

**VILLAGE OF SALADO
PERMANENT UTILITY EASEMENT**

**THE STATE OF TEXAS §
 §
COUNTY OF BELL §**

That I Billie Hanks Jr., GRANTOR herein, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid by the VILLAGE OF SALADO, general law municipality of the County of Bell, State of Texas, GRANTEE herein, the receipt and sufficiency of which is hereby acknowledged and confessed, do hereby grant, sell and convey unto the said GRANTEE a permanent and perpetual easement for the purpose of installing, repairing, maintaining, altering, replacing, relocating, rebuilding, removing, and operating wastewater facilities in, into, upon, over, across, under and through all that land in Bell County Texas described as follows, to-wit:

A twenty foot (20') wide Permanent Utility Easement that is setback forty-three feet (43') from the existing property line and then continue that twenty foot (20') utility sewer easement to the sewer plant as shown in red on the attached map more particularly described in *Exhibit "A"*, attached hereto and incorporated herein, and which may be more particularly described in a legal description that may be provided as future Exhibit B,

together with the right of ingress and egress as necessary for such purposes.

GRANTOR covenants and agrees that GRANTOR and GRANTOR's heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any easements granted herein any temporary or permanent structures, and it is further agreed that GRANTEE shall have the right to excavate and fill upon said permanent easement and to remove from said permanent easement, any fences, buildings, landscaping or other obstructions as may now be found upon said permanent easement regarding GRANTEE'S installation and maintenance of its wastewater service line.

It is further intended that the Permanent Utility Easement herein granted to the GRANTEE shall run with the land and forever be a right in and to the land belonging to GRANTOR, and GRANTOR'S successors and assigns, and said grant is expressly excepted from any right of reversion of said premises under any prior deeds in GRANTOR'S chain of title. The Permanent Utility Easement, rights and privileges granted therein are exclusive, and GRANTOR covenants that it will not convey any other easement or conflicting rights within the area covered by the grant to any other person except for other utility easements crossing the GRANTEE'S easement,

preferably such crossings at a ninety degree angle, provided such utility lines placed in these other easements to do not damage or interfere with the operation and maintenance of the GRANTEE'S waste water service line. In that regard, GRANTEE requests and GRANTOR agrees that such other utility easement if for a Dry utility will be seven feet (7') off the centerline of the sewerline and if another utility easement is for a waterline, that all separation distances will meet TCEQ requirements. Additionally, any utility crossing must have a ten foot (10') minimum separation from manholes horizontally.

The GRANTEE shall not unnecessarily disturb the easement beyond what is ordinary and customary to install, operate and maintain GRANTEE's waste water service line and use its best efforts to return the easement to its condition prior to Grantee's use with the understanding that mature landscape will be replanted in a size and caliper customarily stocked at landscape nurseries for transportation and installation.

IN WITNESS WHEREOF, this dedication instrument is executed this 25 day of March, 2016.

BY: [Signature]
Billie Hanks Jr., GRANTOR

BY: [Signature]
GRANTOR

ACKNOWLEDGEMENT

THE STATE OF NORTH
CAROLINA, COUNTY OF
TRANSYLVANIA,

BEFORE ME, the undersigned authority in and for Transylvania County, North Carolina, on this day personally appeared Billie Hanks Jr. known to me or proved to me through Texas drivers license (description of identity card or other document) to be the same person whose name is subscribed to the

foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 25 day of March, 2016.

NOTARY SEAL

A circular notary seal for Melanie B. Cash, Notary Public in Transylvania County, North Carolina. The seal contains the text: "MELANIE B. CASH", "Notary Public", "Transylvania County", "My Commission Expires 7-19-20", and "NORTH CAROLINA".
Melanie B. Cash
Notary Public, State of North Carolina
Melanie B. Cash
Notary's Name (Printed)
7-19-20
Notary's Commission Expires

CERTIFICATE OF ACCEPTANCE

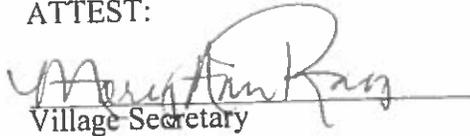
This is to certify that the interest and real property conveyed by this dedication instrument the 7 day of April, 2016, from Billie Hanks Jr. to the VILLAGE OF SALADO, has been duly accepted subject to all terms and conditions contained therein, and the Board of Aldermen has consented to recordation of such dedication instrument by its duly authorized officer.



Skip Blancett, Mayor
VILLAGE OF SALADO

7 Apr 16
Date

ATTEST:



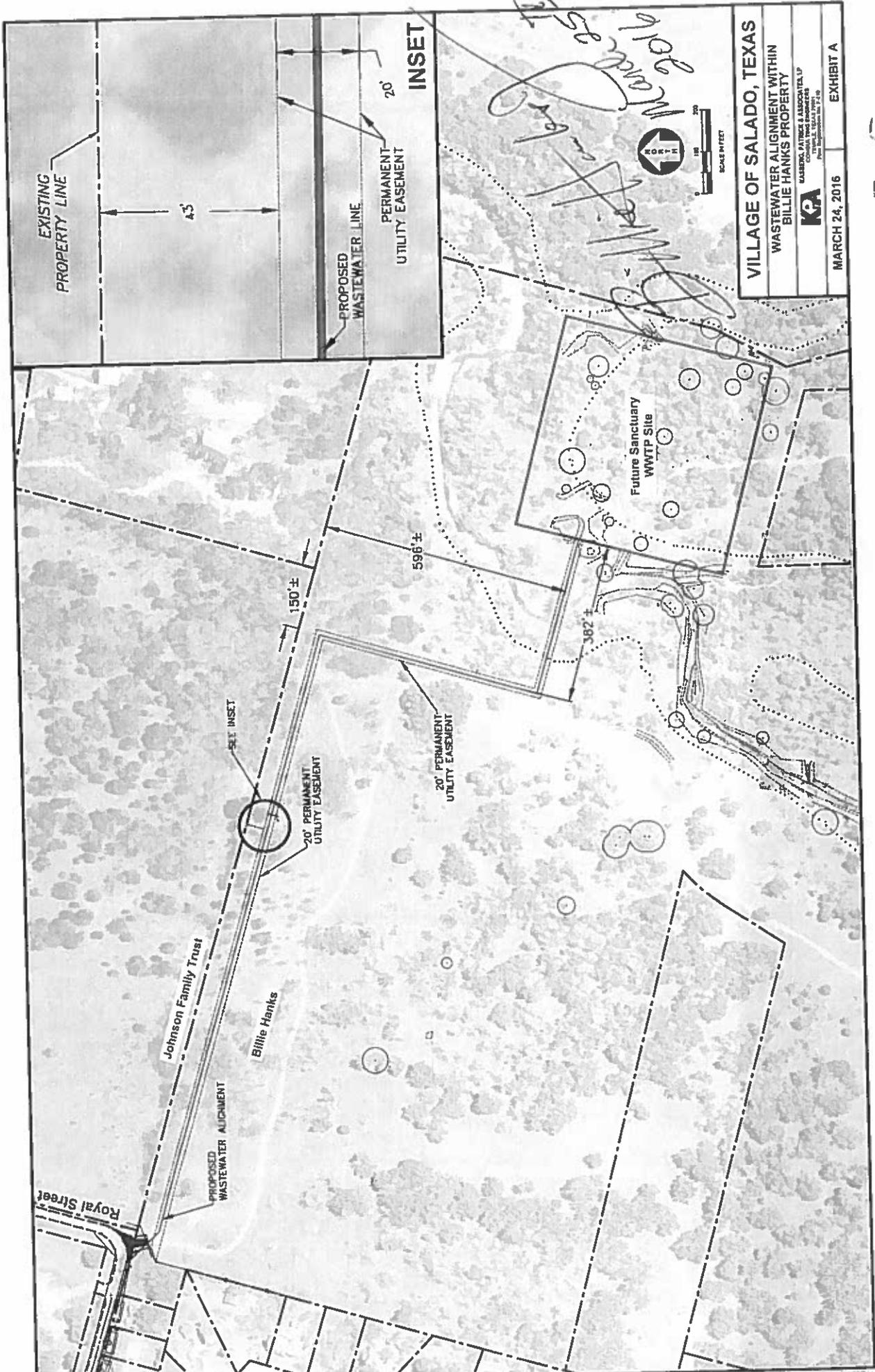
Village Secretary

AFTER EXECUTION BY GRANTOR,
PLEASE RETURN ORIGINAL TO:

VILLAGE OF SALADO
c/o Village Engineer
301 North Stagecoach Road
Salado, TX 76571
Phone: 254-947-5060
Fax: 254-947-5061

AFTER RECORDING, PLEASE RETURN
ORIGINAL TO:

VILLAGE OF SALADO
c/o Village Secretary
301 North Stagecoach Road
Salado, TX 76571
Phone: 254-947-5060



VILLAGE OF SALADO, TEXAS
WASTEWATER ALIGNMENT WITHIN
BILLIE HANKS PROPERTY
K&A
 KASBERN, LATRICE & ASSOCIATES, L.P.
 CONSULTING ENGINEERS
 10000 Highway 190, Suite 100
 Dallas, Texas 75244
 Phone: (214) 343-1111
 Fax: (214) 343-1112
MARCH 24, 2016
EXHIBIT A

March 24, 2016
Billie Hanks

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STATE OF TEXAS
COUNTY OF BELL

§
§
§

PETITION FOR VOLUNTARY ANNEXATION

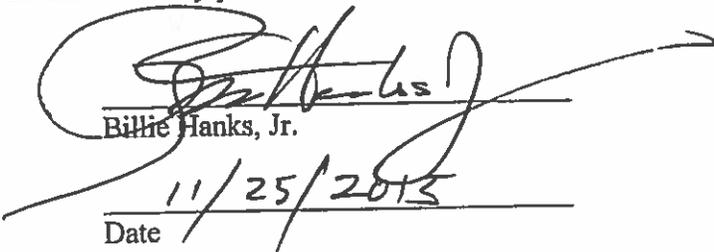
To the Mayor and Board of Aldermen of the Village of Salado:

The undersigned owner(s) of the tract of land described below (the "tract") hereby petition the Village of Salado to extend the present incorporated municipal boundaries (i.e., City limits) so as to include in, and annex as a part of, the Village of Salado, the property described on Exhibit "A", which is attached and incorporated herein for all purposes.

We certify and swear that the tract is:

1. one-half mile or less in width; and
2. adjacent (i.e., contiguous) to the municipal boundary; and
3. the location upon which fewer than three registered voters reside, or is vacant or without residents.

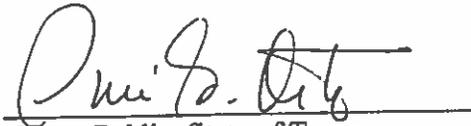
We certify and swear that this petition is signed and acknowledged by each and every person and corporation owning said tract or having an interest in any part thereof.


Billie Hanks, Jr.

11/25/2015
Date

This instrument was acknowledged before me by Billie Hanks, Jr. on this the 25th day of November, 2015.




Notary Public, State of Texas

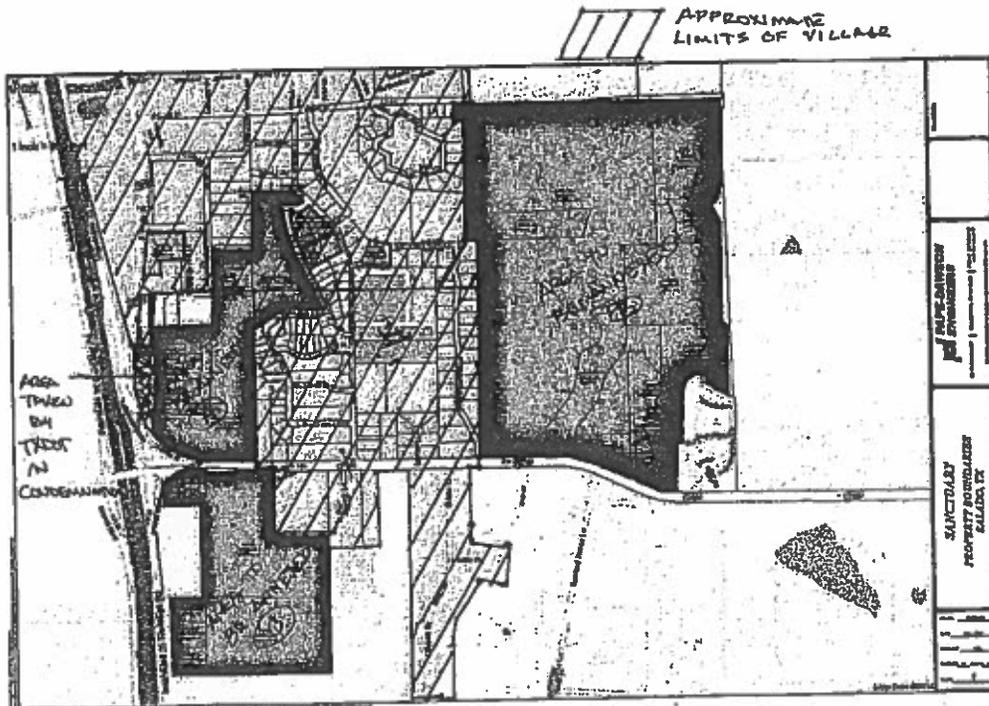
My commission expires: 12-21-2015

Exhibit "A" to the Petition for Voluntary Annexation

Property Description

The attached survey of property includes land parcels or tracts owned by the following Owners and this illustrative map indicates the entire area of land to be annexed.

BILLIE HANKS, JR., an individual,
HANKS-CABINESS TRUST,
BHHC CHRISTIAN DEVELOPMENT, LLC, a Texas limited liability company,
BHHC CHRISTIAN DEVELOPMENT I, LLC, a Texas limited liability company,
BHHC CHRISTIAN DEVELOPMENT II, LLC, a Texas limited liability company,
BHHC CHRISTIAN DEVELOPMENT III, LLC, a Texas limited liability company, HEIDI
HANKS WATERS, an individual, HEATHER HANKS MCGREADY, an individual,
OLD WORLD BBD, INC., a Texas corporation, and
SANCTUARY SALADO INVESTMENT II, LLC, a Texas limited liability company,
(each individually referred to herein as an "Owner", and collectively referred to herein as the
"Owners")



AREA (A) TO BE ANNEXED



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September 17, 2015

Field notes for Mr. Billie Hanks & Mr. Robert Sulaski for:
WEST TRACTS OUTSIDE CITY LIMITS

Part of the H.W. HURD SURVEY, Abstract Number 398, and part of the EDWARD A. PITTS SURVEY, Abstract Number 651, being all of THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION, LOTS ONE, TWO, THREE AND FOUR, an addition to the Village of Salado, in Bell County, Texas, as it appears upon the map recorded in Cabinet D, Slide 350-D of the Bell County Plat Records, embracing a portion of the tract described in the deed to Bob Howerton, Trustee, 4.253 acres tract, and part of the 20-36/100 acres tract, recorded in volume 5719, page 37 of the Bell County Official Public Records.

BEGINNING at a 5/8 inch iron rebar set with a cap stamped "RCS INC" being in the east right of way line of Interstate Highway Number 35, for an angle point in the east line of a tract described in the deed to the State of Texas recorded as Parcel Number 4, Document Number 2012-00014202 of said Official Public Records, being the northwest corner of said Lot 1 of THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION, LOTS ONE, TWO, THREE AND FOUR, for the southwest corner of Lot 1 STONE CREEK AT COLLEGE HILL, an addition to the Village of Salado as it appears upon the map recorded in Cabinet A, Slide 204-A of said Plat Records, from said 5/8 inch iron rebar set, another 5/8 inch iron rebar found bears north 43 degrees-11 minutes west 9-2/10 feet.

Thence south 74 degrees-12 minutes east along the north line of said Lot 1 THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION, for the south line of said Lot 1 of STONE CREEK AT COLLEGE HILL Addition, 287-78/100 feet to a 1/2 inch iron rebar found for an angle point in said Lot 1 THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION, and being the southeast corner of Lot 2 of said STONE CREEK AT COLLEGE HILL, and for the southwest corner of a tract described in the deed to Lyle G. Radebaugh, et ux recorded in volume 3030, page 576 of said Official Public Records.

Thence south 74 degrees-08 minutes-45 seconds east along the north line of said Lot 1 THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION, and the north line of said Howerton 4.253 acres tract, for the south line of said Radebaugh tract, 326-07/100 feet to an axle found for the northeast corner of said Howerton 4.253 acres tract, being the southeast corner of said Radebaugh tract, and being in the west line of said Howerton 20.36 acres tract.

Thence north 17 degrees-34 minutes-40 seconds east along the east line of said Radebaugh tract, for said west line of the Howerton 20.36 acres tract, 263-37/100 feet to a 5/8 inch iron rebar set with a cap stamped "RCS INC" for the northwest corner of said Howerton 20.36 acres tract, the northeast corner of said Radebaugh tract, the southeast corner of College Hill Drive, and the southwest corner of a 0.541 of an acre tract, per Howerton volume 5719, page 37 of said Official Public Records, and being in the south line of the City Limits of the Village of Salado according to the map filed of record as

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Field notes for Billie Hanks/Robert Sulaski for: (continued)
WEST TRACTS OUTSIDE CITY LIMITS

ANNEXATION ORDINANCE 2004.13 recorded in volume 5615, page 561 of said Official Public Records.

Thence south 73 degrees-54 minutes east along the north line of said Howerton 20.36 acres tract, for the south line of said Howerton 0.541 of an acre tract and said City Limits line, 393-32/100 feet to a ½ inch iron rebar found with a cap stamped "RPLS 1817" for the southeast corner of said Howerton 0.541 of an acre tract, being a northerly southwest corner of a 11.967 acre tract of said Howerton tracts.

Thence south 74 degrees-50 minutes-30 seconds east continue along the north line of said Howerton 20.36 acres tract, for the northerly south line of said Howerton 11.967 acres tract, 15-97/100 feet to a ½ inch iron rebar found with a cap stamped "RPLS 1817" for the northeast corner of said Howerton 20.36 acres tract, and a re-entrant corner of said Howerton 11.967 acres tract, being a re-entrant corner of said City Limits line.

Thence south 17 degrees-10 minutes-25 seconds west along the common line of said Howerton 11.967 acre tract and 20.36 acre tract, for a west line of the City Limits, 355-38/100 feet to a ¼ inch iron pipe found for the southwest corner of said Howerton 11.967 acres tract, and the northwest corner of a tract described in the deed to Richard Thomas, et ux recorded in volume 3053, page 1 of said Official Public Records.

Thence south 17 degrees-20 minutes-10 seconds west continuing along said east line of the Howerton 20.36 acre tract, and to and along the west line of said Thomas and Block 3 of the LINDA VENTURA 1ST EXTENSION AND REVISION OF BLOCKS 3 & 4 OF LINDA VENTURA, an addition to the City of Salado as it appears upon the map recorded in Cabinet A, Slide 236-C of said Plat Records, and said west line of the City Limits line, 669-34/100 feet to a 5/8 inch iron rebar set with a cap stamped "RCS INC" for the southwest corner of Lot 25, Block 3 of said LINDA VENTURA 1ST EXTENSION, being the northwest corner of a tract described in the deed to Charles H. Gerhart, et ux recorded in volume 1260, page 142 of the Bell County Deed Records.

Thence south 15 degrees-15 minutes west continuing along the east line of said Howerton 20.36 acre tract, for the west line of said Gerhart and City Limits line, 601-27/100 feet to a point being in the north line of Farm To Market Road Number 2268, and the north line of a tract described in the deed to the State of Texas, Parcel Number 1, recorded in volume 753, page 244 of said Deed Records, for the southeast corner of said Howerton 20.36 acres tract, and the southwest corner of said Gerhart tract., from said point, a 5/8 inch iron rebar found with a cap stamped "CDS Muery S.A. Tx. bears south 5 degrees-33 minutes east 0-2/10 of a foot,

September 17, 2015

Field notes for Billie Hanks/Robert Sulaski for: (continued)
WEST TRACTS OUTSIDE CITY LIMITS

Thence along the north line of said Farm Market Road and State of Texas tract, for said south line of the Howerton 20.36 acres tract:

North 73 degrees-29 minutes-25 seconds west 554-91/100 feet to a 5/8 inch iron rebar found with an aluminum TXDOT cap for an angle point;

North 75 degrees-10 minutes-55 seconds west 6-54/100 feet to a TXDOT Type I concrete monument found for an angle point;

North 51 degrees-22 minutes-30 seconds west 349-96/100 feet to a TXDOT Type I broken concrete monument found for an angle point; and

North 23 degrees-24 minutes-25 seconds west 184-21/100 feet to a 5/8 inch iron rebar set with a cap stamped "RCS INC" being in said east line of the Interstate Highway, for the south corner of said State of Texas Parcel Number 4 tract.

Thence north 10 degrees-52 minutes-10 seconds east along the east line of said Interstate Highway and State of Texas Parcel Number 4, a distance of 183-85/100 feet to a 5/8 inch iron rebar found with an aluminum cap stamped "TXDOT" in the common line of said Howerton 4.253 acres and 20.36 acres tracts.

Thence north 27 degrees-32 minutes-05 seconds east continuing along said east line of the Highway and State of Texas tract, 88-39/100 feet to a 5/8 inch iron rebar found for the southwest corner of Lot 4 of said THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION LOTS ONE, TWO, THREE AND FOUR addition.

Thence continuing along said east line of the Highway and State of Texas tract, for the west line of said Lots 4,3,2, and 1 of THE SALADO VILLAGE AT EIGHT LAKES SUBDIVISION LOTS ONE, TWO, THREE, AND FOUR:

North 23 degrees-13 minutes-40 seconds east 347-57/100 feet to a mag nail set in the concrete base of a metal power pole for an angle point in said Lot 3;

North 10 degrees-37 minutes-15 seconds east 349-96/100 feet to a 5/8 inch iron rebar found for an angle point in the west line of said Lot 1; and

North no degrees-36 minutes east 99-91/100 feet to the place of beginning and containing 31-8/10 acres, as surveyed.

As per the clients request there is no map that accompanies these field notes.

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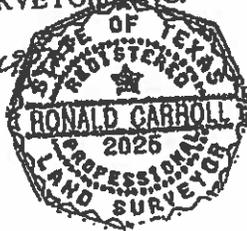
September 17, 2015

Field notes for Billie Hanks/Robert Sulaski for: (continued)
WEST TRACTS OUTSIDE CITY LIMITS

Basis of bearings taken from the Texas State Plane Coordinate System, NAD83, Central Zone, by GPS observations and referenced to the LEICA SMARTNET WORK OF NORTH AMERICA base station "MAKT" in Killeen, Texas.

Surveyed September 17, 2015
RONALD CARROLL SURVEYORS, INC.

Ronald Carroll
Ronald Carroll, RPLS
Vice President



S: data tjobs 2015 15084 Pape Dawson draft field notes Hanks West Tracts outside City Limits 091715

AREA (B) TO BE ANNEXED



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September 17, 2015

Field notes for Mr. Billie Hanks & Mr. Robert Sulaski for:
EAST TRACTS OUTSIDE CITY LIMITS

Part of the BENJAMIN BOLES SURVEY, Abstract Number 62, part of the EDWARD A. PITTS SURVEY, Abstract Number 651, and part of the JAMES P. WALLACE SURVEY, Abstract Number 901, and embracing the tracts described in the deed to Billie Hanks, Jr. recorded in Document Number 2012-00010320 of the Bell County Official Public Records, part of the 33.00 acres described in the deed to Billie Hanks, Jr. recorded in volume 2497, page 488 of said Official Public Records, part of the tract described in the deed to Billie Hanks, Sr. recorded in volume 1429, page 857 of the Bell County Deed Records, the tract described in the deed to Billie Hanks, Jr. recorded in volume 4296, page 719 of said Official Public Records, the tract described in the deed to Billie Hanks, Jr. TRACT ONE, recorded in volume 3052, page 345 of said Official Public Records, part of the tracts described in the deeds to Old World BBD, Inc. recorded in volume 4135, page 378; volume 4164, page 538; and volume 4621, page 191 of said Official Public Records.

BEGINNING at a point in the north right of way line of Farm to Market Road Number 2268, being the north line of a tract described in the deed to the State of Texas, Parcel Number 3, Tract No. 1, recorded in volume 753, page 247 of said Deed Records, for the southwest corner of said Hanks tract in Document Number 2012-00010320 of said Official Public Records, and being the southeast corner of Salado Oaks Drive, as it appears upon the map of SALADO OAKS ADDITION, an addition to Bell County as it appears upon the map recorded in Cabinet C, Slide 33-C of the Bell County Plat Records, and being in the east City Limits line of the Village of Salado according to the map of the ANNEXATION ORDINANCE number 2004.13 of the VILLAGE OF SALADO, recorded in 5615, page 561 of said Official Public Records, from said point, a ½ inch iron rebar found bears south 16 degrees-30 minutes-30 seconds west 1-5/10 feet.

Thence north 16 degrees-30 minutes-30 seconds east along the west line of said Hanks tract, and the east line of said SALADO OAKS ADDITION and said east City Limits line, 2099-74/100 feet to a ½ inch iron rebar found for the northeast corner of Lot 13, Block 3 of said SALADO OAKS ADDITION, and a tract described in the deed to Maurice L. Striegler, et ux recorded in volume 4599, page 291 of said Official Public Records, and the northeast corner of an 80 foot Road Access Easement according to the plat of SALADO OAKS ADDITION, and being a southerly northeast corner of said east line of the City Limits.

Thence north 73 degrees-52 minutes west along said north line of Lot 13, Block 2 of SALADO OAKS ADDITION and Striegler tract, 116-82/100 feet to a ½ inch iron rebar found for a re-entrant corner of said east line of the City Limits, and being the southeast corner of a tract described in the deed to Patsy J. Hodges, et al, Affidavit of Heirship, recorded in volume 3602, page 612 of said Official Public Records.

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September 17, 2015

Field notes for Mr. Billie Hanks & Mr. Robert Sulaski for: (continued)
EAST TRACTS OUTSIDE CITY LIMITS

Thence north 16 degrees-22 minutes-20 seconds east along the east line of said City Limits line, 467-04/100 feet to a ½ inch iron rebar found for the southeast corner of Lot 11 VICTORIAN OAKS, an addition to Bell County, Texas as it appears upon the map recorded in Cabinet A, Slide 37-B of said Plat Records, and the northeast corner of said Hodges tract.

Thence north 16 degrees-22 minutes-20 seconds east along the east line of said VICTORIAN OAKS ADDITION and City Limits line, for the west line of said Hanks tract recorded in Document Number 2012-00010320 of said Official Public Records, at 740-34/100 feet pass a ¾ inch iron pipe found for the northeast corner of Lots 15 and 16, of said VICTORIAN OAKS ADDITION, being the southeast corner of a tract described in the deed to Billie Hanks, Jr. recorded in volume 1515, page 315 of said Deed Records, and continue along the east line of said Hanks tract recorded in volume 1515, page 315 of said Deed Records and east line of the City Limits, in all, 880-05/100 feet to a point in the south right of way line of Royal Street, for the northeast corner of said Hanks tract recorded in volume 1515, page 315 of said Deed Records, being the northwest corner of said Hanks tract recorded in Document number 2012-0001032 of said Official Public Records, being a re-entrant corner of said east line of the City Limits, from said point, a ¾ inch iron pipe found for the northwest corner of said Hanks tract recorded in volume 1515, page 315 of said Deed Records, also being the northeast corner of Lot 4 of the HOWERTON ADDITION, an addition to Bell County, Texas as it appears upon the map recorded in Cabinet C, Slide 177-C of said Plat Records, bears north 73 degrees-33 minutes-25 seconds west 100-44/100 feet.

Thence south 73 degrees-33 minutes-25 seconds east along the north line of said Hanks tract recorded in volume 2012-00010320 of said Official Public Records, for the south line of said Royal Street and City Limits line, at 60-15/100 feet pass a 6 inch Cedar fence corner post for the southeast corner of said Royal Street and said City Limits line, being the southwest corner of a tract described in the deed John R. Johnson, et ux recorded in volume 1255, page 537 of said Deed Records, and continue along the south line of said Johnson tract, at 1706-0/10 feet pass a point for the southeast corner of said Johnson tract, being the southwest corner of a tract described in the deed to Elaine D. Wolfe recorded in volume 4910, page 328 of said Official Public Records, from said point, a ½ inch iron rebar found bears south 16 degrees-13 minutes-30 seconds west 3-5/10 feet, and continue along the south line of said Wolfe tract, in all, 2504-0/10 feet to a 5/8 inch iron rebar found for the northeast corner of said Hanks tract, the southeast corner of said Wolfe tract, and being in the west line of a tract described in the deed to Willie B. Ory Family Trust recorded in volume 4839, page 1 of said Official Public Records.

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Field notes for Mr. Billie Hanks & Mr. Robert Sulaski for: (continued)
EAST TRACTS OUTSIDE CITY LIMITS

Thence south 15 degrees-58 minutes-10 seconds west along the east line of said Hanks tract, for said west line of the Ory tract, at 511-5/10 feet pass a 5/8 inch iron rebar found with a cap stamped "RCS INC" for the northeast corner of a Hanks 17.954 acre tract recorded in Document Number 2012-00010320 of said Official Public Records, and continue along the east line of said Hanks 17.954 acre tract, in all, 772-0/10 feet to a 16" Live Oak tree for an angle point in the east line of said Hanks tract, and said west line of the Ory tract.

Thence south 28 degrees-17 minutes-10 seconds west along the east line of said Hanks tract, 204-55/100 feet to a 3/4 inch iron pipe found for an angle point in said east line of the Hanks tract, and the west line of said Ory tract.

Thence south 13 degrees-23 minutes-05 seconds east continuing along the east line of said Hanks tract recorded in Document Number 2012-00010320 of said Official Public Records, 272-52/100 feet to a 1 1/4 inch iron pipe found for an angle point in said Hanks and Ory tracts.

Thence south 16 degrees-41 minutes west along said Hanks and Ory common lines, 1697-85/100 feet to a point for the northeast corner of Shepherd Drive as it appears upon the map of SHEPHERD'S GLEN SUBDIVISION recorded in Cabinet C, Slide 306-B&C of said Plat Records.

Thence along the north and west line of said SHEPHERD'S GLEN SUBDIVISION, and also the north and west line of SHEPHERD'S GLEN SUBDIVISION LOTS 12, 19, 20, 24 AND 25, a subdivision to Bell County, Texas as it appears upon the map recorded in Cabinet D, Slide 256-C of said Plat Records:

North 73 degrees-14 minutes west 59-95/100 feet to a 5/8 inch iron rebar set with a cap stamped "RCS INC" for the northeast corner of Lot 24;

North 41 degrees-57 minutes-45 seconds west 271-45/100 feet to a 1/2 inch iron rebar found with a cap stamped "TCE-2181" for the northwest corner of said Lot 24;

North 9 degrees-28 minutes east 55-82/100 feet to a 1/2 inch iron rebar found with a cap stamped "TCE-2181" for the northeast corner of said Lot 1;

North 54 degrees-20 minutes west 79-8/10 feet to a 5/8 inch iron rebar set with a cap stamped "RCS INC" for the north corner of said Lot 1;

South 74 degrees-22 minutes west 110-03/100 feet to a 1/2 inch iron rebar found with a cap stamped "TCE-2181" for the northwest corner of said Lot 1;

South 37 degrees-37 minutes west 102-10/100 feet to a 1/2 inch iron rebar found with a cap stamped "TCE-2181" for an angle point in the west line of said Lot 1;

September 17, 2015

Field notes for Mr. Billie Hanks & Mr. Robert Sulaski for: (continued)
EAST TRACTS OUTSIDE CITY LIMITS

South 17 degrees-39 minutes-20 seconds west at 82-05/100 feet pass a point for a corner of said Old World BBD, Inc. tract, and continue in all, 513-34/100 feet to a Mag Nail set for the re-entrant corner of said SHEPHERD'S GLEN SUBDIVISION, being in the centerline of Staghorn Lane;

North 72 degrees-no minutes west along the southerly north line of said SHEPHERD'S GLEN SUBDIVISION, 47-28/100 feet to a ½ inch iron rebar found with a broken cap for the southerly northwest corner of said SHEPHERD'S GLEN SUBDIVISION; and

South 17 degrees-38 minutes-45 seconds west 472-80/100 feet to a point in said north right of way line of Farm to Market Road Number 2268 and State of Texas tract, being at the beginning of a curve to the right whose radius is 905-37/100 feet, for the southwest corner of Lot 20 of said SHEPHERD'S GLEN SUBDIVISIONS LOTS 12, 19, 20, 24 AND 25, from said point, a ½ inch iron rebar found with a cap stamped "TCE-2181" bears south 17 degrees-39 minutes west 1-91/100 feet.

Thence northwesterly along said north right of way line of FM 2268 and State of Texas tract, and said curve to the right, 344-32/100 feet to a 5/8 inch iron rebar set with a cap stamped "RCS INC" at the end of said curve to the right, the long chord of said 344-32/100 feet arc is north 59 degrees-19 minutes-45 seconds west 342-25/100 feet.

Thence north 48 degrees-19 minutes-30 seconds west continuing along the north line of said Road and State of Texas tract, for the south line of said Hanks tract, 454-31/100 feet to a 5/8 inch iron rebar found at the beginning of a curve to the left whose radius is 1005-37/100 feet.

Thence northwesterly continuing along said north line of the Road and State of Texas tract and said curve to the left, 438-26/100 feet to a 1 ¼ inch iron pipe found at the end of said curve to the left, the long chord of said 438-26/100 feet arc is north 60 degrees-55 minutes-50 seconds west 434-80/100 feet.

Thence north 73 degrees-27 minutes west continuing along the north line of said Road and State of Texas tract, for said south line of the Hanks tract, 742-18/100 feet to the place of beginning and containing 194-57/100 acres, as surveyed.

At the request of the client, a drawing was not provided with this legal description.

September 17, 2015

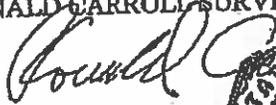
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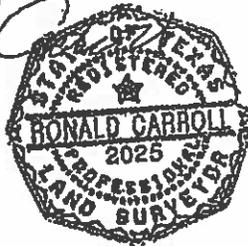
Field notes for Mr. Billie Hanks & Mr. Robert Sulaski for: (continued)
EAST TRACTS OUTSIDE CITY LIMITS

Basis of bearings taken from the Texas State Plane Coordinate System, NAD83, Central Zone, by GPS observations and referenced to the LEICA SMARTNET WORK OF NORTH AMERICA base station "MAKT" in Killeen, Texas.

Surveyed September 18, 2015

RONALD CARROLL SURVEYORS, INC.


Ronald Carroll, RPLS
Vice President



S: data \xjobs\2015\15084 Pape Dawson draft field notes Hanks EAST Tracts outside City Limits 091715

5302 S. 31st Street • Temple, Texas • 76502
(254) 773-1447 • Fax (254) 773-1728 • rcsurvey@rcsurveyors.com
www.rcsurveyors.com

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AREA (C) TO BE ANNEXED

MATKIN HOOVER

ENGINEERING & SURVEYING

3305 Shell Road, Suite 100, Georgetown, Texas 78633
Phone: 512-868-2244 FAX: 830-249-0099

Field Notes for a 21.343 Acre Tract of Land

BEING A 21.343 ACRE TRACT OF LAND, LOCATED IN THE H.W. HURD SURVEY, ABSTRACT NUMBER 398, AND THE WILLIAM ROBERTS SURVEY, ABSTRACT NUMBER 708, BELL COUNTY, TEXAS. SAID 21.343 ACRE TRACT BEING THE REMAINING PORTION OF THAT CERTAIN 30.00 ACRE TRACT OF LAND, DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 5911, PAGE 439, OFFICIAL RECORDS, BELL COUNTY, TEXAS, SAID 30.00 ACRE TRACT HEREIN AFTER REFERRED TO AS "PARENT TRACT". SAID 21.343 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" iron rod found in a west boundary line of a called 93.89 acre tract of land, recorded in Volume 5489, Pages 537-540, Official Records, Bell County, Texas, at the northeast corner of the remaining portion of a called 30.00 acre tract of land, recorded in Volume 5262, Page 151, Official Records, Bell County, Texas, at the southeast corner of said parent tract, and being the southeast corner of the herein described tract;

Thence, North 73°19'58" West, with the north boundary line of said 30.00 acre tract and the south boundary line of said parent tract, a distance of 1543.82 feet (record, North 71°17'03" West) to a Texas Department of Transportation right-of-way monument found at the southeast corner of a called Parcel 47, recorded in Document Number 2007-00041732, Official Records, Bell County, Texas, in the east right-of-way line of Interstate Highway 35, and being the southwest corner of the herein described tract;

Thence North 15°28'36" East, with an east boundary line of said parcel 47 and the east right-of-way line of Interstate Highway 35, a distance of 32.76 feet (record, North 15°21'46" East) to a 1/2" iron rod set with a red "Matkin-Hoover Eng. & Survey" plastic cap in the south boundary line of the remaining portion of a called 2.79 acre tract of land, "Tract 3", recorded in Document Number 2007-00006719, Real Property Records, Bell County, Texas, said point being an exterior corner of the herein described tract;

Thence, South 73°35'12" East, with the south boundary line of the remaining portion of said 2.79 acre tract, "Tract 3", a distance of 349.43 feet (record, South 71°18'02" East) to a 1/2" iron rod set with a red "Matkin-Hoover Eng. & Survey" plastic cap for an interior corner of the herein described tract;

Thence, North 15°15'30" East, with the east boundary line of the remaining portion of said 2.79 acre tract, "Tract 3", the east boundary line of the remaining portion of a called 2.79 acre tract, "Tract 2", recorded in Document Number 2007-00006718, Real Property Records, Bell County, Texas, and the east boundary line of the remaining portion of a called 2.79 acre tract, "Tract 1", recorded in Document Number 2007-00006720, Real Property Records, Bell County, Texas, a distance of 729.65 feet (record, North 17°32'40" East, a distance of 729.65 feet) to a 5/8" iron rod found in the south boundary line of a remaining portion of a called 40.05 acre tract of land, recorded in Volume 3715, Page 155, Official Records, Bell County, Texas, being a northwest corner of the herein described tract;

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Thence, South 73°19'42" East, with the south boundary line of the remaining portion of said 40.05 acre tract, and the north boundary line of said parent tract, a distance of 1209.83 feet (record, South 71°02'42" East) to a 1/2" iron rod found in a west boundary line of said 93.89 acre tract, and for the northeast corner of the herein described tract;

Thence, South 16°25'42" West, with a west boundary line of said 93.89 acre tract, and the east boundary line of said parent tract, a distance of 763.64 feet (record, South 18°42' East, a distance of 763.93 feet) to the POINT OF BEGINNING and containing 21.343 acres of land.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document.



Travis L. Quicksall Date: 07/30/2014
RPLS #6447
Job #14-4116.1 21.343 ACRES

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MATKIN HOOVER

ENGINEERING & SURVEYING

3305 Shell Road, Suite 100, Georgetown, Texas 78633
Phone: 512-868-2244 FAX: 830-249-0099

Field Notes for a 26.674 Acre Tract of Land

BEING A 26.674 ACRE TRACT OF LAND, LOCATED IN THE H.W. HURD SURVEY, ABSTRACT NUMBER 398, AND THE WM ROBERTS SURVEY, ABSTRACT NUMBER 708, BELL COUNTY, TEXAS. SAID 26.674 ACRE TRACT BEING A PORTION OF THAT CERTAIN 40.05 ACRE TRACT OF LAND, DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 3715, PAGE 155, OFFICIAL RECORDS, BELL COUNTY, TEXAS. SAID 26.674 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" iron rod found in a west boundary line of a called 93.89 acre tract of land, recorded in Volume 5489, Pages 537-540, Official Records, Bell County, Texas, at the northeast corner of the remaining portion of a called 30.00 acre tract of land, recorded in Volume 5911, Page 439, Official Records, Bell County, Texas, at the southeast corner of said 40.05 acre tract, and being the southeast corner of the herein described tract;

Thence, North 73°19'42" West, with the north boundary line of said 30.00 acre tract and the south boundary line of said 40.05 acre tract, a distance of 1246.30 feet (record, North 71° 02' 42" West) to a 1/2" iron rod found in the north boundary line of a called 2.79 acre tract of land, recorded in Document Number 2007-0006720, Real Property Records, Bell County, Texas, at the southeast corner of Lot 1B, Block 1, Cowboy Code subdivision, recorded in Cabinet D, Slide 397-B, Plat Records, Bell County, Texas, and for the southwest corner of the herein described tract;

Thence, North 15°14'53" East, with the east boundary line of said Cowboy Code subdivision, a distance of 866.79 feet (record, North 16°41'44" East, a distance of 866.93 feet) to a 1/2" iron rod found at the southwest corner of the Proposed Lot 1, Pipes Place, at the southeast corner of Lot 1, Block 1, Salado Wildfire subdivision, recorded in Cabinet, D, Slide 329-D, Plat Records, Bell County, Texas, and being an exterior corner of the herein described tract;

Thence, with multiple boundary lines of said Proposed Lot 1, Pipes Place, the following three (3) courses and distances:

South 73°25'21" East, a distance of 141.46 feet to a 1/2" iron rod found with a red "Matkin-Hoover Eng. & Survey" plastic cap for an interior corner of the herein described tract;

North 15°50'25" East, a distance of 346.89 feet to a cotton spindle found for an angle point of the herein described tract;

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North 05°32'29" West, a distance of 29.74 feet to a 1/2" iron rod found with a red "Matkin-Hoover Eng. & Survey" plastic cap in the south right-of-way line of Farm to Market Road 2268, said point being a northwest corner of the herein described tract;

Thence, South 73°27'08" East, with the south right-of-way line of Farm to Market Road 2268 and the north boundary line of said 40.05 acre tract, a distance of 584.59 feet (record, South 71°12'07" East) to a 1/2" iron rod found at the northwest corner of a called 8.000 acre tract of land, recorded in Volume 2603, Page 443, Official Records, Bell County, Texas, and being a northeast corner of the herein described tract;

Thence, with multiple boundary lines of said 8.000 acre tract and multiple boundary lines of said 40.05 acre tract, the following two (2) courses and distances:

South 16°23'59" West, a distance of 630.14 feet (record, South 18°42" West, a distance of 630.42 feet) to a 1/2" iron rod set with a red "Matkin-Hoover Eng. & Survey" plastic cap for an interior corner of the herein described tract;

South 73°18'17" East, a distance of 552.51 feet (record, South 71°00'16" East, a distance of 552.78 feet) to a 1/2" iron rod found in the west boundary line of Chisholm Trail Subdivision, recorded in Cabinet A, Slide 55-C, Plat Records, Bell County, Texas, said point being an exterior corner of the herein described tract;

Thence, South 16°25'56" West, a distance of 612.04 feet (record, South 18°42' West, a distance of 612.22 feet) to the POINT OF BEGINNING and containing 26.674 acres of land.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document.




Travis L. Quicksall Date: 07/30/2014
RPLS #6447
Job #14-4115.1 26.674 ACRES

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MATKIN HOOVER

ENGINEERING & SURVEYING

3305 Shell Road, Suite 100, Georgetown, Texas 78633
Phone: 512-868-2244 FAX: 830-249-0099

Field Notes for a 5.846 Acre Tract of Land

BEING A 5.846 ACRE TRACT OF LAND, LOCATED IN THE H. W. HURD SURVEY, ABSTRACT NUMBER 398, BELL COUNTY, TEXAS. SAID 5.846 ACRE TRACT BEING A REMAINING PORTION OF THOSE CERTAIN 2.79 ACRE TRACTS OF LAND, "TRACT 1" RECORDED IN VOLUME 6350, PAGE 671; "TRACT 2" RECORDED IN VOLUME 6350, PAGE 661 AND "TRACT 3" RECORDED IN VOLUME 6350, PAGE 666, ALL THREE DOCUMENTS BEING OF THE REAL PROPERTY RECORDS, BELL COUNTY, TEXAS, SAID 5.846 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 5/8" iron rod found with an orange "All County" cap in the east right-of-way line of Interstate Highway 35, in a south boundary line of Lot 1A, Block 1, Cowboy Code Subdivision, recorded in Cabinet D, Slide 397-b, Plat Records, Bell County, Texas, at the northeast corner of a called 2.680 acre tract of land known as "Parcel 47", recorded in Volume 6599, Page 901, Official Records, Bell County, Texas, in the north boundary line of said "Tract 1", said point being the northwest corner of the herein described tract;

1. Thence, South 73°22'07" East, with a south boundary line of said Lot 1A, and the north boundary line of said "Tract 1", at a distance of 311.66 feet passing a 1/2" iron rod found at a southeast corner of said Lot 1A, at a southwest corner of the remaining portion of a called 40.05 acre tract of land, recorded in Volume 3715, Page 155, Official Records, Bell County, Texas, and continuing with a south boundary line of the remaining portion of said 40.05 acre tract for a total distance of 348.13 feet (record South 71°10'32" East) to a 5/8" iron rod found with an orange "All County" cap in the north boundary line of the remaining portion of a called 30.00 acre tract of land, recorded in Volume 5911, Page 439, Official Records, Bell County, Texas, said point being the northeast corner of the herein described tract;

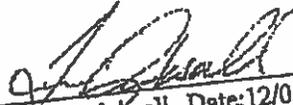
Thence, with multiple boundary lines of said "Tract 1"; "Tract 2" and "Tract 3" the following two (2) courses and distances:

2. South 15°15'30" West, at a distance of 243.07 feet passing a 5/8" iron rod found with an orange "All County" cap at the common east corner of said "Tract 1" and said "Tract 2" and continuing for a total distance of 729.65 feet (record South 17°32'40" West, a distance of 729.65 feet) to a 1/2" iron rod found with a red "Matkin Hoover Engineering & Survey" plastic cap for the southeast corner of the herein described tract;

3. North $73^{\circ}35'12''$ West, a distance of 349.43 feet (record North $71^{\circ}18'02''$ West) to a $1/2''$ iron rod found with a red "Matkin Hoover Engineering & Survey" plastic cap in the east right-of-way line of said Interstate Highway 35, same being in the east boundary line of said "Parcel 47", at an exterior corner of the remaining portion of said 30.00 acre tract, said point being the southwest corner of the herein described tract;
4. Thence, North $15^{\circ}21'46''$ East, with the east right-of-way line of said Interstate Highway 35, same being the east boundary line of said "Parcel 47", a distance of 730.95 feet (record North $15^{\circ}21'46''$ East) to the POINT OF BEGINNING and containing 5.846 acres of land.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document.




Travis L. Quicksall Date: 12/05/2014
RPLS #6447
Job #14-4116.1 5.846 ACRES

GF#216389

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED WITH VENDOR'S LIEN

Date: September 3, 2015

Grantor: Billie Hanks, Jr.

1101 S. Bryant Blvd.
San Angelo, Texas 76903
Tom Green County

and,

Sulaski & Tinsley Homes, LLC, a North Carolina limited liability company

285 Chapman Road
Montreat, NC 28757
BUNCOMBE County

Grantee: Sanctuary Salado Investment II, LLC, a Texas limited liability company

Grantee's Mailing Address (including county):

1101 S. Bryant Blvd.
SAN ANGELO, TX 76903
TOM GREEN County

Consideration:

For the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration paid to the undersigned by the Grantee herein named, the receipt and sufficiency of which is hereby acknowledged, and the further consideration of two notes of even date herewith executed by Grantee, which will be described in this paragraph and referred to as the first-lien note and second-lien note. The first-lien note is in the principal amount of Forty-One Thousand Two Hundred Fifty-Seven and 42/100 Dollars (\$41,257.42), payable to the order of Sulaski & Tinsley Homes, LLC, a

1850112

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North Carolina limited liability company. That first-lien note is secured by the first and superior vendor's lien and superior title retained in this deed for Sulaski & Tinsley Homes, LLC, a North Carolina limited liability company, and is also secured by a first and superior deed of trust of even date herewith from Grantee to Law Office of Kenneth M. Kohl, PC, Trustee. The second-lien note is in the principal amount of Three Hundred Seventy-One Thousand Three Hundred Sixteen and 76/100 Dollars (\$371,316.76), payable to the order of Billie Hanks, Jr. The second-lien note is secured by a second and inferior vendor's lien and superior title retained in this deed for Billie Hanks, Jr., and by a second and inferior deed of trust of even date herewith from Grantee to Law Office of Kenneth M. Kohl, PC, Trustee.

Property (including any improvements):

Tract One: Being Lot One (1) PIPES PLACE, a subdivision in the E.T.J. of the Village of Salado, Bell County, Texas, according to the Plat of record under Plat Year 2014, Number 100, Plat Records of Bell County, Texas.

Tract Two: Lot One (1), Block One (1) of SALADO WILDFIRE, a subdivision in the E.T.J. of the Village of Salado, Bell County, Texas, according to the Plat of record in Cabinet D, Slide 329-D of the Plat Records of Bell County, Texas

Save and except, however 0.158 of an acre, H. W. Hurd Survey, Abstract No. 398, Bell County, Texas, being a portion of subject property conveyed to the State of Texas by instrument filed October 2, 2012, recorded in Document No. 2012-00040974, Real Property Records, Bell County, Texas; said portion conveyed being described in Exhibit "A" attached hereto.

Tract Three: Lot Two (2), Block One (1) of SALADO WILDFIRE, a subdivision in the E.T.J. of the Village of Salado, Bell County, Texas, according to the Plat of record in Cabinet D, Slide 329-D of the Plat Records of Bell County, Texas.

Save and except, however, 0.010 of an acre, H. W. Hurd Survey, Abstract No. 398, Bell County, Texas, being a portion of subject property conveyed to the State of Texas by instrument filed November 19, 2012, recorded in Document No. 2012-00048001, Real Property Records, Bell County, Texas; said portion conveyed being described in Exhibit "B" attached hereto.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights of record; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any

18 ac 23

discrepancies, conflicts, or shortages in area or boundary lines, any encroachments or overlapping of improvements; all rights, obligations, and other matters emanating from and existing by reason of the creation, establishment, maintenance, and operation of any applicable governmental district, agency, authority, etc. taxes for current year, the payment of which Grantee assumes.

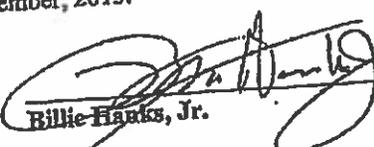
Grantor for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

Sulaski & Tinsley Homes, LLC, a North Carolina limited liability company, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the first-lien note herein described. In consideration of that payment, Grantor retains a first land superior vendor's lien against and superior title to the property and transfers them to Sulaski & Tinsley Homes, LLC, a North Carolina limited liability company without recourse on Grantor. Billie Hanks, Jr., at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the second-lien note herein described. In consideration of that payment, Grantor retains a second and inferior vendor's lien against and superior title to the property, and transfers them to Billie Hanks, Jr., without recourse on Grantor, to secure the second-lien note and agrees that this second lien is and shall remain subordinate and inferior to all liens securing the first lien note, regardless of the frequency or manner of renewal, extension, or alteration of any part of the first-lien note or the liens securing it.

EXECUTED this 4th day of September, 2015.


Billie Hanks, Jr.

1.9 or 2B

Sulaski & Tinsley Homes, LLC, a North Carolina limited liability company

By: [Signature]
Name: Stephan L. Surman
Title: President/Manager

STATE OF TEXAS
COUNTY OF [Signature]
This instrument was acknowledged before me on the 4 day of September, 2015, by Billie Hanks, Jr.



Melanie B. Cash
Notary Public, State of Texas NC
Notary's name (printed): Melanie B. Cash
Notary's commission expires: 9-19-20

STATE OF NORTH CAROLINA
COUNTY OF Suncombe

This instrument was acknowledged before me on the 3 day of September, 2015, by Robert Louis Sulaski, II of Sulaski & Tinsley Homes, LLC, a North Carolina limited liability company, on behalf of said limited liability company.

Matthew P. Perrier
Notary Public, State of North Carolina
Notary's Name (printed): Matthew P. Perrier
Notary's commission expires: May 26, 2020

AFTER RECORDING RETURN TO:

First Community Title
4613 S. 31st Street
Temple, Texas 76502

20 09 28

Save + Except:

EXHIBIT "A"

Page 1 OF 4

COUNTY: Bell
HIGHWAY: Interstate Highway 35
PROJECT LIMITS: From: F.M. Highway 2843
To: F.M. Highway 2494
ACCS: 0015-07-07B

March 15, 2010
Revised: January 19, 2011
Revised: January 26, 2012

PROPERTY DESCRIPTION FOR PARCEL 2

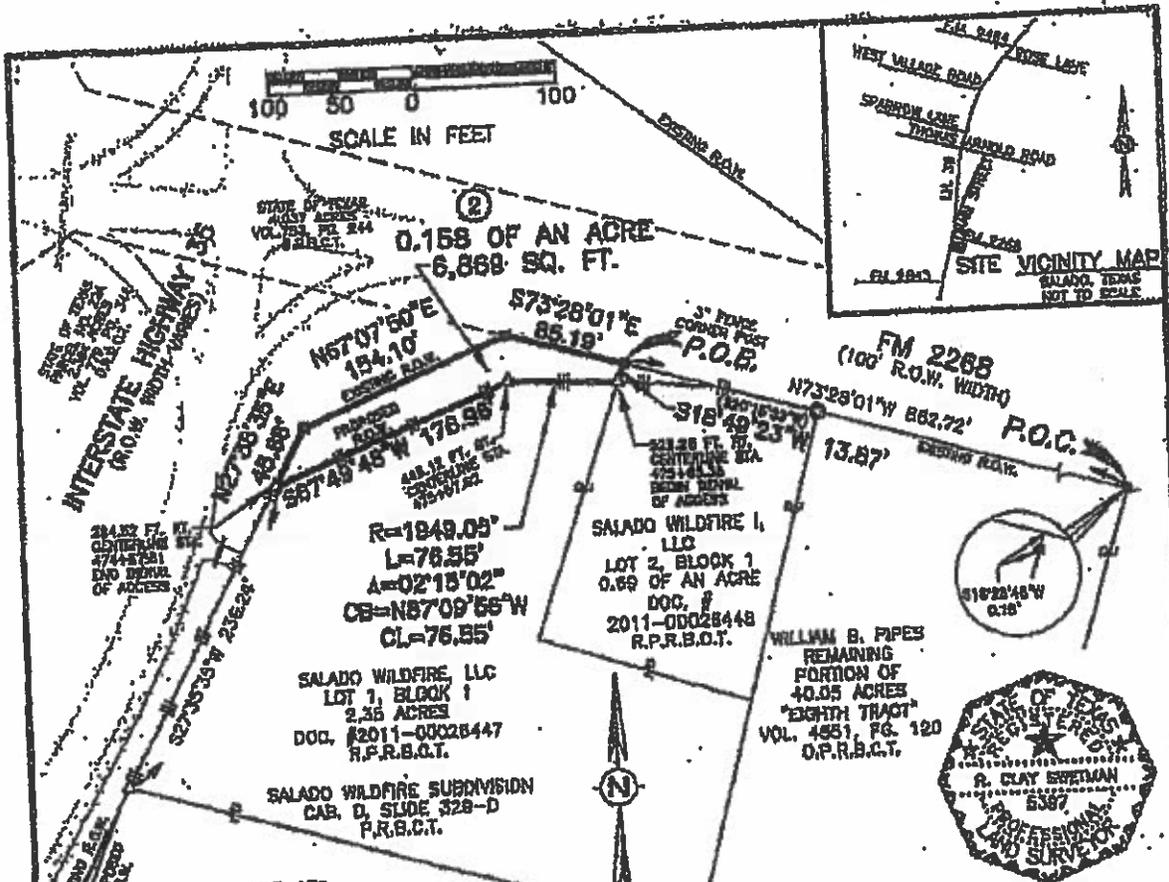
BEING a 0.158 of an acre (8,869 square feet) parcel of land situated in the H.W. Hund Survey, Abstract 398, Bell County, Texas, and being a part of a 2.95 acre tract of land described in instrument to Salado Wildfire, LLC, recorded in Document #2011-00025447, of the Real Property Records of Bell County, Texas, also being Lot 1, Block 1 of the Salado Wildfire subdivision recorded in Cabinet D, Slide 329-N, of the Plat Records of Bell County, Texas, the aforementioned 0.158 of an acre parcel of land, more or less, being more particularly described by metes and bounds as follows:

CORNERING at a point lying in the existing South right-of-way line of F.M. Highway 2868 (100' wide right-of-way), as described in an instrument of a 4.037 acre tract of land to the State of Texas, recorded in Volume 753, Page 244, of the Deed Records of Bell County, Texas, for a Northeast corner of the remaining portion of a 40.08 acre "Eight Tract" of land described in an instrument to William B. Pipes, recorded in Volume 4551, Page 320, of the Official Public Records of Bell County, Texas;

THENCE NORTH $73^{\circ}28'01''$ West, 862.72 feet, along the North line of the aforementioned remaining portion of a 40.08 acre tract, the North line of Lot 2, Block 1 of the aforementioned Salado Wildfire subdivision and the aforementioned existing South right-of-way line of F.M. Highway 2868, to a found 3" fence corner post for the most northerly Northeast corner of the aforementioned Lot 1, Block 1 and the Northwest corner of the said Lot 2, Block 1, for the Northeast corner of the herein described 0.158 of an acre parcel and the POINT OF BEGINNING;

THENCE SOUTH $18^{\circ}49'23''$ West, 13.87 feet (record - $520^{\circ}15'52''$ W), leaving the aforementioned existing South right-of-way line of F.M. Highway 2868, along the most northerly East line of the aforementioned Lot 1, Block 1 and the West line of the aforementioned Lot 2, Block 1, to a set 5/8" iron rod with aluminum cap stamped "TMDOT" (see Note 1), for a point of non-tangency, lying in the proposed East right-of-way line of Interstate Highway 35 and being the beginning of a proposed "Denial of Access Line" (see Note 1);

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H.W. HURD SURVEY, A-398

(NOTE 1) ACCESS IS PROHIBITED ACROSS THE "DENIAL OF ACCESS LINE" TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE ADJUTING PROPERTY.

A DESCRIPTION OF EVEN SURVEY DATE HEREIN ACCOMPANIES THIS PLAT. (PARCEL 2400)

ONLY EASEMENTS SHOWN HEREON WERE REVIEWED BY CDS/MURRY SERVICES

THE BEARING BASIS FOR THIS SURVEY IS GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(11). ALL COORDINATES, DISTANCES AND AREAS SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TADOT CONVERSION FACTOR OF 1.00018

I HEREBY CERTIFY THAT THE ABOVE DRAWING IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

R. Clay Sreeman
 R. CLAY SREEMAN
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6397

- LEGEND**
- ▲ SET 3/8" IRON ROD WITH ALUMINUM CAP STAMPED "TADOT" (MAY BE REPLACED WITH TYPE 1 RUM-OF-WAY MARKER UPON COMPLETION OF CONSTRUCTION)
 - SET 1/2" IRON ROD WITH PLASTIC CAP STAMPED "CDS/MURRY S.A. TX"
 - ⊙ SET 3/8" IRON ROD WITH TADOT ALUMINUM CAP STAMPED "CONTROL OF ACCESS POINT"
 - FOUND TADOT TYPE 1 MONUMENT
 - FOUND 1/2" IRON ROD (UNLESS OTHERWISE SHOWN)
 - ||— DENIAL OF ACCESS LINE
- R.O.W. RIGHT-OF-WAY
 - P. PROPERTY LINE
 - ⊖ PROPOSED CENTERLINE
 - O.P.R.B.C.T. DEED RECORDS BELL COUNTY, TEXAS
 - O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS
 - R.P.R.B.C.T. REAL PROPERTY RECORDS BELL COUNTY, TEXAS
 - P.R.B.C.T. PLAT RECORDS BELL COUNTY, TEXAS
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT

REVISED: JANUARY 22, 2012
 REVISED: JANUARY 19, 2011

CDS/MURRY SERVICES
Engineering & Surveying
 3411 MARCO DR. • SAN ANTONIO, TEXAS 78209 • 210-581-1111

TEXAS DEPARTMENT OF TRANSPORTATION
 INTERSTATE HIGHWAY 35
 PARCEL, NO. 2
 RCR: 0015-07-024
 BELL COUNTY, TEXAS

NO. ACCURACY - 0.188 AS

WHO: ASTROT	DATE: MARCH 18, 2010	PAGE: 4 OF 5
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Save & Except:

EXHIBIT "B"

Page 1 OF 4

January 26, 2012

COUNTY: Bell
HIGHWAY: Interstate Highway 95
PROJECT LIMITS: From: F.M. Highway 2643
To: F.M. Highway 2484
BCSS: 0015-07-078

PROPERTY DESCRIPTION FOR PARCEL 77

BEING a 0.010 of an acre (452 square feet) parcel of land situated in the H.W. Hurd Survey, Abstract 998, Bell County, Texas, and being a part of a 0.69 of an acre tract of land described in instrument to Salado Wildfire I, LLC, recorded in Document #2011-00026448, of the Real Property Records of Bell County, Texas, also being Lot 2, Block 1 of the Salado Wildfire subdivision recorded in Cabinet D, Slide 329-D, of the Plat Records of Bell County, Texas, the aforementioned 0.010 of an acre parcel of land, more or less, being more particularly described by notes and bounds as follows:

COMMENCING at a point lying in the existing South right-of-way line of F.M. Highway 2268 (100' wide right-of-way), as described in an instrument of a 4.037 acre tract of land to the State of Texas, recorded in Volume 753, Page 244, of the Deed Records of Bell County, Texas, for a Northeast corner of the remaining portion of a 40.05 acre "Eighth Tract" of land described in an instrument to William B. Pipes, recorded in Volume 4581, Page 120, of the Official Public Records of Bell County, Texas;

THENCE NORTH $73^{\circ}28'01''$ West, 795.51 feet, along the North line of the aforementioned remaining portion of a 40.05 acre tract, the North line of Lot 2, Block 1 of the aforementioned Salado Wildfire subdivision and the aforementioned existing South right-of-way line of F.M. Highway 2268, to a set $5/8''$ iron rod with aluminum cap stamped "TxDOT" (see Note 2), for a point of non-tangency, lying in the proposed East right-of-way line of Interstate Highway 95 and being the beginning of a proposed "Denial of Access Line" (see Note 1), the Northeast corner of the herein described 0.010 of an acre parcel, and the POINT OF BEGINNING;

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(1) TRENCH NORTHWESTERLY, an arc distance of 69.17 feet with the arc of a curve to the left having a radius of 1949.08 feet, a delta angle of $02^{\circ}02'00''$, and a chord which bears North $85^{\circ}01'25''$ West, 69.17 feet, leaving the aforementioned existing South right-of-way line of F.M. Highway 2268 and the North line of Lot 2, Block 1 of the aforementioned Salado Wildfire subdivision, along the proposed "Denial of Access Line" (see Note 1) and the proposed East right-of-way line of Interstate Highway 35, to a set $5/8''$ iron rod with aluminum cap stamped "XNOR" (see Note 2) for a point of non-tangency, for the end of the proposed "Denial of Access Line" (see Note 1) and for the southwest corner of the herein described 0.010 of an acre parcel, lying in the West line of the said Lot 2, Block 1 and the most northerly East line of Lot 1, Block 1 of the said Salado Wildfire subdivision, from which a found 3" fence corner post for the Southwest corner of said Lot 2, Block 1 bears South $18^{\circ}49'23''$ West, 188.37 feet (record - $S20^{\circ}15'52''E$);

(2) TRENCH NORTH $18^{\circ}49'23''$ East, 13.87 feet (record - $N20^{\circ}15'52''E$), along the West line of the aforementioned Lot 2, Block 1 and the most northerly East line of the aforementioned Lot 1, Block 1, to a found 3" fence corner post for the Northwest corner of said Lot 2, Block 1, the most northerly Northeast corner of said Lot 1, Block 1 and lying in the aforementioned existing South right-of-way line of F.M. Highway 2268, for the Northwest corner of the herein described 0.010 of an acre parcel;

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(3) FENCE SOUTH 73°28'01" East, 67.21 feet, along the North line of the aforementioned Lot 2, Block 1 of the Salado Wildfire subdivision and the aforementioned existing South right-of-way line of F.M. Highway 8268, to the POINT OF BEGINNING and containing 0.010 of an acre of land (452 square feet) of land, more or less. The total length of the herein described proposed "Denial of Access Line" (see Note 1) is 69.17 feet.

(Note 1) Access is prohibited across the "Denial of Access Line" to the highway facility from the remainder of the abutting property.

(Note 2) "The monument described as set in this call may be replaced with a TxDOT Type II Right of Way Marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT."

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, Central Zone, NAD83(93). All coordinates, distances and areas shown are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.00015.

A plat of even survey data herein accompanies and is made a part of this description.

THE STATE OF TEXAS X
COUNTY OF BEXAR X KNOWN TO ALL MEN BY THESE PRESENTS:
X

I, R. Clay Swetman, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision.

Date 22nd day of January 2012 A.D.


R. Clay Swetman
Registered Professional Land Surveyor
No. 5397 - State of Texas



- (2) TRENCH NORTHWESTERLY an arc distance of 76.55 feet with the arc of a curve to the left having a radius of 1949.05 feet, a delta angle of $02^{\circ}18'02''$, and a chord which bears North $87^{\circ}09'56''$ West, 76.88 feet, along the proposed "Denial of Access Line" (see Note 1) and the proposed East right-of-way line of Interstate Highway 35, to a set $5/8$ " iron rod with aluminum cap stamped "TXDOT" (see Note 2) for a point of non-bangency of the herein described 0.158 of an acre parcel;
- (3) TRENCH SOUTH $67^{\circ}49'48''$ West, 176.86 feet, continuing along the proposed "Denial of Access Line" (see Note 1) and the proposed East right-of-way line of Interstate Highway 35, to a set $5/8$ " iron rod with aluminum cap stamped "TXDOT" (see Note 2) lying in the existing East right-of-way line of Interstate Highway 35 (right-of-way width varies), described in a document of a 2.864 acre tract of land to the State of Texas, recorded in Volume 779, Page 141, of the Dead Records of Bell County, Texas, for the end of the proposed "Denial of Access Line" (see Note 1) and for the Southwest corner of the herein described 0.158 of an acre parcel, from which a set $5/8$ " iron rod with aluminum cap stamped "TXDOT" (see Note 2) for the Northwest corner of Lot 1, Block 1 of the Cowboy Code subdivision, recorded in Cabinet D, Slide 216-A, of the Flat Records of Bell County, Texas, bears South $27^{\circ}35'35''$ West, 236.24 feet;
- (4) TRENCH NORTH $27^{\circ}25'29''$ East, 45.66 feet, along a Northwest line of the aforementioned Lot 1, Block 1 of the Salado Wildlife subdivision and the aforementioned existing East right-of-way line of Interstate Highway 35, to a found Texas Department of Transportation "Type I" concrete monument for an angle corner of the said Lot 1, Block 1 and an angle corner of the herein described 0.158 of an acre parcel;
- (5) TRENCH NORTH $67^{\circ}07'50''$ East, 154.10 feet, along a Northwest line of the aforementioned Lot 1, Block 1 of the Salado Wildlife subdivision and continuing along the aforementioned existing East right-of-way line of Interstate Highway 35, to a found Texas Department of Transportation "Type I" concrete monument lying in the aforementioned existing South right-of-way line of F.M. Highway 2268 for an angle corner of the said Lot 1, Block 1 and an angle corner of the herein described 0.158 of an acre parcel;

(6) THEREBE SOUTH 73°28'01" East, 35.19 feet, along the northerly Northeast line of the aforementioned Lot 1, Block 1 of the Salado Wildfire subdivision and the aforementioned existing South right-of-way line of an R.M. Highway 2269, to the POINT OF BEGINNING and containing 0.158 of an acre of land (6,869 square feet) of land, more or less. The total length of the herein described proposed "Denial of Access Line" (see Note 1) is 252.51 feet.

(Note 1) Access is prohibited across the "Denial of Access Line" to the highway facility from the remainder of the abutting property.

(Note 2) "The monument described as set in this call may be replaced with a T&DOR Type II Right of Way Marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by T&DOR."

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, Central Zone, NAD83(93). All coordinates, distances and areas shown are surface and may be converted to grid by dividing by the T&DOR conversion factor of 1.00015.

A plat of even survey data herein accompanies and is made a part of this description.

THE STATE OF TEXAS X
COUNTY OF BEXAR X KNOWN TO ALL MEN BY THESE PRESENTS:

I, R. Clay Swetman, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision.

Date 26th day of January, 2012 A.D.


R. Clay Swetman
Registered Professional Land Surveyor
No. 8397 - State of Texas



ORDINANCE NO. 2008-11

AN ORDINANCE AMENDING SECTION 38 OF THE ZONING ORDINANCE OF THE CITY OF BELTON REGARDING SIGN REGULATIONS.

WHEREAS, the City Council recognizes the need for revised sign standards for the City generally, as well as for the Downtown Historic District, to aid in enhancing and improving the aesthetic qualities of Belton; and

WHEREAS, with the comprehensive review of the City's sign standards underway, the City Council authorized a moratorium for on-premise advertising sign permits on August 28, 2007, and extended the moratorium on February 12, 2008 to expire April 24, 2008; and

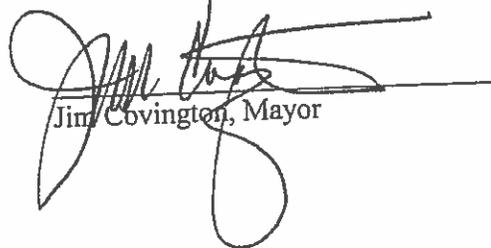
WHEREAS, the City's design consultant, HNTB Corporation, prepared a draft ordinance which was reviewed by the Design Standards Review Committee and the Planning & Zoning Commission which have studied this complicated topic, researched area city standards, and have recommended amendments to these standards; and

WHEREAS, the opportunity for public comments regarding the proposed Sign Ordinance was provided on March 18, 2008 before the Belton Planning & Zoning Commission, and on March 25, 2008 and April 8, 2008 before the Belton City Council, and due notice of said hearings was given as required by ordinance and by law.

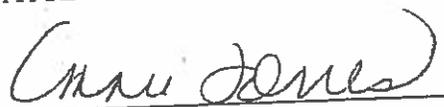
NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that Section 38 of the Zoning Ordinance of the City of Belton be amended in its entirety, and the Sign Ordinance which includes Downtown Historic District Design Guidelines attached hereto at Exhibit "A", is hereby officially adopted.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council, the 8th day of April, 2008, by a vote of 6 ayes and 0 nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on the 8th day of April, 2008.


Jim Covington, Mayor

ATTEST:


Connie Torres, City Clerk

SECTION 38: SIGN REGULATIONS

38.1 PURPOSE AND OBJECTIVES:

The purpose of this Section is to provide clear regulations for the permitting, design, location, construction, modification, use, maintenance, and removal of signs in the City of Belton and its extraterritorial jurisdiction. The objectives are: to improve the effective use of signs as a means of communication in the City to maintain and enhance the community's overall aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the adverse effect of signs on nearby public and private property and public safety; and to insure the fair and consistent enforcement of these sign regulations.

38.2 ADMINISTRATION:

The provisions of this ordinance shall be administered and enforced by either one or more of the following: the Development Services Director, Code Enforcement Official, and Building Official of the City of Belton.

38.3 PERMIT PROCEDURES AND FEES:

A. Requirements:

No sign shall be erected, constructed, relocated, altered, repaired, or maintained except as provided in this ordinance until a permit for such has been issued. All sign construction shall conform to the applicable adopted International Building Code (IBC), as adopted.

B. Application for Permits:

All applications for permits shall include a drawing to scale of the proposed sign and all existing signs maintained on the premises as visible from the right-of-way, a drawing of the site plan or building façade indicating the proposed location of the sign, and sign specifications. Applications shall be made to the Development Services Director on forms provided by the City.

C. Fee Required:

Fees for a permit to erect, alter, replace, repair or relocate a sign shall be as provided in the Belton Fee Ordinance.

D. Repair, Building Permit Required:

It shall be unlawful for any person to repair or make alterations to any sign without first obtaining a building permit.

E. Late Fee:

When a sign is erected, placed, altered, or maintained, or work started thereon before

obtaining a sign permit, there shall be a late fee equal to twice the amount of the sign permit fee. The late fee does not excuse full compliance with the provisions of this ordinance.

F. Electrical Permit:

Prior to issuance of a sign permit for a sign in which electrical wiring and connections are to be used, an electrical permit must be obtained. The electrical inspector shall examine the plans and specifications submitted with the application to insure compliance with the International Building Code. No sign shall be erected in violation of the Electrical Code.

38.4 SPECIAL DEFINITIONS:

For the purpose of this ordinance, the following words and phrases shall have the meaning respectively ascribed to them by this section:

1. **Banner.** A piece of fabric or similar material that is attached to a pole, enclosed in a frame, mounted or teathered as a temporary sign device.
2. **Billboard.** A non-premise sign (also called **off-premise sign**) as regulated under Section 38.24, Billboards and Other Off-Premise Sign.
3. **Building.** Any structure intended for shelter, occupancy, housing, or enclosure for persons, animals, or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.
4. **Changeable Copy Message Center.** A sign upon which copy is changed, either automatically or manually, or remotely. Examples include time, temperature, and date signs, and reader boards with changeable letters or changeable pictorial panels.
5. **Civic Use.** Any site for public or semi-public facilities, including governmental offices, police and fire facilities, hospitals, convention centers, and public and private schools. Also includes major religious facilities and other religious activities/ events.
6. **Clad/Cladding.** A covering used to obscure support structures and are incorporated into an overall design of a sign
7. **Elevation.** A mechanically accurate, "head on" drawing of a face of a building or object, without any allowance for the effect of the laws of perspective. Any measurement on an elevation will be in a fixed proportion, or scale, to the corresponding measurement on the real building.
8. **Façade.** Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five (45) degrees of one another, they are to be considered as part of a single façade.

9. **Frame.** A window component.
10. **Head.** The top horizontal member over a door or window opening.
11. **Luminance.** The brightness of a sign or a portion thereof expressed in terms of foot-candles. For the purposes of this chapter, luminance shall be determined by the use of an exposure meter calibrated to standards established by the National Bureau of Standards.
12. **Masonry.** Construction materials such as stone, brick, or tile. Concrete Masonry Unit (CMU) and stucco are not defined as masonry products.
13. **Mass.** The physical size and bulk of a structure.
14. **Master Signage Plan.** An administrative permit issued by Building Official which establishes standards (size, design, location, etc.) for all exterior signs associated with a multi-tenant / multi-building development.
15. **Material.** As related to the determination of "integrity" of a property, material refers to the physical elements that were combined or deposited in a particular pattern or configuration to form a historic property.
16. **Off- Premise Sign.** See Billboard.
17. **Panel.** A sunken or raised portion of a door with a frame-like border.
18. **Pole.** A piece of wood, metal, etc., usually long and square or cylindrical, set upright to support a building, sign, gate, etc. which is used in the construction and support of allowable signage when cladding is incorporated.; pillar; post.
19. **Premises.** A lot or unplatted tract, or a combination of contiguous lots or unplatted tracts if the lot or tract, or combination, is under single ownership and is reflected in the plat records of the County.
20. **Projecting Sign.** Any sign attached to and placed perpendicular to or at an angle to a building façade.
21. **Property.** Area of land containing a single lot or a group of lots.
22. **Public Use.** See Civic Use.
23. **Seasonal Banner.** Any sign generally designed for temporary, long-term or seasonal use mounted to a light standard.

24. **Sign, Attached.** Any sign attached to, applied on, or supported by any part of a building (such as a wall or roof) which encloses or covers usable space. (Also called **wall sign**)
25. **Sign, Detached.** Any sign connected to the ground which is not an attached sign, inclusive of signs on movable objects, except signs on vehicles which are moving or are parked only temporarily, incidental to their principal use for transportation. (Also termed **pole signs** or **freestanding signs**)
26. **Sign, Device.** Any flag, hot air balloon, banner, pennant, streamer, or similar device that moves freely in the wind. All wind devices are considered to be signs, and are regulated and classified as attached or detached, by the same rules as other signs. (Also termed **wind device**)
27. **Sign, Non-or Off-Premises.** Any sign which is not a premise sign, including billboards.
28. **Sign, Political.** Any type of non-premise sign which refers only to the issues or candidates involved in a political election.
29. **Sign, Premise.** Any sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services, or activities of or on those premises, or the sale, lease, or construction of those premises. (Also called an **on-premise sign**)
30. **Sign, Projected.** Any sign which extends out or beyond the face of the building more than eighteen (18) inches.
31. **Sign, Special Purpose.** A sign temporarily supplementing the permanent signs on the premises. Signs indicating a business opening, For Lease, or For Rent are special purpose signs.
32. **Sign, Vehicular.** Any sign on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs that are being transported to a site of permanent erection or identification, company name or logo painted or permanently affixed to the vehicle, or signs on vehicles transporting goods or providing services.
33. **Sign.** Any structure, display, device, flag, light, figure, letter, word, message, symbol, plaque, or poster visible from outside the premises as announcement or business identification on which it is located and designed to inform or attract the attention of persons not on that premise, including searchlights.
34. **Special Event Banner.** Same as Seasonal Banner.

35. **Temporary Sign.** A sign displayed for a limited period of time which is placed to advertise or announce a specific event, or which is not considered permanent business identification or a window sign that does not exceed the maximum sign allowance for a particular use. Temporary signs may be displayed for a period of a maximum of sixty (60) days per calendar year, not to exceed ninety (90) consecutive days.
36. **Thematic Banner.** Same as Seasonal Banner.
37. **Visibility Triangle.** A triangular shaped area established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. (See illustration, Section 38.13, G)
38. **Wall Sign.** Any sign attached to, applied on, or supported by, any part of a building (such as a wall or roof) which encloses or covers usable space. (Also called **attached sign**)
39. **Window Sign.** Any sign painted, applied to, hung inside or intended to be viewed through window glass.

38.5 APPLICABILITY AND EFFECT:

- A. A sign may be erected, placed, established, painted, created or maintained in the jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of this Code. These regulations apply to both signs with commercial and non-commercial messages.
- B. The effect of this Section is to prohibit all signs not expressly permitted by this Section, except as approved through the appeals process established by this Code.

38.6 JURISDICTION:

In accordance with the Texas Local Government Code, these regulations as well as the stipulations and regulations outlined within §216. of such Code - Regulation of Signs by Municipalities, apply to all areas within the corporate limits of the City of Belton and those areas within the extraterritorial jurisdiction.

38.7 MASTER SIGN PLAN:

Pursuant to the procedures and provisions outlined herein, a Master Sign Plan shall be required for all multiple-tenant buildings, planned unit developments, and all multi-building or multi-occupant commercial developments before any signs for such development may be erected on the property. All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the approved Master Sign Plan. In addition to other general administrative review criteria in this ordinance, the Planning and Zoning Official of the City of Belton must determine the

following in order to grant final approval for the Master Sign Plan:

- A. The plan provides that signs of a similar type and function within the development will have a consistent building material.
- B. The plan provides for signs that meet the size limitations, location requirements, and other applicable requirements of this ordinance.
- C. A Master Sign Plan shall expire twelve (12) months after the date that the Master Sign Plan was approved unless:
 - 1. A complete Building Permit application has been submitted or, if no Building Permit is required, a Certificate of Occupancy has been issued.
 - 2. In case of projects where more than one building or phase is to be built, the applicant may submit a series of Building Permit applications. The first application must be submitted within twelve (12) months from the date Site Plan approval is granted. Each subsequent application must be submitted within twelve (12) months from the date of issuance of a Certificate of Occupancy by the Building Official for the previous phase of the development.

38.8 NONCONFORMING AND UNLAWFUL SIGNS:

A nonconforming sign may continue except as otherwise provided in or authorized by this Section. A nonconforming sign is a sign that was lawfully established prior to the effective date or applicability of these regulations or subsequent amendments, but does not comply with current sign regulations, while an unlawful sign is a sign that was established after the effective date or applicability of these regulations or subsequent amendments and does not comply with current sign regulations. In order to achieve the purposes of the sign regulations, there is established herein a policy for the removal or abatement of nonconforming signs over time.

- A. A permanent advertising sign not in conformance with these regulations, which was lawfully permitted and erected prior to the enactment of said regulations, shall be considered a nonconforming sign. A sign, which has been deemed nonconforming, shall be exempted from the provisions of this ordinance, unless damaged by natural causes or otherwise destroyed or taken down, or removed for any purpose other than maintenance operation that is allowed. It may not be re-erected, reconstructed, or rebuilt, except in full compliance and conformance with this ordinance. Any nonconforming sign which is damaged or is deteriorated to a point where its restoration cost exceeds sixty percent (60) of its replacement value shall be removed, unless otherwise authorized to remain.
- B. An unlawful sign is not a nonconforming sign and must be removed within thirty (30) days of official notice from the City. Any sign erected or maintained which is not in conformance with this chapter or prior ordinances of the City, is hereby declared to be a public nuisance, and shall be removed or brought into compliance within the thirty (30) day period indicated. If the Building Official finds that any sign or other advertising structure installed since the adoption of this ordinance is prohibited by the provisions of this ordinance, the Building Official shall give written notice to the permittee or the owner of the property upon which

the structure is located. If the permittee or owner fails to remove or alter the structure so as to comply with the standards set forth in this ordinance within thirty (30) days after such notice, the Building Official may undertake such removal or alteration as is necessary to bring the structure into compliance and assess the costs to the permittee or owner. The Planning and Zoning Official may cause any sign or other advertising structure which presents an immediate peril to persons or property to be removed or altered immediately and without notice, and without compensation to the sign owner.

38.9 VARIANCES:

Within thirty (30) days after denial of a sign permit by the Building Official, a request for a variance may be filed with the Planning and Zoning Official to appear before the Zoning Board of Adjustment. The Zoning Board of Adjustment may grant a variance if it finds that the unusual shape or topography of the property in question or some other significant location factor prevents signage allowable under the provisions of this ordinance from adequately identifying the business or other activity located on such property. (TLGC 211.008-211.011)

38.10 ABANDONED SIGNS:

All nonconforming and abandoned signs that cease to advertise that business, person or activity for more than ninety (90) days of official notice from the City shall be eliminated or made to conform to current sign regulations. This may occur by means of forced removal or property liens as determined by the City of Belton.

38.11 SUMMARY OF PERMITTED SIGNS:

The following table establishes permitted signs within the corporate limits of the City of Belton and those areas within the extraterritorial jurisdiction based on underlying Zoning District regulations as referenced and in relation to adjacent roadway classifications. All sign types not listed are prohibited.

Table 1. Summary of Permitted Signs

Sign Type	RE, SF-1, SF-2, & SF-3 Districts	A, 2F, PH, MH, & MF Districts	O-1, O-2, & RD Districts	NS District	C-1, C-2, LI, IP, HI, & PD Districts	HP, UC, CBD, & CR Districts	R District	CH District
<p>A = allowed without permit P = sign permit required C = Certificate of Design Compliance, sign permit required A/C = allowed without permit subject to special conditions SUP = special Use Permit required</p>								
Non-Public and Non-Civic Uses								
Banner	--	--	P	--	P	C	P	P
Manual Changeable Copy	P	P	P	P	P	C	P	P

Sign Type	RE, SF-1, SF-2, & SF-3 Districts	A, 2F, PH, MH, & MF Districts	O-1, O-2, & RD Districts	NS District	C-1, C-2, LI, IP, HI, & PD Districts	HP, UC, CBD, & CR Districts	R District	CH District
Electronic Changeable Copy	--	--	--	--	SUP	--	--	SUP
External Illumination	--	--	P	P	P	C	P	P
Flag/Flag Pole	A	A	A	A	A	A	A	A
Incidental	A	A	A	A	A	A	A	A
Internal Illumination	--	--	P	--	P	C	P	P
Residential	A	A	A	A	A	A	A	A
Subdivision Entry Features	P	P	--	--	--	--	--	--
Temporary	P	P	P	P	P	C	P	P
Public and Civic Uses								
Banner	--	--	P	P	P	C	P	P
Manual Changeable Copy	P	P	P	P	P	C	P	P
Electronic Changeable Copy	--	--	--	--	SUP	--	--	SUP
External Illumination	P	P	P	P	P	C	P	P
Flag/Flag Pole	A	A	A	A	A	A	A	A
Incidental	A	A	A	A	A	A	A	A
Internal Illumination	--	P	P	P	P	C	A	P
Temporary	P	P	P	P	P	C	P	P

38.12 SIGNS EXEMPT FROM REGULATIONS:

- A. The following signs shall be exempt from regulation under this Code:
1. Any Public Notice, or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
 2. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three (3) feet beyond the lot line of the lot or parcel on which such sign is located;

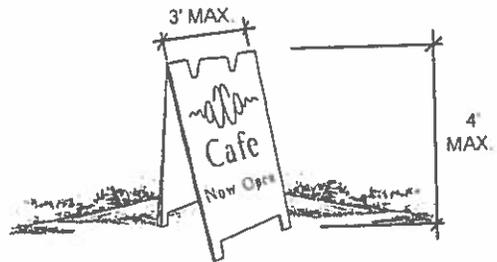
3. Holiday lights and decorations with no commercial message, but only between October 16 and January 15;
4. Decorative landscape lighting only;
5. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message of any sort;
6. Address and postbox numerals conforming to incidental sign regulations;
7. Government signs erected by the city, county, state, or federal government in furtherance of their governmental responsibility;
8. Legal notices;
9. Memorial signs or tablets and building markers displayed on public or private buildings and tablets or headstones in cemeteries; and
10. Signs prepared by or for the local, state or federal government marking sites or buildings of historical significance.

38.13 PROVISIONALLY EXEMPT SIGNS

The signs listed below may be erected without a sign permit provided that standards of this Section shall be met.

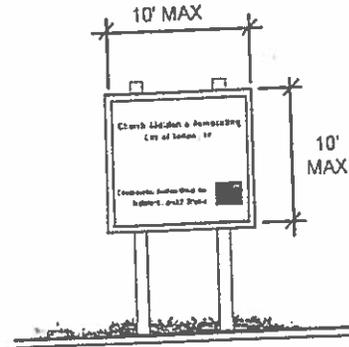
A. A-Frame Signs

A-frame signs no taller than four (4) feet nor wider than three (3) feet with a maximum area per side of twelve (12) square feet along sidewalks abutting the advertised businesses in The Downtown Belton Historical District and in retail centers having at least twenty thousand (20,000) square feet of gross leasable area when the property manager has approved the sign in writing. A-frame signs will be allowed during normal business hours. The owner of a business shall be responsible for maintaining a copy of said written approval on the premises of the advertised building. Similar designs intended for incidental advertising and notification will be allowed for individual or stand alone business locations, and only within ten feet (10') of primary entrance or primary service drives.



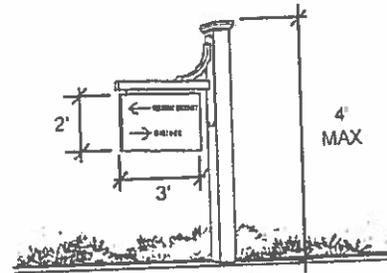
B. Construction Site

These signs shall not exceed a total of one hundred (100) square feet. Such signs shall be removed within one (1) week following completion of the work. "Construction site" sign is defined as a temporary sign that states the name of the developer and contractor(s) working on the site and any related engineering, architectural, or financial firms involved with the project, and is not intended as or to serve as advertising or identification of a project beyond the construction phase.



C. Directional

The sign shall not exceed four (4) feet in height and six (6) square feet in sign face area. The sign may be used to direct vehicles or pedestrians. These signs are not to be used for the purposes of advertisement.



D. Special Sale Signs

1. "For Sale" signs placed on vehicles, provided that the area of the sign does not exceed two (2) square feet.
2. "Garage Sale" signs not larger than four (4) square feet and are allowed on the site of the garage sale only.

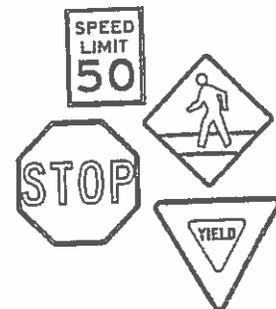
E. "No Trespassing" or "Posted"

These signs shall be allowed subject to the following standards:

1. They shall not exceed one (1) square foot in area.
2. They shall be located on private property.
3. There shall be not more than one (1) per one hundred (100) feet of property line.

F. Parking and Traffic

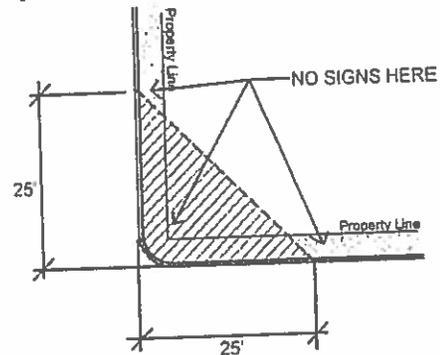
These signs shall conform to the Manual of Uniform Traffic Control Devices, as published by the U.S. Department of Transportation, Federal Highway Administration. Signs shall not exceed four (4) square feet in area and may be placed on private property to direct and guide traffic and parking on same private property. Such signs shall not include advertising visible from any location outside of the property on which the sign appears.



G. Political

Temporary signs advertising political parties or candidates for election or signs that otherwise provide for freedom of expression unrelated to any commercial endeavor may be erected or displayed and maintained on private property sixty (60) days prior to election and removed three (3) days after general, primary, run off, or special election provided that:

1. The placement of signs shall have the consent of the property owner.
2. No such signs shall be placed on or within public rights-of-way, on public property or within visibility triangles.



H. Real Estate

One (1) on-premises real estate sign, indicating that a property or any portion thereof is available for inspection, sale, lease, or rent by a Real Broker or property owner sign is permitted in compliance with the following standards:

1. Sign is non-illuminated.
2. Sign is removed within fifteen (15) days after property closing or lease signing.
3. Signs in a residential area do not exceed three (3) square feet in area by five (5) feet in height with a two (2) foot separation for each parcel, property, or structure.
4. Signs in a commercial area do not exceed thirty-two (32) square feet.
5. One (1) additional sign in conformance with other provisions of this Section may be allowed on a site abutting more than one (1) roadway.
6. Real estate signs shall comply with the setback and height standards for the zoning district in which they are located.
7. No such signs shall be placed on or within public rights-of-way, on public property or within visibility triangles.

I. Service Entrance

An incidental sign for building identification, provided the sign area does not exceed four (4) square feet, and is non-illuminated.

J. Signs along Streets, Public Ways, or Railroads

No sign or flag allowable under this section may be placed on or over the area located within ten (10) feet of the back of the street curb for city or county rights-of-way or the actual right-of-way, whichever is greater, or within twenty-five (25) feet for state rights-of-way

or the actual right-of-way, whichever is greater, or if no curb exists, the impervious surface of the street, or if unpaved, the area located within ten (10) feet of the portion of the city ordinarily used for vehicular travel, the median of a street, across the public right-of-way line extended across a railroad right-of-way, or in the restricted areas at street intersections designated by the City of Belton Code, with the following exceptions:

1. Permanent signs, including: Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
2. Bus stop signs erected by a public transit company. No advertising is permitted at bus stops except for a single sign no larger than two (2) square feet that advertises the bus stop;
3. Informational signs of public utility regarding its poles, lines, pipes, or facilities;
4. Canopy, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of this Code;
5. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way;
6. Special event signs in State rights-of-way, subject to approval of a permit issued by the Texas Department of Transportation;
7. Temporary signs approved and erected as part of a special event that has been approved in accordance with the City of Belton Code are allowed.
 - a. Such signs may be erected no earlier than seventy-two (72) hours before the first day of the special event, and must be removed within 24 hours following the last day of the special event.
 - b. Special event signs may not exceed four (4) square feet in size and may not be placed in a manner that inhibits or interferes with vision or otherwise affects public safety.

K. Window Signs/Advertising Posters

A sign posted, painted, placed, or affixed in or on a window exposed to public view not exceeding thirty (30) percent of an individual window area are provisionally exempt. An excess of the thirty (30) percent will cause the entire area to be calculated as an element of total allowable site signage. (See section 37.18.A.2 for calculation methodology)

L. Home Occupation Signs

One non-illuminated identification sign that is physically attached to the exterior wall of the dwelling, with a sign area no bigger than two (2) square feet.

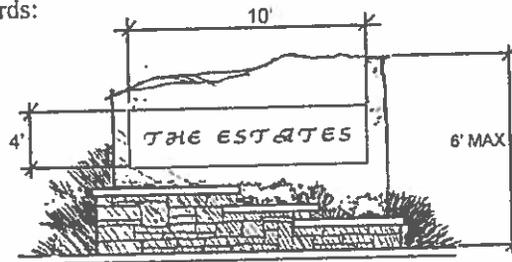
M. Other Incidental Signs

Any other incidental signs secondary in purpose to the use of the lot on which it is located and not exceeding four (4) square feet in area in addition to those in Section 38.16. These signs are not to be used for the purposes of advertisement.

N. Certain light pole mounted banners pursuant to Section 38.22

O. Subdivision Entry Signs

Subdivision entry signs are allowed at the primary entrance into a subdivision, subject to the following standards:



1. Subdivision entry signs are allowed at one (1) primary entrance unless the subdivision has entrances on two (2) different major arterials, in such case an entrance sign may be placed on each of the major arterial roadways;
2. Subdivision entry signs must be Monument Signs, subject to the definition of this Code, and may contain a maximum of forty (40) square feet per sign face with a maximum height of six (6) feet;
3. Subdivision entry signs must be constructed of stone, brick and masonry material(s) other than CMU and stucco and must be compatible with surrounding development.
4. Subdivision entry signs must be setback a minimum of five (5) feet from the property line outside of the required sight triangle [defined as a sight visibility triangle defined by measuring twenty-five (25) feet to a point along the property lines and joining said points to form the hypotenuse of the triangle] and located outside of any public utility easement.
5. Subdivision entry signs must provide a landscaped area equal to twice the area of the sign face.
 - a. Irrigation must be provided consistent with the standards of Section 37.2.
 - b. The owners and subsequent owners of the landscaped property shall be responsible for the maintenance of the landscaped area.
 - c. Must be submitted as part of Master Sign Plan and Construction Plans.
 - d. All landscape materials shall be maintained so to insure an attractive appearance and a healthy and vigorous growth environment.

38.14 SIGNS PROHIBITED UNDER THIS CODE:

All signs not expressly permitted under this Code or exempt from regulation hereunder in accordance with the previous Section are prohibited within the corporate limits of the City of Belton and those areas within the extraterritorial jurisdiction. Such signs include, but are not limited to:

- A. Beacons;
- B. Portable Signs;
- C. Roof signs above the lesser of the height of the structure or allowable freestanding sign height within the District in which it is located;
- D. Strings of lights not permanently mounted to a rigid background, except those exempt under the previous Section;
- E. Inflatable signs and tethered balloons greater than eighteen (18) inches in diameter;
- F. Flashing, fluttering, undulating, swinging, rotating, or otherwise moving signs;
- G. Signs, temporary or otherwise, affixed to a tree or utility pole;
- H. Signs violating the "visibility triangle" provisions;
- I. Off-premise advertising signs, except as expressly permitted in this Code;
- J. Streamers;
- K. Electronic Message Centers in fixed or traveling mode; except as provided for under allowable exceptions in Section 38.11, Table 1; and including LED and similar billboards.
- L. Unshielded Neon ; and
- M. Un-cladded pole or support structure.
- N. Signs displaying inappropriate, crude, or offensive content or display.

38.15 SIGN LIGHTING STANDARDS:

- A. No illuminated sign which has a sign area of one hundred fifty (150) square feet or less shall have luminance greater than three hundred (300) foot candles, nor shall it have luminance

greater than three hundred (300) foot candles for any portion of the sign within a circle two (2) feet in diameter.

- B. No illuminated sign which has a sign area greater than one hundred fifty (150) square feet shall have a luminance greater than two hundred (200) foot candles for any portion of the sign within a circle of two (2) feet in diameter.
- C. No unshielded light source may be visible from the edge of the public right-of-way at a height of three (3) feet.
- D. All required electrical connections and components shall be mounted so to not be visible from the public right-of-way.

38.16 SIGN DESIGN AND AREA REGULATIONS

Table 2. Sign Dimensional Standards by District

Zoning District	Classification	Maximum Area Per Sign (Square Footage)	Maximum Height (Feet)	Minimum Setback (Feet)	Maximum Number Per Lot	Conditions
RE, SF-1, SF-2, & SF-3 (Non-Public and Non-Civic Uses)	Freestanding Monument Sign	2	5	2	1	38.18 A
	Flag/Flag Pole	40	25	5	--	--
	Wall	.5 per linear foot of primary façade	--	--	--	38.18 C
RE, SF-1, SF-2, & SF-3 (Public and Civic Uses and CN District)	Freestanding Monument Sign or Low Profile Pole Sign	32 20	5 5	10 10	1	38.18 A
	Flag/Flag Pole	40	25	5	--	38.18 E
	Wall	.5 per linear foot of primary façade	--	--	--	38.18 C
A, 2F, PH, MH, & MF (All Uses)	Freestanding Monument Sign or Low Profile Pole Sign	32 20	8 6	5 5	1 per 500' of frontage or fraction thereof	38.18 A
	Flag/Flag Pole	40	25	5	--	38.18 E
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C
O-1, O-2, & RD Districts (All Uses)	Freestanding Monument Sign or Low Profile Pole Sign	32 20	8 6	5 5	1 per 500' of frontage or fraction thereof	38.18 A
	Flag/Flag Pole	40	25	5	--	38.18 E

Zoning District	Classification	Maximum Area Per Sign (Square Footage)	Maximum Height (Feet)	Minimum Setback (Feet)	Maximum Number Per Lot	Conditions
O-1, O-2, & RD Districts (All Uses)	Wall	1 per linear foot of primary façade	--	--	--	38.18 C
C-1, C-2, LI, IP, HI, & PD (All Uses)	Freestanding Monument Sign or	1 per linear foot of primary façade no to exceed a maximum of 48 square feet per sign face	6	5 (10 in IP, LI, and HI Districts)	1 per 500' of frontage or fraction thereof	38.18 A 38.18 F
	Low Profile Pole Sign	20	8	5 (10 in IP, LI, and HI Districts)		
	Cladded Pole Signs on Properties with IH 35 or US 190 Frontage, 2 pole minimum	225	20	5	1 per 600' of frontage or fraction thereof	38.18 D 38.18 F
	Flag/Flag Pole	40	20	5	--	38.18 E
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C 38.18 F
R, NS, & CBD	Freestanding Monument Sign	40	5	5	1	38.18 A
	Flag/Flag Pole	40	25	5	--	38.18 A
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C 38.18 F
IP Overlay, UC, & CR Overlay Districts	For Detailed Information Related to Signs in this District, See the Design Guidelines for Signs Monument signs shall be no greater than 5 feet in height and pole signs will not be permitted					
CH District	Freestanding Monument Sign	60	8	5	1 per 200' of frontage or fraction thereof	38.18 A
	High Profile Monument Sign	225	20	5	1 per 600' of frontage	38.18 F
	Flag/Flag Pole	40	20	5	--	38.18 E
	Wall	1 per linear foot of primary façade				38.18 C

38.17 PRINCIPLES OF SIGN AREA COMPUTATION

The following principles shall control the computation of sign area and sign height.

A. Computation of Area of Individual Signs:

1. The area of a sign shall be computed as the entire advertising area of the sign, including any framing or trim, contained within the respective sign cabinet. For the purposes of this computation the sign cabinet shall be defined as the structure or border used to differentiate a sign face from the structure against which a sign face is placed.
2. Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, window, or wall and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall. Where such sign includes multiple words, each word located in the same plane shall be computed separately.
3. The permitted area for all monument signs, pursuant to Table 2 of Section 38.16 shall be inclusive of the sign base and sign structure. In no case shall the overall sign structure, including the base, exceed the maximum allowed height nor the maximum allowed sign area. In no case shall the sign face of a monument sign exceed fifty (50) percent of the overall sign structure.

B. Computation of Area of Multi-faced Signs

The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one (1) of the faces.

C. Computation of Height

The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

D. Computation of Maximum Total Permitted Sign Area

The permitted sum of the area of all individual signs shall be computed by applying the Zoning District formulae contained in Section 38.16, Maximum Area Per Sign, to the lot

frontage, building frontage, or wall area, as appropriate. Lots fronting on two (2) or more streets are allowed to calculate the longest street frontage into the allowable allocation to be identified by the Master Signage Plan.

E. Computation of Maximum Number of Signs

Pursuant to Table 2 of Section 38.16 each lot is allocated the maximum number of signs allowed per District. Where indicated, additional signs beyond the identified allowance shall be determined by the lineal frontage of the lot.

38.18 DESIGN REQUIREMENTS:

A. Monument Signs and Low-Profile Signs

Monument signs or low-profile signs are the only permanent freestanding sign allowed, except on properties with I-35 or US 190 frontage, where cladded signs are also permitted.

1. Monument Signs

a. Monument signs shall have only two (2) sign faces.

b. The structure of monument signs shall be constructed of materials and colors compatible with those utilized on the primary building's façade.

c. Monument signs located on the same property must be paced a minimum of eighty (80) feet apart from other freestanding signs for which a permit is required.

d. A shared monument sign is encouraged. Such a monument sign must be located on one (1) of the properties included in the sign text.



2. Low-Profile Signs

a. All low-profile signs must have two (2) poles.

b. Low-profile signs are permitted on any property as an alternative to permitted monument signs.



- c. Low-profile signs may have only two (2) sign faces.
- d. Low-profile signs located on the same property must be spaced a minimum of eighty (80) feet apart from other freestanding signs for which a permit is required.
- e. A shared low-profile sign is encouraged. Such a sign must be located on one (1) of the properties included in the sign text.
- f. In the C-1, C-2, C-3 and IN Districts:
 - i. The use of low profile signs requires the installation of a landscaped area equal to twice the area of one (1) face of the pole sign. The required landscaping shall be located at the base of the pole sign. The owner and subsequent owners of the landscaped property shall be responsible for the maintenance of the landscaped area.
 - ii. For properties in excess of five hundred (500) feet of frontage, additional sign square footage is allowed as determined in Table 2. The cumulative square footage of allowed signs may be distributed between the maximum number of allowed signs with no one (1) sign exceeding ninety (90) square feet in size.

3. Residential Districts

In the SF-1, SF-2, SF-3, and RE Districts, externally illuminated free standing signs shall only be located adjacent to arterial roadways.

B. Landmark Signs

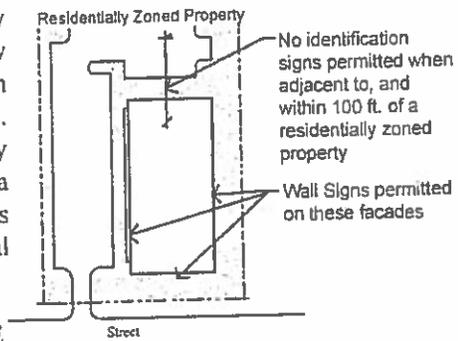
To be recognized and designated as landmark signs, an individual sign (one (1) per property) must be approved by the procedures adopted by the City of Belton. To be considered for designation, these signs shall exhibit such a unique character, design, or historical significance to be recognized as such to the community.

C. Wall Signs

- 1. The calculation of wall signage shall be based upon a building's primary entrance and building façade as defined in Section 38.4.



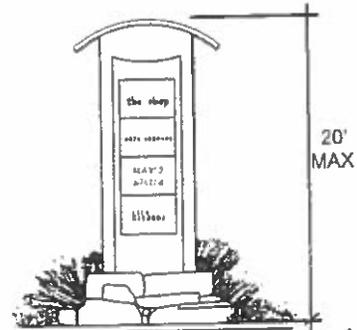
2. Wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.
3. Wall signs may be placed on any face of the building, except those directly adjacent to, and within one hundred (100) feet of a residential property line within a Residential Zoning District. If the residential zoned property is developed as a Non-Residential use then this restriction shall not apply.
4. Posters, signs or announcements located in window areas not exceeding thirty (30) percent of an individual window area shall not be calculated as an element of total allowable site signage. Any sign area in excess of the thirty (30) percent will cause the entire area of the poster, sign or announcements to be calculated as an element of total allowable wall signage.
5. In the SF-1, SF-2, SF-3, and RE Districts, externally illuminated wall signs shall only be located on properties fronting on arterial roadways.



D. High Profile Monument Signs on Properties with I-35 or US 190 Frontage

High profile monument signs are permitted on properties with I-35 or US 190 frontage, and which have commercial or industrial zoning, provided they meet the following requirements:

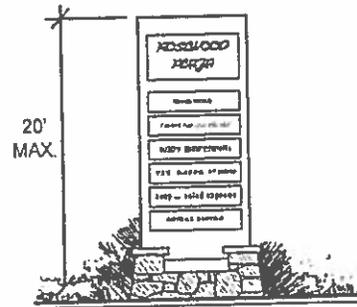
1. Height limit shall be twenty (20) feet. For signs on properties with I-35 or US 190 frontage, additional height may be allowed.
 - a. This additional allowance will be determined by measuring the difference between the elevation of the property at the proposed location of the sign and the elevation of the main lanes of I-35 or US 190.
 - b. Determination of the elevational difference shall be measured by projecting a perpendicular line from the center line of the proposed location of the sign to the center line of the main lanes of I-35 or US 190 nearest the sign.
 - c. The additional height allowance will only apply for properties and sign locations that are determined to be lower in elevation than the main lanes of I-35 or US 190, as measured by (b) above.



2. Maximum area shall be two hundred twenty-five (225) square feet per face.

3. High profile monument signs shall have only two (2) sign faces.

4. Properties with I-35 or US 190 frontage may have only one high profile monument sign for each six hundred (600) feet of frontage. High profile monument signs shall be spaced a minimum of six hundred (600) feet apart. If a property or commercial or industrial subdivision has less than six hundred (600) feet of frontage on I-35 or US 190 a high profile monument sign shall not be permitted.



5. All signs shall maintain a minimum clearance from electric power lines of fifteen (15) feet horizontally and fifteen (15) feet vertically or as otherwise may be required by the utility provider. Any relocation of power lines to provide this clearance will be at the expense of the sign owner. Such signs are allowed in addition to permitted signage on the tract.

6. Alternative construction methods, including pole signs, may be considered by the Building Official as long as the sign construction is compatible with the architectural design of the primary building or master architectural design of the commercial or industrial subdivision.

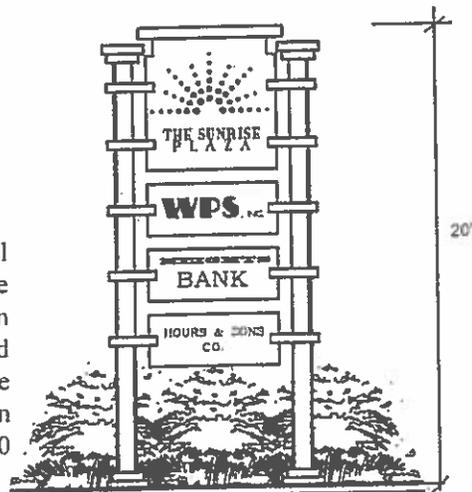
E. Pole Signs on Properties with I-35 or US 190 Frontage

Pole signs are permitted on properties with I-35 or US 190 frontage, and which have commercial or industrial zoning provided they meet the following requirements:

1. Pole signs must have two (2) poles.

2. Height limit shall be twenty (20) feet. For signs on properties with I-35 or US 190 frontage, additional height may be allowed:

a. This additional allowance will be determined by measuring the difference between the elevation of the property at the proposed location of the sign and the center line of the outside main travel lane of the I-35 or US 190 roadway.



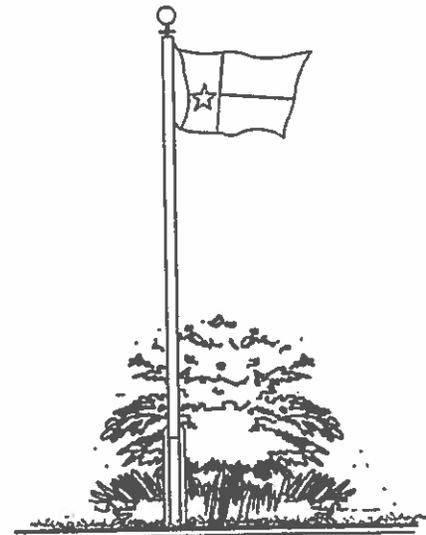
b. Determination of the elevational difference shall be measured by projecting a perpendicular line from the center line of the proposed location of the sign to the main I-35 roadway section nearest the sign.

- c. The allowance will only apply for properties and sign locations that are determined to be lower in elevation than the I-35 or US 190, as measured above.
3. Maximum area shall be two hundred twenty-five (225) square feet per face.
4. Pole sign shall have only two (2) sign faces.
5. Properties with I-35 or US 190 frontage may have only one (1) pole sign for each six hundred (600) feet of frontage shall be permitted. Poles signs shall be spaced a minimum of one hundred (100) feet apart.
6. All signs shall maintain a minimum clearance from electric power lines of fifteen (15) feet horizontally and fifteen (15) feet vertically or as otherwise may be required by the utility provider. Any relocation of power lines to provide this clearance will be at the expense of the sign owner. Such signs are allowed in addition to permitted signage on the tract.

F.. Governmental Flags

Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction are permitted in all zoning districts provided that they meet the following requirements.

1. United States flags shall be flown in accordance with the protocol established by the Congress of the United States for the Stars and Stripes, Title 4, Chapter 1 – The Flag.
2. Governmental flags shall not exceed the Maximum Height and Size as provided for in Table 2 of Section 38.16 Sign Design and Area Regulations. The overall measurement of the flag pole shall not exceed twenty-five (25) feet in height as measured from the base of the pole to the top regardless of where the governmental flag pole is located.
3. When a flagpole is located on the top of a roof, the placement and attachment of the pole shall meet the building code for wind and structural loading requirements.



The plan design criteria shall provide the proposed location, attachment method to the structure and wind load resistance. A building permit shall be required for this type of installation.

4. Within Zoning Districts NS, C-1, C-2, LI, HI, and IP ground mounted flag poles can exceed the twenty-five (25) foot height limit but shall not exceed the maximum building height as allowed in that district.

G. Changeable Copy Sign

Changeable Copy Signs shall follow design standards in Table 2 of Section 38.16 and Sign Dimensions by District for a changeable copy sign as defined in Section 38.4. The definition shall also apply for all types of signs used within this section. Changeable copy signs are limited to use by Public and Civic uses and may require a special use permit (SUP) as granted by the City of Belton.

38.19 MUNICIPAL WAYFINDING SIGNS:

Notwithstanding any conflicting provisions, the City shall allow directional signs, including subdivision directional signs. The location, design, construction, installation and maintenance of these signs shall be the responsibility of the City of Belton.

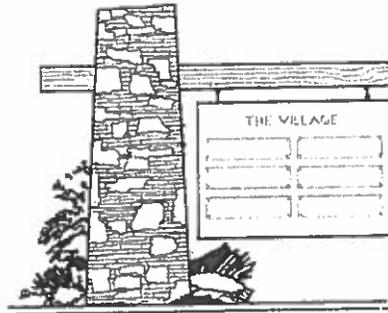


38.20 GOVERNMENT SIGNS:

All governmental entities shall conform to the requirements of these regulations.

38.21 MULTI-TENANT SIGNS:

Developments containing two (2) or more businesses, whether in a single building or multiple buildings, shall share a sign structure for advertisement of multiple businesses located within the development. This provision is applicable to businesses located on the same lot upon which the sign is located as well as to businesses located upon different lots within the development. Such signs shall comply with the following:



- A. The lot or lots involved must be contiguous with one another, and constitute a single cohesive development;
- B. The sign(s) must be located on a lot that one (1) of the advertised businesses occupies;
- C. The sign shall be designed in the overall architectural style of the buildings within the development;
- D. The signs may be any sign type that is otherwise allowed by this ordinance;

- E. Private streets within the boundaries of the development are treated as public rights-of-way for purposes of determining allowable signage;
- F. Individual pad or lease sites, defined in the approved Site Plan, are treated as separate lots for purposes of determining allowable signage;
 - 1. Businesses shall not be allowed advertising on both the multiple tenant (shared) sign and another free standing business identification sign;
 - 2. Monument Signs, used as multi-tenant signs for developments with four (4) or more tenants, may have an allowable sign area not to exceed sixty-four (64) square feet.
- G. In addition to signage that would otherwise be allowed on a lot for business identification purposes, one (1) additional monument sign not exceeding five (5) feet in height and thirty-two (32) square feet in area may be located at each intersection of public roadways and/or private roadways for purposes of directing traffic to various areas and businesses within the development;
- H. All other provisions of this ordinance shall be applicable to this sign category, including but not limited to, allowed number based on road frontage (multiple lot developments are treated as a single lot for this purpose), allowable size as a function of Zoning District, spacing, illumination, materials, etc.

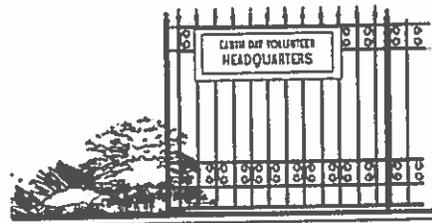
38.22 TEMPORARY SIGNS:

A. Private Property

Temporary signs on private property, limited to banners and non-exempt window signs, are allowed only upon issuance of a temporary sign permit, which shall be subject to the following requirements:

1. Term

A temporary sign permit allows the use of a temporary sign for no more than thirty (30) days from date of issuance.



2. Number

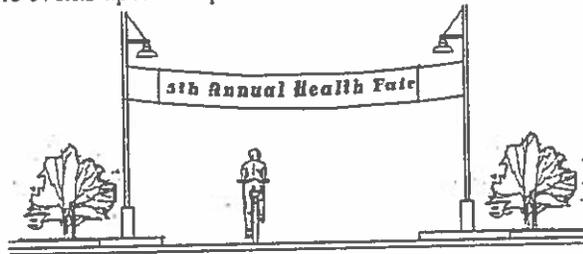
Only one temporary sign will be permitted at a time to the same business on the same lot.

3. Other Conditions

A temporary sign is allowed only in designated Districts and is subject to all other requirements of that District.

B. Temporary Street Banners

The City Manager is authorized to establish procedures for the permitting and installation of temporary banners placed in public right-of-way. Such banners shall be allowed for the following public events upon compliance with the established procedures:

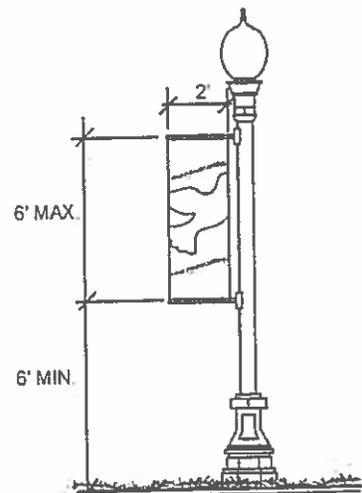


1. Events of a charitable or humanitarian nature;
2. Events of an educational, scholastic or artistic nature;
3. Other events of community or public interest which are non-political in nature and are for the benefit of a non-profit group, or which benefit the community.
4. Other events addressed in municipal park permits.

C. Light-Pole Mounted Banners

Light-pole mounted banners, as defined in Section 38.4, shall be allowed pursuant to subsections a and b below. For purposes of this subsection only, light-pole mounted banners shall be collectively referred to as "banners."

1. All banners shall comply with the following:
 - a. Limited to not more than one (1) banner on any light-pole;
 - b. Limited to no more than two feet by six feet (2' x 6') in exterior dimension and twelve (12) square feet in area per banner;
 - c. Minimum height of six (6) feet as measured from adjacent grade to the bottom of the banner;



- d. Maximum height of twelve (12) to the top of the banner;
- e. Banners shall be maintained in good repair; should they become excessively faded, tattered or torn, they shall be replaced or removed;
- f. Banners shall not be illuminated, except for indirect lighting associated with the main lamp of the light-pole to which it is mounted.

2. The following light-pole mounted banners shall be allowed:

a. Banners in the CBD and Historic Preservation Districts

Banners are allowed in the CBD and Historic Preservation districts, but are limited to the advertising of community events, seasonal themes, etc., sponsored by a governmental entity or by a non-profit community organization with approval by the city pursuant to established special permitting procedures (City Manager approval).

b. Banners in residential subdivision street right-of-way

Banners are allowed along collector-level or higher classification streets within the platted boundaries of a residential subdivision and shall be designed with one (1) overall, uniform design scheme. Such banners are limited to subdivision identification or seasonal decorations and works of art, and shall not be spaced closer than three-hundred (300) feet apart. Such banners require the approval of the applicable electrical utility and the custodian of the public right-of-way, in addition to a sign permit from the Division of Planning and Development Services.

c. Banners in commercial subdivision street right-of-way

Banners are allowed along collector-level and higher classification streets within the platted boundaries of a commercial subdivision and shall be designed with one (1) overall, uniform design scheme. Such banners are limited to subdivision identification, shopping center or campus identification, or seasonal decorations and works of art, and shall not be spaced closer than three-hundred (300) feet apart. Such banners must be approved by the applicable electric utility and the custodian of the public right-of-way, in addition to receiving a permit from the Division of Planning and Development Services.

d. Banners on perimeter of private property

Banners identified in (b) and (c) above and subject to all the provisions identified therein except message and spacing, may be installed along the

periphery within ten (10) feet of property lines fronting public or private streets of collector-level or higher classification in lieu of the public right-of-way. Such banners may advertise products and services available on the site. Spacing shall be no closer than eighty (80) feet between banners. Such banners shall be allowed in addition to site signage otherwise allowed by this ordinance, and shall require approval of a sign permit. Fees shall be based on the overall banner package, not on a per-banner basis.

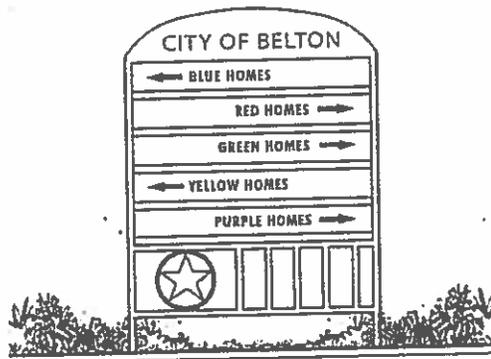
e. Banners on the interior of private property

In addition to banners authorized in (a) through (d) above, banners shall be allowed within the interior of the parking lot zoned R-Retail or more permissive, and may advertise products and services available on the site. The number of banners shall not exceed one (1) per fifty (50) vehicle parking spaces. Such banners shall be allowed in addition to site signage otherwise allowed by this ordinance, and shall require approval of a sign permit. Fees shall be based on the overall banner package, not on a per-banner basis.

D. Temporary Residential Directional Signs

Temporary residential directional signs shall be permitted within any zoning district, provided they serve a temporary purpose, are maintained in an attractive and sound manner, and may be removed by the City of Belton. Temporary residential directional signs may be allowed for a period of time from final acceptance of all public improvements for the subdivision until ten (10) days following the issuance of Certificates of Occupancy for 50% of the addition. Temporary residential directional signs shall be subject to the following requirements:

1. The location shall be approved by the City of Belton.
2. They shall be located within two hundred (200) feet of an intersection but no closer than twenty (20) feet from the intersection.
3. Not located within visibility triangle.
4. They shall not be illuminated or affixed in any manner to trees, street or light poles, utility poles, other signs or sign structures.
5. They shall be made only in accordance with specifications provided by the City of Belton.



6. They shall include the name, address, and phone number of the owner or party responsible for the removal and maintenance of the sign. This information must be written in weatherproof ink or paint on at least one (1) face of the sign in letters not exceeding one-half (1/2) inch in height.
7. They shall be located no greater than two (2) miles or two (2) intersections, whichever is greater, from the project or property to which they refer, as measured along existing streets.
8. No other type of premise signage shall be permitted as subdivision directional signage.
9. They shall be limited to two (2) per intersection with no more than one (1) per corner.
10. The person/persons requesting the sign will be responsible for paying all costs associated with the construction, installation and maintenance of the sign.
11. Upon completion of the term, the City of Belton may remove the sign and allow relocation to another permitted site, or convert the sign in place to public use to provide directional wayfinding to public uses and activity centers.

38.23 SIGN CONSTRUCTION AND MAINTENANCE:

All signs shall be designed, constructed, and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the International Building Code (IBC) at all times.
- B. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Code, all signs shall be constructed of durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- C. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code, at all times.
- D. All signs shall maintain a minimum clearance from electric power lines of ten (10) feet horizontally and fifteen (15) feet vertically, or as may otherwise be required by the utility provider. Any relocation of power lines to provide this clearance will be at the expense of the sign owner or as otherwise required by the electrical utility.
- E. Any spotlights allowed to illuminate signs or sign illumination shall be shielded such that their light source cannot be seen from abutting roads or properties.

38.24 BILLBOARDS AND OTHER OFF PREMISE SIGNS:

A. General Regulations

An off-premise sign permitted and erected after April 9, 2002 shall comply with the following standards unless an alternate standard applies because the sign is erected under incentive or relocation provisions.

B. Off-Premise Advertisement Permit

1. An Off-Premise Advertisement Permit is required. It shall be unlawful for any person to erect, relocate or structurally alter, within the City of Belton, any off-premise advertising structure as defined in this ordinance, Section 38.4 Special Definitions, without first obtaining a permit from the City, and making payment of the fee as defined in the most current fee schedule. A permit for off-premise sign construction is valid for a period of six (6) months from the date of issuance. No permit is required for repair, repainting or maintenance which does not entail structural change or for change of copy or message. Failure to obtain a required sign permit subjects the property owner/lessee to prosecution under this ordinance.
2. Application for an off-premise advertisement permit shall be made upon a form provided by the City and shall contain and have attached the following information:
 - a. Name, address and telephone number of the applicant, and name and firm of person erecting sign;
 - b. If applicant is not the owner of real property where sign is proposed to be erected, written consent of the property owner;
 - c. Location of building, structure, address or legal lot and block to which or upon which the sign or other advertising structure is to be attached or erected;
 - d. A site plan indicating position of the proposed sign and other existing advertising structures in relation to nearby buildings or structures, north arrow, and scale of drawing, property lines, curb lines, adjacent streets, alleys, curb cuts, setback clearance zone;
 - e. Copy of stress diagrams or plans, when needed, containing information necessary for the Building Official to determine the safety and structural integrity of the proposed sign;
 - f. Indicate whether the sign will require electricity, and if so, obtain an electrical permit as required;
 - g. Bond as required by paragraph B6 of this ordinance;
 - h. Copy of permit approved by Texas Department of Transportation, if state law requires a state permit; and

- i. Such other information as the Building Official shall require to show full compliance with this and all other standards of the City of Belton.
3. Upon the filing of an application for a permit, the Building Official shall:
 - a. Examine the plans and specifications and the premises upon which the proposed structure shall be erected as needed; and
 - b. Issue a permit if the proposed structure complies with the requirements of this ordinance and all other standards of the City of Belton. If the work authorized under an off-premise advertisement permit is not completed within six (6) months after the date of issuance, the permit shall become null and void.
4. Every applicant, prior to issuance of a permit pursuant to paragraph B1, shall pay the City a nonrefundable fee in an amount determined by current sign permit rates, and on file in the City Clerk's office.
5. Within thirty (30) days after denial of a sign permit by the Building Official, a request for a variance may be filed with the Building Official to appear before the Zoning Board of Adjustment. The Board of Adjustment may grant a variance if it finds that the unusual shape or topography of the property in question or some other significant location factor prevents signage allowable under the provisions of this ordinance from adequately identifying the business or other activity located on such property.
6. Subject to the need determined by the Building Official, based on the construction materials for the sign type proposed, an applicant for a sign permit shall, before the permit is granted, present to the Building Official a bond in the minimum amount established by current rates. The bond is conditioned for the faithful observance of all laws and ordinances relating to signs and other advertising structures, and shall indemnify and save harmless the City of Belton from any and all damages, judgments, costs or expenses which the City may incur or suffer by reason of granting the permit.

C. Size of Off-Premise Signs

1. Maximum sign area shall be six hundred seventy-two (672) square feet, excluding cutouts, with maximum dimensions of fourteen feet (14') in height and forty-eight feet (48') in width. Cutouts may not exceed twenty percent (20%) of the sign's effective area. Typical minimum sign area shall be three hundred eighty-six (386) square feet, excluding cutouts, with maximum dimensions of approximately ten feet (10') and six inches (6") by thirty-six feet (36').
2. No sign may have more than one (1) side facing a particular direction of travel on the main traveled right of way. Signs may not be stacked or placed side by side.
3. A sign may not be created that exceeds an overall height of forty-two and one-half feet (42½') from the highest point of the sign to the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

D. Spacing and Location

1. Off premise signs are allowed only in the following zoning districts:
 - a. Commercial 1 (C1)
 - b. Commercial 2 (C2)
 - c. Commercial Highway (CH)
 - d. Light Industrial (LI)
 - e. Heavy Industrial (HI)
2. Off-premise signs are allowed only in the following areas:
 - a. Adjacent and oriented to Interstate 35
 - b. Adjacent and oriented to US Highway 190
3. An off-premise sign may not be erected within one thousand five hundred feet (1,500') of another off-premise sign on the same side of the roadway and the outer or leading edge of the sign may be located no closer than twenty-five feet (25') to the right of way.
4. For spacing purposes, all measurements shall be made along the nearest edge of the highway or street right of way.
5. Residential zoning districts:
 - a. No off-premise sign shall be permitted if property zoned Residential is located between the sign location and the roadway toward which the sign would be oriented.
 - b. No off premise sign may be erected within two hundred feet (200') of any property zoned Single Family 1, Single Family 2, Single Family 3, Single Family Estate, Patio Home, Multi Family 1, Multi Family 2, Two Family, Mobile Home, or Historic Preservation Overlay District.
6. Signs may not be located in such a manner as to cause a vehicle operator to be distracted or confused or to obscure or interfere with official road signs, or hamper an operator's view of merging or intersecting traffic at road intersections or at road and railroad intersections.
7. No part or foundation or support of any off-premise sign may be placed on, in, or over any private property without the written consent of the property owner.

8. No part or foundation or support of any off-premise sign may be placed on, in, or over any public property or street rights of way, or upon telephone or utility poles, or natural features such as trees and rocks. Encroachment into a public utility or drainage easement may be allowed with a street use license.
9. Notwithstanding any other provision or other applicable law or regulation, no person shall remove, cut, or otherwise alter any vegetative screening on public property or private landscaping required by code as a condition of permit approval in order to improve the visibility of a nearby off-premise sign. Should such an alteration occur, any off-premise sign so benefited shall be deemed nonconforming and shall be required to become the next nonconforming off-premise sign relocated.
10. No off-premise sign may be erected or maintained upon the roof of any building structure.
11. No off-premise sign may be constructed where it obscures or shades the windows or doorways of adjacent buildings.
12. No off-premise sign may be permitted which, because of its size, shape, or location, may impair any scenic vista from the highway or a building adjacent to the highway or to the off-premise sign.
13. An off-premise sign must have a single steel post and be constructed and shall be erected in conformance with current building codes.
14. An off-premise sign erected within the boundaries of the City's Extra Territorial Jurisdiction (ETJ) after April 9, 2002, shall conform to the standards of this ordinance, as allowed by state law.

E. Inventory and Maintenance

1. The owner or operator of one or more off-premise signs within the City of Belton, shall inventory the signs on forms provided by the City and file the completed forms with the City within 180 days from April 9, 2002. No incentive credit or permit for alteration or relocation may be issued for an off-premise sign that was not timely inventoried and reported to the City within this time frame.
2. An off-premise advertising structure must be adequately maintained so as to show no evidence of deterioration, including but not limited to, rotting supports, peeling advertising displays, excessive rust, fading, discoloration or holes.
3. Whenever the Building Official finds that any off-premise sign on the authorized list is not maintained in good repair and has not deteriorated more than fifty percent (50%) of its replacement value, the he will notify and order the owner to repair the sign within thirty (30) calendar days. If it is concluded that an off-premise sign has deteriorated more than fifty percent (50%) of its replacement value, or is not repaired within thirty (30) calendar days, the Building Official shall notify the owner of the off-premise sign and the owner of the real property on which the off-premise sign is located to remove

the off-premise sign or poster panel from the property within a specified time. All off-premise signs ordered to be removed shall be stricken from the authorized list when the time limit is set and the removal notice ends without incentive credit.

F. Alteration

An off-premise sign may not be altered with regard to size, shape, orientation, height, location, or illumination without the prior issuance of an alteration or relocation permit. Ordinary and necessary repairs that do not change the size, shape, orientation, height, location, or illumination of an inventoried off-premise sign do not require an alteration permit. An alteration permit expires if the approved modifications are not completed within ninety (90) days of permit issuance.

G. Demolition

A demolition permit is required prior to removal of an existing off-premise sign. Demolition must be completed within ninety (90) days from permit issuance. The permit must state the number of faces to be demolished.

H. Off-Premise Sign Cap

The number of off-premise signs in the City is limited to the number of such signs legally in existence on April 9, 2002.

I. Incentives

1. To encourage removal of off-premise signs that do not comply with current sign standards, the owner of a sign that was lawfully erected in compliance with all standards then in effect, or lawfully in place at the time it was annexed into the City, may be awarded credit for removing such sign.
2. One credit will be awarded for each face that is removed from a lawfully existing off-premise sign. In order to receive a permit for the erection of an off-premise sign, one credit must be used for each new face.
3. The City shall issue a permit to any person holding sufficient credits, for erection of an off-premise sign in a location approved by the City, in its sole discretion. The permit must state the number of faces to be erected.
4. Credits are transferable to successive business owners.
5. Credit is received when a permittee removes a sign voluntarily, even if the reason is loss of the lease. No credit shall be awarded for the removal of an off-premise sign that was in violation of Federal, State, or City laws when erected, or which did not secure a proper building permit and complete the building permit process to include issuance and final inspection.

6. To be awarded a credit under the incentive program, a sign owner or operator must notify the City within sixty (60) days of the removal of an off-premise sign and receive a letter issued by the City awarding a credit. Failure to apply for a credit within sixty (60) days from removal of a sign bars the awarding of credit for that sign. Any unused credits will be held in reserve indefinitely, in order to give incentive for immediate removal of current faces.
7. The Building Official will provide to the Planning and Zoning Commission, on an annual basis, an accounting of sign credits. The Commission's annual accounting shall be final if not appealed in writing to the Commission within thirty (30) days from the date that the accounting is presented to the Commission. In making a final determination, the Commission will consider evidence presented by the appellant, Building Official, and any other interested person.

J. Relocation

When a sign located in the City of Belton within the proposed right of way of a state highway is to be relocated to accommodate a regulated highway project and the Texas Department of Transportation issues a permit for relocation of the sign, the City will also issue a permit for a sign that meets all current City standards, except that the relocated sign:

- a. must have a permit, but will not require payment of a permit fee;
- b. may be erected no less than five feet (5') from any highway right of way line;
- c. may be constructed with the same number of poles and same type of materials as the existing sign; and
- d. may be erected without enlarging the sign face.

K. Other Provisions

1. When a sign, or a substantial part of a sign, is damaged by natural causes, or otherwise destroyed, or taken down, or removed for any purpose other than maintenance operation, it may not be re erected, reconstructed, or rebuilt except in full compliance and conformance with this ordinance. For purposes of this section, substantial shall mean if the cost of repair exceeds sixty percent (60%) of the cost of a new sign of the same construction and size.
2. All off premise advertising signs shall be permanently identified with the name of the sign owner or agency in control of the sign. Said identification shall be easily read from the roadway on which the sign is intended to be read.
3. No sign or other advertising structure shall:
 - a. Obstruct free and clear vision at any street intersection;

- b. Interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device because of its position, shape or color;
 - c. Make use of the words "STOP", "LOOK", "DANGER", or any other word, phrase, symbol or character in a manner that interferes with, misleads or confuses traffic; or
 - d. Present a traffic hazard by using illumination resembling an emergency signal.
4. Any sign allowed under this ordinance may contain, in lieu of any other copy, any lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other requirements of this ordinance.
 5. A sign owner may request a variance from the Board of Adjustment from the provisions of this chapter relating to sign spacing, area, height, and setback in accordance with hardship findings of the Zoning Ordinance.
 6. Wind loads and structural requirements shall conform with the Building Code as adopted by the City of Belton.
 7. No sign or other advertising structure shall constitute a hazard to safety or health by reason of inadequate design, construction, repair or maintenance, and if so, may be declared a public nuisance and be forwarded to the Housing Board for action.
 8. No sign or other advertising structure shall display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
 9. A permanent advertising sign not in conformance with these regulations, which was lawfully permitted and erected prior to the enactment of said regulations, shall be considered a non-conforming sign. A sign which has been deemed non conforming shall be exempted from the provisions of this ordinance, unless damaged by natural causes or otherwise destroyed or taken down, or removed for any purpose other than maintenance operation which is allowed. It may not be re-erected, reconstructed, or rebuilt, except in full compliance and conformance with this ordinance. Any non conforming sign which is damaged or is deteriorated to a point where its restoration cost exceeds sixty percent (60%) of its replacement value shall be removed, unless otherwise authorized to remain.
 10. An unlawful sign is not a non conforming sign and must be removed within thirty (30) days. Any sign erected or maintained which is not in conformance with this chapter or prior ordinances of the City, is hereby declared to be a public nuisance and shall be removed or brought into compliance within the thirty (30) day period indicated. If the Building Official finds that any sign or other advertising structure installed since the

adoption of this ordinance is prohibited by the provisions of this ordinance, the Building Official shall give written notice to the permittee or the owner of the property upon which the structure is located. If the permittee or owner fails to remove or alter the structure so as to comply with the standards set forth in this ordinance within thirty (30) days after such notice, the Building Official may undertake such removal or alteration as is necessary to bring the structure into compliance and assess the costs to the permittee or owner. The Building Official may cause any sign or other advertising structure which presents an immediate peril to persons or property to be removed or altered immediately and without notice, and without compensation to the sign owner.

End of Section 38

DOWNTOWN HISTORIC DISTRICT SIGN DESIGN GUIDELINES

Purpose: The purpose of these guidelines is to provide standards that will stimulate a pedestrian oriented downtown commercial district. This section presents design guidelines for the design of new signs in the Historic Preservation Overlay District. The design guidelines are organized into a series of relevant design topics. Within each category, individual policies and design guidelines are presented, which the City will use in determining the appropriateness of the work proposed.

Traditionally, a variety of signs were seen in the downtown area. Five different types occurred:

- Small, freestanding signs mounted on a pole or post, located near the sidewalk because the primary structure or business was setback from the street (e.g., an area with residential character), printed on both sides
- Medium-sized, square or rectangular shaped signs that projected from the building above the awnings or canopies, printed on both sides
- Small, horizontally-oriented rectangular signs that protruded from the building below the awnings or canopies but above pedestrians' heads, printed on both sides
- Medium- to large-sized, horizontally-oriented rectangular signs attached flat against the building, above and/or below the awnings, printed on one side only
- Window signs, painted on glass, used at the street level and on upper floors

Signs that were mounted on the exterior advertised the primary business of a building. Typically, this use occupied a street level space and sometimes upper floors as well. In the case of a large structure that included several businesses on upper floors, the name of the building itself was displayed on an exterior sign. Tenants relied on a directory at the street level.

In addition, signs were mounted to fit within architectural features. In many cases, they were mounted flush above the storefront, just above moldings. Others were located between columns or centered in "panels" on a building face. This method also enabled one to perceive the design character of individual structures.

Each business in the Historic Preservation Overlay District is permitted to have up to four types of signs in use at any given time: primary, secondary, portable and temporary.

- A primary sign represents the owner's largest sign expense and is likely the most important of the four sign types. Only one primary sign will be allowed per business per building.
- Secondary signs are utilized in addition to the primary building sign. Typically, a secondary sign is an awning, hanging or window sign. The secondary sign is generally intended to capture the attention of the pedestrian walking on the sidewalk, while the primary sign's audience is specifically the viewer driving past in a vehicle.
- Portable signs are intended for the pedestrian walking on the sidewalk. Portable signs include sandwich boards, signs mounted on easels or freestanding frames with sign inserts.
- Temporary signs are used for a special purpose, such as limited-time offer or a sale, and will be approved by permit only for up to thirty days.

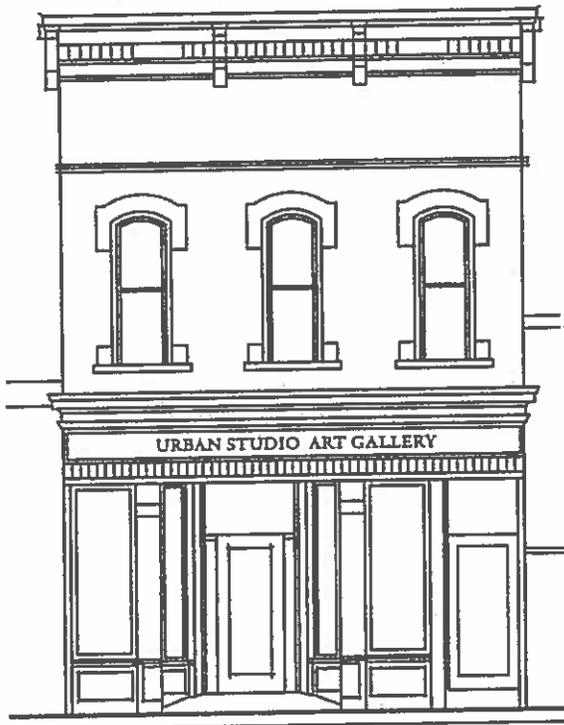
The applicable sign standards shall be those contained within these design guidelines. In the event that no standard exists, refer to the standards detailed in Section 38 as these shall apply, and perhaps modified, in order to more accurately reflect the express language or the intent of these design guidelines in regards to signs.

A sign typically serves two functions: first, to attract attention, and second to convey information,

essentially identifying the business or services offered within. If it is well designed, the building front alone can serve the attention-getting function, allowing the sign to be focused on conveying information in a well-conceived manner. All new signs should be developed with the overall context of the building and of the area in mind.

The Belton Historic District Design Guidelines provide the necessary standards to accomplish appropriate and acceptable building facade renovations and restorations.

A. Consider the building front as part of an overall sign program.



- Coordinate a sign within the overall façade composition.
- A sign should be in proportion to the building, such that it does not dominate the appearance.
- Develop a master sign plan for the entire building; this should be used to guide individual sign design decisions.

This is especially important in areas where the use of contemporary building forms and styles and several colorful, attention-getting signs are the norm. Such a typical “strip-commercial” development pattern is inappropriate and will not be permitted in the Historic Preservation Overlay District.

B. A sign shall be subordinate to the overall building composition.

- A sign should appear to be in scale with the façade.
- Locate a sign on a building such that it will emphasize design elements of the façade itself.
- Mount a sign to fit within existing architectural features. Use the shape of the sign to help reinforce the horizontal lines of moldings and transoms seen along the street.

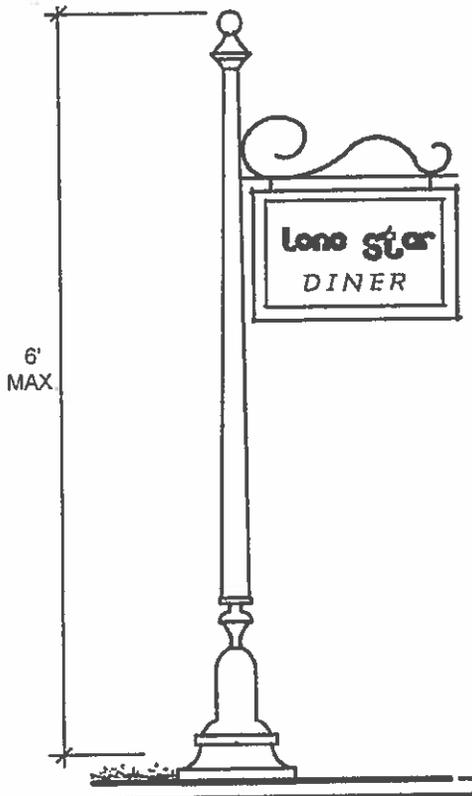
Design a sign to be in balance with the overall character of the property.

The overall façade composition, including ornamental details and signs, should be coordinated. The use of “strip-commercial” building styles and several colorful, attention-getting signs are inappropriate and will not be permitted in the Historic Preservation Overlay District.

The placement or location of a sign is perhaps the most critical factor in maintaining the order and integrity of the Historic Preservation Overlay District. Consistent placement of signs according to building type, size, location and even building materials create a visual pattern that the pedestrian can easily interpret and utilize to the mutual benefit of merchants, tourists and customers.

C. Freestanding or pole mounted signs may be considered.

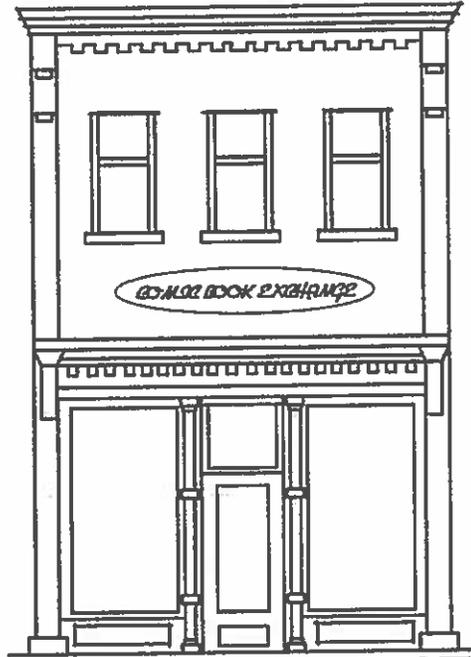
- A freestanding sign may be used in the front yard of a residence with a commercial use.
- A freestanding sign may also be used in areas where the primary use is setback from the street edge.



D. A flush-mounted wall sign may be considered.

- In many cases, turn-of-the-century building types common in Belton have a sign frieze. This is the ideal location for the primary building sign. The sign frieze is typically located above the transom and below the second-floor windows.
- When utilizing the sign frieze as the sign placement location, it is important to respect the frieze borders. In other words, the sign should not overlap or crowd the top, bottom or ends of the frieze.
- When feasible, place a wall sign such that it aligns with others on the block.
- Locate a flush-mounted sign such that it fits within a panel formed by moldings or transom panels.

E. A flush-mounted wall sign shall not exceed one (1) square foot for every one (1) foot of linear façade width.



- For instance, a building with twenty (20) feet of street frontage would be eligible for a sign of twenty (20) square feet.
- It is important to note that a sign does not have to be as large as this equation allows. In many cases, the first consideration should be given to the dimension of the sign frieze, as determined by architectural frieze calculations.
- Applications shall clearly illustrate, with a scaled drawing of the front building façade, the size of the proposed sign and how it is appropriate for the building.

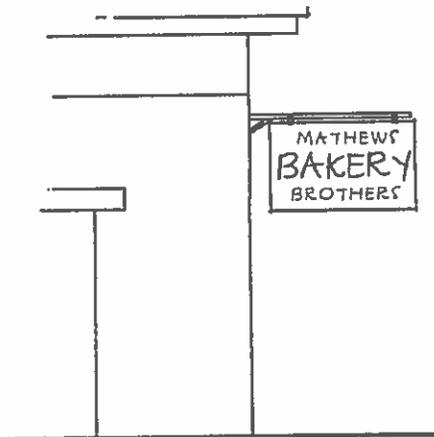
F. A window sign may be considered.



CITY OF BELTON

- A window sign may be considered in addition to the primary building sign.
- A window sign should cover no more than approximately thirty percent (30 percent) of the total window area on which it is located..
- It may be painted on the glass or hung just inside a window.
- While internal window displays are not reviewed by the City of Belton, their use is very important to retailers. The attractiveness of a display is likely the highest contributing factor to whether or not a pedestrian will enter a store, and its design should be carefully planned.
- Please note that the City of Belton will take cognizance and assume oversight of signs within a store that is obviously intended to be viewed through a window, and all standards will apply.

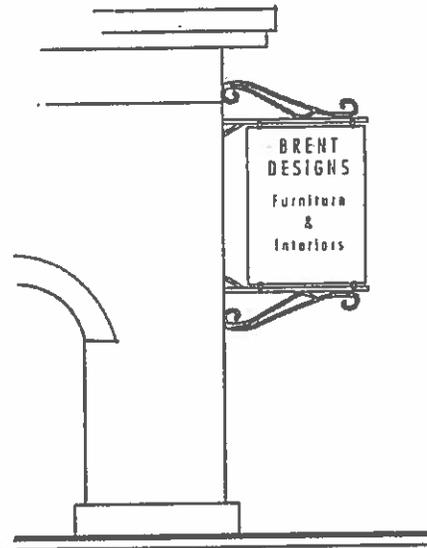
G. A hanging sign may be considered.



- A small hanging sign is easier for a pedestrian to read than other sign types and is encouraged.
- A small hanging sign should be located near the business entrance, just above the door or to the side of it.
- A hanging sign installed under a canopy should be a maximum of 50 percent of the canopy's width.
- A hanging sign should be mounted perpendicular to the building façade.

- A hanging sign should provide a minimum of eight (8) feet of clearance between the sidewalk surface the bottom of the sign. However, a hanging sign mounted under a canopy may provide a minimum clearance of seven (7) feet.
- A hanging sign shall be no more than eight (8) square feet in size.

H. A projecting sign may be considered.

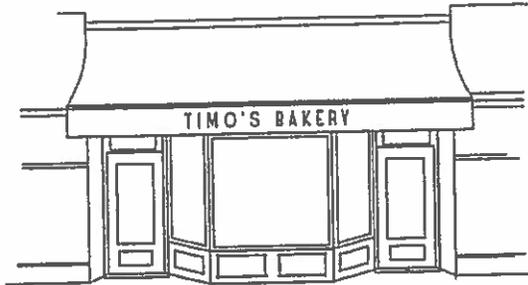


- A larger projecting sign should be mounted higher, and centered on the façade or positioned at the corner of a building.
- A projecting sign shall provide a minimum clearance of eight (8) feet between the sidewalk surface and the bottom of the sign.
- A projecting sign shall be no more than fifteen (15) square feet in size with a maximum sign height of five (5) feet.
- Additionally, a projecting sign shall in no case project beyond one half (1/2) of the sidewalk width.

I. Awning and canopy signs may be considered.

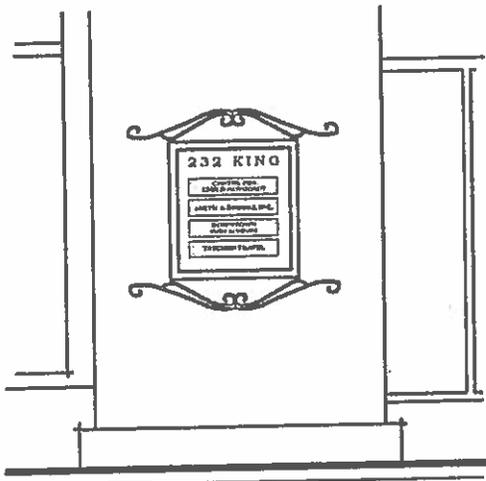
- An awning or canopy sign shall not exceed one (1) square foot for every one (1) foot of façade width. In no case should an awning or canopy

sign exceed the size of the awning or canopy surface to which it is applied.



- The size of an awning or canopy sign shall be calculated by its actual area and shall be included in the calculation for total allowable building signage.
- Consider mounting a sign centered on top of a building canopy where a flush-mounted sign would obscure architectural details.

J. A directory sign may be considered.



- Where several businesses share a building, coordinate the signs. Align several smaller signs, or group them into a single panel as a directory.
- Use similar forms or backgrounds for the signs to tie them together visually and make them easier to read.
- The manner in which a directory sign is mounted to a building, either flush to or projecting from a wall, will determine the maximum allowable sign area.

- For the maximum area of a flush-mounted sign see design guideline E.

- For the maximum area of a projecting sign see design guideline G.

K. A portable sign may be considered.

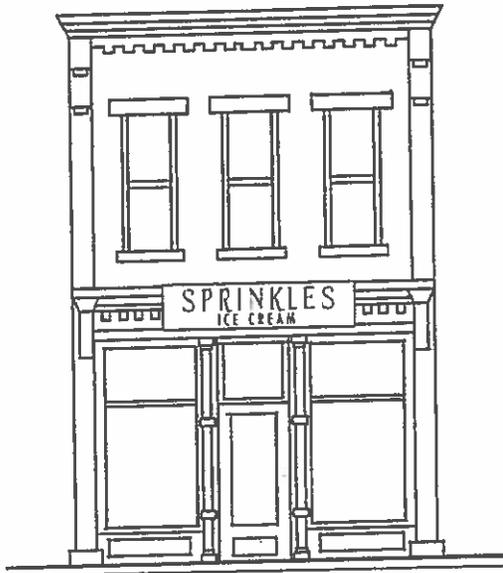


- Portable signs, limited only to on site advertisement, include A-frame, sandwich boards, signs mounted on easels or freestanding frames with sign inserts.
 - An A-frame or sandwich board sign should be limited to twelve (12) square feet of surface per side and should in no case exceed four (4) feet in height and three (3) feet in width.
 - A sign mounted on an easel or a free-standing frame with a sign insert should be limited to six (6) square feet of surface per side and should in no case exceed five (5) feet in height and three (3) feet in width.
 - A portable sign should not interfere with pedestrian traffic.
 - Portable signs shall be secured to the sidewalk in a manner that will insure it will not be blown by wind, but which will not cause or create a trip hazard when not in place.
 - Portable signs are allowed only during normal business hours of business operation and will be removed at closing.
- L. A temporary sign may be considered.**
- A temporary sign should be limited to a maximum of twenty-four (24) square feet in area with a maximum height of three (3) feet.

CITY OF BELTON

- A temporary sign, when installed, should not obscure windows or other architectural details of a building.
- In no case will a temporary sign be allowed to substitute as a permanent sign.
- Temporary signs will approved for up to thirty (30) days.

M. A sign should not in any way obscure or compete with architectural details of an historic building façade.



- This is especially important for a building with historic significance.
 - A sign should be designed to integrate with the architectural features of the building which it is to be installed and not distract attention from them.
- N. Signs that are out of character with those seen historically and that would alter the historic character of the street are inappropriate.**
- Animated signs are prohibited.
 - Any sign that visually overpowers the building or obscures significant architectural features is inappropriate.

O. Sign materials should be compatible with that of the building façade.

- Painted wood and metal are appropriate materials for signs. Their use is encouraged. Unfinished materials, including unpainted wood, are discouraged because they are out of character with the context.
- Plastic is not permitted, except for flush, adhesive lettering.
- Highly reflective materials that will be difficult to read are inappropriate.
- Painted signs on blank walls were common historically and may be considered.

P. Using a symbol for a sign is encouraged.



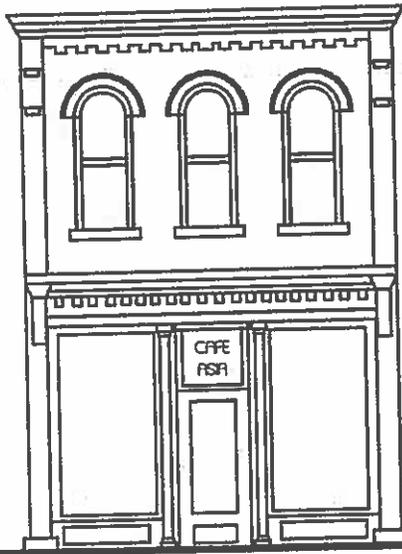
- A symbol sign adds interest to the street, can be read quickly and is remembered better than written words.

Q. Use colors for the sign that are compatible with those of the building front.

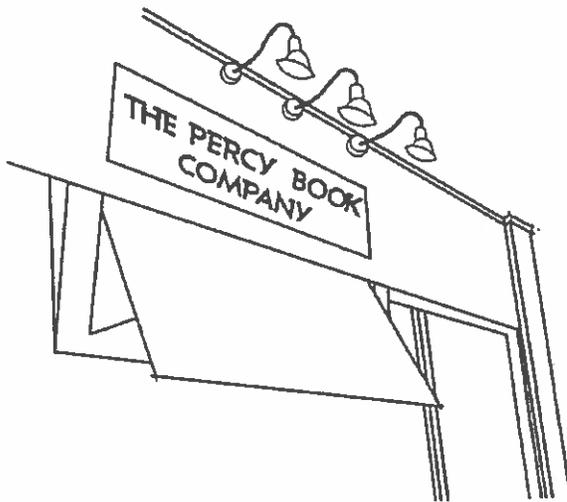
- Also limit the number of colors used on a sign. In general, no more than three colors should be used.

R. A simple sign design is preferred.

- Typefaces that are in keeping with those seen in the area traditionally are encouraged. Select letter styles and sizes that will be compatible with the building front.
- Generally, these are typefaces with serif typefaces.
- Avoid hard-to-read or overly intricate typeface styles.



S. The light for a sign should be from an indirect source.



- Light should be directed at the sign from an external, shielded lamp.
- A warm light, similar to daylight, is appropriate.
- Light should not shine directly in the eyes of pedestrians.

T. If internal illumination is used, it should be designed to be subordinate to the overall building composition.

- Internal illumination of an entire sign panel is discouraged. If internal illumination is used, a system that backlights sign text only is preferred.
- Neon and other tubular illumination may be considered. However, use neon in limited amounts so it does not become visually obtrusive.
- Internal illumination of an awning is inappropriate.

U. Sign brackets and hardware should be compatible with the building and installed with craftsmanship

V. Maintenance of signs.

- Re-secure sign mounts to the building front.
- Repaint faded graphics.
- Repair worn wiring.
- Replace burned out bulbs.
- Remove non-historic, obsolete signs.
- Preserve historic painted signs in place as decorative features.

CITY OF BELTON

SPECIAL DEFINITIONS:

Awning Sign. Any sign painted or applied to the face, valance, side or top panel of an awning, or any sign made by removing material from an awning.

Banner. A piece of fabric or similar material that is attached to a pole, enclosed in a frame, or mounted as a temporary sign device.

Bracket. A supporting member for a projecting element or shelf, sometimes in the shape of an inverted L and sometimes as a solid piece or a triangular truss.

Column. A slender upright structure, generally consisting of a cylindrical shaft, a base and a capital; pillar: It is usually a supporting or ornamental member in a building.

Cornice. The continuous projection at the top of a wall. The top course or molding of a wall when it serves as a crowning member.

Doorframe. The part of a door opening to which a door is hinged. A doorframe consists of two vertical members called jambs and a horizontal top member called a lintel.

Double-Hung Window. A window with two sashes (the framework in which window panes are set), each moveable by a means of cords and weights.

Façade. Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five (45) degrees of one another, they are to be considered as part of a single façade.

Fascia. A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or "eaves," sides of a pitched roof. The rain gutter is often mounted on it.

Fenestration. The arrangement of windows and other exterior openings on a building.

Flush-mounted Sign. Any flat sign mounted or applied to a building façade.

Form. The overall shape of a structure (i.e., most structures are rectangular in form).

Hanging Sign. Any sign suspended from an awning, canopy, bracket or brace.

Molding. A decorative band or strip of material with a constant profile or section designed to cast interesting shadows. It is generally used in cornices and as trim around window and door openings.

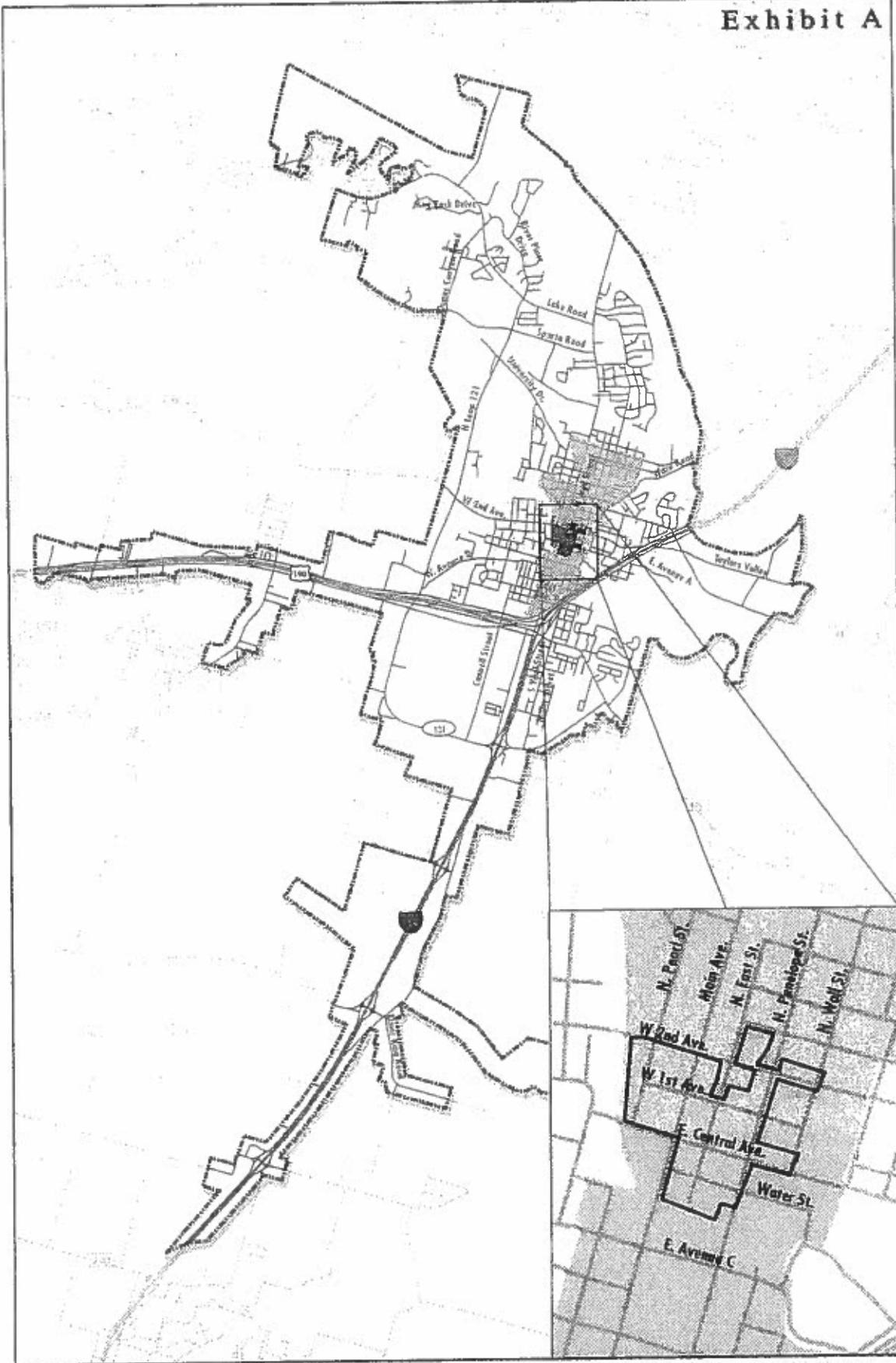
Muntin. A bar member supporting and separating panes of glass in a window or door.

Sandwich Board. Any sign designed for placement on the sidewalk, of A-frame construction, generally two-sided.

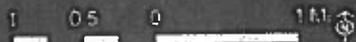
Serif. In typography, serifs are non-structural details on the ends of some structures that make up letters and symbols.

Transom Window. A small window or series of panes above a door, or above a casement or double hung window.

Exhibit A



BELTON Texas



Sign Design Guidelines

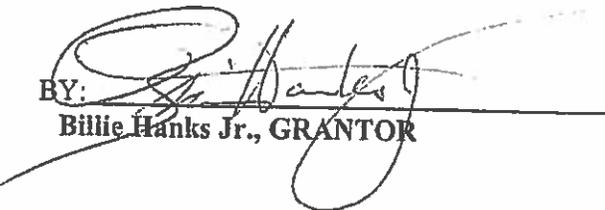
HNTB

**VILLAGE OF SALADO
ACCESS EASEMENT TO THE SALADO WASTEWATER TREATMENT
PLANT SITE WITHIN THE PROPERTY OF
BILLIE HANKS, JR.**

THE STATE OF TEXAS §
 §
COUNTY OF BELL §

Billie Hanks Jr., GRANTOR herein, in connection with the construction of a wastewater treatment plant and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid by the VILLAGE OF SALADO, general law municipality of the County of Bell, State of Texas, GRANTEE herein, the receipt and sufficiency of which is hereby acknowledged and confessed, does hereby grant, sell and convey unto the said GRANTEE a twenty feet wide access easement to be used during the construction, operation and maintenance of the Wastewater Treatment Plant located in Bell County, Texas within the 6.0 acre tract owned by the Village of Salado as shown on Exhibit A, which is attached hereto and made a part hereof. This access easement shall be located where depicted on Exhibit A, except that GRANTOR shall have the right to relocate this access easement so long as the new route is unobstructed and does not unreasonably lengthen the route to access the Wastewater Treatment Plant. This access easement shall remain valid during construction, operation and maintenance of the Wastewater Treatment Plant and until such time as another easement to allow continuing access for operation and maintenance of the previously described Wastewater Treatment Plant shall be granted to GRANTEE by GRANTOR.

IN WITNESS WHEREOF, this access dedication instrument is executed
this 12 day of ~~December, 2016.~~
January, 2017

BY: 
Billie Hanks Jr., GRANTOR

ACKNOWLEDGEMENT

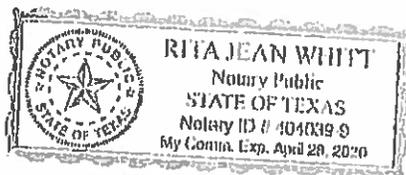
THE STATE OF TEXAS, COUNTY

OF ~~BELL~~ *Tom Green*

BEFORE ME, the undersigned authority in and for Bell County, Texas, on this day personally appeared Billie Hanks Jr. known to me or proved to me through _____ (description of identity card or other document) to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12 day of ~~December, 2016~~ *January, 2017*.

NOTARY SEAL



Rita Jean Whitt
Notary Public, State of Texas

Rita Jean Whitt
Notary's Name (Printed)

April 28, 2020
Notary's Commission Expires

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest and real property conveyed by this dedication instrument the _____ day of _____, 2016, from Billie Hanks Jr. to the VILLAGE OF SALADO, has been duly accepted subject to all terms and conditions contained therein, and the Board of Aldermen has consented to recordation of such dedication instrument by its duly authorized officer.

Dated

Skip Blancett, Mayor
VILLAGE OF SALADO

ATTEST:

Village Secretary

AFTER EXECUTION BY GRANTOR,
PLEASE RETURN ORIGINAL TO:

VILLAGE OF SALADO
c/o Village Engineer
301 North Stagecoach Road
Salado, TX 76571
Phone: 254-947-5060
Fax: 254-947-5061

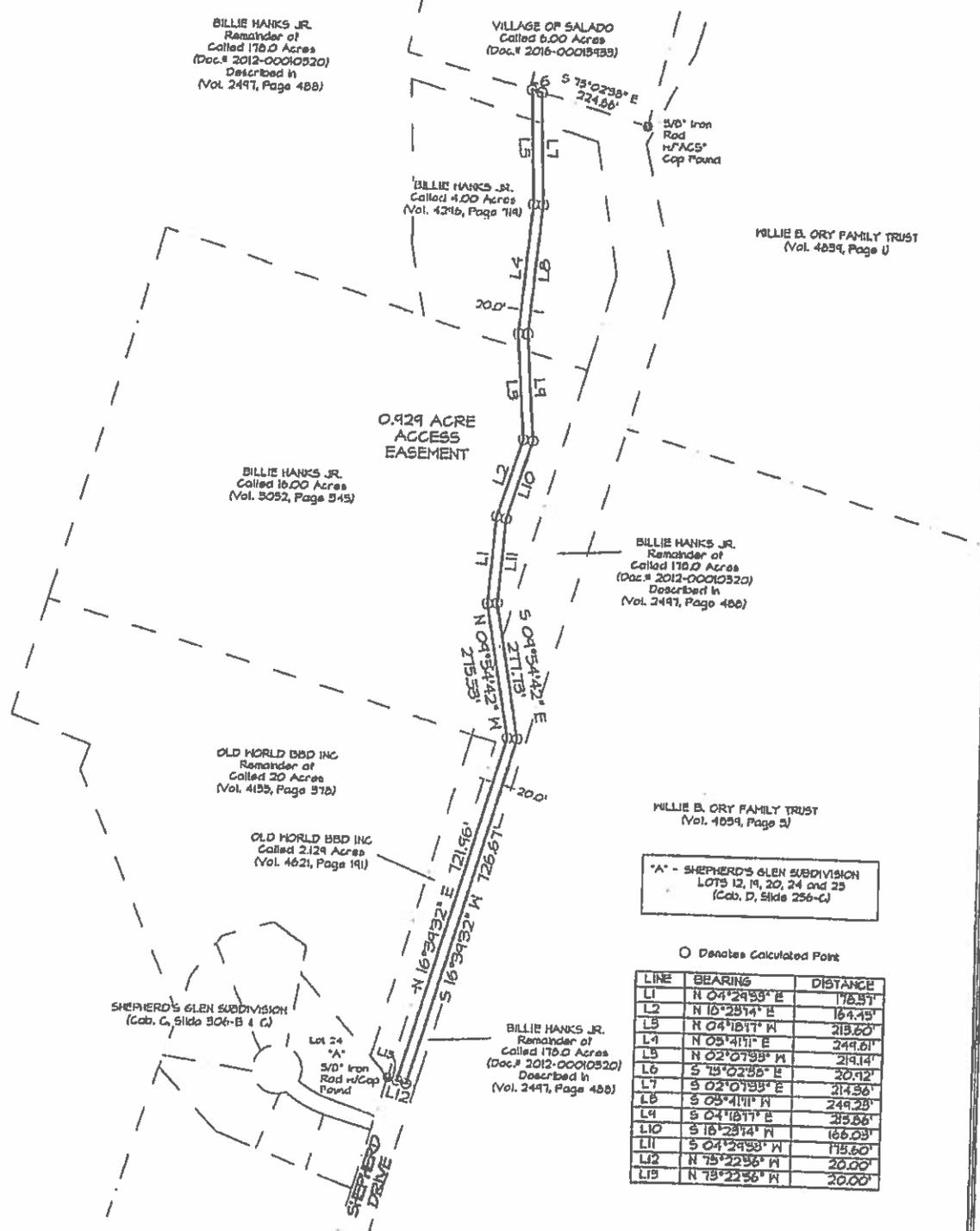
AFTER RECORDING, PLEASE RETURN
ORIGINAL TO:

VILLAGE OF SALADO
c/o Village Secretary
301 North Stagecoach Road
Salado, TX 76571
Phone: 254-947-5060

Exhibit A

ACCESS EASEMENT
Billie Hanks, Jr.

Survey showing 0.929 ACRE, situated in the
J. P. WALLACE SURVEY, ABSTRACT NO. 901,
Boll County, Texas



A - SHEPHERD'S GLEN SUBDIVISION
LOTS 12, 14, 20, 24 and 25
(Cab. D, Slide 256-C)

○ Denotes Calculated Point

LINE	BEARING	DISTANCE
L1	N 04°29'53" E	178.57'
L2	N 16°28'14" E	164.43'
L3	N 04°18'17" W	219.60'
L4	N 03°41'11" E	249.61'
L5	N 02°07'58" W	219.14'
L6	S 75°02'38" E	20.12'
L7	S 02°10'58" E	214.96'
L8	S 03°41'11" W	249.28'
L9	S 04°18'17" E	335.86'
L10	S 16°28'14" W	166.03'
L11	S 04°29'53" W	175.60'
L12	N 75°22'56" W	20.00'
L13	N 78°22'56" W	20.00'

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

ACS
ALL COUNTY SURVEYING, INC.
1509 South 21st Street
Temple, Texas 76704
254-770-2212 Cell: 254-634-4656
Fax: 254-774-7808
Tx. Firm Lic. No. 10023600

STATE OF TEXAS
REGISTERED
LAND SURVEYOR
CHARLES C. LUCKO
4836

Survey completed: 09-09-2016
Scale: 1" = 200'
Job No.: 150667.4B
Dwg No.: 150667 Plant Access
Drawn by: MDH
Surveyor: CCL #4836
Copyright 2016 All County Surveying, Inc.

Plot Date: 09-15-2016

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

September 19, 2016

Surveyor's Field Notes:

0.929 ACRE, situated in the **J. P. WALLACE SURVEY, ABSTRACT No. 901**, Bell County, Texas, being a portion of a called 178 acre tract of land conveyed to Billie Hanks, Jr. in Document No. 2012-00010320, Official Public Records of Real Property, Bell County, Texas and described in Volume 2497, Page 488, Official Public Records of Real Property, Bell County, Texas, being a portion of a called 4.00 acre tract of land conveyed to Billie Hanks, Jr. in Volume 4296, Page 719, Official Public Records of Real Property, Bell County, Texas and a portion of a called 16.00 acre tract of land conveyed to Billie Hanks Jr. in Volume 3052, Page 345, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a calculated point in the north line of Shepherd Drive, of record in Volume 4621, Page 179, Official Public Records of Real Property, Bell County, Texas, for the southwest corner of this tract, from which a 5/8" iron rod with cap found at the northeast corner of Lot 24, Shepherd's Glen Addition, Lots 12, 19, 20, 24 and 25, an addition in Bell County, Texas of Record in Cabinet D, Slide 256-C, Plat Records of Bell County, Texas bears *N. 73° 22' 56" W., 20.00 feet*;

THENCE in a generally northerly direction, over and across said 178 acre tract, said 16 acre tract and said 4.00 acre tract, the following seven (7) courses and distances:

- 1) *N. 16° 39' 32" E., 721.96 feet*, to a calculated point, for a corner of this tract;
- 2) *N. 09° 54' 42" W., 275.53 feet*, to a calculated point, for a corner of this tract;
- 3) *N. 04° 29' 53" E., 178.57 feet*, to a calculated point, for a corner of this tract;
- 4) *N. 18° 23' 14" E., 164.45 feet*, to a calculated point, for a corner of this tract;
- 5) *N. 04° 18' 17" W., 213.60 feet*, to a calculated point, for a corner of this tract;
- 6) *N. 05° 41' 11" E., 249.61 feet*, to a calculated point, for a corner of this tract;
- 7) *N. 02° 07' 33" W., 219.14 feet*, to a calculated point on the south line of a called

6.00 acre tract of land conveyed to the Village of Salado in Document No. 2016.00013933, Official Public Records of Real Property, Bell County, Texas, for the northwest corner of this tract;

THENCE in an easterly direction, with the south line of said 6.00 acre tract, *S. 75° 02' 38" E., 20.92 feet*, to a calculated point, for the northeast corner of this tract, from which a 5/8" iron rod with "ACS" cap found at the southeast corner of said 6.00 acre tract bears *S. 75° 02' 38" E., 224.66 feet*;

THENCE in a generally southerly direction, over and across said 178 acre tract, said 4.00 acre tract and said 16.00 acre tract, the following seven (7) courses and distances:

ACCESS EASEMENT

Billie Hanks, Jr.

2

- 1) S. 02° 07' 33" E., 214.36 feet, to a calculated point, for a corner of this tract;
- 2) S. 05° 41' 11" W., 249.23 feet, to a calculated point, for a corner of this tract;
- 3) S. 04° 18' 17" E., 215.86 feet, to a calculated point, for a corner of this tract;
- 4) S. 18° 23' 14" W., 166.03 feet, to a calculated point, for a corner of this tract;
- 5) S. 04° 29' 53" W., 173.60 feet, to a calculated point, for a corner of this tract;
- 6) S. 09° 54' 42" E., 277.73 feet, to a calculated point, for a corner of this tract;
- 7) S. 16° 39' 32" W., 726.67 feet, to a calculated point on the north line of said Shepherd Drive, for the southeast corner of this tract;

THENCE in a westerly direction, with the north line of said Shepherd Drive N. 73° 22' 56" W., 20.00 feet, to the **POINT OF BEGINNING** and containing 0.929 Acres of Land.

This project is referenced to the Texas State Plane Coordinate System, Central Zone, NAD 83, as per GPS observations utilizing the Western Data System network.

This metes and bounds description to accompany a Surveyors Sketch of the herein described 0.929 Acre tract.

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

Surveyed September 9, 2016

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

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A handwritten signature in black ink, appearing to read "Chuck Lucko", written over the right side of the seal.

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