

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
CARINI TOWNHOMES
AND
DECLARATION OF ANNEXATION**

Cross Reference to Declaration of Covenants, Conditions and Restrictions for Carini Townhomes
recorded in Volume 13289, Page 1, Official Public Records of Brazos County, Texas.

**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR CARINI TOWNHOMES AND
DECLARATION OF ANNEXATION**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Carini Townhomes and Declaration of Annexation (this "Amendment") is made by CARINI DEVELOPMENT LLC, a Texas limited liability company (the "Declarant"), and is as follows:

- A. CARINI TOWNHOMES is a townhome community located in Bryan, Brazos County, Texas. Declarant imposed the Declaration of Covenants, Conditions and Restrictions for Carini Townhomes recorded in Volume 13289, Page 1 in the Official Public Records of Brazos County, Texas.
- B. Declarant reserved the right to unilaterally amend the Declaration in the exercise of certain development rights as provided in Section 14.5.4 of the Declaration.
- C. The Development Period as defined in the Declaration has not expired.
- D. Declarant now desires to amend the Declaration and annex additional property as provided in the following paragraphs.
 1. **Amendment to Section 2.2.** Section 2.2 of the Declaration is amended to substitute "Brazos County" for "Comal County".
 2. **Amendment to Section 14.5.** Section 14.5 of the Declaration is hereby amended to include a new Section 14.5.13 reading in its entirety as follows:

14.5.13 **Annexation.** During the Development Period, the Declarant may annex other properties into the CARINI TOWNHOMES if the annexed property is developed in appearance, character and use substantially the same as the Property.
 3. **Annexation.** Declarant, pursuant to its exercise of rights during the Development Period as provided in Article 14 and the provisions of Section 2.2 of the Declaration, hereby annexes the following real property to CARINI TOWNHOMES (the "Annexed Property"): Lots One R (1R) through Ten R (10R) and Common Areas, Block One Hundred Thirty-Four (134), City of Bryan Townsite, City of Bryan, according to the plat thereof recorded in Volume 15075, Page 185, Official Records, Brazos County, Texas. Exhibit A of the Declaration is amended by the addition of Exhibit A-1 attached hereto.

- 4. **Effect of Annexation.** The Annexed Property is subject to all the terms and provisions of the Declaration and is under the jurisdiction of the Association as if the Annexed Property had been originally included within the Property and CARINI TOWNHOMES on the date the Declaration was recorded in the Official Records of Brazos County, Texas. Declarant reserves the right to develop the Annexed Property at its discretion provided such development is done consistent with the Declaration. The Annexed Property, as long as it is owned by Declarant, will not be subject to assessment by the Association. The Declaration is amended as appropriate to reflect the annexation of the Annexed Property.
- 5. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein have the meanings ascribed to them in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written and are hereby ratified and confirmed.

EXECUTED to be effective as of the 5th day of ^{August}~~June~~, 2019.

Declarant:

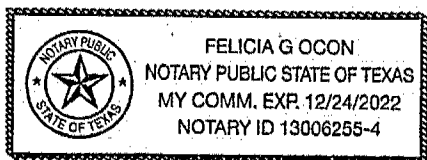
CARINI DEVELOPMENT LLC,
a Texas limited liability company

By: Katie Neason
Katie Neason, Manager

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was acknowledged before me on ~~June~~ ^{Aug} 5, 2019, by Katie Neason, Manager of CARINI DEVELOPMENT LLC, a Texas limited liability company, on behalf of same and in the capacity herein stated.



Felicia G Ocon
Notary Public, State of Texas

EXHIBIT A-1
Annexed Property

Lots One R (1R) through Ten R (10R) and Common Areas, Block One Hundred Thirty-Four (134), City of Bryan Townsite, City of Bryan, according to the plat thereof recorded in Volume 15075, Page 185, Official Records, Brazos County, Texas.

**Brazos County
Karen McQueen
County Clerk**

Instrument Number: 1423389
Volume : 16795
ERecordings - Real Property

Recorded On: March 10, 2021 04:37 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$42.00

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

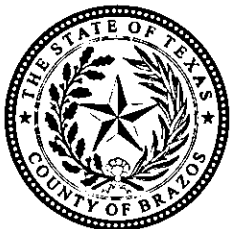
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 1423389
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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