## MEMORANDUM OF TRAFFIC CONTROL IMPROVEMENTS AGREEMENT

STATE OF TEXAS

COUNTY OF WILIAMSON§

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Notice is hereby given that K29 1941 Investments, LP, a Texas limited partnership (hereinafter, "K29"), Highway 29 Commercial, LLC, a Maryland limited liability company (hereinafter, "Highway 29"), and Williamson County, Texas, a political subdivision organized and existing under the laws of the State of Texas (hereinafter, "County"), have entered into a Traffic Control Improvements Agreement ("Traffic Control Agreement") with respect to the property owned by K29 which is more fully described on Exhibit A, attached hereto and incorporated herein by reference (the "K29 Land") and the property owned by Highway 29 which is more fully described on Exhibit B, attached hereto and incorporated herein by reference (the "Highway 29 Land"). The Traffic Control Agreement provides, among other things, for the construction and financing by K29, Highway 29, and the County of a certain traffic signaling device(s) and other necessary and associated improvements (the "Traffic Control Improvements") at the intersection of Texas State Highway 29 and Kauffman Loop, west of Ronald Reagan Boulevard, in Williamson County, Texas.

The provisions of the Traffic Control Agreement constitute covenants running with the land comprising the K29 Land and the Highway 29 Land, and all of the provisions of the Traffic Control Agreement will be binding upon and inure to the benefit of K29, Highway 29, their respective successors and assigns, and the subsequent owner(s) of all or any part of the K29 Land and the Highway 29 Land until the full completion of the Traffic Control Improvements and acceptance of same by the County.

This instrument does not alter, amend or modify the Traffic Control Agreement, but is executed for the purpose of confirming and giving notice of the Traffic Control Agreement, and the fact that the obligations arising thereunder will run with the land comprising the K29 Land and the Highway 29 Land.

**K29 1941 INVESTMENTS, LP,** a Texas limited partnership

By: K29 GP, LLC, a Texas limited liability company, its General Partner

By: MREM Texas Manager, LLC, a Delaware

limited liability company, its Manager

THE STATE OF TEXAS

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COUNTY OF Williamson

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This instrument was acknowledged before me on the 22 day of MAY, 2024, by James Edward Horne, Vice President of MREM Texas Manager, LLC, a Delaware limited liability company, as Manager of K29 GP, LLC, a Texas limited liability company, the General Partner of K29 1941 Investments LP, a Texas limited partnership, on behalf of said company and limited partnership.

SEAL

PATRICIA A MELTON
Notary ID #2653505
My Commission Expires
May 25, 2028

Notary Public, State of Texas

1.

## **K29** LIENHOLDER CONSENT:

INTERNATIONAL BANK OF COMMERCE, a Texas banking association

Printed Name: JASCW MARKET

THE STATE OF TEXAS

**COUNTY OF TRAVIS** 

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This instrument was acknowledged before me the 1/4 day of May, 2024, by Son Rangel, Sk vice President of International Bank of Commerce, a Texas banking association, on behalf of said banking association.

(SEAL)

ANAIS BAENA
Notary Public, State of Texas
Commission Expires 07-21-2027
Notary ID 134468645

Notary Public Signature

HIGHWAY 29 COMMERCIAL, LLC, a Maryland limited liability company

By: St. John Projects, LLC, Manager

By: Edward St. John, LLC, General Manager

By:

Name: Edward A. St. John Title: General Manager

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THE STATE OF MARYLAND

COUNTY OF \_ Pultinove

This instrument was acknowledged before me on the day of , 2024, by Edward A. St. John, General Manager of Edward St. John, LLC, General Manager of St. John Projects, LLC, Manager of Highway 29 Commercial, a Maryland limited liability company, on behalf of said company.

(SEAL)

MARGARET E GAMMON Notary Public-Maryland Howard County My Commission Expires May 19, 2027

Notary Public, State of Maryland

# HIGHWAY 29 COMMERCIAL, LLC LIENHOLDER CONSENT:

**INTERNATIONAL BANK OF COMMERCE**, a Texas banking association

	By: Man Jueff Printed Name: Blein Tuerr Title: Syp
THE STATE OF TEXAS §	
COUNTY OF TRAVIS §	
This instrument was acknowledge June, 2024,  Brian Tuerff of association, on behalf of said banking as	before me the 3rd day of by Sk Vice President, International Bank of Commerce, a Texas banking ssociation.
ANAIS BAENA Notary Public, State of Texas Commission Expires 07-21-2027 Notary ID 134468645	Artib Baena Notary Public Signature

### WILLIAMSON COUNTY, TEXAS

By: Bill Gravell, Jr.
County Judge

THE STATE OF TEXAS

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COUNTY OF WILLIAMSON

This instrument was acknowledged before me on the 2nd day of \_\_\_\_\_\_\_, 2024, by Bill Gravell, Jr., County Judge of Williamson County, Texas, in the capacity and for the

purposes and consideration recited herein.

ANDREA L. SCHIELE
Notary Public, State Of Texas
Notary ID# 126562040
Comm. Exp. 02-23-2025

Notary Public, State of Texas

#### Exhibit "A"

#### K29 Land

136.852 ACRES
WILLIAM H. MONROE SURVEY, ABSTRACT NO. 453
GREENLEAF FISK SURVEY, ABSTRACT NO. 5
NOAH SMITHWICK SURVEY, ABSTRACT NO. 590
WILLIAMSON COUNTY, TEXAS

#### **FIELD NOTES**

BEING ALL OF THAT CERTAIN 136.852 ACRE TRACT OF LAND, SITUATED IN THE WILLIAM H. MONROE SURVEY, ABSTRACT NUMBER 453, THE GREENLEAF FISK SURVEY, ABSTRACT NUMBER 5, AND THE NOAH SMITHWICK SURVEY, ABSTRACT NUMBER 590, ALL IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 136.852 ACRE TRACT OF LAND (TRACT 1) CONVEYED TO K29 1941 INVESTMENTS, LP. BY DEED RECORDED IN DOCUMENT 2021170466, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAID 136.852 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod found at the southwest corner of said 136.852 acre tract of land, being at the southeast corner of Lot 1C, Replat of Lot 1, Braun Commercial, a subdivision recorded in Document Number 2015003274, Official Public Records of Williamson County, Texas, same being on the northeast right-of-way line of State Highway 29 (R.O.W. Varies), also being at the westernmost corner of a called 3.150 acre tract of land (Tract 1) conveyed to Williamson County by deed recorded in Document Number 2021026279, Official Public Records of Williamson County, Texas, for the POINT OF COMMENCEMENT of the herein described tract of land, and from which a 1/2 inch iron rod found with aluminum cap stamped "WILCO" bears S52°47'18"E, a distance of 3.49 feet,

THENCE, N15°30'52"E, with the common line of said Lot 1C, said 136.852 acre tract, and said 3.150 acre tract of land, a distance of 228.50 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for a southwest corner and the POINT OF BEGINNING of the herein described tract of land, from which a 1/2 inch iron rod found with aluminum cap stamped "WILCO" bears S58°44'41"E, a distance of 3.07 feet,

THENCE, N15°30′52″E, with the east line of said Lot 1C, the west line of said 136.852 acre tract of land, the east line of a 2.71 acre tract of land, being a portion of said Lot 1C, conveyed to Williamson County MUD 19 by deed recorded in Document Number 2022110266, Official Public Records, Williamson County, Texas, the east line of Santa Rita Ranch South, Section 13, a subdivision recorded in Document Number 2017112162, Official Public Records, Williamson County, Texas, and the east line of Santa Rita Ranch South, Section 14, a subdivision recorded in Document Number 2016080445, Official Public Records, Williamson County, Texas, a distance of 1705.28 feet to a capped 1/2 inch iron rod found stamped "Ri" for corner,

THENCE, N06\*02'12"W, with the west line of said 136.852 acre tract, the east line of said Santa Rita Ranch South, Section 14, the east line of Santa Rita Ranch South, Section 15, a subdivision recorded in Document Number 2015065398, Official Public Records of Williamson County, Texas, and the east line of Santa Rita South Commercial, Replat of Braun Commercial Lot 1A, a subdivision recorded in Document Number 2019114872, Official Public Records of Williamson County, Texas, a distance of 2029.91 feet to a capped 1/2 inch iron rod found stamped "CBD SETSTONE" at the northernmost corner of said 136.852 acre tract, being at an east corner of Lot 1, Block A, said Santa Rita South Commercial, Replat of Braun Commercial Lot 1A, same being at the beginning of a curve to the left in the southwest right-of-way line of Ronald Reagan Boulevard (R.O.W. Varies), for the northernmost corner of the herein described tract of land,

THENCE, with the common line of said Ronald Reagan Boulevard and said 136.852 acre tract of land, the following eleven (11) courses and distances, numbered 1 through 11,

 Along said curve to the left, having a radius of 8100.00 feet, an arc length of 522.90 feet, and a chord that bears S37\*33'59"E, a distance of 522.81 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner, and from which a 1/2 inch iron rod found bears S75\*14'57"W, a distance of 1.53 feet,

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136.852 ACRES
WILLIAM H. MONROE SURVEY, ABSTRACT NO. 453
GREENLEAF FISK SURVEY, ABSTRACT NO. 5
NOAH SMITHWICK SURVEY, ABSTRACT NO. 590
WILLIAMSON COUNTY, TEXAS

- S39°23'49"E, a distance of 1743.71 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" at the beginning of a curve to the right, and from which a 1/2 inch iron rod found bears N80°33'02"W, a distance of 0.67 feet,
- 3) Along said curve to the right, having a radius of 3400.00 feet, an arc length of 295.11 feet, and a chord that bears \$36°54'38"E, a distance of 295.02 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner, and from which a 1/2 inch iron rod found bears N82°21'40"W, a distance of 0.67 feet,
- \$55"34"34"W, a distance of 45.00 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner at the beginning of a curve to the right,
- 5) Along said curve to the right, having a radius of 3355.00 feet, an arc length of 1480.74 feet, and a chord that bears 521°46′48″E, a distance of 1468.75 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner,
- S09°08'10"E, a distance of 262.34 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner,
- S07"42"15"E, a distance of 200.06 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner,
- 8) S02°00'40"E, a distance of 403.12 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner, and from which a 1/2 inch iron rod found bears S27"29'23"E, a distance of 0.56 feet.
- 9) S04°50'49"E, a distance of 41.21 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" at a northeast corner of a called 7.923 acre tract of land (Tract 2) conveyed to Williamson County in Document Number 2021026279, Official Public Records of Williamson County, Texas, being at the beginning of a curve to the right, for a southeast corner of the herein described tract of land, from which a capped 1/2 inch iron rod found stamped "HAYNIE" on the common line of said Ronald Reagan Boulevard, said 136.852 acre tract of land, and said 7.923 acre tract of land bears \$04°50'49"E, a distance of 159.35 feet,

THENCE, over and across said 136.852 acre tract, and with the north line of said 7.923 acre tract of land, the following three (3) courses and distances, numbered 1 through 3,

- 1) Along said curve to the right, having a radius of 620.00 feet, an arc length of 654.67 feet, and a chord that bears S53°03′30″W, a distance of 624.67 feet to a 1/2 inch iron rod found with aluminum cap stamped "WILCO" at the beginning of a curve to the right,
- 2) Along said curve to the right, having a radius of 2490.00 feet, an arc length of 236.13 feet, and a chord that bears N76\*23'35"W, a distance of 236.04 feet to a 1/2 inch iron rod found with aluminum cap stamped "WILCO" at the beginning of a curve to the right, and
- 3) Along said curve to the right, having a radius of 2255.00 feet, an arc length of 142.46 feet, and a chord that bears N72°06′47″W, a distance of 142.43 feet to a capped 1/2 inch iron rod set stamped "SETSTONE" in an interior line of said 136.852 acre tract, being in the north line of said 7.923 acre tract of land, same being at an east corner of a called 3.764 acre tract of land (Tract 3) conveyed to K29 1941 investments, LP. by deed recorded in Document Number 2021170466, Official Public Records of Williamson County, Texas, for a south corner of the herein described tract of land,

THENCE, N36°40'06"E, with the common line of said 136.852 acre tract of land and said 3.764 acre tract of land, a distance of 125.79 feet to a 1/2 inch iron rod found at the easternmost corner of said 3.764 acre tract of land, for a southern interior corner of the herein described tract of land,

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136.852 ACRES WILLIAM H. MONROE SURVEY, ABSTRACT NO. 453 GREENLEAF FISK SURVEY, ABSTRACT NO. 5 NOAH SMITHWICK SURVEY, ABSTRACT NO. 590 WILLIAMSON COUNTY, TEXAS

**THENCE**, N59°21′21″W, with the common line of said 136.852 acre tract of land and said 3.764 acre tract of land, passing the northernmost corner of said 3.764 acre tract of land, being at the easternmost corner of a called 5.00 acre tract of land conveyed to L8 Woodlands LLC by deed recorded in Document Number 2021094661, Official Public Records, Williamson County, Texas, and continuing for a total distance of 1172.52 feet to a 1/2 inch iron rod found at the northernmost corner of said 5.00 acre tract of land, being at a southern interior corner of said 136.852 acre tract of land, for a southern interior corner of the herein described tract of land,

THENCE, \$30°39'39"W, with the common line of said 136.852 acre tract and said 5.00 acre tract of land, a distance of 158.27 feet to 1/2 inch iron rod found with aluminum cap stamped "WILCO" at the northeast corner of said 3.150 acre tract, being in the west line of said 5.00 acre tract, same being at an angle corner on the south line of said 136.852 acre tract of land, for a southern corner of the herein described tract of land,

THENCE, N58'44'41"W, with the common line of said 136.852 acre tract, and said 3.150 acre tract of land, a distance of 655.84 feet to the POINT OF BEGINNING and containing 136.852 acres of land, as shown on the attached sketch.

Surveyed by:

9/1/2023

Aaron V. Thomason; R.P.L.S. NO. 6214 Carlson; Brigance and Doering; Inc.

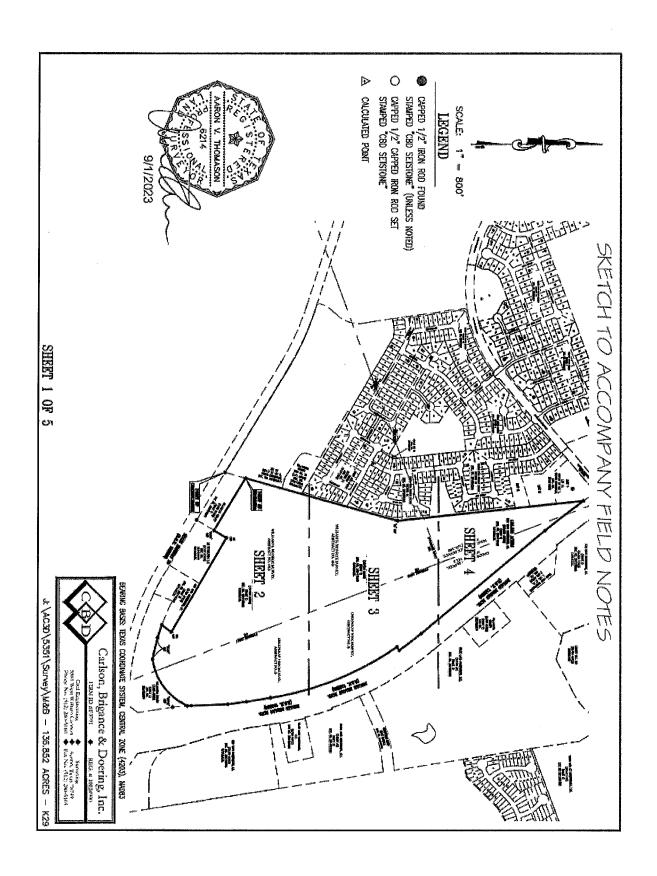
Reg. # 10024900

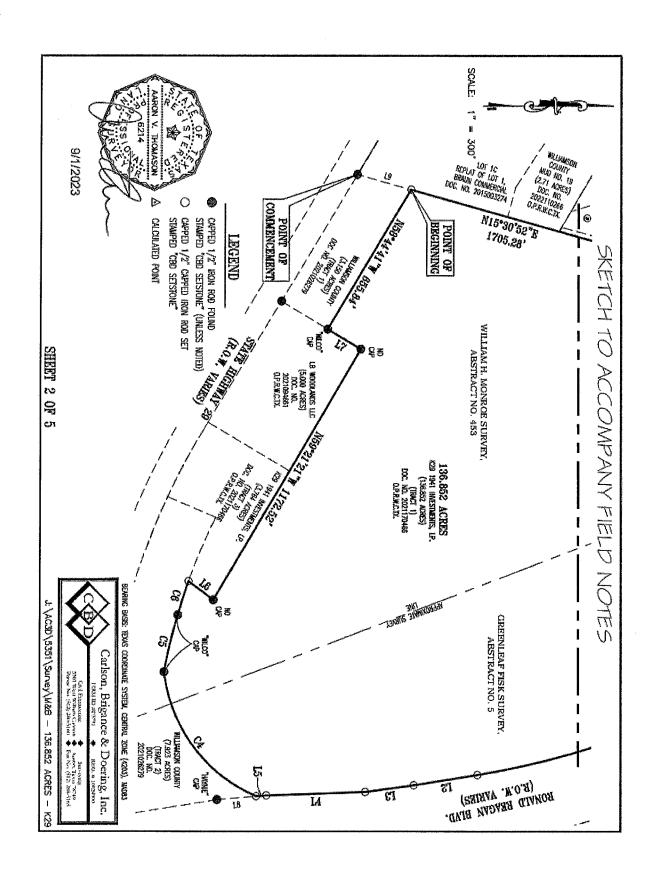
5501 West William Cannon Austin: TX 78749

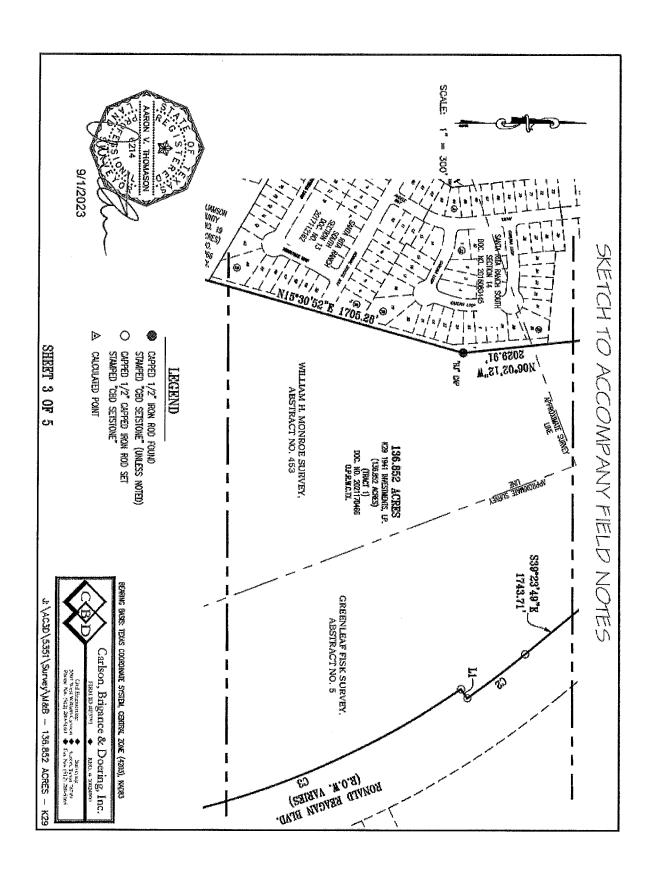
Ph: 512-280-5160 Aaron@cbdeng.com

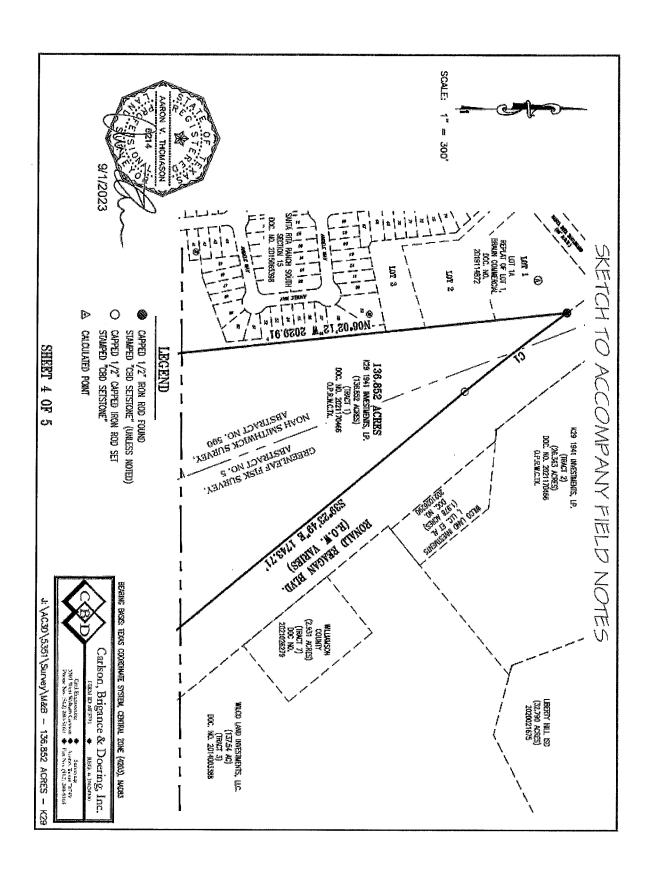
BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD83

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SHEET 5 OF 5

Carlson, Brigance & Doering, Inc.

elfring bass; Idvas coordinate system, central zone (4203), aadas

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61	55	IJ	6	55	4	ᅜ	B	=	Line #	
228.50	159.35	158.27	125.79	41.21	403.12	200.06	262.34	90.24	Length	Line To
N15'30'52'E	\$94'50'49'E	\$30'39'39'W	N36'40'06'E	S04'50'49'E	302'00'40'E	S0742'15'E	509'06'10'E	S55'34'34'W	Direction	Table

S	CS	2	ន	ß	CI	Curve #	
142.46	236.13	634.67	1480.74	295.11	522.90	Length	
2255.00	2490.00	620.00	3355.00	3400.00	8100.00	Rodius	
N72'06'47"W	₩76′23′35″₩	\$55°05′30″₩	S21*46*68*E	\$36'54'38'E	53733'59 <b>"</b> E	Chard Direction	Curve Table
142,43	236.04	624.67	1458.75	295.02	522.81	Chord Length	₹D
71.25	118.15	361.57	752.63	147.65	261.54	Yongent	
33711"	5'26'00"	60°29'58"	25'17'16"	4'58'23"	34155	DELTA	

SKETCH TO ACCOMPANY FIELD NOTES

#### Exhibit "B"

## Highway 29 Land

**50.787 Acres (2,212,274 square feet)** of land out of the William H. Monroe Survey, Abstract No. 453, being described as all of the remaining portions of those certain 52.35 Acre and 0.881 Acre tracts of land described in a deed to Zekelman Property Leander 53, LLC, dated August 24, 2021, recorded in Document No. 2021128467 of the Official Public Records of Williamson County, Texas, said 50.787 Acres being more particularly described as follows:

**BEGINNING** at the northwest corner of said 52.35 Acres, same being the northeast corner of a 10.97 Acre tract of land described in a deed to Global Investors Hwy29, LLC, dated March 10, 2021, and recorded in Document No. 2021035361 of the Official Public Records of Williamson County, Texas, same being a point in the southwesterly line of State Highway 29, a variable-width public right-of-way, said corner being marked by a found 1/2" iron rod;

**THENCE S 58°43'28" E 996.25'** with the northeast line of said 52.35 Acres and the southwest line of said Highway 29 to the beginning of a curve to the left, said corner being marked by a found 1/2" iron rod;

**THENCE** with the curving southwest line of said Highway 29, said curve having an **ARC LENGTH** of **430.45'**, a **RADIUS** of **2914.79'**, a **CHORD BEARING** of **S 63°01'13" E**, and a **CHORD LENGTH** of **430.06'**, at an arc length of 286.18' passing the northeast corner of said 52.35 Acres and the northwest corner of said 0.881 Acres, said corner being marked by a found 1/2" Iron Rod, and continuing 144.27' to the northeast corner of said 0.881 Acres, same being the northernmost northwest corner of the remaining portion of that certain 32.266 Acre tract of land described in a deed to Gateway 29 Real Estate, LLC, dated February 8, 2021, recorded in Document No. 2021019843 of the Official Public Records of Williamson County, Texas, same being the north corner of that certain 2.457 Acre tract of land described in a deed to Gateway 29 Real Estate LLC, dated July 12, 2023, recorded in Document No. 2023061605 of the Official Public Records of Williamson County, Texas for the northeast corner hereof, said corner being marked by a found 1/2" iron rod;

**THENCE S 14°35'16" W 327.37'** with the westerly line of said 2.457 Acres and an easterly line of said remaining portions of 52.35 Acres and 0.881 Acres, at 37.89' passing the southwesterly line of said remaining portion of 0.881 Acres and a northeasterly line of said 52.35 Acres, continuing to the southwest corner of said 2.457

Acres, for an interior corner hereof, said corner being marked by an iron rod found with plastic identifier cap stamped, "LJA SURVEYING";

**THENCE S 75°24'05" E 653.99'** with the southerly line of said 2.457 Acres and a northerly line of said remaining portions of 52.35 Acres and 0.881 Acres, at 589.91' passing a northeasterly line of said remaining portion of 52.35 Acres and the southwesterly line of said remaining portion of 0.881 Acres, continuing to a point in the southwesterly line of said remaining portion of 32.266 Acres for the southeast corner of said 2.457 Acres and a northeast corner hereof, said corner being marked by an iron rod found with plastic identifier cap stamped, "LJA SURVEYING";

**THENCE S 48°48'42" E 495.18'** with the northeast line of said 0.881 Acres and a southwest line of said 32.266 Acres to the southeast corner of said 0.881 Acres, for the southeast corner hereof, said corner being marked by an iron rod found with identifier cap stamped, "DIAMOND SURVEYING";

**THENCE S 41°09'09" W 29.59'** with the southeast line of said remaining portion of 0.881 Acres and a northwest line of said remaining portion of 32.266 Acres, to the southwest corner of said remaining portion of 0.881 Acres and the southeast corner of said remaining portion of 52.35 Acres, said corner being marked by an iron rod found with identifier cap stamped, "DIAMOND SURVEYING";

**THENCE S 69°56'04" W 364.77'** with a southeasterly line of said remaining portion of 52.35 Acres to a south corner of said tract, said corner being marked by a found 1/2" iron rod, and from which a 1-1/2" iron pipe found marking an interior corner of a 14.000 Acre tract described in a deed to Zekelman Property Leander 53, LLC, dated October 15, 2021, recorded under Document No. 2021159540 of the Official Public Records of Williamson County, Texas, bears N 28°03'01" W 0.76'

**THENCE N 76°09'11" W 1939.61'** with a southwest line of said remaining portion of 52.35 Acres, at 945.57' passing 0.24' to the left of a 1/2" iron rod found marking the northwest corner of said 14.000 Acres, same being the northeast corner of Kauffman Loop, a 100'-wide public right-of-way recorded in Document No. 2021128467 of the Official Public Records of Williamson County, Texas; at 1066.34' passing an iron rod with identifier cap stamped, "RPLS 2218", found marking the northwest corner of said Kauffman Loop; at 1823.95' passing a found 1/2" iron rod; and continuing to an interior corner of said remaining portion of 52.35 Acres, said corner being marked by a found 1/2" iron rod;

**THENCE S 31°16'38" W 730.17'** with a southeast line of said remaining portion of 52.35 Acres, at 270.08' passing a found 1/2" iron rod, and continuing to the southernmost southwest corner of said remaining portion of 52.35 Acres, same being a point in the northeast line of Lot 33, Block A of Bonnet Tract Subdivision, a subdivision located in the City of Leander, according to the map or plat thereof, recorded in Document No. 2020107539 of the Official Public Records of Williamson County, Texas, said corner being marked by a found 1/2" iron rod;

**THENCE** with a southwest line of said remaining portion of 52.35 Acres and the northeast line of said Bonnet Tract Subdivision, the following **TWO (2) COURSES AND DISTANCES**:

**N 20°36'10" W 396.87'** to a point in said common line between the remaining portion of 52.35 Acres and Bonnet Tract, said corner being marked by a found 1/2" iron rod;

**N 20°11'30" W 303.24'** to the westernmost southwest corner of said remaining portion of 52.35 Acres, same being the southeast corner of said 10.97 Acres, for the westerly-most southwest corner hereof, said corner being marked by a found 1/2" iron rod;

**THENCE N 31°15'28" E 1370.14'** with the northwest line of said remaining portion of 52.35 Acres and the southeast line of said 10.97 Acres to the **POINT OF BEGINNING** of the herein described tract of land, said tract containing **50.787 Acres (2,212,274 Square Feet)**, more or less. Bearings are relative to the State Plane Coordinate System, North American Datum of 1983(2011), Texas Central Zone (4203). Distances and areas reflect the application of a combined scale factor of 1.00012 and thus represent surface measurements.