

THE STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

AMENDMENT TO DEVELOPMENT AGREEMENT

THIS AMENDMENT TO DEVELOPMENT AGREEMENT (the "Amendment") is entered into by and between Fort Bend County, Texas (the "County"), a body politic acting herein by and through its Commissioners' Court and Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership, d/b/a Friendswood Development Company and M/I Homes of Houston, LLC, a Texas limited liability company, (both referred to herein as the "Owner"). The County and the Owner may be individually referred to as a "Party" or collectively as the "Parties."

WHEREAS, the Parties executed and accepted that certain Development Agreement on September 14, 2021, (hereinafter the "Agreement"); and

WHEREAS, the Parties desire to amend the Agreement to modify certain terms of the Agreement.

NOW, THEREFORE, the Parties do mutually agree to replace 1. (c) and (d) of the Agreement with the following:

- (c) The Owner shall be responsible for completing the design and construction of Cottonwood School Road in accordance with the County design and construction standards as it develops phases of the Owner's Property depicted on Exhibit A:
 - (I) Complete construction of Cottonwood School Road located within Phase I at or before the date 50% of the lots receive Development Permits; and
 - (II) Complete design of Cottonwood School Road located within Phase II at or before the date 50% of the lots receive Development Permits; and
 - (III) Complete construction of Cottonwood School Road located within Phase II prior to or 75% of the lots receive Development Permits.
- (d) Cottonwood School Road will be treated as a Street Dedication (STD) Plat regardless of whether it is a STD or included with a Section plat. Owner will provide a bond for the roadway construction in an equivalent amount to a Subdivision Bond for Cottonwood School Road. Inspections will be paid for separately and be stand-alone from Section Inspections.

Except as provided herein, all terms and conditions of the Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective on the date executed by County.

FORT BEND COUNTY:

KP George
KP George, County Judge

12.19.2023
Date



Attest:
Laura Richard
Laura Richard, County Clerk

Approved:
J. Stacy Slawinski
J. Stacy Slawinski, P.E., County Engineer


[EXECUTION PAGE FOLLOWS]

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

OWNER:

Lennar Homes of Texas Land and Construction, Ltd.,
a Texas limited partnership
d/b/a Friendswood Development Company

By: U. S. Home Corporation,
a Delaware corporation,
its general partner

By: 

Michael W. Johnson, Vice President

Date: 12/5/2023

M/I Homes of Houston, LLC,
a Texas limited liability

By: 

Jay McManus, Area President

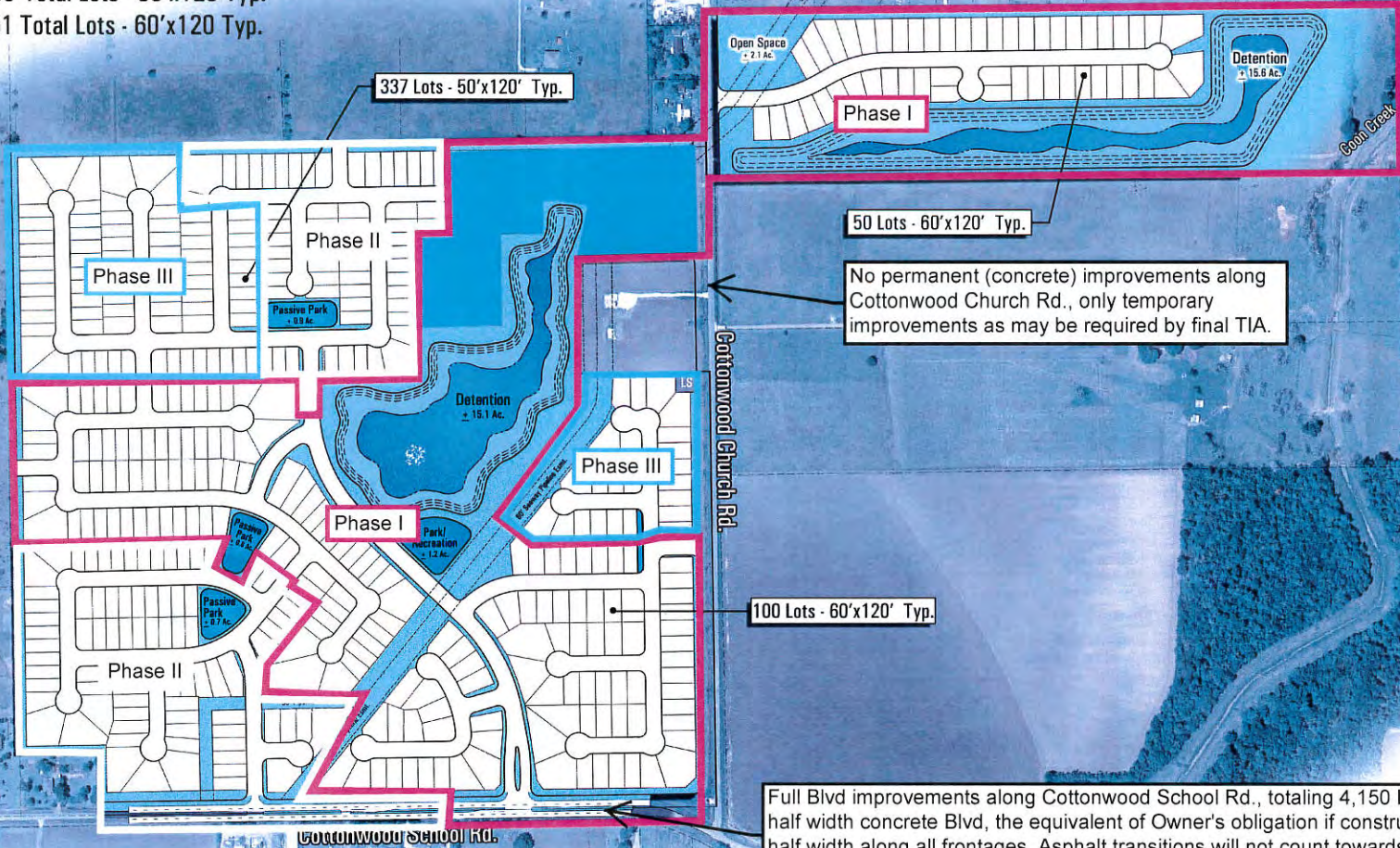
Date: 12/5/2023

EXHIBIT A

Cottonwood Tract

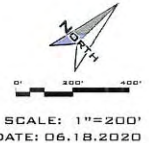
451 Total Lots - 50-60'x120 Typ.

- 300 Total Lots - 50'x120 Typ.
- 151 Total Lots - 60'x120 Typ.



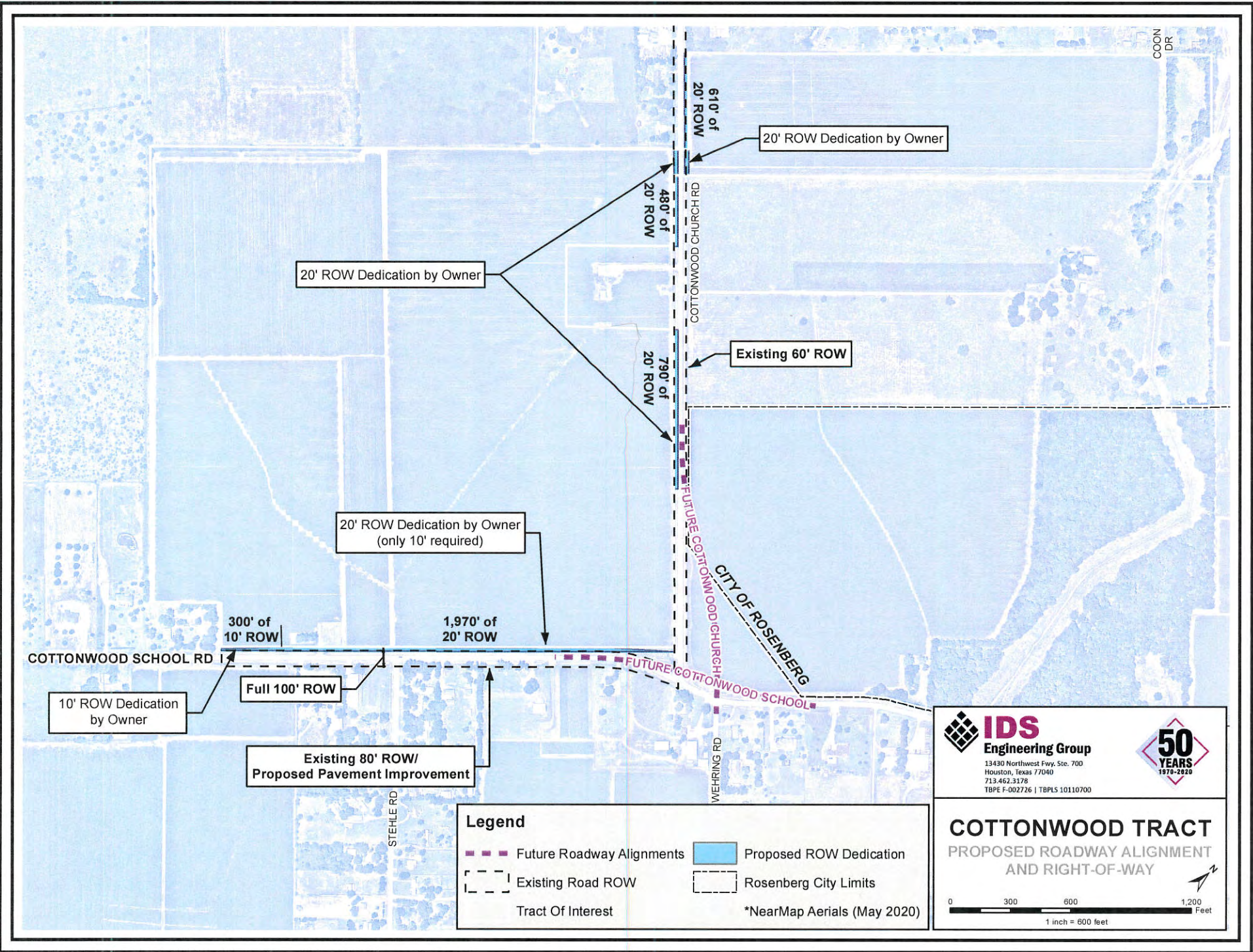
No permanent (concrete) improvements along Cottonwood Church Rd., only temporary improvements as may be required by final TIA.

Full Blvd improvements along Cottonwood School Rd., totaling 4,150 LF of half width concrete Blvd, the equivalent of Owner's obligation if constructing half width along all frontages. Asphalt transitions will not count towards this 4,150 LF.



THIS PLAN WAS PREPARED USING REASONABLY RELIABLE SOURCES AND IS SUBJECT TO CHANGE PENDING A DETAILED BOUNDARY SURVEY. THIS PLAN HAS NOT BEEN REVIEWED BY ANY GOVERNMENTAL AGENCY. ADDITIONAL STREETS AND/OR DRAINAGE PROVISIONS MAY BE REQUIRED. THIS PLAN IS AN ARTIST'S CONCEPTION AND IS PROVIDED FOR GENERAL INFORMATION PURPOSES ONLY. ALL PLANS FOR FACILITIES OR LAND USES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

EXHIBIT B



20' ROW Dedication by Owner

20' ROW Dedication by Owner

Existing 60' ROW

20' ROW Dedication by Owner
(only 10' required)

COTTONWOOD SCHOOL RD

300' of
10' ROW

1,970' of
20' ROW

10' ROW Dedication
by Owner

Full 100' ROW

Existing 80' ROW/
Proposed Pavement Improvement

STEHLE RD

COTTONWOOD CHURCH RD

480' of
20' ROW

790' of
20' ROW

610' of
20' ROW

FUTURE COTTONWOOD CHURCH
CITY OF ROSENBERG
FUTURE COTTONWOOD SCHOOL

WEHRING RD

COON
DR

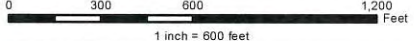
Legend

- Future Roadway Alignments
 - Existing Road ROW
 - Tract Of Interest
 - Proposed ROW Dedication
 - Rosenberg City Limits
- *NearMap Aerials (May 2020)

IDS
Engineering Group
13430 Northwest Fwy, Ste. 700
Houston, Texas 77040
713.462.3178
TBPE F-002726 | TBPLS 10110700



COTTONWOOD TRACT
PROPOSED ROADWAY ALIGNMENT
AND RIGHT-OF-WAY



CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2023-1100942

Date Filed:
12/05/2023

Date Acknowledged:
12/20/2023

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Lennar Homes of Texas Land and Construction, Ltd., dba Friendswood Development Company
Houston, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
21-Eng-100088-A1
Development Agreement pertaining to road improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	US Home, LLC	Houston, TX United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2023-1101327

Date Filed:
12/06/2023

Date Acknowledged:
12/20/2023

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

M/I Homes of Houston, LLC
Houston, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

21-Eng-100088-A1
Development Agreement pertaining to road improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Jacobs, Tom	Columbus, OH United States	X	
	Westfall, Don	Columbus, OH United States	X	
	Creek , Phillip G	Columbus, OH United States	X	
	Schottenstein, Robert	Columbus, OH United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)