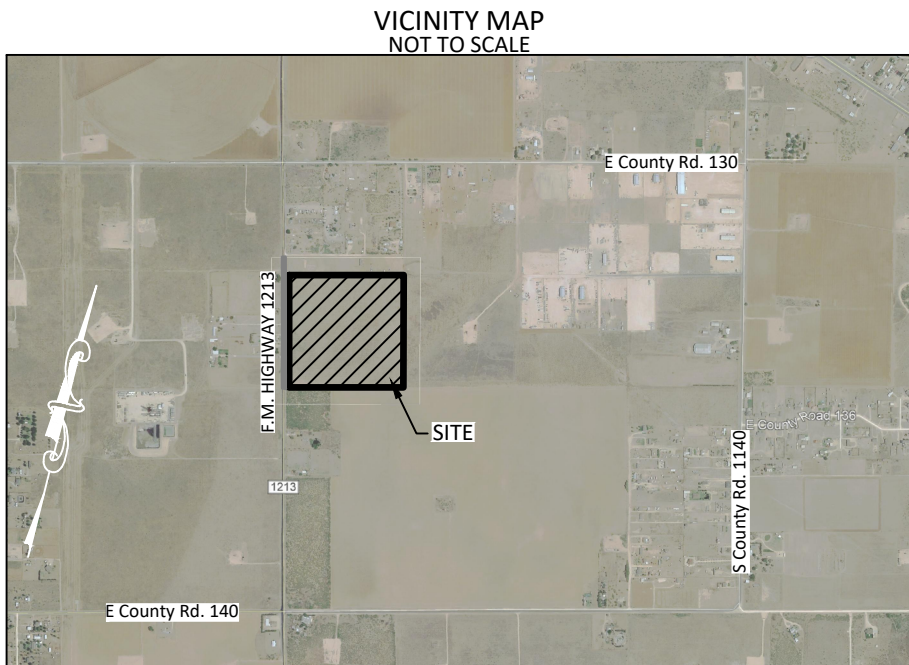
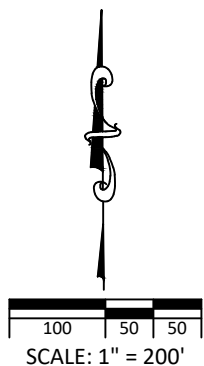
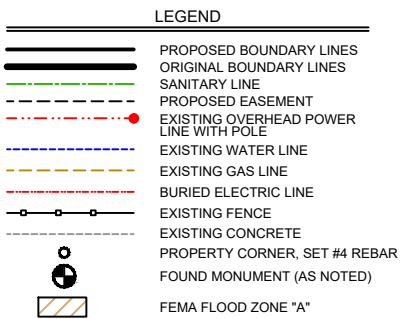
Attachments:

Proposed Final Plat
Application
Maps
Midland County Comments

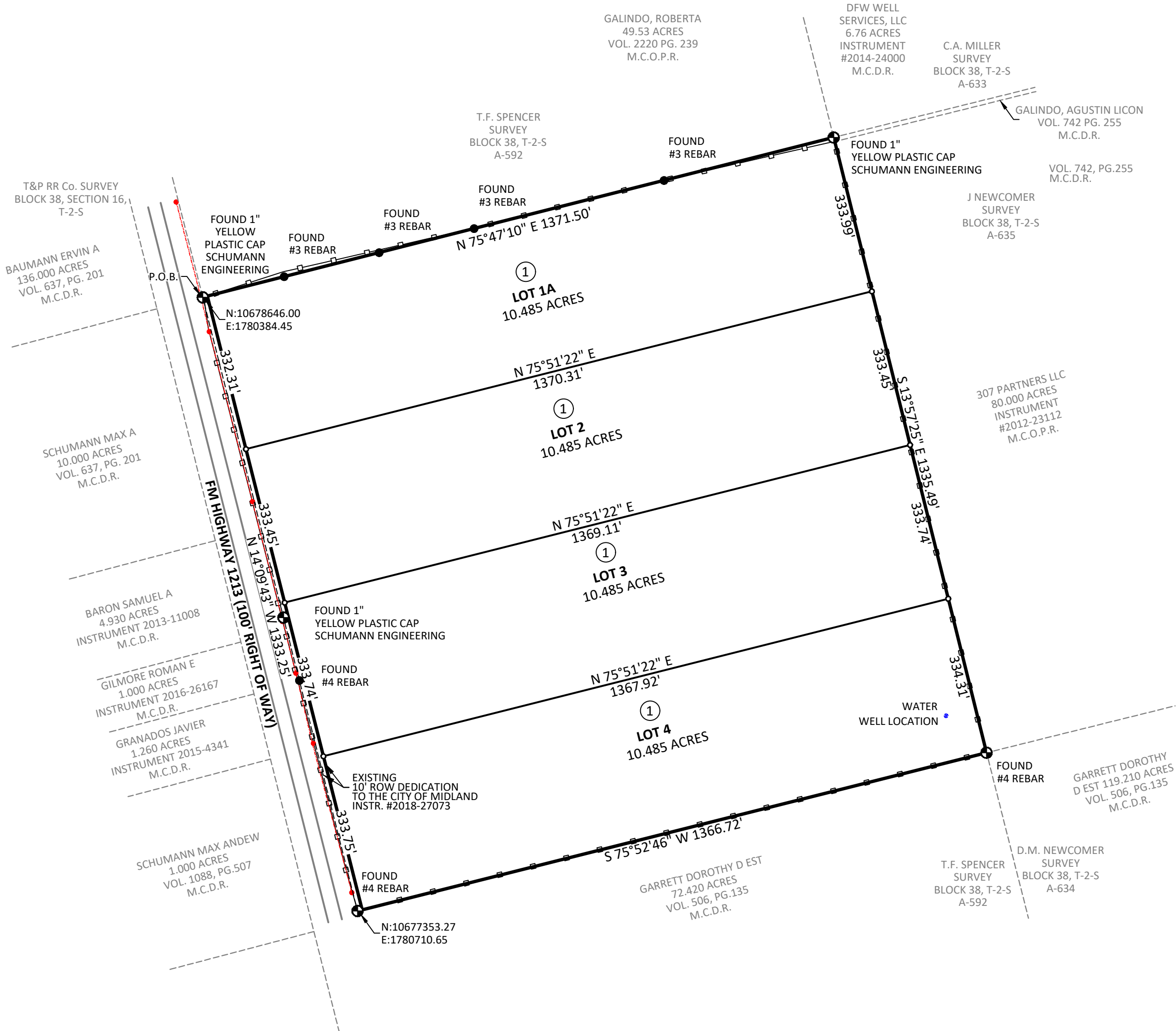
CHASE FIVE ADDITION, SECTION 2

BEING A REPLAT OF LOT 1, BLOCK 1, CHASE FIVE ADDITION

Midland County, Texas



GENERALLY LOCATED ON THE EASE SIDE OF FARM-TO-MARKET 1213, APPROXIMATELY 225 FEET SOUTH OF EAST COUNTY ROAD 132. EXTRATERRITORIAL JURISDICTION



NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION. OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1)THE 41.945 ACRE TRACT /S REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR.
(2)THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- ALL UNDERGROUND UTILITIES PREVIOUSLY LOCATED BY UTILITY COMPANY.

EASEMENT SUMMARY

Midland_V144_P463 - Right of Way Deed for FM Highway 1213 - Plottable
Phillips Petro Co. V144 P151 - Blanket Pipeline Easement - covers N1/2 T.F. Spencer Pre-emption Survey
Cap Rock V1113 P432 - Powerline Easement running East-West along Northline (35' in width) - not within tract
Western Gas V1716 P628 - Pipeline Easement - maybe East of easterly property line, plat unreadable - Not Plottable
Cap Rock V2364 P628 - Blanket Electrical Service Easement - Not Plottable
Cap Rock V3158 P793 - Blanket Electrical Service Easement - Not Plottable
Sharyland Utilities LP No. 10868 - Blanket Electrical Service Easement - Not Plottable
Sharyland Utilities LP No. 13323 - Blanket Electrical Service Easement - Not Plottable
Midland 2018-1934 - Warranty Deed, Tract 1 - CES
Midland 2018-3136 - Warranty Deed, Tract 2 - CES
Midland 2018-27073 - 10' ROW dedication along east line of FM Highway 1213

FEMA NOTE:

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0250F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "A", DESIGNATED AS "AREAS DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOOD.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF W.H.S.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDENLINK COMMUNICATIONS
BY: Luis Montez

GRAND COMMUNICATIONS
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

DEDICATION
STATE OF TEXAS
COUNTY OF MIDLAND

KNOW ALL PERSON BY THESE PRESENTS: KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED, BEING THE PRESENT OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS "CHASE FIVE ADDITION LOT SPLIT", BEING A TRACT OF 41.940 ACRES OUT OF T.F. SPENCER SURVEY A-592., MIDLAND, COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE USE OF THE PUBLISH FOREVER ALL STREETS, ALLEYS, EASEMENTS AND PUBLISH PLACES SHOWN THEREON FOR THE PURPOSED AND CONSIDERATION THEREIN EXPRESSED.

EXECUTED THIS _____ DAY OF _____, 2020.

CHASE ENERGY SERVICES LLC
AUTHORIZED REPRESENTATIVE

DATE

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Chase Five Addition Lot Split was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2020.

Signed: _____
Joshua Sparks, Chairman

Attest: _____
Cristina Odenborg Burns, Secretary

ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF MIDLAND

Before me the undersigned authority, a notary public in and for said County and State on this day personally appeared the Authorized Representative of CHASE ENERGY SERVICES LLC, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 2020.

Notary Public State of Texas

SURVEYOR'S CERTIFICATION

To: CHASE ENERGY SERVICES LLC
I Albert R. Dehoyos, do hereby certify that the plat heron was prepared from and actual and accurate survey of the land, and that the corner monuments shown heron were properly placed, under my supervision.

Registered Professional Land Surveyor
Texas No. 6725

Dated: _____

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

BASIS OF BEARING:

- BEARINGS SHOWN ARE GRID BASED ON THE TEXAS STATE PLANE CENTRAL ZONE COORDINATE SYSTEM (3001), NAD 83 (2011), BASED FROM GPS OBSERVATIONS. OCCUPYING A WHS CONTROL POINT (5/8" REBAR), LOCATED AT NORTH: 2738.380.
2. DISTANCES DEPICTED HEREON ARE REPORTED AS GROUND DISTANCE IN US SURVEY FEET USING A COMBINED SCALE FACTOR OF 0.999892915 - 1.000020139

PROPERTY OWNER
CHASE ENERGY SERVICES LLC
P.O. BOX 1832 ARTESIA, NM 88211
INSTR# 2018-1934
INSTR# 2018-3136



REVISIONS:

FILING AND RECORDING

SURVEY DATE: 08/05/2019	EXEMPTION
DRAFTING DATE: 04/14/2020	SHEET 1 OF 1
CHECKED BY: ARD	DRAWN BY: JMA
	JOB NO: 18065



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Chase Five Addition, Section 2Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas**Property Owner**Printed Name: CHASE ENERGY SERVICES, LLC.

Phone (575) 748-1288

Email STACIS@MEC.COMAddress P.O. Box 1832City ARTESIA.State NMZip 88211**Developer (if different than Owner)**

Printed Name: _____

Phone ()
Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: William H. Smith & Associates

Printed Name: _____

Phone (575) 748-5555

Email adehoyas@whsmithpc.comAddress 604 S. 13th St. Artesia,City ArtesiaState NMZip 88210Current Zoning: ResidentialReason for Platting: Splitting Lot 1 into 4 seperate tracts.**Plat Information**Total Acreage: 41.94Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 4

Number of Multi-Family Dwelling Units: _____

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 1 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
- ☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: 10/14/19

Property Owner (printed): CHANCE M. CHASE, PRESIDENT.

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

S.S.
STATE OF ~~TEXAS~~ New Mexico
COUNTY OF ~~MIDLAND~~ Eddy

Before me, the undersigned authority, on this day personally appeared Albert DeHoyos who, being by me duly sworn, upon oath says: That (s)he is authorized by Chance M. Chase, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Albert DeHoyos
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of October, 2019, to certify which witness my hand and seal of office.



OFFICIAL SEAL
STACI D. SANDERS
NOTARY PUBLIC - State of New Mexico
My Commission Expires 2-15-2021

Staci D. Sanders
NOTARY PUBLIC, ~~MIDLAND COUNTY, TEXAS~~
Eddy County, New Mexico

****Application will not be considered for scheduling until reviewed by a planner.****

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # 376

☒ Tax Certificates

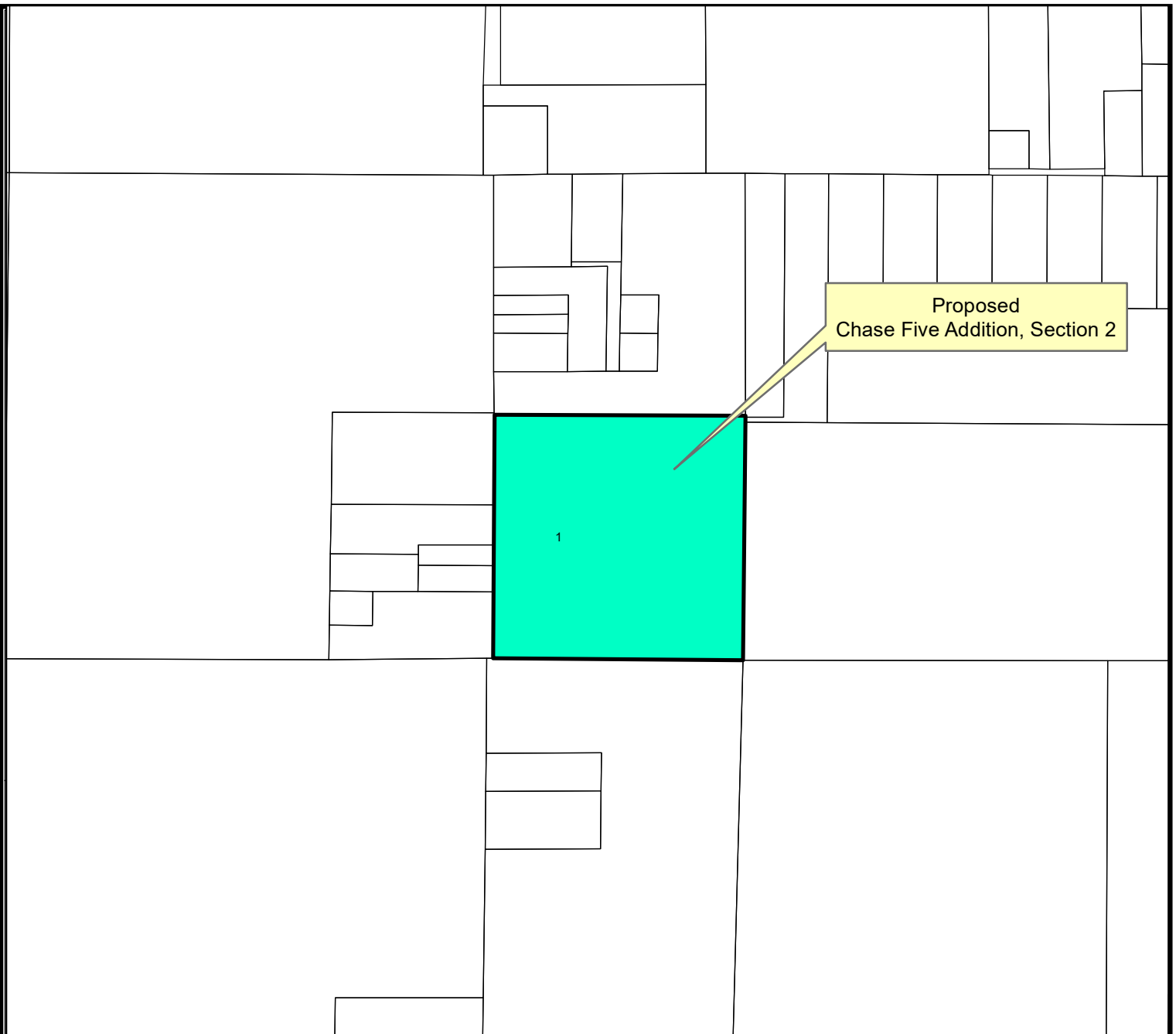
Check # 376

Received By: Inst Bns

Date: APR 02 2020

BY:

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

SUB-19-0280

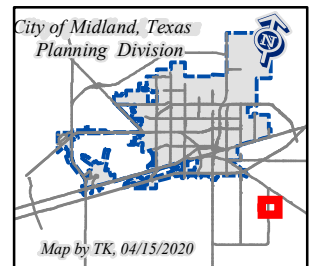
Scale: 1" = 500'

Consider a proposed plat of Chase Five Addition, Section 2 being a re-plot of Lot 1, Block 1, Chase Five Addition, Midland County, Texas.

Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



April 13, 2020

City of Midland
Development Services
ATTN: Taslima Khandaker, Planner
300 N. Loraine Street
Midland, Texas 79702

RE: Final Plat
Chase Five Addition, Section 2
(Preliminary Plat P-19-0711 review November 1, 2019)
(Sketch Plat P-19-0687 reviewed October 5, 2019)
Part of TF Spencer Survey
<https://goo.gl/maps/45Wdb3XVVAw4LKbz8>

Owner/Applicant: Chase Energy Services LLC
Surveyor/Engineer: WHS Engineering Co.

Ms. Khandaker –

On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 41.94-acre site is situated in a tract of land (noted above) located on the east side of FM 1213. This property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a final plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The final plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development.

ARTICLE I PLATS

1. **Review comments from Sketch Plat:**
 - a. ~~Tie down SW corner of proposed addition – iron rod found or set. (Section 1.08)~~
 - b. ~~Show existing and proposed topography (Sections 1.15 and 1.16)~~
 - c. ~~Provide a copy of all restrictions or restrictive covenant, if applicable. (Section 1.18)~~

2. **Review comments from Preliminary Plat:**

- a. Consider how to comply with flood plain development regulations. Provide information about location, including setbacks, for proposed structures on the preliminary plat. In addition, please verify the SFHA and the Zone. https://map1.msc.fema.gov/idms/IntraView.cgi?ROT=0&O_X=12035&O_Y=1284&O_ZM=0.338272&O_SX=1600&O_SY=869&O_DPI=400&O_TH=89365999&O_EN=90001169&O_PG=1&O_MP=1&CT=0&DI=0&WD=14400&HT=10341&JX=1912&JY=929&MPT=0&MPS=0&ACT=2&KEY=89365700&ITEM=1&PICK_VIEW_CENTER.x=256&PICK_VIEW_CENTER.y=533&R1=VOUT
- b. Coordinate required driveway permits with TxDOT, as applicable.
- c. The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.

3. **Review comments for Final Plat:**

- a. Confirm floodplain information (SFHA and Zone) labeled on plat and show floodplain on final plat.
- b. Show limits of floodplain on final plat (Section 1.13)

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,



Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Ellen Phillips, Planning Analyst
Jenny Hilton, Midland County
Andrew Avis, Midland County

**ATTACHMENT
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT**

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)

Note: Executed Owner's Certificate (Section 1.04)

- Execute certificate for final plat after Midland City Council approval
- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- ✓ Boundary lines with bearings and distances. (Section 1.08)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)

Note: Label name of proposed subdivision, streets, parks, physical features (Section 1.09)

- The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County office of Emergency Management.

- ✓ Show all existing permanent man-made structures. (Section 1.11)

NA Label elevation of lowest floor for any proposed or substantially improved structures. (Section 1.12)

X Show the limits of the floodplain, as applicable. (Section 1.13)

- NA Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)
- ✓ Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15).
 - In accordance with City of Midland final plat requirements, topography is not required to be shown on final plat.
- ✓ Proposed topography/grading in 2-foot contours. (Section 1.16)
- ✓ North arrow (Section 1.17)
- ✓ Scale (Section 1.17)

**ATTACHMENT
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT**

- ✓ Copy of all restrictions or restrictive covenant, as applicable. (Section 1.18)
- ✓ Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)

MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH."

ARTICLE IX LOTS

- ✓ The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one (1.0) acre. (Section 9.1)

Note: Building setback lines be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats. (Section 9.2)

- In accordance with City of Midland final plat requirements, building setbacks are not required to be shown on final plat.

- ✓ Lots shall have minimum road frontage as indicated by the following table (Section 9.3):

Lot Size	Minimum Frontage*
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	200 feet

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

- ✓ All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way. (Section 9.4)

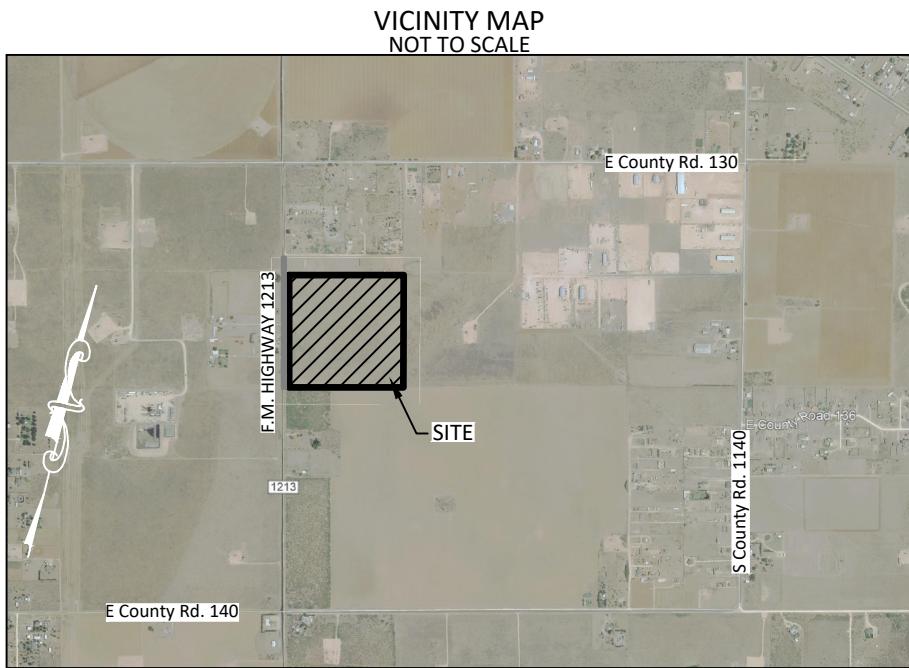
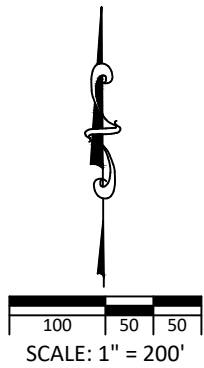
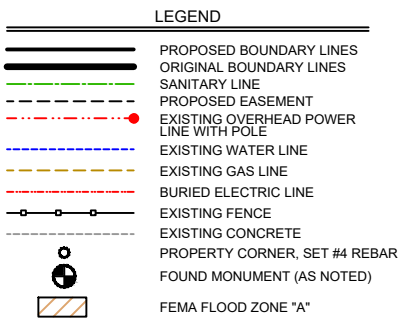
ARTICLE XI ENFORCEMENT AND PENALTIES

Please review this Article of the Midland County Subdivision Regulations available online at <https://midlandcountytexas.gov/play/11132018-1387>

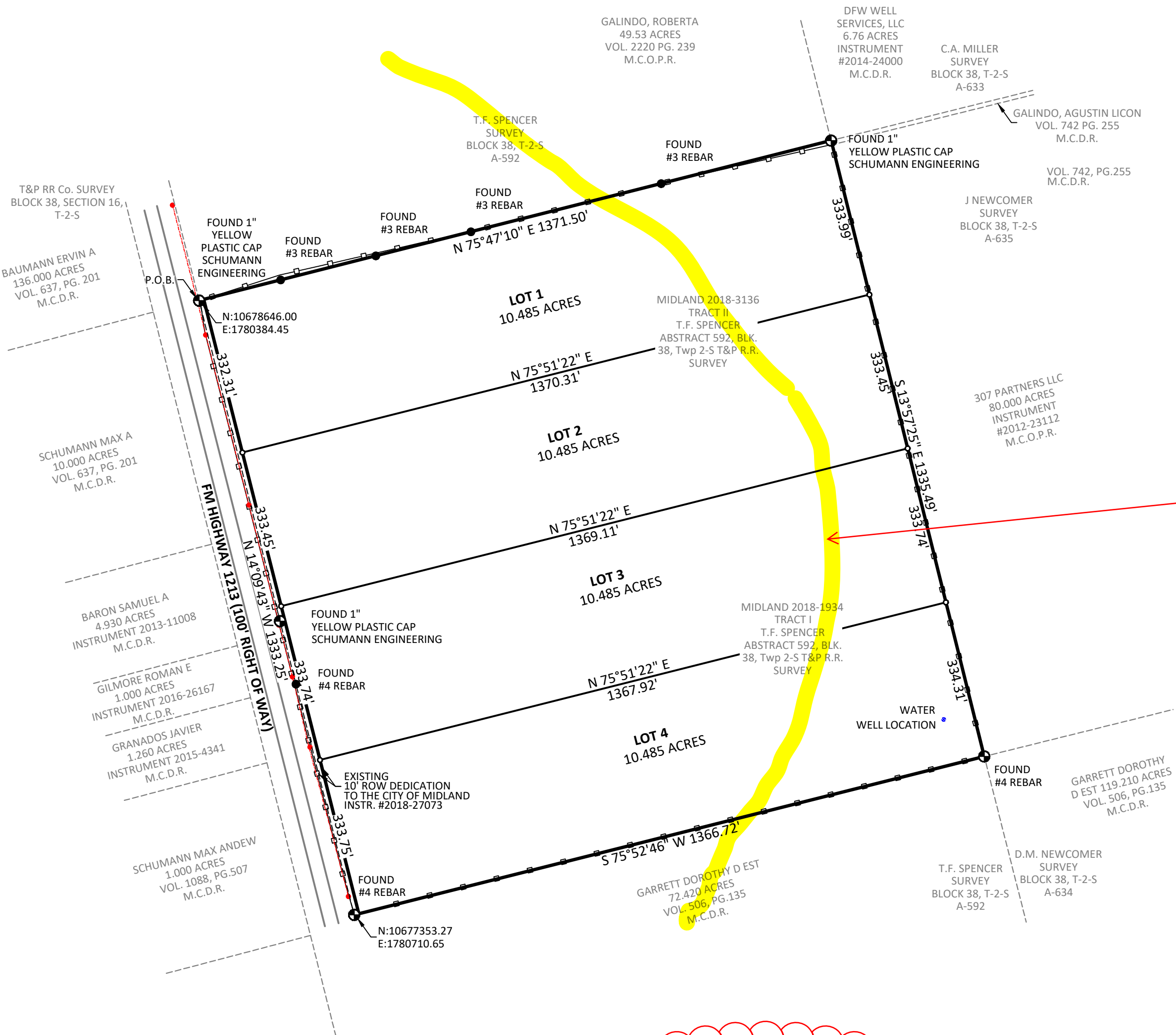
Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (<https://midlandcountytexas.gov/play/11132018-1387>, and the [platting process](#) outlined on the County website.

CHASE FIVE ADDITION, SECTION 2

BEING A REPLAT OF LOT 1, BLOCK 1, CHASE FIVE ADDITION
Midland County, Texas



GENERALLY LOCATED ON THE EASE SIDE OF FARM-TO-MARKET 1213, APPROXIMATELY 225 FEET SOUTH OF EAST COUNTY ROAD 132. EXTRATERRITORIAL JURISDICTION



Show limits of floodplain; coord with City
Floodplain Administrator

NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1)THE 41.945 ACRE TRACT /S REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR.
(2)THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- ALL UNDERGROUND UTILITIES PREVIOUSLY LOCATED BY UTILITY COMPANY.

EASEMENT SUMMARY

Midland_V144_P463 - Right of Way Deed for FM Highway 1213 - Plottable
Phillips Petro Co. V144 P151 - Blanket Pipeline Easement - covers N1/2 T.F. Spencer Pre-emption Survey
Cap Rock V1113 P432 - Powerline Easement running East-West along Northline (35' in width) - not within tract
Western Gas V1716 P628 - Pipeline Easement - maybe East of easterly property line, plat unreadable - Not Plottable
Cap Rock V2364 P628 - Blanket Electrical Service Easement - Not Plottable
Cap Rock V3158 P793 - Blanket Electrical Service Easement - Not Plottable
Sharyland Utilities LP No. 10868 - Blanket Electrical Service Easement - Not Plottable
Sharyland Utilities LP No. 13323 - Blanket Electrical Service Easement - Not Plottable
Midland 2018-1934 - Warranty Deed, Tract 1 - CES
Midland 2018-3136 - Warranty Deed, Tract 2 - CES
Midland 2018-27073 - 10' ROW dedication along east line of FM Highway 1213

Confirm SFHA information;
coord with City Floodplain Administrator

FEMA NOTE:

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0250F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "A" DESIGNATED AS "AREAS DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOOD.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF W.H.S.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDEINK COMMUNICATIONS
BY: _____

GRAND COMMUNICATIONS
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

DEDICATION STATE OF TEXAS COUNTY OF MIDLAND

KNOW ALL PERSON BY THESE PRESENTS: KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED, BEING THE PRESENT OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS "CHASE FIVE ADDITION LOT SPLIT", BEING A TRACT OF 41.940 ACRES OUT OF T.F. SPENCER SURVEY A-592., MIDLAND, COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE USE OF THE PUBLISH FOREVER ALL STREETS, ALLEYS, EASEMENTS AND PUBLISH PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

EXECUTED THIS _____ DAY OF _____, 2019.

CHASE ENERGY SERVICES LLC
AUTHORIZED REPRESENTATIVE

DATE

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Chase Five Addition Lot Split was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 19 ____.

Signed: _____
Joshua Sparks, Chairman

Attest: _____
Cristina Odenborg Burns, Secretary

ACKNOWLEDGEMENT STATE OF TEXAS COUNTY OF MIDLAND

Before me the undersigned authority, a notary public in and for said County and State on this day personally appeared the Authorized Representative of CHASE ENERGY SERVICES LLC, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 2019.

Notary Public State of Texas

SURVEYOR'S CERTIFICATION

To: CHASE ENERGY SERVICES LLC
I Albert R. Dehoyos, do hereby certify that the plat heron was prepared from and actual and accurate survey of the land, and that the corner monuments shown heron were properly placed, under my supervision.

Registered Professional Land Surveyor
Texas No. 6725

Dated: _____

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

PROPERTY OWNER

CHASE ENERGY SERVICES LLC
P.O. BOX 1832 ARTESIA, NM 88211
INSTR# 2018-1934
INSTR# 2018-3136



REVISIONS:

FILING AND RECORDING

SURVEY DATE: 08/05/2019	EXEMPTION
DRAFTING DATE: 02/24/2020	SHEET 1 OF 1
CHECKED BY: ARD	DRAWN BY: JMA
JOB NO: 18065	

BASIS OF BEARING:

- BEARINGS SHOWN ARE GRID BASED ON THE TEXAS STATE PLANE CENTRAL ZONE COORDINATE SYSTEM (3001), NAD 83 (2011), BASED FROM GPS OBSERVATIONS, OCCUPYING A WHS CONTROL POINT (5/8" REBAR), LOCATED AT NORTH: 10678482.610, EAST: 1780415.3910, ELEVATION: 2738.380.
- DISTANCES DEPICTED HEREON ARE REPORTED AS GROUND DISTANCE IN US SURVEY FEET USING A COMBINED SCALE FACTOR OF 0.999892915 - 1.000020139



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: May 4, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Consider a proposed Preliminary Plat of Bankhead Addition, Section 12, being a plat of a 1.098-acre tract of land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of W. Front Street, approximately 475 feet east of W. Wall Street. Council District 2)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, John Cowan & Associates, Inc., is proposing to plat a 1.098 acre tract of land into one (1) lot for a commercial development.

Current Zoning:

C, Commercial District.

The Preliminary Plat attached hereto has been circulated to all City departments for review.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

IMPACT FEES: Initial Impact Fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.

ROW: TxDOT comment, "Only 1 access to BI 20 should be allowed for this site if it is a change in development/use from what was originally approved access. If possible, provide cross access to the property to the east as well to reduce access locations if this property gets developed."

PAVING: Front St. is TX DOT facility, built and maintained by TX DOT, no improvements required.

WATER: Existing water connection confirmed by surveyor. No public improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.

PRO RATA: NONE

SEWER: Existing sewer connection confirmed by surveyor. No public improvements required.

DRAINAGE: Drainage report submitted to our office along with building permit. Approval is pending upon a re-submittal as of 04/14/2020.

In addition, the following note will need to be added- "Comply with the existing drainage analysis titled (Title Name) sealed by (Engineer Name), P.E. and approved by the City of Midland on (Date), or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland."

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comment, "Only 1 access to BI 20 should be allowed for this site if it is a change in development/use from what was originally approved access. If possible, provide

cross access to the property to the east as well to reduce access locations if this property gets developed.”

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

No objections to plat.

FIRE: (Approved)

Future development shall meet all requirements of the 2015 ed. Of the IFC and adopted city amendments.

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat.

PERMIAN BASIN METROPOLITAN PLANNING ORGANIZATION:

No comment.

COLORADO RIVER MUNICIPAL WATER DISTRICT:

No comments.

PLANNING:

The legal description should read “Being a 1.098-acre tract of land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas”.

The plat boundary lines should be heavier than those of other lots.

Remove Notes #1 and #2. And label the section as “Notes”. Renumber notes 9 through 15 or add those that are missing.

Note #3 should read: “Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983”.

Remove building footprint and concrete pad.

Remove contour lines at Final Plat stage.

Remove “Call 1.098 acres Roberto Aleman and Lilia Aleman to Ramon S Carrasco and Diana L. Villarreal. Doc No 2017-9155, March 26, 2017” within the plat boundary.

Center the Block Number and Lot Number within the plat boundary. Should read "Block 6, Lot 2".

The abutting property owner located to the southeast of the plat should be labeled as "Bankhead Addition, Section 9" not Wholesalers Property Co.

Provide Title Opinion at Final Plat stage.

Provide Tax Certificate at Final Plat stage.

Provide the "Plat Filed for Record" block on the plat.

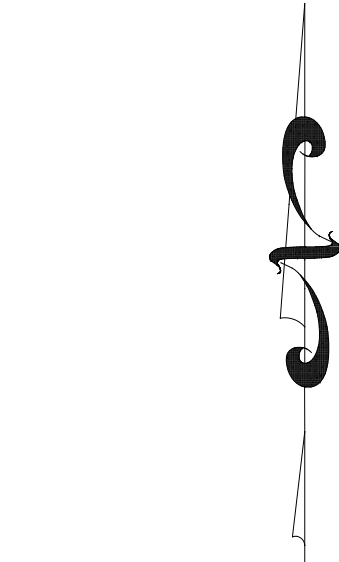
Staff recommends approval of the Preliminary Plat of Bankhead Addition, Section 12, subject to conditions A and B.

Conditions:

- A. That the technical items listed above are addressed.
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Maps



TREE TABLE				
QTY	NO	TRUNKS	SIZE	TYPE
1	432	SINGLE	18"	LIVE OAK
2	444	SINGLE	12"	LIVE OAK

- GENERAL NOTES
- LEGAL DESCRIPTION SHOWN HEREON
- BEARINGS ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, SURVEY FEET.
- SITE ELEVATION DATUM IS NAVD 88.
- CONTOUR INTERVAL = 1' 0'
- SITE BENCHMARK 1
TOP OF MAG NAIL SET IN ASPHALT
BEING N 04°51'55" E 120.88' FROM N.W.C. OF TRACT
ELEVATION = 2830.82'
- SITE BENCHMARK 2
TOP OF MAG NAIL SET IN ASPHALT
BEING N 30°57'20" E 118.79' FROM THE N.E.C. OF TRACT
ELEVATION = 2830.00'
- PROPERTY ADDRESS: 3305 W FRONT ST.
MIDLAND, TX 79701

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE SUBJECT TRACT LIES IN ZONE "X". AREAS DETERMINED TO BE OUTSIDED THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 48329C02011 WITH A REVISED DATE OF SEPTEMBER 16, 2005, COUNTY OF MIDLAND, TEXAS.
- RIGHT OF WAY EXECUTED BY F.F. ELKIN TO HUMBLE PIPE LINE COMPANY, DATED JANUARY 4, 1959, AND RECORDED IN VOLUME 61, PAGE 585, DEED RECORDS OF MIDLAND COUNTY, TEXAS IS A BLANKET EASEMENT AND DOES AFFECT THIS TRACT.

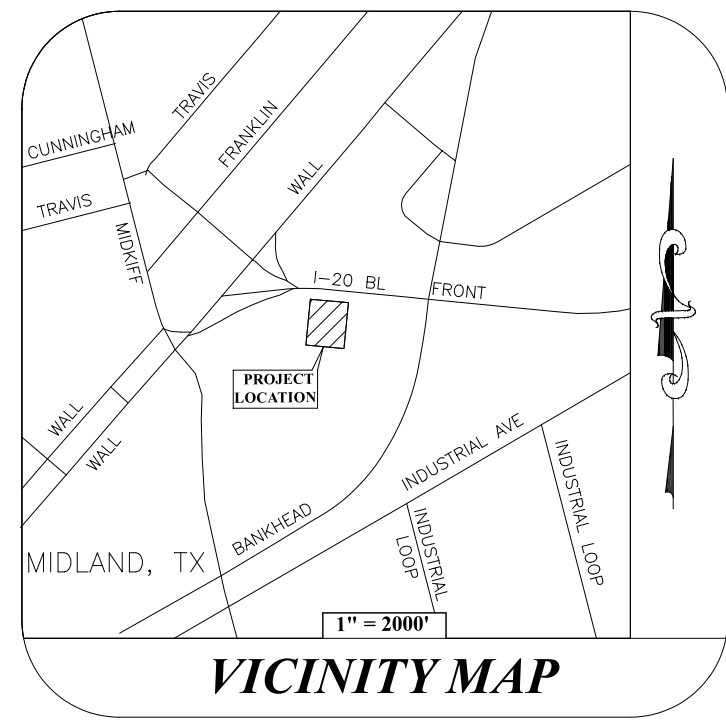
- The contractor(s) shall be responsible for confirming the location (horizontal & vertical) of any buried cables, conduits, pipes, and structures (storm sewer, sanitary sewer and water). The contractor(s) shall be responsible for confirming the location (horizontal & vertical) of gas, television, telephone and other utility easements which impact the construction site. The contractor(s) shall notify the owner if any discrepancies are found between the actual conditions and the data contained in the construction plans. Any costs incurred as a result of not verifying the actual location (horizontal & vertical) of said cables, conduits, pipes and structures shall be borne by the contractor(s).
- Adequate research to determine the location of intended boundary lines was made. In accordance with the Texas Board of Professional Land Surveyors, General Rules and Practices, Section 663.16 (c), research to support the delineation of easements, rights-of-way and restrictive covenants was not performed. The location of utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of any subterranean uses.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Philip Cornett, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

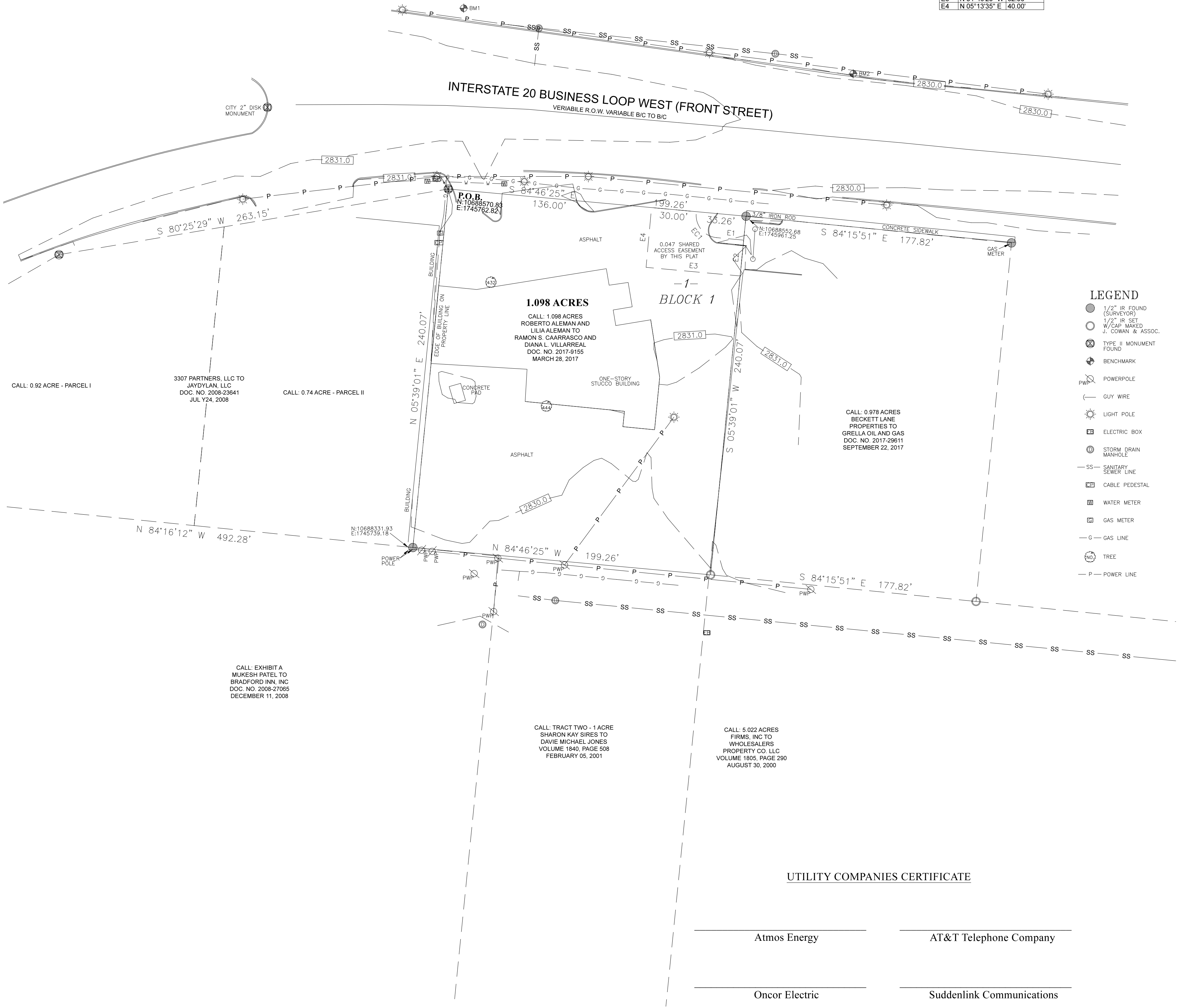
Philip W. Cornett
Registered Professional Land Surveyor
Texas Registration No. 5515



JOHN COWAN & ASSOCIATES, INC.
10147 COUNTY ROAD 135, FLINT, TEXAS 75762
PH: (903) 581-2238 [jcsurveys.com](http://www.jcsurveys.com)
FIRM REGISTRATION CERTIFICATION NO. 10025500

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC1	15.00'	23.56'	21.21'	S 39°46'25" E	90°00'00"

LINE	BEARING	DISTANCE
E1	S 84°46'25" E	116.14'
E2	S 05°39'01" W	24.00'
E3	N 84°46'25" W	62.98'
E4	N 05°13'35" E	40.00'



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, Ramon S. Carrasco and Diana L. Villarreal are the sole owners of all that certain lot, tract, or parcel of land, Being A Plat of a 1.098 Acre Tract of Land out of the Section 33, Block 39, Township 1 South, Texas Pacific Railway Company Survey, Abstract No. 45, Midland County, Texas, and being all of that certain called 1.098 acre tract described in a deed from Roberto Aleman and Lilia Aleman to Ramon S. Carrasco and Diana L. Villarreal on March 28, 2017, recorded in Document No. 2017-9155 of the Official Public Records of Midland County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a TxDOT type II concrete right of way monument (found) for the Northwest corner of the above mentioned 1.098 acre tract, the Northeast corner of the Jadylan, LLC 0.74 acre tract described in Document No. 2008-23641, in the South right of way of Interstate 20 Business Loop West (Front Street);

THENCE South 84 deg. 46 min. 25 sec. East with the South right of way of Front Street, the North line of the 1.098 acre tract, a distance of 199.26 ft. to a 3/8" iron rod (found) for the Northeast corner of same, the Northwest corner of the Grella Oil and Gas 0.978 acre tract described in Document No. 2017-29611;

THENCE South 05 deg. 39 min. 01 sec. West with the West line of the 0.978 acre tract, the East line of the 1.098 acre tract, a distance of 240.07 ft. to a 1/2" iron rod (set) for the Southeast corner of same, the Southwest corner of the 0.978 acre tract;

THENCE North 84 deg. 46 min. 25 sec. West with the South line of the 1.098 acre tract, a distance of 199.26 ft. to a 5/8" iron rod (found) for the Southwest corner of same, the Southeast corner of the 0.74 acre tract;

THENCE North 05 deg. 39 min. 01 sec. East with the East line of the 0.74 acre tract, the West line of the 1.098 acre tract, a distance of 240.07 ft. to the place of beginning, containing 1.098 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Ramon S. Carrasco and Diana L. Villarreal do hereby adopt this plat designating the hereinabove described property as Bankhead Addition, Section 12, an addition to the City of Midland, Texas, and, hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

WITNESS our hands at Midland, Texas this _____ day of _____, 2020.

By: _____

NAME: _____

TITLE: _____

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on _____

By: _____

Ramon S. Carrasco

Notary Public, State of Texas

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on _____

By: _____

Diana L. Villarreal

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of the Bankhead Addition, Section 12 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2020.

Signed: _____

Joshua Sparks, Chairman

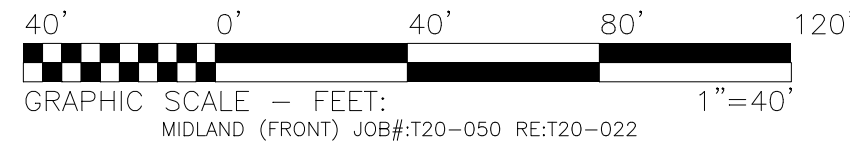
Signed: _____

Cristina Odenborg Burns, Secretary

ENGINEER:
GRESHAM, SMITH & PARTNERS
511 UNION STREET
NASHVILLE, TN 37219
(615) 770-8100

OWNER:
RAMON S. CARRASCO AND
DIANA L. VILLERREAL
704 SPRABERRY DR.
MIDLAND, TX 79703
432-664-7550
432-269-3262

DEVELOPER:
GBT REALTY LLC
9010 OVERLOOK BLVD.
BRENTWOOD, TN 37027
(615) 370-0670



PRELIMINARY PLAT

BANKHEAD ADDITION, SECTION 12

Part of Section 33, Block 39, Township 1
South of the Texas Pacific Railway Company
Survey, Abstract No. 45, City of Midland,
Midland County, Texas

UTILITY COMPANIES CERTIFICATE

Atmos Energy

AT&T Telephone Company

Oncor Electric

Suddenlink Communications

Grande Communications



Preliminary Plat Application

Project Number: P-20-0828

Case Number: _____

Proposed Subdivision Plat Name: Bankhead Addition, Section 12**Legal Description (attached sealed Metes and Bounds):** Part of Section 33, Block 39, Township 1 South of the Texas Pacific Railway Company Survey, Abstract No. 45, City of Midland, Midland County, Texas**Property Owner**

Printed Name: Ramon S. Carrasco and Diana L. Villarreal

Phone (432) 664-7550

Email

Address 704 Spraberry Dr.

City Midland

State TX

Zip 79703

Developer (if different than Owner)

Printed Name: GBT Realty Corporation

Phone (615) 370-0670

Email ggglaser@gbtrealty.com

Address 9010 Overlook Boulevard

City Brentwood

State TN

Zip 37027

Representative (if acting as Agent, see affidavit on page 2)

Firm: John Cowan & Associates, Inc.

Printed Name: PHILIP CORNETT

Phone (903) 581-2238 ext. 16

Email

pcornett@jcowaninc.com

Address 10147 CR 135

City Flint

State TX

Zip 75762

Current Zoning: BP - I-20 Business Park District**Reason for Platting:** Subdivide lot for commercial use.**Plat Information**

Total Acreage: 1.098

Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees**Items to be submitted with this application form:**

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

RECEIVED
APR 08 2020

BY:

Request for a Development AgreementDo you expect to request a development agreement with the City? ☐ Yes ☒ No

If yes, contact the City Engineer at (432) 685-7286

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved***, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date:

Property Owner (printed):

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

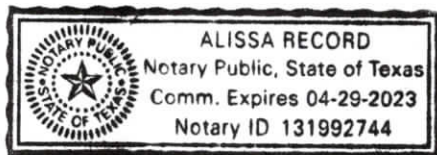
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Philip Cornett who, being by me duly sworn, upon oath says: That (s)he is authorized by Ramon S. Carrasco & Diana L. Carrasco the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this 1st day of April, 20 20, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Application Fee | ☒ 1 Copy of Plat (11x17) | |

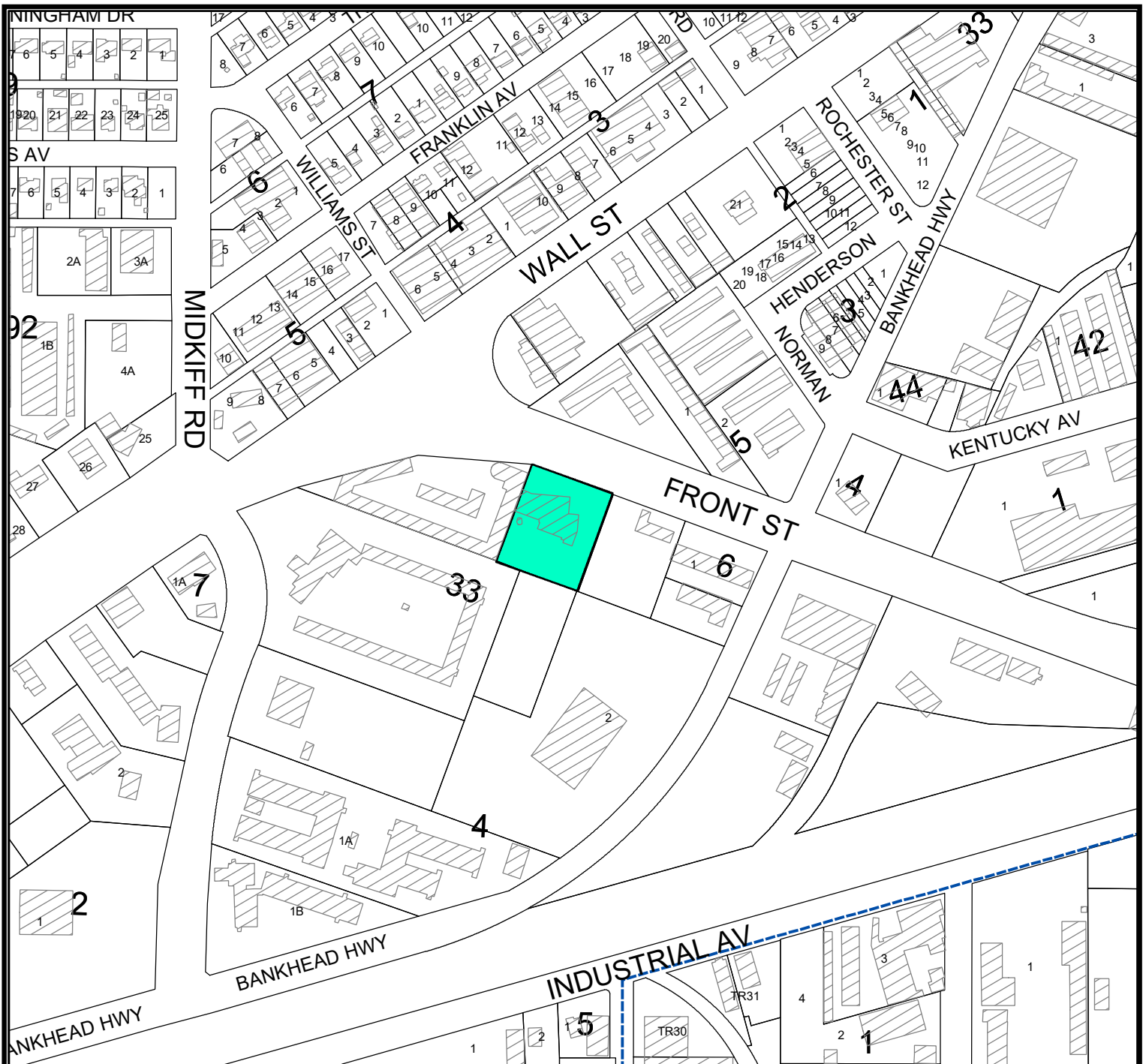
Check # 2526

Received By:

Date:

RECEIVED
APR 08 2020

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

SUB-20-0327

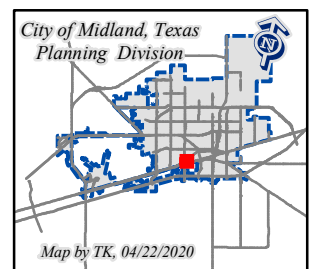
Scale: 1" = 250'

Proposed plat of Bankhead Addition, Section 12, being a plat of a 1.098-acre tract-of-land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas.

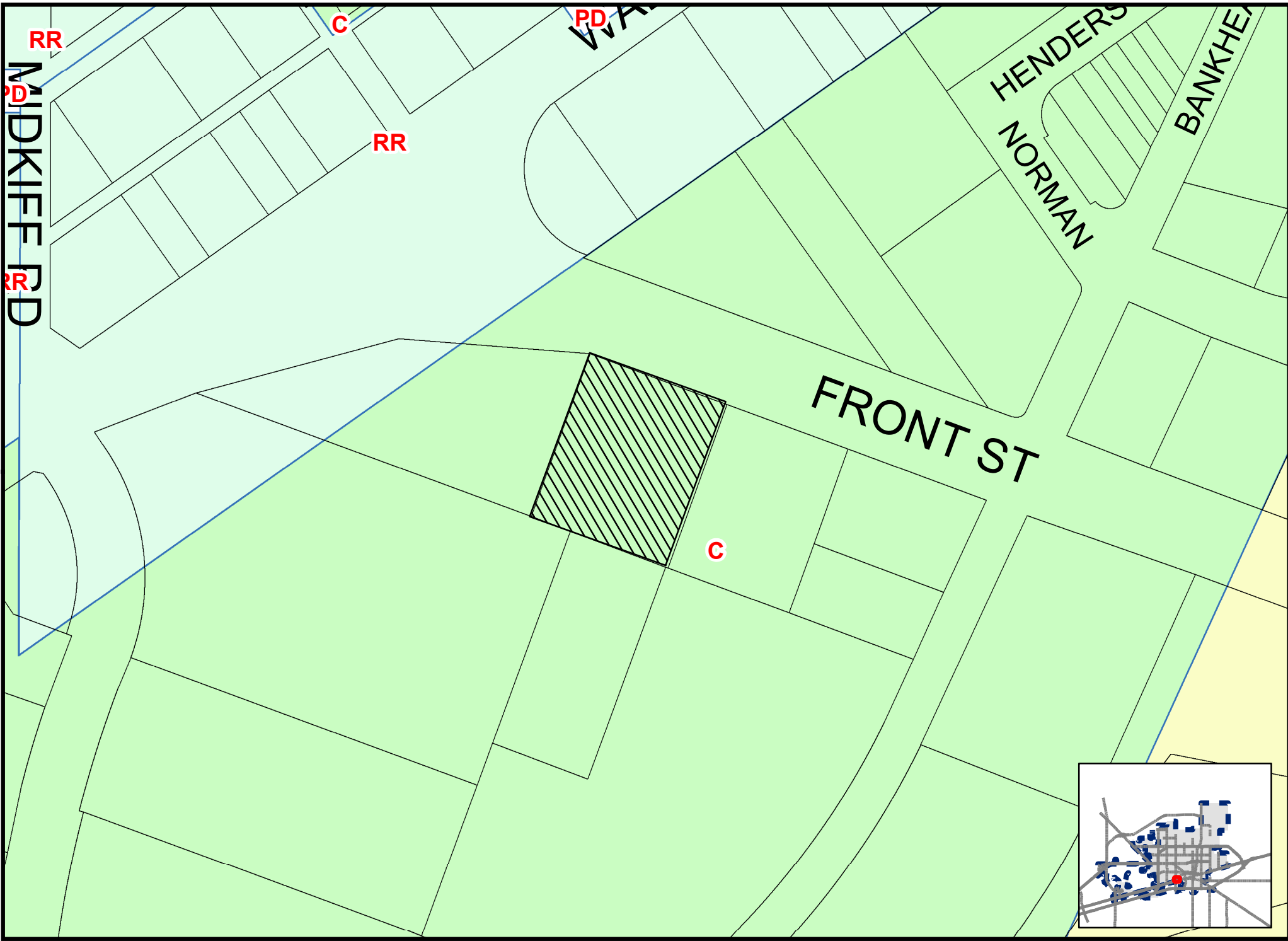
Generally located on the south side of W. Front Street, approximately 475 feet east of W. Wall Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: May 4, 2020

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Consider a proposed Final Plat of Legacy Addition, Section 10, being a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Mcpherson Lane, approximately 141-feet west of Bunker Hill Road. Council District 4)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Parkhill, Smith, & Cooper is proposing to plat a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, into one hundred and thirty three (133) lots for the development of single family homes.

Current Zoning:

SF-3, Single Family Dwelling District.

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (Awaiting Comments)

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fees note has been provided.

ROW: R.O.W. Okay as shown.

PAVING: Construct roadways to City Standards, along all platted frontage. Letter of Credit is on file for the construction of the proposed roadways according to the

approved plans.

WATER: Water lines have been installed and punch list items will need to be determined and addressed prior to acceptance of the improvements.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.

PRO RATA: None.

SEWER: Sewer lines have been installed and punch list items will need to be determined and addressed prior to acceptance of the improvements.

DRAINAGE: Drainage improvements have been installed and punch list items will need to be determined and addressed prior to acceptance of the improvements.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

FIRE: (Awaiting Comments)

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 5 new intersections created at \$500/intersection = \$2,500. Fee shall be adjusted based on number of intersections if Final Plat is phased.

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

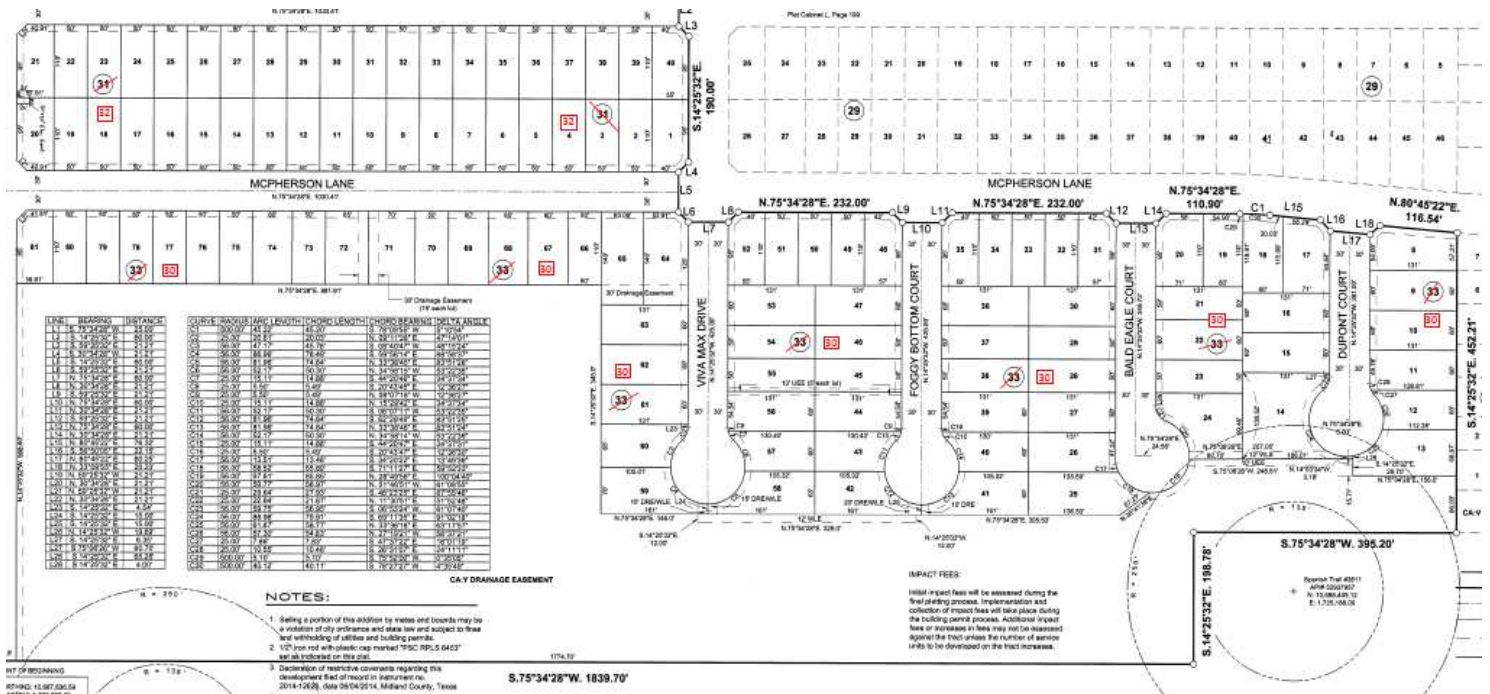
No objections to plat.

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. The non-permitted wells identified are located outside the city limits on the plat.

GIS:

The proposed plat has block 33 when it should be block 30 and block 31 should be block 32.



PLANNING:

Staff recommends approval subject to Condition A.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

LEGACY ADDITION
SECTION 10

Being 44.68 Ac.
Located in Section 38, Block 40,
T-1-S, T&P RR CO. Survey,
City and County of Midland, Texas

OWNER &
DEVELOPER:

D.R. HORTON - TEXAS, LTD
6751 N. Freeway
Fort Worth, Texas 76131
817-230-0800
ENGINEER:
Parkhill, Smith & Cooper, Inc.
1700 W Wall St., #100
Midland, Texas 79701
432-697-1447

DRAINAGE EASEMENT NOTE:

Relative to the existing drainage easement: the maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owner agrees to maintain the facility in working order, with inspections and corrective action made at least annually. Reports of such inspections and maintenance shall be kept for inspection by the City of Midland stormwater administrator on request, or may be forwarded to the city engineer's office.

Relative to the existing drainage easement: the City of Midland shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the city finds it necessary for public health and safety.

Relative to the existing drainage easement: the City of Midland and its employees, contractors, agents, successors, and assigns, shall have the free and uninterrupted right of passage in, on, upon, over, under, across, along and through the property described herein for the purpose of establishing, laying, constructing, reconstructing, installing, realigning, modifying, replacing, improving, altering, operating, maintaining, accessing, inspecting, repairing, relocating and removing said facilities, including but not limited to, the right to cut and trim bushes and trees, together with the right of ingress, egress and regress for such purposes in, on, upon, over, under, across, along and through the property described herein.

Relative to the existing drainage easement: developer may not use any part of the property described herein if such use will damage, destroy, injure, and/or unduly interfere with the City of Midland's use of the property. Developer expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that no building, roadways, or curbs and gutters of any kind will be placed on the property described herein. Written permission for above ground appearances must be obtained from the City of Midland, prior to installation.

Proposed Plat Limits
Proposed Centerline of Road
Radius from Existing Well
Proposed Easement (See plat for details)
Proposed Lot Line

- Set 1/2-inch iron rod with cap "PSC RPLS 6453"
⊙ Found Nail with washer "PSC RPLS 6453"
⊙ Found 1/2-inch iron rod with cap "PSC RPLS 6453"

C13 Curve Label Marker
CA:U Proposed Common Area
L13 Line Label Marker

WLE = Water Line Easement
DRE = Drainage Easement
UEE = Underground Electric Easement

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

LEGACY ADDITION
SECTION 10

PARKHILL SMITH & COOPER
TBPLS FIRM REGISTRATION NO. 10194091
4222 85TH STREET
LUBBOCK, TX. 79423
806.473.2200



Unplatted
Record Owner: Cumberland & Western Resources, LLC
Volume 3131, Page 210

NORTHING: 10,688,958.67
EASTING: 1,722,989.46
THE NORTHWEST CORNER OF
SECTION 38 BEARS S.75°35'17"W.
209.37' AND N.14°24'43"W. 3539.72'
FROM THIS POINT

N.75°34'28"E. 1087.91'

CA:X DRAINAGE EASEMENT

THOMAS PAINE ROAD

N.75°34'28"E. 1030.41'

MCPHERSON LANE

N.75°34'28"E. 1030.41'

30' Drainage Easement
(15' each lot)

LINE	BEARING	DISTANCE
L1	S. 75°34'28" W.	25.00'
L2	S. 14°25'32" E.	60.00'
L3	S. 59°25'32" E.	21.21'
L4	S. 30°34'28" W.	21.21'
L5	S. 14°25'32" E.	60.00'
L6	S. 59°25'32" E.	21.21'
L7	N. 75°34'28" E.	60.00'
L8	N. 30°34'28" E.	21.21'
L9	S. 59°25'32" E.	21.21'
L10	N. 75°34'28" E.	60.00'
L11	N. 30°34'28" E.	21.21'
L12	S. 59°25'32" E.	21.21'
L13	N. 75°34'28" E.	60.00'
L14	N. 30°34'28" E.	21.21'
L15	N. 80°45'22" E.	76.32'
L16	S. 58°50'05" E.	22.15'
L17	N. 80°45'22" E.	60.25'
L18	N. 33°09'55" E.	20.23'
L19	N. 59°25'32" W.	21.21'
L20	N. 30°34'28" E.	21.21'
L21	N. 59°25'32" W.	21.21'
L22	N. 30°34'28" E.	21.21'
L23	S. 14°25'32" E.	4.54'
L24	S. 14°25'32" E.	15.00'
L25	S. 14°25'32" E.	15.00'
L26	N. 14°25'32" W.	19.69'
L27	S. 14°25'32" E.	6.35'
L28	S. 75°06'26" W.	80.70'
L29	S. 14°25'32" E.	65.26'
L30	S. 14°25'32" E.	4.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	500.00'	45.22'	45.20'	S. 78°09'55" W.	5°10'54"
C2	25.00'	20.61'	20.03'	S. 09°11'28" E.	47°14'01"
C3	56.00'	47.17'	45.78'	S. 08°40'47" W.	48°15'24"
C4	56.00'	86.96'	78.49'	S. 59°58'14" E.	88°58'37"
C5	56.00'	81.96'	74.84'	N. 33°39'45" E.	83°51'26"
C6	56.00'	52.17'	50.30'	N. 34°58'15" W.	53°22'35"
C7	25.00'	15.11'	14.88'	S. 44°20'46" E.	34°37'34"
C8	25.00'	5.50'	5.49'	S. 20°43'45" E.	12°36'27"
C9	25.00'	5.50'	5.49'	N. 08°07'18" W.	12°36'27"
C10	25.00'	15.11'	14.88'	N. 15°29'42" E.	34°37'34"
C11	56.00'	52.17'	50.30'	S. 06°07'11" W.	53°22'35"
C12	56.00'	81.96'	74.84'	S. 62°29'49" E.	83°51'25"
C13	56.00'	81.96'	74.84'	N. 33°39'46" E.	83°51'24"
C14	56.00'	52.17'	50.30'	N. 34°58'14" W.	53°22'36"
C15	25.00'	15.11'	14.88'	S. 44°20'47" E.	34°37'31"
C16	25.00'	5.50'	5.49'	S. 20°43'47" E.	12°36'30"
C17	56.00'	13.51'	13.48'	S. 34°20'22" E.	13°49'36"
C18	56.00'	58.52'	55.89'	S. 71°11'27" E.	59°52'33"
C19	56.00'	97.81'	85.85'	N. 28°49'56" E.	100°04'40"
C20	56.00'	59.77'	56.97'	N. 51°46'51" W.	61°08'55"
C21	25.00'	29.64'	27.93'	S. 48°23'25" E.	67°55'46"
C22	25.00'	22.64'	21.87'	N. 11°30'51" E.	51°52'46"
C23	56.00'	59.75'	56.95'	S. 06°53'24" W.	81°07'40"
C24	56.00'	88.98'	79.91'	S. 69°11'35" E.	91°02'18"
C25	56.00'	61.87'	58.77'	N. 33°38'18" E.	63°17'57"
C26	56.00'	57.30'	54.83'	N. 27°19'21" W.	58°37'21"
C27	25.00'	7.96'	7.83'	S. 47°37'22" E.	18°01'19"
C28	25.00'	10.55'	10.48'	S. 26°31'07" W.	24°11'11"
C29	500.00'	5.10'	5.10'	S. 75°52'00" W.	0°35'05"
C30	500.00'	40.12'	40.11'	S. 78°27'27" W.	4°35'49"

CA:Y DRAINAGE EASEMENT

NOTES:

- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
- 1/2" iron rod with plastic cap marked "PSC RPLS 6453" set as indicated on this plat.
- Declaration of restrictive covenants regarding this development filed of record in instrument no. 2014-12626, date 06/04/2014, Midland County, Texas
- All easements shown are 10 foot general utility easements unless otherwise noted.
- Approval of a site plan by the City of Midland may be required before these lots may be developed or before a building permit may be obtained.

S.75°34'28"W. 1839.70'

Unplatted
Record Owner: Cumberland & Western Resources, LLC
Volume 3131, Page 210

STATE OF TEXAS
COUNTY OF TARRANT
WHEREAS, D.R. HORTON - TEXAS, LTD. is the record owner of 44.68 Acres of Land Located in Section 38, Block 40, T-1-S T&P RR Co. Survey, City and County of Midland, Texas and more particularly described, shown on the plat hereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That we, D.R. HORTON - TEXAS, LTD. do hereby adopt this plat designating the herein above described property as LEGACY ADDITION, SECTION 10 to the City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements shown hereon.
WITNESS our hands at Fort Worth, Texas, this the 3rd day of April, 2020.

By: Todd Horton
TODD HORTON Division Vice President

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on April 3, 2020 by TODD HORTON on behalf of D.R. HORTON - TEXAS, LTD.

JUDY M. SNEDEKER
My Notary ID # 7812085
Expires February 20, 2024

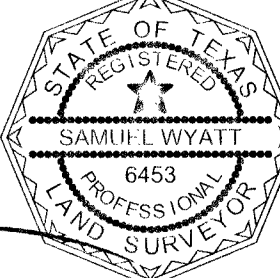
Judy M. Snedeker
Notary Public Signature

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 481239, Map Number 48329C0200F, Panel 200 of 525, revised September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, Samuel Wyatt, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.



Samuel Wyatt, R.P.L.S. #6453

SPECIAL STATE PLANE COORDINATE NOTE

Bearings, distances and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD), with a combined grid factor of 0.9998958 for mean project datum. The theta angle is equal to -00°54'48.39" at USCGS station "Midland", with published values of N=10,690,154.70 and E=1,746,696.76 in U.S. Survey Feet.



Final Plat Application

Project Number: **SUB-17-0154**

Case Number: **P-20-0839**

Proposed Subdivision Plat Name: Legacy Addition Section 10

Legal Description (attached sealed Metes and Bounds): Being 44.68 Ac. Located in Section 38, Block 40, T-1-S, T&P RR CO. Survey, City and County of Midland, Texas

Property Owner

Printed Name: D.R. Horton - Texas, LTD.

Phone (817) 230-0800

Email

Address
6751 N. Freeway

City
Fort Worth

State
TX

Zip
76131

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Parkhill, Smith, & Cooper

Printed Name: Josh Wallender (PSC Job # 01.9675.17 - 1PLT)

Phone (432) 697-1447

Email

jwallender@team-psc.com

Address
1700 West Wall, Suite 100

City
Midland

State
Texas

Zip
79701

Current Zoning: 1F3

Reason for Platting: Owner Wishes to pursue building permits

Plat Information

Total Acreage: 44.68

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Residential Lots: 133

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 1 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own **2 EXTRA PROVIDED**

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Todd Horton

Date: 4/15/2020

Property Owner (printed):

Todd Horton

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

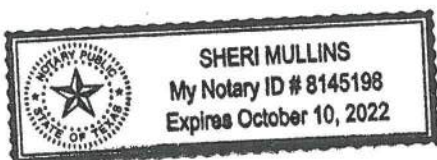
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Shelby Freeman who, being by me duly sworn, upon oath says: That (s)he is authorized by D.R. Horton - Texas, LTD., the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 16 day of April, 20 20, to certify which witness my hand and seal of office.



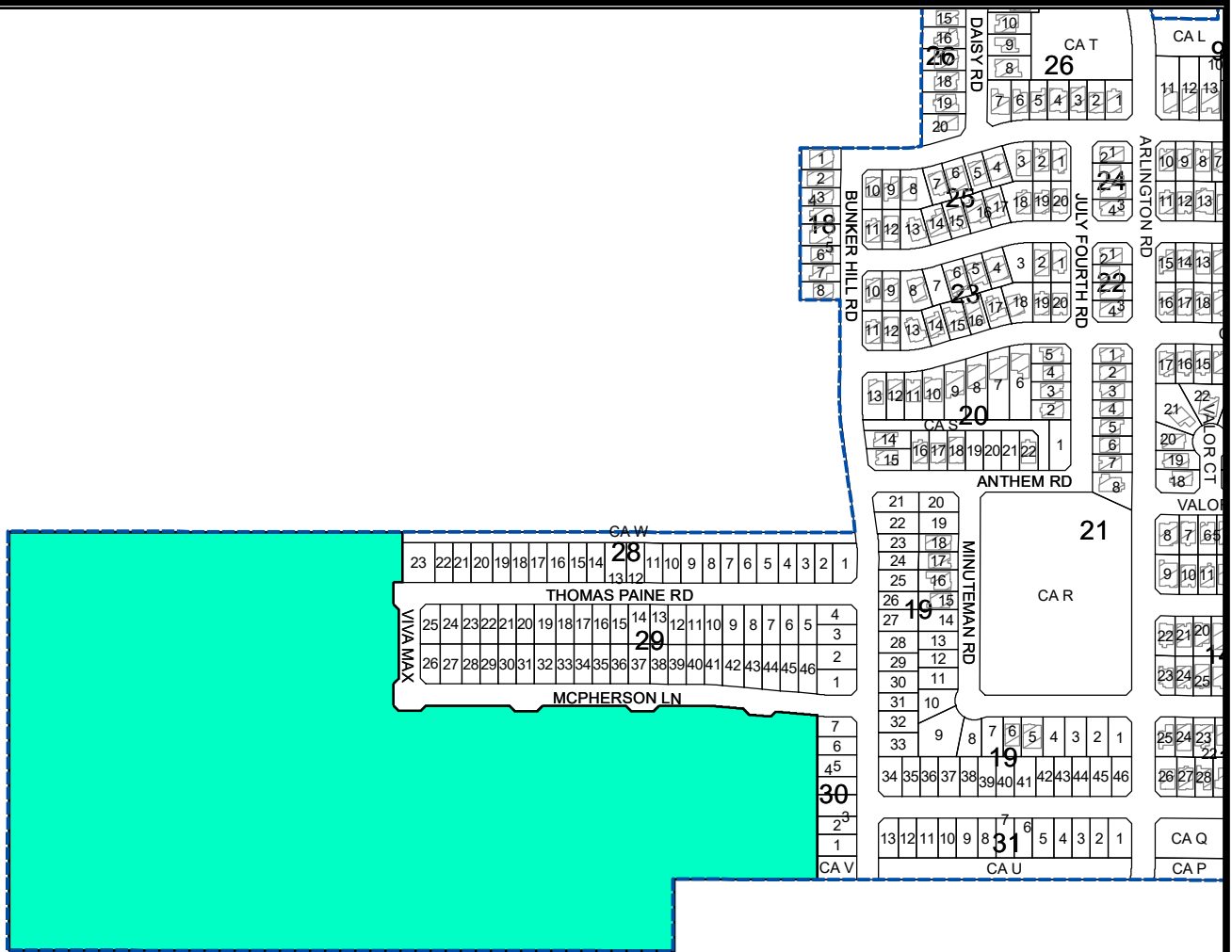
Sheri Mullins

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****Application will not be considered for scheduling until reviewed by a planner.****

FOR OFFICE USE ONLY		
☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check # _____	☐ Tax Certificates	Check # _____
Received By:		Date:

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

P-20-0839

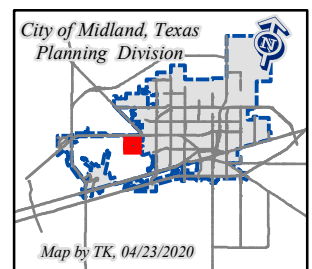
Scale: 1" = 250'

Proposed plat of Legacy Addition, Section 10, being a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the south side of Mcpherson Lane, approximately 141-foot west of Bunker Hill Road. (Council District 4)

LEGEND

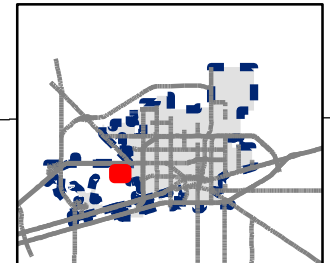
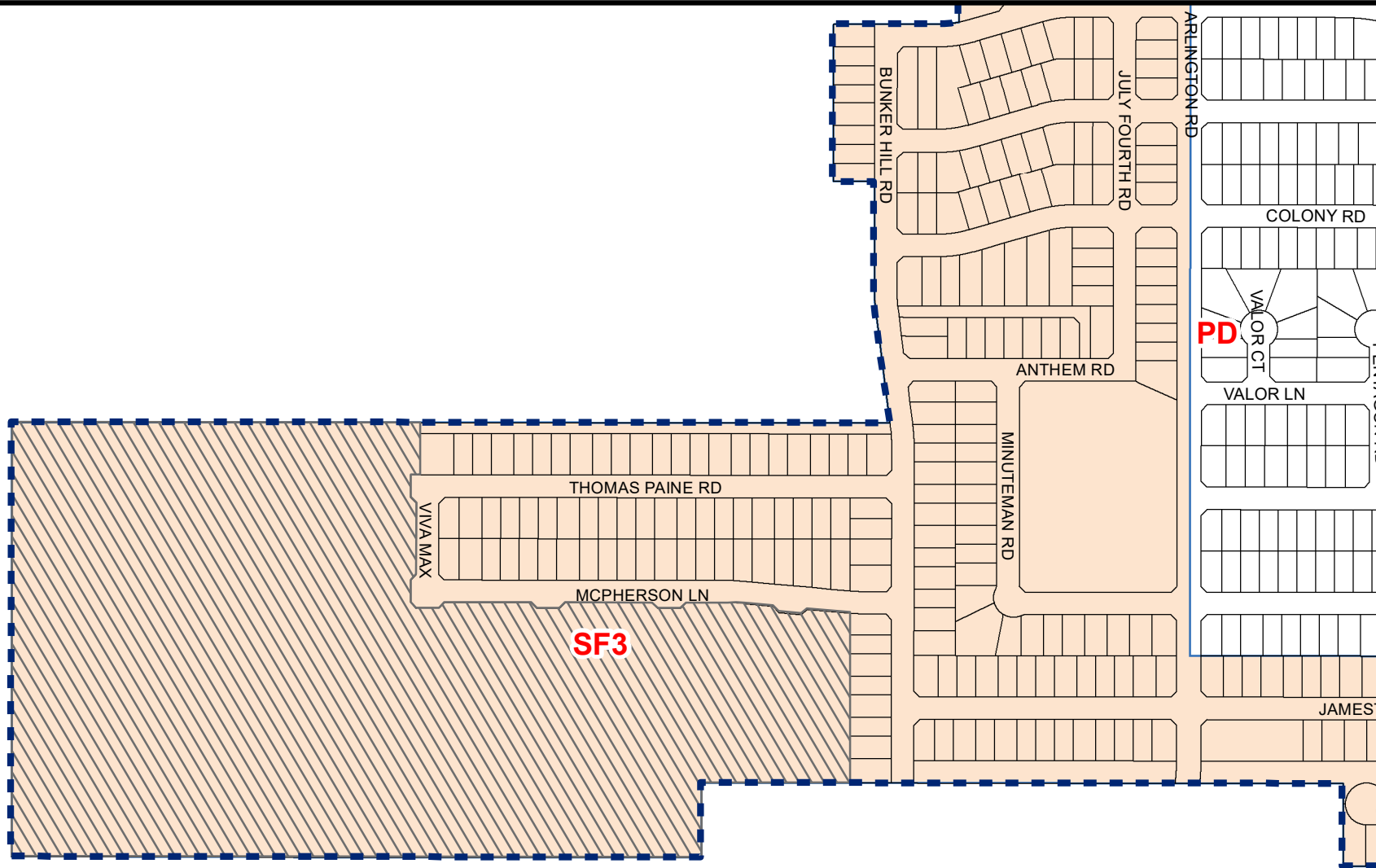
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: May 4, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Johnson & Moran Addition, Section 7, being a replat of Lots 1 and 2, Block A-1, Resubdivision of Tracts A & The East Half of B, Johnson & Moran Addition, City and County of Midland Texas. (Generally located on the southwest corner of the intersection of West Cuthbert Avenue and North Garfield Street. Council District 3)

Recommended Planning and Zoning Commission Action:

☒ **Approve**

☐ **Deny**

☐ **Direction/Informational**

Details of Request:

The applicant, the City of Midland, is proposing to replat 2303 W. Cuthbert Avenue and 2301 West Cuthbert Avenue, into one (1) lot to dedicate right-of-way for the development of a traffic circle.

Current Zoning:

SF-2, Single Family Housing District.

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (Approved)

No objections.

SURVEYOR: (Approved)

There is a later plat that shows corrected address of property owner.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: No impact fees will be assessed.

ROW: ROW okay as shown.

PAVING: Cuthbert and Garfield are already paved to City standards. No paving improvements required.

WATER: Water existing in Cuthbert and Garfield. no water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 1, 2019 - Fire hydrants shall be spaced no more than 400' apart, color coded rings shall be installed on the fire hydrant to indicate flow rate per NFPA (less than 500gpm RED, 500-999gpm YELLOW, 1000-1499gpm GREEN, Greater than 1500GPM BLUE)

PRO RATA: None.

SEWER: Sewer existing in the alley to the south of the property. No wastewater improvements required.

DRAINAGE: no drainage report required.

EASEMENTS: show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

No objections to plat.

FIRE: (Approved)

No comments regarding the preliminary plat.

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat.

PLANNING:

The east property line bearing should read "S14 35 36E".

The south property line bearing south read "S75 24 25W".

This plat qualifies as a Residential Replat. A public hearing is required.

Provide "Plat Filed for Record" block.

Provide the location of the utility poles located on plat boundary.

Add another Northing and Easting on plat boundary.

Label the section with notes, as "Notes".

Conditions:

- A. That the technical items listed above are addressed.
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Maps
Application

PRELIMINARY

Johnson & Moran Addition
Section 7

Being a replat of Lots 1 and 2, Block A1,
Johnson & Moran Addition, City and County
of Midland, Texas

Robert M. Cunningham and wife,
Brenda Cunningham
Mailing address:
2 East Windsor Hills Circle
Conroe, Texas 77384

City of Midland
Mailing address:
300 N. Loraine
P.O. Box 1152
Midland, Tx. 79702



Richard A. Shelton, RPLS 4356
City of Midland 432-685-7372

Bearings, distances and coordinates based on the
Texas State Plane Coordinate System, Texas Central
Zone, North American Datum of 1983



S.I.R.=Set Iron Rod

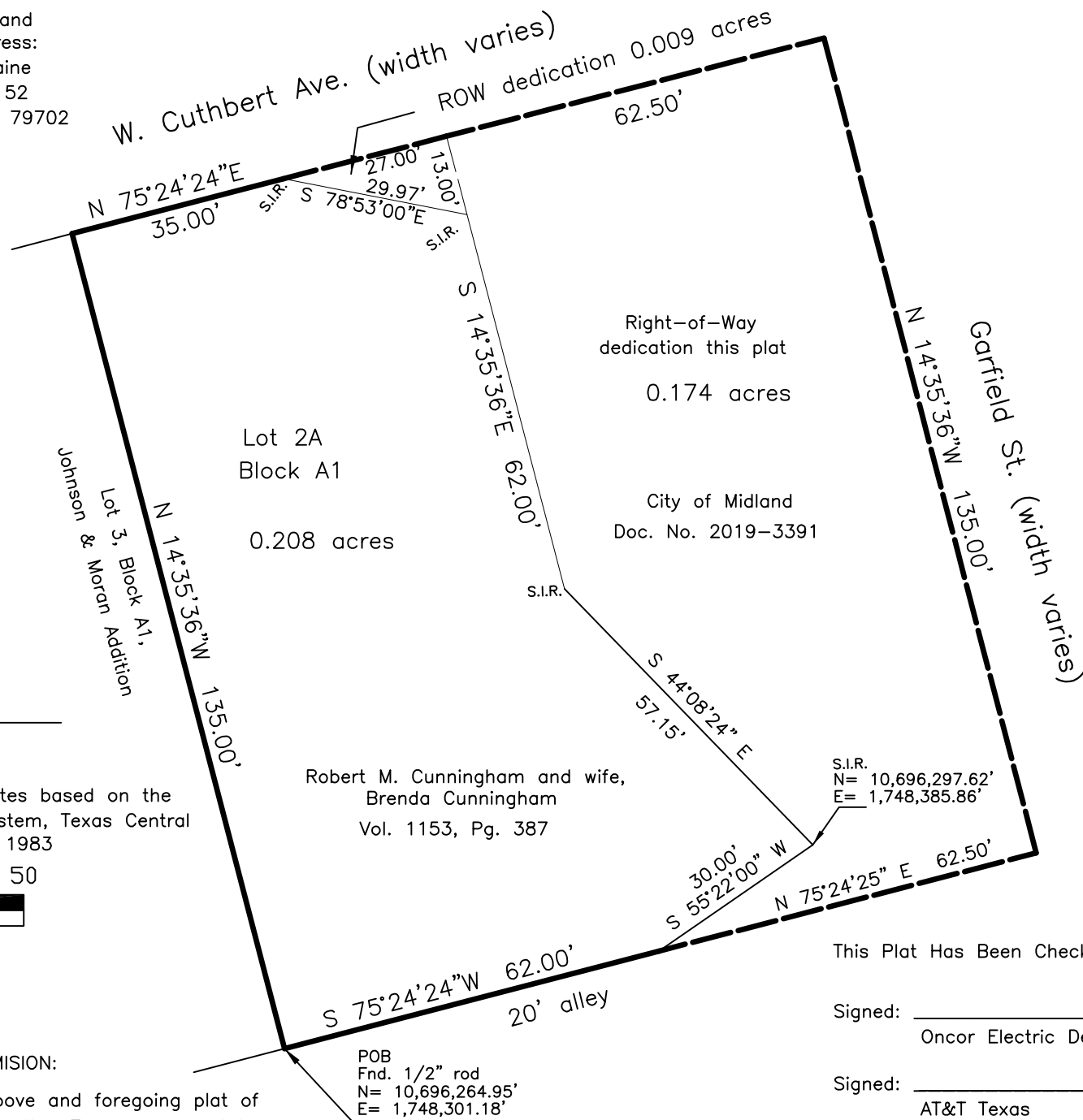
CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

This is to certify that the above and foregoing plat of
Johnson & Moran Addition, Section 7 was approved by
proper action of the City Planning and Zoning Commission
of the City of Midland, on this ____ day of _____, 2020.

Signed: _____
Chairman Josh Sparks

Attest: _____
Secretary Cristina Odenborg Burns



This Plat Has Been Checked For Accessibility Of Utilities

Signed: _____
Oncor Electric Delivery Company

Signed: _____
AT&T Texas

Signed: _____
Atmos Energy

Signed: _____
Suddenlink Communications

Signed: _____
Grande Communications

Owners

State of Texas
County of Midland

Whereas, We are the record owner of Lot 2, Block A-1, of the Resubdivision of Tracts
"A" & the East half of "B", Johnson & Moran Addition as shown in Vol. 122, Pg. 283.

Now, Therefore, Know all men by these presents:

That we do hereby adopt this plat designating the hereinabove described property as
Johnson & Moran Addition, Section 7, an addition to the City of Midland, and do hereby
dedicate to the public use forever the streets and alley shown hereon.

Witness my hand at Midland, Texas, This____day of _____.2020.

Robert M. Cunningham

Brenda Cunningham

State of Texas
County of Midland:

This instrument was acknowledged before me on this____day of
_____,2020, Robert M. Cunningham and wife Brenda Cunningham.

Notary Public
Midland County, Texas

State of Texas
County of Midland

Whereas, The City of Midland is the record owner of Lot 1, Block A-1, of the Resubdivision of Tracts
"A" & the East half of "B", Johnson & Moran Addition as shown in Vol. 122, Pg. 283.

Now, Therefore, Know all men by these presents:

That the City of Midland does adopt this plat designating the hereinabove described property as
Johnson & Moran Addition, Section 7, an addition to the City of Midland, and do hereby
dedicate to the public use forever the streets and alley shown hereon.

Witness my hand at Midland, Texas, This____day of _____.2020.

Courtney Sharp, City Manager

State of Texas
County of Midland:

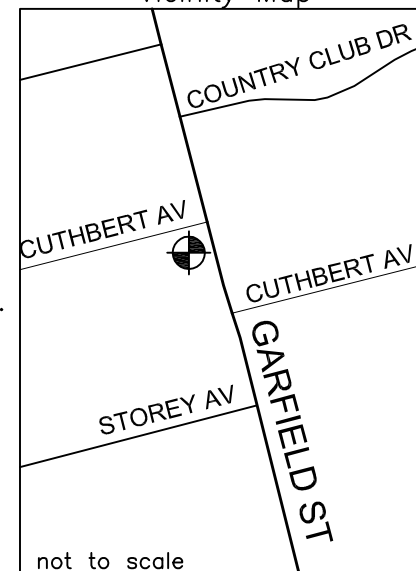
This instrument was acknowledged before me on this____day of
_____,2020, Courtney Sharp

Notary Public
Midland County, Texas

"Selling a portion of this addition by metes and bounds may be
a violation of City ordinance and state law and subject to fines
and withholding of utilities and building permits."

"Approval of a site plan by the City of Midland may be
required before these lot(s) may be developed and
before a building permit may be obtained."

Vicinity Map





Preliminary Plat Application

Project Number: **SUB-20-0330**Case Number: **P-20-0835****Proposed Subdivision Plat Name:** Johnson and Moran Addition, Section 7**Legal Description (attached sealed Metes and Bounds):** Lots 1 and 2, Block A1,
Johnson and Moran Addition, City and County of Midland, Texas**Property Owner**

Printed Name: Robert M. Cunningham and Brenda Cunningham

Phone () N/A
Email

Address 2 East Windsor Hills Circle

City Conroe

State TX

Zip 77384

Developer (if different than Owner)

Printed Name: City of Midland

Phone (432) 685-7287
Email

Address 300 N. Loraine

City Midland

State TX

Zip 79702

Representative (if acting as Agent, see affidavit on page 2)

Firm: City of Midland

Printed Name: Michael Pacelli, City Traffic Engineer

Phone ()
Email

Address (same as above)

City

State

Zip

Current Zoning: SF-2**Reason for Platting:** Dedication of ROW for roadway improvement project**Plat Information**

Total Acreage:

0.382 ac

Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units: N/A

Submittal and Fees

Items to be submitted with this application form:

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development AgreementDo you expect to request a development agreement with the City? ☐ Yes ☐ No

If yes, contact the City Engineer at (432) 685-7286

APR 14 2020

BY:

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved***, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date:

Property Owner (printed) : Robert M. Cunningham

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

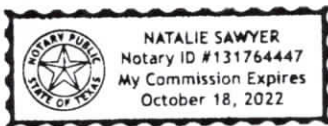
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Michael Rocelli who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Robert Cunningham the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Michael Rocelli
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of April, 20 20, to certify which witness my hand and seal of office.



Natalie Sawyer
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☐ Application Fee | ☒ 1 Copy of Plat (11x17) | |

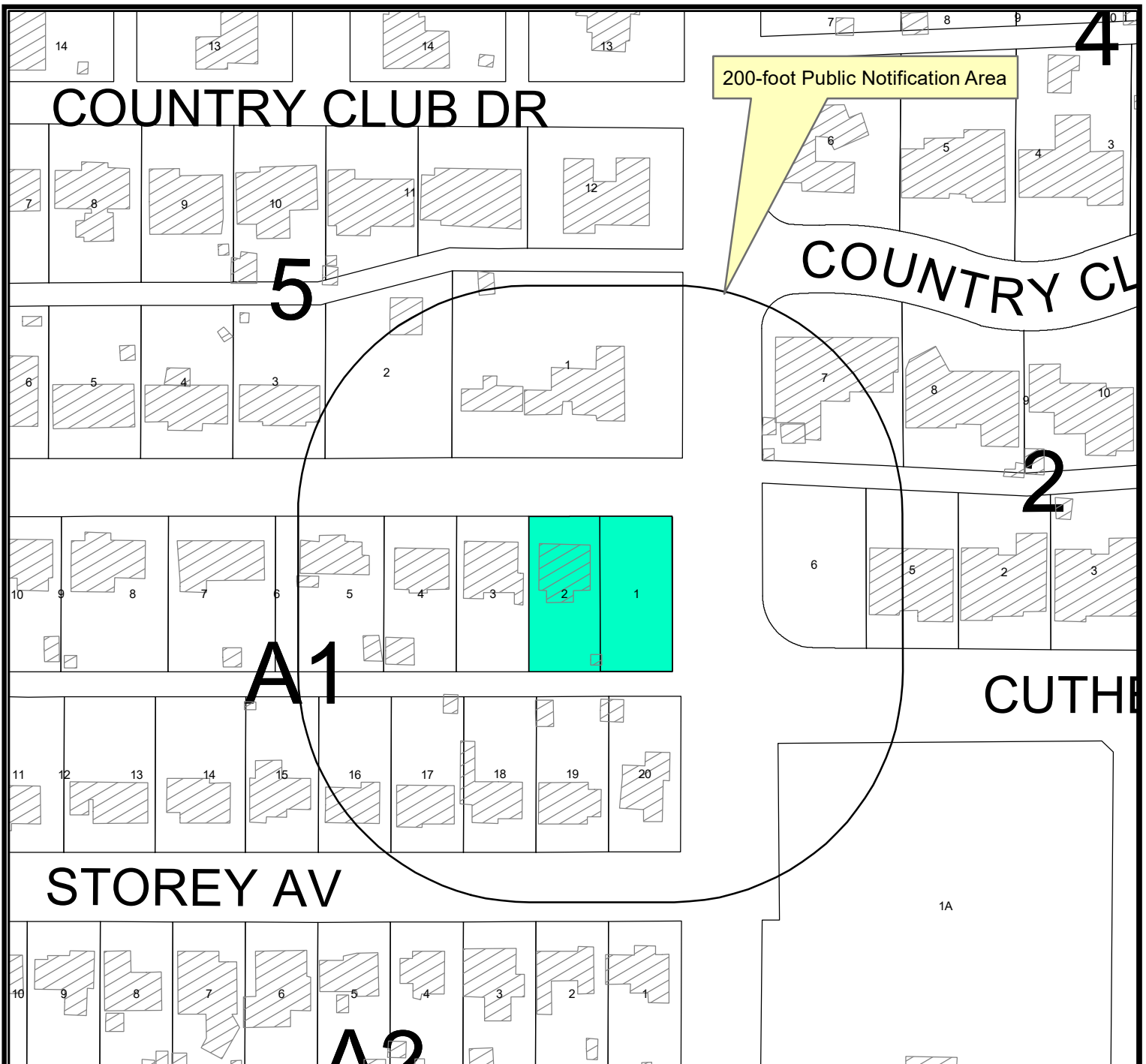
Check # waived

Received By: Christina

Date: APR 14 2020

BY:

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

SUB-20-0330

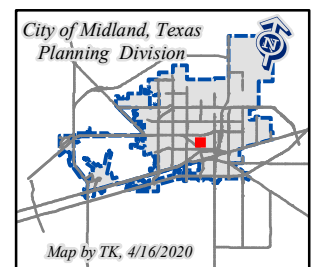
Scale: 1" = 250'

Proposed plat of Johnson & Moran Addition, Section 7, being a replat of Lots 1 and 2, Block A-1, Resubdivision of Tracts A & The East Half of B, Johnson & Moran Addition, City and County of Midland Texas.

Generally located on the southwest corner of the intersection of West Cuthbert Avenue and North Garfield Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

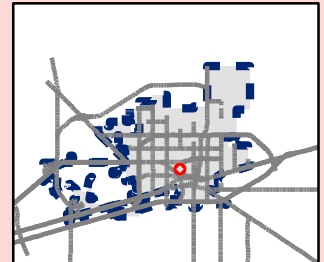
SF1

SF1

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Y AV

CU





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TRAFFIC
↑↓

SALE
FREE
432-235-4





