

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on **Monday, November 3, 2025 at 7:00 p.m.**

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Patrick Souter, Mayor Pro Tem, Council Member Place 2
Tres Atkins, Council Member Place 1
Chris Wright, Council Member Place 3
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Announcements/Presentations***
 - a. Introduce Honorary Council Member
 - b. Present Proclamation designating November 3-7, 2025 as Municipal Court Week
5. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***
6. ***Consent Agenda***

All matters listed under Item 6, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of October 20, 2025
- b. Minutes of the City Council work session of October 22, 2025
- c. Event application for Southern Star 5k to be held at Getzendaner Memorial Park on November 8, 2025
- d. Event application for Santa Run to be held in Downtown Waxahachie on December 13, 2025
- e. Event application for Carry the Load event to be held at Lumpkins Stadium on May 23, 2026
- f. Proposed Ordinance approving a request by Anthony Lohden for a Petition for ETJ Release for approximately 5 acres, located along FM 55 east of State Hwy 77 and west of Chisholm Trail (Property ID 234199) – Owner: Anthony Lohden (ETJ-PTN-134-2025)
- g. City of Waxahachie 2026 Holiday Schedule

- h. Contract for two LifePak 35 monitor/defibrillators in the amount of \$128,841.28
 - i. Purchase of a bucket truck from Versalift in the amount of \$227,863
- 7. **Consider** a request by William Dahlstrom, for Voluntary Annexation of approximately 206.719+/- acres situated off of Brookside Road (Property ID 193815, 193822, & 303652) - Owner: United Presbyterian Homes & Walton Texas LP (ANX-DNX-164-2025)
- 8. **Consider** a request by Jose Zavala for a Plat of Zavala ADDITION, lot 1 Block A, being 0.1642 acres, located at the intersection of S Rogers St and Five Points Rd, situated in the James Armstrong Survey, Abstract 6, an addition to the City of Waxahachie (Property ID 179039) – Owners: Jose Zavala and Juan Zavala (SUB-124-2025)
- 9. **Public Hearing** on a request by Gilberto Escobedo, for a Replat of Lot 13R, Block 180, of the Oak Lawn Addition, to create Lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, 0.191 acres, located at 309 Henry Street (Property ID 175115) – Owner: Escobedo Gilberto Jr (SUB-127-2025)
- 10. **Consider** approving SUB-127-2025
- 11. **Public Hearing** on a request by Javier Landeros, Inkspllicit Tattoo Studio, LLC, for a Specific Use Permit (SUP) for a Tattoo or Body Piercing Shop use within the General Retail (GR) zoning district located at 120 North US Highway 77, Suite A (Property ID 173425 – Owner(s): 120 North LLC (ZDC-112-2025)
- 12. **Consider** proposed Ordinance approving ZDC-112-2025
- 13. **Public Hearing** on a request by Dennis Church, Minto Communities Texas, LLC, for a Zoning Change from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)
- 14. **Consider** proposed Ordinance approving ZDC-232-2024
- 15. **Consider** Ground Lease and Operating Agreement with Ellis County Master Gardeners
- 16. **Consider** contract with Classic Chevrolet of Grapevine for six (6) new Criminal Investigation Division (CID) vehicles in the amount of \$168,409 and a contract with Moritz Kia for two (2) new CID vehicles in the amount of \$56,175.54
- 17. **Consider** proposed Ordinance repealing and replacing Article XIII, “Overnight Camping and Temporary Shelters,” of Chapter 21 of the City Code
- 18. **Consider** proposed Resolution of votes cast to elect Directors for the Ellis Appraisal District for the year 2026
- 19. **Consider** proposed Resolution for Eminent Domain to acquire sewer, water, drainage, and temporary construction easements associated with the re-alignment of Old Italy Roadway, Water, and Sewer Projects

20. **Convene** into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including selection of a City Manager, as permitted by Texas Government Code Section 551.074; and to consult with the City Attorney regarding legal issues related to the city manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto
21. **Reconvene** and take any necessary action
22. Comments by Mayor, City Council, City Attorney and City Management
23. Adjourn

The City Council reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein.

ACCESSIBILITY STATEMENT

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the ADA Coordinator at (469) 309-4000 or (TDD) 1-800-RELAY TX

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PROCLAMATION

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas; and

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Waxahachie Municipal Court is a state court and its judges are members of the state judiciary; and

WHEREAS, the procedures for the Waxahachie Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas; and

WHEREAS, the City of Waxahachie is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, Waxahachie Municipal Judges are not policy makers for the City of Waxahachie but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees; and

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Waxahachie Municipal Court in complying with such legal requirements.

NOW, THEREFORE, be it resolved that I, Billie Wallace, Mayor of Waxahachie, along with the entire City Council do hereby proclaim November 3 – 7, 2025 as

“MUNICIPAL COURT WEEK”

in the City of Waxahachie and recognize the fair and impartial justice offered to our citizens by the Municipal Court of Waxahachie.

Proclaimed this 3rd day of November 2025.

MAYOR

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, October 20, 2025 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Patrick Souter, Mayor Pro Tem, Council Member Place 2
Tres Atkins, Council Member Place 1
Chris Wright, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Ricky Boyd, Interim City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Mayor Wallace gave the invocation, led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

4. Announcements/Presentations

- a. Introduce Honorary Council Member
- b. Recognize the Finance Department for receiving the Achievement of Excellence in Procurement award from the National Procurement Institute
- c. Recognize Leila Cole, Purchasing Manager, for earning the NIGP-CPP Certified Procurement Professional Certification from the Institute for Public Procurement

Council Member Tres Atkins introduced October Honorary Council Member Missy Phillips. A passionate servant leader whose dedication to the Waxahachie community spans decades. Ms. Phillips has generously served on numerous boards, including the Waxahachie Senior Citizen Center, where she held positions as Secretary and President, the Waxahachie Junior Service League, and the Salvation Army, where she devoted over 22 years serving, serving both as Secretary and President.

She also contributes her leadership to Campfire Creek Therapeutic Riding Center, where she currently serves as Board Chair. Her past involvement also includes key roles with the Miracle League, Wilemon PTO, Wedgeworth PTO, and the Crape Myrtle Council. Her volunteer footprint is equally impressive. Ms. Phillips has dedicated her time and energy to organizations and events, including Waxahachie Youth Baseball, RBI Club, Richards Park concessions, Waxahachie Chamber of Commerce, YMCA fundraising campaign, Boys and Girls Club, Salvation Army Kettle Campaign, Dear Day Partners in Education, Habitat for Humanity, and Leadership Waxahachie, of which she is a proud graduate.

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She has Chaired or Co-chaired several iconic local events, including the Gingerbread Trail, Waxahachie Chamber Banquet, Candlelight Tour, David Ream Memorial Golf Tournament, Waxahachie Mini Grand Prix, and the Crape Myrtle Festival. Her service has been recognized with numerous accolades including Leadership Waxahachie Award, YMCA Fundraising Volunteer of the Year, Boys and Girls Club Volunteer of the Year, Salvation Army Volunteer of the Year, and the Waxahachie Junior Service League Sustainer of the Year. Her lifelong commitment to uplifting others and building a stronger community is an inspiration to all. We are grateful for her tireless dedication and are honored to recognize her this month.

Senior Director of Finance Chad Tustison recognized two members of the Finance Department's Purchasing Team, Leila Cole and Marina Borrego, for their outstanding contributions and recent achievements. Leila Cole, the Purchasing Manager, has been with the department for two years and has played a key role in improving the purchasing process. She recently earned the NIGP-CPP certification, the highest professional certification in public procurement. Marina Borrego, Buyer, has been with the team for under six months and has already made a significant impact.

Together, the team helped the City earn the Achievement of Excellence in Procurement Award, a prestigious recognition given to only 85 cities in the U.S. and Canada, reflecting excellence and innovation in procurement practices. Mr. Tustison praised both individuals for their professionalism, dedication, and positive representation of the city, and expressed sincere appreciation for their work.

5. Public Comments

Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas, expressed concern about students at Northside Elementary being exposed to silica on October 16, during the removal of playground equipment from the school property.

6. Consent Agenda

- a. Minutes of the City Council meeting of October 6, 2025
- b. Minutes of the City Council work session of October 6, 2025
- c. Proposed Ordinance amending Sections 8-30 and 8-31 of Chapter 8 of the City of Waxahachie Code of Ordinances to allow the use of copper clad aluminum wire in single-family residential
- d. Contract for purchase of eight (8) patrol vehicles in the amount of \$378,720
- e. 2022 Water and Sanitary Sewer Replacement Project Change Order-Amphitheater Parking Lot in the amount of \$151,352
- f. Construction Contract with HD Cook's Rock Solid, LLC for Asphalt Reconstruction: Grace, W Parks, Textile & Marshall Project in the amount of \$922,025
- g. Contract for purchase of backhoe and skid steer in the amount of \$257,685
- h. HGAC Contract with Bruckner's Truck & Equipment in the amount of \$217,296.58 for the purchase of a new 2027 Mack MD6 with Attenuator body, designated as Fire Blocker 2
- i. Musco Lighting Contract for Sports Complex LED Light Project PH II in the amount of \$678,811

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ORDINANCE NO. 3679

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTION 8-30, "ALUMINUM WIRE CONDUCTORS RESTRICTED," AND SECTION 8-31, "WIRE SIZE," OF CHAPTER 8, "BUILDING," OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE, TEXAS, BY ALLOWING COPPER CLAD ALUMINUM WIRE TO BE UTILIZED; MAKING FINDINGS; PROVIDING CUMULATIVE/REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; DECLARING AN EMERGENCY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Action:

Chris Wright moved to approve all items on the Consent Agenda as presented and authorize the Interim City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

7. Hear update of activities at Sims Library

Jen Graf, Library Director, presented an update of activities at Sims Library. Over the last year, Sims Library celebrated its 120th anniversary with several impressive milestones. Patrons saved over \$8.1 million by checking out physical items, while WiFi usage increased by 85%. The library expanded its digital offerings by purchasing a new streaming database, Kanopy, and saw a 37% increase in program attendance. Additionally, the library secured a \$43,980 grant from the Texas State Library & Archives Commission and raised \$34,285.96 through donations and grants. Highlighting staff excellence, Elias Carreon presented at the American Library Association's Annual Conference.

Sims Library received several honors this year, including a nomination for Non-Profit of the Year. Elias Carreon was nominated for Young Professional of the Year, presented at the American Library Association's Annual Conference, and celebrated a personal milestone by graduating with his MLIS from Syracuse University. Sarah Lucero was nominated for the Leadership Award, and Jen Graf not only received a nomination but also won the Leadership Award, highlighting the team's outstanding contributions and professional excellence.

Ms. Graf provided an overview of key library activities, including foot traffic, circulation trends, program participation, digital service usage, and community engagement. She also highlighted special projects such as the pollinator garden, fountain landscaping, and the addition of study booths.

Mayor Wallace praised the library team for their continued efforts and contributions to the community.

Council Member Travis Smith suggested enhancing the park across the street to complement the library's outdoor space and maximize its use and Ms. Graf agreed with the suggestion.

Council Member Chris Wright gave credit to the library staff, commending them for navigating recent legislative changes and maintaining compliance. He praised their dedication and adaptability.

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Council Member Patrick Souter expressed appreciation for all the work done by Ms. Graf and the library staff, noting a definite increase in attendance and participation. He described the library as a “shining star” for the city.

8. Public Hearing on a request by Lexi Cassels, Kimley-Horn, for a Zoning Change from a Commercial (C) zoning district to Planned Development-Multi-Family-2 and Planned Development-Commercial (PD-MF-2 & PD-C) zoning district, for a mixed-use development, located directly east of 2050 Conquest Boulevard, (Property ID 191630 & 191636) - Owner: B&T Realty Services Inc (ZDC-91-2024)

Developer Shannon Livingston, requested one final continuance, until November 17th, for a proposed build-to-rent (BTR) housing project that has been in progress for over a year and a half. The project, under contract with B&T Realty Services, has undergone multiple design revisions, largely due to feedback from city departments, which have significantly increased development costs. Mr. Livingston emphasized their commitment to delivering a high-quality, well-managed rental community and noted that substantial capital (around \$300,000) has already been invested. He aims to use the additional time to evaluate the project’s financial feasibility and negotiate with the property owner. However, City Council members expressed concerns over the repeated delays (this being the sixth continuance), the saturation of rental properties in the area, and the potential loss of commercially zoned land adjacent to a high school and future developments. Council members recommended that, if any changes are made to the approved plan, the project should return to the Planning & Zoning Commission for reevaluation. While city staff did not object to one more continuance, they agreed that any plan modifications would require resubmission. The developer clarified that they are not seeking to change the plan at this time, only to finalize internal decisions with the seller before proceeding.

The consensus of the Council was that if any changes are made to the current plan, it must be resubmitted to the Planning & Zoning Commission for review.

Mayor Wallace opened the Public Hearing at approximately 8:06 p.m.

There being no others to speak for or against ZDC-91-2024, Mayor Wallace closed the Public Hearing at approximately 8:06 p.m.

Action:

Tres Atkins moved to continue the Public Hearing for ZDC-91-2024 to the November 17, 2025 City Council meeting. Motion was seconded by Travis Smith and carried 4-1 with Patrick Souter voting in opposition.

9. Consider proposed ordinance approving ZDC-91-2024

No action taken.

10. Consider Development Agreement for ZDC-91-2024

No action taken.

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11. Public Hearing on a request by Marisa Brewer, McAdams, for a Zoning Change from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)

Trenton Robertson, Senior Director of Planning, presented the Item and Marisa Brewer requested approval. At the Planning & Zoning Commission meeting held on July 15, 2025, the Commission voted 5-0 to recommend continuing case number ZDC-174-2024 to the Planning & Zoning Commission Meeting on August 12, 2025. At the Planning & Zoning Commission meeting held on August 12, 2025, the Commission voted 5-0 recommending approval subject to the staff report and to include the following items as part of the conditions to be submitted for staff review before the City Council meeting on September 2, 2025:

Planning & Zoning Commission Conditions:

1. The applicant shall remove the proposed tables on the site plan and add additional playground equipment and fencing around the amenities area. Then submit an updated site plan to staff prior to the City Council meeting.
2. The applicant shall add a shaded structure for the playground equipment proposed in this development.
3. The applicant shall submit a lighting and/or photometric plan with this application request, and shall adhere to Section 6.03 of the City of Waxahachie Zoning Ordinance prior to the City Council meeting.

The applicant has since submitted an updated site plan, landscape plan, and a rendering reflecting the changes recommended by the Planning and Zoning Commission.

At the City Council meeting held on September 2, 2025, the City Council voted 5-0 to continue case number ZDC-174-2024 to the City Council meeting on October 20, 2025, to provide additional architectural features highlighting each unit for this development and add a dumpster enclosure to the existing portion of this development. The applicant has since submitted updated elevations providing a total of three variations of the four (4) unit buildings.

The applicant proposes a Planned Development to allow for a townhome style multi-family development with a total of fifty-nine (59) units on 5.87 acres. This results in a density of 10.05 dwelling units per acre (DUA); which is below the maximum density of eighteen (18) DUA that is allowed by right per the base zoning district of Multi-Family-1 (MF-1). The proposed development will not be subdivided into separate platted lots and will be developed on one lot, similar to a multi-family apartment development. The existing Phase 1 and proposed Phase 2 are currently owned by the same entities with the possibility of being owned by different entities after the subject property has been platted.

The applicant proposes a total of eleven (11) buildings with this PD. Each building will house between 4-8 townhome-style units, with 1-3 bedrooms per unit. A total of fifteen (15) 1-bedroom units, thirty-five (35) 2-bedrooms units, and nine (9) 3-bedrooms units, totaling fifty-nine (59) units, is proposed for this development. The buildings have a proposed maximum height of two-stories and are situated approximately 95' from the southern boundary that is adjacent to an

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existing residential subdivision (Northgate Two Addition). The proposed development includes a rear entry-attached garage for each unit with the remaining required parking to be parallel along the primary drive aisles. The applicant is not proposing any front entry garages with this development. The proposed parking does exceed the minimum total parking requirement (99 spaces) and minimum attached garage requirement (105 spaces) for a multi-family development of this size.

The applicant has provided a set of proposed exterior elevations for the multi-family development with this PD. Renderings of each building type are included in the Building Materials/Elevations Plan. The facades feature primarily stone with accents of brick and Hardie board planks utilized in various areas of each building to create some uniqueness to define each unit. Notably, all proposed structures utilize the same elevation.

The applicant proposes to provide amenities such as playground equipment, a pickleball court, and picnic tables to be located in the center of the development, as shown on the Site Plan. In addition, the applicant proposes open space throughout the development with internal pedestrian sidewalks. Staff recommends that the proposed playground come equipped with a minimum of five (5) play elements. Staff has also included a recommended condition of approval for the PD request that requires these central amenities to be installed prior to the issuance of the Certificate of Occupancy of the first building on the subject property.

The applicant has provided a Landscape Plan for the proposed development. The proposed landscaping does meet the minimum requirements of the City of Waxahachie Zoning Ordinance. The applicant is proposing to install part of the required landscape in front of each unit. The applicant is proposing to provide trees along the southern boundary line to serve as a buffer between the proposed development and Northgate Two Addition (residential subdivision).

The subject property is accessed from Johnston Boulevard, and Houston Street through mutual access easement with the existing development located to the north of the subject property, Heritage Square Townhomes Phase 1. The applicant proposes to dedicate a mutual access easement along the northern and eastern boundaries of the subject property by separate instrument. The applicant confirmed that they will file the mutual access easement prior to the plat application submittal.

The subject property is adjacent to an existing residential subdivision located south of the subject property, the Northgate Two Addition. Therefore, the applicant is proposing a 6' masonry screening wall, as required by the Waxahachie Zoning Ordinance. The applicant had previously coordinated a meeting with the adjacent property owners to communicate what the proposed development entails, and has stated that they will be reaching out to them regarding installation of the screening wall, should the property owner proceed with this development.

The subject property is identified by the 2023 Comprehensive Plan under the Mixed-Use Neighborhood placetype. Though the proposed development does not provide the mixing of activities, the use does provide a buffer between a dense multi-family development and a less dense traditional single-family neighborhood due to the proposed density for the development of 10.19 DUA. This type of density transition and the diversity of housing is consistent with the goals of the Mixed-Use Neighborhood placetype.

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The applicant has provided a photometric plan that does not reflect the proposed lighting located in the central amenity area of the development. The Development Standards state that lighting around the amenity center shall be provided and have an override shut off at 10:00 P.M. However, there are some hours of the day when the sun sets early during the fall and wintertime, and the lights located on the private drives and amenities area will be lit simultaneously. This may cause a nuisance to the tenants occupying the units directly across the alley and private drive and adjacent to the area. Staff recommends for the applicant to comply with Section 6.03 of the City of Waxahachie Zoning Ordinance to prevent any lighting and glare nuisance that may cause to the tenants who will be occupying the rental units directly adjacent to the amenities area.

The applicant has provided updated elevations reflecting minor changes that include a total of three (3) variations of the four-unit buildings. Otherwise, comments from the City Council for the applicant to provide uniqueness to each unit were not addressed.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 35 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, no letters of support and four (4) letters of opposition to the request have been received by staff.

Mayor Wallace opened the Public Hearing at approximately 8:08 p.m.

Ms. Brewer reviewed satisfaction survey results received from Phase 1 tenants and the updated plan to address the dumpster concerns.

There being no others to speak for or against ZDC-91-2024, Mayor Wallace closed the Public Hearing at approximately 8:12 p.m.

Councilman Wright expressed appreciation to the applicant for providing the resident survey, addressing the dumpster concerns, and making the necessary changes to the proposal.

12. Consider proposed Ordinance approving ZDC-174-2024

Councilman Smith raised concerns about property access, suggesting the developer extend their build-out to the city property line. Mayor Wallace expressed concern about traffic being funneled onto the 287-service road near a yield sign and wished there was an alternative traffic route. Executive Director of Public Works James Gaertner noted that Mark Trail, located in Service Area 4, is not on the Thoroughfare Plan and therefore ineligible for impact fee funding. Councilman Wright stated he isn't concerned with the limited exit options through the neighborhood and believes there are viable alternatives. Mayor Pro Tem Souter agreed, adding he doesn't expect the project to generate significant traffic volume.

ORDINANCE NO. 3680

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT – COMMERCIAL (PD-5-C) TO PLANNED DEVELOPMENT – MULTIFAMILY-1 (PD-MF-1) LOCATED AT 501 HOUSTON STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 5.87 ACRES KNOWN AS PART OF

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ABSTRACT NO. 851 OF THE R. PARKS SURVEY, PROPERTY ID: 189345, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Patrick Souter moved to approve ZDC-174-2024, a Zoning Change from Planned Development – Commercial to Planned Development – Multifamily, subject to the conditions of the staff report and authorize the Interim City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Chris Wright and carried 4-1 with Travis Smith voting in opposition.

13. Consider Development Agreement for ZDC-174-2024

Action:

Chris Wright moved to approve the Development Agreement for ZDC-174-2024. Motion was seconded by Patrick Souter and carried 4-1 with Travis Smith voting in opposition.

14. Consider a request by Jake Pinto, Alpine Start Development, for a Site Plan for Alpine Meadows, located directly south of 1850 FM 878 (Property ID: 290675) – Owner: ASD Waxi Fee Owner LLC (SP-68-2025)

Mr. Robertson presented the Item. At the Planning & Zoning Commission meeting held on September 23, 2025, the Commission voted 6-0 to recommend approval of case number SP-68-2025, subject to the conditions of the staff report. The conditions of approval included the following with regard to amenity phasing. Since the Planning & Zoning Commission meeting, the applicant has provided an alternative proposal for amenity phasing that is discussed in the Planning Analysis section below.

- The proposed Open Space Amenities and Clubhouse included in each individual phase of construction shall be installed and operational prior to the issuance of the Certificate of Occupancy (CO) for the first structure in the associated phase of construction.

The applicant proposes a Site Plan to allow for the construction of Alpine Meadows, a multi-family development comprised of 486 garden-style apartment units and 295 townhome style units. The proposed garden-style units range in size from studio to 3-bedrooms; while the townhome style units include only 2- and 3-bedroom units. The subject property is currently situated in a Planned Development (Ordinance 2281) zoning district that was approved in 2005, but never developed. The PD zoning district allows for the development of “Multi-Family” Land Uses, with the approval of a Site Plan by the Planning & Zoning Commission and City Council. Bedroom counts are not restricted by the PD. Planned Development Ordinance 2281 includes a 5.5 acres General Retail tract that is not proposed to be developed as part of this Site Plan Application.

The applicant has provided a Site Plan for the subject property, which is designed for a total of 74 multi-family buildings, three (3) clubhouses and associated amenities. The Site Plan is proposed to be developed in three (3) phases. The garden-style units are proposed to be developed in the first two phases and all townhome style units are proposed to be developed as the third phase. The townhome style units are proposed to be located on a single large lot and are not proposed to be individually platted. Access between lots is proposed to be facilitated by the establishment of mutual access easements across the major internal drive-aisles connecting each lot. The site has

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also been designed to meet the minimum interior and exterior setback requirements of the Multi-Family-1 (MF-1) zoning district; which is the base zoning of the PD. Dumpsters screened by 6'8" masonry walls and landscaping have been spaced throughout the development, as required by the Waxahachie Zoning Ordinance.

The Site Plan has also been designed to account for right-of-way (ROW) dedication for FM 878 and FM 879, as required by the 2024 Waxahachie Thoroughfare Plan. The 2024 Thoroughfare Plan identifies both FM 878 and FM 879 as future 120', 6-lane Major Arterial thoroughfares.

The proposed Site Plan meets the minimum parking requirement for both total spaces and garage parking spaces. A total of 1,398 parking spaces are required for the development based on the unit count, of which a minimum of 699 spaces are required to be provided as an attached garage parking space. The proposal includes a total of 1,470 parking spaces, which are comprised of 1,008 garage spaces and 462 surface spaces. Each individual phase has been designed to meet its own minimum parking requirements without relying on future phases.

The applicant has provided an Elevation/Façade Plan for the proposed garden-style buildings, townhome style buildings, and clubhouse buildings. The primary exterior construction materials proposed for the development feature a combination of brick, stone and fiber cement panels. All 31 garden-style buildings utilize the same design, with color scheme being the only differentiating element between buildings. Four (4) color schemes are proposed for the garden style buildings. Similarly, the 43 proposed townhome style buildings are primarily differentiated by color scheme. Two (2) color schemes are proposed for the townhomes style buildings. The townhome style buildings can be further differentiated by lengths that vary based on the number of units in each building. All proposed structures meet the minimum articulation and design element requirements of the Waxahachie Zoning Ordinance.

The applicant proposes a total of three (3) points of access for the development. One (1) point of access is proposed on FM 878 and two (2) points of access are proposed along FM 879. The proposed points of access are spaced appropriately to meet Fire Code requirements. The applicant will be required to submit a Traffic Impact Analysis (TIA) with a future Plat and Civil Construction Permit prior to development of the site. Approval of the TIA by the City is required prior to development of the site. The TIA will identify what improvements, if any, are required for FM 878 and FM 879 to facilitate the proposed development. As part of the TIA, the need for signalization of the FM 878 and FM 879 intersection will be analyzed along with the potential need turn lanes and deceleration lanes at each proposed access point for the development.

The applicant has provided a Landscape Plan that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. A permanent irrigation system will be installed for all landscape areas.

The applicant proposes to incorporate resident amenities and open space throughout each phase of the development, as required by Section 5.05 of the Waxahachie Zoning Ordinance which requires a minimum of four (4) amenities for each phase of the development. Specific amenities include a resident club house, exercise facilities, swimming pools, sports courts, picnic areas, and trails. The applicant proposes to install the Club House and Pool amenities immediately with each associated phase of development. The third amenity item for each phase is proposed to be installed prior to the issuance of 50% of the Certificates of Occupancy (CO's) for the associated phase. The fourth

(lea)

amenity item for each phase is proposed to be installed prior to the issuance of 70% of the Certificates of Occupancy (CO's) for the associated phase.

The applicant proposes to install a 6' masonry screening wall along shared property lines with existing single-family residences along FM 878, as required by the Waxahachie Zoning Ordinance. A 6' masonry screening wall is also proposed along the shared property line between the multi-family and general retail tracts. All dumpsters are proposed to be screened by masonry walls at least 6'8" in height, in compliance with the Waxahachie Zoning Ordinance.

The applicant proposes to install two (2) total monument signs as part of the development. A single sign is proposed along both FM 878 and FM 879. The proposed monument signs adhere to the requirements of the Waxahachie Zoning Ordinance.

The applicant has provided a Photometric Plan for the proposed development that demonstrates compliance with the Waxahachie Lighting and Glare Standards. All light fixtures are proposed to be shielded and directed downwards to eliminate light trespass and glare onto adjacent residential property. All proposed light fixtures are restricted to a maximum height of 20'.

The applicant proposes to extend several concrete sidewalks, parking spaces, and drive-aisles through an overhead electric easement held by Brazos Electric Cooperative. These items are required to be provided as part of the development in order to meet minimum open space, parking, and access requirements. Due to this, staff has provided a recommended condition below that the applicant be required to provide the City with a Letter of Approval from Brazos Electric Cooperative for the development of these items within the overhead electric easement prior to approval of Civil Construction or Early Grading Permits.

The applicant has provided preliminary utility and grading plans to identify the proposed utility and drainage infrastructure necessary to facilitate the development. The preliminary plans have demonstrated the feasibility of the infrastructure design for the development, based on the proposed site plan. The applicant proposes to utilize a combination of a detention pond and underground detention areas to account the additional run-off from the proposed development fully within the subject property. The final utility and grading plans will be reviewed and approved by the Public Works and Engineering Department with a future Civil Construction Permit.

Mayor Wallace inquired about entry and exit points for the proposed development, and Mr. Robertson confirmed it meets Fire Code requirements. Councilman Wright asked about the approval timeline, and Mr. Robertson noted the Planned Development (PD) was adopted in 2005. Councilman Smith proposed including a \$10 million animal shelter as part of the project and voiced opposition to adding more apartments. The applicant said he would consider the shelter request, but couldn't commit. Mayor Wallace also stated her opposition to the project. The applicant explained they plan to build one-bedroom and studio units to reduce impact on the school district, with a 24-month build cycle per phase over three phases (approximately six years total). Councilman Wright asked about the potential sale of the commercial portion and requested PD deadlines for future proposals.

The applicant stated they purchased the property three years ago and believe staying within the existing PD is the best option. Mr. Brooks clarified the zoning is already in place, and the Council is only reviewing the site plan, which must be approved administratively if it meets requirements.

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City Attorney Terry Welch confirmed that zoning cannot be revoked without the owner's request, and the site plan cannot be denied if it complies. The applicant clarified the retail component has a separate site plan. Mr. Welch and Mr. Robertson confirmed that the applicant is meeting the minimum standards of the current PD. Staff also noted that higher density was discouraged and the current design meets today's minimum requirements. Mayor Wallace concluded by stating that if this had not been approved 20 years ago, she would not support it today.

Action:

Chris Wright moved to approve SP-68-2025, a Site Plan for Alpine Meadows, subject to the conditions the staff report, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried 3-2 with Tres Atkins and Travis Smith voting in opposition.

15. Consider Development Agreement for SP-68-2025

Action:

Chris Wright moved to approve the Development Agreement for SP-68-2025. Motion was seconded by Patrick Souter and carried 3-2 with Tres Atkins and Travis Smith voting in opposition.

16. Public Hearing on a request by Aaron Pass for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Future Development (FD) zoning district located at 1664 FM 387 (Property ID 303204) - Owner: Tyler Carter (ZDC-106-2025)

Mr. Robertson presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct an accessory structure which exceeds seven hundred (700) square feet at 1664 FM 387. The City of Waxahachie Zoning ordinance requires City Council to approve a SUP to allow accessory structures over 700 square feet in size.

According to the Ellis County Appraisal District, the existing single-family dwelling is approximately 5,622 square feet. The proposed accessory structure is two-story and has a total floor area of 4,000 square feet. The proposed accessory structure does meet the requisite setback requirements of the Waxahachie Zoning Ordinance for accessory structures in Future Development (FD) zoning districts. The accessory structure is comprised almost entirely of metal r-panel, with High Stone Wainscot making up the base of the proposed structure, and is proposed to be used for storage and a hobby space. The applicant proposes to extend the concrete driveway from their existing home to the proposed accessory structure.

The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be sold or leased separately from the existing primary structure. According to the applicant's revised Operational Plan, Oncor has advised the applicant that the structure will not be able to use the same meter for both the primary and proposed accessory structure due to the power demand. Oncor has advised the installation of a separate, non-residential electric meter for the accessory structure. Lastly, the applicant also noted that this structure will not be used for commercial purposes.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the

(lea)

request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of opposition and zero (0) letters of support for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 8:50 p.m.

Those who spoke in opposition:

Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas

There being no others to speak for or against ZDC-91-2024, Mayor Wallace closed the Public Hearing at approximately 8:52 p.m.

17. Consider proposed Ordinance approving ZDC-106-2025

ORDINANCE NO. 3681

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED (700) SQUARE FEET USE WITHIN THE FUTURE DEVELOPMENT (FD) ZONING DISTRICT, LOCATED AT 1664 FM 387, BEING PROPERTY ID 303204, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A OF THE MONTES ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-106-2025, Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet in use, subject to the conditions of the staff report, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).

18. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, and selection of a City Manager, all as permitted by Texas Government Code Section 551.074; to consult with the City Attorney about anticipated and pending litigation; to consult with the City Attorney regarding legal issues associated with land development and annexation issues; and to consult with the City Attorney regarding legal issues related to the city manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto

Mayor Wallace announced at 8:59 p.m. the City Council would convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, and selection of a City Manager, all as permitted by Texas Government Code

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Section 551.074; to consult with the City Attorney about anticipated and pending litigation; to consult with the City Attorney regarding legal issues associated with land development and annexation issues; and to consult with the City Attorney regarding legal issues related to the city manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

19. Reconvene and take any necessary action

The meeting reconvened at 10:12 p.m.

20. Comments by Mayor, City Council, City Attorney and City Management

Missy Phillips thanked the City Council for the opportunity to serve as Honorary Council Member.

Council Member Chris Wright expressed his appreciation to Missy Phillips for her dedicated service to the community and also thanked City staff for their work on the Trunk-a-Palooza event.

Mayor Pro Tem Patrick Souter also thanked Missy Phillips for her commitment and contributions to the community.

Council Members Travis Smith and Tres Atkins each extended their thanks to Missy Phillips for her extensive service and ongoing dedication to Waxahachie.

Deputy City Manager Albert Lawrence congratulated Leila Cole, Marina Borrego, and the Finance Department for their outstanding work. He also commended all City staff for their professionalism and commitment to continuing education.

Interim City Manager Ricky Boyd thanked staff for the success of the Trunk-a-Palooza event and invited the public to attend the Crossroads of Texas Go Texan Music Festival on October 25th in Downtown Waxahachie. He also reminded everyone about the upcoming City Council Work Session scheduled for October 22nd at 8 a.m. at the Waxahachie Civic Center. Mr. Boyd noted that the Fire Department had deployed two firefighters to assist with wildfire operations in Childress, Texas, and recognized Leila Cole and Marina Borrego for their professional dedication.

Mayor Billie Wallace thanked Missy Phillips for her service to the city, congratulated the Finance Department on a significant achievement, and commended the Parks Department for their work on the new park signage.

21. Adjourn

There being no further business, the meeting adjourned at 10:12 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

A Work Session of the Mayor and City Council of the City of Waxahachie, Texas was held at the Waxahachie Civic Center, Crape Myrtle Room, 2000 Civic Center Lane, Waxahachie, Texas, on Wednesday, October 22, 2025 at 8:00 a.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Patrick Souter, Mayor Pro Tem, Council Member Place 2
Tres Atkins, Council Member Place 1
Chris Wright, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Ricky Boyd, Interim City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Public Comments

None.

3. Hear presentation on proposed Project Southpaw Development

Larry Crosby presented the Item. Safari Development Services, LLC, on behalf of WGC Holdings, LLC, is requesting to lead the development of a 220.7-acre Life Science & Biotech Campus and mixed-use project in Waxahachie. The \$2 billion project will include 1.5 million square feet of research and lab facilities, 300,000 square feet of medical offices, 225,000 square feet of general offices, a 325-key hotel and conference center, as well as retail, restaurants, entertainment venues, and natural park areas. It will also feature 1,160 residential units, including 935 mid-rise apartments and 225 townhomes, and is planned to be completed in three phases.

Located within Tax Increment Reinvestment Zone #1 (TIRZ #1) near the I-35 and US 287 interchange, the project is designed as a signature mixed-use development anchored by a biomedical research campus. Economic impact projections estimate a \$270 million net benefit to the City and over \$575 million to local agencies, including \$147 million to Waxahachie ISD, over the life of the project. A Year 9 snapshot shows the City gaining over \$10 million, the school district nearly \$5 million, and continued growth thereafter. The project is proposed as a public-private partnership with zero financial risk to the City, as reimbursements will only occur after tax revenues are received.

Safari Development Services, LLC proposes amending the TIRZ to allow the City to contribute 75% of its tax increment to the TIRZ fund while retaining 25% for the General Fund, ensuring long-term fiscal benefits. Ellis County has also indicated willingness to join the TIRZ by contributing a portion of its tax increment. This transformative project would not only strengthen Waxahachie's economic base but also enhance public safety, education, and infrastructure—positioning the city as a regional hub for life science and biotech innovation.

(ub)

City Council expressed that while they liked the overall concept of the project, the proposed location was unsuitable and ultimately a deal breaker. Council members raised concerns about placing the development in the middle of an existing residential neighborhood, which they felt was not appropriate. When asked about alternatives if the project were not approved, Mr. Crosby explained that the exit strategy would be the dissolution of the current golf course.

City staff also voiced concerns, noting that industrial development is not an approved use for this area and highlighting issues with topography and long-term project viability if construction is delayed. Staff stated that without more detailed information, they could not make a formal recommendation, though they agreed the concept itself was promising. Mayor Wallace concluded that both staff and City Council had clearly expressed their concerns and were not supportive of the proposed plan.

4. Discuss potential 7-11 on 287 Bypass

Moises Castro presented the Item. The proposed 7-11 will need approval of a Specific Use Permit for a convenience store with gasoline sales. The proposed location is at Highway 287 and Montclair Avenue, which is near the Montclair Development.

City Council held a discussion on drainage, floodplain concerns, and traffic impacts. James Gaertner, Executive Director of Public Works and Utilities, noted that additional details, including access points and sidewalks, will be provided in the forthcoming civil drawings.

The City Council generally agreed that this is an excellent location and recommended exploring the addition of more fueling pumps to accommodate anticipated growth.

5. Discuss plaque policy for City buildings

Senior Director of Administrative Services Dustin Deel presented the Item, introducing a draft plaque policy for City buildings. The proposed policy outlines guidelines for plaque content, an optional recognition clause, design standards, and the process and responsibility for approval.

Mayor Wallace expressed support for the policy, emphasizing the importance of consistency moving forward. It was the general consensus of the City Council to consider adoption of the plaque policy at a future meeting. Council also agreed that the policy should apply prospectively only, noting that retroactive application could be problematic and costly.

6. Discuss City contributions to non-profit agencies

Senior Director of Finance Chad Tustison presented the Item, introducing a sample application form for non-profit organizations seeking City funding. He explained that City Council could implement a formal application process requiring organizations to clearly describe their services, define measurable outcomes, and disclose other sources of funding. This would enhance accountability and transparency in the allocation of City funds.

Mr. Tustison noted that once submitted, these requests could be presented to City Council as part of the annual budget process.

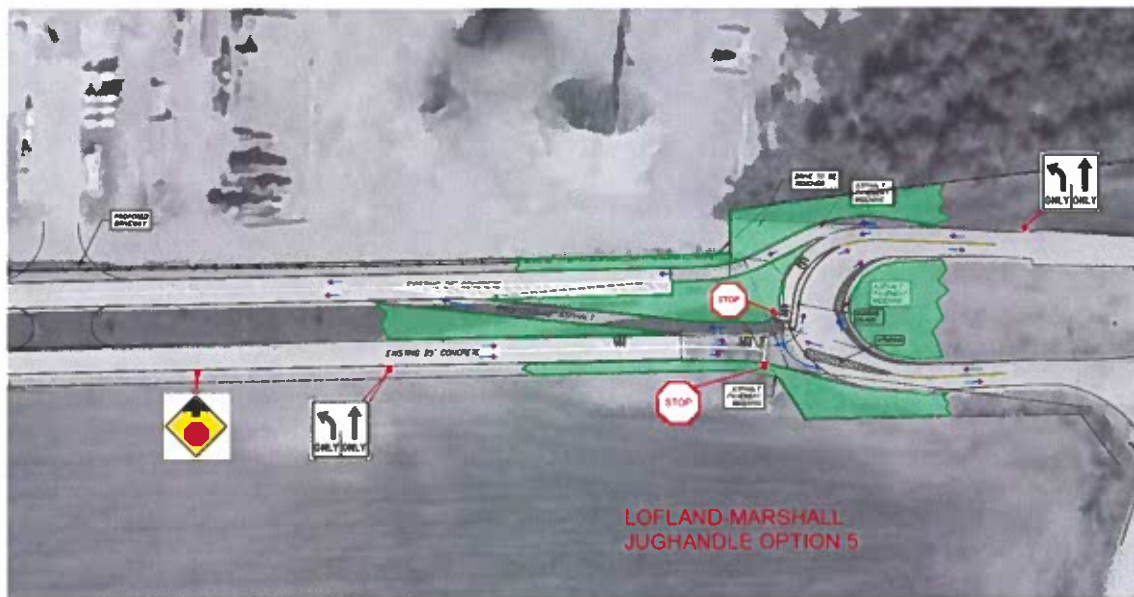
(ub)

Interim City Manager Ricky Boyd shared that currently, approximately 0.285% of the General Fund budget, equating to \$214,200 or about \$4 per capita, is allocated to non-profit organizations. This figure does not include funding for the Sims Library, which is supported through a dedicated portion of the property tax as outlined in the City Charter.

Council discussed the possibility of establishing a donation cap for budgeting purposes, given potential future revenue constraints from state legislation. Council members expressed general support for implementing an application process, emphasizing the need to prioritize public health, safety, and welfare. It was the consensus of the City Council for the Finance Department to develop a formal application process to be reviewed during the upcoming budget cycle in the spring.

7. Discuss proposed reconfiguration of Marshal Road connection to I-35/Lofland

Mr. Gaertner presented the Item, explaining that Wynne Jackson is collaborating with the City to improve the Marshall Road connection to I-35/Lofland. City Council supported the proposed reconfiguration and emphasized the need for clear signage to alert drivers.



8. Discuss Railroad Crossing Elimination Grant

Mr. Gaertner presented the Item, explaining the City is considering applying for a Railroad Crossing Elimination Grant from the USDOT's Federal Railroad Administration, aimed at improving safety and mobility. The grant has three phases: planning, design, and construction. To apply for the Planning Grant, which requires 30% design plans, the City must identify a BNSF railroad crossing to eliminate but can change the crossing in later phases. Three potential crossings were reviewed, Sterrett Road, Flat Street, and College Street, with their pros and cons discussed.

The City Council agreed to identify the Flat Street crossing for the application, with the option to change it later if necessary.

9. Discuss compliance engine by a contracted provider

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Fire Marshal Brent Fuller presented the Item. The Waxahachie Fire Department is requesting approval to use Brycer as its compliance engine provider to manage and monitor fire protection system inspections and maintenance, including alarms, sprinklers, suppression systems, and fire pumps. Brycer's Compliance Engine is nationally recognized and used by major U.S. fire departments. It identifies overdue inspections, unresolved deficiencies, and required follow-ups through automated notifications and enforcement workflows, improving safety and operational efficiency.

The system provides real-time tracking, reporting, and analytics, offering dashboards highlighting non-compliant properties, a full audit trail of all activities, and tools to generate detailed compliance reports. The Fire Department would have the capability to choose which inspections to track, and licensed third-party inspection companies would be required to submit those inspections to Brycer, providing accurate compliance data throughout the city. This ensures an up-to-date reporting system showing which businesses are due for inspections, in compliance, or need repairs, while reducing false alarms and saving inspector time.

The cost to the City is \$0, with fees applied per submitted report: \$20 each for fire sprinkler, fire alarm, vent hood, and fire extinguisher reports. Brycer handles logistics, drives compliance, and provides data showing increased compliance and reduced false alarms, ultimately enhancing firefighter safety and improving oversight of fire life safety systems across Waxahachie.

City Council expressed general consensus in supporting the adoption of Brycer as the City's compliance engine provider.

10. Discuss plan reviews by a contracted provider

Mr. Fuller presented the Item. The City of Waxahachie is considering third-party plan reviews to manage rapid growth, reduce permit wait times, and ensure all plans are reviewed by licensed engineers, improving public safety and departmental efficiency. This approach would allow staff to focus on core responsibilities while independent reviewers provide specialized, unbiased, and timely assessments. Several DFW cities already use this model, with typical turnaround within 10 business days and \$0 cost to the City. Benefits include faster reviews, enhanced code compliance, reduced liability, cost-effectiveness, and improved safety for occupants and property, making third-party plan reviews a practical and strategic solution for Waxahachie.

City Council expressed general consensus in supporting plan reviews by a contracted provider.

11. Discuss enforcement of Vacant Building Ordinance (Ordinance No. 3379)

Jason Watson, Senior Director of Building and Community Services, requested guidance from City Council regarding enforcement of the Vacant Building Ordinance. He explained that enforcement currently focuses solely on structural safety. Although the ordinance was adopted two years ago, it has not been implemented. While the ordinance is substantively sound, it has remained operationally dormant. The lack of prescribed forms, workflows, and notices has left the program unenforced, resulting in lost safety benefits, unrealized cost-recovery revenue, and limited leverage to encourage the rehabilitation and lawful reuse of vacant properties.

(uh)

Mayor Pro Tem Patrick Souter noted that this initiative was originally led by Waxahachie Partnership, Inc. to address vacant buildings downtown. City Council expressed support for expanding enforcement city-wide.

It was the general consensus of City Council to proceed with updating the current ordinance and implementing enforcement. Mr. Watson noted that he will prepare draft forms, policies, and ordinance revisions for Council review and approval.

12. Discuss graffiti remediation

Gumaro Martinez, Executive Director of Parks and Leisure Services, presented the item and requested proposed changes to the ordinance to prioritize clean-up efforts and expedite graffiti removal.

It was the general consensus of City Council to proceed with revising the ordinance and bring it back for formal consideration.

13. Discuss proposed Panhandling Ordinance

City Attorney Terry Welch explained that he collaborated with Police Chief Joe Wiser on an ordinance aimed at addressing panhandling. Chief Wiser expressed concerns that the proposed ordinance might be overly strict and could have unintended negative effects on local non-profit organizations. He recommended maintaining the existing panhandling ordinance while implementing a zero-tolerance enforcement approach. Chief Wiser emphasized that enforcement would involve a comprehensive strategy through a joint effort between the Police Department and Code Enforcement, with staff prepared to assist individuals who are receptive to help.

City Council requested a system to track enforcement activities and measures to keep medians clear for safety purposes.

The general consensus of City Council was to allow the Police Department and Code Enforcement to continue enforcing the current ordinance and to reassess the effectiveness of the improved effort at a later date.

14. Discuss proposed Overnight Camping and Temporary Shelter Ordinance

Chief Wiser expressed support for the proposed Overnight Camping and Temporary Shelter Ordinance. It was the general consensus of City Council to consider the proposed ordinance at an upcoming meeting.

15. Discuss potential changes related to the composition and governance of City Council

City Council discussed potential changes to its composition and governance. Mr. Welch noted that any proposed changes would be presented to voters during a Charter Election in the general election. Council also considered reimbursing members for cell phone and mileage expenses to help attract younger candidates by offsetting time commitments.

(leb)

Potential changes discussed included term limits, three-year staggered terms, an elected Mayor as a voting member, resignation if running for another office, expanding Council from five to seven members, and increasing the monthly car stipend.

The general consensus was to recommend the following Charter amendments for voters in May 2026:

- Elect a Mayor at Large
- Establish three-year Council terms
- Expand the Council from five to seven members
- Add a monthly meeting stipend for Council members

16. Discuss potential changes to public participation at City meetings

City Council discussed potential changes to public participation at meetings. The general consensus was to consider the following at an upcoming meeting: reducing speaking time to three minutes, limiting speakers to one appearance per item, requiring speaker cards submitted before the meeting, prohibiting time donation, and shortening time to one minute if there are many speakers. Mr. Welch confirmed that participation cannot be limited to Waxahachie residents only.

17. Adjourn

There being no further business, the meeting adjourned at 12:05 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



City of Waxahachie
City Secretary's Office

(lec)
Special Event Application

Date submitted 10/14/25

Applicant Information

Applicant name: Lisa Rich

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 518 Savannah Drive, Ovilla Texas 75154

Host organization name: NCL - Southern Star

Alternate contact that will be on-site during the event.

On-site contact name: Lisa Rich Cel'

About the Event

Event name: Southern Star 5K

Location: Getzendaner Memorial Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: Under 150

Description of event: 5K to support NCL

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location:

Choose the best description of the event:

- | | |
|--|---|
| <input type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input checked="" type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |



City of Waxahachie
City Secretary's Office

(lc)

Special Event Application

Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

[Sample Downtown Event/Festival Boundary Map](#)

[Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events](#)

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: n/a Date(s) & time(s): _____

Volunteers How many: n/a Date(s) & time(s): _____

Private security How many: n/a Date(s) & time(s): _____

Company name: n/a

Contact name and number: n/a

Off duty police How many: n/a Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: just the parking lot at the park

Street closings to begin on date: _____ Start time: _____ End time: _____

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 15 Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? Pavillion 1

(lcc)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 11/8

Time: 7:30 am

When will the traffic equipment be removed?

Date: 11/8

Time: 11:00am

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Lisa Rich

3EAF357339CE405

Signature

10/14/2025

Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Lisa Rich

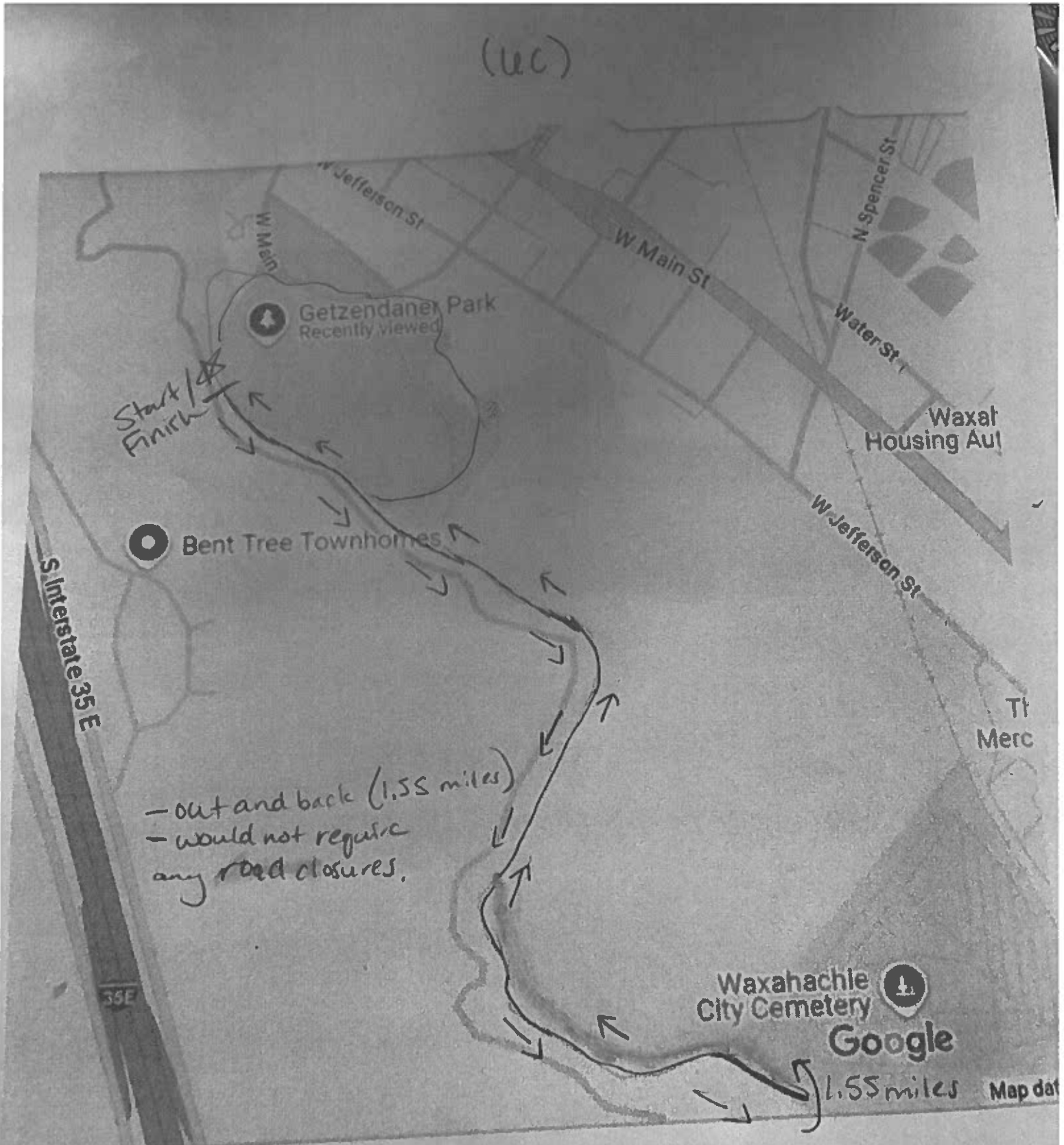
3EAF357339CE405

Signature

10/14/2025

Date

(UC)



Start/Finish

Getzendaner Park
Recently viewed

Bent Tree Townhomes

S Interstate 35 E

- out and back (1.55 miles)
- would not require
any road closures.

Waxahatchie
City Cemetery

Google

1.55 miles

Map data



(led)

Date submitted 9/30/25

Applicant Information

Applicant name: Jon McLaughlin

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 100 YMCA Drive

Host organization name: Waxahachie Family YMCA

Alternate contact that will be on-site during the event.

On-site contact name: Jon McLaughlin Cell: _____

About the Event

Event name: Santa Run

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 600

Description of event: 5k and 1 mile Fun Run. Arts and Craft for kids.

How many times has this event been hosted before?

1st time 2 – 4 times 5 or more times Location: Railyard Park

Choose the best description of the event:

- | | |
|--|--|
| <input type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input checked="" type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input checked="" type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |



(ud)

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Activities associated with the event are free to the public.

Participation in the 5k or mile run is fee based and includes a Santa Suit. Prices vary based on age. \$15 - \$40.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	12/13/25	9am	11am
Event Set-up	12/13/25	6am	9am
Event Breakdown	12/13/25	10:30	11:30am

Run / Walk:

Please provide the start time for each distance (if applicable)

9:10am 1 mile 9:00am 5K Other distance

Please indicate your expected attendance: 600

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



Food / Beverage:

- Will the event offer food/beverages? Yes No
- Will event require any food preparation on-site? Yes No
- Will alcohol be served/sold? Yes No

[Sample Downtown Event/Festival Boundary Map](#)

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

- Event staff How many: 2 Date(s) & time(s): 6am - 11am
- Volunteers How many: 70 Date(s) & time(s): 6am - 11am
- Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: _____ Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: _____

College street adjacent to Railyard Park. Intersection of Franklin / 77 (Briefly)

Street closings to begin on date: 12/13/25 Start time: 7am End time: 11am

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 40 Barricades How many: 4

Other: Cones blocking the west side of parking up Rogers Street on Friday evening to create a running path.

Where should equipment be dropped off & picked up? Railyard Park



City of Waxahachie
City Secretary's Office

(led)

Special Event Application

When will the traffic equipment be set-up?

Date: 12/13/25

Time: 6am

When will the traffic equipment be removed?

Date: 12/13/25

Time: 11am

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Chip 2 Chip Race Timing

Explain services in detail:

Generator to power start timer and finish line

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]
Signature

9/30/25
Date

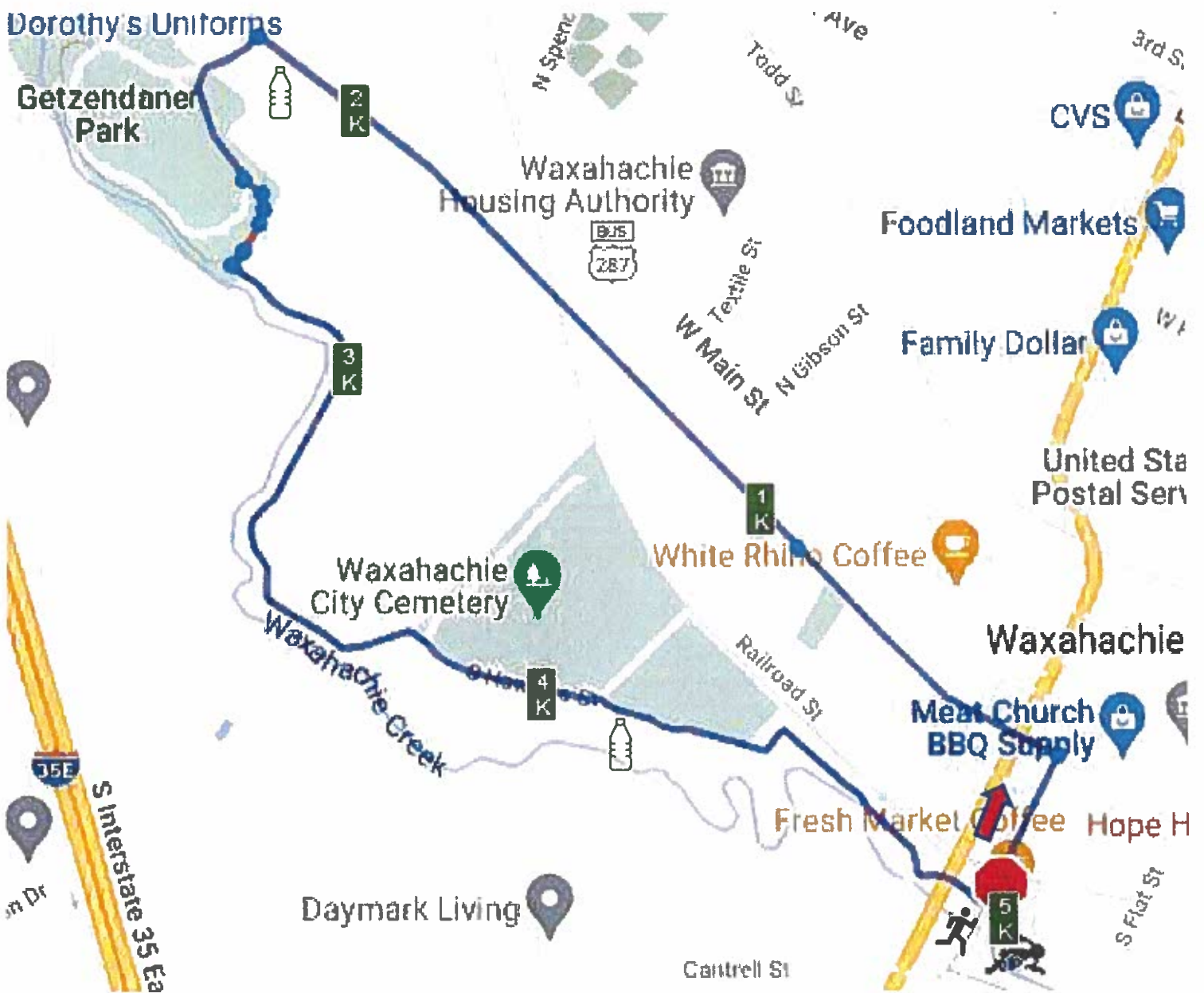
Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

[Signature]
Signature

9/30/25
Date

2023 YMCA Santa Run – 5K Route (led) (Grinches Run Opposite)





Date submitted

Applicant Information

Applicant name: Carry The Load, Madison Woodson

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 4809 Cole Ave, Ste 255, Dallas, TX 75205

Host organization name: Carry The Load

Alternate contact that will be on-site during the event.

On-site contact name: John Forest Cell: _____

About the Event

TOM KER

972-365-1022

Event name: Carry The Load

Location: Lumpkin Stadium parking lot down Brown St to Marvin
Circle Marvin Elementary, 1/2 way to Lumpkin

An event site map is **REQUIRED** to be submitted with your application. Alternate route around
Northside Elementary AS
W 971

Anticipated attendance: 100

Description of event: Walking event (not a parade) to honor the sacrifices of our nation's fallen military, veterans,

first responders, and their families. There will be a short ceremony at the beginning, followed by a
1 or 3 mile walk, and concludes with fellowship. The walk is a loop, starting and ending at the same spot.

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: _____

Choose the best description of the event:

- | | |
|--|--|
| <input type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input checked="" type="checkbox"/> Other: Walking event, but does not require full road closures or barricades. |



Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Participation in the walk is free to all. Water provided free for all.

Optional food trucks for purchase at the end.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	5-23-2024	09:00	12:00
Event Set-up	5-23-2024	07:30	09:00
Event Breakdown	5-23-2024	12:15	13:30

Run / Walk:

Please provide the start time for each distance (if applicable)

10:00 1 mile 5K 3 miles other distance

Please indicate your expected attendance: 500

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



(ue)

Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

[Sample Downtown Event/Festival Boundary Map](#)

[Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events](#)

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) **Request for services is not a guarantee that staff/volunteers will be available.**

Event staff How many: _____ Date(s) & time(s): _____

Volunteers How many: _____ Date(s) & time(s): _____

Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: _____ Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: _____

bubble escort around walkers requested during walk, but roads remaining open

Street closings to begin on date: n/a Start time: _____ End time: _____

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up?



City of Waxahachie
City Secretary's Office

(6e)

Special Event Application

When will the traffic equipment be set-up?

Date: 5-23-8AM Time: 8AM

When will the traffic equipment be removed?

Date: 5-23 Time: 1PM

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes: 3-4 10'x10' tents, weighted, not staked.

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Signature

9-16-2023
Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Signature

9-16-2023
Date

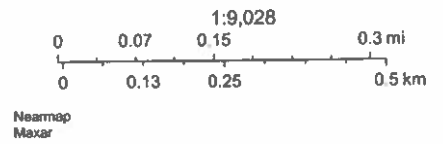
Brown Street (Marvill-Stadium)

(let)



7/30/2025, 10:46:29 AM

-  ETJ
-  City Limit
-  Parcels



Planning & Zoning Department (lef)

Petition for ETJ Release

Case: ETJ-PTN-134-2025



MEETING DATE(S)

City Council:

November 3, 2025

CAPTION

Consider proposed Ordinance approving a request by Anthony Lohden for a **Petition for ETJ Release** for approximately 5 acres, located along FM 55 east of State Hwy 77 and west of Chisholm Trail (Property ID 234199) – Owner: Anthony Lohden (ETJ-PTN-134-2025)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-134-2025, a request by Anthony Lohden, for a Petition for ETJ Release for approximately 5 acres, located along FM 55 east of State Hwy 77 and west of Chisholm Trail, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant:

Anthony Lohden

Property Owner(s):

Anthony Lohden, Dallas Demolition Company LLC

Site Acreage:

5 acres

Number of Lots:

1 lot

Number of Dwelling Units:

0 units

SUBJECT PROPERTY

General Location:

Located along FM 55 east of State Hwy 77 and west of Chisholm Trail

Parcel ID Number(s):

234199

Current Zoning:

ETJ

Existing Use:

Undeveloped Land

Platting History:

Lot 1 Block 1 of the Kingdom Hall Addition

CCN Service Area:

Nash Forrester WSC

(lef)

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2025, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for November 3, 2025 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(lef)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 5 ACRE TRACT OF LAND, LOCATED APPROXIMATELY 200 FEET WEST OF 210 FM 55, KNOWN AS PROPERTY ID 234199, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-134-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 3rd day of November, 2025.

MAYOR

ATTEST:

City Secretary



(LF)



Memorandum

To: Honorable Mayor and City Council
From: Lindsey Mearns, Senior Director of Human Resources & Civil Service
Thru: Ricky Boyd, Interim City Manager *RB*
Date: November 3, 2025
Re: City of Waxahachie 2026 Holiday Schedule

Recommended Motion: "I move to adopt the proposed 2026 Holiday Schedule"

Item Description: City of Waxahachie 2026 Holiday Schedule

Item Summary: In 2024, City Council approved the addition of Juneteenth as a city observed holiday resulting in a total of twelve (12) city observed holidays each year including:

- New Year's Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve
- Christmas Day

Attached is the proposed 2026 Holiday Schedule. We appreciate your consideration on this matter.



City of Waxahachie 2026 Holiday Schedule

The following holidays will be observed by the City of Waxahachie in 2026:

- **New Year's Day**
Thursday, January 1, 2026
- **Martin Luther King Jr. Day**
Monday, January 19, 2026
- **Good Friday**
Friday, April 3, 2026
- **Memorial Day**
Monday, May 25, 2026
- **Juneteenth**
Friday, June 19, 2026
- **Independence Day**
Friday, July 3, 2026 (*Observed*)
- **Labor Day**
Monday, September 7, 2026
- **Veteran's Day**
Wednesday, November 11, 2026
- **Thanksgiving Day**
Thursday, November 26, 2026
- **Day after Thanksgiving Day**
Friday, November 27, 2026
- **Christmas Eve**
Thursday, December 24, 2026
- **Christmas Day**
Friday, December 25, 2026

(uh)



Memorandum

To: Honorable Mayor and City Council

From: Scott Safford, Interim Fire Chief

Thru: Ricky Boyd, Interim City Manager *RB*

Date: November 3, 2025

Re: Request to Approve Contract for Two LifePak 35 Monitor/Defibrillators

Recommended Motion: Consent Agenda, no motion necessary.

Item Description: Request City Council approval to enter into Sourcewell Contract #041823-STY with Stryker Sales, LLC for the purchase of 2 new LifePak 35 monitor/defibrillators.

Item Summary: Waxahachie Fire-Rescue currently utilizes LifePak monitors on all front-line apparatuses. These monitors are essential for patient care, allowing paramedics to perform advanced cardiac monitoring, defibrillation, and data transmission to receiving hospitals. Two of our current monitors have reached the end of their recommended service life and are no longer supported for maintenance or software updates. Stryker Medical provided a quote through an approved cooperative purchasing contract, ensuring competitive pricing and compliance with City procurement policies.

Fiscal Impact: Funding for this purchase of \$128,841.28 is within the Department's approved General Fund budget. This is year 2 of a 3-year replacement plan.

(li)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Ricky Boyd, Interim City Manager *RB*
Date: November 3, 2025
Re: Consider Purchase of a Streets Operations Bucket Truck for \$227,863

Recommended Motion: "I move to authorize the purchase of a Bucket Truck with Versalift, in an amount of \$227,863 and authorize the Interim City Manager to execute all necessary documents."

Item Description: Consider a purchase agreement of a Bucket Truck with Versalift for the Streets Operations Department.

Item Summary: The FY26 Budget includes funding to purchase a bucket truck. This will provide the necessary bucket lift capability to safely and efficiently perform sign installations and maintenance throughout the City.

Fiscal Impact: The purchase of the new bucket truck was included in the approved budget with a budget of \$245,000. The cost of the truck with Versalift is \$227,863, well under the budgeted amount and will be funded from the approved FY26 Streets Operating Fund.

(7)



Memorandum

To: Honorable Mayor and City Council

From: Trenton Robertson, Senior Director of Planning

Thru: Ricky Boyd, Interim City Manager

Date: November 3, 2025

Re: ANX-DNX-164-2025 – UPH & Walton Properties Annexation

On October 27, 2025, the applicant requested to continue case no. ANX-DNX-164-2025, the UPH & Walton Properties Annexation, from the November 3, 2025, City Council meeting to the November 17, 2025 City Council meeting.

Planning & Zoning Department Plat Staff Report

(8)



Case: SUB-124-2025

MEETING DATE(S)

Planning & Zoning Commission:
City Council:

October 14, 2025
November 3, 2025

CAPTION

Present a request by Jose Zavala for a Plat of Zavala ADDITION, lot 1 Block A, being 0.1642 acres, located at the intersection of S Rogers St and Five Points Rd, situated in the James Armstrong Survey, Abstract 6, an addition to the City of Waxahachie (Property ID 179039) – Owners: Jose Zavala and Juan Zavala (SUB-124-2025)

RECOMMENDED MOTION

"I move to approve SUB-124-2025, a Plat of the Zavala ADDITION, Lot 1, Block A, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

ACTION SINCE THE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on October 14, 2025, the Commission voted 7-0 to recommend approval of case number SUB-124-2025, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests to plat the property into one lot for a single-family home.

CASE INFORMATION

Applicant: Jose Zavala
Property Owner(s): Jose Zavala and Juan Zavala
Site Acreage: 0.1642 acres
Number of Lots: 1 lot
Number of Dwelling Units: 1 unit
Park Land Dedication: The Cash in Lieu of Park Land Dedication Fee is \$400.00 (1 lot at \$400.00 per lot).
Adequate Public Facilities: Adequate public facilities are available to the subject property

SUBJECT PROPERTY

General Location: At the intersection of S Rogers St and Five Points Rd.
Parcel ID Number(s): 179039
Current Zoning: SF-3
Existing Use: Undeveloped
Platting History: The subject property is not platted.

Site Aerial:



PLANNING ANALYSIS

The applicant requests to plat the subject property for the purpose of residential development. The project is located within the Infill Overlay District and is subject to the lot size and dimension requirements of the Infill district. The proposed lot size is discussed in greater detail below. The plat includes dedication of 15' utility easements along S Rogers Street and Five Points Road, per the Waxahachie Subdivision Ordinance.

During the review of the replat application, staff identified technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to filing the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

PETITION FOR HARDSHIP WAIVER

The proposed plat will not meet the minimum lot size standards of the Infill Overlay, but the applicant has filed a Petition for Hardship Waiver. Infill standards require that subject property be within 90% of the average lot size of adjacent properties (64,352 sf). This subject property is a remnant, un-platted lot and is much smaller than average for the surrounding area. In order not to reduce the proposed lot size any further, the applicant has also requested to not dedicate right-of-way (ROW) for S Rogers Street as typically required by the Waxahachie Thoroughfare Plan. The subject property is only 0.1642 acres (7,152sf). Staff is supportive of the Petition for Hardship Waiver due to the fact that the proposed lot is comparable in size to a majority of existing lots in the surrounding area.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request, subject to the conditions listed below.

Conditions:

1. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) showing that no delinquent taxes exist against the property is required to be provided at the time of Plat filing.
2. Per Section 2.4.c.3 of the Waxahachie Subdivision Ordinance, accurate street names should be used on the plat. Please correct from Lane to Drive.

(8)

Conditions (continued):

3. Per Section 2.4.c.18 and 2.4.c.25 of the Waxahachie Subdivision Ordinance, the boundary displayed on the Plat and the legal description need to match. Please revise accordingly.
4. Per section 2.4.c.23, of the Waxahachie Subdivision ordinance, a correct title block must be provided. Please revise case number SUB-124-2025.
5. Per section 2.4.c.25 of the Waxahachie Subdivision ordinance, a correct signature block must be provided. Please revise to show "Jose".
6. Per section 3.1.a of the Waxahachie Subdivision ordinance, the arrangement, character, extent, width, grade and location of all streets shall conform to the City of Waxahachie's Thoroughfare Plan. Rodgers Street has an 80' ROW on the thoroughfare plan. Please provide an additional 10' of ROW. Please revise.
7. Per section 4.4.d of the Waxahachie subdivision ordinance, a cash in lieu of park land dedication fee of \$400 is required to paid at the time of plat filing.
8. Per Section 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.
9. Per Section 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

ATTACHED EXHIBITS

1. Plat
2. Petition for Hardship

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

david.jones@waxachaie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

WLSC
Walker Land Surveying Company
P.O. Box 2911 Waco, Texas 76718
TBPELS Firm No. 10112400

APPROVED BY: Planning and Zoning Commission
City of Waco, Texas
By: _____
Chairperson

Attest

APPROVED BY: City Council
City of Waco, Texas
By: _____
Chairperson

Attest

- Notes
1. Fences, retaining walls, and screening walls shall not be placed in utility easements.
 2. No portion of this property lies within a 100 year flood plain according to the Flood Insurance Rate Map for Ellis County, Texas. Map# 48139CD190 G, Zone X, dated October 19, 2023.
 3. Basis of bearings: GPS Observation, Texas Coordinate System, North Central Zone 4202.

OWNER'S CERTIFICATE
State of Texas
County of Ellis

Whereas, Juan Zavala and Juan M. Zavala are the owners of all that certain parcel of situated in the JAMES C. ARMSTRONG SURVEY, ABSTRACT NO. 6, Ellis County, Texas, and being all of the tract of land conveyed by Warranty Deed recorded in Instrument Number 2027186 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found with cap marked "WLSC RPLS 5331" at the intersection of the southeast line of Farm to Market Highway 66 (Rogers Street) (60 feet right of way) with the west line of Five Points Road (variable width right of way) for the northeast corner of said Zavala Tract, said iron rod lies in a non tangent curve to the left having a radius of 318.00 feet and a central angle of 160°42'31";

THENCE in a southerly direction along the arc of said curve and the east line of said Zavala Tract and the west line of Five Points Road, a distance of 89.21 feet (long chord - S 09°50'47" W, 88.82 feet) to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for corner;

THENCE S 01°48'35" W, continuing along the east line of said Zavala Tract and the west of Five Points Road, a distance of 80.00 feet to a 1/2" iron rod found for the southwest corner of said Zavala Tract;

THENCE N 88°21'25" W, along the south line of said Zavala Tract, a distance of 10.00 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the southwest corner of said Zavala Tract and the northeast corner of Seventh-Day Adventist Church Addition, an addition in the City of Waco, Texas, according to the plat thereof recorded in Cabinet B, Side 50 of the Plat Records of Ellis County, Texas and the current southeast corner of the residuary of the 2-3/100 acre tract of land conveyed to Verne Mae Bryson and described in Warranty Deed recorded in Volume 294, Page 14 of the Deed Records of Ellis County, Texas (DRECT);

THENCE N 27°35'07" W, along the southwest line of said Zavala Tract and the current northeast line of said Bryson Tract, a distance of 145.03 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" in the southeast line of F.M. 66 (Rogers Street) for the northeast corner of said Zavala Tract and the current northeast corner of said Bryson Tract;

THENCE N 62°45'01" E, along the northeast line of said Zavala Tract and the southeast line of F.M. 66 (Rogers Street), a distance of 96.82 feet to the PLACE OF BEGINNING and containing 0.1642 acres of land as surveyed on the plat.

HOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Juan Zavala and Juan M. Zavala acting herein by and through its duly authorized officers, do hereby adopt this plat designating the herein above described property as the First Plat of Lot 1, Block A of Zavala Addition, an addition in the City of Waco, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown herein. The streets and alleys 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 of Waco, Texas. In addition, Utility Easements may be also 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 and City of Waco's use thereof. The City of Waco, Texas 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 Waco, Texas and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purposes of construction, reconstruction, inspecting, retreating, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat is approved subject to all existing ordinances, rules, regulations and resolutions of the the City of Waco, Texas.

Witness my hand this the _____ day of _____ 2025.

By: _____
Juan Zavala

Juan M. Zavala

State of Texas:

Before me the undersigned authority, a notary public in and for the state on this day personally appeared Juan Zavala, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal of office this the _____ day of _____ 2025.

Notary Public

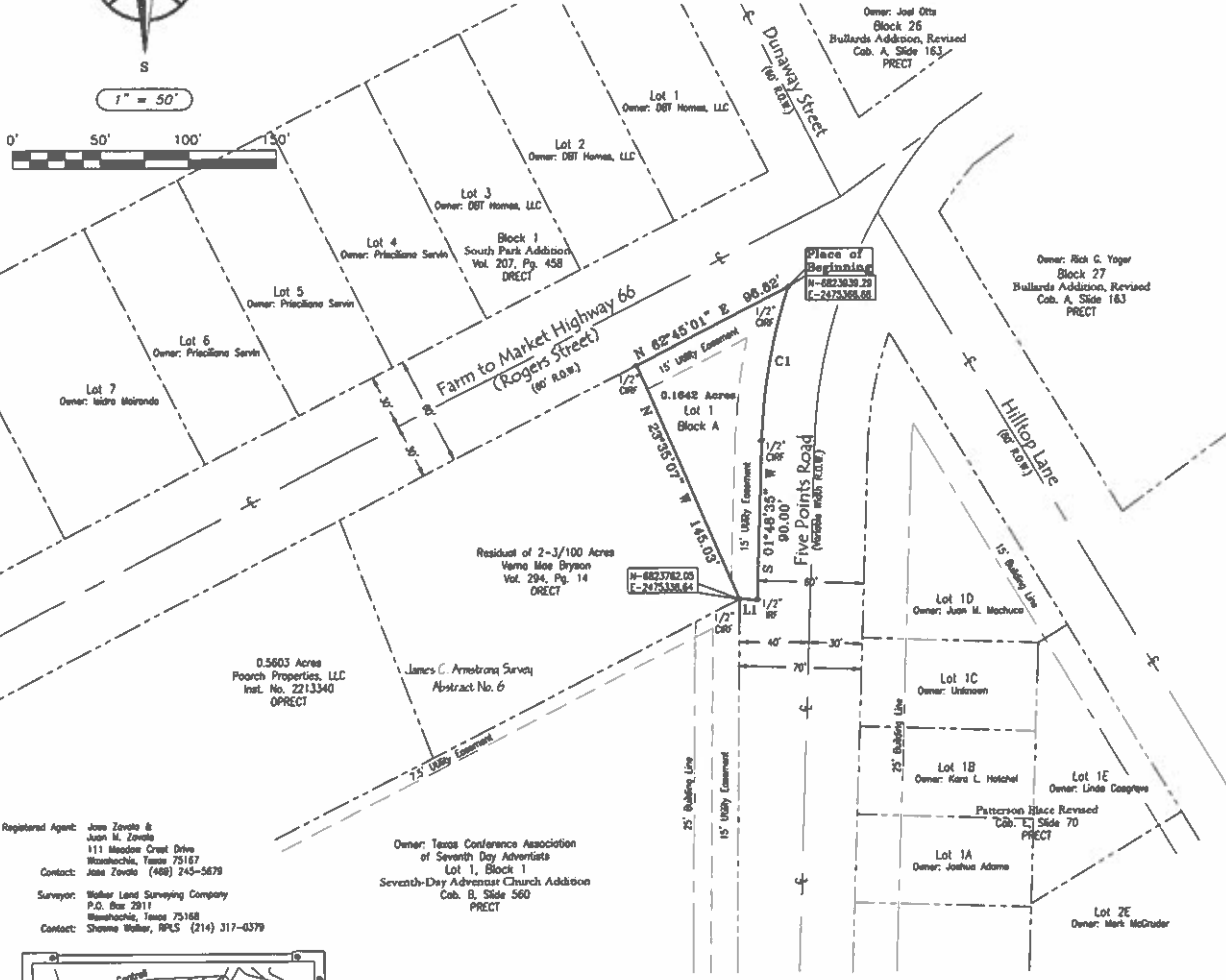
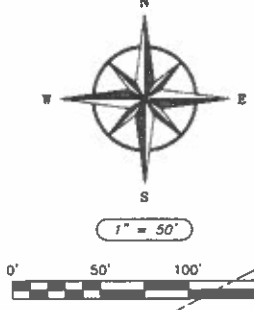
State of Texas:

Before me the undersigned authority, a notary public in and for the state on this day personally appeared Juan M. Zavala, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal of office this the _____ day of _____ 2025.

Notary Public

PLAT
**Lot 1, Block A
Zavala Addition**
Being all of a 0.1642 acre tract of land
in the James C. Armstrong Survey
Abstract No. 6
City of Waco, Texas
Ellis County, Texas
Zoning: SF-3 1 Residential Lot
Case No. SUB-XX-2025 Prepared: June, 2025



Registered Agent: Juan Zavala & Juan M. Zavala
111 Meadow Crest Drive
Waco, Texas 76717
Contact: Juan Zavala (480) 245-5679

Surveyor: Walker Land Surveying Company
P.O. Box 2911
Waco, Texas 76718
Contact: Shawna Walker, R.P.L.S. (214) 317-0379



LEGEND

●	Property Corner
—	Iron Rod
—	Found
—	Right of Way
—	Conjecture
—	1/2" iron rod found with cap marked "WLSC RPLS 5331"

Surveyor's Declaration

KNOW ALL MEN BY THESE PRESENTS

That I, J. Shawna Walker, do hereby certify that I have prepared this Plat from an actual and accurate survey made on the ground and that the corner monuments shown hereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Waco, Texas.

FOR INSPECTION PURPOSES ONLY.
AND IN NO WAY CONVEY OR
APPROVED FOR RECORD PURPOSES.

J. Shawna Walker, R.P.L.S.
Texas Registration No. 5331

LOCATION MAP NOT TO SCALE

EXHIBIT-B

PETITION FOR HARDSHIP WAIVER
City of Waxahachie, Texas

Date: September 2, 2025

To: Waxahachie City Council

From: Jose Zavala

Address of Subject Property: 6 J C ARMSTRONG 0.35 AC | Lot 1, Block A, located near the intersection of Rogers St and Five Points Road

Parcel ID: 179039

Zoning District: Single Family-2 (SF-2)

PLAT CASE NO.: SUB-124-2025

Subject: Petition for Hardship Waiver – Subdivision Ordinance

Dear Honorable Members of the Waxahachie City Council,

Pursuant to the provisions of the City of Waxahachie Subdivision Ordinance, I, Jose Zavala, hereby respectfully submit this Petition for Hardship Waiver concerning the above-referenced property.

Due to the current configuration and characteristics of the lot, it does not meet the standard development criteria required under the Single Family-2 zoning district. Strict compliance with the ordinance presents significant and unreasonable hardships due to a combination of physical and regulatory constraints specific to this parcel. These include:

Hardships

1. Irregular Lot Configuration

The lot is uniquely shaped, featuring angled and curved boundary lines that reduce flexibility in building layout and limit the ability to comply with standard setback and dimensional requirements.

2. Substandard Lot Size

The total area of the lot is approximately **0.1642 acres (7,152 square feet)**, which is **below the 10,000 square feet minimum required** under SF-2 zoning. This size was likely established prior to the adoption of current zoning regulations.

3. Multiple Street Frontages

The lot has **frontage along both State Highway 66 and Five Points Road**, creating potential for dual front yard setback requirements. These reduce the developable building envelope significantly compared to an interior lot.

4. Utility Easements

The lot is further encumbered by **15-foot utility easements** along two of its longest

boundaries, further limiting where structures may be placed and reducing the effective buildable area.

5. Surrounding Development and Inflexibility of Expansion

The lot is bordered by roadways and neighboring lots within existing subdivisions, making lot reconfiguration or expansion infeasible. There is no practical opportunity to acquire additional land to meet minimum requirements.

Request

For the reasons outlined above, the owner respectfully requests a **waiver from the applicable minimum lot size and dimensional standards** under the SF-2 zoning district to allow for residential development on this legally existing lot.

This hardship is not self-imposed, and the requested waiver would not adversely affect surrounding properties or the public interest. Approval would allow for the reasonable use of the property in a manner compatible with nearby residential development, consistent with the intent of the Subdivision Ordinance.

Thank you for your time and consideration of this petition. Please contact us should any additional documentation or clarification be required.

Respectfully submitted,

 *Jose Zavala* 09/02/25

Jose Zavala

Mailing Address: 111 Meadow Crest Dr, Waxahachie TX 75167

Phone Number: 469-245-5679

Email Address: jose.zavala11@yahoo.com

Planning & Zoning Department

(9+10)

Plat Staff Report

Case: SUB-127-2025



MEETING DATE(S)

Planning & Zoning Commission: October 14th, 2025

City Council: November 3rd, 2025

CAPTION

Public Hearing on a request by Gilberto Escobedo, for a **Replat** of Lot 13R, Block 180, of the Oak Lawn Addition, to create Lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, 0.191 acres, located at 309 Henry Street (Property ID 175115) – Owner: LGE Investment Homes LLC (SUB-127-2025)

RECOMMENDED MOTION

"I move to approve SUB-127-2025, a Replat of Lot 13R, Block 180, of the Oak Lawn Addition, to create Lot 13R-A and Lot 14R, Block 180, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly.

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held October 14, 2025, the Commission voted 7-0 to recommend approval of SUB-127-2025 and its associated Petition of Relief Waiver regarding the Right-of-Way dedication.

APPLICANT REQUEST

The applicant is requests to replat the subject property into two (2) lots for single family, residential use.

CASE INFORMATION

Applicant: Gilberto Escobedo Jr.

Property Owner(s): LGE Investment Homes LLC.

Site Acreage: 0.191 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: N/A

Adequate Public Facilities: Adequate public facilities are available to the site.

SUBJECT PROPERTY

General Location: 309 Henry Street

Parcel ID Number(s): 175115

(9+10)

Current Zoning:

SF-3

Existing Use:

The site is currently undeveloped

Platting History:

The subject property is lot 13R, Block 180 of the Oak Lawn Addition. The Oak Law Addition Replat and petition for relief was previously applied for in 2021. Both items were approved at the September 7th, 2021 City Council meeting; but the approved Replat has since expired.

Site Aerial:



PLATTING ANALYSIS

The applicant proposes to replat the subject property from one (1) lot into two (2) lots for single family, residential use. The property was originally platted as Lots 13 & 14 of the Oak Lawn Addition before being replated into lot 13R in 1985. The original Lots 13 & 14 were of similar size to the currently proposed lots. The property is located within the City's infill overlay district and the proposed lots will be consistent in size with the neighboring lots on Henry Street.

PETITION OF RELIEF WAIVER

The applicant requests a Petition for Relief Waiver for the right-of-way (ROW) dedication requirement along Henry Street for this property. The current right-of-way width on Henry St is 25', with the current City of Waxahachie's Thoroughfare Plan calling for a 50' right-of-way. The applicants' Petition of Relief Waiver will allow the proposed properties to remain consistent with the surrounding lots; none of which have dedicated additional right-of-way for Henry Street. The waiver would also allow the homes to be built on the properties to remain consistent with the surrounding homes in terms of size and placement on the lots. Due to the lots closely aligning with the surrounding area, staff is supportive of this replat and the Petition for Relief Waiver.

PUBLIC NOTIFICATIONS

To comply with State Ia contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 32 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property

(9+10)

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received five (5) letters of support and zero (0) letters of opposition for the proposed replat.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Replat, subject to the conditions below

Conditions:

1. Per Section 2.2.b of the Waxahachie Subdivision Ordinance, a complete application is required. Please provide a signed and notarized Property Owner Affidavit.
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, perform a title search to locate all easements on the property. Label the existing easement width and recording information.
3. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificates for the subject property (dated within 90-days of your filing date) showing that no delinquent taxes exist against the property is required to be provided at the time of Plat filing.
4. Per Section 2.4.c.2 of the Waxahachie Subdivision Ordinance, please verify accuracy of all bearings and distances. There appears to be a misclosure of over 8 feet. Please provide a closure report.
5. Per Section 2.4.c.12 of the Waxahachie Subdivision Ordinance, floodplain information must be correctly referenced on the plat. This FEMA panel was updated 10/19/2023.
6. Per Section 2.4.c.18 of the Waxahachie Subdivision Ordinance, please verify the accuracy of this bearing. The bearing does not match the legal description.
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-90-2025", revise accordingly.
8. Per Sections 5.6 and 5.7 of the Waxahachie Subdivision Ordinance, fences, retaining walls, and screening walls shall not be placed in utility easements. Add this to the notes.
9. Per Section 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

ATTACHED EXHIBITS

1. Replat
2. Petition of Relief Waiver

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:

Caleb Ensley

Planner

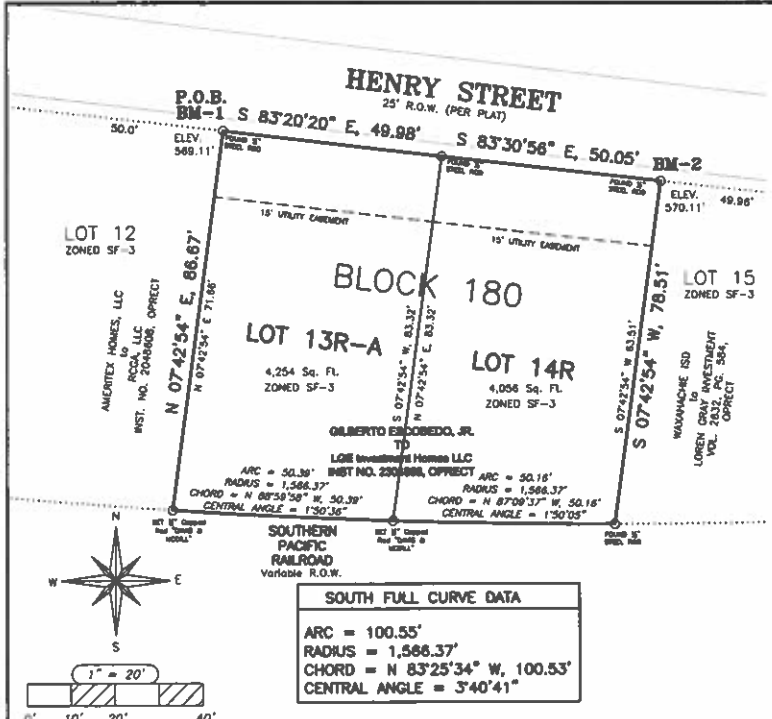
caleb.ensley@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

Trenton.Robertson@waxahachie.com



SOUTH FULL CURVE DATA

ARC = 100.55'
 RADIUS = 1,566.37'
 CHORD = N 83°25'34" W, 100.53'
 CENTRAL ANGLE = 3°40'41"

BENCHMARK DATA

BM-1: FND 1/2" STEEL ROD FOR NORTHWEST CORNER OF LOT 13. N=6826675.045, E=2482531.090, ELEVATION=569.11'

BM-2: FND 1/2" STEEL ROD FOR THE NORTHEAST CORNER OF LOT 14. N=6826663.594, E=2482630.472, ELEVATION=570.11'

BUILDING SET BACK NOTE

THE BUILDING SETBACKS WILL ADHERE TO THE REQUIREMENTS OUTLINED IN SEC. 3.25 OVERLAY DISTRICT FOR INFILL DEVELOPMENT OF THE CITY OF WAXAHACHIE ZONING ORDINANCE.

CITY NOTE:

WATER AND SEWER SERVICES MUST BE INSTALLED PRIOR TO FILING OF THIS PLAT. ALSO SIDEWALKS SHALL BE CONSTRUCTED ACROSS LOTS 13R-A AND 14R AT THE TIME OF CONSTRUCTION PER CITY STANDARDS.

OWNER: GILBERTO ESCOBEDO JR
 120 DEER CREEK DRIVE
 WAXAHACHIE, TX 75165
 469-441-2984

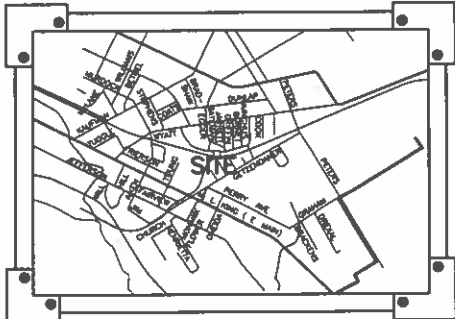
ELLISCAD PROPERTY ID 175115
 DEED OF RECORD: INSTRUMENT NUMBER 1912735, OPRECT

LEGEND

- O - Property Owner Symbol
- - Easement Lines
- - Right of Way
- - Chain Link Fence
- - Concrete
- - Drainage & Utility Canal
- - Found
- - Point of Beginning
- - Lumpy Pole
- - Metal Pole
- - Steel Pole
- - Other Easement

LEGEND

- X--- - Wire Fence
- - Wood Fence
- - Iron Fence
- - Chain Link Fence
- - Railroad Track
- - Cable TV
- - Gas Line
- - Petroleum Pipeline
- - Electric Line
- - Sanitary Sewer Line
- - Water Line
- - Underground Telephone
- - Telephone



LOCATION MAP SCALE : 1" = 2000'

STATE OF TEXAS §
 COUNTY OF ELLIS §

WHEREAS, Gilberto Escobedo are the Owners of a tract of land situated in the A. M. Keen Survey, Abstract No. 596, Ellis County, Texas and being out of a 0.179 acre tract (by Ellis Appraisal District) conveyed to them by Gilbert Escobedo, JR. and being more particularly described as follows:

BEING Lot 13R, Block 180, Oak Lawn Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Slide 308, Plat Records, Ellis County, Texas (PRECT), described in deed from Gilberto Escobedo, Jr. to LGE Investment Homes LLC, recorded in Instrument Number 2304868, Official Public Records, Ellis County, Texas, and being Lots 13 and 14, Block 180, Oak Lawn Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet A, Slide 34, PRECT, and being more particularly described by its metes and bounds as follows:

BEGINNING at a 1/8 inch steel rod found on the south line of Henry Street, at the common north corner of said Lot 13R and Lot 12, Block 180 of said, Oak Lawn Addition, recorded in Cabinet A, Slide 34, PRECT;

THENCE with the south line of Henry Street and the north line of said Lot 13R, the following courses and distances: S 83°20'20" E, 49.98' to a 1/8 inch steel rod found and S 83°30'56" E, 50.05' (plat call 100 feet) to a 1/8 inch steel rod found at the common north corner of said Lot 13R and Lot 15, Block 180 of said, Oak Lawn Addition, recorded in Cabinet A, Slide 34, PRECT;

THENCE S 07°42'54" W, with the common line of said Lots 13R and 15 for 78.51 feet, (plat call 78 feet) to a 1/8 inch steel rod, with plastic cap stamped "DAVIS & MCDILL" set at the common south corner of said Lots 13R and 15, on the north right of way line of the Southern Pacific Railroad, formerly the Houston and Texas Central Railroad and the Waxahachie Tap Railroad, said right of way being in a curve;

THENCE Westerly, with said Railroad right of way and the arc of said curve to the right, having a central angle of 3°40'41", a radius of 1566.37 feet, an arc length of 100.55 feet (plat call 100 feet), whose long chord bears N 88°04'44" W a distance of 100.538 feet to the end of said curve, a 1/8 inch steel rod with plastic cap stamped "DAVIS & MCDILL" set, at the common south corner of said Lots 13R and 12;

THENCE N 07°42'54" W, with the common line of said Lots 13R and 12 for 86.67 feet (plat call 80 feet) to the point of beginning and containing approximately 8311 square feet or 0.191 acre of land.

STATE OF TEXAS §
 COUNTY OF ELLIS §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That Gilberto Escobedo Jr. acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Oak Lawn Addition, Block 180, Lots 13R-A and 14R, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys 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 of Waxahachie. 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 Waxahachie's use thereof. The City of Waxahachie 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 Waxahachie 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 Waxahachie, Texas.

WITNESS, my hand, this the _____ day of _____, 20____.

Authorized Signature of Owner
 Gilberto Escobedo Jr., Owner
 Printed Name and Title

STATE OF TEXAS §
 COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Gilberto Escobedo, Owner, 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 _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On: _____

Surveyor's Certificate:
 KNOW ALL MEN BY THESE PRESENTS:
 That I, Stuart G. Hamilton, 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 Waxahachie.

*Provisional. This document shall not be recorded for any purpose.

Registered Professional Land Surveyor
 Number 4490

Approval Block:
 APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ Date _____
 Chairperson
 _____ Date _____
 Attest

REPLAT
 of
Oak Lawn Addition
Block 180, Lots 13R-A and 14R
Zoned SF-3
 Being a 0.191 Acre Replat of Block 180, Lot 13R of the Oak Lawn Addition, an addition to the City of Waxahachie, Texas as recorded in Cabinet B, Slide 308, of the Plat Records of Ellis County, Texas.
2 Residential Lots
 Planning and Zoning Case Number SUB-109-2021

Date: 08/6/2025
 Scale: 1" = 20'
 Drawn: DWH
 Job: 221-0046
 Sheet 1 of 1 sheets.

(017b)

ENGINEERS DAVIS & MCDILL, Inc.
D&M SURVEYORS
 CONSULTING ENGINEERS
 P.O. BOX 428, WAXAHACHIE, TEXAS 75168
 PHONE: 972-538-1185
 (A Texas licensed surveying firm # 10194081 and a Texas licensed engineering firm # 1-6839)

(9+10)

September 9, 2025

Petition of Relief Waiver

Oak Lawn Addition, Block 180, Lots 13RA and 14R

Honorable City Council of Waxahachie,

The Planning and Zoning Department has requested this letter as a formality in the process of a Replat for the above-mentioned project located on Henry Street in the City of Waxahachie. The P&Z issue was regarding the right-of-way dedication for Henry Street, stating it needed to be approximately 15 feet more dedication on the Replat.

Unfortunately, in doing this, the new right-of-way would not be uniform with its surrounding properties. Therefore, Mr. King at P&Z has decided that I should request this Waiver of Dedication, to keep the existing right-of-way as it has been since it was originally platted in Cabinet A, Slide 34, Plat Records, Ellis County, Texas.

Please let Zachary King and me know the ruling on this request.

Thank you for your time,

Gilberto Escobedo Jr

A handwritten signature in blue ink that reads "Gilberto Escobedo Jr." The signature is written in a cursive style with a large initial "G" and a distinct "Jr." at the end.

Planning & Zoning Department (11)

Zoning Staff Report

Case: ZDC-112-2025



MEETING DATE(S)

Planning & Zoning Commission:

October 14, 2025

City Council:

November 3, 2025

CAPTION

Public Hearing on a request by Javier Landeros, Inkspllicit Tattoo Studio, LLC, for a **Specific Use Permit (SUP)** for a Tattoo or Body Piercing Shop use within the General Retail (GR) zoning district located at 120 North US Highway 77, Suite A (Property ID 173425) – Owner(s): 120 North LLC (ZDC-112-2025)

RECOMMENDED MOTION

"I move to approve ZDC-112-2025, for a Specific Use Permit for a Tattoo or Body Piercing Shop use, subject to the conditions the staff report, authorizing the Mayor and/or Interim City Manager to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on October 14, 2025, the Commission voted 7-0 to recommend approval of case number ZDC-112-2025, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests approval of a SUP for a tattoo shop use.

CASE INFORMATION

Applicant:

Javier Landeros, Inkspllicit Tattoo Studio, LLC

Property Owner(s):

120 North, LLC

Site Acreage:

0.655 acres

Current Zoning:

General Retail (GR)

Requested Zoning:

General Retail (GR) with a SUP for a Tattoo or Body Piercing Shop use

SUBJECT PROPERTY

General Location:

120 North US Highway 77, Suite A

Parcel ID Number(s):

173425

Existing Use:

Multi-tenant commercial use

Development History:

The subject property is currently platted as Lot 120-RR-C of the Ferris Second Addition in 2011.

(11)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR	Office: Texas Farm Bureau Insurance Company
East	SF-2 & GR	Single-family residence
South	GR	Vacant
West	GR w/ SUP for an Electronic Message Board	Offices: State Farm, Pinkerton Law Firm, and Alamo Title Company Restaurant: Taco Suave

Future Land Use Plan:

Local Commercial

Comprehensive Plan:

The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan:

The subject property is accessible from North US Highway 77, a Major Thoroughfare (100' right-of-way) on the Thoroughfare Plan.

Site Image:



PLANNING ANALYSIS

The Applicant proposes a Specific Use Permit (SUP) for Tattoo Shop use at 120 North US Highway 77, Suite A. The use of a Tattoo Shop requires an approved SUP by City Council per the City of Waxahachie's Zoning Ordinance. The applicant is a tattoo artist who is proposing to operate a tattoo shop at the subject property primarily on an appointment-only basis but will accommodate walk-ins between the hours of 3:00 PM through 10:00 PM from Tuesdays through Saturdays. The applicant is proposing to have one chair for himself, to occupy this space. The proposed SUP will allow the applicant to offer tattoo services. The applicant offers additional services such as logo design, shirt designs, wall murals, and other projects utilizing his artistic skills. These ancillary uses are permitted by right under the current GR zoning of the subject property.

The subject property previously received approval for a SUP to operate a Cosmetic and Restorative Studio (Permanent) use City Council meeting on April 3, 2023 (ZDC-177-2022); however, the applicant did not proceed with leasing the space within six (6) months of approval. Therefore, the approved SUP is no longer valid.

Background:

On May 1, 2023, the City Council enacted Ordinance 3374, which provides a comprehensive definition for tattoo-related uses within the city. This ordinance is significant as it broadens the regulatory framework regarding the operation of tattoo and body piercing establishments. Specifically, it mandates that any "Tattoo or Body Piercing Shop" seeking to operate in the General Retail (GR), Central Area (CA), and Commercial (C) zoning districts must secure a Specific Use Permit (SUP) prior to commencing operations.

This change marked a shift from the previous zoning regulations, which restricted tattoo establishments allowed outright to the Commercial (C) zoning district only. By extending the requirement for a Specific Use Permit to additional zoning areas, the City Council aims to ensure that these businesses comply with community standards and to address potential concerns related to their location and impact on the surrounding neighborhoods. This ordinance is intended to promote responsible business practices while maintaining the quality of life for residents in all affected zoning districts.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 20 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. Staff has received no letters in support or opposition for the SUP request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request, subject to the conditions listed below.

Conditions:

1. The SUP shall remain with the applicant for this specific location only, and will not transfer to another tattoo or body piercing shop use.
2. The applicant shall amend the SUP in the event that the applicant wishes to expand the Tattoo Shop use at the subject property.
3. The applicant shall obtain all necessary building permits from the City of Waxahachie Building & Community Services Department prior to operating at the subject property.
4. All exterior signage shall require a sign permit from the Building & Community Services Department prior to the installation of any exterior signs.

(11)

ATTACHED EXHIBITS

1. SUP Ordinance
2. Tattoo Shop Use Saturation Map
3. Exhibit A – Location Map
4. Exhibit B – Floorplan
5. Exhibit C – Operational Plan

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

@waxahachie.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A TATTOO OR BODY PIERCING SHOP USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 120 NORTH U.S. HIGHWAY 77, SUITE A, BEING PROPERTY ID 173425 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 120-RR-C OF THE FERRIS SECOND ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as GR; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-112-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission, was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from GR to GR with a SUP in order to permit a Tattoo or Body Shop Piercing Shop use on the following property: 120 North U.S. Highway 77, Suite A, being a portion of Lot 120-RR-C of the Ferris Second Addition, which is shown on Exhibit A, in accordance with the Floorplan attached as Exhibit B, and the Operation Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City’s Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A TATTOO OR BODY PIERCING SHOP USE IN A GENERAL RETAIL (GR) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. Permission to operate a Tattoo or Body Piercing Shop use at 120 North U.S. Highway 77, Suite A is granted only to Javier Landeros, owner of “Inkspllicit”. Approval to operate a Tattoo or Body Piercing Shop use at this location will not transfer to another Tattoo or Body Piercing Shop establishment or owner of Tattoo Guild.
2. An amendment to the SUP will be required in the event that the property owner wishes to expand the Tattoo Shop use beyond the building at 120 North U.S. Highway 77, Suite A, identified in the Floor Plan – Exhibit B.
3. All exterior signage shall require a sign permit from Building & Community Services Department.
4. The development shall adhere to the City Council approved in Exhibit A – Location Map, Exhibit B – Floorplan, and Exhibit C – Operational Plan.
5. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, shall conform to those requirements and/or standards prescribed in Exhibit B – Floorplan and Exhibit C – Operational Plan. Where regulations are not specified in Exhibits B or C, or this Zoning Ordinance, the regulations of the General Retail (GR) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

(12)

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 3rd day of November, 2025.

MAYOR

ATTEST:

City Secretary

Tattoo Shops in Waxahachie

- ★ Existing
- ★ Prospective

Manifest Tattoo Society
PD-C - Planned Development - Commercial

Satori Tattoo Collective
PD-GR - Planned Development - General Retail

Inksplcitt Tattoo Studio
GR - General Retail

Private Tattoo Shop
GR - General Retail

The Mark Tattoo
C - Commercial

Ink Masters
C - Commercial

Heart-In-Hand
PD-CA - Planned Development - Central Area

Tattoo Guild
C - Commercial

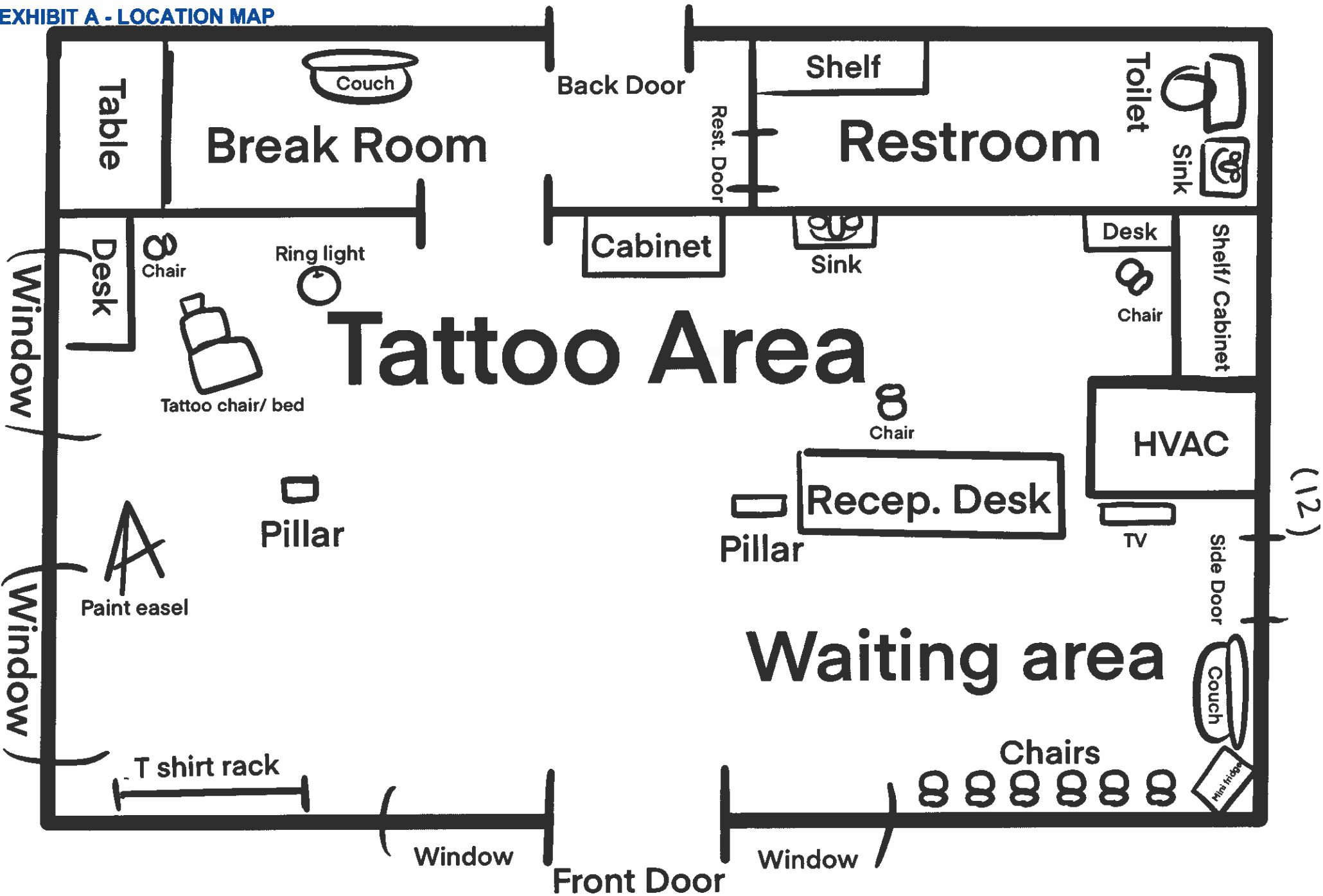
Southbound Tattoo
C - Commercial





EXHIBIT A - LOCATION MAP

EXHIBIT A - LOCATION MAP



Operational Plan

(12)

Inkspllicit Tattoo Studio, LLC

Location: 120 N Hwy 77 Suite A Waxahachie, TX

Proposed hours of Operation:

Sunday	Closed
Monday	Closed
Tuesday	3 PM-10 PM
Wednesday	3 PM-10 PM
Thursday	3 PM-10 PM
Friday	3 PM-10 PM
Saturday	3 PM-10 PM

Number of Employees: 1

I work mainly by appointments only but if I am available I will accept walk-ins.

Compatibility with adjoining uses:

Inkspllicit Tattoo Studio, LLC is compatible with the surrounding land uses, with consideration given to:

- The proposed project involves the establishment of a Tattoo Studio, Inkspllicit Tattoo Studio, LLC, at 120 N Hwy 77 in Waxahachie, located within the General Retail zone and is adjacent to other General Retail businesses.
- Inkspllicit Tattoo Studio is expected to generate revenue for other nearby businesses by bringing established clientele from Dallas County to Waxahachie in which my clientele are expected to shop or eat in Waxahachie.
- Inkspllicit Tattoo Studio does not foresee any compatibility issues with neighboring businesses.
- Inkspllicit Tattoo Studio is expected to generate low but steady traffic and will not have an issue with parking, considering there will only be one artist and on occasions, a guest artist.
- Inkspllicit Tattoo Studio will not generate excess noise that will disturb neighboring businesses or residential properties.
- Inkspllicit Tattoo Studio plans on joining the Waxahachie Chamber of Commerce and being involved in local events.
- Inkspllicit Tattoo Studio is excited to bring new art to the subject property area in Waxahachie and be involved in helping Waxahachie grow!

Based on the operational characteristics Inkspllicit Tattoo Studio will not create significant land use incompatibility impacts on adjacent land uses. The project is designed to coexist harmoniously with neighboring properties, respecting the existing function and character of the adjoining areas.

(12)

(13+14)



Memorandum

To: Honorable Mayor and City Council
From: Trenton Robertson, Senior Director of Planning
Thru: Ricky Boyd, Interim City Manager
Date: November 3, 2025
Re: ZDC-232-2024 – Kemp Tract (Minto) Planned Development

On October 27, 2025, the applicant requested to continue case no. ZDC-232-2024, from the November 3, 2025, City Council meeting to the November 17, 2025 City Council meeting. The purpose of the continuance request is to allow the Applicant additional time to address staff concerns.

(15)



Memorandum

To: Honorable Mayor and City Council
From: John Smith, Director – Senior Activity Center
Thru: Ricky Boyd, Interim City Manager *RB*
Date: November 3, 2025
Re: Consider Ground Lease and Operating Agreement with Ellis County Master Gardeners and City of Waxahachie for a Greenhouse on City Property

Motion: "I move to approve the Ground Lease and Operating Agreement between the Ellis County Master Gardeners and the City of Waxahachie and authorize the Interim City Manager to execute all necessary documents."

Item Description: Consider an agreement allowing the Ellis County Master Gardeners (ECMG) to construct and operate a 700-square-foot greenhouse within the fenced STEM Garden area adjacent to the community gardens at the Waxahachie Senior Activity Center (WSAC).

Item Summary: The proposed partnership between the City and ECMG will enhance programming opportunities at the WSAC, expand educational outreach, and create a new amenity that supports horticultural learning, volunteerism, and intergenerational engagement. Key terms of the agreement include:

- Funding and Construction: ECMG will fund the construction of the greenhouse.

(15)

- Site Preparation: WSAC will provide up to \$32,000 from the STEM Garden 501(c)(3) account to cover site preparation expenses, including water, electrical, and foundation work.
- Operations and Maintenance: ECMG will maintain and operate the greenhouse in alignment with the interests of both parties, promoting educational, social, and community engagement opportunities.
- Coordination of Use: ECMG will coordinate with WSAC staff for any public programs or large events held at the site.
- Insurance: ECMG will provide and maintain liability insurance coverage.
- Agreement Terms: Both parties retain defined investment and termination rights as outlined in the Ground Lease and Operating Agreement.

Fiscal Impact: Ongoing water and electrical costs are expected to be approximately \$1,500 per year and will be absorbed within the existing WSAC operating budget. ECMG will be responsible for all greenhouse maintenance and associated costs.

Greenhouse Collaboration

City of Waxahachie
and
Ellis County Master Gardeners
Association

City Council Meeting

Date: November 3, 2025



Ellis County Master Gardener Program



ECMGA SEEKS GREENHOUSE SITE to:

- Support **Educational Mission and Community Engagement**
 - Educate Public on principles of SCIENCE-BASED Horticulture
 - Demonstrate through COMMUNITY-BASED projects
 - Enhance public awareness of conservation principles
- Support Education of **ALL Ellis County Citizens** – Senior Citizens, Master Gardeners, Jr. Master Gardener Program, General Public, etc.
- Fill gap in Plant Propagation capability
- Augment State Funding – e.g. Fund Scholarship Program



Community
Demonstration
Gardens

(15)

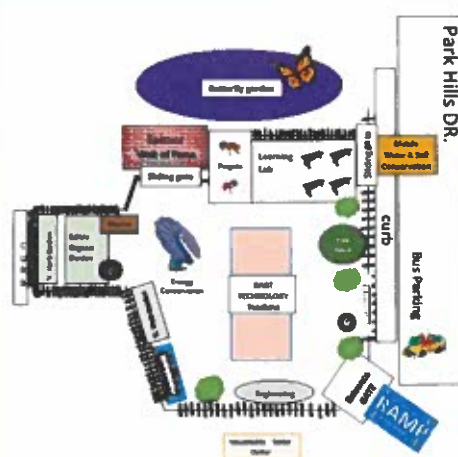
Waxahachie Senior Activity Center Opportunity



WSAC SEEKS TO:

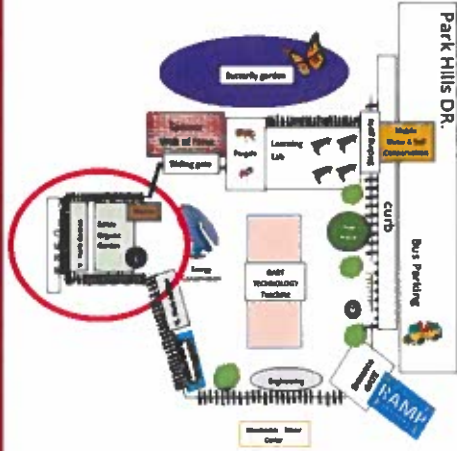
- Build on current program by:
 - Bringing another program offering to WSAC membership
 - Leverage demonstrated interest in Horticulture by WSAC Garden Club
- Build traffic and enhance utilization of current under-utilized area of STEAM Garden
 - Expand to include other Ellis County organizations - Ellis County Master Naturalist Program
- Market WSAC to broader audience by leveraging ECMGA community presence and reach
 - Current Membership – approx. 900; Goal - 2000
 - Better position WSAC to “Active Retirement” population

Waxahachie Senior Activity Ctr – Today



- **STEAM Education Garden**
 - Secure area with available amenities including:
 - DART Technology Teaching Kiosk
 - Art Station
 - Rain Water Harvesting Engineering
 - Composting Station
 - TRWD mobile “STEAM” Trailer Technology and Teaching area
 - Ready access to Utilities – water, electricity, internet
 - Leverage existing facility amenities – security, restrooms, meeting space, etc.
- **Additional Capacity exists to better serve WSAC membership**

City of Waxahachie/ECMGA - Proposal



- Repurpose portion of STEAM Garden
- Replace Edible Organic Garden and Herb Garden area with ECMGA Greenhouse
- Area of 700 sq. ft.
- Install fully functional greenhouse with capacity for plant propagation as well as educational venue
- Leverageable partnership between ECMGA and City

Proposal



- **ECMGA plans to:**
 - Rework 20 ft x 35 ft area
 - Build out Greenhouse customized to fit area
- **Staffed by ECMGA membership for:**
 - Teaching – All Age Groups
 - Plant Propagation
- **Adjacent to Senior Center**
 - To enhance collaboration
 - Foster mutual opportunity
 - Most efficiently leverage city/county/state funds

Vendor Quote


- 15 ft. x 28 ft
- Extra Strength Steel Frame 12" Attached Shelves
- 24" Attached Benches
- 1/4" Glass Roof with 60% Roll Down Shades
- 2 Evaporative Coolers
- Humidity Control System
- 1 Electric Heater
- 1/4" Tempered Glass Sides

Qty	SYN/NO	FOR	AMOUNT	DESCRIPTION	Unit Price	Total
1				Aluminum Clouse Greenhouse 1600 High Frame Strength 1.6mm Design, 1/8" Tempered Roll Glass 1.6in. Double Strength Anodized Glass Reinforced Full Length Anodized Ridge Reinforcement 200g Strength Steel Sub Frame, Approximately (58' 2.25" x 28' 10" x 11' 4" x 13' 7" x 11/16") 12" Full Length Attached Shelves	\$52,177	\$52,177
2	SHLF			24" Full Length Attached Shelves	STD	\$0
2	BNCH			24" Full Length Attached Benches	STD	\$0
1	7285			30in. 36" x 60" Aluminum Glass Door	STD	\$0
0	PCF			Fluoride Coat Powder Frame Galvan 75	MILL	\$18,834
2	CDU40000798			Access (1 in PAIP COOLER 1/2 in 50 PEOPLE		\$1,250
1	E11C HFD			210w. 800VA 21 ELECTRIC HEATER BODY 20A 10 1 AMP		\$4,200
0	VMT417			Evaporative cooler 48" x 1 foot		\$0
1	RLS			Humid. Roll Up Shade, 60% Shade, 70 LAVE LENS		\$1,995
1	HSTV-5			Humidity Control Fan w/ V5 Car Fan	1 1/2"	\$1,225
1	1/4" TEMP UPGRA			UPGRADE TO 1/4" CLEAR TEMPERED GLASS		\$2,800
1	ENG CALCS			EXCEPT 117788 BLAW ON GABLE 1/4" TEMPERED GLASS 1/4" TEMPERED GLASS PANELS FOR GREENHOUSE		\$2,800
1	SURCHARGE			7.5% SURCHARGE ON MATERIAL COSTS Units having miscellaneous items have separate BOOMS		\$2,115
1	DPIC 5%			DPIC 5% (General Protection)		\$3,825
NOTE: Foundation, Electrical & Plumbing to be completed by others.				Sub Total		\$48,875
All applicable permits or license fees by others.				Permit		\$0
Engineering calculations are by independent 3rd party firm.				Tax	6.80%	\$3,320
				Installation		\$14,050
				TOTAL \$		\$66,245
Production time approximately 8-12 weeks from receipt of final approved drawings.						
Comments: 50% Deposit = \$33,122.50						
Due Upon Production Completion = \$33,122.50						
Due Upon Installation Completion = \$0						
X _____ Date _____						

Operating Agreement




- Ground Lease & Operating Agreement completed
 - Key Provisions:
 - Ground Lease – City to ECMG - \$10 per year
 - City Responsibilities:
 - Site Preparation, Engineering, Foundation
 - Electrical & Water Lines and Connections
 - Source of Funds: \$32,000 in 501(c)(3) account
 - ECMG Responsibilities:
 - Construction, Installation of Greenhouse
 - Ongoing Management and Maintenance Expense
 - Source of Funds: Private Donations, Operating Funds
- Minimal Incremental Expense to City
 - Approx. \$1,500 for Utilities
 - No incremental cost for Facility Utilization





Operating Principles

- Key Provisions:
 - Operating Agreement
 - ECMG shall:
 - Have **Sole Authority for Operation and Management** – including access, operational controls, plants grown, pest management, etc.
 - Have **Responsibility for Maintenance and Repair** at its expense
 - ECMG may grow plants and **sell, donate or use them** with other persons at other locations, such as EXPO, public gardens, WSAC members and for teaching youth and adults
 - Operate Programs to **educate and inform WSAC members** on Greenhouse mgmt., plant propagation, horticultural principles, etc.
 - Consult with and **keep WSAC Advisory Committee informed** of activities and public events
 - Coordinate with **City Officials around Public Events** – 2 week notice
 - Maintain **\$1,000,000 Liability Insurance policy** with City as additional insured.



Operating Principles

- City of Waxahachie shall
 - Be Responsible for **Cost of Utilities** (electrical and water)
 - Provide **reasonable access** for facility and parking to ECMG designees
 - Provide **keys** to designated ECMGA members
- WSAC Advisory Council shall:
 - Collaborate with ECMG in identifying, developing and conducting activities of mutual interest
- Termination Provisions
 - 30 Day Notice of Breach/Mutual Agreement
 - ECMGA shall be responsible for removing Greenhouse



Next Steps

- **Get necessary approvals**
 - ECMGA General Membership – October 14, 2025
 - City of Waxahachie – November 3, 2025
- **Execute Documents and Contracts**
- **Implementation**
 - City to Prepare Site
 - Engineering Studies
 - Foundation Work
 - Electrical and Water connections
 - ECMGA – Construction and Installation

GROUND LEASE AND OPERATING AGREEMENT

This Ground Lease and Operating Agreement (collectively, the "Agreement") is entered into on the ___ of November, 2025 between the City of Waxahachie, Texas (the "City") and the Ellis County Master Gardeners, Inc., a nonprofit corporation ("ECMG").

RECITALS

- A. The parties desire to have a greenhouse built and installed on land owned by the City in Ellis County, Texas, being a 20 foot by 35 foot rectangular (700 square foot) portion of Lot 1R, Block B, Country Lane, an addition to the City of Waxahachie, Ellis County, Texas, as recorded in Volume H, pp. 646-47 of the Plat Records of Ellis County, Texas, and as more fully depicted in Exhibits 1-2 attached hereto (the "Premises").
- B. The City is willing to pay for the site preparation and foundation work necessary for the installation of the greenhouse, and is willing to lease the Premises to ECMG.
- C. ECMG is willing to pay for the cost of construction and installation of the greenhouse and after completion, to maintain and operate the greenhouse.
- D. The parties agree this Agreement promotes horticultural and education activities that serve the public interest, including primarily the interests of the City's citizens.

OPERATIVE PROVISIONS

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. In consideration of an annual rental of ten dollars, the City hereby leases and rents the Premises to ECMG. The term of this Lease shall begin on November __, 2025 and end on November __, 2045 unless sooner terminated in accordance with its terms or if extended by mutual agreement of the parties. All rental payments shall be payable to the City at the address provided in paragraph 15 below, unless written notice to the contrary is received by ECMG.
- 2. Within 145 days after the execution of this Agreement, the City shall, at its cost, prepare the Premises for installation of a greenhouse as described in Exhibit 3 (the "Greenhouse") by having the site preparation, engineering, and foundation work completed that is reasonably necessary for such installation. The work shall be performed by a contractor designated by ECMG. The City shall also arrange, at its cost, to have the necessary electrical and water lines and connections installed for use in the Greenhouse. To pay for the foregoing costs, the City has funds of approximately \$32,000 in a 501(c)(3) account related to the Waxahachie Senior Center (the "WSC").
- 3. After completion of the activities described in paragraph 2, ECMG shall arrange and pay for the construction and installation of the Greenhouse on the Premises, which shall be substantially similar to the description contained in Exhibit 3. The parties acknowledge and agree that the Greenhouse shall not constitute a fixture attached to the Premises and ECMG shall be the owner of it unless it elects to relinquish such ownership as provided herein.

4. ECMG shall be entitled to use the Premises for the management and operation of the Greenhouse. In connection with the operation of the Greenhouse, the parties further agree:
 - a. ECMG shall have sole authority over the operation and management of the Greenhouse. Among other things, ECMG shall be entitled to control access to the Greenhouse, determine its operating temperature and set controls for heating and cooling, and operate its shading mechanisms. Additionally, ECMG shall have sole authority to determine what plants are placed and grown in the Greenhouse.
 - b. ECMG shall be entitled to grow plants in the Greenhouse and sell, donate or use those plants at other locations to other persons or entities, such as selling plants at the ECMG Lawn & Garden EXPO, planting them at public gardens maintained by ECMG, donating them to members of the WSC or other citizens of the City, and using them for teaching or educational programs for youth and adults in the City .
 - c. Subject to (a) and (b), ECMG will operate programs at the Greenhouse to educate members of the WSC and citizens of the City on the proper use and operation of greenhouse and allow WSC members to grow plants in the Greenhouse. The amount and type of plants allowed shall be determined by ECMG.
 - d. ECMG agrees to consult with and keep the Waxahachie Senior Center Advisory Committee advised regarding its activities at the Greenhouse and its programs with WSC members and the public.
 - e. While members of the WSC, along with other citizens of the City, will benefit from the Greenhouse, the parties acknowledge and agree that the Greenhouse is not essential to the operation and maintenance of the WSC.
 - f. At least two weeks prior to conducting any public event or program at the Greenhouse, ECMG will notify a designated City official about the proposed event or program and will coordinate with the City so as to avoid any conflicts with other activities being conducted at the WSC.
5. ECMG shall maintain the Greenhouse in good condition and shall at its sole cost make all needed repairs to it. ECMG may remove panels from the fence surrounding the Greenhouse in order to maintain or repair it, provided such panels can be and are put back in place without damage. ECMG may make alterations or improvements at its sole cost to the Greenhouse as may be reasonably necessary.
6. The City shall be responsible for the cost of utilities (electricity and water) used in the Greenhouse, provided, however, ECMG shall be responsible for any cost of water usage resulting from its failure to properly turn off valves or leakage caused by its negligence.
7. The City covenants that it will provide ECMG with reasonable access to the Premises (including the Greenhouse) for the purposes specified in paragraphs 4 and 5 above. It shall also provide keys to designated members of ECMG to enter the area where the Greenhouse is located. The City shall also allow reasonable access to parking in the existing parking lot adjacent to the Premises. The City covenants that it will reasonably conduct its operations so as not to damage the Greenhouse.
8. ECMG agrees to indemnify, defend and hold the City harmless against any liability and expense that arises from any acts or omissions of its members in connection with the

(15)

operation and management of the Greenhouse. Throughout the term of the Agreement, ECMG or its contractor shall maintain liability insurance against claims and liability for personal injury in the amount of \$1,000,000, and such insurance shall name the City as an additional insured. Certificates of insurance shall be delivered to the City.

9. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, prior to the institution of any litigation relative to this Agreement, the parties hereto agree to submit such disagreement to nonbinding mediation, with each party bearing its costs for such mediation.
10. ECMG may not assign or sublease this Agreement or any interest herein without prior written approval of the City. The terms of this Agreement shall be binding on any successor of ECMG and in the event of any permitted assignment or sublease, any sublessee or assign of ECMG.
11. The terms of the Agreement shall be binding on the successors and assigns of the City. In the event the City shall sell or transfer the WSC or the Premises, it shall notify the buyer or transferee of the Agreement in writing and shall require the buyer or transferee to be bound by the terms and obligations of this Agreement. ECMG shall be entitled to file this Agreement in the property records of Ellis County, Texas.
12. This Agreement may be terminated (a) by a party if the other party commits a material breach which is not cured within 30 days after written notice of such breach, or (b) by mutual agreement of the parties.
13. In the event of a termination or expiration of this Agreement, the Greenhouse shall be removed by ECMG unless the parties mutually agree to allow the City to have ownership of the Greenhouse. Removal of the Greenhouse by ECMG shall be at its expense unless termination of the Agreement is a result of a material breach by the City in which case removal shall be at the expense of the City.
14. This instrument and its exhibits contain the complete agreement of the parties regarding the ground lease and operating agreement related to the Premises and the Greenhouse.
15. Any notice required or permitted hereunder shall be in writing and shall be deemed to be given when same is received by prepaid registered or certified mail, return receipt requested addressed to the parties as follows: to the City, Attention: City Secretary, 408 South Rogers Street, Waxahachie, TX 75165 ; and to ECMG, President, 2675 W. US Hwy Business, Ste 100, Waxahachie, TX 75167. Any party may from time to time by written notice designate a different address to which notices to it shall be sent.

(15)

SIGNED AND EXECUTED ON THIS ____ DAY OF NOVEMBER 2025.

CITY OF WAXAHACHIE, TEXAS

By: _____

ELLIS COUNTY MASTER GARDENERS, INC.

By: _____

ACKNOWLEDGEMENTS

STATE OF TEXAS

COUNTY OF ELLIS

This instrument was acknowledged before me on the ____ day of _____, 2025 by _____, president of Ellis County Master Gardeners, Inc, a nonprofit corporation, on behalf of said corporation.

Notary Public's Signature.

STATE OF TEXAS

COUNTY OF ELLIS

This instrument was acknowledged before me on the ____ day of _____, 2025 by _____, as _____ of the City of Waxahachie, Texas.

Notary Public's Signature

(15)

Exhibit 1



(15)

Exhibit 2



(15)

Exhibit 3

	Texas Greenhouse Company Inc. 812 E. Northside Dr. Fort Worth, Texas 76102 Phone: (817) 335-5447 Toll: (800) -227-5447 Fax: (817) 334-0818	

ELLIS COUNTY MASTER GARDENERS INC				PHONE:	847-846-6773	DATE:	10/15/2025
122 PARK HILL DR.				FAX:		REP:	JLS/107/STG
CITY:	WAXAHACHIE	STATE:	TX	EMAIL:			
ZIP CODE:	75165					CUST. P/U	N

Qty	STYLE/SIZE	KW	RAISED	DESCRIPTION	Unit Price	Total	
1	ACSE	1529	0	25	American Classic Greenhouse, Mill Finish Frame Straight Eave Design, 1/8in. Tempered Roof Glass 1/8in. Double Strength Annealed Glass Remainder Full Length Automated Ridge Vents(Polycarbonate) Extra Strength Steel Sub-Frame, Approximately: 15'-2 3/8"W x 28' -10 3/4"L x 12 FT 7 15/16 IN	\$50,177	\$50,177
2	SHELF				12" Full Length Attached Shelves	STD.	\$0
2	BENCH				24" Full Length Attached Benches	STD.	\$0
1	7280				DBL. 36" x 80" Aluminum Glass Door	STD.	\$0
0	PCF				Powder Coat Finish Frame (Color?)	MILL	\$11,634
2	COOL4000SP59				4000 CFM EVAP COOLER SLIM PROFILE		\$1,250
1	ELEC HTR				25Kw, 85BTUs ELECTRIC HEATER 480V, 3PH 30.1 AMPS		\$4,200
0	VNTHIT				Heater Vent Kit w/T Stat		\$0
1	RUS				Alum. Roll Up Shades, 60% Shade, TO EAVE ONLY		\$7,990
1	MSTSYS				Humidity Control Sys w/ VS Circ Fan	1 12"	\$1,225
1	1/4" TEMP UPGRD				UPGRADE TO ALL 1/4" CLEAR TEMPERED GLASS EXCEPT LETTER GLASS ON GABLE ENDS/COOLERS		\$2,040
1	ENG CALC'S				ENGINEERING CALCULATIONS FOR GREENHOUSE		\$2,000
1	SURCHARGE				TARIFF SURCHARGE ON MATERIAL COSTS MILL FINISH GREENHOUSE WILL HAVE WHITE DOORS		\$2,315
1	DISC. 5%				DISC OFF GRNHSE PKG(STG5%)		-\$3,622

NOTE: Foundation, Electrical & Plumbing to be completed by others. All applicable permits or license fees by others. Engineering calculations are by independent 3rd party firm Production time approximately 20-22 weeks from receipt of final approval drawings.	Sub Total		\$68,825
	Freight		\$0
	Tax	0.00%	\$
	Installation		\$14,850
TOTAL		\$	83,675.00

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Memorandum

To: Honorable Mayor and City Council
From: Joe Wiser, Chief of Police
Thru: Ricky Boyd, Interim City Manager *RB*
Date: November 3, 2025
Re: Consider Contract for Purchase of 8 CID Vehicles

Motion: "I move to award a contract with Classic Chevrolet of Grapevine for six (6) new Criminal Investigation Division (CID) vehicles, and award a contract with Moritz Kia for two (2) new CID vehicles, and authorize the Interim City Manager to execute all necessary documents."

Item Description: Consider awarding contract to Classic Chevrolet of Grapevine to purchase six (6) Chevrolet CID vehicles, as well as awarding contract to Moritz Kia for two (2) CID vehicles. The 8 vehicles are comprised of four (4) new CID vehicles that will be used by CID detectives and corporals, and four (4) replacement CID vehicles for the existing department fleet. The contracts are one-year contracts. The total contract cost to Classic Chevrolet of Grapevine is \$168,409 payable upon delivery of vehicles. The total contract cost to Moritz Kia is \$56,175.54 payable upon delivery of vehicles.

Item Summary: This contract includes the purchase price of eight CID vehicles required and used in the daily operation of the police department.

(1u)

Fiscal Impact: Expenditures for the purchase of 5 CID vehicles for \$225,000 was approved for the FY2026 budget. Due to market favorability, the police department is able to purchase 8 CID vehicles for \$224,584.54. The increase in number of CID vehicles purchased will shorten the time needed to replace older, leased CID vehicles with expired lease terms.

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Memorandum

To: Honorable Mayor and City Council

From: Joe Wiser, Chief of Police

Thru: Ricky Boyd, Interim City Manager *RB*

Date: October 27, 2025

Re: Consider Repealing Existing Article XIII, Overnight Camping and Temporary Shelters, Chapter 21 "Offenses and Miscellaneous Provisions" City of Waxahachie Code of Ordinances and Replacing it with new Article XIII "Camping."

Recommended Motion: "I move to approve an ordinance repealing existing Article XIII, "Overnight Camping and Temporary Shelters," Chapter 21, "Offenses and Miscellaneous Provisions," of the Code of Ordinances of the City of Waxahachie, Texas, and replacing it with a new Article XIII, "Camping."

Item Description: Consider the repeal of existing Article XIII, "Overnight Camping and Temporary Shelters," of Chapter 21, "Offenses and Miscellaneous Provisions," of the Code of Ordinances of the City of Waxahachie, Texas, and replacing it with a new Article XIII, "Camping." On October 22, 2025, the language of the "Camping" ordinance was discussed in a council work session. City Staff agreed that the proposed "Camping" ordinance conforms to the rulings in the recent decision, City of Grants Pass v. Johnson, U.S. Supreme Court (2024).

Item Summary: The issue of overnight camping in urban areas has been a nationwide problem for some time. The City of Waxahachie is not immune from the problem. In recent years our area has experienced an increase in the number of itinerant campers. In a decision handed down in 2024, the U.S. Supreme Court determined that laws prohibiting public camping and sleeping do not violate the Eighth Amendment's "cruel and unusual punishment" clause. The ruling allows cities to enforce these ordinances and fine or arrest individuals camping overnight within unapproved areas of the city's jurisdiction. The proposed ordinance will

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replace the language previously enumerated in Waxahachie City Ordinance. The proposed "Camping" ordinance conforms to the language set out by the Supreme Court decision and is recommended for approval by city staff.

Fiscal Impact: The proposed repeal and replacement will not have any financial impact on the city's budget.

CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, REPEALING EXISTING ARTICLE XIII, "OVERNIGHT CAMPING AND TEMPORARY SHELTERS," OF CHAPTER 21, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE, TEXAS, AND REPLACING IT WITH A NEW ARTICLE XIII, "CAMPING"; MAKING FINDINGS; PROVIDING CUMULATIVE/REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; DECLARING AN EMERGENCY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas ("City"), is a home-rule municipality under the laws of the State of Texas and is duly incorporated; and

WHEREAS, on or about February 19, 2018, the City Council of the City of Waxahachie ("City Council") adopted regulations that generally prohibited camping in parks and other public areas within the City's corporate limits, with certain exceptions; and

WHEREAS, the City Council seeks to clarify and strengthen the existing camping regulations contained in the City's Code of Ordinances, in accordance with the recent United States Supreme Court ruling in *City of Grants Pass v. Johnson*; and

WHEREAS, the City Council finds that the adoption of this Ordinance is in the best interest of the health, safety and welfare of the citizens of the City.

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

SECTION 1

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2

From and after the effective date of this Ordinance, existing Article XIII, "Overnight Camping and Temporary Shelters," of Chapter 21, "Offenses and Miscellaneous Provisions," of the Code of Ordinances of the City of Waxahachie, Texas, is hereby repealed and replaced with a new Article XIII, "Camping," to read as follows:

"ARTICLE XIII. CAMPING

Sec. 21-223. Definitions.

(a) *Camp or camping* means:

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- (1) the use of a park or public area for living accommodation purposes, including but not limited to:
 - a. Storing personal belongings;
 - b. Making a camp fire;
 - c. Using a tent or shelter or other structure or vehicle for a living accommodation;
 - d. Carrying on cooking activities; or
 - e. Digging or earth breaking activities; or
- (2) Parking overnight on a public right-of-way or city-owned parking lot.

(b) *Owner* means any person or entity shown as the property owner on the latest property tax assessment rolls or any person having or claiming to have any legal or equitable interest in the property, including any agent who is responsible for managing, leasing or operating the property.

(c) *Park or parks* means any land held, used, owned, leased, maintained or acquired by the city for use as a public park, trail, recreation or playground area, and any building or facility thereon, whether or not such areas have been formally dedicated to such purpose.

(d) *Parking overnight* means the stopping, standing, or parking of an attended motor vehicle, camper, or recreational vehicle between the hours of 7:00 p.m. and 7:00 a.m., except for the temporary loading or unloading of passengers or as directed by a lawful traffic control device.

(e) *Person* means any individual, firm, partnership, association, business, corporation or other entity.

(f) *Public area* means any outdoor area accessible to the public, whether on public or private property.

Sec. 21-224. Camping Prohibited.

(a) Unless explicitly permitted under Section 21-224.1, a person commits an offense if the person camps in violation of this Article.

(b) A person is camping if the person engages in any of the activities listed in Sec. 21-223(a)(1) if it reasonably appears, based on the totality of the circumstances, that the person conducting the activity is using a public area or park for living accommodation purposes, regardless of the person's intent or engagement in other activities.

(c) A person is camping if the person engages in said activity listed in Sec. 21-223(a)(2) if it reasonably appears, based on the totality of the circumstances, that the person conducting the activity is parking overnight on a public right-of-way or city-owned parking lot, regardless of the person's intent or engagement in other activities.

Sec. 21-224.1. Exceptions.

(a) A person may camp in an area designated by the City as a camping area, subject to the relevant City rules and regulations then in effect.

(b) A person may camp in an outdoor area located on private property on a single-family residential lot otherwise defined as a public area if that person is the property owner of said outdoor area.”

SECTION 3

This Ordinance shall be cumulative of all other ordinances of the City of Waxahachie and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 4

If any section, chapter, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5

Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 6

A public emergency is found to exist which affects the health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought into conformity with state law and therefore, this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ON THIS ___ DAY OF OCTOBER, 2025.

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Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary



Memorandum

To: Honorable Mayor and City Council

From: Amber Villarreal, City Secretary

Thru: Ricky Boyd, Interim City Manager *RB*

Date: November 3, 2025

Re: Consider proposed Resolution of votes cast to elect Directors for the Ellis Appraisal District for the year 2026

Recommended Motion: "I move to approve the Resolution casting votes for *(insert candidate name)* for the election of Directors to the Ellis Appraisal District Board for the year 2026."

Item Description: On November 3, 2025, a Resolution of votes cast to elect Directors for the Ellis County Appraisal District for the year 2026 will be presented to Council for consideration.

Item Summary: The chief appraiser has prepared a ballot listing the candidates. The governing body shall determine its vote by Resolution and submit to the chief appraiser before December 15th.

The City of Waxahachie voting entitlement (154 votes) may be cast for one candidate or distributed as the governing body chooses. It takes 667 votes to secure a position on the board. The chief appraiser will count the votes, declare the five candidates who received the largest cumulative vote totals elected, and submit the results before December 31st to each governing body.

Taxing Units with more than 5% of the total vote have additional requirements under Section 6.03(k-1).

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(k-1) This subsection applies only to an appraisal district established in a county with a population of 120,000 or more. The governing body of each taxing unit entitled to cast at least five percent of the total votes must determine its vote by resolution adopted at the first or second open meeting of the governing body that is held after the date the chief appraiser delivers (before October 15th) the ballot to the presiding officer of the governing body. The governing body must submit its vote to the chief appraiser not later than the third day following the date the resolution is approved.

**ELLIS APPRAISAL DISTRICT
2026 BOARD OF DIRECTORS****Eligibility:**

Person must have resided in the appraisal district for at least two years immediately preceding the date the individual takes office. Person may not be an employee of a taxing unit served by the appraisal district, but may be an elected official or a member of the governing body. A person may not be appointed if related within the second degree of consanguinity or affinity to either an appraiser who appraiser property for use in the appraisal district's appraisal review board proceedings or a tax representative who represents taxpayers for compensation before the appraisal district's appraisal review board. A person may not have delinquent taxes for more than 60 days after the date the person knew or should have known of the delinquency.

Term:

For 2026, two (2) appointed members will begin serving a four-year term 2026-2029 and in 2028, three (3) appointed members will be serving a four-year term 2028-2031.

Meetings:

Meetings are required quarterly but are typically held 6-10 times a year typically on the second Thursday of the month at 8:30am or at the call of the chair.

Compensation:

Directors may not receive a salary, per diem, or other compensation. They are reimbursed for reasonable and necessary expenses incurred in the performance of a director's duties if included in the appraisal district budget.

Training:

Effective 9/1/2025, BOD members are required to attend an 8-hour training session prior to service covering:

The role and functions of the chief appraiser, board of directors, appraisal review board and taxpayer liaison officer; the comptroller regarding the property tax system; the importance of maintaining the independence of an appraisal office from political pressure; the importance of prompt, courteous, and fair treatment of the public; the finance and budgeting requirements for an appraisal district, including appropriate controls to ensure that expenditures are proper; the procurement and contracting requirements for an appraisal district, including appropriate controls to ensure there are no conflicts of interest; the requirements of Chapters 551, 552, 2001 of the Government Code; other laws relating to public officials, including conflicts of interest laws; and the standards of ethics imposed by the Uniform Standards of Professional Appraisal Practice; and the professions regulated under Chapter 1151, Occupations Code.

General Statement of Functions:

The board of directors has the following primary responsibilities:

- Establish the appraisal district's office;
- Adopt the appraisal district's annual operating budget and bi-annual reappraisal plan;
- Contract for necessary services;
- Hire a chief appraiser;
- Appoint a taxpayer liaison officer; and
- Make general policy on the appraisal district's operation.



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ELLIS APPRAISAL DISTRICT

400 Ferris Ave * PO Box 878

Waxahachie, Texas 75168

972-937-3552 * Toll Free 1-866-348-3552

ecad@elliscad.com

Board of Directors

Richard Keeler, Chairman

David Hurst, Vice-Chairman

Paula Baucum, Secretary

Members

Rusty Ballard George Ricks

T. Walter Erwin Jennifer Zarate

Dani Muckleroy

Richard Rozier, Ex-Oficio Member

Kathy Rodrigue, Chief Appraiser

2025 Board of Directors History

APPOINTED MEMBERS

Rusty Ballard

Member 2024-2025

T. Walter Erwin

Chairman 2024, 2022-2023, Member 2025 Part of 2021

David Hurst

Vice-Chairman 2025, Member 2024 Part of 2023

Richard Keeler

Chairman 2025, Vice-Chairman 2024, Member 2022-2023

Dani Muckleroy

Secretary 2024, 2022-2023, Member 2025 Part of 2021

ELECTED MEMBERS

Paula Baucum - Place 3

Secretary 2025 Member 7/1/2024

George Ricks - Place 2

Member 2025, 7/1/2024

Jennifer Zarate - Place 1

Member 2025, 7/1/2024

Richard Rozier

Ex-Oficio Member 2025, 7/1/2024, Non Voting as Assessor/Collector 2021-2024

Efficiency:

The Board of Directors determines the number of ARB members needed each year. Working in panels has enabled the district to minimize ARB hearings costs. This also has enabled us to complete hearings earlier and to certify the appraisal rolls on time.

Property Value Study and MAP:

With the exception of 2018 and 2022, the appraisal district has been successful since 2000 with having local property value assignments to all 11 of our school districts. The district has also either met or exceeded expectations in each of the MAP reviews conducted by the Comptroller.

Budgeting:

Through the use of technology, the Board has shown great stewardship in dealing with a rapidly growing county and values shifting from a market value in 2019 of \$22B to a \$54.1B roll in 2025. The budget is less than 1% of the total levy of the taxing units, which is extremely rare for a district of our size.

Technology:

This Board looks forward each year to sharing with each of you the latest technological investment in aerial and oblique photography, Eagleview (fka Pictometry) and Changefinder. The entities of EAD receive the imagery, tools and internet access at no charge. We also offer a robust website for the research purposes.

We encourage you to take a look at EAD's stewardship in the 2024 Ellis Appraisal District Annual Report on the District website at: <https://www.elliscad.com/reports> then go to Appraisal Reports to see the work your District does for you and the property owners we all serve.

2026 Ellis Appraisal District Board of Directors' Candidate Information

Please find information for the nominated candidates:

Tim Cummings, Walter Erwin, Sherri Lampkin and Nathan Potter

Tim Cummings – Mr. Cummings was nominated by **Ellis County and Waxahachie ISD**. Mr. Cummings is a Broker/Realtor with Tero Real Estate brokerage. He is a life-long resident of Ellis County; originally from Ennis and has raised his family in Waxahachie. He received his Bachelor degree in Real Estate and Marketing from Baylor University in 1997. He grew up working alongside his father immersed in building residential home development. Specializing in land and commercial properties, Tim serves a diverse clientele including legacy landowners, developers and business owners. Tero Real Estate brings a unique background, experiences and skill set with a commitment to keeping things simple, making honesty the mandate. His family is deeply connected in the Waxahachie community through family, friends and active involvement in educational and athletic activities. (Full information included in email)

Walter Erwin - Mr. Erwin was nominated by **Ellis County, Ferris ISD and Midlothian ISD, City of Ennis and City of Midlothian**. Mr. Erwin has served on the Ellis Appraisal District Board of Directors as the Chairman of the Board of Directors from 2022-2024 and as a Member for a part of 2021 and 2025. He was in the US Army Reserve from 1964-1971 while simultaneously earning his BBA from the University of Texas. From 1973-2018, he was the President and CEO of Erwin Distributing Co, Inc. DBA Wally's Party Factory while also founding Party Club of America and was co-owner/founder of Halloween and Party Expo, selling these businesses by 2018. Mr. Erwin remains the Managing Member of Erwin Properties, LP (I & II) and remains on the Ennis State Bank Board of Directors since 1985. He volunteered as the Vice-President of the Ennis Industrial Foundation in the 1970-80's and the Trinity River Authority of Texas from 1982-1993, serving as the President of their Board of Directors from 1991-1993. (Full information included in email)

Sherri Lampkin - Ms. Lampkin was nominated by **City of Ennis**. Ms. Lampkin lives in Ennis. She has taken courses at the University of Phoenix, Cedar Valley College, Real Estate Career College, and El Centro Community College focusing on Real Estate. She has been in the real estate arena since 1984 and in 1994 she became the Owner/Licensed Texas Real Estate Broker/Property Manager at L&L Property Management. In 2009 Ms. Lampkin became the Owner/Program Director as a State Accredited Facilitator at Path of Righteousness Ministries Battering Intervention and Prevention Program (PRM BIPP) working with the Texas Department of Criminal Justice, the Community Justice Assistance Division, the Texas Council of Family Violence and Child Protective Services. (Full information included in email)

Nathan Potter – Mr. Potter was nominated by **Midlothian ISD and the City of Midlothian**. In 1998, Mr. Potter served as the 3rd generation CEO and Owner of DW Distribution Inc until late 2021. Growing this company, they became a market leader in Building Products Distribution in Texas, Oklahoma and surrounding states. In 2012, DW was awarded the Texas Family Business of the Year by Baylor University and in 2021, DW was awarded the Gallup Exceptional Workplace Award, one of 40 companies in the U.S. to earn this recognition. Mr. Potter served from 2006-2014 as a Board Member, on Executive Committee and as Chairman on the World Millwork Alliance. From 2022-2025 serving in Luxury Senior Living in the Greater Atlanta market as a Board Member and Investor and 2021-2025 with SBP/Varsity Holdings LLC. As a Board Member and Investor. (Full information included in email)

Tim Cummings

Broker, Realtor

TREC License# 616082

A dedicated full time real estate broker with deep roots in the industry, shaped by a childhood immersed in the world of residential development. Raised in Ellis County, Texas, Tim grew up alongside his father, a home builder, navigating the highs and lows of real estate's boom and bust cycles. This early exposure to managing build sites and ground-up development instilled valuable lessons that Tim now leverages to expertly guide clients through buying, selling, and leasing properties.

Originally from Ennis, Texas, Tim earned his Bachelor's degree in Real Estate and Marketing from Baylor University in 1997. During his college years, he balanced his studies with hands-on experience in property maintenance and management while finding time to hike, bike, and water ski along the scenic Brazos River. Today, Tim and his wife, Haley, raise their two children in Waxahachie, where they are deeply connected to the community through family, friends, and active involvement in educational and athletic activities. In their free time, the Cummings family enjoys supporting their children's pursuits and exploring new hiking trails across Texas and beyond.

Specializing in land and commercial properties, Tim serves a diverse clientele, including legacy landowners, developers and business owners seeking tailored solutions for their commercial ventures. "My goal is to deliver the best possible outcomes for my clients through meticulous planning and exceptional service," Tim says. His commitment to personalized guidance and strategic insight ensures clients achieve their real estate goals with confidence.



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Tero Real Estate

We are a Texas real estate brokerage based in Waxahachie. Every property is an investment. Our core perspective doesn't distinguish between a first-time homebuyer and a seasoned commercial landlord. Every Tero agent brings a unique background, experiences, and skill set, but we are united in our commitment to keeping things simple, making honesty the mandate, and ultimately getting the right deals closed on your terms. Learn more about us at TeroTexas.com

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RESUME

T. Walter Erwin III

1137 Mockingbird Circle, Ennis, TX 75119

Education:

University of Texas, Austin 1964-1971 BBA

Military:

U.S. Army Reserve 1964-1971

Business:

1973-2018 President and CEO, Erwin Distributing Co., Inc., DBA Wally's Party Factory. Grew to the largest privately owned party supply chain in the US with 32 stores and over 400 employees. Sold in 2018 to Party City Corp. and Party Supplies Group.

2001-2018 Founder and President, Party Club of America, the largest buying group/trade organization for specialty party supply and Halloween retailers. At peak, Party Club had 350 members and 410 retail roof tops. Business sold to Party Supplies Group in 2018.

2008-2015 Co-owner and co-founder, Halloween and Party Expo. The largest business-to-business trade show for the Halloween, costume and party supply industry. Became one of the largest B2B trade shows in the US. Sold in 2015 to the Halloween Industry Association. Acquired in 2017 by the Blackstone Group.

2000 to present, Managing Member, Erwin Properties I, LP and Erwin Properties II, LP. Company owns and leases commercial property.

1985 to Present, Member of the Board of Directors, Ennis State Bank, Ennis, TX

Service:

1970's and early 1980's, Vice-President, Ennis Industrial Foundation

1982-1993, Board of Directors, Trinity River Authority of Texas

1991-1993, served as President of the Board of Directors

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*Sherri Lampkin
2507 Inverrary Drive
Ennis, Texas 75119*

October 9, 2025

To Whom It May Concern:

This letter and the attached resume will introduce who I am, acquaint you with my background, and express my sincere interest in exploring a position with your organization.

I have constantly directed myself toward the highest levels of achievement and success. My education and experience have been thorough and comprehensive, and I have established a consistently high record of accomplishments in all prior assignments.

Because of my leadership roles, my learning aptitude, and personal standards of performance, I have acquired diverse knowledge and expertise that has produced valuable and lasting results. The tasks involved major responsibilities, proficiencies and innovations that have refined my strengths for the demands of various fields. I have also developed superior communicative skills and the energy required to excel in all contemporary environments and circumstances.

My experiences have proven very rewarding, and inspire me to continue developing all of my potentials. I am focused on a position that will equal my enthusiasm and encourage my progress. I believe I can offer the qualifications to contribute handsomely to your needs.

Respectfully submitted,

Sherri Lampkin

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RESUME

*Sherri R. Lampkin
2507 Inverrary Drive
Ennis, Texas 75119*

EDUCATION

*University of Phoenix
Prerequisite Courses*

*Cedar Valley College – Dallas, TX
Real Estate – Management*

*Real Estate Career College – Dallas, TX
Real Estate Courses*

*El Centro Community College – Dallas, TX
Psychology/Basics/Mid-Management/Computer*

*South Oak Cliff High School – Dallas, TX
Graduated 1975*

EMPLOYMENT

*September 1994 – to Present
L&L Property Management
(214) 321-0030*

Owner/Licensed Texas Real Estate Broker/Property Manager

Responsible for managing several small apartment complexes; an office building; 35 single-family homes; 44 condos, and several townhouses. Duties include, but are not limited to Inspecting and measuring new listings, Section 8 inspections for several Housing Authorities in Dallas County. Ordering, estimating and inspecting repairs. Showing properties, background check on applicants, processing applications, leases and sales contracts; owner/vendor disbursements, monthly cash flow statements to owners; accounting which include accounts receivables and payables, reconciling 9 bank accounts, weekly, monthly and year-end reports on all properties; evictions and all correspondence.

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January 2009 – to Present
PRM BIPP
Path of Righteousness Ministries Battering Intervention and Prevention Program
1905 W. Ennis Ave, Suite #204
Ennis, TX 75119
(214) 321-9100

Owner/Program Director – State Accredited Facilitator
Monthly Activity Report (MAR), Quarterly Financial Report (QFR)
Texas Department of Criminal Justice (TDCJ)
Community Justice Assistance Division (CJAD)
Texas Council on Family Violence (TCFV)
Child Protective Services (CPS)

Contact referral sources in various counties throughout Texas, and interstate cases, create all admin forms, facilitate groups and review assignments, reports (Progress, Dismissals, MAR, QFR, Budget, Grant), weekly reports and class schedules, attend court (according to subpoena for BIPP participants), correspondence to victims, pre-intakes, schedule intakes, receive payments, update curriculums, print and bind (books), host monthly Peer-to-Peer meetings, Staff Supervision, and Class Observations (virtually) throughout Texas counties, and Skills/Admin Training for TDCJ/CJAD/TCFV. Plan workshops, host Community Education for Probation, Parole CPS, etc., purchase supplies, office expenditures, update website as needed, other responsibilities as required, assigned, etc.

June 2009 – January 2010
Century 21 Alicia Trevino Realtors
2040 N. Belt Line Rd, Suite 200 Mesquite, TX
(972) 613-4014

Property Manager – Accounts Manager Contract
Responsible for managing 45 residential properties. Accounting for 60 real estate agents, and conducting weekly sales meetings; Century 21 weekly and monthly corporate reports, HUD accounting, sales and leasing commission disbursements and reports, and weekly training for Agents. Duties also included account payables and receivables, monthly and year-end operating statements, ordering, estimating and inspecting repairs; screening tenants, leasing, evictions, routine inspections on all properties.

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April 2002 - July 2003
Hamilton Valley Management
P.O. Box 190, Burnet, Texas 78611 ~ (512) 756-6809

Property Manager/ Trainer

Responsible for managing a 20-unit Affordable Housing complex under the USDA Affordable Housing Rental Assistance Program, and a 24-unit Senior Living complex through TDHCA. Responsibilities included processing applicants, overseeing repairs, inspections; accounting; weekly and monthly reports. Traveling: interviewing, hiring and training new apartment managers. Also completely setting up the offices to meet Government and State housing standards.

Received five awards after five months of service - Annual Convention - Corpus Christi, TX
Rookie of the Year ~ Extra Mile Award ~ Curb Appeal ~ Administration
Most Improved Property

September 1987 - September 1994
Century 21 Galloway-Herron Realtors
5801 Marvin D. Love Freeway, Suite #103
Dallas, Texas 78237
(214) 393-1858

Property Manager - July 1990 - September 1994

Responsible for 95 residential homes (35 Section 8), one office plaza and two shopping strips. Duties included account payables and receivables, monthly and year-end operating statements, ordering, estimating and inspecting repairs; screening tenants, leasing, evictions; routine inspections on all properties.

Administrative Assistant/Office Manager/ Realtor - September 1987 - July 1990

Responsibilities included assisting the President of the company with residential and commercial transactions, sales and leases. Reviewing contracts and listing agreements. Writing ads for Harmon Homes Magazine, Southern Town Homes, Dallas Morning News. Recruiting new agents, organizing meetings and seminars; general office duties. Real Estate Sales.

November 1984 - September 1987
James Jones & Associates, Appraisers
5801 Marvin D. Love Freeway, Suite 505, Dallas, Texas 75237
(214) 339-4545

Admin/Quality Control Manager/Appraiser
Residential, Commercial, and Raw Land

I started as Office Administrator which included all general office duties and typing appraisals. Other responsibilities included inspecting, measuring, and taking photos of the appraised property, and writing the appraisal, assisting the owner of the company with residential, commercial, and raw land appraisals throughout the DFW Metroplex. Reviewing all reports completed by other interoffice appraisers, including measurements photos, accuracy, and delivering appraisal reports to the appropriate clients.

Nathan Potter
1799 Indian Creek Drive
Midlothian TX 76065

Nathan Potter served as the 3rd generation CEO and Owner of DW Distribution Inc until late 2021. He followed in his grandfather and father's footsteps of owning and running their family business. Since Nathan joined the company in 1998, he and his father had a clear strategic vision, hired incredibly talented team members, and made substantial investments all of which propelled DW to becoming a market leader in Building Products Distribution in Texas, Oklahoma, and the surrounding states.

You don't have to spend much time with Nathan to learn that he has a contagious passion for the business and helping their customers win. He often says, that, when their customers win, DW and their team members win. The team at DW is deeply committed to remaining a growing thriving enterprise so that they can make a difference in the lives of their team members. DW's Purpose is "To inspire and help others build and achieve their Great American Dream". The company's mission is coined as I3 which stands for "Impress our Customers, Inspire Each Other & Improve our Business & Communities". In 2012, DW was awarded the Texas Family Business of the Year by Baylor University. Further, in 2021, DW was awarded the Gallup Exceptional Workplace Award, one of 40 companies in the U.S. to earn this recognition.

In 2021, after 66 years of family ownership, he and his family decided it was the right time for them to sell DW to their business peers and friends at Specialty Building Products (SBP) in Atlanta. SBP's acquisition of DW gives them a bold position in the highly sought-after Texas market. Nathan remained very active in the business and ensured a seamless transition to his leadership team. He remains an investor in SBP, serves on their board, is involved in the M&A and other strategic projects with SBP, and remains actively involved with the strategic vision for DW.

External Board Experience

- 2006 to 2014 - World Millwork Alliance. Board Member, Exec Comm & Chairman. This was one of the preeminent industry association boards in our industry. I was nominated and served as a board member for 4 years, then was nominated to join the Exec Committee and ultimately Chairman for (2) 1 year terms.
- 2022 to 2025 - Galerie Living. Board Member and Investor. Luxury Senior Living operator that designs, owns and operates a portfolio of facilities in the Greater Atlanta market.
- 2021 to 2025 - SBP/Varsity Holdings LLC. Board Member and Investor. Operates 55 locations across North America, has 5500 employees and \$5B+ In Revenue.

(18)

TAXING UNIT: _____

Resolution No. _____

RESOLUTION OF VOTES CAST TO ELECT DIRECTORS FOR THE
ELLIS APPRAISAL DISTRICT FOR THE YEARS 2026*

WHEREAS, Section 6.03 (k) of the Texas Property Tax Code, requires that each taxing unit entitled to vote cast their vote by Resolution and submit results of that vote to the Chief Appraiser of the Ellis Appraisal District before December 15, 2025.

THEREFORE, the _____ submits the attached Official Ballot, as issued by the Chief Appraiser, stating the votes cast for candidates in the 2026 Board of Directors' Election for the Ellis Appraisal District.

ACTION TAKEN this _____ day of _____, 2025, in _____ Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of casting votes to elect the Board of Directors of the Ellis Appraisal District.

Presiding Officer

ATTEST:

*This election is for 2026, to appoint two directors who will begin serving a four-year term January 1, 2026.

(18)

OFFICIAL BALLOT

TO

ELECT TWO MEMBERS

TO THE ELLIS APPRAISAL DISTRICT

2026 BOARD OF DIRECTORS

Issued to: **CITY OF WAXAHACHIE**

Number of Votes: **154**

Directions: Please enter the number of votes cast on the blank space opposite the name of the candidate. You may cast all of your votes for one candidate or divide your votes among any number of the candidates.

CANDIDATES (listed alphabetically)

TIM CUMMINGS _____

WALTER ERWIN _____

SHERRI LAMPKIN _____

NATHAN POTTER _____

Issued under my hand this 27th day of October, 2025.



Kathy A. Rodriguez, RPA
Chief Appraiser
Ellis Appraisal District


Texas Property Tax Code Sec. 6.0301. Board of Directors.

(c) The appraisal district is governed by a board of nine directors. Five directors are appointed by the taxing units that participate in the district in a manner prescribed by Section 6.03. (This year two members will be appointed to serve a four-year term beginning in 2026. In 2027, three members will be appointed to serve a four-year term beginning in 2028.) Three directors are elected by majority vote at the general election for state and county officers by the voters of the county in which the district is established. The county assessor-collector serves as an ex officio director.

(19)



Memorandum

To: Honorable Mayor and City Council
From: James Gaertner, Executive Director of Public Works & Utilities
Thru: Ricky Boyd, Interim City Manager 
Date: November 3, 2025
Re: Consider Resolution for Eminent Domain to Acquire Sewer, Water, Drainage, and Temporary Construction Easements Associated with the Re-Alignment of Old Italy Roadway, Water, and Sewer Projects

Motion: "I move to approve the Resolution authorizing the use of the power of eminent domain to acquire sewer, water, drainage, and temporary construction easements as referenced in the Resolution; determining the public use and necessity for such acquisition; authorizing the acquisition of property rights necessary for such sanitary sewer, water, drainage and temporary construction easements; appointing an appraiser and negotiator as necessary; authorizing the Mayor to establish just compensation for the property rights to be acquired; authorizing the Mayor, or her representative, to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the City Attorney, or his representative, to institute condemnation proceedings to acquire the property rights if purchase negotiations are not successful".

Item Description: Consider resolution for eminent domain to acquire sewer, water, drainage, and temporary construction easements from property Bluejacket Group, LLC and Little Living Trust associated with the Re-alignment of Old Italy Roadway, Water, and Sewer Projects.

Item Summary: The City plans to construct a new Roadway with drainage ditches, install sewer lines and install water lines to and along Old Italy Road and TxDOT's SPUR 394.

(19)

The City needs water, wastewater, drainage, and temporary construction easements located on the properties owned by Bluejacket Group, LLC and Little Living Trust. The city staff negotiated with the property owners for more than a year. The property owners requested the sewer line be installed along their northern property, versus other sewer alignments City staff was considering. Currently, the property owners and city staff are at an impasse regarding a path forward for executing the easements. However, in order to prevent conflicts and delays to the TxDOT's SPUR 394 Roadway Project, the property owners dedicated the new City Road Right-of-Way.

The roadway, water and sewer construction plans are ready to be bid. City staff recommends City Council approve the eminent domain resolution in order to meet the Fall 2027 deadline. City staff will continue to negotiate with the property owners while we go through this process.

Fiscal Impact: This sanitary sewer easement is part of the New High School Sewer Project and is funded through the Wastewater Impact Fees. The water Easement is part of the US 77 and Spur 394 Water Project and is funded through the Water Impact Fees. The Old Italy Re-Alignment Roadway and Drainage Project is funded through Roadway Impact Fees and the 2024 Street Bond Sale. All the costs associated with the eminent domain process will be covered by these projects budgets.

(19)

CITY OF WAXAHACHIE, TEXAS

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DECLARING THE NECESSITY TO ACQUIRE SEWER, WATER, DRAINAGE, AND TEMPORARY CONSTRUCTION EASEMENTS; DETERMINING THE PUBLIC USE AND NECESSITY FOR SUCH ACQUISITION; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE MAYOR OF THE CITY OF WAXAHACHIE, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE MAYOR TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS; AUTHORIZING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS TO ACQUIRE THE PROPERTY IF PURCHASE NEGOTIATIONS ARE NOT SUCCESSFUL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Waxahachie, Texas (the "City Council"), has determined that there exists a public necessity to acquire a sewer easement from property more particularly described in Exhibit A, Exhibit B, Exhibit C and Exhibit D, which is attached hereto and incorporated herein; and

WHEREAS, the City Council desires to acquire the permanent sewer, water, drainage and temporary construction easements, as more particularly described in Exhibit A, Exhibit B, Exhibit C and Exhibit D, which is attached hereto and incorporated herein; and

WHEREAS, the City Council desires that the Mayor, or her designee, take all necessary steps to acquire the foregoing described easement, including, but not limited to, the retention of appraisers, engineers, and other consultants and experts, and that the City Attorney, or his designee, negotiate the purchase of the easement, and if unsuccessful in doing so, to institute condemnation proceedings to acquire said easement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY WAXAHACHIE, TEXAS, THAT:

SECTION 1

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

SECTION 2

The City Council hereby finds and determines that a public use and necessity exists for the

(19)

City of Waxahachie, Texas, to acquire the permanent and temporary easement, as more particularly described in Exhibit A, Exhibit B, Exhibit C and Exhibit D, which is attached hereto and incorporated herein.

SECTION 3

The Mayor, or her designee, is authorized and directed to negotiate for and to acquire the permanent and temporary easement as more particularly described in Exhibit A, Exhibit B, Exhibit C and Exhibit D, which is attached hereto and incorporated herein, and to acquire said rights in compliance with State and Federal law. The Mayor is specifically authorized and directed to do each and every act necessary to acquire said easement, including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts, to retain and designate a qualified appraiser of the property interests to be acquired, as well as any other experts or consultants that she deems necessary for the acquisition process and, if necessary, to institute proceedings in eminent domain.

SECTION 4

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

SECTION 5

This Resolution is effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THIS 3RD DAY OF NOVEMBER, 2025.

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary

APPROVED AS TO FORM AND LEGALITY:

(19)

Terrence S. Welch, City Attorney

(19)

EXHIBIT A
(Wastewater Easement)

EXHIBIT "A"
PERMANENT SANITARY SEWER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

(19)

BEING a 1.1362 acre tract of land located in the Salis M. Duritt Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, said 1.1362 acre tract being a portion of a called 54.604 acre tract of land described as "Tract 1" and being conveyed to **BLUEJACKET GROUP LLC**, by deed thereof filed for record in Instrument Number 2242342, Official Public Record, Ellis County, Texas, said 1.1362 acre tract being more particularly described by the metes and bounds as follows:

BEGINNING at a 5/8 iron rod found at the northwest property corner of the said 54.604 acre tract, same being the southwest property corner of a called 1.603 acre tract of land conveyed to Robert Peel and Melinda Peel, by deed thereof filed for record in Volume 1271, Page 1045, Official Public Records, Ellis County, Texas, said beginning point also being on the east property line of a tract of land conveyed to the Waxahachie Independent School District, by deed thereof filed for record in Instrument Number 2220498, Official Public Record, Ellis County, Texas, from said beginning point, a MAG nail found at the northwest property corner of the said 1.603 acre tract bears North 09° 29'39" East, 378.17 feet, said beginning point having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,818,686.16 and E: 2,479,295.57:

THENCE North 58°49'19" East, along the northwest property line of the said 54.604 acre tract and along the southeast property line of the said 1.603 acre tract, at a distance of 399.85 feet passing a 1/2 inch iron rod found at the southeast property corner of the said 1.603 acre tract, continuing along the said northwest property line and along the southeast property line of a called 12.987 acre tract of land conveyed to Patricia Powell and Ian Powell, by deed thereof filed for record in Instrument Number 1107852, Official Public Records, Ellis County, Texas, in all a total distance of 1,029.32 feet to a 1/2 inch iron pipe found at the southeast property corner of the said 12.987 acre tract, same being the southwest lot corner of Lot 2, Rock Creek Crossing, being an Addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof filed for record in Cabinet C, Page 236, Official Public Records, Ellis County, Texas;

THENCE North 58°50'10" East, continuing along the northwest property line of the said 54.604 acre tract and along the southeast lot line of said Lot 2, 380.69 feet to a 5/8 inch iron rod with a cap stamped "TXRCS" found at the northeast property corner of the said 54.604 acre tract, same being the southeast lot corner of said Lot 2, said capped iron rod found being on the west right-of-way line of Waxahachie Market Rail Trail (being a variable width public right-of-way);

THENCE South 00°53'33" West, along the east property line of the said 54.604 acre tract and along the said west right-of-way line, 41.30 feet;

THENCE over and across the said 54.604 acre tract the following courses and distances:

South 58°50'10" West, 358.77 feet;

South 58°49'19" West, 1,059.39 feet to the west property line of the said 54.604 acre tract, same being the said east property line of the Waxahachie Independent School District tract;

THENCE North 09°29'39" East, along the said property lines, 46.15 feet to the **POINT OF BEGINNING**.

The herein above described tract of land contains a computed area of **1.1362 acres (49,493 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All Areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.

Eric S. Spooner, RPLS
Spooner & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900



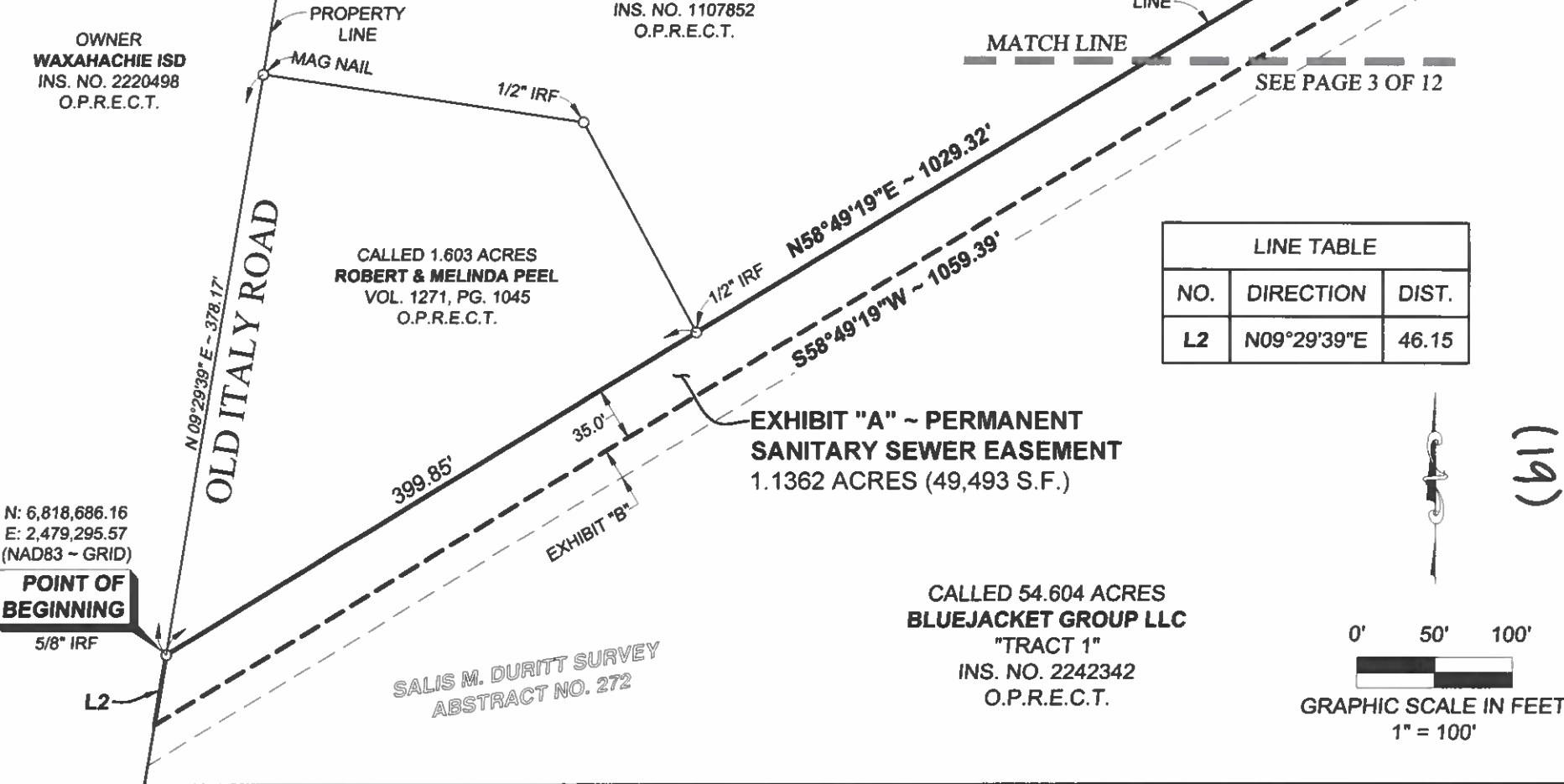
PERMANENT SANITARY SEWER EASEMENT MAP OF EXHIBIT "A"

SEE ATTACHED METES & BOUNDS DESCRIPTION ON PAGE 1 HEREIN

OWNER
WAXAHACHIE ISD
INS. NO. 2220498
O.P.R.E.C.T.

CALLED 12.987 ACRES
PATRICIA & IAN POWELL
INS. NO. 1107852
O.P.R.E.C.T.

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS.



LINE TABLE		
NO.	DIRECTION	DIST.
L2	N09°29'39"E	46.15

N: 6,818,686.16
E: 2,479,295.57
(NAD83 ~ GRID)

POINT OF BEGINNING

5/8" IRF

L2

CALLED 1.603 ACRES
ROBERT & MELINDA PEEL
VOL. 1271, PG. 1045
O.P.R.E.C.T.

**EXHIBIT "A" ~ PERMANENT
SANITARY SEWER EASEMENT**
1.1362 ACRES (49,493 S.F.)

CALLED 54.604 ACRES
BLUEJACKET GROUP LLC
"TRACT 1"
INS. NO. 2242342
O.P.R.E.C.T.



(19)



GRAPHIC SCALE IN FEET
1" = 100'

EXHIBIT "A"
PERMANENT SANITARY SEWER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900

05-21-25

STATE OF TEXAS
REGISTERED
★
ERIC S. SPOONER
5922
PROFESSIONAL
LAND SURVEYOR

PROPERTY: TRACT 1, CALLED: 54.604 ACRES, BLUEJACKET GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.

24124_BLUEJACKET 54.604_N SWR

DRAWN BY: R. OSMENT CHECKED BY: E. SPOONER

EXH "A" ~ BLUEJACKET ~ PG. 2 OF 12

**PERMANENT SANITARY
SEWER EASEMENT
MAP OF EXHIBIT "A"**

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 1 HEREIN

LINE TABLE		
NO.	DIRECTION	DIST.
L1	S00°53'33"W	41.30

CALLED 12.987 ACRES
PATRICIA & IAN POWELL
INS. NO. 1107852
O.P.R.E.C.T.

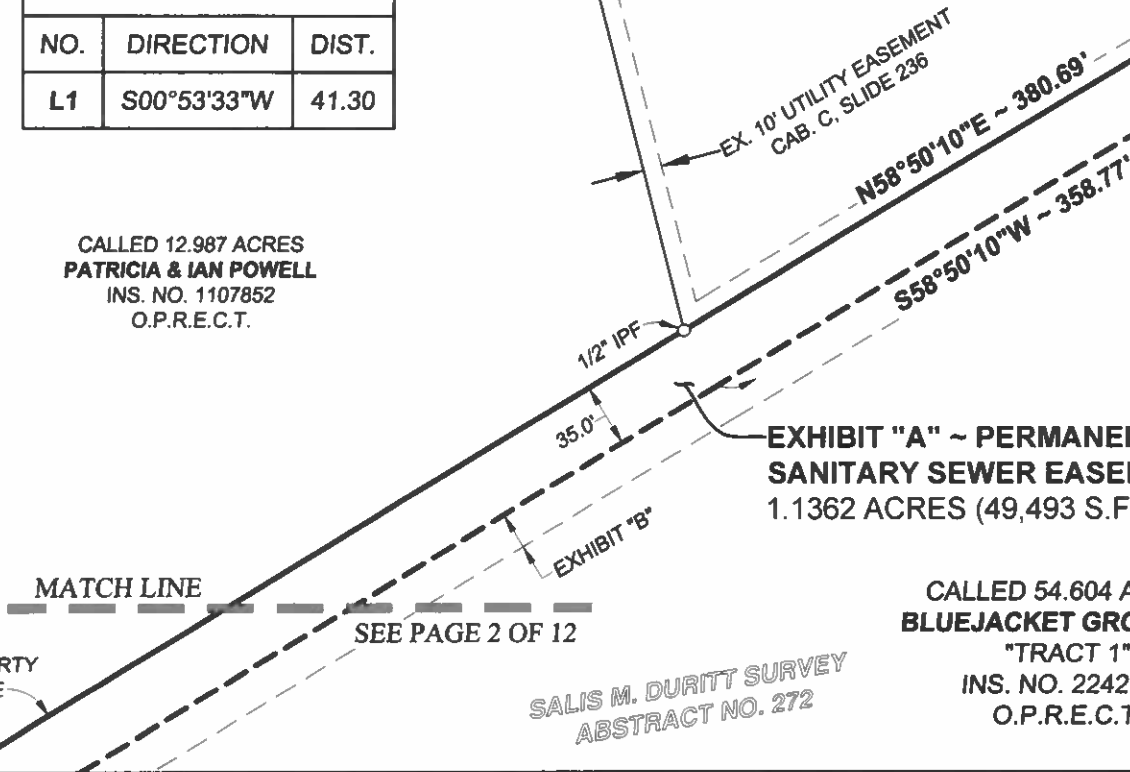
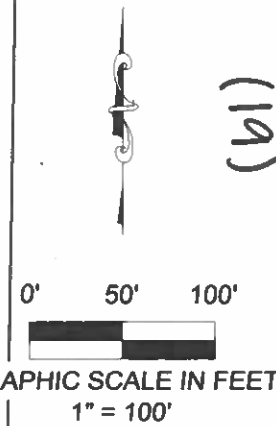
LOT 2
ROCK CREEK CROSSING
CAB. C, PG. 236
O.P.R.E.C.T.

OWNER
KATHRYN & BRODIE SOLIZ
INS. NO. 1614493
O.P.R.E.C.T.

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED
TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH
CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN
DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON
ARE CALCULATED BASED ON SURFACE MEASUREMENTS.

TRACT 4
CALLED 52.355 ACRES
BLUEJACKET GROUP LLC
INS. NO. 2242342
O.P.R.E.C.T.

WAXAHACHIE
MKT RAIL TRAIL
(VARIABLE WIDTH PUBLIC R.O.W.)



**EXHIBIT "A" ~ PERMANENT
SANITARY SEWER EASEMENT**
1.1362 ACRES (49,493 S.F.)

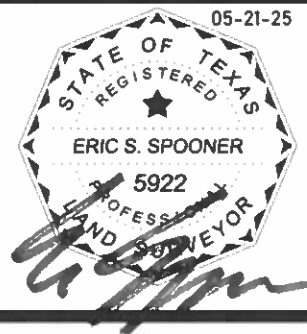
CALLLED 54.604 ACRES
BLUEJACKET GROUP LLC
"TRACT 1"
INS. NO. 2242342
O.P.R.E.C.T.

SALIS M. DURITT SURVEY
ABSTRACT NO. 272

EXHIBIT "A"
PERMANENT SANITARY SEWER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900



EXH "A" ~ BLUEJACKET ~ PG. 3 OF 12

(19)

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

BEING a 0.6522 acre tract of land located in the Salis M. Duritt Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, said 0.6522 acre tract being a portion of a called 54.604 acre tract of land described as "Tract 1" and being conveyed to **BLUEJACKET GROUP LLC**, by deed thereof filed for record in Instrument Number 2242342, Official Public Record, Ellis County, Texas, said 0.6522 acre tract being more particularly described by the metes and bounds as follows:

BEGINNING at a point on the west property line of the said 54.604 acre tract, same being the east property line of a tract of land conveyed to Waxahachie Independent School District, by deed thereof filed for record in Instrument Number 2220498, Official Public Records, Ellis County, Texas, said beginning point being South 09°29'39" West, 46.15 feet from a 5/8 inch iron rod found at the northwest property corner of the said 54.604 acre tract, said beginning point having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,818,640.65 and E: 2,479,287.96:

THENCE over and across the said 54.604 acre tract the following courses and distances:

North 58°49'19" East, 1,059.39 feet;

North 58°50'10" East, 358.77 feet to the east property line of the said 54.604 acre tract, same being the west right-of-way line of Waxahachie Market Rail Trail (being a variable width public right-of-way), said point being South 00°53'33" West, 41.30 feet from a 5/8 inch iron rod with a cap stamped "TXRCS" found at the northeast property corner of the said 54.604 acre tract;

THENCE South 00°53'33" West, along the said property line and along the said right-of-way line, 23.60 feet;

THENCE over and across the said 54.604 acre tract the following courses and distances:

South 58°50'10" West, 346.24 feet;

South 58°49'19" West, 1,076.57 feet to the said west property line of the 54.604 acre tract, same being the said east property line of the Waxahachie Independent School District tract;

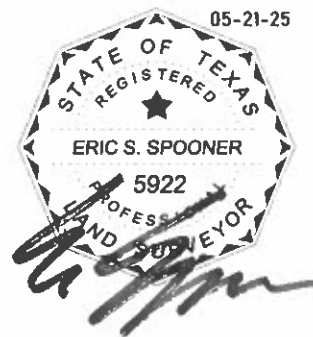
THENCE North 09°29'39" East, along the said property lines, 26.37 feet to the **POINT OF BEGINNING**.

The herein above described tract of land contains a computed area of **0.6522 acres (28,410 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All Areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.

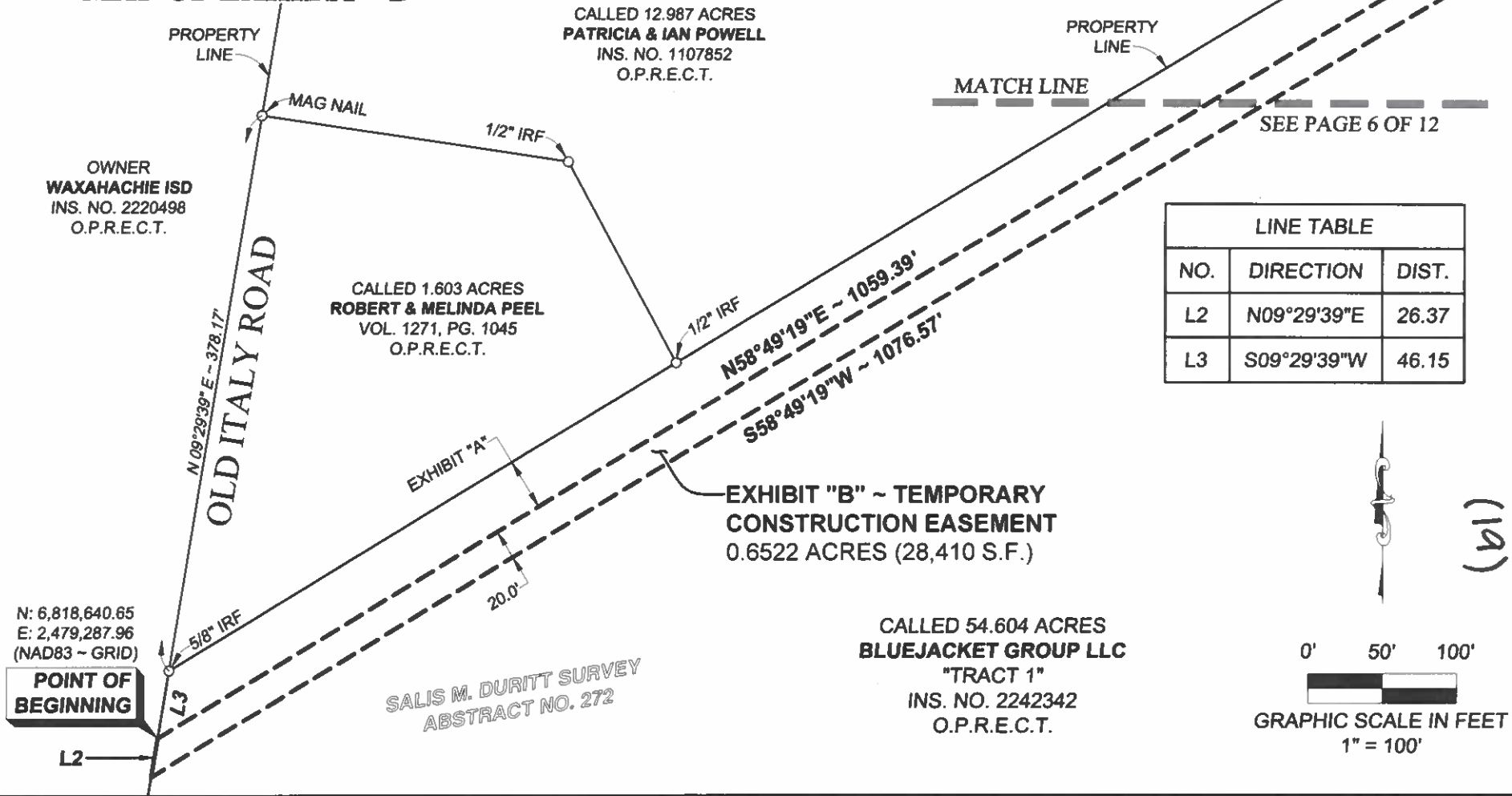
Eric S. Spooner, RPLS
Spooner & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900



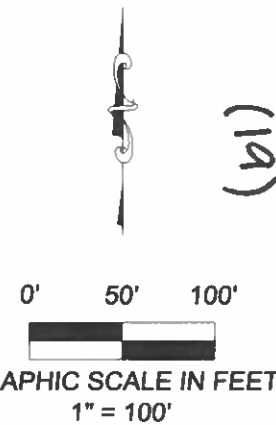
TEMPORARY CONSTRUCTION EASEMENT MAP OF EXHIBIT "B"

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 4 HEREIN

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED
TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH
CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN
DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON
ARE CALCULATED BASED ON SURFACE MEASUREMENTS.



LINE TABLE		
NO.	DIRECTION	DIST.
L2	N09°29'39"E	26.37
L3	S09°29'39"W	46.15



N: 6,818,640.65
E: 2,479,287.96
(NAD83 ~ GRID)

**POINT OF
BEGINNING**
L2
L3

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE

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(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900

05-21-25

STATE OF TEXAS
REGISTERED
★
ERIC S. SPOONER
5922
PROFESSIONAL
LAND SURVEYOR

TEMPORARY CONSTRUCTION EASEMENT MAP OF EXHIBIT "B"

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 4 HEREIN

LINE TABLE		
NO.	DIRECTION	DIST.
L1	S00°53'33"W	23.60
L4	S00°53'33"W	41.30

CALLED 12.987 ACRES
PATRICIA & IAN POWELL
INS. NO. 1107852
O.P.R.E.C.T.

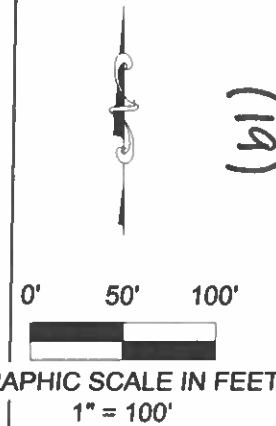
LOT 2
ROCK CREEK CROSSING
CAB. C, PG. 236
O.P.R.E.C.T.

OWNER
KATHRYN & BRODIE SOLIZ
INS. NO. 1614493
O.P.R.E.C.T.

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED
TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH
CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN
DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON
ARE CALCULATED BASED ON SURFACE MEASUREMENTS.

TRACT 4
CALLED 52.355 ACRES
BLUEJACKET GROUP LLC
INS. NO. 2242342
O.P.R.E.C.T.

WAXAHACHIE
MKT RAIL TRAIL
(VARIABLE WIDTH PUBLIC R.O.W.)



(b1)

EX. 10' UTILITY EASEMENT
CAB. C, SLIDE 236

N58°50'10"E ~ 358.77'
S58°50'10"W ~ 346.24'

EXHIBIT "B" ~ TEMPORARY
CONSTRUCTION EASEMENT
0.6522 ACRES (28,410 S.F.)

CALLED 54.604 ACRES
BLUEJACKET GROUP LLC
"TRACT 1"
INS. NO. 2242342
O.P.R.E.C.T.

SALIS M. DURITT SURVEY
ABSTRACT NO. 272

MATCH LINE

SEE PAGE 5 OF 12

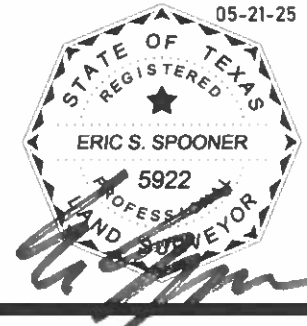
PROPERTY
LINE

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



**SPOONER &
ASSOCIATES**
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900



PROPERTY: TRACT 1, CALLED: 54.604 ACRES, BLUEJACKET GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.

24124_BLUEJACKET 54.604_N TEMP

DRAWN BY: R. OSMENT CHECKED BY: E. SPOONER

EXH "B" ~ BLUEJACKET ~ PG. 6 OF 12

(19)

EXHIBIT B
(Wastewater Easement)

EXHIBIT "A"
PERMANENT SANITARY SEWER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT No. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

(19)

BEING a 0.1204 acre tract of land located in the Salis M. Duritt Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, said 0.1204 acre tract being a portion of a called 52.355 acre tract of land described as "Tract 4" and being conveyed to **BLUEJACKET GROUP LLC**, by deed thereof filed for record in Instrument Number 2242342, Official Public Records, Ellis County, Texas, said 0.1204 acre tract being more particularly described by the metes and bounds as follows:

BEGINNING at a point on the northeast property line of the said 52.355 acre tract, same being the southwest right-of-way line of Howard Road, said beginning point being South 31°50'09" East, 258.80 feet from a 1 inch iron rod found at the north property corner of the said 52.355 acre tract, said beginning point also having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,819,624.75 and E: 2,480,748.03;

THENCE South 31°50'09" East, along the said property line and along the said right-of-way line, 30.00 feet to a point from which a 5/8 inch iron rod with an illegible cap found bears South 31°50'09" East, 91.46 feet;

THENCE South 58°53'32" West, over and across the said 52.355 acre tract, 184.34 feet to the west property line of the said 52.355 acre tract, same being the east right-of-way line of Waxahachie Market Rail Trail, said point being North 49°47'28" East, 136.39 feet from a 5/8 inch iron rod with a cap stamped "TXRCS" found at the southeast lot corner of Lot 2, Rock Creek Crossing, being an Addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof filed for record in Cabinet C, Page 236, Official Public Records, Ellis County, Texas;

THENCE North 00°55'25" East, along the said west property line and along the said east right-of-way line, 35.39 feet;

THENCE North 58°53'32" East, over and across the said 52.355 acre tract, 165.19 feet to the **POINT OF BEGINNING**.

The herein above described tract of land contains a computed area of **0.1204 acres (5,243 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All Areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.



Eric S. Spooner, RPLS
Spooner & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900

PERMANENT SANITARY SEWER EASEMENT MAP OF EXHIBIT "A"

SEE ATTACHED METES & BOUNDS DESCRIPTION ON PAGE 1 HEREIN

OWNER
KATHRYN & BRODIE SOLIZ
INS. NO. 1614493
O.P.R.E.C.T.

LINE TABLE		
NO.	DIRECTION	DIST.
L1	S31°50'09"E	30.00
L2	S58°53'32"W	184.34
L3	N00°55'25"E	35.39
L4	N58°53'32"E	165.19
L5	S31°50'09"E	91.46
L6	N49°47'28"E	136.39

(19)

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS.

0' 50' 100'



GRAPHIC SCALE IN FEET
1" = 100'

CALLED 103.5 ACRES
CITY OF WAXAHACHIE
VOL 555, PG. 1145,
O.P.R.E.C.T.

N: 6,819,624.75
E: 2,480,748.03
(NAD83 ~ GRID)

POINT OF BEGINNING

**EXHIBIT "A" ~ PERMANENT
SANITARY SEWER EASEMENT**
0.1204 ACRES (5,243 S.F.)

LOT 2
ROCK CREEK CROSSING
CAB. C, PG. 236
O.P.R.E.C.T.

5/8" IRF
"TXRCS"

L6

R.O.W.

CALLLED 52.355 ACRES
BLUEJACKET GROUP LLC
"TRACT 4"
INS. NO. 2242342
O.P.R.E.C.T.

SALIS M. DURITT SURVEY
ABSTRACT NO. 272

HOWARD ROAD
R.O.W.

WAXAHACHIE
MARKET RAIL TRAIL

1" IRF
S31°50'09"E ~ 258.80'

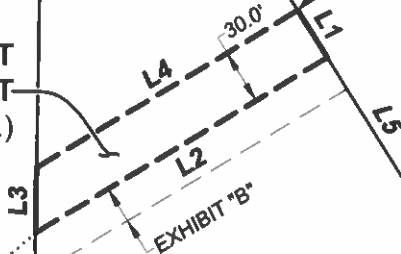
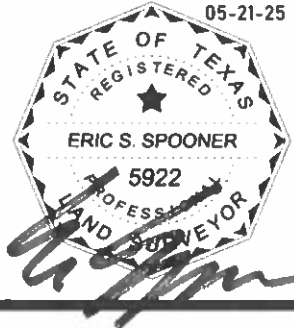


EXHIBIT "A"
PERMANENT SANITARY SEWER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT No. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



PROPERTY: TRACT 4, CALLED: 52.355 ACRES, BLUEJACKET GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.
24124_BLUEJACKET 52.355_SWR

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900

DATE: 05/20/2025
DRAWN BY: R.F.O.
CHECKED BY: E.S.S.

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT No. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

(19)

BEING a 0.0876 acre tract of land located in the Salis M. Duritt Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, said 0.0876 acre tract being a portion of a called 52.355 acre tract of land described as "Tract 4" and being conveyed to **BLUEJACKET GROUP LLC**, by deed thereof filed for record in Instrument Number 2242342, Official Public Records, Ellis County, Texas, said 0.0876 acre tract being more particularly described by the metes and bounds as follows:

BEGINNING at a point on the northeast property line of the said 52.355 acre tract, same being the southwest right-of-way line of Howard Road, said beginning point being South 31°50'09" East, 288.80 feet from a 1 inch iron rod found at the north property corner of the said 52.355 acre tract, said beginning point also having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,819,599.26 and E: 2,480,763.86;

THENCE South 31°50'09" East, along the said property line and along the said right-of-way line, 20.00 feet to a point from which a 5/8 inch iron rod with an illegible cap found bears South 31°50'09" East, 71.46 feet;

THENCE South 58°53'32" West, over and across the said 52.355 acre tract, 197.11 feet to the west property line of the said 52.355 acre tract, same being the east right-of-way line of Waxahachie Market Rail Trail, said point being North 58°09'16" East, 122.17 feet from a 5/8 inch iron rod with a cap stamped "TXRCS" found at the southeast lot corner of Lot 2, Rock Creek Crossing, being an Addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof filed for record in Cabinet C, Page 236, Official Public Records, Ellis County, Texas;

THENCE North 00°55'25" East, along the said west property line and along the said east right-of-way line, 23.59 feet;

THENCE North 58°53'32" East, over and across the said 52.355 acre tract, 184.34 feet to the **POINT OF BEGINNING**.

The herein above described tract of land contains a computed area of **0.0876 acres (3,815 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All Areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.



Eric S. Spooner, RPLS
Spooner & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900

TEMPORARY CONSTRUCTION EASEMENT MAP OF EXHIBIT "B"

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 3 HEREIN

(19)

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED
TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH
CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN
DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON
ARE CALCULATED BASED ON SURFACE MEASUREMENTS.

OWNER
KATHRYN & BRODIE SOLIZ
INS. NO. 1614493
O.P.R.E.C.T.

0' 50' 100'



GRAPHIC SCALE IN FEET

1" = 100'

LINE TABLE		
NO.	DIRECTION	DIST.
L1	S31°50'09"E	20.00
L2	S58°53'32"W	197.11
L3	N00°55'25"E	23.59
L4	N58°53'32"E	184.34
L5	S31°50'09"E	71.46
L6	N58°09'16"E	122.17

WAXAHACHIE
MARKET RAIL TRAIL

CALLED 103.5 ACRES
CITY OF WAXAHACHIE
VOL 555, PG. 1145,
O.P.R.E.C.T.

N: 6,819,599.26
E: 2,480,763.86
(NAD83 ~ GRID)

POINT OF
BEGINNING

EXHIBIT "B" ~ TEMPORARY
CONSTRUCTION EASEMENT
0.0876 ACRES (3,815 S.F.)

LOT 2
ROCK CREEK CROSSING
CAB. C, PG. 236
O.P.R.E.C.T.

5/8" IRF
"TXRCS"

L3

EXHIBIT "A"

L4

L2

L6

CALLLED 52.355 ACRES
BLUEJACKET GROUP LLC
"TRACT 4"
INS. NO. 2242342
O.P.R.E.C.T.

SALIS M. DURITT SURVEY
ABSTRACT NO. 272

TRACT 1
CALLED 54.604 ACRES
BLUEJACKET GROUP LLC
INS. NO. 2242342,
O.P.R.E.C.T.

R.O.W.

HOWARD ROAD
R.O.W.

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT No. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



**SPOONER &
ASSOCIATES**
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE



PROPERTY: TRACT 4, CALLED: 52.355 ACRES, BLUEJACKET
GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.
24124_BLUEJACKET 52.355_TEMP

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900

DATE: 05/20/2025

DRAWN BY: R.F.O.
CHECKED BY: E.S.S.

EXHIBIT "B" ~ BLUEJACKET ~ PAGE 4 OF 4

(19)

EXHIBIT C
(Drainage Easement)

(19)

EXHIBIT "A"
LEGAL DESCRIPTION
PERMANENT DRAINAGE & UTILITY EASEMENT
- BLUEJACKET GROUP, LLC.

BEING 0.2421 acre of land located in the SILAS M. DURRETT SURVEY, Abstract No. 272, City of Waxahachie, Ellis County, Texas, and being a portion of a 54.604 acre tract of land conveyed to BLUEJACKET GROUP, LLC, by a deed recorded in County Clerk's file No. 2242342, of the Deed Records of Ellis County. Said 0.2421 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½ " iron rod marked "Brittain & Crawford" set in the West boundary line of said Bluejacket tract, being located N 58° 31' 37" E 23.34 feet, from a nail found at the most Northerly Northeast corner of a tract of land designated as Parcel 1, to State of Texas, according to the deed recorded in Volume 1108, Page 576, of the Deed Records of Ellis County, Texas, and said Point of Beginning also having a Texas State Plane grid coordinates of N: 6817554.19 and E: 2479268.00;

THENCE NORTHWESTERLY 505.90 feet, with a curve to the right, having a radius of 775.00 feet, a central angle of 37° 24' 05", and a chord bearing N 09° 12' 52" W 496.97 feet, to a mag. Nail set in the West boundary line of said Bluejacket tract, same being the East boundary line of a tract of land designated as Tract 1, 129.479 acres, in Deed to Waxahachie I.S.D., recorded in Instrument No. 2220498, of the Deed Records of Ellis County, Texas;

THENCE N 09° 29' 37" E 254.27 feet, along the West boundary line of said Bluejacket tract, and the East boundary line of said Waxahachie I.S.D. tract, to a point;

THENCE SOUTHWESTERLY 162.12 feet, with a curve to the right, having a radius of 870.00 feet, a central angle of 10° 40' 36", and a chord bearing S 04° 09' 19" W 161.88 feet, to a point at the end of said curve;

THENCE S 09° 29' 37" W 93.07 feet, to a point;

THENCE SOUTHEASTERLY 495.18 feet, with a curve to the left, having a radius of 760.00 feet, a central angle of 37° 19' 51", and a chord bearing S 09° 10' 19" E 486.46 feet, to a point at the end of said curve;

THENCE S 58° 31' 37" W 15.03 feet, to the Point of Beginning, containing 0.2421 acres, (10,547 Square Feet), of land.



Krystian Golebiewski

May 2nd, 2025

EXHIBIT "A"
PAGE 1 OF 2

BEARING BASE:
NAD 83: TX83-NCF

BLUEJACKET GROUP, LLC,
INST# 2242342
D.R.E.C.T.

S. M. DURRETT
SURVEY, A-272

15' PERMANENT DRAINAGE
& UTILITY EASEMENT
0.2421 ACRE OF LAND
(10,547 SQ. FT.)

BLUEJACKET GROUP, LLC
TR.1, 54.604 ACRES
INST# 2242342
D.R.E.C.T.

WAXAHACHIE ISD
TRACT 1, 129.479 AC
INST# 2220498
D.R.E.C.T.
W.M. STEWART
SURVEY, A-956

PROPOSED RIGHT-OF-WAY
DEDICATION BY SEPARATE
DOCUMENT

GRID COORD.
N: 6817554.19
E: 2479268.00

POINT OF
BEGINNING

WAXAHACHIE ISD
TRACT 1, 129.479 AC
INST# 2220498
D.R.E.C.T.

STATE OF TEXAS
RIGHT-OF-WAY DEDICATION
PARCEL 1, 13.740 ACRES
VOL. 1108, PG. 576
D.R.E.C.T.

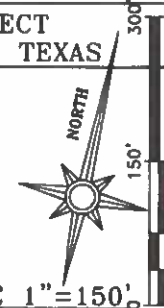
THE MOST EASTERLY
SOUTHEAST CORNER
OF WAX. ISD TRACT.



Krystian Golebiewski
MAY 2nd, 2025

OLD ITALY ROAD RELOCATION PROJECT
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

EXHIBIT MAP OF:
**PERMANENT DRAINAGE &
UTILITY EASEMENT**
0.2421 ACRE OF LAND
LOCATED IN THE S. M. DURRETT
SURVEY, A-272, CITY OF
WAXAHACHIE, ELLIS COUNTY, TX



BRITTAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 1018000
TEL (817) 926-0211 - FAX (817) 926-9347
P.O. BOX 11374 • 3908 SOUTH FREEWAY
FORT WORTH, TEXAS 76110
EMAIL: admin@brittain-crawford.com
WEBSITE: www.brittain-crawford.com

PERMANENT DRAINAGE & UTILITY EASEMENT CALL TABLE

Course	Bearing	Distance
L1	Rad: 775.00' Tan: 262.33' Chd: N 09°12'52" W	Arc: 505.90' CA: 37°24'05" 496.97'
L2	N 09°29'37" E	254.27'
L3	Rad: 870.00' Tan: 81.29' Chd: S 04°09'19" W	Arc: 162.12' CA: 10°40'36" 161.88'
L4	S 09°29'37" W	93.07'
L5	Rad: 760.00' Tan: 256.73' Chd: S 09°10'19" E	Arc: 495.18' CA: 37°19'51" 486.46'
L6	S 58°31'37" W	15.03'



Krystian Golebiewski
MAY 2nd, 2025

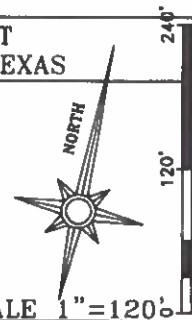
BEARING BASE:
NAD 83: TX83-NCF



OLD ITALY ROAD RELOCATION PROJECT
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

BRITAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 1019000
TEL (817) 926-0211 - FAX (817) 926-9347
P.O. BOX 11374 • 3908 SOUTH FREEDWAY
FORT WORTH, TEXAS 76110
EMAIL: admin@britain-crawford.com
WEBSITE: www.britain-crawford.com

EXHIBIT MAP OF:
**PERMANENT DRAINAGE &
UTILITY EASEMENT**
0.2421 ACRE OF LAND
LOCATED IN THE S. M. DURRETT
SURVEY, A-272, CITY OF
WAXAHACHIE, ELLIS COUNTY, TX



SCALE 1"=120'

(19)

EXHIBIT "B"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
- BLUEJACKET GROUP, LLC.

BEING 0.2690 acre of land located in the SILAS M. DURRETT SURVEY, Abstract No. 272, City of Waxahachie, Ellis County, Texas, and being a portion of a 54.604 acre tract of land conveyed to BLUEJACKET GROUP, LLC, by a deed recorded in County Clerk's file No. 2242342, of the Deed Records of Ellis County. Said 0.2690 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the West boundary line of said Bluejacket Group tract, being located S 58° 31' 37" W 6.60 feet, from a 5/8" iron rod found at the PI in said West boundary line, and said Point of Beginning also having a Texas State Plane grid coordinates of N: 6817569.88 and E: 2479293.64;

THENCE S 58° 31' 37" W 15.03 feet, to a point that is located N 58°31'37"E 15.03 feet, from a 1/2" iron rod marked "Brittain & Crawford" set in the proposed East right-of-way line of Old Italy Road;

THENCE along a line 15 feet Easterly of and parallel to the proposed East right-of-way line of Old Italy Road, as follows:

1. NORTHWESTERLY 495.18 feet, with a curve to the right, having a radius of 760.00 feet, a central angle of 37° 19' 51", and a chord bearing N 09° 10' 19" W 486.46 feet, to a point at the end of said curve;
2. N 09° 29' 37" E 93.07 feet, to a point;
3. NORTHEASTERLY 162.12 feet, with a curve to the left, having a radius of 870.00 feet, a central angle of 10° 40' 36", and a chord bearing N 04° 09' 19" E 161.88 feet, to a point in the West boundary line of aforesaid Bluejacket Group tract;

THENCE N 09° 32' 15" E 67.33 feet, along the West boundary line of said Bluejacket Group tract, to a point that is located S 09° 32' 15" W 329.07 feet from a railroad spike found at the Northwest corner thereof;

THENCE SOUTHWESTERLY 231.13 feet, with a curve to the right, having a radius of 885.00 feet, a central angle of 14° 57' 48", and a chord bearing S 02° 00' 43" W 230.47 feet, to a point at the end of said curve;

THENCE S 09° 29' 37" W 93.07 feet, to a point;

THENCE SOUTHEASTERLY 484.45 feet, with a curve to the left, having a radius of 745.00 feet, a central angle of 37° 15' 27", and a chord bearing S 09° 08' 07" E 475.96 feet, to the Point of Beginning, containing 0.269 acre, (11,719 Square Feet), of land.



Krystian Golebiewski

May 5th, 2025

EXHIBIT "B"
PAGE 1 OF 2

BEARING BASE:
NAD 83: TX83-NCF

BLUEJACKET GROUP, LLC,
INST# 2242342
D.R.E.C.T.

S. M. DURRETT
SURVEY, A-272

15' TEMPORARY
CONSTRUCTION
EASEMENT
0.2690 ACRE OF LAND
(11,719 SQ. FT.)

BLUEJACKET GROUP, LLC
TR.1, 54.604 ACRES
INST# 2242342
D.R.E.C.T.

GRID COORD.
N: 6817569.88
E: 2479293.64

POINT OF
BEGINNING



Krystian Golebiewski
MAY 5th, 2025

WAXAHACHIE ISD
TRACT 1, 129.479 AC
INST# 2220498
D.R.E.C.T.
W.M. STEWART
SURVEY, A-956

PROPOSED RIGHT-OF-WAY
DEDICATION BY SEPARATE
DOCUMENT

WAXAHACHIE ISD
TRACT 1, 129.479 AC
INST# 2220498
D.R.E.C.T.

STATE OF TEXAS
RIGHT-OF-WAY DEDICATION
PARCEL 1, 13.740 ACRES
VOL 1108, PG. 576
D.R.E.C.T.

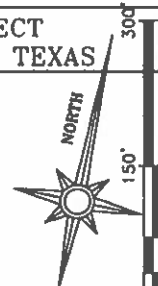
THE MOST EASTERLY
SOUTHEAST CORNER
OF WAX. ISD TRACT



OLD ITALY ROAD RELOCATION PROJECT
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

EXHIBIT MAP OF:
**15' WIDE TEMPORARY
CONSTRUCTION EASEMENT**
0.2690 ACRE OF LAND
LOCATED IN THE S. M. DURRETT
SURVEY, A-272, CITY OF
WAXAHACHIE, ELLIS COUNTY, TX

BRITTAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 10190000
TEL (817) 926-0211 - FAX (817) 926-9347
P.O. BOX 11374 • 3908 SOUTH FREEWAY
FORT WORTH, TEXAS 76110
EMAIL: edmr@brittain-crawford.com
WEBSITE: www.brittain-crawford.com



SCALE 1"=150'

TEMPORARY CONSTRUCTION EASEMENT CALL TABLE

Course	Bearing	Distance
L1	S 58°31'37" W	15.03'
L2	Rad: 760.00' Tan: 256.73' Chd: N 09°10'19" W	Arc: 495.18' CA: 37°19'51" 486.46'
L3	N 09°29'37" E	93.07'
L4	Rad: 870.00' Tan: 81.29' Chd: N 04°09'19" E	Arc: 162.12' CA: 10°40'36" 161.88'
L5	N 09°32'15" E	67.33'
L6	Rad: 885.00' Tan: 116.22' Chd: S 02°00'43" W	Arc: 231.13' CA: 14°57'48" 230.47'
L7	S 09°29'37" W	93.07'
L8	Rad: 745.00' Tan: 251.14' Chd: S 09°08'07" E	Arc: 484.45' CA: 37°15'27" 475.96'



Krystian Golebiewski
MAX 5th, 2025

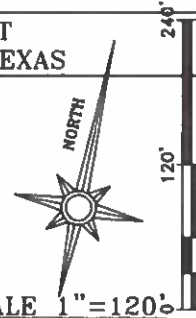
BEARING BASE:
NAD 83: TX83-NCF



OLD ITALY ROAD RELOCATION PROJECT
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

BRITTAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 1019000
TEL (817) 926-0211 - FAX (817) 926-9347
P.O. BOX 11374 • 3906 SOUTH FREEWAY
FORT WORTH, TEXAS 76110
EMAIL: admin@brittain-crawford.com
WEBSITE: www.brittain-crawford.com

EXHIBIT MAP OF:
**15' WIDE TEMPORARY
CONSTRUCTION EASEMENT**
0.2690 ACRE OF LAND
LOCATED IN THE S. M. DURRETT
SURVEY, A-272, CITY OF
WAXAHACHIE, ELLIS COUNTY, TX



SCALE 1"=120'

(19)

EXHIBIT D
(Water Easement)

(19)

EXHIBIT "C"
PERMANENT WATER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

BEING a 0.4336 acre tract of land located in the Salis M. Duritt Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, said 0.4336 acre tract being a portion of a called 54.604 acre tract of land described as "Tract 1" and being conveyed to **BLUEJACKET GROUP LLC**, by deed thereof filed for record in Instrument Number 2242342, Official Public Record, Ellis County, Texas, said 0.4336 acre tract being more particularly described by the metes and bounds as follows:

BEGINNING at a mag nail found at the southwest property corner of the said 54.604 acre tract, said beginning point being on the north property line of a tract of land conveyed to the State of Texas for future Spur 394 by deeds recorded in Volume 540, Page 1070, Volume 809, Page 181 and Volume 1108, Page 576, Official Public Records, Ellis County, Texas, said beginning point having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,817,085.21 and E: 2,479,527.56:

THENCE North 31°26'29" West, along the southwest property line of the said 54.604 acre tract and along the said north property line of the said State of Texas tract, 23.76 feet to a point from which a mag nail found bears North 31°26'29" West, 221.16 feet;

THENCE South 88°45'42" East, over and across the said 54.604 acre tract, 950.69 feet to the east property line of the said 54.604 acre tract, same being the west right-of-way line of Waxahachie Market Rail Trail (being a variable width public right-of-way);

THENCE South 00°53'33" West, along the said east property line and along the said west right-of-way line, 20.00 feet to a 1/2 inch iron rod found at the southeast property corner of the said 54.604 acre tract, same being the said north property line of the State of Texas tract;

THENCE North 88°45'42" West, along the south property line of the said 54.604 acre tract and along the said north property line of the State of Texas tract, 937.98 feet to the **POINT OF BEGINNING**.

The herein above described tract of land contains a computed area of **0.4336 acres (18,887 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All Areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.



Eric S. Spooner, RPLS
Spooner & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900

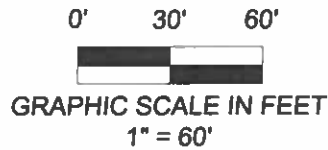
PERMANENT WATER EASEMENT MAP OF EXHIBIT "C"

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 7 HEREIN

CALLED 54.604 ACRES
BLUEJACKET GROUP LLC
"TRACT 1"
INS. NO. 2242342
O.P.R.E.C.T.

**EXHIBIT "C" ~ PERMANENT
WATER EASEMENT**
0.4336 ACRES (18,887 S.F.)

LINE TABLE		
NO.	DIRECTION	DIST.
L1	N31°26'29"W	23.76'



*SALIS M. DURITT SURVEY
ABSTRACT NO. 272*

MAG NAIL FND
POINT OF BEGINNING
N: 6,817,085.21
E: 2,479,527.56
(NAD83 ~ GRID)

R.O.W. **N88°45'42"W ~ 937.98'**

S88°45'42"E ~ 950.69'

OWNER
STATE OF TEXAS
(FUTURE SPUR 394)
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)
VOLUME 540, PAGE 1070
VOLUME 809, PAGE 181
VOLUME 1108, PAGE 576
O.P.R.E.C.T.

MATCH LINE

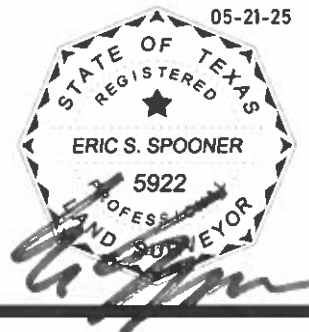
SEE PAGE 9 OF 12

(b1)

EXHIBIT "C"
PERMANENT WATER EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900



PROPERTY: TRACT 1, CALLED: 54.604 ACRES, BLUEJACKET GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.

24124_BLUEJACKET 54.604_S SWR DRAFT_2025-05-19.DWG

DRAWN BY: R. OSMENT CHECKED BY: E. SPOONER

EXH "C" ~ BLUEJACKET ~ PG. 8 OF 12

PERMANENT WATER EASEMENT MAP OF EXHIBIT "C"

SEE ATTACHED METES & BOUNDS DESCRIPTION ON PAGE 7 HEREIN

LINE TABLE		
NO.	DIRECTION	DIST.
L2	S00°53'33"W	20.00'

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS.

CALLLED 54.604 ACRES
BLUEJACKET GROUP LLC
 "TRACT 1"
 INS. NO. 2242342
 O.P.R.E.C.T.

TRACT 4
 CALLED 52.355 ACRES
BLUEJACKET GROUP LLC
 INS. NO. 2242342
 O.P.R.E.C.T.

SEE PAGE 8 OF 12

WAXAHACHIE
 MKT RAIL TRAIL
 (VARIABLE WIDTH PUBLIC R.O.W.)

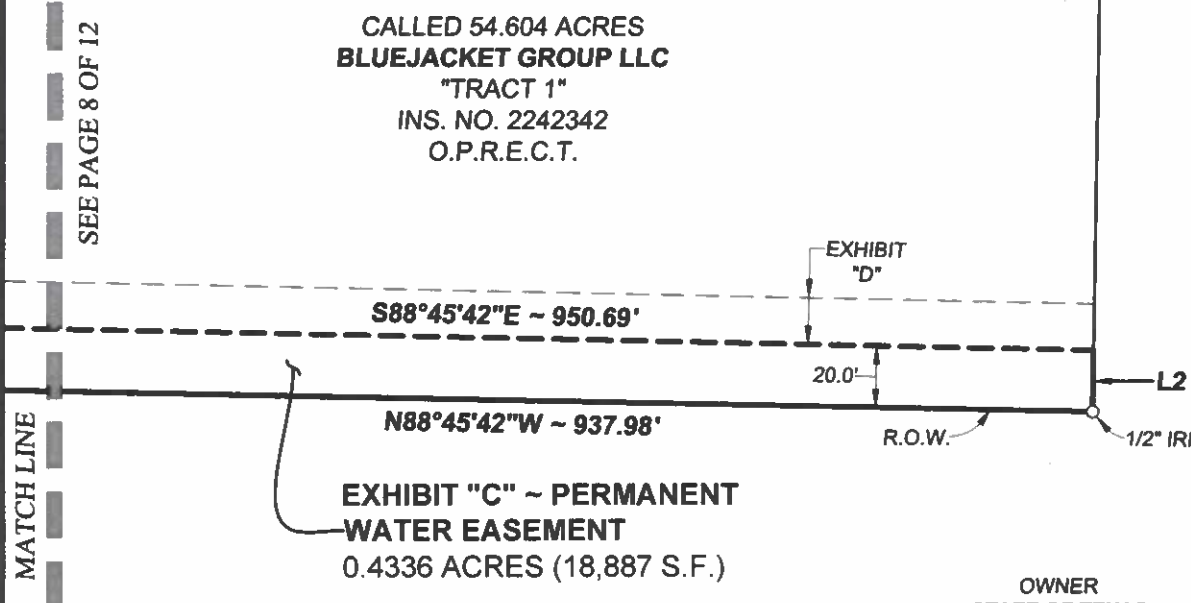
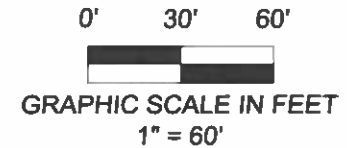


EXHIBIT "C" ~ PERMANENT WATER EASEMENT
 0.4336 ACRES (18,887 S.F.)

OWNER
STATE OF TEXAS
 (FUTURE SPUR 394)
 (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)
 VOLUME 540, PAGE 1070
 VOLUME 809, PAGE 181
 VOLUME 1108, PAGE 576
 O.P.R.E.C.T.

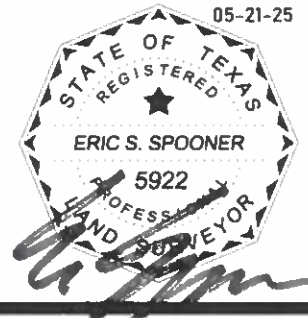


SALIS M. DURITT SURVEY
 ABSTRACT NO. 272

EXHIBIT "C"
PERMANENT WATER EASEMENT
 SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
 (817) 685-8448 WWW.SPOONERSURVEYORS.COM
 TBPLS FIRM NO. 10054900



PROPERTY: TRACT 1, CALLED: 54.604 ACRES, BLUEJACKET GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.

24124_BLUEJACKET 54.604_S SWR DRAFT_2025-05-19.DWG

DRAWN BY: R. OSMENT CHECKED BY: E. SPOONER

EXH "C" ~ BLUEJACKET ~ PG. 9 OF 12

EXHIBIT "D"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

(19)

BEING a 0.3290 acre tract of land located in the Salis M. Duritt Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, said 0.3290 acre tract being a portion of a called 54.604 acre tract of land described as "Tract 1" and being conveyed to **BLUEJACKET GROUP LLC**, by deed thereof filed for record in Instrument Number 2242342, Official Public Record, Ellis County, Texas, said 0.3290 acre tract being more particularly described by the metes and bounds as follows:

BEGINNING at a point on the southwest property line of the said 54.604 acre tract, same being the northeast property line of a tract of land conveyed to the State of Texas for future Spur 394 by deeds recorded in Volume 540, Page 1070, Volume 809, Page 181 and Volume 1108, Page 576, Official Public Records, Ellis County, Texas, said beginning point being North 31°36'29" West, 23.76 feet from a mag nail found at the southwest property corner of the said 54.604 acre tract, said beginning point also having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,817,105.48 and E: 2,479,515.17:

THENCE North 31°26'29" West, along the said property line and along the said right-of-way line, 17.82 feet to a point from which a mag nail found bears North 31°26'29" West, 203.33 feet;

THENCE South 88°45'42" East, over and across the said 54.604 acre tract, 960.22 feet to the east property line of the said 54.604 acre tract, same being the west right-of-way line of Waxahachie Market Rail Trail (being a variable width public right-of-way);

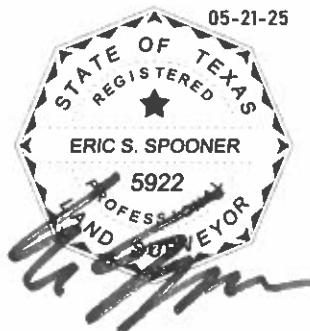
THENCE South 00°53'33" West, along the said east property line and along the said west right-of-way line, 15.00 feet to a point from which a 1/2 inch iron rod found at the southeast property corner of the said 54.604 acre tract bears South 00°53'33" West, 20.00 feet;

THENCE North 88°45'42" West, over and across the said 54.604 acre tract, 950.69 feet to the **POINT OF BEGINNING**.

The herein above described tract of land contains a computed area of **0.3290 acres (14,332 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All Areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.



Eric S. Spooner, RPLS
Spooner & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900

**TEMPORARY
CONSTRUCTION EASEMENT
MAP OF EXHIBIT "D"**

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 10 HEREIN

CALLED 54.604 ACRES
BLUEJACKET GROUP LLC
"TRACT 1"
INS. NO. 2242342
O.P.R.E.C.T.

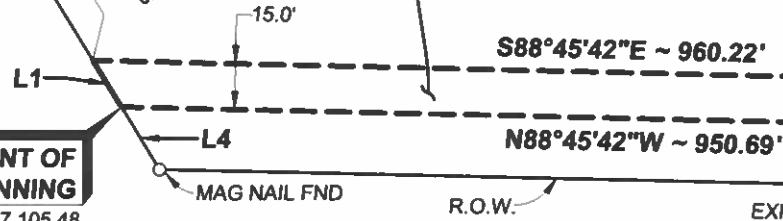
R.O.W.
OLD ITALY ROAD

MAG NAIL FOUND BEARS
N31°26'29"W - 203.33'

**EXHIBIT "D" ~ TEMPORARY
CONSTRUCTION EASEMENT**
0.3290 ACRES (14,332 S.F.)

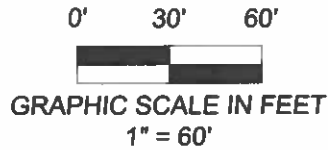
LINE TABLE		
NO.	DIRECTION	DIST.
L1	N31°26'29"W	17.82'
L4	N31°26'29"W	23.76'

**POINT OF
BEGINNING**
N: 6,817,105.48
E: 2,479,515.17
(NAD83 ~ GRID)



OWNER
STATE OF TEXAS
(FUTURE SPUR 394)
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)
VOLUME 540, PAGE 1070
VOLUME 809, PAGE 181
VOLUME 1108, PAGE 576
O.P.R.E.C.T.

SEE PAGE 12 OF 12
MATCH LINE
(b)



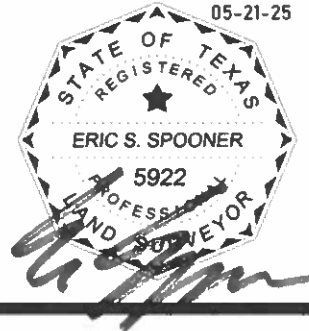
SALIS M. DURITT SURVEY
ABSTRACT NO. 272

EXHIBIT "D"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



**SPOONER &
ASSOCIATES**
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900



PROPERTY: TRACT 1, CALLED: 54.604 ACRES, BLUEJACKET GROUP LLC, INS. NO. 2242342, O.P.R.E.C.T.

24124_BLUEJACKET 54.604_S TEMP DRAFT_2025-05-19.DWG

DRAWN BY: R. OSMENT | CHECKED BY: E. SPOONER

EXH "D" ~ BLUEJACKET ~ PG. 11 OF 12

TEMPORARY CONSTRUCTION EASEMENT MAP OF EXHIBIT "D"

SEE ATTACHED METES & BOUNDS
DESCRIPTION ON PAGE 10 HEREIN

LINE TABLE		
NO.	DIRECTION	DIST.
L2	S00°53'33"W	15.00'
L3	S00°53'33"W	20.00'

THE BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS.

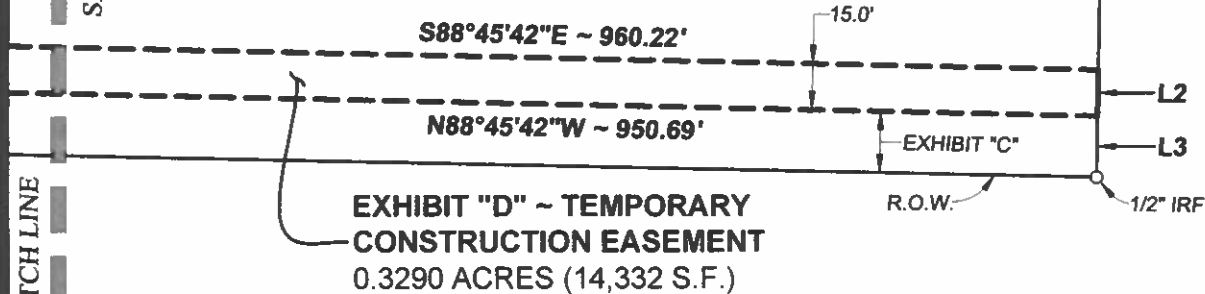
CALLLED 54.604 ACRES
BLUEJACKET GROUP LLC
"TRACT 1"
INS. NO. 2242342
O.P.R.E.C.T.

TRACT 4
CALLED 52.355 ACRES
BLUEJACKET GROUP LLC
INS. NO. 2242342
O.P.R.E.C.T.

WAXAHACHIE
MKT RAIL TRAIL
(VARIABLE WIDTH PUBLIC R.O.W.)

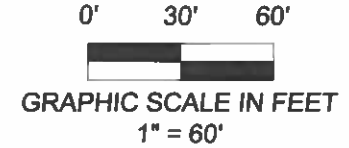
SEE PAGE 11 OF 12

MATCH LINE



**EXHIBIT "D" ~ TEMPORARY
CONSTRUCTION EASEMENT**
0.3290 ACRES (14,332 S.F.)

OWNER
STATE OF TEXAS
(FUTURE SPUR 394)
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)
VOLUME 540, PAGE 1070
VOLUME 809, PAGE 181
VOLUME 1108, PAGE 576
O.P.R.E.C.T.



SALIS M. DURITT SURVEY
ABSTRACT NO. 272

(19)

EXHIBIT "D"
TEMPORARY CONSTRUCTION EASEMENT
SALIS M. DURITT SURVEY, ABSTRACT NUMBER 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

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TBPLS FIRM NO. 10054900

05-21-25