

**AN ORDINANCE AMENDING PROSPER'S ZONING ORDINANCE NO. 05-20 AND ORDINANCE NO. 02-48; REZONING A TRACT OF LAND CONSISTING OF 226.506 ACRES, MORE OR LESS, SITUATED IN THE COLLIN COUNTY SCHOOL SURVEY, ABSTRACT NO. 147, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, HERETOFORE ZONED SINGLE FAMILY-15 (SF-15) AND PLANNED DEVELOPMENT-8-SINGLE FAMILY-10 (PD-8-SF-10) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-8-SINGLE FAMILY-10 (PD-8-SF-10); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the Town Council of the Town of Prosper, Texas (the "Town Council") has investigated and determined that Zoning Ordinance No. 05-20 and No. 02-48 should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request from Bon-Terre-B, Ltd. ("Applicant") to rezone 226.506 acres of land, more or less, situated in the Collin County School Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas; and

WHEREAS, the Town Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the Town Council has further investigated into and determined that it will be advantageous and beneficial to Prosper and its inhabitants to rezone this property as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

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

SECTION 2: Amendments to Zoning Ordinance No. 05-20 and Ordinance No. 02-48. Zoning Ordinance No. 05-20 and Ordinance No. 02-48 is amended as follows: The zoning designation of the below-described property containing 226.506 acres of land, more or less, situated in the Collin County School Survey, Abstract No. 147, in the Town of Prosper, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned

Development-8-Single Family-10 (PD-8-SF-10). The property as a whole and the boundaries for each zoning classification are more particularly described in Exhibit “A” and Exhibit “A – Tract 2” attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with 1) Ordinance No. 02-48 rezoning 187.03 acres of land; 2) the planned development standards, attached hereto as “B – Tract 2”; 3) and the conceptual development plan, attached hereto as Exhibit “D” and Exhibit “D – Tract 2”; which are incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules, and regulations of Prosper, as they currently exist or may be amended.

Three original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. Two (2) copies shall be filed with the Town Secretary and retained as original records and shall not be changed in any matter.
- b. One (1) copy shall be filed with the Building Official and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

Written notice of any amendment to this Planned Development District shall be sent to all property owners within two hundred feet (200’) of the specific area to be amended.

SECTION 3: No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 4: Unlawful Use of Premises. It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5: Penalty. Any person, firm, corporation or business entity violating this Ordinance or any provision of Prosper’s Zoning Ordinance No. 05-20, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars

(\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Prosper from filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Savings/Repealing Clause. Prosper's Zoning Ordinance No. 05-20 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8: Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS ON THIS 12<sup>th</sup> DAY OF JUNE, 2007.

APPROVED AS TO FORM:

  
Charles Niswanger, Mayor

ATTESTED TO AND  
CORRECTLY RECORDED BY:

  
Matthew Denton, TRMC  
Town Secretary



DATE OF PUBLICATION: JUNE 21, 2007, Dallas Morning News, Collin County  
Addition

**EXHIBIT A: for Z# \_\_\_\_\_**

**BOUNDARY DESCRIPTION FOR ANNEXATION AND ZONING**

BEING a tract of land located in the Collin County School Land Survey No. 12, Abstract No. 147, Collin County, Texas and being all of a called 3.775 acre tract described as "Tract II" in Deed to Massad and Massad Investments, Ltd., recorded in Volume 4579, Page 2768, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a point on the occupied West line of Business Highway No. 289 for the Southeast corner of the premises herein described, said corner being the Northeast corner of a one acre tract described in a deed to Kent W. Elliott recorded in Volume 4034, Page 102 of the Land Records of Collin County;

THENCE along the recognized South line of Lot 4 of the subdivision of the Collin County School Land Survey No. 12, Abstract No. 147, South 89 degrees 51 minutes 27 seconds West 264.70 feet to a point found on the East right-of-way line of the Burlington Northern and Santa Fe Railroad at the Northwest corner of said Elliott tract for the Southwest corner hereof;

THENCE North 89 degrees 58 minutes 22 seconds West, <sup>102.64</sup> ~~120.68~~ feet to a point in the West right-of-way line of said Railroad;

THENCE North 89 degrees 38 minutes 27 seconds West 2233.00 feet to a point for the Southwest corner Lot 4 of the subdivision of Collin County School Land Survey No. 12, Abstract No. 147, said corner also being the Northwest corner of a record 64.62 acre tract described in a deed to Thomas D. Bull, et ux, recorded in Volume 726, Page 106 of the Deed Records of Collin County;

THENCE, South 00 degrees 16 minutes 17 seconds West 1326.60 feet to a point found in the corporate city limits line of the Town of Prosper, said point being in County Road No. 4, said point being the Southwest corner of a record 64.62 acre tract described in a deed to Thomas D. Bull, et ux, recorded in Volume 726, Page 106 of the Collin County Deed Records;

THENCE along said County Road No. 4 and partially along said corporate city limits line, North 89 degrees 32 minutes 58 seconds West, a distance of 1352.09 feet to a point found in County Road No. 4 for the Southwest corner of the premises herein described, said corner being the Southeast corner of a tract conveyed to Prosper Toll Road, Ltd., as evidenced by deed recorded under Collin County Clerk's File No. 97-0088560;

THENCE, North 01 degrees 00 minute 37 seconds East passing the Southeast corner or a record 29.27 acre tract described in a deed to Prosper-Toll Road Joint Venture, Ltd., recorded under Collin County Clerk's File No. 96-0090274, and in all a total distance of 2647.82 feet to a point found on the South line of a record 80 acre tract (described in a deed to Ruth Settle recorded in Volume 3655, Page 178, of the Land Records of Collin County) for the Northwest corner hereof and the Northeast corner of said called 29.27 acre tract;

THENCE, North 89 degrees 55 minutes 45 seconds East, 1317.96 feet to a point found on the West line of Lot 4 of the subdivision of said Collin County School Land Survey No. 12, Abstract No. 147;

THENCE along the West line of said Lot 4, North 00 degrees 17 minutes 36 seconds East 495.70 feet to a point found for the Northwest corner of a 106.80 acre tract designated Share "C" and described in Case No. 16764 recorded in Book 1, Page 503 of the District Court Minutes;

THENCE along the North line of said Share "C", South 89 degrees 39 minutes 19 seconds East 2622.25 feet to a point on the West of said Railroad;

THENCE South 12 degrees 17 minutes 32 seconds West along the West right-of-way line of said Railroad, a distance of 579.94 feet to a point;

THENCE South 77 degrees 42 minutes 28 seconds East, a distance of 100.33 feet to a point on the occupied West line of Business No. 289;

THENCE South 00 degrees 14 minutes 40 seconds West along the occupied West line of said Highway a distance of 1238.40 feet to the Place of BEGINNING and containing 187.033 acres of land. SAVE AND EXCEPT a 2.95 acre tract of land contained within the Burlington Northern and Santa Fe Railroad right-of-way and being more particularly described as follows:

BEGINNING at a point on the East right-of-way line of the Burlington Northern and Santa Fe Railroad at the Northwest corner of a one acre tract described in a deed to Kent W. Elliott recorded in Volume 4034, Page 102 of the Land Records of Collin County;

THENCE North 89 degrees 58 minutes 22 seconds West, 120.68 feet to a point in the West right-of-way line of said Railroad;

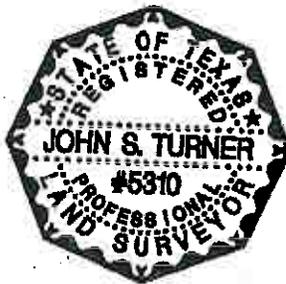
THENCE along the West right-of-way of said Railroad, North 12 degrees 17 minutes 32 seconds East 1289.93 feet to a point;

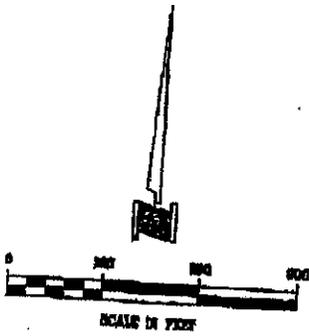
THENCE South 77 degrees 42 minutes 28 seconds East, a distance of 100.33 feet to a point on the occupied West line of Business No. 289;

THENCE along the East right-of-way of said Railroad, South 12 degrees 17 minutes 32 seconds West 1268.12 feet to the point of beginning and containing 2.95 acres of land.

This description is not based upon an actual on the ground survey by the undersigned, it is for annexation and zoning purposes only and derived from the existing boundary survey performed by James E. Smith, R.P.L.S. No. 3700, Dated July 16, 2001 and revised July 27, 2001.

  
John S. Turner  
Registered Professional Land Surveyor  
No. 5310





N00°17'36"E  
495.70'

N89°55'45"E 1317.96'

S89°39'19"E 2622.25'

S77°42'28"E  
100.18'

S77°42'28"E  
100.18'

S00°14'40"W 1238.40'

BUSINESS HIGHWAY  
NO. 289

P.O.B.

N89°38'27"W 2233.00'

S89°58'22"W  
102.88'

S89°51'27"W  
264.70'

RAILROAD RIGHT-OF-WAY

S00°16'17"W 1326.60'

N89°32'58"W 1352.09'

N00°37'E 2647.82'

COUNTY ROAD NO. 4

Exhibit "A"

**DOWDEY, ANDERSON & ASSOCIATES, INC.**  
225 Village Creek Drive, Suite 203, Plano, Texas 75093  
Phone 972-931-0094 Fax 972-931-9538

**ANNEXATION AND ZONING EXHIBIT**  
COLLIN COUNTY SCHOOL LAND SURVEY NO. 12  
ABSTRACT NO. 147  
PROSPER, COLLIN COUNTY, TEXAS

**EXHIBIT A**  
**Z07-5**  
**TRACT 2**  
**LEGAL DESCRIPTION**  
**39.476 ACRES**

**BEING** a tract of land located in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, Collin County, Texas and being a part of a tract of land described in Deed to Prosper 80, Ltd., recorded in Volume 5103, Page 3723 (Document No. 2002-0021571, Deed Records, Collin County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found in the South line of said Prosper 80 tract, at the most Westerly Northwest corner of a tract of land described in Deed to Lakes of Prosper, Ltd., recorded in Volume 5372, Page 6921 (Document No. 2003-0044256), Deed Records, Collin County, Texas, said point also being the Northeast corner of a tract of land described in Deed to Prosper-Tollroad Joint Venture, Ltd., recorded in Document No. 96-0090247, Deed Records, Collin County, Texas;

**THENCE** North 00 degrees 50 minutes 43 seconds West, a distance of 1,314.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner in the North line of said Prosper 80 tract;

**THENCE** North 88 degrees 22 minutes 32 seconds East, along the North line of said Prosper 80 tract, a distance of 1,308.77 feet to a 1/2 inch iron rod found for the Northeast corner of said Prosper 80 tract;

**THENCE** South 01 degrees 02 minutes 54 seconds East, along the East line of said Prosper 80 tract, a distance of 811.57 feet to a 1/2 inch iron rod found at the most Northerly Northwest corner of said Lakes of Prosper tract;

**THENCE** South 01 degrees 33 minutes 44 seconds East, along the common line of said Prosper 80 tract and said Lakes of Prosper tract, a distance of 495.70 feet to a 1/2 inch iron rod found at the Southeast corner of said Prosper 80 tract, from which a 100D nail found bears South 03 degrees 45 minutes 54 seconds East, 3.14 feet;

**THENCE** South 88 degrees 04 minutes 25 seconds West, along the South line of said Prosper 80 tract, a distance of 1,317.96 feet to the **POINT OF BEGINNING** and containing 39.476 acres of land, more or less.



Sean Shropshire                      April 26, 2007  
Texas Registration No. 5674

Dowdey, Anderson & Assoc., Inc.  
5225 Village Creek Drive, Suite 200  
Plano, Texas 75093  
Ph. 972-931-0694



**LEGAL DESCRIPTION**  
**TRACT TWO**  
**39.476 ACRES**

BEING a tract of land located in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, Collin County, Texas and being a part of a tract of land described in Deed to Prosper 80, L.L., recorded in Volume 5103, Page 3723 (Document No. 2002-0021571, Deed Records, Collin County, Texas and being more particularly described as follows:

**BEGINNING** as a 1/2 inch iron rod found in the South line of said Prosper 80 tract, at the most Westerly Northwest corner of a tract of land described in Deed to Lakes of Prosper, Ltd., recorded in Volume 5372, Page 6921 (Document No. 2003-0044256), Deed Records, Collin County, Texas, said point also being the Northeast corner of a tract of land described in Deed to Prosper-Tollroad Joint Venture, Ltd., recorded in Document No. 96-0090247, Deed Records, Collin County, Texas;

**THENCE** North 00 degrees 50 minutes 43 seconds West, a distance of 1,314.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA", set for corner in the North line of said Prosper 80 tract;

**THENCE** North 88 degrees 22 minutes 32 seconds East, along the North line of said Prosper 80 tract, a distance of 1,308.77 feet to a 1/2 inch iron rod found for the Northeast corner of said Prosper 80 tract;

**THENCE** South 01 degrees 02 minutes 54 seconds East, along the East line of said Prosper 80 tract, a distance of 811.57 feet to a 1/2 inch iron rod found at the most Northerly Northwest corner of said Lakes of Prosper tract;

**THENCE** South 01 degrees 33 minutes 44 seconds East, along the common line of said Prosper 80 tract and said Lakes of Prosper tract, a distance of 495.70 feet to a 1/2 inch iron rod found at the Southeast corner of said Prosper 80 tract, from which a 1000' nail found bears South 03 degrees 45 minutes 54 seconds East, 3.14 feet;

**THENCE** South 88 degrees 04 minutes 25 seconds West, along the South line of said Prosper 80 tract, a distance of 1,317.96 feet to the **POINT OF BEGINNING** and containing 39.476 acres of land, more or less.

SEAN SHROPSHIRE  
 LICENSED PROFESSIONAL LAND SURVEYOR  
 NO. 5874

**NOTES:**

1. NO F.E.M.A. FLOOD PLAIN EXISTS ON THIS TRACT
2. THE THROUGHFARES SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE PURPOSES ONLY AND DO NOT SET THE ALIGNMENTS. ALIGNMENTS ARE DETERMINED AT FINAL PLAT.

ZONING: SF-15  
 PROPOSED: PD SF-10  
 NET/GROSS AREA OF RESIDENTIAL: 39.47  
 POTENTIAL NET DENSITY: 3 UPA  
 DENSITY CAP: 120 LOTS

**CASE NO. Z07-5**  
**EXHIBIT A TRACT 2**  
**ZONING EXHIBIT**  
**39.47 ACRES**

COLLIN COUNTY SCHOOL LAND SURVEY NO. 12 - ABSTRACT NO. 147  
 PROSPER, COLLIN COUNTY, TEXAS

DATE: 4/25/07  
 SCALE: 1"=300'

**DOWDEY, ANDERSON & ASSOCIATES, INC.**  
 525 W. Maple Creek Drive, Suite 200, Plano, Texas 75093, 972.481.0644  
 DESIGN: DRAWN: CHECKED: DATE: SCALE: JOB: SHEET: 1 OF 1

**OWNER/APPLICANT:**  
 BON-TERRÉ-B, LTD.  
 EDDIE COLLINS  
 5700 W. PLANO PARKWAY SUITE 3000  
 PLANO, TEXAS 75093  
 972-735-0060

**REPRESENTATIVES:**  
 DOWDEY ANDERSON & ASSOC.  
 MURRAY BIRDAV  
 525 W. MAPLE CREEK DR. STE 200  
 PLANO, TEXAS 75093  
 469-4576-2735  
 972-931-9538 (FAX)

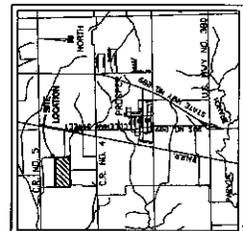
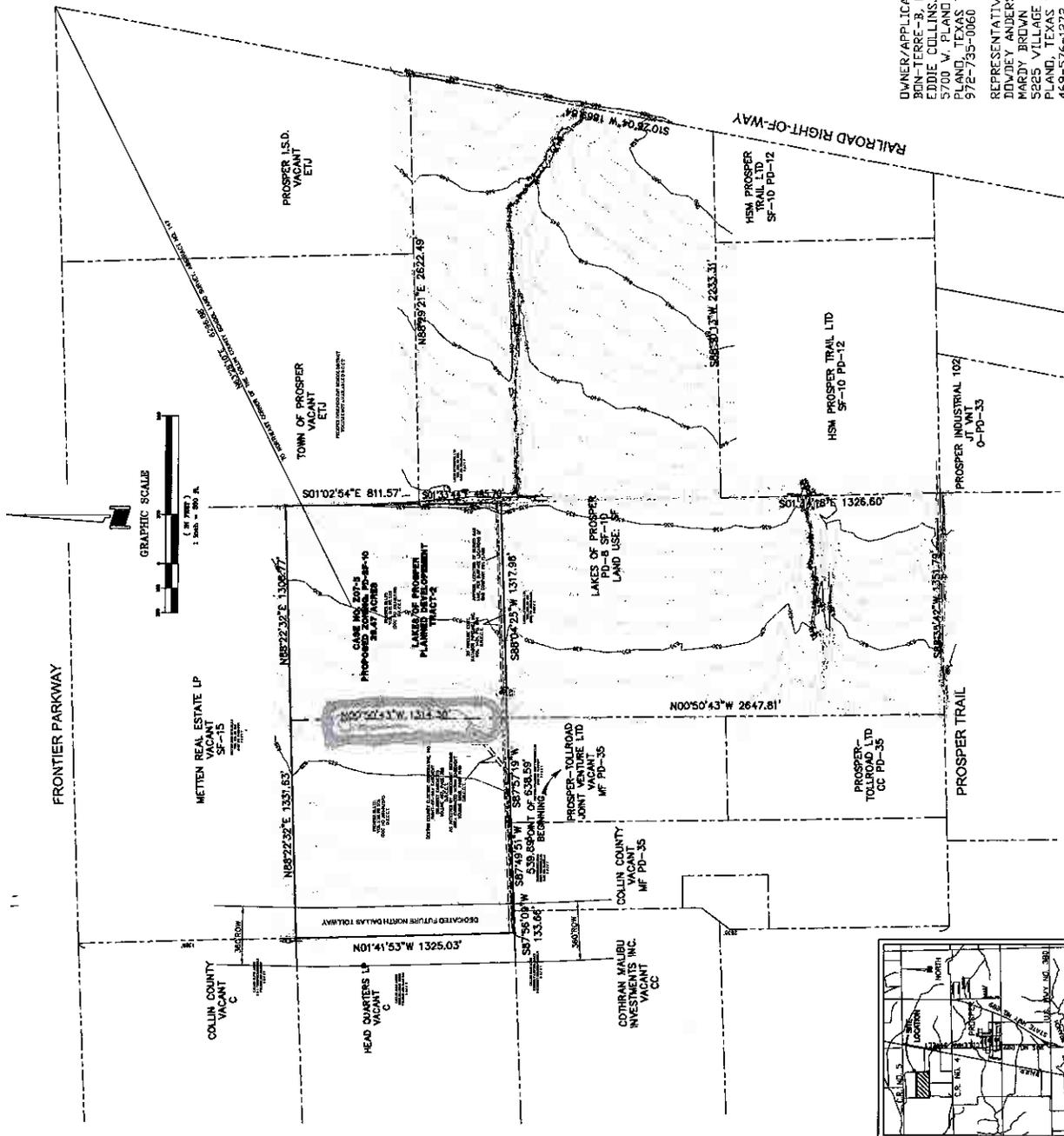


Exhibit "B"  
Tract 2

*Lakes of Prosper North*  
*Tract 2*

Planned Development District  
Development Standards

An amendment to Ordinance No. 02-48 to include an additional 39.476 acres in the  
Lakes of Prosper Planned Development (PD-10)

**Owner/Developer:**  
**Bon-Terre-B, LTD.**  
5700 West Plano Parkway  
Suite 3000  
Plano, Texas 75093  
(972) 735-0060  
(972) 380-4303 Fax

**Engineer:**  
**Dowdey, Anderson and Associates, Inc.**  
Planning and Engineering  
5225 Village Creek Drive  
Suite 200  
Plano, Texas 75093  
(972) 931-0694  
(972) 931-9538 Fax

April 12, 2007

# Lakes of Prosper North

## Tract 2

### PLANNED DEVELOPMENT DISTRICT STANDARDS – TRACT 2

#### 1.0 Planned Development District - Single-Family Residence

1.01 **General Description:** This District will provide the ability to encourage and accommodate the development of single-family residential uses on a tract of land that has unusual physical properties. Development standards for the aforementioned housing types are outlined within this text or as set forth in the SF-10 Zoning Classification of Ordinance 05-20 if not specifically address, herein.

1.02 **Permitted Uses:** Land uses permitted within the PD are as follows:

- a. Residential units as described herein.
- b. Private or public recreation facilities.
- c. Churches / rectories.
- d. Schools - public, private, or state accredited.
- e. Parks, playgrounds and neighborhood recreation facilities including, but not limited to, swimming pools, clubhouse facilities and tennis courts.
- f. Fire stations, police stations, and public safety facilities.
- g. Real estate sales offices during the development and marketing of the Planned Development.
- h. Public streets.
- i. Accessory buildings and uses customarily incidental to the permitted uses.
- j. Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion.

1.03 **Required Parking:** Parking shall meet the minimum parking requirements as outlined in the Town of Prosper Zoning Ordinance.

1.04 **Building Materials:** exterior wall construction shall meet the minimum masonry requirements as outlined in the Town of Prosper Zoning Ordinance.

1.05 **Single-Family:** A single-family unit is a form of detached housing. This residential type will consist of larger units and lots, having access and frontage on a public street. Building and area requirements are as follows:

- a. **Lot Cap:** The maximum lot count shall be 120 single family lots.

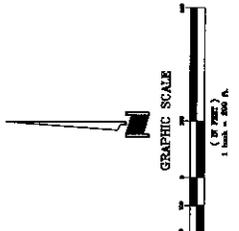
- b. **Lot Area:** The minimum area of 70% of the lots shall be ten thousand (10,000) square feet (84 lots) and 30% of the lots shall be nine thousand (9,000) square feet (36 lots).
- c. **Lot Coverage:** In no case shall more than forty (40) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, deck, patios, porches, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall not be less than sixty-four (64) feet at the front building line of the lot, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty (50) feet along the arc at the front building line; provided all other requirements of this section are fulfilled. Seventy percent (70%) of the total lots shall be a minimum width of 70 feet.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred ten (110) feet, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-point on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be thirty-five (25) feet. Front porches, roof eaves, chimneys and other similar architectural elements may extend into the front yard up to a maximum distance of ten feet (10'). Front yards shall be staggered per the Town of Prosper Zoning Ordinance
- g. **Side Yard:** The minimum side yard on each side of a lot shall be five (5) feet with a minimum building separation of fourteen (14) feet. A side yard for all corner lots shall not be less than fifteen (15) feet. Roof eaves, chimneys and other similar architectural elements may extend into the side yard.
- h. **Rear Yard:** The minimum depth of the rear yard shall be twenty (20) feet for main buildings.
- i. **Building Height:** Buildings shall be a maximum of two and one-half (2 ½) stories.
- j. **Minimum Dwelling Area:** The minimum enclosed heated living area shall be one thousand eight hundred (1,800) square feet for a 10, 000 square foot lot and one thousand six hundred (1,600) square feet for a 9, 000 square foot lot.

## 2.0 Residential Planned Development District - General Conditions

- 2.01 **Conformance to All Applicable Articles of the Town of Prosper Zoning Ordinance:** Except as amended herein, this Planned Development District shall conform to any and all applicable articles and sections of the Town of Prosper Zoning Ordinance, No. 05-20, as it presently exists.
- 2.02 **Trails:** The developer will build six foot (6') walking trails, adjacent to the detention/retention facilities to facilitate pedestrian traffic within the neighborhood. Parkways will contain trees, bed plantings and turf grass that will be irrigated. Trees will be planted at a rate of one tree per 50 linear feet of right-of-way or the equivalent number of trees in clusters.
- 2.03 **Screening and Buffering:** The area of the development along the drainage areas may be landscaped with a combination of: planted earthen berms, turf grass, shrubs and trees planted at a rate of one tree per 50 linear feet or the equivalent number of trees in clusters. All turf and landscaping areas will be irrigated. The hardscape features in the northern entry way shall be similar to those at the entry of for Lakes of Prosper on Prosper Trail.
- 2.04 **Zoning Exhibit:** Zoning Exhibits A and D are hereby attached and made a part of the ordinance. It establishes the most general guidelines for the district by identifying the land use types, approximate thoroughfare locations and project boundaries and illustrates the integration of these elements into a master plan for the whole district.
- 2.05 **Streets:** Residential streets shall consist of a fifty (50) foot right-of-way with a thirty-one (31) foot paving section (b-b).
- 2.06 **Maintenance of Facilities:** The Developers shall establish, , a homeowner's association that will be responsible for operation and maintenance of all common areas and/or common facilities contained within the area of the Planned Development District. The homeowner's association will be created with Phase 1 and each subsequent phase shall be annexed into the association.
- 2.07 **Sidewalks:** A four (4) foot sidewalk within the street right-of-way shall be provided at the front of all single-family residential lots. Corner lots shall also provide the aforementioned requirement.
- 2.08 **Mailboxes:** The Developer will deed restrict a standard mailbox design that will be required and maintained for a consistent look throughout the development.

2.09 **Landscaping:**

- a. A minimum of two (2) 3" trees shall be planted in each front yard in the single family development being a minimum total of 240 trees planted by the builders in addition to those installed as a part of the amenities by the developer. The list of approved trees, per the Town of Prosper Zoning Ordinance, will be included in the deed restrictions.
- b. Fencing adjacent to lots and Hike and Bike Trails or Open Space shall be decorative iron.

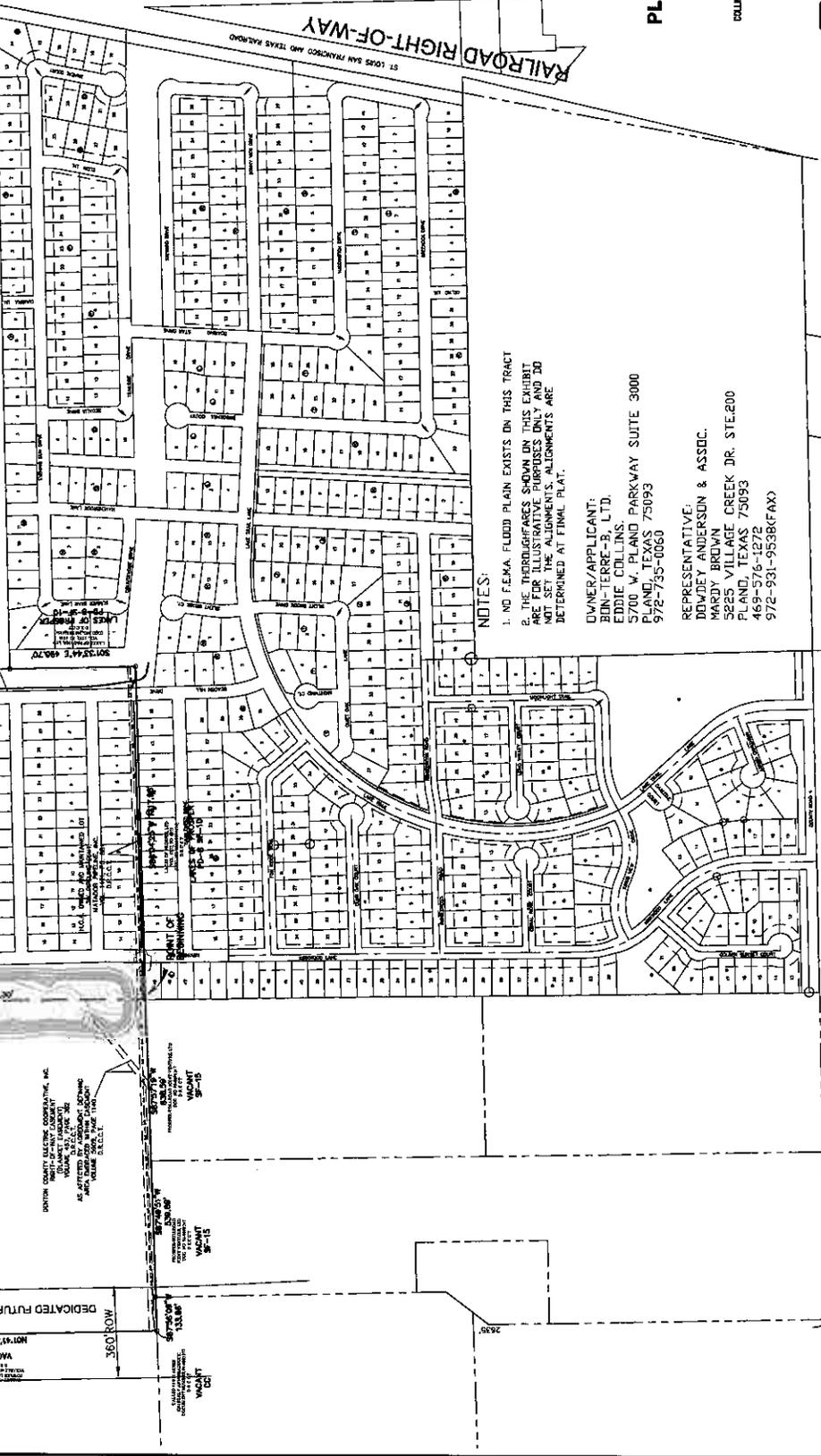


**LAKE OF PROSPER  
PLANNED DEVELOPMENT  
ZONING EXHIBIT D  
ZONING EXHIBIT B**

COLLIN COUNTY SHAGL LAGOON TRACT NO. 12 ABSTRACT NO. 147  
PROSPER, COLLIN COUNTY, TEXAS

DATE: 4/25/2007  
SCALE: 1"=200'  
JOB: 01600A  
SHEET: 1

<b>TRACT 1</b>	<b>TRACT 2</b>
ORIGINAL PD-B	EXISTING: SF-15
PREPARED: PD SF-10	
GROSS ACREAGE OF RESIDENTIAL: 187.03	GROSS ACREAGE OF RESIDENTIAL: 39.47
GROSS DENSITY: 2.9 UPA	GROSS DENSITY: 3 UPA
10,000 S.F. LOTS = 70%	10,000 S.F. LOTS = 70%
9,000 S.F. LOTS = 30%	9,000 S.F. LOTS = 30%
DENSITY CAP: 530 LOTS	DENSITY CAP: 120 LOTS



**NOTES:**

- NO F.E.M.A. FLOOD PLAIN EXISTS ON THIS TRACT
- THE THROUGHFARRES SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE PURPOSES ONLY AND DO NOT SET THE ALIGNMENTS. ALIGNMENTS ARE DETERMINED AT FINAL PLAT.

**OWNER/APPLICANT:**  
BON-TERRÉ-B, LTD.  
EDDIE COLLINS  
5700 W. PLAND PARKWAY SUITE 3000  
PLANO, TEXAS 75093  
972-735-0060

**REPRESENTATIVE:**  
DOWDEY ANDERSON & ASSOC.  
MARDY BROWN  
5225 VILLAGE CREEK DR. STE.200  
PLANO, TEXAS 75093  
469-576-1272  
972-931-9538(FAX)

PROSPER TRAIL

REVISIONS / APPROVALS:  
DOWDEY ANDERSON & ASSOCIATES, INC.  
505 W. Maple Lane, Suite 200, Frisco, Texas 75034 972-931-9484

