327673

FIRST AMENDED SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS FOR RIO ESCONDIDO SUBDIVISION TO ANNEX PROPERTY – PHASE 2

STATE OF TEXAS	§	
	§	KNOWN ALL MEN BY THESE PRESENTS
COUNTY OF CORYELL	§	
COUNTY OF HAMILTON	§	

THIS First Amended Supplemental Declaration is made by LSLP Evant, LLC, a Delaware Limited Liability Company, hereinafter referred to as the "Declarant":

WITNESSETH:

WHEREAS, the Declarant is the owner of the real property more particularly described below and desires to develop thereon a residential subdivision; and

WHEREAS, on June 24, 2020, Declarant filed of record the Declaration of Covenants, Conditions and Restrictions for Rio Escondido Subdivision under Instrument Number 327337 of the Official Public Records of the Coryell County Clerk, Coryell County Texas; and

WHEREAS, on June 3, 2020, Declarant filed of record the Declaration of Covenants, Conditions and Restrictions for Rio Escondido Subdivision under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, the above referenced Declarations allow for the Declarant, in its discretion to incorporate any additional real property as additional phases of the Subdivision and bring the same under the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision;

WHEREAS, the Declarant now desires to bring an additional phase of the Subdivision under the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens filed on June 24, 2020, in Coryell County, Texas and filed on June 3, 2020, in Hamilton County, Texas;

WHEREAS, on June 25, 2020, Declarant filed Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens in Coryell County, Texas under Instrument Number 327355 and in Hamilton County, Texas under Instrument Number 20201117; and

WHEREAS, at the time the Supplemental Declaration was filed in Coryell County, Texas and Hamilton County, Texas, an exact legal description for the property was not available and the Declarant is filing this First Amended Supplemental Declaration to place the proper legal description of record.

NOW THEREFORE, the Declarant declares that the real property known as Rio Escondido Phase 2, which is further described below, is and shall be held, transferred, sold, conveyed and occupied subject to the Texas Property Code and subject to the covenants, restrictions, easements, charges and liens filed of record under Instrument Number 327337 of the Official Public Records of Coryell County, Texas and filed of record under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas.

ARTICLE I Definitions

Section 1. Any words not defined in this First Amended Supplemental Declaration shall have the same meaning assigned in the Declaration filed of record under Instrument Number 327337 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and filed of record under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas. The following words when used in this First Amended Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

- (a) "Additional Property" shall mean and refer to the additional 522.55 acres that the Declarant is developing, known as Rio Escondido Phase 2, which includes 42 lots and is described by metes and bounds on Exhibit "A" and by plat on Exhibit "B".
- (b) "Original Declaration" shall mean and refer to the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision filed of record under Instrument Number 327337 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.
- (c) "Supplemental Declaration" shall mean and refer to the Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision Phase 2 filed of record under Instrument Number 327355 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201117 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(d) "First Amended Supplemental Declaration" shall mean and refer to this First Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision Phase 2.

ARTICLE II Incorporation of Additional Property

- Section 1. Additional Property. The 522.55 acres of real property which is, and shall be held, transferred, sold, conveyed and occupied subject to this First Amended Supplemental Declaration which includes 42 lots is described by metes and bounds on Exhibit "A" and by plat on Exhibit "B".
- Section 2. Additional Phase. Declarant elects that the Additional Property that is the subject of this First Amended Supplemental Declaration be incorporated into the Subdivision to be fully covered under the Original Declaration as if it was part of the original Subdivision. This property so incorporated shall be subject to all the declarations, covenants, easements, liens, restrictions, and duties as set forth in the Original Declaration.

ARTICLE III General Provisions

- Section 1. Binding Effect. All covenants, conditions, limitations, restrictions, easements, and affirmative obligations set forth in this First Amended Supplemental Declaration and the Original Declaration shall be binding on the Owners of the Lot(s) and each and every Owner of the properties and their respective heirs, successors, and assigns, and shall run with the land. All rights, easements and agreements reserved by or granted to Declarant in the Original Declaration shall inure to the benefit of Declarant, its successors and assigns including, without limitation, the right to develop and submit additional phases. Declarant reserves the right in addition to all other rights of Declarant, to assign its rights of consent and approval as set out in this First Amended Supplemental Declaration and any amendment hereto or supplement thereof, to the Association, or any assignee of Declarant's development rights.
- Section 2. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

Any other terms and conditions of the Original Declaration shall remain in full force and effect.

This First Amended Supplemental Declaration shall become effective upon its recordation in the Official Public Records of the Coryell County Clerk's Office, Coryell

County, Texas and the Hamilton County Clerk's Office, Hamilton County, Texas.

IN WITNESS WHEREOF, the undersigned, being the Declarant, herein, has hereunto set its hand on this the day of 2020.

LSLP Evant, LLC, a Delaware limited liability company

By: American Land Partners, Inc., a Delaware corporation, Manager

Davy Roberts, A

erts, Authorized Agent

STATE OF TEXAS

COUNTY OF COLVE!

CERTIFICATE OF ACKNOWLEDGMENT

Before me, the undersigned Notary Public, on this day personally appeared Davy Roberts who is personally known to me (or proved to me through a federal or state issued ID with photo and signature of person identified) to be the person whose name is subscribed to the foregoing instrument, and who has acknowledged to me that he is the Authorized Agent of LSLP Evant, LLC and that by authority duly given and as the act of LSLP Evant, LLC executed the instrument for the purposes and considerations expressed.

Given under my hand and seal of office on the

2020.

ALLYSON BROWN Notary Public, State of Texas Comm. Expires 03-01-2024 Notary ID 130561738

Notary Public, State of Texa



CUPLIN & ASSOCIATES, Inc.

- land surveyors & planners ·

Prepared For: LSLP EVANT, LLC

Project No. 20995

Date: 06/25/2020

BEING A 522.55 ACRE TRACT OUT OF THE H. GILLY SURVEY, HAMILTON COUNTY ABSTRACT NO. 1259, CORYELL COUNTY ABSTRACT NO. 392, BEING OUT OF THE REMAINDER OF A CALLED 2004.55 ACRE TRACT AS DESCRIBED IN DOCUMENT TO LSLP EVANT, LLC, RECORDED IN VOLUME 550, PAGE 666 OF THE DEED RECORDS OF HAMILTON COUNTY, TEXAS, AND IN INSTRUMENT NO. 318773 OF THE OFFICIAL PUBLIC RECORDS OF CORYELL COUNTY, SAID 522.55 ACRE RIGHT OF WAY TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" found iron pin with 6334 property cap, along the northerly line of a called 40 acre tract of land as described in document to Linda Kay Comer, recorded on Instrument No. 227229 of the Official Public Records of Coryell County, Texas, at the southeasterly corner of a called 242.011 acre tract as described in document to South Winters Ranch, Inc., recorded in Instrument No. 152433 of the Official Public Records of Coryell County, Texas, being a southwesterly corner of said remainder tract, and being the most southwesterly corner hereof;

THENCE North 17°26'24" East, along the easterly line of said 242.011 acre tract, a westerly line of said remainder tract, and the westerly line hereof, a distance of 2145.82' to a 6" cedar fence corner post, at the southeasterly corner of a called 102.797 acre tract of land as described in document to Henry Otis Hatch and Cyrece Hatch, recorded in Volume 502, Page 202 of the Deed records of Coryell County, Texas, and being a westerly angle point hereof;

THENCE North 16°44'51" East, along the easterly line of said 102.797 acre tract of land, a westerly line of said remainder tract, and the westerly line hereof, a distance of 757.56' to a 6" cedar fence corner post, at the southeasterly corner of a described 526.47 acre tract, recorded in Instrument No. 326424 of the Official Public Records of Coryell County, Texas, and being a westerly angle point hereof;

THENCE along the easterly line of said 526.47 acre tract, the westerly line of said remainder tract, and being the westerly line hereof the following three (3) courses and distances;

1)North 16°16'33" East, a distance of 2547.08' to a 1/2" iron pin found with 6634 property cap;

2)South 84°34'10" East, a distance of 176.05' to a 1/2" iron pin found with 6634 property cap;

3)North 01°12'18" East, a distance of 271.68' to a 1/2" iron pin found with property cap, at the most southeasterly corner of a called 14.18 acre non-exclusive road access and utility easement agreement as described in said Instrument No. 326424, and being on the westerly line hereof;

THENCE continuing North 01°12'18" East, along the easterly line of said 14.18 acre and 526.47 acre tracts, along the westerly line of said remainder tract, and the westerly line hereof, a distance of 62.91' to a 1/2" iron pin found with 6634 property cap, being a westerly interior corer hereof;

THENCE South 73°41'57" West, along the northerly line of said 14.18 acre and 526.47 acre tracts, the southerly line of said remainder tract, and a southerly line hereof, a distance of 128.55' to a 1/2" iron pin found with 6634 property cap;

THENCE North 01°34'57" East, along the easterly line of said 526.47 acre tract, the westerly line of said remainder tract, and the westerly line hereof, a distance of 222.58' to a 1/2" iron pin set with "CUPLIN" property cap, being a westerly corner hereof;

THENCE over and across said remainder tract the following thirty-eight (38) courses and distances:

- 1)South 88°25'03" East, a distance of 5.37' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;
- 2)Along said curve to the right having a delta angle of 09°31'55", an arc length of 54.90', a radius of 330.00', a chord bearing of North 08°00'13" East, and a chord length of 54.84' to a 1/2" iron pin set with "CUPLIN" property cap;
- 3)North 12°46'11" East, a distance of 75.40' to a 1/2" iron pin set with "CUPLIN" property cap;
- 4North 17°41'12" East, a distance of 100.55' to a 1/2" iron pin set with "CUPLIN" property cap;
- 5)North 09°16'04" East, a distance of 19.03' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;
- 6)Along said curve to the right having a delta angle of 28°19'19", an arc length of 163.12', a radius of 330.00', a chord bearing of North 23°25'43" East, and a chord length of 161.47' to a 1/2" iron pin set with "CUPLIN" property cap;
- 7)North 37°35'23" East, a distance of 18.27' to a 1/2" iron pin set with "CUPLIN" property cap;
- 8)North 46°59'26" East, a distance of 79.65' to a 1/2" iron pin set with "CUPLIN" property cap;
- 9)North 50°08'35" East, a distance of 459.88' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the left;
- 10)Along said curve to the left having a delta angle of 12°14'46", an arc length of 57.71', a radius of 270.00', a chord bearing of North 44°01'12" East, and a chord length of 57.60' to a 1/2" iron pin set with "CUPLIN" property cap;
- 11North 37°53'49" East, a distance of 80.78' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;
- 12)Along said curve to the right having a delta angle of 41°31'06", an arc length of 239.13', a radius of 330.00', a chord bearing of North 58°39'22" East, and a chord length of 233.93' to a 1/2" iron pin set with "CUPLIN" property cap:
- 13)North 79°24'55" East, a distance of 380.17' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;
- 14)Along said curve to the right having a delta angle of 23°54'59", an arc length of 137.75', a radius of 330.00', a chord bearing of South 88°37'35" East, and a chord length of 136.75' to a 1/2" iron pin set with "CUPLIN" property cap;
- 15)South 76°40'06" East, a distance of 226.65' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the left;
- 16)Along said curve to the left having a delta angle of 13°16'03", an arc length of 62.52', a radius of 270.00', a chord bearing of South 83°18'07" East, and a chord length of 62.38' to a 1/2" iron pin set with "CUPLIN" property cap; 17South 89°56'09" East, a distance of 247.16' to a 1/2" iron pin set with "CUPLIN" property cap;
- 18)North 86°20'39" East, a distance of 111.95' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of
- beginning of a curve to the left; 19)Along said curve to the left having a delta angle of 05°36'25", an arc length of 26.42', a radius of 270.00', a chord bearing of North 83°32'27" East, and a chord length of 26.41' to a 1/2" iron pin set with "CUPLIN" property cap;
- 20)North 80°44'14" East, a distance of 63.16' to a 1/2" iron pin set with "CUPLIN" property cap;
- 21)South 09°15'46" East, a distance of 60.00' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the left;
- 22)Along said curve to the left having a delta angle of 29°11'48", an arc length of 157.40', a radius of 308.89', a chord bearing of South 20°42'53" East, and a chord length of 155.70' to a 1/2" iron pin set with "CUPLIN" property cap;
- 23South 35°30'09" East, a distance of 102.99' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;
- 24)Along said curve to the right having a delta angle of 10°46'48", an arc length of 56.44', a radius of 300.00', a chord bearing of South 30°06'45" East, and a chord length of 56.36' to a 1/2" iron pin set with "CUPLIN" property cap;
- 25)South 24°43'21" East, a distance of 338.00' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;
- 26)Along said curve to the right having a delta angle of 15°15'11", an arc length of 79.86', a radius of 300.00', a chord bearing of South 17°05'46" East, and a chord length of 79.63' to a 1/2" iron pin set with "CUPLIN" property cap;
- 27) South 09°28'10" East, a distance of 196.33' to a 1/2" iron pin set with "CUPLIN" property cap;
- 28) South 08°00'28" East, a distance of 330.55' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the left;
- 29Along said curve to the left having a delta angle of 19°14'14", an arc length of 100.73', a radius of 300.00', a chord bearing of South 17°37'35" East, and a chord length of 100.25' to a 1/2" iron pin set with "CUPLIN" property cap; 30)South 27°14'42" East, a distance of 273.29' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the right;

31)Along said curve to the right having a delta angle of 07°00'29", an arc length of 36.69', a radius of 300.00', a chord bearing of South 23°44'28" East, and a chord length of 36.67' to a 1/2" iron pin set with "CUPLIN" property cap;

32) South 20°14'14" East, a distance of 226.71' to a 1/2" iron pin set with "CUPLIN" property cap;

33)South 18°54'43" East, a distance of 310.60' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the left;

34)Along said curve to the left having a delta angle of 12°16'29", an arc length of 64.27', a radius of 300.00', a chord bearing of South 25°02'57" East, and a chord length of 64.15' to a 1/2" iron pin set with "CUPLIN" property cap;

35South 31°11'12" East, a distance of 129.28' to a 1/2" iron pin set with "CUPLIN" property cap, at the point of beginning of a curve to the left;

36)Along said curve to the left having a delta angle of 09°37'07", an arc length of 50.36', a radius of 300.00', a chord bearing of South 35°59'45" East, and a chord length of 50.30' to a 1/2" iron pin set with "CUPLIN" property cap;

37)South 40°41'26" East, a distance of 373.28' to a 1/2" iron pin set with "CUPLIN" property cap;

38)South 25°23'10" East, a distance of 1629.15' to a 6" metal fence corner post, at the northwesterly corner of a called 435.33 acre tract of land as described in document to 4A Cowhouse Ranch, LP, recorded in Instrument No. 258400 of the Official Public Records of Coryell County, Texas, at a southeasterly interior point of said remainder tract, and being an easterly angle point hereof;

THENCE South 17°25'02" West, along the westerly line of said 435.33 acre tract, the easterly line of said remainder tract, and hereof, a distance of 1393.46' to a calculated point for corner in the approximate centerline of Langford Branch, at the most northeasterly corner of a called 167.74 acre tract commonly known as Stone Creek Ranch Subdivision, an unrecorded subdivision as described in Instrument No. 326517 of the Official Public Records of Coryell County, Texas, being a southeasterly corner hereof, from whence a found 1/2" iron pin with 6634 along the easterly line of said 167.74 acre tract bears South 17°25'02" West, distance of 2242.07';

THENCE along the called centerline of Langford Branch and northerly line of said 167.74 acre tract as described in said Instr. No. 326517, the southerly line of said remainder tract, and being the southerly line hereof the following sixty-six (66) courses and distances;

1) South 36°40'28" West, a distance of 81.14' to a calculated point for corner;

2)South 27°58'22" West, a distance of 119.70' to a calculated point for corner;

3South 36°03'17" West, a distance of 156.41' to a calculated point for corner;

4)South 41°11'09" West, a distance of 112.91' to a calculated point for corner;

5)South 44°11'08" West, a distance of 150.94' to a calculated point for corner;

6)South 55°07'29" West, a distance of 122.07' to a calculated point for corner;

7)South 63°43'30" West, a distance of 93.40' to a calculated point for corner; 8)South 68°55'56" West, a distance of 95.99' to a calculated point for corner;

9South 82°52'49" West, a distance of 119.93' to a calculated point for corner;

10)North 75°50'40" West, a distance of 120.28' to a calculated point for corner;

11) North 56°41'31" West, a distance of 133.18' to a calculated point for corner;

12) North 77°59'26" West, a distance of 118.04' to a calculated point for corner;

13) South 81°37'18" West, a distance of 52.81' to a calculated point for corner;

14)North 79°19'54" West, a distance of 60.47' to a calculated point for corner; 15North 52°16'25" West, a distance of 41.32' to a calculated point for corner;

16)North 14°41'56" West, a distance of 71.34' to a calculated point for corner;

17) North 02°00'41" West, a distance of 63.16' to a calculated point for corner;

18) North 20°27'03" East, a distance of 42.19' to a calculated point for corner;

19) North 31°41'53" East, a distance of 105.56' to a calculated point for corner;

20)North 15°40'30" East, a distance of 126.20' to a calculated point for corner; 21)North 18°07'06" West, a distance of 122.90' to a calculated point for corner;

21)North 18°07'06" West, a distance of 122.90 to a calculated point for corner; 22North 26°25'42" West, a distance of 146.86' to a calculated point for corner;

23)North 35°42'52" West, a distance of 95.31' to a calculated point for corner;

24) North 34°20'56" West, a distance of 280.58' to a calculated point for corner;

25)North 38°18'15" West, a distance of 87.63' to a calculated point for corner;

26)North 46°21'27" West, a distance of 31.61' to a calculated point for corner;

27)North 82°09'07" West, a distance of 126.02' to a calculated point for corner;

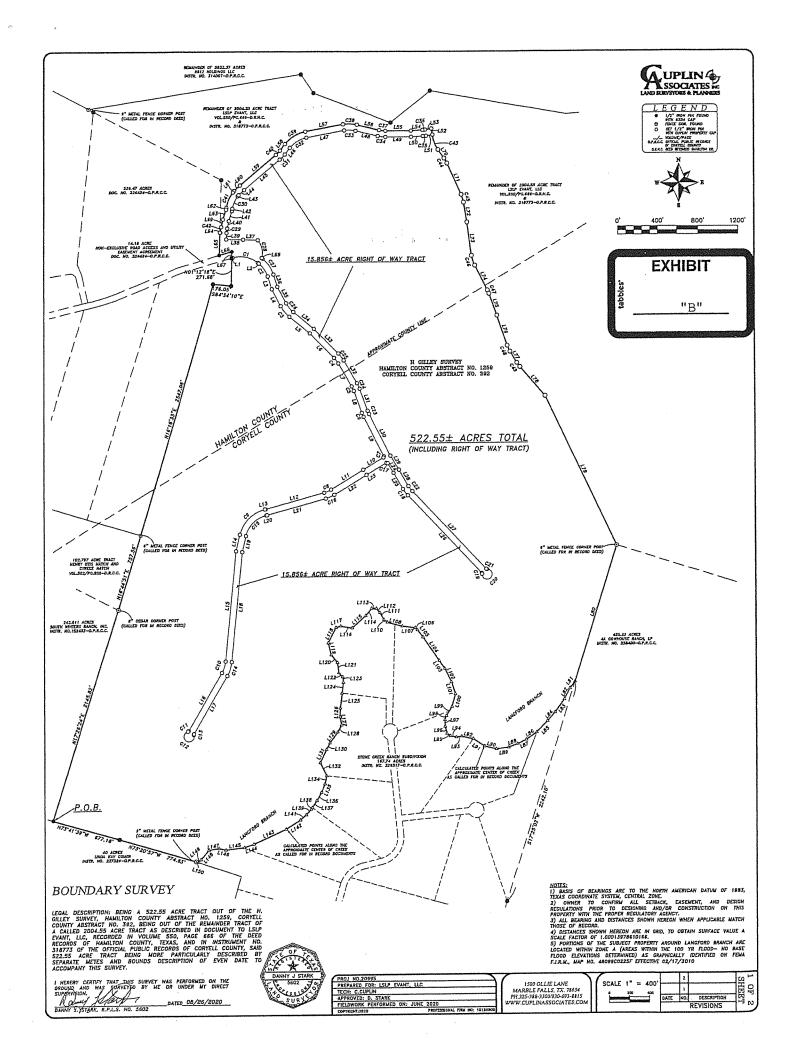
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28North 75°13'16" West, a distance of 148.95' to a calculated point for corner;
29)North 51°06'52" West, a distance of 43.86' to a calculated point for corner;
30)North 29°49'26" West, a distance of 77.49' to a calculated point for corner;
31) North 40°18'00" West, a distance of 53.64' to a calculated point for corner;
32)North 88°38'38" West, a distance of 48.74' to a calculated point for corner;
33) South 39°16'07" West, a distance of 91.68' to a calculated point for corner;
34South 48°06'14" West, a distance of 178.28' to a calculated point for corner;
35)North 80°39'23" West, a distance of 114.91' to a calculated point for corner;
36) South 72°46'44" West, a distance of 48.44' to a calculated point for corner;
37) South 27°15'54" West, a distance of 167.14' to a calculated point for corner;
38)South 14°06'03" East, a distance of 120.00' to a calculated point for corner;
39)South 38°41'31" East, a distance of 97.60' to a calculated point for corner;
40South 07°27'19" East, a distance of 101.40' to a calculated point for corner;
41)South 43°37'39" East, a distance of 53.62' to a calculated point for corner;
42)South 07°00'18" East, a distance of 53.92' to a calculated point for corner;
43)South 06°52'57" West, a distance of 104.47' to a calculated point for corner;
44)South 07°06'07" West, a distance of 147.48' to a calculated point for corner;
45)South 01°21'16" West, a distance of 84.35' to a calculated point for corner;
46) South 10°17'38" East, a distance of 80.87' to a calculated point for corner;
47)South 28°11'24" West, a distance of 78.12' to a calculated point for corner;
48)South 36°35'26" West, a distance of 130.74' to a calculated point for corner;
49) South 28°04'30" West, a distance of 70.11' to a calculated point for corner;
50)South 25°51'24" West, a distance of 145.82' to a calculated point for corner;
51) South 26°21'56" East, a distance of 141.89' to a calculated point for corner;
52) South 11°49'39" West, a distance of 82.36' to a calculated point for corner;
53)South 22°44'42" West, a distance of 89.12' to a calculated point for corner;
54)South 29°38'50" West, a distance of 92.03' to a calculated point for corner;
55)South 34°02'31" West, a distance of 81.34' to a calculated point for corner;
56) South 34°02'30" West, a distance of 18.61' to a calculated point for corner;
57) South 42°21'14" West, a distance of 74.18' to a calculated point for corner;
58)South 49°39'30" West, a distance of 77.51' to a calculated point for corner;
59) South 58°12'43" West, a distance of 165.58' to a calculated point for corner;
60)South 65°20'50" West, a distance of 347.32' to a calculated point for corner;
61) South 70°45'12" West, a distance of 96.16' to a calculated point for corner;
62) South 83°03'50" West, a distance of 182.64' to a calculated point for corner;
63)North 77°21'04" West, a distance of 70.75' to a calculated point for corner;
64)South 80°09'44" West, a distance of 99.03' to a calculated point for corner;
65)South 40°47'38" West, a distance of 121.04' to a calculated point for corner;
66) South 49°27'10" West, a distance of 37.57' to a calculated point for corner, along the northerly line of said 40 acre
tract, along the southerly line of said remainder tract, at a westerly corner of said 167.74 acre tract, and being the most
southerly corner hereof;
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THENCE along the northerly line of said 40 acre tract, the southerly line of said remainder tract, and hereof, the following three (3) courses and distances;

1)North 71°34'01" West, a distance of 19.14' to a 3" metal fence corner post;

2North 73°20'57" West, a distance of 774.63' to a 1/2" iron pin with 6634 property cap;

3)North 73°41'39" West, a distance of 677.18' to the POINT OF BEGINNING, containing 522.55 acres, more or less.



STATE OF TEXAS
COUNTY OF CORYELL
I, Barbara Simpson, County Clerk in and for
Coryell County, Texas do hereby certify that
this instrument was filed for record in the
volume and page of the Coryell County Public
Records and of the time an date as stamped

BARBARA SIMPSON, CLERK
CORYELL COUNTY, TEXAS

Gaulana Giripson Gallow Giripor

FILED FOR RECORD AT 15 O'CLOCK PM

JUL 0 6 2020

COUNTY CLERK, CORYELL CO., TEXAS

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