NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS

Notice is hereby given that, beginning at 5:00 p.m. on Tuesday, October 27, 2026, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will hold a meeting in the Kitty Young Council Chamber at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

I. **INVOCATION:**

II. **PLEDGE OF ALLEGIANCE:**

I Pledge Allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Honor the Texas Flag. I pledge allegiance to thee Texas; one State under God, one and indivisible.

III. **ROLL CALL:**

IV. **PRESENTATIONS BY CITIZENS:**

Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and the city of residence for the record and limit your comments to three minutes.

1. Receive and discuss a presentation from the American Legion regarding the Harker Heights Healthy Homes Program and the Parks and Recreation Department. (Assistant City Manager-Hawkins)

V. **CONSENT ITEMS:**

1. Discussion and possible action regarding the approval of the minutes of the Regular Meeting of the City Council held on October 13, 2026.
   13 Oct 2026 - Minutes

VI. **RECESS INTO EXECUTIVE SESSION:**
Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551, the Council may convene into executive session to discuss the following:

A) Pursuant to Sec. 551.071 Tex. Gov't Code – Consultation with attorney on confidential matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 Texas Govt Code.

VII. **RECONVENE CITY COUNCIL MEETING:**

VIII. **PUBLIC HEARINGS:**

1. Conduct a public hearing to discuss and take possible action regarding an ordinance of the City of Harker Heights, Texas, extending the boundary limits of the City of Harker Heights and annexing into the City of Harker Heights a tract of 134.05 acres of land; granting all inhabitants of said tract all of the rights and privileges of all citizens of the City of Harker Heights; and adopting a service plan. (Ordinance #2026-03, City Manager)
   Staff Report - Pdf

IX. **REGULAR BUSINESS:**

1. Discussion and possible action regarding the approval of a Resolution of the City Council of the City of Harker Heights, Texas, awarding a primary depository services contract to Extraco Banks, and authorizing the City Manager to negotiate a contract on behalf of the City (Resolution #2026-35, Finance Director).
   Staff Report - Pdf

2. Discussion and possible action regarding the potential future use or disposition of the city-owned property located at 100 East Beeline Lane. (City Manager)
   Staff Report - Pdf

3. Receive and discuss a presentation from the Harker Heights Chamber of Commerce regarding the Food, Wine, and Brew Fest.

4. Receive and discuss the City Manager's Report.

X. **ITEMS FROM COUNCIL AND ANNOUNCEMENTS:**

1. Councilmember closing statements.

2. Updates and comments from the Mayor.

XI. **ADJOURNMENT:**

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on the 20th of October 2026, by 5:00 p.m. and remained posted for at least three continuous business days preceding the scheduled date of said meeting.

Julie Helsham
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5614, or email jhelsham@harkerheights.gov for further information. Pursuant to Chapter 551 of the Government Code the City Council reserves the right to go into Closed Meeting on any item listed above if deemed necessary. Note: On occasion the City Council may consider agenda items out of order.

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, October 13, 2026, at 5:00 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL:
Mayor Michael Blomquist
Mayor Pro-Tem Sam Halabi
Councilmember, Place 1 Brian Burt
Councilmember, Place 2 Shane Hodyniak
Councilmember Place 3 Jesse Lee Myles, III
Councilmember, Place 4 Roxanne Flores

Public Works Director Mark Hyde
Assistant City Secretary Ursula Paddie

MAYORAL PROCLAMATIONS AND PRESENTATIONS:

1. Mayor Blomquist presented the Carl I. Levin Shadow Box.

PRESENTATIONS BY CITIZENS:

The following citizens gave a presentation to the City Council:

- Lauretta Lewis Matthews, Harker Heights, Texas, 76548.

CONSENT ITEMS:

1. Discussion and possible action regarding the approval of the minutes of the Regular Meeting of the City Council held on September 22, 2026, and the Special Meeting of the City Council held on September 29, 2026.

Councilmember, Place 2 Shane Hodyniak made a motion to approve the Consent Agenda as presented. Councilmember, Place 4 Roxanne Flores seconded the motion. Carried unanimously.

PUBLIC HEARINGS:

1. Council conducted a public hearing to discuss and take possible action regarding a request for an ordinance to change zoning designation from RT-1 (Townhouse Single-Family Dwelling District) to R-MU (Mixed Residential) on properties described as Kern Terrace 3rd Ext, Block 002, Lot 0009 and Lot 0010, generally known as 211 and 213 Cynthia Drive, Harker Heights, Bell County, Texas. Michael Beard, Director of Planning/Building Official, made the presentation. Raymond Hamden, applicant was present to speak on this item.

Mayor Pro-Tem Sam Halabi made a motion to table this item to a future date. Councilmember, Place 4 Roxanne Flores seconded the motion. Carried unanimously.

REGULAR BUSINESS:

1. Council received and discussed the City Manager's Report. Assistant City Manager Mark Hyde made the presentation.

No action taken.

1. Councilmember closing statements.

Councilmember Burt submitted the following comments for the record:

- 1 October 2026, I attended the Goodwill Community Connect Tour, 4901 West Stan Schlueter Loop, Killeen Texas 76548 – During this tour I learned about the many programs that are offered to the surrounding communities to include Harker Heights.
- 1 October 2026, I attended the Purple Heart Ceremony, Fort Hood, Texas 76544 – Three soldiers were presented with the Purple Heart Award because of the wounds they received.
- 3 October 2026, I attended Harker Heights Fire Department Open House, 401 Indian Trail, Harker heights, Texas 76548 – I met many residents from Harker Heights and the neighboring cities. The residents of Harker Heights I gave them my business card and I explained to them my role as a councilmember and my obligation to advocate on their behalf.
- 6 October 2026, I attended Harker Heights National Night Out – I had a wonderful time riding with Lieutenant McAfee of the Harker Heights Police Department. I had an opportunity to meet many residents that I would not have had the pleasure of meeting if this wonderful community event had not taken place. It was great and thank you to the residents sponsoring the gatherings in their neighborhoods.
- 7 October 2026, I attended a Planning and Zoning Training sponsored by the Central Texas Council of Governments (CTCOG), 2180 North Main Street, Belton, Texas 76513 –The class gave me an insight as to what to expect as a member on the Planning and Zoning Commissions and what they need to take into consideration when performing their duties for their municipalities. I have learned much, but still not an expert. Thank you CTCOG for sponsoring this event.
- 8 October 2026, I attended the Veterans Administration Groundbreaking Event, Copperas Cove, Texas – It was a great day in Central Texas and for the Veterans and their communities it will serve when completed. The Veterans and their families travel time will be cut down significantly.
- 9 October 2026, I attended the Ribbon Cutting Ceremony for Rejuvenation Medical Aesthetics, 725 South Ann Boulevard, Harker Heights, Texas 76548 – I was a full house during this ceremony on the North side of Harker Heights. It was wonderful that Dr. & Mr. Soto decided to open their business there where their services are needed.
- 9 October 2026, I attended the Ribbon Cutting Ceremony for Texas Medical Clinica, 725 South Ann Boulevard, Harker Heights, Texas 76548 – I assisted the Harker Heights Chamber of Commerce by presenting the certificate to Dr. & Mr. Soto for opening their clinic in an area of our city that it will be utilized regularly. I Thanked them for all the wonderful things they will offer to the community.
- 12 October 2026, I am attending Harker Heights Citizens Public Safety Academy – I am currently enrolled to learn even more about our wonderful city. I need to take off my City Councilmember hat and wear just my resident hat during the classes.

Councilmember Flores submitted the following comments for the record:

Good evening, Mayor, fellow Councilmembers, City Manager, staff, and constituents. Since my last update, I've continued to stay busy representing Harker Heights, supporting our local businesses, participating in community events, and working alongside my fellow Councilmembers.

September 24 – CenTex Research and Innovation Symposium. On September 24, I attended the CenTex Research and Innovation Symposium at Texas A&M University. It was a wonderful opportunity to learn more about research, innovation, and the partnerships helping shape the future of Central Texas. I appreciate opportunities to connect with regional leaders and learn about initiatives that could benefit our community.

September 24 – Leadership Central Texas Graduation. Also on September 24, I officially graduated from the Leadership Central Texas Class of 2026 through the Central Texas Council of Governments, or CTCOG. This program provided valuable opportunities to learn more about our region, build relationships with leaders from neighboring communities, and gain a greater understanding of the opportunities and challenges facing Central

Texas. I'm grateful for the experience, the relationships I've built, and the knowledge I can bring back to Harker Heights.

Council Governance Policy Update. I've also enjoyed working with my fellow Councilmember, Shane Hodyniak, on revisions to our City Council governance policy. We've had productive conversations, and our goal is to develop recommendations that promote fairness, transparency, accountability, and a respectful working relationship among Councilmembers and the Mayor. We look forward to bringing something back to the Council for consideration soon.

October 3 – Harker Heights Fire Department Open House. On October 3, I attended the Harker Heights Fire Department Open House. It was wonderful to see such a great turnout from our community, especially families coming out to meet our firefighters and learn more about the important work they do. A special thank-you to Chief Starr and the entire Fire Department team for their dedication, service, and commitment to keeping our community safe.

October 6 – Carlson Law Firm 50th Anniversary Celebration. On October 6, I attended The Carlson Law Firm's 50th Anniversary Community Celebration. Fifty years is an incredible milestone, and it was wonderful to see the community come together to celebrate. Congratulations to The Carlson Law Firm on 50 years in business and thank you for your continued involvement and investment in our community.

October 6 – National Night Out. On October 6, I had the pleasure of participating in National Night Out with the Harker Heights Police Department. I want to give a special thank-you to our Police Department for doing such a wonderful job taking us around the community and giving us the opportunity to visit with residents. I thoroughly enjoyed the experience, learned a great deal, and appreciated seeing firsthand the relationships our officers continue to build throughout Harker Heights. National Night Out is a wonderful reminder of how important those relationships are in creating a safe, connected, and engaged community.

October 8 – VA Outreach Clinic Groundbreaking. On October 8, I attended the groundbreaking ceremony for the new VA Outreach Clinic. As a community with so many veterans and military families, I'm excited about the additional healthcare resources and services this project represents. Supporting our veterans and ensuring they have access to the care and resources they deserve is incredibly important. I look forward to seeing this project move forward.

October 8 – Chamber Business After Hours. That evening, I attended the Harker Heights Chamber of Commerce Business After Hours event hosted by Technique Flooring. I always enjoy these opportunities to connect with local business owners, community leaders, and Chamber members. Thank you to Technique Flooring for hosting and to the Chamber for continuing to create opportunities that strengthen relationships within our business community.

October 9 – Rejuvenation Medical Aesthetics Grand Opening and Ribbon Cutting. On Friday, October 9, I attended the grand opening celebration and ribbon cutting for Rejuvenation Medical Aesthetics and its neighboring clinic. What an incredible turnout! There were approximately 200 people in attendance, and the excitement and support from the community were wonderful to see. It was truly a celebration, complete with tacos, Caribbean ice treats, and plenty of opportunities for people to connect. What excited me most was learning about the neighboring clinic and its commitment to offering affordable healthcare services on the north side of Harker Heights. Access to healthcare is important to our community, and it's encouraging to see businesses investing in services that can help meet the needs of our residents. Congratulations to the entire team on a successful grand opening and thank you for choosing to invest in Harker Heights!

October 12 – Harker Heights Library Board Meeting. On October 12, I attended the Harker Heights Library Board meeting. It was a great opportunity to hear updates about our library, including information about the upcoming Friends of the Library Book Sale. Our library is such an important resource for residents of all ages, and I appreciate the work of the Library Board, staff, and Friends of the Library in supporting literacy, learning, and community engagement.

October 12 – Citizens Public Safety Academy. Also on October 12, I attended the first session of the Harker Heights Citizens Public Safety Academy. I really enjoyed the experience and appreciated the opportunity to learn more about our public safety operations and the work that goes into serving and protecting our community. It was also wonderful to reconnect with residents I hadn't seen in a while and meet others who share an interest in learning more about our city. I look forward to continuing the academy and gaining a greater understanding of the important work our public safety professionals do every day.

Heart-to-Heart with Roxanne. 100 Conversations. One Community. I also want to share an update on something that remains very important to me—meeting our constituents where they are. Since my last update, I've personally met and talked with 7 additional constituents, bringing my total to 62 constituents since being elected. My goal is to personally connect with at least 100 constituents by the end of the year, so we're now at 62 and counting—38 to go! These conversations aren't just about numbers. They're about building relationships, listening to concerns, hearing new ideas, and making sure the people I represent know their voices matter. Whether it's over coffee, at a local business, during a community event, or simply meeting someone where it's convenient for them, I want to remain accessible and engaged with our community.

Closing. As I conclude, I want to thank the people of Harker Heights for the opportunity to serve. Every meeting I attend, every organization I visit, every partnership I build, and every conversation I have gives me another opportunity to listen, learn, and better serve our community. Serving with Heart. Leading with Purpose. Those words guided my campaign, and they continue to guide my service as your Councilmember. I remain committed to listening, learning, and leading with integrity as we work together to make Harker Heights an even stronger community. Thank you, and it is truly an honor and privilege to serve.

2. Updates and comments from the Mayor.

Mayor Blomquist submitted the following comments for the record and provided the following highlights:

- September 23rd – I attended the KTMPO Transportation Planning monthly meeting in Belton, Texas at the COG. I was re-elected to serve as the Vice-Chair for this board.
- September 24th – I attended the Music Friendly City BOD meeting at the Harker Heights Chamber.
- September 24th – I attended a Harker Heights Kudos Award at the Harker Heights Police Department honoring Lt. Jay Leach. Thank you, Lt. Leach, for all you do for our City!
- September 24th – I attended a retirement ceremony at III Armored Corps Headquarters for Mr. Steven Moore.
- September 24th – I attended the monthly Coffee with a Cop/Mayor event at Black Rock Coffee Bar. Great event meeting with citizens and Harker Heights Police Department.
- September 24th – I attended a Veterans to Clean Energy Workforce Roundtable at the Training Center of Central Texas.
- September 25th – I attended the monthly Fort Hood III Armored Corps Retirement Ceremony honoring nine soldiers for their service to our Nation in their retirement.
- September 30th – I attended the monthly Community Services Council at Fort Hood at the Lonestar Conference Center updating Fort Hood Leadership on happenings in Harker Heights.
- September 30th – I participated in Harker Heights Chamber Member visits for five Chamber members across our City.
- October 1st – I attended a Purple Heart Ceremony at III Armored Corps HQ honoring three wounded soldiers: SPC Nicholas Cabo, Sergeant Xavier Jones, and Staff Sergeant Kalob Mitchell. All received a Purple Heart Medal from Lt. General Kevin Admiral.
- October 3rd – I attended our first restart for our Harker Heights Farmers' Market at City Hall. Come check out your local market each Saturday from 9 am to 1pm.
- October 3rd – I attended and participated in the Harker Heights Fire Department Open House event at Central Station. Great event for citizens with our Harker Heights Fire Department!
- October 5th – I attended a Kudos award for Jim Miller at City Hall. Thanks, Jim, for all you do for our IT Department and our City.

- October 6th – I attended a Community Stakeholders Meeting at III Armored Corps HQ for the Microreactor Project on Fort Hood. General Atomics has been awarded this contract to Fort Hood.
- October 6th – I attended with Council, City Staff, Harker Heights Police Department and Harker Heights Fire Department our National Night Out across the City of Harker Heights. Great event for all, building community, and strengthening Safety for our City.
- October 8th - I attended the Copperas Cove Groundbreaking Ceremony for the New VA Outpatient Clinic.
- October 10th – I attended our full Harker Heights Farmers' Market at City Hall. Loads of vendors at your local market from 9 am to 1 pm. See you there next Saturday.
- Come check out our Harker Heights Chamber Food, Wine, & Brew Fest at the Community Park in Harker Heights from 2 pm to 10 pm.

ADJOURNMENT:

There being no further business, the City of Harker Heights Regular City Council Meeting was adjourned at 5:53p.m.

CITY OF HARKER HEIGHTS, TEXAS:

_____
Michael D. Blomquist
Mayor

ATTEST:

_____
Julie Helsham, City Secretary

City Council Memorandum

FROM: The Office of the City Manager **DATE: October 27, 2026**

CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, EXTENDING THE BOUNDARY LIMITS OF THE CITY OF HARKER HEIGHTS AND ANNEXING INTO THE CITY OF HARKER HEIGHTS A TRACT OF 134.05 ACRES OF LAND; GRANTING ALL INHABITANTS OF SAID TRACT ALL OF THE RIGHTS AND PRIVILEGES OF ALL CITIZENS OF THE CITY OF HARKER HEIGHTS; AND ADOPTING A SERVICE PLAN. (ORDINANCE #2026-03, CITY MANAGER)

EXPLANATION:

Said property is within the ETJ of the City of Harker Heights. A Development Agreement was signed in December 2008, under which the City agreed not to annex said property for 15 years. The agreement provided that, upon its expiration, the property owner will have agreed to the voluntary annexation of said property. When the agreement expired in 2023, the City offered to enter into another agreement. The property owner declined the offer. The City is now taking action to annex the designated area and provide City services to it. Notification letters have been sent to all entities that could be affected by this annexation, and a legal notice was posted in the Killeen Daily Herald on October 14, 2026.

RECOMMENDATION:

Staff recommends approval

ACTION BY THE CITY COUNCIL:

1. Motion **approve / disapprove** Ordinance #2026-03.
2. Any other action desired.

ATTACHMENTS:

Ordinance-Annexing 134.05 acres (with exhibits)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS EXTENDING THE BOUNDARY LIMITS OF THE CITY OF HARKER HEIGHTS AND ANNEXING INTO THE CITY OF HARKER HEIGHTS A TRACT OF 134.05 ACRES OF LAND; GRANTING ALL INHABITANTS OF SAID TRACT ALL OF THE RIGHTS AND PRIVILEGES OF ALL CITIZENS OF THE CITY OF HARKER HEIGHTS; AND ADOPTING A SERVICE PLAN.

WHEREAS, the City of Harker Heights, Silver Quail Co., 1988 Margaret Diane Connell Trust and Texas Sunflower, Ltd. entered into a Development Agreement in December of 2008 providing that a certain tract of property would not be annexed during the term of the Agreement; and

WHEREAS, the term of the Agreement has expired; and

WHEREAS, the owners, and all of the owners' heirs, successors and assigns shall, by the Agreement, be deemed to have filed a petition for voluntary annexation before the end of the Agreement term, for annexation of the property to be completed on or after end of the term; and

WHEREAS, a copy of the Development Agreement is attached hereto and marked as **Exhibit "A"**; and

WHEREAS, a legal description of the 134.05 acre tract that is the subject of the Development Agreement is attached hereto and marked as **Exhibit "B" ("Annexation Property")**;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS AS FOLLOWS:

SECTION 1: That the property described on **Exhibit "B"** is hereby annexed into the city limits of the City of Harker Heights, Bell County, Texas for all purposes and that the boundary limits of the City of Harker Heights be and the same are hereby extended to include the property described in **Exhibit "B"**.

SECTION 2: That all inhabitants of the property annexed into the city limits by this Ordinance shall hereafter be entitled to all of the rights and privileges of other citizens of the City of Harker Heights and shall be bound by the acts, ordinances, resolutions and regulations of the City of Harker Heights.

SECTION 3: That a plan for city services to be extended to the Annexation Property and related findings are attached hereto and marked as **Exhibit "C"** and such plan and findings are hereby adopted.

PASSED on this the _____ day of _____, 2026.

CITY OF HARKER HEIGHTS, TEXAS

By:_____
Michael Blomquist, Mayor

ATTEST:

_____
Julie Helsham, City Secretary

"EXHIBIT A"

Doc# 00000287

STATE OF TEXAS §

COUNTY OF BELL §

CITY OF HARKER HEIGHTS
DEVELOPMENT AGREEMENT
PURSUANT TO CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE

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

WHEREAS, the Owner owns a parcel of real property (the "Property") in Bell County, Texas, which is more particularly and separately described as geographic identification number _____, property identification number 106285, and as evidenced as the deed recorded as volume _____ and page _____ and which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code;

WHEREAS, the City has initiated or will initiate annexation proceedings on all or portions of Owner's Property and will hold public hearings at a location to be determined later in compliance with State law;

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

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

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

WHEREAS, the City Council authorized and approved this agreement at a regularly-scheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances and Charter of the City on November 18, 2008.

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

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

(2)

38.000 esc
City 7.44
1.85 Miles

RP-01/05/2009

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

Section 2. Agreement by the Owner. (a) The Owner covenants and agrees not to use the Property for any use other than for agriculture, wildlife management, and/or timber land management consistent with Chapter 23 of the Texas Tax Code, except for any *existing* single-family residential use of the property, without the prior written consent of the City. The Owner has completed and executed an *Affidavit of Tax Appraisal Status and Current Uses,* which is attached to this Agreement as Exhibit "A," and included herein as part of this Agreement as if set out in full.

(b) The Owner covenants and agrees that the Owner will not file any type of subdivision plat or related development document for the Property with Bell County or the City until the Property has been annexed into, and zoned by, the City, nor shall the Owner take such action to develop or subdivide the Property that would require a plat to be filed with the City or the County under State law.

(c) Except as provided herein, the Owner covenants and agrees not to construct, or allow to be constructed, any buildings, other than one single family residence (new or a replacement for an existing single family residence) or one or more accessory buildings reasonably needed to support the Agricultural use of the Property, provided the Owner obtains a permit from the City to construct such improvements. The Owner also covenants and agrees that the City's "A" or "Agricultural" zoning district requirements apply to the Property, and that the Property shall be used only for uses allowed in an A—Agricultural zoning district that exist on that Property at the time of the execution of this Agreement, unless otherwise provided in this Agreement.

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

Section 3. Filing of a Plat During Term of Agreement Constitutes a Petition for Voluntary Annexation. (a) The Owner acknowledges that if any plat or related development document is filed in violation of this Agreement, or if the Owner commences development of the Property in violation of this Agreement, then in addition to the City's other remedies, such act will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City

Council. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents to such annexation as though a petition for such annexation had been tendered by the Owner.

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

Section 4. Owner Agreement that City May Enforce Its Development and Planning Regulations on Property. Pursuant to Sections 43.035(b)(1)(B) of the Texas Local Government Code, the City is authorized to enforce all of the City's regulations and planning authority that do not materially interfere with the use of the Property for agriculture, wildlife management, or timber, in the same manner the regulations are enforced within the City's boundaries. The City states and specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

Section 5. Term. (a) The term of this Agreement (the "Term") is ~~twelve (12)~~ fifteen (15) years from the date that the City Manager's signature to this Agreement is acknowledged by a notary public.

(b) The Owner, and all of the Owner's heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation before the end of the Term, for annexation of the Property to be completed on or after the end of the Term. Prior to the end of the Term, the City may commence the voluntary annexation of the Property. In connection with annexation pursuant to this section, the Owners hereby waive any vested rights they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any plat or construction any of the owners may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

Section 6. Future Zoning of Property. Property annexed pursuant to this Agreement will initially be zoned "R-1 Single Family Dwelling District" pursuant to the City's Code of Ordinances, pending determination of the property's permanent zoning in accordance with the provisions of applicable law and the City's Code of Ordinances.

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

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

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

City of Harker Heights
Attn: City Manager
305 Millers Crossing
Harker Heights, TX 76548

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

Section 11. Severance Clause. If a court of competent jurisdiction determines that any covenant of this Agreement is void or unenforceable, including the covenants regarding involuntary annexation, then the remainder of this Agreement shall remain in full force and effect.

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

Section 13. Enforceability. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to the terms of this Agreement.

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

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

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

Entered into this 26 day of December, 2008.

Property Owners

Diane Connell for the Silver Quail Co.
Signature
Printed Name: DIANE Connell, Pres Silver Quail Co.

Diane Connell for 1988 Margaret Diane Connell Trust
Signature
Printed Name: DIANE Connell

Diane Connell, Mgr. Texas Sunflower Ltd
Signature
Printed Name: DIANE Connell, MGR, TEXAS SUNFLOWER LTD

Signature
Printed Name:

City of Harker Heights

Steve Carpenter
City Manager

ATTEST:
Patricia Brunson
Patricia Brunson
City Secretary

CITY OF HARKER HEIGHTS TEXAS

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the 29TH day of DECEMBER, 2008, by Steve Carpenter, City Manager, City of Harker Heights, Texas.

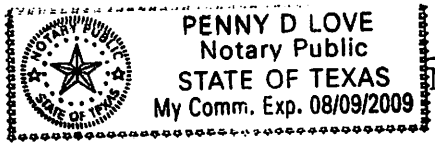
Cherie D Williams
Notary Public, State of Texas

CHERIE D. WILLIAMS
Notary Public
STATE OF TEXAS
My Comm. Exp. 04/25/2009

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the 26 day of December, 2008, by Diane Connell, Owner.

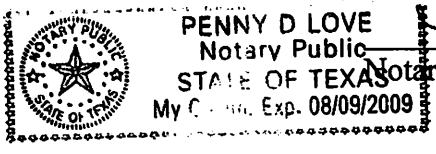


Penny D. Love
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the 26 day of December, 2008, by Diane Connell, Owner.

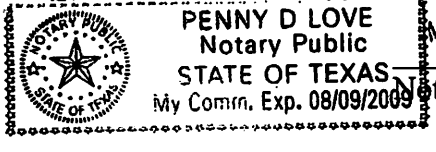


Penny D. Love
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the 26 day of December 2008, by Diane Connell, Owner.



Penny D. Love
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the ____day of _____, 2008, by _____, Owner.

_____
Notary Public, State of Texas

Exhibit "A"

Affidavit of Tax Appraisal Status and Current Uses

Diane Connell appeared in person before me today and stated under oath:

"My name is Diane Connell. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I am the owner of a parcel of real property (the "Property") in Bell County, Texas, which is more particularly and separately described as geographic identification number _____, property identification number 106285 and as evidenced as the deed recorded as volume _____ and page _____ and which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code.

The current improvements on my Property are as follows: (Please list all permanent property improvements, for example, buildings, signs, or other structures, on the Property as shown on your most recent statement received from the Bell County Appraisal District and improvements which have been added by you since January 1, 2007):

2 Single family Residence
farm buildings

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

GRAZING, HAY FARMING

"

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

Executed on this 26 day of December, 2008.

Property Owner

Diane Connell fs Silvis Quail + 1988 MDC Trust
Signature

This instrument was acknowledged before me on the 26 day of December 2008, by Diane Connell, Owner.

PENNY D LOVE
Notary Public
STATE OF TEXAS
Comm. Exp. 08/09/2009

Penny D. Love
Notary Public, State of Texas

"EXHIBIT B"

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

February 5, 2026

Surveyor's Field Notes for:

134.05 Acres, situated in the **James R Sutton Survey, Abstract 765, and the James M Cross Survey, Abstract 179,** Bell County, Texas, being a portion of a called 407.174 acre tract conveyed to Margaret Diane Connell, Trustee of the Margaret Diane Connell Non-Exempt Trust and Texas Sunflower, Ltd., a Texas limited partnership in Document No. 2008-00004785, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 6" cedar fence post found at the southeast corner of a called 6.542 acre tract conveyed to DCM&M Automotive Group, LP, a Texas limited partnership in Document No. 2020053069, of said official public records, same being a corner of said 407.174 acre tract, for the most easterly northeast corner of this tract of land;

THENCE, in a southerly direction, with the west line of said Levy Crossing, same being the east line of said 407.174 acre tract, the following courses and distances:

1. **S 18°15'59" W., 147.18 feet,** *Deed S 21°53'38" W., 215.38 feet),* to a 4" square "TxDOT" concrete monument found at the southeast corner of said 407.174 acre tract, for the southeast corner of this tract of land;

2. **S 47°44'50" W., 174.30 feet,** *(Deed S 51°36'32" W., 174.41 feet),* to a 4" square "TxDOT" concrete monument found at the beginning of a curve to the left, being intersection of the west line of said Levy Crossing and the north line of F.M. 2410, according to Volume 956, Page 71, Deed Records of Bell County, Texas, for a corner of this tract of land;

THENCE, in a generally westerly direction, with the south line of said 407.174 acre tract, same being the north line of said F.M. 2410, the following courses and distances:

1. With a curve to the left, an arc distance of **606.54 feet,** *(Deed Arc = 607.23 feet),* a radius of **1333.87 feet,** a delta angle of **26°03'13",** and a long chord which bears **S 61°48'30" W., 601.33 feet,** to a calculated point;

2. **S 48°43'14" W., 590.46 feet,** *(Deed S 52°31'40" W., 590.46 feet),* to a calculated point at the beginning of a curve to the right;

3. With said curve to the right, an arc distance of **736.91 feet,** *(Deed Arc = 736.91 feet),* a radius of **1384.65 feet,** a delta angle of **30°29'33",** and a long chord which bears **S 63°57'34" W., 728.24 feet,** to a calculated point;

4. **S 79°12'44" W., 1268.09 feet,** *(Deed S 83°01'10" W., 1268.09 feet),* to a 1" metal pipe found at the most southerly southwest corner of said 407.174 acre tract, same being the southeast corner of a called 3.010 acre tract conveyed to Fred D. Garvin and Linda A. Garvin in Volume 5132, Page 234, of said official public records, for the most southerly southwest corner of this tract of land;

THENCE, in a northerly direction, with a west line of said 407.174 acre tract, same being the east line of said 3.010 acre tract, **N 05°38'57" E., 172.96 feet,** *(Deed N 09°29'00" E., 172.96 feet),* to a calculated point at an interior corner of said 407.174 acre tract, same being the northeast corner of said 3.010 acre tract, for an interior corner of this tract of land;

THENCE, in a westerly direction, with a south line of said 407.174 acre tract, the following courses and distances:

1. **N 80°34'41" W., 227.70 feet,** *(Deed N 76°46'20" W., 227.78 feet),* to a calculated point, being an angle corner of said 3.010 acre tract, same being a corner of said 407.174 acre tract;

2. **N 66°42'16" W., 844.78 feet,** *(Deed N 62°53'50" W., 844.78 feet),* to a calculated point on the occupied north line of the remainder of a called 17.87 acre tract conveyed to Flora Ellen Farris in Document No. 2010-00017173, of said official public records, same being a corner of said 407.174 acre tract;

3. **N 59°13'34" W., 320.87 feet,** *(Deed N 55°16'40" W., 357.16 feet),* to a calculated point at the occupied northwest corner of said 17.87 acre tract, same being a corner of Lot 18, Block 1, Pecan Meadow Subdivision, of record in Document No. 2020033477-A&B, of said official public records;

4. **N 57°23'39" W., 35.97 feet,** *(Plat N 57°23'39" W., 35.97 feet),* to a calculated point at an interior corner of said Lot 18, being a corner of said 407.174 acre tract, for a corner of this tract of land;

THENCE, in a northerly direction, with the west line of said 470.174 acre tract, same being the east line of said Block 1, the following courses and distances:

1. **N 09°24'14" W., 298.93 feet,** *(Plat N 09°24'14" W., 298.93 feet),* to a ½" iron rod with cap stamped "QUICK INC RPLS 6447" found at an angle corner of Tract A, of said Pecan Meadow Subdivision, same being a corner of said 407.174 acre tract;

2. **N 02°04'23" E., 105.60 feet,** *(Deed N 02°04'23" E., 105.60 feet),* to a calculated point;

3. **N 40°20'14" W., 235.53 feet,** *(Plat N 40↑820'14" W., 235.53 feet),* to a calculated point at a corner of said Tract A, same being a corner of said 407.174 acre tract, for a corner of this tract of land;

THENCE, in a westerly direction, with the north line of said Tract A, same being the south line of said 407.174 acre tract, **N 80°44'29" W., 170.68 feet,** *(Deed N 80°44'29" W., 170.68 feet),* to a calculated point at the northwest corner of said Tract A, same being the northeast corner of a called 2.5 acre tract conveyed to Steven Costa and Roena Costa, Co-Trustees of the Steven and Roena Costa Revocable Trust in Document No. 2022032818, of said official public records, for an angle corner of this tract of land;

THENCE, continuing in said westerly direction, with the north line of said 2.5 acre tract, same being the south line of said 407.174 acre tract, **N 80°38'21" W., 341.00 feet,** *(Deed N 76°44'00" W., 511.54 feet),* to a calculated point on the east line of a called 119.599 acre tract conveyed to D Squared Investments, Inc., a Texas limited liability company in Document No. 2025017041, of said official public records, being the northwest corner of said 2.5 acre tract, same being the most westerly southwest corner of said 407.174 acre tract, for the most westerly southwest corner of this tract of land;

THENCE, in a northerly direction, with the west line of said 407.174 acre tract, same being the east line of said 119.599 acre tract, **N 16°46'44" E., 104.90 feet,** *(Deed N 20°28'00" E., 1634.43 feet),* to a calculated point at the beginning of a curve to the left, for the northwest corner of this tract of land;

THENCE, in an easterly direction, over and across said 407.174 acre tract, the following courses and distances:

1. With said curve to the left, an arc distance of **2408.28 feet,** a radius of **2640.00 feet,** a delta angle of **52°16'01",** and a long chord which bears **N 78°34'13" E., 2325.64 feet,** to a calculated point at the beginning of a curve to the left;

2. With said curve to the left, an arc distance of **739.42 feet,** a radius of **3130.08 feet,** a delta angle of **13°32'06",** and a long chord which bears **N 58°23'39" E., 737.70 feet,** to a calculated point at the beginning of a curve to the left;

3. With said curve to the left, an arc distance of **1724.03 feet,** a radius of **2640.00 feet,** a delta angle of **37°24'59",** and a long chord which bears **S 71°40'39" E., 1693.55 feet,** to a calculated point on the west line of said 6.542 acre tract, for the most northerly northeast corner of this tract of land;

THENCE, in a southerly direction, with the west line of said 6.542 acre tract, **S 19°01'47" W., 192.75 feet,** *(Deed S 22°51'43" W., 505.57 feet – Doc. No. 2020053069),* to a calculated point at the southwest corner of said 6.542 acre tract, for an interior corner of this tract of land;

THENCE, in an easterly direction, with the south line of said 6.542 acre tract, **S 76°20'17" E., 574.06 feet,** *(Deed S 72°50'21" E., 574.06 feet – Doc. No. 2020053069),* to the **Point of Beginning** and containing 134.05 acres of land;

Bearings cited hereon are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, as per GPS observations, all distances are grid.

This metes and bounds description is to accompany a Surveyor's Sketch of the herein described 134.05 acre tract.

This document was prepared for the purposes of defining the limits of a political subdivision in accordance to Texas Administrative Code - Title 22, Part 29, Chapter 663 - Subchapter B - Rule 663.21 (City of Harker Heights and City of Nolanville Extraterritorial Jurisdiction Limits), this survey is not intended for the conveyance of real property purposes. This document was the result of an on the ground survey.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed September 18, 2025

ALL COUNTY SURVEYING, INC.
1-800-749-PLAT
TX. Firm Lic. No. 10023600
server/projects /pro250000/250800/250878/250878-C.doc



2.5.2026

Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

"EXHIBIT C"

Service Plan

For the Voluntary Annexation of an

Approximate 134.05 Acres

Upon annexation of property, shown in Exhibit "C-1", the City of Harker Heights, Texas will provide City Services utilizing methods by which it extends services to any other equivalent area of the City.

Proposed Annexation Description
The proposed annexation area covered by this service plan is described in Exhibit "C-1". Said exhibit being made a part of this plan by reference herein.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

1. **Police Protection**
   The City of Harker Heights, Texas, and its Police Department will provide police protection to newly annexed areas at the same or similar level of service now being provided to other areas already incorporated in the City with like topography, land, use and population density. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed area.

2. **Fire Protection and Emergency Medical Services**
   The City of Harker Heights, Texas and its Fire and Rescue Department will provide fire protection and emergency medical services to the newly annexed area at the same or similar level of service now being provided to other areas already incorporated in the City, with similar topography, land use and population density. The Fire and Rescue Department will have the responsibility to respond to all dispatched calls and requests for service or assistance within the newly annexed area.

3. **Maintenance of Water, Stormwater, and Wastewater Facilities**
   Any and all water or wastewater facilities owned or maintained by the City of Harker Heights, Texas, at the time of the proposed annexation shall continue to be maintained by the City of Harker Heights. Any and all water and wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Harker Heights, Texas, to the extent of its ownership.

4. **Maintenance of Public Road and Streets**
   The City of Harker Heights, Texas, will maintain any and all publicly owned roads, streets or alleyways in the newly annexed area to the extent and degree and to the same or similar level of service now being provided to other such areas within the corporate limits of the City with similar topography, land use and density.

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

6. **Other Services**
   The City of Harker Heights, Texas, finds and determines that such services as planning, issuing of building permits and related building inspection services, code enforcement, animal control, library, parks and recreation, court and general administration will be made available after the date of the annexation at the same or similar level of service now being provided to other areas already incorporated in the City with similar topography, land use, and density.

7. **Code Enforcement Services**
   The City of Harker Heights Code Enforcement Division will implement the enforcement of the City of Harker Heights, Texas ordinances and regulations on the effective day of the annexation.

8. **Street Lighting**
   The City of Harker Heights, Texas will coordinate any request for improved street lighting with the local electric provider in accordance with stand policy.

9. **Traffic Engineering**
   The City of Harker Heights, Texas Public Works Department will provide any additional traffic control devices in accordance with standard policy after the effective day of the annexation.

10. **Storm Water Management**
    Developers will provide storm water drainage at their own expense, and all such improvements and facilities will be inspected by the City of Harker Heights City Engineer at the time of completion. The City of Harker Heights, Texas will then maintain the drainage upon approval.

"EXHIBIT C"

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. **Policies and Fire Protection and Solid Waste Collection**

   The City of Harker Heights, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for the purposes of providing police protection, fire protection, emergency medical service or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Harker Heights, Texas, with similar topography, land use and population density.

2. **Water, Stormwater, and Wastewater Facilities**

   The City of Harker Heights, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular area. Per the City's subdivision regulations, any future development of the water and sanitary sewer infrastructure is the sole responsibility of the developer including the development of any lift stations required. The City of Harker Heighs, Texas, agrees to provide water, handle sewer, and maintain the water and sewer lines once installed by the developer for the annexed area in the same type, kind and level incorporated in the City of Harker Heights, Texas, with similar topography, land use, and population density.

3. **Roads and Streets**

   The City of Harker Heights, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area. Per the City's subdivision regulations, any road construction will be the sole responsibility of the developer. The City of Harker Heights, Texas, agrees to maintain constructed roads considered to be public in nature in the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Harker Heights, Texas, with similar topography, land use and population density.

4. **Maintenance of Parks, Playgrounds, and Swimming Pools and Any other Publicly Owned Facility, Building or Service**

   The City of Harker Heights, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building, or service.

"EXHIBIT C"

SPECIFIC FINDINGS

The City of Harker Heights, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the area being considered for annexation then were in existence in the proposed annexation area's topography, land utilization and population density, the service levels to be provided in the newly annexed area will be equivalent to those provided to other areas of the City with similar characteristics.

LEVEL OF SERVICE

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

AMENDMENTS

This service plan shall not be amended unless public hearings are held in accordance with the Texas Local Government Code.

"EXHIBIT C-1"

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

February 5, 2026

Surveyor's Field Notes for:

134.05 Acres, situated in the **James R Sutton Survey, Abstract 765, and the James M Cross Survey, Abstract 179,** Bell County, Texas, being a portion of a called 407.174 acre tract conveyed to Margaret Diane Connell, Trustee of the Margaret Diane Connell Non-Exempt Trust and Texas Sunflower, Ltd., a Texas limited partnership in Document No. 2008-00004785, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 6" cedar fence post found at the southeast corner of a called 6.542 acre tract conveyed to DCM&M Automotive Group, LP, a Texas limited partnership in Document No. 2020053069, of said official public records, same being a corner of said 407.174 acre tract, for the most easterly northeast corner of this tract of land;

THENCE, in a southerly direction, with the west line of said Levy Crossing, same being the east line of said 407.174 acre tract, the following courses and distances:

1. **S 18°15'59" W., 147.18 feet,** *Deed S 21°53'38" W., 215.38 feet),* to a 4" square "TxDOT" concrete monument found at the southeast corner of said 407.174 acre tract, for the southeast corner of this tract of land;

2. **S 47°44'50" W., 174.30 feet,** *(Deed S 51°36'32" W., 174.41 feet),* to a 4" square "TxDOT" concrete monument found at the beginning of a curve to the left, being intersection of the west line of said Levy Crossing and the north line of F.M. 2410, according to Volume 956, Page 71, Deed Records of Bell County, Texas, for a corner of this tract of land;

THENCE, in a generally westerly direction, with the south line of said 407.174 acre tract, same being the north line of said F.M. 2410, the following courses and distances:

1. With a curve to the left, an arc distance of **606.54 feet,** *(Deed Arc = 607.23 feet),* a radius of **1333.87 feet,** a delta angle of **26°03'13",** and a long chord which bears **S 61°48'30" W., 601.33 feet,** to a calculated point;

2. **S 48°43'14" W., 590.46 feet,** *(Deed S 52°31'40" W., 590.46 feet),* to a calculated point at the beginning of a curve to the right;

3. With said curve to the right, an arc distance of **736.91 feet,** *(Deed Arc = 736.91 feet),* a radius of **1384.65 feet,** a delta angle of **30°29'33",** and a long chord which bears **S 63°57'34" W., 728.24 feet,** to a calculated point;

4. **S 79°12'44" W., 1268.09 feet,** *(Deed S 83°01'10" W., 1268.09 feet),* to a 1" metal pipe found at the most southerly southwest corner of said 407.174 acre tract, same being the southeast corner of a called 3.010 acre tract conveyed to Fred D. Garvin and Linda A. Garvin in Volume 5132, Page 234, of said official public records, for the most southerly southwest corner of this tract of land;

THENCE, in a northerly direction, with a west line of said 407.174 acre tract, same being the east line of said 3.010 acre tract, **N 05°38'57" E., 172.96 feet,** *(Deed N 09°29'00" E., 172.96 feet),* to a calculated point at an interior corner of said 407.174 acre tract, same being the northeast corner of said 3.010 acre tract, for an interior corner of this tract of land;

THENCE, in a westerly direction, with a south line of said 407.174 acre tract, the following courses and distances:

1. **N 80°34'41" W., 227.70 feet,** *(Deed N 76°46'20" W., 227.78 feet),* to a calculated point, being an angle corner of said 3.010 acre tract, same being a corner of said 407.174 acre tract;

2. **N 66°42'16" W., 844.78 feet,** *(Deed N 62°53'50" W., 844.78 feet),* to a calculated point on the occupied north line of the remainder of a called 17.87 acre tract conveyed to Flora Ellen Farris in Document No. 2010-00017173, of said official public records, same being a corner of said 407.174 acre tract;

3. **N 59°13'34" W., 320.87 feet,** *(Deed N 55°16'40" W., 357.16 feet),* to a calculated point at the occupied northwest corner of said 17.87 acre tract, same being a corner of Lot 18, Block 1, Pecan Meadow Subdivision, of record in Document No. 2020033477-A&B, of said official public records;

4. **N 57°23'39" W., 35.97 feet,** *(Plat N 57°23'39" W., 35.97 feet),* to a calculated point at an interior corner of said Lot 18, being a corner of said 407.174 acre tract, for a corner of this tract of land;

THENCE, in a northerly direction, with the west line of said 470.174 acre tract, same being the east line of said Block 1, the following courses and distances:

1. **N 09°24'14" W., 298.93 feet,** *(Plat N 09°24'14" W., 298.93 feet),* to a ½" iron rod with cap stamped "QUICK INC RPLS 6447" found at an angle corner of Tract A, of said Pecan Meadow Subdivision, same being a corner of said 407.174 acre tract;

2. **N 02°04'23" E., 105.60 feet,** *(Deed N 02°04'23" E., 105.60 feet),* to a calculated point;

3. **N 40°20'14" W., 235.53 feet,** *(Plat N 40↑820'14" W., 235.53 feet),* to a calculated point at a corner of said Tract A, same being a corner of said 407.174 acre tract, for a corner of this tract of land;

THENCE, in a westerly direction, with the north line of said Tract A, same being the south line of said 407.174 acre tract, **N 80°44'29" W., 170.68 feet,** *(Deed N 80°44'29" W., 170.68 feet),* to a calculated point at the northwest corner of said Tract A, same being the northeast corner of a called 2.5 acre tract conveyed to Steven Costa and Roena Costa, Co-Trustees of the Steven and Roena Costa Revocable Trust in Document No. 2022032818, of said official public records, for an angle corner of this tract of land;

THENCE, continuing in said westerly direction, with the north line of said 2.5 acre tract, same being the south line of said 407.174 acre tract, **N 80°38'21" W., 341.00 feet,** *(Deed N 76°44'00" W., 511.54 feet),* to a calculated point on the east line of a called 119.599 acre tract conveyed to D Squared Investments, Inc., a Texas limited liability company in Document No. 2025017041, of said official public records, being the northwest corner of said 2.5 acre tract, same being the most westerly southwest corner of said 407.174 acre tract, for the most westerly southwest corner of this tract of land;

THENCE, in a northerly direction, with the west line of said 407.174 acre tract, same being the east line of said 119.599 acre tract, **N 16°46'44" E., 104.90 feet,** *(Deed N 20°28'00" E., 1634.43 feet),* to a calculated point at the beginning of a curve to the left, for the northwest corner of this tract of land;

THENCE, in an easterly direction, over and across said 407.174 acre tract, the following courses and distances:

1. With said curve to the left, an arc distance of **2408.28 feet,** a radius of **2640.00 feet,** a delta angle of **52°16'01",** and a long chord which bears **N 78°34'13" E., 2325.64 feet,** to a calculated point at the beginning of a curve to the left;

2. With said curve to the left, an arc distance of **739.42 feet,** a radius of **3130.08 feet,** a delta angle of **13°32'06",** and a long chord which bears **N 58°23'39" E., 737.70 feet,** to a calculated point at the beginning of a curve to the left;

3. With said curve to the left, an arc distance of **1724.03 feet,** a radius of **2640.00 feet,** a delta angle of **37°24'59",** and a long chord which bears **S 71°40'39" E., 1693.55 feet,** to a calculated point on the west line of said 6.542 acre tract, for the most northerly northeast corner of this tract of land;

THENCE, in a southerly direction, with the west line of said 6.542 acre tract, **S 19°01'47" W., 192.75 feet,** *(Deed S 22°51'43" W., 505.57 feet – Doc. No. 2020053069),* to a calculated point at the southwest corner of said 6.542 acre tract, for an interior corner of this tract of land;

THENCE, in an easterly direction, with the south line of said 6.542 acre tract, **S 76°20'17" E., 574.06 feet,** *(Deed S 72°50'21" E., 574.06 feet – Doc. No. 2020053069),* to the **Point of Beginning** and containing 134.05 acres of land;

Bearings cited hereon are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, as per GPS observations, all distances are grid.

This metes and bounds description is to accompany a Surveyor's Sketch of the herein described 134.05 acre tract.

This document was prepared for the purposes of defining the limits of a political subdivision in accordance to Texas Administrative Code - Title 22, Part 29, Chapter 663 - Subchapter B - Rule 663.21 (City of Harker Heights and City of Nolanville Extraterritorial Jurisdiction Limits), this survey is not intended for the conveyance of real property purposes. This document was the result of an on the ground survey.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed September 18, 2025

ALL COUNTY SURVEYING, INC.
1-800-749-PLAT
TX. Firm Lic. No. 10023600
server/projects /pro250000/250800/250878/250878-C.doc



2.5.2026

Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

City Council Memorandum

FROM: The Office of the City Manager **DATE: October 27, 2026**

DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A PRIMARY DEPOSITORY SERVICES CONTRACT TO EXTRACO BANKS, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT ON BEHALF OF THE CITY (RESOLUTION #2026-35, FINANCE DIRECTOR).

EXPLANATION:

Chapter 105 of the Texas Local Government Code requires that the City competitively solicit financial institutions to provide primary depository services at least every five years.

In April 2026, Staff contracted with Valley View Consulting, LLC (Valley View) for their assistance in selecting a primary depository bank. This is the fourth depository request for applications (RFA) that Valley View has assisted the City with since the 2013 fiscal year and they have also done two bank reviews in that time.

As part of the RFA procedure Valley View:

1. analyzed the City's bank service usage and balance records
2. reviewed bank accounts and statements
3. established the minimum banking services and potential additional services the City needs
4. developed a list of eleven financial institutions within a 15-mile radius of City Hall
5. contacted each of the eleven identified financial institutions
6. drafted the RFA for Staff review and approval
7. prepared advertisements as required and delivered them to Staff
8. emailed the RFA to Staff for distribution to the financial institutions
9. held a non-mandatory pre-application Zoom meeting hosted by Staff via Zoom in which five of the eleven banks attended
10. performed analysis on the four applications that were received from
    a. Extraco Bank, Harker Heights
    b. Huntington Bank, Killeen
    c. SouthStar Bank, Harker Heights
    d. Vera Bank, Harker Heights

Based on the financial analysis and demonstrations provided by Extraco Bank's Finance Team, it is both the City Finance Staff and the Valley View Team's recommendation to award Extraco Bank the initial contract term of three years with extension options.

Commencement of this term would begin on March 1, 2027, which would allow both Extraco and Staff time to finalize agreements, set up accounts, set up different block/allow settings for merchant services and Texas Comptroller accounts, as well as set up the safekeeping account for investment services.

RECOMMENDATION:

Staff recommends approval.

ACTION BY THE CITY COUNCIL:

1. Motion to **approve / disapprove** Resolution #2026-35.
2. Any other action desired.

ATTACHMENTS:

Resolution _2026-35

RESOLUTION NO. 2026-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A PRIMARY DEPOSITORY SERVICES CONTRACT TO EXTRACO BANKS, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT ON BEHALF OF THE CITY.

WHEREAS, the City is required by Chapter 105 of the Texas Local Government Code to select a primary depository for the City's funds, and

WHEREAS, the City advertised for requests for applications for primary depository services on July 12 and July 19, 2026, in the Killeen Daily Herald; and

WHEREAS, on August 20, 2026, four (4) applications were received, and

WHEREAS, the City has determined that Extraco Banks has provided the most advantageous terms to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, THAT:

Section 1. The City Council hereby awards the City's primary depository contract to Extraco Banks for an initial three-year term effective March 1, 2027, with the option to extend for up to two (2) additional one-year periods.

Section 2. The City Manager is hereby authorized to execute all necessary agreements to establish the depository relationship, up to and including a safekeeping agreement.

Section 3. That this resolution, and the removal and appointment herein, shall take effective immediately from and after the date of its passage.

PASSED AND APPROVED on October 27, 2026, by the Harker Heights City Council.

CITY OF HARKER HEIGHTS, TEXAS:

_____
Michael D. Blomquist
Mayor

ATTEST:

_____
Julie Helsham, City Secretary

City Council Memorandum

FROM: The Office of the City Manager **DATE: October 27, 2026**

DISCUSSION AND POSSIBLE ACTION REGARDING THE POTENTIAL FUTURE USE OR DISPOSITION OF THE CITY-OWNED PROPERTY LOCATED AT 100 EAST BEELINE LANE. (CITY MANAGER)

EXPLANATION:

The Beeline property was originally constructed and operated as a bank before becoming part of the former City Hall. Following the completion of the current City Hall facility, a portion of the original structure was demolished, and the remaining building was repurposed as the City Library. Upon completion of the new Library facility, the building was leased to the YMCA. In 2026, the YMCA's lease expired, and the organization elected not to renew. The City subsequently issued a Request for Proposals (RFP) to determine whether other organizations were interested in leasing and maintaining the facility. No proposals were received. On September 27, 2026, the City Council received a presentation from American Veterans Mission expressing interest in a potential lease of the property.

Staff is seeking City Council direction regarding the future use and disposition of the Beeline property. Options for Council consideration include: 1) directing staff to begin lease negotiations with American Veterans Mission, with consideration given to either closing the pool; 2) issuing a new RFP to continue exploring opportunities for another nonprofit organization to lease and maintain the facility; 3) closing the facility and performing only essential maintenance on the building and pool until a future municipal need is identified; or 4) pursuing the sale or other disposition of the property.

ACTION BY THE CITY COUNCIL:

1. Motion to authorize the City Manager to proceed with lease negotiations with American Veterans Mission.
2. Motion to issue a new Request for Proposals (RFP) to explore additional options.
3. Motion to close the Beeline Facility and limit maintenance to essential upkeep necessary to preserve the property.
4. Motion to pursue the sale or other disposition of the property.
5. Any other action desired.