

**ORDINANCE NO: 05-01**

**AN ORDINANCE ADOPTING AN ANNEXATION PLAN FOR THE CITY OF KILLEEN, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**WHEREAS**, the Seventy-Sixth Regular Session of the Texas Legislature enacted SB 89, (now codified, Local Government Code § 43.052) containing requirements for municipalities to amend annexation plans to specifically identify annexations that may occur beginning on the third anniversary of the date the plan is amended; and

**WHEREAS**, that annexation law stipulates that no property or area may be annexed by a municipality until after the third anniversary of the date of adoption of a plan or plan amendment in which that particular property or area is designated for annexation;

**WHEREAS**, the City of Killeen reviewed its future expansion needs and the prospects of development within the City's extraterritorial jurisdiction in the foreseeable future; and

**WHEREAS**, that annexation law contains several exceptions which the City of Killeen desires to utilize for its annexation needs.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS** that the City Council of the City of Killeen amends its annexation plan:

**SECTION 1:** That the City of Killeen, Texas shall consider annexation of property that is subject to the annexation plan requirements, per Texas Local Government Code Section 43.052.

**SECTION II:** That beginning on and after the third anniversary of the effective date of this ordinance, the City of Killeen, Texas intends to extend its city limit to include certain lands lying adjacent and contiguous to the city limits; such land being described in Exhibit A, which is attached hereto and incorporated herein for all purposes.

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III:** That all ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict or amended as specified herein to the extent of any conflict.

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

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

**SECTION VI:** That this ordinance shall be effective after its passage and publication according to the Killeen City Charter and State Law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas this 11th day of January 2005, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A, Government Code, §551.001 et seq.

APPROVED:

\_\_\_\_\_  
(original signed by)  
Maureen J. Jouett  
Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
(original signed by)  
Kathryn Hoffman Davis  
CITY ATTORNEY

\_\_\_\_\_  
(original signed by)  
Paula A. Miller  
CITY SECRETARY

## Exhibit A

**City of Killeen Annexation  
1300 Acres, More or Less  
Robert Cunningham Survey, Abstract No. 158, M. T. Martin Survey, Abstract 963, and  
Azra Webb Survey, Abstract 857  
Bell County, Texas**

Field notes for 1300 acre, more or less, tract of land located in the Robert Cunningham Survey, Abstract No. 158, M. T. Martin Survey, Abstract 963, and Azra Webb Survey, Abstract 857 Bell County, Texas. **All bearing and most distances are of record calls (some being reversed) and are not on the same bearing basis.** Said 1300 acre, more or less, tract described as follows:

**BEGINNING** at the northwest corner of the Wagon Wheel Subdivision Bell County, Texas of record in Cabinet A, Slide 368-A;

Thence along the existing City Limits of Killeen, Bell County, Texas as described in the City of Killeen 1999 Annexation Ordinance No. 99-84, Tract No.6, a called 435.537 acre tract of record in Volume 4097, Page 376 of the Bell County, Texas Public Records the next nine (8) calls:

1. S 70°59' E approximately 1750 feet to the west margin of Trimmer Road to a point,
2. N 18°55'07" E 710.96 feet to a point,
3. S 78°12'03" E 68.03 feet to a point,
4. N 69°38'48" E 672.92 feet to a point,
5. N 69°06'53" E 202.69 feet to a point,
6. S 79°26'32" E 1476.23 feet to a point,
7. S 20°12'16" E 516.75 feet to a point
8. S 20°25'32" E 28.58 feet to a point on the City limits line as annexed in 2003 by Ordinance No. 03-47

Thence along the existing City Limits of Killeen, Bell County, Texas as described in the City of Killeen 2003 Annexation Ordinance No. 03-47, a 1.058 acre tract of record in Volume 5173, Page 771 of the Bell County, Texas Public Records the next thirteen (13) calls:

1. S 63°26'11" W 973.33 feet to a point,
2. N 85°49'21" W 469.03 feet to a point,
3. N 85°10'22" W 173.04 feet to a point,
4. S 04°45'02" W 207.11 feet to a point,
5. S 80°45'03" W 312.06 feet to a point
6. S 35°15'33" W 170.89 feet to a point
7. S 19°28'55" E 24.49 feet to a point
8. N 35°15'33" E 176.64 feet to a point
9. N 80°45'03" E 319.30 feet to a point
10. N 04°45'02" E 202.71 feet to a point
11. S 85°10'22" E 153.13 feet to a point,
12. S 85°49'21" E 474.64 feet to a point,

13. N 63°26'11" E 976.42 feet to a point on the existing City Limits of Killeen, Bell County, Texas as described in the City of Killeen 1999 Annexation Ordinance No. 99-84

Thence along the existing City Limits of Killeen, Bell County, Texas as described in the City of Killeen 1999 Annexation Ordinance No. 99-84, Tract No.6, a called 435.537 acre tract of record in Volume 4097, Page 376 of the Bell County, Texas Public Records S 20°25'32" E 393.53 feet to a point and N 85°04'28" E 741.70 feet to a point on the existing City Limits of Killeen, Bell County, Texas as described in the 2002 City of Killeen Annexation Ordinance No. 02-17

Thence along the existing City Limits of Killeen, Bell County, Texas as described in the 2002 City of Killeen Annexation Ordinance No. 02-17 of record in Volume 4713, Page 477 of the Bell County, Texas Public Records the next twenty six (26) calls:

1. S 06°12'49" E 625.63 feet to a point,
2. N 81°52'07" W 403.90 feet to a point,
3. S 03°33'21" E 1283.59 feet to a point,
4. S 88°36'05" E 454.71 feet to a point,
5. S 06°13'36" E 208.53 feet to a point,
6. N 88°42'36" W 218.43 feet to a point,
7. N 88°19'34" W 245.66 feet to a point,
8. S 03°21'56" E 60.31 feet to a point,
9. S 89°23'07" E 233.57 feet to a point,
10. S 88°39'51" E 234.06 feet to a point,
11. S 06°10'05" E 121.59 feet to a point,
12. S 01°49'15" E 521.18 feet to a point,
13. S 78°00'00" E 290.51 feet to a point,
14. N 03°11'33" W 1159.79 feet to a point,
15. N 86°55'54" E 184.04 feet to a point,
16. N 87°02'29" E 176.18 feet to a point,
17. N 86°54'31" E 336.40 feet to a point,
18. N 86°41'04" E 608.61 feet to a point,
19. N 19°53'16" W 1211.81 feet to a point,
20. N 73°30'48" E 1197.53 feet to a point,
21. N 19°24'42" W 411.92 feet to a point,
22. N 19°53'12" W 114.50 feet to a point,
23. N 20°03'43" W 114.47 feet to a point,
24. N 20°09'39" W 229.35 feet to a point,
25. N 19°28'22" W 540.02 feet to a point,
26. N 20°11'54" W 74.00 feet to a point,

Thence along the existing City Limits of Killeen, Bell County, Texas as described in the City of Killeen 1999 Annexation Ordinance No. 99-84, Tract No.6, a called 435.537 acre tract of record in Volume 4097, Page 376 of the Bell County, Texas Public Records the next two (2) calls:

1. N 69°25'11" E 947.59 feet to a point,
2. N 21°09'46" W 533.84 feet to a point,

Thence along the existing City Limits of Killeen, Bell County, Texas as described in the City of Killeen 1986 Annexation Ordinance No. 86-87, a called 2961 acre tract of record in Volume 2260, Page 66 of the Bell County, Texas Deed Records the next two (2) calls:

1. S 72°54'59" E 3525.00 feet to a point,
2. S 21°02'20" E 3634.75 feet to a point in the north margin of Stagecoach Road,

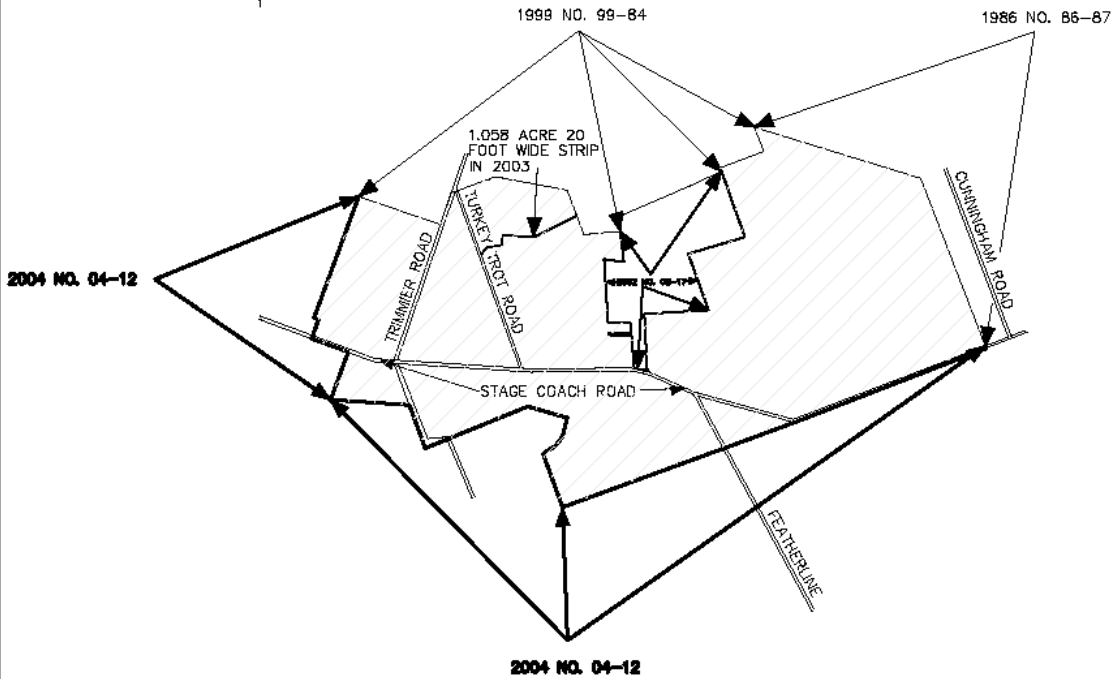
Thence along the existing City Limits of Killeen, Bell County, Texas as described in 2004 City of Killeen Annexation Ordinance No. 04-12 a called 5173-acre more or less tract the next sixteen (16) calls:

1. S 22°E 52 feet to a point on the south margin of Stagecoach Road,
2. S 68°W 4130 feet to a point
3. S 69°W 1362 feet to a point,
4. S 69°W 3672 feet to a point,
5. N 21°W 1159 feet to a point,
6. Northeasterly 835 feet to a point,
7. N 75°W 830 feet to a point,
8. S 67°W 2240 feet to a point,
9. N 21°W 931 feet to a point,
10. N 87°W 1600 feet to a point,
11. N 17°E 1030 feet to a point,
12. N 73°W 791 feet to a point,
13. N 21°E 68 feet to a point,
14. N 17°E 342 feet to a point,
15. N 73°W 95 feet to a point,
16. N 17°E 2624 feet to the **POINT OF BEGINNING** and containing 1300 acres, more or less, of land.

This description is intended to encompass all the land that is bound by these previous annexations ordinances of the City of Killeen listed hereon: 86-87 a called 2961 acre tract of record in Volume 2260, Page 66 of the Bell County, Texas Deed Records, 99-84 Tract No.6 a called 435.537 acre tract of record in Volume 4097, Page 376 of the Bell County, Texas Public Records, No. 02-17 a called 130.229 acre tract of record in Volume 4713, Page 477 of the Bell County, Texas Public Records, and 04-12 a called 5173 acre tract.

“ This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by creation or reconfiguration of the boundary of the political subdivision for which it was prepared.”

NORTH



*EXHIBIT OF  
1300 ACRES MORE OR LESS  
FOR ANNEXATION INTO THE CITY OF KILLEEN, BELL COUNTY, TEXAS  
BEING BOUND BY THESE PREVIOUS ANNEXATIONS:  
1986 NO. 86-87, 1999 NO. 99-84, 2002 NO. 02-17, 2004 NO. 04-12,  
AND 1.058 ACRE 20 FOOT WIDE STRIP IN 2003*