

ANNEX  
X

**ANNEXATION AND SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
for  
TERRA DEL SOL, SECTIONS SIX (6) AND SEVEN (7)**

**2EE**

THE STATE OF TEXAS       §  
                                     §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS       §

WHEREAS, by that certain instrument entitled "Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Terra del Sol" dated February 21, 2006 and executed by Richfield Homes at Terra del Sol LP, a Delaware limited partnership ("Declarant"), which was filed of record in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. Z119435 (the "Declaration"), Declarant did confirm all of the real property described below had been subjected to all of those certain easements, covenants, restrictions and conditions described in the Declaration:

Terra del Sol, Section Three (3), a subdivision located in Harris County, Texas according to the map or plat recorded under Film Code No. 544195 of the Map Records of Harris County, Texas ("Section Three"); and

Terra del Sol, Section Four (4), a subdivision located in Harris County, Texas according to the map or plat recorded under Film Code No. 560105 of the Map Records of Harris County, Texas ("Section Four");

WHEREAS, the Declaration was amended by that certain instrument entitled "First Amendment to Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Terra del Sol" filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. 20130528465 (the Declaration as amended hereinafter still referred to as the "Declaration");

WHEREAS, Article 9, Section 9.1 of the Declaration entitled "**Annexation Without Approval of Class "A" Membership**" provides:

Section 9.1 Annexation Without Approval of Class "A" Membership.  
As the record owner thereof, or if not the record owner, with the consent of the record owner thereof, Declarant shall have the unilateral right, privilege, and option, from time-to-time at any time until thirty (30) years from the date this Declaration is recorded in Harris County, Texas, to subject to the provisions of this Declaration and the jurisdiction of the Association additional real property, by filing for record in the Official Public Records of Real Property of Harris County, Texas, a Supplemental Declaration annexing such property. Such Supplemental Declaration shall not require the vote of the Members of the Association or approval by any Person. Any such annexation shall be effective upon the filing of record of such Supplemental Declaration, unless otherwise provided therein.

Declarant shall have the unilateral right to transfer to any other Person the said right, privilege, and option to annex additional property which is herein reserved to Declarant, provided that such transferee or assignee shall be the developer of at least a portion of the real property so annexed.

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WHEREAS, Article 9, Section 9.5 of the Declaration entitled "**Additional Covenants and Easements**" provides:

Section 9.5 Additional Covenants and Easements. The Declarant may unilaterally subject any portion of the Property submitted to this Declaration initially or by Supplemental Declaration to additional covenants and easements, including covenants obligating the Association to maintain and insure such Property on behalf of the Owners thereof. Such additional covenants and easements shall be set forth in a Supplemental Declaration filed either concurrently with or after the annexation of the subject property, and shall require the written consent of the owner(s) of such property, if other than the Declarant.

WHEREAS, Declarant is the owner of all that certain property known as Terra del Sol, Sections Six (6) and Seven (7), described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes ("Property");

WHEREAS, Declarant desires the Property to be annexed into Terra del Sol Homeowners Association, Inc. (the "Association") pursuant to the terms of Article 9, Section 9.1 of the Declaration as evidenced by its signature below.

NOW, THEREFORE, the Property is hereby annexed into the jurisdiction of the Association and subjected to all those certain easements, covenants, restrictions and conditions described in the Declaration by virtue of this "Annexation and Supplemental Declaration of Covenants, Conditions and Restrictions for Terra del Sol, Sections Six (6) and Seven (7)" ("Supplemental Declaration"), which Declaration and this Supplemental Declaration shall run with the Property and be binding on all subsequent purchasers thereof, save and except the following provisions of the Declaration, which provisions of the Declaration as to the Property, shall be amended as follows:

Article 7, Section 7.4 of the Declaration is amended to add the following sentence:

Notwithstanding anything contained in the Declaration to the contrary, General Assessments and Special Assessments will only become due January 1<sup>st</sup> of the year following the year any real property subjected to the Declaration has been platted into Lots and the plat filed of record in the Official Public Records of Real Property of Harris County, Texas.

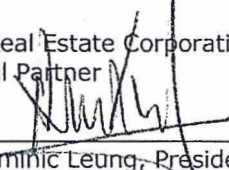
This Supplemental Declaration may be amended by Declarant without the joinder of any other party as long as Declarant owns a Lot in the Property

EXECUTED by the respective parties on the dates set forth below to be effective the date this document is filed of record in the Official Public Records of Real Property of Harris County, Texas.

**DECLARANT:**

**RICHFIELD HOMES AT TERRA DEL SOL LP,  
a Delaware limited partnership**

By: Richfield Real Estate Corporation,  
Its General Partner

By:   
Dominic Leung, President

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THE STATE OF TEXAS      §  
   §  
COUNTY OF HARRIS      §

This instrument was acknowledged before me on the 23<sup>rd</sup> day of January, 2014, by Dominic Leung, President of Richfield Real Estate Corporation, General Partner to Richfield Homes at Terra Del Sol, LP, a Delaware limited partnership, for the consideration and in the capacities stated herein.

Molly K. Drennan  
Notary Public in and for the State of Texas



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Windrose Land Services, Inc  
10675 Richmond Ave, Bldg 7  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151

Professional Surveying & Engineering Services

## LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND CONTAINING 11.8234 ACRES OR 615,027 SQUARE FEET COMPOSED OF A CALLED 7.5962-ACRE TRACT OUT OF THE H.T.&B.R.R. COMPANY SURVEY, SECTION 16, ABSTRACT 1372 IN HARRIS COUNTY, TEXAS AND A CALLED 4.2273-ACRE TRACT OUT UNRESTRICTED RESERVE "C" OF PAVILION, SECTION TWO, A SUBDIVISION RECORDED IN VOLUME 323, PAGE 78 OF THE HARRIS COUNTY MAP RECORDS, SAID 11.8234-ACRE TRACT BEING TRACT II AND TRACT III DESCRIBED IN HARRIS COUNTY CLERK'S FILE NO. S612014, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD FOUND ON THE NORTHERLY END OF A CUT-BACK CORNER OF THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE (60 FEET WIDE) AND THE NORTH RIGHT-OF-WAY LINE OF PAVILION POINT (60 FEET WIDE);

THENCE NORTH 00 DEGREES 00 MINUTES 06 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE, A DISTANCE OF 298.49 FEET TO A 5/8-INCH IRON ROD SET MARKING AN ANGLE POINT, SAME BEING THE SOUTHWEST CORNER OF SAID 7.5962-ACRE TRACT AND THE NORTHWEST CORNER OF SAID 4.2273-ACRE TRACT, AND FROM WHICH A 1/2-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 30 DEGREES 27 MINUTES WEST, A DISTANCE OF 0.4 FEET;

THENCE NORTH 00 DEGREES 13 MINUTES 23 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE, A DISTANCE OF 221.19 FEET TO A 5/8-INCH IRON ROD SET MARKING THE BEGINNING OF A CURVE, FROM WHICH A 1/2-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 18 DEGREES 01 MINUTES WEST, A DISTANCE OF 0.4 FEET;

THENCE CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE, AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 830.00 FEET, AN ARC DISTANCE OF 387.35 FEET, A CENTRAL ANGLE OF 26 DEGREES 44 MINUTES 22 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 13 DEGREES 08 MINUTES 48 SECONDS WEST, 383.85 FEET TO A POINT OF TANGENCY FROM WHICH A 1/2-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 20 DEGREES 48 MINUTES EAST, A DISTANCE OF 0.4 FEET;

THENCE NORTH 26 DEGREES 30 MINUTES 58 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE, A DISTANCE OF 31.07 FEET TO A 5/8-INCH IRON ROD SET FOR THE SOUTHERLY END OF A CUTBACK CORNER OF THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE AND THE SOUTH RIGHT-OF-WAY LINE OF EMPANADA DRIVE (60 FEET WIDE), FROM WHICH A 1/2-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 31 DEGREES 43 MINUTES WEST, A DISTANCE OF 0.5 FEET;

THENCE NORTH 18 DEGREES 29 MINUTES 02 SECONDS EAST, ALONG SAID CUTBACK CORNER OF THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE AND THE SOUTH RIGHT-OF-WAY LINE OF EMPANADA DRIVE, A DISTANCE OF 14.14 FEET TO A 5/8-INCH IRON ROD SET ON THE NORTH END OF SAID CUTBACK CORNER, MARKING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHWESTERLY CORNER OF SAID 7.5962-ACRE TRACT;

THENCE NORTH 63 DEGREES 29 MINUTES 02 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF EMPANADA DRIVE, A DISTANCE OF 60.00 FEET TO A 5/8-INCH IRON ROD SET MARKING THE BEGINNING OF A CURVE;

THENCE CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF EMPANADA DRIVE AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 970.00 FEET, AN ARC DISTANCE OF 448.88 FEET, A CENTRAL ANGLE OF 26 DEGREES 30 MINUTES 52 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 76 DEGREES 44 MINUTES 28 SECONDS EAST, 444.89 FEET TO A 5/8-INCH IRON ROD SET MARKING A POINT OF TANGENCY;



Windrose Land Services, Inc  
10676 Richmond Ave, Bldg 7  
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## LEGAL DESCRIPTION (CONT.)

THENCE NORTH 89 DEGREES 59 MINUTES 54 SECONDS EAST, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF EMPANADA DRIVE, A DISTANCE OF 144.89 FEET TO A 5/8-INCH IRON ROD SET FOR THE MOST NORTHERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHWEST CORNER OF RESERVE "A" (CALLED 1.0044 ACRES) OF PAVILION SECTION THREE, RECORDED IN VOLUME 337, PAGE 122 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND FROM WHICH A 5/8-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 14 DEGREES 10 MINUTES WEST, 0.5 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS WEST, ALONG THE WEST LINE OF SAID RESERVE "A", A DISTANCE OF 250.00 FEET TO A 5/8-INCH IRON ROD SET FOR THE MOST NORTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID RESERVE "A", SAID POINT BEING ON THE MOST NORTHERLY NORTH LINE OF A CALLED 10.0000-ACRE TRACT DESCRIBED IN HARRIS COUNTY CLERK'S FILE NO. K901616, AND FROM WHICH POINT A 5/8-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 21 DEGREES 08 MINUTES WEST, A DISTANCE OF 0.4 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 54 SECONDS WEST, ALONG THE MOST NORTHERLY NORTH LINE OF SAID 10.0000-ACRE TRACT, A DISTANCE OF 162.38 FEET TO A CAPPED 5/8-INCH IRON ROD FOUND MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHWEST CORNER OF SAID 10.0000-ACRE TRACT;

THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS WEST, ALONG A COMMON LINE WITH SAID 10.0000-ACRE TRACT, A DISTANCE OF 515.01 FEET TO A 5/8-INCH IRON ROD FOUND MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID 7.5962-ACRE TRACT, AND SAME BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID 10.0000-ACRE TRACT;

THENCE NORTH 89 DEGREES 59 MINUTES 54 SECONDS EAST, ALONG A COMMON LINE WITH SAID 10.0000-ACRE TRACT, A DISTANCE OF 227.26 FEET TO A 5/8-INCH IRON ROD SET FOR THE MOST SOUTHERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHEAST CORNER OF SAID 4.2273-ACRE TRACT, AND SAME BEING AN INTERIOR CORNER OF SAID 10.0000-ACRE TRACT, AND FROM WHICH A 5/8-INCH IRON ROD FOUND FOR REFERENCE BEARS NORTH 30 DEGREES 04 MINUTES WEST, A DISTANCE OF 1.4 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS WEST, ALONG A COMMON LINE WITH SAID 10.0000-ACRE TRACT, A DISTANCE OF 308.49 FEET TO A 5/8-INCH IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY LINE OF PAVILION POINT, MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHEAST CORNER OF SAID 4.2273-ACRE TRACT, AND SAME BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID 10.0000-ACRE TRACT;

THENCE SOUTH 89 DEGREES 59 MINUTES 54 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF PAVILION POINT, A DISTANCE OF 586.47 FEET TO A 5/8-INCH IRON ROD SET FOR THE SOUTHERLY END OF SAID CUT-BACK CORNER OF THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PAVILION DRIVE AND THE NORTH RIGHT-OF-WAY LINE OF PAVILION POINT, FROM WHICH A 5/8-INCH IRON ROD FOUND FOR REFERENCE BEARS SOUTH 37 DEGREES 05 MINUTES WEST, A DISTANCE OF 0.3 FEET;

THENCE NORTH 45 DEGREES 00 MINUTES 06 SECONDS WEST, ALONG SAID CUTBACK CORNER, A DISTANCE OF 14.14 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.8234 ACRES OR 515,027 SQUARE FEET OF LAND.

FILED FOR RECORD

2004 JAN 12 PM 12:58

*Beverly B. Layman*

County Clerk, Harris County, Texas

ANY INSTRUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW. THE STATE OF TEXAS  
COUNTY OF HARRIS

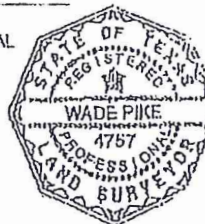
I hereby certify that this instrument was FILED in the Public Records on the date and at the time shown above by me or my duly recorded, or by the official public records of Harris County, Texas.

JAN 12 2004



*Beverly B. Layman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

WADE PIKE  
TEXAS REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 4757



10/20/03

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514-53-3865

8-21-97

TRACT IV (H)  
4.6195 ACRE TRACT  
S.W. CORNER EMPANADA DR. & SUGARLAND-HOWELL DR.

Being a 4.6195 acre tract situated in the H.T. & B.R.R. Company Survey, Abstract 1372 in Harris County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of Reserve "A" of Pavilion Section Three, a subdivision recorded in Volume 337, Page 122 of the Harris County Map Records, said point being in the south right-of-way (r/w) line of Empanada Drive (60 foot r/w) marked by a set 5/8" iron rod;

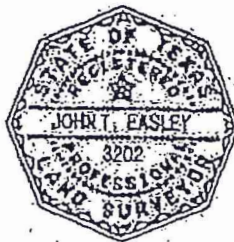
THENCE, N 89° 58' 54" E, 385.00 feet along said south r/w line to a found 5/8" iron rod and the beginning of a corner cut;

THENCE S 44° 39' 48" E, 21.09 feet along the corner cut to a found 5/8" iron rod in the west r/w line of Sugarland-Howell Road (60 foot r/w);

THENCE S 00° 13' 23" W, 488.50 feet along said west r/w line to the southeast corner of the herein described tract and a corner of a 10.000 acre tract conveyed to the Young Men's Christian Association (Y.M.C.A.) by deed recorded in County Clerk's File No. K901816 of the Official Public Records of Real Property in Harris County marked by a found 1/2" iron rod;

THENCE S 89° 58' 54" W, 389.88 feet along a north line of the Y.M.C.A. tract to the southwest corner of the herein described tract marked by a set 1/2" iron rod;

THENCE N 00° 13' 23" E, 503.50 feet along an east line of the Y.M.C.A. tract and the east line of Reserve "A" to the northwest corner of this tract and the POINT OF BEGINNING, and containing 4.6195 acres, more or less.



*John T. Easley*  
John T. Easley  
Registered Professional Land Surveyor No. 3202

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e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees 36.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS