



## *Memorandum*

### *September 13, 2018*

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TO: Planning and Zoning Commission  
Julie Couch, Town Manager

FROM: Israel Roberts, AICP  
Planning Manager

**SUBJECT: FINAL PLAT FOR THE EBERSOHL ADDITION**

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**BACKGROUND:** This is a request for approval of a final plat of the Ebersohl Addition. The 6.94-acre site is located on the south side of Hart Road, west of Country Club Road and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Brandon Bush, Custom Homes of Texas representing Jay Ebersohl.

**STATUS OF ISSUE:** The proposed plat reflects the development of a three (3) lot, single-family subdivision. Each lot is a minimum of 2-acres in lot area and proves the necessary width from a private access easement along the west side to meet lot width standards. A home is already under construction on proposed Lot 1. In the State of Texas, the plat application process is a ministerial process, meaning that if the plat application conforms to the zoning for the subject property, as well as the subdivision and development regulations, the municipal government must approve the plat.

#### *Right-of-Way and access*

The proposed final plat reflects the dedication of right-of-way for the eventual expansion of Hart Road. Additionally, the plat dedicates a 20'-25' wide emergency, access and utility easement along the western property line. This easement, overlaps an existing 20' wide private access easement, and has been constructed with a new 16' wide private concrete driveway that will provide improved access for residents, and emergency services, for the additional proposed lots, and the existing lots, to the south. Additionally, the lots may also be accessed by an existing unimproved private easement along the eastern property line.

*Parks, Open Space and Trails*

Consistent with the Town's parkland dedication ordinance, the town is permitted to require the developer to dedicate a total of 0.08-acres (3,910 square feet) of parkland. A cash-in-lieu of land dedication fee of \$6,732.00 for this proposed development will be required prior to filing with the county.

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed final plat.

BUDGET: N/A

ATTACHMENTS:

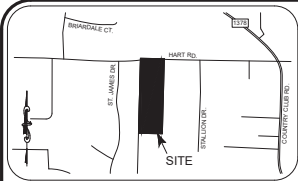
- Locator
- Proposed exhibits



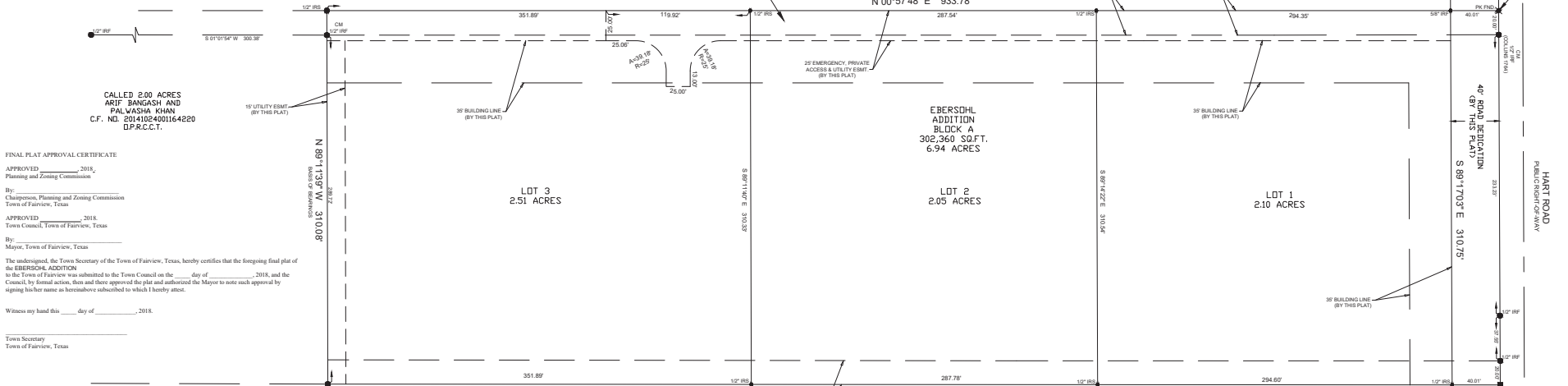


**Ebersohl Addition**





VICINITY MAP - NOT TO SCALE



FINAL PLAT APPROVAL CERTIFICATE

APPROVED: 2018,  
Planning and Zoning Commission

By: \_\_\_\_\_  
Chairperson, Planning and Zoning Commission  
Town of Fairview, Texas

APPROVED: 2018,  
Town Council, Town of Fairview, Texas

By: \_\_\_\_\_  
Mayor, Town of Fairview, Texas

The undersigned, the Town Secretary of the Town of Fairview, Texas, hereby certifies that the foregoing final plat of the EBERSOHL ADDITION to the Town of Fairview was submitted to the Town Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, and the Council, by formal action, then and there approved the plat and authorized the Mayor to note each approval by signing his/her name as hereinafore subscribed to which I hereby attest.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Town Secretary  
Town of Fairview, Texas

LEGEND:

CM: CONTROLLING MONUMENT  
IRF: IRON ROD FOUND  
PK: IRON ROD SET WITH PLASTIC CAP  
PK: PK NAIL TOUO  
C.F. NO: COUNTY FILE NUMBER  
SQ.FT: SQUARE FEET  
VOL. PG: DEED RECORDS, COLLIN COUNTY, TEXAS  
D.A.C.C.T: PLAT RECORDS, COLLIN COUNTY, TEXAS  
D.P.R.C.C.T: OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

GENERAL NOTES:

- 1) ACCORDING TO THE MAP NO. 4808C02030, DATED JUNE 2, 2009 OF THE NATIONAL FLOOD INSURANCE RATE MAP OF COLLIN COUNTY, TEXAS, FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PROGRAM IS WITHIN ZONE X AND IN NOT WITHIN THE SPECIAL FLOOD HAZARD AREA.
- 2) BASIS OF BEARINGS IS BASED ON GPS OBSERVATIONS USING THE NORTH CENTRAL ZONE 4002.
- 3) THE PURPOSE OF THIS PLAT IS TO CREATE 3 LOTS FROM AN UNPLATTED TRACT.

OWNERS DEDICATION AND ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF COLLIN

We, the undersigned, Jay P. Ebersohl and Katrina C. Ebersohl, Trustees of Ebersohl Revocable Trust dated March 17, 2017, are the sole owners of a tract of land situated in the Samuel Sloan Survey, Abstract No. 791 in Collin County, Texas, same being conveyed to Jay P. Ebersohl and Katrina C. Ebersohl, Trustees of Ebersohl Revocable Trust dated March 17, 2017 by deeds recorded in County File Nos. 201706010007040 and 2017060000092250, Official Public Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a PK nail found for corner in the South line of Hart Road (a public right-of-way), said point being the Northeast corner of Oakwood Estates, Phase III, an addition to Collin County, Texas, according to the plat thereof recorded in Volume J, Page 607, Plat Records, Collin County, Texas;

Thence North 89 degrees 17 minutes 03 seconds East, along the said South line of Hart Road, a distance of 310.78 feet to a point for corner (commensurate) from which a fence post for witness bears North 14 degrees 33 minutes 52 seconds East, a distance of 3.37 feet, said point being the Northwest corner of a tract of land conveyed to Betty J. Brown by deed recorded in County File No. 201310000005660, Official Public Records, Collin County, Texas;

Thence South 01 degrees 00 minutes 16 seconds West, along the West line of said Brown tract, a distance of 374.27 feet to a 1/2 inch iron rod found at the Northeast corner of a tract of land conveyed to Arif Bangash and Palwasha Khan by deed recorded in County File No. 201410240116420, Official Public Records, Collin County, Texas;

Thence North 89 degrees 11 minutes 38 seconds West, passing a 1/2 inch iron rod found at the Northwest corner of said Bangash/Khan tract at a distance of 289.72 feet, and continuing for a total distance of 310.08 feet to a 1/2 inch iron rod set in the East line of said Oakwood Estates, Phase II;

Thence North 50 degrees 57 minutes 48 seconds East, along the said East line of Oakwood Estates, Phase II, a distance of 973.78 feet to the Point of Beginning and containing 302,360 square feet or 6.94 acres of land;

and designated herein as the EBERSOHL ADDITION; a subdivision to the Town of Fairview, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements, rights-of-way and public places therein shown for the purpose therein stated.

Jay P. Ebersohl Katrina C. Ebersohl

Date: \_\_\_\_\_

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Jay P. Ebersohl and Katrina C. Ebersohl, Trustees of Ebersohl Revocable Trust dated March 17, 2017, do hereby adopt this plat designating the hereinabove described property as EBERSOHL ADDITION, an addition to the Town of Fairview, Collin County, Texas. All and any public and franchise utility and the Town of Fairview shall have the right to remove and keep removed all or parts of any buildings, fences, shrubs, trees, or other improvements or growths, which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on said easements, and the Town of Fairview and all public utilities constructing, reconstructing, inspecting, patrolling, maintaining and to adding to or removing all or parts of its respective systems, without the necessity, at anytime, of procuring the permission of anyone.

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

WITNESS MY HAND at Fairview, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Jay P. Ebersohl, Owner

Trustee

Ebersohl Revocable Trust

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Jay P. Ebersohl, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledge to me that he executed the same for the purposes and consideration therein expressed.

Notary Public in and for the State of Texas

Printed Name

WITNESS MY HAND at Fairview, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Katrina C. Ebersohl, Owner

Trustee

Ebersohl Revocable Trust

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Katrina C. Ebersohl, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledge to me that he executed the same for the purposes and consideration therein expressed.

Notary Public in and for the State of Texas

Printed Name

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, \_\_\_\_\_ acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as EBERSOHL ADDITION, an addition to the Town of Fairview, Texas, and does hereby dedicate 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. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances. No building, 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, I approved by the Town. The Town of Fairview is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair. 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 use to particular persons, said use by public utilities being subordinate to the Public's and the Town of Fairview's use thereof. The Town of Fairview and public utilities entities shall have the right to remove and keep removed all or parts of any building, 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 Town of Fairview 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 of procuring permission from anyone.

That the undersigned do hereby covenant and agree that they shall construct upon the fee line easements, if any, as dedicated and shown hereon, a hard surface and that they shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, shrubs, trees, or other parking of motor vehicles, trailers, boats or other impediments to the access of the apparatus. The maintenance of paving on the fee line easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fee lines, stating "Fire Lane, No Parking." The police chief or his duly authorized representative is hereby authorized to cause such fee lines and utility easements to be maintained free and unobstructed at all times for the Fire Department and emergency use.

The undersigned do covenant and agree that the Access Easements, if any, may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and emergency use in, along, upon and across said premises, with the right and privilege at all times of the Town of Fairview, its agents, employees, workmen and representatives having ingress, egress, and egress in, along, upon and across said premises.

This plat is approved subject to all planning ordinances, rules, regulations and resolutions of the Town of Fairview. All modifications to this document shall be by means of the plat and approved by the Town of Fairview.

WITNESS, my hand at Fairview, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

AUTHORIZED SIGNATURE

CERTIFICATE OF SURVEYOR WHO PREPARED PLAT

STATE OF TEXAS

COUNTY OF COLLIN

I, Wayne Beets II, a registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the Town of Fairview, Texas.

PRELIMINARY

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Wayne Beets II, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public in and for the State of Texas

Printed Name

FINAL PLAT

EBERSOHL ADDITION

LOTS 1-3, BLOCK A

302,360 SQ.FT. / 6.94 ACRES

SAMUEL SLOAN SURVEY, ABSTRACT NO. 791

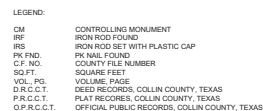
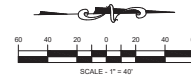
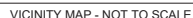
CITY OF FAIRVIEW, COLLIN COUNTY TEXAS

REVISED 08-04-2018

OWNER  
JAY P. EBERSOHL AND  
KATRINA C. EBERSOHL  
TRUSTEES OF THE EBERSOHL  
REVOCABLE TRUST  
DATED MARCH 17, 2017  
405 GLENDEVON DRIVE  
MCKINNEY, TEXAS 75071

SURVEYOR  
BY-LINE SURVEYING LLC  
ATTN: WAYNE BEETS II  
1983 RS. COUNTY ROAD 1300  
EMORY, TEXAS 75440  
PHONE: 903-473-8150  
WWW.BY-LINESURVEYING.COM

SCALE - 1"=40' / DRAIN BY - CG / DATE 08/10/2017 / PROJECT NO. 2017-299



CERTIFICATE OF SURVEYOR WHO PREPARED PLAT

STATE OF TEXAS

COUNTY OF COLLIN

I, Wayne Beets II a registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the Town of Fairview, Texas.

PRELIMINARY

Wayne Beets  
Registered Professional Land Surveyor  
Registration No. 6039  
Date:

NOTE:  
NO LIGHTING OR ADDITIONAL  
LANDSCAPE IS PROPOSED WITH  
THIS PLAT.

TREE LOCATION SURVEY  
PROVIDED BY ARTHUR LAND  
SURVEYING  
DATED 09-22-2017

LANDSCAPE, LIGHTING AND  
TREE LOCATION

TREE LOCATION  
EBERSOHL ADDITION

LOTS 1-3, BLOCK A  
 302,360 SQ.FT / 6.94 ACRES  
 SAMUEL SLOAN SURVEY, ABSTRACT NO. 791  
 CITY OF FAIRVIEW, COLLIN COUNTY TEXAS  
 REVISED 09.04.2018

OWNER  
JAY P. EBERSOHL AND  
KATRINA C. EBERSOHL  
TRUSTEES OF THE EBERSOHL  
REVOCABLE TRUST  
DATED MARCH 17, 2017  
405 GLENDEVON DRIVE  
MCKINNEY, TEXAS 75071

SURVEYOR  
BY-LINE SURVEYING LLC  
ATTN: WAYNE BEETS II  
1983 RS. COUNTY ROAD 1300  
EMORY, TEXAS 75440  
PHONE: 903-473-5150  
WWW.BYLINESURVEYING.COM

SCALE = 1"=40' / DRAWN BY = CG / DATE 08/10/2017 / PROJECT NO. 2017-259