

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, AND LIENS ON AND FOR LONE STAR TRAILS II, CITY OF MIDLAND, TEXAS

STATE OF TEXAS

§

§ **KNOW ALL MEN BY THESE PRESENTS:**

COUNTY OF MIDLAND

§

This SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, AND LIENS ON AND FOR LONE STAR TRIALS II, SECTION 10, CITY OF MIDLAND, TEXAS (this "Supplement") is effective as of September 14, 2021 and entered into between Lone Star Trails II Homeowners' Association, a Texas non-profit corporation ("Association") and Beterbough Homes, LLC ("Applicant").

- A. WHEREAS, the DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, AND LIENS ON AND FOR LONE STAR TRAILS II, SECTION 10, CITY OF MIDLAND, TEXAS, was filed on November 25, 2019, and recorded in the Midland County Clerk Official Public Records, Document Number 2019-36273 covering the planned residential subdivision known as Lone Star Trails II, City of Midland, Texas, as more particularly described in the Declaration. (the "Declaration");
- B. WHEREAS, pursuant to the terms of the Declaration, the Applicant has petitioned the Board of Directors of the Association to approve the annexation of Lone Star Trails II, Section 10, owned by Applicant, being more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes (the "Additional Property"), into the Association

NOW, THEREFORE, Applicant hereby petitions the Board of Directors of the Association to make the Additional Property subject to the terms and conditions of the Declaration upon recordation of this Supplement. Such Additional Property is also subject to additional terms and conditions contained in the Dedication Deed and Community Guidelines previously recorded in Midland County Clerk's Instrument Number 36273 of the Official Public Records, City of Midland, Midland County, Texas (the "Additional Terms"). By its acknowledgment below, the Board of Directors of the Association evidences its approval of annexation of the Additional Property containing such Additional Terms into the Association as well as the Declaration. Such Additional Terms are only applicable to the Additional Property, and if there is found to be a conflict between such Additional Terms and the Declaration, such Additional Terms shall prevail in regards to the Additional Property.

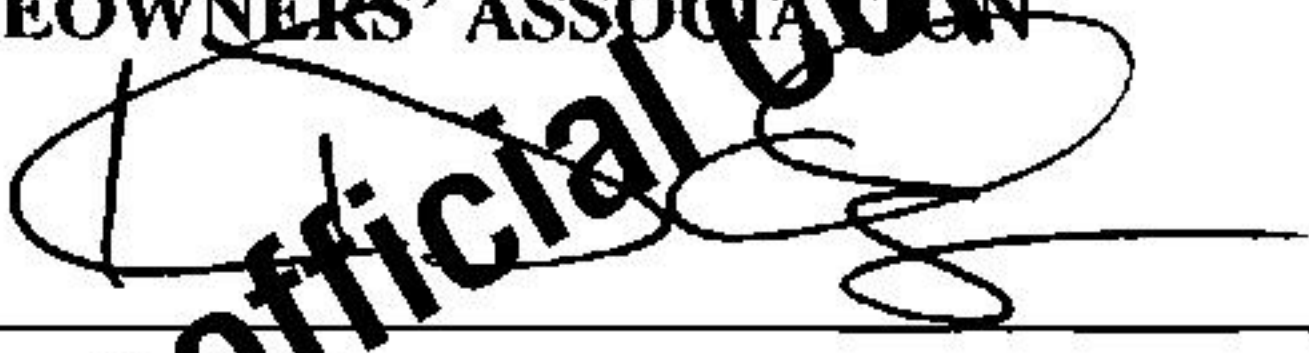
By its acknowledgment below Applicant agrees the Additional Property is subject to the terms and conditions of the Declaration upon recordation of this Supplement.

Nothing contained herein is intended or will be construed to amend the Declaration other than to add and annex the Additional Property as stated herein.

IN WITNESS WHEREOF, the Association has caused this Supplement to be executed by their authorized representatives as of the Effective Date.

ASSOCIATION:

**BOARD OF DIRECTORS OF CONE STAR TRAILS II
HOMEOWNERS' ASSOCIATION**

By:  _____

Kelly Oaks, Director

APPLICANT:

BETENBOUGH HOMES, LLC

By:  _____

Chris Berry, Authorized Agent

Midland County Clerk Unofficial Copy

Midland

Midland County Clerk Unofficial Copy

Midland

EXECUTED this 14th day of SEPTEMBER, 2021

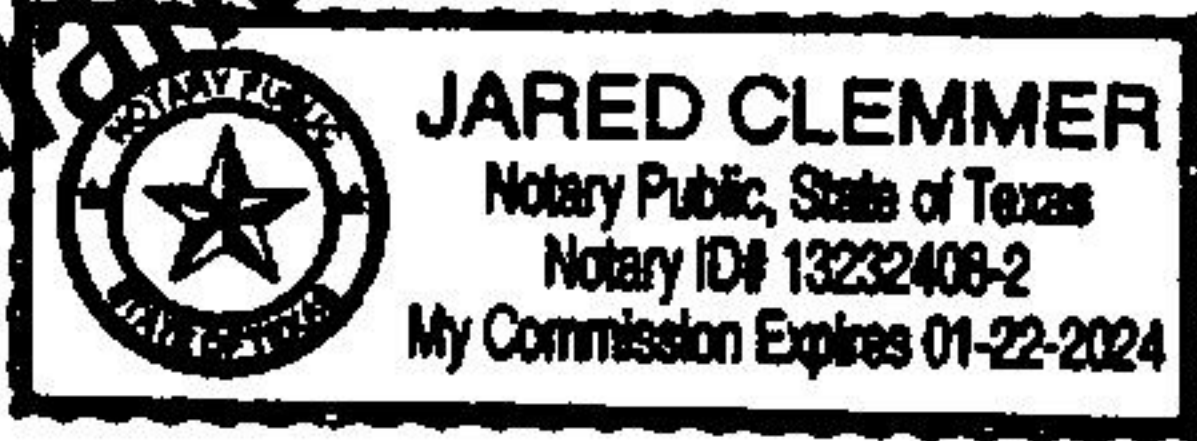
Betenbough Homes, LLC
a Texas limited liability company

By: [Signature]
Chris Berry, Authorized Agent

STATE OF TEXAS §

COUNTY OF MIDLAND §

BEFORE ME, the undersigned authority, on this day personally appeared known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that Chris Berry of Betenbough Homes, LLC, a Texas limited liability company, executed the same for the purposes and consideration therein expressed.



[Signature]
Notary Public, State of Texas

EXECUTED this 15 day of September, 2021

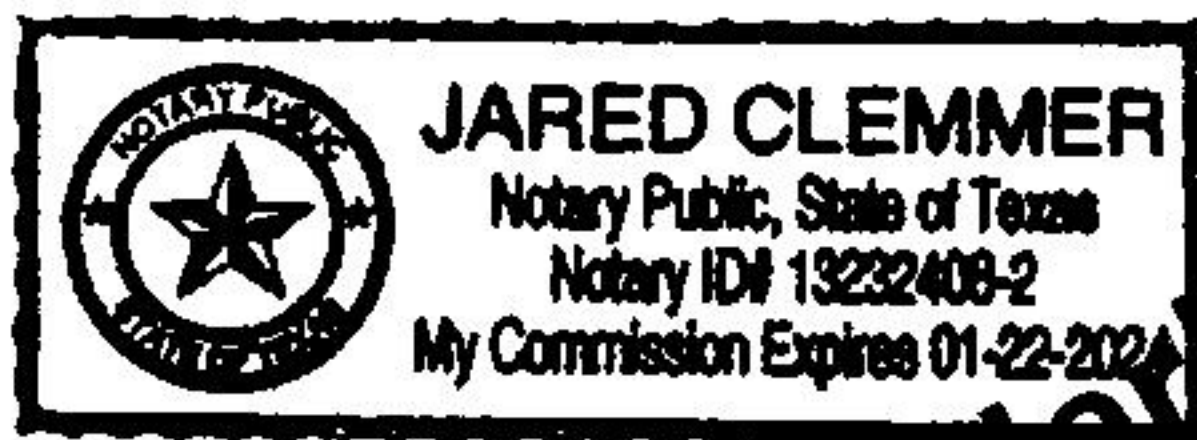
Lone Star Trails II Homeowners' Association,
a non-profit Corporation

By: [Signature]
Kelly Oaks, Director

STATE OF TEXAS §

COUNTY OF MIDLAND §

BEFORE ME, the undersigned authority, on this day personally appeared known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that Kelly Oaks of Lone Star Trails II Homeowners' Association, executed the same for the purposes and consideration therein expressed.



[Signature]
Notary Public, State of Texas

Midland County Clerk Unofficial Copy

Midland

Midland

EXHIBIT "A"

**Property: Lone Star Trails II, Section 10
Being a 12.22 Acre Tract of Land in
Section 7, Block 38, T-1-S, T. & P. RR. CO. Survey,
City and County of Midland, Texas**

**Plat Filed for record Midland County, Texas
No. 2021-28133 Cabinet M on September 9, 2021, page 108**

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Midland County
Alison Haley
Midland County
Clerk

Instrument Number: 28826

eRecording - Real Property

Recorded On: September 15, 2021 03:29 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$38.00

***** 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: 28826
Receipt Number: 20210915000157
Recorded Date/Time: September 15, 2021 03:29 PM
User: Tia H
Station: cc10294

Record and Return To:
Corporation Service Company



STATE OF TEXAS
COUNTY OF MIDLAND

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 Midland County, Texas.

Alison Haley
Midland County Clerk
Midland County, TX