CITY OF
Big Spring

CITY COUNCIL AGENDA

Tuesday, July 28, 2015

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, July 28, 2015, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

The City Council may discuss and/or take action on each of the following items before it and may go into Executive Session on any item listed on the agenda in accordance with Chapter 551 of the Texas Government Code.

As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate."

Please, no talking during the meeting; take any conversations outside, so others can hear.

Thank You!

1.	Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag **"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."**		McLellan

Announcements & Public Hearings

2.	**Announcement** –		McLellan
3.	**Second Public Hearing** – Regarding Annexation and Zone Change Request to a Retail (R) Zoning District into the Big Spring City Limits, Located at 3113 South Highway 87, Two One-Acre Tracts Approximately 675' Northeast of the Intersection of Village Street and US Highway 87; more Specifically being One Acre Out of Section 7, Block 32, 1S of Tract 170 and being One Acre Out of Section7, Block 1S of Tract 171 of the T&P RR. Co. Survey	4-7	Johnston

Disposition of Minutes

4.	Approval of the Minutes of the Regular Meeting of July 14, 2015	8-10	Davis

Consent Items

5.	Acceptance of the McMahon-Wrinkle Airport Development Board Minutes for the Meeting of June 18, 2015	11-12	Little

Routine Business

6.	Vouchers for 07/16/15 $ 356,108.59 Vouchers for 07/23/15 $ 945,235.94		Marquez

New Business

7.	First Reading of an Ordinance Amending the Code of Ordinances by Amending Chapter 16, Article 3 Entitled "Utility Service Charges," Section 16-61 Entitled "Water Tampering Fees" by Adding a Fee for Stolen or Damaged Registers and Removed but Undamaged Registers; Providing for Severability; Providing for Publication; and Providing an Effective Date	13-14	Moore
8.	Acceptance of a 20' Utility Easement and Right of Way from Lee Harris for Sewer Line Project Near I-20	15-19	Womack
9	Acceptance of a 20' Utility Easement and Right of Way from Dipal Patel for Sewer Line Project Near I-20	20-24	Womack
10.	Approval and Acceptance of the Minutes of the Regular Meeting of the Big Spring Economic Development Corporation Held on June 16, 2015	25-26	Edwards

City Manager's Report

11.	Standing Report		Darden

Council Input

12.	Input		McLellan

Executive Session - City Attorney's Report

13.	Adjourn into **Executive Session with the Executive Director of the Big Spring Economic Development Corporation** Under the Provisions of Title 5, Texas Government Code, Section 551.087 to Discuss or Deliberate Commercial or Financial Information Concerning Entities that the City Seeks to Have Locate, Stay or		McLellan

Expand in or Near the City and with Which the City and Big Spring Economic Development Corporation are Conducting Economic Development Negotiations; and Under Title 5, Texas Government Code, Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property **(Quarterly Update)**

14. Reconvene in Open Session and Take Any Necessary Action — McLellan

15. Adjourn — McLellan

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on Friday, July 24, 2015 at 5:00 p.m. In addition, this agenda and supporting documents are posted on the City of Big Spring's website, **www.mybigspring.com** in accordance with legal requirements.

Lesa Gamble, Assistant to the City Manager

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING-IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT LESA GAMBLE AT 264-2401. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 48 HOURS IN ADVANCE OF THE MEETING TIME.

Agenda Removal Notice - This public notice was removed from the official posting board at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on

July _____, 2015 at _____a.m./p.m. By: _____

CITY OF
Big Spring

Memo

Meeting Date: July 14, 2015

To: City Council members

From: Roxanne Johnston, City Planner

Subject: First Public Hearing and comment regarding annexation and zone change request to a Retail (R) Zoning District into the Big Spring City Limits on an approximately two-acre tract of land, located on the following properties:

Location: 3113 South Highway 87, two one-acre tracts located approximately 675 feet northeast of the intersection of Village Street and US Highway 87; more specifically being one acre out of Section 7, Block 32, 1S of Tract 1170, and being one acre out of Section 7, Block 32, 1S of Tract 171 of the T&P RR. Co. Survey, Howard County, Texas.

Purpose: Acceptance of this annexation and zone change would forward the request for consideration and action by City Council.

Contacts:

Roxanne Johnston. City Planner	432-264-2319
Jerry Worthy, Owner	432-263-1998

Recommendation: Staff recommends approval of this annexation and zone change request.

The City Council accepted the petition for this annexation on May 28th, 2015, and on June 16, 2015, the Planning and Zoning Commission favorably voted unanimously to forward this request to City Council.

History and Background:

The applicant is requesting an annexation of property equaling two acres under single ownership. The property contains an office structure, garage and storage unit. The property is already serviced by City water; however, it would be the cost of a developer to connect the property to the City's sewer main.

The petition for this annexation was unanimously accepted by City Council on May 28, 2015. Should this request for consideration be approved by the Planning and Zoning Commission would then forward their recommendation to City Council.

Staff will provide a calendar draft to City Council that includes the steps that will need to be completed by State law in order to reach a final decision on the actual annexation process. A service plan draft is also provided, outlying the provision for City services such as emergency responders, public streets, water and sewer. Such services will be available to the tracts upon annexation.

Staff is confident that the subsequent zone change request to Retail (R) accompanying the annexation request will ensure development consistent to what is already in place, since the default zoning (A) does not allow office nor retail activities by right.

General Information:

Existing Zoning: N/A.

Existing Land Use: Office, garage and storage

Surrounding Zoning/Land Use:

North:	Non-annexed property	Seasonal Firework stand
South:	Non-annexed properties	Church property
East:	Single-Family Dwelling (SF-2) and Non-annexed properties	Vacant undeveloped property
West:	Planned Development	Single-Family Residential

Thoroughfares/Streets: U.S. Highway is identified as a major arterial in the Thoroughfare Plan component of the Comprehensive Plan.

Notifications Required: Yes

Notifications Sent: 5

Responses in Favor: 1

Responses in Opposition: 0

Attachments: General location map, highlighting subject properties; and

Aerial site map, highlighting subject properties

Zoning Case File

Annexation15-02

Council District: N/A

0 270540 1,080 1,620 2,160 Feet

Legend

Subject Property:

Current Zoning: Non-zoned

Requested Zone Change: Retail

Comprehensive Plan: Tentatively, Light Commercial Uses

CITY OF BIG SPRING GIS /MAPPING DEPARTMENT

City of Big Spring

Zoning Case File

Annexation15-02

Council District: N/A

0 50 100 200 300 400 Feet

Legend

Subject Property:

Current Zoning: Non-zoned

Requested Zone Change: Retail

Comprehensive Plan: Tentatively, Light Commercial Uses

CITY OF BIG SPRING GIS /MAPPING DEPARTMENT

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a regular meeting in the City Council Chambers located at 307 E. 4th, Big Spring, Texas, at 5:30 p.m., June 23, 2015, with the following members present:

LARRY McLELLAN	Mayor
JUSTIN MYERS	Mayor Pro Tem
RAUL MARQUEZ	Councilmember
STEVE WAGGONER	Councilmember
RAUL BENAVIDES	Councilmember
JIM DEPAUW	Councilmember

(Councilmember Harbour was not present at this meeting.)

Same and constituting a quorum; and

TODD DARDEN	City Manager
KAYE EDWARDS	City Attorney
JOHN MEDINA	Assistant City Manager/ Human Resource Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JOHNNY WOMACK	Public Works Director
DON MOORE	Finance Director/ City Secretary
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge

INVOCATION & PLEDGE OF ALLEGIANCE

Bill Ivins, First United Methodist Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

ANNOUNCEMENTS & PUBLIC HEARINGS

PUBLIC HEARING – REGARDING ANNEXATION AND ZONE CHANGE REQUEST TO A RETAIL (R) ZONING DISTRICT INTO THE BIG SPRING CITY LIMITS, LOCATED AT 3113 SOUTH HIGHWAY 87, TWO ONE-ACRE TRACT APPROXIMATELY 675' NORTHEAST OF THE INTERSECTION OF VILLAGE STREET AND US HIGHWAY 87; MORE SPECIFICALLY BEING ONE ACRE OUT OF SECTION 7, BLOCK 32, 1S OF TRACT 1170 AND BEING ONE ACRE OUT OF SECTION 7, BLOCK 1S OF TRACT 171 OF THE T&P RR. CO. SURVEY.

Motion was made by Mayor Pro Tem Myers, seconded by Councilmember Waggoner, with all members of the Council voting "aye" to open the above captioned public hearing. There were no comments from citizens or the council. Motion was made by Mayor Pro Tem Myers, seconded by Councilmember Marquez, with all members of the Council voting "aye" to close the above captioned public hearing.

DISPOSITION OF MINUTES

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 23, 2015

Motion was made by Mayor Pro Tem Myers, seconded by Councilmember DePauw, with all members of the Council voting "aye" approving the above listed minutes.

CONSENT ITEMS

ACCEPTANCE OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR THE MEETING OF JUNE 3, 2015

Motion was made by Councilmember Marquez, seconded by Councilmember DePauw, with all members of the Council voting "aye" approving the above listed minutes.

ROUTINE BUSINESS

Councilmember DePauw reviewed the vouchers in the amount of $885,262.09 (06/25/15), $232,304.55 (07/02/15) and $1,087,305.57 (07/09/15). Motion was made by DePauw, seconded by Councilmember Waggoner, with all members of the Council voting "aye" approving the above listed vouchers.

NEW BUSINESS

CONSIDERATION AND AUTHORIZATION FOR STAFF TO SEEK CHANGES TO THE "INDENTURES" PERTAINING TO WEBB AIR FORCE BASE PROPERTY, ALLOWING PROPERTY ONCE DESIGNATED "FOR AERONAUTICAL USE" TO BE CHANGED TO "FOR REVENUE PRODUCING USE" AND AUTHORIZING THE MAYOR OR HIS DESGINEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember DePauw, seconded by Councilmember Benavides, with all members of the Council voting "aye" approving the above listed changes.

CITY MANAGER'S REPORT

There was no report.

COUNCIL INPUT

Mayor McLellan reminded citizens that the Jade Helm project is scheduled to begin on July 15.

Councilmember DePauw thanked Johnny Womack for serving as President of Keep Texas Beautiful.

EXECUTIVE SESSION – CITY ATTORNEY'S REPORT

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.071 (1)(A) TO CONSULT WITH THE CITY ATTORNEY (QUARTERLY UPDATE) AT 5:50 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 6:34 P.M.

ADJOURN

Mayor McLellan adjourned the meeting at 6:35 p.m.

CITY OF BIG SPRING, TEXAS

_____

Larry McLellan, Mayor

ATTEST:

_____

Tami L. Davis, Assistant City Secretary

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
June 18, 2015

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., on Thursday, June 18, 2015 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Phillip Welch called the meeting to order at 5:36 p.m. with the following members in attendance:

Phillip Welch, Chairman	Terry Hansen
Ned Crandall	Jane Armstrong

Also in attendance:	Jim Little, Airport Director	Terry Wegman, Big Spring EDC
	Kelly Seales, Director's Assistant	Orville Spradling, Pilot

Absent:	Willie Rangel	Paschal Odom, Vice Chairman
	Wayne Dawson	

Item # 1
Call to Order
Phillip Welch called the meeting to order at 5:36 p.m.

Item # 2
Review and approve minutes from April 23, 2015 meeting
Motion to approve made by Jane Armstrong, seconded by Terry Hansen, with all members voting "aye" for acceptance of the minutes as written.

Item # 3
Big Spring Economic Development Corporation Update
Terry Wegman provided some local statistics regarding sales tax receipts being up by 11% from last year, Permits down to $1.7M from $8M last year, and unemployment rates holding steady at 4.4%. He also briefly discussed the new rail line being worked east of town.

Item # 4
Rail Yard Development Activity
Jim informed the board of the recent delays in the rail expansion project at the airpark. He has been coordinating with TxDOT and FAA regarding the effects of rail on the runway 24 approach and the Runway Protection Zone. The land on that runway end is slightly elevated and rail expansion would potentially interfere with the newly acquired GPS approach for runway 24. Suddenlink has been granted an easement by the City for internet services to some existing rail customers. That work is still being done.

Item # 5
T-Hangar Project, Status
Jim updated the board on the pre-construction meeting that was held at the airport terminal earlier this week. Notice to proceed is being given to the contractors. The project should be a 150 day completion with the first wave of equipment and materials being brought in on the 29th of June.

Item # 6
Airport Director Update
Jim discussed the need to expand the approach visibility for Runway 24. Currently it is only ¾ of a mile and it needs to be 1 mile. Ned made a Motion to increase the approach visibility from the current ¾ mile up to 1 mile. Jane seconded the Motion with all members voting "aye" for increasing the visibility to 1 mile. Jim stated that while the airport staffing is currently at 100%, he is requesting the addition of two more employees to handle the increasing needs of the facility. Budget planning is still ongoing. There is currently no drilling on the airport, but there is some in the vicinity of the airport. We have a request to do "pooling" which would allow drilling profits without the drilling actually being on the airport. Jim and Terry gave a brief update on the situation with Desert Tanks and Pitts Oil Field Products & Services, being in default on their agreement with the EDC. The Fuel Tank registration has been completed. We are still waiting on a response from Trace Engines as to whether they will be vacating. The West side Access road for the Reliever Route is now on hold. We are currently exploring options for the South side Access road instead. After follow up from TxDOT Aviation inspection of airport there is a berm that needs to be removed on the end of runway 06 and a fence that needs to be removed or relocated on the end of runway 24. We are in the process of transitioning from satellite weather monitoring services to an internet based system. Budgeting is still ongoing, in regards to a television for board meeting presentations. We continue to have questions about Jade Helm but there is no anticipated activity at this time that would affect the airport. There is no scheduled Director travel at this time.

Item # 7
Reliever Route/Airport Access Road
Discussed in the Airport Director Update

Item # 8
Interstate 27
There was discussion on the benefits of giving the new reliever route an interstate designation. Terry Hansen made a Motion to seek interstate designation for the reliever route. Ned Crandall seconded the motion with all members present voting "aye" to seek interstate designation for the reliever route.

Item #9
Leased Building Issues
The roof project for John Crane Production Solutions for $175,000 has been approved and should be started in the coming weeks.

Item #10
Airport Safety Committee Report
Wayne Dawson was not available for report.

Item # 11
Other Events and Activities
Prairie Dog Fly In will be held this Saturday, June 20th.

Item # 12
Next Meeting Date
July 16, 2015

Adjournment: 7:00 p.m.

Paschal Odom

Approved by Paschal Odom, Vice Chairman

7-16-15

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 16, ARTICLE 3 ENTITLED "UTILITY SERVICE CHARGES," SECTION 16-61 ENTITLED "WATER TAMPERING FEES" BY ADDING A FEE FOR STOLEN OR DAMAGED REGISTERS AND REMOVED BUT UNDAMAGED REGISTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, amending the water tampering fees by adding a fee for repair or replacement of damaged registers will assist in the operation of the water utilities department; and

WHEREAS, the City Council finds these fees will help offset costs related to the repair and/or replacement of stolen or damaged registers;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. Chapter 16, Article 3 entitled "Utility Service Charges" is hereby amended by adding a new Section 16-61 entitled "Water Tampering Charges" is hereby amended to read as follows:

Sec. 16-61. Water Tampering Fees.

These following fees must be paid by the account holder before water service can be restored when tampering with City equipment is discovered. These fees are in addition to any applicable criminal penalties that may be assessed upon conviction for tampering with or destroying City property or theft of services. Fees for tampering with City utility equipment shall be as follows:

Broken Valves (Curb Stops)	¾"	$200.00
	1"	$250.00
	2"	$300.00
Installation of Locking Device		$150.00
Broken Pad Locks		$100.00
Jumper Found		$300.00
Stolen Meter		$600.00
Removing an Antenna from Meter		$100.00

Stolen or Damaged Registers	$250.00
Removed but Undamaged Registers	$100.00

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. The City Secretary is hereby directed to cause the caption and the fees associated with this ordinance to be published as provided by law.

SECTION 5. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **28th** day of **July, 2015**, with all members present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **11th** day of **August, 2015**, with all members present voting "aye" for passage of same.

_____
Larry McLellan, Mayor

ATTEST:

_____
Tami L. Davis, Assistant City Secretary

UTILITY EASEMENT AND RIGHT OF WAY

Date:	May 11, 2015
Grantor:	**Lee Harris**
Grantor's Address:	704 Texas
	Big Spring, Texas 79720
Grantee:	**The City of Big Spring, Texas**
Grantee's Address:	310 Nolan St., Big Spring, Texas 79720
Property:	That property indicated in Exhibit A and described below.
Consideration:	The sum of TEN and no1100 dollars ($10.00) and other good and valuable consideration

Grantor, Lee Harris, dealing in his sole and separate property, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the City of Big Spring, a Texas home-rule municipal corporation, the receipt of which is hereby acknowledged, has granted and conveyed, and by these presents does grant and convey unto Grantee, the said City of Big Spring, its successors and assigns, a permanent easement and right of way, twenty (20) feet in width , extending twenty (20) feet on the north side of the center line of the pipeline, for an underground water and/or sewer line along with other necessary or desired utilities, supporting structures, and any and all necessary or desirable appurtenances over, under, through, across and upon Grantor's land described as follows and further depicted in Exhibit "A":

1.05 acre tract of land, more or less, out of the North East One-Quarter (NE/4) of Section 26, Block 33, T-1-N, T & P RR. Co. Surveys, Howard County, Texas, described by metes and bounds as follows:

BEGINNING at a ¾" I.P. in the South line of Tract #2 conveyed by the City of Big Spring, Texas to the Big Spring State Hospital through deed dated October 23, 1937 and recorded in Volume 100, Page 157, Howard County Deed Records, from which an Iron Rod, the N.E. corner of Section 26, Block 33, Tsp. 1-North, T. & P. R.R. Co., Surveys, Howard County, Texas bears N. 75 degrees 30' E. 1374.75 ft. and N. 14 degrees 23' W. 2102.5 ft. Said ¾ I.P. being the N.W. corner of a 1.96 acre tract in the name of Evelyn Bugg McDougle and the N.E. corner of this tract;

THENCE S.75 degrees 30' W. along the South line of said Big Spring State Hospital Tract #2, 215.59 ft to a ¾ I.P. for the N.W. corner of this tract;

THENCE S. 14 degrees 30' E parallel to the East line of section 26, 212.0 ft. to a ¾ I.P. in the North right-of-way line to Interstate highway No. 20 for the S.W. corner of this tract,

THENCE N. 75 degrees 37' E. along the North right-of-way line of Interstate highway No. 20, 215.59 ft. to a ¾" I.P. for the S.W. corner of said Evelyn Bugg McDougle 1.96 acre tract and the S.E. corner of this tract;

THENCE N. 14 degrees 23' W. parallel to the East line of Section 26, 212.4 ft. to THE PLACE OF BEGINNING.

Grantor recognizes that the general course of said utilities or facilities, or the metes and bounds as described above, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of, and with the right to construct, lay, maintain, replace, remove, reconstruct, abandon in place, change the size and capacity of, and the right to relocate the facilities in the same relative direction and position.

Together with full right of ingress and egress along, upon, in and under said easement and right of way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, lay, maintain, operate, repair, remove, replace, reconstruct, abandon in place and change the size and capacity of said utilities and facilities; the right to relocate said utilities and facilities in the same relative direction and position; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said utilities or facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said utilities or facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said utilities or facilities or to remove possible hazards thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement areas as described above without prior written consent of Grantee.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the sole judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right of way unto the said Grantee, its successors and assigns, until all of said utilities and facilities shall be abandoned, and in that event said easement and right of way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's successors or assigns and legal representatives, to warrant and forever defend the above described easement and right of way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Executed this the 11th day of May, 2015.

GRANTOR: Lee Harris

By: _____

Printed Name: Lee HARRIS

Title: GRANTOR

THE STATE OF TEXAS §
§
COUNTY OF HOWARD §

BEFORE ME, the undersigned authority, on this 11 day of MAY, 2015 personally appeared Lee Harris, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11th day of MAY, 2015.

TERRY PHILLIPS
Notary Public, State of Texas
My Commission Expires
February 07, 2018

_____
Notary Public, State of Texas

GRANTEE:
CITY OF BIG SPRING, TEXAS

By: _____

Todd Darden, City Manager

ATTEST:

_____

Lesa Gamble, City Manager Administrative Assistant

APPROVED AS TO CONTENT AND COMPLETENESS:

_____

_____ Assistant City Manager

APPROVED ONLY AS TO FORM:

Kaye H Edwards

Kaye Edwards City Attorney

EXHIBIT A

BIG SPRING SEWER LINE

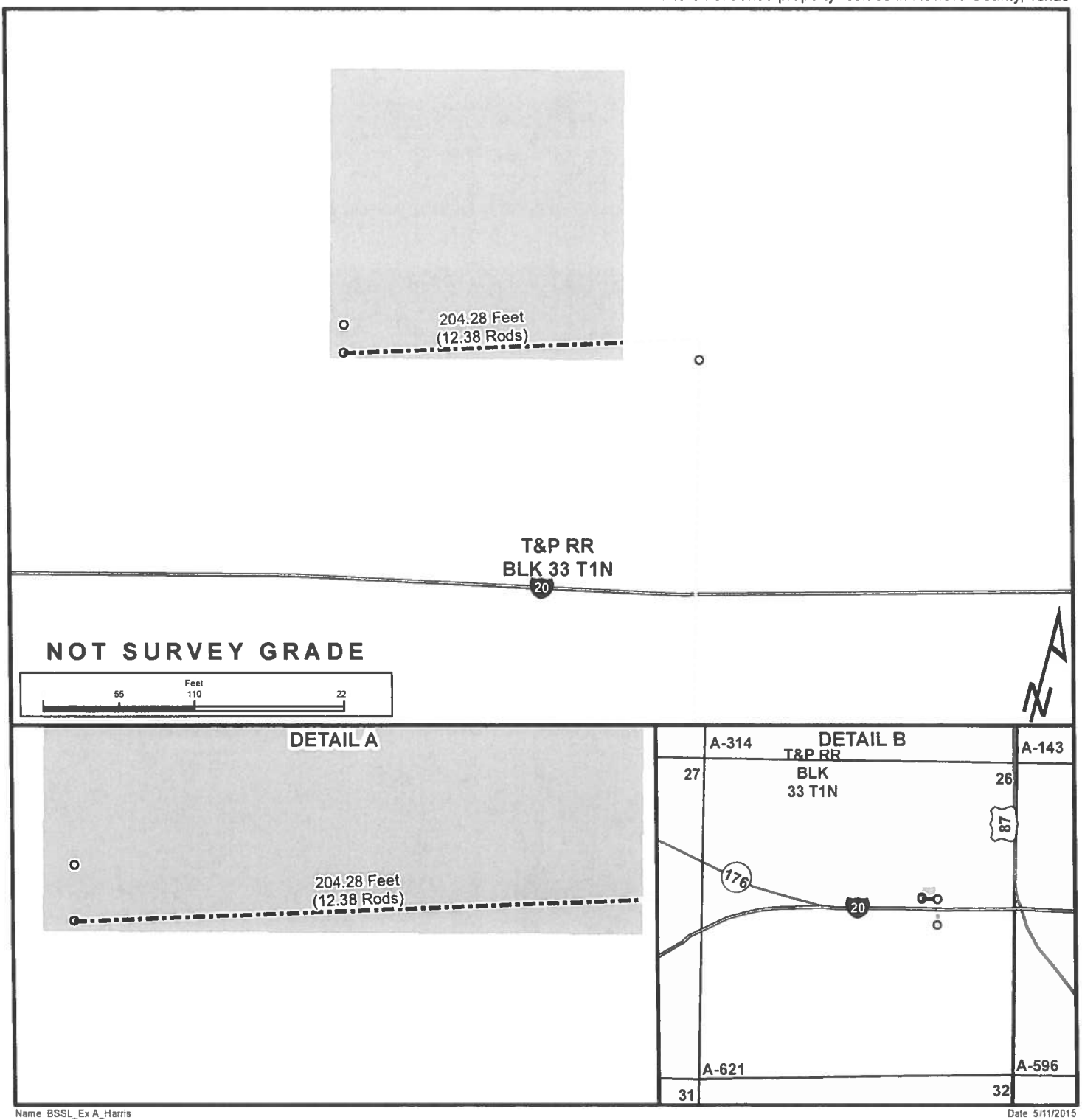
LANDOWNER:
Harris, Lee

LEGAL DESCIPTION(S):
1.05 acre tract of land, more or less, out of the North East One-Quarter (NE/4) of Section 26, Block 33, T-1-N, T & P RR. Co. Surveys, Howard County.

TOTAL RIGHT OF WAY LENGTH:
204.28 Feet (12.38 Rods)

Plat 1 of 1

Aforementioned property resides in Howard County, Texas



Name BSSL_Ex A_Harris

Date 5/11/2015

UTILITY EASEMENT AND RIGHT OF WAY

Date:	~~May~~ June 6, 2015
Grantor:	**Dipal Patel**
Grantor's Address:	11585 Corsicana
	Frisco, Texas 75035
Grantee:	**The City of Big Spring, Texas**
Grantee's Address:	310 Nolan St., Big Spring, Texas 79720
Property:	That property indicated in Exhibit A and described below
Consideration:	The sum of TEN and no1100 dollars ($10.00) and other good and valuable consideration

Grantor, , dealing in her sole and separate property, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the City of Big Spring, a Texas home-rule municipal corporation, the receipt of which is hereby acknowledged, has granted and conveyed, and by these presents does grant and convey unto Grantee, the said City of Big Spring, its successors and assigns, a permanent easement and right of way, twenty (20) feet in width , extending ten(10) feet on either side of the center line of the pipeline, for an underground water and/or sewer line along with other necessary or desired utilities, supporting structures, and any and all necessary or desirable appurtenances over, under, through, across and upon Grantor's land described as follows and further depicted in Exhibit "A":

Being a 3.53 acre tract out of Section 26, Block 33, T-1-N, T. & P. RR Co. Survey, Howard County, Texas described by metes and bounds as follows:

BEGINNING at a ¾" I.P. found in the South line of Tract #2 conveyed by the City of Big Spring, Texas to the Big Spring State Hospital through deed dated October 23, 1937, and recorded in Volume 100, Page 157, Deed Records of Howard County, from which an iron rod, the NE corner of Section 26, Block 33, T-1-N, T. & P. RR. Co. Survey, Howard County, Texas bears N. 75 degrees 30' E. 654.75' and N. 14 degrees 23' W.2102.5', said ¾ I.P. being the NW corner of a 1.58 acre tract and the NE corner of this tract;

THENCE S. 75 degrees 30' W. along the South line of said Big Spring State Hospital Tract #2, 720.0' to a ¾" L.P. for the NE corner of a 1.05 acre tract and the NW corner of this tract;

THENCE S. 14 degrees 23' E. East parallel to the East line of Section 26, 212.4' to a ¾ I.P. in the North right-of-way line of Interstate Highway No. 20 for the SE corner of said 1.05 acre tract and the SW corner of this tract;

THENCE N. 75 degrees 37' East along the North right-of-way line of Interstate Highway No. 20, 720.0' to a point which falls in a gas meter for the SE corner of this tract;

THENCE N 14 degrees 23' W. parallel to the East line of Section 26, 213.9' to the PLACE OF BEGINNING.

Containing 3.53 Acres of Land

Grantor recognizes that the general course of said utilities or facilities, or the metes and bounds as described above, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of, and with the right to construct, lay, maintain, replace, remove, reconstruct, abandon in place, change the size and capacity of, and the right to relocate the facilities in the same relative direction and position.

Together with full right of ingress and egress along, upon, in and under said easement and right of way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, lay, maintain, operate, repair, remove, replace, reconstruct, abandon in place and change the size and capacity of said utilities and facilities; the right to relocate said utilities and facilities in the same relative direction and position; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said utilities or facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said utilities or facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said utilities or facilities or to remove possible hazards thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement areas as described above without prior written consent of Grantee.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the sole judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right of way unto the said Grantee, its successors and assigns, until all of said utilities and facilities shall be abandoned, and in that event said easement and right of way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's successors or assigns and legal representatives, to warrant and forever defend the above described easement and right of way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Executed this the 4th day of June, 2015.

GRANTOR: **Dipal Patel**

By: Dipal Patel

Printed Name: Dipal Patel

Title: Vice President

THE STATE OF TEXAS §
Collin Mc §
COUNTY OF ~~HOWARD~~ §

BEFORE ME, the undersigned authority, on this 4th day of June, 2015 personally appeared Dipal Patel, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of June, 2015.

MIRIAN ROMERO
Notary Public
STATE OF TEXAS
My Comm. Exp. 08-15-15

Mirian M. Romero

Notary Public, State of Texas

GRANTEE:
CITY OF BIG SPRING, TEXAS

By: [signature]

Todd Darden, City Manager

ATTEST:

_____

Lesa Gamble, City Manager Administrative Assistant

APPROVED AS TO CONTENT AND COMPLETENESS:

_____

_____ Assistant City Manager

APPROVED ONLY AS TO FORM:

_____

Kaye Edwards City Attorney

EXHIBIT A

BIG SPRING SEWER LINE

LANDOWNER:

Patel, Dipal

LEGAL DESCIPTION(S):

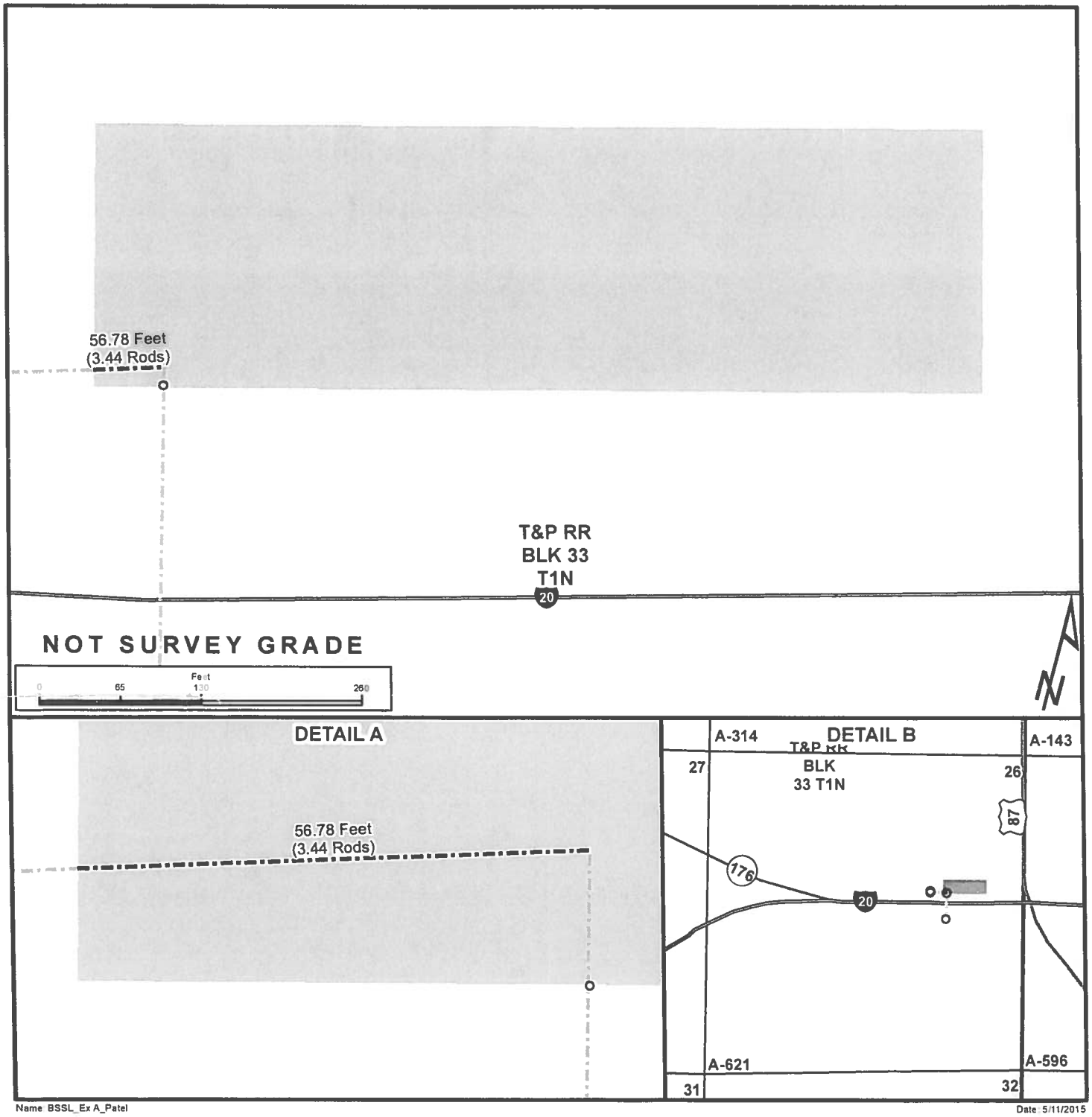
Being a 3.53 acre tract out of Section 26, Block 33, T-1-N, T. & P. RR Co. Survey, Howard County.

TOTAL RIGHT OF WAY LENGTH:

56.78 Feet (3.44 Rods)

Plat 1 of 1

Aforementioned property resides in Howard County, Texas



Name: BSSL_Ex A_Patel

Date: 5/11/2015

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, June 16, 2015, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, June 16, 2015 in the offices of the Big Spring Economic Development Corporation. The following notice was sent on June 12, 2015 to all Directors, the news media, and duly posted on June 12, 2015, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday, June 16, 2015 at 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action on Minutes of the May 19, 2015 Regular Meeting, Action to Approve May Financials Report, Action to Approve May Investment Report, Consideration of a Marketing Initiative for McMahon Wrinkle Airpark and Necessary Budget Amendments, Directors Report, Executive Session, Action as a Result of Executive Session, Directors Report, Public Comment, Board Comment, and Adjourn".

Directors Present:
Mr. Terry Hansen- President
Mrs. Nadine Reyes- Secretary/Treasurer
Mr. Bob Price

Directors Absent:
Mr. Cole Morgan-Vice President
Mrs. Kay McDaniel

Staff Present:
Mr. Terry Wegman
Mrs. Teresa Darden

Guests that signed in:
Jim DePauw

AGENDA ITEM # 1 – Call to Order/Invocation and Pledge:
Mr. Hansen called the meeting to order at 5:15 p.m. Mr. Hansen led the invocation and pledge.

ACTION ITEM #2- Action on Minutes of the May 19, 2015 Regular Board Meeting:
Mr. Hansen presented the Minutes of the May 19, 2015 Regular Board Meeting. Motion to accept the Minutes for the May 19, 2015 Regular Board Meeting, was made by Mr. Price seconded by Mrs. Reyes. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #3- Action to Approve May Financials Report:
Mrs. Reyes presented May Financials. Motion to approve the May Financials was made by Mrs. Reyes seconded by Mr. Price. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #4- Action to Approve May Investment Report:
Mrs. Reyes presented the May Investment Report. Motion to approve the May Investment Report was made by Mrs. Reyes seconded by Mr. Price. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion

AGENDA ITEM #5- Consideration of a Marketing Initiative for McMahon Wrinkle Airpark and Necessary Budget Amendments:

Mr. Wegman presented the Airpark rendering marketing presentation by Bartlett and West.
No action taken.

AGENDA ITEM #6- Directors Report:
Mr. Wegman updated the Board on several projects including: Paving for Phase II Airpark Rail project is complete. Drainage for the crossings is to be completed soon. Clean up and additions of new ballast are being done. Phase III will have to be approved by TxDot Aviation/FAA and the City of Big Spring. Bids should be going out soon. Mr. Wegman updated the Board on past and upcoming meetings to include: TEDC Midyear Conference was June 3-5th; Team Texas Showcase Event will be July 10-12 in Los Colinas. Meeting with a developer out of Dallas. Speaking engagements include Big Spring Rotary on June 9th and "What's Going On" at the Alive in Christ Church on July 9th. Recommended Conferences for distribution include JOC Inland Distribution Conference Oct 6-8, Council of Supply Chain Management Professional Sept 27-30, Retail Supply Chain Conference Feb. 28-March 2 2016 and the next regular Board meeting will be July 21st.

AGENDA ITEM #7- Executive Session:

- Permian Industrial Center M.O.U.
- Sale of Land
- Review of Existing Incentive Agreements
- Potential Incentive/Performance Agreements

Mr. Hansen adjourned the Board of Directors into Executive Session @ 5:56 pm., June 16, 2015
Mr. Hansen called the Executive Session to order at 5:57 pm., June 16, 2015
Mr. Hansen adjourned out of executive session at 6:49 pm., June 16, 2015
Mr. Hansen reconvened into open session at 6:50 pm, June 16, 2015

AGENDA ITEM #8- Action as a Result of Executive Session:
None

AGENDA ITEM #9- Public Comments:
Mr. Jim DePauw stated that Bartlett and West has moved to Big Spring and will be a great asset.

AGENDA ITEM # 10- Board Comments:
Mr. Price stated that the Bartlett and West plan for the Airpark will be a great marketing tool and gave an update on the Reliever Route due to be complete in February. Mr. Wegman also updated the Board on the progress of Star Dodge and the plans to be open early next year.
Mr. Hansen stated there are positive things happening in Big Spring.

AGENDA ITEM # 11- Adjourn:
Mr. Price made a motion to adjourn, seconded by Mrs. Reyes.
The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.
Meeting adjourned at 6:55 pm on June 16, 2015.

Mr. Terry Hansen, President

ATTEST:
Nadine Reyes
Mrs. Nadine Reyes, Secretary/Treasurer