



**Winnsboro Planning & Zoning Commission
Meeting Agenda**

501 S. Main St., Winnsboro, TX
September 01, 2020 at 5:30 p.m.

- 1) **Call to Order:**
- 2) **Public Comments:**
- 3) **Discussion/Action:** Minutes – Regular Meeting - 08/04/20, Called Meeting - 08/20/20
- 4) **Public Hearing:** Variance Request - Lot 1 PT BLK T-3 1.175 City of Winnsboro, Winnsboro, Texas
- 5) **Discussion/Action:** Consider Variance Request - Lot 1 PT BLK T-3 1.175 City of Winnsboro, Winnsboro, Texas.
- 6) **Adjournment:**

The entrance to this meeting is via the rear entrance to City Hall. The facility is wheelchair accessible and parking spaces are available. Request for accommodations or interpretive services must be made at least 48 hours prior to this meeting and may be made by contacting City Hall at 903-342-3654.

SUPPLEMENTAL NOTICE REGARDING PUBLIC PARTICIPATION

In accordance with the order of the office of the Governor issued March 16, 2020, granting temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency, this meeting may be attended by telephone or by in-person attendance.

Individuals wishing to attend by telephone may participate by calling 1 (877)309-2073 access code, 909-642-781

I certify that the above notice was posted at City Hall on _____, 2020, at _____ am/pm.

Angie Pike, City Secretary

PLANNING & ZONING MEETING

September 01, 2020

Item No. 3

Consent Items: – Approval of Minutes:
08/04/2020
08/20/2020

Suggested Action/Language:

I move that the Planning & Zoning Commission approve/ not approve the Consent Items as presented.

**MINUTES OF THE
WINNSBORO PLANNING & ZONING COMMISSION MEETING
501 S. MAIN ST., WINNSBORO, TX 75494
August 04, 2020, 5:30 PM**

Members Present: Chairman Gary Gravley, David Estes, David Corning, and John Ryan Fennell

Staff Present: City Administrator Craig Lindholm and City Secretary Angie Pike

- 1) **Call to Order:** 5:45 pm
- 2) **Discussion/ Action:** Approval of Minutes – 07/07/2020

*Motion made to approve Minutes as presented.
Moved by Member Corning, seconded by Member Fennell.
All in favor, none opposed.
Motion passed.*

- 3) **Public Hearing:** Proposed Zoning Ordinance Number 1029-2020

City Administrator explained that the purpose of the proposed ordinance is to protect the landmarks and districts which represent distinctive elements of Winnsboros' historic architecture and cultural history. Lindholm summarized previously passed resolutions and ordinances designed to determine the boundaries of and to protect and preserve the historical significance of the downtown area.

Lindholm pointed out that the Planning & Zoning Commissioners have been working on a historic district ordinance since April of 2019 and clarified that a historic district must be created by zoning before ordinances specifically regulating protection of historic structures can be established and enforced.

Lindholm went on to explain that the proposed ordinance effects commercial buildings only and the reason that residences are included in the ordinance is because those residences are currently zoned B-1 or B-2. In the event those residences are ever used for commercial purposes, then at that time, those structures would have to conform to those standards. Furthermore, all existing buildings located in the proposed overlay district are considered "grandfathered" and no change is required at the time of passage of the ordinance. If the owner chooses to change the façade of the building, the owner would be required to work with the historic preservation commission at that time.

Lindholm then explained the composition of the proposed historic preservation commission, of which a super majority would consist of business or property owners in the area. Furthermore, that commission would establish more specific guidelines for structures in the area and would determine the requirements, which would then have to be approved by City Council.

There is an appeal process in the ordinance regarding any decisions made by the commission. Additionally, the ordinance provides for an economic hardship application and reminded the commissioners and audience that the WEDC and the City have provided thousands of dollars to local businesses and this practice will continue.

Also, with the creation of a downtown historic preservation district, property owners and commercial developers would be eligible to apply for federal and state historic tax credits for eligible renovations to their property. Those tax credits could defer up to 45% of the cost of the renovation. This can only happen if there is a designated historic district or if a building is determined to be of historic significance. Upon passage of the proposed historic overlay district, a tax incentive or tax abatement ordinance could be drafted by City Council.

Public Hearing Opened at 6:05 pm

Paula Rogers, 862 CR 4255; advised that it is not the right time for such an ordinance, she does not believe that there are many buildings in the area of any historical significance and that property owners could simply be asked to retain the historical character of structures.

Doc Davis, 720 Taylor Dr #27; appreciates the intent to preserve historic structures, but believes that the proposed ordinance is too much like an HOA.

Sarah Dierflinger, 303 E. Pine St; also believes that the proposed ordinance is too much like an HOA and she believes that property owners should have the choice to opt out of the district.

Thomas Brede, 210 W. Elm St; also believes that the ordinance seems too much like an HOA and that repairs to older homes are expensive and should not be regulated. Brede stated that there are no additional tax credits his home was eligible for, as he spoke to the county tax office about the matter.

Eric Newman, 100 E. Carnegie St; requested clarification about the exact area of the proposed district. Commissioners and Lindholm clarified that the proposed area.

Ann Owens, 371 PR 8573; asked about the sidewalks going in on Elm and whether or not this ordinance has anything to do with this ordinance. Commissioners clarified that it does not.

David Simons, 406 N. Main St; advised that as a business owner, he did not believe anyone would want to buy a commercial property in a historical district and believes that it will bring down property values.

Bradley Neeves, 307 N. Mill St; requested clarification on how a residence in the area would be affected. Commissioners advised that a residential structure would not be affected.

Chana Willis, 1268 CR 4470; stated that there needs to be clarification in the ordinance, specifically the effects on residential versus commercial. Willis stated that she is a tax abatement specialist and can state that there are no tax credits for historic structures according to the county tax office. Willis further advised that tax abatements are no longer eligible once a property has been developed. She also questioned the stated authority of the City Administrator in the ordinance.

Joanna Horton, 217 N. Main St.; advised that she is a business owner in the proposed area. Horton spoke against the ordinance, although she is in favor of a historic preservation committee. Additionally, she would have preferred to have heard about this prior to the letter that was mailed to her.

Recess taken at 6:35 pm

Resume from recess 6:44 pm

Dale Woodard, 301 E. Pine St; spoke about the problems with an HOA and believes that what she read of the ordinance states that it does affect residential properties. She stated that keeping up with all of the boards is a waste of her time as everything is done in back rooms anyway.

John Siemsen, 306 W. Broadway St.; stated that he is against the proposed ordinance and that he lives in a home, the Cain House, that is just outside the district. Siemsen further stated that his home is not zoned B-1 or B-2, but R-C, Residential, Commercial as are all of the homes around him. He further stated that he would be concerned about someone telling him what he could do with his home.

James Head, 210 N. Main St; advised that he owns a commercial building in the district and he opposes the proposed ordinance. He does not believe that he should have to abide by regulations or that anyone else should have any say in what color he paints his building or any structural changes.

Cheryl Estes, 209 N. Main St; advised that she has been a business owner for 15 years in the downtown area. Estes stated she constantly has people ask about what happened to the downtown area in recent years. Estes stated that she supports the ordinance and the proposed committee that would be made up of citizens.

Vic Clark, 5531 Palomar Lane, Dallas; read a prepared statement that spoke of all of his efforts and money spent in the community. Clark spoke of being bullied and of favoritisms shown. He advised that there are conflicts of interest and that the rights of business owners are in jeopardy.

Rhonda Weir, 500 N. Main St.; stated that she appreciates what the commissioners are trying to do, but believes that there should be some edits to the ordinance in its current format as she is afraid that it would be a deterrent to potential business owners.

Rick Sainz, 2932 FM 3357; stated that he is a festival vendor and although he does not live in town, nor does he do any business in town, he is opposed to this ordinance because he thinks it would deter potential future business.

James Pickering, The Leaves Apts; spoke in opposition of the ordinance. Although he does not own a business or own property in the area, he would be concerned about the possibility of opening a business in the area.

Public Hearing closed at 7:22 pm

4) Discuss/ Action: Consider Recommendation of Ordinance Number 1029-2020, Creating a Downtown Historic District Overlay Zoning Ordinance

Member Fennell advised that he would like to suggest the possibility of postponing a decision on the Ordinance, and give the citizens another opportunity, being the September meeting, to offer suggestions on the proposed ordinance.

Motion made to postpone the item until the September meeting.

Moved by Member Fennell, seconded by Member Estes.

Three voted in favor, one, Member Gravley abstained.

Motion passed.

5) Discussion/Possible Action: Consider Recommendation of Ordinance Number 1030-2020, Historic Preservation Ordinance
City Administrator requested that this item be postponed to the September meeting.

Motion made to postpone this item until such time as 1030-2020 can be considered.

Moved by Member Fennell, seconded by Corning.

Three voted in favor, one, Member Gravley abstained.

Motion passed.

6) Discussion/Possible Action: Consider Recommendation of Ordinance Number 1027-2020, Vacant Building Ordinance

City Administrator explained the need for the proposed ordinance, including the high number of vacant buildings currently downtown, the potential criminal activity that could occur and the overall economic impact. Lindholm then advised commissioners and audience of the vacant building registration process that is currently required. Lindholm stated that upon arrival as City Administrator he discovered that the ordinance had never been enforced. Upon consultation with the City attorney, he believes that the ordinance would need to be modified in order for it to be enforceable.

Lindholm believed that before changes were made to the ordinance for that purpose, there needed to be rental incentives in place as well as staff appropriate to perform inspections. Since those issues have since been addressed, the Planning & Zoning Commission has been working on the drafting of a new ordinance. Lindholm then outlined the regulations in the newly proposed ordinance that were not in the 2015 ordinance and clarified that a building that is occupied, is not in violation and therefore no registration is necessary. Furthermore, any violation would be handled in municipal court, not by any board or the City Administrator.

Lindholm again reminded the commissioners and audience that the City and the WEDC have and will continue to help local business and property owners.

Lindholm clarified that it is the responsibility of the City Council to provide for the safety of not only citizens, but first responders as well, hence the vacant building sign in the proposed ordinance.

Finally, the authority prescribed to the City Administrator proposed in this ordinance is the as was prescribed in the 2015 ordinance.

John Karlovich, 326 N. Main; advised that he owns a building in the downtown area and requested clarification on when the two previous ordinances would be addressed. Commissioners advised that it would be September.

Chana Willis, 1268 CR 4470; stated that she didn't believe that government should be regulating what a building owner does with their building and whether or not they have a certificate of insurance. Willis indicated that of the one million plus films of deaths of firefighters that she had processed, only one was in a vacant building. While vacant buildings do pose a risk, she did believe that the building owner should take on that risk.

Paula Rogers, 862 CR 4355; stated that she owns a vacant commercial building downtown and that she has tried for several years to rent the building and she doesn't believe that she should be fined for having a vacant building.

Vic Clark, 5531 Palomar Lane, Dallas; advised that he has tried to rent his buildings in the downtown area. He believes that he has over-improved some of his buildings and that he routinely asks his tenants to invest in his buildings as well so they have a vested interest. Clark then went on to speak about the possible subjective interpretations of the ordinances.

James Head, 210 N. Main St.; spoke about the sign portion of vacant building ordinance. Head then went on to speak about possible problems in having a building and unforeseen circumstances and being penalized for those. He advised that he would not stand for paying any fees for having a vacant building.

Cheryl Estes, 209 N. Main St; stated that she has watched the number of vacant buildings increase year after year. Estes spoke about how the downtown buildings have killed commerce and sales tax revenue. Estes stated that she is tired of vacant buildings in the downtown area and something needs to be done, however, she does not like the vacant building sign either.

Falisa Cooper; spoke about the animosity of people regarding this discussion and stated that, "it grieves her spirit to witness it". She praised Member Fennell for his motion to delay action on the previous items. She further went on to speak about the overall apathy she has been exposed to in her time in the community and how this shocked her.

Rev. Greg Duffey, Faith Building Ministries; stated that he is in agreement with Cooper about the need for the citizens of Winnsboro to be in agreement.

John Alexander, 701 N. Main St; spoke in opposition of this ordinance and listed differences between the newly proposed ordinance and the ordinance that is already in place; written notice being sent before a citation is issued, the right to inspection of said building by City officials, and a vacant building sign requirement. Alexander was particularly troubled by the vacant building sign requirement. He likened the requirement as to that of Jews in Nazi Germany being required to have a sign, identifying their ethnicity over the doors of their homes. Alexander further stated that there are currently no buildings downtown that are in a state of disarray as suggested in this meeting.

Clara Ziegler, 738 CR 4800; stated that she rents a building inside the City. She knows that the owner does not have the money to renovate the building. She hopes that the commission will reconsider the proposed ordinance.

Kelly Clark, 5531 Palomar Lane, Dallas; she owns buildings in downtown Winnsboro. While some of the buildings that she & her husband (Vic) own are currently vacant; they try to keep those buildings beautiful in the meantime. Clark believes that the proposed ordinance would punish building owners & she is not in support of this ordinance.

Dennis Whitehurst, 313 Blackjack; believes Mr. Alexander to be the most trustworthy person involved in this discussion. Member Fennell and Whitehurst discussed the current ordinance that was enacted in 2015 and the intent of the City Council at that time.

Kathryn Perez, 406 E. Carnegie St; spoke in opposition of the ordinance, advising that someone that owns property should not be subject to such an ordinance and she does not believe that this is the time for such an ordinance.

Members then discussed the proposed ordinance amidst protests from the crowd to not take the insults being suggested by members of the audience, personally.

*Motion made to postpone the item 90 days.
Made by Member Corning, Seconded by Member Fennell.
Three voted in favor, one, Member Gravley abstained.
Motion passed.*

7) Adjournment:

Adjournment 8:42 pm

THESE MINUTES OF THE 08/04/2020 PLANNING AND ZONING MEETING ARE HEREBY:

Approved:

Attest:

Gary R. Gravley, Chairman

Angie Pike, City Secretary

**MINUTES OF THE
WINNSBORO PLANNING & ZONING COMMISSION WROKSHOP
501 S. MAIN ST., WINNSBORO, TX 75494
August 20, 2020 at 5:30 PM**

Members Present: Chairman Gary Gravley, Members David Estes, David Corning and John Ryan Fennell

Staff Present: City Administrator Craig Lindholm and City Secretary Angie Pike

1) Call to Order: 5:30 pm

Chairman asked Main Street Manager Brenda Buck to explain the grant recently awarded from the Texas Commission on the Arts. Buck explained that the grant was awarded in the amount of \$175,000.00. Buck spoke of the hard work by the Main Street Board.

Chairman asked Mary White, Winnsboro Center for the Arts, to explain the grant recently awarded to them. White explained the grant recently awarded to the Center, in the amount of \$24,000.00, which will be used to start the work on the new building.

Chairman then asked City Administrator to explain some of the changes that he recommends in light of the concern heard by citizens at the last Planning & Zoning meeting held on August 04, 2020.

City Administrator advised that these changes include describing the specific criteria that determines which buildings would be affected and added wording explicitly stating that residential properties would not be affected unless the structure was considered a contributing building that changed from a residence to a commercial building. Only at that point would said structure be susceptible to the ordinances.

The proposed commission would expand from seven to nine members, all of whom would be appointed by the City Council, and explained the criteria for membership onto the commission, of which, a majority of five must own property in the downtown area. Additionally, in proposed ordinance 1030-2020, definitions will be included for much of the terminology used.

Members discussed the possibility of more citizen input and suggested holding meetings with individual business & property owners in the area and re-consider the ordinances at the end of that time, possibly at the 90 day mark.

2) Public Comments:

Cheryl Estes, 209 N. Main; spoke about the significance & importance of a historical district & gave a brief summary of the history of the buildings she owns. She advised that the commissioners should focus on the benefits of historic preservation and explaining that to people.

Vic Clark, 5531 Palomar Lane, Dallas; thanked the commissioners for the extension of time, but questioned how the commissioners could be objective, amidst conflicts of interest that bias them. Clark is for the preservation of Winnsboro and has spent his own money in doing so, but accused various members of the commission and members of City staff of various conflicts of interest.

Paula Rogers, 862 CR 4255; owns rental property in Winnsboro & questioned the necessity of this ordinance at this time. Rogers further did not believe that most of the buildings in the area are of any historical significance.

Chana Willis, 1268 CR 4430; accused the commissioners and the wife of the City Administrator of various conflicts of interest.

Brenda Buck, Main Street Manager; clarified that her husband works for KSA and that he has not actively worked as an engineer for the firm in fifteen years. Buck reminded the audience and the commissioners that Winnsboro is a small town and family relationships are inevitable in such situations. Furthermore, we have to be able to talk to each other with respect.

Shannon Monk, 1837 FM 1647; requested clarification on the qualifications of the proposed commission and further clarified that the commissioners merely make recommendations, which are then decided by City Council.

John Alexander, 701 N Main; stated that he appreciated the proposed changes in the ordinance, but requested that changes additionally be made to the penalty section of the proposed ordinance, by reducing the fees to be more in line with those of surrounding cities.

Nick Simons, 703 W. Coke Rd; questioned how many commissioners own property in the area, and who proposed the ordinance initially. Commissioners advised that one does and that it is being proposed by the commission in conjunction with the City.

Rick Sainz, 113 E. Elm St; questioned the timing of the proposed ordinances. Sainz questioned what makes the proposed buildings and if any of the buildings are planned for demolition. Sainz then spoke of a proposed skate park that never came into fruition approximately 10 years ago. Sainz also chastised the commissioners for interruptions during citizen comments.

Clara Zeigler, 575 CR 4800; advised that she agreed with the opinion of John Alexander, that the penalty section of the ordinance seems too high.

- 3) **Discussion Only:** Consider August 04, 2020 Public Hearing Citizen Recommendations and Comments Concerning Modifications to Wording of Ordinance Number 1029-2020, Creating a Downtown Historic District Overlay Zoning Ordinance
- 4) **Discussion Only:** Consider August 04, 2020 Public Hearing Citizen Recommendations and Comments Concerning Modifications to Wording of Ordinance Number 1030-2020, Historic Preservation Ordinance
- 5) **Adjournment: 6:17 pm**

THESE MINUTES OF THE 08/20/2020 PLANNING AND ZONING MEETING ARE HEREBY:

Approved:

Attest:

Gary R. Gravley, Chairman

Angie Pike, City Secretary

PLANNING & ZONING MEETING

September 01, 2020

Item No. 4

Public Hearing:

Time Opened:

Time Closed:

PLANNING & ZONING MEETING

September 01, 2020

Item No. 5

Discussion/Action: –Consider Variance Request for

Suggested Action/Language:

I move that the Planning & Zoning Commission *recommend/ not recommend* the variance request for recommendation to the Winnsboro City Council, *as presented/with the following stipulations:*

APPLICATION TO APPEAR BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF WINNSBORO, TEXAS:

DATE OF APPLICATION: 7-21-2020 FEE: \$ 250.00 (non refundable)

NAME: WINNSBORO PROPERTIES, LLC ADDRESS: PO Box 144 Winnsboro, Tx 75494

LEGAL DISCIPTION: SEE ATTACHED

RECORD OWNER: WINNSBORO PROPERTIES, LLC PRESENT ZONING: _____

LOT SIZE: 1.1656 ac. FRONT BUILDING LINE: 20 feet

BUILDING SIZE: N/A sq. ft. SETBACKS: SIDE N/A ft. REAR N/A ft.

APPLICATION FOR: ZONING CHANGE ZONING RECLASSIFICATION

REQUEST FOR A ZONING CHANGE FROM B-1 TO Industrial

REQUEST FOR A ZONING VARIANCE FOR N/A

ZONING CHANGE FOR: NEW BUILDING VACANT LOT EXISTING STRUCTURE

I, WINNSBORO PROPERTIES, LLC, am requesting a ZONING CHANGE for the following reason(s):
TO ALLOW CONSTRUCTION OF BUILDING FOR AUTO BODY SHOP AND WAREHOUSING USES

ALL ZONING and/or VARIANCE REQUESTS ARE REQUIRED TO BE HEARD FIRST BY THE PLANNING AND ZONING COMMISSION, PUBLIC HEARING AND THEN THE CITY COUNCIL FOR FINAL APPROVAL

IT WILL BE REQUIRED TO NOTIFY ALL PROPERTY OWNERS WITHIN 200 FEET OF YOUR PROPERTY OF ANY PROPOSED ZONING CLASSIFICATION CHANGE TO THE ORIGINALLY ADOPTED ZONING CLASSIFICATION OR VARIANCE. ALL ZONING CHANGES OR RECLASSIFICATIONS ARE REQUIRED TO BE HELD IN A PUBLIC HEARING WHICH IS TO BE SET BEFORE THE ZONING COMMISSION.

INSTRUCTIONS TO THE APPLICANT REQUESTING A ZONING CHANGE OR VARIANCE:

1. Fill out this application fee and submit the appropriate fee of \$250.00 dollars. (non-refundable)
2. Proof of ownership of the lot that the zoning change request is for.
3. A recorded survey of the property is required to be submitted.
4. Present preliminary plat including all metes and bounds of the property for review by the Commission
5. Final plat will be required to be submitted prior to the final Public Hearing held before the Council.
6. Applicant should submit a detail account of the reasons for the proposed zoning change to be presented at the first Public Hearing.

I, WINNSBORO PROPERTIES LLC do understand that the fee paid to process this application before the Planning and Zoning Commission is non-refundable and that my application is not complete until approved by the Zoning Administrator.

SIGNATURE OF APPLICANT: [Signature] Manager DATE: 7/21/20

FOR OFFICE USE

ZONING COMMISSION MEETING DATE: _____ ZONING CHANGE: APPROVED NOT APPROVED

ZONING COMMISSION CHAIRMAN _____ DATE OF APPROVAL: _____

City of Winnsboro
501 South Main Street
Winnsboro, TX 75494

Receipt #: 11893
User: Holli Whittiker
Payment Date: 7/21/2020
Batch: 89709 - 07/21/2020

100-4040 Zoning Fees
Administration Fees

Wheeler Dr Property

Amount Due: \$250.00
Applied: \$250.00
Balance: \$0.00

7/21/2020

Check #: 1302

Check: \$250.00
Applied: \$250.00
Change: \$0.00

All that certain tract or parcel of land situated in the G. B. KING SURVEY, A-3, City of Winnsboro, Wood County, Texas, being a part of that certain 4.16 acre tract described in Deed to Rush Properties dated 1991, recorded in Vol. 1249, Page 581, Real Property Records of Wood County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron pipe set on the NE corner of said 4.16 acre tract and on the SE corner of a tract owned by the City of Winnsboro;

THENCE S 24 deg. 55' W with the West right-of-way line of Wheeler Drive - 247.07' to a 5/8" iron pipe set on the SE corner of said 4.16 acre tract;

THENCE N 88 deg. 49' W with the North right-of-way line of Murley Drive - 325.0' to a 5/8" iron pipe set on the SE corner of a 2.349 acre tract;

THENCE N 4 deg. 50' 12" E with the East boundary line of said 2.349 acre tract - 226.64' to a 5/8" iron pipe set on the Southernmost NE corner of said 2.349 acre tract;

THENCE S 88 deg. 49' E with a fence along the Southernmost North boundary line of said 4.16 acre tract - 410.0' to the **PLACE OF BEGINNING** containing 1.908 acres.

LESS AND EXCEPT:

All that certain tract or parcel of land situated in the G. B. KING SURVEY, ABSTRACT NO. 3, City of Winnsboro, Wood County, Texas; being a part of that certain 1.908 acre tract described in Deed to Charles Dawson and Horchem, Inc., dated 1996, recorded in Volume 1515, Page 46, Real Property Records of said County; and being more particularly described as follows:

BEGINNING at a 5/8 inch iron pipe found on the Northwest corner of said 1.908 acre tract and on the Southernmost Northeast corner of a 2.349 acre tract described in Deed to Kevin R. Ford, recorded in Volume 1626, Page 324 of said Records;

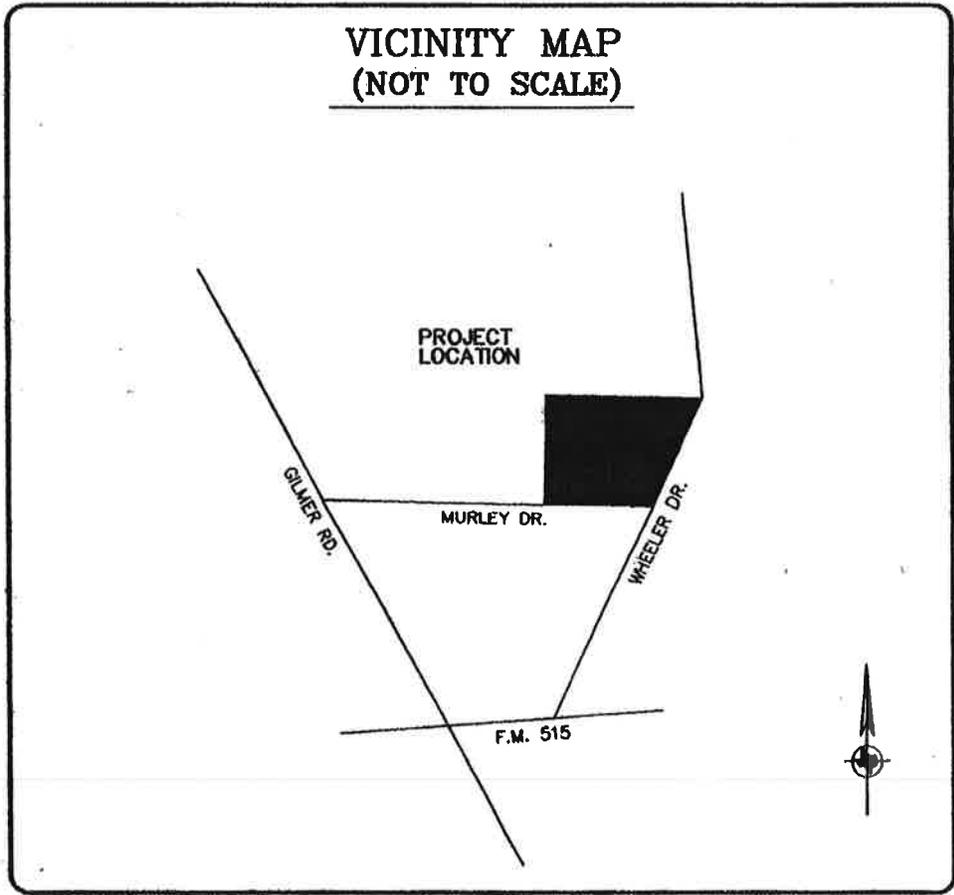
THENCE S 87° 58' 43" E along the fenced North line of said 1.908 acre tract and the South line of a tract owned by the City of Winnsboro - 141.82 feet to a capped 1/2 inch iron rod marked "Swanner" set for corner;

THENCE S 5° 11' 25" W, 10 feet East of and parallel to a concrete driveway - 226.60 feet to a capped 1/2 inch iron rod marked "Swanner" set for corner;

THENCE N 88° 01' 29" W along the North right-of-way line of Murley Drive (being 20.0 feet from the centerline) - 140.43 feet to a capped 1/2 inch iron rod marked "Swanner" set on the Southwest corner of said 1.908 acre tract and on the Southeast corner of said 2.349 acre tract;

THENCE N 4° 50' 12" E along the fenced West line of said 1.908 acre tract and the Easternmost East line of said 2.349 acre tract - 226.64 feet to the **PLACE OF BEGINNING** containing 0.733 acres, as surveyed by Lynn Swanner, Registered Professional Land Surveyor No. 3806, dated March 13, 2003.

VICINITY MAP
(NOT TO SCALE)



DO NOT REMOVE THIS PAGE – IT IS A PART OF THIS INSTRUMENT

WARRANTY DEED

5 Pages

Parties: THOMAS KENNETH W
to
WINNSBORO PROPERTIES LLC

FILED AND RECORDED – REAL RECORDS	CLERKS NOTES
<p>On: 02/07/2012 at 02:13 PM</p> <p>Document Number: <u>2012-00001589</u></p> <p>Receipt No: <u>193258</u></p> <p>Amount: \$ <u>28.00</u></p>	
<p>Kelley Price, County Clerk Wood County, Texas</p>	



STATE OF TEXAS
COUNTY OF WOOD

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the named records of Wood County, Texas.

Kelley Price, County Clerk

Recorded By: Dachelle Haggerty, Deputy

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

Record and Return To:

WINNSBORO PROPERTIES LLC
PO BOX 144

WINNSBORO, TX 75494



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER. THE PREPARER OF A DOCUMENT MAY NOT INCLUDE AN INDIVIDUAL'S SOCIAL SECURITY NUMBER IN A DOCUMENT THAT IS PRESENTED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

WARRANTY DEED

DATE: February 7, 2012

GRANTOR: Kenneth W. Thomas

GRANTOR'S MAILING ADDRESS (including County): PO Box 674, Winnsboro, Wood County, Texas 75494

GRANTEE: Winnsboro Properties, LLC

GRANTEE'S MAILING ADDRESS (including County): PO Box 144, Winnsboro, Wood County, Texas 75494

CONSIDERATION: Ten and No/100 (\$10.00) Dollars cash and other valuable consideration.

PROPERTY (including any improvements):

All that certain tract or parcel of land situated in the G. B. KING SURVEY, A-3, City of Winnsboro, Wood County, Texas, being a part of that certain 4.16 acre tract described in Deed to Rush Properties dated 1991, recorded in Vol. 1249, Page 581, Real Property Records of Wood County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron pipe set on the NE corner of said 4.16 acre tract and on the SE corner of a tract owned by the City of Winnsboro;

THENCE S 24 deg. 55' W with the West right-of-way line of Wheeler Drive - 247.07' to a 5/8" iron pipe set on the SE corner of said 4.16 acre tract;

THENCE N 88 deg. 49' W with the North right-of-way line of Murley Drive - 325.0' to a 5/8" iron pipe set on the SE corner of a 2.349 acre tract;

THENCE N 4 deg. 50' 12" E with the East boundary line of said 2.349 acre tract - 226.64' to a 5/8" iron pipe set on the Southernmost NE corner of said 2.349 acre tract;

THENCE S 88 deg. 49' E with a fence along the Southernmost North boundary line of said 4.16 acre tract - 410.0' to the PLACE OF BEGINNING containing 1.908 acres.

LESS AND EXCEPT:

All that certain tract or parcel of land situated in the G. B. KING SURVEY, ABSTRACT NO. 3, City of Winnsboro, Wood County, Texas; being a part of that certain 1.908 acre tract described in Deed to Charles Dawson and Horchem, Inc., dated 1996, recorded in Volume 1515, Page 46, Real Property Records of said County; and being more particularly described as follows:

BEGINNING at a 5/8 inch iron pipe found on the Northwest corner of said 1.908 acre tract and on the Southernmost Northeast corner of a 2.349 acre tract described in Deed to Kevin R. Ford, recorded in Volume 1626, Page 324 of said Records;

THENCE S 87° 58' 43" E along the fenced North line of said 1.908 acre tract and the South line of a tract owned by the City of Winnsboro - 141.82 feet to a capped 1/2 inch iron rod marked "Swanner" set for corner;

THENCE S 5° 11' 25" W, 10 feet East of and parallel to a concrete driveway - 226.60 feet to a capped 1/2 inch iron rod marked "Swanner" set for corner;

THENCE N 88° 01' 29" W along the North right-of-way line of Murley Drive (being 20.0 feet from the centerline) - 140.43 feet to a capped 1/2 inch iron rod marked "Swanner" set on the Southwest corner of said 1.908 acre tract and on the Southeast corner of said 2.349 acre tract;

THENCE N 4° 50' 12" E along the fenced West line of said 1.908 acre tract and the Easternmost East line of said 2.349 acre tract - 226.64 feet to the PLACE OF BEGINNING containing 0.733 acres, as surveyed by Lynn Swanner, Registered Professional Land Surveyor No. 3806, dated March 13, 2003.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

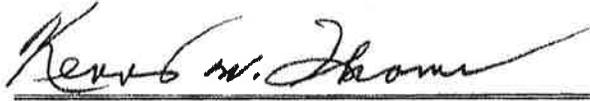
This conveyance is made subject to all oil, gas and mineral reservations and conveyances, royalty interests, oil, gas and mineral leases, rights-of-way, easements and restrictions, affecting the property hereby conveyed that may appear of record in the office of the County Clerk of Wood County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights

and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof except as to the reservations from and exceptions to conveyance and warranty.

THE IMPROVEMENTS ON THE PROPERTY ARE SOLD "AS IS", WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED, OF HABITABILITY OR FITNESS FOR A PARTICULAR PURPOSE, IT BEING UNDERSTOOD AND AGREED THAT GRANTEE ACQUIRES THE SAID IMPROVEMENTS ON THE PROPERTY SUBJECT TO ANY AND ALL DEFECTS.

When the context requires, singular nouns and pronouns include the plural.



KENNETH W. THOMAS

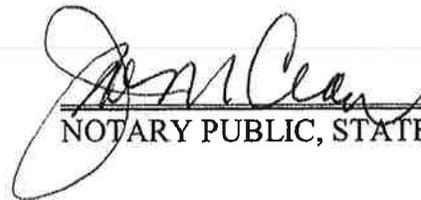
ACKNOWLEDGMENT

STATE OF TEXAS }
COUNTY OF WOOD }

This instrument was acknowledged before me on the 7th day of February, 2012, by Kenneth W. Thomas.



[SEAL]



NOTARY PUBLIC, STATE OF TEXAS

AT THE REQUEST OF GRANTOR AND GRANTEE, THIS WARRANTY DEED HAS BEEN PREPARED FROM GRANTOR TO GRANTEE COVERING THE SUBJECT PROPERTY WITHOUT EXAMINATION OF TITLE BY CELIA C. FLOWERS, ATTORNEY. CELIA C. FLOWERS, ATTORNEY, MAKES NO WARRANTIES OR REPRESENTATIONS AS TO THE CONDITION OF THE TITLE OF THE ABOVE DESCRIBED PROPERTY AS TO CLAIMS, DEMANDS, LIENS, TAXES, EASEMENTS,

**RESTRICTIONS, ENCROACHMENTS, PROTRUSIONS, SHORTAGES IN AREA,
LEASES, PARTIES IN POSSESSION OR ANY OTHER ENCUMBRANCES WHICH MAY
EXIST AGAINST THE PROPERTY.**

Record and Return To:

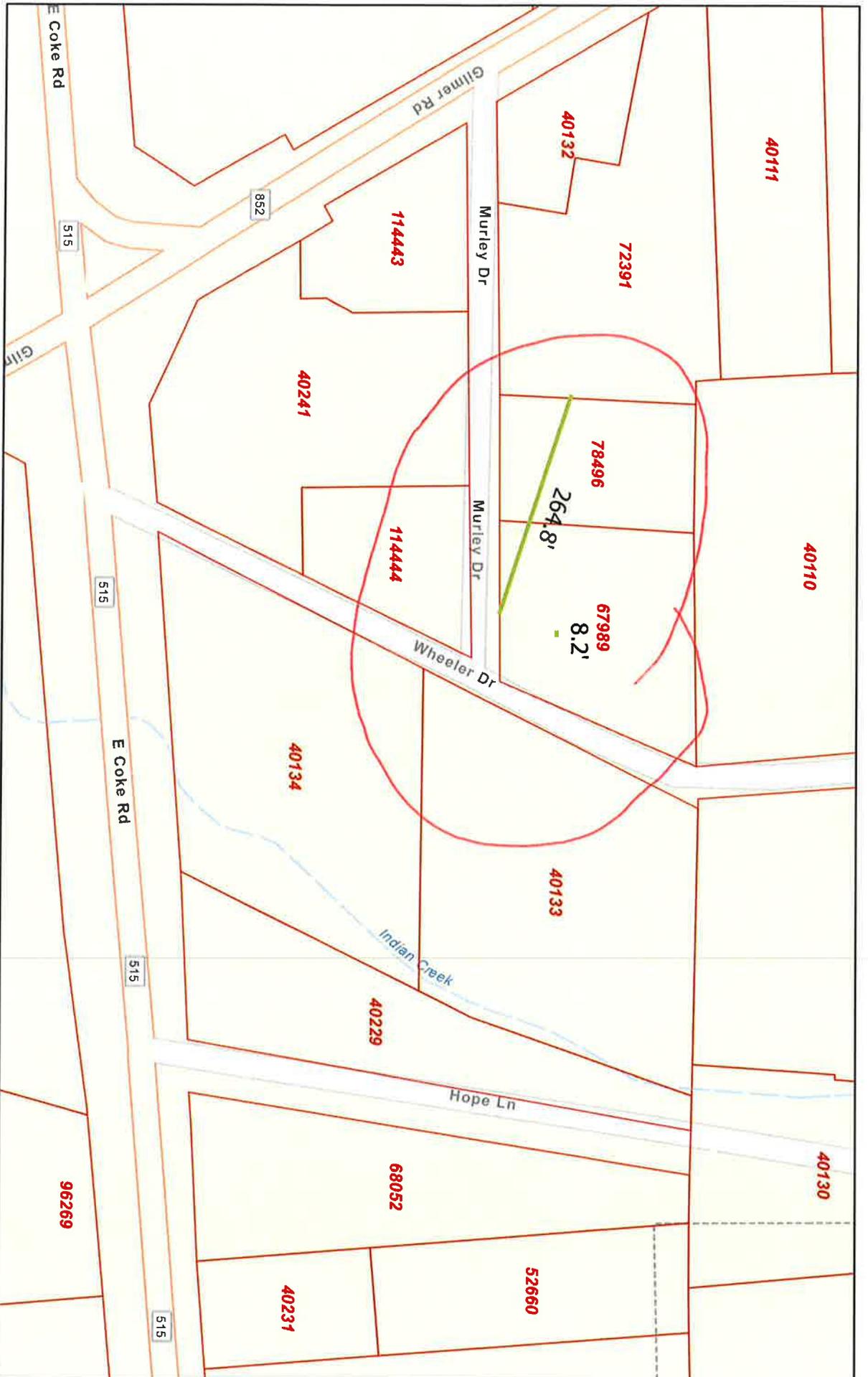
Winnsboro Properties, LLC

PO Box 144

Winnsboro, TX 75494

006-12

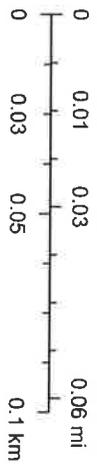
Wood CAD Web Map



7/23/2020, 9:32:52 AM

Parcels

1:2,257



Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Wood County Appraisal District, BIS Consulting - www.bisconsulting.com

WINNSBORO PROPERTIES, LLC
DOC. NO. 2012-00001589
R.R.W.C.T.

MURLEY DRIVE

WHEELER DRIVE

S 04° 19' 52" W 226.47'

S 04° 19' 52" W 226.35'

S 24° 55' 00" W 246.75'

S 88° 49' 00" E 89.99'

S 88° 49' 00" E 268.12'

S 88° 49' 00" E 178.13'

N 88° 53' 38" W 90.00'

N 88° 53' 38" W 181.24'

N 88° 53' 38" W 91.24'

20' BUILDING LINE

10' UTILITY EASEMENT

20' BUILDING LINE

10' UTILITY EASEMENT

set 1/2" from rod

set 1/2" from rod

1/2" rod

set 1/2" from rod