



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 5 Fee: \$ 32.00

DECLARATION OF RESTRICTIONS

STATE OF TEXAS §
§
COUNTY OF FORT BEND §

This Declaration of Restrictions is made and executed by **SIENNA 325 LP**, a Texas limited partnership ("Seller") and **PHHOU-SIENNA 34, LLC**, a Texas limited liability company ("Purchaser").

WHEREAS, concurrently with the execution of this instrument, Seller is selling and conveying to Purchaser that certain land in Fort Bend County, Texas as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Land"), and the parties have agreed to restrict the use of the Land by this instrument.

NOW THEREFORE, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by each party hereto to the other, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Use Restriction. Unless otherwise approved by the Sienna Plantation Residential Association, Inc., a Texas non-profit corporation (d/b/a Sienna Residential Association) (the "Association"), the Land may only be developed and used for single-family residential purposes with no more than a total of 142 lots measuring forty feet by one hundred-twenty feet (40'x120') each (the "Permitted Use"). If the Association approves the use of the Land for a use other than the Permitted Use, such other use shall not be considered a violation of this instrument, and Seller, its successors and assigns, shall be estopped from enforcement of the foregoing use restriction.

2. Expiration. This instrument shall automatically expire and terminate on the earlier of (a) the date on which Seller executes a written release of this instrument, and (b) the date that a use of the Land other than the Permitted Use is approved in writing by the Association and filed of record in the Official Public Records of Real Property, Fort Bend County, Texas.

3. Binding Nature. The restrictions contained herein shall run with the land and bind all future owners, tenants, and occupants of the Land. This instrument may be amended at any time by an instrument signed by (a) Seller and (b) the owner of fee simple title to the Land. When Seller no longer owns any land within the overall Sienna project, all rights of Seller, its successors and assigns, under this instrument will be automatically assigned to the Association.

4. Enforcement. Enforcement of these restrictions shall be by proceedings at law or in equity against any person or person violating or attempting to violate any covenants herein, either to restrain or prevent such violation or proposed violation by an injunction (either prohibitive or mandatory), or to obtain any other relief authorized by law. Such enforcement may be by Seller or the assignee of its rights hereunder. The failure of any person entitled to enforce any of these restrictions to enforce the same shall in no event be deemed a waiver of the right to enforce these restrictions thereafter.

5. Transfer of Title. Any person or entity acquiring fee title to any portion of the Land shall be bound by the terms of this instrument but only during the period such person or entity is the fee owner, except as to obligation or liabilities that accrue during such period of ownership.

6. Counterpart. This instrument may be executed in multiple counterparts, each of which, shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

EXECUTED as of the 19 day of July, 2021 (the "Effective Date").

SELLER:

SIENNA 325 LP,
a Texas limited partnership

By: Sienna 325 GP LLC,
its general partner

By: Michael J. Smith

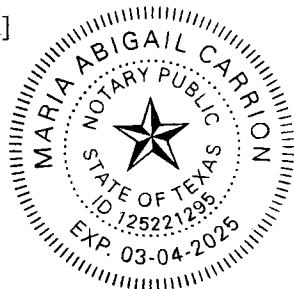
Name: Michael J. Smith

Title: Vice President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 19 day of July, 2021 by Michael J. Smith, Vice President of Sienna 325 GP LLC, which is the general partner of Sienna 325 LP, a Texas limited partnership, on behalf of said limited partnership.

[Seal]



Maria Abigail Carrion
Notary Public—State of Texas

PURCHASER:

PHHOU-SIENNA 34, LLC,
a Texas limited liability company

By: PH Land Holdings, LLC,
its Sole Member

By: Michael C. Brisch

Name: Michael C. Brisch

Title: Chief Legal and Administrative Officer

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 19th day of July, 2021 by Michael C. Brisch, Chief Legal and Administrative Officer of PH Land Holdings, LLC, which is the Sole Member of PHHOU-Sienna 34, LLC, a Texas limited liability company, on behalf of said entity.

[Seal]

[Signature]
Notary Public—State of Texas

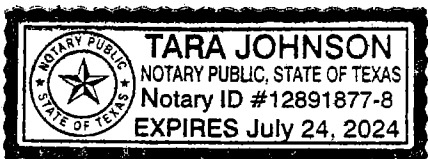


EXHIBIT " A "
(Land)

County: Fort Bend
Project: Sienna
Job No. 133325
MBS No. 13-147

FIELD NOTES FOR 34.160 ACRES

Being a tract containing 34.160 acres of land, located in the Thomas Barnett League, Abstract 7, in Fort Bend County, Texas; Said 34.160 acre tract being a call 34.160 acre tract recorded in the name of Sienna 325 LP in File Number 2013157640 of the Official Records of Fort Bend County (O.R.F.B.C.); Said 34.160 acre tract being more particularly described by a metes and bounds description as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations):

Beginning at a 5/8-inch iron rod found at the southeast corner of Sienna Parkway (140-foot width) as described in a Right-of-Way Deed recorded in Volume 2030, Page 958 of the O.R.F.B.C., from which the northeast corner of Sienna Parkway (160-foot width) as dedicated in a Roadway Plat recorded in Slide Number 1176 B of the Fort Bend County Plat Records (F.B.C.P.R.) and the northwest corner of Reserve "A", Sienna Steep Bank Village, Section One bears North 87 degrees 13 minutes 35 seconds East, a distance of 11.60 feet;

Thence, with the easterly Right-of-Way (R.O.W.) line of said Sienna Parkway (140-foot width), the following four (4) courses:

- 1) 239.18 feet along the arc of a curve to the right, said curve having a radius of 1930.00 feet, a central angle of 07 degrees 06 minutes 02 seconds and a chord that bears North 29 degrees 40 minutes 24 seconds West, a distance of 239.03 to a 5/8-inch iron rod found;
- 2) North 26 degrees 05 minutes 04 seconds West, a distance of 1001.33 feet to a 5/8-inch iron rod found;
- 3) 351.86 feet along the arc of a curve to the right, said curve having a radius of 1930.00 feet, a central angle of 10 degrees 26 minutes 44 seconds and a chord that bears North 20 degrees 50 minutes 36 seconds West, a distance of 351.37 feet to a 5/8-inch iron rod found;
- 4) North 15 degrees 40 minutes 51 seconds West, a distance of 82.58 feet to a the southerly R.O.W. line of McKeever Road (80-foot width), a R.O.W. recorded in File Number 1941033014 of the O.R.F.B.C. and the northerly line of aforesaid 34.177 acre tract, from which a found 5/8-inch iron rod bears South 87 degrees 55 minutes 51 seconds West, a distance of 1.05 feet;

Thence, with the northerly and easterly line of said 34.177 acre tract, the following eight (8) courses:

- 1) North 87 degrees 04 minutes 27 seconds East, a distance of 430.74 feet to a 5/8-inch iron rod found;
- 2) 449.82 feet along the arc of a curve to the right, said curve having a radius of 638.60 feet, a central angle of 40 degrees 21 minutes 30 seconds and a chord that bears South 72 degrees 26 minutes 59 seconds East, a distance of 440.58 feet to a 5/8-inch iron rod found;

- 3) South 44 degrees 25 minutes 45 seconds East, a distance of 222.07 feet to a 5/8-inch iron rod found, from which a concrete monument with 2-inch disk found on the southwest line of Silver Ridge, Section One, a subdivision recorded in Slide Numbers 609B and 610A bears North 72 degrees 22 minutes 57 seconds East, a distance of 73.02 feet;
- 4) South 32 degrees 08 minutes 14 seconds East, a distance of 1055.74 feet to a 5/8-inch iron rod found, from which a concrete monument with 2-inch brass disk found on the southwesterly line of said Silver Ridge, Section One bears North 48 degrees 51 minutes 41 seconds East, a distance of 76.68 feet;
- 5) South 44 degrees 04 minutes 44 seconds East, a distance of 196.36 feet to a 5/8-inch iron rod found;
- 6) South 61 degrees 04 minutes 14 seconds East, a distance of 182.65 feet to a 5/8-inch iron rod found;
- 7) South 76 degrees 39 minutes 34 seconds East, a distance of 152.10 feet to a 5/8-inch iron rod found;
- 8) South 06 degrees 10 minutes 26 seconds West, a distance of 23.98 feet to a 5/8-inch iron rod found on the northerly line of Reserve "A", Sienna Steep Bank Village, Section Three, a subdivision recorded in Slide Numbers 1771A and 1771B of the F.B.C.P.R.;

Thence, with the northerly line of said Reserve "A" and the northerly line of aforesaid Reserve "A", Sienna Steep Bank Village, Section One, South 87 degrees 13 minutes 35 seconds West, a distance of 1304.77 feet to the Point of Beginning and containing 34.160 acres of land.

PLAT OF SURVEY WAS PREPARED IN CONNECTION WITH THE HEREIN DESCRIPTION AND FILED UNDER JOB NUMBER 133325, GBI PARTNERS, LP.

GBI PARTNERS, L.P.
TBPELS Firm No. 10130300
Ph: 281.499.4539
December 23, 2019