

## **Zoning Case 2022-008**

**An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-65-Central Business-1 on 275.1 acres of land out of the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 90, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108, and the H.N. Thompson Survey, Abstract No. 896, located at the northeast corner of Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, to amend the design guidelines for open space for Tracts C and D in Specific Provisions of the Planned Development of Planned Development-65-Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.**

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 23rd day of May 2022, for the purpose of considering amending Planned Development-65-Central Business-1 on 275.1 acres of land out of the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 90, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108, and the H.N. Thompson Survey, Abstract No. 896, located at the northeast corner of Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, to amend the design guidelines for open space for Tracts C and D in Specific Provisions of the Planned Development of Planned Development-65-Central Business-1; and

**WHEREAS**, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

**WHEREAS**, on the 23rd day of May 2022, the City Council of said City, held its public hearing and tabled the item to the 13th day of June 2022, wherein it held an additional public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance; and

**WHEREAS**, the City Council is of the opinion and finds that such amendment would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

**IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Planned Development-65-Central Business-1 on 275.1 acres of land out of the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 90, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108, and the H.N. Thompson Survey, Abstract No. 896, located at the northeast corner of Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, to amend the design guidelines for open space for Tracts C and D in Specific Provisions of the Planned Development of Planned Development-65-Central Business-1 as follows, said property being described in the legal description on Exhibit A attached hereto:

**Specific Provisions of the Planned Development**

1. Building Design

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- h. Tract C shall contain a quasi-public street connecting Legacy Dr. to Headquarters Dr.
  - i. Quasi-Public Street Definition: Quasi-public streets are privately owned and maintained drives open to public access. A quasi-public street easement shall be dedicated for all quasi-public streets, and a fire lane shall be located within all quasi-public street easements. On-street parking and sidewalks provided along quasi-public streets shall be located within the quasi-public street easement. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
  - ii. On-street parking is permitted along the quasi-public street provided it is parallel or angled. Ninety-degree, head-in parking, is prohibited along the quasi-public street.
  - iii. Buildings fronting the quasi-public street shall be designed to accommodate ground floor retail and office uses. Live/work space is permitted on the ground floor of all multifamily buildings. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. Ground floor is defined as that portion of building from the street-level finish floor elevation

and extending 12.5 feet above the street-level finished floor elevation.

- iv. Public or private mews streets may be installed between the buildings, perpendicular to the quasi-public street and all other public streets. If a mews street is used, the building facade shall have 75% of its face within 7 feet of the mews street right-of-way line.

## 2. Residential Development Standards

### a. Standards relating to all residential developments

- i. Within Tracts A and B, no minimum open space shall be required per residential dwelling unit. However, 2 park or courtyard areas must be provided within the planned development district, one on each side of Legacy Dr. The park areas shall total 5 acres in size. These areas may be publicly or privately owned. Parks, courtyards, and streetscape areas shall be shown at the time of concept plan or site plan approval on the concept plan or site plan.
- ii. The open space exhibit for Tracts C and D is adopted as part of this ordinance and open space for these tracts will be in accordance with the following:
  - Usable public open space must be provided in an amount not less than 8.7 acres. The 7.1 acres of public park land located on the south side of Tract C within PD-65-CB-1 can be counted towards the credit, and a minimum of 1.6 acres of useable open space must be provided within Tracts C and D as defined in the open space plan.
  - Useable open space must be accessible to the public at all times and must not be fenced.
  - Useable open space must have a minimum dimension of 30 feet long by 30 feet wide.
- iii. No off-street loading docks shall be required for buildings containing residential uses. Off-street loading docks for nonresidential uses may not be located adjacent to or across a street or alley from buildings containing residential uses unless the loading dock is screened in accordance with the following:
  - Solid metal gates
  - Masonry screening walls (in accordance with Article 20)

- Overhead doors
- Any combination of the above

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b. Sign and Location

- i. Multipurpose wall signs shall not be limited in height or width except that they shall be limited to 300 square feet in size.
- ii. Multipurpose wall signs within Tract C shall be limited to 500 square feet in size.
- iii. A maximum of 2 multipurpose wall signs shall be mounted to parking garages located adjacent to the Dallas North Tollway within Tract C.
- iv. A maximum of 2 multipurpose wall signs shall be mounted to the parking garages located at the southeast corner of the Dallas North Tollway frontage road and Legacy Cr. only. The signs shall be mounted on the north, west, or south facades, and only one sign shall be permitted on each facade.
- v. Multipurpose wall signs may only be used to advertise tenants, owners and uses, and any of their products or services within PD-65-CB-1.

**Section II.** The change granted in Section I is granted subject to City Council approval of Zoning Case 2022-001.

**Section III.** It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

**Section IV.** All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section V.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

**Section VI.** Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section VII.** It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

**Section VIII.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED THIS THE 13TH DAY OF JUNE 2022.**

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

**Zoning Case 2022-008**

BEING a tract of land situated in the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 90, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108 and the H.N. Thompson Survey, Abstract No. 896, Collin County, Texas and being all of Lot 1 Block C and part of Lot 1, Block D, J.C. Penney Headquarters, an addition to the City of Plano, Texas according to the plat recorded in Cabinet G, Page 783, Map Records of Collin County, Texas, all of Lot 2, Block A, Legacy Town Center North No. 2, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20070418010001360, Official Public Records of Collin County, Texas, all of Townhomes at Legacy Town Center Phase 4, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20070718010002410, Official Public Records of Collin County, Texas, all of Lot 7, Block C, Legacy Town Center North, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20130528010001510, Official Public Records of Collin County, Texas, all of Lot SR, Block A, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20110804010001440, Official Public Records of Collin County, Texas, all of Lots 1 and 2, Block D, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Cabinet 2006, Page 516, Map Records of Collin County, Texas, all of Lot 1, Block B and Lot 2, Block C, Legacy Town Center {North}, an addition to the City of Plano, Texas according to the plat recorded in Cabinet 2006, Page 148, Map Records of Collin County, Texas, all of Lot 5, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20100806010001480, Official Public Records of Collin County, Texas, all of Lot 6R, Block A, Legacy Town Center (North), Lots 6R, and SR, Block A, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20100507010000900, Official Public Records of Collin County, Texas, all of Lot 4 and Lot 6, Block C, Legacy Town Center {North}, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060710010002900, Official Public Records of Collin County, Texas, all of Lot 2R and Lot 3, Block A, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20071009010003610, Official Public Records of Collin County, Texas, all of Lot 1R and Lot 5, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20071107010003940, Official Public Records of Collin County, Texas, all of Lot 3, Block C, Legacy Town Center North, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060317010000990, Official Public Records of Collin County, Texas, all of Lot 1, Block A, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20080222010000710, Official Public Records of Collin County, Texas, all of The Town Homes at Legacy Town Center, Phase 2, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060518010002110, Official Public Records of Collin County, Texas, all of Lot 1R and Lot 5, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20071107010003940, Official Public Records of Collin County, Texas, all of Lot 1, Block A, The Shops at Legacy Town Center (North), an addition to the City of Plano,

Texas according to the plat recorded in Instrument No. 20061108010004830, Official Public Records of Collin County, Texas, all of Baccus Cemetery, all of Lot 1, Robb and Stucky Addition, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2001-0095071, Official Public Records of Collin County, Texas, all of Lot 1, Block D, Lot 1, Block E, and Lot 1, Block F, The Shops at Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004- 0038069, Official Public Records of Collin County, Texas, all of Lot 2, Block F, The Shops at Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004-0038062, Official Public Records of Collin County, Texas, all of The Shops at Legacy Town Center, Phase 2, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2005-0064263, Official Public Records of Collin County, Texas, all of Lot 1, Block 1, Lincoln at Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2002-0074310, Official Public Records of Collin County, Texas, all of Lot 1, Block G and Lot 3, Block G, Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2003-0036901, Official Public Records of Collin County, Texas, all of Lot 2, Block 1 and Lot 3, Block 1, Two Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004-0038063, Official Public Records of Collin County, Texas, all of Lot 1, Block A and Lot 1, Block B, Doubletree Legacy Addition, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2001-0020950, Official Public Records of Collin County, Texas, all of Lot 1R, Block H, Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Volume M, Page 47, Map Records of Collin County, Texas, all of Lot 1R, Block 1 and Lot 4, Block 1, Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Volume Q, Page 239, Map Records of Collin County, Texas, all of Lot 1R, Block A, Two Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060509010001880, Official Public Records of Collin County, Texas, all of Lot 2, Block 1, Two Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004- 0011445, Official Public Records of Collin County, Texas, being all of Lot 1R, and Lot 5, Block 1, Two Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Volume P, Page 454, Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at the intersection of the centerline of Legacy Drive (a variable width right-of-way) and the centerline of Communications Parkway (a variable width right-of-way);

THENCE with the centerline of Communications Parkway, the following courses and distances to wit: North  $0^{\circ}38'34''$  West, a distance of 284.84 feet to a point at the beginning of a tangent curve to the right having a central angle of  $29^{\circ}58'12''$ , a radius of 1,143.74 feet, a chord bearing and distance of North  $14^{\circ}20'32''$  East, 591.46 feet; In a northeasterly direction, with said curve to the right, an arc distance of 598.26 feet to a point at the beginning of a non-tangent curve to the left having a central angle of  $12^{\circ}34'33''$ , a radius of 1,261.08 feet, a chord bearing and distance of North  $20^{\circ}03'31''$  East, 276.24 feet; In a northeasterly direction,

with said curve to the left, an arc distance of 276.79 feet to a point for corner;

THENCE departing said centerline, the following courses and distances to wit: North  $76^{\circ}19'54''$  West, a distance of 122.14 feet to a point at the beginning of a tangent curve to the left having a central angle of  $12^{\circ}34'21''$ , a radius of 559.37 feet, a chord bearing and distance of North  $82^{\circ}37'05''$  West, 122.50 feet; In a northwesterly direction, with said curve to the left, an arc distance of 122.74 feet to a point at the beginning of a non-tangent curve to the left having a central angle of  $48^{\circ}26'58''$ , a radius of 550.00 feet, a chord bearing and distance of North  $21^{\circ}42'51''$  West, 451.35 feet; In a northwesterly direction, with said curve to the left, an arc distance of 465.08 feet to a point for corner; North  $45^{\circ}56'20''$  West, a distance of 101.54 feet to a point at the beginning of a tangent curve to the right having a central angle of  $13^{\circ}00'00''$ , a radius of 700.00 feet, a chord bearing and distance of North  $39^{\circ}26'20''$  West, 158.48 feet; In a northwesterly direction, with said curve to the right, an arc distance of 158.82 feet to a point for corner; North  $32^{\circ}56'20''$  West, a distance of 101.40 feet to a point at the beginning of a tangent curve to the right having a central angle of  $13^{\circ}00'00''$ , a radius of 700.00 feet, a chord bearing and distance of North  $26^{\circ}26'20''$  West, 158.48 feet; In a northwesterly direction, with said curve to the right, an arc distance of 158.82 feet to a point for corner; North  $19^{\circ}56'20''$  West, a distance of 141.58 feet to a point at the beginning of a tangent curve to the left having a central angle of  $39^{\circ}20'01''$ , a radius of 480.00 feet, a chord bearing and distance of North  $39^{\circ}36'20''$  West, 323.09 feet; In a northwesterly direction, with said curve to the left, an arc distance of 329.52 feet to a point for corner; North  $31^{\circ}07'28''$  East, a distance of 60.01 feet to a point at the beginning of a tangent curve to the left having a central angle of  $11^{\circ}28'12''$ , a radius of 532.50 feet, a chord bearing and distance of North  $25^{\circ}23'22''$  East, 106.42 feet; In a northeasterly direction, with said curve to the left, an arc distance of 106.60 feet to a point for corner; North  $19^{\circ}39'16''$  East, a distance of 95.37 feet to a point in the centerline of Headquarters Drive (a variable width right-of-way) at the beginning of a non-tangent curve to the right having a central angle of  $23^{\circ}03'41''$ , a radius of 1191.79 feet, a chord bearing and distance of South  $60^{\circ}53'48''$  East, 476.46 feet;

THENCE with the centerline of Headquarters Drive, in a southeasterly direction, with said curve to the right, an arc distance of 479.69 feet to a point at the beginning of a reverse curve to the left having a central angle of  $41^{\circ}06'45''$ , a radius of 561.00 feet, a chord bearing and distance of South  $69^{\circ}55'20''$  East, 393.96 feet;

THENCE in a southeasterly direction, with said curve to the left, an arc distance of 402.55 feet to a point for corner;

THENCE North  $89^{\circ}31'17''$  East, a distance of 1,124.49 feet to a point at the intersection of said centerline of Headquarters Drive and the centerline of the Dallas North Tollway (a variable width right-of-way) and at the beginning of a non-tangent curve to the right having a central angle of  $1^{\circ}02'17''$ , a radius of 3,819.72 feet, a chord bearing and distance of North  $14^{\circ}59'09''$  East, 69.20 feet;

THENCE with said centerline of the Dallas North Tollway, the following courses and distances to wit: In a northeasterly direction, with said curve to the right, an arc distance of 69.20 feet to a point for corner; North  $15^{\circ}30'18''$  East, a distance of 584.33 feet to the intersection of said centerline and the centerline of Baltic Boulevard;



THENCE with the centerline of Baltic Boulevard, the following courses and distances to wit: North  $89^{\circ}47'07''$  East, a distance of 1,182.27 feet to a point for corner; South  $68^{\circ}36'03''$  East, a distance of 408.43 feet to a point at intersection of said centerline and the centerline of Parkwood Boulevard (a variable width right-of-way) and at the beginning of a non-tangent curve to the left having a central angle of  $20^{\circ}08'49''$ , a radius of 1,003.66 feet, a chord bearing and distance of South  $10^{\circ}04'24''$  West, 351.10 feet;

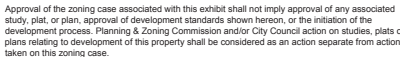
THENCE with the centerline of Parkwood Boulevard, the following courses and distances to wit: In a southwesterly direction, with said curve to the left, an arc distance of 352.92 feet to a point for corner; South  $0^{\circ}00'00''$  East, a distance of 4,760.63 feet to the intersection of the centerline of Parkwood Boulevard and Tennyson Parkway (a variable width right-of-way);

THENCE with the centerline of said Tennyson Parkway, the following courses and distances to wit: North  $70^{\circ}09'50''$  West, a distance of 414.03 feet to a point at the beginning of a tangent curve to the left having a central angle of  $19^{\circ}36'17''$ , a radius of 1,151.50 feet, a chord bearing and distance of North  $79^{\circ}57'59''$  West, 392.09 feet; In a northwesterly direction, with said curve to the left, an arc distance of 394.01 feet to a point for corner; North  $89^{\circ}46'07''$  West, a distance of 1,020.78 feet to the intersection of said centerline of Tennyson Parkway and the said centerline of the Dallas North Tollway;

THENCE with said centerline of the Dallas North Tollway, North  $0^{\circ}00'00''$  East, a distance of 2,158.23 feet to the intersection of said centerline and said centerline of Legacy Drive;

THENCE with said centerline of Legacy Drive, South  $89^{\circ}21'26''$  West, a distance of 1,175.78 feet to the POINT OF BEGINNING and CONTAINING 275.07 acres of land.





**SURVEYOR/PREPARER:**  
KIMLEY-HORN AND ASSOCIATES, INC.  
12750 Merit Drive, Suite 1000  
Dallas, Texas 75251  
Contact: Dana Brown, RPLS

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

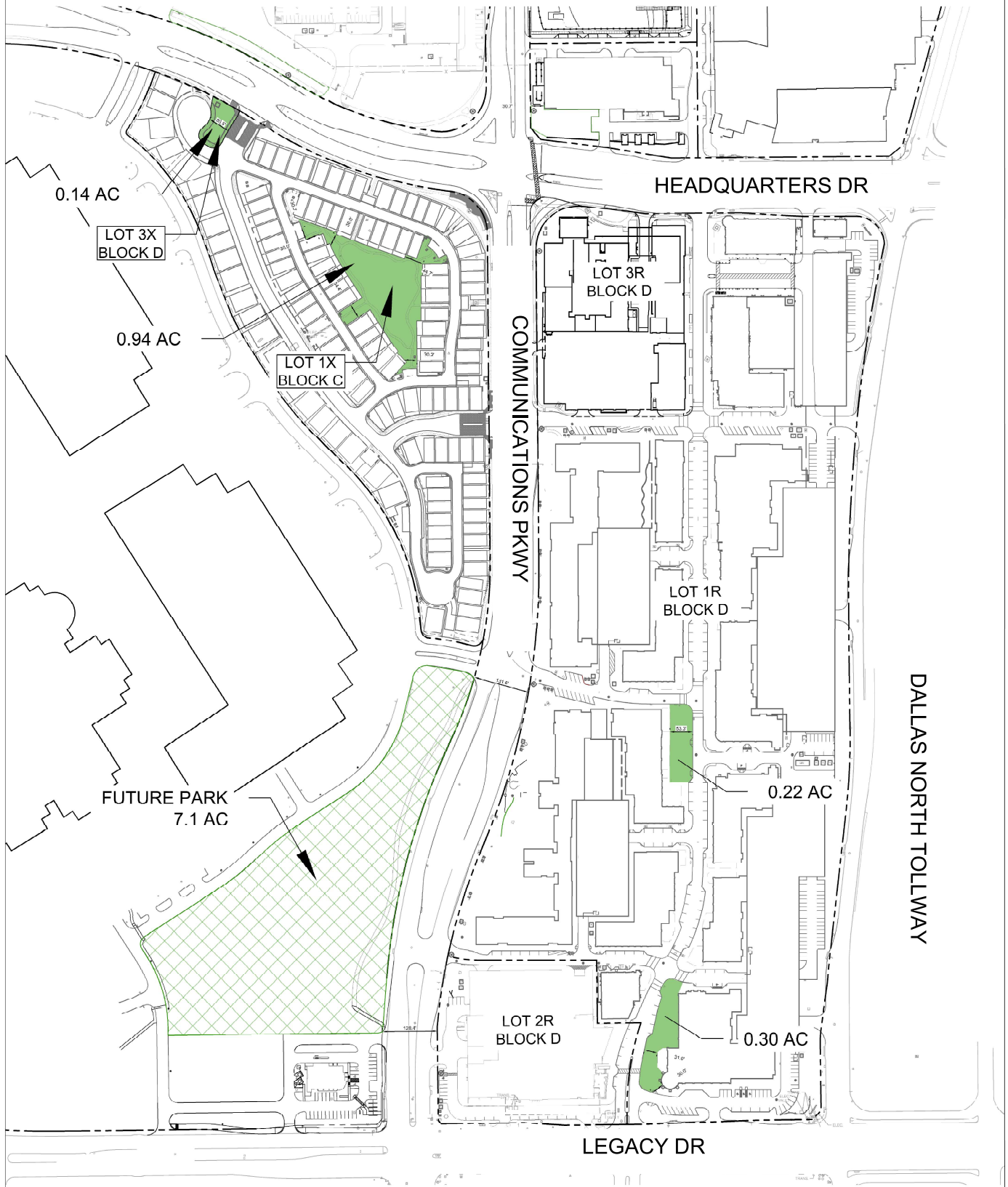
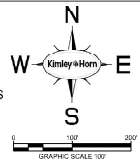
Scale 1" = 300'	Drawn by SRD	Checked by TB	Date APRIL 2022	Project No. 068111009	Sheet 1 OF 1
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# OPEN SPACE TABLE

BLOCK - LOT	OPEN SPACE (AC)
D - 1R	0.52
D - 3X	0.14
C - 1X	0.94
PARKLAND	7.10
TOTAL PROVIDED	8.70
TOTAL REQUIRED	8.70

- USABLE PUBLIC OPEN SPACE MUST BE PROVIDED IN AN AMOUNT NOT LESS THAN 8.7 ACRES. THE 7.1 ACRES OF PARK LAND LOCATED ON THE SOUTH SIDE OF TRACT C WITHIN PD-65-CB-1 CAN BE COUNTED TOWARDS THE CREDIT, AND A MINIMUM OF 1.6 ACRES OF USABLE OPEN SPACE MUST BE PROVIDED WITHIN TRACTS C AND D AS DEFINED IN THE OPEN SPACE PLAN.
- USABLE OPEN SPACE MUST BE ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND MUST NOT BE FENCED.
- USABLE OPEN SPACE MUST HAVE A MINIMUM DIMENSION OF 30 FEET LONG BY 30 FEET WIDE.



**Kimley & Horn**

100 W. Oak Street  
Suite 203  
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940-536-0175  
State of Texas Registration No. F-920

LEGACY WEST PD-65-CB-1 TRACTS C & D  
08.02 ACRES  
REVISED OPEN SPACE PLAN  
ROSP2022-002  
LEGACY WEST ADDITION  
LOT 1R BLOCK D  
ICON AT LEGACY WEST ADDITION  
LOT 3X, BLOCK A AND LOT 1X, BLOCK C  
H. COOK SURVEY, ABSTRACT NO. 183  
H.N. THOMPSON SURVEY, ABSTRACT NO. 890  
CITY OF PLANO, COLLIN COUNTY, TEXAS  
DATE: 4/27/2022