

**Agreement Regarding the Dissolution of  
the Mustang Valley Public Improvement District**

This Agreement Regarding the Dissolution of the Mustang Valley Public Improvement District (the “Agreement”) is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by KB Home Lonestar Inc., a Texas corporation (the “Developer”) and the City of Manor, a Texas home rule municipality (the “City”), hereinafter sometimes referred to collectively as the “Parties.”

**Whereas**, the Developer requested the City establish the Mustang Valley Public Improvement District (the “District”) in that certain Petition to Establish Mustang Valley Public Improvement District, including any subsequent amendments (the “Petition”); and

**Whereas**, on the same date that the parties entered into this Agreement, the City approved the formation of the District over the Property described in **Exhibit A**, attached hereto and incorporated herein for all purposes, by Resolution No. \_\_\_\_\_, as it may be amended from time to time (the “Resolution”); and

**Whereas**, the Developer has requested the City to issue bonds to assist with the financing of certain public improvements identified in the Resolution (the “PID Bonds”); and

**Whereas**, the Parties desire to provide for the dissolution of the District if special assessments are not levied or the PID Bonds are not issued by the deadline set forth herein;

**NOW, THEREFORE**, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement, the Parties agree as follows:

1. The recitals set forth above are incorporated herein and made a part of this Agreement for all purposes.
2. The Developer agrees that this Agreement constitutes Developer’s petition to dissolve the District under Section 372.011, Texas Local Government Code, and the City is hereby authorized to dissolve the District, in the event that the first issuance of PID Bonds or a levy of special assessments does not occur by June 8, 2026 (the “Authorization”). The Developer will not oppose the City’s dissolution of the District undertaken in accordance with this Agreement and will cooperate with the City to cause the District to be dissolved.
3. The Authorization shall terminate and expire upon the earlier of (i) the levy of special assessments or (ii) the first issuance of the PID Bonds.
4. This Agreement shall be a covenant running with the land and shall be binding upon future owners of the Property or portions thereof and shall further be binding upon and inure to the benefit of the parties, and their successors and assigns. Developer shall cause any person or entity to whom Developer transfers the Property or any portion thereof (the “Subsequent Owner”) to execute a document containing language substantially similar to that set forth in paragraph 2 granting the City the authorization

to dissolve the District as provided in paragraph 2. Developer shall provide the City with a copy of said document within three (3) business days of signing.

- 5. This Agreement may be amended only by a written instrument executed by all the parties. Upon satisfaction of one of the conditions set forth in paragraph 2, the City will execute an instrument confirming the termination and expiration of this Agreement so that it can be recorded in the Official Public Records of Travis County, Texas.
- 6. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws provisions, and venue shall lie in Travis County, Texas.
- 7. It is acknowledged and agreed by the parties that time is of the essence in the performance of this Agreement.

**IN WITNESS WHEREOF**, the parties have executed this Agreement and this Agreement is effective as of the first date indicated above.

**CITY:**

**City of Manor, Texas**  
a Texas home rule municipal corporation

Attest:

By: \_\_\_\_\_  
Name: Lluvia T. Almaraz  
Title: City Secretary

By: \_\_\_\_\_  
Name: Dr. Christopher Harvey  
Title: Mayor

**THE STATE OF TEXAS           §**  
**COUNTY OF TRAVIS           §**

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home rule municipal corporation, on behalf of said corporation.

(SEAL)

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

**DEVELOPER:**

**KB Home Lonestar Inc.,**  
a Texas corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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

This instrument was acknowledged before me, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_, a Texas  
\_\_\_\_\_, on behalf of said company.

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

**AFTER RECORDING RETURN TO:**

City of Manor  
Attn: City Secretary  
105 E. Eggleston Street  
Manor, Texas 78653

## Exhibit A Property Description

42.921 ACRES  
(1,869,634 SQ. FT.)  
SUMNER BACON SURVEY, ABSTRACT NO. 63  
TRAVIS COUNTY TEXAS  
HOLLEY TRACT

### FIELD NOTES

BEING ALL OF THAT CERTAIN 42.921 ACRE (1,869,634 SQ. FT.) TRACT OF LAND SITUATED IN THE SUMNER BACON SURVEY, ABSTRACT NUMBER 63, SITUATED IN TRAVIS COUNTY, TEXAS, SAID LAND BEING MORE PARTICULARLY DESCRIBED AS ALL OF A CALLED 25.585 ACRE TRACT OF LAND CONVEYED TO ROBERT AND LINDSEY SMITH IN DOCUMENT NUMBER 2016022747 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND THE REMAINDER OF A CALLED 29.682 ACRE TRACT OF LAND CONVEYED TO ROBERT AND LINDSEY SMITH IN DOCUMENT NUMBER 2016022751 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 42.921 ACRE (1,869,634 SQ. FT.) TRACT OF LAND, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found, being in the south right-of-way line of Anderson Road (R.O.W. Varies), also being in the southeast line of a called 40.00 acre tract of land conveyed to Kenneth and Joyce Sprinkles in Volume 8947, Page 802 of the Real Property Records of Travis County, Texas, being also a northwest corner of said 25.585 acre tract for a northwest corner and the **POINT OF BEGINNING** of the herein described tract of land,

**THENCE**, with the common line of said 25.585 acre tract and said Anderson Road (ROW Varies), the following two (2) courses and distances, numbered 1 and 2

- 1.) N62°25'38"E, a distance of 55.03 feet to a 1/2 inch iron rod found, for corner, and
- 2.) S63°17'54"E, a distance of 5.96' to a 1/2 inch capped iron rod set stamped "CBD SETSTONE", for corner, being the westernmost corner of a called 35.469 acre tract conveyed to Hau Wu and Lanfang Zhang in Document Number 2014104874 of the Official Public Records of Travis County, Texas, from which a 1/2 inch iron rod found bears N27°03'02"E, a distance of 1034.56 feet, being the northernmost corner of said 35.469 acre tract, also being the westernmost corner of a called 12.000 acre tract of land conveyed to Olmer Orellana in Document Number 2014160204 of the Official Public Records of Travis County, Texas

**THENCE**, with the common line of said 25.585 acre tract and said 35.469 acre tract the following three (3) courses and distances, numbered 1 through 3,

- 1.) S61°52'16"E, a distance of 742.87 feet to a 1/2 capped inch iron rod found, stamped "BRYAN TECH", for corner,
- 2.) S61°40'48"E, passing at a distance of 33.53 feet and 1.6 feet to the left a 1/2 inch iron rod found, and continuing for a total distance of 285.29 feet to a 1/2 capped inch iron rod found, for corner and
- 3.) S61°37'58"E, passing at a distance of 128.53 feet and 2.3 feet to the right a 1/2 inch iron rod found, and continuing for a total distance of 439.53 feet to a 4" concrete monument found, being the southernmost corner of said 35.469 acre tract, also being the westernmost corner of a called 6.789 acre tract conveyed to Vladimir M. Haviar in Document Number 2009019842 of the Official Public Records of Travis County, Texas,

**THENCE**, with the common line of said 25.585 acre tract and said 6.789 acre tract, S62°05'57"E, a distance of 162.99 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner, being the easternmost corner of said 25.585 acre tract and being also the northernmost corner of a called 14.044 acres conveyed to Don Bayer and Jimmy Bayer in Document Number 2009122122 of the Official Public Records of Travis County, Texas,

42.921 ACRES  
(1,869,634 SQ. FT.)  
SUMNER BACON SURVEY, ABSTRACT NO. 63  
TRAVIS COUNTY TEXAS  
HOLLEY TRACT

**THENCE**, with the common line of said 25.585 acre tract, said 14.044 acre tract, and a called 19.000 acre tract conveyed to Benny Gundy in Document Number 2009017772, Official Public Records of Travis County, Texas, S51°49'49"W, passing at a distance of 690.10 feet a capped 1/2 inch iron found, being the northernmost corner of said 19.000 acre tract, same being the westernmost corner of said 14.044 acre tract and continuing for a total distance of 828.24 feet to a capped 1/2 inch iron rod found, being a northwest corner of said 19.000 acre tract, same being a northeast corner of a called 12.334 acre tract conveyed to The Layla Trust in Document Number 2020009667 of the Official Public Records of Travis County, Texas, for corner,

**THENCE**, with the common line of said 25.585 acre tract and said 12.334 acre tract, N60°12'14"W, a distance of 299.26 feet to a capped 1/2 inch iron rod found, stamped "BRYAN TECH", for corner, same being the northernmost corner of said 12.334 acre tract and the westernmost corner of the remainder of said 29.682 acre tract,

**THENCE**, with the common line of said 12.334 acre tract and the remainder of said 29.682 acre tract, S27°51'07"W, a distance of 734.09 feet to a capped 1/2 inch iron rod found stamped "BRYAN TECH", for the southernmost corner of the herein described tract of land, being the westernmost corner of said 12.334 acre tract, same being the southernmost corner of the remainder of said 29.682 acre tract, and being also in the northeast line of a called 39.135 acre tract (Tract Two) conveyed to Mary Ruth Holley in Document Number 2009125123 of the Official Public Records of Travis County, Texas and described in Volume 4234, Page 732, Deed Records of Travis County , Texas

**THENCE**, with the common line of said 39.135 acre tract and the remainder of said 29.682 acre tract, N62°13'53"W, a distance of 1005.54 feet to a capped 1/2 inch iron rod found, stamped "BRYAN TECH", for the westernmost corner of the herein described tract of land, same being the northernmost corner of said 39.125 acre tract, same being the southernmost corner of the remainder of said 29.682 acre tract, and being also in the southeast line of a said 40.00 acre tract,

**THENCE**, with the common line of said 40.00 acre tract and the remainder of said 29.682 acre tract, N26°47'53"E, passing at a distance of 765.16 feet a capped 1/2 inch iron rod found, stamped "BRYAN TECH", also passing at a distance of 926.85 feet and 0.32 feet to the right of a capped 1/2 inch iron rod found, stamped "BRUSSEL", and continuing for a total distance of 1446.99 feet to the **POINT OF BEGINNING** and containing 42.921 acres (1,869,634 SQ. FT.) of land.

Surveyed by:  7/27/2021

AARON V. THOMASON, R.P.L.S. NO. 6214  
**Carlson, Brigrance and Doering, Inc.**  
REG. #100248900  
5501 West William Cannon  
Austin, TX 78749  
Ph: 512-280-5160 Fax: 512-280-5165  
[aaron@cbdeng.com](mailto:aaron@cbdeng.com)



BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203)

93.983 ACRES  
(4,093,912 SQ. FT.)  
SUMNER BACON SURVEY, ABSTRACT NO. 63  
TRAVIS COUNTY TEXAS  
HOLLEY TRACT

#### FIELD NOTES

BEING ALL OF THAT CERTAIN 93.983 (4,093,912 SQ. FT.) ACRE TRACT OF LAND SITUATED IN THE SUMNER BACON SURVEY, ABSTRACT NUMBER 63, TRAVIS COUNTY, TEXAS, SAID LAND BEING MORE PARTICULARLY DESCRIBED AS THE REMAINDER OF A CALLED 39.135 ACRE TRACT OF LAND (TRACT ONE), THE REMAINDER OF A CALLED 39.135 ACRE TRACT OF LAND (TRACT TWO), AND THE REMAINDER OF A CALLED 20 ACRE TRACT OF LAND (TRACT THREE), CONVEYED TO MARY RUTH HOLLEY IN DOCUMENT NUMBER 2009125123 AND DOCUMENT NUMBER 2009125124, BOTH OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND DESCRIBED IN VOLUME 4234, PAGE 732, DEED RECORDS OF TRAVIS COUNTY TEXAS, SAID 93.983 ACRE (4,093,912 SQ. FT.) TRACT OF LAND, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch aluminum capped iron rod found, stamped "TXDOT" in the southwest line of said 39.135 acre Tract One, being in the west right-of-way line of F.M. 973 (R.O.W. varies), same being the northeast corner of a called 75.37 acre tract conveyed to the Board of Trustees of Manor Independent School District in Document Number 2008031946 Official Public Records of Travis County Texas, for the southeast corner and **POINT OF BEGINNING** of the herein described tract of land, from which a 1/2 inch capped iron rod found, stamped "BGE" in the east right-of-way line of said F.M. 973, bears S14°48'15"E a distance of 302.09 feet,

**THENCE**, With the common line of said 39.135 acre Tract One and said 75.37 acre tract, N62°32'47"W, a distance of 2808.00 feet to a 1/2 inch capped iron rod set stamped "CBD SETSTONE", being in the northeastern line of said 75.37 acre tract, also being the southernmost corner of a called 40.00 acre tract conveyed to Kenneth and Joyce Sprinkles in Volume 8947, Page 802, Real Property Records of Travis County, Texas, for the westernmost corner of the herein described tract of land, from which a 3/4 inch iron pipe found bears N62°32'47"W, a distance of 553.37 feet, being in the southwestern line of said 40.00 acre tract, also being the northernmost corner of a 3.56 acre tract conveyed to Aqua Water Supply Corporation in Document Number 2009010572 Official Public Records of Travis County, Texas,

**THENCE**, with the northwest line of said 39.135 acre Tract One, the northwest line of said 39.135 acre Tract two, and the southeast line of said 40.00 acre tract, N26°45'24"E, passing at a distance of 3.02 feet a 1/2 inch iron rod found, continuing for a total distance of 1462.16 feet to a 1/2 inch iron rod found, being the westernmost corner of a 29.682 acre tract of land conveyed to Robert and Lindsey Smith in Document Number 2016022751, Official Public Records of Travis County, Texas, for the northernmost corner of the herein described tract of land, from which a capped 1/2 inch iron rod found, stamped "BRYAN TECH", being in the eastern line of said 40.00 acre tract, also being the westernmost corner of a 25.585 acre tract conveyed to Robert and Lindsey Smith in Document Number 2016022747, Official Public Records of Travis County, Texas also being the northernmost corner of said 29.682 acre tract, bears N26°48'38"E, a distance of 765.12 feet

**THENCE**, continuing with the common boundary line of said 93.983 acre tract and said 29.682 acre tract, S62°13'24"E, passing at a distance of 1005.54 feet a 1/2 inch capped iron rod found stamped "BRYAN TECH" for the southernmost corner of said 29.682 acre tract, being at the westernmost corner of a called 12.334 acre tract conveyed to The Layla Trust in Document Number 2020009667, Official Public Records of Travis County, Texas, continuing for a total distance of 2809.36 feet to a 1/2 inch iron rod found in the west right-of-way line of said F.M. 973 (R.O.W. Varies), being at the southernmost corner of said 12.334 acre tract of land, same being at the beginning of a point of curvature to the right, for the easternmost corner of the herein described tract of land,

93.983 ACRES  
(4,093,912 SQ. FT.)  
SUMNER BACON SURVEY, ABSTRACT NO. 63  
TRAVIS COUNTY TEXAS  
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**THENCE**, along said curve to the right, with the west right-of-way line of said F.M. 973 (R.O.W. Varies) over and across said 39.135 acre Tract Two, having an arc length of 282.38 feet, a radius of 2764.79 feet, and whose chord bears S24°12'52"W, a distance of 282.26 feet to a 1/2 inch iron rod found for corner,

**THENCE**, S27°25'41"W, with the west right-of-way line of said F.M. 973, over and across said 39.135 acre Tract Two, said 20 acre Tract Three, and said 39.135 acre Tract One, a distance of 1164.39 feet to the **POINT OF BEGINNING** and containing 93.983 acres (4,093,912 SQ. FT.) of land.

Surveyed by:  7/27/2021  
AARON V. THOMASON, R.P.L.S. NO. 6214  
*Carlson, Brigrance and Doering, Inc.*  
REG. #100248900  
5501 West William Cannon  
Austin, TX 78749  
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BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203)





**ALMA/NSPS SURVEY OF 93,993 ACRES (4,093,912 SQ. FT.) OF LAND, SITUATED IN THE SUMNER BACON SURVEY, ABSTRACT #63 TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING THE REMAINDER OF A CALLED 39.135 ACRE TRACT (TRACT ONE), THE REMAINDER OF A CALLED 39.135 ACRE TRACT (TRACT TWO), AND THE REMAINDER OF A CALLED 20 ACRE TRACT (TRACT THREE), CONVEYED TO MARY RUTH HOLLEY IN VOLUME 9450, PAGE 717 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS, AND DESCRIBED IN VOLUME 4234, PAGE 732, DEED RECORDS OF TRAVIS COUNTY TEXAS.**



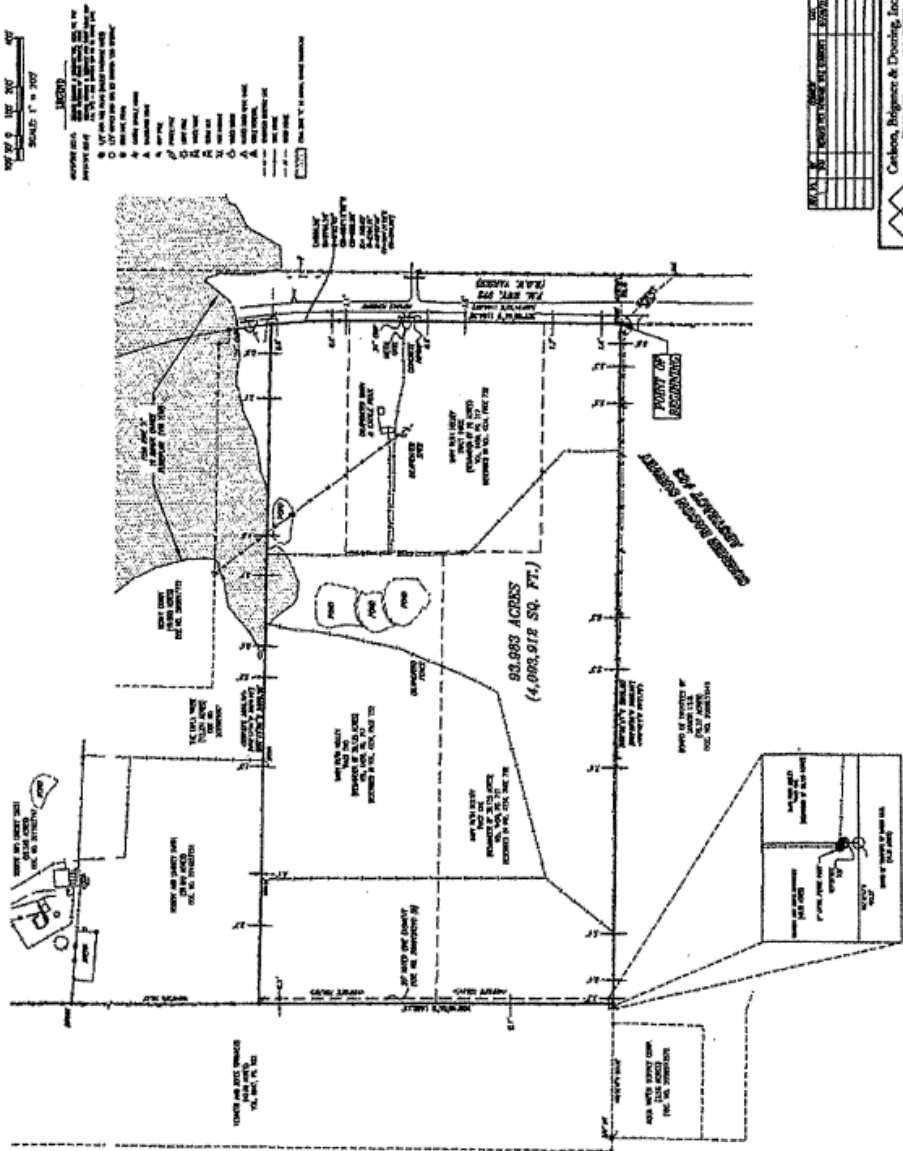
**FIELD NOTES**

ALL OF THE OTHER LANDS IN THIS SURVEY ARE OWNED BY THE STATE OF TEXAS, BY AND THROUGH THE COMMISSIONERS OF THE LANDS, AND ARE SUBJECT TO THE SAME RIGHTS AND INTERESTS AS THE LANDS IN THIS SURVEY. THE SURVEY IS MADE FROM THE CORNER OF THE TRACT OF LAND BEING THE REMAINDER OF A CALLED 39.135 ACRE TRACT (TRACT ONE), THE REMAINDER OF A CALLED 39.135 ACRE TRACT (TRACT TWO), AND THE REMAINDER OF A CALLED 20 ACRE TRACT (TRACT THREE), CONVEYED TO MARY RUTH HOLLEY IN VOLUME 9450, PAGE 717 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS, AND DESCRIBED IN VOLUME 4234, PAGE 732, DEED RECORDS OF TRAVIS COUNTY TEXAS.

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DATE	1957
BY	ALMA/NSPS SURVEY
FOR	ALMA/NSPS SURVEY
SCALE	1" = 100'

