

**ORDINANCE NO. 07-112**

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE LAND LYING ADJACENT TO THE PRESENT CITY LIMITS, MORE COMMONLY REFERRED TO AS TRACT 5 AND MORE ACCURATELY DESCRIBED HEREIN; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; PROVIDING FOR WAIVER OF CERTAIN FEES DURING THE FIRST YEAR OF INCORPORATION; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Killeen, pursuant to its Home Rule Charter, Section 7, is authorized to extend the boundary lines of the City and annex additional territory adjacent to the City of Killeen; and

**WHEREAS**, the City Council of the City of Killeen, pursuant to Local Government Code §43.055 is authorized to annex in any one calendar year only territory equivalent in size to ten (10%) percent or less of the total corporate area of the City unless the City fails in any calendar year or years to annex the total amount which it is authorized to annex in such calendar year or years, but, may not annex in any one calendar year an amount of territory in excess of thirty (30%) percent of its total area as of the first day of the calendar year; and

**WHEREAS**, the City of Killeen has not used its annual ten percent (10%) annexation authority in the preceding three years, therefore, it is now eligible to annex up to a total of 13.5 square miles of property into the City during the calendar year 2007; and

**WHEREAS**, the area to be annexed, as described in this ordinance, being approximately 3.47 square miles does not exceed the amount authorized for annexation; and

**WHEREAS**, a home rule city may not annex any area, whether publicly or privately owned, unless the width of such area at its narrowest point is at least one thousand (1,000) feet, or unless the area is contiguous with the City of Killeen boundary on at least two sides; and

**WHEREAS**, the area to be annexed, as described in this ordinance, is within the extraterritorial jurisdiction of the City of Killeen; and is either adjacent to and contiguous with the existing boundary limits, and is at least one thousand (1,000) feet in width at its narrowest point or is contiguous with the City of Killeen boundary on at least two sides; and

**WHEREAS**, Texas Legislative House Bill 1472, codified and effective as of May 25, 2007 as Section 43.035 of the Local Government Code, states that a municipality may not annex an area of land appraised for ad valorem tax purposes and classified as agricultural, wildlife management or timberland unless the municipality offers a development agreement and the landowner declines to enter into the development agreement; and

**WHEREAS**, the City has offered a development agreement to each affected parcel that qualifies to receive an agreement as reflected by the Bell County Tax Appraisal Office's tax rolls under Local Government Code Section 43.035, the City has received three signed and returned agreements for properties located in the originally proposed annexation area 5 and the City has removed these properties from the original area as more specifically extracted in Exhibits B, C and D attached hereto; and

**WHEREAS**, properties entering into development agreements under Local Government Code Section 43.035 are guaranteed the continuation of extraterritorial status by virtue of the terms of the agreements, but remain subject to the enforcement of all regulations and planning authority of the City that do not interfere with the use of the area as agricultural, wildlife management or timberland; and

**WHEREAS**, Local Government Code Section 43.035 provides that those properties that the municipality has entered into development agreements with in conjunction with this annexation are contiguous and adjacent to the municipal boundary for the express purpose of considering those properties which are not eligible for development agreements, in this annexation or in potential future annexations, contiguous and adjacent to the municipal boundary; and

**WHEREAS**, all properties affected by this annexation are contiguous and adjacent to the municipal boundary of the City by virtue of physical location or the express language of Local Government Code Section 43.035; and,

**WHEREAS**, in accordance with Local Government Code Section 43.052(h)(1), this area is not required to be included in the City's three-year plan as the area contains fewer than one-hundred (100) separate tracts of land on which one or more residential dwellings are located on each tract; and

**WHEREAS**, in compliance with the Local Government Code §43.065, a proposed service plan has been prepared prior to the publication of the notice for the first hearing and, required newspaper publications have been given and, public hearings conducted;

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

**SECTION I:** That on and after the effective date of this ordinance, the City Limits of the City of Killeen, Texas, shall be and they are hereby extended to include certain lands lying adjacent and contiguous to the City Limits of said City of Killeen as they existed prior to the effective date of this ordinance; such land being more particularly described in Exhibits A, B, C, and D, which are attached hereto and incorporated herein for all purposes.

**SECTION II:** It is declared that the lands thereby annexed and described in Section I hereof are and shall hereafter be a part of the City of Killeen, Bell County, Texas and it is hereby further declared that said lands and the present and future inhabitants thereof are hereafter entitled to all the rights and privileges as other lands and other citizens of the City of

Killeen which are similarly situated and shall be bound by the acts and ordinances of the City of Killen, Texas.

**SECTION III:** It is further declared that the above described properties shall be zoned “A” Agriculture on the effective date of this ordinance, pursuant to Section 31-124(a) of the Code of Ordinances of the City.

**SECTION IV:** The Service Plan for the annexed area is attached as Exhibit E and is hereby incorporated herein for all purposes and adopted as a part of this ordinance.

**SECTION V:** During the period beginning from the effective date of this ordinance and continuing until midnight of the day of the first anniversary (one year) of the effective date, persons residing within the area annexed shall be exempt from the payment of the following described fees which are otherwise set by ordinances or resolutions of the City of Killeen.

- A. Permit fee for garage sales [Code of Ordinances § 15-72(3)];
- B. Licensing fee for animal vendor [Code of Ordinances § 6-156]; and
- C. Licensing fee for dog and cat registration [Code of Ordinances § 6-109]

The relief granted by this section shall be strictly construed as only a waiver of the stated fees for the stated period of time. This section does not waive, excuse, or release any person from complying with the duties, restrictions, procedures, conditions, benefits and privileges of the ordinances listed in this section. This section shall not be construed as a waiver of enforcement, or of prosecution, or of any remedies available, for violation of the ordinances listed in this section, save and except the collection of fees.

**SECTION VI:** It is further declared that the boundary of the City of Killeen City Council District 2 be extended by the land contained within Tract 5.

**SECTION VII:** That all ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict or amended as specified herein to the extent of any conflict.

**SECTION VIII:** That should any section or part of any paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force, or effect of any section or part of a section or paragraph of this ordinance.

**SECTION IX:** That the ordinances and resolutions of the City of Killeen, Texas, and the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION X:** That this ordinance shall be effective on January 28, 2008 after its passage and publication according to the Killeen City Charter and State Law.

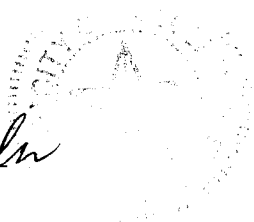
**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 18<sup>th</sup> day of December, 2007, at which meeting a quorum was present, held in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551, as amended.

**APPROVED:**

Timothy L. Hancock  
Timothy L. Hancock, Mayor

**ATTEST:**

Paula A. Miller  
Paula A. Miller  
CITY SECRETARY



**APPROVED AS TO FORM**

Kathryn H. Davis  
Kathryn H. Davis  
CITY ATTORNEY

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Attachments:

Exhibit "A" Boundary of area under consideration for annexation

Exhibit "B" Table of properties under commitment for Development Agreements

Exhibit "C" Map depicting properties under commitment for Development Agreements

Exhibit "D" Final annexation area boundary

Exhibit "E" Annexation Service Plan

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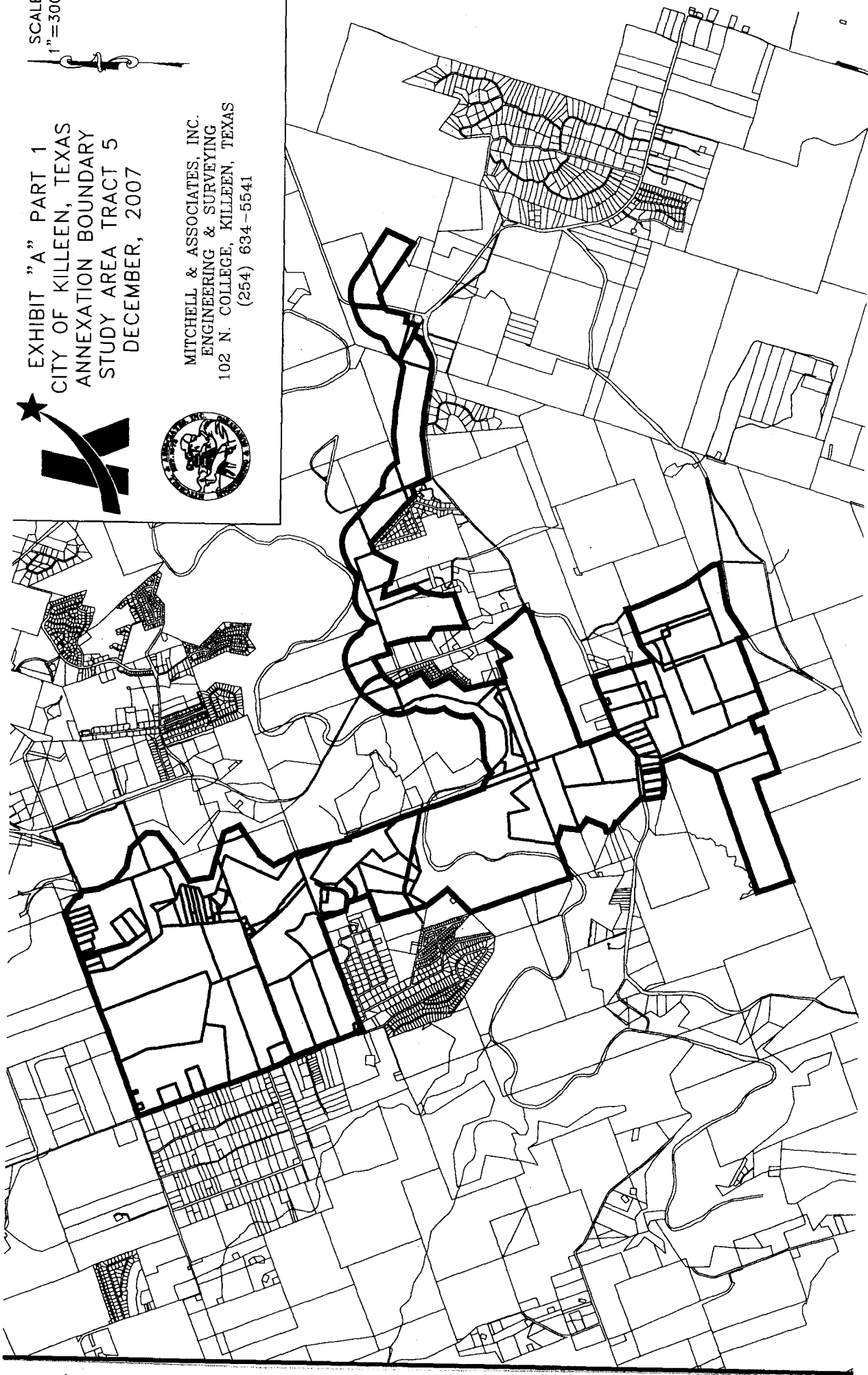
SCALE:  
1"=3000'



EXHIBIT "A" PART 1  
CITY OF KILLEEN, TEXAS  
ANNEXATION BOUNDARY  
STUDY AREA TRACT 5  
DECEMBER, 2007



MITCHELL & ASSOCIATES, INC.  
ENGINEERING & SURVEYING  
102 N. COLLEGE, KILLEEN, TEXAS  
(254) 634-5541



## EXHIBIT A PART 2 FIELD NOTES

CITY OF KILLEEN  
PROPOSED ANNEX 2007

**FIELD NOTES** for a tract of land in Bell County, Texas, being out of and a part of the following surveys: James H. Evitts, Abstract No. 287, John Goslin, Abstract No. 343, M. H. Renick, Abstract No. 720, C. B. Roberts, Abstract No. 718, J. P. Dupuy, Abstract No. 1072, K. Erhardt, Abstract No. 292, F. C. Brookman, Abstract No. 1103, W. H. Bruce, Abstract No. 1296, W. Leftwick, Abstract No. 520, J. H. Huffman, Abstract No. 410, Willis Bruce, Abstract No. 1065, H. Dickinson, Abstract No. 281, A. J. James, Abstract No. 472, J. H. Glasscock, Abstract No. 368, John L. Smith, Abstract No. 757, Rhody Reed, Abstract No. 699, Jos. Weeks, Abstract No. 859, M. Young, Abstract No. 936, Gideon Brightman, Abstract No. 60, P.M. Levy, Abstract No. 962, J. W. White, Abstract No. 927, John Teague, Abstract No. 817, James Johnston, Abstract No. 481, and the Robert Irvin, Abstract No. 469, and being more particularly described as follows:

*BEGINNING* at a point on the north line of said Evitts Survey at the extreme southeast corner of the present City Limits of the City of Killeen, Texas;

*THENCE* N. 70° 42' 18" E., 322.70 feet, to a 1/2" iron rod with cap, found at the northeast corner of said Evitts Survey;

*THENCE* southeasterly with the east line of said Evitts Survey, approximately 900 feet to the south right-of-way line of Chaparral Road where it turns east;

*THENCE* northeasterly with the south line of said Chaparral Road to the center of Little Trimmier Creek;

*THENCE* southerly with the meanders of the center of Little Trimmier Creek to a point on the south line of said Evitts Survey and the north line of said Goslin Survey;

*THENCE* southwesterly with the south line of said Evitts Survey, approximately 460 feet to the northeast corner of a tract conveyed to Rocky Morgan, et al, in Volume 3929, Page 344;

*THENCE* southeasterly at approximately 105 feet, pass the northwest corner of said Dupuy Survey, continuing with the west line of said Dupuy Survey to the southwest corner of said Dupuy Survey, being an interior corner of USA Tract No. 409-1;

*THENCE* northeasterly with the south line of said Dupuy Survey, approximately 61 feet to the southerly northeast corner of said USA Tract No. 409-1;

*THENCE* southerly with the east line of said USA Tract No. 409-1, approximately 1905 feet to the southerly northeast corner of a 27.17 acre tract conveyed to Diane Wilson, of record in Volume 4643, Page 574;

*THENCE* southerly with the east line of said Wilson Tract, approximately 780 feet to the southeast corner of said Wilson Tract and the northeast corner of USA Tract No. 407;

*THENCE* southeasterly with the east line of said USA Tract No. 407 and the west line of USA Tract No. 405, approximately 2430 feet to a point;

*THENCE* in an easterly direction over and across USA Tract No's. 205, 206, 306, 307, 308, 312-2, 313, 314, 315, 320 and 405 the following courses: S. 88° 35' 44" E., 681.70 feet, S. 64° 20' 40" E., 546.08 feet, N. 82° 54' 25" E., 873.59 feet, N. 02° 36' 22" E., 2310.93 feet, N. 13° 19' 19" E., 1818.66 feet, N. 27° 23' 16" E., 1176.29 feet, N. 58° 37' 33" E., 824.73 feet, N. 65° 27' 21" E., 386.82 feet, N. 89° 28' 08" E., 908.33 feet, S. 52° 25' 07" E., 861.60 feet, S. 77° 30' 34" E., 1647.40 feet, N. 39° 21' 49" E., 405.55 feet, N. 49° 28' 18" E., 376.91 feet, N. 77° 29' 13" E., 894.34 feet, S. 53° 51' 13" E., 2354.87 feet, S. 77° 15' 43" E., 129.69 feet, S. 60° 03' 12" E., 226.78 feet, S. 43° 09' 53" E., 174.08 feet, S. 23° 24' 46" E., 419.67 feet, N. 86° 23' 58" E., 988.25 feet, S. 88° 47' 17" E., 1121.90 feet, S. 85° 57' 18" E., 1569.82 feet, N. 26° 11' 36" E., 1600.58 feet, N. 73° 05' 19" E., 1124.87 feet, N. 83° 05' 48" E., 1079.06 feet, S. 76° 59' 11" E., 431.36 feet, S. 59° 06' 57" E., 1656.58 feet and S. 21° 46' 58" W., 1547.97 feet to a point on the south line of USA Tract No. 205, being the northeast corner of a tract conveyed to Ronald and Nancy Goodnight, of record in Volume 2545, Page 772;

*THENCE* northwesterly with a south line of said USA Tract No. 205 and the north line of said Goodnight tract, approximately 2040 feet to an interior corner of said USA Tract No. 205 and the most northerly corner of said Goodnight tract;

*THENCE* southwesterly with a south line of said USA Tract No. 205 and the north line of said Goodnight tract, to the east right-of-way line of Union Grove Lane;

*THENCE* southwesterly crossing said Union Grove Lane to an angle corner in the east line of USA Tract No. 206 and an angle corner in the west right-of-way line of said Union Grove lane;

*THENCE* southwesterly with the east line of said USA Tract No. 206 and the west right-of-way line of said Union Grove Lane, approximately 719 feet to an ell corner of said USA Tract No. 206, being the northeast corner of a 3.30 acre tract conveyed to Jack and Janelle Burson, of record in Volume 836, Page 491;

*THENCE* southwesterly with an east line of said USA Tract No. 206 and the west line of said Burson tract to the southwest corner of said Burson tract on the north right-of-way line of the Union Grove and Killeen Road;

*THENCE* northwesterly with the north right-of-way line of said Union Grove and Killeen Road approximately 367 feet to a point;

*THENCE* southwesterly approximately 25 feet to a point near the center of said Union Grove and Killeen Road at the northwest corner of a 0.83 acre tract conveyed to Chester Critchfield, of record in Volume 4592, Page 198;

*THENCE* southwesterly with the west line of said Critchfield tract to the north right-of-way line of F.M. Highway 2484;

*THENCE* westerly with the north right-of-way line of said F.M. Highway 2484 to the east right-of-way line of Union Grove Park Road;

*THENCE* southwesterly across said Union Grove Park Road to the intersection of the north right-of-way line of said F.M. Highway 2484 and the west right-of-way line of Union Grove Park Road;

*THENCE* northwesterly with the west right-of-way line of said Union Grove Park Road, approximately 685 feet to the northeast corner of a 0.522 acre tract conveyed to Sundown Properties, LP, of record in Volume 4940, Page 87;

*THENCE* southwesterly with the north line of said Sundown Properties tract, approximately 340 feet to the most easterly corner of Lots 9 and 10 of South Shore Subdivision, First Extension, of record in Cabinet A, Slide 281-C, Plat Records of Bell County, Texas;

*THENCE* northwesterly with the easterly line of said South Shore Subdivision, First Extension, and the easterly line of South Shore Subdivision, of record in Cabinet A, Slide 280-C, Plat Records of Bell County, Texas, passing the southwest corner of USA Tract No. 308, continuing with the west line of said USA Tract No. 308, to the northwest corner of said USA Tract No. 308, being on the south line of USA Tract No. 306;

*THENCE* southwesterly with the north line of said South Shore Subdivision to the northwest corner of said South Shore Subdivision and the southwest corner of said USA Tract No. 306 and being the southeast corner of USA Tract No. 309;

*THENCE* southwesterly with the south line of said USA Tract No. 309, to the southern most corner of said USA Tract No. 309;

*THENCE* northwesterly with the south line of said USA Tract No. 309, to the southwest corner of said USA Tract No. 309, being on the east line of a 3.89 acre tract conveyed to Wanda Wear, of record in Volume 4271, Page 139;

*THENCE* northwesterly with the west line of said USA Tract No. 309 and the east line of said Wear tract, to the northeast corner of said Wear tract, being the most northerly southeast corner of USA Tract No. 311;

*THENCE* northwesterly with the north line of said Wear tract and the most northerly south line of said USA Tract No. 311 to the northwest corner of said Wear tract, being an interior corner of said USA Tract No. 311;

*THENCE* southwesterly with the west line of said Wear tract and the westerly east line of said USA Tract No. 311 to the most southerly southeast corner of said USA Tract No. 311, being the most northerly corner of a 11.604 acre tract conveyed to Edward Nelson, of record in Volume 2690, Page 137, and being on the east line of USA Tract No. 312-1;

*THENCE* southwesterly with the northwesterly line of said 11.604 acre Nelson tract and the southeasterly line of said USA Tract No. 312-1, to the northwest corner of said 11.604 acre Nelson tract, being the north corner of a 1.68 acre tract conveyed to Edward Nelson, of record in Volume 2675, Page 59;

*THENCE* southwesterly with the northwesterly line of said 1.68 acre Nelson tract and the southeasterly line of said USA Tract No. 312-1, passing the southwest corner of said 1.68 acre Nelson tract, being the northwest corner of the remainder of a 3.53 acre tract conveyed to Edward Nelson, of record in Volume 2674, Page 76, continuing with the northwesterly line of said 3.53 acre Nelson tract, to an angle corner of said 3.53 acre Nelson tract;

*THENCE* southwesterly with the west line of said 3.53 acre Nelson tract and the southeasterly line of said USA Tract No. 312-1, to the westerly northeast corner of a 16.23 acre tract conveyed to David and Patricia Shumate, of record in Volume 4779, Page 382, being the southeast corner of said USA Tract No. 312-1;

*THENCE* southwesterly with the north line of said 16.23 acre Shumate tract and the south line of said USA Tract No. 312-1, passing the northwest corner of said 16.23 acre Shumate tract, continuing with the south line of said USA Tract No. 312-1, to the southwest corner of said USA Tract No. 312-1, being the southeast corner of a 8.357 acre tract conveyed to John and Deborah Rank, of record in Volume 2045, Page 251;

*THENCE* northwesterly with the east line of said 8.357 acre Rank tract, the east line of three tracts conveyed to Kwi Son Mantz, of record in Volume 4180, Page 769, the east line of two tracts conveyed to David Mabry, of record in Volume 5304, Page 570 and Volume 1868, Page 59, the east line of an 11.76 acre tract conveyed to Ricky Rubendall, of record in Volume 3312, Page 554 and the east line of a 10.67 acre tract conveyed to J. T. and Billie Long, of record in Volume 3896, Page 767, and the west line of said USA Tract No. 312-1, to the southerly northeast corner of said 10.67 acre Long tract and the northwest corner of said USA Tract No. 312-1, being on the south line of USA Tract No. 315;

*THENCE* southwesterly with the southerly north line of said 10.67 acre Long tract and the south line of said USA Tract No. 315, to the southwest corner of said USA Tract No. 315, being an interior corner of said 10.67 acre Long tract;

*THENCE* northwesterly with the west line of said USA Tract No. 315 and the westerly east line of said 10.67 acre Long tract, to the northeast corner of said 10.67 acre Long tract, being the southeast corner of USA Tract No. 314;

*THENCE* southwesterly with the north line of said 10.67 acre Long tract, to the east right-of-way line of F. M. Highway 3481, at the northwest corner of said 10.67 acre Long tract;

*THENCE* southwesterly with the south line of said USA Tract No. 314, across said F. M. Highway 3481 to a point on the west right-of-way line of said F. M. Highway 3481 at the northeast corner of a 1.10 acre tract conveyed to Clint and Missy Timm, of record in Volume 4826, Page 89;

*THENCE* southwesterly with the north line of said 1.10 acre Timm tract and the south line of said USA Tract No. 314, to an angle point in the south line of said USA Tract No. 314, at the northwest corner of said 1.10 acre Timm tract and the northeast corner of a 5.25 acre tract conveyed to Gerald Berg, of record in Volume 4493, Page 355;

*THENCE* southwesterly with the north line of said 5.25 acre Berg tract to the northwest corner of said 5.25 acre Berg tract, being an interior corner of USA Tract No. 312-2;

*THENCE* southeasterly with the west line of said 5.25 acre Berg tract, passing it's southwest corner, being the northerly northwest corner of Cedar Knob Estates Subdivision, continuing with a west line of said Cedar Knob Estates and an east line of said USA Tract No. 312-2, to an interior corner of said Cedar Knob Estates, being an ell corner of said USA Tract No. 312-2;

*THENCE* southwesterly with a northwesterly line of said Cedar Knob Estates and a southerly line of said USA Tract No. 312-2, to an ell corner of said Cedar Knob Estates, being an interior corner of said USA Tract No. 312-2;

*THENCE* southeasterly with a west line of said Cedar Knob Estates and an east line of said USA Tract No. 312-2, to an interior corner of said Cedar Knob Estates, being an ell corner of said USA Tract No. 312-2;

*THENCE* southwesterly with a northwesterly line of said Cedar Knob Estates and a southerly line of said USA Tract No. 312-2, to an ell corner of said Cedar Knob Estates, being an interior corner of said USA Tract No. 312-2;

*THENCE* southeasterly with an easterly line of said USA Tract No. 312-2, to the extreme southwest corner of said Cedar Knob Estates, being the northwest corner of a 17.512 acre tract owned by Randy Rubendall, of record in Will Probate #25073, Probate Records of Bell County, Texas;

*THENCE* southeasterly with the west line of said Rubendall tract and the east line of said USA Tract No. 312-2, to the extreme southeast corner of said USA Tract No. 312-2, being on the north line of a 225.29 acre tract conveyed to Alfred Fant, of record in Volume 1535, Page 779, now owned by Christine Clara Goodwin Fant by virtue of heirship;

*THENCE* northeasterly with the north line of said 225.29 acre Fant tract, to the northwest corner of a 5.00 acre tract conveyed to Robert and Fannie Ator, of record in Volume 4322, Page 22;

*THENCE* southeasterly with the west line of said 5.00 acre Ator tract, to the southwest corner of said 5.00 acre Ator tract;

*THENCE* northeasterly with the south line of said 5.00 acre Ator tract, to the west right-of-way line of F. M. Highway 3481 at the southeast corner of said 5.00 acre Ator tract;

*THENCE* southeasterly with the west right-of-way line of said F. M. Highway 3481, to the north right-of-way line of F. M. Highway 2484;

*THENCE* southwesterly with the north right-of-way line of said F. M. Highway 2484, to the south line of said 225.29 acre Fant tract, being the northeast corner of a 17.85 acre tract conveyed to Tony McPherson, Sr., of record in Volume 5742, Page 31;

*THENCE* southwesterly with the south line of said 225.29 acre Fant tract and the north line of various small tracts, to the southwest corner of said 225.29 acre Fant tract, being the northwest corner of a 27.578 acre tract conveyed to Clifford and Mary Brown, of record in Volume 5358, Page 137, being on the east line of a 92.92 acre tract conveyed to Betty Petrucci in Partition Deed, of record in Volume 1880, Page 665;

*THENCE* southeasterly with the west line of said 27.578 acre Brown tract and the east line of said 92.92 acre Petrucci tract, passing the southeast corner of said Petrucci tract on the north right-of-way line of said F.M. Highway 2484, continuing across said highway to a point on the south right-of-way line of said highway;

*THENCE* northeasterly with the south line of said F.M. Highway 2484, approximately 2085 feet to the northwest corner of a 3.00 acre tract conveyed to Clifford Blair, of record in Volume 1677, Page 353;

*THENCE* southeasterly with the west line of said 3.00 acre Blair tract, the west line of a 6.00 acre tract conveyed to Clifford Blair, of record in Volume 2530, Page 287, the west line of a 24.587 acre tract conveyed to Clifford Blair, of record in Volume 2715, Page 294, the west line of a tract owned by Eagle Nest Partnership and the east line of a tract owned by Theresa Sutton, approximately 2165 feet to the southeast corner of said Sutton property and the southwest corner of said Eagle Nest Partnership property, being on the north line of a 108.52 acre tract conveyed to Jon and Melinda Williams, of record in Volume 3067, Page 423;

*THENCE* northeasterly with the south line of said Eagle Nest Partnership property and the north line of said 108.52 acre Williams tract, also with the north line of a 0.96 acre tract conveyed to Jon and Melinda Williams as Tract Two, of record in Volume 2797, Page 354, to the northeast corner of said 0.96 acre Williams tract, being on the west line of Eagle Nest Road;

*THENCE* southeasterly with the west line of said Eagle Nest Road and the east line of said 0.96 acre Williams tract, over and across a 160 acre tract conveyed to Eagle Nest Holdings, Ltd., of record in Volume 6356, Page 325, to the intersection of the west line of said Eagle Nest Road with the north line of Crows Ranch Road;

*THENCE* southwesterly with the north line of said Crows Ranch Road, approximately 2775 feet to the west line of the A.J. James Survey, Abstract No. 472 and the east line of the F.A. Coward Survey, Abstract No. 236;

*THENCE* northwesterly with the west line of said James Survey, approximately 267 feet to the northeast corner of said Coward Survey, being the southeast corner of a 100.0 acre tract conveyed to Jon and Melinda Williams, of record in Volume 2611, Page 565;

*THENCE* southwesterly with the north line of said Coward Survey and the south line of said 100.0 acre Williams tract, approximately 2750 feet to the northwest corner of said Coward Survey, being the southwest corner of said 100.0 acre Williams tract, being on the east line of the R. Chappell Survey, Abstract No. 238;

*THENCE* northwesterly with the east line of said Chappell Survey, approximately 578 feet to the northeast corner of said Chappell Survey;

*THENCE* southwesterly with the north line of said Chappell Survey, approximately 472 feet to the easterly northwest corner of said Chappell Survey;

*THENCE* southeasterly approximately 237 feet to an interior corner of said Chappell Survey;

*THENCE* southwesterly with the southerly north line of said Chappell Survey, approximately 1600 feet to the easterly southwest corner of the Willis Bruce Survey, Abstract No. 1065, being the northwest corner of said Chappell Survey, being on the east line of the J. Litten Survey, Abstract No. 509;

*THENCE* northwesterly with the east line of said Litten Survey and the easterly west line of said Bruce Survey, approximately 870 feet to an interior corner of said Bruce Survey, being the northeast corner of said Litten Survey;

*THENCE* southwesterly with the south line of said Bruce Survey and the north line of said Litten Survey, approximately 3780 feet to the southwest corner of said Bruce Survey;

*THENCE* northwesterly approximately 1312 feet to the northwest corner of said Bruce Survey, being an interior corner of the F. C. Brookman Survey, Abstract No. 1103;

*THENCE* northeasterly with a south line of said Brookman Survey and the north line of said Bruce Survey, approximately 4510 feet to the northeast corner of said Bruce Survey, being another interior corner of said Brookman Survey, being an interior corner of a 191.30 acre tract owned by Janelle Burson, by virtue of heirship, of record in Will Probate #10854, Probate Records of Bell County, Texas;

*THENCE* with the line between two tracts owned by Janelle Burson, northeasterly approximately 1390 feet and northwesterly approximately 685 feet to a point on the south line of a 5.000 acre tract conveyed to Jeanie Hamilton and Brantley Hudson, of record in Volume 5247, Page 565, being on the north line of said Janelle Burson property;

*THENCE* northwesterly with the north line of said Burson property and the south line of various small tracts, approximately 1210 feet to the southwest corner of a 3.844 acre tract conveyed to Andrew and Cynthia Foulkrod, of record in Volume 4318, Page 582, same being the southeast corner of a 10.00 acre tract conveyed to Honorato and Johanna Sanchez, of record in Volume 6296, Page 369;

*THENCE* northwesterly with the west line of said 3.844 acre Foulkrod tract and the east line of said 10.00 acre Sanchez tract, to the south line of F.M. Highway 2484 at the northwest corner of said Foulkrod tract, and the northeast corner of said 10.00 acre Black tract;

*THENCE* northeasterly across said F.M. Highway 2484 to the southwest corner of a 72.86 acre tract conveyed to John and Joan Vanderlaan, of record in Volume 5624A, Page 500, same being the southeast corner of a 17.76 acre tract conveyed to Bennie and Bonnie Tomecek, of record in Volume 4151, Page 31;

*THENCE* northwesterly with the meanders of the west line of said 72.86 acre Vanderlaan tract and with the east line of said Tomecek tract and the east line of USA Tract No. 500, to the northeast corner of said USA Tract No. 500, the northwest corner of said Vanderlaan tract and the southwest corner of a 106.07 acre tract conveyed to William Dorr, of record in Volume 2039, Page 13, and the southeast corner of USA Tract No. 407;

*THENCE* northeasterly with the west line of said 106.07 acre Dorr tract and with the east line of said USA Tract No. 407, to an angle corner in the west line of said Vanderlaan tract and in the east line of said USA Tract No. 407;

*THENCE* northwesterly with the west line of said 106.07 acre Dorr tract and with the east line of said USA Tract No. 407 to a point on the north line of said Brookman Survey and the south line of said Erhardt Survey at an angle corner of said Dorr tract, being the northeast corner of said USA Tract No. 407 and the westerly southeast corner of USA Tract No. 408;

*THENCE* southwesterly with the south line of said Erhardt Survey, the south line of said USA Tract No. 408 and the north line of said USA Tract No. 407, to the southwest corner of said Erhardt Survey, the northwest corner of said USA Tract No. 407 and a southwest corner of said USA Tract No. 408;

*THENCE* northwesterly with the west line of said Erhardt Survey, at approximately 1875 feet, pass the southeast corner of the E.A. Briggs Survey, Abstract No. 101, continuing with the west line of said Erhardt Survey and the east line of said Briggs Survey, to an angle corner in the west line of said USA Tract No. 408, at the northeast corner of USA Tract No. 409-2, being the southwest corner of a 27.134 acre Tract One, conveyed to Elosie Clark and Jim Adrian III, of record in Volume 3237, Page 77;

*THENCE* northeasterly with the south line of said Clark Tract One and a north line of said USA Tract No. 408, to the southeast corner of said Clark Tract One, at an interior corner of said USA Tract No. 408;

*THENCE* northwesterly with the east line of said Clark Tract One and a west line of said USA Tract No. 408, to the northeast corner of said Clark Tract One, at an angle corner of said USA Tract No. 408 and the southeast corner of Clark Tract Four and the southwest corner of Clark Tract Three, both of record in Volume 3237, Page 77;

*THENCE* northwesterly with the west line of said Clark Tract Three and the east line of said Clark Tract Four, to the north line of said Erhardt Survey at the northeast corner of said Clark Tract Four and the northwest corner of said Clark Tract Three;

*THENCE* northeasterly with the north line of said Erhardt Survey and the north line of said Clark Tract Three, to the southeast corner of a 9.973 acre tract conveyed to Richard Clark and Patricia Walker, of record in Volume 3630, Page 71, same being the southwest corner of a 11.599 acre tract conveyed to David Carelock, et al, of record in Volume 3991, Page 376;

*THENCE* northwesterly with the east line of said 9.973 acre Clark Tract and the west line of said 11.599 acre Carelock tract, to the south line of Schrader Road, at the northeast corner of said Carelock tract;

*THENCE* northwesterly with the south line of said Schrader Road, approximately 285 feet to a point;

*THENCE* northwesterly across said Schrader Road, approximately 60 feet to the southwest corner of a 12.342 acre tract conveyed to Jason and Jutta Demmon, of record in Volume 5084, Page 376, same being the southeast corner of a 10.0 acre tract and the south corner of a 1.94 acre tract, both conveyed to William and Carolyn Reed, of record in Volume 2780, Page 256;

*THENCE* northwesterly with the east line of said 10.0 acre Reed tract and the west line of said 1.94 acre Reed tract to the south line of said Evitts Survey at the northeast corner of said 10.0 acre Reed tract and the northwest corner of said 1.94 acre Reed tract;

*THENCE* southwesterly with the south line of said Evitts Survey and the north line of said Reed tracts and the north line of Stillhouse Hollow Estates Subdivision, Section One, of record in Cabinet A, Slide 280-A, Plat Records of Bell County, Texas, approximately 4190 feet to the southerly projection of the east right-of-way line of East Trimmier Road;

*THENCE* northwesterly with the east right-of-way line of said East Trimmier Road, approximately 8470 feet to a point at the intersection of the east right-of-way line of said East Trimmier Road with the north right-of-way line of said Chaparral Road;

*THENCE* northeasterly with the north right-of-way line of said Chaparral Road, approximately 7670 feet to the POINT OF BEGINNING and containing approximately 4313 acres of land.

NOTES:

1. Bearings recited in the above description are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, per GPS observations.
2. All recording information (Volume & Page) referred to above are Deed Records and Official Public Records of Real Property of Bell County, Texas, unless otherwise noted.
3. 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 interest in real property except those right and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was it prepared.

Compiled on March 19, 2007.

Revised on April 17, 2007.

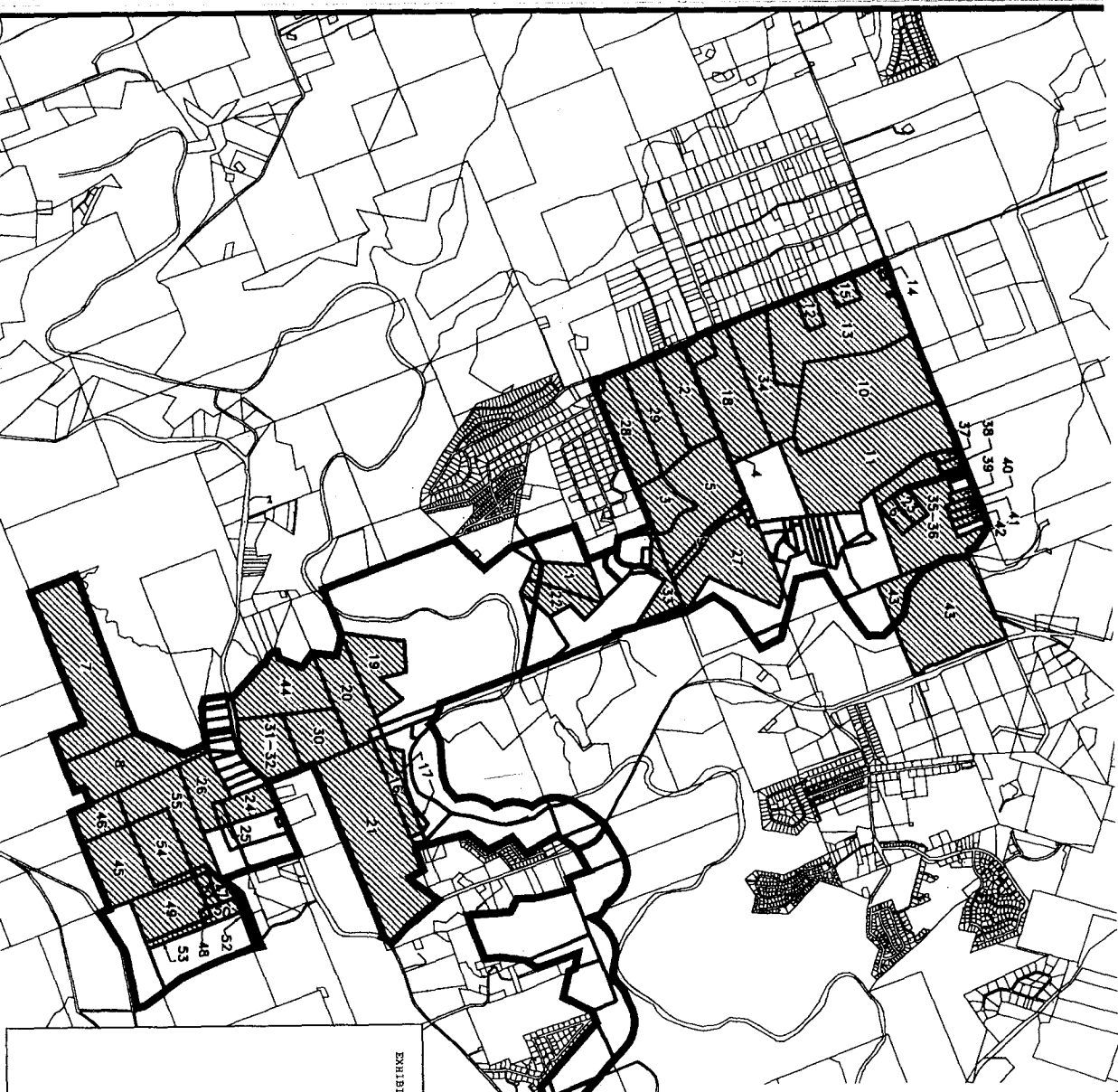
Revised on June 4, 2007.



  
Rex D. Haas  
Registered Professional  
Land Surveyor

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Mitchell & Associates, Inc., 102 N. College St. Killeen, Texas 76541 (254)-634-5541



**"EXHIBIT C"**  
**CITY OF KILLEEN, TEXAS**  
**DEVELOPMENT AGREEMENT TRACTS**  
**ANNEXATION TRACT 5**  
**DECEMBER, 2007**



**MITCHELL & ASSOCIATES, INC.**  
**ENGINEERING & SURVEYING**  
**102 N. COLLEGE, KILLEEN, TEXAS**  
**(254) 634-5541**



**= CITY OF KILLEEN**  
**DEVELOPMENT AGREEMENT**

**SCALE:**  
**1"=3000'**

**EXHIBIT TABLE #**

**OWNERSHIP**

**EXHIBIT TABLE #**

**OWNERSHIP**

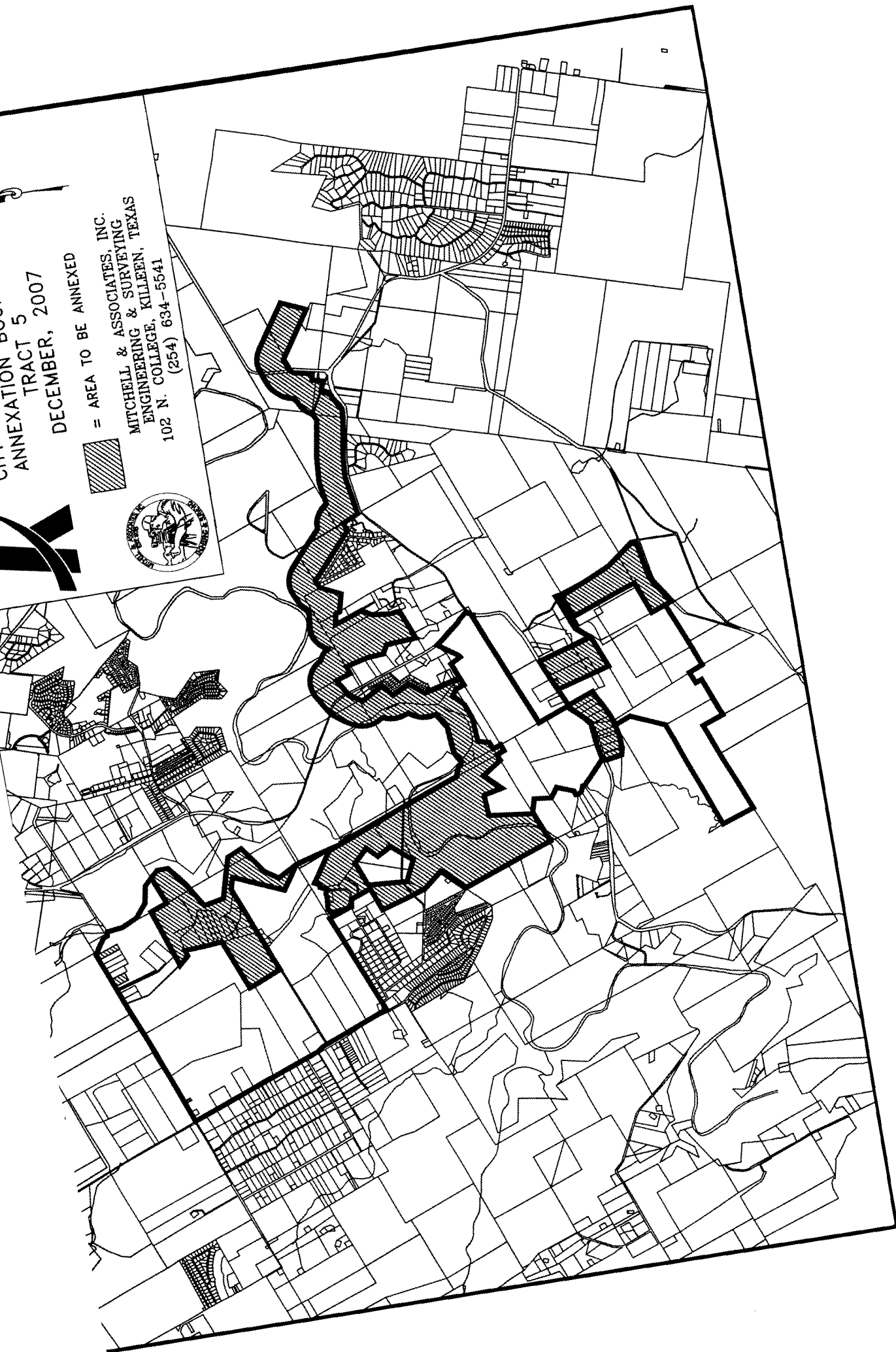
- |    |                             |    |                  |
|----|-----------------------------|----|------------------|
| 1  | ARLAIN, ERLE K JR ETAL      | 29 | MORGAN, ROCKY    |
| 2  | ATCISON, JERRY D ETUX SUSAN | 30 | PETROCCI, BETTIE |
| 3  | ATCISON, JERRY D ETUX SUSAN | 31 | PETROCCI, BETTIE |
| 4  | ATCISON, JERRY D ETUX SUSAN | 32 | PETROCCI, BETTIE |
| 5  | ATCISON, JERRY D ETUX SUSAN | 33 | PETROCCI, BETTIE |
| 6  | ATCISON, JERRY D ETUX SUSAN | 34 | PETROCCI, BETTIE |
| 7  | ATCISON, JERRY D ETUX SUSAN | 35 | PETROCCI, BETTIE |
| 8  | ATCISON, JERRY D ETUX SUSAN | 36 | PETROCCI, BETTIE |
| 9  | ATCISON, JERRY D ETUX SUSAN | 37 | PETROCCI, BETTIE |
| 10 | ATCISON, JERRY D ETUX SUSAN | 38 | PETROCCI, BETTIE |
| 11 | ATCISON, JERRY D ETUX SUSAN | 39 | PETROCCI, BETTIE |
| 12 | ATCISON, JERRY D ETUX SUSAN | 40 | PETROCCI, BETTIE |
| 13 | ATCISON, JERRY D ETUX SUSAN | 41 | PETROCCI, BETTIE |
| 14 | ATCISON, JERRY D ETUX SUSAN | 42 | PETROCCI, BETTIE |
| 15 | ATCISON, JERRY D ETUX SUSAN | 43 | PETROCCI, BETTIE |
| 16 | ATCISON, JERRY D ETUX SUSAN | 44 | PETROCCI, BETTIE |
| 17 | ATCISON, JERRY D ETUX SUSAN | 45 | PETROCCI, BETTIE |
| 18 | ATCISON, JERRY D ETUX SUSAN | 46 | PETROCCI, BETTIE |
| 19 | ATCISON, JERRY D ETUX SUSAN | 47 | PETROCCI, BETTIE |
| 20 | ATCISON, JERRY D ETUX SUSAN | 48 | PETROCCI, BETTIE |
| 21 | ATCISON, JERRY D ETUX SUSAN | 49 | PETROCCI, BETTIE |
| 22 | ATCISON, JERRY D ETUX SUSAN | 50 | PETROCCI, BETTIE |
| 23 | ATCISON, JERRY D ETUX SUSAN | 51 | PETROCCI, BETTIE |
| 24 | ATCISON, JERRY D ETUX SUSAN | 52 | PETROCCI, BETTIE |
| 25 | ATCISON, JERRY D ETUX SUSAN | 53 | PETROCCI, BETTIE |
| 26 | ATCISON, JERRY D ETUX SUSAN | 54 | PETROCCI, BETTIE |
| 27 | ATCISON, JERRY D ETUX SUSAN | 55 | PETROCCI, BETTIE |
| 28 | ATCISON, JERRY D ETUX SUSAN |    |                  |

CITY OF KILLEEN  
ANNEXATION DISTRICT 5  
TRACT 5  
DECEMBER, 2007



= AREA TO BE ANNEXED

MITCHELL & ASSOCIATES, INC.  
ENGINEERING & SURVEYING  
102 N. COLLEGE, KILLEEN, TEXAS  
(254) 634-5541



## EXHIBIT D FIELD NOTES

CITY OF KILLEEN  
PROPOSED ANNEX 2007

**FIELD NOTES** for a tract of land in Bell County, Texas, being out of and a part of the following surveys: James H. Evitts, Abstract No. 287, John Goslin, Abstract No. 343, M. H. Renick, Abstract No. 720, C. B. Roberts, Abstract No. 718, J. P. Dupuy, Abstract No. 1072, K. Erhardt, Abstract No. 292, F. C. Brookman, Abstract No. 1103, W. H. Bruce, Abstract No. 1296, W. Leftwick, Abstract No. 520, J. H. Huffman, Abstract No. 410, Willis Bruce, Abstract No. 1065, H. Dickinson, Abstract No. 281, A. J. James, Abstract No. 472, J. H. Glasscock, Abstract No. 368, John L. Smith, Abstract No. 757, Rhody Reed, Abstract No. 699, Jos. Weeks, Abstract No. 859, M. Young, Abstract No. 936, Gideon Brightman, Abstract No. 60, P.M. Levy, Abstract No. 962, J. W. White, Abstract No. 927, John Teague, Abstract No. 817, James Johnston, Abstract No. 481, and the Robert Irvin, Abstract No. 469, and being more particularly described as follows:

*BEGINNING* at a point on the north line of said Evitts Survey at the extreme southeast corner of the present City Limits of the City of Killeen, Texas, which point bears S. 70° 42' 18" W., 322.70 feet from the northeast corner of said Evitts Survey;

*THENCE* S. 19° 00' 00" E., approximately 70 feet to the center of Chaparral Road;

*THENCE* southeasterly with the center of said Chaparral Road to the intersection with the center of Little Trimmier Creek;

*THENCE* southerly with the meanders of the center of Little Trimmier Creek to a point on the south line of said Evitts Survey and the north line of said Goslin Survey;

*THENCE* southwesterly with the south line of said Evitts Survey, approximately 460 feet to the northeast corner of a tract conveyed to Rocky Morgan, et al, in Volume 3929, Page 344;

*THENCE* southeasterly at approximately 105 feet, pass the northwest corner of said Dupuy Survey, continuing with the west line of said Dupuy Survey to the southwest corner of said Dupuy Survey, being an interior corner of USA Tract No. 409-1;

*THENCE* northeasterly with the south line of said Dupuy Survey, approximately 61 feet to the southerly northeast corner of said USA Tract No. 409-1;

*THENCE* southerly with the east line of said USA Tract No. 409-1, approximately 1905 feet to the southerly northeast corner of a 27.17 acre tract conveyed to Diane Wilson, of record in Volume 4643, Page 574;

*THENCE* southerly with the east line of said Wilson Tract, approximately 780 feet to the southeast corner of said Wilson Tract and the northeast corner of USA Tract No. 407;

*THENCE* southeasterly with the east line of said USA Tract No. 407 and the west line of USA Tract No. 405, approximately 2430 feet to a point;

*THENCE* in an easterly direction over and across USA Tract No's. 205, 206, 306, 307, 308, 312-2, 313, 314, 315, 320 and 405 the following courses: S. 88° 35' 44" E., 681.70 feet, S. 64° 20' 40" E., 546.08 feet, N. 82° 54' 25" E., 873.59 feet, N. 02° 36' 22" E., 2310.93 feet, N. 13° 19' 19" E., 1818.66 feet, N. 27° 23' 16" E., 1176.29 feet, N. 58° 37' 33" E., 824.73 feet, N. 65° 27' 21" E., 386.82 feet, N. 89° 28' 08" E., 908.33 feet, S. 52° 25' 07" E., 861.60 feet, S. 77° 30' 34" E., 1647.40 feet, N. 39° 21' 49" E., 405.55 feet, N. 49° 28' 18" E., 376.91 feet, N. 77° 29' 13" E., 894.34 feet, S. 53° 51' 13" E., 2354.87 feet, S. 77° 15' 43" E., 129.69 feet, S. 60° 03' 12" E., 226.78 feet, S. 43° 09' 53" E., 174.08 feet, S. 23° 24' 46" E., 419.67 feet, N. 86° 23' 58" E., 988.25 feet, S. 88° 47' 17" E., 1121.90 feet, S. 85° 57' 18" E., 1569.82 feet, N. 26° 11' 36" E., 1600.58 feet, N. 73° 05' 19" E., 1124.87 feet, N. 83° 05' 48" E., 1079.06 feet, S. 76° 59' 11" E., 431.36 feet, S. 59° 06' 57" E., 1656.58 feet and S. 21° 46' 58" W., 1547.97 feet to a point on the south line of USA Tract No. 205, being the northeast corner of a tract conveyed to Ronald and Nancy Goodnight, of record in Volume 2545, Page 772;

*THENCE* northwesterly with a south line of said USA Tract No. 205 and the north line of said Goodnight tract, approximately 2040 feet to an interior corner of said USA Tract No. 205 and the most northerly corner of said Goodnight tract;

*THENCE* southwesterly with a south line of said USA Tract No. 205 and the north line of said Goodnight tract, to the east right-of-way line of Union Grove Lane;

*THENCE* southwesterly crossing said Union Grove Lane to an angle corner in the east line of USA Tract No. 206 and an angle corner in the west right-of-way line of said Union Grove lane;

*THENCE* southwesterly with the east line of said USA Tract No. 206 and the west right-of-way line of said Union Grove Lane, approximately 719 feet to an ell corner of said USA Tract No. 206, being the northeast corner of a 3.30 acre tract conveyed to Jack and Janelle Burson, of record in Volume 836, Page 491;

*THENCE* southwesterly with an east line of said USA Tract No. 206 and the west line of said Burson tract to the southwest corner of said Burson tract on the north right-of-way line of the Union Grove and Killeen Road;

*THENCE* northwesterly with the north right-of-way line of said Union Grove and Killeen Road approximately 367 feet to a point;

*THENCE* southwesterly approximately 25 feet to a point near the center of said Union Grove and Killeen Road at the northwest corner of a 0.83 acre tract conveyed to Chester Critchfield, of record in Volume 4592, Page 198;

*THENCE* southwesterly with the west line of said Critchfield tract to the north right-of-way line of F.M. Highway 2484;

*THENCE* westerly with the north right-of-way line of said F.M. Highway 2484 to the east right-of-way line of Union Grove Park Road;

*THENCE* southwesterly across said Union Grove Park Road to the intersection of the north right-of-way line of said F.M. Highway 2484 and the west right-of-way line of Union Grove Park Road;

*THENCE* northwesterly with the west right-of-way line of said Union Grove Park Road, approximately 685 feet to the northeast corner of a 0.522 acre tract conveyed to Sundown Properties, LP, of record in Volume 4940, Page 87;

*THENCE* southwesterly with the north line of said Sundown Properties tract, approximately 340 feet to the most easterly corner of Lots 9 and 10 of South Shore Subdivision, First Extension, of record in Cabinet A, Slide 281-C, Plat Records of Bell County, Texas;

*THENCE* northwesterly with the easterly line of said South Shore Subdivision, First Extension, and the easterly line of South Shore Subdivision, of record in Cabinet A, Slide 280-C, Plat Records of Bell County, Texas, passing the southwest corner of USA Tract No. 308, continuing with the west line of said USA Tract No. 308, to the northwest corner of said USA Tract No. 308, being on the south line of USA Tract No. 306;

*THENCE* southwesterly with the north line of said South Shore Subdivision to the northwest corner of said South Shore Subdivision and the southwest corner of said USA Tract No. 306 and being the southeast corner of USA Tract No. 309;

*THENCE* southwesterly with the south line of said USA Tract No. 309, to the southern most corner of said USA Tract No. 309;

*THENCE* northwesterly with the south line of said USA Tract No. 309, to the southwest corner of said USA Tract No. 309, being on the east line of a 3.89 acre tract conveyed to Wanda Wear, of record in Volume 4271, Page 139;

*THENCE* northwesterly with the west line of said USA Tract No. 309 and the east line of said Wear tract, to the northeast corner of said Wear tract, being the most northerly southeast corner of USA Tract No. 311;

*THENCE* northwesterly with the north line of said Wear tract and the most northerly south line of said USA Tract No. 311 to the northwest corner of said Wear tract, being an interior corner of said USA Tract No. 311;

*THENCE* southwesterly with the west line of said Wear tract and the westerly east line of said USA Tract No. 311 to the most southerly southeast corner of said USA Tract No. 311, being the most northerly corner of a 11.604 acre tract conveyed to Edward Nelson, of record in Volume 2690, Page 137, and being on the east line of USA Tract No. 312-1;

*THENCE* southwesterly with the northwesterly line of said 11.604 acre Nelson tract and the southeasterly line of said USA Tract No. 312-1, to the northwest corner of said 11.604 acre Nelson tract, being the north corner of a 1.68 acre tract conveyed to Edward Nelson, of record in Volume 2675, Page 59;

*THENCE* southwesterly with the northwesterly line of said 1.68 acre Nelson tract and the southeasterly line of said USA Tract No. 312-1, passing the southwest corner of said 1.68 acre Nelson tract, being the northwest corner of the remainder of a 3.53 acre tract conveyed to Edward Nelson, of record in Volume 2674, Page 76, continuing with the northwesterly line of said 3.53 acre Nelson tract, to an angle corner of said 3.53 acre Nelson tract;

*THENCE* southwesterly with the west line of said 3.53 acre Nelson tract and the southeasterly line of said USA Tract No. 312-1, to the westerly northeast corner of a 16.23 acre tract conveyed to David and Patricia Shumate, of record in Volume 4779, Page 382, being the southeast corner of said USA Tract No. 312-1;

*THENCE* southwesterly with the north line of said 16.23 acre Shumate tract and the south line of said USA Tract No. 312-1, passing the northwest corner of said 16.23 acre Shumate tract, continuing with the south line of said USA Tract No. 312-1, to the southwest corner of said USA Tract No. 312-1, being the southeast corner of a 8.357 acre tract conveyed to John and Deborah Rank, of record in Volume 2045, Page 251;

*THENCE* northwesterly with the east line of said 8.357 acre Rank tract, the east line of three tracts conveyed to Kwi Son Mantz, of record in Volume 4180, Page 769, the east line of two tracts conveyed to David Mabry, of record in Volume 5304, Page 570 and Volume 1868, Page 59, the east line of an 11.76 acre tract conveyed to Ricky Rubendall, of record in Volume 3312, Page 554 and the east line of a 10.67 acre tract conveyed to J. T. and Billie Long, of record in Volume 3896, Page 767, and the west line of said USA Tract No. 312-1, to the southerly northeast corner of said 10.67 acre Long tract and the northwest corner of said USA Tract No. 312-1, being on the south line of USA Tract No. 315;

*THENCE* southwesterly with the southerly north line of said 10.67 acre Long tract and the south line of said USA Tract No. 315, to the southwest corner of said USA Tract No. 315, being an interior corner of said 10.67 acre Long tract;

*THENCE* northwesterly with the west line of said USA Tract No. 315 and the westerly east line of said 10.67 acre Long tract, to the northeast corner of said 10.67 acre Long tract, being the southeast corner of USA Tract No. 314;

*THENCE* southwesterly with the north line of said 10.67 acre Long tract, to the east right-of-way line of F. M. Highway 3481, at the northwest corner of said 10.67 acre Long tract;

*THENCE* southwesterly with the south line of said USA Tract No. 314, across said F. M. Highway 3481 to a point on the west right-of-way line of said F. M. Highway 3481 at the northeast corner of a 1.10 acre tract conveyed to Clint and Missy Timm, of record in Volume 4826, Page 89;

*THENCE* southwesterly with the north line of said 1.10 acre Timm tract and the south line of said USA Tract No. 314, to an angle point in the south line of said USA Tract No. 314, at the northwest corner of said 1.10 acre Timm tract and the northeast corner of a 5.25 acre tract conveyed to Gerald Berg, of record in Volume 4493, Page 355;

*THENCE* southwesterly with the north line of said 5.25 acre Berg tract to the northwest corner of said 5.25 acre Berg tract, being an interior corner of USA Tract No. 312-2;

*THENCE* southeasterly with the west line of said 5.25 acre Berg tract, passing it's southwest corner, being the northerly northwest corner of Cedar Knob Estates Subdivision, continuing with a west line of said Cedar Knob Estates and an east line of said USA Tract No. 312-2, to an interior corner of said Cedar Knob Estates, being an ell corner of said USA Tract No. 312-2;

*THENCE* southwesterly with a northwesterly line of said Cedar Knob Estates and a southerly line of said USA Tract No. 312-2, to an ell corner of said Cedar Knob Estates, being an interior corner of said USA Tract No. 312-2;

*THENCE* southeasterly with a west line of said Cedar Knob Estates and an east line of said USA Tract No. 312-2, to an interior corner of said Cedar Knob Estates, being an ell corner of said USA Tract No. 312-2;

*THENCE* southwesterly with a northwesterly line of said Cedar Knob Estates and a southerly line of said USA Tract No. 312-2, to an ell corner of said Cedar Knob Estates, being an interior corner of said USA Tract No. 312-2;

*THENCE* southeasterly with an easterly line of said USA Tract No. 312-2, to the extreme southwest corner of said Cedar Knob Estates, being the northwest corner of a 17.512 acre tract owned by Randy Rubendall, of record in Will Probate #25073, Probate Records of Bell County, Texas;

*THENCE* southeasterly with the west line of said Rubendall tract and the east line of said USA Tract No. 312-2, to the extreme southeast corner of said USA Tract No. 312-2, being on the north line of a 225.29 acre tract conveyed to Alfred Fant, of record in Volume 1535, Page 779, now owned by Christine Clara Goodwin Fant by virtue of heirship;

*THENCE* northeasterly with the north line of said 225.29 acre Fant tract, to the northwest corner of a 5.00 acre tract conveyed to Robert and Fannie Ator, of record in Volume 4322, Page 22;

*THENCE* southeasterly with the west line of said 5.00 acre Ator tract, to the southwest corner of said 5.00 acre Ator tract;

*THENCE* northeasterly with the south line of said 5.00 acre Ator tract, to the west right-of-way line of F. M. Highway 3481 at the southeast corner of said 5.00 acre Ator tract;

*THENCE* southeasterly with the west right-of-way line of said F. M. Highway 3481, to the north right-of-way line of F. M. Highway 2484;

*THENCE* southwesterly with the north right-of-way line of said F. M. Highway 2484, to the south line of said 225.29 acre Fant tract, being the northeast corner of a 17.85 acre tract conveyed to Tony McPherson, Sr., of record in Volume 5742, Page 31;

*THENCE* southwesterly with the south line of said 225.29 acre Fant tract and the north line of various small tracts, to the southwest corner of said 225.29 acre Fant tract, being the northwest corner of a 27.578 acre tract conveyed to Clifford and Mary Brown, of record in Volume 5358, Page 137, being on the east line of a 92.92 acre tract conveyed to Betty Petrucci in Partition Deed, of record in Volume 1880, Page 665;

*THENCE* southeasterly with the west line of said 27.578 acre Brown tract and the east line of said 92.92 acre Petrucci tract, passing the southeast corner of said Petrucci tract on the north right-of-way line of said F.M. Highway 2484, continuing across said highway to a point on the south right-of-way line of said highway;

*THENCE* northeasterly with the south line of said F.M. Highway 2484, approximately 2085 feet to the northwest corner of a 3.00 acre tract conveyed to Clifford Blair, of record in Volume 1677, Page 353;

*THENCE* southeasterly with the west line of said 3.00 acre Blair tract, the west line of a 6.00 acre tract conveyed to Clifford Blair, of record in Volume 2530, Page 287, the west line of a 24.587 acre tract conveyed to Clifford Blair, of record in Volume 2715, Page 294, the west line of a tract owned by Eagle Nest Partnership and the east line of a tract owned by Theresa Sutton, approximately 2165 feet to the southeast corner of said Sutton property and the southwest corner of said Eagle Nest Partnership property, being on the north line of a 108.52 acre tract conveyed to Jon and Melinda Williams, of record in Volume 3067, Page 423;

*THENCE* northeasterly with the south line of said Eagle Nest Partnership property and the north line of said 108.52 acre Williams tract, also with the north line of a 0.96 acre tract conveyed to Jon and Melinda Williams as Tract Two, of record in Volume 2797, Page 354, to the northeast corner of said 0.96 acre Williams tract, being on the west line of Eagle Nest Road;

*THENCE* southeasterly with the west line of said Eagle Nest Road and the east line of said 0.96 acre Williams tract, over and across a 160 acre tract conveyed to Eagle Nest Holdings, Ltd., of record in Volume 6356, Page 325, to the intersection of the west line of said Eagle Nest Road with the north line of Crows Ranch Road;

*THENCE* southwesterly with the north line of said Crows Ranch Road, approximately 2775 feet to the west line of the A.J. James Survey, Abstract No. 472 and the east line of the F.A. Coward Survey, Abstract No. 236;

*THENCE* northwesterly with the west line of said James Survey, approximately 267 feet to the northeast corner of said Coward Survey, being the southeast corner of a 100.0 acre tract conveyed to Jon and Melinda Williams, of record in Volume 2611, Page 565;

*THENCE* southwesterly with the north line of said Coward Survey and the south line of said 100.0 acre Williams tract, approximately 2750 feet to the northwest corner of said Coward Survey, being the southwest corner of said 100.0 acre Williams tract, being on the east line of the R. Chappell Survey, Abstract No. 238;

*THENCE* northwesterly with the east line of said Chappell Survey, approximately 578 feet to the northeast corner of said Chappell Survey;

*THENCE* southwesterly with the north line of said Chappell Survey, approximately 472 feet to the easterly northwest corner of said Chappell Survey;

*THENCE* southeasterly approximately 237 feet to an interior corner of said Chappell Survey;

*THENCE* southwesterly with the southerly north line of said Chappell Survey, approximately 1600 feet to the easterly southwest corner of the Willis Bruce Survey, Abstract No. 1065, being the northwest corner of said Chappell Survey, being on the east line of the J. Litten Survey, Abstract No. 509;

*THENCE* northwesterly with the east line of said Litten Survey and the easterly west line of said Bruce Survey, approximately 870 feet to an interior corner of said Bruce Survey, being the northeast corner of said Litten Survey;

*THENCE* southwesterly with the south line of said Bruce Survey and the north line of said Litten Survey, approximately 3780 feet to the southwest corner of said Bruce Survey;

*THENCE* northwesterly approximately 1312 feet to the northwest corner of said Bruce Survey, being an interior corner of the F. C. Brookman Survey, Abstract No. 1103;

*THENCE* northeasterly with a south line of said Brookman Survey and the north line of said Bruce Survey, approximately 4510 feet to the northeast corner of said Bruce Survey, being another interior corner of said Brookman Survey, being an interior corner of a 191.30 acre tract owned by Janelle Burson, by virtue of heirship, of record in Will Probate #10854, Probate Records of Bell County, Texas;

*THENCE* with the line between two tracts owned by Janelle Burson, northeasterly approximately 1390 feet and northwesterly approximately 685 feet to a point on the south line of a 5.000 acre tract conveyed to Jeanie Hamilton and Brantley Hudson, of record in Volume 5247, Page 565, being on the north line of said Janelle Burson property;

*THENCE* northwesterly with the north line of said Burson property and the south line of various small tracts, approximately 1210 feet to the southwest corner of a 3.844 acre tract conveyed to Andrew and Cynthia Foulkrod, of record in Volume 4318, Page 582, same being the southeast corner of a 10.00 acre tract conveyed to Honorato and Johanna Sanchez, of record in Volume 6296, Page 369;

*THENCE* northwesterly with the west line of said 3.844 acre Foulkrod tract and the east line of said 10.00 acre Sanchez tract, to the south line of F.M. Highway 2484 at the northwest corner of said Foulkrod tract, and the northeast corner of said 10.00 acre Black tract;

*THENCE* northeasterly across said F.M. Highway 2484 to the southwest corner of a 72.86 acre tract conveyed to John and Joan Vanderlaan, of record in Volume 5624A, Page 500, same being the southeast corner of a 17.76 acre tract conveyed to Bennie and Bonnie Tomecek, of record in Volume 4151, Page 31;

*THENCE* northwesterly with the meanders of the west line of said 72.86 acre Vanderlaan tract and with the east line of said Tomecek tract and the east line of USA Tract No. 500, to the northeast corner of said USA Tract No. 500, the northwest corner of said Vanderlaan tract and the southwest corner of a 106.07 acre tract conveyed to William Dorr, of record in Volume 2039, Page 13, and the southeast corner of USA Tract No. 407;

*THENCE* northeasterly with the west line of said 106.07 acre Dorr tract and with the east line of said USA Tract No. 407, to an angle corner in the west line of said Vanderlaan tract and in the east line of said USA Tract No. 407;

*THENCE* northwesterly with the west line of said 106.07 acre Dorr tract and with the east line of said USA Tract No. 407 to a point on the north line of said Brookman Survey and the south line of said Erhardt Survey at an angle corner of said Dorr tract, being the northeast corner of said USA Tract No. 407 and the westerly southeast corner of USA Tract No. 408;

*THENCE* southwesterly with the south line of said Erhardt Survey, the south line of said USA Tract No. 408 and the north line of said USA Tract No. 407, to the southwest corner of said Erhardt Survey, the northwest corner of said USA Tract No. 407 and a southwest corner of said USA Tract No. 408;

*THENCE* northwesterly with the west line of said Erhardt Survey, at approximately 1875 feet, pass the southeast corner of the E.A. Briggs Survey, Abstract No. 101, continuing with the west line of said Erhardt Survey and the east line of said Briggs Survey, to an angle corner in the west line of said USA Tract No. 408, at the northeast corner of USA Tract No. 409-2, being the southwest corner of a 27.134 acre Tract One, conveyed to Elosie Clark and Jim Adrian III, of record in Volume 3237, Page 77;

*THENCE* northeasterly with the south line of said Clark Tract One and a north line of said USA Tract No. 408, to the southeast corner of said Clark Tract One, at an interior corner of said USA Tract No. 408;

*THENCE* northwesterly with the east line of said Clark Tract One and a west line of said USA Tract No. 408, to the northeast corner of said Clark Tract One, at an angle corner of said USA Tract No. 408 and the southeast corner of Clark Tract Four and the southwest corner of Clark Tract Three, both of record in Volume 3237, Page 77;

*THENCE* northwesterly with the west line of said Clark Tract Three and the east line of said Clark Tract Four, to the north line of said Erhardt Survey at the northeast corner of said Clark Tract Four and the northwest corner of said Clark Tract Three;

*THENCE* northeasterly with the north line of said Erhardt Survey and the north line of said Clark Tract Three, to the southeast corner of a 9.973 acre tract conveyed to Richard Clark and Patricia Walker, of record in Volume 3630, Page 71, same being the southwest corner of a 11.599 acre tract conveyed to David Carelock, et al, of record in Volume 3991, Page 376;

*THENCE* northwesterly with the east line of said 9.973 acre Clark Tract and the west line of said 11.599 acre Carelock tract, to the south line of Schrader Road, at the northeast corner of said Carelock tract;

*THENCE* northwesterly with the south line of said Schrader Road, approximately 285 feet to a point;

*THENCE* northwesterly across said Schrader Road, approximately 60 feet to the southwest corner of a 12.342 acre tract conveyed to Jason and Jutta Demmon, of record in Volume 5084, Page 376, same being the southeast corner of a 10.0 acre tract and the south corner of a 1.94 acre tract, both conveyed to William and Carolyn Reed, of record in Volume 2780, Page 256;

*THENCE* northwesterly with the east line of said 10.0 acre Reed tract and the west line of said 1.94 acre Reed tract to the south line of said Evitts Survey at the northeast corner of said 10.0 acre Reed tract and the northwest corner of said 1.94 acre Reed tract;

*THENCE* southwesterly with the south line of said Evitts Survey and the north line of said Reed tracts and the north line of Stillhouse Hollow Estates Subdivision, Section One, of record in Cabinet A, Slide 280-A, Plat Records of Bell County, Texas, approximately 4190 feet to the southerly projection of the east right-of-way line of East Trimmer Road;

*THENCE* northwesterly with the east right-of-way line of said East Trimmier Road, approximately 8470 feet to a point at the intersection of the east right-of-way line of said East Trimmier Road with the north right-of-way line of said Chaparral Road;

*THENCE* northeasterly with the north right-of-way line of said Chaparral Road, approximately 7670 feet to the POINT OF BEGINNING and containing approximately 4313 acres of land, *SAVE AND EXCEPT* the following fifty five (55) parcels of land containing approximately 2092 acres, to remain in the ETJ of the City of Killeen, Texas, leaving approximately 2221 acres of land.

1. Erle K. Adrian, Jr. et al, 26.937 acres
2. Jerry D. Atchison and wife, Susan Atchison, 49.801 acres
3. Jerry D. Atchison and wife, Susan Atchison, 2.854 acres
4. Jerry D. Atchison and wife, Susan Atchison, 6.271 acres
5. Jerry D. Atchison and wife, Susan Atchison, 1.0 acre
6. Michael Aycock and wife, Lou Aycock, 11.35 acres
7. Janelle Burson, 139.75 acres
8. Janelle Burson, 195 acres
9. Kristin M. Butler, 104.25 acres
10. Billy L. Curb, 192.79 acres
11. Dock L. Curb, Jr, and D. L. Curb, Jr. Trust, 136.25 acres
12. Kenneth L. Curb, 9.0 acres
13. Louis E. Curb Children's Trust, 50.0 acres
14. Louis E. Curb Children's Trust, 1.0 acre
15. Louis E. Curb, and wife, Patsy R. Curb, 9.007 acres
16. Winfred L. Curb, et al, 19.91 acres
17. Winfred L. Curb, et al, 8.8 acres
18. Winfred L. Curb and wife, Lynda L. Curb, 28.011 acres
19. William W. Dorr, 49.07 acres
20. William W. Dorr, 55.0 acres
21. Christine Clara Goodwin Fant, 50.0 acres
22. Donavon K. Glass and Nancy B. Glass, Trustees of The Donavon and Nancy Glass Family Trust, 26.58 acres
23. Earl W. Horn and wife, Terri L. Horn, 11.35 acres
24. Larry Delane Jackson, 19.124 acres
25. Larry Delane Jackson, 5.129 acres
26. Larry Delane Jackson, 32.518 acres
27. Henry A. Mayer et al, 104.25 acres
28. Rocky Morgan, 55.876 acres
29. Rocky Morgan, 56.463 acres
30. Bettie Petrucci, 46.46 acres
31. Bettie Petrucci, 9.0 acres
32. Bettie Petrucci, 37.46 acres
33. Pheasant Ranches, LLC, 22.182 acres
34. Ronnie Melvin Reaves and Jeanne Ellan Hodges, 19.0 acres
35. Tel'M Development, L.P., 89.463 acres
36. Tel'M Development, L.P., 3.0 acres
37. Tel'M Development, L.P., 3.37 acres
38. Tel'M Development, L.P., 3.62 acres
39. Tel'M Development, L.P., 3.76 acres
40. Tel'M Development, L.P., 4.151 acres
41. Tel'M Development, L.P., 4.151 acres
42. Tel'M Development, L.P., 4.151 acres
43. Trudo Family Living Trust, 147.753 acres
44. John C. Vanderlaan and Joan K. Vanderlaan, 1.687 acres
45. J. P. Williams and wife, Melinda E. Williams, 66.30 acres
46. J. P. Williams and wife, Melinda E. Williams, 25.1 acres
47. J. P. Williams and wife, Melinda E. Williams, 8.6 acres
48. Jon P. Williams and wife, Melinda E. Williams, 1.377 acres
49. Jon P. Williams and wife, Melinda E. Williams, 48.203 acres
50. Jon P. Williams and wife, Melinda E. Williams, 9.583 acres
51. Jon P. Williams and wife, Melinda E. Williams, 7.219 acres
52. Jon P. Williams and wife, Melinda E. Williams, 1.0 acre
53. Jon P. Williams and wife, Melinda E. Williams, 5.308 acres
54. Jon P. Williams and wife, Melinda E. Williams, 44.706 acres
55. Jon P. Williams and wife, Melinda E. Williams, 63.814 acres

NOTES:

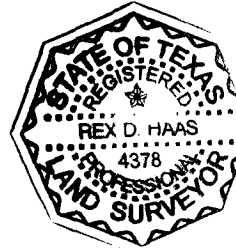
1. Bearings recited in the above description are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, per GPS observations.
2. All recording information (Volume & Page) referred to above are Deed Records and Official Public Records of Real Property of Bell County, Texas, unless otherwise noted.
3. 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 interest in real property except those right and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was it prepared.

Compiled March 19, 2007

Revised April 17, 2007

Revised June 4, 2007

Revised December 04, 2007



  
Rex D. Haas  
Registered Professional  
Land Surveyor

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Mitchell & Associates, Inc., 102 N. College St. Killeen, Texas 76541 (254)-634-5541

CARROLL B.

| Tract | Exhibit Table # | 15/5 year | Missing info | geo. id    | prop. id | FILE AS NAME                        |                                       | Add3                 | Addr City      | State | Addr zip   | sq. apply | Legal acreage |
|-------|-----------------|-----------|--------------|------------|----------|-------------------------------------|---------------------------------------|----------------------|----------------|-------|------------|-----------|---------------|
| 5     | 1               | No        |              | 056970000  | 936      | ADRIAN ERLE K JR ETAL               |                                       | PO BOX 254           | BOERNE         | TX    | 78006-0254 | T         | 26.937        |
| 5     | 2               | No        |              | 0507140400 | 4104     | ATCHISON JERRY D ETUX SUSAN         |                                       | 10653 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | T         | 48.801        |
| 5     | 3               | No        |              | 060715002  | 4106     | ATCHISON JERRY D ETUX SUSAN         |                                       | 10653 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | T         | 2.654         |
| 5     | 4               | No        |              | 0607140000 | 4107     | ATCHISON JERRY D ETUX SUSAN         | ETAL                                  | 10653 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | F         | 6.271         |
| 5     | 5               | No        |              | 0507150003 | 153027   | ATCHISON JERRY D ETUX SUSAN         |                                       | 10653 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | F         | 11.35         |
| 5     | 6               | No        |              | 0507100109 | 350878   | ATCOCK MICHAEL M ETUX LOU E         |                                       | PO BOX 2407          | HARKER HTS     | TX    | 76548-0407 | T         | 138.75        |
| 5     | 7               | No        |              | 0625500000 | 15449    | BURSON JAVELLE                      |                                       | 14808 CROWS RANCH RD | SALADO         | TX    | 76571-5024 | T         | 138.75        |
| 5     | 8               | No        |              | 0625220000 | 15450    | BURSON JAVELLE                      |                                       | 14808 CROWS RANCH RD | SALADO         | TX    | 76571-5024 | T         | 185           |
| 5     | 9               | No        |              | 0607140500 | 382709   | BUTLER KRISTIN M                    |                                       | 10645 E TRIMMIER     | KILLEEN        | TX    | 76542-4912 | T         | 192.79        |
| 5     | 10              | No        |              | 0507080200 | 383045   | CARR BILLY L                        |                                       | 7205 CHAPARRAL RD    | KILLEEN        | TX    | 76542-4912 | T         | 192.79        |
| 5     | 11              | No        |              | 0607070200 | 383063   | CARR DOCK L JR & CARR D L JR TRUST  |                                       | 6699 CHAPARRAL RD    | KILLEEN        | TX    | 76542-4910 | T         | 136.25        |
| 5     | 12              | No        |              | 0507080102 | 169900   | CARR KENNETH L                      | CO CARR WINFRED L TRUSTEE             | 6721 E TRIMMIER RD   | KILLEEN        | TX    | 76542-4915 | T         | 9             |
| 5     | 13              | No        |              | 0607080000 | 257359   | CARR LOUIS E CHILDRENS TRUST ETAL   | CO CARR WINFRED L TRUSTEE             | 9399 E TRIMMIER RD   | KILLEEN        | TX    | 76542-4912 | T         | 50            |
| 5     | 14              | No        | Ch 212       | 0507080300 | 383095   | CARR LOUIS E CHILDRENS TRUST ETAL   |                                       | 9399 E TRIMMIER RD   | KILLEEN        | TX    | 76542-4912 | F         | 1             |
| 5     | 15              | No        |              | 0507050101 | 26800    | CARR LOUIS E ETUX PATSY R           |                                       | 9399 E TRIMMIER RD   | KILLEEN        | TX    | 76542-4912 | T         | 8.007         |
| 5     | 16              | No        |              | 0531210000 | 26791    | CARR WINFRED L ETAL                 |                                       | 10465 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4922 | T         | 19.91         |
| 5     | 17              | No        |              | 0540060000 | 26792    | CARR WINFRED L ETAL                 |                                       | 10465 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4922 | T         | 8.8           |
| 5     | 18              | No        |              | 0507130000 | 26812    | CARR WINFRED L ETUX LINDA           |                                       | 10465 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4922 | T         | 28.011        |
| 5     | 19              | No        |              | 0508780001 | 29995    | DORR WILLIAM W                      |                                       | 13270 FM 2494        | SALADO         | TX    | 76571-5058 | T         | 49.07         |
| 5     | 20              | No        |              | 0529340000 | 29997    | DORR WILLIAM W                      |                                       | 13270 FM 2494        | SALADO         | TX    | 76571-5058 | T         | 55            |
| 5     | 21              | No        |              | 0531200001 | 34550    | FANT CHRISTINE CLARA GOODWIN        |                                       | 3902 EDEROCK DR      | AUSTIN         | TX    | 78731-1427 | T         | 50            |
| 5     | 22              | No        |              | 0509790000 | 41170    | GLASS DON K ETUX NANCY FAMILY TRUST | CO GLASS DON K ETUX NANCY             | 533 ANDRONACK WAY    | WALNUT CREEK   | CA    | 94598-2124 | T         | 28.59         |
| 5     | 23              | No        |              | 0507090001 | 6150     | HORN EARL W & TERRI L               |                                       | 7709 CHAPARRAL RD    | KILLEEN        | TX    | 76542-4153 | T         | 10.35         |
| 5     | 24              | No        |              | 0574050100 | 54552    | JACKSON LARRY DELANE                |                                       | 525 TREY JACK        | SALADO         | TX    | 76571-5166 | T         | 18.124        |
| 5     | 25              | No        |              | 0629330100 | 54553    | JACKSON LARRY DELANE                |                                       | 525 TREY JACK        | SALADO         | TX    | 76571-5166 | T         | 5.129         |
| 5     | 26              | No        |              | 0629330400 | 54554    | JACKSON LARRY DELANE                |                                       | 525 TREY JACK        | SALADO         | TX    | 76571-5166 | T         | 32.518        |
| 5     | 27              | No        |              | 0507140300 | 89732    | MAYER HENRY A ETAL                  |                                       | 10963 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | T         | 104.25        |
| 5     | 28              | No        |              | 0507140100 | 49264    | MORGAN ROCKY                        |                                       | 10963 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | T         | 56.876        |
| 5     | 29              | No        |              | 0507140200 | 76433    | MORGAN ROCKY                        |                                       | 10963 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4928 | T         | 56.453        |
| 5     | 30              | No        |              | 0629390000 | 92901    | PETRUCI BETTIE                      |                                       | 9820 CIRCLE DR       | AUSTIN         | TX    | 78736-7926 | T         | 46.46         |
| 5     | 31              | No        |              | 0643930001 | 92902    | PETRUCI BETTIE                      |                                       | 9820 CIRCLE DR       | AUSTIN         | TX    | 78736-7926 | T         | 9             |
| 5     | 32              | No        |              | 0517610003 | 206856   | PHEASANT RANCHES LLC ETAL           |                                       | 10693 E TRIMMIER RD  | KILLEEN        | TX    | 76542-4171 | T         | 37.46         |
| 5     | 33              | No        |              | 0507170001 | 87145    | REAVES RONNIE M & JEANNE E          | HODGES                                | 456 CIRCLE DR        | KILLEEN        | TX    | 76542-4171 | T         | 22.82         |
| 5     | 34              | No        |              | 0507170001 | 87145    | REAVES RONNIE M & JEANNE E          |                                       | 456 CIRCLE DR        | KILLEEN        | TX    | 76542-4171 | T         | 19            |
| 5     | 35              | No        |              | 0507000200 | 351698   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | F         | 89.483        |
| 5     | 36              | No        |              | 0507000200 | 351698   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | F         | 3             |
| 5     | 37              | No        |              | 0402248000 | 364613   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | T         | 3.37          |
| 5     | 38              | No        |              | 0402248000 | 364614   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | T         | 3.82          |
| 5     | 39              | No        |              | 0402248006 | 394618   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | T         | 3.76          |
| 5     | 40              | No        |              | 0402248012 | 394617   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | T         | 4.151         |
| 5     | 41              | No        |              | 0402248015 | 394618   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | T         | 4.151         |
| 5     | 42              | No        |              | 0402248018 | 394619   | TEL M DEVELOPMENT LP                |                                       | 614 CHAPARRAL RD     | KILLEEN        | TX    | 76542      | T         | 4.151         |
| 5     | 43              | No        |              | 0579600101 | 118287   | TRUDO FAMILY LIVING TRUST           | CO TRUDO ROBERT F & MARTHA J TRUSTEES | 804 CAGLE LN         | HARKER HTS     | TX    | 76548-1714 | T         | 147.753       |
| 5     | 44              | No        |              | 0629300101 | 18148    | VANDERLAAN JOHN C & JOAN K          |                                       | 1802 MCINNIS CT      | HARKER HEIGHTS | TX    | 76548-0033 | T         | 1.887         |
| 5     | 45              | No        |              | 0506000300 | 128767   | WILLIAMS J P ETUX MELINDA           |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 86.3          |
| 5     | 46              | No        |              | 0629330800 | 128768   | WILLIAMS J P ETUX MELINDA           |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 25.1          |
| 5     | 47              | No        |              | 0629330900 | 128769   | WILLIAMS J P ETUX MELINDA           |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 8.6           |
| 5     | 48              | No        |              | 0506000100 | 128824   | WILLIAMS JON P ETUX MELINDA         |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 1.377         |
| 5     | 49              | No        |              | 0506000200 | 128825   | WILLIAMS JON P ETUX MELINDA         |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 48.203        |
| 5     | 50              | No        |              | 0629330600 | 128826   | WILLIAMS JON P ETUX MELINDA         |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 9.593         |
| 5     | 51              | No        |              | 0629330600 | 128827   | WILLIAMS JON P ETUX MELINDA         |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 7.219         |
| 5     | 52              | No        |              | 0629330601 | 128828   | WILLIAMS JON P ETUX MELINDA         |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | F         | 1             |
| 5     | 53              | No        |              | 0629330700 | 128829   | WILLIAMS JON P ETUX MELINDA         |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 5.308         |
| 5     | 54              | No        |              | 0506000000 | 128830   | WILLIAMS JON P ETUX MELINDA E       |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 44.708        |
| 5     | 55              | No        |              | 0629331200 | 128831   | WILLIAMS JON P ETUX MELINDA E       |                                       | 12242 EAGLE NEST RD  | SALADO         | TX    | 76571-5028 | T         | 63.814        |

Mailed 15 year agreement 11/7/07

# **18 December 2007**

## **Annexation Service Plan**

### **Tract 5**

#### **INTRODUCTION**

This Service Plan ("Plan") is made by the City of Killeen ("City") pursuant to Chapter 43 of the Texas Local Government Code. The Plan relates to the annexation to the City of an approximately 2,220 acre tract of land ("Tract 5") generally located in the southeast corner of the City of Killeen extraterritorial jurisdiction. The annexation area is roughly defined by Chaparral Road to the north (NNW), the City of Killeen and City of Harker Heights ETJ agreement line extending to the SSE approximately 25,500 feet maintaining a minimum 1,000 feet width. The area includes a 1,000 feet corridor within the U.S. Army Corps of Engineers controlled Federal property extending to the current City of Killeen Extraterritorial Jurisdiction. This annexation will extend the city council district two (2) boundary to the south and east. The area is depicted in a map attached as Exhibit E.

This plan is divided into two (2) main parts; tax based services and rate based services. Tax based services are those services that are financed by tax revenues; such as police and fire protection. The tax based services will commence on the effective date of the annexation. Rate based services are those services which citizens acquire by paying a fee; such as water, sanitary sewer and solid waste pick-up. The cost of rate based services is directly related to the cost of providing the service.

#### **EFFECTIVE TERM**

This Plan shall be in effect for a ten (10) year period commencing on the effective date of the annexation, unless otherwise stated in the Plan. The Plan represents the concept the City of Killeen will use to initially deliver services. It is subject to modification and its change and renewal shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council which refers to this Plan and specifically renews this Plan for a stated period of time. The City reserves the right guaranteed to it by Section 43.056 (k) Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable, obsolete or unlawful.

#### **TAX BASED SERVICE COMPONENTS**

##### **1. Public Safety:**

- a. Police Protection – The Killeen Police Department (KPD) will provide protection and law enforcement services in the annexation area, commencing on the effective date of annexation.

These Services include:

- normal patrols and responses;
- handling of complaints and incident reports;
- special units, such as traffic enforcement, criminal investigations, narcotics and gang suppression, and special weapons tactics team.

The Killeen Police Department will provide service to the annexation area with the same level of service now being provided to other comparable areas of the City.

b. Fire Protection – The Killeen Fire Department will provide fire protection, prevention and emergency medical services to the annexation area commencing on the effective date of the annexation. These services include:

- fire suppression and rescue;
- emergency medical services;
- hazardous materials mitigation and regulation;
- emergency prevention and public education services;
- construction plan review;
- inspections;
- emergency management planning

These services are provided on a City – wide basis and Killeen Fire Department will provide fire protection and prevention services to the annexation area with the same level of service being provided to other comparable areas of the City. Fire services to this area will be provided by Fire Station 6 located at 2001 Elms Rd . as the primary response Station, Fire Station 5 located at 905 West Jasper Dr., and Central Fire Station located at 208 N. 28<sup>th</sup> St. providing support to Fire Station 6. Additionally, the City will establish an automatic aid agreement with the City of Harker Heights Fire Department and Southwest Bell County Volunteer Fire Department to provide fire protection and emergency medical services in the annexation area, commencing on the effective date of the annexation. The City of Killeen Fire Department will respond to structure fires in this annexation area from Fire Stations 6, 5, and Central fire station. The City will establish an automatic aid agreement with the City of Harker Heights for the provision of emergency medical service in the portion of the annexation area north of Stillhouse Hollow Lake and south of Stillhouse Hollow Lake east of Tres Jack Road and north of FM 2484. Emergency medical services for the portion of the annexation area to the south of Stillhouse Hollow Lake west of Tres Jack Rd will be provided through an automatic aid agreement with Southwest Bell Volunteer Fire Department as first responders with Killeen providing the EMS unit for transport of the patient. The Killen Fire Department will dispatch emergency medical service from Fire Station 6 located at 2001 Elms Rd. if the City of Harker Heights is unable to respond. Currently, fire protection services and emergency medical service are provided to the annexation area through an inter-local agreement with Bell County.

## 2. Maintenance of Roads, Streets, and Lighting

The Street Division, Public Works Department will maintain public streets over which the

City has jurisdiction. These services include:

- emergency pavement repair;
- ice and snow monitoring of major thoroughfares;
- repair maintenance of public streets on an as-needed basis;
- traffic control signals;
- right-of-way maintenance

Public roads and streets in the annexation area will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition, rideability, age, traffic volume, functional classification, and available funding. The Streets Division will also provide regulatory traffic signage. Engineering studies to determine if traffic control devices are warranted will be conducted as needed in conjunction with growth and increased traffic volumes.

Anticipated future development within the annexation area may generate the requirement to construct streets in compliance with the City of Killeen development standards and requirements published in the Killeen Code of Ordinances and Public Works Department practices, as may be amended. Street lighting will be installed by property developers as development in the area warrants.

### 3. Maintenance of Parks and Recreation Facilities

The City of Killeen is not aware of the existence of any public parks, play grounds, or recreational facilities in the annexation area. In the event any such public facilities do exist, the City of Killeen will maintain such areas to the same extent that it maintains similar recreational facilities located in other areas of the City. As the annexation area is developed, current master plans for parks and recreational facilities will be reviewed and amended as appropriate to accommodate future growth and provide the same level of service as is provided in other areas of the city of comparable population density, land use and topography.

Recreational facilities and area amenities that are privately owned, maintained or operated will be unaffected by an annexation.

### 4. Maintenance of Publicly Owned Facilities or Buildings

The City of Killeen is not aware of the existence of any publicly owned facilities or buildings now located in the area proposed for annexation. In the event any such publicly owned facilities or buildings do exist, the City of Killeen will maintain such areas to the same extent and degree that it maintains other publicly owned facilities or buildings located in the City. Any such facilities developed in the future for dedication to and maintenance by the City will be constructed to City standards and maintained by the developer/builder for the required warranty period. Subsequent to the warranty period, the City of Killeen will maintain such facilities to the same extent and degree that it maintains other publicly owned facilities or buildings, located in other areas of the City.

## 5. Inspection Services

The City of Killeen and its Building and Inspections Department will provide inspection services (building, electrical, plumbing, code enforcement, etc.), with the same or comparable level of service now being provided to other areas of the City with comparable land use, population density and topography as the newly annexed area.

## 6. Land Use Management

The City of Killeen Code of Ordinances mandates that all property annexed into the City be initially zoned Agriculture (AG). A building or premises in such a district may be used for stables, buildings in support of agriculture uses, single family residential structures and accessory uses. The City Planning and Zoning Commission is required to initiate a land use study of any areas annexed into the city. Within twelve (12) months of the effective date of the annexation, a recommendation for more specific zoning of tracts and lots will be submitted to the City Council for consideration.

In the conduct of the land use study citizens owning property in the annexation area will be provided notification of study meetings and asked to present their desires for the zoning of their property. This rezoning process will be conducted in strict compliance with notification and due process requirements of the Local Government Code and City of Killeen Code of Ordinances.

Property owners may continue to use their land in the newly annexed area in the manner in which the land was being used on the date the annexation proceedings were instituted if the land use was legal at that time. Property owners may seek land use protection for a land use begun after the date that annexation proceedings were initiated only if: (a) one or more licenses, certificates, permits, approvals, or other forms of authorization by a government entity were required by law for the planned land use; and (b) a completed application for the initial authorization was filed with the government entity before the date the annexation proceedings were instituted.

However, the City of Killeen's Code of Ordinances Killeen shall impose the following:

- (a) a regulation related to the location of adult oriented businesses;
- (b) a regulation preventing imminent destruction of property or injury to persons;
- (c) a regulation relating to public nuisances;
- (d) a regulation relating to flood control;
- (e) a regulation relating to the storage and use of hazardous substances;
- (f) a regulation relating to the sale and use of fireworks; and,
- (g) a regulation relating to the discharge of firearms or other weapons.

## 7. Other Services

The City of Killeen will provide other City Services to the annexation area, such as animal control, library, municipal court and general administration services at the same level of

service now being provided to other areas of the City with similar population density, land use and topography. The requirement to register and license unneutered dogs and cats will be waived until the one (1) year anniversary of the date of annexation. City Limit signs to encompass the new boundaries of the City as a result of the annexation will be installed within ninety (90) days of the effective date of the annexation. The City's authority to abate nuisances (fireworks, etc.) within five thousand (5000) feet of its boundary is extended to provide protection to the annexation area.

## **RATE BASED SERVICE COMPONENTS**

### **1. Solid Waste Services**

Solid Waste services provided by the City of Killeen's Solid Waste Services Department will be available to annexation areas immediately upon annexation. The normally required solid waste deposit fee will be waived for the annexation area. The solid waste collection and disposal services provided to the annexation area will be equal to the service being provided to other areas of the City. The annexation area will be provided collection service at the same frequency of service as other areas of the City. The City may not prohibit the collection of solid waste in the area by a privately owned solid waste provider or impose a fee for solid waste management services to a person who continues to use the services of a privately owned solid waste management service provider before the second anniversary of the date the area is included within the corporate boundaries of the City (43.056(n) of the LGC). The City is not required to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider (43.056(o) of the LGC). After the second anniversary of the date the annexation is effective the City of Killeen shall be the exclusive provider of solid waste services within the annexation area.

Services shall be provided in accordance with the City of Killeen Code of Ordinances, Chapter 24, to all residential and commercial customers requesting such service. Services shall include:

- garbage collection – in accordance with City of Killeen "pay-as-you-throw" guidelines and Chapter 24 of the Killeen Code of Ordinances;
- recycling – access to City of Killeen Recycling Center and inclusion in future curbside recycling collection services;
- yard waste and brush collection;
- special collection services;
- commercial service is provided on subscription basis from the City.

### **2. Maintenance of Water and Wastewater Services**

The City of Killeen strives to provide comparable levels of service in all areas of the City, allowing for differences in population density, land use, and topography. In the annexation area the population density is low compared to other incorporated areas of the city. The present land use in the annexation area is characterized by undeveloped parcels and/or low density residential development. While further development is anticipated, the timeline

and quantity of this development is currently too uncertain to predict the specific future needs. As the population density increases and land use patterns change, the City will provide comparable water and sewer services as in other comparable areas of the City.

The topography of the annexed area places it in the Stillhouse Hollow Lake drainage basin. Municipalities are restricted from introducing treatment plant effluent into Stillhouse Hollow Lake. The City's Water and Wastewater Master Plan contains several major projects scheduled over the next three years to provide rate-based water and sanitary sewer municipal service to the annexed area. The projects include:

- 12" and 16" water main extensions to the southern portion of the new city limits,
- a 12" loop extending eastward to connect to water mains referenced in Tract 4,
- a waste water lift station, 12", 15" and 18" gravity main flowing south along Little Trimmier Creek to new lift station, and then to Trimmier Creek waste water treatment plant,
- a waste water 10" and a 12" gravity main flowing to new Onion Creek lift station, then through 14" force main to Little Trimmier Creek lift station, and
- a waste water 12" collection main east to new SH 2484 lift station, and then lifted through 8" force main to Little Trimmier Creek lift station.

a. Water Utilities – It is the intent of the City of Killeen to provide water utility services to the annexation area in an expedient and orderly manner. This plan provides continued quality service while minimizing the utility rate impact to both the newly acquired citizens as well as the existing customers of the City's utility system. The May 2007 Water and Wastewater Master plan includes projects with an estimated cost of \$8.2 million dollars to begin in approximately May 2009. These projects will directly support the provision of water service to this annexation area.

Under this service plan concept, existing members of the West Bell County Water Supply Corporation (WBCWSC) would initially remain WBCWSC customers pursuant to § 402.101 Texas Local Government Code. Thus, the annexation area will continue to receive equivalent service as they are now receiving. This service is comparable to the service received by other comparable areas of the City.

The City will request joint jurisdiction of WBCWSC's Certificate of Convenience and Necessity (CCN) area. As with previous annexations, the City of Killeen will purchase existing WBCWSC utility infrastructure/construct parallel infrastructure in the annexation area at a rate consistent with the May 2007 City of Killeen Water and Wastewater Master Plan (as may be amended). As WBCWSC CCN area is acquired, WBCWSC purchased infrastructure or new parallel infrastructure constructed by the City will be inter-connected to the City's existing water system with a corresponding transfer of customers into the City's then existing rate structure. Existing water wells in the annexation area may be retained and used by the resident; however, if the resident connects to a public water system for potable water, the well water system must be disconnected to assure that water from the two systems cannot be mixed.

b. Wastewater Utilities – It is the intent of the City of Killeen to provide wastewater utility services to the annexation area in an expedient and orderly manner. This plan

provides continued quality service while minimizing the utility rate impact to both the newly acquired citizens as well as the existing customers of the City's utility system. The May 2007 Water and Wastewater Master Plan includes projects with an estimated cost of \$15.3 million dollars to begin in approximately May 2009. These projects will directly support the provision of wastewater service to this annexation area.

Water and wastewater service availability is defined as the specific projects in the schedule provided for in the City of Killeen Water and Wastewater Master Plan. As property in the annexation area is developed, property owners will be required to extend necessary utilities to support their development in accordance with the Killeen Code of Ordinances and Public Works Department practices, as may be amended.

c. The following is a summary of the City of Killeen Water and Wastewater Utility Service Extension Policy.

1. The intent and purpose of the water and wastewater extension policy is to provide equitable charges for water and sewer connections as a proportionate distribution of the cost of the water and sewer main extensions to serve property within the city.
2. If the existing City utility facilities are not within or adjacent to the development, the property owner/developer shall construct the necessary extension of water and sewer mains, force mains, and lift stations, including all valves, manholes, and piping necessary to serve any future development of abutting property.
3. The property owner/developer's engineer shall prepare a proposed plan of service for the subdivision and property along the extension, which shall be reviewed by the plat review committee. These facilities shall be constructed in accordance with the Water and Wastewater Master Plan (as amended).
4. It is the general policy of the City that water and sewer mains should be large enough to serve all the lots platted and, should the City determine over sizing is necessary, the City may participate in those lines greater than 8" for water and greater than 10" for sewer.
5. All utilities shall be required to extend across the full width of the last lot platted on each street proposed within the development, in such an alignment that it can be extended to the next property in accordance with the master sewer and water plans for the City, provided such plan(s) exist.
6. Properties already served by water and sewer shall not be required to install additional facilities unless the current lines are not of adequate capacity to serve the proposed development; in which case the applicant will be required to install adequate facilities.
7. Every lot of a plat shall have direct access to the water and sewer system.

Utility service shall be from a water/sewer main located in an abutting right-of-way or through easements from the lot or property being developed to a water/sewer main.

8. The City provides a “pro rata” program that in some instances allows a person to recover some costs of extending a line from the point of availability to the person’s property, thereby reducing the economic impact on the person constructing the line. Under this program, when a “pro rata” line is extended, anyone who connects to the line is required to pay their “pro rata” cost of the line extension if the connection is made within ten (10) years from the date of the execution of the agreement.

d. Under limited circumstances, the City of Killeen Director of Public Works may allow the continued use of or the establishment of an on-site sewage facility in locations where sanitary sewer service is not readily available. Such on-site sewage facilities must be permitted by the Bell County Health Department. Generally, sewer service shall be considered available when City owned infrastructure is located at a distance not to exceed 1000 feet that can accept gravity flow.

### **CAPITAL IMPROVEMENTS, AVAILABILITY AND LEVEL OF SERVICE**

The City Council of the City of Killeen finds and determines it to be unnecessary to immediately acquire or construct any currently unscheduled Capital Improvements to provide the same type, kind and level of service which is presently being administered to other areas of the City with the same or similar topography, land use and population density. However, the annexation area has been included in the City of Killeen Water and Wastewater Master Plan and Transportation Thoroughfare Plan and will be included with all other areas of the City for future planning for any new or expanded facilities, functions, and services to be funded by future capital improvements programs. The priorities assigned by these plans are driven by a desire to maintain an equitable level of service to all areas of the City with the same population density, land use and topography characteristics.

Nothing in this plan shall require the City to provide a uniform level of municipal services to each area of the City, including annexed areas, if different characteristics of topography, land use, and population density are sufficiently distinct to justify a different level of service.

- Topography – The majority of the existing City of Killeen is located in the Nolan Creek drainage basin. The City’s sewer collection system transports wastewater to a Bell County WCID #1 Treatment Plant on the north side of the City (38<sup>th</sup> Street). The effluent from that plant is discharged into the Nolan Creek Tributary.

The basis for the Rate Based Service Components portion of the Annexation Service plan is the Water Wastewater Master Plan and the City of Killeen utility extension policy documented in Chapter 26, City of Killeen Code of Ordinances.

- Land Use – The City is characterized by clusters of lot/block residential development

and platted professional, retail, industrial, and commercial development. The urban nature of the land use is so prevalent the Texas Department of Transportation required the reduction of speed limits on U.S. Highway 190. Areas within the current City limits that are comparable in land use, topography and population density to the proposed annexation area are the areas between Stagecoach Road and Chaparral Road annexed in 2004.

Presently, the land use in the annexation area is characterized by agriculture activities in a rural open area with low density residential development. Should there be an unexpected and dramatic change in land use in the proposed annexation area (e.g. 150 acre electronics manufacturer or a 50 acre air freight terminal), then such change could justify advancing the Master Plan's timetable (and corresponding expenditures) to provide water and wastewater sooner than is now justified by agriculture use.

- Population Density – In January 2007, the City of Killeen estimated population was 100,233, with a corporate area of 45.3 square miles; the City population density is approximately 2,213 people per square mile. Bell County had a population of 238,756 in the year 2000 and an area of approximately 1,060 square miles, giving a density of about 225 persons per square mile. Bell County listed 15 parcels with residences in this annexation area. Therefore, the population density is estimated to be 5.8 persons per square mile.

Water and wastewater utility availability addresses the accessibility to a sufficient supply of water and the capacity of the wastewater system to accept and treat wastewater. The extension of utilities to any area of the City, to include the annexation area, is based on the Water and Wastewater Master Plan and the utility extension policy contained in Section 26-111, Division 3, Article IV, Chapter 26 of the Killeen Code of Ordinances as amended.

**CITY COUNCIL MEMORANDUM**

**AGENDA ITEM**

**DISCUSS AND CONSIDER AN  
ORDINANCE ANNEXING  
APPROXIMATELY 3.47 SQUARE MILES  
AND ADOPTING A SERVICE PLAN**

**ORIGINATING DEPARTMENT**

**PLANNING & ECONOMIC  
DEVELOPMENT**

**BACKGROUND INFORMATION**

On September 25, 2007, the City Council directed staff to prepare a service plan providing for the extension of municipal service to a 3.47 square mile area (known as Tract 5) generally located in the southeast encompassed area of the City of Killeen extraterritorial jurisdiction. The annexation area is roughly defined by Chaparral Road to the north (NNW), the City of Killeen and City of Harker Heights ETJ agreement line extending to the SSE approximately 25,500 feet maintaining a minimum 1,000 feet width. The area includes a 1,000 feet corridor within the U.S. Army Corps of Engineers controlled Federal property extending to the current City of Killeen Extraterritorial Jurisdiction. This annexation will extend the council district two (2) boundary to the south and east. On September 28, 2007 written notice was provided to land owners (per tax rolls) and public/private entities that provide services to the area to be annexed. Properly noticed public hearings were held on November 13<sup>th</sup> and 27<sup>th</sup>, 2007.

**DISCUSSION/CONCLUSION**

Staff has prepared an ordinance effecting annexation of 3.47 square miles into the corporate limits of the City of Killeen. The ordinance assigns an initial zoning of "A" (Agricultural District) to the annexed area, extends voting District 4 and waives certain fees for one year from the effective date of the ordinance.

**RECOMMENDATIONS**

Staff recommends that the City Council discuss and consider approval of an ordinance annexing 3.47 square miles to include the service plan attached as part of the annexation ordinance.