

MURPHY CITY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
MARCH 4, 2014 AT 6:00 P.M.  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094



Eric Barna  
Mayor

Owais Siddiqui  
Mayor Pro Tem

Ben St. Clair  
Deputy Mayor Pro Tem

Scott Bradley  
Councilmember

Betty Spraggins  
Councilmember

Bernard Grant  
Councilmember

Rob Thomas  
Councilmember

James Fisher  
City Manager

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on March 4, 2014 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

**1. CALL TO ORDER**

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

**4. PUBLIC COMMENTS**

**5. PRESENTATION ITEMS**

**6. CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

A. Consider and/or act upon February 18, 2014 regular meeting minutes.

**7. INDIVIDUAL CONSIDERATION**

A. Consider and/or act on the application of BV Murphy TFG, LLC requesting approval of a site plan, landscape plan, building elevations and construction plat for Raising Cane's on property zoned (R) Retail at 120 W FM 544.

B. Discuss and/or act on Planned Development District Ordinance No. 03-10-590 (Gables and Ranch).

C. Consider and/or act on the Murphy Municipal Development District contracting with a retail consulting firm.

D. Discussion regarding the City of Murphy Trails System.

E. Consider and/or act on a Resolution adopting an Inter Local Agreement (ILA) between Collin County and the City of Murphy regarding the allocation of funds for culvert extensions on North Murphy Road.

**8. CITY MANAGER/STAFF REPORTS**

North Murphy Road Construction Update

Murphy Central Park Grand Opening – Experience Murphy- April 5<sup>th</sup>

May Election

**9. EXECUTIVE SESSION**

The City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary.

**10. RECONVENE INTO REGULAR SESSION**

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

- A. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary.
- B. Take Action on any Executive Session Item

**11. ADJOURNMENT**

I certify that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on February 28, 2014 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Kristi Gilbert, TRMC, CMC, CPM  
City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or [kgilbert@murphytx.org](mailto:kgilbert@murphytx.org).

*Notice of Possible Quorum: There may be a quorum of the 4B Community Development Corporation, the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Ethics Review Commission the Murphy Municipal Development District Board, the Park and Recreation Board and/or the Planning and Zoning Commission may be present at the meeting, but they will not deliberate on any city business.*

**CITY COUNCIL MINUTES  
FEBRUARY 18, 2014 REGULAR CITY COUNCIL MEETING**

**1. CALL TO ORDER**

Mayor Barna called the meeting to order at 6:00 p.m.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Barna gave the invocation and led the recitation of the Pledge of Allegiance.

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

City Secretary, Kristi Gilbert, certified a quorum with the following Councilmembers present:

Mayor Eric Barna  
Mayor Pro Tem Owais Siddiqui  
Deputy Mayor Pro Tem Ben St. Clair  
Councilmember Scott Bradley  
Councilmember Betty Nichols Spraggins  
Councilmember Bernard Grant  
Councilmember Rob Thomas

Councilmembers absent: None

**4. PUBLIC COMMENTS – None****5. PRESENTATION ITEMS –**

A. Presentation on the 2014 Annual Event Sponsorship Packet.

Recreation Manager Caitlyn Meehan presented the Council with the proposed annual event sponsorship packet.

B. Presentation of financial report as of January 31, 2014.

Finance Director Linda Truitt presented the financial report as of January 31, 2014. Ms. Truitt stated that the greatest amount of property tax payments were received in December and January. As a result, the City has collected approximately 60% of the total revenues for the fiscal year.

**6. CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

A. Consider and/or act upon minutes

1. January 30, 2014 special meeting minutes; and,
2. February 4, 2014 regular meeting minutes.

***COUNCIL ACTION (6A):******APPROVED***

Mayor Pro Tem Siddiqui moved to approve the consent agenda, as presented. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

**7. INDIVIDUAL CONSIDERATION**

- A. Hold a Public Hearing and consider and/or act on a proposed amendment to the City of Murphy Code of Ordinances, Chapter 86 - Zoning, Section 86.662, Use Chart, to allow for Martial Arts School in 'O' Office District.

City Manager James Fisher presented Council with the proposed change to the zoning ordinance.

Mayor Barna opened the hearing at 6:16 p.m.

No one signed in to speak in favor of or in opposition to the proposed change.

Mayor Barna closed the hearing to public comment at 6:16 p.m.

**COUNCIL ACTION (7.A.):****APPROVED**

Mayor Pro Tem Siddiqui moved to approve an ordinance amending the City of Murphy Code of Ordinances, Chapter 86-Zoning, Section 86.662, Use Chart to allow for martial arts schools in "O" Office District. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (*Ordinance 14-02-971*)

- B. Hold a Public Hearing and consider and/or act on the zoning category change of approximately 5 acres (Track 35, 1.598 acres of Abstract A0859 and Track 36, 3.216 acres of Abstract A0859): FM 544 between Dublin Road and Heritage Parkway – from Single-Family Residential SF-15 to Planned Development 09-02-785.

Mr. Fisher stated that this item was part of a clean-up that was undertaken in 2012, however, the zoning map was not updated to reflect the change.

Mayor Barna opened the hearing at 6:16 p.m.

No one signed in to speak in favor of or in opposition to the proposed change.

Mayor Barna closed the hearing to public comment at 6:16 p.m.

**COUNCIL ACTION (7.B.):****APPROVED**

Mayor Pro Tem Siddiqui moved to approve the proposed zoning category change on the City's Official Zoning Map from SF-15 to Planned Development 09-02-785. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (*Ordinance 14-02-972*)

- C. Consider and/or act on approval of the low bid award for the seasonal Median Mowing/Beautification Contract to Carruthers Landscaping for \$86,152 and authorize the City Manager to execute the contract.

Parks Superintendent Matt Foster responded to Council questions with regard to weed control, median beautification and past mowing services.

Mayor Pro Tem Siddiqui expressed an interest in utilizing a performance based contract for services.

**COUNCIL ACTION (7.C.):**

**APPROVED**

Mayor Pro Tem Siddiqui moved to award the seasonal Mowing/Beautification Contract to Carruthers Landscaping in the amount of \$86,152. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (CLA 201402001)

- D. Discussion on the Safe Routes to School proposed sidewalk in the Rolling Ridge Subdivision.

Mr. Fisher stated that the City had submitted plans to TxDOT regarding North Murphy Road. Mr. Fisher stated that the sidewalks in the Rolling Ridge Subdivision were the next step in moving forward with the project. Mr. Fisher stated that staff had met with the residents of the subdivision to seek their input and one option was to run the sidewalk from Featherwood Drive to Oriole Court with a crosswalk. Mr. Fisher stated that staff was looking at various options and working with TxDOT on how the funds can be spent.

*Robert Mims, 1302 Featherwood Drive* – Mr. Mims stated that he is proposing two speed tables for Rolling Ridge to cut down on the speeding. Mr. Mims stated that having sidewalks on either side of the road would increase the number of children crossing the street unsafely.

Mayor Barna commented that Hunt Elementary was not originally planned in the Rolling Ridge Subdivision.

Council held discussion with regard to homeowner input, easements and the Safe Routes to School program.

*Rex Ramos, 1313 Mayfield Drive* – Mr. Ramos stated that he did not expect to have the HOA serve as a proxy to the Council. Mr. Ramos stated the problem with not having a sidewalk on the north side of Rolling Ridge Drive. Mr. Ramos stated that there was money provided by the federal government to allow the city to address the problem.

Mayor Pro Tem Siddiqui stated that Council should look at all options available and assess the impacts, including replacing trees if any trees have to be removed. Councilmember Bradley inquired as to if the design was included in the Freese and Nichols contract. Mr. Fisher responded that the design was included in the contract.

Councilmember Bradley suggested a meeting with the residents with available design options.

**COUNCIL ACTION (7.D.):**

**NONACTION ITEM**

No action was taken on this item.

- E. Discuss, consider and/or act on awarding a contract for a Utility Rate Study of water and sewer rates and authorizing the City Manager to execute contract documents.

Mr. Fisher presented the Council with two proposals for a utility rate study.

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February 18, 2014

*Jennifer Berthiaume, 416 Woodcrest* – Ms. Berthiaume stated she was a GIS analyst that works for an environmental engineering firm. Ms. Berthiaume stated that she was curious why the previous study firm was not invited back to provide a proposal. Ms. Berthiaume inquired as to where the city would be if all of the suggestions were implemented from the 2009 study.

Councilmember Bradley stated that the city did implement the design from 2009 and realized that the study suggestions were not meeting the projected rates.

Councilmember Grant thanked the companies for their input and stated that he was going to vote for NewGen Strategies and Solutions.

**COUNCIL ACTION (7.E.):**

**APPROVED**

Councilmember Grant move to award the contract to complete a utility rate study of water and sewer rates to NewGen Strategies and Solutions and authorize the City Manager to execute contract documents. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (CLA 201402002)

- F. Consider and take action, if any, on the amenity for permanent closure of Grant Street in south Murphy.

Mr. Fisher stated that he met with residents and they preferred the use of boulders and low maintenance landscaping with stone bollards and medium sized trees.

*Linda Martin, 142 Moonlight Drive* – Ms. Martin thanked the Council for all of the work that had been done for the neighborhood.

**COUNCIL ACTION (7.F.):**

**APPROVED**

Move to direct City Staff to move forward with option 2, the tree and bollard option, and authorize the preparation of necessary construction documents. Councilmember Thomas seconded the motion. For: Barna, Siddiqui, St. Clair, Bradley, Grant and Thomas. Opposed: Nichols Spraggins. The motion carried by a vote of 6 to 1.

- G. Discussion on benchmark cities for compensation analysis and service delivery.

Mr. Fisher stated that staff was reviewing cities to use as benchmarks and determined that there should be two lists. Mr. Fisher stated that one list to be used in compensation analysis and one in service delivery.

Councilmember Grant stated that he felt there was a broader discussion to be held at a future meeting with regard to personnel. Councilmember Thomas stated that he disagreed with using two lists and would like to see a single list of cities of comparable size. Councilmember Grant stated that he would like to see a list of cities for 17,500 to 20,000 in population and focusing on metropolitan cities.

Mayor Barna indicated that he would like to see the percentage of employee cost in terms of the general fund. Mayor Barna stated he would like to see a large list and filter down.

**8. CITY MANAGER/STAFF REPORTS**

Mr. Fisher provided the Council with an update on the following items:

- North Murphy Road Construction Update
- Rainbow Trout Round-Up coming up this weekend
- Grass fire near Boggess Elementary that burned approximately five backyards
- Murphy Central Park Grand Opening – April 5<sup>th</sup>
- May Election – Deadline to file February 28<sup>th</sup>

**9. EXECUTIVE SESSION**

The City Council convened into closed Executive Session at 7:35 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.072. Deliberation regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- B. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary.

**10. RECONVENE INTO REGULAR SESSION**

The City Council reconvened into open session at 8:01 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.072. Deliberation regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- B. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary.
- C. Take Action on any Executive Session Item  
No action was taken as a result of executive session items.

**11. ADJOURNMENT**

With no further business, the meeting was adjourned at 8:01 p.m.

APPROVED BY:

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Eric Barna, Mayor

MURPHY CITY COUNCIL MINUTES  
February 18, 2014

ATTEST:

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Kristi Gilbert, City Secretary

**City Council**  
**March 4, 2014**

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**Issue**

Consider and/or act on the application of BV Murphy TFG, LLC requesting approval of a site plan, landscape plan, building elevations, signage and construction plat for Raising Cane's on property zoned (R) Retail at 120 W FM 544.

**Background**

The applicant submitted a site plan, building elevation plans, landscape plans, signage and construction plat for approval that would allow for development of a Raising Cane's restaurant. The restaurant would total approximately 2,724 square feet. The property is zoned R (Retail) District. The proposed fast food restaurant inclusive of a drive through is a permitted use by right.

**Considerations**

**Site Plan** (Exhibit A)

The proposed site plan has been reviewed by staff and meets the requirements with the exceptions as noted below. The applicant is requesting consideration of the amendments to the site plan requirements.

*Parking* – The parking ratio as specified in Section 86-706(17) of the City of Murphy Code of Ordinances is one (1) space for every 100 square feet of gross floor area for restaurants. At this ratio, 28 parking spaces are required and 20 parking spaces are provided.

*Off-street stacking for drive-through facilities* – The required drive-through stacking spaces as specified in Section 86-703 (k) (3) requires 7 drive-through stacking spaces. The proposed site plan provides for 12 drive-through stacking spaces.

The applicant noted on average 40 to 60% of Raising Cane's business occurs via the drive through and requests that the site plan be approved with the parking spaces reduction as shown above.

Staff is supporting this request given the shared parking agreement with Hobby Lobby on file with the City of Murphy to allow for the difference, the business directly to the south of the proposed Raising Cane's site. Additional parking is also planned, by Hobby Lobby, further east and at a future time.

**Building Elevations** (Exhibit B)

The proposed building elevation and materials meet requirements with the exception of the flags as shown attached to the building based on staff interpretation.

- Section 28-5 Roof Signs states that no sign shall project above the roofline or be attached to a roof of a building.

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- It is to Council's discretion in regards to allowance of the flags as shown however, the applicant is requesting approval.
  - o The Planning & Zoning Commission did not approve the flags. See below for Planning & Zoning Commission action.

**Landscape Plan** (Exhibit C)

The proposed landscape and materials used have met requirement standards. However, the applicant is requesting consideration of the amendments to the landscape set back requirements.

- The proposed 4 parallel parking spaces across from the north side of the building encroach into the required 15 foot landscape buffer by 6.5 feet.
- From the property line to the proposed curb there is 8.5 feet of landscape area, in addition to approximately 25 feet of landscaping from the property line to the existing curb line of FM 544.
- By the addition of trees and with existing trees that are to remain, the site still meets the required landscape requirements despite the reduced buffer width.
- Additionally, the landscape buffer of the fast food restaurant east of this site encroaches approximately 15 feet. Raising Cane's is requesting 6.5 feet.

Staff is supporting this request given the neighboring landscaping as well as the due diligence done by the applicant to ensure the landscaping requirements were met despite the reduced buffer.

**Monument Sign** (Exhibit D)

The monument sign meets requirements.

**Construction Plat** (Exhibit E)

The construction plat meets requirements.

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**Additional Consideration**

Cross access has been discussed for some time as it relates to access to the Jack in the Box parking lot. Initial discussions were underway considering a cross access from Raising Cane's to Jack in the Box. This would require a cross access easement.

After reviewing the site, not only Raising Cane's but Jack in the Box as well, it was determined the best location, if a cross access were to be constructed, is between Hobby Lobby's lot to the north and Jack in the Box's parking lot to the south. Considerations were given based on safety and traffic flow to discourage frontage cut through traffic to Starbucks and better emergency access to Hobby Lobby.

Cross access easement discussions with the property owner are still in process.

No cross access is recommended by way of Raising Cane's and is not considered contingent on this site plan approval.

**Board Discussion/Action**

On February 24, 2014, the Planning & Zoning Commission voted to approve the item as presented including the parking reduction request, landscape buffer reduction request and to *not* allow the flags as shown on the building elevations. The Commission approved the item 5-2 with Commission Hooper and King in opposition.

**Staff Recommendation**

Staff recommends approval of the site plan, landscape plan, building elevations, sign and construction plat as submitted with the requested amendments as noted in this agenda item.

**Attachments**

- Exhibit A – Site Plan
- Exhibit B – Building Elevations and Material Board
- Exhibit C – Landscape Plan
- Exhibit D – Monument Sign
- Exhibit E – Construction Plat

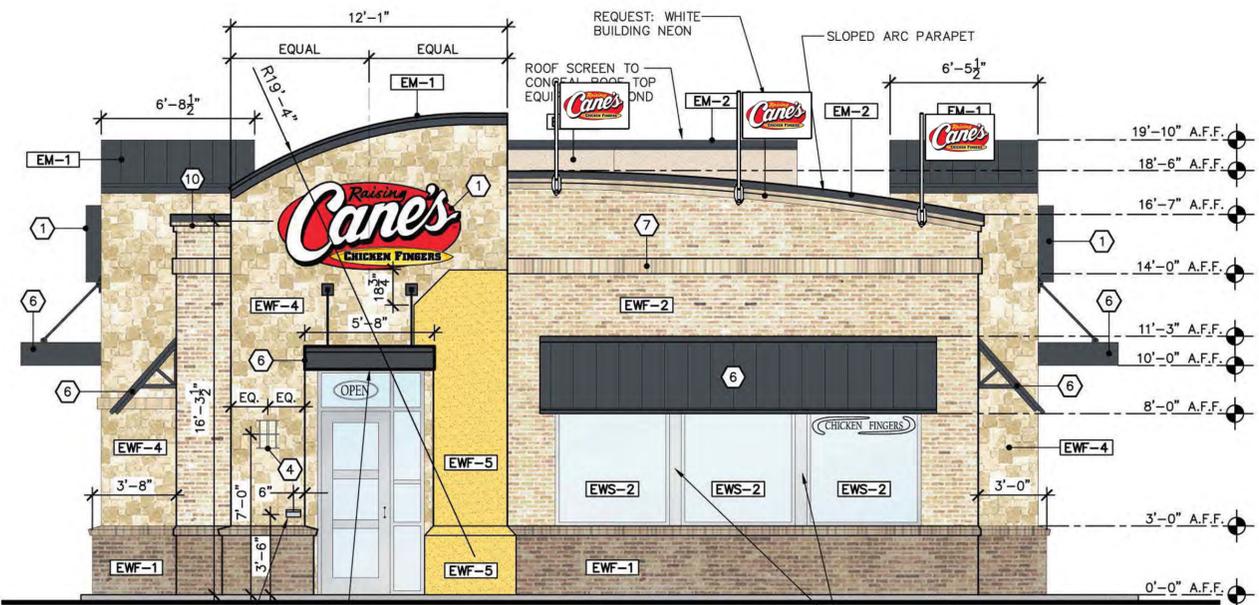
# Exhibit A

## Site Plan

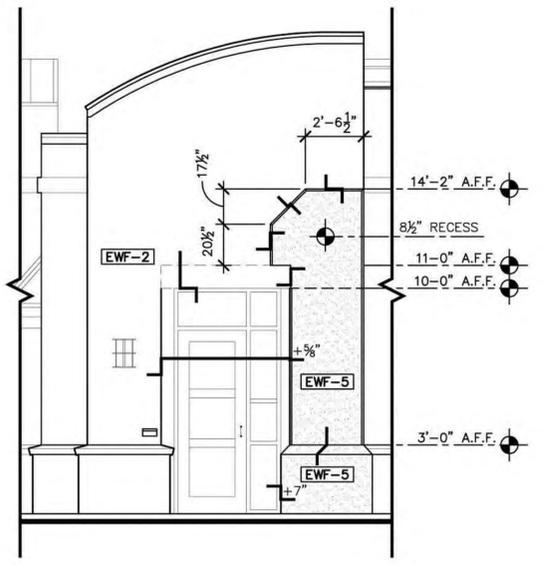


## Exhibit B

# Building Elevations and Material Board



**01** FRONT ELEVATION  
1/4" = 1'-0"  
01: A4.1



**02** FRONT TOWER PROFILES  
1/4" = 1'-0"  
02: A4.1

**BASIC FACADE ELEMENTS**

- EXTERIOR FINISHING MATERIALS:**
  - 85% MASONRY (100% W/O SCREEN=40 PTS)
- EXTERIOR COLORS:**
  - 90% NEUTRALS / EARTH TONES USED
- BUILDING MASSING:**
  - BUILDING IS LESS THAN 10,000 SF
  - AT LEAST ONE OFFSET ON EA. ELEVATION
  - OFFSETS ARE 3'-0" OR GREATER
- ROOF TREATMENT:**
  - PARAPET WALL CONSTRUCTED
  - SCREEN WALL PROVIDED TO CONCEAL ROOFTOP EQUIPMENT BEYOND
- HEIGHT-SLOPE STANDARDS:**
  - SITE IS NOT ADJACENT TO RESIDENTIAL PROPERTY
  - NO MULTI-STORY BUILDINGS IN PROPOSAL
- DOORS AND WINDOWS TREATMENT:**
  - QUANTITY BETWEEN 10% AND 75%
- GLASS TREATMENT:**
  - GLASS IS LESS THAN 27% REFLECTANCE
- PORTE-COCHERES, CANOPIES, OR AWNINGS:**
  - AWNINGS/CANOPIES EXTEND 3'-0" TYP.
- DECORATIVE ORNAMENTATION:**
  - BRICK TYPE VARIES IN TYPE AND SHADE

**EXTERIOR MATERIALS**

| MARK | DESCRIPTION   |
|------|---|
| EM-1 | STANDING SEAM METAL ROOF GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR (MATTE BLACK).              |
| EM-2 | METAL CAP FLASHING GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR (MATTE BLACK).                    |
| EM-3 | STAINLESS STEEL COVER PANEL FASTENED TO WALL W/ STAINLESS STEEL SEAT AND SCREWS PROVIDED BY OWNER INSTALLED BY G.C. |

**EXTERIOR WINDOW SYSTEMS**

| MARK  | DESCRIPTION   |
|-------|---|
| EWS-1 | DRIVE THROUGH WINDOW  |
| EWS-2 | 4 1/2" ALUM. STOREFRONT KAWNEER TRIFAB 451 II ANODIZED, TYP. U.N.O. |

**EXTERIOR WALL FINISHES**

| MARK  | DESCRIPTION  |
|-------|--|
| EWF-1 | FACE BRICK: BORAL - MESA BLEND MORTAR: LAFARGE "IVORY BUFF"  |
| EWF-2 | FACE BRICK: BORAL - ALAMO MORTAR: LAFARGE "IVORY BUFF"   |
| EWF-3 | DRYVIT #383 - HONEY TWIST 7/8" STUCCO FINISH ON SELF FURRING GALV. METAL LATH W/ FRY REGLET CORNERS, MOLDING & TRIM AS REQUIRED (RE: SPECIFICATIONS) |
| EWF-4 | LUEDERS LIMESTONE - FIELD TYPE: RANDOM HTS 8",10",12" RANDOM LENGTH SWAN TOP & BOTTOM. CHOPPED ENDS COLOR: BUFF ROUGHBACK                            |
| EWF-5 | DRYVIT #425A - AZTEC GOLD 7/8" STUCCO FINISH ON SELF FURRING GALV. METAL LATH W/ FRY REGLET CORNERS, MOLDING & TRIM AS REQUIRED (RE: SPECIFICATIONS) |

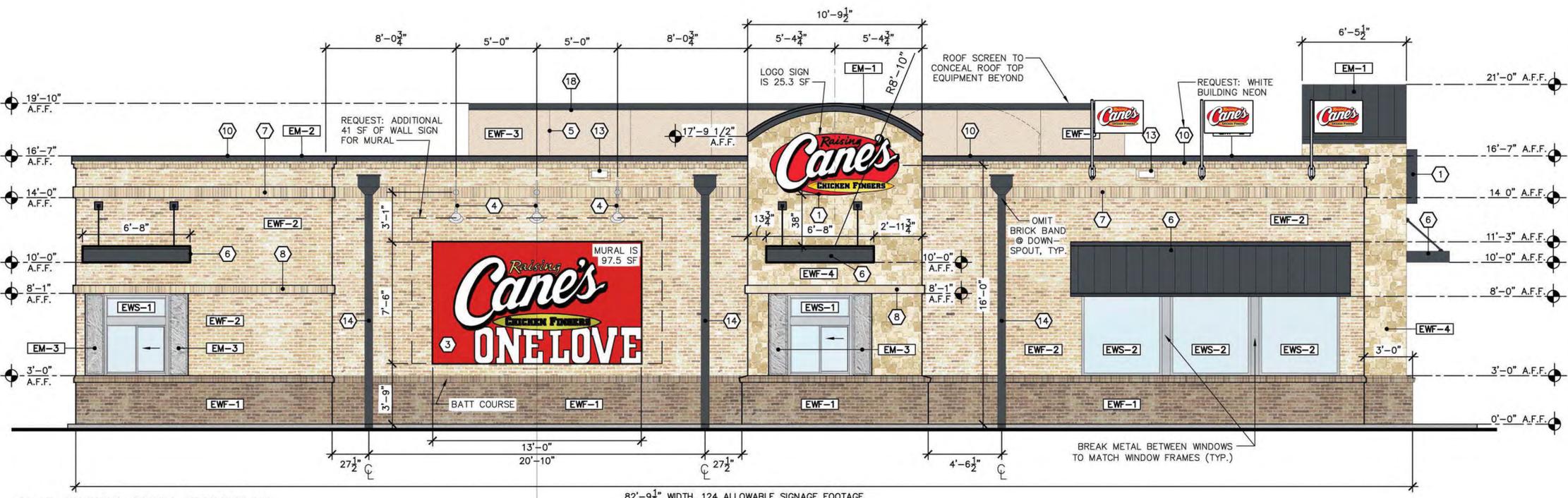
**SEALANT**

1. PROVIDE SEALANT & BACKER RODS AT ALL DISSIMILAR MATERIALS.
2. TWO-PART NONSAG POLYURETHANE SEALANT BY SONNEBORN BUILDING PRODUCTS. CUSTOM COLOR TO MATCH STUCCO AT ALL DOOR FRAMES, STOREFRONT & WINDOWS, WALL PENETRATIONS AND STUCCO TO MASONRY CONNECTIONS.

**KEY NOTES**

| MARK | DESCRIPTION   |
|------|---|
| 1    | SIGN, BY OWNER. PROVIDE BLOCKING AS REQ'D. (4'-0"xB'-0" OVAL) |
| 2    | FLAGS   |
| 3    | PAINTED MURAL, BY OWNER REQUEST: ADDITIONAL 41 SF             |
| 4    | EXTERIOR LIGHTING, RE: ELEC.                                  |
| 5    | CONTROL JOINT   |
| 6    | PRE-FABRICATED METAL CANOPY G.C. TO PERMIT SEPARATELY         |
| 7    | 8" HORIZONTAL BAND ELEMENT, BRICK OR STUCCO OR STONE AS SHOWN |
| 8    | 6" HORIZONTAL BAND ELEMENT, STUCCO OR BRICK OR STONE AS SHOWN |
| 9    | NOT USED  |
| 10   | REQUEST: NEON CHANNEL AND WHITE LIGHT NEON BY OWNER           |
| 11   | NOT USED  |
| 12   | NOT USED  |
| 13   | OVERFLOW ROOF SCUPPER COLOR: MATTE BLACK                      |
| 14   | ROOF SCUPPER & DOWNSPOUTS COLOR: MATTE BLACK                  |

NOTES:  
1. SIGNAGE TO BE APPROVED UNDER SEPARATE FILING (DEFERRED SUBMITTAL).  
2. G.C. TO PERMIT CANOPIES AND AWNINGS USING MANUFACTURER SPECIFICATIONS AND/OR SHOP DRAWINGS.



**03** DRIVE-THRU ELEVATION  
1/4" = 1'-0"  
03: A4.1



Restaurant Support Office  
5800 Tempson Parkway, Plano, TX 75024  
Tel: 972.769.3557 Fax: 972.769.3101

Store:  
**Raising Cane's**  
SW Corner  
FM544 & Murphy Road  
Murphy, TX  
Prototype 4

Professional of Record: CHRIS J. PELLEGRINI



Architect Information:  
**CSRS**  
IMAGINE SHAPE DELIVER  
6767 Perkins Road Suite 200 Baton Rouge, LA 70808  
Telephone: 225.769.0546 Fax: 225.767.0060  
www.csronline.com

Prototype Issue Date: -  
Design Bulletin Updates:  
Date Issued: Bulletin Number:

**FOR SITE PLAN REVIEW**

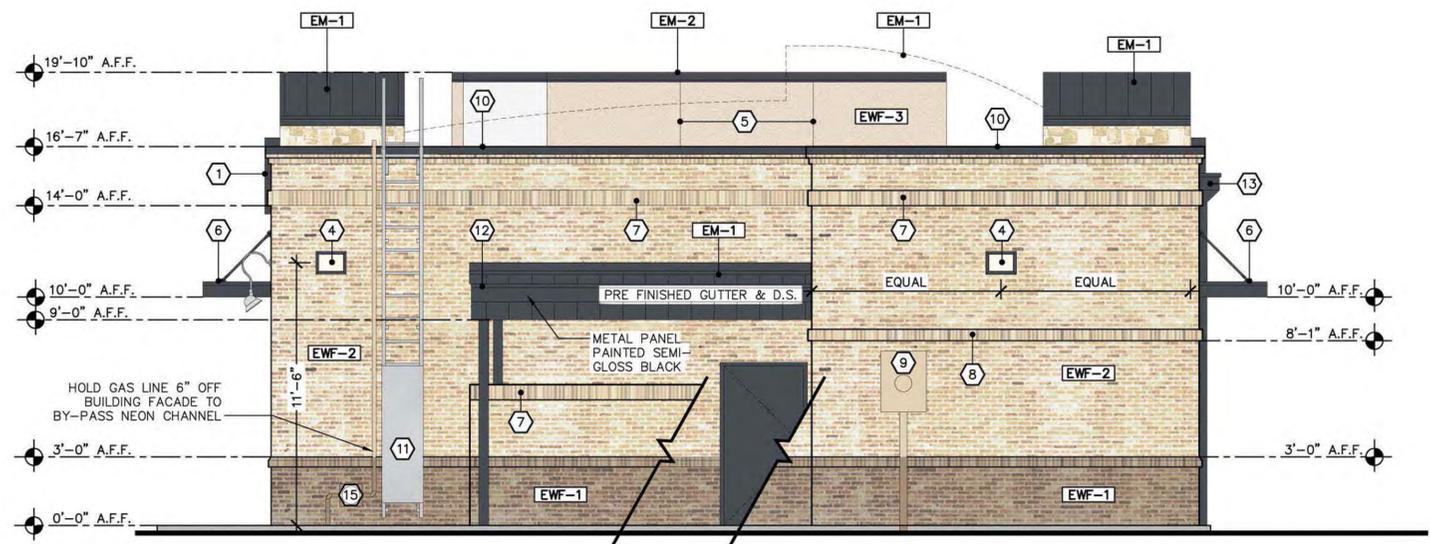
Revisions:

| # | Date | Description |
|---|------|-------------|
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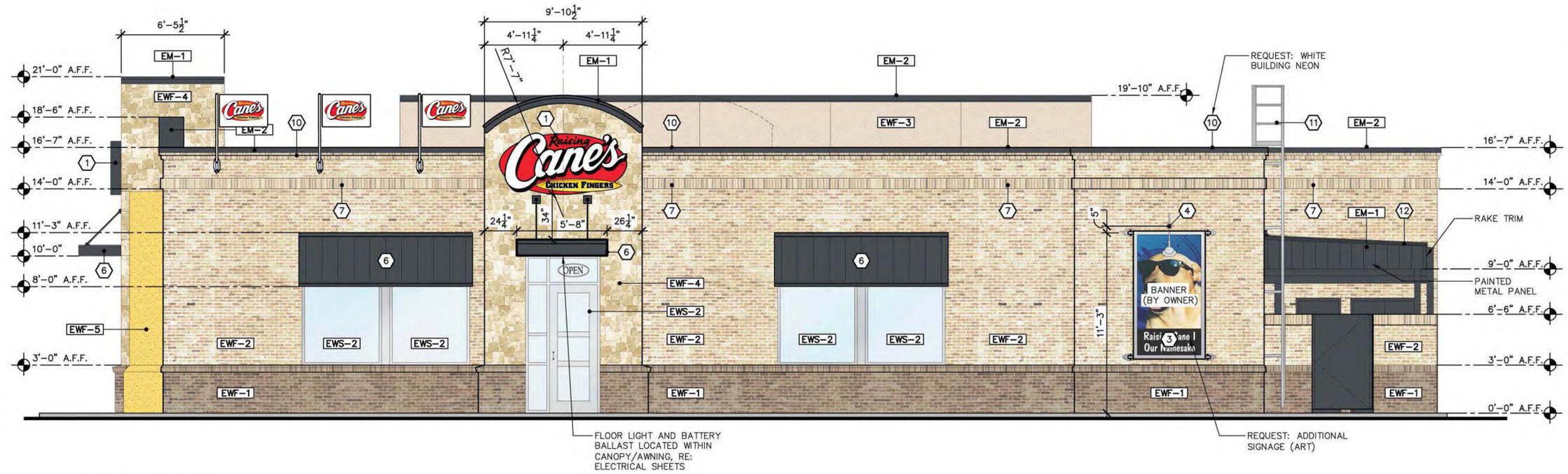
Sheet Title:  
**EXTERIOR ELEVATIONS**  
Date: January 15, 2014  
Project Number: 213183  
Drawn By: MDN

Sheet Number:

**A04.1**



**01** REAR ELEVATION  
1/4" = 1'-0"  
01:A4.2



**02** SIDE ELEVATION  
1/4" = 1'-0"  
02:A4.2

| BASIC FACADE ELEMENTS   |  |
|---|--|
| <b>EXTERIOR FINISHING MATERIALS:</b><br>- 85% MASONRY (100% W/O SCREEN=40 PTS)  |  |
| <b>EXTERIOR COLORS:</b><br>- 90% NEUTRALS / EARTH TONES USED  |  |
| <b>BUILDING MASSING:</b><br>- BUILDING IS LESS THAN 10,000 SF<br>- AT LEAST ONE OFFSET ON EA. ELEVATION<br>- OFFSETS ARE 3'-0" OR GREATER |  |
| <b>ROOF TREATMENT:</b><br>- PARAPET WALL CONSTRUCTED<br>- SCREEN WALL PROVIDED TO CONCEAL ROOFTOP EQUIPMENT BEYOND                        |  |
| <b>HEIGHT SLOPE STANDARDS:</b><br>- SITE IS NOT ADJACENT TO RESIDENTIAL PROPERTY<br>- NO MULTI-STORY BUILDINGS IN PROPOSAL                |  |
| <b>DOORS AND WINDOWS TREATMENT:</b><br>- QUANTITY BETWEEN 10% AND 75%   |  |
| <b>GLASS TREATMENT:</b><br>- GLASS IS LESS THAN 27% REFLECTANCE   |  |
| <b>PORTE-COCHERES, CANOPIES, OR AWNINGS:</b><br>- AWNINGS/CANOPIES EXTEND 3'-0" TYP.  |  |
| <b>DECORATIVE ORNAMENTATION:</b><br>- BRICK TYPE VARIES IN TYPE AND SHADE   |  |

| EXTERIOR MATERIALS |   |
|--------------------|---|
| MARK               | DESCRIPTION   |
| EM-1               | STANDING SEAM METAL ROOF GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR (MATTE BLACK).              |
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| EXTERIOR WINDOW SYSTEMS |   |
|-------------------------|---|
| MARK                    | DESCRIPTION   |
| EWS-1                   | DRIVE THROUGH WINDOW  |
| EWS-2                   | 4 1/2" ALUM. STOREFRONT KAWNEER TRIFAB 451 II ANODIZED, TYP. U.N.O. |

| EXTERIOR WALL FINISHES |  |
|------------------------|--|
| MARK                   | DESCRIPTION  |
| EWF-1                  | FACE BRICK: BORAL - MESA BLEND MORTAR: LAFARGE "IVORY BUFF"  |
| EWF-2                  | FACE BRICK: BORAL - ALAMO MORTAR: LAFARGE "IVORY BUFF"   |
| EWF-3                  | DRYWIT #383 - HONEY TWIST 7/8" STUCCO FINISH ON SELF FURRING GALV. METAL LATH W/ FRY REGLET CORNERS, MOLDING & TRIM AS REQUIRED (RE: SPECIFICATIONS) |
| EWF-4                  | LUEDERS LIMESTONE - FIELD TYPE: RANDOM HTS 8",10",12" RANDOM LENGTH SWAN TOP & BOTTOM. CHOPPED ENDS COLOR: BUFF ROUGHBACK                            |
| EWF-5                  | DRYWIT #425A - AZTEC GOLD 7/8" STUCCO FINISH ON SELF FURRING GALV. METAL LATH W/ FRY REGLET CORNERS, MOLDING & TRIM AS REQUIRED (RE: SPECIFICATIONS) |

| SEALANT   |  |
|---|--|
| 1. PROVIDE SEALANT & BACKER RODS AT ALL DISSIMILAR MATERIALS.   |  |
| 2. TWO-PART NONSAG POLYURETHANE SEALANT BY SONNEBORN BUILDING PRODUCTS. CUSTOM COLOR TO MATCH STUCCO AT ALL DOOR FRAMES, STOREFRONT & WINDOWS, WALL PENETRATIONS AND STUCCO TO MASONRY CONNECTIONS. |  |

| KEY NOTES |  |
|-----------|--|
| MARK      | DESCRIPTION  |
| 1         | SIGN, BY OWNER, PROVIDE BLOCKING AS REQ'D. (4'-0"xB'-0" OVAL)  |
| 2         | FLAGS  |
| 3         | PAINTED MURAL, BY OWNER REQUEST: ADDITIONAL 41 SF  |
| 4         | EXTERIOR LIGHTING, RE: ELEC.   |
| 5         | CONTROL JOINT  |
| 6         | PRE-FABRICATED METAL CANOPY G.C. TO PERMIT SEPARATELY  |
| 7         | 8" HORIZONTAL BAND ELEMENT, BRICK OR STUCCO OR STONE AS SHOWN  |
| 8         | 6" HORIZONTAL BAND ELEMENT, STUCCO OR BRICK OR STONE AS SHOWN  |
| 9         | ELECTRICAL CABINETS, PAINT TO MATCH STUCCO (PT-8). COORDINATE EXACT REQUIREMENTS WITH ELEC. SUB-CONTR. |
| 10        | REQUEST: NEON CHANNEL AND WHITE LIGHT NEON BY OWNER  |
| 11        | ROOF ACCESS LADDER RE: SP3. PROVIDE ALL REQ'D. BLOCKING FOR INSTALLATION.                              |
| 12        | GAS METER & PIPING, PAINT TO MATCH STUCCO (PT-8)   |
| 13        | OVERFLOW ROOF SCUPPER COLOR: MATTE BLACK   |
| 14        | ROOF SCUPPER & DOWNSPOUTS COLOR: MATTE BLACK   |

NOTES:  
1. SEE NOTES ON A4.1



Restaurant Support Office  
5800 Tempson Parkway, Plano, TX 75024  
Tel: 972.769.5557 Fax: 972.769.3101

Store:  
**Raising Cane's**  
SW Corner  
FM544 & Murphy Road  
Murphy, TX  
Prototype 4

Professional of Record: CHRIS J. PELLEGRINI



Architect Information:  
**CSRS**  
IMAGINE SHAPE DELIVER  
6767 Perkins Road Suite 200 Baton Rouge, LA 70808  
Telephone: 225.767-0546 Fax: 225.767-0060  
www.csronline.com

Prototype Issue Date: -  
Design Bulletin Updates:  
Date Issued: Bulletin Number:

**FOR SITE PLAN REVIEW**

| Revisions: |      |             |
|------------|------|-------------|
| #          | Date | Description |
|            |      |             |
|            |      |             |
|            |      |             |

Sheet Title:  
**EXTERIOR ELEVATIONS**

Date: January 15, 2014  
Project Number: 213183  
Drawn By: MDN

Sheet Number:

**A04.2**



Store:  
**Raising Cane's**  
 SW Corner  
 FM544 & Murphy Road  
 Murphy, TX  
 Prototype 4

Professional of Record: CHRIS J. PELLEGRIN



Architect Information:  
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Prototype Issue Date: \_\_\_\_\_  
 Design Bulletin Updates: \_\_\_\_\_  
 Date Issued: \_\_\_\_\_ Bulletin Number: \_\_\_\_\_

**FOR SITE PLAN REVIEW**

Revisions:

| # | Date | Description |
|---|------|-------------|
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Sheet Title:  
**MATERIAL BOARD**  
 Date: January 15, 2014  
 Project Number: 213183  
 Drawn By: MDN

Sheet Number:

**A1.0**



**Raising Cane's Prototype 4**  
**Store #173**  
**Murphy, Texas**

EXTERIOR MATERIALS AND FINISHES

1. BERRIDGE STANDING SEAM METAL ROOFING AND FLASHING
2. SHERWIN WILLIAMS TRICORN BLACK PAINT IN SEMI-GLOSS
3. SWIRLED STAINLESS STEEL PANELING AT DRIVE-THRU WINDOWS
4. ANODIZED ALUMINUM STOREFRONT WINDOWS AND DOORS
5. DRY-VIT #383 HONEY TWIST, TRUE STUCCO IN SANDPEBBLE FINISH
6. BORAL MODULAR BRICK, ALAMO IN SACK RUBBED FINISH
7. BORAL FACE BRICK, SHADOW STONE, LAFARGE IVORY BUFF MORTAR
8. LUEDERS LIMESTONE, COLOR: BUFF ROUGHBACK, RANDOM MIX



1.



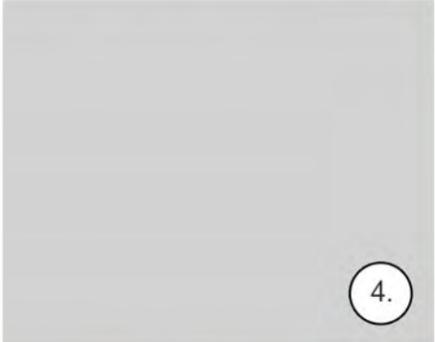
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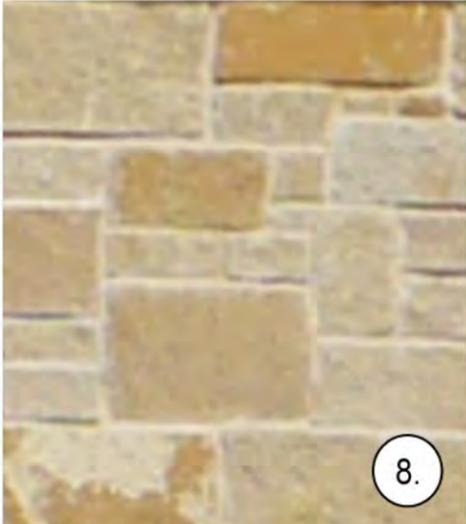
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5.



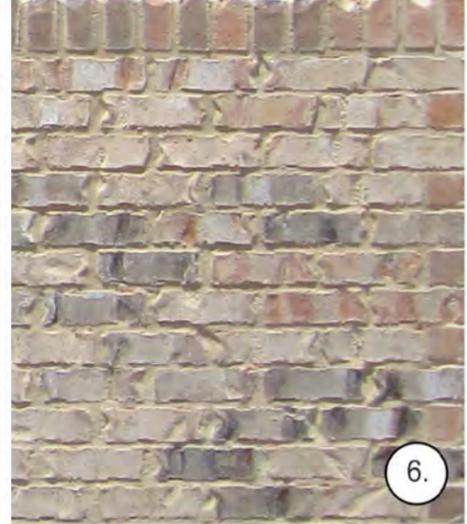
4.



8.



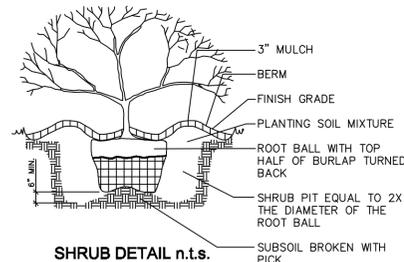
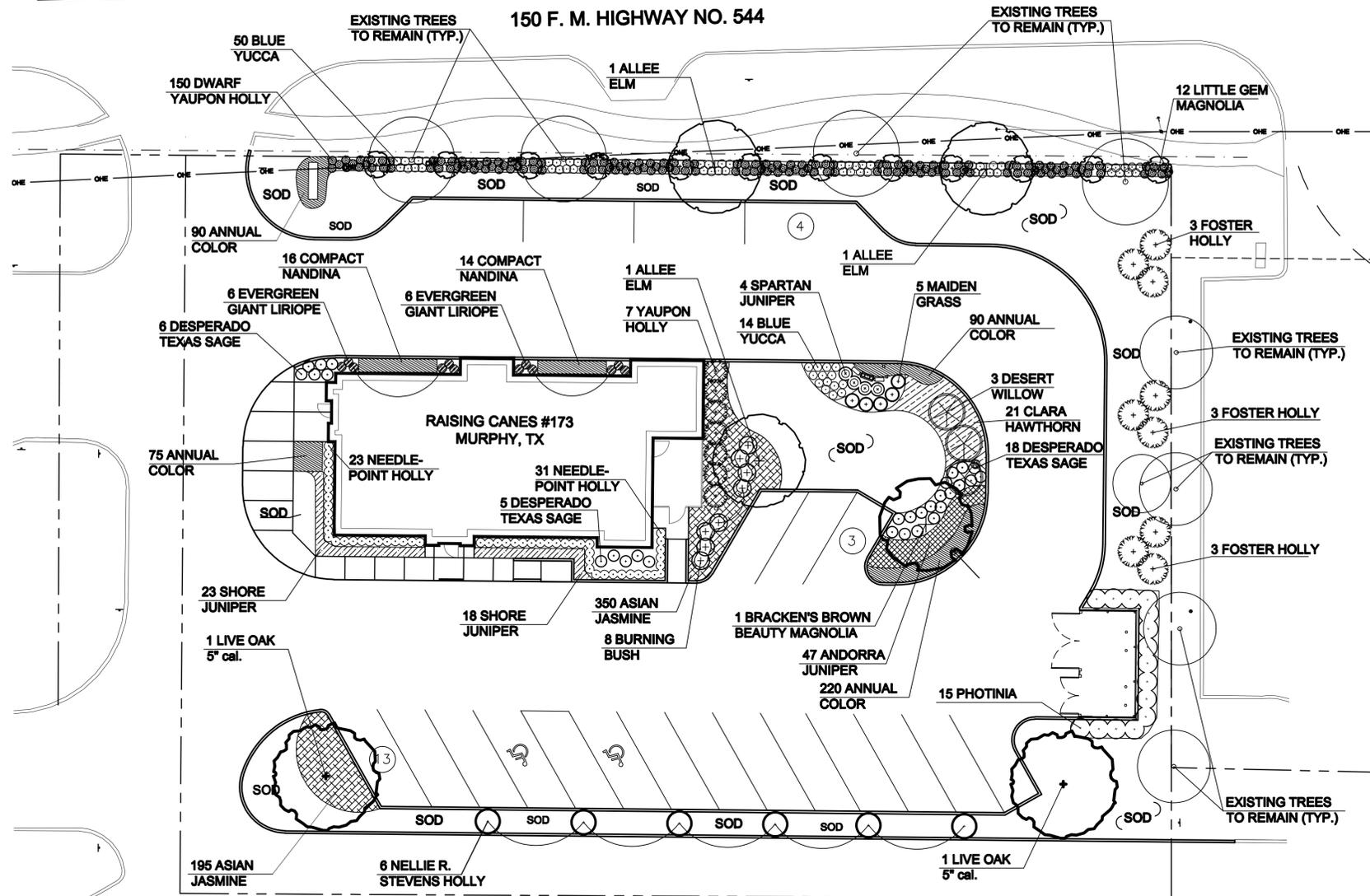
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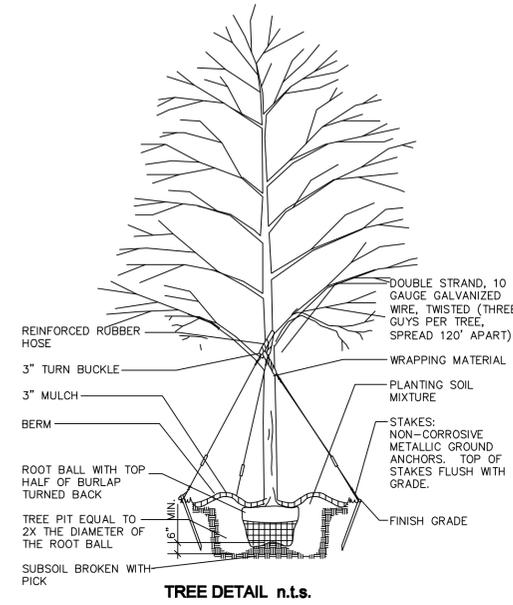
6.

# Exhibit C

## Landscape Plan



Note: All plant material specified herein are researched to be drought tolerant species.

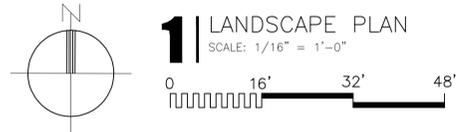


LANDSCAPE NOTES:

- INSTALL 4" MIN. TOP SOIL TO ALL SOD AND SEED AREAS. CONTRACTOR IS RESPONSIBLE FOR FINE GRADING OF SOD AND SEED AREAS. REMOVE STONES, STICKS, AND DEBRIS LARGER THAN 1".
- ALL SHRUB AREAS, UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 3" DEPTH OF PARTIALLY DECOMPOSED HARDWOOD MULCH OVER WEED BARRIER.
- PLANTING SOIL SHALL CONSIST OF 50% SELECT LOAMY TOPSOIL, 25% PEAT MOSS, 25% PIT RUN SAND.
- GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY AS PER DIRECTION OF OWNER.
- MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
- WATER AND MAINTAIN ALL PLANT MATERIALS, SEED AND SOD UNTIL INITIAL ACCEPTANCE.
- REPAIR AT NO COST TO OWNER ALL DAMAGE TO PROPERTY RESULTING FROM LANDSCAPE WORK.
- CALL 811 TO NOTIFY UTILITY COMPANY FOR LOCATING ALL UNDERGROUND UTILITIES. AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK. REPAIR ANY DAMAGE TO UTILITIES, SITE STRUCTURES, ETC., RESULTING FROM LANDSCAPE CONSTRUCTION.
- COORDINATE INSTALLATION WITH WORK OF OTHER SECTIONS.
- STAKING AND GUYING OF TREES PER NATIONAL NURSERYMANS STANDARDS.
- SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
- FIELD VERIFY SOD LIMITS PRIOR TO INSTALLATION.
- UNDERGROUND IRRIGATION SYSTEM PLANS DESIGNED BY A LICENSED IRRIGATOR WILL BE SUBMITTED WITH THE BUILDING PERMIT APPLICATION\*
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- ALL PLANT MATERIAL SPECIFIED HEREIN ARE RESEARCHED TO BE DROUGHT TOLERANT SPECIES.

Plant Schedule RC#173 150 F.M. Hwy 544, Murphy, TX 75094

| Qty | Common Name                     | Botanical Name                                | Size   | Planting                      | Remarks                              |
|-----|---------------------------------|---|--------|-------------------------------|--------------------------------------|
| 2   | Live Oak                        | Quercus virginiana                            | 5" (*) | as shown                      | Full, specimen form, container grown |
| 3   | Allee Lacebark Elm              | Ulmus parvifolia                              | 3" (*) | as shown                      | Full, specimen form, container grown |
| 1   | Bracken's Brown Beauty Magnolia | Magnolia grandiflora 'Bracken's Brown Beauty' | 3" (*) | as shown                      | Full, specimen form, container grown |
| 12  | Little Gem Magnolia             | Magnolia grandiflora 'Little Gem'             | 8'     | as shown                      | Full, container grown                |
| 3   | Desert Willow                   | Chilopsis linearis 'Bubba'                    | 1.5"   | as shown                      | Full, specimen form, container grown |
| 7   | Yaupon Holly                    | Ilex vomitoria                                | 6'-7"  | as shown                      | Full, specimen form, container grown |
| 9   | Foster's Holly                  | Ilex x attenuata 'Fosteri'                    | 6-7"   | as shown                      | Tree form, container grown           |
| 6   | Nellie R. Stevens Holly         | Ilex x 'Nellie R. Stevens'                    | 6-7"   | as shown                      | Full, container grown                |
| 15  | Fraser's Photinia               | Photinia x fraseri                            | 4-5'   | @ 3'-8" o.c.                  | Full, specimen form, container grown |
| 4   | Spartan Juniper                 | Juniperus chinensis 'Spartan'                 | 4-5'   | as shown                      | Full, container grown                |
|     |                                 |   | (*)    | DBH Diameter at Breast Height |                                      |
| 47  | Andorra Juniper                 | Juniperus horizontalis 'Youngstown'           | 3 gal  | @ 18" o.c.                    | Full, container grown                |
| 64  | Blue Yucca                      | Yucca pendula                                 | 3 gal  | as shown                      | Full, container grown                |
| 8   | Burning Bush                    | Euonymus alatus                               | 3 gal  | as shown                      | Full, container grown                |
| 21  | Clara Hawthorn                  | Raphiolepis indica 'Clara'                    | 3 gal  | @ 30" o.c.                    | Full, container grown                |
| 29  | Desperado Texas Sage            | Leucophyllum frutescens 'Desperado'           | 3 gal  | as shown                      | Full, container grown                |
| 150 | Dwf Yaupon Holly                | Ilex vomitoria 'Nana'                         | 3 gal  | as shown                      | Full, container grown                |
| 12  | Evergreen Giant Liriope         | Liriope muscari 'Evergreen Giant'             | 3 gal  | as shown                      | Full, container grown                |
| 5   | Maiden Grass                    | Miscanthus sinensis 'Gracilimus'              | 3 gal  | as shown                      | Full, container grown                |
| 54  | Needlepoint Holly               | Ilex cornuta 'Needlepoint'                    | 3 gal  | @ 22" o.c.                    | Full, container grown                |
| 41  | Shore Juniper                   | Juniperus conferta                            | 3 gal  | @ 18" o.c.                    | Full, container grown                |
| 545 | Asian jasmine                   | Trachelospermum asiaticum                     | 4" pot | @ 12" o.c.                    | Full, container grown                |
| 475 | Annual Color                    | Seasonal choice                               | 4" pot | @ 8" o.c.                     | Full, container grown                |



(\*)NOTE: LARGE TREES SHALL BE A MIN 3" CAL. @ 4' ABOVE GRADE (DBH)

LANDSCAPE REQUIREMENT COMPLIANCE  
RC 173 150 F.M. Hwy 544 Murphy, TX 75094

| Frontage Trees along street | @ 50 Frontage    | Frontage In.ft. | Required: | Provided: (x) |
|-----------------------------|------------------|-----------------|-----------|---------------|
|                             | 2 large tree     | 214             | 10        | 2             |
|                             | and 4 small tree | 5 x             | 20        | 12            |

(x) NOTE: Existing trees to remain and pending for credits to compensate for total of trees required.

| Screening buffer required along: | 150 F.M. Hwy 544 | Yes                     | Yes       |           |          |
|----------------------------------|------------------|-------------------------|-----------|-----------|----------|
| Required Parking Trees           | Total Parking    | @ 12 spaces             | Tot Req'd | Provided: | Caliper: |
|                                  | 20               | 1 large tree or 3 Ornam | 1         | 2         | 5" cal   |



Store:  
**Raising Canes**  
Store #173  
150 F.M. Hwy 544  
Murphy, TX  
Prototype 4



Architect Information:  
**CSRS**  
IMAGINE SHAPE DELIVER  
6767 Perkins Road Suite 200 Baton Rouge, LA 70808  
Telephone: 225 769-0546 Fax: 225 767-0060  
www.csronline.com

Prototype Issue Date: May 16, 2008

Design Bulletin Updates:

| Date Issued: | Bulletin Number: |
|--------------|------------------|
| -            | -                |

**FOR PERMIT**

Revisions:

| # | Date | Description |
|---|------|-------------|
|   |      |             |

Sheet Title:  
**Planting Plan**

Date: January 30, 2013  
Project Number: 213183  
Drawn By: MMG

Sheet Number:

**L1.0**



A LANDSCAPE/GROUNDS MANAGEMENT COMPANY

8943 BUZBEE DR., BATON ROUGE, LA 70809

PHONE 225.752.9177 FAX 225.752.9178

www.landrylandscape.com

February 11, 2014

Project: Raising Cane's Restaurant #173  
150 F.M. Hwy 544 Murphy and S. Murphy Rd.,  
Murphy, TX 75094

RE: Proposed Plant Materials to be installed in new restaurant.

To Whom It May Concern:

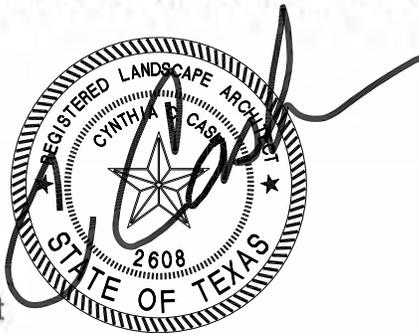
All plant materials specified herein are researched to be drought tolerant species.

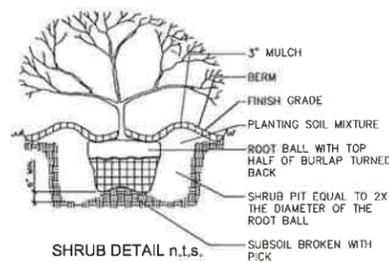
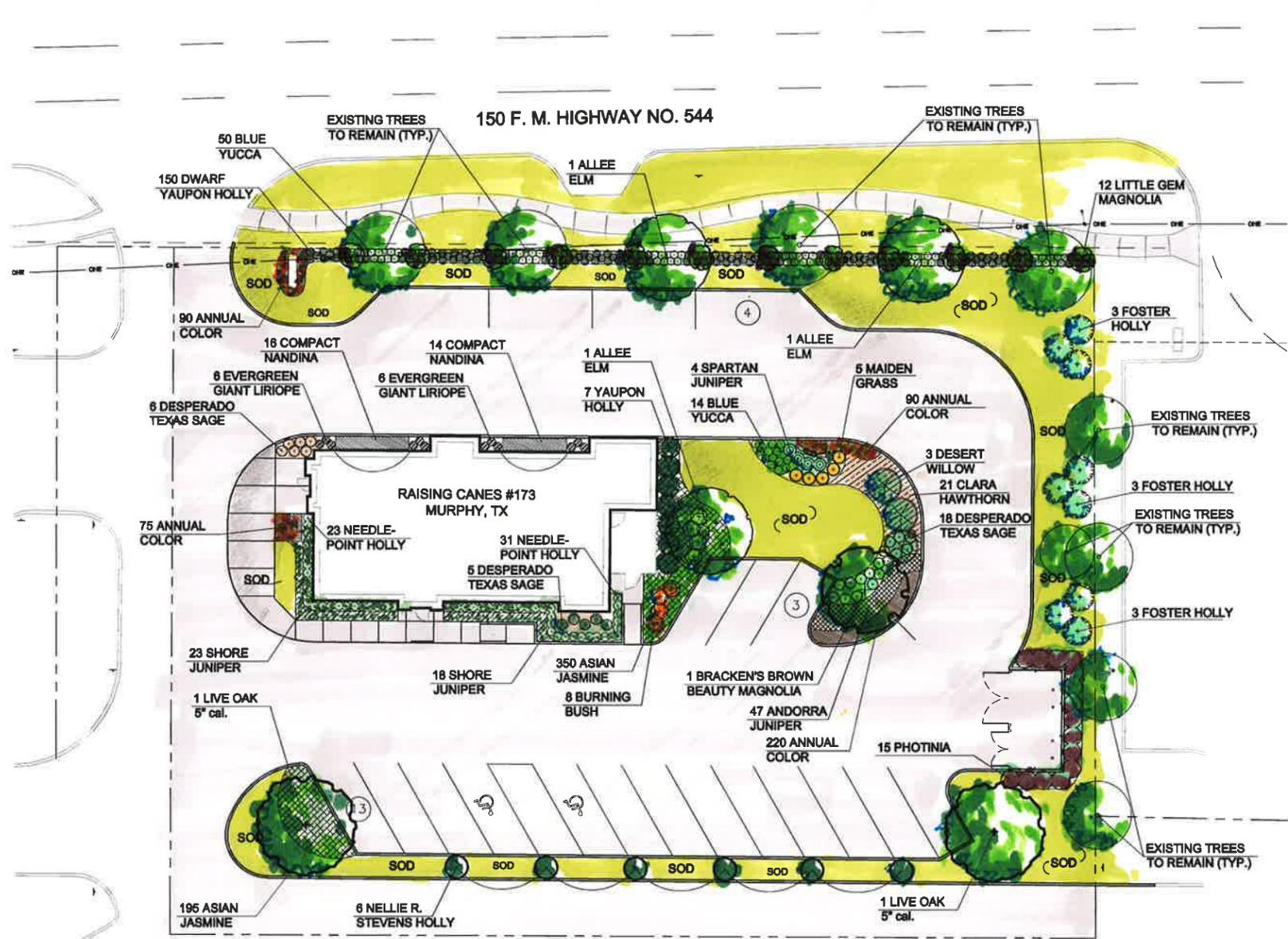
This note is submitted as required by the City.

If further information is needed please feel free to contact me at 225.766.1703 or 225.938.3890.

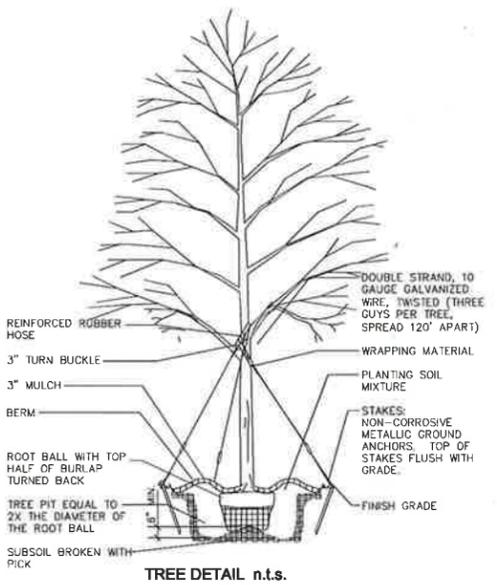
Respectfully,

Cynthia C. Cash  
Landscape Architect





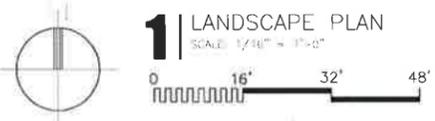
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| 475 | Annual Color                    | Seasonal choice                               | 4" pot | @ 8" o.c.                     | Full, container grown                |



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LANDSCAPE REQUIREMENT COMPLIANCE RC 173 150 F.M. Hwy 544 Murphy, TX 75094

| Frontage Trees along street | @ 50 Frontage                 | Frontage In.ft. | Required: | Provided: (x) |
|-----------------------------|-------------------------------|-----------------|-----------|---------------|
|                             | 2 large tree and 4 small tree | 214 5 x         | 10 20     | 2 12          |

(x) NOTE: Existing trees to remain and pending for credits to compensate for total of trees required.

| Screening buffer required along: | 150 F.M. Hwy 544 | Yes | Yes |
|----------------------------------|------------------|-----|-----|
|                                  |                  |     |     |

| Required Parking Trees | Total Parking | @ 12 spaces             | Tot Req'd | Provided: | Caliper: |
|------------------------|---------------|-------------------------|-----------|-----------|----------|
|                        | 20            | 1 large tree or 3 Ornam | 1         | 2         | 5" cal   |



Restaurant Support Office  
301 Main Street, Suite 700, Baton Rouge, LA 70801  
Tele: 225 383-7400 Fax: 225 383-7404

Store:  
**Raising Canes**  
Store #173  
150 F.M. Hwy 544  
Murphy, TX  
Prototype 4



Architect Information:  
**CSRS**  
IMAGINE SHAPE DELIVER  
6767 Perkins Road Suite 200 Baton Rouge, LA 70808  
Telephone: 225 769-0546 Fax: 225 767-0060  
www.csronline.com

Prototype Issue Date: May 16, 2009

Design Bulletin Updates:

| Date Issued: | Bulletin Number: |
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FOR PERMIT

Revisions:

| # | Date | Description |
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Sheet Title:  
**Planting Plan**

Date: January 30, 2013  
Project Number: 213183  
Drawn By: MMG

Sheet Number:

L1.0

# Exhibit D

## Monument Sign



4 x 8 Cane's Illuminated Logo mounted flush to brick structure

12'

Color renderings are for presentation only and should not be considered as manufacturing drawings.

Customer:  
Created:  
Revised:

Raising Cane's  
Monument 6' x 12'



Scale: 1/2" = 1'-0"  
Illustrated by: Roland

Approved:

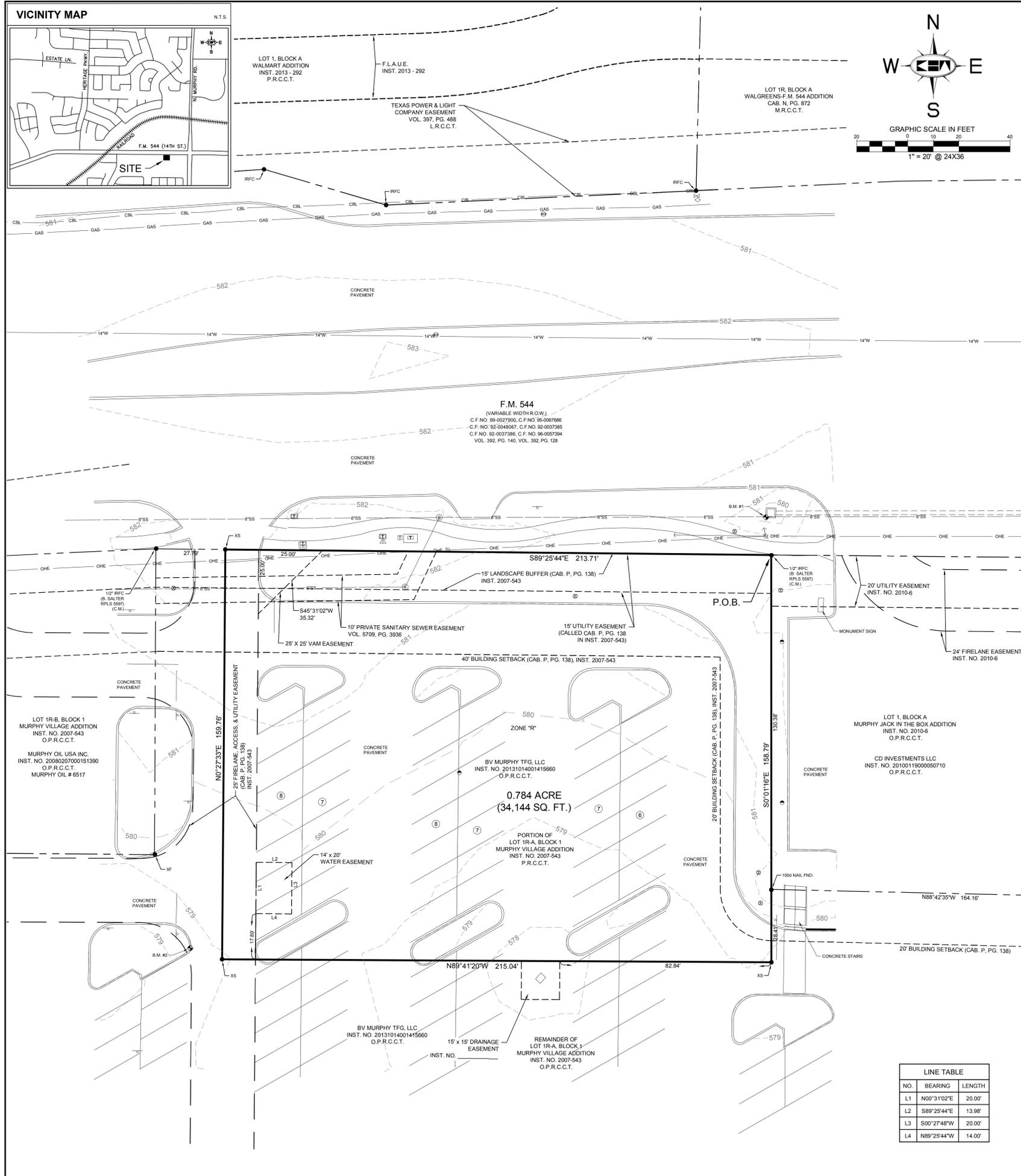
Date:



P.O. Box 8861 Dothan, AL 36304 P 888.823.9005  
F 413.294.7536 signs@completesigns.net www.completesigns.net

# Exhibit E

## Construction Plat



**OWNER'S CERTIFICATE**

WHEREAS BV MURPHY TFG, LLC, is the sole owner of a tract of land situated in the J. Maxwell Survey, Abstract No. 580, City of Murphy, Collin County, Texas, and being a portion of Lot 1R-A, Block 1 of Murphy Village Addition, an addition to the City of Murphy, Texas, according to the Final Plat thereof recorded in Instrument No. 2007-543 of the Plat Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron rod with an orange cap stamped "B. SLATER RPLS 5597" found for the most northerly, northeast corner of said Lot 1R-A, same being the northwest corner of Lot 1, Block A, Murphy Jack In The Box Addition, an addition to the City of Murphy, Texas, according to the Final Plat thereof recorded in Instrument No. 2010-6 of the Plat Records of Collin County, Texas, same also being on the southerly right of way line of F. M. 544 (a variable width right of way);

**THENCE** South 00°11'16" East, departing the southerly right of way line of said F. M. 544, along the common line of said Lot 1R-A and said Lot 1, passing at a distance of 130.38 feet, a 100d nail found for the south common corner of said Lot 1R-A and said Lot 1, continuing along the extension of said common line for a total distance of 158.79 feet to an "X" cut set for a corner;

**THENCE** North 89°41'20" West, crossing said Lot 1R-A, a distance of 215.04 feet to an "X" cut set for a corner;

**THENCE** North 00°27'33" East, continuing across said Lot 1R-A, a distance of 159.76 feet to an "X" cut set for a corner on the northerly line of said Lot 1R-A and the southerly right of way line of aforesaid F. M. 544;

**THENCE** South 89°25'44" East, along the northerly line of said Lot 1R-A and the southerly right of way line of aforesaid F. M. 544, a distance of 213.71 feet to the POINT OF BEGINNING and containing 0.784 of an acre (34,144 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That BV MURPHY TFG, LLC, acting herein by and through his/its duly authorized officer(s), does hereby adopt this plat designating the herein above described property as **MURPHY VILLAGE ADDITION**, an addition to the City of Murphy, Texas, and does hereby dedicate, in fee simple, to the public use City of Murphy, Texas Subdivision Ordinance #02-09-549 forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Murphy. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Murphy's use thereof. The City of Murphy and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Murphy and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

The area or areas shown on the plat as "VAM" (Visibility, Access and Maintenance) Easement(s) are hereby given and granted to the City, its successors and assigns, as an easement to provide visibility, right of access for maintenance upon and across said VAM Easement. The City shall have the right but not the obligation to maintain any and all landscaping within the VAM Easement. Should the City exercise this maintenance right, then it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover and fixtures. The City may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the owners. No building, fence, shrub, tree or other improvements or growths, which in any way may endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM Easement. The City shall also have the right but not the obligation to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Murphy, Texas.

WITNESS, my hand, this \_\_\_ day of \_\_\_\_\_, 2014.

BY: \_\_\_\_\_  
Printed Name and Title  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_ Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_ day of \_\_\_\_\_, 2014.

Notary Public in and for the State of \_\_\_\_\_  
My Commission Expires On: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

KNOW ALL MEN BY THESE PRESENTS:  
That I, Michael B. Marx, do hereby certify, that I prepared this plat form an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Subdivision Regulation of the City of Lancaster.

Registered Professional Land Surveyor No. 5181  
STATE OF TEXAS  
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Michael B. Marx, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_ day of \_\_\_\_\_, 2014.

Notary Public in and for the State of Texas

**OWNER:**  
BV MURPHY TFG, LLC  
901 PIER VIEW DRIVE, SUITE 201  
IDAHO FALLS, IDAHO 83402

**SURVEYOR:**  
KIMLEY-HORN AND ASSOC., INC.  
FIRM # 10193822  
5750 GENESIS COURT, SUITE 200  
FRISCO, TEXAS 75034  
TEL. NO. (972) 335-3580  
FAX NO. (972) 335-3779  
CONTACT: MICHAEL B. MARX, RPLS  
michael.marx@kimley-horn.com

**ENGINEER:**  
KIMLEY-HORN AND ASSOC., INC.  
5750 GENESIS COURT, SUITE 200  
FRISCO, TEXAS 75034  
TEL. NO. (972) 335-3580  
FAX NO. (972) 335-3779  
CONTACT: LAUREN NUFFER, PE  
lauren.nuffer@kimley-horn.com

**LEGEND**

|                            |                                 |
|----------------------------|---------------------------------|
| [ ] BOX OR PERSTAL         | [ ] COMMUNICATIONS              |
| [ ] MANHOLE                | [ ] ELECTRIC OR POWER           |
| [ ] MANHOLE                | [ ] FIBER OPTIC                 |
| [ ] MARKER SIGN            | [ ] NATURAL GAS                 |
| [ ] METER                  | [ ] PETROLEUM OR PIPELINE       |
| [ ] MARKER PIN/LAG         | [ ] RAILROAD                    |
| [ ] POLE                   | [ ] SAN. SEWER OR WASTEWATER    |
| [ ] STORAGE TANK           | [ ] STORM SEWER                 |
| [ ] VALVE (EXCEPT WATER)   | [ ] TELEPHONE                   |
| [ ] VAULT                  | [ ] TRAFFIC                     |
| [ ] WELL                   | [ ] UNIDENTIFIED                |
| [ ] CABLE TV               | [ ] WATER                       |
| [ ] ROOF DRAIN             | [ ] SECURITY CAMERA             |
| [ ] ELEVATION BENCHMARK    | [ ] SANITARY SEWER BOX          |
| [ ] FLOW DIRECTION         | [ ] SANITARY SEWER CLEAN OUT    |
| [ ] MONITORING WELL        | [ ] SANITARY SEWER LIFT STATION |
| [ ] FUEL TANK              | [ ] STORM SEWER DRAIN           |
| [ ] FLOOD LIGHT            | [ ] TRAFFIC BARRIER             |
| [ ] GUY ANCHOR             | [ ] TRAFFIC BOLLARD             |
| [ ] GUY ANCHOR POLE        | [ ] TRAFFIC CAMERA              |
| [ ] UTILITY POLE           | [ ] TRAFFIC SENSOR              |
| [ ] ELECTRIC SWITCH        | [ ] TRAFFIC SIGNAL              |
| [ ] ELECTRIC TRANSFORMER   | [ ] TRAFFIC SIGN                |
| [ ] HANDICAPPED PARKING    | [ ] TREE                        |
| [ ] PARKING METER          | [ ] WATER BOX                   |
| [ ] RAILROAD SIGNAL        | [ ] FIRE SPRINKLER CONNECTION   |
| [ ] RAILROAD SIGN          | [ ] FIRE HYDRANT                |
| [ ] SIGN                   | [ ] WATER VALVE                 |
| [ ] MANDIBLE/RELEASE VALVE | [ ] AIR RELEASE VALVE           |
| [ ] AC UNIT                | [ ] WATER WELL                  |
| [ ] BASKET BALL GOAL       | [ ] CONTROLLING MONUMENT        |
| [ ] BORE LOCATION          | [ ] 5/8" IRON ROD WITH CAP SET  |
| [ ] FLAG POLE              | [ ] IRON ROD WITH CAP FOUND     |
| [ ] GOAL POST              | [ ] PK NAIL SET                 |
| [ ] GREASE TRAP            | [ ] PK NAIL FOUND               |
| [ ] IRRIGATION VALVE       | [ ] IRON ROD FOUND              |
| [ ] LIGHT STANDARD         | [ ] "X" CUT IN CONCRETE SET     |
| [ ] MAIL BOX               | [ ] "X" CUT IN CONCRETE FOUND   |
| [ ] NEWS STAND             | [ ] P.O.B. POINT OF BEGINNING   |
| [ ] PHONE BOOTH            | [ ] P.O.C. POINT OF COMMENCING  |

**LINE TYPE LEGEND**

|     |                            |
|-----|----------------------------|
| --- | BOUNDARY LINE              |
| --- | EASEMENT LINE              |
| --- | BUILDING LINE              |
| --- | WATER LINE                 |
| --- | SANITARY SEWER LINE        |
| --- | STORM SEWER LINE           |
| --- | UNDERGROUND GAS LINE       |
| --- | OVERHEAD UTILITY LINE      |
| --- | UNDERGROUND ELECTRIC LINE  |
| --- | UNDERGROUND TELEPHONE LINE |
| --- | FENCE                      |
| --- | CONCRETE PAVEMENT          |
| --- | ASPHALT PAVEMENT           |

**NOTES:**

- All corners set are monumented with a 5/8 inch iron rod with plastic cap stamped "KHA", unless otherwise noted.
- The bearings system for this survey is based on a bearing of North 02° 12' 34" East, according to General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas.

**FLOOD STATEMENT:**

According to Map No. 48085C0415J, dated June 2, 2009 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property located in Zone X (unshaded) and is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas.

RECOMMENDED BY: Planning and Zoning Commission, City of Murphy, Texas

Signature of Chairperson Date of Recommendation \_\_\_\_\_

APPROVED BY: City Council, City of Murphy, Texas

Signature of Mayor Date of Approval \_\_\_\_\_

ATTEST:  
City Secretary Date \_\_\_\_\_

**CONSTRUCTION PLAT  
MURPHY VILLAGE ADDITION  
LOT 1R-A2, BLOCK A  
BEING 0.784 ACRE SITUATED IN THE  
J. MAXWELL SURVEY  
ABSTRACT NO. 580  
CITY OF MURPHY, COLLIN COUNTY, TEXAS**

**Kimley-Horn and Associates, Inc.**  
5750 Genesis Court, Suite 200  
Frisco, Texas 75034  
FIRM # 10193822  
Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

| Scale    | Drawn by | Checked by | Date      | Project No. | Sheet No. |
|----------|----------|------------|-----------|-------------|-----------|
| 1" = 20' | MBM      | KHA        | FEB. 2014 | 069313201   | 1 OF 1    |

**LINE TABLE**

| NO. | BEARING     | LENGTH |
|-----|-------------|--------|
| L1  | N00°31'02"E | 20.00' |
| L2  | S89°25'44"E | 13.98' |
| L3  | S00°27'48"W | 20.00' |
| L4  | N89°25'44"W | 14.00' |

**City Council Meeting**  
**March 4, 2014**

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**Issue**

Consider and/or act on Planned Development District Ordinance No. 03-10-590 (Gables and Ranch).

**Summary**

Council held discussions on this item at their June 4, 2013 and October 15, 2013 meetings.

On May 21, 2013, a resident spoke to the City Council on behalf on behalf of the Ranch Subdivision property owners regarding the maintenance of the wooden fence along McWhirter Road and the requirements set forth in Ordinance 03-10-590, the planned development regulations for the subdivision.

**Background**

On October 20, 2003, the City Council adopted Ordinance No. 03-10-590 creating a Planned Development District for Single Family Uses with conditions, also known as The Ranch and Gables PD. This PD governs Phases 3-8 of The Ranch at North Hill and all phases of The Gables at North Hill subdivisions.

On May 17, 2010, the City Council approved an amendment to Ordinance No. 03-10-590 that eliminated a tree maintenance requirement.

On October 2, 2011, the City Council approved an amendment to Ordinance No. 03-10-590 that eliminated the masonry requirement for accessory buildings.

**Conditions**

1. There is limited history available in regards to the approval of this Planned Development District from 2003 and/or the background as to the inclusion of the section in question.
2. Planned Development District Ordinance No. 03-10-590 (Gables and Ranch), Section H. Screening states (section in question is italicized):

H. Screening: The screening shall be as reflected on the concept plan and as listed below, except as allowed by the Planning and Zoning and City Council. Permanent signage shall be permitted at all major entry points. *All screening shall be maintained by the Homeowners' Association except for the 6-foot high board-on-board wooden fence with a top rail along McWhirter Road, which shall be maintained by each owner on whose lot the fence is located. Lots abutting dedicated park land shall have fencing consisting of an 8-foot high board-on-board wooden fence with a top rail, which shall have no access points (openings) to the park and shall be maintained by each owner on whose lot the fence is located.*

1. McWhirter Road -

**City Council Meeting**  
**March 4, 2014**

---

- i. A living screen shall be constructed as shown on the concept plan. The lots backing to McWhirter shall be deed restricted to require a 6-foot high board-on-board wooden fence with a top rail.
  2. McCreary Road -
    - i. A 6-foot high brick thinwall will be constructed.
  3. Betsy Lane
    - i. A 6-foot high brick thinwall will be constructed.
  4. Lots abutting dedicated park land-
    - i. The lots abutting dedicated parkland shall be deed restricted to require an 8-foot high board-on-board wooden fence with top rail.
3. If Council were to request amendment to this section of the PD affecting approximately thirty residences, public notification would be required to all residences within the Ranch and Gables (approximately 650 homes) governed by PD NO. 03-10-590.

**Action Requested**

If Council wants staff to move forward with a zoning request to amend this section of PD No. 03-10-590, public hearings will be set and held and considered by the Planning & Zoning Commission and City Council. Staff direction is requested.

**Attachments**

Planned Development District Ordinance No. 03-10-590

**ORDINANCE 03-10-590**

**AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 12 BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 286.5 ACRES OUT OF THE C.A. MCMILLAN SURVEY, ABSTRACT NO. 588, TRACTS 33, 49, 46, 34, AND 50, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, FROM ITS PRESENT SINGLE FAMILY 1, SINGLE FAMILY 2, AND PLANNED DEVELOPMENT-RESIDENTIAL DISTRICT TO A PLANNED DEVELOPMENT SINGLE FAMILY RESIDENTIAL; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Zoning Commission of the City of Murphy, Texas, and the Governing Body of the City of Murphy, in compliance with state law with reference to the Zoning Ordinance Regulations and Zoning Map, have given requisite notices by publication and otherwise and, after holding due hearings and affording a full and fair hearing to all the property owners generally and to the persons situated in the affected area and in the vicinity thereof; and

**WHEREAS**, all legal requirements, conditions and prerequisites have been complied with prior to the case coming before the City Council for the City of Murphy; and

**WHEREAS**, the Governing Body of the City of Murphy, after determining that all legal requirements of notice and hearing have been met, is of the opinion that the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare of the City and, accordingly, finds that it is in the public interest to amend the zoning ordinance and the changes should be made as set forth herein.

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

**Section 1.** That all of the above premises are hereby found to be true and correct legislative findings of the City and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**Section 2.** The Zoning Ordinance of the City of Murphy is hereby amended, insofar as the property described, by amending the Zoning Map and Plat of the City of Murphy to change the zoning classification of approximately 286.5 acres of land (as more particularly described on Exhibit “A” attached hereto and incorporated herein by reference) which is presently zoned Single Family 1, Single Family 2, and Planned Development, to be zoned Planned Development – Single Family Residential District.

**Section 3.** A copy of the Planned Development requirements, the Gables and Ranch Planned Development, is attached hereto marked Exhibit “B” and incorporated herein by reference for all purposes.

**Section 4.** The Land Plan for the affected property is attached hereto marked Exhibit “C” and incorporated herein by reference for all purposes.

**Section 5.** The City Secretary is hereby directed to correct the Zoning Map of the City of Murphy to reflect the changes in zoning herein.

**Section 6.** In all other respects, the said property shall be subject to all applicable regulations contained in the Zoning Ordinance of the City of Murphy.

**Section 7. Penalty Clause.** Any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to the same penalties provided for in §10.99 of the Code of Ordinances of the City of Murphy.

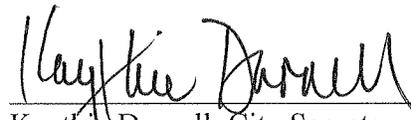
**Section 8. Severability Clause.** If any section, part of a section or provision of any section of this Ordinance shall be held to be void, ineffective, or unconstitutional by a court of competent jurisdiction, the holding of such section, part of a section, or provision of any section to be void, ineffective or unconstitutional for any cause whatsoever shall in no way affect the validity of the remaining sections and provisions of the Ordinance which shall remain in full force and effect.

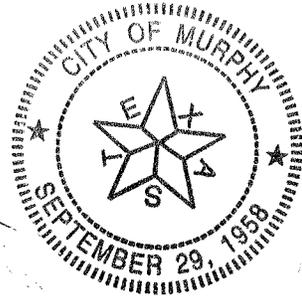
**Section 9. Effective Date.** This Ordinance shall become effective and be in full force and effect from and after the date of the passage in accordance with the provisions of State law.

**DULY PASSED AND APPROVED** BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS on this the 20th day of October 2003.

  
David Trudeau, Mayor  
City of Murphy

ATTEST:

  
Kaythe Darnell, City Secretary  
City of Murphy



APPROVED AS TO FORM AND LEGALITY:

  
Robert Brown, City Attorney

**EXHIBIT "A"****PROPERTY DESCRIPTION**

STATE OF TEXAS  
COUNTY OF COLLIN

BEING a tract of land situated in the C.A. McMillan Survey, Abstract No. 558, Collin County, Texas and being all of a tract of land as described in a deed to LUMBERMEN'S INVESTMENT CORPORATION as recorded in Volume 5012, Page 2550 Deed Records of Collin County, Texas (DRCCT) and all of a tract of land as described in a deed to LUMBERMEN'S INVESTMENT CORPORATION as recorded in Volume 4868, Page 5731 (DRCCT) and all of a tract of land as described in a deed to D.R. HORTON-TEXAS LTD. As recorded in Volume 4799, Page 2252 (DRCCT) and all of a tract of land as described in a deed to D.R. HORTON-TEXAS LTD. As recorded in Volume 4658, Page 1236 (DRCCT) and all of a tract of land as described in a deed to D.R. HORTON-TEXAS LTD. being Lot 1 thru 7, Block A, Lot 1 thru 7, Block B, Lot 1 thru 14, Block C, Lot 1 thru 4, Block D as recorded in Cabinet N, Page 761 Plat Records of Collin County (PRCCT) and being more particularly described as follows:

COMMENCING at a ½ inch iron rod set for the intersection of the centerline of McCreary Road and the centerline of McMillen Road, said iron rod being the most southeasterly corner of a tract of land as described in a deed to S.A.A.M. TRUST as recorded in Volume 4536, Page 2324(DRCCT);

THENCE along the centerline of McCreary Road as follows:

North 01°46'33" East a distance of 1090.14 feet to a 5/8 inch iron rod found for corner;

North 00°53'55" East a distance of 144.35 feet to a ½ inch iron rod set for the POINT OF BEGINNING;

THENCE departing the centerline of said McCreary Road North 89°06'05" West a distance of 471.62 feet to a point for corner;

THENCE South 00°54'47" East a distance of 386.40 feet to a point for corner in the centerline of BETSY LANE (a 110 foot right-of-way), said point being the beginning of a non-tangent curve to the right having a radius of 1500.00 feet, a chord bearing North 71°06'05" West and a chord distance of 304.96 feet;

THENCE along said non-tangent curve to the right thru a central angle of 11°40'08" for an arc length of 305.49 feet to a point for the beginning of a curve to the left having a radius of 1500.00 feet, a chord bearing North 77°35'34" West and a chord distance of 640.41 feet;

THENCE along said curve to the left thru a central angle of 24°39'06" for an arc length of 645.38 feet to a point for corner;

THENCE North 89°55'07" West a distance of 735.45 feet to a point for the beginning of a curve to the left having a radius of 1500.00 feet, a chord bearing South 81°12'35" West and a chord distance of 462.67 feet;

THENCE along said curve to the left thru a central angle of 17°44'36" for an arc length of 464.52 feet to a point for the beginning of a curve to the right having a radius of 1500.00 feet, a chord bearing South 73°31'20" West and a chord distance of 61.99 feet;

THENCE along said curve to the right thru a central angle of 2°22'05" for an arc length of 62.00 feet to a point for corner;

THENCE South 1°23'36" East a distance of 105.88 feet to a point for corner;

THENCE South 89°44'32" West a distance of 2119.05 feet to a point for corner;

Departing said BETSY LANE as follows:

North 9°14'33" West a distance of 230.88 feet to a point for corner;  
 North 84°53'17" West a distance of 313.23 feet to a point for corner;  
 South 87°40'55" West a distance of 105.12 feet to a point for corner;  
 South 81°05'37" West a distance of 92.02 feet to a point for corner;  
 North 1°14'33" East a distance of 804.11 feet to a point for corner;  
 North 78°31'34" East a distance of 215.75 feet to a point for corner;  
 North 45°33'40" East a distance of 152.59 feet to a point for corner;  
 North 4°56'55" East a distance of 270.75 feet to a point for corner;  
 North 87°36'41" West a distance of 29.97 feet to a point for corner;  
 North 35°47'08" East a distance of 129.99 feet to a point for corner;  
 North 17°30'41" East a distance of 35.18 feet to a point for corner;  
 North 0°32'56" East a distance of 98.76 feet to a point for corner;  
 North 29°24'50" West a distance of 45.19 feet to a point for corner;  
 South 89°57'37" East a distance of 187.20 feet to a point for corner;  
 North 0°22'06" West a distance of 463.24 feet to a point for corner;  
 North 1°23'04" West a distance of 435.89 feet to point for corner, said corner being in the centerline of McWHIRTER ROAD (a 60 foot right-of-way);

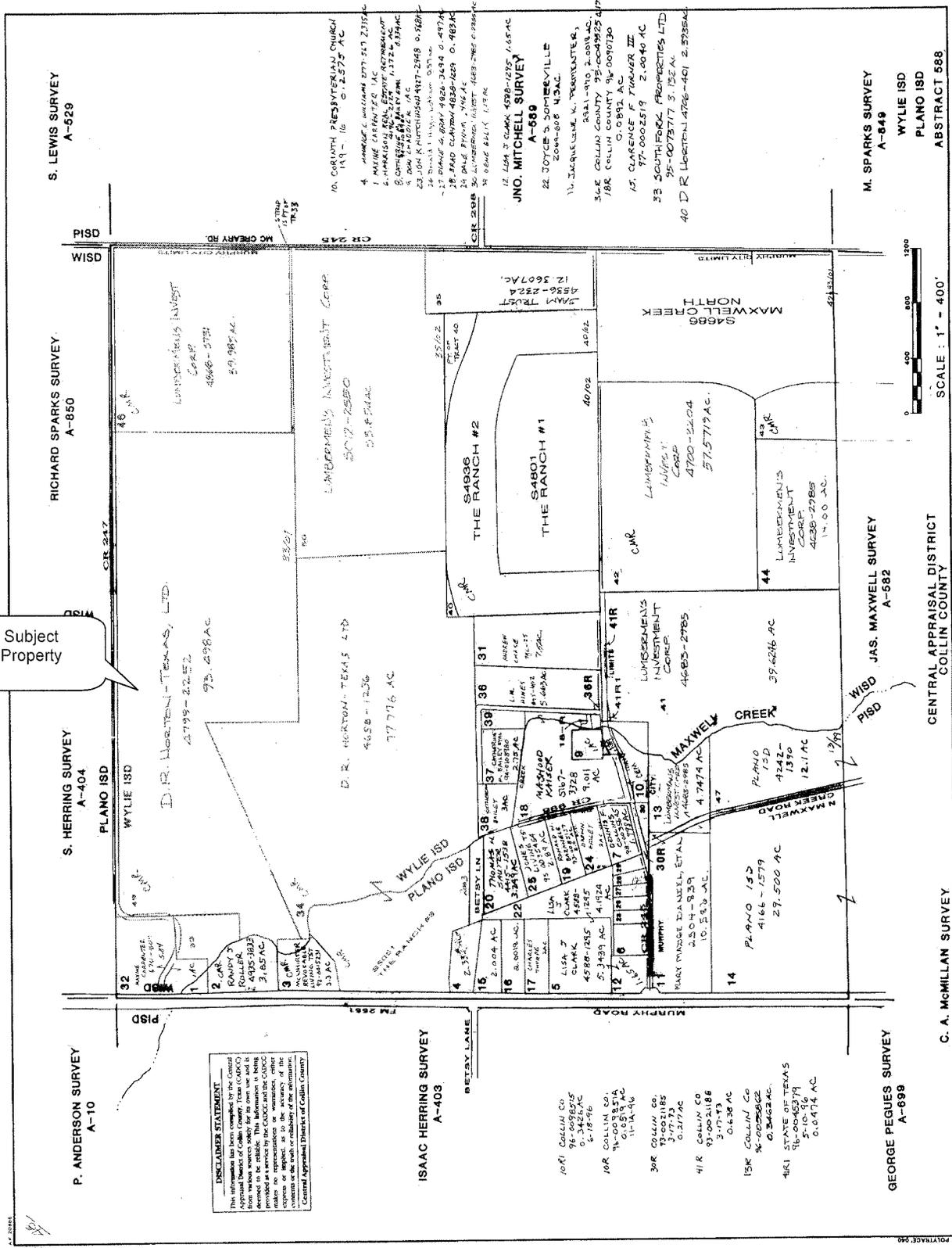
THENCE South 89°25'06" East a distance of 4759.83 feet to a point for corner;

THENCE South 0°58'23" West a distance of 1291.10 feet to a point for corner;

THENCE South 0°53'55" West a distance of 953.62 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 286.486 acres or 12,479,331 square feet of land more or less. The bearings contained herein are based upon the boundary line agreement as recorded in Volume 1673, Page 260 (DRCCT).

Subject Property



## EXHIBIT "B"

### PLANNED DEVELOPMENT REQUIREMENTS

Gables and Ranch

Murphy, Texas

- I. **Statement of Purpose:** The purpose of this Planned Development District is to establish a concept plan and specific conditions for the development of the properties known as the Gables and Ranch subdivisions. The intent of this planned development is to provide a quality residential subdivision with a variety of lot and dwelling sizes, and additional project amenities.
  
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
  
- III. **General Regulations:** All regulations of the Single-Family Residential Districts shall apply as set forth in Section 157.062 of the Murphy Zoning Code, as amended, except as otherwise specified herein.
  
- IV. **Development Plans:** Development shall be in accord with the concept plan and exhibits as attached. However, in the event of conflict between the concept plan and the written conditions, the written conditions shall control. The concept plan shall also serve as the land use plan.
  
- V. **Development Regulations:**
  - A. **Minimum Lot Criteria:** The lot designation shall be as indicated on the concept plan and the following minimums shall apply:
    1. **SF-9**
      - a. Minimum lot size: 9,000 square feet
      - b. Minimum lot width: 75 feet (at front yard setback build line)
      - c. Minimum lot depth: 120 feet
      - d. Except lots on cul-de-sac's and eyebrows may vary in width and depth as indicated on the concept plan contained herein, but in no event shall be less than 9,000 square feet in size.
      - e. Minimum front yard setback: 25 feet
      - f. Minimum side yard setback adjacent to a street: 15 feet
      - g. Minimum side yard setback not adjacent to a street: 7 feet
      - h. Minimum rear yard setback: 15 feet
  
    2. **SF-11**
      - a. Minimum lot size: 11,000 square feet

- b. Minimum lot width: 90 feet (at front yard setback build line)
- c. Minimum lot depth: 120 feet
- d. Except lots on cul-de-sac's and eyebrows may vary in width and depth as indicated on the concept plan contained herein, but in no event shall be less than 11,000 square feet in size.
- e. Minimum front yard setback: 25 feet
- f. Minimum side yard setback adjacent to a street: 15 feet
- g. Minimum side yard setback not adjacent to a street: 7 feet
- h. Minimum rear yard setback: 15 feet

B. **Minimum dwelling unit area:** The minimum dwelling unit area shall be 1,800 square feet of living area only, not to include eaves, porches, garages and breezeways.

C. **Minimum exterior construction standards:** The standards and criteria contained within this subsection are deemed minimum standards and shall apply to all building construction occurring within the Gables and Ranch PD.

Single-Family:

1. All single-family homes exterior shall be of fire-resistant construction, and shall have a minimum of 75% masonry (brick and stone) construction for the entire house, except for windows and doors. This masonry (brick and stone) requirement shall include accessory buildings and/or detached garages.
2. Any exterior façade of a new single-family home (regardless of location) that faces a public street shall be predominantly masonry (brick or stone), and no single façade shall be comprised of less than 75% masonry (brick or stone), construction. In addition, 10% of the single-family structures, up to a maximum of 69 single-family homes, shall include 20% stone and 80% brick on the front exterior facade. Areas of a home's façade that are devoted to windows, doors, covered porches or stoops, or chimneys, shall not be counted as "wall surface" when calculating the masonry (brick or stone) requirement provided that covered porches and stoops are at least four feet (4') deep and eight feet (8') wide (i.e., at least 64 square feet in area).
3. Concrete, concrete block, stucco, exterior plaster, trowel and textured

mortar washed surfaces or metal exterior construction shall not be permitted on any single-family residential structure, including accessory buildings and/or detached garages.

4. Roof materials for a single-family structure, including accessory buildings and detached garages shall be comprised of architectural/dimensional composition shingle (25-year minimum), flat pan standing seam metal roofing (only with a factory baked-on muted color finish; no bright colors or natural-colored metal roofing allowed), or terra cotta or slate tile in muted colors. Minimum predominant roof pitch shall be at least 6:12, and except for “Santa Fe” (with a flat roof and highly articulated parapet that conceals the roof and any roof-mounted equipment), “Texas ranch house” (with low pitched roofs, large eaves/overhangs, rambling design), or other uniquely styled home (which may be granted a special exception to the roof pitch requirement by the Zoning Board of Adjustments).

**D. Minimum Landscaping Standards**

1. For any premises located in Ranch and Gables PD the premises shall have one (1) shade tree located within 15 feet of the front lot line for each fifty (50) feet of lot width or portion thereof, measured along the front lot line. Trees may be clustered or spaced linearly and need not be placed evenly at 50-foot intervals.
2. The required trees and landscaping shall be installed prior to issuance of a Certificate of Occupancy for the premises, and shall be maintained in a living and growing condition by the owner of the premises. All plant material shall be replaced with plant material as required in Section d.3.
3. The required trees shall be a minimum of three-inch (3”) caliper measured forty-eight inches (48”) above the ground. If the tree is located on a slope, measurement shall be from the highest side of the slope. The trees shall be selected from the current Texas A&M University Collin County Extension Agent’s list of recommended tree list.

**E. Minimum height required:**

Required trees: seven feet (7’-0”) in height.

**F. Park Fees:**

Payment of park fees will only be required on the number of lots that are over and above the existing concept plans for the Ranch and the Gables.

1. The payment of the park fees will be at the time of final platting with respect to the first lots platted by Lumbermen's Investment Corporation ("LIC") or D. R. Horton, Incorporated ("DRHI"), as applicable, and will commence with the initial phase of development.

2. These park fees shall be utilized for park improvements within the approximately 12.09-acre park as shown on the concept plan within this planned development.

3. If LIC and/or DRHI provide improvements to the City Public Park area, those costs will be credited toward satisfaction of the required park fees.

G. **Private Recreational Facility:** A private recreational facility will be constructed by LIC on the 1.14-acre tract as shown on the concept plan. Prior to the development of the private recreational facility, a detail plan and elevations shall be approved through the public hearing process. The Homeowners' Association will maintain this facility. This facility will provide parking per the City of Murphy Code. In addition to these spaces, an additional 10 to 15 spaces will be constructed by LIC as part of the above referenced park improvements. A common access easement will be provided by the City of Murphy for the benefit of LIC, its successors and assigns including the Homeowners' Association, its members and their guests, through the current city water tank site to the private recreational site.

H. **Screening:** The screening shall be as reflected on the concept plan and as listed below, except as allowed by the Planning and Zoning and City Council. Permanent signage shall be permitted at all major entry points. All screening shall be maintained by the Homeowners' Association except for the 6-foot high board-on-board wooden fence with a top rail along McWhirter Road, which shall be maintained by each owner on whose lot the fence is located. Lots abutting dedicated park land shall have fencing consisting of an 8-foot high board-on-board wooden fence with a top rail, which shall have no access points (openings) to the park and shall be maintained by each owner on whose lot the fence is located.

1. **McWhirter Road** –

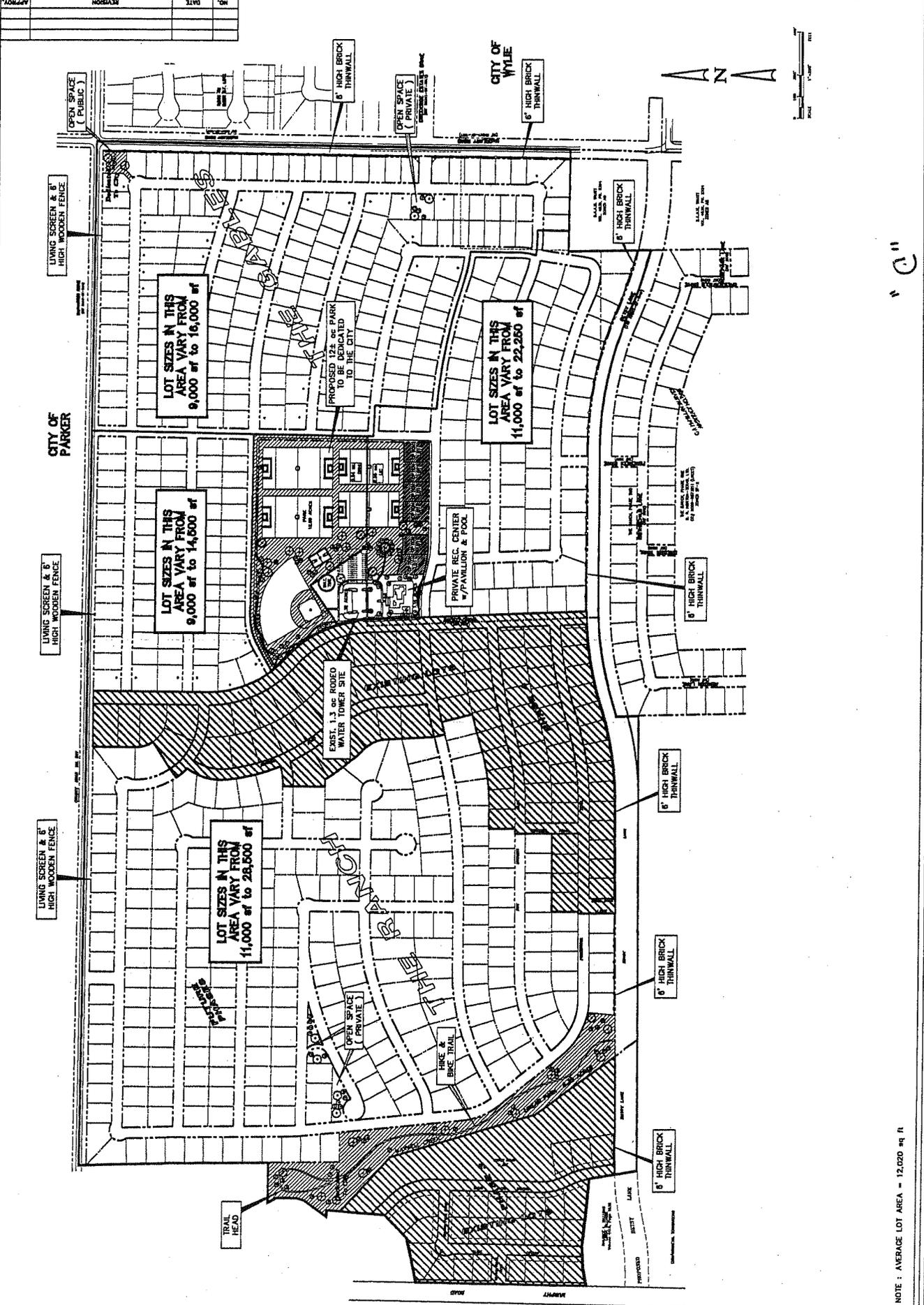
- i. A living screen shall be constructed as shown on the concept plan. The lots backing to McWhirter shall be deed restricted to require a 6-foot high board-on-board wooden fence with a top rail.

2. McCreary Road –
    - i. A 6-foot high brick thinwall will be constructed.
  3. Betsy Lane –
    - i. A 6-foot high brick thinwall will be constructed.
  4. Lots abutting dedicated park land-
    - i. The lots abutting dedicated parkland shall be deed restricted to require an 8-foot high board-on-board wooden fence with top rail.
- I. **Open Spaces:** Open spaces will be provided as shown on the concept plan and maintained by the party indicated.
- J. **Sidewalks/Trails:** In lieu of the city standard sidewalk normally required along McWhirter Road, and along McCreary Road north of Creekside Drive, a minimum 6-foot wide hike and bike trail will be constructed within the Maxwell Creek linear park from McMillen Drive to Betsy Lane then to the northern trailhead as shown on the Ranch and Gables concept plan. The City of Murphy shall provide right-of-way from McMillen Drive to Betsy Lane.
- K. **Dedications:** The areas will be dedicated as open space and/or Public Park as shown on the concept plan.
- L. **Homeowners' Association:** A Homeowners' Association duly incorporated in the State of Texas shall be incorporated and each lot/homeowner shall be a mandatory member. This association shall be established so as to ensure the proper maintenance of all common areas, either public or private, as desired, to be maintained by the association. The bylaws of this association shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The Bylaws shall be submitted to the Director of Planning for review and approval prior to construction.
- M. **Option to Purchase:** LIC shall grant to the City of Murphy an option (the "Option") to purchase the six (6) lots (the "Option Lots") as designated on the concept plan for an amount equal to the actual costs of acquisition and development fairly and reasonably allocable to the Option Lots as normally and customarily done by LIC in the ordinary course of its business. The Option must be exercised by the City of Murphy and the acquisition of the Option Lots actually closed and consummated on or

before two (2) years after the establishment of this Planned Development District or such Option shall automatically expire and be of no further force or effect. The form and substance of the written agreement granting the Option must be approved by the City Council and executed by LIC and the City of Murphy contemporaneously with the establishment of this Planned Development District.

**EXHIBIT "C"**

Drawing Dated "Received September 19, 2003  
Concept Plan  
Gables and Ranch



NOTE: AVERAGE LOT AREA = 12,020 sq. ft.

**City Council**  
**March 4, 2014**

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**Issue**

Consider and/or act on the Murphy Municipal Development District contracting with a retail consulting firm.

**Background**

At the February 3, 2014 MMDD meeting, the Board asked staff to review options and bring recruitment consultant recommendations for MDD consideration at the next Board meeting.

At the February 24, 2014 MMDD meeting, the board discussed two proposals and voted unanimously to award the contract with The Retail Coach.

**Financial**

The total cost is not to exceed \$32,000 and will be funded by Murphy Municipal Development District FY 13-14 Budget.

The total fee for completion of this work is \$30,000 payable in three installments:

1. \$10,000 upon execution of the agreement
2. \$10,000 upon completion of the Demand Analysis
3. \$10,000 upon presentation of the final strategy

It is estimated that reimbursable expenses will not exceed \$2,000. Reimbursable expenses include:

- Travel costs
- Cost of special renderings and maps, if any
- Cost of copies for reports and maps/drawings
- Cost of shipping expenses, if any

**Attachments**

Retail Coach Proposal (18 month contract)



# RETAIL ECONOMIC DEVELOPMENT PLAN



TheRetailCoach®

**Murphy Municipal Development District**

February 18, 2014



February 18, 2014

Murphy Municipal Development District  
206 N. Murphy Rd.  
Murphy, Texas 75094

Dear Board Members:

The challenges presented by a difficult economy and competitive retail environment can be overwhelming for volunteer leaders and staff charged with the critical goal of expanding their community's tax base.

The Retail Coach offers the expertise, service and manpower needed to research, develop and execute customized strategies that best position your community for retail recruitment and development success. No other retail consulting firm offers this level of comprehensive support that is uniquely tailored to your community's needs and goals.

The *Retail:360<sup>SM</sup>* system pioneered by our firm has been successful for economic development organizations, municipalities, chambers of commerce and brokers and developers throughout the United States for more than 13 years.

**Myself and Aaron Farmer, Vice President were both the project leaders when the initial retail study was completed and will again lead this project if selected. We both made multiple trips to Murphy during the project to analyze the retail submarkets and have a very good understanding of the existing retail and entertainment factors effecting Murphy. We were able to build relationships with land owners, brokers, and developers in Murphy. We believe this current and prior knowledge of the Murphy market provides a distinct advantage in completing the retail economic development plan, and also in the actual recruitment of both retailers and developers.**

**We have included a License Plate Analysis for each submarket and retail center. The Retail Coach pioneered the License Plate Analysis to provide clients the most complete and credible data about consumer demand in their communities. In speaking with numerous site selectors throughout the country, the License Plate Analysis provides factual consumer location information that is a necessity in making location decisions. Plano Sports Authority – Murphy will play a large role in determining the retail trade area.**

We appreciate the opportunity to share our plan to help Murphy maximize retail growth and hope to soon be working together.

Sincerely,

C. Kelly Cofer, Certified Commercial Investment Member (CCIM)  
President and Chief Executive Officer, The Retail Coach, LLC



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**Offices**

Dallas, Texas

Austin, Texas

Tupelo, Mississippi

800.851.0962 | [info@theretailcoach.net](mailto:info@theretailcoach.net) | [www.theretailcoach.net](http://www.theretailcoach.net)

# ABOUT THE RETAIL COACH

## MOVING BEYOND DATA

The Retail Coach is the premier national retail expansion and development consulting firm founded in 2000 by C. Kelly Cofer, President and Chief Executive Officer.

This fast-growing retail analytics and locational intelligence firm has developed successful retail economic development plans for local governments, chambers of commerce and economic development organizations in communities throughout the United States.

Guided by stable values and sound financial practices, The Retail Coach's team of industry specialists are experienced in all aspects of economic development and real estate including market analyses, site selection and leasing and property brokerage for national retailers and restaurants.

Our industry specialists are progressive in applying cutting-edge resources and are in a constant state of innovation. The Retail Coach is the pioneer of the Retail:360<sup>SM</sup> Recruitment System, a comprehensive program that melds research and data with expertise and personalized service. This unique level of service includes a 12-month coaching period following the completion of a project to ensure that each customized strategy is implemented to fully position clients for retail expansion and development success.

**“The Retail Coach is the pioneer of the Retail:360<sup>SM</sup> Recruitment System, a comprehensive program that melds research and data with expertise and personalized service.”**

**“Our purpose is to provide an uncommon level of customized service and expertise to help communities move beyond the data to retail expansion and development results.”**

C. Kelly Cofer, CCIM  
President & CEO, The Retail Coach, LLC

# PROJECT APPROACH

## MARKET BASED SOLUTIONS

Our experience working with communities throughout the United States has taught us that no two communities are the same. Murphy has a unique retail atmosphere with its own set of development and redevelopment needs. The balance between independent and regional/national retailers should be the focus of Murphy's Retail Economic Development Plan.

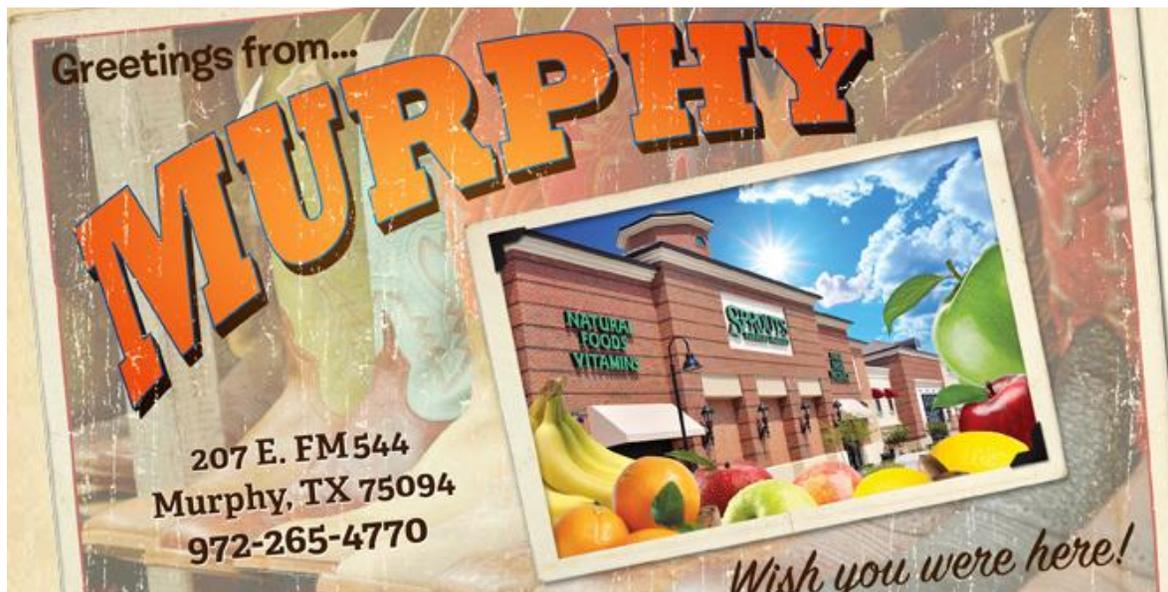
## ON-THE-GROUND ANALYSIS

Murphy is competing with communities throughout the region to secure new retailers. Area retail developments, community and consumer analytics, and a retail gap/opportunity analysis all play a role in positioning to recruit appropriate retailers. By spending time on the ground in surrounding communities and assessing Murphy's position in the marketplace, we can identify the retailers most-likely to be successful in Murphy.

This "macro to micro" approach is the most comprehensive approach to retail expansion and has led to success in numerous communities throughout the United States.

## IMPLEMENTATION

Retail expansion is a process, not an event. We will work with the Murphy to guide the implementation of the retail expansion and development strategies of our Retail Economic Development Plan. We become vested in the communities and clients we serve, and we will strive to provide an uncommon level of customized service and expertise to help Murphy achieve its retail recruitment and development success.



THIS AGREEMENT is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

By and between a limited liability entity, The Retail Coach, L.L.C. (hereinafter "TRC") and the Murphy Municipal Development District.

**WITNESSETH:**

WHEREAS, the Murphy Municipal Development District is seeking to attract retail and retail development to Murphy;

WHEREAS, TRC desires to provide assistance to the Murphy Municipal Development District with market research services and the assessment, development and execution of a targeted retail recruitment and development strategy for Murphy; and

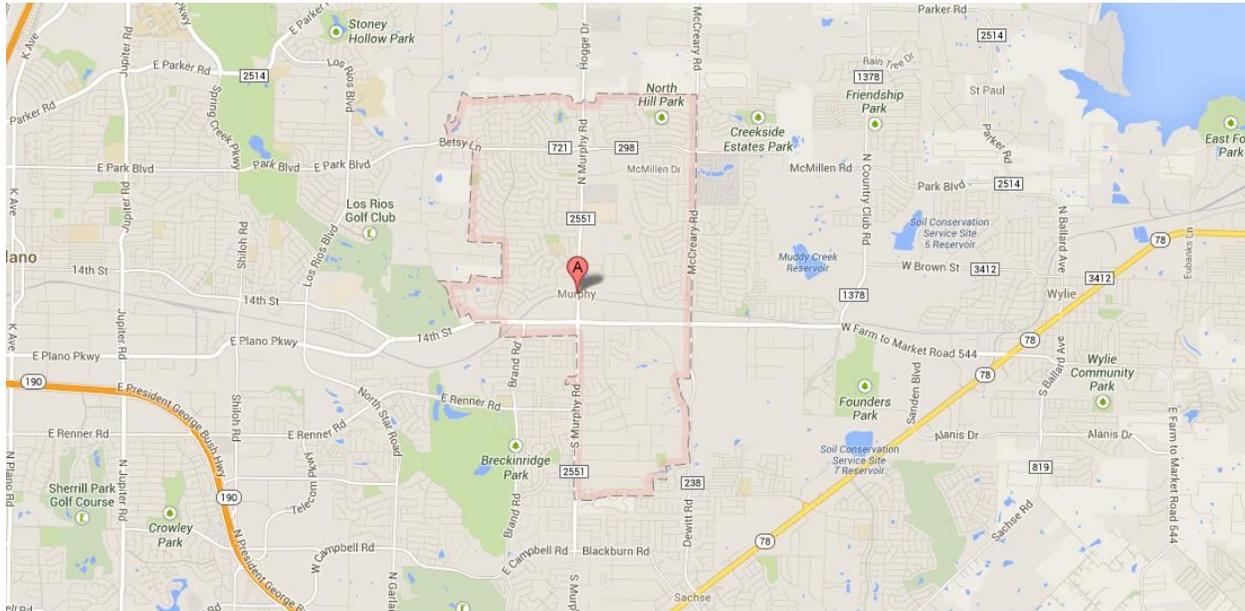
WHEREAS, the parties hereto desire to set forth their mutual understandings and agreements regarding the services to be performed by TRC.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

# PHASE 1

# MARKET AND LOCATIONAL INTELLIGENCE

## MARKET ANALYSIS | LOCATIONAL INTELLIGENCE



A market analysis will be performed to evaluate the surrounding area and Murphy. This “macro to micro” approach enables The Retail Coach to analyze economic dynamics that may impact Murphy’s retail expansion and development goals. Market specific information will be gathered to aid in identifying Retail Trade Area boundaries, potential customer bases, retail competition and retail opportunities based on retailers’ specific site selection criteria and spacing requirements.

## METHODOLOGY

### Area Competition Assessment

- We analyze the area surrounding Murphy and identify economic and market forces that may have a direct and significant impact on Murphy.
- We evaluate retail markets in surrounding communities that compete with Murphy and document their national and regional retailers.
- We profile demographics in competing communities and look for trends that may give Murphy an advantage in its recruitment positioning efforts.
- We perform a “windshield” SWOT (Strengths, Weaknesses, Opportunity and Threats) Analysis in order to better compare Murphy to its competing communities. Our findings are used to offer specific recommendations for addressing the competition that will be summarized in the Action Plan.

# PHASE 1, continued

## Community Analysis

- We analyze the retail market by traveling primary and secondary traffic corridors to identify retail nodes or submarkets, document current regional and national retailers, identify specific sites that offer development and redevelopment opportunities, identify major property vacancies and record potential retail sector opportunities
- We analyze ingress and egress to both existing and emerging retail areas from population clusters, residential neighborhoods and surrounding communities.

*The Retail Coach will evaluate the Plano, Wylie, Lucas and Sachse retail markets.*

## Stakeholder Meetings

- We meet with public and private stakeholders to discuss Murphy's strategy process and timing and to gather input on retail expansion, development needs, community challenges and opportunities. Stakeholders may include city representatives, city staff, community leaders, real estate brokers and developers, property owners and owners/managers of existing retail businesses.

## Retailer Interviews

- We interview national and regional retailers in Murphy to determine the locational sources of their customers.
- We plot the "Point-of-Sale" findings to determine a thorough picture of the geographical boundaries of the Retail Trade Area.

## License Plate Survey

- **The Retail Coach pioneered the License Plate Survey to provide clients the most complete and credible data about consumer demand in their communities.**
- **We collect and catalog license plate samples from consumers shopping in Murphy and conduct a search of their addresses to determine the locational sources of their customers.**
- **We collect consumer samples from existing retailers in Murphy that are marked by date, time and location.**
- **We plot the consumer samples to develop and support a thorough picture of the geographical boundaries of the Retail Trade Area.**
- **Consumer samples will be collected morning and afternoon from the following areas and retailers:**
  - *Plano Sports Authority – Murphy (The Retail Coach will work with City Staff and PSA to determine the best weekends to complete the License Plate Survey)*
  - *WalMart SuperCenter*
  - *Murphy Marketplace (Sprouts, Lowe's, 24 Hour Fitness)*
  - *Hobby Lobby*
  - *Albertson's*

# PHASE 1, continued

## Retail Trade Area Determination

The Retail Trade Area is where retailers derive approximately 80 – 85% of their business. The Secondary Retail Trade Area is where retailers derive the remaining 15 – 20% of their business. An accurate Retail Trade Area is the foundational tool for positioning Murphy for successful retail recruitment.

- The Retail Trade Area will be determined by onsite research in Murphy, area competition assessment factors, stakeholder interviews, retailer interviews and license plate survey.
- We will delineate a custom polygon boundary map of the Retail Trade Area.
- We will also determine a Secondary Retail Trade Area using the same methodologies.
- We will delineate a custom polygon boundary map of the Secondary Retail Trade Area.

# PHASE 2

## DEMAND ASSESSMENT

### COMMUNITY ANALYTICS | CONSUMER ANALYTICS

Extensive research will be performed to provide a clear picture of the factors shaping the retail environment in Murphy including demographic, socioeconomic and psychographic profiles; the workplace population; and consumer spending patterns. An assessment of Murphy's primary retail corridors will reveal new development and redevelopment opportunities. The findings of this research combined with a Retail Gap/Opportunity Analysis calculating estimated potential sales (demand) will support the development of specific recommendations for positioning Murphy to achieve its retail expansion and development goals.

#### METHODOLOGY

##### Demographic Profile

- We produce comprehensive summary demographic profile and trend reports encompassing the Retail Trade Area and Murphy community. The profiles include the following characteristics:
  - Population and Population Growth
  - Population Trends
  - Average Annual Population Growth
  - Ethnicity
  - Income
  - Age
  - Households and Household Growth
  - Educational Attainment
  - Per Capita Income
  - Educational Attainment

##### Psychographic Profile

- We conduct a psychographic analysis of the households in Murphy's Retail Trade Area using socioeconomic and demographic data to measure consumer attitudes, values, lifestyles and purchasing behaviors to gain an understanding of the types of retailers that may be interested in Murphy.
- We create a bar graph of the 66 lifestyle classifications, highlight the dominant lifestyle segments in Murphy and provide comprehensive lifestyle segment definitions.
- We rank lifestyle segments and categorize them by summary group, segment code and segment name.

##### Workplace Population

- We provide an employment summary report detailing the total establishments by industry, associated establishment-and employee counts within Murphy or a selected labor market geographic area.
- We provide insight into the "work here" population versus the "live here" population.
- We differentiate between the number of permanent residents within the selected geography and those who commute for work purposes.

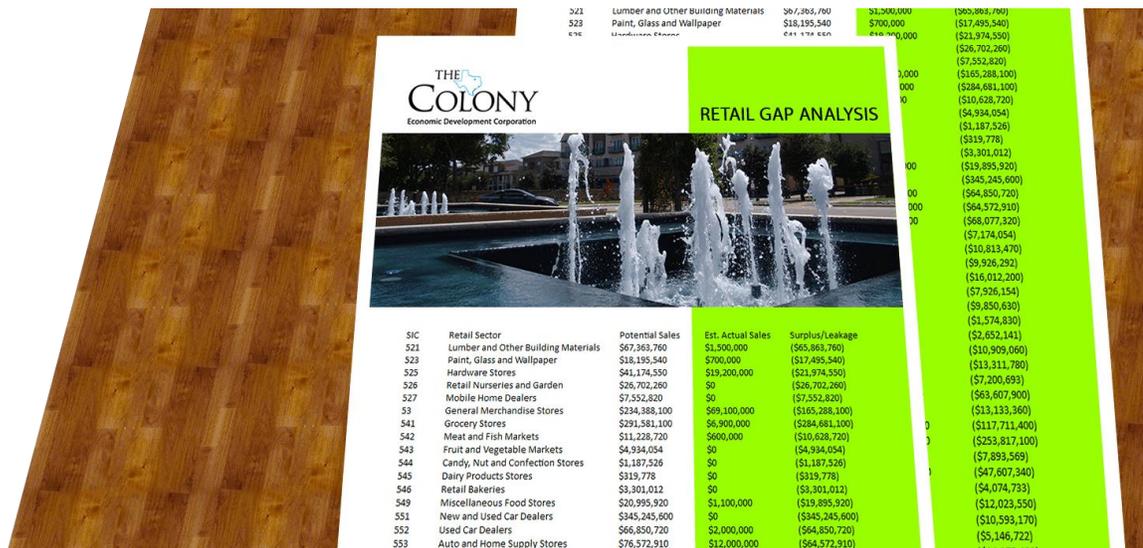
# PHASE 2, continued

## Land Use/Development Analysis

Highest and Best Use (HBU) is defined as the use that will produce the highest value for a property. In all cases where the market value of real property is sought, that value must be based on its HBU.

- Our HBU recommendations are accomplished in the context of economic conditions, the vision of the community and its stakeholders, and the optimal financial impact. Site criterion includes:
  - Market Conditions
  - Retail Trade Area Population/Trends
  - Traffic Count Summary
  - Site-line Visibility (primary and secondary arterial roads)
  - Ingress/Egress (primary and secondary arterial roads)
  - Existence of Median Cuts or Possibilities
  - Traffic Signal Existence or Possibilities
  - Site Characteristics and Topography
  - Current Zoning
  - Proximity to “Anchor” Retailers/Retail Clusters
  - Area Workplace Population
  - Residential Support

*The Retail Coach will select the top five (5) sites to analyze, based on opportunity and development timelines and provide the list to Murphy for approval.*



# PHASE 2, continued

## Retail Gap/Opportunity Analysis

- We calculate estimated potential retail sales (demand) for the Retail Trade Area and compare these figures to estimated actual sales figures (supply) to estimate retail dollars “coming in” or “flowing out” of Murphy.
- We identify retail sales surpluses and/or leakages for 65 different retail sectors. This distinguishes the retail categories that have the highest propensity for success in Murphy and quantifies their retail potential.
- We develop and provide summary tables and graphs of each retail sector illustrating potential sales versus estimated actual sales.
- We create and provide a customizable Microsoft® PowerPoint presentation containing Retail Gap/Opportunity Analysis summary information.

# PHASE 3

## RETAIL STRATEGIES

### SITE IDENTIFICATION & MARKETING | RETAILER MATCHING | RETAIL EXPANSION POSITIONING |

With unparalleled access to national and regional retailers, we cross-reference preferred customer and site selection criteria with the findings from Murphy's area market analysis and Retail Gap/Opportunity Analysis. Customized community marketing tools and site profiles are developed to position for targeted recruitment of the retailers who are most likely to be successful in Murphy.

#### METHODOLOGY

##### Site Identification

We will identify five (5) prime retail site opportunities in Murphy based on regional and national retailers' essential location factors including, but not limited to:

- Location
- Traffic Patterns
- Visibility
- Accessibility
- Regional Exposure
- Adequate Parking
- Available Signage
- Safety and Security

# PHASE 3, continued

## Site Marketing

We will prepare a **Retail Site Profile** for each site that includes site-specific information such as:

- Location
- Photograph/Site Plan
- Property Highlights
- Property Size
- Asking Prices
- Traffic Counts
- Area Retailers
- Retail Trade Area Demographic Profile
- Appropriate Contact Information

### LITTLE ELM, TX

RETAIL MARKET PROFILE





**OVERVIEW**

Totam aperiam ea in praesentis et, tunc... (Placeholder text)

- ut audis sam harum hil liiquid que aut dolupta tectu
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**FOR DETAILS, PLEASE CONTACT:**

**Jim Rice**  
Economic Development Director

Little Elm Economic Development Corporation  
P.O. Box 16546, S. Main Street,  
Little Elm, TX 75658

Ph: 972.656.6547 | Fx: 972.656.1558  
jlrice@littleelm.tx.gov



|                       | RTA      | 3 Mile   | 12 Min D.T. |
|-----------------------|----------|----------|-------------|
| Population            | xx,xxx   | xx,xxx   | xx,xxx      |
| Households            | x,xxx    | xx,xxx   | xx,xxx      |
| Race White            | xx.x%    | xx.x%    | xx.x%       |
| Race African American | xx.x%    | xx.x%    | xx.x%       |
| Race Other            | xx.x%    | xx.x%    | xx.x%       |
| Hispanic Origin       | xx.x%    | xx.x%    | xx.x%       |
| Median Age            | xx       | xx       | xx          |
| Median HH Income      | \$xx,xxx | \$xx,xxx | \$xx,xxx    |
| Per Capita Income     | \$xx,xxx | \$xx,xxx | \$xx,xxx    |

**TRAFFIC COUNTS (VPD)**

|                                |        |
|--------------------------------|--------|
| Main Street and Barker Cypress | xx,xxx |
| Chippendale and Dove Hill      | xx,xxx |
| I-30 and Ridge Road            | xx,x%  |
| Smith Long and Voyager         | xx,x%  |
| Scotty and Beam                | xx,x%  |

2007 Average Daily Traffic Count (ADTC)

## Retailer Matching

We will identify regional and national retailers whose essential location factors match the sites identified in Murphy.

- We provide a preliminary list retailers based on the matching of their site selection criteria to our findings from the area market analysis, competition assessment, Retail Trade Area determination, demographic and psychographic profiles, and Retail Gap/Opportunity Analysis.
- We review the preliminary target list with Murphy staff and work together to prepare a final target list of twenty (20) unique retailers for recruitment.

# PHASE 3, continued

## Retail Expansion Positioning

We use the market insight gathered through our research in Murphy to establish the strongest position for successful retail recruitment. The first and most critical step in reaching out to targeted retailers is providing the information corporate real estate directors and site selectors need to make initial decisions about locating in Murphy.

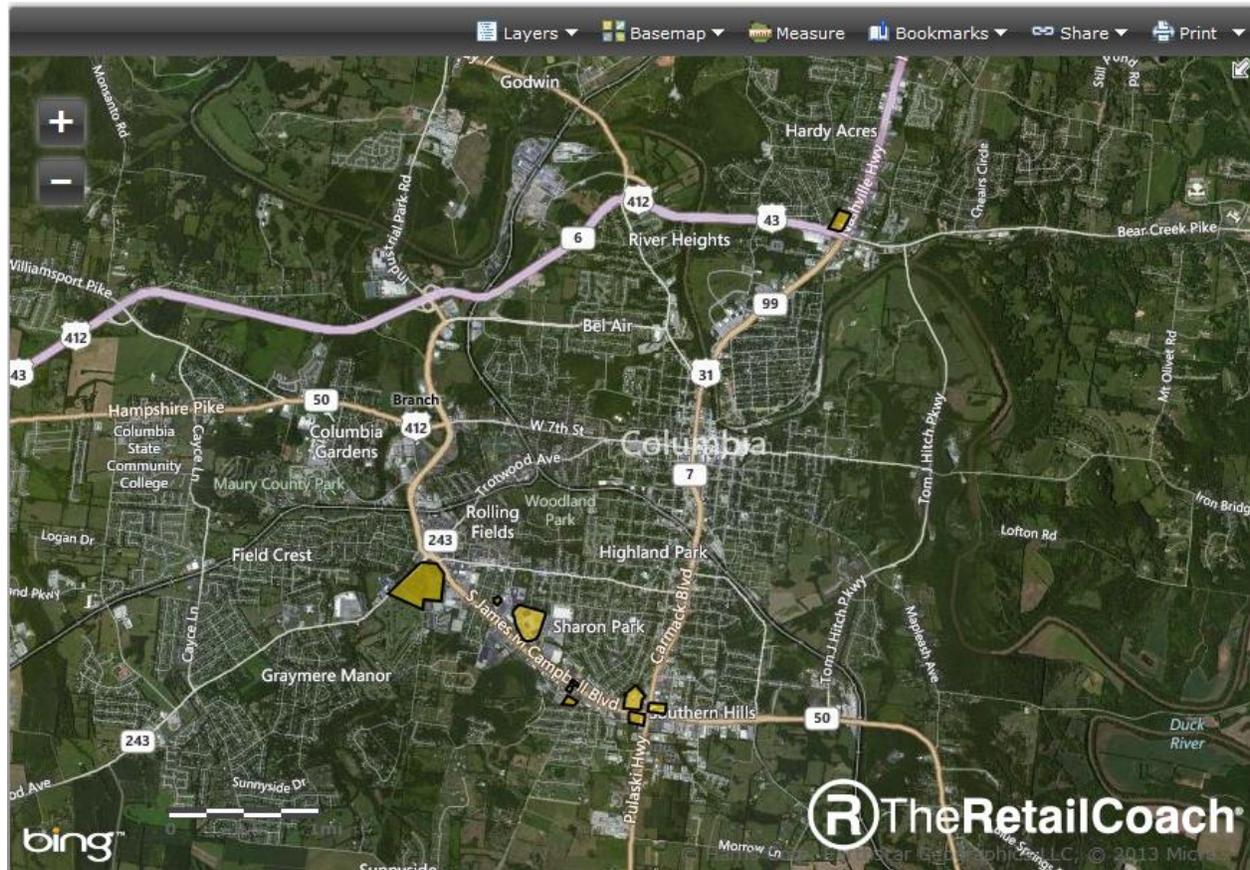
We produce a comprehensive Retail Feasibility Package that includes:

- Community Overview
  - Location Map
  - Retail Trade Area Map
  - Retail Trade Area Demographic Profile Summary
  - Existing Community Retailers
  - Retail Gap/Opportunity Analysis Summary Table
  - Retail Trade Area Psychographic Profile
  - Retail Trade Area Demographic Profile
  - Community Demographic Profile
  - Area Traffic Generators
  - Web link to Retail Site Profiles
  - Murphy Logo and Contact Information
- The content of the Murphy Retail Feasibility Package is placed on The Retail Coach's online community portal at [www.theretailcoach.net](http://www.theretailcoach.net). Murphy will have a custom landing page and visual, user-friendly presentation of the content.
  - The content of the Murphy Retail Feasibility Package will be used to develop an engaging email campaign. The customized email will include a link to the community portal at [www.theretailcoach.net](http://www.theretailcoach.net). The link may also be placed on Murphy's city and economic development websites.
  - We will send the Retail Feasibility Package email to targeted retailers during the recruitment phase. Emails will be made during this phase to determine the level of interest each retailer has in Murphy.
  - We provide a Retailer Recruitment Status Report that includes each retailer's complete contact information and any comments resulting from our outreach activities.

# PHASE 3, continued

## Geo-Retail Interactive Mapping

We will develop online interactive mapping applications utilizing ARCGIS to create an online map of available site locations. The map can include clickable layers to show site information, images and links. Clickable layers revealing ESRI based data from the block level can also include demographics, household income, tapestry categories (psychographic data) and median home values. The map can be a stand-alone hosted application, embedded into an existing website or embedded into the City of Murphy website.



# PHASE 4

## DEVELOPER STRATEGIES

### DEVELOPER IDENTIFICATION & MARKETING

Using our access to national and regional developers, we determine the development opportunities based on Murphy's area market analysis and Land Use/Development Analysis. Customized developer marketing materials are created to position Murphy for success in a targeted recruitment of the developers.

#### METHODOLOGY

##### Developer Identification

- The Retail Coach will identify retail developers active in Texas in order to present Murphy's development opportunities to them for consideration.
- The Retail Coach will create a Developer's Marketing Package on five (50 identified sites that will focus on developer site selection criterion including, but not limited to, the following:
  - Community Dynamics in the Area Surrounding The Properties
  - Retail Trade Area
  - Demographic Trends
  - Aerial Photographs
  - Previous Site-Specific Studies, if Any
  - Traffic Counts
  - Site-Line Visibility From Major and Secondary Traffic Arteries
  - Ingress/Egress for Primary and Secondary Traffic Arteries
  - Median Cuts
  - Traffic Signal Existence or Possibilities
  - Site Characteristics and Topography
  - Appropriate Zoning
  - Area Retail
  - Residential Clustering and Support
  - Proximity To "Anchor" Retailers
  - Workplace Population in the Area
  - School System Information
  - Potential Retail Tenants

# PHASE 4, continued

## Developer Recruitment Positioning

- The content of the Developer's Marketing Package will be used to create an engaging email campaign. The customized email will include a link to Murphy's landing page on the community portal at [www.theretailcoach.net](http://www.theretailcoach.net).
- We will send the Developer's Marketing Package email to targeted developers during the recruitment phase. Emails will be made during this phase to determine the level of interest each developer has in Murphy.
- We provide a Developer Recruitment Status Report that includes each developer's complete contact information and any comments resulting from our outreach activities.

# PHASE 5

## ACTION PLAN

### RECOMMENDATIONS | RETAIL ROAD MAP

The Retail Coach has differentiated itself in the industry by *moving beyond the data* to create recommendations and “next steps” that are unique to each client.

Our Retail Economic Development Plan includes customized recommendations for Murphy derived from the market intelligence gained through our in-depth research in the community during the Retail Market Assessment. These findings are combined with more than 27 years of experience in 180 other communities throughout America to create a Retail Road Map.

Looking at Murphy through the eyes of a retailer and developer, we will provide a Retail Road Map that ensures Murphy maintains the momentum set in motion during each completed phase of this project.

From simply keeping community data current through The Retail Coach’s annual subscription service, to conducting special marketing programs and participating in retail industry events, the Retail Road Map will be a logical, feasible and cost-effect approach to achieving Murphy’s retail recruitment and development goals.

“Retail expansion is not an event, it’s a process.”

# PHASE 6

## RETAIL COACHING

Because retail expansion is a process, not an event, we offer retail coaching.

Retail coaching is a service that is unique to The Retail Coach because we know from experience that success requires tenacity and patience.

We understand that you will have questions, new ideas or just want to brainstorm with somebody who understands Murphy's opportunities and challenges.

In this regard, consider The Retail Coach as both a sounding board and an experienced resource for Murphy.

Our project team will be available via e-mail and telephone at no additional charge in an off-site advisory ("coaching") capacity as time and schedule allow.

This coaching period will begin upon completion of Phase 5 of the project, and continue for 12 months.

We become vested in the communities and clients we serve.

We are committed to helping Murphy achieve retail expansion and development success.

# PROJECT TIMELINE & PRICING

We are available to begin this project immediately and will complete the proposed plan of work within one hundred twenty (120) business days following receipt of the fully executed agreement. A project timeline will be submitted to staff at the Kick-Off Meeting, indicating trip details and delivery dates. We will make a minimum of three trips to Murphy during the project.

## Project Fees:

The total fee for completion of this work is \$30,000 payable in three installments:

1. \$10,000 upon execution of the agreement
2. \$10,000 upon completion of the Demand Analysis
3. \$10,000 upon presentation of the final strategy

Project fees are payable within 15 days after receipt of the invoice.

Should Murphy request a special assignment or additional work not specifically referenced in the contract, we will prepare a written authorization to be signed by Murphy in advance of commencing any additional work.

## Reimbursable Project Expenses:

It is estimated that reimbursable expenses will not exceed \$2,000.

Reimbursable expenses include:

- Travel costs
- Cost of special renderings and maps, if any
- Cost of copies for reports and maps/drawings
- Cost of shipping expenses, if any

Project expenses are payable within 15 days after receipt of the expense invoice.

## Annual Subscription Service:

We are available to perform ongoing retail outreach efforts and update all data reports on an annual basis.

## Murphy Responsibilities:

Murphy will designate a project liaison who will serve as The Retail Coach's primary contact during the project.

Murphy will provide information relevant to the project such as prior retail studies, current traffic count data, surveys, maps, aerials, infrastructure plans and any other plans that may influence the development of the retail strategy. Murphy will provide city or organization logo and contact information as it should appear on all produced reports and materials to The Retail Coach upon execution of the agreement.

IN WITNESS WHEREOF, the parties have executed this agreement as of the \_\_\_\_ day of February, 2014.

The Retail Coach, L.L.C.

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

C. Kelly Cofer, President/CEO

Murphy Municipal Development District

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

**The Retail Coach, L.L.C.**

## YEAR 2 (OPTIONAL)

### Project Fees:

The total fee for completion of the work is **\$20,000** payable quarterly.

Project fees are payable within **30 days** after receipt of the invoice.

Should Murphy MDD request a special assignment or additional work not specifically referenced in the contract, we will prepare a written authorization to be signed by Murphy in advance of commencing any additional work.

### Reimbursable Project Expenses:

It is estimated that reimbursable expenses will be approximately **\$1,500**. Reimbursable expenses include:

- All travel costs;
- Cost of special renderings and maps, if any;
- Cost of copies for reports and maps/drawings; and
- Cost of shipping expenses, if any.

Project expenses are payable within 30 days after receipt of the expense invoice.

# Deliverables

The Retail Coach will provide all reports and data files to **Murphy** on CD-ROM, DVD-ROM or flash drive.

## PHASE 1 | PHASE 2

### MARKET AND LOCATIONAL INTELLIGENCE | DEMAND ANALYSIS

- Retailer Interview Summary
- Results from License Plate Survey
- Stakeholder Interview Summary
- Retail Trade Area Map with Demographic Profile
- 5-Minute Drive Time Map with Demographic Profile
- 8-Minute Drive Time Map with Demographic Profile
- 12-Minute Drive Time Map with Demographic Profile
- 3-Mile Radial Map with Demographic Profile
- 5-Mile Radial Map with Demographic Profile
- 7-Mile Radial Map with Demographic Profile
- Community Demographic Profile
- Retail Psychographic Profile, including dominant lifestyle segmentation definitions and characteristics
- Work Place & Employment Summary
- Land Use Analysis/Development Analysis
- Retail Gap/Opportunity Analysis, including a summary table and summary graphs, showing surpluses and/or leakages for the 52 retail sectors
- Customizable Retail Gap/Opportunity Analysis PowerPoint presentation containing Retail Trade Area demographic profile, summary table and summary graphs showing surpluses and/or leakages

## PHASE 3

### RETAIL STRATEGIES

- Target list of retailers and restaurants along with contact information
- Retail Market Profile with appropriate logo and contact
- Retailer-Specific Marketing Packages
- Customized Marketing Email
- Recruitment Status Report based on retailer and restaurant contacts

## PHASE 4

### DEVELOPER STRATEGIES

- Developer's Marketing Package on (5) identified sites
- Recruitment Status Report based on developer contacts

## PHASE 5

### ACTION PLAN

- Community and Economic Development Observations & Recommendations
- Retail Road Map/Action Plan

# REFERENCES

**Ray Dunlap**

Fairview EDC

Fairview, Texas

469-534-2719

rdunlap@fairviewtexas.org

**Greg Fisher, CECD**

Los Alamos County, New Mexico

505-662-8296

greg.fisher@lacnm.us

**Dave Quinn**

Director

Bastrop Economic Development Corporation

Bastrop, Texas

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dave@bastropedc.org

**Carolyn Gibson**

Economic Development Director

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cgibson@cityofgonzales.com

**Michelle Hill**

Economic Development Specialist

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mhill@c3gov.com

**Patti Worfe**

Economic Development Director

City of Angleton, Texas

979-849-4364

pworfe@angleton.tx.us

# THE RETAIL COACH LEADERSHIP TEAM



**C. KELLY COFER, CCIM**  
PRESIDENT/CEO

C. Kelly Cofer leads The Retail Coach with more than 27 years of experience in all aspects of retail real estate and economic development. Mr. Cofer's professional background encompasses market research and site selection, advisory and leasing services, and property brokerage and development for leading national and regional retailers and restaurants in more than 180 cities and 22 states throughout America. Mr. Cofer has earned the prestigious Certified Commercial Investment Member (CCIM) designation from the Chicago-based Commercial Investment Real Estate Institute and has attended the Economic Development Institute at the University of Oklahoma. He holds a Bachelor of Science degree from Texas A&M University in College Station and is a guest speaker for industry organizations throughout the United States.



**AARON FARMER**  
VICE PRESIDENT

With a degree in Marketing from The Mays Business School at Texas A&M University in College Station and an MBA from Texas A&M University – Commerce, Aaron brings to The Retail Coach knowledge of the most current research on retail and marketing trends. Prior to joining The Retail Coach, Aaron was employed in marketing research and retail development where he worked on projects for many of America's leading retailers and restaurants including FedEx, Kinko's, Sally Beauty Supply, Adidas, Concentra and the National American Association of Subway Franchises (NAASF). Mr. Farmer's expertise touches each step of a project from the initial trade area determination to the actual recruitment of retailers. A native of Keller, Texas, he is a sought after speaker for industry organizations including the Texas Municipal League and Texas Economic Development Council.



**SUZANNE BROOKE**  
CLIENT SERVICES DIRECTOR

Suzanne Brooke supports The Retail Coach team in providing quality service to every client with more than 20 years of experience in municipal government, economic development and the commercial and residential real estate industries. She earned a Bachelor of Arts degree in Communication with a minor in Marketing at the University of Texas. Prior to launching her own consulting agency, she was Director of Communications for one of the largest real estate trade associations in the nation. Her skills encompass all aspects of advertising, public relations and editorial support.

## THE RETAIL COACH LEADERSHIP TEAM, cont



**MARK BROOKE**

**DIRECTOR OF TECHNOLOGY & CREATIVE SERVICES**

With a degree in Economics-Finance from the University of Texas, Mark's technology and research skills are grounded by business acumen. After graduating college in 1991 he worked as a business analyst for The Associates (now part of CitiGroup), where he began developing web-based and desktop applications. Today, Mark keeps The Retail Coach at the forefront of the technology and innovation that enable each client to achieve their retail goals. His expertise includes extensive video and print production experience for both the public and private sector.



**NANCY DEES**

**ADMINISTRATION DIRECTOR**

Nancy Dees' extensive management and accounting experience have benefited several of America's favorite retailers including Kirkland's. A number cruncher and people person who loves getting lost in data, Nancy is a perfect fit at The Retail Coach where she directs all administrative functions with efficiency and care. Nancy's previous experience as a retail buyer and store inventory control manager provides helpful insight as she assists in the retailer research performed by The Retail Coach for each project.

**Issue**

Discuss the City of Murphy Trails System.

**Background**

At the November 2013 City Council Planning Session, Council and staff briefly discussed the City of Murphy Trail System. City Council asked for an update to be presented at a March 2014 City Council meeting.

The staff presented this update to the Parks Board in February and will have a more in depth discussion with them at their March meeting.

**Summary**

The draft City of Murphy Trails System plan was begun this past summer primarily:

- For trail naming opportunities
- To assess what was needed to connect to trails outside of the City.

While both of these projects are important, I believe our first priority should be the ability to connect our parks and neighborhoods together by identifiable trails that help people understand where they are. The trails should also:

- Promote the ability for residents to determine distances for their own wellness routine.
- Be identifiable for emergency response purposes whether it is calling for help or responding to the call for help.

The Park Board agreed with these initial steps and will be discussing these as well as other trail ideas this month.

**Additional Considerations**

Included for your review is a report from the city engineer regarding the placement of sidewalks along FM 544. The estimated cost as of April 2013 is approximately \$2.8 million.

This will be an excellent project for the Capital Improvements Project Committee to consider should the City Council decide to appoint for a possible bond referendum.

**Attachments**

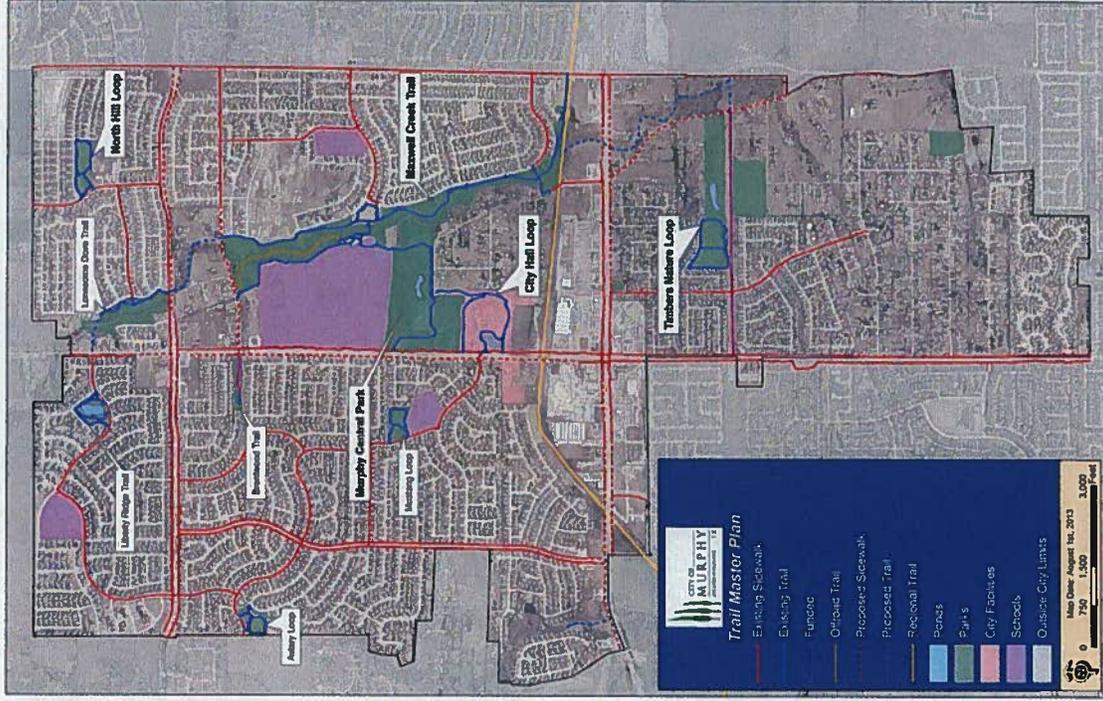
Murphy Trails System draft  
FM 544 Trail Mast Plan Budget

**City of Murphy Parks Department  
Murphy Trails System  
Naming System**

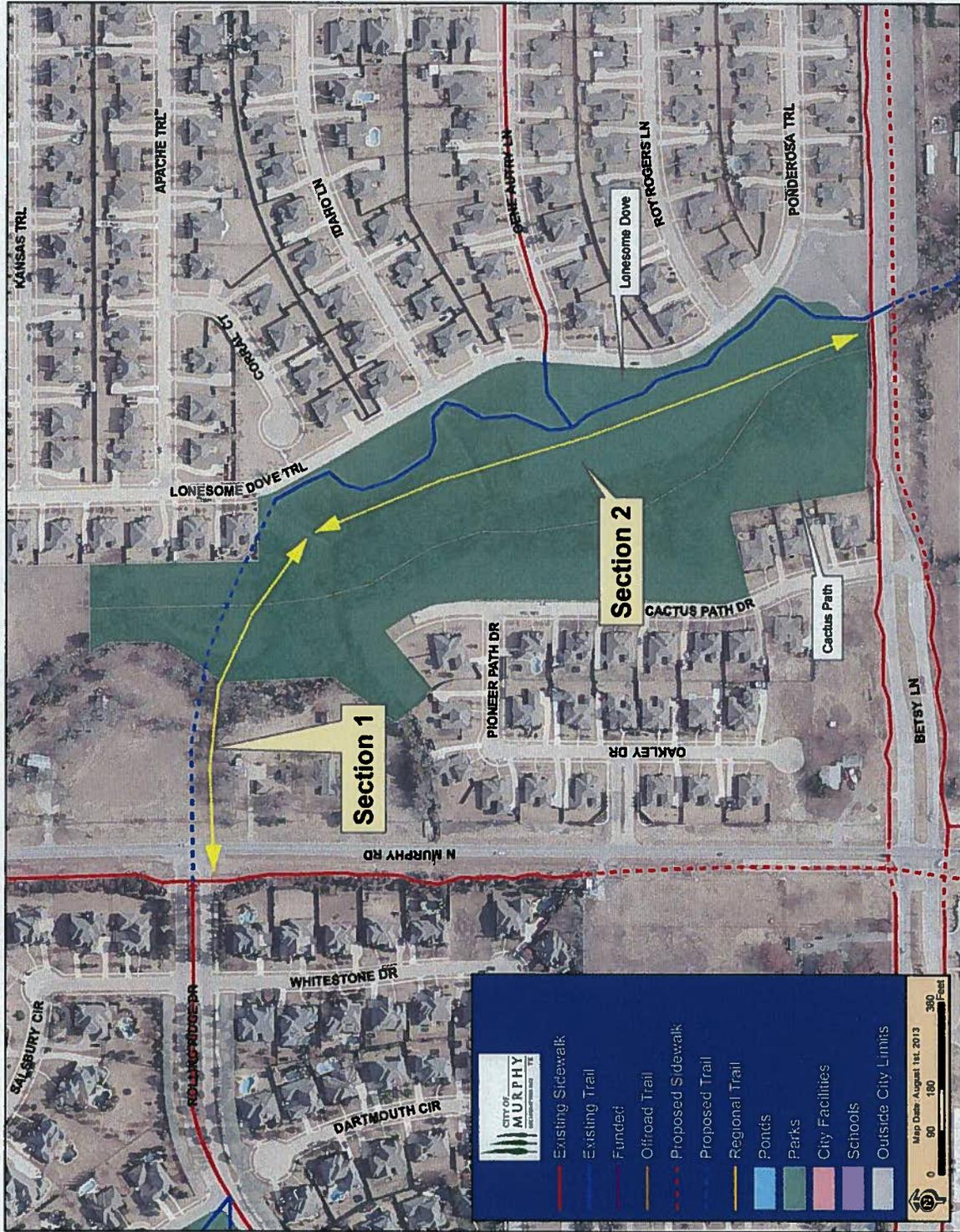
**DRAFT**

# Trails Master Plan Map

- Opportunities for 12 trail sections to be named.
- Benefits with advertising and marketing trail system.
- Benefits for Police, Fire, and EMT, if the trails are named and have an addressing convention.
- Citizens could “adopt” Trail sections.
- Citizen participation in naming the trails and deciding what trail information booths should look like.



# Trail Sections



**DRAFT**

FY 2014 Parks Department Man Hour Projections

# Trail Sections

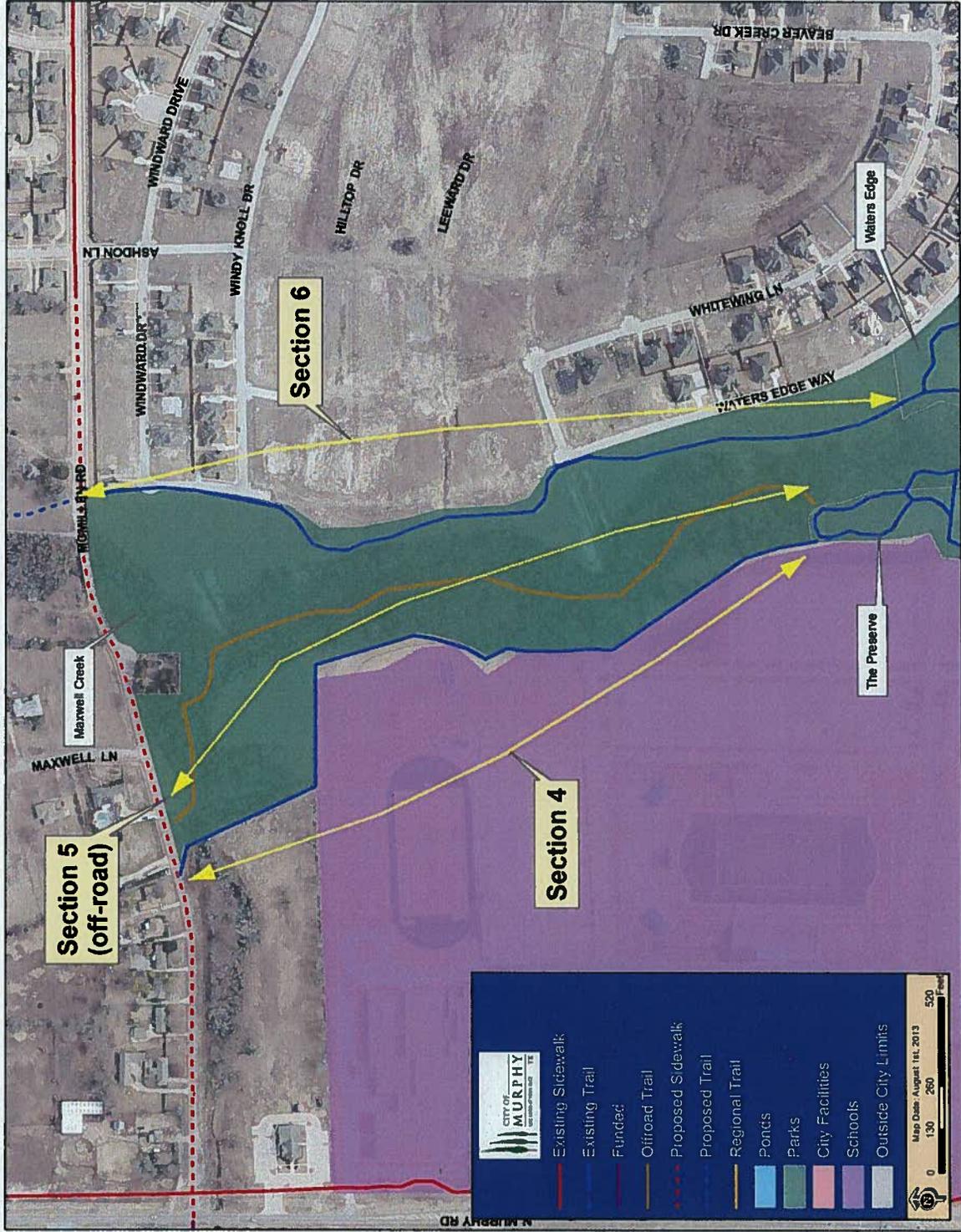


DRAFT

FY 2014 Parks Department Man Hour Projections



# Trail Sections



Item 7.D.



DRAFT

FY 2014 Parks Department Man Hour Projections



# Trail Sections



**DRAFT**

FY 2014 Parks Department Man Hour Projections



# Trail Sections



**DRAFT**

FY 2014 Parks Department Man Hour Projections



# Trail Sections



DRAFT

FY 2014 Parks Department Man Hour Projections





**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600      Dallas, Texas 75243      Fax (214) 461-8390      Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E.  
JOE R. CARTER, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.  
JOSEPH T. GRAJEWSKI, III, P.E.  
DEREK B. CHANEY, P.E.

April 4, 2013

Ms. Kim Lenoir  
Community Services Manger  
City of Murphy  
206 N. Murphy Road  
Murphy, Texas 75094

Re: F.M. 544 Trail Master Plan Budget

Dear Ms. Lenoir:

In accordance with our contract dated January 17, 2013, we are pleased to submit our engineering evaluation and recommendations for development of a project budget for the City Trail Master Plan along the F.M. 544 Corridor from Dublin Road to McCreary Road. This letter report summarizes our field observations, project evaluation and provides a recommendation for the probable project budget.

**Executive Summary**

The City of Murphy Trail Master Plan specifies that Thoroughfare Trails, which includes the F.M. 544 corridor, are to be a minimum of 10-feet in width. The completion of 10-foot wide thoroughfare trails along the north and south sides of the F.M. 544 corridor has been broken into four segments on each side of the road as seen in Exhibit 1 enclosed. Certain segments have existing sidewalks that can remain. Other segments have additional complexities that require significant construction activities to provide a 10-foot wide path for the proposed sidewalk. It has been assumed for this analysis that franchise utilities in conflict will relocate outside of the right-of-way at their own expense. Table 1 below summarizes the recommended project budget for each segment shown on Exhibit 1.

**Table 1: Segment Construction Cost Summary**

| Segment      | Opinion of Probable Construction Cost | Professional Services | Inspection      | Land Rights     | Total              |
|--------------|---------------------------------------|-----------------------|-----------------|-----------------|--------------------|
| South 1      | \$402,000                             | \$60,300              | \$10,050        | \$0             | \$472,400          |
| South 2      | \$274,200                             | \$41,130              | \$6,860         | \$0             | \$322,200          |
| South 3      | \$535,100                             | \$80,270              | \$13,380        | \$12,500        | \$641,300          |
| South 4      | \$84,200                              | \$12,630              | \$2,110         | \$0             | \$99,000           |
| North 1      | \$218,800                             | \$32,820              | \$5,470         | \$0             | \$257,100          |
| North 2      | \$176,300                             | \$26,450              | \$4,410         | \$0             | \$207,200          |
| North 3      | \$5,100                               | \$770                 | \$130           | \$0             | \$6,000            |
| North 4      | \$2,300                               | \$350                 | \$60            | \$0             | \$2,800            |
| Bridge       | \$639,400                             | \$95,910              | \$15,990        | \$25,000        | \$776,300          |
| <b>TOTAL</b> | <b>\$2,337,400</b>                    | <b>\$350,700</b>      | <b>\$58,500</b> | <b>\$37,500</b> | <b>\$2,784,000</b> |

### **Introduction**

The Trail Master Plan for the City of Murphy includes Thoroughfare Trails on the north and south sides of F.M. 544 from Dublin Road to McCreary Road. Thoroughfare Trails, which includes the F.M. 544 corridor, are to be a minimum of 10-feet in width. Several sidewalks currently exist along F.M. 544, although they are 8-feet in width or smaller. For the purposes of this budget, existing sidewalks 8-feet in width are to remain, while those less than 8-feet are proposed to be removed and replaced.

The Engineer's Opinion of Probable Construction Cost enclosed includes adjustments and relocations for valves, meters, fire hydrants, manholes, and fences. Franchise utilities will be relocated as required at their own expense and are not included in this opinion of cost. Additionally, there are certain areas with complex crossings or physical constraints which we have analyzed further.

### **Analysis of Complex Areas**

#### **A. Sloping Parkway**

There are various segments along both the north and south sides of F.M. 544 with a parkway slope that will not meet the criteria set forth by the Americans with Disabilities Act (ADA). The maximum cross slope allowed by ADA is 2%. In order to achieve this, retaining walls are required along the outside edge of the sidewalks including handrails. Our opinion of probable construction cost for earthwork, retaining walls and pedestrian railing is approximately \$450,000.

### B. Murphy Entry Feature Sign

There is an existing City of Murphy Entry Feature sign on the south side of F.M. 544, east of Heritage Parkway shown below. Clearing a 10-ft wide path will require the removal of a portion of the landscaping features surrounding the Entry Feature and relocating five 12-inch caliper trees. Our opinion of probable construction cost for significant landscaping and tree relocation around the entry feature sign is \$50,000 which assumes no additional land rights will be acquired.



**Image 1: Murphy Entry Feature – F.M. 544 Looking East**

### C. Culvert Headwalls

There are three (3) culvert crossings locations that will be affected by the addition or widening of sidewalks. We understand one of the culvert locations will be reconstructed as part of the development for the Emerus Emergency Hospital. The second location is on the headwall on the downstream end of that same culvert. The headwall can be modified with the addition of a small retaining wall and handrails to allow for a 10-ft wide sidewalk and handrails.

The third and final culvert crossing location will require more extensive reconstruction to allow for a 10-foot wide sidewalk. Image 2 below demonstrates the close proximity of the parallel headwall to the existing back of curb. The distance from the back of curb to the headwall is approximately 9-feet. We would recommend adjusting the width of the sidewalk through this area to 8 or 9-feet avoiding extensions of this existing culvert and reconstruction of the headwall. Our opinion of probable construction cost to modify the culverts and reconstruct the headwall is in the range of \$50,000.



**Image 2: Parallel Headwall – F.M. 544 Looking East  
Segment 2 – South**

Ms. Kim Lenoir  
F.M. 544 Trail Master Plan Budget  
Page 5 of 10

#### D. DART Railroad Crossing

The south side of the DART railroad crossing will need to be extended to allow for a 10-ft wide sidewalk. Special pedestrian arms were not required by DART or the City of Murphy at the N. Maxwell Creek Road DART crossing. Therefore, it has been assumed for the purposes of this report that pedestrian crossing arms will not be required.

There is a deep open channel in the Northeast corner of the DART Railway crossing with F.M. 544 shown in Image 3 below. Creating a pathway for a sidewalk through this area will require a significant volume of imported fill and the construction of a retaining wall approximately 10-feet in height.

Our opinion of probable construction cost to widen the DART Railroad Crossing is estimated to be \$30,000 for each side of the roadway. Our opinion of probable construction cost for a 10-ft tall retaining wall approximately 100-ft long in the northeast corner of the railroad intersection is estimated to be \$50,000 including pedestrian railing and drainage modifications.



**Image 3: DART Railroad Crossing – F.M. 544 Looking West**

#### E. Concrete Slopes and Wood Fences Near Timber Ridge

On the south side of F.M. 544 in segment South 3, a concrete slope with a wooden fence along The Timbers Additions No. 1 and No. 2 has been constructed on both the west and east sides of Timber Ridge Drive. As shown in Image 4 below, there are also overhead power lines on utility poles which are also in conflict. The utility poles are likely set at or near the right-of-way line.

The concrete slope extends for approximately 140-feet on either side of Timber Ridge. At the end of the concrete slope on the east side, the narrow parkway remains with the utility poles and wood fence not far from the back of curb.

There is approximately 9-feet from the back of curb to the utility poles and 11-feet from the back of curb to the fence. We recommend reducing the width of the sidewalk to 8-feet through this region and replacing the concrete slope with a retaining wall. This would allow the existing driveway seen on the right side of the picture to remain. It should be noted that the sidewalk would be up against the back of curb in this area from 140-feet west of Timber Ridge to just west of South Maxwell Creek Road.

Current City Ordinances would require a residential development along a major thoroughfare to construct a masonry screening wall. We recommend the City obtain a 10-ft wide easement along the existing wooden fence to construct a masonry screening wall above the retaining wall. Our opinion of probable construction cost to construct a retaining wall along the concrete slope with a masonry screening wall and secure land rights is approximately \$175,000.



**Image 4: Concrete Slope with Wood Fence – Segment South 3 Looking East**

#### F. Maxwell Creek Bridge Crossing

The F.M. 544 crossing at Maxwell Creek presents perhaps the most costly complexity. To connect the thoroughfare trail system on the east and west sides of the bridge, a crossing must be established.

We recommend the construction of pre-engineered and pre-fabricated pedestrian truss-style bridges over Maxwell Creek on both the north and south sides of the existing F.M. 544 bridge. This approach provides for a continuous path on both sides of the roadway corridor. Our opinion of probable construction cost to construct abutments and install a pre-fabricated pedestrian bridge will be approximately \$250,000 each or \$500,000 for both.

Land rights will likely need to be acquired to provide a location for the pedestrian bridges. We estimate 0.50 acres will need to be acquired. Our opinion of probable cost to acquire the land rights is \$25,000.

Additionally, there is approximately 200-feet of the Maxwell Creek trail corridor that would be constructed underneath the bridge on either side of the creek. Based on measurements taken in the field, about 1-foot of excavation would be required underneath the bridge in order to provide 10-feet of vertical clearance from the trail to the low chord of the existing F.M. 544 bridge. If this excavation exposes the toe of the bridge abutment, a concrete curb could be installed along the edge of the sidewalk to tie into the abutment. Our opinion of probable construction cost to construct sidewalks along the Maxwell Creek trail corridor under the F.M. 544 bridge and approaches to the pedestrian crossing parallel to the bridge is in the range of \$56,000.



**Image 5: Maxwell Creek Bridge Crossing**

Ms. Kim Lenoir  
F.M. 544 Trail Master Plan Budget  
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### G. Driveway Modifications

As mentioned previously in this letter report, the maximum cross slope on a sidewalk is 2% to meet ADA criteria. Many driveways are constructed at grades of 5-10% which exceeds the maximum cross slope tolerance. Driveway reconstruction will be necessary in instances where the proposed sidewalk crosses a driveway which has a slope greater than 2%.

One particular driveway that warrants attention is the recently constructed driveway at the Pediatrics Center, west of Heritage Parkway. It appears that the slope of this driveway may not exceed ADA criteria. However, as shown in Image 6 below, the retaining wall along the edge of the driveway will have to be reconstructed to allow for a pedestrian ramp at this location. This will also involve the relocation of the fire hydrant seen behind the retaining wall. The cost for driveway modifications are considered subsidiary to other existing pay items.



**Image 6: Retaining Wall along Pediatrics Driveway**

## H. Drainage Structures

There are three grate inlets that are in conflict with the proposed sidewalks. One of the existing grate inlets is near the northwest corner of F.M. 544 and Heritage Parkway. The adjacent property is about to undergo development by which sidewalks will be installed and the inlet will be dealt with by the developer.

The second grate inlet is near the southwest corner of F.M. 544 and South Maxwell Creek Road. It may be possible to construct a 10-ft wide sidewalk around this inlet however it might be a danger to the safety health and welfare of the public to have the grate inlet next to the sidewalk. A line item of \$4,000 has been included in our overall opinion of probable construction cost to relocate this grate inlet.

The third inlet shown in Image 7 below poses the greatest conflict. This inlet will need to be relocated and some earthwork will be required in this vicinity. The ground appears to be sloping away from the roadway in this area, so it is somewhat unclear what drainage area is being captured by this inlet. However, this report assumes the inlet remains, but must be relocated. This portion of sidewalk also includes a retaining wall to allow the sidewalk to maintain a maximum 2% cross slope.



**Image 7: Grate Inlet in Conflict**

Ms. Kim Lenoir  
F.M. 544 Trail Master Plan Budget  
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**Conclusions and Recommendations**

Based on our field observations and technical evaluation of this project, we recommend the City budget \$2,784,000 for completing the sidewalks along the F.M. 544 corridor in accordance with the Trail Master Plan.

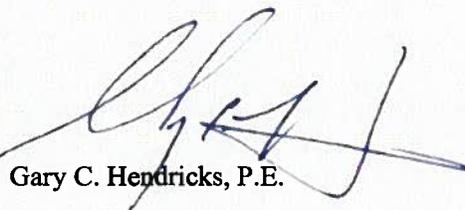
This project could be completed over time by designing and constructing each segment described in the executive summary individually.

We are available to discuss this report and budget summary further at your convenience.

Sincerely,



Joseph T. Grajewski, P.E.

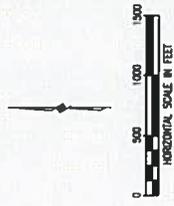


Gary C. Hendricks, P.E.

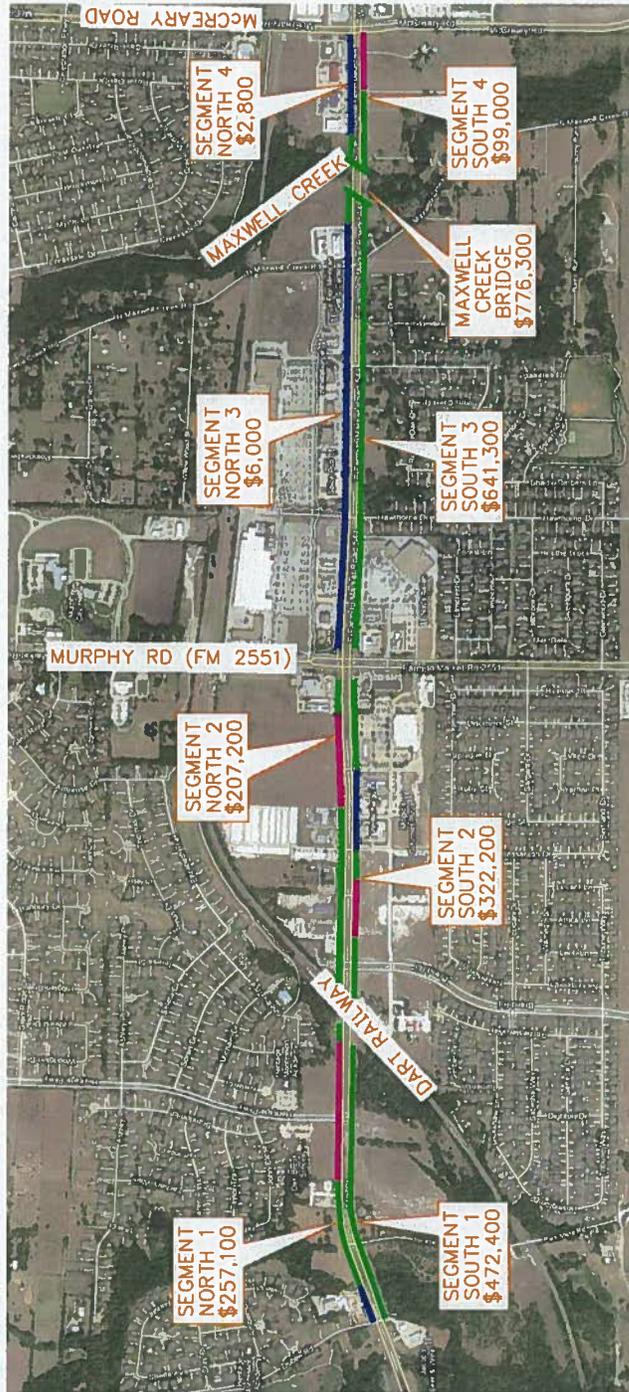


Enclosures

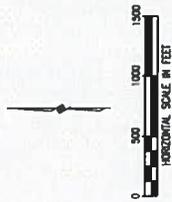
cc: Mr. James Fisher



- LEGEND**
- FUTURE SIDEWALKS
  - PROPOSED SIDEWALKS
  - EXISTING SIDEWALKS



|  |  |  |                            |
|--|--|--|----------------------------|
| <p><b>CITY OF MURPHY, TEXAS</b><br/>                 P.L. 844 TRAIL MASTER PLAN BUDGET<br/>                 SEGMENT EXHIBIT &amp; OPINION OF PROJECT BUDGET</p>  |  | <p>B/C PROJECT NO.<br/>2015-100</p>  | <p>B/C SHEET NO.<br/>1</p> |
| <p><b>HIRKHOFF, HENDRICKS &amp; CARTER, L.L.P.</b><br/>                 PROFESSIONAL ENGINEERS<br/>                 11710 Chantrelle Ave., Suite 600<br/>                 Dallas, Texas 75243 (214) 341-7900</p> |  | <p>NOT A CONTRACT AS PER UTILITY DEPT.<br/>                 BOARD OF PUBLIC UTILITIES<br/>                 (2015) P. 01-0000<br/>                 DATE: March 12, 2015</p> | <p>DATE: MARCH, 2015</p>   |



|                       |  |   |   |   |
|-----------------------|--|---|---|---|
| SHEET NO.<br><b>2</b> | PROJECT NO.<br>2013-003<br>DATE<br>MARCH, 2013 | <b>CITY OF MURPHY, TEXAS</b><br>PULSAI TRAIL MASTER PLAN BUDGET<br>COMPLEX CONSTRUCTION AREAS | NOT FOR CONSTRUCTION PERmits<br>THIS PLAN IS FOR INFORMATION ONLY<br>AND IS NOT TO BE USED FOR CONSTRUCTION<br>PURPOSES.<br>DATE: 3/15/2013 | <b>BIRKHOFF, HENDRICKS &amp; CARTER, L.L.P.</b><br>PROFESSIONAL ENGINEERS<br>11910 Chamberlayne Ave., Suite 600<br>Dallas, Texas 75243 (214) 341-7900 |
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|                       |  |   |   |   |
|                       |  |   |   |   |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS

Date: 1-Apr-13

Project: FM 544 Trail Master Plan  
From Dublin Road to McCreary Road

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount                 |
|----------|---|----------|------|--------------|------------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 11,415   | L.F. | \$ 40.00     | \$ 456,600.00          |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 1,479    | S.Y. | \$ 10.00     | \$ 14,790.00           |
| 3        | Construct 2-ft Tall Retaining Wall  | 3,810    | L.F. | \$ 40.00     | \$ 152,400.00          |
| 4        | Furnish & Install Pedestrian Railing  | 3,665    | L.F. | \$ 75.00     | \$ 274,875.00          |
| 5        | Import Embankment, Place & Compact  | 1,902    | C.Y. | \$ 10.00     | \$ 19,020.00           |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 990      | L.F. | \$ 150.00    | \$ 148,500.00          |
| 7        | Furnish & Install Crosswalk Striping  | 490      | L.F. | \$ 1.50      | \$ 735.00              |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 11       | Ea.  | \$ 850.00    | \$ 9,350.00            |
| 9        | Adjust Valve Cover or Manhole   | 10       | Ea.  | \$ 1,000.00  | \$ 10,000.00           |
| 10       | Relocate Fire Hydrant or Water Meter  | 8        | Ea.  | \$ 4,000.00  | \$ 32,000.00           |
| 11       | Relocate Roadway Sign   | 5        | Ea.  | \$ 250.00    | \$ 1,250.00            |
| 12       | Relocation of Traffic Signal Pole   | 2        | L.S. | \$ 62,500.00 | \$ 125,000.00          |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 2        | L.S. | \$ 30,000.00 | \$ 60,000.00           |
| 14       | Relocation of Grate Inlet   | 2        | L.S. | \$ 5,000.00  | \$ 10,000.00           |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 1        | L.S. | \$ 50,000.00 | \$ 50,000.00           |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 1        | L.S. | \$ 50,000.00 | \$ 50,000.00           |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 1        | L.S. | \$ 10,000.00 | \$ 10,000.00           |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 1        | L.S. | \$ 50,000.00 | \$ 50,000.00           |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 1        | L.S. | \$ 1,500.00  | \$ 1,500.00            |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 1,476,020.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS

Date: 1-Apr-13

Project: FM 544 Trail Master Plan  
From Dublin Road to McCreary Road

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description  | Quantity | Unit | Price         | Amount                 |
|----------|--|----------|------|---------------|------------------------|
|          | <b>MAXWELL CREEK CROSSING ALTERNATIVES</b>   |          |      |               |                        |
| 1A       | Furnish & Install Pre-Fabricated Pedestrian Bridge Crossing Over Maxwell Creek Including Sidewalk Approaches | 2        | L.S. | \$ 278,000.00 | \$ 556,000.00          |
|          | <b>Construction Subtotal With Alternate 1A:</b>  |          |      |               | <b>\$ 2,032,020.00</b> |
|          | Contingencies and Miscellaneous Items  | 15%      |      |               | \$ 304,900.00          |
|          | <b>Construction Total With Alternate 1A:</b>   |          |      |               | <b>\$ 2,337,000.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                        | 15%      |      |               | \$ 350,600.00          |
|          | Land Acquisition   | 0.75     | Ac.  | \$ 50,000.00  | \$ 37,500.00           |
|          | Inspection & Quality Control   | 2.5%     |      |               | \$ 58,500.00           |
|          | <b>Total with Alternate 1A:</b>  |          |      |               | <b>\$ 2,784,000.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS

Date: 1-Apr-13

Project: FM 544 Trail Master Plan

Segment South 1

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount               |
|----------|---|----------|------|--------------|----------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 2,590    | L.F. | \$ 40.00     | \$ 103,600.00        |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 0        | S.Y. | \$ 10.00     | \$ -                 |
| 3        | Construct 2-ft Tall Retaining Wall  | 1,575    | L.F. | \$ 40.00     | \$ 63,000.00         |
| 4        | Furnish & Install Pedestrian Railing  | 1,575    | L.F. | \$ 75.00     | \$ 118,125.00        |
| 5        | Import Embankment, Place & Compact  | 847      | C.Y. | \$ 10.00     | \$ 8,470.00          |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -                 |
| 7        | Furnish & Install Crosswalk Striping  | 60       | L.F. | \$ 1.50      | \$ 90.00             |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 2        | Ea.  | \$ 850.00    | \$ 1,700.00          |
| 9        | Adjust Valve Cover or Manhole   | 0        | Ea.  | \$ 1,000.00  | \$ -                 |
| 10       | Relocate Fire Hydrant or Water Meter  | 1        | Ea.  | \$ 4,000.00  | \$ 4,000.00          |
| 11       | Relocate Roadway Sign   | 2        | Ea.  | \$ 250.00    | \$ 500.00            |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -                 |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 0        | L.S. | \$ 30,000.00 | \$ -                 |
| 14       | Relocation of Grate Inlet   | 0        | L.S. | \$ 5,000.00  | \$ -                 |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 1        | L.S. | \$ 50,000.00 | \$ 50,000.00         |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -                 |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -                 |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 349,485.00</b> |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 52,500.00         |
|          | <b>Construction Total for Segment South 1:</b>  |          |      |              | <b>\$ 402,000.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 60,300.00         |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -                 |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 10,050.00         |
|          | <b>Total Project Budget for Segment South 1:</b>  |          |      |              | <b>\$ 472,400.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS

Date: 1-Apr-13

Project: FM 544 Trail Master Plan  
Segment South 2

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount        |
|----------|---|----------|------|--------------|---------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 1,900    | L.F. | \$ 40.00     | \$ 76,000.00  |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 437      | S.Y. | \$ 10.00     | \$ 4,370.00   |
| 3        | Construct 2-ft Tall Retaining Wall  | 0        | L.F. | \$ 40.00     | \$ -          |
| 4        | Furnish & Install Pedestrian Railing  | 0        | L.F. | \$ 75.00     | \$ -          |
| 5        | Import Embankment, Place & Compact  | 0        | C.Y. | \$ 10.00     | \$ -          |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -          |
| 7        | Furnish & Install Crosswalk Striping  | 100      | L.F. | \$ 1.50      | \$ 150.00     |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 1        | Ea.  | \$ 850.00    | \$ 850.00     |
| 9        | Adjust Valve Cover or Manhole   | 2        | Ea.  | \$ 1,000.00  | \$ 2,000.00   |
| 10       | Relocate Fire Hydrant or Water Meter  | 0        | Ea.  | \$ 4,000.00  | \$ -          |
| 11       | Relocate Roadway Sign   | 0        | Ea.  | \$ 250.00    | \$ -          |
| 12       | Relocation of Traffic Signal Pole   | 2        | L.S. | \$ 62,500.00 | \$ 125,000.00 |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 1        | L.S. | \$ 30,000.00 | \$ 30,000.00  |
| 14       | Relocation of Grate Inlet   | 0        | L.S. | \$ 5,000.00  | \$ -          |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -          |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -          |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -          |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -          |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -          |
|          | <b>Subtotal:</b>  |          |      |              | \$ 238,370.00 |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 35,800.00  |
|          | <b>Construction Total for Segment South 2:</b>  |          |      |              | \$ 274,200.00 |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 41,130.00  |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -          |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 6,860.00   |
|          | <b>Total Project Budget for Segment South 2:</b>  |          |      |              | \$ 322,200.00 |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS

Date: 1-Apr-13

Project: FM 544 Trail Master Plan  
Segment South 3

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount               |
|----------|---|----------|------|--------------|----------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 3,400    | L.F. | \$ 40.00     | \$ 136,000.00        |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 638      | S.Y. | \$ 10.00     | \$ 6,380.00          |
| 3        | Construct 2-ft Tall Retaining Wall  | 940      | L.F. | \$ 40.00     | \$ 37,600.00         |
| 4        | Furnish & Install Pedestrian Railing  | 695      | L.F. | \$ 75.00     | \$ 52,125.00         |
| 5        | Import Embankment, Place & Compact  | 358      | C.Y. | \$ 10.00     | \$ 3,580.00          |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 990      | L.F. | \$ 150.00    | \$ 148,500.00        |
| 7        | Furnish & Install Crosswalk Striping  | 180      | L.F. | \$ 1.50      | \$ 270.00            |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 5        | Ea.  | \$ 850.00    | \$ 4,250.00          |
| 9        | Adjust Valve Cover or Manhole   | 5        | Ea.  | \$ 1,000.00  | \$ 5,000.00          |
| 10       | Relocate Fire Hydrant or Water Meter  | 4        | Ea.  | \$ 4,000.00  | \$ 16,000.00         |
| 11       | Relocate Roadway Sign   | 2        | Ea.  | \$ 250.00    | \$ 500.00            |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -                 |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 0        | L.S. | \$ 30,000.00 | \$ -                 |
| 14       | Relocation of Grate Inlet   | 1        | L.S. | \$ 5,000.00  | \$ 5,000.00          |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 1        | L.S. | \$ 50,000.00 | \$ 50,000.00         |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -                 |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -                 |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 465,205.00</b> |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 69,800.00         |
|          | <b>Construction Total for Segment South 3:</b>  |          |      |              | <b>\$ 535,100.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 80,270.00         |
|          | Land Acquisition  | 0.25     | Ac.  | \$ 50,000.00 | \$ 12,500.00         |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 13,380.00         |
|          | <b>Total Project Budget for Segment South 3:</b>  |          |      |              | <b>\$ 641,300.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103Client: CITY OF MURPHY, TEXASDate: 1-Apr-13Project: FM 544 Trail Master Plan  
Segment South 4By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount       |
|----------|---|----------|------|--------------|--------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 570      | L.F. | \$ 40.00     | \$ 22,800.00 |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 0        | S.Y. | \$ 10.00     | \$ -         |
| 3        | Construct 2-ft Tall Retaining Wall  | 250      | L.F. | \$ 40.00     | \$ 10,000.00 |
| 4        | Furnish & Install Pedestrian Railing  | 250      | L.F. | \$ 75.00     | \$ 18,750.00 |
| 5        | Import Embankment, Place & Compact  | 135      | C.Y. | \$ 10.00     | \$ 1,350.00  |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -         |
| 7        | Furnish & Install Crosswalk Striping  | 0        | L.F. | \$ 1.50      | \$ -         |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 0        | Ea.  | \$ 850.00    | \$ -         |
| 9        | Adjust Valve Cover or Manhole   | 2        | Ea.  | \$ 1,000.00  | \$ 2,000.00  |
| 10       | Relocate Fire Hydrant or Water Meter  | 2        | Ea.  | \$ 4,000.00  | \$ 8,000.00  |
| 11       | Relocate Roadway Sign   | 1        | Ea.  | \$ 250.00    | \$ 250.00    |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -         |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 0        | L.S. | \$ 30,000.00 | \$ -         |
| 14       | Relocation of Grate Inlet   | 0        | L.S. | \$ 5,000.00  | \$ -         |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -         |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -         |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 1        | L.S. | \$ 10,000.00 | \$ 10,000.00 |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -         |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -         |
|          | <b>Subtotal:</b>  |          |      |              | \$ 73,150.00 |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 11,000.00 |
|          | <b>Construction Total for Segment South 4:</b>  |          |      |              | \$ 84,200.00 |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 12,630.00 |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -         |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 2,110.00  |
|          | <b>Total Project Budget for Segment South 4:</b>  |          |      |              | \$ 99,000.00 |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS  
 Project: FM 544 Trail Master Plan  
Segment North 1

Date: 1-Apr-13

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount               |
|----------|---|----------|------|--------------|----------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 1,290    | L.F. | \$ 40.00     | \$ 51,600.00         |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 0        | S.Y. | \$ 10.00     | \$ -                 |
| 3        | Construct 2-ft Tall Retaining Wall  | 1,045    | L.F. | \$ 40.00     | \$ 41,800.00         |
| 4        | Furnish & Install Pedestrian Railing  | 1,045    | L.F. | \$ 75.00     | \$ 78,375.00         |
| 5        | Import Embankment, Place & Compact  | 562      | C.Y. | \$ 10.00     | \$ 5,620.00          |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -                 |
| 7        | Furnish & Install Crosswalk Striping  | 150      | L.F. | \$ 1.50      | \$ 225.00            |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 3        | Ea.  | \$ 850.00    | \$ 2,550.00          |
| 9        | Adjust Valve Cover or Manhole   | 1        | Ea.  | \$ 1,000.00  | \$ 1,000.00          |
| 10       | Relocate Fire Hydrant or Water Meter  | 1        | Ea.  | \$ 4,000.00  | \$ 4,000.00          |
| 11       | Relocate Roadway Sign   | 0        | Ea.  | \$ 250.00    | \$ -                 |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -                 |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 0        | L.S. | \$ 30,000.00 | \$ -                 |
| 14       | Relocation of Grate Inlet   | 1        | L.S. | \$ 5,000.00  | \$ 5,000.00          |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -                 |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -                 |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 190,170.00</b> |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 28,600.00         |
|          | <b>Construction Total for Segment North 1:</b>  |          |      |              | <b>\$ 218,800.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 32,820.00         |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -                 |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 5,470.00          |
|          | <b>Total Project Budget for Segment North 1:</b>  |          |      |              | <b>\$ 257,100.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS  
 Project: FM 544 Trail Master Plan  
Segment North 2

Date: 1-Apr-13

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount               |
|----------|---|----------|------|--------------|----------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 1,505    | L.F. | \$ 40.00     | \$ 60,200.00         |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 404      | S.Y. | \$ 10.00     | \$ 4,040.00          |
| 3        | Construct 2-ft Tall Retaining Wall  | 0        | L.F. | \$ 40.00     | \$ -                 |
| 4        | Furnish & Install Pedestrian Railing  | 100      | L.F. | \$ 75.00     | \$ 7,500.00          |
| 5        | Import Embankment, Place & Compact  | 0        | C.Y. | \$ 10.00     | \$ -                 |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -                 |
| 7        | Furnish & Install Crosswalk Striping  | 0        | L.F. | \$ 1.50      | \$ -                 |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 0        | Ea.  | \$ 850.00    | \$ -                 |
| 9        | Adjust Valve Cover or Manhole   | 0        | Ea.  | \$ 1,000.00  | \$ -                 |
| 10       | Relocate Fire Hydrant or Water Meter  | 0        | Ea.  | \$ 4,000.00  | \$ -                 |
| 11       | Relocate Roadway Sign   | 0        | Ea.  | \$ 250.00    | \$ -                 |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -                 |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 1        | L.S. | \$ 30,000.00 | \$ 30,000.00         |
| 14       | Relocation of Grate Inlet   | 0        | L.S. | \$ 5,000.00  | \$ -                 |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -                 |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -                 |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 1        | L.S. | \$ 50,000.00 | \$ 50,000.00         |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 1        | L.S. | \$ 1,500.00  | \$ 1,500.00          |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 153,240.00</b> |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 23,000.00         |
|          | <b>Construction Total for Segment North 2:</b>  |          |      |              | <b>\$ 176,300.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 26,450.00         |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -                 |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 4,410.00          |
|          | <b>Total Project Budget for Segment North 2:</b>  |          |      |              | <b>\$ 207,200.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103

Client: CITY OF MURPHY, TEXAS

Date: 1-Apr-13

Project: FM 544 Trail Master Plan

Segment North 3

By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount             |
|----------|---|----------|------|--------------|--------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 110      | L.F. | \$ 40.00     | \$ 4,400.00        |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 0        | S.Y. | \$ 10.00     | \$ -               |
| 3        | Construct 2-ft Tall Retaining Wall  | 0        | L.F. | \$ 40.00     | \$ -               |
| 4        | Furnish & Install Pedestrian Railing  | 0        | L.F. | \$ 75.00     | \$ -               |
| 5        | Import Embankment, Place & Compact  | 0        | C.Y. | \$ 10.00     | \$ -               |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -               |
| 7        | Furnish & Install Crosswalk Striping  | 0        | L.F. | \$ 1.50      | \$ -               |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 0        | Ea.  | \$ 850.00    | \$ -               |
| 9        | Adjust Valve Cover or Manhole   | 0        | Ea.  | \$ 1,000.00  | \$ -               |
| 10       | Relocate Fire Hydrant or Water Meter  | 0        | Ea.  | \$ 4,000.00  | \$ -               |
| 11       | Relocate Roadway Sign   | 0        | Ea.  | \$ 250.00    | \$ -               |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -               |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 0        | L.S. | \$ 30,000.00 | \$ -               |
| 14       | Relocation of Grate Inlet   | 0        | L.S. | \$ 5,000.00  | \$ -               |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -               |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -               |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -               |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -               |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -               |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 4,400.00</b> |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 700.00          |
|          | <b>Construction Total for Segment North 3:</b>  |          |      |              | <b>\$ 5,100.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 770.00          |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -               |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 130.00          |
|          | <b>Total Project Budget for Segment North 3:</b>  |          |      |              | <b>\$ 6,000.00</b> |

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

Project No. 2013-103Client: CITY OF MURPHY, TEXASDate: 1-Apr-13Project: FM 544 Trail Master Plan  
Segment North 4By: J.T.G.

**ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

| Item No. | Description   | Quantity | Unit | Price        | Amount             |
|----------|---|----------|------|--------------|--------------------|
| 1        | Construct 10-Wide, 4-Inch Thick Reinforced Concrete Sidewalk  | 50       | L.F. | \$ 40.00     | \$ 2,000.00        |
| 2        | Remove Existing Reinforced Concrete Sidewalk  | 0        | S.Y. | \$ 10.00     | \$ -               |
| 3        | Construct 2-ft Tall Retaining Wall  | 0        | L.F. | \$ 40.00     | \$ -               |
| 4        | Furnish & Install Pedestrian Railing  | 0        | L.F. | \$ 75.00     | \$ -               |
| 5        | Import Embankment, Place & Compact  | 0        | C.Y. | \$ 10.00     | \$ -               |
| 6        | Remove and Replace Wooden Fence with Masonry Wall   | 0        | L.F. | \$ 150.00    | \$ -               |
| 7        | Furnish & Install Crosswalk Striping  | 0        | L.F. | \$ 1.50      | \$ -               |
| 8        | Furnish & Install ADA Compliant Pedestrian Ramp   | 0        | Ea.  | \$ 850.00    | \$ -               |
| 9        | Adjust Valve Cover or Manhole   | 0        | Ea.  | \$ 1,000.00  | \$ -               |
| 10       | Relocate Fire Hydrant or Water Meter  | 0        | Ea.  | \$ 4,000.00  | \$ -               |
| 11       | Relocate Roadway Sign   | 0        | Ea.  | \$ 250.00    | \$ -               |
| 12       | Relocation of Traffic Signal Pole   | 0        | L.S. | \$ 62,500.00 | \$ -               |
| 13       | Extending Railroad Crossing For 10-Ft wide Sidewalk   | 0        | L.S. | \$ 30,000.00 | \$ -               |
| 14       | Relocation of Grate Inlet   | 0        | L.S. | \$ 5,000.00  | \$ -               |
| 15       | Clearing Landscaping Features around Murphy Entry Sign Including Adjustments to Irrigation and Tree Replacement | 0        | L.S. | \$ 50,000.00 | \$ -               |
| 16       | Culvert Extension and Reconstruct Concrete Headwall   | 0        | L.S. | \$ 50,000.00 | \$ -               |
| 17       | Excavation under Maxwell Creek Bridge and Modifications to Abutments  | 0        | L.S. | \$ 10,000.00 | \$ -               |
| 18       | Construction of 10-ft Tall Retaining wall at NE corner of RR crossing including earthwork activities            | 0        | L.S. | \$ 50,000.00 | \$ -               |
| 19       | Relocate Rock Landscaping at Classic Gardens  | 0        | L.S. | \$ 1,500.00  | \$ -               |
|          | <b>Subtotal:</b>  |          |      |              | <b>\$ 2,000.00</b> |
|          | Contingencies and Miscellaneous Items   | 15%      |      |              | \$ 300.00          |
|          | <b>Construction Total for Segment North 4:</b>  |          |      |              | <b>\$ 2,300.00</b> |
|          | Professional Services (Surveying, Engineering, Bidding & Construction Administration)                           | 15%      |      |              | \$ 350.00          |
|          | Land Acquisition  | 0        | Ac.  | \$ 50,000.00 | \$ -               |
|          | Inspection & Quality Control  | 2.5%     |      |              | \$ 60.00           |
|          | <b>Total Project Budget for Segment North 4:</b>  |          |      |              | <b>\$ 2,800.00</b> |

**City Council**  
**March 4, 2014**

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**Issue**

Consider and/or act on a Resolution adopting an Inter Local Agreement (ILA) between Collin County and the City of Murphy regarding the allocation of funds for culvert extensions on North Murphy Road.

**Background**

In November 2013, the City Council approved a Resolution for a Local Project Advanced Funding Agreement to extend culverts on North Murphy Road.

**Summary**

The project's estimated cost is \$131,046.23:

- \$49,105.43 from the State
- \$40,970.40 coming from Collin County
- \$40,970.40 coming from the City of Murphy

The proposed Resolution will allow Collin County to transfer its share (\$40,970) from the dedicated account for Betsy Lane Improvements to the culvert extension project.

The City's portion is coming from the 2008 Murphy Road Bond Funds account.

**Action**

Approve the Resolution and authorize the City Manager to execute the ILA with Collin County.

**Attachments**

Resolution

Inter Local Agreement with Collin County

**RESOLUTION NO.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURPHY  
REGARDING COST PARTICIPATION FOR ADDITIONAL CULVERT  
AND RETAINING WALL WORK ALONG FM 2551 (MURPHY RD.)  
FROM FM 544 TO FM 2514**

**WHEREAS**, the County of Collin, Texas (“County”) and the City of Murphy, Texas (“City”) desire to enter into an agreement concerning cost participation with the Texas Department of Transportation (TxDOT) for additional culvert and retaining wall work along FM 2551 from FM 544 to FM 2514 (TxDOT CSJ # 2056-01-045); and

**WHEREAS**, the Interlocal Cooperation Act (Texas Government Code Chapter 791) authorizes any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

**WHEREAS**, the City and the County have entered into an agreement with the Texas Department of Transportation (TxDOT) to share the additional costs of this culvert and retaining wall work. CO# 2013-1017-12-16; and

**WHEREAS**, the total additional cost of the work is \$131,046.23 and the county’s share according to the approved TxDOT agreement is \$40,970.40; and

**WHEREAS**, the City and County have determined that the improvements are of regional significance, and merit partnership between the two agencies.

**WHEREAS**, the City has funds allocated to Bond Project #07-053, (Betsy Ln. from FM 2551 to McCreary Rd.) available for the county match; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS:**

**Section 1:** The above aforementioned items are true;

**Section 2:** The Interlocal Agreement between Collin County and the City of Murphy regarding cost participation for additional culvert work on North Murphy Road, is attached as Exhibit A, is part of this Resolution and approved the City Council;

**Section 3:** The City Manager is authorized to sign and execute the Interlocal Agreement.

**DULY RESOLVED** by the City Council of the City of Murphy, Texas on this 4<sup>th</sup> day of March, 2014.

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**Eric Barna, Mayor**



**INTERLOCAL AGREEMENT  
BETWEEN COLLIN COUNTY AND THE CITY OF MURPHY  
REGARDING COST PARTICIPATION FOR ADDITIONAL CULVERT AND  
RETAINING WALL WORK ALONG  
FM 2551 (MURPHY RD.) FROM FM 544 TO FM  
Bond Project #03-081**

**WHEREAS**, the County of Collin, Texas (“County”) and the City of Murphy, Texas (“City”) desire to enter into an agreement concerning cost participation with the Texas Department of Transportation (TxDOT) for additional culvert and retaining wall work along FM 2551 from FM 544 to FM 2514 (TxDOT CSJ # 2056-01-045); and

**WHEREAS**, the Interlocal Cooperation Act (Texas Government Code Chapter 791) authorizes any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

**WHEREAS**, the City and the County have entered into an agreement with the Texas Department of Transportation (TxDOT) to share the additional costs of this culvert and retaining wall work. CO# 2013-1017-12-16; and

**WHEREAS**, the total additional cost of the work is \$131,046.23 and the county’s share according to the approved TxDOT agreement is \$40,970.40; and

**WHEREAS**, the City and County have determined that the improvements are of regional significance, and merit partnership between the two agencies.

**WHEREAS**, the City has funds allocated to Bond Project #07-053, (Betsy Ln. from FM 2551 to McCreary Rd.) available for the county match; and.

**NOW, THEREFORE**, this Agreement is made and entered into by the County and the City upon and for the mutual consideration stated herein, the receipt and sufficiency of which is hereby acknowledged.

**WITNESSETH:**

**ARTICLE I.**

The City shall sent TxDOT their share of the Local Transportation Project Advanced Funding Agreement (Hereinafter called “TxDOT Agreement”) funding for the culvert and retaining wall work in the amount of \$40,970.40 and the County will sent their share of the TxDOT Agreement in the amount of \$40,970.40.

## ARTICLE II.

The County shall reallocate its portion of the funding from the City of Murphy's 2007 Bond Project #07-053, Betsy Lane from FM 2551 to McCreary Rd. in the amount of \$40,970.40. These funds will be reallocated to the FM 2551 from FM 544 to FM 2514 project #03-081.

## ARTICLE III.

The City shall prepare for the County documentation showing funds have been submitted to TxDOT for their portion of the TxDOT Agreement.

## ARTICLE IV.

The City and County agree that the party paying for the performance of governmental functions or services shall make those payments only from current revenues legally available to the paying party.

## ARTICLE V.

**INDEMNIFICATION. TO THE EXTENT ALLOWED BY LAW, EACH PARTY AGREES TO RELEASE, DEFEND, INDEMNIFY, AND HOLD HARMLESS THE OTHER (AND ITS OFFICERS, AGENTS, AND EMPLOYEES) FROM AND AGAINST ALL CLAIMS OR CAUSES OF ACTION FOR INJURIES (INCLUDING DEATH), PROPERTY DAMAGES (INCLUDING LOSS OF USE), AND ANY OTHER LOSSES, DEMANDS, SUITS, JUDGMENTS AND COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND EXPENSES, IN ANY WAY ARISING OUT OF, RELATED TO, OR RESULTING FROM ITS PERFORMANCE UNDER THIS AGREEMENT, OR CAUSED BY ITS NEGLIGENT ACTS OR OMISSIONS (OR THOSE OF ITS RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, OR ANY OTHER THIRD PARTIES FOR WHOM IT IS LEGALLY RESPONSIBLE) IN CONNECTION WITH PERFORMING THIS AGREEMENT.**

## ARTICLE VI.

**VENUE.** The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement. The parties agree that this Agreement is performable in Collin County, Texas and that exclusive venue shall lie in Collin County, Texas.

**ARTICLE VII.**

SEVERABILITY. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the agreement shall be enforced as if the invalid provision had never been included.

**ARTICLE VIII.**

ENTIRE AGREEMENT. This Agreement embodies the entire agreement between the parties and may only be modified in a writing executed by both parties. This Agreement supersedes all prior negotiations, representations and/or agreements, either written or oral.

**ARTICLE IX.**

SUCCESSORS AND ASSIGNS. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

**ARTICLE X.**

IMMUNITY. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied, other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

**ARTICLE XI.**

TERM. This Agreement shall be effective upon execution by both parties and shall continue in effect annually until final acceptance of the Project. This Agreement shall automatically renew annually during this period.

**APPROVED AS TO FORM:**

**COUNTY OF COLLIN, TEXAS**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: County Judge  
Date: \_\_\_\_\_  
Executed on this \_\_\_\_\_ day of \_\_\_\_\_,

2014, by the County of Collin,  
pursuant to Commissioners' Court  
Order No. \_\_\_\_\_.

**ATTEST:**

By: \_\_\_\_\_  
Name:  
Title: City Secretary  
Date: \_\_\_\_\_

**CITY OF MURPHY, TEXAS**

By: \_\_\_\_\_  
Name: James Fisher  
Title: City Manager  
Date: \_\_\_\_\_  
Executed on behalf of the City of  
Murphy pursuant to City Council  
Resolution No. \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Name:  
Title: City Attorney  
Date: \_\_\_\_\_