

STATE OF TEXAS

COUNTY OF WILLIAMSON

§ DEVELOPMENT AGREEMENT

§ REGARDING

§ TESORO SUBDIVISION COUNTY ROAD

This is a DEVELOPMENT AGREEMENT (the "Agreement") by and between WILLIAMSON COUNTY, a political subdivision of the State of Texas, ("County") and Tribar, LLC, a Texas limited liability company ("Tribar"). The Effective Date of this Agreement is the date approved by the Williamson County Commissioners Court.

WHEREAS, Tribar owns approximately 8.655 acres of land (the "Property") as described in Exhibit "A", attached hereto; and

WHEREAS, the County and Tribar desire to co-operate in the construction of a County Road in the future Tesoro subdivision (the "Project"); and

NOW THEREFORE, for and in consideration of the promises and the mutual agreements set forth herein, the County and Tribar hereby agree as follows:

1. Tribar shall, by deed, grant the Property to the County for use as right-of-way. The Deed shall be executed and accepted by the County immediately following the execution of this Agreement. Tribar shall not be responsible for any ad valorem taxes assessed against the Property after delivery of the Deed. Any ad valorem tax payments owed or otherwise delinquent against the Property shall remain the responsibility of Tribar.
2. The County will accept the Property as right-of-way prior to the filing of final plat.
3. Tribar shall partially construct a standard County roadway on the Property, to include two (2) lanes and a total width of twenty-six (26) feet (the "Roadway"). The Roadway shall be constructed in accordance with County standards and specifications.
4. The County shall enter into a lease agreement with Tribar to provide for Tribar's continued use of the Property for farming purposes until construction of the Roadway is complete. Tribar shall send notice to the County upon completion of construction of the Roadway.

MISCELLANEOUS PROVISIONS

- A. Actions Performable. The County and Tribar agree that all actions to be performed under this Agreement are performable in Williamson County, Texas.
- B. Governing Law. The County and Tribar agree that this Agreement has been made under the laws of the State of Texas in effect on this date, and that any interpretation of this Agreement at a future date shall be made under the laws of the State of Texas.
- C. Severability. If a provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void, but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties.
- D. Complete Agreement. This Agreement represents a complete agreement of the parties and supersedes all prior written and oral matters related to this Agreement. Any amendment to this Agreement must be in writing and signed by all parties.
- E. Exhibits. All exhibits attached to this Agreement are incorporated by reference and expressly made part of this Agreement as if copied verbatim.
- F. Notice. All notices, requests or other communications required or permitted by this Agreement shall be in writing and shall be sent by (i) telecopy, with the original delivered by hand or overnight carried, (ii) by overnight courier or hand delivery, or (iii) certified mail, postage prepaid, return receipt requested, and addressed to the parties at the following addresses:

County:

County Judge
Dan A. Gattis
710 S. Main Street, Suite 101
Georgetown, TX 78626

Phone: (512) 943-1577

Tribar:

8103-A Baywood Dr.
Austin TX 78759
Attn: Brian Barnes

- G. Force Majeure. Tribar and the County agree that the obligations of each party shall be subject to force majeure events such as natural calamity, fire or strike.
- H. Assignment. This Agreement may be assigned by Tribar only with the written consent of the Williamson County Commissioners Court, which shall not be unreasonably withheld. Any assignment must bind the assignee to all the terms and conditions of this Agreement, which will be recorded in the Williamson County Official Records.
- I. Signature Warranty Clause. The signatories to this Agreement represent and warrant that they have the authority to execute this Agreement on behalf of the County and Tribar, respectively.

SIGNED as of this 15th day of September, 2017.

WILLIAMSON COUNTY

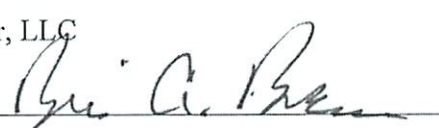
By: 

Dan A. Gattis, County Judge

ATTEST:

Nancy Rister, County Clerk

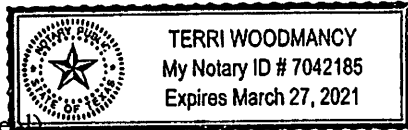
Tribar, LLC

By: 

Brian Barnes, General Partner

STATE OF TEXAS
COUNTY OF Williamson

This instrument was acknowledged before me on Sept. 15, 2017, by Brian Barnes, as General Partner of Tribar, LLC, a Texas limited liability company, on behalf of said entity.



(Personalized Seal)

Terri Woodmancy
Notary Public's Signatures

EXHIBIT 'A'

METES AND BOUNDS DESCRIPTION

FOR A 120-FOOT WIDE, 8.655 ACRE TRACT OF LAND OUT OF THE B. MANLOVE SURVEY, ABSTRACT NO. 417, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND SAME TRACT OF LAND BEING A REMAINING PORTION OF THAT CERTAIN 170.84 ACRE TRACT OF LAND CONVEYED TO TRIBAR, A TEXAS PARTNERSHIP RECORDED IN VOLUME 2519, PAGE 648 IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.); SAID 8.655 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" Iron rod found in the north Right-of-Way line of County Road 258, at the southwest corner of San Gabriel Oaks, Tract 11 (part), an unrecorded subdivision in Williamson County, Texas and being the southeast corner of said Tribar Tract and being a point of curvature of a curve to the right;

THENCE, along said north Right-of-Way line and the south line of said Tribar Tract, with said curve to the right, having a radius of 3950.08 feet, an arc length of 145.19 feet, a chord bearing of S63°07'32"W, a distance of 145.18 feet to a 1/2" Iron rod found at the end of said curve;

THENCE, continuing along said north Right-of-Way line, S65°26'24"W, a distance of 174.21 feet to an Iron rod found;

THENCE, S66°42'00"W, a distance of 316.71 feet to a 1/2" Iron rod found at the beginning of a curve to the right;

THENCE, along said curve to the right, having a radius of 6706.13 feet, an arc length of 139.18 feet, a chord bearing of S67°43'12"W, a distance of 139.17 feet to a 1/2" Iron rod found at the end of said curve;

THENCE, S68°43'08"W, a distance of 110.11 feet to a calculated point in said north Right-of-Way, being the southeast corner and the **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing along said north Right-of-Way, S68°42'57"W, a distance of 120.15 feet to a calculated point for the southwest corner of herein described tract;

THENCE, leaving said north Right-of-Way and through said Tribar Tract, N24°08'02"W, a distance of 568.44 feet to a calculated point at the beginning of a curve to the right;

THENCE, along said curve to the right, having a radius of 1150.38 feet, an arc length of 253.25 feet, a chord bearing of N17°49'30"W, a distance of 252.74 feet to a calculated point at the end of said curve;

THENCE, N11°31'06"W, a distance of 1206.75 feet to a calculated point at the beginning of a curve to the left;

THENCE, along said curve to the left, having a radius of 1030.00 feet, an arc length of 379.86 feet, a chord bearing of N22°37'14"W, a distance of 377.72 feet to a calculated point at the end of said curve;

THENCE, N33°11'10"W, a distance of 468.85 feet to a calculated point at the beginning of a curve to the right;

120' Wide R.O.W. Dedication
Tesoro Subdivision

Williamson County, Texas
764-16-01

THENCE, along said curve to the right, having a radius of 1150.02 feet, an arc length of 265.23 feet, a chord bearing of N26°34'44"W, a distance of 264.64 feet to a calculated point at the end of said curve for the northwest corner of herein described tract, also being the southeast corner of Lot 7B, (Lot 7 Resubdivision); Wild Country Ranch, a subdivision recorded in Document No. 2015022769 of the Official Public records of Williamson County, Texas, and being the southwest corner of Tract 14B, of said unrecorded San Gabriel Oaks Subdivision;

THENCE, along the south line of said Tract 14B, being the north line of herein described tract, N69°25'34"E, a distance of 120.01 feet to a calculated point for the northeast corner of herein described tract, and being the beginning of a curve to the left;

THENCE, along said curve to the left, having a radius of 1030.00 feet, an arc length of 238.82 feet, a chord bearing of S26°32'37"E, a distance of 238.28 feet to a calculated point at the end of said curve;

THENCE, S33°11'10"E, a distance of 468.85 feet to a calculated point at the beginning of a curve to the right;

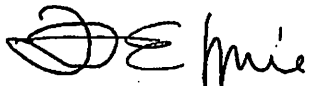
THENCE, along said curve to the right, having a radius of 1150.00 feet, an arc length of 424.70 feet; a chord bearing of S22°36'22"E, a distance of 422.29 feet to a calculated point at the end of said curve;

THENCE, S11°31'06"E, a distance of 1207.30 feet to a calculated point at the beginning of a curve to the left;

THENCE, along said curve to the left, having a radius of 1030.37 feet, an arc length of 226.83 feet, a chord bearing of S17°49'30"E, a distance of 226.37 feet to a calculated point at the end of said curve;

THENCE, S24°08'02"E, a distance of 574.41 feet to the **POINT OF BEGINNING**, and containing 8.655 acres, more or less.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND, TOGETHER WITH RECORD INFORMATION, UNDER MY SUPERVISION. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS.



TIMOTHY E. HAYNIE
R.P.L.S. No. 2380, State of Texas
Haynie Consulting, Inc.
Engineers – Surveyors
1010 Provident Lane
Round Rock, Texas 78664
TBPLS Firm No. 100250-00

9/1/2017

Date

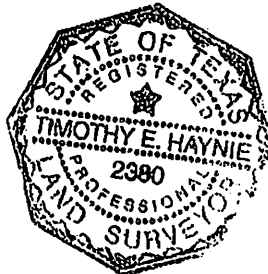


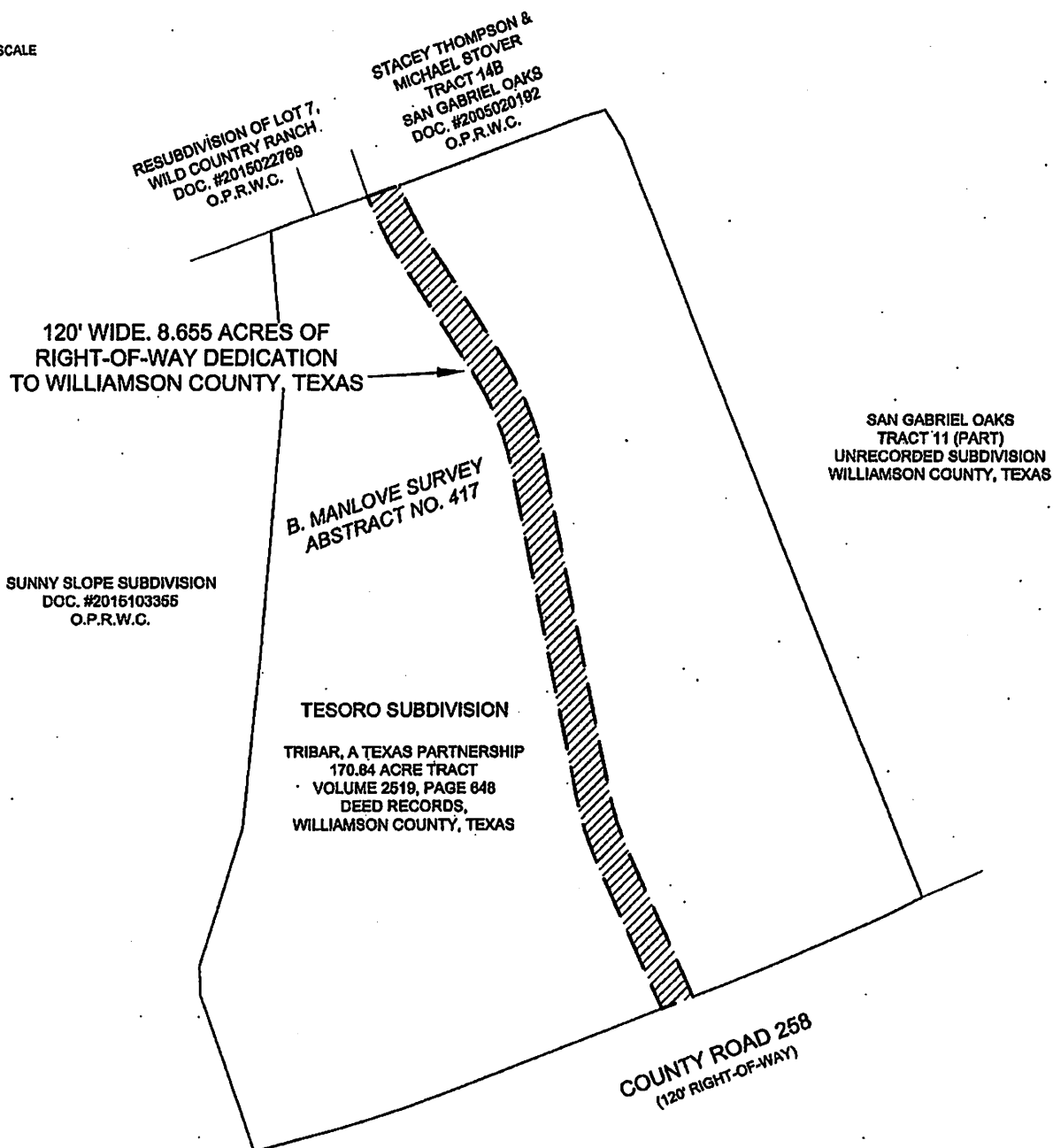
EXHIBIT 'A'

SKETCH TO ACCOMPANY FIELD NOTES FOR A 120' WIDE, 8.655 ACRE RIGHT-OF-WAY TRACT, OUT OF THE B. MANLOVE SURVEY, ABSTRACT NO. 417, LOCATED IN WILLIAMSON COUNTY, TEXAS.

ADDRESS: 2001 COUNTY ROAD 258
LIBERTY HILL, TEXAS



NOT TO SCALE



SHEET 3 OF 8

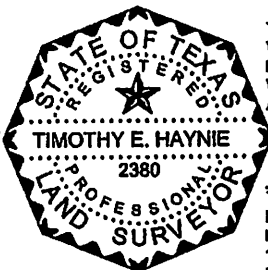


**HAYNIE
CONSULTING, INC.**

Civil Engineers and Land Surveyors
1010 Provident Lane
Round Rock, Texas 78684-3276
Ph. 512-837-2446 Fax 512-837-9463

DRAWN BY: KS

DATE: 8/31/2017



THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND, TOGETHER WITH RECORD INFORMATION, UNDER MY SUPERVISION. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS.

Timothy E. Haynie

01-Sep-2017

TIMOTHY HAYNIE, REGISTERED, PROFESSIONAL LAND SURVEYOR
No. 2380 - STATE OF TEXAS, TBPLS FIRM #100250-00
HAYNIE CONSULTING INC.
1010 PROVIDENT LANE
ROUND ROCK, TEXAS, 78684

DATE

EXHIBIT 'A'

MATCH LINE SHEET 5
MATCH LINE SHEET 4

TRIBAR, A TEXAS PARTNERSHIP
170.84 ACRE TRACT
VOLUME 2519; PAGE 648
D.R.W.C.

SAN GABRIEL OAKS
TRACT 11 (PART)
UNRECORDED SUBDIVISION
WILLIAMSON COUNTY, TEXAS

120' WIDE. 8.655 ACRES OF
RIGHT-OF-WAY DEDICATION
TO WILLIAMSON COUNTY, TEXAS

POINT OF
BEGINNING

POINT OF
COMMENCEMENT

COUNTY ROAD 258
(120' RIGHT-OF-WAY)

LEGEND

- IRON ROD FOUND
- CONC MONUMENT FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION



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

EXHIBIT 'A'



KAREN & SHARON M. SAUCIER
LOT 7A
WILD COUNTRY RANCH (LT 7 RESUB)
NO DEED INFO AVAILABLE

KENNETH W. CARSON &
CONSTANCE H. STRIED
LOT 7B
WILD COUNTRY RANCH
DOC. #2016007488
O.P.R.W.C.

STACEY THOMPSON &
MICHAEL STOVER
TRACT 14B
SAN GABRIEL OAKS
DOC. #2005020192
O.P.R.W.C.

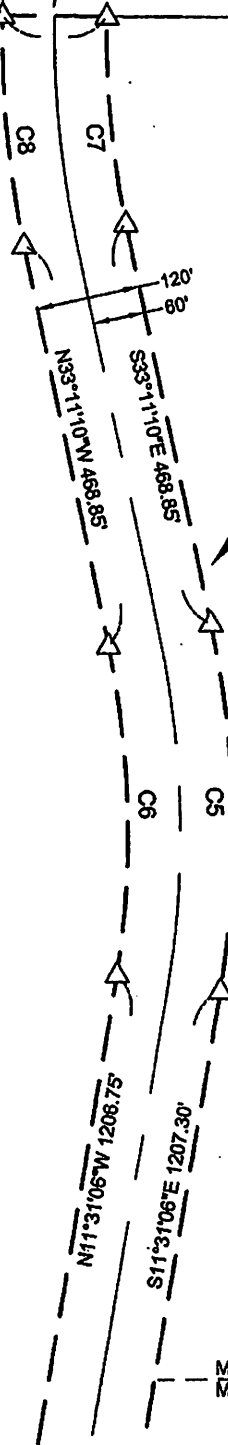
SUNNY SLOPE
SUBDIVISION
DOC. #2015103355
O.P.R.W.C.

S69°25'34"W 369.43'

N69°25'34"E 120.01'

TRIBAR, A TEXAS PARTNERSHIP
170.84 ACRE TRACT
VOLUME 2519, PAGE 648
D.R.W.C.

120' WIDE. 8.655 ACRES OF
RIGHT-OF-WAY DEDICATION
TO WILLIAMSON COUNTY, TEXAS



LEGEND

- IRON ROD FOUND
- CONC MONUMENT FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION

 **HAYNIE
CONSULTING, INC.**

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



EXHIBIT 'A'

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	002°06'21"	3950.08'	145.19'	S63°07'32"W	145.18'
C2	001°11'21"	6708.13'	139.18'	S67°43'12"W	139.17'
C3	012°36'48"	1030.37'	226.83'	S17°49'30"E	226.37'
C4	012°36'49"	1150.38'	253.25'	N17°49'30"W	252.74'
C5	021°09'34"	1150.00'	424.70'	S22°36'22"E	422.29'
C6	021°07'51"	1030.00'	379.86'	N22°37'14"W	377.72'
C7	013°17'05"	1030.00'	238.82'	S26°32'37"E	238.28'
C8	013°12'51"	1150.02'	265.23'	N26°34'44"W	264.64'



Civil Engineers and Land Surveyors
1010 Provident Lane
Round Rock, Texas 78664-3278
Ph. 512-837-2448 Fax 512-837-9463