



Notice is hereby given of a Regular Meeting of the Nacogdoches City Council to be held **April 7, 2015, beginning at 5:30 p.m.** in the Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

PLEASE LIMIT PRESENTATIONS TO THREE MINUTES
(UNLESS PRIOR APPROVAL IS OBTAINED)

1. Call to order.
2. **PRESENTATIONS AND RECOGNITIONS:** Recognize the SFA Men's Basketball Team and Coach Brad Underwood. (Mayor)
3. Items to be removed from Consent Agenda.
4. **CONSENT AGENDA:** Items included under the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of minutes from regular session of March 17, 2015. (City Secretary)
 - B. Consider proclaiming April "Fair Housing Month" pursuant to Title VIII of the Civil Rights Act of 1968, as amended, prohibiting discrimination in housing and declaring a national policy to provide, within constitutional limits, for fair housing in the United States. (Planning Director)

REGULAR AGENDA:

5. **PUBLIC HEARING:** Consider the request for a zoning change from A, Agricultural, to R-3, Two Family Residential, for Lot 7-A, City Block 61 located at 3220 Old Tyler Road. This request was initiated by Johanna and Chris Blackmon. ZON2015-001. (Planning Director)
6. Consider co-sponsorship of the 2015 Freedom Fest. (Main Street Manager)
7. Receive FY 2015-2016 budget presentation. (City Manager)
8. Consider approval for purchase of Caterpillar D4K Dozer for the Landfill. (Public Works Manager)
9. Approve and accept a Developer Agreement with Hunter Perry for the reimbursement of a sanitary sewer line extension. (City Attorney)
10. Consider and possibly act on a Partial Release of Easement clarifying a city sewer easement does not apply to 6.06 acres of real property on N. University Drive owned by NG Realty Holdings, LLC. (City Engineer)

For the convenience of the audience, the Council may conduct Executive Session deliberation in the first floor conference room, Room 112, of City Hall. Re-opening of the open session for action, if any, on Executive Session items will be in City Council Chambers. Regular Session agenda items appropriate for Executive Session consideration may be moved into Executive Session for deliberation, but not action, upon proper announcement at the meeting by the presiding officer.

11. EXECUTIVE SESSION:

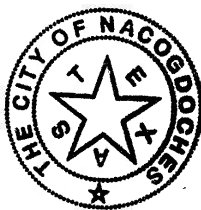
A. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:

1. Discuss or deliberate regarding commercial or financial information that the City has received from a business projects that the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and
2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.

12. Open for action, if any, on Item 11-A-1.

13. Open for action, if any, on Item 11-A-2.

14. Adjourn.




Lila Fuller, City Secretary

This agenda is posted as required under G. C. Section 551.041. For more information or a copy of the Open Meetings Act, please contact the Attorney General of Texas at 1-800-252-8011; the City Secretary at 936/559-2504 or visit the City of Nacogdoches web site at www.ci.nacogdoches.tx.us.

The Nacogdoches City Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (936) 559-2504 or FAX (936) 559-2912 for further information.

CERTIFICATION

I certify that the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on Thursday, April 2, 2015 at 5:00 p.m.

Lila Fuller, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the directory outside of City Hall on the ____ day of April 2015.

Name: _____ Title: _____

ITEM NO. 4-A

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: **CONSENT AGENDA:** Consider approval of minutes from regular meeting of March 17, 2015.

MEETING DATE: **April 7, 2015**

CITY CONTACT: Lila Fuller, City Secretary - 559-2504

ATTACHMENTS: **Minutes**

MINUTES
Regular Session
Nacogdoches City Council
March 17, 2015 – 5:30 p.m.
City Council Room – City Hall
202 E. Pilar Street

DRAFT

Regular Session:

Those Present:

Mayor Roger Van Horn; Council members Shelley Brophy, Roy Boldon, Mike Keller and David Norton; City Attorney Rob Atherton and City Secretary Lila Fuller.

1. Call to Order.

Mayor Van Horn at 5:30 p.m. A quorum was established.

- 2. PRESENTATIONS AND RECOGNITIONS:** Mayor Van Horn and Michael Stevenson, representing the Mayor's Committee on People with Disabilities, presented the 2015 Accessibility Awards to Morning Glory Yoga Studio (independent business) and Family Dollar – North Street (corporate business) for their efforts in making their businesses accessible to all citizens.

- 3. Items to be removed from Consent Agenda.**

None.

- 4. CONSENT AGENDA: Items included under the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.**

- A. Consider approval of minutes from the regular session of March 3, 2015.

Approved as presented.

- B. Consider an ordinance canceling the At Large (Mayor) City Council race scheduled for May 9, 2015 and declaring the unopposed candidate elected.

Approved as presented and Roger Van Horn declared elected.

- C. Consider rescheduling City Council meeting dates for the month of September 2015.

City Council meeting dates in September 2015 were changed to September 8 and 22.

- D. Consider allowing overnight "camping" in Pecan Park for the Boy Scout Naconiche District Camporee April 24-26, 2015 per Section 86-27 of the City of Nacogdoches Code of Ordinances.

Approved as presented.

Council member Norton moved to approve the consent agenda as presented. The motion was seconded by Council member Keller and unanimously passed.

Minutes unofficial until approved by City Council

REGULAR AGENDA:

5. Receive presentation of the 2013-2014 fiscal year audit for the City of Nacogdoches.

John Manning with Pattillo, Brown & Hill, LLP highlighted the city's financial audit for fiscal year ending September 30, 2014, stating they were presenting an Unmodified Opinion, with no deficiencies to report. He stated they addressed a minor issue regarding staff review of payroll for grant projects such as the Safe Routes to Schools program, and stated the City continues to maintain a 3-month reserve threshold in the fund balance as recommended by GFOA.

No action necessary.

6. Consider removal of current Convention and Visitors Bureau Board members in anticipation of appointing a new 7 member board.

Council member Brophy, as chair of the CVB interview committee, reviewed the work to date regarding the CVB Board and stated this action in reducing the eleven-member CVB Board to seven members as recommended by Young Strategies was action necessary to appoint a new board.

Council member Keller moved to remove the current members in anticipation of appointing a new 7-member board. The motion was seconded by Council member Norton and unanimously passed.

7. Consider appointments to the Convention and Visitors Bureau Board of Directors.

Council member Brophy, who served as the chair of the CVB interview committee, stated 13 applications were received. She explained one application was withdrawn prior to interviews and one withdrawn after interviews were held. She stated the nominations would fulfill the unexpired terms until July 2015, and then the new term designated tonight would begin in July. Council member Brophy moved that the committee recommendation as follows be approved and members be appointed:

Mark Barringer – 3 year term
Kati Harris – 3 year term
Robin Land – 3 year term
John McLaren – 2 year term
Rick Still – 2 year term
Maury Littleton – 1 year term
Jason Reese – 1 year term

The motion was seconded by Council member Keller and Mayor Van Horn opened the motion up for discussion.

Council member Norton reminded the council the focus from the survey completed should be "more heads in beds", stating he would like to see Charles Phillips appointed in the place of Maury Littleton due to Phillips operating a bed and breakfast.

Mayor Van Horn allowed the motion to be amended as follows:

Mark Barringer – 3 year term
Kati Harris – 3 year term
Robin Land – 3 year term
John McLaren – 2 year term
Rick Still – 2 year term
Charles Phillips – 1 year term
Jason Reese – 1 year term

Mayor Van Horn called for a second. There being no second, the amended motion was declared dead for lack of second.

The original motion and second remained on the floor and Mayor Van Horn called for a vote on the following motion:

Appointment of the following members to the Convention and Visitors Bureau Board of Directors:

Mark Barringer – 3 year term
Kati Harris – 3 year term
Robin Land – 3 year term
John McLaren – 2 year term
Rick Still – 2 year term
Maury Littleton – 1 year term
Jason Reese – 1 year term

AYES: Mayor Van Horn, Council members Brophy, Boldon and Keller

NOES: Council member Norton

Mayor Van Horn declared the motion having passed.

Council member Keller thanked the committee for their hard work.

Council member Norton stated that if the city council had been in on the interviews then this would not have happened.

8. Review of last year ending fund balance.

Pam Curbow, director of finance, reviewed the ending cash balance for FY 2013-2014 and answered questions.

No Executive Session was held.

9. EXECUTIVE SESSION:

A. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:

- 1. Discuss or deliberate regarding commercial or financial information that the City has received from a business projects that the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and**
- 2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.**

The City Council reconvened in open session at 6:48 p.m.

10. Open for action, if any, on Item 9-A-1.

None.

11. Open for action, if any, on Item 9-A-2

None

12. Adjourn.

Mayor Van Horn adjourned meeting at 6:10 p.m.

ATTEST:

Mayor Roger Van Horn
City Council
City of Nacogdoches

Lila Fuller, City Secretary

ITEM NO. 4-B

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: **CONSENT AGENDA:** Present proclamation of April as Fair Housing Month pursuant to Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares is a national policy to provide, within constitutional limits, for fair housing in the United States.

MEETING DATE: April 7, 2015

DESCRIPTION: Present proclamation pursuant to Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares is a national policy to provide, within constitutional limits, for fair housing in the United States.

RECOMMENDED ACTION: Receive proclamation and approve its publication in accordance with Federal Fair Housing regulations for all federally funded grants.

CITY CONTACT: Stacy Corley, Grant Coordinator 559-2528

ATTACHMENTS: Fair Housing Month Proclamation is available for review in the City Planner's office

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: **PUBLIC HEARING:** Consider the request for a zoning change from A, Agricultural, to R-3, Two Family Residential, for Lot 7-A, City Block 61, located at 3220 Old Tyler Road. This request was initiated by Johanna and Chris Blackmon. ZON2015-001.

MEETING DATE: April 7, 2015

DESCRIPTION: This property has been zoned Agricultural since the adoption of the zoning ordinance in 1970, due to the rural nature of this part of Nacogdoches. The zoning ordinance describes agricultural districts as:

- Land which is presently used for agricultural purposes
- Land which has been newly annexed into the city
- Land which is used for open space purposes
- Land which is not yet ready for development due to unavailability of urban services or a lack of market for development

The ordinance further states "these lands should appropriately continue to be used for agricultural purposes until such time as they are needed for urban purposes in conformity with the comprehensive plan and orderly growth of the city."

This land, bounded by West Austin on the north and Old Tyler Road on the west, is largely pasture and timber land. The area to the south and west is zoned R-3, Two Family Residential, with a small General Business district at an intersection. The area to the north and east is zoned Agricultural. Residential development is the most likely future development. R-3, Two Family Residential zoning is the likely zoning classification for future rezoning in this area, as it already exists on the south side of Old Tyler Road, and it conforms with the recommendation of the future land use plan.

Mr. and Ms. Blackmon's father owns the subject property. The family wishes to subdivide the property into two lots, to allow the applicants to construct their own home next to their parents' home. The current agricultural zoning will not allow this, as agriculturally zoned lots have a minimum size of two acres or greater.

SCHEDULE: If the request for rezoning is approved, it will become effective 10 days after publication in the newspaper.

RECOMMENDED

ACTION:

Planning and Zoning Commission unanimously recommended approval of the request.

Conditions for approval to be considered (staff comments are underlined):

- (1) Compatibility. The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair property values within the immediate vicinity.
Residential use of the lot will be compatible with and not injurious to the use and enjoyment of other property in the vicinity. The lot already contains one single family structure.
- (2) Orderly growth and development. The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.
Residential use will not impede the development of surrounding property.
- (3) Supporting facilities. Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided.
Adequate supporting facilities already exist for the property, or can be provided with existing city policies.
- (4) Drives and parking. The design, location and arrangement of all driveways and parking spaces provided for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.
One driveway currently serves the lot. If the lot is subdivided in the future, one driveway will be permitted per lot.
- (5) Nuisances. Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration.
Any future development must adhere to ordinance regulations regarding performance standards which do not permit offense odor, fumes, dust, noise or vibrations at levels that are a nuisance to adjacent property owners.
- (6) Lighting. Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties.
The city's lighting ordinance will apply, but is unlikely to be triggered by residential development.
- (7) Landscaping. Sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties exists or will be provided.
The city's landscaping ordinance will not apply.
- (8) Comprehensive plan. The proposed use is in accordance with the comprehensive plan.
The comprehensive plan recommends single family residential development. R-3 zoning is considered single family residential development, as it allows only one structure (either a single family home or a duplex) per lot.

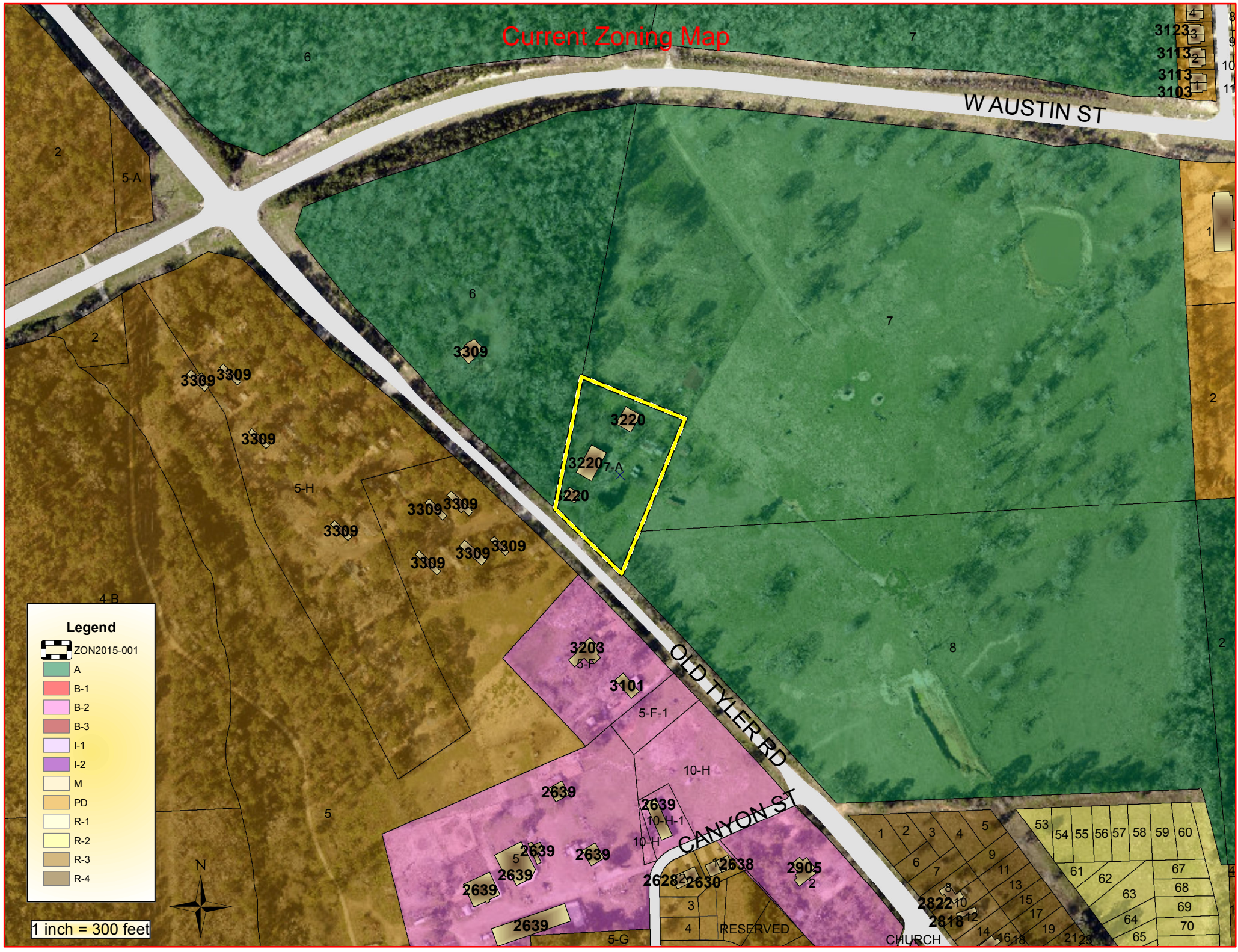
CITY CONTACT:

Larissa Philpot, City Planner; 559-2572, philpotl@ci.nacogdoches.tx.us


ATTACHMENTS:

Current Zoning Map
Future Land Use Map
Aerial Photograph

Current Zoning Map



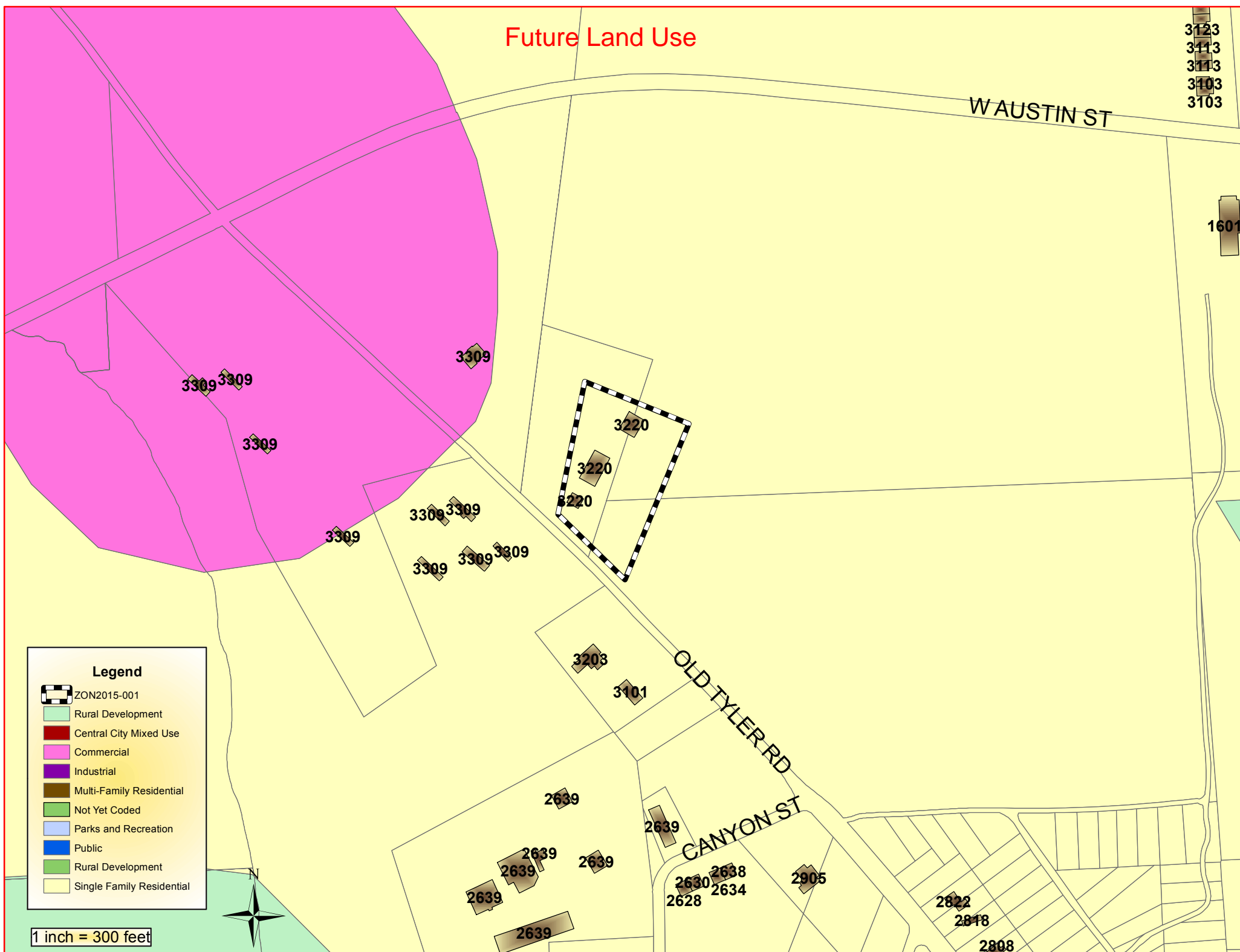
Legend

 ZON2015-001

- A
- B-1
- B-2
- B-3
- I-1
- I-2
- M
- PD
- R-1
- R-2
- R-3
- R-4

1 inch = 300 feet







CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: Consider co-sponsorship of the 2015 Freedom Fest

MEETING DATE: June 4, 2015

DESCRIPTION: The 12th annual Freedom Fest will be held on Saturday, July 4, 2015. This festival has the largest 4th of July fireworks display in East Texas. The festival has made a positive impact on our local economy by attracting some 10,000 people last year and encouraging local residents to stay in town instead of traveling for the holiday.

The Nacogdoches Jaycees are requesting that the City continue to co-sponsor this festival. Through co-sponsorship the City agrees to the following: (1) hosting the event in the Downtown Festival Plaza; (2) Use of the City parking lot located south of City Hall between Pecan and Fredonia Streets; (3) On-site support from City Electrician; (4) Use, at no cost, of City water and electric services in the park; (5) authorization for an outdoor fireworks display in the city limits in accordance with City policy.

2015 marks the 1st year Freedom Fest will be coordinated without the support of the Nacogdoches Convention & Visitors Bureau.

COST:

BUDGET AMENDMENT REQUIRED?: No

FUNDING:	Acct. Name & No.	Original Budget	Requested
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SCHEDULE:	Pecan and Fredonia Streets, and Cox Street, surrounding Festival Plaza, will need to be closed from 2:00 p.m. - 10:30 p.m.		
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RECOMMENDED ACTION:	Consider co-sponsoring the 2015 Freedom Fest.
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CITY CONTACT:	Sarah O'Brien, City of Nacogdoches Main Street Manager 559-2573 and Bruce Mayberry, Nacogdoches Jaycees, 817-266-8555
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ATTACHMENTS:	None
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**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Receive FY 2015-2016 budget presentation

MEETING DATE: April 7, 2015

DESCRIPTION: A brief presentation on a particular aspect of the FY 2015-2016 budget will be presented.

CITY CONTACT: City Manager Jim Jeffers - Jeffers@ci.nacogdoches.tx.us

Presentation will be made
at Tuesday's meeting

ITEM NO. 8

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: Consider approval for purchase of Caterpillar D4K Dozer for the Landfill

MEETING DATE: April 7, 2015

DESCRIPTION: Recommendation to award the purchase of Caterpillar D4K Dozer of Landfill

COST: \$138,245

BUDGET AMENDMENT REQUIRED? No

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No.	Adopted Budget	Balance	Requested
Sanitation Disposal	Capital Equip/31.41.	680.25		\$135,000

SCHEDULE: Award purchase of Caterpillar D4K Dozer thru Buy Board

ACTION: Award bid for purchase of above Caterpillar D4K Dozer thru Holt Cat for total price of \$138,245.00

CITY CONTACT: Cary Walker, Public Works Manager, (936) 559-2582

ATTACHMENTS: Quotation/specifications available upon request.

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT: Approve and accept a Developer Agreement with Hunter Perry for the reimbursement of a sanitary sewer line extension.

MEETING DATE: April 7, 2015

DESCRIPTION: In accordance with Chapter 106, Article VIII of the Nacogdoches Code of Ordinances, a Developer may request reimbursement for the design and construction of up to 500 feet of a water or sanitary sewer main line that can be extended for public use. Hunter Perry has proposed to extend a new 6" sewer line at the 2800 Block of NW Stallings Drive to provide sewer service for an undeveloped tract.

The design of any public utility extension must meet City and State standards, be inspected by the City during construction, and pass all final testing before the Developer can request reimbursement. The Developer must follow all State purchasing requirements for public bidding.

Hunter Perry is requesting approval of a Developer Agreement, which is a document that has been drafted in general form by the City. This Agreement outlines the procedures and requirements for the utility extension work and quantifies the maximum costs that could be requested for reimbursement. Hunter Perry is requesting approval of a maximum reimbursement of \$50,000

Funds are available in the project budget.

COST: \$50,000

BUDGET AMENDMENT REQUIRED?: No

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No. Utility Fund CIP - 30.179.03	Amount Requested \$50,000
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SCHEDULE: The owner anticipates that the water line extension will be constructed within the next 6 months.

RECOMMENDED ACTION: It is recommended that the Developer Agreement with Hunter Perry for the extension of a new sewer line, be approved.

CITY CONTACT: Rob Atherton, City Attorney

ATTACHMENTS: A copy of the Developer Agreement is available for review in the Engineering office.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider and possibly act on a Partial Abandonment of Easement clarifying a city sewer easement does not apply to 6.06 acres of real property on N. University Drive owned by NG Realty Holdings, LLC

MEETING DATE: April 7, 2015

DESCRIPTION: The City has a 1973 easement for a 12 inch sanitary sewer line which is a "blanket" over what was a large tract. The affected tract has long since been subdivided into smaller tracts, most of which are unaffected by the actual location of the sewer line. NG Realty Holdings, LLC, the owner of a 6.06 acre portion of North University Drive property, has requested that the easement be abandoned as to that tract as it is a blemish on the title to its land, and the line is not located on any portion of the 6.06 acre tract. Abandonment of the easement as to the 6.06 acre tract will not adversely affect the line in its actual location.

SCHEDULE: At City Council discretion

RECOMMENDED ACTION: Authorize execution of Partial Release of Easement

CITY CONTACT: City Engineer, Steve Bartlett

ATTACHMENTS: Partial Release of Easement

PREPARED BY AND
UPON RECORDING RETURN TO:
ERIN M. O'GARA, ESQ.
KUTAK ROCK
1650 FARNAM STREET
OMAHA, NE 68102-2186
(402) 346-6000

PARTIAL RELEASE OF EASEMENT

The **CITY OF NACOGDOCHES**, a municipal corporation (the "City"), does hereby release and discharge a portion of that certain Easement, dated October 19, 1973, made and executed by the City and **A.T. MAST, SR., EMILY MAST MIDDLEBROOK, GEORGE MIDDLEBROOK AND HOLLIS MAST BARRON** (collectively, the "Burdened Parties"), filed for record in Volume 385, Page 944, Deed Records, Nacogdoches County, Texas. That part of the easement to be released is only the area as such easement relates to the property more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property").

FOR GOOD AND VALUABLE CONSIDERATION the City, together with its heirs, successors and assigns, does hereby release and disclaim unto the Burdened Parties, their heirs, successors and assigns, all rights, title, restrictions, covenants and interests of or in favor of the Burdened Parties and any person or entity claiming by, through or under the Burdened Parties, in and to the Property.

[Remainder of page intentionally left blank. Signature page follows.]

CITY OF NACOGDOCHES, a municipal
corporation

By: _____
Name: _____
Its: _____

STATE OF TEXAS)
) ss.:
COUNTY OF NACOGDOCHES)

Given under my hand and seal of offices this _____ day of _____, 2015.

Printed Name: _____

[illegible]

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

A TRACT OR PARCEL CONTAINING 6.0711 ACRES OR 264,458 SQUARE FEET OF LAND BEING ALL OF A CALLED 6.06 ACRE TRACT OF LAND AS CONVEYED TO NG REALTY HOLDINGS, LLC AS RECORDED IN NACOGDOCHES COUNTY CLERK'S FILE NO. 119833, BEING SITUATED IN THE ANTONIO ARRIOLA SURVEY, ABSTRACT NO. 5, NACOGDOCHES COUNTY, TEXAS, SAID 6.0711 ACRE TRACT, BEING MORE DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NAD 83):

BEGINNING AT A FOUND 1/2 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF SAID 6.06 ACRE TRACT OF LAND, BEING THE COMMON SOUTHWEST CORNER OF TRACT "K", 28.9681 AC. UNIVERSITY MALL AS RECORDED IN VOLUME 3, PAGE 50, OF THE NACOGDOCHES COUNTY PLAT RECORDS, SAME TRACT BEING A CALLED 4.773 ACRE TRACT OF LAND CONVEYED TO D.E.T. AS RECORDED IN VOLUME 766, PAGE 500 OF THE NACOGDOCHES COUNTY DEED RECORDS, BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF MARTINSVILLE ROAD (VARYING WIDTH R.O.W.);

THENCE, NORTH 80 DEGREES 20 MINUTES 40 SECONDS WEST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND NORTHERLY RIGHT-OF-WAY LINE OF SAID MARTINSVILLE ROAD, A DISTANCE OF 485.46 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR THE SOUTHERNMOST SOUTHWEST CORNER OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND THE SOUTHEAST CORNER OF A CALLED 0.451 ACRE TRACT OF LAND CONVEYED TO MORGAN OIL COMPANY AS RECORDED IN VOLUME 540, PAGE 548 OF SAID NACOGDOCHES COUNTY DEED RECORDS;

THENCE, NORTH 17 DEGREES 22 MINUTES 20 SECONDS EAST, ALONG A WESTERLY BOUNDARY LINE OF SAID 6.06 ACRE TRACT, AND EASTERLY BOUNDARY LINE OF SAID 0.451 ACRE TRACT, A DISTANCE OF 125.00 FEET TO A CROWS FOOT SET FOR AN INTERIOR CORNER OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND NORTHEAST CORNER OF SAID 0.451 ACRE TRACT;

THENCE, NORTH 72 DEGREES 37 MINUTES 40 SECONDS WEST, ALONG A SOUTHERLY BOUNDARY LINE OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND NORTHERLY BOUNDARY LINE OF SAID 0.451 ACRE TRACT, A DISTANCE OF 150.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN EXTERIOR CORNER OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, THE NORTHWEST CORNER OF SAID 0.451 ACRE TRACT, BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF FARM TO MARKET (F.M.) HIGHWAY NO. 1275 (A.K.A. UNIVERSITY DRIVE), FROM SAID POINT A 1/2 INCH IRON PIPE FOUND BEARS NORTH 47 DEGREES 51 MINUTES 59 SECONDS WEST, A DISTANCE OF 0.40 FEET;

THENCE, ALONG THE WESTERLY BOUNDARY LINE OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND EASTERLY RIGHT-OF-WAY LINE OF SAID F.M. 1275, THE FOLLOWING COURSES AND DISTANCES:

NORTH 17 DEGREES 22 MINUTES 20 SECONDS EAST, A DISTANCE OF 67.05 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR CORNER, FROM WHICH A FOUND 1/2 INCH IRON PIPE BEARS NORTH 71 DEGREES 04 MINUTES 18 SECONDS EAST, A DISTANCE OF 0.37 FEET;

SOUTH 87 DEGREES 37 MINUTES 40 SECONDS EAST, A DISTANCE OF 9.40 FEET TO A 1/2 INCH IRON PIPE FOUND FOR CORNER;

NORTH 17 DEGREES 28 MINUTES 44 SECONDS EAST, A DISTANCE OF 10.26 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

NORTH 14 DEGREES 04 MINUTES 20 SECONDS EAST, A DISTANCE OF 10.40 FEET TO A 1/2 INCH IRON PIPE FOUND FOR CORNER;

NORTH 87 DEGREES 37 MINUTES 40 SECONDS WEST, A DISTANCE OF 8.80 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR CORNER;

NORTH 17 DEGREES 22 MINUTES 20 SECONDS EAST, A DISTANCE OF 260.40 FEET TO A 1/2 INCH IRON PIPE FOUND FOR THE NORTHWEST CORNER OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, BEING THE SOUTHWEST CORNER OF TRACT "F" OF SAID 28.9681 AC. UNIVERSITY MALL PLAT, AS CONVEYED TO BEAR STEARNS FUNDING, INC. AS RECORDED IN VOLUME 1180, PAGE 297 SAID NACOGDOCHES COUNTY DEED RECORDS;

THENCE, SOUTH 72 DEGREES 44 MINUTES 03 SECONDS EAST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND SOUTHERLY BOUNDARY LINE OF SAID TRACT "F", A DISTANCE OF 631.33 FEET TO AN "X" CUT SET FOR THE NORTHEAST CORNER OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND NORTHWEST CORNER OF SAID TRACT "K";

THENCE, SOUTH 17 DEGREES 24 MINUTES 35 SECONDS WEST, ALONG THE EASTERLY BOUNDARY LINE OF SAID 6.06 ACRE TRACT, THE HEREIN DESCRIBED TRACT, AND WESTERLY BOUNDARY LINE OF SAID TRACT "K", A DISTANCE OF 409.23 FEET TO THE PLACE OF BEGINNING AND CONTAINING 6.0711 ACRES OR 264,458 SQUARE FEET OF LAND

ITEM NO. 11

CITY OF NACOGDOCHES AGENDA INFORMATION SHEET:

PROJECT:

EXECUTIVE SESSION:

A. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:

- 1. Discuss or deliberate regarding commercial or financial information that the City has received from a business projects that the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and**
- 2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.**

MEETING DATE: April 7, 2015

**Presentation will be made at
Tuesday's meeting**