



Brazos County, Texas

**Third Amendment
To
Declaration of Covenants, Conditions, and Restrictions
For The Traditions**

AFTER RECORDING, RETURN TO:

West, Webb, Allbritton & Gentry, P.C.
Attn: Michael H. Gentry
1515 Emerald Plaza
College Station, Texas 77845

**THIRD AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE TRADITIONS**

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE TRADITIONS ("Amendment") is made this 23 day of October, 2012, by BRYAN/TRADITIONS, LP, a Texas limited partnership ("Declarant").

WITNESSETH:

WHEREAS, Declarant recorded a Declaration of Covenants, Conditions, and Restrictions For The Traditions on March 3, 2004, in the Official Records of Brazos County, Texas, at Volume 5901, Page 1; and on July 12, 2006, Declarant recorded a First Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions, in the Official Records of Brazos County, Texas, at Volume 7444, Page 49 ("First Amendment"); and on May 12, 2008, Declarant recorded a Second Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Second Amendment"), in the Official Records of Brazos County, Texas, at Volume 8586, Page 52 (collectively, as amended now or in the future, the "Declaration");

WHEREAS, all capitalized terms used herein that are not otherwise defined shall have the meaning given those words in the Declaration;

WHEREAS, the Declaration identifies and defines the Initial Property and the Additional Property;

WHEREAS, TAP Lard Development Company, LLC, a Texas limited liability company, is the owner and developer of 10.9705 acres of real property, comprised of three tracts: (i) 2.038 acres described by metes and bounds on Exhibit "A" attached hereto and incorporated herein for all purposes; (ii) 8.747 acres described by metes and bounds on Exhibit "B" attached hereto and incorporated herein for all purposes; and (iii) 0.1885 acres, further identified below;

WHEREAS, the 10.9705 acres of land described above will comprise Traditions Phase 20A and will be subject to the terms and conditions of the Declaration;

WHEREAS, the 0.1885 acre tract was part of a 19.62-acre tract referred to as Parcel 3 in the Additional Property as described in the Declaration and has previously been made subject to the Declaration as part of the Second Amendment;

WHEREAS, Article XIII of the Declaration authorizes the Declarant to amend the Declaration for the purposes herein described; and

WHEREAS, Declarant desires to amend the Declaration for the purpose of submitting new tracts of land to the Property and adding that Property to the Community, pursuant to Paragraph 2.02 of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as set forth below.

1. **Definition of Initial Property and Addition of Property to the Community.** The Initial Property, as defined in the Declaration, and on Exhibit "A" to the Declaration is amended so that

all real property described in Exhibit "A" and Exhibit "B" of this Amendment is included in the definition of "Initial Property", and if not previously added to the Community, all real property described in Exhibit "A" and Exhibit "B" is submitted to the Property and added to the Community.

2. **No Other Changes.** Except as amended herein, the Declaration remains in full force and effect.

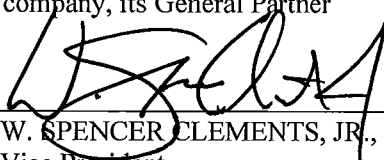
IN WITNESS WHEREOF, duly authorized officers of the undersigned Declarant have executed this Declaration under seal, this 23rd day of October, 2012.

DECLARANT:

BRYAN/TRADITIONS, LP, a Texas limited partnership

By: TRADITIONS ACQUISITION PARTNERSHIP, L.P., a Texas limited partnership, its General Partner


By: TRADITIONS ACQUISITION PARTNERSHIP GP, LLC, a Texas limited liability company, its General Partner

By: 
W. SPENCER CLEMENTS, JR.,
Vice President

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 23rd day of October, 2012, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of TRADITIONS ACQUISITION PARTNERSHIP, L.P., a Texas limited partnership, the general partners of BRYAN/TRADITIONS, LP, a Texas limited partnership, acting for and on behalf of said limited partnership.




NOTARY PUBLIC, State of Texas

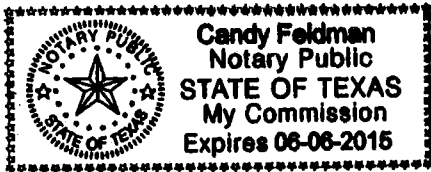
Consent and Subordination of Extraco Banks

EXTRACO BANKS, N.A., a National Banking Association joins herein solely for the purposes of subordinating its lien of record against the Property to the covenants, conditions, and restrictions contained in the Declaration and this Amendment; provided however, such subordination of EXTRACO BANKS, N.A.'s lien does not extend to any lien or charge authorized or imposed by this Declaration and this Amendment.

By: *Steve Mobley*
Name: *Steve Mobley*
Title: *City President*

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 23rd day of October, 2012, by Steve Mobley, City President of EXTRACO BANKS, N.A., a national banking association, on behalf of said national banking association.



Candy Feldman
NOTARY PUBLIC, State of Texas

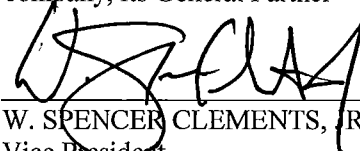
Consent of Owner

TAP Lard Development Company, LLC, a Texas limited liability company, does hereby consent to and approve the submission of the real property described in Exhibit "A" and Exhibit "B" to the Declaration and Plan and Development as described in the Declaration.

TAP LARD DEVELOPMENT COMPANY, LLC, a Texas limited liability company

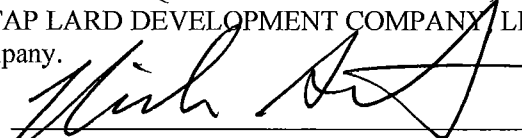
By: TRADITIONS ACQUISITION PARTNERSHIP, L.P., a Texas limited partnership, its Managing Member

By: TRADITIONS ACQUISITION PARTNERSHIP GP, LLC, a Texas limited liability company, its General Partner

By: 
W. SPENCER CLEMENTS, JR.,
Vice President

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 23 day of October, 2012, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of TRADITIONS ACQUISITION PARTNERSHIP, L.P., a Texas limited partnership, the Managing Member of TAP LARD DEVELOPMENT COMPANY, LLC, a Texas limited liability company, on behalf of said company.



NOTARY PUBLIC, State of Texas



EXHIBIT "A"

Being all that certain tract or parcel of land lying and being situated in the J. H. JONES SURVEY, Abstract No. 26 in Bryan, Brazos County, Texas and being a portion of the called 101.96 acre residual tract described in the deed from Turkey Creek Investments, Inc. to Bryan Commerce and Development, Inc. recorded in Volume 3983, Page 54 (O.R.B.C.) and a part of the called 22.72 acre Tract Four described in the deed from Traditions Acquisition Partnership, L.P. to Traditions Club Bryan, LLC recorded in Volume 9444, Page 52 (O.R.B.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at a found 1/2-inch iron rod marking the most northerly corner of the called 22.72 acre Tract Four, said tract being out of the called 101.96 acre Bryan Commerce and Development, Inc. residual tract and being in the southwesterly right-of-way line of South Traditions Drive as dedicated in Volume 4787, Page 167 (O.R.B.C.) (right-of-way width varies at this location);

THENCE: S 63° 41' 52" W along the northwesterly line of the called 22.72 acre Tract Four for a distance of 271.14 feet to a 1/2-inch iron rod set for the POINT OF BEGINNING;

THENCE: into the interior of the called 22.72 acre Tract Four for the following five (5) calls:

- 1) S 59° 27' 50" E for a distance of 15.22 feet to a 1/2-inch iron rod set for corner,
- 2) S 27° 09' 51" E for a distance of 119.12 feet to a 1/2-inch iron rod set for corner,
- 3) S 73° 00' 26" W for a distance of 354.04 feet to a 1/2-inch iron rod set for corner,
- 4) S 77° 53' 19" W for a distance of 145.69 feet to a 1/2-inch iron rod set for corner and
- 5) N 48° 32' 01" W for a distance of 48.87 feet to a 1/2-inch iron rod set for corner in the northwest line of the called 101.96 acre tract, said iron rod also being in the southeast line of the called 67.967 acre Lard Family Land Company tract recorded in Volume 10,004, Page 213 (O.R.B.C.) and being at or near the common line of the said J. H. JONES SURVEY, A-26 and the THOMAS J. WOOTEN LEAGUE, A-59, from whence a found 1/2-inch iron rod marking an angle point in the northwest line of the beforesaid 22.72 acre Tract Four bears S 41° 08' 10" W at a distance of 16.64 feet for reference;

THENCE: N 41° 08' 10" E along the common line of the 101.96 acre tract and the 67.967 acre tract, said line being at or near the said common line of the J. H. JONES SURVEY, A-26 and the THOMAS J. WOOTEN LEAGUE, A-59 for a distance of 521.38 feet to a 1/2-inch iron rod set for corner;

THENCE: S 19° 51' 26" W into the interior of the called 101.96 acre tract for a distance of 14.38 feet to a 1/2-inch iron rod set for the Point of Curvature of a curve to the right;

THENCE: 84.53 feet along the arc of said curve having a central angle of 19° 22' 22", a radius of 250.00 feet, a tangent of 42.67 feet and a long chord bearing S 29° 32' 37" W at a distance of 84.13 feet to a 1/2-inch iron rod set for corner;

THENCE: S 59° 27' 50" E for a distance of 178.27 feet to the POINT OF BEGINNING and containing 2.038 acres of land, more or less, according to a survey made on the ground under the supervision of Kevin R. McClure, Registered Professional Land Surveyor, State of Texas, No. 5650.

EXHIBIT "B"

Being all that certain tract or parcel of land lying and being situated in the THOMAS J. WOOTEN LEAGUE, Abstract No. 59 in Bryan, Brazos County, Texas and being part of the called 67.967 acre tract described in the deed from Curtis F. Lard to Lard Family Land Company recorded in Volume 10,004, Page 213 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a 1/2-inch iron rod set marking the east corner of the called 67.967 acre Lard Family Land Company tract, the south corner of the called 44.97 acre Bryan Commerce and Development, Inc. tract recorded in Volume 3978, Page 137 (O.R.B.C.), being in the northwest line of the called 101.96 acre Bryan Commerce and Development, Inc. tract recorded in Volume 3983, Page 54 (O.R.B.C.) and being in or near the common line of the said THOMAS J. WOOTEN LEAGUE, A-59 and the J. H. JONES SURVEY, Abstract No. 26;

THENCE: S 41° 08' 10" W along the common line of the called 67.967 acre and the called 101.96 acre tracts, said line being in or near the said common line of the THOMAS J. WOOTEN LEAGUE, A-59 and the J. H. JONES SURVEY, Abstract No. 26 for a distance of 670.61 feet to a found 1/2-inch iron rod marking an angle point in the northwest line of the called 22.72 acre Traditions Club Bryan, LLC Tract Four recorded in Volume 9444, Page 52 (O.R.B.C.);

THENCE: S 41° 09' 02" W along the common line of the called 67.967 acre and the called 22.72 acre tracts, said line being approximately along the common line of the THOMAS J. WOOTEN LEAGUE, A-59 and the J. H. JONES SURVEY, A-26 for a distance of 291.10 feet to a 1/2-inch iron rod set for corner,

THENCE: into the interior of the called 67.967 acre Lard Family Land Company tract for the following nineteen (19) calls:

- 1) N 49° 23' 11" W for a distance of 9.62 feet to a 1/2-inch iron rod set for corner,
- 2) N 38° 15' 39" W for a distance of 299.68 feet to a 1/2-inch iron rod set for corner,
- 3) N 43° 29' 20" E for a distance of 49.05 feet to a 1/2-inch iron rod set for corner,
- 4) N 45° 35' 45" W for a distance of 141.69 feet to a 1/2-inch iron rod set for corner,
- 5) S 44° 25' 06" W for a distance of 44.78 feet to a 1/2-inch iron rod set for corner,
- 6) N 45° 34' 54" W for a distance of 50.00 feet to a 3/4-inch iron pipe set for corner,
- 7) 39.27 feet in a counter-clockwise direction along the arc of a curve having a central angle of 90° 00' 00", a radius of 25.00 feet, a tangent of 25.00 feet and a long chord bearing N 00° 34' 54" W at a distance of 35.36 feet to a 3/4-inch iron pipe set for corner,
- 8) N 44° 28' 24" E for a distance of 50.00 feet to a 3/4-inch iron pipe set for corner,
- 9) 39.70 feet in a counter-clockwise direction along the arc of a curve having a central angle of 90° 59' 10", a radius of 25.00 feet, a tangent of 25.43 feet and a long chord bearing N 88° 55' 31" E at a distance of 35.66 feet to a 3/4-inch iron pipe set for the Point of Reverse Curvature;
- 10) 82.19 feet along the arc of said reverse curve having a central angle of 15° 41' 48", a radius of 300.00 feet, a tangent of 41.35 feet and a long chord bearing N 51° 16' 49" E at a distance of 81.93 feet to a 1/2-inch iron rod set for corner,
- 11) N 29° 36' 50" W for a distance of 209.90 feet to a 1/2-inch iron rod set for corner,
- 12) N 55° 14' 00" E for a distance of 302.21 feet to a 1/2-inch iron rod set for corner,
- 13) N 69° 30' 12" E for a distance of 59.20 feet to a 1/2-inch iron rod set for corner,
- 14) S 48° 00' 46" E for a distance of 350.00 feet to a 1/2-inch iron rod set for corner,
- 15) S 60° 46' 08" E for a distance of 143.54 feet to a 1/2-inch iron rod set for corner,
- 16) N 41° 40' 46" E for a distance of 136.89 feet to a 3/4-inch iron pipe set for corner,
- 17) N 22° 04' 51" E for a distance of 50.15 feet to a 3/4-inch iron pipe set for corner,

- 18) 38.30 feet in a counter-clockwise direction along the arc of a curve having a central angle of 87° 46' 11", a radius of 25.00 feet, a tangent of 24.05 feet and a long chord bearing N 63° 44' 32" E at a distance of 34.66 feet to a 3/4-inch iron pipe set for the Point of Tangency and
- 19) N 19° 51' 26" E for a distance of 60.24 feet to a 1/2-inch iron rod set for corner in the northeast line of the called 67.967 acre Lard Family Land Company tract, said iron rod also being in the southwest line of the called 19.62 acre Traditions Acquisition Partnership, L.P. tract recorded in Volume 9793, Page 1 (O.R.B.C.);

THENCE: S 48° 28' 10" E along the beforesaid common line for a distance of 105.58 feet to the POINT OF BEGINNING and containing 8.747 acres of land, more or less, according to a survey made on the ground under the supervision of Kevin R. McClure, Registered Professional Land Surveyor, State of Texas, No. 5650.

Filed for Record in:
BRAZOS COUNTY

On: Oct 24, 2012 at 09:57A

As a
Recordings

Document Number: 01136099

Amount 44.00

Receipt Number - 451990

By,
Betty King

STATE OF TEXAS COUNTY OF BRAZOS
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Oct 24, 2012

Karen McQueen, Brazos County Clerk
BRAZOS COUNTY