

AFTER RECORDING RETURN TO:



Robert D. Burton  
Armbrust & Brown, L.L.P.  
100 Congress Ave., Suite 1300  
Austin, Texas 78701

Bk Vol Pg  
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**RIM ROCK**  
**NOTICE OF ADDITION OF LAND  
AND SUPPLEMENTAL DECLARATION  
FOR THE ANNEXATION OF RIM ROCK PHASE ONE,  
SECTION THREE INTO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR RIM ROCK**

**Declarant:** LSM RANCH, LTD., a Texas limited partnership

Cross reference to Rim Rock Declaration of Covenants, Conditions and Restrictions, recorded in Volume 2296, Page 481, Official Public Records of Hays County, Texas, as amended by that certain First Amendment to Rim Rock Declaration of Covenants, Conditions and Restrictions, recorded in Volume 2437, Page 220, Official Public Records of Hays County, Texas, and that certain Second Amendment to Rim Rock Declaration of Covenants, Conditions and Restrictions, recorded in Volume 2987, Page 528, Official Public Records of Hays County, Texas

NOTICE OF ADDITION OF LAND AND SUPPLEMENTAL DECLARATION  
FOR THE ANNEXATION OF RIM ROCK PHASE ONE, SECTION THREE  
INTO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR RIM ROCK

THE STATE OF TEXAS       §  
COUNTY OF HAYS         §

This Notice of Addition of Land and Supplemental Declaration for the Annexation of Rim Rock Phase One, Section Three into Declaration of Covenants, Conditions and Restrictions for Rim Rock (this "Notice") is made and executed by LSM RANCH, LTD., a Texas limited partnership ("Declarant"), and is as follows:

1.     **Purpose.** This Notice is filed with respect to that certain real property located in Hays County, Texas being more particularly described on Exhibit "A", attached hereto and incorporated herein by reference (the "Additional Land").

2.     **Authority.**

(a)    In accordance with Section 8.02 of that certain Rim Rock Declaration of Covenants, Conditions and Restrictions, recorded in Volume 2296, Page 481, Official Public Records of Hays County, Texas, as amended by that certain First Amendment to Rim Rock Declaration of Covenants, Conditions and Restrictions, recorded in Volume 2437, Page 220, Official Public Records of Hays County, Texas, and that certain Second Amendment to Rim Rock Declaration of Covenants, Conditions and Restrictions, recorded in Volume 2987, Page 528, Official Public Records of Hays County, Texas (the "Declaration"), Declarant may add land to the Property encumbered by the Declaration by the filing of a notice of addition of land in the Official Public Records of Hays County, Texas.

(b)    In accordance with Section 1.01 of the Declaration, Declarant may subject the Additional Land to such further restrictions, covenants or conditions as are set forth in a Supplemental Declaration encumbering the Additional Land, which restrictions, covenants or conditions may be in addition to, or different from, the restrictions, covenants and conditions set forth in the Declaration.

3.     **Added Land Subject to the Declaration.** The Additional Land is hereby made subject to the terms and provisions of the Declaration. This Notice will constitute a notice of additional of land pursuant to Section 8.02 of the Declaration.

4.     **Additional Restrictions.** This Notice will constitute a Supplemental Declaration pursuant to Section 1.01 of the Declaration, and the additional restrictions, covenants and conditions set forth below shall apply to the Additional Land. As provided in Section 1.01 of the Declaration, in the event of any conflict between the restrictions, covenants and conditions set forth in this Supplemental Declaration and the restrictions, covenants and conditions set forth in the Declaration, the restrictions, covenants and conditions set forth in this Supplemental Declaration shall control.

(a) In lieu of Section 2.01(a)(ii) of the Declaration, the following restrictions, covenants and conditions shall apply to the Additional Land:

(ii) That portion of the foundation visible from the front exterior of the structure must be concealed by extending the exterior masonry to within twenty-four inches (24") of the finished grade to minimize the visual impact of the structure's mass and height.

(b) In lieu of Section 2.01(c) of the Declaration, the following restrictions, covenants and conditions shall apply to the Additional Land:

(c) Except for garages on corner Lots and Lots with a width of no more than one hundred (100) feet, no garage may face or open toward any street or greenbelt. Garages located on corner Lots and Lots with a width of no more than one hundred (100) feet may face a street provided the Design Review Committee reviews and issues written approval of the location and design of the garage orientation and opening. Garage openings facing any street or greenbelt must be screened with landscaping approved by the Design Review Committee.

(c) In lieu of Section 2.01(f) of the Declaration, the following restrictions, covenants and conditions shall apply to the Additional Land:

(f) Unless otherwise expressly approved by the Design Review Committee, the exterior walls of any residence shall consist of one hundred percent (100%) masonry constructed in strict compliance with the requirements of the Design Review Committee. Samples of all masonry shall be submitted to and approved in advance of construction by the Design Review Committee.

(d) In lieu of Section 2.01(g) of the Declaration, the following restrictions, covenants and conditions shall apply to the Additional Land:

(g) All roofs shall be constructed of architectural dimensional heavyweight fireproof composition shingles in weathered wood or similar color, or other material expressly approved by the Design Review Committee. The color and composition of all roof materials shall be expressly approved by the Design Review Committee.

(e) Section 2.01(l) of the Declaration shall not apply to the Additional Land.

(f) Notwithstanding any provision to the contrary in the Declaration (including, without limitation, Sections 6.02(b) and (c) of the Declaration), in lieu of the architectural approval process set forth in Sections 6.02(b) and (c) of the Declaration, a homebuilder constructing improvements within the Additional Land may instead seek approval from the Design Review Committee of a "Plan Book, Material and Landscaping Submission" (the "Submission"). The Submission, as further described below, must include plans for the home designs and landscaping to be offered by the homebuilder within the Additional Land,

including the exterior elevations and landscaping associated with each plan. If the Design Review Committee approves a homebuilder's Submission, then the homebuilder will be permitted to construct improvements and install landscaping without the prior approval of the Design Review Committee, provided that such improvements and landscaping are consistent with those described in the approved Submission.

The Submission must include the following information:

- (A) Floorplans.
- (B) Elevations of all sides of each home indicating
  - (1) roof pitch
  - (2) roof peak height above the foundation
  - (3) exterior materials- walls, roof, chimney
  - (4) window specifications
  - (5) chimney cap materials/design
  - (6) heated/air conditioned square footage of each floor and the total heated/air conditioned square footage
- (C) Material samples for each plan, including stone samples (colors and patterns), mortar colors, stucco colors, trim colors, roof materials and colors, and window materials and colors.
- (D) Sample Landscaping Plan, including
  - (1) general boundaries of turf areas with type of turf noted
  - (2) general locations of all proposed plants
- (3) listing of materials to be installed (including plant list)

5. **Interpretation.** Any capitalized terms used and not otherwise defined in this Notice shall have the meaning set forth in the Declaration.

*[SIGNATURE PAGE FOLLOWS]*

EXECUTED to be effective the 17 day of APRIL, 2007.

DECLARANT:

LSM RANCH, LTD., a Texas limited partnership

By: LSM GP, Inc., a Texas corporation, its general partner

*[Handwritten Signature]*  
By: \_\_\_\_\_  
Printed Name: JOHN S. LLOYD  
Title: PRES

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on this 17<sup>th</sup> day of April, 2007, by John S. Lloyd, President of LSM GP, Inc., a Texas corporation, General Partner of LSM Ranch, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership.

(SEAL)

*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public Signature

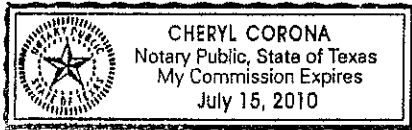


EXHIBIT "A"

All lots located in Rim Rock, Phase One, Section Three, a subdivision located in Hays County, Texas, according to the map or plat recorded in Volume \_\_\_, Page \_\_\_ of the Plat Records of Hays County, Texas.

Filed for Record in:  
Hays County  
On: Apr 17, 2007 at 03:25P  
Document Number: 70011108  
Amount: 36.00  
Receipt Number - 169063  
By:  
Rose Robinson, Deputy  
Linda C. Fritsche, County Clerk  
Hays County