

DEVELOPMENT AGREEMENT

Bud Stockton Extension

This Development Agreement ("the Agreement") is made by and between the WILLIAMSON COUNTY, TEXAS, (the "County") and NW WILCO, LLC (the "Developer") on this 14 day of December, 2022.

RECITALS

WHEREAS, Developer is proposing to submit an application for residential subdivision plat and site development review and consideration for future approval to build a residential subdivision (the "Project") abutting the proposed extension of Bud Stockton, located within the City of Jarrell's (the "City") extraterritorial jurisdiction ("ETJ"), in the location as shown in Exhibit "A" (Property"), attached hereto; and

WHEREAS, the Developer proposes to coordinate with the County in the construction of the Bud Stockton extension, consisting of a two lane undivided section with shoulders from FM 487 to CR 305 in the location shown in Exhibit "B" attached hereto (the "Extension"); and

WHEREAS, the Developer, through this Agreement, will dedicate approximately 4.75 acres of right-of-way for the Extension (the "R.O.W. Property"); and

WHEREAS, the County will design and undertake construction of the Extension project within two years following transfer of title of the R.O.W. Property to County.; and

NOW THEREFORE, the parties hereto agree as follows:

ARTICLE I

1. Recitals. The County hereby finds that the Recitals stated above are true and correct.
2. Developer's Obligations. The Developer, in consideration for the County's approval as stated above, agrees to the following:

- (a) The Developer, its successors and assigns, agree to dedicate by delivering an executed Deed conveying approximately 3.6 acres, free and clear of any monetary liens and encumbrances after title inspection by County, to the County for the Extension of Bud Stockton Blvd., in the configuration and at the locations shown in Exhibits "C-D", within 30 days following vesting ownership in the R.O.W. Property by Developer, its successors or assigns. The form of the Deed shall be as shown in Exhibit "E" attached hereto and incorporated herein.
3. County Obligations. The County agrees to undertake at its sole expense construction of the Extension project within two years following transfer of title of the R.O.W. Property to County.
4. Driveway Locations. The County agrees that there is adequate spacing to to allow Developer to install, at Developer's discretion upon final approved site plan, a minimum of two (2) driveways from the Property to the proposed Bud Stockton Extension in the approximate potential locations depicted on Exhibit A, and which shall otherwise comply with any applicable design criteria, review and comment by County or City.
5. Modifications to the Project. Any modification to the location of the Expansion along the Property shall be by mutual consent of the Parties.

ARTICLE II

1. No Joint Venture. It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership of joint venture among parties. Neither party shall have any authority to act on behalf of the other party under any circumstances.

2. Notice of Bankruptcy. In the event Developer files for bankruptcy, whether involuntarily or voluntary, Developer shall provide written notice to the County within three (3) business days of such event.
3. Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that is granted and assumed under this Agreement
4. Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If Intended for the County:

Williamson County Judge
710 Main St., suite 101
Georgetown, Texas 78626

With a copy to:

Williamson County
Attention: Hal Hawes
710 Main St., suite 101
Georgetown, Texas 78626

If intended for the Developer:

NW Wilco LLC
Attn: Mark Allen
5012 Fountainwood Circle
Georgetown, Texas 78633

With a copy to:

Sprouse Shrader Smith PLLC
Attn: Courtney E. McWhorter
805 Las Cimas Pkwy, Ste. 350
Austin, Texas 78746

5. Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this agreement. There is no collateral oral or written agreement between parties that in any matter relates to the subject matter of this Agreement.
6. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning the Agreement shall be in Williamson County, Texas.
7. Amendment. This Agreement may only be amended by the mutual written agreement of the parties.
8. Severability. In the event one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal invalid or unenforceable a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
9. Assignment. This Agreement may not be assigned without the written consent of the County.
10. Authorized to Bind. The persons who execute their signatures to this Agreement and any certifications related to this Agreement represent and agree that they are authorized to sign and bind their respective parties to all of the terms and conditions contained herein.
11. Counterparts. This Agreement may execute in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

Executed on this 14 day of December, 2022.

DEVELOPER:

NWC WILCO, LLC

By: 
Mark T. Allen, Manager

COUNTY:

WILLIAMSON COUNTY, TEXAS

By: _____
Bill Gravell, Jr., County Judge

Attest:

Nancy Rister, County Clerk

EXHIBIT "A"

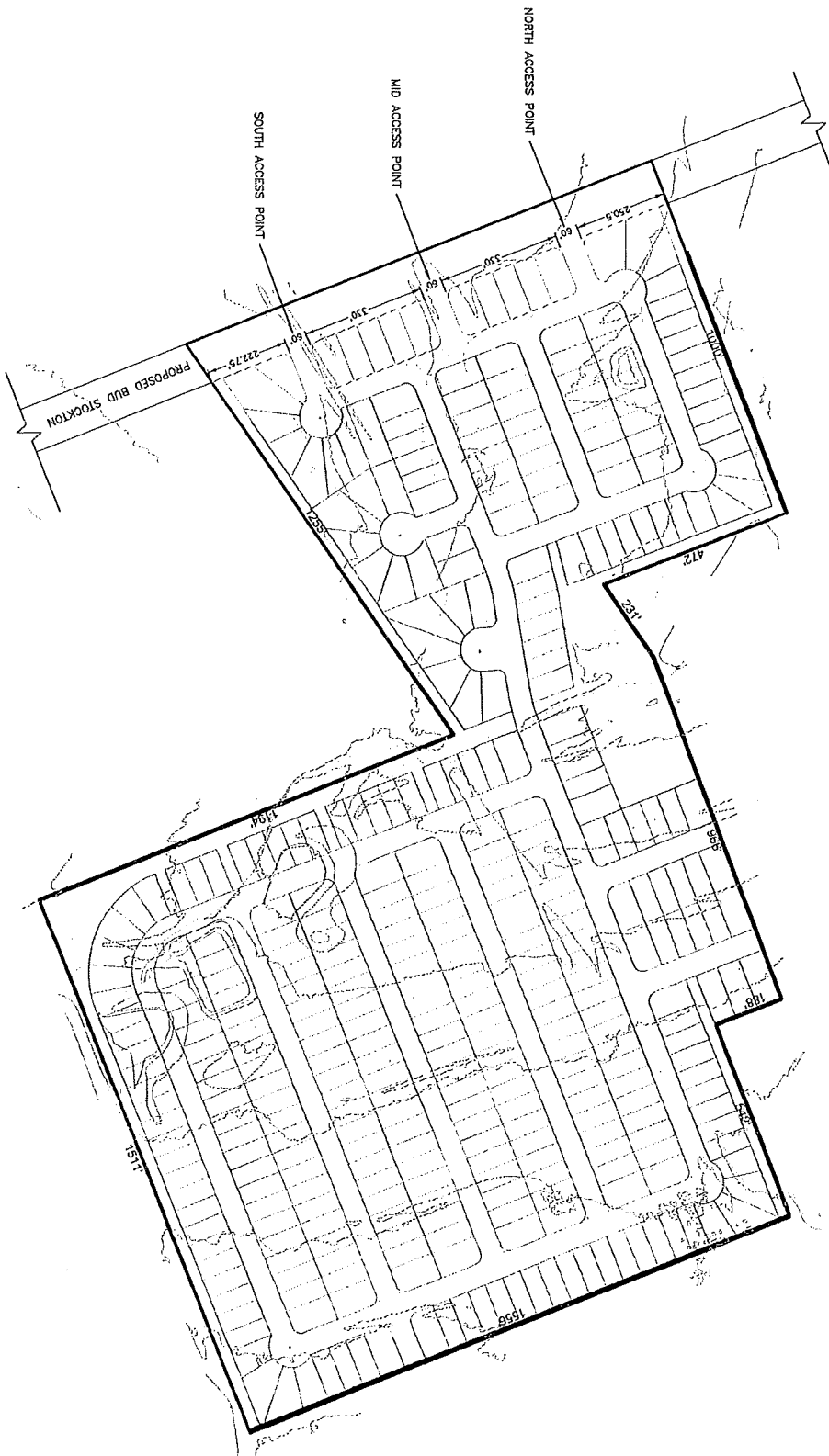
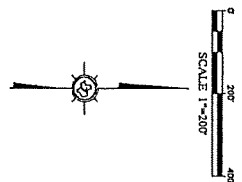


EXHIBIT 9 CARDINAL FARMS SUBDIVISION ACCESS POINTS



SEE SHEET 2 FOR INDEX

WILLIAMSON COUNTY

BUD STOCKTON EXTENSION

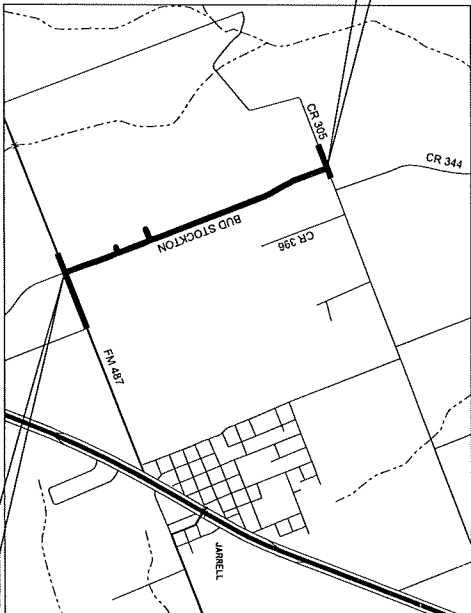
PRECINCT NUMBER 4

Williamson County Project No. IFB XXXX-XXX

NET LENGTH OF ROADWAY = 7080.41 FT (1.34 MILES)
NET LENGTH OF BRIDGE = 0 FT (0 MILES)
NET LENGTH OF PROJECT = 9431.44 FT (1.78 MILES)

LIMITS: FROM FM 487 TO CR 305
BUD STOCKTON STA 603+26.01 TO 679+79.47
CR 305 STA 308+85.39 TO 314+09.80
FM 487 STA 201+13.26 TO STA 213+67.13

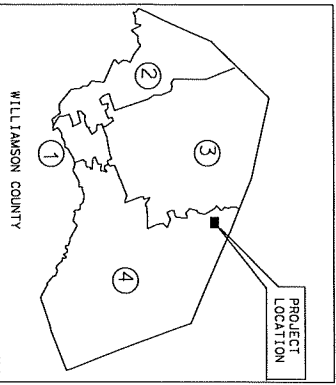
FOR THE CONSTRUCTION OF BUD STOCKTON EXTENSION PROJECT CONSISTS OF
EXTENDING EXISTING BUD STOCKTON LOOP WITH A NEW ONE LANE DIVIDED SECTION
WITH SHOULDERS AND TURNLANES FROM FM 487 TO CR 305



VICINITY MAP
N.T.S.

EXCEPTIONS: ADMC
EQUATIONS: ADMC
RAILROAD CROSSINGS: ADMC
WATERSHED: ADMC
AREA OF DISTURBANCE: 12.09 ACRES

BEGIN PROJECT
OVERLAY
STA 602+26.01
BUD STOCKTON
STA 608+39.06



TYPOT STANDARD SPECIFICATIONS FOR CONSTRUCTION
OF HIGHWAYS, STREETS AND BRIDGES ADOPTED ON
NOVEMBER 1, 2014 AND ALL APPLICABLE SPECIAL PROVISIONS
AND SPECIAL SPECIFICATIONS AS INDICATED IN THE BID
DOCUMENTS SHALL GOVERN ON THIS PROJECT.

PAPE-DAWSON
ENGINEERS

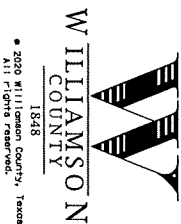
AGENTS: SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
1901 B WING DRIVE, SUITE 2, FORT WORTH, TEXAS 76104
TEL: 817.336.1111 FAX: 817.336.1112

DENNIS SEAL
P.E.

DATE

PREPARED BY:
PAPE-DAWSON ENGINEERS, INC
(DESIGN CONSULTANT)

INTERIM REVIEW
DOCUMENT INCOMPLETE. NOT INTENDED FOR
PERMIT. BIDDING OR CONSTRUCTION.
ENGINEER: DENNIS K. SEAL
P.E. SERIAL NO. 80281
DATE: 4/23/2022



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APPROVED BY:
WILLIAMSON COUNTY

BILL GRAVELL, JR.
WILLIAMSON COUNTY JUDGE

APPROVED BY:
WILLIAMSON COUNTY

RUSS BOLES
WILLIAMSON COUNTY COMMISSIONER, PRECINCT 4

APPROVED BY:
HNTB CORPORATION

RICHARD L. RIDINGS, PE
ROAD BOND MANAGEMENT TEAM

90%
SUBMITTAL

ROADWAY	CLASSIFICATION	DESIGN SPEED
BUD STOCKTON	ARTERIAL	40 MPH
ROADWAY	ADT (CURRENT)	ADT (DESIGN YEAR)
BUD STOCKTON	1000	1706
ROADWAY	DHV (CURRENT)	DHV (DESIGN YEAR)
BUD STOCKTON	150	223
ROADWAY	DIRECTIONAL DISTRIBUTION (D)	PERCENT TRUCKS (T)
BUD STOCKTON	100%	5.00%

EXHIBIT "C"

1 of 2

Ron Heine
2.306 Acres
Job no. 762-22-02

METES AND BOUNDS DESCRIPTION

BEING A 2.306 ACRE TRACT OF LAND OUT OF THE JAMES ROEBUCK SURVEY, ABSTRACT NO. 527, WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 25.17 ACRE TRACT OF LAND CONVEYED TO JAMES R. DAVIDSON AND WIFE VIRGINIA L. DAVIDSON BY DEED RECORDED IN VOLUME 2491, PAGE 120 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.306 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found with cap labeled "Haynie Consulting Inc." (HCI) at the Southwest corner of said 25.17 Acre Tract, same being the Northwest corner of a called 125.82 Acre Tract conveyed to Wess Arthur Cassens Jr., et al, Trustees recorded in Document No. 202005553 of the Official Public Records of Williamson County, Texas, and being on the East line of a called 133.41 Acre Tract conveyed to Gregory S. Danek, recorded in Document No. 2007071560, of the Official Public Records of Williamson County, Texas, for the Southwest corner of the tract described herein;

THENCE N21°53'46"W along the East line of said 133.41 Acre Tract, same being the West line of said 25.17 Acre Tract, a distance of 657.25 feet to a 1/2 inch iron rod found with cap labeled 'HCI' at the Northwest corner of said 25.17 Acre Tract, same being the Southwest corner of a called 8.003 Acre Tract conveyed to James R. Davidson and wife Virginia L. Davidson in Volume 888, Page 790, of the Deed Records of Williamson County, Texas, for the Northwest corner of the tract described herein;

THENCE N67°56'03"E, along the North line of said 25.17 Acre Tract, same being the South line of said 8.003 Acre Tract, a distance of 160.70 feet to a 1/2 inch iron rod set with cap labeled 'HCI' for the Northeast corner of the tract described herein;

THENCE S21°12'17"E, across said 25.17 Acre Tract a distance of 623.74 feet to a 1/2 inch iron rod set with cap labeled 'HCI' on the South line of said 25.17 Acre Tract, same being the North line of said 125.82 Acre Tract, for the Southeast corner of the tract described herein, from which a 1/2 inch iron rod found at the Southeast corner of 25.17 Acre Tract, same being the Northeast corner of said 125.82 Acre Tract, bears N55°34'35"E along the South line of said 25.17 Acre Tract, same being the North line of said 125.82 Acre Tract, a distance of 1098.28 feet;

THENCE S55°34'35"W, along said South line of called 25.17 Acre Tract, same being the North line of said 125.82 Acre Tract, a distance of 156.91 feet to the POINT OF BEGINNING.

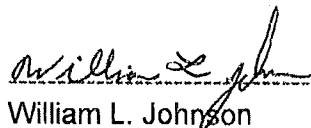
Containing 2.306 acres, more or less.

Bearings are based on The Texas State Plane Coordinate System of 1983, Central Zone (4203), All distances shown hereon are Grid distances.

All iron rods set have HCl caps unless otherwise noted.

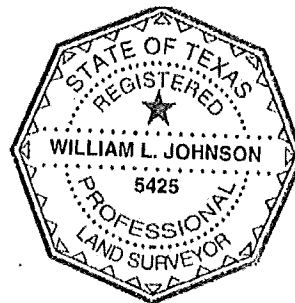
All iron rods found are 1/2" unless otherwise noted.

I William L. Johnson, a Registered Professional land surveyor, do hereby confirm that the property shown hereon was prepared from an on the ground survey under my direct supervision.



1 DECEMBER 2022

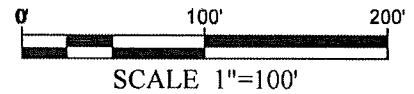
William L. Johnson
Registered Professional Land Surveyor No. 5425
State of Texas



LEGEND

- 1/2" IRON ROD FOUND (UNLESS STATED OTHERWISE)
- 1/2" IRON ROD SET W/CAP LABELED "HCI" (UNLESS STATED OTHERWISE)
- HCI HAYNIE CONSULTING INC.
- OPRWC OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- DRWC DEED RECORDS OF WILLIAMSON COUNTY, TEXAS

SKETCH TO ACCOMPANY DESCRIPTION



JAMES R. DAVIDSON AND WIFE
VIRGINIA L. DAVIDSON
CALLED 8.003 ACRES
VOL. 888, PAGE. 790 DRWC

JAMES ROEBUCK SURVEY,
ABSTRACT NO. 527

JAMES R. DAVIDSON AND WIFE
VIRGINIA L. DAVIDSON
CALLED 25.17 ACRES
VOL. 2491, PAGE 120 DRWC

GREGORY S. DANEK
CALLED 133.41 ACRES
DOC. NO. 2007071560
OPRWC

2.306 ACRES

SURVEY NOTE:
THE BEARINGS SHOWN HEREON ARE BASED
ON THE TEXAS STATE PLANE COORDINATE
SYSTEM OF 1983, CENTRAL ZONE (4203). ALL
DISTANCES SHOWN HEREON ARE GRID
DISTANCES.

 **HAYNIE
CONSULTING, INC.**

Civil Engineers and Land Surveyors
1010 Provident Lane
Round Rock, Texas 78664-3276
Ph. 512-837-2446 Fax 512-837-9463

HCI POINT OF BEGINNING

WESS ARTHUR CASSENS JR.,
ET AL, TRUSTEES
CALLED 125.82 ACRES
DOC. NO. 2020005553
OPRWC

N67°56'03"E
160.70'

S21°12'17"E
623.74'

N21°53'46"W
657.25'

N55°34'35"E
1098.28'

156.91'
S55°34'35"W

EXHIBIT "D"

1 of 2

Ron Heine
2.442 Acres
Job No. 762-22-02

METES AND BOUNDS DESCRIPTION

BEING A 2.442 ACRE TRACT OF LAND OUT OF THE JAMES ROEBUCK SURVEY, ABSTRACT NO. 527, WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 8.003 ACRE TRACT OF LAND CONVEYED TO JAMES R. DAVIDSON AND WIFE VIRGINIA L. DAVIDSON BY DEED RECORDED IN VOLUME 888, PAGE 790 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.442 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found with cap labeled "Haynie Consulting Inc." ("HCI") at the Northwest corner of said called 8.003 acre tract, same being the Southwest corner of a called 16.984 acre tract conveyed to Barry E. Cryer and Barbara Ann Cryer recorded in Document No. 2015044255 of the Official Public Records of Williamson County, Texas, and at a Northeast corner of a called 133.41 acre tract conveyed to Gregory S. Danek, recorded in Document No. 2007071560, of the Official Public Records of Williamson County, Texas, for the Northwest corner of the tract described herein, from which a 1 inch iron pipe at a fence post bears S72°31'10"W, a distance of 9.36 feet;

THENCE N69°02'35"E along the Northerly line of said 8.003 acre tract, same being the South line of said 16.984 acre tract, a distance of 148.19 feet to a 1/2 inch iron rod set with cap labeled 'HCI' for the Northeast corner of the tract described herein, from which a 1/2" iron rod found with cap labeled "HCI", bears N69°02'35"E along the north line of said 8.003 Acre Tract, same being the south line of said 16.984 Acre Tract a distance of 362.98 feet;

THENCE S21°12'17"E across said 8.003 Acre Tract a distance of 681.59 feet to a 1/2 inch iron rod set with cap labeled 'HCI' in the South line of said 8.003 Acre Tract, same being the North line of a called 25.17 Acre Tract conveyed to James R. Davidson and wife Virginia L. Davidson in Volume 2491, Page 120 of the Deed Records of Williamson County, Texas, for the Southeast corner of the tract described herein;

THENCE S67°56'03"W along the South line of 8.003 Acre Tract, same being the North line of said 25.17 acre tract, a distance of 160.70 feet to a 1/2 inch iron rod found with cap labeled 'HCI' for the Southwest corner of said 8.003 acre tract, same being the most westerly Northwest corner of said 25.17 acre tract, and being in the Easterly line of said 133.41 acre tract, for the Southwest corner of the tract described herein;

THENCE N20°09'35"W along said East line of said 133.41 Acre Tract, same being West line of said 8.003 Acre Tract, a distance of 684.76 feet to the **POINT OF BEGINNING**.

Containing 2.442 acres, more or less.

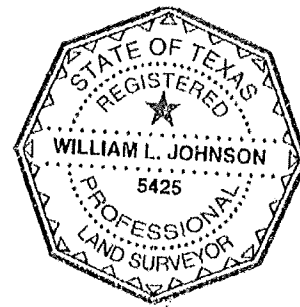
Bearings are based on The Texas State Plane Coordinate System of 1983, Central Zone (4203), All distances shown hereon are Grid distances.

All iron rods set have HCl caps unless otherwise noted.

All iron rods found are 1/2" unless otherwise noted.

I William L. Johnson, a Registered Professional land surveyor, do hereby confirm that the property shown hereon was prepared from an on the ground survey under my direct supervision.

William L. Johnson 1 DECEMBER 2022
William L. Johnson Date
Registered Professional Land Surveyor No. 5425
State of Texas



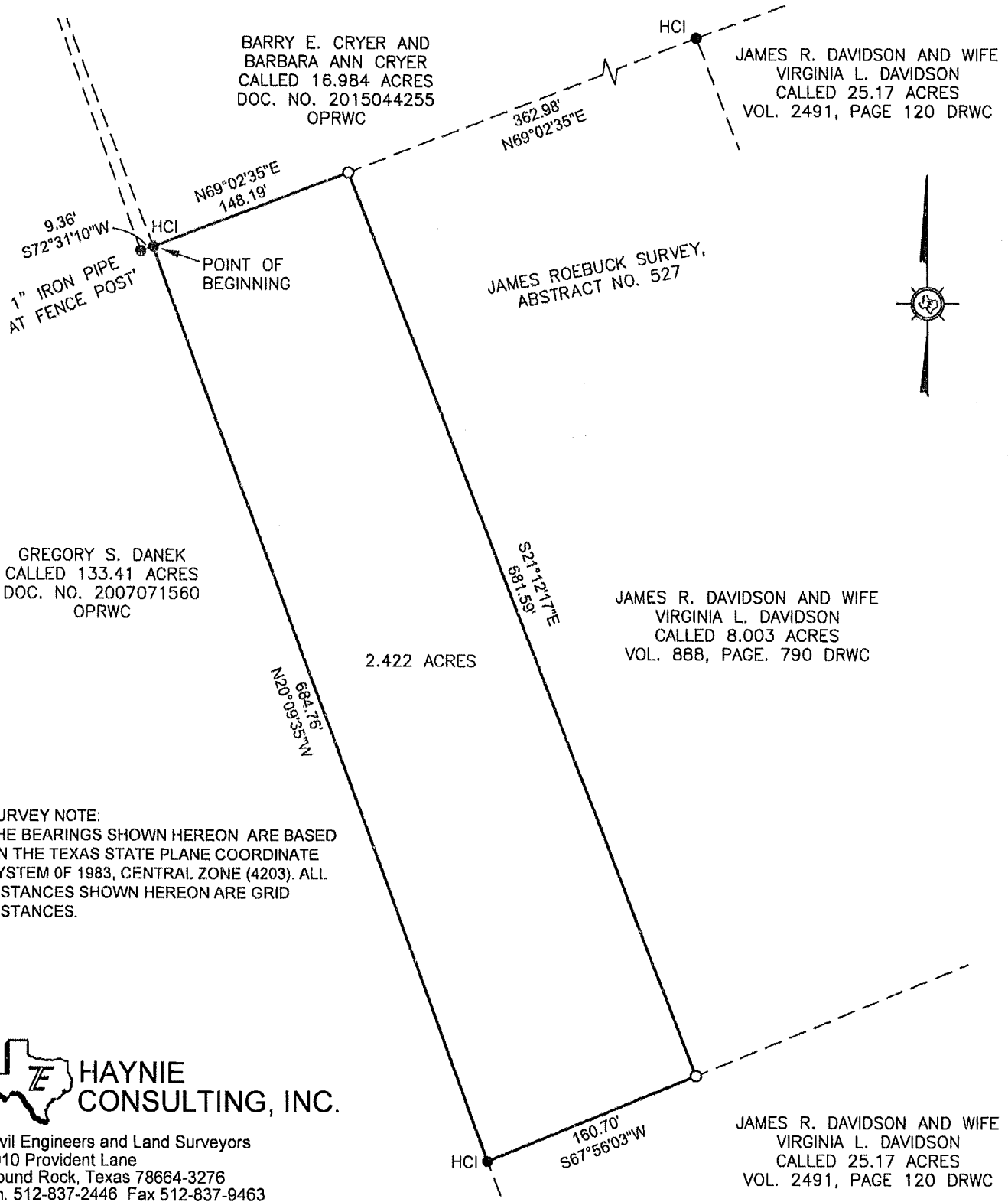
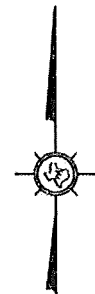
LEGEND

- 1/2" IRON ROD FOUND (UNLESS STATED OTHERWISE)
- 1/2" IRON ROD SET W/CAP LABELED "HCI" (UNLESS STATED OTHERWISE)
- HCI HAYNIE CONSULTING INC.
- OPRWC OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- DRWC DEED RECORDS OF WILLIAMSON COUNTY, TEXAS

SKETCH TO ACCOMPANY DESCRIPTION



SCALE 1"=100'



SURVEY NOTE:
THE BEARINGS SHOWN HEREON ARE BASED
ON THE TEXAS STATE PLANE COORDINATE
SYSTEM OF 1983, CENTRAL ZONE (4203). ALL
DISTANCES SHOWN HEREON ARE GRID
DISTANCES.



Civil Engineers and Land Surveyors
1010 Provident Lane
Round Rock, Texas 78664-3276
Ph. 512-837-2446 Fax 512-837-9463

PLOTTED BY: bjohnson
PLOT TIME: Dec 01, 2022 - 9:35am
DRAWING: X:\1762 Mark Allen\1762-22-02 Cardinal Farms-Bud Stockien ext-Rd doc's\Survey Project\Folder\Drawings\1762-22-02-Cardinal Farms-ROWDESC PARCEL 2.dwg

EXHIBIT "E"

Parcels. 2.3

DONATION DEED

Bud Stockton Extension Right of Way

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

That NW WILCO, LLC, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Williamson County, Texas, the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Bargain, Donate, Sell and Convey unto **WILLIAMSON COUNTY, TEXAS**, all that certain tract or parcel of land lying and being situated in the County of Williamson, State of Texas, along with any improvements thereon, being more particularly described as follows (the "Property"):

Being a 2.306 acre parcel of land out of the James Roebuck Survey, Abstract No. 527, in Williamson County, Texas; said parcel of land being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof. (**Parcel 2**); and

Being a 2.442 acre parcel of land out of the James Roebuck Survey, Abstract No. 527, in Williamson County, Texas; said parcel of land being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof. (**Parcel 3**)

SAVE AND EXCEPT, HOWEVER, it is expressly understood and agreed that Grantor is retaining title to the following improvements located on the Property, to wit: NONE

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Visible and apparent easements not appearing of record;

Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show;

Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Williamson County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas and other minerals in and under the land herein conveyed but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling or pumping the same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside the acquired parcel and upon the condition that none of such operations shall be conducted so near the surface of said land as to interfere with the intended use thereof or in any way interfere with, jeopardize, or endanger the facilities of Williamson County, Texas or create a hazard to the public users thereof; it being intended, however, that nothing in this reservation shall affect the title and the rights of Grantee to take and use without additional compensation any, stone, earth, gravel, caliche, iron ore, gravel or any other road building material upon, in and under said land for the construction and maintenance of public roadway facilities and related appurtenances.

TO HAVE AND TO HOLD the property herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Williamson County, Texas and its assigns forever; and Grantor does hereby bind itself, its heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto Williamson County, Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This deed is being delivered in lieu of condemnation.

IN WITNESS WHEREOF, this instrument is executed on this the ____ day of _____, 202____.

[signature on following page]

GRANTOR:

NW WILCO, LLC

By: _____

Name: _____

Its: _____

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF _____

§

This instrument was acknowledged before me on this the _____ day of _____,
202__ by _____ in the capacity and for the purposes and
consideration recited therein.

Notary Public, State of Texas

WILLIAMSON COUNTY, TEXAS

ACKNOWLEDGMENT

§§§

Notary Public, State of Texas

Sheets & Crossfield, PLLC
309 East Main
Round Rock, Texas 78664

Williamson County, Texas
Attn: County Auditor
710 Main Street, Suite 101
Georgetown, Texas 78626

AFTER RECORDING RETURN TO: