

Bill & Return to  
University Title Company  
P.O. Box Drawer DT  
College Station, Texas 77841

Doc 00275903 Bk RF

Vol 1577

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GF# 1540611 **SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
KING OAKS SECTION FOUR**

THIS SUPPLEMENTAL DECLARATION is made this 11 day of September, 2015, by Southstar at King Oaks, LLC (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain Declaration of Covenants, Conditions and Restrictions for King Oaks under Clerk's Doc. # 00212660 in the official public records of Grimes County, Texas (herein referred to as the "Master Declaration"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for King Oaks under Clerk's Doc. # 00246778 in the official public records of Grimes County, Texas (herein referred to as the "First Amendment to the Master Declaration"); and

WHEREAS, Declarant prepared and filed of record that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions for King Oaks under Clerk's Doc. # 00266017 in the official public records of Grimes County, Texas (herein referred to as the "Second Amendment to the Master Declaration"); and

WHEREAS, Declarant prepared and filed of record that certain Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions for King Oaks under Clerk's Doc. # 00260983 in the official public records of Grimes County, Texas (herein referred to as the "Fourth Supplement to the Master Declaration"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section One under Clerk's Doc. # 00212661 in the official public records of Grimes County, Texas (herein referred to as the "Section One Supplemental"); and

WHEREAS, Declarant prepared and filed of record that certain First Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section One under Clerk's Doc. # 00260980 in the official public records of Grimes County, Texas (herein referred to as the "First Amendment to the Section One Supplemental"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section One A under Clerk's Doc. # 00214645 in the official public records of Grimes County, Texas (herein referred to as the "Section One A Supplemental"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain First Amendment to the Supplement Declaration of Covenants, Conditions and Restrictions for King Oaks Section One A under Clerk's Doc. #00216012 in the official public records of Grimes County, Texas (herein referred to as the "First Amendment to the Section One A Supplemental"); and

WHEREAS, Declarant prepared and filed of record that certain Second Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section One A under Clerk's Doc. # 00260981 in the official public records of Grimes County, Texas (herein referred to as the "Second Amendment to the Section One A Supplemental"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section Two under Clerk's Doc. # 00217482 in the official public records of Grimes County, Texas (herein referred to as the "Section Two Supplemental"); and

WHEREAS, Declarant's predecessor in title prepared and filed of record that certain First Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section Two under Clerk's Doc. # 00218710 in the official public records of Grimes County, Texas (herein referred to as the First Amendment to the Section Two Supplemental"); and

WHEREAS, Declarant prepared and filed of record that certain Second Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for King Oaks Section Two under Clerk's Doc. # 00260982 in the official public records of Grimes County, Texas (herein referred to as the Second Amendment to the Section Two Supplemental"); and

WHEREAS, pursuant to the terms of Article 7 of the Declaration, the Declarant may submit certain additional property described on Exhibit "B" of the Declaration to the terms of the Declaration; and

WHEREAS, Declarant is the owner of the real property described on Exhibit "A"; attached hereto ("Additional Property"); and

WHEREAS, the Declarant desires to submit the Additional Property to the terms of the Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects the real property described on Exhibit "A" hereof to the provisions of the Master Declaration and this Supplemental Declaration, which shall apply to such property in addition to the provisions of the Master Declaration. Such property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of this Supplement Declaration and the Master Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title, or interest in such property, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this Supplemental Declaration shall be binding upon in accordance with the terms of the Declaration.

## ARTICLE 1

### Definitions

The definitions set forth in Article 1 of the Declaration are hereby incorporated by reference, unless said terms are otherwise defined herein.

## ARTICLE 2

### Neighborhood Designation

The Property is hereby annexed into, and shall hereafter be subject to the terms and provisions of, the Declaration, except as otherwise provided in the Supplemental Declaration. Whenever the term "Property" is used in the Declaration, such term shall hereafter include the Property described on Exhibit "A" of this Supplemental Declaration, except as otherwise provided in this Supplemental Declaration or in the Declaration. The Property shall be designated as a Neighborhood which shall be known as King Oaks Section Four.

ARTICLE 3  
Use Restrictions

In addition to the Use Restrictions set forth in Article 10 of the Declaration, the following shall apply to King Oaks Section Four:

3.1 Lot Construction. No Lot shall contain more than one dwelling. The dwelling contained on the Lot shall meet the following standards:

(a) All dwellings must have no less than twenty two hundred (2200) square feet of living area, excluding porches and garages. One and one-half (1 ½ ) and two (2) story houses must have no less than fourteen hundred (1400) square feet of living area, excluding porches and garages, on the ground floor. All improvements, including but not limited to the dwelling, must be constructed using new material and must be comprised of seventy-five percent (75%) masonry. The term "masonry" shall not include "hardiplank" material, aluminum, asbestos, plywood, concrete block, or vinyl or metal siding.

(b) Lots consisting of one and one half (1 ½ ) acres or less shall have no more than two (2) buildings, with the dwelling being considered as one building. A detached garage, barn, workshop, etc., shall be considered as a separate building for purposes of this paragraph. No guesthouse or servant's quarters shall be built on Lots consisting of one and one half (1 ½ ) acres or less. A Lot consisting of more than one and one half (1 ½ ) acres may have a maximum of three (3) buildings, including the dwelling, located on it. Said Lots may have a guesthouse so long as such guesthouse (i) contains a minimum of five hundred (500), and no more than one thousand (1000), square feet, and (ii) is built during or after completion of construction of the dwelling. Improvements on all Lots must be built on a concrete slab or on a pier foundation, constructed with concrete and rebar. All shingle roofs must have a minimum thirty (30) year life. Detached garages, workshops and barns must be erected, altered or placed on the property, either during or after construction of the dwelling and shall be no larger than fifty percent (50%) of the main dwelling (excluding all attached guest houses), based on square footage of living area. Workshops, barns and detached garages may be the same height as the dwelling, but no taller.

3.2 Garages. All dwellings must have a garage, whether detached or attached, and such garage must hold a minimum of two (2) cars and a maximum of four (4) cars, must have finished interiors (sheet rocked, taped/floated and painted). Detached garages must be at least thirty (30) feet behind the front wall of the main dwelling. The garage doors and openings for the garage doors must face the side or

rear lot lines for all size residential dwellings, and shall not face a street unless the Lot is situated on a corner, then and only then, may the garage door(s) face a street but under no circumstances shall the garage door(s) ever face the front property line or the street on which the front door of the primary residential dwelling faces. The primary dwelling must face the front lot line or front property line and the street. No carports shall be allowed. Porticos may be allowed by the Architectural Review Board or appropriate architectural control reviewing body on a case-by-case basis. Construction of all dwellings and other improvements commenced on any Lot shall be completed as to exterior finish and appearance within one (1) year from the date of commencements.

3.3 Driveways. Driveways must be surfaced with either concrete, exposed aggregate, brick pavers or a combination thereof. Asphalt is not permitted. Driveways must be surfaced upon completion of construction of the dwelling. Driveway culverts must have a concrete end treatments. Refer to the Architectural Site Design Guidelines for details.

3.4 Landscaping. All homes must be landscaped. (See Design Guidelines for details.)

3.5 Animal Husbandry. FFA or 4H school project animals will be permitted on tracts of 1.5 acres or greater with prior written consent and approval of the Committee. Dogs must be kept in a kennel, dog run, or fenced in area that confines said dog(s) to that area.

#### ARTICLE 4

##### Amendment to Supplemental Declaration

4.1 By Declarant. This Supplemental Declaration may be unilaterally amended by the Declarant in accordance with Section 15.2(a) of the Declaration.

4.2 By Members. In addition to the requirements of Section 15.2(b) of the Declaration with respect to amendment by members, any amendment to this Supplemental Declaration shall also require the written consent or affirmative voted, or any combination thereof, of Members holding at least sixty-seven percent (67%) of the total Class "A" votes allocated to the Lots subject to this Supplemental Declaration.

ARTICLE 5

Declaration

Except as specifically amended hereby, the Declaration and all terms thereof shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration the day and year first above written.

DECLARANT:

SOUTHSTAR AT KING OAKS, LLC, a Texas limited liability Company

By: [Signature]

Name: THAS RUTHERFORD

Printed: \_\_\_\_\_

Title: Senior VP of Operations

THE STATE OF TEXAS ~

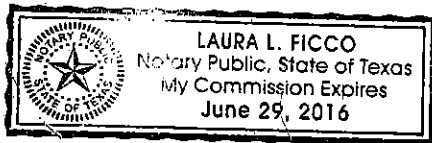
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COUNTY OF DALLAS ~

This instrument was acknowledged before me on this 11 day of September, 2015 by THAS RUTHERFORD, Senior VP of Operations of SouthStar at King Oaks, LLC, a Texas limited liability company, on behalf of said limited liability company.

[Signature]

Notary Public, State of Texas



FIELD NOTES  
285.872 ACRES

Being all that certain tract or parcel of land lying and being situated in HENRY B. GREENWOOD SURVEY, Abstract No. 228 and GWYN MORRISON SURVEY, Abstract No. 326 in Grimes County, Texas and being all of the 285.872 acre Tract Three described in the deed from Bluegreen Southwest One, L.P. to SouthStar at King Oaks, LLC recorded in Volume 1416, Page 694 of the Real Property Records of Grimes County, Texas (R.P.R.G.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 5/8-inch iron rod marking the lower northeast corner of the said 285.872 acre tract, the southeast corner of the called 100 acre Lena Finley tract recorded in Volume 301, Page 829 of the Grimes County Deed Records (G.C.D.R.) and Volume 326, Page 443 (G.C.D.R.) and being in the west line of the called 35 acre W.H. Lavender tract recorded in Volume 308, Page 153 (G.C.D.R.);

THENCE: S 02° 40' 39" E along the common line of the said 285.872 acre Southstar tract and the called 35 acre Lavender tract for a distance of 1245.63 feet to a found 5/8-inch iron rod marking the northeast corner of Martin's Prairie Cemetery recorded in Volume 1041, Page 14 (R.P.R.G.C.) and Volume 1222, Page 136 (R.P.R.G.C.) and being in the northwest margin of County Road No. 175;

THENCE: S 87° 01' 10" W along the common line of the said 285.872 acre tract and the Martin's Prairie Cemetery tract, adjacent to a chain link fence, for a distance of 477.71 feet to the center of a 2-foot by 2-foot brick column for corner;

THENCE: S 02° 28' 56" W continuing along the said common line and chain link fence for a distance of 299.69 feet to the center of a 2-foot by 2-foot brick column marking the southwest corner of said Martin's Prairie Cemetery;

THENCE: N 89° 54' 05" E continuing along said common line and chain link fence for a distance of 369.50 feet to a found 5/8-inch iron rod in the west margin of the beforementioned County Road No. 175 for corner;

THENCE: continuing along the east line of the said 285.872 acre tract, the beforesaid west margin of County Road No. 175 and generally west of a wire fence for the following six calls:

- 1) S 08° 32' 13" W for a distance of 95.12 feet to a 5/8-inch iron rod set for corner,
- 2) S 07° 50' 16" W for a distance of 142.33 feet to a 5/8-inch iron rod set for corner,
- 3) S 09° 19' 30" W for a distance of 150.11 feet to a 5/8-inch iron rod set for corner,
- 4) S 16° 28' 04" W for a distance of 94.11 feet to a 5/8-inch iron rod set for corner,
- 5) S 21° 01' 57" W for a distance of 98.78 feet to a 5/8-inch iron rod set for corner and
- 6) S 31° 14' 37" W for a distance of 19.92 feet to a found 5/8-inch iron rod marking the east corner of a variable width right-of-way dedication as depicted on KING OAKS, SECTION 2 REPLAT recorded in Volume 1239, Page 403 (R.P.R.G.C.);

THENCE: along the northerly lines of said KING OAKS SECTION 2 REPLAT for the following thirty-three (33) calls:

- 1) N 65° 54' 22" W for a distance of 416.54 feet to a found 5/8-inch iron rod marking the north corner of Scarborough Drive right-of-way (based on a 60-foot width),
- 2) 102.49 feet in a clockwise direction along the arc of a curve having a central angle of 12° 29' 39", a radius of 470.00 feet, a tangent of 51.45 feet and a long chord bearing S 33° 27' 17" W at a distance of 102.29 feet to a found 5/8-inch iron rod for corner;
- 3) N 44° 15' 36" W for a distance of 330.94 feet to a found 5/8-inch iron rod for corner,
- 4) S 77° 12' 49" W for a distance of 221.35 feet to a found 5/8-inch iron rod for corner,
- 5) S 89° 12' 57" W for a distance of 274.32 feet to a found 5/8-inch iron rod for corner,
- 6) N 44° 44' 08" W for a distance of 179.02 feet to a found 5/8-inch iron rod for corner,
- 7) S 84° 47' 19" W for a distance of 218.09 feet to a found 5/8-inch iron rod for corner,
- 8) N 74° 26' 24" W for a distance of 94.53 feet to a found 5/8-inch iron rod for corner,
- 9) N 50° 12' 33" W for a distance of 99.95 feet to a found 5/8-inch iron rod for corner,
- 10) S 54° 17' 42" W for a distance of 165.20 feet to a found 5/8-inch iron rod for corner,
- 11) N 76° 59' 41" W for a distance of 418.93 feet to a found 5/8-inch iron rod for corner,
- 12) S 38° 39' 59" W for a distance of 413.11 feet to a found 5/8-inch iron rod for corner,
- 13) S 22° 43' 21" W for a distance of 640.94 feet to a found 5/8-inch iron rod for corner,
- 14) S 31° 41' 09" W for a distance of 193.70 feet to a found 5/8-inch iron rod for corner,
- 15) N 70° 41' 24" W for a distance of 755.62 feet to a found 5/8-inch iron rod for corner,
- 16) N 72° 29' 56" W for a distance of 539.53 feet to a found 5/8-inch iron rod for corner,
- 17) 17.65 feet in a counter-clockwise direction along the arc of a curve having a central angle of 03° 03' 50", a radius of 330.00 feet, a tangent of 8.83 feet and a long chord bearing N 19° 01' 59" E at a distance of 17.64 feet to a found 5/8-inch iron rod for the Point of Tangency,
- 18) N 17° 30' 04" E for a distance of 106.66 feet to a found 5/8-inch iron rod marking the northeast corner of Balfour Street right-of-way (based on a 60-foot width),
- 19) N 72° 29' 56" W for a distance of 330.00 feet to a found 5/8-inch iron rod for corner,
- 20) N 42° 23' 58" W for a distance of 476.06 feet to a found 5/8-inch iron rod for corner,
- 21) 163.69 feet in a counter-clockwise direction along the arc of a curve having a central angle of 28° 25' 11", a radius of 330.00 feet, a tangent of 83.56 feet and a long chord bearing N 33° 23' 26" E at a distance of 162.01 feet to a found 5/8-inch iron rod for the Point of Tangency
- 22) N 19° 10' 51" E for a distance of 78.11 feet to a found 5/8-inch iron rod marking the northeast corner of Durham Road right-of-way (based on a 60-foot width),
- 23) N 70° 49' 09" W for a distance of 350.54 feet to a found 5/8-inch iron rod for corner,
- 24) N 34° 56' 40" E for a distance of 81.17 feet to a found 5/8-inch iron rod for corner,
- 25) N 11° 16' 01" E for a distance of 400.00 feet to a found 5/8-inch iron rod for corner,
- 26) N 36° 20' 45" E for a distance of 225.00 feet to a found 5/8-inch iron rod for corner,
- 27) N 01° 40' 58" W for a distance of 900.00 feet to a found 5/8-inch iron rod for corner,
- 28) N 88° 19' 02" E for a distance of 10.00 feet to a found 5/8-inch iron rod marking the southeast corner of Lancaster Street right-of-way (based on a 60-foot width),
- 29) N 01° 40' 58" W for a distance of 60.00 feet to a found 5/8-inch iron rod for corner,
- 30) N 88° 19' 02" E for a distance of 295.00 feet to a found 5/8-inch iron rod for corner,
- 31) N 01° 40' 58" W for a distance of 1290.88 feet to a found 5/8-inch iron rod for corner,
- 32) N 31° 43' 14" W for a distance of 116.16 feet to a found 5/8-inch iron rod for corner,
- 33) S 88° 04' 30" W for a distance of 701.44 feet to a found 5/8-inch iron rod for corner in the east line of Lot W2, KING OAKS, SECTION 1 Subdivision as recorded in Volume 1204, Page 197 (R.P.R.G.C.),



THENCE: N 01° 55' 30" W along the said east line of KING OAKS, SECTION 1 Subdivision for a distance of 520.84 feet to a found 5/8-inch iron rod marking the northeast corner of said SECTION 1 and being in the south line of a called 10.000 acre Lynn Charles Lawrence Tract 38 as recorded in Volume 812, Page 66 (R.P.R.G.C.), said iron rod also being at or near the common line of the JOHN MONTGOMERY SURVEY, Abstract No. 324 and the beforesaid GWYN MORRISON SURVEY, A-326;

THENCE: N 88° 19' 02" E along the common line of this tract, the south line of said Tract 38 and the south line of a called 10.000 acre Lynn and Yolanda Lawrence Tract 37 as recorded in Volume 815, Page 367 (R.P.R.G.C.) for a distance of 1182.33 feet to a found 5/8-inch iron rod marking the common most southerly corner of said Tract 37 and the called 10.000 acre Larry and Rebecca Thomson Tract 31 recorded in Volume 732, Page 316 (R.P.R.G.C.);

THENCE: N 88° 19' 02" E along the common line of this tract and said Tract 31 for a distance of 453.93 feet to a found 5/8-inch iron rod marking the common most southerly corner of the said Tract 31 and the called 10.000 acre Kelvin and Carolyn Miller Tract 30 as recorded in Volume 661, Page 410 (R.P.R.G.C.);

THENCE: N 88° 08' 33" E along the common line of this tract and said Tract 30 for a distance of 170.20 feet to a found 3/4-inch iron rod marking the northerly northeast corner of the said 285.872 acre tract and being at or near the common most northerly corner of said HENRY B. GREENWOOD, A-228 and GWYN MORRISON, A-326 SURVEYS;

THENCE: S 00° 34' 45" E along the east line of the said 285.872 acre tract for a distance of 1330.03 feet to a found 3-inch by 3-inch concrete monument marking the southwest corner of the called 10.000 acre Claude Kellogg Tract 29 recorded in Volume 598, Page 549 (R.P.R.G.C.) and the northwest corner of the called 100 acre Lena Finley tract, said line being in or near the common line of the said HENRY B. GREENWOOD, A-228 and GWYN MORRISON, A-326 SURVEYS;

THENCE: S 00° 34' 45" E continuing along the common line of the said 285.872 acre tract and the called 100 acre Finley tract for a distance of 871.47 feet to a found 5/8-inch iron rod for corner;

THENCE: N 88° 09' 06" E continuing along the common line of the said 285.872 acre tract and the called 100 acre Finley tract for a distance of 3509.82 feet to the POINT OF BEGINNING and containing 285.872 acres of land, more or less.

GUARANTY TITLE COMPANY  
OF GRIMES COUNTY  
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NAVASOTA, TX 77868