City of Abilene
City Council Agenda

Shane Price, Mayor Pro-tem
Bruce Kreitler, Council Member
Kyle McAlister, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Weldon Hurt, Council Member
Steve Savage, Council Member
Stanley Smith, City Attorney
Rosa Rios, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on Thursday, January 25, 2018 at 8:30 AM at 555 Walnut Street, 2nd Floor Council Chambers, Abilene, TX, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. INVOCATION

1. Deputy Mayor Pro Tem Steve Savage

3. PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

4. PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

1. **Employee Service Awards:**
   Janis Test 20 Community Services
   Larry Bell 35 Fire
2. **Proclamation**
   National Mentoring Month

5. MINUTES

1. Approval of the minutes from the Regular Meeting held January 11, 2018

6. CONSENT AGENDA

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

1. **Ordinance:** *(First Reading)* **Z-2018-01** A request from Chisholm Exploration, agent eHT, to rezone property from Residential Single Family/Corridor Overlay

(RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR) located at 5649 Buffalo Gap Road; and setting a public hearing for February 8, 2018 ***(Taurus Freeman)***

2. **Ordinance:** *(First Reading)* **Z-2018-02** A request from Compass Bank, agent Jason Link/Stantec, to rezone property from a combination of General Retail/Corridor Overlay and Office/Corridor Overlay (GR/COR and O/COR) to General Retail/Corridor Overlay (GR/COR.) located at 6301 Buffalo Gap Road; and setting a public hearing for February 8, 2018 ***(Taurus Freeman)***
3. **Ordinance:** *(First Reading)* **TC-2018-01** A request from Christopher Eddleman, to abandon a portion of the portion of the west end of Ward Drive between Rivercrest Drive and Elm Creek. Ward Drive being a 50' right-of-way extending approximately 230'+/- west from Rivercrest Drive; and setting a public hearing for February 8, 2018 ***(Taurus Freeman)***
4. **Resolution:** Award Bid #CB-1809 Full-Size Sedans For Police CID ***(Don Green)***
5. **Resolution:** Award of Bid #CB-1818 - Pioneer Dr. Overlay Project ***(Andy Anderson)***
6. **Resolution**: Award of Bid #CB-1819 - N. Willis St. Rehabilitation Project ***(Andy Anderson)***

7. REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

1. **Resolution:** Award of Bid for the O.H. Ivie Pump Station HVAC Improvements Project ***(Rodney Taylor)***
2. **Oral Resolution & Public Hearing:** Prensorus Energy, LLC "Airport Lease" Wells 1-5 ***(Andy Anderson)***
3. **Discussion:** Receive a report, hold a discussion and provide staff direction on whether or not an amendment to the Historic Preservation Ordinance is desired by the City Council ***(Robert Hanna)***

8. EXECUTIVE SESSION

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:

1. 551.071 (Consultation with Attorney)

A) City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court,Taylor County, Texas; filed November 17, 2011

B) Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014

C) Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene. Cause No. D-1-GN-16-001160, filed March 16, 2016

D) Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016

E) E.G., et al. v. Barry Bond, City of Abilene, and Abilene Independent School District, Case 1:16-cv-00068-BL, U.S. District Court, Northern District, Abilene

Division, filed April 28, 2016
F) Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
G) City of Abilene and Development Corporation of Abilene v. Texas Municipal League Governmental Risk Pool, Cause No. 11018-D In the 350th Judicial District Court, Taylor County, Texas, filed January 9, 2017
H) Iris Guerrero, et al. v. Taylor County, Texas, et al., Civil Action No. 1:17-cv-00050-BL, In the U.S. District Court, Northern District of Texas, Abilene Division, filed April 6, 2017

2. 551.072 (Deliberations about Real Property)
A) Winn-Dixie/Kmart Building

3. 551.073 (Deliberations about Gifts and Donations)

4. 551.074 (Personnel Matters)
City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members.

The following Boards and Commissions may be discussed:
Abilene Health Facilities Development Corp.
Abilene Higher Education Facilities Corporation
Abilene-Taylor County Events Venue District
Board of Adjustments
Board of Building Standards
Civic Abilene, Inc.
Civil Service Commission
Development Corporation of Abilene, Inc.
Firemen's Pension Fund Board
Frontier Texas! Board of Directors
Abilene Housing Authority
Landmarks Commission
Library Board
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals
Mental Health-Mental Retardation Board of Trustees
9-1-1 Emergency Communications District Board of Managers
Parks & Recreation Board
Planning and Zoning Commission
Taylor County Appraisal District
West Central Texas Municipal Water District
Tax Increment Reinvestment Zone Board

5. 551.087 (Business Prospect/Economic Development)
A) Hotel Proposals

6. 551.076 (Deliberations about Security Devices)

9. RECONVENE

10. REGULAR AGENDA

1. **Resolution:** Appointing Members to various Boards and Commissions per the City Charter ***(Rosa Rios)***

    - Abilene-Taylor County Venue District
    - Abilene-Taylor County Child Advocacy Center Advisory Board
    - Board of Adjustment
    - Board of Building Standards
    - Citizen's Advisory Board for People with Disabilities
    - Frontier Texas! Board of Directors
    - Keep Abilene Beautiful
    - Landmarks Commission
    - Library Board
    - Office of Neighborhood Services Advisory Board

11. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Tiffni Hererra, Assistant City Secretary, at 325-676-6208.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 19th day of January 2018, at _____.

_____
Rosa Rios, TRMC
City Secretary

CITY COUNCIL MEETING
January 11, 2018 at 4:30 p.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

The City Council of the City of Abilene, Texas met in Regular Session on January 11, 2018, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Steve Savage, and Councilmembers Bruce Kreitler, Weldon Hurt, Kyle McAlister, and Donna Albus. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Rosa Rios, and various members of the City staff.

EXECUTIVE SESSION

Mayor Williams called the meeting to order and recessed into Executive Session at 4:30 p.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during the closed session:

1. 551.074 (Personnel Matters)
    a. Any action, if needed, on annual evaluation of the city manager, city attorney, city secretary, and municipal judge (Agenda Item 10.2)
2. 551.087 (Deliberations about business prospects and economic development)
    a. Hotel Proposals

The meeting reconvened to Open Session at 5:33 p.m. Mayor Williams reported no votes or action were taken in Executive Session.

Councilmember Bruce Kreitler delivered the invocation.

Avery Hymel, 5th grader at Taylor Elementary, led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Special Presentation: The 2017 Exemplary Five Star Award to the Abilene-Taylor County Public Health District by the Texas Department of State Health Services was presented to Jo Roberts, City Registrar, by Santos Navarrette, Director of Public Health.
- Recognition, later in the meeting: The appointment of Michael Rice as Interim Assistant City Manager, was announced by City Manager Robert Hanna.

MINUTES

5.1 Approval of minutes from the Regular Called Meeting held December 21, 2017

Councilmember Kreitler moved to approve the minutes as presented. Councilmember Savage seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

CONSENT AGENDA

Items pulled for individual consideration were as follows:

- Councilmember Kreitler: Items 6.1 and 6.4;

Deputy Mayor Pro-tem Savage moved to approve the consent agenda, now consisting of items 6.2 and 6.3. Councilmember Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

6.2. Resolution: Award of Bid #CB-1816 - Old Anson Rd. Overlay Project
[ASSIGNED RESOLUTION NO. 02-2018

6.3. Resolution: Approve purchase of Solid Waste refuse containers
[ASSIGNED RESOLUTION NO. 03-2018]

ITEMS PULLED FROM CONSENT FOR INDIVIDUAL CONSIDERATION

6.1 Resolution: Designating Peter K. Norton, M.D. as Medical Director and Health Authority for the Abilene-Taylor County Public Health District and authorizing the City Manager to enter a professional services contract
[ASSIGNED RESOLUTION NO. 01-2018]
Councilmember Kreitler pulled the item.

Staff clarified the (1) non-disclosure language was standard in city contracts and also provided the assurance of non-disclosure of city work product without the city's permission; and (2) Section XIV (NO Indebtedness) of the agreement was standard language.

Mayor Pro-tem Price moved to approve the item as presented. Deputy Mayor Pro-tem Savage seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

6.4 Resolution: Approving amendment to Water Supply Contract between the City of Abilene and the View-Caps Water Supply Corporation
[ASSIGNED RESOLUTION NO. 04-2018]
Councilmember Kreitler pulled the item.

Discussion centered on (1) language in Article I, Section N.3, being required by the USDA, with debt issued by the water supply corporation, and once paid, USDA stepping out of it, which essentially allows the water supply corporation to issue water service to more customers; (2) if the water supply corporation went back into debt, it would likely require a new contract versus amending the existing contract.

Councilmember Kreitler moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

REGULAR AGENDA

7.1 Ordinance & Public Hearing: (Final Reading) An ordinance amendment to extend the school zone on Hartford Street near Corsicana Avenue
(ASSIGNED ORDINANCE NO. 01-2018)

Michael Rice, Interim Assistant City Manager, presented the item. The change relocates the school zone flasher from its current location east of Corsicana, to a point 160 feet west of Corsicana Ave. There are no plans to place flashers on Corsicana. Staff agreed to review traffic flow from the area onto Winters Freeway as travelers may not be aware it is a school zone and likely speed through the area.

Mayor Williams opened the public hearing. The following addressed the city council:

- Kevin Scroggins – spoke in favor of the item
- Ryan Naylor – spoke in favor of the item

With no other speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

7.2 Ordinance & Public Hearing: (Final Reading) Amend Chapter 18, Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-289.1, "Same - During Certain Hours," and Section 18-297 "Stopping, Standing and Parking Prohibited," Declaring a penalty
(ASSIGNED ORDINANCE NO. 02-2018)

Michael Rice, Interim Assistant City Manager, presented the item. With the new site improvements to Bowie Elementary, the existing operation of the one-way street and on street parking will be modified as needed.

Mayor Williams opened the public hearing. With no speakers coming forward, Mayor Williams closed the public hearing.

Mayor Pro-tem Price moved to approve the item as presented. Deputy Mayor Pro-tem Savage seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

7.3 Ordinance: (Final Reading) (Remove From Table) Amending Chapter 32 "Utilities" by inserting a new Article IX: Hauled Liquid Waste

A conflict and abstention from voting was announced for the following, who left the council chamber:

- Deputy Mayor Pro-tem Savage

Mayor Williams moved to remove the item from the table. Deputy Mayor Pro-tem Price seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None
ABSTENTION (1): Deputy Mayor Pro-tem Savage

The item was tabled on November 2, 2017, with the public hearing held and closed. Following discussion at that time, the item was to return at a later date with additional proposed edits. Adoption of the item would at this time not provide a specific fee, but be a determination on whether or not the program should proceed.

Rodney Taylor, Director of Water Utilities, presented the item. Discussion centered on additional study required to ensure the proposed initial rate of $0.08 per gallon of hauled liquid waste would be a break-even point to cover estimated expenses, with no additional staff needed and without any additional subsidization by the city.

Mayor Williams called for speakers. The following individuals addressed the city council:

- Marcus Anderson – spoke in favor of the item
- Diane Wilson – spoke in favor of the item
- Jeremy Sales – spoke on septic tanks and related hauling expenses/city charges
- Tim Yandell – found the item informational
- Kim Martin – spoke in favor of the item
- Doug Offerman – inquired on cash reserve requirements/targets and why stopped in the past
- Cristi Savage – spoke in favor of the item
- Ryan Naylor – spoke in favor of the item
- Bob Thomas – spoke in favor of the item
- Dale Boecker – spoke in favor of the item

With no other speakers coming forward, Mayor Williams closed the public hearing.

Additional discussion centered on the city recuperating costs; inherent risks by including hauled liquid waste into the city's system, and the loophole that exists in continuing to accept certain low-risk liquid wastes from two local portable toilet providers.

Councilmember McAlister moved the following:

- deny the item as presented; and
- staff to return with a revised ordinance closing the loophole.

Councilmember Hurt seconded the motion; motion failed.

AYES (3): Councilmembers Albus, Hurt, and McAlister
NAYS (3): Mayor Williams, Mayor Pro-tem Price, and Councilmember Kreitler
ABSTENTION (1): Deputy Mayor Pro-tem Savage

Councilmember Kreitler moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion failed.

AYES (3): Mayor Williams, Mayor Pro-tem Price, and Councilmember Kreitler
NAYS (3): Councilmembers Albus, Hurt, and McAlister
ABSTENTION (1): Deputy Mayor Pro-tem Savage

At 6:52 p.m., the meeting was recessed for a break and reconvened at 6:58 p.m.

7.4 Resolution: Authorizing a System Water Availability Agreement with the Brazos River Authority **[ASSIGNED RESOLUTION NO. 05-2018]**

Rodney Taylor, Director of Water Utilities, presented the item. The item provides for purchase of 7,200 acre-feet of raw water annually and made available from the BRA system. Staff clarified "municipal water" is potable water as supplied to Coca Cola. Staff clarified that the City's existing water supply contracts do not explicitly create an interbasin transfer of Possum Kingdom water, and that the City would confer with both the TCEQ and the BRA should interbasin transfers of Possum Kingdom water be contemplated.

Mayor Pro-tem Price moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

7.5 Ordinance & Public Hearing: (Final Reading) Z-2017-21 A request from Prairie Song LLC, agent eHT, to rezone two (2) tracts of land from PD144 (Planned Development 144) to a combination of MD and MF (Medium-Density Residential and Multi-Family Residential) Districts, located at 2668 Garfield

Conflicts and abstentions from voting were announced for the following:

- Mayor Williams;
- Mayor Pro-tem Price; and
- Councilmember McAlister.

Therefore, Deputy Mayor Pro-tem Savage presided over the item.

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would provide for development apartments and patio homes. Due to a 60.7% opposition, the item required a ¾ affirmative vote for adoption. Although access to the property would be addressed under the site plan review process, concern was expressed on limited access to the property as it appears to be landlocked.

Deputy Mayor Pro-tem Savage opened the public hearing. The following addressed the city council:

- BJ Pritchard – provided details of the proposed development
- Nick Coates – spoke in favor of the item
- Carmen Price – spoke in opposition to the item
- David Todd – provided historical information on the initial development of the property
- Mike Rogers – spoke in opposition to the item
- Darrell Sloan – spoke in opposition to the item
- Kris Kowach – provided comparison from what was originally adopted to what is now proposed
- Judd White – spoke in opposition to the item
- Pierce Carpenter – spoke in opposition to the item
- Bobbette Haddock – spoke in opposition to the item
- Tamara Walker – spoke in opposition to the item
- Matt Stevenson – expressed concerns on the proposed development
- Kris Kinnaman – spoke in opposition to the item

With no other speakers coming forward, Deputy Mayor Pro-tem Savage closed the public hearing.

Councilmember Kreitler moved to approve the item as recommended by the Planning and Zoning Commission with the following amendment:

- require a barrier fence to prevent access from Garfield Street to the Multi-Family section except for emergency vehicles; and
- the barrier fence include a gated access for emergency vehicles which is not usable by the general public.

Councilmember Hurt seconded the motion; motion failed.

AYES (3): Councilmembers Kreitler, Albus, and Hurt
NAYS (1): Deputy Mayor Pro-tem Savage
ABSTENTIONS (3): Mayor Williams, Mayor Pro-tem Price, and Councilmember McAlister

7.6 Ordinance & Public Hearing: (Final Reading) Z-2017-26 A request from J.R. Team Holdings, LLC, to rezone property from AO (Agricultural Open Space) to RR-1 (Rural Residential), located in the 6800 Block (west side) of East Lake Road
[ASSIGNED ORDINANCE NO. 03-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would subdivide the property into large, single-family home sites at least one acre in size.

Mayor Williams opened the public hearing. The following addressed the city council:

- Joseph Team – provided details of the proposed development

With no other speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Deputy Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

7.7 Ordinance & Public Hearing: (Final Reading) Z-2017-27 A request from Weatherbee Construction, agent David Todd/eHT, to rezone property from AO (Agricultural Open Space) to RS-6 (Residential Single Family), located on 5800-5900 blocks (south side) of Autumn Sage Lane
[ASSIGNED ORDINANCE NO. 04-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would subdivide the property into single-family home sites of at least 6,000 square feet each. Discussion centered on improvements to Autumn Sage for curb and gutter by respective property owner(s).

Mayor Williams opened the public hearing. The following addressed the city council:

- David Todd – available to answer questions, if any

With no other speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Kreitler seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

7.8 Ordinance & Public Hearing: (Final Reading) Z-2017-28 A request from Prince of Peace Ministries, agent Tal Fillingim/Jacob and Martin, to rezone property from AO (Agricultural Open Space) to PD (Planned Development) allowing certain commercial use(s), located at southeast corner of Maple Street & Hardison Lane
[ASSIGNED ORDINANCE NO. 05-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would allow certain commercial use(s) including self-service storage. Due to a 23+% opposition, the item required a ¾ affirmative vote for adoption. Discussion centered on (1) types of development allowed on the property, with self-storage being an acceptable use but not residential; and (2) additional set back required due location of the gas line along the property area.

Mayor Williams opened the public hearing. The following addressed the city council:

- Bill Yoes – spoke in opposition to the item
- Tal Fillingim – provided details of the proposed development
- Ken Barbian – provided annexation history within the area
- Timothy Harless – spoke in opposition to the item

With no other speakers coming forward, Mayor Williams closed the public hearing.

Councilmember McAlister moved to approve the item as presented.

Mayor Pro-tem Price requested Councilmember McAlister consider amending his motion to include an amendment clarifying the types of outdoor storage would be specifically for recreational vehicles and boats.

Councilmember McAlister amended his original motion to provide for approval of the item with the following amendment:

- acceptable outside-storage uses will be only recreational vehicles and boats.

Mayor Pro-tem Price seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (1): Deputy Mayor Pro-tem Savage

7.9 Ordinance & Public Hearing: (Final Reading) Z-2017-29 A request from Rodney Cosper, agent Tal Fillingim/Jacob and Martin, to rezone property from RS-8 (Residential Single Family) to NO (Neighborhood Office), located at 2909 Buffalo Gap Road
[ASSIGNED ORDINANCE NO. 06-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would build a new neighborhood office development and/or convert the existing residence to an office building.

Mayor Williams opened the public hearing. The following addressed the city council:

- Tal Fillingim – provided details of the proposed development

With no other speakers coming forward, Mayor Williams closed the public hearing.

Mayor Pro-tem Price moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

REGULAR AGENDA

10.1 Resolution: Appointing members to various Boards & Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 06-2018]

Mayor Williams announced action on the item would be divided to allow separate vote to be taken for the Development Corporation of Abilene from other boards listed in Exhibit A of the resolution.

Mayor Williams moved to approve (re)appointment of the following:

Board	Term End Date
911 Emergency Communications	
Vincent Cantu [New]	September 2018 (Unexpired Term)
Abilene Housing Authority	
Gwendolyn Blount [Reappointment]	November 2019
Roberta Thompson [New]	November 2019
Tim Evans [New]	November 2019
Abilene-Taylor County Child Advocacy Center Advisory Board	
Leslie Boiles [Reappointment]	December 2020
Craig Shaw [Reappointment]	December 2020
Becky Poindexter [Reappointment]	December 2020
Casey Wasson [Reappointment]	December 2020
Martin Hernandez [New]	December 2020
Sherita Nickerson [New]	December 2020
Abilene-Taylor County Public Health Advisory Board	
Tom Perini (Food Industry) [Reappointment]	November 2020
Dr. Lynn Robinson (Physician) [New]	November 2018 (Unexpired Term)
James McCoy (Pharmacist) [Reappointment]	November 2020
Abilene-Taylor County Venue District	
Kyle McAlister (Council Member) [Reappointment]	November 2019
Anthony Williams (Mayor) [Reappointment]	November 2019
Airport Development Board	
Joe Crowder [Reappointment]	November 2020
Gray Bridwell [Reappointment]	November 2020
Cindy Haley-Ramsey [Reappointment]	November 2020
Kathy Keane [Reappointment]	November 2020
Steve Rodrigues [New]	November 2020
Citizen's Advisory Board for People with Disabilities	
JoAnne Fluke (Position 1) [New]	October 2019
Edwin Bumpass (Position 2) [New]	October 2018
Donna Reiff (Position 3) [New]	October 2019
Virginia Zack (Position 4) [New]	October 2018
Sheria Davis (Position 5) [New]	October 2019
Glen K. McGraw (Position 6) [New]	October 2018

Board	Term End Date
CityLink ADA Advisory Board	
Casey Hertel (Regular; Representing the Disabled) [Reappointment]	May 2020
Mary Cooksey (At-Large; Representing Agency) [Reappointment]	May 2020
Mary Kathryn Hill (Alternate) [New]	May 2020
Patsy Daniels (At-Large) [Reappointment]	May 2020
Frontier Texas! Board of Directors	
Caitlyn Richards [New]	February 2019 (Unexpired term)
Alex Terrell Russell [New]	February 2018 (Unexpired Term) and February 2020 (Full Term)
Landmarks Commission	
Jaime Dalzell (Realtor) [Reappointment]	November 2020
Pebbles Lee (Historical Property) [Reappointment]	November 2020
Don Garrett (At-Large, Alternate) [New]	November 2018 (Unexpired term)
Library Board	
Stan Chapman [Reappointment]	November 2019
Dennis Billig [Reappointment]	November 2019
Carrie Casada [Reappointment]	November 2019
Joe Specht [Reappointment]	November 2019
Jose Chavira [New]	November 2019
Silvia Leal [New]	November 2019
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals	
Melissa Sparks (Regular; Building Contractor) [Reappointment]	May 2019
Rick Weatherl (Alternate; Architect) [Reappointment]	May 2019
Robert Seballos (Alternate; Electrician) [Reappointment]	May 2019
Bobby Gilbreth (Alternate) [Reappointment]	May 2019
Paula Beall (Alternate; Building Contractor) [Reappointment]	May 2019
Gene Isenburg (Regular; Electrical Contractor) [Reappointment]	May 2019
James Lemon [New]	May 2018 (Unexpired term)
Parks & Recreation Board	
Robyn Wertheim [Reappointment]	May 2020
Leigh Black [Reappointment]	May 2020
Jeff Goodin [Reappointment]	May 2020

Board	Term End Date
Planning & Zoning Commission	
Fred Famble [Reappointment]	November 2020
Izair Lankford [New]	November 2020
Senior Citizens Board	
Cynthia Cooke [Reappointment]	May 2019
Joe Lopez [Reappointment]	May 2019
Sydnye Moore [Reappointment]	May 2019
Sylvia Herrera [New]	May 2019
Visual Arts Jury	
Mike Warren (At-Large; City Representative) [Reappointment]	May 2020
Pam Tippen (At-Large; City Representative) [New]	May 2020
Melissa Noonan (At-Large; City Representative) [New]	May 2020
Joyce Sledge (At-Large, City Representative) [New]	May 2020

Councilmember Kreitler seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

Mayor Williams presented the (re)appointment of members to the Development Corporation of Abilene. At the request of Councilmember Kreitler, the votes for each (re)nominee were taken separately.

Mayor Williams moved to approve reappointment of the following:

Board	Term End Date
Development Corporation of Abilene	
Jack Rich [Reappointment]	November 2020

Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

Mayor Williams moved to approve appointment of the following:

Board	Term End Date
Development Corporation of Abilene	
Vic Corley [New]	November 2018 (Unexpired term)

Councilmember Kreitler seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

Mayor Williams moved to approve appointment of the following:

Board	Term End Date
Development Corporation of Abilene	
Seaton Higginbotham [New]	November 2019 (Unexpired term)

Councilmember Albus seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Albus, Hurt, and McAlister
NAYS (1): Councilmembers Kreitler

10.2 Oral Resolution: Any action, if needed, on annual evaluation of the city manager, city attorney, city secretary, and municipal judge

Under Section 551.074 (Personnel Matters) of the Open Meetings Act, this item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:33 p.m., with no action having been taken at that time.

Mayor Williams moved the following:

- an amendment to City Manager Hanna's contract to provide for a 2.5% pay increase
- a 2.5% pay increase for City Attorney Stanley Smith; and
- a 2.5% pay increase for Municipal Judge Keith Barton;

with an effective date of January 1, 2018. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister
NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 9:32 p.m.

_____ _____

Rosa Rios, TRMC
City Secretary

Anthony Williams
Mayor

Minutes approved on: _____

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Mr. Robert Hanna, City Manager**

FROM: **Mr. Taurus L. Freeman, Interim Director/Planning & Development Services**

SUBJECT: **Ordinance: *(First Reading)* Z-2018-01 A request from Chisholm Exploration, agent eHT, to rezone property from Residential Single Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR) located at 5649 Buffalo Gap Road; and setting a public hearing for February 8, 2018 *(Taurus Freeman)***

GENERAL INFORMATION

The applicant requests rezoning from Residential Single Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR), in order build a new neighborhood office development. A house which had long existed on this property was removed approximately one year ago.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning & Zoning Commission recommends approval by a vote of six (6) in favor (Rosenbaum, Dunnahoo, Smith, Calk, Noonan, and Famble) with none in opposition.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Exhibit
Staff Report	Backup Material
Presentation	Presentation

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 25th day of January, A.D. 2018.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of December, 2017, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 4:30 p.m., on the 8th day of February, 2018 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 8th day of February, A.D. 2018.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Rezone property from Residential Single-Family/Corridor Overlay (RS8/COR) to Neighborhood Office/Corridor Overlay (NO/COR).

Legal Description: BEING 1/2 acre, more or less, out of the A. Greenwall Survey No. 100, Taylor County, Texas, described by metes and bounds as follows:

BEGINNING at a stake set in the E.B.L. of the Abilene-Buffalo Gap Highway, 2526.4 feet West of and 312 feet S 23° 45' W 104 feet west of the N.E. corner of said A. Greenwall Survey for the N.W. and beginning corner of this tract; THENCE S23° 45' W 104 feet with the E.B.L. of said Highway to a stake set for the S.W. corner of this tract;
THENCE East 228.8 feet to a stake set for the S.E. corner of this tract;
THENCE N 23° 45' E 104 feet to a stake set for the N.E. corner of this tract;
THENCE West 228.8 feet to the place of beginning, and being the same land conveyed to W. L. Abbot from H. L. Antilley and wife, Myrtle Antilley, by deed recorded in Volume 460, Page 424, Deed Records, Taylor County, Texas.

Location: 5649 Buffalo Gap Road

-END-

ZONING CASE Z-2018-01
STAFF REPORT

REQUEST: Rezoning

APPLICANT:
Owner: Chisholm Exploration
Agent: eHT

HEARING DATES:
P & Z Commission: January 2, 2018
City Council 1st Reading: January 25, 2018
City Council 2nd Reading: February 8, 2018

LOCATION:
The subject property is located at 5649 Buffalo Gap Road, and consist of .5+/- acres.

PROPOSAL AND REQUESTED ACTION:
The applicant requests rezoning from Residential Single Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR), in order build a new neighborhood office development.

DEVELOPMENT STANDARDS:

The following sections of the City of Abilene Land Development Code apply to the rezoning request:

- Chapter 4. Article 2. Division 1: Development Standards

APPLICATION REVIEW:

According to Section 1.4.1.4, Criteria for Approval, in the City of Abilene Land Development Code, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended;

Currently, the property is zoned Residential Single-Family/Corridor Overlay (RS-8/COR), and is now vacant. Adjacent properties to the north and east have developed with single-family homes. The properties to the west are zoned Residential Single-Family/Corridor Overlay (RS-12/COR and RS-8/COR) residential and developed with home sites and a Fire Station. The adjacent property to the south was zoned Neighborhood Office/Corridor Overlay (NO/COR) in 2012, and is vacant. The applicant is requesting a change to the Neighborhood Office/Corridor Overlay (NO/COR) zoning classification, to allow for neighborhood office development.

The Future Land Use section of the Comprehensive Plan designates this general area as 'Low-Density Residential' for single-family residential development and other compatible zoning uses. The Master Thoroughfare Plan designates Buffalo Gap Road as a major 'arterial' street. Additionally, the requested office zoning is compatible with the Buffalo Gap Corridor Study states that both residential and office uses are suitable at mid-block locations, such as the subject property. If approved, the proposed zone change would have the effect of expanding an existing Neighborhood Office (NO) District already having been approved directly south of this subject property.

The NO zoning classification is intended for maximum compatibility of such commercial use with adjacent and nearby residences. Neighborhood Office has been determined to be an appropriate zoning along certain arterial street segments where nonresidential uses are commonplace and abuts single-family residences. The required landscaping and buffering will help to lessen the impacts of any office development on the surrounding neighborhoods.

Within Neighborhood Office (NO) zoning districts there is also a maximum 15,000 square-foot limit on the size of any one building structure as well as a 35-foot (two-story) building height limit.

(2) Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;

	Zoning	Existing Land Use
North	RS-8/COR	Single-Family Residences
South	NO/COR	Vacant
East	PDD-4	Single-Family Residences
West	RS-8/COR	Single-Family Residences/Fire Station

Limited office uses permitted by the proposed change would be appropriate in the immediate area due to surrounding land uses and overall compatibility with the surrounding residential uses as well as the Comprehensive Plan and the Buffalo Gap Corridor Study.

The property was annexed in 1963, and was zoned RS-8 with initial adoption of the present zoning map in 1974. Most of the surrounding area is developed with a mix of single-family and office type uses. There are multiple other Neighborhood Office (NO) and Office (O) uses along Buffalo Gap Road, including four properties situated within 600-feet to the south of this subject property.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area;

The proposed neighborhood office development would be in accordance with the Future Land Use Plan of the City of Abilene and the Buffalo Gap Corridor Study. Additionally, the proposed Neighborhood Office (NO) use of the property would not have any negative impacts on the surrounding public schools, streets, water supply, sanitary sewers, other public services and utilities.

Buffalo Gap Road is a fully-improved arterial street, and is the only means of vehicle access to and from the proposed Neighborhood Office District.

(4) Any other factors which will substantially affect the public health, safety, morals, or general welfare.

Upon review, the proposed rezoning and the proposed development would not negatively affect the public health, safety, morals, or general welfare of the surrounding residents based on the surrounding residential uses, the location of this along a major 'arterial' streets and the City's Future Land Use Plan.

STAFF COMMENTS:

The applicant requests a rezoning from Residential Single-Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR), in order build a new neighborhood office development.

Currently, the property is zoned Residential Single-Family (RS-8/COR) and is vacant. Adjacent properties to the north and east have developed with single-family homes. The properties to the west are zoned Residential Single-Family/Corridor Overlay (RS-12/COR and RS-8/COR) and developed with home sites and a Fire Station. The adjacent property to the south was zoned Neighborhood Office/Corridor Overlay (NO/COR) in 2012 and is vacant.

The rezoning request is in line with adjacent uses, the Future Land Use section of the Comprehensive Plan, Buffalo Gap Corridor Overlay Study, and the Master Thoroughfare Plan. The Neighborhood Office (NO) zoning is designed to maximize compatibility with adjacent residential uses. Some of these requirements include limited hours of operation, landscape and buffering standards, and significant limitations on the size of any one building structure.

STAFF RECOMMENDATION:

Staff recommends approval of the request.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval of this request by a vote of six (6) (Noonan, Smith, Calk, Famble, Rosenbaum, and Dunnahoo) with none in opposition at their January 2 of 2018 meeting.

NOTIFICATION:

The Planning Services Division sent, with certificate of mailing, public notices to the applicant and property owners within a 200-foot radius.

OWNER	SITUS	RESPONSE
BUNDY FRED R & GABRIELA C	42 LIDO CT	
CHISHOLM EXPLORATION INC	5701 BUFFALO GAP RD	In Favor
CHISHOLM EXPLORATION INC	5649 BUFFALO GAP RD	
CITY OF ABILENE	5680 BUFFALO GAP RD	
ENSERCH CORP	46 MERION	
GAZAILLE ARTHUR L & GERALDINE L	3 MERION	
HARDIN DONALD DEAN JR	5620 BUFFALO GAP RD	
KVK PROPERTIES LLC	7 MERION	
MADELEY PHILIP C &	5 MERION	In Favor
MATADOR 27 LLC	10 MERION	
MC MULLEN BILLIE M	5669 BUFFALO GAP RD	
MEYERS RICHARD H & VICKIE	40 LIDO CT	
RUZINSKY NANCY KAREN	44 LIDO CT	Opposed
SCHROEDER CHARLES III	5657 BUFFALO GAP RD	
SHARP JONATHAN LAEL & JARED LAYTON	5629 BUFFALO GAP RD	
STEPHENS PROP INC	5688 BUFFALO GAP RD	
STEPHENS PROP INC	5704 BUFFALO GAP RD	
THROCKMORTON GARY JOHN &	64 AUGUSTA DR	
WHITAKER WILLIAM M &	8 MERION	

ATTACHMENTS:

- Application
- Zoning Map
- Aerial Map
- Thoroughfare Map
- Notification Map
- Parcel Photographs

DEVELOPMENT APPLICATION

Planning

☐ Conditional Use ☐ Special Exceptions ☑ Rezoning ☐ Variance
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ Easement Release
☐ Historic Certification of Appropriateness ☐ Historic Project Tax Reduction

Relief Procedures

☐ Petition for Relief ☐ Proportionality Appeal ☐ Vested Rights Petition ☐ Appeal
Other: _____

Project Name: _____

Address: 5649 Buffalo Gap Rd No. of lots: _____ Acreage: 0.5

Legal Description: 1/2 Ac. A. Greenwall Sur # 100

Subdivision Name: _____ Block: _____ Lot: _____

Current Zoning: R-5-8 (Cor) Proposed Zoning (if applicable): NO / Cor

OWNER AND AUTHORIZATION

Owner Name: Chisholm Exploration

Address: 5701 Buffalo Gap Rd

City, State, Zip: Abilene, Tex Fax: _____

Phone: 668-6616 Email: _____

Agent Name: E H T

Address: 402 Cedar

City, State, Zip: Abilene, Tx 79601 Fax: 691-0058

Phone: 699-5560 Email: david.todd@e-ht.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: _____ Date: 12/5/17

FOR OFFICE USE ONLY

Received: 12-4-17	Fee: $ 1500	Receipt No.: 2029744
Case No.: Z-2018-01	Reviewed By: ZR	

CITY OF ABILENE

DOC 00005427

WARRANTY DEED
With Vendor's Lien Reserved

THE STATE OF TEXAS X

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TAYLOR X

That **BLANCHE N. ABBOTT**, a widow, acting by and through her duly authorized Attorney in Fact, **RITA GOODNER AND RITA GOODNER**, Independent Administrator of the Estate of NITA ~~FALON~~ Carol Lynn ABBOTT, Deceased, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to the undersigned paid by the Grantee herein named, the receipt and sufficiency of which is hereby acknowledged, AND THE FURTHER CONSIDERATION of the execution and delivery by the Grantee of its certain promissory note, in the original principal sum of $70,400.00, bearing interest and being due and payable as provided by the terms of said note; said note being payable to HAPPY STATE BANK by reason of said Bank having advanced to the Grantors a part of the purchase price at the request of the said Grantee; the payment of which is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to PLA SERVICES, INC., Trustee; have GRANTED, SOLD AND CONVEYED, and by these presents GRANT, SELL AND CONVEY unto **CHISHOLM EXPLORATION, INC.**, a Texas corporation, 5701 Buffalo Gap Road, Ste. B, Abilene, Taylor County, Texas, all of the following described property in Taylor County, Texas, to wit:

BEING 1/2 acre, more or less, out of the A. Greenwall Survey No. 100, Taylor County, Texas, described by metes and bounds as follows:
BEGINNING at a stake set in the E.B.L. of the Abilene-Buffalo Gap Highway 2526.4 feet West of and 312 feet S 23° 45' W 104 feet west of the N.E. corner of said A. Greenwall Survey for the N.W. and beginning corner of this tract;
THENCE S 23° 45' W 104 feet with the E.B.L. of said Highway to a stake set for the S.W. corner of this tract;
THENCE East 228.8 feet to a stake set for the S.E. corner of this tract;
THENCE N 23° 45' E 104 feet to a stake set for the N.E. corner of this tract;

THENCE West 228.8 feet to the place of beginning, and being the same land conveyed to W. L. Abbott from H. L. Antilley and wife, Myrtle Antilley, by deed recorded in Volume 460, Page 424, Deed Records, Taylor County, Texas.

This conveyance is made SUBJECT TO any outstanding mineral interests which have been previously conveyed and/or reserved by prior owners of the above described property and which are not owned by the Grantors, any easements over and across such property, and any restrictions affecting the use of the property as shown by the records of the County Clerk of Taylor County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee and its successors and assigns forever; and we do hereby bind ourselves and our heirs, executors, administrator, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee and its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

The said Vendor's Lien and Superior Title herein retained are hereby transferred, assigned, sold and conveyed to HAPPY STATE BANK, its successors and assigns, the payee named in said note.

EXECUTED this ~~2nd~~ 4th day of April, 2014.

Rita Goodner
RITA GOODNER
Independent Administrator of
the Estate of Nita ~~Falon~~ Farol Abbott,
Deceased

Blanche N. Abbott
BLANCHE N. ABBOTT

By: Rita Goodner
RITA GOODNER, Attorney in Fact

AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared RITA GOODNER, who being duly sworn by me upon her oath deposed and said that she has executed the foregoing Deed as Attorney in Fact for BLANCHE N. ABBOTT; that BLANCHE N. ABBOTT is living; that the Power of Attorney executed by her dated June 21, 1996, has not been altered in any manner, has not been rescinded or cancelled and is in full force and effect; that no Guardianship of her estate has been taken and no application for such Guardianship has been filed or is contemplated.

EXECUTED this 4th day of April, 2014.

ERIK P KEENER
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-29-15

Rita Goodner
RITA GOODNER

SUBSCRIBED AND SWORN TO BEFORE ME by the said RITA GOODNER, this the 4th day of April, 2014, to certify which witness my hand and seal of office.

Notary Public - State of Texas
Erik P. Keener
(Printed Name of Notary)
My commission expires: 4/29/2015

THE STATE OF TEXAS X

COUNTY OF Tarrant X

This instrument was acknowledged before me on the 4 day of April, 2014, by RITA GOODNER, Attorney in Fact for BLANCHE N. ABBOTT.

ERIK P KEENER
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-29-15

Notary Public, State of Texas
Erik P. Keener
(Notary's Printed Name)
My Commission Expires: 4/29/15

THE STATE OF TEXAS X

COUNTY OF Tarrant X

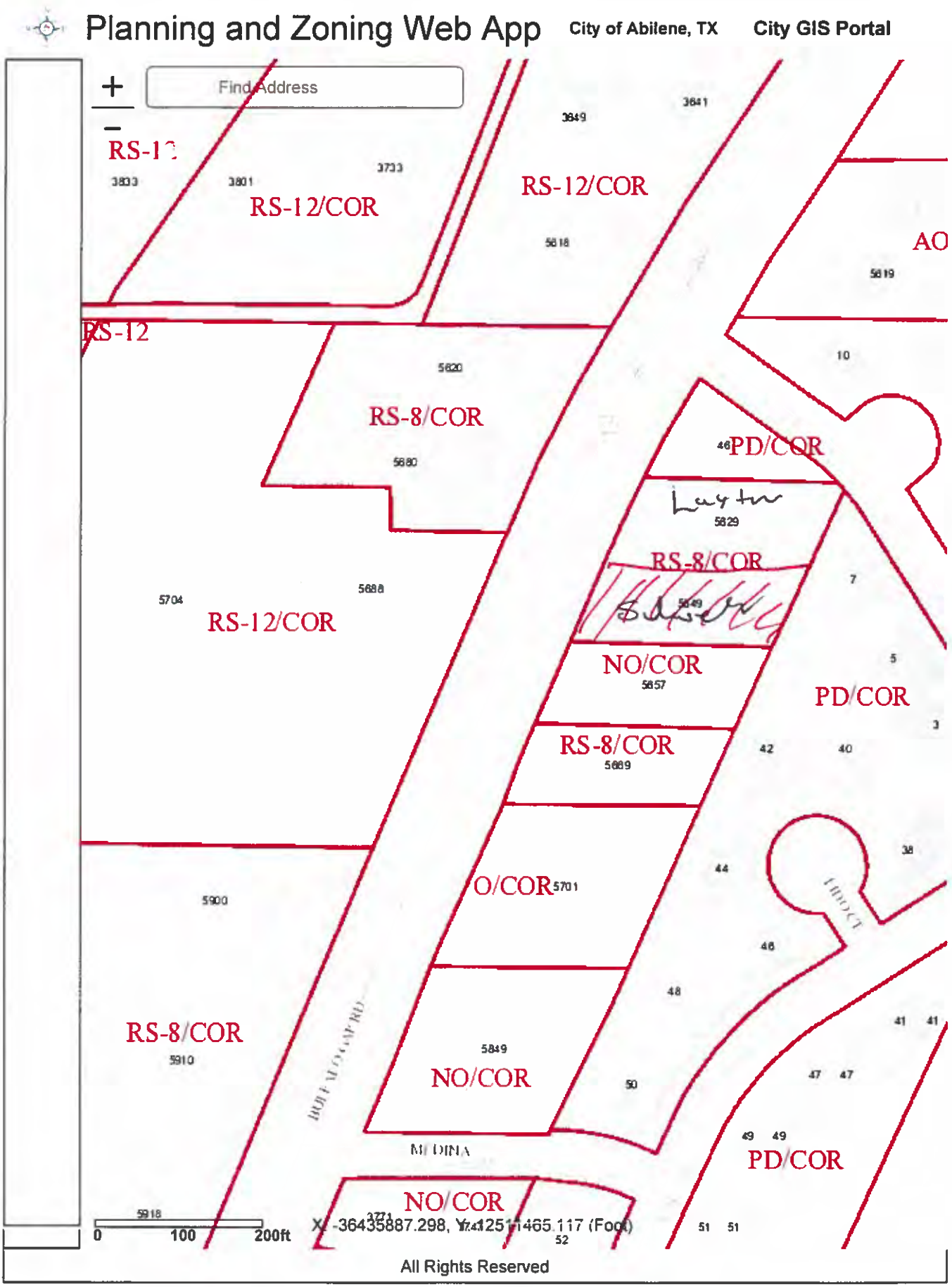
This instrument was acknowledged before me on the 4 day of April, 2014, by RITA GOODNER, Independent Administrator of the Estate of Nita Falon Abbott, Deceased.

ERIK P KEENER
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-29-15

Notary Public, State of Texas
Erik P. Keener
(Notary's Printed Name)
My Commission Expires: 4/29/15

AFTER RECORDING RETURN TO:
CHISHOLM EXPLORATION, INC
5701 Buffalo Gap Road, Ste B
Abilene, TX 79606

PREPARED IN THE LAW OFFICE OF
GEORGE D. JONES
P. O. Box 762
Abilene, Texas 79604


Planning and Zoning Web App
City of Abilene, TX
City GIS Portal
Find Address
RS-12/COR
RS-12/COR
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AO
RS-12
RS-8/COR
PD/COR
RS-8/COR
RS-12/COR
NO/COR
PD/COR
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RS-8/COR
NO/COR
MEDINA
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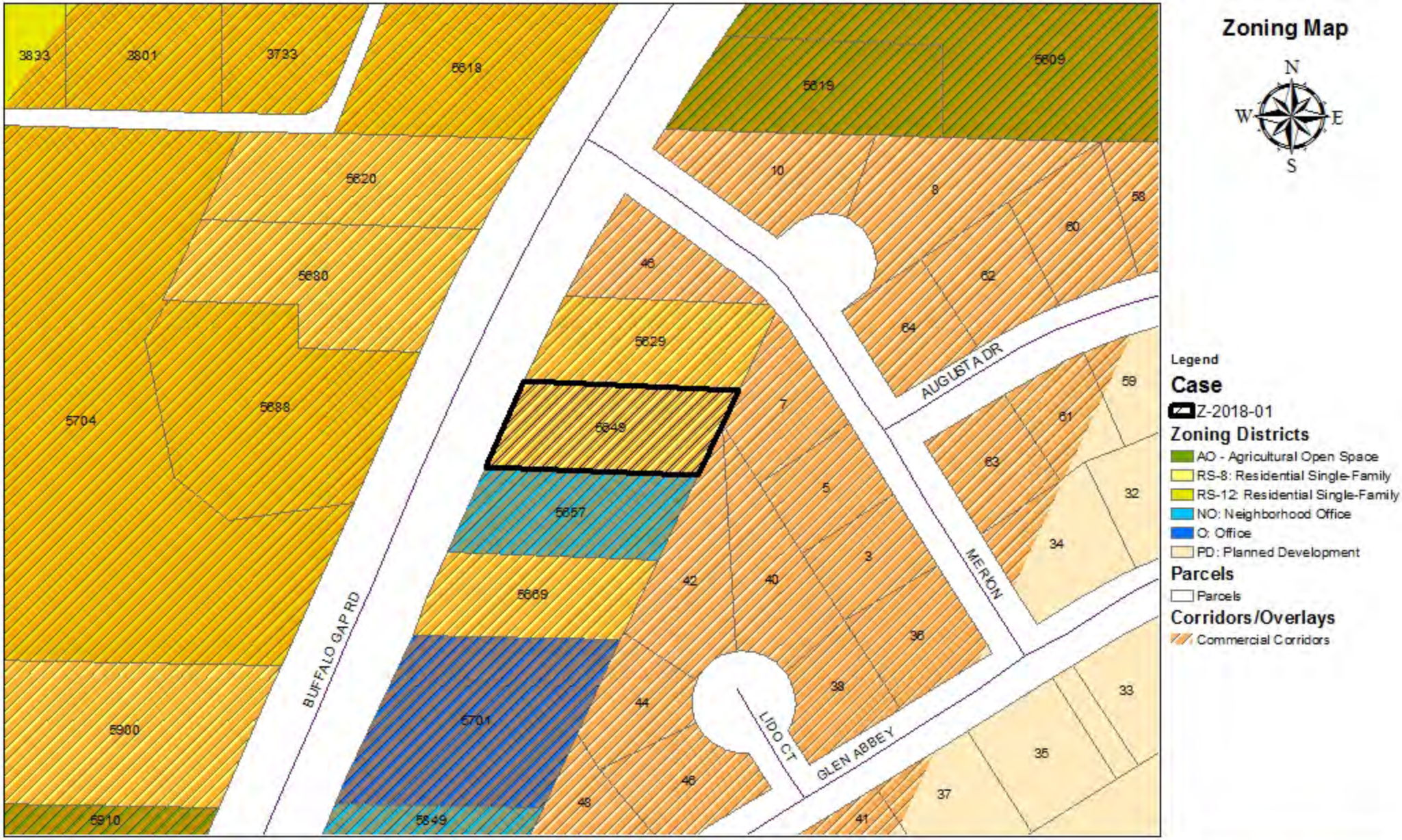
All Rights Reserved



CITY OF ABILENE

Planning & Development SERVICES

Aerial Map

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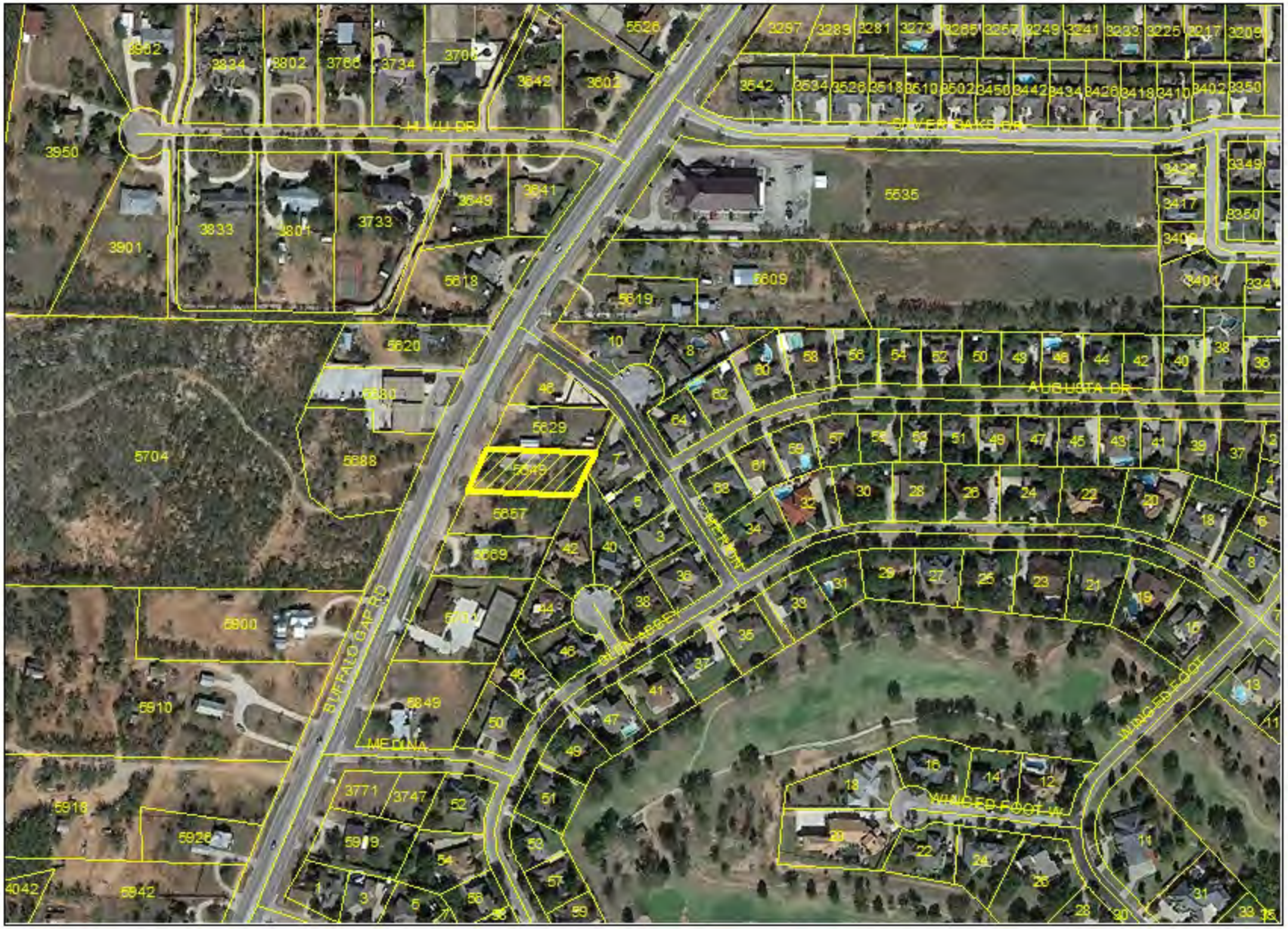
Legend

Case

Z-2018-01

CITY OF ABILENE

Planning & Development SERVICES

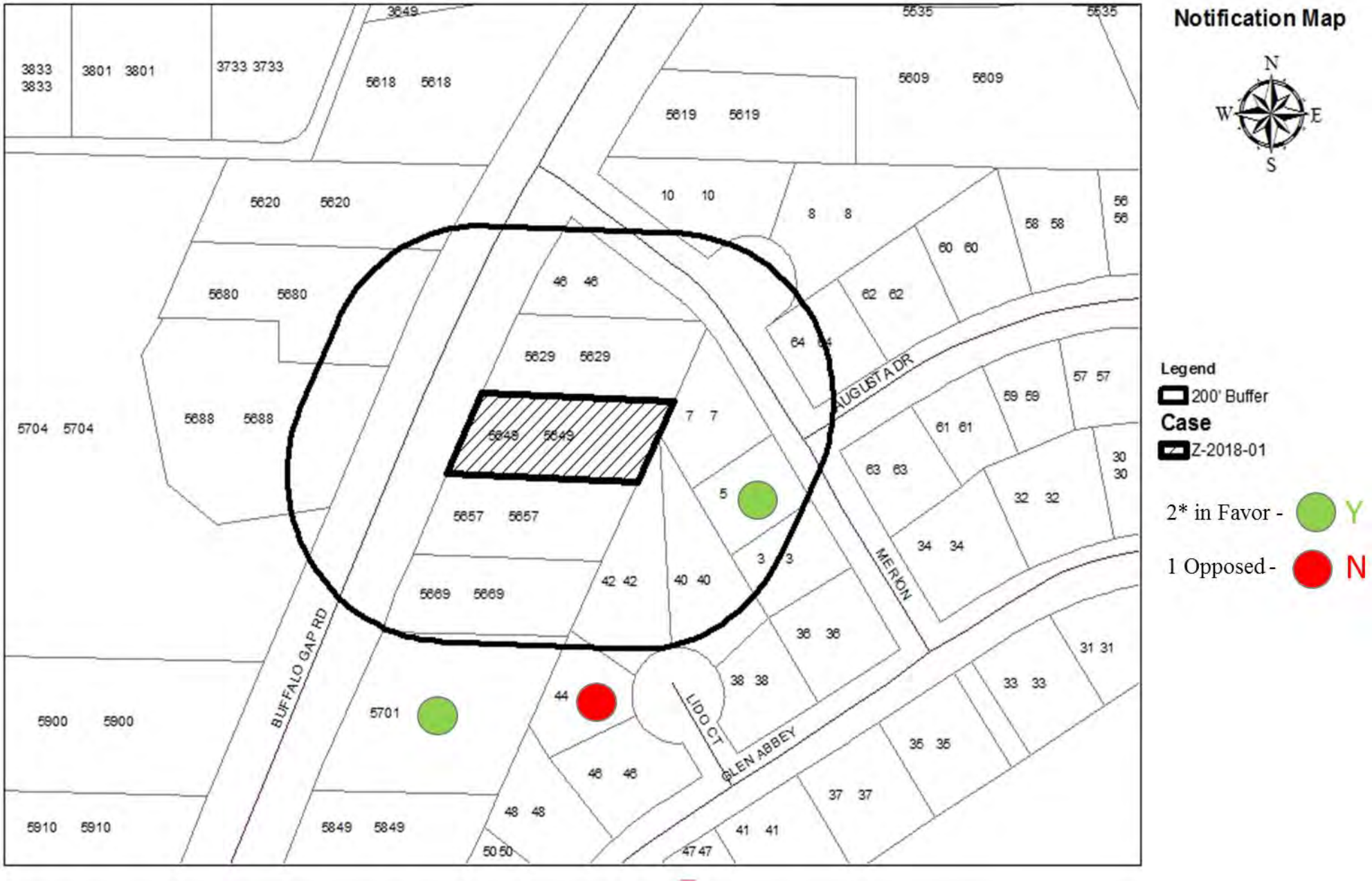


CITY OF ABILENE

Planning & Development SERVICES

CITY OF ABILENE

Planning & Development SERVICES


Notification Map
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200' Buffer
Case
Z-2018-01
2* in Favor - Y
1 Opposed - N
BUFFALO GAP RD
AUGUSTA DR
MERYON
LIDO CT
GLEN ABBEY
3649
5535
5609
5619
5620
5680
5629
5649
5657
5669
5688
5704
5701
5900
5910
5849
3833
3801
3733
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ZONING CASE Z-2018-01
SITE PHOTOS

South view at the intersection of Buffalo Gap Rd. and Merion

East view of property and adjacent lot

South view from Buffalo Gap Rd. of adjacent NO zoned properties

Northeast view of property

West view across Buffalo Gap Rd.

North view along Buffalo Gap Rd.

be heard by City Council for 2nd and Final Reading with a public hearing on **February 8, 2018**, at 4:30 p.m. in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Zack Rainbow, Planning Manager at (325) 676-6237 or zack.rainbow@abilenetx.com.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

DEC 27 AM 8:58

CASE #: Z–2018-01
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: RUZINSKY NANCY KAREN
Address: 44 LIDO CT

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Fax #: (325) 676-6288
email: planning@abilenetx.com

I am in favor ☐ I am opposed ☒
Additional Comments:

Signature: Nancy K. Ruzinsky

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

DEC 27 AM 8:58

CASE #: Z–2018-01
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: MADELEY PHILIP C &
Address: 5 MERION

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Fax #: (325) 676-6288
email: planning@abilenetx.com

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Philip C. Madeley

CITY OF ABILENE
PLANNING & DEVELOPMENT SERVICES

RECEIVED
DEC 28 2017
PLANNING
RECEIVED
DEC 27 2017
BY:_____

CHISHOLM EXPLORATION INC
5701 BUFFALO GAP RD
ABILENE, TX 79606-4926

NOTICE OF PUBLIC HEARING

RE: Rezoning Application Number Z-2018-01 **12/19/2017**

The Planning and Zoning Commission will hold a public hearing on **Tuesday, January 2, 2017, at 1:30 PM**, in City Council Chambers, 2nd Floor, City Hall, N. 5th and Walnut Streets, Public hearing and possible vote to recommend approval or denial to City Council on a request from Chisholm Exploration, agent eHT, to rezone property from RS8/COR (Residential Single Family/Corridor Overlay) to NO/COR (Neighborhood Office/Corridor Overlay). Legal description being 0.5 acres out of the A GREENWALL Survey No. 100 in Taylor County, Texas and located at 5649 Buffalo Gap Road.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email or fax as listed below. All responses must be signed.

The attached map shows the area of the request. Only that area which is bounded by the cross-hatched line on the map is being considered for rezoning. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with a public hearing on **February 8, 2018**, at 4:30 p.m. in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Zack Rainbow, Planning Manager at (325) 676-6237 or zack.rainbow@abilenetx.com.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2018-01
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

I am in favor ☑ I am opposed ☐
Additional Comments:

Name: CHISHOLM EXPLORATION INC
Address: 5701 BUFFALO GAP RD
Fax #: (325) 676-6288
email: planning@abilenetx.com
Signature: _____

Owners: Chisholm Exploration

Agent: eHT

Request: Rezone from RS-8/COR to NO/COR

Location: 5649 Buffalo Gap Road

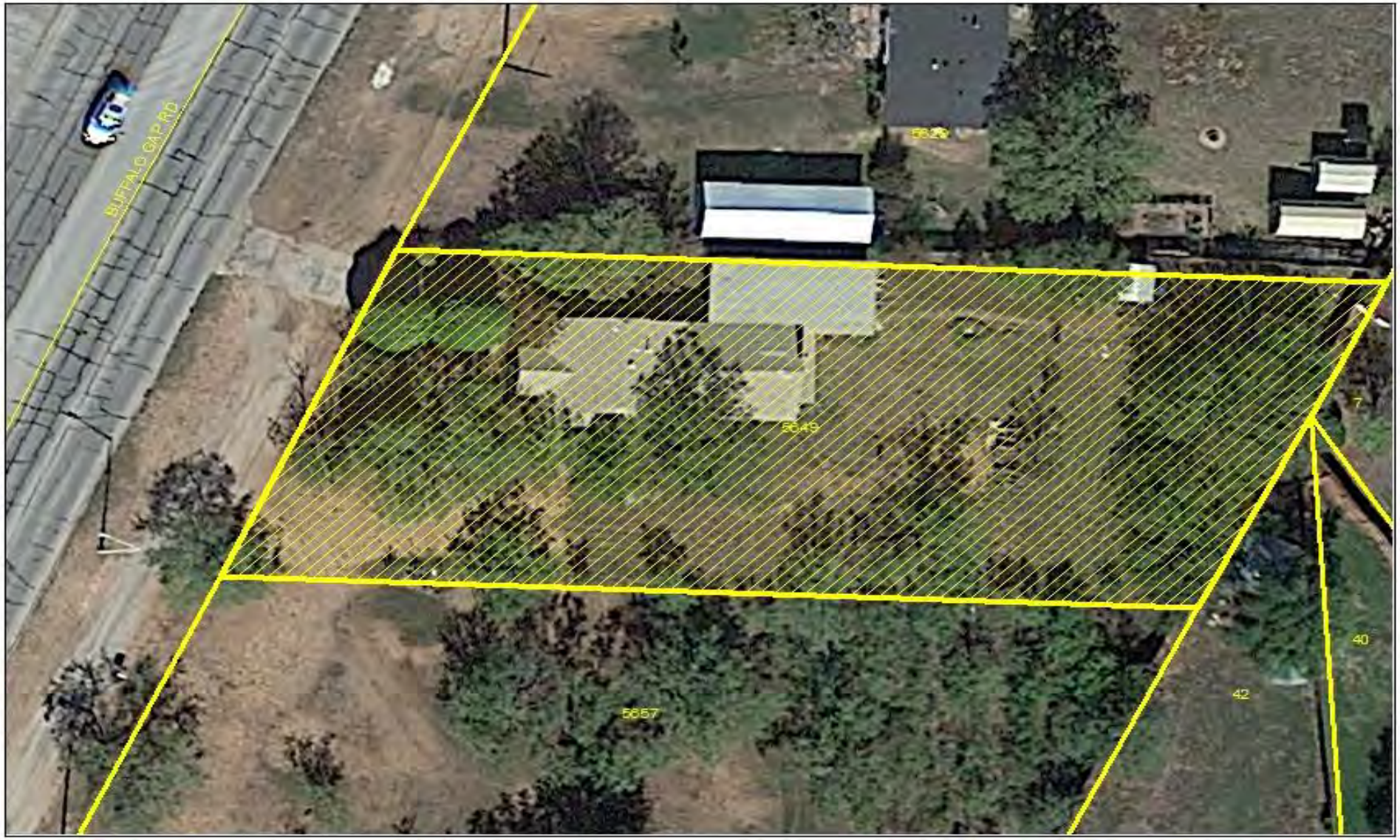
Notification: 2* in favor, 1 opposed; Area of Opposition - 0.02%

Staff Recommendation: Approval

Planning Commission Recommendation: Approval

- **AYES:** Smith, Bixby, Rosenbaum, Calk, Dunnahoo, and Famble
- **NAYS:** None

Z-2018-01 AERIAL IMAGERY



Aerial Map

N
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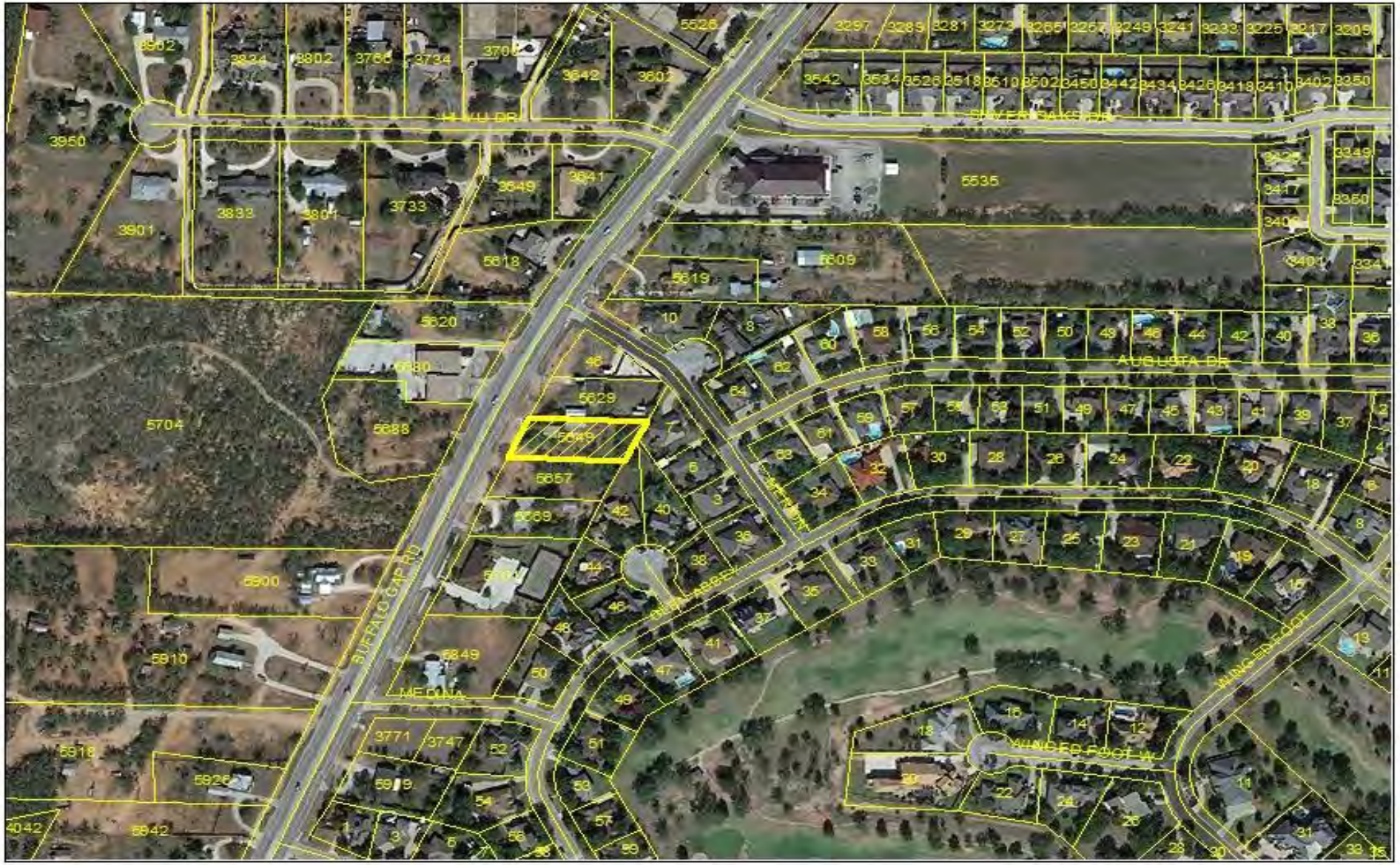
Legend

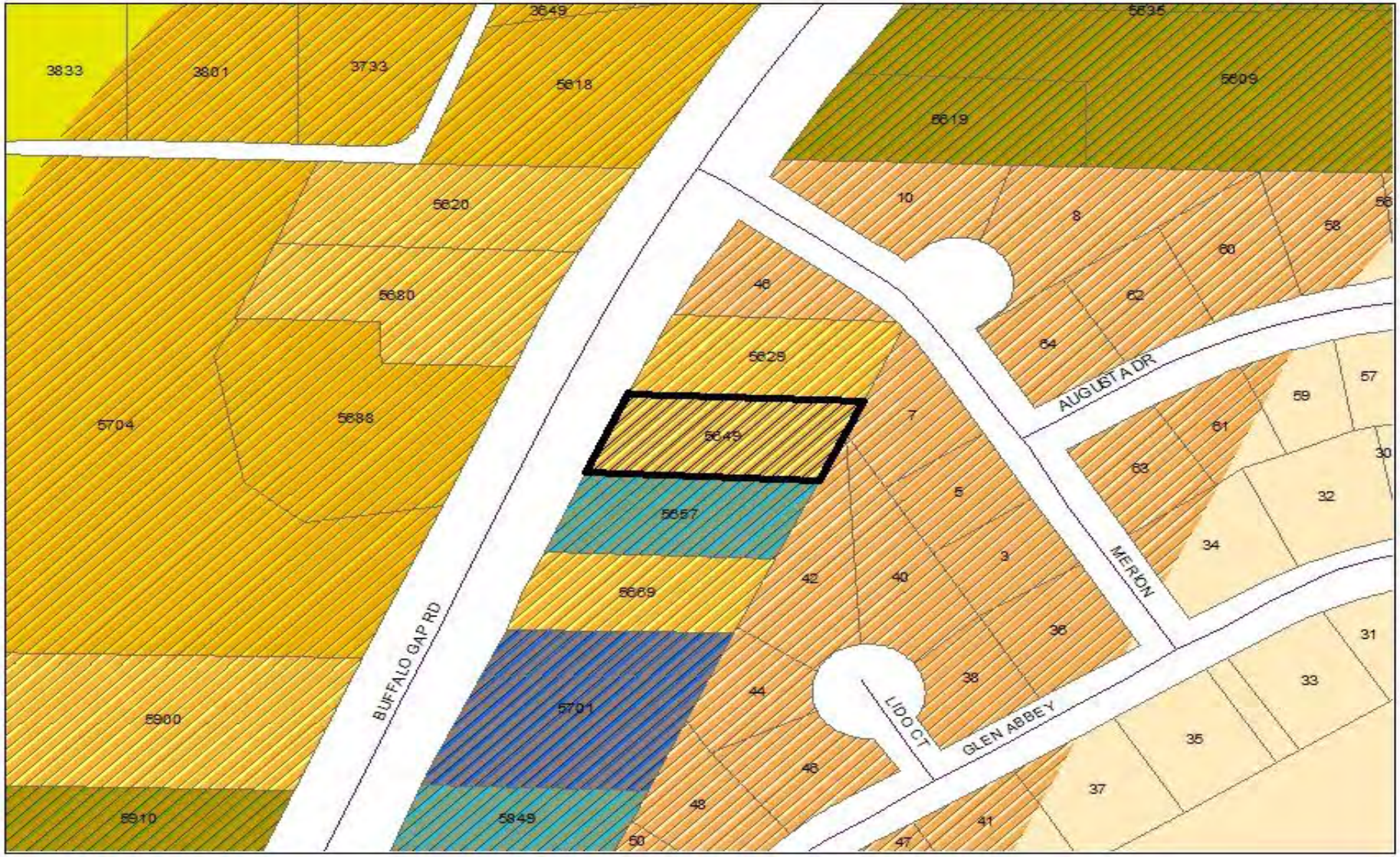
Case

Z-2018-01

Z-2018-01 AERIAL IMAGERY



Z-2018-01 ZONING MAP



Zoning Map

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Legend

Case

Z-2018-01

Zoning Districts

- AO - Agricultural Open Space
- RS-8: Residential Single-Family
- RS-12: Residential Single-Family
- NO: Neighborhood Office
- O: Office
- PD: Planned Develolpment

Parcels

- Parcels

Corridors/Overlays

- Commercial Corridors

Z-2018-01 THOROUGHFARE MAP

Thoroughfare Map

N
W E
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Legend

Roads

Arterial

Case

Z-2018-01

Z-2018-01 Subject Property

North

East

South

East

Z-2018-01 Surrounding Properties

North

Northeast

South

South

Existing Uses in RS Zoning

RESIDENTAL USES:

C	Bed & Breakfast
C	Dwelling – Duplex
P	Dwelling – Industrialized Housing Unit
P	Dwelling – Single-Family Detached
C	Group Home

ACCESSORY AND INCIDENTAL USES:

P	Accessory Structure (Also see Division 4 of this article)
P	Antenna, Non-Commercial/Amateur
P/C	Day Care Operation – Home-Based
P	Dwelling – Accessory
TP	Field Office or Construction Office (temporary)
P	Garage Sale
P	Home Occupation
C	Mobile Home (temporary security residence)
P	Recreation Building, Multipurpose
P	Recreation Equipment, Mobile (storage & parking)
TP	Subdivision Sales Office (temporary)
P	Swimming Pool, Private (accessory to residential use)
P	Tennis Court, Private (accessory to residential use)
P/SE	Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

C	Civic, Social, and Fraternal Organization
C	Recreation – Outdoors (active)
P	Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P	Community Home
P	Fire/Police Station
C	Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

P	Church or Place of Worship
P	School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P	Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

P	Petroleum or Gas Well
P	Urban Garden

LEGEND

P - Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)
C - Permitted as a Conditional Use Permit, Requiring Approval by City Council
TP - Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Proposed Uses in NO Zoning

RESIDENTAL USES:

P	Bed & Breakfast
P	Dwelling – Duplex
P	Dwelling – Industrialized Housing Unit
P	Dwelling – Institutional
P	Dwelling – Multiple-Family
P	Dwelling – Single-Family Detached

ACCESSORY AND INCIDENTAL USES:

P	Accessory Structure (Also see Division 4 of this article)
P	Antenna, Non-Commercial/Amateur
P	ATM's, Self-Serve Kiosks, and Similar Facilities
P/C	Day Care Operation – Home-Based
TP	Field Office or Construction Office (temporary)
P	Garage Sale
P	Home Occupation
C	Mobile Home (temporary security residence)
P	Recreation Building, Multipurpose
P	Recreation Equipment, Mobile (storage & parking)
P	Subdivision Sales Office (temporary)
P	Swimming Pool, Private (accessory to residential use)
P	Tennis Court, Private (accessory to residential use)
P/SE	Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

P	Civic, Social, and Fraternal Organization
C	Cultural Facilities
P	Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P	Fire/Police Station
C	Medical/Dental Laboratory
P	Post Office

EDUCATIONAL AND RELIGIOUS USES:

C	Arts School
P	Church or Place of Worship
C	Day-Care Operation - Center-Based
P	School: Public/Private

SERVICE

P	Office (general, professional, financial)
P	Personal Services
C	Printing, Copying, Reproduction, Publishing

TRADE – RETAIL USES

P	ATM's, Self-Serve Kiosks, and Similar Facilities
P/C	Restaurant, Fast Food
P/C	Restaurant, Standard

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P	Automobile Parking Lot or Structure - Commercial
C	Broadcast Studio
P	Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

P	Petroleum or Gas Well
P	Urban Garden

LEGEND

P - Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)
C - Permitted as a Conditional Use Permit, Requiring Approval by City Council
TP - Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

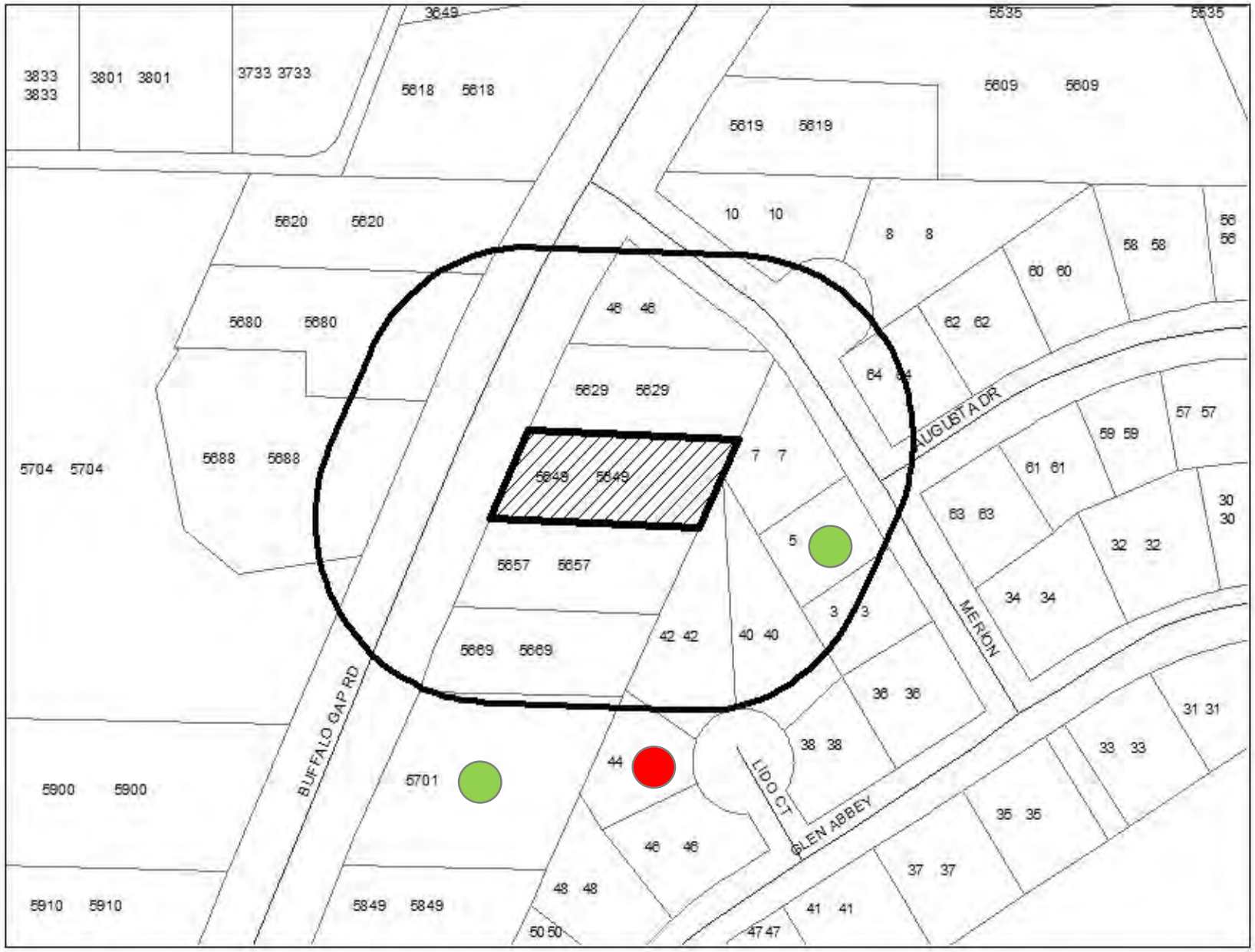
Application Review

- The Future Land Use section of the Comprehensive Plan designates this general area as ‘low-density residential’ for single-family development.
- The Master Thoroughfare Plan designates Buffalo Gap Road as a major ‘arterial’ street. Additionally, the requested office zoning is compatible with the Buffalo Gap Corridor Study, which specifically states, both residential and office uses are suitable at mid-block locations.
- The requested NO zoning in this location is deemed compatible with the Future Land Use Map, the Comprehensive Plan, the Buffalo Gap Corridor Study and adjacent uses in the area.

Staff Comments

- Neighborhood Office has been determined to be an appropriate zoning along certain arterial street segments where nonresidential use is commonplace and abut single-family residences. The required landscaping and buffering will help to soften the impacts of any office development on the adjoining and surrounding area.
- Within Neighborhood Office (NO) zoning districts, there is a maximum 15,000-square-foot limit on the size of any one building structure as well as a 35-foot (two-story) building height limit.
- Limited office uses permitted by the proposed change would be appropriate in the immediate area, due to surrounding land uses and overall compatibility with the surrounding residential uses as well as the Comprehensive Plan and the Buffalo Gap Corridor Study.

Z-2018-01 Notification Map



Notification Map

N
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Legend

200' Buffer

Case

Z-2018-01

2* in Favor - Y

1 Opposed - N

Recommendation

The applicant requests rezoning from Residential Single Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR), in order build a new neighborhood office development.

- Staff Recommended: Approval
- Planning Commission Recommended: Approval

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Mr. Robert Hanna, City Manager**

FROM: **Mr. Taurus L. Freeman, Interim Director/Planning & Development Services**

SUBJECT: **Ordinance:** ***(First Reading)*** **Z-2018-02 A request from Compass Bank, agent Jason Link/Stantec, to rezone property from a combination of General Retail/Corridor Overlay and Office/Corridor Overlay (GR/COR and O/COR) to General Retail/Corridor Overlay (GR/COR.) located at 6301 Buffalo Gap Road; and setting a public hearing for February 8, 2018** ***(Taurus Freeman)***

GENERAL INFORMATION

The applicant requests rezoning from a combination of Office/Corridor Overlay (O/COR) and General Retail/Corridor Overlay (GR/COR) to General Retail/Corridor Overlay (GR/COR), in order build a new retail development to include fuel sales.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning & Zoning Commission recommends approval by a vote of six (6) in favor with none in opposition.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Exhibit
Staff Report	Backup Material
Presentation	Presentation

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 25th day of January, A.D. 2018.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of December, 2017, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 4:30 p.m., on the 8th day of February, 2018 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 8th day of February, A.D. 2018.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from a combination of General Retail/Corridor Overlay and Office/Corridor Overlay (GR/COR and O/COR) to General Retail/Corridor Overlay (GR/COR).

Legal Description: Lot 101, Block A, Champions Addition, Section 1, City of Abilene, Taylor County, Texas.

Location: 6301 Buffalo Gap Road

-END-

ZONING CASE Z-2018-02
STAFF REPORT

REQUEST: Rezoning

APPLICANT:
Owner: Compass Bank
Agent: Jason Link/Stantec

HEARING DATES:
P & Z Commission: January 2, 2018
City Council 1st Reading: January 25, 2018
City Council 2nd Reading: February 8, 2018

LOCATION:
The subject property is located at 6301 Buffalo Gap Road, at the southeast corner of Antilley and Buffalo Gap roads, and consists of 2+/- acres.

PROPOSAL AND REQUESTED ACTION:
The applicant requests rezoning from a combination of Office/Corridor Overlay (O/COR) and General Retail/Corridor Overlay (GR/COR) to General Retail/Corridor Overlay (GR/COR), in order build a new retail development to include fuel sales.

DEVELOPMENT STANDARDS:

The following sections of the City of Abilene Land Development Code apply to the rezoning request:

- Chapter 4. Article 2. Division 1: Development Standards

APPLICATION REVIEW:

According to Section 1.4.1.4, Criteria for Approval, in the City of Abilene Land Development Code, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended;

Currently, the property is zoned a combination of Office/Corridor Overlay (O/COR) and General Retail/Corridor Overlay (GR/COR) and is the location of a now vacant Compass Bank building. Adjacent properties to the south, west and east have developed with commercial, retail, and office type uses. The properties to the north, across Antilley Road, are zoned Residential Single-Family/Corridor Overlay (RS-8/COR) and developed with the Early Childhood Education Center. The applicant is requesting a change to make the entirety of the subject property zoned General Retail/Corridor Overlay (GR/COR), in order build a new retail development to include fuel sales.

The Future Land Use section of the Comprehensive Plan designates this general area as 'Commercial' for retail, office and other compatible zoning uses. The Master Thoroughfare Plan designates Buffalo Gap Road and Antilley Road as Major Arterial streets. The intersection of two major arterials is generally a node that would be suited for retail commercial development. Additionally, the requested General Retail zoning is compatible with the Buffalo Gap Corridor Study, which specifically "encourages any future retail/commercial zoning only at major intersections, especially where existing commercial activities are already present," such as the subject property. The proposed zoning request and proposed use, to include fuel sales, would be similar to the adjacent zoning districts and is compatible with the area.

(2) Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;

	Zoning	Existing Land Use
North	RS-8/COR	Wylie Early Childhood Education Center
South	GR/COR	Vacant Retail Building
East	GR & O/COR	Abilene Teachers Credit Union
West	GR & GC/COR	Office and Commercial Uses

General retail commercial uses permitted by the proposed change would be appropriate in the immediate area, due to surrounding land uses and overall compatibility with the surrounding commercial and office uses as well as the Comprehensive Plan and the Buffalo Gap Corridor Study.

The entire property was annexed in 1963. The northern portion of the subject property is approximately 125-feet wide and was zoned Office (O) with initial adoption of the present zoning map in 1974. The remainder of this subject property was included within a Shopping Center (now General Retail) zoning district during 1981. Most of the surrounding area is developed with a commercial, retail, and office type uses. There are multiple other General Retail (GR), General Commercial (GC) and Office (O) uses along nearby segments of Buffalo Gap Road and Antilley Road.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area;

The proposed retail development, which includes fuel sales, would be in accordance with the Future Land Use Plan of the City of Abilene and the Buffalo Gap Corridor Study. Additionally, the proposed General Retail/Corridor Overlay (GR/COR) use of the property would not have any negative impacts on the surrounding public schools, streets, water supply, sanitary sewers, and other public services and utilities. Adjoining segments of both Buffalo Gap Road and Antilley Road are fully improved arterial streets with high capacity for traffic volume.

(4) Any other factors which will substantially affect the public health, safety, morals, or general welfare.

Upon review, the proposed rezoning and the proposed development would not negatively affect the public health, safety, morals, or general welfare of the surrounding residents based on the surrounding residential uses, the location of this along a major 'arterial' streets and the City's Future Land Use Plan.

STAFF COMMENTS:

The applicant requests a rezoning from a combination of Office/Corridor Overlay (O/COR) and General Retail/Corridor Overlay (GR/COR) to General Retail/Corridor Overlay (GR/COR) in order build a new retail development to include fuel sales.

Currently, the property is zoned a combination of Office/Corridor Overlay (O/COR) and General Retail/Corridor Overlay (GR/COR) and is developed with a now-vacant Compass Bank building. Adjacent properties to the south, west and east have developed with retail and office type uses. The properties to the north, across Antilley Road, are zoned Residential Single-Family/Corridor Overlay (RS-8/COR), and developed with the Wylie Early Childhood Development.

The rezoning request is in line with adjacent uses, the Future Land Use section of the Comprehensive Plan, Buffalo Gap Corridor Overlay Study, and the Master Thoroughfare Plan.

STAFF RECOMMENDATION:

Staff recommends approval of the request.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval of this request by a vote of six (6) (Noonan, Smith, Calk, Famble, Rosenbaum, and Dunnahoo) with none in opposition at their January 2 of 2018 meeting.

NOTIFICATION:

The Planning Services Division sent, with certificate of mailing, public notices to the applicant and property owners within a 200-foot radius.

OWNER	SITUS	RESPONSE
ABILENE TEACHERS FEDERAL	3849 ANTILLEY RD	In Favor
ANDREW GROUP PREMIER REAL ESTATE ADVISORS INC	7100 BUFFALO GAP RD	In Favor
CASEY TERRY & MARY CATHRYN	6458 BUFFALO GAP RD	
CASEY TERRY & MARY CATHRYN	6382 BUFFALO GAP RD	
CASEY TERRY & MARY CATHRYN	6410 BUFFALO GAP RD	
CENTRAL AREA OF THE CHRISTIAN	6250 BUFFALO GAP RD	
D & K LLC	6326 BUFFALO GAP RD	
HEB GROCERY COMPANY LP	6381 BUFFALO GAP RD	
STATE NATIONAL BANK	6301 BUFFALO GAP RD	

WALKER GLYNN	6350 BUFFALO GAP RD	
WYLIE IND SCHOOL DIST	6251 BUFFALO GAP RD	
WYLIE IND SCHOOL DIST	6249 BUFFALO GAP RD	

ATTACHMENTS:

- Application
- Zoning Map
- Aerial Map
- Thoroughfare Map
- Notification Map
- Parcel Photographs

DEVELOPMENT APPLICATION

Planning

- ☐ Conditional Use
- ☐ Special Exceptions
- ☒ Rezoning
- ☐ Variance
- ☐ PDD Amendment
- ☐ Street Name Change
- ☐ Thoroughfare Abandonment
- ☐ Easement Release
- ☐ Historic Certification of Appropriateness
- ☐ Historic Project Tax Reduction

Relief Procedures

- ☐ Petition for Relief
- ☐ Proportionality Appeal
- ☐ Vested Rights Petition
- ☐ Appeal

Other: _____

Project Name: _____

Address: 6381 Buffalo Gap Rd No. of lots: 1 Acreage: 2.006

Legal Description: Champions Addn Sec 1, Block A, Lot 101

Subdivision Name: Champions Addition Block: A Lot: 101

Current Zoning: GR/O/COR Proposed Zoning (if applicable): GR/COR

OWNER AND AUTHORIZATION

Owner Name: Compass Bank, Attn: Catherine R. Zalatoris

Address: 15 South 20th Street, Level 1

City, State, Zip: Birmingham, AL 35233 Fax: _____

Phone: _____ Email: catherine.zalatoris@bbva.com

Agent Name: Stantec Attn: Jason Link, PE.

Address: 70 NE Loop 410 Ste 1100

City, State, Zip: San Antonio, TX 78216 Fax: _____

Phone: (210) 525-9090 Email: jason.link@stantec.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: _____ Date: 11/29/17

FOR OFFICE USE ONLY

Received: $1500	Fee: $ 1500	Receipt No.: 2029745
Case No.: Z-2018-02	Reviewed By: ZR	

DEVELOPMENT APPLICATION

Special Exception • Variance

Please answer these questions in order to assist Staff with the processing of your Special Exception or Variance request. Please use additional sheet(s), if necessary.

1. **Fully describe the unique circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent.**

Based on the map provided by the City Planning Department, Lot 101 is composed of 2 Zoning, "O"Office and "GR" General Retail. Approx. 145 ft of the lot is categorized as an Office Zoning as measured from the property line along Antilley Rd. The lot would require to be in the GR zoning in order for the proposed development to meet the ordinance.

2. **Are there other locations on the property that could accommodate the use while still complying with the Ordinance and, if so, why have you chosen the proposed location?**

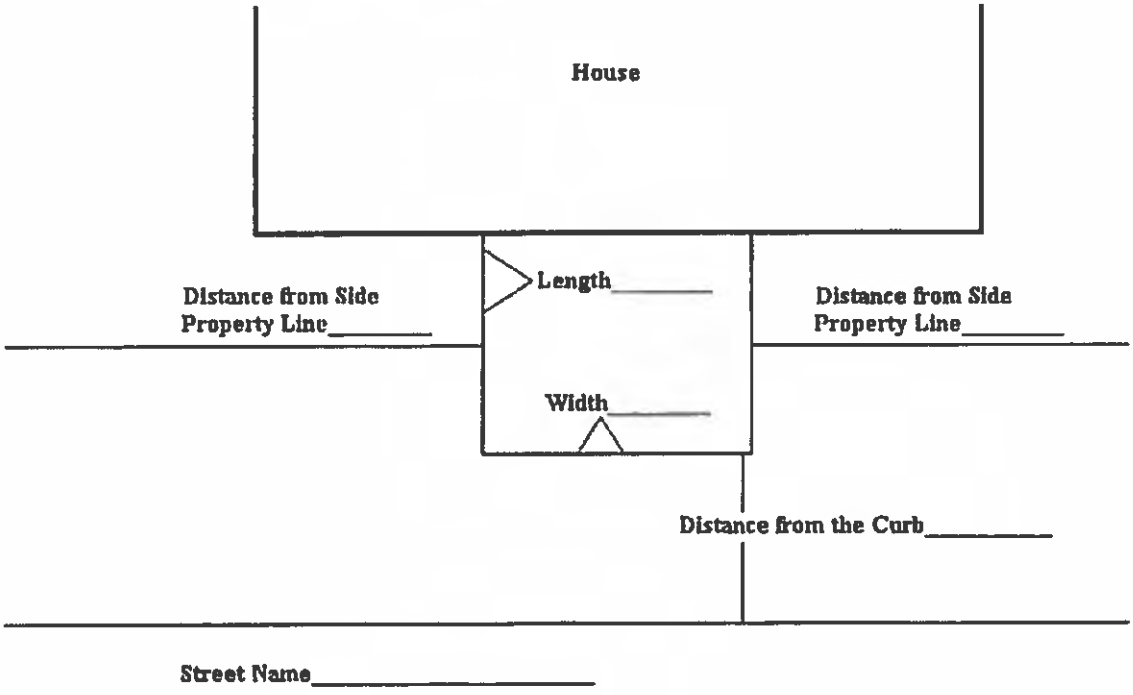
No. The corner lot would allow the fuel station to have a convenient public access to the proposed fuel dispensers.

3. **If this application is for a Special Exception to allow a carport in the front yard setback, please fill-in the diagram below, and check the appropriate boxes:**

House Building Material: ☐ Brick ☐ Stone ☐ Wood ☐ Other_____

Carport Building Material: ☐ Similar to Principal Structure ☐ Metal ☐ Brick ☐ Stone ☐ Wood

☐ Other _____



RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you (FAX or E-mail) of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of $120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____ DATE: 11/29/17

(Revised: 06 01.10)
(Fees: 10.01.08)

THE STATE OF ~~TEXAS~~ Alabama)

COUNTY OF ~~TAYLOR~~ Jefferson)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint , my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, ~~plat, street closure, alley closure, (appeal to the Board of Adjustment)*~~ concerning such property and (2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

Witness my hand this day of November 29, 2017

E. HAYES ARENDALL
NOTARY PUBLIC
STATE OF ALABAMA
COMM. EXP. 09-25-2021

E. Hayes Arendall

*(cross out the inapplicable phrase)

Stantec

Transmittal

Stantec Consulting Services Inc.
70 NE Loop 410 Suite 1100
San Antonio TX 78216-5893
Phone: (210) 525-9090
Fax: (210) 525-0529

To:	Zack Rainbow	From:	Jason Link
Company:	City of Abilene	☐	For Your Information
		☐	For Your Approval
Address:	555 Walnut Street, Abilene, TX 79604	☐	For Your Review
		☐	As Requested
Phone:			
Date:	December 1, 2017		
File:	2223-10603.202		
Delivery:	Overnight		

Reference: HEB Abilene #2

Attachment:

Copies	Doc Date	Pages	Description
1	12/1/17	13	1 Original Zoning Application
4	12/1/17	13	4 copies Zoning Application
1	12/1/17	1	Check # 7826 $1500
4	12/1/17	1	Rezoning Exhibit

STANTEC CONSULTING SERVICES INC.

Jason Link
Senior Project Manager
Phone: (210)525-9090
Fax: (210) 525-0529
Jason.Link@stantec.com

ZONING IMPACT ANALYSIS

Please answer these questions in order to assist Staff with the processing of your Zoning request.

1. If the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended, please explain, if yes.

Yes. Based on the Future Land Use Map provided, the lot is intended to be for Commercial Use. This development is in compliance with the proposed Land Use.

2. Are the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified? If so, please explain.

Yes. The property owner intends to develop Lot 101 into a gas station. A gas station is not permitted under the "O" zoning compared to Zoning "GR". The proposed site plan of the gas station will encroach the "O" zoning if the proposed zoning will not he updated.

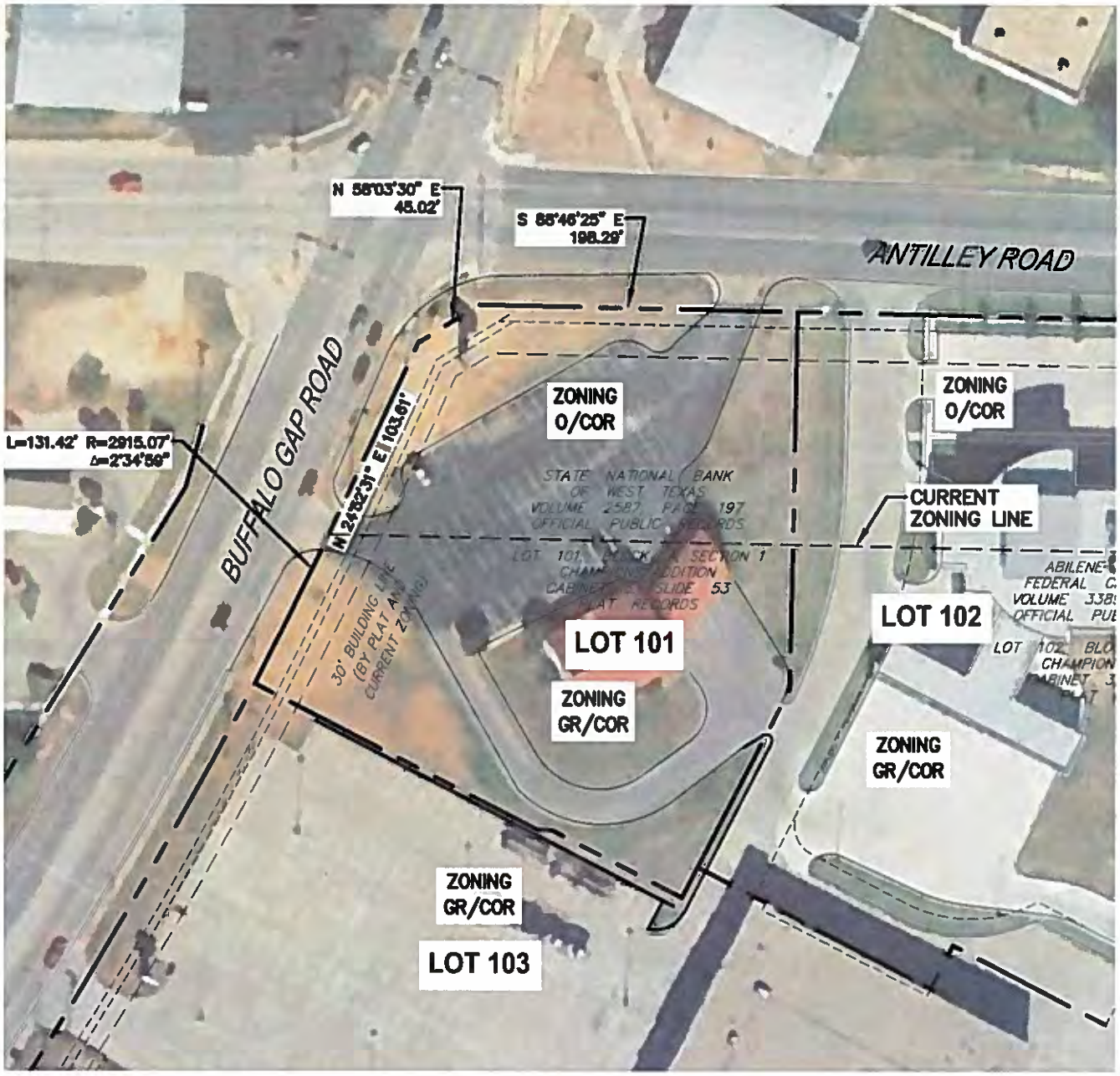
3. Is the proposed change in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area? If yes, please explain.

No.

4. Are there other factors which will substantially affect the public health, safety, morals, or general welfare? If no, please explain.

No.

CURRENT ZONING



V:\2223\active\222310603\civil\drawing\exhibits\HEB ABILENE - REZONING EXHIBIT.dwg
2017/11/28 8:21 AM By: Gilbert, Corey

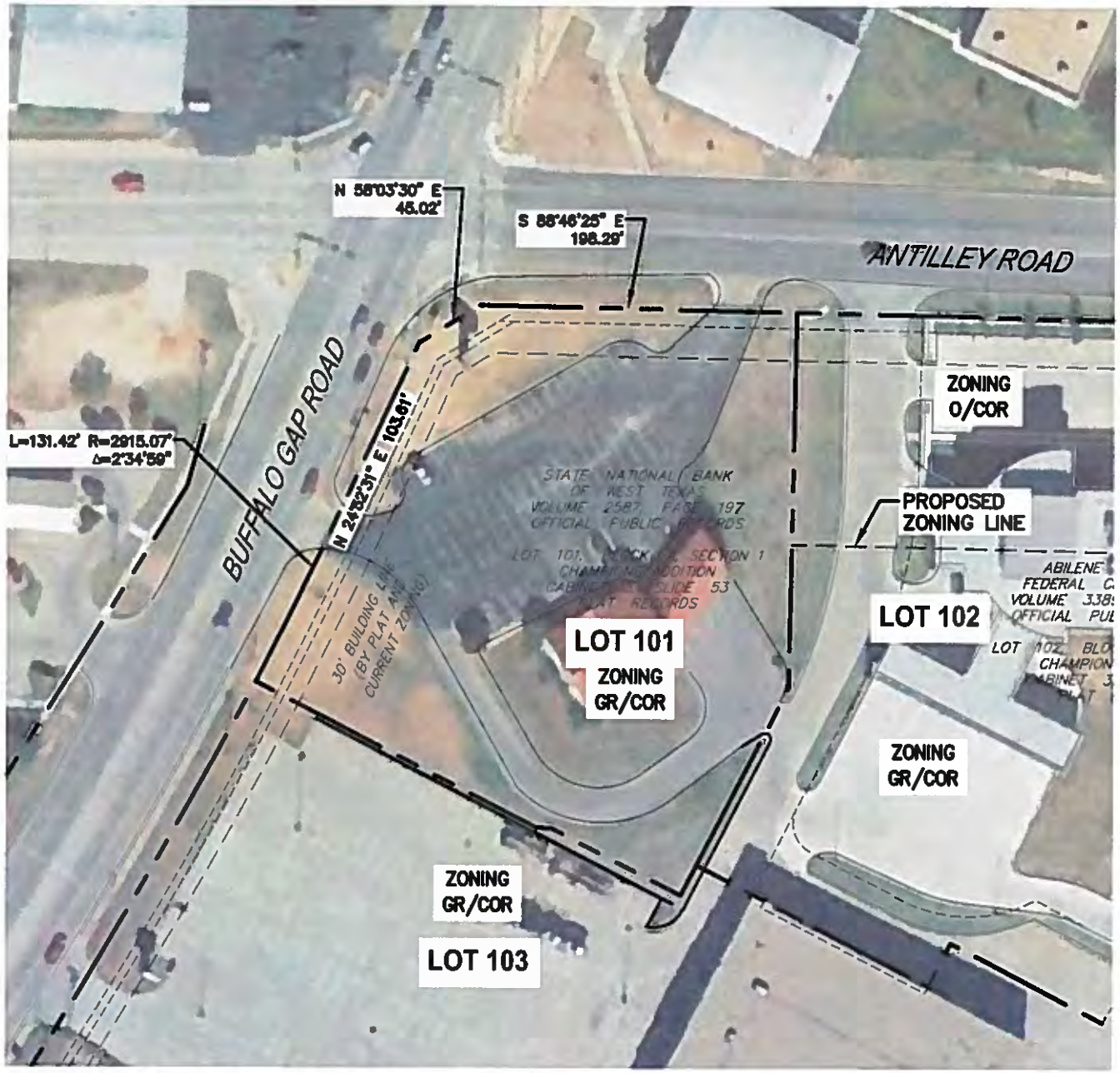
ORIGINAL SHEET - ANSI B

Legend

Stantec

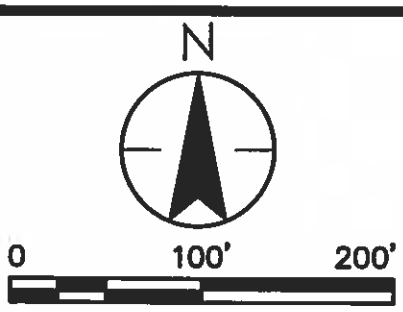
70 NE Loop 410, Suite 1100
San Antonio, Texas 78216
www.stantec.com

PROPOSED ZONING



November 2017
222310603

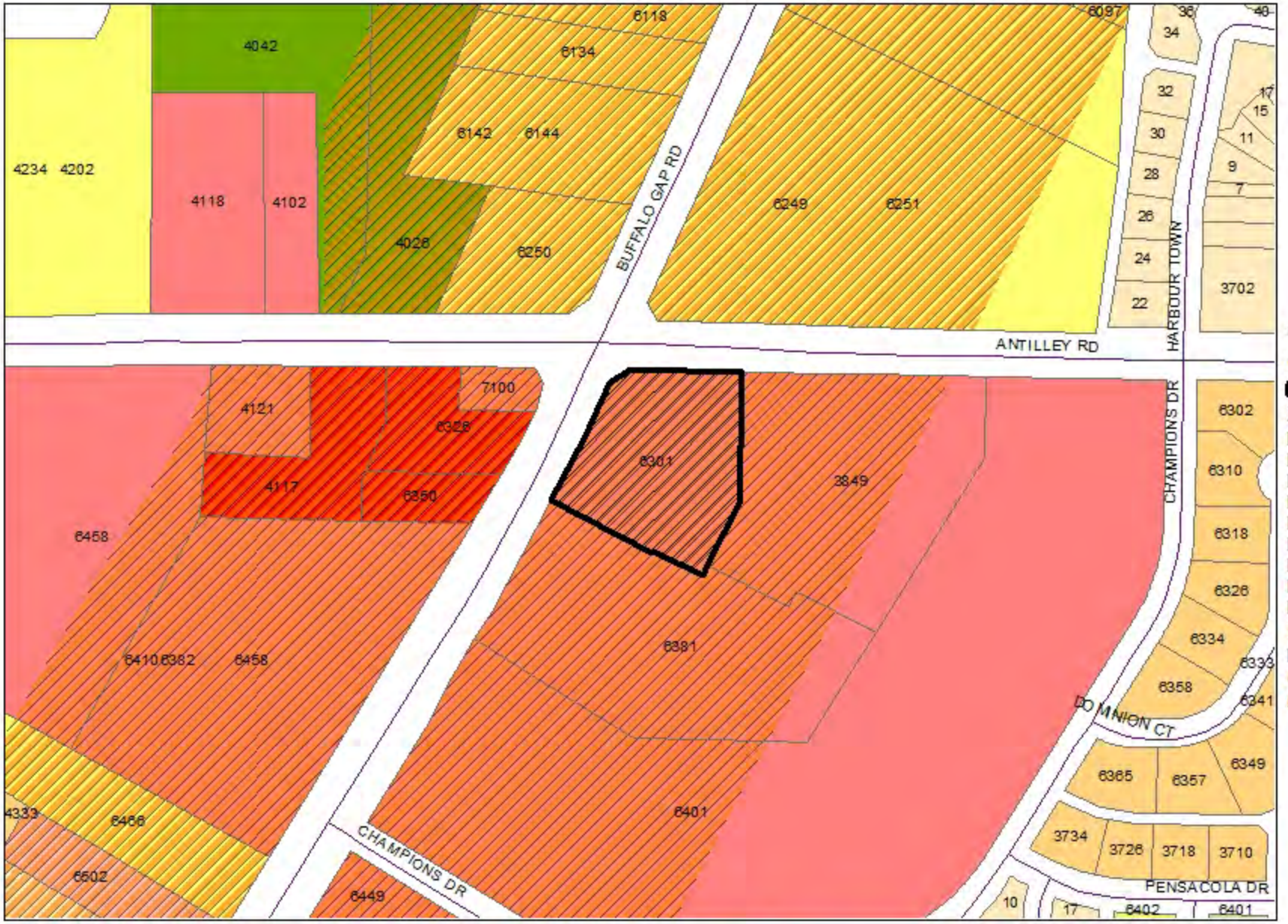
Notes



Client/Project
HEB - ABILENE

Figure No.
EXH-Z

Title
REZONING EXHIBIT



CITY OF ABILENE

Planning & Development SERVICES

Existing Land Use

N
W E
S

Legend

Case

Z-2018-02

Existing Land Use

- Churches
- Commercial
- Multi-Family Residential
- Public/Semi-Public
- Single-Family Residential
- Vacant

CITY OF ABILENE

Planning & Development SERVICES

Aerial Map

N
W E
S

Legend

Case

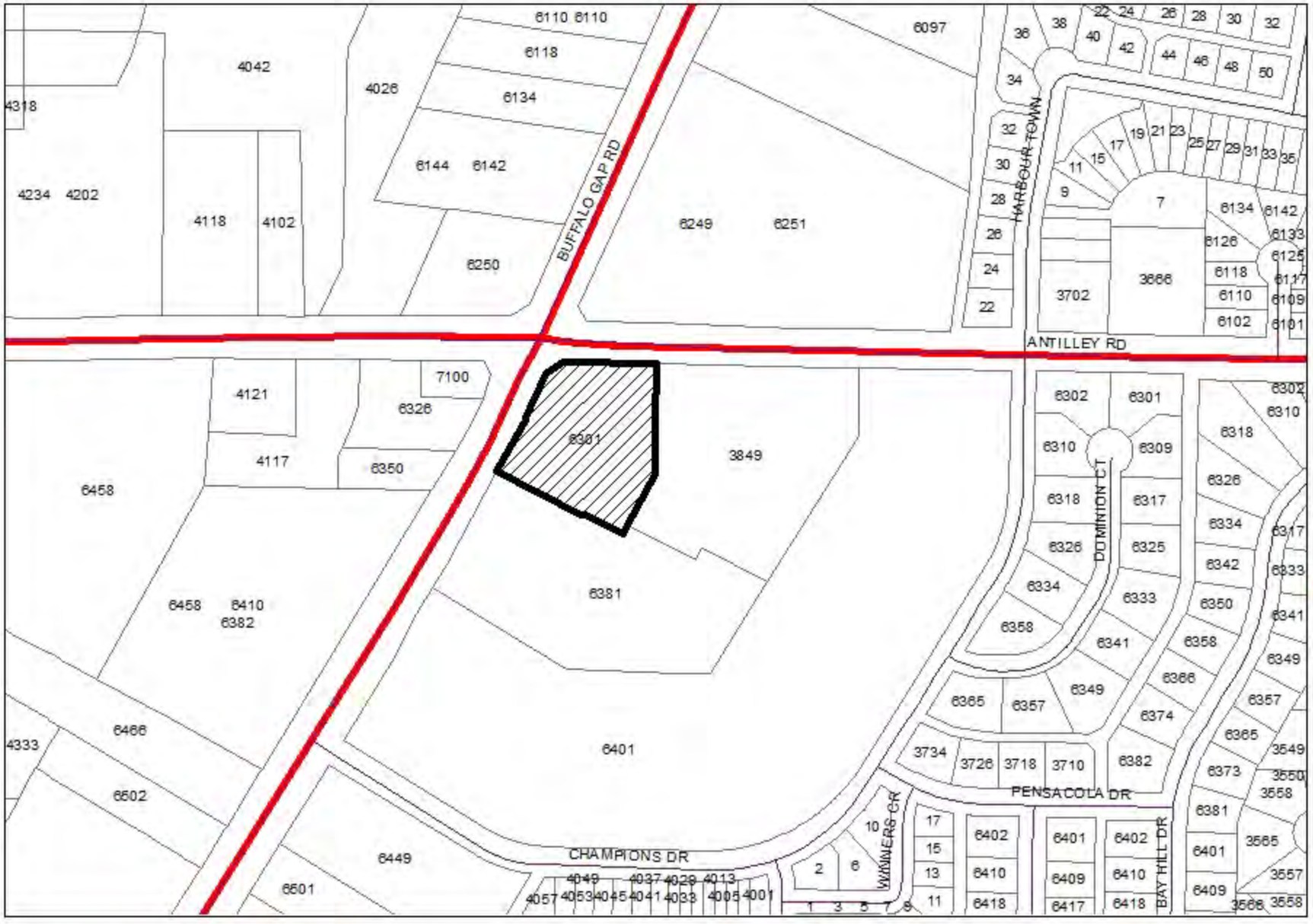
Z-2018-02

CITY OF ABILENE

Planning & Development SERVICES

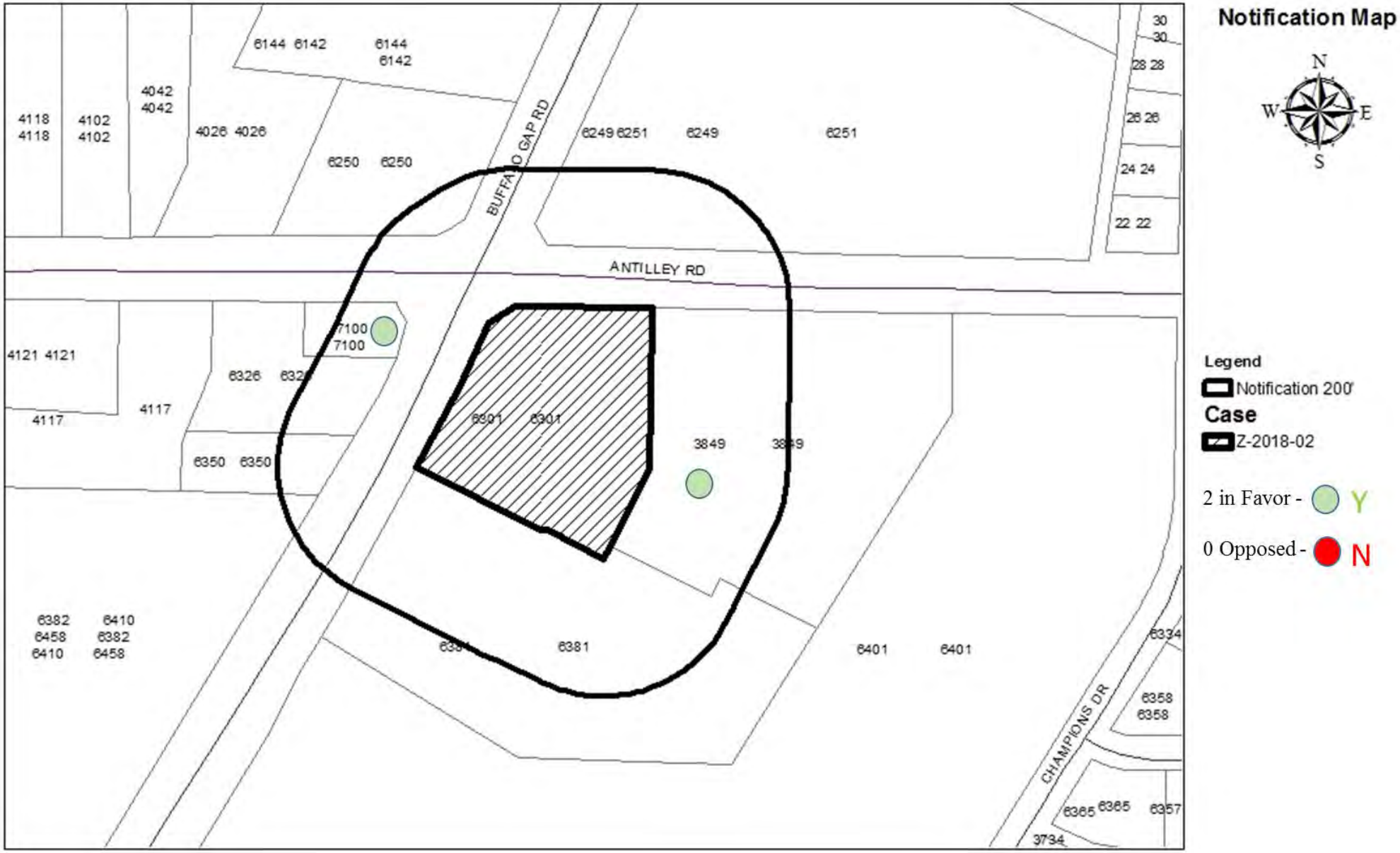
CITY OF ABILENE

Planning & Development SERVICES



CITY OF ABILENE

Planning & Development SERVICES


Notification Map
N
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E
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Legend
Notification 200'
Case
Z-2018-02
2 in Favor - Y
0 Opposed - N
ANTILLEY RD
BUFFALO GAP RD
CHAMPIONS DR
6144 6142
6144
6142
4042
4042
4118
4118
4102
4102
4026 4026
6250 6250
6249 6251
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4121 4121
4117
4117
6326
6350 6350
6301 6301
3849
6382
6458
6410
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6382
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6334
6358
6358
6365 6365
6357
3734

ZONING CASE Z-2018-02
SITE PHOTOS

South view at the intersection of the subject property

Southwest view of property and the intersection of Buffalo Gap and Antilley Roads

East view of subject property

Northwest view of across Buffalo Gap Rd.

West view across Buffalo Gap Rd.

North view along Buffalo Gap Rd.

East view along Antilley Rd.

Northeast View

CITY OF ABILENE
PLANNING & DEVELOPMENT SERVICES

ANDREW GROUP PREMIER REAL ESTATE ADVISORS INC
325 ALLEN ACRES
ABILENE, TX 79602-3438

NOTICE OF PUBLIC HEARING

RE: Rezoning Application Number Z-2018-02 **12/19/2017**

The Planning and Zoning Commission will hold a public hearing on **Tuesday, January 2, 2017**, at **1:30 PM**, in City Council Chambers, 2nd Floor, City Hall, N. 5th and Walnut Streets, Public hearing and possible vote to recommend approval or denial to City Council on a request from Compass Bank, agent Jason Link/Stantec, to rezone property from a combination of GR/COR and O/COR (General Retail/Corridor Overlay and Office/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay). Legal description being Lot 101, Block A, Champions Addition, Section 1, City of Abilene, Taylor County, Texas and located at 6301 Buffalo Gap Road.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email or fax as listed below. All responses must be signed.

The attached map shows the area of the request. Only that area which is bounded by the cross-hatched line on the map is being considered for rezoning. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with a public hearing on **February 8, 2018**, at 4:30 p.m. in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Zack Rainbow, Planning Manager at (325) 676-6237 or zack.rainbow@abilenetx.com.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

JAN 2 AM 8:58

CASE #: Z–2018-02
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: ANDREW GROUP PREMIER REAL ESTATE ADVISORS INC

Address: 7100 BUFFALO GAP RD
Fax #: (325) 676-6288
email: planning@abilenetx.com

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

I am in favor ☒ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE
PLANNING & DEVELOPMENT SERVICES

RECEIVED
JAN 18 2018
PLANNING

ABILENE TEACHERS FEDERAL
CREDIT UNION
PO BOX 5706
ABILENE, TX 79608-5706

NOTICE OF PUBLIC HEARING

RE: Rezoning Application Number Z-2018-02 **12/19/2017**

The Planning and Zoning Commission will hold a public hearing on **Tuesday, January 2, 2017, at 1:30 PM**, in City Council Chambers, 2nd Floor, City Hall, N. 5th and Walnut Streets, Public hearing and possible vote to recommend approval or denial to City Council on a request from Compass Bank, agent Jason Link/Stantec, to rezone property from a combination of GR/COR and O/COR (General Retail/Corridor Overlay and Office/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay). Legal description being Lot 101, Block A, Champions Addition, Section 1, City of Abilene, Taylor County, Texas and located at 6301 Buffalo Gap Road.

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The attached map shows the area of the request. Only that area which is bounded by the cross-hatched line on the map is being considered for rezoning. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with a public hearing on **February 8, 2018**, at 4:30 p.m. in Council Chambers on the second floor of City Hall, 555 Walnut Street.

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For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2018-02
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Name: ABILENE TEACHERS FEDERAL
Address: 3849 ANTILLEY RD
Fax #: (325) 676-6288
email: planning@abilenetx.com

I am in favor ☑ I am opposed ☐

Additional Comments: We welcome HEB to the neighborhood!

Signature: _____

Owners: Compass Bank

Agent: Jason Link/Stantec

Request: Rezone from combination of O/COR and GR/COR to GR/COR

Location: 6301 Buffalo Gap Road

Notification: 2 in favor, 0 opposed; Area of Opposition – 0%

Staff Recommendation: Approval

Planning Commission Recommendation: Approval

- **AYES:** Smith, Bixby, Rosenbaum, Calk, Dunnahoo, and Famble
- **NAYS:** None

Z-2018-02 AERIAL IMAGERY

Aerial Map

N
W E
S

Legend

Case

Z-2018-02

Z-2018-02 AERIAL IMAGERY

Aerial Map

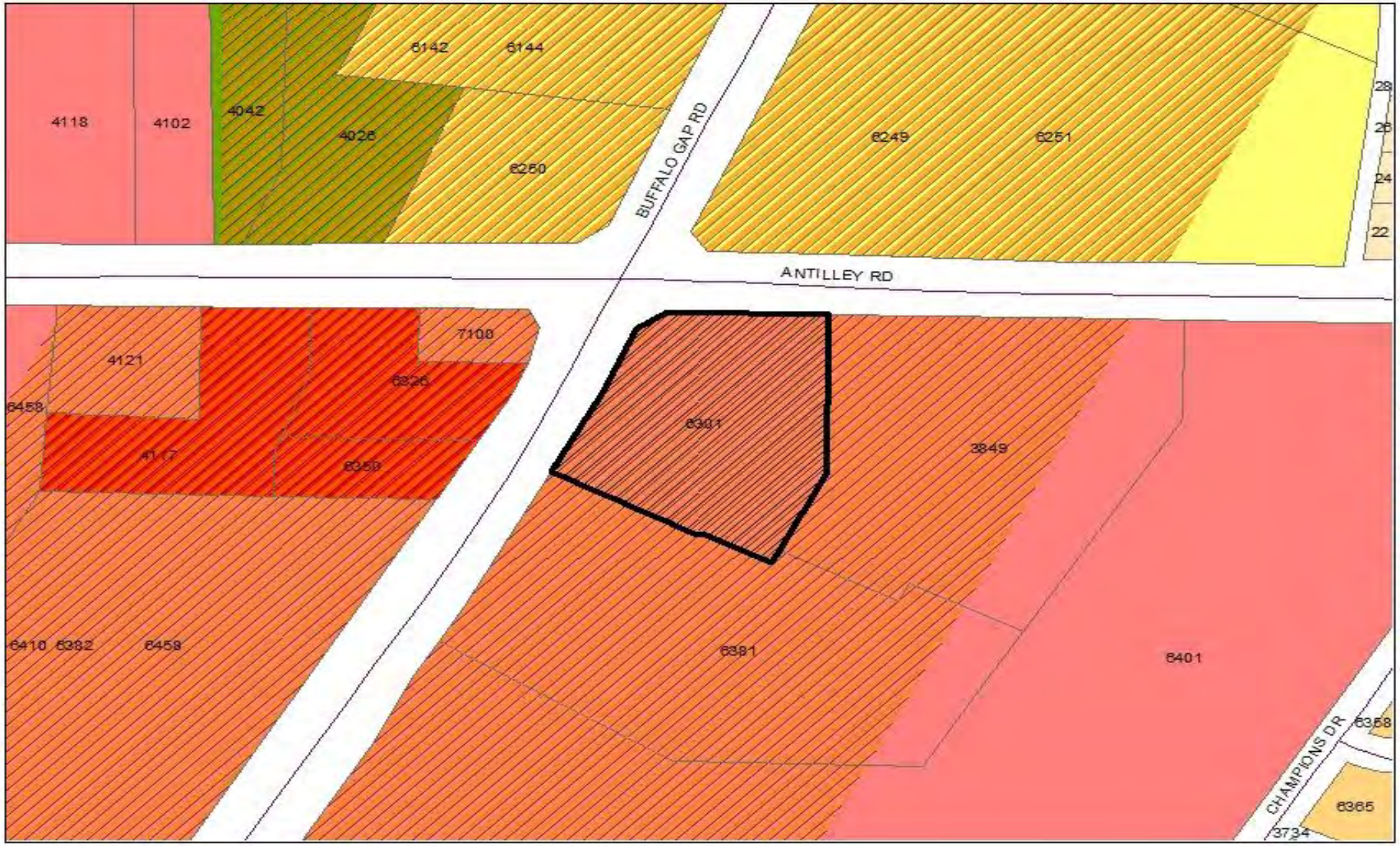
N
W E
S

Legend

Case

Z-2018-02

Z-2018-02 ZONING MAP



Zoning Map

N
W
E
S

Legend

Case

Z-2018-02

Zoning Districts

- AO - Agricultural Open Space
- RS-8: Residential Single-Family
- MF: Multi-Family Residential
- GR: General Retail
- GC: General Commercial
- PD: Planned Develolpment

Parcels

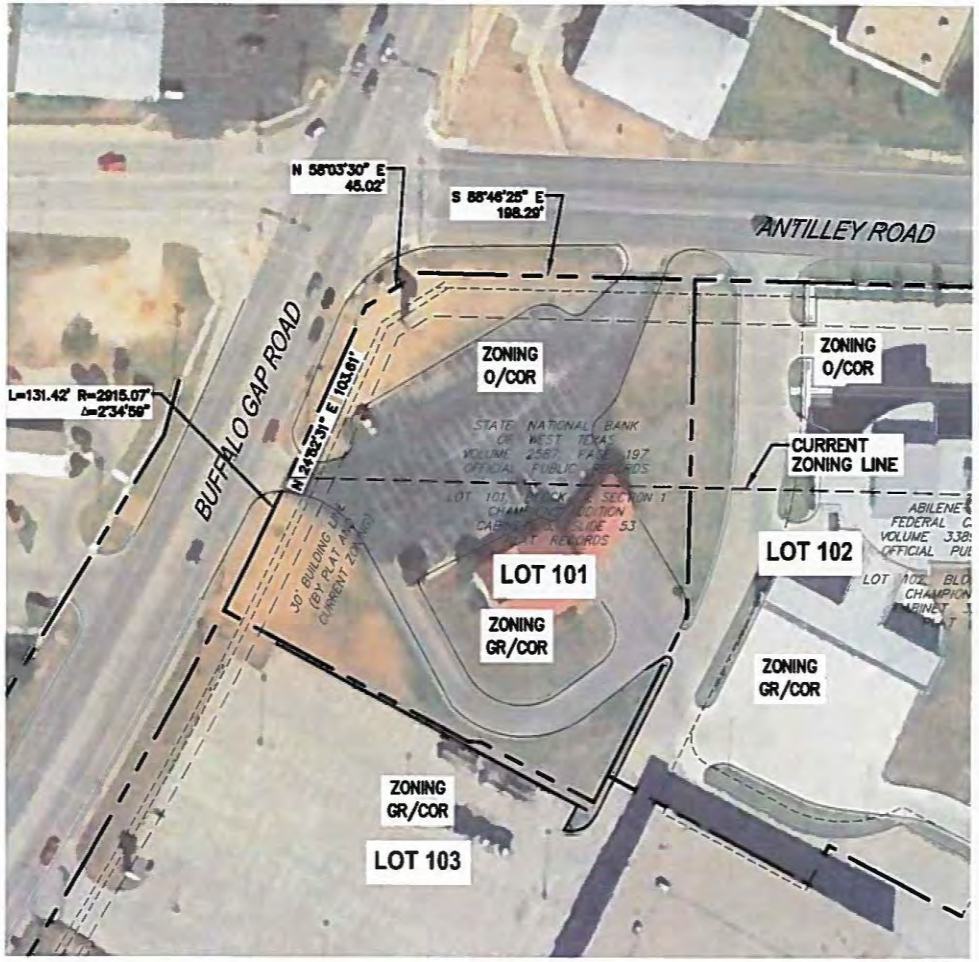
- Parcels

Corridors/Overlays

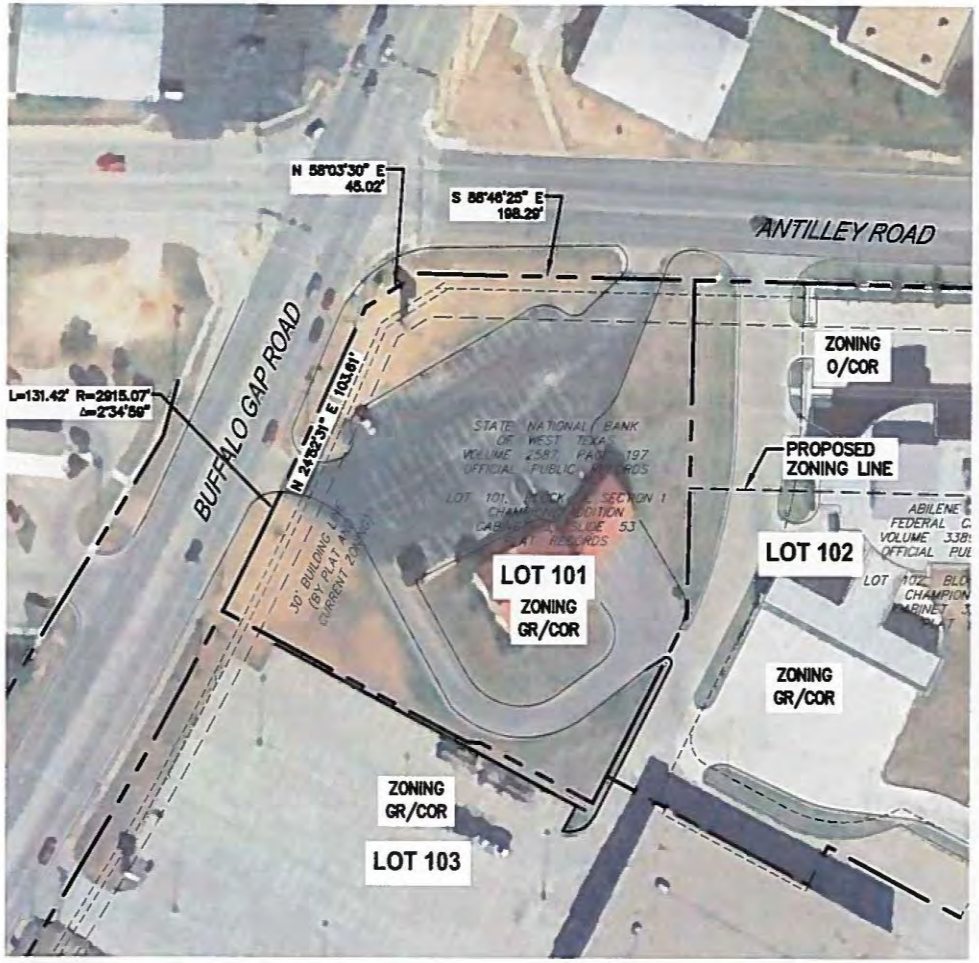
- Commercial Corridors

Z-2018-02 ZONING MAP (CURRENT & PROPOSED)

CURRENT ZONING



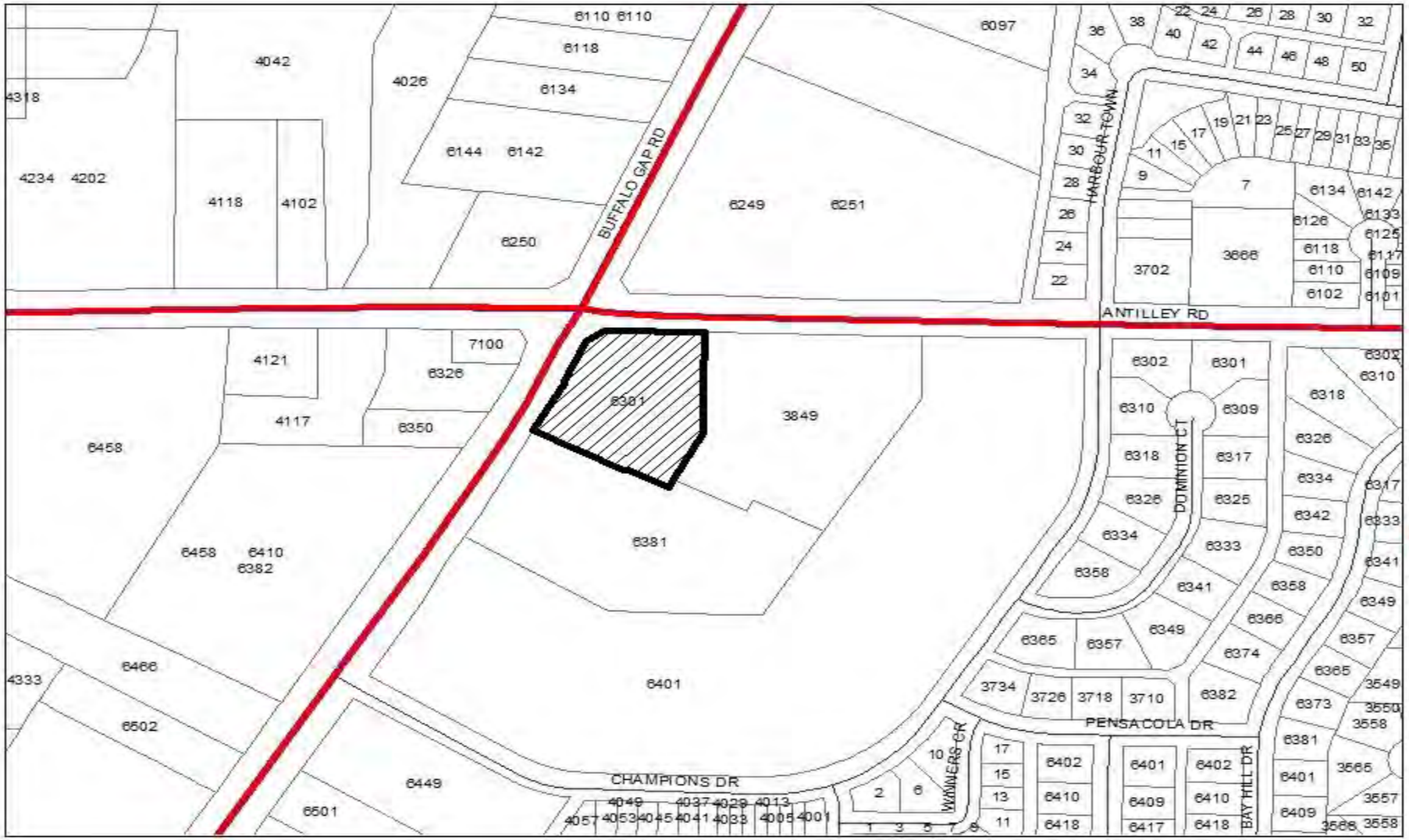
PROPOSED ZONING



ORIGINAL SHEET - ANSI B

November 2
- 222310

Z-2018-02 THOROUGHFARE MAP



Z-2018-02 Views of Subject Property

Northeast

West

South

Z-2018-02 Views of Surrounding Properties

Northeast

East

South

Existing Uses in O Zoning

RESIDENTAL USES:

P	Bed & Breakfast
P	Dwelling – Duplex
P	Dwelling – Industrialized Housing Unit
P	Dwelling – Institutional
P	Dwelling – Multiple-Family
P	Dwelling – Single-Family Detached

ACCESSORY AND INCIDENTAL USES:

P	Accessory Structure (Also see Division 4 of this article)
P	Antenna, Non-Commercial/Amateur
P	ATM's, Self-Serve Kiosks, and Similar Facilities
P/C	Day Care Operation – Home-Based
TP	Field Office or Construction Office (temporary)
P	Garage Sale
P	Home Occupation
C	Mobile Home (temporary security residence)
P	Recreation Building, Multipurpose
P	Recreation Equipment, Mobile (storage & parking)
P	Subdivision Sales Office (temporary)
P	Swimming Pool, Private (accessory to residential use)
P	Tennis Court, Private (accessory to residential use)
P/SE	Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

P	Civic, Social, and Fraternal Organization
C	Cultural Facilities
P	Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P	Fire/Police Station
C	Medical/Dental Laboratory
P	Post Office

EDUCATIONAL AND RELIGIOUS USES:

C	Arts School
P	Church or Place of Worship
C	Day-Care Operation - Center-Based
P	School: Public/Private

SERVICE

P	Office (general, professional, financial)
P	Personal Services
C	Printing, Copying, Reproduction, Publishing

TRADE – RETAIL USES

P	ATM's, Self-Serve Kiosks, and Similar Facilities
P/C	Restaurant, Fast Food
P/C	Restaurant, Standard

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P	Automobile Parking Lot or Structure - Commercial
C	Broadcast Studio
P	Public Utility Facility

RESOURCE PRODUCTION & EXTRACTION

P	Petroleum or Gas Well
P	Urban Garden

LEGEND

P - Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)
C - Permitted as a Conditional Use Permit, Requiring Approval by City Council
TP - Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Proposed Uses in NR Zoning

RESIDENTAL USES:

P	Bed & Breakfast
P	Dwelling - Duplex
P	Dwelling – Industrialized Housing Unit
P	Dwelling – Institutional
P	Dwelling – Multiple-Family
P	Dwelling – Single Family Detached
C	Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

P	Accessory Structure (Also see Division 4 of this article)
P	Antenna, Non-Commercial/Amateur
P	ATM's, Self-Serve Kiosks, and Similar Facilities
P	Day Care Operation – Home Based
C	Drive-Thru Facility
TP	Field Office or Construction Office (temporary)
C	Fuel Sales
P	Garage Sales
P	Home Occupation
C	Mobile Home (temporary security residence)
P	Recreation Building, Multipurpose
P	Recreation Equipment, Mobile (storage and parking)
C	Recycling Collection Point
P	Subdivision Sales Office (temporary)
P	Swimming Pools, Private (accessory to residential use)
P	Tennis Courts, Private (accessory to residential use)
P/SE	Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

P	Civic, Social, and Fraternal Organization
C	Cultural Facilities
P	Recreation – Outdoors (passive)
C	Recreation and Commercial Entertainment - Indoor

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P	Fire/Police Station
C	Medical/Dental Laboratory
P	Post Office
C	Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

P	Arts School
P	Church or Place of Worship
P	Day-Care Operation - Center-Based
P	School: Public/Private

SERVICE

C	Automobile Wash
P	Laundry/Dry Cleaning Services & Facilities
P	Office (general, professional, financial)
P	Personal Services
C	Printing, Copying, Reproduction, Publishing
P	Repair and Maintenance Services (indoor)
C	Tattoo Parlor
P	Veterinary Service (small animals)

TRADE – RETAIL USES

P	ATM's, Self-Serve Kiosks, and Similar Facilities
C	**Fuel Sales**
P	Liquor Store (Off Premises Consumption) *(Defined under Liquor Store)*
C	Restaurant, Fast Food
P	Restaurant, Standard
P	Retail Sales/Rental (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

C	Broadcast Studio
P	Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

P	Petroleum or Gas Well

LEGEND

P - Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)
C - Permitted as a Conditional Use Permit, Requiring Approval by City Council
TP - Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

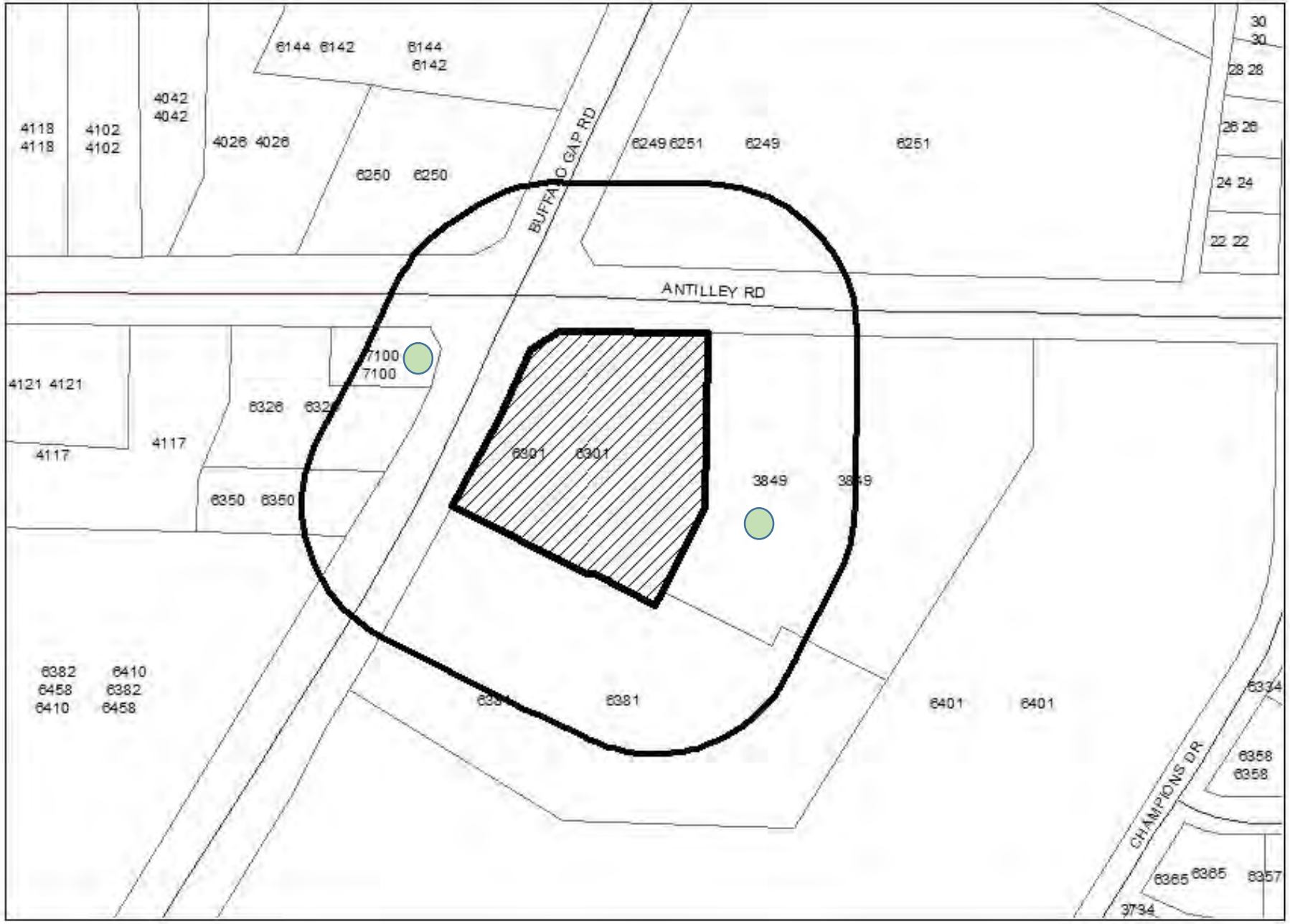
Application Review

- The applicant is requesting the rezoning to develop with the Early Childhood Education Center.
- The Future Land Use section of the Comprehensive Plan designates this general area as ‘Commercial’ for retail, office and other compatible zoning uses.
- Additionally, the requested General Retail zoning is compatible with the Buffalo Gap Corridor Study, which specifically “encourages any future retail/commercial zoning only at major intersections, especially where existing commercial activities are already present,” such as the subject property.
- The Master Thoroughfare Plan designates Buffalo Gap Road and Antilley Road as major ‘Arterial’ streets. The intersection of two major arterials is generally a node that would be suited for retail commercial development.

Staff Comments

- The entire property was annexed in 1963. The northern portion of the subject property is approximately 125-feet wide and was zoned Office (O) with initial adoption of the present zoning map in 1974. The remainder of this subject property was included within the Shopping Center (now General Retail) zoning district during 1981.
- Most of the surrounding area is developed with a commercial, retail, and office type uses. There are multiple other General Retail (GR), General Commercial (GC) and Office (O) uses along nearby segments of Buffalo Gap Road and Antilley Road
- The rezoning request is in line with adjacent uses, the Future Land Use section of the Comprehensive Plan, Buffalo Gap Corridor Overlay Study, and the Master Thoroughfare Plan.

Z-2018-02 Notification Map



Notification Map

N
W E
S

Legend

Notification 200'

Case

Z-2018-02

2 in Favor - Y

0 Opposed - N

Recommendation

The applicant requests rezoning from a combination of Office/Corridor Overlay (O/COR) and General Retail/Corridor Overlay (GR/COR) to General Retail/Corridor Overlay (GR/COR), in order build a new retail development to include fuel sales.

- Staff Recommended: Approval
- Planning Commission Recommend: Approval

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Mr. Robert Hanna, City Manager**

FROM: **Mr. Taurus L. Freeman, Interim Director/Planning & Development Services**

SUBJECT: **Ordinance:** ***(First Reading)*** **TC-2018-01 A request from Christopher Eddleman, to abandon a portion of the portion of the west end of Ward Drive between Rivercrest Drive and Elm Creek. Ward Drive being a 50' right-of-way extending approximately 230'+/- west from Rivercrest Drive; and setting a public hearing for February 8, 2018** ***(Taurus Freeman)***

GENERAL INFORMATION

The applicant is requesting abandonment of 50-foot-wide dead-end segment of public right-of-way for Ward Drive extending approximately 220 feet west from Riverside Drive and terminating at high bank of Elm Creek ravine.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning & Zoning Commission recommends approval by a vote of six (6) in favor (Rosenbaum, Dunnahoo, Smith, Calk, Noonan, and Famble) and none opposed.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Ordinance
Staff Report	Backup Material
Presentation	Presentation

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described portion of a Public Right-of-Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of a Public Right-of-Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right-of-Way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING this 25th day of January A.D. 2018.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of December, 2017, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON FINAL READING THIS 8th day of February, A.D. 2018.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons a portion of the west end of Ward Drive between Rivercrest Drive and Elm Creek. Ward Drive being a 50-foot right-of-way extending approximately 230'+/- west from the west line of right-of-way for Rivercrest Drive, and ending at Elm Creek.

All Public Right-of-Way as indicated and shown in the map below within the dashed area:

With the following conditions:

1. The applicant must replat within 12-months from the date of this ordinance, incorporating the entire right-of-way (authorized to be abandoned) into one or both adjoining properties.
2. The applicant is responsible for providing easements for and/or relocating any existing utilities.

-END-

TC-2018-01
STAFF REPORT

REQUEST: Thoroughfare Closure

APPLICANT INFORMATION:
Christopher Eddleman, owner of property adjoining south side of right-of-way requested to be abandoned

HEARING DATES:
P & Z Commission: January 2, 2018
City Council 1st Reading: January 25, 2018
City Council 2nd Reading: February 8, 2018

REQUESTED ACTION:
The applicant is requesting abandonment of 50-foot-wide dead-end segment of public right-of-way for Ward Drive extending approximately 220-feet west from Riverside Drive.

BACKGROUND:

Approximately, a 1/4-mile segment of Ward Drive, in the Fair Park Acres Addition, was originally dedicated to the public in 1925. The subdivision plat, at the time, illustrated the western end of Ward Drive terminating on the high bank of Elm Creek.

The intersecting segment, now known as Rivercrest Drive, was dedicated with a subsequent resubdivision recorded during 1926. Right-of-way for Ward Drive remains extended approximately 220-feet west from Rivercrest Drive, terminating on the high bank of Elm Creek.

During the late 1940's, a South 7th Street bridge crossing was constructed over Elm Creek, less than 400-feet north of Ward Drive. This effectively precludes the possibility of Ward Drive ever being extended further westward from its present dead end and across the width of Elm Creek.

The initial pavement of Ward Drive is not believed to have occurred until 1953. These improvements included a 30-foot wide pavement, within the 50-foot-wide right-of-way as well as curb-and-gutter on both sides of that pavement, all of which remain today.

STAFF COMMENTS:

The subject segment of Ward Drive, requested to be abandoned, is bordered by just two single-family home sites, located on each side of this street segment. Both single-family homes have street access to Rivercrest Drive and do not rely solely on Ward Drive for street access.

If this segment of Ward Drive is authorized to be abandoned, as requested, then ownership of this 50-foot-wide tract would be divided equally between these two properties north and south of Ward Drive. Any such division of the former right-of-way, authorized to be abandoned, must still be represented on a formal resubdivision or replat. In addition, incorporating both of these properties to finalize the requested abandonment.

This subject segment of right-of-way for Ward Drive serves as an avenue for public and private utilities including, but not limited to, water, sewer and electric utilities. Local electricity distributor American Electric Power (AEP) maintains utility poles on this segment of Ward Drive and needs sufficient access onto this segment of Ward Drive, following its abandonment. Ward Drive also functions as a path for storm water drainage to Elm Creek from Rivercrest Drive.

Abandoning this segment of Ward Drive must thereby be made subject to reserving utility and drainage easements over the entire length and width of this otherwise abandoned right-of-way. Even with such easements reserved, a fence or wall may be constructed across the width of an abandoned Ward Drive, so long as: (1) a suitable gateway permits access by utility trucks; and (2) adequate openings remain at the bottom of such fence or wall, permitting ordinary storm water flow.

Abandoning this segment of street right-of-way will relieve the public of having to maintain 200+/- feet of pavement serving only as "secondary" access to two single-family home sites. Public benefit may thereby derive from such abandonment; yet, as sufficient access can be ensured for utilities and for storm water flow on this otherwise abandoned right-of-way.

RECOMMENDATIONS:

Development Review Committee: Approve the requested abandonment of right-of-way for Ward Drive west from Rivercrest Drive, with the following conditions:

1. formal resubdivision (or replat) of properties bordering both sides of this segment of Ward Drive, accurately illustrating the intended disposition of abandoned right-of-way; and
2. reserving utility and drainage easements on the otherwise abandoned right-of-way, allowing sufficient means of emergency access by utility vehicles.

STAFF RECOMMENDATION:
Approve this requested abandonment, subject to above-stated conditions recommended by Development Review Committee.

PLANNING AND ZONING COMMISSION RECOMMENDATION:
The Planning and Zoning Commission recommended approval of this request by a vote of six (6) (Noonan, Smith, Calk, Famble, Rosenbaum, and Dunnahoo) with none in opposition on January 2, 2018.

NOTIFICATION:

Property owners within the 200-foot of the subject rights-of-way were notified.

OWNER	SITUS	RESPONSE
908 MLK LLC	733 S LEGGETT DR	
BERRY M DEAN & JULIE	780 RIVERCREST DR	
BLESSING DONALD S JR	765 S LEGGETT DR	
BOLES MARJORIE A	773 RIVERCREST DR	
DUFF TYLER J	734 ELMWOOD DR	
EDDLEMAN CHRISTOPHER S &	750 RIVERCREST DR	
GUITAR PHILIP E	3650 WARD DR	
GUITAR PHILIP E	742 RIVERCREST DR	
HILL JOHN A & MOLLY W	757 RIVERCREST DR	In Favor
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE A	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE J	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE K	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE B	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE F	
LARC MANAGEMENT LLC	3909 S 7TH ST	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE C	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE D	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE H	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE I	
LARC MANAGEMENT LLC	3909 S 7TH ST STE SUITE E	
MARTIN KENNETH B &	774 RIVERCREST DR	In Favor
MATTHEWS JULIA JONES	733 RIVERCREST DR	
SHELTON JOHN D JR & SUSAN B &	725 RIVERCREST DR	
SHELTON SUSAN BATJER	725 RIVERCREST DR	
THOMAS GARY L JR & KATHY L	749 S LEGGETT DR	
TRAUTH CHRISTOPHER J	741 RIVERCREST DR	
TRAUTH CHRISTOPHER J	741 RIVERCREST DR	

ATTACHMENTS:
- Application
- Zoning Map
- Aerial Map
- Flood Map
- Thoroughfare Map
- Notification Map
- Parcel Photographs

DEVELOPMENT APPLICATION

Planning

- ☐ Conditional Use
- ☐ Special Exceptions
- ☐ Rezoning
- ☒ Variance
- ☐ PDD Amendment
- ☐ Street Name Change
- ☒ Thoroughfare Abandonment
- ☐ Easement Release
- ☐ Historic Certification of Appropriateness
- ☐ Historic Project Tax Reduction

Relief Procedures

- ☐ Petition for Relief
- ☐ Proportionality Appeal
- ☐ Vested Rights Petition
- ☐ Appeal

Other: _____

Project Name: _____

Address: 750 Rivercrest Drive No. of lots: _____ Acreage: _____

Legal Description: _____

Subdivision Name: _____ Block: _____ Lot: _____

Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: CHRISTOPHER EDDLEMAN

Address: 750 Rivercrest Drive

City, State, Zip: Abilene TX 79605 Fax: _____

Phone: 325 670 4730 Email: cs.eddleman@gmail.com

Agent Name: _____

Address: _____

City, State, Zip: _____ Fax: _____

Phone: _____ Email: _____

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: _____ Date: 11/30/17

FOR OFFICE USE ONLY

Received: 12-4-17	**Fee: $** (See attached)	**Receipt No.:** _____
Case No.: TC-2018-01	**Reviewed By:** ZR	

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you (FAX or E-mail) of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of $120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____ DATE: 11/30/17

(Revised: 06.01.10)
(Fees: 10.01.08)

THE STATE OF TEXAS)
)
COUNTY OF TAYLOR)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint , my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment)* concerning such property and (2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

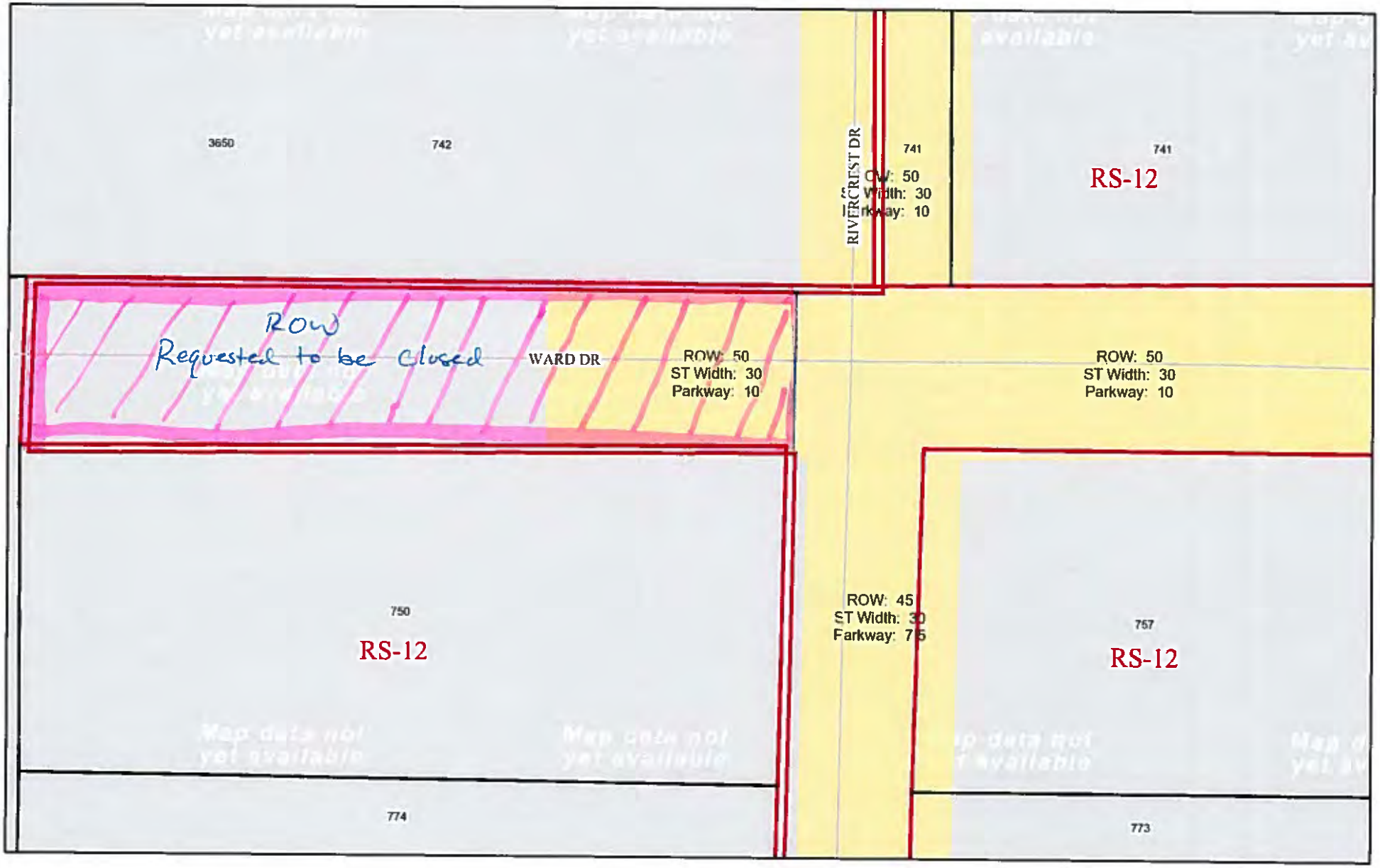
Witness my hand this day of NOVEMBER 30, 20 17

*(cross out the inapplicable phrase)

Kari Polk
11-30-2017

KARI POLK
Notary Public, State of Texas
My Commission Expires
April 24, 2019

City of Abilene



December 8, 2017

ZONING
Streets
ZONING
Parcel Labels
Parcels
LocalGovernment.DBO.ROW_Buffer

1:564

0 0.00475 0.0095 0.019 mi

0 0.0075 0.015 0.03 km

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

CoA Planning and Zoning
CoA GIS Department

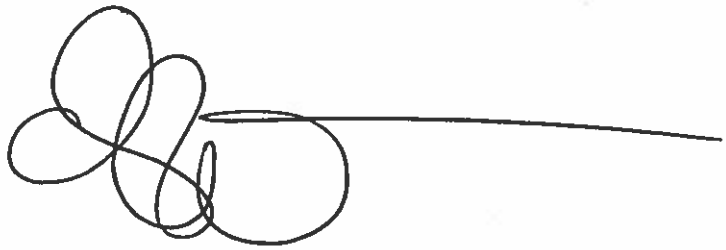
Christopher Eddleman
750 Rivercrest Drive
Abilene, Texas 79605

RE: Thoroughfare Abandonment

To Whom It May Concern:

I am writing this letter to explain the application for thoroughfare abandonment, referring to the west end of Ward Drive between Rivercrest Drive and Elm Creek. This dead end is shared by my property and the Guitars north of the street. The street dead ends into the creek. The other side of the creek entails businesses. As such, it is very unlikely that the City will develop a thoroughfare using this street. Given these circumstances, I am applying for abandonment of this street section. This is done in conjunction with Mr. Phil Guitar and the street, if approved, will be split between the two properties.

Please consider abandonment in this case as this will provide both properties useful land for each property as well as remove responsibility of the city for such, especially since it is very unlikely the City would utilize this street for any municipal function in the future.



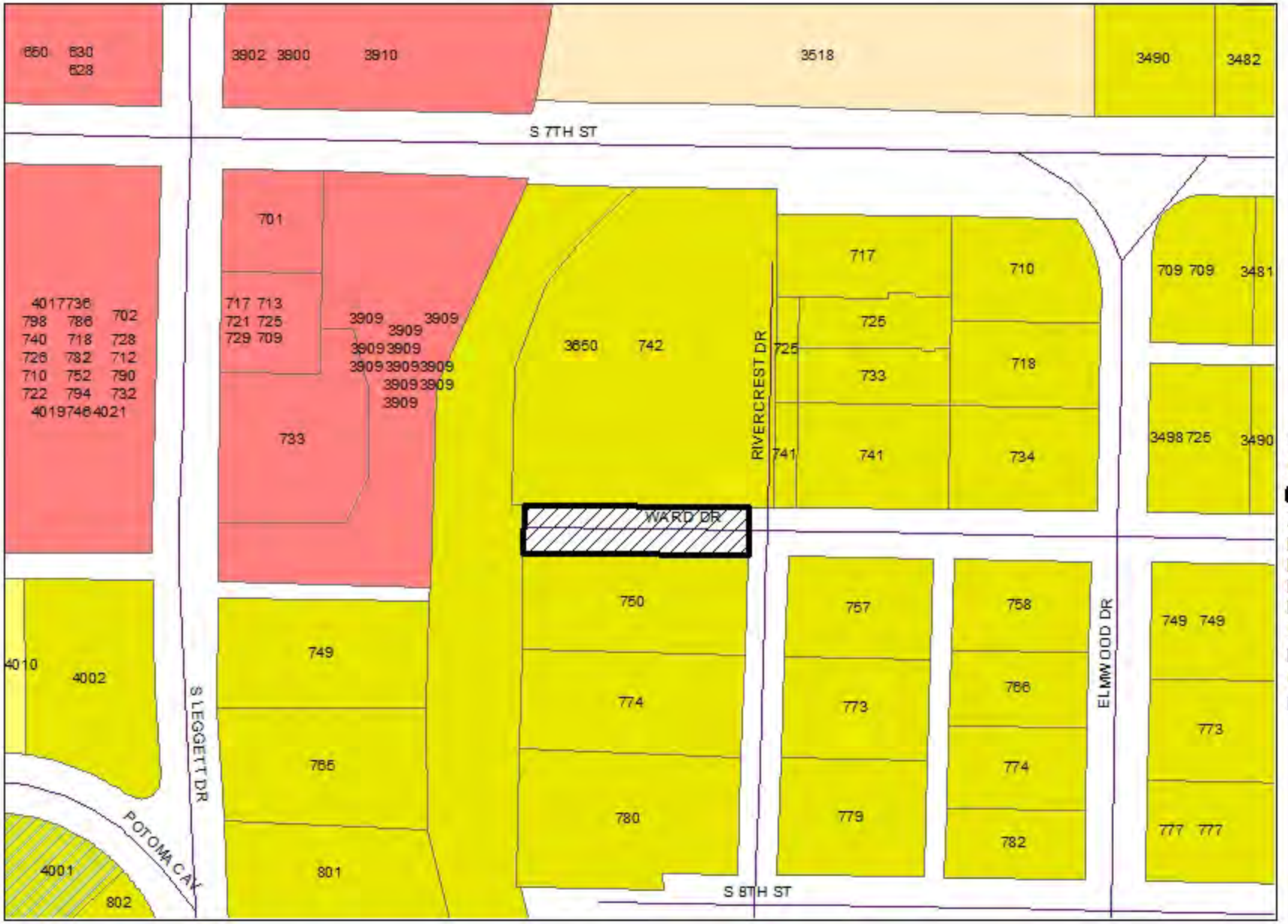
Christopher Eddleman

214 793 3588
cs.eddleman@gmail.com

THOROUGHFARE CLOSURE FEE CALCULATIONS: s.f. $

1	Total area of adjacent properties:	82684
2	Total value of adjacent properties:	258962
3	Square footage value: (#2/#1)	3.13
4	Area if ROW	
	length:	230
	width:	50
	Total:	11500
5	Value of ROW: (#3*#4)	$35,995.00
6	Factored Value: (5*0.10)	$3,599.50
7	Fee: (#6+1500)	$5,100

82684 258962



CITY OF ABILENE

Planning & Development SERVICES

Aerial Map

N
W E
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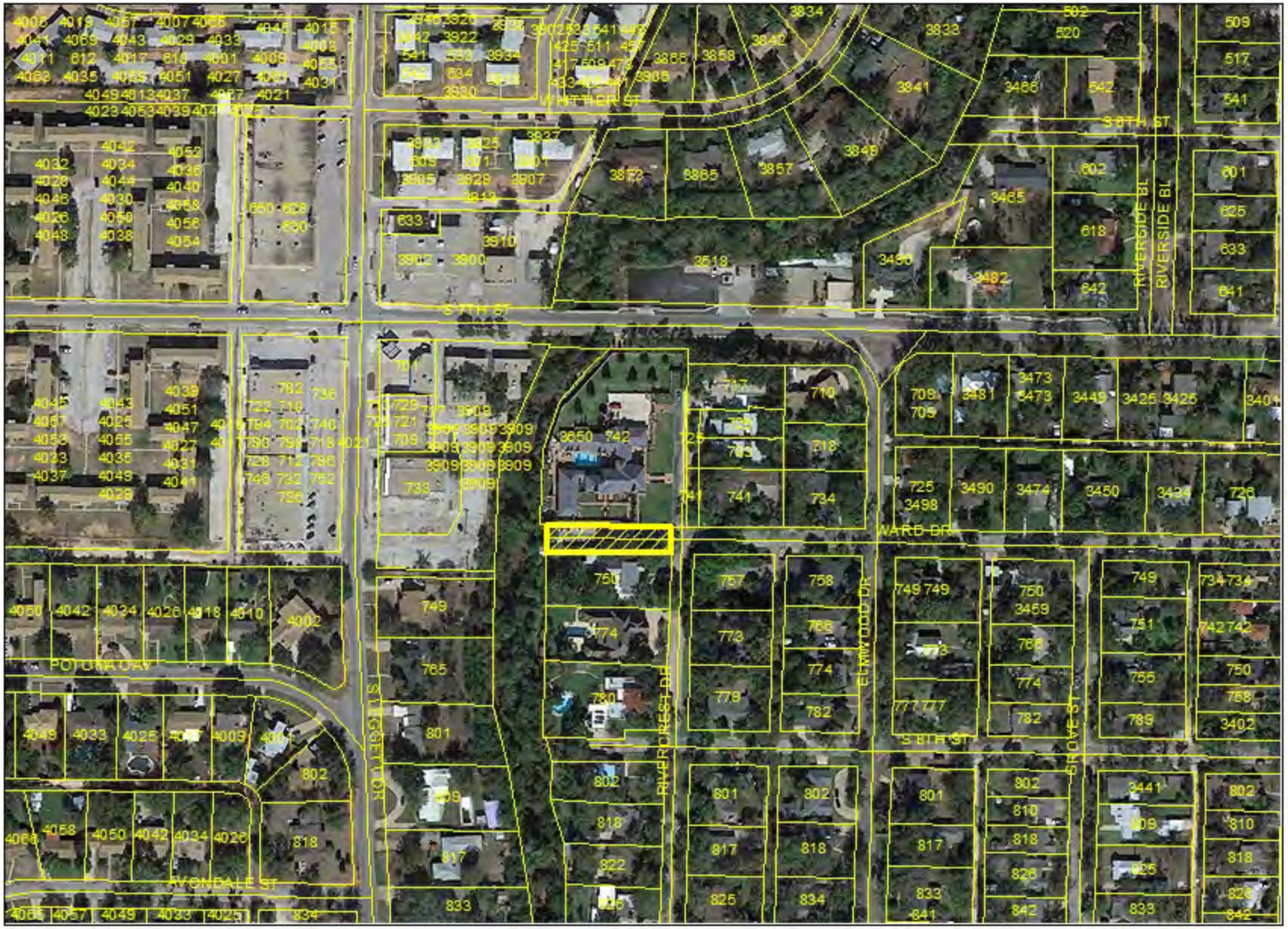
Legend

Case

TC-2018-01

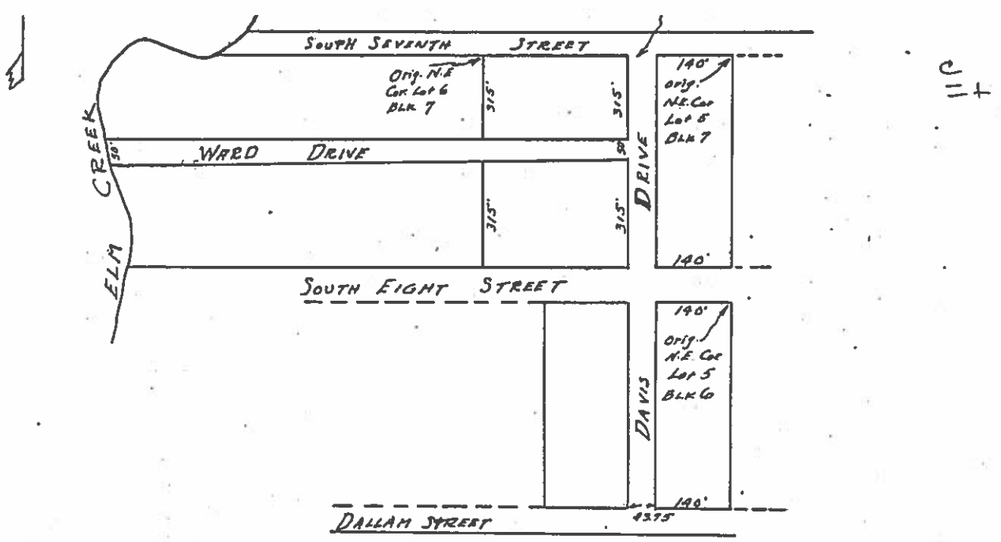
CITY OF ABILENE

Planning & Development SERVICES



CITY OF ABILENE

Planning & Development SERVICES



The State of Texas,)
County of Taylor.) Know all Men By These Presents:-

That we, Hattie M. Sayles, acting by and through her duly authorized agent and attorney in fact, Henry Sayles, Jr., Ed. S. Hughes, and Henry Sayles, Jr., all of Taylor County, Texas, being the respective owners, as our respective interests appear of record in the County Clerk's Office of Taylor County, Texas hereby referred to, of Lots Numbers Five (5) and Six (6), Block Number Seven (7), and Lot Number Five (5), Block Number Six (6), all situated in Fair Park Acres, a Subdivision of a part of the H. Ward Survey No. 90, situated in Taylor County, Texas, hereby dedicate for the use and benefit of the adjoining property and the public certain roadways through said property, and hereby designate said roadways as Davis Drive and Ward Drive as shown by the foregoing plat.

This instrument is executed for the sole purpose of dedicating and designating the above described roadways, and nothing herein shall act as a conveyance by any party hereto of any right title or interest, in and to any part of said Lots Nos. 5 and 6, Block No. 7, and said Lot No 5, Block No. 6, to any other party hereto.

Witness our hands this 17th day of August, 1925.

Henry Sayles, Jr.
Ed. S. Hughes

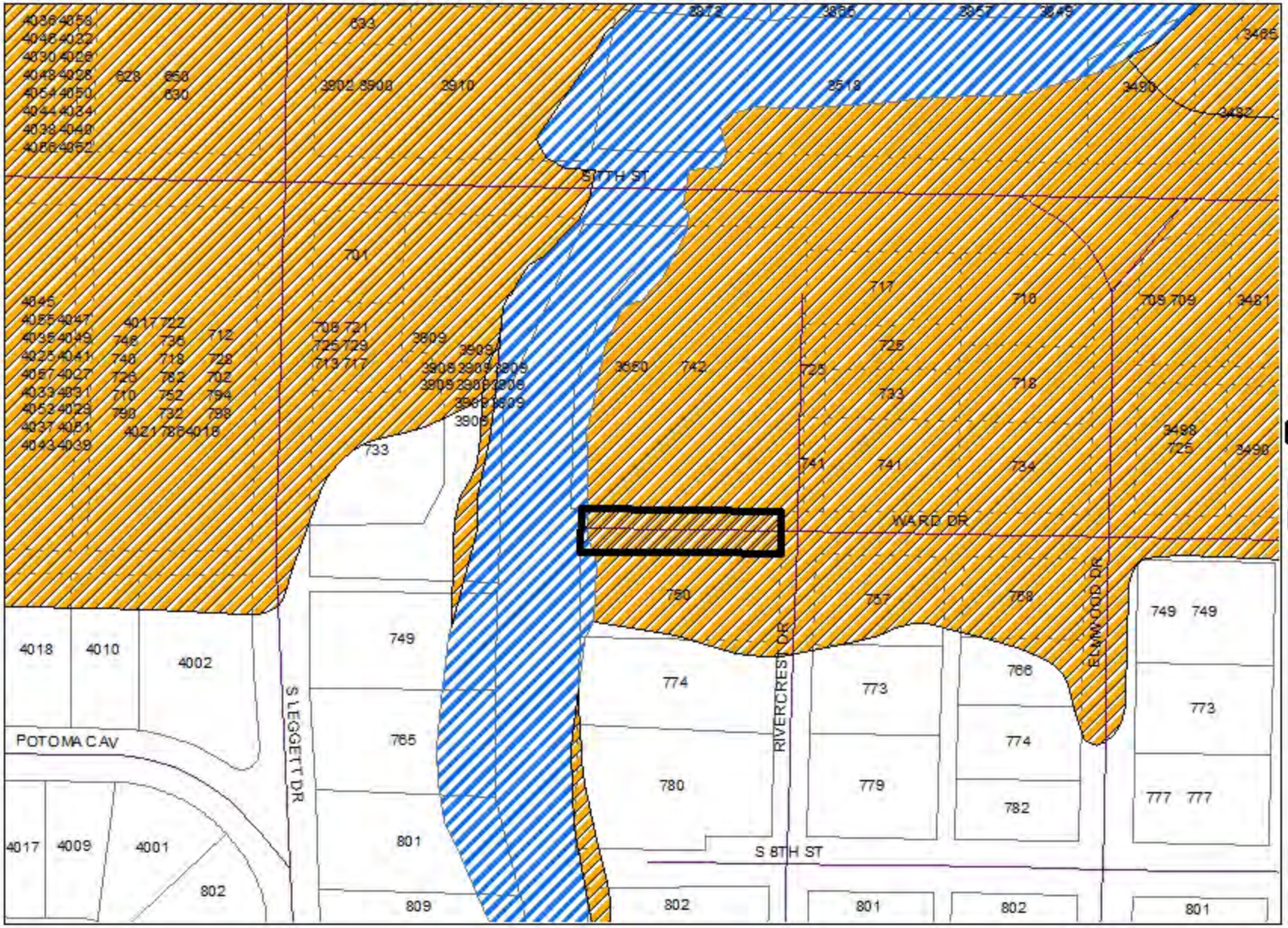
Hattie M Sayles, acting by and through her duly authorized agent and attorney in fact,
Henry Sayles Jr

The State of Texas,)
County of Taylor.)

Before me, the undersigned authority, a Notary Public in and for said State and County on this day personally appeared Henry Sayles, Jr. and Ed. S. Hughes, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and the said Henry Sayles, Jr. acknowledged the same in the capacities therein stated.

Given under my hand and seal of office this 17th day of August, 1925.

E. B. Sayles



CITY OF ABILENE

Planning & Development SERVICES

CITY OF ABILENE

Planning & Development SERVICES

Notification Map
N
W
E
S
Legend
200' Notification Buffer
Case
TC-2018-01
2 In Favor - Y
0 Opposed - N
RIVERCREST DR
S LEGGETT DR
YARD DR
701 701
717 709 721 729
717 709
713 725
713 725
733 733
742 3650
742 3650
717 717
710 710
725 725
725 725
733 733
718 718
741 741
741 741 741
734 734
750 750
757
758 758
749 749
774
773 773
766 766
765 765
780 780
779 779
774 774
801 801
782 782

THOROUGHFARE CLOSRE TC-2018-01
SITE PHOTOS

Northwest view at the intersection of Rivercrest Dr. and Ward Dr.

West view of the portion of Ward Dr. requested to be abandoned

East view along Ward Dr.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

DEC 27 AM 8:57

CASE #: TC–2018-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: HILL JOHN A & MOLLY W
Address: 757 RIVERCREST DR
Fax #: (325) 676-6288
email: planning@abilenetx.com

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

I am in favor ☒ I am opposed ☐

Additional Comments:

Signature: JOHN HILL

MOLLY HILL

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

DEC 27 AM 8:57

CASE #: TC–2018-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: MARTIN KENNETH B &
Address: 774 RIVERCREST DR
Fax #: (325) 676-6288
email: planning@abilenetx.com

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature:

Applicant: Christopher Eddleman

Request: Abandoned the portion of the west end of Ward Drive between Rivercrest Drive and Elm Creek. Ward Drive being a 50' right-of-way extending approximately 230'+/- from Rivercrest Drive, and ending at Elm Creek.

Notification: 2 in favor; 0 opposed; Area of Opposition – 0%

Development Review Recommendation: Approval with conditions

Staff Recommendation: Approval with conditions*

Planning Commission Recommendation: Approval with conditions*

- **AYES:** Smith, Bixby, Rosenbaum, Calk, Noonan, and Famble
- **NAYS:** None

TC-2018-01

Aerial Map

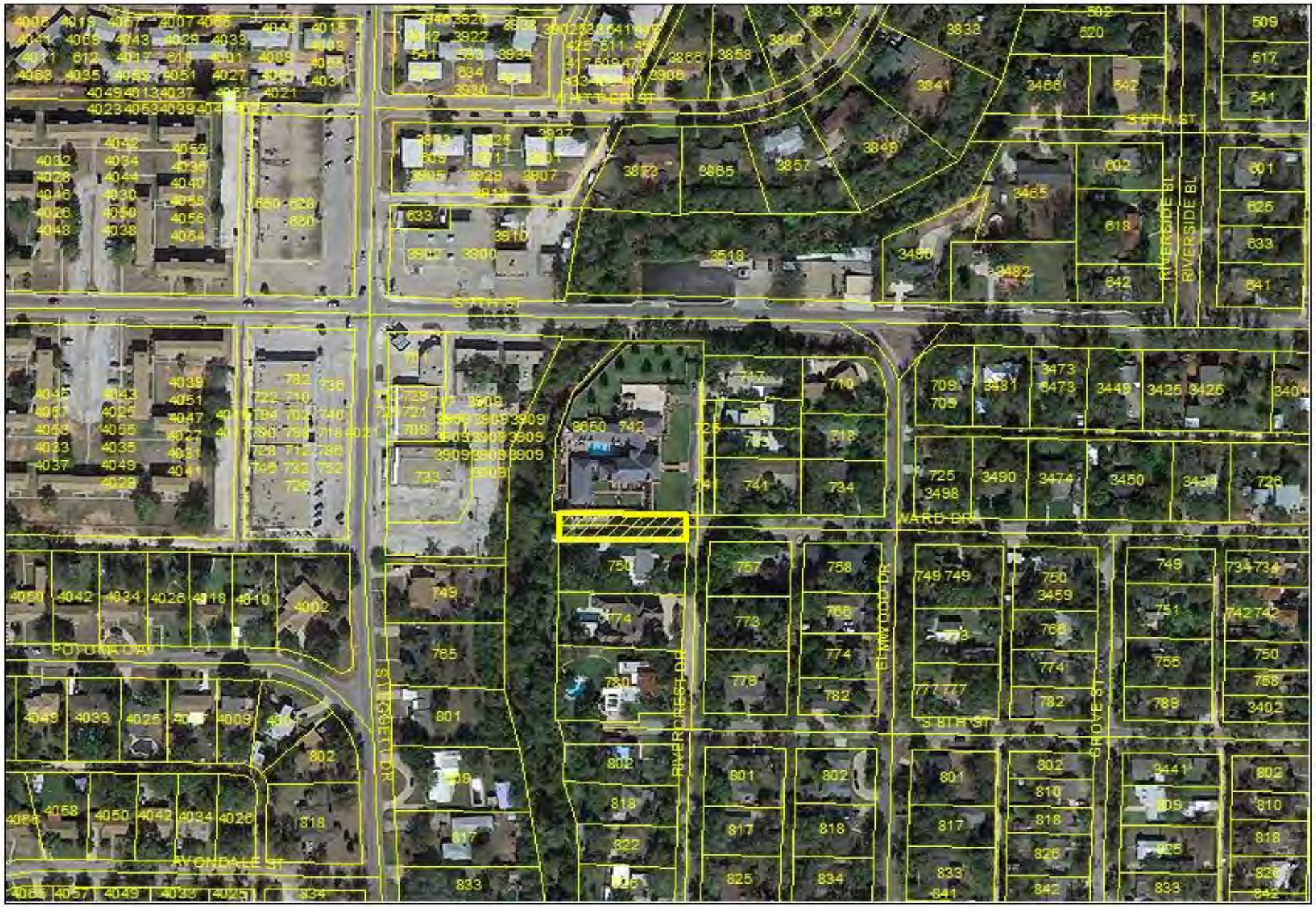
N
W
E
S

Legend

Case

TC-2018-01

TC-2018-01



Aerial Map

N
W
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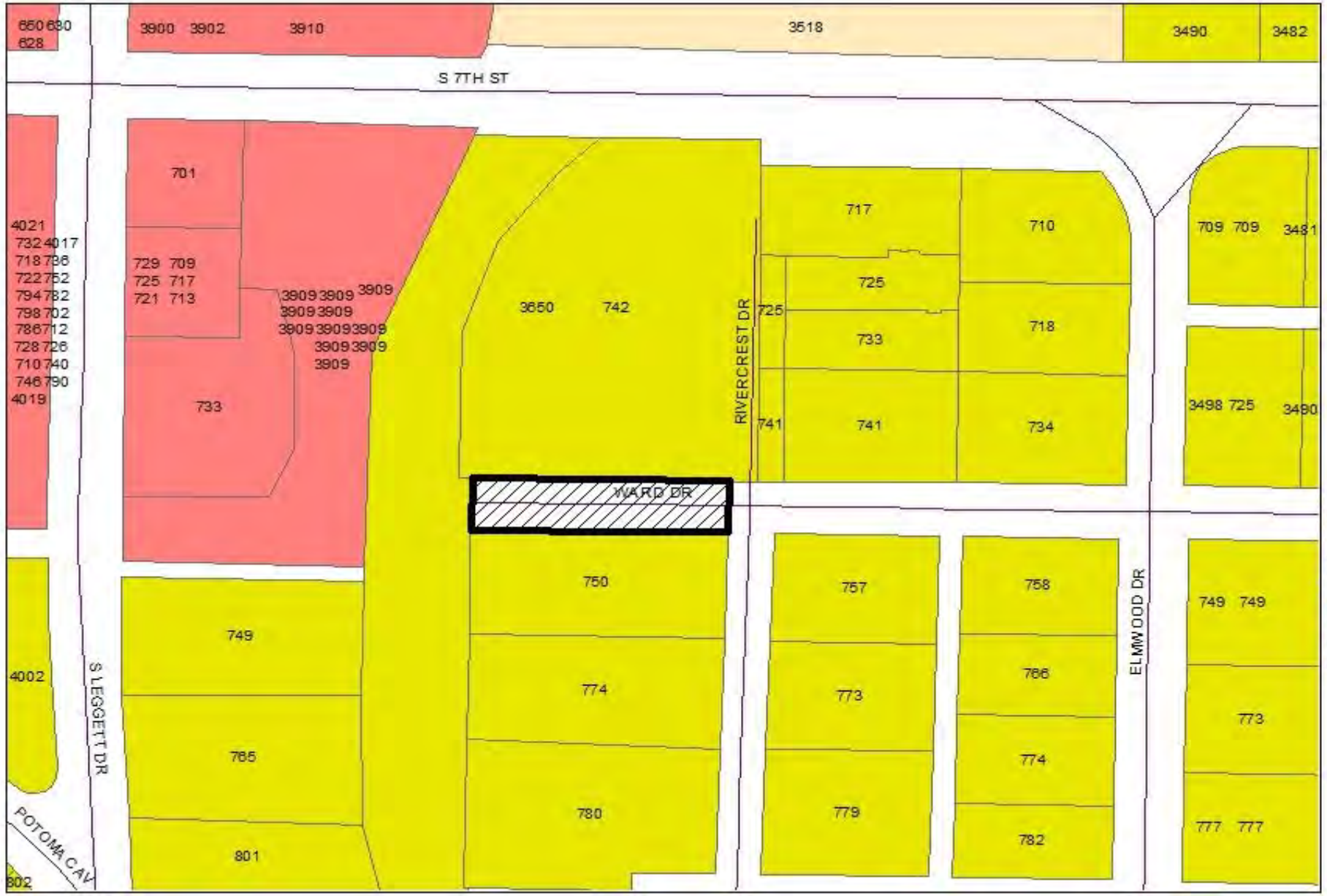
Legend

Case

TC-2018-01

TC-2018-01



Zoning Map

N
W E
S

Legend

Case

TC-2018-01

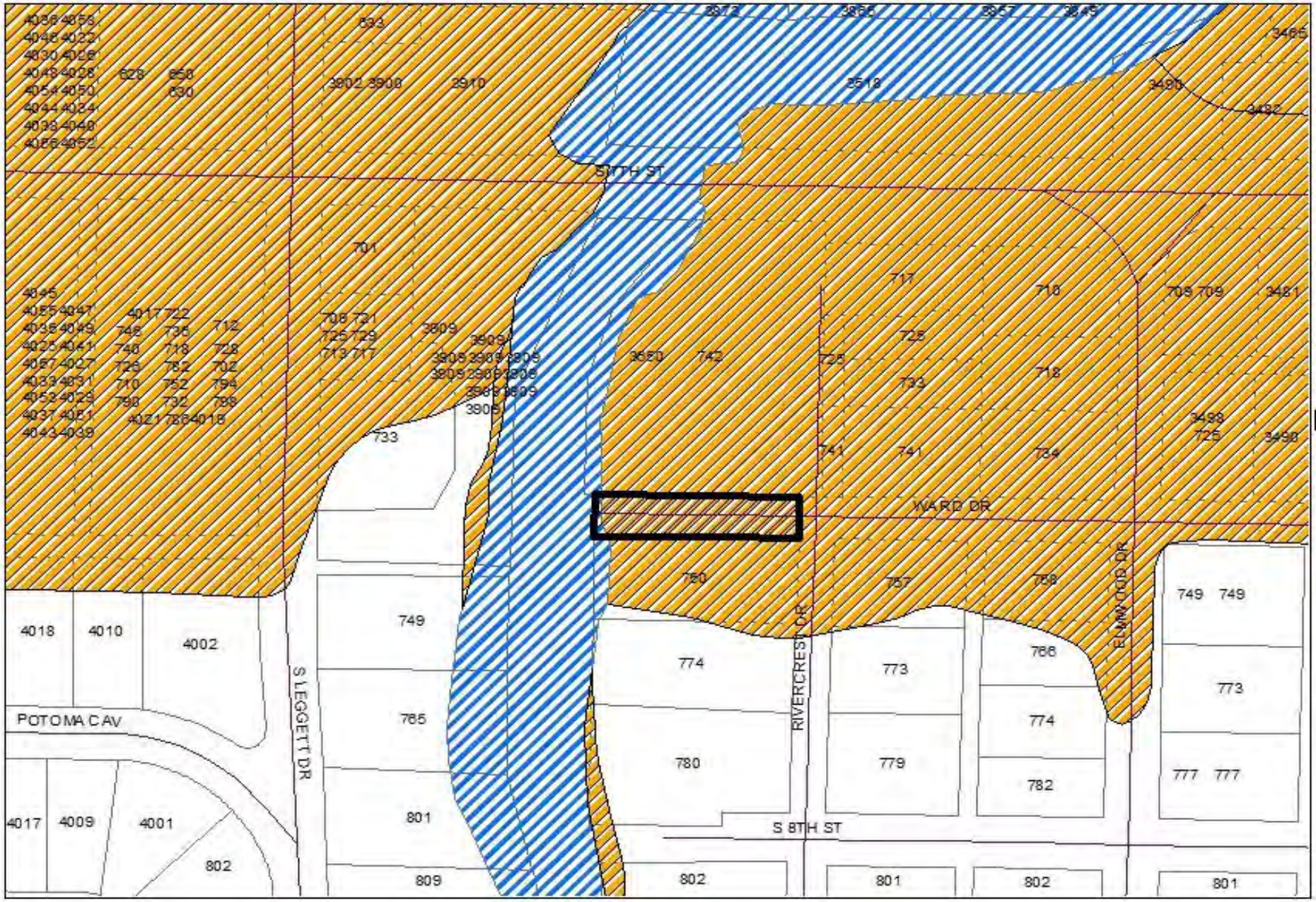
Zoning Districts

- RS-12: Residential Single-Family
- GR: General Retail
- PD: Planned Develolpment

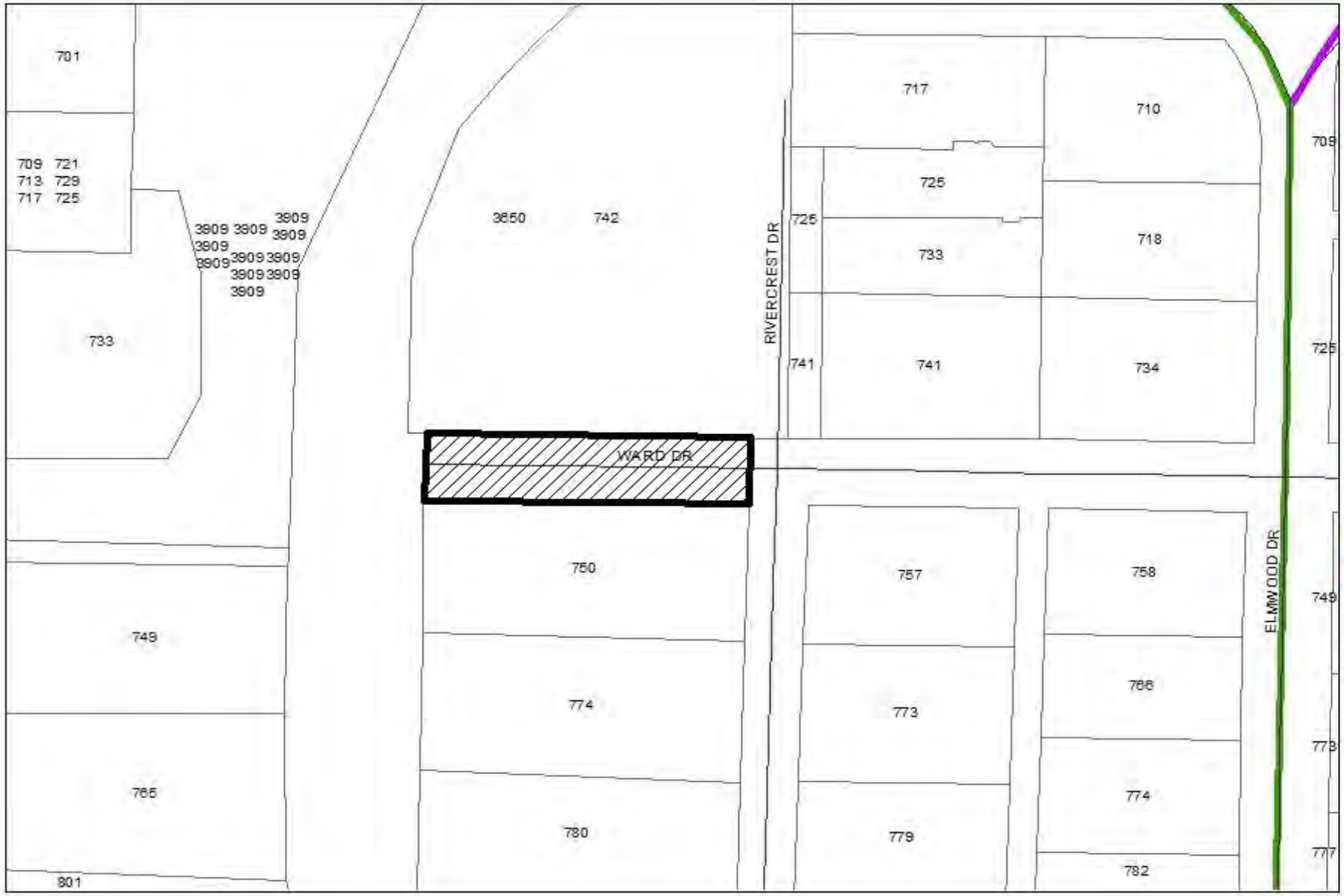
Parcels

- Parcels

TC-2018-01 Flood Map



Master Thoroughfare Plan



Thoroughfare Map

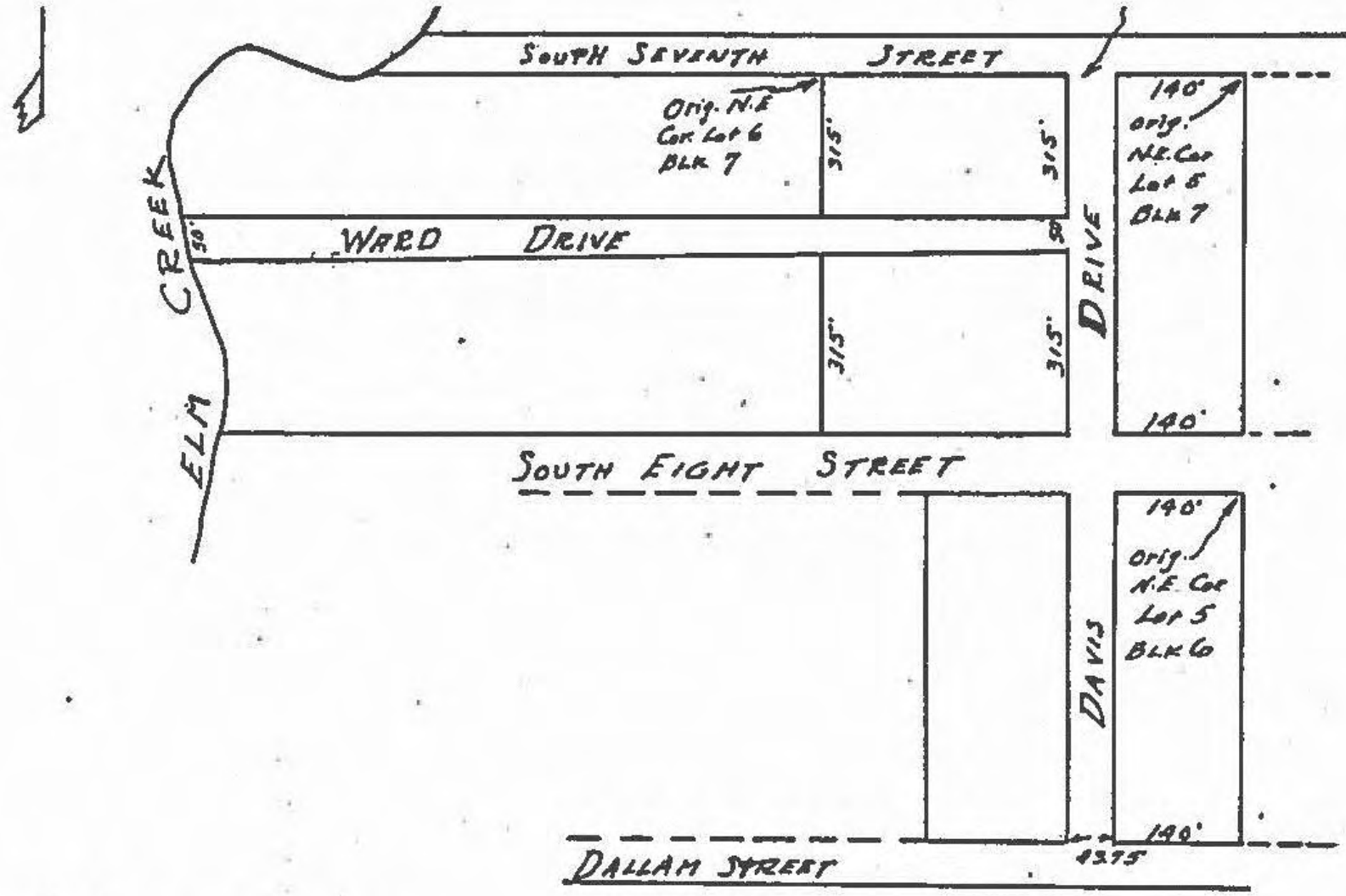
N W E S

Legend

- Roads
- Collector
- Minor Arterial

Case

- TC-2018-01



The State of Texas,)
County of Taylor.) Know All Men By These Presents :-

Ward Dr. and Rivercrest Intersection and Surrounding Properties

North

West

East

TC-2018-01

Notification Map

N
W E
S

Legend

200' Notification Buffer

Case

TC-2018-01

2 In Favor - Y

0 Opposed - N

Recommendation

The applicant is requesting abandonment of 50-foot-wide dead-end segment of public right-of-way for Ward Drive extending approximately 220-feet west from Riverside Drive.

- Development Review Committee Recommended: Approval with the following conditions :
  1. Replat within 12 months; and
  2. Reserving utility and drainage easements on the otherwise abandoned right-of-way, allowing sufficient means of emergency access by utility vehicles.
- Staff Recommended: Approval with conditions*
- Planning Commission Recommended: Approval with conditions*

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Robert Hanna, City Manager**

FROM: **Chris Taylor, Assistant Director of Transportation Services**

SUBJECT: **Resolution: Bid Award CB-1809 Full-Size Sedans For Police CID *(Don Green)***

GENERAL INFORMATION

Replacement of one sedan that was wrecked and totaled as well as four newly budgeted items to replace NFAs (non-funded assets) that are assigned to Police CID.

Advertisements were published on November 12 and November 19, 2017. Bids were opened on November 30, 2017 at 11:00 AM. Twenty-three invitations were requested with two (2) vendors submitting a bid packet.

SPECIAL CONSIDERATIONS

Lawrence Hall Chevrolet was within the 5% local preference allowance.

FUNDING/FISCAL IMPACT

Funds for the purchase are to be provided by the Fleet Replacement Fund and are $18,295.00 below budget.

STAFF RECOMMENDATION

Staff recommends awarding the purchase to Lawrence Hall Chevrolet in the amount of $106,705.00.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
CB-1809 Award Resolution	Resolution Letter
Full-Size Sedan Bid Tabulation	Cover Memo
Full-Size Sedan Maintenance History	Cover Memo
Full-Size Sedan Budget vs Actual Info	Cover Memo
Full-Size Sedan Presentation	Cover Memo

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS PURCHASING FIVE SEDANS FOR POLICE DEPARTMENT USE FROM LAWRENCE HALL CHEVROLET THROUGH CB-1809

WHEREAS, the City of Abilene has the need to replace five sedans used by Abilene Police Department's Criminal Investigations Division; and

WHEREAS, one of these sedans replaces one declared a total loss in an accident in August 2017; and

WHEREAS, the 2018 Chevrolet Impala is determined suitable equipment; and

WHEREAS, the total purchase is from Lawrence Hall Chevrolet in the amount of $106,705.00; and

WHEREAS, the four replaced units will be sold at auction; and

WHEREAS, Staff recommends this purchase.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the city Council approves the purchase of five (5) 2018 Chevrolet Impalas.

PART 2: The purchase is from Lawrence Hall Chevrolet in the amount of One Hundred Six Thousand Seven Hundred Five Dollars and no/100's ($106,705.00) through CB-1809.

PART 3: That this resolution shall take effect immediately from and after passage.

ADOPTED this 25th day of January, 2018

ATTEST:

Rosa Rios, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS

DEPARTMENT: FLEET MANAGEMENT
BID NO.: CB-1809
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: NOVEMBER 30, 2017

ITEM	DESCRIPTION	QTY	UNIT	CALDWELL COUNTRY CHEVROLET CALDWELL, TX UNIT PRICE	CALDWELL COUNTRY CHEVROLET CALDWELL, TX EXTENSION	LAWRENCE HALL ABILENE, TX UNIT PRICE	LAWRENCE HALL ABILENE, TX EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	FULL SIZE SEDANS	5	EA	21,145.00	105,725.00	21,341.00	**106,705.00								
BASE BID					105,725.00		**106,705.00								
DISCOUNT															
TOTAL BID					105,725.00		**106,705.00								

*NOTES: INDICATES RECOMMENDED AWARD / ** 5% LOCAL VENDOR PREFERENCE

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
FULL-SIZE SEDANS

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Miscellaneous Repair Costs	PM Costs	Tire Costs	Total Maintenance Costs	Disposal Method	Replacement Reasoning
4333	Police CID	13	Chevrolet	Impala	55,634	--	$459.09	$1,292.06	$484.65	$2,232.38	Salvage to insurance company	Unit wrecked and totaled August 2017. Received $12,261.55 from other party's insurance.

BUDGET vs ACTUAL COSTS
FY 18 Full-Size Sedans

Repl For Unit #	Using Division	Type Equip Purchased	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance	
4333	5025	Full-Size Sedan	$25,000.00	$21,341.00	$3,659.00	
*NBI	5025	Full-Size Sedan	$25,000.00	$21,341.00	$3,659.00	
*NBI	5025	Full-Size Sedan	$25,000.00	$21,341.00	$3,659.00	
*NBI	5025	Full-Size Sedan	$25,000.00	$21,341.00	$3,659.00	
*NBI	5025	Full-Size Sedan	$25,000.00	$21,341.00	$3,659.00	
					$18,295.00	**Under Budget**

* To reduce the number of NFAs assigned to the division

CB-1809 Purchase For Five Full-Size Sedans Assigned To Police CID

January 25, 2018

CITY OF ABILENE TEXAS

Full-Size Sedans for Police CID

- Replacing one unit that was wrecked and totaled.
- Four units to replace NFAs (non-funded assets) within the division.

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Robert Hanna, City Manager**

FROM: **Andy Anderson, P.E., Interim Director of Public Works**

SUBJECT: **Resolution: Award of Bid #CB-1818 - Pioneer Dr. Overlay Project *(Andy Anderson)***

GENERAL INFORMATION

This Project was advertised as a Public Notice on December 10th & 17th of 2017 with a bid opening dated January 2nd 2018. This contract involves the mill and overlay of Pioneer Dr. from S. 14th St. to S. 7th St. The contract will also include full depth spot repairs, an underseal throughout the project, and Bicycle Route signage.

The Pioneer Dr. project is one the street projects scheduled for this year as part of Proposition 1 of the voter approved 2015 Bond Program.

Pioneer Dr. is designated as a Bicycle Route on the approved Bicycle Plan for the City of Abilene.

SPECIAL CONSIDERATIONS

This project has a contract completion time of 40 working days (approx. 2 months, weather permitting).

FUNDING/FISCAL IMPACT

Funding for this project is allocated through General Obligation funds.

STAFF RECOMMENDATION

Staff recommends bid award to Contract Paving Co., of Tye Texas in the amount of $462,522.60.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Resolution Letter	Resolution Letter
Contract	Backup Material

Bid Tab	Backup Material
Project Location Map	Exhibit
Presentation Slides	Presentation

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING BID TO CONTRACT PAVING CO., TYE, TEXAS

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the overlay of Pioneer Dr. from S. 14th St. to S. 7th St.; and

WHEREAS, the project involves the mill and overlay with spot full depth repairs of Pioneer Dr. from S. 14th St. to S. 7th St. The contract will also include an under seal throughout the project as well as placement of bike route signage: and

WHEREAS, the following bids were received and opened on the January 2, 2018:

Contract Paving Co., Tye, Texas	$462,522.60
Bontke Brothers Construction Co., Inc., Abilene, Texas	$484,039.00
Fuquay Inc., New Braunfels, Texas	$504,657.23
J.H. Strain & Sons Inc., Tye, Texas	$507,483.64
Nobles Road Construction Inc., Abilene, Texas	$553,295.13

WHEREAS, Contract Paving Co., Tye, Texas submitted the low bid in the amount of $462,522.60 with the bid meeting specifications. Staff recommends awarding the bid to the low bidder, Contract Paving Co., Tye, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS

PART 1: That the City Council approves this bid in the amount of $462,522.60.

PART 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 25th day of January, 2018.

ATTEST:

_____
Rosa Rios, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley Smith, City Attorney

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made **January 25, 2018**, is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and **Contract Paving Co.** of the City of **Tye**, State of Texas. ("Contractor").

The City recognizes a need for high quality construction work; the Contractor agrees to complete the project in return for payment.

THE AGREEMENT

1. **Work and Consideration.**

The Contractor hereby agrees to commence and complete the construction of Work described as

PIONEER DR. OVERLAY PROJECT

The Contractor must provide all Work required in the Contract Documents -- incorporated herein by reference -- labeled:

PIONEER DR. OVERLAY PROJECT

All work to be performed will be completed in conformance with (1) Part I and II of the City of Abilene's Standard Specifications for Construction adopted September, 2006 with the attached amendments in these Contract Documents, and (2) the Plans attached to these Contract Documents. City of Abilene specifications control over Texas Department of Transportation specifications in the event of a conflict.

In consideration of this Work, the City will pay the Contractor the sum of **$462,522.60 (Four hundred sixty-two thousand five hundred twenty-two dollars and sixty cents)**.

2. **Timely Work.** The Contractor must begin and fully complete Work in the days stated in the Notice to Proceed. The time allows for normal delays associated with weather conditions, crew coordination, etc. Time is of the essence, and liquidated damages as set forth in the General Conditions (Paragraph 16) apply for late Work.

3. **Payment.** If Performance and Payment Bonds are required, the City will pay Contractor according to the General Conditions (Paragraph 20). If Performance and Payment Bonds are not required, the City will pay Contractor according to the Instructions to Bidders.

4. **No liens.** No mechanic, contractor, subcontractor, supplier, or other person can or will contract for, or in any other manner have or acquire any lien upon the work of this Contract, or the land upon which it is situated. The laws of the State of Texas govern this Contract.

5. **Venue.** Venue for any legal proceeding is Taylor County, Texas.

6. **Indemnity.**

A. Definitions

For the purpose of this section the following definitions apply:

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Contractor" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Contractor's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Contractor.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Contractor must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Contractor's work and activities conducted in connection with this Contract.

The Contractor is an independent contractor and is not, with respect to its acts or omissions, an agent or employee of the City.

Contractor must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Contractor's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Contractor or Contractor's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Contractor.

The City and Contractor must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Contractor or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND CONTRACTOR EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE CONTRACTOR TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE

THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

7. **Insurance.** The Special Conditions found in the City of Abilene's Standard Specifications for Construction adopted September, 2006, Part I, Division I, Item 3, contain the insurance requirements of this Contract.

8. **Overcharges.** The Contractor assigns to City any claims for overcharges related to this Contract which arise under antitrust laws of the United States, 15 U.S.C.A. Sec. 1 et seq, as amended.

9. **Contract Interpretation.** Any dispute about the Contract's meaning or application will be interpreted fairly and reasonably, and neither more strongly for or against either party.

10. **Indebtedness to City.** Contractor agrees that no payments owed by him of any nature whatsoever to the City, including payment in advance for service charges or any sums of any character whatsoever, shall become delinquent or in arrears.

The City will not knowingly award contracts for goods or services to any Bidder in arrears to the City for any debt, claim, demand, or account whatsoever, including taxes, penalty or interest. Contractor is responsible for ensuring that no indebtedness exists.

Section 130 of the City Charter authorizes the City to counterclaim and offset any debt, claim, demand or account owed by the City to any person, firm or corporation in arrears to the City for any debt, claim, demand or account of any nature whatsoever, including taxes, penalty or interest.

11. **Contract Execution.** The Contractor must sign the Contract first, with any necessary attestation and seal. The City Attorney or designee must review the Contract, and approve or disapprove it. If approved, the City's authorized agent will then sign. The City Secretary must keep a signed original in the City Secretary's Office.

12. **Contract Copies.** Each of the two executed copies is an original.

IN WITNESS HERE OF, the parties hereto have executed this contract:

CONTRACTOR

Name of Contractor:

CONTRACT PAVING CO.

Business Address:

158 OSBORN STREET

PO BOX 308

TYE, TX 79563

Signature

TOM LINDLEY
Name - Typed or Printed

325-692-9514
Business Phone No.

PRESIDENT
Title - Typed or Printed

75-1073651
Federal Tax I.D.#

ATTEST: (If Corporation)

Corporate Secretary's Signature

Corporate Seal
(if none, write "None")

CITY OF ABILENE

Authorized Signature

ATTEST:

City Secretary

Seal:

APPROVED:

City Attorney

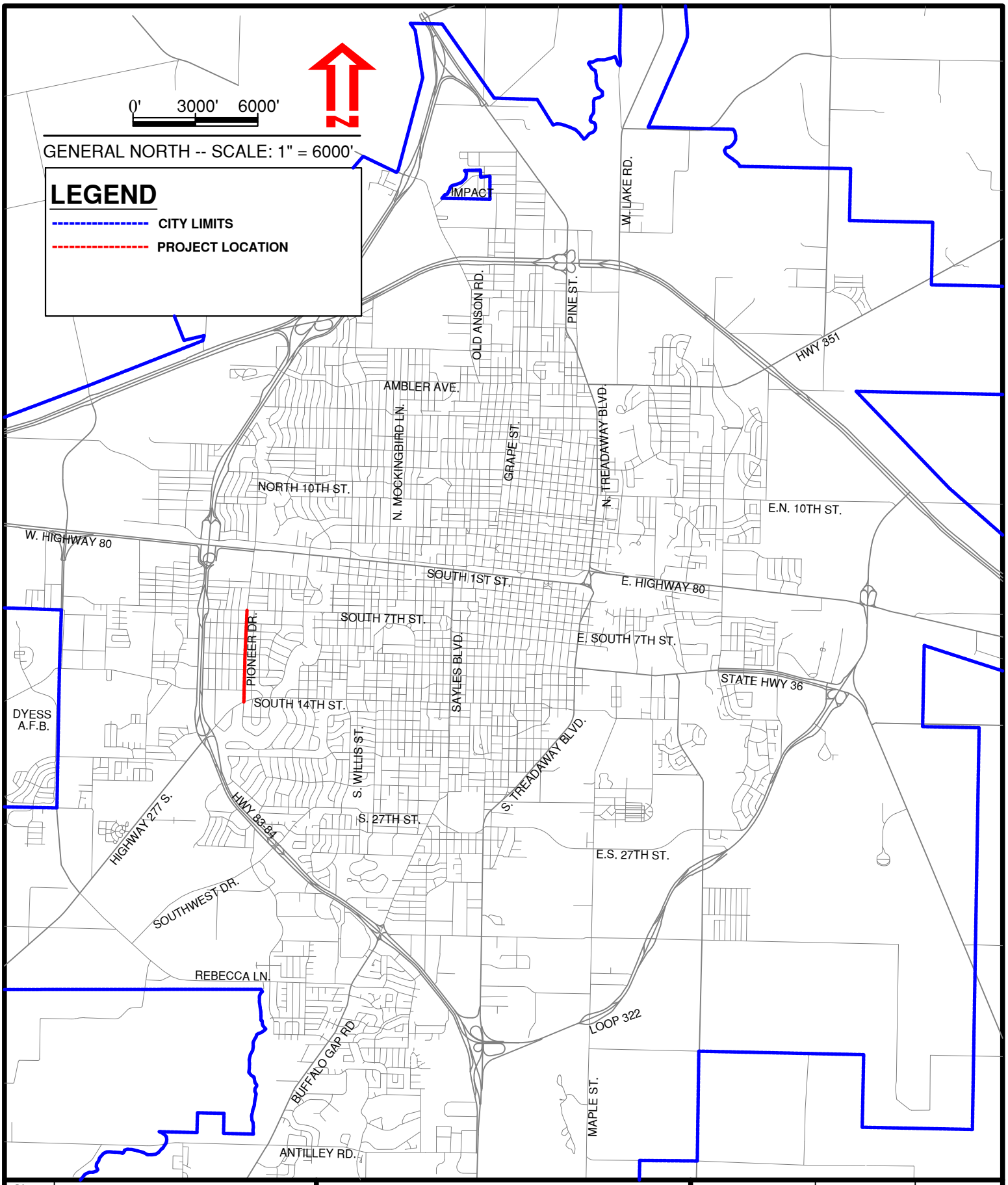
Risk Manager

CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS

DEPARTMENT: ENGINEERING
BID NO.: CB-1818
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: JANUARY 2, 2018

ITEM	DESCRIPTION	QTY	UNIT	CONTRACT PAVING TYE, TX		BONTKE BROTHERS CONSTRUCTION CO., INC. ABILENE, TX		FUQUAY, INC. NEW BRAUNFELS, TX		J.H. STRAIN & SONS, INC. TYE, TX		NOBLES ROAD CONSTRUCTION, INC. ABILENE, TX			
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	PIONEER DR. OVERLAY PROJECT				*462,522.60		484,039.00		504,657.23		507,483.64		553,295.13		
BASE BID					*462,522.60		484,039.00		504,657.23		507,483.64		553,295.13		
DISCOUNT															
TOTAL BID					*462,522.60		484,039.00		504,657.23		507,483.64		553,295.13		

*NOTES: INDICATES RECOMMENDED AWARD



Sheet 1 Of 1	CITY OF ABILENE, TEXAS PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	**PIONEER DR. OVERLAY PROJECT**	Designed By: M. RICE Drawn By: M. MILLER Checked By: M. RICE	Horizontal Scale:1"=6000' Vertical Scale: N.T.S. Folder: MISC. PROJECTS	Computer File Name: PIONEER DR. OVERLAY PROJECT Date: JANUARY 2018

Agenda Item:
Pioneer Dr. Overlay Project

Resolution: Bid Award #**CB-1818** Pioneer Dr. Overlay Project.
(Anderson)

CITY OF ABILENE TEXAS

Agenda Item:
Pioneer Dr. Overlay Project

- Construction Contract for the Overlay of Pioneer Dr. from S. 14th St. to S. 7th St.
- Project Advertised December 10th & 17th, Bids Opened January 2nd.
- Five bids were received.
- Staff recommends award of contract to Contract Paving Co., in the amount of $462,522.60.

CITY OF ABILENE TEXAS

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Robert Hanna, City Manager**

FROM: **Andy Anderson, P.E., Interim Director of Public Works**

SUBJECT: **Resolution: Award of Bid #CB-1819 - N. Willis St. Rehabilitation Project *(Andy Anderson)***

GENERAL INFORMATION

This Project was advertised as a Public Notice on December 17th and 24th of 2017 with a bid opening dated January 9th 2018. This contract involves the reconstruction of N. Willis St. from N. 1st St. to N. 10th St. and the mill and overlay of N. Willis St. from N. 10th St. to Vogel Ave. The contract will also include concrete valley gutters, curb ramps, and bicycle facility elements.

The N. Willis St. project is one of the street projects scheduled for this year as part of Proposition 1 of the voter approved 2015 Bond Program.

N. Willis St. is designated as a Bicycle Lane on the approved Bicycle Plan for the City of Abilene.

SPECIAL CONSIDERATIONS

This project has a contract completion time of 80 working days (approx. 4 months, weather permitting).

FUNDING/FISCAL IMPACT

Funding for this project is allocated through General Bond funds.

STAFF RECOMMENDATION

Staff recommends bid award to Bontke Brothers Construction Co., Inc., of Abilene Texas in the amount of $1,629,528.00.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Resolution Letter	Resolution Letter
Contract	Backup Material

Bid Tab	Backup Material
Project Location Map	Exhibit
Presentation Slides	Presentation

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING BID TO BONTKE BROTHERS CONSTRUCTION CO., INC., ABILENE, TEXAS

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the rehabilitation of N. Willis St. from N. 1st St. to Vogel Ave.; and

WHEREAS, the project involves the reconstruction of N. Willis St. from N. 1st St. to N. 10th St. and the mill and overlay of N. Willis St. from N. 10th St. to Vogel Ave. The contract will also include valley gutters, curb ramps, and bicycle elements: and

WHEREAS, the following bids were received and opened on the January 9, 2018:

Bontke Brothers Construction Co., Inc., Abilene, Texas	$1,629,528.00
Contract Paving Co., Tye, Texas	$1,662,541.20
Nobles Road Construction Inc., Abilene, Texas	$1,694,412.73
Fuquay Inc., New Braunfels, Texas	$1,958,954.76
J.H. Strain & Sons Inc., Tye, Texas	$1,977,379.50

WHEREAS, Bontke Brothers Construction Co., Inc., Abilene, Texas submitted the low bid in the amount of $1,629,528.00 with the bid meeting specifications. Staff recommends awarding the bid to the low bidder, Bontke Brothers Construction Co., Inc., Abilene, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS

PART 1: That the City Council approves this bid in the amount of $1,629,528.00.

PART 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 25th day of January, 2018.

ATTEST:

_____
Rosa Rios, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley Smith, City Attorney

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made **January 25, 2018**, is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and **Bontke Brothers Construction Co., Inc.** of the City of **Abilene**, State of Texas. ("Contractor").

The City recognizes a need for high quality construction work: the Contractor agrees to complete the project in return for payment.

THE AGREEMENT

1. **Work and Consideration.**

The Contractor hereby agrees to commence and complete the construction of Work described as

N. WILLIS ST. REHABILITATION PROJECT

The Contractor must provide all Work required in the Contract Documents -- incorporated herein by reference -- labeled:

N. WILLIS ST. REHABILITATION PROJECT

All work to be performed will be completed in conformance with (1) Part I and II of the City of Abilene's Standard Specifications for Construction adopted September, 2006 with the attached amendments in these Contract Documents, and (2) the Plans attached to these Contract Documents. City of Abilene specifications control over Texas Department of Transportation specifications in the event of a conflict.

In consideration of this Work, the City will pay the Contractor the sum of **$1,629,528.00 (One million six hundred twenty-nine thousand five hundred twenty-eight dollars and zero cents)**.

2. **Timely Work.** The Contractor must begin and fully complete Work in the days stated in the Notice to Proceed. The time allows for normal delays associated with weather conditions, crew coordination, etc. Time is of the essence, and liquidated damages as set forth in the General Conditions (Paragraph 16) apply for late Work.

3. **Payment.** If Performance and Payment Bonds are required, the City will pay Contractor according to the General Conditions (Paragraph 20). If Performance and Payment Bonds are not required, the City will pay Contractor according to the Instructions to Bidders.

4. **No liens.** No mechanic, contractor, subcontractor, supplier, or other person can or will contract for, or in any other manner have or acquire any lien upon the work of this Contract, or the land upon which it is situated. The laws of the State of Texas govern this Contract.

5. **Venue.** Venue for any legal proceeding is Taylor County, Texas.

6. **Indemnity.**

A. Definitions

For the purpose of this section the following definitions apply:

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Contractor" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Contractor's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Contractor.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Contractor must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Contractor's work and activities conducted in connection with this Contract.

The Contractor is an independent contractor and is not, with respect to its acts or omissions, an agent or employee of the City.

Contractor must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Contractor's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Contractor or Contractor's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Contractor.

The City and Contractor must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Contractor or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND CONTRACTOR EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE CONTRACTOR TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE

THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

7. **Insurance.** The Special Conditions found in the City of Abilene's Standard Specifications for Construction adopted September, 2006, Part I, Division I, Item 3, contain the insurance requirements of this Contract.

8. **Overcharges.** The Contractor assigns to City any claims for overcharges related to this Contract which arise under antitrust laws of the United States, 15 U.S.C.A. Sec. 1 et seq, as amended.

9. **Contract Interpretation.** Any dispute about the Contract's meaning or application will be interpreted fairly and reasonably, and neither more strongly for or against either party.

10. **Indebtedness to City.** Contractor agrees that no payments owed by him of any nature whatsoever to the City, including payment in advance for service charges or any sums of any character whatsoever, shall become delinquent or in arrears.

The City will not knowingly award contracts for goods or services to any Bidder in arrears to the City for any debt, claim, demand, or account whatsoever, including taxes, penalty or interest. Contractor is responsible for ensuring that no indebtedness exists.

Section 130 of the City Charter authorizes the City to counterclaim and offset any debt, claim, demand or account owed by the City to any person, firm or corporation in arrears to the City for any debt, claim, demand or account of any nature whatsoever, including taxes, penalty or interest.

11. **Contract Execution.** The Contractor must sign the Contract first, with any necessary attestation and seal. The City Attorney or designee must review the Contract, and approve or disapprove it. If approved, the City's authorized agent will then sign. The City Secretary must keep a signed original in the City Secretary's Office.

12. **Contract Copies.** Each of the two executed copies is an original.

IN WITNESS HERE OF, the parties hereto have executed this contract:

CONTRACTOR

Name of Contractor:
Bostke Brothers Construction

Business Address:
102 College DR
Abilene TX 79602

Signature

Kenneth Bostke
Name - Typed or Printed

President
Title - Typed or Printed

325 677 6276
Business Phone No.

75 1331325
Federal Tax I.D.#

ATTEST: (If Corporation)

Corporate Secretary's Signature

Corporate Seal
(if none, write "None")

CITY OF ABILENE

Authorized Signature

APPROVED:

City Attorney

Risk Manager

ATTEST:

City Secretary

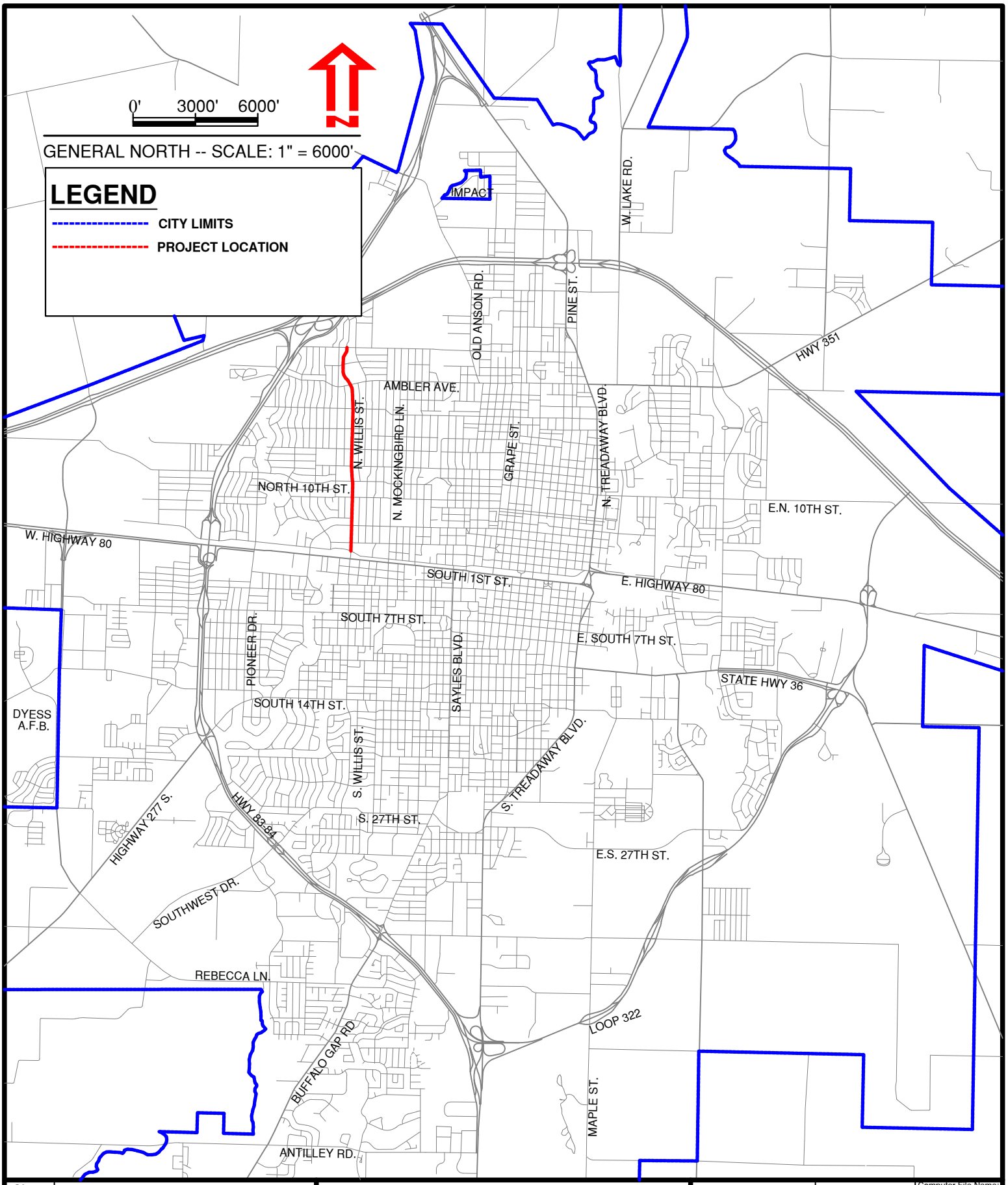
Seal:

CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS

DEPARTMENT: ENGINEERING
BID NO.: CB-1819
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: JANUARY 9, 2018

ITEM	DESCRIPTION	QTY	UNIT	BONTKE BROTHERS CONSTRUCTION CO., INC. ABILENE, TX		CONTRACT PAVING TYE, TX		NOBLES ROAD CONSTRUCTION, INC. ABILENE, TX		FUQUAY, INC. NEW BRAUNFELS, TX		J.H. STRAIN & SONS, INC. TYE, TX			
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	N. WILLIS ST. REHABILITATION PROJECT				*1,629,528.00		1,662,541.20		1,694,412.73		1,958,954.76		1,977,379.50		
BASE BID					*1,629,528.00		1,662,541.20		1,694,412.73		1,958,954.76		1,977,379.50		
DISCOUNT															
TOTAL BID					*1,629,528.00		1,662,541.20		1,694,412.73		1,958,954.76		1,977,379.50		

*NOTES: INDICATES RECOMMENDED AWARD



Sheet 1 Of 1	CITY OF ABILENE, TEXAS PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	N. WILLIS ST. REHABILITATION PROJECT			
			Designed By: M. RICE	Horizontal Scale: 1"=6000	Computer File Name: N. WILLIS REHABILITATION PROJECT
			Drawn By: M. MILLER	Vertical Scale: N.T.S.	
			Checked By: M. RICE	Folder: MISC. PROJECTS	Date: JANUARY 2018

Agenda Item:
N. Willis St. Rehabilitation Project

Resolution: Bid Award #**CB-1819** N. Willis St. Rehabilitation Project.
(Anderson)

CITY OF ABILENE TEXAS

Agenda Item:
N. Willis St. Rehabilitation Project

- Construction Contract for the Rehabilitation of N. Willis St. from N. 1st St. to Vogel Ave.
- Project Advertised December 17th & 24th, Bids Opened January 9th.
- Five bids were received.
- Staff recommends award of contract to Bontke Brothers Construction Co., Inc., in the amount of $1,629,528.00.

CITY OF ABILENE TEXAS

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Robert Hanna, City Manager**

FROM: **Rodney Taylor, Director of Water Utilities**

SUBJECT: **Resolution: Awarding Bid for the O.H. Ivie Pump Station HVAC Improvements Project *(Rodney Taylor)***

GENERAL INFORMATION

Water Utilities staff recommends that the Abilene City Council award bid for the O.H. Ivie Intake Pump Station HVAC Improvements Project (Project) to Geneco Technologies, Inc. (Geneco) of Merkel Texas. Geneco submitted the low bid of $214,883.00. The project was advertised in the Abilene Reporter News on November 19th and 26th, 2017. Four bids were received. The Project generally consists of the upgrade replacement of the HVAC system of the Ivie intake pump station.

SPECIAL CONSIDERATIONS

The O.H. Ivie Intake Pump Station was completed in 2003. The original pump station included two pumps. One of those pumps is equipped with a variable frequency drive (VFD) to allow operators to remotely adjust the pump motor speed to control pump output in response to system demands. The Second Stage Short Term Drought Response Strategies included the expansion of the Hargesheimer Water Treatment Plant and the addition of one new pump and associated VFD at each of the Ivie Intake and Booster Pump Stations.

It is critical that VFD control panels be maintained at controlled temperatures to prevent the buildup of excessive heat. The Industry has determined that the life expectancy of a VFD unit is significaly reduced by spikes of extreme heat and/or prolonged periods of excessive heat within the unit. The existing HVAC unit used to cool the VFD equipment is unreliable, worn out, and must be replaced. Enprotec/Hibbs & Todd Inc. is contracted to evaluate the condition of the HVAC unit, and the engineer recommends replacing the unit to address weaknesses in design and to add redundancy to the system. The low bid price for making the improvements is $214,883.00.

FUNDING/FISCAL IMPACT

Funds for this project will come from the proceeds of the 2017 Certificates of Obligation for water and wastewater system improvements.

STAFF RECOMMENDATION

Staff recommends that the Abilene City Council approve the resolution as described above.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

	Description	Type
🗋	Resolution awarding bid for OH Ivie Intake PS HVAC	Cover Memo
🗋	Letter of Recommendation awarding bid for OH Ivie Intake PS HVAC	Cover Memo
🗋	Bid Tab Sheet awarding bid for OH Ivie Intake PS HVAC	Cover Memo
🗋	Presentation awarding bid for OH Ivie Intake PS HVAC	Cover Memo

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING A BID TO GENECO TECHNOLOGIES, INC. FOR THE O.H. IVIE INTAKE PUMP STATION HVAC IMPROVEMENTS PROJECT.

WHEREAS, the City of Abilene (City) owns and operates the Ivie Pipeline System that includes the O.H. Ivie Intake Pump Station (Intake PS); and

WHEREAS, the Intake PS consists of three raw water intake pumps for which two of those are controlled utilizing variable frequency drive (VFD) units to allow operators to select flow quantities by remotely manipulating the speed of the pump motor; and

WHEREAS, the VFD units consist of cabinets containing electronic programmable controllers and banks of capacitors which generate large amounts of heat while in operation; and

WHEREAS, the City contracted with Enprotec/Hibbs & Todd, Inc. (EHT) to evaluate the originally installed Heating, Ventilation, and Air Conditioning (HVAC) equipment installed at the Intake PS, and the Engineer determined that the existing system is overloaded and worn out and recommends that it be replaced with redesigned and upgraded equipment for improved reliability and performance; and

WHEREAS, Geneco Technologies, Inc. (Geneco) submitted the lowest qualifying bid totaling $214,883.00 for the O.H. Ivie Intake Pump Station HVAC Improvements Project, and EHT has evaluated the low bid for conformity with the advertisement for bids and checked the references of the apparent low bidder and does recommend awarding the bid to Geneco; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

That the City Manager is authorized to execute a construction contract with Geneco Technologies, Inc. for the O.H. Ivie Intake Pump Station HVAC Improvements Project in the amount of $214,883.00.

ADOPTED this 25th day of January, 2018.

ATTEST:

_____
Rosa Rios, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley E. Smith, City Attorney

Enprotec / Hibbs & Todd

December 22, 2017

Via Email

City of Abilene
209 East Highway 80
Abilene, TX 79601
Attn: Mr. Rodney Taylor, Director of Water Utilities

Re: Recommendation of Award
O.H. Ivie Intake Pump Station HVAC Improvements
Abilene, Texas

Dear Mr. Taylor:

Bids for the above referenced project were opened on Tuesday, December 12, 2017. Four (4) bids were received, and I have attached a copy of the Bid Tabulation. The apparent low bidder was Geneco Technologies, Inc. (Geneco) out of Merkel, TX.

Enprotec / Hibbs & Todd, Inc. (eHT) has evaluated the responsiveness of Geneco for conformity with all material conditions of the Advertisement for Bids and the Information for Bidders.

Based on our evaluation, eHT recommends award of the contract to Geneco, for the O.H. Ivie Intake Pump Station HVAC Improvements Project, as the lowest responsive and responsible bidder. Geneco's base bid totaled $214,883.00.

We look forward to working with the City of Abilene as this project moves into the construction phase.

Sincerely,

Enprotec / Hibbs & Todd, Inc.

Jordan S. Hibbs, P.E.
Associate Vice President

Attachment: Bid Tabulation

c: Clois Versyp, P.E.
Johnny Rose
Project File:6471

P:\Projects\Abilene, City of\6471 OH Ivie Intake PS HVAC Improvements\1. General Correspondence\171222_Recommendation of Award.docx

CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS

DEPARTMENT: WATER
BID NO.: CB-1814
TIME OF OPENING: 2:00 P.M.
DATE OF OPENING: DECEMBER 12, 2017

ITEM	DESCRIPTION	QTY	UNIT	GENECO TECHNOLOGIES, LLC MERKEL, TX		INFINITY CONTRACTORS INT'L LTD. FT. WORTH, TX		BATJER & ASSOCIATES, INC. ABILENE, TX		TD INDUSTRIES FT. WORTH, TX					
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	O.H. IVIE INTAKE PUMP STATION HVAC IMPROVEMENTS				*214,883.00		256,903.00		312,000.00		546,173.83				
BASE BID					*214,883.00		256,903.00		312,000.00		546,173.83				
DISCOUNT															
TOTAL BID					*214,883.00		256,903.00		312,000.00		546,173.83				

*NOTES: INDICATES RECOMMENDED AWARD

Award Bid to Geneco Technologies Inc. for the O.H. Ivie Intake Pump Station HVAC Improvements Project.

January 25, 2018

CITY OF ABILENE TEXAS

O.H. Ivie Intake Pump Station HVAC Improvements Project

- Received 4 Bids.
- Low Bidder was Geneco Technologies, Inc.
- Low bid of $214,844.00
- Replacement/upgrade of existing HVAC system for VFD Room.
- Project funded using proceeds of 2017 CO’s

CITY OF ABILENE TEXAS

View of O.H. Ivie Intake Pump Station

HVAC Unit installed on internal roof of VFD Control Room (2003)

Questions?

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Robert Hanna, City Manager**

FROM: **Andy Anderson, Interim Director, Public Works**

SUBJECT: **Oral Resolution & Public Hearing: Prensorus Energy, LLC "Airport Lease" Wells 1-5** ***(Andy Anderson)***

GENERAL INFORMATION

Chapter 21, Oil and Gas, of the City of Abilene Code of Ordinances requires a permit for drilling and operating oil/gas wells within the city limits. As part of the review process, the City Council is to conduct a public hearing and then approve or deny the permit.

Prensorus Energy, LLC of Abilene, Texas has submitted applications to operate their "Airport" numbers 1-5 wells on their 160.75 acre Airport lease, located at 2042 Elmdale Rd. South between the Abilene Regional Airport south runway and State Highway 36, as shown on the attached map. Several month ago while investigating damage to a portion of Elmdale Rd. South, City Staff discovered that Prensorus Energy, LLC had drilled these five wells on its Airport lease between August, 2012 and October, 2014 without applying for and being granted a permit to drill and operate these wells by the City Council. This places them in violation of the Oil & Gas Ordinance. In order for Prensorus Energy, LLC to be in compliance with the Oil & Gas Ordinance, it is necessary for them to retroactively apply for and obtain a permit for the operation of these wells.

Because these wells have already been drilled, Prensorus Energy, LLC has requested that the $10,000.00 Performance Bond or Letter of Credit for each well, required as Exhibit 4 as part of the City drilling permit application, be waived by City Council. The Performance Bond or Letter of Credit is normally required to be provided before drilling operations are allowed to commence, and remain in force and effect for one year from the date of City Council approval of the applicant's drilling permit.

These applications have been reviewed and approved by City Staff. All owners of real property within 500 feet of each of the five well sites have been notified of these applications and of the City Council meeting to consider their approval, as required by City ordinance.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Because all prerequisites and requirements of Chapter 21, Oil and Gas, have been met, including no anticipated adverse effect on the health, safety and welfare of the public, staff recommends that the City Council vote to approve the applications for these permits and authorize the Mayor to execute permit numbers 741850, 742886, 787555, 787644, & 790701 for Prensorus Energy, LLC.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Permit #1	Cover Memo
Permit #2	Cover Memo
Permit #3	Cover Memo
Permit #4	Cover Memo
Permit #5	Cover Memo
Presentation	Cover Memo

CITY OF ABILENE

APPLICATION/PERMIT TO DRILL AND/OR OPERATE AN OIL AND/OR GAS WELL

RECEIVED
OCT 18 2017
BY: MM

Bond/Letter of Credit # 2753 RRC Permit # 741856

1. Date 10/17/17 Lease Name & Well No.: Airport #1

2. Applicant/Permit Holder Prensorus Energy, LLC

   Address PO Box 2078
   Abilene, TX 79604

   Phone 325-232-7813

3. Local 24 hour phone contact, in case of emergency:

   Name Justin Russell

   Phone 325-668-0390

4. Legal description of drill site including copy of survey by licensed surveyor: Survey plat should show the locations of any buildings, type of construction and use, including residences, within 200 feet of proposed drill site, and flood zone elevation lines (lines of 100 year floodplain and floodway) in relation to the proposed drill site.

   630' From the South Line & 768' From the East Line of the M. Ball Survey, Abstract 513, Taylor County, Texas

5. Applicant _____ **IS**/ X **IS NOT** requesting a variance, per sections 21-26 and 21-27 of Chapter 21 of the City of Abilene Code of Ordinances, Oil and Gas, to drill within 200 feet of any existing building or buildings.

   The proposed well location _____ **IS**/ X **IS NOT** within 200 feet of any residence or residences. If the proposed well location **IS** within 200 feet of any residence or residences, applicant should attach a list of the names of the owners of each residence corresponding to each address lying within a 200 foot radius of the proposed well location, indicating their approval/disapproval of the proposed well location.

   The notarized written consent of the owner of each residence within a 200 foot radius of the proposed well location should be attached to this application.

   Applicant should also attach copies of documentation of any granted exceptions to the Railroad Commission's statewide spacing rules that apply to the proposed well.

6. Proposed date to commence drilling Drilled 8/15/12

   The height of the rig used to drill/re-enter this well will be approximately 20' feet.

7. Proposed depth of well 2,500'

   This well is planned/anticipated to be primarily an **OIL** X or **GAS** ____ well.

8. Attached as **EXHIBIT 1** the names of the
   (a) Surface owners
   (b) Mineral owners
   (c) Royalty owners

9. Attached as **EXHIBIT 2** approved Railroad Commission Form W-1 including required plat of lease and approval letter from Texas Water Development Board.

10. Attached as **EXHIBIT 3** a Certificate of Insurance evidencing the applicant as insured under the following:

Type		Amount
(1)	Workers Compensation (where Required by State law)	Statutory
	Employer's Liability	$100,000
(2)	Comprehensive General Public Liability to include (but not Limited to):	$1 million – per Occurrence for Property Damage OR
	a) Premises/Operations	Combined single limit
	b) Independent Contractors	million – Per Occurrence
	c) Personal Injury Liability	
	d) Products/Completed Operations	
	e) Contractual Liability	
	f) Coverage for Explosion, Collapse, and Underground Property Damage (to include seepage, pollution and contamination coverage)	

Said Insurance Policy must insure all activities contemplated under this permit application and must be in effect at all times during production operations. The City must be notified 30 days prior to cancellation of insurance coverage and City shall be named as additional insured.

11. Indemnity

A. Definitions

For the purpose of this section the following definitions apply:

"Applicant/Permit Holder" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Applicant/Permit Holder's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Applicant/Permit Holder.

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Applicant/Permit Holder must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Applicant/Permit Holder's work and activities conducted in connection with this Contract.

The Applicant/Permit Holder is an independent Applicant/Permit Holder and is not, with respect to its acts or omissions, an agent or employee of the City.

Applicant/Permit Holder must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Applicant/Permit Holder's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Applicant/Permit Holder or Applicant/Permit Holder's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Applicant/Permit Holder.

The City and Applicant/Permit Holder must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Applicant/Permit Holder or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND APPLICANT/PERMIT HOLDER EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE APPLICANT/PERMIT HOLDER TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

12. Attached as **EXHIBIT 4** - $10,000 performance bond or an Irrevocable Letter of Credit from a Federally insured bank to meet the performance payment, penalty, abandonment and other provisions as required by City Council and by the Oil/Gas Ordinance, Chapter 21 of the City Code of Ordinances (This amount may be raised in appropriate circumstances).

13. Special requirements for this permit, if any, as set by City Council (drill site lighting, pits/tanks, hours of operation, fencing, buried lines, approved truck routes, noise buffers, pump type, etc.). Attachment Exhibit 4.

14. The City of Abilene has required standards for drilling and production as provided by Chapter 21 of City Code, Oil and Gas Ordinance. Applicant/Permit Holder shall observe and obey all federal, state, and local laws and regulations. Violation of these or any requirements imposed by ordinance or the City Council will result in the termination of the permit.

15. By signing this application/permit, Applicant/Permit Holder certifies that he has received and read City code provisions, Chapter 21, Oil and Gas Ordinance.

16. THIS PERMIT EXPIRES SIX (6) MONTHS FROM THE DATE OF CITY COUNCIL APPROVAL. Actual drilling must commence within six (6) months from that date. Cessation of drilling or production for thirty (30) days shall cancel this permit.

17. If the City owns any mineral interest in the location of the proposed well, this permit is subject to compliance with an oil and gas lease obtained from the City.

18. The City Land Agent's office shall be notified prior to commencement of drilling operations.

19. If operation of the well is transferred, the City shall be notified in writing thirty (30) days prior to the transfer of the lease.

20. Applicant/Permit Holder shall make full payment for any and all damages or losses to City's Surface Lessee if the property is City owned, which shall include but not be limited to damages to and/or loss of crops, livestock, or improvements or a part thereof which loss may be the result of the Applicant's/Permit Holder's negligence or use of land.

21. This Application, upon approval, shall become the Drilling Permit.

THIS PERMIT IS NOT TRANSFERRABLE OR ASSIGNABLE

Signature: **Date:**

	Review & Approval of Airport Director	1/5/18
	Review & Approval of City Engineer	1/12/18
	Review & Approval of Water Director	1/9/18
	Review & Approval of Stormwater Administrator	01/10/18
	Review & Approval of City Attorney	1/12/18
	Review & Approval of Land Agent	1/4/18

This permit issued this _____ day of _____ 20__.

CITY OF ABILENE **ATTEST:**

_____ _____

MAYOR **City Secretary**

City Seal:

_____

Applicant/Permit Holder

By: Justin Russell

Managing Member

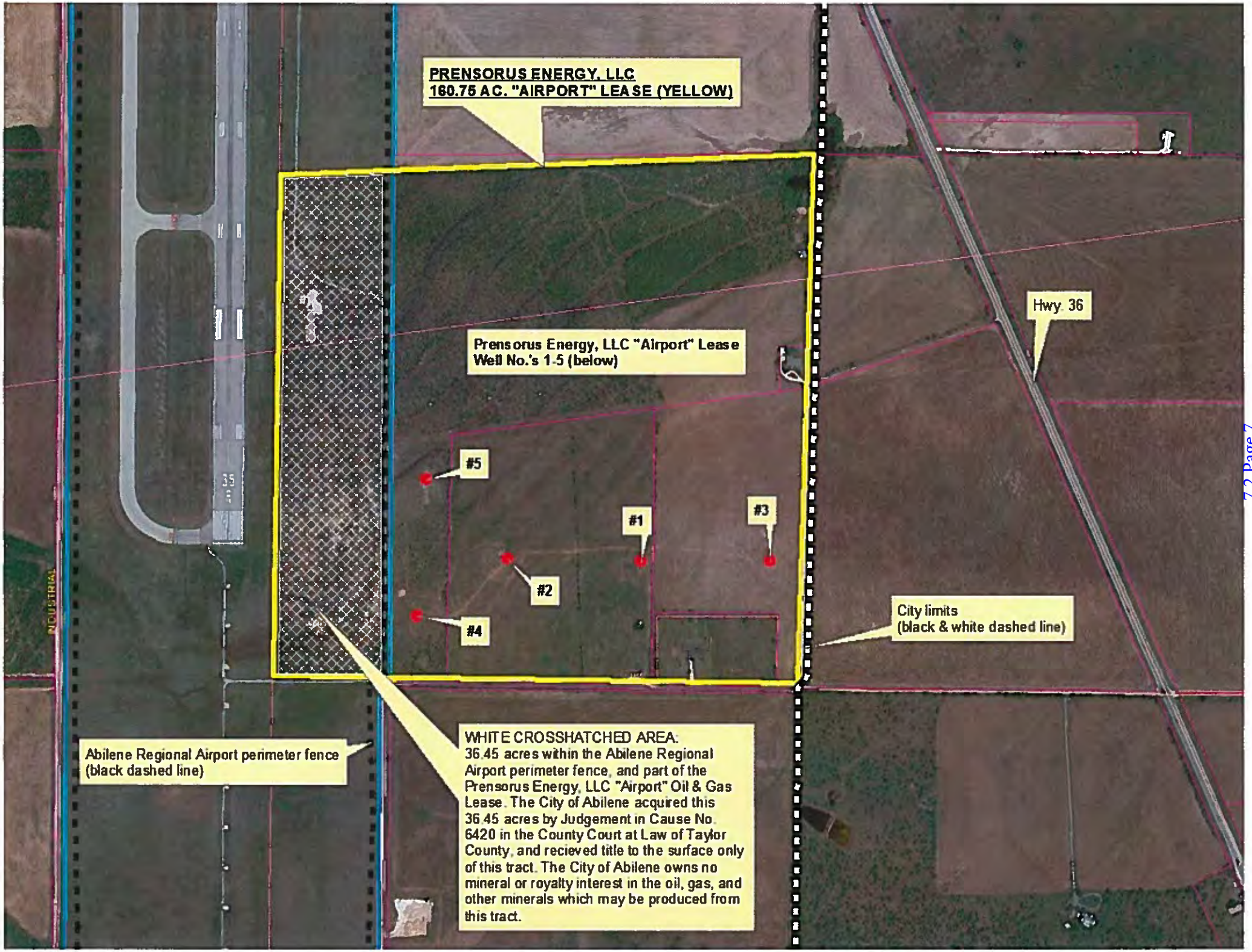
Title

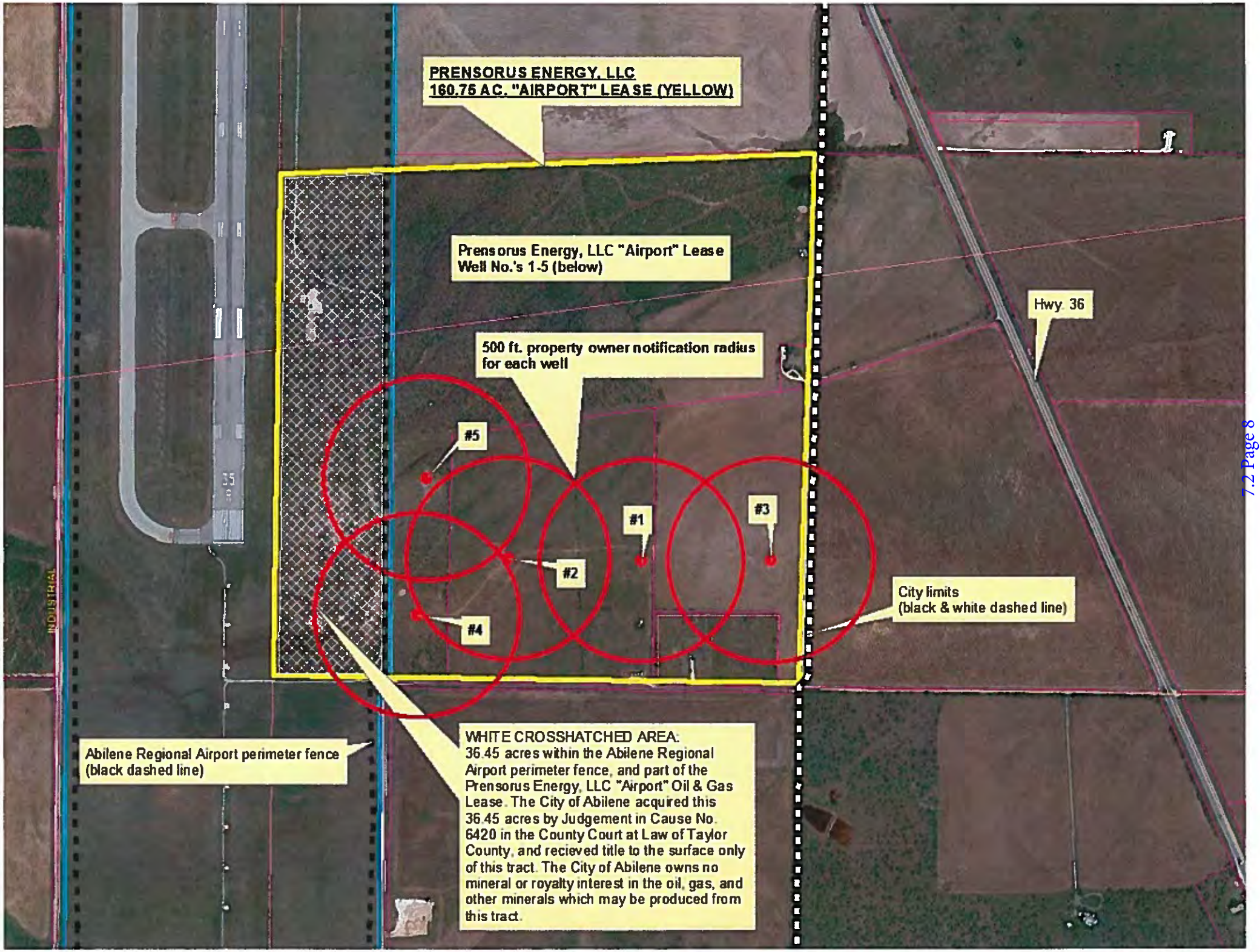
ATTEST: (If Corporation)

_____

Secretary

Corporate Seal


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Hwy. 36
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
Hwy. 36
500 ft. property owner notification radius
for each well
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
INDUSTRIAL
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.

W. GLEN SHEDD

CERTIFIED PROFESSIONAL LANDMAN

First Financial Bank Building
3300 S. 14th Street, Suite 325
Abilene, Texas 79605
glen@youngandshedd.com
(325) 691-0051

FACSIMILE:
(325) 698-5536

MAILING ADDRESS:
P. O. Box 3761
Abilene, Texas 79604

RECEIVED
DEC 15 2017
BY:

December 13, 2017

City of Abilene
P. O. Box 60
Abilene, Texas 79604
Attention: Mr. Travis McClure, Land Manager

Re: 36.45 acres out of the Southwest part of Section 2, Lunatic Asylum Lands, Taylor County, Texas, as more particularly described in Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas styled *City of Abilene vs. John J. Whiteside, et ux., et al.*, recorded in Volume T, Page 679, Civil Minutes of Taylor County, Texas

Gentlemen:

You have requested I search the title to the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract 517, Taylor County, Texas to determine whether the City of Abilene owns an interest in the Mineral Estate in and under said land, and if so, the fraction or percentage of such interest. In accordance with your request, I have searched the records of the Taylor County Clerk's Office covering said land as reflected by the tract index of Security Title Co. in Abilene, Texas from Sovereignty to November 30, 2017 at 7:00 A. M. Based solely on my search of said records and subject to the Comments, Assumptions and Exceptions as hereinafter set forth, I find the City of Abilene owns the **surface only** of the above referenced 36.45 acres and no other interest in the Southwest one-quarter (SW-1/4) of said Section 2.

As of the date of the Judgement as above referenced, John J. Whiteside and wife, Pauline Whiteside were the record owners of the surface and an undivided one-fourth (1/4) interest in the oil, gas and other minerals in, under and that may be produced from 152.16 acres out of the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract No. 517, Taylor County, Texas described in two (2) tracts in Warranty Deed dated July 8, 1963 from E. F. Shotwell and wife, Edna Shotwell to John J. Whiteside and wife, Pauline Whiteside, recorded in Volume 715, Page 121, Deed Records of Taylor County, Texas. The City of Abilene recovered "fee simple title" in and to the 36.45 acres as above referenced EXCEPT as to all the oil, gas and sulphur which can be removed from beneath said land, without any right whatsoever remaining to the owner of such oil, gas and sulphur, of ingress or egress to or from the surface of said land for purpose of exploring, developing, drilling or mining of the same".

COMMENTS, ASSUMPTIONS AND EXCEPTIONS

1. Under the terms of the Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas, John J. Whiteside and wife, Pauline Whiteside, their successors in title and Lessees under Oil and Gas Leases from such owners are prohibited from use of the surface as set forth in the Judgment. However, because the owners of the outstanding three-fourths (3/4) interest in the oil, gas and other miners were not made parties to the suit, they would not be bound by such terms. They would be subject to rules of accommodation and matters inherent in the nature of oil and gas operations, which in my opinion make it impractical for them to exercise any rights of development on the surface of the 36.45 acres.

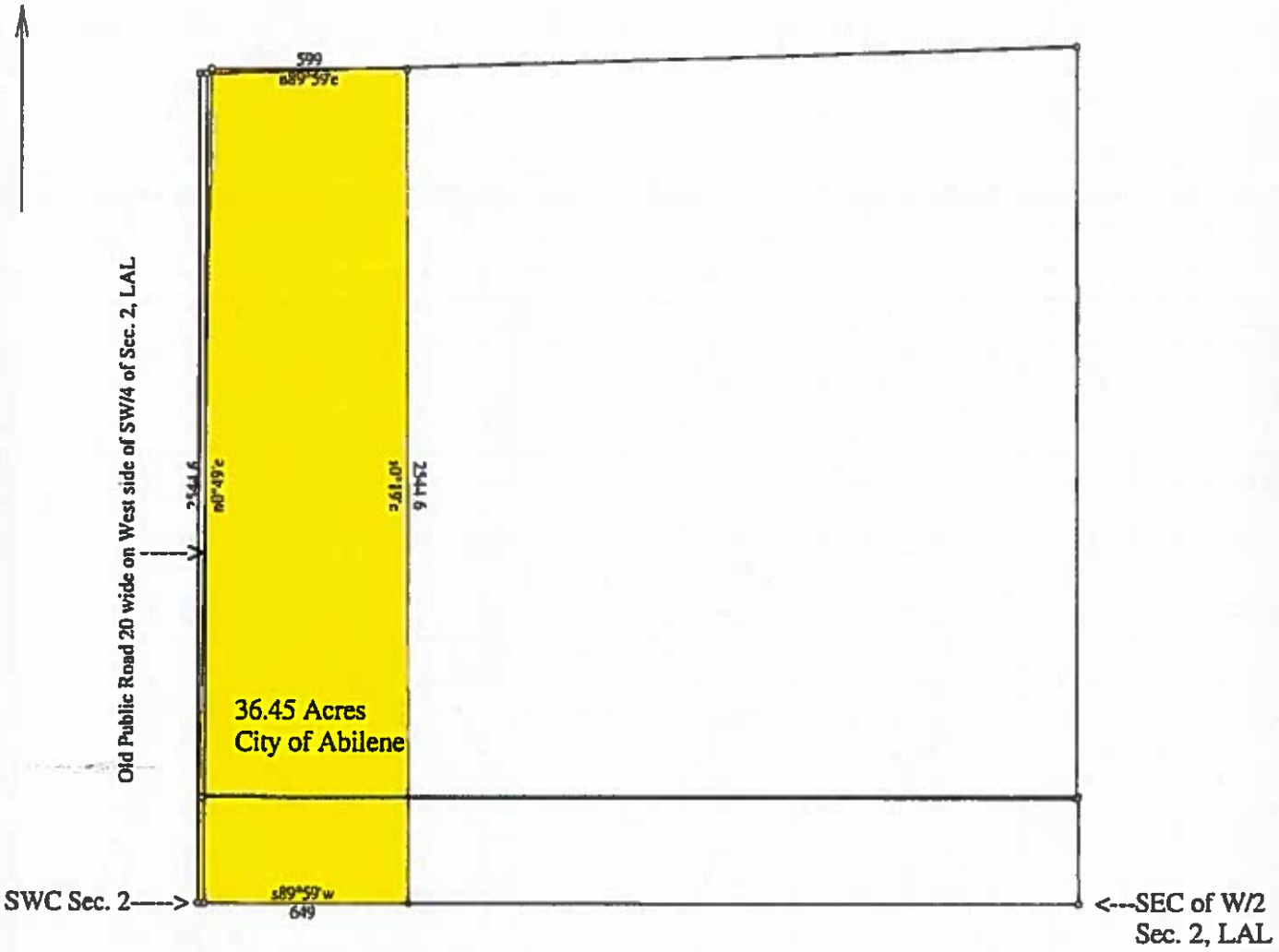
2. This report is based on the interpretation by the undersigned of the records as above described. You have been advised that the undersigned is not and does not purport to be an attorney licensed to practice law in the State of Texas. This report has been carefully prepared relying on more than the thirty-five (35) years of oil and gas land-related experience of the undersigned. It is recommended you discuss the findings of this report with an attorney licensed to practice law in the State of Texas, who is very familiar with real estate and oil, gas and mineral law for any legal opinions or advice that are not provided or purported to be provided by this report.

The opportunity to assist you in this matter is greatly appreciated. Should you have any questions concerning the information contained in this report, please do not hesitate to call me at this office.

Very truly yours,

W. Glen Shedd, CPL

WGS/s
encls.



Title: SW/4 Sec. 2, LAL, Taylor County, Texas	Date: 12-13-2017
Scale: 1 inch = 500 feet	File: Sec 2, LAL SW4.des

Tract 1: 19.980 Acres: 870346 Sq Feet: Closure = s89.5230w 1.42 Feet: Precision =1/4235: Perimeter = 6006 Feet
Tract 2: 137.848 Acres: 6004646 Sq Feet: Closure = n42.4750e 7.23 Feet: Precision =1/1360: Perimeter = 9839 Feet
Tract 3: 1.161 Acres: 50591 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5099 Feet
Tract 4: 36.449 Acres: 1587739 Sq Feet: Closure = n54.4749w 0.41 Feet: Precision =1/15602: Perimeter = 6337 Feet

001=n0W 325 SWC of 132.16 acres
002=n90e 2678 SEC Norwood 300 acres
003=s0.15e 325 SEC of W/2 Sec. 2
004=s90w 2678
005=@2 132.16 acres
006=n0w 2204.7
007=n88.14e 2664.35
008=s0.15e 2292.17
009=s90w 2678
010=@1 Old Road
011=n0w 2529.57
012=s90w 20
013=s0e 2529.57
014=n90e 20
015=@14 Airport 36.45 Acres
016=n0.49e 2544.6
017=n89.59e 599
018=s0.19e 2544.6 SL Sec. 2
019=s89.59w 649

RECEIVED
NOV 29 2017
BY:

PRENSORUS

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

The City of Abilene does not own any minerals under the Airport Lease operated by Prensorus Energy, LLC.

Thank you for your consideration in this matter,

Justin Russell
Managing Member
Prensorus Energy, LLC

Airport Prospect – Ownership Breakdown

Surface:

Louis Paulsen

Mineral Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan

5,0 N_ec / 1

Royalty Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
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Russell D. McNiece
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Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan
Prensorus Holdings, LLC
PERL Acquisitions, LLC

API No. 42-441-34377
Drilling Permit # 741850
SWR Exception Case/Docket No.

RAILROAD COMMISSION OF TEXAS
OIL & GAS DIVISION
APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER

This facsimile W-1 was generated electronically from data submitted to the RRC. A certification of the automated data is available in the RRC's Austin office.

FORM W-1 07/2004

Permit Status: Approved

1. RRC Operator No. 676080
2. Operator's Name (as shown on form P-5, Organization Report): PRENSORUS ENERGY, LLC
3. Operator Address (include street, city, state, zip):
4. Lease Name: AIRPORT
5. Well No.: 1

GENERAL INFORMATION

6. Purpose of filing (mark ALL appropriate boxes): [X] New Drill [ ] Recompletion [ ] Reclass [ ] Field Transfer [ ] Re-Enter [ ] Amended [ ] Amended as Drilled (BHL) (Also File Form W-1D)

7. Wellbore Profile (mark ALL appropriate boxes): [X] Vertical [ ] Horizontal (Also File Form W-1H) [ ] Directional (Also File Form W-1D) [ ] Sidetrack

8. Total Depth: 2500
9. Do you have the right to develop the minerals under any right-of-way? [X] Yes [ ] No
10. Is this well subject to Statewide Rule 36 (hydrogen sulfide area)? [ ] Yes [X] No

SURFACE LOCATION AND ACREAGE INFORMATION

11. RRC District No.: 7B
12. County: TAYLOR
13. Surface Location: [X] Land [ ] Bay/Estuary [ ] Inland Waterway [ ] Offshore

14. This well is to be located 3 miles in a SE direction from Abilene which is the nearest town in the county of the well site.

15. Section	16. Block	17. Survey	18. Abstract No.	19. Distance to nearest lease line:	20. Number of contiguous acres in lease, pooled unit, or unitized tract:
2		LAL/ BARR, M S	A-517	630 ft.	160.75

21. Lease Perpendiculars: 630 ft from the SOUTH line and 768 ft from the EAST line.
22. Survey Perpendiculars: 630 ft from the SOUTH line and 768 ft from the EAST line.

23. Is this a pooled unit? [ ] Yes [X] No
24. Unitization Docket No:
25. Are you applying for Substandard Acreage Field? [ ] Yes (attach Form W-1A) [X] No

FIELD INFORMATION List all fields of anticipated completion including Wildcat. List one zone per line.

26. RRC District No.	27. Field No.	28. Field Name (exactly as shown in RRC records)	29. Well Type	30. Completion Depth	31. Distance to Nearest Well in this Reservoir	32. Number of Wells on this lease in this Reservoir
7B	88520001	TAYLOR COUNTY REGULAR	Oil Well	1999	0.00	1
7B	00014001	WILDCAT	Oil or Gas Well	2500	0.00	1

BOTTOMHOLE LOCATION INFORMATION is required for DIRECTIONAL, HORIZONTAL, AND AMENDED AS DRILLED PERMIT APPLICATIONS

Remarks

[RRC STAFF Jun 4, 2012 12:01 PM]: There have been problems identified with this permit (see problem letter attachment). Notification sent.; [RRC STAFF Jun 5, 2012 3:35 PM]: Problems identified with this permit are resolved.; [RRC STAFF Jun 5, 2012 3:47 PM]: Justin Russell of Prensorus Energy, LLC, asked that we change the lease acreage to 160.75 acres on the W-1 application to match the acreage shown on the plat.

Certificate:

I certify that information stated in this application is true and complete, to the best of my knowledge.

Justin Russell Mr., Member — Name of filer
May 31, 2012 — Date submitted
(325)6680390 — Phone
prensorus@gmail.com — E-mail Address (OPTIONAL)

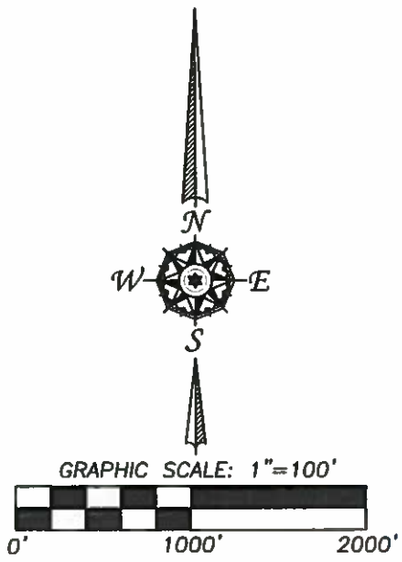
RRC Use Only Data Validation Time Stamp: Jun 12, 2012 10:55 AM(Current Version)

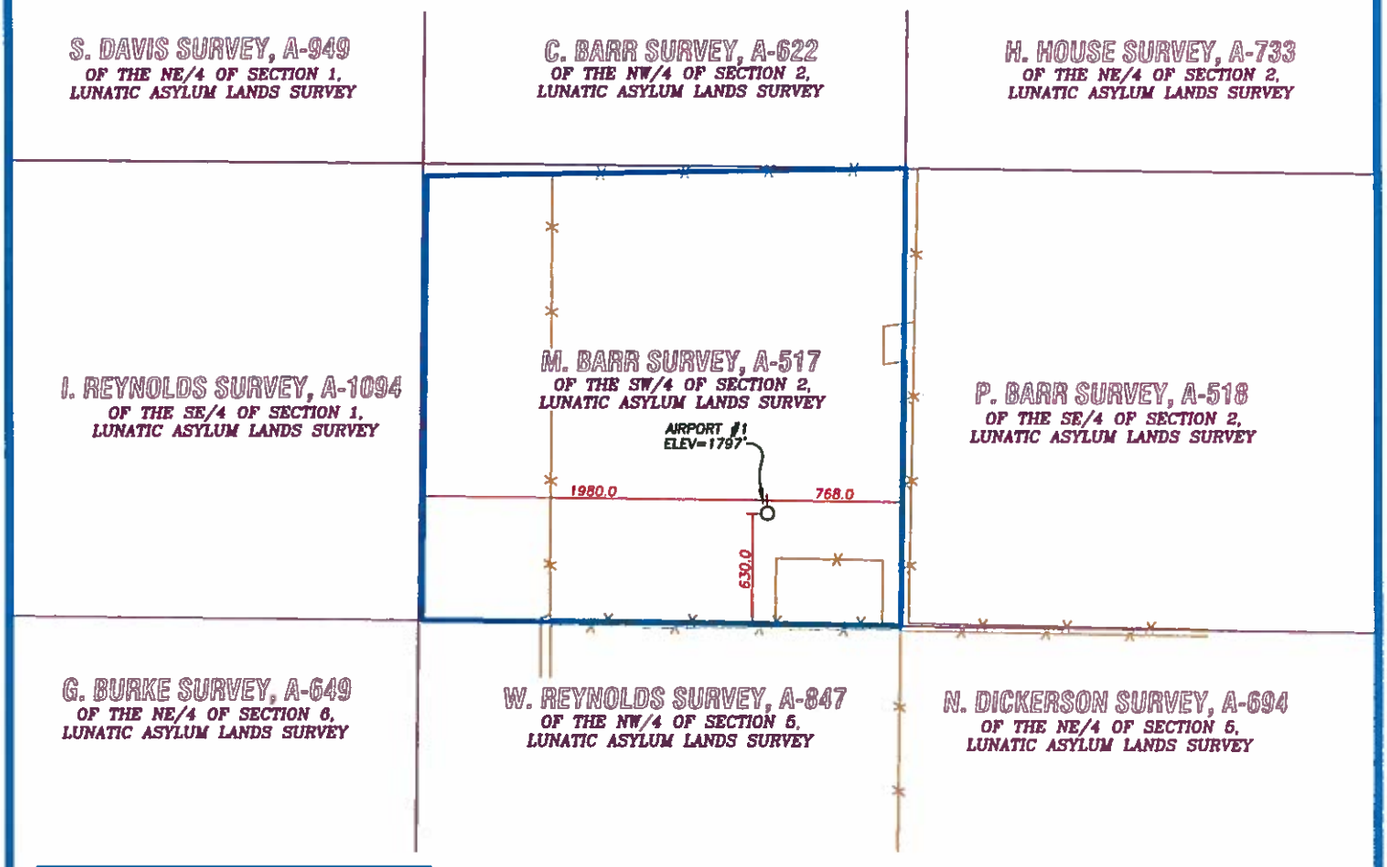
Lease Information: Being 160.75 acres of land of situated within the in the M. Barr Survey, Abstract No. 517, of the SW/4 of Section 2, Lunatic Asylum Lands Survey, Taylor County, Texas, being that same tract of land erroneously described in a Paid Up Oil And Gas Lease to Prensorus Energy, LLC dated February, 28th, 2012.

Location Description: Being located 768 feet from the east line and 630 feet from the south line of the M. Barr Survey, Abstract No. 517, Taylor County, Texas, and being located 768 feet from the east line and 630 feet from the south line of the lease.

Well Information:
Airport #1
Elevation: 1797'
Latitude: 32° 23' 19.003" N
Longitude: 99° 40' 05.121" W
Grid N: 6826326.764'
Grid E: 1607938.494'
NAD83 TXNC 4202

Company & Operator Information:
Prensorus Energy, LLC
TX RRC # 676080
P.O. Box 2078
Abilene, Tx. 79604
(325)668-0390





LEGEND
- EXISTING WELL
- PROPOSED WELL
- TERMINATION POINT
- FENCE LINE
- SPOTTING
- LEASE LINE
- ABSTRACT LINE

TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG OR BUILD, TO LOCATE UNDERGROUND UTILITIES
1-800-245-4545
CALL 48 HOURS BEFORE YOU DIG, DRILL, OR BLAST.

ARNOLD LAND SURVEYING & MAPPING
306 W. MAIN, EASTLAND, TX. 76448

OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com

BDA GF# NONE JOB# 2012-150

STATE OF TEXAS
REGISTERED
BARNEY DAN ARNOLD
6224
PROFESSIONAL
LAND SURVEYOR

I, Barney Dan Arnold, Texas R.P.L.S. No. 6224, do hereby certify that this sketch accurately represents an on the ground survey done under my supervision and conforms in all ways to the Texas Board of Land Surveying Minimum Standards, and there are no visible easements, overlaps or encroachments except as shown.

05-28-2012

Copies are not official unless seal is embossed.
Copyright Arnold Land Surveying & Mapping

Groundwater Advisory Unit

GROUNDWATER PROTECTION DETERMINATION

Date: June 12, 2012

GAU File No.: SC- 8432

***** EXPEDITED APPLICATION *****

API Number: 44134377

Attention: JUSTIN RUSSELL

RRC Lease No.: 000000

SC_676080_44134377_000000_8432.pdf

PRENSORUS ENERGY LLC
P O BOX 2078
ABILENE TX 79604

--Measured--
1980 ft FWL
630 ft FSL

MRL:SURVEY

Digital Map Location:
X-coord/Long: 99.66809
Y-coord/Lat: 32.38861
Datum: 83 Zone:

P-5# 676080

County: TAYLOR Lease & Well No.: AIRPORT #1 Purpose: ND

Location: SUR-LAL,A-517,SEC-2,--[TD=2500],[RRC 7B],

To protect usable-quality groundwater at this location, the Groundwater Advisory Unit of the Texas Railroad Commission recommends:

The interval from the land surface to a depth of 100 feet must be protected.

Note: Unless stated otherwise, this recommendation is intended to apply only to the subject well and not for area-wide use. **This recommendation is intended for normal drilling, production, and plugging operations only. It does not apply to saltwater disposal operation into a nonproductive zone (RRC Form W-14).**

If you have any questions, please contact us at 512-463-2741, gau@rrc.state.tx.us, or by mail.

Sincerely,

Digitally signed by John Estepp
DN: c=US, st=TEXAS, l=Austin, o=Railroad Commission of Texas, cn=John Estepp, email=john.estepp@rrc.state.tx.us
Date: 2012.06.12 10:35:03 -05'00'

John D. Estepp, P.G.

Geologist, Groundwater Advisory Unit
Oil & Gas Division

GEOLOGIST SEAL

STATE OF TEXAS
John D. Estepp
Geology
4191
LICENSED
PROFESSIONAL GEOSCIENTIST

The seal appearing on this document was authorized by John D. Estepp on 6/12/2012
Note: Alteration of this electronic document will invalidate the digital signature.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

RECEIVED NOV - 9 2017

DATE (MM/DD/YYYY) 11/01/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Jimmy Norman
THE NORMAN AGENCY PO BOX 788 POST, TEXAS 79356	PHONE (A/C, No, Ext): 806-495-3050 FAX (A/C, No): 806-495-2261 E-MAIL ADDRESS: tna3050@thenormanagency.net
	INSURER(S) AFFORDING COVERAGE — NAIC #
	INSURER A: Hudson Specialty Insurance Company
INSURED Prensorus Energy, LLC PO Box 2078 Abilene, TX 79604	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:	Y		WSK17001818	10/27/17	10/27/18	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A						PER STATUTE / OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurer A: The City of Abilene has been added as an Additional Insured.

CERTIFICATE HOLDER

City of Abilene
P.O. Box 60
Abilene, TX 79604

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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COMMERCIAL GENERAL LIABILITY COVERAGE PART

Policy No. WSK17001818 **Effective Date:** 10/27/2017 **Expiration Date:** 10/27/2018
12:01 A.M., Standard Time

LIMITS OF INSURANCE

General Aggregate Limit (Other Than Products-Completed Operations)	$ 2,000,000.	
Products-Completed Operations Aggregate Limit	$ -0-	
Personal and Advertising Injury Limit	$ 1,000,000.	
Each Occurrence Limit	$ 1,000,000.	
Damage To Premises Rented To You Limit	$ 100,000.	Any One Fire
Medical Expense Limit	$ 5,000.	Any One Person

"Property Damage Limits May Be Reduced or Restricted - PLEASE Read Carefully"

RETROACTIVE DATES

Coverages A and B of this insurance does not apply to "bodily injury","personal injury","property damage" or "advertising injury" which occurs before the Retroactive Date, if any, shown here: None
(Enter Date or "None" if no Retroactive Date Applies)

PREMIUM

Classification	Code No.	Premium Basis (Symbol)	Rate	Per	Advance Premium	
OIL OR GAS LEASE OPERATIONS - NATURAL GAS, (PRODUCTS/ COMPLETED OPERATIONS INCLUDED IN THE GENERAL AGGREGATE LIMIT) WITH ADDITIONAL WELLS TO BE REPORTED AND ENDORSED ONTO THE POLICY TO BE COVERED	98150					
PRODUCING WELLS	00001	5) 8	150.00	WELL	1,615.00	MP
SHUT-IN OR TEMPORARILY ABANDONED WELLS	00003	5) 1	35.00	WELL	35.00	MP

Total Advance Premium	$ 1,650.00	MP
Minimum & Deposit Annual Premium	$ 1,650.00	MP

Form(s) and Endorsement(s) made a part of this policy at time of issue:
See Schedule of Forms & Endorsements - WH-SCHLST

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD. SEE ATTACHED PREMIUM BASIS ENDORSEMENT WH-0023

WH-0150 (10/15)

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

Prensorus Energy, LLC is exempt from Workers Compensation Insurance. Any and all work performed on the Airport Lease is done by outside contractors and they are required to carry their own insurance.

Thank you for your consideration in this matter,

Enclosure

Justin Russell
Managing Member
Prensorus Energy, LLC

EXHIBIT 4

A $10,000 Performance Bond or Irrevocable Letter of Credit will be provided by the Applicant/Permit Holder upon approval/granting of the permit by City Council, as allowed by the City's Oil and Gas Ordinance, Chapter 21, Section 21-32. **The drilling permit will not be issued and drilling operations shall not be allowed to commence** until the required Performance Bond or Irrevocable Letter of Credit, conditioned to fully comply with Chapter 21, Section 21-32 of the Oil and Gas Ordinance, is provided.

CITY OF ABILENE

APPLICATION/PERMIT TO DRILL AND/OR OPERATE AN OIL AND/OR GAS WELL

RECEIVED
OCT 18 2017
BY: MM

Bond/Letter of Credit # 2753 RRC Permit # 742886

1. Date 10/17/17 Lease Name & Well No. : Airport #2

2. Applicant/Permit Holder Prunsorus Energy, LLC

Address PO Box 2078
Abilene, TX 79604

Phone 325-232-7813

3. Local 24 hour phone contact, in case of emergency:

Name Justin Russell

Phone 325-668-3090

4. Legal description of drill site including copy of survey by licensed surveyor: Survey plat should show the locations of any buildings, type of construction and use, including residences, within 200 feet of proposed drill site, and flood zone elevation lines (lines of 100 year floodplain and floodway) in relation to the proposed drill site.

1,320' From West line & 1630' from the South line of the M. Barr Survey, Abstract 517, Taylor County, Texas

5. Applicant _____ IS/ X IS NOT requesting a variance, per sections 21-26 and 21-27 of Chapter 21 of the City of Abilene Code of Ordinances, Oil and Gas, to drill within 200 feet of any existing building or buildings.

The proposed well location _____ IS/ X IS NOT within 200 feet of any residence or residences. If the proposed well location IS within 200 feet of any residence or residences, applicant should attach a list of the names of the owners of each residence corresponding to each address lying within a 200 foot radius of the proposed well location, indicating their approval/disapproval of the proposed well location.

The notarized written consent of the owner of each residence within a 200 foot radius of the proposed well location should be attached to this application.

Applicant should also attach copies of documentation of any granted exceptions to the Railroad Commission's statewide spacing rules that apply to the proposed well.

6. Proposed date to commence drilling Drilled 11/1/13

The height of the rig used to drill/re-enter this well will be approximately 20' feet.

7. Proposed depth of well 4,000'

This well is planned/anticipated to be primarily an OIL X or GAS____ well.

8. Attached as **EXHIBIT 1** the names of the
(a) Surface owners
(b) Mineral owners
(c) Royalty owners

9. Attached as **EXHIBIT 2** approved Railroad Commission Form W-1 including required plat of lease and approval letter from Texas Water Development Board.

10. Attached as **EXHIBIT 3** a Certificate of Insurance evidencing the applicant as insured under the following:

Type		Amount
(1)	Workers Compensation (where Required by State law)	Statutory
	Employer's Liability	$100,000
(2)	Comprehensive General Public Liability to include (but not Limited to):	$1 million – per Occurrence for Property Damage OR
	a) Premises/Operations	Combined single limit
	b) Independent Contractors	million – Per Occurrence
	c) Personal Injury Liability	
	d) Products/Completed Operations	
	e) Contractual Liability	
	f) Coverage for Explosion, Collapse, and Underground Property Damage (to include seepage, pollution and contamination coverage)	

Said Insurance Policy must insure all activities contemplated under this permit application and must be in effect at all times during production operations. The City must be notified 30 days prior to cancellation of insurance coverage and City shall be named as additional insured.

11. Indemnity

A. Definitions

For the purpose of this section the following definitions apply:

"Applicant/Permit Holder" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Applicant/Permit Holder's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Applicant/Permit Holder.

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Applicant/Permit Holder must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Applicant/Permit Holder's work and activities conducted in connection with this Contract.

The Applicant/Permit Holder is an independent Applicant/Permit Holder and is not, with respect to its acts or omissions, an agent or employee of the City.

Applicant/Permit Holder must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Applicant/Permit Holder's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Applicant/Permit Holder or Applicant/Permit Holder's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Applicant/Permit Holder.

The City and Applicant/Permit Holder must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Applicant/Permit Holder or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND APPLICANT/PERMIT HOLDER EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE APPLICANT/PERMIT HOLDER TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

12. Attached as **EXHIBIT 4** - $10,000 performance bond or an Irrevocable Letter of Credit from a Federally insured bank to meet the performance payment, penalty, abandonment and other provisions as required by City Council and by the Oil/Gas Ordinance, Chapter 21 of the City Code of Ordinances (This amount may be raised in appropriate circumstances).

13. Special requirements for this permit, if any, as set by City Council (drill site lighting, pits/tanks, hours of operation, fencing, buried lines, approved truck routes, noise buffers, pump type, etc.). Attachment Exhibit 4 .

14. The City of Abilene has required standards for drilling and production as provided by Chapter 21 of City Code, Oil and Gas Ordinance. Applicant/Permit Holder shall observe and obey all federal, state, and local laws and regulations. Violation of these or any requirements imposed by ordinance or the City Council will result in the termination of the permit.

15. By signing this application/permit, Applicant/Permit Holder certifies that he has received and read City code provisions, Chapter 21, Oil and Gas Ordinance.

16. THIS PERMIT EXPIRES SIX (6) MONTHS FROM THE DATE OF CITY COUNCIL APPROVAL. Actual drilling must commence within six (6) months from that date. Cessation of drilling or production for thirty (30) days shall cancel this permit.

17. If the City owns any mineral interest in the location of the proposed well, this permit is subject to compliance with an oil and gas lease obtained from the City.

18. The City Land Agent's office shall be notified prior to commencement of drilling operations.

19. If operation of the well is transferred, the City shall be notified in writing thirty (30) days prior to the transfer of the lease.

20. Applicant/Permit Holder shall make full payment for any and all damages or losses to City's Surface Lessee if the property is City owned, which shall include but not be limited to damages to and/or loss of crops, livestock, or improvements or a part thereof which loss may be the result of the Applicant's/Permit Holder's negligence or use of land.

21. This Application, upon approval, shall become the Drilling Permit.

THIS PERMIT IS NOT TRANSFERRABLE OR ASSIGNABLE

Signature:		**Date:**
	Review & Approval of Airport Director	1/5/18
	Review & Approval of City Engineer	1/12/18
	Review & Approval of Water Director	1/9/18
	Review & Approval of Stormwater Administrator	01/10/18
	Review & Approval of City Attorney	1/12/18
	Review & Approval of Land Agent	1/4/18

This permit issued this _____ day of _____ 20__.

CITY OF ABILENE

_____
MAYOR

ATTEST:

_____
City Secretary

City Seal:

_____
Applicant/Permit Holder

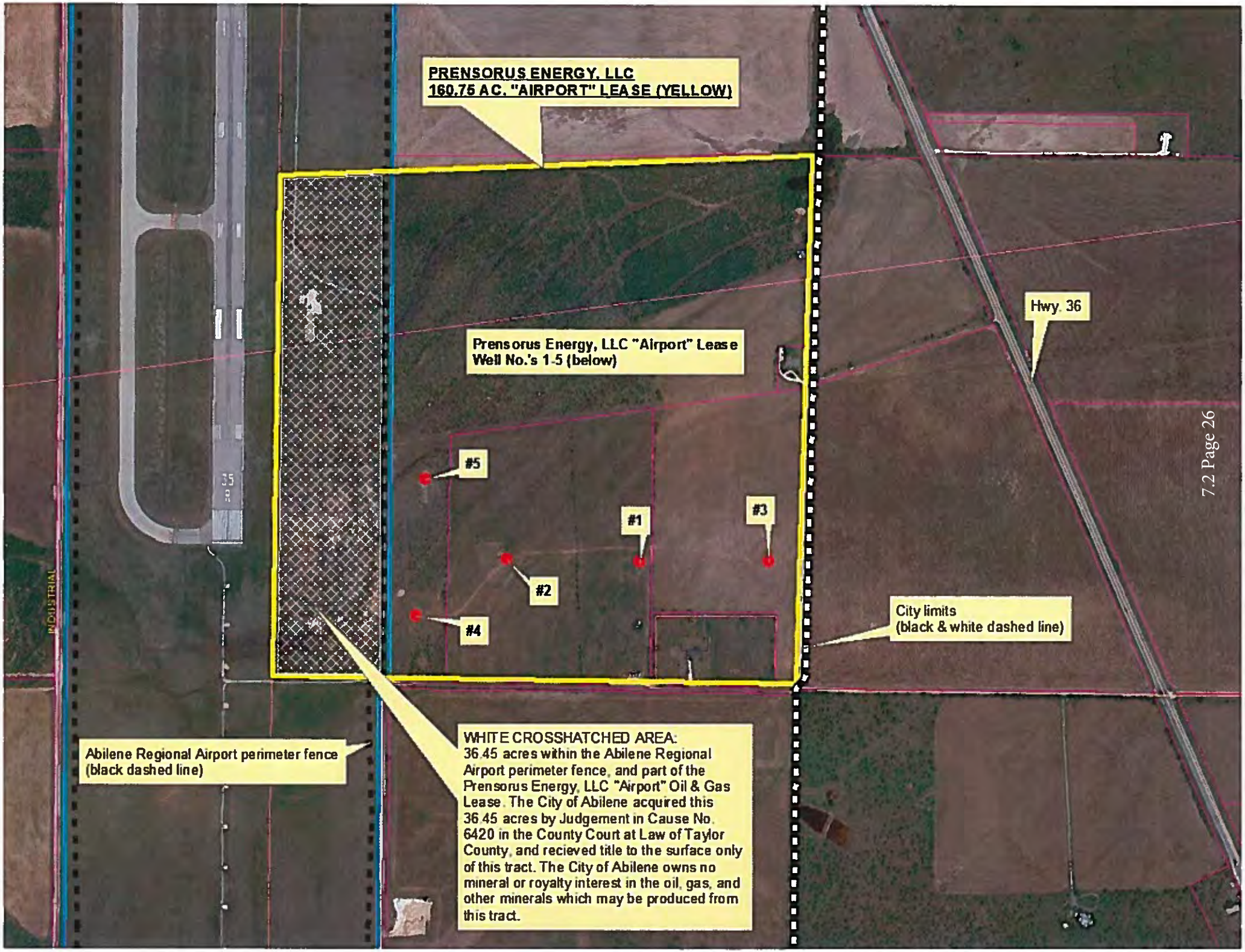
By: Justin Russell

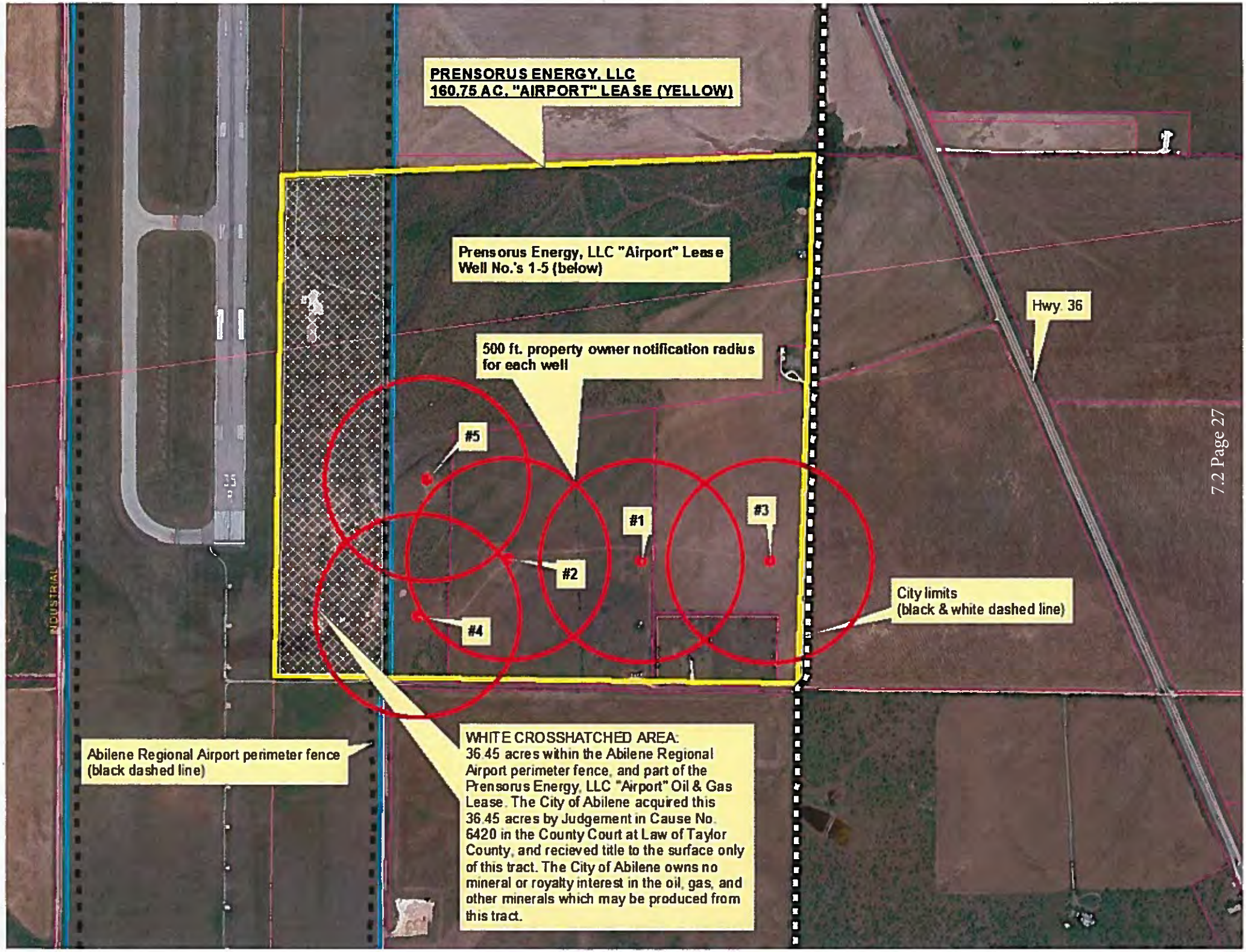
Managing Member
Title

ATTEST: (If Corporation)

_____
Secretary

Corporate Seal


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Hwy. 36
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
Hwy. 36
500 ft. property owner notification radius
for each well
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.

W. GLEN SHEDD

CERTIFIED PROFESSIONAL LANDMAN

First Financial Bank Building
3300 S. 14th Street, Suite 325
Abilene, Texas 79605
glen@youngandshedd.com
(325) 691-0051

FACSIMILE:
(325) 698-5536

MAILING ADDRESS:
P. O. Box 3761
Abilene, Texas 79604

RECEIVED
DEC 15 2017
BY:

December 13, 2017

City of Abilene
P. O. Box 60
Abilene, Texas 79604
Attention: Mr. Travis McClure, Land Manager

Re: 36.45 acres out of the Southwest part of Section 2, Lunatic Asylum Lands, Taylor County, Texas, as more particularly described in Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas styled *City of Abilene vs. John J. Whiteside, et ux., et al.*, recorded in Volume T, Page 679, Civil Minutes of Taylor County, Texas

Gentlemen:

You have requested I search the title to the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract 517, Taylor County, Texas to determine whether the City of Abilene owns an interest in the Mineral Estate in and under said land, and if so, the fraction or percentage of such interest. In accordance with your request, I have searched the records of the Taylor County Clerk's Office covering said land as reflected by the tract index of Security Title Co. in Abilene, Texas from Sovereignty to November 30, 2017 at 7:00 A. M. Based solely on my search of said records and subject to the Comments, Assumptions and Exceptions as hereinafter set forth, I find the City of Abilene owns the **surface only** of the above referenced 36.45 acres and no other interest in the Southwest one-quarter (SW-1/4) of said Section 2.

As of the date of the Judgement as above referenced, John J. Whiteside and wife, Pauline Whiteside were the record owners of the surface and an undivided one-fourth (1/4) interest in the oil, gas and other minerals in, under and that may be produced from 152.16 acres out of the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract No. 517, Taylor County, Texas described in two (2) tracts in Warranty Deed dated July 8, 1963 from E. F. Shotwell and wife, Edna Shotwell to John J. Whiteside and wife, Pauline Whiteside, recorded in Volume 715, Page 121, Deed Records of Taylor County, Texas. The City of Abilene recovered "fee simple title" in and to the 36.45 acres as above referenced EXCEPT as to all the oil, gas and sulphur which can be removed from beneath said land, without any right whatsoever remaining to the owner of such oil, gas and sulphur, of ingress or egress to or from the surface of said land for purpose of exploring, developing, drilling or mining of the same".

COMMENTS, ASSUMPTIONS AND EXCEPTIONS

1. Under the terms of the Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas, John J. Whiteside and wife, Pauline Whiteside, their successors in title and Lessees under Oil and Gas Leases from such owners are prohibited from use of the surface as set forth in the Judgment. However, because the owners of the outstanding three-fourths (3/4) interest in the oil, gas and other miners were not made parties to the suit, they would not be bound by such terms. They would be subject to rules of accommodation and matters inherent in the nature of oil and gas operations, which in my opinion make it impractical for them to exercise any rights of development on the surface of the 36.45 acres.

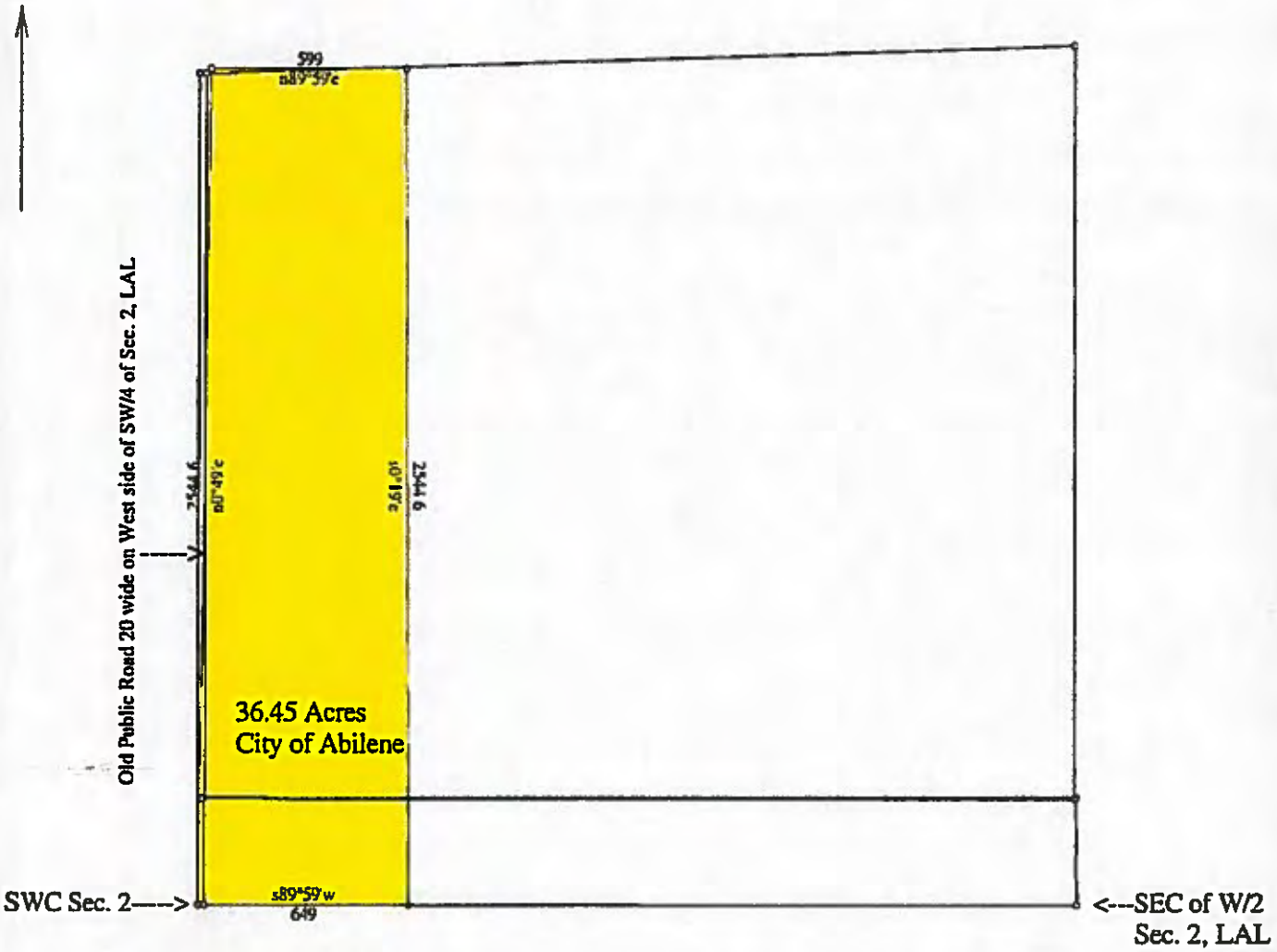
2. This report is based on the interpretation by the undersigned of the records as above described. You have been advised that the undersigned is not and does not purport to be an attorney licensed to practice law in the State of Texas. This report has been carefully prepared relying on more than the thirty-five (35) years of oil and gas land-related experience of the undersigned. It is recommended you discuss the findings of this report with an attorney licensed to practice law in the State of Texas, who is very familiar with real estate and oil, gas and mineral law for any legal opinions or advice that are not provided or purported to be provided by this report.

The opportunity to assist you in this matter is greatly appreciated. Should you have any questions concerning the information contained in this report, please do not hesitate to call me at this office.

Very truly yours,

W. Glen Shedd, CPL

WGS/s
encls.



Title: SW/4 Sec. 2, LAL, Taylor County, Texas	Date: 12-13-2017
Scale: 1 inch = 500 feet	File: Sec 2, LAL SW4.des

Tract 1: 19.980 Acres: 870346 Sq Feet: Closure = s89.5230w 1.42 Feet: Precision =1/4235: Perimeter = 6006 Feet
Tract 2: 137.848 Acres: 6004646 Sq Feet: Closure = n42.4750e 7.23 Feet: Precision =1/1360: Perimeter = 9839 Feet
Tract 3: 1.161 Acres: 50591 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5099 Feet
Tract 4: 36.449 Acres: 1587739 Sq Feet: Closure = n54.4749w 0.41 Feet: Precision =1/15602: Perimeter = 6337 Feet

001=n0W 325 SWC of 132.16 acres	008=s0.15e 2292.17	015=@14 Airport 36.45 Acres
002=n90e 2678 SEC Norwood 300 acres	009=s90w 2678	016=n0.49e 2544.6
003=s0.15e 325 SEC of W/2 Sec. 2	010=@1 Old Road	017=n89.59e 599
004=s90w 2678	011=n0w 2529.57	018=s0.19e 2544.6 SL Sec. 2
005=@2 132.16 acres	012=s90w 20	019=s89.59w 649
006=n0w 2204.7	013=s0e 2529.57	
007=n88.14e 2664.35	014=n90e 20	

RECEIVED
NOV 2 9 2017
BY:

PRENSORUS

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

The City of Abilene does not own any minerals under the Airport Lease operated by Prensorus Energy, LLC.

Thank you for your consideration in this matter,

Justin Russell
Managing Member
Prensorus Energy, LLC

Airport Prospect – Ownership Breakdown

Surface:

Louis Paulsen

Mineral Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan

Royalty Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan
Prensorus Holdings, LLC
PERL Acquisitions, LLC

API No. 42-441-34379
Drilling Permit # 742886
SWR Exception Case/Docket No.

RAILROAD COMMISSION OF TEXAS
OIL & GAS DIVISION
APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER

This facsimile W-1 was generated electronically from data submitted to the RRC.
A certification of the automated data is available in the RRC's Austin office.

FORM W-1 07/2004

Permit Status: Approved

1. RRC Operator No.	2. Operator's Name (as shown on form P-5, Organization Report)	3. Operator Address (include street, city, state, zip):
676080	PRENSORUS ENERGY, LLC	

4. Lease Name	5. Well No.
AIRPORT	2

GENERAL INFORMATION

6. Purpose of filing (mark ALL appropriate boxes): ☒ New Drill ☐ Recompletion ☐ Reclass ☐ Field Transfer ☐ Re-Enter ☒ Amended ☐ Amended as Drilled (BHL) (Also File Form W-1D)

7. Wellbore Profile (mark ALL appropriate boxes): ☒ Vertical ☐ Horizontal (Also File Form W-1H) ☐ Directional (Also File Form W-1D) ☐ Sidetrack

8. Total Depth	9. Do you have the right to develop the minerals under any right-of-way ?	10. Is this well subject to Statewide Rule 36 (hydrogen sulfide area)?
4000	☒ Yes ☐ No	☐ Yes ☒ No

SURFACE LOCATION AND ACREAGE INFORMATION

11. RRC District No.	12. County	13. Surface Location
7B	TAYLOR	☒ Land ☐ Bay/Estuary ☐ Inland Waterway ☐ Offshore

14. This well is to be located 2 miles in a SE direction from Abilene which is the nearest town in the county of the well site.

15. Section	16. Block	17. Survey	18. Abstract No.	19. Distance to nearest lease line:	20. Number of contiguous acres in lease, pooled unit, or unitized tract:
2		LAL/BARR, M S	A-517	630 ft.	160.75

21. Lease Perpendiculars: 630 ft from the SOUTH line and 1300 ft from the WEST line.
22. Survey Perpendiculars: 630 ft from the SOUTH line and 1320 ft from the WEST line.

23. Is this a pooled unit? ☐ Yes ☒ No | 24. Unitization Docket No: | 25. Are you applying for Substandard Acreage Field? ☐ Yes (attach Form W-1A) ☒ No

FIELD INFORMATION List all fields of anticipated completion including Wildcat. List one zone per line.

26. RRC District No.	27. Field No.	28. Field Name (exactly as shown in RRC records)	29. Well Type	30. Completion Depth	31. Distance to Nearest Well in this Reservoir	32. Number of Wells on this lease in this Reservoir
7B	88520001	TAYLOR COUNTY REGULAR	Oil Well	1999	660.00	2
7B	00014001	WILDCAT	Oil or Gas Well	4000	0.00	1

BOTTOMHOLE LOCATION INFORMATION is required for DIRECTIONAL, HORIZONTAL, AND AMENDED AS DRILLED PERMIT APPLICATIONS

Remarks

Certificate:
I certify that information stated in this application is true and complete, to the best of my knowledge.

Justin Russell Mr., Member — Name of filer
Jan 11, 2013 — Date submitted
(325)2327813 — Phone
prensorus@gmail.com — E-mail Address (OPTIONAL)

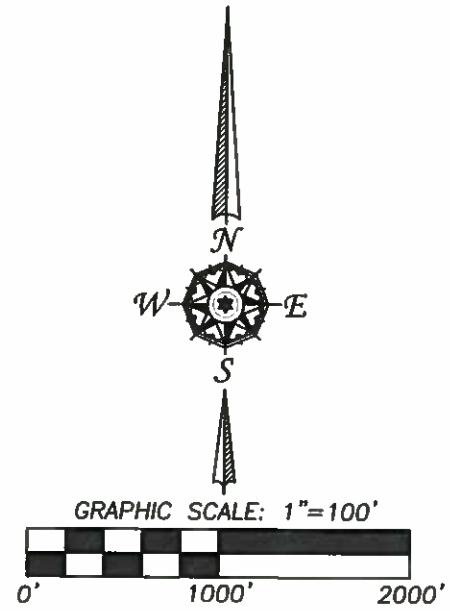
RRC Use Only Data Validation Time Stamp: Jan 22, 2013 1:51 PM('As Approved' Version)

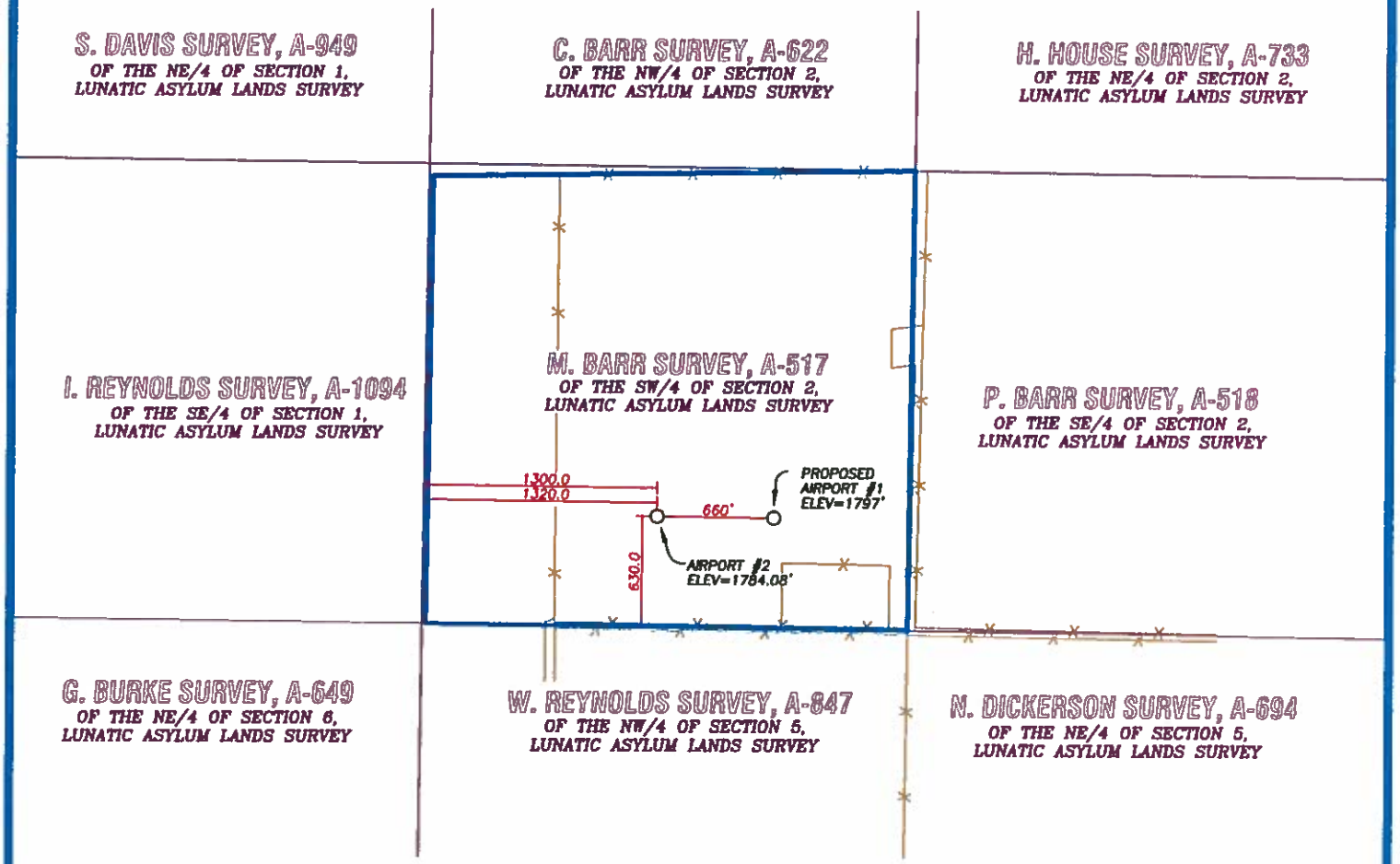
Lease Information: Being 160.75 acres of land of situated within the in the M. Barr Survey, Abstract No. 517, of the SW/4 of Section 2, Lunatic Asylum Lands Survey, Taylor County, Texas, being that same tract of land erroneously described in a Paid Up Oil And Gas Lease to Prensorus Energy, LLC dated February, 28th, 2012.

Location Description: Being located 1320 feet from the west line and 630 feet from the south line of the M. Barr Survey, Abstract No. 517, Taylor County, Texas, and being located 1300 feet from the west line and 630 feet from the south line of the lease.

Well Information:
Airport #2
Elevation: 1784.08'
Latitude: 32° 23' 19.010" N
Longitude: 99° 40' 12.818" W
Grid N: 6826334.833'
Grid E: 1607278.574'
NAD83 TXNC 4202

Company & Operator Information:
Prensorus Energy, LLC
TX RRC # 676080
P.O. Box 2078
Abilene, Tx. 79604
(325)668-0390





LEGEND
- EXISTING WELL
- PROPOSED WELL
- TERMINATION POINT

TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG

GROUNDWATER PROTECTION DETERMINATION

Groundwater Advisory Unit

Date: June 25, 2012

GAU File No.: SC- 8435

***** EXPEDITED APPLICATION *****

API Number: 44134379

Attention: JUSTIN RUSSELL

RRC Lease No.: 000000

SC_676080_44134379_000000_8435.pdf

PRENSORUS ENERGY LLC
P O BOX 2078
ABILENE TX 79604

P-5# 676080

--Measured--
1320 ft FWL
630 ft FSL
MRL:SECTION

Digital Map Location:
X-coord/Long: 99.67020
Y-coord/Lat: 32.38860
Datum: 83 Zone:

County: TAYLOR

Lease & Well No.: AIRPORT #2

Purpose: ND

Location: SUR-LAL,A-517,SEC-2,--[TD=1999],[RRC 7B],

To protect usable-quality groundwater at this location, the Groundwater Advisory Unit of the Texas Railroad Commission recommends:

The interval from the land surface to a depth of 100 feet must be protected.

Note: Unless stated otherwise, this recommendation is intended to apply only to the subject well and not for area-wide use. **This recommendation is intended for normal drilling, production, and plugging operations only. It does not apply to saltwater disposal operation into a nonproductive zone (RRC Form W-14).**

If you have any questions, please contact us at 512-463-2741, gau@rrc.state.tx.us, or by mail.

Sincerely,

Digitally signed by John Estepp
DN: c=US, st=TEXAS, l=Austin, o=Railroad Commission of Texas, cn=John Estepp, email=john.estepp@rrc.state.tx.us
Date: 2012.06.25 11:19:00 -05'00'

John D. Estepp, P.G.

Geologist, Groundwater Advisory Unit
Oil & Gas Division

GEOLOGIST SEAL

STATE OF TEXAS
John D. Estepp
Geology
4191
LICENSED
PROFESSIONAL GEOSCIENTIST

The seal appearing on this document was authorized by John D. Estepp on 6/25/2012
Note: Alteration of this electronic document will invalidate the digital signature.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

RECEIVED NOV - 9 2017

DATE (MM/DD/YYYY) 11/01/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Jimmy Norman
THE NORMAN AGENCY PO BOX 788 POST, TEXAS 79356	PHONE (A/C, No, Ext): 806-495-3050 FAX (A/C, No): 806-495-2261 E-MAIL ADDRESS: tna3050@thenormanagency.net
	INSURER(S) AFFORDING COVERAGE — NAIC #
	INSURER A: Hudson Specialty Insurance Company
INSURED Prensorus Energy, LLC PO Box 2078 Abilene, TX 79604	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		WSK17001818	10/27/17	10/27/18	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER STATUTE ☐ OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurer A: The City of Abilene has been added as an Additional Insured.

CERTIFICATE HOLDER

City of Abilene
P.O. Box 60
Abilene, TX 79604

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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COMMERCIAL GENERAL LIABILITY COVERAGE PART

Policy No. WSK17001818 **Effective Date:** 10/27/2017 **Expiration Date:** 10/27/2018
12:01 A.M., Standard Time

LIMITS OF INSURANCE

General Aggregate Limit (Other Than Products-Completed Operations)	$ 2,000,000.	
Products-Completed Operations Aggregate Limit	$ -0-	
Personal and Advertising Injury Limit	$ 1,000,000.	
Each Occurrence Limit	$ 1,000,000.	
Damage To Premises Rented To You Limit	$ 100,000.	Any One Fire
Medical Expense Limit	$ 5,000.	Any One Person

"Property Damage Limits May Be Reduced or Restricted - PLEASE Read Carefully"

RETROACTIVE DATES

Coverages A and B of this insurance does not apply to "bodily injury","personal injury","property damage" or "advertising injury" which occurs before the Retroactive Date, if any, shown here: None
(Enter Date or "None" if no Retroactive Date Applies)

PREMIUM

Classification	Code No.	Premium Basis (Symbol)	Rate	Per	Advance Premium	
OIL OR GAS LEASE OPERATIONS - NATURAL GAS, (PRODUCTS/ COMPLETED OPERATIONS INCLUDED IN THE GENERAL AGGREGATE LIMIT) WITH ADDITIONAL WELLS TO BE REPORTED AND ENDORSED ONTO THE POLICY TO BE COVERED	98150					
PRODUCING WELLS	00001	5) 8	150.00	WELL	1,615.00	MP
SHUT-IN OR TEMPORARILY ABANDONED WELLS	00003	5) 1	35.00	WELL	35.00	MP

Total Advance Premium	$ 1,650.00	MP
Minimum & Deposit Annual Premium	$ 1,650.00	MP

Form(s) and Endorsement(s) made a part of this policy at time of issue:
See Schedule of Forms & Endorsements - WH-SCHLST

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD. SEE ATTACHED PREMIUM BASIS ENDORSEMENT WH-0023

WH-0150 (10/15)

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

Prensorus Energy, LLC is exempt from Workers Compensation Insurance. Any and all work performed on the Airport Lease is done by outside contractors and they are required to carry their own insurance.

Thank you for your consideration in this matter,

Enclosure

Justin Russell
Managing Member
Prensorus Energy, LLC

EXHIBIT 4

A $10,000 Performance Bond or Irrevocable Letter of Credit will be provided by the Applicant/Permit Holder upon approval/granting of the permit by City Council, as allowed by the City's Oil and Gas Ordinance, Chapter 21, Section 21-32. **The drilling permit will not be issued and drilling operations shall not be allowed to commence** until the required Performance Bond or Irrevocable Letter of Credit, conditioned to fully comply with Chapter 21, Section 21-32 of the Oil and Gas Ordinance, is provided.

CITY OF ABILENE

APPLICATION/PERMIT TO DRILL AND/OR OPERATE AN OIL AND/OR GAS WELL

RECEIVED
OCT 18 2017
BY: MM

Bond/Letter of Credit # 2753 RRC Permit # 787555

1. Date 10/17/17 Lease Name & Well No. : Airport #3

2. Applicant/Permit Holder Prunsource Energy, LLC

Address PO Box 2078
Abilene, Tx 79604

Phone 325-232-7813

3. Local 24 hour phone contact, in case of emergency:

Name Justin Russell

Phone 325-668-0390

4. Legal description of drill site including copy of survey by licensed surveyor: Survey plat should show the locations of any buildings, type of construction and use, including residences, within 200 feet of proposed drill site, and flood zone elevation lines (lines of 100 year floodplain and floodway) in relation to the proposed drill site.

150' From the East line & 630' From the South line of the M. Ball Survey, Abstract 513, Taylor County, Texas

5. Applicant _____ IS/ X IS NOT requesting a variance, per sections 21-26 and 21-27 of Chapter 21 of the City of Abilene Code of Ordinances, Oil and Gas, to drill within 200 feet of any existing building or buildings.

The proposed well location _____ IS/ X IS NOT within 200 feet of any residence or residences. If the proposed well location IS within 200 feet of any residence or residences, applicant should attach a list of the names of the owners of each residence corresponding to each address lying within a 200 foot radius of the proposed well location, indicating their approval/disapproval of the proposed well location.

The notarized written consent of the owner of each residence within a 200 foot radius of the proposed well location should be attached to this application.

Applicant should also attach copies of documentation of any granted exceptions to the Railroad Commission's statewide spacing rules that apply to the proposed well.

6. Proposed date to commence drilling Drilled 8/16/14

The height of the rig used to drill/re-enter this well will be approximately 70 feet.

7. Proposed depth of well 1,999

This well is planned/anticipated to be primarily an OIL X or GAS _____ well.

8. Attached as **EXHIBIT 1** the names of the
(a) Surface owners
(b) Mineral owners
(c) Royalty owners

9. Attached as **EXHIBIT 2** approved Railroad Commission Form W-1 including required plat of lease and approval letter from Texas Water Development Board.

10. Attached as **EXHIBIT 3** a Certificate of Insurance evidencing the applicant as insured under the following:

Type		Amount
(1)	Workers Compensation (where Required by State law)	Statutory
	Employer's Liability	$100,000
(2)	Comprehensive General Public Liability to include (but not Limited to):	$1 million – per Occurrence for Property Damage OR Combined single limit million – Per Occurrence
	a) Premises/Operations	
	b) Independent Contractors	
	c) Personal Injury Liability	
	d) Products/Completed Operations	
	e) Contractual Liability	
	f) Coverage for Explosion, Collapse, and Underground Property Damage (to include seepage, pollution and contamination coverage)	

Said Insurance Policy must insure all activities contemplated under this permit application and must be in effect at all times during production operations. The City must be notified 30 days prior to cancellation of insurance coverage and City shall be named as additional insured.

11. Indemnity

A. Definitions

For the purpose of this section the following definitions apply:

"Applicant/Permit Holder" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Applicant/Permit Holder's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Applicant/Permit Holder.

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Applicant/Permit Holder must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Applicant/Permit Holder's work and activities conducted in connection with this Contract.

The Applicant/Permit Holder is an independent Applicant/Permit Holder and is not, with respect to its acts or omissions, an agent or employee of the City.

Applicant/Permit Holder must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Applicant/Permit Holder's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Applicant/Permit Holder or Applicant/Permit Holder's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Applicant/Permit Holder.

The City and Applicant/Permit Holder must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Applicant/Permit Holder or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND APPLICANT/PERMIT HOLDER EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE APPLICANT/PERMIT HOLDER TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

12. Attached as **EXHIBIT 4** - $10,000 performance bond or an Irrevocable Letter of Credit from a Federally insured bank to meet the performance payment, penalty, abandonment and other provisions as required by City Council and by the Oil/Gas Ordinance, Chapter 21 of the City Code of Ordinances (This amount may be raised in appropriate circumstances).

13. Special requirements for this permit, if any, as set by City Council (drill site lighting, pits/tanks, hours of operation, fencing, buried lines, approved truck routes, noise buffers, pump type, etc.). Attachment Exhibit 4 .

14. The City of Abilene has required standards for drilling and production as provided by Chapter 21 of City Code, Oil and Gas Ordinance. Applicant/Permit Holder shall observe and obey all federal, state, and local laws and regulations. Violation of these or any requirements imposed by ordinance or the City Council will result in the termination of the permit.

15. By signing this application/permit, Applicant/Permit Holder certifies that he has received and read City code provisions, Chapter 21, Oil and Gas Ordinance.

16. THIS PERMIT EXPIRES SIX (6) MONTHS FROM THE DATE OF CITY COUNCIL APPROVAL. Actual drilling must commence within six (6) months from that date. Cessation of drilling or production for thirty (30) days shall cancel this permit.

17. If the City owns any mineral interest in the location of the proposed well, this permit is subject to compliance with an oil and gas lease obtained from the City.

18. The City Land Agent's office shall be notified prior to commencement of drilling operations.

19. If operation of the well is transferred, the City shall be notified in writing thirty (30) days prior to the transfer of the lease.

20. Applicant/Permit Holder shall make full payment for any and all damages or losses to City's Surface Lessee if the property is City owned, which shall include but not be limited to damages to and/or loss of crops, livestock, or improvements or a part thereof which loss may be the result of the Applicant's/Permit Holder's negligence or use of land.

21. This Application, upon approval, shall become the Drilling Permit.

THIS PERMIT IS NOT TRANSFERRABLE OR ASSIGNABLE

Signature:		**Date:**
	Review & Approval of Airport Director	1/5/18
	Review & Approval of City Engineer	1/12/18
	Review & Approval of Water Director	1/9/18
	Review & Approval of Stormwater Administrator	01/10/18
	Review & Approval of City Attorney	1/12/18
	Review & Approval of Land Agent	1/4/18

This permit issued this _____ day of _____ 20__.

CITY OF ABILENE **ATTEST:**

_____ _____

MAYOR **City Secretary**

City Seal:

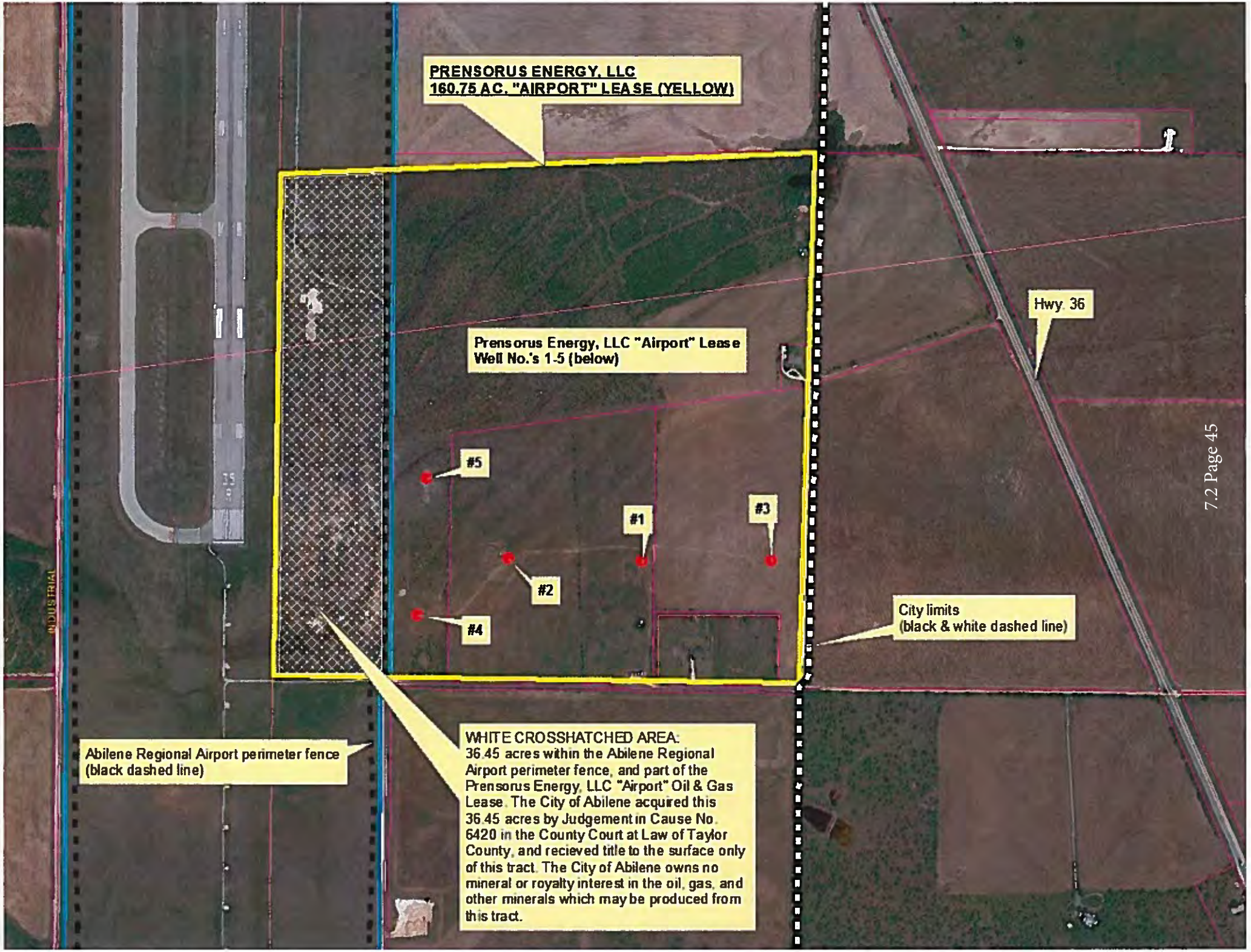
_____ **ATTEST: (If Corporation)**

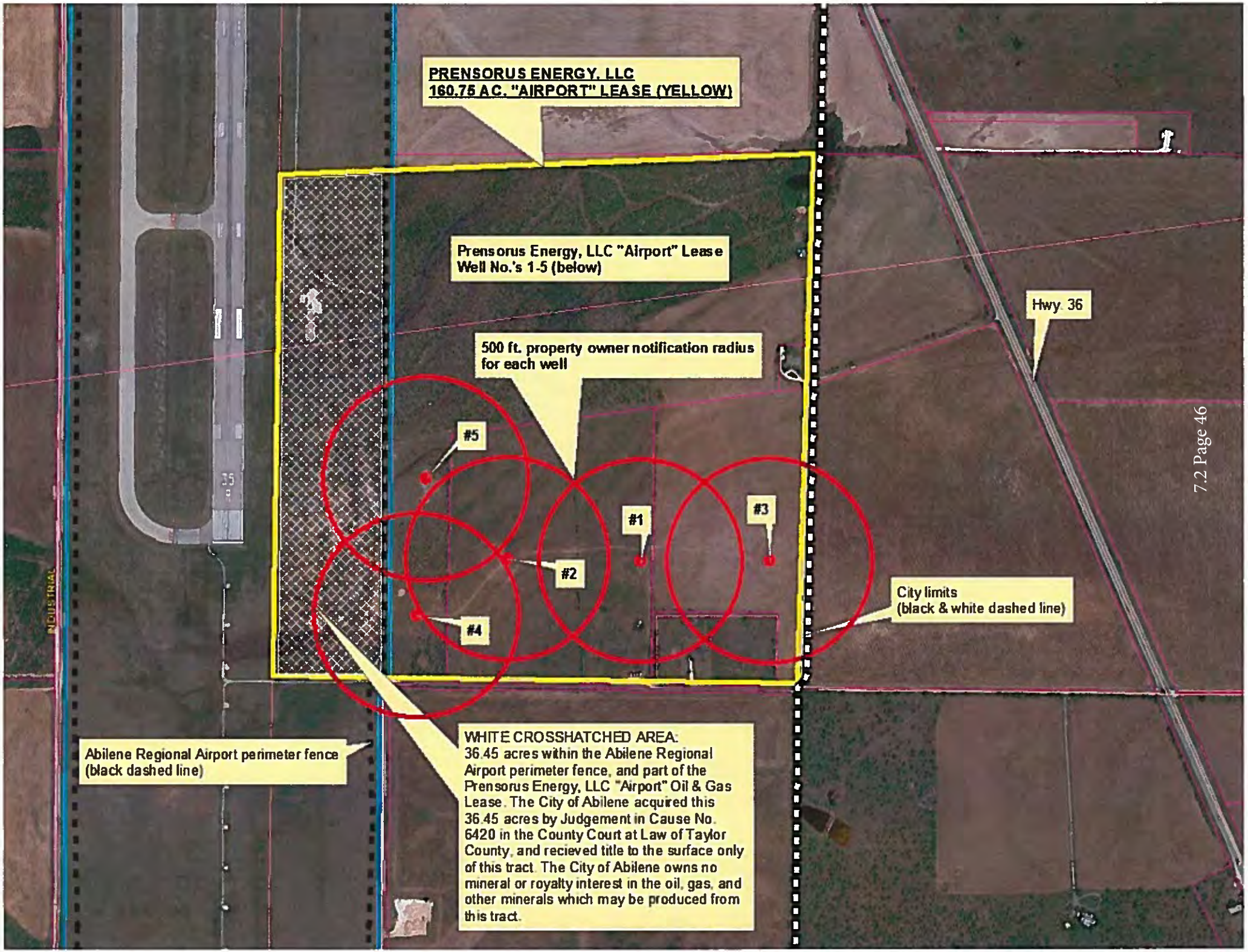
Applicant/Permit Holder

By: Justin Russell _____

Managing Member _____ Secretary

Title Corporate Seal


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Hwy. 36
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.
INDUSTRIAL


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
Hwy. 36
500 ft. property owner notification radius
for each well
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.
INDUSTRIAL
35

W. GLEN SHEDD

CERTIFIED PROFESSIONAL LANDMAN

First Financial Bank Building
3300 S. 14th Street, Suite 325
Abilene, Texas 79605
glen@youngandshedd.com
(325) 691-0051

FACSIMILE:
(325) 698-5536

MAILING ADDRESS:
P. O. Box 3761
Abilene, Texas 79604

RECEIVED
DEC 15 2017
BY:

December 13, 2017

City of Abilene
P. O. Box 60
Abilene, Texas 79604
Attention: Mr. Travis McClure, Land Manager

Re: 36.45 acres out of the Southwest part of Section 2, Lunatic Asylum Lands, Taylor County, Texas, as more particularly described in Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas styled *City of Abilene vs. John J. Whiteside, et ux., et al.*, recorded in Volume T, Page 679, Civil Minutes of Taylor County, Texas

Gentlemen:

You have requested I search the title to the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract 517, Taylor County, Texas to determine whether the City of Abilene owns an interest in the Mineral Estate in and under said land, and if so, the fraction or percentage of such interest. In accordance with your request, I have searched the records of the Taylor County Clerk's Office covering said land as reflected by the tract index of Security Title Co. in Abilene, Texas from Sovereignty to November 30, 2017 at 7:00 A. M. Based solely on my search of said records and subject to the Comments, Assumptions and Exceptions as hereinafter set forth, I find the City of Abilene owns the **surface only** of the above referenced 36.45 acres and no other interest in the Southwest one-quarter (SW-1/4) of said Section 2.

As of the date of the Judgement as above referenced, John J. Whiteside and wife, Pauline Whiteside were the record owners of the surface and an undivided one-fourth (1/4) interest in the oil, gas and other minerals in, under and that may be produced from 152.16 acres out of the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract No. 517, Taylor County, Texas described in two (2) tracts in Warranty Deed dated July 8, 1963 from E. F. Shotwell and wife, Edna Shotwell to John J. Whiteside and wife, Pauline Whiteside, recorded in Volume 715, Page 121, Deed Records of Taylor County, Texas. The City of Abilene recovered "fee simple title" in and to the 36.45 acres as above referenced EXCEPT as to all the oil, gas and sulphur which can be removed from beneath said land, without any right whatsoever remaining to the owner of such oil, gas and sulphur, of ingress or egress to or from the surface of said land for purpose of exploring, developing, drilling or mining of the same".

COMMENTS, ASSUMPTIONS AND EXCEPTIONS

1. Under the terms of the Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas, John J. Whiteside and wife, Pauline Whiteside, their successors in title and Lessees under Oil and Gas Leases from such owners are prohibited from use of the surface as set forth in the Judgment. However, because the owners of the outstanding three-fourths (3/4) interest in the oil, gas and other miners were not made parties to the suit, they would not be bound by such terms. They would be subject to rules of accommodation and matters inherent in the nature of oil and gas operations, which in my opinion make it impractical for them to exercise any rights of development on the surface of the 36.45 acres.

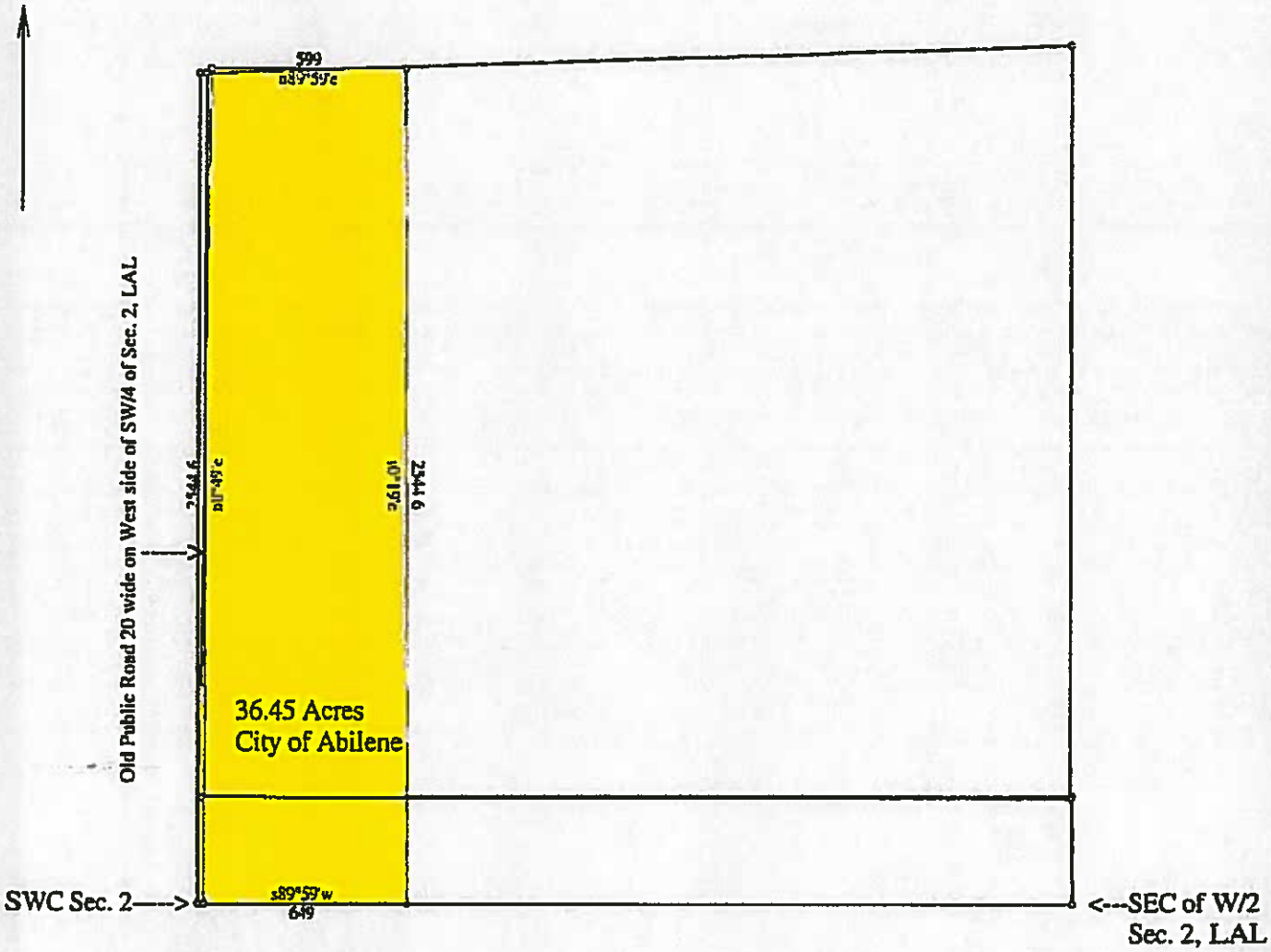
2. This report is based on the interpretation by the undersigned of the records as above described. You have been advised that the undersigned is not and does not purport to be an attorney licensed to practice law in the State of Texas. This report has been carefully prepared relying on more than the thirty-five (35) years of oil and gas land-related experience of the undersigned. It is recommended you discuss the findings of this report with an attorney licensed to practice law in the State of Texas, who is very familiar with real estate and oil, gas and mineral law for any legal opinions or advice that are not provided or purported to be provided by this report.

The opportunity to assist you in this matter is greatly appreciated. Should you have any questions concerning the information contained in this report, please do not hesitate to call me at this office.

Very truly yours,

W. Glen Shedd, CPL

WGS/s
encls.



Title: SW/4 Sec. 2, LAL, Taylor County, Texas	Date: 12-13-2017
Scale: 1 inch = 500 feet	File: Sec 2, LAL SW4.des

Tract 1: 19.980 Acres: 870346 Sq Feet: Closure = s89.5230w 1.42 Feet: Precision =1/4235: Perimeter = 6006 Feet
Tract 2: 137.848 Acres: 6004646 Sq Feet: Closure = n42.4750e 7.23 Feet: Precision =1/1360: Perimeter = 9839 Feet
Tract 3: 1.161 Acres: 50591 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5099 Feet
Tract 4: 36.449 Acres: 1587739 Sq Feet: Closure = n54.4749w 0.41 Feet: Precision =1/15602: Perimeter = 6337 Feet

001=n0W 325 SWC of 132.16 acres
002=n90e 2678 SEC Norwood 300 acres
003=s0.15e 325 SEC of W/2 Sec. 2
004=s90w 2678
005=@2 132.16 acres
006=n0w 2204.7
007=n88.14e 2664.35
008=s0.15e 2292.17
009=s90w 2678
010=@1 Old Road
011=n0w 2529.57
012=s90w 20
013=s0e 2529.57
014=n90e 20
015=@14 Airport 36.45 Acres
016=n0.49e 2544.6
017=n89.59e 599
018=s0.19e 2544.6 SL Sec. 2
019=s89.59w 649

RECEIVED
NOV 29 2017
BY

PRENSORUS

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

The City of Abilene does not own any minerals under the Airport Lease operated by Prensorus Energy, LLC.

Thank you for your consideration in this matter,

Justin Russell
Managing Member
Prensorus Energy, LLC

Airport Prospect – Ownership Breakdown

Surface:

Louis Paulsen

Mineral Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan

Royalty Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
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IRA Administrators, inc
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Mingze Li
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Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan
Prensorus Holdings, LLC
PERL Acquisitions, LLC

API No. 42-441-34475

Drilling Permit # 787555

SWR Exception Case/Docket No.

RAILROAD COMMISSION OF TEXAS
OIL & GAS DIVISION
APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER

This facsimile W-1 was generated electronically from data submitted to the RRC.
A certification of the automated data is available in the RRC's Austin office.

FORM W-1 07/2004

Permit Status: Approved

1. RRC Operator No.	2. Operator's Name (as shown on form P-5, Organization Report)	3. Operator Address (include street, city, state, zip):
676080	PRENSORUS ENERGY, LLC	

4. Lease Name	5. Well No.
AIRPORT	3

GENERAL INFORMATION

6. Purpose of filing (mark ALL appropriate boxes): ☒ New Drill ☐ Recompletion ☐ Reclass ☐ Field Transfer ☐ Re-Enter ☐ Amended ☐ Amended as Drilled (BHL) (Also File Form W-1D)

7. Wellbore Profile (mark ALL appropriate boxes): ☒ Vertical ☐ Horizontal (Also File Form W-1H) ☐ Directional (Also File Form W-1D) ☐ Sidetrack

8. Total Depth	9. Do you have the right to develop the minerals under any right-of-way?	10. Is this well subject to Statewide Rule 36 (hydrogen sulfide area)?
1999	☒ Yes ☐ No	☐ Yes ☒ No

SURFACE LOCATION AND ACREAGE INFORMATION

11. RRC District No.	12. County	13. Surface Location
7B	TAYLOR	☒ Land ☐ Bay/Estuary ☐ Inland Waterway ☐ Offshore

14. This well is to be located 1 miles in a SE direction from Abilene which is the nearest town in the county of the well site.

15. Section	16. Block	17. Survey	18. Abstract No.	19. Distance to nearest lease line:	20. Number of contiguous acres in lease, pooled unit, or unitized tract:
2		LAL/BARR, M S	A-517	150 ft.	160.75

21. Lease Perpendiculars: 150 ft from the EAST line and 630 ft from the SOUTH line.

22. Survey Perpendiculars: 150 ft from the EAST line and 630 ft from the SOUTH line.

23. Is this a pooled unit?	24. Unitization Docket No:	25. Are you applying for Substandard Acreage Field?
☐ Yes ☒ No		☐ Yes (attach Form W-1A) ☒ No

FIELD INFORMATION List all fields of anticipated completion including Wildcat. List one zone per line.

26. RRC District No.	27. Field No.	28. Field Name (exactly as shown in RRC records)	29. Well Type	30. Completion Depth	31. Distance to Nearest Well in this Reservoir	32. Number of Wells on this lease in this Reservoir
7B	88520001	TAYLOR COUNTY REGULAR	Oil Well	1850	620.00	3

BOTTOMHOLE LOCATION INFORMATION is required for DIRECTIONAL, HORIZONTAL, AND AMENDED AS DRILLED PERMIT APPLICATIONS

Remarks

Certificate:

I certify that information stated in this application is true and complete, to the best of my knowledge.

Justin Russell Mr., Member — Name of filer

May 21, 2014 — Date submitted

(325)2327813 — Phone

prensorus@gmail.com — E-mail Address (OPTIONAL)

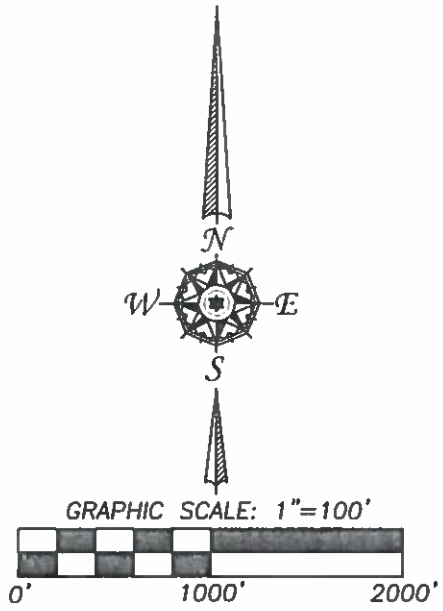
RRC Use Only Data Validation Time Stamp: May 30, 2014 10:59 AM(Current Version)

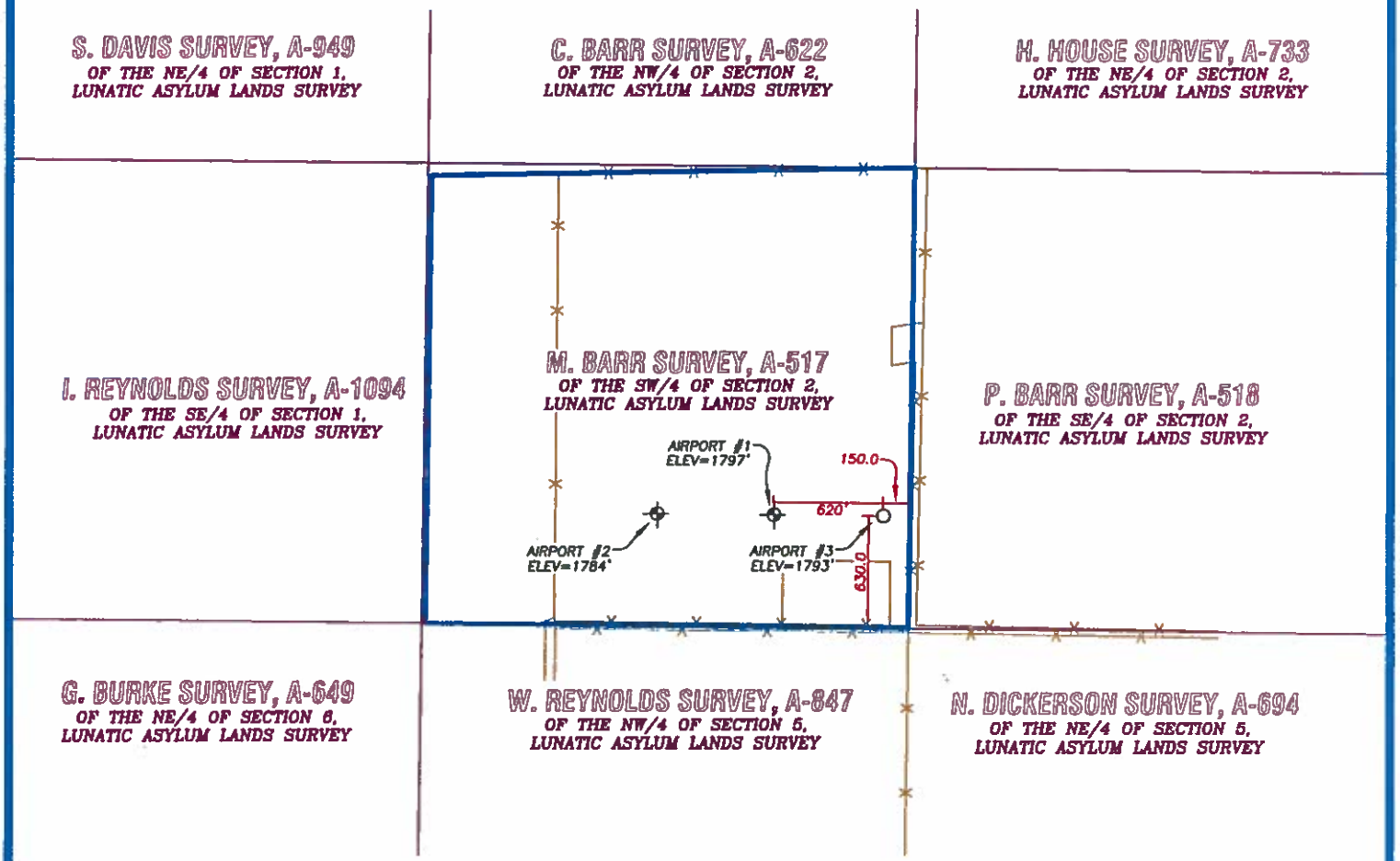
Lease Information: Being 160.75 acres of land of situated within the in the M. Barr Survey, Abstract No. 517, of the SW/4 of Section 2, Lunatic Asylum Lands Survey, Taylor County, Texas, being that same tract of land erroneously described in a Paid Up Oil And Gas Lease to Prensorus Energy, LLC dated February, 28th, 2012.

Location Description: Being located 150 feet from the East line and 630 feet from the South line of the M. Barr Survey, Abstract No. 517, Taylor County, Texas, and being located 150 feet from the East line and 630 feet from the South line of the lease.

Well Information:
Airport #3
Elevation: 1793'
Latitude: 32° 23' 18.996" N
Longitude: 99° 39' 57.913" W
Grid N: 6826319.203'
Grid E: 1608556.442'
NAD83 TXNC 4202

Company & Operator Information:
Prensorus Energy, LLC
TX RRC # 676080
P.O. Box 2078
Abilene, Tx. 79604
(325)668-0390





LEGEND
- EXISTING WELL
- PROPOSED WELL
- TERMINATION POINT

TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG

Groundwater Advisory Unit

GROUNDWATER PROTECTION DETERMINATION

Form GW-2

Date: May 30, 2014

GAU File No.: 8583

***** EXPEDITED APPLICATION *****

API Number: 44134477

Attention: JUSTIN RUSSELL

RRC Lease No.: 031157

SC_676080_44134477_031157_8583.pdf

--Measured--
870 ft FWL
330 ft FSL
MRL:SECTION

Digital Map Location:
X-coord/Long: 99.67170
Y-coord/Lat: 32.38780
Datum: 83 Zone:

PRENSORUS ENERGY LLC
P O BOX 2078
ABILENE TX 79604

P-5# 676080

County: TAYLOR

Lease & Well No.: AIRPORT #4

Purpose: ND

Location: SUR-BARR M.,A-517,SEC-2,--[TD=1999],[RRC 7B],

To protect usable-quality groundwater at this location, the Groundwater Advisory Unit of the Railroad Commission of Texas recommends:

The interval from the land surface to a depth of 100 feet must be protected.

Note: Unless stated otherwise, this recommendation is intended to apply only to the subject well and not for area-wide use. **This recommendation is intended for normal drilling, production, and plugging operations only. It does not apply to saltwater disposal operation into a nonproductive zone (RRC Form W-14).**

If you have any questions, please contact us at 512-463-2741, gau@rrc.state.tx.us, or by mail.

Sincerely,

Digitally signed by Craig Bunting
DN: c=US, st=TEXAS, l=Austin, o=Railroad Commission of Texas, cn=Craig Bunting, email=Craig.Bunting@rrc.state.tx.us
Date: 2014.05.30 13:41:59 -05'00'

Craig Bunting, P.G.

Geologist, Groundwater Advisory Unit
Oil & Gas Division

GEOLOGIST SEAL

STATE OF TEXAS
Craig Bunting
Geology
263
LICENSED
PROFESSIONAL GEOSCIENTIST

The seal appearing on this document was authorized by *Craig Bunting* on 5/30/2014
Note: Alteration of this electronic document will invalidate the digital signature.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

RECEIVED NOV - 9 2017

DATE (MM/DD/YYYY) 11/01/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Jimmy Norman	
THE NORMAN AGENCY PO BOX 788 POST, TEXAS 79356	PHONE (A/C, No, Ext): 806-495-3050	FAX (A/C, No): 806-495-2261
	E-MAIL ADDRESS: tna3050@thenormanagency.net	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Hudson Specialty Insurance Company	
INSURED Pransorus Energy, LLC PO Box 2078 Abilene, TX 79604	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:	Y		WSK17001818	10/27/17	10/27/18	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurer A: The City of Abilene has been added as an Additional Insured.

CERTIFICATE HOLDER	CANCELLATION
City of Abilene P.O. Box 60 Abilene, TX 79604	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE

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COMMERCIAL GENERAL LIABILITY COVERAGE PART

Policy No. WSK17001818 **Effective Date:** 10/27/2017 **Expiration Date:** 10/27/2018
12:01 A.M., Standard Time

LIMITS OF INSURANCE

General Aggregate Limit (Other Than Products-Completed Operations)	$ 2,000,000.	
Products-Completed Operations Aggregate Limit	$ -0-	
Personal and Advertising Injury Limit	$ 1,000,000.	
Each Occurrence Limit	$ 1,000,000.	
Damage To Premises Rented To You Limit	$ 100,000.	Any One Fire
Medical Expense Limit	$ 5,000.	Any One Person

"Property Damage Limits May Be Reduced or Restricted - PLEASE Read Carefully"

RETROACTIVE DATES

Coverages A and B of this insurance does not apply to "bodily injury","personal injury","property damage" or "advertising injury" which occurs before the Retroactive Date, if any, shown here: None
(Enter Date or "None" if no Retroactive Date Applies)

PREMIUM

Classification	Code No.	Premium Basis (Symbol)	Rate	Per	Advance Premium	
OIL OR GAS LEASE OPERATIONS - NATURAL GAS, (PRODUCTS/ COMPLETED OPERATIONS INCLUDED IN THE GENERAL AGGREGATE LIMIT) WITH ADDITIONAL WELLS TO BE REPORTED AND ENDORSED ONTO THE POLICY TO BE COVERED	98150					
PRODUCING WELLS	00001	5) 8	150.00	WELL	1,615.00	MP
SHUT-IN OR TEMPORARILY ABANDONED WELLS	00003	5) 1	35.00	WELL	35.00	MP

Total Advance Premium	$ 1,650.00	MP
Minimum & Deposit Annual Premium	$ 1,650.00	MP

Form(s) and Endorsement(s) made a part of this policy at time of issue:
See Schedule of Forms & Endorsements - WH-SCHLST

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD. SEE ATTACHED PREMIUM BASIS ENDORSEMENT WH-0023

WH-0150 (10/15)

RECEIVED
NOV - 9 2017
BY:

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

Prensorus Energy, LLC is exempt from Workers Compensation Insurance. Any and all work performed on the Airport Lease is done by outside contractors and they are required to carry their own insurance.

Thank you for your consideration in this matter,

Enclosure

Justin Russell
Managing Member
Prensorus Energy, LLC

EXHIBIT 4

A $10,000 Performance Bond or Irrevocable Letter of Credit will be provided by the Applicant/Permit Holder upon approval/granting of the permit by City Council, as allowed by the City's Oil and Gas Ordinance, Chapter 21, Section 21-32. **The drilling permit will not be issued and drilling operations shall not be allowed to commence** until the required Performance Bond or Irrevocable Letter of Credit, conditioned to fully comply with Chapter 21, Section 21-32 of the Oil and Gas Ordinance, is provided.

CITY OF ABILENE

APPLICATION/PERMIT TO DRILL AND/OR OPERATE AN OIL AND/OR GAS WELL

RECEIVED
OCT 18 2017
BY: MM

Bond/Letter of Credit # 2753 RRC Permit # 787644

1. Date 10/17/17 Lease Name & Well No. : Airport #4

2. Applicant/Permit Holder Pansorus Energy, LLC

Address PO Box 7078
Abilene, TX 79604

Phone 325-232-7813

3. Local 24 hour phone contact, in case of emergency:

Name Justin Russell

Phone 325-668-0390

4. Legal description of drill site including copy of survey by licensed surveyor: Survey plat should show the locations of any buildings, type of construction and use, including residences, within 200 feet of proposed drill site, and flood zone elevation lines (lines of 100 year floodplain and floodway) in relation to the proposed drill site.

870' From the West line & 330' from the South line of the M. Batt Survey, Abstract 517, Taylor County, TX

5. Applicant _____ IS/ X IS NOT requesting a variance, per sections 21-26 and 21-27 of Chapter 21 of the City of Abilene Code of Ordinances, Oil and Gas, to drill within 200 feet of any existing building or buildings.

The proposed well location _____ IS/ X IS NOT within 200 feet of any residence or residences. If the proposed well location IS within 200 feet of any residence or residences, applicant should attach a list of the names of the owners of each residence corresponding to each address lying within a 200 foot radius of the proposed well location, indicating their approval/disapproval of the proposed well location.

The notarized written consent of the owner of each residence within a 200 foot radius of the proposed well location should be attached to this application.

Applicant should also attach copies of documentation of any granted exceptions to the Railroad Commission's statewide spacing rules that apply to the proposed well.

6. Proposed date to commence drilling Drilled 7/8/14

The height of the rig used to drill/re-enter this well will be approximately 70 feet.

7. Proposed depth of well 1,999

This well is planned/anticipated to be primarily an OIL X or GAS _____ well.

8. Attached as **EXHIBIT 1** the names of the
(a) Surface owners
(b) Mineral owners
(c) Royalty owners

9. Attached as **EXHIBIT 2** approved Railroad Commission Form W-1 including required plat of lease and approval letter from Texas Water Development Board.

10. Attached as **EXHIBIT 3** a Certificate of Insurance evidencing the applicant as insured under the following:

Type		Amount
(1)	Workers Compensation (where Required by State law)	Statutory
	Employer's Liability	$100,000
(2)	Comprehensive General Public Liability to include (but not Limited to):	$1 million – per Occurrence for Property Damage OR
	a) Premises/Operations	Combined single limit
	b) Independent Contractors	million – Per Occurrence
	c) Personal Injury Liability	
	d) Products/Completed Operations	
	e) Contractual Liability	
	f) Coverage for Explosion, Collapse, and Underground Property Damage (to include seepage, pollution and contamination coverage)	

Said Insurance Policy must insure all activities contemplated under this permit application and must be in effect at all times during production operations. The City must be notified 30 days prior to cancellation of insurance coverage and City shall be named as additional insured.

11. Indemnity

A. Definitions

For the purpose of this section the following definitions apply:

"Applicant/Permit Holder" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Applicant/Permit Holder's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Applicant/Permit Holder.

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Applicant/Permit Holder must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Applicant/Permit Holder's work and activities conducted in connection with this Contract.

The Applicant/Permit Holder is an independent Applicant/Permit Holder and is not, with respect to its acts or omissions, an agent or employee of the City.

Applicant/Permit Holder must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Applicant/Permit Holder's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Applicant/Permit Holder or Applicant/Permit Holder's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Applicant/Permit Holder.

The City and Applicant/Permit Holder must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Applicant/Permit Holder or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND APPLICANT/PERMIT HOLDER EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE APPLICANT/PERMIT HOLDER TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

12. Attached as **EXHIBIT 4** - $10,000 performance bond or an Irrevocable Letter of Credit from a Federally insured bank to meet the performance payment, penalty, abandonment and other provisions as required by City Council and by the Oil/Gas Ordinance, Chapter 21 of the City Code of Ordinances (This amount may be raised in appropriate circumstances).

13. Special requirements for this permit, if any, as set by City Council (drill site lighting, pits/tanks, hours of operation, fencing, buried lines, approved truck routes, noise buffers, pump type, etc.). Attachment Exhibit 4.

14. The City of Abilene has required standards for drilling and production as provided by Chapter 21 of City Code, Oil and Gas Ordinance. Applicant/Permit Holder shall observe and obey all federal, state, and local laws and regulations. Violation of these or any requirements imposed by ordinance or the City Council will result in the termination of the permit.

15. By signing this application/permit, Applicant/Permit Holder certifies that he has received and read City code provisions, Chapter 21, Oil and Gas Ordinance.

16. THIS PERMIT EXPIRES SIX (6) MONTHS FROM THE DATE OF CITY COUNCIL APPROVAL. Actual drilling must commence within six (6) months from that date. Cessation of drilling or production for thirty (30) days shall cancel this permit.

17. If the City owns any mineral interest in the location of the proposed well, this permit is subject to compliance with an oil and gas lease obtained from the City.

18. The City Land Agent's office shall be notified prior to commencement of drilling operations.

19. If operation of the well is transferred, the City shall be notified in writing thirty (30) days prior to the transfer of the lease.

20. Applicant/Permit Holder shall make full payment for any and all damages or losses to City's Surface Lessee if the property is City owned, which shall include but not be limited to damages to and/or loss of crops, livestock, or improvements or a part thereof which loss may be the result of the Applicant's/Permit Holder's negligence or use of land.

21. This Application, upon approval, shall become the Drilling Permit.

THIS PERMIT IS NOT TRANSFERRABLE OR ASSIGNABLE

Signature:		**Date:**
	Review & Approval of Airport Director	1/5/18
	Review & Approval of City Engineer	1/12/18
	Review & Approval of Water Director	1/9/18
Srinivas Valavala	Review & Approval of Stormwater Administrator	01/10/18
	Review & Approval of City Attorney	1/12/18
	Review & Approval of Land Agent	1/4/18

This permit issued this _____ day of _____ 20__.

CITY OF ABILENE

_____

MAYOR

ATTEST:

_____

City Secretary

City Seal:

_____

Applicant/Permit Holder

By: Justin Russell

Managing Member

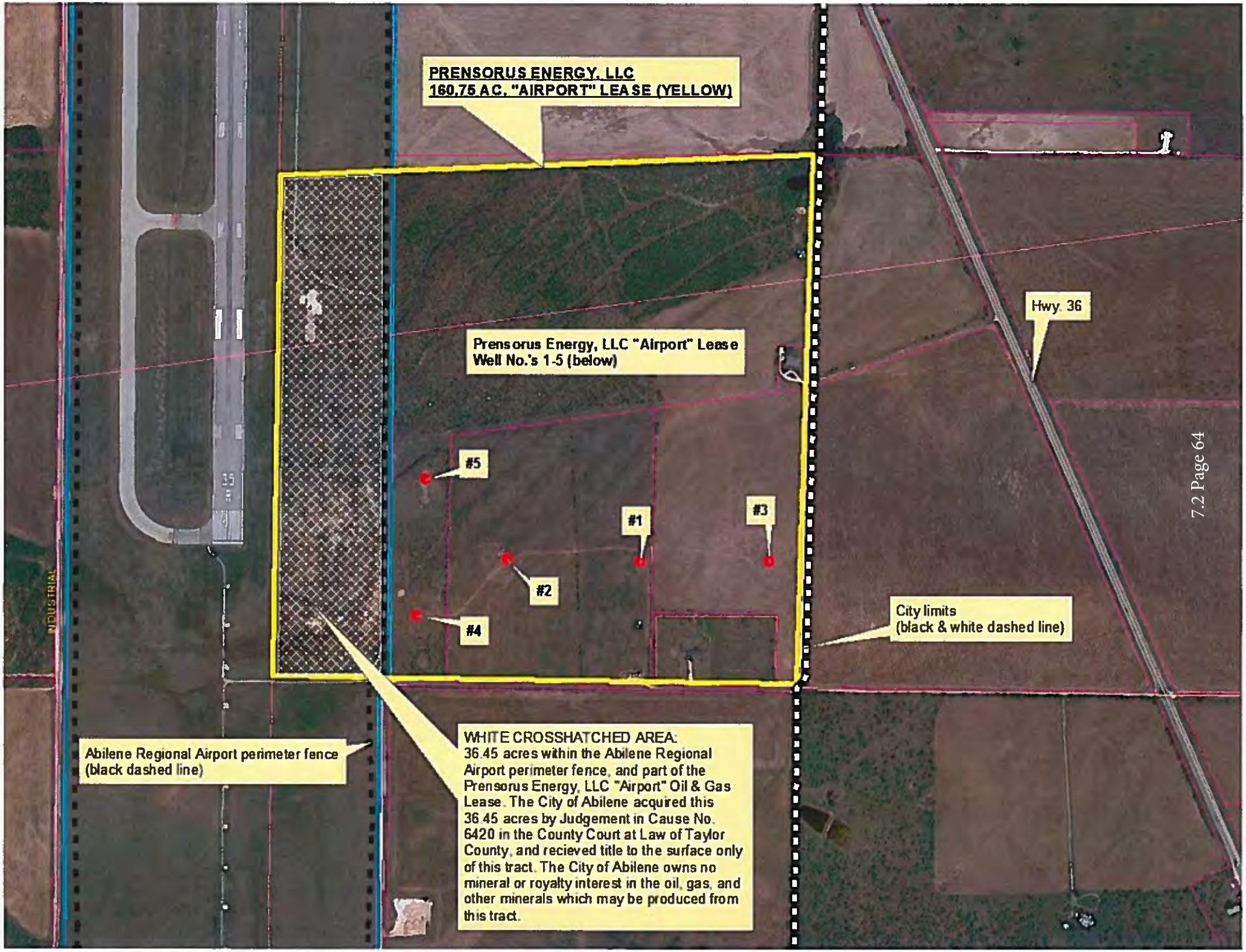
Title

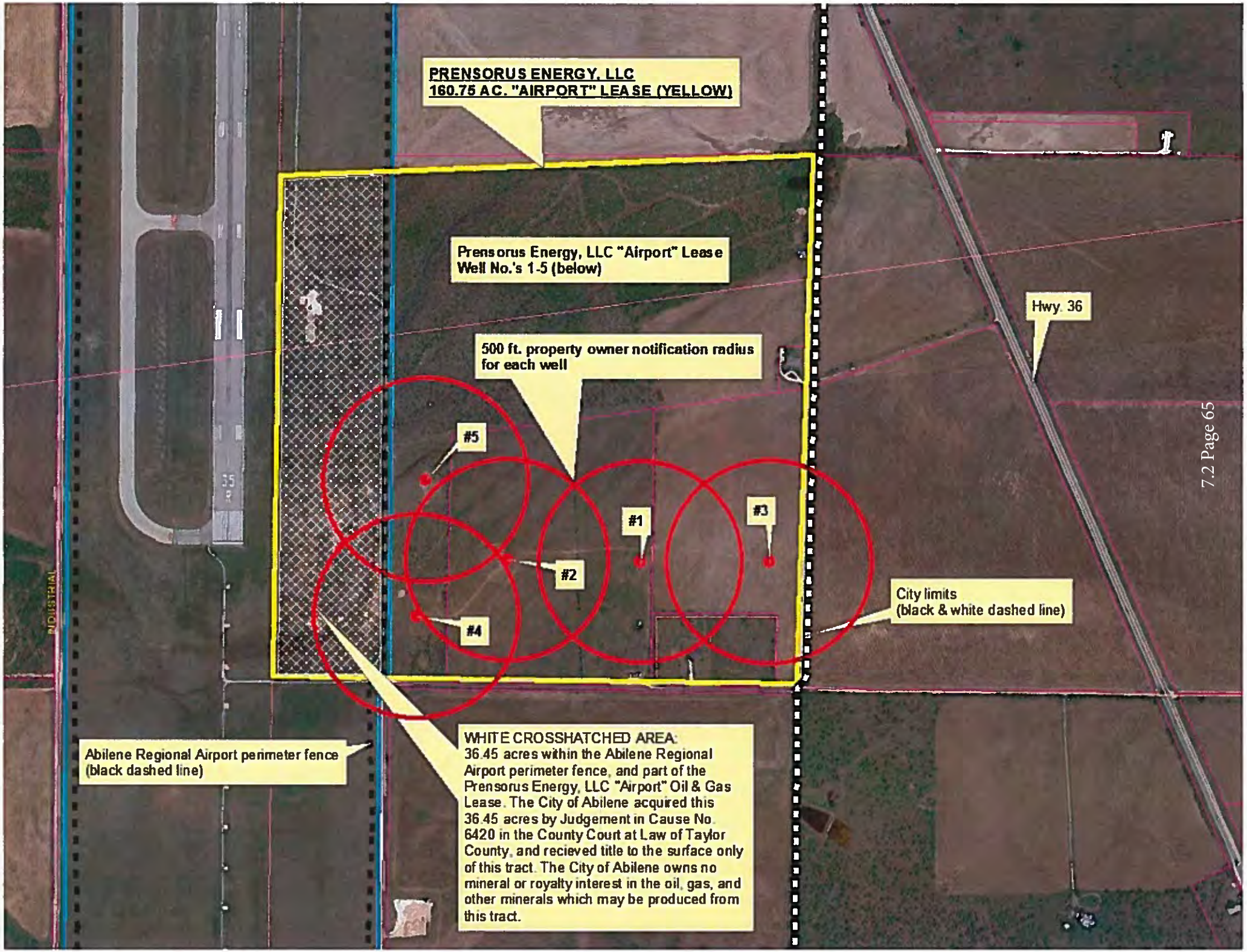
ATTEST: (If Corporation)

_____

Secretary

Corporate Seal


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Hwy. 36
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
Hwy. 36
500 ft. property owner notification radius
for each well
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.

W. GLEN SHEDD
CERTIFIED PROFESSIONAL LANDMAN
First Financial Bank Building
3300 S. 14th Street, Suite 325
Abilene, Texas 79605
glen@youngandshedd.com
(325) 691-0051

FACSIMILE:
(325) 698-5536

MAILING ADDRESS:
P. O. Box 3761
Abilene, Texas 79604

RECEIVED
DEC 15 2017
BY:

December 13, 2017

City of Abilene
P. O. Box 60
Abilene, Texas 79604
Attention: Mr. Travis McClure, Land Manager

Re: 36.45 acres out of the Southwest part of Section 2, Lunatic Asylum Lands, Taylor County, Texas, as more particularly described in Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas styled *City of Abilene vs. John J. Whiteside, et ux., et al.*, recorded in Volume T, Page 679, Civil Minutes of Taylor County, Texas

Gentlemen:

You have requested I search the title to the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract 517, Taylor County, Texas to determine whether the City of Abilene owns an interest in the Mineral Estate in and under said land, and if so, the fraction or percentage of such interest. In accordance with your request, I have searched the records of the Taylor County Clerk's Office covering said land as reflected by the tract index of Security Title Co. in Abilene, Texas from Sovereignty to November 30, 2017 at 7:00 A. M. Based solely on my search of said records and subject to the Comments, Assumptions and Exceptions as hereinafter set forth, I find the City of Abilene owns the **surface only** of the above referenced 36.45 acres and no other interest in the Southwest one-quarter (SW-1/4) of said Section 2.

As of the date of the Judgement as above referenced, John J. Whiteside and wife, Pauline Whiteside were the record owners of the surface and an undivided one-fourth (1/4) interest in the oil, gas and other minerals in, under and that may be produced from 152.16 acres out of the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract No. 517, Taylor County, Texas described in two (2) tracts in Warranty Deed dated July 8, 1963 from E. F. Shotwell and wife, Edna Shotwell to John J. Whiteside and wife, Pauline Whiteside, recorded in Volume 715, Page 121, Deed Records of Taylor County, Texas. The City of Abilene recovered "fee simple title" in and to the 36.45 acres as above referenced EXCEPT as to all the oil, gas and sulphur which can be removed from beneath said land, without any right whatsoever remaining to the owner of such oil, gas and sulphur, of ingress or egress to or from the surface of said land for purpose of exploring, developing, drilling or mining of the same".

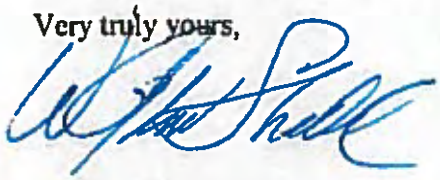
COMMENTS, ASSUMPTIONS AND EXCEPTIONS

1. Under the terms of the Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas, John J. Whiteside and wife, Pauline Whiteside, their successors in title and Lessees under Oil and Gas Leases from such owners are prohibited from use of the surface as set forth in the Judgment. However, because the owners of the outstanding three-fourths (3/4) interest in the oil, gas and other miners were not made parties to the suit, they would not be bound by such terms. They would be subject to rules of accommodation and matters inherent in the nature of oil and gas operations, which in my opinion make it impractical for them to exercise any rights of development on the surface of the 36.45 acres.

2. This report is based on the interpretation by the undersigned of the records as above described. You have been advised that the undersigned is not and does not purport to be an attorney licensed to practice law in the State of Texas. This report has been carefully prepared relying on more than the thirty-five (35) years of oil and gas land-related experience of the undersigned. It is recommended you discuss the findings of this report with an attorney licensed to practice law in the State of Texas, who is very familiar with real estate and oil, gas and mineral law for any legal opinions or advice that are not provided or purported to be provided by this report.

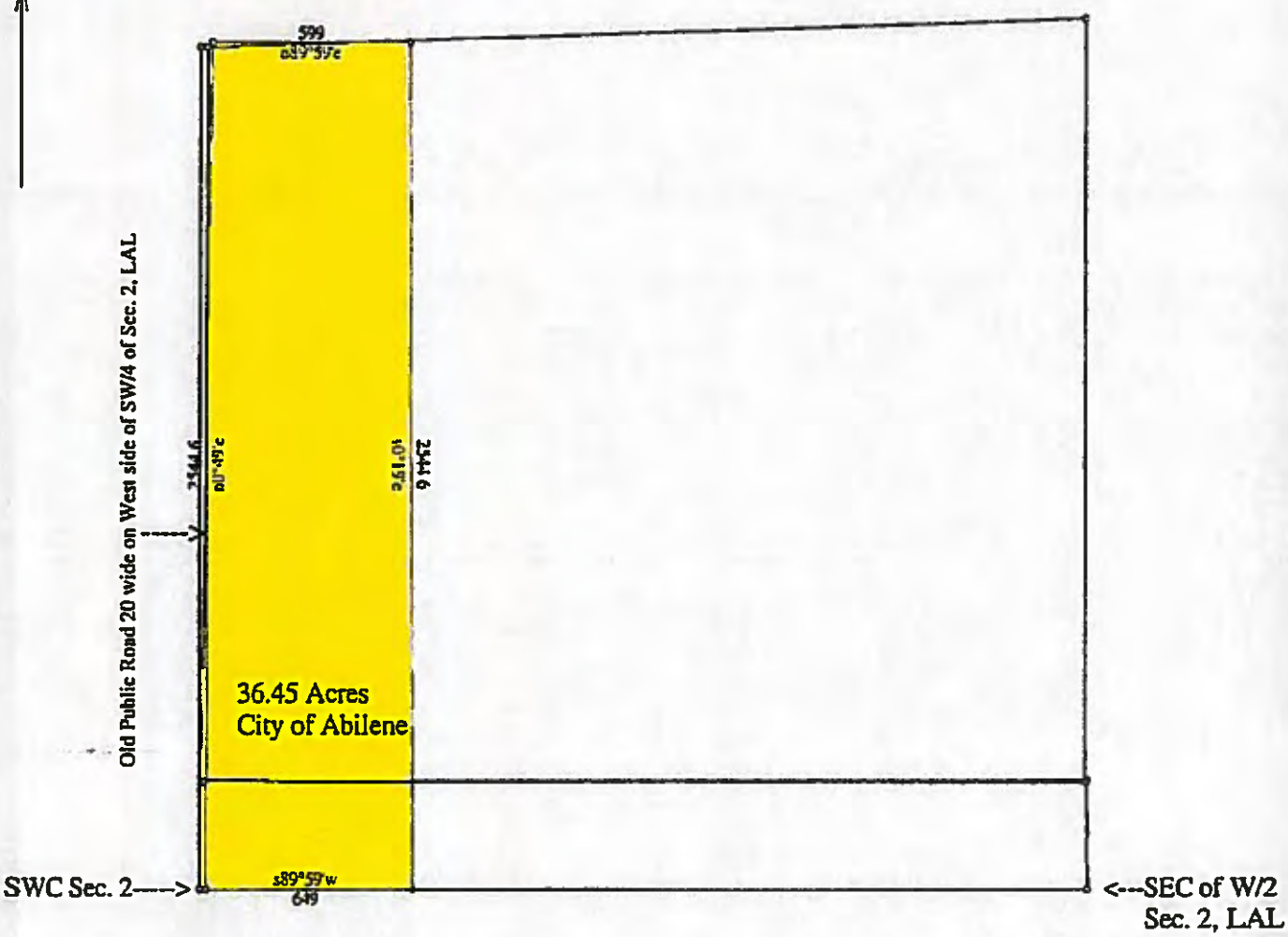
The opportunity to assist you in this matter is greatly appreciated. Should you have any questions concerning the information contained in this report, please do not hesitate to call me at this office.

Very truly yours,



W. Glen Shedd, CPL

WGS/s
encls.



Title: SW/4 Sec. 2, LAL, Taylor County, Texas	Date: 12-13-2017
Scale: 1 inch = 500 feet	File: Sec 2, LAL SW4.des

Tract 1: 19.980 Acres: 870346 Sq Feet: Closure = s89.5230w 1.42 Feet: Precision =1/4235: Perimeter = 6006 Feet
Tract 2: 137.848 Acres: 6004646 Sq Feet: Closure = n42.4750e 7.23 Feet: Precision =1/1360: Perimeter = 9839 Feet
Tract 3: 1.161 Acres: 50591 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5099 Feet
Tract 4: 36.449 Acres: 1587739 Sq Feet: Closure = n54.4749w 0.41 Feet: Precision =1/15602: Perimeter = 6337 Feet

001=n0W 325 SWC of 132.16 acres
002=n90e 2678 SEC Norwood 300 acres
003=s0.15e 325 SEC of W/2 Sec. 2
004=s90w 2678
005=@2 132.16 acres
006=n0w 2204.7
007=n88.14e 2664.35
008=s0.15e 2292.17
009=s90w 2678
010=@1 Old Road
011=n0w 2529.57
012=s90w 20
013=s0e 2529.57
014=n90e 20
015=@14 Airport 36.45 Acres
016=n0.49e 2544.6
017=n89.59e 599
018=s0.19e 2544.6 SL Sec. 2
019=s89.59w 649

RECEIVED
NOV 29 2017
BY:

PRENSORUS

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

The City of Abilene does not own any minerals under the Airport Lease operated by Prensorus Energy, LLC.

Thank you for your consideration in this matter,

Justin Russell
Managing Member
Prensorus Energy, LLC

Airport Prospect – Ownership Breakdown

Surface:

Louis Paulsen

Mineral Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan

Royalty Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan
Prensorus Holdings, LLC
PERL Acquisitions, LLC

API No. 42-441-34477
Drilling Permit # 787644
SWR Exception Case/Docket No.

RAILROAD COMMISSION OF TEXAS
OIL & GAS DIVISION

APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER

This facsimile W-1 was generated electronically from data submitted to the RRC.
A certification of the automated data is available in the RRC's Austin office.

FORM W-1 07/2004

Permit Status: Approved

1. RRC Operator No.: 676080
2. Operator's Name (as shown on form P-5, Organization Report): PRENSORUS ENERGY, LLC
3. Operator Address (include street, city, state, zip):
4. Lease Name: AIRPORT
5. Well No.: 4

GENERAL INFORMATION

6. Purpose of filing (mark ALL appropriate boxes): ☒ New Drill ☐ Recompletion ☐ Reclass ☐ Field Transfer ☐ Re-Enter ☐ Amended ☐ Amended as Drilled (BHL) (Also File Form W-1D)

7. Wellbore Profile (mark ALL appropriate boxes): ☒ Vertical ☐ Horizontal (Also File Form W-1H) ☐ Directional (Also File Form W-1D) ☐ Sidetrack

8. Total Depth: 1999

9. Do you have the right to develop the minerals under any right-of-way ? ☒ Yes ☐ No

10. Is this well subject to Statewide Rule 36 (hydrogen sulfide area)? ☐ Yes ☒ No

SURFACE LOCATION AND ACREAGE INFORMATION

11. RRC District No.: 7B
12. County: TAYLOR
13. Surface Location ☒ Land ☐ Bay/Estuary ☐ Inland Waterway ☐ Offshore

14. This well is to be located 1 miles in a SE direction from Abilene which is the nearest town in the county of the well site.

15. Section	16. Block	17. Survey	18. Abstract No.	19. Distance to nearest lease line:	20. Number of contiguous acres in lease, pooled unit, or unitized tract:
2		LAL / BARR, M S	A-517	330 ft.	160.75

21. Lease Perpendiculars: 850 ft from the WEST line and 330 ft from the SOUTH line.
22. Survey Perpendiculars: 870 ft from the WEST line and 330 ft from the SOUTH line.

23. Is this a pooled unit? ☐ Yes ☒ No
24. Unitization Docket No:
25. Are you applying for Substandard Acreage Field? ☐ Yes (attach Form W-1A) ☒ No

FIELD INFORMATION List all fields of anticipated completion including Wildcat. List one zone per line.

26. RRC District No.	27. Field No.	28. Field Name (exactly as shown in RRC records)	29. Well Type	30. Completion Depth	31. Distance to Nearest Well in this Reservoir	32. Number of Wells on this lease in this Reservoir
7B	88520001	TAYLOR COUNTY REGULAR	Oil Well	1850	540.80	4

BOTTOMHOLE LOCATION INFORMATION is required for DIRECTIONAL, HORIZONTAL, AND AMENDED AS DRILLED PERMIT APPLICATIONS

Remarks

Certificate:

I certify that information stated in this application is true and complete, to the best of my knowledge.

Justin Russell Mr., Member — Name of filer
May 22, 2014 — Date submitted
(325)2327813 — Phone
prensorus@gmail.com — E-mail Address (OPTIONAL)

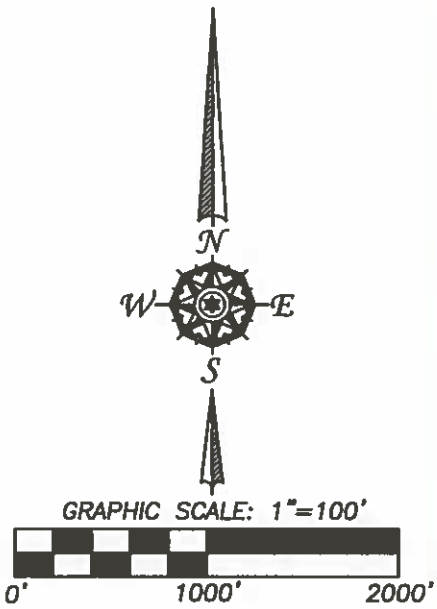
RRC Use Only Data Validation Time Stamp: Jun 24, 2014 3:33 PM('As Approved' Version)

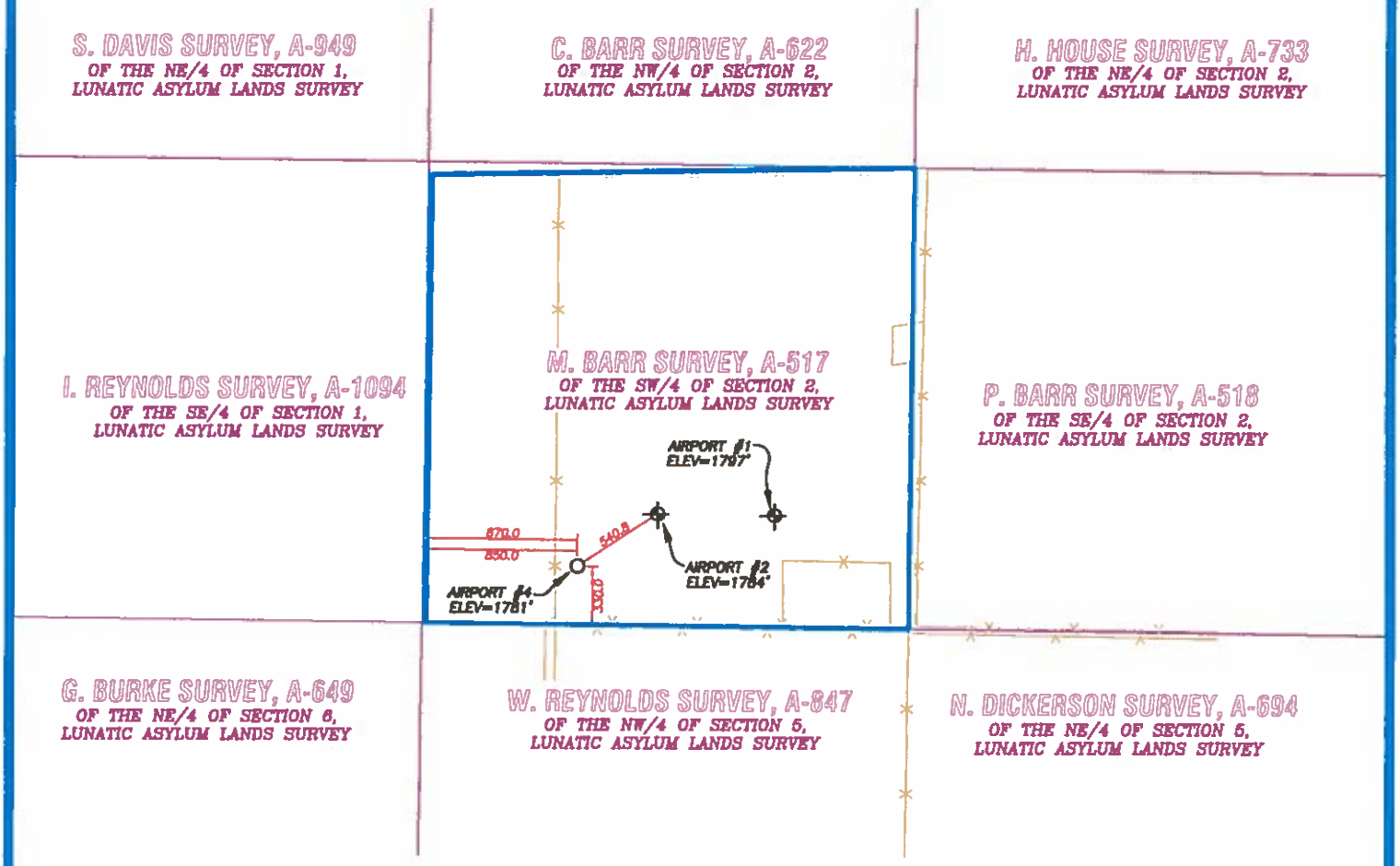
Lease Information: Being 160.75 acres of land of situated within the in the M. Barr Survey, Abstract No. 517, of the SW/4 of Section 2, Lunatic Asylum Lands Survey, Taylor County, Texas, being that same tract of land erroneously described in a Paid Up Oil And Gas Lease to Prensorus Energy, LLC dated February, 28th, 2012.

Location Description: Being located 870 feet from the West line and 330 feet from the South line of the M. Barr Survey, Abstract No. 517, Taylor County, Texas, and being located 850 feet from the West line and 330 feet from the South line of the lease.

Well Information:
Airport #4
Elevation: 1781'
Latitude: 32° 23' 16.047" N
Longitude: 99° 40' 18.070" W
Grid N: 6826040.359'
Grid E: 1606824.939'
NAD83 TXNC 4202

Company & Operator Information:
Prensorus Energy, LLC
TX RRC # 676080
P.O. Box 2078
Abilene, Tx. 79604
(325)668-0390





TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG

Groundwater Advisory Unit

GROUNDWATER PROTECTION DETERMINATION

Form GW-2

Date: May 30, 2014

GAU File No.: 8583

***** EXPEDITED APPLICATION *****

API Number: 44134477

Attention: JUSTIN RUSSELL

RRC Lease No.: 031157

SC_676080_44134477_031157_8583.pdf

PRENSORUS ENERGY LLC
P O BOX 2078
ABILENE TX 79604

P-5# 676080

--Measured--
870 ft FWL
330 ft FSL
MRL:SECTION

Digital Map Location:
X-coord/Long: 99.67170
Y-coord/Lat: 32.38780
Datum: 83 Zone:

County: TAYLOR

Lease & Well No.: AIRPORT #4

Purpose: ND

Location: SUR-BARR M.,A-517,SEC-2,--[TD=1999],[RRC 7B],

To protect usable-quality groundwater at this location, the Groundwater Advisory Unit of the Railroad Commission of Texas recommends:

The interval from the land surface to a depth of 100 feet must be protected.

Note: Unless stated otherwise, this recommendation is intended to apply only to the subject well and not for area-wide use. **This recommendation is intended for normal drilling, production, and plugging operations only. It does not apply to saltwater disposal operation into a nonproductive zone (RRC Form W-14).**

If you have any questions, please contact us at 512-463-2741, gau@rrc.state.tx.us, or by mail.

Sincerely,

Digitally signed by Craig Bunting
DN: c=US, st=TEXAS, l=Austin, o=Railroad Commission of Texas, cn=Craig Bunting, email=Craig.Bunting@rrc.state.tx.us
Date: 2014.05.30 13:41:59 -05'00'

Craig Bunting, P.G.

Geologist, Groundwater Advisory Unit
Oil & Gas Division

GEOLOGIST SEAL

STATE OF TEXAS
Craig Bunting
Geology
263
LICENSED
PROFESSIONAL GEOSCIENTIST

The seal appearing on this document was authorized by *Craig Bunting* on 5/30/2014
Note: Alteration of this electronic document will invalidate the digital signature.

RECEIVED
NOV - 9 2017

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 11/01/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Jimmy Norman
THE NORMAN AGENCY PO BOX 788 POST, TEXAS 79356	PHONE (A/C, No, Ext): 806-495-3050 FAX (A/C, No): 806-495-2261 E-MAIL ADDRESS: tna3050@thenormanagency.net
	INSURER(S) AFFORDING COVERAGE — NAIC #
INSURED Prensorus Energy, LLC PO Box 2078 Abilene, TX 79604	INSURER A: Hudson Specialty Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:	Y		WSK17001818	10/27/17	10/27/18	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N [ ] If yes, describe under DESCRIPTION OF OPERATIONS below	N / A						[ ] PER-STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurer A: The City of Abilene has been added as an Additional Insured.

CERTIFICATE HOLDER

City of Abilene
P.O. Box 60
Abilene, TX 79604

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Policy No. WSK17001818 **Effective Date:** 10/27/2017 **Expiration Date:** 10/27/2018
12:01 A.M., Standard Time

LIMITS OF INSURANCE

General Aggregate Limit (Other Than Products-Completed Operations)	$ 2,000,000.	
Products-Completed Operations Aggregate Limit	$ -0-	
Personal and Advertising Injury Limit	$ 1,000,000.	
Each Occurrence Limit	$ 1,000,000.	
Damage To Premises Rented To You Limit	$ 100,000.	Any One Fire
Medical Expense Limit	$ 5,000.	Any One Person

"Property Damage Limits May Be Reduced or Restricted - PLEASE Read Carefully"

RETROACTIVE DATES

Coverages A and B of this insurance does not apply to "bodily injury","personal injury","property damage" or "advertising injury" which occurs before the Retroactive Date, if any, shown here: None
(Enter Date or "None" if no Retroactive Date Applies)

PREMIUM

Classification	Code No.	Premium Basis (Symbol)	Rate	Per	Advance Premium	
OIL OR GAS LEASE OPERATIONS - NATURAL GAS, (PRODUCTS/ COMPLETED OPERATIONS INCLUDED IN THE GENERAL AGGREGATE LIMIT) WITH ADDITIONAL WELLS TO BE REPORTED AND ENDORSED ONTO THE POLICY TO BE COVERED	98150					
PRODUCING WELLS	00001	5) 8	150.00	WELL	1,615.00	MP
SHUT-IN OR TEMPORARILY ABANDONED WELLS	00003	5) 1	35.00	WELL	35.00	MP

Total Advance Premium	$ 1,650.00	MP
Minimum & Deposit Annual Premium	$ 1,650.00	MP

Form(s) and Endorsement(s) made a part of this policy at time of issue:
See Schedule of Forms & Endorsements - WH-SCHLST

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD. SEE ATTACHED PREMIUM BASIS ENDORSEMENT WH-0023

RECEIVED
NOV - 9 2017
BY:

PRENSORUS

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

Prensorus Energy, LLC is exempt from Workers Compensation Insurance. Any and all work performed on the Airport Lease is done by outside contractors and they are required to carry their own insurance.

Thank you for your consideration in this matter,

Enclosure

Justin Russell
Managing Member
Prensorus Energy, LLC

EXHIBIT 4

A $10,000 Performance Bond or Irrevocable Letter of Credit will be provided by the Applicant/Permit Holder upon approval/granting of the permit by City Council, as allowed by the City's Oil and Gas Ordinance, Chapter 21, Section 21-32. **The drilling permit will not be issued and drilling operations shall not be allowed to commence** until the required Performance Bond or Irrevocable Letter of Credit, conditioned to fully comply with Chapter 21, Section 21-32 of the Oil and Gas Ordinance, is provided.

CITY OF ABILENE

APPLICATION/PERMIT TO DRILL AND/OR OPERATE AN OIL AND/OR GAS WELL

RECEIVED
OCT 18 2017
BY: MM

Bond/Letter of Credit # 2753 RRC Permit # 790701

1. Date 10/17/17 Lease Name & Well No. : Airport #5

2. Applicant/Permit Holder Prunsorce Energy, LLC

   Address PO Box 2078
   Abilene, TX 79604

   Phone 325-232-7813

3. Local 24 hour phone contact, in case of emergency:

   Name Justin Russell

   Phone 325-668-0390

4. Legal description of drill site including copy of survey by licensed surveyor: Survey plat should show the locations of any buildings, type of construction and use, including residences, within 200 feet of proposed drill site, and flood zone elevation lines (lines of 100 year floodplain and floodway) in relation to the proposed drill site.

   870' From the West line & 990' From the South line of the M. Barr Survey, Abstract 517, Taylor County, TX

5. Applicant _____ IS/ X IS NOT requesting a variance, per sections 21-26 and 21-27 of Chapter 21 of the City of Abilene Code of Ordinances, Oil and Gas, to drill within 200 feet of any existing building or buildings.

   The proposed well location _____ IS/ X IS NOT within 200 feet of any residence or residences. If the proposed well location IS within 200 feet of any residence or residences, applicant should attach a list of the names of the owners of each residence corresponding to each address lying within a 200 foot radius of the proposed well location, indicating their approval/disapproval of the proposed well location.

   The notarized written consent of the owner of each residence within a 200 foot radius of the proposed well location should be attached to this application.

   Applicant should also attach copies of documentation of any granted exceptions to the Railroad Commission's statewide spacing rules that apply to the proposed well.

6. Proposed date to commence drilling Drilled 10/16/14

   The height of the rig used to drill/re-enter this well will be approximately 70 feet.

7. Proposed depth of well 1,999'

   This well is planned/anticipated to be primarily an OIL X or GAS____ well.

8. Attached as **EXHIBIT 1** the names of the
   (a) Surface owners
   (b) Mineral owners
   (c) Royalty owners

9. Attached as **EXHIBIT 2** approved Railroad Commission Form W-1 including required plat of lease and approval letter from Texas Water Development Board.

10. Attached as **EXHIBIT 3** a Certificate of Insurance evidencing the applicant as insured under the following:

Type		Amount
(1)	Workers Compensation (where Required by State law)	Statutory
	Employer's Liability	$100,000
(2)	Comprehensive General Public Liability to include (but not Limited to):	$1 million – per Occurrence for Property Damage OR Combined single limit million – Per Occurrence
	a) Premises/Operations	
	b) Independent Contractors	
	c) Personal Injury Liability	
	d) Products/Completed Operations	
	e) Contractual Liability	
	f) Coverage for Explosion, Collapse, and Underground Property Damage (to include seepage, pollution and contamination coverage)	

Said Insurance Policy must insure all activities contemplated under this permit application and must be in effect at all times during production operations. The City must be notified 30 days prior to cancellation of insurance coverage and City shall be named as additional insured.

11. **Indemnity**

A. Definitions

For the purpose of this section the following definitions apply:

"Applicant/Permit Holder" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Applicant/Permit Holder's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Applicant/Permit Holder.

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right

(ii) injury, damage, or death to any person or entity

(iii) attorneys fees, witness fees, expert witness fees and expenses, and

(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Applicant/Permit Holder must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Applicant/Permit Holder's work and activities conducted in connection with this Contract.

The Applicant/Permit Holder is an independent Applicant/Permit Holder and is not, with respect to its acts or omissions, an agent or employee of the City.

Applicant/Permit Holder must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Applicant/Permit Holder's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Applicant/Permit Holder or Applicant/Permit Holder's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Applicant/Permit Holder.

The City and Applicant/Permit Holder must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Applicant/Permit Holder or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND APPLICANT/PERMIT HOLDER EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE APPLICANT/PERMIT HOLDER TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

12. Attached as **EXHIBIT 4** - $10,000 performance bond or an Irrevocable Letter of Credit from a Federally insured bank to meet the performance payment, penalty, abandonment and other provisions as required by City Council and by the Oil/Gas Ordinance, Chapter 21 of the City Code of Ordinances (This amount may be raised in appropriate circumstances).

13. Special requirements for this permit, if any, as set by City Council (drill site lighting, pits/tanks, hours of operation, fencing, buried lines, approved truck routes, noise buffers, pump type, etc.). Attachment Exhibit 4 .

14. The City of Abilene has required standards for drilling and production as provided by Chapter 21 of City Code, Oil and Gas Ordinance. Applicant/Permit Holder shall observe and obey all federal, state, and local laws and regulations. Violation of these or any requirements imposed by ordinance or the City Council will result in the termination of the permit.

15. By signing this application/permit, Applicant/Permit Holder certifies that he has received and read City code provisions, Chapter 21, Oil and Gas Ordinance.

16. THIS PERMIT EXPIRES SIX (6) MONTHS FROM THE DATE OF CITY COUNCIL APPROVAL. Actual drilling must commence within six (6) months from that date. Cessation of drilling or production for thirty (30) days shall cancel this permit.

17. If the City owns any mineral interest in the location of the proposed well, this permit is subject to compliance with an oil and gas lease obtained from the City.

18. The City Land Agent's office shall be notified prior to commencement of drilling operations.

19. If operation of the well is transferred, the City shall be notified in writing thirty (30) days prior to the transfer of the lease.

20. Applicant/Permit Holder shall make full payment for any and all damages or losses to City's Surface Lessee if the property is City owned, which shall include but not be limited to damages to and/or loss of crops, livestock, or improvements or a part thereof which loss may be the result of the Applicant's/Permit Holder's negligence or use of land.

21. This Application, upon approval, shall become the Drilling Permit.

THIS PERMIT IS NOT TRANSFERRABLE OR ASSIGNABLE

Signature:		**Date:**
	Review & Approval of Airport Director	1/5/18
	Review & Approval of City Engineer	1/12/18
	Review & Approval of Water Director	1/9/18
	Review & Approval of Stormwater Administrator	01/10/18
	Review & Approval of City Attorney	1/12/18
	Review & Approval of Land Agent	1/4/18

This permit issued this _____ day of _____ 20__.

CITY OF ABILENE **ATTEST:**

_____ _____

MAYOR **City Secretary**

City Seal:

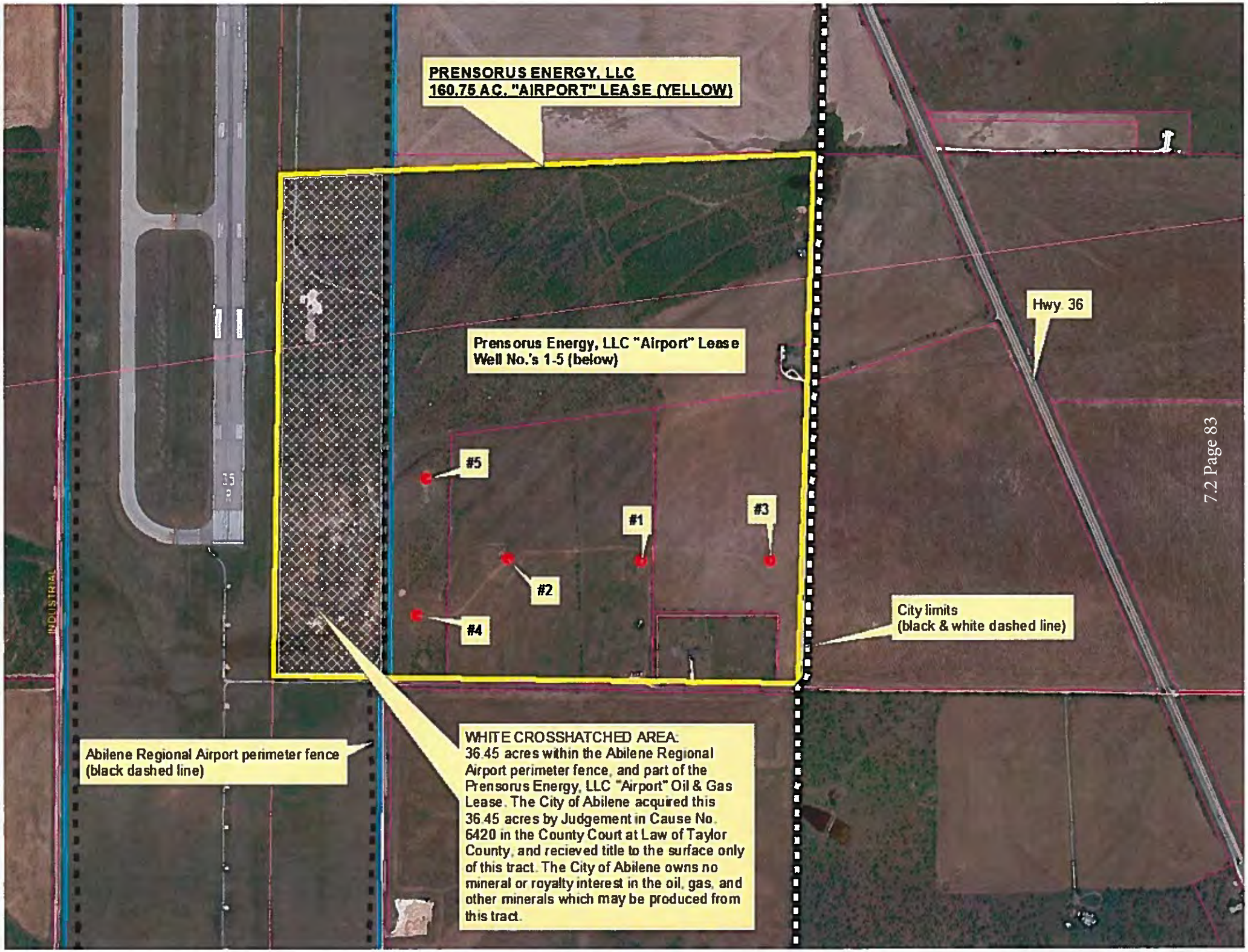
_____ **ATTEST: (If Corporation)**

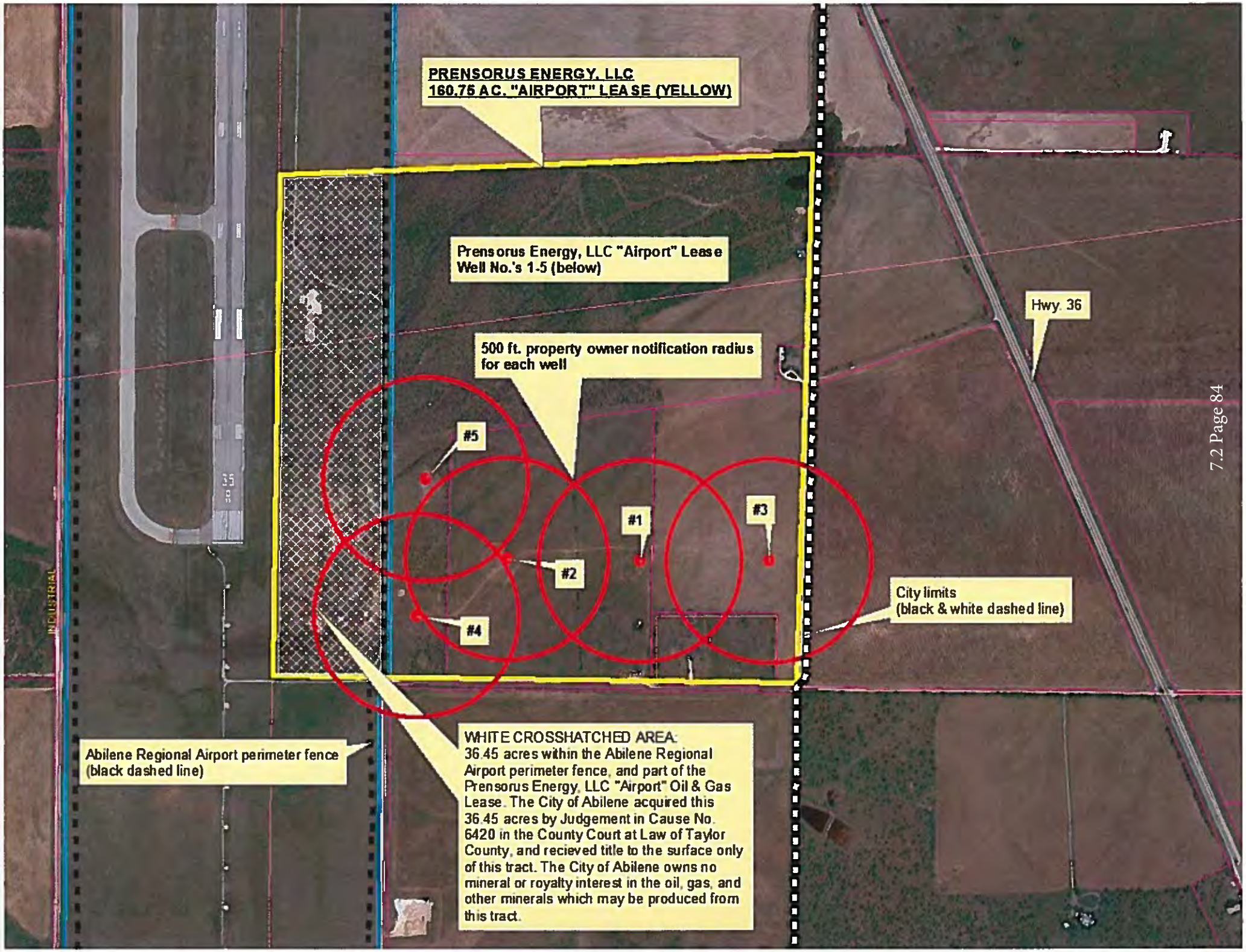
Applicant/Permit Holder

By: Justin Russell _____

Managing Member _____ Secretary

Title Corporate Seal


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
Hwy. 36
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.
INDUSTRIAL


PRENSORUS ENERGY, LLC
160.75 AC. "AIRPORT" LEASE (YELLOW)
Prensorus Energy, LLC "Airport" Lease
Well No.'s 1-5 (below)
Hwy. 36
500 ft. property owner notification radius
for each well
#5
#1
#3
#2
#4
City limits
(black & white dashed line)
INDUSTRIAL
Abilene Regional Airport perimeter fence
(black dashed line)
WHITE CROSSHATCHED AREA:
36.45 acres within the Abilene Regional Airport perimeter fence, and part of the Prensorus Energy, LLC "Airport" Oil & Gas Lease. The City of Abilene acquired this 36.45 acres by Judgement in Cause No. 6420 in the County Court at Law of Taylor County, and recieved title to the surface only of this tract. The City of Abilene owns no mineral or royalty interest in the oil, gas, and other minerals which may be produced from this tract.

W. GLEN SHEDD

CERTIFIED PROFESSIONAL LANDMAN

First Financial Bank Building
3300 S. 14th Street, Suite 325
Abilene, Texas 79605
glen@youngandshedd.com
(325) 691-0051

FACSIMILE:
(325) 698-5536

MAILING ADDRESS:
P. O. Box 3761
Abilene, Texas 79604

RECEIVED
DEC 15 2017
BY:

December 13, 2017

City of Abilene
P. O. Box 60
Abilene, Texas 79604
Attention: Mr. Travis McClure, Land Manager

Re: 36.45 acres out of the Southwest part of Section 2, Lunatic Asylum Lands, Taylor County, Texas, as more particularly described in Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas styled *City of Abilene vs. John J. Whiteside, et ux., et al.*, recorded in Volume T, Page 679, Civil Minutes of Taylor County, Texas

Gentlemen:

You have requested I search the title to the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract 517, Taylor County, Texas to determine whether the City of Abilene owns an interest in the Mineral Estate in and under said land, and if so, the fraction or percentage of such interest. In accordance with your request, I have searched the records of the Taylor County Clerk's Office covering said land as reflected by the tract index of Security Title Co. in Abilene, Texas from Sovereignty to November 30, 2017 at 7:00 A. M. Based solely on my search of said records and subject to the Comments, Assumptions and Exceptions as hereinafter set forth, I find the City of Abilene owns the **surface only** of the above referenced 36.45 acres and no other interest in the Southwest one-quarter (SW-1/4) of said Section 2.

As of the date of the Judgement as above referenced, John J. Whiteside and wife, Pauline Whiteside were the record owners of the surface and an undivided one-fourth (1/4) interest in the oil, gas and other minerals in, under and that may be produced from 152.16 acres out of the Southwest one-quarter (SW-1/4) of Section 2, Lunatic Asylum Lands, Abstract No. 517, Taylor County, Texas described in two (2) tracts in Warranty Deed dated July 8, 1963 from E. F. Shotwell and wife, Edna Shotwell to John J. Whiteside and wife, Pauline Whiteside, recorded in Volume 715, Page 121, Deed Records of Taylor County, Texas. The City of Abilene recovered "fee simple title" in and to the 36.45 acres as above referenced EXCEPT as to all the oil, gas and sulphur which can be removed from beneath said land, without any right whatsoever remaining to the owner of such oil, gas and sulphur, of ingress or egress to or from the surface of said land for purpose of exploring, developing, drilling or mining of the same".

COMMENTS, ASSUMPTIONS AND EXCEPTIONS

1. Under the terms of the Judgement in Cause No. 6420 in the County Court at Law of Taylor County, Texas, John J. Whiteside and wife, Pauline Whiteside, their successors in title and Lessees under Oil and Gas Leases from such owners are prohibited from use of the surface as set forth in the Judgment. However, because the owners of the outstanding three-fourths (3/4) interest in the oil, gas and other miners were not made parties to the suit, they would not be bound by such terms. They would be subject to rules of accommodation and matters inherent in the nature of oil and gas operations, which in my opinion make it impractical for them to exercise any rights of development on the surface of the 36.45 acres.

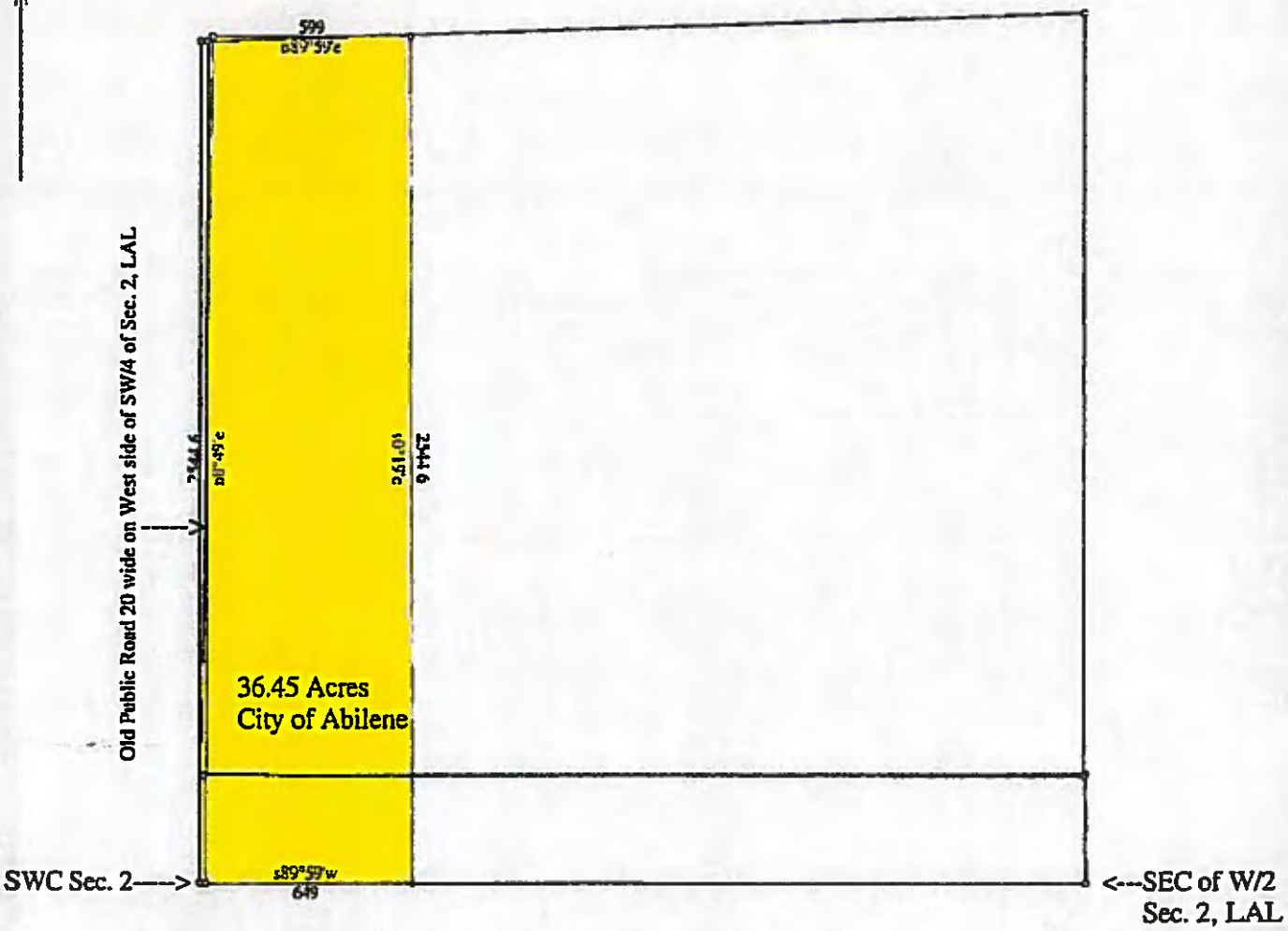
2. This report is based on the interpretation by the undersigned of the records as above described. You have been advised that the undersigned is not and does not purport to be an attorney licensed to practice law in the State of Texas. This report has been carefully prepared relying on more than the thirty-five (35) years of oil and gas land-related experience of the undersigned. It is recommended you discuss the findings of this report with an attorney licensed to practice law in the State of Texas, who is very familiar with real estate and oil, gas and mineral law for any legal opinions or advice that are not provided or purported to be provided by this report.

The opportunity to assist you in this matter is greatly appreciated. Should you have any questions concerning the information contained in this report, please do not hesitate to call me at this office.

Very truly yours,

W. Glen Shedd, CPL

WGS/s
encls.



Title: SW/4 Sec. 2, LAL, Taylor County, Texas	Date: 12-13-2017
Scale: 1 inch = 500 feet	File: Sec 2, LAL SW4.des

Tract 1: 19.980 Acres: 870346 Sq Feet: Closure = s89.5230w 1.42 Feet: Precision =1/4235: Perimeter = 6006 Feet
Tract 2: 137.848 Acres: 6004646 Sq Feet: Closure = n42.4750e 7.23 Feet: Precision =1/1360: Perimeter = 9839 Feet
Tract 3: 1.161 Acres: 50591 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5099 Feet
Tract 4: 36.449 Acres: 1587739 Sq Feet: Closure = n54.4749w 0.41 Feet: Precision =1/15602: Perimeter = 6337 Feet

001=n0W 325 SWC of 132.16 acres
002=n90e 2678 SEC Norwood 300 acres
003=s0.15e 325 SEC of W/2 Sec. 2
004=s90w 2678
005=@2 132.16 acres
006=n0w 2204.7
007=n88.14e 2664.35
008=s0.15e 2292.17
009=s90w 2678
010=@1 Old Road
011=n0w 2529.57
012=s90w 20
013=s0e 2529.57
014=n90e 20
015=@14 Airport 36.45 Acres
016=n0.49e 2544.6
017=n89.59e 599
018=s0.19e 2544.6 SL Sec. 2
019=s89.59w 649

RECEIVED
NOV 29 2017
BY:

PRENSORUS

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

The City of Abilene does not own any minerals under the Airport Lease operated by Prensorus Energy, LLC.

Thank you for your consideration in this matter,

Justin Russell
Managing Member
Prensorus Energy, LLC

Airport Prospect – Ownership Breakdown

Surface:

Louis Paulsen

Mineral Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
IRA Administrators, inc
Leasing Partners, LLC
Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan

Royalty Owners:

Pam Alexander
Don Allen
Arcane Acquisitions, LLC
Thomas Lance Barlow GST
Rita C. Boyer
Betty M. Carter
Kenneth M. & Terri D. Childers
Lynne Louise Barlow Bentsen GST
Dilmus Delano James Spouse's Trust
Henry Fleming James Testamentary Trust
Peggy Giba
Edwin Dean Higgins
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Mingze Li
Kevin Lively
Randall McNiece
Raymond McNiece
Russell D. McNiece
Frances Jo. Norwood
Shirley Onstot
Edwin Richmond
Darrell L. Steakley
Jerri Ann Sterling
Khoshaba Younan
Prensorus Holdings, LLC
PERL Acquisitions, LLC

API No. 42-441-34483
Drilling Permit # 790701
SWR Exception Case/Docket No.

RAILROAD COMMISSION OF TEXAS
OIL & GAS DIVISION
APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER

This facsimile W-1 was generated electronically from data submitted to the RRC.
A certification of the automated data is available in the RRC's Austin office.

FORM W-1 07/2004
Permit Status: Approved

1. RRC Operator No. 676080
2. Operator's Name (as shown on form P-5, Organization Report) PRENSORUS ENERGY, LLC
3. Operator Address (include street, city, state, zip). P O BOX 2078 ABILENE, TX 79604-0000
4. Lease Name AIRPORT
5. Well No. 5

GENERAL INFORMATION

6. Purpose of filing (mark ALL appropriate boxes): [X] New Drill [ ] Recompletion [ ] Reclass [ ] Field Transfer [ ] Re-Enter [ ] Amended [ ] Amended as Drilled (BHL) (Also File Form W-1D)

7. Wellbore Profile (mark ALL appropriate boxes): [X] Vertical [ ] Horizontal (Also File Form W-1H) [ ] Directional (Also File Form W-1D) [ ] Sidetrack

8. Total Depth 1999
9. Do you have the right to develop the minerals under any right-of-way? [X] Yes [ ] No
10. Is this well subject to Statewide Rule 36 (hydrogen sulfide area)? [ ] Yes [X] No

SURFACE LOCATION AND ACREAGE INFORMATION

11. RRC District No. 7B
12. County TAYLOR
13. Surface Location [X] Land [ ] Bay/Estuary [ ] Inland Waterway [ ] Offshore

14. This well is to be located 2 miles in a SE direction from Abilene which is the nearest town in the county of the well site.

15. Section	16. Block	17. Survey	18. Abstract No.	19. Distance to nearest lease line	20. Number of contiguous acres in lease, pooled unit, or unitized tract:
2		LAL/BARR, M S	A-517	850 ft.	160.75

21. Lease Perpendiculars: 850 ft from the W line and 990 ft from the S line.
22. Survey Perpendiculars: 870 ft from the W line and 990 ft from the S line.

23. Is this a pooled unit? [ ] Yes [X] No
24. Unitization Docket No:
25. Are you applying for Substandard Acreage Field? [ ] Yes (attach Form W-1A) [X] No

FIELD INFORMATION List all fields of anticipated completion including Wildcat. List one zone per line.

26. RRC District No.	27. Field No.	28. Field Name (exactly as shown in RRC records)	29. Well Type	30. Completion Depth	31. Distance to Nearest Well in this Reservoir	32. Number of Wells on this lease in this Reservoir
7B	88520001	TAYLOR COUNTY REGULAR	Oil Well	1850	576.20	5

BOTTOMHOLE LOCATION INFORMATION is required for DIRECTIONAL, HORIZONTAL, AND AMENDED AS DRILLED PERMIT APPLICATIONS

Remarks
[RRC STAFF Aug 12, 2014 8:45 AM]: Problems identified with this permit are resolved.

Certificate:
I certify that information stated in this application is true and complete, to the best of my knowledge.

Justin Russell Mr., Member — Name of filer
Jul 01, 2014 — Date submitted
(325)2327813 — Phone
prensorus@gmail.com — E-mail Address (OPTIONAL)

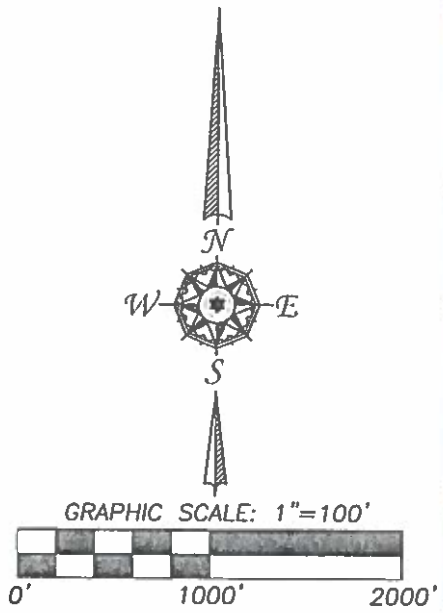
RRC Use Only Data Validation Time Stamp: Aug 12, 2014 10:16 AM('As Approved' Version)

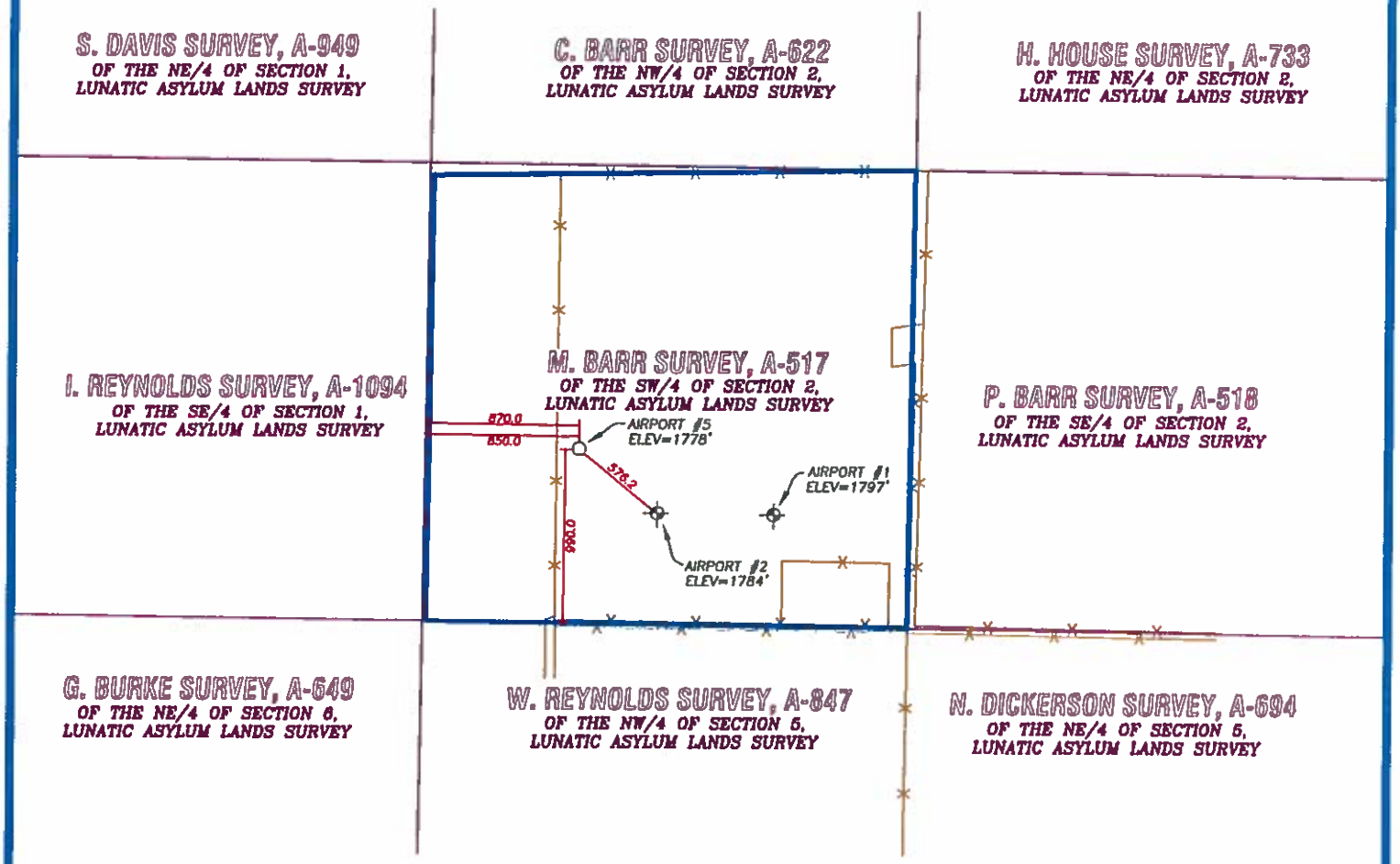
Lease Information: Being 160.75 acres of land of situated within the in the M. Barr Survey, Abstract No. 517, of the SW/4 of Section 2, Lunatic Asylum Lands Survey, Taylor County, Texas, being that same tract of land erroneously described in a Paid Up Oil And Gas Lease to Prensorus Energy, LLC dated February, 28th, 2012.

Location Description: Being located 870 feet from the West line and 990 feet from the South line of the M. Barr Survey, Abstract No. 517, Taylor County, Texas, and being located 850 feet from the West line and 990 feet from the South line of the lease.

Well Information:
Airport #5
Elevation: 1778'
Latitude: 32° 23' 22.578" N
Longitude: 99° 40' 18.061" W
Grid N: 6826700.310'
Grid E: 1606833.011'
NAD83 TXNC 4202

Company & Operator Information:
Prensorus Energy, LLC
TX RRC # 676080
P.O. Box 2078
Abilene, Tx. 79604
(325)668-0390





LEGEND
- EXISTING WELL
- PROPOSED WELL
- TERMINATION POINT
- FENCE LINE

TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG

Groundwater Advisory Unit

GROUNDWATER PROTECTION DETERMINATION

Form GW-2

Date: May 30, 2014

GAU File No.: 8583

***** EXPEDITED APPLICATION *****

API Number: 44134477

Attention: JUSTIN RUSSELL

RRC Lease No.: 031157

SC_676080_44134477_031157_8583.pdf

PRENSORUS ENERGY LLC
P O BOX 2078
ABILENE TX 79604

P-5# 676080

--Measured--
870 ft FWL
330 ft FSL

MRL:SECTION

Digital Map Location:
X-coord/Long: 99.67170
Y-coord/Lat: 32.38780
Datum: 83 Zone:

County: TAYLOR

Lease & Well No.: AIRPORT #4

Purpose: ND

Location: SUR-BARR M.,A-517,SEC-2,--[TD=1999],[RRC 7B],

To protect usable-quality groundwater at this location, the Groundwater Advisory Unit of the Railroad Commission of Texas recommends:

The interval from the land surface to a depth of 100 feet must be protected.

Note: Unless stated otherwise, this recommendation is intended to apply only to the subject well and not for area-wide use. **This recommendation is intended for normal drilling, production, and plugging operations only. It does not apply to saltwater disposal operation into a nonproductive zone (RRC Form W-14).**

If you have any questions, please contact us at 512-463-2741, gau@rrc.state.tx.us, or by mail.

Sincerely,

Digitally signed by Craig Bunting
DN: c=US, st=TEXAS, l=Austin, o=Railroad Commission of Texas, cn=Craig Bunting, email=Craig.Bunting@rrc.state.tx.us
Date: 2014.05.30 13:41:59 -05'00'

Craig Bunting, P.G.

Geologist, Groundwater Advisory Unit
Oil & Gas Division

GEOLOGIST SEAL

STATE OF TEXAS
Craig Bunting
Geology
263
LICENSED
PROFESSIONAL GEOSCIENTIST

The seal appearing on this document was authorized by *Craig Bunting* on 5/30/2014
Note: Alteration of this electronic document will invalidate the digital signature.

RECEIVED
NOV - 9 2017

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 11/01/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Jimmy Norman
THE NORMAN AGENCY PO BOX 788 POST, TEXAS 79356	PHONE (A/C, No, Ext): 806-495-3050 FAX (A/C, No): 806-495-2261 E-MAIL ADDRESS: tna3050@thenormanagency.net
	INSURER(S) AFFORDING COVERAGE — NAIC #
	INSURER A: Hudson Specialty Insurance Company
INSURED Prensorus Energy, LLC PO Box 2078 Abilene, TX 79604	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:	Y		WSK17001818	10/27/17	10/27/18	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A						[ ] PER-STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurer A: The City of Abilene has been added as an Additional Insured.

CERTIFICATE HOLDER

City of Abilene
P.O. Box 60
Abilene, TX 79604

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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COMMERCIAL GENERAL LIABILITY COVERAGE PART

Policy No. WSK17001818 **Effective Date:** 10/27/2017 **Expiration Date:** 10/27/2018
12:01 A.M., Standard Time

LIMITS OF INSURANCE

General Aggregate Limit (Other Than Products-Completed Operations)	$ 2,000,000.	
Products-Completed Operations Aggregate Limit	$ -0-	
Personal and Advertising Injury Limit	$ 1,000,000.	
Each Occurrence Limit	$ 1,000,000.	
Damage To Premises Rented To You Limit	$ 100,000.	Any One Fire
Medical Expense Limit	$ 5,000.	Any One Person

"Property Damage Limits May Be Reduced or Restricted - PLEASE Read Carefully"

RETROACTIVE DATES

Coverages A and B of this insurance does not apply to "bodily injury","personal injury","property damage" or "advertising injury" which occurs before the Retroactive Date, if any, shown here: None
(Enter Date or "None" if no Retroactive Date Applies)

PREMIUM

Classification	Code No.	Premium Basis (Symbol)	Rate	Per	Advance Premium	
OIL OR GAS LEASE OPERATIONS - NATURAL GAS, (PRODUCTS/ COMPLETED OPERATIONS INCLUDED IN THE GENERAL AGGREGATE LIMIT) WITH ADDITIONAL WELLS TO BE REPORTED AND ENDORSED ONTO THE POLICY TO BE COVERED	98150					
PRODUCING WELLS	00001	5) 8	150.00	WELL	1,615.00	MP
SHUT-IN OR TEMPORARILY ABANDONED WELLS	00003	5) 1	35.00	WELL	35.00	MP

Total Advance Premium	$ 1,650.00	MP
Minimum & Deposit Annual Premium	$ 1,650.00	MP

Form(s) and Endorsement(s) made a part of this policy at time of issue:
See Schedule of Forms & Endorsements - WH-SCHLST

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD. SEE ATTACHED PREMIUM BASIS ENDORSEMENT WH-0023

WH-0150 (10/15)

RECEIVED
NOV - 9 2017
BY:

1018 N. 5th St. – Abilene, Texas 79601
PO Box 2078 – Abilene, Texas 79604
Phone: 325-232-7813 Fax: 325-232-7850

City of Abilene
Attn: Travis McClure
555 Walnut St.
Abilene, TX 79601

To whom it may concern,

Prensorus Energy, LLC is exempt from Workers Compensation Insurance. Any and all work performed on the Airport Lease is done by outside contractors and they are required to carry their own insurance.

Thank you for your consideration in this matter,

Enclosure

Justin Russell
Managing Member
Prensorus Energy, LLC

EXHIBIT 4

A $10,000 Performance Bond or Irrevocable Letter of Credit will be provided by the Applicant/Permit Holder upon approval/granting of the permit by City Council, as allowed by the City's Oil and Gas Ordinance, Chapter 21, Section 21-32. **The drilling permit will not be issued and drilling operations shall not be allowed to commence** until the required Performance Bond or Irrevocable Letter of Credit, conditioned to fully comply with Chapter 21, Section 21-32 of the Oil and Gas Ordinance, is provided.

Permit to Drill and/or Operate an Oil and/or Gas Well (location 2042 Elmdale Rd. South)

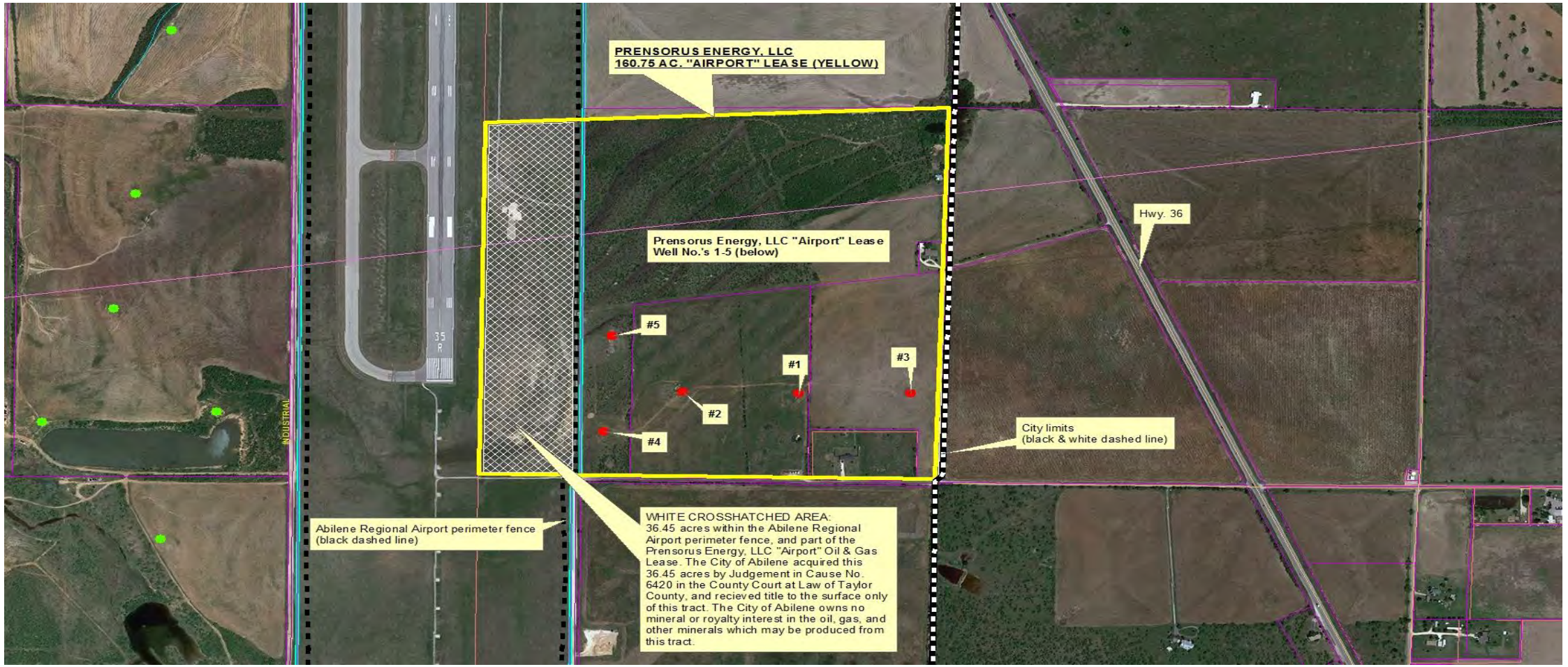
- Prensorus Energy, LLC submitted applications to operate their “Airport” numbers 1-5 wells on their 160.75 acre Airport lease.
- Prensorus Energy, LLC drilled the 5 wells between August, 2012 and October, 2014 without applying for and being granted a permit to drill and operate by the City Council.
- As the wells have already been drilled Prensorus Energy, LLC has requested that the Performance Bond or Letter of Credit for each well, required as Exhibit 4 of the City drilling permit application be waived by City Council.

CITY OF ABILENE TEXAS

- All property owners within 500 feet of the proposed location have been notified.
- All prerequisites and requirements of Chapter 21, Oil and Gas, have been met, staff recommends that the City Council vote to approve the applications for these permits (#741850, 742886, 787555, 787644 & 790701).

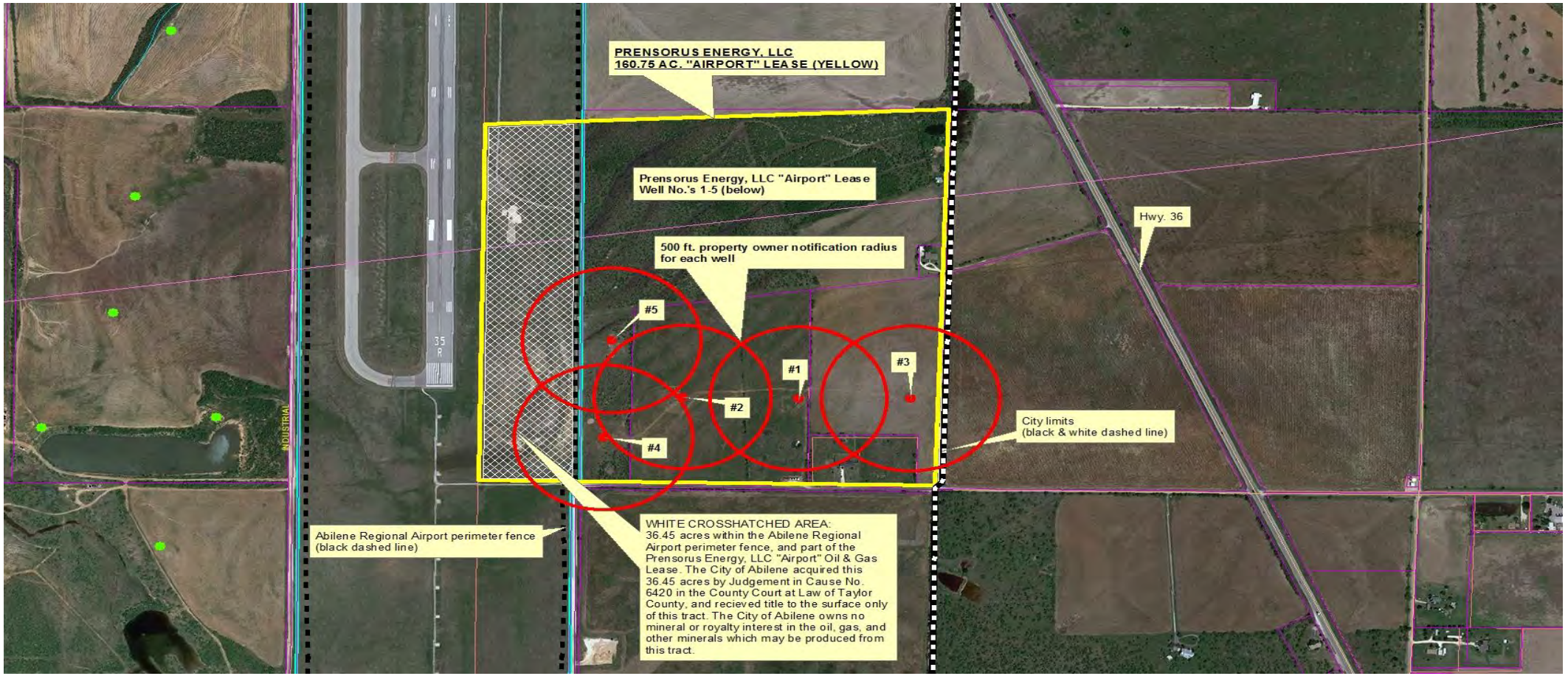
CITY OF ABILENE TEXAS

Location Map



CITY OF ABILENE TEXAS

Property Owner Notification Radius



CITY OF ABILENE TEXAS

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Honorable Mayor and members of the City Council**

FROM: **Robert Hanna, City Manager**

SUBJECT: **Discussion: Receive a report, hold a discussion and provide staff direction on whether or not an amendment to the Historic Preservation Ordinance is desired by the City Council *(Robert Hanna)***

GENERAL INFORMATION

The City Manager has been asked by a Council Member to bring the historic preservation ordinance to Council for discussion, and especially regarding the landmark commission's ability to seek historical overlay status for a property without the property owner's consent.

Stanley Smith, City Attorney, outlines the current ordinance and process as follows:

"The Land Development Code allows the Landmarks Commission, without consent of the property owner, to file an Application to create a Historic Overlay District on a property, and thereafter determine if the property meets the criteria for preservation.

The Landmarks Commission's recommendation (whether for or against) is then presented to the Planning and Zoning Commission for approval or denial. A recommendation for approval by P&Z then goes before the City Council for final approval or denial. If P&Z denies the Application, the Application can be appealed to the City Council.

During the time period that the Application is pending, beginning at the Landmarks Commission stage, the property in question cannot receive a demolition permit.

Pursuant to the Landmarks Commission's bylaws, any member of the Landmarks Commission may request an item (i.e. Application) be placed on the Agenda."

A building of a historic nature has come to the attention of the Landmarks Commission. The owners may be contemplating demolition of all or part of the building. Some of the members of the Commission are seeking to protect the building through the creation of an historic overlay district as outlined above.

SPECIAL CONSIDERATIONS

Historic protection ordinances routinely grant a historic landmark commission the opportunity to protect historic structures against a property owner's consent provided the property owner is afforded due process.

The City of Abilene's historic preservation ordinance offers three levels of due process. The first is the Landmark Commission. The second is the Planning and Zoning Commission and the final approval step is the City Council itself. This three level check and balance at the very least affords the property owner the right to have their concerns heard by the City.

Staff is not aware of a case where the City has imposed a forced historic overlay in the past.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff does not recommend changing the ordinance.

BOARD OR COMMISSION RECOMMENDATION

City Council
Agenda Memo

City Council Meeting Date: 1/25/2018

TO: **Mayor Anthony Williams & City Council**

FROM: **Rosa Rios, City Secretary**

SUBJECT: **Resolution: Appointing Members to various Boards and Commissions per the City Charter *(Rosa Rios)***

- **Abilene-Taylor County Venue District**
- **Board of Adjustment**
- **Board of Building Standards**
- **Citizen's Advisory Board for People with Disabilities**
- **Frontier Texas! Board of Directors**
- **Library Board**
- **Office of Neighborhood Services Advisory Board**

GENERAL INFORMATION

The item provides for reappointment of new members as well as new members to certain boards and commissions.

SPECIAL CONSIDERATIONS

Member terms vary per board and commission and are outlined in Exhibit A of the resolution.

FUNDING/FISCAL IMPACT

No cost consideration to the city.

STAFF RECOMMENDATION

Staff recommends (re)appointments be approved as noted in Exhibit A of the Resolution.

BOARD OR COMMISSION RECOMMENDATION

Not applicable.

ATTACHMENTS:

	Description	Type
🗋	Resolution - Board Appointments	Resolution Letter
🗋	Exhibit A - B&C (Re)Appointment Listing	Exhibit

REVIEWERS:

Department	Department	Action	Date
City Secretary	City Secretary	Approved	1/18/2018 - 4:52 PM

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUES OF THE STATE OF TEXAS

WHEREAS, the Charter of the City of Abilene and the Statutes of the State of Texas require that certain Boards and Commissions be established with a portion of the memberships thereof to be filled by appointment each year; and

WHEREAS, the City Council is of the opinion that the following members should be appointed to the designated Boards and Commissions, and has requested the Mayor to appoint same with the approval of the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the list of Members is attached hereto as Exhibit A, shall be in all things, approved.

PART 2: That this resolution shall take effect immediately from and after its passage.

PASSED this 25th day of January A.D. 2018.

ATTEST:

_____
Rosa Rios, TRMC
City Secretary

_____
Anthony Williams
Mayor

APPROVED:

_____
Stanley Smith
City Attorney

RESOLUTION NO. _____
EXHIBIT "A"

Board (Month of Term End)	Term End Date
Abilene-Taylor County Venue District	
Kyle McAlister [Reappointment]	November 2019
Board of Adjustment	
Bob Beerman (Regular) [Reappointment]	November 2019
Morton Langholtz (Regular) [Reappointment]	November 2019
Mitch Barnett (Regular) [New]	November 2019
Board of Building Standards	
Lloyd Turner (Reg Engineer) [Reappointment]	November 2019
Edgar Cordova (Alt Homebuilder) [Reappointment]	November 2019
Anthony McColum (Reg Homebuilder) [Reappointment]	November 2019
Wayne Paris (Reg Social Worker) [Reappointment]	November 2019
Marvin Barber (Alt Gen Contractor [Reappointment]	November 2019
David Beard (Reg Gen Cont) [Reappointment]	November 2019
Betty Bradley (Alt Social Worker) [Reappointment]	November 2019
Citizen's Advisory Board for People with Disabilities	
Michael L. Vandervoort (Place 7) [New]	October 2019
Frontier Texas! Board of Directors	
Mindy Patterson (City Representative) [New]	February 2019 (Unexpired Term)
Library Board	
James D. McGee [New]	November 2019
Dorothy A. Davidson [New]	November 2019
Office of Neighborhood Services Advisory Board	
Rachel Slaymaker [Reappointment]	November 2019
Jori Sechrist [Reappointment]	November 2019
Linda Carleton [Reappointment]	November 2019
Joanne Roberts [Reappointment]	November 2019

Name: Mitch Barnett

Home Address: 873 Amarillo

Mailing Address: 873 Amarillo City Limits? Yes (✓) No ( )

Home Phone Number: N/A Cell Phone Number: 325-669-8963

Occupation: (if retired list former occupation) Real Estate Broker

Employer: Self Business Phone Number: 325-677-3500

Business Address: 750 N Tulge Ely Blvd E-Mail Address: mitch@barnettandhill.co

Number of years as an Abilene resident: 32

Voter Registration Number: 248639

Previous experience on boards, commissions, or other civic organizations:

Board or Organization	City, State	Dates	Your Role
Chamber Gov Affairs	Abilene TX	2014 - Present	Chairman
Chamber Young Friends	Abilene TX	2015 - Present	Committee Member
Abilene Improvement Corp	Abilene TX	2016 - Present	Committee Member

Please describe your education, professional affiliations, special knowledge, qualifications or expertise that relates to your possible appointment: I am a graduate of Southwestern University. I am a licensed Real Estate Broker and small business owner. I am on the boards of: Abilene Chamber Gov Affairs, Abilene Young Professionals, Abilene Improvement Foundation, Junior Achievement of Abilene.

Please give a brief statement why you would like to be appointed to a Board or Commission: As a real estate broker and owner of 6 properties in Abilene, I would like to serve on a city board to help continue to build Abilene economically and culturally

Please Note: While there is no guarantee of an appointment, all applications will be considered equally. Applications will be kept on file for one year and then either updated or withdrawn by the applicant. Please list the boards you are interested in serving: Abilene Board of Adjustment

Recognizing that serving on a Board or Commission is often time consuming, most meet on a monthly basis, are you committed to attending all regularly scheduled meetings? Yes

I have attended one or more meetings of the board or commission for which I have applied: No

Applicants Signature: Mitch Barnett **Date:** 1/24/18

FOR OFFICE USE ONLY

Date Application Received 01-24-2018 New Applicant? X Yes ___ No

If no, applicant previously served on _____ Board

Applicant appointed to _____ Term Expires _____

MITCH BARNETT

873 Amarillo
Abilene, Texas 79602
325-669-8963
Mitch.Barnett@yahoo.com

EDUCATION

May 2007 **B.A., Southwestern University** Georgetown, TX
Major: Business Paideia Scholar

Fall 2005 **Institute for the International Education of Students (IES)** London, England

EXPERIENCE

3/13-Present **Broker/Co-Owner: Barnett & Hill Real Estate Services** Abilene, Texas
- Oversee all agents and employees of the brokerage
- Direct the management of 100+ properties in Abilene
- Value & broker residential, commercial, land and multifamily deals for clients

12/11-3/14 **District Director: Congressman Randy Neugebauer** Lubbock, Texas / Abilene, Texas
- Oversaw all of the Congressman's official and political business in Texas
- Managed 3 congressional offices and a staff of 7
- Directed our Austin, Texas fundraising company to execute fundraising events

1/11-12/11 **New Member Coordinator: Speaker Boehner/Chairman Sessions** Washington, DC
- Oversaw development programs for 87 freshman Congressmen and their staffs
- Tracked and managed all of Chairman Sessions' business on the House Floor
- Organized meetings for freshman chiefs of staff and lobbyists

1/10-12/10 **Campaign Manager: Pete Sessions for Congress** Dallas, TX
- Managed all aspects of the campaign to a 63% victory; the Congressman's largest margin of victory during his 14 years in Congress
- Managed a $635,000 budget and a staff of 11
- Developed and executed a grassroots program to identify new favorable voters through phones, block walks, direct mail and events
- Planned and executed fundraising and outreach events

DESIGNATIONS

- Licensed Salesman – Texas Real Estate Commission – May 2007-December 2012
- Licensed Broker – Texas Real Estate Commission – December 2012-Present

ACTIVITIES

- Abilene Young Professionals – Board Member
- Abilene Chamber of Commerce Government Affairs Committee – Chairman
- Abilene Chamber of Commerce Military Affairs Committee – Member
- Abilene Improvement Corporation – Board Member
- Junior Achievement of Abilene – Board Member
- Honorary Commander – Dyess Air Force Base

CITY OF ABILENE

BOARDS & COMMISSION APPLICATION

Please complete and return to: Rosa Rios, City Secretary
P O Box 60 Abilene, TX 79604
Fax (325) 676-6439 or E-Mail: rosa.rios@abilenetx.gov

Name: Michael L Vandervoort
Home Address: 4518 Pennington Dr Abilene, TX 79606
Mailing Address: 4518 Pennington Dr Abilene, TX 79606 **City Limits?** Yes (X) No ( )
Home Phone Number: 325-695-1971 **Cell Phone Number**: 325-513-9552
Occupation: (if retired list former occupation) Owner/Operator Vandervoort's Vending; Senior Project Manager, Celestica Corp; Manager, Lucent Technologies; Product & Engineering Manager, AT&T; Product Manager Memorex Corp.; Systems Engineering Manager IT&T-E, System Engineer, Armco Steel Corp.
Employer: Retired **Business Phone Number**: NA
Business Address: NA **E-Mail Address:** vandervoort@sbcglobal.net
Number of years as an Abilene resident: 11
Voter Registration Number: 1141100544

Previous experience on boards, commissions, or other civic organizations:

Board orOrganization	City, State	Dates	Your Role
TxDOT Regionally (7) Coordinated Transporation Planning	Abilene & Region	2015-Present	MoC Representing Disabled
Disability In Action Board of Directors	Abilene & Region	2012-2014	President
CityLink ADA Advisory	Abilene	2009 -Present	Participant
Abilene Disability Awareness Committee	Abilene	2008-2012	Member

Please describe your education, professional affiliations, special knowledge, qualifications or expertise that relates to your possible appointment: 12 years National Federation of the Blind in various roles, lifetime disability (legally blind), Texas rehab grad (CCRC & BET with License), Graduate in Industrial Engineering/Computer Science – LA Tech, Post graduate work at Harvard U (Mfg. Strategy) and Babson U (Finance), Nati. /State/Local Advocate, Cub/Boy Scouts, more

Please give a brief statement why you would like to be appointed to a Board or Commission: Have advocated for having this board since 2008. Complements advocacy work for the blind and others with disabilities.

Please Note: While there is no guarantee of an appointment, all applications will be considered equally. Applications will be kept on file for one year and then either updated or withdrawn by the applicant. Please list the boards you are interested in serving: Citizens Advisory Board for People With Disabilities

Recognizing that serving on a Board or Commission is often time consuming, most meet on a monthly basis, are you committed to attending all regularly scheduled meetings? Yes, if during daylight hours (cannot drive at night).

I have attended one or more meetings of the board or commission for which I have applied: This is a new board and there have been no previous meetings. Attended many CityLink ADA mtgs, P&Z mtgs, & City Council meetings.

Applicants Signature: _____ **Date:** 12/201/2017

==========

FOR OFFICE USE ONLY
Date Application Received 12-21-2017 New Applicant? X Yes ____ No
If no, applicant previously served on _____ Board
Applicant appointed to _____ Term Expires _____

==========

Abilene City Secretary
DEC 21 2017
Filed for Record

Michael L Vandervoort
45178 Pennington Dr
Abilene, TX 79606
Email: vandervoort@sbcglobal.net
Cell; 325-513-9552

December 20, 2017

Rosa Rios
Abilene City Secretary
P O Box 60
Abilene, TX 79604

Attention: BOARDS & COMMISSIONS
Re: Application for Abilene Citizens Advisory Board for People With Disabilities

Dear Mayor Williams, City Council Members, Ms. Rios,

Attached is my application for your consideration to be a member of the board for the new Abilene Citizens Advisory Board for People With Disabilities.

Some of you know that advocacy is a passion for me. This has been an attribute since I was little, a then visually impaired son of a legally blind, widowed mother of three; with a visually impaired sister; and a legally blind son; all who had or are succeeding in life despite their disabilities. Life has been a struggle.

Most all of you know me for years of my coming before the City Council, the P&Z Commission, CityLink Advisory Board, and the MPO, usually for the purpose of advocating for sidewalks and other pedestrian features for the blind and others with disabilities and all others who may be affected. I have done this in Abilene since 2008, and I continue to do so. My business background wants there to be a solid return on the investment, for the least cost, and with the maximum impact.

I have met with many people from the city and the state on such matters and have come to know a number of staff and elected officials during the past years. One thing I know for sure, Abilene hires good people and everyone cares about their city, as I do. Abilene is a gem of a city and I want to help make it even better for those with disabilities.

I have known all of my life that there are many good people in the world and most are well-meaning in their intentions, but most are also not well-informed and often have no experience in disability matters. As a consequence, they often do not include the needs of those with disabilities into their decision making processes, whether in government, private business, or elsewhere. I have talked to many people about this in Abilene, in this state, at the national level, and

internationally. The overwhelming advice has been to have some group act as the center for information, advice, and review of anything that affects those with disabilities, as coming within the concerns of the requesting body. Abilene has reached this point in time as it continues to grow and take on more of the attributes of a town growing into a city.

Whether I am appointed to this new board or not, I will continue to advocate for those with disabilities, where I can. In fact, even if I am appointed, I would still come before whatever body to represent the interests of all people with disabilities or who cannot drive but are impacted by whatever decision is then being contemplated. And to that point, I trust that such appointment to such an advisory board, if such should occur, would not stop me legally from exercising my current rights to do such.

As usual, I write too much, and I apologize again.

Thank you in advance for any consideration.

Respectfully submitted,

Michael L. Vandervoort

Name: James D. McGee

Home Address: 3125 S. Willis Abilene, Tx 79605

Mailing Address: Same City Limits? Yes (X) No ( )

Home Phone Number: N/A Cell Phone Number: 325.660.2112

Occupation: (if retired list former occupation) English Teacher

Employer: Abilene ISD Business Phone Number: 325 677. 1731

Business Address: 2800 N. 6th E-Mail Address: james.mcgee@abileneisd.org

Number of years as an Abilene resident: 19

Voter Registration Number: 1056527334

Previous experience on boards, commissions, or other civic organizations:

Board or Organization	City, State	Dates	Your Role

Please describe your education, professional affiliations, special knowledge, qualifications or expertise that relates to your possible appointment: I hold a BAS degree in English Secondary Education, and a Master of Arts degree in English Literature. I also teach AP Literature at Abi Bus HS and adjunct at Angelo State in British and World Literature. I also adjunct at ACU for English for Secondary Educators.

Please give a brief statement why you would like to be appointed to a Board or Commission:

As a patron and "Friend" of the ABL, I wish to see it continue to thrive, building on past Successes such as the 2 new branches. I would also like to bring my knowledge and love of literature to the ABL.

Please Note: While there is no guarantee of an appointment, all applications will be considered equally. Applications will be kept on file for one year and then either updated or withdrawn by the applicant. Please list the boards you are interested in serving: Library Advisory Board

Recognizing that serving on a Board or Commission is often time consuming, most meet on a monthly basis, are you committed to attending all regularly scheduled meetings? _____

I have attended one or more meetings of the board or commission for which I have applied: _____

Applicants Signature: _____ **Date:** Jan 9, 2018

FOR OFFICE USE ONLY

Date Application Received 01-11-18 New Applicant? ✓ Yes ___ No

If no, applicant previously served on _____ Board

Applicant appointed to _____ Term Expires _____

JAMES D. MCGEE III

3125 S. Willis Abilene, TX 79605 | (325) 660-2112 | james.mcgee@abileneisd.org

Abilene City Secretary
JAN 11 2018
Filed for Record

January 9, 2018

Ms. Rios
City Secretary
City of Abilene
P.O. Box 60
Abilene, TX 79604

Dear Ms. Rios:

I am writing to submit my application for consideration for an appointment to the Abilene Public Library Advisory Board. As a teacher of literature at Abilene High School and a Master of Arts in English literature I bring a wealth of knowledge regarding literature to the board. Additionally, I teach the Advanced Placement Seminar course at Abilene High in which students learn deep research skills from a variety of lenses and perspectives in preparation to write a senior thesis. I will bring this knowledge of the research component to the advisory board.

As a longtime patron of the APL I have a vested interest in its continued expansion and success for my own family as well as my students in the Abilene community. I have been particularly impressed with the forward thinking involved with the South branch in the Mall of Abilene and would honored to lend my support to the APL's continued growth by serving on the APL Advisory Board.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

James D. McGee III

VITA Fall 2017

James D. McGee III

Abilene High School
Department of English
2600 N. 6th Street
Abilene, TX 79605

Office Tel: (325)677-1731
Home Tel: (325) 437-3330
Email: james.mcgee@abileneisd.org

EDUCATION

Master of Arts in English Literature. College of Arts and Sciences, Abilene Christian University. Master's Thesis: "*Bloody Richard," Sympathetic Richard: Shakespeare's Renaissance Villain.* May, 2015.

Bachelor of Applied Studies. College of Arts and Sciences, Abilene Christian University. Emphasis on English Education. December, 2008. Cum Laude

Associate in Applied Science. Community College of the Air Force. Education and Training Management. July, 2000.

Associate in Applied Science. Community College of the Air Force. Avionic Systems Technology. September, 1993.

PUBLICATIONS

McGee, J. (May, 2013). *Sibling Rivalry*. E. Eggleston (Ed.), *Gallimaufry*. Abilene High School, TX. 2013.

McGee, J. (May 2015). *Tea in the Desert*. R. Lyons (Ed.), *Gallimaufry*. Abilene High School, TX. 2013.

McGee, J. (May 2015). *Arbor Harbor of Light*. R. Lyons (Ed.), *Gallimaufry*. Abilene High School, TX. 2013.

PREVIOUS TEACHING EXPERIENCE

2012 – Present	Abilene High School: English Department Chair, Advanced Placement Literature and Composition, English III, English IV, Director of Eagle Writing Center, Director of Senior Thesis program.
2017 – Present	Abilene Christian University: Adjunct Instructor, English for Secondary Educators

2009 – 2011	Abilene Cooper High School: Pre-Advanced Placement Freshman English, English I.
2008	Madison Middle School: Grade 7 English/Language Arts Teacher.
2000 – 2007	United States Air Force: Education and Training Manager
1993 – 2000	United States Air Force: Avionics Systems Instructor on C-5A/B and C-141B aircraft.

MEMBERSHIPS/PROFESSIONAL ORGANIZATIONS

National Council of Teachers of English
Texas Classroom Teachers Association
International Writing Centers Association
Alpha Chi National College Honor Scholarship Society
Richard III Society (American Division)

Name: Dorothy A. Davidson

Home Address: 2 Surrey Square, Abilene, TX 79606

Mailing Address: Same City Limits? Yes (X) No ( )

Home Phone Number: 325-701-4623 Cell Phone Number: 325-260-5858

Occupation: (if retired list former occupation) Teacher/Librarian, retired

Employer: Abilene ISD. Business Phone Number: _____

Business Address: _____ E-Mail Address: dorothydavidson@suddenlink.net

Number of years as an Abilene resident: 52 years

Voter Registration Number: 10568299

Previous experience on boards, commissions, or other civic organizations:

Board or Organization	City, State	Dates	Your Role
Long + Reagan Elem. Schools	Abilene, TX	2007-2018 (present)	volunteer
APD Child Adv. Ctr.	Abilene, TX	2006-2018 "	volunteer
APD Citizens Police Academy	Abilene, TX	2014	student
Abilene Public Library	Abilene, TX	2013-2018 "	volunteer, Book Sale

Please describe your education, professional affiliations, special knowledge, qualifications or expertise that relates to your possible appointment: I am a retired teacher/librarian. As I borrow materials for personal reading and picturebooks to read to the children at the First Christian Church Pre-School program, I have become acquainted with the excellent APL collection and the very capable staff. I often share information with acquaintances about Story Time and other APL programs, encouraging them to visit the three APL locations.

Please give a brief statement why you would like to be appointed to a Board or Commission:

A strong public library provides tremendous benefits to the community in which it is located. The Abilene Public Library is excellent, and I wish to help support the program it provides in Abilene.

Please Note: While there is no guarantee of an appointment, all applications will be considered equally. Applications will be kept on file for one year and then either updated or withdrawn by the applicant. Please list the boards you are interested in serving: Abilene Public Library

Recognizing that serving on a Board or Commission is often time consuming, most meet on a monthly basis, are you committed to attending all regularly scheduled meetings? Yes.

I have attended one or more meetings of the board or commission for which I have applied: No

Applicants Signature: Dorothy A. Davidson **Date:** Jan. 16, 2018

FOR OFFICE USE ONLY

Date Application Received 1-18-18 New Applicant? ✓ Yes ___ No

If no, applicant previously served on _____ Board

Applicant appointed to Term Expires

Abilene City Secretary
JAN 18 2013
Filed for Record

TO: Rosa Rios, Abilene City Secretary
FROM: Dorothy A. Davidson

RE: My interest in serving on the Abilene Public Library Board

My family and I moved to Abilene in 1965. One of the first places I visited with my very young daughter was the Main Branch (the only branch at that time!) of the Abilene Public Library.

When my daughters were three years old, I took them to Story Hour; it quickly became the highlight of our week. As they outgrew Story Time and entered elementary school, we continued to visit the library. They often checked out their favorites from previous visits as well as new titles. They borrowed materials from APL for various school and church projects throughout the years. On recent occasions when they came to visit me here in Abilene, they asked to visit the Main Branch of the library and showed their children the newly redecorated Story Room!

Tho I was employed as an Abilene ISD Learning Resource Specialist (Teacher/Librarian,) I found needs which could only be answered by the capable APL Staff. Now that I am retired, I enjoy borrowing books for myself as well as for the Mothers' Day Out program at First Christian Church. I also sort books for the Book Sale, assist at the Sale and attend the Cover to Cover Book Club.

I would like to repay the APL for the many years of pleasure and reading, information and answered questions by serving on the Library Board.