

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS ACCEPTING BUNTON CREEK, PHASE 5 SUBDIVISION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the developer of this subdivision has completed construction of the improvements in general accordance with plans approved by the City of Kyle; and

WHEREAS, the subdivision improvements are defined as street, drainage, and wastewater systems installed within public rights-of-way and any dedicated drainage or public utility easements within the subdivision; and

WHEREAS, the contractor has also provided the City a two (2) year maintenance bond in an amount of thirty five percent (35%) of the cost of the construction for any repairs that may be necessary during a two-year period from the date of acceptance by City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS hereby accepts the public improvements and certifies completion of the improvements for Bunton Creek, Phase 5. The current maintenance surety is hereby \$166,090.33 being thirty five percent of the total cost of required improvements, to be held for two years from this date.

SECTION 1. That the subdivision improvements within the Bunton Creek Subdivision Phase 5 are hereby accepted for operation and maintenance.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the ____ day of _____, 2018.

CITY OF KYLE, TEXAS

Travis Mitchell, Mayor

ATTEST:

Jennifer Vetrano, City Secretary

EXHIBIT A

STAFF ACCEPTANCE MEMO



CITY OF KYLE

100 W. Center St.
Office (512) 262-1010

Kyle, Texas 78640
Fax (512) 262-3915

MEMORANDUM

TO: Scott Sellers, City Manager

FROM: Leon Barba, P.E., City Engineer *LB*

DATE: June 11, 2018

SUBJECT: Bunton Creek, Phase 5
Final Acceptance

The referenced subdivision is recommended for acceptance by the City of Kyle.

A final walkthrough was completed on November 2, 2017. The punch list items have been completed on the project. The street, drainage, and wastewater improvements have been constructed in substantial accordance with the City's requirements. Record drawings have been provided to the City.

A Maintenance Bond (Philadelphia Indemnity Insurance Company – Bond No. PB03016800175) in the amount of \$166,090.33 has been provided for a period of two (2) years.

Please let me know if you need any additional information.

Xc: Harper Wilder, Public Works Dept.
Perwez Moheet, Finance Dept.
Debbie Guerra, Planning and Zoning



ENGINEER'S CONCURRENCE
FOR
PROJECT ACCEPTANCE

PROJECT: Bunton Creek Phase 5
Street, Drainage, Water and Wastewater

Date: November 13, 2017

Owner's Name and Address

LGI Homes – Texas, LLC
1450 Lake Robbins Drive
The Woodlands, TX 77380

Consultant Engineer's Name and Address

Pape-Dawson Engineers, Inc.
2000 NW Loop 410
San Antonio, TX 78213

On November 2, 2017, I, the undersigned Professional Engineer in the State of Texas, or my representative, met with representatives of the City of Kyle and the Project Contractor and made a visual inspection of the above referenced project. No discrepancies in approved construction plans or deficiencies in construction were visible or brought to my attention by the parties at the meeting except those listed below. I, therefore, recommend acceptance of this project by the City of Kyle once the following listed items are corrected to the satisfaction of the City of Kyle.

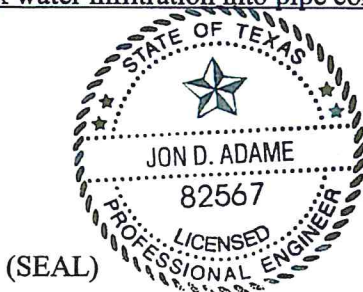
Punchlist items:

- Clean up sewer line C and D tie into manholes A-2 and A-3 with concrete "channel" draining from invert in to invert out
- Recoat sewer manholes A-1, A-2, and A-3
- Add sand to wheel chair ramp bricks (all WCR's)
- Adjust manhole ring and cover for existing junction box A-1 to 6" above existing grade
- Place remaining stock piled dirt for curb backfill and spread out the rest
- Bolt down all sewer and storm drain manholes lids
- Clean up MISC trash around site

All work above has been or will be completed by end of business November 17, 2017.

Items left for further discussion include:

- Fix water infiltration into pipe connecting junction boxes A1 and A2.




Signature

Jon Adame, P.E.
Typed Name

82567
Texas Registration No.

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

San Antonio | Austin | Houston | Fort Worth | Dallas
Transportation | Water Resources | Land Development | Surveying | Environmental
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

EXHIBIT B

MAINTENANCE BOND

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
877-438-7459

MAINTENANCE BOND

Jeremy Farque, Attorney-in-Fact

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Tom Mulanax, Michael Whorton, David Whorton, Rachel Martinez, Pollyanna Lengel, Jeremy Farque and/or Noe Moreno of Whorton Insurance Services** its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **PHILADELPHIA INDEMNITY INSURANCE COMPANY** on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

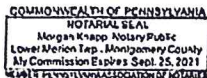
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27TH DAY OF OCTOBER, 2017.



(Seal)

Robert D. O'Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 27th day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



(Notary Seal)

Notary Public:

residing at:

Bala Cynwyd, PA

My commission expires:

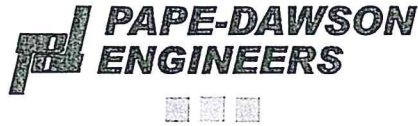
September 25, 2021

I, Edward Sayago, Corporate Secretary of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 27th day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 8th day of June, 2018.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY



October 30, 2017

Mr. Leon Barba
City of Kyle
100 W. Center Street
Kyle, TX 78640

Re: Bunton Creek Phase 5
Kyle Texas
2-Year City Maintenance Bond Calculations

Dear Mr. Barba:

We are writing you in reference to the Bunton Creek Phase 5 project.

As part of the final acceptance for a project, a 2-year maintenance bond must be submitted to the City. This bond is being submitted by DNT Construction, and will be a value that covers the construction of streets, drainage, sewer, street lights and any potential change orders that may have occurred throughout the duration of the project. Values are based on actual pay invoices and contracted amounts, established between the developer and the contractor.

Values are as follows:

Streets	\$365,251.05
Drainage	\$43,061.50
Sewer	\$48,940.00
Street Lights	\$10,280.00
Change orders:	
CO #2	\$7,011.25
Total:	\$474,543.80

Based on code, the City requires 35% of this value in the form of a maintenance bond.

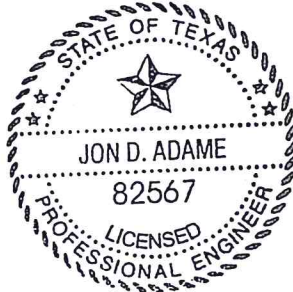
$35\% \times \$474,543.80 = \$166,090.33$

Support data (DNT invoice) is attached for the bases of these calculations. I have tried to make it simple to understand by making notations in the left margins. If you have any questions or require additional information, please do not hesitate to contact our office at your earliest convenience.

Mr. Leon Barba
Bunton Creek Phase 5
Kyle Texas
2-Year City Maintenance Bond Calculations
October 30, 2017
Page 2 of 2

Sincerely,
Pape-Dawson Engineers, Inc.


Jon Adame, P.E.
Sr. Vice President



Attachments

H:\projects\508\36\04\Word\171030 (50836-04) 2-Year City Maintenance Bond Calculations Letter (Barba).docx

APPLICATION AND CERTIFICATE FOR PAYMENT/ DNT Constructor

TO (OWNER):
LGI Homes - Texas, LLC
 1450 Lake Robbins Dr., Ste. 430
 The Woodlands, TX 77380

PROJECT: 20-17-1889
 Bunton Creek Phase 2B & 5

CONTRACTOR:
DNT Construction
 P O Box 6210
 Round Rock, Texas 78683

ENGINEER:
Pape-Dawson Engineers, Inc
 2000 NW Loop 410
 San Antonio, TX 78213

APPLICATION NO: **SLX (6)**
 PERIOD TO: **10/1/17-10/31/17**
 DNT CONSTRUCTION
 INVOICE NO. **1889-6**

DISTRIBUTION
 \$ 224,080.26
 \$ 22,409.03
 \$ 201,681.22

CHANGE ORDER SUMMARY			
Change orders approved in previous months by Owner		ADDITIONS	DEDUCTIONS
TOTAL		\$0.00	\$0.00
Approved this Month			
Number	Date Approved		
1	13-Jun-17	\$18,791.25	
2	24-Aug-17	\$68,653.83	
3			
4			
TOTALS		\$75,445.18	\$0.00
Net change by Change Orders		\$75,445.18	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: DNT CONSTRUCTION, LLC

By: Kristyne Barad Date: 10/20/17
 Kristyne Barad Contract Administrator

ENGINEER CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Insurance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTRACT DATE: **10/1/17**

Application is made for Payment, as shown below, in connection with the Contract, Continuation Sheet Attached

1 ORIGINAL CONTRACT SUM \$ 1,928,089.86
 2 Net change by Change Orders \$ 78,445.18
 3 CONTRACT SUM TO DATE \$ 2,001,544.83
 4 TOTAL COMPLETED & STORED TO DATE (Column G on J703) \$ 2,001,544.83

5 Retainage:
 a. 10 % of Opt Wk \$ 200,154.50
 (Column D + E on J703)
 b. 10 % of Stored Mtl \$ -
 (Column F on J703)

Total Retainage (Line 5a + 5b or Total in Column 1 of J703) \$ 200,154.50
 6 TOTAL EARNED LESS RETAINAGE (Line 4 less 5 Total) \$ 1,801,390.33
 7 LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificates) \$ 1,589,709.11
 8 CURRENT PAYMENT DUE \$ 201,681.22
 9 BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6) \$ 200,154.50

State of: TEXAS County of: TRAVIS
 Subscribed and sworn to before me this 20 day of October
 Notary Public: Yesenia Flores
 My Commission expires: December 01, 2020

YESENIA FLORES
 Notary Public, State of Texas
 Commission Expires 12-01-2020
 Notary ID 130918934

AMOUNT CERTIFIED
 (Attach explanation if amount certified differs from the amount applied for)
 ENGINEER

By: A. Helle Date: 9/22/17
 Pape-Dawson

CONTRACT: Buntan Creek Phase 2B & S

CONTRACTOR: DNT CONSTRUCTION

Round Rock, Texas 78683

347 Single Service Assembly, Long (completes with PVO sleeve)

Joint Restraints

Hydrostatic Pressure Test

Excavation Protection

Head Piles

Chlorination

Maintenance Bond (County of Special Utility District 35%)

PROGRESS PAYMENT NO:
PROGRESS PAYMENT PERIOD:

BK (6)
10/11/17-10/31/17

DNT CONSTRUCTION MONTHLY PROGRESS PAYMENT

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED QTY	COMPLETED PRICE	TOTAL QTY	TOTAL PRICE	%	BALANCE TO FINISH	% RETAINAGE
9	11300	8	EA	\$850.00	\$6,800.00	0.00		0.00		8.00	\$6,800.00	100%	\$0.00	0%
10	11300	6	EA	\$975.00	\$5,850.00	0.00		0.00		6.00	\$5,850.00	100%	\$0.00	0%
11	11300	1	LS	\$1,510.00	\$1,510.00	0.00		0.00		1.00	\$1,510.00	100%	\$0.00	0%
12	11300	3	EA	\$1,120.00	\$3,360.00	0.00		0.00		3.00	\$3,360.00	100%	\$0.00	0%
13	11300	2028	LF	\$0.60	\$1,216.80	0.00		0.00		2028.00	\$1,216.80	100%	\$0.00	0%
14	11300	99	EA	\$165.00	\$16,335.00	0.00		0.00		99.00	\$16,335.00	100%	\$0.00	0%
15	11300	2828	LF	\$1.75	\$4,949.00	0.00		0.00		2828.00	\$4,949.00	100%	\$0.00	0%
16	10300	1	LS	\$1,780.00	\$1,780.00	0.00		0.00		1.00	\$1,780.00	100%	\$0.00	0%
					\$16,617.80						\$16,617.80	100%	\$0.00	0%

Sewer Improvements

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED QTY	COMPLETED PRICE	TOTAL QTY	TOTAL PRICE	%	BALANCE TO FINISH	% RETAINAGE
1	11700	632.80	LF	\$25.00	\$15,820.00	0.00		0.00		632.80	\$15,820.00	100%	\$0.00	0%
2	11700	1.688	EA	\$3,375.00	\$5,685.00	0.00		0.00		1.688	\$5,685.00	100%	\$0.00	0%
3	11700	6	EA	\$280.00	\$1,680.00	0.00		0.00		6.00	\$1,680.00	100%	\$0.00	0%
4	11700	17.7	VF	\$4,602.00	\$81,455.40	0.00		0.00		17.7	\$81,455.40	100%	\$0.00	0%
5	11700	20	EA	\$1,200.00	\$24,000.00	0.00		0.00		20.00	\$24,000.00	100%	\$0.00	0%
6	11700	21	EA	\$1,430.00	\$30,030.00	0.00		0.00		21.00	\$30,030.00	100%	\$0.00	0%
7	11700	8	EA	\$800.00	\$6,400.00	0.00		0.00		8.00	\$6,400.00	100%	\$0.00	0%
8	11700	68	EA	\$113.00	\$7,692.00	0.00		0.00		68.00	\$7,692.00	100%	\$0.00	0%
9	11700	3	EA	\$680.00	\$2,040.00	0.00		0.00		3.00	\$2,040.00	100%	\$0.00	0%
10	11700	2.230	LF	\$1.00	\$2,230.00	0.00		0.00		2.230	\$2,230.00	100%	\$0.00	0%
11	11700	1	EA	\$1,450.00	\$1,450.00	0.00		0.00		1.00	\$1,450.00	100%	\$0.00	0%
12	11700	2.230	LF	\$1.00	\$2,230.00	0.00		0.00		2.230	\$2,230.00	100%	\$0.00	0%
13	11700	2.230	LF	\$1.00	\$2,230.00	0.00		0.00		2.230	\$2,230.00	100%	\$0.00	0%
					\$167,438.80						\$167,438.80	100%	\$0.00	0%

Electric Improvements

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED QTY	COMPLETED PRICE	TOTAL QTY	TOTAL PRICE	%	BALANCE TO FINISH	% RETAINAGE
1	13500	88	Lot	\$1,240.00	\$109,120.00	0.00		0.00		88.00	\$109,120.00	100%	\$0.00	0%
					\$109,120.00						\$109,120.00	100%	\$0.00	0%

Street Light Improvements

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED QTY	COMPLETED PRICE	TOTAL QTY	TOTAL PRICE	%	BALANCE TO FINISH	% RETAINAGE
1	13500	6	EA	\$2,870.00	\$17,220.00	0.00		0.00		6.00	\$17,220.00	100%	\$0.00	0%
					\$17,220.00						\$17,220.00	100%	\$0.00	0%

BUNTON CREEK 5

Street Items

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED QTY	COMPLETED PRICE	TOTAL QTY	TOTAL PRICE	%	BALANCE TO FINISH	% RETAINAGE
1	10500	1	LS	\$55,000.00	\$55,000.00	0.00		0.00		1.00	\$55,000.00	100%	\$0.00	0%
2	10500	9.7	AC	\$4,607.50	\$44,792.75	0.00		0.00		9.7	\$44,792.75	100%	\$0.00	0%
3	10500	11,261.00	CV	\$4.00	\$45,044.00	0.00		0.00		11,261.00	\$45,044.00	100%	\$0.00	0%
4	10500	2,805.00	CV	\$2.75	\$7,713.75	0.00		0.00		2,805.00	\$7,713.75	100%	\$0.00	0%
5	12500	6,874.00	CV	\$3.65	\$25,069.10	0.00		0.00		6,874.00	\$25,069.10	100%	\$0.00	0%
6	12500	7,460.00	CV	\$3.65	\$27,229.00	0.00		0.00		7,460.00	\$27,229.00	100%	\$0.00	0%
7	12500	1.5	EA	\$1,050.00	\$1,575.00	0.00		0.00		1.5	\$1,575.00	100%	\$0.00	0%
8	12500	7,460.00	CV	\$3.65	\$27,229.00	0.00		0.00		7,460.00	\$27,229.00	100%	\$0.00	0%
9	12500	3,447.00	LF	\$14.00	\$48,258.00	0.00		0.00		3,447.00	\$48,258.00	100%	\$0.00	0%
10	12500	44	EA	\$350.00	\$15,400.00	0.00		0.00		44.00	\$15,400.00	100%	\$0.00	0%
11	12500	18	EA	\$1,050.00	\$18,900.00	0.00		0.00		18.00	\$18,900.00	100%	\$0.00	0%
12	12500	35	EA	\$270.00	\$9,450.00	0.00		0.00		35.00	\$9,450.00	100%	\$0.00	0%
13	12500	1	LS	\$4,000.00	\$4,000.00	0.00		0.00		1.00	\$4,000.00	100%	\$0.00	0%
14	12500	2	EA	\$1,200.00	\$2,400.00	0.00		0.00		2.00	\$2,400.00	100%	\$0.00	0%
15	12500	3	EA	\$1,200.00	\$3,600.00	0.00		0.00		3.00	\$3,600.00	100%	\$0.00	0%
16	10500	1,376.00	LF	\$2.00	\$2,752.00	0.00		0.00		1,376.00	\$2,752.00	100%	\$0.00	0%
17	10500	3,174.00	LF	\$2.00	\$6,348.00	0.00		0.00		3,174.00	\$6,348.00	100%	\$0.00	0%
18	12500	1	LS	\$950.00	\$950.00	0.00		0.00		1.00	\$950.00	100%	\$0.00	0%
19	12500	11	EA	\$1,615.00	\$17,765.00	0.00		0.00		11.00	\$17,765.00	100%	\$0.00	0%
					\$17,765.00						\$17,765.00	100%	\$0.00	0%

DNF CONSTRUCTION MONTHLY PROGRESS PAYMENT

CONTRACT: Sunco Creek Phase 2B & 5

CONTRACTOR: DNT CONSTRUCTION
P O Box 8210
Round Rock, Texas 76663

PROGRESS PAYMENT NO: 016 (6)
10/11/2021/11/21

ITEM NO	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED THIS PERIOD QTY	PRICE	WORK COMPLETED THIS PERIOD TOTAL	%	BALANCE TO FINISH	10% RETAINAGE
18	10300		\$4,435.00	\$4,435.00	0.00	\$0.00	1.00	\$4,435.00	\$4,435.00	100%	\$0.00	\$0.00
									\$4,435.00			\$4,435.00
									\$4,435.00			\$4,435.00

Drainage Improvements

ITEM NO	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED THIS PERIOD QTY	PRICE	WORK COMPLETED THIS PERIOD TOTAL	%	BALANCE TO FINISH	10% RETAINAGE
1	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
2	12300	EA	\$3,000.00	\$3,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$3,000.00	\$3,000.00
3	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
4	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
5	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
6	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
7	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
8	12300	EA	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$4,000.00	\$4,000.00
									\$4,000.00			\$4,000.00
									\$4,000.00			\$4,000.00

Water Improvements

ITEM NO	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED THIS PERIOD QTY	PRICE	WORK COMPLETED THIS PERIOD TOTAL	%	BALANCE TO FINISH	10% RETAINAGE
1	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
2	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
3	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
4	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
5	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
6	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
7	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
8	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
9	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
10	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
11	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
12	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
13	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
14	11300	EA	\$1,400.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1,400.00	\$1,400.00
									\$1,400.00			\$1,400.00
									\$1,400.00			\$1,400.00

Sewer Improvements

ITEM NO	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED THIS PERIOD QTY	PRICE	WORK COMPLETED THIS PERIOD TOTAL	%	BALANCE TO FINISH	10% RETAINAGE
1	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
2	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
3	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
4	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
5	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
6	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
7	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
8	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
9	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
10	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
11	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
12	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
13	11700	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
									\$2,000.00			\$2,000.00
									\$2,000.00			\$2,000.00

Electric Improvements

ITEM NO	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED THIS PERIOD QTY	PRICE	WORK COMPLETED THIS PERIOD TOTAL	%	BALANCE TO FINISH	10% RETAINAGE
1	13300	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
									\$2,000.00			\$2,000.00
									\$2,000.00			\$2,000.00

Street Light Improvements

ITEM NO	QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY QTY	PREVIOUSLY PRICE	COMPLETED THIS PERIOD QTY	PRICE	WORK COMPLETED THIS PERIOD TOTAL	%	BALANCE TO FINISH	10% RETAINAGE
1	13300	EA	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$2,000.00	\$2,000.00
									\$2,000.00			\$2,000.00
									\$2,000.00			\$2,000.00

CONTRACT: Bunton Creek Phase 2B & S

CONTRACTOR: DNT CONSTRUCTION

P O Box 8210

Round Rock, Texas 78853

Change Order #1 - Street Improvements

DNT CONSTRUCTION MONTHLY PROGRESS PAYMENT

PROGRESS PAYMENT NO: 018 (0)
PROGRESS PAYMENT PERIOD: 10/01/17-10/31/17

ITEM NO.	DESCRIPTION	QTY.	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMPLETED	COMPLETED THIS PERIOD	WORK COMPLETED	FINISH	RETAINAGE
1	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
2	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
3	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
4	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
5	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
6	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
7	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
8	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
9	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
10	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
11	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
12	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
13	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
14	Excavation (Night Yards)	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92

Change Order #2

ITEM NO.	DESCRIPTION	QTY.	UNIT	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMPLETED	COMPLETED THIS PERIOD	WORK COMPLETED	FINISH	RETAINAGE
1	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
2	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
3	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
4	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
5	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
6	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
7	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
8	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
9	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
10	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
11	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
12	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
13	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92
14	Excavation of Additional Subgrade	414	CV	\$2.78	\$1,130.92	0.00	0.00	0.00	0.00	\$1,130.92

TOTAL CONTRACT

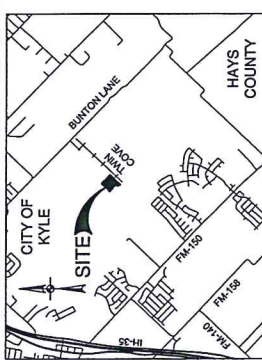
\$2,001,544.83 \$1,777,461.88 \$224,082.95 \$2,001,544.83 100% \$2,001,544.83

TOTAL COMPLETED TO DATE	\$2,001,544.83
TOTAL COMPLETED STORED TO DATE	\$2,001,544.83
RETAINAGE HELD	\$2,001,544.83
TOTAL CPT LESS RETAINAGE	\$0.00
LESS PREVIOUS BILLINGS	\$1,589,709.11
CURRENT PAYMENT DUE	\$201,631.22

ORIGINAL CONTRACT AMOUNT	\$2,001,544.83
CONTRACT CHANGES	\$0.00
TOTAL CONTRACT AMOUNT	\$2,001,544.83
WORK COMPLETED TO DATE	\$2,001,544.83
BALANCE TO COMPLETE	\$0.00

EXHIBIT C

SUBDIVISION MAP



LOCATION MAP
NOT TO SCALE

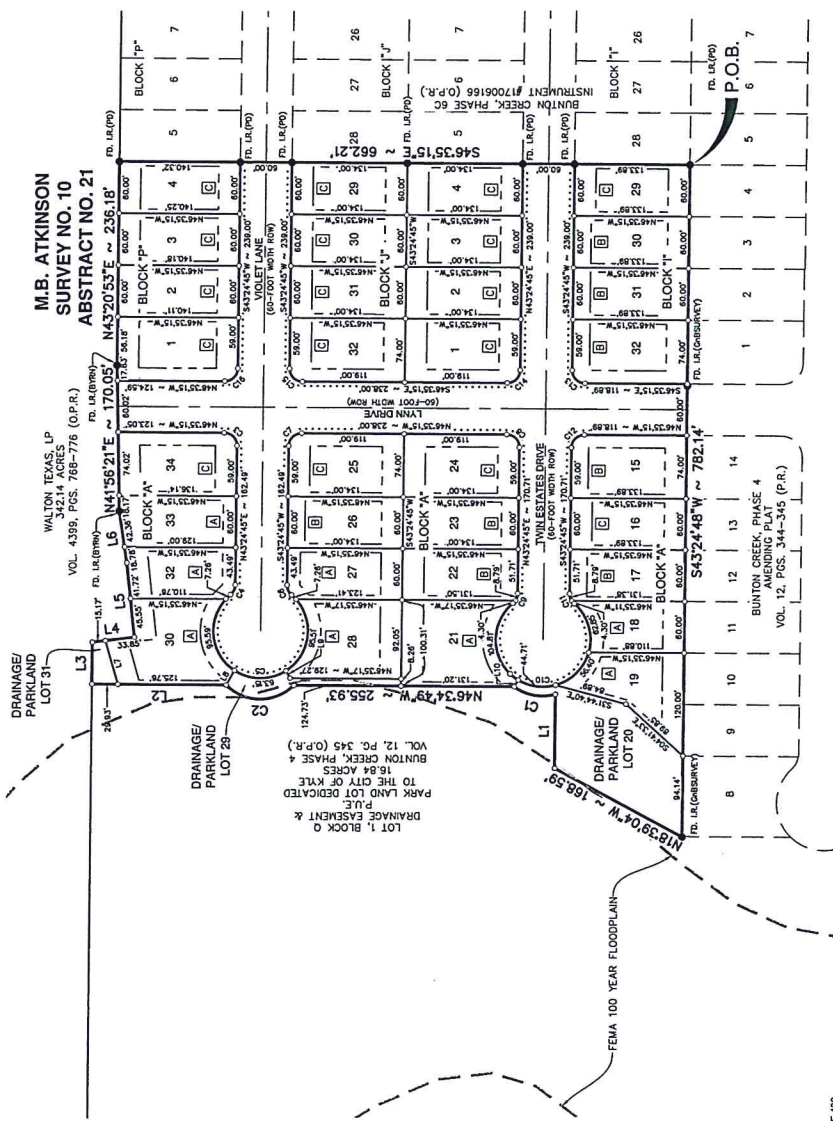
FINAL PLAT
OF
BUNTON CREEK, PHASE 5

A 9.702 ACRE TRACT OF LAND, BEING OUT OF A CALLED 44.987 ACRE TRACT DESCRIBED IN CONVEYANCE TO LCI HOMES-TEXAS, LLC IN SPECIAL WARRANTY DEED RECORDED IN VOLUME 4841, PAGES 810-820 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SITUATED IN THE M.B. ATKINSON SURVEY NO. 10, ABSTRACT NO. 21, IN THE CITY OF KYLE, HAYS COUNTY, TEXAS.

NOTE:
A FIFTEEN (15) FOOT PUE IS HEREBY DEDICATED ADJACENT TO ALL STREET ROW. A FIVE (5) FOOT PUE IS HEREBY DEDICATED ALONG EACH SIDE LOT LINE AND A SEVEN (7) AND TEN (10) FOOT PUE IS HEREBY DEDICATED ADJACENT TO ALL REAR LOT LINES ON ALL LOTS.

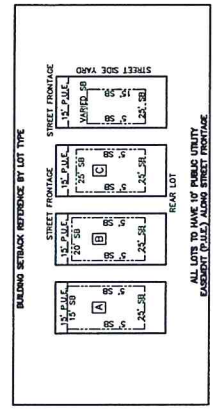
THE FRONT VARIOUS SETBACK LINE FOR THE LOTS IN THE SUBDIVISION MAY VARY FROM FIFTEEN FEET (15') TO TWENTY FEET (20') PROVIDED THE SETBACKS ARE VARIED FROM LOT TO LOT AND THE FIFTEEN FOOT SETBACK IS NOT CONCENTRATED IN ANY PHASE OR AREA.

- LEGEND**
- DOC DOCUMENT NUMBER
 - OPR OFFICIAL PUBLIC RECORDS OF
 - PR HAYS COUNTY, TEXAS
 - PR HAYS COUNTY, TEXAS
 - DR DEED RECORDS OF HAYS COUNTY, TEXAS
 - ROW RIGHT OF WAY
 - FD, LE FOUND IRON ROD
 - PC POINT OF BEGINNING
 - POB POINT OF BEGINNING
 - POB PUBLIC UTILITY EASEMENT (UNLESS NOTED OTHERWISE)
 - SET 1/2" IRON ROD (PO)
 - FEAR 100 YEAR FLOODPLAIN



LINE #	BEARING	LENGTH
L1	N43°23'11"E	86.10'
L2	N43°23'11"E	153.88'
L3	N43°23'11"E	48.81'
L4	S53°30'17"E	48.00'
L5	N43°23'11"E	81.37'
L6	N43°23'11"E	81.37'
L7	S73°30'17"E	55.54'
L8	N43°23'11"E	19.36'
L9	N43°23'11"E	10.00'
L10	N43°23'11"E	9.00'

CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	55.00'	103°21'46"	N39°13'07"W	48.53'
C2	55.00'	09°56'57"	N43°34'49"W	78.42'
C3	15.00'	09°00'00"	N07°35'15"W	21.21'
C4	15.00'	09°00'00"	N07°35'15"W	12.68'
C5	55.00'	27°59'23"	S44°35'15"E	70.71'
C6	55.00'	09°00'00"	S07°35'15"E	12.68'
C7	15.00'	09°00'00"	S07°35'15"E	21.21'
C8	55.00'	27°59'23"	S44°35'15"E	70.71'
C9	55.00'	09°00'00"	S07°35'15"E	12.68'
C10	55.00'	27°59'23"	S44°35'15"E	70.71'
C11	15.00'	09°00'00"	S07°35'15"E	21.21'
C12	15.00'	09°00'00"	S07°35'15"E	12.68'
C13	55.00'	27°59'23"	S44°35'15"E	70.71'
C14	55.00'	09°00'00"	S07°35'15"E	12.68'
C15	15.00'	09°00'00"	S07°35'15"E	21.21'
C16	15.00'	09°00'00"	S07°35'15"E	12.68'
C17	55.00'	27°59'23"	S44°35'15"E	70.71'
C18	55.00'	09°00'00"	S07°35'15"E	12.68'
C19	15.00'	09°00'00"	S07°35'15"E	21.21'
C20	15.00'	09°00'00"	S07°35'15"E	12.68'



OWNER: LCI HOMES-TEXAS, LLC
10801 N. MOPAC EXPY., SUITE 430
THE WOODLANDS, TEXAS 77380
(281) 362-8888 P
(281) 210-2601 F

ACREAGE: 9.702 ACRES

ENGINEER & SURVEYOR: PAPE-DAWSON ENGINEERS, INC.
10801 N. MOPAC EXPY., SUITE 430
THE WOODLANDS, TEXAS 77380
(281) 362-8888 P
(281) 210-2601 F

SURVEY: M.B. ATKINSON SURVEY NO. 10
ABSTRACT 21

NUMBER OF BLOCKS: 4

DEVELOPMENT LOTS: 33

DRAINAGE/PARKLAND LOTS: 3

SUBMITTAL DATE: DECEMBER 2016

**PAPE-DAWSON
ENGINEERS**

AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
10801 N. MOPAC EXPY., SUITE 430 | AUSTIN, TX 78759 | 512.454.8711
TEPE FIRM REGISTRATION #470 | TEPE FIRM REGISTRATION #10028801

BUNTON CREEK, PHASE 5

FIELD NOTES
FOR

Phase 6C, a distance of 662.21 feet to the POINT OF BEGINNING of the herein described tract and containing 9,702 acres in the City of Kyle, Hays County, Texas. Said tract being described in accordance with a plat by Pope-Dawson Engineers.

14. THE FRONT YARD SETBACK LINE FOR THE LOTS IN THE SUBDIVISION MAY VARY FROM FIFTY FEET (50') TO TWENTY-FIVE FEET (25'), PROVIDED THE SETBACKS ARE VARIED FROM LOT TO LOT AND THE FIFTEEN FOOT SETBACK IS NOT CONCENTRATED IN ANY PHASE OR AREA.

A 9.702 ACRE, A TRACT OF LAND, BEING OUT OF A CALLED 44.967 ACRE TRACT DESCRIBED IN CONVEYANCE TO LCI HOMES-TEXAS, LLC IN SPECIAL WARRANTY DEED RECORDED IN VOLUME 4941, PAGES 810-820 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SITUATED IN THE M.B. ATKINSON SURVEY NO. 10, ABSTRACT NO. 21, IN THE CITY OF KYLE, HAYS COUNTY, TEXAS.

BUNTON CREEK, PHASE 5

**NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS**

AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
10801 W MOPAC EXPY, BLDG 3, STE 200 | AUSTIN, TX 78759 | 512.454.8711
TOPE FIRM REGISTRATION #470 | TOPLS FIRM REGISTRATION #100228061