UTitle No. Bev

## SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS GREENBRIER PHASE 13

This SUPPLEMENTAL DECLARATION OF CONVENANTS, CONDITIONS AND RESTRICTIONS of Greenbrier Phase 13, is made effective as of the 10th day of October, 2016, by Carter Arden Development, LLC ("Declarant"):

## **PREAMBLE**

Declarant is the owner and developer of single-family Lots located in Greenbrier Phase 13 according to plat recorded in Volume 13647, Page 42, Official Public Records of Brazos County, Texas ("Phase 13").

The purpose of this Supplemental Declaration is to impose certain requirements on Phase 13 as allowed by the Declaration of Covenants, Conditions and Restrictions of Greenbrier recorded at Volume 11230, Page 102, Official Records of Brazos County, Texas (the "Declaration"). All capitalized terms not defined herein have the meanings ascribed to them in the Declaration.

## **DECLARATION**

Declarant hereby declares that the residential lots within Phase 13 are and shall be owned, held, mortgaged, transferred, sold, conveyed and occupied subject to this Supplemental Declaration and the covenants, conditions and restrictions set forth as follows:

- 1. Notwithstanding anything in the Declaration to the contrary, unless an exception is granted by the Architectural Committee, all single family dwellings within Lot 1, Block 11 and Lots 26 through 31, Block 6 in Phase 13 shall contain no less than 2,250 square feet of enclosed living space, exclusive of all porches (open or covered), decks and garages, and all single family dwellings within the remainder of Phase 13 shall contain no less than 2,400 square feet of enclosed living space, exclusive of all porches (open or covered), decks and garages.
- 3. In the event of a conflict between the Declaration and this Supplemental Declaration concerning a Lot in Phase 13, the provisions of this Supplemental Declaration will control.

[Signature page follows.]

Was Bh You by Crou on 18455 (8):

Witness the hand of an authorized representative of Declarant on the acknowledgment date noted below.

This Supplemental Declaration of Covenants, Conditions and Restrictions ("Supplemental Declaration" herein) has been executed by Declarant on the date of the taking of his acknowledgment, but the effective date of the Supplemental Declaration shall be deemed to be October 10, 2016, for all purposes and it shall be effective as of that date.

CARTER ARDEN DEVELOPMENT, LLC

/ VStanbar Andry Vana

STATE OF TEXAS

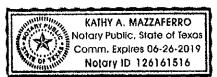
§

(ACKNOWLEDGMENT)

**COUNTY OF BRAZOS** 

8

This instrument was acknowledged before me on the 5th day of September, 2016, by J. Stephen Arden, Manager of CARTER ARDEN DEVELOPMENT, LLC, a Texas limited liability company, on behalf of said company.



Kathy Mazarferro Notary Public, State of Texas

## CONSENT AND SUBORDINATION BY LIENHOLDER

Lienholder, as the holder of the lien on a portion of the Property, consents to the foregoing Supplemental Declaration and the covenants, conditions, restrictions and easements contained therein, and lienholder hereby subordinates its lien to the rights and interests of the Supplemental Declaration, such that a foreclosure of the lien shall not extinguish the covenants, conditions, restrictions and easements contained in the Supplemental Declaration.

PROSPERITY BANK

THE STATE OF TEXAS

§

(ACKNOWLEDGMENT)

COUNTY OF BRAZOS

8

This instrument was acknowledged before me on the 13 day of October, 2016, by <u>Samie Lander</u>, <u>President Roll Pealine</u> of <u>PROSPERITY BANK</u>, on behalf of said banking institution.

JONATHAN PAWLAK Notary Public, State of Texas My Commission Expires JULY 30, 2018

Notary Public, State of Texas

AFTER RECORDING RETURN TO: The Ellison Firm P.O. Box 10103 College Station, Texas 77842-0103

PREPARED IN THE LAW OFFICE OF: The Ellison Firm 302 Holleman Drive East, Suite 76 College Station, Texas 77840-7000