



Brazos County, Texas

**Sixteenth 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

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

THIS SIXTEENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE TRADITIONS ("Amendment") is made this 13th day of September 2019, 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; and on May 3, 2012, Declarant recorded a Third Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions, in the Official Records of Brazos County, Texas, at Volume 10681, Page 73 and then on October 23, 2012, a restated Third Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Third Amendment"), in the Official Records of Brazos County, Texas, at Volume 10973, Page 109; on February 5, 2013, Declarant recorded a Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Fourth Amendment"), in the Official Records of Brazos County, Texas, at Volume 11151, Page 39; on April 29, 2013, Declarant recorded a Fifth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Fifth Amendment"), in the Official Records of Brazos County, Texas, at Volume 11312, Page 280, as corrected by Correction Affidavit dated June 3, 2013 and recorded at Volume 11382, Page 180 in the Official Records of Brazos County, Texas; on August 29, 2013, Declarant recorded a Sixth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Sixth Amendment"), in the Official Records of Brazos County, Texas, at Volume 11601, Page 219; on February 27, 2015, Declarant recorded a Seventh Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Seventh Amendment"), in the Official Records of Brazos County, Texas, at Volume 12547, Page 281; and on March 24, 2015, Declarant recorded an Eighth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions in the Official Records of Brazos County, Texas, at Volume 12600, Page 290, as corrected by Correction Eighth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions recorded in the Official Records of Brazos County, Texas at Volume 12642, Page 20 ("Eighth Amendment"); on April 29, 2015, Declarant recorded a Ninth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Ninth Amendment"), in the Official Records of Brazos County, Texas, at Volume 12651, Page 252; on October 13, 2015, Declarant recorded a Tenth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Tenth Amendment"), in the Official Records of Brazos County, Texas, at Volume 13013, Page 130; on February 10, 2016, Declarant recorded a Eleventh Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Eleventh Amendment"), in the Official Records of Brazos County, Texas, at Volume 13175, Page 293; on July 26, 2016, Declarant recorded a Twelfth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Twelfth Amendment"), in the Official Records of Brazos County, Texas, at Volume 13508, Page 255; on July 3, 2017, Declarant recorded a Thirteenth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Thirteenth Amendment"), in the Official Records of Brazos County, Texas, at Volume 14120, Page 153; on June 4, 2018, Declarant recorded a Fourteenth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions

("Fourteenth Amendment"), in the Official Records of Brazos County, Texas, at Volume 14707, Page 189; and on August 28, 2019, Declarant recorded a Fifteenth Amendment to Declaration of Covenants, Conditions, and Restrictions For The Traditions ("Fifteenth Amendment"), in the Official Records of Brazos County, Texas, at Volume 15547, Instrument No. 1371423 (collectively, as amended now or in the future, the "Declaration"), such Declaration further identified in Management Certificate of the Traditions Homeowners Association, Inc., in the Official Records of Brazos County, Texas, at Volume 9318, Page 101 and at Volume 11382, Page 180;

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, Declarant is the owner of certain real property, more particularly described on Exhibit A attached hereto and made a part hereof (the "Omitted Property");

WHEREAS, the Omitted Property is defined as Additional Property under the terms of the Declaration;

WHEREAS, Section 2.02(a) of the Declaration authorizes the Declarant to amend the Declaration for the purposes of terminating the option to submit the Additional Property, or any portion thereof, to the Property; and

WHEREAS, Declarant desires to amend the Declaration for the purpose of terminating the option to add the Omitted Property to the Property.

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

1. **Definition of Additional Property**. The Additional Property, as defined in the Declaration, and on Exhibit "B" to the Declaration is amended so that the Omitted Property is removed from such definition.
2. **Release of Option**. The Declarant hereby terminates the option to submit the Omitted Property to the Property such that the Omitted Property shall not be subject to the option described in Section 2.02 of the Declaration.
3. **No Other Changes**. Except as amended herein, the Declaration remains in full force and effect.

[Signature Page Follows]

Consent of Owner

Pursuant to Section 2.02 of the Declaration, Declarant does hereby consent to and approve the termination of the option to add the Omitted Property to the Property.

BRYAN/TRADITIONS, LP, a Texas limited partnership

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

By:



W. SPENCER CLEMENTS, JR.,
Vice President

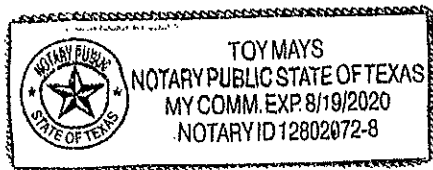
STATE OF TEXAS


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COUNTY OF BRAZOS

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This instrument was acknowledged before me on the 13th day of September, 2019, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of BRYAN/TRADITIONS, LP, a Texas limited partnership, acting for and on behalf of said limited partnership.





NOTARY PUBLIC, State of Texas

EXHIBIT A

Omitted Property

**METES AND BOUNDS DESCRIPTION
OF A
2.587 ACRE TRACT
J. H. JONES SURVEY, A-26
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE J. H. JONES SURVEY, ABSTRACT NO. 26, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 417.85 ACRE TRACT AS DESCRIBED BY A DEED TO BRYAN COMMERCE AND DEVELOPMENT, INC. RECORDED IN VOLUME 4023, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT (Y: 10204795.74, X: 3540841.13) FOUND ON THE EASTERLY LINE OF SAID REMAINDER OF 417.85 ACRE TRACT MARKING THE WEST CORNER OF A CALLED 11.14 ACRE TRACT AS DESCRIBED BY A DEED TO TRADITIONS ACQUISITION PARTNERSHIP, L.P. RECORDED IN VOLUME 15069, PAGE 231 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 5/8 INCH IRON ROD FOUND ON THE EASTERLY LINE OF SAID REMAINDER OF 417.85 ACRE TRACT MARKING THE SOUTH CORNER OF A CALLED 7.02 ACRE TRACT AS DESCRIBED BY A DEED TO CASHION FAMILY LIMITED PARTNERSHIP RECORDED IN VOLUME 11415, PAGE 138 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, BEARS: S 35° 47' 31" E FOR A DISTANCE OF 1230.84 FEET, SAID CONCRETE MONUMENT FOUND BEING ON THE NORTHEAST LINE OF A CALLED 10.00 FOOT WIDE PIPELINE EASEMENT AS DESCRIBED BY AN EASEMENT TO ETC (ENERGY TRANSFER COMPANY) RECORDED IN VOLUME 12016, PAGE 104 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. COORDINATES AND BEARING SYSTEM SHOWN HEREIN ARE NAD 83 (TEXAS STATE PLANE CENTRAL ZONE GRID NORTH) BASED ON THE PUBLISHED COORDINATES OF COLLEGE STATION CONTROL MONUMENT CS94-164 (Y: 10207269.050, X: 3541253.110) AND AS ESTABLISHED FROM GPS OBSERVATION. DISTANCES SHOWN HEREIN ARE GRID DISTANCES. TO OBTAIN SURFACE DISTANCES MULTIPLY BY A COMBINED SCALE FACTOR OF 1.00010931194 (CALCULATED USING GEOID 12B).

THENCE: N 35° 47' 31" W THROUGH SAID REMAINDER OF 417.85 ACRE TRACT AND ALONG THE NORTHEAST LINE OF SAID PIPELINE EASEMENT FOR A DISTANCE OF 268.83 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "KERR 4502" FOUND MARKING THE WEST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 53° 19' 04" E CONTINUING THROUGH SAID REMAINDER OF 417.85 ACRE TRACT FOR A DISTANCE OF 426.84 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "KERR 4502" FOUND MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 35° 49' 44" E CONTINUING THROUGH SAID REMAINDER OF 417.85 ACRE TRACT FOR A DISTANCE OF 259.20 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "KERR 4502" FOUND ON THE COMMON LINE OF SAID REMAINDER OF 417.85 ACRE TRACT AND SAID 11.14 ACRE TRACT, FOR REFERENCE A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF TURKEY CREEK ROAD MARKING A COMMON CORNER OF SAID REMAINDER OF 417.85 ACRE TRACT AND SAID 11.14 ACRE TRACT BEARS: N 52° 01' 36" E FOR A DISTANCE OF 276.82 FEET;

THENCE: S 52° 01' 36" W ALONG THE COMMON LINE OF SAID REMAINDER OF 417.85 ACRE TRACT AND SAID 11.14 ACRE TRACT FOR A DISTANCE OF 427.26 FEET TO THE **POINT OF BEGINNING** CONTAINING 2.587 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND. SEE PLAT PREPARED MARCH 2019 FOR MORE DESCRIPTIVE INFORMATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4502

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