X

City of Killeen

Agenda

City Council

Tuesday, March 13, 2018		5:00 PM	Killeen City Hall City Council Chambers 101 North College Street Killeen, Texas 76541
Call to Order and Ro	oll Call		
	Jose Segarra, I Shirley Fleming Steve Harris Gregory Johnso	Debbie Nash-King	
Invocation			
Pledge of Allegiance	е		
Approval of Agenda	ı		
Minutes			
1. <u>MN-18-005</u>	Consider Minutes	s of Regular City Council Meet	ting of February 27, 2018.
	Attachments: Minu	<u>utes</u>	
	Okra	ay Memorandum for Record	
Resolutions			
2. RS-18-013	gear for the Fire Attachments: Staff Quo Con Cert	f Report tes	g the purchase of turnout
3. <u>RS-18-014</u>	Consider a memo	orandum/resolution approving	the interlocal mutual aid
	Attachments: Staff		
		local Mutual Aid Agreement	
	Pres	sentation	

4. RS-18-015

Consider a memorandum/resolution awarding Bid No. 18-07 for a contract with Big Chief Dist. Co., Inc. to purchase unleaded gasoline for the Killeen-Fort Hood Regional Airport.

Attachments: Staff Report

Bid 18-07 Contract

Certificate of Interested Parties

Presentation

5. RS-18-016

Consider a memorandum/resolution authorizing the execution of Change Order No. 18 to McLean Construction, Inc. for the Trimmier Road Widening Project.

Attachments: Staff Report

Change Order No. 18

Bid Worksheet
Presentation

6. RS-18-017

Consider a memorandum/resolution authorizing acceptance of 24 tracts of land from the Texas Department of Transportation for portions of FM 439 that the City currently maintains.

Attachments: Staff Report

TxDOT Memorandum

FM 439 Tracts 1 to 11

FM 439 Tracts 12 to 24

Presentation

Adjournment

I certify that the above notice of meeting was posted on the Internet and on the bulletin boards at Killeen City Hall and at the Killeen Police Department on or before 5:00 p.m. on March 9, 2018.

Dianna Barker, City Secretary

The public is hereby informed that notices for City of Killeen meetings will no longer distinguish between matters to be discussed in open or closed session of a meeting. This practice is in accordance with rulings by the Texas Attorney General that, under the Texas Open Meetings Act, the City Council may convene a closed session to discuss any matter listed on the agenda, without prior or further notice, if the matter is one that the Open Meetings Act allows to be discussed in a closed session.

This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 et seq.]. This meeting is being conducted in

accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.

Notice of Meetings

The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.

 NAACP Annual Freedom Banquet, March 16, 2018, 7:00 p.m., Killeen Civic and Conference Center

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Legislation Details

File #: MN-18-005 Version: 1 Name: Minutes of February 27, 2018

Type: Minutes Status: Minutes

File created: 2/15/2018 In control: City Council

On agenda: 3/13/2018 Final action:

Title: Consider Minutes of Regular City Council Meeting of February 27, 2018.

Sponsors: City Secretary

Indexes:

Code sections:

Attachments: Minutes

Okray Memorandum for Record

 Date
 Ver.
 Action By
 Action
 Result

 3/6/2018
 1
 City Council Workshop

City of Killeen

Regular City Council Meeting Killeen City Hall February 27, 2018 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Jim Kilpatrick, Councilmembers Debbie Nash-King, Juan Rivera, Shirley

Fleming, Gregory Johnson, Jonathan Okray, and Steve Harris

Also attending were Assistant City Manager Dennis Baldwin, City Attorney Kathryn

Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Gilman.

Minister Pascha Morgan gave the invocation, and Mayor Pro-Tem Kilpatrick led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Kilpatrick to approve the agenda as written with the removal of PH-18-005A & B for future consideration. Motion seconded by Councilmember Fleming. The motion carried unanimously.

Minutes

Motion was made by Councilmember Rivera to approve the minutes of the February 13th Regular City Council Meeting. Motion was seconded by Councilmember Johnson. Motion carried unanimously.

Resolutions

RS-18-005 Consider a memorandum/resolution approving the investment report for the quarter ended

December 31, 2017.

Staff comments: Jonathan Locke

Susan Anderson with Valley View Consulting briefly went over the report. Staff recommends that the City Council approve the attached investment report for the quarter

that ended December 31, 2017.

Motion was made by Councilmember Fleming to approve RS-18-005. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-18-006 Consider a memorandum/resolution to hold a Joint General Election with KISD.

Staff comments: Kathy Davis

The city and KISD are both holding a general election on May 5, 2018. State law authorizes political subdivisions which may be conducting elections on the same day to contract for joint voting. Staff recommends City Council adopt the resolution to hold a joint general election with KISD and authorize the City Manager to enter into the agreements.

Motion was made by Councilmember Okray to approve RS-18-006. Motion was seconded by Councilmember Harris. Motion carried unanimously.

RS-18-007

Consider a memorandum/resolution to approve an addendum to the original maintenance agreement between the City of Killeen and Tyler Technologies for Municipal Court case management software.

Staff comments: Luevada Posey

Per the maintenance agreement with Tyler Technologies, the fees, which are subject to change, have increased 5% annually since 2014. The municipal court requested Tyler Technologies consider a reduction in the cost of maintenance fees. In response, Tyler Technologies submitted two proposed addendums to the original contract:

1st proposal - An addendum which locks-in a 5 year maintenance agreement with an annual increase capped at 2% annually; or

2nd proposal - An addendum to the original contract that locks-in a three year maintenance agreement with an annual increase capped at 3% annually. At the end of the agreement the annual increase will revert back to 5% or renegotiations will be necessary.

Staff recommends that Council authorize the City Manager to sign an addendum entering into a five (5) year maintenance agreement and authorize annual payment for the term of that agreement.

Motion was made by Councilmember Rivera to approve RS-18-007. Motion was seconded by Councilmember Okray. Motion carried unanimously.

RS-18-008

Consider a memorandum/resolution appointing students to the Youth Advisory Commission.

Staff comments: Brett Williams

Staff recommends that the City Council appoint the nominated individuals below for the 2017-2018 year.

KILLEEN VOI Sub-Committee:	LUNTEERS, INCYOUTH A	DVISORY COMMISSION
Current	New YAC Members	Special Qualifications
Members		
Vacancy	Rodolfo Alvarez	Student Representative
Vacancy	Fabian Balarezo	Student Representative
Vacancy	Lucio Cuellar	Student Representative
Vacancy	Nathan Hernandez	Student Representative
Vacancy	Prince Johnson	Student Representative
Vacancy	Shikinah Johnson	Student Representative
Vacancy	Lyndavia Judd	Student Representative
Vacancy	Jadia Martinez	Student Representative
Vacancy	Faith Meadors	Student Representative
Vacancy	Maria Munoz	Student Representative
Vacancy	Breonna McCarthy Reese	Student Representative
Vacancy	Deonna McCarthy Reese	Student Representative
Vacancy	Madelynn Spear	Student Representative
Vacancy	Vacancy	Student Representative
Vacancy	Vacancy	Student Representative

Motion was made by Councilmember Okray to approve RS-18-008. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Mayor Segarra swore-in the new committee members.

RS-18-009 Consider a memorandum/resolution authorizing a contract with Commercial Swim Management for the renovation of the Family Aquatic Center.

Staff comments: Brett Williams

The Family Aquatic Center has now reached a point in its service life that requires significant repairs so that it can remain a viable swimming location for the immediate and distant future. Re-plastering all the bodies of water within the facility is at the forefront of repairs. City staff solicited estimates for the completion of the plaster work from three vendors. Commercial Swim Management provided the most advantageous price for the city. Staff recommends that City Council authorize the City Manager to execute a contract with Commercial Swim Management for the renovation of the Family Aquatic Center in the amount of \$167,509.43. The City Manager is further authorized to execute any change orders in the amounts allowed by state law.

Motion was made by Councilmember Nash-King to approve RS-18-009. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-18-010 Consider a memorandum/resolution approving an agreement with Amadeus Airport IT Americas, Inc., for the installation and implementation of Shared-Use and Flight Information Display System software and hardware at the Killeen Fort Hood Regional Airport.

Staff comments: Matt Van Valkenburgh

Two proposals were received for shared/common-use passenger processing systems and flight information display improvements at the Killeen Fort Hood Regional Airport. After evaluating each proposal, staff chose Amadeus Airport IT Americas for the provider. Staff recommended City Council authorize the City Manager to execute an agreement with Amadeus Airport IT Inc. in the amount of \$750,000 and any and all change orders or supplemental agreements within the amounts set by State and local law.

Motion was made by Councilmember Rivera to approve RS-18-010. Motion was seconded by Councilmember Okray. Motion carried unanimously.

RS-18-011 Consider a memorandum/resolution awarding Bid No. 18-08 for a construction contract with Bruce Flanigan Construction, Inc. to construct the Septic Tank Elimination Program (STEP) Phase X Project.

Staff comments: David Olson

Septic Tank Elimination Program (STEP) Phase X will bring City sanitary sewer to 101 homes in the Tucker Subdivision (Clear Creek Rentals) which is located at 6000 South Clear Creek Road. Bruce Flanigan Construction was low bidder. Staff recommends that the City Council authorize the City Manager to enter into an agreement with Bruce Flanigan Construction, Inc. for a construction contract to construct the STEP, Phase X Project in the amount of \$673,673.30, and that the City Manager is expressly authorized to execute any and all changes within the amounts set by state and local law.

Motion was made by Councilmember Nash-King to approve RS-18-011. Motion was seconded by Councilmember Johnson. Motion carried unanimously.

RS-18-012 Consider a memorandum/resolution awarding Bid No. 18-04 for a construction contract to James Construction Group, LLC to construct the Rosewood Drive Extension and Heritage Oaks Hike & Bike Trail Segments 3 and 4 Project.

Staff comments: David Olson

The Rosewood Drive Extension and Heritage Oaks Hike and Bike Trail Segments 3 and 4 include the construction of Rosewood Drive from its current terminus to Chaparral Road, the construction of a hike and bike trail from Chaparral Road along Rosewood Drive to Purser Park in Harker Heights, and the construction of a hike and bike trail from the point where Rosewood Drive crosses Trimmier Creek along Trimmier Creek to its intersection with Platinum Drive. There were four responsible and responsive bidders for the project. James Construction was low bidder. City staff recommends that the City Council authorize the City Manager to enter into an agreement with James Construction Group, LLC for the construction of the Rosewood Drive Extension and Heritage Oaks Hike and Bike Trail Segments 3 and 4 Project in the amount of \$7,826,151.27, and that the City Manager is expressly authorized to execute any and all changes within the amounts set by state and local law.

Mark Buchanan with James Construction Group stated he was concerned about allegations regarding any pending litigation James Construction might have and did not want those allegations to hinder the awarding of the contract to them.

Motion was made by Councilmember Okray to approve RS-18-012. Motion was seconded by Mayor Pro-Tem Kilpatrick. Motion carried 4 to 3 with Councilmember Harris, Councilmember Johnson, and Councilmember Fleming opposing.

Public Hearings

PH-18-005A&B postponed by requestor.

PH-18-005A HOLD a public hearing and consider an ordinance requested by Atkinson Homes, Inc. (FLUM#17-30) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Suburban Residential' to a 'General Residential' designated area for approximately 19.560 acres, being part of the T. Arnold Survey, Abstract No. 55. The subject property is addressed as 7610 Clear Creek Road, Killeen, Texas.

PH-18-005B HOLD a public hearing and consider an ordinance requested by Atkinson Homes, Inc., (Case #Z17-30) to rezone approximately 19.560 acres out of the T. Arnold Survey, Abstract No. 55, from "A" (Agricultural District) to "R-2" (Two-Family Residential District). The property is locally known as 7610 Clear Creek Road, Killeen, Texas.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Kilpatrick, seconded by Councilmember Nash-King, and unanimously approved, the meeting was adjourned at 5:50 p.m.

MEMORANDUM FOR RECORD RS-18-0112, 02-27-18

The commentary of this memorandum regards this consideration and its scope. It is from a news article written by Ralph Peters, a former enlisted soldier and officer who served in the infantry and military intelligence. The Hoover Institution published the article entitled, "Post Modern Propaganda: The Gatekeepers Are Gone" February 23, 2018 ("Post-Modern Propaganda: The Gatekeepers Are Gone | Hoover Institution," n.d.).

Mr. Peters states in the article that no plague in history spread with the speed of internet disinformation. We live in an age of hyper-charged propaganda, an onslaught of lies more pervasive than any that came before. Over millennia, propaganda changed minds: today it changes governments and subverts institutions...modern propaganda started with the Reformation and Counter-Reformation as contests of belief collided with newly inexpensive printing technologies...Newspapers as we know them started in the eighteenth century and swelled in popularity as literacy increased and technological advances enables mass production and distribution.

The most hysterical printed diatribes had to have provable grounding facts; accuracy became an ideal. Then the new media and new dangers appeared. Propaganda enjoyed a new heyday under authoritarian regimes and dictatorships as communication means broadened. In contrast, the American media needed facts behind the spin. Planted stories did slip though. In the 1930's the New York Times made the mistake of trusting a corrupted foreign correspondent who lied on a grand scale about conditions in the Soviet Union. Consumers of mainstream news sources received a fact-based picture of the world.

Today's popular culture celebrates a few big-name editors who broke big stories, but the true heroes were the everyday editors who wanted to know, "where is the proof"? Skillful propagandist who can reach millions without the need to meet editorial standards of background knowledge and truth overwhelm present-day efforts of objectivity in journalism.

We have entered a new age of hyper-propaganda. It is up to the titans of technology to defend the civilization that enrich them by imposing objective editorial standards on their platforms, to develop a new and credible system of guardians of the facts, of gatekeepers against subversive lies. The private sector, not the government has to do it. Or we can let the propagandist win.

Jonathan L. Okray.
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Councilmember At-Large

Bibliography

Post-Modern Propaganda: The Gatekeepers Are Gone | Hoover Institution. (n.d.). Retrieved

February 26, 2018, from https://www.hoover.org/research/post-modern-propaganda-

gatekeepers-are-gone



City of Killeen

Legislation Details

File #: RS-18-013 Version: 1 Name: Fire Department Turnout Gear

Type:ResolutionStatus:ResolutionsFile created:2/12/2018In control:City Council

On agenda: 3/13/2018 Final action:

Title: Consider a memorandum/resolution authorizing the purchase of turnout gear for the Fire Department.

Sponsors: Fire Department

Indexes:

Code sections:

Attachments: Staff Report

Quotes Contract

Certificate of Interested Parties

Presentation

Date Ver. Action By Action Result

3/6/2018 1 City Council Workshop



STAFF REPORT

DATE: March 6, 2018

TO: Ronald L. Olson, City Manager

FROM: Brian Brank, Fire Department

SUBJECT: Purchase of Turnout Gear

BACKGROUND AND FINDINGS:

Turnout gear is the protective ensemble worn by firefighters. It typically consists of the following garments: coat, trousers, boots, helmet, hood, and gloves. These items help protect firefighters in environments immediately dangerous to life or health. The fire department must replace turnout gear that is damaged and cannot be repaired. Additionally, National Fire Protection Association regulation 1851 establishes a usable lifespan for turnout gear of no more than ten years. As a result of these factors, the fire department has a need to purchase 46 sets of coats and trousers. The purchase of these garments will ensure that each fire rescue officer has a complete protective ensemble. After selecting our specification, we explored the State Cooperative programs utilized by the City of Killeen. The North American Fire Equipment Company's (NAFECO) quotation through TASB BuyBoard was found to be the least costly option for this purchase.

THE ALTERNATIVES CONSIDERED:

- 1. <u>Do not purchase turnout gear:</u> This would leave us unable to provide adequate personal protective garment to firefighters.
- 2. <u>Purchase turnout gear that offers the greatest protection for our fighters at the lowest available price:</u> The fire department performed a wear test to compare the performance of various types of turnout gear. We selected our preferred gear based on the results of this test. This turnout gear is available through various vendors. The fire department obtained quotations from NAFECO, Casco Industries, and Dooley Tackaberry. NAFECO's quotation was the least costly.

Which alternative is recommended?

Purchase 46 sets of turnout coats and trousers through from NAFECO through TASB BuyBoard.

CONFORMITY TO CITY POLICY:

The City of Killeen is a member of the TASB Buy Board purchasing cooperative. This cooperative is in compliance with Texas Local Government Code section 252.022 and satisfies

the City's legal requirement to competitively bid this purchase. The purchase of turnout gear will be made through the TASB Buy Board purchasing cooperative on contract number 524-17.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

This request is for the purchase of 46 sets of turnout coats and trousers. The total cost for this purchase is \$91,494.

Is this a one-time or recurring expenditure?

This is a one-time purchase for this budget year. We will need to purchase additional turnout gear in FY 19. Our future purchase needs will be dictated by the number and types of garments that are damaged beyond repair or nearing expiration.

Is this expenditure budgeted?

Yes, it is budgeted in account 010-7070-442.41-20.

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

Yes

RECOMMENDATION:

Staff recommends the City Council authorize the purchase of 46 sets of turnout coats and trousers in the amount of \$91,494.

DEPARTMENTAL CLEARANCES:

Fire, Legal, Purchasing, Finance

ATTACHED SUPPORTING DOCUMENTS:

Quotes
Contract
Certificate of Interested Parties



SHREVEPORT, LOUISIANA 71148-8007

SOLD TO: Killeen FD

101 N College

Killeen, Texas 76541

ATTN: Etl

Ethan Williams

PHONE: 254-466-8361

EMAIL:

SHIP TO: Chancy Bizzell

TO. Chancy bizzen

417 River Bluff Circle Georgetown, Texas 78626

ATTN: Chancy Bizzell

PHONE: 512-848-9971

EMAIL: cbizzell@cascoindustries.com

REDIT CA	RD:			CUST PO NUMBER		SALES REP		SALES REP REF #	
AMEEXP	DATE		COST						
NUMBER/CODE/ZIP TRANSACTION ID#			COST	TERMS	FREIGHT			FORM TYPE QUOTE	
					ALLOW				
ITEM	LOC	DESCRIPTION		QTY	SHIPPED		PRICE		AMOUNT
3 3 4 4						\$	-	\$	-
1		GLO- 15757G1T, DKG 32 M TPR, GX3 Jacket, Agility,		46		\$	1,156.00	\$	53,176.00
		Caldura SL2, Crosstech Black- NEFDA Killeen-				\$	-	\$	-
	16.00	080317-SW31				\$	-	\$	-
						\$	-	\$	-
						\$	-	\$	-
2		GLO-E5757G10, DKG TBD MENS GXLT, Pant, Agility,		46		\$	982.00	\$	45,172.00
130		caldura SL2, Crosstech Black				\$.=.	\$	-
						\$	-	\$	
								\$	-
3		GLO- 3" L/Y Letters for FFS names				\$	3.00	\$	-
						\$	-	\$	-
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						\$	-	\$	-
						\$	(-)	\$	-
						\$	-	\$	-
					Malitime . The	\$	V=	\$	-
		TOTAL:	\$ -						
		ADDITIONAL COMMENTS BELOW	\$		98,348.00	Sub	ototal	\$	98,348.0
						Тах	(\$	-
						Fre	ight	\$	-
						TO	TAL	\$	98,348.0



Houston Corporate Headquarters

1515 W. 13th Street

Deer Park TX 77536 USA

Phone: 281.479.9700 Toll Free: 800.833.0247

Sold To:

063797

Ship To:

CITY OF KILLEEN

201 N. 28TH STREET

KILLEEN TX 76541

USA

-...**p**

CITY OF KILLEEN

201 N. 28TH STREET

KILLEEN TX 76541

QUOTATION

Page: 1 of 1

Date: 12/13/2017

Our Reference: 1022956

Your Reference: GEAR-HONEYWELL

Reference Desc. KILLEEN

Salesperson: Chris Lane

Estimator: Morgan Phillips

Email: mphillips@safetyfire.com

LION Extension

Revision: 0

ITEM	QTY	PART NUMBER AND DESCRIPTION	ORIGIN	ECCN	SCHEDULE B	UNIT PRICE	UOM	Extension	
1	46	LTO-37QG-T-SPL		•		1,375.92	EA	63,292.32	
		Bunker Coat Dark Gold Per Customer Spec							
2	46	LTO-37QG-P-SPL				1.046.46	EA	48,136.93	
2	40	Bunker Pant Dark Gold Per Customer Spec						,	
									0
						110 FO	Ε.Δ	E 17E 00	
3	46	A1126				112.50	EA	5,175.00	
		Kevlar Single Bunker Belt - Fixed D Ring on Snap							

QUOTE - Miscellaneous Charge -

Freight Out - Distribution

970.00

Terms:

Net 30

Shipping Terms:

Delivered

Prices Firm: Ship Via: 1/12/2018

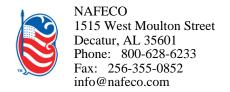
Best Way

Freight Terms:

Prepaid

QUOTE TOTAL USD

117,574.25



QUOTE

Quote Number: 942928 Date: 2/12/18

Quote Expiration: EXPIRES 120 DAYS

To: KILLEEN FIRE DEPT. 201 N. 28TH ST. KILLEEN, TX 76541 United States of America

F.O.B. Point: FOBSHIP

Salesperson: Unassigned - TX **Prepared By:** Brittany Kilpatrick

KIL045

GL045					
Qty.	U/M	Item No.	Description	Each	Amount
46	EA	CVFM-942928A	Lion V-Force Khaki Armor AP Coat, PSGQ16203-C	1124. 00	51, 704. 00
46	EA	PVFM-942928A	Lion V-Force Khaki Armor AP Pant w/ Belt, PSGQ16203-C	865.00	39, 790. 00
			Sub-Total :		\$91, 494. 00
			Quote Total:		\$91, 494. 00

A copy of your tax-exempt certificate is needed at time of order**.

If you have any questions concerning this quote, please contact our office Thank you for your business.

**Unless we have a copy of your tax-exempt certificate, sales tax will be charged.



Fax: 800.211.5454

Administration

Reports

Shopping Cart

Help

Vendor Contract Information

Searches:

Search by Vendor

Browse Contracts

Search:

All

Vendor Discounts Only

Catalog Pricing Only

Refine Your Search:

Vendors NAFECO[X]

Price Range Show all prices

Category None Selected

Contract None selected

Additional Resources

Vendor Name: NAFECO

Address: 1515 W. Moulton Street

Decatur, AL 35601

Phone Number: (800) 628-6233

> Email: lynn.clemons@nafeco.com

Website: http://www.nafeco.com

Federal ID: 63-0725655

Contact: Lynn Clemons

Accepts RFQs:

Minority Owned: No

Women Owned: No

Service-Disabled Veteran Owned: No

> EDGAR: Yes

Public Safety and Firehouse Supplies and Equipment Contract Name:

Contract Description: Full line of law enforcement and fire fighting supplies, equipment, & uniforms; firearms;

ammunition; riot/body armor; vehicle equipment, light bars, sirens, speakers; thermal imag bike patrol; drug testing; speed enforcement; traffic signal equipment; breathing apparatus detection devices; fire hose/nozzles; fire extinguishers and foam; traffic pre-emption equipi

portable lighting equipment, service/repair & installation

Contract#: 524-17

Effective Date: 04/01/2017

Expiration Date: 03/31/2020

Payment Terms: Net 30 days

Delivery Days:

Shipping Terms: Pre-paid and added to invoice

Freight Terms: **FOB Destination**

> Ship Via: Common Carrier

All Texas Regions Region Served:

States Served: All States

EDGAR Vendor Certification Form (relating to 2 CFR Part 200 & Appendix II) is included in Additional Info:

Vendor response document, and can be found in the Vendor Proposal File link near the bo

of the page.

Quote Reference Number: 20160711CLC

> RMA number required, 15% restocking fee, used items are non-returnable Return Policy:

Contract Documents

EDGAR Notice: Click to view EDGAR Notice

Proposal Documents: Click to view BuyBoard Proposal Documents

Regulatory Notice: Click to view Bonding Regulatory Notice

Proposal Files: Click to view Vendor Proposal Files Documents

Contact us 800.695.2919

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

of 1

				1011		
	Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.		OFFICE USI			
1	Name of business entity filing form, and the city, state and country of of business.		Certificate Number: 2018-312971			
	North America Fire Equipment Co., Inc. (NAFECO)		2010-312971			
	Decatur, AL United States		Date Filed:			
2	Name of governmental entity or state agency that is a party to the conbeing filed.	ntract for which the form is	02/12/2018			
	City of Killeen Fire Department, Killeen TX		Date Acknowledged			
_	Provide the identification number used by the governmental entity or	state agency to track or identify:	the contract and pro	wide a		
3	description of the services, goods, or other property to be provided up	inder the contract.	the contract, and pro	vide a		
	TBD					
	Turnout Gear Purchase					
4	Name of Internated Borton	Ctata Carratura (alama at lauraina	1 0000000000000000000000000000000000000	of interest		
	Name of Interested Party City	y, State, Country (place of busine	Controlling	pplicable) Intermediary		
_			Controlling	Intermediary		
5	5 Check only if there is NO Interested Party.					
6	UNSWORN DECLARATION					
	My name is Brian Oaks, Director Of Oper	cations, and my date of b	pirth is $\frac{6/7}{6}$	e3		
	My address is1515 West Moulton Street,	Decatur, A	AL , 35601	_, _USA		
	(street)	(city) (sta	ate) (zip code)	(country)		
	I declare under panalty of perjury that the foregoing is true and correct.					
	Executed in County, Sta	ate of AL, on the 1	2th _{day of} Febru	ary ₂₀ 18		
			(month)	(year)		
	Rebeiro H. Convilant to - Oaks					
No	otary Commission Expires: 10/26/2/ Sig	gnature of authorized agent of contr (Declarant)	racting business entity			



- The Killeen Fire Department provides turnout gear for our firefighters to include coats and trousers
- Conducted a wear test to determine best gear
- Conducted price comparison of selected gear
 - NAFECO quotation
 - Dooley Tackaberry quotation
 - Casco Industries quotation
- North American Fire Equipment Company offered best pricing

- □ Alternatives:
 - Defer purchase
 - Purchase turnout gear that offers the greatest protection for our firefighters at the lowest cost
- Financial Impact
 - **\$91,494**
 - Budgeted expense- no additional funding required
- Conforms to City Policy: North American Fire Equipment Company's Buyboard Contract #524-17; effective through March 31, 2020

Staff recommends that the City Manager be authorized to execute the purchase of turnout gear from North American Fire Equipment Company through a BuyBoard Cooperative Contract, and that the City Manager or designee is expressly authorized to execute any and all change orders within the amounts set by state and local law.



City of Killeen

Legislation Details

File #: RS-18-014 Version: 1 Name: Interlocal Agreement for Fire Services

Type:ResolutionStatus:ResolutionsFile created:2/15/2018In control:City Council

On agenda: 3/13/2018 Final action:

Title: Consider a memorandum/resolution approving the interlocal mutual aid agreement for fire services.

Sponsors: Fire Department

Indexes:

Code sections:

Attachments: Staff Report

Interlocal Mutual Aid Agreement

Presentation

Date Ver. Action By Action Result

3/6/2018 1 City Council Workshop



STAFF REPORT

DATE: March 6, 2018

TO: Ronald L. Olson, City Manager

FROM: Brian Brank, Fire Chief

SUBJECT: Interlocal Mutual Aid agreement

BACKGROUND AND FINDINGS:

Mutual aid agreements supply fire department services with additional resources when a single incident or multiple incidents deplete all resources from any one entity. The agreements are the legal documents which set, in writing, the conditions under which all entities agree to operate.

THE ALTERNATIVES CONSIDERED:

- 1. Not enter into the agreement and allow each entity to serve their own community individually
- 2. Enter into agreement and work with the local cities to deal with large scale events.

Which alternative is recommended? Why?

2. Entering into this agreement creates cooperation between the neighboring cities and the Killeen Fire Department to help mitigate large scale events for each entity.

CONFORMITY TO CITY POLICY:

This Interlocal Mutual Aid Agreement conforms to city policy and state laws. Council reapproves when a change of command occurs.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The only cost would be overtime in a large scale incident. Surrounding cities will assist should this occur; depending on the size of incident, overtime could be avoided.

Is this a one-time or recurring expenditure?

Incidents of this nature are unpredictable.

Is this expenditure budgeted?

Depending on the scale of event and the required contribution

If not, where will the money come from?

Emergency Declaration only in very unusually large scale events.

Is there a sufficient amount in the budgeted line-item for this expenditure?

All but the most catastrophic events.

RECOMMENDATION:

Staff recommends that the City Council approve the Interlocal Mutual Aid Agreement, and authorize the City Manager, or his designee, to execute the agreement.

DEPARTMENTAL CLEARANCES:

Legal, Fire

ATTACHED SUPPORTING DOCUMENTS:

Interlocal Mutual Aid Agreement

INTERLOCAL MUTUALAID AGREEMENT FOR FIRE SERVICES

STATE OF TEXAS

COUNTY OF BELL

THIS CONTRACT AND AGREEMENT ("Agreement"), entered into on this first day April 2018, by and between the cities of BELTON, TEMPLE, COPPERAS COVE, HARKER HEIGHTS, KILLEEN, CENTRAL BELL FIRE AND RESCUE DEPARTMENT, CITY OF MORGAN'S POINT RESORT and the COUNTY OF BELL (each a "Party" and collectively the "Parties"), such governmental entities acting herein under the authority and pursuant to the terms of the Texas Government Code, Section 791.001 et seq., known as the "Interlocal Cooperation Act."

WITNESSETH:

WHEREAS, the Parties hereto desire to secure for each other the benefits of mutual aid in fire protection for the protection of life and property, emergency medical services, and specialized rescue or hazmat operations; and

WHEREAS, the Parties, through their respective fire departments, are owners of certain trucks and other equipment designed for and capable of being used in the protection of persons and property from and in the suppression and the fighting of fires and has assigned individuals trained in the use of such equipment; and

WHEREAS, the Parties have authority to enter into contracts providing for the use of fire trucks and other fire protection, firefighting equipment, emergency medical services, and specialized rescue operations for citizens outside of their respective jurisdictional limits; and

WHEREAS, each Party is desirous of obtaining additional secondary service for its citizens in the event of an emergency in which its own fire department is in need assistance:

NOW, THEREFORE, for and in consideration of the mutual benefits to be derived by each of the Parties hereto, the Parties agree to provide fire suppression and other emergency services, and to dispatch equipment and/or personnel in accordance with and subject to the following terms and conditions:

PART 1: SERVICES AND CONDITIONS

1.01 The Parties agree to furnish emergency fire suppression and other emergency services to each other upon a request for assistance from the Fire Chief, City Manager, Mayor, County Judge, or other individual as designated in writing by an authorized representative of a Party to this Agreement.

- 1.02 A responding Party's Fire Chief (or his or her designee) shall be the sole judge of the type and amount of equipment and manpower dispatched in response to a request for assistance. Responding forces will work under the authority of the requesting Party upon arrival at the scene.
- 1.03 Any request for aid hereafter shall include a statement of the amount and type of equipment and number of personnel requested, and shall specify the location to which the equipment and personnel are to be dispatched, but the amount and type of equipment and number of personnel to be furnished will be determined by the representative of the responding Party.
- 1.04 The responding Party shall report to the officer in-charge of the requesting Party at the location to which the equipment and/or personnel is dispatched, and thereto render the assistance required.
- 1.05 A responding Party shall be released by the requesting Party when the services of the responding Party are no longer required or when the responding Party is needed within the area it normally provides fire protection services. Alternatively, the authorized official of the responding Party, upon determining that the health, safety and welfare of the responding Party's personnel or property is endangered, may withdraw from the scene.
- 1.06 Although each Party will endeavor to respond to all requests for assistance, nothing herein is to be interpreted as imposing any duty or obligation upon any Party to respond to any fire emergency. The provision of fire protection service to each Party's own area of responsibility will always remain the primary function of that Party's department.
- 1.07 In the event a Party is unable or unwilling to respond to a request for assistance, that Party will endeavor to immediately notify the requesting Party through the Communications Center or other appropriate means of communication.
- 1.08 The Parties' Fire Chiefs in accordance with the terms of this Agreement may consult as necessary with respect to the implementation of additional policies and procedures for improving the provision of fire protection services by each Party in response to requests for assistance.
- 1.09 Each Party shall maintain applicable insurance coverage on its personnel, motor vehicles, and other property or equipment.
- 1.10 All equipment used by a responding Party will continue to be owned, leased, or rented by the responding Party. At all times while equipment and personnel of a responding Party are traveling to, from, or within the geographical limits of the requesting Party in accordance with the terms of this Agreement, such personnel and equipment shall be deemed to be employed or used, as the case may be, in the full line and cause of duty of the responding Party. In addition, such personnel will be deemed to be engaged in a governmental function of the responding Party.
- 1.11 All claims for workers compensation benefits arising out of this Agreement shall be the sole responsibility of the Party who is the general employer of the employee filing such

claim, and at no time shall the employees of a responding Party be considered to be borrowed servants or on loan to the requesting Party under this Agreement.

1.12 To ensure safety, all participants agree that their standard operating procedures and command procedures shall match those adopted by the Combined Emergency Services Organization (CESO) Mutual Aid Guidelines. Shall use safety officers that will follow standardized procedures as recommended by NFPA

PART 2: TERM AND TERMINATION

This Agreement shall become effective as to each Party when approved and executed by that Party. Thereafter, this Agreement shall continue in force and remain binding on each and every Party, provided that any Party may terminate its participation and withdraw from this Agreement upon ninety (90) days' written notice to the other Parties hereto. Termination of participation in this Agreement by a Party shall not affect the continued operation of this Agreement between and among the remaining Parties and this Agreement shall continue in force and remain binding on the remaining Parties.

PART 3: PAYMENT

A requesting Party will reimburse a responding Party for any chemical agent or supplies used by the responding Party. The responding Party will submit an itemized bill for any such agent or supplies used and the requesting Party will pay the amount billed within thirty (30) days of receipt of the bill. All payments made hereunder must be made from current revenues available to the paying Party, and no Party shall have any liability for the failure to expend funds to provide aid hereunder. Texas Government Code, Section 791.011(d)3: Each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

PART 4: LIABILITY & IMMUNITY

- 4.01 Each Party waives all claims against the other Parties hereto for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement, except (i) as otherwise expressly set forth herein, or (ii) to the extent caused by the gross negligence or intentional wrongdoing of an officer, employee, or agent of another Party. No provision hereof will be construed as a waiver, relinquishment, or limitation upon any immunity or defense that would otherwise be available to a Party, its officers, employees or agents, all such rights and defenses being expressly retained.
- 4.02 Each Party shall at all times be and remain legally responsible for the conduct of their respective fire department personnel regardless of whether such employees were performing duties under this agreement at the request of the requesting Party and regardless of whether such personnel were acting under the authority, direction, suggestion, or orders of an officer of the

requesting Party. This assignment of civil liability is specifically permitted by section 791.006(a-1) of the Texas Government Code and is intended to be different than the liability otherwise assigned under section 791.006(a) of the Texas Government Code.

PART 5: GENERAL PROVISIONS

- 5.01 Non-Exclusive Agreement. This Agreement is not exclusive, and shall not prevent any Party from contracting with or providing mutual aid assistance to another Party, or another municipality, county, rural fire prevention district, emergency services district, fire protection agency, organized volunteer group, or other emergency services entity. To assist each other in the process of mutual aid response planning, each Party agrees to inform the other Parties of all mutual aid agreements that each Party has with other municipalities, entities, counties, and state or federal agencies.
- 5.02 *Signatories*. Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement and any related documents on behalf of the Party indicated.
- 5.03 Notices. All notices under this Agreement shall be in writing, and (i) delivered personally to the person to whom the notice is to be given, (ii) given by certified or registered mail, return receipt requested, (iii) delivered via Federal Express or any other nationally recognized courier service that provides a return receipt showing the name of the recipient and the date of actual delivery, or (iv) given by e-mail or facsimile transmission. Notice given by mail shall be effective three (3) days (exclusive of Saturdays, Sundays and postal holidays) after the same is deposited in the United States Postal Service, properly post-paid and certified and addressed to the Party to be notified. Notice given by e-mail or facsimile transmission shall only be deemed received if the transmission thereof is confirmed and such notice is followed by written notice as provided in subparts (i) through (iii) within three (3) business days following the e-mail or facsimile notice. Notice given in any other manner shall be effective only if and when actually delivered to the Party to be notified or at such Party's address for purposes of notice as set forth herein. A change in the notice address of any Party may be effected by serving written notice of such change and of such new address upon the other Parties in the manner provided herein. Initially, notices shall be addressed as indicated on Exhibit A.
- 5.04 Law Governing and Venue. The laws of the State of Texas govern this Agreement without regard to any conflict of laws provision and no lawsuit may be prosecuted on this Agreement except in a court of competent jurisdiction located in Bell County, Texas.
- 5.05 Assignment. This Agreement may not be assigned without the written consent of all Parties, and any attempted or purported assignment in the absence of such consent shall be void.
- 5.06 Severability. If any provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void,

but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the Parties.

- 5.07 Binding Effect. This Agreement shall be binding upon, and shall inure to the benefit of, the Parties' respective successors and permitted assigns.
- 5.08 Third Party Beneficiaries. This Agreement is intended to inure only to the benefit of the Parties hereto. This Agreement is not intended to create, nor shall be deemed or construed to create, any rights in third parties.
- 5.09 Survival. All provisions of this Agreement that require any performance following termination or expiration of this Agreement shall survive such termination or expiration.
- 5.10 Interpretation. Each Party has carefully read this entire Agreement, understands the meaning and effect of each and every provision contained herein, and acknowledges that it has relied on its own judgment in entering into this Agreement. Each Party executes this Agreement only after first having obtained, or having had the opportunity to obtain, competent legal advice. The use of the masculine or neuter genders herein shall include the masculine, feminine and neuter genders. The singular form shall include the plural when the context requires. Headings used throughout this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, restrict, modify, amplify or aid in the interpretation or construction of the meaning of the provisions of this Agreement. The terms "hereof," "hereunder" and "herein" shall refer to this Agreement as a whole, inclusive of all exhibits, except as otherwise expressly provided. This Agreement represents the result of extensive discussion between the Parties, and thus should not be construed strictly for or against any Party.
- 5.11 Operational Period: The period of time scheduled for execution of a given set of operation actions as specified in the Incident Action Plan. Operational Periods can be of various lengths, although usually not over 12 hours.
- 5.12 Entire Agreement; Modification. This Agreement, including all exhibits, constitutes the sole and entire agreement between the Parties relating to the subject matter hereof and supersedes all previous understandings and agreements between the Parties (whether oral or written) relating to its subject matter. The Parties have not relied upon any statement, promise or representation except those specifically set forth herein, and any other statements or representations that may have been made are void and of no effect. This Agreement may be cancelled or amended by mutual consent of the Parties. The exhibits, attachments and addenda which are a part of this Agreement are:

Exhibit A: Party Contact Information and Capabilities

5.13 Multiple Counterparts. To facilitate execution, this Agreement may be executed in as many counterparts as may be convenient or required. It shall not be necessary that the signature or acknowledgment of, or on behalf of, each Party, or that the signature of all persons required to bind any Party, or the acknowledgment of such Party, appear on each counterpart. All

counterparts shall collectively constitute a single instrument. It shall not be necessary in making proof of this Agreement to produce or account for more than a single counterpart containing the respective signatures of, or on behalf of, and the respective acknowledgments of, each of the Parties hereto. Any signature or acknowledgment page to any counterpart may be detached from such counterpart without impairing the legal effect of the signatures or acknowledgments thereon and thereafter attached to another counterpart identical thereto except having attached to it additional signature or acknowledgment pages.

SIGNATURE PAGE FOLLOWS

By:	By:
Name:	Name:
Title:	Title:
	•
CITY OF HARKER HEIGHTS	CITY OF KILLEEN
D	
By:	By:
Name:	Name: Bt
Title:	Name:
CENTRAL BELL FIRE AND RESCUE DEPARTMENT	BELL COUNTY
By:	By:
Name:	Name:
Title:	Title:
CITY OF MORGAN'S POINT RESORT	
	CITY OF TEMPLE
Ву:	By:

CITY OF COPPERAS COVE

CITY OF BELTON

EXHIBIT A

Listed are fire departments with specialized capabilities and manpower which may be utilized or requested for specialized or difficult emergencies for fire or EMS.

Add contact information for each party below.

- a. Temple Fire & Rescue Fire Chief Mitch Randles (254) 298-5682
 - Haz Mat response
 - Confined Space
 - Vertical Rescue
 - Aerial Ladder Support
 - Heavy Rescue
 - Aircraft fire suppression
 - Trench Rescue
- b. Belton Fire Department Fire Chief Bruce Pritchard (254) 933-5885
 - Swift water rescue (personnel and rescue boat)
 - Confined Space Rescue
 - Aerial Ladder Support
 - MICU ambulance response
- c. Harker Heights Fire Department Fire Chief Paul Sims (254) 699-7693
 - Aerial Support
 - MICU ambulance response
 - Communications unit
- d. Killeen Fire Department Fire Chief Brian Brank (254) 501-7660
 - Haz Mat Response
 - Confined Space
 - Vertical Rescue
 - Aerial Ladder Support
 - Heavy Rescue
 - Structural Collapse Rescue
 - Aircraft fire suppression
 - Swift water rescue (personnel and rescue boat)
 - MICU ambulance response
 - Trench Rescue
- e. Copperas Cove Fire Department Fire Chief Michael Neujahr (254) 547-2514
 - Aerial ladder support
 - MICU ambulance response
- f. Central Bell Fire & Rescue Fire Chief Jason Worsadale (254) 698-6891
 - 1000 gallon Engine
 - 5000 gallon tanker
- g. City of Morgan's Point Resort Fire Chief John Phillips (254) 780-2022
 - Swift water rescue (personnel and rescue boat)
 - Flood water rescue (personnel and rescue boat)
 - Open water rescue Lake (personnel and rescue boat)
 - Underwater Recovery Side scan 3D Sonar (personnel and rescue boat)



INTERLOCAL MUTUAL AID AGREEMENT FOR FIRE SERVICES

Interlocal Mutual Aid Agreement For Fire Services

- □ Consists of
 - Interlocal Mutual Aid Agreement For Fire Services
 - Killeen, Temple, Copperas Cove, Harker Heights, Belton, Central Bell Fire Rescue, Morgan's Point Resort
- Provides additional resources for complex emergency incidents
- Alternatives:
 - Not Entering into the agreement
 - Results in lack of resources in large scale events
 - Enter into agreement
 - Creates cooperation between all local fire departments and KFD
 - Provides depth of resources to mitigate large scale events

Interlocal Mutual Aid Agreement For Fire Services

- Financial impact
 - In most cases this saves money
 - Events of this nature are unpredictable
- All but the most catastrophic events are covered by budgeted funds
- Staff recommends that the City Manager be authorized to execute the Interlocal Mutual Aid Agreement For Fire Services



City of Killeen

Legislation Details

File #: RS-18-015 Version: 1 Name: Unleaded, Gasoline Bid 18-07

Type:ResolutionStatus:ResolutionsFile created:2/15/2018In control:City Council

On agenda: 3/13/2018 Final action:

Title: Consider a memorandum/resolution awarding Bid No. 18-07 for a contract with Big Chief Dist. Co.,

Inc. to purchase unleaded gasoline for the Killeen-Fort Hood Regional Airport.

Sponsors: Aviation Department

Indexes:

Code sections:

Attachments: Staff Report

Bid 18-07 Contract

Certificate of Interested Parties

Presentation

Date Ver. Action By Action Result

3/6/2018 1 City Council Workshop



STAFF REPORT

DATE: March 6, 2018

TO: Ronald L. Olson, City Manager

FROM: Matthew Van Valkenburgh A.A.E., Executive Director of Aviation

SUBJECT: Contract Award for Bid 18-07, Unleaded Gasoline

BACKGROUND AND FINDINGS:

The Aviation Department stocks and resells unleaded gasoline to the tenant rental car companies at the Killeen-Fort Hood Regional Airport. The average monthly sales volume is about 4,100 gallons per month. Typical Airport purchase requirements are about 800 to 1200 gallons with approximately one delivery per week. Due to the nature of this retail fuel business the fact that payment of all state and federal taxes are required and that all delivery quantities are for less than transport load amounts, the Airport bulk motor fuel supply is not included in the scope of services with the Texas Fleet Fuel contract, under which most of the City's fuel is procured.

An invitation for bid was advertised in the Killeen Daily Herald on January 7 and January 14, 2018. The invitation for bid was also advertised and bid specifications were available for download on the City's web site and various bidding web sites used by the City for procurements.

At the close of specified time for bids at 2:00 PM, Friday, February 9, 2018, one sealed bid was received from Big Chief Dist. Co., Inc., Killeen, TX.

Wholesale fuel prices fluctuate daily due to a number of market factors. To establish a fair pricing mechanism for each Airport purchase throughout the term of the contract, the bidder used a wholesale price plus a vendor gross profit (or mark-up). The pricing also includes the applicable state and federal taxes, since the fuel will be resold by the Airport to the rental car companies.

The February 1, 2018 indexed bid from Big Chief Dist. Co., Inc. was \$2.355 per gallon. This amount is based upon a wholesale price of \$1.831, state and federal taxes of \$0.384, and the bidder's gross profit of \$0.140. The \$0.140 gross profit bid amount will then be used throughout the term of the contract to establish the price that the City will actually pay per gallon for the fuel on any particular day. (Current wholesale price from vendor's supplier + \$0.384 state and federal tax + bidder's profit per gallon = total unit price per gallon). Regardless of the wholesale price change, the bidder's gross profit per gallon remains the same.

The term of the proposed fuel contract is one year beginning April 1, 2018 with an option for a one-year extension, if mutually agreed to by both parties.

Staff has determined the bid from Big Chief Dist. Co., Inc. at a February 1, 2018 indexed price of \$2.355 per gallon (including applicable taxes) is a responsible and responsive bid which meets the minimum requirements established in the specifications.

THE ALTERNATIVES CONSIDERED:

Alternatives considered: (1) award the contract with Big Chief Dist. Co., Inc.; or, (2) reject the bids.

Which alternative is recommended? Why?

Staff recommends alternative (1), award the contract to Big Chief Dist. Co., Inc. This bid provides the required product at market price. Staff research has also determined there are currently no other known fuel jobbers close enough to Killeen that could provide the relatively small delivery amounts at the frequency required for a reasonable price.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

Funds are budgeted in the Aviation Department Cost of Goods - Motor Gas account #525-0505-521.50-19. The budgeted amount for FY 18 Cost of Goods - Motor Gas is \$72,500.

What is the amount of the expenditure in the current fiscal year? For future years?

Actual expenditure amount depends upon the amount of fuel purchased and the actual market price of fuel through the term of the contract and the possible one year extension. Estimated amount of expenditure for purchase of fuel on this new contract for the remainder of FY 2018 is \$36,250. FY 2019 expenditure estimate is \$36,250.

The Airport is expecting revenue of approximately \$1,600 in annual gross profits to the Airport enterprise fund for the resale of this fuel to the rental car tenants.

Is this a one-time or recurring expenditure?

Fuel purchases on this contract are on a recurring, as needed, basis to refill the Airport bulk tank following the Airport's retail sale of gasoline to tenant rental car companies. Typical purchase amounts are between 800 and 1,200 gallons.

Is this expenditure budgeted?

Yes

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

Yes

RECOMMENDATION:

City Council approve the contract with Big Chief Dist. Co., Inc. for the purchase of unleaded gasoline delivered to Killeen-Fort Hood Regional Airport; and authorize the City Manager to execute same, and all amendments or supplemental agreements within the amounts set by State and local law.

DEPARTMENTAL CLEARANCES:

Finance Legal

ATTACHED SUPPORTING DOCUMENTS:

Bid No. 18-07 Contract Certificate of Interested Parties

Invitation for Bid

City of Killeen, Texas
Sealed bids will be received for:

Gasoline, Unleaded Bid No. 18-07

Sealed bids will be received until 2:00 p.m. on February 9, 2018

Return Bid to:

City of Killeen Attn: Purchasing Division 802 N. 2nd Street, Bldg. E Killeen, Texas 76541

CITY OF KILLEEN BID # 18-07 GASOLINE, UNLEADED SERVICES TABLE OF CONTENTS

- I. NOTICE TO BIDDERS
- II. INFORMATION AND INSTRUCTION TO BIDDERS
- III. CITY OF KILLEEN TERMS AND CONDITIONS
- IV. ADDITIONAL QUESTIONS
- V. REFERENCES
- VI. BID SPECIFICATIONS
- VII. BID FORM
- VIII. BIDDER'S CHECKLIST
 - IX. CONTRACT

I. NOTICE TO BIDDERS

Notice to Bidders Bid 18-07 Unleaded Gasoline Killeen-Fort Hood Regional Airport City of Killeen, Texas

Notice is hereby given that the City of Killeen will receive sealed bids for *Gasoline*, *Unleaded*, addressed to the City of Killeen, Attn: Purchasing Division, 802 2nd Street, Bldg. E, Killeen, Texas 76541, until 2:00 p.m. on February 9, 2018, and at 2:15 p.m. the bids shall be publicly opened and read aloud in the City Hall Council Chambers, City Hall, First Floor, 101 N. College Street, Killeen, Texas 76541. Bid submissions shall be plainly marked with the name and address of the bidder and "BID NO. 18-07 Gasoline, Unleaded 2:00 p.m., February 9, 2018." Submittals received after the closing time will be returned unopened.

No pre-bid conference will be held. Questions will be accepted via email by Randy Jimenez at rjimenez@killeentexas.gov with a copy to airport@killeentexas.gov through February, 2, 2018 at 2:00 p.m. Questions will be answered in the form of an addendum and posted to the City's website. It is the proposer's responsibility to obtain and acknowledge all addendums.

Complete information regarding this solicitation may be obtained from the City of Killeen website (http://www.killeentexas.gov/purchasing), Demand Star (http://www.demandstar.com/), and ESBD (http://portal.cpa.state.tx.us).

The City of Killeen reserves the right to reject any or all proposals and waive any irregularities.

CITY OF KILLEEN, TEXAS

Randy Jimenez Purchasing Manager

II. INFORMATION AND INSTRUCTIONS TO BIDDERS

Preparation of Bids:

This is your notice that sealed bids, in triplicate, for Gasoline, Unleaded subject to the Terms & Conditions of this Invitation for Bids (General Terms and Conditions attached hereto) and such other contract provisions, specifications or other data as are attached to this Bid (known as the bid packet), will be received at the Purchasing Office, 802 N. 2nd Street, Bldg. E, Killeen, TX, 76541, until the hour of 2:00 p.m., February 9, 2018. At exactly 2:15 p.m., the bids will be opened and read aloud in the Council Chambers. Any bid received after the closing time will be returned unopened. No late bids will be accepted. All bids shall be submitted as listed below. Complete bids received by electronic means or complete faxed bid responses will not be considered.

One (1) signed and initialed where indicated original copy in ink (not pencil) and two (2) copies of the entire bid packet shall be submitted at the above location prior to the bid deadline. Please indicate which copy is an original within your bid submission. All bidder markings on the bid packet shall be in a legible format in English. Any non-legible markings may make the bid non-responsive and disqualify your bid submission. All errors or changes in the bid shall be corrected by striking through the error or change once with ink. The bidder shall initial next to each correction made. All corrections shall be complete and final before submitting your bid by the stated deadline. Bidders shall submit at least three (3) businesses as references of the proposed item, with addresses, telephone numbers and contact persons.

The City of Killeen (or "City") reserves the right to reject any or all bids and evaluate any or all Gasoline, Unleaded bids prior to bid award. Bid documents must be complete and sealed in an envelope when received by the Purchasing Office. Bids must be plainly marked on the outside of the envelope as follows: Bid No. 18-07, Gasoline, Unleaded, 2:00 p.m., February 9, 2018. All bidder submissions shall also have the bidder's name with contact information marked on the outside of the envelope.

In the case of inclement weather or any other unforeseen event causing the City to close for business or delay opening, bids will be received and opened the following business day at the designated time stated herein. For example, if bids are due on Friday at 2:00 p.m. and the City is closed on Friday for bad weather or an unforeseen event, the bids will be accepted until Monday, 2:00 p.m. or if bids are due at 2:00 p.m. on Friday, but the City opened at 10:00 a.m. on Friday due to bad weather or an unforeseen event, then bids will be accepted until Monday, 2:00 p.m.

Any questions or requests for clarification must be submitted to the Purchasing Office, in writing, to <u>rjimenez@killeentexas.gov</u> with a copy to <u>airport@killeentexas.gov</u> prior to **2:00 p.m.** on February **2, 2018**. Please indicate "Bid 18-07 Questions" in the subject line of your email. There will be no exceptions. All responses to the questions will be sent to all known bidders who have expressed interest in this bid. Unauthorized contact regarding this Invitation to Bid with any City of Killeen employees or contractors may result in disqualification. Any oral communications will be considered unofficial and non-binding on the City of Killeen. Bidders should rely only on written statements issued by the individual named above.

Term:

Contract term shall be for a one year (1) period and may be extended for a one (1) year period(s) if so agreed to by both parties. If the City or bidder should decline any renewal period or after the exhaustion of the entire contract term, the City may request up to an additional sixty (60) days past any contract term to advertise and award a new bid for such items without any pricing adjustments.

Pricing & Term Renewals:

Pricing shall remain firm during the initial term of the contract. If the bid is renewed for additional period(s), additional purchases may be made during the subsequent periods. At the time of contract renewal, price increases will be considered by the City only as a result of a tax increase. The amount bid for profit must be a firm fixed unit amount per gallon during the contract; the profit shall be set to four (4) decimal places, and shall be identified in the vendor's bid. This per gallon profit shall include any and all costs involved with the supply and delivery of gasoline to the Airport to include any applicable Taxes and the Petroleum Product Delivery Fee. This amount per gallon must be entered in on the bid sheet.

SAMPLE VENDOR PRICING:

GASOLINE, UNLEADED, 87 OCTANE, WITH A MAXIUM 10% ETHANOL TRANSPORT TRUCK DELIVERY (TTD)

(A)		(B)		(C)		(D)
OPIS \$ / GALLON As of 10/17/2017		Tax / per gallon		PROFIT PER GALLON		TOTAL UNIT PRICE PER GALLON
\$2.6104	+	\$.200 (St. Tax) \$.184 (Fed. Gas Tax) \$.384 Total Tax	+	\$.0550	=	\$3.0494

6.2 Sample OPIS Report

Sample of OPIS Report for Waco, Texas as of 10/17/2013

		3	ample of C	ILIO Keboi	TI IOF Wac	o, Texas as	of 10/17/20)13	
WACO, TX						2	2013-10-	17 10:	00:30 EDT
		OPIS	CONTRAC	T BENCHM	MARK FIL	E			
	**	OPIS GRO							9.0 RVP
								Move	
	Terms	Unl	Move	Mid	Move	Pre	Move	Control of the Contro	Time
Shell	u N-10	259.00	+ 1.60	271.00	+ 1.60	1000 1000 1000 AND	-	10/16	
FlntHlsRs	u N-10	259.15	+ 2.00	270.03	+ 2.00	291.15	+ 2.00		
Global	u 1-10	262.76	+ 2.05	267.23					
Delek	u N-10	263.25	+ 2.40				+ 2.40		
PSX	b 1-10	265.00	+ .80	273.59		295.30	+ .80		
	b 1-10	265.30	+ 1.20						
		265.55	+ 1.20	275.05	+ 1.20	296.55	+ 1.20		
	b 1-10				+ 2.35	294.70	+ 2.35		
Valero DS			+ 2.35	274.70	+ 2.35	294.70	+ 2.35		
	b 1t45c		+ 2.40	275.20	+ 2.40	296.90	+ 2.40		
	b 1-10	265.94	+ 2.22	275.54	+ 2.23				
LOW RACK		259.00		267.23		280.08			
HIGH RACK		265.94		275.54		296.90			
RACK AVG		263.93		273.00		292.83			
BRD LOW RAC		265.00		273.59		294.70			
BRD HIGH RA	ACK	265.94		275.54		296.90			
BRD RACK AV		265.58		274.80		295.63			
UBD LOW RAC		259.00		267.23		280.08			
UBD HIGH RA	National Company of the Company of t	263.25		271.00		293.25			
UBD RACK AV		261.04		269.42		288.16			
CONT AVG-10		263.93		273.00		292.83			
CONT LOW-10)/17	259.00		267.23		280.08			
CONT HIGH-1	10/17	265.94		275.54		296.90			
WACO, TX									
LOW RETAIL		298.6	0						
AVG RETAIL		306.2	3						
LOW RETAIL E		259.8							
AVG RETAIL E	X-TAX	267.4	7						

For purposes of bid evaluation, prices quoted will be based upon the unbranded rack average for 87 octane unleaded gasoline indexed against the "Oil Price Information Service" (OPIS) Gross Report for Waco, Texas, Contract Benchmark 10:00 a.m. EST, as in effect on February 2, 2018. A sample of the OPIS rack pricing (of another date) is provided for reference and corresponds with the sample pricing above. All proposers must calculate the unbranded rack average price per gallon + taxes + their bid amount for profit per gallon, which will equate to the total unit price per gallon. A copy of the "Oil Price Information Service" (OPIS) Gross Report for Waco, Texas, Contract Benchmark 10:00 a.m. EST, as in effect on February 2, 2018 shall be included with your bid response to provide documentation of your offered pricing in this ITB.

Response, Property of the City of Killeen:

All materials submitted in response to this request become the property of the City of Killeen. Selection or rejection of a response does not affect this right.

No Obligation to Buy:

The City of Killeen reserves the right to refrain from contracting with any bidder. The release of this Invitation for Bids does not compel the City of Killeen to purchase.

Cost of Preparing Bids:

The City of Killeen is not liable for any costs incurred by bidders in the preparation and presentation of bids and demonstrations submitted in response to this Invitation to Bid.

Withdrawal of Bid: A bidder may withdraw a bid that has been submitted at any time up to the bid opening due date and time. To accomplish this, a written request signed by an authorized representative of the bidder shall be submitted to rimenez@killeentexas.gov. Once the bids are opened, all bids shall be valid for a period of ninety (90) days after the bid opening.

Bidding Error:

The City of Killeen will not be liable for any errors in any bidder's bid. Bidders will not be allowed to alter bids after the deadline for the submission of bids.

When, after the opening and tabulation of bids, a bidder claims error, and requests to be relieved of award, it will be required to promptly present corrected data in writing signed by an authority figure with the company. This written response shall be received by the Purchasing Division within two (2) business days after the stated bid open time and date. The Purchasing Division will review the data and if the City is convinced, by clear and convincing evidence, that an honest, mathematically excusable error or critical omission of costs has been made, and said error is legally excusable, the bidder may be relieved of its bid. The City will make a determination within ten (10) business days of receipt of the written response and notify the bidder of the outcome.

Single Bid Response:

A single response to this Invitation for Bids may be deemed a failure of competition and in the best interest of the City of Killeen, the response received may be rejected.

Award of Bid:

The City will award the bid in a manner described in section 10 of the General Terms and Conditions. Each bidder will be ranked in accordance with best value procedures. A purchase contract will be issued to the lowest qualified bidder, that meets the minimum specifications and the evaluation criteria. The anticipated date of the notice of award is March 13, 2018.

Estimated Quantities:

Quantities listed are estimates and the City may increase or decrease the number of items needed. These estimated quantities shall not be construed as a minimum or a maximum quantity that the City of Killeen may need.

Minimum Qualifications:

Vendors must have a minimum of two years of continuous	s operation in providing Gasoline, Unlea	ded Services:
Has the company operated in this capacity for at least 2 ye	ars without interruption?	Yes: No:
Indicate the company's first year of business operation:	1942	

Payment:

The City shall be billed only for the items awarded in this bid. The City of Killeen is sales tax exempt. The bidder shall have the capability to invoice accurately, making any corrections on the original invoice. Invoices shall be correct when received with the prices shown within your bid submission.

If a discrepancy is found on any invoice, the Aviation department will phone your customer service point of contact for correction. Payment of a corrected invoice will be made in thirty (30) days once the corrected invoice has been received. Unless the bidder has provided discount payment terms such as 2% 15 net 30 days, no down payment or advance payment of any kind shall be made. In no circumstances should any invoice dispute last longer than thirty (30) days.

All invoices shall be submitted to the Killeen Fort-Hood Regional Airport, 8101 S. Clear Creek Rd, Box C, Killeen TX 76549.

Delivery Information:

Deliveries shall be made to the Killeen Fort-Hood Regional Airport; 8101 Clear Creek Rd. within 24 hrs. after calling in a fuel order. Delivery can be scheduled Monday through Friday between the hours of 7:00 a.m. and 4:00 p.m. The Aviation Department shall have the ability to schedule the best date and time of the week for their deliveries.

Foint of contact to resolve issues (delivery or invoice):	
NAME: John G'ilmare	
TITLE:	
ADDRESS: ILL E. Ave. D	
Killern IX 76941	
EMAIL ADDRESS: <u>Sigchiefdist @ embang Mail</u> i (un	^
PHONE: 324-134-1341	
FAX: _ 25-1-634-6393	

Copyright Materials:

Materials listed in your bid submission that are copyrighted shall be listed clearly under a copyrighted materials section within your bid submission (see page 19 for more information).

Non-Endorsement:

As a result of the selection of a bidder to supply products and/or services to the City of Killeen, the City of Killeen is neither endorsing nor suggesting that the bidder's product is the best or only solution. The bidder agrees to make no reference to the City of Killeen in any literature, promotional material, brochures, sales presentation or the like without the express written consent of the City of Killeen.

Organization of Your Bid Submission:

Your bid submission shall be organized in the format shown within this bid. Any exception(s) or additional information provided shall be referenced in your bid submission behind the bid packet.

Signature of Acceptance:

by the signature hereon affixed, the bidder hereby certifies that neither the bidder nor the entity represented by the bidder, or anyone cting for such entity has violated the antitrust laws of the State of Texas, codified in Section 15.01 et seq., Texas Business and commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly, prior to the bid opening with any competitor rany other person engaged in such line of business.

Undersigned acknowledges that addenda ____ through ___ have been taken into account as part of this bid.

The bidder agrees to comply with all conditions within this invitation for bids:

Full Legal Name of Company	Big Chief Dist Co. Inc.
Address	114 E. Ase D
City, State, Zip	Killer TX 76541
Phone Number	124-124-5491
Fax Number	354.634-6393
After Hours Phone Number	354-392-5401
Email Address	bigitietaist @ embarg Mail. co
Tax Identification Number	77-2049581
Signature of Authorized Agent	John Filmer
Printed Name of Authorized Agent	John Gilmore
Title	P-67.
Date	2-7-18

*PLEASE ATTACH A COPY OF YOUR W-9 FORM FILLED OUT

W-9 Forms are available online at: http://www.irs.gov/pub/irs-pdf/fw9.pdf

Vendor Name:	Big chief AST. Co. Inc.	
1099 Name:		
Tax ID#:	74-104 9881	
List the type of product or service:	Fuel	

Remit to address	(if different from above):	
Address #1	P.O. Bay 85	
Address #2		
City/State/Zip	Killaen Tx 76540	
Phone#:		
Fax Number:		
Contact Person:		

Form (Rev. November 2017) Department of the Treasury Internal Revenue Service

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS

	1 Name (as shown on your income toy roturn) Name is required as this live it			-		-		-	MARKET PARKET		
	1 Name (as shown on your income tax return). Name is required on this line; do Big Chief Dist. Co. Inc.	not leave this line blank.									
	Business name/disregarded entity name, if different from above										
	, , , , , , , , , , , , , , , , , , , ,										
Print or type. Specific instructions on page 3.	3 Check appropriate box for federal tax classification of the person whose nam following seven boxes. □ Individual/sole proprietor or □ C Corporation □ S Corporation	e is entered on line 1. Check only one of the 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):									
e.	single-member LLC	Exempt payee code (if any)									
Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership)							,pt payor	0000(,		
Print or type.	Note: Check the appropriate box in the line above for the tax classification LLC if the LLC is classified as a single-member LLC that is disregarded fro another LLC that is not disregarded from the owner for U.S. federal tax pu is disregarded from the owner should check the appropriate box for the ta	of the single-member ow om the owner unless the o	gle-member owner. Do not check er unless the owner of the LLC is bonutes a close present LC is code (if any)								
20	☐ Other (see instructions) ▶					(Applie	s to account	s maintair	ned outs	ide the	U.S.)
	5 Address (number, street, and apt. or suite no.) See instructions.		Request	er's	name a		dress (or			-	
See	114 E. Avenue D							- 6.0			
"	6 City, state, and ZIP code										
	Killeen, TX 76541										
Ī	7 List account number(s) here (optional)										
Part	Taxpayer Identification Number (TIN)										
Enter y	our TIN in the appropriate box. The TIN provided must match the name	e given on line 1 to avo	old	Soc	cial sec	urity	number				
Dacku	o withholding. For individuals, this is generally your social security num	her (SSM) However fo	ora [7		1 [〒	_	
residei	nt allen, sole proprietor, or disregarded entity, see the instructions for P s, it is your employer identification number (EIN). If you do not have a n	Part I later For other				-		-			
TIN, la	ter.	umber, see How to get						1 [
Note:	If the account is in more than one name, see the instructions for line 1.	Also see What Name a	and [Or Em	plover	identi	fication	numbe			7
Numbe	er To Give the Requester for guidelines on whose number to enter.	THOO GOO TITLE THAT TO A	,,u [7			T	÷	T	╡
			ŀ	7	4 .	- 2	0 4	9	5 8	3 1	1
Part	III Certification										
Under	penalties of perjury, I certify that:										
2. I am Serv	number shown on this form is my correct taxpayer identification number not subject to backup withholding because: (a) I am exempt from backice (IRS) that I am subject to backup withholding as a result of a failure onger subject to backup withholding; and	kup withholding or (h)	I have n	ot h	seen n	atifica	hu tha	Intorn	al Re d me	venu that	ue I am
	a U.S. citizen or other U.S. person (defined below); and										
	FATCA code(s) entered on this form (if any) indicating that I am exemp	t from FATCA reporting	a le corr	oct							
	cation instructions. You must cross out item 2 above if you have been not					aat ta	booleen	ما ما المارية	-14!-		
acquisi other th	ve falled to report all interest and dividends on your tax return. For real estation or abandonment of secured property, cancellation of debt, contribution an interest and dividends, you are not required to sign the certification, but	ate transactions, item 2	does no	t app	ply. Fo	r mor	gage int	erest	paid,		L_
Sign Here	Signature of U.S. person ▶ January	D	ate ⊳	ر	یا۔	- 1	8				
	neral Instructions	 Form 1099-DIV (div funds) 	idends,	incl	uding	those	from st	ocks (or mu	itual	
Section references are to the Internal Revenue Code unless otherwise noted. Form 1099-MIS proceeds)					s of inc	come	, prizes,	award	ds, or	gro	ss
related	developments. For the latest information about developments to Form W-9 and its instructions, such as legislation enacted ley were published, go to www.irs.gov/FormW9.	Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)									
	ose of Form	 Form 1099-S (proceeds from real estate transactions) Form 1099-K (merchant card and third party network transactions) 						2)			
	vidual or entity (Form W-9 requester) who is required to file an	• Form 1098 (home n									
informa	ation return with the IRS must obtain your correct taxpaver	1098-T (tuition)	3-3		/1		- 10:00	J 10	III		//
identifi	cation number (TIN) which may be your social security number	 Form 1099-C (cancel 									
(SSN),	individual taxpayer identification number (ITIN), adoption	 Form 1099-A (acqui- 						100		•	
(EIN), t	er identification number (ATIN), or employer identification number o report on an information return the amount paid to you, or other t reportable on an information return. Examples of information	Use Form W-9 only alien), to provide your	r correct	t TIN	٧.						
returns	include, but are not limited to, the following. 1099-INT (Interest earned or paid)	If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding,									
		later.									

III. GENERAL TERMS AND CONDITIONS

CITY OF KILLEEN

1. General Conditions

Bidders are required to submit their Bid upon the following express conditions:

- (a) Bidders shall make all investigation necessary to thoroughly inform themselves regarding plant and facilities for delivery of fuel and equipment as required by the Bid conditions. No plea of ignorance by the bidder of conditions that exist or that may hereafter exist as a result of failure or omission on the part of the bidder to make the necessary examinations and investigations, or failure to fulfill in every detail the requirements of the contract documents, will be accepted as a basis for varying the requirements of the City or the compensation to the bidder.
- (b) Unless specifically stated otherwise in the specifications, only new products or equipment will be acceptable.

2. Preparation of Bid

Bid will be prepared in accordance with the following:

- (a) All information required by the Bid shall be furnished. The bidder shall print or type his/her name and manually sign the Bid and each continuation sheet on which an entry is made.
- (b) Unit prices shall be shown and where there is an error in extension of the price, the unit price shall govern.
- (c) Alternate Bids will not be considered unless authorized by the City.
- (d) Proposed delivery time must be shown and shall include weekends and holidays if requested by the City.
- (e) The City qualifies for exemption from State and Local Sales and Use Taxes pursuant to the provision of Article 20.04(f) of the Texas Limited Sales, Excise and Use Tax Act. Taxes normally levied on the purchase, rental and lease of materials, supplies and equipment used or consumed in performance of the Contract may be exempted by issuing to suppliers an exemption certificate in lieu of tax. Exemption certificates comply with State Comptroller of Public Accounts Ruling No. 95-0.07. Any such exemption certificate issued in lieu of tax shall be subject to State Comptroller of Public Accounts Ruling No. 95-0.09, as amended. Failure by the Bidder or the bidder's Subcontractors s to take advantage of the City's exemption and to obtain such exemption certificate shall make him responsible for paying taxes incurred on materials furnished on the Project without additional cost to or reimbursement by the City.

3. Description of Supplies

Any catalog of manufacturer's reference used in describing an item is merely descriptive, and not restrictive, unless otherwise noted, and is used only to indicate type and quality of material. Bidders are required to state exactly what they intend to furnish; otherwise they will be required to furnish the item as specified.

4. Submission of Bid

By submitting your Bid, you acknowledge that the City of Killeen will not accept any Bid, or execute any submitted contract in conjunction with a Bid that requires the City to agree to any of the following:

- Governing law other than the law of the State of Texas
- Venue other than Bell County
- · Mandatory arbitration
- Artificial limitation of liability
- Artificial statute of limitation
- Waiver of trial by jury
- (a) Bid and changes thereto shall be enclosed in a sealed envelope addressed to the Purchasing Office, City of Killeen. The names and address of Bidder, the date and hour of the Bid opening and the Bid number shall be placed on the outside of the envelope.
- (b) Bids must be submitted on the forms furnished. Telegraphic Bids will not be considered. However, Bids may be modified by written notice provided such notice is received prior to the time and date set for the Bid opening.
- (c) All Bid documents shall be sealed and submitted no later than the specified date and hour of the Bid opening to:

<u>Delivery Address:</u>
City of Killeen
Attn: Purchasing Division
802 2nd Street, Bldg. E
Killeen, TX 76541

5. Rejection of Bid

- (a) The City may reject a Bid if:
 - 1. The Bidder misstates or conceals any material fact in the Bid, or if
 - 2. The Bid does not strictly conform to law or the requirements of the Bid, or if
 - 3. The Bid is conditional, except that the Bidder may qualify his Bid for acceptance by the City as an "All or None" basis.
- (b) The City may, however, reject all Bids whenever it is deemed in the best interest of the City to do so, and may reject any part of a Bid unless the Bid has been qualified as provided in section 5(a) 3 above.

6. Withdrawal of Bid

Bid may not be withdrawn for up to ninety (90) days after the time set for the Bid opening, unless otherwise stated in the Bid.

7. Late Bid or Modifications

Bid and modifications received after the time set for the Bid opening will not be considered.

8. Clarification or Objection to Bid Specifications

If any person contemplating submitting a Bid for this contract is in doubt as to the true meaning of the specifications, or other Bid documents, or any part thereof, he may submit to Purchasing, a request for clarification by the deadline established in the Bid. All such requests for information shall be made in writing and the person submitting the request will be responsible for its prompt delivery. Any interpretation of the Bid, if made, will be made only by an addendum duly issued. A copy of such addendum will be distributed to all known bidders who have expressed an interest in this bid. The City will not be responsible for any other explanation or interpretation of the proposed Bid made or given prior to the award of the contract. Any objection to the specifications and requirements, as set forth in the Bid documents must be filed in writing with the Purchasing Division by the deadline established in the Bid.

9. Discounts

- (a) Prompt payment discounts will be considered in making the award provided the period of the discount offered is sufficient to permit payment within such period in the regular course of business.
- (b) In connection with any discount offered, time will be computed from the date of receipt of supplies or services or from the date a correct invoice is received, whichever is the later date. Payment is deemed to be made on the date of mailing of the check.

10. Award of the Contract

- (a) The contract will be awarded to the lowest responsible bidder or, if applicable, the responsible bidder who provides goods or services at the best value for the municipality based on, but not limited to, the following factors:
- * Unit price
- * Total Bid price
- * Terms and discounts
- * Delivery date
- * Product warranty
- * Special needs and requirements of City
- * Past experience with product/service
- * City's evaluation of the bidder's ability, financial, strength, and ethical standards
- * Quality of the bidder's goods or services
- * The extent to which the goods or services meet the municipality's needs

- * Bidder's past performance
- * Demurrage charges, freight costs and mileage
- * Estimated costs of supplies, maintenance, etc.
- * Estimated surplus value, life expectancy
- * Results of testing samples
- * Conformity to specifications
- * Training requirements, location, etc.
- Location of maintenance facility/service person; ability to provide for minimum down time
- * The total long-term cost to the municipality to acquire the bidder's goods or services
- (b) The City reserves the right to accept any item or group of items of this Bid, unless the Bidder qualifies his Bid by specific limitation. Reference section 5(a) 3 above.
- (c) A written award of acceptance mailed or otherwise furnished to the successful Bidder will follow council approval. A contract, for review by the City's legal team, shall follow receipt.
- (d) Prices must be quoted "F.O.B. Destination (Killeen) with all transportation charges prepaid," unless otherwise specified in the Bid.
- (e) If identical Bids are received from two or more bidders and those Bids are the lowest and best Bid, the tie shall be broken in accordance with provisions in Section 271.901 of the Texas Local Government Code.

- As stated in Section 271.905 of the Texas Local Government Code, "In purchasing under this title any real property or personal property that is not affixed to real property, if a local government receives one or more competitive sealed Bid from a bidder whose principal place of business is in the local government and whose Bid is within three percent of the lowest Bid price received by the local government from a bidder who is not a resident of the municipality, the local government may enter into a contract with: (1) the lowest bidder; or (2) the bidder whose principal place of business is in the local government if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government."
- As stated in Section 271.9051(b) of the Texas Local Government Code, "In purchasing real property or personal property that is not affixed to real property, or services, if a municipality receives one or more competitive sealed Bid from a bidder whose principal place of business is in the municipality and whose Bid is within five percent of the lowest Bid price received by the municipality from a bidder who is not a resident of the municipality, the municipality may enter into a contract for an expenditure of less than \$100,000 or a contract for other purchases in an amount of less than \$500,000 with: (1) the lowest bidder; or (2) the bidder whose principal place of business is in the municipality if the governing body of the local government determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality."

11. Bid Protest

Any bidder wishing to file a protest concerning alleged improprieties with this solicitation must submit the protest in written format to the Purchasing Division within 5 business days after the specified time of the Bid opening. The formal written protest must identify the name of the bidder contesting the solicitation, the project name and number, and the specific grounds for the protest with all supporting documentation. A response to the protest will be prepared by Purchasing within 10 business days of receipt of the protest. All determinations made by the City are final.

12. Termination of Contract

Any contract pursuant after this bid packet shall remain in effect until the contract expires, delivery/completion and acceptance of products and/or performance of services ordered or until terminated by either party with a thirty (30) day written notice prior to any cancellation. The City reserves the right to award a contract to next best bidder it deems to be in the best interest of the City, should a contract be awarded and subsequently cancelled.

13. Assurance of Compliance

For Equal Employment Opportunity and Small and/or Minority Business Enterprise Requirements the bidder agrees that if this Bid is accepted, he/she will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, religion, national origin, sex, age, handicap, or political belief or affiliation.

14. Conflict of Interest Disclosure Questionnaire

The Bidder agrees that if a member of the City Council or a councilmember's close relative or any officer or employee of the City has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the City, or is financially interested, directly or indirectly, in the sale to the City any land, materials, supplies or services except on behalf of the City, as an officer or employee, the official shall file before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

- (a) in the case of a substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
- (b) in the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

Chapter 176 of the Texas Local Government Code mandates the public disclosure of certain information concerning persons doing business or seeking to do business with the City of Killeen, including affiliations and business and financial relationships such persons may have with the City of Killeen. An explanation of the requirements of Chapter 176 and complete text of the law are available at:

http://www.statutes.legis.state.tx.us/SOTWDocs/LG/htm/LG.176.htm

15. Venue for Legal Action

The standard form of agreement later referenced in this bid packet (page 19) shall be governed and construed according to the laws of the State of Texas. Venue for purposes of any and all lawsuits, causes of actions, claims or disputes shall be in Bell County, Texas.

16. Conflicts in Terms and Conditions for Bids

If any conflicts exist between the Terms and Conditions for Bids and the standard form of agreement between the owner and Bidder, the standard form of agreement between the owner and bidder shall prevail.

17. Insurance

All bidders shall have the appropriate amount of insurance while delivering the items once awarded. This coverage shall be present as to cover all losses, until the City accepts the items in writing.

A. Comprehensive General Liability and Property Damage Insurance.

The bidder shall take out and maintain during the life of this Contract such Comprehensive General Liability and Property Damage Insurance as shall protect the City from claims for damages or personal injury, including accidental death, as well as from claims for property damages which may arise from delivering the item under this contract, whether such operations be by himself or by an subcontractor or by anyone directly or indirectly employed by either of them, and the minimum amounts of such insurance shall be as follows:

Bodily Injury.

- (1) Each Occurrence \$1,000,000
- (2) Annual Aggregate \$2,000,000

Property Damage Insurance.

- (1) Each Occurrence \$1,000,000
- (2) Annual Aggregate \$2,000,000

B. <u>Comprehensive Automobile Liability.</u>

Bodily Injury

- (1) Each Person \$500,000
- (2) Each Accident \$1,000,000

Property Damage

(1) Each Occurrence - \$1,000,000

18. Verification by Vendor

Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

19. Acknowledgement

Each bidder, by their signature, represents that they have read the "Terms and Conditions for Bids", and will comply with these terms and conditions.

By signing this document, the respondent hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes

Additionally, the City may not enter into a contract for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials or equipment with a company engaged in business with Iran, Sudan or a foreign terrorist organization.

	ande Karle	2 7 18
SIGNATURE:	- John Jelina	DATE: -) - / - \0
PRINT NAME: _	John Gilmore	DATE.

IV. Additional Questions

Additional Questions:

. . .

Can delivery be made as specified in the specifications?	Yes: No:
When can delivery be made after award (number of days)?	
Has an owner of the company been convicted of a crime within the past 10 years?	Yes: No:
Has company been in bankruptcy, reorganization or receivership in the last 5 years?	Yes: No:
Has company been disqualified or debarred by any public agency, including the Federal Government, from participation in public contracts?	
	Yes: No:
Does any employee or official of the City have any financial or other interest in your firm?	Yes: No:
Does bidder maintain insurance as specified herein (see insurance requirements within the specifications and terms and conditions)?	
specifications and conditions):	Yes: No:
If no, describe differences:	
Insurance Broker Name: Federated Ins. Billy	Barunda
Insurance Broker Phone: 388 - 333 - 4949 354 - 85	7 - 3977
Insurance Broker Fax: 354 - Lett - 1845	
Are there claims that are pending against this insurance policy?	Yes: No: <u></u>
If yes, describe:	
List the most recent sales that you have with other public agencies, if any, and/or other customers unleaded:	(up to five) regarding a gasoline,
Cobbras Cons ISO	
weil #1 - Killer	
C:ty at Burnet	

V. REFERENCES

Include below three references:

* **

Reference #1 Company Name Reference #1
Address Son Kin
Killera TX 76542
Type of Business Junia Lyair - Service States
Contact Person_ Glas Grandy
Telephone and Fax #'s 354 - 634 - 1064
Reference #2
Company Name KISD
Address 100 W.S. Vang
16:11644 IX JOSUS 3
Type of Business Salasa\
Contact Person Charles an Thelma
Telephone and Fax #'s 330-0124 223-2548
Reference #3
Company Name Lite Harles Highly
Address 355 Milles Cossing
Hade- Hall to Tx Deliver
Type of Business
Contact Person
Telephone and Fax #'s 699-5824

VI. BID SPECIFICATIONS

SPECIFICATIONS:

- This contract is for Gasoline, unleaded, 87 octane with a maximum of 10% ethanol.
- Requested product will be delivered to the Killeen-Fort Hood Regional Airport within 24 hours after request, holidays excluded.

MINIMUM SPECIFICATIONS UNLEADED FUEL

INTENT:

City of Killeen intends to contract with a qualified vendor for the purchase and delivery of gasoline, unleaded. The contract period shall be for a period of one (1) year with possible extension of one (1) year period by mutual consent.

PRICING:

- All transportation and complete delivery charges shall be included in the price bid.

EVALUATION/AWARD:

- This contract covers Gasoline, unleaded, 87 octane only.
- Contract is for new, unused products.

VENDOR QUALIFICATIONS:

The primary benefit to the City in contracting for the purchase of petroleum products is to be assured of delivery throughout the contract period at fair market price. Therefore, vendor qualification is paramount and the City reserves the right to require post bid documentation to the degree felt necessary in order to determine the ability of the bidder to meet all contractual demands. This includes, but is not limited to requiring that a "middleman" or Jobber submitting a bid to furnish a letter of agreement from his supplier acknowledging with approval, the estimated volumes to be furnished during the contract period.

ESTIMATATED QUANTITIES & DELIVERY METHODS:

Annual purchase quantities are not guaranteed, but are ESTIMATED from at 48,000 to 55,000 gallons based upon past usage. Weekly purchases are estimated to be between 500 and 2300 gallons. One delivery per week is anticipated.

GASOLINE, UNLEADED, 87 OCTANE, WITH A MAXIUM 10% ETHANOL

Delivery amounts between 500 and 2300 gallons.

(A) (B)			(C)		(D)	
OPIS \$ / GALLON As of		Tax / per gallon		PROFIT PER GALLON		TOTAL UNIT PRICE PER GALLON
1.831	+	\$.200 (St. Tax) <u>\$.184 (Fed. Gas Tax)</u> \$.384 Total Tax	+	,1400	=	2.355

Any price increase shall be passed onto the City at par without any additional profit, markup or overhead. Any price increase shall be requested by the successful bidder, in writing, and accompanied with the appropriate documentation to justify the increase, prior to sixty (60) days of any renewal term. The successful bidder may offer price decreases of any type at any time.

Any request in price change with supporting documentation shall be sent to the following address only:

City of Killeen Attn: Purchasing Division 802 2nd Street, Bldg. E Killeen, TX 76541

On the outside of the envelope please write "Price Change Notification Bid 18-07"

VIII. BIDDERS CHECKLIST

I learned of this invitation to bid by the following means:

Personal Trip to Purchasing Division

☐ Electronic State Business Daily Website

FLINT HILLS RESOURCES, LP PRICE QUOTATIONS

EFFECTIVE

05:00 PM 02/01/18

BIG CHIEF DISTRIBUTING CO., INC AR# 44856

ORIGINS:			WACO-FHR
#2S15 TXLED		0.0125	2.0960
#2S15 TXLED	RED	0.0125	2.0995
87NL 10%ETH	A	0.0000	1.8310
89NL 10%ETH	A	0.0000	1.9330
93NL 10%ETH	A	0.0000	2.1310

IF YOU DO NOT RECEIVE A PRICE CHANGE NOTICE BY 5:00 P.M. PLEASE CALL YOUR REGIONAL OFFICE. THANK YOU

Killeen Daily Herald Newspaper Advertisement		
City of Killeen Website	∏Phone Call to City of	Killeen Purchasing Div.
Onvia DemandStar Website		(please list)
If you are on the City of Killeen bidder's list and are no		
Delivery information noted, pages 7 Customer service point of contact listed, page 7		
Signed signature page, addenda noted (if any) and a Terms and Conditions acknowledged, page 13 Additional Questions filled out, page 14 List references, page 15	ttached W-9 Form page 8	
Bid Specification, pages 16 Bid Form filled out, page 17 Conflict of Interest Questionnaire Form filled out		
Insert any relevant brochures or catalogs about the Within your bid submission insert one original copy	bid items of the entire bid packet with two co	pies to:
City of Killee Attn: Purcha 802 2 nd Street	sing Division	

Killeen, TX 76541

IX. CONTRACT

CONTRACT FOR PURCHASE OF UNLEADED GASOLINE

This	Contract is entered into	effective as of the	day of	. 2018.	by and between Tl	he City of Killeer
-		erreem to do or the	uuj 01	, 2010,	by and between in	HE CITY OF MILEE

AND, WHEREAS, on, the City Council of the City of Killeen approvement to at a February 2, 2018 indexed price of \$ per gallon; NOW, THEREFORE, the parties state and agree as follows: 1. The full terms and specifications of the contract are as stated in the completed and signed from, dated February 9, 2018 and are incorporated herein. 2. This contract may be extended for a one (1) year period if agreed to by both parties. It party otherwise in writing between thirty (30) and sixty (60) days prior to the expiration that both parties agree to the extension, and the contract will automatically be so extended 3. Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing business activities with, or taking any action that is intended to penalize, inflict economic.	the award of a one year purchased bid submittal f neither party has notified the other of the initial term, it will be assumed under the same terms. the term of this contract.
AND, WHEREAS,	the award of a one year purchased bid submittal f neither party has notified the other of the initial term, it will be assumed under the same terms. the term of this contract.
AND, WHEREAS, on, the City Council of the City of Killeen approvement to at a February 2, 2018 indexed price of \$ per gallon; NOW, THEREFORE, the parties state and agree as follows: 1. The full terms and specifications of the contract are as stated in the completed and signed from, dated February 9, 2018 and are incorporated herein. 2. This contract may be extended for a one (1) year period if agreed to by both parties. It party otherwise in writing between thirty (30) and sixty (60) days prior to the expiration that both parties agree to the extension, and the contract will automatically be so extended 3. Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing business activities with, or taking any action that is intended to penalize, inflict economic.	the award of a one year purchased bid submittal f neither party has notified the other of the initial term, it will be assumed under the same terms. the term of this contract.
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business activities with, or taking any action that is intended to penaltize, inflict economic	to deal with terminating
relations specifically with Israel, or with a person or entity doing business in Israel or in an abes not include an action made for ordinary business purposes.	harm on, or limit commercial I Israeli-controlled territory, but
4. Additionally, the City may not enter into a contract for general construction, an improvement works project or for a purchase of supplies, materials or equipment with a company engagor a foreign terrorist organization.	ement, a service, or a public ed in business with Iran, Sudan
SO AGREED:	
City of Killeen By:	
Ronald L. Olson	
City Manager	
Date:Date:	
CONFLICT OF INTEREST QUESTIONNAIRE	FORM CIO
For vendor doing business with local governmental entity	
This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).	Date Received

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

- Name of vendor who has a business relationship with local governmental entity.
- Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)
- Name of local government officer about whom the information is being disclosed.

Name of Officer

Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes

No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes

No

Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6

Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

7.8-18

Date

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/ Docs/LG/htm/LG 176.htm For easy reference, below are some of the sections cited on this form <u>Local Government Code § 176.001(1-a)</u>: "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:
- (2) the vendor:
- (A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that
- a contract between the local governmental entity and vendor has been executed;
 or
- (ii) the local governmental entity is considering entering into a contract with the vendor;
- (B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:
- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:
- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.
- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:
- (1) the date that the vendor:
- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or
- (2) the date the vendor becomes aware:
- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.



ADDENDUM NO. 1 for Bid 18-07

UNLEADED GASOLINE

BID CLOSING DATE: February 9, 2018 @ 2:00 p.m. Today's date: February 2, 2018.

The following questions have been presented. Answers follow in italics.

Q: Please provide invoices, bill of ladings and prior bid tabulations.

A: See below for current invoice and prior bid tabulation.

41 (3 1 C

Please acknowledge receipt of Addendum No. 1 by signing below and returning to the Purchasing Office in your packet.

Randy Jimenez

Digitally signed by Randy Jimenez

Dil: cre-Randy Jimenez, o, o, u

Dil: cre-Randy Jimenez, o, u

Dil: cre-Randy Jimenez, o, u

Dil: cre-Randy Jimenez, o

Dil: cre-Randy Jimenez

Randy Jimenez Purchasing Manager

Acknowledgement:

Signature:

Print Name:

Title:

Company:

Date:

Acknowledgement:

Signature:

Acknowledgement:

Signature:

Acknowledgement:

Acknowledg

CONTRACT FOR PURCHASE OF UNLEADED GASOLINE

This Contract is entered into effective as of the _1 st day of _April, 2018, by and between The City of Killeen ("Buyer") and _Big Chief Dist. Co. Inc ("Seller").					
WHEREAS, The City of Killeen has solicited for bids for the purchase of unleaded gasoline for delivery to Killeen-Fort Hood Regional Airport (Bid No. 18-07);					
AND, WHEREAS, Big Chief Dist. Co. Inc. responsive bid in response to said request for bid	ds; , submitted a				
AND, WHEREAS, on 2018 year purchase contract to _Big Chief Dist. Co. gallon;	t, the City Council of the City of Killeen approved the award of a one Inc. at a February 1, 2018 indexed price of \$\frac{2.355}{2.355}\$ per				
	d upon a \$0.140 price mark up (or profit) per gallon or over vendor's es, LP for 87 octane unleaded gasoline the gallon;				
AND, WHEREAS, the same \$0.140 price mar extensions of the contract;	k up (or profit) per gallon will be effective for the full term and any				
NOW, THEREFORE, the parties state and agree	e as follows:				
	act are as stated in the completed and signed bid submittal dated February 9, 2018 and are incorporated herein.				
2. This contract may be extended for a one (1) year period if agreed to by both parties. If neither party has notified the other party otherwise in writing between thirty (30) and sixty (60) days prior to the expiration of the initial term, it will be assumed that both parties agree to the extension, and the contract will automatically be so extended under the same terms.					
3. Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.					
4. Vendor hereby verifies that it does not and will not engage in business with Iran, Sudan or a foreign terrorist organization.					
SO AGREED:					
City of Killeen	Big Chief Dist. Co. Inc.				
Ву:	By: Jelme Julium				
Ronald L. Olson	John Gilmore				
City Manager	President				
Date:	Date: 7-13-18				

CERTIFICATE OF INTERESTED PARTIES

FORM **1295**

l of 1

				1 of 1	
	Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.	OFFICE USE ONLY CERTIFICATION OF FILING			
1	Name of business entity filing form, and the city, state and countr of business.	Certificate Number: 2018-312751			
	Big Chief Dist. Co. Inc.	2010-312731			
	Killeen, TX United States		Date Filed: 02/12/2018		
2	Name of governmental entity or state agency that is a party to the being filed.	lame of governmental entity or state agency that is a party to the contract for which the form is			
	City of Killeen				
3	Provide the identification number used by the governmental entity description of the services, goods, or other property to be provide	y or state agency to track or identify ed under the contract.	the contract, and pro	vide a	
	18-07				
	Unleaded Fuel				
4	Name of Interested Party	City State Country (place of husing		f interest	
	Name of interested Party	City, State, Country (place of busine	Controlling	oplicable) Intermediary	
-			Controlling	intermediary	
-	3				
5	Check only if there is NO Interested Party.				
6	UNSWORN DECLARATION		-		
	My name isJohn Gilmore	, and my date of b	birth is December	7, 1966	
	My address is _114 East Avenue D	,_Killeen,_TX	76541	. US .	
	(street)	23 No. 107	ate) (zip code)	(country)	
	I declare under penalty of perjury that the foregoing is true and correct.				
	Executed in Bell County,	, State of <u>Texas</u> , on the _	12 day of Feb.	, _{20_} 18	
		John I shin	(month)	(year)	
	Signature of authorized agent of contracting business entity (Declarant)				



CONTRACT AWARD
KFHRA UNLEADED GASOLINE

Unleaded Gasoline for KFHRA

 Aviation Department sells gasoline to tenant rental car companies at KFHRA

Monthly sales volume average 4,100 gallons

■ Weekly small quantity deliveries (1,000 – 1,200 gal)

Not compatible with Texas Fleet Fuel contract

Unleaded Gasoline for KFHRA

□ One bid received — Big Chief Dist. Co., Inc.

□ Bid was deemed responsive and responsible

□ Term of one (1) year beginning April 1, 2018 (with option of a one (1) year extension)

Unleaded Gasoline for KFHRA

- Alternatives Considered
 - 1. Award contract to Big Chief Dist. Co., Inc.
 - 2. Reject the bid
- Staff recommends alternative No. 1
 - Staff determined the Big Chief Dist. Co., Inc. bid provides the required product a market price
 - There are no other known fuel suppliers in our region to provide small delivery amounts at the required frequency for a reasonable price

Recommendation

City Council approve the contract with Big Chief Distributing, Inc. and authorize the City Manager to execute the contract and any amendments within amounts set by State and local law



City of Killeen

Legislation Details

File #: RS-18-016 Version: 1 Name: Trimmier Rd Widening Proj - Change Order No. 18

Type:ResolutionStatus:ResolutionsFile created:2/15/2018In control:City Council

On agenda: 3/13/2018 Final action:

Title: Consider a memorandum/resolution authorizing the execution of Change Order No. 18 to McLean

Construction, Inc. for the Trimmier Road Widening Project.

Sponsors: Public Works Department, Engineering

Indexes:

Code sections:

Attachments: Staff Report

Change Order No. 18

Bid Worksheet Presentation

Date Ver. Action By Action Result

3/6/2018 1 City Council Workshop



STAFF REPORT

DATE: March 6, 2018

TO: Ronald L. Olson, City Manager

FROM: David A. Olson, Executive Director of Public Works

SUBJECT: AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 18 TO MCLEAN

CONSTRUCTION, INC, FOR THE TRIMMIER ROAD WIDENING PROJECT

BACKGROUND AND FINDINGS:

On March 11, 2014 (CCMR 14-129R), City Council awarded a construction contract to McLean Construction, Inc. in the amount of \$6,845,845.00 for the Trimmier Road Widening project. The Trimmier Road Widening project consists of the federally funded widening of Trimmier Road, and the locally funded widening of WS Young Drive, extension of Lowes Boulevard, and installation of Walmart Boulevard traffic signal. Change Order No. 18 represents the final reconciliation change order for the locally funded projects. The reconciliation change order includes the project overruns and underruns, and balances to a net project credit of \$89,716.96. A future change order will follow the same process to balance the quantities associated with the federally funded portion of this project.

THE ALTERNATIVES CONSIDERED:

- (1) Reconcile the bid line items on the City of Killeen roadway portions of the project and process a final reduction in the project contract amount.
- (2) Do not reconcile the bid line items and close the City portion of the project without reducing the contract amount. This process closes the project with an open balance and leaves room for question during a future audit process.
- (3) Do not reconcile the bid line items on a funding basis and issue a single change order to reconcile the contract. This alternative would not be consistent with the practices on this project to date, and could raise question during an audit process.

Which alternative is recommended? Why?

City Staff recommends Alternative 1 to reconcile the bid line items on the City of Killeen roadway portions of the project and process a final reduction in the project contract amount. This practice will be consistent with the practice on the project to date, and will reduce the likelihood of future questions during the final project audit process.

CONFORMITY TO CITY POLICY:

This item conforms with state and local policies.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The fiscal impact of Change Order No. 18 is a credit of \$89,716.96. The funds will increase the unencumbered fund balance in the Certificate of Obligation 2014, Trimmier Bond account number 347-3490-800.58-76.

Is this a one-time or recurring expenditure?

This is a one-time credit to the project.

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

City staff recommends that the City Council authorize the City Manager to execute Change Order No. 18 with McLean Construction, Inc., decreasing the contract in the amount of \$89,716.96, resulting in a total contract amount of \$7,715,855.29.

DEPARTMENTAL CLEARANCES:

Public Works Finance Legal

ATTACHED SUPPORTING DOCUMENTS:

Change Order No. 18 Bid Worksheet

CHANGE ORDER

	No. <u>18</u>
OWNER: CITY OF KILLEEN	
CONTRACTOR: McLean Construction, Inc	
Contract: CSJ 0909-36- 147	RPIC: David L. Olson, P.E., CFM
Project: Trimmier Road Widening	
OWNER's Contract No. 313-002	OWNER's Bid No. 14-14
ENGINEER: Mitchell and Associates	ENGINEER's Contract No. N/A

You are directed to make the following changes in the Contract Documents:

Description: See attached Bid Items Worksheet.

<u>Reason for Change Order:</u> Reconciliation of plan quantity items for work on the City of Killeen's roadway portion of the Trimmier Road Widening project. Please see the attached Bid Items Worksheet for further explanation.

Attachments: Bid Items worksheet.

CHANGE IN CONTRACT PRICE:
Original Contract Price
\$6,845,845.00
Net Increase (Decrease) from previous Change Orders No to 17: \$912,902.55
Contract Price prior to this Change Order: \$
Net increase (decrease) of this Change Order:
\$(-89,716.96) Contract Price with all approved Change Orders:
\$

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: 572
Ready for final payment: 602
(days or dates) Net change from previous Change Orders No. 1 to
No17_: Substantial Completion: 473
Ready for final payment: 473 (days)
Contract Times prior to this Change Order: Substantial Completion: 1,045
Ready for final payment: 1,075 (days or dates)
Net increase (decrease) this Change Order:
Substantial Completion: 0 Ready for final payment: 0
(days)
Contract Times with all approved Change Orders: Substantial Completion: 1,045
Ready for final payment: 1,075 (days or dates)

RECOMMENDED:	ACCEPTED:
By:ENGINEER (Authorized Signature)	By:CONTRACTOR (Authorized Signature)
Date:	Date:
CONCURRENCE:	APPROVED:
By:TxDOT (Authorized Signature)	By:OWNER (Authorized Signature)
Date:	Date:

EJCDC 1910-8-B (1996 Edition)Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

CHANGE ORDER

INSTRUCTIONS

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

BID ITEMS WORKSHEET

JOB NAME: CITY PORTION - CO CSJ: 0909-36-147

Changes to Trimmier Road portion only

		ner Roda portion only			Proposed				Proposed	Proposed	Proposed
Line No.	Item No.	Description	Bid Quantity	Previous Quantity	C/O Quantity	Quantity	UOM	Unit Price	Reduced Amount	Added Amount	Total Amount
(144)	100 2002	PREPARING ROW	74.00	74.00	(6.00)	68.00	STA	\$442.00	-\$2,652.00		-\$2,652.00
(149)	160 2003	FURNISHING AND PLACING TOPSOIL (4")	18,178.00	18,413.00	(6,028.00)	12,385.00	SY	\$1.00	-\$6,028.00		-\$6,028.00
(150)	162 2002	BLOCK SODDING	745.00	795.00	5.00	800.00	SY	\$4.10		\$20.50	\$20.50
(151)	164 2026	CELL FBR MLCH SEED(TEMP)(WARM)	17,433.00	18,338.00	(7,252.00)	11,086.00	SY	\$0.60	-\$4,351.20		-\$4,351.20
(152)	166 2002	FERTILIZER	0.56	0.56	(0.56)	1	TON	\$1,570.00	-\$879.20		-\$879.20
(153)	168 2001	VEGETATIVE WATERING		31.00	(31.00)		MG	\$16.30	-\$505.30		-\$505.30
(153)	168 2001	VEGETATIVE WATERING	612.00	443.00	(384.84)	58.16	MG	\$16.20	-\$6,234.41		-\$6,234.41
(155)	247 2042	FL BS (CMP IN PLC)(TY A GR 2)(FNAL POS)	6,343.00	6,353.00	74.00	6,427.00	CY	\$41.50		\$3,071.00	\$3,071.00
(156)	310 2005	PRIME COAT (MC-30 OR AE-P)	4,098.00	4,246.00	(1,678.00)	2,568.00	GAL	\$5.00	-\$8,390.00		-\$8,390.00
(157)	3267 2011	D-GR HMA(METH) TY-B PG64-22	671.00	541.00	114.82	655.82	TON	\$103.00		\$11,826.46	\$11,826.46
(158)	3267 2048	D-GR HMA(METH) TY-C SAC-B PG64-22	2,873.00	2,688.60	247.67	2,936.27	TON	\$92.00		\$22,785.64	\$22,785.64
(161)	402 2001	TRENCH EXCAVATION PROTECTION	1,991.00	2,230.00	400.00	2,630.00	LF	\$2.40		\$960.00	\$960.00
(163)	420 2078	CL A CONC (MISC)(8")		69.00	(69.00)		SY	\$118.00	-\$8,142.00		-\$8,142.00
(163)	420 2078	CL A CONC (MISC)(8")	425.00	494.00	(106.00)	319.00	SY	\$117.00	-\$12,402.00		-\$12,402.00
(164)	432 2001	RIPRAP (CONC)(4 IN)	6.00	6.00	(5.40)	0.60	CY	\$530.00	-\$2,862.00		-\$2,862.00
(165)	432 2019	RIPRAP (STONE PROTECTION)(12 IN)	76.00	76.00	(76.00)	-	CY	\$68.00	-\$5,168.00		-\$5,168.00
(166)	450 2025	RAIL (TY PR1)	72.00	72.00	(20.00)	52.00	LF	\$118.00	-\$2,360.00		-\$2,360.00
(170)	464 2003	RC PIPE (CL III)(18 IN)	857.00	484.00	13.50	497.50	LF	\$53.70		\$724.95	\$724.95
(171)	464 2005	RC PIPE (CL III)(24 IN)	260.00	75.00	23.00	98.00	LF	\$62.70		\$1,442.10	\$1,442.10
(172)	464 2007	RC PIPE (CL III)(30 IN)	649.00	1,070.00	(842.00)	228.00	LF	\$78.80	-\$66,349.60		-\$66,349.60
(185)	472 2005	REMOV & RE-LAY PIPE (24 IN)	53.00	233.00	(5.00)	228.00	LF	\$143.50	-\$717.50		-\$717.50
(192)	502 2001	BARRICADES,SIGNS, AND TRAFFIC HANDLING		4.00	(4.00)	-	MO	\$4,752.00	-\$19,008.00		-\$19,008.00
(192)	502 2001	BARRICADES,SIGNS, AND TRAFFIC HANDLING		4.00	4.00	-	MO	\$3,272.00		\$13,088.00	\$13,088.00
(197)	530 2010	DRIVEWAYS (CONC)	256.00	235.00	139.00	374.00	SY	\$102.00		\$14,178.00	\$14,178.00
(198)	531 2005	CURB RAMPS (TY1)	2.00	5.00	(3.00)	2.00	EA	\$1,346.00	-\$4,038.00		-\$4,038.00
(201)	531 2015	CONC SIDEWALKS (4")	958.00	1,135.00	51.80	1,186.80	SY	\$45.00		\$2,331.00	\$2,331.00
(203)	560 2001	MAILBOX INSTALLATION (SINGLE)	1.00	1.00	(1.00)	-	EA	\$204.00	-\$204.00		-\$204.00
(204)	618 2018	CONDT (PVC) (SCHD 40) (2")	430.00	703.00	(245.00)	458.00	LF	\$11.00	-\$2,695.00		-\$2,695.00
(205)	618 2019	CONDT (PVC) (SCHD 40) (2") (BORE)	280.00	329.00	1.00	330.00	LF	\$24.00		\$24.00	\$24.00
(206)	618 2022	CONDT (PVC) (SCHD 40) (3")	105.00	124.00	14.00	138.00	LF	\$20.00		\$280.00	\$280.00
(207)	618 2023	CONDT (PVC) (SCHD 40) (3") (BORE)	230.00	458.00	(6.00)	452.00	LF	\$26.00	-\$156.00		-\$156.00
(208)	618 2052	CONDT (RM) (2")	125.00	125.00	(25.00)	100.00	LF	\$55.00	-\$1,375.00		-\$1,375.00
(210)	620 2008	ELEC CONDR (NO. 4) INSULATED	1,050.00	1,660.00	(85.00)	1,575.00	LF	\$3.00	-\$255.00		-\$255.00
(211)	620 2009	ELEC CONDR (NO. 6) BARE	50.00	86.00	(86.00)	-	LF	\$2.00	-\$172.00		-\$172.00
(212)	620 2010	ELEC CONDR (NO. 6) INSULATED	100.00	795.00	255.00	1,050.00	LF	\$2.00		\$510.00	\$510.00

			T					,	Т	T	
(213)	620 2011	ELEC CONDR (NO. 8) BARE	525.00	1,115.00	(590.00)	525.00	LF	\$1.00	-\$590.00		-\$590.00
(214)	620 2012	ELEC CONDR (NO. 8) INSULATED	910.00	982.00	(72.00)	910.00	LF	\$2.00	-\$144.00		-\$144.00
(215)	624 2008	GROUND BOX TY A (122311) W/APRON	5.00	1.00	2.00	3.00	EA	\$896.00		\$1,792.00	\$1,792.00
(216)	624 2012	GROUND BOX TY C (162911) W/APRON	1.00	5.00	(1.00)	4.00	EA	\$1,008.00	-\$1,008.00		-\$1,008.00
(219)	644 2049	IN SM RD SN SUP&AM TYTWT(1)UA(T)	6.00	6.00	(6.00)	-	EA	\$487.00	-\$2,922.00		-\$2,922.00
(220)	644 2059	RELOCATE SM RD SN SUP & AM TY TWT	3.00	3.00	(1.00)	2.00	EA	\$261.00	-\$261.00		-\$261.00
(226)	666 2003	REFL PAV MRK TY I (W) 4" (BRK)(100MIL)	2,270.00	2,270.00	(1,370.00)	900.00	LF	\$0.60	-\$822.00		-\$822.00
(228)	666 2030	REFL PAV MRK TY I (W) 8" (DOT)(100MIL)	100.00	71.00	(47.00)	24.00	LF	\$1.50	-\$70.50		-\$70.50
(229)	666 2036	REFL PAV MRK TY I (W) 8" (SLD)(100MIL)	521.00	844.00	96.00	940.00	LF	\$1.20		\$115.20	\$115.20
(231)	667 2048	REFL PAV MRK TY I (W) 24"(SLD)(100MIL)	489.00	431.00	(62.00)	369.00	LF	\$8.70	-\$539.40		-\$539.40
(232)	668 2054	REFL PAV MRK TY I (W) (ARROW) (100MIL)	27.00	23.00	(5.00)	18.00	EA	\$241.00	-\$1,205.00		-\$1,205.00
(234)	669 2105	REFL PAV MRK TY I (Y) 4" (BRK)(100MIL)	5,690.00	1,924.00	(194.00)	1,730.00	LF	\$0.60	-\$116.40		-\$116.40
(235)	670 2111	REFL PAV MRK TY I (Y) 4" (SLD)(100MIL)	10,764.00	10,871.00	973.00	11,844.00	LF	\$0.60		\$583.80	\$583.80
(236)	671 2132	REFL PAV MRK TY I (Y) 24"(SLD)(100MIL)	87.00	129.00	(49.00)	80.00	LF	\$8.70	-\$426.30		-\$426.30
(237)	672 2012	REFL PAV MRKR TY I-C	44.00	38.00	26.00	64.00	EA	\$5.80		\$150.80	\$150.80
(238)	672 2015	REFL PAV MRKR TY II-A-A	284.00	96.00	(30.00)	66.00	EA	\$5.80	-\$174.00		-\$174.00
(246)	684 2012	TRF SIG CBL (TY A) (12 AWG) (7 CONDR)	1,000.00	1,000.00	(368.00)	632.00	LF	\$3.00	-\$1,104.00		-\$1,104.00
(249)	6834 2001	PORTABLE CHANGEABLE MESSAGE SIGN	60.00	60.00	(15.00)	45.00	DAY	\$101.00	-\$1,515.00		-\$1,515.00
(252)	COK 4000	COK 10' INLET	5.00	5.00	(2.00)	3.00	EA	\$5,555.00	-\$11,110.00		-\$11,110.00
(255)	COK 5003	COK CURB AND GUTTER	10,251.00	10,436.00	155.00	10,591.00	LF	\$12.00		\$1,860.00	\$1,860.00
(265)	7001-001	REMOVING CONC (CURB & OR CURB & GUTTER)	-	2,904.00	(293.00)	2,611.00	LF	\$4.00	-\$1,172.00		-\$1,172.00
(271)	7007-001	TEMPORARY SEDIMENT CONTROL FENCE	-	3,675.00	(945.00)	2,730.00	LF	\$2.20	-\$2,079.00		-\$2,079.00
(280)	7028 001	CURB FLUMES (CONC) (8 IN)	-	33.00	28.00	60.50	SY	\$145.00		\$4,060.00	\$4,060.00
(286)	684 2010	TRF SIG CBL (TY A)(12 AWG)(5 CONDR)	-	857.00	(225.00)	632.00	LF	\$3.40	-\$765.00		-\$765.00
(294)	7048 001	NON PASSABLE WALKING AREA	-	-	58.00	58.00	SF	\$8.80		\$510.40	\$510.40
(295)	432 2001	RIPRAP (STONE PROTECTION)(24 IN)	-	-	1.00	1.00	LS	\$10,937.00		\$10,937.00	\$10,937.00
TOTAL									-\$180,967.81	\$91,250.85	-\$89,716.96





Background

- Project components
 - Federally Funded Trimmier Road Widening
 - Locally Funded WS Young Widening, Lowes Boulevard Extension, and Walmart Boulevard Signal
- Change Order No. 18 deals with the administrative clean up for overruns and underruns on the local projects.
- □ This change order is a net credit of \$89,716.96.
- A future change order will follow the same process for the federally funded portion of this project.

Alternatives

- Reconcile the bid line items on the City of Killeen roadway portions of the project and process a final reduction in the project contract amount.
- Do not reconcile the bid line items and close the City portion of the project without reducing the contract amount. This process closes the project with an open balance and leaves room for question during a future audit process.
- Do not reconcile the bid line items on a funding basis and issue a single change order to reconcile the contract. This alternative would not be consistent with the practices on this project to date, and could raise question during an audit process.

Recommendation

□ City staff recommends that the City Council authorize the City Manager to execute Change Order No. 18 with McLean Construction, Inc., decreasing the contract in the amount of \$89,716.96, resulting in a total contract amount of \$7,715,855.29.



City of Killeen

Legislation Details

File #: RS-18-017 Version: 1 Name: Conveyance of 25 tracts of FM 439 to the City

Type:ResolutionStatus:ResolutionsFile created:2/16/2018In control:City Council

On agenda: 3/13/2018 Final action:

Title: Consider a memorandum/resolution authorizing acceptance of 24 tracts of land from the Texas

Department of Transportation for portions of FM 439 that the City currently maintains.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: Staff Report

TxDOT Memorandum
FM 439 Tracts 1 to 11
FM 439 Tracts 12 to 24

Presentation

Date Ver. Action By Action Result

3/6/2018 1 City Council Workshop



STAFF REPORT

DATE: March 6, 2018

TO: Ronald L. Olson, City Manager

FROM: David Olson, Executive Director of Public Works

SUBJECT: Authorize the Acceptance of 24 Tracts of Land Comprising Sections of

FM 439

BACKGROUND AND FINDINGS:

The Texas Department of Transportation (TxDOT) Right of Way office undertook an effort to clean up some administrative transfers for sections of FM 439 from 16th Street to 38th Street and north from there along Westcliffe Road (Old FM 439) to the present FM 439 (East Rancier Avenue). The City of Killeen has been maintaining these sections of roadway for a number of years. An administrative oversight failed to offer the deeds for these properties at such time that we originally started maintaining said ROW.

THE ALTERNATIVES CONSIDERED:

The City considered two alternatives for this item:

- 1) Decline to accept these portions of roadway and continue to maintain them without ownership.
- 2) Accept these tracts and eliminate possible confusion in the future.

Which alternative is recommended? Why?

It is recommended that the City accept these tracts of land for the following reasons:

- 1. These tracts are within the city limits and not maintained by the state.
- 2. These tracts comprise roadways that the City currently maintains.
- 3. It eliminates administrative confusion and makes the record consistent.

CONFORMITY TO CITY POLICY:

Acceptance of these tracts conforms to City policy.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

There is no additional expenditure related to this action as we already budget to maintain these tracts.

Is this expenditure budgeted? If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Staff recommends that the City Council accept these tracts and authorize the City Manager to sign any documents necessary to finalize the acceptance of the tracts.

DEPARTMENTAL CLEARANCES:

Public Works Finance City Attorney

ATTACHED SUPPORTING DOCUMENTS:

TxDOT Memorandum FM 439 Tracks 1to11 FM 439 Tracks 12to 24



MEMO

October 16, 2017.

To:

Bert Holstrom

City of Killeen

From:

Mandy Bunger

Waco TxDOT RWPD Lead Worker

Subject:

Conveyance/Transfer of portions of FM 439, City of Killeen, Bell County

From: 16th Street to intersection of FM 439 and 38th Street – then running north and east from 38th Street to the intersection of old FM 439 (current day Westcliffe Rd) to present day FM 439 (E Rancier Ave)

Regarding the transfer/conveyance of the above referenced section of road, please find herein the following:

- Survey descriptions for 24 Tracts of land NOTE: These descriptions start just west of intersection of 38th Street and continue east to current day FM 439 – each description includes a portion of the north side of the road, and a portion of the south side of the road conveyed to the State of Texas and a description to the middle portion of prescriptive roadway.
- 2. Tract 25 which includes captions to the deeds conveyed to the State on the north and south side of the road from 16th Street which is where the State of Texas right of way map begins and running east to tie into surveyed tracts 21,22,23, including the transfer of the prescriptive sections of roadway.
- 3. City map outlining the location of each tract of land.

Please review these documents and please do not hesitate to call me at (254) 745 2145 if you have any questions. When I receive your approval I will send the descriptions to Right of Way HQ to have the descriptions addressed approved by the transportation commission and a final conveyance document prepared.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 5 SEPTEMBER 2017

DESCRIPTION FOR TRACT 1

BEING A 0.3637 ACRE (15,843 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 223 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS W. 38TH STREET – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 0.3637 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1-INCH IRON PIPE FOUND (DAMAGED) AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF SUN-AE SUBDIVISION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET C, SLIDE 153-B O.P.R.B.C.T., SAME BEING IN THE SOUTHERLY R.O.W. LINE OF ST. FRANCIS STREET (A CALLED 60 FOOT R.O.W. – NO RECORDING INFORMATION FOUND), ALSO BEING IN THE WESTERLY LINE OF SAID VOLUME 576, PAGE 223, HAVING A SURFACE COORDINATE OF NORTH 10,381,972.874, EAST 3,121,544.791;

- 1) THENCE NORTH 17° 11' 40" EAST ALONG A WESTERLY LINE OF SAID VOLUME 576, PAGE 223 AND THE COMMON WESTERLY R.O.W. LINE OF OLD FM 439, PASSING A 3/8-INCH IRON ROD FOUND AT A DISTANCE OF 273.24 FEET, OFFSET RIGHT A DISTANCE OF 6.03 FEET, PASSING A FOUND 1-1/2-INCH IRON PIPE AT A DISTANCE OF 1119.60 FEET, OFFSET RIGHT A DISTANCE OF 5.54 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1240.38 FEET THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.27 FEET AND A RADIUS THAT BEARS SOUTH 72° 48' 20" EAST;
- 2) THENCE ALONG A WESTERLY LINE OF SAID VOLUME 576, PAGE 223 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 14° 19' 58", PASSING A 1-1/2 INCH IRON ROD FOUND AT AN ARC LENGTH OF 79.39 FEET, OFFSET LEFT A DISTANCE OF 2.99 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 113.98 FEET, A CHORD THAT BEARS NORTH 24° 32' 39" EAST AND A CHORD LENGTH OF 113.67 FEET TO THE EASTERLY LINE OF SAID VOLUME 576, PAGE 223, SAME BEING THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 3) THENCE SOUTH 17° 27' 25" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 576, PAGE 223 AND THE COMMON WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 1,464.95 FEET;
- 4) THENCE NORTH 72° 48' 20" WEST OVER AND ACROSS SAID VOLUME 576, PAGE 223, A DISTANCE OF 7.83 FEET TO THE WESTERLY LINE OF SAID VOLUME 576, PAGE 223, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE EASTERLY LINE OF SAID LOT 1 OF SUN-AE SUBDIVISION;

PAGE: 2 OF 5

SEPTEMBER 2017

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 1

5) THENCE NORTH 17° 11' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 576, PAGE 223, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439, AND THE COMMON EASTERLY LINE OF SAID LOT 1 OF SUN-AE SUBDIVISION, A DISTANCE OF 111.82 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.3637 ACRE (15,843 SQUARE FEET) OF LAND, MORE OR LESS.

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

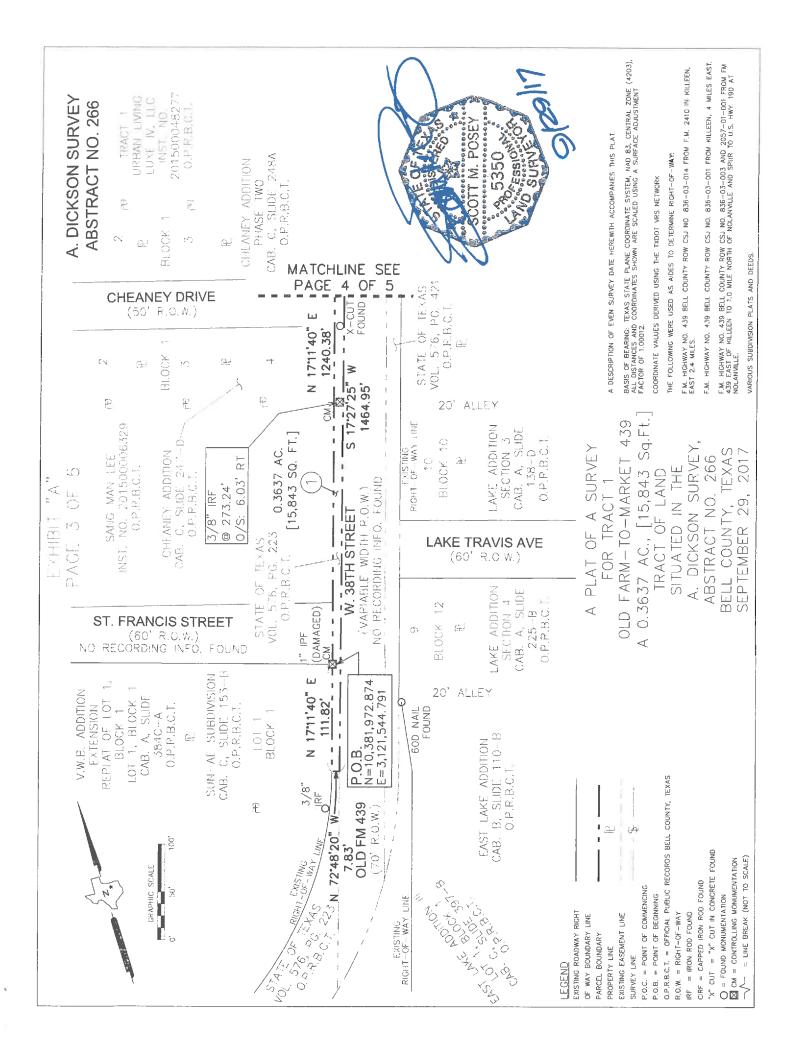
TEXAS REGISTRATION NO. 5350

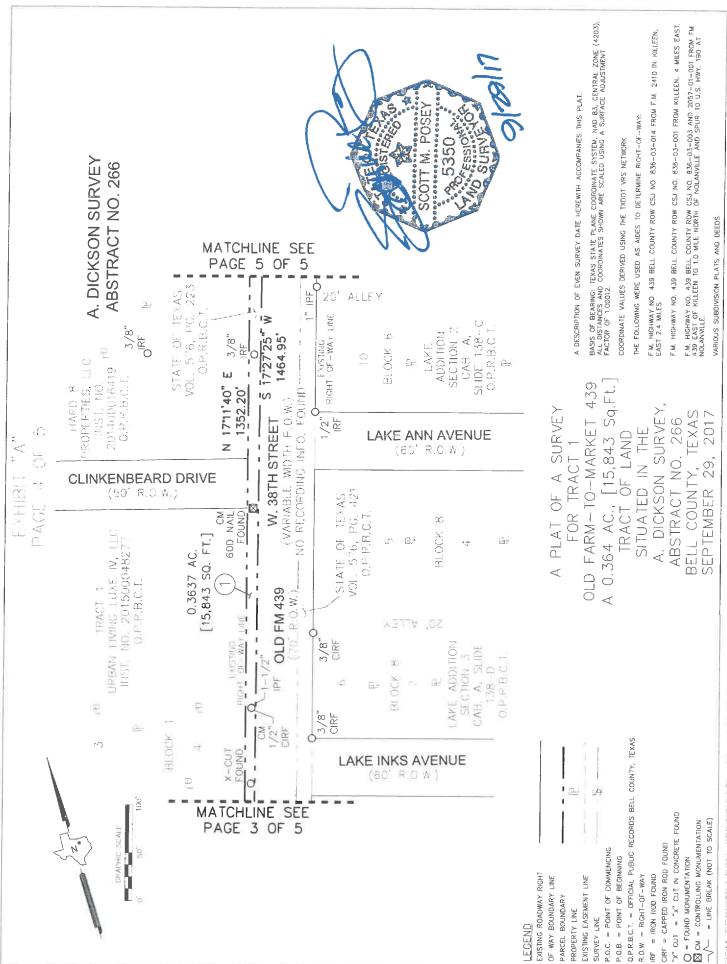
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

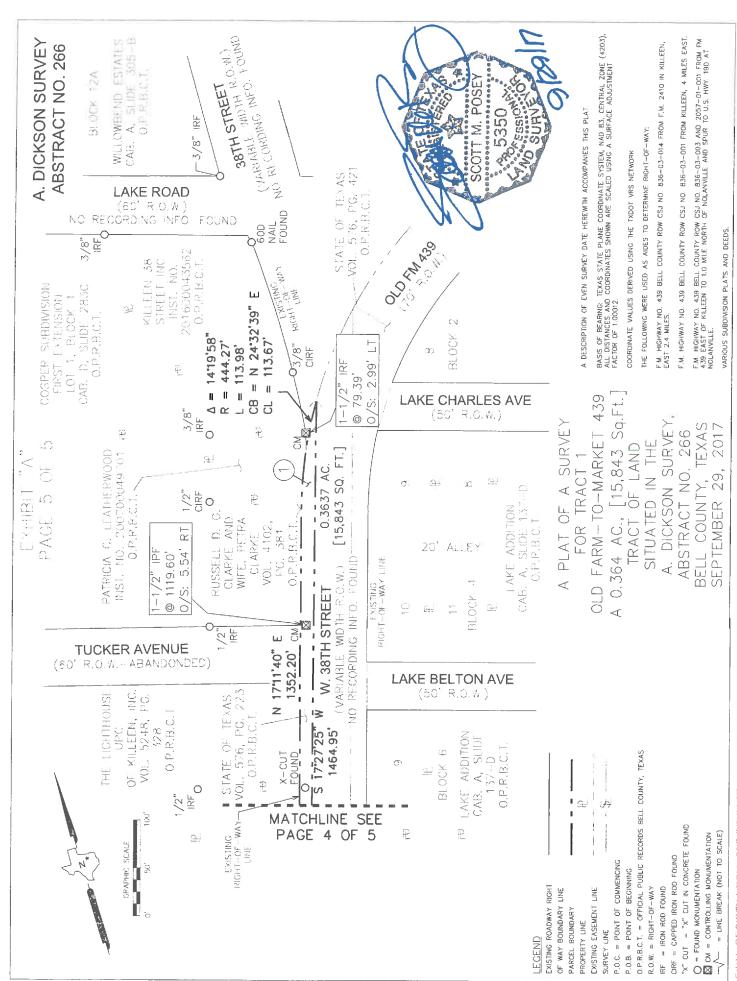
FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017





LEGEND



FIRM REGISTRATION CERTIFICATE NO. 10048500

COUNTY: BELL PAGE: 1 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 2

BEING A 1.484 ACRE (64,649 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT R.O.W.), NOW KNOWN AS W. 38TH STREET – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 1.484 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1-INCH IRON PIPE FOUND (DAMAGED) AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF SUN-AE SUBDIVISION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET C, SLIDE 153-B OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING IN THE EXISTING SOUTHERLY R.O.W. LINE OF ST. FRANCIS STREET (A CALLED 60 FOOT R.O.W. – NO RECORDING INFORMATION FOUND), ALSO BEING IN THE WESTERLY R.O.W. LINE OF OLD FM 439 (A CALLED 70 FOOT R.O.W. – STATE OF TEXAS VOLUME 576, PAGE 223 O.P.R.B.C.T.), (NOW KNOWN AS W. 38TH STREET – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND);

THENCE SOUTH 17° 11' 40" WEST ALONG THE EASTERLY LINE OF SAID LOT 1 AND THE COMMON WESTERLY R.O.W. LINE OF SAID OLD FM 439, A DISTANCE OF 111.82 FEET;

THENCE SOUTH 72° 48' 20" EAST OVER AND ACROSS SAID VOLUME 576, PAGE 223 TRACT, A DISTANCE OF 7.83 FEET TO THE EASTERLY LINE OF SAID VOLUME 576, PAGE 223, SAME BEING THE PRESCRIPTIVE R.O.W. OF OLD FM 439, ALSO BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,381,863.745, EAST 3,121,519.200;

- 1) THENCE NORTH 17° 27' 25" EAST ALONG THE EASTERLY LINE OF SAID VOLUME 576, PAGE 223 AND THE COMMON WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, PASSING A 1 1/2-INCH IRON PIPE FOUND AT A DISTANCE OF 1231.39 FEET, OFFSET 7.94 FEET LEFT, CONTINUING IN ALL A TOTAL DISTANCE OF 1,464.95 FEET TO THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.27 FEET AND A RADIAL BEARING OF SOUTH 58° 06' 22" EAST;
- 2) THENCE ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13° 24' 42", AN ARC LENGTH OF 103.99 FEET, A CHORD THAT BEARS NORTH 38° 35' 59" EAST AND A CHORD LENGTH OF 103.76 FEET TO THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, SAME BEING THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 421 O.P.R.B.C.T.;

COUNTY: BELL PAGE: 2 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 2

3) THENCE SOUTH 17° 05' 24" WEST ALONG THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439 AND THE COMMON WESTERLY LINE OF SAID VOLUME 576, PAGE 421, A DISTANCE OF 1,561.53 FEET;

4) THENCE NORTH 72° 48' 20" WEST OVER AND ACROSS THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 47.42 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.484 ACRE (64,649 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER 2017

DESCRIPTION FOR TRACT 2

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

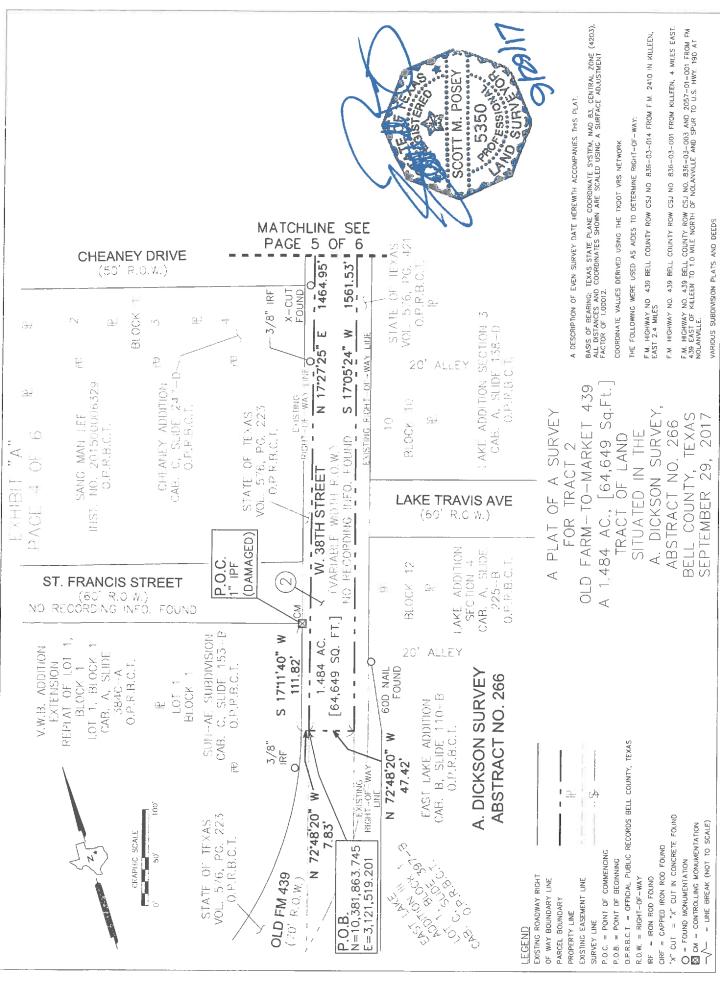
TEXAS REGISTRATION NO. 5350

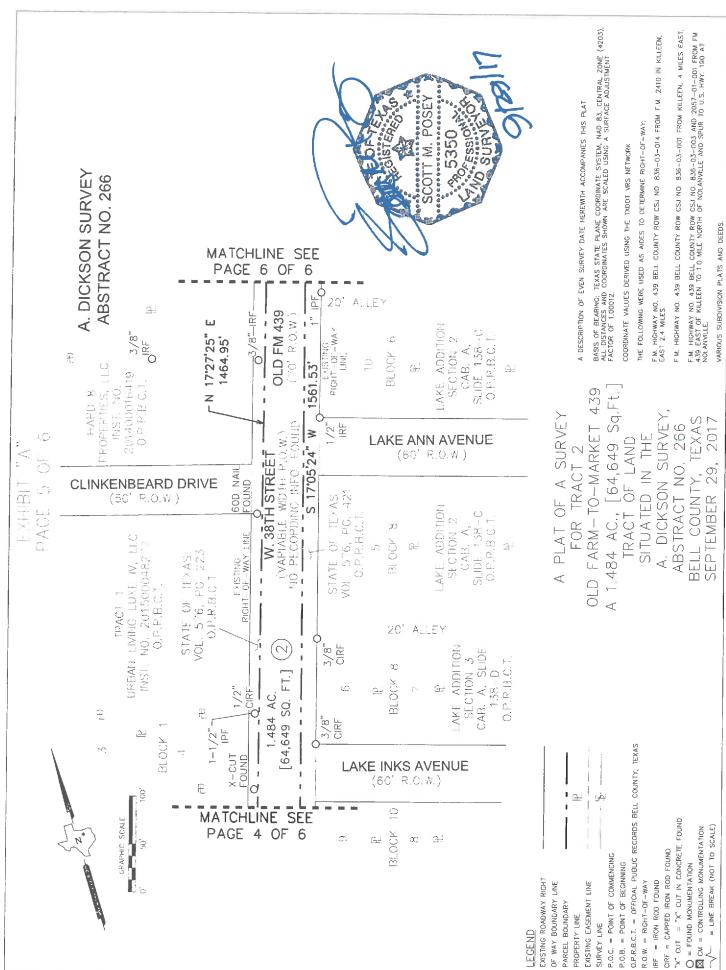
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000

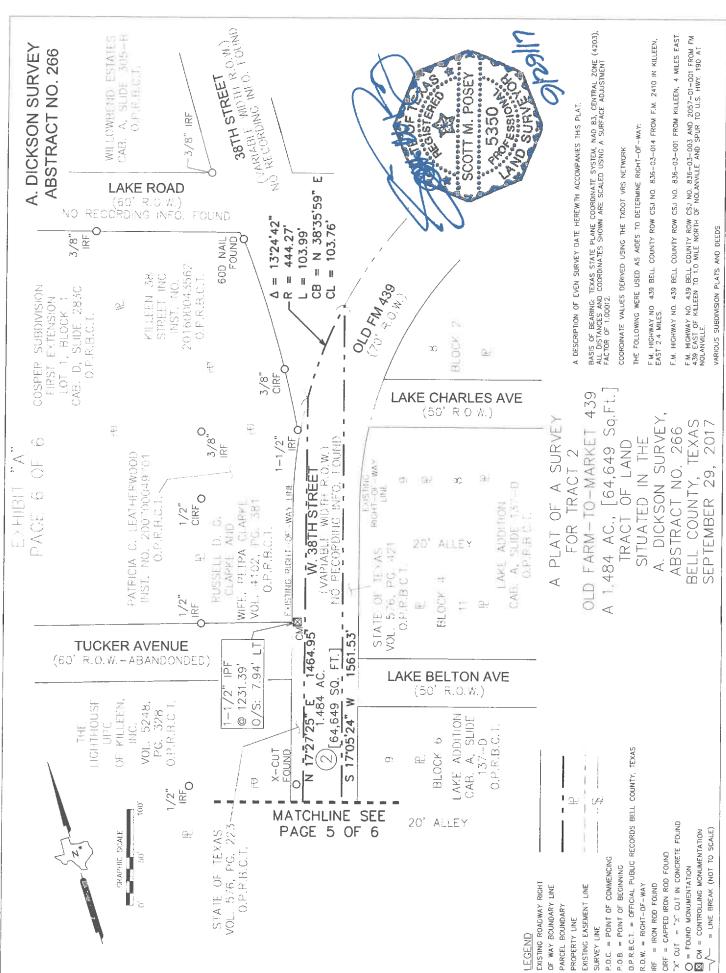
PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017







FIRM REGISTRATION CEPTIFICATE NO. 10048500

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 14 SEPTEMBER 2017

DESCRIPTION FOR TRACT 3

BEING A 2.016 ACRE (57,817 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 421 OF THE OFFICAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS W. 38TH STREET & LAKE ROAD – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 2.016 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1-1/2 INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 10, BLOCK SIX OF LAKE ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 137-D O.P.R.B.C.T., SAME BEING IN THE NORTHERLY LINE OF LAKE ANN AVENUE (A CALLED 60 FOOT R.O.W. – CABINET A, SLIDE 137-D O.P.R.B.C.T.), ALSO BEING IN THE EASTERLY R.O.W. LINE OF OLD FM 439 (STATE OF TEXAS VOLUME 576, PAGE 421 O.P.R.B.C.T.), HAVING A SURFACE COORDINATE OF NORTH 10,382,707.424, EAST 3,121,845.352;

- 1) THENCE SOUTH 17° 11' 40" WEST ALONG THE EASTERLY LINES OF SAID VOLUME 576, PAGE 421 AND THE COMMON EASTERLY R.O.W. LINE OF OLD FM 439, PASSING A 3/8-INCH CAPPED IRON ROD FOUND AT A DISTANCE OF 230.37 FEET, OFFSET 0.12 FEET LEFT AND A 3/8-INCH IRON ROD FOUND AT A DISTANCE OF 230.41 FEET, OFFSET 0.21 FEET LEFT, PASSING A 60D NAIL FOUND AT A DISTANCE OF 830.04 FEET, OFFSET 2.62 FEET LEFT, CONTINUING IN ALL A TOTAL DISTANCE OF 902.39 FEET;
- 2) THENCE NORTH 72° 48' 20" WEST OVER AND ACROSS SAID VOLUME 576, PAGE 421, A DISTANCE OF 14.75 FEET TO THE WESTERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 3) THENCE NORTH 17° 05' 24" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 576, PAGE 421 AND THE COMMON EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 1561.53 FEET TO A NORTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.27 FEET AND A RADIUS THAT BEARS SOUTH 44° 41' 40" EAST;
- 4) THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 32° 53′ 56″, AN ARC LENGTH OF 255.10 FEET, A CHORD THAT BEARS SOUTH 61° 45′ 18″ WEST AND A CHORD LENGTH OF 251.61 FEET TO A NORTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 14

SEPTEMBER 2017

5) THENCE SOUTH 72° 53' 24" EAST ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 421 AND THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 1,336.51 FEET;

DESCRIPTION FOR TRACT 3

- 6) THENCE SOUTH 72° 37' 31" EAST ALONG SAID COMMON LINE, A DISTANCE OF 1471.12 FEET TO THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 03° 26' 03" EAST;
- 7) THENCE ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE SOUTHERLY LINE OF OLD FM 439, AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13° 51' 37", AN ARC LENGTH OF 107.47 FEET, A CHORD THAT BEARS NORTH 79° 38' 09" WEST AND A CHORD LENGTH OF 107.20 FEET;
- 8) THENCE NORTH 72° 42' 20" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE SOUTHERLY ROW LINE OF OLD FM 439, PASSING A 1/2-IRON ROD FOUND AT A DISTANCE OF 703.40 FEET, OFFSET 0.32 FEET LEFT, PASSING A 1/2-IRON ROD FOUND AT A DISTANCE OF 1182.16 FEET, OFFSET 0.81 FEET RIGHT, CONTINUING IN ALL A TOTAL DISTANCE OF 1,364.70 FEET;
- 9) THENCE NORTH 72° 52' 20" WEST CONTINUING ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439, PASSING A 3/4-INCH IRON ROD FOUND (BENT) AT A DISTANCE OF 34.65 FEET, OFFSET 9.61 FEET LEFT, PASSING A 1/2-INCH IRON ROD FOUND AT A DISTANCE OF 1084.24 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1,121.60 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 374.27 FEET AND A RADIAL BEARING OF SOUTH 17° 07' 40" WEST;
- 10) THENCE CONTINUING ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE SOUTHELRY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 89° 56° 00", PASSING A 5/8-INCH IRON ROD FOUND AT AN ARC LENGTH OF 32.71 FEET, OFFSET LEFT 0.94 FEET, PASSING A 1/2-INCH IRON ROD FOUND AT AN ARC LENGTH OF 583.35 FEET, OFFSET LEFT A DISTANCE OF 1.12 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 587.46 FEET, A CHORD THAT BEARS SOUTH 62° 09' 40" WEST AND A CHORD LENGTH OF 528.99 FEET TO THE EASTERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 14 SEPTEMBER 2017

DESCRIPTION FOR TRACT 3

11) THENCE SOUTH 17° 11' 40" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 576, PAGE 421, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, PASSING A 1-INCH IRON ROD FOUND AT A DISTANCE OF 319.51 FEET, OFFSET 0.23 FEET LEFT, CONTINUING IN ALL A TOTAL DISTANCE OF 449.81 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 02.016 ACRE (87,817 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 4 OF 14 SEPTEMBER 2017

DESCRIPTION FOR TRACT 3

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

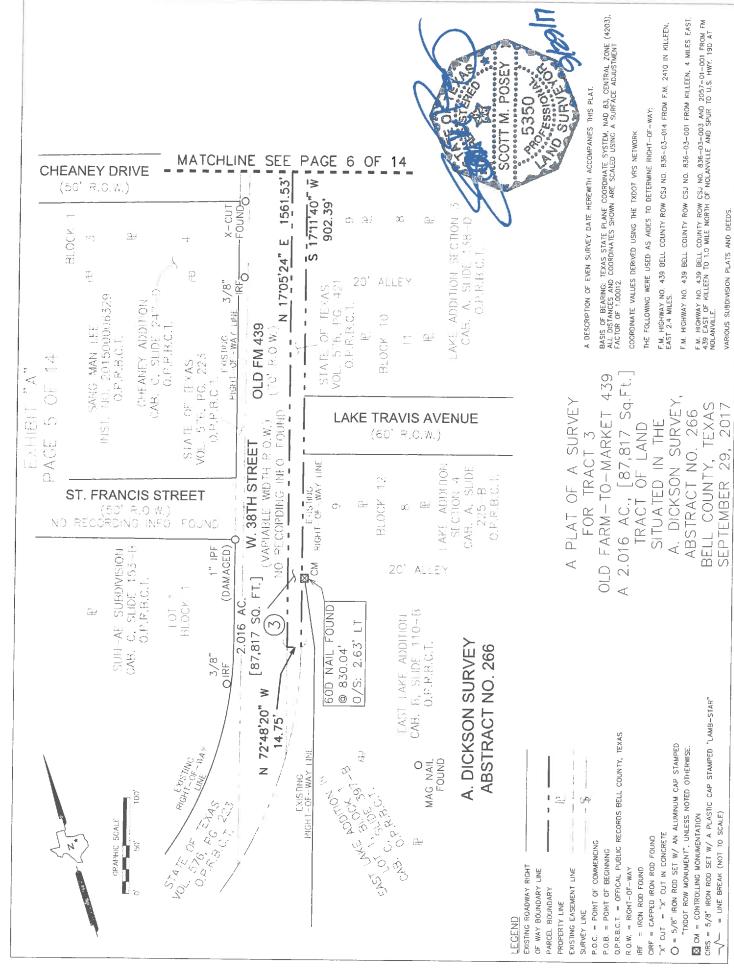
SCOTT M. POSEY

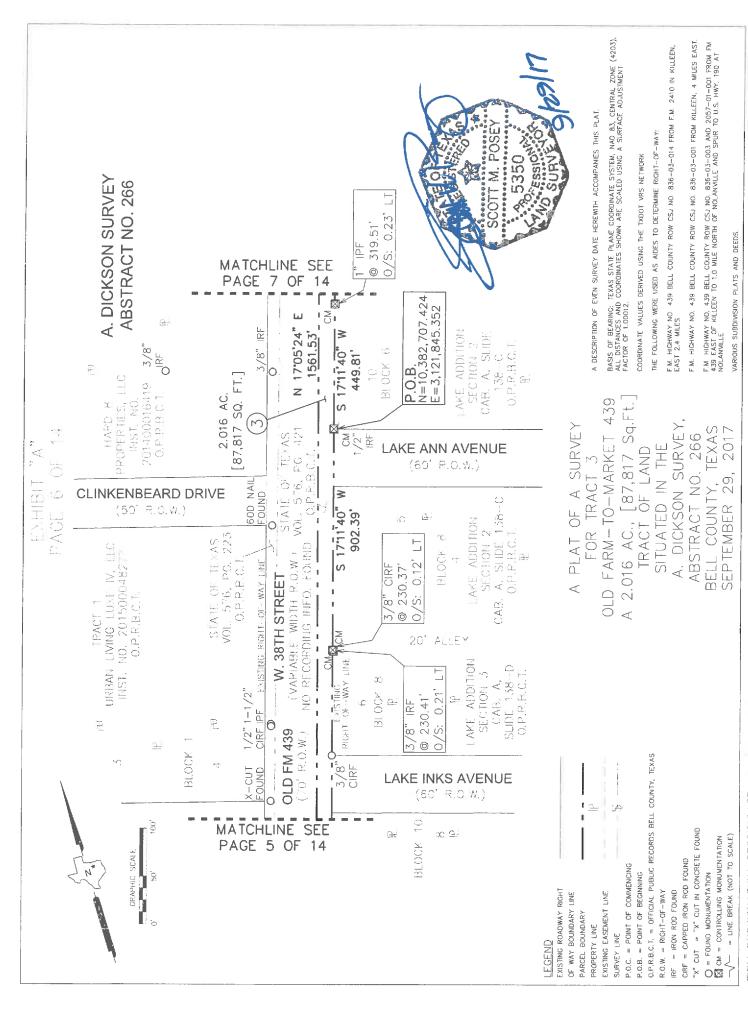
TEXAS REGISTRATION NO. 5350

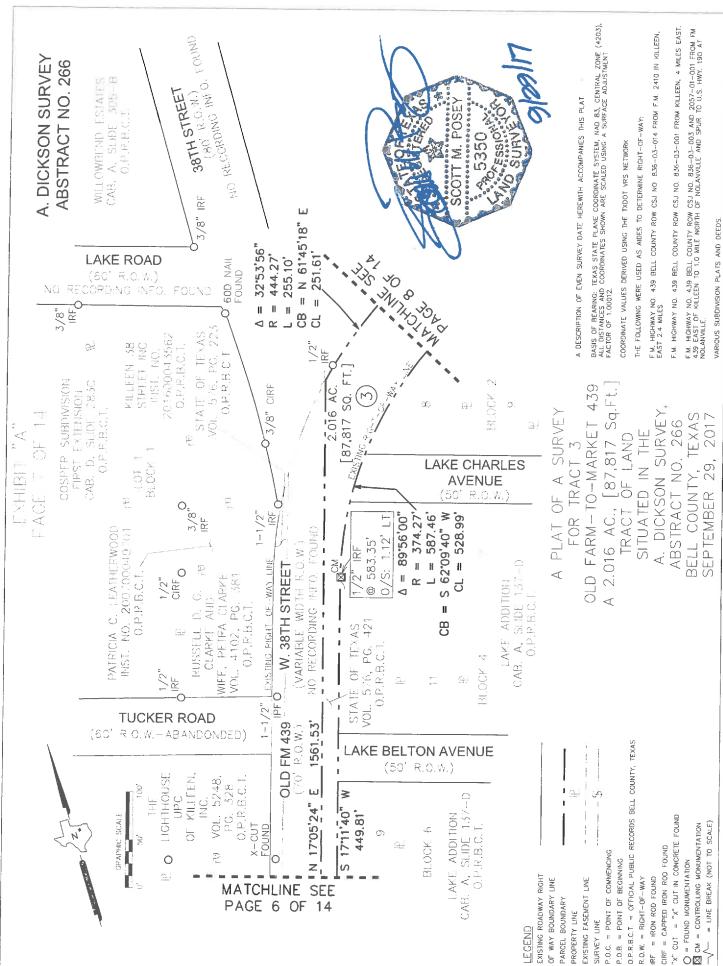
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

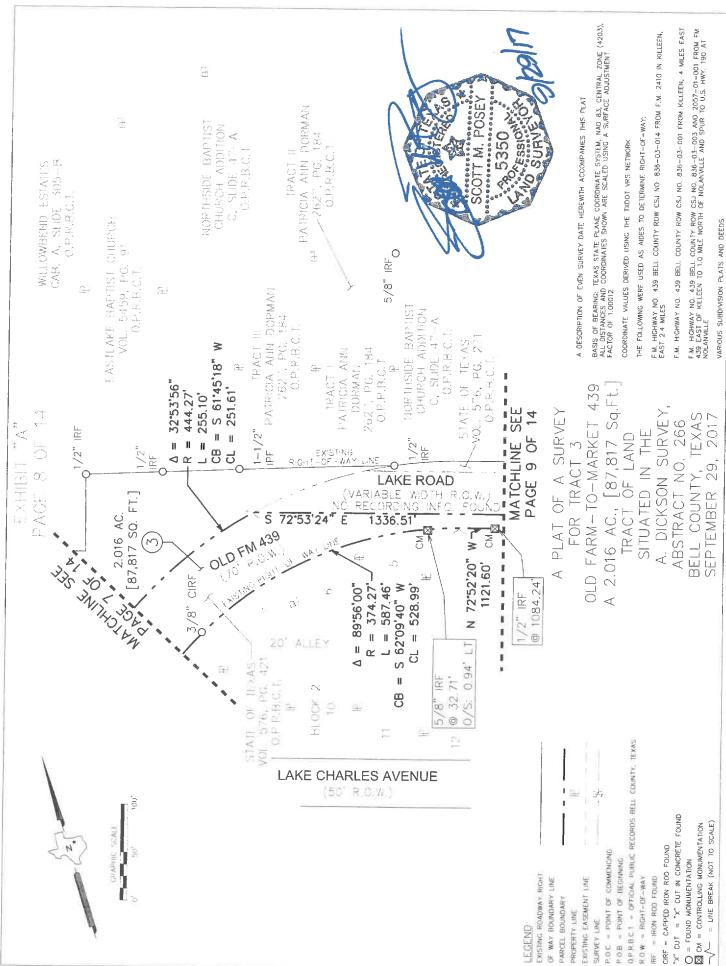
SEPTEMBER 29, 2017

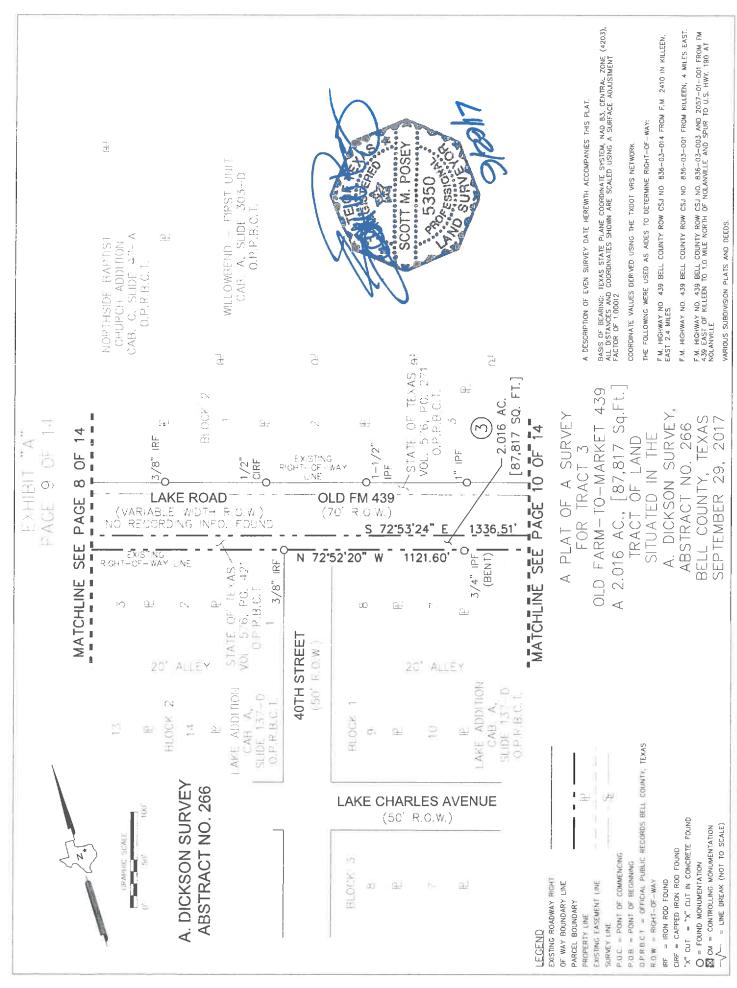


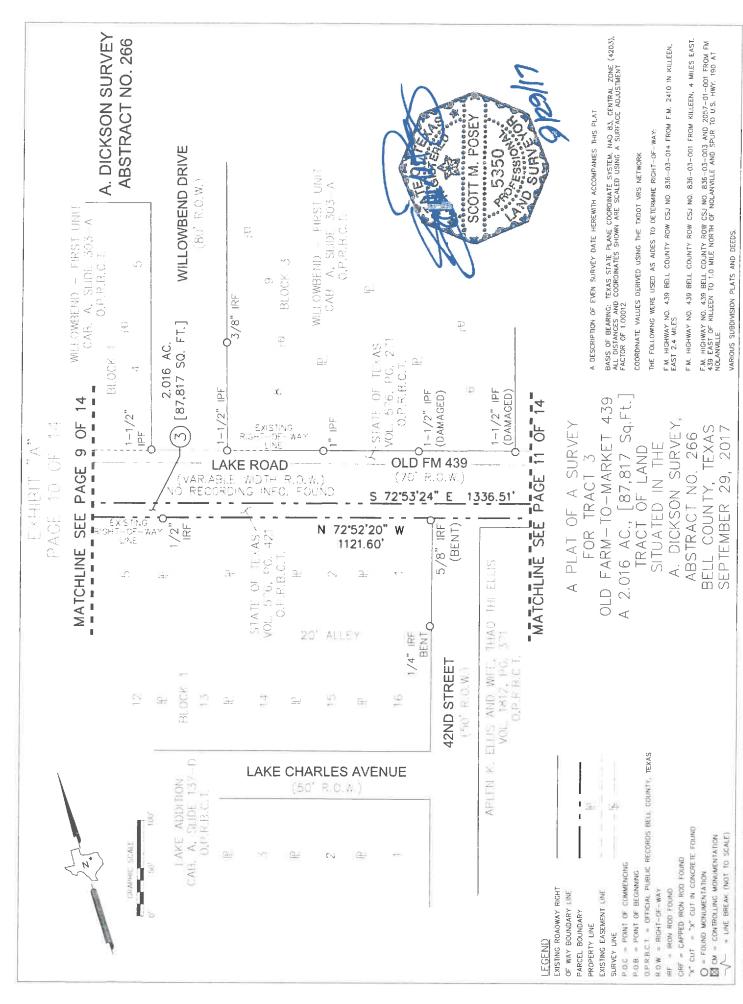


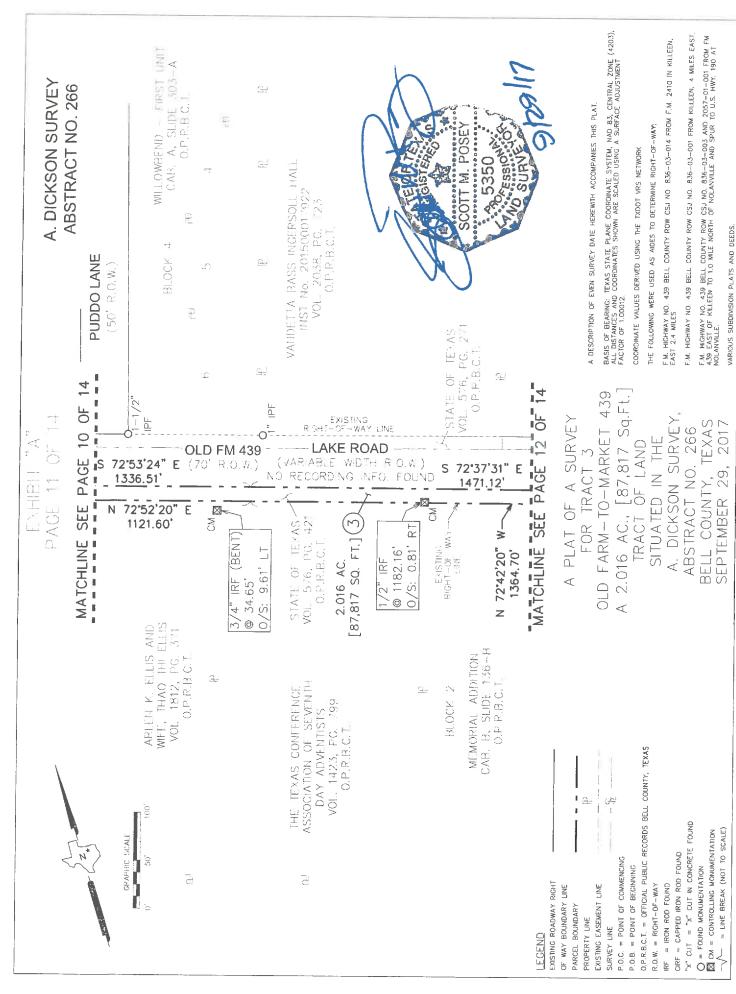


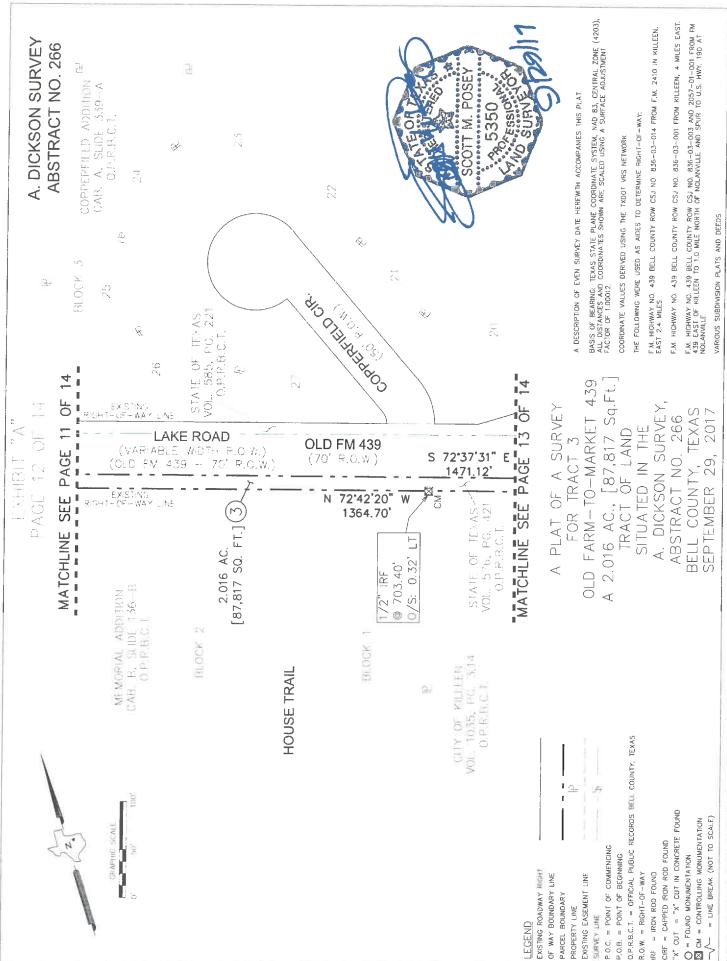
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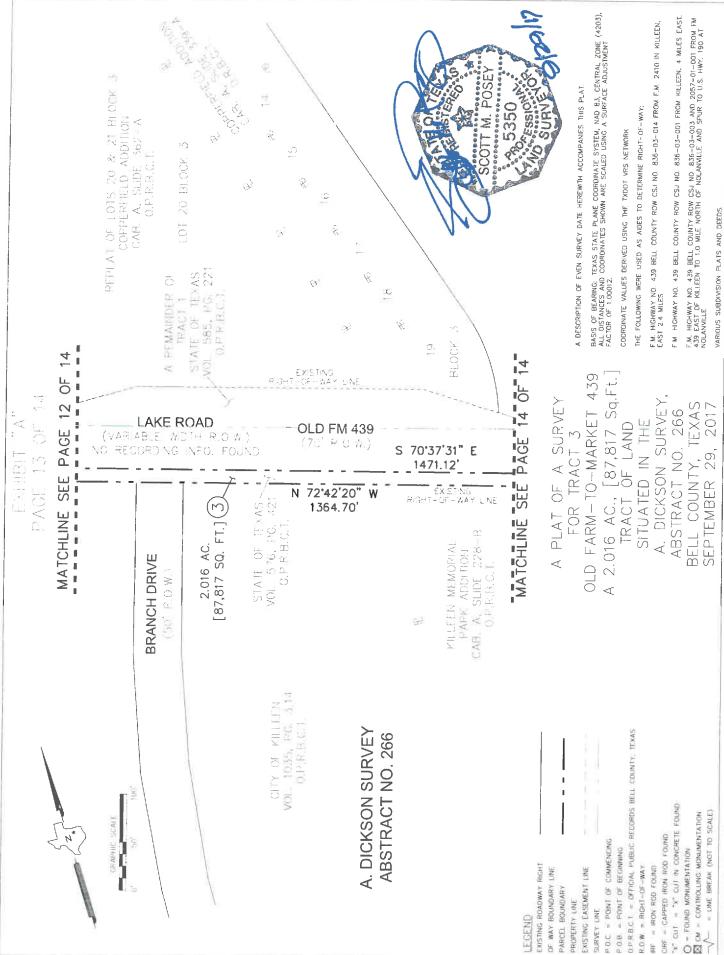


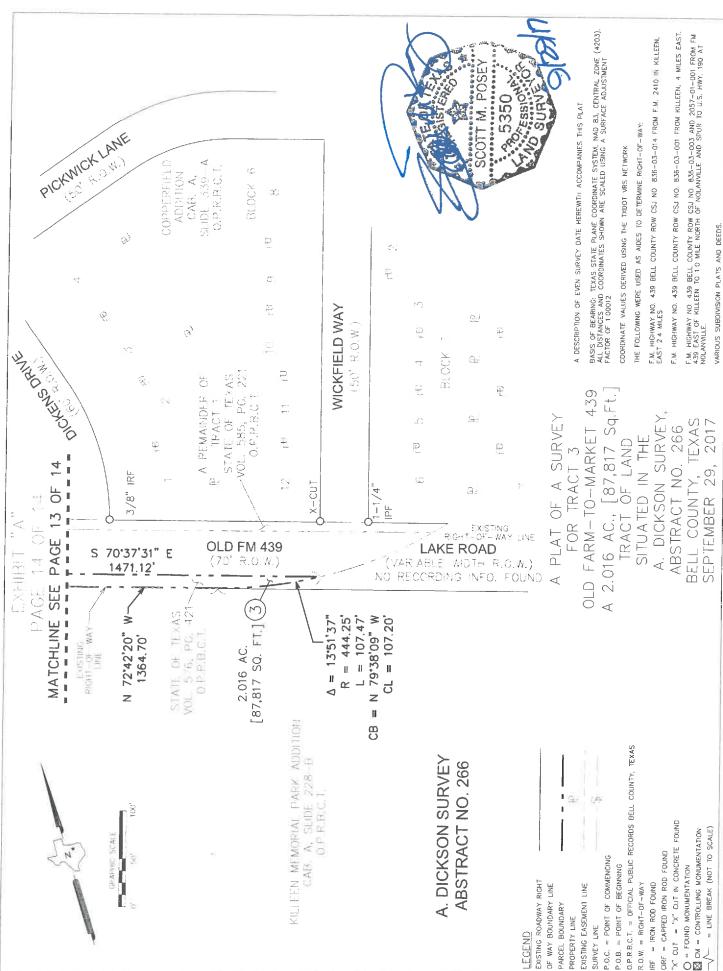












COUNTY: BELL PAGE: 1 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 4

BEING A 0.4438 ACRE (19,334 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 271 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FM 439 (A CALLED 70 FOOT R.O.W.), (NOW KNOWN AS LAKE ROAD – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 0.4438 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHWEST CORNER OF A REMAINING PORTION OF A TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 O.P.R.B.C.T., ALSO BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO VANDETTA BASS INGERSOL HALL RECORDED IN INSTRUMENT NUMBER 201500017922 O.P.R.B.C.T., AND FURTHER BEING THE SOUTHWEST CORNER OF LOT 26, BLOCK 3 OF THE REPLAT OF LOTS 20 & 21 BLOCK 3 OF COPPERFIELD ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, HAVING A SURFACE COORDINATE OF NORTH 10,383,042.589, EAST 3,123,789.575;

- 1) THENCE SOUTH 17° 17' 40" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 576, PAGE 271 AND THE COMMON WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, A DISTANCE OF 13.00 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 576, PAGE 271, SAME BEING THE SOUTHWEST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, ALSO BEING IN THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 2) THENCE NORTH 73° 10' 20" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 271 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 262.80 FEET;
- 3) THENCE NORTH 72° 40′ 54″ WEST CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 1,220.28 FEET TO THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 271, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.27 FEET WITH A RADIAL BEARING OF SOUTH 04° 18′ 15″ WEST;
- 4) THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 12° 49' 25", PASSING A 1/2 INCH IRON ROD FOUND AT AN ARC LENGTH OF 30.93 FEET, CONTINUING IN ALL A TOTAL AN ARC LENGTH OF 99.43 FEET, A CHORD THAT BEARS SOUTH 79° 17' 03" EAST AND A CHORD LENGTH OF 99.23 FEET;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

PAGE: 2 OF 6 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 4

- 5) THENCE SOUTH 75° 52' 20" EAST ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, PASSING A 3/8 INCH IRON ROD FOUND AT A DISTANCE OF 123.11 FEET, OFFSET LEFT A DISTANCE OF 0.84 FEET, PASSING A 1-1/2 INCH IRON PIPE FOUND AT A DISTANCE OF 993.16 FEET, OFFSET RIGHT A DISTANCE OF 0.75 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1,121.70 FEET;
- 6) THENCE SOUTH 72° 42' 20" EAST ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, PASSING A 1 INCH IRON PIPE FOUND AT A DISTANCE OF 12.21 FEET, OFFSET RIGHT A DISTANCE OF 1.04 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 262.80 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.4438 ACRE (19,334 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER 2017

DESCRIPTION FOR TRACT 4

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

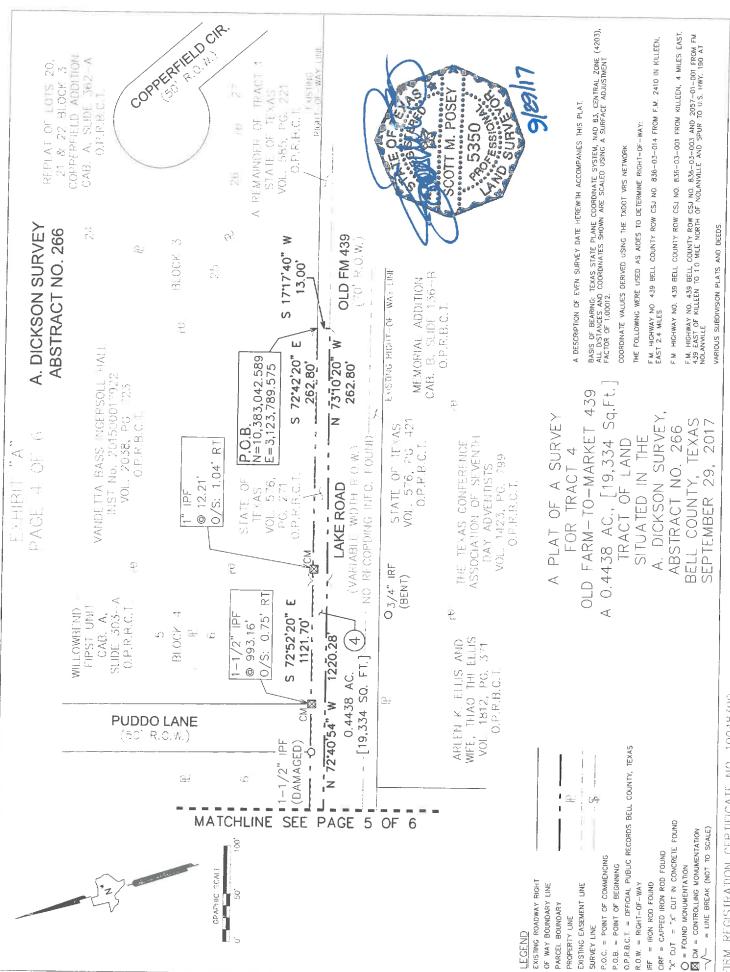
VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

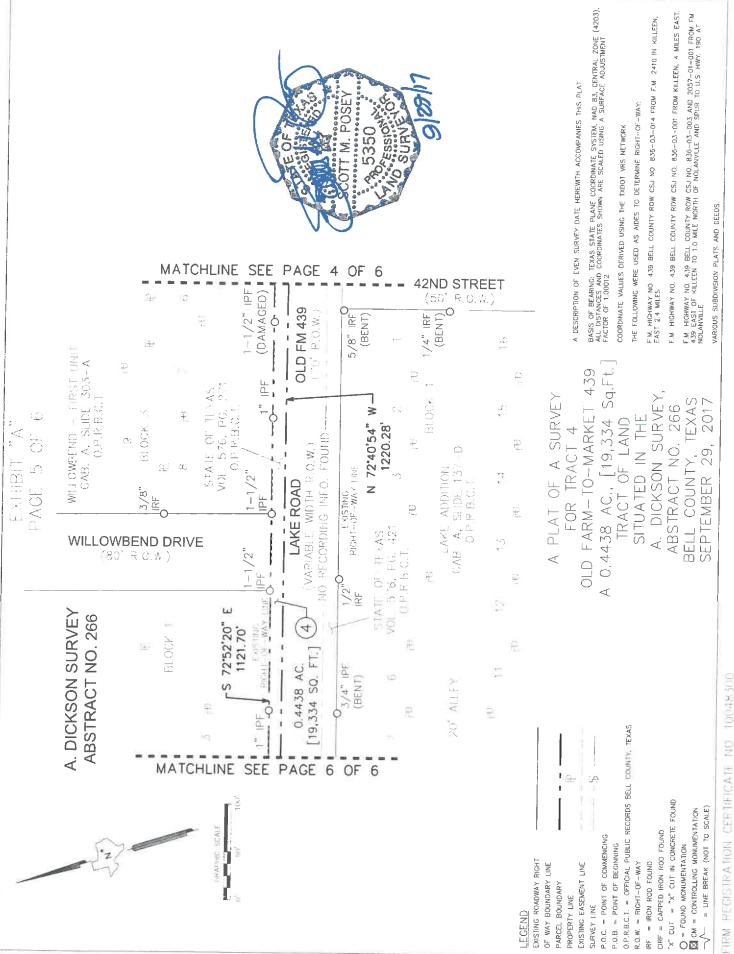
FIRM REGISTRATION CERTIFICATE NO. 10048300

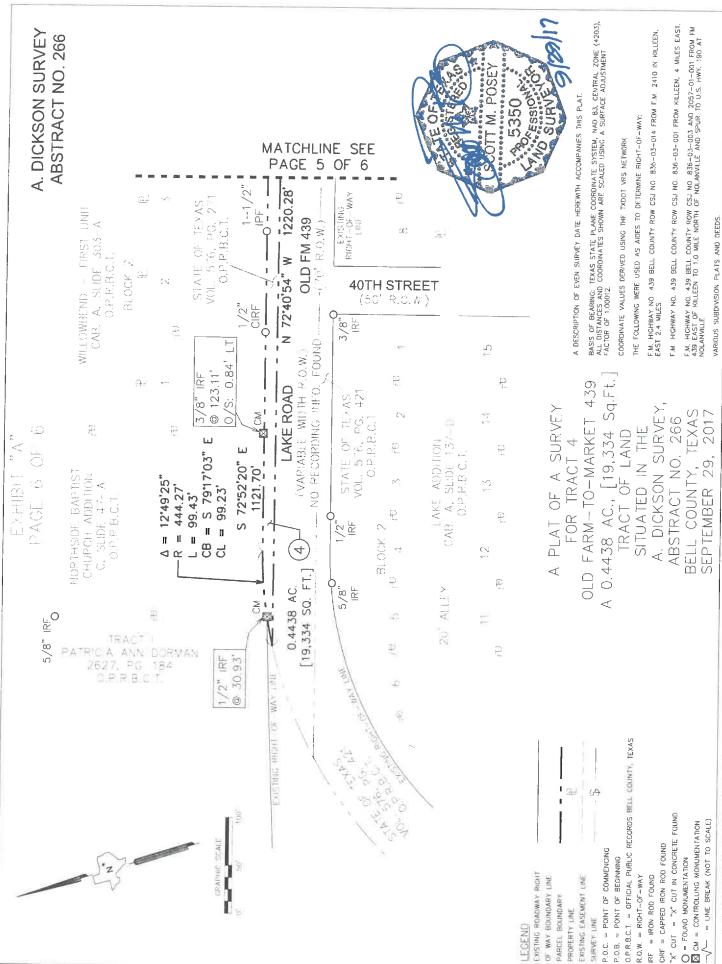
SEPTEMBER 29, 2017



SURVEY LINE

LEGEND





SURVEY LINE

COUNTY: BELL

HIGHWAY: FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 9 SEPTEMBER 2017

DESCRIPTION FOR TRACT 5

BEING A 2.809 ACRE (122,367 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FM 439 (A CALLED 70 FOOT R.O.W.), NOW KNOWN AS LAKE ROAD – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 2.809 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO PATRICIA ANN DORMAN RECORDED IN VOLUME 2627, PAGE 184 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING THE WEST MOST SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF NORTHSIDE BAPTIST CHURCH ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET C, SLIDE 47-A O.P.R.B.C.T., ALSO BEING IN THE NORTHERLY R.O.W. LINE OF OLD FM 439 (STATE OF TEXAS – VOLUME 576, PAGE 271 O.P.R.B.C.T.), AND FURTHER BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 444.27 AND A RADIAL BEARING OF SOUTH 08° 17' 34" WEST;

THENCE ALONG SAID NORTHERLY R.O.W. LINE OF OLD FM 439 AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 03° 59' 19", AN ARC LEGNTH OF 30.93 FEET, A CHORD THAT BEARS NORTH 83° 42' 06" WEST AND A CHORD LENGTH OF 30.92 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME 576, PAGE 271, SAME BEING IN THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, AND BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,383,469.509, EAST 3,122,369.206;

THENCE ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINES OF SAID VOLUME 576, PAGE 271 AND A REMAINING PORTION OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 O.P.R.B.C.T., AS FOLLOWS:

- 1) SOUTH 72° 40' 54" EAST, A DISTANCE OF 1,220.28 FEET;
- 2) SOUTH 73° 10' 20" EAST, A DISTANCE OF 262.80 FEET;
- 3) THENCE SOUTH 72° 51' 18" EAST, PASSING A 1-1/4 INCH IRON PIPE FOUND AT A DISTANCE OF 1257.66, OFFSET A DISTANCE OF 10.51 FEET LEFT, CONTINUING IN ALL A TOTAL DISTANCE OF 1325.74 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 12° 56' 47" WEST:

COUNTY: BELL

HIGHWAY: FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 9 SEPTEMBER 2017

DESCRIPTION FOR TRACT 5

- 4) THENCE ALONG THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 16° 22' 49", AN ARC LENGTH OF 127.01 FEET, A CHORD THAT BEARS SOUTH 85° 14' 38" WEST AND A CHORD LENGTH OF 126.57 FEET TO THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, SAME BEING THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 421 O.P.R.B.C.T.:
- 5) THENCE NORTH 72° 37' 31" WEST ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME 576, PAGE 421, A DISTANCE OF 1,471.12 FEET;
- 6) THENCE NORTH 72° 53' 24" WEST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 1,336.51 FEET TO THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.27 FEET AND A RADIAL BEARING OF SOUTH 11° 47' 44" EAST;
- 7) THENCE ALONG THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 16° 05' 58", AN ARC LENGTH OF 124.84 FEET, A CHORD THAT BEARS NORTH 86° 15' 16" EAST AND A CHORD LENGTH OF 124.42 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 2.809 ACRE (122,367 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 9 SEPTEMBER 2017

DESCRIPTION FOR TRACT 5

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

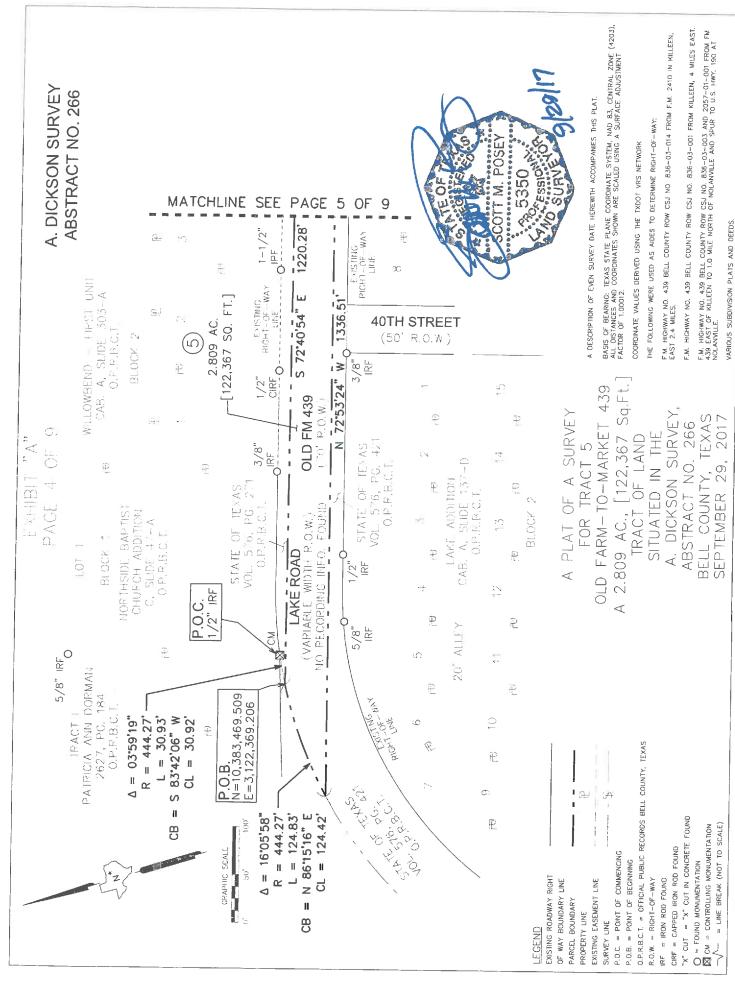
SCOTT M. POSEY
TEXAS REGISTRATION NO. 5350

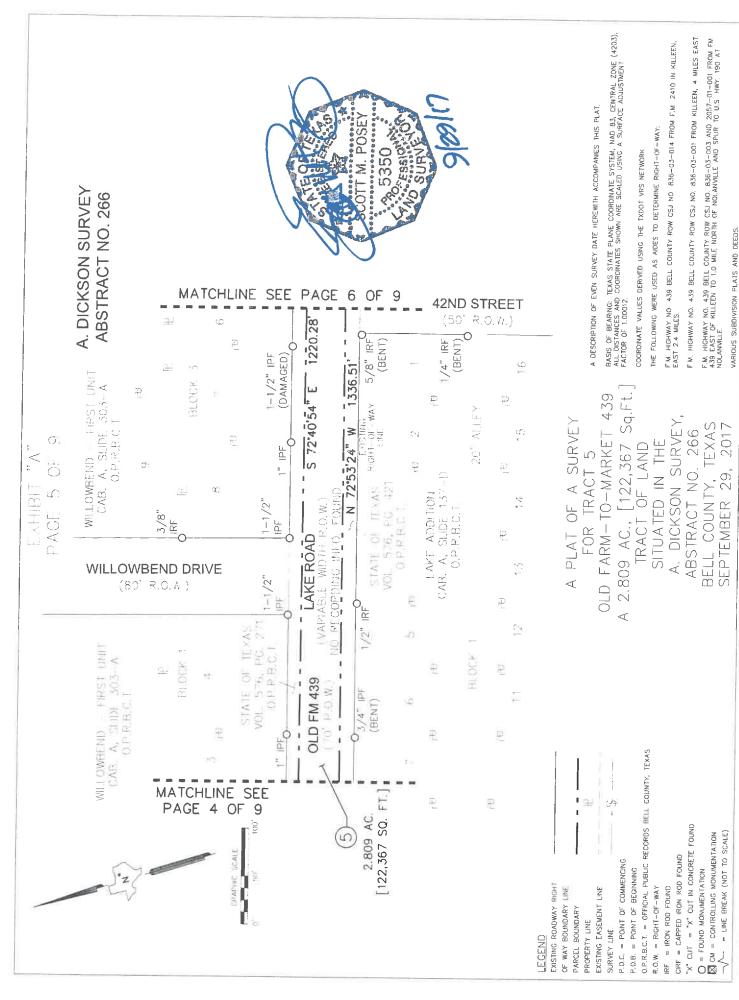
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000

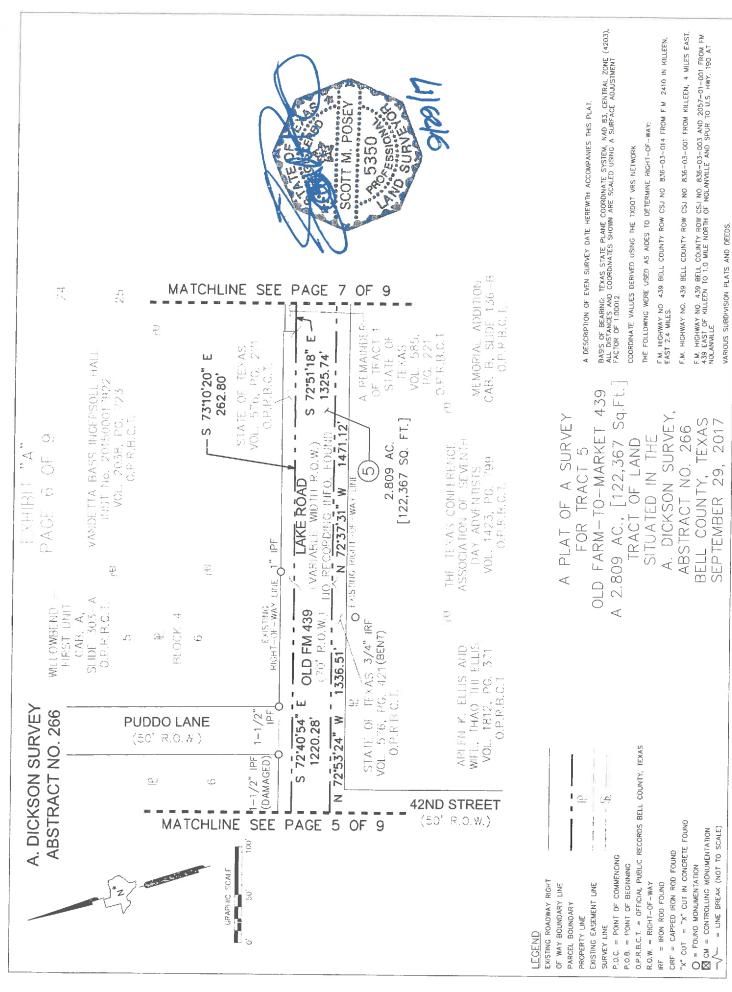
PLANO, TEXAS 75093 PH. (214) 440-3600

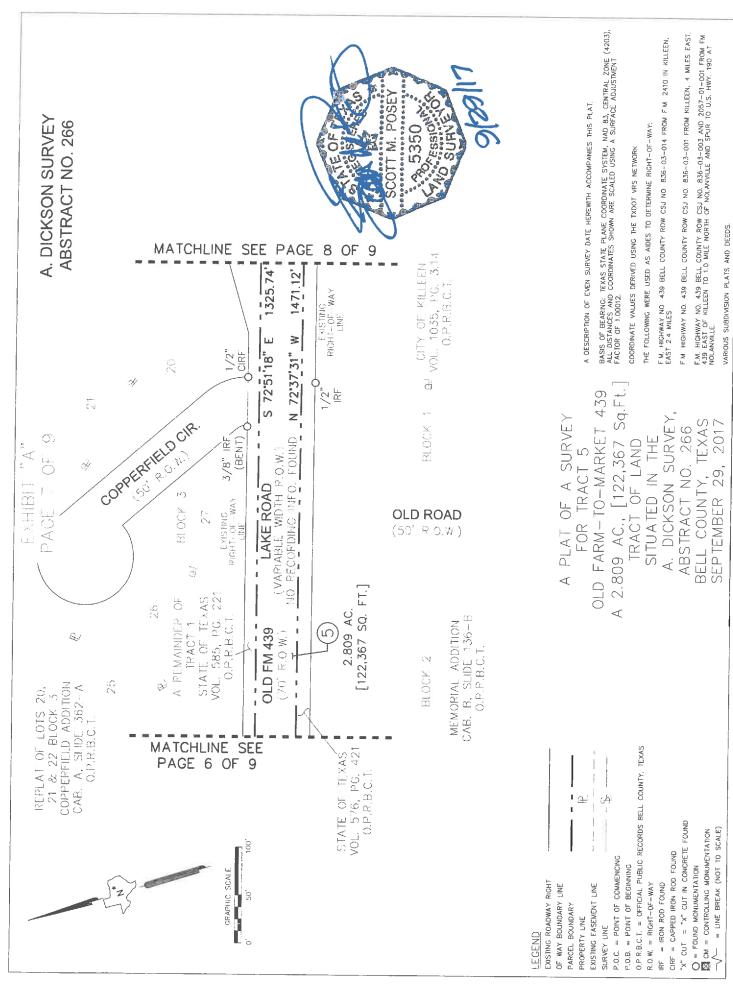
FIRM REGISTRATION CERTIFICATE NO. 10048300

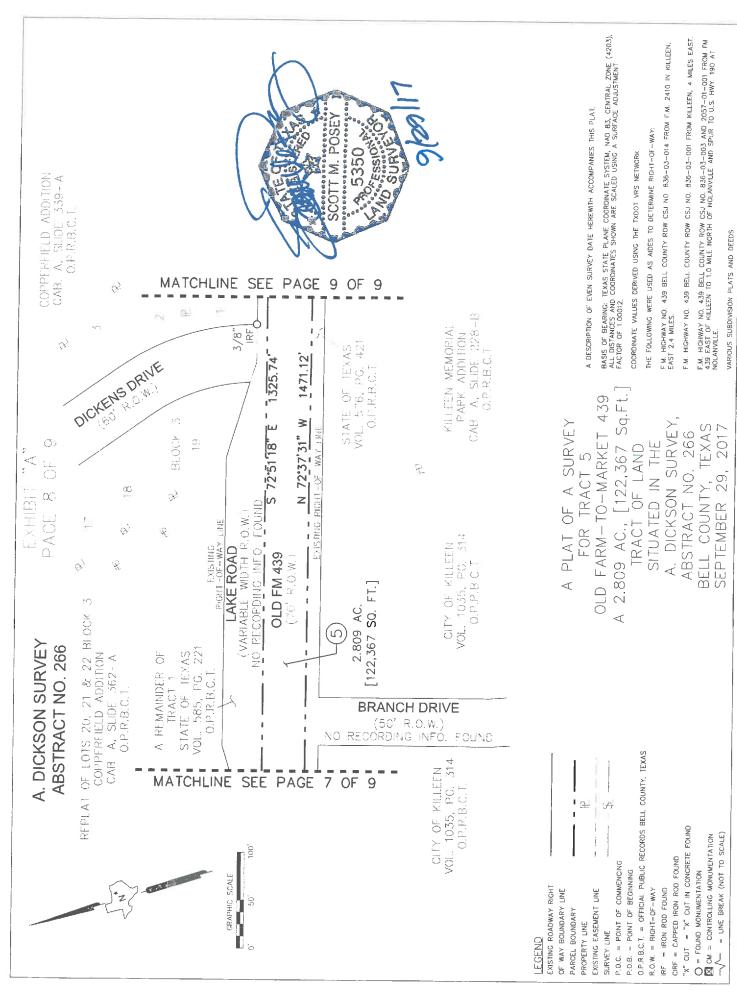
SEPTEMBER 29, 2017

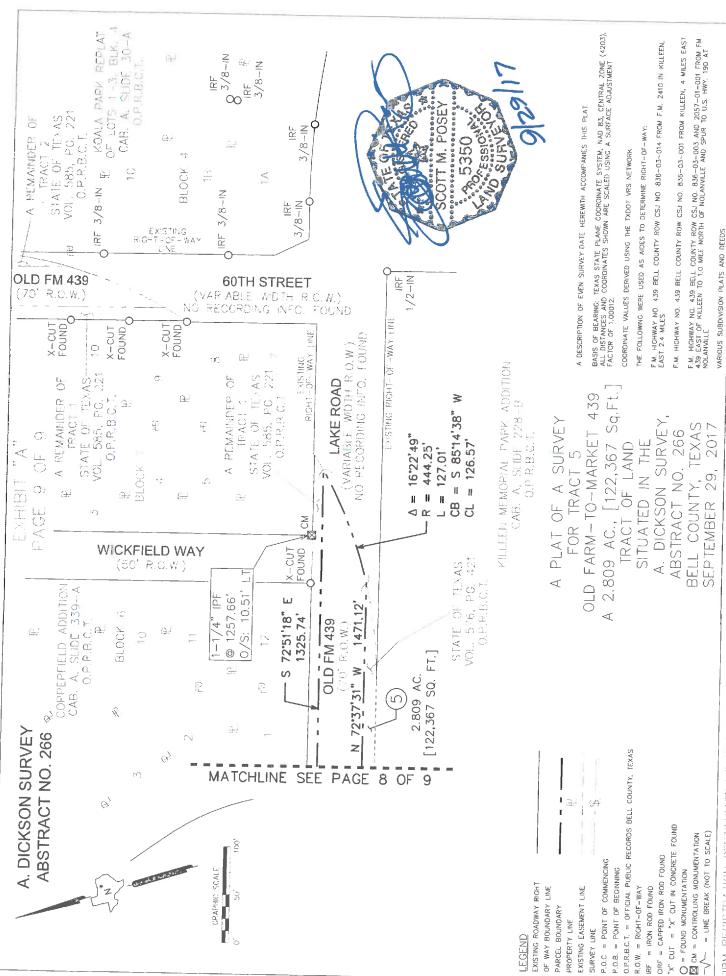












COUNTY: BELL PAGE: 1 OF 5

HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 6 PART 1

BEING A 0.6203 ACRE (27,021 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING ALL OF THE SOUTHERN MOST REMAINING PORTION OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FM 439 (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS LAKE ROAD — A VARIABLE WIDTH R.O.W. — NO RECORDING INFORMATION FOUND), SAID 0.6203 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 1, SAME BEING THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 271 O.P.R.B.C.T., ALSO BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO VANDETTA BASS INGERSOL HALL RECORDED IN INSTRUMENT NUMBER 201500017922 O.P.R.B.C.T., AND FURTHER BEING THE SOUTHWEST CORNER OF LOT 26, BLOCK 3 OF THE REPLAT OF LOTS 20 & 21 BLOCK 3 OF COPPERFIELD ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 362-A O.P.R.B.C.T., HAVING A SURFACE COORDINATE OF NORTH 10,383,042.589, EAST 3,123,789.575;

THENCE ALONG THE NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 1, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, AS FOLOWS:

- 1) SOUTH 72° 42' 20" EAST, PASSING A 3/8 INCH IRON ROD (BENT) FOUND AT A DISTANCE OF 352.37 FEET, OFFSET LEFT A DISTANCE OF 0.12 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 449.00 FEET:
- 2) NORTH 89° 24' 18" EAST, A DISTANCE OF 104.40 FEET:
- 3) SOUTH 72° 42' 20", A DISTANCE OF 300.00 FEET;
- 4) SOUTH 56° 00' 23" EAST, A DISTANCE OF 104.40 FEET:
- 5) NORTH 72° 42' 20" EAST, PASSING A 1-1/4 INCH IRON ROD FOUND AT A DISTANCE OF 308.63 FEET, OFFSET LEFT A DISTANCE OF 0.78 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 392.36 FEET TO THE EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 15° 18' 29" WEST;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 5 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 6 PART 1

- 6) THENCE ALONG THE EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 02° 21' 42", AN ARC LENGTH OF 18.31 FEET, A CHORD THAT BEARS SOUTH 75° 52' 22" WEST AND A CHORD LENGTH OF 18.31 FEET TO THE SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 7) THENCE NORTH 72° 51' 18" WEST ALONG THE SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 1,325.74 FEET TO THE SOUTHWEST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE SOUTHEAST CORNER OF SAID VOLUME 576, PAGE 271;
- 8) THENCE NORTH 17° 17' 40" EAST ALONG THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1 AND THE COMMON EASTERLY LINE OF SAID VOLUME 576, PAGE 271, A DISTANCE OF 13.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.6203 ACRE (27,021 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 5

SEPTEMBER, 2017

DESCRIPTION FOR TRACT 6 PART 1

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

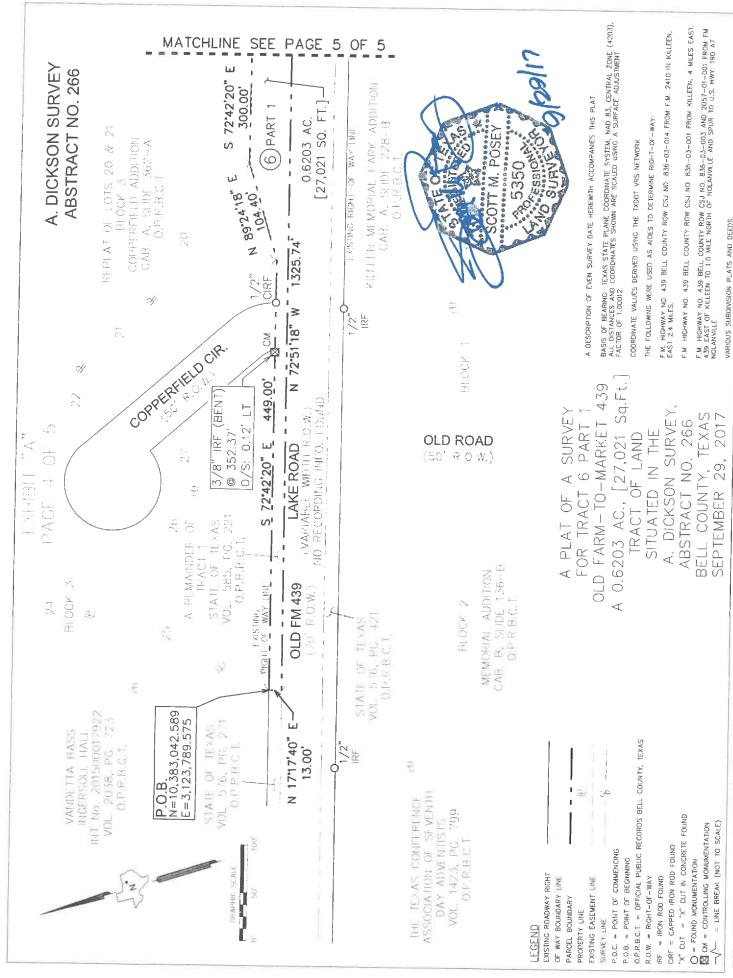
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000

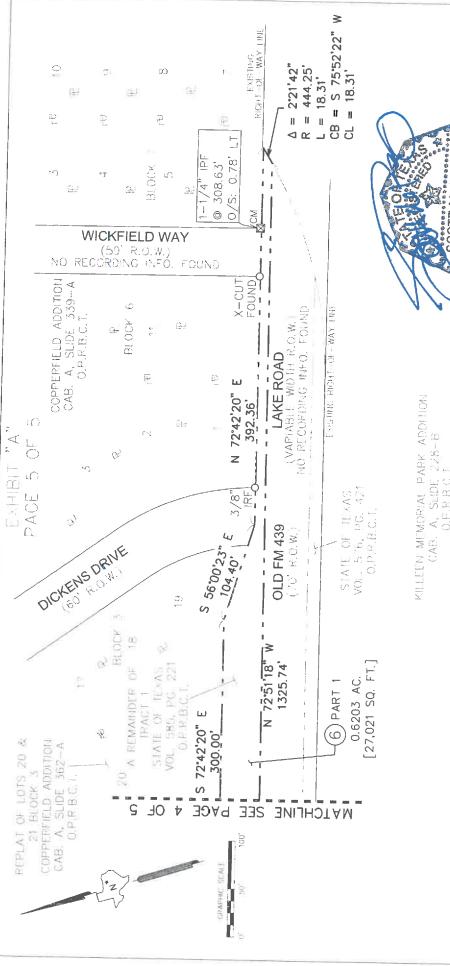
PLANO, TEXAS 75093

PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPYEMBER 29, 2017





CAB. A, SLIDE 228-B O.P.R B.C.T.

A. DICKSON SURVEY ABSTRACT NO. 266

A 0.6203 AC., [27,021 Sq.Ft.] OLD FARM-TO-MARKET 439 A PLAT OF A SURVEY A. DICKSON SURVEY, ABSTRACT NO. 266 BELL COUNTY, TEXAS SEPTEMBER 29, 2017 FOR TRACT 6 PART SITUATED IN THE TRACT OF LAND

O.P.R.B.C.T . OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS

R.O.W. = RICHT-OF-WAY = IRON ROD FOUND

P.O.C. = POINT OF COMMENCING P.O.B. = POINT OF BEGINNING

EXISTING EASEMENT LINE PARCEL BOUNDARY PROPERTY LINE SURVEY LINE "X" CUT = "X" CUT IN CONCRETE FOUND O = FOUND MONUMENTATION

CM = CONTROLLING MONUMENTATION - LINE BREAK (NOT TO SCALE)

CIRF = CAPPED IRON ROD FOUND

1

EXISTING ROADWAY RIGHT

LEGEND

OF WAY BOUNDARY LINE



A DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1,00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY.

F M. HIGHWAY NO 439 BELL COUNTY ROW CSJ NO 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST, F.M. HICHWAY NO. 439 BELL COUNTY ROW CS.J NO 8:36-03-003 AND 2057-01-001 FROM FM NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE

VARIOUS SUBDIVISION PLATS AND DEEDS.

COUNTY: BELL PAGE: 1 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 6 PART 2

BEING A 0.3397 ACRE (14,797 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING ALL OF THE NORTHERN MOST REMAINING PORTION OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FM 439 (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS 60TH STREET – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 0.3397 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 1, SAME BEING IN THE EASTERLY R.O.W. LINE OF OLD FM 439, HAVING A SURFACE COORDINATE OF NORTH 10,382,734.520, EAST 3,125,241.544, FROM WHICH AN X-CUT FOUND AT THE NORTHEAST CORNER OF LOT 8, BLOCK 7 OF COPPERFIELD ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 339-A O.P.R.B.C.T., SAME BEING THE SOUTHEAST CORNER OF LOT 9, BLOCK 7 OF SAID COPPERFIELD ADDITION, BEARS SOUTH 73° 57' 41" WEST, A DISTANCE OF 1.08 FEET;

- 1) THENCE NORTH 16° 53' 40" ALONG THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439, PASSING AN X-CUT FOUND AT A DISTANCE OF 60.10 FEET, OFFSET LEFT A DISTANCE OF 0.68 FEET, PASSING ANOTHER X-CUT FOUND AT A DISTANCE OF 120.57 FEET, OFFSET LEFT A DISTANCE OF 0.49 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1136.26 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 73° 06' 20" EAST;
- 2) THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 12° 56' 07", AN ARC LENGTH OF 100.30 FEET, A CHORD THAT BEARS NORTH 23° 21' 43" EAST AND A CHORD LENGTH OF 100.09 FEET TO THE EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 6 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 6 PART 2

- 3) THENCE SOUTH 16° 47' 26" WEST ALONG THE EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1 AND THE COMMON WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, A DISTANCE OF 1,213.21 FEET TO THE SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 43° 53' 13" WEST;
- 4) THENCE ALONG THE SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 03° 23' 02", AN ARC LENGTH OF 26.24 FEET, A CHORD THAT BEARS SOUTH 47° 48' 18" WEST AND A CHORD LENGTH OF 26.23 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.3397 ACRE (14,797 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 6 PART 2

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

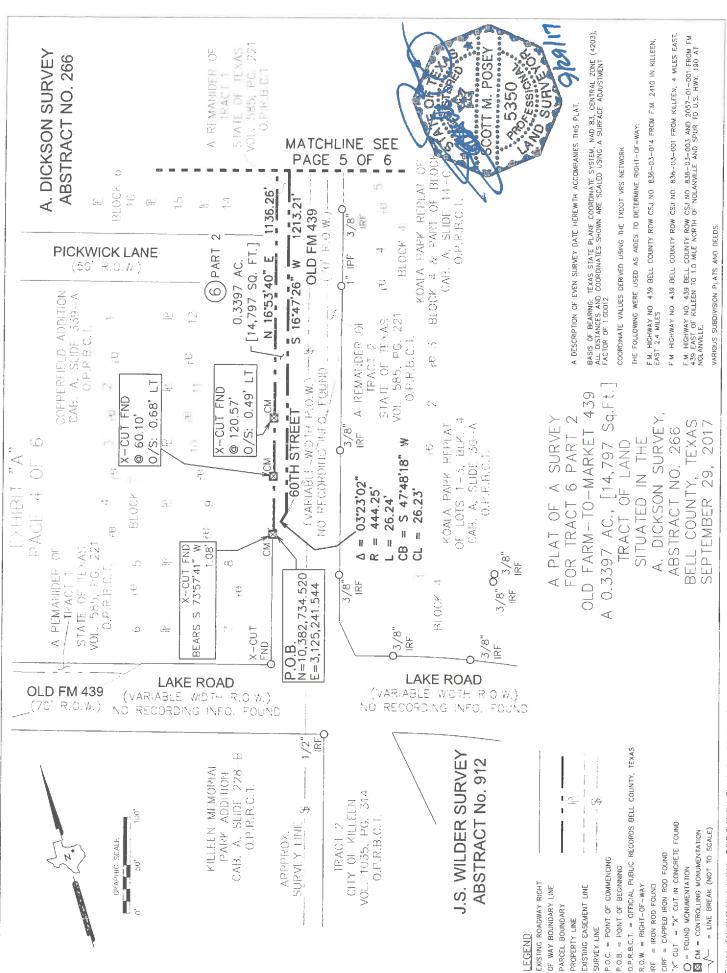
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

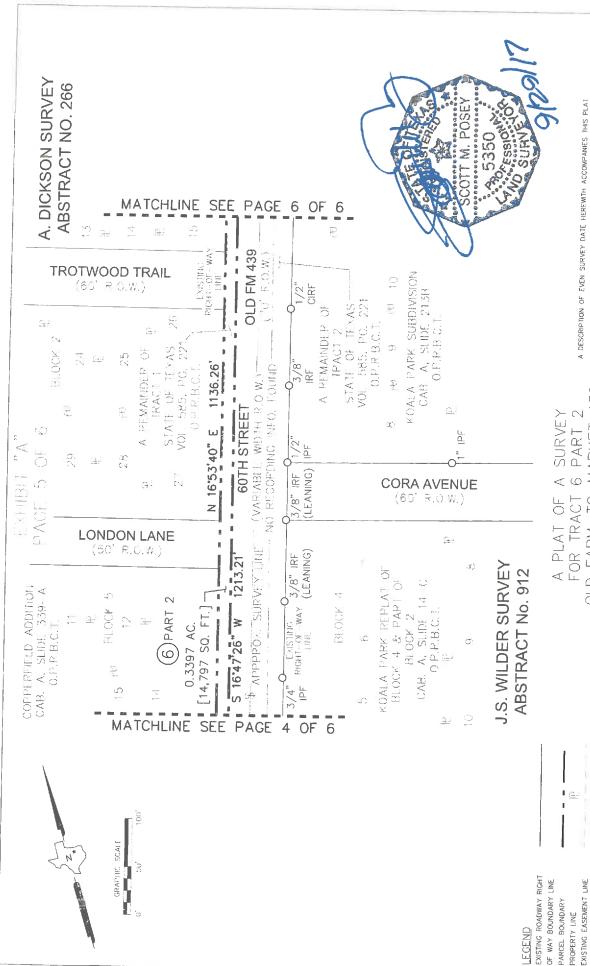
FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017



PROPERTY LINE SURVEY LINE

EGEND



OLD FARM-TO-MARKET 439 A 0.3397 AC., [14,797 Sq.Ft. TRACT OF LAND A. DICKSON SURVEY, BELL COUNTY, TEXAS SEPTEMBER 29, 2017 ABSTRACT NO. 266 SITUATED IN THE

O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS

R.O.W. = RIGHT--OF-WAY

"x" CUT = "x" CUT IN CONCRETE FOUND

CIRF = CAPPED IRON ROD FOUND

= IRON ROD FOUND

눒

The BREAK (NOT TO SCALE) CM = CONTROLLING MONUMENTATION

O = FOUND MONUMENTATION

CM = CONTROLLING MONUM

60

P.O.C. = POINT OF COMMENCING P.O.B. = POINT OF BEGINNING

SURVEY LINE

A DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT

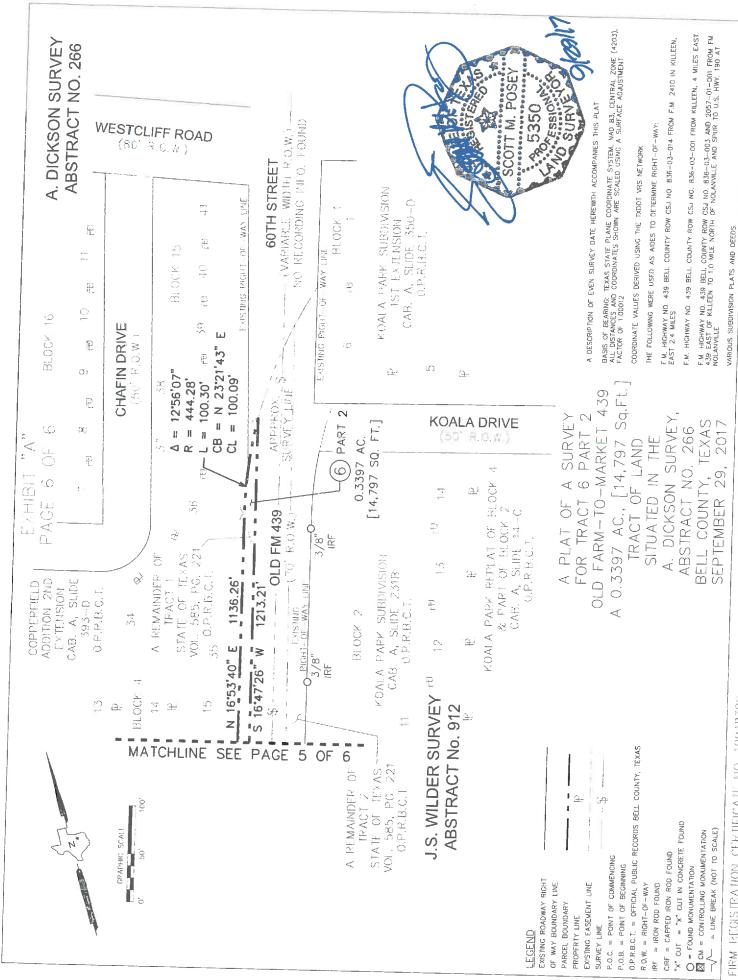
BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1 00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK

F.M. HIGHWAY NO 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES. THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO 836-03-001 FROM KILLEEN, 4 MILES EAST. F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-601 FROM FM ASSE AST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO US. HWY. 190 AT NOLANVILLE

VARIOUS SUBDIVISION PLATS AND DEEDS



COUNTY: BELL PAGE: 1 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 7

BEING A 1.0864 ACRE (47,323 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266 AND THE J.S. WILDER SURVEY, ABSTRACT NO. 912, BELL COUNTY, TEXAS, AND BEING PART OF THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FM 439 (A CALLED 70 FOOT R.O.W.), NOW KNOWN AS W. 60TH STREET – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 1.0864 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN X-CUT FOUND AT THE NORTHEAST CORNER OF LOT 8, BLOCK 7 OF COPPERFIELD ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 339-A OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING THE SOUTHEAST CORNER OF LOT 9, BLOCK 7 OF SAID COPPERFIELD ADDITION;

THENCE NORTH 73° 57' 41" EAST, A DISTANCE OF 1.08 FEET TO THE SOUTHWEST CORNER OF A REMAINING PORTION OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 O.P.R.B.C.T., SAME BEING IN THE EASTERLY R.O.W. LINE OF OLD FM 439, AND BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 40° 30' 12" WEST:

THENCE ALONG THE SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 03° 23' 02", AN ARC LENGTH OF 26.24 FEET, A CHORD THAT BEARS SOUTH 47° 48' 18" WEST AND A CHORD LENGTH OF 26.23 FEET TO THE EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 1, SAME BEING IN THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, ALSO BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,382,752.140, EAST 3,125,260.979;

1) THENCE NORTH 16° 47' 26" EAST ALONG THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439 AND THE COMMON EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 1, A DISTANCE OF 1,213.21 FEET TO THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 60° 10' 13" EAST;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 6 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 7

- 2) THENCE ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439 AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13° 26' 21", AN ARC LENGTH OF 104.21 FEET, A CHORD THAT BEARS NORTH 36° 32' 57" EAST AND A CHORD LENGTH OF 103.97 FEET TO THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, SAME BEING THE WESTERLY LINE OF A REMAINING PORTION OF THAT TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 O.P.R.B.C.T.;
- 3) THENCE SOUTH 16° 28' 48" WEST ALONG THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439 AND THE COMMON WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, PASSING A 1/2-INCH IRON ROD FOUND AT A DISTANCE OF 690.99 FEET, OFFSET A DISTANCE OF 17.88 FEET LEFT, CONTINUING IN ALL A TOTAL DISTANCE OF 1208.81 FEET TO THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 58° 10' 02" WEST;
- 4) THENCE ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439 AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 14° 16' 49", AN ARC LENGTH OF 110.72 FEET, A CHORD THAT BEARS SOUTH 38° 58' 22" WEST AND A CHORD LENGTH OF 110.44 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.0864 ACRE (47,323 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 7

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

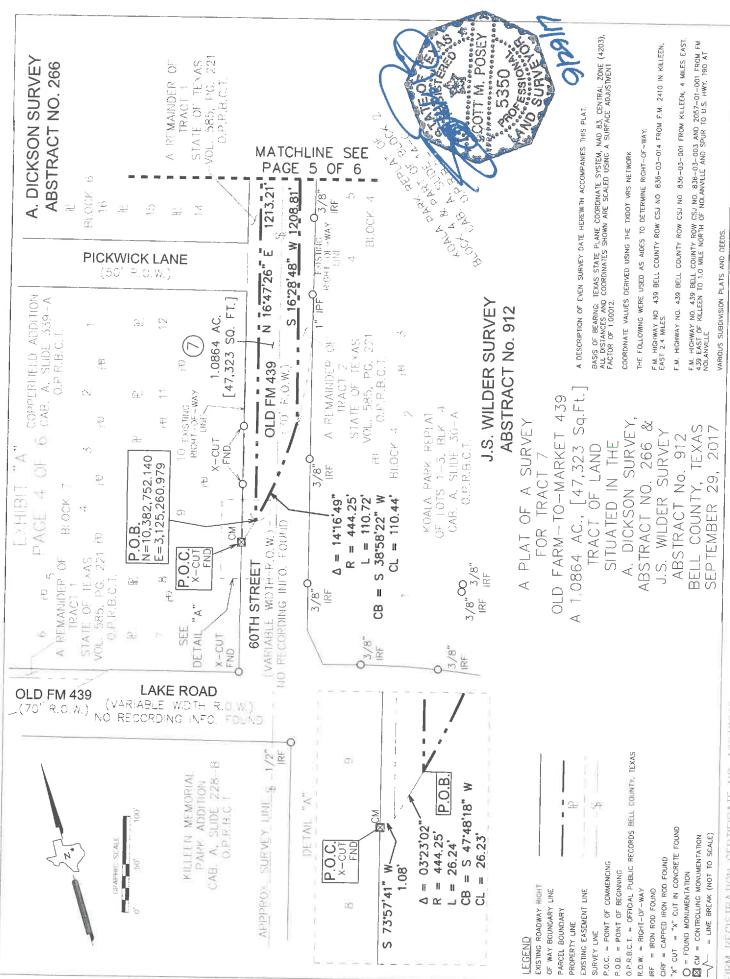
SCOTT M. POSEY

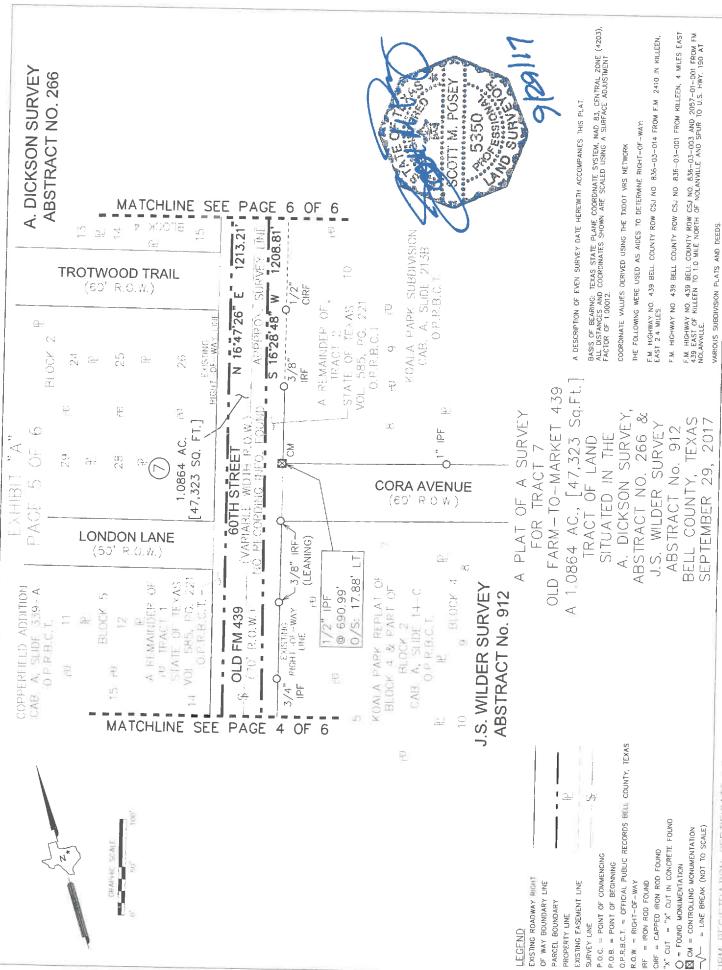
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

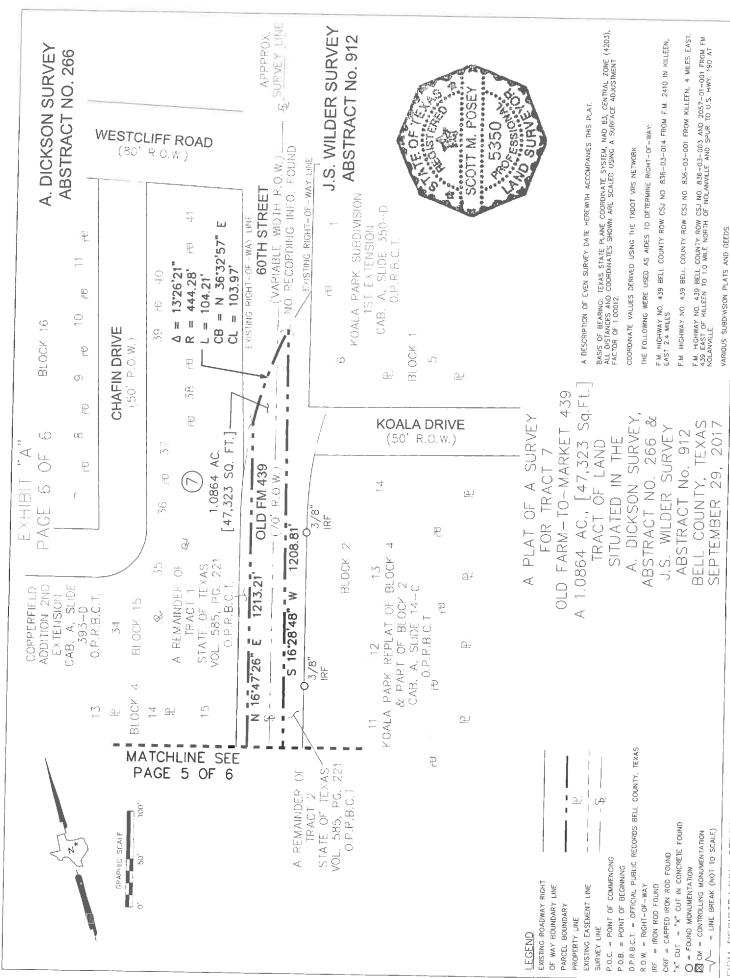
AUGUST XX, 2017





SURVEY LINE

"x" CUT RF



COUNTY: BELL PAGE: 1 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 8 PART 1

BEING A 0.5509 ACRE (23,996 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE J.S. WILDER SURVEY, ABSTRACT NO. 912, BELL COUNTY, TEXAS, AND BEING ALL OF THE SOUTHERN MOST REMAINING PORTION OF A TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (0.P.R.B.C.T.), SAME BEING A PART OF OLD FM 439 (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS 60TH STREET – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 0.5509 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN INTERIOR ELL CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2, SAME BEING THE SOUTHWEST CORNER OF LOT 6, BLOCK 1 OF KOALA PARK SUBDIVISION 1ST EXTENSION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 350-D O.P.R.B.C.T., SAME BEING IN THE NORTHERLY R.O.W. LINE OF KOALA DRIVE (A CALLED 50 FOOT R.O.W. – CABINET A, SLIDE 231-B O.P.R.B.C.T.), AND FURTHER BEING IN THE EASTERLY R.O.W. LINE OF SAID 60TH STREET, HAVING A SURFACE COORDINATE OF NORTH 10,383,913.446, EAST 3,125,671.845;

- 1) THENCE SOUTH 73° 53' 42" EAST ALONG AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2 AND THE COMMON SOUTHERLY LINE OF SAID LOT 6 AND THE NORTHERLY R.O.W. LINE OF SAID KOALA DRIVE, A DISTANCE OF 19.67 FEET TO AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 374.28 FEET AND A RADIAL BEARING OF SOUTH 54° 52' 23" EAST;
- 2) THENCE ALONG AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 18° 13' 57", AN ARC LENGTH OF 119.10 FEET, A CHORD THAT BEARS SOUTH 26° 00' 38" WEST AND A CHORD LENGTH OF 118.60 FEET;
- 3) THENCE SOUTH 16° 53' 40" WEST ALONG AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, PASSING A 3/8-INCH IRON ROD FOUND AT A DISTANCE OF 13.89 FEET, OFFSET RIGHT A DISTANCE OF 0.39 FEET, PASSING A 1-INCH IRON PIPE FOUND AT A DISTANCE OF 877.70 FEET, OFFSET RIGHT A DISTANCE OF 1.34 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 896.90 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.25 FEET AND A RADIAL BEARING OF NORTH 73° 06' 20" WEST:

COUNTY: BELL PAGE: 2 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 8 PART 1

- 4) THENCE ALONG AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 14° 56′ 18″, AN ARC LENGTH OF 115.83 FEET, A CHORD THAT BEARS SOUTH 24° 21′ 49″ WEST AND A CHORD LENGTH OF 115.50 FEET TO THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439;
- 5) THENCE NORTH 16° 28' 48" EAST ALONG THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2 AND THE COMMON EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, A DISTANCE OF 1,208.81 FEET TO NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 46° 43' 52" EAST;
- 6) THENCE ALONG THE NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 06° 00' 07", AN ARC LENGTH OF 46.54 FEET, A CHORD THAT BEARS SOUTH 46° 16' 11" EAST AND A CHORD LENGTH OF 46.52 FEET TO AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EXISTING EASTERLY R.O.W. LINE OF SAID 60TH STREET, ALSO BEING THE WESTERLY LINE OF SAID KOALA PARK SUBDIVISION 1ST EXTENSION:
- 7) THENCE SOUTH 16° 51' 55" WEST ALONG AN EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE EXISTING EASTERLY R.O.W. LINE OF SAID 60TH STREET AND THE COMMON WESTERLY LINE OF SAID KOALA PARK SUBDIVISION 1ST EXTENTION, A DISTANCE OF 121.07 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.5509 ACRE (23,996 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 8 PART 1

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

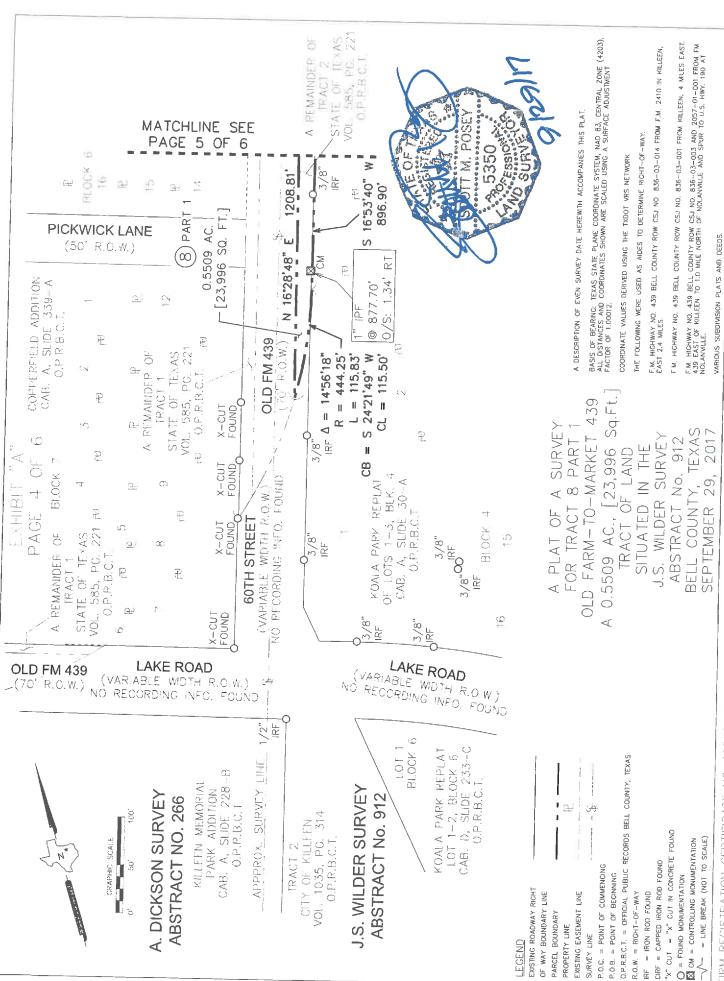
TEXAS REGISTRATION NO. 5350

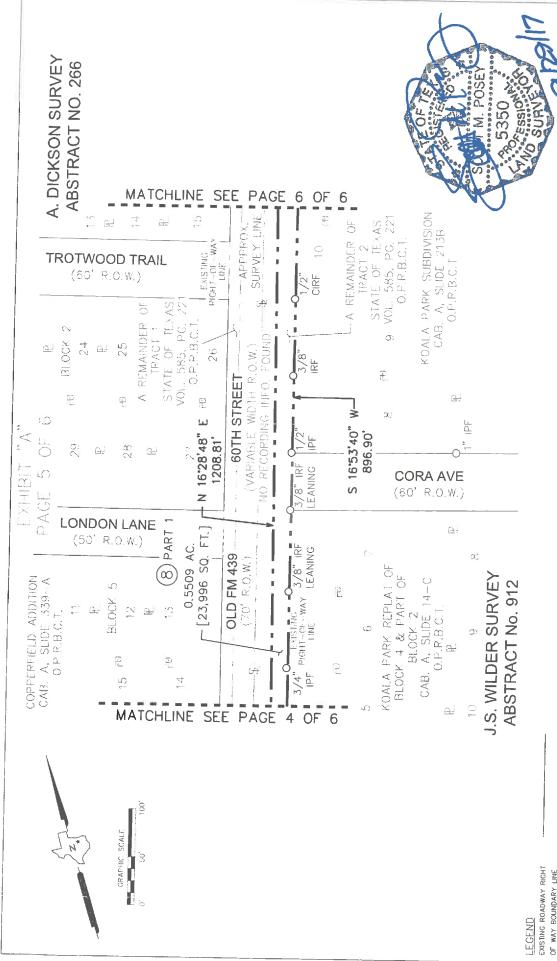
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017





OLD FARM-TO-MARKET 439 A PLAT OF A SURVEY 2017 BELL COUNTY, TEXAS FOR TRACT 8 PART J.S. WILDER SURVEY ABSTRACT No. 912 SITUATED IN THE A 0.5509 AC., [23,996 TRACT OF LAND SEPTEMBER 29,

O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS

R.O.W. = RIGHT-OF-WAY = IRON ROD FOUND

胋

P.O.C. = POINT OF COMMENCING P.O.B. = POINT OF BEGINNING

EXISTING EASEMENT LINE

PARCEL BOUNDARY PROPERTY LINE SURVEY LINE "X" CUT = "X" CUT IN CONCRETE FOUND O = FOUND MONUMENTATION

☑ CM = CONTROLLING MONUMENTATION TO = LINE BREAK (NOT TO SCALE)

CIRF = CAPPED IRON ROD FOUND

A DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

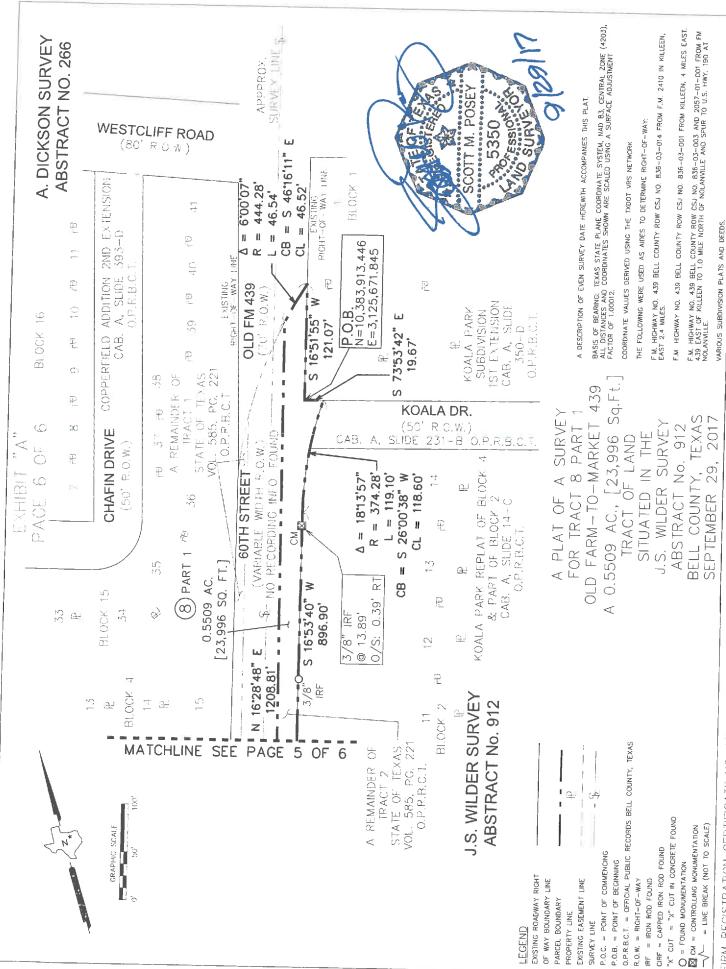
COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO 835-03-014 FROM F.M. 2410 NY KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST. F.M. HIGHWAY NO. 439 BELL CDUNTY ROW CSJ NO. 836–03–003 AND 2057–01–001 FROM FM 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLAWANILE.

VARIOUS SUBDIVISION PLATS AND DEEDS



COUNTY: BELL PAGE: 1 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 8 PART 2

BEING A 0.7700 ACRE (33,540 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE J.S. WILDER SURVEY, ABSTRACT NO. 913, BELL COUNTY, TEXAS, AND BEING ALL OF THE NORTHERN MOST REMAINING PORTION OF A TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FM 439 (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD — A VARIABLE WIDTH R.O.W. — NO RECORDING INFORMATION FOUND), SAID 0.7700 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN INTERIOR ELL CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2, SAME BEING THE NORTHEAST CORNER OF LOT 3, BLOCK 1 OF KOALA PARK SUBDIVISION 1ST EXTENSION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 350-D O.P.R.B.C.T., SAME BEING THE NORTHWEST CORNER OF LOT 2, BLOCK 1 OF KOALA PARK SUBDIVISION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 231-B O.P.R.B.C.T., SAME BEING IN THE SOUTHERLY R.O.W. LINE OF SAID WESTCLIFF ROAD, HAVING A SURFACE COORDINATE OF NORTH 10,384,090.307, EAST 3,125,967.765, FROM WHICH AN X-CUT FOUND BEARS SOUTH 55° 48' 49' EAST, A DISTANCE OF 0.77 FEET;

- 1) THENCE NORTH 73° 43' 02" WEST ALONG A SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2 AND THE COMMON NORTHERLY LINE OF SAID KOALA PARK SUBDIVISION 1ST EXTENSION, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439 AND SAID WESTCLIFF ROAD, A DISTANCE OF 101.06 FEET TO THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 16° 29' 20" EAST;
- 2) THENCE ALONG THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 05° 02′ 08", AN ARC LENGTH OF 39.05 FEET, A CHORD THAT BEARS NORTH 76° 01′ 44" EAST AND A CHORD LENGTH OF 39.03 FEET TO THE NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439:

COUNTY: BELL PAGE: 2 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 8 PART 2

- 3) THENCE SOUTH 73° 23' 22" EAST ALONG THE NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2 AND THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, A DISTANCE OF 2,034.43 FEET TO THE NORTHEAST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 421 O.P.R.B.C.T.;
- 4) THENCE SOUTH 16° 22' 10" WEST ALONG THE EASTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2 AND THE COMMON WESTERLY LINE OF SAID VOLUME 576, PAGE 421, A DISTANCE OF 13.00 FEET TO THE SOUTHEAST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE SOUTHWEST CORNER OF SAID VOLUME 576, PAGE 421, ALSO BEING IN THE SOUTHERLY R.O.W. LINE OF OLD FM 439;
- 5) THENCE NORTH 73° 32' 20" WEST ALONG A SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439, PASSING A 1-INCH IRON PIPE FOUND AT A DISTANCE OF 1.09 FEET, OFFSET LEFT A DISTANCE OF 0.79 FEET, PASSING A 1/2-INCH IRON ROD FOUND (LEANING) AT A DISTANCE OF 1806.68 FEET, OFFSET LEFT A DISTANCE OF 1.48 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1,826.46 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 374.28 FEET AND A RADIAL BEARING OF SOUTH 16° 27' 40" WEST;
- 6) THENCE ALONG A SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE SOUTHERLY LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 22° 05' 36", PASSING AN X-CUT FOUND AT AN ARC LENGTH OF 59.57 FEET, OFFSET RIGHT A DISTANCE OF 3.50 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 144.32 FEET, A CHORD THAT BEARS NORTH 84° 35' 08" WEST AND A CHORD LENGTH OF 143.43 FEET TO THE WESTERLY LINE OF SAID LOT 2, BLOCK 1, SAME BEING THE EASTERLY LINE OF SAID LOT 3, BLOCK 1:
- 7) THENCE NORTH 16° 52' 04" EAST ALONG A SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2, SAME BEING THE COMMON LINE BETWEEN SAID LOT 2, BLOCK 1 AND SAID LOT 3, BLOCK 1, A DISTANCE OF 26.33 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.7700 ACRE (33,540 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 8 PART 2.

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

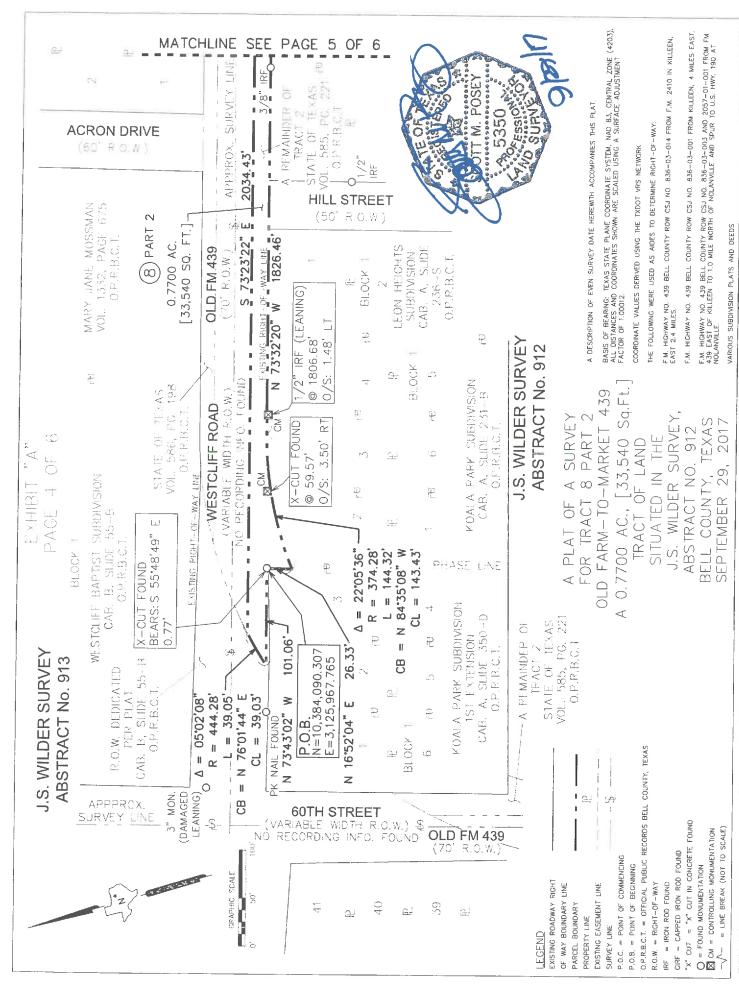
SCOTT M. POSEY

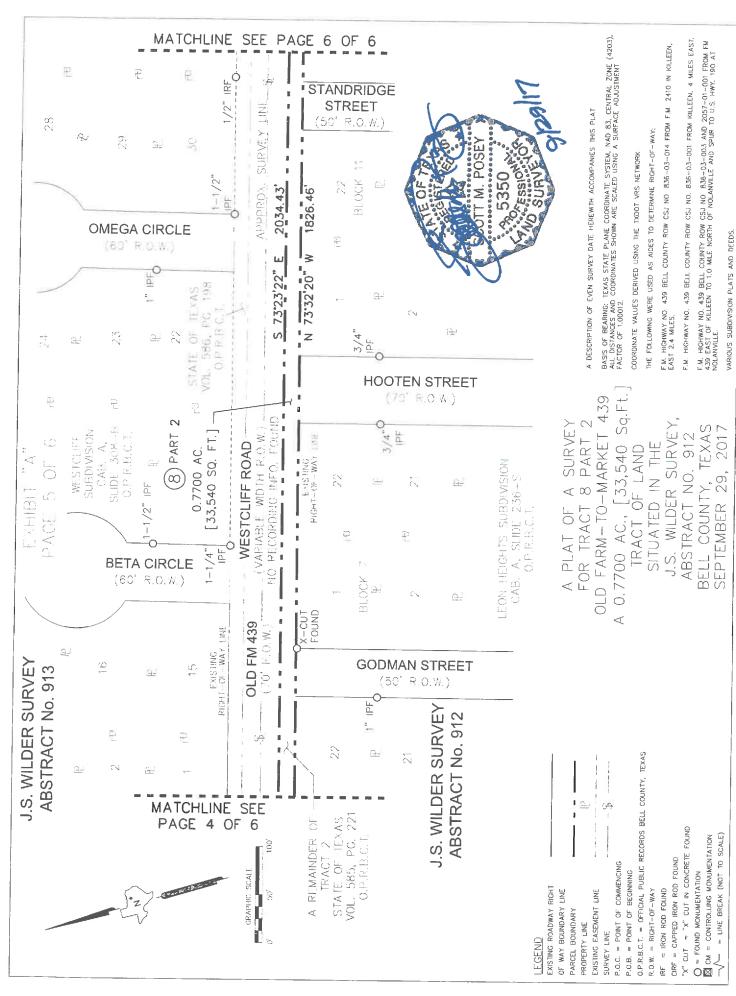
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

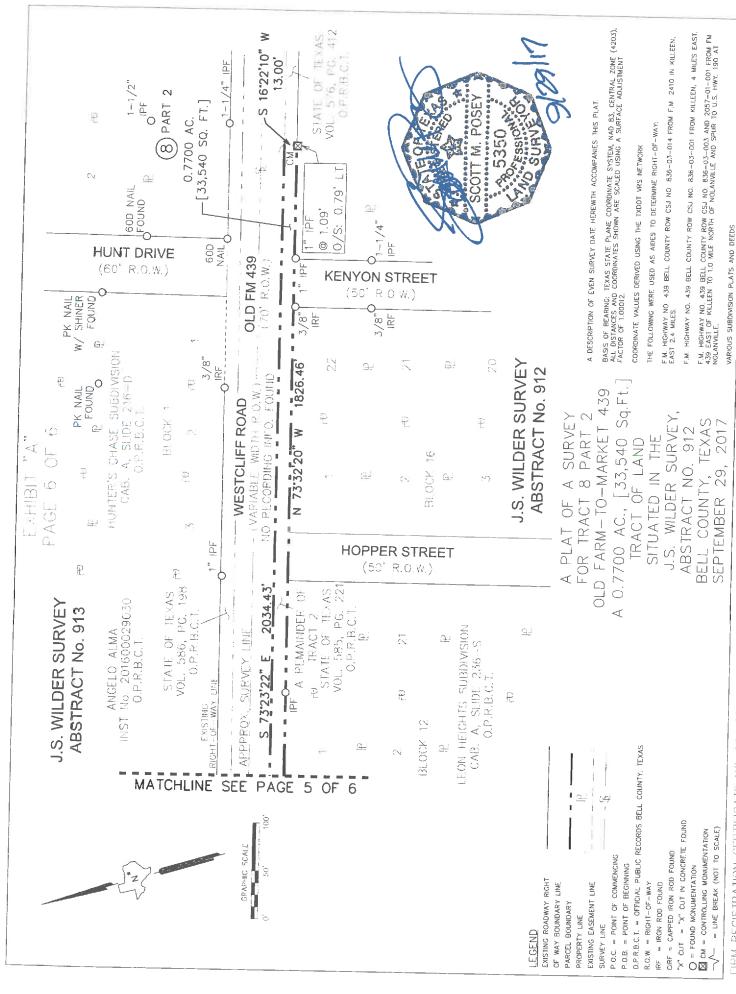
FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017





FIRM REGISTRATION CERTIFICATE NO. 10048300



COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 5 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 9

BEING A 0.4155 ACRE (18,098 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE J.S. WILDER SURVEY, ABSTRACT NO. 913, BELL COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 198 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FM 439 (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 0.4155 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID VOLUME 586, PAGE 198, SAME BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 216 O.P.R.B.C.T., ALSO BEING IN THE NORTHERLY R.O.W. LINE OF OLD FM 439, FEET AND FURTHER BEING THE POINT OF BEGINNING, HAVING A SURFACE COORDINATE OF NORTH 10,383,794.365, EAST 3,127,220.436, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 65° 21' 56" WEST, A DISTANCE OF 2.28;

- 1) THENCE SOUTH 16° 27' 40" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 586, PAGE 198 AND THE COMMON WESTERLY LINE OF SAID VOLUME 586, PAGE 216, A DISTANCE OF 15.00 FEET TO THE SOUTHEAST CORNER SAID VOLUME 586, PAGE 198, SAME BEING THE SOUTHWEST CORNER OF SAID VOLUME 586, PAGE 216, ALSO BEING IN THE NORTHERLY PRESCRIPTIVE R.O.W. LINE OF SAID OLD FM 439:
- 2) THENCE NORTH 73° 31' 23" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME 586, PAGE 198 AND THE COMMON NORTHERLY PRESCRIPTIVE R.O.W. LINE OF SAID OLD FM 439, A DISTANCE OF 1,257.75 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 01° 42' 21" WEST TO THE NORTHERLY LINE OF SAID VOLUME 586, PAGE 198, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439:
- 3) THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME 586, PAGE 198, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 14° 45′ 18″, AN ARC LENGTH OF 114.41 FEET, A CHORD THAT BEARS SOUTH 80° 54′ 59″ EAST AND A CHORD LENGTH OF 114.10 FEET;

COUNTY: BELL PAGE: 2 OF 5 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 9

4) THENCE SOUTH 73° 32' 20" EAST CONTINUING ALONG THE NORTHERLY LINE OF SAID VOLUME 586, PAGE 198, SAME BEING THE NORTHERLY R.O.W. LINE OF FM 439, PASSING A 1-INCH SQUARE BAR FOUND AT A DISTANCE OF 272.01 FEET, OFFSET RIGHT A DISTANCE OF 0.80 FEET, PASSING A 1-1/2 INCH IRON PIPE FOUND AT A DISTANCE OF 999.90 FEET, OFFSET RIGHT A DISTANCE OF 0.19 FEET, CONTINUING IN ALL A TOTAL DISTANCE 1,144.60 FEET TO **POINT OF BEGINNING** AND CONTAINING 0.4155 ACRE (18,098 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 5 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 9

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

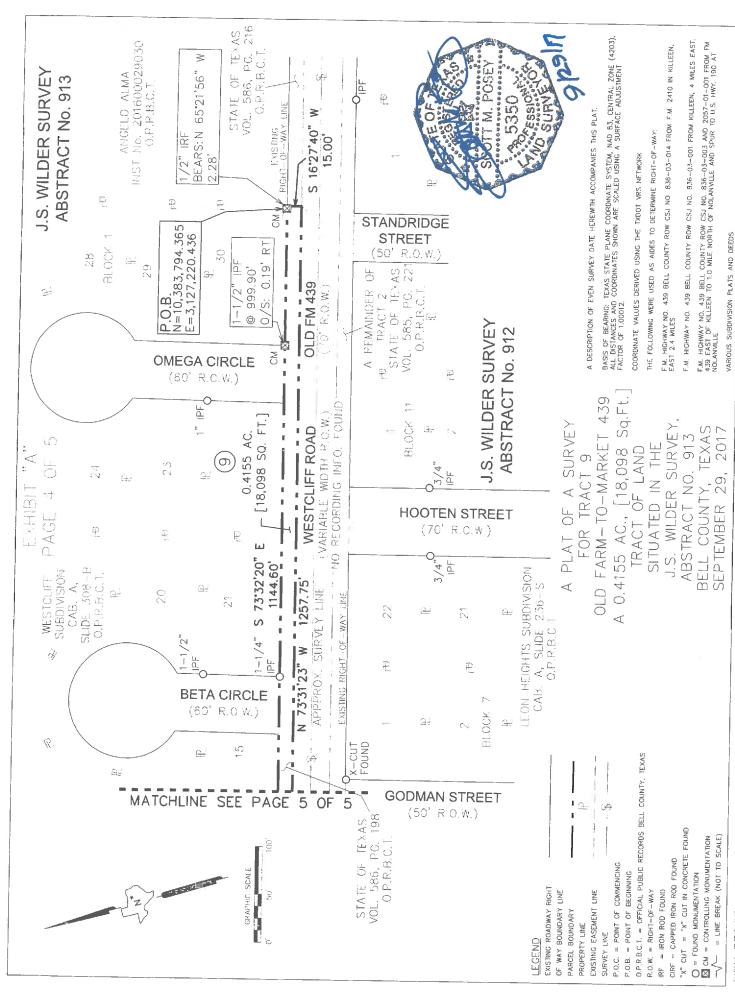
TEXAS REGISTRATION NO. 5350

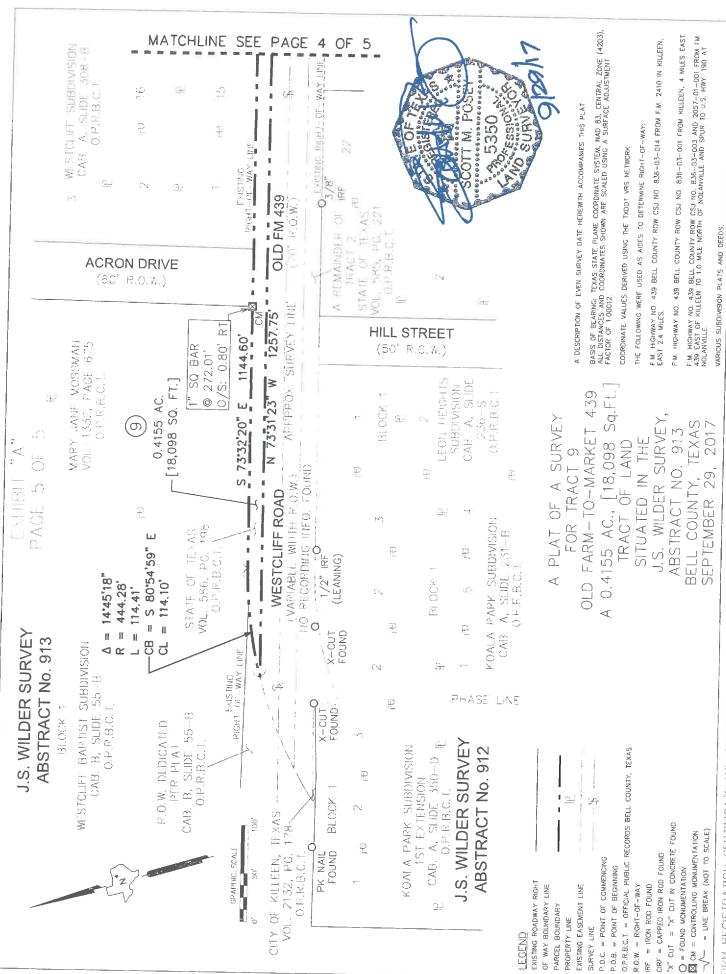
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER, 2017





COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 13 SEPTEMBER 2017

DESCRIPTION FOR TRACT 10

BEING A 6.519 ACRE (283,964 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE J.S. WILDER SURVEY, ABSTRACT NO. 912, THE J.S. WILDER SURVEY, ABSTRACT NO. 913, THE A. McMILLIN SURVEY, ABSTRACT NO. 559 AND THE G.W. CARTWRIGHT SURVEY, ABSTRACT NO. 159, BELL COUNTY, TEXAS, AND BEING PART OF THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FM 439 (A CALLED 70 FOOT R.O.W.), NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. – NO RECORDING INFORMATION FOUND), SAID 6.519 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN INTERIOR ELL CORNER OF THE NORTHERN MOST REMAINING PORTION OF A TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING THE NORTHEAST CORNER OF LOT 3, BLOCK 1 OF KOALA PARK SUBDIVISION 1ST EXTENSION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 350-D O.P.R.B.C.T., SAME BEING THE NORTHWEST CORNER OF LOT 2, BLOCK 1 OF KOALA PARK SUBDIVISION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET A, SLIDE 231-B O.P.R.B.C.T., SAME BEING IN THE SOUTHERLY R.O.W. LINE OF SAID WESTCLIFF ROAD, FROM WHICH AN X-CUT FOUND BEARS SOUTH 55° 48' 49' EAST, A DISTANCE OF 0.77 FEET;

THENCE NORTH 73° 43' 02" WEST ALONG A SOUTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2 AND THE COMMON NORTHERLY LINE OF SAID KOALA PARK SUBDIVISION 1ST EXTENSION, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439 AND SAID WESTCLIFF ROAD, A DISTANCE OF 101.06 FEET TO THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 16° 29' 20" EAST:

THENCE ALONG THE WESTERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 05° 02' 08", AN ARC LENGTH OF 39.05 FEET, A CHORD THAT BEARS NORTH 76° 01' 44" EAST AND A CHORD LENGTH OF 39.03 FEET TO THE NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2, SAME BEING THE SOUTHWEST CORNER OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 444.28 FEET AND A RADIAL BEARING OF SOUTH 11° 27' 12" EAST, AND FURTHER BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,384,128.066, EAST 3,125,908.637;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 13 SEPTEMBER 2017

DESCRIPTION FOR TRACT 10

- 1) THENCE CONTINUING ALONG THE NORTHERLY R.O.W. LINE OF OLD FM 439, SAME BEING THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13° 09' 33", AN ARC LENGTH OF 102.04 FEET, A CHORD THAT BEARS NORTH 85° 07' 35" EAST AND A CHORD LENGTH OF 101.81 FEET TO THE NORTHWEST CORNER OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, SAME BEING THE WEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 198 O.P.R.B.C.T.;
- 2) THENCE S 73° 31' 23" E ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF SAID VOLUME 586, PAGE 198, A DISTANCE OF 1257.75 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 586, PAGE 198, SAME BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 216 O.P.R.B.C.T.;

THENCE ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF SAID VOLUME 586, PAGE 216 AS FOLLOWS:

- 3) S 73° 41' 03" E, A DISTANCE OF 681.83 FEET;
- 4) S 73° 52' 03" E, A DISTANCE OF 1855.70 FEET;
- 5) S 73° 27' 03" E, A DISTANCE OF 1947.00 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 586, PAGE 216;
- 6) THENCE N 16° 28' 40" E ALONG THE EASTERLY LINE OF SAID VOLUME 586, PAGE 216 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 11.00 FEET TO THE NORTHEAST CORNER OF SAID VOLUME 586, PAGE 216, FROM WHICH A 3/8-INCH IRON ROD FOUND BEARS NORTH 73° 31' 20" WEST, A DISTANCE OF 1.24 FEET;
- 7) THENCE S 73° 31' 20" E ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 40.50 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 271 O.P.R.B.C.T.;
- 8) THENCE S 16° 28' 40" W ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON WESTERLY LINE OF SAID VOLUME 576, PAGE 271, A DISTANCE OF 13.00 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME 576, PAGE 271;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 13 SEPTEMBER 2017

DESCRIPTION FOR TRACT 10

- 9) THENCE S 73° 25' 14" E ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF SAID VOLUME 576, PAGE 271, A DISTANCE OF 446.16 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 576, PAG 271, SAME BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 579, PAGE 479 O.P.R.B.C.T.;
- 10) THENCE S 72° 39' 35" E ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF SAID VOLUME 579, PAGE 479, A DISTANCE OF 247.71 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 479, SAME BEING THE NORTHEAST CORNER OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 11) THENCE S 16° 52' 40" W ALONG THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 57.00 FEET TO THE SOUTHEAST CORNER OF PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 12) THENCE N 73° 07' 20" W ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 46.70 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 275 O.P.R.B.C.T.;
- 13) THENCE N 16° 52' 40" E ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON EASTERLY LINE OF SAID VOLUME 576, PAGE 275, A DISTANCE OF 12.50 FEET TO THE NORTHEAST CORNER OF SAID VOLUME 576, PAGE 275;
- 14) THENCE N 72° 59' 20" W ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME 576, PAGE 275, A DISTANCE OF 600.75 FEET;
- 15) THENCE N 73° 27' 47" W CONTINUING ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME 576, PAGE 275, A DISTANCE OF 2033.57 FEET TO THE NORTHWEST CORNER OF SAID VOLUME 576, PAGE 275, SAME BEING THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 412 O.P.R.B.C.T.:
- 16) THENCE N 73° 48' 54" W CONTINUING ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME 576, PAGE 412, A DISTANCE OF 1855.70 FEET TO THE NORTHWEST CORNER OF SAID VOLUME 576, PAGE 412, SAME BEING THE NORTHEAST CORNER OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 TRACT 2;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 4 OF 13

SEPTEMBER 2017

DESCRIPTION FOR TRACT 10

17) THENCE N 73° 23' 22" W CONTINUING ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID REMAINDER PORTION OF VOLUME 585, PAGE 221 – TRACT 2, A DISTANCE OF 2034.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.519 ACRE (283,964 SQUARE FEET) OF LAND, MORE OR LESS.

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P.

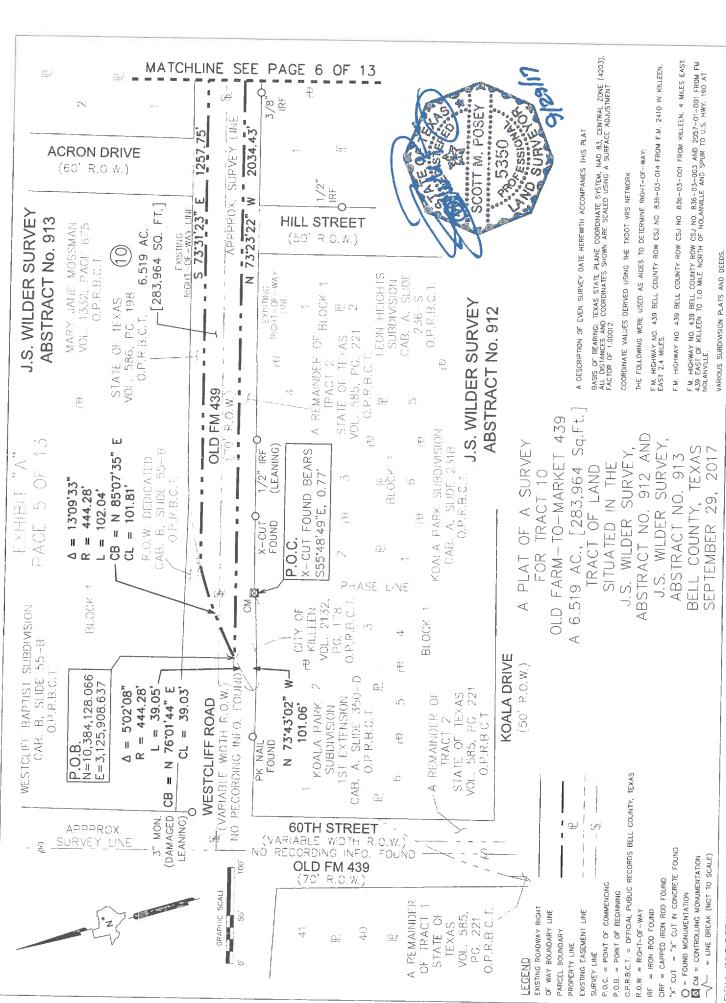
5700 W. PLANO PARKWAY, SUITE 1000

PLANO, TEXAS 75093

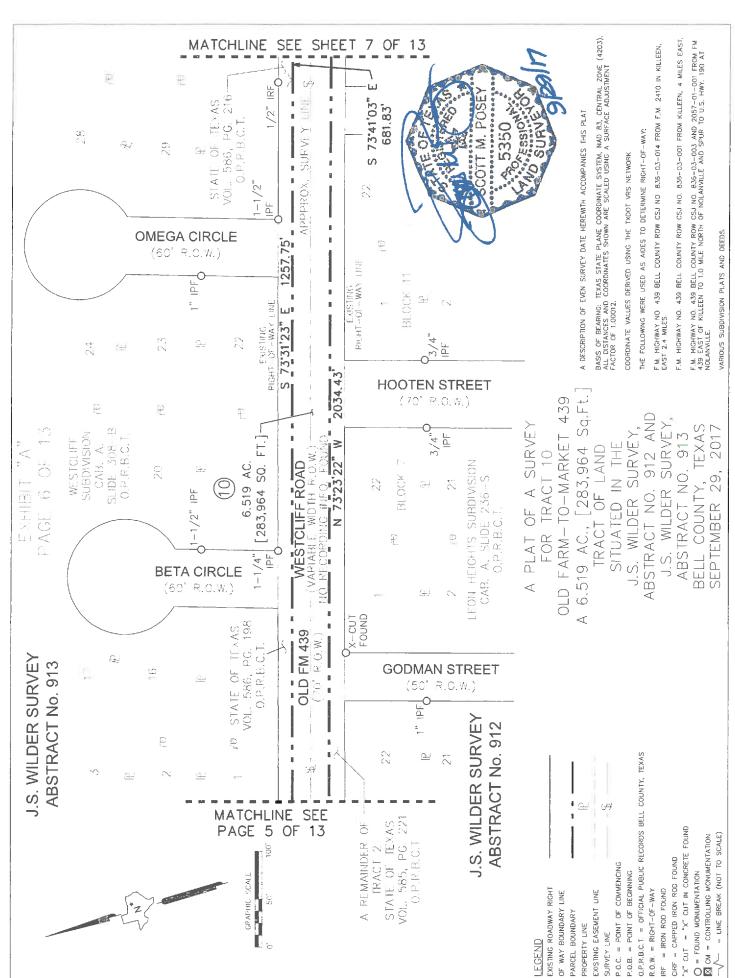
PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

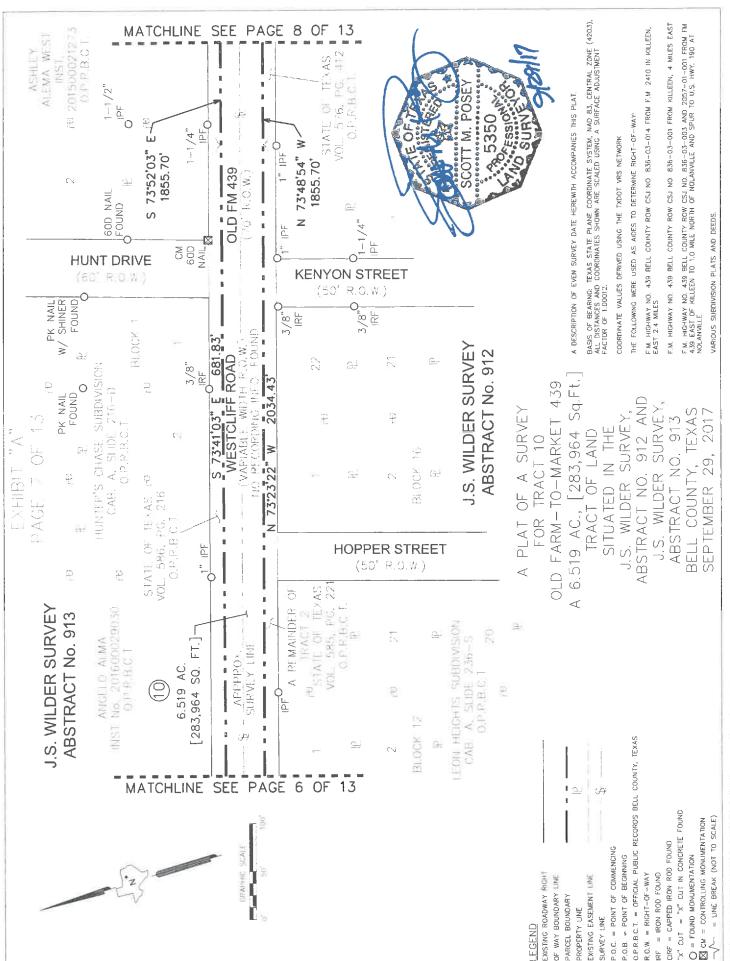
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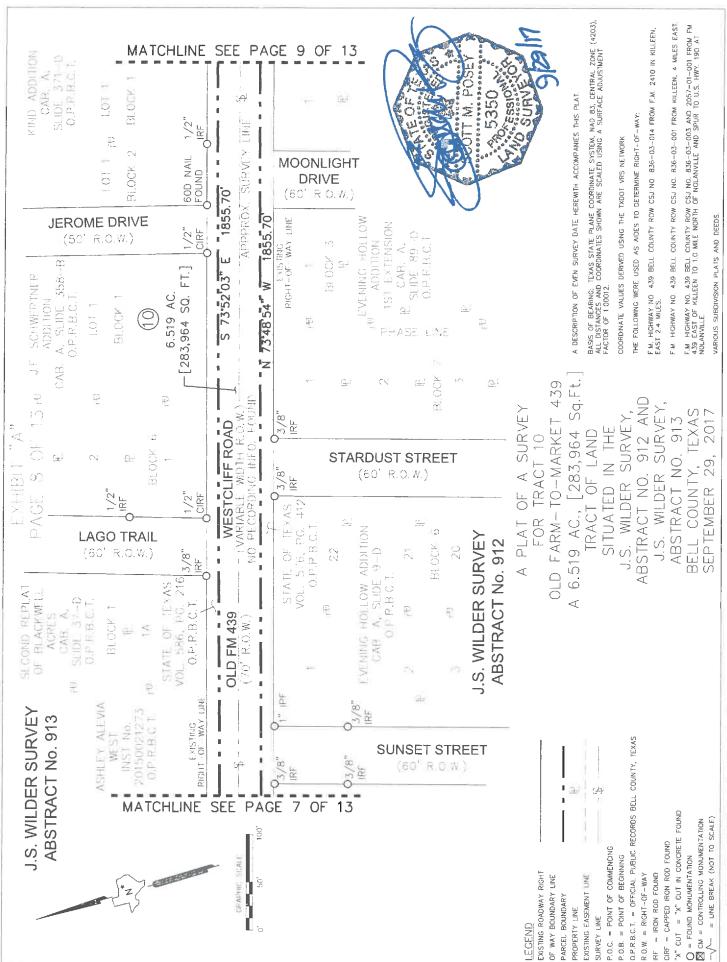
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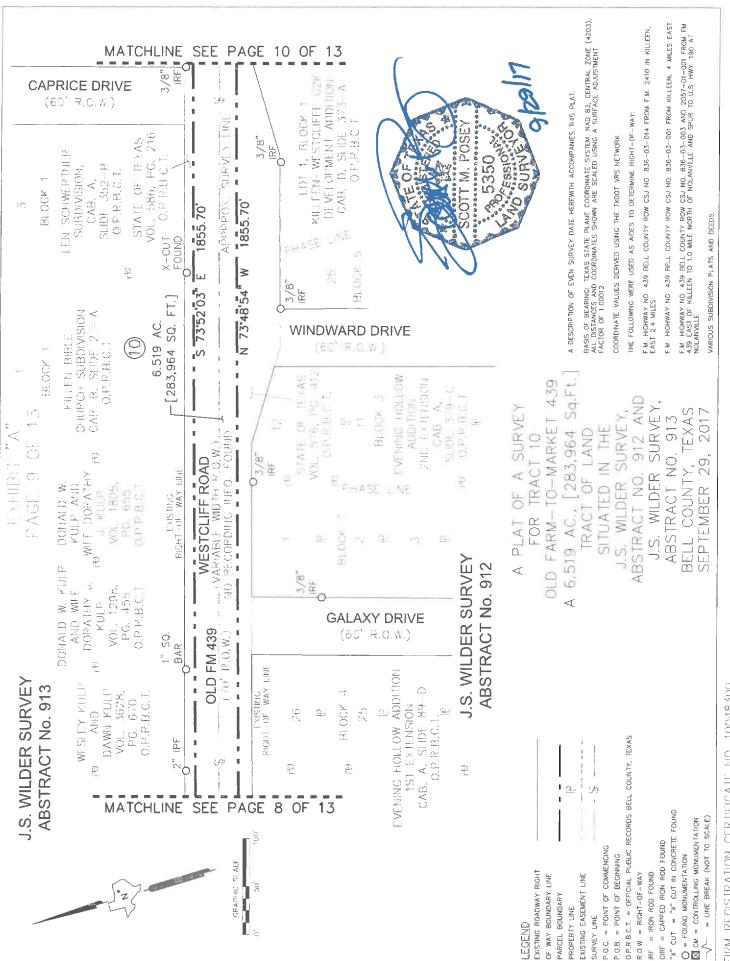


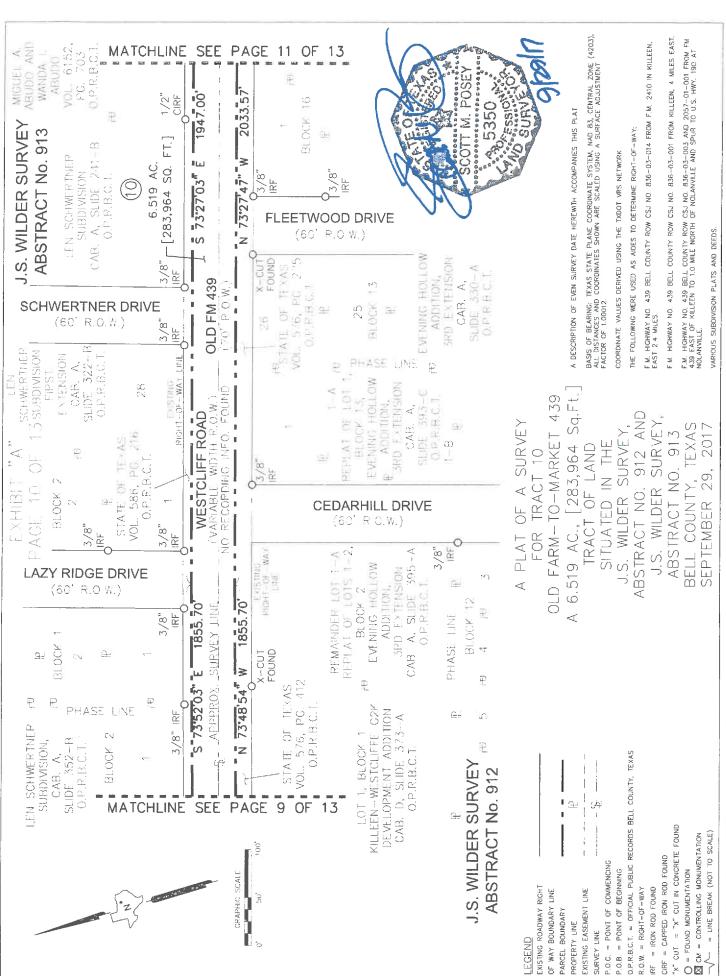
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FIRM PEGISTRATION CERTIFICATE NO. 10048300



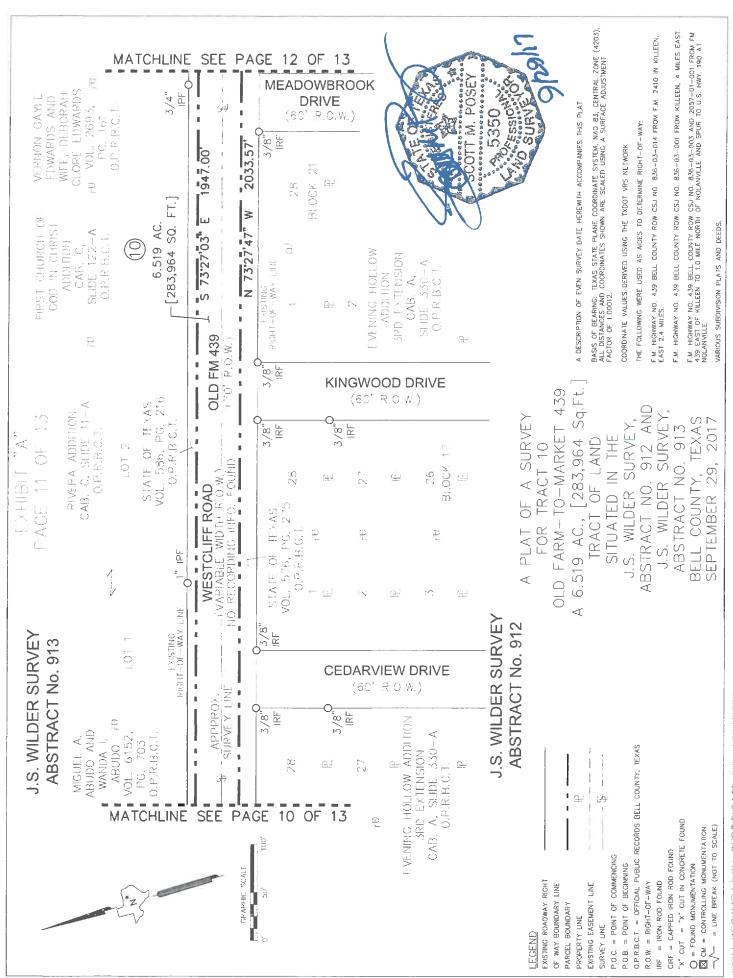


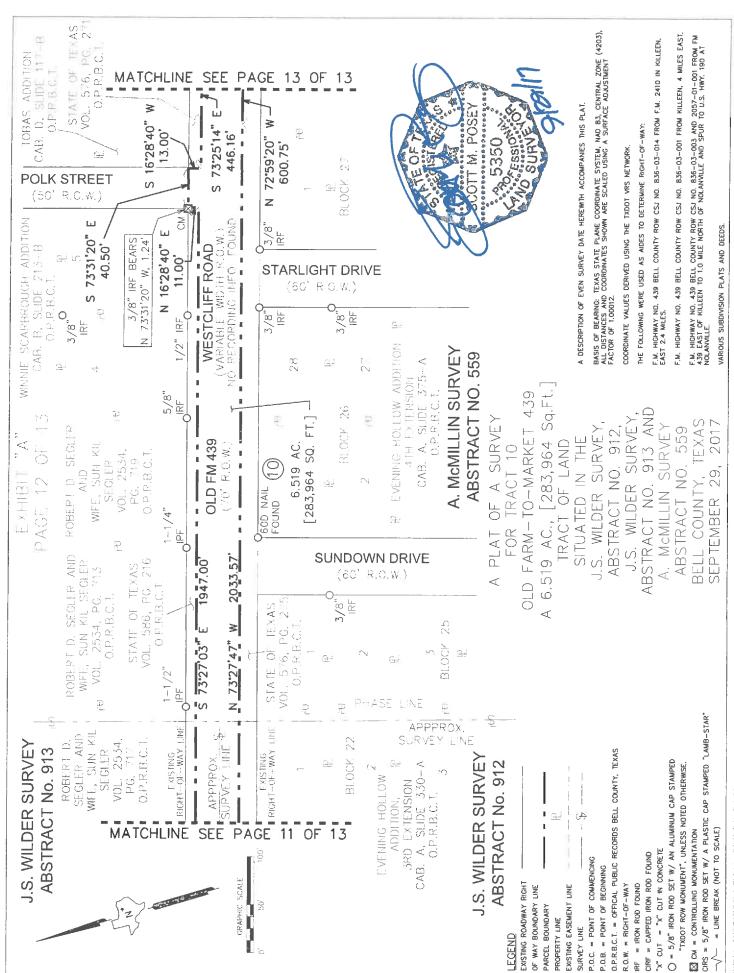


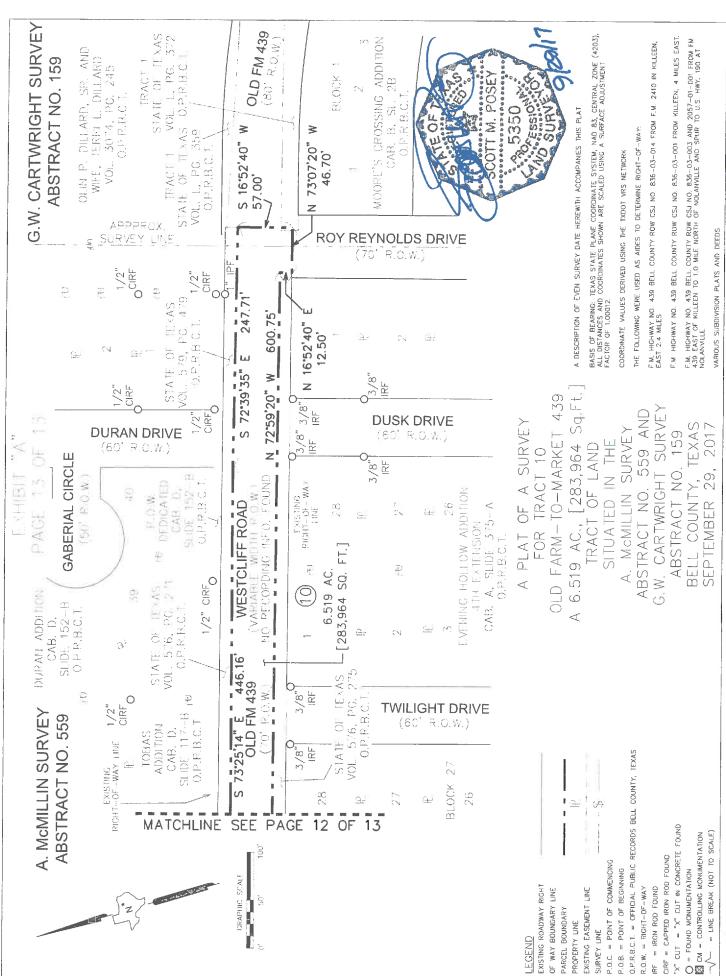
PROPERTY LINE SURVEY LINE

IRF

EGEND







FIRM REGISTRATION CERTIFICATE NO. 10048300

COUNTY: BELL PAGE: 1 OF 11 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 11

BEING A 1.1239 ACRE (48,958 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. McMILLIN SURVEY, ABSTRACT NO. 559 AND THE J.S. WILDER SURVEY, ABSTRACT NO. 913, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 216 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 1.1239 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID VOLUME 586, PAGE 198, SAME BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 216 O.P.R.B.C.T., ALSO BEING IN THE NORTHERLY R.O.W. LINE OF OLD FM 439, AND FURTHER BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,383,794.365, EAST 3,127,220.436, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 65° 21' 56" WEST, A DISTANCE OF 2.28 FEET;

THENCE ALONG A NORTHERLY LINE OF SAID VOLUME 586, PAGE 216, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 1) SOUTH 73° 32' 20" EAST, PASSING A 1/2-INCH IRON ROD FOUND AT A DISTANCE OF 232.12 FEET, OFFSET RIGHT A DISTANCE OF 1.04 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 681.74 FEET;
- 2) SOUTH 73° 43' 20" EAST, PASSING A 1/2-INCH IRON ROD FOUND AT A DISTANCE OF 21.40 FEET, OFFSET LEFT A DISTANCE OF 0.73 FEET, PASSING A 3/8-INCH IRON ROD FOUND AT A DISTANCE OF 1830.35 FEET, OFFSET RIGHT A DISTANCE OF 1.03 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1855.71 FEET;
- 3) SOUTH 73° 31' 20" EAST, PASSING A 3/8-INCH IRON ROD FOUND AT A DISTANCE OF 248.86 FEET, OFFSET RIGHT A DISTANCE OF 0.77 FEET, PASSING A 3/8-INCH IRON ROD FOUND AT A DISTANCE OF 1945.82 FEET, CONTINUING IN ALL A TOTAL A DISTANCE OF 1947.06 FEET
- 4) THENCE SOUTH 16° 28' 40" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 586, PAGE 216, A DISTANCE OF 11.00 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 216;

THENCE ALONG THE SOUTHERLY LINE OF SAID VOLUME 586, PAGE 216 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AS FOLLOWS:

5) NORTH 73° 27' 03" WEST, A DISTANCE OF 1947.00 FEET,

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 11 SEPTEMBER 2017

DESCRIPTION FOR TRACT 11

- 6) NORTH 73° 52' 03" WEST, A DISTANCE OF 1855.70 FEET:
- 7) NORTH 73° 41' 03" WEST, A DISTANCE OF 681.83 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME 579, PAGE 216, SAME BEING THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 586, PAGE 198 O.P.R.B.C.T.;
- 8) THENCE NORTH 16° 27' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 586, PAGE 216 AND THE COMMON EASTERLY LINE OF SAID VOLUME 586, PAGE 198, A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF SAID VOLUME 586, PAGE 216, SAME BEING THE NORTHEAST CORNER OF SAID VOLUME 586, PAGE 198 FROM WHICH A 1/2" IRON ROD FOUND BEARS NORTH 65° 17' 11" WEST, A DISTANCE OF 2.27 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.1239 ACRE (48,958 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 11 SEPTEMBER 2017

DESCRIPTION FOR TRACT 11

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

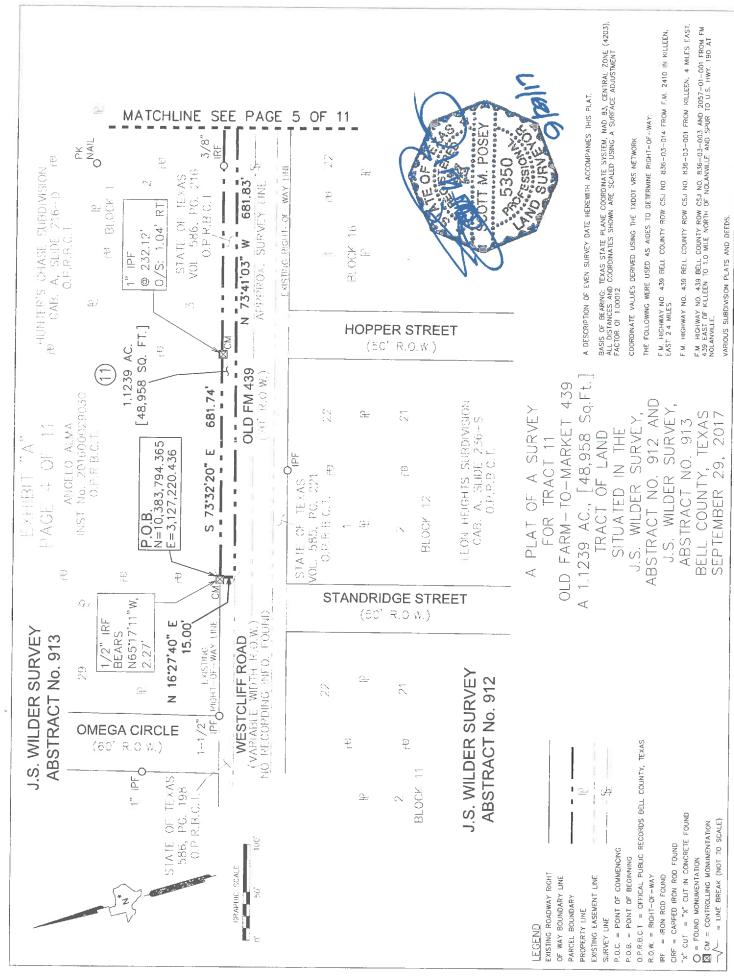
SCOTT M. POSEY

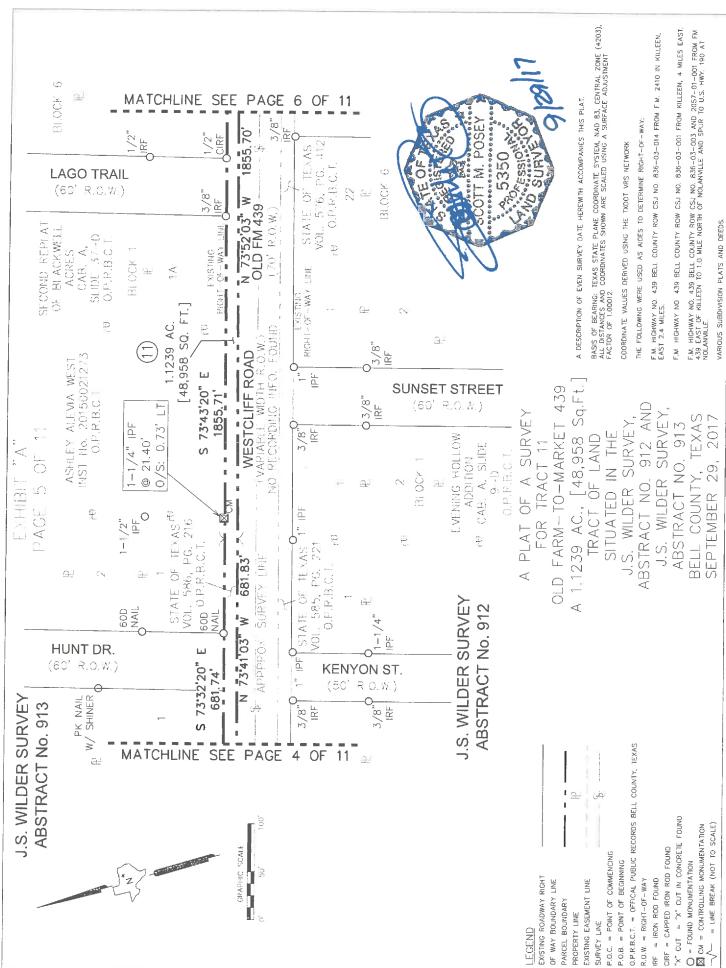
TEXAS REGISTRATION NO. 5350

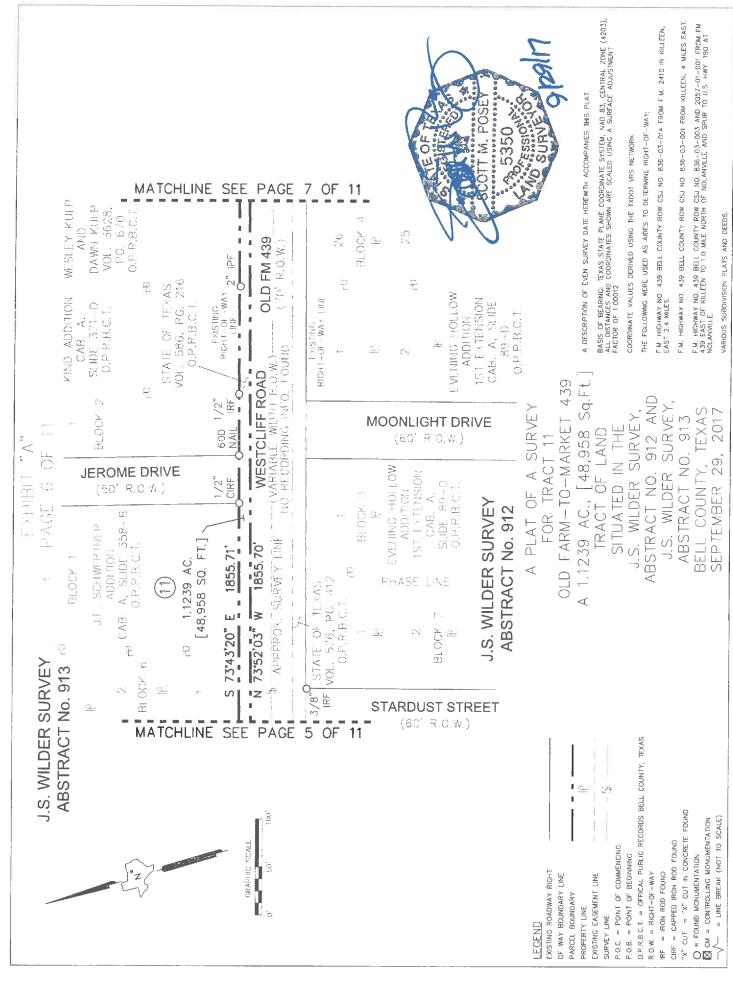
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600 FIRM REGISTRATION CERTIFICATE NO. 10048300

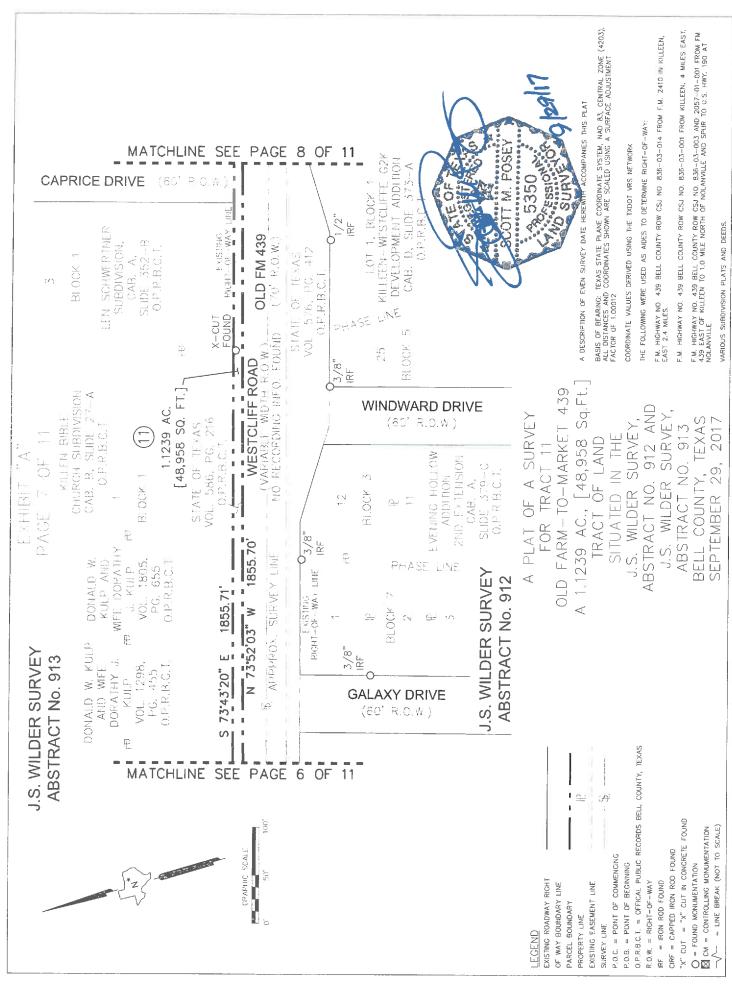
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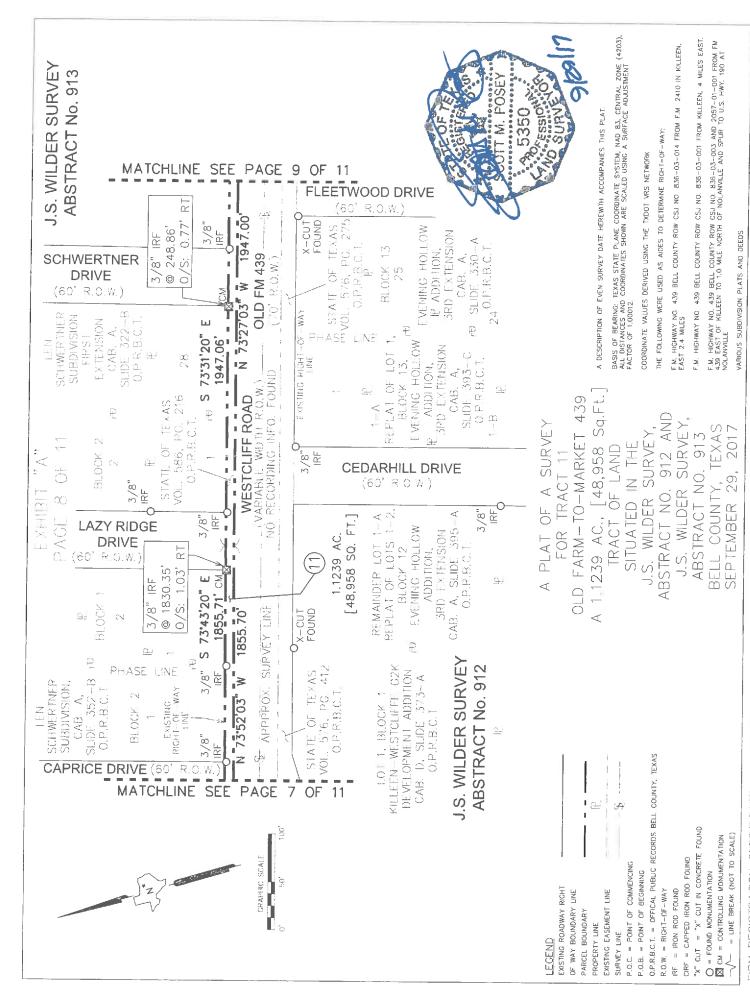
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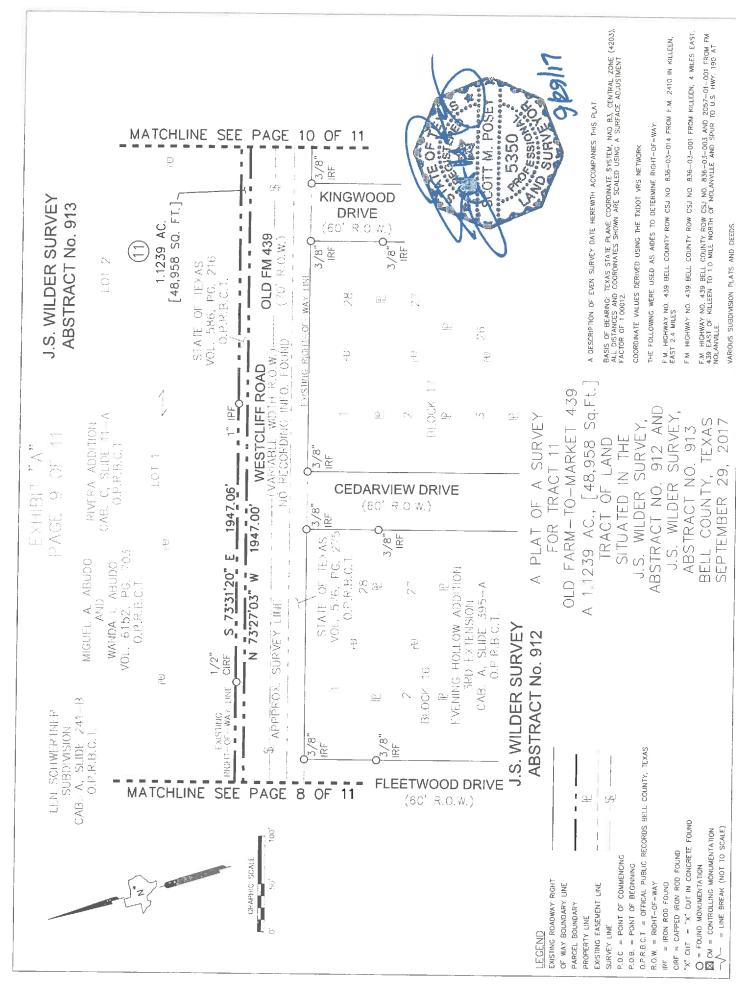


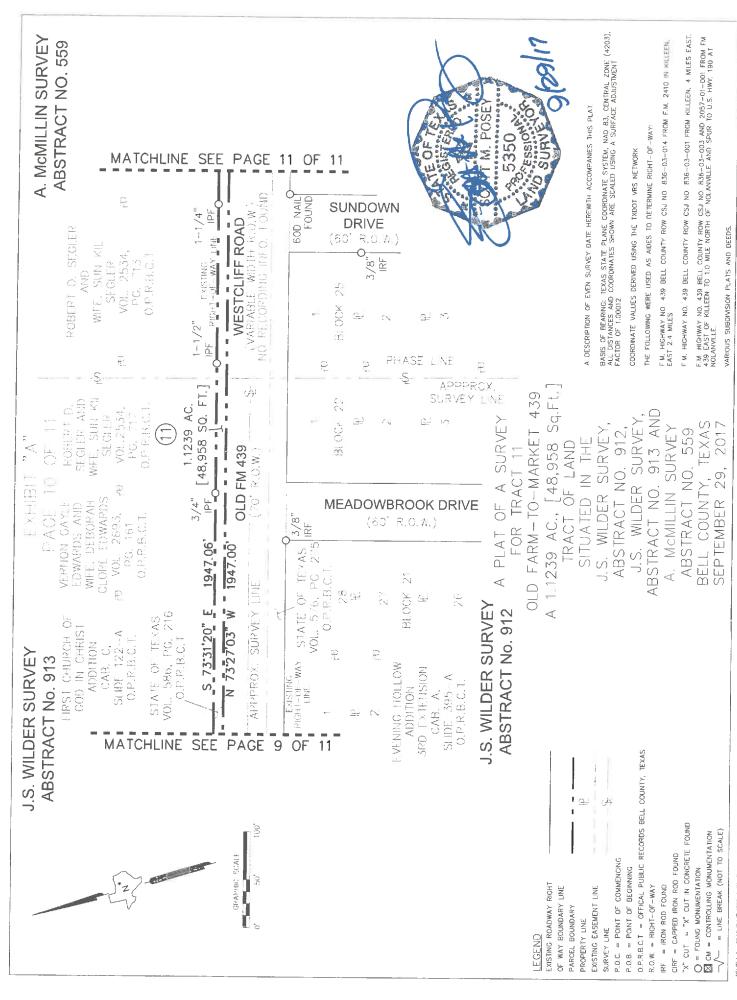


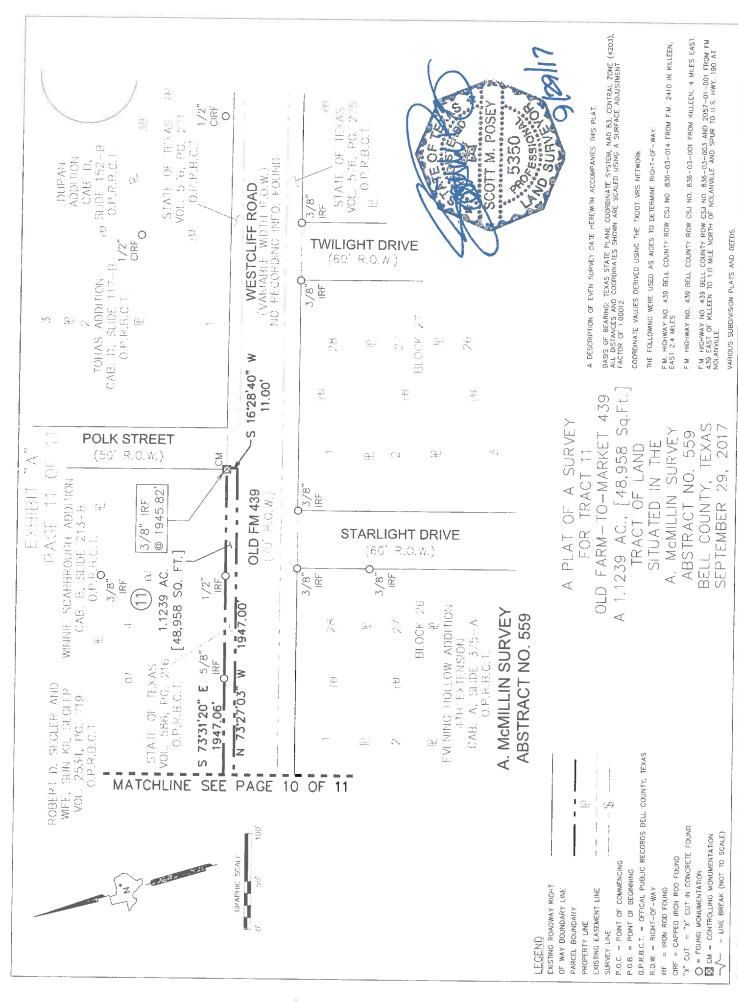












COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 7 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 12

BEING A 0.8243 ACRE (35,908 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE J.S. WILDER SURVEY, ABSTRACT NO. 912, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 412 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (0.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.8243 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID VOLUME 576, PAGE 412, SAME BEING THE COMMON SOUTHEAST CORNER OF A REMAINING PORTION OF A TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 221 O.P.R.B.C.T., HAVING A SURFACE COORDINATE OF NORTH 10,383,534.021, EAST 3,127,854.509, FROM WHICH A 1" IRON PIPE FOUND BEARS SOUTH 70° 40' 09" WEST, A DISTANCE OF 1.35 FEET;

- 1) THENCE NORTH 16° 22' 10" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 576, PAGE 412 AND THE COMMON EASTERLY LINE OF SAID VOLUME 585, PAGE 221, A DISTANCE OF 13.00 FEET TO THE NORTHWEST CORNER OF SAID VOLUME 579, PAGE 412, SAME BEING THE NORTHEAST CORNER OF SAID VOLUME 585, PAGE 221, ALSO BEING IN THE SOUTH LINE OF THE PRESCRIPTIVE R.O.W. OF FM 439;
- 2) THENCE SOUTH 73° 48' 54" EAST ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 412 AND ALONG THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 1855.70 FEET TO THE NORTHEAST CORNER OF SAID VOLUME 579, PAGE 412, SAME BEING THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 275 O.P.R.B.C.T.;
- 3) THENCE SOUTH 16° 22' 40" WEST, ALONG THE EASTERLY LINE OF SAID VOLUME 579, PAGE 412 AND THE COMMON WESTERLY LINE OF SAID VOLUME 576, PAGE 275, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 412, SAME BEING THE SOUTHWEST CORNER OF SAID 576, PAGE 275;

THENCE ALONG THE SOUTHERLY LINE OF SAID VOLUME 579, PAGE 412, SAME BEING THE COMMON SOUTHERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 4) NORTH 73° 43' 20" WEST, PASSING A X-CUT FOUND AT A DISTANCE OF 106.68 FEET, OFFSET LEFT A DISTANCE OF 1.44 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 217.44 FEET;
- 5) SOUTH 89° 34' 42" WEST, A DISTANCE OF 104.40 FEET;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 7 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 12

- 6) NORTH 73° 43' 20" WEST, PASSING A 1/2" CAPPED IRON ROD FOUND AT A DISTANCE OF 7.23 FEET, OFFSET LEFT A DISTANCE 1.01 FEET, PASSING A 3/8" IRON ROD FOUND AT A DISTANCE OF 159.63 FEET, OFFSET LEFT A DISTANCE OF 0.58 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 200.00 FEET;
- 7) NORTH 57° 01' 23" WEST, A DISTANCE OF 104.40 FEET;
- 8) NORTH 73° 43' 20" WEST, PASSING A 3/8" IRON ROD FOUND AT A DISTANCE OF 39.81 FEET, OFFSET LEFT A DISTANCE 1.55 FEET, PASSING A 3/8" IRON ROD FOUND AT A DISTANCE OF 1119.36 FEET, OFFSET LEFT A DISTANCE OF 0.80 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 1238.26 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.8243 ACRE (35,908 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 7 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 12

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

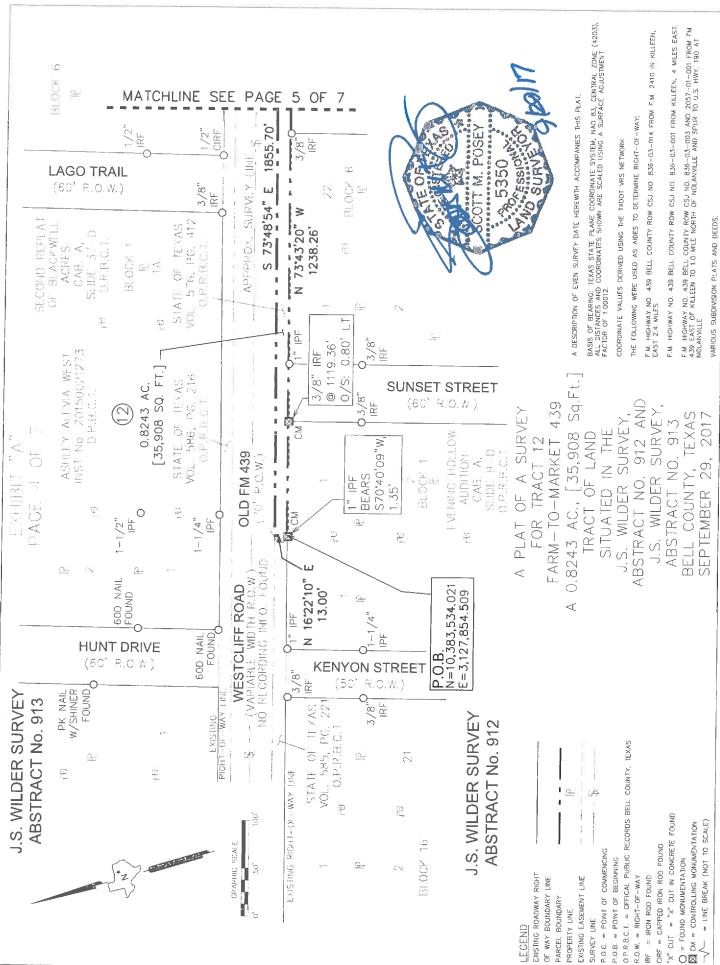
VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

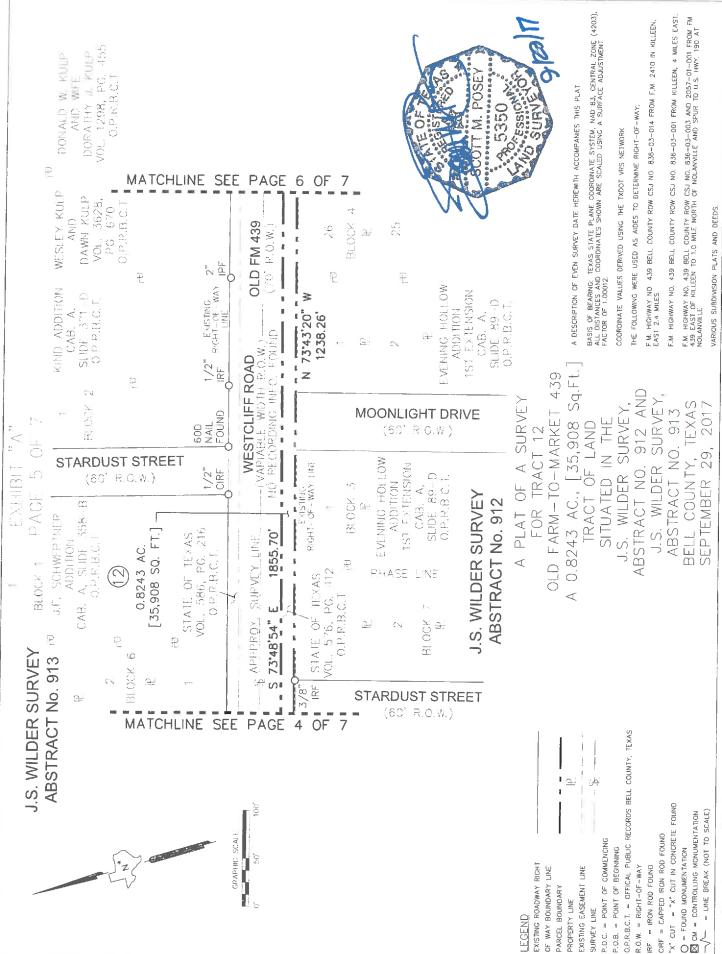
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

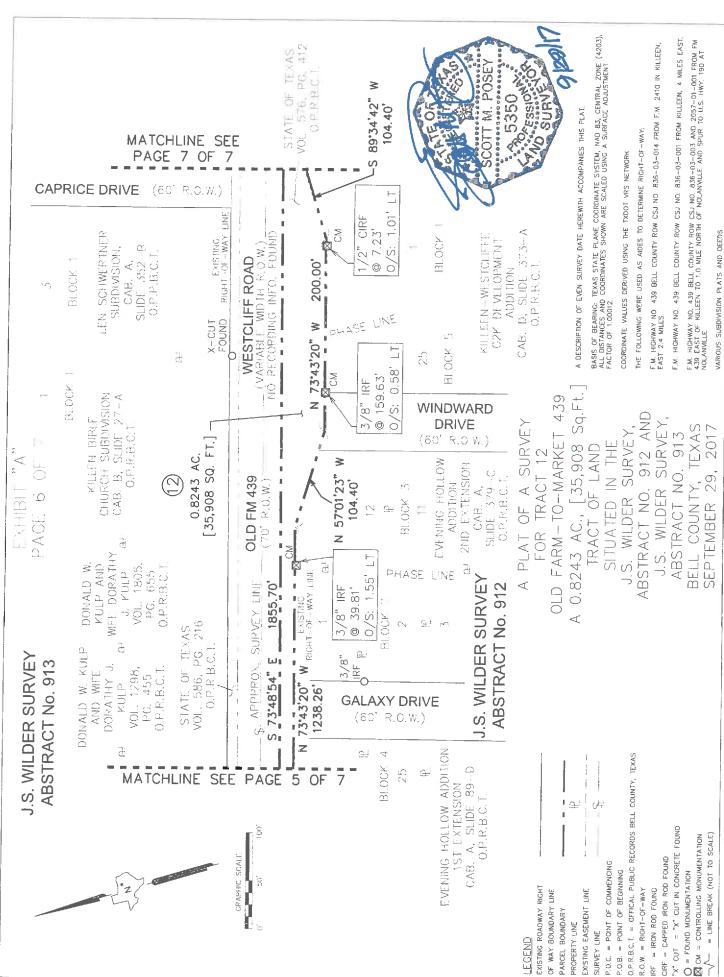


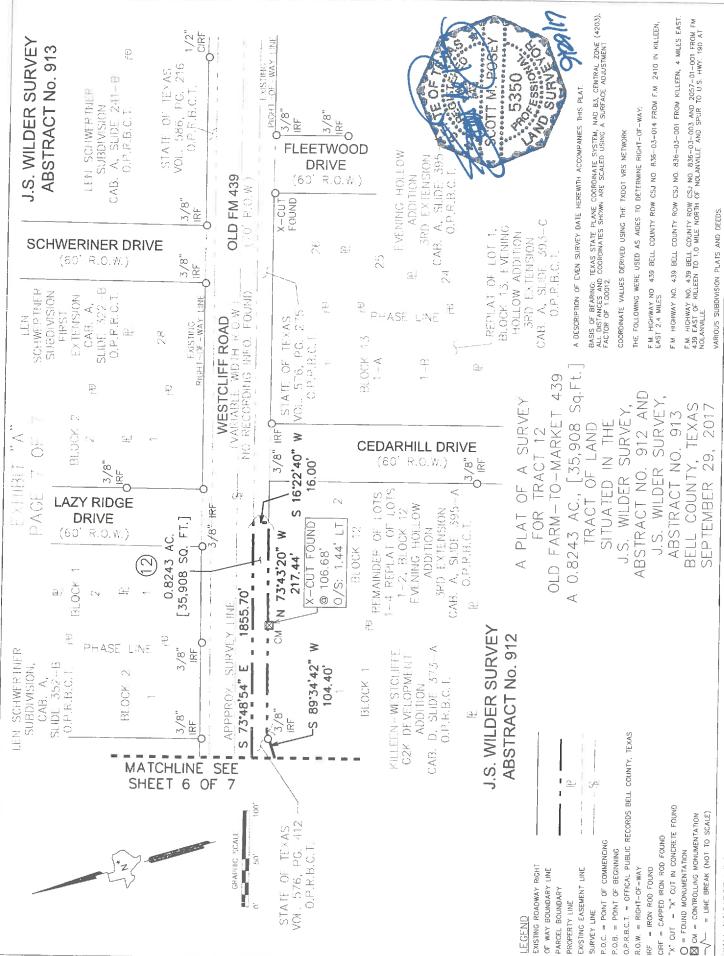
FIRM REGISTRATION CERTIFICATE NO. 10048300.



SURVEY LINE

LEGEND





PAGE: 1 OF 7

SEPTEMBER, 2017

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 13

BEING A 0.8799 ACRE (38,329 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. McMILLIN SURVEY, ABSTRACT NO. 559 AND THE J.S. WILDER SURVEY, ABSTRACT NO. 912, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 275 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.8799 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID VOLUME 576, PAGE 275, SAME BEING THE COMMON SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 412 O.P.R.B.C.T., HAVING A SURFACE COORDINATE OF NORTH 10,383,013.882, EAST 3,129,635.817, FROM WHICH AN X-CUT FOUND AT THE NORTHWEST CORNER OF THE REMAINDER OF LOT 1A OF THE REPLAT OF LOTS 1-2, BLOCK 12 OF THE EVENING HOLLOW ADDITION 3RD EXTENSION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET D, SLIDE 373-A O.P.R.B.C.T. AND THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF THE KILLEEN-WESTCLIFFE G2K DEVELOPMENT ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET D, SLIDE 373-A O.P.R.B.C.T. BEARS NORTH 74° 29' 48" WEST, A DISTANCE OF 106.69 FEET;

1) THENCE NORTH 16° 22' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 576, PAGE 275 AND THE COMMON EASTERLY LINE OF SAID VOLUME 576, PAGE 412, A DISTANCE OF 16.00 FEET TO THE NORTHWEST CORNER OF SAID VOLUME 579, PAGE 275, SAME BEING THE NORTHEAST CORNER OF SAID VOLUME 576, PAGE 412, ALSO BEING IN THE SOUTH LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;

THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 275 AND ALONG THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AS FOLLOWS:

- 2) SOUTH 73° 27' 47" EAST, A DISTANCE OF 2033.57 FEET:
- 3) SOUTH 72° 59' 20" EAST, A DISTANCE OF 600.75 FEET TO THE NORTHEAST CORNER OF SAID VOLUME 579, PAGE 275:
- 4) SOUTH 16° 52' 40" WEST, A DISTANCE OF 12.50 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 275;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 7 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 13

THENCE ALONG THE SOUTHERLY LINE OF SAID VOLUME 579, PAGE 275, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 5) NORTH 73° 07' 20" WEST, PASSING A 3/8" IRON ROD FOUND AT A DISTANCE OF 131.56 FEET, OFFSET LEFT A DISTANCE OF 2.71 FEET, PASSING ANOTHER 3/8" IRON ROD FOUND AT A DISTANCE OF 491.32 FEET, OFFSET LEFT A DISTANCE OF 4.42 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 600.70 FEET;
- 6) NORTH 73° 31' 20" WEST, PASSING A 3/8" IRON ROD FOUND AT A DISTANCE OF 130.14 FEET, OFFSET LEFT A DISTANCE OF 4.98 FEET, PASSING ANOTHER 3/8" IRON ROD FOUND AT A DISTANCE OF 1929.98 FEET, OFFSET LEFT A DISTANCE OF 1.66 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 2033.50 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.8243 ACRE (35,908 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 7 SEPTEMBER, 2017

DESCRIPTION FOR TRACT 13

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

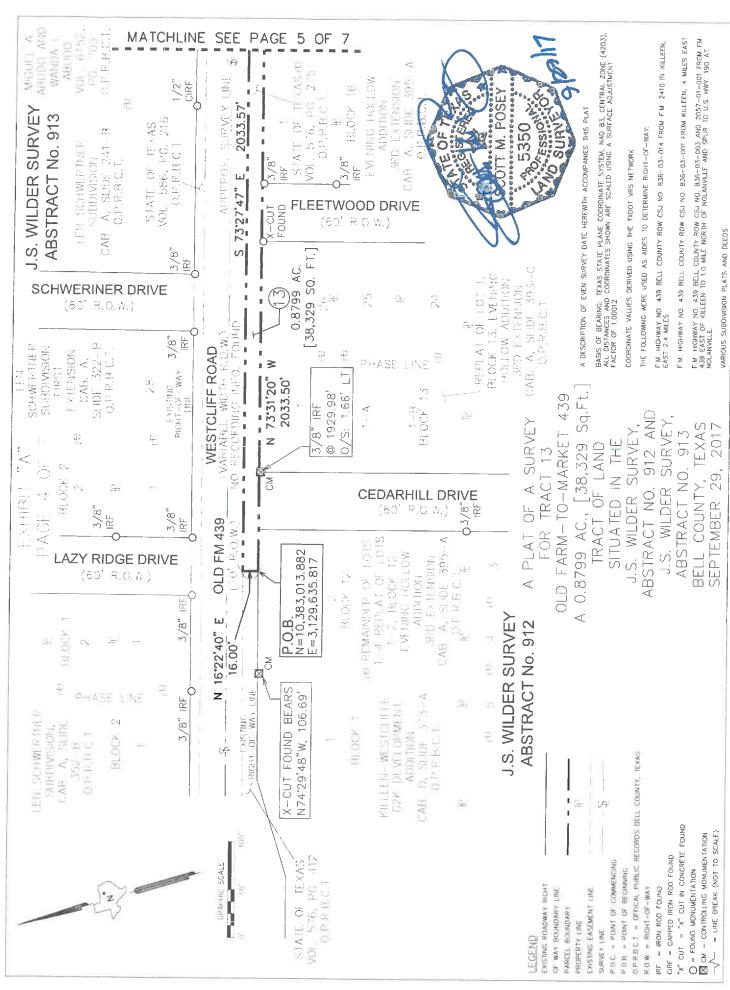
SCOTT M. POSEY

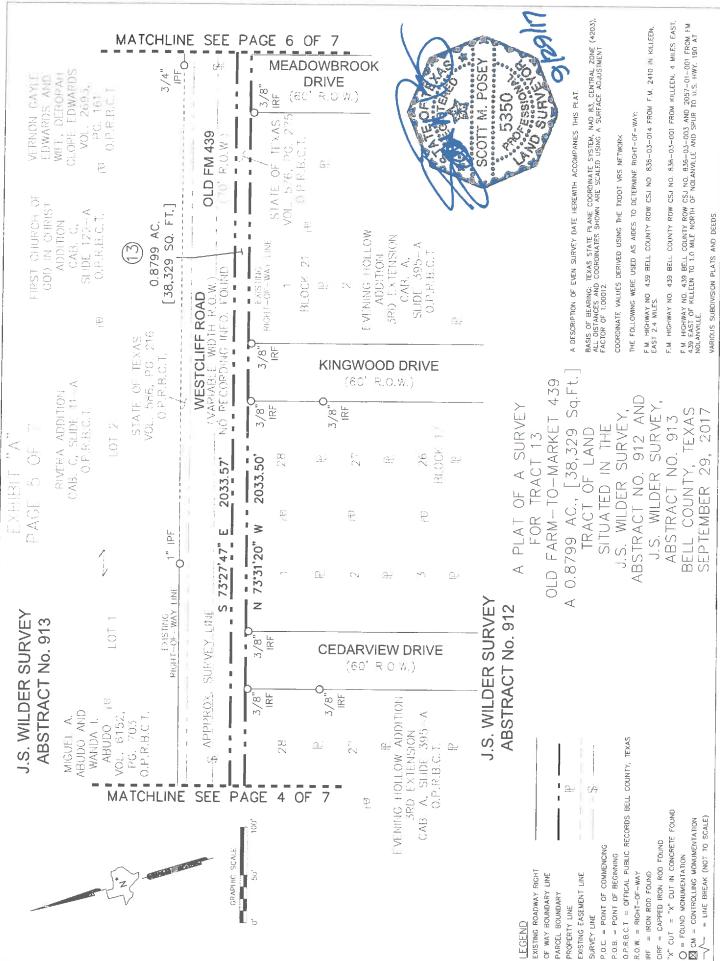
TEXAS REGISTRATION NO. 5350

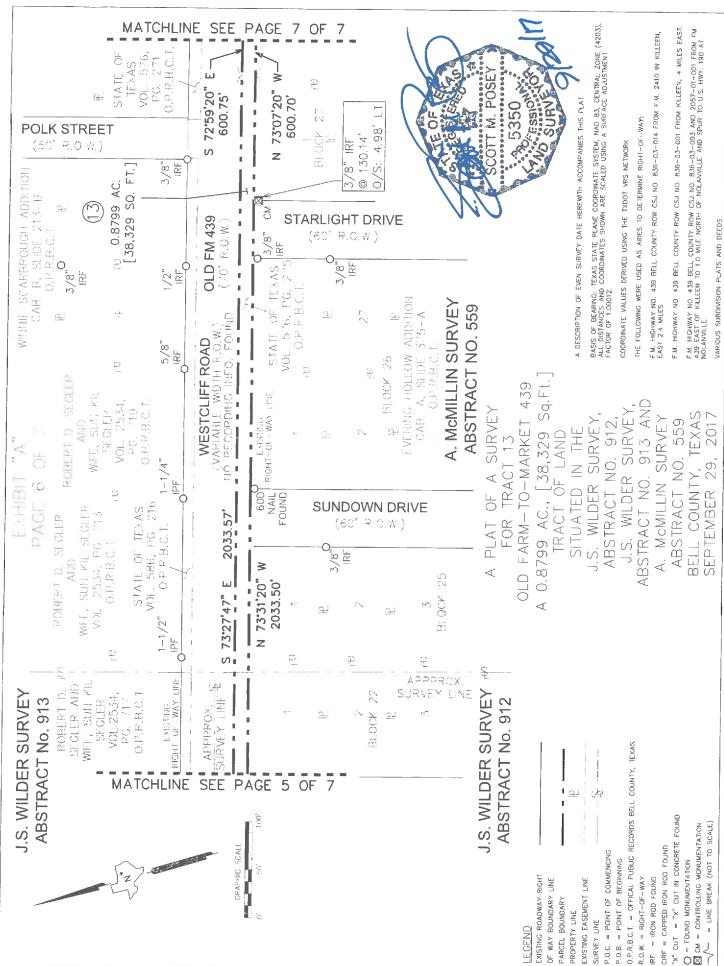
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

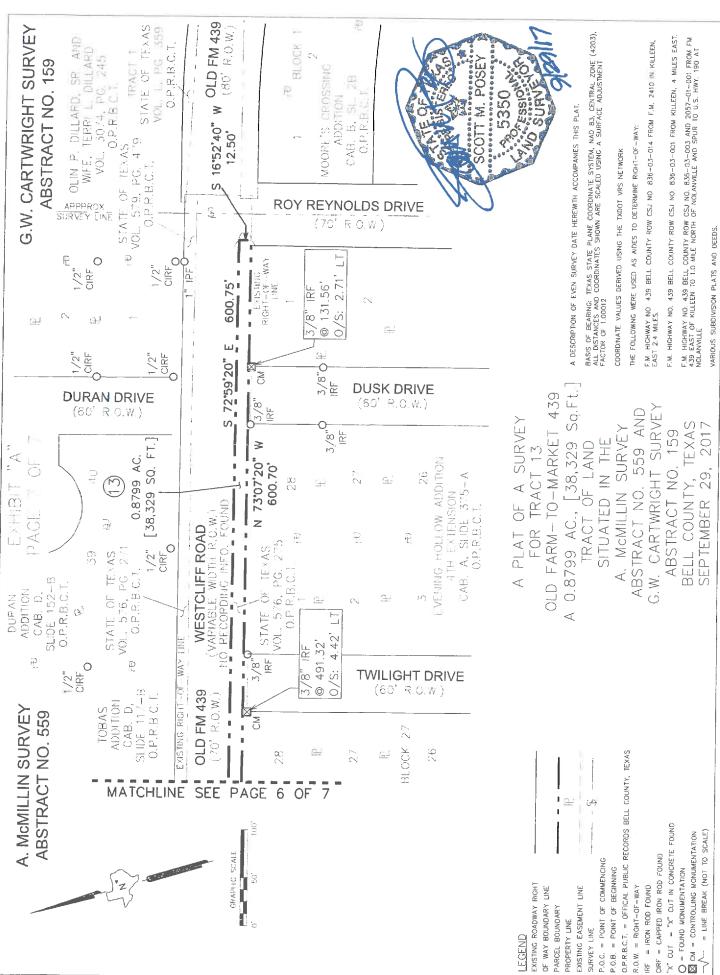
FIRM REGISTRATION CERTIFICATE NO. 10048300

AUGUST XX, 2017









PROPERTY LINE SURVEY LINE

COUNTY: BELL PAGE: 1 OF 3 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 14

BEING A 0.1244 ACRE (5,419 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. McMILLIN SURVEY, ABSTRACT NO. 559, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 271 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.1244 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 579, PAGE 479 O.P.R.B.C.T., HAVING A SURFACE COORDINATE OF NORTH 10,382,388.036, EAST 3,131,988.603, FROM WHICH THE SOUTHEAST CORNER OF LOT 40 OF THE DURAN ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET D, SLIDE 152-B O.P.R.B.C.T., SAME BEING IN THE WESTERLY R.O.W. LINE OF DURAN STREET (A CALLED 60 FOOT R.O.W.) BEARS NORTH 02° 14' 50" EAST, A DISTANCE OF 8.89 FEET;

- 1) THENCE SOUTH 16° 52' 40" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 576, PAGE 271 AND THE COMMON WESTERLY LINE OF SAID VOLUME 579, PAGE 479, A DISTANCE OF 11.00 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 271, SAME BEING THE SOUTHWEST CORNER OF SAID VOLUME 579, PAGE 479, ALSO BEING IN THE NORTH LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439;
- 2) THENCE NORTH 73° 25' 14" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 271 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 446.16 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME 579, PAGE 271;
- 3) THENCE NORTH 16° 28' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 576, PAGE 271 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, A DISTANCE OF 13.00 FEET, FROM WHICH A 3/8" IRON ROD FOUND BEARS NORTH 73° 31' 39" WEST, A DISTANCE OF 41.74 FEET AT THE SOUTHEAST CORNER OF LOT 5, BLOCK 1 OF THE WINNIE SCARBROUGH ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET B, SLIDE 213-B O.P.R.B.C.T.;
- 4) THENCE SOUTH 73° 31' 21" EAST ALONG A NORTHERLY LINE OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, A DISTANCE OF 46.00 FEET;

COUNTY: BELL PAGE: 2 OF 3 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER, 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 14

5) THENCE SOUTH 73° 07' 21" EAST CONTINUING ALONG A NORTHERLY LINE OF SAID VOLUME 576, PAGE 271, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, PASSING A 1/2" CAPPED IRON ROD FOUND AT A DISTANCE OF 279.37 FEET, OFFSET LEFT A DISTANCE OF 8.11 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 400.24 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.1244 ACRE (5,419 SQUARE FEET) OF LAND, MORE OR LESS.

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

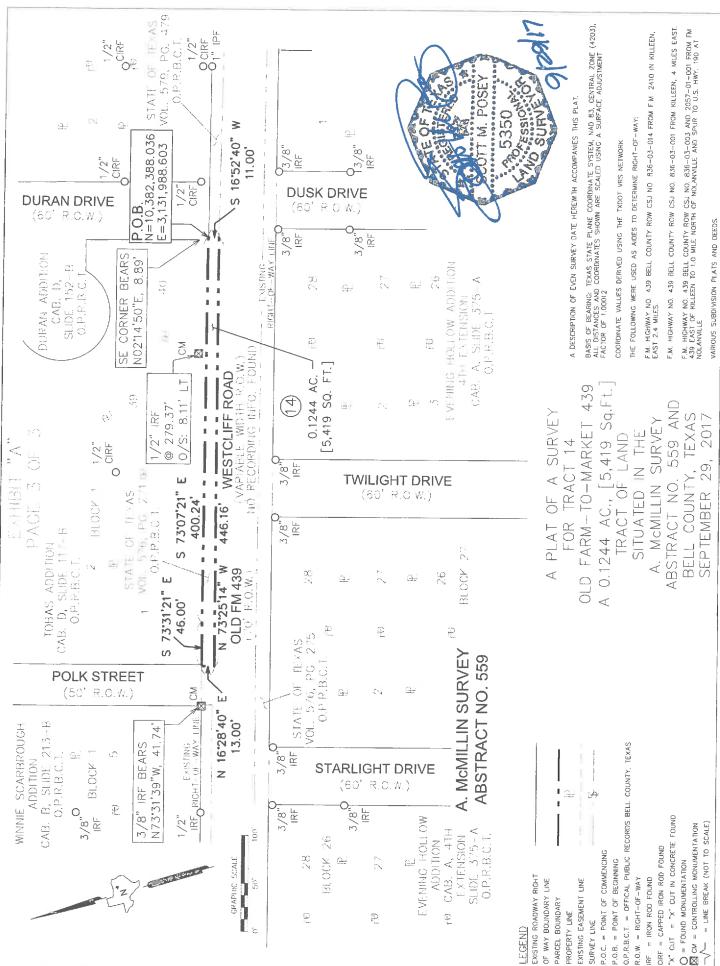
F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS

SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P.
5700 W. PLANO PARKWAY, SUITE 1000
PLANO, TEXAS 75093
PH. (214) 440-3600
FIRM REGISTRATION CERTIFICATE NO. 10048300



COUNTY: BELL PAGE: 1 OF 3 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 15

BEING A 0.0682 ACRE (2,972 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. McMILLIN SURVEY, ABSTRACT NO. 559 AND THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 579, PAGE 479 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.0682 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID VOLUME 579, PAGE 479, SAME BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 271 O.P.R.B.C.T., HAVING A SURFACE COORDINATE OF NORTH 10,382,388.036, EAST 3,131,988.603, FROM WHICH THE SOUTHEAST CORNER OF LOT 40 OF THE DURAN ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET D, SLIDE 152-B O.P.R.B.C.T., SAME BEING IN THE WESTERLY R.O.W. LINE OF DURAN STREET (A CALLED 60 FOOT R.O.W.) BEARS NORTH 02° 14' 50" EAST, A DISTANCE OF 8.89 FEET;

- 1) THENCE SOUTH 73° 07' 20" EAST ALONG A NORTHERLY LINE OF SAID VOLUME 579, PAGE 479, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439, PASSING A 1/2-INCH CAPPED IRON ROD FOUND AT A DISTANCE OF 57.94 FEET, OFFSET LEFT A DISTANCE OF 8.57 FEET, PASSING A 1-INCH IRON PIPE FOUND AT A DISTANCE OF 177.94 FEET, OFFSET RIGHT A DISTANCE OF 0.65 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 247.70 FEET TO THE NORTHEAST CORNER OF SAID VOLUME 579, PAGE 479;
- 2) THENCE SOUTH 16° 52' 40" WEST ALONG THE EASTERLY LINE OF SAID VOLUME 579, PAGE 479, A DISTANCE OF 13.00 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 479, SAME BEING THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 3) THENCE NORTH 72° 39' 35" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME 579, PAGE 479 AND ALONG THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 247.71 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME 579, PAGE 479, SAME BEING THE SOUTHEAST OF SAID VOLUME 576, PAGE 271;
- 4) THENCE NORTH 16° 52' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 579, PAGE 479 AND THE COMMON EASTERLY LINE OF SAID VOLUME 576, PAGE 271, A DISTANCE OF 11.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.0682 ACRE (2,972 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 3 SEPTEMBER 2017

DESCRIPTION FOR TRACT 15

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

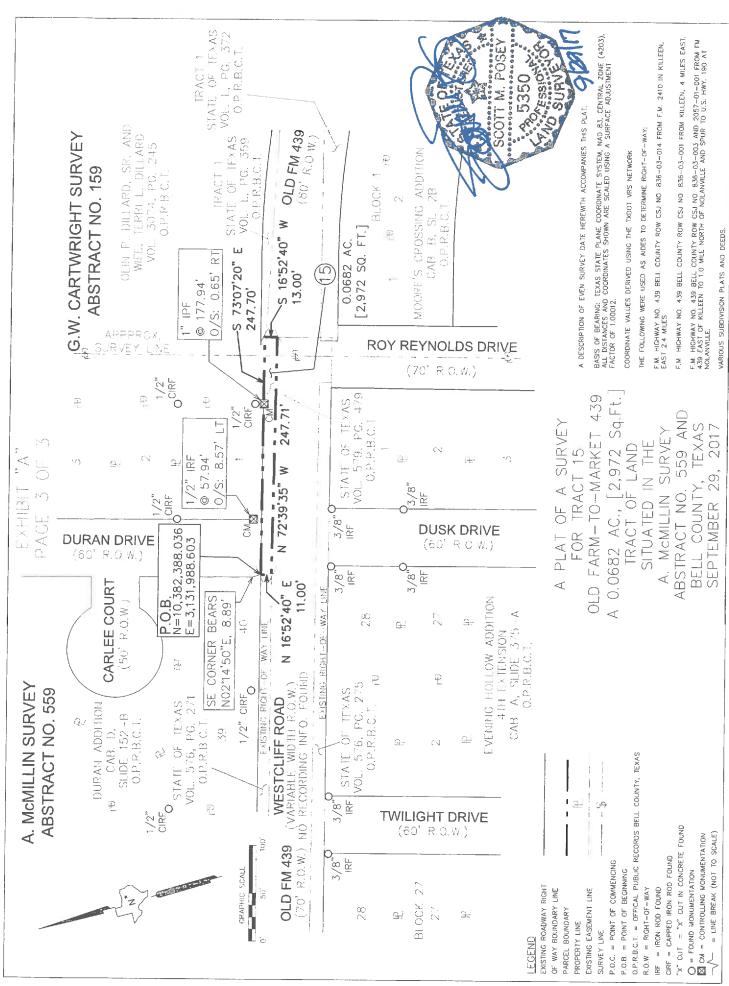
VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300



FIRM REGISTRATION CERTIFICATE NO. 10048300

COUNTY: BELL PAGE: 1 OF 3 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 16

BEING A 0.0546 ACRE (2,377 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 359 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 80 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.0546 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID VOLUME L, PAGE 359 – TRACT 1, HAVING A SURFACE COORDINATE OF NORTH 10,382,322.272, EAST 3,132,219.197, FROM WHICH THE SOUTHEAST CORNER OF LOT 1 OF THE DURAN ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET D, SLIDE 152-B O.P.R.B.C.T. BEARS NORTH 68° 43' 25" WEST, A DISTANCE OF 62.10 FEET;

THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME L, PAGE 359 – TRACT 1, SAME BEING THE NORTHERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 1) SOUTH 73° 24' 13" EAST, A DISTANCE OF 91.20 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 995.37 FEET AND A RADIUS THAT BEARS SOUTH 16° 35' 47" WEST;
- 2) ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 11° 42' 02", PASSING A 1/2 INCH IRON ROD FOUND AT AN ARC LENGTH OF 134.91 FEET, OFFSET RIGHT A DISTANCE OF 4.42 FEET, ALSO PASSING A 3/8 INCH IRON ROD FOUND AT AN ARC LENGTH OF 135.52 FEET, OFFSET LEFT A DISTANCE OF 0.24 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 203.27 FEET, A CHORD THAT BEARS SOUTH 67° 33' 12" EAST AND A CHORD LENGTH OF 202.92 FEET TO THE EAST CORNER OF SAID VOLUME L, PAGE 359 TRACT 1, SAME BEING IN THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 3) THENCE NORTH 70° 20' 25" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME L, PAGE 359 TRACT 1 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 293.48 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME L, PAGE 359 TRACT 1;
- 4) THENCE NORTH 16° 35' 47" EAST ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 359 TRACT 1, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.0546 ACRE (2,377 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL
HIGHWAY: OLD FARM TO MARKET 420

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

SEPTEMBER 2017

PAGE: 2 OF 3

DESCRIPTION FOR TRACT 16

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

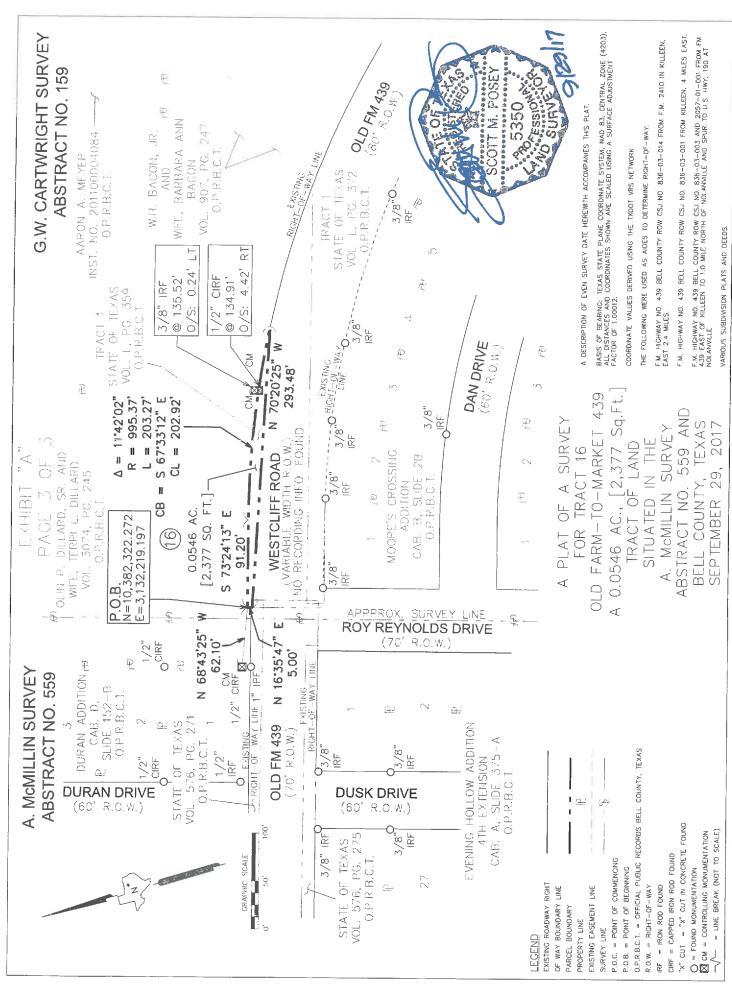
SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300



FIRM REGISTRATION CERTIFICATE NO. 10048300

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 4 SEPTEMBER 2017

DESCRIPTION FOR TRACT 17

BEING A 0.4147 ACRE (18,064 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING PART OF THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 80 FOOT R.O.W.), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.4147 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT 1/2 INCH CAPPED IRON ROD FOUND AT THE SOUTHEAST CORNER OF LOT 1 OF THE DURAN ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET D, SLIDE 152-B OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING IN THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO OLIN P. DILLARD, SR. AND WIFE, TERRI L. DILLARD RECORDED IN VOLUME 3074, PAGE 245 O.P.R.B.C.T.;

THENCE SOUTH 64° 14' 44" EAST, A DISTANCE OF 62.77 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 359 O.P.R.B.C.T.;

THENCE SOUTH 16° 35' 47" WEST, ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 359, A DISTANCE OF 5.00 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME L, PAGE 359, SAME BEING IN THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, ALSO BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,382,317.480, EAST 3,132,217.769;

- 1) THENCE SOUTH 70° 20' 25" EAST ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF SAID VOLUME L, PAGE 359 TRACT 1, A DISTANCE OF 293.48 FEET TO THE EASTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 995.37 FEET AND A RADIUS THAT BEARS SOUTH 28° 17' 49" WEST;
- 2) THENCE ALONG THE EASTERLY R.O.W. LINE OF OLD FM 439 AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 08° 52' 34", AN ARC LENGTH OF 154.20 FEET, A CHORD THAT BEARS SOUTH 57° 15' 54" EAST AND A CHORD LENGTH OF 154.05 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 372 O.P.R.B.C.T;
- 3) THENCE NORTH 73° 12' 23" WEST ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME L, PAGE 372 TRACT 1, PASSING A 3/8 INCH IRON ROD FOUND AT A DISTANCE OF 420.18 FEET, OFFSET LEFT A DISTANCE OF 16.70 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 436.74 FEET TO THE NORTHERN MOST NORTHWEST CORNER OF SAID VOLUME L, PAGE 372 TRACT 1;

COUNTY: BELL
HIGHWAY: OLD FARM TO MARKET 420

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 17

4) THENCE SOUTH 16° 35' 47" WEST ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON WESTERLY LINE OF SAID VOLUME L, PAGE 372 – TRACT 1, A DISTANCE OF 18.00 FEET TO THE SOUTHERN MOST NORTHWEST CORNER OF SAID VOLUME L, PAGE 372 – TRACT 1;

PAGE: 2 OF 4

SEPTEMBER 2017

- 5) THENCE NORTH 73° 24' 13" WEST ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 4.30 FEET TO THE SOUTHWEST CORNER OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;
- 6) NORTH 16° 35' 47" EAST ALONG THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 75.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.4147 ACRE (18,064 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 4 SEPTEMBER 2017

DESCRIPTION FOR TRACT 17

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

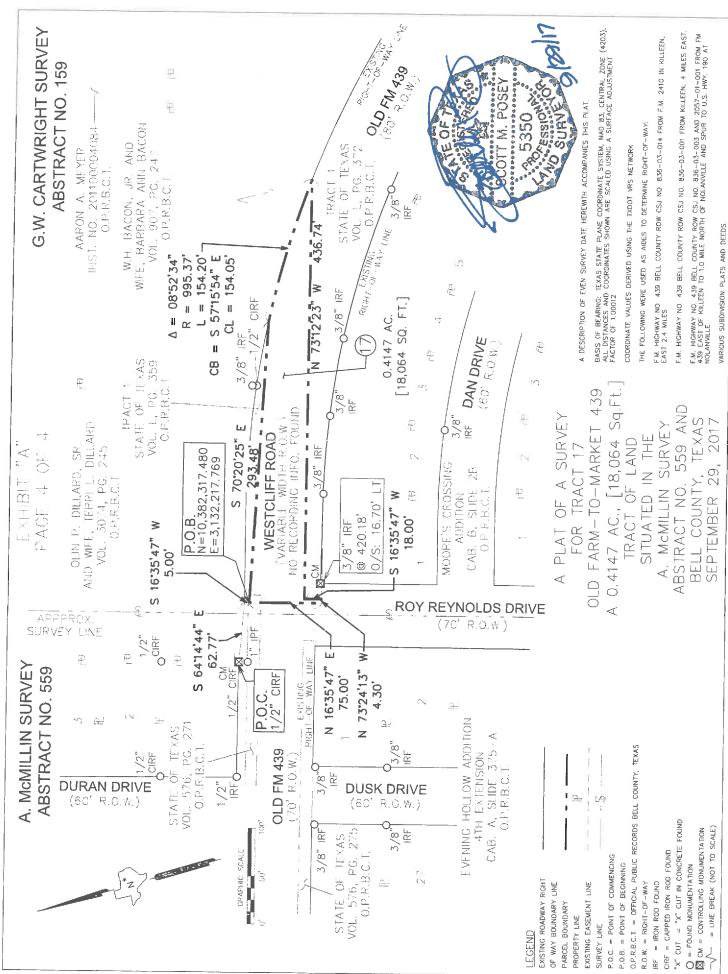
SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000

PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300



FIRM REGISTRATION CERTIFICATE NO. 10048300

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 1 OF 6 SEPTEMBER 2017

DESCRIPTION FOR TRACT 18

BEING A 2.0002 ACRE (87,128 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 372 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 80 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 2.0002 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHERN MOST NORTHWEST CORNER OF SAID VOLUME L, PAGE 372 – TRACT 1, SAME BEING IN THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, AND HAVING A SURFACE COORDINATE OF NORTH 10,382,244.376, EAST 3,132,200.468;

- 1) THENCE NORTH 16° 35' 47" EAST ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 372 TRACT 1 AND THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 18.00 FEET TO THE NORTHERN MOST NORTHWEST CORNER OF SAID VOLUME L, PAGE 372 TRACT 1;
- 2) THENCE SOUTH 73° 12' 23" EAST ALONG THE NORTHERLY LINE OF SAID VOLUME L, PAGE 372 TRACT 1 AND THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, A DISTANCE OF 436.74 FEET TO THE NORTHEAST CORNER OF SAID VOLUME L, PAGE 372 TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 995.37 FEET AND A RADIUS THAT BEARS SOUTH 37° 10' 24" WEST;
- 3) THENCE ALONG THE EASTERLY LINE OF SAID VOLUME L, PAGE 372 TRACT 1, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 46° 25' 06", HAVING AN ARC LENGTH OF 806.40 FEET, A CHORD THAT BEARS SOUTH 29° 37' 03" EAST AND A CHORD LENGTH OF 784.53 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME L, PAGE 372 TRACT 1, SAME BEING IN THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, FROM WHICH A 60D NAIL BEARS ALONG AN ARC WITH A RADIUS OF 995.37 FEET AND AN ARC LENGTH OF 25.47 FEET;
- 4) THENCE SOUTH 15° 34' 45" WEST ALONG THE SOUTHERLY LINE OF SAID VOLUME L, PAGE 372 TRACT 1 AND THE COMMON WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 367.11 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME L, PAGE 372 TRACT 1, SAME BEING IN THE WESTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 994.93 FEET AND A RADIUS THAT BEARS SOUTH 84° 07' 01" EAST;

COUNTY: BELL

PAGE: 2 OF 6 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 18

THENCE ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 372 - TRACT 1, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 5) ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 02° 25' 48", AN ARC LENGTH OF 42.20 FEET, A CHORD THAT BEARS NORTH 07° 05' 53" EAST AND A CHORD LENGTH OF 42.20 FEET:
- 6) NORTH 08° 18' 47" EAST, A DISTANCE OF 69.67 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 915.37 FEET AND A RADIUS THAT BEARS NORTH 81° 43' 38" WEST:
- 7) ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 81° 40' 35", PASSING A 1/2 INCH IRON ROD FOUND AT AN ARC LENGTH OF 140.56 FEET, ALSO PASSING A 3/8 INCH IRON ROD FOUND AT AN ARC LENGTH OF 1281.74 FEET, OFFSET LEFT A DISTANCE OF 0.13 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 1304.88 FEET, A CHORD THAT BEARS NORTH 32° 33' 55" WEST AND A CHORD LENGTH OF 1197.17 FEET:
- 8) NORTH 73° 24' 13" WEST, PASSING A 3/8 INCH IRON ROD FOUND AT A DISTANCE OF 70.40 FEET, OFFSET RIGHT A DISTANCE OF 1.25 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 86.90 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 2.0002 ACRE (87,128 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 6 SEPTEMBER 2017

DESCRIPTION FOR TRACT 18

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F,M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

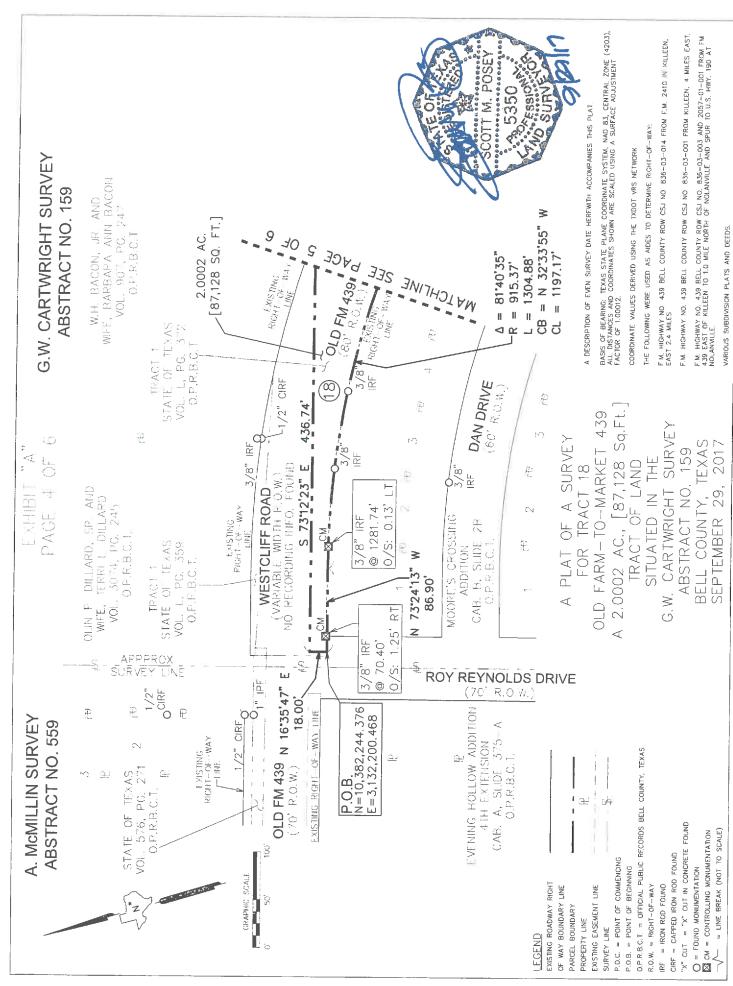
VARIOUS SUBDIVISION PLATS AND DEEDS.

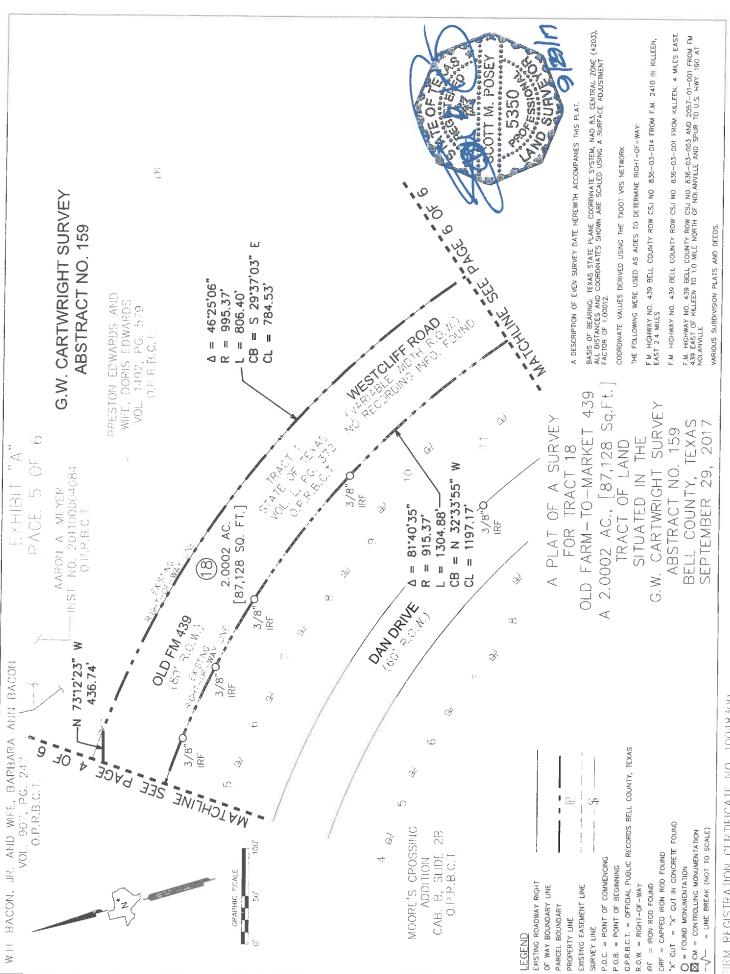
SCOTT M. POSEY

TEXAS REGISTRATION NO. 5350

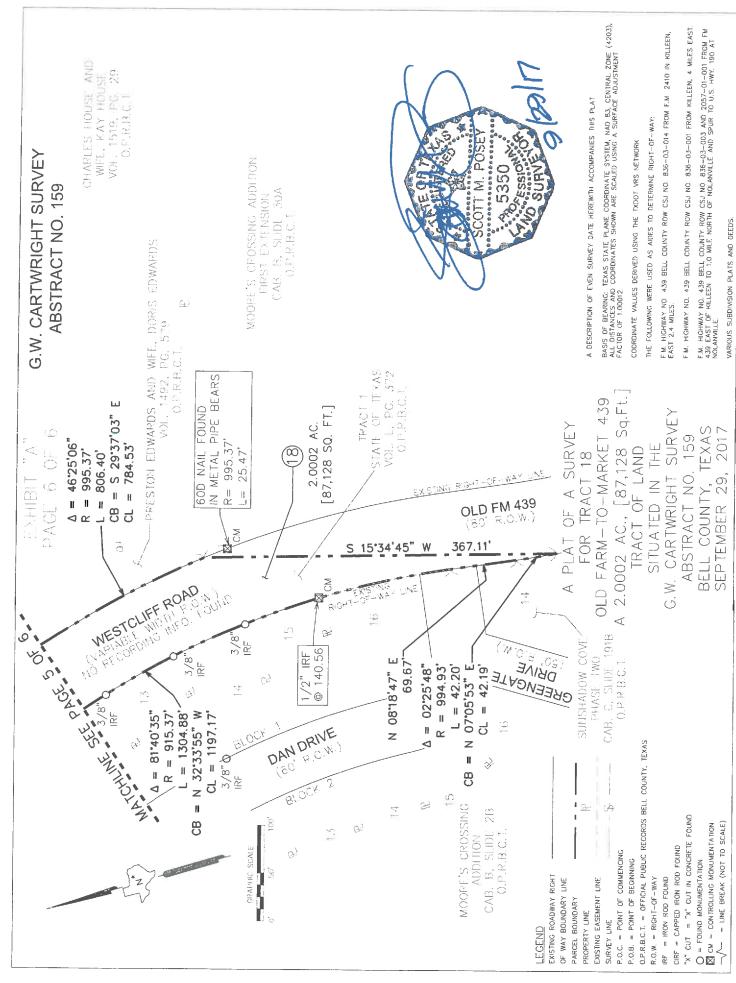
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300





FIRM REGISTRATION CERTIFICATE NO. 10048300



FIRM REGISTRATION CERTIFICATE NO. 10048300

COUNTY: BELL

PAGE: 1 OF 4 SEPTEMBER 2017

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 19

BEING A 0.5630 ACRE (24,523 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING PART OF THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 80 FOOT R.O.W.), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0. 5630 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT 1/2 INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF LOT 15 OF MOORE'S CROSSING ADDITION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, RECORDED IN CABINET B, SLIDE 2B OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING THE NORTHEAST CORNER OF LOT 16 OF SAID MOORE'S CROSSING ADDITION, ALSO BEING IN THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 372 O.P.R.B.C.T., AND THE WESTERLY R.O.W. LINE OF OLD FM 439, AND FURTHER BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 915.37 FEET AND A RADIUS THAT BEARS SOUTH 89° 28' 33" WEST;

THENCE ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 372 – TRACT 1, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439 AND THE COMMON THE EASTERLY LINE OF SAID MOORE'S CROSSING ADDITION, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 08° 47' 49", AN ARC LENGTH OF 140.54 FEET, A CHORD THAT BEARS SOUTH 03° 52' 27" WEST AND A CHORD LENGTH OF 140.41 FEET;

THENCE SOUTH 08° 18' 47" WEST CONTINUING ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 372 – TRACT 1, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439 AND THE COMMON EASTERLY LINES OF SAID MOORE'S CROSSING ADDITION AND SUNSHADOW COVE, PHASE TWO, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS RECORDED IN CABINET C, SLIDE 191B O.P.R.B.C.T., A DISTANCE OF 69.67 FEET, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 994.93 FEET AND A RADIUS THAT BEARS SOUTH 81° 41' 13" EAST;

THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 372 – TRACT 1, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439 AND THE COMMON EASTERLY LINE OF SAID SUNSHADOW COVE, PHASE TWO, AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 02° 25' 48", AN ARC LENGTH OF 42.20 FEET, A CHORD THAT BEARS SOUTH 07° 05' 53" WEST AND A CHORD LENGTH OF 42.19 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME L, PAGE 372 – TRACT 1, SAME BEING IN THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF BEGINNING, HAVING A SURFACE COORDINATE OF NORTH 10,381,099.800, EAST 3,132,912.849;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 4 SEPTEMBER 2017

DESCRIPTION FOR TRACT 19

- 1) THENCE NORTH 15° 34' 45" EAST ALONG THE WESTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON EASTERLY LINE OF SAID VOLUME L, PAGE 372 TRACT 1, A DISTANCE OF 367.11 FEET TO THE SOUTHEAST CORNER OF SAID VOLUME L, PAGE 372 TRACT 1, SAME BEING IN THE EASTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 995.37 FEET AND A RADIUS THAT BEARS SOUTH 83° 35' 30" WEST;
- 2) THENCE ALONG THE EASTERLY R.O.W. LINE OF OLD FM 439 AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 14° 40′ 52″, AN ARC LENGTH OF 255.05 FEET, A CHORD THAT BEARS SOUTH 00° 55′ 56″ WEST AND A CHORD LENGTH OF 254.35 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 359 O.P.R.B.C.T;
- 3) THENCE SOUTH 16° 13' 34" WEST ALONG THE EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME L, PAGE 359 TRACT 2, A DISTANCE OF 331.90 FEET TO THE NORTHWEST CORNER OF SAID VOLUME L, PAGE 359 TRACT 2, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 994.93 FEET AND A RADIUS THAT BEARS NORTH 83° 13' 23" EAST;
- 4) THENCE ALONG THE WESTERLY R.O.W. LINE OF OLD FM 439 AND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 12° 39' 36", AN ARC LENGTH OF 219.84 FEET, A CHORD THAT BEARS NORTH 00° 26' 49" WEST AND A CHORD LENGTH OF 219.39 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.5630 ACRE (24,523 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 4 SEPTEMBER 2017

DESCRIPTION FOR TRACT 19

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

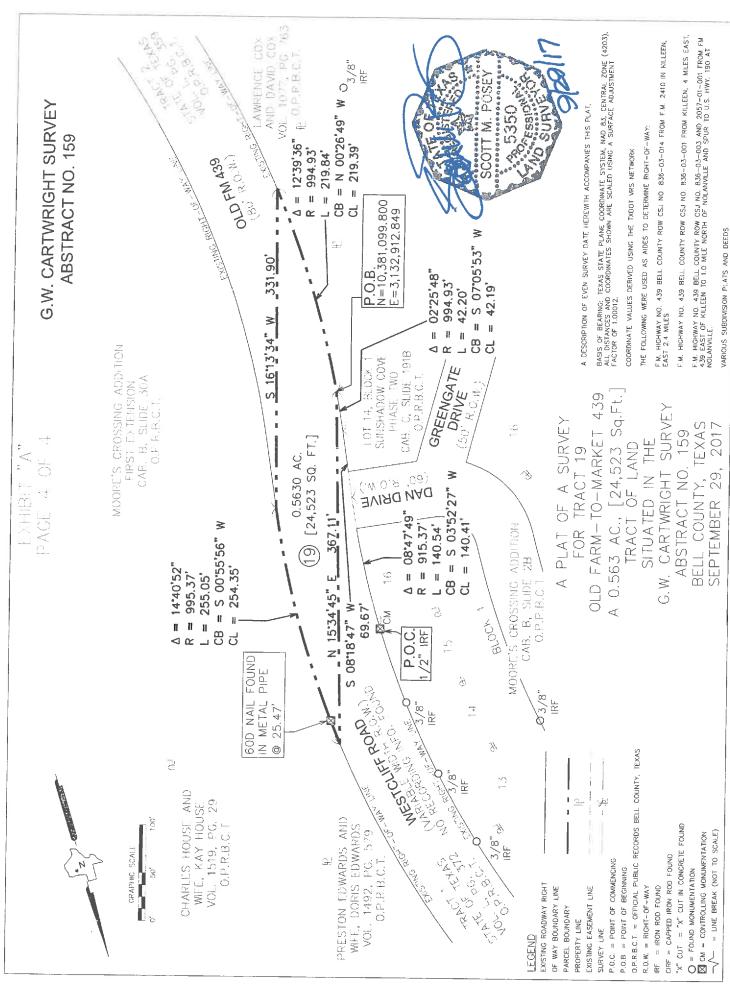
F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600 FIRM REGISTRATION CERTIFICATE NO. 10048300 SEPTEMBER 29, 2017



FIRM REGISTRATION CERTIFICATE NO. 10048300

COUNTY: BELL PAGE: 1 OF 5 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 20

BEING A 1.2699 ACRE (55,315 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME L, PAGE 359 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 80 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 1.2699 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHERN MOST SOUTHWEST CORNER OF SAID VOLUME L, PAGE 359 – TRACT 2 – TRACT 2, SAME BEING IN THE WESTERLY R.O.W. LINE OF OLD FM 439, AND HAVING A SURFACE COORDINATE OF NORTH 10,380,880.416, EAST 3,132,914.560;

1) THENCE NORTH 16° 13' 34" EAST ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 359 – TRACT 2 AND THE COMMON EASTERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 331.90 FEET TO THE NORTHERN MOST CORNER OF SAID VOLUME L, PAGE 359 – TRACT 2, SAME BEING IN THE EASTERLY R.O.W. LINE OF OLD FM 439;

THENCE ALONG THE EASTERLY LINE OF SAID VOLUME L, PAGE 359 – TRACT 2, SAME BEING THE EASTERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 2) SOUTH 08° 18' 47" WEST, A DISTANCE OF 69.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 914.93 FEET AND A RADIUS THAT BEARS SOUTH 81° 41' 13" EAST;
- 3) ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 53° 15' 52", HAVING AN ARC LENGTH OF 850.56 FEET, A CHORD THAT BEARS SOUTH 18° 19' 09" EAST AND A CHORD LENGTH OF 820.26 FEET;
- 4) THENCE NORTH 73° 29' 21" WEST OVER AN ACROSS SAID VOLUME L, PAGE 359 TRACT 2, A DISTANCE OF 149.29 FEET TO THE WESTERLY LINE OF SAID VOLUME L, PAGE 359 TRACT 2, SAME BEING IN THE WESTERLY R.O.W. LINE OF OLD FM 439, ALSO BEING IN THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 907, PAGE 433 O.P.R.B.C.T., AND FURTHER BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 994.93 FEET AND A RADIUS THAT BEARS NORTH 52° 37' 23" EAST;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 5 SEPTEMBER 2017

DESCRIPTION FOR TRACT 20

5) THENCE ALONG THE WESTERLY LINE OF SAID VOLUME L, PAGE 359 – TRACT 2, SAME BEING THE WESTERLY R.O.W. LINE OF OLD FM 439 AND THE COMMON EASTERLY LINE OF SAID VOLUME 907, PAGE 433, AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 30° 36′ 00″, PASSING A 4-INCH CONCRETE MONUMENT FOUND (BROKEN) AT AN ARC LENGTH OF 77.66 FEET, OFFSET LEFT A DISTANCE OF 63.43 FEET, PASSING THE NORTHERN MOST POINT OF SAID VOLUME 907, PAGE 433 AT AN ARC LENGTH OF 292.74, ALSO PASSING A 3/8 INCH IRON ROD FOUND (BENT) AT AN ARC LENGTH OF 293.37 FEET, OFFSET LEFT A DISTANCE OF 5.23 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 531.36 FEET, A CHORD THAT BEARS NORTH 22° 04′ 37″ WEST AND A CHORD LENGTH OF 525.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.2699 ACRE (55,315 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 5 SEPTEMBER 2017

DESCRIPTION FOR TRACT 20

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

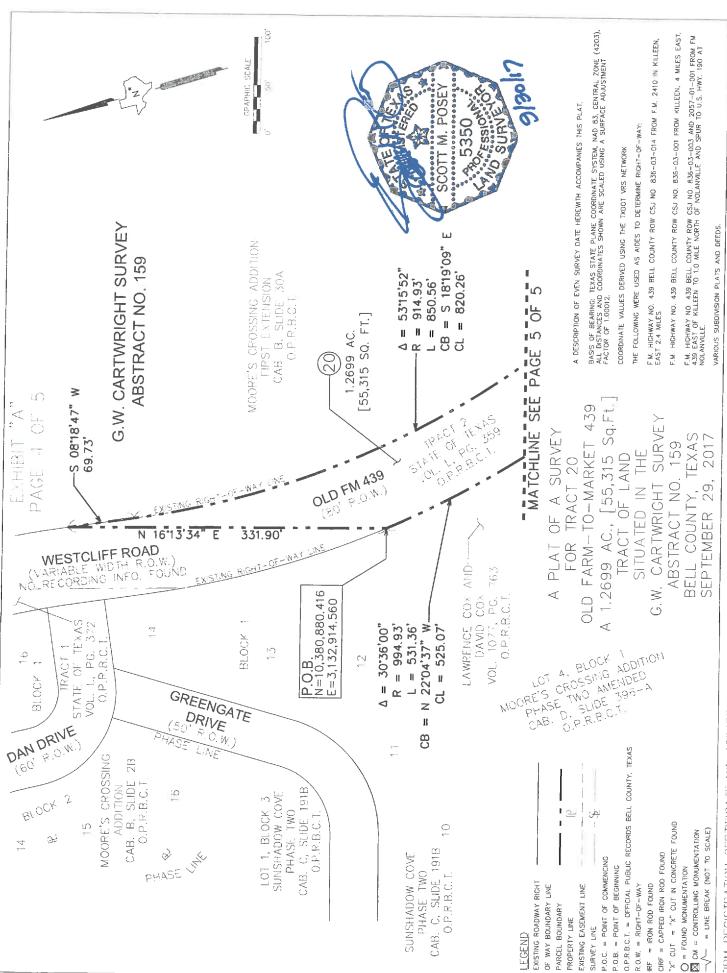
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

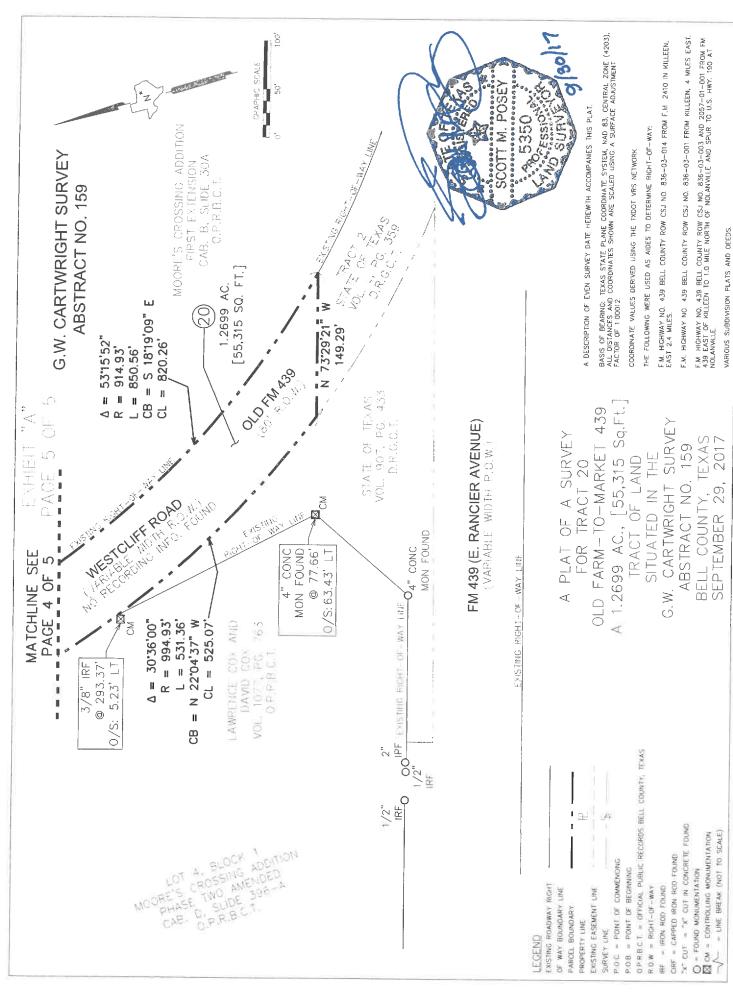
PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017



FIRM REGISTRATION CERTIFICATE NO. 10048300



FIRM REGISTRATION CERTIFICATE NO 10048390

PAGE: 1 OF 5

SEPTEMBER 2017

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 21

BEING A 0.2664 ACRE (11,604 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 223 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS FM 439 (E. RANCIER AVENUE) — A VARIABLE WIDTH R.O.W.), SAID 0.2664 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID VOLUME 576, PAGE 223, SAME BEING THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 579, PAGE 478 O.P.R.B.C.T., ALSO BEING IN THE NORTHERLY R.O.W. LINE OF OLD FM 439, HAVING A SURFACE COORDINATE OF NORTH 10,381,873.322, EAST 3,119,995.047;

THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME 576, PAGE 223, SAME BEING THE NORTHERLY LINE OF OLD FM 439 AS FOLLOWS:

- 1) SOUTH 86° 10' 20" EAST, A DISTANCE OF 184.36 FEET TO A BRASS CAP FOUND, SAME BEING THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 853.57 FEET AND A RADIUS THAT BEARS SOUTH 03° 49' 40" WEST;
- 2) ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13° 15' 00", PASSING A RAILROAD SPIKE FOUND AT AN ARC LENGTH OF 197.15 FEET, OFFSET LEFT A DISTANCE OF 2.15 FEET, CONTINUING IN ALL A TOTAL ARC LENGTH OF 197.39 FEET, A CHORD THAT BEARS SOUTH 79° 32' 50" EAST AND A CHORD LENGTH OF 196.95 FEET;
- 3) SOUTH 72° 55' 20" EAST, A DISTANCE OF 702.60 FEET;
- 4) THENCE SOUTH 17° 04' 40" WEST OVER AND ACROSS SAID VOLUME 576, PAGE 223, A DISTANCE OF 9.48 FEET TO THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 223, SAME BEING IN THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;

THENCE ALONG THE SOUTHERLY LINE OF SAID VOLUME 576, PAGE 223 AND THE COMMON NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AS FOLLOWS:

5) NORTH 73° 06' 00" WEST, A DISTANCE OF 800.35 FEET;

COUNTY: BELL PAGE: 2 OF 5 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 21

6) NORTH 86° 10' 20" WEST, A DISTANCE OF 284.76 FEET TO THE SOUTHWEST CORNER OF SAID VOLUME 576, PAGE 223, SAME BEING THE SOUTHEAST CORNER OF SAID VOLUME 579, PAGE 478;

7) THENCE NORTH 16° 17' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 576, PAGE 223 AND THE COMMON EASTERLY LINE OF SAID VOLUME 579, PAGE 478, A DISTANCE OF 12.25 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.2664 ACRE (11,604 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 3 OF 5 SEPTEMBER 2017

DESCRIPTION FOR TRACT 21

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

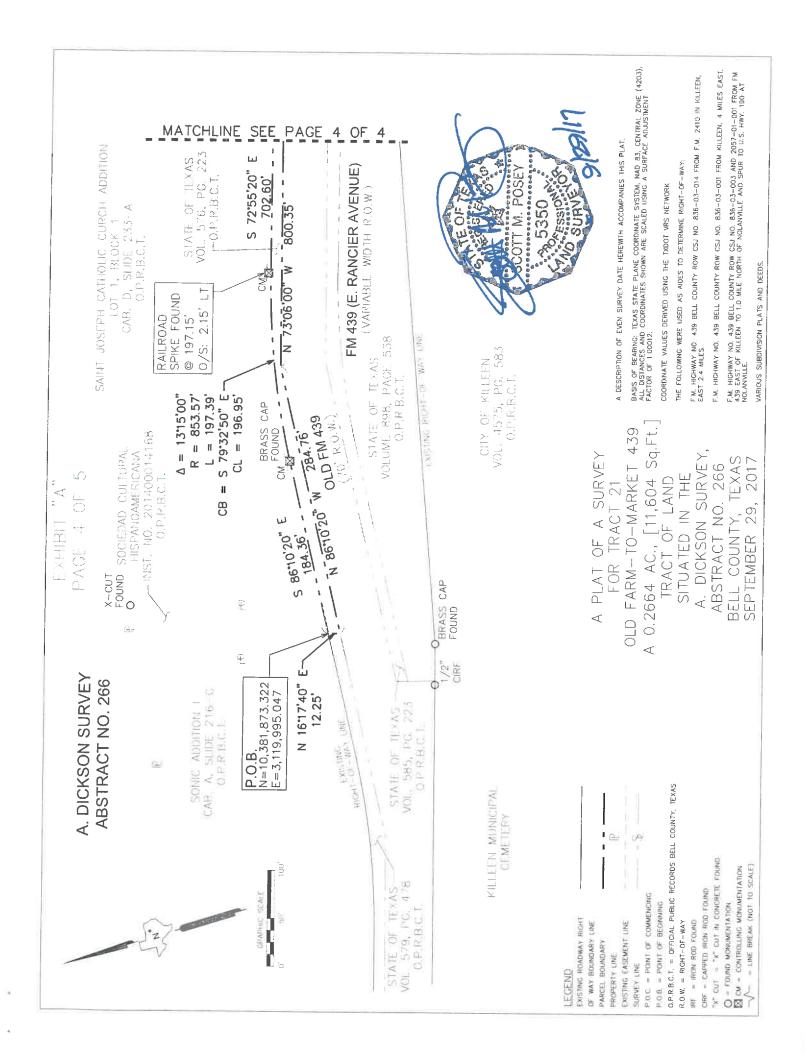
TEXAS REGISTRATION NO. 5350

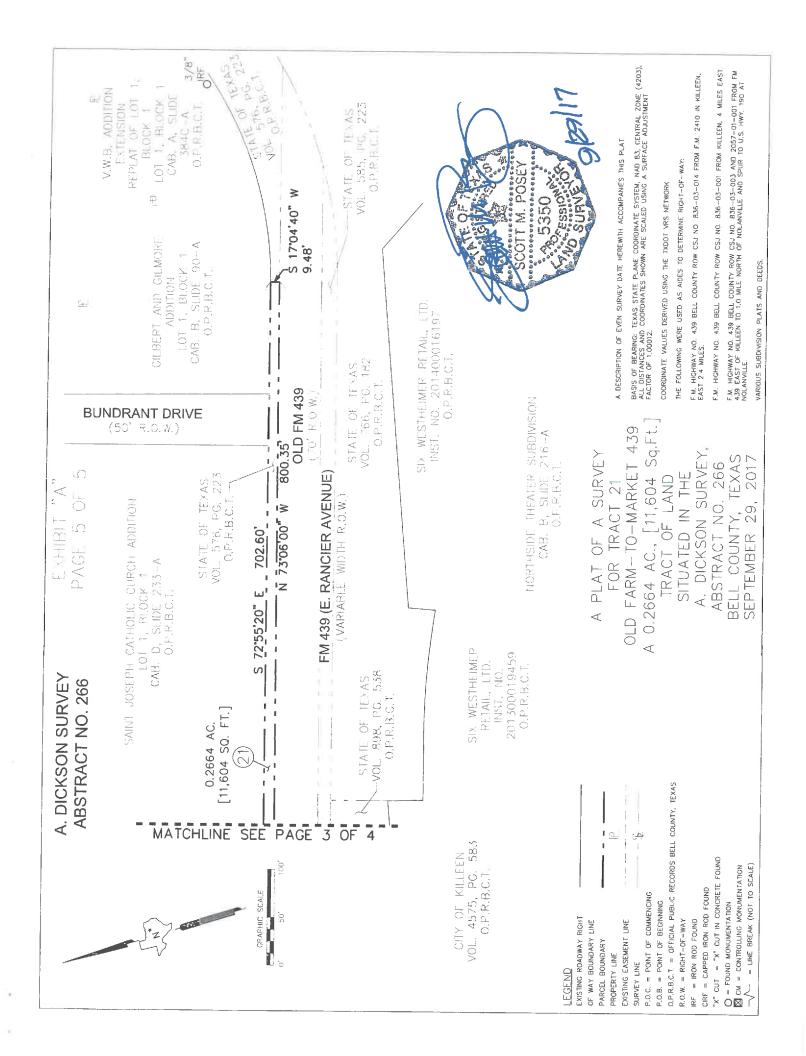
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017





COUNTY: BELL PAGE: 1 OF 5 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 22

BEING A 1.1871 ACRE (51,711 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART THE PRESCRIPTIVE RIGHT-OF-WAY (R.O.W.) (NO RECORDING INFORMATION FOUND) OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS FM 439 (E. RANCIER AVENUE) — A VARIABLE WIDTH R.O.W.), SAID 1.1871 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT 1/2-INCH CAPPED IRON ROD FOUND AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF KILLEEN RECORDED IN VOLUME 4575, PAGE 583 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING THE NORTHEAST CORNER OF THE KILLEEN MUNICIPAL CEMETERY, FROM WHICH A BRASS CAP FOUND BEARS SOUTH 73° 11' 51" EAST, A DISTANCE OF 42.68 FEET;

THENCE NORTH 21° 43' 15" EAST, A DISTANCE OF 40.52 FEET TO THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, SAME BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 223 O.P.R.B.C.T., ALSO BEING THE **POINT OF BEGINNING**, HAVING A SURFACE COORDINATE OF NORTH 10,381,819.551, EAST 3,119,926.927;

- 1) THENCE NORTH 16° 01' 40" EAST OVER AND ACROSS THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 47.31 FEET TO THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 579, PAGE 478 O.P.R.B.C.T.;
- 2) THENCE SOUTH 86° 10' 20" EAST ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINES OF SAID VOLUME 579, PAGE 478 AND THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 576, PAGE 223 O.P.R.B.C.T., PASSING A BRASS CAP FOUND AT A DISTANCE OF 238.74 FEET, OFFSET LEFT A DISTANCE OF 11.96 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 336.49 FEET;
- 3) THENCE SOUTH 73° 06' 00" EAST CONTINUING ALONG THE NORTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON SOUTHERLY LINE OF SAID VOLUME 576, PAGE 223, A DISTANCE OF 800.35 FEET;
- 4) THENCE SOUTH 17° 04' 40" WEST OVER AND ACROSS THE PRESCRIPTIVE R.O.W. OF OLD FM 439, A DISTANCE OF 44.11 FEET TO THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439, SAME BEING THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 223 O.P.R.B.C.T;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 5 SEPTEMBER 2017

DESCRIPTION FOR TRACT 22

THENCE ALONG THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AND THE COMMON NORTHERLY LINE OF SAID VOLUME 585, PAGE 223 AS FOLLOWS:

- 5) NORTH 73° 15' 17" WEST, A DISTANCE OF 794.99 FEET:
- 6) NORTH 86° 10' 20" WEST, A DISTANCE OF 341.12 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.1871 ACRE (51,711 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL PAGE: 3 OF 5 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 22

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

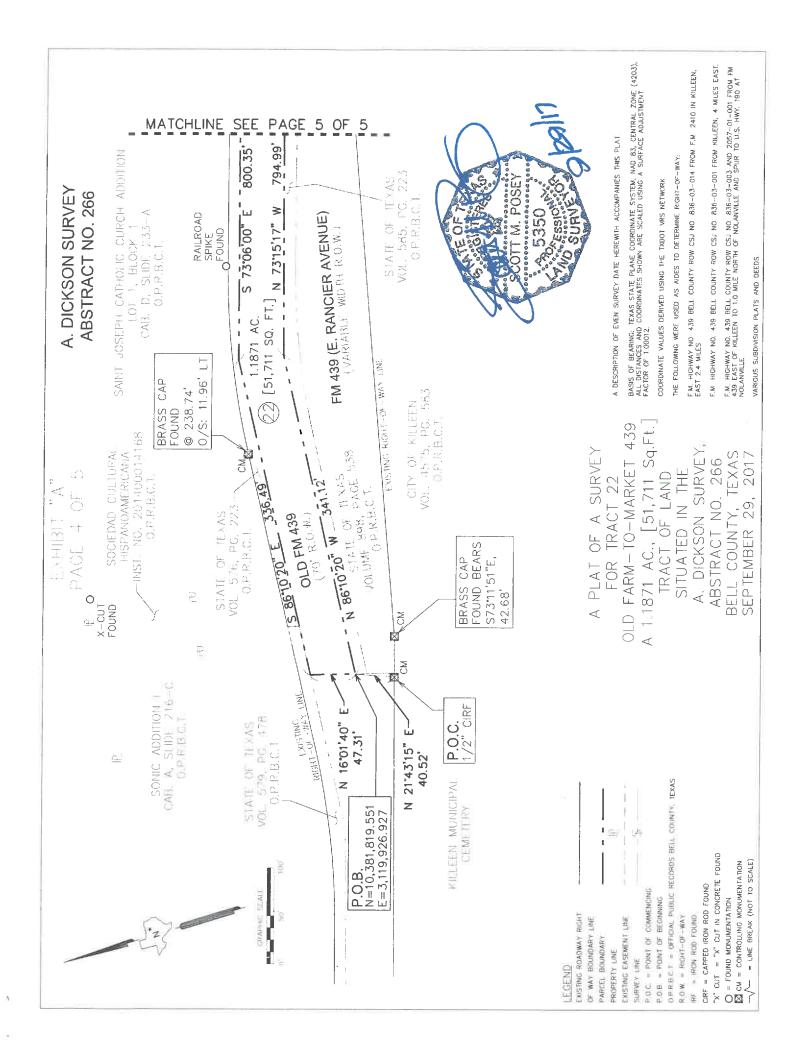
F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

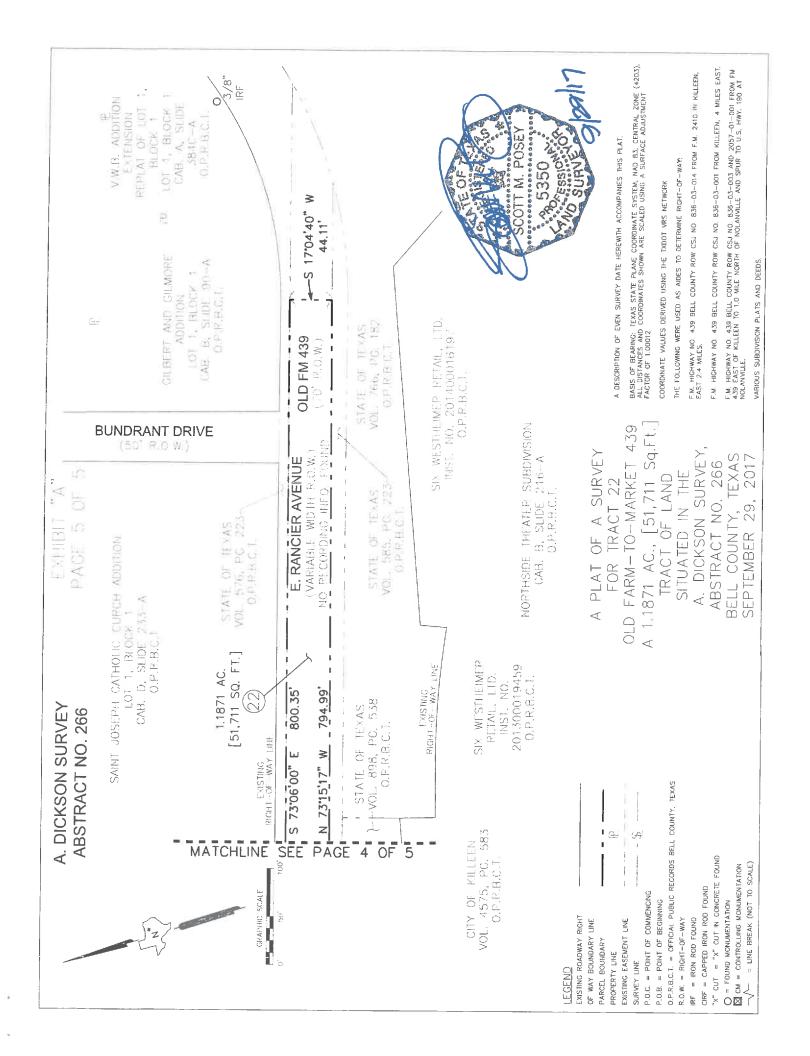
F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY
TEXAS REGISTRATION NO. 5250

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093 PH. (214) 440-3600 FIRM REGISTRATION CERTIFICATE NO. 10048300 SEPTEMBER 29, 2017





PAGE: 1 OF 4

SEPTEMBER 2017

COUNTY: BELL
HIGHWAY: OLD FARM TO MARKET 420

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 23

BEING A 0.3574 ACRE (15,568 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE A. DICKSON SURVEY, ABSTRACT NO. 266, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 585, PAGE 223 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF OLD FARM-TO-MARKET ROAD 439 (FM 439) (A CALLED 70 FOOT RIGHT-OF-WAY (R.O.W.)), (NOW KNOWN AS FM 439 (E. RANCIER AVENUE) — A VARIABLE WIDTH R.O.W.), SAID 0.3574 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID VOLUME 585, PAGE 223, SAME BEING IN THE SOUTHERLY R.O.W. LINE OF OLD FM 439, HAVING A SURFACE COORDINATE OF NORTH 10,381,807.922, EAST 3,119,923.587, FROM WHICH A 1/2-INCH CAPPED IRON ROD FOUND BEARS SOUTH 24° 08' 02" WEST, A DISTANCE OF 28.51 FEET;

1) THENCE NORTH 16° 01' 40" EAST ALONG THE WESTERLY LINE OF SAID VOLUME 585, PAGE 223, A DISTANCE OF 12.10 FEET TO THE NORTHWEST CORNER OF SAID 585, PAGE 223, SAME BEING IN THE SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439;

THENCE ALONG THE NORTHERLY LINE OF SAID VOLUME 585, PAGE 223 AND THE COMMON SOUTHERLY LINE OF THE PRESCRIPTIVE R.O.W. OF OLD FM 439 AS FOLLOWS:

- 2) SOUTH 86° 10' 20" EAST, A DISTANCE OF 341.12 FEET:
- 3) SOUTH 73° 15' 17" EAST, A DISTANCE OF 794.99 FEET;
- 4) THENCE SOUTH 17° 04' 40" WEST OVER AND ACROSS SAID VOLUME 585, PAGE 223 A DISTANCE OF 16.42 FEET TO THE SOUTHERLY LINE OF SAID VOLUME 585, PAGE 223, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439;

THENCE ALONG THE SOUTHERLY LINE OF SAID VOLUME 585, PAGE, SAME BEING THE SOUTHERLY R.O.W. LINE OF OLD FM 439 AS FOLLOWS:

- 5) NORTH 72° 55' 20" WEST, A DISTANCE OF 702.60 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 783.60 FEET AND A RADIUS THAT BEARS SOUTH 17° 04' 10" WEST;
- 6) ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 13° 14' 30", AN ARC LENGTH OF 181.10 FEET, A CHORD THAT BEARS NORTH 79° 33' 05" WEST AND A CHORD LENGTH OF 180.70 FEET;

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 4 SEPTEMBER 2017

DESCRIPTION FOR TRACT 23

7) NORTH 86° 10' 20" WEST, PASSING A BRASS CAP FOUND AT A DISTANCE OF 219.60 FEET, OFFSET LEFT A DISTANCE OF 36.32 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 251.40 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.3574 ACRE (15,568 SQUARE FEET) OF LAND. MORE OR LESS.

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

SCOTT M. POSE

VARIOUS SUBDIVISION PLATS AND DEEDS.

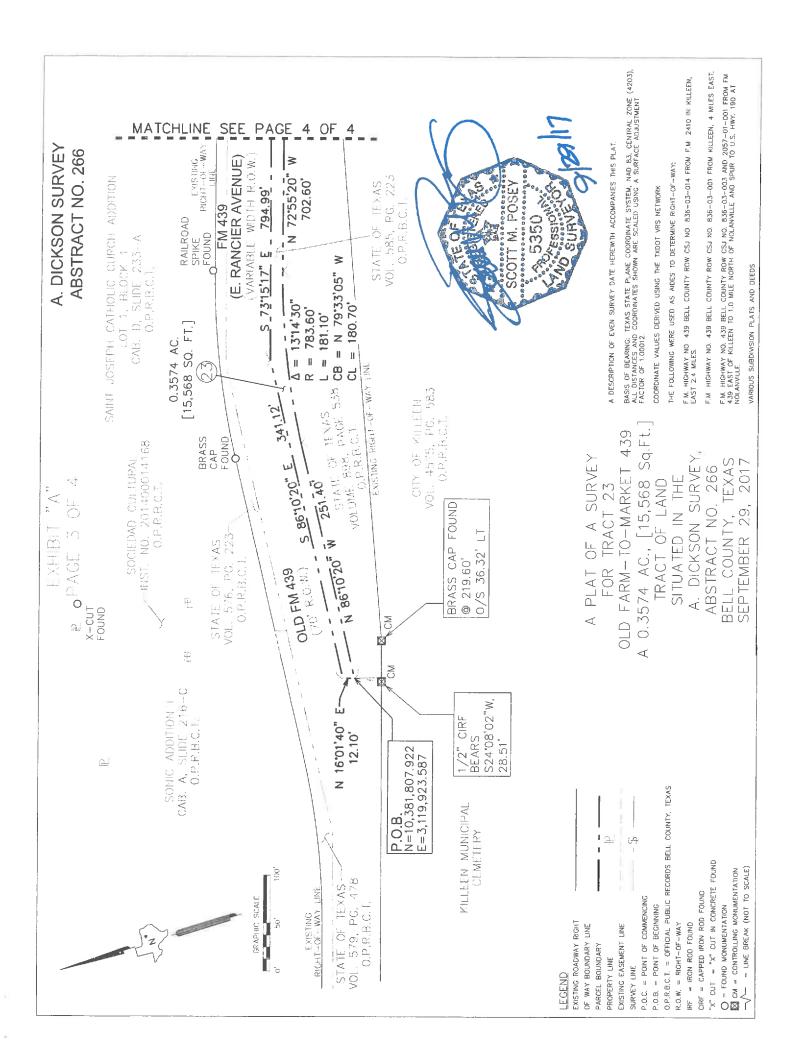
SCOTT M. POSEY
TEXAS REGISTRATION NO. 5350

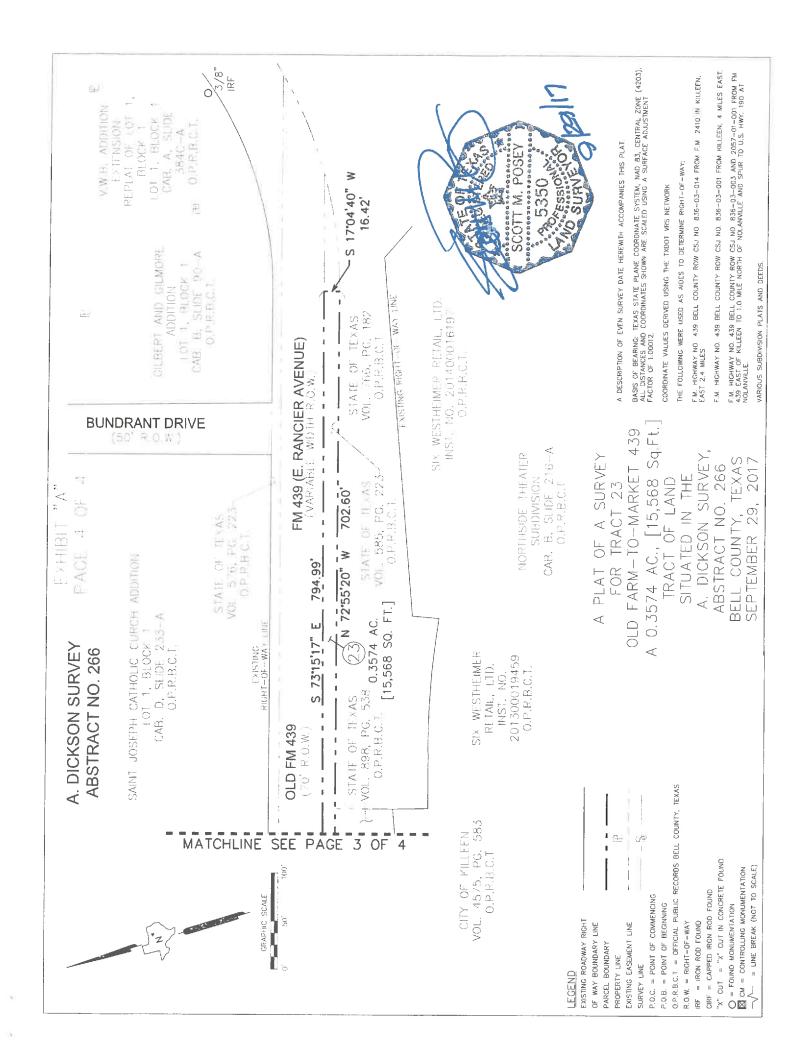
LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000 PLANO, TEXAS 75093

PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017





COUNTY: BELL PAGE: 1 OF 3 HIGHWAY: OLD FARM-TO-MARKET 439 SEPTEMBER 2017

LOCATION: KILLEEN, TEXAS

DESCRIPTION FOR TRACT 24

BEING A 0.1919 ACRE (8,358 SQUARE FEET) TRACT OF LAND, MORE OR LESS, IN THE G.W. CARTWRIGHT SURVEY, ABSTRACT 159, BELL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 907, PAGE 433 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (O.P.R.B.C.T.), SAME BEING A PART OF FARM-TO-MARKET ROAD 439 (FM 439) (E. RANCIER AVENUE) (A VARIABLE WIDTH RIGHT-OF-WAY (R.O.W.)), (ALSO KNOWN AS WESTCLIFF ROAD – A VARIABLE WIDTH R.O.W. - NO RECORDING INFORMATION FOUND), SAID 0.1919 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 4-INCH CONCRETE MONUMENT FOUND (BROKEN) AT A WESTERLY CORNER OF SAID VOLUME 907, PAGE 433, SAME BEING THE NORTHERLY R.O.W. LINE OF FM439 (E. RANCIER AVENUE), SAME BEING THE EASTERN MOST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO LAWRENCE COX AND DAVID COX RECORDED IN VOLUME 1077, PAGE 763 O.P.R.B.C.T., AND HAVING A SURFACE COORDINATE OF NORTH 10,380,422.876, EAST 3,133,013.966;

- 1) THENCE NORTH 10° 49' 14" WEST ALONG A WESTERLY LINE OF SAID VOLUME 907, PAGE 433, SAME BEING THE NORTHERLY R.O.W. LINE OF FM 439 (E. RANCIER AVENUE) AND A COMMON EASTERLY LINE OF SAID COX TRACT, PASSING A 3/8 INCH IRON ROD FOUND (BENT) AT A DISTANCE OF 230.05 FEET, OFFSET LEFT 5.26 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 230.30 FEET TO THE NORTHERN MOST CORNER OF SAID VOLUME 907, PAGE 433, SAME BEING IN THE WESTERLY R.O.W. LINE OF OLD FM 439 (VOLUME L, PAGE 359 TRACT 2 O.P.R.B.C.T.), ALSO BEING A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 994.93 FEET AND A RADIUS THAT BEARS NORTH 69° 28' 52" EAST;
- 2) THENCE ALONG THE EASTERLY LINE OF SAID VOLUME 907, PAGE 433 AND THE COMMON WESTERLY LINE OF SAID VOLUME L, PAGE 359 TRACT 2, AND ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 16° 51' 29", HAVING AN ARC LENGTH OF 292.74 FEET, A CHORD THAT BEARS SOUTH 28° 56' 53" EAST AND A CHORD LENGTH OF 291.68 FEET;
- 3) THENCE NORTH 73° 29' 21" WEST OVER AND ACROSS SAID VOLUME 907, PAGE 433, A DISTANCE OF 102.16 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.1919 ACRE (8,358 SQUARE FEET) OF LAND, MORE OR LESS.

COUNTY: BELL

HIGHWAY: OLD FARM-TO-MARKET 439

LOCATION: KILLEEN, TEXAS

PAGE: 2 OF 3 SEPTEMBER 2017

DESCRIPTION FOR TRACT 24

A PLAT OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

BASIS OF BEARING: TEXAS COORDINATE SYSTEM, NAD 83 (EPOCH 2011), NORTH CENTRAL ZONE (4203), ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE COORDINATES AND SCALED USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.

COORDINATE VALUES DERIVED USING THE TXDOT VRS NETWORK.

THE FOLLOWING WERE USED AS AIDES TO DETERMINE RIGHT-OF-WAY:

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-014 FROM F.M. 2410 IN KILLEEN, EAST 2.4 MILES.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-001 FROM KILLEEN, 4 MILES EAST.

F.M. HIGHWAY NO. 439 BELL COUNTY ROW CSJ NO. 836-03-003 AND 2057-01-001 FROM F.M. 439 EAST OF KILLEEN TO 1.0 MILE NORTH OF NOLANVILLE AND SPUR TO U.S. HWY. 190 AT NOLANVILLE.

VARIOUS SUBDIVISION PLATS AND DEEDS.

SCOTT M. POSEY

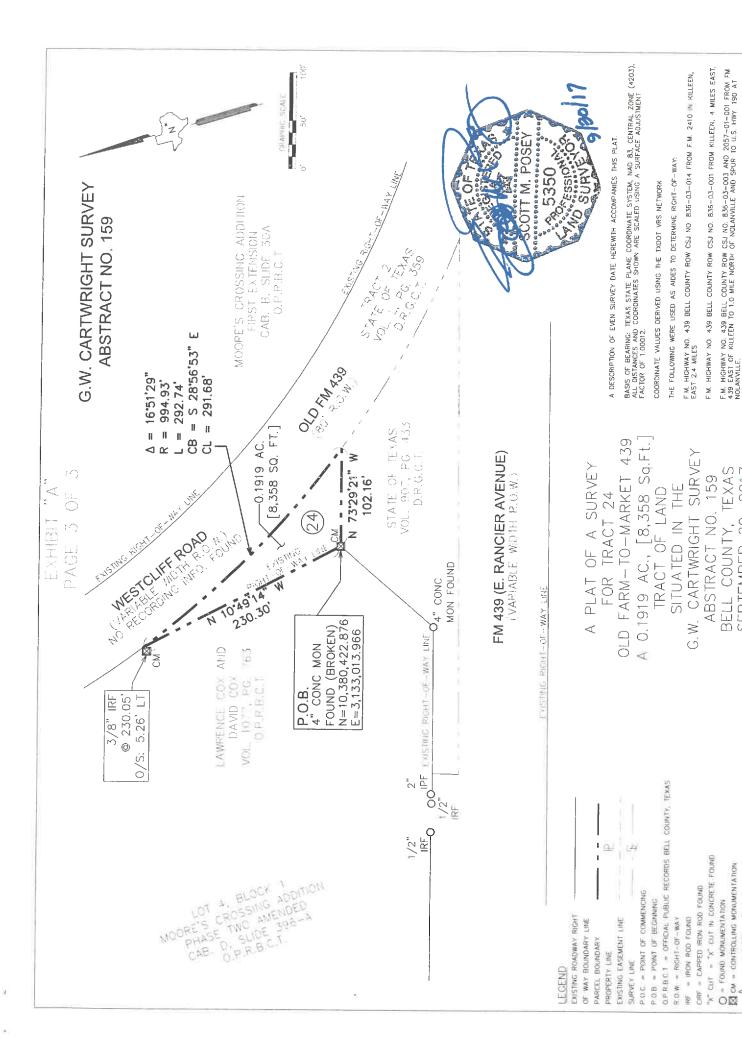
TEXAS REGISTRATION NO. 5350

LAMB-STAR ENGINEERING, L.P. 5700 W. PLANO PARKWAY, SUITE 1000

PLANO, TEXAS 75093 PH. (214) 440-3600

FIRM REGISTRATION CERTIFICATE NO. 10048300

SEPTEMBER 29, 2017



FIRM REGISTRATION CERTIFICATE NO. 10048300

TO = LINE BREAK (NOT TO SCALE)

VARIOUS SUBDIVISION PLATS AND DEEDS.

SEPTEMBER 29, 2017

TRACT 25

All that certain tract of land being 0.175 acres out of the Harbour & H.C Additions, City of Killeen more fully described in deed from Killeen Independent School District to the State of Texas recorded in Vol. 585 Pg. 213, Deed Records, Bell County, Texas.

All that certain tract of land being 0.033 acres out of the N. T Roberts Survey, Abst. No. 716 more fully described in deed from Ruby Fenner to the State of Texas recorded in Vol. 585 Pg. 215, Deed Records, Bell County, Texas.

All that certain tract of land being 0.066 acres out of the N. T Roberts Survey, Abst. No. 716 more fully described in deed from J. E Peters to the State of Texas recorded in Vol. 585 Pg. 208, Deed Records, Bell County, Texas.

All that certain tract of land being 0.029 acres out of the N. T Roberts Survey, Abst. No. 716 more fully described in deed from Kenneth Manning to the State of Texas recorded in Vol. 585 Pg. 216, Deed Records, Bell County, Texas.

All that certain tract of land being 0.845 acres out of the N. T. Roberts Survey, Abst. No. 716 and G. W. Flemming Survey Abst. No. 321 more fully described in deed from Steve Motl to the State of Texas recorded in Vol. 585 Pg. 217, Deed Records, Bell County, Texas.

All that certain tract of land being 0.351 acres out of the H. C. McClung survey, Abst. No. 570 more fully described in deed from Sidney Young to the State of Texas recorded in Vol. 576 Pg. 383, Deed Records, Bell County, Texas.

All that certain tract of land being 0.237 acres out of the H. C. McClung survey, Abst. No. 570 more fully described in deed from Mrs. O. G. Kaiser to the State of Texas recorded in Vol. 585 Pg. 219, Deed Records, Bell County, Texas

All that certain tract of land being 0.388 acres out of the H. C. McClung survey, Abst. No. 570 more fully described in deed from Sidney Young, et ux to the State of Texas recorded in Vol. 576 Pg. 382, Deed Records, Bell County, Texas.

All that certain tract of land being 0.560 acres out of the G. W. Flemming Survey Abst. No. 321 more fully described in deed from John Norman to the State of Texas recorded in Vol. 579 Pg. 478, Deed Records, Bell County, Texas.

All that certain tract of land being 0.091 acres out of the A. Dickson Survey Abst. No. 266 more fully described in deed from The Killeen Cemetery Ass'n to the State of Texas recorded in Vol. 585 Pg. 218, Deed Records, Bell County, Texas.

It is the intention of the State of Texas to convey all interest to FM 439 starting at 16^{th} Street and running East to a point near the Killeen Municipal Cemetery including all tracts of land herein AND any part of the prescriptive –right-of-way, no-recording information of old Farm to Market Road 439 (FM 439)

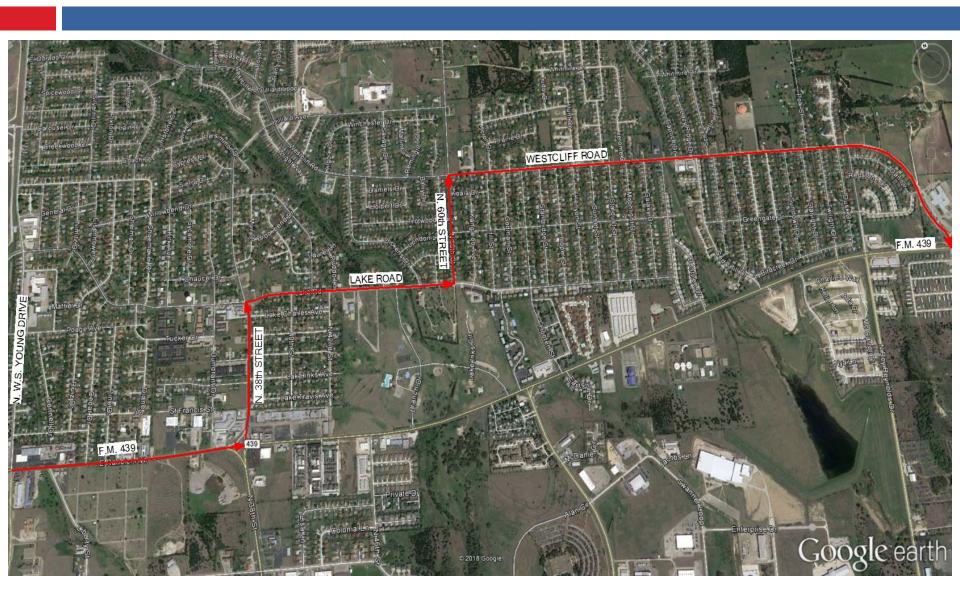


TXDOT ROW DEDICATION

Right of Way Acceptance

- 24 Tracts along Rancier (FM 439) and Old FM 439 (Westcliff Road).
- The City has been maintaining these tracts for many years.
- This is an administrative action to clean up long standing ROW issues.
- There is no financial impact to this action as these ROWs are accounted for in the current street system.

Location Map



Recomendation

Staff recommends that City Council ratify the acceptance of these tracts to clarify ownership and maintenance responsibilities.