

**NOTICE OF ADDITION OF LAND  
TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF  
GREENBRIER**

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

This NOTICE OF ADDITION OF LAND TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF GREENBRIER (the "Notice"), is made effective as of the 1st day of June, 2021, by HOMEWOOD, LLC, a Texas limited liability company and CARTER ARDEN DEVELOPMENT, LLC, a Texas limited liability company (collectively hereinafter referred to as "Declarant").

This Notice relates to the Declaration of Covenants, Conditions and Restrictions of Greenbrier dated March 6, 2013, executed by the Declarant recorded in Volume 11230, Page 102, Official Records, Brazos County, Texas, as amended and modified from time to time (as amended and modified from time to time, called the "Declaration").

The Declaration provides in Section 2.02 for adding other lands to the property encumbered by the Declaration by the recording in the Official Records of Brazos County, Texas, of an instrument which describes the added land to be annexed to the "Property" (as such term is defined in the Declaration) thereby imposing the Declaration, as amended from time to time, upon the added land.

Homewood, LLC currently owns the real property more particularly described on Exhibit "A" attached hereto and made a part hereof (individually and collectively, the "Added Land") on which detention facilities have been constructed which, in part, benefits the Greenbrier subdivision and in part benefits properties adjacent to the Greenbrier subdivision.

Declarant wishes to subject the Added Land to the properties subject to the Declaration and covenants, conditions, restrictions, obligations, easements, liens, assessments and charges as set forth in the Declaration. The Added Land shall constitute a Common Area under the Declaration.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,** (i) that all of the Added Land is hereby added to and made a part to the "Property" (as such term is defined in the Declaration) and constitutes a Common Area (as such term is defined in the Declaration); (ii) that all of the Added Land shall be held subject to the covenants, conditions, restrictions, easements, liens, assessments and charges stated in the Declaration, which are for the purpose of preserving the value and desirability of, and which shall run with, the Added Land and shall be binding on all parties having any right, title or interest in or the Added Land or any part thereof, their heirs, successors, and assigns, and which shall inure to the benefit of each owner thereof; and (iii) the Added Land is also subject to the Declaration of Detention Easement Agreement among the Greenbrier Owners Association, Inc., Robert B. Carter and Anne R. Carter of even date herewith.

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The Declaration provides in Section 2.02 for adding other lands to the property encumbered by the Declaration by the recording in the Official Records of Brazos County, Texas, of an instrument which describes the added land to be annexed to the "Property" (as such term is defined in the Declaration) thereby imposing the Declaration, as amended from time to time, upon the added land.

Homewood, LLC currently owns the real property more particularly described on **Exhibit "A"** attached hereto and made a part hereof (individually and collectively, the "Added Land") on which detention facilities have been constructed which, in part, benefits the Greenbrier subdivision and in part benefits properties adjacent to the Greenbrier subdivision.

Declarant wishes to subject the Added Land to the properties subject to the Declaration and covenants, conditions, restrictions, obligations, easements, liens, assessments and charges as set forth in the Declaration. The Added Land shall constitute a Common Area under the Declaration.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS**, (i) that all of the Added Land is hereby added to and made a part to the "Property" (as such term is defined in the Declaration) and constitutes a Common Area (as such term is defined in the Declaration); (ii) that all of the Added Land shall be held subject to the covenants, conditions, restrictions, easements, liens, assessments and charges stated in the Declaration, which are for the purpose of preserving the value and desirability of, and which shall run with, the Added Land and shall be binding on all parties having any right, title or interest in or the Added Land or any part thereof, their heirs, successors, and assigns, and which shall inure to the benefit of each owner thereof; and (iii) the Added Land is also subject to the Declaration of Detention Easement Agreement among the Greenbrier Owners Association, Inc., Robert B. Carter and Anne R. Carter of even date herewith.

IN WITNESS WHEREOF, Declarant has executed this Notice as of this 1<sup>st</sup> day of <sup>June</sup> ~~May~~, 2021.

**DECLARANT:**

**HOMEWOOD, LLC**

a Texas limited liability company

By:   
Robert B. Carter, Member

By:   
Anne R. Carter, Member

**CARTER ARDEN DEVELOPMENT, LLC**

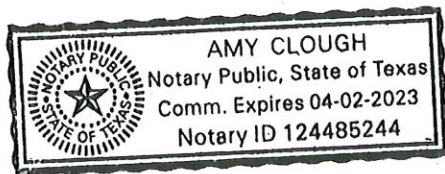
a Texas limited liability company

By:   
J. Stephen Arden, Manager

STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me on this 21<sup>st</sup> day of May, 2021, by ROBERT B. CARTER, Member of **HOMEWOOD, LLC**, a Texas limited liability company, on behalf of said company.

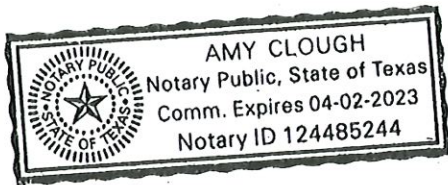


  
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me on this 21<sup>st</sup> day of May, 2021, by ANNE R. CARTER, Member of **HOMEWOOD, LLC**, a Texas limited liability company, on behalf of said company.

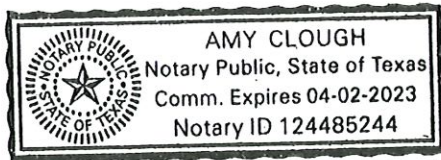


*Amy Clough*  
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me on this 21<sup>st</sup> day of May, 2021, by J. STEPHEN ARDEN, MANAGER of **CARTER ARDEN DEVELOPMENT, LLC**, a Texas limited liability company, on behalf of said company.



*J. Stephen Arden*  
Notary Public, State of Texas

**Exhibit "A"**

FIELD NOTES  
3.329 ACRES

Being all that certain tract or parcel of land lying and being situated in the JOHN AUSTIN LEAGUE, Abstract No. 2 in Bryan, Brazos County, Texas and being part of the called 176.241 acre remainder tract described in the Gift Deed from George F. Carter and wife, Alberta R. Carter to Anne Richter Carter, Robert Brennan Carter and George Francis Carter, Jr. recorded in Volume 3253, Page 207 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 3/4-inch iron pipe marking the south corner of GREENBRIER, PHASE 1 according to the Final Plat recorded in Volume 13195, Page 50 (O.R.B.C.), said iron rod also being in the southwest right-of-way line of Fox Hill Way (based on a 50-foot width), in the northeast right-of-way line of Thornberry Drive (based on a 100-foot width recorded in Volume 9828, Page 120 [O.R.B.C.]) and in the northwest line of the called 176.241 acre Carter remainder tract;

THENCE: along the southeasterly right-of-way line of said Fox Hill Way, the northwesterly line of the called 176.241 acre Carter remainder tract and the called 103.916 acre Homewood, LLC remainder tract recorded in Volume 8938, Page 97 (O.R.B.C.) for the following five (5) calls:

- 1) 41.53 feet along the arc of a curve having a central angle of 95°10'38", a radius of 25.00 feet, a tangent of 27.37 feet and a long chord bearing N 04°38'51" E at a distance of 36.92 feet to a found 3/4-inch iron pipe for the Point of Compound Curvature,
- 2) 138.54 feet along the arc of said compound curve having a central angle of 08°21'19", a radius of 950.00 feet, a tangent of 69.39 feet and a long chord bearing N 56°24'50" E at a distance of 138.41 feet to a found 3/4-inch iron pipe for the Point of Tangency, and
- 3) N 60°35'29" E for a distance of 194.34 feet for the Point of Curvature of a curve to the left,
- 4) 224.89 feet in a counter-clockwise direction along the arc of a curve having a central angle of 12°16'18", a radius of 1050.00 feet, a tangent of 112.88 feet and a long chord bearing N 54°27'21" W at a distance of 224.46 feet for the Point of Tangency, and
- 5) N 48°19'12" E for a distance of 25.50 feet for the north corner of this herein described tract;

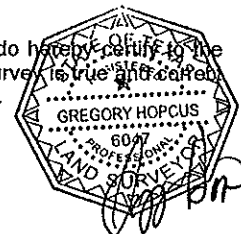
THENCE: into and through the called 176.241 acre Carter remainder tract for the following two (2) calls:

- 1) S 45°01'19" E a distance of 215.30 feet for the east corner of this tract, and
- 2) S 49°09'21" W for a distance of 558.71 feet for corner in the northeast right-of-way line of Thornberry Drive;

THENCE: along the northeast right-of-way line of said Thornberry Drive for the following four (4) calls:

- 1) 39.15 feet in a counter-clockwise direction along the arc of a curve having a central angle of 01°46'49", a radius of 1,260.00 feet, a tangent of 19.58 feet and a long chord bearing N 56°31'49" W at a distance of 39.15 feet to a found 3/4-inch iron pipe for the Point of Tangency,
- 2) N 57°25'14" W for a distance of 119.70 feet to a found 3/4-inch iron pipe for corner,
- 3) N 52°12'51" W for a distance of 25.00 feet to a found 3/4-inch iron pipe for the Point of Curvature of a curve to the right, and
- 4) 89.01 feet in a clockwise direction along the arc of a curve having a central angle of 09°16'22", a radius of 550.00 feet, a tangent of 44.60 feet and a long chord bearing N 47°34'39" W at a distance of 88.92 feet to a found 3/4-inch iron pipe for the Point of Compound Curvature, said iron pipe also being the south corner of the before-said Fox Hill Way right-of-way to the POINT OF BEGINNING and containing 3.329 acres of land.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct, and agrees with a survey made on the ground under my supervision on December, 2020.



**Brazos County  
Karen McQueen  
County Clerk**

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**Instrument Number:** 1439895  
Volume : 17204

ERecordings - Real Property

Recorded On: July 21, 2021 11:56 AM

Number of Pages: 5

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**" Examined and Charged as Follows: "**

Total Recording: \$42.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 1439895  
Receipt Number: 20210721000057  
Recorded Date/Time: July 21, 2021 11:56 AM  
User: Susie C  
Station: CCLERK01

**Record and Return To:**

eRecording Partners



STATE OF TEXAS  
COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen  
County Clerk  
Brazos County, TX