



**SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS AND
ANNEXATION FOR SIENNA TOWNHOMES
OF
SIENNA SECTION 42**

This SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND ANNEXATION FOR SIENNA TOWNHOMES OF SIENNA SECTION 42 (this "**Supplemental Declaration - Annexation**") is made on the date hereinafter set forth by CHESMAR HOMES, LLC, a Texas limited liability company ("**Townhome Declarant**").

WITNESSETH:

WHEREAS, Townhome Declarant executed that certain Supplemental Declaration of Covenants, Conditions and Restrictions for Sienna Townhomes (the "**Townhome Declaration**") which was recorded June 7, 2019, under Clerk's File No. 2019060447 of the Official Public Records of Fort Bend County, Texas; and

WHEREAS, reference is hereby made to the Townhome Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Townhome Declaration, unless otherwise specified in this Supplemental Declaration - Annexation; and

WHEREAS, pursuant to *Article XI, Section 1* of the Townhome Declaration, Townhome Declarant shall have the unilateral right, privilege and option, from time to time, if Townhome Declarant is the owner of the additional lands, and subject to the prior written approval of the Master Declarant during the Master Development Period, to annex and subject to the provisions of the Townhome Declaration and the jurisdiction of the Townhome Association all or a portion of tracts of real property located within the Declarant Annexation Property by filing in the Fort Bend County Real Property Records a Supplemental Declaration annexing such property; provided, said annexation of additional land occurs within twenty years of the original recordation of the Townhome Declaration; and

WHEREAS, Townhome Declarant desires to annex the real property described in detail on Exhibit "A" attached hereto and made a part hereof (the "**Townhome Property**") so that it is subject to the provisions of the Townhome Declaration and brought into the jurisdiction of the Townhome Association; and

WHEREAS, the Townhome Property is also subject to the Sienna Plantation Amended and Restated Master Covenant (Sienna Plantation Community Association, Inc.), which is recorded under Clerk's File No. 2019035843 in the Official Public Records of Fort Bend County, Texas, as same has or may be amended from time to time (collectively referred to herein as the "**Master Sienna Covenants**"); and

WHEREAS, the Townhome Property is also subject to that certain Sienna Plantation Amended and Restated Development Area Declaration [Residential], which is recorded under Clerk's File No. 2019036022 in the Official Public Records of Fort Bend County, Texas, as same has or may be amended from time to time (the "**Development Area Declaration**");

WHEREAS, the Townhome Property is also subject to all applicable governing Documents (as defined in the Master Sienna Covenants);

WHEREAS, as Townhome Declarant is not the owner of all of the Townhome Property that it desires to subject to the provisions of the Townhome Declaration, TOLL-GTIS PROPERTY OWNER, LLC as the owner of the balance of such real property not owned by Townhome Declarant hereby joins in this Supplemental Declaration - Annexation to subject all of such Townhome Property to the provisions of the Townhome Declaration and to effect the annexation of the entirety of such Townhome Property; and

WHEREAS, this Supplemental Declaration - Annexation is being executed and recorded within such twenty year time frame; and

NOW, THEREFORE, pursuant to the power reserved in the Townhome Declaration, Townhome Declarant, herein joined by TOLL-GTIS PROPERTY OWNER, LLC, does hereby declare that:

1. The Townhome Property is hereby added and annexed into the boundaries of the land covered by the Townhome Declaration and is hereby subjected to the authority of the Townhome Association in accordance with the terms of the Townhome Declaration to the same extent as if it had been named and described in the Townhome Declaration. With respect to such annexation:

(i) there is created and exists by reason of this annexation a mutual grant and reservation of rights and assessments of all of the Owners in and to the existing and annexed Common Property;

(ii) the real property being added or annexed into the Community is in accordance with and subject to the provisions of the Townhome Declaration, as theretofore amended, and the real property being annexed into the Community is and shall be developed, held, used, sold and conveyed in accordance with and subject to the provisions of the Townhome Declaration as theretofore and thereafter amended;

(iii) all of the provisions of the Townhome Declaration as theretofore amended, shall apply to the real property being added or annexed with the same force and effect as if said real property were originally included in the Townhome Declaration as part of the Community;

(iv) a vendor's lien is herein reserved in favor of the Townhome Association, in the same manner as provided in the Townhome Declaration, to secure collection of the Assessments provided for, authorized or contemplated in the Townhome Declaration or in this Supplemental Declaration - Annexation; and

(v) that the Master Declarant has consented to this Supplemental Declaration - Annexation during the Master Development Period (as such terms are defined in the Master Sienna Covenants).

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

3. This Supplemental Declaration - Annexation may be re-recorded as necessary to record additional joinders hereto, if any.

IN WITNESS WHEREOF, the undersigned, being the Townhome Declarant herein, has hereunto set its hand this ____ day of July, 2021.

TOWNHOME DECLARANT:

CHESMAR HOMES, LLC, a Texas limited liability company

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument is acknowledged before me on this ____ day of July, 2021 by _____ of Chesmar Homes, LLC, a Texas limited liability company, on behalf of said entity.

Notary Public, State of Texas

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ROUTINELY ESTABLISHES TAX RATES DURING THE MONTHS OF SEPTEMBER THROUGH DECEMBER OF EACH YEAR, EFFECTIVE FOR THE YEAR IN WHICH THE TAX RATES ARE APPROVED BY THE DISTRICT. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

The undersigned Purchaser hereby acknowledges receipt of the foregoing Notice at or prior to execution of a binding contract for the purchase of the real property described in such Notice or at closing of purchase of the real property.

Chesmar Homes, LLC, a Texas limited liability company

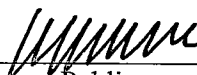


By: Terry Shakarisaz, Authorized Agent

The State of Texas §
 §
County of Montgomery §

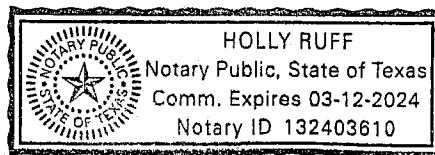
BEFORE ME, the undersigned authority, on this day personally appeared, Terry Shakarisaz as Authorized Agent for Chesmar Homes LLC, a Texas limited liability company, known to me to me the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration, as therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON July 23, 2021



Notary Public

AFTER RECORDING RETURN TO:
Chesmar Homes LLC, a Texas limited liability company
480 Wildwood Forest Drive
Suite 803
The Woodlands, TX 77380



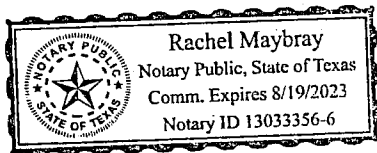
MASTER DECLARANT:

TOLL-GTIS PROPERTY OWNER, LLC, a
Texas limited liability company

By: JF Jenkins
Name: Jimmie F. Jenkins
Title: Authorized Representative

STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument is acknowledged before me on 23rd day of July, 2021 by
Jimmie F. Jenkins, Authorized Representative of TOLL-GTIS PROPERTY OWNER,
LLC, a Texas limited liability company, on behalf of such company.



R Maybray
Notary Public, State of Texas

Exhibit "A" - Legal Description

Lots 1 through 32, Block 1; Lots 1 through 8, Block 2: and Lots 1 through 28, Block 3; of Sienna Section 42, a subdivision located in Fort Bend County, Texas according to the map or plat recorded at Document No. 20210078 in the Plat Records of Fort Bend County, Texas, and recorded under Document No. 2021068026 in the Official Public Records of Fort Bend County, Texas.

Exhibit A