

Document Receipt Information

Reference Number: RETTA RIDGE - Declaration of Restrictive Covenants

Instrument Number:	23231
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County:	Denton
Officer Name:	Jane Morris
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Denton County
Cynthia Mitchell
County Clerk

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Recorded On: March 05, 2008
Recorded At: 02:29:11 pm
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Parties:

Direct- HD PROPERTIES INC
Indirect-

Receipt Number: 464588
Processed By: Jane Morris

***** 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.



THE STATE OF TEXAS)
COUNTY OF DENTON]

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 Records of Denton County, Texas.

Cynthia Mitchell

County Clerk
Denton County, Texas

AFTER RECORDING RETURN TO:

**RR Owners Association
300 Burnett Str., Ste. 150
Ft. Worth, Texas 76102**

**FIRST SUPPLEMENT AND AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
REATA RIDGE
(Annexation)**

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DENTON

§

§

This **FIRST SUPPLEMENT AND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR REATA RIDGE** (herein called the "First Supplement"), is made on the date hereinafter set forth by Reatta Ridge 56, Ltd., a Texas limited partnership and Reatta Ridge, Ltd., a Texas limited partnership for the purpose of evidencing the covenants, conditions and restrictions contained in the Declaration (as defined below).

WITNESSETH:

WHEREAS, Reatta Ridge, Ltd. filed for record that certain **Declaration of Covenants, Conditions and Restrictions for Reatta Ridge in Volume 4857, Page 01605** of the Real Property Records of Denton County, Texas (herein referred to as the "Declaration");

WHEREAS, pursuant to Appendix C, Article C.3.1 of the Declaration, Reatta Ridge, Ltd. has the right to add or annex additional real property to the Declaration to be subject to the terms of the Declaration to the same extent as if originally included therein;

WHEREAS, Reatta Ridge 56, Ltd. is the owner of certain real property in the City of Justin, Denton County, Texas, described as Reatta Ridge Phase 2 which is described in **Exhibit A** (the "Reatta Ridge Phase 2 Property"), Reatta Ridge Phase 3 which is described in **Exhibit B** (the "Reatta Ridge Phase 3 Property"), and Reatta Ridge Phase 4 which is described in **Exhibit C** (the "Reatta Ridge Phase 4 Property"), all attached hereto and incorporated herein by reference for all purposes (the Reatta Ridge Phase 2 Property, Reatta Ridge Phase 3 Property, and Reatta Ridge Phase 4 Property shall herein be collectively called the "Phases 2-4 Annexed Property"); and

WHEREAS, Reatta Ridge, Ltd. and Reatta Ridge 56, Ltd. desire to annex the Phases 2-4 Annexed Property to the Declaration to be subject to the terms of the Declaration to the same extent as if originally included therein and Reatta Ridge, Ltd. and Reatta Ridge 56, Ltd. desire to have the Phases 2-4 Annexed Property subject to the terms of the Declaration.

ANNEXATION:

NOW THEREFORE, Reatta Ridge, Ltd. and Reatta Ridge 56, Ltd. hereby annex the Phases 2-4 Annexed Property to the Declaration for all purposes, and covenants and declare that the Phases 2-4 Annexed Property shall be held, sold and conveyed subject to all of the covenants, conditions and restrictions set forth in the Declaration to the same extent as if the Phases 2-4 Annexed Property were originally included in the Declaration, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Phases 2-4 Annexed Property and the Property (as defined below). All of such covenants, conditions and restrictions shall run with the Phases 2-4 Annexed Property and be binding on all parties having or acquiring any right, title or interest in the Phases 2-4 Annexed Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of Declarant (as defined below) and each Owner thereof.

With respect to the annexation of the Phases 2-4 Annexed Property to the Declaration, the following definitions shall be applicable:

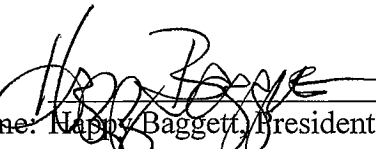
1. The term "Declarant" as used in the Declaration shall be amended and modified to mean "Reatta Ridge 56, Ltd., a Texas limited partnership."
2. The term "Plat" as used in the Declaration shall also mean the Final Plat of Reatta Ridge Addition, Phase 2, as approved by the City of Justin, Texas, and filed of record in Cabinet U, Page 606 of the Plat Records of Denton County, Texas, and any subsequent plats that are approved and recorded covering the Reatta Ridge Phase 3 Property and Reatta Ridge Phase 4 Property.
3. The term "Property" as used in the Declaration shall also mean and refer to the Phases 2-4 Annexed Property.

All of the capitalized terms used in this First Supplement, unless otherwise defined herein, shall have the same meaning as assigned to such terms in the Declaration. This First Supplement is declared to be, in pertinent part only, a restatement of the Declaration and this First Supplement is not made to modify, amend, change, extend, delete, extinguish, alter or revoke the Declaration except as may be expressly set forth herein. The express purpose of this First Supplement is to add the Phases 2-4 Annexed Property to that property which is currently and already subject to the Declaration and the restrictions therein contained and all of said restrictions shall encumber the Phases 2-4 Annexed Property and touch and concern the Phases 2-4 Annexed Property in a like manner as set forth in the Declaration.

IN WITNESS WHEREOF, this First Supplement shall be effective as of June 16, 2003.

Reatta Ridge, Ltd.
a Texas limited partnership

By: HD Properties, Inc., a
Texas corporation, its general partner

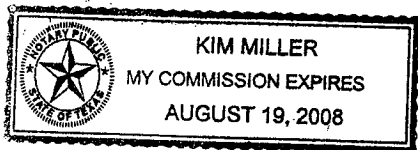
By: 
Name: Happy Baggett, President

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Happy Baggett, the President of HD Properties, Inc., a Texas corporation, general partner of Reatta Ridge, Ltd., a Texas limited partnership known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of said partnership, for the purposes and consideration therein expressed, and in the capacity therein stated.

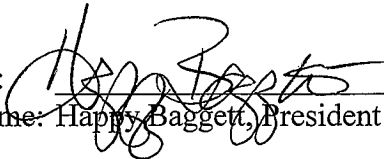
Given under my hand and seal of office on Feb 20, 2008.




NOTARY PUBLIC - STATE OF TEXAS

Reatta Ridge 56, Ltd.
a Texas limited partnership

By: HD Properties, Inc., a
Texas corporation, its general partner

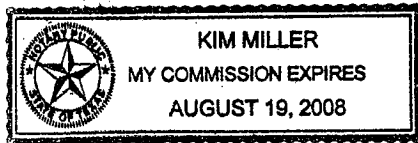
By: 
Name: Happy Baggett, President

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Happy Baggett, the President of HD Properties, Inc., a Texas corporation, general partner of Reatta Ridge 56, Ltd., a Texas limited partnership known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of said partnership, for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office on Feb 20, 2008.





NOTARY PUBLIC - STATE OF TEXAS

**CONSENT AND SUBORDINATION TO FIRST SUPPLEMENT AND AMENDMENT
TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR REATTA RIDGE
(Annexation)**

**CONSENT AND SUBORDINATION TO DECLARATION
BY PREMIER BANK, N.A.**

Premier Bank, N.A., is a national banking association whose address is 1111 S. Main Str., Ste. 108, Grapevine, Texas 75061.

Premier Bank, N.A. holds two promissory notes signed by Reatta Ridge 56, Ltd. One promissory note in the amount of \$1,768,223 is secured by a deed of trust covering the Reatta Ridge Phase 2 Property and the Reatta Ridge Phase 3 Property, dated October 5, 2007, recorded October 10, 2007 and recorded under instrument number 2007-120035, Real Property Records of Denton County, Texas. The second promissory note in the amount of \$1,348,393 is secured by a deed of trust covering the Reatta Ridge Phase 4 Property, dated October 5, 2007, recorded October 10, 2007 and recorded under instrument number 2007-120034, Real Property Records of Denton County, Texas.

By signing this instrument, Premier Bank consents to the recording of this First Supplement and Amendment to the Declaration of Covenants, Conditions and Restrictions for Reatta Ridge (Annexation) and agrees that the liens described above shall be subordinate to the Declaration and that foreclosure of either or both of the above described liens shall not extinguish the Declaration.

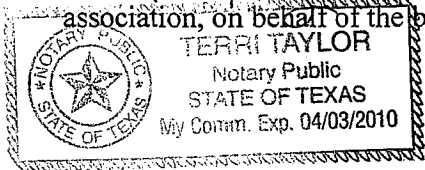
SIGNED on the date acknowledged below.

Premier Bank, N.A.

By: Ken Figs
Name: Ken Kizer
Title: President, Arlington

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on 2/27, 2008, by Ken Kizer, President of Premier Bank, a national banking association, on behalf of the bank.



Terri Taylor
Notary Public - State of Texas

EXHIBIT A

REATA RIDGE PHASE 2 PROPERTY

All property referenced and described in the Final Plat of Reatta Ridge Addition, Phase 2, as approved by the City of Justin, Texas, and filed of record in Cabinet U, Page 606 of the Plat Records of Denton County, Texas.

EXHIBIT B

REATA RIDGE PHASE 3 PROPERTY

BEING a tract of land situated in the Mary Polk Survey, Abstract No. 993, and being the remainder of Lot 1, Block 2 of Riata Ridge Addition, an addition to the City of Justin as recorded in Cabinet R, Page 319/320 and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a red plastic cap stamped "WAI" for corner in the westerly right of way line of LAKEWAY LANE (50 foot ROW), said point also being the more northeasterly corner of Lot 10, Block I of Riata Ridge Addition, Phase 2, an addituin to the City of Justin, as recorded in Cabinet U, Page 608;

THENCE South 89 deg 40 min 43 sec West a distance of 1080.20 feet to a 1/2 inch iron rod found for corner, said point being the most northwesterly corner of Lot 30, Block I of said Riata Ridge Addition Phase 2.

THENCE South 00 deg 23 min 52 sec East a distance of 8.55 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 89 deg 36 min 08 sec West a distance of 184.74 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point being the most southwesterly corner of said Lot 1, Block 2, and lying in the easterly line of a tract of land ***to John G. Rust and Amelia A. Rust, as described in a deed recorded in Volume 1124, Page 792 (DRDCT);

THENCE along the easterly line of said Lot 1, Block 2 North 00 deg 23 min 52 sec West a distance of 1046.84 feet to a Railroad Spike found for corner, said point being the most northwesterly corner of said Lot 1, Block 2;

THENCE along the northerly line of said Lot 1, Block 2 South 89 deg 44 min 25 sec East a distance of 1346.37 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point being the most northeasterly corner of said Lot 1, Block 2;

THENCE South 00 deg 15 min 35 sec West a distance of 170.00 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE North 89 deg 44 min 25 sec West a distance of 264.63 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 00 deg 15 min 35 sec West a distance of 491.99 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 51 deg 50 min 42 sec East a distance of 38.02 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the left having a radius of 370.00 feet, and a chord bearing North 70 deg 29 min 25 sec East for a distance of 63.10 feet;

CONTINUING along said non-tangent curve to the left through a central angle of 09 deg 47 min 01 sec for a distance of 63.18 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 430.90 feet, and a chord bearing North 71 deg 18 min 59 sec East for a distance of 85.68 feet;

CONTINUING along said non-tangent curve to the right through a central angle of 11 deg 26 min 09 sec for a distance of 85.83 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 00 deg 19 min 17 sec East a distance of 61.74 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 370.00 feet, and a chord bearing North 76 deg 35 min 03 sec East for a distance of 21.22 feet;

CONTINUING along said non-tangent curve to the right through a central angle of 03 deg 17 min 11 sec for a distance of 21.22 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 00 deg 19 min 17 sec East a distance of 138.62 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the left, having a radius of 275.00 feet, and a chord bearing South 82 deg 39 min 59 sec West for a distance of 20.82 feet;

CONTINUING along said non-tangent curve to the left through a central angle of 04 deg 20 min 23 sec for a distance of 20.83 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 00 deg 19 min 17 sec East a distance of 50.80 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner, said point also being the beginning of a non-tangent curve to the right having a radius of 225.00 feet, and a chord bearing North 81 deg 05 min 39 sec East for a distance of 20.90 feet;

CONTINUING along said non-tangent curve to the right through a central angle of 05 deg 19 min 29 sec for a distance of 20.91 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 00 deg 19 min 17 sec East a distance of 143.45 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 28.144 Acres or 1,225,974 Square Feet of land, more or less.

EXHIBIT C

REATA RIDGE PHASE 4 PROPERTY

BEING a tract of land situated in the A.F. Borden Survey, Abstract No. 207, Denton County, Texas and being a portion of Lot 1, Block 1 of Reatta Ridge Addition an addition to the City of Justin according to the plat recorded in Cabinet U, Slide 952 of the Plat Records of Denton County, Texas and also being a portion of a tract of land described in a deed to Dorothy J. Hardeman recorded in Volume 1073, Page 903, in the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the most northwesterly corner of a tract of land conveyed to the City of Justin, by deed, as recorded in Volume 1960, Pages 751 & 756, of the Deed Records of Denton County Texas (DRDCT), and being the northeast corner of Reatta Ridge Addition, Phase 2, an Addition to the City of Justin, as recorded in Cabinet U, Page 606, Plat Records of Denton County Texas (PRDCT);

THENCE with the north line of said Reata Ridge Phase 2 Addition and continuing with the north line of Lot 1, Block 2, Reatta Ridge Addition, an Addition to the City of Justin as recorded in Cabinet R, Page 320, PRDCT, North 89 degrees 44 minutes 25 seconds West, a distance of 2,213.17 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner, said point being the most northeasterly corner of said Lot 1, Block 2;

THENCE along the easterly right of way line of Boss Range Road (68' ROW) as follows:

North 00 degrees 16 minutes 31 seconds East, a distance of 921.99 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 89 degrees 45 minutes 55 seconds East, a distance of 46.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 00 degrees 16 minutes 31 seconds East, a distance of 134.69 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for in the southerly line of that parcel described by Special Warranty Deed with Vendor's Lien to Justin United Methodist Church as recorded in Volume 4816, Page 506, DRDCT;

THENCE easterly, departing the center line of said Road and along the center of Trail Creek and the southerly line of said Justin United Methodist Church tract as follows:

South 81 degrees 31 minutes 23 East, a distance of 274.73 feet to a point for corner;

South 86 degrees 10 minutes 37 seconds East, a distance of 120.87 feet to a point for corner;

North 85 degrees 08 minutes 58 seconds East, a distance of 176.77 feet to a point for the southeast corner of said Justin United Methodist Church tract;

THENCE continuing easterly with said creek centerline as follows:

North 76 degrees 33 minutes 58 seconds East, a distance of 102.43 feet to a point for corner;

North 51 degrees 40 minutes 13 seconds East, a distance of 247.32 feet to a point for corner;

North 73 degrees 19 minutes 51 seconds East, a distance of 121.74 feet to a point for corner;

North 83 degrees 49 minutes 05 seconds East, a distance of 80.52 feet to a point for corner;

South 79 degrees 54 minutes 56 seconds East, a distance of 75.10 feet to a point for corner;

South 70 degrees 45 minutes 36 seconds East, a distance of 79.29 feet to a point for corner;

South 53 degrees 26 minutes 24 seconds East, a distance of 59.14 feet to a point for corner;

South 38 degrees 10 minutes 40 seconds East, a distance of 341.02 feet to a point for corner;

South 69 degrees 17 minutes 02 seconds East, a distance of 119.29 feet to a point for the southwest corner of Buddy Hardeman Addition, Phase III, an Addition to the City of Justin as recorded in Cabinet U, Page 710, PRDCT;

THENCE continuing easterly with the center of said creek and the southerly line of said Buddy Hardeman Addition as follows:

North 89 degrees 36 minutes 08 seconds East, a distance of 172.68 feet to a point for corner;

North 85 degrees 36 minutes 41 seconds East, a distance of 165.05 feet to a point for corner;

North 81 degrees 53 minutes 17 seconds East, a distance of 30.60 feet to a point for corner;

North 89 degrees 47 minutes 44 seconds East, a distance of 232.63 feet to a point for corner;

South 76 degrees 58 minutes 14 seconds East, a distance of 75.21 feet to a point for corner;

South 80 degrees 17 minutes 48 seconds East, a distance of 120.46 feet to a

point for corner;

South 86 degrees 51 minutes 21 seconds East, a distance of 168.50 feet to a point for corner;

South 82 degrees 39 minutes 06 seconds East, a distance of 92.85 feet to a point for corner;

South 85 degrees 24 minutes 46 seconds East, a distance of 43.17 feet to a point for corner;

THENCE departing the centerline of said Trail Creek, South 01 degrees 42 minutes 43 seconds East, a distance of 839.71 feet to a 1/2-inch iron rod with red cap stamped W.A.I. set for corner;

THENCE North 88 degrees 09 minutes 07 seconds West, a distance of 112.43 feet to a 1/2 inch iron rod with a red cap stamped W.A.I. set for corner;

THENCE South 00 degrees 06 minutes 49 seconds East, a distance of 277.52 feet to a 1/2 inch iron rod with a red cap stamped W.A.I. set for corner;

THENCE South 89 degrees 46 minutes 23 seconds West, a distance of 40.03 feet to a 1/2 inch iron rod with a red cap stamped W.A.I. set for corner;

THENCE South 00 degrees 49 minutes 32 seconds West, a distance of 489.50 feet to a 1/2 inch iron rod with a red cap stamped W.A.I. set for corner in the northerly line of Lot 3, Block 1, of said Reatta Ridge Addition;

THENCE North 89 degrees 44 minutes 52 seconds West, a distance of 307.38 feet to a 1/2-inch iron rod found for the northwest corner of said Lot;

THENCE northerly with the east line of Reatta Ridge Addition, Phase 1, an Addition to the City of Justin as recorded in Cabinet T, Page 260 PRDCT and Reatta Ridge Addition Phase II, North 00 degrees 19 minutes 02 seconds East, a distance of 624.69 feet to a 1/2 inch iron rod found for corner on the southerly line of the aforesaid City of Justin parcel;

THENCE South 89 degrees 31 minutes 45 seconds East, a distance of 75.18 feet to a 1/2-inch iron rod found for corner;

THENCE North 00 degrees 14 minutes 59 seconds East, a distance of 150.58 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 89 degrees 46 minutes 08 seconds West, a distance of 150.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 67.807 acres of land or 2,953,669 square feet of land more or less.