

HOOVER SLOVACEK LLP

A REGISTERED LIMITED LIABILITY PARTNERSHIP

SARAH ANN POWERS
OF COUNSEL

powers@hooverslovacek.com

Admitted in Texas and Colorado

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Colorado Office: (303) 908-8786

REPLY TO:
P.O. BOX 4547
HOUSTON, TEXAS 77210-4547

December 6, 2016

Ms. Maria Shaw
FirstServices Residential
12234 Shadow Creek Ranch Parkway
Suite 3112
Pearland, TX 77584

Re: Turnover documents for Shadow Creek Ranch Maintenance Association and Shadow Creek Ranch Commercial Property Owners Association

Dear Maria:

Enclosed, please find the following original documents in regards to the above-referenced matter:

1. Resignation of Director/Officers and Surrender of Right to Appoint Directors of Shadow Creek Ranch Maintenance Association;
2. Termination of Class "B" Membership - Shadow Creek Ranch Maintenance Association(recorded in Harris, Fort Bend and Brazoria Counties);
3. Supplemental and Second Amended Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association (recorded in Harris, Fort Bend and Brazoria Counties);
4. Certificate of Filing of Change of Registered Agent/Office of Shadow Creek Ranch Maintenance Association;
5. Resignation of Director/Officers, Appointment of Directors and Surrender of Right to Appoint Directors of Shadow Creek Ranch Commercial Property Owners Association, Inc.;
6. Termination of Class "B" Membership - Shadow Creek Ranch Commercial Property Owners Association, Inc. (recorded in Fort Bend and Brazoria Counties);
7. Supplemental and Second Amended Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Commercial Property Owners Association, Inc. (recorded in Fort Bend and Brazoria Counties); and
8. Certificate of Filing of Change of Registered Agent/Office of Shadow Creek Ranch Commercial Property Owners Association, Inc.

Should you have any questions, please feel free to contact me.

Very truly yours,

HOOVER SLOVACEK LLP



Sarah Ann Powers

SAP:rcw
Enclosures

{351074-00002 SAP 12/6/2016 01105734.DOCX 1 }

RESIGNATION OF DIRECTORS/OFFICERS

The undersigned Directors on the Board of Directors for the Shadow Creek Ranch Maintenance Association (the "Association"), hereby agree to resign, effective as of the end of the board of directors meeting of the Association on April 5, 2016. The undersigned Officers of the Association hereby agree to resign, effective as of the end of the board of directors meeting of the Association on April 5, 2016.


Gary Cook – Director/Officer


Drew Pelter – Director/Officer


tor


Maintenance

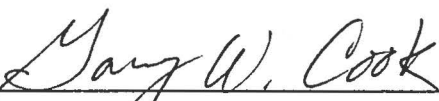
SURRENDER OF RIGHT TO APPOINT DIRECTORS

The undersigned Shadow Creek Ranch Development Company Limited Partnership, as the Declarant under the Declaration of Covenants, Restrictions, Easements, Charges and Liens for the Shadow Creek Ranch Maintenance Association, as amended, hereby agrees to surrender its right to appoint Directors to the Board of Directors for the Shadow Creek Ranch Maintenance Association (the "Association"), effective as of the end of the board of directors meeting of the Association, to be held on April 5, 2016. This Surrender of Right to Appoint Directors does not affect in any way the right of Declarant to continue to appoint the members of the NC CWSC.

DECLARANT:

SHADOW CREEK RANCH DEVELOPMENT COMPANY
LIMITED PARTNERSHIP, a Nevada limited partnership

By: Shadow Creek Ranch, Inc., a Nevada
corporation, and its general partner

By: 
Name: Gary Cook, President

TERMINATION OF CLASS "B" MEMBERSHIP
SHADOW CREEK RANCH MAINTENANCE ASSOCIATION

TO BE RECORDED IN BRAZORIA, HARRIS AND FORT BEND COUNTIES

This Termination of Class "B" Membership is executed by Shadow Creek Ranch Development Company Limited Partnership, a Nevada Limited Partnership, as the Declarant under the Declaration set forth below, under the terms and conditions hereunder set forth, and thus;

WHEREAS, Declarant executed that one certain Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association dated August 30, 2001 and recorded in Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 01042985, in the Official Public Records of Real Property of Brazoria County, Texas and re-recorded under Brazoria County Clerk's File No. 01051825, also recorded under Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, and also recorded under Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended (the "Declaration"); and

WHEREAS, such Declaration provides that the Declarant shall be the Class "B" Member of the Shadow Creek Ranch Maintenance Association, Inc. (the "Association") until the earlier to occur of:

(1) when: (a) 100% of the Assessable Tracts planned for development within the Property described on Exhibit "A" or annexed into the Property (as such plans may develop or change) have been conveyed to an Owner other than Declarant or a Sub-developer acquiring such Assessable Tract for the purpose of development and sale to third parties in the ordinary course of business, and (b) above ground, vertical improvements have begun to be constructed on all such Assessable Tracts; or

(2) December 31, 2030; or

(3) when, in its discretion, the Class B Member so determines, as determined by Recorded document.

WHEREAS, the Declarant wishes to elect to terminate such Class "B" Membership as of the end of the board of directors meeting of the Association held on April 5, 2016;

NOW THEREFORE, for and in consideration the premises herein and of other good and valuable consideration this day received by the undersigned, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned hereby declares as follows:

As of the end of the board of directors meeting of the Association held April 5, 2016, the Declarant hereby terminates the Class "B" Membership in the Association and hereby

RP-2016-149294

automatically becomes a Class "A" Member of the Association. From and after the end of such board of directors meeting, the Class "B" Membership has terminated.

Executed effective as of the end of the board of directors meeting of the Association held on April 5, 2016.

DECLARANT:

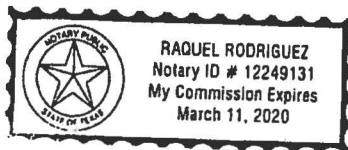
SHADOW CREEK RANCH DEVELOPMENT COMPANY
LIMITED PARTNERSHIP, a Nevada limited partnership

By: Shadow Creek Ranch, Inc., a Nevada
corporation, and its general partner

By: Gary W. Cook
Name: Gary Cook, President

STATE OF Texas §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5 day of April, 2016, by Gary Cook, President of Shadow Creek Ranch, Inc., a Nevada corporation, as the general partner of SHADOW CREEK RANCH DEVELOPMENT COMPANY LIMITED PARTNERSHIP, a Nevada limited partnership, on behalf of said entities.



Raquel Rodriguez
Notary Public in and for
The State of Texas

RP-2016-149294

RP-2016-149294

Pages 3

04/11/2016 03:28 PM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees \$20.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.

THE STATE OF TEXAS

COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

2016036671
ELECTRONICALLY RECORDED
Official Public Records
4/11/2016 3:11 PM



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 2 Fee: \$ 15.00

TERMINATION OF CLASS "B" MEMBERSHIP
SHADOW CREEK RANCH MAINTENANCE ASSOCIATION

TO BE RECORDED IN BRAZORIA, HARRIS AND FORT BEND COUNTIES

This Termination of Class "B" Membership is executed by Shadow Creek Ranch Development Company Limited Partnership, a Nevada Limited Partnership, as the Declarant under the Declaration set forth below, under the terms and conditions hereunder set forth, and thus;

WHEREAS, Declarant executed that one certain Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association dated August 30, 2001 and recorded in Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 01042985, in the Official Public Records of Real Property of Brazoria County, Texas and re-recorded under Brazoria County Clerk's File No. 01051825, also recorded under Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, and also recorded under Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended (the "Declaration"); and

WHEREAS, such Declaration provides that the Declarant shall be the Class "B" Member of the Shadow Creek Ranch Maintenance Association, Inc. (the "Association") until the earlier to occur of:

(1) when: (a) 100% of the Assessable Tracts planned for development within the Property described on Exhibit "A" or annexed into the Property (as such plans may develop or change) have been conveyed to an Owner other than Declarant or a Sub-developer acquiring such Assessable Tract for the purpose of development and sale to third parties in the ordinary course of business, and (b) above ground, vertical improvements have begun to be constructed on all such Assessable Tracts; or

(2) December 31, 2030; or

(3) when, in its discretion, the Class B Member so determines, as determined by Recorded document.

WHEREAS, the Declarant wishes to elect to terminate such Class "B" Membership as of the end of the board of directors meeting of the Association held on April 5, 2016;

NOW THEREFORE, for and in consideration the premises herein and of other good and valuable consideration this day received by the undersigned, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned hereby declares as follows:

As of the end of the board of directors meeting of the Association held April 5, 2016, the Declarant hereby terminates the Class "B" Membership in the Association and hereby

automatically becomes a Class "A" Member of the Association. From and after the end of such board of directors meeting, the Class "B" Membership has terminated.

Executed effective as of the end of the board of directors meeting of the Association held on April 5, 2016.

DECLARANT:

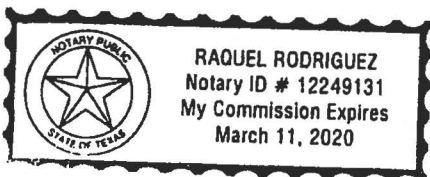
SHADOW CREEK RANCH DEVELOPMENT COMPANY
LIMITED PARTNERSHIP, a Nevada limited partnership

By: Shadow Creek Ranch, Inc., a Nevada
corporation, and its general partner

By: Gary W. Cook
Name: Gary Cook, President

STATE OF Texas §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5 day of April, 2016, by Gary Cook, President of Shadow Creek Ranch, Inc., a Nevada corporation, as the general partner of SHADOW CREEK RANCH DEVELOPMENT COMPANY LIMITED PARTNERSHIP, a Nevada limited partnership, on behalf of said entities.



Raquel Rodriguez
Notary Public in and for
The State of Texas.

TERMINATION OF CLASS "B" MEMBERSHIP
SHADOW CREEK RANCH MAINTENANCE ASSOCIATION

TO BE RECORDED IN BRAZORIA, HARRIS AND FORT BEND COUNTIES

This Termination of Class "B" Membership is executed by Shadow Creek Ranch Development Company Limited Partnership, a Nevada Limited Partnership, as the Declarant under the Declaration set forth below, under the terms and conditions hereunder set forth, and thus;

WHEREAS, Declarant executed that one certain Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association dated August 30, 2001 and recorded in Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 01042985, in the Official Public Records of Real Property of Brazoria County, Texas and re-recorded under Brazoria County Clerk's File No. 01051825, also recorded under Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, and also recorded under Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended (the "Declaration"); and

WHEREAS, such Declaration provides that the Declarant shall be the Class "B" Member of the Shadow Creek Ranch Maintenance Association, Inc. (the "Association") until the earlier to occur of:

(1) when: (a) 100% of the Assessable Tracts planned for development within the Property described on Exhibit "A" or annexed into the Property (as such plans may develop or change) have been conveyed to an Owner other than Declarant or a Sub-developer acquiring such Assessable Tract for the purpose of development and sale to third parties in the ordinary course of business, and (b) above ground, vertical improvements have begun to be constructed on all such Assessable Tracts; or

(2) December 31, 2030; or

(3) when, in its discretion, the Class B Member so determines, as determined by Recorded document.

WHEREAS, the Declarant wishes to elect to terminate such Class "B" Membership as of the end of the board of directors meeting of the Association held on April 5, 2016;

NOW THEREFORE, for and in consideration the premises herein and of other good and valuable consideration this day received by the undersigned, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned hereby declares as follows:

As of the end of the board of directors meeting of the Association held April 5, 2016, the Declarant hereby terminates the Class "B" Membership in the Association and hereby

automatically becomes a Class "A" Member of the Association. From and after the end of such board of directors meeting, the Class "B" Membership has terminated.

Executed effective as of the end of the board of directors meeting of the Association held on April 5, 2016.

DECLARANT:

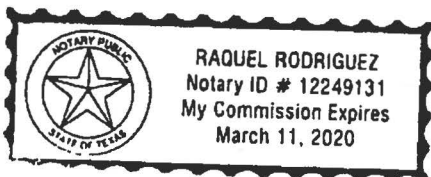
SHADOW CREEK RANCH DEVELOPMENT COMPANY
LIMITED PARTNERSHIP, a Nevada limited partnership

By: Shadow Creek Ranch, Inc., a Nevada
corporation, and its general partner

By: *Gary W. Cook*
Name: Gary Cook, President

STATE OF Texas §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5 day of April, 2016, by Gary Cook, President of Shadow Creek Ranch, Inc., a Nevada corporation, as the general partner of SHADOW CREEK RANCH DEVELOPMENT COMPANY LIMITED PARTNERSHIP, a Nevada limited partnership, on behalf of said entities.



Raquel Rodriguez
Notary Public in and for
The State of Texas.

FILED and RECORDED

Instrument Number: 2016016014

Filing and Recording Date: 04/11/2016 02:54:12 PM Pages: 3 Recording Fee: \$30.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-juanita

FOR FILING IN BRAZORIA, ~~HARRIS~~ AND FORT BEND COUNTIES, TEXAS

**SUPPLEMENTAL AND SECOND AMENDED DECLARATION
OF COVENANTS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS**

FOR

**SHADOW CREEK RANCH MAINTENANCE ASSOCIATION
(AMENDMENT)**

THIS SUPPLEMENTAL DECLARATION is made effective as of April 5, 2016, by SHADOW CREEK RANCH DEVELOPMENT COMPANY LIMITED PARTNERSHIP, a Nevada limited partnership, (hereinafter sometimes called "Declarant");

WITNESSETH:

WHEREAS, Declarant executed that one certain Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association dated August 30, 2001 and recorded in Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 01042985, in the Official Public Records of Real Property of Brazoria County, Texas and re-recorded under Brazoria County Clerk's File No. 01051825, also recorded under Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, and also recorded under Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended (the "Declaration"); and

WHEREAS, Declarant desires to amend certain sections of the Declaration by this Supplemental Declaration;

NOW, THEREFORE, Declarant hereby declares that the real property described in the Declaration, including the improvements constructed or to be constructed thereon, as well as any real property annexed to be subject to the Declaration, is hereby subjected to the provisions of this Supplemental Declaration and shall be held, sold, transferred, conveyed, used, occupied, and mortgaged or otherwise encumbered subject to the covenants, conditions, restrictions, easements, assessments, and liens, in this Supplemental Declaration and hereinafter set forth, which are for the purpose of protecting the value and desirability of, and which shall run with the title to, the real property hereby or hereafter made subject hereto, and shall be binding on all persons having any right, title, or interest in all or any portion of the real property now or hereafter made subject hereto, their respective heirs, legal representatives, successors, successors-in-title, and assigns and shall inure to the benefit of each and every owner of all or any portion thereof.

ARTICLE 1.

Definitions

All capitalized terms herein shall have the meanings set forth in the Declaration, unless defined otherwise herein.

ARTICLE 2.
Property Subject to the Declaration

The real property which is, by the recording of the Declaration and any Supplemental or Amended Declaration, subject to the covenants and restrictions set forth in the Declaration and which, by virtue of the recording of this Amendment, shall be held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to this Amendment, is the real property described in such Declaration and any Supplemental or Amended Declarations annexing additional real property thereto.

ARTICLE 3.
Amendment

Section 1. Article XIII, Section 13.02 of the Declaration allows the Declarant to unilaterally amend the Declaration from time to time without the joinder of any party. The Declaration is hereby amended as follows:

Article VII, Section 7.02, is hereby amended by the addition of the following language added to the end of such Section 7.02 of the Declaration, as if originally a part thereof:

"New Construction vs. Modification to Existing Improvements and/or Additional Improvements. Notwithstanding anything to the contrary herein, the Community-Wide Standards Committee ("CWSC") for Tracts upon which no construction of Improvements to Property by a Sub-Developer or Owner have begun shall be appointed by the Declarant, even if the Class B status of the Declarant has terminated and even if the Declarant has surrendered its right to appoint the Board of Directors (ie., the "NC CWSC"). Therefore, all activity regarding architectural control, including but not limited to applications, submittals, approvals, denials, etc..., and all authority over all new construction of any Improvement to Property by a Sub-Developer or an Owner on a Tract shall remain with the NC CWSC appointed by the Declarant from time to time. The Association shall enforce by all remedies available, decisions by the NC CWSC appointed by the Declarant from time to time.

At such time as the Declarant has surrendered its right to appoint the NC CWSC for new construction because construction of Improvements has begun on all Tracts, then the CWSC for all Tracts upon which Sub-Developers or Owners have built Improvements to Property, will be appointed by the Board of Directors of the Association (ie., the "MOD CWSC"). Therefore all activity regarding architectural control over modifications to any existing Improvements to Property, and/or the application or submittals to build additional Improvements to Property on Tracts already developed by a Sub-Developer or an Owner, including but not limited to applications, submittals, approvals, denials, etc..., and all authority over such proposed modifications and/or additional Improvements to Property shall reside with the MOD CWSC appointed by the Board of Directors. However, as long as the Declarant remains a Class A

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member of the Association with Class A voting rights, it shall have veto power over any and all decision(s) made by the MOD CWSC appointed by the Board.

All other terms and conditions of Article VII, Section 7.02 shall continue in full force and effect as written. Each of the NC CWSC and the MOD CWSC shall be a CWSC hereunder. In the event of any conflict between all other terms and conditions of Article VII, Sections 7.01 and 7.02 and this additional language to Article VII, Section 7.02, this additional language added to Section 7.02 shall control over such original Sections 7.01 and 7.01."

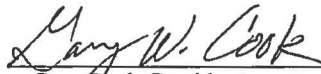
Section 2. The amendment to the Declaration set forth herein shall apply equally to the real property described on Exhibit A attached to the Declaration and the Owners thereof, and any real property later annexed hereto and to the Declaration by further supplemental declaration, and the Owners thereof.

Executed effective as of this 5th day of April, 2016.

DECLARANT:

SHADOW CREEK RANCH DEVELOPMENT
COMPANY LIMITED PARTNERSHIP,
a Nevada limited partnership

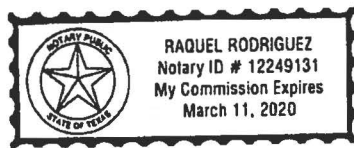
By: SHADOW CREEK RANCH, INC.,
a Nevada corporation, its general partner

By: 
Name: Gary Cook, President

STATE OF Texas
COUNTY OF Brazoria

§
§
§

This instrument was acknowledged before me on the 5th day of April, 2016, 2016, by Gary Cook, President of Shadow Creek Ranch, Inc., a Nevada corporation, general partner of Shadow Creek Ranch Development Company Limited Partnership, a Nevada limited partnership, on behalf of said entities.



Rodriguez
Notary Public, State of TEXAS

RP-2016-149295

RP-2016-149295

RP-2016-149295

Pages 5

04/11/2016 03:28 PM

e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees \$28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

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.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

2016036672
ELECTRONICALLY RECORDED
Official Public Records
4/11/2016 3:11 PM



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 4 Fee: \$ 23.00

FOR FILING IN BRAZORIA, HARRIS AND FORT BEND COUNTIES, TEXAS

**SUPPLEMENTAL AND SECOND AMENDED DECLARATION
OF COVENANTS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS**

FOR

**SHADOW CREEK RANCH MAINTENANCE ASSOCIATION
(AMENDMENT)**

THIS SUPPLEMENTAL DECLARATION is made effective as of April 5, 2016, by SHADOW CREEK RANCH DEVELOPMENT COMPANY LIMITED PARTNERSHIP, a Nevada limited partnership, (hereinafter sometimes called "Declarant"):

WITNESSETH:

WHEREAS, Declarant executed that one certain Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association dated August 30, 2001 and recorded in Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 01042985, in the Official Public Records of Real Property of Brazoria County, Texas and re-recorded under Brazoria County Clerk's File No. 01051825, also recorded under Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, and also recorded under Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended (the "Declaration"); and

WHEREAS, Declarant desires to amend certain sections of the Declaration by this Supplemental Declaration;

NOW, THEREFORE, Declarant hereby declares that the real property described in the Declaration, including the improvements constructed or to be constructed thereon, as well as any real property annexed to be subject to the Declaration, is hereby subjected to the provisions of this Supplemental Declaration and shall be held, sold, transferred, conveyed, used, occupied, and mortgaged or otherwise encumbered subject to the covenants, conditions, restrictions, easements, assessments, and liens, in this Supplemental Declaration and hereinafter set forth, which are for the purpose of protecting the value and desirability of, and which shall run with the title to, the real property hereby or hereafter made subject hereto, and shall be binding on all persons having any right, title, or interest in all or any portion of the real property now or hereafter made subject hereto, their respective heirs, legal representatives, successors, successors-in-title, and assigns and shall inure to the benefit of each and every owner of all or any portion thereof.

**ARTICLE 1.
Definitions**

All capitalized terms herein shall have the meanings set forth in the Declaration, unless defined otherwise herein.

ARTICLE 2.
Property Subject to the Declaration

The real property which is, by the recording of the Declaration and any Supplemental or Amended Declaration, subject to the covenants and restrictions set forth in the Declaration and which, by virtue of the recording of this Amendment, shall be held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to this Amendment, is the real property described in such Declaration and any Supplemental or Amended Declarations annexing additional real property thereto.

ARTICLE 3.
Amendment

Section 1. Article XIII, Section 13.02 of the Declaration allows the Declarant to unilaterally amend the Declaration from time to time without the joinder of any party. The Declaration is hereby amended as follows:

Article VII, Section 7.02, is hereby amended by the addition of the following language added to the end of such Section 7.02 of the Declaration, as if originally a part thereof:

“New Construction vs. Modification to Existing Improvements and/or Additional Improvements. Notwithstanding anything to the contrary herein, the Community-Wide Standards Committee (“CWSC”) for Tracts upon which no construction of Improvements to Property by a Sub-Developer or Owner have begun shall be appointed by the Declarant, even if the Class B status of the Declarant has terminated and even if the Declarant has surrendered its right to appoint the Board of Directors (ie., the “NC CWSC”). Therefore, all activity regarding architectural control, including but not limited to applications, submittals, approvals, denials, etc..., and all authority over all new construction of any Improvement to Property by a Sub-Developer or an Owner on a Tract shall remain with the NC CWSC appointed by the Declarant from time to time. The Association shall enforce by all remedies available, decisions by the NC CWSC appointed by the Declarant from time to time.

At such time as the Declarant has surrendered its right to appoint the NC CWSC for new construction because construction of Improvements has begun on all Tracts, then the CWSC for all Tracts upon which Sub-Developers or Owners have built Improvements to Property, will be appointed by the Board of Directors of the Association (ie., the “MOD CWSC”). Therefore all activity regarding architectural control over modifications to any existing Improvements to Property, and/or the application or submittals to build additional Improvements to Property on Tracts already developed by a Sub-Developer or an Owner, including but not limited to applications, submittals, approvals, denials, etc..., and all authority over such proposed modifications and/or additional Improvements to Property shall reside with the MOD CWSC appointed by the Board of Directors. However, as long as the Declarant remains a Class A

member of the Association with Class A voting rights, it shall have veto power over any and all decision(s) made by the MOD CWSC appointed by the Board.

All other terms and conditions of Article VII, Section 7.02 shall continue in full force and effect as written. Each of the NC CWSC and the MOD CWSC shall be a CWSC hereunder. In the event of any conflict between all other terms and conditions of Article VII, Sections 7.01 and 7.02 and this additional language to Article VII, Section 7.02, this additional language added to Section 7.02 shall control over such original Sections 7.01 and 7.01."

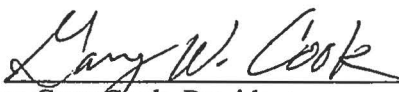
Section 2. The amendment to the Declaration set forth herein shall apply equally to the real property described on Exhibit A attached to the Declaration and the Owners thereof, and any real property later annexed hereto and to the Declaration by further supplemental declaration, and the Owners thereof.

Executed effective as of this 5th day of April, 2016.

DECLARANT:

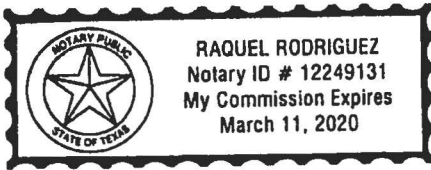
SHADOW CREEK RANCH DEVELOPMENT
COMPANY LIMITED PARTNERSHIP,
a Nevada limited partnership

By: SHADOW CREEK RANCH, INC.,
a Nevada corporation, its general partner

By: 
Name: Gary Cook, President

STATE OF TexasCOUNTY OF Brazoria§
§
§

This instrument was acknowledged before me on the 5th day of April, 2016, by Gary Cook, President of Shadow Creek Ranch, Inc., a Nevada corporation, general partner of Shadow Creek Ranch Development Company Limited Partnership, a Nevada limited partnership, on behalf of said entities.



Rodriguez
Notary Public, State of TEXAS

FOR FILING IN BRAZORIA, HARRIS AND FORT BEND COUNTIES, TEXAS

**SUPPLEMENTAL AND SECOND AMENDED DECLARATION
OF COVENANTS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS**

FOR

**SHADOW CREEK RANCH MAINTENANCE ASSOCIATION
(AMENDMENT)**

THIS SUPPLEMENTAL DECLARATION is made effective as of April 5, 2016, by SHADOW CREEK RANCH DEVELOPMENT COMPANY LIMITED PARTNERSHIP, a Nevada limited partnership, (hereinafter sometimes called "Declarant"):

WITNESSETH:

WHEREAS, Declarant executed that one certain Declaration of Covenants, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association dated August 30, 2001 and recorded in Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 01042985, in the Official Public Records of Real Property of Brazoria County, Texas and re-recorded under Brazoria County Clerk's File No. 01051825, also recorded under Fort Bend County Clerk's File No. 2001095077 and re-recorded under Fort Bend County Clerk's File No. 2001111335, and also recorded under Harris County Clerk's File No. V361959 and re-recorded under Harris County Clerk's File No. V472436, as amended (the "Declaration"); and

WHEREAS, Declarant desires to amend certain sections of the Declaration by this Supplemental Declaration;

NOW, THEREFORE, Declarant hereby declares that the real property described in the Declaration, including the improvements constructed or to be constructed thereon, as well as any real property annexed to be subject to the Declaration, is hereby subjected to the provisions of this Supplemental Declaration and shall be held, sold, transferred, conveyed, used, occupied, and mortgaged or otherwise encumbered subject to the covenants, conditions, restrictions, easements, assessments, and liens, in this Supplemental Declaration and hereinafter set forth, which are for the purpose of protecting the value and desirability of, and which shall run with the title to, the real property hereby or hereafter made subject hereto, and shall be binding on all persons having any right, title, or interest in all or any portion of the real property now or hereafter made subject hereto, their respective heirs, legal representatives, successors, successors-in-title, and assigns and shall inure to the benefit of each and every owner of all or any portion thereof.

**ARTICLE 1.
Definitions**

All capitalized terms herein shall have the meanings set forth in the Declaration, unless defined otherwise herein.

ARTICLE 2.
Property Subject to the Declaration

The real property which is, by the recording of the Declaration and any Supplemental or Amended Declaration, subject to the covenants and restrictions set forth in the Declaration and which, by virtue of the recording of this Amendment, shall be held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to this Amendment, is the real property described in such Declaration and any Supplemental or Amended Declarations annexing additional real property thereto.

ARTICLE 3.
Amendment

Section 1. Article XIII, Section 13.02 of the Declaration allows the Declarant to unilaterally amend the Declaration from time to time without the joinder of any party. The Declaration is hereby amended as follows:

Article VII, Section 7.02, is hereby amended by the addition of the following language added to the end of such Section 7.02 of the Declaration, as if originally a part thereof:

"New Construction vs. Modification to Existing Improvements and/or Additional Improvements. Notwithstanding anything to the contrary herein, the Community-Wide Standards Committee ("CWSC") for Tracts upon which no construction of Improvements to Property by a Sub-Developer or Owner have begun shall be appointed by the Declarant, even if the Class B status of the Declarant has terminated and even if the Declarant has surrendered its right to appoint the Board of Directors (ie., the "NC CWSC"). Therefore, all activity regarding architectural control, including but not limited to applications, submittals, approvals, denials, etc..., and all authority over all new construction of any Improvement to Property by a Sub-Developer or an Owner on a Tract shall remain with the NC CWSC appointed by the Declarant from time to time. The Association shall enforce by all remedies available, decisions by the NC CWSC appointed by the Declarant from time to time.

At such time as the Declarant has surrendered its right to appoint the NC CWSC for new construction because construction of Improvements has begun on all Tracts, then the CWSC for all Tracts upon which Sub-Developers or Owners have built Improvements to Property, will be appointed by the Board of Directors of the Association (ie., the "MOD CWSC"). Therefore all activity regarding architectural control over modifications to any existing Improvements to Property, and/or the application or submittals to build additional Improvements to Property on Tracts already developed by a Sub-Developer or an Owner, including but not limited to applications, submittals, approvals, denials, etc..., and all authority over such proposed modifications and/or additional Improvements to Property shall reside with the MOD CWSC appointed by the Board of Directors. However, as long as the Declarant remains a Class A

member of the Association with Class A voting rights, it shall have veto power over any and all decision(s) made by the MOD CWSC appointed by the Board.

All other terms and conditions of Article VII, Section 7.02 shall continue in full force and effect as written. Each of the NC CWSC and the MOD CWSC shall be a CWSC hereunder. In the event of any conflict between all other terms and conditions of Article VII, Sections 7.01 and 7.02 and this additional language to Article VII, Section 7.02, this additional language added to Section 7.02 shall control over such original Sections 7.01 and 7.01."

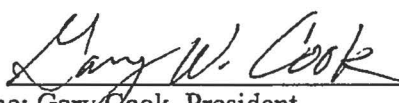
Section 2. The amendment to the Declaration set forth herein shall apply equally to the real property described on Exhibit A attached to the Declaration and the Owners thereof, and any real property later annexed hereto and to the Declaration by further supplemental declaration, and the Owners thereof.

Executed effective as of this 5th day of April, 2016.

DECLARANT:

SHADOW CREEK RANCH DEVELOPMENT
COMPANY LIMITED PARTNERSHIP,
a Nevada limited partnership

By: SHADOW CREEK RANCH, INC.,
a Nevada corporation, its general partner

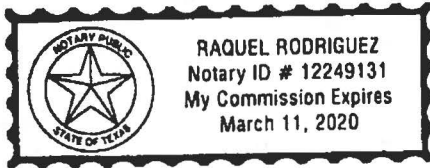
By: 
Name: Gary Cook, President

STATE OF Texas

COUNTY OF Brazoria

§
§
§

This instrument was acknowledged before me on the 5th day of April, 2016, 2016, by Gary Cook, President of Shadow Creek Ranch, Inc., a Nevada corporation, general partner of Shadow Creek Ranch Development Company Limited Partnership, a Nevada limited partnership, on behalf of said entities.



Rodriguez
Notary Public, State of TEXAS

FILED and RECORDED

Instrument Number: 2016016015

Filing and Recording Date: 04/11/2016 02:54:12 PM Pages: 5 Recording Fee: \$43.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



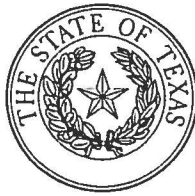
A handwritten signature in cursive script, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-juanita



Office of the Secretary of State

CERTIFICATE OF FILING OF

SHADOW CREEK RANCH MAINTENANCE ASSOCIATION
File Number: 159811101

The undersigned, as Secretary of State of Texas, hereby certifies that the statement of change of registered agent/office for the above named entity has been received in this office and has been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Filing.

Dated: 04/11/2016

Effective: 04/11/2016



A handwritten signature in black ink, appearing to read "C. Cascos", followed by a horizontal line.

Carlos H. Cascos
Secretary of State

HOOVER SLOVACEK LLP

A REGISTERED LIMITED LIABILITY PARTNERSHIP

SARAH ANN POWERS
OF COUNSEL

powers@hooverslovacek.com

Admitted in Texas and Colorado

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REPLY TO:
P.O. BOX 4547
HOUSTON, TEXAS 77210-4547

December 6, 2016

Ms. Maria Shaw
FirstServices Residential
12234 Shadow Creek Ranch Parkway
Suite 3112
Pearland, TX 77584

Re: Turnover documents for Shadow Creek Ranch Maintenance Association and Shadow Creek Ranch Commercial Property Owners Association

Dear Maria:

Enclosed, please find the following original documents in regards to the above-referenced matter:

1. Resignation of Director/Officers of Shadow Creek Ranch Maintenance Association;
2. Termination of Class "B" Membership - Shadow Creek Ranch Maintenance Association(recorded in Harris, Fort Bend and Brazoria Counties);
3. Supplemental and Second Amended Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Maintenance Association (recorded in Harris, Fort Bend and Brazoria Counties);
4. Certificate of Filing of Change of Registered Agent/Office of Shadow Creek Ranch Maintenance Association;
5. Resignation of Director/Officers of Shadow Creek Ranch Commercial Property Owners Association, Inc.;
6. Termination of Class "B" Membership - Shadow Creek Ranch Commercial Property Owners Association, Inc. (recorded in Fort Bend and Brazoria Counties);
7. Supplemental and Second Amended Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Shadow Creek Ranch Commercial Property Owners Association, Inc. (recorded in Fort Bend and Brazoria Counties); and
8. Certificate of Filing of Change of Registered Agent/Office of Shadow Creek Ranch Commercial Property Owners Association, Inc.

Should you have any questions, please feel free to contact me.

Very truly yours,

HOOVER SLOVACEK LLP


Sarah Ann Powers

SAP:rcw
Enclosures

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