



QUOTE

2084026

applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Inside Sales Partner: Brooke Journet
+1-469-656-8011
brookej@stalkerradar.com

Reg Sales Mgr: Stephen Barlag
972-398-3780
stephen@a-concepts.com

Page 1 of 2

Date: 02/02/24

Effective From : 02/02/2024

Valid Through: 05/02/2024

Lead Time: 45 working days

Bill To: Town of Poetry 5761 CR 323 Poetry, TX 75160	Customer ID: P63354 Accounts Payable	Ship To: Town Of Poetry 5761 CR 323 Poetry, TX 75160	<i>FedEx Ground</i> Mayor Tara Senkevech
--	--	--	---

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
1	1	836-0015-00	PMG 15 Inch Display with Traffic Analyst	24	\$3,880.00	\$3,880.00
	Ln	Qty	Part Number	Description	Price	Ext Price
	1	1	200-1315-00	15" PMG w/Traffic Analyst, configured with:		\$0.00
	2	1	035-0002-21	15" and 18" PMG Shipping Box		\$0.00
	3	4	035-0002-20	PMG Corner Packing Foam		\$0.00
	4	1	060-1000-24	24-Month Warranty		\$0.00
	5	1	006-0076-00	PMG Installation Guide		\$0.00
	6	1	200-1285-00	15"PMG Speed Display		\$0.00
	7	1	200-5542-12	15" PMG Controller, Normal Speed - 4G/Standalone		\$0.00
	8	1	200-1285-10	15" PMG Bezel, White		\$0.00
	9	1	200-1339-11	15" PMG Display - Amber LED, No Strobes		\$0.00
	10	1	062-0126-01	PMG Text and Graphics Option		\$0.00
	11	1	200-1285-50	No Flash Selected		\$0.00
	12	1	200-1206-55	12" PMG Pole Mount, 2-Part		\$0.00
	13	1	200-1395-01	PMG Backpack - SLA w/Solar		\$0.00
	14	2	047-0049-00	Cover Plate on Quad Bay Unit		\$0.00
	15	1	047-0044-00	15" PMG Bracket for Battery Backpack		\$0.00
	16	1	047-1003-00	PMG Power Cover Plate		\$0.00
	17	1	200-1298-04	15" PMG - USB Port, GPIO, Ethernet		\$0.00
	18	1	200-5516-22	PMG GPIO Module - 2 In, 2 Out		\$0.00
	19	1	200-1206-60	PMG Key Fob and Control Module		\$0.00
	20	1	200-1206-70	PMG Short-Range Wireless Module		\$0.00
	21	1	200-1508-10	PMG 4G Modem Nimblelink w/Ext Antenna Connection		\$0.00
	22	1	200-1206-62	PMG GPS Module for 4G		\$0.00
	23	1	200-1206-08	PMG Expanded Memory Option, 8GB		\$0.00
	24	1	200-1330-50	PMG 50W Solar Power Package		\$0.00
	25	1	200-1419-00	Battery Backpack Solar Option Kit		\$0.00
	26	1	200-1424-00	PMG Flood Sensor w/Mount, 25 ft Cable		\$0.00
	27	1	015-0344-02	PMG 4G External Antenna - Standard		\$0.00
Group Total						\$3,880.00

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
2	1		Selected Accessories	0		\$0.00



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--	--	--	---

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
2	1		Selected Accessories	0		\$0.00
	Ln	Qty	Part Number	Description	Price	Ext Price
	28	1	155-2588-00	PMG Floor Sensor Cable, 100 ft	\$240.00	\$240.00
	29	2	200-1397-00	PMG Backpack Battery Kit - SLA 22Ah w/Wiring	\$90.00	\$180.00
	30	1	060-3000-12	Street Dynamics Portal Subscription-PMG-12 Months	\$617.00	\$617.00
Group Total						\$1,037.00

Product	\$4,917.00	Sub-Total:	\$4,917.00
Discount	\$0.00	Sales Tax 0%	\$0.00
Payment Terms: Net 30 days		Shipping & Handling:	\$140.00
		Total: USD	\$5,057.00

001

This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.

PETITION FOR RELEASE OF AREA BY LANDOWNER OR RESIDENT

FROM EXTRATERRITORIAL JURISDICTION

TO THE TOWN OF POETRY, TEXAS:

Redacted/Scanned
to CM's +
3/7/24 Mayor
JES

Pursuant to Chapter 42, Local Government Code as amended and effective September 1, 2023, Petitioners Ryan Royce Scott & Angela Christine Scott, hereby file this Petition for Release of Area within the municipality's extraterritorial jurisdiction ("ETJ") and in support thereof would respectfully show as follows:

FACTUAL BACKGROUND

Petitioners aver that they: (a) are all of the residents of the area described by the Petition in the Town of Poetry's extraterritorial jurisdiction; (b) are the owners of the majority in value of such area consisting of one lot in the Town of Poetry's extraterritorial jurisdiction; and (c) constitute the majority in value of the holders of title to such land to be released.

ARGUMENT AND AUTHORITY

1. As set forth above, Petitioners are all of the residents of the area described by the Petition in the municipality's extraterritorial jurisdiction. See Tex. Loc. Gov. Code Sec. 42.102(a).
2. Petitioners are more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding. See Tex. Loc. Gov. Code Sec. 42.102(b).
3. In addition, Petitioners are the owners of the majority in value of such area consisting of one lot of land in the municipality's extraterritorial jurisdiction. See Tex. Loc. Gov. Code Sec. 42.102(b).
4. Likewise, Petitioners constitute the majority in value of the holders of title of land in the area described by the Petition, as indicated by the tax rolls of the Kaufman County

Central Appraisal District ("KCAD"), in accordance with Tex. Loc. Gov. Code Sec. 42.104(a)(2).

5. As set forth below, Petitioners have satisfied the signature requirement described by Tex. Loc. Gov. Code Sec. 42.104(a) by submitting all of the required signatures not later than the 180th day after the date the first signature for the petition was obtained and such signatures are in writing, as required by Tex. Loc. Gov. Code Secs. 42.104(c) and (d).
 6. The petition includes a map of the land to be released and describes the boundaries of the land to be released by lot and block numbers. See Tex. Loc. Gov. Code Sec. 42.104(d)(1) and (2). See also Exhibit "A" all of the property owned by Petitioners and Exhibit "B" the property to be released and Exhibit "C" map of area defined in Exhibit A and B, attached hereto.
 7. The "area described by the petition" and "land to be released" as set forth herein is any part of the following property included within the Town of Poetry ETJ: (1) KCAD Property ID: 215815 14407,215816 & 14406; Legal Acreage: 22.049; GEO ID: 99.0529.0000.0105.02.06.12, 99.0529.0000.0105.01.06.00, 99.0529.0000.0105.03.06.12 & 99.0529.0000.0105.00.06.00; Legal Description: Being all of Survey Plat 19370 FM 1565, as recorded in E. Turner Survey, Abstract No. 529 and as more specifically described on Exhibits "A" and Exhibit "B" attached hereto and which are incorporated herein by reference. See also the map attached hereto as Exhibit. "C,"
 8. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(a) Petitioners request this petition requesting removal shall be verified by the municipal secretary or other person responsible for verifying signatures.
 9. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(b), Petitioners request the municipality to notify the residents and landowners of the results of the petition.
 10. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(c), since the Petitioners have obtained the required number of signatures under Section 42.104, the aforementioned municipality shall immediately release the area from the municipality's extraterritorial jurisdiction.
-

Respectfully Submitted,

Petitioner(s) Name:

Signature: [Handwritten Signature]

DOB: _____

Date: 3-5-24

Petitioner(s) Name:

Signature: A. F. Scott

DOB: _____

Date: 3-5-24

Petitioner(s) Home Address:

19370 FM 1565
Terrell, TX 75160

Phone Number: _____

Email Address: _____

CERTIFICATE OF SERVICE:

This is to certify that on 5 day of March, 2024 a true and correct copy of the above and foregoing instrument was this date sent to the Town of Poetry, Texas via email to the secretary@poetrytexas.org, The Mayor and all Town Councilmen.

Petitioners Name: Ryan Royce Scott

Petitioners Name: Angela Christine Scott

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT A: PROPERTY DESCRIPTION

STATE OF TEXAS

KAUFMAN COUNTY

All that certain lot, tract or parcel of land, part of the E Turner Survey, Abstract No. 529. Kaufman County, Texas, part of that certain called 36 794 acre tract conveyed to Donald J. Blasius by Estate of Margaret Blasius on December 5, 2022, recorded in Vol 7987 page 363 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit

BEGINNING at a 3/8" Iron rod found at the Southerly West corner of the above mentioned 36.794 acre tract, at the South corner of the Kierstyn Baxter and Andrew Baxter 1.593 acre tract, recorded in Vol. 5628 page 512 of the Deed Records of Kaufman County, Texas and being in the Northeast Right of Way line of Farm to Market Road No. 1565.

THENCE N 39 deg. 40 min. 36 sec. E, with the Southeast line of said 1 593 acre tract, a distance of 117.20 ft to a 3/8" Iron rod found at the East corner of same

THENCE N 44 deg 01 min 01 sec. W, with the Northeast line of said 1.593 acre tract, a distance of 481 19 ft. to a 1/2" Iron rod found at the North corner of same and heing in the Southeast line of the Frank A. Laywell, et ux 20.00 acre tract, recorded in Vol. 735 page 32 of the Deed Records of Kaufman County, Texas.

THENCE N 35 deg. 06 min 45 sec. E, with the Southeast line of said 20 00 acre tract, a distance of 1 | 27.74 ft. to a 3/8" Iron rod found at the West corner of the Richard E Blastus 25.505 acre tract, recorded in Vol. 7987 page 367 of the Deed Records of Kaufman County, Texas.

THENCE S 45 deg. 13 min. 42 sec. B, with the Southwest line of said 25.505 acre tract, a distance of 885.76 ft to a 3/8" Iron rod set for corner.

THENCE 5 40 deg. 53 min. 45 sec. W, a distance of 1239.47 ft. to a 3/8" Iron rod set in the Northeast Right of Way line of Farm to Market Road No. 1565

THENCE N 45 deg. 37 min. 54 sec. W, with the Northeast Right of Way line of Farm to Market Road No. 1565, a distance of 288.83 ft. to the point of beginning, containing 22.049 acres of land.

EXHIBIT B: DESCRIPTION OF THE PORTION TO BE RELEASED

STATE OF TEXAS

KAUFMAN COUNTY

All that certain lot, tract or parcel of land, part of the E Turner Survey, Abstract No. 529. Kaufman County, Texas, part of that certain called 36 794 acre tract conveyed to Donald J. Blasius by Estate of Margaret Blasius on December 5, 2022, recorded in Vol 7987 page 363 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit

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THENCE N 35 deg. 06 min 45 sec. E, with the Southeast line of said 20 00 acre tract, a distance of 1 | 27.74 ft. to a 3/8" Iron rod found at the West corner of the Richard E Blastus 25.505 acre tract, recorded in Vol. 7987 page 367 of the Deed Records of Kaufman County, Texas.

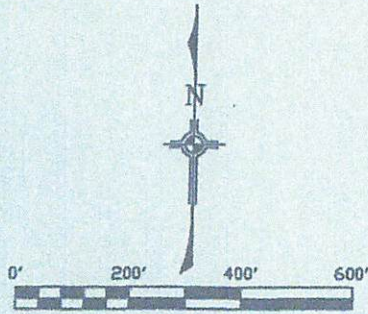
THENCE S 45 deg. 13 min. 42 sec. B, with the Southwest line of said 25.505 acre tract, a distance of 885.76 ft to a 3/8" Iron rod set for corner.

THENCE S 40 deg. 53 min. 45 sec. W, a distance of 1239.47 ft. to a 3/8" Iron rod set in the Northeast Right of Way line of Farm to Market Road No. 1565

THENCE N 45 deg. 37 min. 54 sec. W, with the Northeast Right of Way line of Farm to Market Road No. 1565, a distance of 288.83 ft. to the point of beginning, containing 22.049 acres of land.

LESS AND EXCEPT

BEING ALL OF THAT TRACT OF LAND IN KAUFMAN COUNTY, TEXAS AND A PART OF PLAT TRACT K-6 AS DEFINED IN "AN ORDER FOR THE INCORPORATION OF THE TOWN OF POETRY, TEXAS", VOL 2020 PAGE 20915 OF THE REAL PROPERTY RECORDS OF HUNT COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIPBED AS THE MOST EASTERLY PORTION OF THE LOT.



*e" Denotes 3/8" Iron rod set unless otherwise noted.

ETJ TO BE REMOVED

**PLAT OF SURVEY
SHOWING
PART OF THE
E. TURNER SURVEY
ABSTRACT NO. 529
KAUFMAN COUNTY, TEXAS**

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the above plat and companion field notes were prepared from an actual survey made by me on the ground during the month of October, 2022.

This survey meets the requirements of the General Rules of Procedures and Practices as defined by the Texas Board of Professional Engineers and Land Surveyors.

This survey was performed for the benefit of Donald J. Blasius. Use of this plat by any other person or for any other purpose is prohibited and the undersigned is not responsible for any loss resulting therefrom.

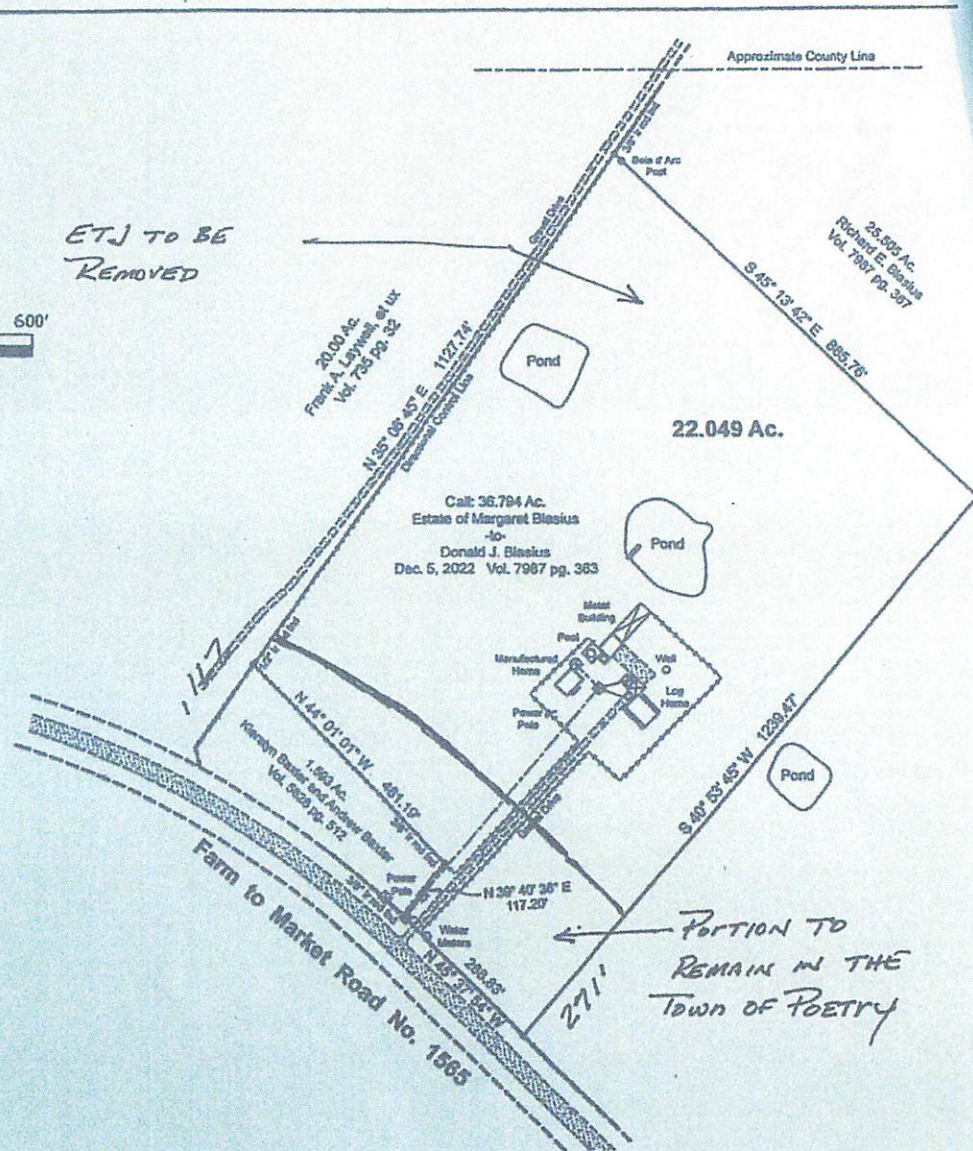
GIVEN UNDER MY HAND AND SEAL
this the 4th day of October, 2022.

NOTE: PLAT VOID IF NOT SIGNED IN BLUE

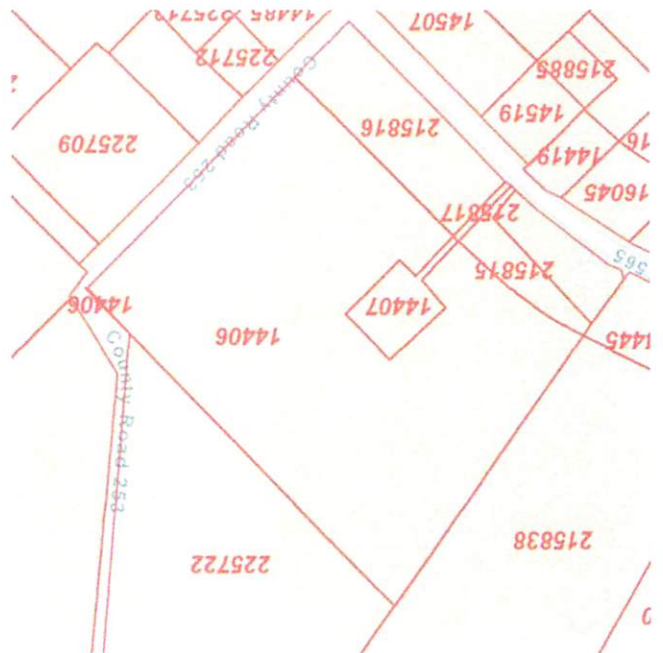
Greg Sjerven
GREG SJERVEN, R. P. L. S. NO. 5244
Copyright 2022. All rights reserved.
Statewide Surveying Services



EXHIBIT C:



PORTION TO REMAIN IN THE TOWN OF POETRY



Poetry Scholarship

Applicant Name: _____ Date received: _____

5671 CR 323 Poetry TX
75160

Applications must be
received between April 1
and May 1 of each year

contact@poetrytexas.org

OBJECTIVE

The Town of Poetry, in an effort to encourage future agriculture-related endeavors, will provide an annual scholarship opportunity for student/s who reside in the Town of Poetry and its ETJ for those wanting to study or currently studying Agriculture, Agriculture Business, Agriculture Economics, Agriculture Marketing, Aquaculture, Animal Science, Poultry Science, Entomology, Veterinary Medicine, or trade schools, including, but not limited to the above. [Appropriate entries would be at complete discretion of the selection committee] The monies will be from donations which come in designated for such scholarship. The Scholarship winner/s will be presented each June and will be decided by the Mayor and two council members. In case of any conflict of interest with an applicant, the mayor shall choose an alternate council member to serve on the selection committee.

WHO —

Current Students or
Prospective Students with
valid proof of approval from a
University, Community
College, Vocational or Trade
School.
Aged 17 and up.

WORK EXPERIENCE

[Dates From] – [To]
[Job Title] • [Job Position] • [Company Name]

[Dates From] – [To]
[Job Title] • [Job Position] • [Company Name]

[Dates From] – [To]
[Job Title] • [Job Position] • [Company Name]

[This is the place for a brief summary of your key responsibilities
and most stellar accomplishments.]

KEY STRENGTHS (list)

GPA 2.0 and above

Include certified transcript.

HOBBIES —

300-500 Word Essay

Attach a typed essay of why you want to study your field and
how it can benefit a rural way of life.

3 REFERENCES

SURVEY #1 FOR POETRY RESIDENTS only:

Name: _____ (only one entry per citizen)

March 2024

As you know, our Town of Poetry is a unique name. In fact, it is the ONLY town named such, which is a rare thing indeed. It was said that when a tornado destroyed the Town school in the early 1900's, the teachers read poetry to the school children to comfort them.

Before the Town purchases any new signs for replacement, since there are several signs needing replaced, we would like to know the will of Poetry citizens. We have received some suggestions, as we "forge our future", that we consider renaming our streets. We have a wonderful and unique opportunity, for all of us to leave our permanent mark in our magnificent Town, by either renaming, or adding (for the ease of transition), something more interesting than numbered roads. To celebrate, both the name of our Town, and to keep the memory of its origin alive, it has been suggested that we consider renaming the streets after famous poets.

We welcome your thoughts and ideas. Please take a moment to submit your ideas.

1). Would you like to see CR 249/CR 2458 renamed? [Rockwall County calls this "Poetry Road"].

Yes or No (please circle one)

2) If yes, should it be named **League Line Rd** or after a **poet**? Suggestion: _____

3) Should it be **CR 249/League Line Rd** or just **League Line Rd** or just **Poetry Rd** or: _____?
(Please circle one)

3) Are there other streets in town jurisdiction you would like renamed after a Poet?

_____, _____, _____, _____, _____, _____, _____

4) Which famous Poets do you prefer? (Circle all that apply)

Adrienne Rich

Christina Rossetti

Dante Alighieri

Edgar Allan Poe

Elizabeth Barrett Browning

Emily Dickenson

Homer

John Milton

Langston Hughes

Mary Oliver

Maya Angelou

Oscar Wilde

Pablo Neruda

Percy Shelley

Phillis Wheatley

Robert Frost

Sylvia Plath

Walt Whitman

William Blake

William Butler Yeats

William Shakespear

William Wordsworth

Any others that we may have not listed here that you prefer: _____

Thank you so much for your input!



TEXAS MUNICIPAL LEAGUE

Empowering Texas cities to serve their citizens

President **Tito Rodriguez**, Councilmember, North Richland Hills
Executive Director **Bennett Sandlin**

March 5, 2024

The Honorable Tara Senkevech, CFO, Mayor
Town of Poetry
19012 FM 986
Terrell, TX 75160-0124

Mayor Senkevech:

It is time to renew the Town of Poetry's membership with the Texas Municipal League (TML). We are honored that the city has been a member of TML since June 1, 2022, and have enclosed your membership renewal invoice.

TML is privileged to serve more than 1,170 member cities throughout the state. Each member contributes to the League's influence and our ability to empower Texas cities to serve their citizens.

We look forward to continuing to address your city's needs in the year ahead and want to make sure you're taking full advantage of TML programs and services:

- ✓ **Advocacy.** The League vigorously coordinates and advocates for a legislative program set by our member cities at the state and federal levels.
- ✓ **Legal Support.** TML has attorneys on staff to answer general legal questions about municipal law and monitor federal and state laws, regulations, and court rulings.
- ✓ **Training.** From our annual conference to workshops to webinars, the League offers training to help you better serve your community.
- ✓ **Resources and Experts.** Whether it's connecting you to our library of information, publications, an expert in the field, a private-sector service, revenue sources, example policies/ordinances, or national and state programs, we can help you seize an opportunity or creatively solve a problem.
- ✓ **Risk Pool.** TML sponsors the TML Intergovernmental Risk Pool (property/liability/workers' compensation coverage) that provides substantial savings to cities.

Thank you for your city's continued participation. If you have any questions about member benefits or the renewal notice, please contact Rachael Pitts on our staff at (512) 231-7472 or rpitts@tml.org. We look forward to serving you for another year and well into the future.

Sincerely,

Bennett Sandlin
Executive Director

Thank you!



1821 Rutherford Lane, Ste 400
Austin, TX 78754
512-231-7400

Renewal Notice

Town of Poetry
Tara Senkevech, CFO
Mayor
19012 FM 986
Terrell, TX 75160-0124

Account No.	C-102425
Date:	2024-03-05
Amount Due:	\$812.00

TML Federal ID No: 74-6000125

Member Service Fee

For the City's share of the cost of League services for the period 2024-06-01 - 2025-05-31.

Member Service Fees are based on population reported by the member city and supplemented by COG population estimates and/or Bureau of Census estimates, when available.

Texas Local Government Code Section 140.0045 requires that your proposed annual budget reflect expenditures your city makes for directly or indirectly influencing or attempting to influence the outcome of legislative or administrative action. TML member service fees are not used for advocacy and need not be included in that calculation.

If you would like TML to submit a conflict disclosure "form 1295," please contact Rachael Pitts on our staff at 512-231-7472 or rpitts@tml.org.

Please make a copy of this statement and return it with your remittance.

For Payments by EFT/ACH:

Bank: JPMorgan Chase
ABA# 111000614
Account # 9440682815

BILLED	\$812.00
PAID	\$0.00
ADJ	\$0.00
BALANCE	\$812.00

PETITION FOR RELEASE OF AREA BY LANDOWNER OR RESIDENT

FROM EXTRATERRITORIAL JURISDICTION

TO THE TOWN OF POETRY, TEXAS:

Pursuant to Chapter 42, Local Government Code as amended and effective September 1, 2023, Petitioners David Potts & Sheila Potts, hereby file this Petition for Release of Area within the municipality's extraterritorial jurisdiction ("ETJ") and in support thereof would respectfully show as follows:

FACTUAL BACKGROUND

Petitioners aver that they: (a) are all of the residents of the area described by the Petition in the Town of Poetry's extraterritorial jurisdiction; (b) are the owners of the majority in value of such area consisting of one lot in the Town of Poetry's extraterritorial jurisdiction; and (c) constitute the majority in value of the holders of title to such land to be released.

ARGUMENT AND AUTHORITY

1. As set forth above, Petitioners are all of the residents of the area described by the Petition in the municipality's extraterritorial jurisdiction. See Tex. Loc. Gov. Code Sec. 42.102(a).
2. Petitioners are more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding. See Tex. Loc. Gov. Code Sec. 42.102(b).
3. In addition, Petitioners are the owners of the majority in value of such area consisting of one lot of land in the municipality's extraterritorial jurisdiction. See Tex. Loc. Gov. Code Sec. 42.102(b).
4. Likewise, Petitioners constitute the majority in value of the holders of title of land in the area described by the Petition, as indicated by the tax rolls of the Hunt County Central Appraisal District ("HCAD"), in accordance with Tex. Loc. Gov. Code Sec. 42.104(a)(2).

5. As set forth below, Petitioners have satisfied the signature requirement described by Tex. Loc. Gov. Code Sec. 42.104(a) by submitting all of the required signatures not later than the 180th day after the date the first signature for the petition was obtained and such signatures are in writing, as required by Tex. Loc. Gov. Code Secs. 42.104(c) and (d).
6. The petition includes a map of the land to be released and describes the boundaries of the land to be released by lot and block numbers. See Tex. Loc. Gov. Code Sec. 42.104(d)(1) and (2). See also Exhibit "A" all of the property owned by Petitioners and Exhibit "B" the property to be released and Exhibit "C" map of area defined in Exhibit A and B, attached hereto.
7. The "area described by the petition" and "land to be released" as set forth herein is any part of the following property included within the Town of Poetry ETJ: (1) KCAD Property ID: 222077; Legal Acreage: 24.000; GEO ID: 0941-0350-0050-90; Legal Description: Being all of Survey Plat 10544 Co Road 2400, as recorded in Amos Strickland Survey, Abstract No. 941 and as more specifically described on Exhibits "A" and Exhibit "B" attached hereto and which are incorporated herein by reference. See also the map attached hereto as Exhibit. "C,"
8. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(a) Petitioners request this petition requesting removal shall be verified by the municipal secretary or other person responsible for verifying signatures.
9. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(b), Petitioners request the municipality to notify the residents and landowners of the results of the petition.
10. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(c), since the Petitioners have obtained the required number of signatures under Section 42.104, the aforementioned municipality shall immediately release the area from the municipality's extraterritorial jurisdiction.

Respectfully Submitted,

Petitioner(s) Name: _____
Signature: David Potts
DOB: _____

Date: 3.3.24

Petitioner(s) Name: _____
Signature: Sheila Potts
DOB: _____

Date: 3.3.24

Petitioner(s) Home Address:

10544 Co Road 2400
Terrell, TX 75160

Phone Number: _____

Email Address: _____

CERTIFICATE OF SERVICE:

This is to certify that on 4th day of March, 2024 a true and correct copy of the above and foregoing instrument was this date sent to the Town of Poetry, Texas via email to the secretary@poetrytexas.org, The Mayor and all Town Councilmen.

Petitioners Name: David Potts

Petitioners Name: Sheila Potts

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT A: PROPERTY DESCRIPTION

STATE OF TEXAS

HUNT COUNTY

All that certain lot, tract or parcel of land, Situated in the AMOS STRICKLAND SURVEY, ABSTRACT NO 941, Hunt County, Texas, and being a part of a 147.443 acres tract of land as described in a Warranty deed from Don Delway Smith to 1995 Osprey, LLC, dated November 6, 1992 and being recorded in Volume 939, Page 323 of the Official Public Records of Hunt County, Texas and being more particularly described as follows:

BEGINNING at a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the southwest boundary line of said 147.443 acres tract said point being N. 45 deg. 00 min. 11 sec. W., 435.46 feet from a ½" iron rod found for corner in the northwest line of County Road 2400 at the south corner of said 147.443 acres tract of land, and at the east corner of a 33.201 acres tract of land as described in a Deed to Bart Followill, as recorded in Volume 625, Page 449 of the Deed Records of Hunt County, Texas:

THENCE N. 45 deg. 00 min. 11 sec. W. along the southwest line of said 147.443 acres tract, a distance of 775.55 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N 45 deg. 00 min. 00 sec. E. a distance of 542.11 feet to a P-K nail set for corner in driveway;

THENCE N. 40 deg. 51 min. 06 sec. W. along the center of said driveway, a distance of 98.72 feet to a P-K nail set for corner;

THENCE N. 48 deg. 32 min. 18 sec. E. along the center of said driveway, a distance of 83.72 feet to a P-K nail set for corner;

THENCE N. 73 deg. 39 min. 55 sec. E. along the center of said driveway, a distance of 124.18 feet to a P-K nail set for corner;

THENCE N 57 deg. 40 min. 00 sec. E, along the center of said driveway, a distance of 114.97 feet to a P-K nail set for corner in the centerline Intersection with another asphalt driveway:

THENCE in a southeasterly direction along the center of said driveway as follows:

S. 44 deg 35 min 22 sec E. a distance of 156.51 feet to a P-K nail set for corner;

S. 55 deg 54 min 32 sec E. a distance of 719.24 feet to a P-K nail set for corner;

S. 40 deg 10 min 00 sec E. a distance of 543.60 feet to a P-K nail set for corner in the southeast boundary line of said 147.443 acres tract and in the northwest line of County Road 2400;

THENCE S. 46 deg. 27 min. 00 sec. W. along the southeast line of said 174,443 acres and the northwest line of County Road 2400, a distance of 507.81 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 45 deg. 00 min. 11 sec. W. a distance of 601.59 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 45 deg. 46 min. 42 sec. W. a distance of 435.46 feet to the POINT OF BEGINNING and containing 24.00 acres of land.

EXHIBIT B: DESCRIPTION OF THE PORTION TO BE RELEASED

STATE OF TEXAS

HUNT COUNTY

All that certain lot, tract or parcel of land, Situated in the AMOS STRICKLAND SURVEY, ABSTRACT NO 941, Hunt County, Texas, and being a part of a 147.443 acres tract of land as described in a Warranty deed from Don Delway Smith to 1995 Osprey, LLC, dated November 6, 1992 and being recorded in Volume 939, Page 323 of the Official Public Records of Hunt County, Texas and being more particularly described as follows:

BEGINNING at a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the southwest boundary line of said 147.443 acres tract said point being N. 45 deg. 00 min. 11 sec. W., 435.46 feet from a ½" iron rod found for corner in the northwest line of County Road 2400 at the south corner of said 147.443 acres tract of land, and at the east corner of a 33.201 acres tract of land as described in a Deed to Bart Followill, as recorded in Volume 625, Page 449 of the Deed Records of Hunt County, Texas:

THENCE N. 45 deg. 00 min. 11 sec. W. along the southwest line of said 147.443 acres tract, a distance of 775.55 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N 45 deg. 00 min. 00 sec. E. a distance of 542.11 feet to a P-K nail set for corner in driveway;

THENCE N. 40 deg. 51 min. 06 sec. W. along the center of said driveway, a distance of 98.72 feet to a P-K nail set for corner;

THENCE N. 48 deg. 32 min. 18 sec. E. along the center of said driveway, a distance of 83.72 feet to a P-K nail set for corner;

THENCE N. 73 deg. 39 min. 55 sec. E. along the center of said driveway, a distance of 124.18 feet to a P-K nail set for corner;

THENCE N 57 deg. 40 min. 00 sec. E, along the center of said driveway, a distance of 114.97 feet to a P-K nail set for corner in the centerline intersection with another asphalt driveway:

THENCE in a southeasterly direction along the center of said driveway as follows:

S. 44 deg 35 min 22 sec E. a distance of 156.51 feet to a P-K nail set for corner;

S. 55 deg 54 min 32 sec E. a distance of 719.24 feet to a P-K nail set for corner;

S. 40 deg 10 min 00 sec E. a distance of 543.60 feet to a P-K nail set for corner in the southeast boundary line of said 147.443 acres tract and in the northwest line of County Road 2400;

THENCE S. 46 deg. 27 min. 00 sec. W. along the southeast line of said 174,443 acres and the northwest line of County Road 2400, a distance of 507.81 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

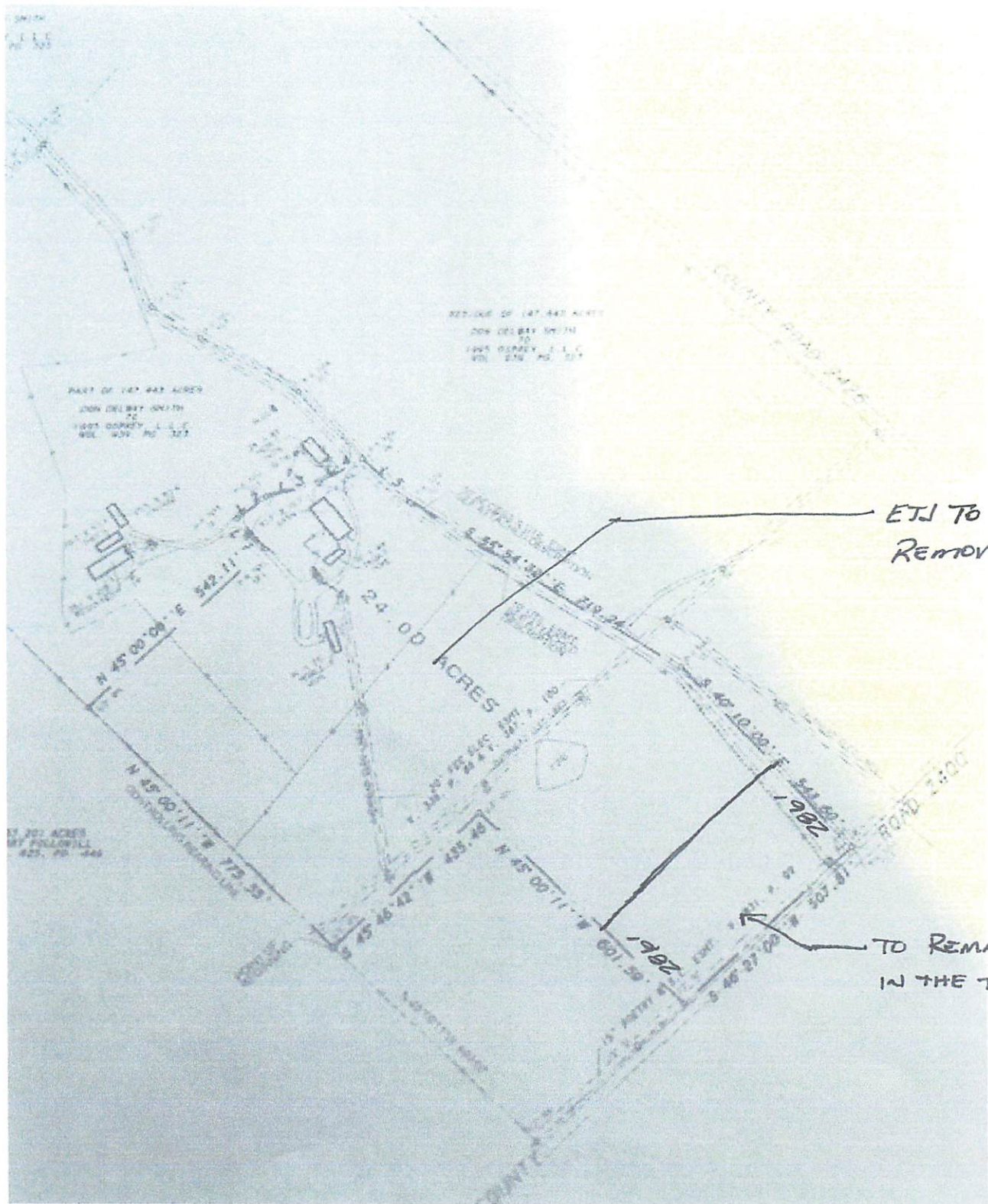
THENCE N. 45 deg. 00 min. 11 sec. W. a distance of 601.59 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 45 deg. 46 min. 42 sec. W. a distance of 435.46 feet to the POINT OF BEGINNING and containing 24.00 acres of land.

LESS AND EXCEPT

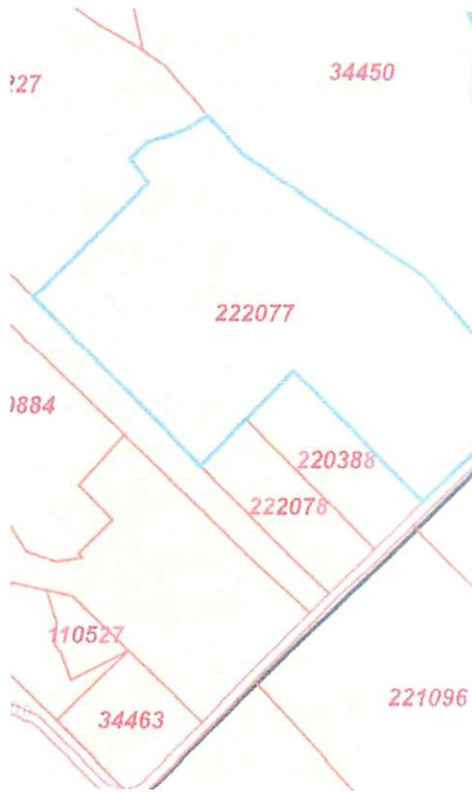
BEING ALL OF THAT TRACT OF LAND IN HUNT COUNTY, TEXAS AND A PART OF PLAT TRACT H-20 AS DEFINED IN "AN ORDER FOR THE INCORPORATION OF THE TOWN OF POETRY, TEXAS", VOL 2020 PAGE 20915 OF THE REAL PROPERTY RECORDS OF HUNT COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED AS THE MOST EASTERLY PORTION OF THE LOT.

EXHIBIT C:



ETJ TO BE
REMOVED

TO REMAIN
IN THE TOWN



(1 of 2) ▶ □ ✕

Parcel Owner: POTTS DAVID PHILLIP & SHEILA P

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 222077
Legal Acreage: 24.00
GEO ID: 0941-0350-0050-89
Legal Description: A0941 STRICKLAND AMON,TRACT 35-5, ACRES 24.0
Tract or Lot: 35-5
Abstract Subdivision Code: A0941
Block:
Neighborhood Code: STR L-A
School District: STR

[Zoom to](#) ⏏

Voter Information

Name: SHEILA POWELL POTTS

Address: 10544 COUNTY ROAD 2400
TERRELL TX 75160

Gender: FEMALE

Valid From: 01/01/2024

Effective Date of Registration: 11/03/2018

Voter Status: ACTIVE

County: HUNT

Precinct: 217

VUID: 1081373971

[Change your Address](#)

Please Note: Polling places are subject to change. Always check

Voter Information

Name: DAVID PHILLIP POTTS

Address: 10544 COUNTY ROAD 2400

TERRELL TX 75160

Gender: MALE

Valid From: 01/01/2024

Effective Date of Registration: 05/28/2016

Voter Status: ACTIVE

County: HUNT

Precinct: 217

VUID: 1124069181

[Change your Address](#)

Redacted/Scanned

PETITION FOR RELEASE OF AREA BY LANDOWNER OR RESIDENT

to CM's &
Mayor
3-7-24
TRK

FROM EXTRATERRITORIAL JURISDICTION

TO THE TOWN OF POETRY, TEXAS:

Pursuant to Chapter 42, Local Government Code as amended and effective September 1, 2023, Petitioners Darrel & Rita Scott DBA: Royse Family Trust, hereby file this Petition for Release of Area within the municipality's extraterritorial jurisdiction ("ETJ") and in support thereof would respectfully show as follows:

FACTUAL BACKGROUND

Petitioners aver that they: (a) are all of the residents of the area described by the Petition in the Town of Poetry's extraterritorial jurisdiction; (b) are the owners of the majority in value of such area consisting of one lot in the Town of Poetry's extraterritorial jurisdiction; and (c) constitute the majority in value of the holders of title to such land to be released.

ARGUMENT AND AUTHORITY

1. As set forth above, Petitioners are all of the residents of the area described by the Petition in the municipality's extraterritorial jurisdiction. See Tex. Loc. Gov. Code Sec. 42.102(a).
2. Petitioners are more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding. See Tex. Loc. Gov. Code Sec. 42.102(b).
3. In addition, Petitioners are the owners of the majority in value of such area consisting of one lot of land in the municipality's extraterritorial jurisdiction. See Tex. Loc. Gov. Code Sec. 42.102(b).
4. Likewise, Petitioners constitute the majority in value of the holders of title of land in the area described by the Petition, as indicated by the tax rolls of the Kaufman County

Central Appraisal District ("KCAD"), in accordance with Tex. Loc. Gov. Code Sec. 42.104(a)(2).

5. As set forth below, Petitioners have satisfied the signature requirement described by Tex. Loc. Gov. Code Sec. 42.104(a) by submitting all of the required signatures not later than the 180th day after the date the first signature for the petition was obtained and such signatures are in writing, as required by Tex. Loc. Gov. Code Secs. 42.104(c) and (d).
 6. The petition includes a map of the land to be released and describes the boundaries of the land to be released by lot and block numbers. See Tex. Loc. Gov. Code Sec. 42.104(d)(1) and (2). See also Exhibit. "A" all of the property owned by Petitioners and Exhibit "B" the property to be released and Exhibit. "C" map of area defined in Exhibit A and B, attached hereto.
 7. The "area described by the petition" and "land to be released" as set forth herein is any part of the following property included within the Town of Poetry ETJ: (1) KCAD Property ID: 14506,215871,215853,215870,14505,14475,14492,215872 & 14507; Legal Acreage: 84.000; GEO ID: 99.0529.0000.0540.00.06.12, 99.0529.0000.0530.02.06.12, 99.0529.0000.0400.01.06.12, 99.0529.0000.0530.01.06.12, 99.0529.0000.0530.00.06.00, 99.0529.0000.0400.00.06.00, 99.0529.0000.0470.01.06.00, 99.0529.0000.0545.01.06.00 & 99.0529.0000.0545.00.06.12; Legal Description: Being all of Survey Plats 19057 FM 1565, as recorded in E. Turner Survey, Abstract No. 529 and as more specifically described on Exhibits "A1-3" and Exhibit "B1-3" attached hereto and which are incorporated herein by reference. See also the map attached hereto as Exhibit. "C1-3,"
 8. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(a) Petitioners request this petition requesting removal shall be verified by the municipal secretary or other person responsible for verifying signatures.
 9. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(b), Petitioners request the municipality to notify the residents and landowners of the results of the petition.
 10. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(c), since the Petitioners have obtained the required number of signatures under Section 42.104, the aforementioned municipality shall immediately release the area from the municipality's extraterritorial jurisdiction.
-

Respectfully Submitted,

Petitioner(s) Name:

Signature: [Signature]

DOB: [Redacted]

Date: 03-03-24

Petitioner(s) Name:

Signature: Rita Royse Scott, trustee

DOB: [Redacted]

Date: 03-03-24

Petitioner(s) Home Address:

19057 FM 1565
Terrell, TX 75160

Phone Number: [Redacted]

Email Address: [Redacted]

CERTIFICATE OF SERVICE:

This is to certify that on 3rd day of March, 2024 a true and correct copy of the above and foregoing instrument was this date sent to the Town of Poetry, Texas via email to the secretary@poetrytexas.org, The Mayor and all Town Councilmen.

Petitioners Name: Darrell Scott

Petitioners Name: Rita Scott

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT A-1: PROPERTY DESCRIPTION/ID 14506,215871,215853,215870,14505 & 14475

STATE OF TEXAS

KAUFMAN COUNTY

PROPERTY DESCRIPTION OF 52.365 ACRES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE E. TURNER SURVEY, ABSTRACT No. 529, KAUFMAN COUNTY, TEXAS, AND BEING ALL THAT CALLED 50.000 ACRES OF LAND, DESCRIBED IN SPECIAL WARRANTY DEED FROM G.V. ROYSE (aka G.V. ROYSE, JR.) AND MARGARET ROYSE TO G.V. ROYSE AND MARGARET ROYSE, AS TRUSTEES FOR THE ROYSE FAMILY TRUST AS RECORDED IN VOLUME 2240, PAGE 399, DEED RECORDS, KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE SOUTH LINE OF FARM TO MARKET ROAD No. 1565 (A 90 FOOT RIGHT-OF-WAY), ALSO MARKING THE NORTHWEST CORNER OF A CALLED 2.888 ACRE TRACT OF LAND DESCRIBED IN DEED TO CODY SCOTT AND WHITNEY SCOTT, HUSBAND AND WIFE AS RECORDED IN VOLUME 5505, PAGE 564 DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE S48°37'37"W, ALONG THE COMMON LINE OF SAID ROYSE TRACT AND SAID SCOTT TRACT, A DISTANCE OF 1030.20 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, BEING IN THE NORTHEAST LINE OF A CALLED 15.000 ACRE TRACT OF LAND DESCRIBED IN DEED AS " FIRST TRACT " TO KENNETH W. McDONALD AND WIFE, CORNELIA A. MCDONALD RECORDED IN VOLUME 582, PAGE 171, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE N42°55'45"W, ALONG THE NORTH EASTERLY LINE OF SAID MCDONALD TRACT A DISTANCE OF 273.86 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, ALSO MARKING THE NORTHEAST CORNER OF THE SAID MCDONALD TRACT, AND MARKING AN EAST CORNER OF A CALLED 87.572 ACRE TRACT OF LAND DESCRIBED IN DEED TO DOCK MCKENZIE BALLARD, RECORDED IN VOLUME 5639, PAGE 233, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE N42°28'31"W, ALONG THE NORTHER LINE OF SAID BALLARD TRACT, A DISTANCE OF 1,637.23 FEET TO A FENCE CORNER 3 INCH PIPE FOR CORNER;

THENCE N47°00'00"E, ALONG THE NORTHWEST LINE OF SAID ROYSE FAMILY TRUST, RECORDED IN VOLUME 2240, PAGE 399, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, A DISTANCE OF 1216.94 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, AND BEING ON THE SOUTHERN LINE OF FARM TO MARKET ROAD No. 1565 A (90 FOOT RIGHT - OF - WAY);

THENCE S42°45'23"E, ALONG THE SOUTHERN LINE OF SAID FARM TO MARKET ROAD No. 1565 A (90 FOOT RIGHT - OF - WAY), RECORDED IN VOLUME 361, PAGE 159, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND VOLUME, 362, PAGES 1 - 4, OF THE DEED RECORDS OF

KAUFMAN COUNTY, TEXAS, A DISTANCE OF 961.31 FEET TO A 1/2 IRON ROD SET FOR A CURVE TO THE RIGHT;

THENCE WITH SAID CURVE TO THE RIGHT AN ARC LENGTH OF 446.98 FEET TO THE END OF CURVE, SAID POINT BEING A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 13°43'59.9", , A RADIUS OF 1864.83 FEET AND A CHORD BEARING AND DISTANCE OF S35°17'20"E, 445.91 FEET TO A 1/2 INCH IRON ROD SET FOR END OF CURVE;

THENCE S28°36'59"E, ALONG THE SOUTHERN LINE OF SAID FARM TO MARKET ROAD No. 1565 (A CALLED 90 FOOT RIGHT-OF-WAY) A DISTANCE OF 558.58 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,281,034 SQUARE FEET OR

52.365 ACRES OF LAND.

EXHIBIT B-1: DESCRIPTION OF THE PORTION TO BE RELEASED

STATE OF TEXAS

KAUFMAN COUNTY

PROPERTY DESCRIPTION OF 52.365 ACRES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE E. TURNER SURVEY, ABSTRACT No. 529, KAUFMANCOUNTY, TEXAS, AND BEING ALL THAT CALLED 50.000 ACRES OF LAND, DESCRIBED IN SPECIAL WARRANTY DEED FROM G.V.ROYSE (aka G.V. ROYSE, JR.) AND MARGARET ROYSE TO G.V. ROYSE AND MARGARET ROYSE, AS TRUSTEES FOR THE ROYSE FAMILY TRUST AS RECORDED IN VOLUME 2240, PAGE 399, DEED RECORDS, KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE SOUTH LINE OF FARM TO MARKET ROAD No. 1565 (A 90 FOOT RIGHT-OF-WAY), ALSO MARKING THE NORTHWEST CORNER OF A CALLED 2.888 ACRE TRACT OF LAND DESCRIBED IN DEED TO CODY SCOTT AND WHITNEY SCOTT, HUSBAND AND WIFE AS RECORDED IN VOLUME 5505, PAGE 564 DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE S48°37 37*W, ALONG THE COMMON LINE OF SAID ROYSE TRACT AND SAID SCOTT TRACT, A DISTANCE OF 1030.20 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, BEING IN THE NORTHEAST LINE OF A CALLED 15.000 ACRE TRACT OF LAND DESCRIBED IN DEED AS " FIRST TRACT " TO KENNETH W. McDONALD AND WIFE, CORNELIA A. MCDONALD RECORDED IN VOLUME 582, PAGE 171, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE N42°55 45*W, ALONG THE NORTH EASTERLY LINE OF SAID MCDONALD TRACT A DISTANCE OF 273.86 FEET TO A 1/2 INCH RON ROD FOUND FOR CORNER, ALSO MARKING THE NORTHEAST CORNER OF THE SAID MCDONALD TRACT, AND MARKING AN EAST CORNER OF A CALLED 87.572 ACRE TRACT OF LAND DESCRIBED IN DEED TO DOCK MCKENZIE BALLARD, RECORDED IN VOLUME 5639, PAGE 233, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE N42°28'31*W, ALONG THE NORTHER LINE OF SAID BALLARD TRACT, A DISTANCE OF 1,637.23 FEET TO A FENCE CORNER 3 INCH PIPE FOR CORNER;

THENCE N47°00'00*E, ALONG THE NORTHWEST LINE OF SAID ROYSE FAMILY TRUST, RECORDED IN VOLUME 2240, PAGE 399, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, A DISTANCE OF 1216.94 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, AND BEING ON THE SOUTHERN LINE OF FARM TO MARKET ROAD No. 1565 A (90 FOOT RIGHT - OF - WAY);

THENCE S42°45 23*E, ALONG THE SOUTHERN LINE OF SAID FARM TO MARKET ROAD No. 1565 A (90 FOOT RIGHT - OF - WAY), RECORDED IN VOLUME 361, PAGE 159, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND VOLUME, 362, PAGES 1 - 4, OF THE DEED RECORDS OF

KAUFMAN COUNTY, TEXAS, A DISTANCE OF 961.31 FEET TO A 1/2 IRON ROD SET FOR A CURVE TO THE RIGHT;

THENCE WITH SAID CURVE TO THE RIGHT AN ARC LENGTH OF 446.98 FEET TO THE END OF CURVE, SAID POINT BEING A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 13°43'59.9", , A RADIUS OF 1864.83 FEET AND A CHORD BEARING AND DISTANCE OF S35°17'20"E, 445.91 FEET TO A 1/2 INCH IRON ROD SET FOR END OF CURVE;

THENCE S28°36'59"E, ALONG THE SOUTHERN LINE OF SAID FARM TO MARKET ROAD No. 1565 (A CALLED 90 FOOT RIGHT-OF-WAY) A DISTANCE OF 558.58 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,281,034 SQUARE FEET OR

52.365 ACRES OF LAND.

LESS AND EXCEPT

BEING ALL OF THAT TRACT OF LAND IN KAUFMAN COUNTY, TEXAS AND A PART OF PLAT TRACT K-6 AS DEFINED IN "AN ORDER FOR THE INCORPORATION OF THE TOWN OF POETRY, TEXAS", VOL 2020 PAGE 20915 OF THE REAL PROPERTY RECORDS OF HUNT COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED AS THE MOST EASTERLY PORTION OF THE LOT.

EXHIBIT C-1:

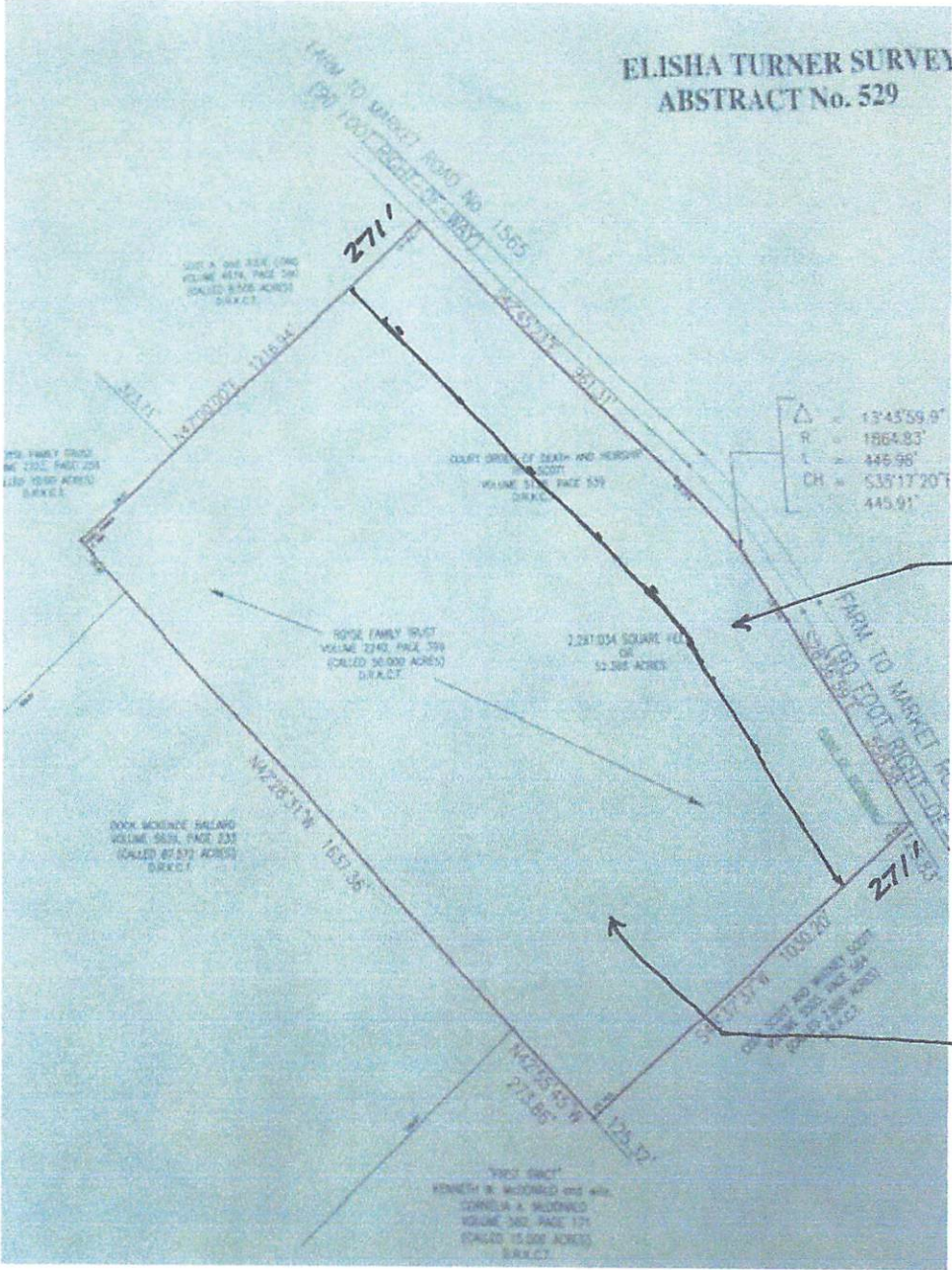


EXHIBIT A-2: PROPERTY DESCRIPTION/ID 14492

STATE OF TEXAS

KAUFMAN COUNTY

BEING a tract of land situated in the E. TURNER SURVEY, ABSTRACT NO. 529, of Kaufman County, Texas, and being a tract of land conveyed to Royse Family Trust, as recorded in Volume 2722, Page 259, of the Deed Records of Kaufman County, Texas, as shown on this survey, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found, being the East corner of a tract of land conveyed to Beans Creek LTD., as recorded in Volume 5425, Page 596, of the Deed Records of Kaufman County, Texas, and being along the Northwest property line of a tract of land conveyed to Dock M. Ballard, as recorded in Volume 5639, Page 233, of the Deed Records of Kaufman County, Texas, also being the South corner of said Royse tract;

THENCE North 43 degrees 38 minutes 53 seconds West, a distance of 537.91 feet, to a fence post for corner;

THENCE North 43 degrees 18 minutes 30 seconds East, a distance of 1,761.75 feet, to a 3/4 inch iron pipe found;

THENCE South 47 degrees 18 minutes 56 seconds East, a distance of 20.72 feet, to a 1/2 inch iron rod found;

THENCE South 43 degrees 19 minutes 31 seconds West, a distance of 878.29 feet, to a 1/2 inch iron rod found;

THENCE South 46 degrees 01 minutes 00 seconds East, a distance of 322.86 feet, to a fence post for corner;

THENCE South 43 degrees 06 minutes 44 seconds West, a distance of 338.21 feet, to a fence post for corner;

THENCE South 48 degrees 06 minutes 50 seconds East, a distance of 191.45 feet, to a 1/2 inch iron rod found;

THENCE South 43 degrees 10 minutes 41 seconds West, a distance of 574.99 feet, to the PLACE OF BEGINNING and containing 433,789 square feet or 9.958 acres of land.

EXHIBIT B-2: DESCRIPTION OF THE PORTION TO BE RELEASED

STATE OF TEXAS

KAUFMAN COUNTY

BEING a tract of land situated in the E. TURNER SURVEY, ABSTRACT NO. 529, of Kaufman County, Texas, and being a tract of land conveyed to Royse Family Trust, as recorded in Volume 2722, Page 259, of the Deed Records of Kaufman County, Texas, as shown on this survey, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found, being the East corner of a tract of land conveyed to Beans Creek LTD., as recorded in Volume 5425, Page 596, of the Deed Records of Kaufman County, Texas, and being along the Northwest property line of a tract of land conveyed to Dock M. Ballard, as recorded in Volume 5639, Page 233, of the Deed Records of Kaufman County, Texas, also being the South corner of said Royse tract;

THENCE North 43 degrees 38 minutes 53 seconds West, a distance of 537.91 feet, to a fence post for corner;

THENCE North 43 degrees 18 minutes 30 seconds East, a distance of 1,761.75 feet, to a 3/4 inch iron pipe found;

THENCE South 47 degrees 18 minutes 56 seconds East, a distance of 20.72 feet, to a 1/2 inch iron rod found;

THENCE South 43 degrees 19 minutes 31 seconds West, a distance of 878.29 feet, to a 1/2 inch iron rod found;

THENCE South 46 degrees 01 minutes 00 seconds East, a distance of 322.86 feet, to a fence post for corner;

THENCE South 43 degrees 06 minutes 44 seconds West, a distance of 338.21 feet, to a fence post for corner;

THENCE South 48 degrees 06 minutes 50 seconds East, a distance of 191.45 feet, to a 1/2 inch iron rod found;

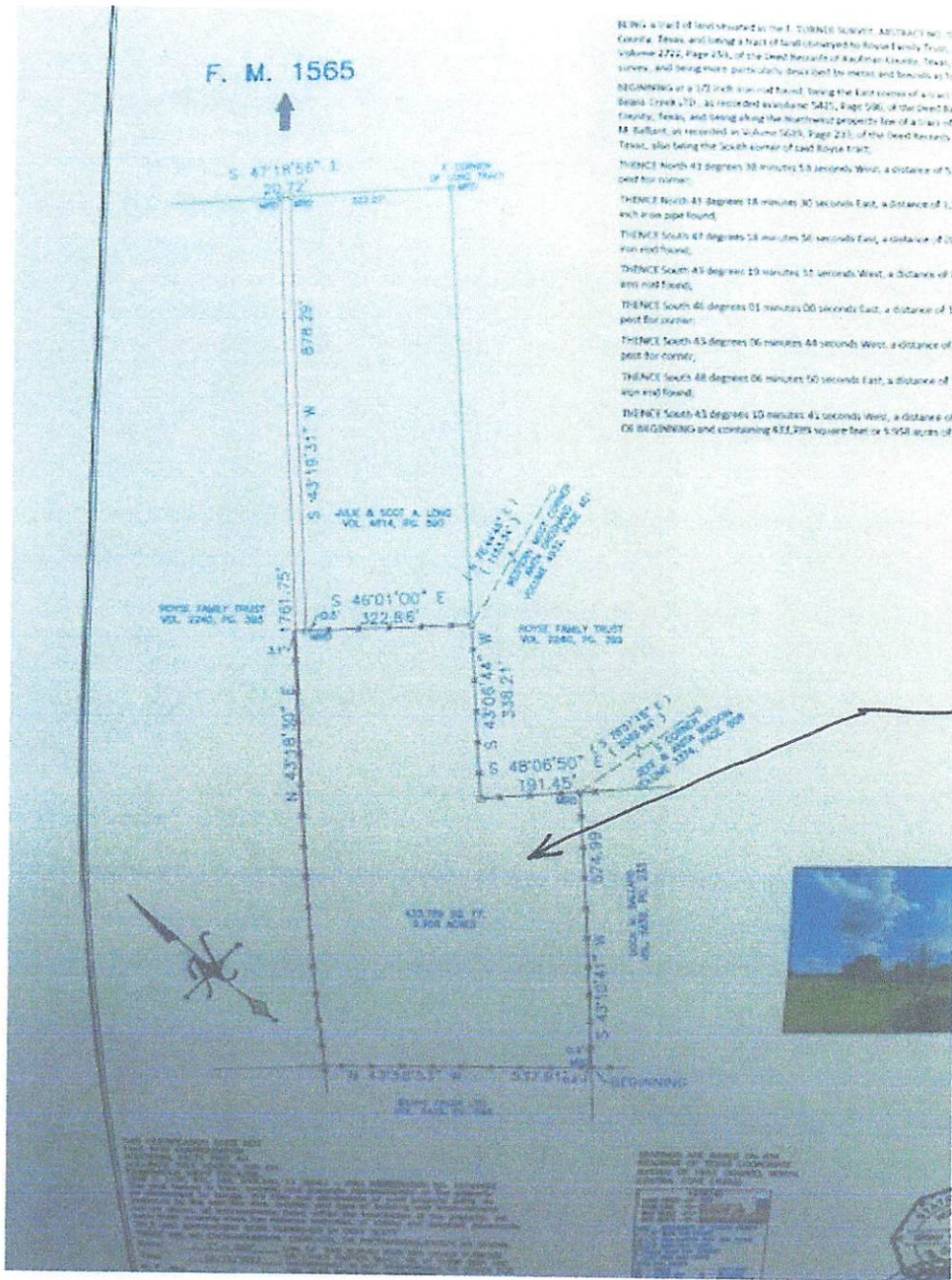
THENCE South 43 degrees 10 minutes 41 seconds West, a distance of 574.99 feet, to the PLACE OF BEGINNING and containing 433,789 square feet or 9.958 acres of land.

LESS AND EXCEPT

BEING ALL OF THAT TRACT OF LAND IN KAUFMAN COUNTY, TEXAS AND A PART OF PLAT TRACT K-6 AS DEFINED IN "AN ORDER FOR THE INCORPORATION OF THE TOWN OF POETRY, TEXAS",

VOL 2020 PAGE 20915 OF THE REAL PROPERTY RECORDS OF HUNT COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED AS THE MOST EASTERLY PORTION OF THE LOT.

EXHIBIT C-2: NOTE THIS PROPERTY IS COMPLETELY WITH THE ETJ



BEING a part of land situated in the 1. TURNER SURVEY, ABSTRACT NO. 127 COUNTY, Texas, and being a part of land situated to Royce Family Trust, as volume 272, Page 234, of the deed records of Kaufman County, Texas, as survey, and being more particularly described by metes and bounds as follows: BEGINNING at a 1/2 inch iron rod found, being the East corner of a tract of 8000 Acres, 1/2, as recorded as volume 5425, Page 586, of the deed records of Kaufman County, Texas, and being along the Northwest property line of a tract of 16 1/2 Acres, as recorded in volume 5205, Page 233, of the deed records of Texas, also being the South corner of said Royce tract;

THENCE North 42 degrees 38 minutes 53 seconds West, a distance of 552 feet for corner;

THENCE North 41 degrees 18 minutes 30 seconds East, a distance of 1,70 feet iron pipe found;

THENCE South 47 degrees 58 minutes 56 seconds East, a distance of 100 feet iron rod found;

THENCE South 45 degrees 19 minutes 01 seconds West, a distance of 87 feet iron rod found;

THENCE South 46 degrees 01 minutes 00 seconds East, a distance of 12 feet for corner;

THENCE South 65 degrees 06 minutes 48 seconds West, a distance of 3 feet for corner;

THENCE South 48 degrees 06 minutes 50 seconds East, a distance of 2 feet iron rod found;

THENCE South 43 degrees 10 minutes 44 seconds West, a distance of 66 BEGINNING and containing 431,875 square feet or 9.958 acres of 1

Property to BE REMOVED SOLELY IN ETJ



EXHIBIT A-3: PROPERTY DESCRIPTION/ID 14507 & 215872

STATE OF TEXAS

KAUFMAN COUNTY

Property (Including Improvements):

All that certain tract or parcel of land, situated in Kaufman County, Texas, and being a part of the E. Turner Survey and more particularly described as follows:

BEGINNING at the N corner of Lot No. 3 for Mary Lee Redden 216 vrs S 45 E or the N corner of the T.C. Griffin 32 acres;

THENCE S 45 W 626 vrs to corner,

THENCE N 45 W 146 vrs to corner;

THENCE N 45 E 626 vrs to corner;

THENCE S 45 E 135 vrs to the place of beginning, containing 15 acres, more or less, and belug Lot No. 4 net apart to James C. Daniel by decree of District Court on March 9, 1884, and entered in Vol. II, page 194 to 199 Cival Minutes of the District Court in Cause No. 3086, entitled Ella Parkerson et al vs. M. L. Rodden et al.

EXHIBIT B-3: DESCRIPTION OF THE PORTION TO BE RELEASED

STATE OF TEXAS

KAUFMAN COUNTY

Property (Including Improvements):

All that certain tract or parcel of land, situated in Kaufman County, Texas, and being a part of the E. Turner Survey and more particularly described as follows:

BEGINNING at the N corner of Lot No. 3 for Mary Lee Redden 216 vrs S 45 E or the N corner of the T.C. Griffin 32 acres;

THENCE S 45 W 626 vrs to corner,

THENCE N 45 W 146 vrs to corner;

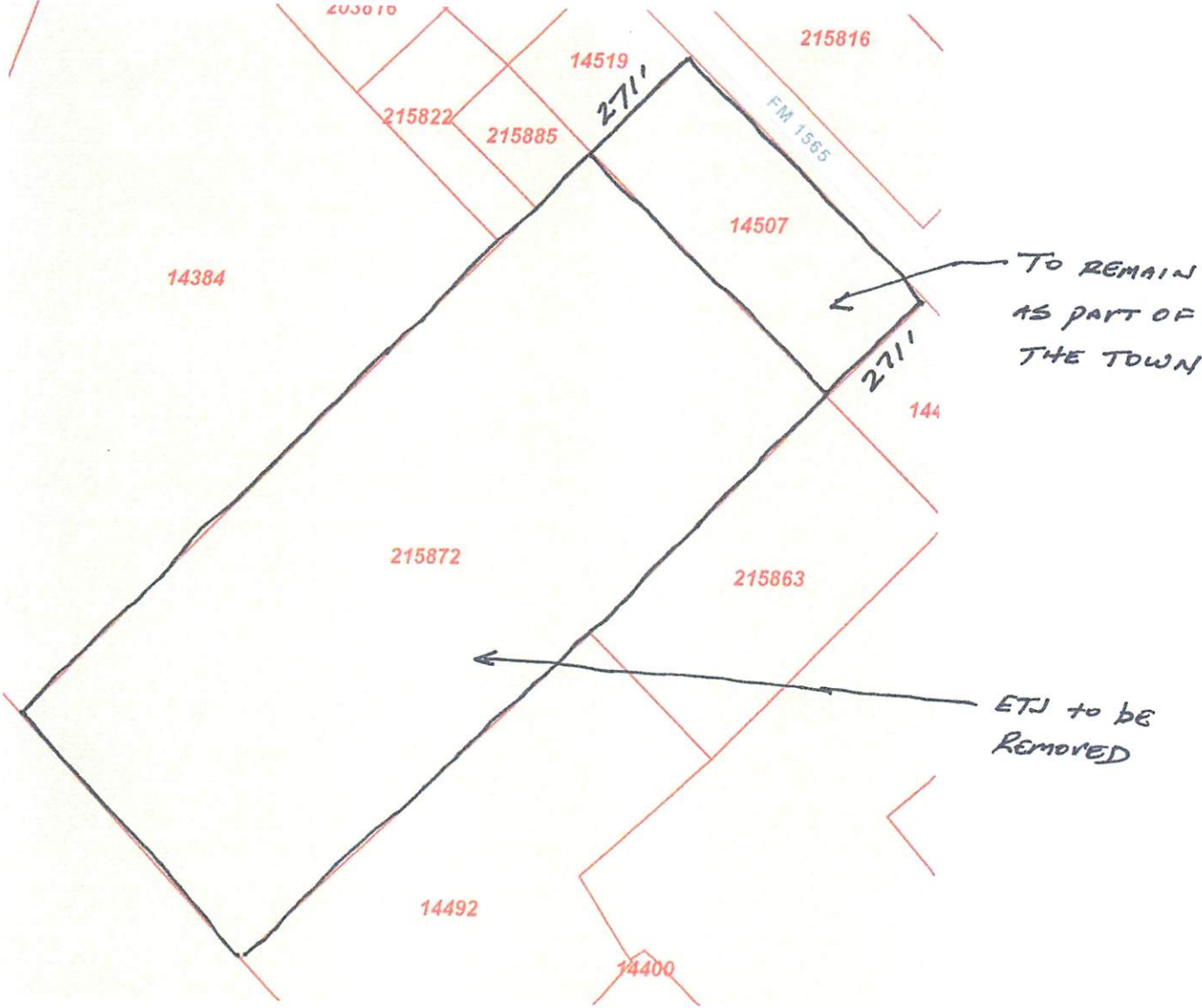
THENCE N 45 E 626 vrs to corner;

THENCE S 45 E 135 vrs to the place of beginning, containing 15 acres, more or less, and belug Lot No. 4 net apart to James C. Daniel by decree of District Court on March 9, 1884, and entered in Vol. II, page 194 to 199 Cival Minutes of the District Court in Cause No. 3086, entitled Ella Parkerson et al vs. M. L. Rodden et al.

LESS AND EXCEPT

BEING ALL OF THAT TRACT OF LAND IN KAUFMAN COUNTY, TEXAS AND A PART OF PLAT TRACT K-6 AS DEFINED IN "AN ORDER FOR THE INCORPORATION OF THE TOWN OF POETRY, TEXAS", VOL 2020 PAGE 20915 OF THE REAL PROPERTY RECORDS OF HUNT COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIPBED AS THE MOST EASTERLY PORTION OF THE LOT.

EXHIBIT C-3: A RECENT SURVEY HAS NOT BEEN COMPLETED; COPY OF WARRANTY DEED INCLUDED.



24 AC

711

15837

SPECIAL WARRANTY DEED

Date: 4/26/03

Grantors: G. V. Royse (aka G. V. Royse, Jr.) and Margaret Royse

Grantors' Mailing Address (including county): 1811 FM 1565
Terrell, Texas 75160
Kaufman County

Grantees: G. V. Royse and Margaret Royse, as Trustees for The Royse Family Trust

Grantees' Mailing Address (including county): 1811 FM 1565
Terrell, Texas 75160
Kaufman County

Consideration:

Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged.

Property (including improvements):

All that certain tract or parcel of land, situated in Kaufman County, Texas, and being 9 acres of land, more or less, in the E. Turner Survey, and being the same land described in a Warranty Deed from A. M. Dean and wife, M. J. Dean, to W. E. Chaney, said deed being recorded in Vol. 118, Page 265 of the Deed Records of Kaufman County, Texas, to which said Deed reference is hereby made for a fuller and more complete description; and being that same property conveyed to G. V. Royse, Jr. from W. A. Shoemaker, guardian for Mrs. Alice E. Chaney.

Reservations:

Easements, rights-of-way, and prescriptive rights, whether of record or not, and all presently recorded instruments other than liens and conveyances that affect the property.

Homestead Provision:

If the property transferred herein, or any portion thereof, is the residence of Grantors, then Grantors shall have possession of and full management of the residence and shall have the right to occupy it rent-free. It is the intent of Grantors to retain all homestead rights available to them under Texas law.

SPECIAL WARRANTY DEED

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Grantors, for the considerations and subject to the reservations from and exceptions to conveyance and warranty, hereby grant, sell and convey to Grantees the property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, Grantees' heirs, executors, administrators, successors, or assigns forever. Grantors bind Grantors and Grantors' heirs, executors and administrators to warrant and forever defend all and singular the said property unto Grantees, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when claim is by, through, or under Grantors, but not otherwise.

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

G. V. Royse
G. V. ROYSE

Margaret Royse
MARGARET ROYSE

STATE OF TEXAS

COUNTY OF KAUFMAN

Before me, the undersigned authority, personally appeared G. V. ROYSE and MARGARET ROYSE, who acknowledged to me that they did sign the foregoing instrument, and acknowledged to me that they executed the same for the uses and purposes and considerations therein expressed.

Given under my hand and seal this 26th day of April, 2002



[Signature]
Notary Public, State of Texas

After recording, please return to:

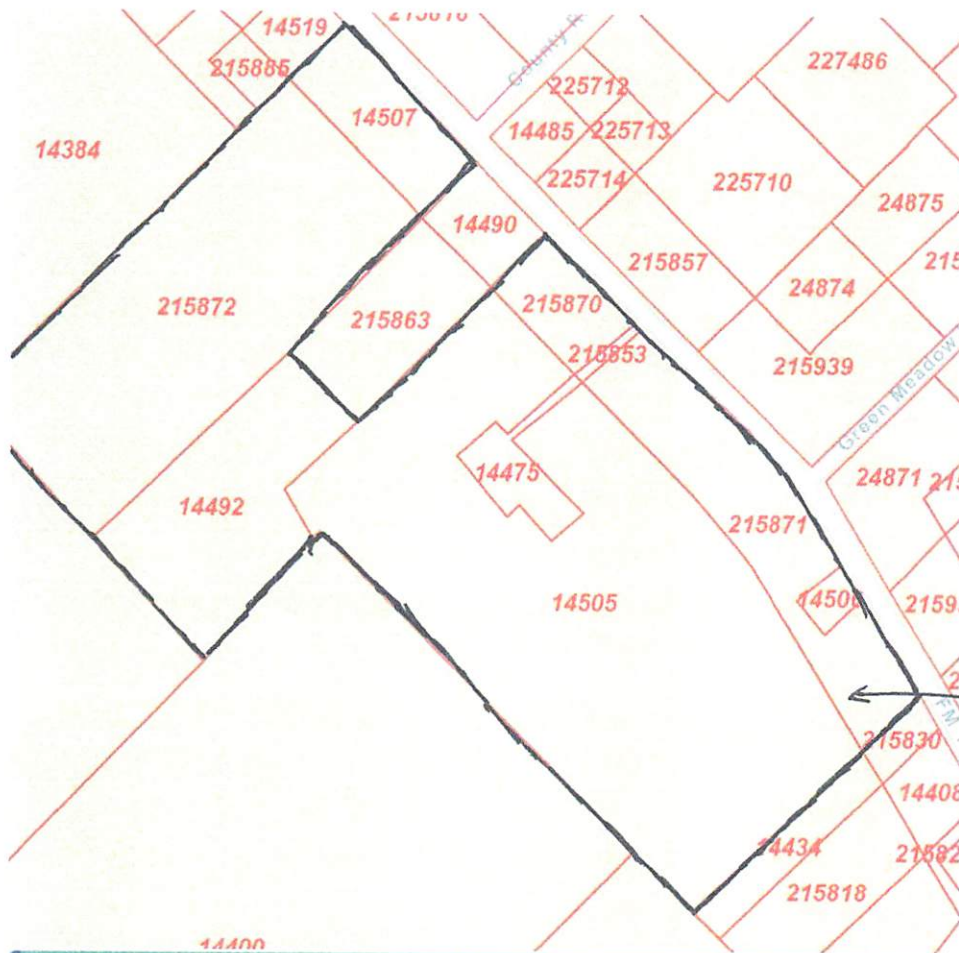
Mr. and Mrs. G. V. Royse
1811 FM 1565
Terrell, Texas 75160

Filed for Record on 07/22/2003 @ 2:01pm
Laura Hughes, Kaufman County Clerk

SPECIAL WARRANTY DEED

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KAUFMAN COUNTY CAD INFORMATION:



84 CONTIGUOUS ACRES

Parcel ID	Legal Acreage	Legal Description	Tract or Lot	Abstract Subdivision Code	Block	Neighborhood Code	School District	City Limits
14506	2.91	ELISHA TURNER, TRACT 540.00; 2.91 ACRES	540.00	A0529		28-RFFR/LC	ST	TP
215871	6.22	ELISHA TURNER, TRACT 530.02; 6.22 ACRES	530.02	A0529		28-001	ST	TP

(1 of 4)

Parcel Owner: SCOTT RITA A

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 215853

Legal Acreage: 0.19

GEO ID: 99.0529.0000.0400.01.06.12

Legal Description: ELISHA TURNER, TRACT
400.01; 0.19 ACRES

Tract or Lot: 400.01

Abstract Subdivision Code: A0529

Block:

Neighborhood Code: 28-RVGD/AV

School District: ST

City Limits: TP

[Zoom to](#)

...

(1 of 2)

Parcel Owner: ROYSE FAMILY TRUST

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 215870

Legal Acreage: 2.38

GEO ID: 99.0529.0000.0530.01.06.12

Legal Description: ELISHA TURNER, TRACT
530.01; 2.38 ACRES

Tract or Lot: 530.01

Abstract Subdivision Code: A0529

Block:

Neighborhood Code: 28-001

School District: ST

City Limits: TP

[Zoom to](#)

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(1 of 2)

Parcel Owner: ROYSE FAMILY TRUST

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 14505

Legal Acreage: 36.49

GEO ID: 99.0529.0000.0530.00.06.00

Legal Description: ELISHA TURNER, TRACT
530.00; 36.49 ACRES

Tract or Lot: 530.00

Abstract Subdivision Code: A0529

Block:

Neighborhood Code: 28-001

School District: ST

City Limits:

[Zoom to](#)

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(1 of 2)

Parcel Owner: SCOTT RITA A

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 14475

Legal Acreage: 1.81

GEO ID: 99.0529.0000.0400.00.06.00

Legal Description: ELISHA TURNER, TRACT
400.00; 1.81 ACRES, & HOUSE

Tract or Lot: 400.00

Abstract Subdivision Code: A0529

Block:

Neighborhood Code: 28-RFGD/AV

School District: ST

City Limits:

[Zoom to](#)

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(1 of 2) ▶ □ ✕ (1 of 2) ▶ □ ✕

Parcel Owner: ROYSE FAMILY TRUST

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 14492
Legal Acreage: 10.00
GEO ID: 99.0529.0000.0470.01.06.00
Legal Description: E TURNER
Tract or Lot:
Abstract Subdivision Code: A0529
Block:
Neighborhood Code: 28-001
School District: ST
City Limits:

[Zoom to](#) ...

Parcel Owner: ROYSE FAMILY TRUST

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 215872
Legal Acreage: 20.29
GEO ID: 99.0529.0000.0545.01.06.00
Legal Description: ELISHA TURNER, TRACT
545.01; 20.29 ACRES
Tract or Lot: 545.01
Abstract Subdivision Code: A0529
Block:
Neighborhood Code: 28-001
School District: ST
City Limits:

[Zoom to](#) ...

(1 of 2) ▶ □ ✕

Parcel Owner: ROYSE FAMILY TRUST

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 14507
Legal Acreage: 3.71
GEO ID: 99.0529.0000.0545.00.06.12
Legal Description: ELISHA TURNER, TRACT
545.00; 3.71 ACRES
Tract or Lot: 545.00
Abstract Subdivision Code: A0529
Block:
Neighborhood Code: 28-001
School District: ST
City Limits: TP

[Zoom to](#) ...

Nichols, Jackson, Dillard, Hager & Smith L.L.P.
 500 N Akard St.
 Suite 1800
 Dallas, TX 75201 USA
 214-965-9900 Tax ID: 75-0861592

TOWN OF POETRY	Date:	02/29/2024
TX USA	Ref.:	3089.000
	Bill #:	51061

RE: General Legal Services

Attention: **Mayor Tara Senkevech**

Date	Init	Description of Service	Hours	Amount
02/02/2024	DMB	Emails to mayor re engineering PSA, zoning code/map adoption, council minutes	0.50	97.50
02/04/2024	DMB	Preparation of draft Notice of Hearing for zoning code and map, email to mayor.	0.50	97.50
02/09/2024	DMB	Telephone call with mayor, review/revision of agenda.	0.50	97.50
02/13/2024	DMB	Review of draft professional services contract for town engineer, email to mayor.	0.25	48.75
02/15/2024	DMB	Attendance at council meeting.	0.75	146.25
02/20/2024	DMB	Email to mayor re careflight agreement	0.25	48.75
02/22/2024	DMB	Review, revision and transmittal of information sheet re proposed zoning, emails to Town; email to councilmember (TF), email to town secretary.	0.50	97.50
02/28/2024	DMB	Email opinion to councilmember (TF); email to mayor re PD.	0.25	48.75
		Our Fee	3.50	682.50

Time Summary

Lawyer Initials	Rate	Hrs	Amount
DMB	195.00	3.50	682.50
	Total Fees and Disbursements		682.50
	TOTAL		682.50
	Net Amount Owing on This Bill		682.50

PROFESSIONAL ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **Town of Poetry, Texas**, hereinafter referred to as "Town", and **Birkhoff, Hendricks & Carter, L.L.P.**, hereinafter referred to as "Engineer", to be effective from and after the date as provided herein.

The Town desires to engage the services of the Engineer to complete various general engineering and land surveying services as the Town Engineer; including roadway maintenance and repair, supervision/monitoring of franchise utilities, review and evaluation of drainage matters, street construction, street right-of-way evaluation and management consultation, development construction plan and plat reviews, engineering evaluations and recommendations, infrastructure planning, review of developer's agreements, review of subdivision regulations, coordination meetings and other similar type tasks, and small design projects with construction values under \$100,000.00, hereinafter referred to as the "Project"; and the Engineer desires to render such engineering design services for the Town under the terms and conditions provided herein. Design projects with a construction value over \$100,000.00 will be under separate agreement. That for and in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

I. Employment of the Engineer

The Town hereby agrees to retain the Engineer to perform professional engineering services in connection with the Project; Engineer agrees to perform such services in accordance with the terms and condition of this Agreement.

II. Scope of Services

The parties agree that Engineer shall perform such services as expressly set forth as described above and within this agreement. The parties understand and agree that deviations or modifications, in the form of written changes may be authorized from time to time by the Town. Engineer shall have no further obligations or responsibilities for the Project except as agreed to in writing. Engineer's services and work product are intended for the sole use and benefit of Town and are non-intended to create any third party rights or benefits, or for any use by any other entity or person for any other purpose.

Engineer shall perform his or her professional engineering services with the professional skill and care ordinarily provided by competent engineers practicing in North Central Texas and under the same or similar circumstances and professional license. Professional services shall be performed as expeditiously as is prudent, considering the ordinary professional skill and care of a competent engineer.

III. Schedule of Work

The Engineer agrees to commence services immediately upon execution of this Agreement, and to proceed diligently with said service, except for delays beyond the reasonable control of Engineer, to completion.

IV. Compensation and Method of Payment

The parties agree that Engineer shall be compensated for all services provided pursuant to this Agreement in the amount and manner described and set forth in the Payment Schedule attached hereto as Exhibit "A" and thereby made a part of this Agreement. Engineer further agrees that it will prepare and present such monthly progress reports and itemized statements as are described in said Exhibit "A". Town agrees to pay invoices upon receipt.

V. Information To Be Provided By The Town

The Town agrees to furnish, prior to commencement of work, all information requested by Engineer that is available to the Town.

VI. Insurance

Engineer agrees to procure and maintain for the duration of the contract Professional Liability Insurance (\$3,000,000), Worker's Compensation, General Liability and Automobile Insurance.

VII. Assignment and Subletting

The Engineer agrees that neither this Agreement nor the services to be performed hereunder will be assigned or sublet without the prior written consent of the Town. The Engineer further agrees that the assignment or subletting of any portion or feature of the work or materials required in the performance of this Agreement shall not relieve the Engineer from its full obligations to the Town as provided by this Agreement.

VIII. Contract Termination

The parties agree that Town or the Engineer shall have the right to terminate this Agreement without cause upon thirty (30) days written notice to the other. In the event of such termination without cause, Engineer shall deliver to Town all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Engineer in connection with this Agreement. Engineer shall be entitled to compensation for any and all services completed to the satisfaction of Town in accordance with the provisions of this Agreement prior to termination.

IX. Engineer's Opinion of Cost

The parties recognize and agree that any and all opinions of cost prepared by Engineer in connection with the Project represent the best judgment of Engineer as a design professional familiar with the construction industry, but that the Engineer does not guarantee that bids solicited or received in connection with the Project will not vary from the opinion by the Engineer.

X. Construction

On projects that include construction, the Owner recognizes that the Contractor and Subcontractors will be solely in control of the Project site and exclusively responsible for construction means, methods, scheduling, sequencing, jobsite safety, safety programs, and compliance with all construction documents and directions from Owner or Building Officials. Construction contracts are between the Client and the Construction Contractor. Consultant shall not be responsible for construction related damages, losses, costs, or claims; except only to the extent caused by Consultant's sole negligence.

XI. Ownership of Documents

Original drawings, specifications and reports are the property of the Engineer; however, the Project is the property of the Town. Town shall be furnished with such reproductions of drawings, specifications and reports. Upon completion of the services or any earlier termination of this Agreement under Article VIII, Engineer will revise drawings to reflect changes made during construction as reported by the Town and contractor, and will furnish the Town with one set of construction record drawings.

All deliverables shall be furnished, as an additional service, at any other time requested by the Town when such deliverables are available in the Engineer's record keeping system.

XII. Complete Contract

This Agreement, including exhibit “A” constitutes the entire agreement by and between the parties regarding the subject matter hereof, and supersedes all prior or contemporaneous written or oral understanding. This agreement may only be amended, supplemented, modified or canceled by a duly executed written agreement.

XIII. Mailing of Notices

Unless instructed otherwise in writing, Engineer agrees that all notices or communications to Town permitted or required under this Agreement shall be addressed to Town at the following address:

Tara Senkevech, Mayor
Town of Poetry
5671 C.R. 323
Poetry, Texas 75160
Email: mayor.tara@poetrytexas.org

Town agrees that all notices or communications to Engineer permitted or required under this Agreement shall be addressed to Engineer at the following address:

Gary C. Hendricks, P.E., R.P.L.S.
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243
Phone: (214) 361-7900
Email: ghendricks@bhcllp.com

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date such notice or communication is posted by the sending party.

XIV. Texas Board of Professional Engineers & Land Surveying Contact Information

Recipients of professional land surveying services under this agreement may direct complaints regarding such services to the Texas Board of Professional Engineers & Land Surveyors, 1917 South Interstate 35, Austin, Texas 78741, Phone (512) 440-7723.

XV. Contract Amendments

This Agreement may be amended only by the mutual agreement of the parties expressed in writing.

XVI. Indemnification Clause

CONSULTANT AGREES TO INDEMNIFY, AND HOLD HARMLESS THE TOWN, ITS TOWN COUNCIL, OFFICERS, EMPLOYEES, AND AGENTS, FROM AND AGAINST ALL LIABILITY, CAUSES OF ACTION, CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LOSSES, PENALTIES OR SUITS, WHICH IN ANY WAY ARISE OUT OF, RELATE TO, OR RESULT FROM CONSULTANT'S PERFORMANCE UNDER THIS CONTRACT WHICH ARE CAUSED BY THE INTENTIONAL WRONGFUL ACTS, OR NEGLIGENT ACTS, OR OMISSIONS OF CONSULTANT, SUBJECT TO THE LIMITATIONS IN TEXAS LOCAL GOVERNMENT CODE § 271.904 (A) AND TEXAS CIVIL PRACTICE AND REMEDIES CODE, § 130.002 (B).

XVII. Exclusions

Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

- A. Certification that work is in accordance with plans and specifications
- B. Consulting services by others not included in Scope of Services
- C. Contractor's means and methods
- D. Fees for permits
- E. Fees for publically advertising construction projects
- F. Fiduciary responsibility to the Town
- G. On-site construction safety precautions, programs and responsibility (Contractor's responsibility)
- H. Phasing of Contractor's work.
- I. Quality control and testing services during construction.
- J. Title searches
- K. Environmental impact statements, assessments or cleanup
- L. Trench safety designs

XVIII. Effective Date

This Agreement shall be effective from and after execution by both parties hereto, with originals in the hand of both parties.

WITNESS OUR HANDS AND SEALS on the date indicated below.

TOWN OF POETRY, TEXAS

A Texas General Law Municipality

BIRKHOFF, HENDRICKS & CARTER, L.L.P.

A Texas Limited Liability Partnership

Texas Board of Professional Engineers & Land Surveys

Engineering Firm No. 526

Land Surveying Firm No. 100318-06

By: _____

By: _____

Gary C. Hendricks, P.E., R.P.L.S., Partner

Date: _____

Date: February 9, 2024

ATTEST

By: _____

EXHIBIT "A"

SCOPE OF SERVICES and COMPENSATION SCHEDULE

I. SCOPE OF SERVICES

- a) The Town desires to engage the services of the Engineer to complete various general engineering and land surveying services; including roadway maintenance and repair, supervision/monitoring of franchise utilities, review and evaluation of drainage matters, street construction, street right-of-way evaluation and management consultation, development construction plan and plat reviews, engineering evaluations and recommendations, infrastructure planning, review of developer's agreements, review of subdivision regulations, coordination meetings and other similar type tasks, and small design projects with construction values under \$100,000.00, hereinafter referred to as the "Project"; and the Engineer desires to render such engineering design services for the Town under the terms and conditions provided herein. Design projects with a construction value over \$100,000.00 will be under separate agreement
- b) Refer to Article 2.4: Full size sheets shall be 22"x 34". Strike all references to 24" x 36"

II. TASK ASSIGNMENTS

Each new task assigned by the Town under the terms of this agreement will be assigned a Task Description, Task Number, Task Schedule and not to exceed Task Billing Amount. These designations will be confirmed in writing by the Town, and approved in writing by the Town prior to the engineer engaging in the work.

III. EXCLUSIONS

Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

- a) Certification that work is in accordance with plans and specifications
- b) Consulting services by others not included in Scope of Services
- c) Contractor's means and methods
- d) Fees for permits
- e) Fees for publically advertising construction projects
- f) Fiduciary responsibility to the Town
- g) On-site construction safety precautions, programs and responsibility (Contractor's responsibility)
- h) Phasing of Contractor's work.

- i) Quality control and testing services during construction.
- j) Title searches
- k) Environmental impact statements, assessments or cleanup
- l) Trench safety designs

IV. TEXAS BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYING CONTACT INFORMATION

Recipients of professional land surveying services under this agreement may direct complaints regarding such services to the Texas Board of Professional Engineers & Land Surveyors, 1917 South Interstate 35, Austin, Texas 78741, Phone (512) 440-7723.

V. BILLING TERMS

- a) Payment for professional engineering and surveying services described in this agreement shall be based on the fee schedule attached.

- b) Refer to Article 4.2: Automobile mileage shall be charge at the IRS established rate. Outside services and expenses shall be at actual invoice amount times a multiplier of 1.15.

VI. INVOICING TERMS

Invoices will be prepared monthly for approved work completed in the prior month. Each invoice will include the Task Number, Task Description and the Not to Exceed Task Amount, along with itemized accounting of each engaged personnel's time, billing rates and total amount billed. Itemized billing back-up will be included providing a log of each engaged personnel's task effort on a daily basis. A generalized progress report will accompany each task item shown on the invoice.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.

2024 FEE SCHEDULE

Description of Staff	Experience Level	Hourly Rate
Senior Engineer	18+ Years	\$ 310.00
Design Engineer	5-17 Years	\$ 270.00
Electrical Engineer	10-20 Years	\$ 300.00
Engineer-in-Training I	< 1 Years	\$ 120.00
Engineer-in-Training II	1-3 Years	\$ 135.00
Engineer-in-Training III	3+ Years	\$ 150.00
AutoCAD Technician I	0-4 Years	\$ 110.00
AutoCAD Technician II	5-15 Years	\$ 155.00
AutoCAD Technician III	15+ Years	\$ 215.00
Engineering Intern		\$ 95.00
Administrative Assistant I		\$ 90.00
Administrative Assistant II		\$ 120.00
Survey Crew		\$ 195.00
RPLS		\$ 300.00
Expert Witness: Consultations / Depositions / Hearings		2x Rate

Costs involved with Petitions for Release from ETJ

3/15/24

	Min.	Max.	Average
Town Secretary: \$20/hour Depositing check, Letter of verification mailed, total of 67 minutes	\$22.00		\$ 22.00
CAD verification, redaction, copying (ave 11.4 pages)			
Materials Costs: average of 11.4 pages (x3) 10 cents + postage (68 cents)	\$4.10		\$4.10
Town Attny. legal fees: \$45	\$ 45.00	\$ 45.00	\$ 45.00
Mapping: \$50	\$ 50.00	\$ 50.00	\$ 50.00
PER Survey: \$48-98 (surveyor 15-30 minutes) (if BH firm is approved)	\$ 48.00	\$ 98.00	\$ 73.00
Total costs to town:	\$ 169.10	\$ 193.00	\$ 194.10

(+ \$73 for each additional survey)

Note: the above does not involve the extra cost at the meetings for secretary, legal (if present), or typing of minutes involving the petitions, or reimbursement to secretary for 12.6 miles to deposit check @ \$8.57 (RT)

Currently charge to Petitioners: \$125 (which @ a minimum, -\$69.10 Town deficit)

Note:

- a) A petition that is one petition but has 3 surveys would cost **\$340.00**
- b) Three petitions with 3 surveys would cost **\$340 + additional legal of \$90** and approx 11.4 minutes in sec. time or **\$3.79 + \$1.37** in materials cost=**\$ 435.16**

* data based on 19 petitions to date



**STATE OF TEXAS
COUNTIES OF KAUFMAN AND HUNT
CITY OF POETRY, TEXAS**

BE IT REMEMBERED THAT ON THIS DAY OF THE 18th of January 2024 at 6:30 pm, the Town Council of Poetry, Texas, held a Regular Town Council Meeting at Poetry Town Hall, 5671 CR 323 Poetry, Texas 75160 with the following present:

Mayor Tara Senkevech
Councilmember Tom Anderson
Councilmember Mike Jaffe

Councilmember Simeon White
Councilmember Terry Fowler
Councilmember Jonathan Blake

a) Mayor Senkevech called the meeting to order at 6:30 p.m.

b) Robin Boles, volunteer clerk, took roll call and confirmed quorum. All council members were present.

c & d) Pledge of Allegiance and Invocation

Council member, Pastor Kevin Kelly led the pledge and invocation.

e) Mayor reviewed Texas Penal Code 38.13, 4205

f: Mayor Tara Senkevech gives items of community interest:

- Kaufman County is hosting several cleanup events for all Kauffman County residents. All Precinct 2 residents can go to 12051 Precinct Circle, Forney Texas, 75126, on February 3, June 10, and October 5, from 08:00 a.m. To 04:00 p.m.
- We want to thank Sheri Vinson for typing the minutes.
- Thanks to Brian and Sherry Vinson for taking down the Christmas tree and decor.
- Thanks to carpenter David Burke for donating labor and miscellaneous items and installing the Assembly room TV.
- Thanks to Becky Carter and Todd, they are going to be working on the solar light poles.
 - At this time, Council member Tom Anderson gave a personal update on the health of his wife, Evie.

g) Reports

- 1. Financial Reports:** Mayor Tara Senkevech gave an update on the financial reports reporting a December 2023 ending financials. Deposits were \$28,544.99. Withdrawals and debits totaled \$1706.63. Checks paid totaled \$19,616.74. The beginning balance was \$76,680.29, ending balance was \$83,910.91.
- 2. Sales and Use Tax Receipts Report:** This report arrives on the first Friday of every month. January, total is \$9,297.01. A total allocated amount of \$68,895.09 deposited to the GL account for repairs on 6100 and 6010 Capital Road.
- 3. Report from legal counsel:** Mayor Senkevech read letter provided by legal counsel, addressing increase in ETJ release petitions.
- 4. Secretary's Report:** No report owing to Secretary's absence.
- 5. Waste Disposal Transition Update:** Mayor Tara Senkevech read a statement regarding Blackjack chosen as the new town trash vendor.

h) Consent Agenda:

- 1. Approve minutes from November 16, 2023.** Council Member Tom Anderson expressed corrections he would like to see made. Motion made by Council Member Anderson to move this item to the Regular Agenda and make it Agenda Item A. Motion seconded by Council Member Blake **Passes 5:0**
- 2. Pay November legal bill** of \$390. Motion to approve made by Council Member Anderson. Motion seconded by Council Member Blake. **Passes 5:0**

i) Regular Agenda:

A. **Approve minutes from November 16, 2023**, Council Member Tom Anderson outlined the corrections he would like to see to the November 2, 2023, minutes of the meeting.

- 1) Page 2, item 2, change, Sheri Vinson “veto’s” to “desires”.
- 2) In that same section, change, Anderson makes a motion to “except”, to “accept”.
- 3) Item 3, double-check that the dollar amount listed for the HVAC bid is correct.

A motion to approve was made by Council Member Blake and a second was made by Council Member Anderson Blake. **Passes 5:0**

1) Presentation by Debbie Taylor of Murray, Pascal & Caperton regarding the town audit. As she was hired by the Council, the Council is free to ask questions, and no questions will be taken from the public. The results of the presentation are as follows:

- At fiscal year-end, the town exhibited a healthy financial standing. Its holdings exceeded its obligations by \$221,000, a figure termed the net position or net worth. This positive net position signifies that the inflows to the town surpassed its outflows over the long run. Compared to the prior year, the town's net position grew by approximately \$80,000, primarily attributed to newly realized sales tax revenues.
- The town's non-cash resources, labeled capital assets, consisted chiefly of land and the town hall building. These capital assets cumulatively amounted to \$136,000 after accounting for the latest additions.
- A portion of the town's net position was classified as unrestricted funds. These unrestricted funds represent resources available for the general operations and services provided to town residents. However, the specific unrestricted fund balance amount was not explicitly stated.
- Additionally, there was dialogue regarding the suitable classification of the town-owned land parcel, questioning whether it should be considered a capital asset given its non-transferable nature.
- **Next Steps:** Council member Fowler has questions about whether the sales and use tax funds are considered restricted assets as they are earmarked for use for road maintenance and upkeep. Mayor Senkevech suggests the term "Encumbered Funds" might be more appropriate, rather than strictly restricted, indicating funds dedicated solely to roads. Ms. Taylor agrees to look into the concept of restricting sales and use tax funds. Council member Fowler questioned the classification of land as an asset since it can't be sold or leveraged. Ms. Taylor mentions a previous discussion with the attorney, who confirmed land as an asset. Council member Fowler expressed concerns and desires further discussion with the attorney regarding the classification of land as an asset and expressed his intention to follow up with the town attorney regarding this classification.

2) Discuss and take action following a presentation from Steven Barlag from Street Dynamics on a solar-powered traffic speed and communication device designed to collect information needed to obtain grants for town roadwork.

- The discussion focused on the grant capabilities of customizable traffic monitoring signs, which offer features such as displaying speed limits, text, and graphics. Data collection includes flood sensors, a traffic data collector, and customizable reports with GPS location details. Two access options were presented: a 4G antenna with an annual subscription to control the sign remotely, or a Bluetooth connection for on-site data retrieval. The signs can differentiate between vehicle types, aiding in traffic analysis. This device is available for purchase only, with a 15" unit costing around \$5,000. Battery life depends on traffic, with a potential range of 10 days to two weeks. Real-time data access via a subscription cost of \$599 annually, per unit, covering unlimited users. Users can also retrieve data without a subscription using the Easy Analyst program, a manual connection. The signs have a GPS locator for theft tracking when powered on. They offer versatility for various purposes, and continuous data collection as long as powered. Considerations for power sources were discussed, with solar-powered signs potentially requiring manual data retrieval in certain situations.

An alternative request for customer references regarding towns using the product for grant

- work was requested.
- **Mr. Alan Donnan**, a citizen expert in grant writing, advised caution about federal grants' bureaucratic challenges. The recommendation is to prioritize Austin grants, involving County Commissioners, State, and NAFTA/IFTA representatives for a unified approach. If Austin proves unsuccessful, a backup plan involves approaching Washington.
 - Citizen Dale Bryant asked about state grant expectations, and Mr. Donnan suggested seeking \$150,000 to \$250,000. He further emphasized the importance of hard data and photos for effective grant proposals.
 - Citizen Tracy Hibbs questioned Mr. Barlag about axle counting. He explained that the system differentiates sizes without taking pictures, relying on radar signal strength for accuracy.
 - Council Member White asked Mayor Senkevech if Sales and Use tax could be used for this purchase. Mayor Senkevech explained that she believed it could but that she wanted 100% confirmation and sent an email to get some clarification. She hasn't heard back yet. The motion for this agenda item was tabled until a later date. No vote was taken.

3) Discuss and take action on either of the two engineering firms presented last month with Statement of Qualifications (S.O.Q.) by Engineering firms **R. Brumley of Exceed Engineering and **Birkhoff, Hendricks & Carter, L.L.P. Engineering Firm.**:**

- The council discussed and considered two engineering firms, R. Brumley of Exceed Engineering and Birkhoff, Hendricks & Carter LLP. Both firms presented last month. Council Member Fowler expressed a preference for Birkhoff, Hendricks & Carter, as they have an in-house surveyor on staff. Council Member Jaffe shared concerns about Exceed's qualifications, citing incomplete answers to the five points in the RFQ and the lack of provided numbers. Council Member White also favored Birkhoff, praising their phenomenal presentation and transparency in providing all necessary information. Council Member Fowler explained that Birkhoff Hendrick & Carter came highly recommended. Mayor Senkevech emphasized that per state guidelines, the council must vote on the most qualified firm to fit the town's needs before any discussion of rates can occur. Motion to move forward with the Engineering Firm **Birkhoff, Hendricks & Carter** was made by Council Member Mike Jaffe and a second was made by Council Member Jonathan Blake. **Passes 5:0**

4) Discuss and take action on materials upcharge for ADA loop railing and change of contractor to Mike Duret, welder, for a total of \$1599. This discussion is to replace the original welder hired to install a loop railing outside of the Town Hall. Mayor Senkevech suggested Mike Duret of TD Metal Fabricator, who is local and highly recommended, for a total turnkey expense of \$1599. Though outside of the original approved budget of \$1000, this quote comes in cheaper than the two other quotes that were received at \$2500 and \$2600 respectively. The railing drawings have been approved by the Texas Department of Licensing. It was requested that painting be added in the quote by Council Member Jaffe.

- Citizen Traci Hibbs questioned the ADA compliance and was informed that no ADA approval was needed at this time. Motion by Council Member Tom Anderson, seconded by Council Member Jonathan Blake. **Passes 5:0**

Council takes a 5-minute break

5) Discuss and take action on Project Sheet H-09r on CR 2464 for culvert replacement for the amount of \$1950 for oil sand and \$2040 for asphalt for materials and fuel costs.:

Commissioner Monroe has returned the original quotes, separated as previously requested. A photo of the road was presented. Commissioner Monroe stated on a scale of 1-10, with 10 being the most urgent, this issue is currently 5. The quote outlines repair using oil sand, \$1950 or new asphalt, \$2040. Different alternatives for repair were discussed. Citizen Dale Bryant spoke, he lives on CR 2464, he prefers alternate repair options rather than tearing up the road. Citizen Chad West mentioned a similar repair he made that lasted 10 years. No motion needed, repair would be made

by town volunteers. Council members Mike Jaffe and Terry Fowler volunteered to be the leads on this project.

- 6) Discuss and take action on Project Sheet H-10 on CR 2446 for replacing 3 culverts for the amount of \$6300 for oil sand and \$6500 for new asphalt for materials and fuel costs:** Discussion focused on replacing three culverts on CR 2446 for \$6,300 for oil, \$6,500 for new asphalt, materials, and fuel costs. Council member Jaffe and Mayor Senkevech examined pictures of the road, noting a slight indentation. It was determined that this is due to the dirt settling. Council decided to monitor the situation rather than proceed. Motion by Council Member Terry Fowler to pass on this item, seconded by Council Member Simeon White. **Passes 5:0**
- 7) Discuss and take action on Smith's updated petition to release from ETJ:** Citizen Patrick Smith's petitioned for release from the ETJ. Council invited Smith to speak. Citizen Smith addressed concerns raised in a previous meeting regarding maps clarity. In response Citizen Smith presented color-coded maps delineating the boundaries of the parcel requested for release, along with survey documents showing the meets and bounds descriptions. Citizen Shelley Smith addressed a concern from a previous meeting and confirmed with Austin that there is no requirement for a 20,000-resident minimum. Citizen Dale Bryant confirmed that the width of the right-of-way for the adjacent road (Highway 1565) has a 100-foot right-of-way at that location based on county maps and surveys. A motion was made by Council Member White and seconded by Council Member Blake to approve the updated petition to release the property from the city's ETJ. The motion passed unanimously. **Passes 5:0**
- 8) Discuss and take action on allowing the Voluntary Annexation Window as last year:** Council revisited, having a defined window to proactively encourage and advertise opportunities for voluntary annexation within the town limits. Council Member Jaffe noted that the window was primarily for the town's convenience. Last year, timing was more pressing for certain requests. The topic of potential administrative costs. Citizen Kenz Salsbury spoke against having an open window. Citizen Traci Hibbs questioned why have a window if people can petition to annex year-round. Citizen Doug Kendrick expressed his feeling that having an official map should be the number one priority right now. Citizen David Emard asked if annexation needed to be by petition. There was further discussion of potential costs associated with annexation versus future benefits for the Town of expanding the tax base and land under town control. A motion was made by Council Member Anderson and seconded by Council Member Blake to have a 90-day advertised window in February, March, and April to encourage voluntary annexation requests. **Passes 5:0**
- 9) Discuss and take action regarding whether citizen comments should be included in the town minutes in summary or left out entirely.:** Discussion regarding citizen comments made during town meetings. Should they continue to be summarized and included in the official meeting minutes, or omitted entirely. The volunteer preparing the minutes had sought guidance on this issue. Multiple council members expressed that citizen comments should remain. They state that the comments provide important context and reflecting the full proceedings and public participation. Motion to keep the current format was made by Council Member White, seconded by Council Member Anderson. **Passes 5:0**
- 10) Discuss and take action on the updated prospective zoning map for the Town.:** Discussed is the latest draft version of the Town prospective zoning map, which depicts the potential future zoning designations, with green areas for agriculture, purple for small estates, pink for single-family residential, yellow for business/non-profit, etc. Citizens were encouraged to provide any comments, concerns, or questions about the draft map to councilmembers Blake and White by the end of the month. They will meet on March 2nd to finalize the map before submitting it for an official council vote. Citizen Dale Bryant raised concerns that zoning could potentially "cloud" property titles if it contradicted deed restriction covenants. Councilmembers stated that based on the guidance from legal, that zoning would not invalidate or override deed restrictions, but the more restrictive rules would apply in cases of overlap. Citizen Traci Hibbs asked Council Member White, if one tried to sell their deed-restricted property, would a lender insure that property since it was now clouded by zoning? Council member White stated that it would not cloud the title. There was some disagreement and ultimately Council agreed to potentially seek an additional legal opinion from a real estate attorney on how zoning interacts with pre-existing deed restrictions on properties. No formal action was taken on approving the zoning map and will be

addressed in a future agenda once the subcommittee finalizes it and it can be posted publicly in advance.

11) Discuss roles and responsibilities of Poetry Town government. Take action as necessary.

[CM Jaffe]: Council Member Jaffe initiated a discussion on the roles and responsibilities of town council and government. He referenced the council's decorum policy, emphasizing the need to treat be respectful, and discourage attacks on personalities, and uphold applicable laws. Concern was also expressed that in the prior meeting, some moments were not recorded due to the sound being turned down by the engineer worried that it gives the appearance of censoring certain citizens. It was explained by Mayor Senkevech that she was advised in a training session, by Laura Simmons of the Texas Rangers division, that it is an acceptable technique to shut off the mic if there is profane language and that can help to de-escalate the situation. She went on to say that she had discussed this with Bob, the engineer, upon her return in October. Bob also explained that as the conversation got heated, profanity occurred in the discussion and he turned down the volume to comply with the rules of the FCC and YouTube, rather than risk the meeting being taken off the platform. Mayor Senkevech stated that the minutes of the meetings are legal records, the video recording and posting of the meetings are merely a courtesy. Council Member Jaffe further explained his concern that all citizens and employees working with the Council fully understand what is needed legally and what is expected from the Council, as the Council and Town are required to adhere to strict laws of operation. Creating a Code of Conduct for volunteers and others working with the Council was discussed. Citizen Traci Hibbs commented on creating an employee/volunteer policy. Citizen Doug Kendrick agreed that volunteers need to have some direction in which to follow. Citizen Chad West added that a standard operating procedure will help to set the expectations of the people who work with the Town going forward. Citizen David Emard agreed that a policy in place would help out the town going forward. As this was an action item, no vote was needed. Council Member Jaffe offered to create a volunteer policy and present a draft to the council.

j) General Public Comments: Citizen Shelley Smith requested that the online calendar and the minutes of the meetings be updated on the town's website. Citizen Dale Bryant would like the council to consider, as they work on zoning, the additional zoning classifications of, PD (Planned Development) and PUD (Planned Unit Development). Citizen Traci Hibbs spoke regarding remarks made toward Council Member Fowler at the previous meeting. Citizen Doug Kendrick emphasized the need for accurate maps in the town's decision-making process and praised Council Member White for his work on the zoning map and suggested displaying official zoning and boundary maps at City Hall. Citizen David Emard suggested that additional sign placement be added when the Town needs to inform citizens and encouraged unity. Citizen Jack Senkevech praised how hard the council has worked and is disappointed that at every meeting there is so much negative pushback.

k) Adjourned Regular Meeting @ 9:51 pm

Minutes by Town Secretary Anne E. Hamilton



**STATE OF TEXAS
COUNTIES OF KAUFMAN AND HUNT
CITY OF POETRY, TEXAS**

BE IT REMEMBERED THAT ON THIS DAY OF THE 15th of February 2024 at 6:00 pm, the Town Council of Poetry, Texas, held a Regular Town Council Meeting at Poetry Town Hall, 5671 CR 323 Poetry, Texas 75160 with the following present:

Mayor Tara Senkevech
Councilmember Tom Anderson
Mayor Pro Tem Mike Jaffe

Councilmember Simeon White
Councilmember Terry Fowler
Councilmember Jonathan Blake

- A. Mayor Senkevech** called the meeting to order at 6:00 p.m. At this time the Mayor reminded the public that disruption of the meeting may be considered a criminal offense under Texas Penal Code §3813 and may be escorted out by a peace officer and issued a citation.

Section 38.13 - Hindering Proceedings By Disorderly Conduct

(a) A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance

(b) A person commits an offense if he recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist.

(c) An offense under this section is a Class A misdemeanor.

Tex. Pen. Code § 38.13

- B. Robin Boles, volunteer clerk**, took roll call. All council members were present. Mayor Senkevech announced the presence of a quorum.

- C.-D. Pledge of Allegiance and Invocation:** Councilmember White led the Pledge of Allegiance and gave the invocation.

E. Recess City Council Meeting 6:04 PM

F. Executive Session

Recess into Closed Session in compliance with Section §551.001 etseq. Texas Government Code, to wit:

Section §551.074 - Personnel Matters: Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Town Secretary.

Section §551.071 – Consultation with Attorney: Discussion with the Town Attorney to receive legal advice and consultation regarding the roles and responsibilities of members of the Town Council.

G. Close Executive Session at 6:50 PM

- H. Reconvene City Council Meeting at 7:00 PM** – Mayor Pro Tem Jaffe summarizes the Executive Session discussion.

- Candidates for the position of Town Secretary
- Discussion with the Town Attorney with regards to the decorum policy of the Town Council and working together more unified going forward.

- I. Community Interest:** Mayor Senkevech gives items of community interest:

- Expressing thanks to Brian Vinson and Herbert Fletcher for assisting with locks.
- Special thanks to Mayor Pro Tem Jaffe for cutting up a boat left on public property so it could be disposed of properly.
- Thanks to the citizens for their generosity with donations to the Towns Giving Box.
- A request to encourage others not to litter in Poetry. An accumulation has been noticed.

J. Reports

1. Financial:

a. January End:

- Beginning balance of \$83,910.91. Ending balance of \$89,803.05
- This included a charge of \$495 for banners and 4x4's signs for notices on trash.
- Withdrawals of \$41.65, checks paid \$8639.72

b. Sales and Use Tax Receipts Report:

- Revenue of \$11,177.13 of which 100% goes toward maintaining the roads.
- Bank account is currently \$89,803

c. Q1 +1 month Report Budget vs. Actual Oct 2023-Jan 2024.

- Q1 franchise electric fees are trending at 20-25%
- Franchise fees for solid waste are 31%
- Mapping fees are 15.9%
- Legal fees 29.9%
- \$90,161 Capital Expenditure for roads is still available in the budget.
- Electricity usage has gone over budget, since no longer paying for trash service, that budgeted amount can go towards the electricity budget.
- Overall budget is doing great, income is higher and expenditures are coming in less.

2. Secretary's Report: Read by prospective Town Secretary Anne Hamilton in the absence of Deputy Secretary Theresa Scholander.

- Giving Box and Lending Library reminder.
- All Hunt and Kauffman County property owners within the Town of Poetry, watch for a mailing regarding the upcoming zoning meeting.

H. Consent Agenda:

1. Approve minutes from December 21st, 2023 Council meeting:

- Councilmember Fowler made a motion to move to the regular agenda as item A. **Passes 5:0**
- **Pay November legal bill** of \$292. Councilmember Fowler made a motion to move to the regular agenda as item A. **Passes 5:0**

I. Regular Agenda:

A. Approve minutes from December 21st, 2023: Councilmember Fowler pointed out that a presentation from Birkhoff, Hendricks, and Carter, L.L.P. was left off of the minutes, and pointed out some spelling errors of names. A motion to approve contingent of the requested corrections was made by Councilmember Fowler and a second was made by Councilmember Blake. **Passes 5:0**

B. Pay November legal bill: Mayor Pro Tem Jaffe requested clarification on a discrepancy regarding a carryover amount and a prior balance not lining up. **Passes 5:0**

1. Discuss and take action on Executive Session Items:

- Citizen Darrell Watson of Green Meadow Lane spoke on his distress of conduct during meetings by all and reminded all they are in a position to serve.

2. Discuss and take action on Resolution 2024-02-01R regarding rock-crushing plant application on Hwy 276:

- Presentation by Citizen Mark Clark who has experience in the rock-crushing business. He highlighted concerns regarding the proposed plant application. He emphasized potential health risks associated with the operation, including silica dust exposure, citing examples of health issues and environmental hazards. Despite acknowledging the necessity of concrete, he advocated for locating such operations away from populated areas and suggested stricter regulations similar to those governing concrete batch plants.
- The Town Council discussed Resolution 2024-0201 opposing Dry Creek Materials' application for an air quality permit for permanent Rock and concrete Crushers near Union Valley. The

resolution, initiated by concerns from Union Valley residents, will be sent to them for approval before the deadline. Additionally, Hunt County Commissioners expressed unified opposition to the proposal, highlighting concerns about the potential expansion of the sand pit into a rock-crushing plant.

- Citizen Traci Hibbs of 9441 County Road 2432 inquired as to the difference between the dust produced by the plant and the dust on the rock roads around town.
- The Mayor announced that there is an upcoming hearing on this matter on March 24th at 7:00 PM, at Ford High School in Quinlin.
- A motion to approve resolution 2024-0201 was made by Councilmember Fowler and a second was made by Councilmember Blake. **Passes 5:0**

3. Discuss and take action on city secretarial candidate: Anne Hamilton

- Mayor Senkevech discussed the job posting for the Town Secretary, the process, and the responding applicants.
- Applicant Anne Hamilton discussed her background and took Q&A from the Council.
- Citizen Shelley Smith questioned the availability of the prospective candidate as far as future meeting attendance.
- Councilmember White made a motion to accept candidate Anne Hamilton for the position of Town Secretary. Councilmember Blake seconded the motion. **Passes 5:0**

4. Discuss and take action for Spring Clean-up Day to be held on Saturday, April 20th, from 7:00 AM to 7:00 PM.

- Blackjack has committed to providing dumpsters.
- Citizen Traci Hibbs suggested an area that needed flyers posted.
- Motion made by Mayor Pro Tem Jaffe to hold a Spring Cleanup Day on both Friday and Saturday, April 19th and April 20th. Councilmember White seconded the motion. **Passes 5:0**

Recess Council meeting at 8:13 PM – resumed at 8:20 PM

5. Discuss and take action on a Street Dynamics Solar-powered Speed and Communication device for roads to collect data needed for grant applications for roadwork according to the price sheets provided.

- Two price quotes were received from Street Dynamics in the amounts of \$3884.50 for a sign with a flood sensor, and \$5057.00 for a sign without the flood sensor.
- Mayor Pro Tem asked why this is necessary for the town right now, Mayor Senkevech explained to gather data for state road grants.
- Citizen Alan Donnan, grant writer, returned to speak to the council. Explained that there are 44,000 applicants currently for the requested grant, and explained how data is an advantage for grant approval. He plans to ask for enough grant money to replace all county roads in Poetry. This grant is only offered every other year.
- Citizen Glenn Straus of 11072 County Road 2454, spoke on the state of County Road 2454 where his house is located.
- Citizen Shelley Smith spoke about not wanting a sign placed by her yard and concerns about being recorded.
- Citizen Patrick Smith, a resident of Kaufman County, is concerned that money spent on signs does not guarantee a return of a grant. He expressed concern about the contract that he read on the Dynamic Signs website.
- Citizen Dale Bryant likes the idea but would also like more of a guarantee from the grant writer that the Town meets the grant criteria.
- Mayor Senkevech explained that only if the data subscription was purchased would there be the possibility of data being uploaded to the Street Dynamic server. Without that option, the sign price drops to \$3200.

- The council requested more information from Street Dynamics such as references, a sample contract with the terms and to research other options from other vendors.
- This motion was tabled until a later date.

6. Discuss and take action on Hunt County Project Sheet H-11 for pot-hole repairs on CR 2458, CR 2426, CR 2326, CR 2440, CR 2460, and CR 2451.:

- A quote for \$6000 to repair the referenced county roads was received.
- A motion to approve was made by Mayor Pro Tem Jaffe and a second was made by Councilmember White. **Passes 5:0**

7. Discuss and take action on the Hibbs updated petition for release from the ETJ.

- A motion to approve was made by Councilmember White and a second was made by Councilmember Blake. **Passes 5:0**

8. Discuss and take action on the updated zoning map of the town.:

- Discussion regarding the map suggested it should be called the Comprehensive Zoning Map. The map and proposed zoning will be voted on in the public forum on March 21st. Letters will be sent to Poetry Citizens regarding the zoning meeting in March. Meeting information will also be listed in the newspaper and posted on the Town website. The most recent proposal will be uploaded to the Town website tomorrow by Councilmember White, as well as any necessary edits as they occur.
- Citizen Dale Bryant who was a member of the original Zoning Committee made some suggestions on how to present the map to the citizens at the zoning meeting so they have a better understanding of how their property was zoned.
- No action needs to be taken on this item.

j. General Public Comments:

1. Citizen Mandi West brought to the attention that her address was incorrect on her notification of release from the ETJ.
2. Citizen Shelley Smith inquired as to why the council isn't allowed to review the tax collection information given to the mayor. Mayor Senkevech explained that it is a criminal offense for a mayor to release that data. Councilmember Fowler suggested that Mrs. Smith could find the answer to her question under Texas Tax Code §321.3022.
3. Citizen Patrick Smith also had some issues with a letter sent to him and was assured that if he emailed his concerns they would be addressed.

Adjourned Regular Meeting @ 9:32 PM

Minutes by Town Secretary Anne E. Hamilton

1

2

3

Your items
Intuit QuickBooks Desktop Plus Annual Subscription

\$649/yr ×

Edition: Pro | Download | Users: 1

- Intuit QuickBooks Desktop Plus Annual Subscription
 Edition: Pro | Download | Users: 1 \$649/yr
- Intuit QuickBooks Annual Support \$0
- Intuit QuickBooks Data Recovery Service \$0
- Intuit Data Protect Monthly
 Tier: Entire PC \$0

Subtotal
\$649

+ applicable taxes

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