

# HARPER'S PRESERVE

## SUPPLEMENT TO COMMUNITY COVENANT FOR HARPER'S PRESERVE (Harper's Preserve, Section 10)

THE STATE OF TEXAS           §  
  §           KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF MONTGOMERY   §

This Supplement to Community Covenant for Harper's Preserve is dated this 27  
day of October, 2017, by **242, LLC**, a Texas limited liability company (the "Founder").

**RECITALS:**

**WHEREAS**, the Founder executed that certain Community Covenant for Harper's Preserve (as supplemented and amended, the "Covenant") dated March 2, 2011, and recorded in the office of the County Clerk of Montgomery County, Texas, under Clerk's File No. 2011019619, to place certain restrictions, covenants, conditions, stipulations, liens and reservations on Harper's Preserve, Section 1, a subdivision in Montgomery County, Texas, as more particularly described therein (the "Community"); and

**WHEREAS**, the Covenant having been supplemented and amended by the following instruments:

Instrument	Montgomery County Clerk, Texas Recording Information
1. Supplement to Community Covenant for Harper's Preserve)	2011036163
2. Supplement to Community Covenant for Harper's Preserve	2011058751

- |     |   |            |
|-----|---|------------|
| 3.  | First Amendment to Community Covenant for Harper's Preserve                           | 2012040225 |
| 4.  | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 2) | 2012109652 |
| 5.  | Supplement to Community Covenant for Harper's Preserve                                | 2013131905 |
| 6.  | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 3) | 2014005175 |
| 7.  | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 4) | 2015025963 |
| 8.  | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 5) | 2015031722 |
| 9.  | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 6) | 2015048117 |
| 10. | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 8) | 2016057269 |
| 11. | Supplement to Community Covenant for Harper's Preserve (Harper's Preserve, Section 9) | 2016071070 |

**WHEREAS**, Chapter 4, Section 4.1 of the Covenant provides that so long as the Founder owns any property described on Exhibits "A" or "B" to the Covenant, the Founder may expand the community to include additional property by recording an amendment or supplement in the County Clerk Official Records of Montgomery County, Texas, describing the additional property and declaring the intent to submit it to the terms of the Covenant; and

**WHEREAS**, the Founder owns certain property located within the property described on Exhibit "A" or "B" of the Covenant; and

**WHEREAS**, the Founder is the owner of that certain real property platted as Harper's Preserve, Section 10 and filed of record in Cabinet Z, Sheet Numbers 4769-4770 of the Map Records of Montgomery County, Texas, and in the Real Property Records of Montgomery County, Texas, under Clerk's File Number 2017088511 (the "Annexation Property"); and

**WHEREAS**, the Founder desires to expand the Community to include the Annexation Property and to encumber the Annexation Property with the Covenant and to be within the jurisdiction of Harper's Preserve Property Owner's Association, Inc., a Texas non-profit corporation (the "Association");

**NOW, THEREFORE**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Founder hereby agrees and declares as follows:

1. The Annexation Property is hereby annexed into the Community, to be under the authority and jurisdiction of the Association.
2. The Annexation Property shall be held, transferred, sold, conveyed, used, and occupied in accordance with and subject to those certain covenants, conditions, restrictions, easements, charges and liens set forth in the Covenant, as it may be hereafter amended, which shall run with the land and be binding on all parties having any right, title, or interest in the Annexation Property or any part thereof, their heirs, successors, and assigns, and which shall inure to the benefit of each owner thereof.
3. Pursuant to Chapter 4, Section 4.3 of the Covenant, the Founder may unilaterally amend the Covenant for any purpose during the Founder Control Period (as defined in the Covenant) by recording an amendment in the County Clerk Official Records of Montgomery County, Texas.


4. As long as the Founder owns real property encumbered by the Covenant, the Founder may unilaterally amend this Supplement to Community Covenant at any time, in Founder's sole and absolute discretion. As long as the Founder owns real property encumbered by the Covenant, Owners may not amend this Supplement to Community Covenant without the Founder's prior written consent.

**EXECUTED** as of the date first set forth above.

**FOUNDER:**

**242, LLC**, a Texas limited liability company

By:

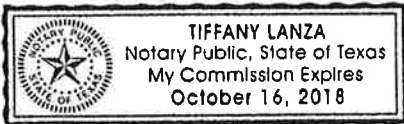
  
\_\_\_\_\_  
Sam Yager III, Vice President

THE STATE OF TEXAS

§  
§  
§

COUNTY OF HARRIS

This instrument was acknowledged before me on the 27 day of October, 2017, by Sam Yager III, the Vice President of 242, LLC, a Texas limited liability company, on behalf of said company.



  
\_\_\_\_\_  
Notary Public, State of Texas

**E-FILED FOR RECORD**

**11/01/2017 02:58PM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**11/01/2017**



County Clerk  
Montgomery County, Texas