RESOLUTION OPPOSING ANNEXATION AND DETACHMENT OF TERRITORY FROM THE MCKINNEY INDEPENDENT SCHOOL DISTRICT TO THE LOVEJOY INDEPENDENT SCHOOL DISTRICT

STATE OF TEXAS	§
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WHEREAS, the Lovejoy Independent School District ("Lovejoy ISD" or "District") on or about June 2, 2021, received a petition to detach the area identified and platted as the "Stonegate" subdivision, more specifically described in Exhibit A attached hereto (the "Area") within the City of Lucas and the McKinney Independent School District ("McKinney ISD") from the McKinney ISD and annex the Area to the Lovejoy ISD (the "Petition");

WHEREAS, the Board finds the District provided proper public notice by publication in the Allen American on April 7, 2022, for the public hearing on the Petition on April 25, 2022;

WHEREAS, a hearing was held during the Board's meeting on April 25, 2022 at 6:00 p.m., at the Carrie L. Lovejoy Child Development Center: Room D100 (Closed Session) & Library (Open Session) 256 Country Club Road, Allen, Texas 75002;

WHEREAS, the Lovejoy ISD recognizes, and will comply with, the requirements imposed under Texas Education Code Section 13.051 regarding petitions for detachment and annexation presented to the Lovejoy ISD;

WHEREAS, the Board finds that all statutory requirements outlined in Texas Education Code, Sections 13.051 for the Petition were met to allow for legal detachment or annexation of the Area to Lovejoy ISD from McKinney ISD;

WHEREAS, at its hearing on April 25, 2022, the Board considered the educational interests of the current students residing, or future students expected to reside, in the Area and in the Lovejoy ISD and McKinney ISD, as well as the social, economic, and educational effects of the proposed boundary change;

WHEREAS, the Lovejoy ISD recognizes and applauds the efforts of the cities within the Lovejoy ISD territory for the development of Comprehensive Land Use Plans for such cities' respective jurisdictions that conform to, and compliment, the lifestyles of their residents;

WHEREAS, such Comprehensive Land Use Plans have been relied upon by Lovejoy ISD and McKinney ISD in developing the enrollment model used by Lovejoy ISD and McKinney ISD to construct long-term planning;

WHEREAS, changes in the boundaries of the Lovejoy ISD through the detachment and annexation requested in the Petition could potentially disrupt and alter such enrollment to the ultimate detriment of Lovejoy ISD and the cities within its territory;

WHEREAS, granting the Petition could create an expectation from other communities bordering the Lovejoy ISD that the District would grant additional requests for detachment from a bordering district and annexation to Lovejoy ISD, placing Lovejoy ISD at risk for costly and burdensome litigation as well as enrollment beyond its capacity;

WHEREAS, as of the date of passage of this Resolution, the Lovejoy ISD Board of Trustees believes that approving the Petition is not in the best educational, social, and economic interests of the residents and students, current and expected both within the Area and/or within the Lovejoy ISD;

WHEREAS, the Board finds the residents of the Area purchased their homes with the full knowledge the homes were located within the McKinney ISD and understood the attendant travel times to / from McKinney ISD schools and activities;

WHEREAS, residents of the Lovejoy ISD take first priority for the Board, whether in availability of services, campus space, or other District resources;

WHEREAS, Lovejoy ISD permits interdistrict transfers through the Lovejoy Scholars program such that residents of the Area may choose to apply for a transfer to Lovejoy ISD, subject to availability of services, classroom space, District resources, staff, and/or other factors;

WHEREAS, the District's mission to propel every person to personal excellence could be compromised by approving the Petition, thereby limiting current residents of the Lovejoy ISD of the services and resources provided for Lovejoy ISD students.

NOW, THEREFORE, BE IT RESOLVED, that the Lovejoy ISD Board of Trustees that:

SECTION 1: The execution of this Resolution shall evidence the concurrence of the Lovejoy ISD Board of Trustees with the facts set forth of the preamble hereof as being true and correct.

SECTION 2: The execution of this Resolution shall evidence the expression of the Lovejoy ISD Board of Trustees that it is opposed to the approval of the Petition for detachment of the Area from the McKinney ISD and annexation of the Area to the Lovejoy ISD.

SECTION 3: This Resolution shall take effect immediately upon its passage in accordance with applicable laws and regulations.

SECTION 4: The Findings of Fact attached hereto as Exhibit A, and incorporated fully herein, are adopted as Lovejoy ISD Board of Trustees Findings of Fact in conjunction with the Petition.

SECTION 5: The Petition requesting that the Area particularly described by the metes and bounds attached hereto as Exhibit B and generally described as within both the McKinney ISD and the City of Lucas, be detached from McKinney ISD and annexed to the Lovejoy ISD is denied.

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PASSED AND APPROVED this 23 day of May, 2022.	a A
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Exhibit A

Petition with Exhibits Including Legal Description of the Area

SUBMITTAL IN ACCORDANCE WITH SECTION 13.051 OF THE TEXAS EDUCATION CODE

TO THE BOARD OF TRUSTEES OF THE MCKINNEY INDEPENDENT SCHOOL DISTRICT (Detachment) and THE LOVEJOY INDEPENDENT SCHOOL DISTRICT (Annexation):

STONEGATE TEXAS HOMEOWNERS ASSOCIATION, INC. and a majority of the Stonegate neighborhood residents (hereinafter referred to as "Petitioner), petition the Board of Trustees for the McKinney Independent School District for detachment of territory, and the Board of Trustees for the Lovejoy Independent School District for annexation of the same territory, and in support thereof would show the respective Boards as follows:

I Legal Authority

This petition is filed in accordance with Section 13.051, Texas Education Code, DETACHMENT AND ANNEXATION OF TERRITORY, and is signed by the entire Board of the Stonegate Texas Homeowners Association and by a majority of the registered voters residing in the territory to be detached and annexed.

II. Annexation by Contiguous School District

The Lovejoy Independent School District is contiguous with the Stonegate neighborhood.

III. Legal Description

The Petitioner and the subject of this Petition, is known as Stonegate and is located in Lucas, Texas. The legal description of the property the subject of this petition is attached

hereto as Exhibit "A" and is incorporated by reference the same as if fully copied and set forth at length herein.

IV. Reduction of Tax Base

The detachment of the Stonegate neighborhood from the McKinney Independent School District will not reduce the McKinney School District's tax base by a ratio at least twice as large as the ratio by which it would reduce McKinney Independent School District's membership.

V. Will not Reduce Area Less than 9 Miles

The detachment of the Stonegate neighborhood from McKinney Independent School District and annexation by the Lovejoy Independent School District will not reduce the McKinney Independent School District to an area less than nine square miles.

VI. Notice of Petition

Pursuant to Section 13.051(2)(g), Texas Education Code, Petitioner respectfully requests the respective Boards of Trustees of the McKinney and the Lovejoy Independent School Districts give notice of the requested detachment and annexation of the Stonegate neighborhood, and give to all concerned parties a notice of this petition by publishing and posting same in the manner required for an election under Section 13.003, Texas Education Code.

VII. Hearing Request

Petitioner respectfully requests the Lovejoy and McKinney Independent School Districts each convene a hearing on Petitioner's Petition for Detachment and Annexation of Territory, and that at such hearing all persons who may be affected by the outcome of this petition are afforded the opportunity to be heard.

VIII. Best Interests of Students

Petitioner contends that with all relevant factors considered, it is in the educational best interest of the students, both present and future, residing in the subject affected territory that it be detached from the McKinney Independent School District and annexed by the Lovejoy Independent School District.

No reasonable person would disagree, and it has been well documented, that children thrive when there is a sense of belonging to a community, and the schools that children attend, and the school related activities that they are involved in, are a salient part of their development within that community.

In Critiquing the school community: a qualitative study of children's conceptualization of their school, a collaborative effort from Edith Cowan University, the authors wrote: "...children's feelings of belonging within their schools, families and communities are essential for mental health (Routt 1996)." "It is argued that children who do not feel a sense of belonging to their families, schools or communities may

acquire or seek a sense of belonging as a member of an antisocial group (Cotton 1996; Baker et al. 1997; Beck & Malley 1998)." Additionally, in A Pedagogy of Belonging, Issue 50, International Child and Youth Care Network, March 2003, written by Mitchell Beck and James Malley, they define to belong as "... to have a proper, appropriate, or suitable place. To be naturally [emphasis added] associated with something. To fit into a group naturally." The authors of said article go on to state: "Most children fail in school not because they lack the necessary cognitive skills, but because they feel detached, alienated, and isolated from others"

IX. Social and Economic Rationale for Boundary Change

The present boundary lines regarding the subject area were drawn many years ago, and at the time of the development of Petitioner's neighborhood, the Lovejoy Independent School District served only elementary age students. Presently there are 27 school aged children residing in Petitioner's neighborhood, and these children live appreciably closer to all of the Lovejoy schools (Elementary, Middle School and High School) than the schools within the McKinney School District.

For example, the closest zoned McKinney middle school is 13.5 miles versus 3.2 miles for the Lovejoy intermediate school. Given traffic and other issues, the travel times are significantly different.

The geographic distance alone, in addition to creating an economic hardship on the Petitioners due to the commute distance, is also incongruous with any sense of community or belonging to either school district community. The geographic distance to the McKinney Schools makes it difficult on the parents of the Stonegate neighborhood and

their children to engage in school related extra-curricular and social activities. Furthermore, the extended commute and the time on and waiting for school buses unnecessarily extends the affected children's school day, causing children to rise earlier to catch their school bus.

Research data from the American Academy of Pediatrics and National Sleep Foundation as well as numerous other pediatric health groups have all lead to the following conclusion: "Cumulative loss of sleep, even for short periods, can lead to increased irritability, increased moodiness, decreased cognition, poor performance, worsened symptoms for children with ADD/ADHD and increased behavior/discipline problems for all children. When there are multiple school aged children in the same household, these issues can be compounded and even contribute to the same negative psychological effects on the parents. Slow progressive fatigue from cumulative loss of sleep can further contribute to physical health, lowered immune system, increased illness, further poor performance and increased absenteeism."

X. No Adverse Impact on School Districts

The detachment of the territory the subject of this petition will not adversely impact the McKinney Independent School District or its tax base in that the tax revenue collected from Stonegate constitutes little more than 1/100 of 1% of the McKinney Independent School District's budget. Furthermore, the annexation of the territory in question will not adversely impact the Lovejoy Independent School District.

Conclusion

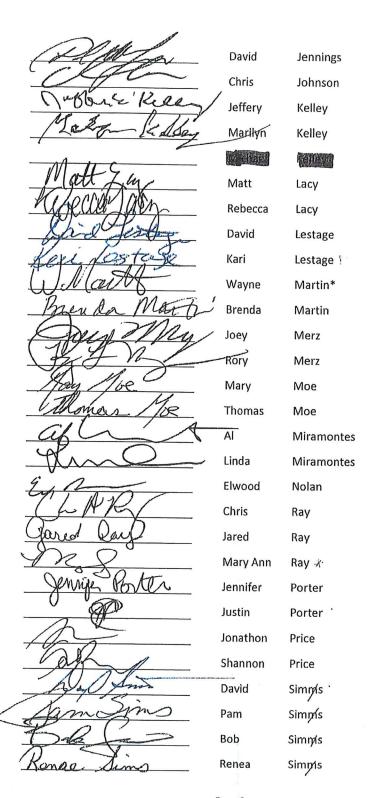
The foregoing Petition is filed in accordance with Section 130.51 of the Texas Educational Code and was signed by a majority of the resident voters residing in the territory to be detached and annexed. It is in the educational, social and economic best interest of the Petitioner to allow for the detachment and annexation, and the transition will not create an economic hardship for either of the respective school districts.

Petitioner respectfully requests that McKinney Independent School District grant its Petition for Detachment and that the Lovejoy Independent School District grant its contemporaneous Petition for Annexation.

Respectfully Submitted by Stonegate Homeowners, Lucas, Texas:

Where * Indicates elected HOA Board Member

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Exhibit A

LEGAL DESCRIPTION

Beginning at a ½" iron rod found for corner, said rod being S. 00 degrees 00 minutes 00 seconds W. a distance of 38.96 feet from a 3/8" iron rod found for corner at the Northeast corner of the above cited Shipley Tract (4110/482), said 3/8" rod also being the Southeast corner of a called 50 acre tract of land described in a Warranty Deed from Sibyl C. Hamilton and Ferrill Hamilton to Rebecca, Lea and Victoria Hamilton as recorded in Volume 3279, Pages 913, 916 and 919 of the Deed Records of Collin County, Texas, and also being the Southwest corner of Lot 1, Block 2, of Horsemans Estates, an addition to the City of Lucas, Collin County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 203 of the Map Records of Collin County, Texas, and also being the Northwest corner of a called 8.00 acre tract of land described in a Deed to E.H. Sullivan, et ux as recorded in Volume 763, Page 588 of the Deed Records of Collin County, Texas;

THENCE S. 00 degrees 00 minutes 00 seconds W. along the East line of said Shipley Tract (4110/482) and the West line of said 8.00 acre tract, passing a ½" iron rod with cap stamped "USA INC" found for witness at a distance of 226.53 feet and continuing along the East line of said Shipley tract (4110/482) and the West line of a tract of land described in a Deed from Doris M. Fair and David Lewis Fair to Doris M. Fair Marital QTIP Trust No. 2 as recorded in Volume 4267, Page 2764 of the Deed Records of Collin County, Texas for a total distance of 2632.09 feet to a ½" iron rod found for corner in the most Easterly North line of Lot 3 of Rock Creek Acres, an Addition to the City of Lucas, Collin County, Texas, according to the Plat thereof recorded in Cabinet 1, Slide 5 of the Map Records of Collin County, Texas at the Southeast corner of said Shipley Tract (4110/482), said point also being the Southwest corner of said Fair Tract;

THENCE N. 89 degrees 48 minutes 54 seconds W. along the most Easterly South line of said Shipley Tract (4110/482), and the most Easterly North line of the above cited Lot 3 a distance of 380.03 feet to a ½" iron rod with plastic cap stamped "USA INC" set for corner at the most Southerly Southwest corner of said Shipley Tract (4110/482), said point also being an interior corner of said Lot 3;

THENCE N. 08 degrees 03 minutes 39 seconds W. along the most Southerly West line of said Shipley Tract (4110/482) and the most Northerly East line of said Lot 3 a distance of 608.24 feet to a ½ " iron rod found for corner in the center of White Rock Creek;

THENCE in an Westerly direction along the meanders of White Rock Creek as follows:

N. 51 degrees 23 minutes 36 seconds W. a distance of 159.39 feet;

N. 83 degrees 31 minutes 43 seconds W. a distance of 275.28 feet;

- S. 65 degrees 32 minutes 15 seconds W. a distance of 197.47 feet;
- S. 48 degrees 00 minutes 32 seconds W. a distance of 162.48 feet;
- S. 23 degrees 40 minutes 35 seconds W. a distance of 119.74 feet;
- S. 65 degrees 36 minutes 33 seconds W. a distance of 94.96 feet;
- S. 70 degrees 25 minutes 44 seconds W. a distance of 22.17 feet to a
- 60-D nail found for corner at the Southwest corner of said Shipley tract (4110/482), said point also being the Southeast corner of a called 49.50 acre tract of land described in a Warranty Deed from Erwin Simerly and Kathryn Simerly to M.E. Sprugin, et ux as recorded in Volume 492, Page 275 of the Deed Records of Collin County, Texas;

THENCE N. 00 degrees 24 minutes 59 seconds W. leaving White Rock Creek and continuing along the West line of said Shipley tract (4110/482) and the East line of said 49.50 acre tract a distance of 2394.95 feet to a ½ " iron rod with plastic cap stamped "USA INC" set for corner;

THENCE N. 89 degrees 35 minutes 01 seconds E. a distance of 15.00 feet to a ½ " iron rod with plastic cap stamped "USA INC" set for corner in the West line of the above cited Shipley Tract (4227/57);

THENCE N. 16 degrees 01 minutes 00 seconds E. along the West line of said Shipley Tract a distance of 45.47 feet to a ½" iron rod with plastic cap stamped "USA INC" set for corner at the most Northerly corner of said Shipley tract (4227/57);

THENCE S. 44 degrees 10 minutes 27 seconds E. along the Northeast line of said Shipley Tract a distance of 60.93 feet to a ½" iron rod with plastic cap stamped "USA INC" set for corner;

THENCE S. 00 degrees 24 minutes 59 seconds E. along the East line of said Shipley Tract a distance of 111.11 feet to a ½" iron rod with plastic cap stamped "USA INC" set for corner in the North line of said Shipley Tract (4110/482), said point also being the Southeast corner of said Shipley Tract (4227/57);

THENCE N. 90 degrees 00 minutes 00 seconds E. along the North line of said Shipley Tract (4110/482) and the South line of the above cited 50 acre tract a distance of 430.29 feet to a ½" iron rod found for corner;

THENCE S. 61 degrees 28 minutes 24 seconds E. a distance of 81.58 feet to a 1/2" iron rod found for corner;

THENCE N. 90 degrees 00 minutes 00 seconds E. a distance of 764.00 feet to the POINT OF BEGINNING and containing 2,952,737 square feet or 67.7855 acres of land.

Exhibit B

Contact Information

Please provide notification of the requested hearing to any and/or all of the following board members:

Mr. Michael S Elliott President, Stonegate HOA	mselliott@live.com	(402) 578-6454
Mr. Scott Baker Vice President, Stonegate HOA	scott.baker2@tx.rr.com	(214) 724-4443
Ms. Mary Ann Ray Secretary/Treasurer, Stonegate HOA	treasurer@stonegate-hoa.com	(706) 575-8483

Exhibit B

Findings of Fact

The Lovejoy Independent School District ("Lovejoy ISD" or "District") on or about June 2, 2021, received a petition to detach the area identified and platted as the "Stonegate" subdivision, more specifically described in Exhibit A attached hereto (the "Area") within the City of Lucas and the McKinney Independent School District ("McKinney ISD") from the McKinney ISD and annex the Area to the Lovejoy ISD (the "Petition"). In conjunction with the Petition, the Board of Trustees ("Board") held a public hearing on the Petition on April 25, 2022, which was properly noticed by publication in the Allen American on April 7, 2022, for the public hearing on the Petition on April 25, 2022. The hearing was held during the Lovejoy ISD Board's meeting on April 25, 2022 at 6:00 p.m., at the Carrie L. Lovejoy Child Development Center: Room D100 (Closed Session) & Library (Open Session) 256 Country Club Road, Allen, Texas 75002.

Based on the information shared in the public hearing and related evidence, the Lovejoy ISD Board carefully evaluated the Petition and issues the following findings of fact ("Findings") with regard to the Petition:

- 1. Lovejoy ISD recognized, and complied with, the requirements imposed under Texas Education Code Section 13.051 regarding petitions for detachment and annexation presented to the Lovejoy ISD.
- 2. The Petition met all statutory requirements outlined in Texas Education Code, Sections 13.051 to request legal detachment or annexation of the Area from the McKinney ISD to the Lovejoy ISD.
- 3. The District expanded the Lovejoy Scholars program for the 2021-2022 school year and, therefore, students in the Area were permitted to transfer to the Lovejoy ISD during this school year and were not in any manner negatively impacted by the postponement of the Board's consideration of the Petition. Stonegate Texas HOA, Inc., did not pursue the Petition with the District, however, the District is modifying the structure and enrollment guidelines for the Lovejoy Scholars program for the 2022-2023 school year. Therefore, the District chose to move forward with the public hearing on April 25, 2022 to assure the Petition was properly heard and considered prior to the change in the Lovejoy Scholars program.
- 4. Following the hearing on April 25, 2022, the Board considered the educational interests of the current students residing, or future students expected to reside, in the Area and in both the Lovejoy ISD and McKinney ISD. The Board also considered the social, economic, and educational effects of the proposed boundary change on the identified group and the Lovejoy ISD.
- 5. The Area shares only one boundary with the Lovejoy ISD on the west side of the Area. The surrounding areas on the north, east, and south of the Area are all within the McKinney ISD. Granting the Petition would result in a "carve out" of McKinney ISD territory for a single development that is inconsistent with the McKinney ISD and Lovejoy ISD existing boundaries.

- 6. The Lovejoy ISD Board finds the cities within the Lovejoy ISD territory developed comprehensive land use plans for such cities' respective jurisdictions that conform to, and compliment, the lifestyles of their residents.
- 7. The Lovejoy ISD Board finds such comprehensive land use plans have been relied upon by Lovejoy ISD and McKinney ISD in developing the enrollment model used by Lovejoy ISD and McKinney ISD to construct long-term planning.
- 8. The requested changes in the Petition to alter the boundaries of the Lovejoy ISD through detachment and annexation could potentially disrupt and alter such enrollment and long-term planning to the ultimate detriment of Lovejoy ISD.
- 9. Granting the Petition could create an expectation from other communities bordering the Lovejoy ISD that the District would grant additional requests for detachment from a bordering district and annexation to Lovejoy ISD, placing Lovejoy ISD at risk for costly and burdensome litigation as well as enrollment beyond its capacity.
- 10. Residents of the Lovejoy ISD are the Board's first priority in assuring the availability of services, campus space, and/or other District resources.
- 11. The residents of the Area that submitted the Petition purchased their homes with the full knowledge the homes were located within the McKinney ISD and understood the attendant travel times to / from McKinney ISD schools and activities. To the extent there has been change in the commute time to McKinney ISD schools, proximity of the Area's students to students from their home schools in McKinney ISD, and/or access to student activities, these factors have improved for the students in the Area.
- 12. Lovejoy ISD permits interdistrict transfers through the Lovejoy Scholars program such that residents of the Area may choose to apply for a transfer to Lovejoy ISD, subject to availability of services, classroom space, District resources, staff, and/or other factors.
- 13. The District's mission to propel every person to personal excellence could be compromised by approving the Petition, thereby limiting current residents of the Lovejoy ISD of access to the services and resources provided for Lovejoy ISD students.
- 14. Approving the Petition is not in the best educational, social, and economic interests of the residents and students, current and expected, both within the Area and/or within the Lovejoy ISD.
- 15. The Board will execute a Resolution evidencing the concurrence of the Lovejoy ISD Board of Trustees, with these Findings included as an exhibit to the Resolution.
- 16. The approval of these Findings and execution of a Resolution incorporating the Findings shall evidence the expression of the Lovejoy ISD Board of Trustees that, the Lovejoy ISD Board of Trustees denies the Petition for detachment of the Area from the McKinney ISD and annexation of the Area to the Lovejoy ISD.

PETITION FOR DETACHMENT AND ANNEXATION OF TERRITORY

EXECUTIVE SUMMARY

To the Board of Trustees of the McKinney Independent School District (detachment) and the Board of Trustees of the Lovejoy Independent School District (annexation):

We, the undersigned residents of the Stonegate neighborhood of Lucas, Texas, respectfully petition the McKinney Independent School District for detachment and to the Lovejoy Independent School District for annexation. We file this petition in accordance with Section 13.051 of the Texas Education Code, and verify that this petition is supported and signed by a majority of the residents of our neighborhood.

The residents of the Stonegate neighborhood feel this change in districts is in the best interest of our children. The way the school district boundaries are currently drawn our neighborhood is isolated from the McKinney schools and neighborhoods. As a result our children are not close to either the schools they attend or where their friends live. This leads to a feeling of not really belonging to their school community. We feel very strongly that children benefit from a strong sense of community. It is difficult for our children to participate in extracurricular activities with friends or school-sponsored events.

The neighborhoods closest to ours are all part of the Lovejoy school district. As a result our children do not have the opportunity to meet these children and become friends with children who live in close proximity to them. It has been well documented that children thrive when there is a sense of belonging to a community and the schools that children attend are a large part of their sense of community

The current boundaries also contribute to long commutes for our children. Our elementary school students spend approximately 1 hour each way on the bus and our middle school children spend 45 minutes each way on the bus. This is a total of 1 ½ to 2 hours that is added to their school day. We feel this commute unnecessarily extends their day causing them to rise earlier to catch buses to their campuses.

This petition is submitted to both school districts with the utmost respect for the quality of education that both districts provide to their respective students. Given the reasons outlined above, the undersigned respectfully request that the McKinney Independent School District grant our request for detachment and that the Lovejoy Independent School District grant our request for annexation.

Following below is the submittal in accordance with the Texas Education Code requirements.

Lovejoy ISD Board of Trustees 259 Country Club Road, Allen, Texas 75002.

Dear President Owens and the Board of Trustees,

Residents of the Stonegate neighborhood of Lucas, Texas, wish to petition the Lovejoy Independent School District for annexation. We make this petition in accordance with Section 13.051 of the Texas Education Code and verify this petition is supported and signed by a majority of the residents of our neighborhood.

Residents of the Stonegate neighborhood feel this change in districts is in the best interest of our children. The way the school district boundaries are currently drawn our neighborhood is isolated from the McKinney schools and neighborhoods. As a result our children are not close to either the schools they attend or where their school friends live. This leads to a feeling of not really belonging to their school community. We feel very strongly that children benefit from a strong sense of community. It is also difficult for our children to participate in extracurricular activities with friends or school-sponsored events.

As such, we respectfully request our petition be placed on the Lovejoy ISD Board of Trustees Agenda.

Respectfully,

Michael S. Elliott

President, Stonegate Texas HOA, Inc

205 Stonegate Blvd Lucas, TX 75002-8596

Attachment

Petition for Detachment ad Annexation of Territory