

****** Electronically Filed Document ******

**Brazos County, TX
Karen McQueen
County Clerk**

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******* THIS PAGE IS PART OF THE INSTRUMENT *******

**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.**



I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of BRAZOS COUNTY, TEXAS

Honorable Karen McQueen, County Clerk, Brazos County

UTitle No. 1673556mrc

**VILLAGE DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS,
RESERVATIONS, EASEMENTS AND RIGHTS
FOR MILLICAN RESERVE**

(Annexation of Approximately 32.350 Acres into Millican Reserve to be known as The Hollow)

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF BRAZOS §

WHEREAS, that certain Master Declaration of Covenants, Conditions, Restrictions, Reservations, Easements and Rights for Millican Reserve (the "Master Declaration") dated as of October 27, 2015, recorded in Volume 13020. Page 62 of the Official Public Records of Brazos County, Texas, imposed covenants, conditions, restrictions, reservations, easements and rights on Millican Reserve, a subdivision in Brazos County, Texas, as more fully set forth therein ("Millican Reserve"); and

WHEREAS, as contemplated by the Master Declaration, and pursuant to the applicable provisions thereof, The Millican Reserve Land Conservancy, a Texas non-profit corporation (the "Conservancy") has been formed, the purposes of which include providing for the maintenance, preservation and architectural control of the residential lots and common property located within Millican Reserve and any additions thereto which may be subsequently brought within the jurisdiction of the Conservancy; and

WHEREAS, Article III, Section 3.01(a) of the Master Declaration provides that during the Development Period (as defined in the Master Declaration and herein so called) Rock Barn Conservation Partners, LLC, a Texas limited liability company (the "Town Founder") shall have the unilateral right, in its sole and absolute discretion, to bring within the scheme of the Master Declaration additional properties in future stages of the development (including without

limitations, subsequent sections of Millican Reserve and all or portions of other properties developed by the Town Founder or affiliated or subsidiary entities) without the consent or approval of owners of any parcels in Millican Reserve or otherwise; and

WHEREAS, Article III, Section 3.01(a) of the Master Declaration further provides that as additional properties are added into Millican Reserve, the Town Founder shall, with respect to said properties, record village declarations which may incorporate the Master Declaration, and which may supplement or modify the Master Declaration, with such additional covenants, restrictions and conditions which may be appropriate for those properties and that upon the filing of a village declaration then and thereafter the owners of all parcels in Millican Reserve in subsequent sections of Millican Reserve and all or portions of other properties developed by the Town Founder or affiliated or subsidiary entities shall have the rights, privileges and obligations with respect to all property then subject to the Master Declaration; and

WHEREAS, Article III, Section 3.01(c) of the Master Declaration provides that every parcel within Millican Reserve shall be located in a Village (as that term is defined in the Master Declaration and herein so called) and that during the Development Period, the Town Founder, in its sole and absolute discretion, may establish additional Villages by designation in a village declaration; and

WHEREAS, the Development Period has not expired; and

WHEREAS, RB Ventures II, LLC, a Texas limited liability company (the "Annexing Owner") is the owner of that certain real property located in Brazos County, Texas, and being described on *Exhibit "A"* attached hereto (the "Annexation Property"); and

WHEREAS, the Annexing Owner and the Town Founder desire to annex the Annexation Property within the authority and jurisdiction of the Conservancy and subject the Annexation Property to the covenants, conditions, restrictions, reservations, easements, rights, charges and liens of the Master Declaration; and

NOW, THEREFORE, for and in consideration of the recitals set forth above, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:


The Annexation Property shall be annexed into Millican Reserve to be under the authority and jurisdiction of the Conservancy, and the Annexation Property shall be held, transferred, sold, conveyed, used and occupied in accordance with and subject to those certain covenants, conditions, restrictions, easements, rights, charges and liens set forth in the Master Declaration, 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. During the Development Period, the Town Founder may unilaterally amend this Village Declaration at any time. The Annexation Property shall be included within the definition of "Property" in the Master Declaration. The Annexation Property shall be known as The Hollow and shall be included as one (1) of the "Villages" pursuant to Article III, Section 3.01(c) of the Master Declaration.

EXECUTED this 18th day of May, 2016.

TOWN FOUNDER:

**ROCK BARN CONSERVATION PARTNERS,
LLC, a Texas limited liability company**

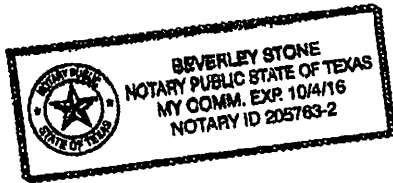
By:


John E. McFarlane, Jr., President

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 18 day of May, 2016, by John E. McFarlane, Jr., President of Rock Barn Conservation Partners, LLC, a Texas limited liability company, on behalf of said entity.

Beverley Stone
Notary Public, State of Texas



ANNEXING OWNER:

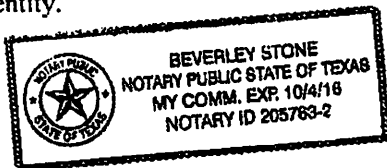
RB VENTURES II, LLC, a Texas limited liability company

By: John E. McFarlane, Jr., Manager

THE STATE OF TEXAS §
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COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 18 day of May, 2016, by John E. McFarlane, Jr., Manager of RB Ventures II, LLC, a Texas limited liability company, on behalf of said entity.

Beverley Stone
Notary Public, State of Texas



WHEN RECORDED, RETURN TO:

Mark K. Knop
Hoover Slovack
Galleria Tower II
5051 Westheimer, Suite 1200
Houston, Texas 77056
File No. 111779-02

FIELD NOTES
32.350 ACRES

Being all that certain tract or parcel of land lying and being situated in the THOMAS HENRY SURVEY, Abstract No. 130 and the DIADEM MILLICAN SURVEY, Abstract No. 178 in Brazos County, Texas and being part of the 1215.830 acre Tract One described in the deed from Carter Interests, Ltd., et al to Peach Creek Partners, Ltd. recorded in Volume 4227, Page 145 of the Official Records of Brazos County, Texas (O.R.B.C.), 5.763 acres out of the 39.705 acre tract described in the deed from Helen Rannells DuBois, Trustee to DuBois Children's Limited Partnership Tract recorded in Volume 10676, Page 121 (O.R.B.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at a found 1/2-inch iron rod marking the intersection of the west line of the said 1215.830 acre Tract One and the northeast right-of-way line of FM 2154 (based on a 100' width);

THENCE: N 03° 23' 47" W along the common west line of the said 1215.830 acre tract and the east line of a called 150 acre Lurleen Cooner tract recorded in Volume 4771, Page 108 (O.R.B.C.), said line also being on or near the westerly lines of the beforesaid DIADEM MILLICAN SURVEY, A-178 and the THOMAS HENRY SURVEY, A-130 for a distance of 782.28 feet to a 1/2-inch iron rod set for the POINT OF BEGINNING;

THENCE: N 03° 23' 47" W continuing along the said common line of the called 1215.83 acre tract and the called 150 acre tract for a distance of 1558.35 feet to a found 1/2-inch iron rod marking the southwest corner of the 39.705 acre DuBois Children's Limited Partnership tract recorded in Volume 10676, Page 121 (O.R.B.C.);

THENCE: N 01° 50' 48" W along the west line of the said 39.705 acre DuBois Children's Limited Partnership tract said line being common with the east line of the called 150 acre Cooner tract for a distance of 402.50 feet to a found 1/2-inch iron rod marking the northwest corner of the said 39.705 acre tract and the southwest corner of a 86.835 acre Millican DPC Partners, LP tract recorded in Volume 9981, Page 290 (O.R.B.C.);

THENCE: N 67° 29' 26" E along the common line of the said 39.705 acre tract and the said 86.835 acre tract for a distance of 652.65 feet to a 1/2-inch iron rod set for corner;

THENCE: S 01° 35' 42" E through the said 39.705 acre DuBois Children's Limited Partnership tract for a distance of 421.60 feet to a 1/2-inch iron rod set in the southeast line of said 39.705 acre tract for corner;

THENCE: S 01° 35' 42" E for a distance of 86.88 feet to a 1/2-inch iron rod set for the Point of Curvature of a curve to the left;

THENCE: 1157.30 feet along the arc of said curve having a central angle of 22° 06' 10", a radius of 3000.00 feet, a tangent of 585.94 feet and a long chord bearing S 12° 38' 47" E at a distance of 1150.14 feet to a 1/2-inch iron rod set for the Point of Tangency;

THENCE: S 23° 41' 52" E for a distance of 343.01 feet to a 1/2-inch iron rod set for corner;

THENCE: S 65° 55' 19" W for a distance of 581.47 feet to a 1/2-inch iron rod set for corner, said iron rod also marking the reconstructed northwest corner of the called 4.00 acre Ben Hayes Riggs, Trustee tract recorded in Volume 7135, Page 65 (O.R.B.C.);

THENCE: S 85° 59' 57" W for a distance of 371.48 feet to the POINT OF BEGINNING and containing 32.350 acres of land, more or less, according to a survey made on the ground under the supervision of Kevin R. McClure, Registered Professional Land Surveyor, State of Texas, No. 5650, in January, 2013.

