

ORDINANCE NO. O-2011-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY REFERRED TO AS THE TYLER POUNDS REGIONAL AIRPORT ANNEXATION, LYING ADJACENT TO AND CONTIGUOUS TO THE PRESENT WESTERN BOUNDARY LIMITS OF THE CITY OF TYLER; AMENDING THE TYLER CITY LIMITS MAP; AND PROVIDING FOR ANNEXATION OF THE PUBLIC RIGHT-OF-WAY CONNECTING THE AIRPORT TO THE CITY BY THE MOST DIRECT ROUTE; ADJUSTING THE CITY OF TYLER EXTRATERRITORIAL JURISDICTION; ADJUSTING THE BOUNDARY OF THE CITY COUNCIL DISTRICT # 2; ESTABLISHING THE INITIAL LAND USE DESIGNATION; PROVIDING FOR ORIGINAL ZONING, PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Section 43.102 provides that a municipality may annex an airport owned by the municipality and the right-of-way of any public road or highway connecting the airport to the municipality by the most direct route; and

WHEREAS, the area to be annexed is a municipally owned airport; and

WHEREAS, the area to be annexed includes rights-of-way of public roads and highways connecting the airport to the municipality by the most direct route; and

WHEREAS, none of the area is more than eight miles from the municipality's boundaries; and

WHEREAS, the hereinafter described territory lies within the extraterritorial jurisdiction of the City of Tyler, Texas; and

WHEREAS, the hereinafter described territory contains approximately 923.3 acres of land;

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

PART 1: That pursuant to Tyler City Code Sections 10-800 and 10-802 and Texas Local Government Code Section 43.102, approximately 923.3 acres of land containing the Tyler Pounds Regional Airport terminal and airfield, and including the public rights-of-way along State Highway 31 and County Road 1141 leading to the airport property, are hereby annexed. The annexation excludes private leaseholds where the buildings are owned privately and the underlying land is owned by the City. The following described land and territories lying adjacent to and adjoining the City of Tyler, Texas, is hereby added to and annexed to the City of Tyler, Texas, and said territory as shown on the map attached as Exhibit "A" and as described in Exhibit "B", and as shown in Exhibit "C". The present boundary limits of such City, at the various points contiguous to the areas being annexed, are altered and amended so as to include said areas within the corporate limits of the City of Tyler, Texas. Accordingly, the official Tyler City limits map and the City's ETJ is also hereby adjusted as described in Tyler City Code Section 10-802 and that section and map are amended to reflect this annexation.

PART 2: That the area so annexed shall be part of the City of Tyler, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Tyler, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Tyler, Texas.

PART 3: That upon final passage, the annexed area shall be zoned as "M-1", Light Industrial District and "MU-O", Municipal Use-Overlay District as shown on the map attached as Exhibit "C".

PART 5: That the initial Land Use Designation for the annexed area is hereby established as Light Industrial / Warehouse, and it is directed that the Land Use Map be amended to reflect said use.

PART 6: That the annexed area shall be added to the District #2 West, City Council single member district and the official Voting District Map amended accordingly.

PART 7: That the Planning and Zoning Department shall send to the Texas Secretary of State a copy of the ordinance and statement that the annexation is not involved in any litigation.


PART 8: That the City Clerk shall send to the State Comptroller by certified mail a map showing new boundaries for sales tax and a certified copy of the ordinance showing the effective date of the boundary changes.

PART 9: That within thirty (30) days of approval of this annexation, the Planning and Zoning Department, on behalf of the Mayor, shall file a certified copy of this ordinance with the County Clerk.

PART 10: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 11: That this ordinance shall be in full force and effect upon the date of its passage and approval by the City Council, which effective date shall be May 25, 2011.

PASSED AND APPROVED THIS the 25th day of May, A. D., 2011.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:

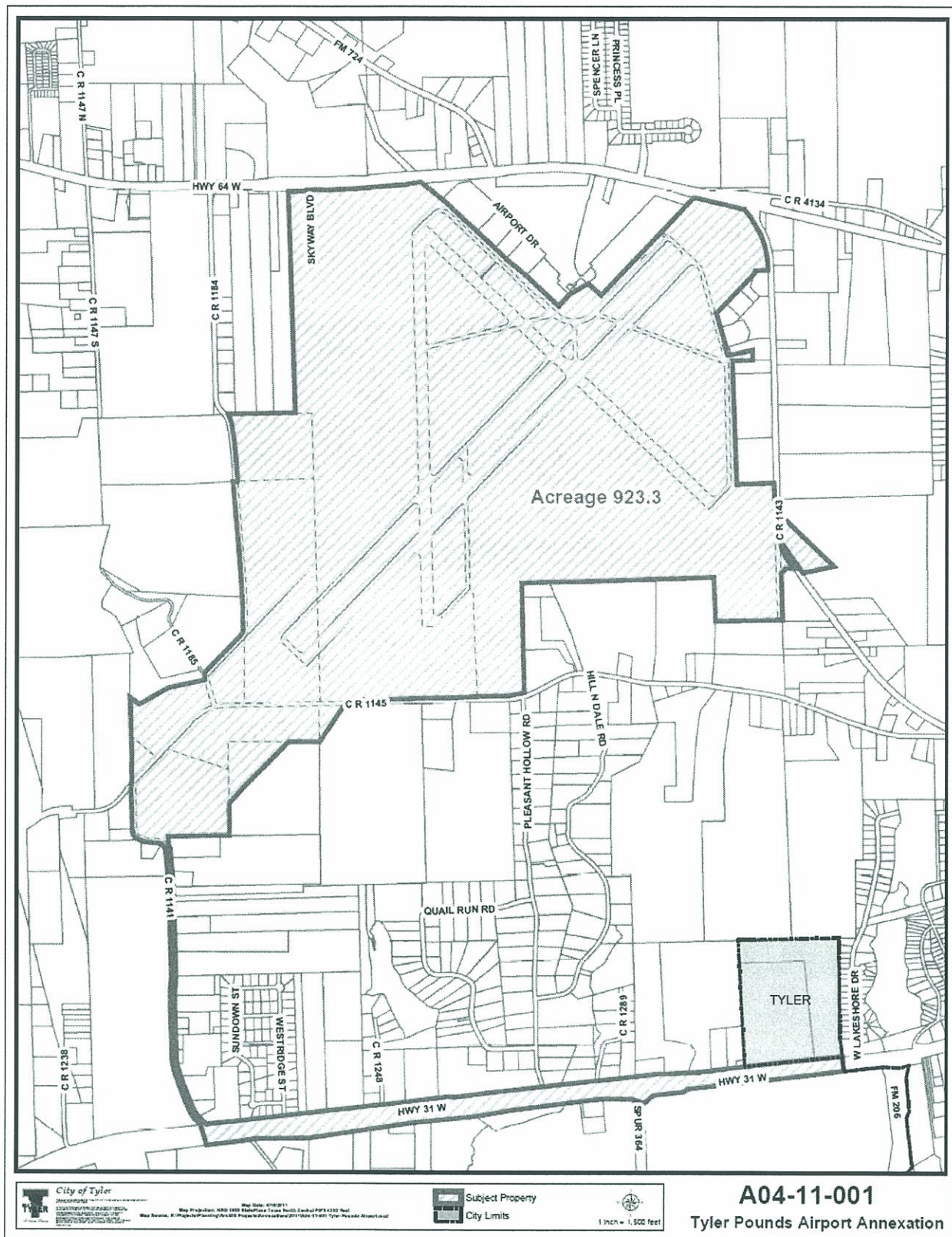

GARY C. LANDERS, CITY ATTORNEY

Exhibit A = map
Exhibit B = legal description
Exhibit C = zoning map



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EXHIBIT "A"
MAP



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EXHIBIT "B"
LEGAL DESCRIPTION

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EXHIBIT 'B' LEGAL DESCRIPTION

AIRPORT ANNEXATION
923.3 ACRES

TRACT ONE
S.H. 31 WEST RIGHT-OF-WAY
FROM U.S.A.-C.O.E. ARMORY TO COUNTY ROAD 1141

All that certain tract or parcel of land situated in the William Cox Survey, Abstract 234, the Margaret Brown Survey, Abstract 144, and the J.A. Burruss Survey, Abstract 149, Smith County, Texas, being out of and a part of the right-of-way of State Highway 31, and being more particularly described by bounds as follows:

BEGINNING at the southeast corner of that certain called 45.556 acre tract described in a Timber Deed from East Texas Oaks, L.P., to Golden Land & Timber Company, and recorded under Clerk's File Number 2006-R00033034 of the Official Public Records of Smith County, Texas, same being the southeast corner of Lot 2 of West Spring Business Park Subdivision, as shown on the Final Plat of Phase 1 recorded in Cabinet 'D', Slide 289-D of the Plat Records of Smith County, same being the southwest corner of Lot 126 of Hidden Hill Lake Unit 2, a subdivision of record in Volume 7, Page 65 of said Plat Records, same being in the north right-of-way line of said State Highway 31;

THENCE, South 06°58'03" East, a distance of 191.61 feet to a ½" iron rod set for the easternmost southeast corner of the herein described tract, same being in the south right-of-way line of said State Highway 31;

THENCE, with said south right-of-way line of said State Highway 31, the following twenty (20) courses:

South 83°26'27" West, a distance of 2,038.77 feet to a corner;

South 31°41'51" West, a distance of 48.42 feet to a corner;

South 83°11'04" West, a distance of 400.00 feet to a concrete R.O.W. monument found for a corner;

South 48°41'31" West, a distance of 157.38 feet to a concrete R.O.W. monument found for a corner in the east right-of-way line of Spur 364;

South 83°21'08" West, a distance of 138.00 feet to a concrete R.O.W. monument found for a corner in the west right-of-way line of Spur 364;

North 52°17'19" West, a distance of 115.04 feet to a concrete R.O.W. monument found for a corner;

North 89°01'37" West, a distance of 312.73 feet to a ½" iron rod found for a corner;

South 81°41'58" West, a distance of 415.52 feet to a concrete R.O.W. monument found for a corner;

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South 82°26'21" West, a distance of 406.63 feet to a concrete R.O.W. monument found for a corner;

South 83°30'31" West, a distance of 319.18 feet to a concrete R.O.W. monument found for a corner;

South 77°48'42" West, a distance of 251.58 feet to a concrete R.O.W. monument found for a corner;

South 83°26'18" West, a distance of 1,299.31 feet to a concrete R.O.W. monument found for a corner;

South 80°38'05" West, a distance of 901.21 feet to a concrete R.O.W. monument found for a corner;

South 83°23'21" West, a distance of 199.54 feet to a concrete R.O.W. monument found for a corner;

South 89°03'58" West, a distance of 603.13 feet to a concrete R.O.W. monument found for a corner;

South 38°48'09" West, a distance of 77.49 feet to a concrete R.O.W. monument found for a corner in the east right-of-way line of County Road 1141;

South 87°56'28" West, a distance of 54.82 feet to a concrete R.O.W. monument found for a corner in the west right-of-way line of County Road 1141;

South 72°09'10" West, a distance of 98.88 feet to a concrete R.O.W. monument found for a corner;

South 83°31'21" West, a distance of 300.29 feet to a concrete R.O.W. monument found for a corner;

South 77°48'41" West, a distance of 204.75 feet to a ½" iron rod set for the westernmost southwest corner of the herein described tract;

THENCE, North 12°11'19" West, a distance of 287.49 feet to a ½" iron rod set for the westernmost northwest corner of the herein described tract, same being in said north right-of-way line of said State Highway 31, same being in the west right-of-way line of County Road 1141;

THENCE, with said north right-of-way line of said State Highway 31, the following nine (9) courses:

North 83°30'21" East, a distance of 48.82 feet to a corner in said County Road 1141;

North 78°00'18" East, a distance of 140.75 feet to a corner;

North 73°55'29" East, a distance of 88.52 feet to a corner;

North 82°51'29" East, a distance of 199.13 feet to a concrete R.O.W. monument found for a corner;

North 89°05'29" East, a distance of 201.66 feet to a concrete R.O.W. monument found for a corner;

North 83°27'26" East, a distance of 5,297.21 feet to a concrete R.O.W. monument found for a corner;

South 82°52'08" East, a distance of 194.59 feet to a ½" iron rod found for a corner;

North 83°21'26" East, a distance of 821.31 feet to a brass disk in concrete found for the southwest corner of that certain called 25.570 acre tract described in a General Warranty Deed from East Texas Oaks, LP, to the United States of America, recorded in C.F.N. 2009-R00030921, of said Official Public Records, same being the southwest corner of said 45.556 acre tract, same being the southwest corner of Lot 20 of said West Spring Business Park Subdivision;

North 83°30'36" East, with the south line of said West Spring Business Park Subdivision, a distance of 1,264.04 feet to the POINT OF BEGINNING and containing 49.2 acres of land.

TRACT TWO
COUNTY ROAD 1141 RIGHT-OF-WAY
FROM S.H. 31 WEST TO AIRPORT PROPERTY

All that certain tract or parcel of land situated in the Margaret Brown Survey, Abstract 144, J.A. Burruss Survey, Abstract 149, the George Pettigrew Survey, Abstract 787, the George Myers Survey, Abstract 643, and the John Dean Survey, Abstract 292, Smith County, Texas, being out of and a part of the 60-foot wide right-of-way of County Road 1141, and being more particularly described by bounds as follows:

BEGINNING at a ½" iron rod set for the southwest corner of the herein described tract, same being in the west right-of-way line of said County Road 1141, same being in the north right-of-way line of State Highway 31, same being the westernmost northwest corner of the above described Annexation Tract One, for reference;

THENCE, with said west right-of-way line of said County Road 1141, same being 30.00 feet and equidistant from the centerline of the existing paving of same, the following seventeen (17) courses and arcs:

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North 45°34'12" West, a distance of 51.15 feet to a corner, same being the beginning of a curve to the right having a radius of 628.48 feet;

Along said curve to the right having a radius of 628.48 feet, a central angle of 24°48'44", and a chord bearing and distance of North 33°09'50" West, 270.04 feet, an arc length of 272.16 feet to a corner and the end of said curve;

North 20°45'28" West, a distance of 384.14 feet to a corner, same being the beginning of a curve to the right having a radius of 870.43 feet;

Along said curve to the right having a radius of 870.43 feet, a central angle of 18°41'36", and a chord bearing and distance of North 11°24'40" West, 282.73 feet, an arc length of 283.99 feet to a corner and the end of said curve;

North 02°03'52" West, a distance of 558.45 feet to a corner;

North 00°46'11" West, a distance of 240.52 feet to a corner;

North 03°05'13" East, a distance of 155.31 feet to a corner;

North 00°57'18" East, a distance of 239.54 feet to a corner;

North 01°44'45" West, a distance of 627.39 feet to a corner;

North 03°51'25" West, a distance of 266.95 feet to a corner;

North 03°03'13" West, a distance of 510.04 feet to a corner, same being the beginning of a curve to the left having a radius of 199.55 feet;

Along said curve to the left having a radius of 199.55 feet, a central angle of 18°16'37", and a chord bearing and distance of North 12°11'31" West, 63.39 feet, an arc length of 63.65 feet to a corner and the end of said curve;

North 21°19'49" West, a distance of 14.50 feet to a corner, same being the beginning of a curve to the left having a radius of 111.19 feet;

Along said curve to the left having a radius of 111.19 feet, a central angle of 64°09'17", and a chord bearing and distance of North 53°24'28" West, 118.10 feet, an arc length of 124.50 feet to a corner and the end of said curve;

North 85°29'06" West, a distance of 106.77 feet to a corner, same being the beginning of a curve to the right having a radius of 384.04 feet;

Along said curve to the right having a radius of 384.04 feet, a central angle of 17°29'04", and a chord bearing and distance of North 76°44'34" West, 116.74 feet, an arc length of 117.19 feet to a corner and the end of said curve;

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THENCE, North 68°00'02" West, a distance of 47.25 feet to the westernmost corner of the herein described tract, same being in the south line of that certain called 27.374 acre tract described in a Warranty Deed from Imogene Richards to the City of Tyler, of record in C.F.N. 2010-R00029847 of said Official Public Records;

THENCE, North 89°14'33" West, with said south line of said 27.374 acre tract, a distance of 75.27 feet to a 60-D Nail found for a south corner of same;

THENCE, North 87°27'53" East, continuing with said south line of said 27.374 acre tract, a distance of 172.28 feet to a corner in the east right-of-way line of said County Road 1141;

THENCE, with said east right-of-way line of said County Road 1141, same being 30.00 feet and equidistant from the centerline of the existing paving of same, the following fifteen (15) courses and arcs:

South 85°29'06" East, a distance of 21.29 feet to a corner, same being the beginning of a curve to the right having a radius of 171.19 feet;

Along said curve to the right having a radius of 171.19 feet, a central angle of 64°09'17", and a chord bearing and distance of South 53°24'28" East, 181.83 feet, an arc length of 191.68 feet to a corner and the end of said curve;

South 21°19'49" East, a distance of 14.50 feet to a corner, same being the beginning of a curve to the right having a radius of 259.55 feet;

Along said curve to the right having a radius of 259.55 feet, a central angle of 18°16'37", and a chord bearing and distance of South 12°11'31" East, 82.44 feet, an arc length of 82.79 feet to a corner and the end of said curve;

South 03°03'13" East, a distance of 509.62 feet to a corner;

South 03°51'25" East, a distance of 267.63 feet to a corner;

South 01°44'45" East, a distance of 629.91 feet to a corner;

South 00°57'18" West, a distance of 242.07 feet to a corner;

South 03°05'13" West, a distance of 154.41 feet to a corner;

South 00°46'11" East, a distance of 237.48 feet to a corner;

South 02°03'52" East, a distance of 558.11 feet to a corner, same being the beginning of a curve to the left having a radius of 810.43 feet;

Along said curve to the left having a radius of 810.43 feet, a central angle of 18°41'36", and a chord bearing and distance of South 11°24'40" East, 263.24 feet, an arc length of 264.41

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feet to a corner and the end of said curve;

South 20°45'28" East, a distance of 384.14 feet to a corner, same being the beginning of a curve to the left having a radius of 568.48 feet:

Along said curve to the left having a radius of 568.48 feet, a central angle of 24°48'44", and a chord bearing and distance of South 33°09'50" East, 244.26 feet, an arc length of 246.18 feet to a corner and the end of said curve;

South 45°34'12" East, a distance of 96.60 feet to the southeast corner of the herein described tract, same being in said north right-of-way line of State Highway 31;

THENCE, South 78°00'18" West, with said north right-of-way line of State Highway 31, a distance of 26.53 feet to a ½" iron rod found for a corner;

THENCE, South 83°30'31" West, continuing with said north right-of-way line of State Highway 31, a distance of 48.82 feet to the POINT OF BEGINNING and containing 5.5 acres of land.

TRACT THREE
POUNDS FIELD AIRPORT PROPERTY

All that certain tract or parcel of land situated in the John Dean Survey, Abstract 292, the George Myers Survey, Abstract 643, the R.M. Merchant Survey, Abstract 687, the R.T. Petit Survey, Abstract 774, The William Middleton Survey, Abstract 675, and the William Gordon Survey, Abstract 390, Smith County, Texas, being part of the City of Tyler Pounds Field Airport property, and being more particularly described by bounds as follows:

BEGINNING at a ½" iron rod found for the southwest corner of that certain called 27.374 acre tract described in a Warranty Deed from Imogene Richards to the City of Tyler, of record in C.F.N. 2010-R00029847 of the Official Public Records of Smith County; for reference, a ½" iron rod set for the northwest corner of the above described 5.528 acre County Road 1141 Annexation Tract bears North 89°14'33" East, 43.39 feet;

THENCE, North 00°47'37" East, a distance of 130.57 feet to a ½" iron rod found for a west corner of said 27.374 acre tract, same being in County Road 1141;

THENCE, North 02°03'33" East, at 540.92 feet pass the westernmost northwest corner of said 27.374 acre tract, and continuing in all a total distance of 575.92 feet to a ½" iron rod found for a corner in County Road 1145;

THENCE, North 00°49'41" East, a distance of 48.94 feet to a ½" iron rod found for the southwest corner of that certain called 2.527 acre tract described in a Deed to the City of Tyler, of record in Volume 3453, Page 41 of the Land Records of Smith County;

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THENCE, North 01°54'46" West, at 750.90 feet pass the northwest corner of said 2.527 acre tract, same being the westernmost southwest corner of a City of Tyler tract designated as Clear Zone Parcel No. 4 on a boundary survey of Pounds Field Airport prepared by Bucher, Willis and Ratliff in 1986, and continuing in all a total distance of 1,071.98 feet to a ½" iron rod found for the northwest corner of said Parcel No. 4;

THENCE, South 54°58'04" East, a distance of 156.02 feet to a ½" iron rod found for an interior corner of said Clear Zone Parcel No. 4;

THENCE, North 58°37'18" East, a distance of 405.32 feet to a ½" iron rod found for a north corner of said Clear Zone Parcel No. 4;

THENCE, North 78°10'50" East, a distance of 516.85 feet to a ½" iron rod found for the northeast corner of said Clear Zone Parcel No. 4, same being in the west margin of County Road 1185;

THENCE, North 08°17'38" East, a distance of 108.21 feet to the northwest corner of that certain called 6.786 acre tract described in a Deed to the City of Tyler, of record in Volume 1679, Page 268 of the Deed Records of Smith County, same being the westernmost corner of a 829.168 acre tract designated on said Pounds Field Airport survey as Contiguous Airport Boundary, same being in said County Road 1185;

THENCE, North 42°25'39" East, with a northwest line of said 829.168 acre tract, a distance of 698.85 feet to a corner in a west line of that certain called 88.6 acre tract described in a Deed to the City of Tyler, of record in Volume 4465, Page 190 of said Official Public Records, same being in said County Road 1184;

THENCE, North 01°32'41" West, with said west line of said 88.6 acre tract, a distance of 449.11 feet to an interior corner of said 88.6 acres, same being in said County Road 1184;

THENCE, South 88°25'11" West, with the westernmost south line of said 88.6 acre tract, a distance of 19.70 feet to the southeast corner of that certain called 54.0 acre tract described in a Deed from the City of Tyler to Boyce Elton Genecov Trust, of record in Volume 4793, Page 254 of said Official Public Records, same being in the west right-of-way line of said County Road 1184;

THENCE, North 04°35'32" West, with said west right-of-way line of said County Road 1184, a distance of 1,450.82 feet to a ½" iron rod found for the northeast corner of said 54.0 acre tract, same being in the north line of said 88.6 acre tract;

THENCE, North 87°46'04" East, with said north line of said 88.6 acre tract, a distance of 30.02 feet to a ½" iron rod found for the southwest corner of that certain called 21.0 acre tract described in a Deed to the City of Tyler, of record in Volume 4793, Page 249 of said Official Public Records, same being in the centerline of County Road 1184;

THENCE, North 05°00'51" West, with the east line of said 21.0 acre tract, a distance of 554.36 feet to a ½" iron rod found for a corner in said centerline of County Road 1184;

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THENCE, North 08°39'58" West, continuing with said east line of said 21.0 acre tract, a distance of 108.02 feet to a ½" iron rod found for a corner in said centerline of County Road 1184;

THENCE, North 11°26'19" West, continuing with said east line of said 21.0 acre tract, a distance of 146.08 feet to a ½" iron rod found for a corner in said centerline of County Road 1184;

THENCE, North 22°54'19" West, continuing with said east line of said 21.0 acre tract, a distance of 83.77 feet to a ½" iron rod found for the northwest corner of said 21.0 acres, same being in said centerline of County Road 1184;

THENCE, North 87°39'10" East, with the north line of said 21.0 acre tract, at 251.12 feet pass a ½" iron rod found for reference, and continuing in all a total distance of 876.47 feet to the northernmost southwest corner of said 829.168 acre Contiguous Airport Boundary;

THENCE, North 01°52'26" West, at 2,848.65 feet pass a chain link fence corner post found for reference, and continuing in all a total distance of 2,855.35 feet to the northernmost northwest corner of said 829.168 acre Contiguous Airport Boundary, same being in the south right-of-way line State Highway 64;

THENCE, with said south right-of-way line State Highway 64, same being the north line of said 829.168 acre tract, the following six (6) courses:

North 87°23'21" East, a distance of 387.71 feet to a corner;

South 88°35'40" East, a distance of 105.70 feet to a corner;

North 87°11'16" East, a distance of 380.28 feet to a corner;

North 85°25'02" East, a distance of 419.07 feet to a corner;

North 85°15'39" East, a distance of 200.84 feet to a corner;

North 79°41'32" East, a distance of 200.54 feet to a concrete R.O.W. monument found for a corner;

THENCE, South 44°27'37" East, a distance of 345.20 feet to a ½" iron rod found for the westernmost corner of Lease Tract 10 of Pounds Field Airport;

THENCE, South 50°18'14" East, a distance of 1,126.32 feet to a ½" iron rod found for the westernmost corner of Lease Tract 8;

THENCE, South 46°34'49" East, a distance of 915.48 feet to a steel spindle found for the southernmost corner of Lease Tract 7;

THENCE, North 43°24'31" East, a distance of 225.35 feet to a P.K. Nail found for the easternmost corner of said Lease Tract 7;

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THENCE, North 61°30'31" East, a distance of 232.45 feet to a P.K. Nail found for the southernmost southwest corner of Lease Tract 6;

THENCE, South 47°03'19" East, a distance of 226.09 feet to a steel spike found for the southernmost corner of said Lease Tract 6;

THENCE, North 43°11'11" East, at 1,623.08 feet pass the northeast corner of said Lease Tract 6, and continuing in all a total distance of 1,766.19 feet to a corner in the north line of said 829.168 acre Contiguous Airport Boundary, same being in said south right-of-way line State Highway 64;

THENCE, South 76°20'30" East, with said south right-of-way line State Highway 64, a distance of 608.91 feet to a corner of said 829.168 acre tract, same being the beginning of a curve to the right having a radius of 1,000.87 feet;

THENCE, along said curve to the right having a radius of 1,000.87 feet, a central angle of 46°14'51", and a chord bearing and distance of South 29°33'14" East, 786.12 feet, an arc length of 807.87 feet to a corner of said 829.168 acre tract and the end of said curve, same being in County Road 1143 (Dixie Highway);

THENCE, South 01°00'42" East, with said east line of said 829.168 acre tract, a distance of 111.22 feet to a corner in said County Road 1143;

THENCE, South 88°37'10" West, at 24.32 feet pass the northeast corner of Lease Tract 16, as shown on the plat thereof recorded in Cabinet 'D', Slide 62-A of the Plat Records of Smith County, at 46.50 feet pass a chain link fence corner post found for reference, and continuing in all a total distance of 201.28 feet to a chain link corner post found for the northwest corner of said Lease Tract 16;

THENCE, South 15°57'34" West, with the west line of said Lease Tract 16, a distance of 38.47 feet to the northernmost corner of Lease Tract 15, same being shown on said plat;

THENCE, South 43°27'10" West, with the northwest line of said Lease Tract 15 and Lease Tract 5, a distance of 506.61 feet to a ½" iron rod found for the westernmost corner of said Lease Tract 5, same being the northernmost corner of Lease Tract 12-A, as shown on the plat thereof recorded in Cabinet 'E', Slide 148-D of the Plat Records of Smith County;

THENCE, South 43°41'30" West, a distance of 200.04 feet to a steel spindle found for the westernmost corner of said Lease Tract 12-A;

THENCE, South 16°13'31" East, with the west line of said Lease Tract 12-A, Lease Tract 14-B, and Lease Tract 4, a distance of 549.61 feet to a nail in asphalt found for the westernmost southwest corner of said Lease Tract 4;

THENCE, North 73°46'59" East, a distance of 256.80 feet to a ½" iron rod found for an interior corner of said Lease Tract 4;

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THENCE, South 87°55'27" West, a distance of 140.18 feet to a nail in asphalt found for the northwest corner of said Lease Tract 3;

THENCE, South 01°34'58" East, with the west line of Lease Tract 3, Lease Tract 2 and Lease Tract 1, a distance of 1,577.72 feet to a ½" iron rod found for the southwest corner of said Lease Tract 1;

THENCE, North 87°50'55" East, at 422.52 feet pass the southeast corner of said Lease Tract 1, and continuing in all a total distance of 437.70 feet to a corner in said east line of said 829.168 acre tract, same being in said County Road 1143;

THENCE, South 01°00'42" East, with said east line of said 829.168 acre tract, a distance of 340.37 feet to a corner in said County Road 1143;

THENCE, South 46°57'24" East, at 104.68 feet pass a 3/8" iron rod found for the northernmost corner of a City of Tyler 5.20 acre tract designated as Clear Zone Parcel No. 2 on said boundary survey of Pounds Field Airport, and continuing in all a total distance of 1,067.69 feet to a fence corner post found for the easternmost corner of said Parcel No. 2;

THENCE, South 77°49'17" West, a distance of 415.13 feet to a ½" iron rod found for the southernmost corner of said Clear Zone Parcel No. 2, same being in the east right-of-way line of said County Road 1143;

THENCE, North 37°56'41" West, a distance of 508.57 feet to the southwest corner of said Clear Zone Parcel No. 2, same being in the centerline of said County Road 1143;

THENCE, South 00°20'46" East, a distance of 129.85 feet to a ½" iron rod found in the west right-of-way line of said County Road 1143 for the northernmost corner of a City of Tyler tract designated as Clear Zone Parcel No. 3 on said boundary survey of Pounds Field Airport;

THENCE, South 36°57'05" East, a distance of 364.82 feet to a ½" iron rod found for the easternmost corner of said Clear Zone Parcel No. 3;

THENCE, South 77°51'34" West, a distance of 100.64 feet to a ½" iron rod found for a south corner of said Clear Zone Parcel No. 3;

THENCE, South 43°32'57" West, a distance of 161.80 feet to a ½" iron rod found for the southwest corner of said Clear Zone Parcel No. 3;

THENCE, South 03°01'30" West, a distance of 451.45 feet to a 4" steel fence corner post found for the easternmost southeast corner of the herein described tract;

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THENCE, South 88°09'58" West, a distance of 822.24 feet to the easternmost southwest corner of said 829.168 acre tract, same being the southwest corner of that certain called 20 acre tract described in a Deed to the City of Tyler, of record in Volume 438, Page 627 of said Deed Records;

THENCE, North 00°42'37" West, a distance of 562.08 feet to a steel axle found for an interior corner of said 829.168 acre tract, same being the southeast corner of that certain called 13.85 acre tract described in a Deed to the City of Tyler, of record in Volume 443, Page 18 of said Deed Records;

THENCE, South 88°09'21" West, a distance of 2,463.76 feet to an interior corner of said 829.168 acre tract, same being the southwest corner of that certain called 24.32 acre tract described in a Deed to the City of Tyler, of record in Volume 443, Page 22 of said Deed Records, same being in the east line of that certain called 225.23 acre tract described in a Deed to the City of Tyler, of record in Volume 440, Page 155 of said Deed Records;

THENCE, South 03°03'04" East, with the east line of said 225.23 acre tract, a distance of 686.27 feet to an east corner of said 829.168 acre tract;

THENCE, South 01°24'03" East, a distance of 716.33 feet to a ½" iron rod found for a southeast corner of said 829.168 acre tract, same being in the north margin of said County Road 1145;

THENCE, South 78°53'19" West, a distance of 194.64 feet to a fence post found for a south corner of said 829.168 acre tract, same being in said north margin of said County Road 1145;

THENCE, South 88°32'45" West, with a south line of said 829.168 acre tract, a distance of 2,040.23 feet to a corner in said north margin of said County Road 1145;

THENCE, South 40°05'30" West, crossing said County Road 1145, at 32.04 feet pass the northeast corner of a City of Tyler tract designated as Clear Zone Parcel No. 5 on said boundary survey of Pounds Field Airport, and continuing in all a total distance of 601.50 feet to an interior corner of same;

THENCE, South 01°33'01" East, a distance of 42.52 feet to a 4" steel fence corner post found for the southeast corner of said Clear Zone Parcel No. 5, same being the southeast corner of that certain called 36.500 acre tract described in a Deed to the City of Tyler, of record in Volume 1674, Page 267 of said Deed Records;

THENCE, South 89°49'59" West, with the south line of said Clear Zone Parcel No. 5, same being the south line of said 36.500 acre tract, a distance of 385.07 feet to a 4" steel fence corner post found for the northeast corner of that certain called 7.345 acre tract described in a Deed to the City of Tyler, of record in C.F.N. 20110-R00030291 of said Official Public Records;

THENCE, South 42°08'01" West, a distance of 1,145.16 feet to a 4" steel fence corner post found for the southwest corner of said 7.345 acre tract, same being in the east line of said 27.374 acre tract;

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THENCE, South 01°12'31" East, a distance of 397.17 feet to a 4" steel fence corner post found for the southeast corner of said 27.374 acre tract;

THENCE, South 88°21'51" West, a distance of 789.58 feet to a ½" iron rod found for a south corner of said 27.374 acre tract;

THENCE, South 87°43'17" West, a distance of 24.52 feet to a ½" iron rod found for a south corner of said 27.374 acre tract;

THENCE, South 87°27'53" West, a distance of 298.89 feet to a 60-D Nail found in said County Road 1141 for a south corner of said 27.374 acre tract;

THENCE, South 89°14'33" West, continuing with said south line of said 27.374 acre tract, a distance of 118.66 feet to the POINT OF BEGINNING and containing 868.6 acres of land.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Month of April, 2011. GIVEN UNDER MY HAND AND SEAL this date, 11 April 2011.

(Job No. 11-051. Plat of survey not prepared)

Robert Matush
Registered Professional Land Surveyor
Texas Registration No. 3683

This document was prepared under 22 TAC Section 663.21, does not reflect the results of an on-the-ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. Bearings are based on the Texas Coordinate System, North Central Zone, NAD83 Map Datum.



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EXHIBIT "C" ZONING MAP

