

# THE ELLISON FIRM

ATTORNEYS AT LAW

302 HOLLEMAN DRIVE EAST, SUITE 76  
COLLEGE STATION, TEXAS 77840-7000

CHARLES A. (CHUCK) ELLISON  
AMY L. CLOUGH\*\*  
JEFFREY C. HARRIS\*  
GERRY M. BROWN\*\*  
BRIAN S. MOBLEY

MAILING ADDRESS  
P.O. BOX 10103  
COLLEGE STATION, TEXAS 77842-0103

TELEPHONE: (979) 696-9889  
FACSIMILE: (979) 693-8819  
EMAIL: amy@ellisonlaw.com

\*Board Certified – Estate Planning and Probate Law  
\*\*Board Certified – Commercial Real Estate Law

September 3, 2021

**Via Hand Delivery**

Berkshire Hathaway HomeServices Caliber Realty  
Attn: Briley Blackshear  
700 University Drive East, Suite 108  
College Station, TX 77840

Re: Greenbrier Owners Association, Inc. (HOA)

Dear Briley:

Enclosed please find the following documents:

1. Copy of Gift Deed without Warranty recorded in Volume 17204, Page 1, Official Public Records of Brazos County, Texas transferring the detention area to the HOA;
2. Original Notice of Addition of Land recorded in Volume 17204, Page 11, Official Public Records of Brazos County, Texas to include the detention area in the development as a Common Area;
3. Copy of Declaration of Detention Easement Agreement recorded in Volume 17204, Page 16, Official Public Records of Brazos County, Texas;
4. Original Unanimous Written Consent of Directors of Greenbrier Owners Association, Inc.;
5. Original Supplemental Declaration and Notice of Withdrawal of Land recorded in Volume 17165, Page 39, Official Public Records of Brazos County, Texas;
7. Copy of License Agreement; and
8. Memorandum dated July 20, 2021 containing a short summary of the purposes of the enclosed documents

These documents should be filed in the records of Greenbrier Owners Association, Inc. If you have any questions, please do not hesitate to contact our office.

Very truly yours,



Amy L. Clough

ALC:km  
enclosures

cc: Robert B. Carter (w/o enclosures)  
Anne R. Carter (w/o enclosures)  
J. Stephen Arden (w/o enclosures)

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## MEMORANDUM

DATE: July 20, 2021

RE: Greenbrier Subdivision Agreements relating to Entrance Features and Detention Area

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1. License Agreement and Entrance Features

- Allows HOA to maintain sign and Entrance Features at corner of FM 1179 and Thornberry Drive until front tracts along FM 1179 are developed.
- Carters must give 60 days' prior notice of termination of license to HOA and sign and Entrance Features must be removed/relocated within 30 days after such notice.

2. Gift Deed to HOA/Notice of Addition of Land

- Homewood, LLC deeded Detention Area (3.329 acres) to Greenbrier HOA.
- Notice of Addition of Land recorded to add Detention Tract to the Greenbrier Subdivision and designate it a Common Area.

3. Declaration of Detention Easement Agreement

- Phases 2A and 2B of Greenbrier drain into the Detention Facility. Phases 4, 5 and 8/10 of Greenbrier, while not draining into the Detention Facility, will also benefit from the existence of the Detention Facility.
- The Property between Phases 2A/2B and FM 1179 ("Carter Tract") drains into the Detention Facility. The Detention Facility has been designed and constructed to accommodate the future development on the Carter Tract.
- Greenbrier HOA will maintain the Detention Tract until the Carter Tract is developed. Once developed, the Carter Tract, or portions thereof, will be responsible for their pro rata share of maintenance and taxes. The pro rata share is set forth in the Agreement and is based upon the acreage draining into the Detention Facility. Phases 2A and 2B of Greenbrier (11.4 acres) have a pro rata share of 40%. The Carter Tract (17.227 acres) has a pro rata share of 60%.
- The Owner of the Carter Tract has a 40' landscape easement on the Detention Tract measured from the Thornberry Drive right of way. Once landscaped by the Owner of the Carter Tract, such owner will be responsible for maintaining the landscaping.
- Easements for utilities and access have been reserved over the Detention Tract for the benefit of the development of the Carter Tract.