

**AMENDMENT TO DEVELOPMENT AGREEMENT**  
**September 19, 2019**

City of Boerne  
402 E. Blanco  
Boerne, Tx 78006

RE: That certain Development Agreement date effective March 9, 2009 (the "**Development Agreement**") by and between the City of Boerne, a Texas home rule municipality (the "**City**") and the Estate of Judy Leftwich Calder, Howard C Calder, Executor ("**Calder**"), with respect to the development of certain real property in the City of Boerne, Kendall County, Texas, as more particularly described in the Development Agreement (the "**Project Property**")

This letter supplements the Development Agreement and confirms Parties agreement with the respect to the following revision to Section 5 of the agreement. Section 5 will now read:

Residential Development adjacent to East Bandera. Development adjacent to East Bandera will consist of detached dwellings. Any dwelling developed on Lots fronting East Bandera will face East Bandera and shall have garages **located behind the home that allow enough turn around room to provide a front facing access to Bandera Road upon departure.** The front yard setbacks of these lots **shall** be reduced to 25 feet for those lots that are adjacent to preexisting lots and to 20 feet for all other lots and the front building lines shall be articulated.

This amendment is solely for the purpose of modifying Section 5. This amendment does not change any other provision found in the original Development Agreement dated March 9th, 2009 and the Amendment (Drainage Improvements) dated October 29th, 2018.

SIGNED and EFFECTIVE as of \_\_\_\_\_ day of \_\_\_\_\_, 2019

CITY OF BOERNE

By \_\_\_\_\_  
Ronald C. Bowman, City Manager  
City of Boerne  
402 E. Blanco, Boerne Texas 78006

By \_\_\_\_\_  
Shawn Barry, Member  
Menger Development LLC  
619 Menger Springs, Boerne Tx 78006

By \_\_\_\_\_  
Seth Jones, DVM, Partner  
RBST Properties, LP  
1376 South Main Street, Boerne Tx 78006

By \_\_\_\_\_  
William S. Walters, III, President  
BOERNE COMMONS, LTD  
(a Texas Limited Partnership)  
By: Lukers, Inc (a Texas corporation)  
Its General Partner  
1010 W. Martin Luther King Jr Blvd, Austin, TX 78701

By \_\_\_\_\_  
Alan R. Naul, Manager Member  
J-B BOERNE REALTY, LP  
A Texas Limited Partnership  
By Javelin Group GenPar I, LLC  
A Texas Limited Liability Company  
2899 Maple Ave, Dallas, TX 75219

By \_\_\_\_\_  
Cary Albert, President of it's General Partner  
Owner: SCSD-Finnell, Ltd.  
SCSD-Finnell Mgmt, LLC  
14114 Dallas Parkway, Suite 670, Dallas, TX 75254

By \_\_\_\_\_  
RBST Properties, LP  
Seth Jones, DVM, Partner  
1376 South Main Street  
Boerne, TX 78006

By: \_\_\_\_\_  
Jay Harpole, President  
1481 South Main Realty, Ltd.  
1521 S. Main, Boerne, TX 78006

### ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF KENDALL

This instrument was acknowledge before me on the \_\_\_\_\_ day of \_\_\_\_\_,  
2019

STATE OF TEXAS

COUNTY OF KENDALL

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me appeared  
\_\_\_\_\_,

Acting in such capacity and with said authority, to me personally known, who being by me duly  
sworn (affirmed) is the Owner of the property as shown in the official records of Kendall County,  
Texas, and acknowledges this instrument to the free act.

In testimony whereof I have hereunto set my hand and affixed my official seal on the date above  
written.

\_\_\_\_\_

Notary Public

MyCommission Expires:  
Stamp or Seal