

February 28, 2014

VIA HAND DELIVERY

Mr. Frank Salvato
City Administrator
CITY OF BEE CAVE
4000 Galleria Parkway
Bee Cave, TX 78738

Re: Development Agreement / CCNG Development Company, L.P.

Dear Mr. Salvato:

I am writing in reference to the Development Agreement between the City of Bee Cave, Texas ("City") and CCNG Development Company, L.P. ("CCNG") dated April 26, 1999 ("Development Agreement").

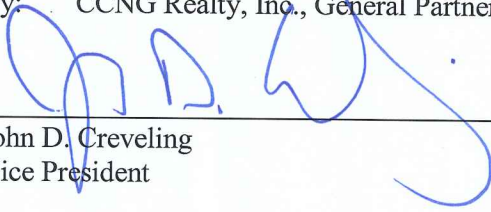
CCNG desires to incorporate an additional tract into the Development Agreement. Pursuant to Section 9.02 of the Development Agreement, please be advised that CCNG has elected to add the land more fully described on Exhibit A, as further illustrated on the proposed concept plan for the property on Exhibit B ("Land") to the Development Agreement as part of the "Bee Cave Area".

We have enjoyed our working relationship with the City and look forward to continuing it in the future as our Project becomes fully developed.

Sincerely,

CCNG DEVELOPMENT COMPANY, LP, a Texas
limited partnership

By: CCNG Realty, Inc., General Partner



John D. Creveling
Vice President

C: Daniel B. Porter
David Armbrust
Jim Ballard

RECEIVED
FEB 28 2014
City of Bee Cave

Exhibit A

2.1778 ACRES

METES AND BOUNDS DESCRIPTION OF 2.1778 ACRES OF LAND, A PORTION OF THE MATTHEW WILLIAMS SURVEY NO. 900, ABSTRACT NO. 823, IN TRAVIS COUNTY, TEXAS, SAID 2.1778 BEING A PORTION OF THAT 7.50 ACRE TRACT, A PORTION OF THE SAID MATTHEW WILLIAMS SURVEY NO. 900, IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM NELLIE MOEHRING TO TERRY E. BOOTHE IN VOLUME 12227, PAGE 343, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF THAT 0.8510 OF ONE ACRE TRACT, A PORTION OF THE SAID MATTHEW WILLIAMS SURVEY NO. 900, IN TRAVIS COUNTY, TEXAS, DESIGNATED AS TRACT 3 AND DESCRIBED IN A DEED FROM NELLIE MARIE BOOTHE MOEHRING TO TERRY BOOTHE IN DOCUMENT NO. 2000032029, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING ALSO A PORTION OF THAT 1.8432 ACRE TRACT, A PORTION OF THE SAID MATTHEW WILLIAMS SURVEY NO. 900 IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A SPECIAL WARRANTY DEED FROM CCNG DEVELOPMENT COMPANY, L.P. TO TERRY BOOTHE IN DOCUMENT NO. 2001040747, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED BY METCALFE & SANDERS, INC. AND LOOMIS PARTNERS, INC. AND SHOWN ON LOOMIS PLAN 2293, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE at a 1/2" iron rod with plastic cap stamped "M&S 1838" found at the north corner of the said Terry Boothe 1.8432 acre tract and at a reentrant corner of Lot 2, Block "A", Los Robles Addition, a subdivision of a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, of record in Document No. 200100338, Official Public (Plat) Records of Travis County, Texas, said 1/2" iron rod with plastic cap stamped "M&S 1838" found being also in the southeast line of that 0.333 of one acre tract, a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, as described in a Correction Special Warranty Deed from CCNG Development Company, L.P. to the Lower Colorado River Authority in Document No. 2010116430, Official Public Records of Travis County, Texas;

THENCE with a northwest line of the said Terry Boothe 1.8432 acre tract and a southeast line of said Lot 2, Block "A", and being also with a southeast line of the said Lower Colorado River Authority 0.333 of one acre tract, S 47°55'38" W 104.18 feet to a calculated point for the **POINT OF BEGINNING** and north corner of the herein described tract;

THENCE crossing a portion of the said Boothe 1.8432 acre tract, with the northeast line of the herein described tract, courses numbered 1 through 2 inclusive as follows:

- (1) S 52°45'58" E 122.84 feet to a calculated point;
- (2) S 48°42'23" E 70.46 feet to a calculated point for the east corner of the herein described tract;

THENCE crossing a portion of the said Boothe 1.8432 acre tract and crossing a portion of that 7.50 acre tract, a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, as described in a deed from Nellie Moehring to Terry E. Boothe in Volume 12227, Page 343, Real Property Records of Travis County, Texas, and also crossing a portion of that 0.8510 of one acre tract, a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, as described in a deed from the Estate of Nellie Hampe Moehring, Deceased to Terry Boothe in Document No. 2000032029, Official Public Records of Travis County, Texas, courses numbered 1 through 2 inclusive as follows:

- (1) S 41°11'23" W 129.26 feet to a calculated point;
- (2) S 36°50'37" W 181.20 feet to a 1/2" iron rod found in southwest line of the said Boothe 0.8501 of one acre tract and a northeast line of that 126.55 acre tract, a portion of the said Matthew Williams Survey No. 900 and others in Travis County, Texas, as described in a Special Warranty Deed from Michael E. Black to Cassandra Interests, Ltd. in Document No. 2010054722, Official Public Records of Travis County, Texas, said 1/2" iron rod found being in the approximate center of Little Barton Creek, for the most easterly south corner of the herein described tract;

THENCE with the southwest, south, southwest and northwest line of the said Boothe 0.8510 of one acre tract and with a northeast, north, northeast and south line of the said Cassandra Interests, Ltd. 126.55 acre tract, and being also with the approximate center of Little Barton Creek, courses numbered 1 through 5 inclusive as follows:

- (1) N 49°14'50" W 130.01 feet to a 1/2" iron rod found;
- (2) N 83°02'30" W 91.26 feet to a 1/2" iron rod found;
- (3) S 70°14'40" W 68.80 feet to a 5/8" iron rod found;
- (4) N 51°10'40" W 30.33 feet to a calculated point for a southwest of west corner of the herein described tract;
- (5) N 44°42'40"E 25.23 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found at the most westerly south corner of the said Boothe 1.8432 acre tract;

THENCE with the west and north line of the Boothe 1.8432 acre tract and an east and south line of the said Cassandra Interests, Ltd. 126.55 acre tract, courses numbered 1 through 6 inclusive as follows:

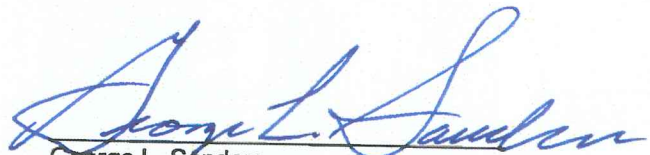
- (1) N 09°02'40" W 33.75 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found;
- (2) N 10°12'30" E 103.90 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found;
- (3) N 64°54'10" E 136.60 feet to a to a 1/2" iron rod with plastic cap stamped "M&S 1838" found;
- (4) N 73°36'40" E 44.38 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found at a southeast corner of the said Cassandra Interests, Ltd. 126.55 acre tract and a southwest corner of said Lot 2, Block "A", Rio Robles Addition and a southeast corner of the said Lower Colorado River Authority 0.333 of one acre tract;
- (5) N 73°36'36" E 109.47 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found;

THENCE N 47°55'38" E with a northwest line of the said Boothe 1.8432 acre tract and a southeast line of said Lot 2, Block "A", Rio Robles Addition and being also with a southeast line of the said Lower Colorado River Authority 0.333 of one acre tract, 24.71 feet to the **POINT OF BEGINNING** of the herein described tract, containing 2.1778 acres of land.

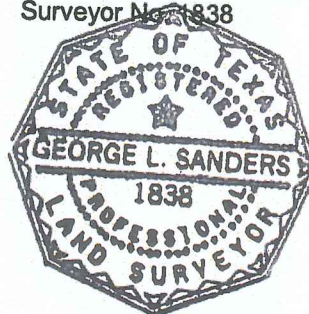
Bearing basis is Grid North, NAD 27, Texas Plane Coordinate System, Central Zone, as per GPS control provided by Capital Surveying Company, Inc.

Metes and Bounds Description Prepared December 27, 2012, From
Previous Surveys By Metcalfe & Sanders, Land Surveyors and
Loomis Partners, Inc.

Loomis Partners, Inc.
3101 Bee Cave Road, Ste 100
Austin, Texas 78746



George L. Sanders
Texas Registered Professional Land
Surveyor No. 1838



LOOMIS WORD FILE: FN1417(gls)

Plan #: 2293

7.401 ACRES

METES AND BOUNDS DESCRIPTION OF 7.401 ACRES OF LAND, A PORTION OF THE MATTHEW WILLIAMS SURVEY NO. 900, ABSTRACT NO. 823, IN TRAVIS COUNTY, TEXAS, SAID 7.401 ACRES BEING A PORTION OF THAT 7.50 ACRE TRACT, A PORTION OF THE SAID MATTHEW WILLIAMS SURVEY NO. 900, IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM NELLIE MOEHRING TO TERRY E. BOOTHE IN VOLUME 12227, PAGE 343, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THAT 0.8510 OF ONE ACRE TRACT, A PORTION OF THE SAID MATTHEW WILLIAMS SURVEY NO. 900, IN TRAVIS COUNTY, TEXAS, DESIGNATED AS TRACT 3 AND DESCRIBED IN A DEED FROM NELLIE MARIE BOOTHE MOEHRING TO TERRY BOOTHE IN DOCUMENT NO. 2000032029, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING ALSO A PORTION OF THAT 1.8432 ACRE TRACT, A PORTION OF THE SAID MATTHEW WILLIAMS SURVEY NO. 900 IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A SPECIAL WARRANTY DEED FROM CCNG DEVELOPMENT COMPANY, L.P. TO TERRY BOOTHE IN DOCUMENT NO. 2001040747, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED BY METCALFE & SANDERS, INC. AND LOOMIS PARTNERS, INC. AND SHOWN ON LOOMIS PLAN 2293, SAID 7.401 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with plastic cap stamped "M&S 1838" found at the north corner of the said Terry Boothe 1.8432 acre tract and at a reentrant corner of Lot 2, Block "A", Los Robles Addition, a subdivision of a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, of record in Document No. 200100338, Official Public (Plat) Records of Travis County, Texas, said 1/2" iron rod with plastic cap stamped "M&S 1838" found being also in the southeast line of that 0.333 of one acre tract, a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, as described in a Correction Special Warranty Deed from CCNG Development Company, L.P. to the Lower Colorado River Authority in Document No. 2010116430, Official Public Records of Travis County, Texas, for the most northerly corner of the herein described tract;

THENCE S 42°04'37" E with the northeast line of the said Boothe 1.8432 acre tract and a southwest line of said Lot 2, Block "A", 192.67 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found at the west corner of that 0.6138 of one acre tract, a portion of the said Matthew Williams Survey No. 900 in Travis County, Texas, as described in a Special Warranty Deed from Terry Boothe and Barbara Boothe to CCNG Development Company, L.P. in Document No. 2001040703, Official Public Records of Travis County, Texas, said 1/2" iron rod with plastic cap stamped "M&S 1838" found being also in the northwest line of the said Boothe 7.50 acre tract;

THENCE crossing a portion of the said Boothe 7.50 acre tract with a southwest and south line of said Lot 2, Block "A" and being also with the southwest and south line of the said CCNG Development Company, L.P. 0.6138 of one acre tract, courses numbered 1 through 2 inclusive as follows:

- (1) S 42°04'37" E 227.72 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found;
- (2) S 86°20'23" E 291.81 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found at a southeast corner of said Lot 2, Block "A" and the southeast corner of the said CCNG Development Company, L.P. 0.6138 of one acre tract, for a reentrant corner of the herein described tract;

THENCE N 03°39'37" E crossing a portion of the said Boothe 7.50 acre tract with the an east line of said Lot 2, Block "A", Rio Robles Addition and the east line of the said CCNG Development Company, L.P. 0.6138 of one acre tract, 78.83 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found at a reentrant corner of said Lot 2, Block "A", Los Robles Addition and the northeast corner of the said CCNG Development Company, L.P. 0.6138 of one acre tract, for

the northwest corner of the herein described tract;

THENCE S 85°16'36" E with the most easterly north line of the said Boothe 7.50 acre tract and a south line of said Lot 2, Tract "A", Rio Robles Addition, 34.96 feet to a 1/2" iron rod with plastic cap stamped "M&S 1838" found at the northeast corner of the said Boothe 7.50 acre tract and in the west line of that 47.81 acre tract, a portion of the said Matthew Williams Survey No. 900, and others in Travis County, Texas, designated as Tract I and described in a deed from NAJD II Corp. to Limestone Springs Properties L.P. in Volume 12661, Page 42, Real Property Records of Travis County, Texas, for the most easterly northeast corner of the herein described tract;

THENCE with the east, northeast and southeast line of the said Boothe 7.50 acre tract and the west, southwest and northwest line of the said Limestone Springs Properties L.P. 47.81 acre tract, courses numbered 1 through 8 inclusive as follows:

- (1) S 04°59'58" E 14.95 feet to a 60d nail found;
- (2) S 10°49'35" E 65.58 feet to a 60d nail found;
- (3) S 27°09'33" E 46.62 feet to a 60d nail found;
- (4) S 33°20'06" E 109.24 feet to a 60d nail found;
- (5) S 36°37'23" E 119.40 feet to a calculated point at the most easterly corner of the

said Boothe 7.50 acre tract and a reentrant corner of the said Limestone Springs Properties L.P. 47.81 acre tract, for the most easterly corner of the herein described tract;

- (6) S 50°09'37" W 191.27 feet to a 1/2" iron pipe found;
- (7) S 52°02'06" W 231.68 feet to a 3/4" iron pipe found;
- (8) S 33°04'46" W 46.34 feet to a 1/2" iron rod in rock found at the south corner of the

said Boothe 7.5 acre tract and the most southerly west corner of that 47.81 acre tract, said 1/2" steel pin in rock found being also the most westerly north corner of Lot 27, Block "A", 11505 TX 71, Phase One, a subdivision of a portion of the D. Bohls Survey No. 905, Abstract No. 129, and others, in Travis County, Texas, of record in Document No. 200100286, Official Public (Plat) Records of Travis County, Texas, for the most southerly corner of the herein described tract;

THENCE with a southwest line of the said Boothe 7.50 acre tract and the southwest and south line of the said Boothe Tract 3 of 0.8510 of one acre tract and being also with a northeast and north line of the said Cassandra Interests, Ltd. 126.55 acre tract and with the approximate center line of Little Barton Creek, courses numbered 1 through 5 inclusive as follows:

- (1) N 44°33'00" W 142.20 feet to a 1/2" iron rod found at the east corner of the said Boothe 0.8510 of one acre tract;
- (2) N 49°31'40" W 115.51 feet to a 1/2" iron rod in rock found;
- (3) N 40°29'50" W 153.43 feet to a 1/2" iron rod in rock found;
- (4) N 56°05'20" W 175.64 feet to a 1/2" iron rod in rock found;
- (5) N 69°01'20" W 119.41 feet to a 1/2" iron rod found, for the most southerly southwest corner of the herein described tract;

THENCE crossing a portion of the said Boothe 0.8510 of one acre tract and a portion of the said Boothe 7.50 acre tract and also crossing a portion of the said Boothe 1.8432 acre tract, courses numbered 1 through 2 inclusive as follows:

- (1) N 36°50'37" E 181.20 feet to a calculated point;
- (2) N 41°11'23" E 129.26 feet to a calculated point for a reentrant corner of the herein

described tract;

THENCE crossing a portion of the said Boothe 0.8510 of one acre tract, courses numbered 1 through 2 inclusive as follows:

- (1) N 48°42'23" W 70.46 feet to a calculated point;
- (2) N 52°45'58" W 122.84 feet to a calculated point in a northwest line of the said

Boothe 1.8432 acre tract and a southeast line of said Lot 2, Block "A", Los Robles Addition, and being also in a southeast line of the said Lower Colorado River Authority 0.333 of one acre tract, for the most northerly southwest or west corner of the herein described tract;

7.401 Acres, A Portion of the
Matthew Williams Survey No. 900, A-823
Travis County, Texas

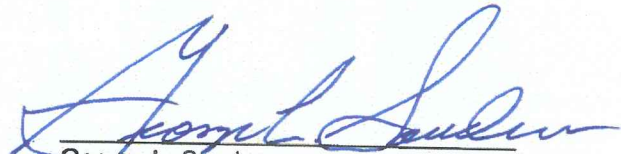
Job No. 090712
FN1418(gls)
Page 3 of 3

THENCE with a northwest line of the said Terry Boothe 1.8432 acre tract and a southeast line of said Lot 2, Block "A", and being also with a southeast line of the said Lower Colorado River Authority 0.333 of one acre tract, N 47°55'38" E 104.18 feet to the **POINT OF BEGINNING** of the herein described tract, containing 7.401 acres of land.

Bearing basis is Grid North, NAD 27, Texas Plane Coordinate System, Central Zone, as per GPS control provided by Capital Surveying Company, Inc.

Metes and Bounds Description Prepared December 27, 2012, From
Previous Surveys By Metcalfe & Sanders, Land Surveyors and
Loomis Partners, Inc.

Loomis Partners, Inc.
3101 Bee Cave Road, Ste 100
Austin, Texas 78746



George L. Sanders
Texas Registered Professional Land
Surveyor No. 1838

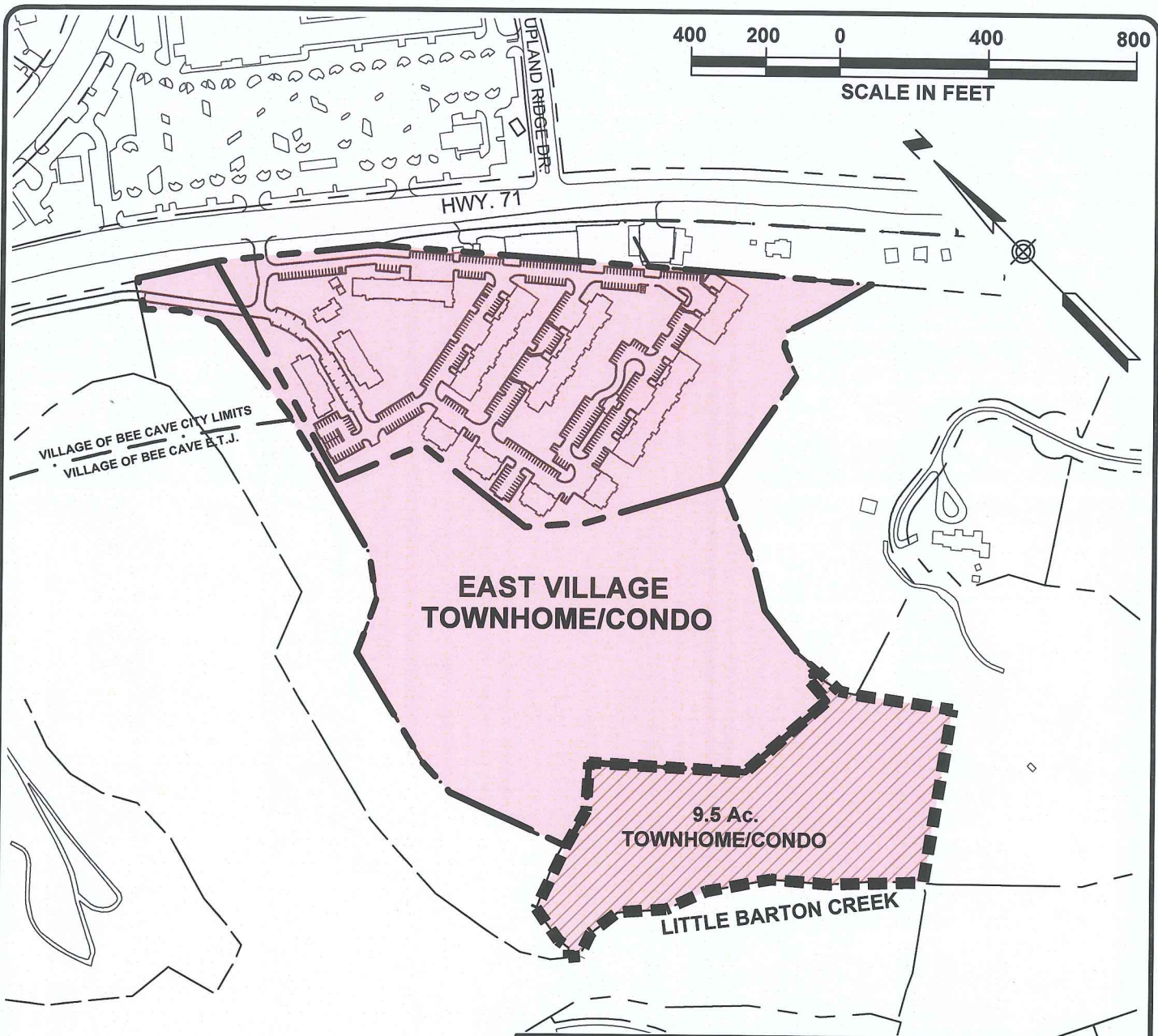
LOOMIS WORD FILE: FN1418(gls)

Plan #: 2293


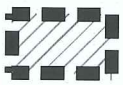



Exhibit B

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LEGEND

-  EAST VILLAGE BOUNDARY
-  9.5 Ac. ANNEXATION AREA
-  CITY OF BEE CAVE JURISDICTIONAL BOUNDARY

LJA Engineering, Inc.

5316 Highway 290 West
Suite 150
Austin, Texas 78735



Phone 512.439.4700
Fax 512.439.4716
FRN - F-1386

**SPANISH OAKS
EAST VILLAGE**

ANNEXATION EXHIBIT

s.o.-all-landplan-1-14-14.dwg