AMARILLO COLLEGE BOARD OF REGENTS
MINUTES OF REGULAR MEETING
September 23, 2025

REGENTS PRESENT
Mr. Jay Barrett, Chair
Mr. John Betancourt, Vice-Chair
Mrs. Anette Carlisle
Ms. Michele Fortunato
Ms. Irene Hughes
Mr. Johnny Mize
Dr. Paul Proffer
Ms. Peggy Thomas
Dr. David Woodburn

REGENTS ABSENT

CAMPUS REPRESENTATIVES PRESENT
Ms. Sara Pesina, Representative for the Hereford Hinkson Memorial Campus

CAMPUS REPRESENTATIVES ABSENT
Mr. Jeff Turner, Representative for the Moore County Campus

CABINET MEMBERS PRESENT
Mr. Bob Austin, Vice President Student Affairs
Mr. Kevin Ball, Vice President of Communications and Marketing
Dr. Jamelle Conner, President
Mr. Chris Sharp, Vice President of Business Affairs
Mr. Joe Bill Sherrod, Vice President of Institutional Advancement
Ms. Denese Skinner, Vice President of Strategic Initiatives
Dr. Frank Sobey, Vice President of Academic Affairs
Mr. Mark White, Executive General Counsel

CABINET MEMBERS ABSENT

OTHERS PRESENT:
Ms. Jessica Arce, Administrative Assistant
Ms. Geni Arndt, Community Member
Ms. Tina Babb, Associate Vice President of Curriculum, Planning, & IE
Ms. Kim Bruce, Communications Coordinator
Ms. Becky Burton, Associate Vice President of Academic Learning & Services
Mr. Martin Conner, Community Member
Ms. Tiffani Crosley, Associate Vice President of Business Affairs
Ms. Ally Greenwood, Executive Assistant & Asst. Secretary to the Board
Ms. Julie Grimes, General Manager Panhandle PBS
Ms. Amber Hamilton, Director of Student Life
Mr. Sean Hargrove, Athletics
Mr. Jerrod Hinders, Coordinator - Counseling Center

Chief Aaron Huddleston – Chief of Amarillo College Police
Dr. Chris Hudson, Faculty Senate President
Ms. Kennedy Juarez, SGA Vice-President
Mr. Christopher Key, Marketing Special Projects Coordinator
Mr. Jesse Pfrimmer, Community Member
Ms. Brianna Maestas, Amarillo Tribune
Mr. Doug Nelson, AEDC
Mr. Dan Rogers, Potter GOP
Mr. Keyson Shrubs, Student Prayer
Mr. Paul Simpson, AEDC
Mr. Michael Sugdon, Director of Financial Services
Ms. Nell Williams, Amarillo Globe News

REGULAR MEETING

The Regular Meeting was called to order at 6:00 pm by Mr. Jay Barrett, Chair of the Board of Regents. He welcomed those in attendance. A quorum was present.

PLEDGE OF ALLEGIANCE

PRAYER
Mr. Keyson Shrubs prayed with the Board.

STUDENT GOVERNMENT ASSOCIATION REPORT
Ms. Kennedy Juarez, the SGA vice-president, delivered the SGA report. Ms. Juarez reviewed recent SGA and student life events such as a successful Fall Fest that 490 students and 117 employees attended, as well as the Badger Blue Out Volleyball game that saw 52 students. Ms. Juarez continued by highlighting the ARC resource fair where SGA partnered with the Advocacy and Resource Center to host a hygiene drive. On the 17th of September SGA swore in 30 new members. Ms. Juarez concluded by sharing that SGA officers, along with the Blue Blazers and the Presidential Scholars, assisted with the President's Investiture ceremony.

REGENTS' REPORTS, COMMITTEES, AND COMMENTS REGARDING AC AFFILIATES

Executive Committee
Mr. Barrett reported that the Executive committee did not meet.

AC Foundation
Ms. Fortunato shared that the Annual meeting on September 9th was held downtown at the Amarillo Club, where they honored Sam and Carol Lovelady. The event was well attended. Sam surprised Carol by announcing an endowed scholarship in her name, dedicated to journalism students and was created by Sam and their children Patrick and Lizzie. At that meeting they recognized the new and outgoing board members, and the new officers who are beginning their terms. Mark Shaffer is the new Chairman.

Mr. Sherrod discussed that the Foundation is at the end of the 5-year Badger Bold campaign. The campaign has been very successful and will be celebrated on October 1st and 2nd.

Amarillo Museum of Art (AMoA)
Ms. Fortunato reminded the Board that on Saturday, October 4th AMoA will have the opening night reception Biennial 600, which is an invitation to artists within 600 miles of Amarillo in a circle. This is a juried exhibition with over 1200 images and 250 artists. That night will also open up a show called Wicked Wells and Window Wipeouts. There will be a gallery talk with the artists and the juror from the previous exhibition. This exhibition features playful and surprising watercolors and sculptures made from items collected or scrapped from everyday travels. AMoA will have a booth at the Hoodoo Festival on September 27th at Arts in the Sunset.

The Ladd Lecture is on Thursday, October 16th and will be about Andrew Wyeth from his granddaughter's perspective. This is a free lecture at the AC Concert Hall Theater. Christmas Roundup is November 7th, 8th, and 9th. Mr. Barrett thanked Ms. Fortunato for her work with AMoA.

Panhandle PBS
Ms. Thomas shared that the West Texas Boys, an original Panhandle PBS production, has received a National Education Television Association for content award in the cultural features category. The film highlights the creativity and dedication of the Panhandle PBS team, and Senior content producer of Aden Pena. This recognition reinforces Panhandle PBS commitment to sharing authentic local stories with communities everywhere. On Thursday September 11th, Panhandle PBS and the Amarillo Symphony presented a sold-out event called "The Night in the Highlands" featuring Scottish inspired music.

Tax Increment Reinvestment Zone (TIRZ)
Mr. Woodburn shared that he was not able to attend but did have some information regarding the last meeting. He reported that the Marriott Courtyard downtown has sold. There was some discussion on having the new owners assume what's left of their agreement with TIRZ one.

Tax Increment Reinvestment Zone 2 (TIRZ 2)
Mr. Betancourt reported that they have not met, but that an email was sent out regarding the investment report.

Tax Increment Reinvestment Zone 3 (TIRZ 3)
Dr. Proffer shared that they met on August 28th and reviewed the financial reports and approved the budget for 2025-2026.

Standing Policies & Procedures Committee
Nothing to report.

Finance Committee (AC Investment, Potential Lease & Sales Opportunities)
Ms. Fortunato discussed that they met but there was no report.

Legislative Affairs Committee
No report.

Community College Association of Texas Trustees (CCATT)
Mr. Betancourt reported that on September 11th he and Dr. Conner, Ms. Thomas, Ms. Hughes, Dr. Woodburn, and Ms. Greenwood traveled to the Annual CCATT conference. At the conference the group heard from the Commissioner of Education and the Commissioner of the Higher Education Coordinating Board. Mr. Betancourt thanked Dr. Woodburn for nominating him during the annual business meeting to run for the large college director position for CCATT, which he

won. This role allows Mr. Betancourt to represent 9 large colleges at the state level, which extends AC's reach and collective voice for advocating for all students at community colleges across Texas. The colleges Mr. Betancourt will represent are Amarillo College, Blinn College, Central Texas College, Del Mar College, Laredo College, Navarro College, North Central Texas College, South Plains College, and Tyler Junior College. Mr. Betancourt stated he was honored to serve and discussed his previous work on CCATTs engagement committee and on the education committee.

Nominating Committee
No report.

PRESIDENT'S REPORT
Dr. Conner gave a report on the Innovation Outpost, which recently hosted an open enrollment electrical safety course in response to industry partner needs. In October the IO will host two events: The Badger Cyber Security Event on October 7th and the Panhandle Regional Manufacturing Alliance Meeting on October 8th. In addition, the IO will be offering three CompTIA rapid review and test preps in October for participants to prepare for certification exams. The IO has been awarded two skills development fund grants from the Texas Workforce Commission, a $166,000 grant in partnership with International Aerospace Coatings to provide customized training for 89 employees over 12 months, and a $50,000 Contingencies Skills Development grant, which provides opportunities for multiple employers to upskill and reskill their workforce.

Dr. Conner pointed out that this month the regular monthly financial report is not included due to the close of the fiscal year. Starting with our October meeting the financials will be one month in the arrears. Dr. Conner discussed the decision on September 11th by the U.S Department of Education to discontinue minority serving institutions (MSI) discretionary programs and that AC has been impacted by this change. These changes effect several grants such as the Preparing for the Future of Work Title V grant and CCAMPIS grant. She continued by giving updates on Perkins Career and Technical Education (CTE) and the Adult Education and Family Literacy Act (AEFLA) programs, which have at a federal level moved under the Department of Labor. She expects there will be regulatory changes for FERPA, Title IX, Title VI, and Uniform Grant Guidance. AC's Office of Grants Administration and Compliance will be attending federal update sessions during the fall term to monitor guidance, assess risks, and prepare the institution for implementation of policy and compliance changes.

Dr. Conner discussed recent successes with the growth of East Campus. Current enrollment has reached a five-year high and dual credit offerings have expanded with the addition of several new partner locations: Canyon ISD for Automotive, Tulia ISD for welding, Panhandle ISD for welding, Dimmitt ISD for automotive, and River Road ISD for Welding.

Dr. Conner shared that two of the Amarillo College family, Imelda Saavedra and Karah Gilbert, were honored by the Amarillo Chamber of Commerce as selections for the Top 20 under 40 list.

Dr. Conner shared some highlights on recent meetings and connections such as the Campaign Steering Committee End of Campaign Luncheon, The Amarillo Executive Women Luncheon, The Amarillo College Foundation Annual Meeting, and a recent meeting with Leadership Amarillo. She reported that the Amarillo Women's Network selected her for a Career Achievement award last week and thanked the regents who attended.

Dr. Conner concluded by discussing the upcoming three-game series at the Globe Life Field in Arlington on January 27th and 28th in which the Amarillo College Badgers Baseball team will play in a four-day invite only showcase against Seminole State Junior College, Grayson Junior College, and San Jacinto Junior College.

PUBLIC BROADCASTING SERVICE (PBS) UPDATE

Ms. Julie Grimes, the General Manager of Panhandle PBS, and Michael Sugden, gave an update on PBS. Ms. Grimes walked the Board through a topline view of PBS's finances over the next few years as well as provided information on fundraising opportunities. Ms. Grimes projected for the Fiscal Year 2026 expenses to be $1,610,024, Station Revenue $394,000, and PBS Funds $825,000. Panhandle PBS is fully funded for Fiscal year 2026. Ms. Grimes continued that into 2027 they are not fully funded and would need fundraising opportunities. Ms. Grimes projects expenses for 2027 to be $1,650,000, Station Revenue $500,000, and PBS Funds $760,000. They have increased their fundraising goal for 2027 and are working on a fundraising campaign over the next couple of years as well as increasing events. Ms. Grimes continued that Panhandle PBS plans to raise $70,000 through the Panhandle Gives campaign, in order to acquire and deploy the next-generation Texas PBS App to deliver streaming to viewers.

PUBLIC COMMENTS

There was one public comment.

MINUTES APPROVED

Minutes of the regular board meeting on August 26, 2025 were provided to Regents. Ms. Fortunato requested that the minutes be amended to reflect an error in the AMoA report. Mr. White discussed the need for the Badger Bound PowerPoint to be added to the minutes.

Ms. Fortunato moved to approve the minutes as amended of the regular meeting of August 26, 2025. Ms. Carlisle seconded the motion. The motion carried unanimously.

CONSENT AGENDA APPROVED

The Consent Agenda was provided to the board.

Ms. Fortunato moved to approve the consent agenda. Dr. Woodburn seconded the motion. The motion carried unanimously.

GUIDELINES AND CRITERIA FOR TAX ABATEMENT

Mr. White shared that there is a statute that requires for a taxing entity to participate in tax abatements that the board has to vote to become eligible to participate, then adopt guidelines and criteria that govern the tax abatement agreements. Mr. White continued that several years ago the tax entities collaborated with AEDC to adopt and come up with guidelines and criteria on how these tax abatements will work. Every two years the college has to renew its guidelines and criteria. Mr. White added that the City of Amarillo recently adopted their new guidelines and criteria and that AC always adopts the same ones as the City. Mr. White recommended that the Board of Regents elect to become eligible to participate in tax abatements and adopt those guidelines and criteria that the City of Amarillo recently adopted in August.

Mr. Betancourt moved that Amarillo College elect to become eligible to participate in tax abatement and adopt the same Guidelines and Criteria as did the City of Amarillo on

August 12, 2025, and authorize the Chair to execute the Resolution doing so. Ms. Thomas seconded. The motion passed unanimously.

TAX ABATEMENT

Mr. Doug Nelson, the interim President and CEO of Amarillo Economic Development Corporation (AEDC), discussed the tax abatement for the International Aerospace Coatings (IAC). IAC would like to expand its Amarillo operation with construction of a new 78,000 sq. ft., wide body hanger. The expected capital expenditure is $27,700,000. The expansion would add up to 70 full-time equivalents to the workforce with an average annual salary of at least $55,000. The AEDC has approved an incentive to IAC of $10,000 per full time equivalent paid out over five years, with a two-year ramp-up. This was approved by the AEDC Board of Directors on July 15, 2025 and approved by the City of Amarillo on July 22, 2025. Mr. Nelson added that the City Council took an additional step for their incentive package, which is an 80% abatement on improvements year one, which declines by 10% per year, for eight years. IAC also signed an airport lease amendment for additional 99,579 sq. ft. for 50 years. This was approved by the Amarillo City Council on July 22, 2025 and approved by Potter County on July 28, 2025.

Mr. Nelson discussed the benefits of the abatement to Amarillo College. Over the 20-year period AEDC expects that the current property tax rates, that AC will collect, will be $1.36 million dollars. The abatement that is proposed, 8 years starting at 80%, and going down by 10% each year will be $219,835, Amarillo Colleges net collections would be a little over $1.1 million dollars. Mr. Nelson concluded that AEDC is asking the Board of Regents to participate in the tax abatement at the same term and rate that the City of Amarillo and Potter County has approved.

Dr. Woodburn moved that the Board of Regents elect to participate in the tax abatement for International Aerospace Coatings, Inc., a Washington corporation doing business in Texas as Associated Painters, Inc., on the same terms and to the same extent as the City of Amarillo, and authorize the Chair to execute the participation agreement. Ms. Hughes seconded. The motion passed unanimously.

APPROVAL OF USE OF FACILITIES AGREEMENT WITH PANHANDLE BASEBALL CLUB, INC. DBA AMARILLO SOD POODLES

This item was placed on the agenda in order for the Board of Regents to consider approval of the Facilities Use Agreement between Amarillo College and Panhandle Baseball Club, Inc. allowing Amarillo College Athletics to play intercollegiate baseball games at Hodgetown. The Agreement showing the increase in rental rate is included in the materials was provided on pages 29-31 of the agenda. Mr. White reminded the board that three years ago the college started playing at Hodgetown and that the original contract is now over and needs to be renewed. Mr. Sean Hargrove and Mr. Brandon Raines were present to answer questions.

Mr. Betancourt moved to approve the agreement. Ms. Fortunato seconded. The motion carried unanimously.

INVESTMENT REPORT

Mr. Sharp discussed the Quarterly Investment Report for the period June 1, 2025 through August 31, 2025. A copy of the report was provided to the Regents. Mr. Sharp pointed out page

five of the report, which shows the Investments. He discussed that the balance as of August 31st is $12, 871, 541. He discussed we are making a rate of 4.281% and that the rest of the report shows where the investments are.

Dr. Proffer moved to approve the Quarterly Investment Report. Dr. Woodburn seconded. The motion passed unanimously.

NOMINATIONS FOR THE DEAF SMITH COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

Ms. Carlisle moved to nominate Edward Allison, David Brown, Mike Brumley, and Mike Bryant for a place on the ballot for the Deaf Smith County Appraisal District Board of Directors. Dr. Woodburn seconded. The motion passed unanimously.

NOMINATIONS FOR THE POTTER-RANDALL APPRAISAL DISTRICT BOARD OF DIRECTORS

Ms. Thomas moved to nominate Jack Klaus and Jinger White for Randall County and Mitzi Wade and Chip Hunt for Potter County for a place on the ballot for the Randall and Potter Appraisal District Board of Directors. Mr. Betancourt seconded. The motion passed unanimously.

NOMINATIONS FOR THE MOORE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

Mr. Betancourt moved to nominate Darren Stallwitz, Seth Seal, Paresh Bhakta, Ben Maples, and Kelly VanDyk for a place on the ballot for the Moore County Appraisal District Board of Directors. Ms. Carlisle seconded. The motion passed unanimously.

ORDER FOR ANNEXATION

The Board of Regents were provided maps of the annexation and are attached at pages 10-25 of the minutes. Mr. Sharp discussed that the City of Amarillo has Annexed a few locations. When the City annexes the College does so that our boundary stays within the city limits. This is an Order of Annexation for a 168.77-acre tract of land. Mr. Sharp discussed that highland park independent school district is developing its own housing and are the applicant of the annexation. The Board of Regents were provided maps of the annexation and are attached at pages 9 - 24 of the minutes.

Mrs. Carlisle moved to approve the territory annexation; Dr. Proffer seconded. The motion carried unanimously.

ORDER FOR ANNEXATION

Mr. Sharp discussed that this is another annexation 477.36 acres, I27 goes in the middle of it and just south of Hollywood and north of Sundown Lane. Mr. Sharp believes some of Kids inc. is in this area. The Board of Regents were provided maps of the annexation and are attached at pages 25 - 43 of the minutes.

Dr. Proffer moved to approve the territory annexation; Dr. Woodburn seconded. The motion carried unanimously.

REQUEST FOR PROPOSAL NO. 1421 – MENTAL HEALTH AND/OR HEALTHCARE SERVICES FOR AMARILLO COLLEGE STUDENTS

Mr. Austin discussed that in 2021 Mr. Jerrod Hinders and Ms. Denese Skinner came to the board looking for a vendor to provide telehealth and services to supplement the counseling available to students. A lot of new vendors have entered the space since then, the college is looking for a new vendor to match the quality of service and to see if there was an opportunity for cost savings. They reviewed many vendors and narrowed that down to seven, landing on Telus Health Student Support. This allows us to continue high quality of service that we had before at significant cost savings. Mr. Austin added Texas Tech University and West Texas A&M use this vendor.

Mrs. Carlisle moved to approve the award of RFP No. 1421 to Telus Health. Ms. Thomas seconded. The motion passed unanimously.

INVITATION TO BID PACKAGE NO. 1426-BEST VALUE INVITATION FOR BID FOR TWO SEMI CONCERT GRAND PIANOS FOR THE MUSIC AND THEATRE DEPARTMENT

Mr. Sharp discussed that in August notice was sent out on August 10th and 17th for two semi-grand pianos. Three companies proposed, with one of those three companies proposing twice. Mr. Sharp recommends the Lubbock Piano Gallery, who came in as the lowest cost at $144,530. This is to replace two pianos that were damaged.

Ms. Fortunato moved to approve the award of Bid package No 1426 to Lubbock Piano Gallery. Mr. Betancourt seconded. The motion carried unanimously.

CLOSED MEETING

At 7:21 pm Mr. Barrett called for a closed session in order that the Regents might consult with the college attorney to seek his advice on two legal matters pursuant to Section 551.071 of the Texas Government Code; and deliberate the possible lease of real property pursuant to Section 551.072 of the Texas Government Code. President Dr. Jamelle Conner, Counsel Mark White, and Vice President of Business Affairs Chris Sharp was asked to stay for both items. Vice President of institutional advancement Joe Bill Sherrod was asked to say for item number two.

At 8:00 p.m. the closed meeting concluded. No final decision, action, or vote was taken in the closed session. The open meeting reconvened at 8:01 p.m. with a quorum still present.

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ADJOURNMENT

Dr. Woodburn moved to adjourn the meeting. Mrs. Carlisle seconded. The motion carried unanimously. The meeting adjourned at 8:01 pm.

Sara Pesina, Secretary

CITY OF AMARILLO
DEVELOPMENT SERVICES

DEVELOPMENT SERVICES
808 S. BUCHANAN ST
PO Box 1971
AMARILLO TX 79105-1971
(806) 378-5263

August 9, 2024

Che Shadle
OJD Engineering, LLC
2420 Lakeview Drive
Amarillo, Texas 79109

RE: Letter of Action: Approval – Annexation of 168.77 Acres of Land in Potter County, Texas

Mr. Shadle,

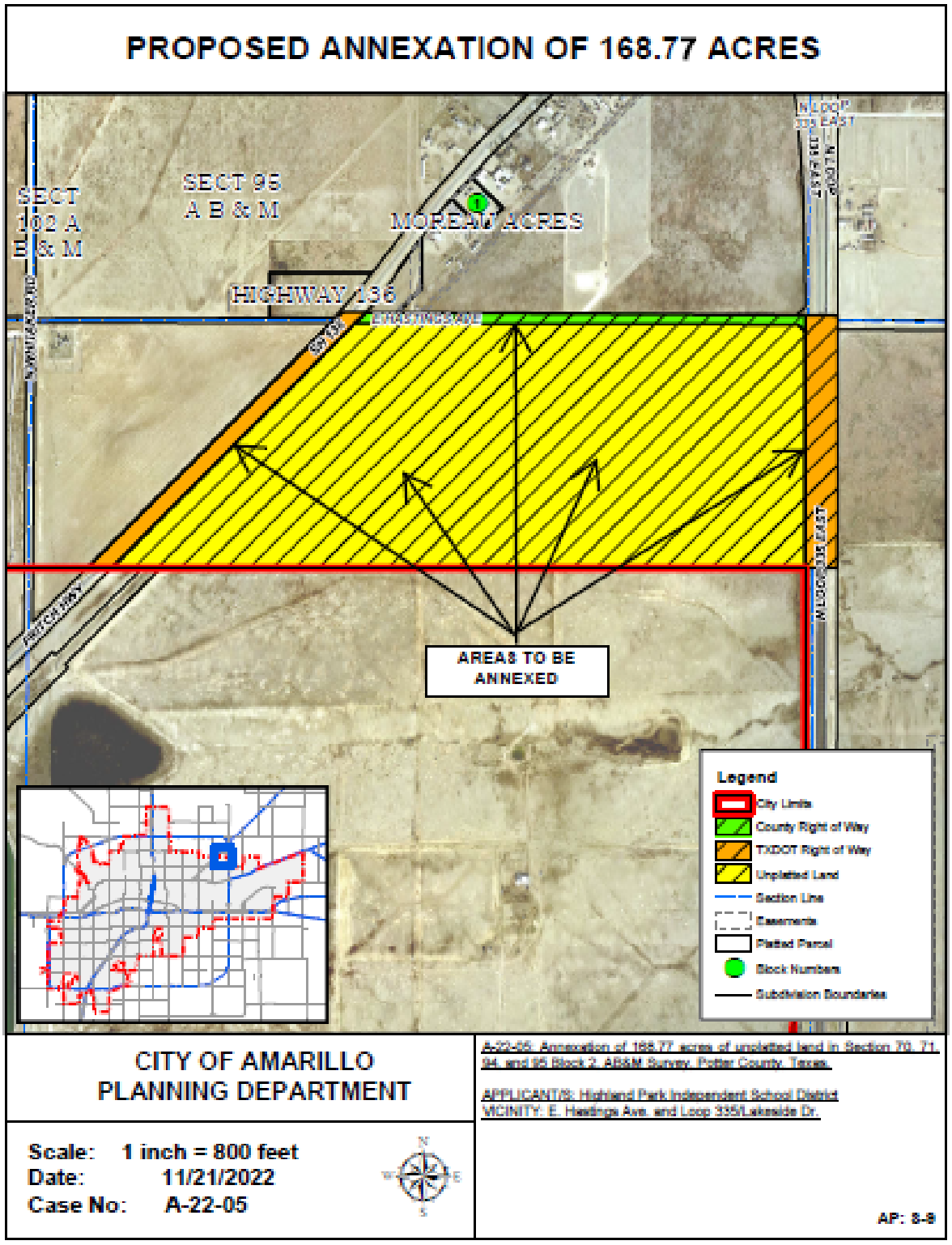
The City of Amarillo approved the above annexation on 7-23-2024. The annexation (Ordinance No. 8142) was filed of record in the Official Public Records of Potter County, File Clerk's No. 2024OPR0009699 on 8-06-2024. Enclosed you will find a copy of your approved and recorded ordinance.

Approval of an annexation shall not constitute acceptance of any of the public improvements required to serve the subdivision or development.

As the Project Manager, please direct all questions to me, to avoid confusion or receipt of erroneous information. My contact information ior 806-378-5286.

Sincerely,

Brady D. Kendrick
Senior Planner


PROPOSED ANNEXATION OF 168.77 ACRES
SECT 102 A B & M
SECT 95 A B & M
MOREAU ACRES
HIGHWAY 136
AREAS TO BE ANNEXED
Legend
City Limits
County Right of Way
TXDOT Right of Way
Unplatted Land
Section Line
Easements
Platted Parcel
Block Numbers
Subdivision Boundaries
CITY OF AMARILLO
PLANNING DEPARTMENT
Scale: 1 inch = 800 feet
Date: 11/21/2022
Case No: A-22-05
A-22-05: Annexation of 168.77 acres of unplatted land in Section 70, 71, 94, and 95 Block 2, AB&M Survey, Potter County, Texas.
APPLICANT/S: Highland Park Independent School District
VICINITY: E. Hastings Ave. and Loop 335/Lakeside Dr.
AP: 8-9

20240PR0009699 ORD
01/05/2024 11:30 AM Total Pages: 14
Julie Smith, County Clerk - Potter County, TX

_SS 6/27/2024

ORDINANCE NO. 8142

AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, IN POTTER COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS A 168.77 ACRE TRACT OF LAND LOCATED IN SECTIONS 70, 71, 94, and 95, BLOCK 2, AB&M SURVEY, POTTER COUNTY, TEXAS; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Amarillo, Texas is a home-rule municipality authorizedby State law and the City Charter to extend its boundaries and to annex area adjacent and contiguous to its corporate limits; and

WHEREAS, the City of Amarillo's policy is not to pursue involuntary annexations; and

WHEREAS, an offer of a development agreement has been made and rejected; and

WHEREAS, the owners of the property, described in Exhibit A (hereinafter the "Area"), have petitioned the City Council in writing to annex this area into thecorporate limits of the City of Amarillo; and

WHEREAS, an Agreed Service Plan has been prepared and executed that provides for the extension of appropriate municipal services to the Area, outlinedin Exhibit B, attached hereto and made a part hereof for all purposes; and the Cityof Amarillo is able to provide such services by any of the methods by which the City extends the services to any other area of the City; and

WHEREAS, the notice, publication, time periods and other procedural requirements of Texas Local Government Code, Chapter 43, Subchapter C-3, have been complied with, including with respect to this annexation that a public hearing has been held at which persons interested in annexation of the Area intothe corporate limits of the City were given the opportunity to be heard, on July 9, 2024; and

WHEREAS, the hereinafter described properties and territory lies within the extraterritorial jurisdiction of the City of Amarillo.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this Ordinance as if fully set forth.

SECTION 2. Annexation. The Area, described in Exhibit A, attached hereto and incorporated herein for all purposes, is hereby added and annexed into the City of Amarillo, Texas, said Area shall hereafter be included within the corporate limits of the City of Amarillo, and the present boundary lines of said C tyare hereby altered, extended and amended so as to include said Area within thecorporate limits.

SECTION 3. Amendment of Boundaries and Official Map. The official mapand boundaries of the City of Amarillo, Texas, heretofore adopted and amended,shall be and are hereby amended so as to include the aforementioned annexed Area.

SECTION 4. Agreed Service Plan. The service plan, attached hereto as Exhibit B, is hereby approved and is incorporated herein for all purposes. The Cityof Amarillo makes an affirmative determination that this service plan provides forservices to the annexed Area which are comparable to other areas within the Cityof Amarillo with similar land utilization, population density, and topography.

SECTION 5. Pro Rata Share of Taxes. The annexed Area, being a part of the City of Amarillo for all purposes, the property situated herein shall bear its prorata part of taxes levied by the City of Amarillo.

SECTION 6. Rights, Privileges and Duties of Inhabitants. The inhabitantsof the annexed Area shall be entitled to the rights and privileges of the other citizens of the City of Amarillo and shall be bound by the Charter, Ordinances, Resolutions, and other regulations of the City of Amarillo.

SECTION 7. Filing of Ordinance. The City Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Potter County, Texas, the County Tax Assessor of Potter County, Texas, the Potter County Appraisal District, the Texas Secretary of State, the Census Bureau, the Texas Department of Insurance, the Texas Public Utility Commission, the Texas Comptroller of Public Accounts, and all local utility companies, in the manner required by law.

SECTION 8. Severability. If any part: provision, section, subsection, sentence, clause or phrase of this Ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void,or invalid, the validity

of the remaining parts of this Ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby. The City Council's intent in adopting this Ordinance is that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 9. Open Meeting Act Compliance. The City Council for the City of Amarillo hereby finds and declares that the meetings at which this Ordinance was introduced and finally passed were open to the public as required by law, and public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 10. Effective Date. This Ordinance will become effective on the day of its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 9th day of July 2024; and PASSED on Second and Final Reading on this the 23rd day of July 2024.

Cole Stanley, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

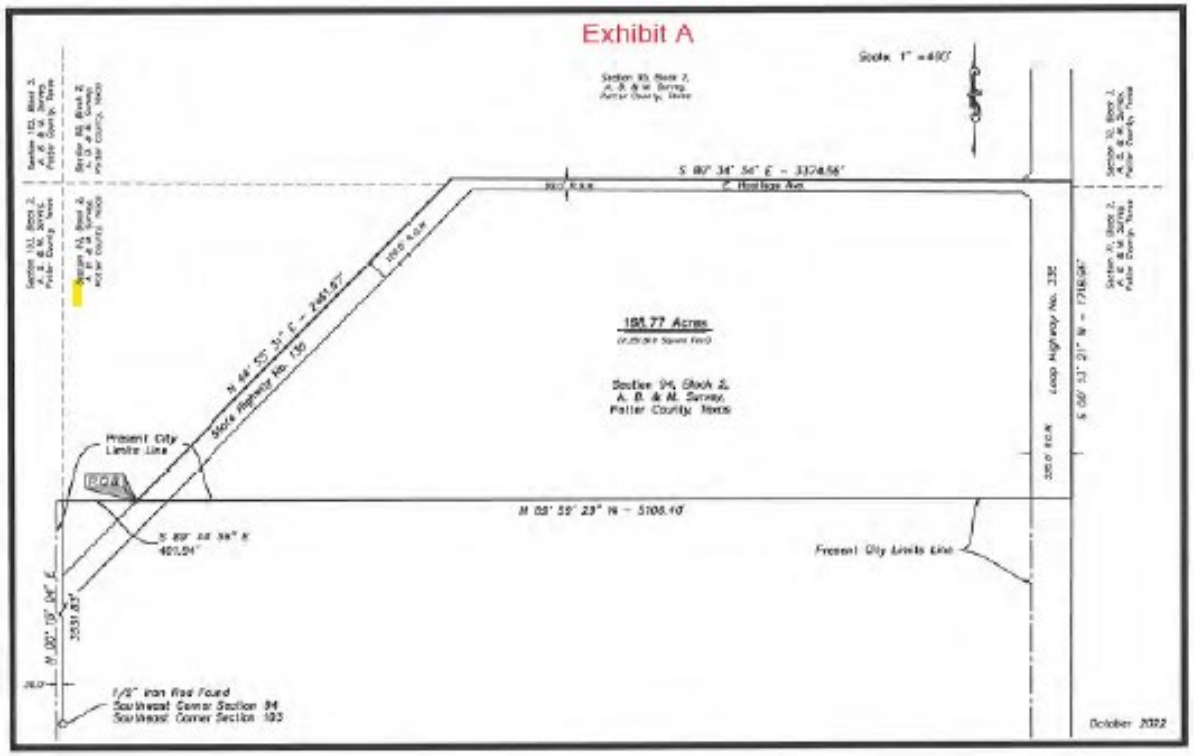


Exhibit A
Scale: 1" = 400'
S 89° 34' 54" E - 3324.56'
E. Hastings Ave.
N 44° 57' 31" E - 2441.97'
State Highway No. 136
100.0 R.O.W.
184.77 Acres
Section 94, Block 2,
A. B. & M. Survey,
Potter County, Texas
Present City
Limits Line
POB
S 89° 44' 36" E
401.04'
N 00° 15' 24" E
3331.83'
N 89° 59' 23" W - 3308.10'
Present City Limits Line
Loop Highway No. 335
350.0 R.O.W.
S 00° 13' 21" W - 1716.68'
1/2" Iron Rod Found
Southwest Corner Section 94
Southwest Corner Section 193
October 2022

Exhibit B

MUNICIPAL SERVICES AGREEMENT
BETWEEN THE CITY OF AMARILLO, TEXAS
AND
HIGHLAND PARK INDEPENDENT SCHOOL DISTRICT

This Municipal Services Agreement ("Agreement") is entered into on 2nd day of July, 2024 by and between the City of Amarillo, Texas, a home-rule municipality of the State of Texas, ("City") and Highland Park Independent School District ("Owner"). The parties agree that the following recitals are true and correct and form the basis upon which the parties have entered into this Agreement.

WHEREAS, Section 43.0671 of the LGC permits the City to annex an area if each owner of land in an area requests the annexation;

WHEREAS, where the City elects to annex such an area, the City is required to enter into a written agreement with the property owner(s) that sets forth the City services to be provided for the Property on or after the effective date of annexation (the "Effective Date");

WHEREAS, Owner owns certain parcels of land situated in Potter County, Texas, which consists of approximately 168.77 +/- acres of land in the City's extraterritorial jurisdiction, such property being more particularly described and set forth in Exhibit "A" attached and incorporated herein by reference ("Property");

WHEREAS, Owner has filed a written request with the City for full-purpose annexation of the Property (Could the Annexation application number here);

WHEREAS, City and Owner desire to set out the City services to be provided for the Property on or after the effective date of annexation;

WHEREAS, the Annexation and execution of this Agreement are subject to approval by the Amarillo City Council; and

NOW THEREFORE, in exchange for the mutual covenants, conditions and promises contained herein, City and Owner agree as follows:

1. PROPERTY. This Agreement is only applicable to the Property, which is the subject of the Annexation application as described herein.

2. INTENT. It is the intent of the City that this Agreement provide for the delivery of available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law. For purposes of this Agreement, "municipal services" means services provided by the City within its full-purpose boundaries, including water and wastewater services and excluding gas or electrical service.

3. MUNICIPAL SERVICES.

a. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and Owner or property owner participation in accordance with this Agreement and applicable city ordinances, rules, regulations, and policies.

FIRE

Existing Services:

None

Services to be Provided:
Fire suppression, prevention, and first response Emergency Medical Services (EMS) do not exist in the proposed annexation. Fire prevention and fire inspection activities will be provided by the Fire Marshal's office as needed.

The City of Amarillo will be responsible for coordinating the funding of the cost to construct a fire station. Construction of said fire station will begin upon adequate resources being available for construction and operation of said fire station.

POLICE

Existing Services:

None

Services to be Provided:

Upon annexation, the City of Amarillo Police Department will extend routine patrols and response to calls for service to the area. Police Department activities to serve the area upon annexation can be afforded to the annexed area within current budget appropriation.

As the City experiences development in this area, upon full development of the area to be annexed, an additional three police officers and one patrol unit will be needed for the area to be annexed.

The City will be responsible for the cost of the additional officers and patrol units.

BUILDING SAFETY

Existing Services:

None

Services to be Provided:

The Department of Building Safety will provide plan review and inspection services upon annexation and/or as development warrants. This includes issuing building, electrical, mechanical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Amarillo.

PLANNING AND ZONING

Existing Services:

None

Services to be Provided:

The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Amarillo's Zoning Ordinance already extends to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Amarillo's Subdivision Ordinance.

PARKS & RECREATION

Existing Services:

None

Services to be Provided:

The Parks Master Plan (approved by Council on 9/28/2021) recommends the following Park Dedication Requirements (Additional guidance may be found in Appendix E of the Parks Master Plan):

Owners shall provide a minimum of 2.2 acres of developed park land per 1,000 residents for neighborhood and community parks. The City has discretion in how it divides this acreage between subtypes of parks (small neighborhood park, large neighborhood park, multi-purpose community park and Special Use Community Parks). The City may collect any portion of this acreage in form of fees in-lieu of park land.

At the applicant's request, the City may approve compliance through other alternatives. For example, improved acreage for Neighborhood Parks may remain in private ownership, by the property owner's grant of an easement meeting ongoing maintenance and continued public access to the land for the park purposes.

Unless requested by the applicant, the maintenance of the parks will be provided by the City upon acceptance and completion of the required warranty period. Existing contracts (landscape maintenance, forestry, etc.) will be amended to cover any parks to be maintained by the City. Park maintenance will require one additional employee to assist with litter route and general park upkeep.

LIBRARY

Existing Services:

None

Services to be Provided:

Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. Department activities can be attributed to the annexed area within current annual budget appropriations.

ENV. HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services:

Sanitary nuisances (limited), OSSF

Services to be Provided:

The Amarillo Area Public Health District will continue to provide all programs currently offered to the District (Sanitary nuisances, OSSF, Food Hygiene, Rec. Water, Group Care). The department will implement the control of mosquitoes upon annexation.

ANIMAL MANAGEMENT AND WELFARE SERVICES

Existing Services:

None

Services to be Provided:

Animal Management and Welfare services will be provided to the area upon annexation.

PUBLIC RIGHT-OF-WAY

Existing Services:

None

Services to be Provided and Public Right-of-Way Requirements:

Currently, there are two TxDOT facilities, SH 136 (Fritch highway) and Loop 335, within the area proposed for annexation in addition to Hastings Avenue.

Owners will provide streets, sidewalks, and alleys within the area to be annexed at their own expense including improving Hastings Road to a 45-foot back-to-back section adjacent to commercial and 37-foot back-to-back adjacent to residential. Construction of all streets and alleys shall comply fully with City of Amarillo Street Standard Specifications. Maintenance to any future street and alley facilities will be provided by the City upon acceptance of that street or alley by the City at the completion of the required warranty period.

STORM WATER MANAGEMENT

Existing Services:

None

Services to be Provided:

Owners will provide storm water drainage facilities at their own expense within the subdivision and will be jointly inspected by the Capital Projects and Public Works Department at time of completion. Construction of all storm water drainage facilities shall comply fully with City of Amarillo Specifications. The City will then maintain the public drainage facilities upon approval and completion of the warranty period.

Downstream easements will be required for runoff as well as the improvements necessary. These improvements will have to be determined by a drainage study, provided by the Owner, at the time of development. Easements will need to be obtained by the Owner from all property owners between their development and the point of discharge prior to approval of any submitted drainage report. TxDOT will need to be consulted regarding any post-development flow that discharges onto their facilities. Any improvements that will need to be made to TxDOT facilities will be the responsibility of the Owner.

Section 4-8-8(h) of the Amarillo Municipal Code of Ordinances states "Base Flood Elevation data shall be generated for all development proposals, including subdivisions and the placement of manufactured home parks, which are greater than fifty (50) lots or five (5) acres, whichever is the lesser." This requirement will apply to the Zone 'A' floodplain that is downstream of the proposed annexation area.

STREET LIGHTING

Existing Services:

None

Services to be Provided:

All street lighting will be provided by the Owner as development occurs. The City of Amarillo Traffic Engineering Department will coordinate any request for improved street lighting with the local electric provider in accordance with City of Amarillo Lighting Standards.

Maintenance of the above street lighting will be the responsibility of the City once annexed and installed and accepted according to City Standards.

TRAFFIC ENGINEERING

Existing Services:

None

Services to be Provided:

Upon annexation and as development occurs, the City of Amarillo Traffic Engineering Department will provide traffic control devices deemed necessary by that Department.

Traffic signing will be placed as development occurs and at appropriate locations. Signing will include Stops, Yields, Do Not Enter, 1-Way, and Speed Limit as required. Based upon the proposed street layout, it is anticipated that a minimum of 95 individual sign pole installations will be required.

Maintenance of the above signage will be the responsibility of the City once installed according to City Standards.

Future traffic patterns may warrant a traffic signal/s at appropriate locations. Should this be warranted, installation and maintenance of the traffic signal/s will be the responsibility of TXDOT and/or the City of Amarillo.

WATER SERVICE

Existing Services:

None

Services to be Provided:

Upon annexation, the area will be considered served by an existing 8" main running along the west side of Texas State Highway 136.

As development occurs, the Owner is responsible for construction of water mains within the subdivision. The Owner will also be responsible for the following: 16" water main will have to be extended north up Loop 335 and then a 16" main continuing west along Hastings Ave. before connecting to the 8" line in SH 136 and offsite main extensions will be required to bring the 16" water main from the intersection of Loop 335 and NE 24th Ave. Water mains must be within a city easement and not within TxDOT right-of-way. Any upsizing based on development needs within the proposed annexation area is the responsibility of the Owner. Looped water mains have to be planned along with contiguously owned property already within city limits and approved by the City as part of a preliminary plan.

Maintenance of any public water mains will be provided by the City upon acceptance and completion of the required warranty period.

SANITARY SEWER SERVICE

Existing Services:

The area proposed for annexation is currently not served by city sanitary sewer.

Services to be Provided:

A 10" line east of NE 24th and Englewood Dr. is available for temporary access although flow by gravity may not be possible. The capacity of this line needs to be evaluated and may be affected by further development that takes place within the intended service area. Permanent lift stations will not be accepted as public infrastructure. The Northeast Interceptor sewer project will eventually serve this area and will be accessible in the vicinity of the intersection of NE 24th and Folsom Road. Planned Completion Schedule of the Interceptor is within the mandated four-and-a- half-year timeframe identified in Section 43.056(b) of the Texas Local Government Code. The Owner will be responsible for installation of mains to the above annexe points. The applicant agrees to abandon any temporary service location(s) within twenty-four (24) months of the northeast interceptor coming online.

Owners will provide sewer infrastructure at their own expense within the subdivision. Design

and construction of all sewer infrastructure shall comply fully with all City of Amarillo development standards. Construction of all sewer infrastructure shall comply fully with City of Amarillo Specifications.

Maintenance of any public sewer mains will be provided by the City upon acceptance and completion of the required warranty period.

SOLID WASTE SERVICES

Existing Services:

None

Services to Be Provided:

After annexation, solid waste collection shall be provided to the area of annexation in accordance with the present City Ordinance.

The Owner's pro-rated share of new solid waste equipment will be $293,296. Payment shall be made in four (4) equal payments of $73,074, with first payment due within five (5) business days of City Council approval of annexation and the remaining payments due annually, upon the anniversary date of the first payment. Payment shall be remitted, upon receipt of invoice, to City of Amarillo, Attn: CFO, P.O. Box 1971, Amarillo, TX 79105. Solid Waste Service shall begin upon the City's receipt of confirmation of occupancy of structures.

TRANSIT

Existing Services:

None

Services to Be Provided:

At this time, service will not be provided to the area proposed for annexation. As the residential area continues to grow transit will identify the potential to provide transportation in the area based on demand, connectivity, and additional resources required.

AMARILLO AREA OFFICE OF EMERGENCY MANAGEMENT

Existing Services:

The area is within Potter County and is served by the Amarillo Area Office of Emergency Management through the interjurisdictional agreement between the City of Amarillo and Potter County to provide Emergency Management Services and act as the Emergency Management Coordinator.

Services to be provided:

There will be no change to the existing services provided by the Amarillo Area Office of Emergency Management. The area currently has sufficient outdoor warning siren coverage and will not require addition sirens.

4. GENERAL CONSIDERATIONS–

a. Commencing on the Effective Date, the City will provide to the Property all services provided by the City within its full-purpose boundaries and not otherwise listed above, except as provided in herein.

b. The City will provide water service and wastewater treatment service to developments established after the Effective Date in accordance with, and on the schedule determined by, the City's extension policies and applicable law and at rates established by

City ordinances for such services.

c. It is understood and agreed that the City is not required to provide a service that is not included in this Agreement.

d. Owner/Owner understands and acknowledges that the City departments listed above may change names or be re-organized by the City Manager. Any reference to a specific department also includes any subsequent City department that will provide the same or similar services.

5. SERVICE LEVEL. The City will provide the Property with a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City with topography, land use, and population density similar to those reasonably contemplated or projected for the Property.

6. AUTHORITY. City and Owner represent that they have full power, authority and legal right to execute, deliver and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the Annexation Case is within the sole jurisdiction of the City Council. Nothing in this Agreement guarantees favorable decisions by the City Council.

7. SEVERABILITY. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or unenforceability will not affect the validity of any other part, term or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.

8. INTERPRETATION. The parties to this Agreement covenant and agree that in any litigation relating to this Agreement, the terms and conditions of the Agreement will be interpreted according to the laws of the State of Texas. The parties acknowledge that they are of equal Owner-Initiated Annexation Service Agreement bargaining power and that each of them was represented by legal counsel in the negotiation and drafting of this Agreement.

9. GOVERNING LAW AND VENUE. Venue shall be in the state courts located in Potter County, Texas or the United States District Court for the Northern District of Texas, Amarillo Division and construed in conformity with the provisions of Texas Local Government Code Chapter 43.

10. NO WAIVER. The failure of either party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

11. GOVERNMENTAL POWERS. It is understood that by execution of this Agreement, the City does not waive or surrender any of its governmental powers or immunities.

12. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

13. CAPTIONS. The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

14. AGREEMENT BINDS AND BENEFITS SUCCESSORS AND RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property, is binding on the Owner and the City, and is enforceable by any current or future owner of any portion of the Property.

15. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

Executed as of the day and year first above written to be effective on the effective date of annexation of the Property.

Jimmy Hannon, Superintendent
Highland Park Independent School District

Date: 6/4/2024

City Manager City of Amarillo, Texas

Date: 7/2/24

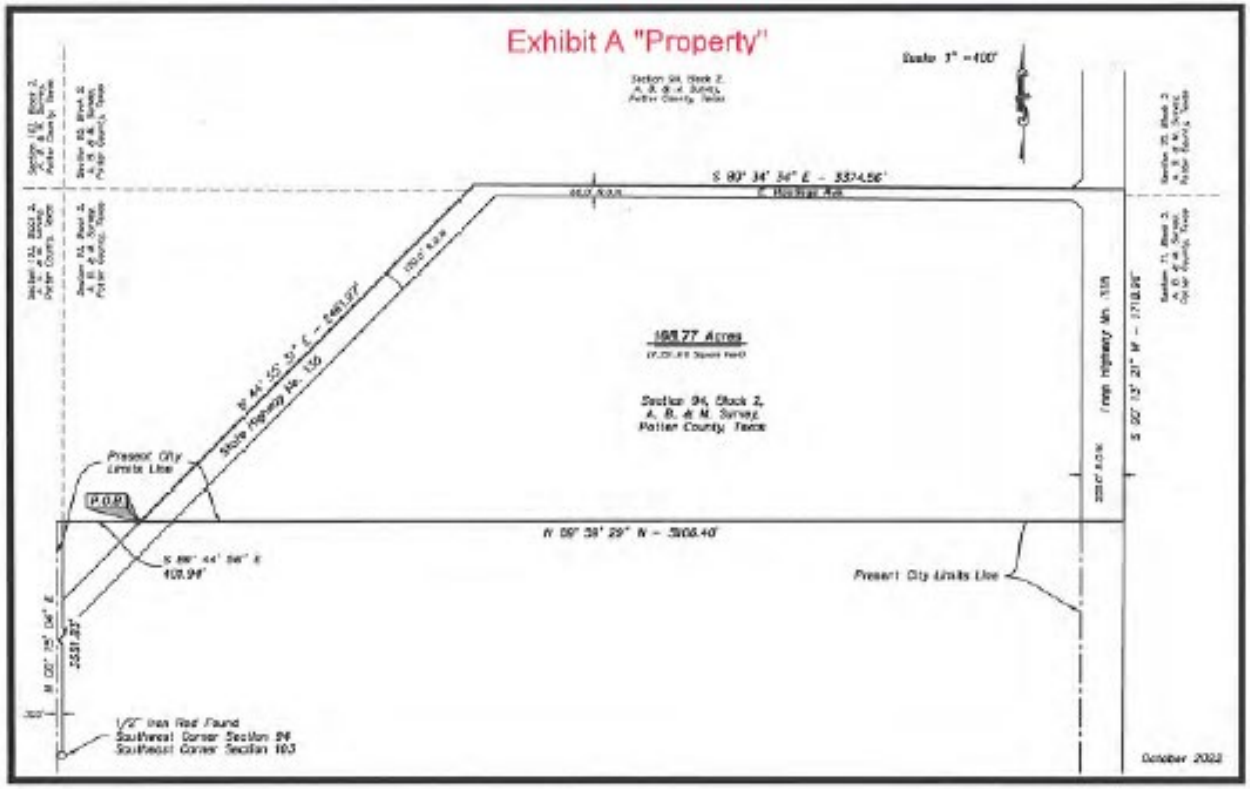


Exhibit A "Property"
Scale 1" = 400'
S 89° 34' 34" E - 5374.56'
N 44° 55' 31" E - 5461.97'
State Highway 84 - 130
Present City Limits Line
P.O.B.
N 89° 38' 29" W - 5308.40'
Present City Limits Line
168.77 Acres
Section 94, Block Z,
A. B. & M. Survey,
Potter County, Texas
1/2" Iron Rod Found
Southwest Corner Section 94
Southwest Corner Section 103
October 2022

FILED and RECORDED

Instrument Number: 2024OPR0009699

Filing and Recording Date: 08/08/2024 11:55:46 AM Pages: 14 Recording Fee: $83.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Potter County, Texas.

COUNTY COURT POTTER COUNTY, TEXAS

Julie Smith, County Clerk
Potter County, Texas

DO NOT DESTROY - This document is part of the Official Public Record.

csvedondo

PLANNING DEPARTMENT
808 S. BUCHANAN ST
PO Box 1971
AMARILLO TX 79105-1971
(806) 378-5263

Daryl R. Furman, RPLS
Furman Land Surveyors, Inc.
3501 S. Georgia Street, Suite D
Amarillo, Texas 79109

Josh Langham
Llano Real Estate Group
7639 Hillside Road, Suite 300
Amarillo, Texas 79119

RE: Approval – Annexation A-24-01 477.36 Acre Tract in Randall County, Texas (I-27 and Sundown Lane)

Mr. Furman and Mr. Langham,

The City of Amarillo approved the above annexation on June 24, 2025. The ordinance affecting this change is No. 8200 and was filed in the official public records of Randall County under Clerk's File Number 2025011795 on July 8, 2025. Enclosed you will find a copy of the ordinance.

As the Project Manager, please direct all questions to me, to avoid confusion or receipt of erroneous information. My contact information is Brady.Kendrick@amarillo.gov or 806-378-5286.

Sincerely,

Brady Kendrick
Senior Planner

2025011785 ORD Total Pages: 17

LBS 5/29/2025

ORDINANCE NO. 8200

AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, IN RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS A 477.36 ACRE TRACT OF LAND LOCATED IN SECTIONS 32, 33, 36, & 37, BLOCK 9, BS&F SURVEY, RANDALL COUNTY, TEXAS; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Amarillo, Texas is a home-rule municipality authorizedby State law and the City Charter to extend its boundaries and to annex area adjacent and contiguous to its corporate limits; and

WHEREAS, the City of Amarillo's policy is not to pursue involuntary annexations; and

WHEREAS, the proposed annexation would cause areas to be entirely surrounded by the City of Amarillo but would not include the areas within the City of Amarillo; and

WHEREAS, the City Council finds that such surrounded areas is in the public interest in accordance with Texas Local Government Code at Section 43.057; and

WHEREAS, an offer of a development agreement has been made and rejected; and

WHEREAS, the owners of the property, described in *Exhibit A (hereinafter the* "Area"), have petitioned the City Council in writing to annex this area into thecorporate limits of the City of Amarillo; and

WHEREAS, an Agreed Service Plan has been prepared and executed that provides for the extension of appropriate municipal services to the Area, outlinedin Exhibit B, attached hereto and made a part hereof forall purposes; and the Cityof Amarillo is able to provide such services by any of the methods by which the City extends the services to any other area of the City; and

WHEREAS, the notice, publication, time periods and other procedural requirements of Texas Local Government Code, Chapter 43, Subchapter C-3, have been complied with, including with respect to this annexation that a public hearing has been held at which persons interested in annexation of the Area intothe corporate limits of the City were given the opportunity to be heard on June 10, 2025; and

WHEREAS, the hereinafter described properties and territory lies within the

extraterritorial jurisdiction of the City of Amarillo.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this Ordinance as if fully set forth.

SECTION 2. Annexation. The Area, described in Exhibit A, attached hereto and incorporated herein for all purposes, is hereby added and annexed into the City of Amarillo, Texas, said Area shall hereafter be included within the corporate limits of the City of Amarillo, and the present boundary lines of said City are hereby altered, extended and amended so as to include said Area within the corporate limits.

SECTION 3. Amendment of Boundaries and Official Map. The official mapand boundaries of the City of Amarillo, Texas, heretofore adopted and amended,shall be and are hereby amended so as to include the aforementioned annexed Area.

SECTION 4. Agreed Service Plan. The service plan, attached hereto as Exhibit B, is hereby approved and is incorporated herein for all purposes. The Cityof Amarillo makes an affirmative determination that this service plan provides forservices to the annexed Area which are comparable to other areas within the Cityof Amarillo with similar land utilization, population density, and topography.

SECTION 5. Pro Rata Share of Taxes. The annexed Area, being a part of the City of Amarillo for all purposes, the property situated herein shall bear its prorata part of taxes levied by the City of Amarillo.

SECTION 6. Rights, Privileges and Duties of Inhabitants. The inhabitantsof the annexed Area shall be entitled to the rights and privileges of the other citizens of the City of Amarillo and shall be bound by the Charter, Ordinances, Resolutions, and other regulations of the City of Amarillo.

SECTION 7. Filing of Ordinance. The City Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Randall County, Texas, the County Tax Assessor of Randall County, Texas, the Potter-Randall Appraisal District, the Texas Secretary of State, the Census Bureau, the Texas Department of Insurance, the Texas Public Utility Commission, the Texas Comptroller of Public Accounts, and all local utility companies, in the manner required by law.

SECTION 8. Severability. If any part, provision, section, subsection, sentence,

clause or phrase of this Ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void,or invalid, the validity of the remaining parts of this Ordinance (or their applicationto other persons or sets of circumstances) shall not be affected thereby. The CityCouncil's intent in adopting this Ordinance is that no part thereof or provisior contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 9. Open Meeting Act Compliance. The City Council for the Cityof Amarillo hereby finds and declares that the meetings at which this Ordinance was introduced and finally passed were open to the public as required by law, andpublic notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 10. Effective Date. This Ordinance will become effective on the day of its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 10th day of June 2025; and PASSED on Second and Final Reading on this the 24th day of June 2025.

Cole Stanley, Mayor

ATTEST:
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:
Leslie Schmidt, Senior Assistant City Attorney

RETURN TO:
Stephanie Coggins
City Secretary, City of Amarillo
P.O. Box 1971
Amarillo, TX 79105-1971

Exhibit A

2332945 – REVISED2 – ANNEXATION DESCRIPTION

A 477.86+/- acre tract of land out of Sections 32, 33, 36 and 37, Block 9, B.S.&F. Survey, Randall County, Texas, being described by metes and bounds as follows:

BEGINNING at a point in the West Right-of-Way line of Coulter Street as monumented on the ground and the current City Limits of the City of Amarillo (Ordinance No. 7115), being the Southwest corner of Preston West Acres Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof, recorded in Volume 1706, Page 198 of the Deed Records of Randall County, Texas, same being the most West Northwest corner of this tract of land;

THENCE S. 89° 29' 43" E. 975.00 feet to a 1/2 inch iron rod with cap (2507) found, of record, for the Southeast corner of said Preston West Acres Unit No. 1, same being an interior corner of this tract of land;

THENCE N. 00° 09' 28" W., at a distance of 178.70 feet pass a 3/8 inch iron rod with cap (2507) found for the Northeast corner of said Preston West Acres Unit No. 1, same being a corner of the current City Limits of the City of Amarillo (Ordinance No. 6601), continuing along said current City Limits of the City of Amarillo for a total distance of 1282.33 feet to a point being a corner of this tract of land;

THENCE S. 89° 27' 04" E. along said current City Limits of the City of Amarillo (Ordinance No. 6601), at a distance of 866.96 feet pass a 1/2 inch iron rod found for the Southwest corner of Starplex Cinema 16 Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof, of record in Volume 1780, Page 80, Deed Records of Randall County, Texas, continuing for a total distance of 927.81 feet to a 3/8 inch iron rod with cap (illegible) found for the Northwest corner of that certain 5.0 acre tract of land described in that certain instrument recorded under Clerk's File No. 00619429 of the Official Public Records of Randall County, Texas;

THENCE S. 10° 03' 22" W. 346.31 feet along the West line of said 5.0 acre tract of land to a 3/8 inch iron rod found for the Southwest corner of said 5.0 acre tract of land, same being an interior corner of this tract of land;

THENCE S. 89° 27' 04" E. 634.71 feet to a point in the Northwesterly Right-of-Way line of Interstate Highway 27, as monumented on the ground, for a corner of this tract of land;

THENCE N. 10° 03' 36" E. 1079.32 feet along the Northwesterly Right-of-Way line of said Interstate Highway 27, same being the current City Limits of the City of Amarillo to a point being a corner of the current City Limits of the City of Amarillo, same being the most North Northwest corner of this tract of land;

THENCE S. 89° 27' 18" E. along said current City Limits of the City of Amarillo (Ordinance No.s 6269 & 5097), passing the Southeasterly Right-of-Way line of said Interstate Highway 27, same being the West line of that certain 1.891 acre tract of land being described in that certain instrument recorded in Volume 1638, Page 101 of the Deed Records of Randall County, Texas, continuing for a total distance of 2030.43 feet, to a point being a corner of the current City Limits of the City of Amarillo (Ordinance No. 5211), same being the most North Northeast corner of this tract of land;

THENCE S. 00° 15' 40" E. 1670.49 feet, along said current City Limits of the City of Amarillo (Ordinance No. 5211) to a point for a corner of this tract of land;

THENCE S. 89° 32' 40" E. 660.05 feet, along said current City Limit of the City of Amarillo (Ordinance No. 5211) to a point in the common line of said Sections 32 and 3, for the most East Northeast corner of this tract of land;

THENCE S. 00° 13' 40" E. along said common line of sections 32 and 3, same being the current City Limits of the City of Amarillo, at 2804.54 feet pass a 3/4 inch aluminum cap stamped "FURMAN LAND SURVEYORS SECTION CORNER FIRM NO. 10092600" found and accepted for the common corner of Sections 2, 3, 32 and 33 of said Block 9, continuing for a total distance of 2974.54 feet to a point for the most East Southeast corner of this tract of land being 50.00 feet South of the South line of said Section 32;

THENCE N. 89° 30' 16" W. 2352.07 feet along a line 50.00 feet South of and parallel to the South line of said Section 32 to a point in the Easterly Right-of-Way of said Interstate Highway 27 for a corner of this tract of land;

THENCE S. 30° 19' 54" W. 235.63 feet to a point for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 739.05 feet along a Southerly boundary line of said Interstate Highway 27 to a point for a corner of this tract of land;

THENCE S. 50° 55' 53" W. 76.48 feet to a point in the Southeasterly Right-of-Way line of said Interstate Highway 27 for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 304.00 feet to a point in the Northwesterly Right-of-Way line of said Interstate Highway No. 27 for a corner of this tract of land;

THENCE N. 39° 43' 16" W. 64.24 feet to a point for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 654.67 feet along a Southerly boundary line of said Interstate Highway 27 to a point for a corner of this tract of land;

THENCE N. 29° 30' 16" W. 235.63 feet to a point 50.00 feet South of the South line of said Section 32 for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 1077.17 feet along a line 50.00 feet South of and parallel to the South line of said Section 32, passing the common line between Sections 33 and 36, said Block 9, to a point for the Southwest corner of this tract of land;

THENCE N. 00° 09' 28" W. 80.01 feet passing the common line of Sections 36 and 37, said Block 9 to a point in the South line of the current City limits of the City of Amarillo (Ordinance No. 7115), for a corner of this tract of land;

THENCE S. 89° 29' 47" E. 99.68 feet along the current City Limits of the City of Amarillo (Ordinance No. 7115) passing the common line of said Sections 37 and 32 to a point being a corner of the current City Limits of the City of Amarillo (Ordinance No. 7115), for a corner of this tract of land;

THENCE N. 00° 09' 28" W. 20.32 feet along the current City Limits of the City of Amarillo to a point being the Southwest corner of that certain 2.000 acre tract of land being described in that certain instrument recorded under Clerk's File No. 2016000215 of the Official Public Records of Randall County, Texas, same being a corner of this tract of land;

THENCE S. 89° 29' 47" E. 208.77 feet to a 1/2 inch iron rod with cap 2507| found, of record, for the Southeast corner of said 2.000 acre tract of land, same being an interior corner of this tract of land;

THENCE N. 00° 08' 46" W. 417.48 feet to a 1/2 inch iron rod with cap (2507) found, of record, for the Northeast corner of said 2.000 acre tract of land, same being an interior corner of this tract of land;

THENCE N. 89° 34' 54" W. 208.86 feet to a 1/2 inch iron rod with cap (GDI) found in the East Right-of-Way of Coulter Street, as monumented on the ground, same being the current City Limits of the City of Amarillo (Ordinance No. 7115| for the Northwest corner of said 2.000 acre tract of land, same being a corner of this tract of land;

THENCE N. 00° 09' 28" W. 2130.13 feet along the West Right-of-Way line of said Coulter Street, as monumented on the ground, same being the current City Limits of the City of Amarillo (Ordinance No. 7115), to the PLACE OF BEGINNING and containing 477.36 acres of land more or less.

Exhibit B

LSS 4/24/2025

MUNICIPAL SERVICES AGREEMENT
BETWEEN THE CITY OF AMARILLO, TEXAS AND OWNERS (ATTEBURY ELEVATORS, LLC AND LARRY TAYLOR)

This Municipal Services Agreement ("Agreement") is entered into on 27 day of May, 2025, by and between the City of Amarillo, Texas, a home-rule municipality of the State of Texas, ("City") and ATTEBURY ELEVATORS, LLC and LARRY TAYLOR ("Owners") The parties agree that the following recitals are true and correct and form the basis upon which the parties have entered into this Agreement.

WHEREAS, Section 43.0671 of the Texas Local Government Code permits the City to annex an area if each owner of land in an area requests the annexation;

WHEREAS, where the City elects to annex such an area, the City is required to enter into a written agreement with the property owner(s) that sets forth the City services to be provided for the Property on or after the effective date of annexation (the "Effective Date");

WHEREAS, Owners own certain parcels of land situated in Randall County, Texas, which consists of approximately 477.36+/- acres of land in the City's extraterritorial jurisdiction, including adjacent public rights-of-way, such property being more particularly described and set forth in Exhibit "A" attached and incorporated herein by reference ("Property");

WHEREAS, Owners have filed a written request with the City for full-purpose annexation of the Property;

WHEREAS, City and Owners desire to set out the City services to be provided for the Property on or after the effective date of annexation;

WHEREAS, the Annexation and execution of this Agreement are subject to approval by the Amarillo City Council; and

NOW THEREFORE, in exchange for the mutual covenants, conditions and promises contained herein, City and Owners agree as follows:

1. PROPERTY. This Agreement is only applicable to the Property, which is the subject of the Annexation application as described herein.

2. INTENT. It is the intent of the City that this Agreement provide for the delivery of available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law. For purposes of this Agreement, "municipal services" means services provided by the City within its full-purpose boundaries, including water and wastewater services and excluding gas or electrical service.

3. MUNICIPAL SERVICES.

a. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and Owner or property owner participation in accordance with this Agreement and applicable city ordinances, rules, regulations, and policies.

FIRE

Existing Services:

None

Services to be Provided: Fire suppression, prevention, and first response Emergency Medical Services (EMS) will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 3, located at 7441 Oxford Dr. Most of this project will be inside of the current Fire Station No. 3 ISO circle and most of the project is within a 4-minute

response time. Fire prevention and fire inspection activities will be provided by the Amarillo Fire Department Fire Marshal's Office as needed.

The southeast portion of the area proposed for annexation falls outside of an ISO circle. Upon further development and annexations in this area, it is anticipated that an additional fire station would be needed.

The City of Amarillo will be responsible for coordinating the funding to construct the above-mentioned fire station. Construction of said fire station will begin upon adequate resources being available for construction and operation of said fire station. The approximate cost of a new one company fire station would be $8,966,341 with annual personnel and operating cost being approximately $1,489,711.

POLICE

Existing Services:

None

Services to be Provided:

Upon annexation, the City of Amarillo Police Department will extend regular and routine patrols to the area. Police Department activities to serve the area upon annexation can be afforded to the annexed area within current budget appropriation.

BUILDING SAFETY

Existing Services:

None

Services to be Provided:

The Department of Building Safety will provide plan review and inspection services upon annexation and/or as development warrants. This includes issuing building, electrical, mechanical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Amarillo.

PLANNING AND ZONING

Existing Services:

None

Services to be Provided:

The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Amarillo's Zoning Ordinance already extends to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Amarillo's Subdivision Ordinance.

PARKS & RECREATION

Existing Services:

None

Services to be Provided:

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While it is anticipated that this area will be developed as Commercial, if residential units are developed, the Parks and Recreation Master Plan requires 2.2 acres of developed parkland per 1,000 residents. The preferred method of complying with parkland dedication is through dedicating improved parks within a proposed subdivision. Alternative facilities may be considered including trails and greenways. If an improved park is dedicated, the City will be responsible for maintenance following the completion of park improvements.

LIBRARY

Existing Services:

None

Services to be Provided:

Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. Department activities can be afforded to the annexed area within current annual budget appropriations.

ENV. HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services: Sanitary nuisances (limited), On-Site Sewage Facilities

Services to be provided: The Amarillo Area Public Health District will implement our vector control (mosquito control) program within the proposed area. As the city experiences growth, sanitary nuisance enforcement/abatement is expected to grow, and additional resources may be needed to maintain current levels of service.

ANIMAL MANAGEMENT AND WELFARE SERVICES

Existing Services:

None

Services to be Provided:

Animal Management and Welfare services will be provided to the area upon annexation.

PUBLIC RIGHT-OF-WAY

Existing Services:

None

Services to be Provided and Public Right-of-Way Requirements:

Currently, there is one TxDOT facility, Interstate 27 and associated access roads, within the area proposed for annexation in addition to Sundown Lane and a portion of Coulter Street.

Owners will provide, or cause to be provided for, streets and alleys within the area to be annexed at their expense. Construction of all streets and alleys shall comply fully with City of Amarillo Street Standard Specifications. Maintenance of any future street and alley facilities will be provided by the City upon acceptance of that street or alley by the City at the completion of the required warranty period. Haul routes of individual units shall be identified in the preliminary plan, designed for construction traffic and submitted as part of the construction plans for each unit.

There are two adjacent Section Line Arterial rights-of-way. These will need to be improved as detailed below:

S. Coulter Street: There is currently a total right-of-way width of between 85ft. and 105 ft.

for S. Coulter Street.

Within 120 days of annexation approval, 60' of right-of-way will be required to be dedicated on the applicant's current frontage of their side of the section line or property under their control. The City will improve Coulter St. to a minimum 45' back-to-back section upon dedication of city right of way.

W. Sundown Lane: There is currently a total right-of-way width of between 60ft. and 100 ft. for W. Sundown Lane.

Within 120 days of annexation approval, 60' of right-of-way will be required to be dedicated on the applicant's current frontage of their side of the section line. As development occurs in the future, current Owners will be required to improve Sundown Lane to a minimum 45' back-to-back section within city right-of-way at the then current Owners' expense and in accordance with adopted regulations at the time of development. This requirement does not preclude the City or Developer's in the future from coordinating on funding for a larger scale road project under the current or future development policy standards (i.e. City includes funding for Capital Improvement Project or Bond Project).

STORM WATER MANAGEMENT

Existing Services:

None

Services to be Provided:

Owners will provide for, or cause to be provided for, storm drainage at their own expense within the subdivision. Construction of all stormwater drainage facilities shall comply fully with City of Amarillo Specifications. The City will then maintain the public drainage facilities upon approval and completion of the warranty period. The City will be responsible for the storm drain improvements associated with the improvement of Coulter St. The Owners will be responsible for storm drain improvements associated with the improvements of Sundown Lane. The Owners will be responsible for all needed storm drain crossings (or improvements to existing crossings) of Interstate-27.

Downstream easements will be required for runoff as well as the improvements necessary. These improvements will have to be determined by a drainage study, provided by the Owners, at the time of development. Easements will need to be obtained by the Owners from all property owners between their development and the point of discharge prior to approval of any submitted drainage report. TxDOT will need to be consulted regarding any post-development flow that is discharged to its facilities. Any improvements that will need to be made to TxDOT facilities will be the responsibility of the Owners.

STREET LIGHTING

Existing Services:

None

Services to be Provided:

All street lighting will be provided by the then current Owners as development occurs. The City of Amarillo Traffic Engineering Department will coordinate any request for improved street lighting with the local electric provider in accordance with City of Amarillo Lighting Standards.

Maintenance of the above street lighting will be the responsibility of the City once installed and accepted according to City Standards.

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TRAFFIC ENGINEERING

Existing Services:

None

Services to be Provided:

Upon annexation and as development occurs, the City of Amarillo Traffic Engineering Department will provide traffic control devices deemed necessary by that Department.

Traffic signing will be placed as development occurs and at appropriate locations. Signing will include Stops, Yields, Do Not Enter, 1-Way, and Speed Limit as required. Based upon the proposed street layout, it is anticipated that a minimum of 95 individual sign pole installations will be required.

WATER SERVICE

Existing Services:

Upon annexation, the area will be considered served by a 16" water main along the east side of Coulter Street. There is also an 8" water main running along the south side of the Cintermark property.

Services to be Provided:

As development occurs, the Owners will provide for, or cause to be provided for, the construction of water mains within the subdivision. Any upsizing based on development needs within the proposed annexation area is the responsibility of the Owners. The Owners will provide for, or cause to be provided for, the construction of looped water mains must be planned along with contiguously owned property already within city limits and approved as part of a preliminary plan. Any upsizing along the arterials beyond the 12" required, would be the City's responsibility. The above requirements do not preclude the City or Developer's in the future from coordinating on funding for a larger scale road project under the current or future development policy standards (i.e. City includes funding for Capital Improvement Project or Bond Project).

Maintenance of any public water mains will be provided by the City upon acceptance and completion of the required warranty period.

SANITARY SEWER SERVICE

Existing Services:

A portion of the proposed annexation is currently served by a 15" gravity line along the west side of Coulter St., lift station 54 and a 10" force main along the west side of Coulter St.

Lift station 54 can serve lots of approximately 400 feet in depth fronting the east side of Coulter St. from the current city limit line to Sundown Lane.

Services to be Provided:

As development occurs, Owners will provide for, or cause to be provided for, sewer infrastructure at their own expense within the subdivision. The City agrees to consider alternate services after annexation, including temporary and full-life services for the annexation area as recommended by an updated study provided by the Owners or in partnership with an updated study with the City. The City and Owners, at time of development, will review required off-site improvements to serve the area based on updated studies. The City, during the annual Capital Improvement Project process, may consider funding to go toward installation of the off-site infrastructure to serve this annexed area and

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the region.

The above requirements do not preclude the City or Developers in the future from coordinating on funding for a larger scale wastewater project under the current or future development policy standards (i.e. City includes funding for Capital Improvement Project or Bond Project).

Design and construction of all sewer infrastructure shall comply fully with all City of Amarillo development standards. Construction of all sewer infrastructure shall comply fully with City of Amarillo Specifications.

Maintenance of any public sewer mains will be provided by the City upon acceptance and completion of the required warranty period.

SOLID WASTE SERVICES

Existing Services:

None

Services to be Provided:

With this area to be annexed being anticipated to largely be commercial/industrial in nature, property owners within this area are able to contract out solid waste service to third parties if desired. The City will provide service as requested within the area.

TRANSIT

Existing Services:

None

Services to be Provided:

As this area undergoes development and annexation, additional services will be evaluated and potentially implemented based on demand.

As the residential areas around the site grow and the amount and type of jobs are identified additional resources may be needed to serve the area. Service in the area would be based upon both residential demand and the number of jobs created by the annexation.

AMARILLO AREA OFFICE OF EMERGENCY MANAGEMENT

Existing Services:

The area is within Randall County and is served by the Amarillo Area Office of Emergency Management through the interjurisdictional agreement between the City of Amarillo and Randall County to provide Emergency Management Services and act as the Emergency Management Coordinator.

Services to be provided:

There will be no change to the existing services provided by the Amarillo Area Office of Emergency Management. The area currently has sufficient outdoor warning siren coverage and will not require additional sirens.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Amarillo's established policies governing extension of municipal services to newly annexed areas.

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As the City experiences growth, additional resources may need to be addressed to maintain levels of service. The City and/or Owners will be responsible for the cost of additional resources if needed in accordance with adopted ordinances.

4. GENERAL CONSIDERATIONS

a. Commencing on the Effective Date, the City will provide to the Property all services provided by the City within its full-purpose boundaries and not otherwise listed above, except as provided herein.

b. The City will provide water service and wastewater treatment service to developments established after the Effective Date in accordance with, and on the schedule determined by, the City's extension policies and applicable law and at rates established by City ordinances for such services.

c. It is understood and agreed that the City is not required to provide a service that is not included in this Agreement.

d. Owner(s) understands and acknowledges that the City departments listed above may change names or be re-organized by the City Manager. Any reference to a specific department also includes any subsequent City department that will provide the same or similar services.

5. SERVICE LEVEL. The City will provide the Property with a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City with topography, land use, and population density similar to those reasonably contemplated or projected for the Property.

6. CITY DEVELOPMENT REGULATIONS. Any development of the property beyond the current use shall comply with the standards and requirements set forth in the City's development regulations at the time development occurs including but not limited to provisions regarding zoning, platting, drainage, parkland dedication, street design and paving standards, and development manual policies. The Owners acknowledge that by entering into this Agreement, the Owners, successors, assigns, vendors, grantees, and/or trustees, shall not construe any language contained herein or in any exhibits attached hereto as waiving the requirements of the City's adopted ordinances, regulations and policies.

7. AUTHORITY. City and Owners represent that they have full power, authority and legal right to execute, deliver and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the Annexation Case is within the sole jurisdiction of the City Council. Nothing in this Agreement guarantees favorable decisions by the City Council.

8. SEVERABILITY. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or unenforceability will not affect the validity of any other part, term or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.

9. INTERPRETATION. The parties to this Agreement covenant and agree that in any litigation relating to this Agreement, the terms and conditions of the Agreement will be interpreted according to the laws of the State of Texas. The parties acknowledge that they are of equal Owner-Initiated Annexation Service Agreement bargaining power and that each of them was represented by legal counsel in the negotiation and drafting of this Agreement.

10. GOVERNING LAW AND VENUE The governing law will be the State of Texas. Venue shall be in the state courts located in Randall County, Texas or the United States District Court for the Northern District of Texas, Amarillo Division and construed in conformity with the provisions of Texas Local Government Code Chapter 43.

11. NO WAIVER. The failure of either party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

12. GOVERNMENTAL POWERS. It is understood that by execution of this Agreement, the City does not waive or surrender any of its governmental powers or immunities.

13. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

14. CAPTIONS. The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

15. AGREEMENT BINDS AND BENEFITS SUCCESSORS AND RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property, is binding on the Owner and the City, and is enforceable by any current or future owner of any portion of the Property.

16. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

Executed as of the day and year first above written to be effective on the effective date of annexation of the Property.

Matt Green, V.P. (Name and Title)
ATTEBURY ELEVATORS, LLC
Date: 5/13/2025

Larry Taylor
Date: 5/13/2025

Grayson Path, City Manager
City of Amarillo, Texas
Date: 5/30/2025

Exhibit A

2332945 – REVISED2 – ANNEXATION DESCRIPTION

A 477.36+/- acre tract of land out of Sections 32, 33, 36 and 37, Block 9, B.S.&F. Survey, Randall County, Texas, being described by metes and bounds as follows:

BEGINNING at a point in the West Right-of-Way line of Coulter Street as monumented on the ground and the current City Limits of the City of Amarillo (Ordinance No. 7115), being the Southwest corner of Preston West Acres Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof, recorded in Volume 1708, Page 198 of the Deed Records of Randall County, Texas, same being the most West Northwest corner of this tract of land;

THENCE S. 89° 29' 03" E. 975.00 feet to a 1/2 inch iron rod with cap (2507) found, of record, for the Southeast corner of said Preston West Acres Unit No. 1, same being an interior corner of this tract of land;

THENCE N. 00° 09' 28" W., at a distance of 178.70 feet pass a 3/8 inch iron rod with cap (2507) found for the Northeast corner of said Preston West Acres Unit No. 1, same being a corner of the current City Limits of the City of Amarillo (Ordinance No. 6601), continuing along said current City Limits of the City of Amarillo for a total distance of 1282.33 feet to a point being a corner of this tract of land;

THENCE S. 89° 27' 04" E. along said current City Limits of the City of Amarillo (Ordinance No. 6601), at a distance of 866.96 feet pass a 1/2 inch iron rod found for the Southwest corner of Starplex Cinema 16 Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof, of record in Volume 1780, Page 80, Deed Records of Randall County, Texas, continuing for a total distance of 927.81 feet to a 3/8 inch iron rod with cap (illegible) found for the Northwest corner of that certain 5.0 acre tract of land described in that certain instrument recorded under Clerk's File No. 30619429 of the Official Public Records of Randall County, Texas;

THENCE S. 10° 03' 22" W. 346.31 feet along the West line of said 5.0 acre tract of land to a 3/8 inch iron rod found for the Southwest corner of said 5.0 acre tract of land, same being an interior corner of this tract of land;

THENCE S. 89° 27' 04" E. 634.71 feet to a point in the Northwesterly Right-of-Way line of Interstate Highway 27, as monumented on the ground, for a corner of this tract of land;

THENCE N. 10° 03' 26" E. 1074.32 feet along the Northwesterly Right-of-Way line of said Interstate Highway 27, same being the current City Limits of the City of Amarillo to a point being a corner of the current City Limits of the City of Amarillo, same being the most North Northwest corner of this tract of land;

THENCE S. 89° 27' 18" E. along said current City Limits of the City of Amarillo (Ordinance No.s 6269 & 5097), passing the Southeasterly Right-of-Way line of said Interstate Highway 27, same being the West line of that certain 1.891 acre tract of land being described in that certain instrument recorded in Volume 1638, Page 101 of the Deed Records of Randall County, Texas, continuing for a total distance of 2090.43 feet, to a point being a corner of the current City Limits of the City of Amarillo (Ordinance No. 5211), same being the most North Northeast corner of this tract of land;

THENCE S. 00° 13' 40" E. 1670.49 feet, along said current City Limits of the City of Amarillo (Ordinance No. 5211) to a point for a corner of this tract of land;

THENCE S. 89° 32' 40" E. 660.05 feet, along said current City Limit of the City of Amarillo (Ordinance No. 5211) to a point in the common line of said Sections 32 and 3, for the most East Northeast corner of this tract of land;

THENCE S. 00° 13' 40" E. along said common line of sections 32 and 3, same being the current City Limits of the City of Amarillo, at 2894.54 feet pass a 3/4 inch aluminum cap stamped "FURMAN LAND SURVEYORS SECTION CORNER FIRM NO. 10092400" found and accepted for the common corner of Sections 2, 3, 32 and 33 of said Block 9, continuing for a total distance of 2974.54 feet to a point for the most East Southeast corner of this tract of land being 50.00 feet South of the South line of said Section 32;

THENCE N. 89° 30' 16" W. 2352.07 feet along a line 50.00 feet South of and parallel to the South line of said Section 32 to a point in the Easterly Right-of-Way of said Interstate Highway 27 for a corner of this tract of land;

THENCE S. 30° 19' 54" W. 235.63 feet to a point for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 739.05 feet along a Southerly boundary line of said Interstate Highway 27 to a point for a corner of this tract of land;

THENCE S. 50° 55' 53" W. 76.48 feet to a point in the Southeasterly Right-of-Way line of said Interstate Highway 27 for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 304.00 feet to a point in the Northwesterly Right-of-Way line of said Interstate Highway No. 27 for a corner of this tract of land;

THENCE N. 39° 43' 16" W. 60.24 feet to a point for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 654.67 feet along a Southerly boundary line of said Interstate Highway 27 to a point for a corner of this tract of land;

THENCE N. 29° 30' 16" W. 235.63 feet to a point 50.00 feet South of the South line of said Section 32 for a corner of this tract of land;

THENCE N. 89° 30' 16" W. 1077.17 feet along a line 50.00 feet South of and parallel to the South line of said Section 32, passing the common line between Sections 33 and 36, said Block 9, to a point for the Southwest corner of this tract of land;

THENCE N. 00° 09' 28" W. 80.01 feet passing the common line of Sections 36 and 37, said Block 9 to a point in the South line of the current City limits of the City of Amarillo (Ordinance No. 7115), for a corner of this tract of land;

THENCE S. 89° 29' 47" E. 99.68 feet along the current City Limits of the City of Amarillo (Ordinance No. 7115) passing the common line of said Sections 37 and 32 to a point being a corner of the current City Limits of the City of Amarillo (Ordinance No. 7115), for a corner of this tract of land;

THENCE N. 00° 09' 28" W. 20.32 feet along the current City Limits of the City of Amarillo to a point being the Southwest corner of that certain 2.000 acre tract of land being described in that certain instrument recorded under Clerk's File No. 2016000215 of the Official Public Records of Randall County, Texas, same being a corner of this tract of land;

THENCE S. 89° 29' 47" E. 208.77 feet to a 1/2 inch iron rod with cap (2507) found, of record, for the Southeast corner of said 2.000 acre tract of land, same being an interior corner of this tract of land;

THENCE N. 00° 08' 46" W. 417.43 feet to a 1/2 inch iron rod with cap (2507) found, of record, for the Northeast corner of said 2.000 acre tract of land, same being an interior corner of this tract of land;

THENCE N. 89° 34' 54" W. 208.80 feet to a 1/2 inch iron rod with cap (601) found in the East Right-of-Way of Coulter Street, as monumented on the ground, same being the current City Limits of the City of Amarillo [Ordinance No. 7115] for the Northwest corner of said 2.000 acre tract of land, same being a corner of this tract of land;

THENCE N. 00° 09' 28" W. 2130.13 feet along the West Right-of-Way line of said Coulter Street, as monumented on the ground, same being the current City Limits of the City of Amarillo [Ordinance No. 7115], to the PLACE OF BEGINNING and containing 477.36 acres of land more or less.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Susan B Allen

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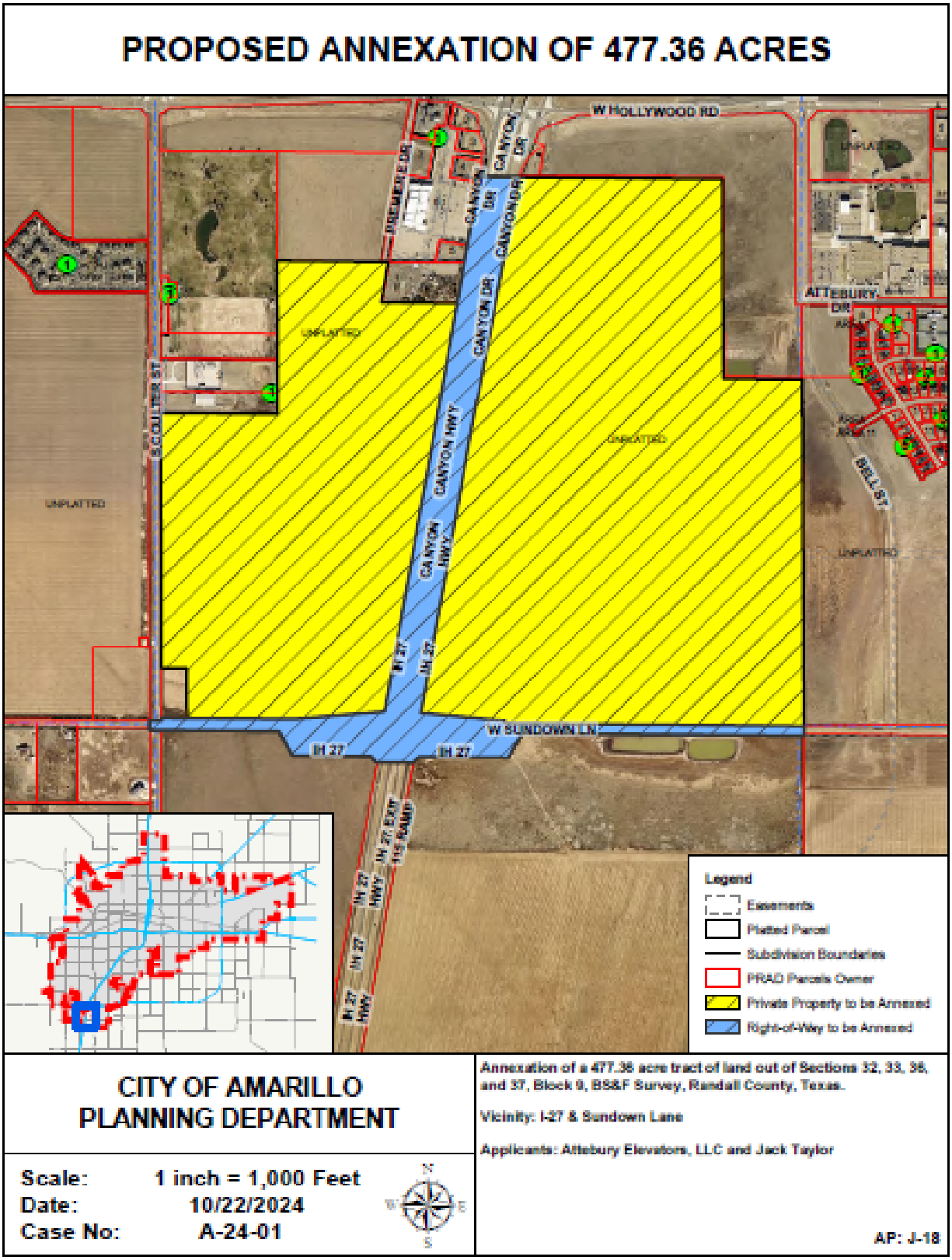
09/04/2025 04:42 PM
Fee: 59.00
Susan B. Allen, County Clerk
Randall County, Texas
ORD


PROPOSED ANNEXATION OF 477.36 ACRES
W HOLLYWOOD RD
CANYON DR
CANYON HWY
ATTEBURY DR
SCOULLER ST
BELL ST
UNPLATTED
W SUNDOWN LN
IH 27
IH 27 EXIT
Legend
Easements
Platted Parcel
Subdivision Boundaries
PRAD Parcels Owner
Private Property to be Annexed
Right-of-Way to be Annexed
CITY OF AMARILLO
PLANNING DEPARTMENT
Scale: 1 inch = 1,000 Feet
Date: 10/22/2024
Case No: A-24-01
Annexation of a 477.36 acre tract of land out of Sections 32, 33, 38, and 37, Block 9, BS&F Survey, Randall County, Texas.
Vicinity: I-27 & Sundown Lane
Applicants: Attebury Elevators, LLC and Jack Taylor
AP: J-18