

**Belton City Council Meeting
October 25, 2016 – 5:30 P.M.**

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem David K. Leigh and Councilmembers Craig Pearson, Jerri Gauntt, Guy O'Banion and Dan Kirkley. Councilmember Paul Sanderford was absent. Staff present included Sam Listi, John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Erin Smith, Chris Brown, Angellia Points, Kim Kroll, Matt Bates, Paul Romer, Cynthia Hernandez, Bruce Pritchard, Susan Allamon and Aaron Harris.

The Pledge of Allegiance to the U.S. Flag was led by Mayor Pro Tem David K. Leigh and the Pledge of Allegiance to the Texas Flag was led by Director of Library Services Kim Kroll. The Invocation was given by Pat Munoz, Pastor of Dunamis Baptist Church.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:32 p.m.

2. **Public Comments.**

George Dishon, 4650 Sparta Road, spoke about the red light at FM 93 and Loop 121. He said the traffic is terrible, and on school days, the traffic backs up all the way to Wheat Road. He expressed the need for a left turn lane.

Mayor Grayson said that TxDOT knows of the problem, and they have it on their list. The City is working with TxDOT to get Loop 121 fixed. Mayor Pro Tem David K. Leigh said that he lives close to the intersection, and in fact has been T-boned in that intersection, so he is aware that it is a problem as well. Councilmember Jerri Gauntt said she drives through that intersection every morning and has called City Manager Sam Listi, as well as sent him pictures, about the traffic. Mr. Listi said that the City is actively working on it with TxDOT.

3. **Proclamations and Recognitions:**

A. Recognize the Finance Department for receipt of the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2015.

City Manager Sam Listi recognized Director of Finance Brandon Bozon and Assistant Director of Finance Susan Allamon, as well as the Finance Department Staff, for receiving the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2015 from the Government Finance Officers Association of Texas.

B. Recognize the Public Information Officer and the Finance Department for receipt of the Comptroller's Transparency Star Award in the area of Traditional Finances.

City Manager Listi recognized Public Information Officer Paul Romer and Director of Finance Brandon Bozon for receiving the Comptroller's Transparency Star Award for Traditional Finances for the first time.

Consent Agenda

Items 4-5 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. **Consider minutes of previous meetings:**

A. October 11, 2016, City Council Workshop Meeting

B. October 11, 2016, City Council Regular Meeting

5. **Consider authorizing the City Manager to execute an Interlocal Assistance Agreement with the Central Texas Council of Governments (CTCOG) to continue funding for the volunteer coordinator position for the Belton Police Department's RUOK? Senior Adult Outreach Program.**

Mayor Marion Grayson requested that item 5 be pulled for discussion.

Upon a motion by Councilmember Dan Kirkley, and a second by Councilmember Craig Pearson, the Council unanimously approved item 4 upon a vote of 6-0.

Assistant City Manager/Chief of Police Gene Ellis provided an overview of the Belton Police Department's RUOK? Senior Adult Outreach Program. He said that the Interlocal Assistance Agreement under consideration is to continue funding of the volunteer coordinator's position.

Upon a motion by Mayor Pro Tem David K. Leigh, and a second by Councilmember Jerri Gauntt, the Council unanimously approved item 5 upon a vote of 6-0.

Regular Agenda

6. **Consider a resolution naming a new City of Belton park, located west of Ave. J and South of South Belton Middle School, as the Jeff Hamilton Neighborhood Park.**

Director of Parks and Recreation Matt Bates said that on September 28, 2016, the Parks Naming Committee, made up of City Staff, unanimously voted to recommend the naming of a new City of Belton park located west of Ave J and South Belton Middle School as ***Jeff Hamilton Neighborhood Park***.

He explained that Ms. Genevieve Gregg, a descendent of Jeff Hamilton, had spoken previously at City Council and Civic Club meetings in the area, with a goal

of keeping Jeff Hamilton's legacy alive. City staff has wanted for some time to honor Jeff Hamilton at a facility, and committee members agreed that the park's proximity to South Belton Middle School, coupled with Hamilton's passion for education, made the location a prime area to honor his legacy. Ms. Gregg asked that the Council approve the naming of the park as the Jeff Hamilton Neighborhood Park. She said that her aunt asked Ms. Gregg to keep Jeff Hamilton's legacy alive, and she feels this is an excellent way to do that.

Mr. Bates said that this proposed park naming was presented to the Belton ISD school board on October 17, 2016, at its regular Board meeting, and Board members expressed strong support for the proposed name honoring this important person and his strong Belton connection. The 3.55 acres of park land, donated by BISD, will include a playground and swing set, along with two picnic tables, two benches, a BBQ Grill, trash cans, and a ¼ mile concrete trail.

As required by the Facility Naming Policy, Mr. Bates stated that the proposed park naming was posted on the internet for the minimum of ten (10) days prior to this meeting. He added that cost will be nominal, involving signage and a storyboard for the Park. The Parks Board unanimously recommended this park name at their meeting on October 3, 2016.

Councilmember Jerri Gauntt said that she has wanted to honor Jeff Hamilton for a long time, but she is concerned that if the City names this park after him, the name would not be available to use for the possible naming of IH 14. She said that if the Council had the opportunity to name a highway after him, she would prefer to do that. Mayor Grayson clarified that the City would not get to name the interstate highway because it extends farther than Belton. She said that the City could name the interstate service road. Mayor Pro Tem Leigh said this is a good start, but we could rename the park should the Council decide to name the interstate service road after Jeff Hamilton.

Upon a motion by Councilmember Pearson, and a second by Councilmember Kirkley, the following captioned resolution was unanimously approved upon a vote of 6-0.

RESOLUTION NO. 2016-30-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, NAMING A CITY OF BELTON PARK, AND PROVIDING AN OPEN MEETING CLAUSE.

7. Consider adoption of a resolution directing the publication of notice of intention to issue combination tax and limited revenue certificates of obligation, series 2016, in a maximum principal amount not to exceed \$9,700,000, and other matters related thereto.

Director of Finance Brandon Bozon said that over the last few months, Council has received briefings on the infrastructure needs of the City. During those briefings the North Belton Water Tower and South IH 35 Sewer projects were determined to be candidates for funding in a potential 2016 debt offering. The maximum amount of the debt offering is set at \$9,700,000 to maintain bank qualified status.

Mr. Bozon explained that a \$9.7M, 20 year note at 3.25%, with debt service structured to complement our existing water and sewer debt service, would result in a total repayment of approximately \$13.76M. The FY 2017 Water and Sewer Fund budget contains \$345,081 for the FY 2017 service of this potential utility debt issue.

Upon a motion by Councilmember Pearson, and a second by Councilmember Kirkley, the following captioned resolution was unanimously approved upon a vote of 6-0.

RESOLUTION NO. 2016-31-R

RESOLUTION DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016 AND OTHER MATTERS RELATED THERETO.

Growth Management

8. **Conduct annexation public hearings and present Municipal Services Plans for seven areas:**
 - A. **Area 1: Approximately 716.44 acres located on the east side of IH 35, along and south of Decker Road. The tract extends southward to the Lampasas River, and extends along the river to the south and southeast, connecting to existing city limits, east of Toll Bridge Road.**
 - B. **Area 2: Approximately 198.69 acres located on the east side of IH 35, between the east/west portion of the Lampasas River and Elmer King Road.**
 - C. **Area 3: Approximately 250.14 acres located south of the intersection of IH 35 and the Lampasas River. The tract extends along the west side of IH 35, measuring approximately 1,000' in width, and would add 1,000' additional on the west side of IH 35 to the current 1,000' total city limit width centered on IH 35. The tract extends southward along IH 35 south of Amity Road, and adjoins the Salado ETJ line.**
 - D. **Area 4: Approximately 297.20 acres located south of the intersection of IH 35 and the Lampasas River. The tract extends along the east side of IH 35, measuring approximately 1,000' in width, and would add 1,000 additional feet to the current 1,000' total city limit width centered on IH 35. The tract**

extends southward along IH 35 south of Amity Road, and adjoins the Salado ETJ line.

- E. Area 5: Approximately 228.27 acres located along and north of Sparta Road and west of the existing city limits, extending west to FM 439, and east along Sparta Road to the city limits.
- F. Area 6: Approximately 24.10 acres located generally along the proposed north/south alignment of Lake-to-Lake Road, north of Sendero Estates Subdivision, and south of FM 93.
- G. Area 7: Approximately 2.713 acres located on the south side of Avenue O, between Avenue O and Old Golf Course Road.

City Manager Sam Listi presented an overview of the areas under consideration for annexation. He presented municipal service plans for each area as shown in Exhibit "A".

Councilmember Gauntt asked why the City was offering non-annexation development agreements for 5-10 years if the law allows up to 45 years. City Manager Listi responded that development agreements may be extended beyond the time shown in the agreement should Council determine that development is not occurring in the area. He said that the distinction between the time frames was due to the potential for development to occur sooner in some areas.

Mrs. Gauntt said that the City may still be unable to afford to annex the areas at the end of the timeframe established in the development agreement. Mr. Listi said that the City is making substantial public investment in some of the areas, and it will be a decision for a future Council to make whether to annex an area or not at the end of the timeframe of the non-annexation development agreement.

Mrs. Gauntt asked if a development agreement is offered, but the property owner does not sign it, what happens. Mayor Pro Tem Leigh explained that he has previously been on both sides of annexation. The development agreement protects the property from annexation for a period of time. He added that if a property owner does not sign the development agreement, then they are asking to be annexed.

Mrs. Gauntt added that she had questions about how annexation would affect the Sparta Volunteer Fire Department. She also said that a few years ago, she was in a meeting where an engineer said that the City of Belton is "in the business of selling water," so if the City cannot sell water in Area 5 because it is within 439 Water Supply Corporation's CCN, then that is another reason not to annex that area.

Mayor Grayson opened the public hearing.

Ann Utley – 6101 Toll Bridge Road: Portions of River Farm, Ltd., were already annexed into the City of Belton in a previous annexation and other parts are in

Belton's ETJ. She said that they have no plans to develop the property. She added that River Farm, Ltd., already has police and fire service, and any other services that the City can offer are far down the road. Mrs. Utley said that they have a problem with no structures being allowed on the property under the development agreement other than a single residence. They have always had the intention of allowing their children to build homes on the property without it being considered "development." Mrs. Utley said that they would prefer to remain in the ETJ until such time as the property develops.

Jill Decker, 205 Decker Road: Mrs. Decker said that her property is located in Area 1 at the far tip north. She is opposed to annexation because the City has yet to fix a flooding issue that they created 25 years ago. She said she has met with several City employees over the years, but the problem still exists. She said, "If the City cannot fix the problem that they created, how can I believe that you [the City] can provide us with anything?"

Paul Neese, 6471 Toll Bridge Road: The majority of his property was annexed in the last City annexation. He said that he never got a development agreement the last time the City did an annexation. He said that the City is proposing to annex the remainder of his property this time, and he has not received a development agreement this time either. He said that there has been no change in his property's status other than receiving Belton police service. He said he cannot figure out why the City wants his property. He bought the property to live outside the City. If he had wanted to live in the City, he would have purchased property in the City. He said that he does not believe he will receive any services because he has two wells on his property that he knows the City will not service. He does not want to be annexed.

Barry Gerstenberg, 188 Elmer King Road: Mr. Gerstenberg said he was representing his grandparents. The family would like their property to remain farm and ranch land. He said what they have been offered seems to be taxation without representation. The services that are being offered are already being provided by the County with the exception of the library. They have been told that there will be no fewer services than what is currently available, and he wondered if there will be any additional services provided. Part of his grandparents' land was annexed several years ago, and a portion caught fire. Belton did not respond to the fire; Salado fought the fire. His family likes the idea of a non-annexation development agreement, but they would like the full term of 45 years. He wondered if the annexation could be put off until next year since he has heard some rumblings of possible changes to the ETJ laws in the coming year. He also asked why they were required to sign the development agreement before the final hearing.

Michael Brusters, 7900 S. IH 35: Mr. Brusters said he was from out of the area, but he has owned the property since 2005. He wants to know what additional services would be provided to him. He is especially concerned about water and sewer.

Bill Bartlett, 1538 Rose Lane: Mr. Bartlett did not wish to speak.

Betty Renfro, 7371 Toll Bridge Road: Ms. Renfro did not wish to speak.

Cody Sulak, 4602 Sparta Road: Mr. Sulak said that he and his wife purchased the property in August. He said that they were planning to build a barndominium on the property, but if they are annexed, current City code will not allow it because of the masonry requirements for residences. He said that annexation of Area 5 does not make financial sense for the City. He added that many residences in Area 5 do not have access to water unless they dig their own well. He said that his residence is not served by 439 Water Supply Corporation unless he is willing to spend more than he spent for the land to get water to his property. He is being forced to dig a well that will provide water for his property, but the water will reek of sulfur. He asked if the City does annex his property, what will the City do to provide him with water that is safe and clean? He added that the City knows there's an issue, but they are unwilling to help.

City Manager Listi said that the City of Belton cannot service this property since it is in 439 WSC's CCN. Mayor Grayson added that 439 WSC should service it, then.

Mr. Sulak said that if the City runs sewer to the area, he cannot afford the cost of extending a line to have sewer service. He said that he just received his development agreement today, so he has not had time to review it in detail. He said in scanning through it, though, there is not a provision for extending the development agreement. He said that there is a provision stating that the City may begin annexation proceedings before the end of the term of the agreement. He also said that he has never seen a contract that required a signature but you are asked not to date it. He did not think that it was fair to require a signature without a date.

George Dishon, 4650 Sparta Road: Mr. Dishon said that the City is revisiting annexation of the Sparta Road area again just like they did in 2006. He read the costs associated with annexing the area where he lives. He said it is a lot of money for low density, residential, large, vacant tracts. He outlined that the infrastructure is non-existent for development in the area. He said Belton has stated that they cannot provide water to the area, and it will provide a low return on the investment the City would make.

David Beevers, 4844 Sparta Road: Mr. Beevers said that he doesn't understand why the City wants Area 5 because it makes no sense. He outlined what the residents of that area want from the City including: (1) pull Area 5 from the study or (2) if you won't do that, then defer signing of the development agreements to a later date because it doesn't make sense to sign at this time.

Stacie Dishon, 4650 Sparta Road: Mrs. Dishon said that there haven't been any changes to her property in ten years since the last time the City considered annexing the area. She added that they moved from Killeen to the area because they didn't want to live in the city.

Matthew Mullins, Fire Chief of Sparta Volunteer Fire Department: He said that he lives down the road from this area, and nobody in the area wants to be in the City. The people in Area 5 love the country life. He added that the City is not providing enough data, and people from the area want face-to-face meetings. He talked about the funding issues within the volunteer fire department.

Joe Moore, 5470 Sparta Road: Mr. Moore said he has been in the Belton area since 1965. He stated that a park should be named after Johnny Mullin. He also said that residents of Area 5 already have all the services that the City of Belton is proposing to provide them. He said that the City is trying to get into the pocketbook of the 18 or 19 people who live in Area 5. He also said he hopes that the City of Belton never considers trading ETJ with the City of Temple. He said that he wants to stay in the country.

Mayor Grayson closed the public hearing. She announced that the second public hearing will be held on November 1, 2016, at 5:30 p.m. at the Harris Community Center.

Councilmember Guy O'Banion asked for clarification of the development agreement regarding structures on the property. City Manager Listi said that the development agreement is for this point in time going forward and allowing anything existing to remain on the property. We ask that people who are taking advantage of the development agreement to meet with us and discuss terms, including securing permits, to ensure that set-backs are met, and to avoid conflicts with street right-of-way. The development agreement also allows for one additional single family house on the property and additional support structures for continued agricultural use. The trigger for annexation of the property would be if the property owner went beyond the terms of the agreement, then the property would come before the Council for consideration of annexation.

Councilmember O'Banion asked, "If the property owner has two kids, would it trigger the possibility of annexation if each child wanted to build a house on the property?" Mr. Listi said that the division of property would trigger consideration for annexation. Mr. O'Banion stated the Council could review it at that time to determine if it is a true development or not. Mr. Listi added that ownership change does not trigger annexation; subdivision does trigger consideration.

City Attorney John Messer said that annexation is not automatic. The Council at that time will still have to make the decision that it makes sense to annex the property.

Mayor Pro Tem Leigh thanked the citizens for coming to the meeting. He spoke about community and compromise saying, "We have to be able to communicate, and we have to be able to compromise." He added that Bell County is growing at 2.5% per year regardless of what we do with annexation. Leigh said, "The reality is that change does happen, and we have to be stewards of how the change happens."

Mr. Listi said that everyone is understandably very passionate about annexation. He encouraged those who are eligible for the development agreements to give them consideration, and said that the timeframe is extremely important. It helps the Council to be informed about those who have signed development agreements in making the final decision regarding annexation of the area. He added that to choose to ignore the development agreement might be short sighted by those who do not wish to be annexed. It is a provision by the State that gives property owners, who are genuinely in an agricultural situation, protection from annexation for a period of time. He encouraged those with questions about the development agreements to meet with City Staff to discuss.

Mayor Grayson thanked those who took the time to come to the meeting and voice their opinions.

No action was required by the Council at this time.

Planning and Zoning

9. **Hold a public hearing and consider a zoning change from Agricultural to Light Industrial Zoning District for a UPS parking lot on a 5.00 acre tract of land, located east of South Interstate 35 and south of Grove Road.**

Director of Planning Erin Smith stated that the applicant is proposing a zone change to allow for a UPS parking lot addition. UPS recently purchased 5 acres directly south of the existing UPS property. Staff went by the UPS site and noticed several trees had been removed and a large asphalt parking lot was constructed without obtaining the required permits. Staff contacted the contractor and requested they meet with staff immediately to discuss the matter. Staff met with the contractor and stated that a detailed site plan, drainage study, and parking lot specifications are needed for the required permit. Mrs. Smith said that the contractor has provided those items to City staff for review. Staff also requested a tree survey; however, a tree survey was not completed prior to tree removal. The contractor stated that the trees removed were cedar trees below the heritage tree size requirement.

Mrs. Smith explained that the site plan identifies a total of 151 parking spaces and access lanes that have been constructed on a portion of this 5 acre piece of property. There are 141 employee parking spaces, 7 customer parking spaces, and 3 handicap parking spaces. She said that the eastern portion of this property is undeveloped, and the existing trees are remaining in this area. A tree survey is requested at this time for this undeveloped portion of the property to determine if new landscaping is required in the parking lot. According to the Design Standards landscape requirements, a large tree is required in a median at the end of each parking bay, so a total of 16 large trees are required. If the tree survey of the undeveloped eastern portion of the property identifies existing trees that will provide credits for the 16 required trees, then no additional landscaping will be required. Mrs. Smith said that when the undeveloped portion of this property is proposed for

development, a detailed landscape plan will be required to satisfy the landscape requirements for this parking lot and the new development proposed. If the tree credits will not satisfy the landscape requirements, a landscape plan will be required at this time to satisfy the landscape requirements for the parking lot addition. She added that this property has not been platted, so a subdivision plat is required for the developed portion of this property.

At their meeting on October 18, 2016, the Planning and Zoning Commission unanimously recommended approval, and Mrs. Smith said that Staff concurs with their recommendation.

Mayor Grayson opened the public hearing on this item.

Jill Decker, 205 Decker Road, said that her property is affected by the drainage run-off from this location. She said that the City needs to address this flooding issue that she feels the City caused when it constructed Capital Way.

Mayor Pro Tem Leigh said that the City is working with the developer to follow TCEQ and City standards. Mayor Grayson clarified that the developer has already built this parking lot. The City was unaware of it until recently, so Staff is working to ensure that the development meets City standards.

Councilmember O'Banion asked Mrs. Smith what Staff is doing related to the drainage to see where the water flows. Mrs. Smith said that she has meet with the engineer, the real estate broker and the surveyor, and they are completing the drainage study. Mr. O'Banion said that if the drainage is indeed running off onto Ms. Decker's property, then they will have to look at that and possibly construct an on-site detention pond. Mrs. Smith responded yes, and said that Mrs. Points, the City's Engineer, always looks at pre and post development drainage during her review.

City Attorney John Messer explained the law that states a developer cannot put any more water on a property than what was there before the development. Mrs. Points added that would mean the property owner would have to detain onsite.

Mr. Listi said that we are only approving the zoning change at this time. He asked if Staff would bring back a plat that would have the engineering. He asked Mrs. Smith what is being done in the meantime. Mrs. Smith said that Staff has been working with the developer who has been very responsive.

Councilmember Pearson asked how a builder can build something without a building permit. Mrs. Smith explained that the contractor thought the real estate broker had gotten the permit. Mr. Leigh asked if the City could fine them. Mrs. Smith said that the City can fine developers per the Design Standards. Mrs. Gauntt said, "But would we?" Mrs. Smith said we can, if that's Council's direction, but Staff has been trying to work with them. Mr. Leigh said the City needs to enforce the fines or what will prevent others from following suit.

Councilmember O'Banion said it is ironic that this comes up after we talked about how great our Codes are during the annexation hearing. He said, "We have to enforce them, or we are being a little disingenuous." These codes are put in place to protect adjoining property owners. Mr. Leigh agreed saying, "We have to do something during the platting process."

Upon a motion by Councilmember Pearson, and a second by Councilmember Kirkley, the following captioned ordinance was unanimously approved upon a vote of 6-0.

ORDINANCE NO. 2016-46

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO LIGHT INDUSTRIAL ZONING DISTRICT ON A 5.00 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

10. **Hold a public hearing and consider a zoning change request from Multiple Family to Neighborhood Services Zoning District at 508 North Wall Street, located on the west side of North Wall Street, between East 5th and East 6th Avenues.**

Director of Planning Erin Smith said that the applicant is proposing this zone change to allow for a proposed business or office use. The applicant is proposing to utilize the existing building as a future Neighborhood Service use. Currently, there is not adequate on-site parking for a Neighborhood Service use. She explained that the Zoning Ordinance requires one parking space for each 300 square feet of gross floor area or one parking space for each 200 square feet of gross floor area depending on the use of the property. An office use will require a total of six on-site parking spaces, and retail or personal service use will require a total of nine on-site parking spaces.

At their meeting on October 18, 2016, the Planning and Zoning Commission unanimously recommended approval, and Mrs. Smith said that Staff concurs with their recommendation.

Mayor Grayson opened the public hearing on this item. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Upon a motion by Councilmember Pearson, and a second by Councilmember O'Banion, the following captioned ordinance was unanimously approved upon a vote of 6-0.

ORDINANCE NO. 2016-47

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF

BELTON BY CHANGING THE DESCRIBED DISTRICT FROM MULTIPLE FAMILY TO NEIGHBORHOOD SERVICE ZONING DISTRICT ON A 0.215 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

11. Consider a preliminary/final plat for Nolan Creek Industrial Park, an 84.958 acre tract of land beginning 855' south of FM 93 and located east of Interstate 35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan Creek.

Director of Planning Erin Smith said that this is a 1-lot subdivision plat for a concrete batch plant, proposed as Nolan Creek Industrial Park. She said that this property is zoned Heavy Industrial, and a concrete batch plant is an allowable use in this zoning district. She explained that there is a 50 foot wide private access easement extending south from FM 93 for access to this property that was created when the City platted a portion of the former Rockwool property.

The applicant is proposing to construct a 40 foot wide concrete driveway with 30 foot radii extending from FM 93 to this property (850 feet). Mrs. Smith stated that the applicant is proposing to extend an 8 inch waterline 1,177 linear feet and install four fire hydrants from FM 93 to this property. In order to extend the waterline and install fire hydrants, a 15 foot City of Belton waterline easement is needed to facilitate these improvements. Smith explained that the applicant is proposing to create a 15 foot City of Belton waterline easement by separate instrument along the western side of the existing access easement on City of Belton property. The applicant is also proposing to install an overhead electric power line and three street lights adjacent to the City of Belton easement. She said that the street lights will be spaced every 300 feet, with a street light at the intersection of FM 93 and this proposed driveway. In order to install the required electrical service, a 10 foot Public Utility Easement is needed to facilitate the overhead electric power line. Finally, a slope easement is needed as well on the east side of the private access easement.

Mrs. Smith added that the applicant recognizes the need to compensate the City for use of public property (utility and slope easements) to service the concrete batch plant, and has submitted a letter proposing the following improvements to satisfy the use of public property and compensate the City:

- A. Install +/-850 linear feet of 40-foot wide concrete pavement along the existing 50-foot access easement.
- B. Install a 55-foot x 35-foot concrete driveway stub to the Belton Wastewater Treatment Plant.
- C. Install a new 40-foot wide TXDOT concrete driveway with 30-foot radii onto FM 93.
- D. Maintain the 40-foot concrete pavement section until the City develops their adjacent tracts. After such, a shared maintenance responsibility agreement will be made.

- E. Install 1,177 linear feet of 8-inch water line and four (4) fire hydrants along the proposed western side of the proposed access driveway and southern property line of the City of Belton property.
- F. Install an overhead electric power line and three (3) street light mast arms along the west side of the proposed access driveway.

She said that a maintenance agreement addressing the owner's obligation to maintain this driveway indefinitely is being developed by Neale Potts.

Mrs. Smith explained that the concrete batch plant will initially be constructed as a temporary facility. All improvements stated above will be required prior to issuance of a Certificate of Occupancy for this temporary facility, except for the 850' of 40' wide concrete pavement, which will be built using concrete made at the plant soon after the facility is operational. Staff is currently reviewing construction plans for the temporary concrete batch plant. Once the temporary concrete batch plant is constructed, the applicant will begin design of the permanent concrete facility for staff review. A required TCEQ public hearing was conducted on October 6, 2016 at the Harris Community Center, and the applicant stated there were no objections to this project at the hearing. We are awaiting TCEQ's approval of the proposed development at this time.

At their meeting on October 18, 2016, the Planning and Zoning Commission unanimously recommended approval with the conditions noted, and Mrs. Smith said that Staff concurs with their recommendation.

Councilmember Pearson asked for more information regarding the protections against run-off into Nolan Creek. The Director of Development for TexMix Concrete, Sean Van Delist, explained that TexMix is required to have a wastewater permit that was developed specifically for concrete batch plants. The permit puts these companies in a position of not wanting to have any discharge. He added that is the reason for the on-site detention, and stated that they typically try to recycle the water as much as possible. If there is a discharge, the concrete batch companies are required to take samples of the water to ensure that there are no detrimental issues. Councilmember Gauntt added that the City wants to protect the Nolan Creek as much as possible.

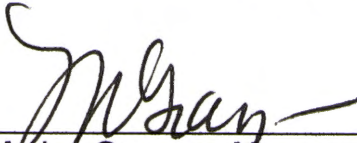
Councilmember O'Banion asked how the company will contain the dust. Mr. Van Delist said mostly by siting it in the right location. He added that he's excited to be close to the wastewater treatment plant because of the possibility of utilizing reclaimed water in their processes. He also said that the company has a water truck they utilize to minimize the dust. Van Delist said that this particular permit requires 100-foot buffers from the property line so that, included with the central vacuum system that sucks at the collection points, it protects the adjacent properties.

Mayor Pro Tem Leigh questioned the turning radius with the larger vehicles that would be utilized in this operation. Sam Walker of Eckerman Engineering said that

the width of the driveway offsets the need for a large radius, based on our experience.

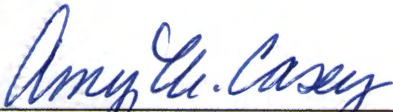
Upon a motion by Councilmember Kirkley, and a second by Mayor Pro Tem Leigh, the Council unanimously approved Item 11 upon a vote of 6-0.

There being no further business, the Mayor adjourned the meeting at 7:58 p.m.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk

**City Of Belton
2016 Growth Management Study
Municipal Services Plan Overview**

Provision of Services to Annexed Areas is required (43.056 LGC) in three parts. City must develop, and make available, a Municipal Services Plan that provides services that are equal or superior to services provided in the area prior to annexation:

- A. Basic Services – Police, Fire, EMS, Street Maintenance, Public Park Maintenance, if any, and extension of currently provided services.
- B. Full Municipal Services – Extension of all city services, but a uniform level of services is not required based on existing topography, land use, and population density.
- C. Capital Improvement Plan (CIP) project listing based on known commitments, as well as inclusion in CIP planning for future capital needs.

The City of Belton will provide the following services immediately upon the effective date of annexation. All services will be provided at a service level equal or superior to the level of service provided prior to annexation.

- POLICE PROTECTION, SERVICES
- ANIMAL CONTROL SERVICES
- FIRE AND EMERGENCY SERVICES (EMS)
- FIRE PREVENTION SERVICES
- PLANNING, ZONING AND DEVELOPMENT REVIEW
- CODE ENFORCEMENT SERVICES
- LIBRARY SERVICES
- PARKS & RECREATION SERVICES, FACILITIES, PROGRAMMING
- STREETS & STORM DRAINAGE MAINTENANCE
- SANITATION
- BRUSH COLLECTION
- RECYCLING COLLECTION
- UTILITIES (WATER DISTRIBUTION/WASTEWATER COLLECTION)
- ENVIRONMENTAL HEALTH
- SERVICES, FUNDING AND CITY POLICIES

CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 716.44 acres, and is located on the east side of IH 35, along and south of Decker Road. The tract extends southward to the Lampasas River, and extends along the river to the south and southeast, connecting to existing city limits, east of Toll Bridge Road.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the certificated area of two water districts: The **City of Belton** and **Armstrong Water Supply Corporation**. The City of Belton is responsible for water service in the western portion of the Area, subject to the City's water extension policies. Decker Road and the area east of Capital Way are within the Armstrong CCN. Water service, whether provided by Armstrong Water Supply Corporation or the City of Belton, will be subject to regulation by the City of Belton as it relates to development standards and design requirements, including the City's subdivision regulations.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 2½ Years.

1. Trunk Sewer Line. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, adjacent to Area 1. This trunk line will be available for extension to the south, east, and northeast for service to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.

3. Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

4. Roads and Streets. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
5. Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.






Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

CITY OF BELTON

-  Property Boundaries
- # of Resident Addresses**
-  Area 1, In Annexation Boundary (16)
-  Area 1 - 716.44 Acres
- ETJ Boundaries**
-  Belton ETJ
-  Temple ETJ



ANNEXATION STUDY 2016 - AREA I 716.44 ACRES OF LAND FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

- DAVID & DECKER
205 DECKER ROAD
BELTON, TEXAS 76513
CALLED 1.0 ACRE
Vol. 2554, Pg. 158
- DAVID DECKER
205 DECKER ROAD
BELTON, TEXAS 76513
CALLED 0.88 ACRES
Vol. 2554, Pg. 158
- GALIN CLARK ROVELL and
BART S. CLARK
304 TAYLORS DRIVE
TEMPLE, TEXAS 76788
CALLED 24.170 ACRES
Vol. 266, Pg. 18
- BRIS, LLC
2005 TAYLORS VALLEY ROAD
BELTON, TEXAS 76513
CALLED 44.948 ACRES
Doc. No. 2004-0004871
- BRIS, LLC
P.O. BOX 191
BELTON, TEXAS 76513
CALLED 80.841 ACRES
Doc. No. 2006-0000025
- DAVID P. FREDERICKSON
485 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 24.170 ACRES
Doc. No. 2002-0004021
- IF 66 PROPERTY MANAGEMENT, LTD
C/O DONALD R. BROCKHOFF
PO BOX 466
TEMPLE, TEXAS 76788
CALLED 0.88 ACRES
Doc. No. 2005-0005041
- IF 66 PROPERTY MANAGEMENT, LTD
C/O DONALD R. BROCKHOFF
PO BOX 466
TEMPLE, TEXAS 76788
CALLED 26.38 ACRES
Vol. 4551, Pg. 251
- LAURA ALFORD
5271 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 75.208 ACRES
Vol. 5065, Pg. 11
- LAURA ALFORD
5271 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 0.88 ACRES
(Remainder of 14.88 Acres)
Vol. 5065, Pg. 11
- LAURA ALFORD
5271 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 0.88 ACRES
(Remainder of 14.88 Acres)
Vol. 5065, Pg. 11
- JAMES H. KINGS and wife,
DOLGERS D. KINGS
1995 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 1.19 ACRES
Doc. No. 2004-0004855
- ALTON L. SHEPPARD, JR. and wife,
ELIZABETH SHEPPARD
PO BOX 481
BELTON, TEXAS 76513
CALLED 1.28 ACRES
Vol. 2554, Pg. 471
- ALTON L. SHEPPARD, JR. and wife,
ELIZABETH SHEPPARD
PO BOX 481
BELTON, TEXAS 76513
CALLED 23.88 ACRES
Vol. 2554, Pg. 471
- RIVER PARCH LTD.
C/O ROBERT STEY and ANN
292 CENTENARY AVE.
DALLAS, TEXAS 75225
PORTION OF CALLED 481.554 ACRES
Vol. 2355, Pg. 122

LINE	BEARING	DISTANCE
11	S 79°18'41" E	129.28
12	S 79°18'41" E	129.28
13	S 79°18'41" E	129.28
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99	S 79°18'41" E	129.28
100	S 79°18'41" E	129.28

0 600 1200 1800

© - Calculated Points



This document was prepared under 22 TAC 603.25, does not reflect the results of an on the ground survey and is not to be used for conveyance or resolution interests in real property except those rights and interests created or established by the creation or reorganization of the political subdivision for which it was prepared.

The information contained herein was provided by the Tax Appraisal District of Bell County, Texas.

This sketch is to accompany a description of the parcel shown 716.44 acre tract.



1909 South 21st Street
Temple, Texas 76784
254-710-2272 Killeen 254-634-4696
Fax 254-714-7606
Tx Firm Lic. No. 10023600

ANNEXATION STUDY 2016 - AREA I
716.44 ACRES OF LAND
FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

Plot Date: 09-01-2016

Scale: 1" = 600'
Job No. 16095
Drawn By: MAREK ZIMBA
Printed By: J. LUKKO
Surveyor: CCL 00000
Copyright 2016 All County Surveying, Inc.

CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 198.69 acres, and is located on the east side of IH-35, between the east/west portion of the Lampasas River and Elmer King Road.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **City of Belton**, subject to the City's water extension policies. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the

City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 2½ Years.

1. Trunk Sewer Line. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, north of this Study Area. This trunk line will be available for extension to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
3. Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including

water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

4. Roads and Streets. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
5. Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

CITY OF BELTON



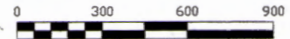
ANNEXATION STUDY 2016 - AREA 2

198.69 ACRES OF LAND

FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

ORDINANCE NO.
2000-17

LINE	BEARING	DISTANCE
L1	S 34°40'02" E	41.02'
L2	S 42°18'44" E	236.48'
L3	S 57°27'18" E	141.20'
L4	S 16°04'41" W	46.14'
L5	N 73°48'47" W	46.05'
L6	N 10°44'53" W	374.38'
L10	N 36°44'04" W	110.12'
L11	N 56°26'10" E	212.50'



● - Calculated Point

ORDINANCE NO.
2004-56

ORDINANCE NO.
2004-39

- GREGORY TRADER
6501 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 0.46 ACRES
Vol. 1671, Pg. 174
- GREGORY TRADER
6501 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 1.728 ACRES
Vol. 1528, Pg. 45
- PAUL ALAN NEESE and wife,
VELMA CATHRYN NEESE
6471 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 5.66 ACRES
Vol. 2846, Pg. 141
- DAVID D. FULLER, JR. and wife,
AUDREY FULLER
6605 TOLLBRIDGE ROAD
BELTON, TEXAS 76513
CALLED 51.05 ACRES
Doc. No. 2010-000366T
- LODENE GERSTENBERG MOORE
100 ELMER KING ROAD, UNIT 100
BELTON, TEXAS 76513
REMAINDER OF
CALLED 44.8 ACRES
Vol. 3640, Pg. 643
- ROBERT WAYNE GERSTENBERG
1402 COSTAKES DRIVE
AUSTIN, TEXAS 78750
CALLED 34.1 ACRES
Vol. 3702, Pg. 146
- GILBERT AUGUST GERSTENBERG, JR.
P.O. BOX 401
CENTER POINT, TEXAS 78010
CALLED 34.1 ACRES
Vol. 3702, Pg. 145
- KENNETH C. GERSTENBERG
888 ELMER KING ROAD, UNIT 130
BELTON, TEXAS 76513
CALLED 106.77 ACRES
Vol. 2073, Pg. 362
- KENNETH C. GERSTENBERG
888 ELMER KING ROAD, UNIT 130
BELTON, TEXAS 76513
CALLED 50 ACRES
Vol. 445, Pg. 574

198.69 ACRES
OF LAND

CALLED 110.0 ACRES
ELEANOR TUTTLE
Vol. 321, Pg. 161

CALLED 10.01 ACRES
EVERETT L. WAINMAN and
DONNA L. WAINMAN
Vol. 3425, Pg. 367

CALLED 150 ACRES
CLAYTON ODELL BRANTLEY
Doc. No. 2008-00004121

REMAINDER OF
CALLED 36.1 ACRES
MARY LOUISE BRANTLEY
Vol. 3402, Pg. 145



This document was prepared under 22 TAC 665.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the political subdivision for which it was prepared.

The information contained herein was provided by the Tax Appraisal District of Bell County, Texas.

This sketch is to accompany a description of the herein shown 198.69 acre tract.



1505 South 21st Street
Temple, Texas 76788
254-778-2272 Killeen 254-634-4636
Fax 254-774-7606
Tx. Firm Lic. No. 10023600

ANNEXATION STUDY 2016 - AREA 2
198.69 ACRES OF LAND
FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

Copyright 2016 All County Surveying, Inc.
Plot Date: 04-07-2016
Scale: 1" = 300'
Job No. 160839
Drawn by: JLS
Surveyor: ECA 54698

CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 250.14 acres, south of the intersection of IH-35 and the Lampasas River, extending southward along the west side IH-35 south of Amity Road, and adjoining the Salado ETJ line.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the certificated area of two water districts: the **City of Belton** is responsible for water service on the north side of Amity Road, and the **Salado Water Supply Corporation** is responsible for water service on the south side of Amity Road, subject to the City's water extension policies. Water service, by the Salado Water Supply Corporation or the City of Belton, will be subject to regulation by the City of Belton as it relates to development standards and design requirements.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in

the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 2½ Years.

1. Trunk Sewer Line. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, north of this Study Area. This trunk line will be available for to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.

3. Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

4. Roads and Streets. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
5. Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

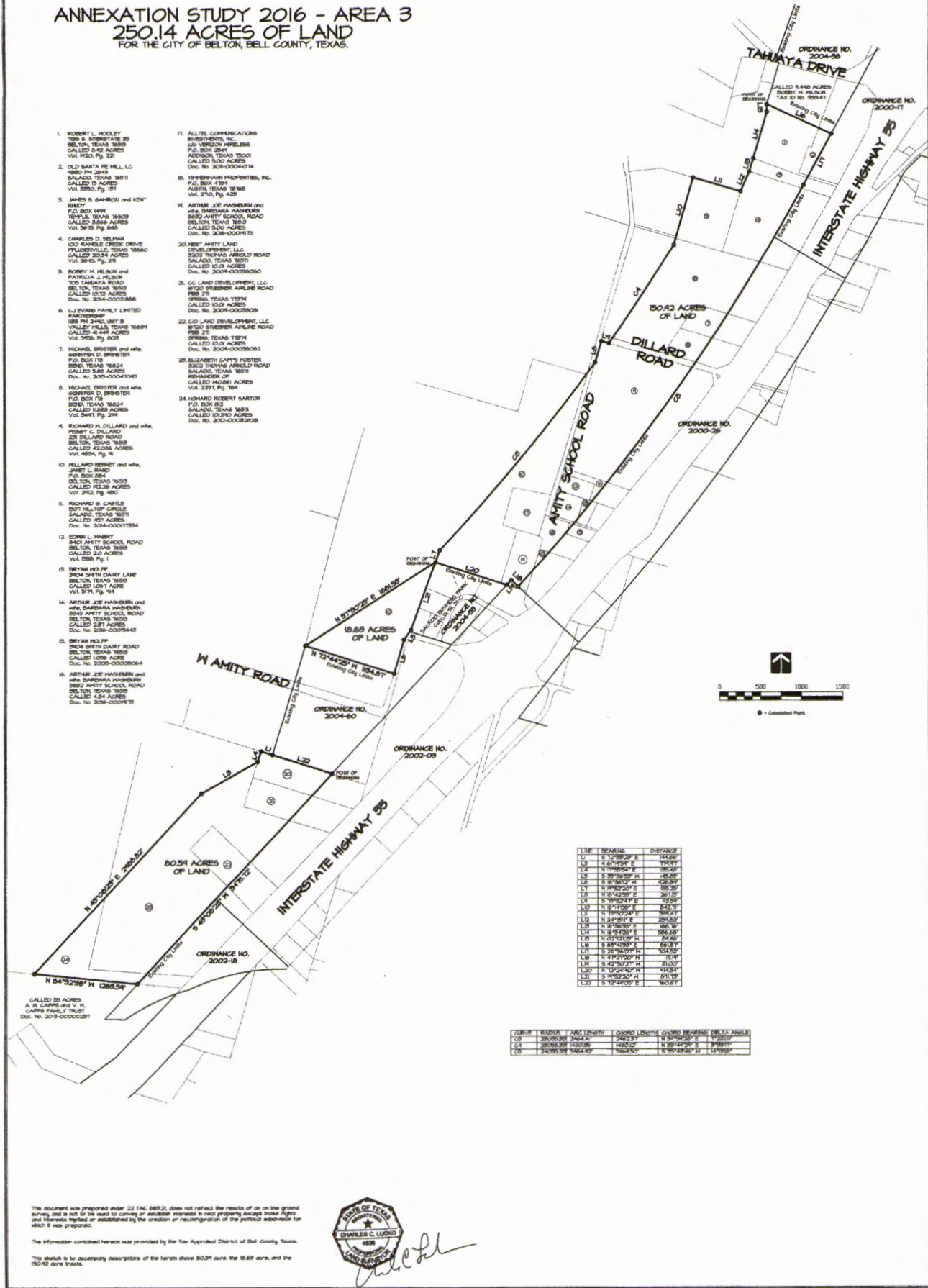
Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

ANNEXATION STUDY 2016 - AREA 3 250.14 ACRES OF LAND FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

1. ROBERT L. HODLEY
788 S. INTERSTATE 35
BELTON, TEXAS 76509
CALLED 14.48 ACRES
Vol. 1930, Pg. 321
2. OLD SANTA FE HILL, L.C.
1880 FM 2843
SALADO, TEXAS 76071
CALLED 19 ACRES
Vol. 1950, Pg. 191
3. JAMES S. GARRARD and KENT
READY
P.O. BOX 1097
TEMPLE, TEXAS 76709
CALLED 10.66 ACRES
Vol. 1975, Pg. 645
4. CHARLES D. SELMAN
107 RANNEY CREEK DRIVE
FRUGENVILLE, TEXAS 76640
CALLED 30.34 ACRES
Vol. 1943, Pg. 28
5. BOBBY H. NELSON and
PATRICIA L. NELSON
105 TAMAYA ROAD
BELTON, TEXAS 76503
CALLED 12.12 ACRES
Doc. No. 2004-0003868
6. C. J. EVANS FAMILY LIMITED
PARTNERSHIP
108 FM 2440, UNIT B
VALLEY HILLS, TEXAS 76684
CALLED 4.44 ACRES
Vol. 1900, Pg. 609
7. MICHAEL BRISTEN and wife
GONNTER D. BRISTEN
P.O. BOX 178
BELTON, TEXAS 76524
CALLED 5.60 ACRES
Doc. No. 2005-00041040
8. MICHAEL BRISTEN and wife
GONNTER D. BRISTEN
P.O. BOX 178
BELTON, TEXAS 76524
CALLED 1.88 ACRES
Vol. 1911, Pg. 244
9. RICHARD H. DILLARD and wife
PENNY G. DILLARD
208 DILLARD ROAD
BELTON, TEXAS 76503
CALLED 43.09 ACRES
Vol. 1904, Pg. 14
10. RICHARD H. DILLARD and wife
JANET L. DILLARD
P.O. BOX 454
BELTON, TEXAS 76503
CALLED 19.32 ACRES
Vol. 1912, Pg. 480
11. RICHARD H. DILLARD
208 DILLARD ROAD
SALADO, TEXAS 76071
CALLED 4.44 ACRES
Doc. No. 2004-00013394
12. EDWIN L. HENRY
1802 AMITY SCHOOL ROAD
BELTON, TEXAS 76503
CALLED 3.12 ACRES
Vol. 1995, Pg. 1
13. BRYAN KELLY
3904 SMITH DARTY LANE
BELTON, TEXAS 76503
CALLED 1.01 ACRES
Vol. 1974, Pg. 44
14. ARTHUR JOE HANSEN and
BARBARA HANSEN
1802 AMITY SCHOOL ROAD
BELTON, TEXAS 76503
CALLED 2.87 ACRES
Doc. No. 2008-0009449
15. BRYAN KELLY
3904 SMITH DARTY LANE
BELTON, TEXAS 76503
CALLED 1.01 ACRES
Doc. No. 2005-0003064
16. ARTHUR JOE HANSEN and
BARBARA HANSEN
1802 AMITY SCHOOL ROAD
BELTON, TEXAS 76503
CALLED 1.54 ACRES
Doc. No. 2008-0009450

17. ALLTEL COMMUNICATIONS
SERVICES, INC.
645 VERIZON WIRELESS
P.O. BOX 2044
ADRIAN, TEXAS 76001
CALLED 5.00 ACRES
Doc. No. 2009-00040714
18. TENDERHAWK PROPERTIES, INC.
P.O. BOX 4789
AUSTIN, TEXAS 78768
Vol. 1710, Pg. 435
19. ARTHUR JOE HANSEN and
BARBARA HANSEN
1802 AMITY SCHOOL ROAD
BELTON, TEXAS 76503
CALLED 3.00 ACRES
Doc. No. 2008-0009475
20. HENRY AMITY LAND
DEVELOPMENT, LLC
1503 TRIMARK ARKLE ROAD
SALADO, TEXAS 76071
CALLED 1.00 ACRES
Doc. No. 2009-00038000
21. CC LAND DEVELOPMENT, LLC
1503 TRIMARK ARKLE ROAD
PMB 278
SPRING, TEXAS 77374
CALLED 1.00 ACRES
Doc. No. 2009-00038005
22. CC LAND DEVELOPMENT, LLC
1503 TRIMARK ARKLE ROAD
PMB 278
SPRING, TEXAS 77374
CALLED 1.00 ACRES
Doc. No. 2009-00038002
23. ELIZABETH GARY POSTER
3002 TRIMARK ARKLE ROAD
SALADO, TEXAS 76071
REMANDED OF
CALLED 14.00 ACRES
Vol. 2291, Pg. 184
24. HOWARD ROBERT SARTOR
P.O. BOX 602
SALADO, TEXAS 76071
CALLED 10.92 ACRES
Doc. No. 2002-00032828



LINE	BEARING	DISTANCE
1	N 12°08'23" E	142.20'
2	N 61°49'54" E	176.07'
3	N 7°00'00" E	185.31'
4	S 89°56'59" W	245.89'
5	S 91°30'11" W	225.94'
6	N 4°00'00" E	100.00'
7	N 61°42'59" E	261.13'
8	N 78°00'00" E	135.00'
9	N 81°15'58" E	842.11'
10	N 78°00'00" E	196.61'
11	N 34°10'11" E	250.52'
12	S 4°00'00" E	546.30'
13	N 18°54'26" E	393.23'
14	S 0°13'00" W	644.00'
15	S 89°43'59" E	663.77'
16	N 29°10'00" E	124.52'
17	N 41°21'20" W	75.18'
18	S 42°30'00" W	81.00'
19	N 12°24'20" W	142.51'
20	S 4°00'00" W	571.79'
21	S 12°40'00" E	902.11'

GRADE	EASTER	FACE	LENGTH	GRADE	LENGTH	GRADE	LENGTH	GRADE	LENGTH
CG	2500.00	2424.4	242.31	CG	2500.00	2424.4	242.31	CG	2500.00
CG	2500.00	1400.00	1400.00	CG	2500.00	1400.00	1400.00	CG	2500.00
CG	2500.00	2424.4	242.31	CG	2500.00	2424.4	242.31	CG	2500.00

This document was prepared under 22 FAC 685.21, does not reflect the results of an on the ground survey and is not to be used to survey or establish interests in real property except those rights and interests implied or established by the creation or recognition of the parties' relationship for which it was prepared.

The information contained herein was provided by the Tax Appraisal District of Bell County, Texas.

This sketch is for descriptive purposes of the herein shown 80.51 acre, the 15.89 acre, and the 170.42 acre tracts.



1509 South 21st Street
Temple, Texas 76704
254-710-2272 Killeen 254-634-4656
Fax: 254-714-7600
Tx. Firm Lic. No. 10023600

ANNEXATION STUDY 2016 - AREA 3
250.14 ACRES OF LAND
FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

Plot Date: 10-09-2016
Scale: 1" = 2,000'
Job No.: 160903
Drawn by: M. J. L.
Surveyor: C. C. Lucko
Copyright 2016 All County Surveying, Inc.

CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 297.20 acres, south of the intersection of IH-35 and the Lampasas River, extending southward along the east side IH-35 south of Amity Road, and adjoining the Salado ETJ line.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the certificated area of two water districts: the **City of Belton** is responsible for water service on the north side of Amity Road, and the **Salado Water Supply Corporation** is responsible for water service on the south side of Amity Road, subject to the City's water extension policies. Water service, by the Salado Water Supply Corporation or the City of Belton, will be subject to regulation by the City of Belton as it relates to development standards and design requirements.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in

the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 2½ Years.

1. Trunk Sewer Line. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, north of this Study Area. This trunk line will be available for extension to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.

3. Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

4. Roads and Streets. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
5. Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.












Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

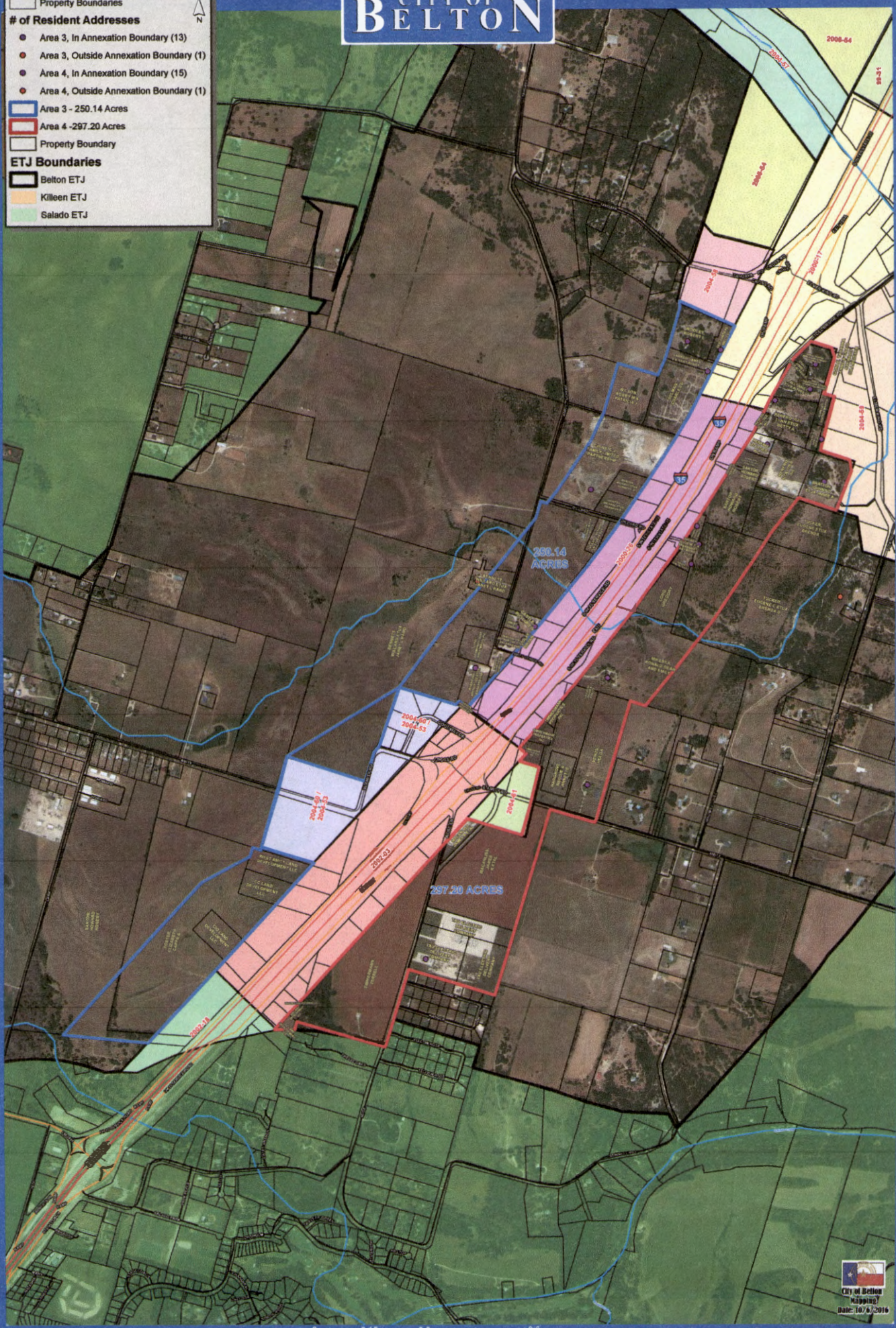
Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

CITY OF BELTON

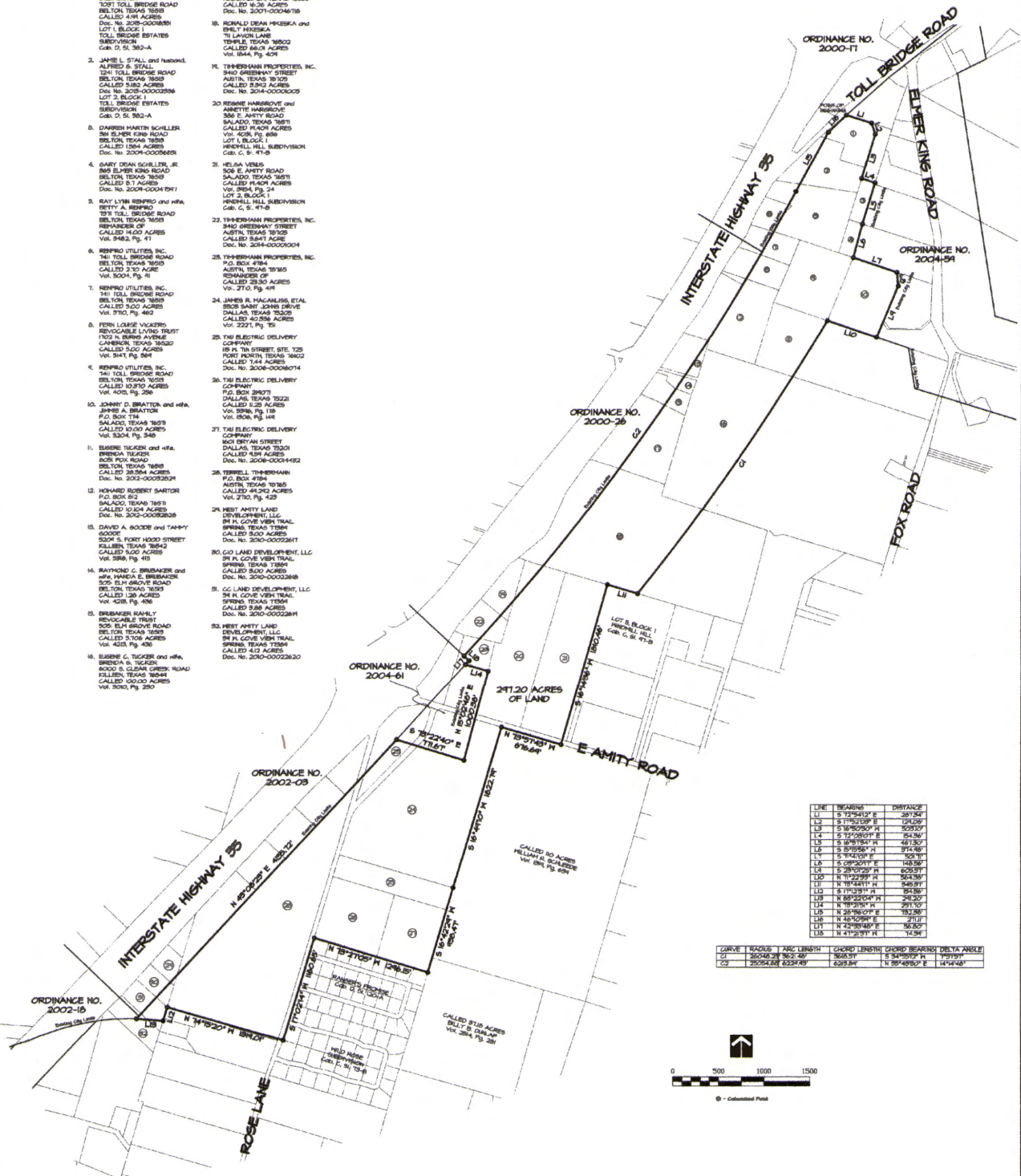
 Property Boundaries
of Resident Addresses
 Area 3, In Annexation Boundary (13)
 Area 3, Outside Annexation Boundary (1)
 Area 4, In Annexation Boundary (15)
 Area 4, Outside Annexation Boundary (1)
 Area 3 - 250.14 Acres
 Area 4 - 297.20 Acres
 Property Boundary
ETJ Boundaries
 Belton ETJ
 Killeen ETJ
 Salado ETJ



ANNEXATION STUDY 2016 - AREA 4 297.20 ACRES OF LAND FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

1. TABATA AMBROSINI and GRASS STREET
2007 TOLL BRIDGE ROAD
BELTON, TEXAS 76508
CALLED 4.00 ACRES
Doc. No. 2007-0004678
TOLL BRIDGE ESTATES
SUBDIVISION
C.B. 10, S. 100-A
2. JAMES L. STALL and husband
ALFRED B. STALL
204 TOLL BRIDGE ROAD
BELTON, TEXAS 76508
CALLED 5.00 ACRES
Doc. No. 2008-0000384
TOLL BRIDGE ESTATES
SUBDIVISION
C.B. 10, S. 100-A
3. DARRIN HARTIN SCHILLER
501 ELMER KING ROAD
BELTON, TEXAS 76508
CALLED 1.00 ACRES
Doc. No. 2004-0000608
4. GARY DEAN SCHILLER, JR.
501 ELMER KING ROAD
BELTON, TEXAS 76508
CALLED 0.1 ACRES
Doc. No. 2004-0004191
5. RAY LYNN BISHOP and wife
BETTY A. BISHOP
201 TOLL BRIDGE ROAD
BELTON, TEXAS 76508
CALLED 14.00 ACRES
Vol. 1463, Pg. 41
6. RENFRO UTILITIES, INC.
741 TOLL BRIDGE ROAD
BELTON, TEXAS 76508
CALLED 5.00 ACRES
Vol. 5004, Pg. 11
7. RENFRO UTILITIES, INC.
741 TOLL BRIDGE ROAD
BELTON, TEXAS 76508
CALLED 5.00 ACRES
Vol. 5110, Pg. 462
8. FERN LOUISE VICKERS
REVOCABLE LIVING TRUST
1102 N. BERRY AVENUE
CARMEN, TEXAS 76502
CALLED 5.00 ACRES
Vol. 5411, Pg. 544
9. RENFRO UTILITIES, INC.
741 TOLL BRIDGE ROAD
BELTON, TEXAS 76508
CALLED 10.00 ACRES
Vol. 4008, Pg. 288
10. JOHNNY D. BRATTON and wife
JIMMIE A. BRATTON
P.O. BOX 714
SALADO, TEXAS 76571
CALLED 10.00 ACRES
Vol. 5204, Pg. 440
11. EUGENE TUCKER and wife
BRENDA TUCKER
805 FOX ROAD
BELTON, TEXAS 76508
CALLED 38.00 ACRES
Doc. No. 2013-0009201
12. HOWARD ROBERT SARTOR
P.O. BOX 602
SALADO, TEXAS 76571
CALLED 10.00 ACRES
Doc. No. 2012-0008208
13. DAVID A. SCOTTE and wife
SCOTTE
505 S. FORT MOORE STREET
KILLEEN, TEXAS 76541
CALLED 1.00 ACRES
Vol. 5894, Pg. 413
14. RAYMOND C. BRUNER and wife
WANDA E. BRUNER
505 ELM GROVE ROAD
BELTON, TEXAS 76508
CALLED 1.00 ACRES
Vol. 4208, Pg. 490
15. BRUNER RANLY
REVOCABLE TRUST
505 ELM GROVE ROAD
BELTON, TEXAS 76508
CALLED 1.00 ACRES
Vol. 4208, Pg. 490
16. BRUNER C. TUCKER and wife
BRENDA E. TUCKER
805 FOX ROAD
BELTON, TEXAS 76508
CALLED 10.00 ACRES
Vol. 5000, Pg. 280

17. BIRCHORY LONG
P.O. BOX 25
HEIDENBERG, TEXAS 76508
CALLED 0.20 ACRES
Doc. No. 2007-0004678
18. RONALD DEAN HENKES and
EMILY HENKES
2100 GARDEN STREET
TEMPLE, TEXAS 76702
CALLED 0.60 ACRES
Vol. 1844, Pg. 401
19. THRESEMAN PROPERTIES, INC.
3400 GARDEN STREET
AUSTIN, TEXAS 78705
CALLED 0.60 ACRES
Doc. No. 2014-0000009
20. RENEE HANCOCK and
ANETTE HANCOCK
308 E. AMITY ROAD
SALADO, TEXAS 76571
CALLED 1.00 ACRES
Vol. 4008, Pg. 488
21. KEVIN VERA
308 E. AMITY ROAD
SALADO, TEXAS 76571
CALLED 1.00 ACRES
Vol. 4008, Pg. 488
22. THRESEMAN PROPERTIES, INC.
3400 GARDEN STREET
AUSTIN, TEXAS 78705
CALLED 0.60 ACRES
Doc. No. 2014-0000009
23. THRESEMAN PROPERTIES, INC.
P.O. BOX 4784
AUSTIN, TEXAS 78760
CALLED 2.00 ACRES
Vol. 2710, Pg. 418
24. JAMES B. MACARLIS, ETAL
805 SAINT JOHN DRIVE
DALLAS, TEXAS 75208
CALLED 40.00 ACRES
Vol. 2221, Pg. 15
25. THE ELECTRIC DELIVERY
COMPANY
100 N. 7th STREET, STE. 125
FORT WORTH, TEXAS 76102
CALLED 1.44 ACRES
Doc. No. 2008-0000014
26. THE ELECTRIC DELIVERY
COMPANY
P.O. BOX 28073
DALLAS, TEXAS 75221
CALLED 1.20 ACRES
Vol. 5004, Pg. 118
27. THE ELECTRIC DELIVERY
COMPANY
801 BRYAN STREET
DALLAS, TEXAS 75201
CALLED 1.00 ACRES
Doc. No. 2008-0004492
28. TERRELL THRESEMAN
P.O. BOX 4784
AUSTIN, TEXAS 78760
CALLED 41.20 ACRES
Vol. 2710, Pg. 418
29. WEST AMITY LAND
DEVELOPMENT, LLC
39 N. GOWE VERN TRAIL
SPRING, TEXAS 75784
CALLED 5.00 ACRES
Doc. No. 2010-0002281
30. CC LAND DEVELOPMENT, LLC
39 N. GOWE VERN TRAIL
SPRING, TEXAS 75784
CALLED 5.00 ACRES
Doc. No. 2010-0002281
31. CC LAND DEVELOPMENT, LLC
39 N. GOWE VERN TRAIL
SPRING, TEXAS 75784
CALLED 5.00 ACRES
Doc. No. 2010-0002281
32. WEST AMITY LAND
DEVELOPMENT, LLC
39 N. GOWE VERN TRAIL
SPRING, TEXAS 75784
CALLED 5.00 ACRES
Doc. No. 2010-0002281



This document was prepared under 22 TAC 689.2, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or recognition of the proposed subdivision for which it was prepared.

The information contained herein was provided by the Tax Appraiser District of Bell County Texas.

This sketch is to accompany a description of the herein shown 297.20 acre tract.



1505 South 21st Street
Temple, Texas 76504
254-778-2272 Killeen 254-634-4656
Fax 254-774-7608
Tx. Firm Lic. No. 10028600

ANNEXATION STUDY 2016 - AREA 4
297.20 ACRES OF LAND
FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

Plot Date: 10-05-2016
Scale: 1" = 500'
Job No.: 160105
Dwg No.: 160105-AREA-5
Drawn by: SML
Surveyor: CCL 55806
Copyright 2016 All County Surveying, Inc.

CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 228.27 acres, along and north of Sparta Road, extending west to FM 439, and east along Sparta Road.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **439 Water Supply Corporation**. Water service to this area is the responsibility of the 439 Water Supply Corporation. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the

City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 2½ Years.

1. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
2. Water/Wastewater Facilities. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

3. Roads and Streets. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
4. Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

ANNEXATION STUDY 2016 - AREA 5
228.27 ACRES OF LAND
FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

1303 South 21st Street,
Tempe, Texas 76504
710-2272 Killian 254-634-4636
Fax 254-774-7600
Tx. Firm Lic. No. 10025600



ALL COUNTY SURVEYING, INC.

Print Date: 05-05-2016

Scale: 1" = 300'
Job No. 16-0643
Dwg. No. 16-0643-AREA
Drawn by SLH
Surveyor CCL #00029



CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 24.10 acres, located generally along the proposed north/south alignment of Lake-to-Lake Road, and south of FM 93.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **Dog Ridge Water Supply Corporation**. Water service to this area is the responsibility of the Dog Ridge Water Supply Corporation. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the

City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 2½ Years.

1. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
2. Water/Wastewater Facilities. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

3. Roads and Streets. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
4. Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

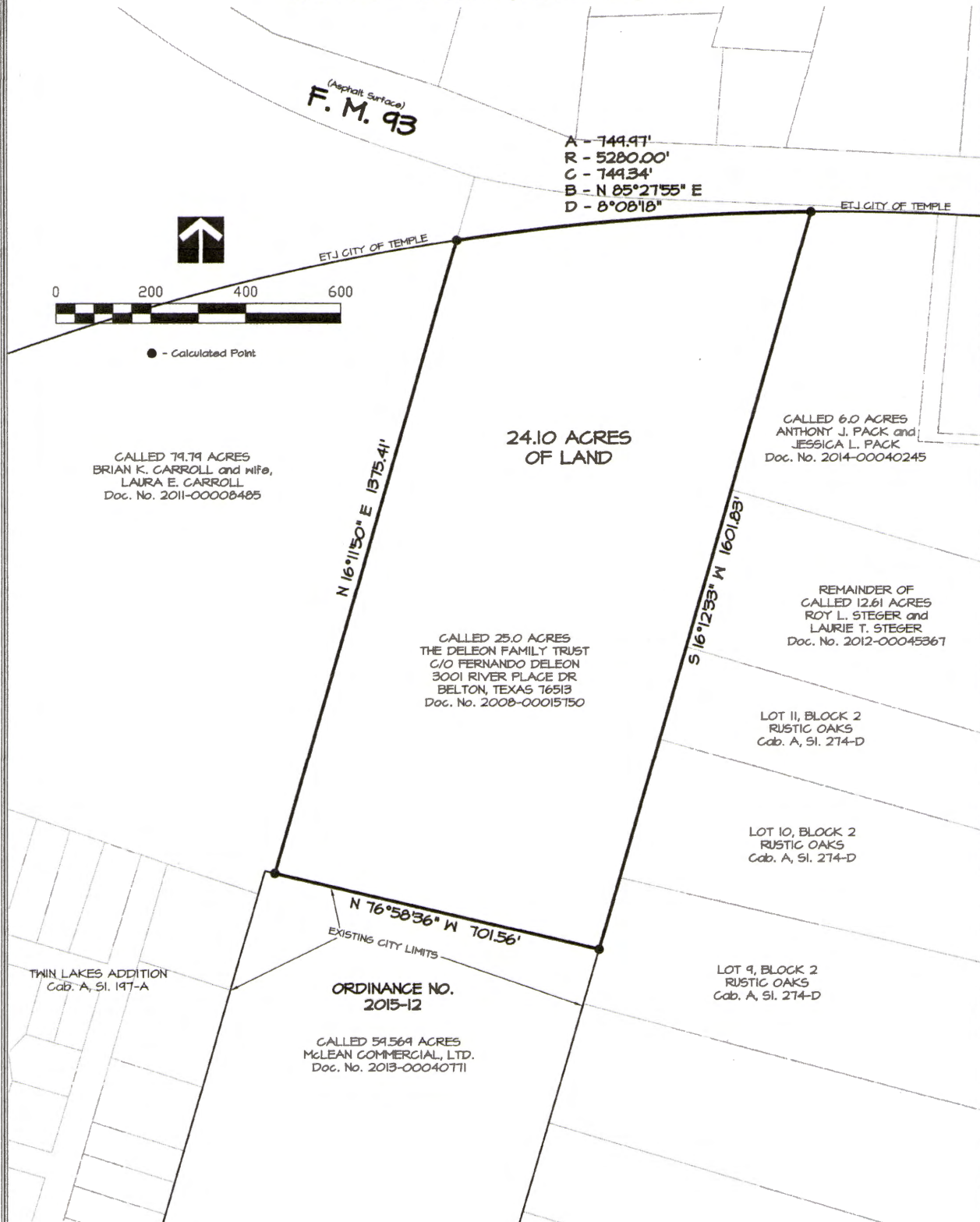
Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

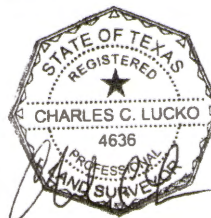
ANNEXATION STUDY 2016 - AREA 6 24.10 ACRES OF LAND

FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.



This document was prepared under 22 TAC 663.21, it does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the political subdivision for which it was prepared. This sketch is to accompany a description of the herein shown 24.99 acre tract.

ACS
ALL COUNTY SURVEYING, INC.
1303 South 21st Street
Temple, Texas 76504
254-TT18-2272 Killeen 254-634-4636
Fax 254-TT4-7608
Tx. Firm Lic. No. 10023600



Scale: 1" = 200'
Job No.: 160693
Dwg No.: 160693-AREA 6
Drawn by: SLW
Surveyor: CCL #4636
Copyright 2016 All County Surveying, Inc.

Plot Date: 04-04-2016

CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 2.7 acres, on the south side of Avenue O, between Avenue O and Old Golf Course Road.

Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Water Service/Distribution. The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **City of Belton**, subject to the City's water extension policies. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

Wastewater Service/Collection. Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the

Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

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Terms. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

The area will be immediately included in the planning and development of the City's Capital Improvements Plan (CIP).

ANNEXATION STUDY 2016 - AREA 7

2.713 ACRES OF LAND

FOR THE CITY OF BELTON, BELL COUNTY, TEXAS.

U.S. HIGHWAY 190

ORDINANCE NO.
122363

POINT OF
BEGINNING

LINE	BEARING	DISTANCE
L1	S 73°16'15" E	138.75'
L2	S 72°39'32" E	42.16'
L3	N 73°25'32" W	49.23'
L4	S 73°54'47" E	48.99'
L5	N 13°23'11" E	119.99'

CALLED 7.260 ACRES
BELTON HILLTOP
VILLAGE, LLC
Doc. No. 2015-00029571

2.713 ACRES
OF LAND

1. JOE RICHARDS
P.O. BOX 334
BELTON, TEXAS 76513
CALLED 0.54 ACRE
Vol. 3938, Pg. 458
2. JOE RICHARDS
P.O. BOX 334
BELTON, TEXAS 76513
CALLED 0.488 ACRE
Vol. 3112, Pg. 123
3. JOE RICHARDS
P.O. BOX 334
BELTON, TEXAS 76513
REMAINDER OF
CALLED 9.18 ACRES
"Second Tract"
Vol. 1026, Pg. 588
4. JOE RICHARDS
P.O. BOX 334
BELTON, TEXAS 76513
CALLED 48.5 ACRES
"First Tract"
Vol. 1026, Pg. 588
5. BELTON HILLTOP VILLAGE, LLC
10412 WELLER DRIVE
AUSTIN, TEXAS 78750
CALLED 7.260 ACRES
Doc. No. 2015-00029571

LOOP 121

CALLED 5.5 ACRES
JOE RICHARDS
VOL. 4820, PG. 26

ORDINANCE NO.
2002-41

CALLLED 48.5 ACRES
"FIRST TRACT"
JOE JEFF RICHARDS and
WIFE, MELINDA RICHARDS
Vol. 1026, Pg. 588

ORDINANCE NO.
2006-53

CALLLED 1.5 ACRES
MARTIN SERVIN and
DORA SERVIN
Doc. No. 2013-00002806

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

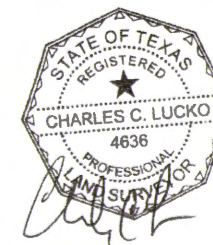
The information contained hereon was provided by the Tax Appraisal District of Bell County, Texas.

This sketch is to accompany a description of the herein shown 2.713 acre tract.

Scale: 1" = 100'
Job No.: 160693
Dwg No.: 160693-AREA 7
Drawn by: SLN
Surveyor: CCL #4636

Copyright 2016 All County Surveying, Inc.

Plot Date: 01-04-2016



ALL COUNTY SURVEYING, INC.
1303 South 21st Street
Temple, Texas 76504
254-778-2272 Killeen 254-634-4636
Fax 254-774-7608
Tx. Firm Lic. No. 10023600



● - Calculated Point

CALLLED 4.5 ACRES
BOBBY L. WALLACE and
CAROL S. WALLACE
Vol. 3573, Pg. 134

ORDINANCE NO.
2002-44

OLD GOLF COURSE ROAD

Existing
City Limits

N 16°34'24" E 282.45'

L4

S 16°30'49" W 225.78'

Existing City Limits

S 73°25'32" E 744.41'

N 73°25'32" W 747.59'

Existing City Limits

N 73°25'32" W
165.54'

Existing
City Limits

L5 N 13°23'11" E 179.90'

Existing
City Limits

L2 S 15°47'30" W 355.68'





City of Belton

~ Founded 1850 ~

October 12, 2016

Dear Property Owner:

You were previously notified of the City of Belton's intent to annex all or a portion of your property located within Study Area _____. Texas' Local Government Code provides that before the City annexes property that is appraised for ad valorem tax purposes as land for agricultural, wildlife management, or timber use, the City shall offer to make a "development agreement" with the property owner in lieu of annexation. The development agreement provides that the property will retain its extraterritorial status for a specified time period or until any type of subdivision plat or related development document is filed with the City for the property, whichever occurs first, while allowing the City to enforce all regulations and planning authority that do not interfere with the use of the land for agriculture, wildlife management, or timber. During the time the property remains outside the city limits, it is not subject to City property taxes, but also will not receive tax-supported services from the City such as police, fire, and street maintenance service. The development agreement must provide terms for future annexation of the property, including specifying the uses and development of the land before and after annexation. If an owner of property eligible for a development agreement declines such an agreement, then the property may be annexed as originally proposed.

We have enclosed a proposed Development Agreement for your consideration. You have two options regarding the Development Agreement:

- (a) All owners may accept it as printed, and sign it with the notary acknowledgments provided; or,
- (b) Any owner may sign in the box on the next page declining the offer of a development agreement.

If you choose Option (a), above, do not enter a date in the blank above the first owner's signature on Page 6, as the agreement must have final approval by the City Council before it can become effective. All property owners, including spouses, must sign the agreement and have it notarized. A copy of the executed agreement will be provided to you upon final approval.

The Development Agreement must be returned to the Planning Department in City Hall at 333 Water Street, Belton, Texas, indicating your choice of one of the two options, on or before **Friday, October 28, 2016**. If you would like to utilize our notary services, please schedule a meeting at City Hall to sign the development agreement in front of a notary and we will notarize the document. If you have questions, please e-mail Erin Smith, Director of Planning at esmith@beltontexas.gov or call her at (254) 933-5816. We must know your intentions by October 28 because any necessary boundary changes will have to be determined well in advance of the City Council's consideration of the annexation ordinance on November 22. If we do not receive a response of any kind by November 22, we will assume that you do not wish to enter into a Development Agreement and your property may be included in the proposed annexation, subject to the decision of the City Council.

Sincerely,

Sam A. Listi
City Manager

I _____, Owner, do hereby decline the City's offer of a Development Agreement, and understand that the Property may be annexed as proposed by the City.

Printed name: _____ Date: _____

Please return either this page or the Development Agreement to City Hall, Attention: Planning Department, at 333 Water Street, Belton, TX 76513.

STATE OF TEXAS §

COUNTY OF BELL §

**CITY OF BELTON, TEXAS
DEVELOPMENT AGREEMENT
PURSUANT TO CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE**

This Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code by and between the City of Belton, Texas (the "City") and the undersigned property owner(s) (the "Owner"). The term "Owner" includes all owners of the Property.

WHEREAS, the Owner owns a parcel of real property (the "Property") in Bell County, Texas, which is more particularly and separately described as follows:

Geographic ID #	Property ID #
0553520101	47288
0554250001	47290
0554250101	47291
0553520103	420163
0553520300	167436
0553520301	420158

and which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code; and

WHEREAS, the Owner desires to have the Property remain in the City's extraterritorial jurisdiction, in consideration for which the Owner agrees to enter into this Agreement; and

WHEREAS, this Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code, in order to address the desires of the Owner and the procedures of the City; and

WHEREAS, the Owner and the City acknowledge that this Agreement is binding upon the City and the Owner and their respective successors and assigns for the term (defined below) of this Agreement; and

WHEREAS, the City Council authorized and approved this agreement at a regularly-scheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances and Charter of the City on November 22, 2016; and

WHEREAS, this Development Agreement is to be recorded in the real property records of Bell County, Texas; and

WHEREAS, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

Section 1. Agreement by the City. The City guarantees the continuation of the extraterritorial status of the Owner's Property, its immunity from annexation by the City, and its immunity from City property taxes, for the term of this Agreement, subject to the terms and conditions contained herein. Except as provided in this Agreement, the City agrees not to annex the Property, agrees not to involuntarily institute proceedings to annex the Property, and further agrees not to include the Property in a statutory annexation plan for the Term of this Agreement. However, if the Property is annexed pursuant to the terms of this Agreement, then the City shall provide services to the Property pursuant to Chapter 43 of the Texas Local Government Code.

Section 2. Agreement by the Owner. (a) The Owner covenants and agrees that at all times during the Term hereof the Property shall be appraised for ad valorem tax purposes as land for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timberland under Subchapter E of that chapter. In addition, the Property shall not be used for any use other than agriculture, wildlife management, and/or timber land management consistent with Chapter 23 of the Texas Tax Code, except for any *existing* single-family residential use of the property, without the prior written consent of the City.

(b) The Owner has completed and executed an *Affidavit of Tax Appraisal Status and Current Uses*, which is attached to this Agreement as Exhibit "A," and included herein as part of this Agreement as if set out in full, and the Owner acknowledges that the City is entitled to rely on such Affidavit as being correct and complete in all respects.

(c) The Owner covenants and agrees that the Owner will not file any type of subdivision plat or related development document for the Property with Bell County, the City, or any other government agency having jurisdiction of the Property, until the Property has been annexed into, and zoned by, the City. Further, the Owner shall not take such action to develop or subdivide the Property that would require a plat to be filed with the City or the County under State law.

(d) Except as provided herein, the Owner covenants and agrees not to construct, or allow to be constructed, any buildings, other than one single family residence (new or a replacement for an existing single family residence), an addition to a single family residence, or one or more accessory buildings reasonably needed to support the Agricultural use of the Property, provided the Owner obtains a permit from the City to construct such improvements. Improvements are subject to City-required setbacks and spacing in the Agricultural Zoning District to facilitate future platting, and to conform to the appropriate lot sizes. The Owner must obtain a permit from the City prior to starting construction on any improvements. The Owner also covenants and agrees that the City's "A" or "Agricultural" zoning district requirements apply to the Property, and that the Property shall be used only for uses allowed in an A-Agricultural zoning district that exist on that Property at the time of the execution of this Agreement, unless otherwise provided in this Agreement.

(e) The Owner, and all of the Owner's heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation of the Property effective upon a date to be established by the City Council, such date to be on or after the expiration of the Term hereof. Prior to the end of the Term, the City may commence the voluntary annexation of the Property, provided that the

annexation shall not be finalized until after the expiration of the Term. In connection with annexation pursuant to this section, the Owner hereby waives any vested development rights Owner may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code, or that would otherwise exist by virtue of any plat, or any construction Owner may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

(f) The Owner acknowledges that each and every owner of the Property must sign this Agreement in order for the Agreement to take full effect, and the Owner who signs this Agreement covenants and agrees, jointly and severably, to indemnify, hold harmless, and defend the City against any and all legal claims, by any person claiming an ownership interest in the Property who has not signed the Agreement, arising in any way from the City's reliance on this Agreement.

(g) This section acknowledges the provision of §232.0015(e), Exception to Plat Requirements, which will not require a plat if property is sold, given, or otherwise transferred to an individual who is related to the owner within the 3rd degree of consanguinity or affinity, resulting in a parcel of twenty (20) acres or more in area.

Section 3. Deemed Voluntary Annexation Upon Disqualification or Breach.

(a) Notwithstanding any contrary provision herein, the City may annex the Property in whole or in part if: (i) the Property ceases to be appraised for agricultural, wildlife management or timber use as provided herein; (ii) the Property is used for any use other than a Permitted Use; (iii) any plat or related development document is filed in violation of this Agreement; or (iv) the Owner is otherwise in default hereunder or in breach hereof. The Owner acknowledges that a violation of this Agreement will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City Council. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents to such annexation as though an irrevocable petition for such annexation had been tendered by the Owner.

(b) If annexation proceedings begin pursuant to this Section, the Owner acknowledges that this Agreement serves as an exception to Local Government Code Section 43.052, requiring a municipality to use certain statutory procedures under an annexation plan. Furthermore, the Owner hereby waives any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code, or that would otherwise exist by virtue of any actions Owner has taken in violation of Section 2 herein.

Section 4. Owner Agreement that City May Enforce Its Development and Planning Regulations on Property. Pursuant to Sections 43.035(b)(1)(B) of the Texas Local Government Code, the City is authorized to enforce all of the City's regulations and planning authority that do not materially interfere with the use of the Property for agriculture, wildlife management, or timber, in the same manner the regulations are enforced within the City's boundaries. The Owner agrees that all regulations and planning authority of the City that do not interfere with the Permitted Uses may be enforced with respect to the Property in the same manner the regulations

are enforced within the City's boundaries, including but not limited to development regulations, zoning regulations, building permit requirements, and other City regulations as they currently exist or may be enacted in the future. The Owner consents to the jurisdiction of the Municipal Court of the City of Belton for the purpose of prosecuting criminal violations of City regulations on the Property. The City specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

Section 5. Term. (a) The term of this Agreement (the "Term") shall be five (5) years from the date that the City Manager's signature to this Agreement is acknowledged by a notary public.

Section 6. Future Zoning of Property. Property annexed pursuant to this Agreement will initially be zoned "A-Agricultural" pursuant to the City's Code of Ordinances, pending determination of the property's permanent zoning in accordance with the provisions of applicable law and the City's Code of Ordinances.

Section 7. Permits and Vested Rights. Pursuant to Texas Local Government Code Section 43.035 this Agreement is not a permit for purposes of Chapter 245 of the Texas Local Government Code, that the Agreement shall be deemed to be a petition for voluntary annexation. The Owner and all Owner's heirs, successors and assigns hereby waive any and all vested rights including rights and claims that they may have under common law, federal case law or Section 43.002 of the Texas Local Government Code related to uses, anticipated uses or potential uses of the Property, other than the existing uses.

Section 8. No Municipal Services. The City shall not be obligated to provide the Owner with any municipal services (such as police protection, fire protection, drainage and street construction, or maintenance), with respect to the Property for the duration of this Agreement.

Section 9. Notice to Third Parties. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City. Furthermore, the Owner and the Owner's heirs, successors, and assigns shall give the City written notice within 14 days of any change in the agricultural, wildlife management or timber management (as applicable) exemption status of the Property. A copy of either notice required by this section shall be forwarded to the City at the following address:

**City of Belton, Texas
Attn: City Manager
P.O. Box 120
Belton, TX 76513**

Section 10. Agreement Runs with the Land. This Agreement shall run with the Property and be recorded in the real property records of Bell County, Texas.

Section 11. Severance Clause. The provisions of this Agreement are severable. If a court or government agency of competent jurisdiction finds that any provision of this Agreement is

unenforceable, the unenforceable provision shall be replaced, to the extent possible, with a legal, enforceable, and valid provision that is as similar in tenor to the unenforceable provision as is legally possible, and the Agreement as so-modified shall be enforced to the greatest extent permitted by law, except when such construction would constitute a substantial deviation from the general intent and purpose of such parties as reflected in this Agreement.

Section 12. No Waiver. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 13. Enforcement. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. The remedies herein provided shall not be deemed to be exclusive, but shall be cumulative and shall be in addition to all other remedies in its favor existing in law, in equity or in bankruptcy. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the Property pursuant to the terms of this Agreement. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 14. Applicable law and Venue. This Agreement was executed in Bell County, Texas, and is governed by the laws of the State of Texas. The venue for any legal proceeding to enforce or interpret the provisions of this Agreement shall be in Bell County, Texas.

Section 15. Multiple copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

Section 16. Survival of Certain Rights of the City Upon Termination. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Sections 2, 3, and 4 herein.

Section 17. Construction. This Agreement shall be construed fairly and simply, and not strictly for or against any party. 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.

Section 18. Further Assurances. Each party shall, from time to time, upon the written request of any other party, execute and deliver such further instruments and documents as may be reasonably necessary to perform its obligations hereunder or to give full effect to this Agreement.

Section 19. Entire Agreement. This Agreement, together with its exhibits, constitutes the entire agreement of the parties concerning the subject matter hereof. There are no oral representations, warranties, agreements, or promises pertaining to such matters not incorporated in writing in this Agreement. This Agreement may be amended only as mutually agreed upon in writing and duly executed by authorized representatives of the parties.

Entered into this ____ day of _____, 20 ____.

Property Owners

Signature
Printed Name: _____

Signature
Printed Name: _____

Signature
Printed Name: _____

Signature
Printed Name: _____

City of Belton, Texas

Sam A. Listi
City Manager

ATTEST: Approved as to form:

Amy Casey John Messer
City Clerk City Attorney

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the _____ day of _____,
20____, by Sam A. Listi, City Manager, City of Belton, Texas.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on _____ the day of _____,
20____, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on _____ the day of _____,
20____, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on _____ the day of _____,
20____, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on _____ the day of _____,
20____, by _____, Owner.

Notary Public, State of Texas

Affidavit of Tax Appraisal Status and Current Uses

_____ appeared in person before me today and stated under oath:

"My name is _____. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I am the owner of a parcel of real property (the "Property") in Bell County, Texas, which is more particularly and separately described as geographic identification number _____ and property identification number _____, and which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code.

The current improvements on my Property are as follows: (Please list all permanent property improvements, for example, buildings, signs, or other structures, on the Property as shown on your most recent statement received from the Bell County Appraisal District and improvements which have been added by you since January 1, 2016):

The current uses being made of my Property are as follows: (for example: farming, grazing, single family residential, retail, commercial or industrial uses)

I understand that the information provided herein will be used by the City to substantiate my current use of my Property, and to determine during the term of this Agreement to which this Affidavit is an Exhibit, whether the uses of the Property have changed, and that providing misleading information will invalidate my Agreement with the City.

Executed on this _____ day of _____, 20____.

Property Owner

Signature

This instrument was acknowledged before me on the _____ day of _____, 20____, by _____, Owner.

Notary Public, State of Texas

Involuntary Annexation

SCHEDULE FOR EXEMPT ANNEXATION WITHIN CITY LIMITS

DATE	ACTION/EVENT	LEGAL AUTHORITY
September 13, 2016	COUNCIL BY WRITTEN RESOLUTION (1) sets Public Hearings for October 25, 2016 and November 1, 2016 ; and (2) Council directs development of service plan for area to be annexed .	Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings: are on or after the 40th day but before 20th day before institution of proceedings.
September 23, 2016 last workday	Last day to provide written notice to each property owner and public entity.	Before 30th day before first public hearing. Loc. Gov't Code, §43.062.
October 13, 2016 Publish notice of 1st Public Hearing (1 time)	NEWSPAPER NOTICE RE: 1ST PUBLIC HEARING ; (If applicable, Notice to Railroad) SCHOOL DISTRICT NOTICE (notify each school district of possible impact) (NOTICE on WEB to remain through process)	Not less than 10 days nor more than 20 days before 1st public hearing. Loc. Gov't Code, §43.063 (c).
October 20, 2016 Publish notice of 2nd Public Hearing (1 time)	NEWSPAPER NOTICE RE: 2ND PUBLIC HEARING	Not less than 10 days nor more than 20 days before 2nd public hearing. Loc. Gov't Code, § 43.063 (c).
October 24, 2016 Ten days after the date the 1st Public Hearing notice is published	LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice)	Site hearing required if 20 adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b)
October 25, 2016 Regular Meeting	1ST PUBLIC HEARING AND PRESENT SERVICE PLAN (Not more than 40 days before the 1st reading of ordinance.)	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063(a).
November 1, 2016 Special Meeting	2ND PUBLIC HEARING AND PRESENT SERVICE PLAN (At least 20 days before 1st reading of ordinance.)	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063 (a).
Institution Date November 22, 2016 Regular Meeting	FIRST READING OF ORDINANCE	Date of institution of proceedings. Not less than 20 days from the 2nd public hearing nor more than 40 days from the 1st public hearing.
December 13, 2016 Regular Meeting	SECOND-FINAL READING OF ORDINANCE	Not more than 90 days after 1st reading of Ordinance § 43.064
Within 30 days from receipt of Preclearance	PROVIDE DOCUMENTS AND MAPS TO COUNTY CLERK	Loc. Gov't Code §41.0015 (a)