

MURPHY CITY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
DECEMBER 6, 2011 AT 6:00 PM  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on December 6, 2011 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

**1 CALL TO ORDER**

**2 INVOCATION & PLEDGE OF ALLEGIANCE**

**3 ROLL CALL & CERTIFICATION OF A QUORUM**

**4 PUBLIC COMMENTS**

**5 CONSENT ITEMS**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

**5.1** Consider and/or act upon approval of a resolution repealing Resolution No. 08-R-603 and dissolving the Community Events Committee.

**5.2** Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10A on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located southwest of the intersection of McMillen Road and Rosewood Drive.

**5.3** Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10B on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located northwest of the intersection of Waters Edge Way and Creekside Drive.

**5.4** Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10C1 on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located southwest of the intersection of McMillen Road

and Rosewood Drive.

**5.5** Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Maxwell Creek North Phase 8A in which the street name Greystone Court will be changed to Paint Creek Court.

**5.6** Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Daniel Crossing Phase D in which the street name Westminister Avenue will change to Westminster Avenue.

**5.7** Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Hunters Landing, Phase 1 in which the street name Westminister Avenue will change to Westminster Avenue.

**6 CONTRACT APPROVAL**

**6.1** Consider and/or act upon amendment 1 to engineering services agreement for FM 2551 utility relocations project with Birkhoff, Hendricks & Carter, LLP.

**7 PUBLIC HEARINGS**

**7.1** Hold a public hearing and consider and/or act upon approval of an ordinance authorizing the City of Murphy to allow the "Goods-in-Transit" exemption per Tax Code Section 11.253, effective January 1, 2012.

**8 ORDINANCE APPROVAL**

**8.1** Consider and/or act upon the approval of an ordinance amending the FY 2010-2011 budget for the General Fund, Utility Fund, Economic Development Corporation (4A), Community Development Corporation (4B) and Debt Service Fund.

**8.2** Consider and / or act upon approval of an ordinance regulating the provision of Emergency Medical Services within the City of Murphy.

**9 OTHER CONSIDERATION ITEMS**

**9.1** Consider and/or act upon a nomination of an elected official to the Emergency Preparedness Planning Council for the North Central Texas Council of Governments.

**9.2** Consider and/or act upon cancelling the December 20th City Council Meeting.

**9.3** Consider and/or act upon award of bid for the Liberty Ridge Park Construction project.

**9.4** Consider and/or act upon approval of a community built playground for Murphy Central Park.

**10 DISCUSSION ITEMS**

**10.1** Discussion regarding executing a street name change for FM544 to Main Street and a street name change for Betsy Lane to become Park Blvd.

**11 CITY MANAGER'S REPORT**

- Dec 12 - Employee Holiday Party 4-6pm
- Dec 20 - City Council Meeting (TBD)
- Dec 23-26, Jan 2 - City Offices Closed for Holidays
- Mar 1-2 - City Council Planning Session

I certified that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on December 2, 2011 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

\_\_\_\_\_  
Aimee Nemer, TRMC, MMC  
City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or [anemer@murphytx.org](mailto:anemer@murphytx.org).

**Issue**

Consider and/or act upon approval of a resolution repealing Resolution No. 08-R-603 and dissolving the Community Events Committee.

**Background**

At the Council Work Session held on October 18, 2011, the Council discussed dissolving the Community Events Committee as a formal committee. The consensus of the Council was that the committee members could offer their talent and expertise through volunteer opportunities for community events.

The proposed resolution will formally repeal the resolution which created the committee and dissolve the Community Events Committee.

**Staff Recommendation**

Motion to approve a resolution repealing Resolution No. 08-R-603 and dissolving the Community Events Committee.

**Attachments**

Resolution No. 08-R-603  
Proposed Resolution

**CITY OF MURPHY, TEXAS**

**RESOLUTION NO. 08-R-603**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, REPEALING RESOLUTION NUMBER 05-R-510; ESTABLISHING A COMMUNITY EVENTS COMMITTEE; PROVIDING FOR THE COMPOSITION OF THE COMMITTEE; PROVIDING THE PURPOSE OF THE COMMITTEE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, Article VIII, section 8.01 of the City of Murphy, Texas Home-Rule Charter authorizes the City Council to create committees deemed desirable by the City Council and those which may be necessary to carry out the functions and obligations of the City; and

**WHEREAS**, Article VIII, section 8.01 of the City of Murphy, Texas Home-Rule Charter also provides that the City Council shall by ordinance or resolution prescribe the purpose, composition, function, duties, accountability and tenure of each board, commission, and committee; and

**WHEREAS**, the City Council approved Resolution No. 05-R-510 on August 15, 2005, establishing the Public Events Advisory Committee to propose and assist public City events within the City of Murphy, Texas; and

**WHEREAS**, the City Council desires to repeal Resolution No. 05-R-510 thereby abolishing the Public Events Advisory Committee; and

**WHEREAS**, the City Council desires to establish a Community Events Committee for the purpose of planning, administering, and advising the Council regarding Community Events; and

**WHEREAS**, the initial composition of the Community Events Committee shall be composed of existing Public Events Advisory Committee members who are willing to continue to serve on the Community Events Committee; and

**WHEREAS**, the ongoing composition of the Community Events Committee shall consist of qualified voters of the City appointed by Council in accordance with Article VIII, Section 8.01 of the City Charter for staggered terms.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AS FOLLOWS:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the City of Murphy, Texas, and are fully incorporated into the body of this resolution.

**Section 2. Name and Composition of Committee.** There is hereby established a Community Events Committee, which shall consist of qualified voters of the City appointed by Council in accordance with Article VIII, Section 8.01 of the City Charter. Such appointees shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Members serve without compensation but may be reimbursed for actual expenses as approved by the City Council. Any member of the Community Events Committee who is absent from three consecutive regular meetings, or twenty-five percent of regularly scheduled meetings during the twelve month period immediately preceding and including the absence in question, without explanation acceptable to a majority of the other members, shall, upon approval of the City Council, forfeit his or her position on the Community Events Committee.

**Section 3. Purpose of Committee.** The Committee Events Committee shall:

(a) Plan, administer, and advise the City Council regarding community events with assistance and approval of City Staff or City Council as necessary.

**Section 4. Minutes.** The Community Events Committee shall keep and maintain minutes of any proceedings held and shall promptly submit the minutes of such proceedings to the City Council.

**Section 5. Effective Date.** This resolution shall become effective from and after its passage.

**DULY RESOLVED** by the City Council of the City of Murphy, Texas, on this the 16<sup>th</sup> day of June, 2008.

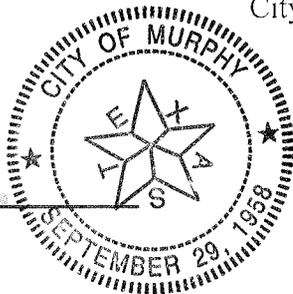


Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:



Aimee Nemer, City Secretary  
City of Murphy



APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Wm. Andrew Messer, City Attorney

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, REPEALING RESOLUTION NUMBER 08-R-603; ESTABLISHING A COMMUNITY EVENTS COMMITTEE; PROVIDING FOR THE DISSOLUTION OF THE COMMITTEE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, Article VIII, section 8.01 of the City of Murphy, Texas Home-Rule Charter authorizes the City Council to create committees deemed desirable by the City Council and those which may be necessary to carry out the functions and obligations of the City; and

**WHEREAS**, the City Council approved Resolution No. 08-R-603 on June 16, 2008, establishing the Community Events Committee for the purpose of planning, administering, and advising the Council regarding Community Events; and

**WHEREAS**, the City Council has determined that the Community Events Committee has served its purpose by establishing four annual community events; and

**WHEREAS**, the City Council desires to repeal Resolution No. 08-R-603 thereby abolishing the Community Events Committee; and

**WHEREAS**, the City Council wishes to express their gratitude to each of the committee members who have served with dedication and contributed to the successful implementation of these annual events, and

**WHEREAS**, the City Council hopes that these individuals will continue to offer their talent and expertise through volunteer opportunities for these events.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AS FOLLOWS:**

**Section 1.** That Resolution No. 08-R-603 is repealed and the Community Events Committee is dissolved.

**Section 2.** **Effective Date.** This resolution shall become effective from and after its passage.

**DULY RESOLVED** by the City Council of the City of Murphy, Texas, on this the 6<sup>th</sup> day of December, 2011.

\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:

\_\_\_\_\_  
Aimee Nemer, City Secretary  
City of Murphy

**Issue**

Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10A on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located southwest of the intersection of McMillen Road and Rosewood Drive.

**Background**

The proposed final plat would allow for the development of an additional phase of the subdivision known as Maxwell Creek North. For this development, the required minimum lot size is 9,000 square feet. The required minimum dwelling unit size is 2,200 square feet. The proposed final plat is consistent with the Comprehensive Plan.

Section 6.9(b) of the Subdivision Ordinance states that once a subdivision's public improvements are constructed to the satisfaction of the Public Works Department, the Director of Public Works shall recommend to the City Council acceptance of such subdivision. Public Works has been working closely with the contractors and confirms the work is near completion.

Fire Department requested a change to the street name of "Ascension Lane" to "Ashdon" Lane. This would match the name of the existing street that is in direct alignment across the intersection for ease of locating streets for emergency responses. The names are too similar as well for radio traffic. Engineering requested additional easement clarification.

**Other Considerations**

On September 26, 2011, the Planning & Zoning Commission considered the application requesting approval of the Final Plat for Maxwell Creek North, Phase 10A. Planning & Zoning Commission unanimously approved the Final Plat, 7-0, contingent on the following:

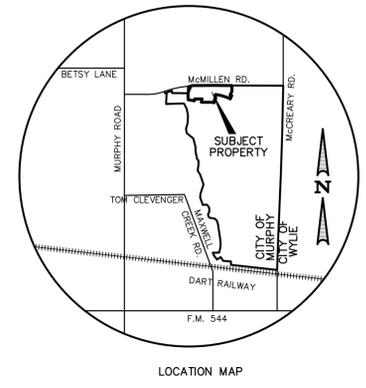
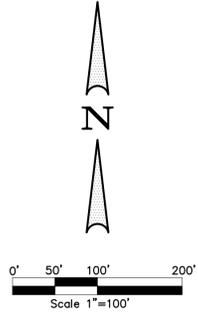
- A change to the street name of "Ascension Lane" to "Ashdon Lane" (complete)
- Additional easement clarification per the Engineer's comments (complete)
- The construction and installation of the required public improvements and City utilities are complete and approved before the October 18, 2011 City Council meeting (extended to completion and approval before the December 6, 2011 City Council meeting)

**Staff Recommendation**

Motion to approve the Final Plat for **Maxwell Creek North, Phase 10A** on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487).

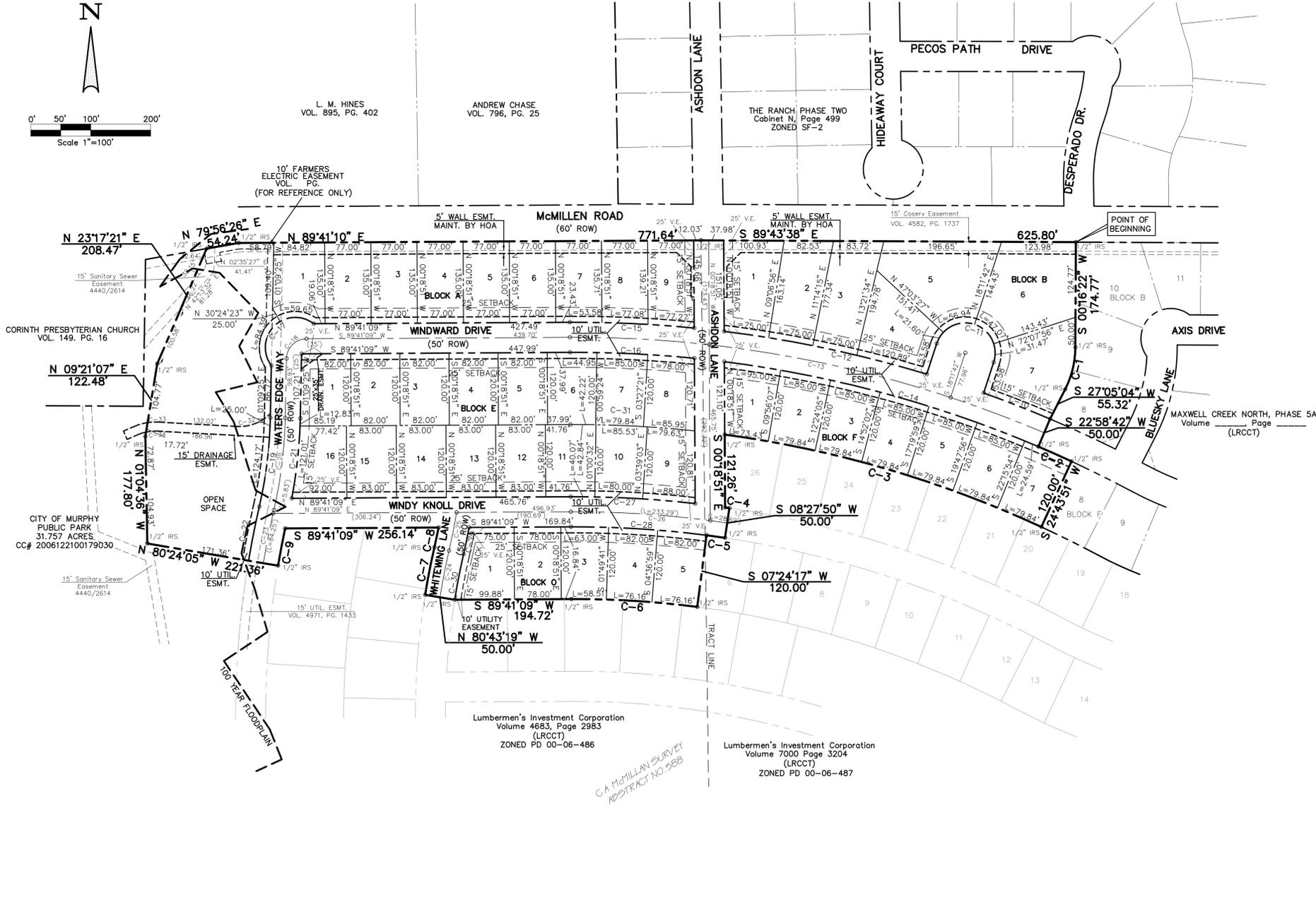
**Attachments**

Final Plat 10A Sheet 1  
Final Plat 10A Sheet 2



WJW	APPROV.
REVISION	
9/04/09	DATE
1	No.

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS • SURVEYORS  
 6500 WALKER AVE., SUITE 205  
 DALLAS, TEXAS 75248  
 Texas Surveyor Registration No. 120868-00  
 Copyright © 2009, Winkelmann & Associates, Inc.

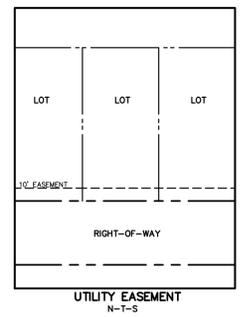
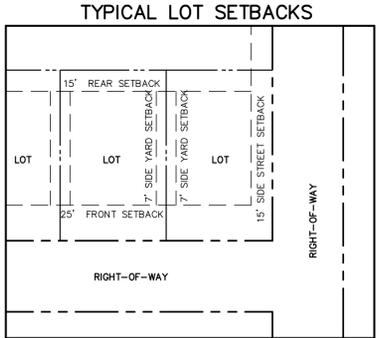


**CURVE TABLE**

CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-1	155.00'	26°48'41"	36.94'	72.53'	71.87'	S13°40'43"W
C-2	1975.00'	01°45'09"	30.21'	60.41'	60.41'	S66°08'44"E
C-3	1855.00'	1°03'48"	278.28'	55.35'	55.35'	N7°48'04"W
C-4	1735.00'	00°14'26"	3.64'	7.29'	7.29'	S81°39'23"E
C-5	1685.00'	01°03'33"	15.58'	31.15'	31.15'	N82°03'57"W
C-6	1565.00'	07°43'08"	105.58'	210.83'	210.83'	N86°21'7"W
C-7	1230.00'	03°45'00"	40.27'	80.50'	80.49'	N11°09'10"E
C-8	1020.00'	01°53'09"	16.79'	33.57'	33.57'	N12°05'06"E
C-9	1480.00'	02°26'25"	31.52'	63.04'	63.03'	S10°49'08"W
C-10	2025.00'	03°22'07"	59.54'	119.05'	119.03'	S68°42'22"E
C-11	50.00'	180°00'00"	157.08'	100.00'	100.00'	S71°48'18"E
C-12	2025.00'	09°47'12"	173.37'	345.88'	345.47'	S78°06'48"E
C-13	2000.00'	23°17'33"	412.22'	613.04'	607.47'	S78°40'05"E
C-14	1975.00'	15°47'56"	274.03'	544.58'	542.86'	S74°55'16"E
C-15	2025.00'	05°53'00"	104.06'	207.93'	207.84'	S87°22'21"E
C-16	1975.00'	06°01'58"	104.07'	207.95'	207.86'	S87°17'52"E
C-17	50.00'	165°03'27"	381.26'	144.04'	99.15'	N45°25'17"E
C-18	33.50'	88°31'44"	32.65'	51.76'	46.76'	N45°25'17"E
C-19	720.00'	11°52'15"	74.85'	149.17'	148.91'	S07°05'33"W
C-20	745.00'	11°52'15"	77.45'	154.35'	154.08'	S07°05'33"W
C-21	770.00'	09°57'32"	67.09'	133.84'	133.67'	S06°08'11"W
C-22	1530.00'	03°25'45"	45.80'	91.57'	91.56'	N11°18'48"E
C-23	1505.00'	03°25'45"	45.05'	90.08'	90.06'	N11°18'48"E
C-24	1205.00'	03°45'00"	39.45'	78.87'	78.85'	N11°09'10"E
C-25	1045.00'	03°33'27"	32.45'	64.87'	64.87'	N11°14'57"E
C-26	1710.00'	08°46'41"	131.25'	261.98'	261.72'	S85°53'11"E
C-27	1735.00'	08°52'16"	104.16'	208.06'	207.94'	S86°52'43"E
C-28	1685.00'	07°43'08"	113.67'	227.00'	226.83'	S86°27'17"E
C-29	1070.00'	02°25'40"	22.67'	45.34'	45.34'	S11°48'50"W
C-30	1180.00'	03°45'00"	38.33'	77.22'	77.22'	N11°09'10"E
C-31	1855.00'	06°25'29"	104.11'	208.00'	207.90'	S87°06'07"E
C-32	72.50'	48°30'33"	32.67'	61.38'	59.56'	S68°53'31"W
C-33	87.50'	11°32'51"	8.85'	17.63'	17.60'	S87°22'22"W
C-34	72.50'	152°31'2"	9.79'	19.47'	19.41'	N63°21'11"E

**LOT AREA TABLE**

BLOCK	LOT	SQ. FT.	BLOCK	LOT	SQ. FT.	BLOCK	LOT	SQ. FT.
A	OPEN	90406	E	1	10025	F	1	10106
	1	11049		2	9840		2	9890
	2	10395		3	9840		3	9890
	3	10395		4	9840		4	9890
	4	10395		5	9840		5	9890
	5	10395		6	9789		6	9890
	6	10395		7	9890		7	9890
	7	10408		8	9837			10538
	8	10566		9	10058		9	9312
	9	10949		10	9932		10	9490
				11	9985		11	9490
				12	9960			
				13	9960			
				14	9960			
				15	9960			
				16	9974			
B	1	13721						
	2	13283						
	3	14573						
	4	13815						
	5	21127						
	6	21760						
	7	16838						



**FLOOD PLAIN NOTE**

According to the Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel Number \_\_\_\_\_, dated June 2, 2009, the subject property does lie within ZONE AE, ZONE X which is.

ZONE AE = Base Flood Elevations determined by a 100-year flood with average depths of less than 1 foot or with drainage area less than 1 square mile; and areas protected by levees from 100-year flood.

ZONE X (UNSHADED) = Areas determined to be outside 500-year floodplain.

**Note:**  
 No construction is allowed along Maxwell Creek until the flood study by CPY Engineers (Mike Perkins) has been completed, reviewed, and approved by the City of Murphy. Specifically - cannot grade and construct paving of Crescent Cove Lane and lots to the west.

**SPECIAL NOTICE**

- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.
- Unless otherwise noted all corners are a 1/2" iron rod set with a red plastic cap stamped W.A.I.
- The 5' wall maintenance easement is dedicated to the Homeowners Association for screening wall maintenance.

THIS PLAT FILED IN CABINET \_\_\_\_\_ PAGE \_\_\_\_\_

**FINAL PLAT**  
**MAXWELL CREEK NORTH, PHASE 10A**  
 44 RES. LOTS - 16.806 ACRES  
 ZONED PD 00-06-486 & 00-06-487

CA McMILLEN SURVEY, ABSTRACT NO. 588  
 CITY OF MURPHY  
 COLLIN COUNTY, TEXAS

Scale: 1"=100' Date: 9-08-09  
 Designed By: MK  
 Drawn By: MK  
 Checked By: MK  
 File: 14657CP10A.dwg  
 Project No.: 14657/OR

**SHEET**  
 1  
 OF  
 2

OWNER:  
 FORESTAR (USA) REAL ESTATE GROUP, INC.  
 14755 PRESTON ROAD #710  
 DALLAS, TEXAS 75254

CONSULTING ENGINEERS:  
 WINKELMANN & ASSOCIATES, INC.  
 6750 HILLCREST PLAZA DR., ST 325  
 DALLAS TX. 75230

FINAL PLAT  
 MAXWELL CREEK NORTH, PHASE 10A  
 44 RES. LOTS - 16.806 ACRES  
 ZONED PD 00-06-486 & 00-06-487

CA McMILLEN SURVEY, ABSTRACT NO. 588  
 CITY OF MURPHY  
 COLLIN COUNTY, TEXAS  
 FORESTAR (USA) REAL ESTATE GROUP, INC.  
 14755 PRESTON ROAD #710  
 DALLAS, TEXAS 75254  
 972-702-8699

OWNERS CERTIFICATE

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS Forestar (USA) Real Estate Group, Inc., formerly known as Lumbermen's Investment Corporation is the owner of tracts of land situated in the CA McMillan Survey, Abstract No. 588, Collin County, Texas and being a portion of two tracts of land as described in a deed to Lumbermen's Investment Corporation as recorded in Volume 7000, Page 3204 and Volume 4683, Page 2983 of the Deed Records of Collin County, Texas (DRCCT) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northwesterly corner of Maxwell Creek North, Phase 5A an addition to the City of Murphy as recorded in Cabinet 2007, Page 680 of the Map Records of Collin County, Texas (MRCCCT), said iron rod also being in the southerly right-of-way line of McMillan Road (a 60 foot right-of-way);

THENCE departing the southerly right-of-way line of McMillan Road and along the westerly line of said Maxwell Creek North, Phase 5A as follows:

South 00 degrees 16 minutes 22 seconds West a distance of 174.77 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 155.00 feet, a chord bearing South 13 degrees 40 minutes 43 seconds West and a chord distance of 71.87 feet;

Along said curve to the right through central angle of 26 degrees 48 minutes 41 seconds for an arc length of 72.53 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 27 degrees 05 minutes 04 seconds West a distance of 55.32 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 22 degrees 58 minutes 42 seconds West a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 1975.00 feet, a chord bearing South 66 degrees 08 minutes 44 seconds East and a chord distance of 60.41 feet;

Along said non-tangent curve to the right through central angle of 1 degrees 45 minutes 09 seconds for an arc length of 60.41 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 24 degrees 43 minutes 51 seconds West a distance of 120.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 1855.00 feet, a chord bearing North 73 degrees 48 minutes 04 seconds West and a chord distance of 550.41 feet;

THENCE departing the westerly line of said Maxwell Creek North, Phase 5A along said non-tangent curve to the left through central angle of 17 degrees 03 minutes 49 seconds for an arc length of 552.45 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 00 degrees 18 minutes 51 seconds East a distance of 121.26 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 1735.00 feet, a chord bearing South 81 degrees 39 minutes 23 seconds East and a chord distance of 7.29 feet;

THENCE along said non-tangent curve to the right through central angle of 0 degrees 14 minutes 26 seconds for an arc length of 7.29 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 08 degrees 27 minutes 50 seconds West a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 1685.00 feet, a chord bearing North 82 degrees 03 minutes 57 seconds West and a chord distance of 31.15 feet;

THENCE along said non-tangent curve to the left through central angle of 1 degrees 03 minutes 33 seconds for an arc length of 31.15 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 07 degrees 24 minutes 17 seconds West a distance of 120.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 1565.00 feet, a chord bearing North 86 degrees 27 minutes 17 seconds West and a chord distance of 210.67 feet;

THENCE along said non-tangent curve to the left through central angle of 7 degrees 43 minutes 08 seconds for an arc length of 210.83 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 89 degrees 41 minutes 09 seconds West a distance of 194.72 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 80 degrees 43 minutes 19 seconds West a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 1230.00 feet, a chord bearing North 11 degrees 09 minutes 10 seconds East and a chord distance of 80.49 feet;

THENCE along said non-tangent curve to the right through central angle of 3 degrees 45 minutes 00 seconds for an arc length of 80.50 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 1020.00 feet, a chord bearing North 12 degrees 05 minutes 06 seconds East and a chord distance of 33.57 feet;

THENCE along said curve to the left through central angle of 1 degrees 53 minutes 09 seconds for an arc length of 33.57 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 89 degrees 41 minutes 09 seconds West a distance of 256.14 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 1480.00 feet, a chord bearing South 10 degrees 49 minutes 08 seconds West and a chord distance of 63.03 feet;

THENCE along said non-tangent curve to the left through central angle of 2 degrees 26 minutes 25 seconds for an arc length of 63.04 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 80 degrees 24 minutes 05 seconds West a distance of 221.36 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 01 degrees 04 minutes 36 seconds West a distance of 177.80 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 09 degrees 21 minutes 07 seconds East a distance of 122.48 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the southerly right-of-way line of McMillan Road;

THENCE along the southerly right-of-way line of McMillan Road as follows:

North 23 degrees 17 minutes 21 seconds East a distance of 208.47 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 79 degrees 56 minutes 26 seconds East a distance of 54.24 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 89 degrees 41 minutes 10 seconds East a distance of 771.64 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 89 degrees 43 minutes 38 seconds East a distance of 625.80 feet to the Point of Beginning;

Containing within these metes and bounds 16.806 acres or 732,082 square feet of land more or less.

The bearings contained herein are based upon the deeds to Lumbermen's Investment Corporation as recorded in Volume 7000, Page 3204 and Volume 4683, Page 2983 (DRCCT).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Forestar (USA) Real Estate Group, Inc., formerly known as Lumbermen's Investment Corporation acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as MAXWELL CREEK NORTH, PHASE 10A, an addition to the City of Murphy, Texas, and does hereby dedicate to the public use forever, the streets, alleys, open space and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Murphy and all public utilities desiring to use or using same. All and any public utility and the City of Murphy shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Murphy and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at any time, of procuring the permission of anyone.

This plat approved subject to all planning ordinances, rules regulations, and resolutions of the City of Murphy, Texas.

WITNESS MY HAND AT \_\_\_\_\_, TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Forestar (USA) Real Estate Group, Inc.  
formerly known as Lumbermen's Investment Group

By: \_\_\_\_\_  
Thomas H. Burleson  
Executive Vice-President

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Thomas H. Burleson, duly authorized Executive Vice President of Forestar (USA) Real Estate Group, Inc., know to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Forestar (USA) Real Estate Group, Inc., and that he executed the same on behalf of said corporation for the purpose and consideration, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

Notary public in and for the State of Texas

My Commission Expires \_\_\_\_\_

Surveyor's Certificate

STATE OF TEXAS  
COUNTY OF DALLAS

I, Leonard J. Lueker, Surveyor, hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Murphy, Texas.

Leonard J. Lueker  
Registered Professional Land Surveyor  
Texas Registration # 5714  
Winkelmann & Associates, Inc.  
6750 Hillcrest Plaza Drive, Suite 325  
Dallas, Texas 75230  
(972) 490-7090

STATE OF TEXAS  
COUNTY OF DENTON

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public in and for the State of Texas

My Commission Expires On: \_\_\_\_\_

FINAL PLAT

Approved by the City of Murphy for filing at the office of the  
County Clerk of Collin County, Texas.

RECOMMENDED BY : \_\_\_\_\_  
Signature of Chairperson \_\_\_\_\_  
Date of Recommendation \_\_\_\_\_

APPROVED BY : \_\_\_\_\_  
Signature of Mayor \_\_\_\_\_  
Date of Approval \_\_\_\_\_

ATTEST : \_\_\_\_\_  
City Secretary \_\_\_\_\_  
Date \_\_\_\_\_

WUWJ APPROV. REVISION RESUBMITTED DATE 1 10/30/09 No. DATE

**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DR., SUITE 325  
DALLAS, TEXAS 75230  
Texas Surveyor Registration No. 89  
Texas Engineer Registration No. 120068-00  
CORPORATE # 2003, Lumbermen & Associates, Inc.  
(972) 490-7090 FAX

CA McMILLAN SURVEY, ABSTRACT NO. 588  
COLLIN COUNTY, TEXAS  
FORESTAR (USA) REAL ESTATE GROUP, INC.  
14755 PRESTON ROAD #710  
DALLAS, TEXAS 75254  
972-702-8699

FINAL PLAT  
MAXWELL CREEK NORTH, PHASE 10A  
44 RES. LOTS - 16.806 ACRES  
ZONED PD 00-06-486 & 00-06-487

THIS PLAT FILED IN CABINET \_\_\_\_\_ PAGE \_\_\_\_\_

**FINAL PLAT**  
**MAXWELL CREEK NORTH, PHASE 10A**  
44 RES. LOTS - 16.806 ACRES  
ZONED PD 00-06-486 & 00-06-487

CA McMILLAN SURVEY, ABSTRACT NO. 588  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS

OWNER :  
FORESTAR (USA) REAL ESTATE GROUP, INC.  
14755 PRESTON ROAD #710  
DALLAS, TEXAS 75254

CONSULTING ENGINEERS :  
WINKELMANN & ASSOCIATES INC.  
6750 HILLCREST PLAZA DR., ST 325  
DALLAS TX. 75230

Scale : 1"=100' Date : 9-08-08  
Designed By : MK  
Drawn By : MK  
Checked By : MK  
File : 14657CPT0A.dwg  
Project No. : 14657.DM

SHEET

**Issue**

Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10B on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located northwest of the intersection of Waters Edge Way and Creekside Drive.

**Background**

The proposed final plat would allow for the development of an additional phase of the subdivision known as Maxwell Creek North. For this development, the required minimum lot size is 9,000 square feet. The required minimum dwelling unit size is 2,200 square feet. The proposed final plat is consistent with the Comprehensive Plan.

Section 6.9(b) of the Subdivision Ordinance states that once a subdivision's public improvements are constructed to the satisfaction of the Public Works Department, the Director of Public Works shall recommend to the City Council acceptance of such subdivision. Public Works has been working closely with the contractors and confirms the work is near completion.

**Other Considerations**

On September 26, 2011, the Planning & Zoning Commission considered the application requesting approval of the Final Plat for Maxwell Creek North, Phase 10B. Planning & Zoning Commission unanimously approved the Final Plat, 7-0, contingent on the following:

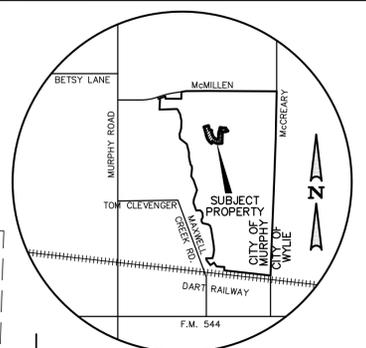
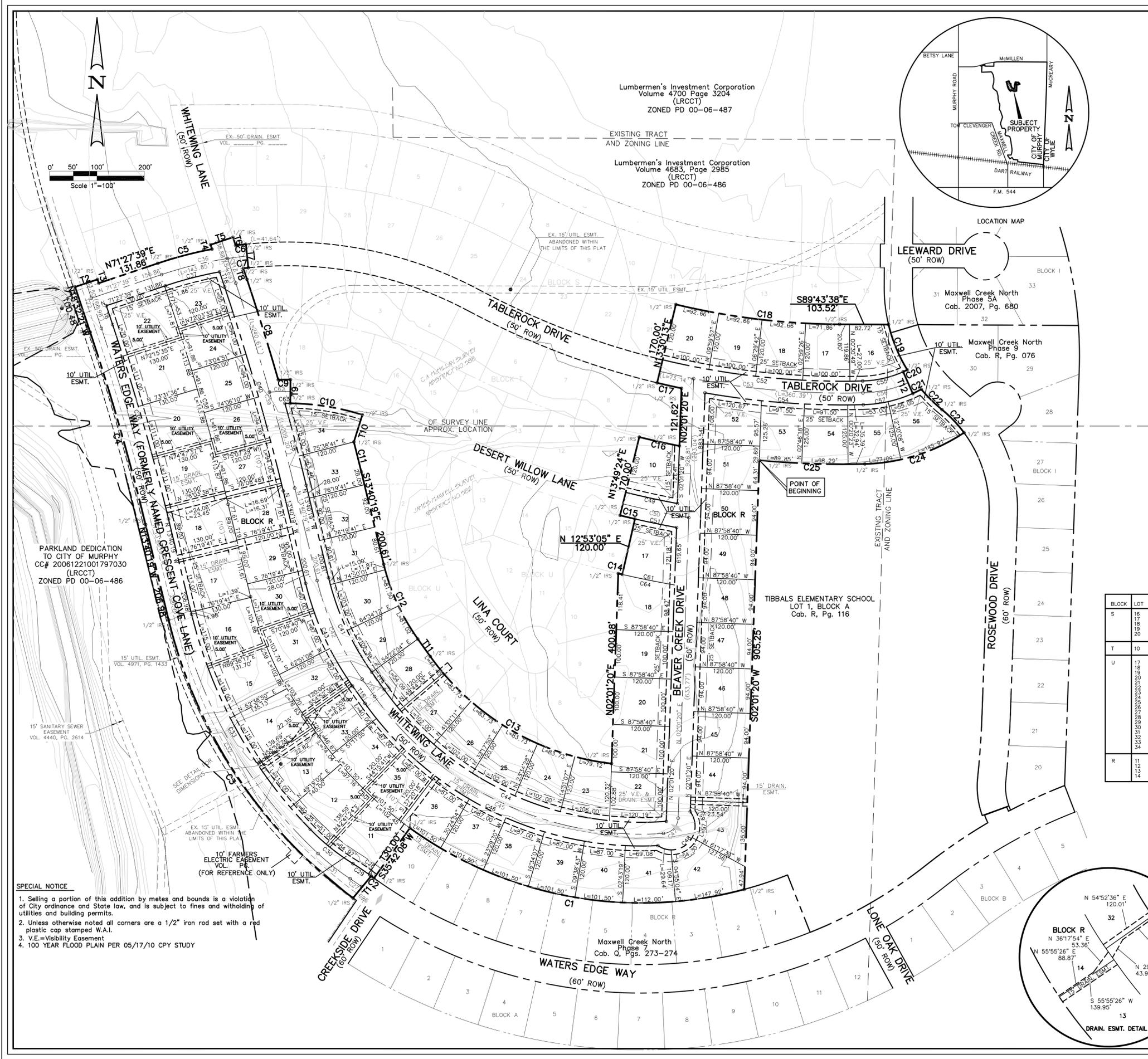
- The construction and installation of the required public improvements and City utilities are complete and approved before the October 18, 2011 City Council meeting (extended to completion and approval before the December 6, 2011 City Council meeting)

**Staff Recommendation**

Motion to approve the Final Plat for **Maxwell Creek North, Phase 10B** on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487).

**Attachments**

Final Plat



CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C1	840.00	50°42'34"	398.05	743.44	719.41	N 79°39'09" W
C2	970.00	00°26'30"	3.74	7.48	7.48	N 54°04'37" W
C3	1030.00	39°58'36"	374.65	718.66	704.17	N 33°39'37" W
C4	4970.00	04°52'02"	211.23	422.21	422.08	N 16°06'20" W
C5	865.00	07°51'00"	59.35	118.51	118.42	N 75°23'09" E
C6	865.00	01°26'35"	10.89	21.78	21.78	N 83°23'28" E
C7	815.00	00°44'44"	5.30	10.60	10.60	S 83°44'24" W
C8	5320.00	02°23'21"	110.93	221.83	221.81	S 17°20'41" E
C9	575.00	02°34'46"	12.94	25.89	25.88	N 89°16'21" E
C10	525.00	16°56'07"	78.16	155.18	154.61	S 80°58'13" E
C11	5440.00	00°41'01"	32.45	64.89	64.89	S 14°00'49" E
C12	455.00	21°57'37"	88.28	174.39	173.33	S 24°39'07" E
C13	550.00	47°45'27"	243.48	458.44	445.28	S 59°30'39" E
C14	2095.00	00°14'27"	4.40	8.80	8.80	S 76°59'42" E
C15	1975.00	00°56'19"	16.18	32.35	32.35	N 76°38'46" W
C16	1805.00	02°45'58"	43.58	87.14	87.13	S 77°33'35" E
C17	1685.00	01°47'49"	26.43	52.85	52.85	N 77°23'42" W
C18	1515.00	13°13'51"	175.70	349.84	349.07	S 83°06'42" E
C19	350.00	18°02'42"	52.40	103.50	103.50	S 22°32'37" E
C20	225.00	02°25'55"	4.78	9.55	9.55	S 64°48'41" W
C21	275.00	04°10'53"	10.04	20.07	20.06	N 63°56'11" E
C22	330.00	10°37'16"	30.67	61.17	61.09	S 45°39'57" E
C23	270.00	14°22'34"	34.05	67.75	67.57	S 43°47'18" E
C24	400.00	31°56'34"	114.48	223.00	220.31	S 17°20'41" W
C25	1810.00	07°04'33"	111.91	223.53	223.38	N 87°55'19" W
C26	1000.00	00°06'02"	0.88	1.76	1.76	N 53°41'56" W
C27	500.00	03°19'00"	14.48	28.94	28.94	N 55°18'25" W
C28	970.00	00°12'27"	1.76	3.51	3.51	N 53°45'08" W
C29	530.00	04°40'04"	21.60	43.18	43.17	S 55°58'57" E
C30	475.00	13°59'17"	58.27	115.97	115.68	N 51°19'20" W
C31	500.00	09°53'43"	43.28	86.35	86.24	N 52°01'03" W
C32	1005.00	33°23'53"	301.50	585.82	577.56	N 30°22'15" W
C33	980.00	30°39'23"	288.62	524.35	518.12	N 29°00'00" W
C34	4950.00	04°52'02"	212.29	424.33	424.20	N 16°06'20" W
C35	5020.00	04°52'02"	213.35	426.45	426.32	N 16°06'20" W
C36	840.00	12°39'06"	93.12	185.48	185.11	N 77°47'12" E
C37	815.00	08°20'06"	59.39	118.56	118.46	N 75°37'42" E
C38	5320.00	01°55'19"	89.24	178.46	178.45	S 14°37'58" E
C39	5295.00	04°52'02"	225.04	449.81	449.68	S 16°06'20" E
C40	5270.00	04°52'02"	223.98	447.69	447.66	S 16°06'20" E
C41	575.00	02°34'46"	12.94	25.89	25.88	N 89°16'21" W
C42	600.00	21°57'37"	116.41	229.97	228.56	S 24°39'07" W
C43	625.00	21°57'37"	121.26	239.55	238.09	S 24°39'07" W
C44	670.00	58°51'33"	377.98	688.28	658.41	N 65°03'43" W
C45	695.00	58°51'33"	386.85	706.00	676.03	N 64°44'01" W
C46	720.00	03°08'35"	39.29	718.08	688.69	S 64°13'13" E
C47	33.50	84°08'34"	30.24	49.20	44.89	S 44°05'37" W
C48	50.00	16°14'45"	320.13	141.59	98.80	N 43°46'17" E
C49	1925.00	03°20'01"	56.02	112.00	111.98	N 77°50'37" W
C50	1950.00	04°11'05"	71.24	142.42	142.39	N 78°16'09" W
C51	1975.00	02°38'59"	45.01	90.00	89.99	N 78°25'15" W
C52	1635.00	14°57'59"	214.72	427.00	425.79	S 83°58'41" E
C53	1660.00	14°57'59"	218.01	433.53	432.30	N 83°58'41" E
C54	1685.00	11°26'45"	168.87	336.61	336.05	S 85°44'13" E
C55	225.00	22°30'46"	44.78	88.41	87.84	N 77°17'01" E
C56	250.00	22°30'46"	49.78	98.23	97.60	N 77°17'01" E
C57	275.00	22°30'46"	54.73	108.05	107.36	N 77°17'01" E
C58	5150.00	04°52'02"	218.88	437.50	437.36	S 16°06'20" E
C59	745.00	21°57'37"	144.55	285.54	283.80	N 24°39'07" W
C60	840.00	18°39'56"	138.05	273.65	272.44	N 44°57'54" W
C61	2095.00	03°35'12"	56.44	112.88	112.85	S 78°39'31" E
C62	550.00	04°36'17"	22.11	44.20	44.19	N 88°15'35" E
C63	525.00	01°13'46"	5.63	11.27	11.27	N 89°56'50" E
C64	2095.00	3°19'39"	60.85	121.66	121.65	N 78°32'17" W

BLOCK	LOT	SO. FT.	BLOCK	LOT	SO. FT.
S	16	11587	R	15	14781
S	17	11588	R	16	14679
S	18	11560	R	17	14690
S	19	11561	R	18	14658
S	20	11560	R	19	14617
T	10	11949	R	20	14617
			R	21	14617
			R	22	14675
			R	23	11524
			R	24	11152
			R	25	11152
			R	26	11152
			R	27	11152
			R	28	11152
			R	29	11152
			R	30	11152
			R	31	11152
			R	32	11152
			R	33	11152
			R	34	11152
			R	35	11152
			R	36	11152
			R	37	11152
			R	38	11152
			R	39	11152
			R	40	11152
			R	41	11152
			R	42	11152
			R	43	11152
			R	44	11152
			R	45	11152
			R	46	11152
			R	47	11152

LINE	BEARING	DISTANCE
T1	S 39°42'11" W	60.11
T2	N 71°27'39" E	50.00
T3	S 18°32'21" E	8.50
T4	N 18°32'21" W	9.70
T5	N 71°27'39" E	50.00
T6	S 18°32'21" E	18.09
T7	S 05°53'15" E	50.00
T8	S 18°32'21" E	24.44
T9	S 00°33'43" W	50.00
T10	S 17°29'51" W	59.85
T11	S 35°37'56" E	45.17
T12	S 23°58'22" E	50.00
T13	S 18°32'21" E	33.57
T14	S 35°37'56" E	45.17
T15	S 35°37'56" E	45.17
T16	S 35°37'56" E	45.17
T17	S 18°32'21" E	41.98
T18	S 18°32'21" E	53.37
T19	S 13°40'19" E	200.61

PARKLAND DEDICATION TO CITY OF MURPHY, CC# 20061221001797030 (LRCT) ZONED PD 00-06-486

- SPECIAL NOTICE**
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.
  - Unless otherwise noted all corners are a 1/2" iron rod set with a red plastic cap stamped W.A.I.
  - V.E.=Visibility Easement
  - 100 YEAR FLOOD PLAIN PER 05/17/10 CPY STUDY

**FINAL PLAT**  
**MAXWELL CREEK NORTH, PHASE 10B**  
 70 RES. LOTS - 25.324 ACRES  
 ZONED PD 00-06-486 & 00-06-487

JAMES MAXWELL SURVEY, ABSTRACT NO. 582  
 C A McMILLAN SURVEY, ABSTRACT NO. 588  
 CITY OF MURPHY  
 COLLIN COUNTY, TEXAS

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC. 14755 PRESTON ROAD #710 DALLAS, TEXAS 75254

CONSULTING ENGINEERS: WINKELMANN & ASSOCIATES, INC. 3750 HILLCREST PLAZA DR., ST 325 DALLAS, TEXAS 75230

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS  
 3750 HILLCREST PLAZA DR., ST 325  
 DALLAS, TEXAS 75230  
 (972) 442-7000 FAX  
 (972) 442-7009 FAX  
 FORESTAR (USA) REAL ESTATE GROUP, INC.  
 14755 PRESTON ROAD #710  
 DALLAS, TEXAS 75254  
 972-702-8699

**FINAL PLAT**  
**MAXWELL CREEK NORTH, PHASE 10B**  
 70 RES. LOTS - 25.324 ACRES  
 ZONED PD 00-06-486 & 00-06-487

Date: 5-21-10  
 Designed By: MK  
 Drawn By: MK  
 Checked By: MK  
 File: 14657CPI08.dwg  
 Project No.: 14657

SHEET 1 OF 2

OWNERS CERTIFICATE

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS Forestar (USA) Real Estate Group, Inc., formerly know as Lumbermen's Investment Corporation is the owner of tracts of land situated in the C.A. McMillan Survey, Abstract No. 588 and the James W. Maxwell Survey, Abstract No. 582, Collin County, Texas, and being a portion of two tracts of land as described in a deed to Lumbermen's Investment Corporation as recorded in Volume 4700, Page 3204 and Volume 4683, Page 2985 of the Real Property Records of Collin County, Texas (RPRCCT) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northwesterly corner of Lot 1, Block A of Tibbals Elementary School an addition to the City of Murphy as recorded in Cabinet R, Page 116 of the Map Records of Collin County, Texas (MRCCCT);

THENCE along the westerly line of said Tibbals Elementary School South 02 deg 01 min 20 sec West a distance of 905.25 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most southwesterly corner of said Tibbals Elementary School, said iron rod also being in the northerly line of Maxwell Creek North, Phase 7 an addition to the City of Murphy as recorded in Cabinet Q, Pages 273-274 (MRCCCT) and the beginning of a non-tangent curve to the right having a radius of 840.00 feet, a chord bearing North 79 deg 39 min 09 sec West and a chord distance of 719.41 feet;

THENCE along the northerly line of said Maxwell Creek North, Phase 7 as follows:

Along said non-tangent curve to the right through a central angle of 50 deg 42 min 34 sec for an arc length of 743.44 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 35 deg 42 min 08 sec West a distance of 130.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 970.00 feet, a chord bearing North 54 deg 04 min 37 sec West and a chord distance of 7.48 feet;

Along said non-tangent curve to the right through a central angle of 00 deg 26 min 30 sec for an arc length of 7.48 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 39 deg 42 min 11 sec West a distance of 60.11 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set in the easterly line of a parkland dedication to the City of Murphy as recorded in CC# 2006 1221001797030 (LRCCCT), said iron rod also being the beginning of a non-tangent curve to the right having a radius of 1030.00 feet, a chord bearing North 33 deg 39 min 37 sec West and a chord distance of 704.17 feet;

THENCE departing the northerly line of said Maxwell Creek North, Phase 7 and along the easterly line of said parkland dedication as follows:

Along said non-tangent curve to the right through a central angle of 39 deg 58 min 36 sec for an arc length of 718.66 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 13 deg 40 min 19 sec West a distance of 206.98 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 4970.00 feet, a chord bearing North 16 deg 06 min 20 sec West and a chord distance of 422.08 feet;

Along said curve to the left through a central angle of 04 deg 52 min 02 sec for an arc length of 422.21 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 18 deg 32 min 21 sec West a distance of 100.48 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE departing the easterly line of said parkland dedication North 71 deg 27 min 39 sec East a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 18 deg 32 min 21 sec East a distance of 8.50 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 71 deg 27 min 39 sec East a distance of 131.86 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 865.00 feet, a chord bearing North 75 deg 23 min 09 sec East and a chord distance of 118.42 feet;

THENCE along said curve to the right through a central angle of 07 deg 51 min 00 sec for an arc length of 118.51 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 18 deg 32 min 21 sec West a distance of 9.70 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 71 deg 27 min 39 sec East a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 18 deg 32 min 21 sec East a distance of 18.09 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 865.00 feet, a chord bearing North 83 deg 23 min 28 sec East and a chord distance of 21.78 feet;

THENCE along said non-tangent curve to the right through a central angle of 01 deg 26 min 35 sec for an arc length of 21.78 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 05 deg 53 min 15 sec East a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 815.00 feet, a chord bearing South 83 deg 44 min 24 sec West and a chord distance of 10.60 feet;

THENCE along said non-tangent curve to the left through a central angle of 00 deg 44 min 44 sec for an arc length of 10.60 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 18 deg 32 min 21 sec East a distance of 24.44 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 5320.00 feet, a chord bearing South 17 deg 20 min 41 sec East and a chord distance of 221.81 feet;

THENCE along said curve to the right through a central angle of 02 deg 23 min 21 sec for an arc length of 221.83 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 575.00 feet, a chord bearing North 89 deg 16 min 21 sec East and a chord distance of 25.88 feet;

THENCE along said non-tangent curve to the right through a central angle of 02 deg 34 min 46 sec for an arc length of 25.89 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 00 deg 33 min 43 sec West a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 525.00 feet, a chord bearing South 80 deg 58 min 13 sec East and a chord distance of 154.61 feet;

THENCE along said non-tangent curve to the right through a central angle of 16 deg 56 min 07 sec for an arc length of 155.18 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

\*\*\*\*\*THENCE South 17 deg 29 min 51 sec West a distance of 59.85 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 5440.00 feet, a chord bearing South 14 deg 00 min 49 sec East and a chord distance of 64.89 feet;

THENCE along said non-tangent curve to the right through a central angle of 00 deg 41 min 01 sec for an arc length of 64.89 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 13 deg 40 min 19 sec East a distance of 200.61 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 455.00 feet, a chord bearing South 24 deg 39 min 07 sec East and a chord distance of 173.33 feet;

THENCE along said curve to the left through a central angle of 21 deg 57 min 37 sec for an arc length of 174.39 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 35 deg 37 min 56 sec East a distance of 45.17 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 550.00 feet, a chord bearing South 59 deg 30 min 39 sec East and a chord distance of 445.28 feet;

THENCE along said curve to the left through a central angle of 47 deg 45 min 27 sec for an arc length of 458.44 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 02 deg 01 min 20 sec East a distance of 400.98 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 2095.00 feet, a chord bearing South 76 deg 59 min 42 sec East and a chord distance of 8.80 feet;

THENCE along said non-tangent curve to the left through a central angle of 00 deg 14 min 27 sec for an arc length of 8.80 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 12 deg 53 min 05 sec East a distance of 120.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 1975.00 feet, a chord bearing North 76 deg 38 min 46 sec West and a chord distance of 32.35 feet;

THENCE along said curve to the right through a central angle of 00 deg 56 min 19 sec for an arc length of 32.35 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 13 deg 49 min 24 sec East a distance of 170.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 1805.00 feet, a chord bearing South 77 deg 33 min 35 sec East and a chord distance of 87.13 feet;

THENCE along said non-tangent curve to the left through a central angle of 02 deg 45 min 58 sec for an arc length of 87.14 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 02 deg 01 min 20 sec East a distance of 121.62 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 1685.00 feet, a chord bearing North 77 deg 23 min 42 sec West and a chord distance of 52.85 feet;

THENCE along said non-tangent curve to the right through a central angle of 01 deg 47 min 49 sec for an arc length of 52.85 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 13 deg 30 min 13 sec East a distance of 170.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 1515.00 feet, a chord bearing South 83 deg 06 min 42 sec East and a chord distance of 349.07 feet;

THENCE along said non-tangent curve to the left through a central angle of 13 deg 13 min 51 sec for an arc length of 349.84 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 89 deg 43 min 38 sec East a distance of 103.52 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the westerly line of Maxwell Creek North, Phase 5A, an addition to the City of Murphy as recorded in Cabinet 2007, Page 680 (MRCCCT) said iron rod also being the beginning of a non-tangent curve to the left having a radius of 330.00 feet, a chord bearing South 22 deg 32 min 37 sec East and a chord distance of 103.50 feet;

THENCE along the westerly lines of said Maxwell Creek North, Phase 5A and Maxwell Creek North, Phase 9, an addition to the City of Murphy as recorded in Cabinet R, Page 076 (MRCCCT) as follows:

Along said non-tangent curve to the left through a central angle of 18 deg 02 min 42 sec for an arc length of 103.93 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the right having a radius of 225.00 feet, a chord bearing South 64 deg 48 min 41 sec West and a chord distance of 9.55 feet;

Along said non-tangent curve to the right through a central angle of 02 deg 25 min 55 sec for an arc length of 9.55 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 23 deg 58 min 22 sec East a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 275.00 feet, a chord bearing North 63 deg 56 min 11 sec East and a chord distance of 20.06 feet;

Along said non-tangent curve to the left through a central angle of 04 deg 10 min 53 sec for an arc length of 20.07 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a non-tangent curve to the left having a radius of 330.00 feet, a chord bearing South 45 deg 39 min 57 sec East and a chord distance of 61.09 feet;

Along said non-tangent curve to the left through a central angle of 10 deg 37 min 16 sec for an arc length of 61.17 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 270.00 feet, a chord bearing South 43 deg 47 min 18 sec East and a chord distance of 67.57 feet;

Along said curve to the right through a central angle of 14 deg 22 min 34 sec for an arc length of 67.75 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northeasterly corner of said Tibbals Elementary School, said iron rod also being the beginning of a non-tangent curve to the right having a radius of 400.00 feet, a chord bearing South 72 deg 34 min 07 sec West and a chord distance of 220.13 feet;

THENCE departing the westerly line of said Maxwell Creek North, Phase 9 and along the northerly line of said Tibbals Elementary School as follows:

Along said non-tangent curve to the right through a central angle of 31 deg 56 min 34 sec for an arc length of 223.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 1810.00 feet, a chord bearing North 87 deg 55 min 19 sec West and a chord distance of 223.38 feet;

Along said curve to the right through a central angle of 07 deg 04 min 33 sec for an arc length of 223.53 feet to the Point of Beginning;

Containing within these metes and bounds 25.324 acres or 1,103,096 square feet of land more or less.

The bearings contained herein are based upon the deeds to Lumbermen's Investment Corporation as recorded in Volume 4700, Page 3204 and Volume 4683, Page 2985 (DRCCCT).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Forestar (USA) Real Estate Group, Inc., formerly know as Lumbermen's Investment Corporation acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as MAXWELL CREEK NORTH, PHASE 10B, an addition to the City of Murphy, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Murphy and all public utilities desiring to use or using same. All and any public utility and the City of Murphy shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Murphy and all public utilities shall, at all times, have the full right of ingress and egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at any time, of procuring the permission of anyone.

This plat approved subject to all planning ordinances, rules regulations, and resolutions of the City of Murphy, Texas.

WITNESS MY HAND AT \_\_\_\_\_, TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Forestar (USA) Real Estate Group, Inc. formerly known as Lumbermen's Investment Group

By: \_\_\_\_\_  
Thomas H. Burleson  
Executive Vice-President

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Thomas H. Burleson, duly authorized Executive Vice President of Forestar (USA) Real Estate Group, Inc., know to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Forestar (USA) Real Estate Group, Inc., and that he executed the same on behalf of said corporation for the purpose and consideration, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

Notary public in and for the State of Texas

My Commission Expires \_\_\_\_\_

Surveyor's Certificate

STATE OF TEXAS  
COUNTY OF DALLAS

I, Leonard J. Lueker, Surveyor, hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Murphy, Texas.

Leonard J. Lueker  
Registered Professional Land Surveyor  
Texas Registration # 5714  
Winkelmann & Associates, Inc.  
8750 Hillcrest Plaza Drive, Suite 325  
Dallas, Texas 75230  
(972) 490-7090

STATE OF TEXAS  
COUNTY OF DENTON

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public in and for the State of Texas

My Commission Expires On: \_\_\_\_\_

FINAL PLAT

Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas

RECOMMENDED BY: Planning and Zoning  
Commission City of Murphy, Texas

Signature of Chairperson Date of Recommendation

APPROVED BY : City Council  
City of Murphy, Texas

Signature of Mayor Date of Approval

ATTEST : \_\_\_\_\_

City Secretary Date

W.A.W.	APPROV.
RESUBMITTED	REVISION
10/30/09	DATE
1	No.



Winkelmann & Associates, Inc.  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
14657 CIP10B.dwg  
DALLAS, TEXAS 75230  
Phone: (972) 490-7099 FAX  
(972) 490-7099 FAX  
Texas Engineer Registration No. 000866-00  
Surveyor Registration No. 50000-00  
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JAMES MAXWELL SURVEY, ABSTRACT NO. 582  
C A McMILLAN SURVEY, ABSTRACT NO. 588  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS  
FORESTAR (USA) REAL ESTATE GROUP, INC.  
14755 PRESTON ROAD #710  
DALLAS, TEXAS 75254  
972-702-8699

FINAL PLAT  
MAXWELL CREEK NORTH, PHASE 10B  
70 RES. LOTS - 25.324 ACRES  
ZONED PD 00-06-486 & 00-06-487

THIS PLAT FILED IN CABINET \_\_\_\_\_ PAGE \_\_\_\_\_

<p>Scale : 1"=100' Designed By : MK Drawn By : MK Checked By : MK File : 14657CIP10B.dwg Project No. : 14657</p>		<p>Date : 5-13-08</p>
<p><b>FINAL PLAT</b> <b>MAXWELL CREEK NORTH, PHASE 10B</b> 70 RES. LOTS - 25.324 ACRES ZONED PD 00-06-486 &amp; 00-06-487</p>		
<p>JAMES MAXWELL SURVEY, ABSTRACT NO. 582 C A McMILLAN SURVEY, ABSTRACT NO. 588 CITY OF MURPHY COLLIN COUNTY, TEXAS</p>		
OWNER :	FORESTAR (USA) REAL ESTATE GROUP, INC. 14755 PRESTON ROAD #710 DALLAS, TEXAS 75254	CONSULTING ENGINEERS : WINKELMANN & ASSOCIATES INC. 8750 HILLCREST PLAZA DR., ST 325 DALLAS TX. 75230

**Issue**

Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10C1 on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located southwest of the intersection of McMillen Road and Rosewood Drive.

**Background**

The proposed final plat would allow for the development of an additional phase of the subdivision known as Maxwell Creek North. For this development, the required minimum lot size is 9,000 square feet. The required minimum dwelling unit size is 2,200 square feet. The proposed final plat is consistent with the Comprehensive Plan.

Section 6.9(b) of the Subdivision Ordinance states that once a subdivision's public improvements are constructed to the satisfaction of the Public Works Department, the Director of Public Works shall recommend to the City Council acceptance of such subdivision. Public Works has been working closely with the contractors and confirms the work is near completion.

**Other Considerations**

On September 26, 2011, the Planning & Zoning Commission considered the application requesting approval of the Final Plat for Maxwell Creek North, Phase 10C1. Planning & Zoning Commission unanimously approved the Final Plat, 7-0, contingent on the following:

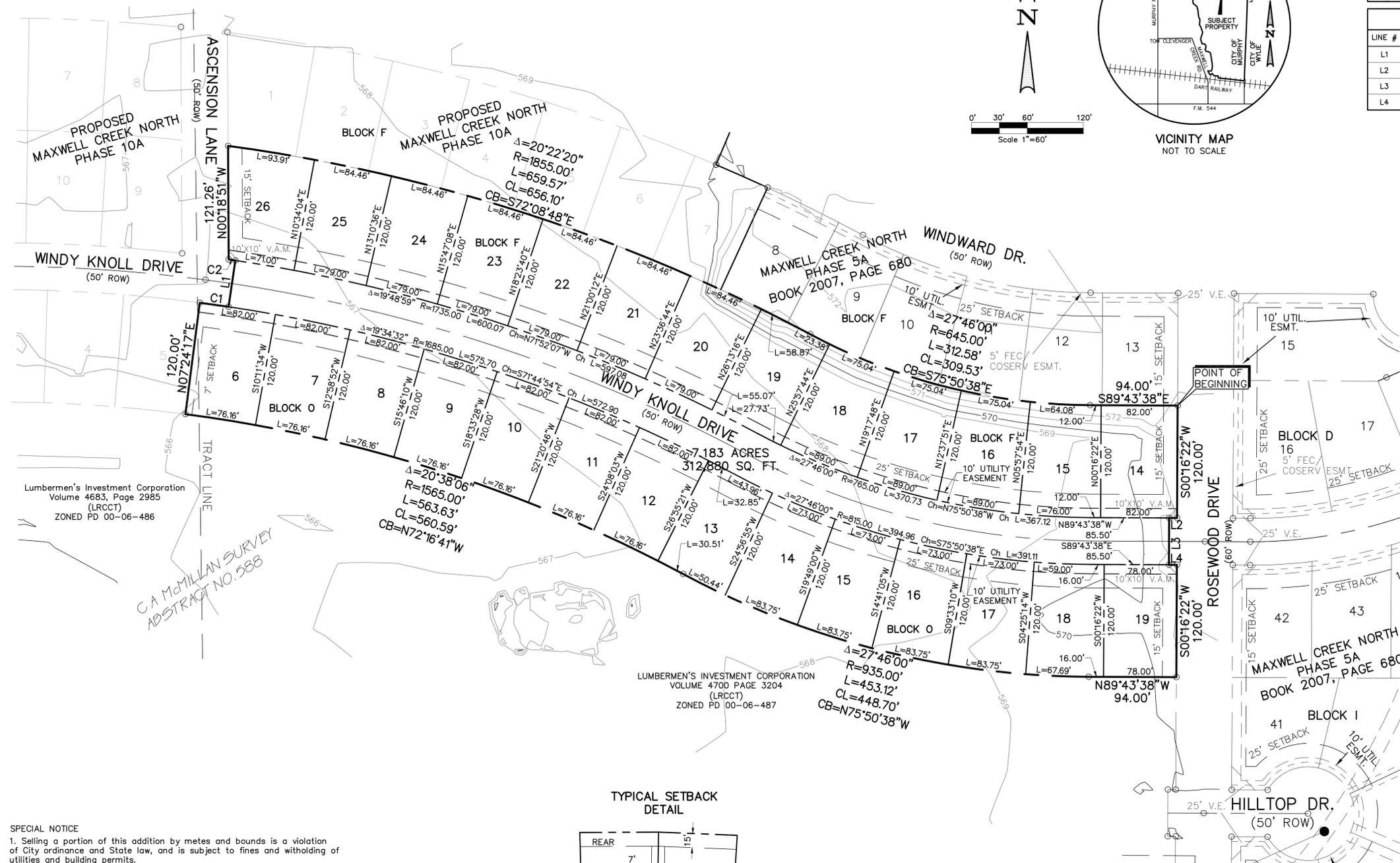
- The construction and installation of the required public improvements and City utilities are complete and approved before the October 18, 2011 City Council meeting (extended to completion and approval before the December 6, 2011 City Council meeting)

**Staff Recommendation**

Motion to approve the Final Plat for **Maxwell Creek North, Phase 10C1** on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487).

**Attachments**

Final Plat



CURVE TABLE					
No.	Delta	Radius	Length	Ch. L	Ch. B
C1	01°03'33"	1685.00'	31.15'	31.15'	S82°03'57"E
C2	00°14'26"	1735.00'	7.29'	7.29'	N81°39'23"W

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N08°27'50"E	50.00'
L2	N89°43'38"W	8.50'
L3	S00°16'22"W	50.00'
L4	S89°43'38"E	8.50'

REVISION	DATE	APPROVED

**Winkelmann & Associates, Inc.**  
 CONSULTING ENGINEERS  
 6750 HILLCREST PLAZA, SUITE 325  
 DALLAS, TEXAS 75230  
 (972) 485-7000  
 (972) 485-7099 FAX  
 LICENSE NO. 100868-00  
 COPYRIGHT © 2010 Winkelmann & Associates, Inc.

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	ACRES
6	Block O	9490	0.218
7	Block O	9490	0.218
8	Block O	9490	0.218
9	Block O	9490	0.218
10	Block O	9490	0.218
11	Block O	9490	0.218
12	Block O	9490	0.218
13	Block O	9465	0.217
14	Block O	9405	0.216
15	Block O	9405	0.216
16	Block O	9405	0.216
17	Block O	9405	0.216
18	Block O	9521	0.219
19	Block O	9360	0.215
20	Block F	9840	0.226
21	Block F	9845	0.226
22	Block F	9842	0.226
23	Block F	9842	0.226
24	Block F	9842	0.226
25	Block F	9808	0.225
26	Block F	9808	0.225

C. A. McMILLAN SURVEY, ABSTRACT NO. 588  
 CITY OF MURPHY  
 COLLIN COUNTY, TEXAS  
 FORESTAR (USA) REAL ESTATE GROUP, INC.  
 14755 PRESTON ROAD #710  
 DALLAS, TEXAS 75254

**FINAL PLAT**  
**MAXWELL CREEK NORTH, PHASE 10C1**  
 27 RESIDENTIAL LOTS - 7.183 ACRES  
 ZONED PD 04-10-623

**SPECIAL NOTICE**

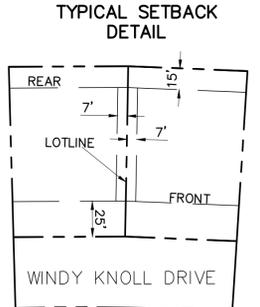
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.
- Unless otherwise noted all corners are a 1/2" iron rod set with a red plastic cap stamped W.A.I.

**FLOOD NOTE:**  
 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48085C 0415 J, DATED JUNE 2, 2009, THIS PROPERTY IS WITHIN FLOOD ZONE X.  
 ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE 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 FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

**GENERAL NOTES:**

- V.A.M. = VISIBILITY, ACCESS AND MAINTENANCE EASEMENT
- ALL EASEMENTS ARE TO BE CREATED WITH THE FILING OF THIS PLAT UNLESS OTHERWISE DENOTED WITH COUNTY CLERK'S DOCUMENT RECORDING INFORMATION.



**FINAL PLAT**  
**MAXWELL CREEK NORTH, PHASE 10C1**  
 27 RESIDENTIAL LOTS - 7.183 ACRES  
 ZONED PD 00-06-487 and PD 04-10-623

**C.A. McMILLAN SURVEY, ABSTRACT NO. 588**  
**CITY OF MURPHY**  
**COLLIN COUNTY, TEXAS**

OWNER :  
 FORESTAR (USA) REAL ESTATE GROUP, INC.  
 14755 PRESTON ROAD #710  
 DALLAS, TEXAS 75254

CONSULTING ENGINEERS :  
 WINKELMANN & ASSOCIATES, INC.  
 6750 HILLCREST PLAZA DR., ST 325  
 DALLAS TX. 75230

Date : 07.08.10  
 Scale : Custom  
 File : 146570P10C1 FINAL PLAT  
 Project No. : 14657

**SHEET**  
**1**  
**OF**  
**2**

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS, We, Forestar (USA) Real Estate Group, Inc., are the sole owners of all that certain tract of land situated in the C. A. McMILLEN SURVEY, ABSTRACT No. 588, in the City of Murphy, Collin County, Texas, and being a portion of a tract of land described in deed to Lumbermen's Investment Corporation as recorded in Volume 4700, Page 3204, and Volume 4683, Page 2985, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner on the West right-of-way line of Rosewood Drive, a 60-foot right-of-way, as dedicated by the Final Plat of Maxwell Creek North, Phase 5A, an addition to the City of Murphy, Collin County, Texas, according to the Plat thereof recorded in Volume 2007, Page 680, Map Records, Collin County, Texas, said point being the Southeast corner of Lot 13, Block F, of said Final Plat of Maxwell Creek North, Phase 5A;

THENCE South 00 deg 16 min 22 sec West, along said West right-of-way line of Rosewood Drive, a distance of 120.00 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner at the intersection of said West right-of-way line of Rosewood Drive with the North right-of-way line of Windy Knoll Drive, a 50-foot right-of-way;

THENCE North 89 deg 43 min 38 sec West, along said North right-of-way line of Windy Knoll Drive, a distance of 8.50 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner;

THENCE South 00 deg 16 min 22 sec West, a distance of 50.00 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner on the South right-of-way line of said Windy Knoll Drive;

THENCE South 89 deg 43 min 38 sec East, along said North right-of-way line of Windy Knoll Drive, a distance of 8.50 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner, said point being the intersection of said North right-of-way line with said West right-of-way line of Rosewood Drive;

THENCE South 00 deg 16 min 22 sec West, along said West right-of-way line of Rosewood Drive, a distance of 120.00 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner;

THENCE departing said West right-of-way line of Rosewood Drive, over and across said Lumbermen's tract, the following courses and distances:

North 89 deg 43 min 38 sec West, a distance of 94.00 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner, said point being the beginning of a curve to the right having a radius of 935.00 feet, a central angle of 27 deg 46 min 00 sec, a chord bearing of North 75 deg 50 min 38 sec West, and a chord length of 448.70 feet;

Along said curve to the right, an arc distance of 453.12 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner, said pint being the beginning of a curve to the left having a radius of 1,565.00 feet, a central angle of 20 deg 38 min 06 sec, a chord bearing of North 72 deg 16 min 41 sec West, and a chord length of 560.59 feet;

Along said curve to the left, an arc distance of 563.63 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner;

North 07 deg 24 min 17 sec East, a distance of 120.00 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 1,685.00 feet, a central angle of 01 deg 03 min 33 sec, a chord bearing of South 82 deg 03 min 57 sec East, and a chord length of 31.15 feet;

Along said non-tangent curve to the right, an arc distance of 31.15 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner;

North 08 deg 27 min 50 sec East, a distance of 50.00 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the left having a radius of 1,735.00 feet, a central angle of 00 deg 14 min 26 sec, a chord bearing of North 81 deg 39 min 23 sec West, and a chord length of 7.29 feet;

Along said non-tangent curve to the left, an arc distance of 7.29 feet;

North 00 deg 18 min 51 sec West, a distance of 121.26 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 1,855.00 feet, a central angle of 20 deg 22 min 20 sec, a chord bearing of South 72 deg 08 min 48 sec East, and a chord length of 656.10 feet;

Along said non-tangent curve to the right, an arc distance of 659.57 feet to a 1/2-inch iron rod with a plastic yellow cap stamped "WAI" set for corner on the Southwesterly line of Lot 9, Block F of said Final Plat of Maxwell Creek North, Phase 5A, said point being the beginning of a curve to the left having a radius of 645.00 feet, a central angle of 27 deg 46 min 00 sec, a chord bearing of South 75 deg 50 min 38 sec East, and a chord length of 309.53 feet;

THENCE along said non-tangent curve to the left and the Southerly line of said Block F, an arc distance of 312.58 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 312,880 square feet or 7.183 acres of land, more or less. Bearings shown hereon are based upon the Final Plat of Maxwell Creek North Phase 5A as recorded in Volume 2007, Page 680, Map Records, Collin County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Forestar (USA) Real Estate Group, Inc., acting herein by and through his(its) duly authorized officer(s), does hereby adopt this plat designating the herein above described property as MAXWELL CREEK NORTH, PHASE 10C1, an addition to the City of Murphy, Texas, and does hereby dedicate, in fee simple, to the public use City of Murphy, Texas, forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Murphy. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Murphy's use thereof. The City of Murphy and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Murphy and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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

WITNESS, my hand, this the \_\_\_\_day of \_\_\_\_\_, 2011.

BY:

Thomas H. Burleson, Executive Vice-President

Printed Name and Title

STATE OF TEXAS  
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, Thomas H. Burleson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this the \_\_\_\_day of \_\_\_\_\_, 2011.

Notary Public in and for the State of Texas  
My Commission Expires On:

KNOW ALL MEN BY THESE PRESENTS:

That I, Leonard J. Lueker, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Murphy.

Leonard J. Lueker  
Registered Professional Land Surveyor  
Registration No. 5714

STATE OF TEXAS  
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, Leonard J. Lueker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this the \_\_\_\_day of \_\_\_\_\_, 2011.

Notary Public in and for the State of Texas  
My Commission Expires On:

CITY APPROVAL OF CONSTRUCTION PLAT

Approved for preparation of final plat following construction of all public improvements (or appropriate sureties thereof) necessary for the subdivision shown on this plat.

RECOMMENDED BY: Planning and Zoning Commission  
City of Murphy, Texas

Signature of Chairperson \_\_\_\_\_ Date of Recommendation \_\_\_\_\_

APPROVED BY: City Council  
City of Murphy, Texas

Signature of Mayor \_\_\_\_\_ Date of Approval \_\_\_\_\_

City Secretary

City Secretary \_\_\_\_\_ Date \_\_\_\_\_

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

The area or areas shown on the plat as "VAM" (Visibility, Access and Maintenance)

Easement(s) are hereby given and granted to the City, its successors and assigns, as an easement to provide visibility, right of access for maintenance upon and across said VAM Easement. The City shall have the right but not the obligation to maintain any and all landscaping within the VAM Easement. Should the City exercise this maintenance right, then it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover and fixtures. The City may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the owners. No building, fence, shrub, tree or other improvements or growths, which in any way may endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM Easement. The City shall also have the right but not the obligation to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

REVISION	APPROVED
DATE	
No.	



C. A. McMILLEN SURVEY, ABSTRACT NO. 588  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS  
FORESTAR (USA) REAL ESTATE GROUP, INC.  
14755 PRESTON ROAD #710  
DALLAS, TEXAS 75254

FINAL PLAT  
MAXWELL CREEK NORTH, PHASE 10C1  
27 RESIDENTIAL LOTS - 7.183 ACRES  
ZONED PD 04-10-623

Date : 12.18.09  
Scale : N/A  
File : 14657CP10C1 FINAL PLAT  
Project No. : 14657

<p align="center"><b>FINAL PLAT</b> <b>MAXWELL CREEK NORTH, PHASE 10C1</b> 27 RESIDENTIAL LOTS - 7.183 ACRES ZONED PD 00-06-487 and PD 04-10-623</p>	
<p align="center"><b>C.A. McMILLEN SURVEY, ABSTRACT NO. 588</b> <b>CITY OF MURPHY</b> <b>COLLIN COUNTY, TEXAS</b></p>	
<p>OWNER : FORESTAR (USA) REAL ESTATE GROUP, INC. 14755 PRESTON ROAD #710 DALLAS, TEXAS 75254</p>	<p>CONSULTING ENGINEERS : WINKELMANN &amp; ASSOCIATES, INC. 6750 HILLCREST PLAZA DR., ST 325 DALLAS TX. 75230</p>

**Issue**

Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Maxwell Creek North Phase 8A in which the street name Greystone Court will be changed to Paint Creek Court.

**Background**

When Greystone Court was approved and platted, the street directly across from the opening of the court (Paint Creek Dr.) was on another plat. In the platting process, this was not detected thereby resulting in a different name being issued for the street that aligns with Paint Creek Dr.

There are currently two residents living on Greystone Court that will be required to change their street name. The postal service allows the residents 12 months to execute the changes needed. The house numbers will not change.

The need for this change is for 9-1-1 addressing and emergency responses. The fire department relies on mutual aid from other fire departments that will not know our city as well as our own personnel. These departments will normally use street signage to aid in locating addresses in our city.

This change will become effective upon council approval and publication of the ordinance.

**Financial Considerations**

The burden of expense is to the property owner when addresses change. The city will have some filing expenses in order to submit a ratification of plat to the county clerk's office. This cost is anticipated to be less than \$100.00

**Staff Recommendation**

Motion to approve an ordinance ratifying the Final Plat for Maxwell Creek North, Phase 8A changing Greystone Court to Paint Creek Court.

**Attachments**

Current Final Plat on File

Final Plat Showing Changes

Proposed Ordinance Changing Greystone Court to Paint Creek Ct.

8999

OWNERS CERTIFICATE

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS, Lumbermen's Investment Corporation is the owner of a tract of land situated in the James Maxwell Survey, Abstract No. 582, Collin County, Texas, and being a portion of a tract of land as described in a deed to Lumbermen's Investment Corporation recorded in CC# 2000-0068504 of the Land Records of Collin County, Texas (LRCT), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most southeasterly corner of Maxwell Creek North Phase 3, an addition to the City of Murphy as recorded in Cabinet M, Pages 512-513 (MRCT); said iron rod being the intersection of the westerly right-of-way line of McCreary Road (a 100 foot right-of-way) and the southerly right-of-way line of Waters Edge Way (a variable width right-of-way);

THENCE along the westerly right-of-way line of said McCreary Road South 02 degrees 01 minutes 20 seconds West a distance of 690.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northeasterly corner of Maxwell Creek North, Phase 6 an addition to the City of Murphy as recorded in Cabinet N, Page 287 (MRCT);

THENCE departing the westerly right-of-way line of said McCreary Road and along the northerly line of said Maxwell Creek North Phase 6 North 87 degrees 58 minutes 40 seconds West a distance of 430.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner on the easterly right-of-way line of Twin Valley Drive (a 50 foot right-of-way);

THENCE along said easterly right-of-way line of Twin Valley Drive North 02 degrees 01 minutes 20 seconds East a distance of 700.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the southerly line of said Maxwell Creek North, Phase 3, said iron rod being the intersection of the easterly right-of-way line of said Twin Valley Drive and the southerly right-of-way line of said Waters Edge Way;

THENCE along the southerly line of said Maxwell Creek North, Phase 3 and the southerly right-of-way line of said Waters Edge Way as follows:

South 87 degrees 58 minutes 40 seconds East a distance of 240.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 02 degrees 01 minutes 20 seconds West a distance of 18.50 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 87 degrees 58 minutes 40 seconds East a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 02 degrees 01 minutes 20 seconds East a distance of 8.50 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 87 degrees 58 minutes 40 seconds East a distance of 140.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 6.857 acres or 298,675 square feet of land more or less. The bearings herein are based upon the final plat of Maxwell Creek North, Phase 2 as recorded in Cabinet M, Pages 262-263 (LRCT).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Lumbermen's Investment Corporation acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as MAXWELL CREEK NORTH PHASE 8A, an addition to the City of Murphy, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Murphy and all public utilities desiring to use or using same. All and any public utility and the City of Murphy shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Murphy and all public utilities shall, at all times, have the full right of ingress and egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at any time, of procuring the permission of anyone.

This plat approved subject to all planning ordinances, rules regulations, and resolutions of the City of Murphy, Texas.

WITNESS MY HAND AT Dallas, TEXAS, this 13th day of January, 2006.

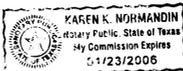
Lumbermen's Investment Corporation  
By Thomas H. Burleson  
Thomas H. Burleson  
Vice-President

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Thomas H. Burleson, duly authorized Vice President of Lumbermen's Investment Corporation, know to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Lumbermen's Investment Corporation, and that he executed the same on behalf of said corporation for the purpose and consideration, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th day of January, A.D., 2006.

Karen K. Normandin  
Notary public in and for the State of Texas  
My Commission Expires 1/23/06



TANGENT TABLE

TANGENT	BEARING	LENGTH
T1	S 02°01'20" W	18.50'
T2	S 87°58'40" E	50.00'
T3	N 02°01'20" E	8.50'

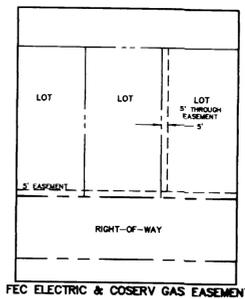
LOT AREA TABLE

BLOCK	LOT	SQ. FT.	BLOCK	LOT	SQ. FT.
C	1	11040	C	14	11040
	2	11040		15	11040
	3	11040		16	9336
	4	11040		17	9336
	5	9000		18	9336
	6	10806		19	9336
	7	14482		20	9336
	8	12724		21	9336
	9	13949		22	9336
	10	11365		23	9336
	11	9000		24	9312
	12	11040			
	13	11040			

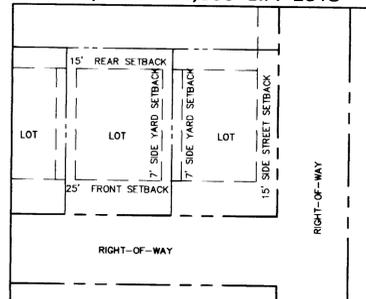
CURVE TABLE

CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-1	50.00'	300°00'00"	28.87'	261.80'	50.00'	N87°58'40"W

FOR 2005 FROM: 6582-000-0480 AC: FROM: AC: FROM: AC:



TYPICAL LOT SETBACKS  
9,000 & 11,000 S.F. LOTS



Surveyor's Certificate

STATE OF TEXAS  
COUNTY OF DALLAS

I, Leonard J. Lueker, Surveyor, hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Murphy, Texas.

Leonard J. Lueker, Surveyor  
Registered Professional Land Surveyor  
Texas Registration No. 5714  
Winkelmann & Associates, Inc.  
6750 Hillcrest Plaza Drive, Suite 100  
Dallas, Texas 75230  
972/491-7050

STATE OF TEXAS  
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Gives under my hand and seal of office, this 11th day of January, 2006.

Russell Bontan  
Notary Public in and for the State of Texas

11/28/06  
My Commission Expires On:

FINAL PLAT

Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas.

RECOMMENDED BY:  
M. H. Wang  
Signature of Chairperson

Planning and Zoning Commission  
City of Murphy, Texas  
Date of Recommendation: 11-14-05

APPROVED BY:  
Carl W. Wise  
Signature of Mayor

City Council  
City of Murphy, Texas  
Date of Approval: 12-5-05

ATTEST:  
Anna Norman  
City Secretary

Date: 2/1/06



S8999

FINAL PLAT  
MAXWELL CREEK NORTH, PHASE 8A  
ZONED PD #04-10-623  
24 RES. LOTS, 6.857 ACRES

JAMES MAXWELL SURVEY, ABSTRACT NO. 582  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS

OWNER: LUMBERMEN'S INVESTMENT CORPORATION  
14755 PRESTON ROAD, #710  
DALLAS, TEXAS 75254  
972-702-8699  
CONSULTING ENGINEERS: WINKELMANN & ASSOCIATES, INC.  
6750 HILLCREST PLAZA DR., ST 100  
DALLAS, TEXAS 75230  
972-490-7090

Winkelmann & Associates, Inc.  
CONSULTING CIVIL ENGINEERS & SURVEYORS  
6750 HILLCREST PLAZA, DR., ST. 100  
DALLAS, TEXAS 75230  
(972) 490-7090 FAX

JAMES MAXWELL SURVEY, ABSTRACT NO. 582  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS

OWNER: LUMBERMEN'S INVESTMENT CORPORATION  
14755 PRESTON ROAD, #710  
DALLAS, TEXAS 75254  
972-702-8699

FINAL PLAT  
MAXWELL CREEK NORTH, PHASE 8A  
ZONED PD #04-10-623  
24 RES. LOTS, 6.857 ACRES

Scale: 1"=100'  
Date: 1-10-06  
Designed By: FEM  
Drawn By: MK  
Checked By: FEM  
File: 14657FP8A.dwg | View:  
Project No.: 14657.01

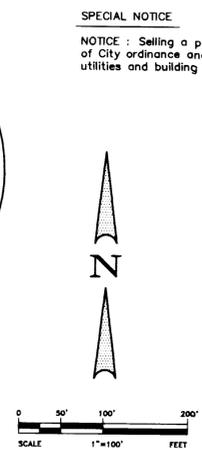
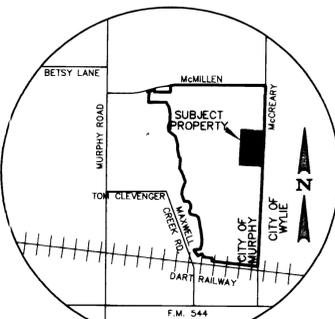
SHEET  
1  
OF  
1

Filed and Recorded  
Official Public Records  
Brandi Taylor, County Clerk  
Collin County, Texas  
02/10/2006 10:32:58 AM  
\$21.00 FEE/ROW  
2006021001000500



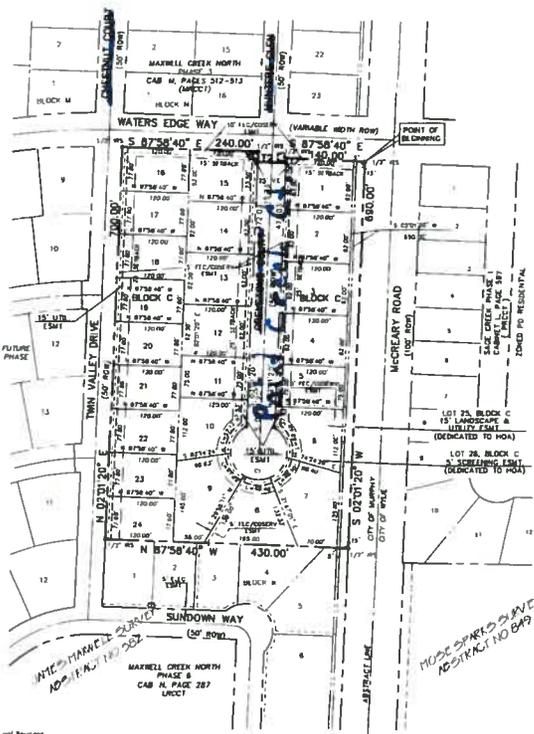
06.75.01

Amade Taylor



8999

Exhibit "A"



OWNER'S CERTIFICATE

STATE OF TEXAS COUNTY OF COLLIN LUMBERMAN'S INVESTMENT CORPORATION is the owner of a tract of land situated in the James Maxwell Survey, Abstract No. 582, Collin County, Texas, and being a portion of a tract of land as described in a deed to Lumberman's Investment Corporation recorded in CCP 7008-038562 of the land Records of Collin County, Texas (LRCT), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most westerly corner of Maxwell Creek North Phase 3, an addition to the City of Murphy as recorded in Cabinet M, Pages 312-313 (MRCC), and being more particularly described as follows: THE SOUTHERLY RIGHT-OF-WAY LINE of McCreeby Road (a 100 foot right-of-way) and the southerly right-of-way line of Waters Edge Way (a variable width right-of-way).

THENCE along the westerly right-of-way line of said McCreeby Road South 02 degrees 01 minute 20 seconds West a distance of 650.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most westerly corner of Maxwell Creek North, Phase 6 an addition to the City of Murphy as recorded in Cabinet M, Page 257 (MRCC), THENCE departing the southerly right-of-way line of said McCreeby Road and using the northerly line of said Maxwell Creek North Phase 3 North 87 degrees 58 minutes 40 seconds West a distance of 430.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner on the southerly right-of-way line of said Tom Valley Drive and the southerly right-of-way line of said Waters Edge Way (a 50 foot right-of-way).

THENCE along the southerly right-of-way line of Tom Valley Drive North 02 degrees 01 minute 20 seconds East a distance of 700.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northerly corner of Maxwell Creek North, Phase 6 an addition to the City of Murphy as recorded in Cabinet M, Page 257 (MRCC), THENCE along the southerly right-of-way line of said Waters Edge Way on follows:

South 87 degrees 58 minutes 40 seconds East a distance of 240.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 02 degrees 01 minute 20 seconds West a distance of 180.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 87 degrees 58 minutes 40 seconds East a distance of 50.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 02 degrees 01 minute 20 seconds East a distance of 8.50 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 87 degrees 58 minutes 40 seconds East a distance of 140.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 6.857 acres or 298,875 square feet of land more or less the bearings hereon are based upon the final plat of Maxwell Creek North, Phase 2 as recorded in Cabinet M, Pages 282-283 (LRCT).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT Lumberman's Investment Corporation acting herein by and through its duly authorized officers, does hereby adopt the plat designating the heretofore described property as MAXWELL CREEK NORTH PHASE 8A, an addition to the City of Murphy, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, encumbrances, and other matters indicated on this plat are hereby dedicated to the public use forever. Easements being hereby dedicated for the mail use and accommodation of the City of Murphy and all public utilities desiring to use any same. All and any public utility and the electric, gas, water, and other improvements or utilities, which in any way, endanger or interfere with the construction, maintenance or safety, which in any way, endanger or interfere with the City of Murphy and all public utilities when, at all times, have the full right of ingress and egress to and upon and beneath the easements for the purpose of construction, reconstructing, inspecting, repairing, maintaining and adding to or removing all or parts of it's respective systems, without, when necessary, at any time.

The plat approved subject to all planning ordinances, rules regulations, and resolutions of the City of Murphy, Texas.

WITNESS MY HAND AT Dallas TEXAS, this 13th day of January, 2008.

Lumberman's Investment Corporation [Signature] Vice-President

STATE OF TEXAS COUNTY OF COLLIN BELMORE, ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Thomas H. Burdette, duly authorized Vice President of Lumberman's Investment Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his act and deed for the purpose and consideration, and in the capacity therein stated.

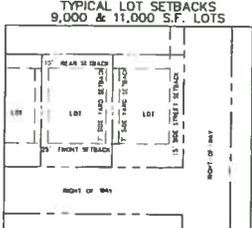
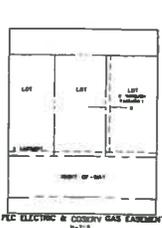
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 13th day of January, A.D. 2008. [Signature] Notary Public in and for the State of Texas

My Commission Expires 12/31/2008

PUBLIC NOTARIZATION [Signature] 12/31/2008

CURVE TABLE CURVE RADIUS DELTA TANGENT LENGTH CHORD BEARING C: 50.00' 300.000000' 28.07' 261.90' 50.00' N67.58'40"W

FROM 6582-000-04804C FROM AC



Surveyor's Certificate

STATE OF TEXAS COUNTY OF DALLAS I, Leonard J. Lusk, Surveyor, hereby certify that I have prepared the plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Murphy, Texas.

Leonard J. Lusk, Surveyor (Texas Registration No. 5714) 8120 Inwood Plaza Drive, Suite 100 Dallas, Texas 75225 972/48-7200

STATE OF TEXAS COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Leonard J. Lusk, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 13th day of January, 2008. [Signature] Notary Public in and for the State of Texas

W/Carol My Commission Expires On

FINAL PLAT

Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas.

RECOMMENDED BY [Signature] Planning and Zoning Commission City of Murphy, Texas 11-14-08 Date of Recommendation

APPROVED BY [Signature] City Council City of Murphy, Texas 12-8-08 Date of Approval

ATTEST [Signature] City Secretary Date

S8999

FINAL PLAT MAXWELL CREEK NORTH, PHASE 8A ZONED PD #04-10-623 24 RES. LOTS, 6.857 ACRES

JAMES MAXWELL SURVEY, ABSTRACT NO. 582 CITY OF MURPHY COLLIN COUNTY, TEXAS

CONVICTING SURVEYORS LUMBERMAN & ASSOCIATES INC. 3750 WILCOX PLAZA DR. #110 DALLAS, TEXAS 75224 972-321-7000

Winkelmann & Associates, Inc. 1944 NORTH TEXAS STREET SUITE 200 DALLAS, TEXAS 75228

JAMES MAXWELL SURVEY, ABSTRACT NO. 582 COLLIN COUNTY, TEXAS OWNER: LUMBERMAN'S INVESTMENT CORPORATION 14735 PRESTON ROAD, #710 DALLAS, TEXAS 75244 972-722-8839

FINAL PLAT MAXWELL CREEK NORTH, PHASE 8A ZONED PD #04-10-623 24 RES. LOTS, 6.857 ACRES

Scale: 1" = 400' Date: 11-14-08 Drawn by: [Signature] Checked by: [Signature] Title: [Signature] Project No.: 48577-01 SHEET 1 OF 1

## **ORDINANCE NO. 0000-00**

### **AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, DESIGNATING THE NAME OF GREYSTONE COURT IN THE MAXWELL CREEK NORTH SUBDIVISION TO PAINT CREEK CT.; AND PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES.**

**WHEREAS**, the City of Murphy, Texas (“Murphy”) has initiated a request to designate the name of Greystone Court in the Maxwell Creek North, Phase 8A Subdivision, as recorded in Cabinet 2006, Page 75 of the Map Records of Collin County, Texas to Paint Creek Ct., in Murphy, Collin County, Texas; and

**WHEREAS**, the City Council of Murphy has investigated into and determined that it will be advantageous and beneficial to Murphy and its inhabitants to designate the name of Greystone Court, as set forth below:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS:**

SECTION 1: Findings Incorporated: The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2: Designating the Name of Greystone Court to Paint Creek Ct.: The name of that one block (block C) and 15 lots (1-15) of Greystone Court intersecting Waters Edge Way in the Maxwell Creek North, Phase 8A Subdivision is hereby designated as Paint Creek Ct. All ordinances of Murphy referring to said portion of Greystone Court are amended to Paint Creek Ct, as shown in Exhibit “A” attached hereto and made a part hereof for all purposes and said ordinances shall otherwise remain in full force and effect.

SECTION 3: Severability: Should any action, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Murphy hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 4: Savings /Repealing Clause: All provision of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; 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. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5: Effective Date: This ordinance shall become effective immediately upon its adoption.**

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, on this \_\_\_\_ day of \_\_\_\_\_, \_\_**

---

**ATTEST TO AND AS TO FORM:**

**(City Seal)**

---

**City of Murphy**

**Issue**

Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Daniel Crossing Phase D in which the street name Westminister Avenue will change to Westminster Avenue.

**Background**

The section of Westminister Avenue contained within Daniel Crossing, Phase D is a misspelling. This ordinance will clean that up to match the street known as Westminster Avenue on the north side of Betsy Lane.

9-1-1 databases already reflect the correct spelling of Westminster Avenue. As mutual aid fire apparatus come into our community, the different street spellings can cause some confusion resulting in possible delays in response.

Residents will be notified by letter from the city of the street name change. They will have 12 months to make the changes on their mailings received. Collin County Appraisal District will be notified of the street name change.

**Financial Considerations**

The City of Murphy will not bear the expense of the residents to execute the required changes. The filing fees with the county for the ratification and filing of the plat are not expected to exceed \$100.

The city will erect new street signs reflecting the correct spelling.

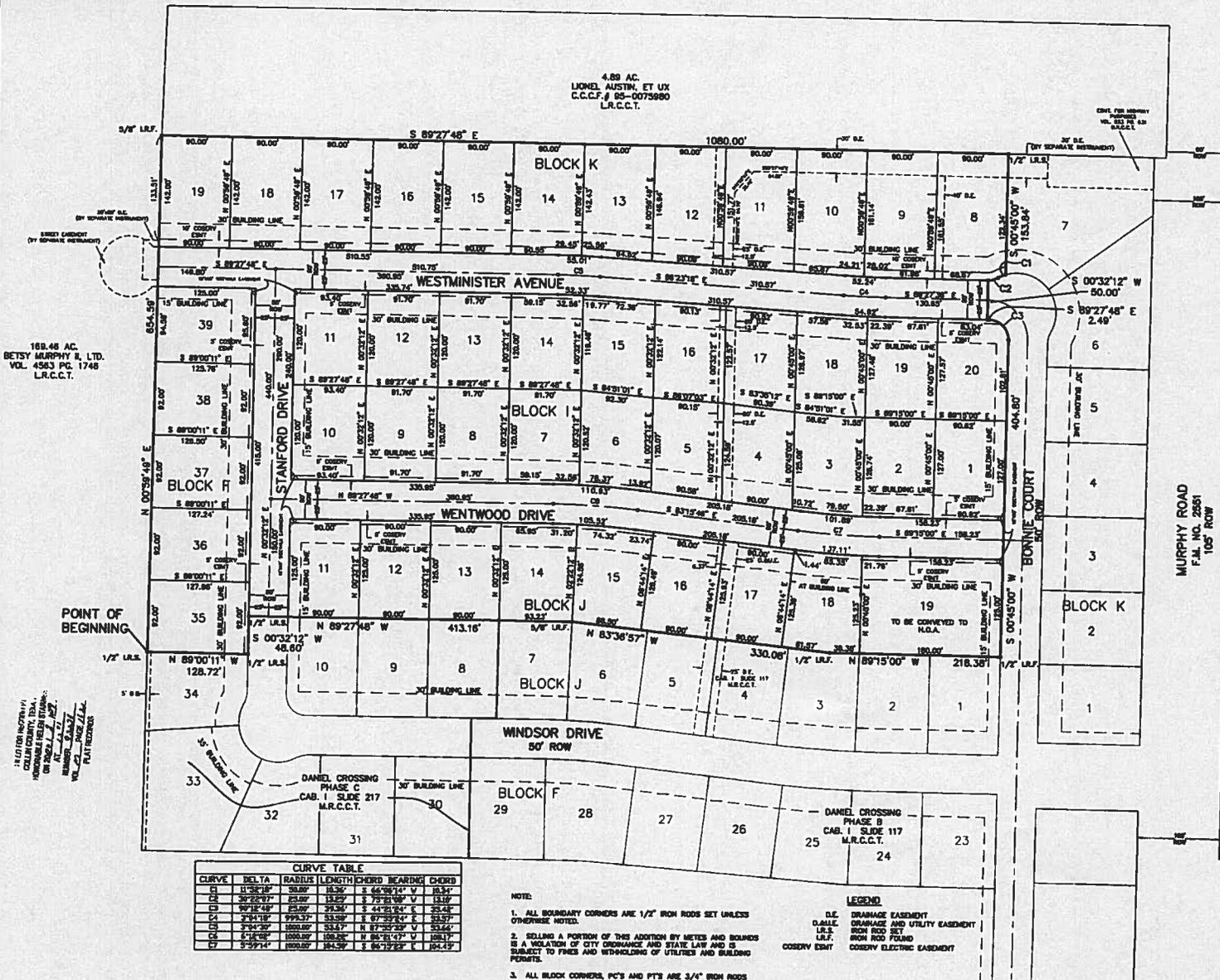
**Staff Recommendation**

Motion to approve an ordinance ratifying the final plat Daniel Crossing, Phase D subdivision whereas the street name Westminister Avenue will change to Westminster Avenue.

**Attachments**

Daniel Crossing Phase D Final Plat on file  
Proposed Final Plat Daniel Crossing, Phase D  
Ordinance Ratifying Daniel Crossing, Phase D Final Plat

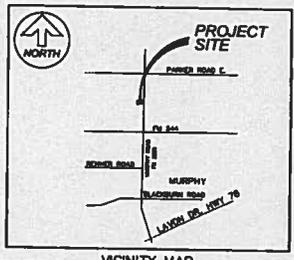
6092



4.89 AC.  
LIONEL AUSTIN, ET UX  
C.C.C.F.# 95-0075980  
L.R.C.C.T.

168.48 AC.  
BETSY MURPHY, L. LTD.  
VOL. 4563 PG. 1748  
L.R.C.C.T.

McMILLEN ROAD



AREA TABLE

LOT/BLOCK	SQUARE FEET	ACRES
LOT 1, BLOCK 1	11,250	0.256
LOT 2, BLOCK 1	11,250	0.256
LOT 3, BLOCK 1	11,250	0.256
LOT 4, BLOCK 1	11,250	0.256
LOT 5, BLOCK 1	11,250	0.256
LOT 6, BLOCK 1	11,250	0.256
LOT 7, BLOCK 1	11,250	0.256
LOT 8, BLOCK 1	11,250	0.256
LOT 9, BLOCK 1	11,250	0.256
LOT 10, BLOCK 1	11,250	0.256
LOT 11, BLOCK 1	11,250	0.256
LOT 12, BLOCK 1	11,250	0.256
LOT 13, BLOCK 1	11,250	0.256
LOT 14, BLOCK 1	11,250	0.256
LOT 15, BLOCK 1	11,250	0.256
LOT 16, BLOCK 1	11,250	0.256
LOT 17, BLOCK 1	11,250	0.256
LOT 18, BLOCK 1	11,250	0.256
LOT 19, BLOCK 1	11,250	0.256
LOT 20, BLOCK 1	11,250	0.256
LOT 21, BLOCK 1	11,250	0.256
LOT 22, BLOCK 1	11,250	0.256
LOT 23, BLOCK 1	11,250	0.256
LOT 24, BLOCK 1	11,250	0.256
LOT 25, BLOCK 1	11,250	0.256
LOT 26, BLOCK 1	11,250	0.256
LOT 27, BLOCK 1	11,250	0.256
LOT 28, BLOCK 1	11,250	0.256
LOT 29, BLOCK 1	11,250	0.256
LOT 30, BLOCK 1	11,250	0.256
LOT 31, BLOCK 1	11,250	0.256
LOT 32, BLOCK 1	11,250	0.256
LOT 33, BLOCK 1	11,250	0.256
LOT 34, BLOCK 1	11,250	0.256
LOT 35, BLOCK 1	11,250	0.256
LOT 36, BLOCK 1	11,250	0.256
LOT 37, BLOCK 1	11,250	0.256
LOT 38, BLOCK 1	11,250	0.256
LOT 39, BLOCK 1	11,250	0.256

MARY MADGE DANIEL, ET AL  
VOL. 2504 PG. 839  
L.R.C.C.T.

PLANO L.S.D.  
C.C.C.F.# 98-0048308  
L.R.C.C.T.

# S4540

Final Plat  
**DANIEL CROSSING PHASE D**  
AN ADDITION TO THE CITY OF MURPHY, COLLIN COUNTY, TEXAS  
BEING 15.529 ACRES OUT OF  
ISAAC HERRING SURVEY, ABSTRACT NO. 403  
IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS

**DANIEL CROSSING DEVELOPMENT, LTD.** OWNER/DEVELOPER  
3838 OAK LAWN AVENUE, SUITE 1212  
DALLAS, TEXAS 75219 (214)522-1845

**JONES & BOYD, INC.** SURVEYOR/ENGINEER  
16500 Dallas Parkway, Suite 240  
DALLAS, TEXAS 75248 (972)246-7676

CURVE TABLE

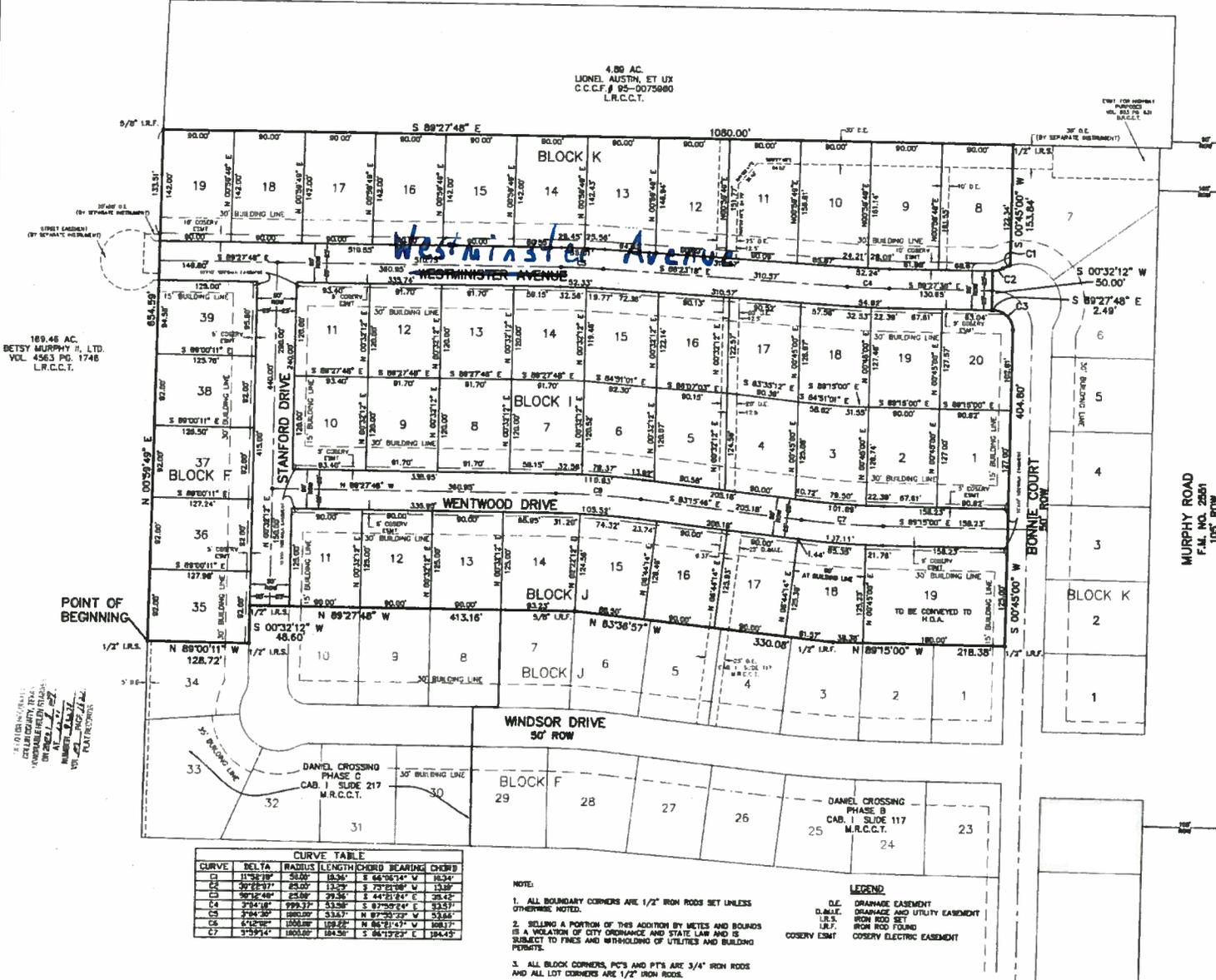
CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING	CHORD
C1	113°28'18"	90.00'	18.36'	18.36'	S 66°00'14" W	18.34'
C2	30°22'37"	25.00'	13.25'	13.25'	S 75°01'00" W	13.25'
C3	90°26'48"	25.00'	39.26'	39.26'	S 44°21'24" E	39.44'
C4	114°18'18"	999.37'	53.58'	53.58'	S 67°52'47" E	53.57'
C5	27°34'30"	1000.00'	53.47'	53.47'	N 87°20'20" W	53.44'
C6	67°12'57"	1000.00'	100.00'	100.00'	N 84°17'17" W	100.17'
C7	5°52'14"	1000.00'	184.39'	184.39'	S 82°17'22" E	184.49'

- NOTE:
- ALL BOUNDARY CORNERS ARE 1/2" IRON RODS SET UNLESS OTHERWISE NOTED.
  - SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
  - ALL BLOCK CORNERS, PC'S AND PT'S ARE 3/4" IRON RODS AND ALL LOT CORNERS ARE 1/2" IRON RODS.

- LEGEND
- D.E. DRAINAGE EASEMENT
  - D.U.E. DRAINAGE AND UTILITY EASEMENT
  - L.R.S. IRON ROD SET
  - L.R.F. IRON ROD FOUND
  - COSDRY EMBT COSDRY ELECTRIC EASEMENT

FROM 643-320-0099  
YEAR 2001

6092



189.48 AC.  
BETSY MURPHY II, LTD.  
VOL. 4563 PG. 1748  
L.R.C.C.T.

SECTION 16, T.10N, R.10E, S.45E  
COLLAR COUNTY, TEXAS  
UNDIVIDED PART OF PLAT  
NO. 11,177  
MURPHY, BAY  
VOL. 4563 PG. 1748  
PLAT RECORDS

4.88 AC.  
LIONEL AUSTIN, ET UX  
C.C.C.F. # 95-0075080  
L.R.C.C.T.

DEED FOR MURPHY  
MURPHY  
VOL. 4563 PG. 1748  
L.R.C.C.T.

30' D.E.  
(BY SEPARATE INSTRUMENT)

**CURVE TABLE**

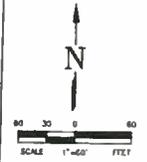
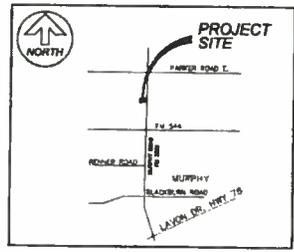
CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING	CHORD
C1	115°58'	25.00'	18.36'	18.36'	S 64°32'44" E	18.36'
C2	30°28'47"	25.00'	13.29'	9.79'	S 79°21'28" E	13.29'
C3	50°18'48"	25.00'	20.38'	14.47'	S 44°21'24" E	20.38'
C4	7°24'45"	299.37'	33.58'	33.58'	S 87°55'24" E	33.58'
C5	7°24'45"	299.37'	33.57'	33.57'	N 87°25'22" E	33.57'
C6	6°12'58"	300.00'	103.22'	103.22'	N 86°21'47" E	103.22'
C7	3°59'14"	1800.00'	184.50'	184.50'	S 86°15'22" E	184.50'

- NOTE:
1. ALL BOUNDARY CORNERS ARE 1/2" IRON RODS SET UNLESS OTHERWISE NOTED.
  2. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND IMPROVING OF UTILITIES AND BUILDING PERMITS.
  3. ALL BLOCK CORNERS, PC'S AND PT'S ARE 3/4" IRON RODS AND ALL LOT CORNERS ARE 1/2" IRON RODS.

- LEGEND
- D.E. DRAINAGE EASEMENT
  - D.U.E. DRAINAGE AND UTILITY EASEMENT
  - L.R.S. IRON ROD SET
  - L.R.F. IRON ROD FOUND
  - COSERV ESMT COSERV ELECTRIC EASEMENT

FROM 0203-201-0422  
FROM  
YEAR 2001

McMILLEN ROAD



MARY MADGE DANIEL ET AL  
VOL. 2504 PG. 839  
L.R.C.C.T.

MURPHY ROAD  
F.M. NO. 2851  
105' ROW

PLAND I.S.D.  
C.C.C.F. # 98-0049308  
L.R.C.C.T.

**AREA TABLE**

LOT/BLOCK	ACRES	FOOT	ACR
LOT 19, BLOCK 19	1.0000	132.00	0.0230
LOT 18, BLOCK 19	1.0000	132.00	0.0230
LOT 17, BLOCK 19	1.0000	132.00	0.0230
LOT 16, BLOCK 19	1.0000	132.00	0.0230
LOT 15, BLOCK 19	1.0000	132.00	0.0230
LOT 14, BLOCK 19	1.0000	132.00	0.0230
LOT 13, BLOCK 19	1.0000	132.00	0.0230
LOT 12, BLOCK 19	1.0000	132.00	0.0230
LOT 11, BLOCK 19	1.0000	132.00	0.0230
LOT 10, BLOCK 19	1.0000	132.00	0.0230
LOT 9, BLOCK 19	1.0000	132.00	0.0230
LOT 8, BLOCK 19	1.0000	132.00	0.0230
LOT 7, BLOCK 19	1.0000	132.00	0.0230
LOT 6, BLOCK 19	1.0000	132.00	0.0230
LOT 5, BLOCK 19	1.0000	132.00	0.0230
LOT 4, BLOCK 19	1.0000	132.00	0.0230
LOT 3, BLOCK 19	1.0000	132.00	0.0230
LOT 2, BLOCK 19	1.0000	132.00	0.0230
LOT 1, BLOCK 19	1.0000	132.00	0.0230
LOT 39, BLOCK 39	1.0000	132.00	0.0230
LOT 38, BLOCK 39	1.0000	132.00	0.0230
LOT 37, BLOCK 39	1.0000	132.00	0.0230
LOT 36, BLOCK 39	1.0000	132.00	0.0230
LOT 35, BLOCK 39	1.0000	132.00	0.0230
LOT 34, BLOCK 39	1.0000	132.00	0.0230
LOT 33, BLOCK 39	1.0000	132.00	0.0230
LOT 32, BLOCK 39	1.0000	132.00	0.0230
LOT 31, BLOCK 39	1.0000	132.00	0.0230
LOT 30, BLOCK 39	1.0000	132.00	0.0230
LOT 29, BLOCK 39	1.0000	132.00	0.0230
LOT 28, BLOCK 39	1.0000	132.00	0.0230
LOT 27, BLOCK 39	1.0000	132.00	0.0230
LOT 26, BLOCK 39	1.0000	132.00	0.0230
LOT 25, BLOCK 39	1.0000	132.00	0.0230
LOT 24, BLOCK 39	1.0000	132.00	0.0230
LOT 23, BLOCK 39	1.0000	132.00	0.0230

**S4540**

Final Plat  
**DANIEL CROSSING  
PHASE D**  
AN ADDITION TO THE CITY OF MURPHY, COLLIN COUNTY, TEXAS  
BEING 15.528 ACRES, OUT OF  
ISAAC HERRING SURVEY, ABSTRACT NO. 403  
IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS

**DANIEL CROSSING DEVELOPMENT, LTD.** OWNER/DEVELOPER  
3838 OAK LAWN AVENUE, SUITE 1212  
DALLAS, TEXAS 75218 (214)522-1945

**JONES & BOYD, INC.** SURVEYOR/ENGINEER  
16800 Dallas Parkway, Suite 240  
Dallas, Texas 75248 (972)248-7878

## **ORDINANCE NO. 0000-00**

### **AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, DESIGNATING THE NAME OF WESTMINSTER AVENUE IN THE DANIEL CROSSING SUBDIVISION TO WESTMINSTER AVENUE; AND PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES.**

**WHEREAS**, the City of Murphy, Texas (“Murphy”) has initiated a request to designate the name of Westminister Avenue in the Daniel Crossing, Phase D Subdivision, as recorded in Cabinet M, Page 162 & 163 of the Map Records of Collin County, Texas to Westminister Avenue, in Murphy, Collin County, Texas; and

**WHEREAS**, the City Council of Murphy has investigated into and determined that it will be advantageous and beneficial to Murphy and its inhabitants to designate the name of Westminister Avenue, as set forth below:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS:**

SECTION 1: Findings Incorporated: The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2: Designating the Name of Westminister Avenue to Westminister Avenue: The name of that block K and lots 8-19 also block I and lots 11-20 of Westminister Avenue intersecting Bonnie Court and Westminister Avenue in the Daniel Crossing, Phase D Subdivision is hereby designated as Westminister Avenue. All ordinances of Murphy referring to said portion of Westminister Avenue are amended to Westminister Avenue, as shown in Exhibit “A” attached hereto and made a part hereof for all purposes and said ordinances shall otherwise remain in full force and effect.

SECTION 3: Severability: Should any action, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Murphy hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 4: Savings /Repealing Clause: All provision of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; 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. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5: Effective Date: This ordinance shall become effective immediately upon its adoption as required by law and the Charter of Murphy.**

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, on this \_\_\_\_ day of \_\_\_\_\_,\_\_\_**

---

**ATTEST TO AND AS TO FORM:**

**(City Seal)**

---

**City of Murphy**

**Issue**

Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Hunters Landing, Phase 1 in which the street name Westminister Avenue will change to Westminster Avenue.

**Background**

The section of Westminister Avenue contained in Hunters Landing, Phase 1 is a misspelling. This ordinance will clean up the misspelling in order to match the street known as Westminster Avenue on the north side of Besty Lane.

9-1-1 databases already reflect the correct spelling of Westminster Avenue. As mutual aid fire apparatus come into our community, the different street spellings can cause some confusion resulting in possible delays in response.

Residents will be notified by letter from the city of the street name change. They will have 12 months to make the changes on their mailings received. Collin County Appraisal District will be notified of the street name change.

**Financial Considerations**

The City of Murphy will not bear the expense of the residents to execute the required changes. The filing fees with the county for the ratification and filing of the plat are not expected to exceed \$100.

The city will erect new street signs reflecting the correct spelling.

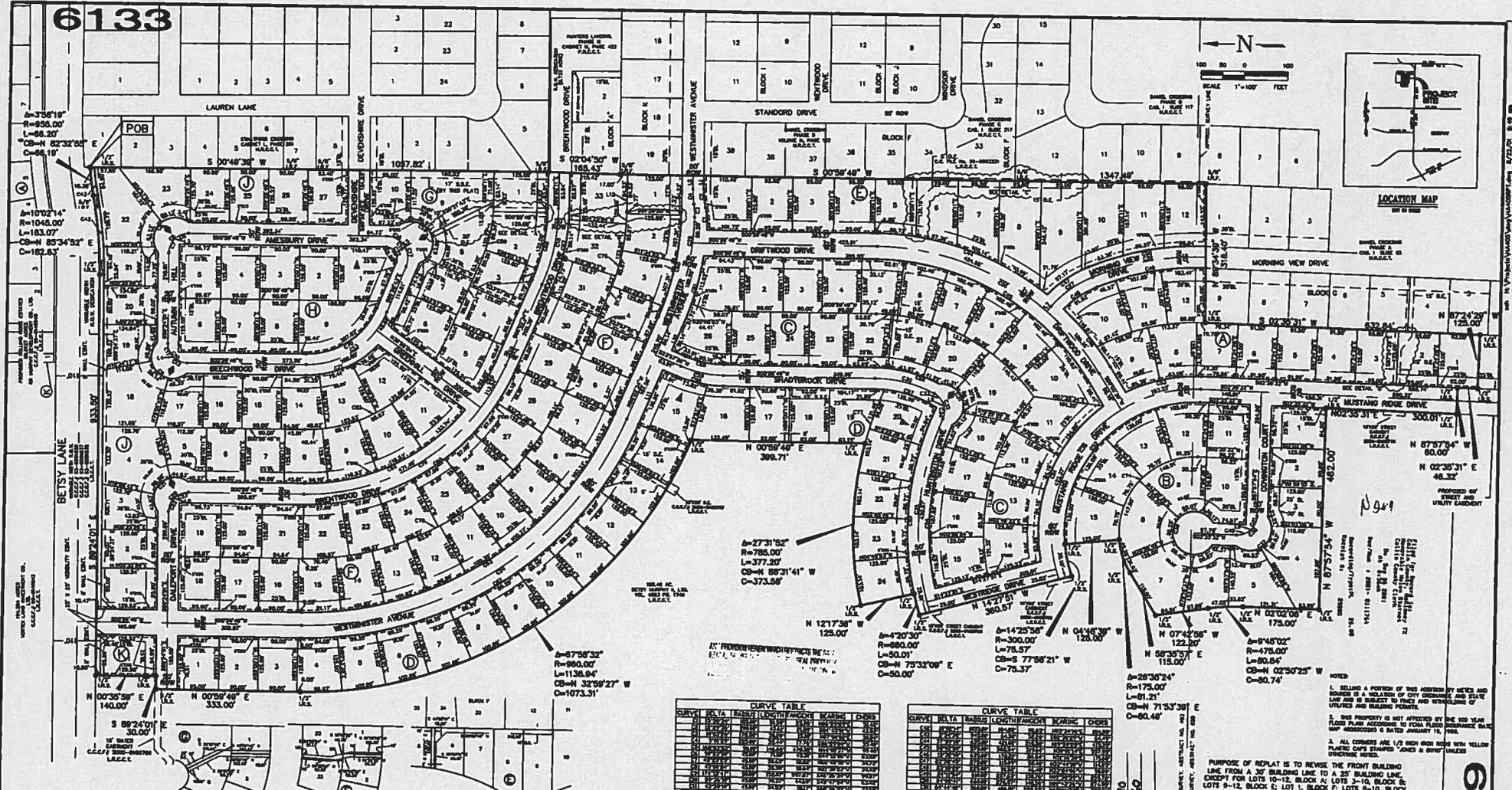
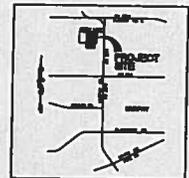
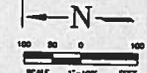
**Staff Recommendation**

Motion to approve an ordinance ratifying the final plat Hunters Landing, Phase I in which the street known as Westminister Avenue will be changed to Westminster Avenue.

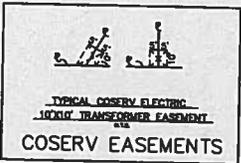
**Attachments**

Final Plat Hunters Landing, Phase I  
Proposed Final Plat Hunters Landing, Phase I  
Ordinance Ratifying Hunters Landing, Phase I

6133



- LEGEND**
- IRON ROD SET
  - IRON ROD FOUND
  - ▭ BUILDING LINE SETBACK
  - ▬ RIGHT-OF-WAY
  - ▬ DRAINAGE EASEMENT
  - ▬ WATER EASEMENT
  - ▬ UTILITY EASEMENT
  - ▬ SANITARY SEWER EASEMENT
  - ▬ HOME OWNERS ASSOCIATION
  - ▬ WALL MAINTENANCE EASEMENT
  - ▬ COSERV ELECTRIC ESMT.
  - ▬ HOUSE TO FACE THIS STREET
  - ◆ STREET NAME CHANGES



**LINE TABLE**

LINE NO.	START POINT	END POINT	BEARING	LENGTH
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...
11	...	...	...	...
12	...	...	...	...
13	...	...	...	...
14	...	...	...	...
15	...	...	...	...
16	...	...	...	...
17	...	...	...	...
18	...	...	...	...
19	...	...	...	...
20	...	...	...	...
21	...	...	...	...
22	...	...	...	...
23	...	...	...	...
24	...	...	...	...
25	...	...	...	...
26	...	...	...	...
27	...	...	...	...
28	...	...	...	...
29	...	...	...	...
30	...	...	...	...
31	...	...	...	...
32	...	...	...	...
33	...	...	...	...
34	...	...	...	...
35	...	...	...	...
36	...	...	...	...
37	...	...	...	...
38	...	...	...	...
39	...	...	...	...
40	...	...	...	...
41	...	...	...	...
42	...	...	...	...
43	...	...	...	...
44	...	...	...	...
45	...	...	...	...
46	...	...	...	...
47	...	...	...	...
48	...	...	...	...
49	...	...	...	...
50	...	...	...	...

**CURVE TABLE**

CURVE	BEA	BA	MB	LN	ADJ	MARK	CHRS
1	...	...	...	...	...	...	...
2	...	...	...	...	...	...	...
3	...	...	...	...	...	...	...
4	...	...	...	...	...	...	...
5	...	...	...	...	...	...	...
6	...	...	...	...	...	...	...
7	...	...	...	...	...	...	...
8	...	...	...	...	...	...	...
9	...	...	...	...	...	...	...
10	...	...	...	...	...	...	...
11	...	...	...	...	...	...	...
12	...	...	...	...	...	...	...
13	...	...	...	...	...	...	...
14	...	...	...	...	...	...	...
15	...	...	...	...	...	...	...
16	...	...	...	...	...	...	...
17	...	...	...	...	...	...	...
18	...	...	...	...	...	...	...
19	...	...	...	...	...	...	...
20	...	...	...	...	...	...	...
21	...	...	...	...	...	...	...
22	...	...	...	...	...	...	...
23	...	...	...	...	...	...	...
24	...	...	...	...	...	...	...
25	...	...	...	...	...	...	...
26	...	...	...	...	...	...	...
27	...	...	...	...	...	...	...
28	...	...	...	...	...	...	...
29	...	...	...	...	...	...	...
30	...	...	...	...	...	...	...
31	...	...	...	...	...	...	...
32	...	...	...	...	...	...	...
33	...	...	...	...	...	...	...
34	...	...	...	...	...	...	...
35	...	...	...	...	...	...	...
36	...	...	...	...	...	...	...
37	...	...	...	...	...	...	...
38	...	...	...	...	...	...	...
39	...	...	...	...	...	...	...
40	...	...	...	...	...	...	...
41	...	...	...	...	...	...	...
42	...	...	...	...	...	...	...
43	...	...	...	...	...	...	...
44	...	...	...	...	...	...	...
45	...	...	...	...	...	...	...
46	...	...	...	...	...	...	...
47	...	...	...	...	...	...	...
48	...	...	...	...	...	...	...
49	...	...	...	...	...	...	...
50	...	...	...	...	...	...	...

**CURVE TABLE**

CURVE	BEA	BA	MB	LN	ADJ	MARK	CHRS
1	...	...	...	...	...	...	...
2	...	...	...	...	...	...	...
3	...	...	...	...	...	...	...
4	...	...	...	...	...	...	...
5	...	...	...	...	...	...	...
6	...	...	...	...	...	...	...
7	...	...	...	...	...	...	...
8	...	...	...	...	...	...	...
9	...	...	...	...	...	...	...
10	...	...	...	...	...	...	...
11	...	...	...	...	...	...	...
12	...	...	...	...	...	...	...
13	...	...	...	...	...	...	...
14	...	...	...	...	...	...	...
15	...	...	...	...	...	...	...
16	...	...	...	...	...	...	...
17	...	...	...	...	...	...	...
18	...	...	...	...	...	...	...
19	...	...	...	...	...	...	...
20	...	...	...	...	...	...	...
21	...	...	...	...	...	...	...
22	...	...	...	...	...	...	...
23	...	...	...	...	...	...	...
24	...	...	...	...	...	...	...
25	...	...	...	...	...	...	...
26	...	...	...	...	...	...	...
27	...	...	...	...	...	...	...
28	...	...	...	...	...	...	...
29	...	...	...	...	...	...	...
30	...	...	...	...	...	...	...
31	...	...	...	...	...	...	...
32	...	...	...	...	...	...	...
33	...	...	...	...	...	...	...
34	...	...	...	...	...	...	...
35	...	...	...	...	...	...	...
36	...	...	...	...	...	...	...
37	...	...	...	...	...	...	...
38	...	...	...	...	...	...	...
39	...	...	...	...	...	...	...
40	...	...	...	...	...	...	...
41	...	...	...	...	...	...	...
42	...	...	...	...	...	...	...
43	...	...	...	...	...	...	...
44	...	...	...	...	...	...	...
45	...	...	...	...	...	...	...
46	...	...	...	...	...	...	...
47	...	...	...	...	...	...	...
48	...	...	...	...	...	...	...
49	...	...	...	...	...	...	...
50	...	...	...	...	...	...	...

**NOTES**

- BEING A PORTION OF THE ADDRESS BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHDRAWAL OF UTILITIES AND GRADING PERMITS.
- THIS PROPERTY IS NOT AFFECTED BY THE 200 YEAR FLOOD PLAIN ACCORDING TO FIRM FLOOD INSURANCE RATE MAP (FIRM) DATED JANUARY 15, 2004.
- ALL CORNERS ARE 1/2 INCH BORN BORN WITH YELLOW CONCRETE MARKS.

PURPOSE OF REPLAT IS TO REVERSE THE FRONT BUILDING LINE FROM A 30' BUILDING LINE TO A 20' BUILDING LINE EXCEPT FOR LOTS 10-12, BLOCK A; LOTS 3-10, BLOCK B; LOTS 9-12, BLOCK C; LOT 1, BLOCK F; LOTS 8-10, BLOCK G; AND LOTS 3-5 & 12-24, BLOCK J. ALSO TO RECONFIGURE LOTS 12-14, BLOCK C; LOTS 20-24, BLOCK D; LOTS 8-7, BLOCK G; LOTS 17-19, & 21-23, BLOCK J.

**REPLAT**

**HUNTERS LANDING - PHASE I**

62.662 ACRES OUT OF THE ISAAC HERRING SURVEY, ABSTRACT NO. 403 G.H. PEQUE'S SURVEY, ABSTRACT NO. 699 CITY OF JUPRHY COLLAM COUNTY, TEXAS

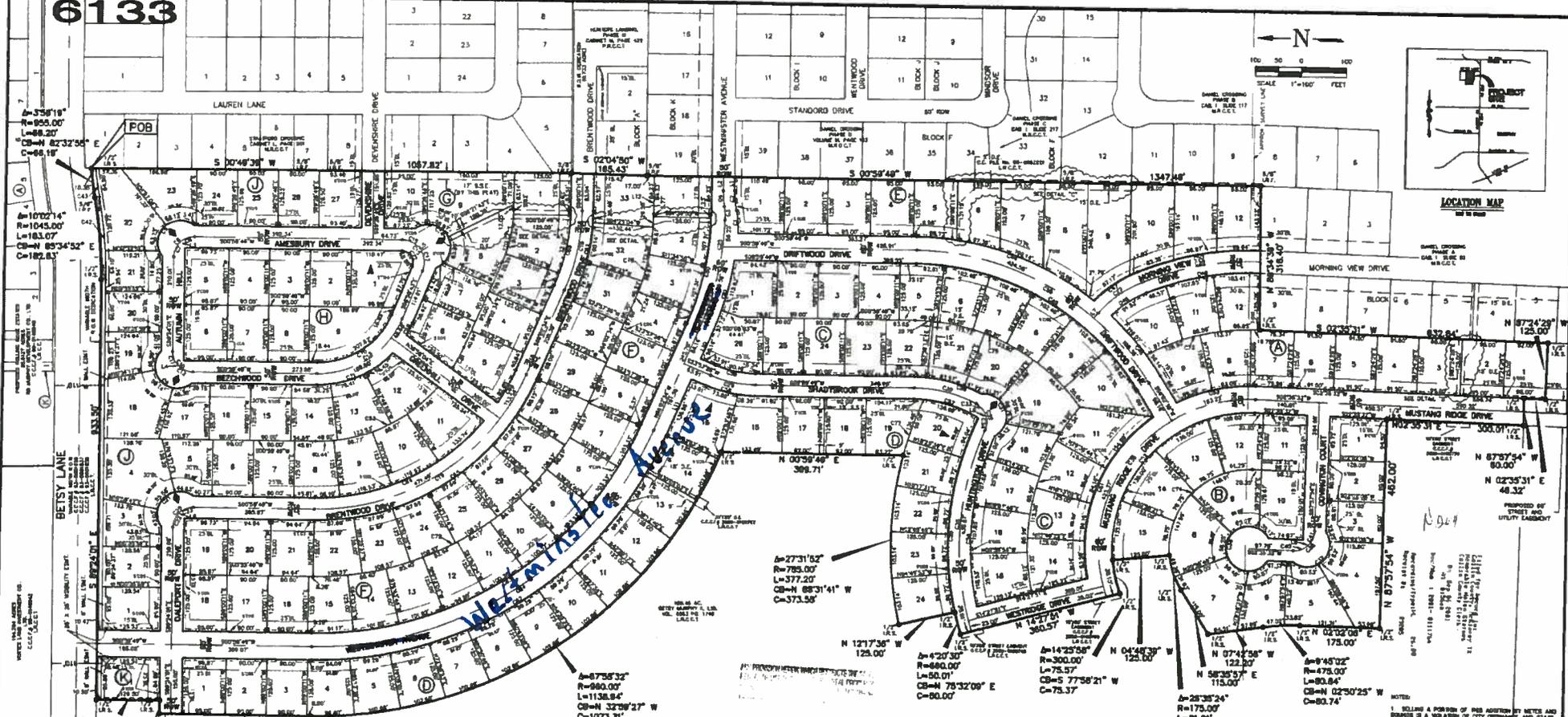
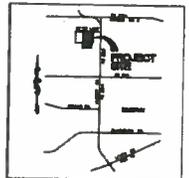
**MURPHY-HUNTERS LANDING, LTD. OWNER/DEVELOPER**  
17817 Davenport Road, Suite 210 Dallas, Texas 75232 (972)248-9116

**JONES & BOYD, INC. SURVEYOR/ENGINEER**  
18500 Dallas Parkway, Suite 240 Dallas, Texas 75248 (972)246-7976

189 LOTS AUGUST 7, 2001 Sheet 1 of 2

S4569

6133



**LEGEND**

- IRON ROD SET
- IRON ROD FOUND
- BUILDING LINE SETBACK
- RIGHT-OF-WAY
- DRAINAGE EASEMENT
- WATER EASEMENT
- UTILITY EASEMENT
- SANITARY SEWER EASEMENT
- HOME OWNERS ASSOCIATION
- WALL MAINTENANCE EASEMENT
- COSERV ELECTRIC ESMT.
- HOUSE TO FACE THIS STREET
- STREET NAME CHANGES

**DETAIL "A"**  
20' DRAINAGE ESMT.  
NOT TO SCALE

**DETAIL "B"**  
20' DRAINAGE ESMT.  
NOT TO SCALE

**DETAIL "C"**  
15' DRAINAGE ESMT.  
NOT TO SCALE

**DETAIL "D"**  
15' DRAINAGE ESMT.  
NOT TO SCALE

**TYPICAL COSERV ELECTRIC  
100KVA TRANSFORMER EASEMENT**

**COSERV EASEMENTS**

**LINE TABLE**

LINE	LENGTH	BEARING
L-1	100.00	N 00°00'00" E
L-2	100.00	N 00°00'00" E
L-3	100.00	N 00°00'00" E
L-4	100.00	N 00°00'00" E
L-5	100.00	N 00°00'00" E
L-6	100.00	N 00°00'00" E
L-7	100.00	N 00°00'00" E
L-8	100.00	N 00°00'00" E
L-9	100.00	N 00°00'00" E
L-10	100.00	N 00°00'00" E
L-11	100.00	N 00°00'00" E
L-12	100.00	N 00°00'00" E
L-13	100.00	N 00°00'00" E
L-14	100.00	N 00°00'00" E
L-15	100.00	N 00°00'00" E
L-16	100.00	N 00°00'00" E
L-17	100.00	N 00°00'00" E
L-18	100.00	N 00°00'00" E
L-19	100.00	N 00°00'00" E
L-20	100.00	N 00°00'00" E
L-21	100.00	N 00°00'00" E
L-22	100.00	N 00°00'00" E
L-23	100.00	N 00°00'00" E
L-24	100.00	N 00°00'00" E
L-25	100.00	N 00°00'00" E
L-26	100.00	N 00°00'00" E
L-27	100.00	N 00°00'00" E
L-28	100.00	N 00°00'00" E
L-29	100.00	N 00°00'00" E
L-30	100.00	N 00°00'00" E

**CURVE TABLE**

CURVE	DELTA	PIVOT	LENGTH	TANGENT	BEARING	COORDS
1	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
2	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
3	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
4	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
5	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
6	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
7	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
8	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
9	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
10	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
11	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
12	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
13	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
14	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
15	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
16	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
17	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
18	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
19	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
20	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
21	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
22	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
23	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
24	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
25	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
26	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
27	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
28	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
29	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
30	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00

**CURVE TABLE**

CURVE	DELTA	PIVOT	LENGTH	TANGENT	BEARING	COORDS
1	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
2	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
3	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
4	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
5	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
6	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
7	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
8	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
9	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
10	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
11	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
12	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
13	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
14	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
15	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
16	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
17	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
18	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
19	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
20	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
21	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
22	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
23	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
24	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
25	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
26	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
27	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
28	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
29	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00
30	120.00	120.00	120.00	120.00	N 00°00'00" E	120.00, 120.00

**REPLAT**

**HUNTERS LANDING - PHASE I**

82.882 ACRES OUT OF THE  
ISAAC HERRING SURVEY, ABSTRACT NO. 403  
O.H. PEGRIS SURVEY, ABSTRACT NO. 989  
CITY OF JUPRHY  
COLLIN COUNTY, TEXAS

**MURPHY-HUNTERS LANDING, LTD.** OWNER/DEVELOPER  
17817 Davenport Road, Suite 210  
Dallas, Texas 75252 (972)248-9118

**JONES & BOYD, INC.** SURVEYOR/ENGINEER  
16800 Dallas Parkway, Suite 240  
Dallas, Texas 75248 (972)248-7878

189 LOTS AUGUST 7, 2001 Sheet 1 of 2

DATE: 6-4-03  
BY: 6629-000-0180  
6629-000-0560  
2001

S4569

## **ORDINANCE NO. 0000-00**

**AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, DESIGNATING THE NAME OF WESTMINSTER AVENUE IN THE HUNTERS LANDING SUBDIVISION TO WESTMINSTER AVENUE; AND PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES.**

**WHEREAS**, the City of Murphy, Texas (“Murphy”) has initiated a request to designate the name of Westminister Avenue in the Hunters Landing, Phase I Subdivision, as recorded in Cabinet M, Page 252 & 253 of the Map Records of Collin County, Texas to Westminister Avenue, in Murphy, Collin County, Texas; and

**WHEREAS**, the City Council of Murphy has investigated into and determined that it will be advantageous and beneficial to Murphy and its inhabitants to designate the name of Westminister Avenue, as set forth below:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS:**

SECTION 1: Findings Incorporated: The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2: Designating the Name of Westminister Avenue to Wesminster Avenue: The name of that block D and lots 1-15 also block F and lots 18-33 intersecting Betsy Lane and Westminister Avenue in the Hunters Landing, Phase 1 Subdivision is hereby designated as Westminister Avenue. All ordinances of Murphy referring to said portion of Westminister Avenue are amended to Wesminster Avenue, as shown in Exhibit “B” attached hereto and made a part hereof for all purposes and said ordinances shall otherwise remain in full force and effect.

SECTION 3: Severability: Should any action, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Murphy hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 4: Savings /Repealing Clause: All provision of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; 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. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5: Effective Date: This ordinance shall become effective immediately upon its adoption as required by law and the Charter of Murphy.**

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, on this \_\_\_ day of \_\_\_\_\_, \_\_**

---

**ATTEST TO AND AS TO FORM:**

**(City Seal)**

---

**City of Murphy**

**Issue**

Consider and/or act upon amendment 1 to engineering services agreement for FM 2551 utility relocations project with Birkhoff, Hendricks & Carter, LLP.

**Background**

December 17, 2010, City of Murphy entered into a professional engineering services agreement with Birkhoff, Hendricks & Carter, LLP, for FM 2551 Utility Relocations; McMillen High School Sanitary Sewer Replacement; and South Maxwell Creek Aerial Crossings 1 and 2. The amendment is needed due to increased work load for construction work flow; additional plats required; and additional utility coordination required with TXDOT and the numerous other utilities moving with the FM 2551/North Murphy Road widening project.

**Financial Considerations**

The amendment adds \$51,500 to the project for a revised engineering services expense of \$299,950.

**Staff Recommendation**

Motion to approve Amendment No. 1 to the professional engineering services agreement for FM 2551 Utility Relocations for Birkhoff, Hendricks & Carter, LLP in the amount of \$51,500.

**Attachments**

Amendment 1 - BHC

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600      Dallas, Texas 75243      Fax (214) 461-8390      Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E.  
JOE R. CARTER, P.E.  
PAUL A. CARLINE, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.  
JOSEPH T. GRAJEWSKI, III, P.E.

**RECEIVED**

**NOV 14 2011**

November 9, 2011

**City Manager's Office**

Mr. James Fisher  
City Manager  
City of Murphy  
206 N. Murphy Road  
Murphy, Texas 75094

Re: F.M. 2551 Utility Relocations; McMillen High School Sanitary Sewer Replacement; and S. Maxwell Creek Aerial Crossings 1 and 2  
Engineering Services Agreement – **Amendment No. 1**  
Purchase Order No. 11-3815, January 18, 2011

Dear Mr. Fisher:

As requested by Ms. Kim Lenoir, we are pleased to submit this **Amendment No. 1** to our professional engineering services agreement with the City of Murphy originally dated December 17, 2010 for the:

- A. F.M. 2551 Utility Relocations
- B. McMillen High School Sanitary Sewer Replacement
- C. S. Maxwell Creek Aerial Crossings 1 and 2

**Brief Status Report**

The design and bidding phase work is complete for the F.M. 2551 Utility Relocations and the project is currently under construction. Plat and field notes for land rights (water and sewer easements) are complete and the City is pursuing the last few remaining easements necessary to complete construction. TxDOT Utility Coordination meetings are continuing at the rate of about 1 per month. The construction phase work is on schedule. The design phase work is complete for the McMillen High School Sanitary Sewer Replacement and the S. Maxwell Creek Aerial Crossings. The City is currently negotiating a change order with the F.M. 2551 Utility Relocation contractor for construction of this work.

**I. Change in Scope of Work:**

**A. F.M. 2551 Utility Relocations:**

**Part IV: Construction Phase, Items B. and D. – Coordination efforts with contractor.**

At the time the City issued a notice to proceed on this project, not all of the necessary easements had been acquired. Coordination effort has been required to manage the contractor's work zones and allowable work areas. This has required careful and time consuming analysis of the construction work flow and coordination efforts with the contractor beyond the normal and prescribed scope of work. This Amendment No. 1 adjusts the lump sum contract limit for Part IV to account for this additional work effort and scope of service.

**Part V: Task A – Field Surveys**

**Part V: Task B - Preparation of Plats and Field Notes**

Work on these two Task Items exceeds the original budget amount due to the additional easement plat and field notes required. The project scope originally included up to eighteen (18) plat and field notes for easements believed to be required on the project. Ultimately, we prepare and delivered thirty eight (38) plat and field note descriptions for easements on this project. Amendment No. 1 adjust the contract limits to reflect the additional scope and effort required for Part V, Task A and Task B to complete the additional twenty (20) plat and field note descriptions.

**Part V: Task C – TxDOT Utility Coordination Meetings**

The original project scope included attendance at a maximum of four (4) TxDOT Utility Coordination Meetings. To date, we have attended eleven (11) TxDOT utility coordination meetings for this project and expect to attend at least four (4) more. The Amendment No. 1 adds the necessary scope and budget to Part V, Task C attend the additional TxDOT Utility Coordination meetings for this project.

**II. Effect of Change or Contract Amount**

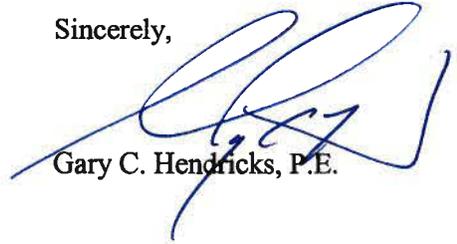
The added scope and effort for Part V, Task A, B and C described above modifies the contract limits as follows:

	Original Contract Amount	Amount, Amendment No. 1	Revised Contract Amount
<b>Basic Services</b>			
Part I: Preliminary Design Phase	\$ 37,100.00		\$ 37,100.00
Part II: Design Phase	\$ 111,000.00		\$ 111,000.00
Part III: Bidding Phase	\$ 9,250.00		\$ 9,250.00
Part IV: Construction Admin. Phase	\$ 27,800.00	\$ 5,500.00	\$ 33,300.00
<b>Subtotal, Basic Services</b>	<b>\$ 185,150.00</b>	<b>\$ 5,500.00</b>	<b>\$ 190,650.00</b>
<b>Part V: Additional Services</b>			
A. Field Surveys (Design, Construction and Boundary)	\$ 23,300.00	\$ 4,500.00	\$ 27,800.00
B. Preparation of Plats and Field Notes (18 each)	\$ 27,000.00	\$ 33,000.00	\$ 60,000.00
C. TxDOT Utility Coordination Meetings (4 each)	\$ 8,000.00	\$ 8,500.00	\$ 16,500.00
D. Printing Expense	\$ 2,500.00		\$ 2,500.00
E. Construction Record Drawings	\$ 2,500.00		\$ 2,500.00
<b>Subtotal, Additional Services</b>	<b>\$ 63,300.00</b>	<b>\$ 46,000.00</b>	<b>\$ 109,300.00</b>
<b>Project Total</b>	<b>\$ 248,450.00</b>	<b>\$ 51,500.00</b>	<b>\$ 299,950.00</b>

Mr. James Fisher  
F.M. 2551 Utility Relocations – Engineering Services Agreement Amendment No. 1  
November 9, 2011  
Page 3 of 3

If this amendment No. 1 meets with your approval, please sign and return one (1) original to our office. We are available to discuss this project further at your convenience.

Sincerely,



Gary C. Hendricks, P.E.

cc: Ms. Kim Lenoir

***APPROVED FOR THE CITY OF MURPHY***

By: \_\_\_\_\_

Date \_\_\_\_\_

**Issue**

Hold a public hearing and consider and/or act upon approval of an ordinance authorizing the City of Murphy to allow the “Goods-in-Transit” exemption per Tax Code Section 11.253, effective January 1, 2012.

**Background**

In the 2007 session, the Texas Legislature passed Tax Code Section 11.253 or the “Goods-in-Transit” exemption. The City of Murphy elected to allow the “Goods-in-Transit” exemption. During the 2011 special session, the legislature acted to significantly limit the applicability of section 11.253. This exemption now applies only to goods that are stored in a public warehouse owned by someone other than the owner of the goods. The law no longer exempts goods that are in a location for assembly, manufacturing, fabrication or processing, as was the case under the law passed in 2007.

What is Exempted? This law exempts goods, principally inventory, that are stored under a contract of bailment by a public warehouse operator at a public warehouse facility, that is in no way owned or controlled by the owner of the goods, provided such property is moved to another location in this state or out of state within 175 days after the goods were acquired in Texas or imported into Texas. The movement requirement could be satisfied by simply moving the good to another warehouse across the street.

Certain specific types of goods are presently excluded from this exemption: oil, natural gas, petroleum products, aircraft, dealer’s motor vehicle inventory, dealer’s vessel and outboard motor inventory, dealer’s heavy equipment inventory, or retail manufactured housing inventory.

What is the Impact on the City’s Tax Base? At present, this new law will probably have a limited impact because most goods are kept in facilities owned by the owners of the goods. However, this may change. Some owners of good that presently store them may move their goods into a public warehouse in order to obtain the tax exemption.

What Can the City Do? The governing body of each taxing unit in the state may act to tax these goods in the year following the year in which the governing body takes action. These goods will first become exempt in 2012. So if the City wishes to tax these types of goods in 2012, the City must act to tax the goods after October 1, 2011 and before December 31, 2011. The appraisal district must be informed of the City’s decision. A copy of the ordinance must be submitted to the appraisal district.

Before the City acts to tax or exempt these goods, a public hearing must be held. The legislature has prescribed no special procedures for this hearing, so it may be held at a meeting called for other purposes. The item must be listed on the agenda for that meeting as an action item in compliance with the Open Meetings Act, but there is no additional public notice required.

**Financial Considerations**

As the City has little or no inventory located within the City limits and the City currently exempts "Goods-in-Transit", the financial impact will be minimal.

**Staff Recommendation**

Motion to approve the ordinance authorizing the City of Murphy per Tax Code Section 11.253 to allow the exemption of "Goods-in-Transit" effective January 1, 2012.

**Attachments**

Ordinance

Goods-in-Transit Information

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MURPHY TO EXEMPT TANGIBLE PERSONAL PROPERTY IN TRANSIT FROM TAXATION PURSUANT TO TEXAS TAX CODE, SECTION 11.253.**

**WHEREAS**, the 82<sup>nd</sup> Texas Legislature in Special Session, enacted Senate Bill 1, to take effect on September 11, 2011, which would require a taxing unit to take action, in the required manner, after October 1, 2011, to provide for the taxation of goods-in-transit; and

**WHEREAS**, Tex. Tax Code §11.253(j-1) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

**WHEREAS**, the City Council of the City of Murphy, having conducted a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution, and Tex. Tax Code §11.253(j-1) is of the opinion that it is in the best interest of the City to exempt goods-in-transit from taxation;

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MURPHY THAT:** The goods-in-transit, as defined Texas Tax Code Section 11.253(a)(2), as amended by Senate Bill 1, enacted by the 82<sup>nd</sup> Texas Legislature in Special Session, shall not be subject to taxation by the City of Murphy, Texas.

Dated this 6th day of December, 2011.

\_\_\_\_\_  
Bret M. Baldwin, Mayor

Attested:

\_\_\_\_\_  
City Secretary

PerdueBrandonFielderCollins&MottLLP  
ATTORNEYS AT LAW



Howard Perdue  
(1933-2005)  
Larry Brandon  
James O. Collins  
Tery Ann White  
R. Bruce Medley  
Robert Mott  
Kevin Brennen  
Harold Lerew  
Jeanmarie Baer  
David A. Ellison  
Laura J. Monroe  
Tab Beall  
B. Lynn Stavinoha  
Michael J. Darlow  
Joseph T. Longoria  
David S. Crawford  
Donald B. Roseman  
Carl O. Sandin  
Jason Bailey  
Owen M. Sonik  
David Hudson  
R. Gregory East  
Elizabeth Banda Calvo  
Yolanda M. Humphrey  
John T. Banks  
Sandra Griffin  
Sergio E. Garcia  
E. Stephen Lee

1235 North Loop West  
Suite 600  
Houston, Texas 77009  
Telephone: 713-862-1860  
Facsimile: 713-896-0030  
www.pbfc.com

August 23, 2011

D'Layne Peoples Carter  
Hiram A. Gutierrez  
Michael J. Siwierka  
Thelma Banduch  
Christopher S. Jackson  
Eboney Cobb  
Charles E. Brady  
Adam J. Walker  
Alesha L. Williams  
Leslie M. Schkade  
Carol Barton  
D'Arwyn Daniels  
Galen Gatten, Jr.  
Pamela Gleason  
E. Derick Mendoza  
W. Tracy Crites, Jr.  
Michael W. Balcezak  
Veronica Leal Vasquez  
Guy A. "Tony" Fidelie, Jr.  
Jonathan Garza  
Olilia R. Gonzales  
Elizabeth A. Wiehle  
George Dowlen\*  
Terry G. Wiseman\*  
C. David Fielder\*  
Gregg M. McLaughlin\*  
\*Retired

Clients of the Firm

RE: New Exemption of "Goods-in-Transit" — Local Option to Tax

Dear Client:

In the 2007 session, the Texas Legislature passed Tax Code Section 11.253 or the "Goods-in-Transit" exemption as it is more commonly known. This legislation implemented a constitutional amendment that was passed several years before. This legislation was very similar to the "Freeport exemption" passed many years ago, but it had a potentially larger impact as time passed. At that time, we wrote you and advised you of your option to tax "goods-in-transit" and most of you did.

During the 2011 special session, the legislature acted to significantly limit the applicability of section 11.253. This exemption now applies only to goods that are stored in a public warehouse owned by someone other than the owner of the goods. The law no longer exempts goods that are in a location for assembly, manufacturing, fabrication or processing, as was the case under the law passed in 2007. The legislature revised and narrowed the law to address the author's issue: competition between Texas and New Mexico warehouse facilities. New Mexico does not tax such goods at all, so New Mexico warehouse owners had a competitive advantage.

This update to the law requires that you act within a narrow window of time if you want to continue to tax these goods for 2012. The update provides that **you must take action after October 1, 2011 but before December 31, 2011**, if you want to continue to tax such goods in 2012. You may later elect to tax such goods for subsequent years if you fail to act this year.

## **What is Exempted?**

This law exempts goods, principally inventory, that are stored under a contract of bailment by a public warehouse operator at a public warehouse facility, that is in no way owned or controlled by the owner of the goods, provided such property is moved to another location in this state or out of state within 175 days after the goods were acquired in Texas or imported into Texas. The movement requirement could be satisfied by simply moving the goods to another warehouse across the street.

Certain specific types of goods are presently excluded from this exemption: oil, natural gas, petroleum products, aircraft, dealer's motor vehicle inventory, dealer's vessel and outboard motor inventory, dealer's heavy equipment inventory, or retail manufactured housing inventory. Petroleum products are defined to be only the immediate derivatives of oil and natural gas, so some goods that you might think of as petroleum products may actually be exempted from taxation by this new law.

## **What is the Impact on Your Tax Base?**

At present, this new law will probably have a limited impact because most goods are kept in facilities owned by the owners of the goods. However, this may change. Some owners of goods that presently store them may move their goods into a public warehouse in order to obtain the tax exemption. It should be noted, however, that this pared down exemption has much less potential to reduce your tax base than the original statute.

## **What Can You Do?**

The governing body of each taxing unit in the state may act to tax these goods in the year following the year in which the governing body takes action. These goods will first become exempt in 2012. So if you wish to continue to tax these types of goods in 2012, you must act to tax the goods after October 1, 2011 and before December 31, 2011. You must inform all the appraisal districts in which your local government is located that you have acted to tax these goods. A copy of a resolution, order, or ordinance is the best way to document your decision to your appraisal district.

Before you act to tax these goods, you must hold a public hearing on the question of whether to tax them or whether to let them become exempt. The legislature has prescribed no special procedures for this hearing, so it may be held at a meeting of the governing body called for other purposes. The item must be listed on the agenda for that meeting as an action item in compliance with the Open Meetings Act, but there is no additional public notice required.

The legislature required that each taxing unit act in the manner required for official action by the governing body of the taxing unit. For counties, this means that action should be taken by an order of the commissioner's court. For cities, this means that action should be taken by an ordinance. For school districts and other taxing units, this means that action should be taken by resolution. A sample order, ordinance and resolution form is attached to this letter.

## **Special Note for School Districts**

The wealth lost to this exemption will be deducted from the taxable wealth of the school district as determined by the Comptroller for purposes of calculating state aid. Until the hold harmless provisions of House Bill 1 are removed, this will have little impact on the amount of state aid your school district receives. At present, the Comptroller's wealth estimate affects only the additional four cents that a school district may impose and the amount of certain types of facilities aid the district receives from the state (existing debt allotment and instructional facilities allotment).

We hope that this letter and the attached forms will help you make an informed decision on behalf of the taxpayers that you represent. If you should have any questions concerning this matter, please feel free to call your attorney at your local office or call me in Houston.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Mott", with a large, stylized initial "R" and a horizontal flourish extending to the right.

Robert Mott

## **Forms**

**[CLICK HERE](#) for the Word Document of the Resolution Form**

**[CLICK HERE](#) for the Word Document of the Order Form**

**[CLICK HERE](#) for the Word Document of the Ordinance Form**

## Tax Programs/Incentives



# Property Tax Economic Development Programs

## The Freeport and Goods in Transit Exemptions

### Sections 11.251, 11.437 and 11.253, Tax Code and Article 8, Sec. 1-j of the Texas Constitution

Section 11.251 of the Tax Code provides for a freeport exemption applying to goods, wares, ores and merchandise other than oil, gas and petroleum products (defined as liquid and gaseous materials immediately derived from refining petroleum or natural gas) and to aircraft or repair parts used by a certificated air carrier. The freeport goods qualify if they leave Texas within 175 days from the date they are brought into or acquired in the state.

However, for cotton stored in a warehouse to qualify for the freeport exemption, Section 11.437 provides that the warehouse operator may file a one-time application for the exemption. Property qualifies as freeport goods whether or not the person who transports it out of the state was the person who owned the property on Jan. 1. Taxing units may elect to tax the goods notwithstanding the above.

[View Application Form 50-113 \(PDF\)](#)

Section 11.253 provides an exemption for “goods in transit”, described as goods acquired inside or outside the state, detained at a facility in which the owner of the goods has no direct or indirect ownership of the facility, detained for assembling, storing, manufacturing, processing, or fabricating purposes by the person who acquired or imported the property, and then shipped to another location in or out of this state within 175 days. The goods do not include oil, gas or petroleum products or special inventories such as motor vehicles or boats in a dealer’s retail inventory. Taxing units may elect to tax the goods notwithstanding the above.

[View Application Form 50-758 \(PDF\)](#)

### More Resources:

- [Texas Tax Code §11.251](#)
- [Texas Tax Code §11.437](#)
- [Texas Tax Code §11.253](#)
- [Article 8, Sec. 1-j of the Texas Constitution](#)
- **Annual Property Tax Reports**
  - [Tax Year 2009 - Issued January 2011](#)
  - [Tax Year 2008 - Issued February 2010](#)
  - [Tax Year 2007 - Issued December 2008](#)

Required Plug-ins

[ [Adobe Reader](#); ]

## Tax-Related State and Local Economic Development Programs

For additional information, contact the Comptroller's Property Tax Assistance Division at (800) 252-9121, or at (512) 305-9999. More information is available at [www.statutes.legis.state.tx.us/Docs/TX/htm/TX.111.htm#111.301](http://www.statutes.legis.state.tx.us/Docs/TX/htm/TX.111.htm#111.301); and [info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rloc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=34&pt=1&ch=9&rl=105](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=34&pt=1&ch=9&rl=105).

### **The Freeport and Goods in Transit Exemptions Sections 11.251, 11.436 and 11.253, Tax Code**

Section 11.251 of the Tax Code provides for a freeport exemption applying to goods, wares, ores and merchandise other than oil, gas and petroleum products (defined as liquid and gaseous materials immediately derived from refining petroleum or natural gas) and to aircraft or repair parts used by a certificated air carrier. The freeport goods qualify if they leave Texas within 175 days from the date they are brought into or acquired in the state.

However, for cotton stored in a warehouse to qualify for the freeport exemption, Section 11.436 provides that the warehouse operator may file a one-time application for the exemption. Property qualifies as freeport goods whether or not the person who transports it out of the state was the person who owned the property on Jan. 1. Taxing units may elect to tax the goods notwithstanding the above. Application Form 50-113 is available at [www.window.state.tx.us/taxinfo/taxforms/50-113.pdf](http://www.window.state.tx.us/taxinfo/taxforms/50-113.pdf).

Section 11.253 provides an exemption for "goods in transit", described as goods acquired inside or outside the state, detained at a facility in which the owner of the goods has no direct or indirect ownership of the facility, detained for assembling, storing, manufacturing, processing, or fabricating purposes by the person who acquired or imported the property, and then shipped to another location in or out of this state within 175 days. The goods do not include oil, gas or petroleum products or special inventories such as motor vehicles or boats in a dealer's retail inventory. Taxing units may elect to tax the goods notwithstanding the above. Application Form 50-758 is available at [www.window.state.tx.us/taxinfo/taxforms/50-758.pdf](http://www.window.state.tx.us/taxinfo/taxforms/50-758.pdf).

For additional information, contact the Comptroller's Property Tax Assistance Division at (800) 252-9121, or at (512) 305-9999. More information is available at



[www.statutes.legis.state.tx.us/Docs/TX/htm/TX.11.htm](http://www.statutes.legis.state.tx.us/Docs/TX/htm/TX.11.htm); and [www.window.state.tx.us/taxinfo/proptax/annual07/96-318-08.pdf](http://www.window.state.tx.us/taxinfo/proptax/annual07/96-318-08.pdf).

## II. Sales Taxes

### **Development Corporation Act of 1979 Chapters 501-505, Local Government Code**

The Development Corporation Act of 1979 authorizes cities to adopt a sales and use tax and establish a Type A or a Type B economic development corporation, or both, to administer the tax funds, provided that city voters approve this special, dedicated tax at an election held for that purpose.

All cities located in a county with a population of less than 500,000 may impose the Type A sales tax if the new combined local sales tax rate would not exceed 2 percent. Some cities located in counties with a population of 500,000 or

**“GOODS IN TRANSIT” EXEMPTION TAKES EFFECT  
FOR TEXAS TAXING AUTHORITIES JANUARY 1, 2008**

For Texas counties, cities, school districts, water districts, and other taxing units, the legislatively imposed ad valorem tax exemption for goods in transit goes into effect January 1, 2008. The purpose of this briefing is to remind local government taxing units that for the 2008 tax year, taxing units that wish to continue the ad valorem tax on goods in transit must take official action to impose the tax by December 31, 2007.

***Goods in Transit***

“Goods in transit” exempted from ad valorem tax are tangible personal property acquired inside or outside the state which are stored for assembly, storage, manufacture, processing or fabrication. The location where the goods are stored may not be owned by the goods’ owner. The goods must be transferred to another location inside or outside the state within 175 days after delivery to the initial storage location.

“Goods in transit” excludes aircraft, oil, natural gas, petroleum products (defined as immediate derivatives of oil and natural gas), dealers’ motor vehicle inventories, dealers’ vessel and outboard motor inventories, dealers’ heavy equipment inventories or retail manufactured housing inventories.

***The Potential Impact on Tax Revenues***

The exemption imposed by the legislature encourages owners of goods to transfer ownership of existing storage facilities to other legal entities or to store goods with third parties. The law clearly benefits companies that store goods for assembly and shipping at third-party facilities. The result over time is likely to be more tangible personal property qualifying for the exemption and a subsequent reduction in tax revenues, at least for those taxing units with substantial commercial property.

There are good reasons for exempting goods in transit from ad valorem taxation, including encouragement of economic development. A taxing unit that subsequently determines that the exemption from the tax on goods in transit is desirable may repeal or rescind its tax and reimpose the exemption. A taxing unit that does not impose the tax in 2008 may impose the tax in subsequent tax years.

***Actions Taxing Authorities Can Take***

To repeal the exemption for 2008, the taxing unit must first hold a public hearing considering the imposition of the tax. Following the hearing, the governing body of a taxing unit may provide for the taxation of goods in transit in the manner required for its official action. If action to impose the tax is taken, the taxing unit must notify the appraisal districts which appraise property within the taxing unit’s jurisdiction. We recommend sending a copy of the official action, the resolution, order or ordinance, to each affected appraisal district.

The key message for those wishing to continue taxing goods in transit in 2008 is to act *quickly*.

§

This article was prepared by Neil Thomas (nthomas@fulbright.com or 713 651 3613), from Fulbright’s Public Finance Practice Group. If you have additional questions, please contact any of the following Texas-based Fulbright Public Finance partners:

**Issue**

Consider and/or act upon the approval of an ordinance amending the FY 2010-2011 budget for the General Fund, Utility Fund, Economic Development Corporation (4A), Community Development Corporation (4B) and Debt Service Fund.

**Background**

The original budgets were adopted at the departmental level and may be amended throughout the fiscal year. During the course of the fiscal year there were changes in the needs of the City which require reductions in some departmental expenditures and increases in others. There were increases/decreases in various revenues, primarily in the sales tax, franchise tax and court revenues. This final budget amendment for the 2010-2011 fiscal year reflects these revenue and expenditure changes.

The General Fund experienced an increase of revenues of approximately \$251,000 and several of the departmental expenditure budgets were reallocated. City Council budget was increased by \$67,000 to accommodate the legal expense of approximately \$237,000, Community Development budget was increased by \$50,000 for the plan review and building inspections of approximately \$132,000 and Municipal Court was increase by \$5,000 to cover the costs of housing of prisoners in the Collin County Jail and for the judge and prosecuting attorney. These increases were absorbed by the savings of the cost of electricity in Fire of \$33,000, Police of \$32,000 and Facilities of \$20,000 and savings of \$37,000 in the maintenance of the buildings.

The Utility Fund experienced an increase of water sales and a decrease of sewer sales which netted approximately an increase of \$448,000 in revenues for the fiscal year. However, Water Distribution expenditures increased as the result of an increase of water purchases from North Texas Municipal Water District and the purchase of additional water meters.

The Economic Development Corporation (4A) and Community Development Corporation (4B) have increases of sales tax revenues and increases and decreases to expenditures that require a budget amendment.

The Debt Service Fund experienced an increase of interest payment as the result of the refinancing of bonds that require a budget amendment.

**Financial Considerations**

Per the annual audit of September 30, 2010, the unrestricted General Fund Balance is \$2,584,627. With this budget amendment increasing revenues by \$251,400 the projected unrestricted General Fund Balance at September 30, 2011 is \$2,707,627 an increase of \$123,000 (an increase of revenues of \$251,400 less the \$128,400 use of fund balance). The Utility Fund projected revenues less expenses is \$394,300 approximately \$351,000 greater than budgeted. The annual audit for the Fiscal Year 2010-2011 will provide the City with the final Fund Balances.

**Staff Recommendation**

Motion to approve ordinance amending the FY 2010-2011 budget for the General Fund, Utility Fund, Economic Development Corporation (4A), Community Development Corporation (4B), and Debt Service Fund.

**Attachments**

Ordinance

Exhibit A - Budget Amendment

ORDINANCE NO. 11-\_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AUTHORIZING CERTAIN BUDGET AMENDMENTS PERTAINING TO THE FISCAL YEAR 2010-2011 BUDGET; AND PROVIDING FOR SAID ORDINANCE TO TAKE IMMEDIATE EFFECT.**

**WHEREAS**, chapter 102 of the Texas Local Government Code, as amended, governs municipal budgets and provides that the chapter does not prevent the City Council of the City of Murphy, Texas, from making changes in the budget for municipal purposes; and

**WHEREAS**, section 7.09 of the City of Murphy Home-Rule Charter authorizes the amending of the fiscal year 2010-2011 budget; and

**WHEREAS**, as required by the City Charter, the City Manager has prepared an amendment to certain revenues and expenditures in the fiscal year 2010-2011 budget and submitted same to the City Council for its approval and a true and correct copy is attached as *Exhibit A*.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS:**

**Section 1. FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set herein.

**Section 2.** That pursuant to the City Charter requirements of the City of Murphy, Texas, the budget amendment for fiscal year 2010-2011 attached as *Exhibit A* is hereby authorized and approved.

**Section 3.** That pursuant to the City Charter requirements this Ordinance and budget amendment shall become an attachment to the original budget.

**Section 4.** That this Ordinance shall become effective from and after its passage and it is so ordained.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this 6th day of December, 2011.

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Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:

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Aimee Nemer, City Secretary  
City of Murphy

APPROVED AS TO FORM AND LEGALITY:

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Wm. Andrew Messer, City Attorney

*Exhibit A*

**City of Murphy**  
**FY 2011 Approved Budget Summary**

	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
<b>General Fund</b>	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>Beginning Fund Balance</b>	<b>926,295</b>	<b>1,122,035</b>	<b>1,647,613</b>	<b>2,075,368</b>		<b>2,075,368</b>
<b>Revenues</b>						
Total Property Taxes	4,790,766	4,857,000	4,961,000	4,741,000	(55,000)	4,686,000
Total Sales Tax	795,139	750,000	850,000	905,000	47,000	952,000
Total Franchise Tax	809,385	760,000	739,800	751,100	67,200	818,300
Total Permits & Licenses	578,888	400,000	655,700	633,700	23,000	656,700
Total Other Revenue	539,557	412,000	541,900	555,700	15,900	571,600
Total Court Revenue	445,272	400,000	390,000	390,000	150,000	540,000
Total Solid Waste	738,486	763,000	788,500	816,900	3,300	820,200
<b>Total Revenues</b>	<b>8,697,492</b>	<b>8,342,000</b>	<b>8,926,900</b>	<b>8,793,400</b>	<b>251,400</b>	<b>9,044,800</b>
Transfer from Utility Fund	850,000	850,000	850,000	850,000	-	850,000
Total Other Sources	850,000	850,000	850,000	850,000	-	850,000
<b>Revenues &amp; Other Sources Less Expenditures &amp; Other (Uses)</b>	<b>9,547,492</b>	<b>9,192,000</b>	<b>9,776,900</b>	<b>9,643,400</b>	<b>251,400</b>	<b>9,894,800</b>
<b>Category Expenses</b>						
Total Personnel Services	5,714,242	5,599,700	5,447,100	5,789,400	-	5,789,400
Total Materials & Supplies	422,903	523,000	471,920	553,700	-	553,700
Total Contractual Services	2,476,036	2,706,600	2,652,425	3,016,200	-	3,016,200
Total Capital Outlay	123,888	118,200	430,800	412,500	-	412,500
Proposed Additional Capital	-	-	292,000	-	-	-
Total Debt Service	-	54,900	54,900	-	-	-
Reserves	-	143,000	-	-	-	-
<b>Total Expenses</b>	<b>8,737,068</b>	<b>9,145,400</b>	<b>9,349,145</b>	<b>9,771,800</b>	<b>-</b>	<b>9,771,800</b>
<b>Transfer Out</b>	<b>89,106</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Revenues less Expenses</b>	<b>721,318</b>	<b>46,600</b>	<b>427,755</b>	<b>(128,400)</b>	<b>251,400</b>	<b>123,000</b>
<b>Ending Fund Balance</b>	<b>1,647,613</b>	<b>1,168,635</b>	<b>2,075,368</b>	<b>1,946,968</b>	<b>251,400</b>	<b>2,198,368</b>

**City of Murphy**  
**FY 2011 Approved Budget Summary**

<b>General Fund</b>	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>Departmental Expenses</b>						
Total Administration	356,410	399,700	381,250	416,600	-	416,600
Total Human Resources	124,623	129,000	127,150	162,950	-	162,950
Total Information Technology	178,781	215,700	208,100	343,850	-	343,850
Total City Council	269,532	296,000	280,650	280,000	67,000	347,000
Total City Secretary	211,450	163,500	143,120	171,150	-	171,150
Total Finance	350,015	394,300	375,975	393,800	-	393,800
Total Fire	1,927,746	1,991,100	1,929,550	2,028,000	(33,000)	1,995,000
Total Public Works	223,039	244,300	237,800	250,100	-	250,100
Total Facilities	324,959	322,100	375,200	463,300	(57,000)	406,300
Total Community Development	487,534	482,900	452,950	477,600	50,000	527,600
Total Police	2,607,237	2,621,600	2,788,000	2,865,000	(32,000)	2,833,000
Total Animal Control	68,406	75,400	63,400	68,700	-	68,700
Total Parks	767,027	816,800	860,150	986,400	-	986,400
Total Municipal Court	231,020	208,000	210,850	208,650	5,000	213,650
Total Solid Waste	609,288	642,000	623,000	655,700	-	655,700
Proposed Additional Capital	-	-	292,000	-	-	-
<b>Total Expenses</b>	<b>8,737,068</b>	<b>9,002,400</b>	<b>9,349,145</b>	<b>9,771,800</b>	<b>-</b>	<b>9,771,800</b>
<b>Reserves</b>	<b>-</b>	<b>143,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Revenue Less Expenses</b>	<b>810,424</b>	<b>46,600</b>	<b>427,755</b>	<b>(128,400)</b>	<b>251,400</b>	<b>123,000</b>
Transfer Out	89,106	-	-	-	-	-
<b>Ending Fund Balance</b>	<b>1,647,613</b>	<b>1,168,635</b>	<b>2,075,368</b>	<b>1,946,968</b>	<b>251,400</b>	<b>2,198,368</b>

**City of Murphy**  
**FY2011 Approved Budget**

	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>REVENUES</b>						
<b>10 -GENERAL FUND</b>						
<b>PROPERTY TAXES</b>						
4000-4000-0000 CURRENT PROPERTY TAXES	4,707,741	4,767,000	4,880,000	4,660,000	(12,000)	4,648,000
4000-4005-0000 DELINQUENT PROPERTY TAXES	51,467	60,000	48,000	48,000	(32,000)	16,000
4000-4010-0000 PENALTY & INTEREST	31,558	30,000	33,000	33,000	(11,000)	22,000
<b>TOTAL PROPERTY TAXES</b>	<b>4,790,766</b>	<b>4,857,000</b>	<b>4,961,000</b>	<b>4,741,000</b>	<b>(55,000)</b>	<b>4,686,000</b>
<b>NON-PROPERTY TAXES</b>						
4000-4060-0000 SALES & USE TAX	795,139	750,000	850,000	905,000	47,000	952,000
<b>TOTAL NON-PROPERTY TAXES</b>	<b>795,139</b>	<b>750,000</b>	<b>850,000</b>	<b>905,000</b>	<b>47,000</b>	<b>952,000</b>
<b>FRANCHISE TAXES</b>						
4000-4100-0000 GAS FRANCHISE TAX	124,330	126,000	91,200	92,000	15,000	107,000
4000-4105-0000 ELECTRIC FRANCHISE TAX	449,884	458,000	423,300	428,000	36,000	464,000
4000-4110-0000 TELEPHONE	159,547	125,000	177,000	182,100	25,000	207,100
4000-4111-0000 CABLE TV	64,129	36,000	37,900	38,000	(10,000)	28,000
4000-4113-0000 GARBAGE FRANCHISE TAX	11,496	15,000	10,400	11,000	1,200	12,200
<b>TOTAL FRANCHISE TAXES</b>	<b>809,385</b>	<b>760,000</b>	<b>739,800</b>	<b>751,100</b>	<b>67,200</b>	<b>818,300</b>
<b>PERMITS &amp; LICENSES</b>						
4000-4200-0000 BUILDING PERMIT	264,639	175,000	350,000	350,000	14,000	364,000
4000-4203-0000 REINSPECTION FEES	73,522	53,000	45,000	49,000	(11,000)	38,000
4000-4204-0000 ZONING/PLATTING	15,742	8,000	22,000	5,000	8,000	13,000
4000-4205-0000 ALARM PERMIT	35,297	33,000	36,000	36,000	(2,000)	34,000
4000-4206-0000 ANIMAL CONTROL	10,937	14,000	20,700	20,700	5,000	25,700
4000-4207-0000 CONTRACTOR REGISTRATION	38,750	17,000	32,000	32,000	2,000	34,000
4000-4209-0000 MISCELLANEOUS PERMITS	140,000	100,000	150,000	141,000	7,000	148,000
<b>TOTAL PERMITS &amp; LICENSES</b>	<b>578,888</b>	<b>400,000</b>	<b>655,700</b>	<b>633,700</b>	<b>23,000</b>	<b>656,700</b>
<b>OTHER REVENUE</b>						
4000-4300-0000 MISCELLANEOUS REVENUE	34,180	12,000	40,000	40,000	(13,000)	27,000
4000-4301-0000 OPEN RECORDS FEES	282	250	300	300	(200)	100
4000-4305-0000 INTEREST INCOME	15,034	15,000	7,000	7,100	(700)	6,400
4000-4306-0000 POLICE REVENUES	19,876	26,800	12,000	25,300	8,000	33,300
4000-4307-0000 MISCELLANEOUS PARK REVENUES	39,996	36,700	45,000	45,000	9,000	54,000
4000-4330-0000 DRAINAGE FEES	193,737	192,000	196,000	198,400	1,600	200,000
4000-4341-0000 DRAINAGE PENALTIES	2,206	2,300	2,200	2,000	-	2,000
4000-4342-0000 4A/4B SUPPORT	52,000	50,000	50,000	50,000	-	50,000
4000-4343-0000 TCLEOSE FUNDS	2,198	2,200	2,100	-	-	-
4000-4345-0000 POLICE DONATIONS	2,500	-	200	-	1,300	1,300
4000-4346-0000 FIRE DONATIONS	5,305	-	100	-	1,700	1,700
4000-4347-0000 FIRE GRANTS	10,552	-	-	-	-	-
4000-4350-0000 EMS REVENUES	143,483	74,750	174,000	177,600	(15,000)	162,600
4000-4360-0000 ANIMAL CONTROL DONATIONS	-	-	2,500	-	-	-
4000-4370-0000 CITY CELEBRATION DONATIONS	2,290	-	500	-	19,900	19,900
4000-4380-0000 RECYCLE REBATES	15,918	-	10,000	10,000	3,300	13,300

**City of Murphy  
FY2011 Approved Budget**

REVENUES	FY09 Actual	FY10 Budget	FY10 Projected	FY11 Approved	FY11 Adjustment	FY11 Amended
<b>TOTAL OTHER REVENUE</b>	539,557	412,000	541,900	555,700	15,900	571,600
<b>MUNICIPAL COURT REVENUE</b>						
4000-4600-0000 MUNICIPAL COURT FINES	445,272	400,000	390,000	390,000	150,000	540,000
<b>TOTAL MUNICIPAL COURT REVENUE</b>	<b>445,272</b>	<b>400,000</b>	<b>390,000</b>	<b>390,000</b>	<b>150,000</b>	<b>540,000</b>
<b>SOLID WASTE REVENUES</b>						
4000-4325-0000 SOLID WASTE	729,992	754,000	780,000	808,800	2,000	810,800
4000-4340-0000 SOLID WASTE PENALTIES	8,494	9,000	8,500	8,100	1,300	9,400
<b>TOTAL SOLID WASTE REVENUES</b>	738,486	763,000	788,500	816,900	3,300	820,200
<b>TOTAL REVENUES</b>	<b>8,697,492</b>	<b>8,342,000</b>	<b>8,926,900</b>	<b>8,793,400</b>	<b>251,400</b>	<b>9,044,800</b>
<b>OTHER SOURCES</b>						
TRANSFER FROM U/F	850,000	850,000	850,000	850,000	-	850,000
<b>TOTAL OTHER SOURCES</b>	850,000	850,000	850,000	850,000	-	850,000
<b>TOTAL REVENUE &amp; OTHER SOURCES</b>	<b>9,547,492</b>	<b>9,192,000</b>	<b>9,776,900</b>	<b>9,643,400</b>	<b>251,400</b>	<b>9,894,800</b>

**City of Murphy  
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	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>CITY COUNCIL</b>						
MATERIALS & SUPPLIES						
5411-2101-0000 GENERAL OFFICE SUPPLIES	621	300	600	300		300
5411-2106-0000 SOFTWARE SUBSCRIPTIONS	200	-	-	-	-	-
5411-2501-0000 COMMUNITY RELATIONS	10,389	15,000	15,000	25,000	-	25,000
5411-2502-0000 EMPLOYEE RELATIONS	2,834	-	-	-	-	-
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>14,044</b>	<b>15,300</b>	<b>15,600</b>	<b>25,300</b>	<b>-</b>	<b>25,300</b>
CONTRACTUAL SERVICES						
5411-3102-0000 CONSULTANT SERVICES	26,946	-	8,500	-	-	-
5411-3103-0000 LEGAL	177,816	230,000	230,000	170,000	67,000	237,000
5411-3107-0000 COUNCIL REIMBURSEMENT	11,250	16,500	16,500	16,500	-	16,500
5411-3202-0000 POSTAGE AND FREIGHT	54	-	-	-	-	-
5411-3203-0000 TRAINING AND TRAVEL	27,248	2,500	3,000	10,000	-	10,000
5411-3703-0000 CELL/PAGERS/RADIOS	1,202	-	350	-	-	-
5411-3901-0000 DUES & MEMBERSHIPS	10,972	6,700	6,700	8,200	-	8,200
5411-3940-0000 COUNCIL CONTINGENCY	-	25,000	-	50,000	-	50,000
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>255,489</b>	<b>280,700</b>	<b>265,050</b>	<b>254,700</b>	<b>67,000</b>	<b>321,700</b>
<b>TOTAL CITY COUNCIL</b>	<b>269,532</b>	<b>296,000</b>	<b>280,650</b>	<b>280,000</b>	<b>67,000</b>	<b>347,000</b>

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	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>FIRE</b>						
<b>PERSONNEL SERVICES</b>						
5440-1001-0000 SALARIES	1,051,234	1,080,300	1,066,000	1,161,000	-	1,161,000
5440-1005-0000 OVERTIME	122,672	95,000	90,000	83,300	-	83,300
5440-1006-0000 LONGEVITY	2,640	4,000	3,000	4,300	-	4,300
5440-1007-0000 PART TIME	12,056	-	-	-	-	-
5440-1009-0000 TMRS	113,782	129,000	127,500	141,400	-	141,400
5440-1011-0000 SOCIAL SECURITY	16,659	17,400	16,700	18,200	-	18,200
5440-1012-0000 GROUP INSURANCE	191,345	209,000	198,000	220,500	-	220,500
<b>TOTAL PERSONNEL SERVICES</b>	<b>1,510,389</b>	<b>1,534,700</b>	<b>1,501,200</b>	<b>1,628,700</b>	-	<b>1,628,700</b>
<b>MATERIALS &amp; SUPPLIES</b>						
5440-2101-0000 GENERAL OFFICE SUPPLIES	2,736	1,500	1,300	1,200	-	1,200
5440-2102-0000 MAGAZINES/MAPS/BOOKS	1,694	2,700	2,700	2,800	-	2,800
5440-2104-0000 DATA PROCESSING SUPPLIES	249	300	400	500	-	500
5440-2106-0000 SOFTWARE SUBSCRIPTIONS	5,791	15,400	15,300	19,900	-	19,900
5440-2203-0000 MEDICAL SUPPLIES	17,196	19,500	17,500	19,500	-	19,500
5440-2204-0000 MOTOR VEHICLE FUEL	10,674	17,500	12,500	15,000	-	15,000
5440-2205-0000 JANITORIAL SUPPLIES	2,236	2,400	2,200	3,000	-	3,000
5440-2208-0000 PHOTOGRAPHIC SUPPLIES	216	1,000	1,000	200	-	200
5440-2209-0000 UNIFORMS	28,768	34,500	34,000	34,500	-	34,500
5440-2220-0000 LAUNDRY AND CLEANING	432	3,600	900	4,800	-	4,800
5440-2222-0000 FOODS	1,068	300	500	5,600	-	5,600
5440-2230-0000 FIELD SUPPLIES	-	-	-	1,000	-	1,000
5440-2240-0000 FIRE PREVENTION PROGRAM	5,196	4,000	3,800	4,000	-	4,000
5440-2301-0000 BUILDINGS/GROUNDS SUP.	541	700	1,600	700	-	700
5440-2312-0000 MOTOR VEHICLE SUPPLIES	3,782	11,600	6,500	6,400	-	6,400
5440-2315-0000 FIRE FIGHTING EQPT.	5,428	9,400	8,100	7,300	-	7,300
5440-2401-0000 MINOR TOOLS & EQPT.	3,196	2,600	2,600	2,100	-	2,100
5440-2402-0000 FURNITURE & FIXTURE	8,503	-	2,800	-	-	-
5440-2403-0000 COMPUTER HARD. & SOFT.	3,706	700	350	-	-	-
5440-2501-0000 COMMUNITY RELATIONS	424	-	100	6,400	-	6,400
5440-2601-0000 AMBULANCE SUPPLIES	1,633	1,500	1,200	2,000	-	2,000
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>103,470</b>	<b>129,200</b>	<b>115,350</b>	<b>136,900</b>	-	<b>136,900</b>
<b>CONTRACTUAL SERVICES</b>						
5440-3102-0000 CONSULTANT SERVICES	15,067	32,500	28,000	45,800	-	45,800
5440-3104-0000 MED. SERVICES/PREEMPLOYMENT	6,223	2,000	4,000	2,000	-	2,000
5440-3202-0000 POSTAGE & FREIGHT	1,285	2,000	400	500	-	500
5440-3203-0000 TRAVEL AND TRAINING	6,246	11,500	11,000	18,400	-	18,400
5440-3301-0000 AD. AND PUBLIC NOTICES	-	500	200	500	-	500
5440-3302-0000 PRINTING AND BINDING	395	900	500	500	-	500
5440-3405-0000 WORKERS COMPENSATION	24,189	34,000	28,700	33,000	-	33,000
5440-3407-0000 UNEMPLOYMENT	-	10,200	10,600	-	-	-
5440-3501-0000 ELECTRICITY	105,842	101,200	97,000	83,000	(33,000)	50,000
5440-3502-0000 GAS	6,070	7,500	7,700	6,600	-	6,600
5440-3601-0000 BUILDING/STRUCTURE IMPVTS	6,826	4,000	3,800	4,000	-	4,000
5440-3604-0000 MOTOR VEHICLE REPAIRS	12,720	16,200	14,000	18,700	-	18,700

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	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>FIRE</b>						
5440-3608-0000 RADIO & RADAR R & M	6,926	8,200	7,000	-	-	-
5440-3613-0000 PUBLIC SAFETY EQPT. R & M	3,520	13,900	10,400	13,200	-	13,200
5440-3702-0000 RENTAL OFFICE EQPT.	4,325	5,700	5,900	5,700	-	5,700
5440-3703-0000 CELL/PAGERS/RADIOS	3,103	7,500	6,000	8,200	-	8,200
5440-3901-0000 DUES & MEMBERSHIP	2,509	3,200	3,000	4,600	-	4,600
5440-3914-0000 PENSION CONTRIBUTION	576	700	200	-	-	-
5440-3916-0000 OPERATIONS AND SAFETY PRO	3,796	-	-	-	-	-
5440-3920-0000 AMBULANCE BILLING FEES	17,653	15,000	21,600	17,700		17,700
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>227,269</b>	<b>276,700</b>	<b>260,000</b>	<b>262,400</b>	<b>(33,000)</b>	<b>229,400</b>
<b>CAPITAL OUTLAY</b>						
5440-4303-0000 MOTOR VEHICLES	-	40,000	40,000	-	-	-
5440-4305-0000 SPECIAL EQUIPMENT	39,755	10,500	13,000	-	-	-
5440-4310-0000 EMERGENCY MANAGEMENT EQUIP	46,862	-	-	-	-	-
<b>TOTAL CAPITAL OUTLAY</b>	<b>86,618</b>	<b>50,500</b>	<b>53,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL FIRE</b>	<b>1,927,746</b>	<b>1,991,100</b>	<b>1,929,550</b>	<b>2,028,000</b>	<b>(33,000)</b>	<b>1,995,000</b>

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	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>FACILITIES</b>						
<b>PERSONNEL SERVICES</b>						
5451-1001-0000 SALARIES	37,054	-	-	-	-	-
5451-1005-0000 OVERTIME	1,456	-	-	-	-	-
5451-1006-0000 LONGEVITY	135	-	-	-	-	-
5451-1009-0000 TMRS	3,990	-	-	-	-	-
5451-1011-0000 SOCIAL SECURITY/MEDICARE	532	-	-	-	-	-
5451-1012-0000 GROUP INSURANCE	3,333	-	-	-	-	-
<b>TOTAL PERSONNEL SERVICES</b>	<b>46,500</b>	-	-	-	-	-
<b>MATERIALS &amp; SUPPLIES</b>						
5451-2204-0000 FUEL	618	-	100	-	-	-
5451-2205-0000 JANITORIAL SUPPLIES	3,740	17,000	15,000	20,000	-	20,000
5451-2301-0000 BUILDING & GROUNDS	22,895	31,000	22,000	30,000	-	30,000
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>27,252</b>	<b>48,000</b>	<b>37,100</b>	<b>50,000</b>	-	<b>50,000</b>
<b>CONTRACTUAL SERVICES</b>						
5451-3201-0000 TELEPHONE	42,878	45,000	42,000	41,000	-	41,000
5451-3202-0000 POSTAGE & FREIGHT	12	100	-	-	-	-
5451-3405-0000 WORKERS COMP	1,646	-	-	-	-	-
5451-3407-0000 UNEMPLOYMENT INS	13,433	-	-	-	-	-
5451-3501-0000 ELECTRICITY	44,871	49,000	43,500	54,600	(20,000)	34,600
5451-3502-0000 GAS	3,350	8,000	3,700	4,700	-	4,700
5451-3601-0000 BUILDING & GROUNDS CONTRACTS	114,291	131,000	200,000	60,000	(37,000)	23,000
Building & Grounds Repairs	-	-	-	150,000	-	150,000
5451-3604-0000 MOTOR VEHICLE REPAIRS	524	-	400	-	-	-
5451-3703-0000 CELL/PAGERS/RADIOS	450	-	-	-	-	-
5451-3904-0000 JANITORIAL SERVICES	29,752	41,000	41,000	53,000	-	53,000
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>251,207</b>	<b>274,100</b>	<b>330,600</b>	<b>363,300</b>	<b>(57,000)</b>	<b>306,300</b>
<b>CAPITAL</b>						
5451-4301-0000 FURNITURE	-	-	7,500	-	-	-
5451-4201-0000 BLDGS, FIX & GROUNDS	-	-	-	50,000	-	50,000
<b>TOTAL CAPITAL OUTLAY</b>	-	-	<b>7,500</b>	<b>50,000</b>	-	<b>50,000</b>
<b>TOTAL FACILITIES</b>	<b>324,959</b>	<b>322,100</b>	<b>375,200</b>	<b>463,300</b>	<b>(57,000)</b>	<b>406,300</b>

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	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>COMMUNITY DEVELOPMENT</b>						
PERSONNEL SERVICES						
5455-1001-0000 SALARIES	292,427	290,500	259,000	255,400	-	255,400
5455-1005-0000 OVERTIME	58	500	500	600	-	600
5455-1006-0000 LONGEVITY	874	1,200	1,000	1,200	-	1,200
5455-1009-0000 TMRS	28,404	32,000	28,800	29,300	-	29,300
5455-1011-0000 SOCIAL SECURITY	4,029	4,300	3,800	3,800	-	3,800
5455-1012-0000 GROUP INSURANCE	30,344	33,500	30,000	28,200	-	28,200
<b>TOTAL PERSONNEL SERVICES</b>	<b>356,137</b>	<b>362,000</b>	<b>323,100</b>	<b>318,500</b>	-	<b>318,500</b>
MATERIALS & SUPPLIES						
5455-2101-0000 GENERAL OFFICE SUPPLIES	2,303	4,200	2,500	4,500	-	4,500
5455-2102-0000 MAGAZINES/MAPS/BOOKS		5,000	1,000	6,000	-	6,000
5455-2104-0000 DATA PROCESSING SUPPLIES		1,000	500	1,000	-	1,000
5455-2106-0000 SOFTWARE SUBSCRIPTIONS	400	500	400	500	-	500
5455-2204-0000 MOTOR VEHICLE FUEL	1,168	2,300	1,800	2,500	-	2,500
5455-2209-0000 UNIFORMS		600	300	500	-	500
5455-2312-0000 MOTOR VEHICLE SUPPLIES	25	2,000	1,500	2,500	-	2,500
5455-2401-0000 MINOR TOOLS & EQPT.	376	700	300	500	-	500
5455-2403-0000 COMPUTER HARDWARE & SOFTWARE	1,327			-	-	-
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>5,598</b>	<b>16,300</b>	<b>8,300</b>	<b>18,000</b>	-	<b>18,000</b>
CONTRACTUAL SERVICES						
5455-3102-0000 CONSULTANT SERVICES	1,147	-	-	-	-	-
5455-3105-0000 ENGINEERING SERVICES	18,537	20,000	40,000	50,000	50,000	100,000
5455-3106-0000 DATA PROCESSING		3,600	900	3,600	-	3,600
5455-3108-0000 RECORDING FEES	(540)			-	-	-
5455-3110-0000 INSPECTION FEES	62,952	24,700	25,000	45,000	-	45,000
5455-3113-0000 HEALTH INSPECTION FEES	8,775	11,000	10,000	12,000	-	12,000
5455-3202-0000 POSTAGE & FREIGHT	993	1,200	1,800	2,000	-	2,000
5455-3203-0000 TRAVEL AND TRAINING	3,110	7,500	7,500	7,800	-	7,800
5455-3301-0000 AD. AND PUBLIC NOTICES	7,679	5,000	7,500	8,000	-	8,000
5455-3302-0000 PRINTING AND BINDING	632	1,000	200	2,000	-	2,000
5455-3405-0000 WORKERS COMPENSATION	1,681	2,100	1,400	2,700	-	2,700
5455-3407-0000 UNEMPLOYMENT	15,081	-	-	-	-	-
5455-3603-0000 OFFICE EQPT. REPAIRS		500		500	-	500
5455-3604-0000 MOTOR VEHICLE REPAIRS	1,039	1,000	250	1,000	-	1,000
5455-3703-0000 CELL/PAGERS/RADIOS	3,993	4,000	4,000	4,000	-	4,000
5455-3901-0000 DUES & MEMBERSHIP	720	2,000	2,000	2,500	-	2,500
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>125,800</b>	<b>83,600</b>	<b>100,550</b>	<b>141,100</b>	<b>50,000</b>	<b>191,100</b>
CAPITAL OUTLAY						
5455-4390-0000 COMPUTER HARDWARE	-	21,000	21,000	-	-	-
TOTAL CAPITAL OUTLAY	-	21,000	21,000	-	-	-
<b>TOTAL COMMUNITY DEVELOPMENT</b>	<b>487,534</b>	<b>482,900</b>	<b>452,950</b>	<b>477,600</b>	<b>50,000</b>	<b>527,600</b>

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<b>POLICE</b>						
<b>PERSONNEL SERVICES</b>						
5460-1001-0000 SALARIES	1,614,110	1,540,000	1,535,000	1,598,500	-	1,598,500
5460-1005-0000 OVERTIME	86,057	55,000	71,000	85,300	-	85,300
5460-1006-0000 LONGEVITY	6,313	8,200	7,300	9,100	-	9,100
5460-1007-0000 PART TIME	20,337	23,000	26,000	35,100	-	35,100
5460-1009-0000 TMRS	166,026	172,000	178,900	194,500	-	194,500
5460-1011-0000 SOCIAL SECURITY	24,840	23,000	25,800	26,100	-	26,100
5460-1012-0000 GROUP INSURANCE	276,612	285,000	267,000	299,200	-	299,200
5460-1016-0000 CERTIFICATIONS	16,238	14,700	14,200	15,200	-	15,200
5460-1018-0000 AUTO ALLOWANCE	5,750	6,000	6,000	6,000	-	6,000
<b>TOTAL PERSONNEL SERVICES</b>	<b>2,216,283</b>	<b>2,126,900</b>	<b>2,131,200</b>	<b>2,269,000</b>	<b>-</b>	<b>2,269,000</b>
<b>MATERIALS &amp; SUPPLIES</b>						
5460-2101-0000 GENERAL OFFICE SUPPLIES	2,867	3,500	2,100	3,600	-	3,600
5460-2102-0000 MAGAZINES/MAPS/BOOKS	1,346	1,500	500	1,000	-	1,000
5460-2104-0000 DATA PROCESSING SUPPLIES	928	1,100	1,100	1,200	-	1,200
5460-2106-0000 SOFTWARE SUBSCRIPTIONS	43,529	30,300	30,300	44,700	-	44,700
5460-2202-0000 DENTENTION SUPPLIES	-	-	1,500	-	-	-
5460-2203-0000 MEDICAL SUPPLIES	294	2,000	1,500	2,100	-	2,100
5460-2204-0000 MOTOR VEHICLE FUEL	37,837	44,000	55,600	47,000	-	47,000
5460-2209-0000 UNIFORMS	16,423	19,500	8,500	17,600	-	17,600
5460-2220-0000 DRY CLEANING	1,788	7,000	2,000	3,500	-	3,500
5460-2221-0000 AMMUNITION/SUPPLIES	4,155	7,200	3,500	5,300	-	5,300
5460-2312-0000 MOTOR VEHICLE SUPPLIES	2,124	2,000	1,500	2,100	-	2,100
5460-2401-0000 MINOR TOOLS & EQPT.	17,256	10,600	7,000	12,900	-	12,900
5460-2403-0000 COMPUTER HARD. & SOFT.	2,600	-	-	-	-	-
5460-2441-0000 SAFETY EQUIPMENT	-	4,000	3,000	4,100	-	4,100
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>131,147</b>	<b>132,700</b>	<b>118,100</b>	<b>145,100</b>	<b>-</b>	<b>145,100</b>
<b>CONTRACTUAL SERVICES</b>						
5460-3102-0000 CONSULTANT SERVICES	4,584	3,200	3,200	1,300	-	1,300
5460-3104-0000 MED. SERVICES/PREEMPLOYNT	1,870	9,700	8,500	9,800	-	9,800
5460-3106-0000 DATA PROCESSING	3,103	5,400	5,400	5,400	-	5,400
5460-3199-0000 CONTRACT LABOR	-	-	-	32,000	-	32,000
5460-3201-0000 TELEPHONE EXPENSES	685	700	1,100	2,100	-	2,100
5460-3202-0000 POSTAGE & FREIGHT	998	1,000	700	1,000	-	1,000
5460-3203-0000 TRAVEL AND TRAINING	14,004	15,500	13,000	15,700	-	15,700
5460-3204-0000 TCLEOSE TRAINING	-	-	1,600	-	-	-
5460-3302-0000 PRINTING AND REPRODUCTION	4,113	3,000	3,000	5,100	-	5,100
5460-3405-0000 WORKERS COMPENSATION	38,560	51,000	44,000	56,500	-	56,500
5460-3407-0000 UNEMPLOYMENT	-	10,200	10,600	-	-	-
5460-3409-0000 EMPLOYEE REWARDS & REC	-	-	-	3,600	-	3,600
5460-3501-0000 ELECTRICTY	91,384	87,500	84,000	75,000	(32,000)	43,000
5460-3502-0000 GAS	5,223	6,500	6,700	5,900	-	5,900
5460-3601-0000 BUILDING & GROUND CONTRACT	2,200	500	500	7,500	-	7,500
5460-3603-0000 OFFICE EQPT. REPAIRS	18,338	19,300	19,300	21,400	-	21,400
5460-3604-0000 MOTOR VEHICLE REPAIRS	22,525	24,500	30,000	23,000	-	23,000
5460-3608-0000 RADIO & RADAR R & M	990	1,500	10,000	3,500	-	3,500
5460-3702-0000 RENTAL OFFICE EQPT.	12,510	13,100	13,100	4,000	-	4,000
5460-3703-0000 CELL/PAGERS/RADIOS	23,881	27,900	12,000	15,900	-	15,900
5460-3710-0000 OTHER RENTAL	300	300	300	300	-	300
5460-3901-0000 DUES & MEMBERSHIP	430	900	900	900	-	900

**City of Murphy  
FY2011 Approved Budget**

	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>POLICE</b>						
5460-3905-0000 COMMUNITY RELATIONS	1,833	-	-	6,100	-	6,100
5460-3913-0000 SPECIAL INVESTIGATIONS	10,687	17,400	12,500	17,600	-	17,600
5460-3950-0000 COMMUNICATIONS	94	500	500	6,100	-	6,100
5460-3970-0000 DONATION EXPENSE	214	-	1,400	-	-	-
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>258,525</b>	<b>299,600</b>	<b>282,300</b>	<b>319,700</b>	<b>(32,000)</b>	<b>287,700</b>
<b>CAPITAL OUTLAY</b>						
5460-4303-0000 MOTOR VEHICLES	-	-	194,000	109,500	-	109,500
5460-4307-0000 RADIO/RADAR/CAMERAS	-	-	-	5,000	-	5,000
5460-4321-0000 SOFTWARE APPLICATIONS	-	7,500	7,500	-	-	-
5460-4390-0000 COMPUTERS	1,282	-	-	-	-	-
5460-4398-0000 MISC. POLICE SAFETY EQUIP.	-	-	-	16,700	-	16,700
<b>TOTAL CAPITAL OUTLAY</b>	<b>1,282</b>	<b>7,500</b>	<b>201,500</b>	<b>131,200</b>	<b>-</b>	<b>131,200</b>
<b>DEBT SERVICE</b>						
5460-5002-0000 INTEREST	-	54,900	54,900	-	-	-
<b>TOTAL DEBT SERVICE</b>	<b>-</b>	<b>54,900</b>	<b>54,900</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL POLICE</b>	<b>2,607,237</b>	<b>2,621,600</b>	<b>2,788,000</b>	<b>2,865,000</b>	<b>(32,000)</b>	<b>2,833,000</b>

**City of Murphy  
FY2011 Approved Budget**

	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>MUNICIPAL COURT</b>						
<b>PERSONNEL SERVICES</b>						
5490-1001-0000 SALARIES	105,754	102,000	90,400	97,200	-	97,200
5490-1005-0000 OVERTIME	4,595	1,200	2,700	2,400	-	2,400
5490-1006-0000 LONGEVITY	1,112	800	500	550	-	550
5490-1009-0000 TMRS	10,791	11,500	10,300	11,400	-	11,400
5490-1011-0000 SOCIAL SECURITY	1,547	1,600	1,400	1,500	-	1,500
5490-1012-0000 GROUP INSURANCE	20,517	19,000	14,600	19,700	-	19,700
<b>TOTAL PERSONNEL SERVICES</b>	<b>144,316</b>	<b>136,100</b>	<b>119,900</b>	<b>132,750</b>	<b>-</b>	<b>132,750</b>
<b>MATERIALS &amp; SUPPLIES</b>						
5490-2101-0000 GENERAL OFFICE SUPPLIES	1,808	2,200	2,200	2,300	-	2,300
5490-2102-0000 MAGAZINES/MAPS/BOOKS	50	-	150	-	-	-
5490-2401-0000 MINOR TOOLS & EQPT.		200		200	-	200
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>1,858</b>	<b>2,400</b>	<b>2,350</b>	<b>2,500</b>	<b>-</b>	<b>2,500</b>
<b>CONTRACTUAL SERVICES</b>						
5490-3102-0000 CONSULTANT SERVICES	6,711	4,000	33,000	4,500	3,000	7,500
5490-3106-0000 DATA PROCESSING	2,919	5,900	2,500	6,200	-	6,200
5490-3199-0000 CONTRACT LABOR	22,423			-	-	-
5490-3202-0000 POSTAGE & FREIGHT	2,597	3,600	1,500	3,600	-	3,600
5490-3203-0000 TRAVEL AND TRAINING	728	1,200	1,400	2,200	-	2,200
5490-3405-0000 WORKERS COMPENSATION	414	500	100	500	-	500
5490-3803-0000 JUDGE/PROS ATTORNEY	48,925	54,000	50,000	56,000	2,000	58,000
5490-3901-0000 DUES & MEMBERSHIP	130	300	100	400	-	400
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>84,847</b>	<b>69,500</b>	<b>88,600</b>	<b>73,400</b>	<b>5,000</b>	<b>78,400</b>
<b>TOTAL MUNICIPAL COURT</b>	<b>231,020</b>	<b>208,000</b>	<b>210,850</b>	<b>208,650</b>	<b>5,000</b>	<b>213,650</b>

**City of Murphy**  
**FY2011 Approved Budget Summary**

	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>WATER/SEWER FUND REVENUES</b>						
TOTAL OTHER REVENUE	177,524	130,800	138,400	143,600	(2,800)	140,800
TOTAL WATER REVENUE	2,820,278	3,650,000	3,600,000	3,700,000	625,000	4,325,000
TOTAL SEWER REVENUE	1,790,323	1,450,000	1,337,000	1,500,000	(174,000)	1,326,000
<b>TOTAL REVENUES</b>	<b>4,788,125</b>	<b>5,230,800</b>	<b>5,075,400</b>	<b>5,343,600</b>	<b>448,200</b>	<b>5,791,800</b>
<b>EXPENSES</b>						
TOTAL PERSONNEL SERVICES	707,778	763,400	716,250	732,200	(21,500)	710,700
TOTAL MATERIALS & SUPPLIES	329,585	116,500	107,150	134,100	74,500	208,600
TOTAL CONTRACTUAL SERVICES	2,545,174	2,778,400	2,486,150	2,914,600	44,000	2,958,600
TOTAL CAPITAL OUTLAY	315	15,000	2,500	12,000	-	12,000
TOTAL DEBT SERVICE	16,204	657,900	657,850	657,600	-	657,600
<b>Total Water &amp; Sewer Fund</b>	<b>3,599,055</b>	<b>4,331,200</b>	<b>3,969,900</b>	<b>4,450,500</b>	<b>97,000</b>	<b>4,547,500</b>
Transfer to General Fund	850,000	850,000	850,000	850,000		850,000
<b>Total Expenses &amp; Transfers</b>	<b>4,449,055</b>	<b>5,181,200</b>	<b>4,819,900</b>	<b>5,300,500</b>	<b>97,000</b>	<b>5,397,500</b>
<b>Revenues less Expenses</b>	<b>339,070</b>	<b>49,600</b>	<b>255,500</b>	<b>43,100</b>	<b>351,200</b>	<b>394,300</b>
<b>DEPARTMENT</b>						
TOTAL ADMINISTRATION	-	-	-	-	-	-
TOTAL WATER DISTRIBUTION	2,507,646	2,807,400	2,600,800	2,922,400	97,000	3,019,400
TOTAL WASTEWATER COLLECTION	717,922	1,143,400	1,017,250	1,133,300	-	1,133,300
TOTAL CUSTOMER SERVICE	373,488	380,400	351,850	394,800	-	394,800
TOTAL FACILITIES	-	-	-	-	-	-
Total Department	3,599,055	4,331,200	3,969,900	4,450,500	97,000	4,547,500
Transfer to General Fund	850,000	850,000	850,000	850,000		850,000
<b>Total Expenses</b>	<b>4,449,055</b>	<b>5,181,200</b>	<b>4,819,900</b>	<b>5,300,500</b>	<b>97,000</b>	<b>5,397,500</b>
<b>Revenues less Expenses</b>	<b>339,070</b>	<b>49,600</b>	<b>255,500</b>	<b>43,100</b>	<b>351,200</b>	<b>394,300</b>

**City of Murphy**  
**FY2011 Approved Budget**

	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>UTILITY FUND REVENUES</b>						
<b>OTHER REVENUE</b>						
4000-4300-0000 MISCELLANEOUS REVENUE	22,177	15,000	15,000	15,000	(9,000)	6,000
4000-4305-0000 INTEREST INCOME	14,424	15,000	3,400	3,800	(800)	3,000
4000-4320-0000 RECONNECT FEES	19,389	16,000	16,000	17,000	-	17,000
4000-4335-0000 WATER METER FEES	54,255	25,000	45,000	45,000	(10,000)	35,000
4000-4340-0000 WATER PENALTIES	32,799	33,000	35,000	37,000	14,000	51,000
4000-4341-0000 SEWER PENALTIES	21,378	16,800	17,000	18,800	(2,000)	16,800
4000-4350-0000 ENGINEERING INSPECTION	13,101	10,000	7,000	7,000	5,000	12,000
4000-4351-0000 NTMWD PROJECT	-	-	-	-	-	-
<b>TOTAL OTHER REVENUE</b>	<b>177,524</b>	<b>130,800</b>	<b>138,400</b>	<b>143,600</b>	<b>(2,800)</b>	<b>140,800</b>
<b>WATER REVENUE</b>						
4000-4400-0000 WATER REVENUE	2,820,278	3,650,000	3,600,000	3,700,000	625,000	4,325,000
<b>TOTAL WATER REVENUE</b>	<b>2,820,278</b>	<b>3,650,000</b>	<b>3,600,000</b>	<b>3,700,000</b>	<b>625,000</b>	<b>4,325,000</b>
<b>SEWER REVENUE</b>						
4000-4500-0000 SEWER SERVICE CHARGE	1,790,323	1,450,000	1,337,000	1,500,000	(174,000)	1,326,000
<b>TOTAL SEWER REVENUE</b>	<b>1,790,323</b>	<b>1,450,000</b>	<b>1,337,000</b>	<b>1,500,000</b>	<b>(174,000)</b>	<b>1,326,000</b>
<b>TOTAL REVENUES</b>	<b>4,788,125</b>	<b>5,230,800</b>	<b>5,075,400</b>	<b>5,343,600</b>	<b>448,200</b>	<b>5,791,800</b>

**City of Murphy**  
**FY2011 Approved Budget**

	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>WATER DISTRIBUTION</b>						
<b>PERSONNEL SERVICES</b>						
5710-1001-0000 SALARIES	330,236	348,000	304,000	296,000	(15,000)	281,000
5710-1005-0000 OVERTIME	16,746	15,000	30,000	31,600	-	31,600
5710-1006-0000 LONGEVITY	2,379	3,000	2,200	1,800	-	1,800
5710-1009-0000 TMRS	33,683	40,500	37,000	37,900	-	37,900
5710-1011-0000 SOCIAL SECURITY	4,596	5,500	4,900	4,900	-	4,900
5710-1012-0000 GROUP INSURANCE	67,059	80,000	67,000	79,500	(6,500)	73,000
<b>TOTAL PERSONNEL SERVICES</b>	<b>454,699</b>	<b>492,000</b>	<b>445,100</b>	<b>451,700</b>	<b>(21,500)</b>	<b>430,200</b>
<b>MATERIALS &amp; SUPPLIES</b>						
5710-2101-0000 GENERAL OFFICE SUPPLIES	559	1,000	1,000	1,000	-	1,000
5710-2204-0000 MOTOR VEHICLE FUEL	11,883	21,000	17,500	22,200	-	22,200
5710-2209-0000 UNIFORMS	2,172	6,700	4,600	4,600	-	4,600
5710-2222-0000 FOODS	337		200		-	-
5710-2230-0000 FIELD SUPPLIES			100		-	-
5710-2232-0000 SIGNS AND MARKERS	535	1,600	100	1,000	-	1,000
5710-2303-0000 WATER/SEWER MAIN REPAIR	8,158	12,000	12,000	15,800	-	15,800
5710-2305-0000 LAB AND CHEMICAL SUP.	2,403	2,000	2,000	2,100	-	2,100
5710-2306-0000 FIRE HYDRANT MAINTENANCE			1,000	700	-	700
5710-2311-0000 WATER METER PARTS	2,904	15,000	8,000	10,000	-	10,000
5710-2312-0000 MOTOR VEHICLE SUPPLIES	2,501	4,500	4,500	3,500	-	3,500
5710-2318-0000 WATER METERS	62,973	20,000	30,000	30,000	38,000	68,000
5710-2401-0000 MINOR TOOLS & EQPT.	4,973	10,000	4,000	8,000	-	8,000
5710-2403-0000 COMPUTER HARD. & SOFT.	9,089	3,000	-	12,000	-	12,000
5710-2441-0000 SAFETY EQUIPMENT			200		-	-
5710-2499-0000 DEPRECIATION EXPENSE	209,268				-	-
5710-2800-0000 SPECIAL PROJECTS					36,500	36,500
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>317,754</b>	<b>96,800</b>	<b>85,200</b>	<b>110,900</b>	<b>74,500</b>	<b>185,400</b>

**City of Murphy**  
**FY2011 Approved Budget**

	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>WATER DISTRIBUTION</b>						
<b>CONTRACTUAL SERVICES</b>						
5710-3102-0000 CONSULTING SERVICES	59,500	4,200			-	
5710-3104-0000 MED. SERVICES/PREEMPLOYMENT	2,820		100	100	-	100
5710-3105-0000 ENGINEERING SERVICES	17,555	18,900	1,800	3,000	-	3,000
5710-3114-0000 LABORATORY TESTING	1,260	2,000	2,000	3,000	-	3,000
5710-3201-0000 TELEPHONE EXPENSES	1,277	1,500	1,600	1,600	-	1,600
5710-3202-0000 POSTAGE & FREIGHT	191	100	100		-	-
5710-3203-0000 TRAVEL AND TRAINING	3,885	2,000	3,100	7,600	-	7,600
5710-3302-0000 PRINTING/BINDING	2,966		4,700	5,000	-	5,000
5710-3405-0000 WORKERS COMPENSATION	15,404	19,000	18,300	21,000	-	21,000
5710-3407-0000 UNEMPLOYMENT			7,800	2,900	-	2,900
5710-3501-0000 ELECTRICITY	133,554	160,000	140,000	163,800	(10,000)	153,800
5710-3502-0000 GAS	706	2,200	900	2,900	-	2,900
5710-3505-0000 COST OF WATER	1,459,425	1,620,000	1,500,000	1,696,000	81,000	1,777,000
5710-3602-0000 FIXED PLANT EQPT. R & M	17,669	25,000	25,000	79,400	(27,000)	52,400
5710-3604-0000 MOTOR VEHICLE REPAIRS	2,653	5,500	3,000	5,000	-	5,000
5710-3606-0000 HEAVY EQPT. R & M	3,420	5,000	3,000	5,300	-	5,300
5710-3615-0000 SMALL ENGINE R & M	99	1,500			-	-
5710-3620-0000 WATER LINE REPAIRS	(1,003)	4,000			-	-
5710-3702-0000 RENTAL OFFICE EQPT.	1,745	2,500	1,700	1,700	-	1,700
5710-3703-0000 CELL/PAGERS/RADIOS	6,425	6,600	6,000	7,100	-	7,100
5710-3704-0000 RENTAL MACHINERY & EQPT	179				-	-
5710-3901-0000 DUES & MEMBERSHIP	2,548	1,500	13,000	14,600	-	14,600
5710-3910-0000 ADMINISTRATIVE COSTS	2,913				-	-
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>1,735,193</b>	<b>1,881,500</b>	<b>1,732,100</b>	<b>2,020,000</b>	<b>44,000</b>	<b>2,064,000</b>
<b>CAPITAL OUTLAY</b>						
5710-4201-0000 BLDGS, FIX. & GROUNDS			1,300		-	
<b>TOTAL CAPITAL OUTLAY</b>	<b>-</b>	<b>-</b>	<b>1,300</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>DEBT SERVICE</b>						
5720-5001-0000 DEBT SERVICE		337,100	120,000	170,000	-	170,000
5710-5002-0000 INTEREST			217,100	169,800	-	169,800
<b>TOTAL DEBT SERVICE</b>	<b>-</b>	<b>337,100</b>	<b>337,100</b>	<b>339,800</b>	<b>-</b>	<b>339,800</b>
<b>TOTAL WATER DISTRIBUTION</b>	<b>2,507,646</b>	<b>2,807,400</b>	<b>2,600,800</b>	<b>2,922,400</b>	<b>97,000</b>	<b>3,019,400</b>

**City of Murphy  
FY2011 Approved Budget**

	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>32 -4 A SALES TAX</b>						
<b>REVENUES</b>						
<b>NON-PROPERTY TAXES</b>						
4000-4060-0000 4 A SALES TAX	395,536	375,000	425,000	452,500	18,000	470,500
<b>TOTAL NON-PROPERTY TAXES</b>	<b>395,536</b>	<b>375,000</b>	<b>425,000</b>	<b>452,500</b>	<b>18,000</b>	<b>470,500</b>
<b>OTHER REVENUE</b>						
4000-4305-0000 INTEREST INCOME	5,761	5,000	1,000	1,000	0	1,000
<b>TOTAL OTHER REVENUE</b>	<b>5,761</b>	<b>5,000</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>	<b>1,000</b>
<b>TOTAL REVENUES</b>	<b>401,297</b>	<b>380,000</b>	<b>426,000</b>	<b>453,500</b>	<b>18,000</b>	<b>471,500</b>
<b>EXPENDITURES</b>						
<b>PERSONNEL SERVICES</b>						
5000-1001-0000 SALARIES	15,672	35,500	36,600	67,200	-	67,200
5000-1006-0000 LONGEVITY	16	-	-	50	-	50
5000-1009-0000 TMRS	1,482	4,000	4,100	7,700	-	7,700
5000-1011-0000 SOCIAL SECURITY	175	600	600	1,100	-	1,100
5000-1012-0000 GROUP INSURANCE	2,718	9,500	4,000	13,500	-	13,500
<b>TOTAL PERSONNEL SERVICES</b>	<b>20,063</b>	<b>49,600</b>	<b>45,300</b>	<b>89,550</b>	<b>-</b>	<b>89,550</b>
<b>MATERIALS &amp; SUPPLIES</b>						
5000-2101-0000 GENERAL OFFICE SUPPLIES	96	2,000	300	500	-	500
5000-2102-0000 MAGAZINES/MAPS/BOOKS	95	500	-	-	-	-
5000-2209-0000 WEARING APPRAREL	86	600	500	500	-	500
5000-2401-0000 MINOR TOOLS & EQPT.	-	300	200	300	-	300
5000-2403-0000 COMPUTER HARD. & SOFT.	43	-	1,800	1,000	-	1,000
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>320</b>	<b>3,400</b>	<b>2,800</b>	<b>2,300</b>	<b>-</b>	<b>2,300</b>
<b>CONTRACTUAL SERVICES</b>						
5000-3101-0000 AUDITING AND ACCOUNTING	1,000	1,000	1,000	1,200	-	1,200
5000-3102-0000 CONSULTANT SERVICES	212	3,000	500	4,000	36,000	40,000
5000-3103-0000 LEGAL SERVICES	6,982	10,000	1,000	5,000	-	5,000
5000-3202-0000 POSTAGE & FREIGHT	469	1,000	100	800	-	800
5000-3203-0000 TRAVEL AND TRAINING	5,702	10,000	10,000	10,500	-	10,500
5000-3301-0000 AD. AND PUBLIC NOTICES	-	-	500	-	-	-
5000-3302-0000 PRINTING AND BINDING	2,503	3,100	100	3,100	-	3,100
5000-3405-0000 WORKERS COMPENSATION	69	200	100	300	-	300
5000-3407-0000 UNEMPLOYMENT INS.	5,096	-	-	-	-	-
5000-3703-0000 CELL/PAGERS/RADIOS	-	-	1,100	1,800	-	1,800
5000-3901-0000 DUES & MEMBERSHIP	100	1,000	1,000	1,000	-	1,000
5000-3910-0000 ADMINISTRATIVE COSTS	25,000	25,000	25,000	25,000	-	25,000
5000-3995-0000 INCENTIVES	64,955	59,000	57,000	200,000	(93,000)	107,000
5000-3998-0000 UNEXPENDED PROMOTIONAL EX	-	40,000	33,684	-	14,129	14,129
5000-3999-0000 PROMOTIONAL EXPENSE	74,840	38,000	38,000	45,300	-	45,300
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>186,928</b>	<b>191,300</b>	<b>169,084</b>	<b>298,000</b>	<b>(42,871)</b>	<b>255,129</b>
<b>CAPITAL OUTLAY</b>						
5000-4205-00000 STREET IMPROVEMENTS	450,000	-	-	-	-	-
<b>TOTAL CAPITAL OUTLAY</b>	<b>450,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL 32-4 A SALES TAX</b>	<b>657,311</b>	<b>244,300</b>	<b>217,184</b>	<b>389,850</b>	<b>(42,871)</b>	<b>346,979</b>
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>	<b>(256,013)</b>	<b>135,700</b>	<b>208,816</b>	<b>63,650</b>	<b>60,871</b>	<b>124,521</b>
<b>BEGINNING FUND BALANCE 10-01</b>	<b>661,027</b>	<b>405,014</b>	<b>405,014</b>	<b>613,830</b>		<b>613,830</b>
<b>ENDING FUND BALANCE 09-30</b>	<b>405,014</b>	<b>540,714</b>	<b>613,830</b>	<b>677,480</b>		<b>738,351</b>

**City of Murphy**  
**FY 2011 Approved Budget**

	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>34 -4 B SALES TAX FUND</b>						
<b>REVENUES</b>						
<b>NON-PROPERTY TAXES</b>						
4000-4060-0000 4 B SALES TAX	395,536	375,000	425,000	452,500	18,000	470,500
<b>TOTAL NON-PROPERTY TAXES</b>	<b>395,536</b>	<b>375,000</b>	<b>425,000</b>	<b>452,500</b>	<b>18,000</b>	<b>470,500</b>
<b>OTHER REVENUE</b>						
4000-4305-0000 INTEREST INCOME	6,504	5,000	1,400	1,500	(100)	1,400
<b>TOTAL OTHER REVENUE</b>	<b>6,504</b>	<b>5,000</b>	<b>1,400</b>	<b>1,500</b>	<b>(100)</b>	<b>1,400</b>
<b>TOTAL REVENUES</b>	<b>402,039</b>	<b>380,000</b>	<b>426,400</b>	<b>454,000</b>	<b>17,900</b>	<b>471,900</b>
<b>EXPENDITURES</b>						
<b>PERSONNEL SERVICES</b>						
5000-1001-0000 SALARIES	23,703	37,000	32,500	45,500	-	45,500
5000-1005-0000 OVERTIME	974	-	-	-	-	-
5000-1006-0000 LONGEVITY	32	100	50	100	-	100
5000-1009-0000 TMRS	2,137	4,200	3,600	5,200	-	5,200
5000-1011-0000 SOCIAL SECURITY	309	600	500	800	-	800
5000-1012-0000 GROUP INSURANCE	4,626	6,600	5,100	11,100	-	11,100
<b>TOTAL PERSONNEL SERVICES</b>	<b>31,780</b>	<b>48,500</b>	<b>41,750</b>	<b>62,700</b>	<b>-</b>	<b>62,700</b>
<b>MATERIALS &amp; SUPPLIES</b>						
5000-2101-0000 GENERAL OFFICE SUPPLIES	109	1,000	500	500	-	500
5000-2102-0000 MAGAZINES/MAPS/BOOKS	95	200	100	200	-	200
5000-2209-0000 UNIFORMS	-	500	500	750	-	750
5000-2403-0000 COMPUTER HARD. & SOFT	875	-	-	2,500	-	2,500
<b>TOTAL MATERIALS &amp; SUPPLIES</b>	<b>1,078</b>	<b>1,700</b>	<b>1,100</b>	<b>3,950</b>	<b>-</b>	<b>3,950</b>
<b>CONTRACTUAL SERVICES</b>						
5000-3101-0000 AUDITING AND ACCOUNTING	1,000	1,000	1,000	1,500	-	1,500
5000-3102-0000 CONSULTANT SERVICES	150	2,000	12,500	10,000	-	10,000
5000-3103-0000 LEGAL SERVICES	3,155	5,000	1,000	1,000	-	1,000
5000-3112-0000 ISSUANCE COSTS					32,000	32,000
5000-3202-0000 POSTAGE & FREIGHT	806	1,000	100	100	-	100
5000-3203-0000 TRAVEL AND TRAINING	4,744	8,000	4,000	8,000	-	8,000
5000-3301-0000 AD. AND PUBLIC NOTICES	503	1,500	1,000	500	-	500
5000-3302-0000 PRINTING AND BINDING	1,128	1,500	200	200	-	200
5000-3405-0000 WORKERS COMPENSATION	83	100	100	200	-	200
5000-3407-0000 UNEMPLOYMENT INS	5,292	-	-	-	-	500
5000-3703-0000 CELL/PAGERS/RADIOS				500	-	-
5000-3901-0000 DUES & MEMBERSHIP	50	1,100	600	1,200	-	1,200
5000-3910-0000 ADMINISTRATIVE COSTS	25,000	25,000	25,000	25,000	-	25,000
5000-3998-0000 UNEXPENDED PROMOTIONAL	-	10,800	59,400	-	9,564	9,564
5000-3999-0000 PROMOTIONAL EXPENSE	79,009	38,000	38,000	45,250		45,250
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>120,920</b>	<b>95,000</b>	<b>142,900</b>	<b>93,450</b>	<b>41,564</b>	<b>135,014</b>

**City of Murphy**  
**FY 2011 Approved Budget**

	<b>FY09 Actual</b>	<b>FY10 Budget</b>	<b>FY10 Projected</b>	<b>FY11 Approved</b>	<b>FY11 Adjustment</b>	<b>FY11 Amended</b>
<b>CAPITAL OUTLAY</b>						
5000-4305-0000 SPECIAL EQUIPMENT	106,949	-	50,825	65,000	27,000	92,000
5000-4308-0000 RECREATION EQPT.	-	-	4,800	-	-	-
5000-4601-0000 FM 544 MEDIAN PROJECT	10,647	-	-	-	-	-
5000-4601-1017 GABLES PARK	301,000	-	-	-	-	-
5000-4601-1400 COMMUNITY CENTER	-	-	-	500,000	(59,000)	441,000
<b>TOTAL CAPITAL OUTLAY</b>	<b>418,596</b>	<b>-</b>	<b>55,625</b>	<b>565,000</b>	<b>(32,000)</b>	<b>533,000</b>
<b>TOTAL EXPENDITURES</b>	<b>572,375</b>	<b>145,200</b>	<b>241,375</b>	<b>725,100</b>	<b>9,564</b>	<b>734,664</b>
<b>REVENUE &amp; OTHER SOURCES OVER/ (UNDER) EXPENDITURES &amp; OTHER (USES)</b>	<b>(170,335)</b>	<b>234,800</b>	<b>185,025</b>	<b>(271,100)</b>		<b>(262,764)</b>
<b>BEGINNING FUND BALANCE 10-01</b>	<b>740,133</b>	<b>569,798</b>	<b>569,798</b>	<b>754,823</b>		<b>754,823</b>
<b>ENDING FUND BALANCE 09-30</b>	<b>569,798</b>	<b>804,598</b>	<b>754,823</b>	<b>483,723</b>		<b>492,059</b>

**City of Murphy**  
**FY 2011 Approved Budget**

	<b>FY09</b>	<b>FY10</b>	<b>FY10</b>	<b>FY11</b>	<b>FY11</b>	<b>FY11</b>
	<b>Actual</b>	<b>Budget</b>	<b>Projected</b>	<b>Approved</b>	<b>Adjustment</b>	<b>Amended</b>
<b>BEGINNING FUND BALANCE</b>	<b>778,357</b>	<b>935,694</b>	<b>935,694</b>	<b>1,022,294</b>		<b>1,022,294</b>
<b>40 -DEBT SERVICE FUND</b>						
<b>REVENUES</b>						
<b>PROPERTY TAXES</b>						
4000-4000-0000 CURRENT PROPERTY TAXES	2,577,908	3,000,000	3,000,000	3,644,000	(18,000)	3,626,000
4000-4005-0000 DELINQUENT PROPERTY TAXES	39,529	37,800	30,000	30,000	(15,000)	15,000
4000-4010-0000 PENALTY & INTEREST	18,746	22,050	24,000	20,000	(3,000)	17,000
<b>TOTAL PROPERTY TAXES</b>	<b>2,636,183</b>	<b>3,059,850</b>	<b>3,054,000</b>	<b>3,694,000</b>	<b>(36,000)</b>	<b>3,658,000</b>
<b>OTHER REVENUE</b>						
4000-4300-0000 MISCELLANEOUS REVENUE					1,200	1,200
4000-4305-0000 INTEREST INCOME	83,784	12,000	36,000	31,000	24,000	55,000
4000-4800-0000 BOND PROCEEDS	3,015,000	-	-	-	-	-
<b>TOTAL OTHER REVENUE</b>	<b>3,098,784</b>	<b>12,000</b>	<b>36,000</b>	<b>31,000</b>	<b>25,200</b>	<b>56,200</b>
<b>TOTAL REVENUES</b>	<b>5,734,967</b>	<b>3,071,850</b>	<b>3,090,000</b>	<b>3,725,000</b>	<b>(10,800)</b>	<b>3,714,200</b>
<b>EXPENDITURES</b>						
<b>CONTRACTUAL SERVICES</b>						
5000-3112-0000 ISSUANCE COSTS	26,226	-	-	-	-	-
<b>TOTAL CONSTRUCTUAL SERVICES</b>	<b>26,226</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>DEBT SERVICE</b>						
5000-5001-0000 PRINCIPAL	2,965,000	1,565,000	1,565,000	2,270,000	-	2,270,000
5000-5002-0000 INTEREST	1,147,106	1,435,200	1,435,200	1,523,600	13,500	1,537,100
5000-5003-0000 AGENTS FEES	2,546	3,200	3,200	3,300	100	3,400
<b>TOTAL DEBT SERVICE</b>	<b>4,114,652</b>	<b>3,003,400</b>	<b>3,003,400</b>	<b>3,796,900</b>	<b>13,600</b>	<b>3,810,500</b>
<b>TOTAL EXPENDITURES</b>	<b>4,140,878</b>	<b>3,003,400</b>	<b>3,003,400</b>	<b>3,796,900</b>	<b>13,600</b>	<b>3,810,500</b>
<b>OTHER (USES)</b>						
5000-9000-0000 TRANSFER	1,436,752	-	-	-	-	-
<b>TOTAL OTHER (USES)</b>	<b>1,436,752</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	157,337	68,450	86,600	(71,900)	(24,400)	(96,300)
<b>ENDING FUND BALANCE</b>	<b>935,694</b>	<b>1,004,144</b>	<b>1,022,294</b>	<b>950,394</b>		<b>925,994</b>

**Issue**

Consider and / or act upon approval of an ordinance regulating the provision of Emergency Medical Services within the City of Murphy.

**Background**

Murphy Fire Rescue has been operating as the provider of Emergency Medical Services (EMS) for the City of Murphy. This ordinance will provide for regulation of those services. The Fire Department will be established as the agency responsible for EMS in the community.

There are also provisions for which hospitals the EMS ambulance will transport to. These hospitals were chosen for the following criteria:

- on their ability to treat a wide variety of patients
- on the hospitals EMTALA compliance
- on their ability to admit patients into advanced care units that are operated 24 hours per day
- the hospitals ability to admit patients for durations in excess of 24 hours when needed

**Financial Considerations**

Murphy Fire Rescue shall charge for transportation to the hospital in accordance with the City of Murphy Fee Schedule.

**Staff Recommendation**

Motion to approve an ordinance of the City of Murphy regulating the provision of Emergency Medical Services within the City.

**Attachments**

Proposed Emergency Medical Services Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MURPHY, TEXAS, BY ADDING CHAPTER 35 REGULATING THE PROVISION OF EMERGENCY MEDICAL SERVICES WITHIN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE/REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Chapters 773 and 774 of the Texas Health and Safety Code, and its powers as a Texas home-rule municipality, the City of Murphy, Texas is authorized to adopt ordinances necessary to ensure that its citizens have access to quality emergency medical services; and

**WHEREAS**, the City Council of the City of Murphy, is of the opinion that an ordinance regulating emergency medical services within the City is in the best interest of the City of Murphy and will promote the health safety and welfare of the citizens of the City of Murphy and the general public;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, THAT:**

**Section 1. Findings Incorporated.**

The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

**Section 2. Adoption of Regulations Governing Emergency Medical Services within the City of Murphy.**

That the Code of Ordinances of the City of Murphy, Texas, is hereby amended by adding a new Chapter 35 regulating the provision of emergency medical services within the City of Murphy, to be entitled “Emergency Medical Services” which shall read in its entirety as follows:

**“Sec. 35-1. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Emergency medical services* has the meaning as defined in V.T.C.A., Health and Safety Code § 773.003, as may be amended.

*Emergency medical services provider* has the meaning as defined in V.T.C.A., Health and Safety Code § 773.003, as may be amended.

*Emergency medical services vehicle* has the meaning as defined in V.T.C.A., Health and Safety Code § 773.003, as may be amended.

*Emergency medical services run* shall mean the trip made by the emergency medical services vehicle to the place where the emergency medical services are rendered, or from the place where the emergency medical services are rendered to a hospital or other appropriate destination for the patient.

*Fire department* shall mean the fire prevention and protection department for the city.

*Licensed emergency medical services provider* shall mean an emergency medical services provider licensed by the Texas Department of State Health Services, or its successor agency, under V.T.C.A., Health and Safety Code Chapter 773 to perform either emergency medical services or non-emergency transfer services.

*Non-emergency transfer services* shall mean any circumstance in which a patient is transported by a licensed emergency medical services provider using an emergency medical services vehicle under circumstances which are or have been represented to be of a non-emergency nature.

*Non-emergency transfer service provider* shall mean a provider performing non-emergency transfer services.

**Sec. 35-2. Provider of services; equipment held by the city.**

(a) Provider of services. The fire department of the city shall be the sole provider of emergency medical services within the city, except for other emergency medical service providers requested by the fire department to perform emergency medical services during times of multiple emergency medical services needs. The fire department shall not be obligated to provide non-emergency transfer services.

(b) Equipment held by the city. The equipment held by the city to perform emergency medical services shall be utilized for emergency medical services for persons requesting or utilizing such service, and such emergency medical services shall be under the immediate supervision of the chief of the fire department, and such equipment shall be maintained at a location under the direction of the chief of the fire department, subject to approval of the city manager.

**Sec. 35-3. Service Fees – Imposed.**

Any person using the fire department for emergency medical services shall pay for such services, including, without limitation, a base fee, a medication fee, plus

a mileage charge for certain types of transportation, as determined from time to time by the city council in accordance with the city fee ordinance (section 3.100).

**Sec. 35-4. Liability for payment.**

The person receiving emergency medical services and any person contracting for emergency medical services shall be responsible for payment of the fees. In the case of services received by a minor, the parent or guardian of the minor shall be responsible for payment of the fees. The fire department shall invoice the person receiving emergency medical services and/or the person responsible for the fees and payment shall be made no later than thirty (30) days thereafter.

**Sec. 35-5. Availability of emergency medical services.**

Emergency medical services shall be, and by the terms of this ordinance are, available to all persons who live, work or visit within the corporate limits of the city provided such emergency medical services arise within the corporate limits of the city, to persons residing within the corporate limits of other towns or municipalities within Collin County when provided for by contract, to other persons residing within Collin County when provided for by contract, and to persons not residing within Collin County when provided for by contract.

**Sec. 35-6. Duty to transport.**

The fire department shall transport the injured or sick to a medical facility of the person's choice provided the medical facility is equipped to handle that type of medical emergency (i.e., is an appropriate facility) and the person's choice is among the facilities listed below :

- Medical Center of Plano
- Campbell Methodist, Richardson
- Baylor, Garland
- Baylor Heart Hospital
- Baylor, Plano
- Parkland, Dallas
- Children's Medical Center, Dallas
- Legacy Children's Hospital

It shall be the discretion of the paramedic to utilize other emergency medical transportation when appropriate for the situation (i.e. helicopter, private ambulance, etc.) or to transport the patient to facilities other than requested when other factors, such as estimated transport time, access to facility, and suitability of facility to treat patient, necessitate that another facility be utilized. No person shall be denied transport to a medical facility for medical care. The fire department shall not have a duty to transport persons who do not need emergency medical services but instead only desire to use non-emergency transfer services.

Any person requesting non-emergency transfer services may arrange for private transportation or use a non-emergency transfer services provider.

**Sec. 35-7. Private emergency medical services.**

(a) It shall be unlawful for any person, either as owner, agent or otherwise, other than a member of the fire department or an agency of the United States, or duly appointed representative of the city, to furnish, operate, conduct, maintain, advertise or otherwise be engaged in or profess to be engaged in the operation of emergency medical services, upon the streets, alleys, or any public way or place within the city, for the purpose of picking up patients within the city, except in the following circumstances:

1. It shall not be unlawful for a person operating as a non-emergency transfer services provider in the city, upon responding to a direct call for non-emergency transfer services, to operate such emergency medical services vehicle under emergency conditions, using emergency equipment, after notifying the fire alarm dispatcher when a determination is made by the non-emergency transfer service providers' attendants that an emergency exists requiring the sick or injured person to be transported with all practical speed to a hospital.
2. It shall not be unlawful for any person operating as a non-emergency transfer services provider in the city, who is performing the service of maintaining an emergency medical services vehicle at a particular location for a sporting or community activity event, to operate such emergency medical services vehicle under emergency conditions, using emergency equipment, after notifying the fire alarm dispatcher when a determination is made by the non-emergency transfer service providers' attendants that an emergency exists requiring the sick or injured person to be transported with all practical speed to a hospital.
3. It shall not be unlawful for any person to operate an emergency medical services vehicle within the city, if the place of emergency at which the sick or injured person was picked up by such emergency medical services provider is outside the corporate limits of the city, and the emergency medical services provider making the emergency medical services run is a licensed emergency medical services provider.
4. It shall not be unlawful for any person to operate an emergency medical services vehicle in the city on an emergency medical services run when fire department emergency medical service vehicles are not available, and the fire alarm dispatcher requests such service from the provider.

(b) Any person operating as a non-emergency transfer service provider in the city who makes an emergency medical services run under the provisions of subsection (a)1 or (a)2 of this section shall, if requested in writing by the fire department,

within ten days of each such emergency medical services run, submit to the chief of the fire department a report which shall describe the circumstances requiring the emergency medical services run.

(c) In the event that a patient dies while being transported from one place within the city to another place within or beyond its limits, the emergency medical services provider shall:

1. Immediately notify the fire department of such death, by two-way radio or public telephone; and
2. Within two hours, file a written report with the fire chief upon such forms as they may provide or prescribe, giving all information therein required and any other relevant information which the fire chief may require.

**Sec. 35-8. Non-emergency transfer service providers.**

Nothing in this ordinance regulates the provision of non-emergency transfer service providers in the city, except as expressly referenced herein.”

**Section 3. Severability Clause.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4. Cumulative/Repealer Clause.**

This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, whether codified or uncoded, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 5. Penalty Clause.**

Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to a fine in any sum not to exceed five hundred dollars (\$500.00) and each day of violation shall be deemed a separate offense.

**Section 6. Savings Clause.**

All rights and remedies of the City of Murphy, Texas, are expressly saved as to any and all violations of the provisions of this ordinance or any other ordinance which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**Section 7. Effective Date.**

This ordinance shall become effective immediately upon its passage and publication as required by law.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:

\_\_\_\_\_  
Aimee Nemer, City Secretary  
City of Murphy

APPROVED AS TO FORM:

\_\_\_\_\_  
Wm. Andrew Messer, City Attorney

**Issue**

Consider and/or act upon a nomination of an elected official to the Emergency Preparedness Planning Council for the North Central Texas Council of Governments.

**Background**

The City has received notice that the North Central Texas Council of Governments (NCTCOG) is soliciting nominations for the Regional Emergency Preparedness Planning Council (EPPC). Nominations are due to NCTCOG by December 16, 2011.

Information regarding the EPPC is attached. This information was forwarded to Council and Mayor Baldwin and Councilmember Grant indicated an interest in serving.

**Staff Recommendation**

Council direction is requested.

**Attachments**

EPPC Nomination Information

**From:** [Jessie M. Shadowens](mailto:Jessie.M.Shadowens)  
**To:** [clem@ci.azle.tx.us](mailto:clem@ci.azle.tx.us); [bemmons@cityofbridgeport.net](mailto:bemmons@cityofbridgeport.net); [marc.clayton@commercetx.org](mailto:marc.clayton@commercetx.org); [tqilbreath@ci.crowley.tx.us](mailto:tqilbreath@ci.crowley.tx.us); [Brett Shannon](mailto:Brett.Shannon); [danderson@evermantx.net](mailto:danderson@evermantx.net); [sipaye@fortesthilltx.org](mailto:sipaye@fortesthilltx.org); [bbrooks@cityofforney.org](mailto:bbrooks@cityofforney.org); [citymanager@glennheights.com](mailto:citymanager@glennheights.com); [ethatcher@heathtx.com](mailto:ethatcher@heathtx.com); [mleavitt@highlandvillage.org](mailto:mleavitt@highlandvillage.org); [citymanager@cityofjoshuatx.us](mailto:citymanager@cityofjoshuatx.us); [csnow@mycvc.net](mailto:csnow@mycvc.net); [mgaillin@keenetx.com](mailto:mgaillin@keenetx.com); [bhart@cityofkennedale.com](mailto:bhart@cityofkennedale.com); [eberner@lakedallas.com](mailto:eberner@lakedallas.com); [jjenkins@lucastexas.us](mailto:jjenkins@lucastexas.us); [citymgr@richlandhills.com](mailto:citymgr@richlandhills.com); [mgregory@riveroakstx.com](mailto:mgregory@riveroakstx.com); [jstathatos@roanoketexas.com](mailto:jstathatos@roanoketexas.com); [citymanager@roysecity.com](mailto:citymanager@roysecity.com); [lgraves@seagoville.us](mailto:lgraves@seagoville.us); [rwhitehead@addisontx.gov](mailto:rwhitehead@addisontx.gov); [blindley@hptx.org](mailto:blindley@hptx.org); [cwhite@ci.trophyclub.tx.us](mailto:cwhite@ci.trophyclub.tx.us); [jmceachern@cityofbridgeport.net](mailto:jmceachern@cityofbridgeport.net); [marty.cunningham@commercetx.org](mailto:marty.cunningham@commercetx.org); [dcockrell@decaturtx.org](mailto:dcockrell@decaturtx.org); [tperes@evermantx.net](mailto:tperes@evermantx.net); [dmaness@foresthill.org](mailto:dmaness@foresthill.org); [dbrooks@cityofforney.org](mailto:dbrooks@cityofforney.org); [citysecretary@glennheights.com](mailto:citysecretary@glennheights.com); [arcos@granbury.org](mailto:arcos@granbury.org); [sgalanides@heathtx.com](mailto:sgalanides@heathtx.com); [dcallahan@highlandvillage.org](mailto:dcallahan@highlandvillage.org); [citysecretary@cityofjoshuatx.us](mailto:citysecretary@cityofjoshuatx.us); [kaufmancitysec@mycvc.net](mailto:kaufmancitysec@mycvc.net); [klay@keenetx.com](mailto:klay@keenetx.com); [acirmo@cityofkennedale.com](mailto:acirmo@cityofkennedale.com); [jvaughn@lakedallas.com](mailto:jvaughn@lakedallas.com); [kwingo@lucastexas.us](mailto:kwingo@lucastexas.us); [Aimee Nemer](mailto:Aimee.Nemer); [lcantu@richlandhills.com](mailto:lcantu@richlandhills.com); [bonniegbbs@charter.net](mailto:bonniegbbs@charter.net); [ahill@roanoketexas.com](mailto:ahill@roanoketexas.com); [brenda.craft@roysecity.com](mailto:brenda.craft@roysecity.com); [smartin@seagoville.us](mailto:smartin@seagoville.us); [smartin@seagoville.us](mailto:smartin@seagoville.us); [gkirby@hptx.org](mailto:gkirby@hptx.org); [mslye@ci.trophyclub.tx.us](mailto:mslye@ci.trophyclub.tx.us); [tscott@ci.azle.tx.us](mailto:tscott@ci.azle.tx.us); [mmccomis@cityofbridgeport.net](mailto:mmccomis@cityofbridgeport.net); [sharrison@commercepolice.net](mailto:sharrison@commercepolice.net); [rloftin@ci.crowley.tx.us](mailto:rloftin@ci.crowley.tx.us); [rhoskins@decaturpd.net](mailto:rhoskins@decaturpd.net); [s00@evermantx.net](mailto:s00@evermantx.net); [ehenderson@foresthilltx.org](mailto:ehenderson@foresthilltx.org); [rtownsend@cityofforney.org](mailto:rtownsend@cityofforney.org); [chiefofpolice@glennheights.com](mailto:chiefofpolice@glennheights.com); [wmckethan@granbury.org](mailto:wmckethan@granbury.org); [tgarrett@heathtx.com](mailto:tgarrett@heathtx.com); [ltatum@highlandvillage.org](mailto:ltatum@highlandvillage.org); [dioperations@cityofjoshuatx.us](mailto:dioperations@cityofjoshuatx.us); [ebrown@kaufmanfire.net](mailto:ebrown@kaufmanfire.net); [jlopez@keenetx.com](mailto:jlopez@keenetx.com); [mmcmurray@cityofkennedale.com](mailto:mmcmurray@cityofkennedale.com); [cthiessen@cityofcorinth.com](mailto:cthiessen@cityofcorinth.com); [jkitchens@lucastexas.us](mailto:jkitchens@lucastexas.us); [Mark Lee](mailto:Mark.Lee); [bbell@richlandhills.com](mailto:bbell@richlandhills.com); [bcrews@riveroakstx.com](mailto:bcrews@riveroakstx.com); [mduncan@roanoketexas.com](mailto:mduncan@roanoketexas.com); [rbell@roysecity.com](mailto:rbell@roysecity.com); [tlemond@seagoville.us](mailto:tlemond@seagoville.us); [joneal@addisontx.gov](mailto:joneal@addisontx.gov); [cvinson@hpdps.org](mailto:cvinson@hpdps.org); [dthomas@ci.trophyclub.tx.us](mailto:dthomas@ci.trophyclub.tx.us)  
**Cc:** [Jessie M. Shadowens](mailto:Jessie.M.Shadowens)  
**Subject:** Regional Emergency Preparedness Planning Council (EPPC) Vacancies  
**Date:** Thursday, November 17, 2011 10:03:38 AM  
**Attachments:** [2012 Nomination Form.pdf](#)  
[Rotation Log 2011.pdf](#)  
[EPPC Meeting Schedule 2012- Proposed.pdf](#)  
[image001.png](#)

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## North Central Texas Council of Governments

FROM: Molly Thoerner  
Emergency Preparedness Program Director  
North Central Texas Council of Governments

SUBJECT: Regional Emergency Preparedness Planning Council (EPPC) Vacancies

Due to the two-year term limitations of Emergency Preparedness Planning Council (EPPC) members, we currently have a Council vacancy for which your jurisdiction is eligible. We are soliciting nominations for this position and requesting your recommendation be returned to the Emergency Preparedness Department no later than **Friday, December 16, 2011**. The Executive Board will review all nominations and select members at the January 26, 2012 Executive Board meeting.

The Emergency Preparedness Planning Council is composed of elected officials from cities and counties participating in the NCTCOG Emergency Preparedness Department and interested in furthering our preparedness vision. The Council ensures excellence in regional preparedness through coordination and integration of various emergency preparedness plans, practices and resources; and through engagement of stakeholders such as state and federal agencies, hospitals, and other private sector entities. The Council has grown to set policy and oversee regional emergency capabilities in planning, preparedness, response, recovery, and mitigation.

For your information, we have included the current EPPC roster as well as the nomination form. A short bio of your nominee **is required** as part of your submission. Nomination forms and supporting information may be returned via email or traditional mail service. Instructions for return are listed on the

nomination form.

I appreciate your support of this program and look forward to working with you to increase our regional emergency preparedness capacity even more over the next two years.

With best regards,

*Molly J. Thoerner*

Emergency Preparedness Director

**North CENTRAL TEXAS COUNCIL OF GOVERNMENTS**

P.O. Box 5888 • Arlington, Texas 76005-5888

**O 817.608.2322 • C 214-293-4299 • [www.nctcog.org/ep/](http://www.nctcog.org/ep/)**

## 2011 Emergency Preparedness Planning Council Roster and Rotation Log

First Name	Last Name	Title	Population Represented	City	County	Seat Expires
Keith	Self	County Judge	COUNTY		Collin	Permanent
Clay	Jenkins	County Judge	COUNTY		Dallas	Permanent
Bobbie	Mitchell	County Commissioner	COUNTY		Denton	Permanent
Bill	Dodson	County Commissioner	COUNTY		Ellis	Permanent
Tab	Thompson	County Judge	COUNTY		Erath	Permanent
Roger	Deeds	County Sheriff	COUNTY		Hood	Permanent
Richard	Hill	Councilmember	COUNTY		Hunt	Permanent
Don	Beeson	County Commissioner	COUNTY		Johnson	Permanent
Bruce	Wood	County Judge	COUNTY		Kaufman	Permanent
HM	Davenport	County Judge	COUNTY		Navarro	Permanent
Mark	Riley	County Judge	COUNTY		Parker	Permanent
Jerry	Hogan	County Judge	COUNTY		Rockwall	Permanent
B. Glen	Whitley	County Judge	COUNTY		Tarrant	Permanent
Bill	McElhaney	County Judge	COUNTY		Wise	Permanent
Alan	Hanes	Councilmember	5,000-14,999	Red Oak	Ellis	January 2013
Tim	Murphy	Councilmember	5,000-14,999	Decatur	Wise	January 2012
Sidney	Sexton	Mayor	5,000-14,999	Seagoville	Dallas	January 2012
Rickie	Allison	Mayor Pro Tem	15,000-29,999	Benbrook	Tarrant	January 2013
Joe	Frizzell	Mayor Pro Tem	15,000-29,999	Midlothian	Ellis	January 2012
David	Kelly	Mayor	15,000-29,999	Colleyville	Tarrant	January 2012
Allen	Harris	Councilmember	30,000-49,999	The Colony	Denton	January 2012
Sandy	Respass	Councilmember	30,000-49,999	DeSoto	Dallas	January 2013
Gayle	White	Councilmember	30,000-49,999	Cleburne	Johnson	January 2012
Perry	Bynum	Councilmember	50,000-79,999	Eules	Tarrant	January 2012
John	Gorena	Councilmember	80,000-119,999	Lewisville	Denton	January 2013
Richard	Fregoe	Councilmember	120,000-169,999	Grand Prairie	Dallas	January 2012
Ray	Ricchi	Councilmember	120,000-169,999	McKinney	Collin	January 2012
Rick	Williams	Mayor Pro Tem	170,000-249,999	Garland	Dallas	January 2013
Robert	Cluck	Mayor	250,000-399,999	Arlington	Tarrant	January 2012
Danny	Scarth	Mayor Pro Tem	400,000-749,999	Fort Worth	Tarrant	January 2013
Delia	Jasso	Councilmember	750,000 +	Dallas	Dallas	January 2013

# Emergency Preparedness Planning Council 2012 Meeting Information

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Meetings are held at the North Central Texas Council of Governments (NCTCOG), 616 Six Flags Drive, Centerpoint II, in Arlington, Texas.

Networking will be from 9:00 - 9:30 prior to each EPPC meeting.

## Schedule

### **February 16, 2012** (Thursday)

Location: NCTCOG

Room: TBD

***New Member Orientation:*** 8:30-9:00

Networking: 9:00-9:30

Meeting: 9:30-11:30

### **April 19, 2012** (Thursday)

Location: NCTCOG

Room: TBD

Networking: 9:00-9:30

Meeting: 9:30-11:30

### **June 21, 2012** (Thursday)

Location: NCTCOG

Room: TBD

Networking: 9:00-9:30

Meeting: 9:30-11:30

### **August 16, 2012** (Thursday)

Location: NCTCOG

Room: TBD

Networking: 9:00-9:30

Meeting: 9:30-11:30

### **October 18, 2012** (Thursday)

Location: NCTCOG

Room: TBD

Networking: 9:00-9:30

Meeting: 9:30-11:30

### **December 6, 2012** (Thursday) \* *Holiday Schedule*

Location: NCTCOG

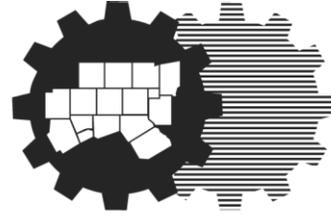
Room: TBD

Networking: 9:00-9:30

Meeting: 9:30-11:30

- Contact Jessie Shadowens at 817-704-2534 if you have agenda requests, questions or concerns.
- If an emergency meeting needs to be called, or a meeting needs to be cancelled, members and alternates would be contacted via email and/or phone.
- For the most up to date information regarding each meeting, please check the website:  
<http://www.nctcog.org/ep/eppc/>

**2012-2013  
North Central Texas  
Emergency Preparedness Planning Council  
Nomination Form**



Date \_\_/\_\_/2011

Elected Official Nominated \_\_\_\_\_

Title \_\_\_\_\_ City of \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ Zip Code \_\_\_\_\_

Email Address \_\_\_\_\_ Phone Number (\_\_\_\_)\_\_\_\_-\_\_\_\_

What contributions could this nominee make to the EPPC?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*Please include a brief biography of your nominee as part of your submission.\*\*\*

\_\_\_\_\_

Nominated By \_\_\_\_\_

Title \_\_\_\_\_ City of \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ Zip Code \_\_\_\_\_

Email Address \_\_\_\_\_ Phone Number (\_\_\_\_)\_\_\_\_-\_\_\_\_

Nominator Signature \_\_\_\_\_

Please scan the completed nomination form to [jshadowens@nctcog.org](mailto:jshadowens@nctcog.org) or mail to North Central Texas Council of Governments, Attn: AA Jessie Shadowens, 616 Six Flags Drive CPII, Arlington, TX 76011. In order to present nominations to the Executive Board in January 2012, submissions will need to be at NCTCOG by close of business, Friday, **December 16, 2011**.

**Issue**

Consider and/or act upon cancelling the December 20th City Council Meeting.

**Background**

December 20<sup>th</sup> is a regularly scheduled Council Meeting. With the meeting date falling the week of the Christmas holiday and potential vacation schedules, staff is requesting Council to consider cancelling this meeting.

The City Charter, Section 3.09 (1) states that the City Council shall meet regularly at such dates and times as may be prescribed by ordinance or resolution, but not less frequently than once each calendar month to transact the business of the City.

**Staff Recommendation**

City Council direction is requested.

**Issue**

Consider and/or act upon award of bid for the Liberty Ridge Park Construction project.

**Background**

The Liberty Ridge Park renovation is a bond program project approved by the voters in November 2008. In December 2010, City Council received a concept plan from HOK Park Planners. March 1, City Council hired HOK to prepare construction documents with the limit of a \$750,000 construction budget. October 4, Council approved the final design plans and authorized bidding of the project. Bids were opened November 15. The low bidder has requested to withdraw his bid. (see attached letter)

**Financial Considerations**

Liberty Ridge Park renovations construction budget is \$750,000 from bond funds.

**Liberty Ridge/Rolling Ridge Park**

<b><u>Funding:</u></b>	<b><u>Current:</u></b>	<b><u>Recommended:</u></b>
2008 bond issue	300,000	300,000
Transfer from Park Bonds		500,000
Trail Bonds		100,000
<b>Total Funds Available</b>	<b>300,000</b>	<b>900,000</b>

<b><u>Expenditures:</u></b>		
Issuance Cost	7,188	7,188
Engineering/Consultant	97,422	97,422
Construction		
Wall Enterprise		745,920
Contingencies		25,000
<b>Total Expenditures</b>	<b>104,610</b>	<b>875,530</b>

<b><u>Encumbrances:</u></b>		
Total Encumbrances	23,394	23,394
Total Expenditures and Encumbrances	128,004	898,924
<b>Budget Funds Available 10/31/11</b>	<b>171,996</b>	<b>1,076</b>

**Staff Recommendation**

Motion to strike the low bid from consideration due to withdrawal of the original low bid.  
Motion to award the Liberty Ridge Park construction bid to low bidder, Wall Enterprise, in the amount of \$745,920. Council also authorizes a contingency fund budget of \$25,000 for the project and authorize the city manager to proceed with the construction contract.

**Attachments**

Letter - Low Bid Withdraw

Summary of Bond Funds

Letter - Bid Recommendation HOK

Bid Tabulation

JONESPLAN



2328 E. 13th Street  
Tulsa, OK 74104  
t 918.832.5544  
f 918.832.7721

November 18, 2011

Wade,

Due to technical and qualification issues we wish to withdraw our bid for Liberty Ridge Park in Murphy.

Sincerely,

A handwritten signature in blue ink that reads "Preet Singh".

Preetinder Singh  
Member Manager  
Jonesplan of Texas, LLC

**CITY OF MURPHY**  
**Bond Approval 2008 Summary**

	<b>Funds Available 10/31/2011</b>	Council Allocations 3/1/11	<b>Recommended Reallocation 12/2011</b>	NEW Safe Routes To Schools 2012	NEW Collin County (2012)	NEW TPWD 2014	Total Estimated Budget	Liberty Ridge Park (2012)	Central Park (2012)	Timbers Park (2013)
Aviary Park	100,046	0	0				0			
Brentwood Park	(34,909)	0	0	50,000			50,000			
Gables Park (North Hill Park)	813,164	120,000	120,000				120,000			
Murphy Central Park	1,077,789	1,100,000	2,200,000				2,200,000		2,200,000	
Bunny Run Park (Timbers)	672,694	600,000	311,748		500,000	500,000	1,311,748			1,311,748
Skyline Park (Travis Farm)	(46,603)	0					0			
Liberty Ridge/Rolling Ridge Park	171,996	750,000	500,000				500,000	500,000		
Trails Project Undesignated	1,852,489	1,808,815					0			
Trails A (Timbers/Oncor)			1,000,000				1,000,000			1,000,000
Trails B (MCP/Maxwell Cr)			374,918				374,918		374,918	
Trails C (Liberty/Rolling Ridge)			100,000				100,000	100,000		
Land Acquisition	106,841	67,623	106,841				106,841			
Unknown Project		346,549	0				0			
<b>Total Parks</b>	<b>4,713,507</b>	<b>4,792,987</b>	<b>4,713,507</b>	<b>50,000</b>	<b>500,000</b>	<b>500,000</b>	<b>5,763,507</b>	<b>600,000</b>	<b>2,574,918</b>	<b>2,311,748</b>



November 17, 2011

Kim Lenoir, Director  
206 North Murphy Road  
Murphy, TX 75094

Dear Kim,

Following the bidding for the Liberty Ridge Park improvements, I am writing to recommend an award. The City received (8) total bids, one of which was un-responsive and not read aloud.

The apparent low bidder, Jones Plan of Texas LLC, made an error on their bid and has formally requested their bid be withdrawn (see attached). HOK concurs that their bid is in error and should not be accepted.

The next acceptable bidder is Wall Enterprises. They have acceptable references for Parks and Recreation work going back more than 20 years and have a good existing relationship with Murphy today. Below is a summary of their bid compared to the Architect's estimate:

<u>Cost Item</u>	<u>Wall Enterprises</u>	<u>Architects Estimate</u>
Base Bid	\$709,997	\$670,553
Alt. 1 – Flagstone at Fishing Pier	\$ 2,074	\$ 4,000
Alt. 2 – Flagstone at Pavilion Area	\$ 5,124	\$ 9,000
Alt. 3 – Pond Dredging (250 cy)	\$ 19,825	\$ 32,000
Alt. 4 – Refinish Fence	\$ 8,900	\$ 14,000
All Work:	\$745,920	\$729,552

The recommended bid is within 2.5% of the estimate. Based on the value of the bid, HOK recommends the award of the base bid plus alternates 1-4, for a contract total of \$745,920. HOK also recommends allocating \$25,000 as a contingency fund to be used at the discretion of the City during construction for any unforeseen conditions.

Thank you for your consideration.

Wade C. Peterson, ASLA  
Hellmuth, Obata & Kassabaum, L.P.  
Sr. Landscape Architect

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

## References

### Current Projects:

#### **City of Arlington/E. B. Barnes Park Improvements - \$ 487,914**

Concrete Trail, Stone Walls, Playground Installation , Irrigation, Sod, Landscaping, Pavilion remodel.

Contact: Jason Landrem

Title: Project Manager

Telephone No: 817-459-5489

Project start date: December 2011

### Completed Park Projects:

#### City of Dallas/North Bark Park- \$1,821,000

Site grading, parking lot, trails, irrigation, landscaping, pavilion, fencing, and site amenities.

Contact: Richard Ritz

Title: City Architect

Telephone No: (214)670-4104

#### City of Murphy / Murphy Neighborhood Parks - \$1.35 million

Site grading, parking lot, trails, irrigation, landscaping, pavilions, and many site amenities on four separate parks.

Contact: Kim Lenoir

Title: Park Planner

Telephone No: (972) 468-4068

#### City of Dallas / Pemberton Hill Park - \$99,000

Site grading, trails, fencing, playground, and many site amenities.

Contact: Sugie Dotson

Title: City Architect

Telephone No: (214) 670-4282

#### City of Dallas/Danieldale Park- \$402,000

Pavilion, sidewalks, parking lot.

Contact: Audrey Demeter(Pegasus)

Title: Project Manager

Telephone No: (469)375-6408

#### City of Dallas / Wagging Tail Dog Park - \$720,000

Site grading, parking lot, trails, fencing, irrigation, landscaping, and many site amenities.

Contact: Thom Hubacek

Title: City Architect

Telephone No: (214) 670-4995

#### City of Henderson/ Fair Park (Phase Three) - \$642,000

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

Site grading, parking lot, trails, pavilion, playground, sprayground, lighting, irrigation, landscaping, and many site amenities.

Contact: Mark Priestner or Stephanie Rollings

Company: Planning Concepts

Telephone No: (903) 561-4950

Contact: Randy Freeman

Company: City of Henderson

Telephone No: (903) 657-6551

## City of Dallas/ North Haven Park

Demolished existing parking lot and replaced with new 22,000 square foot parking lot, new lighting, and site amenities.

Contact: Thom Hubacek

Title: City Architect

Telephone No: (214) 670-4995

## City of Fate / Fate Sports Complex

Trails, parking lot, grade work, soccer and baseball fields, playground, and pavilion.

Contact: Mark Priestner or Stephanie Rollings

Company: Planning Concepts

Telephone No: (903) 561-4950

## City of Tyler / Rose Garden

Grading, flat work, masonry columns, and pavilion.

Contact: Mark Spencer

Company: MHS Planning & Design

Telephone No: (903) 597-6606

## City of Dallas / Pagewood Park

Pavilion, trails, landscape, irrigation, & lighting.

Contact: Thom Hubacek

Title: City Architect

Telephone No: (214) 670-4995

## City of Dallas / Royal Park

Playground, trails, parking lot, & landscape.

Contact: Thom Hubacek

Title: City Architect

Telephone No: (214) 670-4995

## City of Henderson/ Fair Park (Phase One & Phase Two)

Site grading, parking lot, trails, pavilion, playground, lighting, irrigation, landscaping, and many site amenities.

Contact: Mark Priestner or Stephanie Rollings

Company: Planning Concepts

Telephone No: (903) 561-4950

Contact: Randy Freeman

Company: City of Henderson

Telephone No: (903) 657-6551

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

## City of Cedar Hill / Recreation Center

Parking lot, trail, & lighting.

Contact: Clifton Felts

Title: City Inspector

Telephone No: (469) 628-5590

Contact: Bob Stoffels

Title: Project Engineer / Dunkin Sims Stoffels

Telephone No: (214) 553- 5780

## City of North Richland Hills / Dog Park Improvements

Parking lot, trails, & fencing.

Contact: Dalan Walker

Title: City Architect

Telephone No: (817) 427-6622

## City of Hurst / Baseball Complex

Contact: Cody Mayberry

Title: Park Superintendent

Telephone No: (817) 788-7000

## City of North Richland Hills / Norich Park

Playground border, & site amenities.

Contact: Dalan Walker

Title: City Architect

Telephone No: (817) 427-6622

## Town of Flower Mound / FM 3040 Project

Sidewalks, irrigation & landscape.

Contact: Bob Pegg

Title: City Engineer

Telephone No: (972) 874-6302

## City of Cleburne / Hulen Park and Buffalo Creek Park

New trails & site amenities.

Contact: Adam Miles

Title: City Manager

Telephone No: (817) 645-0900

## City of Tyler / Faulkner Park

Park trail.

Contact: Mark Spencer

Company: MHS Planning & Design

Telephone No: (903) 597-6606

## City of Royce City / Royce City Lake Park

New trail, retaining wall, & site amenities.

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

City of Waco / Viking and Anniversary Park

New sidewalks & playground.

City of Arlington / H.A.D. Dunsworth Park

Sidewalks, playground, landscape, & irrigation.

City of Arlington / Phases of River Legacy Park

Parking lot, trails, & playground.

City of Plano / Wagon Wheel Park

Irrigation.

City of Plano / Chisolm Park

Playground, parking lot, & trails.

City of Richardson / Thirteen Parks

Install restrooms & pavilions in all thirteen parks.

City of Richardson / Spring Creek Nature Trail

New concrete trail & bridge.

Texas Tech University / Soccer Field Complex

City of Rowlett / Roan Park

Trails, parking lot, fishing pier, playground, & site amenities.

City of Cedar Hill / Dot Thomas Park

City of Cedar Hill / Calf Pasture Park

Trail, parking lot, & playground.

City of Cedar Hill / Weaver Park

Built baseball fields.

**Note:** The completed park projects are references for projects completed since the year 1995. Approximately, 65 percent of our company revenue comes from park construction while the remaining 35 percent of our work consists of site construction, and road construction for municipalities, state and federal governments.

Completed Construction Projects:

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

## 1. City of Plano/ Parking Expansion Plano Centre

New parking lot & utilities.

Contact: Bill Dakin

Title: City Architect

Telephone No: (972) 941-7000

## 2. City of Waco/ Texas Department of Transportation Joint Project

Safe Sidewalks to School Project

Contact: Mark Hines

Title: City Supervisor

Telephone No: (254) 750-5440

## 3. City of Duncanville/ Right Turn Lane Project

New right turn lane.

Contact: Stewart Gathing

Title: City Official

Telephone No: (972) 740-3565

## 4. City of Cleburne / Cleburne Schools

Demolished existing parking lot and replaced with new 36,000 SF parking lot. This project also included more than 1,600 linear feet of curb and gutter added along the existing street.

Contact: Robert Childress

Company: Childress Engineering

Telephone No: (817) 645-1118

## 5. City of Plano / Tree Replacement

Remove and replace 450 trees throughout the City of Plano.

Contact: Michael Sultan

Company: Arborist

Telephone No: (972) 941-5419

## 6. City of Carrollton / Median Improvements

Removed existing medians. Installed new curb and gutter and brick pavers on Old Denton Road. (Heavy traffic )

Contact: Tom Geier

Title: City Engineer

Telephone No: (972) 466-3200

## 7. City of Granbury/ Downtown Sidewalk Phase II

Stamped concrete sidewalks.

Contact: Mike McKeen

Title: City Official

Telephone No: (817) 573-7030

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

## 8. City of Granbury/ Business 377 Sidewalk and Retaining Walls

Stamped concrete sidewalks and retaining walls.

Contact: Alva Cox

Title: City Official

Telephone No: (817) 573-7030

## 9. City of Grand Saline/ Downtown Streetscape

Street repair & handicap ramps.

Contact: Phillip Huseman

Title: City Official

Telephone No: (903) 581-8141

## 10. City of Waco/ 9<sup>th</sup> Street Sidewalks

New drive approaches & sidewalk

Contact: Mark Hines

Title: City Official

Telephone No: (254) 750-6620

## 11. City of Waco/ Downtown Tornado Memorial

Flat work, pavers, lighting, retaining walls, landscape, & irrigation.

## 12. Lake Dallas ISD

Sidewalks, landscape, & irrigation

## 13. Crossroads ISD/ Crossroads High School

New paving.

## **Project Awards:**

TXDOT

Schlischer County Court House Square Landscape, Hardscape. And Paving Improvements Project

*-Governors Cup Award-*

TXDOT

Odessa, Texas (Ector County) Hardscape and Median Improvements with Landscape, Irrigation, Retaining Walls, Stamped Paving.

*-Governors Cup Award-*

# Wall Enterprises

5425 County Road 309  
Cleburne, Texas 76031  
(972) 298-4800 (phone)  
(817) 202-0254 (fax)

## Wall Enterprises Contacts:

Office: (972) 298-4800

Fax: 1 (817) 202-0254

Dustin Wall: (682) 556-0238 / Project Manager  
Over 10 years experience in site construction.

Mike Wall: (972) 415-4463  
Owner since 1981 in site construction.

Don Mims: (682) 552-1792 / Project Manager  
Over 24 years experience in site construction.

Rafael Cervantes: Project Superintendent  
Over 20 years experience in site construction.

John Latham: Project Superintendent  
Over 25 years experience in fencing and site construction.

Trent Wall: Superintendent - Texas Licensed Irrigator #10986  
Over 4 years in office and administrative experience. Licensed irrigator on staff.



**Issue**

Consider and/or act upon approval of a community built playground for Murphy Central Park.

**Background**

On the Murphy Central Park Master Plan, a large community built playground is proposed in the next couple of years. A project this large will take 2 to 3 years to complete.

In August, Anne Hiney, now on the City of Wylie Park and Recreation Board, presented how Wylie built their community built playground project with Leathers Associates, an internationally known community build playground company. The Board discussed the pros and cons of the Pirates Cove Community Built Playground project that was built six years ago at Founders Park near Wylie High School.

In September, the Parks and Recreation Board reviewed the proposed time line and voted to recommend that the Council proceed with appointing a committee to begin this process. For more information about these playground see this website, a professional group that is recommended to assist Murphy with this project.

<http://www.leathersassociates.com>

**Let's Build a Community Playground for Murphy Central Park**

Mission: To establish a community team building project for all ages and all abilities (an adaptive playground) to bring neighbors and businesses together for a youth project.

Vision: To build a distinctive family/community playground and gathering place that will attract residents and visitors.

Fund Raising Goal: To raise \$100,000 from citizens, businesses, and grants. Encourage a commitment that for every dollar raised, matching funds will be available from MCDC funds (\$100k) and City funds of (\$100k). Total estimated project cost \$300,000.

**Plan of Action Timeline**

<b>Date</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
October 10, 2011		Prepare recommendation for City Council	Park Board
December 6, 2011		Present plan to City Council	City Council
January 2012		Present plan to MCDC	MCDC
January 2012		Feature Stories, publicity to recruit interest and volunteers	
January - Feb 2012		Interview and appoint committee (establish a 501(c)3 organization)	City Council
Sept 2012 - Sept 2013		Kick-off Fundraising Activities at Community Events	Maize Days, Christmas, etc
May 2013		Expand Committee for Implementation	
October 2013		Design Day at Schools	All elementary schools

November 2013		Final Design Presentation	City Council
Dec - January 2014		Line-up Volunteers & Logistics	
Spring 2014		Build Playground Week	MCP
		Grand Opening – Sunday	MCP

**Financial Considerations**

Wylie spent approximately \$100,000 six years ago. With the Murphy desire to add adaptive play equipment, to use mainly recycled lumber (to keep down maintenance costs), and to make the playground larger a minimum target budget of \$300,000 is currently recommended.

**Staff Recommendation**

Motion to approved the concept of a community built playground project for Murphy Central Park and to begin advertising and interviewing for a committee to establish a 501c(3) organization to begin fundraising.

**Attachments**

Article about Community built playgrounds



# We'll Build it OURS

## Community-Built Playgrounds in an era of safety

**I USED TO LOVE CASTLE PLAYGROUNDS** when I was really young," the post on Union County, New Jersey's forum begins. "My friends and I are now able to drive around, and I was wondering if anyone knew of any castle playgrounds around the Union County area?"

In a similarly nostalgic vein, a newspaper article from Nanuet, New York, tells the story of a volunteer group planning a "castle [that will] rise once again on a vacant lot where a much-loved community playground delighted children for years."

The list goes on. Bloggers share memories of their parents helping erect wooden pirate-ship playgrounds floating in seas of mulch. And moms and dads of now-grown children reflect on their wonder over community "barn-raising"

weekends that resulted in sprawling 10,000-square-foot wooden wonderlands with turrets, gangplanks and bridges, mazes, crow's nests, and lookout towers.

### Volunteer Efforts, Viral Appeal

During the 1980s and '90s, a new kind of playground began to appear in community parks and on school grounds. These playgrounds typically began with open invitation design days between professional design consultants and children, evolved into whimsical plans with big footprints, gained momentum with raffles and spaghetti dinners, and culminated in community-wide volunteer building days—sometimes with more than 1,000 skilled and unskilled workers showing up.



There is a certain magic in coming together  
around an extraordinary project  
to benefit children and families.

# ELVES

and accessibility concerns. BY MAUREEN HANNAN

Young parents with memories of monkey bars and creaky seesaws on hot blacktop became playground evangelists once they grasped possibilities for dream playscapes on beds of soft mulch. By the mid-1980s, according to play researchers Priscilla Ferguson Clement and Jacqueline Reinier, nearly half of all playgrounds in the United States were constructed of wood—and a high percentage of those were community-built theme playgrounds.

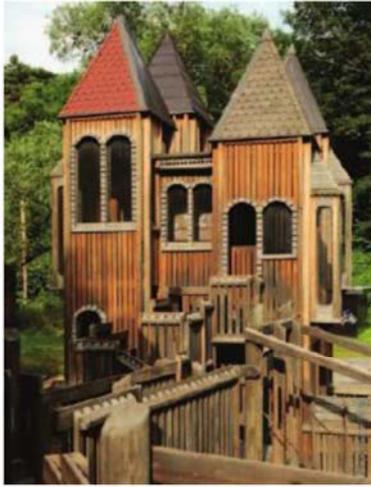
The playgrounds had a sort of viral appeal. Baby Boomer parent volunteers who had helped build one would show it off to their own visiting guests and extended families; and those parents, inspired, would then launch similar projects in their communities.

For all of the fond memories that these thousands of playgrounds across the country generated, they had unusual problems as well. John McGovern, an expert in playground safety and accessibility and president of Recreation Accessibility Consultants, says safety concerns including lack of accessibility, splinters, falls from platforms, and disrepair—coupled with the high level of maintenance required by large wooden structures—led ultimately to the replacement of many of those early community-built playgrounds.

#### From Sprawling to Standardized

By the late 1990s, manufactured playgrounds featuring plastic equipment had begun to eclipse those wood

castles and pirate ships. The playground safety movement, led by the U.S. Consumer Product Safety Commission (CPSC) and the American Society for Testing and Materials (ASTM) volunteer industry standards for public playgrounds, got a major boost in 1993, with NRPA's launch of



the National Playground Safety Institute (NPSI) certification program. Together, these initiatives gave structure and standards to American playground construction and care.

By choosing and purchasing individual play components or composite play structures from any one of the many play equipment manufacturers who had NPSI-trained safety experts and childhood development specialists on staff, park departments, and community stakeholders could have a high degree of confidence in the safety and durability of the playgrounds in which they were investing.

Today, many manufacturers have their play equipment certified through the International Playground Equipment Manufacturers Association's (IPEMA) third-party certification process. Moreover, centralized planning by park agencies guaranteed professional integration of playgrounds with landscape architecture, shade, and other park amenities like picnic pavilions and restrooms.

"There was also the commitment component," McGovern says. "One thing volunteer groups often forgot is that you've got to have the commitment from the decision-makers for a maintenance budget." Community volunteers, in their zeal to get a dream playground built, did not always plan for the ongoing maintenance those ambitious projects would require. Moreover, many of those early community playground efforts overlooked the step of inviting local government elected and

administrative officials to participate in initial planning discussions. These were the very people, McGovern says, whose counsel and "buy-in" were most needed for the long-term success of the facility.

Dr. Donna Thompson, director of the National Program for Playground Safety, says the idea of community-built playgrounds "was originally exciting to people because it would save them money." And, in the attempt to save that installation expense (typically about 35 percent of the total cost of a playground) "[volunteers] tended to forget who they were building it for and why they were building it." The problem was not with the intentions of the volunteers or the barn-raising concept itself; rather, Thompson says, the problem lay in getting caught up in fundraising efforts and building days and not giving enough attention to the painstaking planning necessary for a safe, accessible, developmentally appropriate playground.

### "The energy and excitement were so attractive"

As any community playground volunteer will attest, there is a certain magic in coming together around an extraordinary project to benefit children and families. Melissa Summerfield, who helped build Dinosaur Playground in Bozeman, Montana, says of the building days, "The energy and excitement were so attractive. My husband and I kept trying to figure out how we could get more babysitting help, because we just wanted to keep going back for more."

And one volunteer wrote in a comment in a *New York Times* editorial on the community-built playground movement, "I still remember the whole project as very inspiring. Everyone was talking about the upcoming volunteer build, which lasted a whole weekend....My high school physics teacher [encouraged] all of us to go volunteer for part of the weekend because you could tell how excited and inspired he was by it. The project arose out of a lack of funding to rebuild a playground in our local park...."

Community-built playgrounds may have their drawbacks and critics, but there is no doubt that they also

## Dinosaurs, Raffles, and Plastic Lumber



The children filed past plaster models of dinosaurs and into a conference room in the Bozeman, Montana, Museum of the Rockies one Saturday

in 2007. They were there to discuss the new playground being planned for the empty, just-acquired 100-acre Gallatin Valley Regional Park nearby.

"We'd like for you to draw us some pictures of what you think would make a

good theme for the playground," said the design consultant.

Not surprisingly, a collection of dinosaur sketches was passed forward within the next few minutes. And Bozeman's community-built Dinosaur Playground was born. Two years later, the universally accessible, dinosaur-sculpture-filled, volunteer-built playground and tot lot would finally be completed. The playground gave the empty park a centerpiece and offered the children of the community slides, swings, "dino dig" sandboxes, a rock

climbing wall with safety surfacing, mazes, and more. A park friends group, FORParks, organized the entire project with the blessing of the county park agency. The design consulting firm the group hired provided safety expertise and volunteer-organizing guidance during the planning process. Fundraisers included raffles, dinners, and appeals to local businesses. And, in June 2009, more than 1,500 enthusiastic volunteers gathered to transform the many plastic-lumber components into their own unique community playground.

empower communities and connect people of all ages to their local parks. And they are certainly not going away any time soon. In fact, with local park agencies around the country experiencing budget woes, park-supporting citizen groups are seeking out a variety of different types of community-built playground designers—from architects specializing in natural and discovery playgrounds, to in-house consultants at traditional playground equipment manufacturers. And, perhaps more than at any time in the past 20 years, volunteers are taking the lead in funding, building, and maintaining these many different styles of playgrounds.

### New Options, New Challenges

Ken Kutska, director of the International Playground Safety Institute and a member of IPEMA's Voice of Play, says companies and nonprofits specializing in community-built playgrounds are, in general, doing a better job these days of training facilitators and structuring a sound planning process. He adds that communities have several options for deriving the benefits of the barn-raising model—especially by placing greater emphasis on the planning stage than on the actual installation of a playground project.

"Put together a planning team," Kutska advises. Along with input from families and children, he says, "include a child development expert, a representative from the manufacturer, a professional playground planner, an accessibility specialist, and an operations/maintenance park staffer....And remember, the goal is more than to create a playground. It is to maintain and inspect that playground throughout its lifetime." A process led by such a diverse and knowledgeable team will focus on more than cost, Kutska says. Instead, a master plan will emerge—one that is "the result of weighing alternatives and making educated decisions."

Thompson agrees, adding that an advance study of park users is also essential. "Many volunteer-built efforts, she says, put most of their resources into equipment for 5-to-12-year-olds. We find that the kids using the playgrounds are actually most often in the 2-to-5-year-old age group." So,

while the equipment might be top-notch and developmentally appropriate, it is not well suited to the children trying to use it. "Plan for who is actually going to be using the park."

Kutska offers an additional reminder: While communities can be successful in volunteer-led builds, Americans with Disabilities Act [ADA] compliance is adding a whole new aspect to playground planning. "The biggest challenge for most of us going forward," Kutska says, "will be accessible routes and barrier-free park access....And with most small community [volunteer efforts], the focus is on equipment, not accessibility. He catalogs a list of compliance mandates, including the requirements for ramping with vertical rises over a half-inch. "The main thing is, it's not enough to put in accessible equipment. We have to get people to each accessible component." And that requires involvement from people knowledgeable about the new accessibility rules.

Kutska, like McGovern and Thompson, believes that even with such new challenges, park agencies, play equipment manufacturers, and volunteer groups can work together successfully to create safe, fun, accessible playgrounds. "We have a lot of public opportunity with community-built playgrounds," Kutska concludes. "But you've got to have a plan." 

**MAUREEN HANNAN** is Senior Editor of Parks & Recreation.



"Since it's been open, it's been a community hot spot," says Melissa Summerfield, one of the project's organizers. "And the building process itself was phenomenal. Businesses sent teams of employees wearing company t-shirts, and Home Depot even sent officials out to be a part of it."

Did FORParks undertake the project to save on installation costs? No, insists Summerfield—while the county welcomed the friends group's help for budgetary reasons. Rather, for the volunteers, the project was more about

coming together as a community and making something spectacular happen. Stan Wagner, vice-president of the FORParks board, adds, "We wanted to see who would come forward and what collection of skills we'd get." Wagner ticks off a list of serendipitous local talent discoveries. The museum artist who crafted the dinosaur print sculptures for the park, the planners and construction workers, the PR and marketing whizzes.

Ultimately, the project really had a more ambitious aim than just to construct

a playground, Wagner says. FORParks was considering the future of that pristine 100-acre park. "We knew we needed something to draw people to the park," he explains. "For all the features we wanted to see—amphitheater, shade areas, picnic pavilions—we had to have something to first make it a destination."

And, when new visitors arrive and see the marvelous playground, Wagner states proudly, they usually say, "Wow—I had no idea that this was all here."

—Maureen Hannan

**Issue**

Discussion regarding executing a street name change for FM544 to Main Street and a street name change for Betsy Lane to become Park Blvd.

**Background**

As the city continues to make necessary address corrections along the FM544 corridor, the discussion has arisen regarding possibly changing the name of FM544 to Main St. (or any other name chosen by council) along with changing Betsy Ln. to Park Blvd.

FM544 addresses are being redone for residents to the east and for businesses in the central and western portion of the City of Murphy. If the city were to entertain the idea of renaming this corridor, this would be the time so as to execute one address change for the residents and businesses affected. Currently addresses in the central business district of the city are very numerical heavy (i.e. 305 E FM544 Ste. 909). This would become 305 E Main, Suite 909. This also could provide the city with a destination such as meet me on the southeast corner of "Main and Murphy".

The addressing corrections discussed at the council meeting earlier in the year are nearing final. If council should entertain a name change for FM544, now would be the time to execute that change so as to only create one address change for all businesses and residents living along that corridor. Should council wish to leave the addresses as FM544, this will not prohibit councils from taking action to execute a change in the future.

The Betsy Ln. change would be in an effort to continue Park Blvd all the way through our community as it transitions from Plano to Wylie. Currently, Park Blvd. changes to Betsy Ln through our community, then in Wylie the street changes to McMillen and back to Park.

**Financial Considerations**

The city would only incur expenses for changing the signage and filing fees with the county along with staff time preparing documents to send to all businesses and residents advising them of the name change and the 12 month period to make the change.

**Staff Recommendation**

Staff requests direction from council in regards to possible street name changes for FM544 and Betsy Ln.