DEVELOPMENT AGREEMENT APPLICATION

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	Whisper Master Community Limited Partnership	Property Owner	Whisper Master Community Limited Partnership
Company	McDonald Development Group	Company	McDonald Development Group
Applicant's Mailing Address	9811 South IH 35 Building 3 - Suite 100 Austin, Texas 78744	Owner's Mailing Address	9811 South IH 35 Building 3 - Suite 100 Austin, Texas 78744
Applicant's Phone #	(512) 695-3532	Owner's Phone #	(512) 695-3532
Applicant's Email	rw4@cgminterests.com	Owner's Email	rw4@cgminterests.com

PROPERTY INFORMATION

Subject Property Address(es):							
Legal Description: Lot <u>N/A</u> Block <u>N/A</u>	Subdivision N/A						
Total Acreage: 153.09	Tax ID #: R <u>147984 & R169440</u>						
Preferred Scenario Designation: Low Intensity	Existing Use of Property: Agricultural						

DESCRIPTION OF REQUEST

N/A Proposed New Preferred Scenario Designation, if any: Heavy Commercial & Mixed Use, per Whisper PDD Proposed Base Zoning Districts: Proposed Land Uses: Single-Family Residential & Various General Commercial (Whisper PDD Ordinance #2017-140)

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$2,113 plus \$100 per acre Technology Fee \$13

MAXIMUM COST \$5,013

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE - WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION					
I,					
I, <u>Number of</u> (owner name) on behalf of Wunsper verster Committy Limited for (company, if applicable) acknowledge that I/we					
am/are the rightful owner of the property located at					
(address).					
I hereby authorize روا المعام المعام المعام المعام المعام (agent name) on behalf of					
Mesand Development (oroug (agent company) to file this application for					
Descreption type), and, if necessary, to work with					
the Responsible Official / Department on my behalf throughout the process.					
Signature of Owner: Date: Date:					
Printed Name, Title:					
Signature of Agent: Date: 11(30 (2020					
Printed Name, Title:					
Form Updated October, 2019					

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

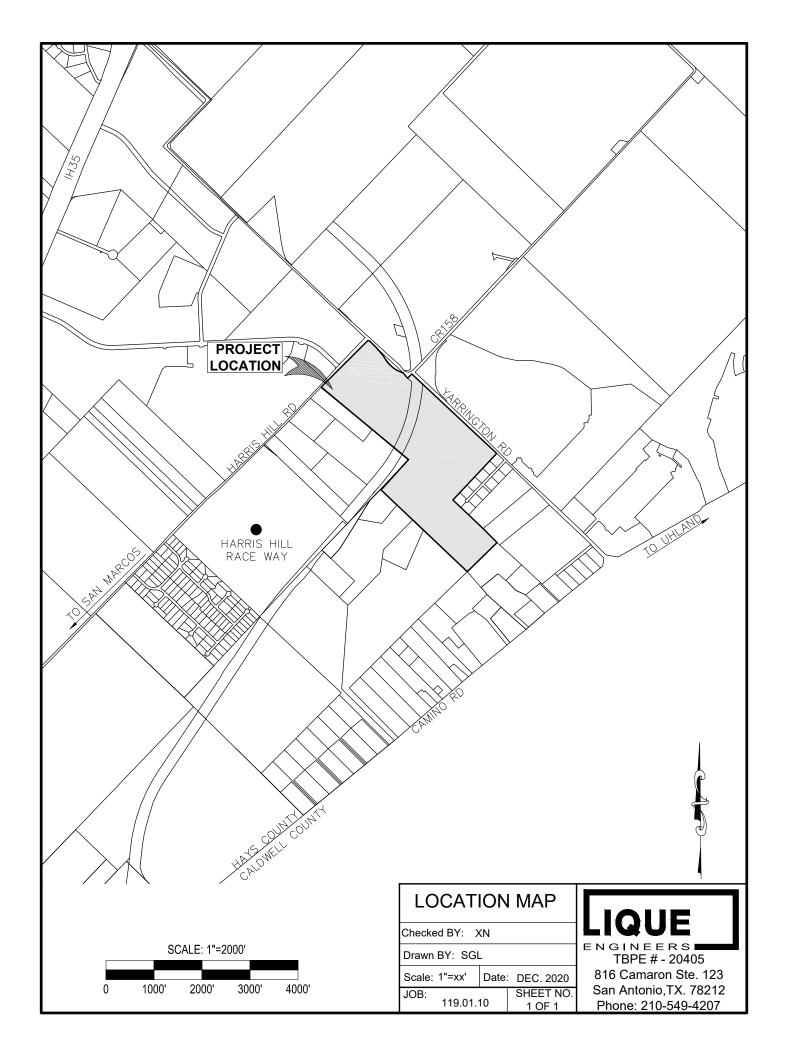
The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet not person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in
 accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice
 is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91
 plus a \$13 technology fee.
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature:	Date: 11(30) 2020
Print Name: 1	
Form Updated October, 2019	

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WHISPER EAST





Consideration for Annexation with Development Agreement

Whisper East

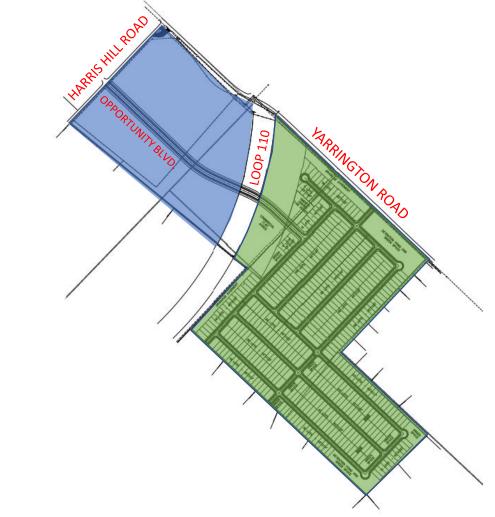
Developer (Whisper Master Community Limited Partnership – McDonald Development Group) requests Annexation with a Development Agreement from the City of San Marcos. It is proposed that Whisper East be developed consistent with the existing Whisper PDD.

Developer requests the following PDD clarifications for Whisper East:

- Heavy Commercial Overly on the 50 acres between Harris Hill & Loop 110. This land would be developed as Employment Center and CT5
- Mixed-Use Overlay on the 103 acres east of Loop 110. This land would be developed as CT4 (single family residential)
- Opportunity Boulevard extension (between Loop 110 and Harris Hill Road) to utilize same roadway profile as Opportunity Blvd., closest to Harris Hill
- Removal of First Layer Parking Requirements for Heavy Commercial Acreage



Whisper East



WHISPER EAST HIGHLIGHTS

- Whisper East will consist of approximately 450 single family residential homes and approximately 60 acres of commercial acreage.
- Commercial acreage encompasses all of the blue shaded portion (between Loop 110 and Harris Hill Road) and the portion of green shaded land fronting Loop 110.
- City of San Marcos to be provide wastewater to entire development.
- Maxwell SUD to provide water to entire development.
- Opportunity Blvd. to be extended from Harris Hill Road to Loop 110.
- Targeting Construction Commencement by EOY 2021

Issue Date : 1/25/2021

TAX CERTIFICATE

Jenifer OKane Tax Assessor-Collector, Hays County

712 S. Stagecoach Trail, Suite 1120 San Marcos, TX 78666 Ph: 512-393-5545 Fax: 512-393-5517

This certificate includes tax years up to 2020

A SHARE AND A SHARE AND A	En	tities	to which thi	s certificate applies:		
RSP - Special Road Dist FSO - South Hays Co ESD #3 - FIRE				SSM - San Marcos CISD GHA - Hays County EHA - HAYS COUNTY ESD #9 - EMS		
Property Information				Owner Information		
Property ID : 10-0011-0020-000 Quick-Ref ID : R11270	000-3 Value	Inform	ation	Owner ID : 00241741		
HARRIS HILL RD SAN MARCOS, TX 78666	Land HS Land NHS Imp HS Imp NHS	:	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	ATTN: ROBERT W MCDONALD III 9811 S IH 35 BLDG 3 STE 100		
A0011 THOMAS G MCGEHEE SURVEY, TRACT PT 21, ACRES 10.292	Ag Mkt Ag Use Tim Mkt Tim Use HS Cap Adj Assessed	* * * *	193,310.00 \$1,640.00 \$0.00 \$0.00 \$0.00 \$1,640.00	Ownership: 100.00%		

This is to certify that after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code Section 33.48 are due on the described property for the following taxing unit(s)

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL	
SSM	2020	19.51	0.00	0.00	0.00	0.00	
RSP	2020	0.47	0.00	0.00	0.00	0.00	
GHA	2020	6.43	0.00	0.00	0.00	0.00	
FSO	2020	1.59	0.00	0.00	0.00	0.00	
EHA	2020	0.98	0.00	0.00	0.00	0.00	

Total for current bills if paid by 1/31/2021 : \$0.00

Total due on all bills 1/31/2021 : \$0.00

2020 taxes paid for entity SSM \$19.51 2020 taxes paid for entity RSP \$0.47 2020 taxes paid for entity GHA \$6.43

2020 taxes paid for entity FSO \$1.59 2020 taxes paid for entity EHA \$0.98

2020 Total Taxes Paid : \$28.98 Date of Last Payment : 01/25/21

If applicable, the above-described property has / is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate.].

	Date of Issue : 01/25/2021
	Requestor : WHISPER MASTER COMMUNITY LIMITE
Q-Rodrignas	Receipt : SM-2021-1328054
Nº TOUMUNINGY	Fee Paid : \$10.00
Signature of Authorized Officer of the Tax Office	Payer : WHISPER MASTER COMMUNITY LIMITE

Issue Date : 1/25/2021

TAX CERTIFICATE

Jenifer OKane Tax Assessor-Collector, Hays County

712 S. Stagecoach Trail, Suite 1120 San Marcos, TX 78666 Ph: 512-393-5545 Fax: 512-393-5517

This certificate includes tax years up to 2020

	En	tities to	which thi	s certificate applies:	
RSP - Special Road Dist FSO - South Hays Co ESD #3 - FIRE			SSM - San Marcos CISD GHA - Hays County EHA - HAYS COUNTY ESD #9 - EMS		
Property Information			Owner Information		
Property ID : 10-0011-0020-000 Quick-Ref ID : R147984		Informa	tion	Owner ID : 00241741	
YARRINGTON RD SAN MARCOS, TX 78666 A0011 THOMAS G		:	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 85,940.00	ATTN: ROBERT W MCDONALD III 9811 S IH 35 BLDG 3 STE 100 AUSTIN TX 78744	
MCGEHEE SURVEY, TRACT PT 21, ACRES 102.74	Ag Use Tim Mkt Tim Use HS Cap Adj Assessed	: \$ ⁺ : :	55,940.00 16,380.00 \$0.00 \$0.00 \$0.00 16,380.00		

This is to certify that after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code Section 33.48 are due on the described property for the following taxing unit(s)

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL
SSM	2020	194.91	0.00	0.00	0.00	0.00
RSP	2020	4.72	0.00	0.00	0.00	0.00
GHA	2020	64.28	0.00	0.00	0.00	0.00
FSO	2020	15.89	0.00	0.00	0.00	0.00
EHA	2020	9.80	0.00	0.00	0.00	0.00

Total for current bills if paid by 1/31/2021 : \$0.00

Total due on all bills 1/31/2021 : \$0.00

2020 taxes paid for entity SSM \$194.91 2020 taxes paid for entity RSP \$4.72 2020 taxes paid for entity GHA \$64.28 2020 taxes paid for entity FSO \$15.89

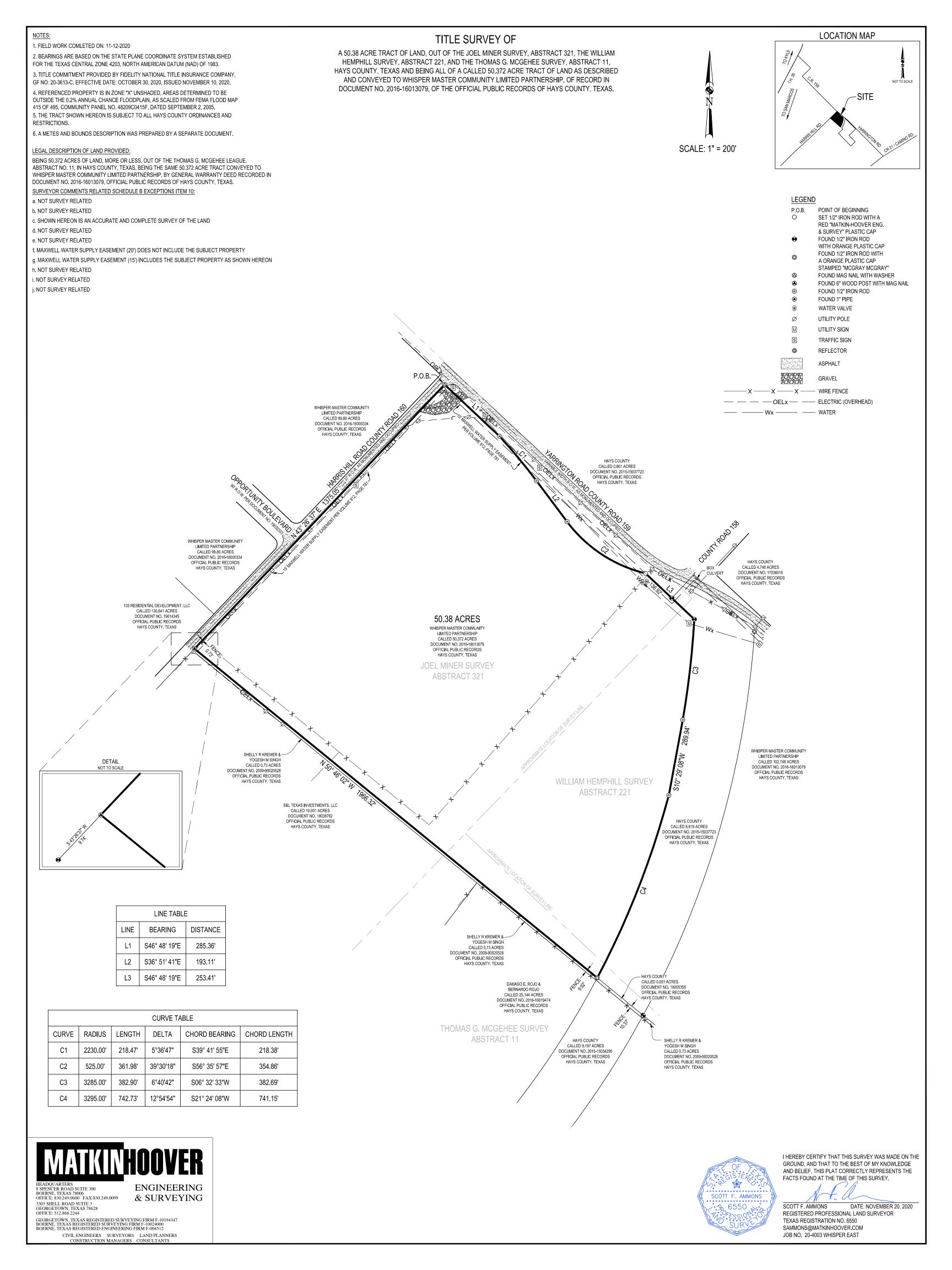
2020 taxes paid for entity EHA \$9.80

2020 Total Taxes Paid : \$289.60 Date of Last Payment : 01/25/21

If applicable, the above-described property has / is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate.].

. Rochignes

Signature of Authorized Officer of the Tax Office



WHISPER MASTER COMMUNITY LIMITED PARTNERSHIP CALLED 50.372 ACRES DOCUMENT NO. 2016-16013079 OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS NUS COUNTY CALLED THREE MATTINERS LP THREE MATTINERS LP

TITLE SURVEY OF

A 102.71 ACRE TRACT OF LAND, OUT OF THE WILLIAM HEMPHILL SURVEY, ABSTRACT

221, AND THE THOMAS G. MCGEHEE SURVEY, ABSTRACT 11, HAYS COUNTY, TEXAS AND

BEING ALL OF A CALLED 102.748 ACRE TRACT OF LAND AS DESCRIBED AND CONVEYED

TO WHISPER MASTER COMMUNITY LIMITED PARTNERSHIP, OF RECORD IN DOCUMENT

NO. 2016-16013079, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

FOUND 1/2" IRON ROD WITH \square A ORANGE PLASTIC CAP STAMPED "MCGRAY MCGRAY" ۲ FOUND 1/2" IRON ROD WITH A YELOW PLASTIC CAP MARKED "BYRN SURVEY" • FOUND MAG NAIL FOUND 1/2" IRON ROD 0 ۲ FOUND 1" PIPE FOUND 5/8" IRON ROD \otimes <w WATER METER W WATER VALVE Æ ELECTRIC METER Ø UTILITY POLE U UTILITY SIGN S TRAFFIC SIGN С COMMUNICATION BOX 墩 REFLECTOR ASPHALT _____X ____X ____ X ____ WIRE FENCE ------ 0 ---- CHAIN-LINK FENCE ----- CATVx - ----- CABLE TV (UNDERGROUND) ---- --- OELX ---- ELECTRIC (OVERHEAD) —— Wx —— WATER

LEGEND

P.O.B.

.

b. NOT SURVEY RELATED
c. SHOWN HEREON IS AN ACCURATE AND COMPLETE SURVEY OF THE LAND
d. NOT SURVEY RELATED
e. NOT SURVEY RELATED
f. MAXWELL WATER SUPPLY EASEMENT (20') INCLUDES THE SUBJECT PROPERTY AS SHOWN HEREON
g. MAXWELL WATER SUPPLY EASEMENT (15') INCLUDES THE SUBJECT PROPERTY AS SHOWN HEREON
h. NOT SURVEY RELATED
i. NOT SURVEY RELATED
j. NOT SURVEY RELATED

DOCUMENT NO. 2016-16013079, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. <u>SURVEYOR COMMENTS RELATED SCHEDULE B EXCEPTIONS ITEM 10:</u> a. NOT SURVEY RELATED

LEGAL DESCRIPTION OF LAND PROVIDED: BEING 102.748 ACRES OF LAND, MORE OR LESS, OUT OF THE THOMAS G. MCGEHEE LEAGUE, ABSTRACT NO. 11, IN HAYS COUNTY, TEXAS, BEING THE SAME 102.748 ACRE TRACT CONVEYED TO WHISPER MASTER COMMUNITY LIMITED PARTNERSHIP, BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2016 16012070, OFFICIAL PURP RESOLUTION OF HAYS COUNTY, TEXAS

6. A METES AND BOUNDS DESCRIPTION WAS PREPARED BY A SEPARATE DOCUMENT.

415 OF 495, COMMUNITY PANEL NO. 48209C0415F, DATED SEPTEMBER 2, 2005. 5. THE TRACT SHOWN HEREON IS SUBJECT TO ALL HAYS COUNTY ORDINANCES AND RESTRICTIONS.

GF NO: 20-3612-C, EFFECTIVE DATE: OCTOBER 30, 2020, ISSUED NOVEMBER 10, 2020.
4. REFERENCED PROPERTY IS IN ZONE "X" UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SCALED FROM FEMA FLOOD MAP

3. TITLE COMMITMENT PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY,

2. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS CENTRAL ZONE 4203, NORTH AMERICAN DATUM (NAD) OF 1983.

1. FIELD WORK COMLETED ON: 11-12-2020

NOTES:

NOT TO SCALE CR 2//CAMMO PR. CR 2//CAMMO PR.

POINT OF BEGINNING

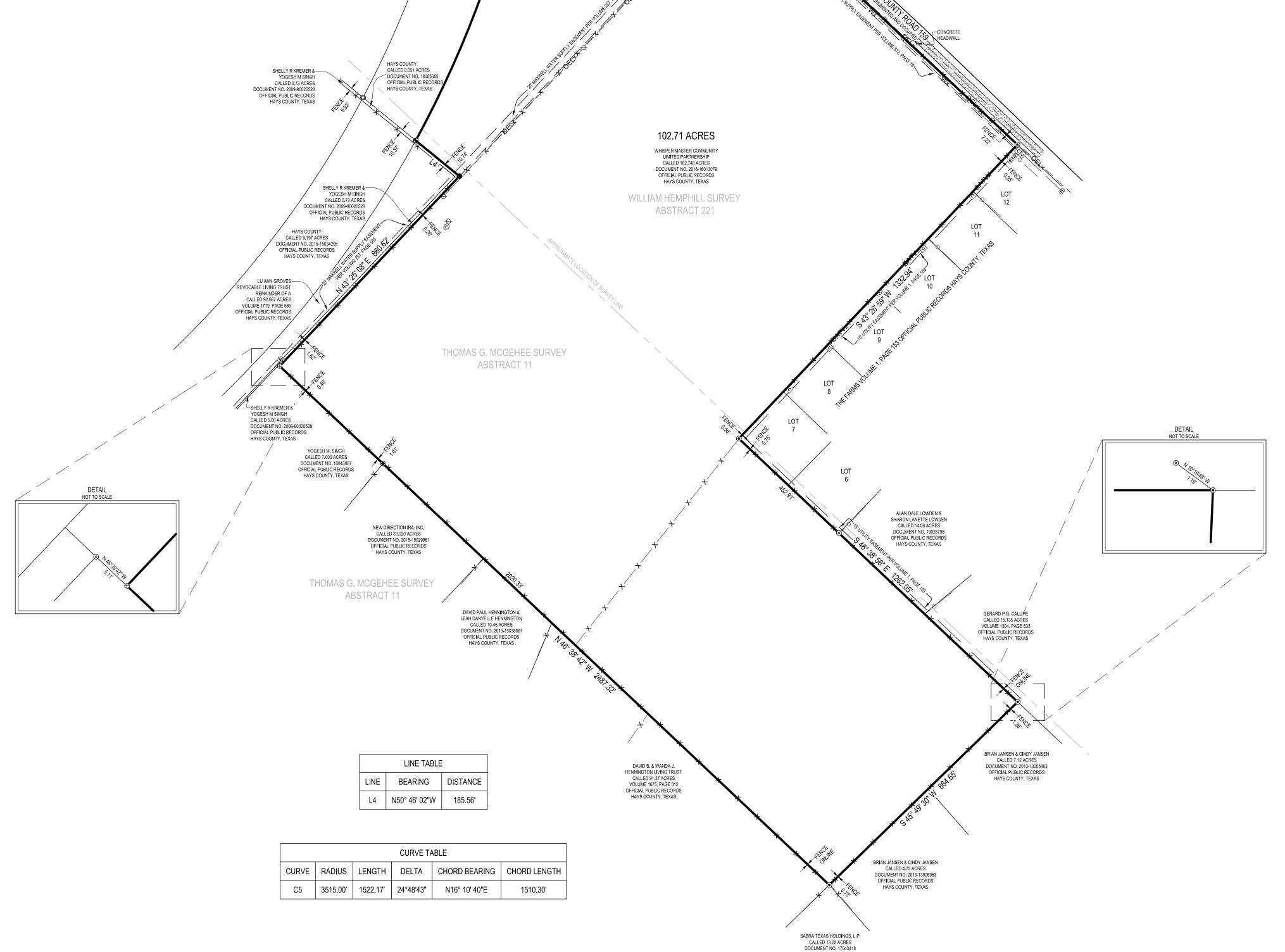
FOUND 1/2" IRON ROD

WITH ORANGE PLASTIC CAP

 \bigcirc

SCALE: 1" = 200'

LOCATION MAP



OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS



HEADQUARTERS 8 SPENCER ROAD SUITE 300 BOERNE, TEXAS 78006 OFFICE: 830.249.0600 FAX:830.249.0099 3303 SHELL ROAD SUITE 3 GEORGETOWN, TEXAS 78628 OFFICE: 512.868.2244

ENGINEERING & SURVEYING

GEORGETOWN, TEXAS REGISTERED SURVEYING FIRM F-10194347 BOERNE, TEXAS REGISTERED SURVEYING FIRM F-10024000 BOERNE, TEXAS REGISTERED ENGINEERING FIRM F-004512

> CIVIL ENGINEERS SURVEYORS LAND PLANNERS CONSTRUCTION MANAGERS CONSULTANTS

