

State of Texas §  
 County of Bell §

Aviation Release

Whereas, **Killeen WLW, Ltd.**, hereinafter called owner (whether one or more), is the owner of a certain parcel of land situated in the City of Killeen, Bell County, Texas, being more particularly described as **Wal-Mart Killeen East Addition Amended**, an addition to the City of Killeen, Bell County, Texas.

Owner does hereby waive, release, remise, quit claim and forever hold harmless the City of Killeen, Texas a municipal corporation, hereinafter called City, from any and all claims for damages of any kind that owner may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purpose of this designed for navigation of or flight in the air) by whomsoever owned and operated, in the air space above owner's property. Such release shall include, but not limited to, any damages to owner's described property, such as noise, vibration, fumes, dust, fuel, and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from, or operating at any municipal or military airport within or adjacent to the City, whether such owner does hereby fully remit, and release any right or cause of action which it may now have or which it may in the future have against the City, whether such claims be for injury to person or damage to property due to noise, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engine at or on said airports.

It is agreed that this release shall be binding upon owner, his successors, heirs, executors, administrators and assigns, in interest with in **Wal-Mart Killeen East Addition Amended**, an addition to the City of Killeen, Texas, and it is further agreed that this instrument shall be conveyed running with the land, and shall be recorded in the Deed Records of Bell County, Texas.

Executed this 29<sup>th</sup> day of May, A.D., 2019.

By Killeen WLW, Ltd, a Texas Limited Partnership  
 by Killeen WLW GP, LLC, a Texas Limited Liability Company, its General Partner

*Frank M.K. Liu, Manager*  
 Frank M.K. Liu, Manager

**A METES AND BOUNDS DESCRIPTION OF A 0.820 ACRE TRACT OF LAND**

BEING a 0.820 acre (35,719 square feet) tract of land situated in the Robert Cunningham Survey No. 73, Abstract No. 158, City of Killeen, Bell County, Texas, being a portion of Lot 6, Block 1 of Wal-Mart Killeen East Addition Amended, plat of which recorded in Document No. 2016-4357 of the Official Public Records of Bell County, and being more particularly described as follows:

**BEGINNING** at a 3/8-inch iron rod found on the northwesterly right-of-way line of Stan Schluter Loop (F.M. 3470 - variable width) marking the southeastern-most corner of said Lot 6, same being the southwestern-most corner of Lot 1, Block 1 of Herring Commercial Addition, plat of which recorded in Cabinet C, Slide 66-C of the Plat Records of Bell County;

**THENCE**, along the northwesterly right-of-way line of said Stan Schluter Loop, the following two (2) courses and distances:

1. South 42°53'51" West, 25.87 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for a point of curvature;
2. in a southwesterly direction, along a tangent curve to the right, a central angle of 1°38'04", a radius of 3754.72 feet, a chord bearing and distance of South 44°02'25" West, 107.11 feet, and a total arc length of 107.11 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" found marking the southeastern-most corner of Lot 7, Block 1 of Wal-Mart Killeen East Addition Amended, plat of which recorded in Document No. 2017-42257 of the Official Public Records of Bell County;

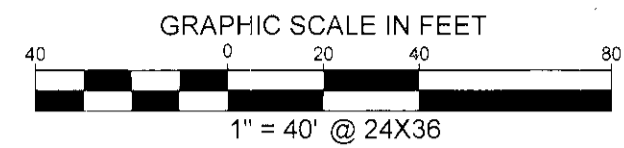
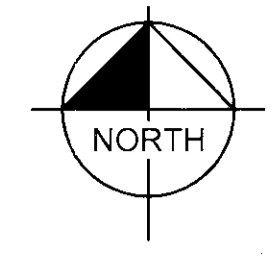
**THENCE**, departing the northwesterly right-of-way line of said Stan Schluter Loop and along the boundary of said Lot 7, the following three (3) courses and distances:

1. North 29°31'01" West, 165.30 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" found for corner;
2. North 60°28'59" East, 20.00 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" found for corner;
3. North 29°31'01" West, 132.07 feet to a 1/2-inch iron rod with a plastic cap stamped "KHA" found marking the northeastern-most corner of said Lot 7;

**THENCE**, North 68°51'30" East, 139.30 feet departing the easterly line of said Lot 7 to a 1/2-inch iron rod with plastic cap stamped "KHA" set for corner on the westerly line of aforesaid Lot 1, Block 1 of Herring Commercial Addition;

**THENCE**, South 22°15'38" East, 240.87 feet along the westerly line said Lot 1 to the **POINT OF BEGINNING**, and containing 0.820 acre of land in Bell County, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System Grid, Central Zone (FIPS 4203) (NAD 83). All distances are on the Surface and shown in U.S. Survey Feet. To convert surface distances to grid, apply the combined surface to grid scale factor of 0.995983214. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

**WAL-MART KILLEEN EAST ADDITION AMENDED, LOT 8, BLOCK 1, BEING A REPLAT OF A PORTION OF LOT 6, BLOCK 1, WAL-MART KILLEEN EAST ADDITION 0.820 ACRE, CITY OF KILLEEN, BELL COUNTY, TEXAS**

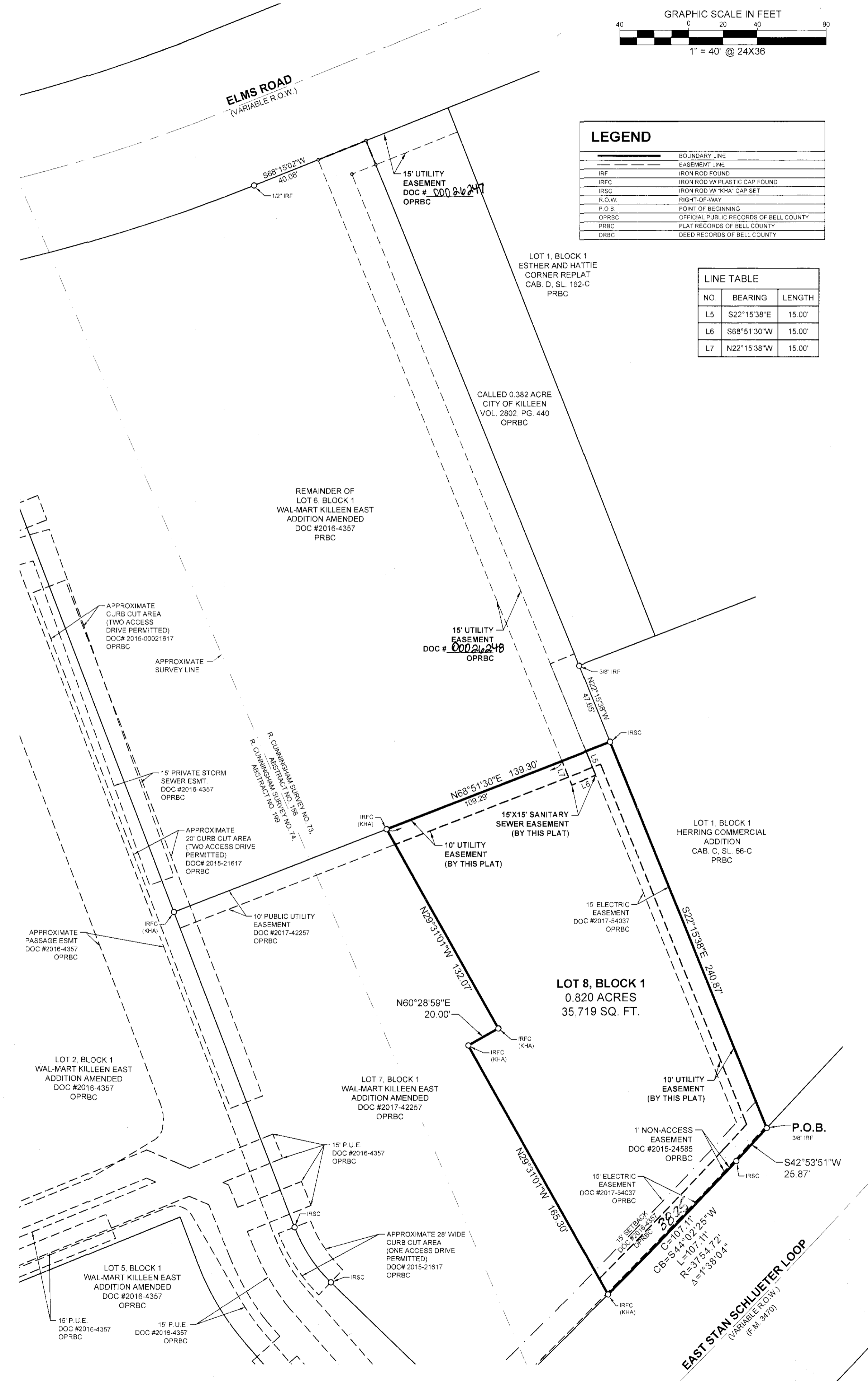


**LEGEND**

---	BOUNDARY LINE
---	EASEMENT LINE
---	IRON ROD FOUND
---	IRON ROD W/ PLASTIC CAP FOUND
---	IRON ROD W/ PVA CAP SET
---	RIGHT-OF-WAY
---	P.O.B.
---	OFFICIAL PUBLIC RECORDS OF BELL COUNTY
---	PLAT RECORDS OF BELL COUNTY
---	DEED RECORDS OF BELL COUNTY

**LINE TABLE**

NO.	BEARING	LENGTH
L5	S22°15'38"E	15.00'
L6	S68°51'30"W	15.00'
L7	N22°15'38"W	15.00'



NOTE:

Lot 8 is subject to a reciprocal "non-exclusive access easement appurtenant" to "Lots, Tracts and Out Parcels" in the Walmart East Addition "Shopping Center", as further defined in Document No. 2015-0002617. The easement provides access through all "Common Areas", "not counting buildings and for parking purposes", to "tenets, employees, owners, invites, licensees, and customers", to "pass over, through and around the Common Areas".

KNOW ALL MEN BY THESE PRESENTS: that Killeen WLW, LTD., whose address is 1520 Oliver, Houston, Texas 77007 Killeen, Texas, being the owners of that 0.820 acres of land located in the R. Cunningham Survey No. 73, Abstract No. 158, and R. Cunningham Survey No. 74, Abstract No. 199, City of Killeen, Bell County, Texas, which is more fully described in the dedication of WAL-MART KILLEEN EAST ADDITION AMENDED, as shown by the plat hereof, attached hereto and made a part of hereon and approved by the City of Killeen, Bell County, Texas, does hereby adopt said WAL-MART KILLEEN EAST ADDITION AMENDED, LOT 8, BLOCK 1, as an addition to the City of Killeen, Bell County, Texas and hereby dedicates to the public all streets, avenues, roads, drives and alleys shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities when and as authorized by the City of Killeen. The utility and drainage easements shown on said plat are dedicated to said city for the installation and maintenance of any and all public utilities and drainage utilities, which the city may install or permit to be installed or maintained.

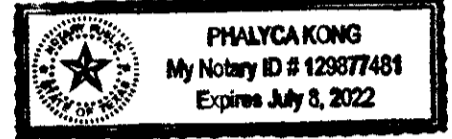
For: Killeen WLW, LTD.

By Killeen WLW, Ltd, a Texas Limited Partnership  
 by Killeen WLW GP, LLC, a Texas Limited Liability Company, its General Partner  
*Frank M.K. Liu, Manager*  
 Frank M.K. Liu, Manager

STATE OF TEXAS §  
 COUNTY OF HARRIS §

This instrument was acknowledged before me on the 29<sup>th</sup> day of May, 2019.

*Phyllis Kong*  
 Notary Public, State of Texas



Approved this 29<sup>th</sup> day of May, 2019, by the Planning and Zoning Commission of the City of Killeen, Texas

*John C. Mosier*  
 Chairman, Planning and Zoning Commission  
*Maria Lopez*  
 Secretary, Planning and Zoning Commission

KNOW ALL MEN BY THESE PRESENTS:

That I, John Gregory Mosier, a Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual and accurate survey of the land, made on the ground under my supervision and that the corner monuments shown thereon were properly placed or found. This plat was made in accordance with the Subdivision and Property Development Regulations of the City of Killeen, Texas.

*John G. Mosier* 5-28-2019  
 John Gregory Mosier  
 Registered Professional Land Surveyor No. 6330  
 601 NW Loop 410, Suite 350  
 San Antonio, Texas 78216  
 Ph. 210-541-9166  
 greg.mosier@kimley-horn.com



TAX CERTIFICATE

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this 5<sup>th</sup> day of June, 2019 A.D.

BELL COUNTY TAX APPRAISAL DISTRICT  
 By: *Michelle Soff*

FILED FOR RECORD this 18<sup>th</sup> day of June, 2019 In Year 2019

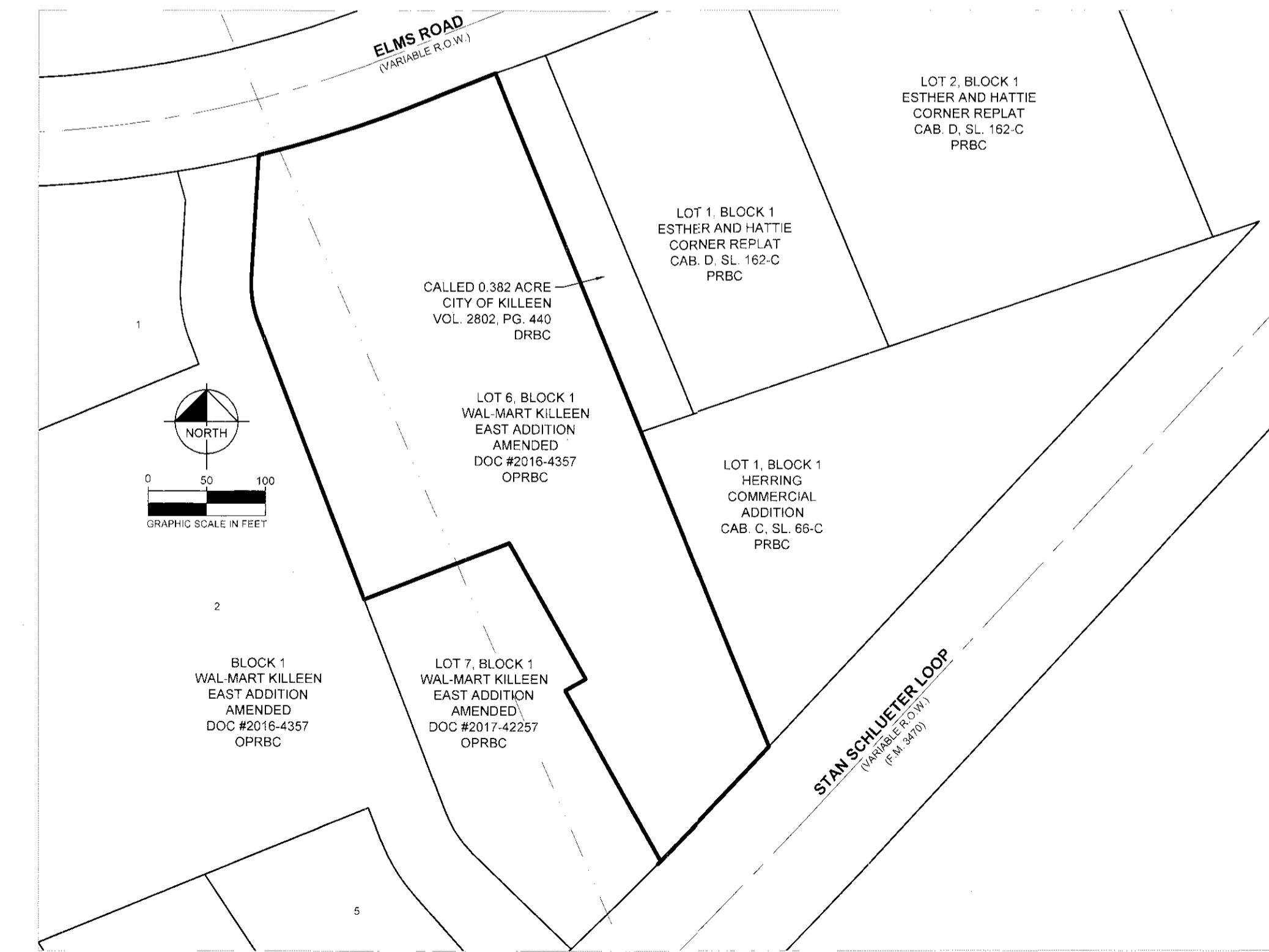
Plat # 110, Plat Records of Bell County, Texas.

Dedication Instrument # 2019-00026249, Official Records of Bell County, Texas.

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.  
 Dated 5<sup>th</sup> day of June, A.D. 2019  
 BELL COUNTY TAX APPRAISAL DISTRICT  
 BY: *Michelle Soff*

Plat # 110 FILED FOR RECORD This 18<sup>th</sup> day of June, 2019  
 Official Public Records of Real Property, Bell County, Texas.

**FLOOD STATEMENT:**  
 According to Community Panel No. 48027C280E, dated September 26, 2008 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Bell County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.



**AREA BEING AMENDED**  
 SCALE 1"=100'

THE AREA BEING AMENDED WAS PREVIOUSLY PLATTED AS LOT 6, BLOCK 1, OF WAL-MART KILLEEN EAST ADDITION RECORDED IN ACCORDING TO THE PLAT WHICH IS FILED IN DOCUMENT NO. 2016-4357 OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

**Kimley»Horn**  
 801 NW Loop 410, Suite 350 San Antonio, Texas 78216 FIRM # 10193973 Tel. No. (210) 541-9166 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	APS	JGM	5/23/2019	068693613	1 OF 1

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