

WHEREAS SYLIVIA AND ROD NUGENT, Being the Owner of a tract of land in County of Rockwall, State of Texas, said tract being described as follows:

Being a 0.7191 acre tract of land situated in the B.F. Boydstun Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas and being a part of tract of land as conveyed to Alysha R. Ryan and Brian A. Ryan as recorded in Document I.D. No. 2006-00360079 of the Deed Records Rockwall County, Texas and being more particularly described as follows;

Beginning at a 3/4" iron rod found at the southwest corner of said Ryan tract whose Texas North Central (NAD 83) surface coordinates bear North = 7029470.74 an East = 2594785.18, said rod being the southeast corner of a tract of land as conveyed to Land Headquarters Company, Inc. recorded in Volume 1503, Page 00034 of the said Deed Records and being on the north right of way line of East Olive Street from which a 5/8" iron rod found with TxDot aluminum cap found bears South 89 degrees 30 minutes 41 seconds West, a distance of 116.76 feet;

Thence North 09 degrees 49 minutes 15 seconds East along the common line of said Ryan and Land Headquarters tract, a distance of 301.64 feet to a 1/2" iron rod found at the northwest corner of said Ryan tract and being on the east line of a tract of land known as Blacks Collectables Addition, an Addition to the City of Rockwall as recorded in Cabinet F, Page 243 of the Plat Records of Rockwall County, Texas;

Thence North 79 degrees 25 minutes 20 seconds East, along the northern most north line of said Ryan tract, a distance of 42.84 feet to a 1/2 iron rod found at the northern most northeast corner of said Ryan tract also being on the west line of a tract of land as conveyed to Cedo Rakich and Julia Rakich recorded in Volume 0804, Page 043 of said Deed Records;

Thence South 09 degrees 43 minutes 09 seconds West, along the common line of said Ryan and Rakich tracts, a distance of 111.00 feet to a 1/2" iron rod with cap stamped (DAI) set at an inner ell corner:

Thence South 84 degrees 16 minutes 51 seconds East, along the common line of said Ryan and Rakich tracts, a distance of 89.80 feet to a 1/2" iron rod with cap stamped (DAI) set at the northeast corner of said Ryan tract also being the northwest corner of a tract of land as conveyed to Polly Peoples Redden and Ross Redden recorded in Volume 04107, Page 00105 of said Deed Records:

Thence South 04 degrees 15 minutes 36 seconds West, along the common line of said Ryan and Redden tracts, a distance of 185.96 feet to a 3/4" iron pipe found at the southeast corner of said Ryan tract also being the southwest corner of said Redden tract and being on the north right of way line of the aforesaid East Olive Street;

Thence South 89 degrees 30 minutes 41 seconds West, along the south line of said Ryan tract and the north right of way line of said East Olive Street, a distance of 150.37 feet to the Point of Beginning and containing 0.7191 acres of land more or less:

## CERTIFICATION

I, DANIEL A. SMITH, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT: A) THIS PLAT AND PROPERTY DESCRIPTION SHOWN HEREON ARE TRUE AND CORRECT AND PREPARED FROM AN ON THE GROUND SURVEY OF THE PROPERTY SHOWN HEREON; B) SUCH SURVEY WAS CONDUCTED UNDER MY SUPERVISION; C) ALL MONUMENTS SHOWN ACTUALLY EXIST AND THE LOCATION, SIZE AND TYPE OF MATERIAL THEREOF ARE SHOWN; D) EXCEPT AS SHOWN HEREON, THERE ARE NO IMPROVEMENTS ON THE PROPERTY, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS-OF-WAY ON THE PROPERTY AND THERE ARE NO VISIBLE DISCREPANCIES OR CONFLICTS E) THE SIZE, LOCATION AND TYPE OF IMPROVEMENTS, IF ANY, ARE SHOWN HEREON AND SET BACK FROM THE PROPERTY LINE THE DISTANCE INDICATED; F) THE PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY; G) ALL APPLICABLE EASEMENTS, FURNISHED TO OR KNOWN TO ME, HAVE BEEN LABELED AND SHOWN HEREON; H) THE BOUNDARIES AND DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT AND THIS SERVICE CONFORMS TO THE CURRENT TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, PROCEDURES, PRACTICES AND TECHNICAL STANDARDS.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, DANIEL A. SMITH, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

aniel A. Smith, R.P.L.S. NO. 4645

My Commission

COUNTY OF ROCKWALL Before me, the undersigned authority, on this day personally appeared <u>Daniel A. Smith</u> known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

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Notary Public in and for the State of Texas

LEE ANN JOHNSON ly Commission Expires March 17, 2013

OWNER/DEVELOPER

Planning And Zoning Commission /

SYLIVIA AND ROD NUGENT 11508 Royalshire Dr. Dallas, TX 75230 (214) 365-9410

2235 RIDGE ROAD, STE 200 ROCKWALL, TEXAS 75087 (972) 771-9004

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

I(we) the undersigned owner(s) of the land shown on this plat, and designated herein as the BIN 303 RESTAURANT, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lein interest in BIN 303 RESTAURANT subdivision have been notified and signed this plat. and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in

OWNER: SYLVIA AND ROD NUGENT RAS OPERATING CO.L.P. SRASSAM, INC. GENERAL PARTNER - RAS OPERATING PARTNER - RAS OPERATING Before me, the undersigned outborite.

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this $-297$	day of
Sopt.	,2008
Eliabeth A Moure  Notary Public in and for the State of Texas	2-28-00
Notary-Public in and for the State of Texas	My Commission

**APPROVED** 

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the 4th day of \_\_\_\_\_\_\_, 2008.

This approval shall be invalid unless the approved plat for such addition is recorded in the 

Mayor City of Rockwall City Secretary SEAL 10-3-08 Date City Engineer

ENGINEER/SURVEYOR

DOUPHRATE & ASSOCIATES, INC.

## FINAL PLAT

## BIN 303 RESTAURANT

LOT 1 BLOCK 1 0.7191 ACRES B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14

CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS

PROJECT:	0808PPLAT
DATE:	JULY 2008
SCALE:	NA
DRAWN:	J.T.S.
CHK'D:	W.L.D.

DOUPHRATE & ASSOCIATES, INC. 2235 RIDGE ROAD ROCKWALL, TEXAS 75087 PHONE: (972)771-9004 FAX: (972)771-9005

SHEET 2 OF 2

ELIZABETH A. MORGAN

Notary Public, State of Texas My Commission Expires

February 28, 2009

Bin 303 Restaurant Final Plat Lot 1 Block 1