

**328304**

**SECOND AMENDED SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES  
AND LIENS FOR RIO ESCONDIDO SUBDIVISION  
TO ANNEX PROPERTY – PHASE 3**

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

THIS Second 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 3, 2020, Declarant filed of record the Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on June 24, 2020, Declarant filed of record the Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens 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 25, 2020, Declarant filed Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property – Phase 2 in Coryell County, Texas under Instrument Number 327355 and in Hamilton County, Texas under Instrument Number 20201117; and

WHEREAS, on July 6, 2020, Declarant filed of record the First Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 2 under Instrument Number 20201201 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on July 6, 2020, Declarant filed of record the First Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 2 under Instrument Number 327673 of the Official Public Records of the Coryell County Clerk, Coryell

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;

NOW THEREFORE, the Declarant declares that the real property known as Rio Escondido Phase 3, 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 and any other supplemental declarations filed of record.

## ARTICLE I Definitions

Section 1. Any words not defined in this Second 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 Second Amended Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

(a) “Additional Property” shall mean and refer to the additional 539.836 acres that the Declarant is developing, known as Rio Escondido Phase 3, which includes 43 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 to Annex Property - 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 to Annex Property - Phase 2 filed of record under Instrument Number 327673 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201201 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(e) "Second Amended Supplemental Declaration" shall mean and refer to this Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 3.

## **ARTICLE II** **Incorporation of Additional Property**

Section 1. Additional Property. The 539.836 acres of real property which is, and shall be held, transferred, sold, conveyed and occupied subject to this Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 3 which includes 43 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 Second 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 Second Amended Supplemental Declaration and the Original Declaration, the Supplemental Declaration, and the First Amended Supplemental 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 Second 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, the Supplemental Declaration, and the First Amended Declaration shall remain in full force and effect.

This Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 3 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 24 day of July 2020.

LSLP Evant, LLC, a Delaware limited liability company

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

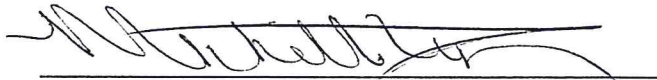
By:   
Davy Roberts, Authorized Agent

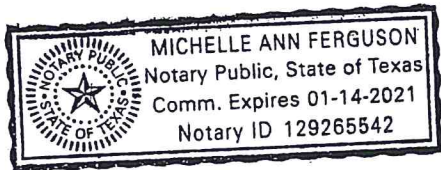
STATE OF TEXAS           §  
  §  
COUNTY OF CORVELL   §

**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 24<sup>th</sup> day of July 2020.

  
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Notary Public, State of Texas



**Rio Escondido Phase 3 Subdivision**

BEING A 539.836 ACRE TRACT LOCATED IN CORYELL AND HAMILTON COUNTY, TEXAS, BEING OUT OF THE H. GILLY SURVEY, ABSTRACT NO. 1259, HAMILTON COUNTY, AND THE H. GILLY SURVEY, ABSTRACT NO. 392, CORYELL COUNTY, TEXAS, AND FURTHER BEING OUT OF THE REMAINING PORTION OF A CALLED 2004.55 ACRE TRACT, AS SHOWN ON DOCUMENT FROM 9812 HOLDINGS, LLC TO LSLP EVANT, LLC, RECORDED IN VOLUME 550, PAGE 666 OF THE REAL PROPERTY RECORDS OF HAMILTON COUNTY, TEXAS, AND ALSO BEING RECORDED IN DOCUMENT NO. 318773 OF THE OFFICIAL PUBLIC RECORDS OF CORYELL COUNTY, TEXAS, SAID 539.836 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

**BEGINNING** at a ½" iron pin set with a "Cuplin" cap at the northeast corner of Lot 42 of the Rio Escondido Phase 2 Subdivision, at an easterly, south corner of a called 15.856 acre non-exclusive road access and utility easement agreement document as shown recorded in Document No. 327674 of the Official Public Records of Coryell County also recorded in Document No. 20201200 of the Real Property Records of Hamilton County, Texas, being the northwest corner of Lot 1 of the Rio Escondido Phase 3 Subdivision, and also being a westerly, south corner of a called 13.497 acre tract as surveyed this day, being a proposed non-exclusive road access and utility easement agreement, along the east line of said Rio Escondido Phase 2 and being a northwesterly corner hereof, having a northing of 10,516,619.34UsFt, and an easting of 2,987,652.47UsFt. of the Texas Coordinate System, Central Zone, Grid;

**THENCE** North 09°15'46" West, along the east line of said 15.856 acre tract, the west line of said 13.497 acre tract, the east line of said Rio Escondido Phase 2 Subdivision, and a west line hereof, a distance of 60.00' to a 1/2" iron pin set with "Cuplin" cap;

**THENCE** continuing over and across said 2004.55 acre tract, along the northerly line of said 13.497 acre tract and hereof, the following courses and distances;

- 1) North 80°51'51" East, a distance of 49.35' to a 1/2" iron pin set with "Cuplin" cap;
- 2) Along a curve to the right having an arc length of 25.85', a radius of 330.00', a chord bearing of North 84°27'24" East, and a chord length of 25.85' to a 1/2" iron pin set with "Cuplin" cap;
- 3) North 86°42'04" East, a distance of 1000.09' to a 1/2" iron pin set with "Cuplin" cap;
- 4) Along a curve to the right having an arc length of 127.98', a radius of 330.00', a chord bearing of South 82°11'18" East, and a chord length of 127.18' to a 1/2" iron pin set with "Cuplin" cap;
- 5) South 71°04'40" East, a distance of 514.80' to a 1/2" iron pin set with "Cuplin" cap;
- 6) Along a curve to the right having an arc length of 51.69', a radius of 330.00', a chord bearing of South 66°35'27" East, and a chord length of 51.63' to a 1/2" iron pin set with "Cuplin" cap;
- 7) South 62°06'14" East, a distance of 118.51' to a 1/2" iron pin set with "Cuplin" cap;

- 8) North 27°53'46" East, departing said 13.497 acre tract, a distance of 430.88' to a 1/2" iron pin set with "Cuplin" cap along the north line of said 2004.55 acre tract, along the south line of a called 5632.37 acre remainder tract as shown on document to 9812 Holdings, LLC, in Document No. 314007 of the Official Public Records of Coryell County, Texas, from whence a found 5" metal pipe post for corner as called out in subject deed bears South 85°59'59" West, a distance of 1436.61';

**THENCE** along the south line of said 5632.37 acre remainder tract, the north line of said 2004.55 acre tract, and hereof, the following courses and distances

- 1) North 85°59'59" East, a distance of 360.59' to a 1/2" iron pin found with "6334" cap;
- 2) South 89°23'33" East, a distance of 2159.20' to a 1/2" iron pin found with "6334" cap;
- 3) South 88°13'02" East, a distance of 555.89' to a 1/2" iron pin found with "6334" cap;
- 4) South 36°30'30" East, a distance of 670.82' to a 1/2" iron pin found with "6334" cap;
- 5) South 81°00'38" East, a distance of 1807.52' to a 1/2" iron pin found with "6334" cap along the westerly line of a called 116.89 acre tract as shown on document to Daniel M. Gorlick in Document No. 278145 of the Official Public Records of Coryell County, Texas, being a northeast corner of said 2004.55 acre tract, and a northeast corner hereof;

**THENCE** South 17°14'51" West, along a westerly line of said 116.89 acre tract, a easterly line of said 2004.55 acre tract, and an easterly line hereof, a distance of 1120.80' to a 4" metal pipe post for corner as called out in subject deed, at the southwest corner of said 116.89 acre tract;

**THENCE** South 72°35'12" East, along the south line of said 116.89 acre tract, a northerly line of said 2004.55 acre tract, and a northerly line hereof, a distance of 1097.99' to a point for corner near the approximate centerline of the Langford Branch Creek at the northeast corner hereof, from whence a found 1/2" iron pin found with "6334" cap at the northeast corner of said 2004.55 acre tract bears South 72°35'12" East, a distance of 316.22';

**THENCE** with the approximate centerline of said Lanford Branch Creek and along the southeasterly line hereof, the following courses and distances;

- 1) South 39°39'36" West, a distance of 139.09' to a point for corner;
- 2) South 23°58'42" West, a distance of 167.77' to a point for corner;
- 3) South 29°04'02" West, a distance of 101.57' to a point for corner;
- 4) South 34°59'19" West, a distance of 162.35' to a point for corner;
- 5) South 60°32'02" West, a distance of 70.63' to a point for corner;
- 6) South 51°44'44" West, a distance of 111.22' to a point for corner;
- 7) South 42°33'32" West, a distance of 158.70' to a point for corner;
- 8) South 57°50'51" West, a distance of 155.65' to a point for corner;
- 9) South 51°20'28" West, a distance of 226.19' to a point for corner;
- 10) South 68°22'50" West, a distance of 241.07' to a point for corner;
- 11) South 81°23'01" West, a distance of 119.64' to a point for corner;
- 12) South 64°11'51" West, a distance of 72.37' to a point for corner;
- 13) South 68°45'25" West, a distance of 98.82' to a point for corner;
- 14) North 65°37'56" West, a distance of 164.31' to a point for corner;
- 15) North 63°11'29" West, a distance of 143.96' to a point for corner;
- 16) North 78°15'50" West, a distance of 109.48' to a point for corner;
- 17) North 77°54'58" West, a distance of 205.09' to a point for corner;
- 18) South 82°44'47" West, a distance of 163.06' to a point for corner;
- 19) North 84°48'20" West, a distance of 121.71' to a point for corner;

- 20) North 74°19'07" West, a distance of 106.60' to a point for corner;
- 21) North 60°14'23" West, a distance of 207.40' to a point for corner;
- 22) North 45°39'34" West, a distance of 100.37' to a point for corner;
- 23) North 56°04'21" West, a distance of 158.17' to a point for corner;
- 24) North 66°25'59" West, a distance of 136.28' to a point for corner;
- 25) North 62°55'18" West, a distance of 145.02' to a point for corner;
- 26) North 71°23'44" West, a distance of 91.55' to a point for corner;
- 27) North 73°29'42" West, a distance of 76.11' to a point for corner;
- 28) North 63°56'28" West, a distance of 43.57' to a point for corner;
- 29) North 35°35'56" West, a distance of 42.23' to a point for corner;
- 30) North 67°10'23" West, a distance of 71.63' to a point for corner;
- 31) North 87°23'10" West, a distance of 97.30' to a point for corner;
- 32) South 82°21'10" West, a distance of 93.10' to a point for corner;
- 33) South 59°26'25" West, a distance of 102.32' to a point for corner;
- 34) South 32°54'29" West, a distance of 65.57' to a point for corner;
- 35) South 35°12'32" West, a distance of 60.01' to a point for corner;
- 36) South 47°53'31" West, a distance of 101.58' to a point for corner;
- 37) South 15°55'26" West, a distance of 113.92' to a point for corner;
- 38) South 20°03'42" West, a distance of 104.22' to a point for corner;
- 39) South 22°22'33" East, a distance of 63.38' to a point for corner;
- 40) South 58°33'24" East, a distance of 113.29' to a point for corner;
- 41) South 59°09'58" East, a distance of 164.80' to a point for corner;
- 42) South 35°12'23" East, a distance of 77.90' to a point for corner;
- 43) South 16°28'06" East, a distance of 195.05' to a point for corner;
- 44) South 15°33'28" East, a distance of 140.50' to a point for corner;
- 45) South 04°02'52" West, a distance of 96.44' to a point for corner;
- 46) South 18°08'49" West, a distance of 85.10' to a point for corner;
- 47) South 32°43'07" West, a distance of 110.20' to a point for corner;
- 48) South 25°08'08" West, a distance of 207.01' to a point for corner;
- 49) South 43°24'02" West, a distance of 67.70' to a point for corner;
- 50) South 69°25'13" West, a distance of 187.48' to a point for corner;
- 51) South 58°20'56" West, a distance of 98.87' to a point for corner;
- 52) South 36°50'49" West, a distance of 160.11' to a point for corner;
- 53) South 20°04'12" West, a distance of 152.96' to a point for corner;
- 54) South 26°52'36" West, a distance of 147.72' to a point for corner;
- 55) South 32°40'30" West, a distance of 78.30' to a point for corner;
- 56) South 37°58'47" West, a distance of 121.13' to a point for corner;
- 57) South 27°17'57" West, a distance of 77.32' to a point for corner along the northerly line of called 435 acre tract as shown on document to 4A Cowhouse Ranch, LP in Document No. 258400 of the Official Public Records of Coryell County, Texas, along a southerly line of said 2004.55 acre tract, and being the southeast corner hereof, from whence a found 1/2" iron pin found with "6334" cap at the southeast corner of said 2004.55 acre tract bears South 72°48'13" East, a distance of 3528.05';

**THENCE** North 72°48'13" West, along a northerly line of said 435.33 acre tract, a southerly line of said 2004.55 acre tract, and hereof, a distance of 2090.19' to a found 6" metal pipe post at the northwest corner of said 435.33 acre tract, an interior corner of said 2004.55 acre tract, at an easterly corner of said Rio Escondido Phase 2 Subdivision and being a southwest corner hereof;



THENCE along the east line of said Rio Escondido Phase 2 Subdivision and the westerly line hereof, the following courses and distances:

- 1) North 25°23'10" West, a distance of 1629.15' to a 1/2" iron pin set with "Cuplin" cap;
- 2) North 40°41'26" West, a distance of 373.28' to a 1/2" iron pin set with "Cuplin" cap;
- 3) Along a curve to the right having an arc length of 50.36', a radius of 300.00', a chord bearing of North 35°59'45" West, and a chord length of 50.30' to a 1/2" iron pin set with "Cuplin" cap;
- 4) North 31°11'12" West, a distance of 129.28' to a 1/2" iron pin set with "Cuplin" cap;
- 5) Along a curve to the right having an arc length of 64.27', a radius of 300.00', a chord bearing of North 25°02'57" West, and a chord length of 64.15' to a 1/2" iron pin set with "Cuplin" cap;
- 6) North 18°54'43" West, a distance of 310.60' to a 1/2" iron pin set with "Cuplin" cap;
- 7) North 20°14'14" West, a distance of 226.71' to a 1/2" iron pin set with "Cuplin" cap;
- 8) Along a curve to the left having an arc length of 36.69', a radius of 300.00', a chord bearing of North 23°44'28" West, and a chord length of 36.67' to a 1/2" iron pin set with "Cuplin" cap;
- 9) North 27°14'42" West, a distance of 273.29' to a 1/2" iron pin set with "Cuplin" cap;
- 10) Along a curve to the right having an arc length of 100.73', a radius of 300.00', a chord bearing of North 17°37'35" West, and a chord length of 100.25' to a 1/2" iron pin set with "Cuplin" cap;
- 11) North 08°00'28" West, a distance of 330.55' to a 1/2" iron pin set with "Cuplin" cap;
- 12) North 09°28'10" West, a distance of 196.33' to a 1/2" iron pin set with "Cuplin" cap;
- 13) Along a curve to the left having an arc length of 79.86', a radius of 300.00', a chord bearing of North 17°05'46" West, and a chord length of 79.63' to a 1/2" iron pin set with "Cuplin" cap;
- 14) North 24°43'21" West, a distance of 338.00' to a 1/2" iron pin set with "Cuplin" cap;
- 15) Along a curve to the left having an arc length of 56.44', a radius of 300.00', a chord bearing of North 30°06'45" West, and a chord length of 56.36' to a 1/2" iron pin set with "Cuplin" cap;
- 16) North 35°30'09" West, a distance of 102.99' to a 1/2" iron pin set with "Cuplin" cap;
- 17) Along a curve to the right having an arc length of 157.40', a radius of 308.89', a chord bearing of North 20°42'53" West, and a chord length of 155.70' to the **POINT OF BEGINNING**, containing 539.836 acres, more or less.

I hereby certify that this survey was performed on the ground and was surveyed by me and or under my direct supervision. The Basis of Bearings are to Texas Coordinate System, Central Zone, all coordinates listed are in Grid, US Feet. A Plat of Survey of even date was prepared as is intended to accompany the above described tract of land.



Dated: 7/22/2020

Kyle P. Cuplin  
Registered Professional Land Surveyor No. 5938

