

Memorandum of Agreement

State of Texas §
 §
County of Travis §

Notice is hereby given that the City of Pflugerville (the "City") and Wilson Family Communities, Inc., RMD Holdings, L.P., and New Sweden MPC, LP entered into that certain "New Sweden Development Agreement" dated March 14, 2007 (the "Development Agreement"), relating to the development of the land described in **Exhibit A** hereto. On _____, 2015, the City consented to the assumption of the Development Agreement by Rowe Lane Development, Ltd. as to the land that is described as Tract 1 in Exhibit A. Reference is hereby made to the provisions of the Development Agreement, copies of which may be obtained by contacting the following people:

City Manager
City of Pflugerville
100 East Main, Suite 300
Pflugerville, Texas 78660

or

Robert Tiemann
Rowe Lane Development, Ltd.
4421 Rowe Lane
Pflugerville, Texas 78660

CITY OF PFLUGERVILLE, TEXAS
A TEXAS MUNICIPAL CORPORATION

By: _____
Name: Brandon Wade
Title: City Manager
Date: _____

ATTEST:

Karen Thompson, City Secretary

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on _____, 2015, by
Brandon Wade, City Manager, City of Pflugerville, Texas, a Texas municipal corporation, on
behalf of said corporation.

Notary Public, State of Texas

ROWE LANE DEVELOPMENT, LTD.
By: Tiemann Land and Cattle Development, Inc.

By: _____
Name: Robert M. Tiemann
Title: President
Date: _____

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on _____, 2015, by Robert M. Tiemann, President of Tiemann Land and Cattle Development, Inc. a Texas corporation, general partner of Rowe Lane Development, Inc., a Texas limited partnership, on behalf of said corporation and partnership.

Notary Public, State of Texas

EXHIBIT "A"
DESCRIPTION OF NEW SWEDEN MUNICIPAL UTILITY DISTRICT NO. 2
426.0 Acres

NEW SWEDEN MUNICIPAL UTILITY DISTRICT NO. 2

426.0 ACRES

IN THE

JAMES P. KEMPE SURVEY, A-463
BENJAMIN ALLEN SURVEY, A-37
MCHENRY WINDBURN SURVEY, A-825
THOMAS SHARP SURVEY, A-745

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NEW SWEDEN MUNICIPAL UTILITY DISTRICT NO. 2
426.0 ACRES
IN THE
JAMES P. KEMPE SURVEY, A-463
BEJAMIN ALLEN SURVEY, A-37
McHENRY WINDBURN SURVEY, A-825
THOMAS SHARP SURVEY, A-745
TRAVIS COUNTY, TEXAS

TWO TRACTS OF LAND TOTALING 426.0 ACRES DESCRIBED AS FOLLOWS:

TRACT 1

All that certain 309.5 acres of land, out of the 200 acres of land listed in the deeds from Alvin H. Bohls, et ux to the Bohls children recorded under Volume 5332, Pages 1966, 1968, 1970, 5676, Volume 5362, Pages 177, 179, 181, and 183, and also listed in the deeds from Fred O. Bohls, et ux to the Bohls children recorded under Volume 5676, Pages 1563 and 1566, out of the 49.62 acre tract described in the deed from Paul A. Moebus to Laura Moebus recorded under Document No. 2002105845, in the Official Public Records of Travis County, Texas, out of the 78.112 acre tract described in the deed from Estelle Henze, et al to KB3, LC recorded under Document No. 2005123655, in the Official Public Records of Travis County, Texas, and out of Lots 3, 4, 5, and 6 of the Subdivision of the Jas P. Kemp 1280 Acre Survey according to the plat thereof recorded under Volume 1, Page 16, in the Plat Records of Travis County, Texas, in the James P. Kempe Survey, A-463, Travis County, Texas, and more particularly described by metes and bounds as follows: (All bearings are based on the Texas State Plane Coordinate System, Central Zone)

COMMENCING at a ½" iron rod found for the northwest corner of the 58.825 acre tract described in the deed from Thomas Gola, et ux to David L. Everetts and Giao Ly recorded under Document No. 2006001403, in the Official Public Records of Travis County, Texas, in the south right-of-way line of Hamann Lane (40' R.O.W.), from which a ½" iron rod found for the most northerly northeast corner of said 58.825 acre tract bears South 62°19'12" East - 1527.23'; **THENCE** South 27°04'16" West - 252.44' along the west line of said 58.825 acre tract, common to the east line of aforesaid 78.112 acre tract to a ¾" iron rod set for the most northerly northeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE South 27°04'16" West - 1356.40', continuing along said common line, to a ¾" iron rod set for an angle corner of the herein described tract, common to the southwest corner of said 58.825 acre tract and the southeast corner of said 78.112 acre tract, in the north line of aforesaid Lot 5;

THENCE South 62°24'20" East - 1572.75', along said north line, common to the south line of said 58.825 acre tract, to the most easterly northeast corner of the herein described tract, common to the southeast corner of said 58.825 acre tract, in the west right-of-way line of F.M. Highway No. 973 (R.O.W. Varies);

THENCE South 27°28'53" West - 1000.70', along said west right-of-way line, to a Texas Department of Transportation Type II concrete monument found for an angle corner;

THENCE South 27°18'48" West - 1918.11', continuing along said west right-of-way line, to a ¾" iron rod set for the southeast corner of the herein described tract, common to the southeast corner of aforesaid 49.62 acre tract, common to the northeast corner of the 49.723 acre tract described in the deed from Barry G. Wanslow and Kimberly S. Wanslow to Susan M. King and Richard L. King recorded under Volume 12568, Page 602, in the Real Property Records of Travis County, Texas, from which a Texas Department of Transportation Type II concrete monument bears South 27°18'48" West - 544.78';

THENCE North 62°35'56" West - 3706.19', along the south line of said 49.62 acre tract, common to the north line of said 49.723 acre tract, to a 2" iron rod found for the southwest corner of said 49.62 acre tract, common to the northwest corner of said 49.723 acre tract and the southwest corner of the herein described tract, in the west line of aforesaid Lot 3;

THENCE North 27°30'01" East - 583.34', along said west line, common to the west line of said 49.62 acre tract, to a metal t-post found for the northwest corner of said 49.62 acre tract, common to the northwest corner of said Lot 3 and the southwest corner of aforesaid Lot 4

THENCE North 27°24'04" East - 2781.39', along the west line of said Lot 4, the west line of aforesaid Lot 5, and the west line of aforesaid Lot 6, common to the west line of aforesaid 200 acre tract and the west line of aforesaid 78.112 acre tract, to a ¾" iron rod set for the most westerly northwest corner of the herein described tract, in the south right-of-way line of Cameron Road (60' R.O.W.);

THENCE South 62°59'08" East - 28.22', along said south right-of-way line, to a ¾" iron rod set for an angle corner of the herein described tract, at the intersection of said south right-of-way line and the east right-of-way line of said Cameron Road (60' R.O.W.);

THENCE North 27°15'21" East - 64.00', along said east right-of-way line, to a ¾" iron rod set for an angle corner of the herein described tract;

THENCE South 62°59'08" East - 250.00' to a ¾" iron rod set for an angle corner of the herein described tract;

THENCE North 27°15'21" East - 853.89' to a ¾" iron rod set for the northwest corner of the herein described tract;

THENCE South 62°56'05" East - 658.59' to a ¾" iron rod set for an angle corner of the herein described tract;

THENCE South 62°13'12" East - 1188.65' to the **POINT OF BEGINNING** of the herein described tract and containing 309.5 acres of land; **SAVE AND EXCEPT** all that certain 1.000 acre of land, which is the 0.083 acre tract described in the deed from Stephen Frederick Bohls, et al to Aqua Water Supply Corporation recorded under Volume 6038, Page 876, in the Deed Records of Travis County, Texas, and the 0.917 acre tract described in the deed from Stephen Frederick Bohls, et al to Aqua Water Supply Corporation recorded under Document Nos. 1999052513, 1999052514, 1999052515, and 1999052516, in the Official Public Records of Travis County, Texas, in the James P. Kempe Survey, A-463, Travis County, Texas, and more particularly described by metes and bounds as follows: (All bearings are based on the Texas State Plane Coordinate System, Central Zone)

COMMENCING at a ¾" iron rod found at the northeast corner of the 1.006 acre tract (40' permanent easement and right-of-way) from Stephen Frederick Bohls, et al to Aqua Water Supply Corporation recorded under Document Nos. 1999052513, 1999052514, 1999052515, and 1999052516, in the Official Public Records of Travis County, Texas, in the west right-of-way line of F.M. Highway No. 973 (R.O.W. Varies), from which a Texas Department of Transportation Type II concrete monument bears North 27°28'53" East – 286.08'; **THENCE** North 62°33'23" West – 1095.33', along the north line of said 1.006 acre tract, to a ¾" iron rod found for the northwest corner of said 1.006 acre tract, in the east line of aforesaid 0.917 acre tract; **THENCE** North 27°26'37" East – 104.30', along said east line to a ¾" iron rod found for the northeast corner of said 0.917 acre tract, common to the the northeast corner and **POINT OF BEGINNING** herein described tract;

THENCE South 27°26'37" West - 208.71' to a ¾" iron rod found for the southeast corner of said 0.917 acre tract, common to the southeast corner of the herein described tract;

THENCE North 62°33'23" West - 208.71' to a ¾" iron rod found for the southwest corner of said 0.917 acre tract, common to the southwest corner of the herein described tract;

THENCE North 27°26'37" East - 208.71' to a ¾" iron rod found for the northwest corner of said 0.917 acre tract, common to the northwest corner of the herein described tract;

THENCE South 62°33'23" East - 208.71' to the **POINT OF BEGINNING** of the herein described tract and containing 1.000 acres of land.

FOR A NET AREA OF 308.5 ACRES OF LAND

TRACT 2

All that certain 117.5 acres of land, out of the 126.2 acre tract described in the deed from F.O. Bohls, et ux to Stephen Bohls and Brian Bohls recorded under Volume 7876, Page 998, Volume 8388, Page 345, Volume 8444, Page 921, Volume 9189, Page 776, and Volume 10551, Page 226, in the Deed Records of Travis County, Texas, in the Benjamin Allen Survey, A – 37, the McHenry Windburn Survey, A-825, and the Thomas Sharp Survey, A- 745, Travis County, Texas and more particularly described by metes and bounds as follows: (All bearings are based on the Texas State Plane Coordinate System, Central Zone)

COMMENCING at a ¾ iron rod found for the southeast corner of the 217.52 acre tract described in the deed from James Vandehey to Charles Colvin, et al recorded under Volume 12524, Page 1846, in the Official Public Records of Travis County, Texas, in the north right-of-way line of New Sweden Gin Road (Britta Olson Road) (R.O.W. Varies); **THENCE** North 62°38'33" West – 2448.00', along said north right-of-way line, at 1618.00' passing a 1/2" iron rod found for an angle corner of said 217.52 acre tract, common to the southwest corner of the 2.00 acre tract described in the deed to New Sweden Co-Op Gin recorded under Volume 1466, Page 225, in the Deed Records of Travis County, Texas, continuing to a ½" iron rod set for the southeast corner and **POINT OF BEGINNING** of the herein described tract, common to the southwest corner of said 217.52 acre tract and the southeast corner of aforesaid 126.2 acre tract;

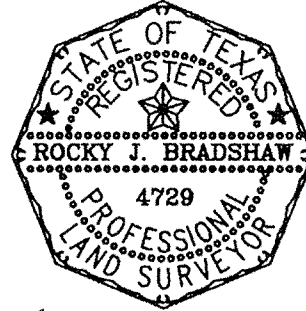
THENCE North 62°31'51" West - 2157.22', continuing along said north right-of-way line, to a 3/4" iron rod set for the southwest corner of the herein described tract, at the intersection of said north right-of-way line and the east right-of-way line of F.M. Highway No. 973;

THENCE North 27°20'08" East - 2368.21', along said east right-of-way line, to a ¾" iron rod set for the northwest corner of the herein described tract, in the north line of aforesaid 126.2 acre tract, common to the south line of the 102.41 acre tract described in the deed from Irene Ollie to Thomas H. Ollie recorded under Document No. 2001214920, in the Official Public Records of Travis County, Texas;

THENCE South 62°31'45" East - 2166.38', along said common line, to a ¾" iron rod set for the northeast corner of the herein described tract, common to the northeast corner of said 126.2 acre tract, in a west line of aforesaid 217.52 acre tract;

THENCE South 27°33'27" West - 2368.14', along said west line, common to the east line of said 126.2 acre tract, to the **POINT OF BEGINNING** of the herein described tract and containing 117.5 acres of land.

TWO TRACTS TOGETHER COMPRISING AN AGGREGATE OF 426.0 ACRES OF LAND



Rocky J. Bradshaw

Certification Date
March 13, 2006

THIS LEGAL DESCRIPTION IS ISSUED IN CONJUNCTION WITH THE DISTRICT BOUNDARY MAP OF NEW SWEDEN MUNICIPAL UTILITY DISTRICT NO. 2. THIS DOCUMENT WAS PREPARED BASED ON THE SURVEY CONDUCTED BY PATE SURVEYORS DATED MARCH 13, 2006.