

***THIRD AMENDED AND SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
ON AND FOR STONEWOOD ESTATES, LOTS 238-280***

This Third Amended and Supplementary Declaration of Covenants, Conditions, and Restrictions (the "Third Supplementary Declaration") is made this 11th day of November, 2020, by DWTP, 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 June 22, 2018, 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 68, STONEWOOD ESTATES, an Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2018023323, of the Official Public Records of Lubbock County, Texas. The Declaration was filed of record in Clerk's Document No. 2018023615, of the Official Public Records of Lubbock County, Texas.

2. The Declaration was supplemented and amended by instrument dated December 5, 2018, recorded on December 5, 2018 in Clerk's Document No. 2018045772 of the Official Public Records of Lubbock County, Texas (the "First Supplementary Declaration") and by instrument dated July 8, 2020, recorded on July 9, 2020 in Clerk's Document No. 2020028374 of the Official Public Records of Lubbock County, Texas (the "Second Supplementary Declaration"). By the First Supplementary Declaration, the Declarant added to the scheme of the Declaration Lots 69 through 164, inclusive, STONEWOOD ESTATES, an Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2018045241, of the Official Public Records of Lubbock County, Texas and by the Second Supplementary Declaration, the Declarant added to the scheme of the Declaration Lots 165 through 237, inclusive, STONEWOOD ESTATES, an Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2020027724, of the Official Public Records of Lubbock County, Texas. The First Supplementary Declaration and the Second Supplementary Declaration each supplemented and amended the Declaration as set forth in each respective instrument. The property described in the Declaration, the First Supplementary Declaration, the Second Supplementary Declaration and in this Third Supplementary Declaration is herein referred to 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 VII, Section 3(a) of the Declaration allows the Declarant, during the Development Period, to amend the Declaration, unilaterally, for any purpose.

4. Declarant desires to add additional property (the "Additional Property") as described on Exhibit "A" to this Third Supplementary Declaration (being Lots 238 through 280, inclusive, STONEWOOD ESTATES, an Addition to the City of Lubbock, Lubbock County, Texas); and, Declarant desires that the Additional Property described on Exhibit "A" to this Third 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. ADDITION OF PROPERTY**

NOW, THEREFORE, DWTP, 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 part of the "Property" (as defined in the Declaration) and 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

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 the Additional Property.

1. ***Mailboxes.*** Declarant shall install cluster boxes per USPS requirements at the locations described on Exhibit "B" attached hereto.

### **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**

Peoples Bank, holder of liens of record against the Additional Property owned by Declarant, 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 and this Third Supplementary Declaration, agrees to be bound thereby, and agrees that any foreclosure of its liens shall be subject to the Declaration, the First Supplementary Declaration and this Third Supplementary Declaration.

EXECUTED as of the day and year first written above.

**DECLARANT:**

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

By: [Signature]

Print Name: Dan J. Wilson

Title: Co-Manager

By: [Signature]

Print Name: Thomas K. Payne

Title: Co-Manager

**LENDER:**

**PEOPLES BANK**

By: [Signature]

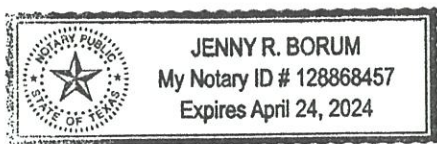
Print Name: Jordan McKay

Title: EVP

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 Dan J. Wilson, 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 DWTP, 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 November 11, 2020.

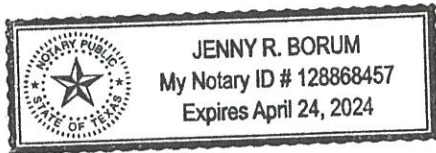


[Signature]  
Notary Public, State of Texas

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 DWTP, 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.

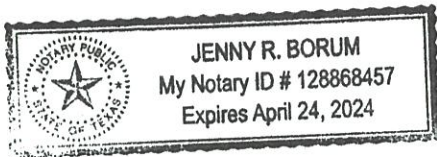
GIVEN UNDER MY HAND AND SEAL OF OFFICE on November 11, 2020.



Jenny R. Borum  
Notary Public, State of Texas

THE STATE OF TEXAS {}  
COUNTY OF LUBBOCK {}

This instrument was acknowledged before me on the this 11 day of November, 2020, by Jordan McKay of Peoples Bank, a state banking association, on behalf of said association.



Jenny R. Borum  
Notary Public, State of Texas

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

Lots 238 through 280, inclusive, STONEWOOD ESTATES, an Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2020050271, of the Official Public Records of Lubbock County, Texas.

**EXHIBIT "B"**  
**USPS CLUSTER BOX LOCATIONS**

[See attached]

LOTS 238 - 280

# STONEWOOD ESTATES

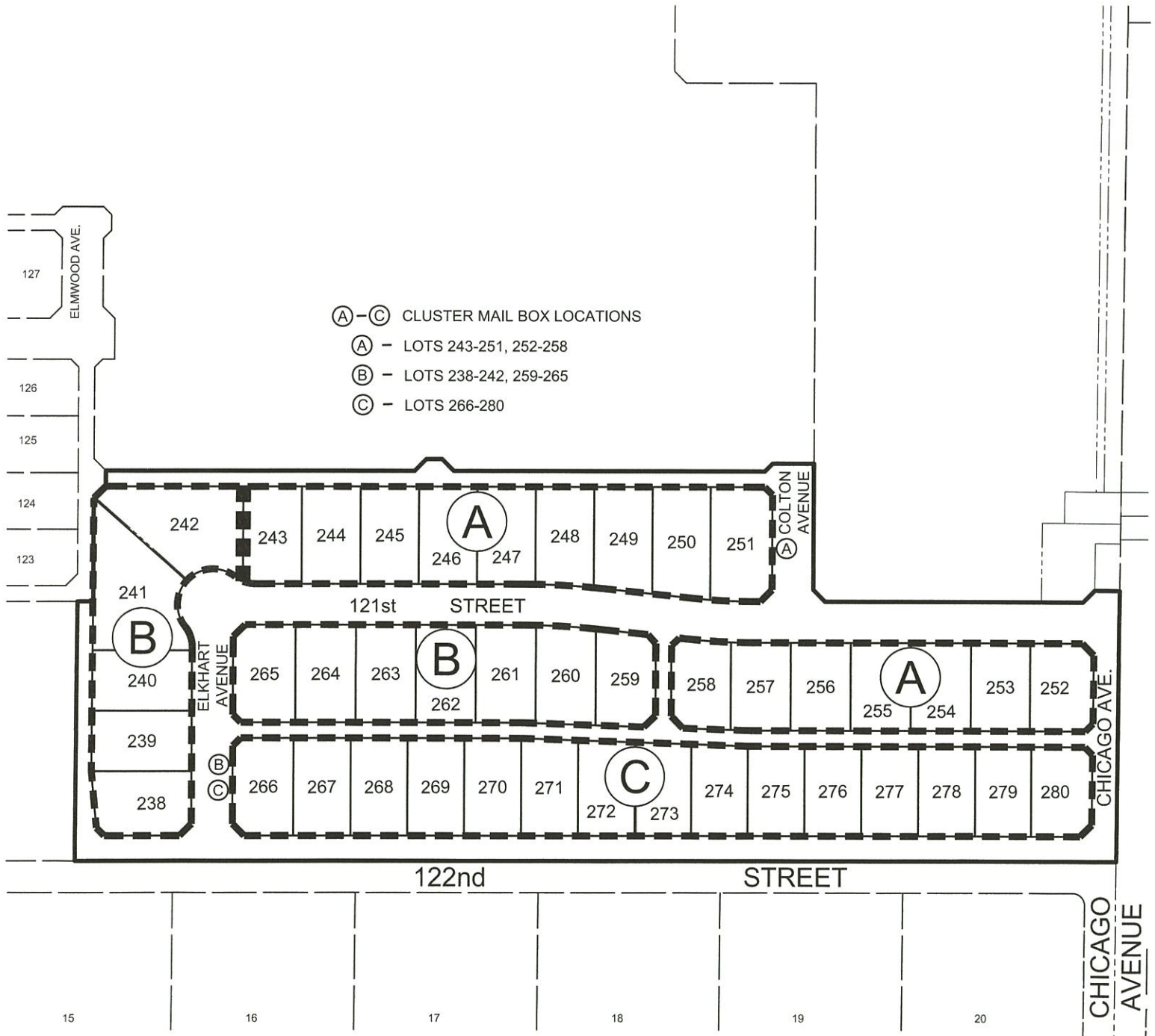
## CLUSTER MAIL BOX CONFIGURATION

Ⓐ-Ⓒ CLUSTER MAIL BOX LOCATIONS

Ⓐ - LOTS 243-251, 252-258

Ⓑ - LOTS 238-242, 259-265

Ⓒ - LOTS 266-280



# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
11/12/2020 11:54 AM  
FEE: \$54.00  
2020050872