

TAVOLA WEST COMMUNITY ASSOCIATION
SUPPLEMENTARY DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
ANNEXATION OF TAVOLA WEST SECTION TWO

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

WHEREAS, on September 12, 2023, LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD. d/b/a Friendswood Development Company ("Declarant"), recorded that certain Declaration of Covenants, Conditions, and Restrictions for Tavola under Clerk's File No. 2023086717 of the Real Property Records of Montgomery County, Texas (the Declaration"), and

WHEREAS, by terms of said Declaration, land subject to the Declaration is placed within the jurisdiction of the Tavola West Community Association (the "Association"); and

WHEREAS, Article 12, Section 12.09 of the Declaration allows Declarant, without the consent of any other Owners or any First Mortgagee, the right to bring within the scheme of the Declaration, in one or more future stages, sections or additions, additional lands; provided, said annexation of additional land occurs within twenty-five (25) years of the date of the recording of the Declaration; and

WHEREAS, DRP TX 3, LLC., a Delaware limited liability company ("Land Banker") has become the owner of some additional lands that it wishes to be part of Tavola West, and bring within the scheme of the Declaration and into the Association; and

WHEREAS, Land Banker is the sole owner of the land platted as Tavola West Section Two, a subdivision of 32.181 acres out of the A.P. Frederick Survey, A-211, Montgomery County, Texas, and recorded under Clerk's File No. 2023065471 of the Official Records of Real Property for Montgomery County, containing 149 lots and 5 reserves; save and except reserves D and E which are owned by East Montgomery County Municipal Utility District No. 5 (minus the MUD reserves the "Tavola West Section Two Property"); and

WHEREAS, this Supplementary Declaration of Covenants, Conditions and Restrictions is made within twenty-five (25) years of the date of the recording of the Declaration, which was recorded on September 12, 2023.

NOW, THEREFORE, pursuant to the power reserved in the Declaration, Declarant does hereby declare that:

1. Tavola West Section Two is hereby added and annexed into the boundaries of the land covered by the Declaration and is hereby subjected to the authority of the Association in accordance with the terms of the Declaration to the same extent as if it had been named and described in the Declaration.
2. Article 3, Section 3.08 of the Declaration makes the Association responsible for fence maintenance on certain portions of the land within the jurisdiction of the Association. The Association will maintain certain fences in Tavola West Section Two located within or on the common property lines listed as follows, and no others:

The common area fence on the rear common property line of Lots 8 through 32 of Block 1 along Restricted Reserve "A", Tavola West Section Two.

The common area fence on the side common property line of Lot 32 of Block 1 along Restricted Reserve "A", Tavola West Section Two.

The common area fence on the side common property line of Lot 1 of Block 2 along Restricted Reserve "B", Tavola West Section Two.

The common area fence on the rear common property line of Lots 1 through 4 of Block 2 along Restricted Reserve "B", Tavola West Section Two.

The common area fence on the side common property line of Lot 17 of Block 2 along Restricted Reserve "D", Tavola West Section Two.

The common area fence on the rear common property line of Lots 18 and 19 of Block 2 along Restricted Reserve "D", Tavola West Section Two.

The common area fence on the side common property line of Lots 19 and 20 of Block 4 along Restricted Reserve "C", Tavola West Section Two.

The common area fence on the side common property line of Lots 22, 23, 53, and 54 of Block 4 along Restricted Reserve "E", Tavola West Section Two.

3. Article IX, Section 16 (a) of the Declaration defines the use and criteria of Walls and Fences:

The common area fence on the side common property line of Lot 1 of Block 1 along Iroma Drive, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the rear common property line of Lots 8 through 32 of Block 1 along Restricted Reserve "A", Tavola West Section Two shall be Concrete Fence Six foot (6') high.

The common area fence on the side common property line of Lot 32 of Block 1 along Restricted Reserve "A", Tavola West Section Two shall be Concrete Fence Six foot (6') high.

The common area fence on the side common property line of Lot 1 of Block 2 along Restricted Reserve "B", Tavola West Section Two shall be Concrete Fence Six foot (6') high.

The common area fence on the rear common property line of Lots 1 through 4 of Block 2 along Restricted Reserve "C" (Tavola West Section 1), Tavola West Section Two shall be Concrete Fence Six foot (6') high.

The common area fence on the side common property line of Lots 4 through 22 of Block 2 along Restricted Reserve "D", Tavola West Section Two shall be Standard Wood fence Six foot (6') high (Good Side Out-Toward Public View) – Standard Fence shall have three (3) stringers. The top stringer shall be sixteen feet (16') to prevent sagging. Pickets to be No. 2 grade one inch (1") by six inch (6") cedar. No other materials are acceptable.

The common area fence on the side common property line of Lot 17 of Block 2 along Restricted Reserve "D", Tavola West Section Two shall be Capped Wood Fence Six-foot (6'-6") high-capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A 6" x 6" "Rot" board will also be constructed at the bottom of the fence section.

The common area fence on the rear common property line of Lots 18 and 19 of Block 2 along Restricted Reserve "D", Tavola West Section Two shall be Capped Wood Fence Six-foot (6'-6")

high-capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A 6" x 6" "Rot" board will also be constructed at the bottom of the fence section.

The common area fence on the side common property line of Lot 18 of Block 2 along Torchati Lane, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lot 25 of Block 2 along Carpnati Drive, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lot 28 of Block 2 along Scafati Drive, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lot 1 of Block 3 along Scafati Drive, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lot 19 of Block 3 along Iroma Drive, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lots 1 and 70 of Block 4 along Casavatore Drive, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lots 19 and 20 of Block 4 along Restricted Reserve "C", Tavola West Section Two shall be Capped Wood Fence Six-foot (6'-6") high-capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and

one inch (1") by two-inch (2") trim affixed to the top stringer. A 6" x 6" "Rot" board will also be constructed at the bottom of the fence section.

The common area fence on the side common property line of Lot 30 of Block 4 along Torchati Lane, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lots 43 and 44 of Block 4 along Pointe Mazzotta Lane, Tavola West Section Two shall be Capped Wood Fence Six foot (6') high. Capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia and one inch (1") by two-inch (2") trim affixed to the top stringer. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center.

The common area fence on the side common property line of Lots 22, 23, 53 and 54 of Block 4 along Restricted Reserve "E", Tavola West Section Two shall be Capped Wood Fence Six-foot (6'-6") high-capped wood fences will be required on corner lots. Capped wood fences shall have three (3) stringers, with a two-inch (2") by six-inch (6") cap, one inch (1") by six-inch (6") fascia, and one inch (1") by two-inch (2") trim affixed to the top stringer. A 6" x 6" "Rot" board will also be constructed at the bottom of the fence section.

As to the herein annexed Tavola West Section Two:

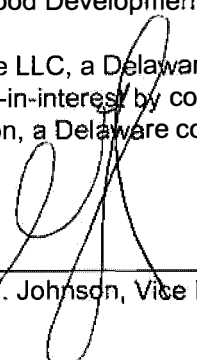
Nothing herein contained is intended or shall be construed to amend the Declaration other than to (i) add and annex Tavola Section Two as stated above, and (ii) to specify terms and provisions of the Declaration which are applicable to specific lots and land within Tavola Section Two.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 04th day of November, 2023.

Declarant

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION,
LTD., a Texas limited partnership,
d/b/a Friendswood Development Company

By: U.S. Home LLC, a Delaware limited liability company, (as
successor-in-interest by conversion from U.S. Home
Corporation, a Delaware corporation), its General Partner

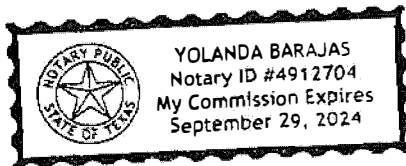
By: 
Michael W. Johnson, Vice President

STATE OF TEXAS

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COUNTY OF HARRIS

This instrument is acknowledged before me on November 8, 2023, by Michael W. Johnson, Vice President of U.S. Home LLC, a Delaware limited liability company, (as successor-in-interest by conversion from U.S. Home Corporation, a Delaware corporation), general partner of Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership, d/b/a Friendswood Development Company, on behalf of said limited partnership.



Yolanda Barajas
Notary Public, State of Texas

JOINDER BY OWNER

Executed this 7 day of November, 2023, also by the undersigned, as owner of the real property being subjected hereto, not as Declarant but only in order to subject such real property to the terms, provisions and conditions of this Declaration.

DRP TX 3, LLC., a Delaware limited liability company

By: DRP HOLCO 3, LLC., a Delaware limited liability company, its Sole Member

By: DW General Partner, LLC a Delaware limited liability company, its Manager

By: Brian Clauson
Brian Clauson, Authorized Person Signature

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

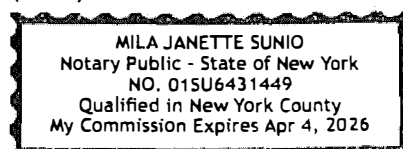
STATE OF New York §
Minnesota
COUNTY OF New York §
Dakota

This instrument was acknowledged before me on this 7th day of November, 2023, by Brian Clauson, as Authorized Signatory of DW General Partner, LLC as Manager of DRP HOLDCO 3, LLC, as the Sole Member of DRP TX 3, LLC, a Delaware limited liability company, for and on behalf of the limited liability company.

Mila Janette Sunio
Notary Public in and for the State of Minnesota New York

(SEAL)

After Recording Return to:
Friendswood Development Company
681 Greens Pkwy, Suite 220
Houston, Texas 77067
Attn: Yolanda Barajas



E-FILED FOR RECORD

11/08/2023 02:30PM



L. Brandon Steinmann

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.

11/08/2023



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas