

AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING

TUESDAY, JUNE 22, 2021, 6:00 P.M.

CITY HALL COUNCIL CHAMBERS

701 MAIN STREET, KERRVILLE, TEXAS

The Community Vision

Kerrville will be a vibrant, welcoming and inclusive community that:

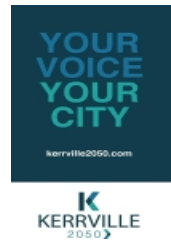
- *Respects and protects the natural environment that surrounds it;*
- *Seeks to attract economic growth and development;*
- *Provides opportunities for prosperity, personal enrichment and intellectual growth for people of all ages; and*
- *Does so while preserving the small-town charm, heritage, arts and culture of the community.*



Kerrville2050



CITY COUNCIL AGENDA
JUNE 22, 2021, 6:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



Citizens may speak to the City Council on posted agenda items. Prior to speaking, each speaker must fill out the speaker request form and submit it to the City Secretary. The speaker request form must be submitted before the item is called or read into record. Each speaker is limited to four minutes.

CALL TO ORDER:

INVOCATION AND PLEDGE OF ALLEGIANCE:

Led by Councilmember Roman Garcia.

1 ANNOUNCEMENTS OF COMMUNITY INTEREST:

Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.

2 PRESENTATIONS:

2.A. Kerrville Christmas Lighting Corporation.

3 VISITORS/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. The speaker request form must be submitted to the City Secretary before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.

4 CONSENT AGENDA:

These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

4.A. Minutes for the City Council workshop held June 08, 2021.

Attachments:

[20210622_Minutes_Council workshop 6-08-21 4pm.pdf](#)

4.B. Minutes for the City Council meeting held June 08, 2021.

Attachments:

[20210622_Minutes_Council meeting 6-08-21 6pm.pdf](#)

4.C. Minutes for the City Council workshop held June 15, 2021.

Attachments:

[20210622_Minutes_workshop 6-15-21 10am budget.pdf](#)

4.D. Minutes for the City Council special-joint workshop with Kerr County Commissioners and the Airport Board held June 16, 2021.

Attachments:

[20210622_Minutes_City-County-Airport workshop 6-16-21.pdf](#)

END OF CONSENT AGENDA.

5 ORDINANCES, SECOND READING:

- 5.A. Ordinance No. 2021-14, second reading. An Ordinance annexing an approximate 149.519 and 2.775 acre tracts of land, both located within the Comanche Trace Residential Development, into the City of Kerrville, Texas and extending the boundary limits of the City so as to include such property within the City limits; approving a service agreement for the annexed property; and adopting the zoning for the annexed property as a Medium Density Residential District (R-2).

Attachments:

[20210622_Ordinance_2021-14 Annexation 152 acres Comanche Trace second reading.pdf](#)

- 5.B. Ordinance No. 2021-15, second reading. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 601 Spur 100 and consisting of Lot 2-R, Block 1, of the Freeman-Fritts addition, a Subdivision within the City of Kerrville, Kerr County, Texas; from a Public and Institutional Zoning District (PI) to a Residential Mix Zoning District (RM); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

Attachments:

[20210622_Ordinance_2021-15 Zoning change 601 Spur 100 second reading.pdf](#)

6 CONSIDERATION AND POSSIBLE ACTION:

- 6.A. Petition by Charles Holt, Center Point Volunteer Fire Department, for the proposed creation of an Emergency Services District in Kerr County (Center Point Emergency Services District #3).

Attachments:

[20210622_Petition_Creation of Emergency Services District Center Point.pdf](#)

- 6.B. Resolution No. 29-2021. A Resolution authorizing publication of notice of intention to issue certificates of obligation to finance land and improvements for certain municipal facilities, including public safety and judicial facilities.

Attachments:

[20210622_Resolution_29-2021 Authorizing publication of notice Certificates of Obligation.pdf](#)

[20210622_Schedule_Hilltop Securities market update-schedule of activities.pdf](#)

- 6.C. Review of Declaration of local state of disaster due to a public health emergency, March 20, 2020.

Attachments:

[20200922_Resolution_16-2020 Extending Mayor's Disaster Declaration Covid-19 7-28-20.pdf](#)

7 ITEMS FOR FUTURE AGENDAS:

City Council may suggest items or topics for future agendas.

8 EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.

9 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

ADJOURN.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Kerrville Christmas Lighting Corporation.

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 18, 2021

SUBMITTED BY: Ashlea Boyle

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	P - Parks / Open Space / River Corridor
Guiding Principle	P5. Focus on enhancing/investing in existing parks, their purpose or repurpose and improving accessibility before acquiring land for new parks
Action Item	P4.7 - Consider the use of innovative approaches to funding park acquisitions and improvements, including grants from federal and state agencies and local organizations, bond sales and implementing conservation easements to preserve open space and natural areas

SUMMARY STATEMENT:

Presentation of ceremonial check.

RECOMMENDED ACTION:

No action by City Council.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council workshop held June 08, 2021.

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 10, 2021

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20210622_Minutes_Council workshop 6-08-21 4pm.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council workshop held June 08, 2021 at 4:00 p.m. at the City Hall Council Chambers and Upstairs Conference Room.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
WORKSHOP, CITY HALL COUNCIL CHAMBERS**

**JUNE 08, 2021 4:00 PM
KERRVILLE, TEXAS**

CALL TO ORDER: On June 08, 2021 at 4:00 p.m., the City Council workshop was called to order by Mayor Bill Blackburn at the City Hall Council Chambers, 701 Main Street.

COUNCILMEMBERS PRESENT:

Bill Blackburn, Mayor
Kim Clarkson, Mayor Pro Tem, Councilmember Place 2 (4:03 p.m. convened at bench)
Roman Garcia, Councilmember Place 1
Judy Eychner, Councilmember Place 3
Brenda Hughes, Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

E.A. Hoppe, City Manager	Guillermo Garcia, Executive Director Innovation
Mike Hayes, City Attorney	Kim Meisner, Executive Director General Ops
Shelley McElhannon, City Secretary	Drew Paxton, Planning Director

VISITORS PRESENT:

Waverly Jones, Senior Services Committee Chair
Theresa Metcalf, Kerrville Economic Improvement Corporation
Gil Salinas, Kerrville Economic Improvement Corporation

1. **PUBLIC COMMENTS:** No person(s) signed up to speak.

2. **INFORMATION AND DISCUSSION:**

2.A. Senior Services Committee – AARP Age-Friendly Community.

Kim Meisner introduced Waverly Jones, and both presented information and responded to questions. Senior Services Advisory Committee members Marilyne Cizmich, Christine Klima, and Karen Martin were also in attendance and responded to questions.

2.B. Kerrville Economic Development Corporation quarterly update.

Gil Salinas and Theresa Metcalf provided information and responded to questions.

2.C. Council interview teams for recommendations as to appointments to City Boards.

The City Council discussed this topic.

Councilmember Judy Eychner made a motion the City Council adjourn into closed executive session under 551.071 (consultation with attorney) and Councilmember Roman Garcia seconded. The motion passed 5-0.

Mayor Blackburn recessed the meeting at 4:56 p.m., and reconvened in closed executive session in the Upstairs Conference room.

3. **EXECUTIVE SESSION:**

3.A. RBM-JSM, LLC, Plaintiff v. City of Kerrville Zoning Board of Adjustments and Drew Paxton, Defendants; Cause No. 19788A; 216th Judicial District Court, Kerr County, Texas. (551.071).

The closed executive session adjourned, Council returned to open session at 5:35 p.m.

4. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF ANY:

Councilmember Garcia made a motion to authorize the City's Attorney to take appropriate action pursuant the judge's order, to include seeking a Motion for New Trial, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

ADJOURN. The workshop was adjourned at 5:36 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council meeting held June 08, 2021.

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 10, 2021

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20210622_Minutes_Council meeting 6-08-21 6pm.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council meeting held June 08, 2021 at 6:00 p.m. at the City Hall Council Chambers.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
JUNE 08, 2021**

On June 08, 2021, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn at the City Hall Council Chambers, 701 Main Street. Councilmember Brenda Hughes provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF:

E.A. Hoppe	City Manager	Kyle Burow, Director of Engineering
Mike Hayes	City Attorney	Stuart Cunyus, Public Information Officer
Shelley McElhannon	City Secretary	Amy Dozier, Chief Financial Officer
Ashlea Boyle	Director Parks & Rec	Drew Paxton, Chief Planner

VISITORS PRESENT: A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Items of interest to the community were presented by Stuart Cunyus, Ashlea Boyle, and Mayor Blackburn.

2. PRESENTATIONS:

2A. Kerrville Kindness award – Kerr Konnect and Enterprise Fleet Management.

Mayor Blackburn presented the Kerrville Kindness award to Kerr Konnect, represented by Karen and Mike Burkett and several Kerr Konnect drivers, and Enterprise Fleet Management represented by.

2B. Commendations for outgoing Economic Improvement Corporation members.

Mayor Blackburn recognized Kent McKinney for service on the EIC.

3. VISITORS FORUM:

The following person(s) spoke:

- Susan Brennan
- Martha Hix
- Bruce Stracke
- Susan Deininger

4. CONSENT AGENDA:

Citizen Peggy McKay pulled item 4A, and Mayor Blackburn pulled item 4E. Councilmember Judy Eychner made a motion to approve Consent items 4B, 4C, 4D, 4F,

4G, and 4H as presented, and Councilmember Roman Garcia seconded. The motion passed 5-0.

4B. Agreement between the City of Kerrville, Texas and Kerrville's Fourth on the River, Inc., for use of hotel occupancy tax funds.

4C. License Agreement for Special Event – Kerrville's Fourth on the River, Inc. (July 4, 2021 Event).

4D. Professional services contract with BD, LLP to perform financial audit services for the City of Kerrville.

4F. Change order with Dowtech Specialty Contractors, Inc. for Water Plant Improvements to be completed as part of the Water Treatment Plant Trihalomethanes (THM) Control Facility project construction contract in the amount of \$140,816.00.

4G. Minutes for the City Council workshop held May 25, 2021.

4H. Minutes for the City Council meeting held May 25, 2021.

END OF CONSENT AGENDA.

4A. Agreement between the City of Kerrville, Texas and High Five Events, LLC, for use of hotel occupancy tax funds.

The following person spoke:

- Peggy McKay

Ashlea Boyle provided information and responded to questions.

Councilmember Kim Clarkson made a motion to approve item 4A with amendment to article 19 and 20, and Councilmember Hughes seconded. The motion passed 5-0.

4E. Construction Agreement with Hayden Paving, Inc. for the 2021 Street Maintenance project in an amount of \$368,708.23.

Kyle Burow provided information and responded to questions.

Councilmember Eychner made a motion to approve item 4E, and Councilmember Hughes seconded. The motion passed 5-0.

5. PUBLIC HEARINGS AND RESOLUTIONS:

5A. Resolution No. 27-2021. A Resolution granting a Conditional Use Permit to authorize a short-term rental unit on the property consisting of approximately 0.207 acres, comprising part of Lots 710 and 711, Block 101, B.C. Richards Addition, a Subdivision within the City of Kerrville and more commonly known as 222 Rawson; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 27-2021 caption into record.

Drew Paxton presented information and responded to questions.

Mayor Blackburn opened the public hearing at 6:36 p.m.

The following person spoke:

- Kimberly Richards

Mayor Blackburn closed the public hearing at 6:40 p.m.

Kimberly Richards, Drew Paxton, and Mike Hayes responded to questions by City Council.

Mayor Blackburn moved to pass item 5A, seconded by Councilmember Eychner.

After further discussion, Mayor Blackburn modified the motion to approve 5A with conditions, and Councilmember Eychner withdrew the second. Councilmember Kim Clarkson seconded the motion to approve, and the motion passed 4-1; with Mayor Blackburn, Councilmember Garcia, Councilmember Clarkson, and Councilmember Hughes voting to approve the Resolution and Councilmember Eychner opposed.

5B. Resolution No. 28-2021. A Resolution allowing a variance to a distance requirement as between the restaurant located at 208 Cully Drive and child-care facility located within 300 feet of said restaurant.

Shelley McElhannon read Resolution No. 28-2021 caption into record.

Drew Paxton presented information and responded to questions.

Mayor Blackburn opened the public hearing at 7:05 p.m.

The following person(s) spoke:

- Li Lihung – was not present when called
- Blayne Black – declined to speak
- Jamie Flores – declined to speak

Mayor Blackburn closed the public hearing at 7:05 p.m.

Councilmember Hughes moved to approve Resolution No. 28-2021, and Councilmember Eychner seconded. The motion passed 5-0.

6. ORDINANCE(S), FIRST READING:

6A. Ordinance No. 2021-14. An Ordinance annexing an approximate 149.519 and 2.775 acre tracts of land, both located within the Comanche Trace Residential Development, into the City of Kerrville, Texas and extending the boundary limits of the City so as to include such property within the City limits; approving a service agreement for the annexed property; and adopting the zoning for the annexed property as a Medium Density Residential District (R-2). An Ordinance amending the City's Fiscal Year 2021 budget to account for the disbursement of additional funds, the receipt of additional revenue, and the make other amendments as provided herein.

Shelley McElhannon read Ordinance No. 2021-14 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Blackburn opened the public hearing at 7:10 p.m.

The following person spoke:

- Jerry Wolff

Mike Hayes clarified and presented information and responded to questions.

Mayor Blackburn closed the public hearing at 7:16 p.m.

Councilmember Clarkson moved to approve Ordinance No. 2021-14 on first reading, and Councilmember Eychner seconded. The motion passed 5-0.

6B. Ordinance No. 2021-15. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 601 Spur 100 and consisting of Lot 2-R, Block 1, of the Freeman-Fritts addition, a Subdivision within the City of Kerrville, Kerr County, Texas; from a Public and institutional Zoning District (PI) to a Residential Mix Zoning District (RM); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

Shelley McElhannon read Ordinance No. 2021-14 caption into record.
Drew Paxton provided information, and Drew Paxton and E.A. Hoppe responded to questions.

Mayor Blackburn opened the public hearing at 7:21 p.m.
The following person spoke:

- Pablo Brinkman

Mayor Blackburn closed the public hearing at 7:25 p.m.

Councilmember Eychner moved to approve Ordinance No. 2021-15, and Councilmember Garcia seconded. The motion passed 5-0.

7. ORDINANCE, SECOND READING:

7A. Ordinance No. 2021-13, second reading. An Ordinance amending the City's Fiscal Year 2021 budget to account for the disbursement of additional funds, the receipt of additional revenue, and the make other amendments as provided herein.

Shelley McElhannon read Ordinance No. 2021-13 caption into record.
Amy Dozier provided information and responded to questions.

Councilmember Eychner moved to adopt Ordinance No. 2021-13 on second reading, and Councilmember Hughes seconded. The motion passed 5-0.

8. ITEMS FOR FUTURE AGENDAS:

- Setting standards or codifying the Conditional Use Permits for Short-term Rentals (Garcia)

ADJOURN. The meeting adjourned at 7:29 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council workshop held June 15, 2021.

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 10, 2021

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20210622_Minutes_workshop 6-15-21 10am budget.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council workshop held June 15, 2021 at 10:00 a.m. at the City Hall Council Chambers.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
WORKSHOP, COUNCIL CHAMBERS**

**KERRVILLE, TEXAS
JUNE 15, 2021 10:00 AM**

CALL TO ORDER: On June 15, 2021, at 10:00 a.m., the Kerrville City Council workshop was called to order by Mayor Bill Blackburn in the City Hall Council Chambers, 701 Main Street.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Roman Garcia	Place 1
Kim Clarkson	Mayor Pro Tem, Place 2 (arrived at workshop 10:15 a.m.)
Judy Eychner	Place 3 (left workshop at 11:45 a.m.)
Brenda Hughes	Place 4

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

E.A. Hoppe	City Manager	Eric Maloney, Fire Chief
Shelley McElhannon	City Secretary	Chris McCall, Chief of Police
Julie Behrens	Asst Director Finance	Kim Meismer, Exec Dir General Ops
Amy Dozier	Chief Financial Officer	Drew Paxton, Planning Director
Guillermo Garcia	Exec Dir Innovations	

VISITORS PRESENT:

Bonnie White, citizen
Bill Morgan, citizen

1. **PUBLIC COMMENTS:** No person(s) signed up to speak.

2. **CONSIDERATION AND POSSIBLE ACTION:**

1.A. Fiscal Year 2021 Major Budget Items (General Fund).

E.A. Hoppe introduced item. Amy Dozier, E.A. Hoppe, Julie Behrens, Kim Meismer, Eric Maloney, and Chris McCall presented information and responded to questions by City Council. Amy Dozier requested direction by City Council on certain items.

ADJOURN:

The meeting was adjourned at 11:12 a.m.

APPROVED BY COUNCIL: _____

APPROVED:

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council special-joint workshop with Kerr County Commissioners and the Airport Board held June 16, 2021.

AGENDA DATE OF: June 22, 2021 **DATE SUBMITTED:** Jun 10, 2021

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20210622_Minutes_City-County-Airport workshop 6-16-21.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council special-joint workshop with the Kerr County Commissioners and Airport Board held June 16, 2021 at 1:30 p.m. at the Dietert Center.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
SPECIAL JOINT WORKSHOP
KERR COUNTY COMMISSIONERS
AIRPORT BOARD**

**JUNE 16, 2021 AT 1:30 PM
DIETERT CENTER
451 GUADALUPE STREET
KERRVILLE, TX**

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT:

None

CITY STAFF PRESENT:

E.A. Hoppe	City Manager
Shelley McElhannon	City Secretary

AIRPORT BOARD PRESENT:

Mark Mosier	President
Trey Atkission	Board Member
John Major	Board Member
Scott Schellhase	Board Member

AIRPORT BOARD ABSENT:

David Schmerbeck Board Member

COMMISSIONERS PRESENT:

Rob Kelly	County Judge
Harley Belew	Precinct 1 Commissioner
Tom Mosier	Precinct 2 Commissioner
Jonathan Letz	Precinct 3 Commissioner
Don Harris	Precinct 4 Commissioner

COMMISSIONERS ABSENT:

None

COUNTY STAFF PRESENT:

Mary Rohrer	Airport Manager
Carole Dungan	Airport Secretary

CALL TO ORDER: On Wednesday, June 16, 2021 at 1:30 p.m., Mary Rohrer called the workshop to order at the Dietert Center, 451 Guadalupe Street, Kerrville, Texas.

1. INFORMATION AND DISCUSSION

1.A. Airport Manager Mary Rohrer and members of the Airport Board presented the updates, operations, and future goals and financial needs, and responded to questions. Workshop participants provided feedback, and commented. The Airport Board requested City Council and County Commissioners consider a Request for Proposal for a Land Use Plan to determine Airport economic development opportunities. No action was taken during the workshop.

ADJOURN. The workshop adjourned at 3:15 p.m.

APPROVED BY COUNCIL: _____ **ATTEST:**

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Ordinance No. 2021-14, second reading. An Ordinance annexing an approximate 149.519 and 2.775 acre tracts of land, both located within the Comanche Trace Residential Development, into the City of Kerrville, Texas and extending the boundary limits of the City so as to include such property within the City limits; approving a service agreement for the annexed property; and adopting the zoning for the annexed property as a Medium Density Residential District (R-2).

AGENDA DATE OF: June 22, 2021 **DATE SUBMITTED:** May 27, 2021

SUBMITTED BY: Drew Paxton

EXHIBITS: [20210622_Ordinance_2021-14 Annexation 152 acres Comanche Trace second reading.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

Public hearing consideration and action to recommend an ordinance for annexation and a zoning change to R-2 Medium Density Residential District on approximately 152 acres located within Wilson Watt Survey No. 65, Abstract No. 364, Kerr County, Texas; and generally located within the Comanche Trace development.

Procedural Requirements

59 letters were mailed 4/26/2021 to adjacent property owners. The public notice was

published in the Kerrville Daily Times on 4/15/2021. At the time of drafting this Agenda Bill, no written comments had been received.

Staff Analysis and Recommendation

This is a continuation of the existing Comanche Trace development.

Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are designated as Strategic Catalyst Area 10 (SCA 10) and Preservation Residential. Allowable place types within both SCA 10 and Preservation residential support rural residential, consistent with what the Comanche Trace development already provides. The annexation and requested R-2 Medium Density Residential are consistent with the Kerrville 2050 Comprehensive Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: N/A

Existing Land Uses: Vacant

Direction: North, South, West, East

Current Zoning: PDD 99-26, R-1 Single Family, County

Existing Land Uses: Single Family Residential

Thoroughfare Plan: The property is located within Comanche Trace residential streets.

Traffic Impact: To be determined.

Parking: To meet zoning code at time of development.

Recommendation:

Based on the consistency with the Kerrville 2050 Comprehensive Plan, staff recommends approval of the annexation and zoning request.

On May 6th, the Planning and Zoning Commission recommended the case with a unanimous vote.

On June 08, 2021, the City Council approved Ordinance No. 2021-14 on first reading with a unanimous vote.

RECOMMENDED ACTION:

Approve Ordinance No. 2021-14 on second reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2021-14**

AN ORDINANCE ANNEXING AN APPROXIMATE 149.519 AND 2.775 ACRE TRACTS OF LAND, BOTH LOCATED WITHIN THE COMANCHE TRACE RESIDENTIAL DEVELOPMENT, INTO THE CITY OF KERRVILLE, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE SUCH PROPERTY WITHIN THE CITY LIMITS; APPROVING A SERVICE AGREEMENT FOR THE ANNEXED PROPERTY; AND ADOPTING THE ZONING FOR THE ANNEXED PROPERTY AS A MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)

WHEREAS, the owner of an area made up of two tracts of land has requested annexation of the area by the City of Kerrville, Texas ("City"), pursuant to Local Government Code Section 43.0671; and

WHEREAS, all of the herein-described property lies within the extraterritorial jurisdiction of the City; and

WHEREAS, in conjunction with the approval of this Ordinance, City Council also approves a Service Agreement for the subject property; and

WHEREAS, Section 60-37 of the City's Zoning Code creates procedures for initial zoning of newly annexed areas; and

WHEREAS, the City has complied with all prerequisites of state law and the City Charter as to the annexation and the application of zoning to the area;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. City Council finds and declares the facts and recitations contained in the preamble of this Ordinance true and correct.

SECTION TWO. City Council annexes into the City limits for all legal purposes all of a certain tracts or parcels of land, which when combined contain 151.794 acres, more or less, out of William Watt Survey No. 65, Abstract No. 364 in Kerr County, Texas; generally located within the Comanche Trace Residential Development; and being more particularly described and depicted in **Exhibit A** (the "Property").

SECTION THREE. City Council authorizes and directs the City Manager, or designee, to amend the City's official boundary map in accordance with the annexation taken in Section Two.

SECTION FOUR. The petition for annexation concerning the Property is attached as **Exhibit B** and incorporated herein by reference, said petition, which triggered the process specified in Subchapter C-3, Chapter 43, Texas Local Government Code, authorizing the annexation of the Property.

SECTION FIVE. Pursuant to Section 43.0672 of the Texas Local Government Code, the City has negotiated and hereby enters into a Service Agreement (the "Agreement") with the owner of land for the provision of services in the area. The Agreement is attached to this Ordinance as **Exhibit C** and by this reference is incorporated into it. Upon annexation of the Property, the City shall provide the Property with the municipal services set forth in the Agreement pursuant to the schedule set forth therein, such services making up the City's full municipal services. The City shall have no obligation to provide services to the Property not listed in the Agreement.

SECTION SIX. Upon the adoption of this Ordinance, and in accordance with Section 60-37 of the City's Zoning Code, the Property is zoned as a Medium Density Residential District (R-2).

SECTION SEVEN. The provisions of this Ordinance are to be cumulative of all Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION EIGHT. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION NINE. In accordance with the Texas Local Government Code and other applicable laws, the City Secretary is directed to file a certified copy of this Ordinance together with a copy of the petition requesting annexation with the Kerr County Clerk, Kerr Central Appraisal District, and the Texas Comptroller.

PASSED AND APPROVED ON FIRST READING, this the 08
day of June A.D., 2021.

PASSED AND APPROVED ON SECOND READING, this the
_____ day of _____ A.D., 2021.

Bill Blackburn, Mayor

APPROVED AS TO FORM:

ATTEST:



Michael C. Hayes, City Attorney

Shelley McElhannon, City Secretary

Exhibit A

FIELD NOTES FOR A 149.519 ACRE TRACT OF LAND

A **149.519 acre** tract of land, out of the William Watt Survey No. 64, Abstract 363, and the William Watt Survey No. 65, Abstract 364, Kerr County, Texas, being a portion of a called 510.53 acre tract of land, of record, in Volume 1498 Page 321, a portion of a called 1131.78 acre tract of land, of record, in Volume 971, Page 698, all of a called 21.85 acre tract of land, of record, in Volume 1730, Page 594, all three documents of the Official Public Records of Kerr County, Texas, and a portion of a called 1.784 acre tract of land shown as a Variable Width Private Drainage Easement (V.W.P.D.E.), of record in Volume 8, Pages 57-59 of the Plat Records of Kerr County, Texas. Said **149.519 acre** tract being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east right-of-way line of Club House Road, a variable width right-of-way, as shown on the Comanche Trace, Phase 13, Amending Plat Subdivision, of record in Document 18-07561 of the Plat Records of Kerr County, Texas, for the northwest corner of Lot 34, Block C of said subdivision, and the tract described herein;

THENCE: N 06° 00' 23" W, with the east right-of-way line of said Club House Road and the west line of said Lot 34, a distance of **87.76 feet** to a point in a northwest line of said 510.53 acre tract and a northwest corner of the tract described herein;

THENCE: Departing said right-of-way line, with the north line of said 510.53 acre tract the following six (6) courses:

1. S 73° 27' 23" E, a distance of **133.40 feet** to a point for a corner,
2. S 13° 28' 08" E, a distance of **1068.78 feet** to a point for a corner,
3. N 76° 31' 52" E, a distance of **450.00 feet** to a point for a corner,
4. N 13° 28' 08" W, a distance of **917.60 feet** to a point for a corner,
5. N 84° 07' 40" E, a distance of **305.05 feet** to a point for a corner, and
6. N 09° 12' 38" E, at 381.36 feet a north corner of said 510.53 acre tract and continuing into and across said 1131.78 acre tract for a total distance of **701.46 feet** to a point for a corner,

THENCE: Continuing over and across said 1131.78 acre tract the following eleven (11) courses:

1. N 00° 27' 55" E, a distance of **639.41 feet** to a point for a corner,
2. N 43° 24' 10" E, a distance of **339.27 feet** to a point of curvature,
3. With a curve to the right having a radius of **399.02 feet**, an arc length of **36.12 feet**, a delta angle of **005° 11' 11"** and a chord which bears, N 46° 00' 09" E, a distance of **36.11 feet** to a point of non-tangency,
4. S 41° 23' 51" E, a distance of **40.00 feet** to a point for a corner,
5. N 50° 37' 18" E, a distance of **25.23 feet** to a point of curvature,
6. With a curve to the right having a radius of **358.00 feet**, an arc length of **127.55 feet**, a delta angle of **020° 24' 51"** and a chord which bears, N 62° 50' 53" E, a distance of **126.88 feet** to a point of non-tangency,
7. N 74° 52' 23" E, a distance of **22.72 feet** to a point for a corner,
8. S 13° 18' 31" E, a distance of **20.00 feet** to a point for a corner,
9. N 81° 22' 42" E, a distance of **318.02 feet** to a point of curvature,
10. With a curve to the left having a radius of **338.00 feet**, an arc length of **152.66 feet**, a delta angle of **025° 52' 43"** and a chord which bears, N 68° 39' 45" E, a distance of **151.37 feet**, to a point of non-tangency and a corner of the tract described herein, and
11. S 47° 22' 44" E, a distance of **30.44 feet** to a point for the west corner of said 21.85 acre tract and an interior corner of the tract described herein;

THENCE: With the northwest, northeast and southeast lines of said 21.85 acre tract, the following three (3) courses:

1. N 44° 27' 48" E, a distance of **360.33 feet** to a point a corner
2. S 45° 03' 54" E, a distance of **1833.28 feet** to a point for a corner, and
3. S 44° 38' 58" W, a distance of **845.12 feet** to a point in a northeast line of said 1131.78 acre tract, for the south corner of said 21.85 acre tract and an interior corner of the tract described herein;

THENCE: S 23° 23' 27" E, with the northeast line of said 1131.78 acre tract, a distance of **176.08 feet** to a point for the north corner of a called 101.41 acre tract, of record in Volume 1697, Page 565 of the Official Public Records of Kerr County, Texas, an easterly corner of said 1131.78 acre tract and the tract described herein;

THENCE: S 44° 28' 18" W, with the northeast line of said 101.41 acre tract and said 1131.78 acre tract, a distance of **1764.79 feet** to a point for the north corner of The Homestead at Turtle Creek Subdivision, of record in Volume 6, Page 309 of the Plat Records of Kerr County, Texas, the west corner of said 101.41 acre tract and an angle point of the tract described herein;

THENCE: S 44° 31' 28" W, with the northeast line of said Turtle Creek subdivision and said 1131.78 acre tract, a distance of **937.54 feet** to a point for the south corner of the tract described herein;

THENCE: N 45° 29' 30" W, over and across said 1131.78 acre tract and said 510.53 acre tract, a distance of **882.65 feet** to a point for the east corner of Lot 18, Block B of the Comanche Trace Phase 11 Subdivision, of record in Volume 8, Pages 57-59 of the Plat Records of Kerr County, Texas, an interior corner of said V.W.P.D.E. and a west corner of the tract described herein;

THENCE: N 62° 26' 12" W, with the northeast line of said Lot 18, Block B and a southwest line of said V.W.P.D.E., a distance of **130.88 feet** to a point in the west right-of-way line of Comanche Hills as shown on Comanche Trace, Phase 15 Subdivision, of record in Document No. 19-00814 of the Plat Records of Kerr County, Texas, and a west corner of the tract described herein

THENCE: N 27° 33' 48" E, leaving said right-of-way line, over and across said V.W.P.D.E., a distance of **50.00 feet** to a point in the northeast right-of-way line of said Comanche Hills, for the south corner of Lot 12, Block A of said Phase 15 of Comanche Trace and an angle of the tract described herein,

THENCE: With a southeast and a northeast line of said Phase 15 of Comanche Trace the following courses thirteen (13):

1. N 25° 14' 12" E, a distance of **125.10 feet** to a point for an angle,
2. N 61° 19' 33" W, a distance of **53.00 feet** to a point for an angle,
3. N 54° 50' 00" W, a distance of **51.96 feet** to a point for an angle,
4. N 46° 31' 19" W, a distance of **51.98 feet** to a point for an angle,
5. N 37° 06' 22" W, a distance of **51.95 feet** to a point for an angle,
6. N 33° 40' 27" W, a distance of **56.31 feet** to a point for an angle,
7. N 33° 31' 16" W, a distance of **59.44 feet** to a point for an angle,
8. N 38° 02' 16" W, a distance of **61.43 feet** to a point for an angle,
9. N 41° 10' 14" W, a distance of **61.43 feet** to a point for an angle,
10. N 44° 45' 16" W, a distance of **61.46 feet** to a point for an angle,
11. N 50° 05' 34" W, a distance of **61.44 feet** to a point for an angle,
12. N 50° 36' 14" W, a distance of **55.27 feet** to a point for an angle,
13. N 51° 05' 18" W, a distance of **48.44 feet** to a point for the north corner of said Phase 15 of Comanche Trace and the southeast corner of Lot 22, Block C of said Phase 13 of Comanche Trace and an angle of the tract described herein,

THENCE: With the southeast line of said Phase 13 of Comanche Trace the following eleven (11) courses:

1. N 08° 33' 22" W, a distance of **103.35 feet** to a point for an angle,
2. N 39° 29' 03" E, a distance of **104.46 feet** to a point for an angle,
3. N 37° 47' 47" E, a distance of **63.42 feet** to a point for an angle,
4. N 35° 13' 00" E, a distance of **68.44 feet** to a point for an angle,
5. N 26° 57' 33" W, a distance of **68.85 feet** to a point for an angle,
6. N 19° 45' 46" E, a distance of **69.25 feet** to a point for an angle,

7. N 12° 31' 27" E, a distance of **69.64 feet** to a point for an angle,
8. N 07° 16' 48" W, a distance of **70.32 feet** to a point for an angle,
9. N 03° 53' 19" W, a distance of **66.91 feet** to a point for an angle,
10. N 06° 00' 23" W, a distance of **58.66 feet** to a point for an angle, and
11. S 83° 59' 37" W, a distance of **125.300 feet** to the **POINT OF BEGINNING** and containing **149.519 acres** of land situated in Kerr County, Texas.

"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 boundary of the political subdivision for which it was prepared."

FIELD NOTES FOR A 2.775 ACRE TRACT OF LAND

A **2.775 acre** tract of land, out of the William Watt Survey No. 65, Abstract 364, Kerr County, Texas, being a portion of a called 510.53 acre tract of land, of record, in Volume 1498 Page 321, of the Official Public Records of Kerr County, Texas. Said **2.775 acre** tract being more particularly described by metes and bounds as follows:

BEGINNING at a point in the southeast right-of-way line of Club House Road, a variable width right-of-way, as shown on the Comanche Trace, Phase 13, Amending Plat Subdivision, of record in Document 18-07561 of the Plat Records of Kerr County, Texas, for the west corner of Lot 19, Block B of said subdivision and the northwest corner of the tract described herein;

THENCE: Along the southerly line of said subdivision the following three (3) courses:

1. **S 53° 19' 50" E**, a distance of **192.12 feet** to a point for a corner,
2. **N 33° 36' 21" E**, a distance of **201.36 feet** to a point for a corner, and
3. **S 75° 49' 28" E**, a distance of **48.28 feet** to a point for the most westerly corner of Comanche Trace, Phase 15 Subdivision, of record in Document No. 19-00814 of the Plat Records of Kerr County, Texas, a southerly corner of Lot 21, Block B of said Phase 13 of Comanche Trace Subdivision and for a corner of the tract described herein,

THENCE: With the southerly line of said Phase 15 of Comanche Trace Subdivision the following four (4) courses:

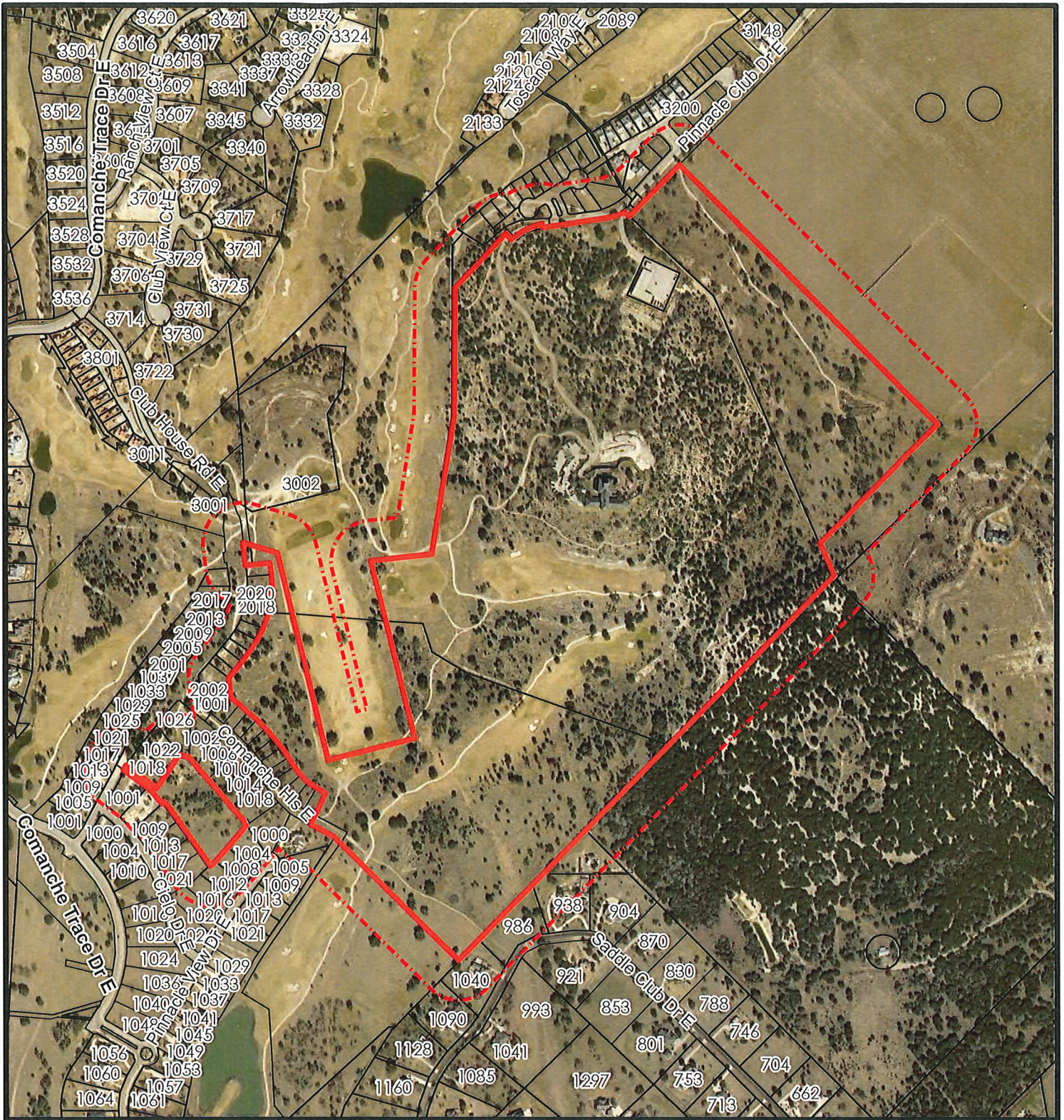
1. **S 42° 26' 59" E**, a distance of **52.24 feet** to a point for an angle,
2. **S 42° 31' 50" E**, a distance of **90.16 feet** to a point for an angle,
3. **S 40° 14' 54" E**, a distance of **183.60 feet** to a point for an angle, and
4. **S 40° 15' 32" E**, a distance of **90.83 feet** to a point for a north corner of a 20' wide Sanitary Sewer Easement of the Comanche Trace Phase 11 Subdivision, of record in Volume 8, Pages 57-59 of the Plat Records of Kerr County, Texas, and an easterly corner of the herein described tract;

THENCE: With a westerly and northerly line of said Phase 11 of Comanche Trace Subdivision the following nine (9) courses:

1. **S 58° 07' 43" W**, a distance of **13.83 feet** to a point for a corner,
2. **S 31° 55' 31" E**, a distance of **28.70 feet** to a point for a corner,
3. **S 41° 13' 32" W**, a distance of **223.71 feet** to a point for a corner,
4. **S 49° 52' 19" W**, a distance of **31.14 feet** to a point for a corner,
5. **N 34° 34' 51" W**, a distance of **363.57 feet** to a point for an angle,
6. **N 42° 19' 20" W**, a distance of **27.18 feet** to a point for a corner,
7. **S 47° 40' 40" W**, a distance of **16.55 feet** to a point for a corner,
8. **N 42° 19' 20" W**, a distance of **103.83 feet** to a point for an angle, and
9. **N 53° 12' 09" W**, a distance of **152.07 feet** to a point at the northwest corner of Lot 5 of said Phase II of Comanche Trace Subdivision, in the southeast right-of-way said Club House Road and for a point of curvature of the tract described herein;

THENCE: With the southeast right-of-way line of said Club House Road and with a curve to the right having a radius of **975.00 feet**, an arc length of **20.08 feet**, a delta angle of **001° 10' 48"** and a chord which bears, **N 31° 29' 56" E**, a distance of **20.08 feet** to the **POINT OF BEGINNING** and containing **2.775 acres** of land situated in Kerr County, Texas;

"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 boundary of the political subdivision for which it was prepared."



Location Map

Case # PZ-2021-7

Location:

Legend

200' Notification Area ---
Subject Properties ---



0 250 500 1,000

Scale In Feet

AN APPROXIMATELY 149.519 ACRE TRACT OF LAND LOCATED IN THE WILLIAM WATT SURVEY NO. 65, ABSTRACT NO. 364 KERR COUNTY, TEXAS BEING A PORTION OF A CALLED REMAINING PORTION OF A 150.53 ACRE TRACT OF RECORD IN VOLUME 1498, PAGE 321 OFFICIAL PUBLIC RECORDS, OF KERR COUNTY, TEXAS AND A 21.85 ACRES OF RECORD IN VOLUME 1730, PAGE 594 O.P.R., KERR COUNTY TEXAS AND AN APPROXIMATELY 2.775 ACRE TRACT OF LAND BEING OUT OF REMAINING PORTION OF 510.53 ACRES VOLUME 1498, PAGE 321 O.P.R., KERR COUNTY TEXAS

EXHIBIT B

PETITION REQUESTING ANNEXATION TO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS, OF TEXAS ACRES OUT OF THE WILLIAM WATT NO. 65 Survey, Abstract Number 364, KERR COUNTY TEXAS

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF KERRVILLE, TEXAS:

Comanche Trace Ranch & Golf Club, LLLP Is the sole owner of an approximately 149.5 acre tract of land located adjacent to the incorporated limits of the City of Kerrville which is out of the Survey No. 65 Abstract No. 364 Kerr County, Texas, and is more particularly described as follows:

SEE ATTACHED SURVEY AND METES & BOUNDS DESCRIPTION.

In accordance with Texas Local Government Code §43.028, Comanche Trace Ranch & Golf Club, LLLP hereby respectfully requests and petitions that the above-described property be annexed into the incorporated limits of the City of Kerrville, Texas.

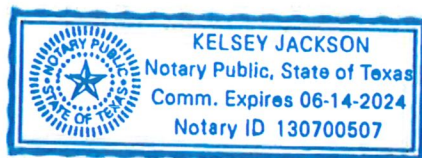
SUBMITTED THIS 17th day of March.

By: [Signature]
Legally authorized signature

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF KERR §

This instrument was acknowledged before me on the 17th day of March,
by Trevor Hyde for and on behalf of Comanche Trace Ranch & Golf Club, LLLP.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS
Printed Name: Kelsey Jackson
My Commission Expires: 06-14-2024

EXHIBIT C

SERVICE AGREEMENT

This Services Agreement (the “Agreement”) is entered into between the City of Kerrville, a Texas Home-Rule Municipal Corporation (the “City”) and the Comanche Trace Ranch & Golf Club, LLLP (the “Owner”). The City and the Owner are collectively referred to as the Parties.

WHEREAS, pursuant to a lawfully submitted petition for annexation from Owner, City intends to institute annexation proceedings for a tract(s) of land described more fully hereinafter (referred to herein as the “Subject Property”); and,

WHEREAS, *Section 43.0672 of the Tex. Loc. Gov’t Code* requires a written agreement for the provision of services in the area first be entered into between City and Owner of the Subject Property; and,

WHEREAS, City and Owner agree each will benefit from the City’s development restrictions and zoning requirements, as well as other municipal services provided by City which are good and valuable consideration for the Owner to request annexation and for the Parties to enter into this Agreement for City to provide the listed services upon annexation and in accordance with this Agreement; and,

WHEREAS, it is found that the statutory requirements have been satisfied and City is authorized by *Chapter 43, Tex. Loc. Gov’t. Code*, to annex the Subject Property into the City;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

Section 1. Property Description. The legal description of the Subject Property is as set forth in **Exhibit 1**, attached hereto and incorporated herein.

Section 2. Services. City will provide the services listed and specified in **Exhibit 2**, attached hereto and incorporated herein, for the Subject Property on the effective date of annexation of the Subject Property.

Section 3. Owner’s Obligations. Owner shall not file for approval a subdivision plat, site plan, or related development document with City for the Subject Property or portion thereof; or construct, or allow to be constructed, any building or structure on the Subject Property or portion thereof until City has obtained authorization.

Section 4. Term. The term of this Agreement (the “Term”) is ten (10) years from the Effective Date.

Section 5. Vested Rights Claims. This Agreement is not a permit for the purposes of Chapter 245, Texas Local Government Code.

Section 6. Authorization. All parties and officers signing this Agreement warrant to be duly authorized to execute this Agreement.

Section 7. Covenant Running with the Land. This Agreement shall run with the Subject Property, and this Agreement may be recorded in the Official Public Records of Kerr County, Texas. Owner and City acknowledge and agree that this Agreement is binding upon City and Owner and their respective successors, executors, heirs, and assigns, as applicable, for the term of this Agreement.

Section 8. Severability. If any provision of this Agreement is held by a court of competent and final jurisdiction to be invalid or unenforceable for any reason, then the remainder of the Agreement shall be deemed to be valid and enforceable as if the invalid portion had not been included.

Section 9. Amendment and Modifications. This Agreement may be amended or modified only in a written instrument that is executed by both City and Owner after it has been authorized by the City Council.

Section 10. Gender, Number and Headings. Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires. The headings and section numbers are for convenience only and shall not be considered in interpreting or construing this Agreement.

Section 11. Governmental Immunity; Defenses. Nothing in this Agreement shall be deemed to waive, modify, or amend any legal defense available at law or in equity to either City or Owner, including governmental immunity, nor to create any legal rights or claims on behalf of any third party.

Section 12. Enforcement; Waiver. This Agreement may be enforced by 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. Effect of Future Laws. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement.

Section 14. Venue and Applicable Law. Venue for this Agreement shall be in Kerr County, Texas. This Agreement shall be construed under and in accordance with the laws of the State of Texas.

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

Section 16. Effective Date. This Agreement shall be in full force and effect as of the date of approval of this Agreement by the City Council, from and after its execution by the parties.

Section 17. Sections to Survive Termination. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions related to water service to the Subject Property by the City.

EXECUTED this ____ day of _____, 2021.

Trevor Hyde, _____,
Comanche Trace Ranch & Golf
Club, LLLP

STATE OF TEXAS §
 §
COUNTY OF KERR §

This instrument was acknowledged before me on the ____ day of _____, 2021, by Trevor Hyde, _____, Comanche Trace Ranch & Golf Club.

Notary Public, State of Texas

E.A. Hoppe, City Manager, City
of Kerrville, Texas

STATE OF TEXAS §
 §
COUNTY OF KERR §

 This instrument was acknowledged before me on the ____ day of
_____, 2021, by E.A. Hoppe, City Manager, City of Kerrville, Texas.

Notary Public, State of Texas

Upon Recording, Return to:
City of Kerrville, Texas
City Secretary
City Hall, 701 Main Street
Kerrville, Texas 78028

EXHIBIT 1
LEGAL DESCRIPTION OF SUBJECT PROPERTY

(NOTE: *see* Exhibit A to Ord. No. 2021-14 for description; description to be included as an attachment to this agreement prior to execution)

EXHIBIT 2
ANNEXATION SERVICE PLAN

- I. INTRODUCTION:** This service plan for the extension of municipal services to the area to be annexed was developed in accordance with state law. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City of Kerrville, Texas (“City”) at the levels and schedule specified below.
- II. UNIFORM LEVEL OF SERVICES:** The City shall provide services by any of the methods by which it extends the services to any other area of the municipality, based upon differing characteristics of topography, land use, and population density, which may be considered a sufficient basis for providing differing levels of service.
- III. SPECIFIC FINDINGS:** City Council finds and determines that this Service Plan, as provided below, will provide full municipal services to the annexation area both adequate to serve the annexation area and commensurate with the levels of services provided in other parts of the City with the same or similar topography, land use, and population density, and it will not provide a lower level of service in the annexation area than were in existence at the time immediately preceding the effective date of annexation.

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Code Enforcement	The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing, and other related code requirements adopted by the City of Kerrville shall be made immediately applicable to the area upon annexation. The preparation of a zoning plan shall serve as a basis for the zoning of land following annexation. The adoption of the zoning plan shall be in accordance with the procedures of the City of Kerrville’s Zoning Ordinance (Ch. 60, Code of Ordinances).	Immediately following annexation, zoning to be concurrent with annexation

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Fire Protection and Emergency Medical Services (EMS)	Fire protection and emergency medical services will be provided to the annexation area. The City will serve the annexation area from existing fire stations closest to the area of annexation. Emergency dispatch assignment of Fire Services resources to the annexation area would be the same as currently provided in areas of similar land use and population within the City.	Immediately following annexation
Fire Prevention	The services of the City of Kerrville Fire Marshall shall be provided to the area.	Immediately following annexation.
Library	Residents of the area will be entitled to utilize all City of Kerrville Library facilities.	Immediately following annexation.
Police Protection	Police Services will provide protection and law enforcement services to the annexation area. The level of service will be at the same level as currently provided in areas of similar land use and population within the City. These services include the following: 1) regular patrol of the area, 2) handling of complaints and incidents, 3) traffic enforcement, and 4) special units, such as criminal investigations, narcotics, crime prevention, neighborhood services, and special weapons and tactics.	Immediately following annexation
Maintenance of Existing Roads & Streets	The City's Public Works Department will maintain any existing public roads and streets, drainage, and regulatory signs on the effective date of annexation. The same basis and level of services currently provided throughout the City will be adhered to as follows:	Immediately following annexation

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
	<p>1. Emergency maintenance of streets to include repair of hazardous potholes, ice and snow monitoring of major thoroughfares necessary for traffic flow.</p> <p>2. Routine maintenance of public streets and rights-of-way performed within the City.</p> <p>3. Street sweeping services may occur based upon need and funding.</p> <p>4. Installation and maintenance of traffic signs, street markings, and other traffic control devices as the need is established by appropriate study and traffic standards. Private streets, including ingress/egress easements, access easements, common areas, common driveways and anything else which has not been specifically dedicated and accepted as public right-of-way, will not be maintained by the City. Public streets will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized and scheduled based on a variety of factors, including surface condition, transversibility, age, traffic volume, density of dwellings per block, adjacent street conditions and available funding. Any necessary rehabilitation or reconstruction will be considered on a citywide priority basis.</p>	
Solid Waste Collection	Solid Waste collection to the annexation area will be provided on the same basis and at the same level as provided throughout the City, in accordance with applicable law.	Immediately following annexation
Traffic Engineering	Traffic control devices and street markers shall be installed on public roads and streets where deemed necessary by the City.	Immediately following annexation

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Water Service	The City will provide for the maintenance of City-owned public water lines within the annexation area. Water service is provided at the same level as currently provided in areas of similar topography, land use, and population within the City. The City's policy that water extensions are the responsibility of the developer of property will be applied in this area.	As the property develops
Wastewater Service	The City will provide for the maintenance of sanitary sewer lines within the annexation area. Sanitary sewer service is provided at the same level as currently provided in areas of similar topography, land use, and population within the City. The City's policy that sanitary sewer extensions are the responsibility of the developer of property will be applied to this area. Maintenance of all parts of the sewer system will begin as those parts are put into service. The sewer system will be maintained with the same frequency and level of effort as comparable parts of the system in other parts of the City.	As the property develops
Provision for Other City Services	Other City services that may be provided by the City such as planning, inspection, code enforcement, animal control, library, parks and recreation, municipal court, and general administration will be made available on the same basis and at the same level as provided throughout the City.	Immediately following annexation



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Ordinance No. 2021-15, second reading. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 601 Spur 100 and consisting of Lot 2-R, Block 1, of the Freeman-Fritts addition, a Subdivision within the City of Kerrville, Kerr County, Texas; from a Public and Institutional Zoning District (PI) to a Residential Mix Zoning District (RM); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 10, 2021

SUBMITTED BY: Drew Paxton

EXHIBITS: [20210622_Ordinance_2021-15 Zoning change 601 Spur 100 second reading.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Proposal

Public hearing, consideration and action to recommend an ordinance changing the zoning from PI Public and Institutional District to RM Residential Mix District for a Recreational Vehicle or Trailer Park on Freeman Fritts, Block 1, Lot 2-R, City of Kerrville, Kerr County, Texas; and more commonly known as 601 Spur 100.

The applicant has also applied for the Conditional Use Permit to allow the Recreational Vehicle Park. Pending approval of the zoning change, the resolution for this CUP request

will come on a later Council agenda.

Procedural Requirements

8 letters were mailed on 4/26/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 4/15/2021. At the time of drafting this Agenda Bill, no comments had been received.

Staff Analysis and Recommendation

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: PI Public and Institutional

Existing Land Uses: Former location of VA Dogs

Direction: North

Current Zoning: PI Public and Institutional

Existing Land Uses: Kerrville Landfill

Direction: South

Current Zoning: N/A

Existing Land Uses: County

Direction: West

Current Zoning: C-2 Light Commercial

Existing Land Uses: Animal Shelter

Direction: East

Current Zoning: R-M Residential Mix

Existing Land Uses: Single Family Residence

Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property is located within an Agriculture and Outdoor Tourism Entertainment (AOT) district of the Kerrville 2050 Comprehensive Plan. The primary land uses for AOT are agriculture, outdoor tourism such as camping, hunting and other nature-based recreational activities, and single-family homes. Because the request to change from PI Public and Institutional district to RM Residential Mix district and the type of development requested through the CUP, recreational vehicles and cabins, is associated with a more outdoor and rural use, the requested zoning change and CUP appear to be consistent with the Kerrville 2050 Comprehensive Plan.

Thoroughfare Plan:

The subject property is located on Spur 100, a Primary Arterial.

Traffic Impact:

Traffic impact will be evaluated during project design phase.

Parking:

All parking requirements of the zoning code shall be met as development plans are finalized and will be approved prior to construction.

Case Summary:

Applicant is requesting a zoning change and Conditional Use Permit (CUP) to allow for the development of an RV park with cabins. This is the former location of VA Dogs and some of the existing infrastructure will be used to accommodate the new development.

Recommendation:

Because the requested zoning change and CUP are consistent with future K2050 Agriculture and Outdoor Tourism zoning, it seems reasonable to grant this zoning change. Based on these circumstances staff recommends approval.

On May 6th, the Planning and Zoning Commission recommended the case for approval with a unanimous vote.

On June 08, 2021, City Council approved Ordinance No. 2021-15 on first reading with a unanimous vote.

RECOMMENDED ACTION:

Approve Ordinance No. 2021-15 on second reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2021-15**

AN ORDINANCE AMENDING CHAPTER 60, CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS; CHAPTER 60 MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A PROPERTY KNOWN AS 601 SPUR 100 AND CONSISTING OF LOT 2-R, BLOCK 1, OF THE FREEMAN-FRITTS ADDITION, A SUBDIVISION WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A PUBLIC AND INSTITUTIONAL ZONING DISTRICT (PI) TO A RESIDENTIAL MIX ZONING DISTRICT (RM); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND ORDERING PUBLICATION

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on June 8, 2021, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the property located at 601 Spur 100; such change to result in the removal of the property from a Public and Institutional Zoning District (PI) to placement within a Residential Mix Zoning District (RM); and

WHEREAS, on June 8, 2021, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. The Zoning Code, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* are hereby amended to designate the following described property zoned as within a Residential Mix Zoning District (RM):

Legal Description: Being a certain tract of land, consisting of Lot 2-R, Block 1, out of the Freeman-Fritts subdivision, and within the City of Kerrville, Kerr County, Texas; said tract depicted at Exhibit A, attached hereto and made a part hereof for all purposes.

Address: 601 Spur 100, Kerrville, TX 78028.

SECTION TWO. The City Manager, or designee, is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 08 day of June, A.D., 2021.


PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ of _____, A.D., 2021.

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



Location Map

Case # PZ-2021-6

Location:
601 Spur 100

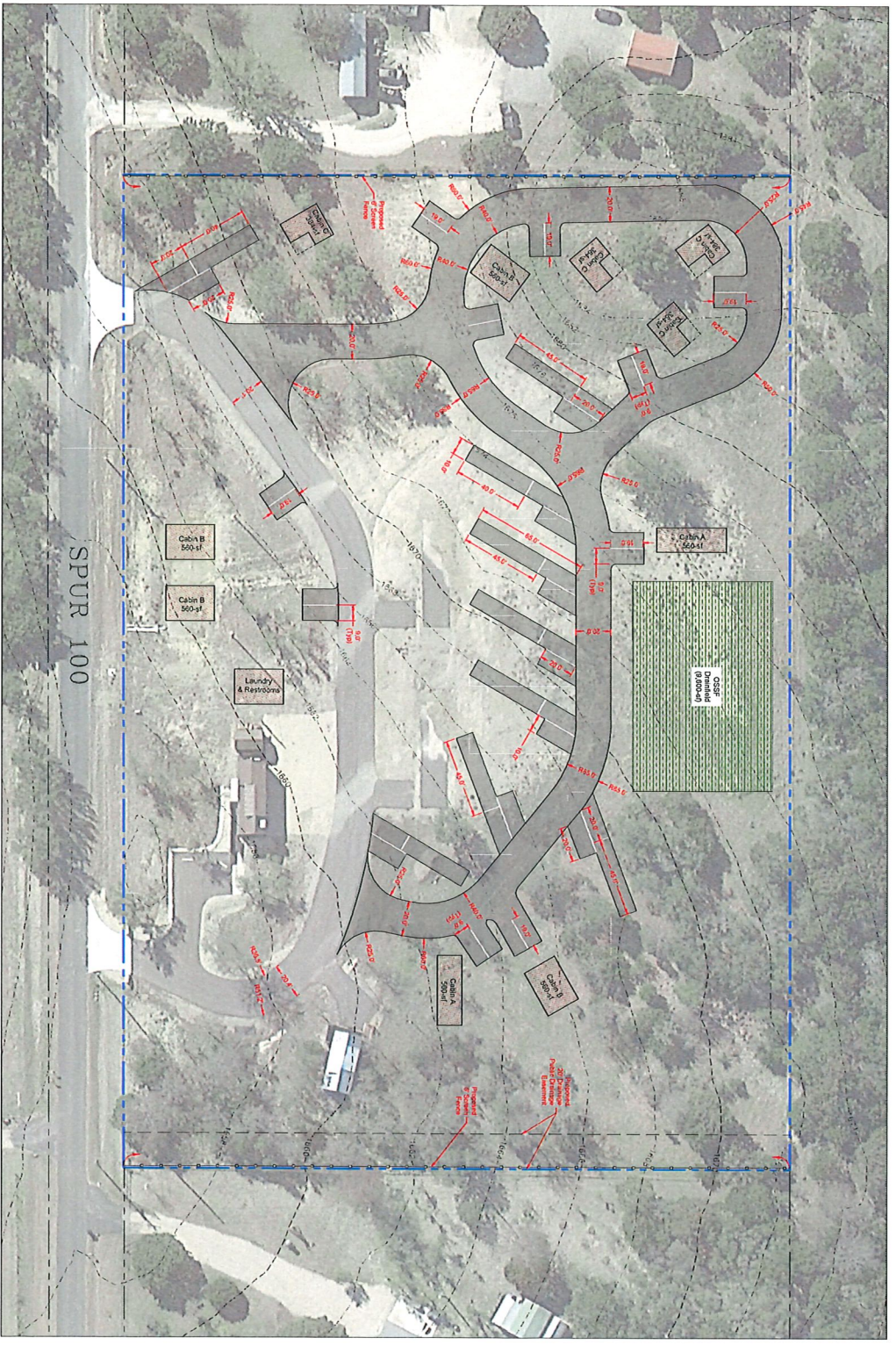
Legend

200' Notification Area
Subject Properties



0 100 200 400

Scale In Feet

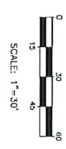


The features shown on this site plan/drawing/lotting were created from aerial photography, LIDAR data from TINS, and/or GIS data. The existing conditions including boundary lines were not field verified for accuracy by an on-the-ground land surveyor. The information shown on this sheet is for informational purposes only and may not be suitable for legal, engineering, or survey purposes.

The aerial photography used for this plan/exhibit/drawing is provided to show relative approximate locations and may not be suitable for legal, engineering, or survey purposes.

LEGEND

- PROPERTY BOUNDARY LINES
- PLATTED LOT LINES
- PROPOSED BUILDING
- PROPOSED ADJACENT PARKING
- PROPOSED 6' SIDEWALK



CP-A

Revisions		
No.	Date	Description
1	04.19.2021	Preliminary - Concept A

Concept Plan
for
Diamond Spur
601 Spur 100 N
Kerrville, Texas

This document is prepared for informational purposes only. It is not to be used for regulatory approval. Michael Walborn, P.E., License # 00055

WELBORN ENGINEERING & SURVEYING
631 Water Street
Kerrville, TX 78704
Texas Registration No. F-7761
wellbornengineering.com





**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Petition by Charles Holt, Center Point Volunteer Fire Department, for the proposed creation of an Emergency Services District in Kerr County (Center Point Emergency Services District #3).

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 11, 2021

SUBMITTED BY: Eric Maloney

EXHIBITS: [20210622_Petition_Creation of Emergency Services District Center Point.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
0	0	0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Center Point Volunteer Fire Department (CPVFD) filed a written request on May 17th for consideration to establish an Emergency Services District (ESD) #3. The Center Point ESD #3 includes the current fire service area provided by CPVFD. The written request is required under Health & Safety Code Chapter 775.014 Creation of a District that includes Municipal Territories. CPVFD requires the consent of City Council to include a portion the City of Kerrville's ETJ for the creation of the ESD#3.

RECOMMENDED ACTION:

Consider and discuss to approve the written request for the Emergency Services District #3 to include portions of the ETJ.

PETITION FOR CREATION OF
EMERGENCY SERVICES DISTRICT

THE STATE OF TEXAS § IN THE COMMISSINER'S COURT
 §
 § OF
 §
COUNTY OF KERR § KERR COUNTY, TEXAS

TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF SAID COURT:

NOW COME 100 or more qualified voters who own taxable real property in Kerr County, Texas pursuant to Texas Health & Safety Code, Section 775.011, requesting the creation of an Emergency Services District and would respectfully show the following:

I.

That the proposed Kerr County Emergency Services District No. 3 will be created and operated under the provisions of Article III, Section 48-e of the Constitution of Texas and Chapter 775 of the Health & Safety Code of the State of Texas.

II.

That the name of the proposed District shall be "KERR EMERGENCY SERVICES DISTRICT NO. 3."

III.

That the area of the District does not overlap with any existing emergency services district but will include portions of extraterritorial jurisdiction of The City

of Kerrville. The boundaries of the District are more particularly described by the description attached as Exhibit "A", which is attached hereto and incorporated herein for all purposes, and generally shown on the attached sketch in Exhibit "B".

IV.

The District will provide services in response to any emergency situation in accordance with the authority granted to emergency services districts under Chapter 775 of the Texas Health & Safety Code, including but not limited to the following services:

1. Fire Fighting services;
2. Fire Prevention services; and
3. Search and Rescue services.

V.

The creation of the District complies with Sections 775.020 and 775.0205 of the Texas Health & Safety Code. None of the land encompassed within the District is now included within any other Emergency District.

VI.

That Harry Holt, who resides at 156 Harry Holt Dr Center Point, Texas and Michael Earney, who resides at 161 Spanish Oak Lane Center Point, Texas. petitioners herein, agree and obligate themselves to pay the cost incident to the formation of the District, including the costs of publishing notices, election costs, and other necessary and incidental expenses, such cost not to exceed one hundred fifty (\$150.00) dollars for Kerr County.

VII.

The city of Kerrville is the only municipality whose consent must be obtained under Section 775.014 of the Texas Health & Safety Code, Section 775.011, for the

creation of Kerr County Emergency Services District No. 3 are attached on Exhibit "C" respectively.

WHEREFORE, PREMISES CONSIDERED, petitioner prays that such notices be issued by the County Clerk of Kerr County as required by law; that a public hearing be held on this petition in the county; and, that upon such hearing, the Commissioners Court of Kerr County grant said petition and call a special election regarding the creation of the District on the next authorized uniform election date that allows sufficient time to comply with other requirements of law.

RESPECTFULLY SUBMITTED this 17 day of MAY, 2021.

PETITIONERS:

By: [Signature]

Printed Name: Harry Holt Jr.

By: [Signature]

Printed Name: Michael Earney

Exhibit "A"

Description of Proposed Kerr County Emergency Services District No. 3
Boundary Description

Domingues & Assoc.

Professional Land Surveying

Charles Holt
Center Point Volunteer Fire Department
548 Kelly St.
Center Point, TX 78010

Page 1 of 12 - description of Center Point Volunteer Fire Department District

All that certain tract or parcel of land, lying and being situated in the County of Kerr; State of Texas; comprising 83.3 square miles, more or less, being the Center Point Volunteer Fire Department area of operation, which includes the town of Center Point, and several surrounding original land grants; and subject tract being more particularly described by metes and bounds, as follows, to wit:

BEGINNING at the easterly angle in the south line of Kerr County Line, for the north line of Bandera County, being in the southwest side of original Survey No. 571, Francis J. Staadt, Abstract No. 308, being the property of Spyglass Ranch, LP, of record in Volume 1545, page 27, in the Official Public Records of Kerr County, Texas, which previously was the E. W. Brown, Jr. property;

THENCE with the south line of Kerr County Line, for the north line of Bandera County, approximately a direction of N.85°W., approximately a distance of 7900 feet to the southwest corner of subject Center Point Volunteer Fire Department area of operation

THENCE through original Survey No. 2, A. B. & M., Abstract No. 949, across that tract which was conveyed to Shaver Ranch, LLC, by instrument recorded under Clerk's File Number 14-7684, in the Official Public Records of Kerr County, Texas approximately a direction of N.16°30'E., approximately a distance of 2500 feet;

THENCE across original Survey No. 1586, Casper Real, Abstract No. 944, original Survey No. 2, Walter Real, Abstract No. 864, original Survey No. 62, William T. Crook, Abstract No. 112, and other original grants, approximately a direction of N.51°30'E., approximately a distance of 15850 feet, continuing approximately a direction of N.59°00'E., approximately a distance of 18600 feet to the intersection of State Highway No. .2771 (lower Turtle Creek Road) and Heap Lane, being near the north corner of that tract which was conveyed to Kevin & Brad Sutherlin, by instrument of record in Volume 1440, page 165, in the Real Property Records of Kerr County, Texas;

THENCE up said State Highway No. 2771, approximately a direction of North, approximately a distance of 1200 feet to the northeast side of State Highway No. 173, being the southwest line of Quail Run Estates, according to plat recorded in Volume 5, page 154, in the Plat Records of Kerr County, Texas, being near Covey Lane;

THENCE with a northeast line of said State Highway No. 173, a southwest line of said Quail Run Estates, Eoff Subdivision, approximately a direction of N.25°W, approximately a distance of 1300 feet to Fritz Family Enterprises LTD tract at Oak Forest;

THENCE crossing said State Highway No. 173, and across that tract which was conveyed to Louis M. Howard, by instrument of record in Volume 1949, page 227, in the Official Public Records of Kerr County, Texas, and midway across that tract which was conveyed to Kerrville Trace, LLC, by instrument of record in Volume 1697, page 565, in the Official Public Records of Kerr County, Texas, approximately a direction of N.45°W, approximately a distance of 2200 feet, to the northwest line of said Kerrville Trace tract;

THENCE across said Kerrville Trace tract, across that tract which was conveyed to C. A. Winn Family Enterprises, LTD, by instrument recorded under Clerk's File Number 18-04862, in the Official Public Records of Kerr County, Texas, approximately a direction of N.38°E, approximately a distance of 4000 feet to the north corner of that tract which was conveyed to Jeffery Lawrence Wolff, by instrument recorded under Clerk's File Number 14-2474, in the Official Public Records of Kerr County, Texas, being on the southwest side of the Guadalupe River;

THENCE down the meanders of the Guadalupe River, being on the northeast side of River Bend Estates, the northeast side of that tract which was conveyed to William Scott Bockhoff, by instrument of record in Volume 1609, page 187, in the Official Public Records of Kerr County, Texas, approximately a direction of S.72°E, approximately a distance of 1800 feet, continuing approximately a direction of S.62°E., approximately a distance of 2100 feet, and continuing approximately a direction of S.22°E., approximately a distance of 1800 feet to the west corner of James Avery Craftsman, Inc, being Lot 1, Block 1, of Avery Airport Subdivision, according to plat recorded under Clerk's File Number 16-06575 in the Plat Records of Kerr County, Texas;

THENCE with the southwest line of said Avery Airport Subdivision, along the northeast bank of said Guadalupe River, a plat direction of S.9°06'18"E., a plat distance of 164.50 feet, continuing a plat direction of S.9°09'04"E., a plat distance of 204.67 feet, continuing a plat direction of S.17°20'04"E., a plat distance of 438.75 feet, and continuing a plat direction of S.17°37'46"E., a plat distance of 85.90 feet to the south corner of said Avery Airport Subdivision;

THENCE with a southeast line of said Lot 1, Block 1, of said Avery Airport Subdivision, a northwest line of that tract which was conveyed to John G. Rountree by instrument of record in Volume 1742, page 856, in the Official Public Records of Kerr County, Texas, a plat direction of $N.55^{\circ}38'11''E.$, a plat distance of 209.25 feet, continuing a plat direction of $N.52^{\circ}48'55''E.$, a plat distance of 795.13 feet, continuing a plat direction of $N.22^{\circ}22'34''E.$, a plat distance of 16.11 feet, and continuing a plat direction of $N.19^{\circ}46'46''E.$, a plat distance of 294.99 feet, to the point of curvature of a circular curve to the left (counter-clockwise), continuing along the arc of said circular curve to the left (counter-clockwise), having a plat radius of 241.20 feet, the long chord bears approximately a direction of $N.11^{\circ}E.$, approximate distance of 75 feet, for approximate distance along said curve of 75 feet to an intersection with the Kerrville City Limit line;

THENCE with a Kerrville City Limit line, across said John G. Rountree tract, approximately a direction of $S.52^{\circ}12'E.$, a computed distance of 47.6 feet to an east line of said John G. Rountree tract;

THENCE with an east line of said John G. Rountree tract, along the arc of a circular curve to the right (clockwise), a radius of 281.20 feet, the long chord bears approximately a direction of $S.13^{\circ}43'02''W.$, approximately a distance of 59.5 feet, for an approximate distance along said curve of 59.5 feet, to the end of curve, continuing a deed direction of $S19^{\circ}48'47''W.$, a deed distance of 214.63 feet, continuing a deed direction of $S2^{\circ}22'06''W.$, a deed distance of 439.79 feet, continuing a deed direction of $S1^{\circ}28'00''E.$, a deed distance of 274.57 feet, and continuing a deed direction of $S1^{\circ}28'00''E.$, a deed distance of 333.18 feet, to the east corner of said John G. Rountree tract, the southeast corner of that tract which was conveyed to Fox Tank Company, by instrument recorded under Clerk's File Number 12-02266, in the Official Public Records of Kerr County, Texas, for the most westerly northwest corner of that tract which was conveyed to Henry Wilson LLC, by instrument recorded under Clerk's File Number 20-06214, in the Official Public Records of Kerr County, Texas;

THENCE with a north line of said Henry Wilson LLC tract, a south line of said Fox Tank Company tract, a deed direction of $N.65^{\circ}50'56''E.$, a deed distance of 266.25 feet, continuing a deed direction of $N.79^{\circ}41'38''E.$, a deed distance of 80.61 feet, and continuing a deed direction of $N.80^{\circ}29'03''E.$, a deed distance of 549.56 feet to a reentrant corner of said Henry Wilson LLC tract, the southeast corner of said Fox Tank Company tract;

THENCE with a west line of said Henry Wilson LLC tract, for an east line of said Fox Tank Company tract, a deed direction of $N.1^{\circ}11'19''W.$, approximately a distance of 400 feet to the Kerrville City Limit Line;

THENCE with Kerrville City Limit Line, across said Henry Wilson LLC tract, approximately a direction of S.52°12'E., approximately a distance of 131.1 feet to an east line of said Henry Wilson LLC tract, for a west line of that tract which was conveyed to Prairie Gold Real Estate LLC, by instrument recorded under Clerk's File Number 20-07185, in the Official Public Records of Kerr County, Texas;

THENCE with the west line of said Prairie Gold Real Estate LLC tract, for an east line of said, Henry Wilson LLC tract, a deed direction of N.0°54'57"W., approximately a distance of 483.1 feet to the northwest corner of said Prairie Gold Real Estate LLC tract, a northeast corner of said Henry Wilson LLC tract;

THENCE with the north line of said Prairie Gold Real Estate LLC tract, along a south line of State Highway No. 27, a deed direction of S.52°12'48"E., a deed distance of 449.84 feet to the northeast corner of said Prairie Gold Real Estate LLC tract;

THENCE with the east line of said Prairie Gold Real Estate LLC tract, a deed direction of S.0°55'28"E., for a deed distance of 479.85 feet to the southeast corner of said Prairie Gold Real Estate LLC tract;

THENCE with the south line of said Prairie Gold Real Estate LLC tract, a deed direction of S.89°07'25"W., for a deed distance of 351.13 feet to the southwest corner of said Prairie Gold Real Estate LLC tract, in an east line of said Henry Wilson LLC tract;

THENCE with an east to southeast line of said Henry Wilson LLC tract, partly along a line of that tract which was conveyed from Kerrville Airport Commerce to State of Texas, by deed of record in Volume 1427, page 481, in the Real Property Records of Kerr County, Texas,

a deed direction of S.0°54'09"E., a deed distance of 479.32 feet, continuing a deed direction of S.17°44'35"W., a deed distance of 550.50 feet, continuing a deed direction of S.35°02'28"E., a deed distance of 141.41 feet, continuing a deed direction of S.41°43'02"E., a deed distance of 166.96 feet, continuing a deed direction of S.53°23'07"E., a deed distance of 2004.35 feet, and continuing a deed direction of N.89°04'09"E., a deed distance of 141.19 feet to a reentrant corner of said Henry Wilson LLC tract, the southeast corner of said Kerrville Airport Commerce to State of Texas tract;

THENCE with a west line of said Henry Wilson LLC tract, for an east line of said Kerrville Airport Commerce to State of Texas tract, a deed direction of N.0°56'06"W., a deed distance of 544.16 feet, continuing a deed direction of N.0°31'37"E., a deed distance of 1083.05 feet, and continuing a deed direction of

N.37°47'23"E., a deed distance of 140.77 to a northwest corner of said Henry Wilson LLC tract, the most easterly corner of said Kerrville Airport Commerce to State of Texas tract, being in the southwest line of said State Highway No. 27;

THENCE across said State Highway No. 27, approximately a direction of N.37°46'E approximately a distance of 100 feet to a northeast line of said State Highway No. 27, being a southwest line of Kerrville Airport;

THENCE with the a northeast line of said State Highway No. 27, being a southwest line of Kerrville Airport, a deed direction of S.52°14'E., approximately a distance of 1000 feet, continuing along arc of circular curve to the right (clockwise), a centerline radius of 5729.5 feet, the long chord bears a approximate direction of S.49°25'E., a approximate distance of 563 feet, for a distance along said curve of approximately 563 feet, and continuing a deed direction of S.46°45'E., approximately a distance of 1940 feet to the southeast corner of said Kerrville Airport, being west from that tract which was conveyed from Ernest Wellborn, to Edward Lee Wellborn, by instrument of record in Volume 880, page 244, in the Real Property Records of Kerr County, Texas

THENCE with the most easterly line of said Kerrville Airport, a west line of said Edward Lee Wellborn tract, approximately a direction of North, approximately a distance of 1400 feet to the southeast corner of that tract which was conveyed in will from Earl Wellborn to Dorothy A. Wellborn and subsequently conveyed in will to Audrey Louise Staudt;

THENCE with a south line of said Staudt tract, a northeast line of said Kerrville Airport, approximately a direction of N.50°W., approximately a distance of 850 feet to a reentrant corner of said Kerrville Airport, the southwest corner of said Staudt tract;

THENCE with a west line of said Staudt tract, an east line of said Kerrville Airport, approximately a direction of North, approximately a distance of 1100 feet to the southeast corner of Shady Grove, according to plat recorded in Volume 1, page 48, in the Plat Records of Kerr County, Texas;

THENCE with a south line of said Shady Grove, a north line of said Kerrville Airport, a plat direction of S.89°50'W., a plat distance of 2195.2 feet, to a southwest corner of said Shady Grove;

THENCE with a west to southwest to west line of said Shady Grove, an east to northeast to east line of said Kerrville Airport, a plat direction of North, a plat distance of 160 feet, a reentrant corner of said Shady Grove, continuing a plat direction of N.48°30'W., a plat distance of 877 feet, continuing a plat direction of N.2°W., a plat distance of 730.7 feet, continuing a plat direction of East, a plat

distance of 185.5 feet, and continuing a plat direction of N.1°W, a distance of 2581.3 feet to the northwest corner of said Shady Grove;

THENCE with a north line of said Shady Grove, a line of said Kerrville Airport, a plat direction of East, approximately a distance of 789.1 feet to the southwest corner of that tract which was conveyed to Kent J. Myers and Linda C. Myers, by instrument recorded under Clerk's File Number 19-05080, in the Official Public Records of Kerr County, Texas;

THENCE with a west line of said Kent and Linda Myers tract, an east line of said Kerrville Airport, a deed direction of N0°34'57"W., approximately a distance of 900 feet to a northwest corner of subject Center Point Volunteer Fire Department area of operation;

THENCE across original Survey No. 43, John Matchett, Abstract No. 243, and into original Survey No. 42, Henry Smith, Abstract No. 287, approximately a direction of East, approximately a distance of 6400 feet to a reentrant corner of subject Center Point Volunteer Fire Department area of operation;

THENCE with a west line of said subject Center Point Volunteer Fire Department area of operation, being across the west end of Lazy Valley Country according to plat recorded in Volume 3, page 102, in the Plat Records of Kerr County, Texas, approximately a direction of North, approximately a distance of 6600 feet to a northwest corner of subject Center Point Volunteer Fire Department area of operation, being in original Survey No. 1423, H. W. & W. T. R. R. Co., Abstract No. 688, being in that tract which was conveyed to Chamberlain 5C's Ranch, LLC, by deed of record in Volume 1652, page 765, in the Official Public Records of Kerr County, Texas,

THENCE across part of said Chamberlain 5C's Ranch, LLC tract, approximately a direction of East, approximately a distance of 4500 feet to a reentrant corner in a west line of that tract which was conveyed to RBH Limited Partnership, by instrument recorded under Clerk's File Number 16-7514, in the Official Public Records of Kerr County, Texas;

THENCE with a west line of said RBH Limited Partnership tract, a deed direction of N.1°05'53"W. approximately a distance of 1200 feet to the north line of said RBH Limited Partnership tract, being north of Lazy Valley Road;

THENCE with a north line of said RBH Limited Partnership tract, along north side of Lazy Valley Road, a deed direction of S.87°37'32"E., a deed distance of 488.65 feet, continuing a deed direction of S.49°41'53"E., a deed distance of 534.30 feet, continuing a deed direction of S.57°59'34"E., a deed distance of 290.99 feet, continuing a deed direction of N.84°35'55"E., a deed distance of 88.71 feet,

continuing a deed direction of N.84°43'55"E., a deed distance of 465.67 feet, continuing a deed direction of S.83°31'43"E., a deed distance of 688.76 feet, continuing a deed direction of N.74°55'47"E., a deed distance of 401.01 feet, and continuing a deed direction of N.59°38'23"E., a deed distance of 325.25 feet, to southwest corner of that tract which was conveyed to David P. Randal, by instrument of record in Volume 907, page 470, in the Real Property Records of Kerr County, Texas;

THENCE continuing with a north line of said RBH Limited Partnership tract, a deed direction of S.43°40'47"E., a deed distance of 31.30 feet to the center of said Lazy Valley Road;

THENCE continuing with a north line of said RBH Limited Partnership tract, the center of said Lazy Valley Road, a deed direction of S.68°15'06"E., a deed distance of 373.33 feet, continuing a deed direction of N.78°07'54"E., a deed distance of 453.50 feet, continuing a deed direction of N.38°49'54"E., a deed distance of 522.36 feet, and continuing a deed direction of N.82°34'59"E., a deed distance of 81.07 feet to the northeast corner of said RBH Limited Partnership tract, being in a west line of that tract which was conveyed from Francis Faltin to Dorothy Nell Faltin, et.al., by instrument, recorded under Clerk's File Number 20-09911, in the Official Public Records of Kerr County, Texas;

THENCE across said Dorothy Nell Faltin, et.al. tracts, with the meanders of the centerline of said Lazy Valley Road, approximately a direction of East, approximately a distance of 5000 feet to an east line of said Dorothy Nell Faltin, et.al. tract, the west line of that 320 acre tract of record in Volume 896, page 91, in the Real Property Records of Kerr County, Texas, the northwest corner of that tract which was conveyed from Joseph Salvaggio to Joseph C. & Jill Salvaggio, by instrument recorded under Clerk's File Number 16-5056, in the Official Public Records of Kerr County, Texas;

THENCE continuing with the centerline of said Lane Valley Road, the north line of said Joseph & Jill Salvaggio tract, the north line of that tract which was conveyed from Joseph Salvaggio to Joseph C. & Jill Salvaggio, by instrument recorded under Clerk's File Number 16-5055, in the Official Public Records of Kerr County, Texas, the north line of that tract which was conveyed from Joseph Salvaggio to Jack Estess by instrument of record in Volume 1126, page 290, in the Real Property Records of Kerr County, Texas, which was subsequently conveyed to Bradley Peterson by instrument of record in Volume 1799, page 553, in the Official Public Records of Kerr County, Texas, the north line of that tract which was conveyed from Jack Estess to Del Ray & Lynda O'Neill, by instrument of record in Volume 1356, page 575, in the Real Property Records of Kerr County, Texas, the north line of that tract which was conveyed to Margaret E. KcKinney, by instrument, recorded under Clerk's File Number 13-7861, in the Official Public Records of Kerr County, Texas, the north line of that tract which was conveyed to Rodney W.

Jennings, by instrument, recorded under Clerk's File Number 12-05849, in the Official Public Records of Kerr County, Texas, a deed direction of N.71°03'00"E., a deed distance of 236.06 feet, continuing a deed direction of N.49°49'28"E., a deed distance of 190.01 feet, continuing a deed direction of N.76°05'31"E., a deed distance of 928.21 feet, continuing a deed direction of N.77°14'48"E., a deed distance of 702.77 feet, and continuing a deed direction of S.89°53'08"E., a deed distance of 1194.34 feet to where the centerline of said Lane Valley Road intersects the east line of said 320 acre tract of record in Volume 896, page 91, in the Real Property Records;

THENCE continuing with the meanders of the centerline of said Lane Valley Road, across that tract which was conveyed from Laura Lynn Pheiffer Rhodes to LTR Land Enterprises, LTD, by deed of record in Volume 1416, page 77, in the Real Property Records of Kerr County, Texas, approximately a direction of East, approximately a distance of 3000 feet to the northwest corner of that tract which was conveyed to Dean R. Davenport, by instrument, recorded under Clerk's File Number 18-07399, in the Official Public Records of Kerr County, Texas;

THENCE along the south side of said Lane Valley Road [deed- Cypress Creek School Road], the north line of said Dean R. Davenport tract, a deed direction of N.87°40'E., a deed distance of 148 feet, and continuing a deed direction of N.89°45'E., a deed distance of 268 feet to the northeast corner of said Dean R. Davenport tract, a northwest corner of that 115.72 acre tract which was conveyed from Roger W. Lux, to Davenport Ranch LTD, by instrument recorded under Clerk's File Number 18-04897, in the Official Public Records of Kerr County, Texas;

THENCE continuing with the south side of said Lane Valley Road, a north line of said 115.72 acre Davenport Ranch LTD tract, a deed direction of S.89°20'33"E., a deed distance of 1229.47 feet, continuing a deed direction of N.81°48'33"E., a deed distance of 44.56 feet, continuing a deed direction of N.89°32'28"E., a deed distance of 385.18 feet, and continuing a deed direction of N.89°40'10"E., a deed distance of 179.79 feet to the northeast corner of said 115.72 acre Davenport Ranch LTD tract, the northwest corner of that 107.02 acre tract which was conveyed from Roger Lux, to Davenport Ranch LTD, by instrument recorded under Clerk's File Number 18-04903, in the Official Public Records of Kerr County, Texas;

THENCE with an east line of said 115.72 acre Davenport Ranch LTD tract, a west line of said 107.02 acre Davenport Ranch LTD tract, a deed direction of S.2°48'29"E., a deed distance of 261.81 feet and continuing a deed direction of S.1°28'45"W., a deed distance of 2500.00 feet to the southeast corner of said 115.72 acre Davenport Ranch LTD tract, a southwest corner of said 107.02 acre Davenport Ranch LTD tract, in north line of 427.217 acre tract;

THENCE across original Survey No. 1, B. S. & F., Abstract No. 73, the division line between that tract which was conveyed from Roland Rex Bourland, to P Bar B ranch Partnership, by Partnership Agreement, and a west line of that 115.547 acre tract which was conveyed to Frank G. White, Jr., by instrument of record in Volume 672, page 96, in the Real Property Records of Kerr County, Texas, approximately a direction of South, approximately a distance of 2500 feet (no deed information available) the southwest corner of said 115.547 acre tract, in Stoneleigh Road, to the northwest line of original Survey No. 568, Gustav Steves, Abstract No. 298, the northwest line of that tract which was conveyed from Wilhemina B. Eudy, to Greg D. & Darlene Sharp, by instrument of record in Volume 1227, page 275, in the Real Property Records of Kerr County, Texas;

THENCE with the northwest line of said Sharp tract, being in said Stoneleigh Road [deed- Stone Leigh Road], a deed direction of S59°03'36"W., approximately a distance of 700 feet to the west corner of said Sharp tract, near the north corner of that tract which was conveyed to Phillip John Walton, by instrument of record in Volume 1807, page 630, in the Official Public Records of Kerr County, Texas;

THENCE with the southwest line of said Sharp tract, the northeast line of said Walton tract, a deed direction of S.34°41'22"E., a deed distance of 1685.24 feet to the south corner of said Sharp tract, the east corner of said Walton tract, being in a northwest line of that tract which was conveyed to Viola Barbara Klemstein, by instrument of record in Volume 1280, page 792, in the Real Property Records of Kerr County, Texas;

THENCE with the southeast line of said Sharp tract, a northwest line of said Klemstein tract, a deed direction of N.60°36'33"E., approximately a distance of 600 feet to a northeast corner in an east side of subject Center Point Volunteer Fire Department area of operation;

THENCE across original Survey No. 4, C. Bruns, Abstract No. 821, across said Klemstein tract, across that tract which was conveyed from Julie Heinen Family Trust to Deborah Juern Trust, by instrument recorded under Clerk's File Number 21-02996, in the Official Public Records of Kerr County, Texas, approximately a direction of South a deed distance of 6000 feet to the northeast corner of that tract which was conveyed from Carl Jeter to Rudolph Aue, III, by instrument of record in Volume 1175, page 459, in the Real Property Records of Kerr County, Texas, the southwest corner of Ranches on Sunset Ridge, according to plat recorded in Volume 8, page 1, in the Plat Records of Kerr County, Texas, the ostensible northwest corner of original Survey No. 33, George T. Howard, Abstract No. 192;

THENCE with an east line of said Rudolph Aue, III tract, a west line of said Ranches on Sunset Ridge, ostensible west line of said original Survey No. 33, a deed direction of S.0°07'14"E., a deed distance of 4607.81 feet, continuing a deed direction of S.0°00'34"E., a deed distance of 881.82 feet, continuing a deed

direction of S.0°10'46"E., a deed distance of 1243.76 feet, continuing a deed direction of S.0°07'20"E., a deed distance of 989.69 feet to the west right of way line of Wilson Creek Road [deed- Roane Road], and continuing a deed direction of S.0°03'06"E., a deed distance of 131.31 feet to the southeast corner of said Rudolph Aue, III tract, which corner is located a deed distance of 60.00 feet, a deed direction of S.89°56'54"W., from the most southerly southwest corner of said Rudolph Aue, III tract;

THENCE with an east line of that Tract 2, which was conveyed from City South Management Corp., to J. W. Colvin, III, Trustee, et. al., by instrument of record in Volume 1290, page 15, in the Real Property Records of Kerr County, Texas, being west from said Wilson Creek Road, a deed direction of S.0°03'E., a deed distance of 1805.49 feet, continuing a deed direction of S.0°21'W., a deed distance of 1566.38 feet, continuing a deed direction of S.0°09'W., a deed distance of 2660.62 feet, and continuing a deed direction of S.0°25'W., a deed distance of 94.01 feet to the southeast corner of said Colvin Tract 2, on the north side of State Highway No. 27;

THENCE crossing said State Highway No. 27, approximately a direction of South, approximately a distance of 100 feet to the northeast corner of that tract which was conveyed from J. W. Colvin, III, to David & Dafana Ebner, subsequently the tract was conveyed to Steven R. Summers, by instrument recorded under Clerk's File Number 11-06825, in the Official Public Records of Kerr County, Texas;

THENCE with the east line of said Summers tract, being west from Homilius Lane, a deed direction of S.0°03'14"W, a distance of 1291.93 feet, continuing a deed direction of S.57°22'56"W., a deed distance of 3.63 feet, and continuing a deed direction of S.0°47'49"W., a deed distance of 735.68 feet to the southeast corner of said Summers tract on the north side of the Guadalupe River;

THENCE crossing said Guadalupe River, approximately a direction of S.45°E., approximately a distance of 100 feet to the northeast corner of that tract which was conveyed from Stewart Morris, to SOTOL Investments, LLC, by instrument recorded under Clerk's File Number 17-5057, in the Official Public Records of Kerr County, Texas, the most northerly northwest corner of that tract which was conveyed to E. D. Cavin and Claudia Cavin by instrument record in Volume 240, page 181, in the Deed Records of Kerr County, Texas, which tract was subsequently conveyed to Ernest D. Cavin, by instrument recorded under Clerk's File Number 17-08024, in the Official Public Records of Kerr County, Texas;

THENCE with the east line of SOTOL Investments tract, a west line of said Cavin tract, a deed direction of S.1°57'26"E., a deed distance of 3876.36 feet, and continuing a deed direction of S.2°06'50"E., a deed distance of 2313.80 feet to the southeast corner of said SOTOL Investments tract, a reentrant corner of said Cavin tract;

THENCE with a south line of said SOTOL Investments tract, a north line of said Cavin tract, a deed direction of S.88°10'16"W., a deed distance of 2050.67 feet to a southwest corner of said SOTOL Investments tract, a northwest corner of said Cavin tract;

THENCE across said SOTOL Investments tract an extension of south line, a deed direction of S.88°10'16"W., a calculated distance of 151.1 feet to a northwest line of said SOTOL Investments tract, a southeast line of that tract which was conveyed from Mary W Swayze estate to Swayze 4S, LLC, by instrument of record in Volume 1786, page 217, in the Official Public Records of Kerr County, Texas;

THENCE with said northwest line of said SOTOL Investments tract, a southeast line of said Swayze 4S tract, a deed direction of S.54°46'46"W., approximately a distance of 1500 feet to a reentrant corner of subject Center Point Volunteer Fire Department area of operation;

THENCE across said SOTOL Investments tract, an average deed direction of S.0°14'E., approximately a distance of 4310 feet to area of operation corner;

THENCE continuing across said SOTOL Investments tract, and Lot 23, of Oak View Estates, according to plat recorded in Volume 4, page 85, in the Plat Records of Kerr County, Texas, approximately a direction of West, a calculated distance of 1369.1 feet to its intersection with a west line of said Lot 23, of Oak View Estates, for a reentrant corner of subject Center Point Volunteer Fire Department area of operation;

THENCE continuing across said Oak View Estates, across that tract which was conveyed from Faltin Ranch et. al., to Roger D. & Cynthia Cagle, by instrument recorded under Clerk's File Number 14-7203, in the Official Public Records of Kerr County, Texas, approximately a direction of South, approximately a distance of 6000 feet, and continuing across said Cagle tract, across original Survey No. 1463, G. C. & S. F. R. R. Co., Abstract No. 751, across original Survey No. 25.4, Mrs. J. Klein, Abstract No. 588, across original Survey No. 385, Abstract No. 501, part of that tract which was conveyed from Warren Ingenhuett to Marjorie H. Ingenhuett, et. al., by instrument of record in Volume 728, page 499, in the Real Property Records of Kerr County, Texas, approximately a direction of S.27°W., approximately a distance of 12080 feet, to angle corner on east side of Elm Pass Ranch No. 2, and east side of Tract 87, of said Elm Pass Ranch No. 2, according to plat recorded in Volume 3, page 100, in the Plat Records of Kerr County, Texas;

THENCE with a southeast line of said Elm Pass Ranch No. 2, a plat direction of S.44°42'W. a plat distance of 1339.5 feet to the south corner of Tract 85, of said Elm Pass Ranch No. 2;

THENCE with a southwest line of said Tract 85 of Elm Pass Ranch No. 2, a plat direction of N.65°50'W., a plat distance of 500.0 feet to the west corner of said tract 85, for the south corner of Tract 84, of said Elm Pass Ranch No. 2;

THENCE across that tract which was conveyed to Doris R. Siebert, by instrument of record in Volume 527, page 76, in the Real Property Records of Kerr County, Texas, and Tract 19 and Tract 20 of Bandera Hills, according to plat recorded in Volume 3, page 140, in the Plat Records of Kerr County, Texas, a calculated direction of S.69°32'W., a calculated distance of 2295.1 feet to the southwest corner of said Tract 20, for the northwest corner of Tract 21 of said Bandera Hills, being wher the center of Hahne Road intersects the center of Johnson Road;

THENCE across said Bandera Hills, across that tract which was conveyed to Doris R. Siebert, by instrument of record in Volume 527, page 76, in the Real Property Records of Kerr County, Texas, across southeast corner of that tract which was conveyed to Dorothy Lee Shaw, by instrument of record in Volume 467, page 194, in the Real Property Records of Kerr County, Texas, approximately a direction of S.72°E., approximately a distance of 10000 feet to corner in that tract which was conveyed from Catherine Wyatt Barnard to Barnard Revocable Trust, by instrument recorded under Clerk's File Number 18-08343, in the Official Public Records of Kerr County, Texas;

THENCE across that tract which was conveyed to Charles Emmitt Wyatt, Jr., by deed of record in Volume 1492, page 121, in the Real Property Records of Kerr County, Texas, subsequently conveyed to Boyle LTD by instrument recorded under Clerk's File Number 19-05106, in the Official Public Records of Kerr County, Texas, approximately a direction of S.45°W., approximately a distance of 3100 feet to the northeast line of original Survey No. 103.1, Andrew Elson, Abstract No. 1338, the southwest line of said Boyle LTD tract;

THENCE with the north line of original Survey No. 103.1, Andrew Elson, Abstract No. 1338, approximately a direction of N.45°W., approximately a distance of 2400 feet to the north corner of said original Survey No. 103.1, Andrew Elson, Abstract No. 1338, the west corner of said Boyle LTD tract;

THENCE with the northwest line of said original Survey No. 103.1, Andrew Elson, Abstract No. 1338, a southeast line of original Survey No. 356, J. Ramires, Abstract No. 284, approximately a direction of S.45°W., approximately a distance of 1600 feet to its intersection with a south line of said Kerr County Line, for a north line of said Bandera County;

THENCE with a south line of said Kerr County Line, for a north line of said Bandera County, approximately a direction of S.62°30'E., approximately a distance of 55500 feet to the place of beginning.

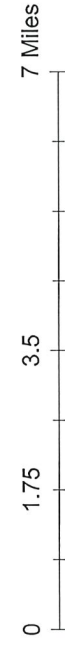
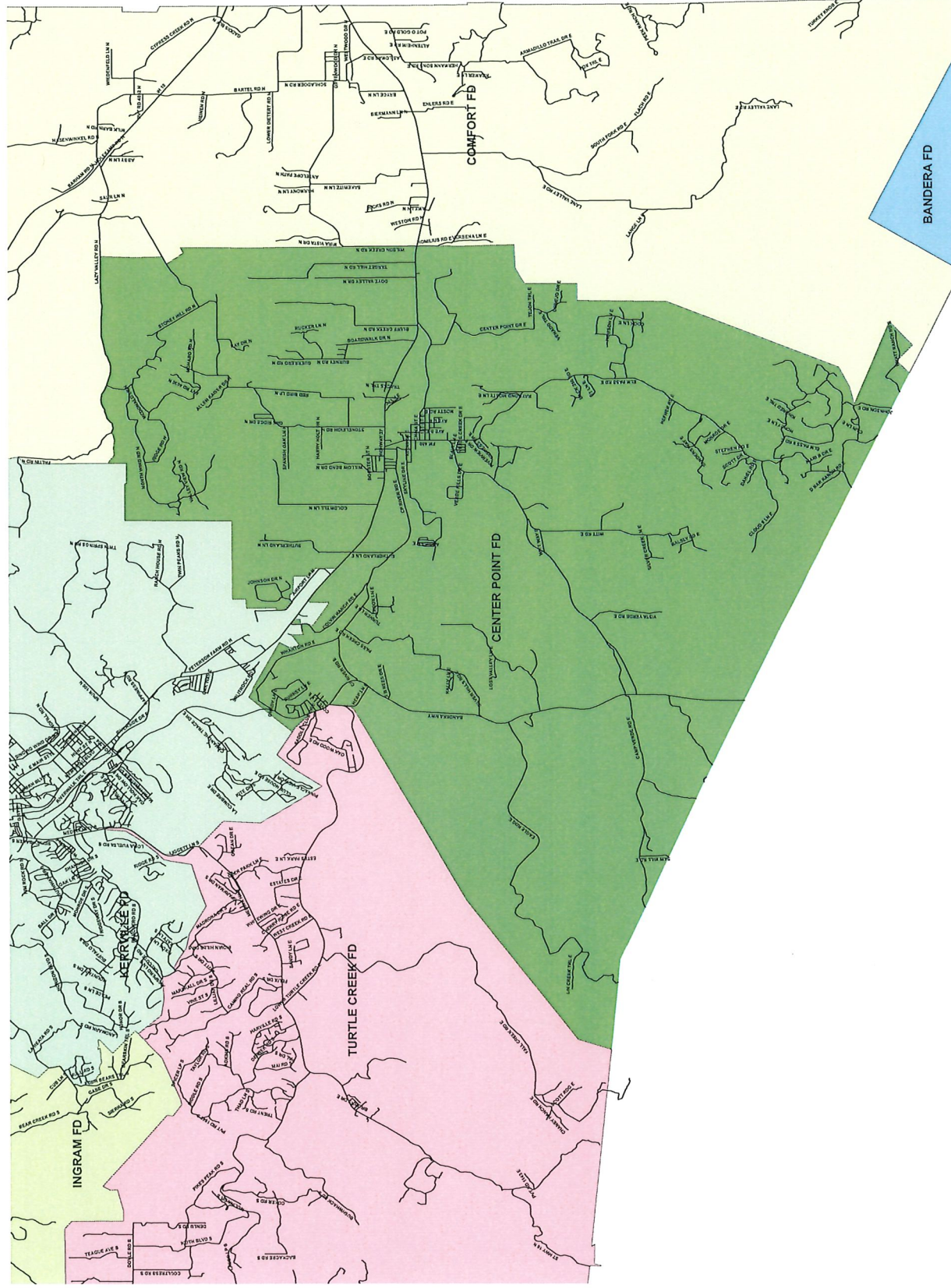
Description prepared from information supplied by KerrCad, Edgar Tobin ownership map of Kerr County, State Highway Department, and Kerr County Clerk Office by Charles B. Domingues, Registered Professional Land Surveyor No. 1713 - Job No. 7423 - May 1, 2021
P.O. Box 649 - Hunt, Tx. 78024 - Firm 100934-00 - 830/377 7121 - cdomingues@ktc.com

Exhibit "B"

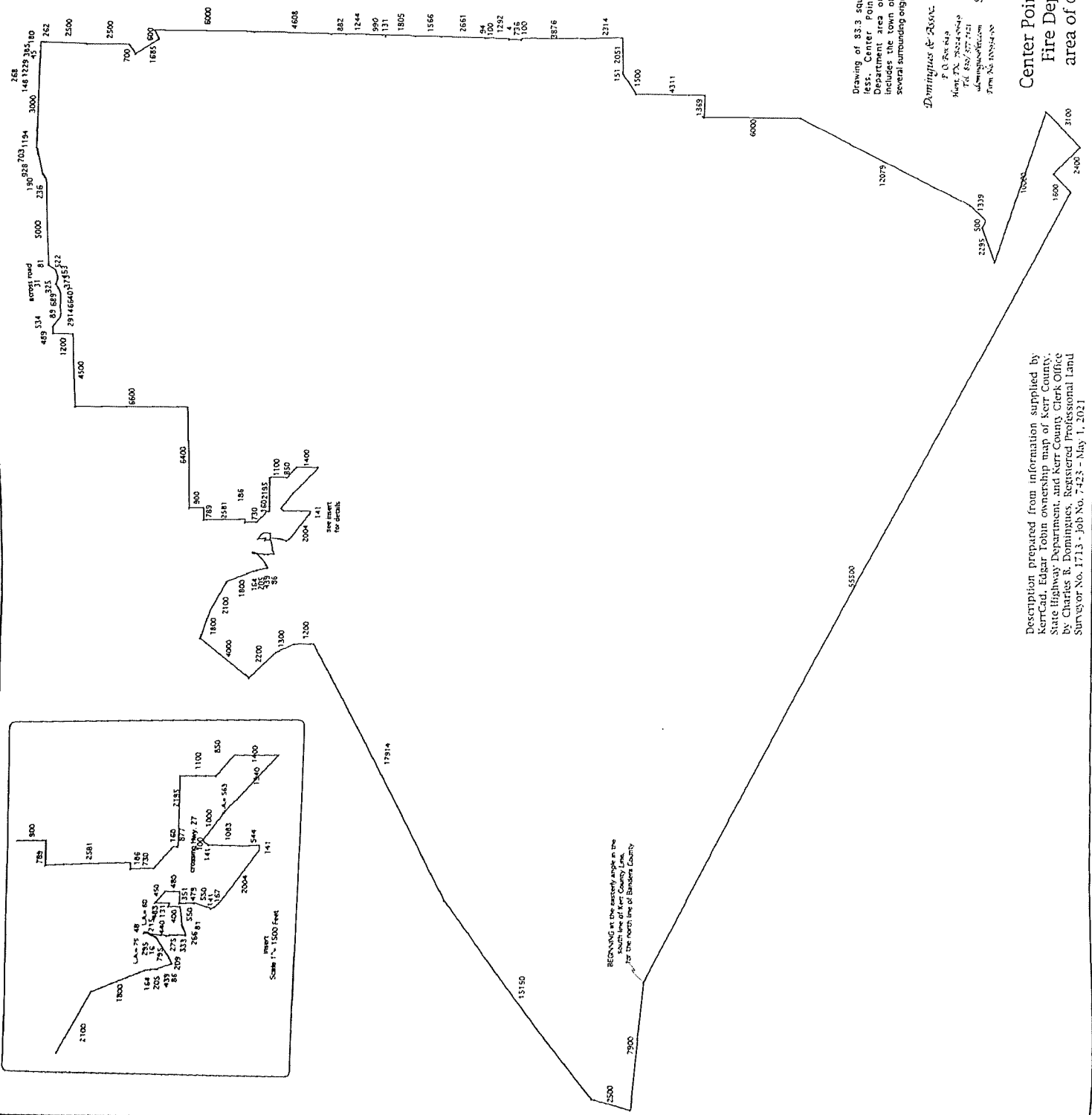
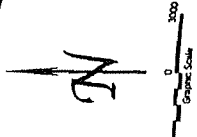
Map of Proposed

Kerr County Emergency Services District No. 3

CENTER POINT VFD



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Drawing of 33.3 square miles, more or less. Center Point Volunteer Fire Department area of operation, which includes the town of Center Point, and several surrounding original land grants

Domingues & Assoc.
P.O. Box 414
Kerr County, Texas
Toll Free 1-800-451-4444
admissions@domingues.com
Form No. 1005-01-00
May 1, 2021

Center Point Volunteer Fire Department area of operation

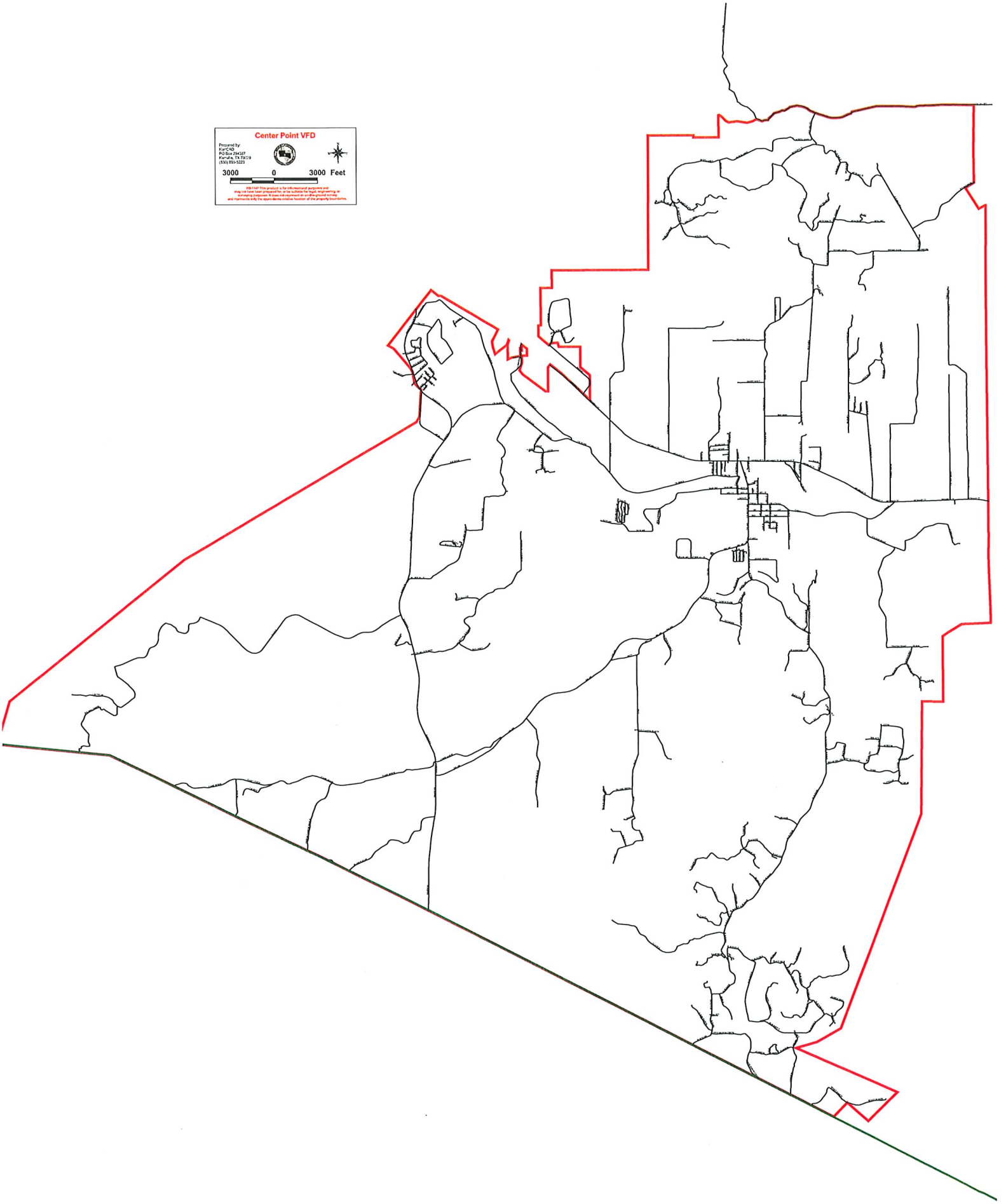
Description prepared from information supplied by KerrCad, Edgar Tobin ownership map of Kerr County, State Highway Department, and Kerr County Clerk Office by Charles R. Domingues, Registered Professional Land Surveyor No. 1713 - Job No. 7423 - May 1, 2021

Center Point VFD

Presented by
Kurt G. G.
PO Box 244197
Knoxville, TN 37924
(615) 855-5223

3000 0 3000 Feet

This map is for informational purposes only and is not intended to be used for any other purpose. It is not a guarantee of accuracy and is not a substitute for a professional survey. The information is provided as is and is not intended to be used for any other purpose.



Center Point VFD

Presented by
KPCAD
PO Box 246317
Katy, TX 77424
(281) 935-5223

3000 0 3000 Feet

This map was prepared for informational purposes only and does not constitute a contract. It is not intended to be used as a legal document. It is not intended to be used as a legal document. It is not intended to be used as a legal document.

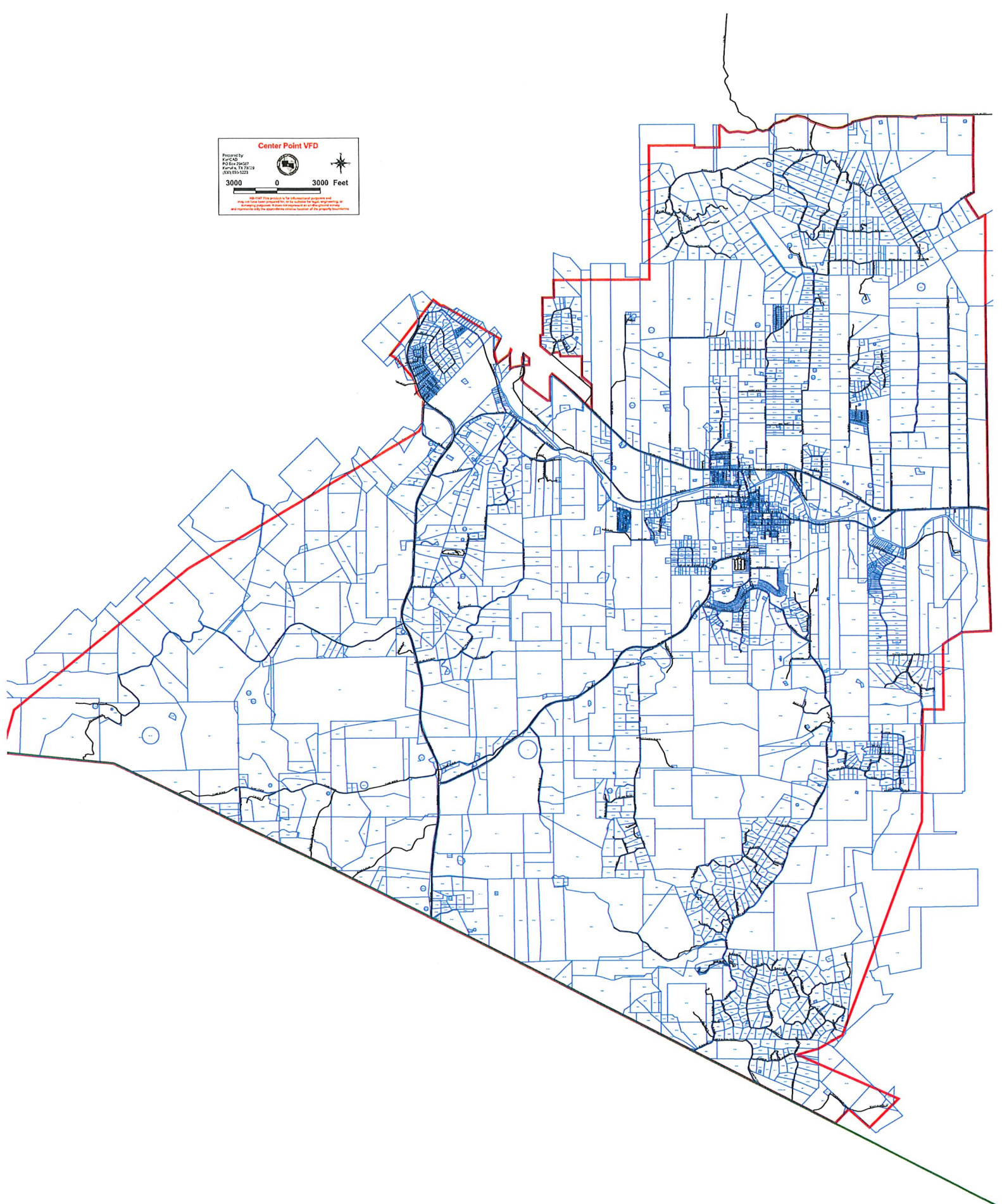



Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Charles D. Smith	410 Kelly St	P.O. Box 644	6/13/51		KERR	Charles D. Smith	4/15/21
Alan Parker	260 Deer Park Ln	260 Deer Park Ln	6-17-81		Kerr		4-15-21
WILLIAM J. NIBBLETT	315 KELLY ST E	PO BOX 333 CENTER POINT TX	12/24/49		KERR	William J. Niblett	4/15/21
Richard S. PACES	485 Hidden Hills Ranch RD, Center Point TX	PO BOX 5030 Center Point TX 78010	4/25/57		Kerr	Richard S. Paces	4/15/21
Sean Hays	413 FM 480 Center Point	Same	01-06-71		Kerr	Sean Hays	
GERALD C. VINCENT	728 EL PASO II CENTER POINT 78010	SAME	7/6/49		KERR	Gerald C. Vincent	4/15/21
Katherine Blue	106 Mar B Dr. Center Point	TX 78010	7/22/86		Kerr	Katherine Blue	4/15/21
Leah Weed	316 Second St	Box 702 Center Point TX 78010	7-11-90		KERR	Leah Weed	4/15/21
Charles Holt	278 Starline Rd Center Point TX 78010	Same	10-25- 1981		KERR	Charles Holt	4-15-21

Charles Holt

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
ROBERT WILKINSON	9415 Elm Pass	P.O. Box 909	4/22/47		Kerr	<i>Robert Wilkinson</i>	4-15-21
Patricia Wilkerson	9415 Elm Pass	P.O. Box 909	5/6/47		Kerr	<i>Patricia Wilkinson</i>	4-15-21
Larry Little	255 Briary Ed		5/8/62		Kerr	<i>Larry Little</i>	4/22/21
Megan Holt	278 Stoneleigh rd	same	7/19/86		Kerr	<i>Megan Holt</i>	4/22/21
MICHAEL BISHOP	525 KELLY STREET	SAME	8/20/65		KERR	<i>M. Bishop</i>	4/30/21
DAVID FRITZ	205 willow Bend CP.	1600 Broadway Kerrville TX	6-1-67		Kerr	<i>David Fritz</i>	4/30/21
BEN CAVEL	340 WITT RD	320 WITT RD CENTER POINT	5/30/47		KERR	<i>Ben Cavel</i>	4/30/21
APRIL WILKINSON	500 SKYLINE DR	500 SKYLINE DR CENTER POINT	4/4/68		KERR	<i>April Wilkinson</i>	4/30/21
Robert Wilkinson	506 SKYLINE DR	CENTER POINT, TX	8/19/65		Kerr	<i>Robert Wilkinson</i>	4/30/2021

Chapter 11

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
DENNIS BROWN	135 WITTWAGE	5045 CLAUDE VETER	10-23-46	1030872960	KERR	<i>[Signature]</i>	4-30-21
KENNETH M. GORDON	120 MCKINSTRY CENTER POINT	P.O. Box 1027 CENTER POINT	7-17-71		KERR	<i>[Signature]</i>	4-30-21
HARRY HULTON	156 HUNTER LANE CENTER POINT	P.O. Box 223 CP	5/9/79		Kerr	<i>[Signature]</i>	4-30-21
NOLA THOMAS NIBBLETT	315 KENTON ST CENTER POINT	Box 333 CP	4/14/52		Kerr	<i>[Signature]</i>	5-3-21
RICKIE GILES OP BEARS	136 RIVERVIEW DR.	CENTER POINT TX	7/10/64		Kerr	<i>[Signature]</i>	5-3-21
CHARLIE FOSTER	455	Ch. 104 St	7/14/51		Kerr	<i>[Signature]</i>	5/7/21
Toby Geurin	311 Pecan Valley Rd	311 Pecan Valley Rd	8-20-80		Kerr	<i>[Signature]</i>	5/7/21
Cecily Schumacher	177 CP River Rd	Same	9/27/1980		Kerr	<i>[Signature]</i>	5/7/21
Brenda Spade	520 Coldwell Lane	P.O. Box 283			Kerr	<i>[Signature]</i>	5/7/21

dent 11/21

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Christopher Sherman	260 South Ward Center Point TX 75106	260 Southwind Center Point TX	4-24-88	Yes	Kerr	<i>[Signature]</i>	5-7-21
George Squarling	1088 Center Point TX	→ P.O. Box 433	12/21 53		Kerr	<i>[Signature]</i>	5/7/21
Ramon	312 Booster		04/14 50		KERR	<i>[Signature]</i>	05-07-21
Patsy Boesley	P.O. Box 1484 C.P.TX		8-16-60	YES	KERR	<i>[Signature]</i>	5-2-21
Marsha Burney	221 Burney Rd	Center Point ← (same)	7-2- 1955		Kerr	<i>[Signature]</i>	5-8-21
Ron Lawson	255 Deer Park	C.P.	4/25/ 59	yes	Kerr	<i>[Signature]</i>	5-8-21
GARY CAELO	117 CHURCH C.P. TONS	C.P.	6/7/16	yes	KERR	<i>[Signature]</i>	5/8/21
RONNIE PRUITT	115 Oak Ridge DR	C.P.	4/14/52 5/8/52	Yes	KERR	<i>[Signature]</i>	5/8/21
Debbie Parks	115 Oak Ridge DR	C.P.	1/17/57	yes	Kerr	<i>[Signature]</i>	5/8/21

Chay 0011

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Michael Butler	509 E. 480	_____	4/28/38		Kerr	Michael Butler	5/8/21
Eleanor Butler	1		2/21/31		Kerr	Eleanor Butler	5/8/21
LISA AVANT	127 Venado Tr. East	P.O. Box 805 C.P.	4/15/63		Kerr	Lisa Avant	5/8/21
SHARON ELLAINE KEATING	5044 1/2 Ave C	P.O. Box 762 C.P.	11/20/47		KERR	Sharon Keating	5/8/21
Joni Wiseman	405 Ave C CP TX 78010	PO Box 503 CP	10/30/57		Kerr	Joni Wiseman	5/8/21
Heather Boyles	413 PM 480		4/15/1970		Kerr	Heather Boyles	5/8/21
Sammy Burney	221 Burney Rd	same point 78010	11/25/54		Kerr	Sammy Burney	5/8/21
Dorrie L. Auer	255 Deer Park Ln	CP 78010	2/5/64		Kerr	Dorrie L. Auer	5/8/21
Ernie G. Auer	143 C.P. Dr.	CP 78010	8/4/41		Kerr	Ernie G. Auer	5/8/21

June 15

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Debbie Williams	130 Rucker Ln.	130 Rucker Ln.	1-27-53		Kerr	Debbie K. Williams	5-8-21
STEPHEN HETTRICK	407 Red Bird Loop	CENTER PT. 78010	11-22-46		KERR	Stephen Hettrick	5-8-21
DAVID CRUZE	15044 ELM PASS RD	S A A	6-12- 1952		KERR	D Cruze	5/8/21
CHERYL CRUZE	15044 ELM PASS RD	CENTER POINT, TX	5-15- 1958		KERR	Cheryl Cruze	5-8- 2021
Margaret Mandry	425 Witt Road	Center Point, TX	11-20- 42		Kerr	Margaret G. Mandry	5/12/21
ARMOUR MANDRY	425 Witt Rd	P.O. Box 1522 CP	4/3/43		Kerr	Arthur Mandry	5/12/21
Heather Farmer	155 Elm Pass Rd.	Center Point TX 78010	2/ 27/64		Kerr	Heather Farmer	5/12/21
Blonda Shumpey	208 Chad Lane	C.P. TX 78010	5/1/1944		Kerr	Blonda Shumpey	5/12/21
Row Buckert	425 Dove Valley Rd CP	CP 78010 TX	6-17-52		Kerr	Row Buckert	5-12-21

Petition for Creation of Kerr County Emergency Services District # _____ Page 6.

Charford

Exhibit "C"

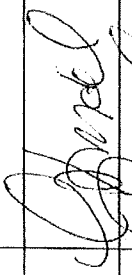



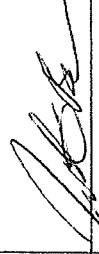


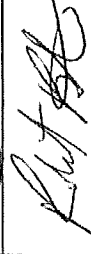
Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Jay H. Heizer	336 Vista Verde Rd. Charlottesville, TX 78016	P.O. Box 5071 Camp Verde, TX 78016	9/23/1935	1164322318	Kerr	Jay H. Heizer	5/10/2021
Kathryn Ann Heizer	330 Vista Verde Road Center Point, TX 78016	P.O. Box 5071 Center Point, TX 78016	7/24/1936	1164322292	Kerr	Kathryn Ann Heizer	5/10/2021
Roger Robertson	114 Walker Center Point TX 78010	114 Walker Dr Center Point TX 78010	7/31/1971		Kerr	Roger Robertson	5/11/2021
Jocelyn Ritz	305 Sanders Rd Center Point, TX 78010	317 Sidney Baker St Suite 405 #139 Kerrville, TX 78703	2/23/1949		Kerr	Jocelyn Ritz	5/11/2021
Cathy McComb	300 Verde Hills CP	same	9/5/1968		Kerr	Cathy McComb	5/11/21
Frank Thompson	108 Deer Park CP	same	3/19/1969		Kerr	Frank Thompson	5/12/21
John Banik	302 westwind Dr C.A.	same	2/6/1958		Kerr	John Banik	5/12/21
Chondra Mitchell	347 Wulf Rd	P.O. Box 271 Center Point, TX	9/9/1958		Kerr	Chondra Mitchell	5/12/21
JEFF MITCHELL	347 Wulf Rd	P.O. Box 271 CPTX	2/4/1961		KERR	JEFF MITCHELL	5/12/21

Chondra

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
PATRICIA HAYDEL	DOG PEGAN VALLEY CENTER POINT	→	4-20- 56				5/7/21
JAMES STOUT	101 Skyline Center Point	P.O. Box 842	11-11-55				5/7/21
Kim/Beth Diver	101 Skyline Center Point	P.O. Box 842	3-13- 58				5/7/21
Shirley Blue	1820 N. 106 Mar. B	P.O. Box 578	—				5/12/21
Kyle Schneider	106 Fawn Run, Kerrville, Tx	Same	3/15/64				5/12/21
FRENTICE WITT	1220 FM 480 CAMP VERDE TX 78010	P.O. Box 200 5001 CAMP VERDE	9/6/38		KERR		5/12/21
Chas Shure	545 FM 480 Center Point, Tx 78010		9/20/78		Kerr		5/12/21
Robert Baker	381 Stone Canyon	P.O. Box 557 Camp	4/13/ 1930		KERR		5/12/21

Changyue

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(s) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
AL Bishop	520 Kelly St	531 Kelly St	12-12-34	120577667	Kerr	<i>Al Bishop</i>	5-4-21
Judy Bishop	520 Kelly St	531 Kelly St	06-11-41	10682420974	Kerr	<i>Judy Bishop</i>	5-3-21
Rivers SHERLY	570 Stonewall Rd	P.O. Box 572	9-6-46	1063385253	KERR	<i>Sherly Rivers</i>	5-6-21
Sunny Rivers	570 Stoneleigh Rd	PO Box 572	6-22-43	1060744761	Kerr	<i>Sunny Rivers</i>	5-6-21
LMA WITT	1226 FM 480	PO Box 5001	8-13-39		KERR	<i>LMA Witt</i>	5-12-21
Michael Stuber	547 FM 480	547 FM 480	10/01/1980		Kerr	<i>Michael Stuber</i>	10/01/1980
Renee Pene	718 WITT Rd	718 WITT Rd	11/20/40		KERR	<i>Renee Pene</i>	10/11/21
Sylvia Fitch	210 Ldbolt	1600 Broadway	10/24/63		KERR	<i>Sylvia Fitch</i>	5/11/21
Omanda Whitworth	308 3rd St	P.O. Box 543	8/17/18		Kerr	<i>Omanda Whitworth</i>	5/17/21

Petition for Creation of Kerr county Emergency Services District # _____ Page 4

Christina

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
JAMES D. CROVATH	111 KINDRED JR. CENTER POINT TX 78010	111 KINDRED JR. CENTER POINT TX 78010	10-9-42	1031001619	KERR	<i>James D. Crovath</i>	4-26-2021
MARY ELIZABETH CROVATH	111 KINDRED JR. CENTER POINT TX 78010	111 KINDRED JR. CENTER POINT TX 78010	08-28-1944	1031000639	KERR	<i>Mary Elizabeth Crovath</i>	4-26-2021
DENNIS ROARK	245 PECAN VALLEY RD. COPPT, TX 78010	245 PECAN VALLEY RD. COPPT, TX 78010	09-14- 1954	1018392817	KERR	<i>Dennis Roark</i>	4-27-2021
ALBERT K. KERR	883 ELM PASS CENTER POINT TX 78010	883 ELM PASS CENTER POINT TX 78010	1-23- 1957		KERR	<i>Albert K. Kerr</i>	5-27-21
MARIE KERRY	883 ELM PASS CENTER POINT TX 78010	883 ELM PASS CENTER POINT TX 78010	1-17- 50		KERR	<i>Marie M. Kerry</i>	4-27-21
Deborah Hansen-Penn	883 ELM PASS CENTER POINT TX 78010	883 ELM PASS CENTER POINT TX 78010	12/05/54		Kerr	<i>Deborah Hansen-Penn</i>	4-30-21
KATHLEEN SHANNON VINCENT	728 ELM PASS CENTER POINT 78010	728 ELM PASS CENTER POINT 78010	02/14/49		KERR	<i>Kathleen Shannon Vincent</i>	5-8-21
ARTURO GUILLERMO PENIA	643 ELM PASS II Road CENTER POINT 78010	643 ELM PASS II Road CENTER POINT 78010	12/27/51	1031076546	KERR	<i>Arturo Penia</i>	5/11/21
Roberta Smith	236 Spanish Oak center Point TX 78010	236 Spanish Oak center Point TX 78010	1-5-63		Kerr	<i>Roberta Smith</i>	5/12/21

Petition for Creation of Kerr county Emergency Services District # _____ Page 10.

APR 2021 5/11/21

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____




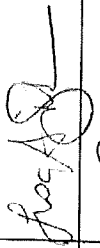


Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Cynthia K. Bachman	175 Hidden Hills R.R. 690	P.O. Box 5029 Emp Verde, TX	6/30/60		Kerr	Cynthia K. Bachman	5-9-21
Neri Boscher	690 Johnson Dr	690 Johnson Dr	5/29/61		Kerr	<i>[Signature]</i>	5-9-21
Susan Dean	151 Silver Hills Rd	Same	2/14/48		Kerr	Susan Dean	5-9-21
Walter Wiederander	690 Johnson Dr	Same	9-30-53		Kerr	<i>[Signature]</i>	5-9-21
Ted R Dean	151 Silver Hills Rd E	Same	4/31/49		Kerr	<i>[Signature]</i>	5-9-2021
Kevin Schubert	135 Lost Valley Ln	P.O. Box 5055 CU, TX 78010	11/3/61		Kerr	Kevin Schubert	5/12/21
Rich Cook	691 Passchke Rd	Same	6/19/46		Kerr	Rich Cook	5/12/21
Bern Case	415 Hidden Hills Rd	Same	9/7/41		Kerr	Bern Case	5/12/21
<i>[Signature]</i>	415 Hidden Hills Rd	Same	5/15/38		Kerr	<i>[Signature]</i>	5/12/21

Petition for Creation of Kerr County Emergency Services District # _____ Page 11.

Witnessed by Richard S. Farnsworth
[Signature] 5/12/21
 5/12/21

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Amy R Bowen	115 LOS AN LN Center Point	115 LOS AN LN CP TX 78010	8/12/52		Kerr		5/12/21
Joshua Whitworth	308 3rd St. Center Point	P.O. Box 543 Center Point TX	9/3/83		Kerr		5/12/21
Barry Whitworth	235 Wittig	P.O. Box 5047	9/12/47		Kerr		5/12/21
Kari Patter	428 China St CP TX 78010		5/15/72		Kerr	Kari Patter	5/12/21
Lisa Sullivan	700 Johnson Dr. Kerrville TX	"	6/19/66		Kerr		5/12/21
Sherrylee	265 Scott Dr. Center Point	P.O. Box 744 78010	3/1/62		Kerr	Sherrylee	5/12/21
DAVID McCallum	321 Galt Pt. Divide E. CP		8/7/48		"		5/12/21
Stephen Light	148 C.P. Divide E.	148 C.P. Divide E.	9/28/70		Kerr		11
Joyce Chase	131 Wagon Chase Rd. Center Point	P.O. Box 907 Center Point, TX	5/22/30		Kerr	Joyce Chase	5/12/21

Charles W. W.

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____


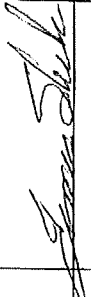

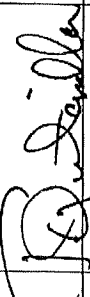
Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
STEVE LANGLINAS	464 JOHNSON DR	same	8-26-1957		Kerr		5-12-2008
Sam Shuler	541 Hwy 480	same	1-16-51		Kerr		5-12-2008
Gloria Louk	691 Pessick Rd	same	7/27/51		Kerr		5/12/08
Terr Quintanilla	305 with Rd	same			Kerr		5-12-08



Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____


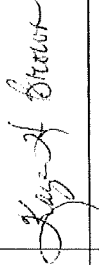
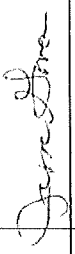



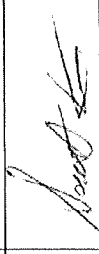

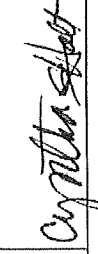
Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Chas DeBos	210 Lebolt Lane	1600 Broadway Kerrville	11/16/17		Kerr		4/30/21
Kaye H. Brown	135 W 4th Ave Camp Verde	P.O. Box 5045 Camp Verde	3-25-49	1030867549	KERR		5-1-21
Jesse Govea	103 Church St Center Point	103 Church St Center Point	2/17/76		KERR		5-1-21
Sonia Govea	103 Church St Center Point	103 Church St Center Point	2/24/77		KERR		5-1-21
Juggan Brown	393 Center Point Dr	393 Center Point Dr Center Point TX	1/24/71		KERR		5-1-21
Dannie Daily	317 Tallwood Center Point	same	6-12-64		Kerr		5-1-21
Scott Turner	165 Deer Park Center Point TX	Box 412 Center Point TX	4/17/55	1030955921	Kerr		5/4/21
Taylor Simmons	214 E. Kelly St. CR	214 E. Kelly St. CR	10/19/1994		KERR		5/4/21
Cynthia DeBos	102 Harry Holt Center Point TX	same	6/25/54		Kerr		5/11/21



Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
Sue Wood	311 China	P.O. Box 3	2/18/60		Kerr	<i>Sue Wood</i>	5/12/21
Joan Maroney	6667 Elm 480	P.O. Box 495	1/22/59		Kerr	<i>Joan Maroney</i>	5/12/21
Catherine Lavelle	320 W. H. Rd	320 W. H. Rd	1/4/69		Kerr	<i>Catherine Lavelle</i>	5/12/21
Angela Coell	320 W. H. Rd	320 W. H. Rd	5/31/47		Kerr	<i>Angela Coell</i>	5/12/21
Harvey Holt	102 Harvey Hill Co. H-18010	102 Harvey Hill Co. H-18010	3/10/46		Kerr	<i>Harvey Holt</i>	5/12/21

Exhibit "C"

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

Owner name(S) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date
JO Ann Lynch	Center Point 669 FM 480	P.O. Box 482 Center Point 78010	11/12/50	1031088244	Kerr	John Lynch	5/7/21
WR Lynch	669 FM 480 Center Point	PO Box 482 Center Point 78010	12/29/43	1031089730	Kerr	WR Lynch	5/7/21
Ron Simmons	105 Elm Park Center Point 78010	PO Box 510 Center Point 78010	5/23/47		Kerr	Ron Simmons	5/7/21
CHRISTA RODRIGUEZ	430 Johnson Dr Kerrville, TX 78028	Same	11-17-81		Kerr	Christa Rodriguez	5/16/21
Juan Rodriguez	430 Johnson Dr Kerrville, TX 78028	Same	8-8-83		Kerr	Juan Rodriguez	5/16/21

Kathleen Blum

Real Property Owners Qualified to Vote in Kerr County for Proposed Kerr County Emergency Services District No. _____

[illegible]



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 29-2021. A Resolution authorizing publication of notice of intention to issue certificates of obligation to finance land and improvements for certain municipal facilities, including public safety and judicial facilities.

AGENDA DATE OF: June 22, 2021 **DATE SUBMITTED:** Jun 14, 2021

SUBMITTED BY: Julie Behrens

EXHIBITS: [20210622_Resolution_29-2021 Authorizing publication of notice Certificates of Obligation.pdf](#)
[20210622_Schedule_Hilltop Securities market update-schedule of activities.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	F - Public Facilities and Services
Guiding Principle	F2. Place the highest priority on public safety (police, fire, EMS).
Action Item	F2.4 - Consider bond funding for a new public safety building/complex

SUMMARY STATEMENT:

A new public safety complex to house the Police Department, Fire Administration and Municipal Court has been a part of the annually approved Community Investment Plan, funded with General Fund Debt, since the FY2016 budget that was presented in the summer of 2015. Building conditions at all three existing facilities continue to deteriorate and require costly repairs on an annual basis, dipping into general operations funding. In addition, the Municipal Court building has well exceeded its useful life. It was intended to be a temporary building when the Court moved there in 2004.

The City has existing debt service payments that will be "laddering off" soon from debt that was issued in the past, and when combined with a growing property tax base allows the City to potentially issue property tax supported debt in 2021 and 2022 while keeping the

debt portion of the property tax rate unchanged at \$0.0735. As part of the FY2010 budget process, City Council established a policy that no new property tax supported debt would be issued that would require an increase in the property tax rate. This proposed debt issuance in 2021 and 2022 for public safety needs, while keeping the tax rate unchanged, is in keeping with that policy. In addition, interest rates remain at historic lows, which means this is a good time to issue debt.

This resolution only authorizes the publication of a notice of intent. It does not authorize issuing debt. In order to issue debt at a future date, the City Council must approve and authorize a Bond Purchase Agreement via an Ordinance. This ordinance is anticipated to be brought to the City Council for consideration in August.

RECOMMENDED ACTION:

Approve Resolution 29-2021 as presented.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 29-2021**

**RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF
INTENTION TO ISSUE CERTIFICATES OF OBLIGATION TO FINANCE
LAND AND IMPROVEMENTS FOR CERTAIN MUNICIPAL FACILITIES,
INCLUDING PUBLIC SAFETY AND JUDICIAL FACILITIES**

WHEREAS, the City Council of the **CITY OF KERRVILLE, TEXAS** (the "City") hereby determines that it is necessary and desirable to (1) acquire land and any improvements thereon, and (2) construct, equip, and renovate improvements on said property, all for the purpose of providing for certain municipal facilities, including public safety and judicial facilities (collectively, the "Projects"); and

WHEREAS, the City Council of the City intends to finance all or a portion of the Projects from proceeds derived from the sale of one or more series of "Combination Tax and Revenue Certificates of Obligation" issued by the City pursuant to Sections 271.041 - 271.064, Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 271.049, Texas Local Government Code, the City Council deems it advisable to give notice of intention to issue certificates of obligation in an amount not to exceed an aggregate of \$7,000,000 for the purpose of paying, in whole or in part, the Projects, to pay all or a portion of the legal, fiscal and engineering fees in connection with the Projects, and to pay the costs of issuance related to the certificates of obligation; and

WHEREAS, it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. Attached hereto as **Exhibit A** is a form of the "Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation," the form and substance of which is hereby adopted and approved. The City Manager, City Secretary, and Chief Financial Officer of the City are each authorized to make changes to the Notice as necessary prior to its publication and posting as described in Sections 3 and 4 below.

SECTION TWO. In connection with providing the information contained in the Notice approved in Section 1 above, attached hereto as **Exhibit B** is a list of outstanding debt obligations of the City which the City hereby designates as self-supporting debt for the purposes of Section 271.049(e), Texas Local Government Code.

SECTION THREE. The City Secretary shall cause the Notice to be published in substantially the form attached hereto in a newspaper, as defined by Subchapter C, Chapter 2051, Government Code, that is of general circulation in the area of the City, on the same day in each of two consecutive weeks, the date of the first publication thereof to be at least 46 days before the date tentatively set for the passage of the ordinance authorizing the issuance of such certificates of obligation as shown in the Notice.

SECTION FOUR. The City Secretary shall further cause the Notice to be posted on the City's internet website beginning at least 45 days before, and continuing through, the date tentatively set for the passage of the ordinance authorizing the issuance of such certificates of obligation as shown in the Notice.

SECTION FIVE. The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

SECTION SIX. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED ON this the ____ day of _____ A.D., 2021.

Bill Blackburn, Mayor

APPROVED AS TO FORM:

ATTEST:



William L. Tatsch, Assistant City Attorney

Shelley McElhannon, City Secretary

EXHIBIT A

**CITY OF KERRVILLE, TEXAS
NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION**

The City Council of the City of Kerrville, Texas (the "City") does hereby give notice of intention to issue one or more series of *City of Kerrville, Texas Combination Tax and Revenue Certificates of Obligation* (the "Certificates") in the maximum aggregate principal amount not to exceed \$7,000,000 for the purpose of paying, in whole or in part, contractual obligations to (1) acquire land and any improvements thereon, and (2) construct, equip, and renovate improvements on said property, all for the purpose of providing for certain municipal facilities, including public safety and judicial facilities (collectively, the "Projects"), and paying all or a portion of the legal, fiscal, and engineering fees in connection with the Projects and costs of issuance related to such Certificates. The City proposes to provide for the payment of such Certificates from the levy and collection of ad valorem taxes in the City as provided by law and from a lien on and pledge of "Surplus Revenues," if any, received by the City from the ownership and operation of the City's waterworks and sewer system. The current principal of all currently outstanding debt obligations of the City is \$12,850,000, the combined principal and interest required to pay all currently outstanding debt obligations of the City on time and in full is \$16,647,188, the estimated combined principal and interest required to pay the proposed Certificates on time and in full is \$12,056,279, the estimated interest rate for the proposed Certificates is 2.86%, and the maximum maturity date of the proposed Certificates is February 15, 2051. The prior statements regarding currently outstanding debt obligations of the City do not include debt that the City has designated as self-supporting and payable from revenues other than ad valorem taxes. The City Council proposes to authorize the issuance of such Certificates at 6:00 p.m. on Tuesday, August 24, 2021, at a Regular Meeting at the City Hall, City of Kerrville, Texas.

Mayor, City of Kerrville, Texas

EXHIBIT B

**DESIGNATION OF SELF-SUPPORTING INDEBTEDNESS
SECURED WITH AD VALOREM TAXES**

TITLE OF OUTSTANDING OBLIGATIONS	OUTSTANDING PRINCIPAL AMOUNT (\$)	AMOUNT DESIGNATED AS SELF-SUPPORTING (\$)
General Obligation Refunding Bonds, Series 2020	11,245,000	11,245,000
General Obligation Refunding Bonds, Series 2019	2,100,000	2,100,000
Combination Tax and Revenue COs, Series 2019	9,190,000	0
Combination Tax and Surplus Revenue COs, Series 2018A	8,000,000	8,000,000
Combination Tax and Surplus Revenue COs, Series 2008B	4,995,000	4,995,000
General Obligation Refunding Bonds, Series 2017	11,035,000	7,375,000
Combination Tax and Revenue COs, Series 2016	7,650,000	7,650,000
Combination Tax and Revenue COs, Series 2015	7,115,000	7,115,000
Combination Tax and Revenue COs, Series 2008	<u>655,000</u>	<u>655,000</u>
TOTALS	<u>61,985,000</u>	<u>49,135,000</u>



Contact

Anne Burger Entrekin

Regional Managing Director

anne.burgerentrekin@hilltopsecurities.com

70 Northeast Loop 410, Suite 710

San Antonio, Texas 78216

Direct: 210.308.2200

Market Update and Proposed Schedule of Activities



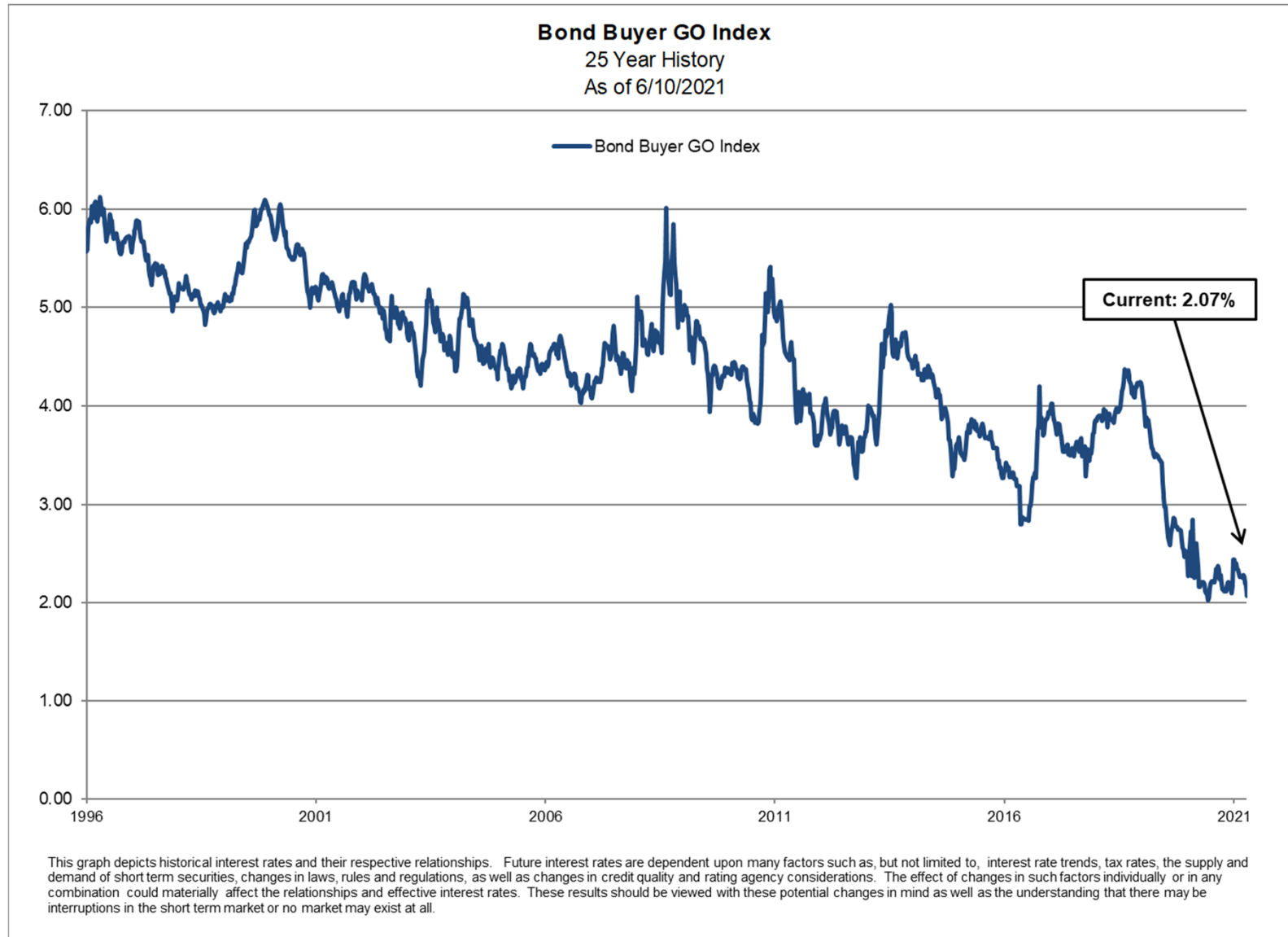
June 22, 2020

Kerrville, Texas

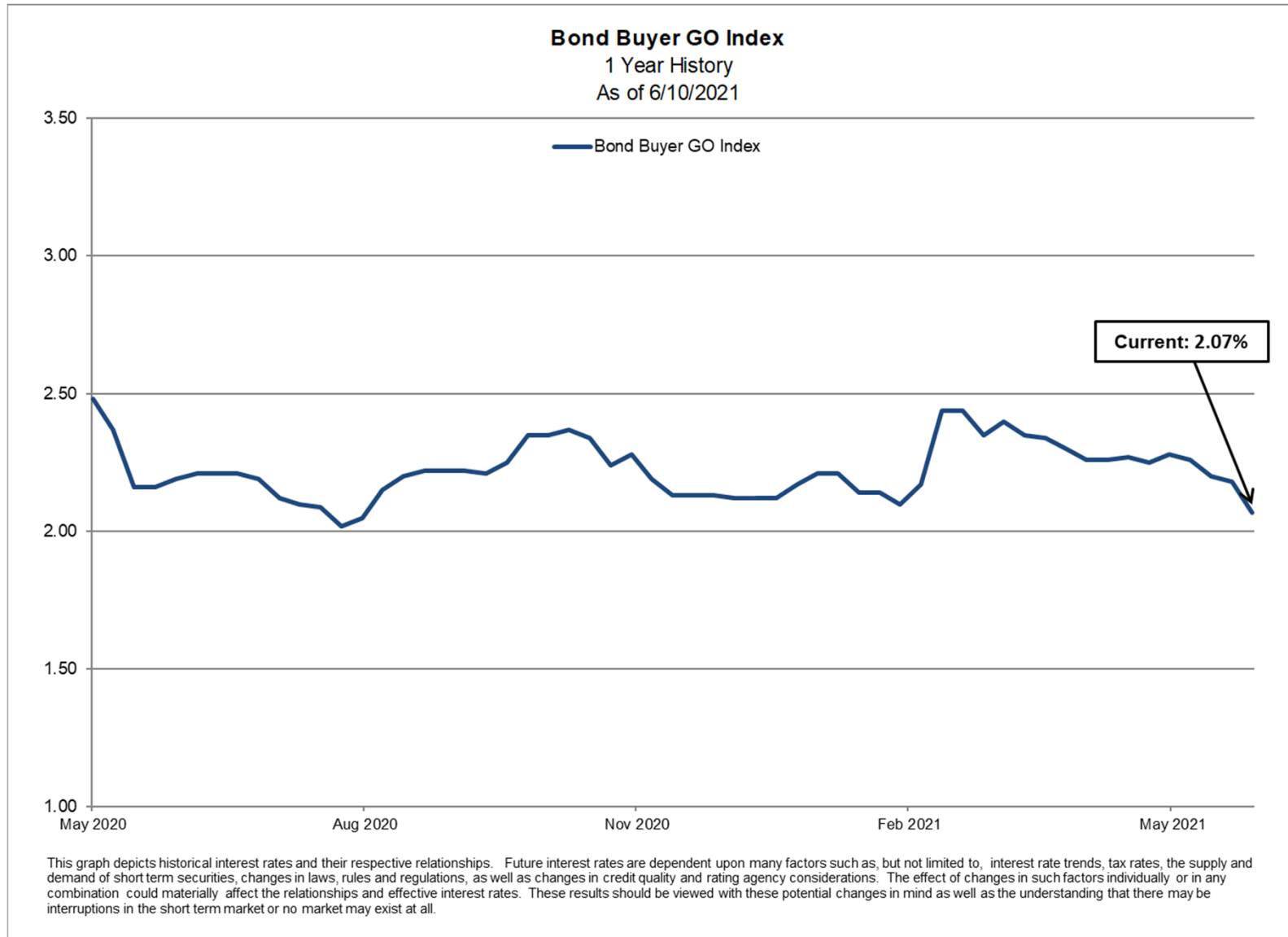
Market Update



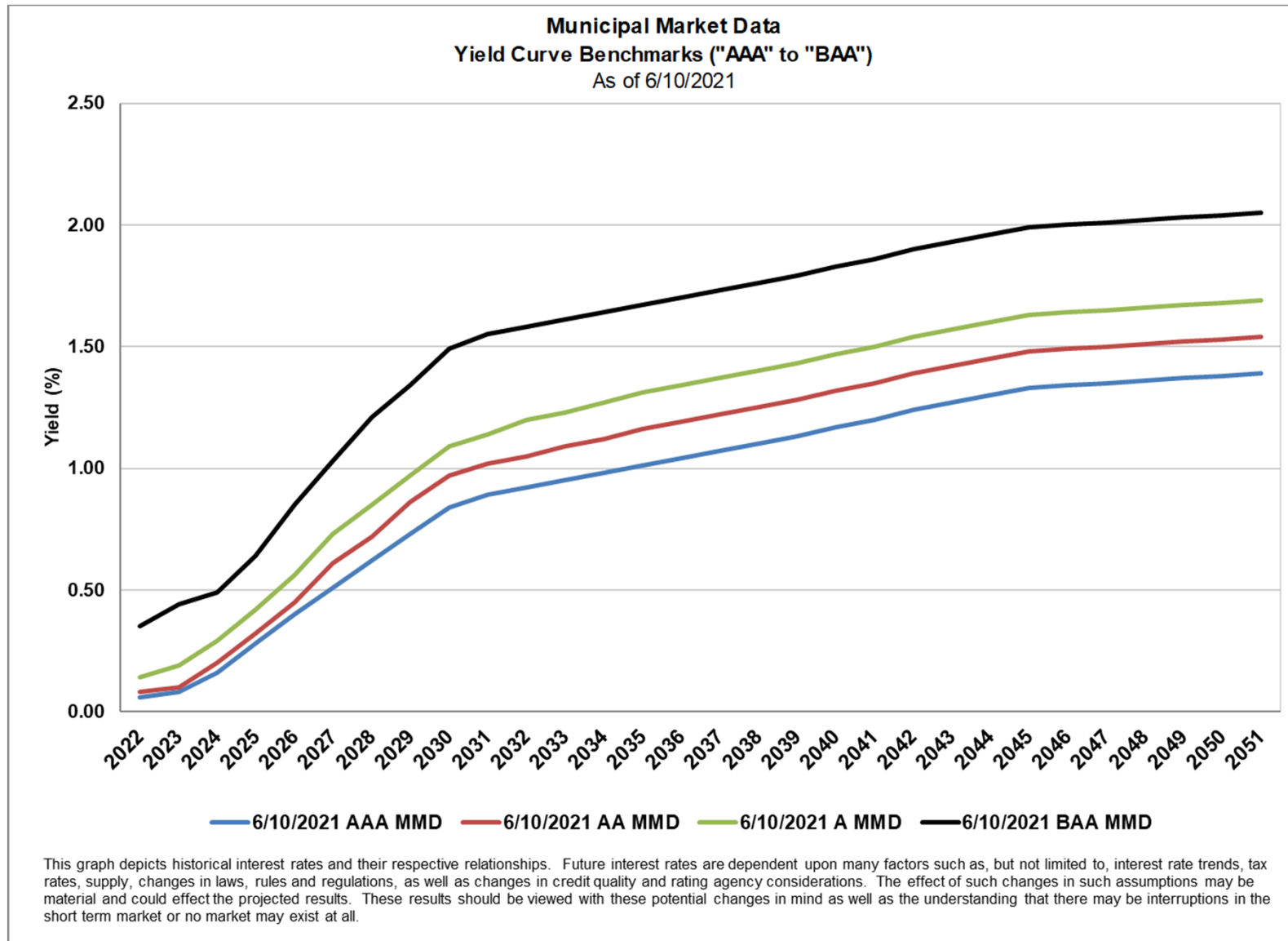
Bond Buyer's Index of 20 Municipal Bonds



Bond Buyer's Index of 20 Municipal Bonds



MMD Yield Curve



Proposed Schedule of Activities



Proposed Schedule of Activities of Events for Consideration

June						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

= Key Dates

= Holidays

DATE		CERTIFICATE OF OBLIGATION SALE
Wednesday	6/16/2021	Distribute first draft of Preliminary Official Statement ("POS") to working group for comments.
Tuesday	6/22/2021	Regular meeting of the City Council to consider a Resolution authorizing Notice of Intent to Issue Certificates of Obligation.
Tuesday	6/29/2021	First publication of Notice of Intent to Issue Certificates of Obligation.
Tuesday	7/6/2021	Second publication of Notice of Intent to Issue Certificates of Obligation.
Thursday	7/8/2021	Send POS and related documents to Rating Agency (S&P).
Monday	7/26/2021	Taxable Assessed Values Certified by Kerr County Appraisal District.
Week of	7/26/2021	S&P Conference Call (TBD).
Thursday	8/5/2021	Receive rating.
Tuesday	8/10/2021	POS [and NOS] goes to i-Deal web site for posting.
Tuesday	8/24/2021	Pricing/Competitive Bids Due. Regular meeting to conduct sale of Certificates of Obligation. Approve and authorize the execution of the Bond Purchase Agreement.
Thursday	9/16/2021	Closing Date; City delivers the Certificates of Obligation to Purchaser/Underwriter and receives funds.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Review of Declaration of local state of disaster due to a public health emergency, March 20, 2020.

AGENDA DATE OF: June 22, 2021

DATE SUBMITTED: Jun 10, 2021

SUBMITTED BY: Mike Hayes

EXHIBITS: [20200922_Resolution_16-2020 Extending Mayor's Disaster Declaration Covid-19 7-28-20.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

An opportunity to review the the Disaster Declaration revised March 20, 2020.

RECOMMENDED ACTION:

Discussion and possible review of the declaration.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 16-2020**

**A RESOLUTION AUTHORIZED BY SECTION
418.108(B) OF THE TEXAS GOVERNMENT CODE
EXTENDING THE MAYOR'S DECLARATION THAT
COVID-19 (CORONAVIRUS) POSES AN IMMINENT
THREAT OF DISASTER WITHIN THE CITY OF
KERRVILLE AND DECLARING A STATE OF
DISASTER WITHIN THE CITY**

WHEREAS, on March 16, 2020, Mayor Bill Blackburn, acting in accordance with authority granted to him under the City's Charter and Section 418.108(a) of the Texas Government Code, declared a local state of disaster ("disaster declaration") for the City due to concerns related to the coronavirus disease 2019 (COVID-19); and

WHEREAS, the Mayor revised and reissued the disaster declaration on March 18, 2020 and March 19, 2020 to account for new information and health recommendations; and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that the disaster declaration may not be continued for a period of more than seven days except with the consent of City Council; and

WHEREAS, City Council, pursuant to its adoption of Resolution No. 06-2020 consented to the Mayor's declaration and extended it in accordance with state law; and

WHEREAS, the Mayor, on today's date, has issued a revised declaration, which revises his previously issued declaration to update it to current conditions and needs; and

WHEREAS, City Council believes that the conditions necessitating the disaster declaration will continue to exist for a period of more than seven days; and

WHEREAS, City Council supports the disaster declaration signed by Mayor Bill Blackburn on July 28, 2020, and consents to its continuation for a period of more than seven days;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE:

City Council hereby ratifies the disaster declaration signed by Mayor Bill Blackburn on July 28, 2020 and consents to its continuation indefinitely or until such time as it is terminated by order of the Council. Said declaration is attached hereto as **Exhibit A**.


PASSED AND APPROVED ON this the 28 day of July, A.D., 2020.

ATTEST:


Shelley McElhannon, City Secretary


Bill Blackburn, Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

**DECLARATION OF LOCAL STATE OF DISASTER DUE TO A PUBLIC
HEALTH EMERGENCY – EXTENDED (4th Declaration)**

**A DECLARATION OF THE MAYOR OF THE CITY OF
KERRVILLE, TEXAS, DECLARING THAT COVID-19
(CORONAVIRUS) REMAINS AN IMMINENT THREAT OF
DISASTER WITHIN THE CITY OF KERRVILLE AND
EXTENDING THE DECLARATION OF A STATE OF DISASTER
WITHIN THE CITY; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Kerrville, Texas (the “City”) from on or before the 16th day of March 2020, prepared for damage, injury, or loss of life resulting from the novel coronavirus (COVID-19), which has been recognized globally as a contagious respiratory virus; and

WHEREAS, it is critical that the City continue taking actions to respond to and mitigate the spread of COVID-19 to protect the health and welfare of the public; and

WHEREAS, extending the City’s *Declaration of Local State of Disaster Due to a Public Health Emergency* will continue to help facilitate and expedite the use and deployment of resources to enhance the City’s ongoing response and mitigation to COVID-19; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas certified that COVID-19 poses an imminent threat of disaster and declared a state of disaster for all counties in Texas, has extended his declaration several times, and to date, has issued approximately twenty-two orders, many of which remain in effect, in an effort to mitigate said disaster; and

WHEREAS, the Texas Department of State Health Services (“DSHS”) has previously determined, including an updated declaration issued on May 15, 2020, that as of March 19, 2020, COVID-19 represented and continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, the Mayor urges all citizens of Kerrville and this community to continue to monitor government websites such as the Centers of Disease Control and Prevention (“CDC”), DSHS, and the Texas Governor as well as news sources in an attempt to remain aware and vigilant about COVID-19 and the evolving situation; and

WHEREAS, the Mayor, in seeking information from national, state, and local experts continues to believe that extraordinary measures must continue to be taken to respond to and to mitigate the spread of COVID-19 and its impact to the public health and welfare;

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF KERRVILLE:

SECTION ONE. Extending Declaration of Local State of Disaster. A local state of disaster (“disaster declaration”) was previously declared for the City of Kerrville, Texas, pursuant to Section 418.108(a), Texas Government Code, on March 16, 2020, and then revised on March 18, 2020 and March 19, 2020. The Mayor hereby extends the March 19, 2020, declaration in accordance with law.

SECTION TWO. Duration of Local State of Disaster. Pursuant to Section 418.108(b), Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by Kerrville City Council.

SECTION THREE. Publicity and Filing. Pursuant to Section 418.108(c), Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary, to include posting it on the City’s website.

SECTION FOUR. Continuing the Activation of the City Emergency Management Plan. Pursuant to Section 418.108(d), Texas Government Code, this declaration of a local state of disaster continues the activation of the City’s Emergency Management Plan.

SECTION FIVE. Public Meetings - Audience and presenter social distancing; public testimony and public hearing input. City Council meetings and meetings of other City Boards and Commissions may be delayed, rescheduled, or conducted in accordance with alternate measures as permitted by law. To reduce the chance of COVID-19 transmission, the City shall hold its public meetings in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with other members of the community, City Council and other Board and Commission members, and City staff. Public testimony and public hearing input for public comment and on all items on the agenda at public meetings of the City Council and City Boards and Commissions shall be provided in a manner that best serves these purposes, but balancing the right of a person to make a public statement, orally and in person, virtually, or in writing but keeping in mind the public health and safety. The City shall establish and provide notice of its *Council Meeting Procedures during Disaster Period* and shall also provide notice on its website of the meeting schedule for City Council and its other Boards and Commissions and the health measures applicable to each.

SECTION SIX. Municipal Court. All court proceedings in the City’s Municipal Court may be altered or even postponed in accordance with state law, including orders and direction from the Texas Supreme Court and the state’s Office of Court Administration.

SECTION SEVEN. City Manager Authority. The City Manager, or designee, is authorized to take the following actions, but shall provide notice of such to City Council following such action:

- a. make application for local, state, and federal assistance as necessary and/or applicable;
- b. accept on behalf of the City services, gifts, grants, equipment, supplies, and/or materials from private, nonprofit, or government sources;
- c. suspend disconnections, fees, and penalties related to the City's provision of services.

SECTION EIGHT. Limitation of Declaration. This disaster declaration does not extend to law enforcement activities, emergency responses, or to school districts or private school facilities within the City.

SECTION NINE. Effective Date. This proclamation shall take effect immediately from and after its issuance. This disaster declaration supersedes all previous declarations on this matter.

ORDERED and REVISED this the 28 day of July, 2020.

THE CITY OF KERRVILLE, TEXAS


Bill Blackburn, Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

ATTEST:


Shelley McElhannon, City Secretary