

ORDINANCE NO. _____
File No. Z0322-0238

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ORDINANCE NO. 4753 AND THE OFFICIAL ZONING MAP BY REVISING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS AND ADDING TWO PARCELS TO THE APPROVED PLANNED DEVELOPMENT TO ALLOW AN INDUSTRIAL BUSINESS PARK, THEREBY APPROVING A CHANGE OF ZONING FROM R-3 AND R-1, SINGLE FAMILY RESIDENTIAL, TO PLANNED DEVELOPMENT - INDUSTRIAL ON PROPERTY LOCATED AT 380 STATE HIGHWAY 352 AND 180 LONG CREEK ROAD, RESPECTIVELY; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with the Charter of the City of Mesquite, state laws and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

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

SECTION 1. The subject properties being rezoned and added to Planned Development Ordinance No. 4753 are located at 380 State Highway 352 and 180 Long Creek Road in the City of Mesquite, Dallas County, Texas, and are more particularly described in the legal description(s) attached hereto as **EXHIBIT C** and incorporated herein by reference (collectively the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance, Ordinance No. 4753 (File No. Z1019-1008), and the Official Zoning Map of the City of Mesquite, Texas, are hereby amended by approving a change of zoning for the Property as follows:

- 380 State Highway 352 from R-3, Single Family Residential to Planned Development – Industrial Ordinance No. 4753; and
- 180 Long Creek Road from R-1, Single Family Residential to Planned Development – Industrial Ordinance No. 4753.

SECTION 3. Ordinance No. 4753 is amended by adding the Property to the approved planned development to allow an industrial business park on the properties now included within and subject to Ordinance No. 4753, all of which are subject the stipulations contained

herein. **EXHIBITS A** and **B** of Ordinance No. 4753 are hereby repealed and replaced with **EXHIBITS A** and **B** hereto, incorporated herein by reference, and development of any or all properties subject to Ordinance No. 4753 is hereby subject to the stipulations and concept plan contained in **EXHIBITS A** and **B** hereto.

SECTION 4. All ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

SECTION 5. The properties included within Ordinance No. 4753 shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 6. Should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 7. Any violation of the provisions or terms of this Ordinance by any “person,” as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite Zoning Ordinance, Part 5, 5-100, [Section 5-103](#) (General Penalties), or successor and as amended.

SECTION 8. This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 9. This ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 20th day of June 2022.

Daniel Alemán, Jr.
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary



David L. Paschall
City Attorney

Exhibit A – PD Development Standards

1. Except as provided herein, the site plan for the Property shall conform substantially to the Concept Plan, attached hereto as Exhibit “B”. The orientation and location of structures, driveways, and parking areas shown on Exhibit “B” may be modified to avoid conflict with utilities, floodplain and/or wetlands provided that parking and other development standards are met. In the event of a conflict between the provision of this ordinance and Exhibit “B”, the Provision of this ordinance control.
2. All uses permitted in the Industrial District are allowed on the Property except as modified in Subsections “a” and “b” of this paragraph. The uses permitted in the Industrial District are subject to the same requirements applicable to the uses in the Industrial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Industrial District only by conditional use permit (“CUP”) is permitted in this District only by CUP.
 - a. The following uses are prohibited on the Property:

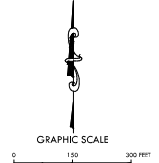
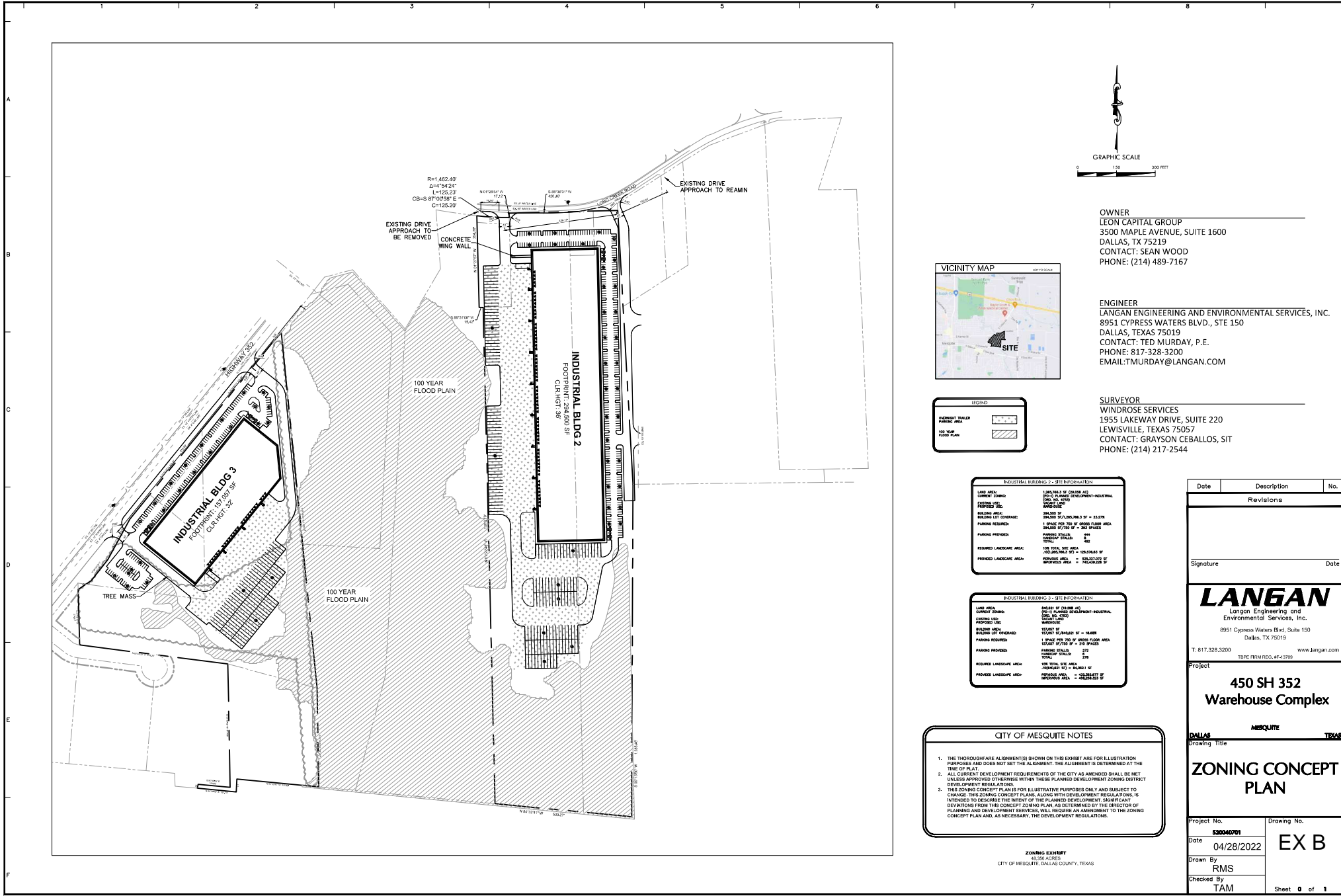
SIC Code 32a:	Concrete Batch Plants
SIC Code 40:	Railroad Passenger Terminal
SIC Code 61:	Alternative Financial Institutions
SIC Code 593:	Used Merchandise
SIC Code 593a:	Pawn Shops
SIC Code 5993:	Tobacco Stores
SIC Code 7299a:	Massage Parlors, Turkish and Steam Baths
 - b. The following uses are allowed only by CUP in this District:

SIC Code 20-399:	Manufacturing Uses
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3. Primary outdoor storage yard, including heavy load vehicles and unmounted trailers, as defined in Section 3-600 of the Mesquite Zoning Ordinance shall be prohibited.
4. The overnight parking of heavy load vehicle and/or unmounted trailers is permitted as defined in Section 3-600 of the Mesquite Zoning Ordinance in areas designated on the Concept Plan, if it is associated with tenant(s) or owner(s) of the Property.
5. The truck court (including heavy load vehicle parking, overhead doors or loading docks) shall not face a public right-of-way without screening. Where not screened by a building, the truck court shall be screened with an eight-foot masonry wall or a living screen pursuant to Section 1A-303.D. Wood or chain link screening is prohibited. Said screening shall be provided prior to the issuance of a Certificate of Occupancy.
6. All fire apparatus access roads shall meet the minimum distance separation requirements as approved by the fire Marshal.

7. All applicable flood and wetland studies shall be completed as identified in the City of Mesquite Engineering Design Manual (“Mesquite Engineering Design Manual”).
8. No Certificate of Occupancy shall be issued for any use requiring heavy load vehicles on the subject Property until the following improvements are completed in compliance with all applicable city standards:
 - a. Long Creek Road shall be reconstructed to the standards identified in the Mesquite Engineering Design Manual and Mesquite Thoroughfare Plan, as amended, from State Highway 352 to and including the eastern most drive approach to the Property.
9. Alternative screening may be utilized as provided in Section 1A-303A.3 in the Mesquite Zoning Ordinance.

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Exhibit B - Concept Plan



LEGEND

EXISTING DRIVE	
PROPOSED DRIVE	
100-YEAR FLOOD PLAIN	

OWNER
LEON CAPITAL GROUP
 3500 MAPLE AVENUE, SUITE 1600
 DALLAS, TX 75219
 CONTACT: SEAN WOOD
 PHONE: (214) 489-7167

ENGINEER
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
 8951 CYPRESS WATERS BLVD., STE 150
 DALLAS, TEXAS 75019
 CONTACT: TED MURDAY, P.E.
 PHONE: 817-328-3200
 EMAIL: TMURDAY@LANGAN.COM

SURVEYOR
WINDROSE SERVICES
 1955 LAKEWAY DRIVE, SUITE 220
 LEWISVILLE, TEXAS 75057
 CONTACT: GRAYSON CEBALLOS, SIT
 PHONE: (214) 217-2544

INDUSTRIAL BUILDING 2 - SITE DESIGNATION

LAND AREA	84,000 SF (2.08 AC)
CURRENT ZONING	IND-1 PLANNED DEVELOPMENT-INDUSTRIAL
PROPOSED USE	IND-1 PLANNED DEVELOPMENT-INDUSTRIAL
BUILDING AREA	28,400 SF (0.65 AC) @ 1,000 SF/AC
BUILDING LOT COVERAGE	34% (28,400 SF / 83,000 SF)
PARKING REQUIRED	1 SPACE PER 100 SF ABOVE FLOOR AREA
PARKING PROVIDED	284 SPACES (28,400 SF / 100 SF)
REQUIRED LANDSCAPE AREA	100 TOTAL SITE AREA
PROPOSED LANDSCAPE AREA	100,000 SF (2.28 AC) @ 100% COVERAGE

INDUSTRIAL BUILDING 3 - SITE DESIGNATION

LAND AREA	84,000 SF (2.08 AC)
CURRENT ZONING	IND-1 PLANNED DEVELOPMENT-INDUSTRIAL
PROPOSED USE	IND-1 PLANNED DEVELOPMENT-INDUSTRIAL
BUILDING AREA	15,000 SF (0.34 AC) @ 1,000 SF/AC
BUILDING LOT COVERAGE	18% (15,000 SF / 83,000 SF)
PARKING REQUIRED	1 SPACE PER 100 SF ABOVE FLOOR AREA
PARKING PROVIDED	150 SPACES (15,000 SF / 100 SF)
REQUIRED LANDSCAPE AREA	100 TOTAL SITE AREA
PROPOSED LANDSCAPE AREA	100,000 SF (2.28 AC) @ 100% COVERAGE

CITY OF MESQUITE NOTES

1. THE THROUGHDRAW ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF PLAT.
2. ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE WITHIN THESE PLANNED DEVELOPMENT ZONING DISTRICT DEVELOPMENT REGULATIONS.
3. THIS ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS CONCEPT ZONING PLAN, AS DETERMINED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.

ZONING EXHIBIT
 45.36 ACRES
 CITY OF MESQUITE, DALLAS COUNTY, TEXAS

Date	Description	No.
Revisions		
Signature		Date
LANGAN		
Langan Engineering and Environmental Services, Inc. 8951 Cypress Waters Blvd, Suite 150 Dallas, TX 75019 T: 817.328.3200 www.langan.com		
Project		
450 SH 352 Warehouse Complex		
DALLAS MESQUITE TEXAS		
Drawing Title		
ZONING CONCEPT PLAN		
Project No.	Drawing No.	
520040701	EX B	
Date	04/28/2022	
Drawn By	RMS	
Checked By	TAM	
Sheet 0 of 1		2 of 2

Exhibit C - Legal Description

East Tract

BEING A 29.058 ACRE TRACT OF LAND SITUATED IN THE THOMAS SCOTT SURVEY, ABSTRACT NUMBER (NO.) 1353, AND THE SAMUEL ANDREWS SURVEY, ABSTRACT NO. 39, IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING ALL OF LOT 3, BLOCK A, AMBURN SUBDIVISION, AN ADDITION TO THE CITY OF MESQUITE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME (VOL.) 83173, PAGE (PG.) 4667, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.T.), AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO LCG21 MESQUITE LONG CREEK LLC, IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT (DOC.) NO. 202100369764, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED AS "TRACT II", "TRACT IV" & "TRACT III" TO LCG21 MESQUITE LONG CREEK LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 202100347549, O.P.R.D.C.T., AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO RONALD J. DUNCAN & SUZANNE DUNCAN IN WARRANTY DEED RECORDED IN DOC. NO. 201800170567, O.P.R.D.C.T., AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO 354 LONG CREEK LAND TRUST IN WARRANTY DEED RECORDED IN DOC. NO. 201800336623, O.P.R.D.C.T., AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO LCG21 MESQUITE LONG CREEK LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 202100355623, O.P.R.D.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (NAD 83) (US FOOT), WITH A COMBINED SCALE FACTOR OF 1.000136506);

BEGINNING AT A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF LONG CREEK ROAD (VARIABLE WIDTH RIGHT-OF-WAY), AND BEING AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1462.40 FEET, A CENTRAL ANGLE OF 04 DEGREES 54 MINUTES 24 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 87 DEGREES 00 MINUTES 58 SECONDS EAST, 125.20 FEET;

THENCE IN A EASTERLY DIRECTION, WITH THE NORTH LINE OF SAID LOT 3, THE CURVING SOUTH RIGHT-OF-WAY LINE OF SAID LONG CREEK ROAD, AND ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 125.23 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID LOT 3, SAID POINT LYING ON THE WEST LINE OF SAID "TRACT II", AND BEING AT AN ANGLE POINT IN THE SOUTH RIGHT-OF-WAY LINE OF SAID LONG CREEK ROAD;

THENCE NORTH 01 DEGREES 28 MINUTES 54 SECONDS WEST, WITH THE WEST LINE OF SAID "TRACT II", A DISTANCE OF 17.12 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE NORTHWEST CORNER THEREOF, AND LYING AT AN ANGLE POINT IN THE SOUTH RIGHT-OF-WAY LINE OF SAID LONG CREEK ROAD;

THENCE NORTH 88 DEGREES 36 MINUTES 31 SECONDS EAST, WITH THE NORTH LINE OF SAID "TRACT II", THE NORTH LINE OF SAID "TRACT IV", THE NORTH LINE OF SAID "TRACT III" AND THE SOUTH RIGHT-OF-WAY LINE OF SAID LONG CREEK ROAD, A DISTANCE OF 420.46 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE NORTHEAST CORNER OF SAID "TRACT III", SAID POINT LYING ON THE WEST LINE OF THAT SAME TRACT OF LAND DESCRIBED TO RONALD J. DUNCAN & SUZANNE DUNCAN IN WARRANTY DEED RECORDED IN DOC. NO. 201800170567, O.P.R.D.C.T.;

THENCE SOUTH 03 DEGREES 10 MINUTES 46 SECONDS EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID LONG CREEK ROAD, WITH THE EAST LINE OF SAID "TRACT III", AND WITH THE WEST LINE OF SAID RONALD J. DUNCAN & SUZANNE DUNCAN TRACT, AND WITH THE WEST LINE OF THAT SAME TRACT OF LAND DESCRIBED TO LCG21 MESQUITE LONG CREEK LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 202100355623, O.P.R.D.C.T., A DISTANCE OF 1060.38 FEET TO A 2-INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID "TRACT III", SAME BEING THE NORTHWEST CORNER OF THAT SAME TRACT OF LAND DESCRIBED TO DAL-TILE-CORPORATION IN DEED WITHOUT WARRANTY RECORDED IN DOC. NO. 201400093819, O.P.R.D.C.T.;

THENCE SOUTH 00 DEGREES 13 MINUTES 50 SECONDS WEST, WITH THE WEST LINE OF SAID DAL-TILE-CORPORATION TRACT, A DISTANCE OF 1285.46 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID "TRACT", SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (VARIABLE WIDTH RIGHT-OF-WAY), AND FROM SAID POINT A 1-INCH IRON PIPE FOUND BEARS SOUTH 00 DEGREES 14 MINUTES, A DISTANCE OF 2.3 FEET;

THENCE NORTH 84 DEGREES 32 MINUTES 41 SECONODS WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD, AND THE SOUTH LINE OF SAID "TRACT III" AND SAID "TRACT II", A DISTANCE OF 530.27 FEET TO A 5/8-INCH REBAR

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WITH CAP STAMPED "KHA" FOUND FOR THE SOUTHWEST CORNER OF SAID "TRACT II", SAME BEING THE SOUTHEAST CORNER OF THAT SAME TRACT OF LAND DESCRIBED TO VARUGHESE A. PHILIPOSE IN GENERAL WARRANTY DEED RECORDED IN DOC. NO. 201800290980, O.P.R.D.C.T.;

THENCE NORTH 01 DEGREES 22 MINUTES 46 SECONDS WEST, WITH THE EAST LINE OF SAID VARUGHESE A. PHILIPOSE TRACT, AND THE WEST LINE OF SAID "TRACT II", A DISTANCE OF 1919.79 FEET TP A POINT FOR THE WESTERNMOST NORTHWEST CORNER OF SAID "TRACT II", SAME BEING THE EASTERNMOST NORTHEAST CORNER OF SAID VARUGHESE A. PHILIPOSE TRACT, AND LYING ON THE SOUTH LINE OF SAID LOT 3;

THENCE SOUTH 88 DEGREES 31 MINUTES 06 SECONDS WEST, WITH THE EASTERNMOST NORTH LINE OF SAID VARUGHESE A. PHILIPOSE TRACT, AND WITH THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 15.42 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 3, AND AN INTERIOR "ELL" CORNER OF SAID VARUGHESE A. PHILIPOSE TRACT;

THENCE NORTH 01 DEGREES 27 MINUTES 57 SECONDS WEST, WITH THE NORTHERMOST EAST LINE OF SAID VARUGHESE A. PHILIPOSE TRACT, AND WITH THE WEST LINE OF SAID LOT 3, A DISTANCE OF 354.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,265,763 SQUARE FEET OR 29.058 ACRES OF LAND, MORE OR LESS.

Exhibit C - Legal Description

West Tract

BEING A 19.298 ACRE TRACT OF LAND SITUATED IN THE THOMAS SCOTT SURVEY, ABSTRACT NUMBER (NO.) 1353, IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING PART OF LOT 1, AND ALL OF LOT 2, BLOCK A, HARRIS INDUSTRIAL PARK, SECTION 2, AN ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME (VOL.) 85169, PAGE (PG.) 2618, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.T.), AND BEING ALL OF LOT 1, BLOCK A, AMBURN SUBDIVISION, AN ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOL. 78007, PG. 370, D.R.D.C.T., AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED AS "TRACT I" TO LCG21 MESQUITE LONG CREEK LLC IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT (DOC.) NO. 202100347549, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO SETH M. WYATT & MARY LUCY WYATT IN WARRANTY DEED RECORDED IN VOL. 86190, PG. 5614, D.R.D.C.T., AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO L.M. WALTERS, INC. IN GENERAL WARRANTY DEED RECORDED IN DOC. NO. 201500146223, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (NAD 83) (US FOOT), WITH A COMBINED SCALE FACTOR OF 1.000136506);

BEGINNING AT A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE EASTERMOST CORNER OF THAT SAME TRACT OF LAND DESCRIBED AS "PARCEL 1" TO THE STATE OF TEXAS IN DONATION DEED RECORDED IN VOL. 91103, PAGE 311, D.R.D.C.T., SAID POINT LYING ON THE EAST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, AND LYING ON THE SOUTHEAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 352 (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 05 DEGREES 44 MINUTES 24 SECONDS EAST, DEPARTING THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, WITH THE EAST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 1380.60 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR CORNER;

THENCE SOUTH 00 DEGREES 58 MINUTES 25 SECONDS EAST, CONTINUING WITH THE EAST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 381.80 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE SOUTHEAST CORNER THEREOF, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE NORTH 84 DEGREES 32 MINUTES 41 SECONDS WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD, AND WITH THE EASTERNMOST SOUTH LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 317.58 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND AT AN INTERIOR "ELL" CORNER OF SAID HARRIS INDUSTRIAL PARK ADDITION, AND BEING AT AN ANGLE POINT IN THE NORTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD;

THENCE SOUTH 02 DEGREES 55 MINUTES 23 SECONDS WEST, WITH THE SOUTHERNMOST EAST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 49.95 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE SOUTHERNMOST SOUTHEAST CORNER THEREOF, SAID POINT BEING AN ANGLE POINT IN THE NORTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD;

THENCE NORTH 84 DEGREES 34 MINUTES 46 SECONDS WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD, AND WITH THE SOUTHERNMOST SOUTH LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 151.73 FEET TO A "PK" NAIL FOUND FOR THE SOUTHERNMOST SOUTHWEST CORNER THEREOF;

THENCE NORTH 13 DEGREES 56 MINUTES 52 SECONDS EAST, DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD, AND WITH THE SOUTHERNMOST WEST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 15.52 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR CORNER;

THENCE SOUTH 84 DEGREES 48 MINUTES 08 SECONDS EAST, WITH A NORTH LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 124.00 FEET TO A "PK" NAIL FOUND FOR AN INTERIOR "ELL" CORNER OF SAID HARRIS INDUSTRIAL PARK ADDITION;

THENCE NORTH 01 DEGREES 03 MINUTES 08 SECONDS WEST, WITH THE SOUTHERNMOST WEST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 477.08 FEET TO A POINT FOR AN INTERIOR "ELL" CORNER OF SAID HARRIS INDUSTRIAL PARK ADDITION, FROM SAID POINT A 1/2-INCH REBAR FOUND BEARS NORTH 39 DEGREES 41 MINUTES, A DISTANCE OF 0.3 FEET;

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THENCE NORTH 82 DEGREES 43 MINUTES 22 SECONDS WEST, WITH THE WESTERNMOST SOUTH LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 578.10 FEET TO A POINT FOR THE WESTERNMOST SOUTHWEST CORNER THEREOF;

THENCE NORTH 01 DEGREES 26 MINUTES 15 SECONDS WEST, WITH THE WESTERNMOST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 214.41 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE SOUTHERNMOST CORNER OF THAT SAME TRACT OF LAND DESCRIBED AS "PARCEL 2" IN SAID STATE OF TEXAS TRACT, AND LYING ON THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352;

THENCE NORTH 55 DEGREES 36 MINUTES 11 SECONDS EAST, WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, AND WITH THE SOUTHEAST LINE OF SAID "PARCEL 2", OVER ACROSS AND UPON SAID HARRIS INDUSTRIAL PARK ADDITION, PASSING AT A DISTANCE OF 36.36 FEET A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR THE EASTERNMOST CORNER OF SAID "PARCEL 2", SAME BEING THE WESTERNMOST SOUTHWEST CORNER OF SAID L.M. WALTERS, INC. TRACT, AND CONTINUING WITH THE WEST LINE THEREOF FOR A TOTAL DISTANCE OF 61.46 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR CORNER;

THENCE NORTH 38 DEGREES 09 MINUTES 28 SECONDS EAST, CONTINUING WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, AND WITH THE WEST LINE OF SAID L.M. WALTERS, INC. TRACT, A DISTANCE OF 103.36 FEET TO A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND FOR CORNER;

THENCE NORTH 28 DEGREES 38 MINUTES 59 SECONDS EAST, CONTINUING WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, AND WITH THE WEST LINE OF SAID L.M. WALTERS, INC. TRACT, A DISTANCE OF 178.06 FEET TO POINT FOR CORNER;

THENCE NORTH 38 DEGREES 53 MINUTES 27 SECONDS EAST, CONTINUING WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, AND WITH THE WEST LINE OF SAID L.M. WALTERS, INC. TRACT, AND WITH THE NORTHWEST LINE OF SAID AMBURN SUBDIVISION ADDITION, A DISTANCE OF 444.38 FEET TO A POINT FOR THE NORTH CORNER THEREOF, SAME BEING THE WESTERNMOST NORTHWEST CORNER OF SAID HARRIS INDUSTRIAL PARK ADDITION, FROM SAID POINT A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND BEARS SOUTH 22 DEGREES 55 MINUTES, A DISTANCE OF 0.5 FEET;

THENCE NORTH 38 DEGREES 55 MINUTES 57 SECONDS EAST, CONTINUING WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, AND WITH THE NORTHWEST LINE OF SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 435.84 FEET TO A POINT FOR CORNER LYING ON THE SOUTHEAST LINE OF SAID "PARCEL 1"; FROM SAID POINT A 5/8-INCH REBAR WITH CAP STAMPED "KHA" FOUND BEARS NORTH 44 DEGREES 01 MINUTES, A DISTANCE OF 0.8 FEET;

THENCE NORTH 42 DEGREES 53 MINUTES 43 SECONDS EAST, CONTINUING WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 352, AND WITH THE SOUTHEAST LINE OF SAID "PARCEL 1", OVER, ACROSS, AND UPON SAID HARRIS INDUSTRIAL PARK ADDITION, A DISTANCE OF 48.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 840,621 SQUARE FEET OR 19.298 ACRES OF LAND, MORE OR LESS.