

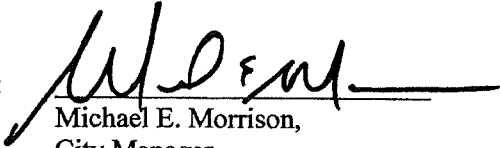


DEVELOPMENT AGREEMENT

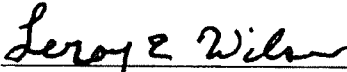
1. **Parties.** The parties to this Development Agreement (this "Agreement") are the CITY OF NEW BRAUNFELS, a home rule municipality located in Comal County, Texas (the "City") and LEROY E. WILSON and DORTHLIN R. WILSON, whose address is 1055 Coyote Run, New Braunfels, Texas 78132 (together, the "Owner").
2. **Recitals.** Owner owns substantially all the property described on the attached Exhibit "A" and illustrated in Exhibit "B" (the "Property") containing approximately 188.584 acres of land. The Property lies within the extraterritorial jurisdiction of the City. In accordance with an interlocal agreement between the City and Comal County and applicable state law, the ordinances of the City apply to subdivision and development of the Property. Owner has previously conveyed and desires to convey portions of the Property (the "Tracts") to persons related to Owner within the third degree by consanguinity or affinity (a "Qualified Grantee"). The Property has no frontage on a public road, but it and the Tracts are served by an easement for ingress and egress established by final judgment of the 22nd District Court of Comal County, Texas, in Cause No. C2005-658A, styled *Daniel Rittimann, et al v. David B. Jonas and Mary E. Jonas, et al* (the "Easement"). The Easement is known as Coyote Run. Although a conveyance to a Qualified Grantee is exempt from platting under state law applicable to counties, the ordinances of the City do not provide for a similar exemption. Owner has requested, and the City has agreed as provided for in Section 118-4 of the City of New Braunfels' Code of Ordinances to exempt the proposed conveyance of the Tract to the Qualified Grantee from the platting requirements of the City, subject to the provisions of the following paragraphs.
3. **Waiver of Platting Requirements.** In consideration of the premises and Owner's agreements set out herein, the City waives the platting requirements of its ordinances regarding the conveyance of the Tract to the Qualified Grantee. The Qualified Grantee may lawfully seek a permit for an on-site sewage facility for the Tracts pursuant to the ordinances, rules and regulations of the County and applicable state law.
4. **Platting Required.** In the event the Tracts are sold, given or otherwise transferred to an individual who is not related to Owner within the third degree by consanguinity or affinity following the transfer to the Qualified Grantee, and the subsequent conveyance is not otherwise exempt from the City's platting requirements, the platting requirements of the City will apply. Recordation of such plat(s) as approved by the City shall take place prior to transfer of ownership of the Tracts.
5. **Binding Agreement.** The provisions of this Agreement run with the land with respect to the Property and portions thereof and are enforceable against the parties hereto, their respective heirs, successors and assigns. This Agreement binds Owner upon execution, is effective when signed by the City Manager of the City, and may not be revoked or amended absent the written agreement of the parties.

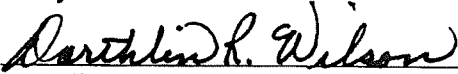
CITY OF NEW BRAUNFELS

By:


Michael E. Morrison,
City Manager

Owner

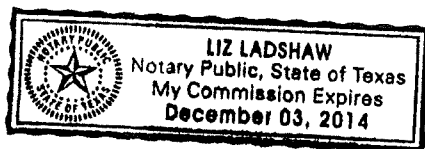

Leroy E. Wilson


Dorthlin R. Wilson

THE STATE OF TEXAS §

COUNTY OF COMAL §

This instrument was acknowledged before me on July 11, 2011, by MICHAEL E. MORRISON, City Manager of the City of New Braunfels, on behalf of same and in the capacity herein stated.




Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF COMAL §

This instrument was acknowledged before me on July 5, 2011, by LEROY E. WILSON.




Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF COMAL §

This instrument was acknowledged before me on July 5, 2011, by DORTHLIN R. WILSON.



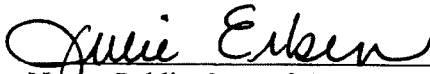

Notary Public, State of Texas

EXHIBIT "A"

A tract of land located in Comal County, Texas, containing approximately 188.584 acres out of the following surveys:

11.285 acres in the J.M. Steiner Survey, Abstract 569

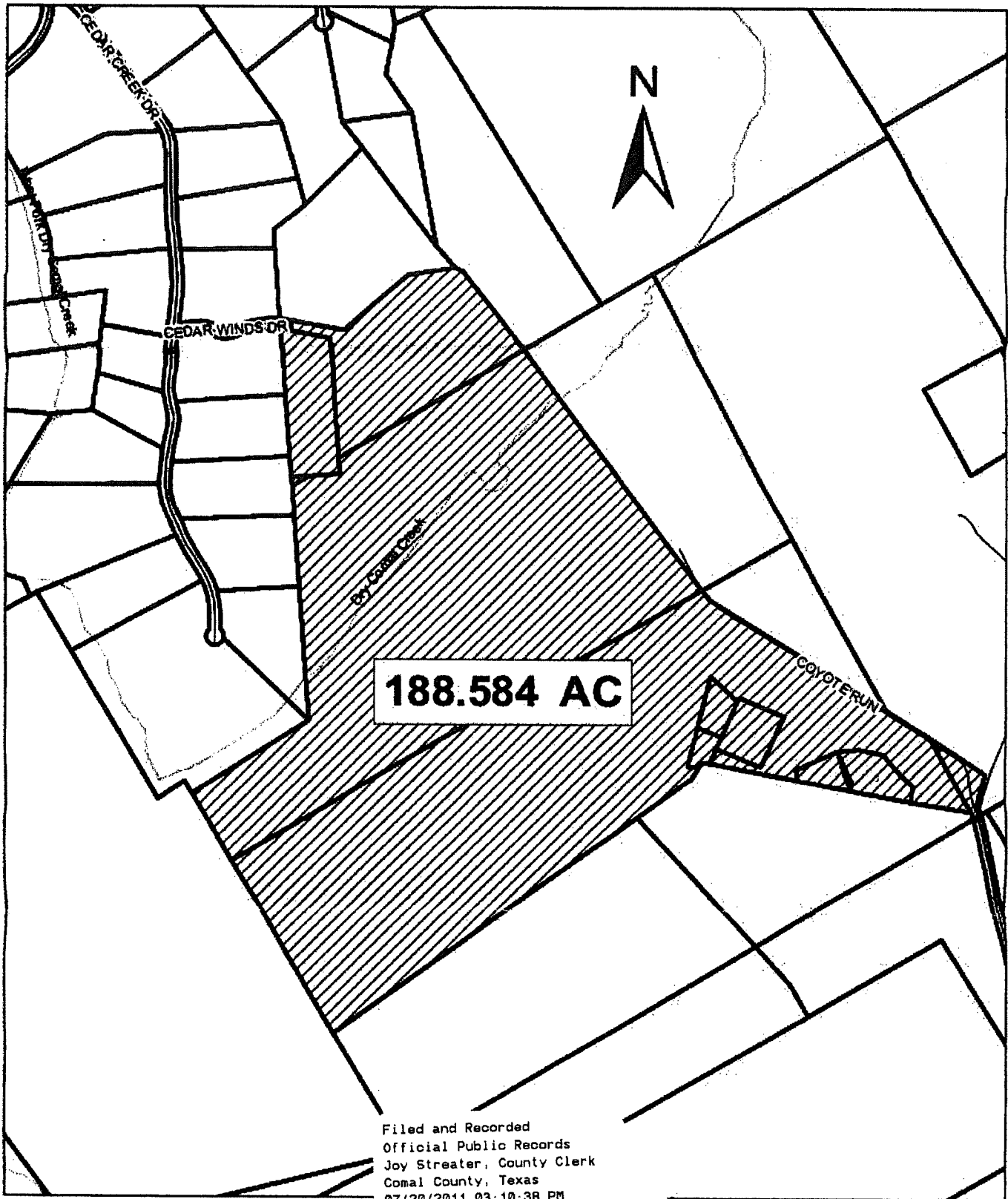
0.700 acres in the P. Hernandez Survey, Abstract 217

77.732 acres in the V. Pfeuffer Survey, Abstract 463

9.967 acres in the E. Woodruff Survey, Abstract 671

88.9 acres in the C. Pfeuffer Survey, Abstract 466

EXHIBIT "B"



Filed and Recorded
Official Public Records
Joy Streater, County Clerk
Comal County, Texas
07/20/2011 03:10:38 PM
CASHFOUR
201106024844



Joy Streater