

DEVELOPER AGREEMENT
FOR MUNICIPAL INFRASTRUCTURE COSTS

The parties to this agreement for municipal infrastructure costs (“Agreement”) are the City of North Richland Hills (“City”) and NRH Partners, Ltd. (“Developer”). This Agreement is to document the obligation of City to pay the cost of constructing certain municipal drainage infrastructure improvements for the property owned by Developer, which is described as Snow Heights Addition; Block 25, Lots 1-R-2-R-1 & 1-R-2-R-2, North Richland Hills, Tarrant County, Texas (“Property”), and to document the nature and extent of the improvements to be constructed.

WITNESSETH

1. City has agreed to pay the amount of \$168,718.03 (“Infrastructure Cost”) to the Developer within 30 days after the City issues a letter of final acceptance of the improvements described in paragraph 3 below. Final acceptance of the project occurs when the work has passed all city inspections, the punch list has been completed and a final walk through has been conducted by the City and Developer. Upon acceptance of the work by the City, the City will issue to Developer a letter of final acceptance.
2. Developer acknowledges and agrees:
 - (a) that the Infrastructure Cost is the amount correctly determined to be roughly proportionate to the proposed development of the Property;
 - (b) that this agreement satisfies all conditions of the purchase contract between the City and the Developer (Executed 11/06/2014 and amended 07/14/2015) and the Amended and Restated Post Closing Agreement (Executed August 28, 2018);
 - (c) that this Agreement must be executed by NRH Partners, Ltd. as Developer to be enforceable; and
 - (d) that this Agreement inures to the benefit of all persons who labor or furnish material for the City.
3. The public infrastructure improvements to be constructed within the Property pursuant to this Agreement are as follows:
 - Installation of 357 linear feet of 36” storm drain line and associated embedment
 - Installation of 30 linear feet of 42” storm drain line and associated embedment

- Removal of 2 concrete headwalls
- Connections to 2 existing storm drains
- Construction of a 4' wye inlet
- Trench safety to install the infrastructure
- Required soil testing
- Contractor mobilization
- Grading of site to support drainage infrastructure
- Replacement of paving to facilitate storm drain connection
- Contribution of \$35/LF of 375 LF of masonry screening wall
- Engineering and surveying for design and construction of infrastructure

Signed this the ____ day of _____, 2019.

CITY OF NORTH RICHLAND HILLS

By: _____
 Mark Hindman, City Manager

City's Mailing Address:
 4301 City Point Drive
 P.O. Box 820609
 North Richland Hills, Texas 76182

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
 COUNTY OF TARRANT §

This instrument was acknowledged before me on this date by _____, who acknowledged to me that he executed the same for the purposes and consideration herein expressed.

 Notary Public, in and for the State of Texas

My commission expires: _____

ATTEST:

APPROVED TO FORM AND LEGALITY:

Alicia Richardson, City Secretary

Maleshia B. McGinnis, City Attorney

DEVELOPER

NRH Partners, Ltd.,
a Texas limited partnership

By: Malouf Interests, Inc.
a Texas corporation, its General Partner

By: _____
Matthew E. Malouf, President

Developer's mailing address:
4143 Maple Ave, #325
Dallas, TX 75219

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

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