

**SIXTH AMENDED  
SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES  
AND LIENS FOR RIO ESCONDIDO SUBDIVISION  
TO ANNEX PROPERTY - PHASE 6**

STATE OF TEXAS           §  
  §   **KNOWN ALL MEN BY THESE PRESENTS**  
COUNTY OF CORYELL     §  
COUNTY OF HAMILTON   §

THIS Sixth Amended Supplemental Declaration is made by LSLP Evant, LLC, a Delaware Limited Liability Company, hereinafter referred to as the "Declarant":

**W I T N E S S E T H:**

WHEREAS, the Declarant is the owner of the real property known as Rio Escondido Subdivision, Rio Escondido Subdivision Phase 2, Rio Escondido Subdivision Phase 3 and Rio Escondido Subdivision Phase 4 as described in the Declarations identified below and it to develop thereon a residential subdivision; and

WHEREAS, LSLP Evant II, LLC is the owner of real property known as Rio Escondido Subdivision Phase 5, which Declarant annexed into the Rio Escondido Subdivision and made the property subject to the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens filed on June 24, 2020, in Coryell County, Texas and filed on June 3, 2020, in Hamilton County, Texas; and

WHEREAS, on June 3, 2020, Declarant filed of record the Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on June 24, 2020, Declarant filed of record the Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision under Instrument Number 327337 of the Official Public Records of the Coryell County Clerk, Coryell County Texas; and

WHEREAS, on June 25, 2020, Declarant filed of record the Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property – Phase 2 under Instrument Number 327355 of the Official Public Records of the Coryell County Clerk, Coryell County Texas and under Instrument Number 20201117 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on July 6, 2020, Declarant filed of record the First Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 2 under Instrument Number 327673 of the Official Public Records of the Coryell County Clerk, Coryell County Texas and under Instrument Number 20201201 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on July 24, 2020 Declarant filed of record the Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 3 under Instrument Number 328304 of the Official Public Records of the Coryell County Clerk, Coryell County Texas and under Instrument Number 20201333 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on September 18, 2020 Declarant filed of record the Third Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property – Phase 4 under Instrument Number 330081 of the Official Public Records of the Coryell County Clerk, Coryell County Texas and under Instrument Number 20201749 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on October 6, 2020 Declarant filed of record the Fourth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex An Additional 45.174 Acres Into Phase 4 under Instrument Number 20201872 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on October 7, 2020 Declarant filed of record the Fourth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex An Additional 45.174 Acres Into Phase 4 under Instrument Number 330685 of the Official Public Records of the Coryell County Clerk, Coryell County Texas; and

WHEREAS, on February 22, 2021 Declarant filed of record the Fifth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property - Phase 5 under Instrument Number 20210289 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas; and

WHEREAS, on February 19, 2021 Declarant filed of record the Fifth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for Rio Escondido Subdivision to Annex Property - Phase 5 under Instrument Number 334811 of the Official Public Records of the Coryell County Clerk, Coryell

County Texas; and

WHEREAS, the above referenced Declarations allow for the Declarant, in its discretion to incorporate any additional real property as additional phases of the Subdivision and bring the same under the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision; and

WHEREAS, LSLP Evant II, LLC has requested Declarant to include the property described below, being 1666.56 acres, into the development of the Rio Escondido Subdivision to be known as Rio Escondido Subdivision Phase 6 and to have the property be subject to the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens filed on June 24, 2020, in Coryell County, Texas and filed on June 3, 2020, in Hamilton County, Texas; and

WHEREAS, the Declarant and LSLP Evant II, LLC now desire to bring an additional 1666.56 acres into Phase 6 of the Subdivision and have it be subject to the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens filed on June 24, 2020, in Coryell County, Texas and on June 3, 2020, in Hamilton County, Texas;

NOW THEREFORE, the Declarant declares that the real property owned by LSLP Evant II, LLC containing 1666.56 acres and fully described below, shall be annexed into the subdivision known as Rio Escondido Subdivision Phase 6, and shall be held, transferred, sold, conveyed and occupied subject to the Texas Property Code and subject to the covenants, restrictions, easements, charges and liens filed of record under Instrument Number 327337 of the Official Public Records of Coryell County, Texas and filed of record under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County Texas and any other supplemental declarations filed of record.

## ARTICLE I Definitions

Section 1. Any words not defined in this Sixth Amended Supplemental Declaration shall have the same meaning assigned in the Declaration filed of record under Instrument Number 327337 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and filed of record under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas. The following words when used in this Sixth Amended Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

- (a) "Additional Property" shall mean and refer to the additional 1666.56 acres that the Declarant and LSLP Evant II, LLC are developing, known as Rio Escondido Phase 6, which includes 143 lots and is described by plat and by metes and bounds on Exhibit "A".

(b) "Original Declaration" shall mean and refer to the Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision filed of record under Instrument Number 327337 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20200948 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(c) "Supplemental Declaration" shall mean and refer to the Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 2 filed of record under Instrument Number 327355 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201117 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(d) "First Amended Supplemental Declaration" shall mean and refer to First Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 2 filed of record under Instrument Number 327673 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201201 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(e) "Second Amended Supplemental Declaration" shall mean and refer to Second Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 3 filed of record under Instrument Number 328304 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201333 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(f) "Third Amended Supplemental Declaration" shall mean and refer to the Third Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 4, filed of record under Instrument Number 330081 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201749 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(g) "Fourth Amended Supplemental Declaration" shall mean and refer to the Fourth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex an additional 45.174 acres into the Rio Escondido Subdivision - Phase 4, filed of record under Instrument Number 330685 of the Official Public Records of

the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20201872 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(h) "Fifth Amended Supplemental Declaration" shall mean and refer to the Fifth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property – Phase 5, filed of record under Instrument Number 334811 of the Official Public Records of the Coryell County Clerk, Coryell County, Texas and under Instrument Number 20210289 of the Official Public Records of the Hamilton County Clerk, Hamilton County, Texas.

(i) "Sixth Amended Supplemental Declaration" shall mean and refer to this Sixth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 6.

## ARTICLE II

### Incorporation of Additional Property

Section 1. Additional Property. The 1666.56 acres of real property which is, and shall be held, transferred, sold, conveyed and occupied subject to this Sixth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 6 which is described by plat and by metes and bounds on Exhibit "A".

Section 2. Additional Phase. Declarant and LSLP Evant II, LLC elect that the Additional Property that is the subject of this Sixth Amended Supplemental Declaration be incorporated into the Subdivision to be fully covered under the Original Declaration as if it was part of the original Subdivision. This property so incorporated shall be subject to all the declarations, covenants, easements, liens, restrictions, and duties as set forth in the Original Declaration.

## ARTICLE III

### Amended Provisions

Section 1. Cattle Grazing. The Rio Escondido Property Owners' Association, Inc has or will be leasing the Common Areas of the Subdivision for cattle grazing in order to assist with maintaining an ag exemption for the Subdivision. Said grazing lease shall continue so long as the Association deems it to be in the best interest of the Subdivision. So long as the Association continues to lease the Common Areas, it will also offer to lease a Tract Owner's Lot for cattle grazing. The Rio Escondido Property Owners' Association, Inc. will sublease any acreage held under a lease to a cattle rancher. In order to maintain

and continue an ag exemption on each Tract, the Tract Owner will be responsible for contacting the Coryell County Appraisal District or the Hamilton County Appraisal District to comply with all applications and regulations. If a Tract Owner decides to not enter into a grazing lease with the Association, then the Tract Owner shall be responsible for fencing his Tract so that cattle will not enter upon his Tract. The Rio Escondido Property Owners' Association, Inc. shall not be liable for any cattle that would improperly enter onto Tract Owner's Tract or for any damages caused by said cattle due to lack of fencing by the Tract Owner. If the Association determines that the grazing lease is no longer in the best interest of the Subdivision it may form a Wildlife Management Association that as determined by Texas Property Code Section 23.51 will allow for an Ag 1-D-1 Open Space Wildlife ad valorem tax valuation on each participating Tract Owner's property that is located in Phase 6. The Wildlife Management Association is voluntary, but it is the intention of the Declarant and LSLP Evant II, LLC, who is the Developer of Rio Escondido Subdivision Phase 6, for themselves, and subsequently, for the Association and all Tract Owners in the Rio Escondido Subdivision Phase 6, to maintain this status.

#### ARTICLE IV General Provisions

Section 1. Binding Effect. All covenants, conditions, limitations, restrictions, easements, and affirmative obligations set forth in this Sixth Amended Supplemental Declaration, the Original Declaration, the Supplemental Declaration, the First Amended Supplemental Declaration, the Second Amended Supplemental Declaration, the Third Amended Supplemental Declaration, the Fourth Amended Supplemental Declaration and the Fifth Amended Supplemental Declaration shall be binding on the Owners of the Lot(s) and each and every Owner of the properties and their respective heirs, successors, and assigns, and shall run with the land. All rights, easements and agreements reserved by or granted to Declarant in the Original Declaration shall inure to the benefit of Declarant, its successors and assigns including, without limitation, the right to develop and submit additional phases. Declarant reserves the right in addition to all other rights of Declarant, to assign its rights of consent and approval as set out in this Sixth Amended Supplemental Declaration and any amendment hereto or supplement thereof, to the Association, or any assignee of Declarant's development rights.

Section 2. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

Any other terms and conditions of the Original Declaration, the Supplemental Declaration, the First Amended Supplemental Declaration, the Second Amended Supplemental Declaration, the Third Amended Supplemental Declaration, the Fourth Amended Supplemental Declaration and the Fifth Amended Supplemental Declaration shall remain in full force and effect.

This Sixth Amended Supplemental Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Rio Escondido Subdivision to Annex Property - Phase 6 shall become effective upon its recordation in the Official Public Records of the Coryell County Clerk's Office, Coryell County, Texas and the Hamilton County Clerk's Office, Hamilton County, Texas.

If any provision of this Sixth Supplemental Declaration is found to be in conflict with the Declarations, this Sixth Supplemental Declaration shall control.

IN WITNESS WHEREOF, the undersigned, being the Declarant, herein, has hereunto set its hand on this the 20<sup>th</sup> day of April 2021.

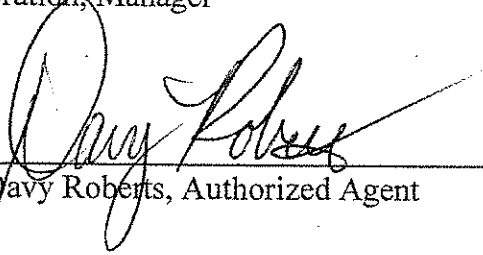
**LSLP Evant, LLC, a Delaware limited liability company**

By: American Land Partners, Inc., a Delaware corporation, Manager

By:   
Davy Roberts, Authorized Agent

**LSLP Evant II, LLC, a Delaware limited liability company**

By: American Land Partners, Inc., a Delaware corporation, Manager

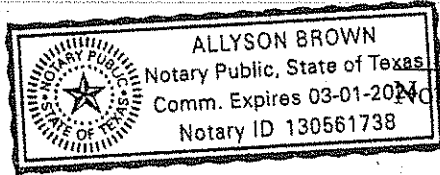
By:   
Davy Roberts, Authorized Agent

STATE OF TEXAS           §  
  §  
COUNTY OF Hamilton   §

**CERTIFICATE OF ACKNOWLEDGMENT**

Before me, the undersigned Notary Public, on this day personally appeared Davy Roberts who is personally known to me (or proved to me through a federal or state issued ID with photo and signature of person identified) to be the person whose name is subscribed to the foregoing instrument, and who has acknowledged to me that he has signed this instrument in the capacities set forth above and that by authority duly given has executed this instrument for the purposes and considerations expressed.

Given under my hand and seal of office on the 21 day of April 2021.



*Allyson Brown*  
\_\_\_\_\_  
Notary Public, State of Texas



# FILED and RECORDED

Instrument Number: 20210914 B: RP V: 582 P: 239

Filing and Recording Date: 04/21/2021 02:27:40 PM Recording Fee: 54.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the REAL PROPERTY RECORDS of Hamilton County, Texas.



A handwritten signature in black ink, appearing to read "Cynthia K. Puff", is written over a horizontal line.

Cynthia K. Puff, County Clerk  
Hamilton County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.