

330081

THIRD AMENDED SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES
AND LIENS FOR RIO ESCONDIDO SUBDIVISION
TO ANNEX PROPERTY – PHASE 4

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

THIS Third 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 known as Rio Escondido Subdivision, Rio Escondido Subdivision Phase 2 and Rio Escondido Subdivision Phase 3 as described in the Declarations identified below and it to develop thereon a residential subdivision; and

WHEREAS, LSLP Evant II, LLC has requested Declarant to include the property described below being 1,398.80 acres into the development of the Rio Escondido Subdivision and to have the property be subject to 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; 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, on July 24, 2020 Declarant filed of record the Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 3 under Instrument Number 20201333 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on July 24, 2020 Declarant filed of record the Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 3 under Instrument Number 328304 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 and LSLP Evant II, LLC now desire 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 containing 1,398.80 acres known as Rio Escondido Subdivision Phase 4 and owned by LSLP Evant II, LLC, 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 Third 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 Third Amended Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

(a) "Additional Property" shall mean and refer to the additional 1,398.80 acres that the Declarant and LSLP Evant II, LLC are developing, known as Rio Escondido Subdivision Phase 4, which includes 111 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 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 Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 3 filed of record under Instrument Number 328304 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and

under Instrument Number 20201333 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(f) "Third Amended Supplemental Declaration" shall mean and refer to Third Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 4.

ARTICLE II Incorporation of Additional Property

Section 1. Additional Property. The 1,398.80 acres of real property which is, and shall be held, transferred, sold, conveyed and occupied subject to this Third Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 4 which includes 111 lots is described by metes and bounds on Exhibit "A" and by plat on Exhibit "B".

Section 2. Additional Phase. Declarant and LSLP Evant II, LLC elect that the Additional Property that is the subject of this Third 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 Third Amended Supplemental Declaration, the Original Declaration, the Supplemental Declaration, the First Amended Supplemental Declaration, and the Second 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 Third 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, the First Amended Supplemental Declaration, and the Second Amended Supplemental Declaration shall remain in full force and effect.

This Third Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 4 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 18th day of September 2020.

LSLP Evant, LLC, a Delaware limited liability company

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

By: 

Davy Roberts, Authorized Agent

LSLP Evant II, LLC, a Delaware limited liability company

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

By: 

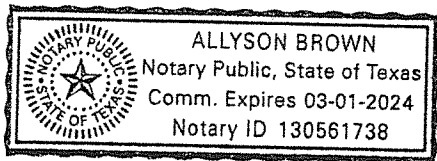
Davy Roberts, Authorized Agent

STATE OF TEXAS §
COUNTY OF Coryell §
§

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 18 day of September 2020.



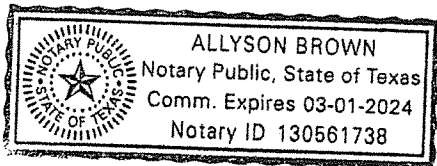
Allyson Brown
Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF Coryell §
§

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 II, LLC and that by authority duly given and as the act of LSLP Evant II, LLC executed the instrument for the purposes and considerations expressed.

Given under my hand and seal of office on the 18 day of September 2020.



Allyson Brown
Notary Public, State of Texas

HUDDLESTON SURVEYING & MAPPING, P.C.

107 S. PAGE, P. O. BOX 39, COMANCHE, TEXAS 76442
325-356-2267 OFFICE, 325-356-2903 FAX
T.B.P.L.S. FIRM NUMBER 10033700
shsurveyor@verizon.net

THE STATE OF TEXAS:
COUNTY OF HAMILTON:
COUNTY OF CORYELL:

1398.80 ACRE TRACT

Being 1398.80 acres of land, of which 1237.13 acres is in Hamilton County, Texas, and the remaining 161.67 acres is in Coryell County, Texas, and being 1050.46 acres out of the H. GILLY SURVEY, HAMILTON COUNTY ABSTRACT NUMBER 1259, CORYELL COUNTY ABSTRACT NUMBER 392, 242.08 acres out of the D. ANDREWS SURVEY, ABSTRACT NUMBER 2, and the remaining 106.26 acres out of the N. GEE SURVEY, ABSTRACT NUMBER 298, and being out of a 5632.37 acre First Tract, that is described in a deed from T. E. Winters, Inc., to 9812 Holdings, LLC, recorded in Instrument Number 314007, Official Public Records of Coryell County, Texas, and further described as follows;

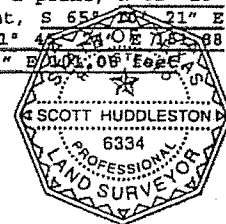
BEGINNING, at a 1/2 inch iron rod found in the East line of said 5632.37 acre tract, and being the Northeast corner of a 2004.55 acre tract of land that is described in a deed to LSLP Evant, LLC, recorded in Volume 550 at Page 666, Deed Records of Hamilton County, Texas, and being in the West line of a 116.89 acre tract of land that is described in a deed to Daniel M. Gorlick, et ux, recorded in Instrument Number 278145, said Official Public Record of Coryell County, for the Southeast corner of this tract;

THENCE, part way with a fence, along the North line of said 2004.55 acre tract, as follows, N 81° 00' 38" W 1807.52 feet, to a 1/2 inch iron rod found, N 36° 30' 30" W 570.82 feet, to a 1/2 inch iron rod found, N 88° 13' 02" W 555.89 feet, to a 1/2 inch iron rod found, N 89° 23' 33" W 2159.20 feet, to a 1/2 inch iron rod found, S 85° 59' 59" W 1076.02 feet, to a 5 inch pipe post, N 80° 09' 36" W 1358.82 feet, to a 1/2 inch iron rod found, S 50° 56' 21" W 493.27 feet, to a 1/2 inch iron rod found, N 69° 06' 52" W 814.61 feet, to a 1/2 inch iron rod found, N 35° 11' 37" W 222.66 feet, to a 1/2 inch iron rod found, S 80° 53' 11" W 2104.54 feet, to a 5 inch pipe post, N 62° 24' 38" W 1269.73 feet, to a 5 inch pipe post, N 66° 49' 34" W 475.55 feet, to a 5 inch pipe post, S 64° 05' 05" W 2413.91 feet, to a 5 inch pipe post, and N 70° 59' 47" W 17.63 feet, to a 1/2 inch iron rod found at the Northwest corner of said 2004.55 acre tract, and being in the East line of Hamilton County Road Number 421, for the Southwest corner of this tract;

THENCE, with a fence, along the East line of Hamilton County Road Number 421, as follows, N 20° 05' 36" E 426.95 feet, to a 4 inch pipe post, N 11° 44' 52" E 232.67 feet, to a 4 inch pipe post, N 19° 03' 36" E 173.50 feet, to a 4 inch pipe post, N 21° 48' 53" E 261.54 feet, to a 4 inch pipe post, N 18° 09' 06" E 2051.46 feet, to a 4 inch pipe post, N 06° 12' 32" E 434.80 feet, to a 4 inch pipe post, N 01° 06' 39" W 166.66 feet, to a 4 inch pipe post, N 05° 50' 12" W 187.10 feet, to a 4 inch pipe post, N 10° 42' 52" E 28.38 feet, to a 4 inch pipe post, N 25° 42' 53" E 25.79 feet, to a 4 inch pipe post, N 47° 51' 45" E 347.48 feet, to a 4 inch pipe post, N 18° 11' 13" E 1210.70 feet, to a 4 inch pipe post, and N 17° 05' 45" E 299.19 feet, to a 1/2 inch iron rod set, for the Northwest corner of this tract;

THENCE, S 72° 11' 12" E 212.81 feet, with a fence, to a 3 inch pipe post, S 69° 59' 53" E 2010.18 feet, to a 1/2 inch iron rod set, and S 16° 11' 06" W 707.62 feet, with a fence, to a point in the approximate center of Dry Branch, for a corner of this tract;

THENCE, with the approximate center of Dry Branch, as follows, N 87° 06' 34" E 53.58 feet, to a point, N 41° 40' 40" E 106.12 feet, to a point, N 47° 49' 12" E 125.25 feet, to a point, N 33° 22' 19" E 97.14 feet, to a point, N 40° 57' 27" E 105.92 feet, to a point, N 59° 54' 55" E 72.73 feet, to a point, N 85° 49' 44" E 60.76 feet, to a point, S 69° 12' 45" E 84.95 feet, to a point, S 76° 57' 54" E 48.57 feet, to a point, N 53° 30' 04" E 117.02 feet, to a point, N 63° 19' 19" E 80.29 feet, to a point, S 84° 56' 18" E 64.38 feet, to a point, S 65° 53' 16" E 115.36 feet, to a point, S 76° 45' 33" E 195.06 feet, to a point, N 84° 10' 47" E 116.84 feet, to a point, S 62° 35' 00" E 168.11 feet, to a point, N 79° 22' 46" E 80.89 feet, to a point, S 82° 46' 35" E 80.42 feet, to a point, S 50° 43' 43" E 68.96 feet, to a point, S 27° 15' 41" E 64.15 feet, to a point, S 08° 26' 06" E 70.28 feet, to a point, S 64° 01' 22" E 51.57 feet, to a point, N 84° 53' 38" E 98.92 feet, to a point, S 76° 56' 21" E 97.71 feet, to a point, S 67° 55' 37" E 97.65 feet, to a point, S 86° 23' 41" E 147.03 feet, to a point, S 85° 02' 44" E 132.26 feet, to a point, S 54° 38' 37" E 55.01 feet, to a point, S 37° 07' 03" E 65.25 feet, to a point, S 72° 12' 45" E 140.17 feet, to a point, S 63° 32' 49" E 139.62 feet, to a point, S 53° 13' 51" E 105.51 feet, to a point, S 68° 53' 23" E 112.45 feet, to a point, S 49° 13' 55" E 132.66 feet, to a point, S 69° 50' 28" E 171.25 feet, to a point, S 78° 08' 57" E 199.90 feet, to a point, N 26° 26' 53" E 65.30 feet, to a point, N 43° 08' 25" E 115.11 feet, to a point, N 41° 46' 38" E 82.18 feet, to a point, N 67° 36' 53" E 159.58 feet, to a point, N 74° 51' 16" E 97.01 feet, to a point, N 67° 52' 21" E 200.01 feet, to a point, N 70° 12' 52" E 156.63 feet, to a point, N 53° 00' 42" E 77.66 feet, to a point, N 32° 46' 49" E 98.65 feet, to a point, N 38° 52' 06" E 98.05 feet, to a point, N 62° 16' 56" E 96.43 feet, to a point, N 81° 01' 16" E 130.54 feet, to a point, S 65° 00' 21" E 199.89 feet, to a point, S 76° 43' 37" E 129.61 feet, to a point, N 81° 45' 24" E 78.98 feet, to a point, S 67° 14' 00" E 425.06 feet, to a point, S 72° 17' 54" E 102.06 feet, to a point,



to a point, S 84° 14' 32" E 220.39 feet, to a point, S 88° 30' 10" E 325.21 feet, to a point, N 48° 16' 53" E 91.10 feet, to a point, N 57° 12' 17" E 44.99 feet, to a point, N 84° 08' 32" E 62.17 feet, to a point, S 38° 17' 11" E 86.14 feet, to a point, S 39° 36' 08" E 201.96 feet, to a point, S 81° 05' 11" E 198.71 feet, to a point, S 89° 46' 33" E 81.40 feet, to a point, N 80° 12' 23" E 151.04 feet, to a point, N 70° 19' 23" E 174.37 feet, to a point, N 74° 49' 00" E 147.74 feet, to a point, N 41° 22' 16" E 137.42 feet, to a point, N 18° 33' 50" E 73.65 feet, to a point, and N 48° 05' 22" E 79.98 feet, to a point, from which a reference 1/2 inch iron rod set, on the North bank, bears N 05° 36' 26" E 75.50 feet, for a corner of this tract;

THENCE, N 05° 36' 26" E 75.50 feet, with a fence, to a 1/2 inch iron rod set, N 05° 36' 26" E 33.45 feet, with a fence, to a 3 inch pipe post, N 16° 06' 31" E 112.61 feet, with a fence, to a 5 inch pipe post, and N 16° 06' 17" E 1325.84 feet, to a 1/2 inch iron rod found at an internal corner of said 5632.37 acre tract, and being the Southwest corner of a 156 acre Third Tract, that is described in a deed to The Dietz Memorial Company, Inc., recorded in Volume 229 at Page 1, said Deed Records of Hamilton County, for a corner of this tract;

THENCE, S 87° 31' 32" E 4050.45 feet, with a fence, along a North line of said 5632.37 acre tract, and the South line of said 156 acre tract, to a 1/2 inch iron rod found at a corner of said 5632.37 acre tract, and the Southeast corner of said 156 acre tract, and being in the West line of a 84 acre Second Tract, described in said Volume 229 at Page 1, for the Northeast corner of this tract;

THENCE, S 19° 19' 39" W 338.38 feet, with a fence, along the East line of said 5632.37 acre tract, and the West line of said 84 acre tract, to a 1/2 inch iron rod set at the Southwest corner of said 84 acre tract, and being the Northwest corner of a 101.9 acre First Tract, that is described in a deed to The Dietz Memorial Company, Inc., recorded in Volume 289 at Page 886, Deed Records of Coryell County, Texas, for a corner of this tract;

THENCE, with a fence, along the East line of said 5632.37 acre tract and the West line of said Volume 289 at Page 886, as follows, S 19° 34' 50" W 1428.18 feet, to a 1/2 inch iron rod set, and S 15° 01' 35" W 2031.19 feet, to a 1/2 inch iron rod set, at the Southwest corner of a 150 acre Second Tract, that is described in said Volume 289 at Page 886, for a corner of this tract;

THENCE, S 72° 48' 30" E 1024.61 feet, with a fence, along the South line of said 150 acre tract, to a 4 inch pipe post found at the Northwest corner of a 88.65 acre tract of land that is described in a deed to Blackshear Dixon Investments, LLC, recorded in Instrument Number 234186, said Official Public Records of Coryell County, for a corner of this tract;

TRENCHE, S 17° 21' 14" W 1985.27 feet, with a fence, along a East line of said 5632.37 acre tract, to a 3 inch pipe post found at the Southwest corner of said 88.65 acre tract, and being the Northwest corner of said 116.89 acre tract, for a corner of this tract;

THENCE, S 17° 14' 51" W 222.16 feet, with a fence, along a East line of said 5632.37 acre tract, and the West line of said 116.89 acre tract, to the point of beginning and containing 1398.80 acres of land.

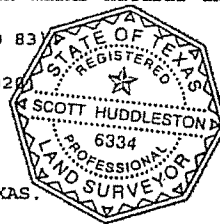
I, SCOTT HUDDLESTON, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing Field Notes and accompanying Plat, was prepared from an actual survey, made on the ground, on June 22, 2020, from the Deed Records and Official Public Records of Coryell County, Texas, and the Deed Records of Hamilton County, Texas, and surveys of area properties, that the corners and boundaries with marks natural and artificial are just as were found on the ground.

Bearings are based on True North as determined by GPS survey data (NAD 83

WITNESS MY HAND AND SEAL THIS THE 6th DAY OF JULY, 2020

Scott Huddleston
SCOTT HUDDLESTON

REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6334 OF TEXAS.



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 and date as stamped
hereon by me.

FILED
AT 1030 O'CLOCK AM

SEP 18 2020



BARBARA SIMPSON, CLERK
CORYELL COUNTY, TEXAS

Barbara Simpson

Barbara Simpson
COUNTY CLERK, CORYELL CO., TEXAS

330081