

**KYNDWOOD MUNICIPAL UTILITY DISTRICT  
AMENDED AND RESTATED INFORMATION FORM**

THE STATE OF TEXAS           §  
  §  
COUNTY OF COMAL           §

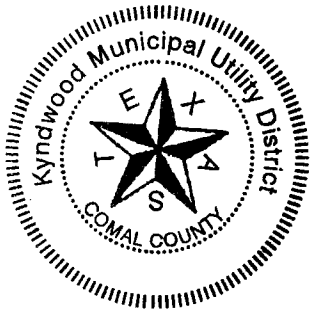
We, the undersigned, constituting a majority of the members of the Board of Directors of Kyndwood Municipal Utility District (the “*District*”) do hereby make and execute this Amended and Restated Information Form in compliance with Section 49.455 of the Texas Water Code, as amended. We hereby certify as follows:

1. The name of the District is Kyndwood Municipal Utility District.
2. The District consists of 292.014 acres, more or less, as more particularly described by the metes and bounds description attached as **Exhibit “A”**. A complete and accurate map showing the boundaries of the District is attached as **Exhibit “B”**.
3. As of this date, the District has not levied taxes on property within the District, and the most recent projected rate of debt service tax for the District is \$0.72 per \$100 assessed valuation.
4. The total amount of bonds which have been approved by the voters and which may be issued by the District (excluding refunding bonds and any bonds or portions of bonds payable solely from revenues received or expected to be received pursuant to a contract with a governmental entity) is \$208,280,000.00.
5. The aggregate initial principal amount of all bonds of the District payable in whole or in part from taxes (excluding refunding bonds and any bonds or portions of bonds payable solely from revenues received or expected to be received pursuant to a contract with a governmental entity) that has been previously issued is \$0.
6. No standby fee is currently imposed by the District.
7. An election to confirm the creation of the District was held on November 7, 2023.
8. The District functions performed or to be performed by the District are: the supply of water for municipal, domestic, commercial, and other beneficial uses; the collection, transportation, treatment, and disposal of waste; the gathering, conducting, diverting, and controlling of local storm water or other harmful excesses of water in the District; the design, acquisition, construction, financing, and conveyance of roads and improvements in aid of roads; and any other functions permitted by the Texas Water Code.
9. The form of Notice to Purchaser required by Section 49.452 of the Texas Water Code to be furnished by a seller to a purchaser of real property in the District is attached hereto as **Exhibit “C”**.
10. The attorney for the District is directed to file this Amended and Restated Information Form with the Texas Commission on Environmental Quality and record it in the Official Public Records of Comal County, Texas.

11. This Amended and Restated Information Form supersedes the Information Form recorded as Document No. 202306037284 in the Official Public Records of Comal County, Texas.

WITNESS OUR HANDS this 26th day of February, 2024.

**KYNDWOOD MUNICIPAL UTILITY DISTRICT**



*Anthony H. Merritt*  
\_\_\_\_\_  
Anthony H. Merritt, President

*Will Henry*  
\_\_\_\_\_  
Will Henry, Vice President

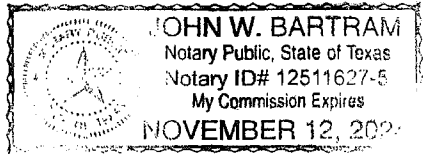
*John H. F. Scanio*  
\_\_\_\_\_  
John H. F. (Jack) Scanio, Secretary

*Brannon Grier*  
\_\_\_\_\_  
Brannon Grier, Assistant Secretary

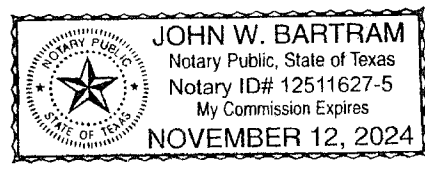
*Ryan Shaw*  
\_\_\_\_\_  
Ryan Shaw, Assistant Secretary

THE STATE OF TEXAS                   §  
   §  
COUNTY OF COMAL                   §

This instrument was acknowledged before me on the 26th day of February, 2024 by Anthony H. Merritt, President; Will Henry, Vice President; John H. F. (Jack) Scanio, Secretary; Brannon Grier, Assistant Secretary; and Ryan Shaw, Assistant Secretary of the Board of Directors of Kyndwood Municipal Utility District, a political subdivision of the State of Texas, on behalf of said District.

(seal) 

*John W. Bartram*  
\_\_\_\_\_  
Notary Public, State of Texas



## EXHIBIT "A"

### METES AND BOUNDS DESCRIPTION



290 S. Castell Avenue, Ste. 100  
New Braunfels, TX 78130  
(830) 625-8555  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

#### METES AND BOUNDS DESCRIPTION FOR 292.014 ACRES OF LAND KYNDWOOD MUNICIPAL UTILITY DISTRICT EXHIBIT "A"

Being 292.014 acres of land, more or less, located in the Nancy Kenner Survey Nos. 2 and 3, Abstract No. 306, Comal County, Texas, consisting of the following two noncontiguous tracts of land:

Tract 1: a 195.970 acre tract of land, being all of a called 186.183 acre tract described in Document No. 202206020054, Official Public Records, Comal County, Texas, and all of a called 9.786 acre tract of land described in Document No. 202206019961, Official Public Records, Comal County, Texas;

Tract 2: a 96.044 acre tract of land, being all of a called 27.609 acre tract described as Parcel A, Part 2 in Document No. 200606053121, Official Public Records, Comal County, Texas, and all of a called 68.465 acre tract described as Parcel B, Part 2 in Document No. 200606053122, Official Public Records, Comal County, Texas;

Said 292.014 acres of land, more or less, being more particularly described as follows:

#### TRACT 1: - 195.970 Acres

Being all of a called 186.183 acre tract, described in Document No. 202206020054, and all of a called 9.786 acre tract of land described in Document No. 202206019961, Official Public Records, Comal County, Texas. Said 195.970 acre tract more particularly described as follows:

BEGINNING at a ½" Iron rod with cap "HMT" found in the West right of way line of Interstate Highway 35 for the Southeast corner of said 9.786 acre tract and the Northeast corner of the remainder of a called 240.485 acre tract, recorded in Volume 153, Page 331, Deed Records, Comal County, Texas;

THENCE with the Southwest line of said 9.786 acre tract and the Northeast line of said remainder of a called 240.485 acre tract, N 46°00'27" W, 400.87 feet to a point in the Southwest line of said 9.786 acre tract, for the North corner of said remainder of a called 240.485 acre tract, same point being the East corner of a called 186.183 acre tract, recorded in Document No. 202206020054, Official Public Records, Comal County, Texas, for a corner of the herein described tract;

THENCE departing the Southwest line of said 9.786 acre tract, continuing with the Northwest line of said remainder of a called 240.485 acre tract and the Southeastern line of said 186.183 acre tract, the following six (6) calls:

1. S 31°15'34" W, a distance of 1350.83 feet to a point for a corner;
2. S 63°44'26" E, a distance of 96.89 feet to a point for a corner, and the beginning of a curve;
3. Along the arc of a curve to the right having a radius of 800.00 feet, an arc length of 69.81 feet and having a chord bearing and distance of S 61°14'26" E, 69.79 feet to a point for a corner;
4. S 58°44'26" E, a distance of 98.75 feet to a point for a corner;
5. N 31°15'34" E, a distance of 35.00 feet to a point for a corner;
6. S 58°44'26" E, a distance of 35.00 feet to a point in the South line of said remainder of a called 240.485 acre tract, same line being the Northwest line of a called borrow pit/park deeded from Hugo Schaefer to Comal County, recorded in Volume 61, Page 533, Deed Records, Comal County, Texas, for a corner of the herein described tract;

THENCE with the Northwest line of said borrow pit/park and a South line of said 186.183 acre tract,



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ENGINEERING & SURVEYING

S 31°15'34" W, a distance of 130.00 feet to a found TxDOT concrete monument for an East corner of the South portion of the remainder of a called 240.485 acre tract, and a corner of the herein described tract;

THENCE departing the Northwest line of said borrow pit/park, continuing with the North lines of the South portion of the remainder of a called 240.485 acre tract and the Southwest lines of said 186.183 acre tract, the following ten (10) calls:

1. N 58°44'26" W, a distance of 35.00 feet to a point for a corner;
2. N 31°15'34" E, a distance of 35.00 feet to a point for a corner;
3. N 58°44'26" W, a distance of 98.75 feet to a point for a corner and the beginning of a curve;
4. Along the arc of a curve to the left having a radius of 740.00 feet, an arc length of 64.58 feet, and a chord bearing and distance of N 61°14'26" W, 64.56 feet to a point for a corner;
5. N 63°44'26" W, a distance of 251.95 feet to a point for a corner and the beginning of a curve;
6. Along the arc of a curve to the right having a radius of 800.00 feet, an arc length of 247.60 feet, and a chord bearing and distance of N 54°52'27" W, 246.61 feet to a point for a corner;
7. N 46°00'27" W, a distance of 4.65 feet to a point for a corner;
8. S 31°50'01" W, a distance of 679.33 feet to a point for a corner;
9. N 45°00'28" W, a distance of 197.66 feet to a point for a corner;
10. S 44°59'32" W, a distance of 771.42 feet to a point in the Northeast line of a called 6.009 acre tract, recorded in Document No. 201606000199, Official Public Records, Comal County, Texas for the Southwest corner of said 186.183 acre tract, same point being the West corner of the South portion of the remainder of a called 240.485 acre tract, for a corner of the herein described tract;

THENCE with the Southwest line of said 186.183 acre tract and the Northeast line of said 6.009 acre tract, N 44°55'22" W, a distance of 749.81 feet to a 1/2" iron pin with cap stamped "KOLODZIE" found in the northeast line of tract called 11.347 acres recorded in Document No. 202006023455, Official Public Records, Comal County, Texas, for a corner of the herein described tract;

THENCE with the Southwest line of said 186.183 acre tract and the Northeast line of said 11.347 acre tract, N 45°41'40" W, a distance of 257.63 feet to a 1/2" iron pin with cap stamped "KOLODZIE" found being the North corner of said 11.347 acre tract and the East corner of a tract called 44.290 acres recorded in Document No. 200406007834, Official Public Records, Comal County, Texas, for a corner of the herein described tract;

THENCE with the Southwest line of said 186.183 acre tract and the Northeast line of said 44.290 acre tract, the following two (2) calls:

1. N 44°48'56" W, a distance of 944.13 feet to a point for a corner;
2. N 45°00'28" W, a distance of 800.03 feet to a 10" cedar post found in the Southeast line of a called 635.033 acre tract, recorded in Document No. 202106037787, Official Public Records, Comal County, Texas, being the West corner of said 186.183 acre tract, the North corner of said 44.290 acre tract, for the West corner of the herein described tract;

THENCE with the Northwest line of said 186.183 acre tract and the Southeast line of a called 635.033 acre tract, the following three (3) calls:

1. N 44°32'38" E, a distance of 1507.16 feet to a found 3/8" iron pin for a corner;
2. N 44°54'30" W, a distance of 43.40 feet to a found 1/2" iron pin for a corner;
3. N 44°34'25" E, passing a found 3/8" iron pin with cap "HMT" for the North corner of said 186.183 acre tract, same point being the Northwest corner of the aforementioned 9.786 acre tract, at 884.44 feet, continuing with the Northwest line of said 9.786 acre tract, a total distance of 1354.89 feet to a found 3/8" iron pin for the North corner of said 9.786 acre tract, an interior "ell" corner of said 635.033 acre tract, and the North corner of the herein described tract;



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THENCE with the Northeast line of said 9.786 acre tract and an interior South line of said 635.033 acre tract, S 46°00'27" E, a distance of 3310.37 feet to a found 1/4" iron pin with cap "RPLS 4233" in the aforementioned West right of way line of Interstate Highway 35, for a South corner of said 635.033 acre tract, the Southeast corner of said 9.786 acre tract, and the East corner of the herein described tract;

THENCE with the West right of way line of Interstate Highway 35 and the Southeast line of said 9.786 acre tract, S 30°29'57" W, a distance of 20.57 feet to the POINT OF BEGINNING, containing 195.970 acres of land in Comal County, Texas.

TRACT 2: - 96.044 Acres

Being all of a 96.044 acre tract of land, being described as a 96.044 acre tract in Document No. 202206011832, Official Public Records, Comal County, Texas, a portion of which has been platted as Gatehouse Subdivision, Unit 1 in Document No. 202306039819, Official Public Records, Comal County, Texas. Said 96.044 acres being more particularly described as follows:

BEGINNING at a point in the Southeast right of way line of F.M. 1102 (Hunter Road), for the Northernmost corner of a right of way dedication described in Gatehouse Subdivision Unit 1, recorded in Document No. 202306039819, Map and Plat Records, Comal County, Texas, same point being the North corner of said 96.044 acre tract of land recorded in Document No. 202206011832, Official Public Records, Comal County, Texas;

THENCE departing the Southeast right of way line of F.M. 1102 (Hunter Road), with the North line of Lot 901, Block 1, Gatehouse Subdivision Unit 1, same line being the Southwest line of Lot 53, Amending Plat of The Crossings at Havenwood, Unit 1, recorded in Document No. 201606015848, Map and Plat Records, Comal County, Texas, S 46°01'32" E, a distance of 1319.47 feet to a point in the Northwest right of way line of the Union Pacific Railroad, for the South corner of said Lot 53, same point being the East corner of said Lot 901, and a corner of the herein described tract;

THENCE with the Northwest right of way line of the Union Pacific Railroad and the Southeast line of said Gatehouse Subdivision Unit 1, same line being the Southeast line of said 96.044 acre tract, the following thirteen (13) calls:

1. S 42°45'06" W, a distance of 365.33 feet to a point for a corner, and the beginning of a curve;
2. Along the arc of a curve to the right, having a radius of 2814.90 feet, an arc length of 986.80 feet, and a chord bearing and distance of S 52°47'55" W, 981.75 feet to a point for a corner;
3. S 62°52'29" W, a distance of 832.57 feet to a point for a corner;
4. N 45°07'29" W, a distance of 51.93 feet to a point for a corner;
5. S 62°48'26" W, a distance of 912.79 feet to a point for a corner, and the beginning of a curve;
6. Along the arc of a curve to the left, having a radius of 5829.65 feet, an arc length of 293.84 feet, and a chord bearing and distance of S 62°38'52" W, 293.81 feet to a point for a corner;
7. S 30°16'22" E, a distance of 50.00 feet to a point for a corner, and the beginning of a curve;
8. Along the arc of a curve to the left, having a radius of 5779.65 feet, an arc length of 417.76 feet, and a chord bearing and distance of S 57°05'15" W, 417.67 feet to a point for a corner;
9. N 44°23'14" W, a distance of 30.41 feet to a point for a corner, and the beginning of a curve;
10. Along the arc of a curve to the left, having a radius of 5809.65 feet, an arc length of 736.49 feet, and a chord bearing and distance of S 52°08'30" W, 736.00 feet to a point for a corner;
11. S 43°14'18" E, a distance of 30.36 feet to a point for a corner, and the beginning of a curve;
12. Along the arc of a curve to the left, having a radius of 5779.65 feet, an arc length of 66.94 feet, and a chord bearing and distance of S 48°09'17" W, 66.94 feet to a point for a corner;



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13. S 47°51'42" W, a distance of 437.51 feet to a point for the East corner of a called 3.0 acre tract, recorded in Volume 128, Page 374, Deed Records, Comal County, Texas, same point being the South corner of said 96.044 acre tract, and a corner of the herein described tract;

THENCE departing the Northwest right of way line of the Union Pacific Railroad, with the Northeast line of said 3.0 acre tract and the Southwest line of said 96.044 acre tract, N 45°38'53" W, a distance of 654.53 feet to a point for a

corner in the aforementioned Southeast right of way line of F.M. 1102 (Hunter Road) for the West corner of said 96.044 acre tract and the North corner of said 3.0 acre tract, and a corner of the herein described tract;

THENCE with the Southeast right of way line of F.M. 1102 (Hunter Road) and the North lines of said 96.044 acre tract, continuing with the North lines of the aforementioned Gatehouse Subdivision Unit 1, the following thirteen (13) calls:

1. N 44°23'11" E, a distance of 133.88 feet to a point for a corner, and the beginning of a curve;
2. Along the arc of a curve to the right, having a radius of 2824.90 feet, an arc length of 645.06 feet, and a chord bearing and distance of N 50°57'32" E, 643.65 feet to a point for a corner;
3. N 57°27'03" E, a distance of 149.99 feet to a point for a corner;
4. N 61°14'41" E, a distance of 370.01 feet to a point for a corner;
5. N 64°42'37" E, a distance of 383.78 feet to a point for a corner, and the beginning of a curve;
6. Along the arc of a curve to the left, having a radius of 1472.70 feet, an arc length of 470.89 feet, and a chord bearing and distance of N 55°55'18" E, 468.89 feet to a point for a corner;
7. N 46°34'10" E, a distance of 419.33 feet to a point for a corner, and the beginning of a curve;
8. Along the arc of a curve to the left, having a radius of 1950.10 feet, an arc length of 296.81 feet, and a chord bearing and distance of N 42°14'49" E, 296.52 feet to a point for a corner;
9. N 37°52'05" E, a distance of 625.37 feet to a point for a corner, and the beginning of a curve;
10. Along the arc of a curve to the right, having a radius of 5689.70 feet, an arc length of 396.06 feet, and a chord bearing and distance of N 39°49'17" E, 395.98 feet to a point for a corner;
11. N 41°54'25" E, a distance of 694.64 feet to a point for a corner;
12. N 47°16'25" E, a distance of 350.50 feet to a point for a corner;
13. N 52°27'57" E, a distance of 47.72 feet to the POINT OF BEGINNING, containing 96.044 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00. Written February 21<sup>st</sup>, 2024.

Reference survey of said 292.014 acre tract of land, more or less, prepared this same date.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

Dorothy J. Taylor  
 Registered Professional Land Surveyor No. 6295

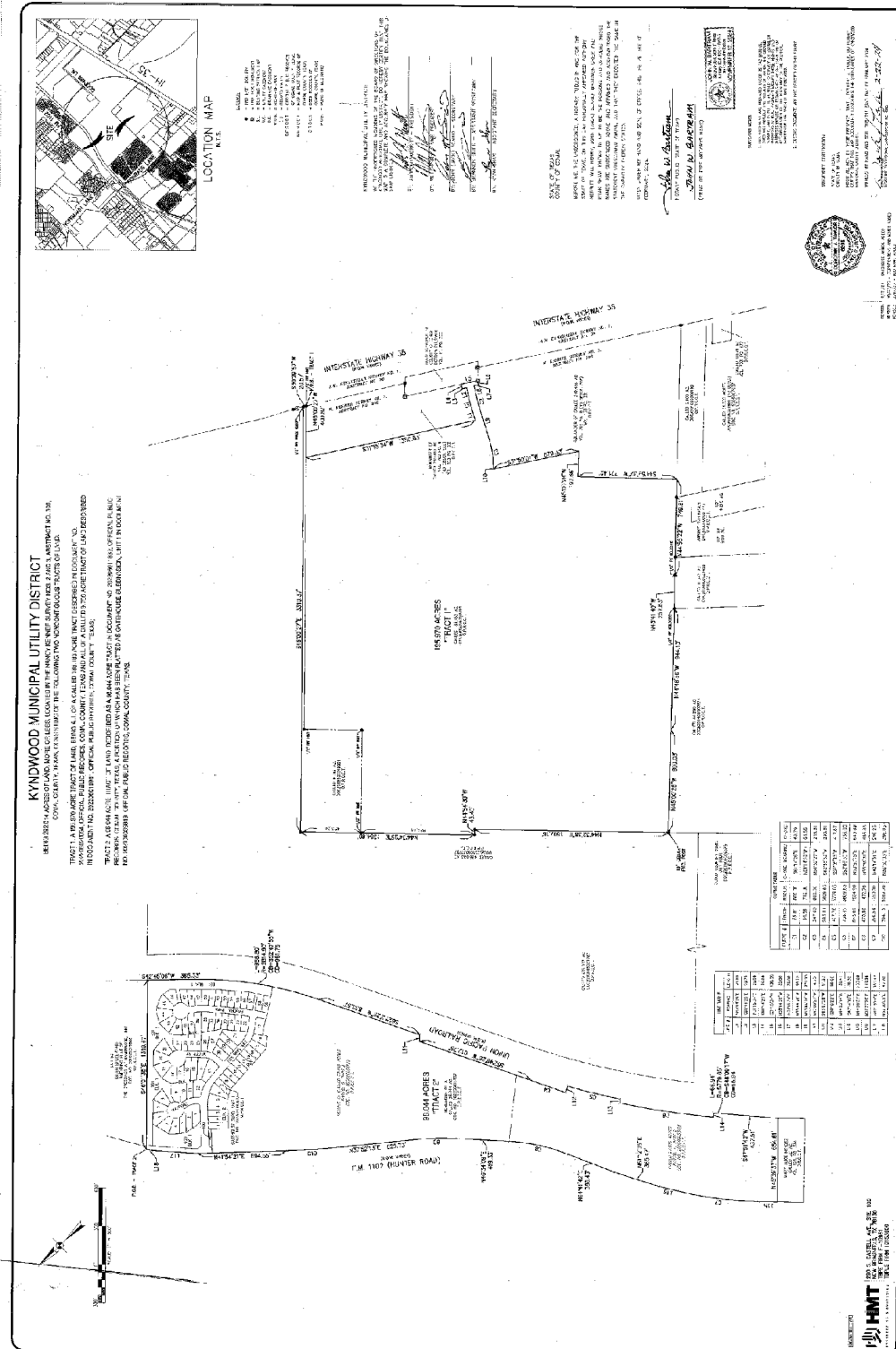
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# EXHIBIT "B"

## DISTRICT BOUNDARY MAP



**EXHIBIT "C"**

**KYNDWOOD MUNICIPAL UTILITY DISTRICT**

**NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT**

THE STATE OF TEXAS           §  
  §  
COUNTY OF COMAL           §

The real property that you are about to purchase is located in Kyndwood Municipal Utility District (the "*District*") and may be subject to district taxes or assessments. The District may, subject to voter approval, impose taxes and issue bonds. The District may impose an unlimited rate of tax in payment of such bonds. The District has not yet imposed taxes. The projected rate of the district property tax is \$0.72 on each \$100 of assessed valuation.

The total amount of bonds payable wholly or partly from property taxes, approved by the voters (excluding refunding bonds that are separately approved by the voters) are:

- (i)     \$160,000,000.00 for water, sewer, and drainage facilities; and
- (ii)    \$48,280,000.00 for road facilities.

The aggregate initial principal amounts of all such bonds issued are:

- (i)     \$0.00 for water, sewer, and drainage facilities; and
- (ii)    \$0.00 for road facilities.

The District is located wholly or partly in the extraterritorial jurisdiction of the City of New Braunfels, Comal County, Texas. Texas law governs the ability of a municipality to annex property in the municipality's extraterritorial jurisdiction and whether a district that is annexed by the municipality is dissolved.

The purpose of the District is to provide water, sewer, drainage, flood control, firefighting, and road facilities and services. The cost of District facilities is not included in the purchase price of your property.

**SELLER:**

\_\_\_\_\_

Date

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.



The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property or at closing of purchase of the real property.

PURCHASER:

\_\_\_\_\_  
Date

\_\_\_\_\_

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

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_.

(seal)

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

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

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_.

(seal)

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

**AFTER RECORDING RETURN TO:**

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

**Filed and Recorded  
Official Public Records  
Bobbie Koeppe, County Clerk  
Comal County, Texas  
02/27/2024 02:34:20 PM  
MARY 9 Pages(s)  
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*Bobbie Koeppe*