

# DEVELOPMENT AGREEMENT APPLICATION

Updated: March, 2023



## CONTACT INFORMATION

Applicant's Name	Charlotte Hodges	Property Owner	John Lloyd
Company	Carlson, Brigance & Doering, Inc	Company	JLBC710 LLC
Applicant's Mailing Address	5501 W William Cannon Drive	Owner's Mailing Address	
Applicant's Phone #	██████████	Owner's Phone #	
Applicant's Email	██████████	Owner's Email	██████████

## PROPERTY INFORMATION

Subject Property Address(es): See attached site map exhibit

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Total Acreage: 646 Tax ID #: R 87-0912331

Preferred Scenario Designation: Single Family/ Commercial Existing Use of Property: Agricultural

## DESCRIPTION OF REQUEST

Proposed New Preferred Scenario Designation, if any: Single Family/Commercial

Proposed Base Zoning Districts: CD 3/ CD 5

Proposed Land Uses: Single Family Residential/ Light Commercial

## 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 \$2,500 plus \$200 per acre      Technology Fee \$15      MAXIMUM COST \$7,515

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

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

PROPERTY OWNER AUTHORIZATION

I, John Lloyd (owner name) on behalf of JLBC710 LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at See attached exhibit- Sedona South (address).

I hereby authorize Charlotte Hodges (agent name) on behalf of Carlson, Brigance & Doering, Inc (agent company) to file this application for Development Agreement (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: 0e363007-322a-4d12-82cb-1ce59fa1b6dd Digitally signed by 0e363007-322a-4d12-82cb-1ce59fa1b6dd  
DN: CN=0e363007-322a-4d12-82cb-1ce59fa1b6dd  
Reason: I am the author of this document  
Location: John Lloyd  
Date: 2024.02.27 07:27:57  
Foxit PhantomPDF Version: 9.7.0 Date: 2/26/2024

Printed Name, Title: John Lloyd

Signature of Agent: 0e363007-322a-4d12-82cb-1ce59fa1b6dd Digitally signed by 0e363007-322a-4d12-82cb-1ce59fa1b6dd  
DN: CN=0e363007-322a-4d12-82cb-1ce59fa1b6dd  
Reason: I am the author of this document  
Location: Charlotte Hodges  
Date: 2023-12-01 15:06:13  
Foxit PhantomPDF Version: 9.7.0 Date: 12/1/23

Printed Name, Title: Charlotte Hodges, Planning Director

**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 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 \$150 plus a \$15 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 \$150 plus a \$15 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: 0e363007-322a-4d12-82cb-1ce59fa1b6dd  
Digitally signed by  
0e363007-322a-4d12-82cb-1ce59fa1b6dd  
DN: CN=0e363007-322a-4d12-82cb-1ce59fa1b6dd  
Reason: I am the author of this document  
Location: Charlotte Hodges  
Date: 2024-02-27 07:30:00  
Foxit PhantomPDF Version: 9.7.0

Date: 2/26/24

Print Name: Charlotte Hodges



Carlson, Brigance & Doering, Inc.

Civil Engineering ❖ Surveying

May 14, 2026

Terry Floyd  
Director of Planning and Development Services  
City of San Marcos  
630 East Hopkins  
San Marcos, TX 78666

Re: Sedona South Development Agreement

Mr. Floyd,

On behalf of our client, we are requesting City of San Marcos consideration and approval of a Development Agreement to create Sedona South Municipal Utility District (MUD) for the development of a 646 acre tract for single family residential and commercial use.

After working with staff and the Development Agreement Review Committee, the Development Agreement consists of a Conceptual Land Use Plan, Phasing Plan, Parks and Open Space Master Plan and Thoroughfare Plan that we feel meets the character and desires of the San Marcos Community.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

*Charlotte Hodges*

Charlotte Hodges  
Planning Director, Carlson, Brigance & Doering

**METES AND BOUNDS**

**BEING ALL OF THAT CERTAIN 644.301 ACRE TRACT OF LAND SITUATED IN THE CHARLES HENDERSON SURVEY NUMBER 55, ABSTRACT NUMBER 226, HAYS COUNTY, TEXAS, AND THE CHARLES HENDERSON SURVEY NUMBER 55, ABSTRACT NUMBER 147, THE ANDREW MITCHEL SURVEY NUMBER 62, ABSTRACT NUMBER 220, AND THE JOHN WELLS SURVEY, ABSTRACT NUMBER 509, GUADALUPE COUNTY, TEXAS, BEING A PORTION OF A CALLED 510.282 ACRE TRACT OF LAND TRACT OF LAND (EXHIBIT A-1) CONVEYED TO JLBC 710 INVESTMENTS, LLC BY DEED RECORDED IN DOCUMENT NUMBER 202199026066, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, ALL OF A CALLED 134.473 ACRE TRACT CONVEYED TO JLBC 710 INVESTMENTS, LLC BY DEED RECORDED IN DOCUMENT NUMBER 202199026067, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, ALL OF A CALLED 1.230 ACRE TRACT OF LAND (EXHIBIT A-2) (LONG BRANCH CEMETERY) RECORDED IN DOCUMENT NUMBER 202199026066, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS AND A PORTION OF AN APPARENT ABANDONED GUADALUPE COUNTY ROAD, SAID 644.301 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS,**

**BEGINNING**, at a 1/2 inch iron rod found at the intersection of the east right-of-way line of State Highway 123 (R.O.W. Varies) and the north right-of-way of F.M. Highway 1978 (80' R.O.W.), being at the southwest corner of said 510.282 acre tract of land, for the southwest corner and **POINT OF BEGINNING** of the herein described tract,

**THENCE**, with said east line of said Highway 123 and the west line of said 510.282 acre tract, the following two (2) courses, numbered 1 and 2,

- 1) N04°24'01"E, a distance of 3,338.99 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE", and,
- 2) N01°29'59"E, a distance of 239.42 feet to a capped 1/2 inch iron rod set stamped "BMB ESMT" on the south line of a called 1.80 acre tract described in the annexation to the City of San Marcos, Ordinance Number 2023-57, for the northwest corner of the herein described tract,

**THENCE**, over and across said 510.282 acre tract, and with the south and east lines of said 1.80 acre annexation tract, the following four (4) courses, numbered 1 through 4,

- 1) N89°02'30"E, a distance of 230.78 feet to a capped 1/2 inch iron rod found stamped ""BMB ESMT" for corner, being at the beginning of a curve to the left,
- 2) Along said curve to the left, having a radius of 269.90 feet, an arc length of 191.68 feet, and a chord that bears N68°48'50"E, a distance of 187.68 feet to a capped 1/2 inch iron rod set stamped ""BMB ESMT" for corner,
- 3) N48°28'43"E, a distance of 1,467.45 feet to a capped 1/2 inch iron rod set stamped ""BMB ESMT" for corner, and
- 4) N41°31'17"W, a distance of 94.32 feet to a capped 1/2 inch iron rod set stamped "BMB PROPERTY CORNER" at a corner on the south line of a called 66.017 acre tract of land conveyed to JLBC 710 Investments, LLC by deed recorded in Document Number 21040821, Official Public Records, Hays County, Texas, for corner,

**THENCE** N48°40'12"E, with the south line of said 66.017 acre tract of land, a distance of 365.05 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner,

**THENCE**, S41°14'15"E, passing the west corner of a called 0.907 acre tract conveyed to Jonathan Garner Kraak by deed recorded in Document Number 2015015713, Official Public Records, Guadalupe County, Texas, being at a corner on the north line of said 510.282 acre tract of land, and continuing for a total

distance of 323.75 feet to a 1/2 inch iron rod found at the south corner of said 0.907 acre tract of land, being at a corner on the north line of said 510.282 acre tract of land, for corner,

**THENCE**, N47°05'59"E, with the common line of said 510.282 acre tract and said 0.907 acre tract of land, a distance of 136.34 feet to a 1/2 inch iron rod found at the east corner of said 0.907 acre tract, being at an interior corner of said 510.282 acre tract, same being on the west line of a called 5.00 acre tract of land conveyed to Jonnie Lynn Kraak McClellan by deed recorded in Volume 943, Page 640, Deed Records, Guadalupe County, Texas, for corner,

**THENCE**, with the west line of said 5.00 acre tract and said north line of said 510.282 acre tract, the following five (5) courses, numbered 1 through 5,

- 1) S41°38'54"E, a distance of 80.30 feet to a 1/2 inch iron rod found for corner,
- 2) N48°58'18"E, a distance of 500.10 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" for corner,
- 3) N41°53'08"W, a distance of 30.21 feet to a 1/2 inch iron rod found for corner,
- 4) N48°38'20"E, a distance of 94.77 feet to a 1/2 inch iron rod found for corner, and,
- 5) N41°19'44"W, passing the north corner of said 5.00 acre tract of land, being at a corner on the north line of said 510.282 acre tract of land, same being on the south line of said apparent abandoned county road, and continuing for a total distance of 357.31 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" on the north line of said apparent abandoned county road, being on the south line of Lot 1, Block V, Cottonwood Creek Phase 3 Unit 3, a subdivision recorded in Document Number 19029834, Official Public Records, Hays County, Texas, for corner,

**THENCE**, N48°40'14"E, with the south line of said Cottonwood Creek Phase 3 Unit 3, the south line of Cottonwood Creek Phase 3 Unit 4, a subdivision recorded in Document Number 20015032, Official Public Records, Hays County, Texas, and the south line of Cottonwood Creek Phase 3 Unit 5, a subdivision recorded in Document Number 20043156, Official Public Records, Hays County, Texas, a distance of 1738.01 feet to a capped 1/2 inch iron rod found stamped "PAPE DAWSON" on the north line of said apparent abandoned county road, being on the south line of Lot 23, Block W, said Cottonwood Creek Section 3 Unit 5, for the north corner of the herein described tract of land,

**THENCE**, S41°20'52"E, passing at a distance of 14.08 feet a 1" iron pipe found at the north corner of said 510.282 acre tract, being at the west corner of a called 100.734 acre tract conveyed to CCSM, LLC by deed recorded in Document Number 202199009636, Official Public Records, Guadalupe County, Texas, and continuing with the common line of said 510.282 acre tract and said 100.734 acre tract, a distance of 2203.13 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" at the southwest corner of said 100.734 acre tract, same being at a north exterior corner of said 134.473 acre tract, for corner,

**THENCE**, N48°36'09"E, with the common line of said 134.473 acre tract and said 100.734 acre tract, a distance of 1988.59 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" at the northernmost corner of said 134.473 acre tract, being the southeast corner of said 100.734 acre tract, same being on the west line of a called 100.55 acre tract conveyed to Moeller Family Limited Partnership by deed recorded in Volume 1156, Page 741, Deed Records, Guadalupe County, Texas, for corner,

**THENCE**, with the common line of said 134.473 acre tract and said 100.55 acre tract, the following two (2) courses, numbered 1 and 2,

- 1) S41°43'29"E, a distance of 1388.64 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" at an east interior corner of said 134.473 acre tract, being at the southwest corner of said 100.55 acre tract, for corner, and
- 2) N48°46'41"E, a distance of 653.09 feet to a 1/2 inch iron rod found on the south line of said 100.55 acre tract, being at the northeast corner of said 134.473 acre tract, same being at the northwest corner of a called 1.497 acre tract conveyed to Gloria D. Garza by deed recorded in Volume 2542, Page 916, Deed Records, Guadalupe County, Texas, for the northeast corner of the herein described tract of land,

**THENCE**, S41°18'07"E, with the east line of said 134.473 acre tract, the west line of said 1.497 acre tract, and the west line of a called 16.743 acre tract conveyed to Gregorio and Maris Jimenez Mata by deed recorded in Document Number 2016011032, and corrected in Document Number 2016013013, Official Public Records, Guadalupe County, Texas, a distance of 497.81 feet to a capped 1/2 inch iron rod found stamped "B&A 2633" at the southeast corner of said 134.473 acre tract, being at the northeast corner of a called 7.002 acre tract conveyed to Stephen Thomas Fleming by deed recorded in Document Number 202199000056, Official Public Records, Guadalupe County, Texas, for the easternmost corner of the herein described tract,

**THENCE**, S48°38'30"W, with the south line of said 134.473 acre tract, the north line of said 7.002 acre tract, the north line of a called 9.16 acre tract conveyed to Daryl Payton Fleming by deed recorded in Volume 596, Page 818, Deed Records, Guadalupe County, Texas, the north line of a called 8.09 acre tract conveyed to Michael Fleming by deed recorded in Document Number 201899025066, Official Public Records, Guadalupe County, Texas, the north line of a called 5.69 acre tract (Tract 1) conveyed to Delbert Max Ottmers, III by deed recorded in Document Number 202299013800, Official Public Records, Guadalupe County, Texas, the north line of a called 5.02 acre tract conveyed to Michael Fleming by deed recorded in Volume 596, Page 826, Deed Records, Guadalupe County, Texas, the north line of a called 5.11 acre tract conveyed to Robert Fleming by deed recorded in Volume 596, Page 828, Deed Records, Guadalupe County, Texas, and the north line of a called 64.57 acre tract conveyed to Clint E. Jones by deed recorded in Document Number 201999019538, Official Public Records, Guadalupe County, Texas, a distance of 4031.45 feet to a capped 1/2 inch iron rod found stamped "MEDINA BAIN" at the southwest corner of said 134.473 acre tract, being at the northwest corner of said 64.57 acre tract, same being at the northeast corner of a called 11.1738 acre tract conveyed to Jose DeJesus Juarez, et al. by deed recorded in Document Number 202399017401, Official Public Records, Guadalupe County, Texas, also being at the southeast corner of a called 10.00 acre tract conveyed to Larry M. Sanders and Loretta Sanders by deed recorded in Volume 1364, Page 782, Deed Records, Guadalupe County, Texas, for corner,

**THENCE**, with the common line of said 134.473 acre tract, said 510.282 acre tract, and said 10.00 acre tract, the following three (3) courses, numbered 1 through 3,

- 1) N41°31'52"W, a distance of 1278.71 feet to a 1/2 inch iron rod found,
- 2) S48°37'28"W, a distance of 340.97 feet to a capped 1/2 inch iron rod found stamped "DAM 5348", and,
- 3) S41°31'22"E, a distance of 901.37 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" at a south exterior corner of said 510.282 acre tract, being at the northeast corner of a called 0.45 acre tract, also called Lot 27, conveyed to Silvia Benitez by deed recorded in Volume 2177, Page 79, Official Public Records, Guadalupe County, Texas, for corner,

**THENCE**, S49°01'23"W, with the south line of said 510.282 acre tract, the north line of an unrecorded subdivision commonly known as Glenn Price, the north line of said 0.45 acre tract, the north line of a called 0.419 acre tract, also called Tract 26, conveyed to Robert Deleon and Nancy Deleon by deed

recorded in Volume 1807, Page 573, Official Public Records, Guadalupe County, Texas, the north line of a called 0.42 acre tract, also called Lot 25, conveyed to Oscar Leonard Deleon, et ux. by deed recorded in Document Number 202399011194, Official Public Records, Guadalupe County, Texas, the north line of a called 0.42 acre tract conveyed to Jesus R. Mendez, Jr. et al. by deed recorded in Volume 1221, Page 131, Official Public Records, Guadalupe County, Texas, the north line of a called 0.42 acre tract conveyed to Jose Luis Sustaita et ux. by deed recorded in Volume 745, Page 76, Deed Records, Guadalupe County, Texas, the north line of a called 0.42 acre tract (Tract One) conveyed to Robert Deleon by deed recorded in Document Number 2016022234, Official Public Records, Guadalupe County, Texas, the north line of a called 0.844 acre tract (Tract 6) conveyed to Unruh Property Development, LLC by deed recorded in Document Number 202099021246, Official Public Records, Guadalupe County, Texas, the north line of a called 0.422 acre tract, also called Lot 19, conveyed to Josie Deleon by deed recorded in Document Number 2018002787, Official Public Records, Guadalupe County, Texas, the north line of a called 0.429 acre tract conveyed to Graceann Elizabeth Cornwall by deed recorded in Document Number 202399027128, Official Public Records, Guadalupe County, Texas, the north right-of-way line of Columbia Circle (50' Right-of-Way) as dedicated by Skyline Ridge Subdivision, Section 1, recorded in Volume 3, Page 71, Plat Records, Guadalupe County, Texas, and the north line of a called 0.50 acre tract, also called Lot 8, conveyed to Olivia Contreras by deed recorded in Document Number 20150002177, Official Public Records, Guadalupe County, Texas, a distance of 1558.88 feet to a 1/2 inch iron rod found at a south interior corner of said 510.282 acre tract, being at the northwest corner of said 0.50 acre tract, for corner,

**THENCE**, S41°22'39"E, along said east line of said 510.282 acre tract, the west line of an unrecorded subdivision commonly known as Kraak Subdivision, the west line of said Olivia Contreras 0.50 acre tract, the west line of a called 0.50 acre tract, also called Lot 7, conveyed to Alfredo Marmolejo by deed recorded in Volume 1685, Page 839, Official Public Records, Guadalupe County, Texas, the west line of a called 0.50 acre tract, also called Lot 6, conveyed to Freddy and Frances Marmolejo by deed recorded in Volume 1661, Page 944, Official Public Records, Guadalupe County, Texas, the west line of a called 0.50 acre tract, also called Lot 5, conveyed to Mary T. Alvarado by deed recorded in Document Number 202299024336, Official Public Records, Guadalupe County, Texas, the west line of a called 0.50 acre tract, also called Lot 4, conveyed to Angel and Norma Baez by deed recorded in Volume 1692, Page 21, Official Public Records, Guadalupe County, Texas, the west line of a called 0.4999 acre tract, also called Lot 3, conveyed to Jackie Wayne House by deed recorded in Volume 1830, Page 581, Official Public Records, Guadalupe County, Texas, and the west line of a called 0.50 acre tract, also called Lot 2, conveyed to Ronald Weidman by deed recorded in Volume 1740, Page 422, Official Public Records, Guadalupe County, Texas, a distance of 820.61 feet to a 1/2 inch iron rod found on the west line of said Lot 2, for corner,

**THENCE**, S56°23'57"E , with the east line of said 510.282 acre tract, the west line of said Kraak Subdivision, the west line of said Lot 2, and the west line of a called 0.50 acre tract, also called Lot 1, conveyed to Jessica Lozano Rivera by deed recorded in Document Number 202399009746, Official Public Records, Guadalupe County, Texas, a distance of 198.95 feet to a 1/2 inch iron rod found at the southwest corner of said Lot 1, being the northwest corner of a called 0.98 acre tract conveyed to Richard Campbell by deed recorded in Document Number 202399005503, Official Public Records, Guadalupe County, Texas, for corner,

**THENCE**, S41°27'17"E, with the east line of said 510.282 acre tract and the west line of said 0.98 acre tract of land, a distance of 310.02 feet to a 1/2 inch iron rod found on the north line of said F.M. 1978, being at a south exterior corner of said 510.282 acre tract, same being at the southwest corner of said 0.98 acre tract, for the southeast corner of the herein described tract,

**THENCE**, with the common line of said F.M. 1978 and said 510.282 acre tract of land, the following eleven (11) courses, numbered 1 through 11,

- 1) S78°51'23"W, a distance of 144.22 feet to a 1/2 inch iron rod found for corner,
- 2) N82°58'39"W, a distance of 73.57 feet to a 1/2 inch iron rod found for corner,
- 3) S84°56'39"W, a distance of 143.40 feet to a 1/2 inch iron rod found for corner,
- 4) S81°16'38"W, a distance of 160.68 feet to a 3/4 inch iron pipe found for corner,
- 5) S73°34'12"W, a distance of 39.81 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" for corner,
- 6) S68°10'55"W, a distance of 223.80 feet to a capped 1/2 inch iron rod found stamped "DAM 5348" for corner,
- 7) S78°49'32"W, a distance of 1301.47 feet to a concrete monument found for corner, being at the beginning of a curve to the right,
- 8) Along said curve to the right, having a radius of 2824.97 feet, an arc length of 246.54 feet, and a chord that bears S81°19'46"W, a distance of 246.46 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner,
- 9) S83°49'55"W, a distance of 1169.73 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner,
- 10) S84°49'09"W, a distance of 1246.31 feet to a 1 inch iron pipe found for corner, and,
- 11) N51°33'51"W, a distance of 65.48 feet to the **POINT OF BEGINNING** and containing 644.301 acres of land, as shown on the attached sketch.

**SAVE AND EXCEPT**  
**LONG BRANCH CEMETERY**

**BEING ALL OF THAT CERTAIN 1.230 ACRE TRACT OF LAND SITUATED IN THE CHARLES HENDERSON SURVEY NUMBER 55, ABSTRACT NUMBER 147, GUADALUPE COUNTY, TEXAS, BEING ALL OF A CALLED 1.230 ACRE TRACT OF LAND (EXHIBIT A-2) (LONG BRANCH CEMETERY) RECORDED IN DOCUMENT NUMBER 202199026066, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS,**

**COMMENCING** at a 1/2 inch iron rod found at the intersection of the east right-of-way line of State Highway 123 (R.O.W. Varies) and the north right-of-way line of F.M. Highway 1978 (80' R.O.W.), being at the southwest corner of a called 510.282 acre tract of land (Exhibit A-1) conveyed to JLBC Investments by deed recorded in Document Number 202199026066, Official Public Records, Guadalupe County, Texas, for the **POINT OF COMMENCEMENT** of the herein described tract,

**THENCE**, N54°59'45"E, over and across said 510.282 acre tract of land, a distance of 3963.72 feet to a calculated point at the northwest corner of said 1.230 acre tract of land, for the northwest corner and the **POINT OF BEGINNING** of the herein described tract of land,



**THENCE**, with the common line of said 1.230 acre tract and said 510.282 acre tract, the following four (4) courses and distances, numbered 1 through 4,

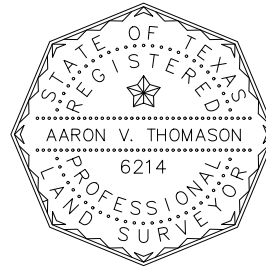
- 1) N48°43'13"E, a distance of 191.41 feet to a calculated point at the northeast corner of said 1.230 acre tract, for the northeast corner of the herein described tract of land, from which a capped 1/2 inch iron rod found stamped "DAM 5348" at a south interior corner of said 510.282 acre tract of land, being at the northwest corner of a called 10.00 acre tract of land conveyed to Larry M. and Loretta Sanders by deed recorded in Volume 1364, Page 782, Official Public Records, Guadalupe County, Texas, bears N48°37'53"E, a distance of 1350.42 feet,
- 2) S41°13'41"E, a distance of 279.77 feet to a calculated point at the southeast corner of said 1.230 acre tract of land, for the southeast corner of the herein described tract of land,

643.071 ACRE PARCEL  
CHARLES HENDERSON SURVEY NUMBER 55, ABSTRACT NUMBER 226,  
CHARLES HENDERSON SURVEY NUMBER 55, ABSTRACT 147,  
ANDREW MITCHEL SURVEY NUMBER 62, ABSTRACT NUMBER 220,  
JOHN WELLS SURVEY, ABSTRACT NUMBER 509  
HAYS COUNTY AND GUADALUPE COUNTY, TEXAS

- 3) S48°28'49"W, a distance of 191.18 feet to a calculated point at the southwest corner of said 1.230 acre tract of land, for the southwest corner of the herein described tract of land,
- 4) N41°16'34"W, a distance of 280.57 feet to the **POINT OF BEGINNING** and containing 1.230 acres of land, as shown on the attached sketch.

**ACREAGE TABLE:**  
**GROSS AREA = 644.301 ACRES**  
**SAVE AND EXCEPT TRACT = 1.230 ACRES**  
**NET AREA = 643.071 ACRES**

Surveyed by,  5/21/2026  
Aaron V. Thomason, R.P.L.S. NO. 6214  
**Carlson, Brigance & Doering, Inc.**  
**REG. # 10024900**  
5501 W. William Cannon  
Austin, TX 78749  
Ph, 512-280-5160  




BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

# SKETCH TO ACCOMPANY FIELD NOTES

FARNHAM FRYE SURVEY NO. 17  
ABSTRACT NO. 183

CHARLES HENDERSON SURVEY NO. 55  
ABSTRACT NO. 226

JLBC 710 INVESTMENTS, LLC  
(66.017 ACRES)  
INSTRUMENT NO. 21040821

CITY OF SAN MARCOS  
ANNEXATION  
(1.80 ACRES)  
ORDINANCE NO. 2023-57

ANDREW MITCHEL SURVEY NO. 62  
ABSTRACT NO. 220

JLBC 710 INVESTMENTS, LLC  
(510.282 ACRES)  
DOC. NO. 202199026066

LONG BRANCH CEMETERY  
(1.230 ACRES)  
(EXHIBIT A-2)  
DOC. NO. 202199026066

CHARLES HENDERSON SURVEY NO. 55  
ABSTRACT NO. 147

JOHN WELLS SURVEY  
ABSTRACT NO. 509

CCSM, LLC  
(100.734 ACRES)  
DOC. NO. 202199009636

MOELLER FAMILY LIMITED PARTNERSHIP  
(100.55 ACRES)  
(TRACT ONE)  
VOL. 1156, PG. 741








JLBC 710 INVESTMENTS, LLC  
(134.473 ACRES)  
DOC. NO. 202199026067

CLINT E. JONES  
(64.57 ACRES)  
DOC. NO. 201990019538

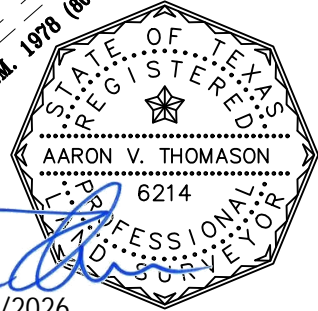
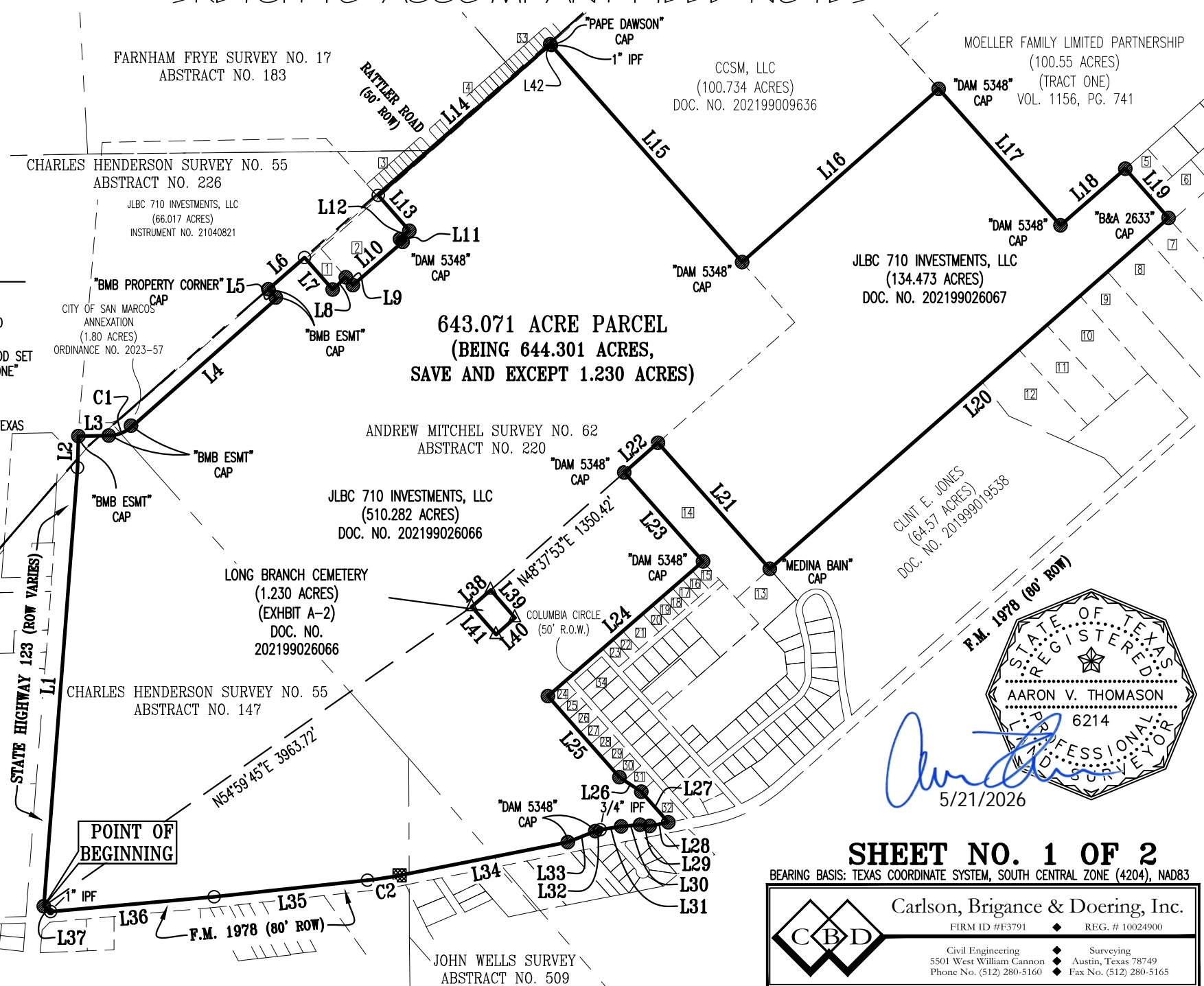
**643.071 ACRE PARCEL  
(BEING 644.301 ACRES,  
SAVE AND EXCEPT 1.230 ACRES)**

SCALE: 1" = 1000'

## LEGEND

-  CONCRETE MONUMENT FOUND
-  1/2" IRON ROD FOUND (UNLESS NOTED)
-  CAPPED 1/2" IRON ROD SET STAMPED "CBD SETSTONE"
-  IRON PIPE FOUND
-  DEED RECORDS OF GUADALUPE COUNTY, TEXAS
-  ADJOINER NUMBER
-  CALCULATED POINT

HAYS COUNTY  
GUADALUPE COUNTY  
STATE HIGHWAY 123 (ROW VARIES)



*Aaron V. Thomason*  
5/21/2026

## SHEET NO. 1 OF 2

BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83



**Carlson, Brigrance & Doering, Inc.**  
FIRM ID #E3791    REG. # 10024900

Civil Engineering    Surveying  
5501 West William Cannon    Austin, Texas 78749  
Phone No. (512) 280-5160    Fax No. (512) 280-5165

# SKETCH TO ACCOMPANY FIELD NOTES

## ADJOINER LIST

- ① JONATHAN GARNER KRAAK  
0.907 ACRE  
DOC. NO. 2015015713
- ② JONNIE LYNN KRAAK MCCLELLAN  
5.00 ACRES  
VOL. 943, PG. 640
- ③ COTTON WOOD PHASE 3 UNIT 3  
DOC. NO. 19029834
- ④ COTTON WOOD CREEK  
PHASE 3 UNIT 4  
DOC. NO. 20015032
- ⑤ GLORIA D. GARZA  
1.497 ACRES  
VOL. 2542, PG. 916
- ⑥ GREGORIO AND MARIA JIMENEZ MATA  
16.743 ACRES  
DOC. NO. 2016011032,  
CORRECTED IN DOC. NO. 2016013013
- ⑦ STEPHEN THOMAS FLEMING  
7.002 ACRES  
DOC. NO. 202199000056
- ⑧ DARYL PAYTON FLEMING  
9.16 ACRES  
VOL. 596, PG. 818
- ⑨ MICHAEL FLEMING  
8.09 ACRES  
DOC. NO. 201899025066
- ⑩ DELBERT MAX OTTMERS, III  
5.69 ACRES (TRACT 1)  
DOC. NO. 202299013800
- ⑪ MICHAEL FLEMING  
5.02 ACRES  
VOL. 596, PG. 826
- ⑫ ROBERT FLEMING  
5.11 ACRES  
VOL. 596, PG. 828
- ⑬ JOSE DeJESUS JUAREZ, ET UX  
11.1738 ACRES  
DOC. NO. 202399017401
- ⑭ LARRY M. SANDERS & LORETTA SANDERS  
10.00 ACRES  
VOL. 1364, PG. 782
- ⑮ SILVIA BENITEZ  
CALLED LOT 27 - 0.45 ACRE  
VOL. 2177, PG. 79

- ⑯ ROBERT AND NANCY DELEON  
CALLED TRACT 26 - 0.419 ACRE  
VOL. 1807, PG. 573
- ⑰ OSCAR LEONARD DELEON, ET UX  
CALLED LOT 25 - 0.42 ACRE  
DOC. NO. 202399011194
- ⑱ JESUS R. MENDEZ, JR. ET AL.  
0.42 ACRE  
VOL. 1221, PG. 131
- ⑲ JOSE LUIS SUSTAITA, ET UX.  
0.42 ACRE  
VOL. 745, PG. 76
- ⑳ ROBERT DELEON  
TRACT ONE - 0.42 ACRE  
DOC. NO. 2016022234
- ㉑ UNRUH PROPERTY DEVELOPMENT, LLC  
TRACT 6 - 0.844 ACRE  
DOC. NO. 202099021246
- ㉒ JOSIE DELEON  
CALLED LOT 19 - 0.422 ACRE  
DOC. NO. 2018002787
- ㉓ GRACEANN ELIZABETH CORNWALL  
0.429 ACRE  
DOC. NO. 202399027128
- ㉔ OLIVIA CONTRERAS  
CALLED LOT 8 - 0.50 ACRE  
DOC. NO. 20150002177
- ㉕ ALFREDO MARMOLEJO  
CALLED LOT 7 - 0.50 ACRE  
VOL. 1685, PG. 839
- ㉖ FREDDY AND FRANCES MARMOLEJO  
CALLED LOT 6 - 0.50 ACRE  
VOL. 1661, PG. 944
- ㉗ MARY T. ALVARADO  
CALLED LOT 5 - 0.50 ACRE  
DOC. NO. 202299024336
- ㉘ ANGEL AND NORMA BAEZ  
CALLED LOT 4 - 0.50 ACRE  
VOL. 1692, PG. 21
- ㉙ JACKIE WAYNE HOUSE  
CALLED LOT 3 - 0.4999 ACRE  
VOL. 1830, PG. 581

- ㉚ RONALD WEIDMAN  
CALLED LOT 2 - 0.50 ACRE  
VOL. 1740, PG. 422
- ㉛ JESSICA LOZANO RIVERA  
CALLED LOT 1 - 0.50 ACRE  
DOC. NO. 202399009746
- ㉜ RICHARD CAMPBELL  
0.98 ACRE  
DOC. NO. 202399005503
- ㉝ COTTONWOOD CREEK  
PHASE 3 UNIT 5  
DOC. NO. 20043156
- ㉞ SKYLINE RIDGE  
SUBDIVISION, SECTION 1  
VOL. 3, PAGE 71



Line Table		
Line #	Direction	Length
L1	N04°24'01"E	3338.99
L2	N01°29'59"E	239.42
L3	N89°02'30"E	230.78
L4	N48°28'43"E	1467.45
L5	N41°31'17"W	94.32
L6	N48°40'12"E	365.05
L7	S41°14'15"E	323.75
L8	N47°05'59"E	136.34
L9	S41°38'54"E	80.30
L10	N48°58'18"E	500.10
L11	N41°53'08"W	30.21
L12	N48°38'20"E	94.77
L13	N41°19'44"W	357.31
L14	N48°40'14"E	1738.01
L15	S41°20'52"E	2203.13
L16	N48°36'09"E	1988.59
L17	S41°43'29"E	1388.64
L18	N48°46'41"E	653.09
L19	S41°18'07"E	497.81
L20	S48°38'30"W	4031.45
L21	N41°31'52"W	1278.71

Line Table		
Line #	Direction	Length
L22	S48°37'28"W	340.97
L23	S41°31'22"E	901.37
L24	S49°01'23"W	1558.88
L25	S41°22'39"E	820.61
L26	S56°23'57"E	198.95
L27	S41°27'17"E	310.02
L28	S78°51'23"W	144.22
L29	N82°58'39"W	73.57
L30	S84°56'39"W	143.40
L31	S81°16'38"W	160.68
L32	S73°34'12"W	39.81
L33	S68°10'55"W	223.80
L34	S78°49'32"W	1301.47
L35	S83°49'55"W	1169.73
L36	S84°49'09"W	1246.31
L37	N51°33'51"W	65.48
L38	N48°43'13"E	191.41
L39	S41°13'41"E	279.77
L40	S48°28'49"W	191.18
L41	N41°16'34"W	280.57
L42	N41°20'52"W	14.08

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	191.68	269.90	N68°48'50"E	187.68
C2	246.54	2824.97	S81°19'46"W	246.46

BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

Carlson, Brigrance & Doering, Inc.  
FIRM ID #E3791      REG. # 10024900  
Civil Engineering      Surveying  
5501 West William Cannon      Austin, Texas 78749  
Phone No. (512) 280-5160      Fax No. (512) 280-5165



WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY, OR (G) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY, THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE EXISTENCE IN OR ON THE PROPERTY OF HAZARDOUS MATERIALS (AS DEFINED BELOW). GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR AND ACCEPTS THE PROPERTY AS IS WHERE IS, WITH ALL FAULTS, AND WAIVES ALL OBJECTIONS OR CLAIMS AGAINST GRANTOR (INCLUDING, BUT NOT LIMITED TO, ANY RIGHT OR CLAIM OF CONTRIBUTION) ARISING FROM OR RELATED TO THE PROPERTY OR TO ANY HAZARDOUS MATERIALS ON THE PROPERTY.

As used in the foregoing paragraph, "Hazardous Materials" means any substance which is or contains "hazardous substance" as now or hereafter defined in §101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. §9601 et seq.) ("CERCLA") or any regulations promulgated under CERCLA; (ii) any "hazardous waste" as now or hereafter defined in the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.) ("RCRA") or regulations promulgated under RCRA; (iii) any substance regulated by the Toxic Substances Control Act (15 U.S.C. §2601 et seq.); (iv) gasoline, diesel fuel, or other petroleum hydrocarbons; (v) asbestos and asbestos containing materials, in any form, whether friable or non-friable (vi) polychlorinated biphenyls; (vii) radon gas; and (viii) any additional substances or materials which are now or hereafter classified or considered to be hazardous or toxic under any applicable federal or state laws relating to any of the Property. Hazardous Materials shall include, without limitation, any substance, the presence of which on the Property, (a) requires reporting, investigation or remediation under applicable law, (b) causes or threatens to cause a nuisance on the Property or adjacent property or poses or threatens to pose a hazard to the health or safety of persons on the Property or adjacent property, or (c) which, if it emanated or migrated from the Property, could constitute a trespass.

EXECUTED on the date of the acknowledgment set forth below, to be effective as of the 27<sup>th</sup> day of July, 2021.

*See Attached Signature Page*

**GRANTOR:**

  
\_\_\_\_\_  
Jonnie Lynn McClellan

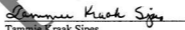
*(being one and the same Person identified as Jonnie Lynn McClellan in that certain Correction Deed recorded in Volume 4135, Page 170, in the Official Public Records of Guadalupe, County, Texas)*

  
\_\_\_\_\_  
Jonathan Gardner Kraak

*(being one and the same Person identified as Jonathan Garner Kraak in that certain Document No. 2015015712, recorded in the Official Public Records of Guadalupe, County, Texas)*

  
\_\_\_\_\_  
Jay Payton Kraak

*(being one and the same Person identified as Jay Payton Kraak in that certain Correction Deed recorded in Volume 4135, Page 170, in the Official Public Records of Guadalupe, County, Texas)*

  
\_\_\_\_\_  
Tammie Kraak Sipes

*(being one and the same Person identified as Tammy Kraak Sipe in that certain Executor's Deed recorded in Volume 2287, Page 22, in the Official Public Records of Guadalupe, County, Texas)*

**GRANTOR:**

\_\_\_\_\_  
Jonnie Lynn McClellan

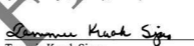
*(being one and the same Person identified as Jonnie Lynn McClellan in that certain Correction Deed recorded in Volume 4135, Page 170, in the Official Public Records of Guadalupe, County, Texas)*

  
\_\_\_\_\_  
Jonathan Gardner Kraak

*(being one and the same Person identified as Jonathan Garner Kraak in that certain Document No. 2015015712, recorded in the Official Public Records of Guadalupe, County, Texas)*

  
\_\_\_\_\_  
Jay Payton Kraak

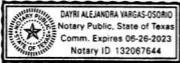
*(being one and the same Person identified as Jay Payton Kraak in that certain Correction Deed recorded in Volume 4135, Page 170, in the Official Public Records of Guadalupe, County, Texas)*

  
\_\_\_\_\_  
Tammy Kraak Sipes

*(being one and the same Person identified as Tammy Kraak Sipe in that certain Executor's Deed recorded in Volume 2287, Page 22, in the Official Public Records of Guadalupe, County, Texas)*

THE STATE OF TEXAS §  
COUNTY OF HAYS §

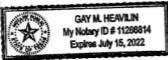
This instrument was acknowledged before me on the 26<sup>th</sup> day of July, 2021, by Jonnie Lynn McClellan, an individual.



[Signature]  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

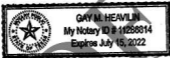
This instrument was acknowledged before me on the 23 day of July, 2021, by Jonathan Gardner Kraak, an individual.



[Signature]  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

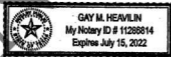
This instrument was acknowledged before me on the 22 day of July, 2021, by Jay Paton Kraak, an individual.



[Signature]  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF HAYS §

This instrument was acknowledged before me on the 22 day of July, 2021, by Tammie Kraak Sipes, an individual.



[Signature]  
Notary Public, State of Texas

GRANTEE'S ADDRESS AND  
AFTER RECORDING, PLEASE RETURN TO:

JLBC 710 INVESTMENTS, LLC  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

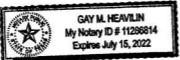
THE STATE OF TEXAS            §  
  §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on the \_\_\_ day of July, 2021, by Jonnie Lynn McClellan, an individual.

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the 13 day of July, 2021, by Jonathan Gardner Kraak, an individual.



\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

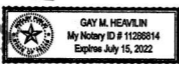
This instrument was acknowledged before me on the 22 day of July, 2021, by Jay Paton Kraak, an individual.



\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the 22 day of July, 2021, by Tammie Kraak Sipes, an individual.



\_\_\_\_\_  
Notary Public, State of Texas

GRANTEE'S ADDRESS AND  
AFTER RECORDING, PLEASE RETURN TO:

JLBC 710 INVESTMENTS, LLC

\_\_\_\_\_  
\_\_\_\_\_

**Exhibit A**  
**Legal Description**



**METES AND BOUNDS DESCRIPTION**  
**FOR A**  
**134.473 ACRE TRACT OF LAND**

BEING a 134.473 acre tract of land situated in the Andrew Mitchell Survey, Abstract No. 220, in Guadalupe County, Texas, being all of a called 40.418 acre tract of land (Tract One) and all of a called 94.13 acre tract of land (Tract Two), as conveyed to Jay Payton Kraak, Jonnie Lynn McLellan and Tammie Kraak Sipes, recorded in Correction Deed in Volume 4135, Page 170, of the Official Public Records of Guadalupe County, Texas, and also conveyed to Jonathan Garner Kraak, and recorded in Document No. 2015015712, of the Official Public Records of Guadalupe County, Texas, and said 134.473 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron pipe found for the most Westerly Southwest corner of a called 16.743 acre tract of land, as conveyed to Gregorio Mata, et al, and recorded in Document No. 2016013013, of the Official Public Records of Guadalupe County, Texas, same being the most Southerly corner of the remaining portion of a called 127.198 acre tract of land, as conveyed to Malcolm Fleming, and recorded in Volume 447, Page 633, of the Deed Records of Guadalupe County, Texas, and being the most Easterly corner of said 94.13 acre tract of land and this herein described tract of land;

THENCE with the Southeastery line of said 94.13 acre tract of land, and with the Northwesterly line of the following tracts of land: a called 7.0 acre tract of land, as conveyed to Gregory Scott Fleming, and recorded in Volume 2355, Page 73, of the Official Public Records of Guadalupe County, Texas (OPRGCT); a called 9.16 acre tract of land, as conveyed to Daryl P. Fleming, and recorded in Volume 596, Page 818, of the Deed Records of Guadalupe County, Texas (DRGCT); a called 8.09 acre tract of land, as conveyed to Michael Fleming, and recorded in Document No. 201899025066, OPRGCT; a called 5.69 acre tract of land, as conveyed to Francis F. Ottman, and recorded in Volume 596, Page 826, DRGCT; a called 5.02 acre tract of land, as conveyed to Michael Fleming, and recorded in Volume 596, Page 826, DRGCT; a called 5.11 acre tract of land, as conveyed to Robert Fleming, and recorded in Volume 596, Page 828, DRGCT; a called 64.57 acre tract of land, as conveyed to Clint E. Jones, and recorded in Document No. 201999019538, OPRGCT; S 48° 37' 52" W, at a distance of 2,639.34 feet passing a 1/2" iron pin found in the Northwesterly line of said 64.57 acre tract of land, being the most Southerly corner of said 94.13 acre tract of land, same being the most Easterly corner of said 40.418 acre tract of land, and continuing with the common line between said 64.57 acre tract of land and said 40.418 acre tract of land, for a total distance of 4,031.65 feet to a bent 1/4" iron pin found for the most Northerly corner of a called 12.38 acre tract of land, as conveyed to James Rivers, et al, and recorded in Volume 4087, Page 554, of the Official Public Records of Guadalupe County, Texas, same being the most Southerly Southeast corner of a called 10.00 acre tract of land, as conveyed to Larry M. Sanders, et al, and recorded in Volume 1364, Page 782, of the Official Public Records of Guadalupe County, Texas, being the most Westerly corner of said 64.57 acre tract of land, and being the most Southerly Southwest corner of said 40.418 acre tract of land and this herein described tract of land;

THENCE with the common line between said 40.418 acre tract of land and said 10.00 acre tract of land, N 41° 30' 57" W, a distance of 1,278.81 feet to a 1/2" iron pin found in the Southeasterly line of a called 511.299 acre tract of land, as conveyed to JK Ranch Partners, Inc., and recorded in Volume 1634, Page 964, of the Official Public Records of Guadalupe County, Texas, being the most Northerly Northwest corner of said 10.00 acre tract of land, and being the most Westerly corner of said 40.418 acre tract of land and this herein described tract of land;

THENCE with the common line between said 511.299 acre tract of land and said 40.418 acre tract of land, N 48° 38' 52" E, a distance of 1,382.62 feet to a wood fence corner post found for a Southeastery corner of said 511.299 acre tract of land, being in the Southwestery line of said 94.13 acre tract of land, same being the most Northerly corner of said 40.418 acre tract of land, and being a Northwesterly interior corner of this herein described tract of land;

THENCE with the common line between said 511.299 acre tract of land and said 94.13 acre tract of land, N 41° 06' 03" W, a distance of 608.20 feet to a 1/2" iron pin with cap stamped "DAM #5348 PROP. COR." set in the Northeastly line of said 511.299 acre tract of land, being the most Southerly corner of a called 100.71 acre tract of land, as conveyed to Cottonwood Creek JDR, Ltd., and recorded in Volume 2008, Page 867, of the Official Public Records of Guadalupe County, Texas, being the most Westerly corner of said 94.13 acre tract of land, and being a Northwestly corner of this herein described tract of land;

THENCE departing the Northeastly line of said 511.299 acre tract of land, and with the common line between said 94.13 acre tract of land and said 100.71 acre tract of land, N 48° 36' 08" E, a distance of 1,988.15 feet to a 1/2" iron pin with cap stamped "DAM #5348 PROP. COR." set for the most Easterly corner of said 100.71 acre tract of land, being in the Southwestly line of a called 100.55 acre tract of land, as conveyed to Moeller Family Limited Partnership, and recorded in Volume 1156, Page 741, of the Official Public Records of Guadalupe County, Texas, and being the most Northerly corner of said 94.13 acre tract of land and this herein described tract of land;


THENCE with the common line between said 100.55 acre tract of land and said 94.13 acre tract of land, S 41° 43' 36" E, a distance of 1,388.50 feet to a 1/2" iron pin with cap stamped "DAM #5348 PROP. COR." set for the most Southerly corner of said 100.55 acre tract of land, and being a Northeastly interior corner of said 94.13 acre tract of land and this herein described tract of land;

THENCE continuing with the common line between said 94.13 acre tract of land and said 100.55 acre tract of land, N 48° 47' 10" E, a distance of 652.84 feet to a 1/2" iron pin found in the Southeastly line of said 100.55 acre tract of land, being the most Westerly corner of a called 1.497 acre tract of land, as conveyed to Gloria D. Garza, and recorded in Volume 2542, Page 916, of the Official Public Records of Guadalupe County, Texas, and being a Northeastly corner of said 94.13 acre tract of land and this herein described tract of land;

THENCE departing the Southeastly line of said 100.55 acre tract of land, with the Northeastly line of said 94.13 acre tract of land, with the Southwestly line of said 1.497 acre tract of land, and with the Southwestly line of the remaining portion of aforementioned 127.198 acre tract of land, S 41° 20' 50" E, a distance of 497.35 feet to the POINT OF BEGINNING, and containing 134.473 acres of land.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

Exhibit prepared this the 16<sup>th</sup> day of July, 2021.

  
Drew A. Mawyer  
Registered Professional Land Surveyor No. 5348  
TBPUS Firm Registration #10191500  
5151 W. SH 46, NEW BRAUNFELS, TX 78132  
MO6411-138473 ACRES-REV 071621



**Exhibit B**  
Permitted Exceptions


1. Easement to Texas Power & Light Company, by A.H. Flemming recorded in Volume 163, Page 432, Deed Records, Guadalupe County, Texas.
2. Easement to Texas Power & Light Company, by Mrs. J.W. Rylander recorded in Volume 163, Page 433, Deed Records, Guadalupe County, Texas.
3. Easement to Crystal Clear Water Supply, by Malcom Fleming Co. recorded in Volume 375, Page 527, Deed Records, Guadalupe County, Texas.
4. Easement to Crystal Clear Water Supply, by John Kraak recorded in Volume 842, Page 791, Official Records, Guadalupe County, Texas.
5. Rights of others to use of access easement as granted in deeds recorded in Volume 596, Page 828, Deed Records and Volume 2287, Page 22, Official Public Records, Guadalupe County, Texas.
6. A 1/64<sup>th</sup> mineral interest in and to all coal, lignite oil, gas and other minerals recorded in Volume 254, Page 450, Deed Records, Hays County, Texas, and Volume 460, Page 438, Deed Records, Guadalupe County, Texas.
7. A 1/64<sup>th</sup> mineral interest in and to all coal, lignite oil, gas and other minerals recorded in Volume 292, Page 304, Deed Records, Guadalupe County, Texas.
8. Oil, Gas and Mineral Lease recorded in Volume 604, Page 313, Deed Records, Guadalupe County, Texas.
9. Rights of Milton Salmon, as tenant only, under any and all unrecorded leases or rental agreements.
10. Standby fees, taxes and assessments by any taxing authority for the year 2021 and subsequent years and subsequent taxes and assessments for prior years due to change in land usage or ownership.
11. Shortages in area.

202199026067

I certify this instrument was FILED and RECORDED  
in the OFFICIAL PUBLIC RECORDS  
of Guadalupe County, Texas on  
07/28/2021 12:16:10 PM PAGES: 9 REBECCAM  
TERESA KIEL, COUNTY CLERK



*Teresa Kiel*

Independence Title/GF# 2432350 -SMA/ 

Project: Wastewater Treatment Plant - 2nd Site (571)  
Parcel: 00048.0006

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SPECIAL WARRANTY DEED**

**Date:** October 30, 2024

**Grantor:** JLBC 710 Investments, LLC, a Texas limited liability company

**Grantor's Mailing Address:** 3701 Long Champ Drive, Austin, Travis County, Texas 78746

**Grantee:** City of San Marcos, Texas, a Texas municipal corporation

**Grantee's Mailing Address:** 300 East Hopkins Street, San Marcos, Hays County, Texas 78666

**Consideration:** TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):** Being 25.013 acres, more or less, in the Andrew Mitchell Survey, Abstract No. 220 and being a portion of that tract described as 134.473 acres in a deed from Jonnie Lynn McClellan, et al to JLBC 710 Investments, LLC dated July 26, 2021 and recorded in Guadalupe County Document Number 202199026067 of the Guadalupe County Official Public Records, and being more particularly described by metes and bounds in Exhibit "A," attached hereto and made a part hereof for all purposes.

**Reservations from and Exceptions to Conveyance and Warranty:**

- a) Easement to Texas Power & Light Company, by A. H. Fleming recorded in Volume 162, Page 578, Deed Records, Guadalupe County, Texas.
- b) Easement to Texas Power & Light Company, by Mrs. J.W. Rylander recorded in Volume 163, Page 433, Deed Records, Guadalupe County, Texas.
- c) An access easement appurtenant to the subject tract recorded in Volume 462, Page 666, Deed Records, Guadalupe County, Texas, and in Volume 2287, Page 22, Official Public Records, Guadalupe County, Texas.
- d) A 1/64th interest in and to all coal, lignite oil, gas and other minerals recorded in Volume 460, Page 438, Deed Records, Guadalupe County, Texas.
- e) A 1/64th interest in and to all coal, lignite oil, gas and other minerals recorded in Volume 292, Page 304, Deed Records, Guadalupe County, Texas.
- f) Terms, Conditions, and Stipulations in Oil, Gas and Mineral Lease recorded in

Volume 604, Page 313, Deed Records, Guadalupe County, Texas.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise, except as to the Reservations from and Exceptions to Conveyance and Warranty.

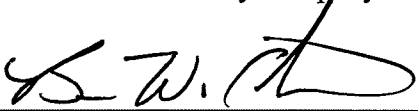
Taxes and assessments are prorated and Grantee assumes no liability for any taxes and assessments due and unpaid through the date of this deed by Grantee and Grantor agrees to indemnify, defend and hold harmless Grantee against and from any such unpaid taxes and assessments.

Grantor and Grantee are parties to that certain Regional Wastewater Service and Facilities Cost Sharing Agreement dated effective May 14, 2024 (as it may be amended and/or assigned, from time to time, the "**Regional Wastewater Agreement**"). Notwithstanding any contrary provision of this instrument, and in accordance with the terms and provisions of Article IV., Section 3 of the Regional Wastewater Agreement, Grantor hereby retains a right of reversion of title (the "**Right of Reverter**") to the Property on the terms and conditions contained herein. In the event Grantee is in Major Default (as defined in Article VI., Section 7 of the Regional Wastewater Agreement) and fails to cure the Major Default in accordance with Article VI. of the Regional Wastewater Agreement, Grantor, at its option, may deliver written notice to Grantee ("**Major Default Notice**") of such Major Default. If, within sixty (60) days after the Major Default Notice has been delivered to Grantee in accordance with Article VII., Section 23 of the Regional Wastewater Agreement, Grantee does not cure the Major Default, or Grantee disputes the occurrence of a Major Default and, after good faith negotiation, Grantor and Grantee fail to agree that a Major Default did not occur or that it did occur and has been timely cured, Grantor may exercise the Right of Reverter by the delivery of written notice to Grantee ("**Reverter Notice**") at the same address and by filing a sworn affidavit in the Real Property Records of Guadalupe County, Texas ("**Major Default Affidavit**") specifying such uncured Major Default. Upon delivery of such Reverter Notice and the recordation of the Major Default Affidavit, title to the Property shall automatically revert to Grantor, or its designee, if any, identified in the Major Default Affidavit in accordance with Article VI., Sections 1. through 4. of the Regional Wastewater Agreement, subject only to such exceptions as existed on the date of this conveyance, together with any exceptions reasonably necessary for Grantee's performance of its obligations under the Regional Wastewater Agreement. Except for any encumbrance(s) reasonably necessary for Grantee's performance of its obligations under the Regional Wastewater Agreement, Grantee shall not allow any liens or encumbrances to attach to the Property. Grantor's rights to enforce the Right of Reverter shall inure to the benefit of Grantor's successors and assigns. The foregoing is not intended to and shall not have the effect of modifying the terms of or waiving Grantee's right to dispute the occurrence of a Major Default under the Regional Wastewater Agreement.

When the context requires, singular nouns and pronouns include the plural.

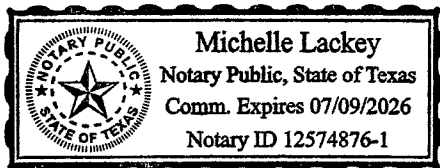
**GRANTOR:**

JLBC 710 Investments, LLC,  
a Texas limited liability company

By:   
Bruce W. Cash, Manager

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS      §

This instrument was acknowledged before me on October 30, 2024 by Bruce W. Cash, Manager of JLBC 710 Investments, LLC, a Texas limited liability company, in such capacity, on behalf of said entity.



  
Notary Public, State of Texas

After recording, return to:

City of San Marcos  
630 East Hopkins Street  
San Marcos, Texas 78666

**EXHIBIT "A"**

**Description of Property**

[attached]

**DESCRIPTION OF 25.013 ACRES, MORE OR LESS, IN THE ANDREW MITCHELL SURVEY, ABSTRACT NO. 220 AND BEING A PORTION OF THAT TRACT DESCRIBED AS 134.473 ACRES IN A DEED FROM JONNIE LYNN MCCLELLAN ET AL TO JLBC 710 INVESTMENTS, LLC DATED JULY 26, 2021 AND RECORDED IN GUADALUPE COUNTY DOCUMENT NUMBER 202199026067 OF THE GUADALUPE COUNTY OFFICIAL PUBLIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2" iron rod set in the common northeast line of the JLBC 710 Investments, LLC tract and the southwest line of that tract described as Tract One - 100.55 acres in a deed from Leonard Oscar Moeller et ux to Moeller Family Limited Partnership dated July 17, 1995 and recorded in Volume 1156, Page 741 of the Guadalupe Official Public Records and for the north corner of this description, from which an iron rod found with an illegible plastic cap found in the southwest line of the Moeller Family Limited Partnership tract and for the north corner of the JLBC 710 Investments, LLC tract bears, S 41° 43' 33" W 649.92 feet;

**THENCE** leaving the **PLACE OF BEGINNING** as shown on that plat numbered 28291-24-2-d dated July 3, 2024, as prepared for the City of San Marcos by Byrn & Associates, Inc. of San Marcos, Texas with the common northeast and north line of the JLBC 710 Investments, LLC tract and the southwest and southeast line of the Moeller Family Limited Partnership tract the following two courses:

1. S 41° 43' 33" E 738.56 feet to an iron rod found with a plastic cap stamped "RPLS 5318", and
2. N 48° 45' 59" E 652.96 feet to a 1/2" iron rod found in the southeast line of the Moeller Family Limited Partnership tract and for a common north angle point of the JLBC 710 Investments, LLC tract and the west corner of that tract described as 1.4970 acres in a deed from Guillermo De La Rosa and Juan De La Rosa to Gloria D. Garza dated October 10, 2007 and recorded in Volume 2542, Page 916 of the Guadalupe County Official Public Records;

**THENCE** leaving the Moeller Family Limited Partnership tract with a northeast line of the JLBC 710 Investments, LLC tract and the southwest line of the Garza tract, S 41° 42' 30" E 286.94 feet to a 1/2" iron rod found for the common south corner of the Garza tract and the west occupied corner of a remaining portion of that tract described as 127.198 acres in a deed from Leila Alva Fleming to Malcolm Fleming dated November 8, 1971 and recorded in Volume 447, Page 633 of the Guadalupe County Deed Records;

**THENCE** leaving the Garza tract with a northeast line of the JLBC 710 Investments, LLC tract and the southwest line of a remaining portion of the Fleming 127.198 acre tract, S 40° 50' 37" E 210.62 feet to a 1/2" iron pipe found for the common east corner of the JLBC 710 Investments, LLC tract and the north corner of that tract described as 7.002 acres in a deed from Gregory Scott Fleming to Stephen Thomas

Fleming dated December 29, 2020 and recorded in Guadalupe County Document Number 202199000056 of the Guadalupe Official Public Records;

**THENCE** leaving a remaining portion of the Fleming 127.198 acre tract with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Fleming 7.002 acre tract, **S 48° 32' 14" W 224.80 feet** to a 1/2" iron rod found for the common west corner of the Fleming 7.002 acre tract and the north corner of that tract described as 9.16 acres in a deed from Malcolm Fleming et ux to Daryl Payton Fleming dated February 23, 1980 and recoded in Volume 596, Page 818 of the Guadalupe County Deed Records;

**THENCE** leaving the Fleming 7.002 acre tract with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Fleming 9.16 acre tract, **S 48° 41' 07" W 394.86 feet** to a 1/2" iron rod found for the common west corner of the Fleming 9.16 acre tract and the north corner of that tract described as 8.09 acres in a deed from Michael Fleming, executor to Michael Fleming dated October 29, 2018 and Guadalupe County Document Number 201899025066 of the Guadalupe County Official Public Records;

**THENCE** leaving the Fleming 9.16 acre tract with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Fleming 8.09 acre tract, **S 48° 37' 31" W 294.23 feet** to a 1/2" iron rod found for the common west corner of the Fleming 8.09 acre tract and the north corner of that tract described as 5.69 acres in a deed from Malcolm Fleming et ux to Frances Fleming Ottmers dated February 23, 1980 and recoded in Volume 596, Page 830 of the Guadalupe County Deed Records;

**THENCE** leaving the Fleming 8.09 acre tract with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Ottmers tract, **S 48° 37' 35" W 317.76 feet** to a 1/2" iron rod found for the common west corner of the Ottmers tract and the north corner of that tract described as 5.02 acres in a deed from Malcolm Fleming et ux to Michael Fleming dated February 23, 1980 and recoded in Volume 596, Page 826 of the Guadalupe County Deed Records;

**THENCE** leaving the Ottmers tract with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Fleming 5.02 acre tract, **S 48° 37' 46" W 281.90 feet** to a 1/2" iron rod found for the common west corner of the Fleming 5.02 acre tract and the north corner of that tract described as 5.11 acres in a deed from Malcolm Fleming et ux to Robert Fleming dated February 23, 1980 and recoded in Volume 596, Page 828 of the Guadalupe County Deed Records;


**THENCE** leaving the Fleming 5.02 acre tract with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Fleming 5.11 acre tract and its extension, **S 48° 38' 41" W 377.94 feet** to a capped iron rod found with an illegible cap for the common north corner of that tract described as 64.57 acre in a deed from Fleming Partners, LP to Clint E. Jones dated August 22, 2019 and recorded in Guadalupe County Document Number 201999019538 of the Guadalupe County Official Public Records and for a common west corner of a remaining portion of the Fleming 127.198 acre tract and the west corner of a 50 foot wide road easement from Malcolm Fleming et ux to Arthur V. Kraak dated January 2, 1973 and recorded in Volume 462, Page 666 of the Guadalupe County Deed Records, pass at 326.24 feet the record west corner of the Fleming 5.11 acre tract and the north corner of the 50 foot wide road easement;

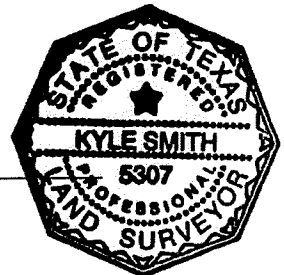
**THENCE** leaving a remaining portion of the Fleming 127.198 acre tract and the 50 foot road easement with the common southeast line of the JLBC 710 Investments, LLC tract and the northwest line of the Jones tract, **S 48° 37' 59" W 8.68 feet** to a 1/2" iron rod set for the south corner of this description, from

which a 1/2" iron rod found for a common southwest angle point of the JLBC 710 Investments, LLC tract and a northwest angle point of the Jones tract bears, S 48° 37' 59" W 767.86 feet;

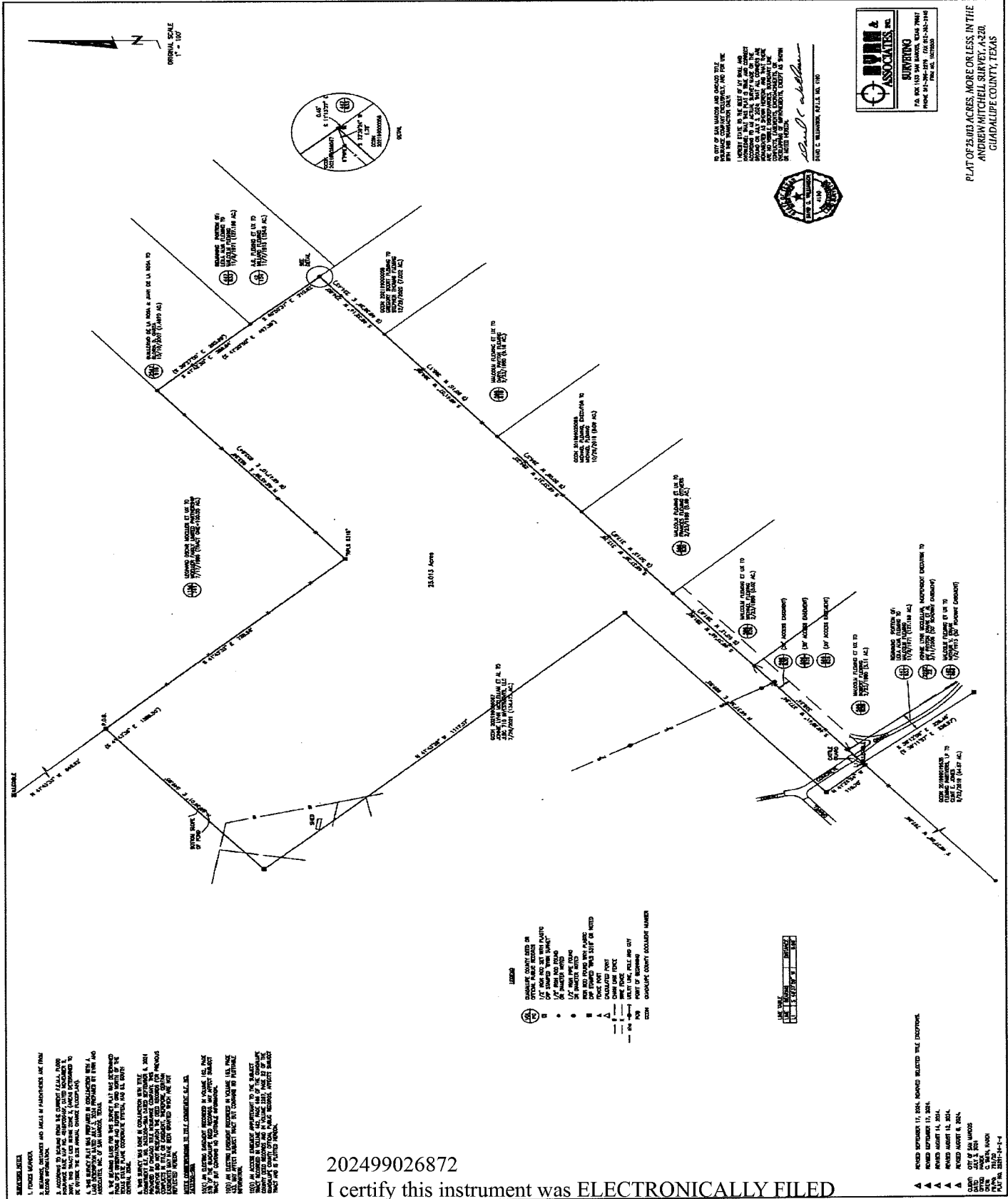
**THENCE** leaving the Jones tract and crossing the JLBC 710 Investments, LLC tract the following four courses:

1. N 41° 24' 54" W 119.70 feet to a 1/2" iron rod set,
2. N 48° 37' 38" E 699.92 feet to a 1/2" iron rod set,
3. N 41° 43' 28" W 1117.57 feet to a 1/2" iron rod set, and
4. N 48° 36' 01" E 549.95 feet to the **PLACE OF BEGINNING**. There are contained within these metes and bounds 25.013 acres, more or less, as prepared from public records and a survey made on the ground on July 3, 2024 by Byrn & Associates, Inc. of San Marcos, Texas. The Bearing Basis for this description was determined from GPS observations and refers to Grid North of the Texas State Plane Coordinate System, N.A.D. 83, South Central Zone. All 1/2" iron rods set are capped with a plastic cap stamped "Byrn Survey".

  
\_\_\_\_\_  
Kyle Smith, R.P.L.S. #5307



Client: City of San Marcos  
Date: July 3, 2024  
Survey: Mitchell, A. A-220  
County: Guadalupe  
Job No: 28291-24  
FND 25.013 ac



**RYAN & ASSOCIATES, INC.**  
**SURVEYING**  
 P.O. BOX 1183 SAN MARCO, TEXAS 78682  
 PHONE 512-391-1183 FAX 512-391-1184  
 WWW.RYANASSOCIATES.COM

PLAT OF 25.013 ACRES, MORE OR LESS IN THE ANDREW MITCHELL SURVEY, #222, GUADALUPE COUNTY, TEXAS

IN THE CITY OF SAN MARCO AND ADJACENT TOWN AND PARCELS ADJACENT TO THE TOWN OF SAN MARCO, TEXAS, I HAVE BEEN HONORARILY APPOINTED AS SURVEYOR AND I HAVE BEEN DULY QUALIFIED BY THE BOARD OF SURVEYING AND MAPPING ENGINEERS OF THE STATE OF TEXAS. I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF TEXAS AND I AM A MEMBER OF THE SURVEYING AND MAPPING ENGINEERS OF THE STATE OF TEXAS. I HAVE BEEN DULY QUALIFIED BY THE BOARD OF SURVEYING AND MAPPING ENGINEERS OF THE STATE OF TEXAS. I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF TEXAS AND I AM A MEMBER OF THE SURVEYING AND MAPPING ENGINEERS OF THE STATE OF TEXAS.

*Paul C. Williams*  
 PAUL C. WILLIAMS, R.L.S., No. 1190

**MONUMENTS:**  
 1. CORNER MARKERS  
 2. IRON PIPES  
 3. IRON RODS  
 4. IRON BOLTS  
 5. IRON WELDS  
 6. IRON NAILS  
 7. IRON SCREWS  
 8. IRON NUTS  
 9. IRON WASHERS  
 10. IRON PLATES  
 11. IRON BRASS  
 12. IRON COPPER  
 13. IRON ZINC  
 14. IRON ALUMINUM  
 15. IRON STEEL  
 16. IRON CAST IRON  
 17. IRON FERRITE  
 18. IRON CEMENT  
 19. IRON GLASS  
 20. IRON PAPER  
 21. IRON LEAD  
 22. IRON TIN  
 23. IRON SILVER  
 24. IRON GOLD  
 25. IRON PLATINUM  
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 27. IRON OSMIUM  
 28. IRON RUTHENIUM  
 29. IRON RHODIUM  
 30. IRON PALLADIUM  
 31. IRON NICKEL  
 32. IRON COBALT  
 33. IRON CHROMIUM  
 34. IRON MANGANESE  
 35. IRON ZINC  
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