

***THIRD AMENDED AND SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
ON AND FOR THE RIDGE***

This Third Amended and Supplementary Declaration of Covenants, Conditions, and Restrictions (the "Third Supplementary Declaration") is made this 22<sup>ND</sup> day of JUNE, 2018, by SWLLD, LLC, a Texas limited liability company (sometimes referred to herein as the "Declarant").

**RECITALS:**

1. Declarant executed a Declaration of Covenants, Conditions, Restrictions, and Easements (the "Declaration") on May 6, 2015, applicable to certain real property described in Exhibit "A" thereto and located in the County of Lubbock, State of Texas (said property being Lots 1 through 37, THE RIDGE, an Addition to the City of Lubbock, Lubbock County, Texas, a portion of Section 22, Block AK, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2015014494, of the Official Public Records of Lubbock County, Texas and Lots 38-58, THE RIDGE, an Addition to the City of Lubbock, Lubbock County, Texas, a portion of Section 22, Block AK, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2015014492, of the Official Public Records of Lubbock County, Texas. The Declaration was filed of record in Clerk's Document No. 2015015256, of the Official Public Records of Lubbock County, Texas.

2. The Declaration was supplemented and amended by instrument dated July 25, 2017, recorded on July 25, 2017 in Clerk Document No. 2017026821 of the Official Public Records of Lubbock County, Texas (the "First Supplementary Declaration"). By the First Supplementary Declaration, the Declarant added to the scheme of the Declaration Lots 59 through 81 inclusive, an Addition to the City of Lubbock, Lubbock County, Texas. The First Supplementary Declaration supplemented and amended the Declaration as set forth in said instrument. The Declaration was further supplemented and amended by instrument dated May 9, 2018, recorded on May 9, 2018 in Clerk Document No. 2018016618 of the Official Public Records of Lubbock County, Texas (the "Second Supplementary Declaration"). By the Second Supplementary Declaration, the Declarant added to the Scheme of the Declaration Lots 82-138 inclusive, Tracts A-F inclusive and Tract LS 11, The Ridge, an Addition to the City of Lubbock, Lubbock County, Texas. The Second Supplementary Declaration Supplemented and amended the Declaration and the First Supplementary Declaration as set forth in said instrument. The property described in the Declaration, the First Supplementary Declaration, the Second Supplementary Declaration and this Third Supplementary Declaration is herein referred as the "Property".

3. Article II, Section 2 of the Declaration permits the Declarant (without the joinder and consent of any person or entity) to add or annex additional real property to the scheme of the Declaration, within the "Development Period" (as "Development Period" is defined in the Declaration), by filing of record an appropriate enabling declaration, generally similar to the Declaration, extending the scheme of the Covenants (as "Covenants" is defined in Article I of the Declaration) to such additional property. Article II, Section 2 of the Declaration further provides

that the enabling declaration related to the additional property may contain such complementary additions and modifications of the Covenants as may be necessary to reflect the different character, if any, of the added properties, provided that such additions and modifications are consistent with the concept and purpose of the Declaration. In addition, Article X, Section 5. (d) of the Declaration allows the Declarant, during the Development Period, to amend the Declaration, unilaterally, for any purpose.

4. Declarant desires to add an additional supplement to the property (the "Additional Property") as described on **Exhibit "A"** in the Second Supplementary Declaration (being Lots 82 through 138 inclusive, THE RIDGE, an Addition to the City of Lubbock, Lubbock County, Texas); and, Declarant desires that the Additional Property described on **Exhibit "A"** to the Second Supplementary Declaration shall be added to the scheme of the Declaration, subject to the modifications and amendments as contained within this Third Supplementary Declaration, pertaining to said Additional Property. Declarant further desires to amend the Declaration as set forth herein, with said amendments being applicable to the Additional Property. The Development Period continues in effect, and Declarant is entitled to make this Third Supplementary Declaration without the joinder or consent of any other person or entity. As used in this Third Supplementary Declaration, the "Declaration" shall mean not only the Declaration, but also the First Supplementary Declaration, the Second Supplementary Declaration, this Third Supplementary Declaration and any other amendments or supplements to the Declaration which may in the future be filed in the Official Public Records of Lubbock County, Texas.

#### **I. SUPPLEMENTARY DECLARATION**

NOW, THEREFORE, SWLLD, LLC, Declarant, hereby declares as follows:

A. That the Additional Property described on **Exhibit "A"** attached hereto and incorporated herein by reference for all purposes is and shall be subject to the scheme of the Declaration, and is and shall be held, transferred, sold, conveyed, used, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration (the Declaration being incorporated herein by reference for all purposes as modified herein), and subject also to those documents as described in the Declaration and on **Exhibit "A.1"**; and,

B. That certain provisions of the Declaration are hereby modified or supplemented as hereinafter set forth, which modifications and/ or supplements shall be applicable to the Property and/ or the Additional Property as indicated in this Third Supplementary Declaration.

#### **II. SUPPLEMENT TO THE DECLARATION**

A. The following provisions shall be applicable to Lots 82 through 138 inclusive, The Ridge, an Addition to the City of Lubbock, Lubbock County, Texas.

1. ***Minimum Floor Space Requirements.*** In no event shall any Dwelling Unit constructed on Lots Eighty Two (82) through and including One Hundred Thirty Eight (138) have less than 1,800 square feet of air conditioned floor area. All other conditions applicable to

minimum floor space, as stated in the declaration, as Amended or Supplemented, remain in full force and effect.

**III. GENERAL PROVISIONS**

A. ***Recitals are Part of Third Supplementary Declaration.*** The Recitals to this Third Supplementary Declaration are an integral part of this Third Supplementary Declaration and are part of this document for all purposes.

B. ***Defined Terms.*** Certain words and phrases used in this Third Supplementary Declaration, as indicated by capitalization, are defined in the Declaration, and all of said words and phrases as defined in the Declaration shall have the same defined meaning when used in this Third Supplementary Declaration, and said definitions are incorporated herein by reference.

C. ***Ratification of the Declaration.*** The Declaration except as expressly modified and supplemented herein, remains in full force and effect and is hereby ratified and confirmed.

**JOINDER OF LENDER**

FIRST BANK AND TRUST CO., holder of liens of record against the Additional Property owned by Declarant (as well as the Property described in the Declaration which is owned by Declarant and which has not previously been released), joins in this Third Supplementary Declaration for the purpose of showing its assent to said Third Supplementary Declaration, as set out herein, and does hereby agree to the Declaration, the First Supplementary Declaration, the Second Supplementary Declaration and this Third Supplementary Declaration and agrees to be bound thereby.

EXECUTED as of the day and year first written above.

**DECLARANT:**

SOUTHWEST LUBBOCK LAND DEVELOPMENT, LLC, a Texas limited liability company

By: \_\_\_\_\_

Print Name: Thomas Payne

Title: MANAGER

**LENDER:**

FIRST BANK AND TRUST CO.

By: *Greg Garland*

Print Name: Greg Garland  
President

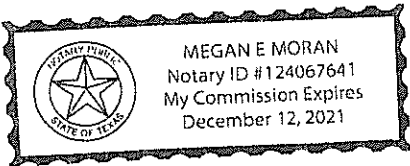
Title: \_\_\_\_\_

THE STATE OF TEXAS {}

COUNTY OF LUBBOCK {}

BEFORE ME, the undersigned, being a Notary Public in and for the State of Texas, on this day personally appeared Thomas K. Payne, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the instrument as the act of SOUTHWEST LUBBOCK LAND DEVELOPMENT, LLC a Texas limited liability company, and that he executed the instrument on behalf of said entity for the purposes and consideration expressed, and in the capacity hereinabove stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on June 20, 2018.

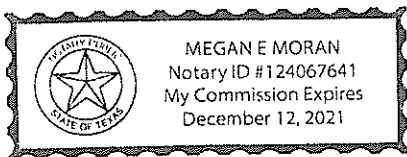


*Megan Moran*  
Notary Public, State of Texas

THE STATE OF TEXAS {}

COUNTY OF LUBBOCK {}

This instrument was acknowledged before me on the this 20 day of June, 2018, by Greg Garland, President of FIRST BANK AND TRUST CO., a state banking association, on behalf of said association.



*Megan Moran*  
Notary Public, State of Texas

**EXHIBIT "A"**  
**THE "ADDITIONAL PROPERTY"**

Lots 82 through 138 inclusive, Tracts A-F inclusive and LS-11, THE RIDGE, an Addition to the City of Lubbock, Lubbock County, Texas.

**EXHIBIT "A.1"**  
**OTHER DOCUMENTS APPLICABLE TO THE "ADDITIONAL PROPERTY"**

In addition to the Declaration, and to those documents referenced in the Declaration, the Additional Property is subject to the following documents and any amendments or supplements of said documents as reflected in the Official Public Records of Lubbock County, Texas, including any amendments or supplements made after the date of this Third Supplementary Declaration:

1. Bylaws recorded in Document No. 2015017282 of the Official Public Records of Lubbock County, Texas;
2. Management Certificate recorded in Document No. 2015028271 of the Official Public Records of Lubbock County, Texas, and any future amendments of said Management Certificate.
3. Amended and Supplementary Declaration of Covenants, Conditions, Restrictions and Easements on and for The Ridge dated July 25, 2017 recorded in Document No. 2017026821 of the Official Public Records of Lubbock County, Texas (referred to in this document as the "First Supplementary Declaration").
4. Amended and Supplementary Declaration of Covenants, Conditions, Restrictions and Easements on and for The Ridge dated May 9, 2018 recorded in Document No. 2018016618 of the Official Public Records of Lubbock County, Texas (referred to in this document as the "Second Supplementary Declaration").

**FILED AND RECORDED**

**OFFICIAL PUBLIC RECORDS**



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
06/22/2018 09:56 AM  
FEE: \$46.00  
2018023444